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PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, FIRST SESSION

SENATE

TUESDAY, AUGUST 22, 1967

(Legislative day of Monday, August 21, 1967)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Lord of all being, throned afar, Thou who are the center and soul of every sphere, yet to each loving heart how near; nearer than the hands and feet that serve us, nearer than the problems that front us, nearer even than the comrades who walk beside us.

In spite of our frailty and fallibility, speak to us and through us, that to this tangled world Thy kingdom may come and Thy will be done.

Grant us Thy truth to make us free,
And kindling hearths that burn for Thee,
Till all Thy living altars claim
One Holy Light, one Heavenly flame.

In the dear Redeemer's name. Amen.

THE JOURNAL

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Journal of the proceedings of Monday, August 21, 1967, be approved.

The PRESIDING OFFICER (Mr. McGEE in the chair). Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 1968

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

Mr. THURMOND obtained the floor.

REQUEST FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes.

Mr. KUCHEL. Mr. President, reserving the right to object, I would hope that our acting majority leader might not make that request. It is my understanding that the able Senator from South Carolina was to speak on the pending bill at this time.

Mr. STENNIS. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG of Louisiana. That was a routine request. If there is objection, I ask to have the Senator from South Carolina recognized.

The PRESIDING OFFICER. The Senator from South Carolina has been recognized.

Mr. STENNIS. Mr. President, will the Senator from South Carolina yield to me?

Mr. THURMOND. I am pleased to yield.

Mr. STENNIS. I will take one-half minute.

Mr. THURMOND. Mr. President, I yield to the Senator from Mississippi.

Mr. STENNIS. Without the Senator from South Carolina losing his right to the floor.

The PRESIDING OFFICER. The Chair wishes to announce that the Senate is operating under a previous unanimous-consent agreement by which debate on each amendment is limited to 1 hour, equally divided. The time for debate on the bill is 6 hours.

Mr. STENNIS. Mr. President, could we not have a full announcement made, so that everyone who is in the Chamber may hear it?

The PRESIDING OFFICER. The clerk will read the unanimous-consent agreement.

Mr. STENNIS. I thank the Chair.

The legislative clerk read the unanimous-consent agreement, as follows:

Ordered, That, effective on Tuesday, August 22, 1967, during the further consideration of the bill H.R. 10738, an act making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Mississippi [Mr. STENNIS].

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 6 hours, 4 hours to be equally divided and controlled, respectively, by the majority and minority leaders and 2 hours by the Senator from Pennsylvania [Mr. CLARK]: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, under the agreement, the majority leader controls the time. Will the acting majority leader yield to me?

Mr. LONG of Louisiana. I shall yield in a moment. First, I should like to make some routine requests, if the Senator from South Carolina will yield.

Mr. THURMOND. I yield.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Committee on Armed Services or any subcommittee thereof be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. I ask unanimous consent that the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is is ordered.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate today.

Mr. KUCHEL. Mr. President, what was the last request?

The PRESIDING OFFICER. For the Committee on Finance to meet.

Mr. KUCHEL. A request has been made of the minority leader to object to the meeting of that committee, and therefore I say to the Senator from Louisiana that I object.

The PRESIDING OFFICER. In view of the objection, the agreement only affects the committees mentioned previously, not the Committee on Finance.

ORDER OF BUSINESS

Mr. STENNIS. If the Senator from South Carolina will yield, the unanimous-consent agreement on the pending bill was entered into yesterday afternoon, after consultation, it was believed, with all Senators who might offer amendments, including those who desire to make a special argument. Special consideration was given to the Senator from Pennsylvania. The Senator from South Carolina had entered a request for 20 minutes. I hope that the Senator from Louisiana can now yield 20 minutes on the bill to the Senator from South Carolina.

Mr. KUCHEL. The minority will be glad to yield.

Mr. STENNIS. Excuse me. I was not overlooking the Senator from California.

Mr. KUCHEL. The minority already has yielded.

Mr. STENNIS. I just wanted the time to be yielded on the bill.

Mr. LONG of Louisiana. I ask unanimous consent that both sides may join in yielding 10 minutes each, to make 20 minutes available to the Senator from South Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, will the Senator from South Carolina yield to me for 30 seconds?

Mr. THURMOND. I am glad to yield to the distinguished Senator from California.

RECOGNITION OF SENATOR CASE

Mr. KUCHEL. Mr. President, the distinguished Senator from New Jersey [Mr. Case] desires to speak at the conclusion of the address by the able Senator from South Carolina [Mr. Thurmond], and I ask unanimous consent that the Senator from New Jersey be recognized for 15 minutes, the time to be allotted from the minority's 2 hours.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 1968

The Senate resumed the consideration of the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

Mr. THURMOND. Mr. President, I rise in support of H.R. 10738, the bill making appropriations for the Department of Defense for fiscal year 1968.

Mr. STENNIS. Mr. President, may we have order? Will the Chair actively maintain order, so that we can hear the Senator from South Carolina?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from South Carolina may proceed.

Mr. THURMOND. Mr. President, at the outset, I would like to say that it has been a pleasure to work with the distinguished chairman of the subcommittee, the senior Senator from Georgia [Mr. Russell], and the ranking member of the subcommittee on this side of the aisle, the senior Senator from North Dakota [Mr. Young]. Both have characteristically given unstintingly of their time and talents in connection with this bill, in an effort to provide all that is needed for our national security within the limits of our economy.

The bill is $1.4 billion below the budget estimates for this year, and is $138,780,000 below the amount provided in the bill as it passed the House of Representatives. These are significant reductions and attest to the ability of the committee to try to provide for our national security and yet remain cognizant of the financial burden upon our country.

I want to mention particularly several items contained in this bill.

The first is the provision relating to the production and deployment of an antiballistic missile system. There is approximately $730 million provided in this bill for the ABM system. Of this total, approximately $309 million is earmarked for production and initial deployment of an ABM system. The remainder of the funds in this bill provide further research, development, testing, and evaluation. To the funds which could be used for initial development, there can be added $153.5 million which was provided in the appropriation bill for fiscal year 1967, and which is so far unexpended. In addition to these two figures there is approximately $88 million to be included in the military construction, authorization, and appropriation bill, which would provide for initial deployment facilities. There will be an excess of $540 million in fiscal year 1968 to provide for initial deployment, in addition to the funds for research, development, testing, and evaluation.

Clearly then, Congress in its collective voice has spoken in favor of initial deployment of an ABM system. This is within Congress constitutional authority, and as the committee report clearly states:

> The Congress has met its Constitutional responsibilities in this matter, and the responsibility for further delaying this system clearly rests with the executive branch of the Government . . . it is the view of the committee that the deployment of the Nike X antiballistic missile system should be initiated immediately, and the committee urges the executive branch of the Government to take action accordingly.

Recent developments in the world further point out the urgency of immediate action. First, there is the swift development of an ICBM and a thermonuclear capability on the part of the Communist Chinese. This development was clearly pointed out in the report of the Joint Committee on Atomic Energy, released on the 3d day of this month. I quote from pertinent provisions of that report:

> We believe that the Chinese will continue to place a high priority on thermonuclear weapon development. With continued testing we believe they will be able to develop a thermonuclear warhead in the ICBM weight class with a yield in the megaton range by about 1970. We believe that the Chinese can have an ICBM system ready for deployment in the early 1970's. On the basis of our present knowledge, we believe that the Chinese probably will achieve an operational ICBM capability before 1972. Conceivably, it could be ready as early as 1970–1971.

In summary, the Joint Committee on Atomic Energy noted that:

> Perhaps most significant for the United States is the fact that a low order of magnitude attack could possibly be launched by the Chinese Communists against the United States by the early 1970's. At present we do not have an effective anti-ballistic-missile system which could repel such a suicidal (for the Chinese) but nevertheless possible strike.

While we must acknowledge the threat of Red China, we cannot dismiss the continuing and increased threat from the Soviet Union. There was recently prepared for the House Armed Services Committee a study entitled "The Changing Strategic Military Balance—U.S.A. versus U.S.S.R." This study was prepared by a committee of distinguished and knowledgeable military and weapons experts headed by Gen. Bernard A. Schriever, USAF, retired.

While all of the material included in this report came from unclassified sources, its compilation in one document presents a frightening picture of declining superiority on the part of the United States, in contrast to the Soviet Union. One of the basic arguments used by Secretary of Defense McNamara and others who oppose the deployment of a missile defense system is that, in the long run, it would provide little real security for the United States. Their answer is to upgrade and increase our offensive capabilities to the point that our second strike force would deter the Soviet Union from initiating any strike against the United States.

Yet, Mr. President, this study clearly shows that even our offensive superiority in terms of deliverable megatonnage has eroded significantly in recent years. While it is true that we still have more ICBM's in number, technological advances have drastically changed the method of calculating comparative strengths.

One knowledgeable writer, Mr. Richard J. Whalen, writing in Fortune magazine on June 1 of this year, in an article entitled "The Shifting Equation of Nuclear Defense," refers to this as the "'new math' of MIRV." Mr. Whalen's observations on this point are particularly appropriate, and I want to read this portion of his article:

> The U.S. itself has discovered how to use a single ICBM launcher to carry several individually propelled warheads, which can be guided accurately to different targets hundreds of miles apart. The multiple individually guided re-entry vehicle, known as MIRV, could revolutionize nuclear strategy if the Soviet capability should match our own.
>
> The strong side of Secretary McNamara's philosophy of deterrence is apparent in the improvement of U.S. striking power. The entire front end of new missiles is being redesigned. The land-based Minuteman III, scheduled to replace the Minuteman I, and the submarine-launched Poseidon, the successor of the Polaris A–3, will be equipped with MIRV, decoys, and penetration aids. When they are in place within the next three years, McNamara declares that these formidable missiles will surely be capable of penetrating the Soviet anti-missile defenses, currently being deployed. And so they doubtless will—if they are ever fired in anger.
>
> By preparing to meet a changing offensive threat and defensive capability with an improved offense only, however, McNamara displays the weak side of his strategic philosophy. The development of MIRV in missiles means that a new way of calculating striking power is needed, and therefore a new way of appraising the U.S. deterrent. The long-vaunted U.S. lead in ICBM boosters, current-

> ly estimated at three to one, no longer provides the reassurance it once did, and Pentagon officials now quietly downgrade such rough numerical comparisons. As McNamara himself said in his Posture Statement, "It is not the number of missiles which is important, but rather the character of the payloads they carry; the missile is simply the delivery vehicle."
>
> He did not add that, with all the additional payload weight resulting from multiple warheads and penetration aids, the thrust of the delivery vehicle also becomes a critical factor—and in the case of the U.S. at the present, a sharply limiting factor. Except for the relative handful of Titan II's, which are scheduled to be phased out, the lift capacity of U.S. missiles averages about one megaton for each booster. Soviet boosters, in contrast, can carry an average warhead load of more than seven megatons. If these missiles are, in addition, capable of being fitted with multiple warheads, the U.S. booster advantage of three to one over the Russians could quickly become a fiction. The new SS-9 could be fitted, at least in theory, with ten or more individually guided warheads. In one fashion or another, MIRV introduces a new kind of missile math—a relatively inexpensive means for the U.S.S.R. swiftly to achieve parity or better with the U.S. in terms of deliverable megatonnage. They are known to have tested the components of a multiple-warhead system. Therefore, U.S. watchers on the outside, peering through the cracks in a closed society, are anxiously anticipating an operational capability because of the short lead time involved. As little as eighteen months could separate our discovery of a MIRV development program and the operational deployment of Soviet missiles carrying multiple warheads. Those who would know whether such a development program has been detected are quite properly silent.

Mr. President, many factors have a direct bearing upon the overall strategic balance of power that exists in the world today. It would suffice to say that the overwhelming superiority once enjoyed by the United States is being steadily and hastily eroded. The immediate deployment of an ABM system would be a stabilizing factor, rather than a destabilizing one as has been alleged. It is essential to our national security that the executive branch of Government follow the lead displayed by Congress, and make a final decision to proceed forthwith with production and deployment of an ABM system.

The second item I wish to discuss is the committee's action with regard to the procurement item for the F-111B aircraft. The committee has in my judgment taken a very wise step in reducing the budget request for the procurement of the Navy version of the F-111. I want to go on record as strongly endorsing the language in the report that—

> The Congress should review the F-111B program thoroughly before authorizing series production of the aircraft. In recommending $115 million for this program, it is the intent of the committee to provide for the procurement of 6 F-111B aircraft to continue the Navy's research and development program.

The subcommittee heard testimony, in closed session, concerning the performance capabilities of the F-111B which raises serious questions about its adaptability for aircraft carrier operations. I want to take this opportunity to congratulate the distinguished senior Senator from Arkansas [Mr. McCLELLAN], the junior Senator from Washington [Mr. JACKSON], and the senior Senator from South Dakota [Mr. MUNDT], for the detailed study and analysis they have made of this item.

The third item to which I wish to draw attention is the section dealing with the Army Reserve and the Army National Guard. The committee has recommended the full budget estimate in funds for Reserve personnel in the Army. More importantly, the committee approved the language in the bill which reads as follows:

> The Army Reserve will be programmed to attain an average strength of not less than two hundred sixty thousand for fiscal year 1968.

The provision is of utmost importance to the maintenance of a strong and well-manned Army Reserve. The provision that requires an average strength of 260,000 was adopted in preference to a suggested end strength of 260,000.

Mr. President, although this bill is the largest single appropriation bill in the history of the country, there are deficiencies which I feel must be pointed out. The funds provided in this bill call for very few innovative features in terms of strategic weaponry. The pattern of research and development in the appropriation request has shown a consistent decline since Robert S. McNamara took over as head of our Defense Establishment. Under his guidance, our strategic weapon advances have slowed to a virtual halt, falling prey to the much heralded "cost-effectiveness" principle. The reason for this cannot be attributed solely to the high cost of the war in Vietnam. This trend was definitely established prior to our large-scale commitment in Vietnam in terms of manpower, equipment, and financial resources.

As a direct consequence of the "cost-effectiveness" doctrine, our strategic power has been effectively downgraded so that it now approaches the peril point and threatens to make the United States a second-class power. There is an urgent need for the development of new and better missiles and further advancements in the field of antimissile warfare. Follow-on systems for our strategic aircraft, that are now becoming outmoded and dangerously obsolete, are woefully lacking. The threat of rapidly growing Soviet submarine capability points to the urgent necessity for an expanded effort in antisubmarine warfare.

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from South Carolina be allowed to proceed for 2 additional minutes, with the time to be equally charged to each side on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. I thank the distinguished Senator from West Virginia.

Mr. President, all these are items which cannot be subjected to a meaningful cost-effectiveness study. They are items which we hope never to be required to use. They are, nevertheless, items which we must have in order to insure the survival of our Nation. The responsibility rests with the Defense Department and with Mr. McNamara to be creative and to place our national defense as its first priority. Failure in this regard will make the expenditure of enormous sums for other items of no avail.

Mr. President, I support this bill and urge the Senate to approve it. I further express the hope that the Secretary of Defense and the President will see and understand the urgent necessity for proceeding forthwith to provide the necessary offensive and defensive weapons and the equipment needed to assure our national security.

Mr. President, in closing, I take this opportunity to congratulate the able and distinguished Senator from Mississippi [Mr. STENNIS] for the outstanding leadership he has provided in handling this appropriation bill on the floor of the Senate.

Mr. STENNIS. Mr. President, if I may use one-half minute of the Senator's time, I thank the Senator from South Carolina very much for his remarks. More than that, though, I thank him for his deep attention to the bill and the fine contribution he has made to it. He always makes a fine contribution and I am glad he made his speech.

Mr. THURMOND. I wish to thank the able Senator from Mississippi.

AUTHORIZATION FOR COMMITTEE ON FINANCE TO MEET UNTIL 12:30 P.M. TODAY

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet during the session of the Senate today until 12:30 p.m.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 10566) to provide for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes, in which it requested the concurrence of the Senate.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, in the absence of the able majority leader and the majority whip, I yield myself 1 minute on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency, and the Subcommittee on Civil Service of the Committee on Post Office and Civil Service be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISPOSITION OF FUNDS APPROPRIATED TO PAY JUDGMENTS IN FAVOR OF THE SAC AND FOX INDIANS

Mr. BYRD of West Virginia. Mr. President, I ask the Chair to lay before the Senate a message from the House on H.R. 10566.

The PRESIDING OFFICER laid before the Senate H.R. 10566, to provide for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the companion Senate bill, S. 1750, on the calendar, be postponed indefinitely.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADMINISTRATION FAILURES IN VIETNAM

Mr. CASE. Mr. President, the suspicion grows that the Johnson administration is determined to compound rather than correct its failures in South Vietnam.

The President's decision to send at least 45,000 more American troops to Vietnam—with no justification whatsoever offered to the Congress or the public—flies in the face of evidence that this has already become too much of an American war.

And now, by widening the list of bombing targets in North Vietnam in apparent disregard of concerns expressed by many Americans, the President is feeding the unfortunate illusion that victory is to be found in the north rather than in the south.

The missing ingredient in Vietnam is not manpower or airpower, but willpower—the will of the present rulers of South Vietnam to mobilize and focus all their resources on the task of nation-building.

The failure of the Johnson administration in South Vietnam is not in any inadequacy in U.S. military or material assistance. The Johnson administration's failure in South Vietnam is its failure to bring about those social and political changes in South Vietnam and those reforms in the South Vietnamese Government and military establishment without which victory in South Vietnam is impossible.

Much is now being made of the forthcoming elections in South Vietnam—much too much, I fear. Having been oversold by the administration as a replica of the American political process, the elections have taken on the appearance of travesty in Western eyes with each day's news of the campaigning.

This is highly unfortunate, for the relevant questions as to the Vietnamese elections are not whether they meet some ideal standard of the democratic process which we in the West have seldom, if ever, attained. The relevant questions are whether the elections will be a significant step toward nationhood in South Vietnam.

Will they help to give those elected the determination and the courage to break with a tradition of corruption in public and private life, to remove incompetents from positions of leadership, and make ability and courage the prevailing standards for appointment and promotion in both the Government and the military establishment?

Will the elections be a step toward giving the people real confidence in the Government's concern for their safety and welfare, and thus help to establish it as an institution to which they can give their loyalty and support?

These are the changes that must come if the war in South Vietnam is ever to be won. And only the Vietnamese can do this job. Americans in any number simply cannot do it for them.

There are now almost as many American troops as South Vietnamese directly engaged in the war, in and around Vietnam. With some notable exceptions, however, the 600,000 men in the South Vietnamese forces have proved largely ineffective, whether in large-unit operations or the vital task of providing security for the hamlets and villages in which most of the people live.

The reasons for this are many: improper training, indifferent leadership, low pay, favoritism, and the lack of opportunity for advancement. All contribute to the weakness of motivation that remains the pervasive and debilitating characteristic of the civil as well as military establishment in South Vietnam.

It is claimed that we are making strenuous efforts to persuade and assist the Government of South Vietnam to correct these conditions. Clearly, however, we are not doing enough, or else the President would not again be asserting the need for more American troops.

Have we reached the effective limit to the amount of influence we can exert in behalf of basic and rapid reform in South Vietnam? There are those who say we have, because American prestige is so deeply involved that we cannot withdraw and the South Vietnamese, knowing this, feel free to ignore our requirements.

We must not, and I am convinced the American people will not, accept such a position as that. Yet the President's decision to send more troops is hard to reconcile with any conclusion other than that the administration has allowed itself to be trapped in this intolerable dilemma. The American people will not be patient much longer without some tangible evidence that the promises made at Honolulu, at Guam, and at Manila were not mere window dressing.

The growing unrest about Vietnam reflects more than a deep concern over mounting American casualties, now exceeding those of the South Vietnamese. And it reflects more than a gnawing fear that the conflict may be drifting irresistibly toward a wider war.

The unrest about Vietnam reflects above all a growing anxiety and deepening resentment at the administration's continuing claims of progress when the American people are increasingly persuaded that toward the accomplishment of our real objectives in South Vietnam there has been no progress.

It is time that the President gave us some credible assurance that our objectives in South Vietnam are possible of attainment and some credible evidence of actual movement toward that goal. Unless the President does this, we shall be unable to avoid the conclusion that the task is beyond the capacity of his administration.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, will the Senator yield to me 1 minute?

Mr. BYRD of West Virginia. I yield 1 minute to the Senator.

Mr. STENNIS. I think the Senator has made a fine contribution to the debate on policy in his speech.

He raised one question in his speech, as to whether we have exhausted our efforts for rapid reform among the people there. I do not think we have, but I believe we have to strike out the word "rapid," because that is one of the troubles there. It takes time to bring about new political institutions, new political thought, and new political practices. I am afraid that we do not realize that fact. That is one of the main troubles there. That is why we have to send more military men—the Senator raised that point; this is my opinion—because we cannot make the transition for them to carry on the war for themselves.

Mr. CASE. I appreciate the comments and the generous statement about my own effort in this matter by the Senator from Mississippi. When I said "rapid," I meant, of course, recognizing that everything is relative, and that some matters have been going more rapidly than others. But we have been waiting for some years now. Manila and Guam happened some time ago. We have been hearing promises of reform. There have been statements that progress has been made. Yet when we examine what has happened on the ground we find no evidence of that, and nothing in the way of evidence to show that the problem has been accepted by the South Vietnamese. Instead, I have seen from our own Government reports—and this is not stated in any spirit except that of sorrow, as I am sure the Senator understands—that progress is almost imperceptible in the real question of getting the South Vietnamese to do the job.

I said, as I have said before, that when the President announced his decision to send at least 45,000 more troops, he did it without coming to the Congress, without any statement of justification, without any statement of what the troops are to perform, without any recognition that he understands—although I think he must understand—that only the South

Vietnamese can do this job. And just how additional American troops will help to bring about a situation in which the South Vietnamese will take on the job is more than I can understand, in light of the fact that we already almost match the number of troops the South Vietnamese have on the ground.

As the Senator knows, that matter is what I regard as the crux of the problem. Other Senators have taken different views. Other Senators regard the bombing of the north as perhaps crucially important. My own view has been stated a number of times. I think we should bomb to the extent, and only to the extent, that it has a significant effect upon the infiltration of men and supplies into the south. What I have had a concern about is the lack of response by the administration to the questions raised by highly responsible Senators and others about the necessity for the bombing.

I am unhappy because we can get no response from the administration—and by the administration I mean the President—to the many expressions of concern about increasing the size of the American forces, in the face of the lack of response by the South Vietnamese leaders to the job which they need to be doing. This raises the question in my mind as to whether the present administration has not fallen, as I suggested in my statement, into the trap or the dilemma that we are afraid to press the South Vietnamese harder, and yet without pressing them harder, the job cannot be done.

Mr. STENNIS. Mr. President, may I have 1 minute on the bill to respond?

Mr. BYRD of West Virginia. Mr. President, has the Senator's time expired?

The PRESIDING OFFICER. The Senator from New Jersey still has some time remaining.

Mr. STENNIS. Will the Senator yield to me?

Mr. CASE. I am happy to yield.

Mr. STENNIS. I have just this comment, Mr. President: I personally believe that the reason that we are having to send in more troops—and we are sending many of the cream of our crop—is a recognition that the South Vietnamese troops, with all deference to them, cannot get the job done. That has been the gradual trend of the last 2 years. Not by choice, but by necessity, we are driven to reach that conclusion, and to take appropriate steps.

Another point, on this issue of rapid reform: As the Senator knows, we are using our Marines, on a large scale, in the pacification program. Ordinarily, Marines are not trained for that purpose; they are trained more for fighting. But I think it is an illustration of how far we are going on that score; and I am about convinced that due to the differences in outlook, religion, culture, background, and history, those people are not going to learn very much about self-government from Americans, but will have to learn it from Asians. I think that is the reason we are making such slow headway in the pacification program and the strengthening of the local governments.

I thank the Senator for yielding.

Mr. CASE. I appreciate the Senator's comment, and I thoroughly agree—as has been my thesis—that this is a job that the South Vietnamese have to do for themselves.

The primary point is that the South Vietnamese Government has got to so establish itself among its own people that the people will have respect for it, regard for it, and a feeling of loyalty toward it; and that nobody from outside can instill. This is where the American administration has failed. We have done a great job in our own fighting; our military forces, as always, have acted superbly. We have poured billions of dollars into South Vietnam. What we have failed to do is get them into a position where they can take on the job only they can do. That, I repeat, is my thesis, Mr. President.

Mr. McGEE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I yield the distinguished Senator from Wyoming 5 minutes on the bill.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 5 minutes.

Mr. McGEE. Mr. President, I have listened with great care to the very thoughtful comments of the Senator from New Jersey, expressing his rightful concern about the role of South Vietnam and all that is taking place in that troubled quarter of the world.

What I should like to suggest, however, is that his concerns, which I share, are really properly secondary questions; that the consideration he seems to omit is why we are really there.

We are not there, fundamentally, to change the Vietnamese overnight; and certainly the Senator and I would agree that we are not striving to make little Americans out of them, or even to insist, above all other things, that they carry their fair share of the load.

It seems to me, Mr. President, that our concern is what happens to Southeast Asia; that the big question is really not what happens to Vietnam at all, but what happens to that part of the world. I think the record is already fairly clear that if Vietnam had gone down the drain 2 years ago it would have been only a matter of a very short period of time until the surrounding areas would have begun to be eroded. In fact, attempts to erode them were even then underway. I speak of Laos, of Cambodia, of Thailand, and of Burma in particular.

So when we try to assess the President's request at this moment, when we try to evaluate the status of affairs in Southeast Asia, I think the first question we should be asking is: What has happened in Southeast Asia in these last several months or 2 years? It seems to me that there we would put our finger on the real yardstick for our assessment.

What has happened, Mr. President, is this: The nations in Southeast Asia surrounding Vietnam now are saying very candidly and straightforwardly that, indeed, the Americans have made the difference.

As Mr. Lee Yew, the Premier of Singapore, bluntly stated, referring to the United States:

> Without you we would not have a chance.

As the President of the Philippines has put it:

> You Americans have made the difference, for what you have done has won us another chance, so that someday we in Asia can take over this burden ourselves.

As the Foreign Minister of Thailand has put it:

> If we succeed in holding this line in Vietnam, there will be no second or third Vietnam.

Even in Burma, where the challenge has likewise been thrust, there has been a very decided shift in the climate of opinion pervading that once hostile land.

So it would seem to me, in all fairness, Mr. President, that our first measure must be to gage what has happened in that critically significant, strategically important, major part of the globe.

What has happened is that the gloom, the despair, and the despondency that once dominated that part of the world have largely shifted if not to optimism, at least to the very firm conviction that they are winning a chance.

The Senator and I know it is going to be a long while before those areas of the globe, which have had so little opportunity to develop any rules of self-government or experiences in local responsibility, will measure up to the standards that we have come to take for granted in our own land. But it is time that it became a factor. I say that if we vacillate now in Vietnam, if we waver now in Vietnam, if we begin to worry about what Mr. Ky, if we begin to worry about what Mr. Thieu, if we begin to worry about what the men in Hanoi are going to do, we will lose sight of the central question, of the main issue, which is the imperative requirement that someone successfully hold the line against erosions of the chance for a less violent procedure and a more orderly change in that part of the world. In that measure, we have a considerable bit that we can point to with real hope, for here is where the change has occurred in the last few months. I think it behooves us not to lose sight of that change.

Mr. CASE. Mr. President, may I have a few minutes in which to reply?

Mr. McGEE. Yes; I am glad to yield time to the Senator.

Mr. CASE. I share many of the thoughts that the Senator from Wyoming has expressed. He knows that I have never been one who has been so clear as some of our friends that this whole endeavor was a mistake. I have, rather, thought otherwise. Let me, for the sake of my point, accept fully everything the Senator has said.

The PRESIDING OFFICER. The 5 minutes yielded to the Senator from Wyoming have expired.

Mr. BYRD of West Virginia. Mr. President, I yield 5 additional minutes on the bill to the Senator from Wyoming.

Mr. CASE. Mr. President, let us concede everything that the Senator has said about the importance of our having got into this activity. My point is that in order to succeed on these terms, we must have from the South Vietnamese the kind of recognition and the kind of performance that they have not yet shown.

Even on the Senator's terms, we cannot succeed, we cannot accomplish stability, without bringing about the reforms in South Vietnam and in its government which are essential to success. So we are not wavering when we call attention to this. We are looking at conditions in the cold light of reason and are stripping the question of all illusions.

I could make arguments, to a degree, against the points raised by the Senator, but I am not doing so; I am accepting for the sake of argument his complete thesis. I could say, but I do not, that it is easy enough for the Prime Ministers of Singapore, Thailand, and perhaps Burma and other countries to say, "Let's you and him fight." It is easy enough for Ky and Thieu to say that. But I shall not make my reply in those terms, because I think there has been too much of that kind of approach to the problem.

I do accept an American role in that area, a role of enormous importance. But to accomplish that role, to fulfill it, requires things that this administration has not done.

This administration has been blamed—and I have pointed this out—unfairly for getting us into the mess in South Vietnam.

It was not its primary responsibility, but that of predecessors of this administration. The situation existed before this administration took over. But the unfairness of this blame should not be allowed to detract one bit from the responsibility of the administration to meet the obligations it—and it alone—has, and that is to get the South Vietnamese to do this job without which all our efforts and purpose, it is suggested quite correctly by the Senator from Wyoming, cannot be fulfilled.

That is the purpose of my boring in on this point. Do not talk about whether the blame is unfairly placed or whether it is right or wrong to try to do this.

Talk about whether one is succeeding in the job. That is the thing I wanted to discuss in my remarks today.

Mr. McGEE. Mr. President, I respond to my friend, the Senator from New Jersey, by saying that one has to measure successes or failures in terms of fundamental objectives. It seems to me that our fundamental objective has been made very clear, and that is to try to prevent the erosion of Southeast Asia by forces that sought to take it over because of the prize that it has historically represented for those who sought its riches. And by that token, or by that measure, there is no longer the immediate threat today that Southeast Asia is going to be taken over from the outside.

There is only one reason that accounts for that, and that reason is the presence of the United States in Vietnam. That has made a difference to Cambodia, Thailand, Burma, Malaysia, Singapore, the Philippines, and even Indonesia.

It is hard to equate any other single development in this war with the implications of that meaning to all of the small countries in Southeast Asia. And I hasten to add that it is even more important to the national interest of the United States, if we want to think of it narrowly and selfishly, that these surrounding countries really believe that they have a chance than it is to equate our position in terms of the many unhappy or slowly moving or nonmoving social or economic or political changes in Vietnam itself.

I would hope that we not so upend the priorities of goals in Southeast Asia that we would let our sense of distaste defeat our goals there.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, will the Senator representing the minority yield time?

Mr. CASE. Mr. President, I yield myself 5 minutes and yield 2 minutes of that time to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 5 minutes.

Mr. McGEE. Mr. President, I thank the Senator. The real point is that we would make a serious mistake in our own national interest if we were to permit our sense of pique or frustration or impatience about what is taking place inside a government in Saigon or inside the motivations of the peoples in a part of the world where they have already been at war constantly for 20 years—not 2 years, but 20 years—take precedence over the substantive, basic, and notable gains in the feeling and outlook of the peoples that surround Vietnam.

Heaven knows, it is going to take a long time for any kind of elections with great meaning to take place, for any kind of self-participation on a local level in Vietnam. Some strides have been made even so, I hasten to add, but excepting that, we ought to remember in our own experience—and I trust that we keep this in mind around the world—that it may be that our particular form of government is not the best for those people.

We have to quit trying to have American aspirations for people of different lands. However, there are fundamental aspirations that know no boundary lines, among which would be a chance for a better economic level of life and more respectability for individual peoples. These aspirations are not achieved under other forms of government. I think we ought to keep these things in the proper order.

Mr. CASE. Mr. President, I thank the Senator. This sort of discussion is not an unworthy use of the time allotted to this bill or any other bill. I think that the contrary is true. And we do not disagree about many things.

The Senator made the point that we should not hold up the standards of Western democracy insofar as elections go for immediate performance by the South Vietnamese.

I said that in my remarks. I agree. The administration has made much too much of this constitutional development, and it has become almost a travesty, because, in the first place, we could not expect them to do anything much faster than they have. In the second place, the object is not the attainment of some kind of Western standards for the government or their elective process.

Our purpose is to so stabilize the situation in different areas as to point out that we will not have to continue to act as policemen for this great part of the world. And the attainment of that objective, it seems to me, is not only as far away as it has ever seemed, but perhaps further away.

My purpose in taking the floor today and on recent occasions has been to call the attention of the country to what is necessary—and that concerns improvement in the acceptance by the South Vietnamese government of the responsibility which only they can perform in order to accomplish all the objectives that have been announced.

Mr. McGEE. Mr. President, may I have an additional 2 minutes?

Mr. BYRD of West Virginia. Mr. President, I yield 2 minutes under the bill to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 2 minutes.

Mr. McGEE. Mr. President, I say to the Senator from New Jersey that there have indeed been strides forward in terms even of achieving that moment, whenever it may lie in the future and however far down the road it is, when these people can take over these burdens themselves.

I am speaking of Southeast Asia where, within the last 15 months, significant collective efforts on the part of the nations only of southeastern Asia have gotten underway with respect to economic development in the Mekong River Valley and development of the collective efforts in the race for educational standards, and finally in trying to work out the necessary agreements for military cooperation.

At the same time, these efforts would not have had a chance of succeeding if we had not been there. These efforts are just aborning. They cannot bear fruit immediately. The efforts are underway, and that is the reason, it seems to me, that there are worse things that could happen to us in that part of the world than the presence of the troops in Vietnam itself, than its social and political rounds that plague us at times as they do right now, and then if something else were to occur and the whole endeavor were to collapse. And that is precisely what the alternative is.

So I say that we have to see it through; that we have to firm up our own position and determination there; and that in providing time, we afford the most realistic chance for the political changes, the social changes, the economic changes, or, yes, even the military changes to take their toll in Vietnam.

Mr. CASE. I yield myself 1 minute.

Mr. President, the differences in our objective are imperceptible. The differences in our attitude as to progress toward that objective are very great. I have seen no signs of progress toward the accomplishment of the objective in South Vietnam, which is essential if we are ever to win.

It is intolerable to me to see 6,000,

8,000, or 12,000 American lives lost every year, while corruption runs rampant in South Vietnam and men become rich on American aid.

No progress is being made toward winning the hearts, for their own Government, of the people of South Vietnam. And here, additional American aid in the form of men or material or money will be of no help, unless we take a firmer hand on the tiller and see that the job is done by the South Vietnamese themselves. The American public will not tolerate continuation indefinitely of the kind of thing that has gone on in the past, with no real evidence of progress whatever.

The attainment of the great objectives of peace and stability in the area and in the world will be impossible unless this job is done by the South Vietnamese Government, and it is up to us and to this administration to see that the job is accomplished there.

Mr. McGEE. Will the Senator yield 2 minutes to me?

Mr. BYRD of West Virginia. Mr. President, I yield 2 minutes to the Senator from Wyoming, on the bill.

Mr. McGEE. The exchange that we have had here today, in my opinion, has been somewhat helpful, and it calls to my mind memories of the dialogs on the floor of the Senate a year ago or 15 months ago, when all seemed hopeless and we were told that we had to get out, that there was to be no future. Someone then seriously recommended that some kind of process be started in Vietnam—that perhaps they should have a new constitution, that they should elect a constituent assembly—to see what they could get underway. Most people did not believe the South Vietnamese could move along that road. Now, in hindsight, of course, we can measure those faltering steps, steps that nonetheless have moved them ahead, however wavering each particular move may have been. The result was that they elected an assembly, they drafted a constitution, they ratified a constitution. They are now in the process of taking the next halting step.

Not too long ago, I had occasion to go through some of the very early papers of our own country, when we were a brandnew nation—though, to be sure, a more sophisticated one in our very beginning, even at the outset of our experiment in representative government—to discover how few Americans were permitted to participate in the first election in the Republic of the United States. One male in eight was entitled to vote; women were not entitled to vote. Yet, who threw up their hands then, when we were starting out on this long, long trail that will lead some day, we hope, to total self-government? We are still working at it in this land of ours and have not achieved it. There are still places where we cannot hold a free election in our country. But we have made headway, and I say that that kind of headway is already being realized in Vietnam. It will take a long time. What has taken us 200 years, some magicians are expecting to pull off in Vietnam in 2 years. I say that is totally unrealistic and totally wrong. Headway has been made, and it is measurable. They are going to have an election, however unhappy that election may be by our standards or our terms. Likewise, they are achieving a measurable stability in more and more areas because of the programs in which we have been instrumental in assisting them—in the pacification area, where it has been much slower than any of us had dreamed or hoped, but it is still moving ahead.

These are the terms that we should give to the same reason for going slow on the sense of despair or the sense of impatience that we would impose on the judgments in regard to our friends in Vietnam.

Once again let me say that the issue really is not Vietnam. The issue is all of that part of the world, and in that context the gains have been very considerable, indeed.

Mr. CASE. I yield myself 2 minutes.

We started this colloquy with the statement, after my brief talk, by the Senator from Wyoming saying that we should look at the big picture in this area, and I accepted this as the basis of our discussion. I come back to close this debate, because I must leave the floor, though the Senator might wish to speak in my absence.

We cannot win in the big picture unless we win in South Vietnam. We have chosen to make this the battleground, wisely or not. We are not talking about whether we should have gotten into this situation. We are talking about what we should do now about accomplishing success. Success means stabilization in South Vietnam, and that depends upon getting the South Vietnamese Government into such shape that the people will support it—not that we are requiring that they meet Western standards for elections right away, not that we are requiring even a democracy or anything else, but a government that the people will support. That is all we are requiring.

We are not trying to impose it because we think it is the right thing for them to do, but because that is the only way the objective of stability can be obtained. This is our only reason for being there. We are not accomplishing this by throwing more and more men into South Vietnam. We are making it less and less possible for the South Vietnamese to do the job themselves.

I do not make these statements on my own responsibility alone. I make them upon the repeated reports of objective observers of the scene, American newspapermen, who have come back and said there is no noticeable progress in this point and in this objective, but that there can be if we will concentrate on it.

My desire is not for us to pull out, not for us to lose this war. No one can think that for a moment. My desire is for us to act so that we will have a chance of winning the war, and that is the purpose of my remarks, which I shall repeat as often as I have an opportunity to do so.

I thank my colleague for his participation.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of West Virginia. I yield 5 minutes to the distinguished senior Senator from Ohio on the bill.

THE ELECTIONS IN VIETNAM

Mr. LAUSCHE. Mr. President, yesterday morning letters were delivered to the members of the Committee on Foreign Relations, which were copies of a communication sent by the South Vietnamese Government to the Vice President of the United States, inviting Congress to send a delegation of investigators to watch how the elections in South Vietnam are conducted on election day.

In pursuance of that letter, yesterday I expressed my own views about the discussions that have taken place on the floor of the Senate, charging that fraudulent, improper elections will be held, without adequate proof to support the charges.

I have read the reports of international newspapermen in South Vietnam. I thus far have failed to find anyone who would support the claims made on the floor of the Senate that the elections will be fraudulent and nonreflective of the true thinking of the South Vietnamese people.

Mr. President, the best proof of the legitimate intention on the part of the incumbent government to conduct fair elections resides in the fact that it has invited the U.S. Government to send supervisors into South Vietnam to observe what will be done. The Ohio newspapers of yesterday and today have published stories that the President contemplates appointing a delegation to go to South Vietnam to observe the conduct of the elections.

I rise, especially at this time, to give support to that purpose, if it actually exists. People are divided about the South Vietnamese situation. In my lifetime I have not seen such a division of thinking in a matter that concerns our Nation as now exists with respect to South Vietnam. The argument about the elections will divide us further.

The Communists have been exercising terrorism to frighten the South Vietnamese people from going to the polls. They have urged noncompliance with the results of the elections.

Suddenly, out of this Chamber there comes the argument that the elections will be rigged, and that they will not express the thinking of South Vietnam. The inevitable result will be a further division and schism in the thinking of our people. There are certain aspects about what has happened in South Vietnam dealing with these elections that I think are quite pertinent.

The candidates opposing Gen. Nguyen Van Thieu and Nguyen Cao Ky have demanded that the two candidates in Government resign their posts, so as to place the candidates on an equal level as they go before the people. That demand is similar to a situation where candidates for the Presidency and Vice Presidency of the United States would demand that the incumbent President and Vice President resign so as to put the several candidates on an equal level. Has any such proposal ever been dared? If it were, no one would pay attention to it.

The PRESIDING OFFICER (Mr. GORE in the chair). The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the

Senator may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, the opposing candidates also are asking that the Government provide the means of transportation and other facilities while the campaign is being conducted. Do we provide such service in the United States? We do not. There has been talk of doing so, but until now it has not been done.

Third, the candidates who are opposing the incumbent candidates want a postponement of the election. As I stated yesterday, in 1946, when I was running for my second term for the governorship, when people were asking for the return of troops from around the world, and it looked certain that I would be defeated, I was hoping I would have another month to stem the avalanche that was going against me. If I had asked for a postponement of the election I would have become a laughingstock. Yet subscription is given to that kind of conduct on the floor of the Senate.

Mr. President, fourth, the candidates opposing the incumbents are insisting that the incumbent candidates travel with them around South Vietnam so that they will campaign together. Let us assume candidate X runs against Rockefeller in New York, and he says, "I want Governor Rockefeller to travel around the State with me, so that we will appear together." In effect candidate X, an unknown, would be saying, "I want Governor Rockefeller to provide audiences for me." If the Governor rejected the request he would be doing what should be done by a reasonably prudent person.

Mr. President, I shall now conclude. Unfortunately, a fog has been thrown into the air and many of our people will become confused as to what is really happening. No word is spoken about the Communists and their interference with the election. The condemnation is against the incumbent government that is on our side in this war at this time. My hopes are that the President will create a delegation of representative citizens to go to Vietnam to view what happens on election day, and that after they have made their observation, they will come back and report what they find the facts to be.

Whether the word that is current that the President contemplates appointing a delegation to witness the voting in South Vietnam is true or not, I do not know.

My own belief is that the appointment of such a delegation would be worthy and valuable.

By statements made on the floor of the Senate, a fog has been thrown in the air causing a confusion in the minds of our citizenry about the propriety of the manner in which the elections will be held.

The confusion will further divide our people.

The appointment of a delegation of representative citizens to go to Vietnam to view what happens on election day and then make a report to the President of their observations would be a healthy service to our Nation.

I thank the distinguished Senator for granting me time.

DEVOTED NEGRO ARMY COLONEL GIVES MAJORITY VIEWS OF NEGRO PEOPLE

Mr. LAUSCHE. Mr. President, the Warren Tribune Chronicle of Ohio on August 19 published a story under the title: "Negro Viet Colonel Raps Black Power Leaders Back Home" by Robert D. Ohman, an Associated Press writer.

The column published by the Warren Tribune Chronicle was called to my attention by my wife. She sent me the newspaper with a note attached to it containing the following statement:

> This is great! Instead of giving front page to some crack pot agitator, the Warren Tribune Chronicle chose to report the words of a fine man speaking truthfully in behalf of his country. If only more papers would show similar wisdom!

I concur fully in what she said to me. Col. Daniel James, Jr., is a devoted Negro colonel in the U.S. Army, speaking the majority views of the Negro people of the United States.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Negro Viet Colonel Raps Black Power Leaders Back Home

(By Robert D. Ohman)

Da Nang, Vietnam.—To a Black Power leader who says Negroes are ready to fight at home but not in Vietnam, a Negro colonel replies that thousands of Negroes are fighting here "and when we go home we'll have to live down the trouble he and other idiots like him have built."

The majority of American Negroes oppose the extremists of their race, said Col. David James Jr., 47, of Pensacola, Fla., a pilot with 56 combat missions over North Vietnam. "But we must speak out firmly against them and violence.

"Before, when the Negroes were on the receiving end of the mob, many whites were opposed but they didn't raise their voices to stop it. Now, we're doing the same thing."

SET BACK CIVIL RIGHTS

"This thing got to me, the lawlessness—rioting," James declared in an interview. "Men like Stokely Carmichael acting as if they speak for the Negro people. They don't and they've set civil rights back 100 years.

"Carmichael says he will fight with guns. Well, who has the guns? You can't physically outpower the majority and if you could it would be wrong—it is just stupid."

Carmichael, former head of the Student Non-Violent Coordinating Committee, was quoted by a Cuban magazine Wednesday as saying that "if the people in the United States had been armed, they would have taken good care of (President) Johnson.

"I like the idea of having the people armed, but this is possible only in a free country where total freedom has been attained," Carmichael said in Havana. He is attending a meeting of Latin American revolutionaries and helping write a resolution calling for unity of Latin American guerrilla movements with the Black Power campaign in the United States.

RECOGNIZES "AMERICAN POWER"

"Black Power—I don't know what that is," said James, the tall, soft-spoken deputy commander of the 8th Tactical Fighter Wing.

"But I know what American power is. Our wing isn't a black wing, or a white wing or a green wing—it's technicolor all-American."

James tried to strike a nonviolent blow for Negro rights as a young lieutenant in World War II. He and 100 other Negro officers were arrested when they tried to visit an all-white officers' club at Johnson Field, Ind., after they had been warned to stay away.

Three of the demonstrators were court-martialed. Two were acquitted and the third was convicted of resisting arrest.

In 1948, President Harry S. Truman ordered integration of the armed forces "and the military has proven that it will work," James said . . . "but we have to step up, now, and say, 'This isn't going to happen in our town.' If the responsible people take their stand, these Black Power people will be out of business."

BLAMES NEWS MEDIA

James said news media must share some of the blame for the rioting and looting in dozens of American cities.

"Some nut stands on the street corner saying 'Let's burn this city down,' and everyone walks on past him," he said. "Then a reporter hears him and writes a story about him. The next day, there are television people and newspaper and radio reporters at the corner and several hundred people gather around. The guy says, 'Let's burn this city down,' and suddenly he's a leader."

James, a 27-year Air Force veteran who flew 101 combat missions in the Korean War, describes himself as "an American and an Air Force officer who believes in old-fashioned patriotism."

"Hell, I'm no African," he added. "I'm an American. Put me in Africa and I'd be lost."

His wife, two sons and a daughter live in Tucson, Ariz. His daughter is married to an Air Force major, son Claude will be a junior high school student this fall, and son Danny is in the Reserve officers' training program at the University of Arizona.

Did James write to counsel Danny about the racial violence this summer?

"No, I've been teaching him for 21 years," the colonel replied. "I don't have to preach to him now. He knows he is there to get an education and become an Air Force officer.

"He's on his own—and he's not in the streets."

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I yield 3 minutes to the distinguished senior Senator from Minnesota [Mr. McCarthy].

I ask unanimous consent that he may be allowed to proceed notwithstanding rule VIII.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFRICA—THE PROBLEMS AND THE CHALLENGE OF EMERGING NATIONS

Mr. McCARTHY. Mr. President, the recent debate on the foreign aid bill was preoccupied with amounts, procedures, questions of jurisdiction, and the like, which I think distracted the Senate from giving full attention to the problems and the challenge of the emerging nations. I believe Africa is one area where, because of our relatively recent and limited involvement, the possibilities of improving the situation are good.

Our aid program began with the Marshall plan. We have just observed the 20th anniversary of Secretary Marshall's speech at Harvard University which began it all. The 1948–52 European recovery program was a great success. It was a vast program of aid for a limited time to the industrialized economies of Western Europe. Although factories, fuel, and raw materials had been destroyed, a network of interindustry relations and commercial and technical services was easily reconstituted.

The conditions and ideological challenges that confront the aid program today have changed radically since its inception. Today we deal almost exclusively with the underdeveloped world. The emergence of these peoples is part of a process which is shaping the social, political, and economic institutions for the great majority of mankind. The underdeveloped countries are no longer the exclusive concern of the colonial administrator or the anthropologist; rather they are now the concern of the governments of the more advanced countries as well as of the historian and the economist.

We must respond properly to the new challenge. We cannot view the ascent of the developing nations in American terms, interpreting its tendencies, potentials, and characteristics within the framework of American political, social, and economic experience. We must be on guard against the belief that, were it not for the machinations of the Communists and the mistakes of our diplomats, there would be a natural gravitation toward American ways, a spontaneous embrace of American ideas. If the scholarship of the last 5 years concerning economic development teaches us anything, it is that what is happening is far removed from our own experience.

About the only time Africa engages the attention of the Senate, or the attention of our Government, is during a crisis. We must respond not only to crises. The question of priorities has no relevance here. We must give continuous attention to Africa.

The Subcommittee on African Affairs of the Foreign Relations Committee will hold educational hearings about Africa and U.S. relations with Africa. With this background, the Senate will, I hope, be able to make more informed judgments about the crises that will occur and also about how our Government reacts to them, and may influence policy so as to prevent crises from developing.

Compared with the historical commitments of the United States in other parts of the world, our commitment to Africa is a tabula rasa. At the end of World War II, there were only four sovereign nations on that continent: Egypt, Ethiopia, Liberia, and the Union of South Africa. Today there are 39, and over 29 of these nations have achieved independence since 1960.

It is a continent where societies are attempting fundamental social change and the development of new economic systems—not Western or Communist—but African systems that will enable them to convert traditional, subsistence agricultural systems into modernized, industrial, market-oriented economies. The very old and the very new will be side by side there for many years before these nations fully realize their potential at home and in the world.

In its "Summary Presentation to the Congress" for fiscal year 1968, the Agency for International Development announced a new policy for Africa. Based initially on Ambassador Edward M. Korry's 1966 report, this overhaul envisions four major changes:

First. The reduction of regular bilateral programs from 30 to 10 by phasing out existing programs and not undertaking new ones. The 10 countries to retain bilateral programs are those "where development prospects are best or where there is a special United States interest or relationship."

Second. "As soon as possible AID projects in other African countries will be limited to support for regional institutions, regional projects, and multidonor projects."

Third. "As soon as possible the possible transfer of funds to multilateral institutions for their use in providing capital and technical assistance."

Fourth. A renewed and expanded emphasis on self-help by African governments.

It is encouraging that the Agency for International Development is experimenting with its policy to Africa. Because of our limited involvement there, our policy can be more flexible than in any other area of the world.

I am encouraged to see a concentration of our aid to 10 so-called development-emphasis countries. The present practical possibilities of our aid program indicate that 10 is a sensible number of countries for concentration. It is unfortunate, however, that AID named the 10 countries implying that our special "interests or relationships" are fixed.

Although we have been assured that we can change our concentration, this flexibility should be emphasized. For instance, AID listed Sudan as one of our development-emphasis countries. At present we do not have diplomatic relations with Sudan, and while we continue to have concern about the Sudanese people and their problems, we cannot offer major assistance at this time.

Further, while discounting bilateral aid in the remaining African aid recipient countries, we must recognize that we still have interests throughout all of Africa which are political in the broadest sense. A new policy must not suggest disengagement from the continent, for that is not our intention.

I am wary of fashionable "isms" such as "regionalism" or "multilateralism" when used to describe a new policy. Initially, each sounds like the cure-all we have been awaiting. On closer examination, although they may represent improvements over our present policy in certain areas, neither "regionalism" nor any other single aid policy will bring the millenium for Africa during the next few decades, and it should not be presented as such.

My intention is not to debunk regionalism, but rather to raise questions concerning its limitations and realistically to outline its possibilities.

The term "regionalism" is an unfortunate one. It implies the creation, on American initiative, of economic common markets and political alliances. The Honorable Sekou Toure, President of Guinea, told Under Secretary of State Nicholas Katzenbach in May that he regarded the regional emphasis in American aid to Africa as "neocolonialism." His point was that Guinea, which does not adhere to the pro-French policies of most of her former French neighbors—and which suffered greatly from the abrupt French withdrawal after Guinea alone among the French African territories voted for independence in 1958—would be unintentionally pressured to return to the French orbit by the withdrawal of bilateral aid.

Another example is Somalia. Somalia shares a disputed border with both Ethiopia and Kenya. No Somali Government, one of the most democratically elected and democratically run governments in Africa, could stay in office if it denied a concern for these neighboring countries. Yet Somalia desperately needs economic assistance to develop underground water resources to keep her people from starvation during the periodic droughts. Currently, though her leaders tend to be moderates, they are being pushed further toward extremism. We should be realistic in recognizing such situations rather than get caught up in the dogmatism or semantics of regionalism.

There are significant opportunities for a regional approach in response to African initiatives. Until 1965, Kenya, Tanzania, and Uganda were grouped in an East African Common Market in which railways, airlines, utilities, telecommunications, and monetary, fiscal and tax policies were either jointly operated or closely coordinated. The structure began to come apart because it represented an unpopular carryover from the colonial period and because it was working to the comparative disadvantage of Uganda and Tanzania.

Now, however, there is some reason for optimism. The three countries have decided to try to reestablish a degree of economic cooperation based upon recognition of the fact that all three must reach an acceptable level of industrial development. The three governments, in a treaty signed this past June, established an East African community and common market. It provides also for the establishment of a regional development bank.

Health is another area where the regional approach has been and can be used effectively. AID has had success in joining with the African organizations in an inoculation campaign against rinderpest in West Africa. Because of the migratory patterns of African livestock, this cattle-killing disease was not a problem confined to one nation. Prior to the campaign, about 2,000 cows died annually in one area and 25,000 more were afflicted. Estimated annual losses exceeded $1 million. Since the inoculations began, outbreaks of rinderpest declined from 2,352 cattle lost in one country, Cameroon, to none, and from 8,000 to 229 in Chad.

Measles and smallpox represent major causes of death among the people of Africa, with smallpox killing 25 percent and measles killing as high as 50 percent of the infant population. In order to save lives, AID has agreed to support plans to eradicate smallpox and to control measles in 19 west and central African countries. The regional approach is undoubtedly useful in such cases.

"Multilateralism" is another "ism" which has value, but which we must not regard as a cure-all.

There is here another semantic problem that needs clarification. A "multilateral" policy does not imply the transfer of funds to multilateral agencies. In fact, the revised aid policy calls for no loss of control of the expenditure of U.S. dollars or any change which would obscure the origin of funds to the aid program.

Rather, the "multilateral" element of our aid program seeks to help coordinate U.S. aid with that of other bilateral donors, international agencies, African recipients, and African regional sources.

If the Congress is to adopt a sounder, more consistent, and persistent approach to Africa, the Agency for International Development must be more realistic and less optimistic in its presentation to the Congress. The impression is left that for just a few dollars more, all of Africa's economic and political problems will be solved. Neither "regionalism" nor "multilateralism" nor "bilateralism" nor any amount of increased funds will solve Africa's immediate problems.

Despite difficulties, the United States can contribute significantly to African development.

Some opponents of foreign aid argue that the $5 billion of nonmilitary capital that flows from the advanced to the developing countries amounts to no more than 2 or 3 percent of the total output of the underdeveloped world and is, therefore, quite unimportant. Yet, when we remember that foreign aid amounts to nearly 30 percent of all capital formation in the underdeveloped world, it becomes a more significant program. If we remember also that without the supplement of foreign aid, the underdeveloped nations would be building only enough new capital to maintain their precarious standards against the demands of their increasing populations, the importance of foreign aid is established. The figures for the continent of Africa are even more significant, for in Africa close to 35 to 40 percent of capital accumulation is due to foreign aid.

Not only can the United States contribute to Africa's development, but also, because of our limited involvement there, we can experiment and innovate.

A significant portion of our aid should be used imaginatively for research on long-term development and other problems in which we would not be competing with European countries.

An underdeveloped country cannot afford to take many chances. They are far too close to the edge of starvation and political turmoil.

A generation ago, Africa was a food-exporting continent; today, Africa is a food-importing continent. With a population that is expected to double within 30 years, Africa could face serious food shortages. Intensified research in the field of agricultural production would be most helpful.

Research into the development process would also be most helpful. It is time to take stock of our accomplishments. We have been giving aid to underdeveloped countries for almost 20 years, but to my knowledge the Agency for International Development and its predecessors have published only one major evaluative study of the effects of our aid program—Neil Jacobi's "U.S. Aid to Taiwan," which appeared last year.

We should now ask for a series of comprehensive research studies on the effects of our aid both abroad and at home. The Agency should assemble a more detailed study of the economic effects of our foreign aid program in the United States.

A more realistic and a more objective approach by both the Congress and the administration is called for in our response to the problems of the underdeveloped countries, particularly those in Africa.

Let us relate our policies to those of many African leaders. For example, Tom Mboya of Kenya, Chairman of the Economic Commission for Africa, said in February:

> Development needs in Africa differ in so many ways from requirements in other developing parts of the world. These differences mean that a development program in Africa must be especially designed to solve our problems. Indeed, many of the global policies and insitutional arrangements that now govern the distribution of development capital were created before Africa threw off the yoke of colonialism and in many ways are better fitted to the needs of the older developing nations. New policies and institutions may be needed to achieve more rapid development in Africa.

Similarly, Julius Nyerere, President of Tanzania and traditionally one of the foremost advocates of African unity, offered a policy of self-reliance in his Arusha Declaration on February 5, 1967. Many other African leaders—whether radical or conservative, English speaking or French—are facing up to their economic problems.

The complete development process—political, social, and economic—is a slow, often fearsome but also an irresistible and stirring process which will take many decades to complete. We are challenged by the emergence of these nations to demonstrate that we still stand by those men who pledged "our lives, our fortunes, and our sacred honor" to establish the ideal of freedom.

The problems of Africa are too serious to be left entirely to the State Department. I hope that Congress will lend its attention to these problems in the hope that through our judgment and the best kind of understanding as to what the Africans want and need, we may be able to make a most constructive contribution to the developing nations in Africa.

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 1968

The Senate resumed the consideration of the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

Mr. CARLSON. Mr. President, will the acting minority leader yield me 3 minutes?

Mr. YOUNG of North Dakota. Mr. President, I yield 3 minutes on the bill to the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas is recognized for 3 minutes.

Mr. CARLSON. Mr. President, section 64 of the bill reads as follows:

> SEC. 624. None of the funds appropriated in this Act shall be used for the construction, replacement, or reactivation of any bakery, laundry, or dry-cleaning facility in the United States, its Territories or possessions, as to which the Secretary of Defense does not certify in writing, giving his reasons therefor, that the services to be furnished by such facilities are not obtainable from commercial sources at reasonable rates.

Mr. President, it has been my intention to offer an amendment to this section adding these words: "or purchase of bulk milk dispensing equipment."

I intend to offer this amendment for the reason that last year the Department of the Army agreed not to buy this equipment.

However, I have been advised in the past day or two that they have changed their plans and intend to use some of the money in 1968 to buy this kind of equipment.

Mr. President, this would have a disastrous effect on hundreds of small business companies that lease, furnish, and service bulk milk dispensers that are used on military bases. It is incredible that at a time when every effort is being made to reduce Government expenditures it is proposed to put the Government in the business of purchasing and maintaining milk dispensers.

If I could get some assurance from members of the committee, either the chairman or the ranking Republican members, that funds in this appropriation bill would not be used for this purpose I would not offer the amendment.

Mr. YOUNG of North Dakota. Mr. President, let me say to my good friend from Kansas that I share his view completely regarding these dispensing machines. The people in the business of dispensing milk and milk products do a much more efficient, effective, and economical job than can the military in this field.

However, I feel that the Senator's amendment would not now be necessary because the Department of the Army has no intention of going ahead and are not asking for funds for such purpose until fiscal year 1969. We are now dealing, of course, with fiscal 1968 funds, and I therefore believe the amendment would not be necessary.

The Senator from Kansas can be assured that the Department of the Army will not go ahead with plans to use dispensing machines at least during this next fiscal year.

Mr. CARLSON. I certainly appreciate the statement just made by the Senator from North Dakota. I certainly do not intend to offer the amendment if I have the assurance that no action of this kind will be taken in 1968.

Mr. STENNIS. If the Senator from Kansas will yield to me for a one-sentence statement, I have listened to the statements of both the Senator from Kansas and the response of the Senator from North Dakota, and I stand with the

Senator from North Dakota on his assurance and his opinion in connection with this matter.

Mr. CARLSON. Mr. President, I deeply appreciate the statements of the chairman and the ranking minority leader.

Therefore, I shall not offer the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time for the quorum—and it will not be a live quorum—be charged against both sides on the bill.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Without objection, it is so ordered; and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEGRO PROBLEM: WOMEN RULE THE ROOST

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an item which appeared in last Sunday's edition of Parade. The article was by Lloyd Shearer and was entitled "Negro Problem: Women Rule the Roost."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEGRO PROBLEM: WOMEN RULE THE ROOST

(By Lloyd Shearer)

This has been a long hot summer for America.

We have had race riots in Newark, Plainfield, Waterloo, Buffalo, Minneapolis, Tampa, Cairo, Cincinnati, Durham, Grand Rapids, Erie, Detroit, and the end is nowhere in sight.

These uprisings are part of the current Negro revolution in America. They are led by angry, frustrated groups of men and boys, demanding equality as well as liberty, which are two different things.

At this moment there are more than 6 million children growing up in the United States in one-parent families, most of which are fatherless.

A high percentage of these children, 33.7 percent, are Negroes.

There is a great deal of evidence to substantiate the belief that children, white or nonwhite, growing up without fathers, or with weak fathers, cause most of the trouble in the world.

Unless and until the Negro family structure in America becomes a patriarchy instead of the matriarchy it now is, this country is not likely to enjoy social peace.

Prof. Daniel Price of the University of Texas, in a recent study for the Census Bureau, indicates that there will be a significant increase in the number of fatherless Negro families by 1970, that Negro family distintegration, particularly in the large cities, is approaching a complete breakdown.

The Moynihan report written in March 1965 for President Johnson by Daniel Patrick Moynihan, a former Assistant Secretary of Labor and now director of the Harvard-Massachusetts Institute of Technology Joint Center for Urban Studies, said much the same thing.

"At the heart of the deterioration of the fabric of Negro society," Moynihan wrote, "is the deterioration of the Negro family. It is the fundamental source of the weakness of the Negro community at the present time."

While the white family is achieving a high degree of stability in our society, almost 25 percent of all Negro women in our major cities are living apart from their husbands, divorced or separated.

Here are a few percentages of nonwhite married women whose husbands are no longer living with them due to separation or other reasons. The statistics are from the 1960 census and are even higher today:

Percent with husband absent due to separation and other reasons

City:	
Akron	16.1
Mobile	18.5
Denver	23.5
Hartford	14.2
Washington, D.C.	23.5
Chicago	23.5
St. Louis	23.1
Detroit	19.2
Buffalo	22.3
New York	30.2
Baltimore	23.0
Philadelphia	25.3
Dallas	17.2
San Antonio	16.1
Boston	23.5
Seattle	13.8

What this means is that almost 25 percent of all the Negro families in this country are headed by women, and that a majority of Negro children never reach the age of 18 having spent their lives with both parents.

Today there are thousands of Negro children who don't know who their fathers are. Nearly one-fourth of all Negro births in America are now illegitimate, and the rates keep soaring.

Take a deep breath, then look at these figures on the ratio of illegitimate births per 1000 live births among nonwhites:

City	*1950 Ratio*	*1962 Ratio*	*Percent Increase*
Chicago	222.9	289.9	30
Dallas	187.2	252.4	35
Detroit	143.8	197.8	38
Houston	160.8	272.9	70
Minneapolis	165.4	294.5	78
St. Louis	237.8	292.3	23
San Antonio	100.5	157.8	57
Seattle	81.9	128.9	57
Washintgon, D.C.	218.2	278.4	28

Most of the Negro children in America have been on the relief rolls at some time in their childhood—or will be.

Two-thirds of the Negro families receiving Aid to Dependent Children payments attribute the absence of the father to desertion. The reason Negro men so frequently desert their families is that they feel inferior to their women. They feel inferior, because they are inferior—educationally, economically, morally—and this omnipresent inferiority breeds hostility.

In addition, there are thousands of jobless Negro husbands who purposely leave their wives and offspring so that their families can get on relief.

At every age level Negro girls do better in school than Negro boys. The Ford Foundation which sponsors National Achievement scholarships for bright Negro high-school graduates, reports that 70 percent of its applicants are girls. The honor rolls of Negro schools show consistently that from 70 to 90 percent of the honor students are girls. There are more female than male Negro high-school and college graduates in the U.S.

Higher education means better jobs. A report from the President's Committee on Equal Employment Opportunity contains this vital statement: "It would appear therefore that there are proportionately four times as many Negro females in significant white-collar jobs than Negro males."

In short, almost everywhere in the American culture the status of the Negro male is undercut. He is made to feel inadequate as student, husband, and father. And as Whitney Young writes in his book, *To Be Equals*, "to this situation he may react with withdrawal, bitterness toward society, aggression both within the family and racial group, self-hatred or crime."

It is a well-established fact that children both white and nonwhite from homes where the fathers are present, make higher grades in school than children from fatherless homes: "Negro children without fathers flounder and fail," writes Moynihan. And he is right.

Moreover, most of the delinquency in this nation is caused by youngsters from broken homes. "Lack of a strong father image," asserts Dr. James Thorpe, former chief medical officer at the Federal Training School, "is central to delinquency."

For a child, the behavior of his parents is his model for the behavior evaluation of all men and women. Children learn by imitating their parents. In the absence of a father, love relationships with other human beings become unstable, conditional, and capricious, and the child himself becomes reluctant to enter into such relationships.

A group of psychologists recently tested the hypothesis that a fatherless boy will show more anxiety and more underlying feminine traits than a boy with a normal home environment. They found, according to their paper, "Some Effects of Paternal Absence on Male Children," published in the *Journal of Abnormal Psychology*, that father-absent boys are not more dependent and feminine but instead compensate for their insecurity by demonstrating an extreme type of masculinity.

For a variety of psychological reasons, fatherless children frequently demand immediate gratification of their desires, a basic sign of immaturity, and this desire leads to delinquent and criminal behavior.

THE NEGRO BOY

In "The Negro Family, the Case for National Action," a pamphlet published by the Department of Labor in 1965, the failure of American society to promote the welfare of the Negro male is summed up thusly:

"The ultimate mark of inadequate preparation for life is the failure rate on the armed-forces mental test. The armed-forces qualification test is not quite a mental test, nor yet an education test. It is a test of ability to perform at an acceptable level of competence. It roughly measures ability that ought to be found in an average seventh- or eighth-grade student. A grown young man who cannot pass this test is in trouble."

Fifty-six percent of Negroes, almost four times the rate of whites, fail the test. It is highly probable that many of these same draft failures were involved in this summer's race riots.

What is the answer to the growing fatherless Negro world?

One answer is the gradual abolition or changing of the self-perpetuating Negro matriarchy. The Negro male must be strengthened educationally and economically so that he takes his place as head of the typical American Negro family.

More attention must be paid to Negro boys at all school levels. Every effort must be made to prevent boys from becoming dropouts. No Negro boy should be permitted to drop out of an academic school without first being sent to a vocational school.

No boy, whatever his color, should be enrolled in school without the authorities first noting his "father situation."

Fatherles Negro boys should be catered to, worked with, concentrated on so that they learn a skill and eventually feel themselves a family leader and a worthwhile contributor to the community.

Negro mothers, many of them disillusioned and embittered by their sad marital experiences, must stop concentrating on the higher education of their daughters to the neglect of their sons. "Historically, in the matriarchal Negro society," writes Whitney Young, "mothers made sure that if one of their children had a chance for higher education, the daughter was the one to pursue it."

One reason divorce is endemic in the Negro society today is that so many of the wives are better educated than their husbands. This trend must be altered.

WHY THEY REENLIST

Jobs, of course, are the immediate need of the Negro male. Meaningful, well-paid jobs are available in the economy but not to unskilled workers, which most Negroes, through lack of education, are. Automation has eroded the need for the unskilled labor Negroes were once offered. Under the present circumstances many young Negroes are convinced that the best thing they can do is to join the armed forces. The Army, Navy, Air Force, and Marines provide training, education, and even more important, an opportunity to earn status and respect.

The reason so many Negroes reenlist in the armed forces is that military service, as one Negro GI explained, "makes me feel like a man, gives me some security. I've worked my way up to sergeant. I've got the respect of my wife and kids. It's much more than my old man ever had."

As Nathan Glazer and Daniel Moynihan point out in their book, *Beyond the Melting Pot:* ". . . the problem of the Negro in America is the problem of the Negro men more than the Negro women." It would help if American business would adopt as a motto, "Give a Negro man a job," with the accent on the words "Negro man."

One should never forget that American slavery was "the most awful the world has ever known," that in the U.S. the Negro male slave (in contrast to Brazil where a more humane slavery was abolished in 1889) had absolutely no rights, no hope, no future. By law he was not permitted to be taught reading or writing. No church recognized his existence or his marriage. He, his wife, or his children could be sold or traded at any time. He could practice no religion without his owner's consent. He was not allowed to meet with other blacks except in the presence of a white. No one taught him the duties or responsibilities of a husband or father. He was a chattel, a movable possession, nothing more.

When emancipation came, Negro women knew how to look after their offspring—they had been trained in domestic skills by the slaveowners—but Negro men, kept purposely in ignorance, knew little. Negro women could obtain jobs as domestics, which they did. Negro men could farm, but they had no money with which to buy land, so they became sharecroppers. In later generations when Negroes migrated to the cities, the women obtained domestic work, but the men, in many cases, no work of any sort. Dependent upon women, they soon became the object of their scorn, pity, rejection, and tyranny in addition to the contempt of their own children.

This is an oversimplification of how the Negro culture in America came to be a matriarchy. Today, because it is still a matriarchy, it constitutes a major root of the Negro problem which society must solve.

The Negro man must be made to feel like a man. Pains must be taken to see that he reaches a position where he can assume the rightful role of father in the family life of American society.

Give a Negro man a job. That's a good first step.

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 1968

The Senate resumed the consideration of the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, observing the absence of a quorum, I ask unanimous consent that the clerk may proceed with a quorum call, and that the time be equally charged against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HILL in the chair). Without objection it is so ordered.

RECESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, with the proviso that the recess shall last no longer than until 1 o'clock p.m. today, and that the time for the recess be charged equally against both sides.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

Thereupon (at 12 o'clock and 46 minutes p.m.) the Senate took a recess, subject to the call of the Chair.

At 1 o'clock p.m., on the expiration of the recess, the Senate reconvened, when called to order by the Presiding Officer (Mr. YOUNG of Ohio in the chair).

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time for the quorum be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 45, between lines 12 and 13, insert the following:

"SEC. 641. Notwithstanding any other provision of this Act, the President is authorized to utilize not to exceed 5 per centum of the funds appropriated by this Act to carry out existing Federal assistance programs in urban areas, including but not limited to, programs of assistance under title I of the Housing Act of 1949 (Urban Renewal); title I of the Demonstrations Cities and Metropolitan Development Act of 1966; the Public Works and Economic Development Act of 1965; and programs of relief and assistance in any urban area in which there has occurred a major disaster as determined by the President under the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended."

On page 45, line 13, strike out "SEC. 641" and insert in lieu thereof "SEC. 642".

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Mr. President, under the unanimous consent agreement is the Senator from Oregon entitled to 30 minutes to discuss the amendment?

The PRESIDING OFFICER. The Senator is correct; 30 minutes.

How much time does the Senator yield to himself?

Mr. MORSE. Mr. President, I yield myself such time as I may need from the 30 minutes.

Mr. President, if I may have the attention of the Senator from Mississippi [Mr. STENNIS], I wish to express to him for the RECORD—and I wanted to do it personally anyway—my deep appreciation for the accommodation he has extended to me during the past hour or hour and a half. As the Senator knows, this morning I was the chairman in a committee hearing on the poverty bill; then, I had to rush from there to a meeting of the Committee on Foreign Relations to discuss a matter on the agenda of that committee that I thought should be laid aside until there could be a thorough examination of it by the GAO, which the committee agreed with me should be done.

It had been my impression that the Senator from Pennsylvania [Mr. CLARK] was going to offer an amendment on which I would be one of the cosponsors. In fact, I thought he might offer two amendments. Following that, I thought I would offer such amendments as I had in mind, depending on the action that had been taken on the amendments offered by the Senator from Pennsylvania.

However, because of my unavailability, the Senator from Pennsylvania and I did not get together in understanding that he would let the bill go to third reading and then make a motion about which he will tell the Senate later. For these reasons, I was not ready to offer my amendments, which the legislative counsel has been handling.

I observe that the Senator from Pennsylvania has just entered the Chamber. I thank the Senator from Pennsylvania and the Senator from Mississippi for the accommodations they have extended to me. I regret that in order to accommodate me and other Senators who plan to offer amendments later, it was necessary to have a recess.

I wanted to thank the Senator from Pennsylvania and I wanted the RECORD to so show. I have just said I had been laboring under the impression that some amendments were going to be offered and that the Senator properly has decided on another parliamentary course of action—in which I shall join him—after third reading. But I do have some amendments that I wish to proceed to offer. I thank both Senators from Mississippi and Pennsylvania, and appreciate very much their cooperation.

Mr. STENNIS. Will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. STENNIS. I appreciate greatly the generous words of the Senator from Oregon. In turn, we want to thank him, especially because of his busy day today as well as yesterday, for cooperating and keeping us informed and now being in the Chamber to offer his amendments.

The Senator has really caused no delay.

We thank also the Senator from West Virginia [Mr. BYRD] for his usual diligence and attention, which has kept the Senate on the track today.

For the information of the Senate, we will now proceed to the consideration of amendments under the time limitation, and will have a chance, now, to finish the bill today.

Mr. CLARK. I want to thank the Senator from Oregon and join the Senator from Mississippi in thanking him for his kind words. The Senator from Oregon has been a valiant ally in the cause which I support. I shall be delighted to have him join me at a later time in the motion I intend to submit.

Mr. MORSE. I join the Senator from Mississippi in thanking the Senator from West Virginia [Mr. BYRD] for the cooperation he has extended to all of us as acting majority leader in connection with arranging the schedule today. He has never failed at any time to extend to me every courtesy and cooperation that I have sought in carrying out my duties in the Senate.

Mr. BYRD of West Virginia. I merely want to thank the Senator from Oregon and the Senator from Mississippi for their charitable and generous remarks.

Mr. MORSE. Mr. President, the time we have consumed thus far is preliminary to taking up the amendments. I ask unanimous consent, therefore, that the 30 minutes I am allowed to speak will begin at this point as I proceed to discuss the amendments.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Oregon is recognized for 30 minutes.

Mr. MORSE. I am well aware of the fact that my amendment is subject to a point of order because it is legislation on an appropriation bill. I shall withdraw the amendment eventually. However, I consider the offer of the amendment to be appropriate, in order to illustrate to the American people the great fiscal problem that faces the Republic, and why I think the administration needs to cut back on its military expenditures.

No one needs to call attention to the fact that we need a domestic aid program at home. It is self-evident. I was one who led the fight last week against the foreign aid bill, as I have for several years past. The record on this will speak for itself. Never before in the history of the foreign aid bill has the Senate reduced the amount to the amount it reduced it last week. I voted against final passage because it did not reduce it enough, in my judgment.

In this time of domestic crisis and foreign war, I do not believe that Congress could possibly justify a foreign aid bill of more than $1.8 billion.

In my judgment, in this time of crisis, Congress cannot possibly justify a defense budget—a so-called defense budget—of this magnitude. When we use the word "defense," of course, it stirs up some interesting, emotional imagery because the word is immedately associated with patriotism.

Now this is my judgment: We are not following a course of action that can be squared with the security of the country when we have a $70.2 billion defense budget. On the contrary, I believe it will contribute to war. It is this kind of defense budget and military posture which we have allowed the administration and the country to maneuver itself into which has caused me to say so many times—and I have taken all the castigation and abuse that goes along with it, but I shall continue to say it—that the military posture of the United States around the world is the greatest threat to the peace of the world.

We cannot continue to take the position that we intend to respond on the basis of a determination to be the military policeman of the world, to impose our military will and might upon the world, which will mean, in the long run, the end of our Republic.

I do not intend to walk out on history merely because I walked into the Senate.

We are talking, really, in essence, about the kind of heritage we will leave American boys and girls in the years ahead.

The Senator from Mississippi [Mr. STENNIS], the Senator in charge of the bill, said very appropriately last Friday when he introduced the bill:

> Mr. STENNIS. Mr. President, for the Committee on Appropriations I wish to present and discuss H.R. 10738, the Department of Defense appropriation bill for fiscal year 1968. I do so with the deepest sense of responsibility, for no man or woman present, and no one anywhere on the face of the globe, can fully comprehend and relate the amount of appropriations in this bill, the powerful forces it contains, the multitudinous actions that will result from its passage, and the momentous effect on the Nation—in fact, on the entire world.
>
> The committee recommends in this bill appropriations totaling $70.2 billion. This is the largest single appropriations bill in the history of the Nation. It roughly equals appropriations made for these purposes in three separate bills for fiscal year 1967. It far surpasses the largest single appropriation made during World War II.

We fought all of World War II, yet passed no such appropriation bill as this.

> It is over twice as large as the monumental omnibus appropriations bill for 1951, which appropriated $34 billion for the entire Government.

As the Senator from Mississippi points out, the appropriation for the entire Government in 1951 was $34 billion. Here we have a bill for $70.2 billion for defense alone, and that is not even the total for defense.

What are we thinking of?

What has happened to us?

What has produced this kind of national psychology?

Are we surprised, I ask all Senators?

Are we surprised at all at the criticism being shot at us from all around the world?

Does it really come as any surprise to us that we are becoming more and more feared?

Do we really feel any surprise over the fact that France has thrown us out, because they fear us? They fear the danger that we will become the dominating power in Europe, and they want none of it.

These are abstract principles. Nevertheless, do not forget, those abstract principles had better be heeded by the American people before it is too late. Therefore, I say we have got to cut a military defense budget of $70.2 billion, in my judgment, if we are to carry out what I think is our responsibility to future generations.

If anyone had suggested 20 years ago that any Congress would even consider an appropriation bill of such size, let alone pass it, the people of the country would have been astounded. There are many things for them to be astounded about, and I think all these matters are interrelated. We have an Under Secretary of State, a former Attorney General of the United States, who, in public testimony tells us that a key section of the Constitution of the United States is outmoded. Mr. President, did you ever think you would live so long as to hear that? I say to Mr. Katzenbach, "What else in that Constitution do you regard as outmoded?"

Mr. President, what has happened? The Senator from Oregon has stood on the floor of the Senate for 22 years. One of the greatest constitutional lawyers sits behind me at this moment that I am talking, the Senator from North Carolina [Mr. ERVIN]. I do not implicate him in my views, but I want to make very clear that he has given us great leadership in regard to the constitutional principle of preserving the separation-of-powers doctrine, preserving the constitutional form of government of three coordinate and coequal branches of government. That is why this great Senator is conducting the hearings in his committee on the separation-of-powers doctrine and other issues of constitutionalism that are involved.

That is why it was my great privilege to testify for some 2 hours on this subject.

This problem is embedded in the Defense appropriation bill before us. Here is the problem. From this desk I say again to the American people today, you are losing your constitutional form of government. Your constitutional form of government is eroding. All you have to do is listen to the former Attorney General of the United States, now Under Secretary of State, one of the top spokesmen for the President of the United States. His testimony the day before yesterday and yesterday was naught but a testimony to rationalize a government by executive supremacy. That is not a government of three coordinate and coequal branches of government. That is not a government by law. It is a government by executive decree, and that means government by man.

I speak impersonally, not about the

President as an individual, but I speak about the Presidency of the United States, the Office of the Presidency of the United States.

In my judgment, no longer is it a trend, but at the moment I speak, the Office of the Presidency of the United States has become the principal governmental force in the country. I say to the American people, you have lost your checks and balances to the degree that you permit the Office of the Presidency to go unchecked. I say to the American people, you have an administration that even tells you that if the Tonkin Gulf resolution were rescinded, the President could continue to do what he wants in Vietnam and elsewhere in the field of foreign policy.

I am going to call their hand. I am going to make a motion in the not-too-far-distant future to repeal the Tonkin Gulf resolution. I shall always be proud to have my descendants read that I was one of the two here in the Senate who did not get sucked in in August 1964 when this administration made its move to establish government by executive supremacy in the field of warmaking.

Oh, I speak most respectfully and out of fondness for them—I have heard colleagues in the Senate say publicly over and over again that that was not their intention, that they do not believe the resolution gave such power.

My answer is, "It did. It was clear enough." It sought to give that power. Of course, it is unconstitutional. Our problem is to find the procedure to get it before the Supreme Court for adjudication. Unfortunately, we know of no procedure that makes that possible. But I am satisfied that if we could get a decision "on the nose," as the lawyers speak of it, in regard to the constitutionality of the Tonkin Gulf resolution, that decision would be that it is patently unconstitutional.

No President has the power to make war in the absence of a declaration of war. He has a right and duty to immediately respond to the self-defense of the Republic when attacked, but he also has the concomitant duty to proceed forthwith to prepare a war message to submit to the Congress outlining his reasons for waging war and asking that it be declared. That this President has not done, and obviously has no intention of doing.

His former Attorney General, and now Under Secretary of State, openly tells the American people that the Constitution has become outmoded with respect to article I, section 8.

It is regrettable to me that my other duties made it impossible for me to stay in committee and listen to that testimony. Had I been there, I would have read for his edification—for he obviously needs edification in regard to the constitutional law he has forgotten—that great war message of Woodrow Wilson in April 1917, when, in the very beginning of that war message, Woodrow Wilson, a brilliant historian, political scientist, great President, constitutional scholar, said, "I am without constitutional authority to make war in the absence of a declaration of war."

Wilson was unanswerably right. Had I been present yesterday, I would have read, for the edification of the Under Secretary of State, the former Attorney General of the United States, the great war message of Franklin Roosevelt following Pearl Harbor. Pearl Harbor illustrates the first premise that I enunciated a few minutes ago, of the duty of the President to respond to the self-defense needs of the Republic. Upon that audacious and dastardly attack by the Japanese upon Pearl Harbor, Franklin Roosevelt issued the self-defense orders, as he should have, but he also proceeded to write his war message, and sent to the Congress his war message calling for a declaration of war.

Oh, if I had been there yesterday and the day before, I would have read, for the edification of the Under Secretary of State, the former Attorney General of the United States, the constitutional debates in which the Founding Fathers pointed out why they were putting article I, section 8 into the Constitution, in which they discussed the unchecked, arbitrary power of the British kings, and pointed out that the British kings had exercised the discretionary right to send British boys to battlefields without any parliamentary check because the law of Great Britain did not provide for such a check. So they wrote the check into the Constitution. They gave to Congress the power to declare war.

And there it is, unheeded by this administration. As I have said so many times in the last 4 years of the historic debate we have had on the subject of the war in Vietnam, the reason my country does not declare war is that it does not dare. That is why I have dared the President, time and time again, from the floor of the Senate, and do so again this afternoon. I dare him to send up a war message calling for a declaration of war against whatever country he wants to name. We all know why he does not. We all know why our Government does not dare declare war.

It would compel the Nation to study the nature of the enemy and the objective of such war. It would force every citizen to decide whether the personal freedom and financial wealth he would be called upon to sacrifice were worth what we are doing in Asia and what we will be doing for years to come.

The present war policy could not withstand the debate that would take place if a declaration of war were requested.

There is a second reason the President has not sought a declaration of war.

When we start to enforce a declaration of war against noncombatant nations, then we are going to get organized opposition from nations around the world. We are going to be told by noncombatant nations as we were in the spring of 1962, when there was a prairie fire sweeping this country to blockade Cuban waters, that they would not respect such a blockade.

Those flags would not be lowered. And, of course, at the first sinking of a ship of a noncombatant nation in the enforcement of a blockade, that nation ceases to be a noncombatant nation.

Look at what happened: By October 1962, there was an entirely different chain of events. In the spring of 1962, there was not one single tenet of international law that would have justified a blockade of Cuban waters. But in October there was. For by October, Castro and Khrushchev had, in effect, committed acts of aggression against the United States. When they put their ground-to-ground missiles in place, pointed at the United States, they were committing an act of constructive aggression, under international law, against this country.

Then President Kennedy moved, for he was no party to the prairie fire drive for a blockade of Cuban waters in the spring of 1962. He refused to participate in or to order such a blockade. But in October 1962, there were communications—and direct communications—with our allies around the world, and the proof was offered of the act of constructive aggression on the part of Castro and Khrushchev against this Republic. There was not a single protest raised against any proposal for a blockade, but, on the contrary, it was made perfectly clear that we would receive their cooperation. And when Khrushchev realized what was happening, I think it greatly speeded up the negotiations that resulted in saving mankind from a nuclear war at that time.

I cite that event because it has much in common with the situation in Southeast Asia. Yes, we have those who advocate that we blockade and mine Haiphong Harbor. Of course, the moment we do, we are committing aggression under international law in Southeast Asia. The first ship we sink—limit it to Russian ships; does any Senator have any idea that Russia will not attempt to send her ships through? Of course she will. And the first Russian ship we sink, we are going to confront Russia.

That war will not be fought in Asia; for even our military experts will tell us that they would not expect Russia to land great land forces in Asia. They are militarily too smart.

We, too, have had military commanders who warned us against bogging down in an Asian land war—General Gavin, General Ridgway, General Shoup. Ridgway was our commander in the Korean war. Read his statements. He recognizes what a great mistake it is for us to bog down this land army in Southeast Asia; and therefore he has proposed that we draw back to those defense lines which, without escalation, we can hold until there can be a multilateral table set up for negotiations, with the noncombatant nations at the head of the table, making the major proposals, and then seek to obtain an honorable negotiated settlement.

It was Gavin, at the request of Ridgway, who was then chairman of the Joint Chiefs of Staff, and who in 1954 wrote the memorandum that was the answer to the warmongering of John Foster Dulles, and the appraisal as to what the effect would be for the United States to involve itself in a war in Asia. It was that memorandum, as Ridgway reports, that was submitted to the then President of the United States, Dwight Eisenhower, which greatly influenced his decision to announce to the country that American troops would not be sent to Asia. Irrespective of what the ex-President says now in statements he makes concerning this administration's policy, when he had that historic memorandum from the then No. 1 military strategist of the Pentagon, General Gavin, he found it unanswerable.

Mr. President, it is unanswerable today. We desperately need to take a look at what effect this growing military posture—now at the rate of $70.2 billion a year—will have on world opinion. It is going to continue to cost us the support of hundreds of millions of people in the underdeveloped areas of the world, and many in the developed areas, but especially those in the underdeveloped areas, whose minds must be won over to the cause of freedom. American military policy is driving them to communism by the millions.

That is what our authorities and our experts are talking about as they come back from the underdeveloped areas of the world, and report to us as to what they have gathered in regard to the growing anti-American feelings.

The Senate has heard me say this before, but I wish to put the vital statistics in the RECORD again today, because some may read the RECORD now who did not read it before. We have a population of 6 percent of the world's people. By the year 2000, the population experts predict, China will have a little more than 50 percent of the population of the entire world. China and the other underdeveloped areas of the world—the color of the skin of more than 95 percent of the people in those areas being nonwhite—will have more than 80 percent of the population of the world, and the United States a little less than 6 percent. Although our population will rise, it will not rise in the same ratio. The other so-called Western powers will add to it, so that the United States and they will have a little less than 20 percent of the population of the world; but we are not going to be united, because they will not join the United States in the establishment of an American military lifeline around the middle of the world.

Most Americans do not know that as I speak this afternoon, this Government of ours is already in the blueprint, planning stage of establishing naval bases around the perimeter of the Indian Ocean, in order to bring together our 6th and 7th Fleets to take the place of the crumbled British lifeline. We all know why it crumbled. And I say that with all our wealth and all our might, we will not be able to complete that lifeline for many decades, for certainly within this century the world will destroy it, because the world will never permit any one nation, the United States or any other, to put itself in a position of military dictation of the foreign policy of large segments of the world.

But when this administration says, "We seek no land, we seek no bases," they merely justify the credibility gap; for the fact is that we are doing it.

In my judgment, it is an insult to the credulity of the American people to suggest that we are going to walk out from billions and billions of dollars of investments in military installations around the world; even less credible is the idea that these bases will not be used to intervene wherever we choose.

I am satisfied that there are too many high brass in the Pentagon Building who are seeking to establish land footholds in Asia and other places in the world in order to maintain American military dictatorial power over world policy. Not only that, but I hold to the great fear that they are seeking to get a base over there from which to conduct a war against China whenever it is decided that such is necessary.

All that will do will be to kill, with no justifiable cause, hundreds and hundreds of thousands of American boys. For again I refresh the memory of Members of the Senate. If China comes into the war, we cannot defeat her with bombing, conventional or nuclear—and that includes hydrogen bombs.

We can destroy her cities and nuclear bases and kill many of her people, but when she moves she will move her hordes on the ground and we will have to meet her on the ground and start with 300,000 additional troops on the mainland of China.

What do the China experts say? I note that there has arrived on the floor of the Senate the great statesman, the Senator from Arkansas [Mr. FULBRIGHT].

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield 5 additional minutes to the senior Senator from Oregon.

The PRESIDING OFFICER. The senior Senator from Oregon is recognized for 5 additional minutes.

Mr. MORSE. Mr. President, I note that the Senator from Arkansas is present in the Chamber. I commend him for his great statesmanship and the great educational process that he has used in the Foreign Relations Committee in trying to warn our American people, before it is too late, of the great mistake we are making in our policy toward China.

The China experts tell us that 300,000 American troops on the mainland of China will be but a de minimis beginning, for within 30 to 36 months after the outbreak of this war we will need 3 million American troops on the mainland of China. Where will we get them? How will we support them, and for what purpose?

Mr. FULBRIGHT. Will the Senator yield?

Mr. MORSE. I yield.

Mr. FULBRIGHT. With respect to the statement concerning the purpose to be accomplished, that would be a more pointless war than the one we are now engaged in. It would be against our interest.

Mr. MORSE. We cannot possibly justify it morally, militarily, economically, or on any other basis. And, of course, I happen still to be one politician in America who talks about moral values, although when we listen to the statements of the State Department, what do we run into? We find something else is apparently outmoded. Just as the Under Secretary of State has been telling us about a section of the Constitution being outmoded, apparently morals are outmoded in America in the field of foreign policy, too.

In fact, a former Secretary of State lectured at Amherst College and in the course of that lecture he tried to support the proposition that morals have no place in diplomacy.

My reply then and now is it is not true that a nation—any more than an individual—can save its character and follow an immoral course of action. That is why Senators have heard me say that the war in Vietnam is immoral as well as being unconstitutional and without the slightest justification.

I say that and I yield to no one either in my patriotism or support of our courageous men who are carrying out their duties there.

What I am criticizing is the fact that we sent them there.

I have voted against every step of our becoming involved there.

I have taken the position that we cannot withdraw them overnight. However, I have also taken the position that we had better listen to a Ridgway, a Gavin, and a Shoup, when the former Commander of the Marines made a conservative out of me in his great Los Angeles speech when he pointed out that the whole area is not worth the life of a single American.

He knows what war is. He knows that there are places to fight and places not to fight.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. FULBRIGHT. Mr. President, the Senator referred to his having voted against every step of our involvement there.

I pay the Senator tribute. I had occasion within the last few days to reread the debate on the Tonkin Gulf Joint Resolution. That took place in August 1964, and specifically on August 6 and 7.

Mr. President, I pay tribute to the Senator for his part in the debate on that measure. The time that has elapsed since then has proved him to be practically the only one who was correct in the position he took with regard to that resolution in August 1964. And, in spite of the sadness and tragedy that has afflicted the country, as a Member of the Senate he ought to be very proud of his foresight at that time.

Mr. MORSE. Mr. President, I appreciate the remarks of the Senator.

My record is really a minor one when compared to the record of statesmanship of the Senator from Arkansas.

Mr. President, I have offered the pending amendment to focus attention on the fact that we ought to at least cut what amounts to 5 percent from this $70.2 billion defense program, and spend that money to keep America secure at home, spend it as the amendment calls for to meet the crisis in the ghettos, to meet the crisis in the cities, and to meet the crisis that confronts this Republic at home.

As I said in the beginning, I know full well that my amendment is subject to a point of order because it is legislation in an appropriation bill. However, I wanted to make a record once again in the course of this debate as to my unalterable opposition to this kind of a defense bill.

I shall vote against the bill.

I never would want my descendants to read that I cast a vote which, in my judgment, is a vote for a further buildup of a policy in a government now that is proof of government by executive supremacy in which Congress has been subordinated to the White House.

I do not want my descendants to read that I was a party to voting for such a bill.

Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. STENNIS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 2 minutes.

Mr. STENNIS. Mr. President, I was not going to make a point of order with respect to the amendment.

The senior Senator from Oregon has made a splendid argument. Although I cannot agree with all of his points, he states certain constitutional matters with great force and clarity.

I am glad to have an opportunity to hear the Senator. I do not agree that the pending bill is a surrender of the legislative to the executive branch of the Government. I will give my reasons for that statement later.

I also thank the Senator from Oregon for his courtesy and cooperation in expediting consideration of his amendment.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MORSE. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> On page 45, between lines 12 and 13, insert a new section as follows:
>
> "Sec. 641. (a) Each appropriation made by this Act is hereby reduced by 10 per centum.
>
> "(b) In order to provide for the most effective use of appropriations reduced by this section, the Secretary of Defense is hereby authorized to make adjustments and transfers between such appropriations within the Department of Defense but no such appropriation shall be increased under authority of this section to an amount in excess of the amount of such appropriation prior to its reduction pursuant to this section."
>
> On page 45, line 13, strike out "Sec. 641" and insert in lieu thereof "Sec. 642".

Mr. MORSE. Mr. President, I yield myself as much time as I need within the 30 minutes allowed.

I offer this amendment reducing the total of this appropriation of $70.2 billion by 10 percent, to be applied as the executive branch chooses to apply it. When the Senate passed the foreign aid bill last week, I pointed out over and over again that the war in Vietnam has caused cutbacks in our domestic programs.

The agency having by far and away the largest expenditure in the Federal Government is the Department of Defense. It is unreal to think that there area of our Government. The pressure will be any visible savings in the civilian put upon the administration to reduce domestic spending in return for a 10-percent surtax is an exercise in futility, so far as appreciable savings are concerned.

Unless and until the Defense Department budget is cut by 10 to 15 percent, there will be a budget deficit of $18 billion, even with a 10-percent surtax.

The Senate cut the foreign aid program substantially below the amount the Foreign Relations Committee recommended. If we are to execute any reduction in non-Vietnam spending that will be meaningful, we shall have to do it in the non-Vietnam expenditures of the Defense Department.

The possibilities for reduction are ample. How much in the bill will go to support a quarter of a million unneeded American troops in Europe? How can the American people be asked to support half a million men fighting in Asia plus a quarter of a million residing in Europe?

In my earlier speech, I quoted General Gavin. Let me invite attention to his testimony before the Committee on Foreign Relations. Again, let me say, we should never forget who he is. He was one of our field generals in World War II. He was our top military strategist in the Pentagon. He was our Ambassador to France. He testified before the Committee on Foreign Relations in support of the objectives of the Mansfield proposal to reduce the number of our divisions in Germany from six to two.

Mr. President, the best way to make the kind of saving in Germany that needs to be made is by a 10-percent cut in the defense budget.

Oh, yes, I listened to the Chancellor of Germany last week, too. As the Record shows, I replied to him immediately on the floor of the Senate. The President of the United States and the Chancellor of Germany issued a very interesting joint statement. But it will be noted that there has been no commitment in regard to troops—just a postponement. Apparently, the German Chancellor knew that this is one of the great issues in this Republic.

This administration is against returning those soldiers from Germany. But I say again to the American people that maintaining six divisions in Germany cannot possibly be justified, militarily or economically.

You would be surprised what military advisers tell you, when you meet with them, in regard to the inadvisability of maintaining all those troops over there.

As I said in my speech on the floor of the Senate the other day, after listening to the Chancellor of Germany, "Mr. Chancellor, why don't you meet Germany's manpower commitments under NATO?" For Germany has never met her manpower commitments under NATO, nor has any other NATO member, with the exception of the United States. Only we have maintained our manpower commitments under NATO, and many NATO countries are in sounder economic condition today than is the United States. One of the reasons for this situation is that we have rehabilitated them economically—and I was for it. I believe we had a moral obligation to do so. After all, they were in a war that became also our war long before we got into it. They took the brunt of the suffering of that war so far as devastation on their own soil is concerned.

Yes, I voted for the Marshall plan. Let the record speak for itself. On reflection, I believe we made a mistake in not having some part of it a loan program instead of all of it a grant program. We have rehabilitated those countries, so that they are in a stronger economic position—listen to my words—in a stronger economic position than they have been in all their history. That is what we have done. They are not meeting their manpower commitments.

The second argument is that, from a military basis, you cannot justify the six divisions, because if you become involved in a war with Russia, it will not be a conventional war. You do not need six divisions over there to fight a nuclear war, and that is the war you will fight within hours after it breaks out. In fact, some military advisers have great misgivings as to whether or not you should have such a concentration of forces so close to the nuclear power of Russia.

In the third place, Mr. President, the argument for maintaining this military power in Europe has become passé. One reason why our military allies in Europe do not meet their manpower commitments is that they are not concerned any longer with the fear that they are living under the danger of an attack from the Soviet Union. Not a conventional attack. I believe there will always remain—for our lifetime, at least—the danger of a war with Russia. That is why you find me voting to keep ourselves nuclearly strong.

But then a big jump is made by some: "If you accept that premise, Mr. Senator, then you ought to accept $70.2 billion." And that is where the nonsequitur develops. You do not need $70.2 billion to meet the security needs of the Republic.

One of the places cuts could be made, under this 10-percent proposal of mine, is in connection with our forces in Germany, and elsewhere in Europe. That is why I ask how the American people can be asked to support half a million men fighting in Asia plus a quarter of a million stationed in Europe.

A cut in this appropriation bill would bring about a reduction in our forces in Germany for which Members of the Senate have been pleading for years, without result. Do not forget that West Germany does not reimburse the American taxpayer for that cost. It equalizes the balance of payments by purchasing arms from U.S. manufacturers. It buys some U.S. bonds now, on which it will draw interest—a mighty good investment for Germany, but not a justification for our not cutting our military expenditures over there. But the taxpayers stand the cost of the American Armed Forces there.

Where else can cuts be made? They can be made in research and development, which includes not only the scientific research for development of weapons and equipment, but also the social research for such information as "remote area conflict." Although the Senate committee made modest reductions under House amounts for social science research, it did not begin to reduce appropriately the nearly $11 million available for such research agencies as the Rand Corp. and the Institute for Defense Analyses.

Mr. President, if you start analyzing the defense budget you can see what a great subsidy it is, in effect, for certain powerful American corporations in this country to make an economic killing out of the defense budget while American boys are being killed in South Vietnam. We had an example of it the other day in the foreign aid debate with regard to policy and the desire of the Pentagon to want to subsidize and pay for salesmen of Lockheed, Boeing, General Electric, and General Motors, as they go into underdeveloped areas of the world, and with super salesmanship, talk them into buying equipment they have no need for in an underdeveloped country, except to maintain a military oligarchy to suppress freedom.

That is why I said in that debate, and repeat today, that American military aid is not as effective today in any way in the world if you build up a military dictatorship and support a shockingly corrupt dictatorship in Vietnam, where members of the junta are former Vietnamese officers who were in the French military establishment.

That is why, when you get a Professor Kahin coming back and others who have examined the situation in Vietnam, we get the report which the Committee on Foreign Relations received that the Vietcong are not receding in influence, but that they are digging in, and that the Buddhists, although they have been broken in power in some of the centers, are digging in. The day will come when they will destroy the shocking dictatorship of tyrants which the United States is supporting and imposing on the people of South Vietnam.

Mr. President, these so-called nonprofit research groups, like the Rand Corp., are the kept children of the Defense Department. They were organized outside the Department so their personnel could be paid more than was possible under civil service in the Department.

There is $11.6 million allowed for the Defense Documentation Center to acquire and store scientific and technical information; it can be reduced. There are schools overseas for the dependents of American military personnel. The funds for these schools should be reduced at least in proportion to the 40- to 60-percent cuts that have been made in funds authorized for American schools.

Here I fight for American schools to try to restore these cuts, but military schools are apparently untouched and there is no proposal to cut 40- to 60-percent in those schools. Here are some places where cuts can be made under my amendment.

These schools abroad for American personnel will cost $85 million under the committee bill. If our military establishment in Europe were substantially reduced, this whole cost of support for dependents abroad could also be reduced.

Mr. President, I could continue in connection with the bill and cite other places for savings to be made. For instance there is military procurement that is for U.S. forces in many parts of the world other than Vietnam. There would be no problem cutting that 10 percent.

Let me make clear, in answer to the argument that will be made before it is made, that this is not a proposal to cut in Vietnam. It could be said that cuts could be made but do not forget that counsel, under my instructions, has so worded the amendment that we put it squarely up to the administration where to cut the $70.2 billion in accordance with this judgment as to where the savings can be made.

Let us note what the amendment provides:

> (b) In order to provide for the most effective use of appropriations reduced by this section, the Secretary of Defense is hereby authorized to make adjustments and transfers between such appropriations within the Department of Defense but no such appropriation shall be increased under authority of this section to an amount in excess of the amount of such appropriation prior to its reduction pursuant to this section.

How would it work? The Secretary of Defense will make his judgment and get approval of the President for a 10-percent cut. He can spend the full amount for one program and reduce others by 15 or 20 percent. He balances it out and there is no basis for any claim that this will cut funds in Vietnam; for the amendment provides he can transfer the appropriations from item to item so that Vietnam spending can remain intact.

The amendment does make clear he cannot increase the appropriation for any item over and above the figures of the bill that the Senator from Mississippi is managing.

Mr. President, I reserve whatever time I have remaining.

(At this point, Mr. TALMADGE assumed the chair as Presiding Officer.)

Mr. MORTON. Mr. President, will the Senator yield?

Mr. MORSE. I yield, and I hope that the Senator from Mississippi will help me in connection with time.

Mr. MORTON. I wish to ask the Senator one question. The thrust of the Senator's amendment could not be construed as diminishing the support for the 500,000 men in Vietnam.

Mr. MORSE. Just the opposite. That is why I made my last argument. The reduction will be applied by the Secretary of Defense. He knows which expenditures are vital to Vietnam and which are not. So the amendment makes very clear that the Department can transfer from appropriation to appropriation so that Vietnam needs will not in any way be reduced. It may be, in their discretion, that they may find some item in connection with Vietnam—I am speaking hypothetically—perhaps in connection with some port facility they find they do not need, where they have enough port facilities, and therefore they may cut there, but the decision will remain under the discretion of the Defense Department.

Mr. MORTON. Mr. President, if the Senator will yield again briefly, I wish to make one comment at this point.

Mr. MORSE. I yield.

Mr. MORTON. We have precedent for this in 1954, I think. I was an officer in the State Department at that time and we gave the President transferability in the foreign aid bill, by whatever name it was known then, so that he could change 10 percent from one title to another without returning to Congress.

Mr. MORSE. The Senator is correct.

Mr. MORTON. The Senator remembers this. President Eisenhower, in his judgment, decided to pour it all into Indochina. This decision was made, right or wrong. The Congress was not in session. He sent a group of us in the administration all over the country to see the leaders of Congress to inform them of what he was doing; not ask them, because he had the power. I believe it amounted to $500 or $600 million that went into Indochina before Dienbienphu, or about that time. I remember that I had to go to Georgia. The senior Senator from Georgia, who was then, as he is now, the chairman of the Committee on Armed Services, said, "I am not going to criticize it in any way, but this is the worst thing we have ever done." How prophetic his words were.

There is precedent for what the Senator from Oregon proposes, and it does not necessarily mean we cut our support to those so gallantly fighting in Vietnam.

Mr. MORSE. There is no cutback until the Department finds something in Vietnam they prefer to cut back. I have been very careful about that. Counsel told me there is no question about the fact that what I am proposing here has much precedence in the legislative history of the Senate.

Mr. President, if I have any time remaining, I reserve it.

Mr. STENNIS. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 10 minutes.

Mr. STENNIS. Mr. President, this is a highly important matter. I understand that the Senator from Oregon wants a rollcall vote. A parliamentary situation exists in which I could make a point of order that it is legislation on an appropriation bill which, in turn, would automatically raise the question of germaneness. Majority vote controls on either one.

Frankly, I think his amendment is germane and I do not see that we could argue against the germaneness of the substance of the Senator's amendment.

Under those conditions, and for that reason alone, I am not going to make a point of order.

This matter is so important, Mr. President, that I ask unanimous consent for a call of a quorum with the time to be divided equally on each side. Does the Senator from North Dakota, the acting minority leader, agree to that?

Mr. YOUNG of North Dakota. Yes.

Mr. STENNIS. Mr. President, the acting minority leader joins me in that request.

The PRESIDING OFFICER. What is the request?

Mr. STENNIS. That there be a call of the quorum with the time to be divided equally by the proponents and the opponents.

The PRESIDING OFFICER. Is there

objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, the Senator from Oregon will ask for the yeas and nays on his amendment. I join him in asking for the yeas and nays.

The yeas and nays were ordered.

Mr. STENNIS. Mr. President, as I have said, this is a highly important matter of great importance to the country and to every Senator.

The key question is: Is the Senate going to further reduce this defense appropriation bill by 10 percent?

The matter of transfer authority is purely a side issue. There is authority in the bill by which funds may be transferred. That is customary and is necessary.

Now to the question of germaneness: I did not make a point of order because even if it could have been sustained, the question would immediately come up regarding germaneness. The burden would have been upon the Senator from Oregon. However, frankly, I think his amendment is germane. Thus, I do not argue against germaneness. I believe it would be confusing to the Senate. It would be much better, anyway, to have a direct vote on this matter of the 10-percent reduction.

That is the sole and primary question involved.

Let me point out, too, that this is not a bill that has just been swallowed by the legislative branch and approved pro forma. The Senator from Georgia [Mr. RUSSELL] went to work on this bill last October, in 1966. He was joined by the Senator from North Dakota [Mr. YOUNG] as early as January 1967, when the Senator from North Dakota became the ranking Republican on the subcommittee. Others on the subcommittee and the full committee and the ex officio members have also worked diligently, using the resources and the information they had.

So this matter has been very carefully studied, and only after careful reflection did the committee reduce the total amount requested by the Budget and the Department of Defense by more than $1.4 billion. It will be recalled that the Budget Bureau had already reduced the request by the military services themselves by $17.6 billion.

So this measure has been through the comb, through the threshing machine, for almost a year, first by the executive branch of the Government and then by the legislative branch.

With all deference to everyone, I think the Senator from Georgia [Mr. RUSSELL] knows more about this program than does any other Member of the congressional body. This bill represents his judgment and his calculations, and those of the Senator from North Dakota.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. STENNIS. I shall yield to the Senator as soon as I complete these figures. I wish to hear what the Senator from Washington has to say for he has made a very fine contribution.

The items which have been identified in the bill for the Vietnam war approximate $20 billion. These are scattered throughout the various appropriations.

The items that were classified as "Operations and maintenance" appropriations amount to $19.1 billion, and cover the entire area of the operations and maintenance of our Military Establishment worldwide.

For another category, "Military personnel," there is provided $21.6 billion. That includes salaries of our men and women in uniform, their cost of transportation, their uniforms, food for the men, death benefits, and a great many items like that. These funds are indispensable, assuming we plan to have the men in the service which the Department believes are necessary.

There is an item for "Procurement" amounting to $22.1 billion. That covers everything from .30-caliber cartridges up to ammunition for guns that are going to be fired from the reactivated battleship. It includes ships, airplanes, missiles, and everything that comes in the way of hardware.

For "Research, development, test, and evaluation" we have provided $7.1 billion. That includes the development of planes, tanks, or other equipment right up to the procurement for deployment stage. It includes the development of the Nike X——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield myself 5 additional minutes or so much thereof as I may use.

Mr. President, with all deference to the Senator from Oregon, he said he is going to be specific, and he is. But this is a meat-ax proposition, after all, if we adopt an amendment requiring a 10-percent reduction. It is unthinkable that the Senate would vote to make this cut, but, to meet the argument squarely on the merits, this proposal does not authorize the Department of Defense to make the reduction. It says that the Congress hereby reduces by 10 percent each appropriation made by this act. That is an ultimatum from the legislative branch of the executive that would be final, and it would mean the end of a great number of indispensable programs. I shall not attempt to say what it would mean to the war in Vietnam.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. JACKSON. The Senator has very ably pointed out that the action of the House and the Senate has resulted in a reduction in the 1968 budget of $1.4 billion. I think it might be well to point out also that action was taken reducing the budget by $73 million as compared with fiscal 1967. So that we are actually below the total amount of expenditures authorized for 1967, which ended on June 30 of this year.

I should like to ask the able acting chairman a question with reference to procurement. Is it not a fact that we have many items in the bill that involve a long lead time?

Mr. STENNIS. Yes. That is a good point. The Senator might describe them.

Mr. JACKSON. The net impact of a cut across the board could result in additional cost to the Government, because we would have to cancel some programs, or slow down some programs, which would result in a higher unit cost in our shipbuilding, aircraft procurement, missile, and other programs. So when a cut across the board is made in such a way, it also puts the Defense Department in an untenable position, where it would ultimately be forced to pay more for procurement items it must have.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield 5 minutes to me?

Mr. STENNIS. I yield 5 minutes to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. YOUNG of North Dakota. Mr. President, it has been my privilege to serve on the Appropriations Committee during all or part of three wars. During all those previous wars it was customary for Senators, particularly in the Appropriations Committee, to ask the military if they could not use more money. This was particularly true in the Korean war.

There has been no military budget since my time here that has been scrutinized more carefully than this one. I know of no wartime military appropriation bill that has been cut by $1.4 billion.

I would be the last one to get into a debate with the best constitutional lawyer I know, the Senator from Oregon. Being a farmer, I want to stay out of that kind of controversy. It is my understanding the President is the Commander in Chief and that we pay great attention to him as well as the advice from the Joint Chiefs of Staff, especially in time of war.

Since becoming a Senator I have disagreed with some of the policies established by our Government. When the French were on their last legs in Vietnam about 14 years ago we gave them $1 billion. I warned at that time against being involved in war in Southeast Asia, and have many times since then. However, I see no alternative at the present time but to support the Commander in Chief and the military to do everything we can toward winning the war until we can find some other honorable solution.

I do not like this business, either, of trying to police the whole world. I think without our allies, such efforts would be doomed to failure.

Regardless of what the Democratic leadership thinks or the Republican leadership thinks, or what the leadership in both houses of Congress thinks, this war in Vietnam is going to become a major issue in the next election, and I think the next election will decide whether or not we are going to try to police the whole world alone, without any allies.

I, for one, believe that we have no alternative at the present time but to support our military, and do everything we can toward winning this war, or finding an honorable, peaceful solution.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, may I inquire how much time remains for the opponents of the amendment?

The PRESIDING OFFICER. The Senator from Oregon has 7 minutes remaining, and the Senator from Mississippi 9 minutes.

Mr. STENNIS. Does the Senator from Oregon wish to proceed?

Mr. MORSE. Mr. President, I wish to reserve myself 1 or 2 minutes for a final reply. I will take 5 minutes at the present time, and reserve 2 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 minutes.

Mr. MORSE. Mr. President, I listened with great interest to my friend the Senator from Mississippi, who is always eloquent.

I reply to him as follows: There is nothing sacrosanct about a Defense Department budget. I am somewhat at a loss to understand why we are committing some great wrong if we say to the Defense Department, "You must cut 10 percent," when the President is calling upon all other departments to cut 10 to 15 percent. Why single out this one Department, and hold its budget inviolate?

I point out further that such a reduction would not interfere with the funds for the Vietnam war. I have been very careful to provide that the Pentagon and the administration could transfer appropriations. We have already, in the earlier debate, pointed out the precedent for that. They could make their savings in other respects than expenditures for the Vietnam war.

The next point I wish to make is that we are dealing here with the largest defense budget in our history. We are dealing with a defense budget billions of dollars higher than any defense budget in World War I or World War II. We are dealing with a proposal for the greatest expenditure of military dollars in the history of the country. You cannot tell me that we cannot save 10 percent out of a $70.2 billion budget.

Furthermore, do not forget that the administration proposes to go before the American taxpayers and ask for a 10-percent surtax increase. Do we have no responsibilities to those taxpayers? Do you think there is no obligation to make cuts where cuts can be made?

You will find out. For the taxpayers will respond in due course. Here is a place where we could make cuts in a defense budget, in the nonwar areas of the world, as I pointed out in my main speech, and save the 10 percent, and not in any way make insecure the Republic.

Mr. President, I would like to find someone, some time, on the floor of the Senate, who would not make the argument that we have heard again today about leadtime and about contracts made. This is always the stereotyped argument that is used to try to withstand proposals to cut the military.

But there are many places, as I pointed out in my major remarks, where this 10-percent cut could be made; and we ought to make clear to the Pentagon that there is a ceiling for them, too, and that the taxpayers' pockets do have bottoms.

I am satisfied, Mr. President, that I have offered here a sound amendment, both from the standpoint of our defense security and from the standpoint of the security of our economy.

Gentlemen, you cannot continue. You just cannot continue to appropriate billions and billions, and expect to maintain a viable economy here at home.

Last, I reiterate a point made in my major speech: We cannot continue to build up this military posture of the United States around the world, and continue to give the impression, in the underdeveloped lands of the world—and in some developed ones; such as France—that we intend to become a military determinator of world policy, and not find ourselves, eventually, with much of the world alined against us, and that we are likely to stand too alone as a result of our military posture.

We can save money here by stop pouring money into military juntas and dictatorships around the world, which use so much of our military expenditures to keep themselves in power. Such savings, in my judgment, would result in a stronger defense. So I close this part of my speech by saying again that if Senators will listen to or read the views of our great military leaders not now in power, such as Ridgway and Gavin, they will find that what I am seeking to do is protect the security of the Republic.

Mr. YOUNG of North Dakota. Mr. President, if the Senator from Oregon will yield, I yield myself such time as necessary on the bill.

Mr. MORSE. I yield.

Mr. YOUNG of North Dakota. Mr. President, I think in many respects the Senator from Oregon makes a good case, particularly with respect to the huge army we are maintaining in Germany. I wish the Senator could figure out an amendment that would force the Defense Department to bring back two or three or four of the divisions we have in Germany, and make it stick. If he can, I will go along with him to that extent at least.

Mr. MORSE. Mr. President, I give the Pentagon the discretionary power to do that, under my amendment. I suggest that my friend from North Dakota undertake to tell them that they are just going to have to cut there. The Senator says he is a farmer, and not a constitutional lawyer. I am a farmer with him; but I say he does not have to be told about the constitutional principle for which I have pleaded; namely, that we have to maintain the checks on the office of the Presidency.

I am urging here the check on the purse strings. Our Founding Fathers wrote into the Constitution the check on the purse strings; it is the most effective check we have. After reading the testimony of the former Attorney General of the United States, I want to say it is high time the Senate deny this President the funds to continue this military buildup and executive power buildup, to the point that apparently his budget becomes sacrosanct.

Gentlemen, we have got to cut expenses. Here is a place to save 10 percent on the military budget.

Mr. YOUNG of North Dakota. Mr. President, I yield myself 2 minutes on the bill.

The Defense Establishment does face a difficult problem at the present time. At the outbreak of the war in Vietnam, we were a great nuclear power, but had relatively little conventional capability. Now we have built up our conventional capability, at considerable expense to our ability as a nuclear power. But to build a strong defense in both fields does entail a tremendous expense.

Mr. MORSE. Mr. President, my reply to the Senator from North Dakota is that I am perfectly satisfied that we are in a very strong nuclear position. Instead of increasing our nuclear power, we ought to be trying to work out a detente in this field, because if nations become more mad than they already are in the scramble for nuclear power, I think we will find ourselves in a nuclear war.

We ought not to be talking about wanting to provide more and more money—over a reasonable amount—for the building up of nuclear power, because that is the road, not only to national suicide, but to world suicide as well.

Mr. STENNIS. Mr. President, I ask unanimous consent—and I hope the acting majority and minority leaders will agree—that we have a quorum call, the time to be equally divided between the two sides on the bill.

The reason that I make this request, Mr. President, is that I view the possible effects of this amendment as serious, and am afraid that there may be those who think a reduction could be made with safety.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. STENNIS. I think that the Senate ought to know what the issue is. There are not enough Senators present. We must alert Senators and get them here, if possible.

Mr. MORSE. Will the Senator yield for a comment?

Mr. STENNIS. I yield.

Mr. MORSE. I am honored that the Senator from Mississippi has taken the matter seriously. I mean it seriously, and it is serious.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate will be in order.

Mr. STENNIS. Mr. President, I yield 2 minutes on the amendment to the distinguished senior Senator from Washington.

The PRESIDING OFFICER. The senior Senator from Washington is recognized for 2 minutes.

Mr. MAGNUSON. Mr. President, I merely want to express my opposition to this type of amendment. We have gone through this matter many times when there have been proposed cuts across the board.

I know that the Defense Subcommittee of the Committee on Appropriations has seriously considered the pending bill and has cut it as much as it thinks desirable or necessary under the circumstances.

I think that it would have disastrous effects with relation to all types of military planning. Many items are involved in the bill. The committee cut some items and retained the amounts with respect to others.

The matter was gone over with a fine tooth comb. However, when we have an amendment such as the pending amendment, we would place the military in severe shackles and under a great handicap if the amendment were agreed to because where would they cut the money? In what department would they do it?

Would they take it out of procurement or supplies or the pay of personnel? How would they do it? We have gone over the matter for weeks.

I have always opposed this type of amendment. I think that most Members of the Senate have always opposed this type of amendment because they have every reason to rely on what I think is the good judgment of most members of the committee in making cuts, and not cuts across the board, not so-called meat-ax cuts. The committee picked out items on which the committee members felt we could save money and still retain the capabilities of the Military Establishment at its fullest potential strength.

Mr. STENNIS. Mr. President, I thank the Senator.

I yield myself 2 minutes for the purpose of pointing out—and copies of the pending amendment are not available to the Senators—that the provision (a) states that each appropriation made by this act—and that means each item of money in the bill—is hereby reduced by 10 percent.

That would apply to an item such as that contained on page 8 of the report, dealing with committee recommendations with respect to "Military personnel, Army," $7.7 billion.

Statutory law sets their pay and allowances. There was not any discretion exercised about this matter. The figure was provided on the basis of the law and is a mathematical computation.

Are we just going to cut our military forces 10 percent with a monetary reduction of 10 percent? It would be a highly dangerous action.

Mr. President, I yield to the Senator from Washington.

Mr. JACKSON. Mr. President, more than $2 billion is provided in this bill for retired pay. We would be cutting that amount by 10 percent. We would be actually voting, if we were to agree to the pending amendment, to cut retirement pay of those who have retired as well as the pay of officers and civilians in the Department of Defense.

Mr. STENNIS. Mr. President, with all due deference to the Senator from Oregon—and I do have great respect for him and for his ability—agreement to the pending amendment would be a dangerous thing. And for the Senate to vote deliberately for the pending amendment would be a reckless thing for the Senate to do.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 1 additional minute.

Mr. STENNIS. Mr. President, if the Senate were to take such action, it would have to immediately reverse itself in some way.

I am willing to submit the matter to the Senate with that understanding. I do have some time in reserve that I shall continue to hold.

Mr. MORSE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Oregon has 2 minutes remaining.

The Senate will be in order.

The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, there is not anything unclear about the amendment. There have been a lot of dire predictions made by the Senator from Mississippi and the Senator from Washington about what will happen on the subject of retirement pay.

A provision of the amendment provides that the Defense Establishment and the administration shall transfer the funds from appropriations in accordance with their discretion. Of course, they will not cut retirement pay. Of course, they will not cut clothing. Those will be a part of the transfer that will be made. However, legislative counsel says that this is the legislative policy that must be followed in the bill to get a 10-percent cut.

I am not going to take my eyes off the $70.2 billion. It is not only the largest in the history of the country, but it is also so much larger that it is much larger than the appropriations made at any time during World War II, World War I, or any other time.

The amendment merely says that we will take 10 percent off, and they will then take the money that remains and distribute that in accordance with the needs of the Defense Establishment as they see those needs.

That is efficiency. That provides for letting the people that really have an exercise of judgment do the judging.

I have great regard for my friend, the senior Senator from Washington [Mr. MAGNUSON]. However, let me say that the Appropriations Committee, with all of the experts on it, cannot begin to render the value judgment that the Defense Establishment will render once we give them a total sum and say, "All right. You have to redistribute this among the various items so that you come out with a total 10-percent cut."

That is the way to put a decision in the hands of the experts. I speak most respectfully when I say they are more expert than are the members of the committee. But I do know that the American taxpayers are entitled to the cut, and in their behalf I urge a vote for the amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. I yield myself one-half minute. Does any Member of the Senate wish to make some remarks?

Mr. MILLER. I do.

Mr. STENNIS. I yield 2 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 2 minutes.

The Senate will be in order.

Mr. MILLER. Mr. President, the Senator from Oregon has really admitted that there are a good many items in this bill which cannot and should not be cut at all. That would mean that we would have to cut 15 or 20 percent on some of these other items, perhaps even 25 percent; and with the amount of time that both the Senate Committee on Armed Services and the Committee on Appropriations have given to the measure, I find it inconceivable that they find any item which they can cut 20 or 25 percent.

Mr. MORSE. If the Senator will yield, I will give him one: The support of four divisions in Germany that should be brought home.

Mr. MILLER. May I say to the Senator from Oregon that he knows that we had a special committee established to look into this. This committee was composed of both those who favored a greater reduction than has been made and those who favored no reduction. I believe the findings of that committee substantiate what is being done in this bill.

Mr. STENNIS. I thank the Senator.

Mr. President, I have 2 minutes remaining, and I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, in the First Corps, around Nha Trang, are a great many Americans, many of whom are giving up a great deal, some of whom are giving up everything.

The same is true with respect to the Second Corps, at Long Binh.

The same is true with respect to American forces around Saigon and for the first time this year the men in and around the Delta.

These men have a right to count on Congress backing them up. Many of them did not want to go there. Tens of thousands of them have been drafted. They are fighting with superb courage in the American tradition.

There is no way, in my opinion, that you could make a blanket cut of 10 percent in this budget without definitely affecting the supplies, the ammunition, and the support that this country owes to the youth that Congress has approved drafting and sending to Vietnam in order to protect our future security. Most people in the United States have not given up anything to handle one of our major wars. Many of these young men have given up everything.

Under the leadership of the distinguished Senator from Georgia, the distinguished Senator from Mississippi, and all the careful and capable members of the Committee on Appropriations, including the Senators from Maine and North Dakota, no budget has been examined in more minute detail than has the defense budget which is before the Senate today.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. I yield the Senator from Missouri 1 additional minute on the bill.

Mr. SYMINGTON. It is inconceivable to me that an arbitrary reduction such as you might put on some of the other programs—for example, the AID program, the space program—should be considered applicable at this late date to effect a reduction in the Defense budget, a reduction that could definitely result in the additional loss of Americans.

Therefore, I urge my colleagues to give consideration to the fact that this budget has been examined carefully by two of the finest committees in the Senate. They have recommended reductions in certain quarters and increases in others. The primary reason for the size of this budget is a great war in which the youth of America are engaged. I hope Senators would give that fact and these circumstances a great deal of thought, indeed, before arriving at a decision to make an arbitrary cut in the military budget of the United States. It is a different type of decision than the businessman undertakes when he considers across-the-board cuts from the standpoint of profit.

Mr. MORSE. Will the Senator from Mississippi yield 30 seconds to me on the bill?

Mr. YOUNG of North Dakota. I yield 30 seconds to the Senator from Oregon.

Mr. MORSE. I reply to the Senator from Missouri by saying that my amendment would not cut a dollar from the appropriation for those boys. The Senator should read the amendment. My amendment would make certain that the Defense Establishment has authority to authorize the transfer of the funds. The Defense Department would not take a dollar away.

I have followed the advice of legislative counsel as to the best way to meet the legislative drafting requirements in order to achieve a 10-percent cut of the $70,200,000,000. He says this is the way to do it.

I join with the Senator from Missouri in what he has said with respect to the support of the boys. But it has nothing to do with the type of cuts that the amendment would give the Defense Department the discretionary authority to make. With all due respect to the Committee on Appropriations, the Defense Department is more expert to do the cutting than is that committee.

Mr. STENNIS. Mr. President, I ask the acting majority leader to yield 3 minutes to the distinguished Senator from Maine.

Mr. BYRD of West Virginia. I yield 3 minutes on the bill to the distinguished Senator from Maine.

Mrs. SMITH. Mr. President, I rise in opposition to this amendment to the bill. We are in the midst of a time of testing of national will. I am confident that the national will is for us to get on with the job at hand and to face up to the threat here at home and abroad as well.

To cut this bill would be to announce to the world that we really do not have a strong national will to defend ourselves and the cause of freedom and freedom of choice. We might as well signal the beginning of an abject abdication of any semblance of international leadership based upon our own national strength.

We already have enough of this disastrous attitude of permissiveness in our national fiber, combined with the current theme of cost effectiveness in which our various components of national security have been cannibalized at the false altar of penny-foolish economy.

I am proud to stand with such dedicated leaders as the chairman of the Appropriations Subcommittee on Defense, the senior Senator from Georgia, and the floor manager of this bill, the junior Senator from Mississippi, who does such a tremendous job as chairman of the Preparedness Investigating Subcommittee.

Their years of experience—their knowledge—on the needs of our national security are unmatched. I trust their judgment. I am gratified that my own appraisal of our national security needs is in agreement with them and I am happy to uphold the strong and courageous position they have taken on this appropriation.

I hope the Senate will reject this amendment to recommit and any other amendments to cut this bill.

The PRESIDING OFFICER. All time on the amendment has expired.

The question is on agreeing to the amendment of the Senator from Oregon. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Oklahoma [Mr. Harris] and the Senator from Alabama [Mr. Sparkman] are absent on official business.

I also announce that the Senator from New Hampshire [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from Wisconsin [Mr. Nelson], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], and the Senator from Maryland [Mr. Tydings] are necessarily absent.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. Harris], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], the Senator from Alabama [Mr. Sparkman], the Senator from New Hampshire [Mr. McIntyre], and the Senator from Maryland [Mr. Tydings] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick] is necessarily absent.

The Senator from Oregon [Mr. Hatfield] is absent on official business.

If present and voting, the Senator from Colorado [Mr. Dominick] would vote "nay."

The result was announced—yeas 5, nays 85, as follows:

[No. 233 Leg.]

YEAS—5

Clark
Fulbright
Gruening
Morse
Young, Ohio

NAYS—85

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dodd
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Griffin
Hansen
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—10

Dominick
Harris
Hatfield
McIntyre
Metcalf
Nelson
Russell
Smathers
Sparkman
Tydings

So Mr. Morse's amendment was rejected.

Mr. YOUNG of North Dakota. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. STENNIS and Mr. KUCHEL moved to lay the motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 281) to increase the amount of real property which may be held by the American Academy in Rome, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 182. An act to authorize the Secretary of the Interior to acquire Appomattox Manor, a historic property in Hopewell, Va., for addition to the Petersburg National Battlefield in Virginia, to provide for a revision of the boundaries of the battlefield, and for other purposes;

H.R. 472. An act to authorize the Secretary of Agriculture to purchase certain land from Texas Southmost College, Brownsville, Tex.;

H.R. 9837. An act to amend the Legislative Branch Appropriation Act, 1959, as it relates to transportation expenses of Members of the House of Representatives, and for other purposes;

H.R. 10599. An act relating to the Tiwa Indians of Texas;

H.R. 11993. An act to amend the act of October 3, 1965;

H.R. 12121. An act to amend the act of September 19, 1964 (78 Stat. 983), establishing the Public Land Law Review Commission, and for other purposes; and

H.R. 12257. An act to amend the Vocational Rehabilitation Act to extend and expand the authorization of grants to States for rehabilitation services, to authorize assistance in establishment and operation of a National Center for Deaf-Blind Youths and Adults, and to provide assistance for migrants.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 182. An act to authorize the Secretary of the Interior to acquire Appomattox Manor, a historic property in Hopewell, Va., for addition to the Petersburg National Battlefield in Virginia, to provide for a revision of the boundaries of the battlefield, and for other purposes;

H.R. 10599. An act relating to the Tiwa Indians of Texas; and

H.R. 12121. An act to amend the act of September 19, 1964 (78 Stat. 983), establishing the Public Land Law Review Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 472. An act to authorize the Secretary of Agriculture to purchase certain land from Texas Southmost College, Brownsville, Tex.; to the Committee on Agriculture and Forestry.

H.R. 9837. An act to amend the Legislative Branch Appropriation Act, 1959, as it relates to transportation expenses of Members of the House of Representatives, and for other purposes; to the Committee on Rules and Administration.

H.R. 11993. An act to amend the act of October 3, 1965; to the Committee on the Judiciary.

H.R. 12257. An act to amend the Vocational Rehabilitation Act to amend and expand the authorization of grants to States for rehabilitation services, to authorize assistance in establishment and operation of a National Center for Deaf-Blind Youths and Adults, and to provide assistance for migrants; to the Committee on Labor and Public Welfare.

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 1968

The Senate resumed the consideration of the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

Mr. KENNEDY of Massachusetts obtained the floor.

Mr. STENNIS. Mr. President, will the Senator from Massachusetts yield me one-half minute to make an announcement?

Mr. KENNEDY of Massachusetts. I yield.

Mr. STENNIS. So far as those of us connected with the bill are concerned, there will be a vote on the amendment of the Senator from Massachusetts. Then the Senator from Pennsylvania [Mr. CLARK] plans a motion to recommit. There will then be debate on the bill and final passage with a rollcall vote, it is hoped, very late this afternoon.

AMENDMENT NO. 281

Mr. KENNEDY of Massachusetts. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The ASSISTANT LEGISLATIVE CLERK. On page 14, line 2, strike the figure "428,000" and insert in lieu thereof the figure "200,000".

On page 40, beginning on line 3, strike all through line 15 on page 40.

Renumber present section 629 and subsequent sections accordingly.

The PRESIDING OFFICER. How much time does the Senator from Massachusetts yield himself?

Mr. KENNEDY of Massachusetts. I yield myself 7 minutes.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 7 minutes.

Mr. KENNEDY of Massachusetts. Mr. President, two weeks ago, in asking for a tax rise this year, President Johnson made a firm pledge. He said:

> I will make every possible expenditure reduction—civilian and military—short of jeopardizing the nation's security and well-being. In particular, he said that he had asked Secretary McNamara to conduct a searching review of all Defense expenditures and to withhold all such expenditures that are not now essential for national security.

Secretary McNamara has himself made a similar commitment. He has promised to "shrink" the "water" out of the Defense Department budget, and has directed his staff to review every program, and to identify those projects of lowest priority, which can then be eliminated or delayed.

Mr. President, there is one Defense Department program which, throughout its 65-year history, has been consistently identified as one of the most marginal and least essential activities in the Defense budget. I refer to the Army's civilian marksmanship program, and the event which accounts for most of its cost, the Camp Perry rifle matches.

In at least 20 of its 65 years, the program has been sharply curtailed, resulting in limitation or cancellation of the rifle matches, and drastic reduction of the other components of the program. Either the Defense Department itself, the Bureau of the Budget, or the Congress has ordered cutbacks during all or part of every major military and economic crisis in this century, including World War I, the depression, World War II, and the Korean war.

Now we are in the midst of another crisis, which appears to be both military and economic. Half a million American men are on combat duty in Vietnam, and we are told that we face a steep inflationary trend if we do not control Federal spending and limit public purchasing power through a substantial tax increase.

Yet for some unexplained—and, I believe, inexplicable—reason, this historically most expendable of all Defense expenditures, the civilian marksmanship program, has not been marked for curtailment at this time anywhere in the budgetary process.

Thus, if the Senate does not act to reduce expenditures on this program, we will see once again the consumption by this activity of—

At least $5 million, and perhaps $10 million, or more, of scarce Defense Department funds;

The paid time and effort of 3,000 servicemen, who spend all or part of a 4-month period providing housekeeping services for the Camp Perry matches;

The available time of some 2,000 servicemen who compete with civilians in the matches;

Uncounted other costs in dollars, facilities, and manpower for State and regional matches.

Even if we assume that the costs of this program can be justified in times of peace and of budgetary ease, it is plain that we are not now in such a time. We in the Senate, therefore, when presented with such an obvious departure from past practices, have no choice but to attempt to repair the omission ourselves.

The amendment to H.R. 10738 which I propose will repair that omission. It will reduce the appropriation for the National Board for the Promotion of Rifle Practice to $200,000, and will eliminate the provision authorizing the Secretary of Defense to provide free ammunition to the board.

It is my intent in proposing this amendment to provide enough of an appropriation to pay the cost already incurred in fiscal 1968 for the 1967 rifle matches, and to allow for a small caretaker staff to oversee the office of the director of civilian marksmanship pending next year's appropriation, or any intervening Defense Department decision as to its future. It would be my expectation and intent, however, that if this amendment carries, the Army would not use funds in the fiscal 1968 budget, or under any continuing resolution for fiscal 1969, to prepare for or conduct the 1968 rifle matches, unless there is a specific supplemental or new appropriation for the purpose.

In addition, during the remainder of fiscal 1968, it would be the intent of the amendment to allow only for those activities essential to the administrative operation of the office of the director in Washington, and that expenditures on all other activities of the board and the office be suspended until appropriations for the purpose are made available, including, but not limited, to free weapons and ammunition issues to clubs, support of regional and State rifle matches, purchases of medals and trophies, and travel by the board and office personnel.

As I have indicated, I believe that the adoption of this amendment can be justified solely on the basis of economy, and solely on the historical evidence that the appropriation for the marksmanship program has always, until the Vietnam conflict, been one of the first to be cut in times of budgetary restraint. Thus I believe that each of us can make a good faith decision based on history and economy alone, regardless of our position on the Vietnam war, or on the administration gun bill, or on the National Rifle Association. And the vote on this amendment should, and can, be construed in no way as a vote on any of these other three issues. It is a vote only on the appropriation for this program for this fiscal year.

Nevertheless, it would not be candid of me to fail to point out what I consider to be the gross waste of manpower and money which the civilian marksmanship program entails. I do so with the greatest respect and deference for the distinguished Chairmen of the Appropriations and Armed Services Committees, both of whom, I believe, had some personal experience with the Camp Perry matches in the early years of the century. I will only say to them that the program has changed drastically since it began in

1903. Those were the days when the competitions really were an adjunct of military training, when the weapons used were the same on the ranges and in the battlefield, when the NRA was a quasi-military organization directed by the adjutant generals of each State, and when our shores did indeed rely for protection as much on riflemen as on anything else.

The program has had its ups and downs since then. Between the periods of curtailment which I have mentioned, it grew steadily, largely through the aggressive and expert annual lobbying of the NRA. Time and time again, anxious Congressmen questioned the utility and cost of the program, but they never had adequate information to rebut the unsupported claims made for it by the NRA spokesmen. After one period of suspension, the NRA spokesman himself noted that the program had become inordinately expensive prior to the suspension, and in asking for a resumption stated that in the future the costs would be kept at a more reasonable level. It did not, unfortunately, take long for them to reach their former heights.

But in the past 2 years we have had the benefit of studies, and information, and facts which prove beyond doubt that the costs of the marksmanship program are excessive and the benefits are minimal, if not negative.

First and foremost, the program just has not had any significant success in fulfilling what is left of its primary mission, that of preparing prospective military men for combat. I stress this point because the program's supporters have attempted to set up a smokescreen of contrary assertions, based largely on a misrepresentation of the results of a study done for the Army in 1965. The only factual finding of that study which remotely supports their assertion can be paraphrased as follows:

> A person who gets marksmanship training in an Army-assisted rifle club does better on markmanship tests than people in the population at large.

What they fail to note are the other findings of the study—

That only 3 percent of the 13,000 Army trainees sampled had been members of such rifle clubs;

That some gun club members had received no instruction at all, and some had never even shot a gun;

That, although only 3 percent of the sample belonged to Army-affiliated clubs, about 60 percent of the sample had average or above average shooting experience, and about 30 percent had substantial experience;

That those with other kinds of gun experience, whether target shooting or hunting or nonclub instruction, did extremely well on markmanship tests, and the percentage of unqualified shooters in these groups was the same as or less than that among Army-affiliated club members; and

That only a fraction of the members of affiliated clubs are young enough to be drafted.

In addition, as the Under Secretary of the Army most frankly testified before the Juvenile Delinquency Subcommittee last month, and I quote, "marksmanship is only one facet of a rifleman's training," and the other facets "are at least equally important to success."

In short then, there is now ample proof that if the civilian marksmanship program were to be terminated permanently tonight, there would be no measurable effect on military preparedness tomorrow, next year, or ever. Those clubs which exist for reasons other than the opportunity to have the benefit of the Government's largesse will continue in operation. Any young people who belong to those clubs will continue to learn to shoot, supported not by the Federal Government, but, like participants in all other sports, by their own resources, by private gun clubs, or perhaps by local recreation programs. The vast majority of young shooters, who have nothing to do with the Army-affiliated clubs, will not even know anything has changed.

But here is what will happen, if the appropriation for the program is curtailed—

Five to ten million dollars of funds will be saved or available for use elsewhere.

Thousands of National Guard and Reserve troops, who now spend their supposed "training" periods cooking and cleaning for NRA members of Camp Perry, can now spend the time on their own marksmanship or riot control training.

Thousands of the Army's and Marines' best marksmen who now spend the summer, and a good part of the rest of the year, assisting NRA competitions and clubs, can now spend their time teaching marksmanship to draftees, teaching countersniping to National Guard troops, and teaching the use of the M-16 rifle to our infantrymen in Vietnam, who say that the troubles with the gun result primarily from lack of training in its use.

The Secretary and General Counsel of the Army can spend more time worrying about military affairs, and less time worrying about the problems that arise every time an NRA club affiliated with the marksmanship program turns out to be a cover for the Minutemen, or the Revolutionary Action Movement, or the Ku Klux Klan or when a reporter demonstrates that even a convicted murderer can join the NRA, which is supposed to screen those eligible for participation in Army-support programs; or when a national match pistol turns up among the guns seized in the Newark riot.

In short, the Army can relieve itself of a major manpower and money-consuming program, and of a major headache at the same time.

As if it were not enough to show that the program does no good, and costs too much in every sense, there is one undeniable result of the program which not only supports, but requires, its ultimate abandonment, and at least its curtailment this year. As I have said, today's vote should not be governed by one's opinion regarding this dimension of the program, but completeness requires its mention.

There is good reason why the NRA asked for the establishment of the civilian marksmanship program, lobbied faithfully for its preservation and appropriation through the years, and presses desperately for its maintenance today. The simple fact is that, although we do not know whether the Army gets any benefit from the program, we do know that its primary and substantial beneficiary is the National Rifle Association.

Only NRA members may purchase cut-rate weapons and ammunition from the Government. Only NRA clubs can get free weapons and ammunition from the Government. Only NRA-selected teams can travel free to Camp Perry. Only NRA-nominated civilians serve on the Army's Rifle Practice Board and travel to Washington and Camp Perry at Government expense. Only NRA-sanctioned State and regional competitions can use Defense Department facilities and be assisted by Defense Department personnel.

There is a wealth of evidence which backs this conclusion that the U.S. Government is a primary and successful booster, subsidizer, and promoter of the NRA. I have promotional literature from the NRA which boasts this fact. I have received letters from NRA members who tell me that they and others joined the NRA solely to participate in the Army's cut-rate weapons sales program. I have the facts of the Jamaica Rifle Club case, where NRA membership was sought only as a cover for obtaining cut-rate and free Government arms and the use of Government range facilities as part of an alleged criminal conspiracy. And most persuasively, I have the 1965 study by the Army's own consultant, which concluded that the cut-rate arms sales program "undoubtedly is an inducement for large numbers of individuals to become members of NRA," and that the DCM activities "result in stimulation of NRA membership and support of NRA programs."

Now I want to make clear that I do not think there is anything wrong with the NRA as such, nor especially with target shooting as a sport or hobby. The question is, whether the Defense Department, or any agency of the Federal Government, has any business subsidizing and supporting this particular private sporting organization or this particular sport. If we are going to establish a general program for subsidizing amateur athletics that is fine. But why should 20 American athletic teams at this year's Pan American games have been there through the generosity of private organizations, individuals, and enterprises, while the 21st, the gun team, was sent at Federal expense? Do we as a nation place firearms proficiency so high on our scale of priorities?

And why should we offer the lucky few, chosen by the NRA, room and board at Camp Perry on the beautiful shores of Lake Erie at $1.60 a day, when the charities which send city kids to summer camps have to pay three times that amount for room and board? Are we more concerned about sending our riflemen to camp than our urban youth?

Mr. President, this brings me to my last point, and again it is one which is not necessary, or perhaps even relevant, to a vote on this amendment. If we were to provide a general subsidy to amateur athletics through sporting associations, I think one of the first limits we would place on these groups is that they stay out of politics and out of lobbying. If these are important activities for such an organization, then it should not seek, or rely on, Government support and encouragement for its activities.

In the case of the NRA, its attitudes, policies, and activities have become so political, so parochial, and so partisan that I have real doubts as to whether it is constitutional to require a person to join the NRA in order to get the benefit of certain Federal programs. The Army General Counsel is now studying this question at my request. But apart from the constitutional issue, I believe that the NRA must choose between continuation of its extensive lobbying efforts at the Federal and State levels, and continuation of the extensive subsidies and support it receives from the Federal Government. If it cannot make a choice, then the executive branch, or the Congress, will have to make the choice for the NRA.

Mr. President, I was going to put in the RECORD at this point some of the many editorials from papers all over the country, which support my request for a temporary curtailment of the expenditure on the marksmanship program, and some of the letters from NRA members criticizing the organization, and some of the 900 letters I received in 1 week this month opposing the NRA's legislative position. But these would only distract attention from the one letter I will read now, a letter from an Ohio housewife to the Akron Beacon Journal. She wrote:

> My husband had to shut down his business and lay off an employee to attend Army Reserve summer camp at Camp Perry. Did he get any training? No! He spent two weeks cleaning and painting the buildings for the National Rifle Association target competition held there.

I cannot think of a way to answer that woman. And how will we answer her if her husband's unit is ever called up and he goes into battle, or into an urban disorder, undertrained?

Today we have an opportunity to give an answer for 1 year at least. I am hopeful we will meet our responsibility.

Mr. STENNIS. Mr. President, with respect to the Senator's amendment, we do not accept it. This matter has been thoroughly considered. I consider it a very important part of the bill.

Mr. President, I yield to the distinguished Senator from Arizona such time as he may desire.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. HAYDEN. Mr. President, I am opposed to both of the amendments offered by the senior Senator from Massachusetts. His first amendment, beginning on page 14, would almost cut in half the appropriation for the operation and maintenance of rifle ranges and the travel expenses of rifle teams to Camp Perry, Ohio.

His second amendment, on page 40, would cut off the supply of ammunition for rifle practice and deny funds for the travel expenses of military and naval personnel, members of the Reserve components, and the Reserve Officers Training Corps.

TARGET

Daily reports from Vietnam reemphasize the value and necessity of having a citizenry and soldiery well-trained in the effective use of small arms. Proficiency in the use of small arms, in the final analysis, will quite likely go far in determining the eventual victor.

Throughout our history—from Bunker Hill, from the rigging of the *Bonhomme Richard*, from the parapets of New Orleans, at Gettysburg and Appomattox, up San Juan Hill, at Belleau Wood, on the beaches of Normandy and Sicily, and in Korea—the American soldier has repeatedly proven his courage, resourcefulness, determination, and skill in the effective use of firearms. The present conflict in Vietnam in which the United States is engaged is no different. In fact, each of these attributes is being tested as never before.

I have never heard a professional military leader who did not agree that marksmanship is important and that a man with prior marksmanship training is a better marksman and better soldier. Such esteemed soldiers as Generals Eisenhower, Marshall, Bradley, and our present Chief of Staff, General Johnson, and the Commandant of the Marine Corps, General Greene, have all expressed this fact.

I quote Gen. Wallace M. Greene, Jr., Commandant of the Marine Corps, regarding the effectiveness of Marine snipers in Vietnam. He has said:

> Not long ago a two-man team moved to a small hill about 800 yards outside a village known to harbor Viet Cong. After hours of patient waiting and watching, a guerrilla patrol emerged from the hedgerows that always surround the clusters of grass huts. The sniper team leader fired and dropped a Vietcong with his first shot. His teammate drew a bead on a second guerrilla, squeezed the trigger—and another Viet Cong fell dead. In less than 15 minutes there were 11 Viet Cong dead and six wounded by just these two Marine snipers.

I was in Europe not long after the First World War and visited a battlefield where a large German force had attacked a smaller number of American troops in an open area. The American soldiers aimed their rifles at individual Germans and killed so many of them before the attack was half over that all but the desperately wounded fled to the cover of woods from which the attack was started.

I later learned that in the South Pacific area, when the attacking Japanese outnumbered the American forces in jungle fighting, the marksmanship of our soldiers again resulted in winning many encounters.

In light of our military history and present military engagement, can we afford not to support a program of civilian marksmanship, which contributes at very little cost so heavily to the battle skill of the individual soldier who forms the bulwark of our defense?

Mr. KENNEDY of Massachusetts. Mr. President, I yield myself 2 minutes.

Will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. KENNEDY of Massachusetts. As I remember, the Senator from Arizona won the marksmanship for 3 years; did he not?

Mr. HAYDEN. No, just once, I shot a possible 15 consecutive bull's-eyes at 900 yards.

Mr. KENNEDY of Massachusetts. Mr. President, I yield myself 3 minutes. I wish to ask the acting chairman of the committee, the distinguished Senator from Mississippi, if he could give us some idea whether, looking through the past history of the program, there have not been some repeated cutbacks in the program. As a matter of fact, is it not true that during World War I, World War II, and during the Korean war there were sharp cutbacks in the program? Could the Senator enlighten us as to why he feels we ought to continue the program at the same rate today, in a period of serious military conflict, as during a period of nonconflict, and why there should not be a cutback now as has taken place in similar circumstances in the past?

Mr. STENNIS. During World War II, the ammunition question was very acute. There was a reduction in virtually all hunting for game. Everything was centered on augmenting ammunition procurement. It is true that now the ammunition that is allowed to be used is in plentiful supply. There is no shortage of it. We are carrying on normal functions here at home in every other area. This program is of military value, so it should not be cut back or cut out unless there were some stringent, urgent, demanding reason.

Mr. KENNEDY of Massachusetts. As shown on page 276 of part 2 of the Senate hearings on the defense appropriation bill, there is a sizable amount, in terms of dollars, in .45-caliber ammunition, for example. That ammunition could readily be used in Vietnam. It is used now in Germany for the military policemen in the conduct of their responsibilities. We have a listing on that page of several different types of ammunition being supplied by the Defense Department for the civilian marksmanship program. This has perplexed me, because it seems to me much of this is ammunition which could very easily be used directly by our military forces, whether in combat or for their own training exercises.

The PRESIDING OFFICER. The time of the Senator has expired. Does the Senator yield himself additional time?

Mr. KENNEDY of Massachusetts. I yield myself 2 additional minutes.

Mr. STENNIS. Mr. President, I yield myself 1 minute in order to answer.

It is discretionary with the Department of Defense as to the utilization of ammunition. Certainly, it would not permit much of it to be issued if it were approaching shortage category. The ammunition used has varied in type and condition. Some of it has been in stock many years. The value of it cannot be based now on the cost of it at the time of acquisition. However, there is no problem as to availability of ammunition, and the authority to use it is purely discretionary.

Mr. KENNEDY of Massachusetts. This page of the hearings shows the value of the ammunition to be bought in fiscal

1968. That is ammunition that is being bought now. It is going to be distributed for these various programs. There is a real question in my mind as to why we should be buying that ammunition at the rate we are buying it, using Defense appropriations to buy ammunition for sporting purposes, considering the fact that at other times when there was a need for economy we have been willing to cut back in this area.

Mr. STENNIS. The amount that would be bought depends on the discretion of the Department, but this certainly will not injure the war effort. It will not be using money needed for military procurement. A considerable amount of this ammunition will come from World War II stocks. That is shown in a memorandum which appears on page 276 of part II of the Senate hearings. I do not think the question of ammunition is really so much at issue in this debate as is the question of the use of hard dollars of the appropriation.

Mr. KENNEDY of Massachusetts. Mr. President, I yield myself another 2 minutes.

This relates to just one aspect of my amendment. My amendment has two parts. One relates to cutting back the appropriation for administering the civilian marksmanship program from $428,000 to $200,000 which would permit the meeting of obligations already incurred under that program in the first 2 months of fiscal 1968, but would prevent active pursuit or expansion of the program for the rest of the year. This would be in accord with the historical treatment of this item. Also, the amendment would prevent purchase and distribution of ammunition for civilian marksmanship programs. This is the second aspect of it.

So, the first part of it relates to the office and administration expenses of the civilian marksmanship program. The second relates to the authorization with regard to supplying ammunition to the program. There is a third aspect which is an implicit byproduct of the first two, and this is the amount of money being put out to pay various military personnel to go to Camp Perry and for other expenses of the national match, which are estimated at approximately $3 million at least.

All those savings would be engendered by cutting back in the same reasonable way as was done during the Korean war, World War II, World War I, and also at the height of the depression.

In regard to the ammunition, it is my understanding from page 276, that of the Defense Department figure of $1,966,000 for ammunition, only $800,000 worth comes from the ammunition which has been left over from earlier times, but the rest of that amount would be for ammunition which was purchased in relatively recent times, and could very readily be used for purely military training or combat purposes.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KENNEDY of Massachusetts. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 17 minutes remaining.

Mr. MORSE. Mr. President, will the Senator from Massachusetts join me in asking for the yeas and nays on his amendment?

Mr. KENNEDY of Massachusetts. I join in asking for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I am opposed to the amendment offered by the senior Senator from Massachusetts [Mr. KENNEDY]. The amendment is designed to reduce the appropriation for the National Board for the Promotion of Rifle Practice from $428,000, which is the sum contained in H.R. 10738, to $200,000. This amendment would seriously impair the functions of the Office of the Director of Civilian Marksmanship and eliminate funds for the national matches to be held in the future.

In my judgment, this is false economy. The Senator from Massachusetts has attempted to state that the benefits accruing from the program conducted under the auspices of the National Board for the Promotion of Rifle Practice are "minimal, if not negative" to use his own terms. The facts do not justify this conclusion.

Recently the Subcommittee on Juvenile Delinquency of the Senate Judiciary Committee received testimony from the Honorable David E. McGiffert, Under Secretary of the Army, in which Secretary McGiffert testified to the value of the civilian marksmanship program. While testifying in favor of the administration's firearms proposal, Secretary McGiffert's statement was calculated to show that this legislation would not interfere with the conduct of the civilian marksmanship program. Secretary McGiffert referred to the study of the program conducted by the private management consultant firm, Arthur D. Little, Inc. The Little report endorsed the civilian marksmanship program, after an exhaustive study of the principle upon which it was based and upon its effectiveness in carrying out its assigned mission.

Earlier this year the senior Senator from Massachusetts wrote the Secretary of Defense a rather lengthy letter objecting to further scheduling of the national matches at Camp Perry, Ohio. Senator KENNEDY's letter received wide attention in the press, but Secretary McNamara's response was not quite so well publicized. The Secretary, in response, said essentially that he appreciated the Senator's views, but that he would not cancel the 1967 national matches, because of their value to the program of civilian marksmanship.

I also sent the Secretary of Defense a letter indicating my support for the national matches and for a continuation of the civilian marksmanship program conducted under the auspices of the National Board for the Promotion of Rifle Practice. Mr. President, I ask unanimous consent that my letter to Secretary McNamara, dated June 15, 1967, be printed in the RECORD at this point of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., June 15, 1967.

HON. ROBERT S. MCNAMARA,
Secretary of Defense,
Pentagon, Washington, D.C.

DEAR MR. SECRETARY: My colleague in the Senate and on the Committee on the Judiciary, Senator Edward Kennedy of Massachusetts, has released to the press his letter to you of June 13, 1967, in which he comments on a story in the Washington Post of June 13, 1967, and proceeds to take strong issue with the scheduling of the 1967 National Matches at Camp Perry, Ohio. Senator Kennedy's position, in my opinion, reflects an imperfect understanding of the function of the National Board for the Promotion of Rifle Practice in general and the National Matches in particular.

As a member of the Defense Subcommittee of the Senate Appropriations Committee, I have had occasion to review very carefully the annual appropriation for the National Board for the Promotion of Rifle Practice. I believe strongly in the function of the Board. I think the wisdom of the defense Department in its support of the Board was more than borne out by the recent Arthur D. Little Study.

The firm was requested by the Army to make recommendations as to the necessity for such a program and its possible implementation. I think a brief summary of the finding of the Little Company Report is of interest.

"The results of our study indicate that the Civilian Marksmanship Program . . . contributes significantly to the development of rifle marksmanship proficiency and confidence in the ability to use a rifle effectively in combat on the part of those who participate in the program or benefit indirectly from it.

"We believe that those aspects of the DCM Program which relate to the broader interest and participation in rifle shooting among the youth of our country (primarily club activities) should be emphasized more and pursued even more effectively to reach a greater percentage of those young men likely to enter military service."

I believe, in fact, that this appropriation, which amounts to considerably less than the cost of one combat aircraft, is the minimum that should be done to train, in rifle marksmanship, those who will be called upon to wear the uniform of their country.

Many people argue, as Senator Kennedy appears to, that the advent of nuclear devices has replaced any military necessity for rifle training or the use of small arms in modern warfare. Our commitment in Vietnam testifies daily to the short-sightedness of such ideas. Marksmanship training is an essential element of our national defense. The ability to shoot a rifle well and with confidence cannot be acquired in a few hours of even the most intensive training. There is ample evidence provided by both recent and past history of the futility of committing to battle infantry troops who are not well trained and confident in their ability to use their basic weapon. Markmanship training requires gradual learning under competent instruction and once acquired, must be practiced if it is to be maintained. The development of new weapons has increased rather than diminished the need for the individual soldier to rely upon the weapon with which he is armed personally.

Since our military organization is based upon the concept of a highly-trained establishment no larger than necessary to meet normal, peacetime requirements, it must be reinforced in time of emergency by a citizen army. Four times within the memory of many of us now living, the United States has sent such citizen armies into war. To be ready for combat the armed forces must be ready for general mobilization which involves the rapid induction of millions of citizens. Training these civilians in all subjects that a modern soldier must master is a Herculean task. So long as our young men are expected to do a soldier's job with a soldier's skill when necessity calls, there is an imperative need for civilian marksmanship training.

As you are well aware, Mr. Secretary, the Small Arms Schools conducted each year at Camp Perry by highly trained professional marksmanship instructors from the Army and the Marines are the very core of the Civilian Marksmanship Program. It is the proving ground in which the services teaching techniques are forged and it is the source of this nation's reservoir of competent marksmanship instructors, military and civilian. Each year these programs are improved and reevaluated to make the training both in instruction and competition more meaningful in light of present conditions. The costs in manpower and money are minimal in consideration of the overall accomplishment for the national defense.

I do not at all share the views expressed by Senator Kennedy in his letter to you, and I applaud your Department's position in support of the Program of the National Board for the Promotion of Rifle Practice and the National Matches at Camp Perry.

As Senator Kennedy noted in his letter to you, this is a subject that the members of the Senate Juvenile Delinquency Subcommittee expect to look into next month in hearings on firearms control legislation. As a member of the Subcommittee, I am both willing and eager to give the entire program a thorough review.

Sincerely,

STROM THURMOND.

Mr. THURMOND. Mr. President, I think that I am as cognizant as any Member of the Senate of the need to reduce Federal expenditures. I take a back seat to no one in my efforts to bring about more economy in our Government. As I said at the outset of my remarks, however, I feel that it would be false economy to terminate this program. The weapons and ammunition which are provided free or sold under this program would be destroyed if this program were not in existence. As I indicated in my letter to the Secretary of Defense, the need for improved marksmanship in small arms is being testified to daily in Vietnam. The Department of the Army and the Department of Defense support this program, and I think it would be a serious mistake for the Senate to adopt this amendment.

Mr. President, I ask unanimous consent that an excerpt from a speech I made to the Senate on August 16, 1966, which I have marked exhibit A, be printed in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit A.)

Mr. THURMOND. I also ask unanimous consent that the major recommendations of the Arthur D. Little study, designated as pages 54, 55, and 56 of the Little report, which I have marked "Exhibit B," be printed in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit B.)

EXHIBIT A

Some critics of this vital program maintain that there is no need to provide marksmanship training facilities for other participants in the program who are ineligible for actual military service because of age or other factors. The purpose of training these individuals is not to provide for a citizen army to forestall the invasion of our shores by foreign forces, but to have available for the use of our Armed Forces a group of highly trained civilian marksmanship instructors to supplement the number of military instructors in the event of the national mobilization of our Armed Forces as did happen in World War II.

In keeping with its continuing efforts to modernize the Military Establishment, the Department of the Army, in May of 1965, engaged the services of Arthur D. Little, Inc., a private industrial and management research firm in Cambridge, Mass., to completely review the civilian marksmanship program as to its effectiveness in training procedures and results. The firm was requested to make recommendations as to the necessity for such a program and its possible implementation. I think a brief summary of the findings of the Little company report are of interest.

"The results of our study indicate that the Civilian Marksmanship Program . . . contributes significantly to the development of rifle marksmanship proficiency and confidence in the ability to use a rifle effectively in combat on the part of those who participate in the program or benefit indirectly from it.

"We believe that those aspects of the DCM Program which relate to the broader interest and participation in rifle shooting among the youth of our country (primarily club activities) should be emphasized more and pursued even more effectively to reach a greater percentage of those young men likely to enter military service."

Mr. President, the results of this study indicate clearly that a continuation and implementation of this program is necessary for the defense of our country. The facts revealed by the study must be kept in mind by the Members of this body during the consideration of any Federal firearms legislation. Not only does the study list the importance of the continuation of the National Board for the Promotion of Rifle Practice program for civilian marksmanship, but also stresses the need for continued marksmanship training of individuals subject to service in our Armed Forces including those people who are not members of DCM Clubs.

EXHIBIT B

H. MAJOR RECOMMENDATIONS

1. We recommend that the National Board for the Promotion of Rifle Practice (NBPRP) should be continued with some minor changes in its organization and in the administration of the Office of the Director of Civilian Marksmanship.

a. The membership of the NBPRP should be broadened to include parties-in-interest other than the NRA and the military departments. Representation of capabilities and resources mentioned in the body of this report should result in an increased capability of the NBPRP to carry out its missions effectively.

b. The Secretary of the Army should appoint the six representatives on the NBPRP from the Country At Large after soliciting nominations from a variety of sources.

c. The NRA should continue to provide three members to the NBPRP.

d. The NBPRP should develop and promulgate more effective programs to facilitate the social and cultural acceptance of shooting in America.

2. The DCM should be established as the DCM Program Office and given full program responsibility and authority for all activities related to its legal mission as prescribed in Army regulations and as directed by the NBPRP.

a. This DCM Program Office should have the responsibility to develop a five year program and a budget plan for review by the NBPRP in its budget committee. It should then make annual reviews of all existing programs or activities and assess their progress, effects, and importance.

b. The DCM Program Office should also be given the authority to establish reporting procedures for obtaining, on a routine basis, information from the various Army agencies concerned with and contributing to the DCM program. This should also include authority to establish an active liaison program with such agencies so that all parties concerned could contribute to the formulation of policies and procedures affecting the success of the total DCM program.

c. We recommend that a more inclusive system of accounts be set up so that the true cost to the government of the DCM programs can be accounted for on a regular and complete basis. This should entail provisions for credits to the DCM program for all revenues returned to the Federal Government.

3. The Department of the Army should provide for field representatives for the DCM.

a. Members of the headquarters staff in each numbered Army Area Headquarters might be assigned the role of DCM field representatives. This function might be added to the job assignment of the Army Area Marksmanship Coordinator or to a member of the public relations staff particularly interested in marksmanship activities.

b. These field representatives should be responsible for assisting and maintaining personal contact with clubs in the Army Area, for facilitating club use of military rifle ranges, for stimulating organized shooting programs within clubs, especially for junior age groups, and for more effective administration and liaison of the check-out procedures of officers of clubs applying for membership in the DCM.

4. The DCM should take primary responsibility for investigations made of clubs wishing to affiliate with the DCM.

a. Checks and investigations of personnel in clubs applying for affiliation with the DCM should be focused on club officers.

b. Information used in clearing applying club officers should be more complete and lend itself more effectively to efficient check-out procedures. We recommend that the DCM requires each officer of an applying club to submit his fingerprints. After the club is affiliated, each new person who is elected to office should also be required to submit his fingerprints.

c. In all other respects, the essential steps of the present system of controls should be maintained. That is, the control procedure should consist of a police records check of club officers, of endorsements from two community leaders, and of a personal meeting with club officers and members. In addition, clubs should continue to be required to affiliate with the NRA to be eligible for DCM affiliation. This will insure continued club support for and liaison with the national sports governing body for shooting and the many relevant activities it promotes.

5. Those aspects of the DCM program which relate to the stimulation of broader interest and participation in rifle shooting among the youth of our country should be emphasized more and pursued even more effectively in order to reach a greater percentage of those young men likely to enter military service.

a. In designing its programs and in allocating resources, the NBPRP and the DCM should give consideration to more emphasis to club activities. This should include stimulation of membership, more emphasis on junior programs, and further extensions of marksmanship and coaching clinics, and local and regional competitions.

b. In view of the very considerable support to state, regional, and especially National Matches, the NBPRP and the DCM should capitalize further on the public relations benefits inherent in these competitions and the potential for using films, short subjects, TV coverage, etc., in stimulating greater interest and participation in organized shooting activities in the country. Since the current interest of the general public in international competitions is high, opportunities to capitalize further upon the public relations value of successful performances of members of international shooting teams should be extended.

c. Any member of a DCM-affiliated club, regardless of whether he is an individual NRA member, should be enabled to purchase government arms and ammunition through the DCM sales program. However, in order to maintain a screening and control procedure over such orders, any such member should have his purchase order endorsed by an officer of the DCM-affiliated club to which he belongs.

d. Consideration should be given to enabling clubs to qualify for additional small allotments of ammunition issue as long as they can document the use of such issue for hunter safety programs, youth programs for non-members, or for other community programs to stimulate further interest and participation in shooting.

6. Since there are no minimum marksmanship proficiency standards established for rifle units going into combat and since no one has yet been able to "price out" the value of achieving a given level of marksmanship proficiency in a rifle unit, we recommend that consideration be given to defining and carrying out needed research in this area.

a. Consideration should be given to making "quality control checks" on the marksmanship proficiency of rifle units going into combat. If data is gathered to measure the combat proficiency of units with varying degrees of marksmanship proficiency, this information should be valuable "feedback" in adjusting marksmanship training standards and in evaluating the need for improved selection of individuals who will be more effective in combat.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. BYRD of West Virginia. Mr. President, in behalf of the Senator from Mississippi, I yield the Senator from Vermont 1 minute.

Mr. AIKEN. Mr. President, I shall not vote for the amendment of the Senator from Massachusetts. However, I am not voting on the merits of his amendment; I am voting, as I always have and as I believe every Republican Senator has in the past, to give the administration every dollar they say is necessary for the support and protection of the 500,000 or 600,000 men who are now in Southeast Asia.

I want it understood that in voting as I do on the Kennedy amendment, I am not voting to approve the mistakes of the administration in the past, or any mistakes it may make in the future, or its policies relating to the war in North Vietnam, I am simply voting to support those half million men in Asia who are there because the administration has seen fit to send them there. That is something that we, as Members of Congress, could not help.

If the Senator from Massachusetts were making his proposal under other circumstances I would likely view it differently.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY of Massachusetts. Mr. President, in response to the statements of the distinguished Senator from South Carolina and the Senator from Vermont, it is my position and the position that has been reached by the Little report that only 3 percent of the 13,000 Army trainees sampled had been members of rifle clubs affiliated with the Army program. So we know that the effect of the program is negligible.

I would like to see this money, instead of being used at Camp Perry and to support the NRA, used to give boys actually in the service an opportunity to have more and more effective marksmanship training.

Now as far as what Mr. McGiffert has to say on the matter, this is a part of his testimony:

> First, statistics in the Report show that only about 3% of the recruits in the sample studied had had any exposure to the Civilian Marksmanship Program. Thus, the program affects only a small percentage of the Army's total intake of trainees. Second, only a little more than half of the civilian membership of DCM enrolled clubs is of an age—25 or under—at which future service in the armed forces is at all likely, and this figure includes women as well as men.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KENNEDY of Massachusetts. I yield myself 5 additional minutes.

I think it is crystal clear that the money being spent on this program in no way supports the boys in Southeast Asia. In fact we could use it to support our effort there by using these funds to provide additional training for raw recruits. I think this would be far more effective than to provide marksmanship opportunities at Government expense to people who are not now and will never be part of our defense forces, and who can afford to pay for their own shooting hobbies.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. Mr. President, I am running short of time.

Mr. THURMOND. Only 65,000 out of one million carry the MOS designation. That is only about 6.5 percent.

That means that only about one-third or one-half are trained in the regular program.

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. HRUSKA. Mr. President, I oppose the pending amendment.

In the first place, in commenting on the remarks made by the Senator from Vermont, I will support the request of the administration in its defense budget requests and this specific request.

The item is contained in the budget.

The testimony by Undersecretary McGiffert before the Juvenile Delinquency Subcommittee on July 25, is that the Army favors retention of the civilian marksmanship program. So, to that extent, for whatever merit attaches to the philosophy of the Senator from Vermont, I would supply that information.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. AIKEN. I wanted to make it clear that my vote is not a vote to support the war policies of our administration and its mistakes.

It is a vote to give the administration every dollar it asks for the protection and the needs of the 500,000 or 600,000 men we now have in Southeast Asia.

Mr. HRUSKA. The retention of the original committee item on this matter is not one of the mistakes of the administration. In fact, it is a merit of the administration.

Mr. President, as I read the statement proposed by the introducer of the amendment, I wonder if it is aimed at the National Rifle Association or is an attempt to save a few hundred thousand dollars for the war effort.

Certainly the plans for saving here are somewhat out of balance in relation to a $70 billion budget request.

The item for the rifle practice is only $428,000. How can there evolve from that a saving of from $5 to $10 million? That is a little difficult to envision.

At page 276 of the Senate Defense appropriation hearings, there is a tabulation which indicates that some $2 million worth of ammunition has been issued for the last several years. On that level, in fiscal year 1967, it would be $1,982,000. In 1968, the estimate is $1,966,000.

Mr. President, it must be pointed out, however, that there is some fine print at the bottom of the tabulation. That fine print states:

> Dollar values are based on actual procurement costs prevailing during the fiscal years concerned.

Procurement costs are a peculiar animal. We have the testimony of Mr. McGiffert, the Under Secretary of the Army. He was asked about the ammunition in the program. He was asked:

> What kind of ammunition is it?

He replied:

> In the main, it is obsolete, and corrosive ammunition. Some of it fires. Some of it doesn't.

After the statement had been completed, I asked Mr. McGiffert:

> What would happen to this ammunition if it were not distributed in this fashion?

Mr. McGiffert replied:

> To the extent it is obsolete, it would presumably be destroyed.

I then asked him:

> Junked, dumped to the bottom of the Atlantic or the Pacific Ocean, is that it, or some other similar disposition?

Mr. McGiffert replied:

> That is correct.

If the saving of $5 million to $10 million is predicated only on the text of the bill contained at page 41, I have not been able to identify that figure. It might be someplace in the record, but I think it would be well if we were directed to the specific figures because they do not seem to be identifiable.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield on my time?

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY of Massachusetts. The Senator is, I believe, familiar with the Arthur D. Little Report. This specifies on page 30 that for 1965 Camp Perry actually cost nearly $3 million and the entire program cost nearly $4 million.

In direct response to the inquiry of the Senator concerning being specific, I would subscribe to that figure as a minimum cost, although I think that figure does not take into consideration some of the costs to the Defense Department which seem clearly chargeable to this program.

Second, to be specific in answer to the Senator's question about the cost of the ammunition, the report says that $800,000 of that $1,900,000 might be of the corrosive type. It does not say that any other ammunition is of the corrosive type or is otherwise obsolete. So I think that very little of this ammunition is in danger of being dumped out in the middle of the ocean, as the Senator from Nebraska fears.

It is the contention of the proponent of the amendment that if this ammunition can be used for target practice by civilian marksmen, there is no reason why it cannot be used for similar purposes for trainees actually in the U.S. Armed Forces.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. Mr. President, I yield 2 additional minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 2 additional minutes.

Mr. HRUSKA. Mr. President, I respectfully suggest that when there is an indictment of an association such as the National Rifle Association in the terms that have been used here, and many of the charges are totally inaccurate, such as the suggestion that it would be unconstitutional to issue ammunition to the National Rifle Association, we have to take a careful look.

There is no such requirement. The testimony is clear on that point. It is clear not only for the statement of the chairman of the Appropriations Subcommittee on Defense, the Senator from Georgia [Mr. RUSSELL], but it is also contained in the testimony of the acting director of the program, Lieutenant Colonel Berry, on page 163 of the hearings. The statement of the Senator from Georgia [Mr. RUSSELL] is contained on page 162 of the hearings.

There are other indications of similar misapprehensions as to how the association benefits from this program that are highly inaccurate and not at all in line with the argument that has been advanced.

Mr. President, it has been suggested that if Camp Perry and this program are discontinued, there may be time to train National Guardsmen and policemen how to shoot, and so forth. That, as a matter of fact, is part of the program of the National Rifle Association. The record shows that it costs the NRA clubs 5 to 10 times as much in dollars as the amount furnished by the Government, and 100 times as much in time and effort for the NRA clubs to train members and nonmembers alike in the use of service arms on their ranges, with their instructors and personnel, to insure safety, to pull and score targets, and to perform many other activities.

One of the most outstanding contributions of the National Rifle Association has been in the field of law and order, in which it conducts a combat-training program for police clubs only. In 643 local NRA police clubs, NRA instructors, specifically trained in the FBI course, teach police how to use firearms properly and to protect themselves when confronted by desperate criminals. It is a very constructive program.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. CARLSON. I concur in the remarks of the distinguished Senator from Nebraska. I hope that no action will be taken by Congress that will in any way deter the training programs of the National Rifle Association. It has rendered outstanding service, it is a going program, and it certainly should be continued.

Mr. HRUSKA. Mr. President, neither the NRA nor any other organization is on trial here. It should not be. There is no requirement that a specific organization must be joined for the purpose of participating in this program. That is not the record; it is not the fact. We should confine ourselves to the many benefits that have flowed from this program.

The PRESIDING OFFICER (Mr. BAYH in the chair). The time of the Senator has expired.

Mr. YOUNG of North Dakota. I yield 5 additional minutes to the Senator, on the bill.

Mr. HRUSKA. The record, for example, contains letters praising the NRA for its tremendous contribution in World War II, for its preinduction firearms training program for 1,700,000 young men. There are letters from Harry S. Truman, Dwight D. Eisenhower, George C. Marshall, Omar Bradley, Lieutenant General Holcomb, and others praising the effectiveness and worth of the program.

There is a statement from a speech by the late President John F. Kennedy, when he addressed the U.S. Marine Corps at the Marine barracks on July 12, 1962, in which he referred to the development of sophisticated weapons. He said:

> But the very size and magnitude of these new great weapons have placed a new emphasis upon what we call rather strangely conventional war, and they have made it even more mandatory than ever that we keep the man with the rifle.

Within the memory of most of the people in the Chamber, there have been times when, by the millions, young men have been called into the armed service of this country to participate in the kind of warfare that requires the proficient use of the rifle and small arms.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. MUNDT. I should like to associate myself with the remarks of the distinguished Senator from Nebraska. He has rendered a constructive service by making the points he has made.

He will recall that this matter came up during the course of our executive hearings and markup in the Committee on Appropriations, and it was decided overwhelmingly to retain these funds.

I believe that his point about the function of the rifleman in today's warfare is amplified many times over in conjunction with the particular kind of fighting we are called upon to do in Vietnam. It has been stated on the floor of the Senate today that there is a remote relationship between the training they are given through the aid of the NRA and the war in Vietnam. I believe it is a very direct relationship, because this war is being fought primarily with conventional arms and small arms; and the sniper and the marksman are in much more demand and create a usefulness far beyond that which is ordinarily attributed to modern warfare, insofar as the fighting in Vietnam is concerned.

I believe this would be an appallingly bad time to cut back on something as directly connected with the training of our men in Vietnam in self-defense as you could possibly conceive.

Mr. HRUSKA. The Senator is correct. The Senator from South Dakota is correct. This matter has been thoroughly considered and canvassed not only in this year's executive session and markup session but in previous years as well. It was also the subject of consideration on the floor of the other body earlier this year where the program was overwhelmingly supported.

I believe the Senator from Arizona is one of the best exhibits and one of the finest advocates of the continuance of this program, and God bless him for it.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. LAUSCHE. I direct the Senator's attention to page 275 of part 2 of the record.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. I yield 2 additional minutes to the Senator from Nebraska.

Mr. LAUSCHE. There is a dialog between Senator Russell and Lieutenant Colonel Berry. Who is Lieutenant Colonel Berry?

Mr. HRUSKA. Acting Director of Civilian Marksmanship.

Mr. LAUSCHE. Mr. President, I merely wish to point out what Lieutenant Colonel Berry said:

> As of June 30, 1966, there were 379,577 individuals in 5,676 clubs and 8,370 individuals in 113 schools and colleges. Figures more recent than those in the justifications you have before you indicate that as of March 31, 1967, there were 379,455 individuals in 5,770 clubs and 8,108 individuals in 137 schools and colleges participating in the program.

Those figures were quite significant to me with respect to the importance of this program, especially at this time.

Mr. HRUSKA. I thank the Senator from Ohio for his contribution.

I yield the floor.

Mr. KENNEDY of Massachusetts. I yield 3 minutes to the Senator from Maryland [Mr. TYDINGS].

Mr. TYDINGS. Mr. President, in response to the arguments of the distinguished Senator from Nebraska and the distinguished Senator from South Dakota, I believe that the NRA clubs are wonderful, fine sporting organizations. They also happen to be tremendously powerful lobbyists. But to argue in favor of this $5 million appropriation on the ground that they are contributing to the well-being of our Armed Forces or our men in Vietnam is a specious argument.

In the first place, as the Senator from Massachusetts pointed out, less than 3 percent of the Army inductees have ever belonged to an NRA rifle club.

Second, you are asking us, at a time when taxes are higher, when we are to consider another tax on the taxpayers of the United States, to appropriate $5 million or more, depending on how you argue, for the benefit of a special private interest sporting club.

I might point out, to refresh the recollection of the Senators engaged in the debate, that these matches and these appropriations were not carried during World War II or during the Korean war, when we had fiscal problems, when we were carrying the great expense of being engaged in a war. The strains on our economy are just as great now, and to appropriate or to authorize and appropriate millions of dollars for the benefit of a special interest group—indeed, a group which has the benefits of a tax-exempt organization under the IRS regulations—does not seem to me to be fair to all of our taxpayers who may belong to other shooting clubs. There are many skeet shooting clubs, many trap shooting clubs, and all sorts of clubs in my State, wherein the members are not members of the National Rifle Association. There are conservation groups interested in Ducks Unlimited and Wildlife.

Why, at a time like this, we should ask Congress to appropriate millions of dollars for the benefit of one special interest hunting club is beyond my comprehension.

I shall support the amendment of the Senator from Massachusetts.

Mr. STENNIS. Mr. President, how much time is remaining for the opponents of the amendment?

The PRESIDING OFFICER (Mr. BAYH in the chair). The Senator from Mississippi has 9 minutes remaining.

Mr. STENNIS. I thank the Chair. I shall be quite brief and I shall not use the 9 minutes.

I believe the main issue is this: Shall we continue a program which we have had for about 60 years without interruption except during times of war when the ammunition was not available? It is a program primarily to locate and train talent in marksmanship. These clubs compete at the local level, the State level, the national level, and at the international level. Skeet shooting, which the Senator mentioned, is not a part of this appropriation; not one part. The question is whether we are going to encourage the finding of this talent in marksmanship, train these persons, and give them the competition that spurs them on, or whether we are going to drop the program.

Mr. President, the amount in this appropriation is a mighty small price to pay for such tremendous nationwide activity in which constant competition is enabling the Defense Department to receive better recruits. In addition, our military men in uniform compete at the local, State, and national levels, and sometimes at the international level and spur interest in the services.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. YOUNG of North Dakota. Mr. President, I support the position of the Senator from Mississippi in opposition to the amendment. His position not only has the support of the top military men in this country, as has been explained by the Senator from Nebraska, but I also wish to add that in my State and other States it is an extremely popular program and it would not have been continued over such a long period of years unless it had great merit.

Mr. STENNIS. I thank the Senator. The program does have competitive value as has been demonstrated through the years.

The regular soldier in the service continues to compete. The benefit of that training is given to the men who are coming into the service who had never had a chance to compete. The American soldier has been world famed for his marksmanship since the war for American independence.

In spite of all these fine and expensive weapons we have, when it gets down to the actual fighting in Vietnam, it is the man with the rifle who has to do the work, and it is at that level that the gains are usually made. Incidentally, the value of marksmanship was demonstrated when a high-powered rifle was used to shoot down a jet fighter. Some have been used to shoot down helicopters.

It appears to me that the rifle is still useful and the amount we pay is small. I hope that the amendment of the Senator from Massachusetts is overwhelmingly rejected.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. STENNIS. I yield

Mr. TYDINGS. Can the Senator from Mississippi advise me whether or not the Department of Defense decided to cancel the weeklong operation at Kitty Hawk, which was to begin on August 22 of this year?

Mr. STENNIS. I am told they did. I do not have personal knowledge.

Mr. TYDINGS. It is my understanding from the information that I have, that this would have been the first large-scale maneuver in the United States in the last 3 years and would have cost us some $20 million. If I am wrong, I would like to be corrected. The Army-civilian marksmanship program cost some $4 million or $5 million.

Mr. STENNIS. The Senator referred to large-scale maneuvers. Are you referring to Army maneuvers?

Mr. TYDINGS. Yes. That is my understanding. It was to have been a coordinated Army maneuver with technical support to cover a large portion of some of the Southern States.

Mr. STENNIS. My information is that it was canceled, but it was one of several being held, and it is the only one canceled. I do not understand the particular significance of that in relationship to what we are discussing.

Mr. TYDINGS. It would seem to me that the ability of the Armed Forces to go ahead with the first large-scale maneuver like this one in 3 years would be more important, even though it would cost some $20 million, than it would to have the civilian marksmanship program.

Mr. STENNIS. I said the other day that these last 45,000 men that we are sending to Southeast Asia are taken from the cream of our ready Reserves, along with the regulars. Some of these maneuvers were canceled—I have to admit it—not for the lack of money, but because of the lack of manpower ready to maneuver.

Mr. President, I hope we will have a vote that will overwhelming reject the amendment.

Mr. TYDINGS. I wish to ask the distinguished Senator if it is not a fact that more than half of the men who participate in this marksmanship program under the National Rifle Association are so old that they never will have to serve, nor could they serve, under——

Mr. STENNIS. I do not know what the percentage is. Perhaps that is the Senator's idea, but it is not ours, insofar as it relates to the activity value of this program.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MUNDT. Mr. President, I do not want to leave unchallenged the analogy the Senator from Maryland [Mr. TYDINGS] tried to draw between money for this marksmanship program and the NRA, when he said that we might as well be subsidizing trap shooting clubs, skeet clubs, and things of that kind.

There is a great deal of difference between the value of a marksman with a rifle in a war and someone who is going duck hunting; there is no comparison with a person who is trap shooting or skeet shooting; and I might add that it might be compared with the difference between a slingshot and surface-to-air missiles.

Mr. STENNIS. Mr. President, none of this money would go for skeet clubs or skeet shooting. This is serious business.

Mr. TYDINGS. Mr. President, the point is that 97 percent of the beneficiaries of this money are never inducted into the armed services.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Iowa.

Mr. MILLER. Mr. President, in response to the argument of the Senator from Maryland, it may be true that a good many of the participants in the program are above the age for military service, but at the same time there are many persons who serve as instructors back home of the men who are militarily active.

I think we should not overlook the value of their marksmanship instruction to these young people. The fact that they are older than military age does not mean there is no byproduct helpful to the military aged youngster.

I know several persons who participate who are probably to old to serve in the military. They spend a good deal of their time training younger people in marksmanship who will one day serve their country.

Mr. STENNIS. Mr. President, I expect to yield back the remainder of my time, but I shall not at this point.

Mr. KENNEDY of Massachusetts. Mr. President, in response to the statement of the Senator from Iowa [Mr. MILLER], there is an extensive marksmanship training program within the Army. The Army develops certified instructors who go to train young people who are inducted. The center for this activity is at Fort Benning, Ga., and it is an outstanding training center. It is the real center for training the real expert marksman who train the people who are in the armed services of our country, and nothing in this amendment would restrict that activity.

During the course of the debate this afternoon there has been a great deal said about the value of this program to men going to Southeast Asia. It has been suggested that we had better support the program for that reason, and that if we do not, we are taking something from those men and disadvantaging them in some way.

In that connection I would like to read from the testimony of Col. T. F. Wessels who was executive officer of the Army's National Board for the Promotion of Rifle Practice:

> The type of match fired in international competition is an artificial game. It has limited value from the military point of view.

Here is a man with the responsibility for the program, and that is his testimony before a congressional committee. It is certainly very persuasive.

I ask again, if this program is so valuable and essential, why was it cut back in the Second World War and the First World War? If this has so much value for our fighting men in Southeast Asia, why did they not continue it when we had fighting men in Europe, and in the Pacific, and in Korea?

The answer is simple: this program cannot and should stand the scrutiny of a tight budget review in a time of economy in Government. It was cut back on the recommendation of previous administrations, whether by the Bureau of the Budget or the agency which had the supervisory function. It was done as an economy move. That is what we are proposing here today; namely, to continue the structure of the program, but to restrict its activity in accordance with practice throughout its history.

The Senator from Mississippi remarked that the program has been going on for 65 years. That is true. It has been going on for 65 years, but during that time it has been severely curtailed in at least 20 of those 65 years.

When was that done? Whenever there was extreme economic pressure. That is the history of the program. Just read its history. We can put aside the issue of the NRA and all the rest. They perhaps may confuse the fundamental issue of what we are really trying to do this afternoon; namely, to put this civilian marksmanship program in the same light as it was during the Korean war, World War II, and World War I, and during the depression. Next year, when the appropriation comes up, we can look at the program once more and apply the good judgment of the Senate. The history of the program shows clearly that we have contracted the program in times of critical emergency, and when those emergencies were over, the program was expanded once again.

Now let me get another point straight. The suggestion was made that the Department of Defense was all behind this program, and refused to call off the Camp Perry matches because of their supposed importance. That is just not true. I would like to read from a letter dated July 10, which I received from Stanley Resor, Secretary of the Army, a response to my request that the Camp Perry matches be suspended for 1967. He said:

> After reviewing the status of preparation for the Matches and considering the large number of competitors who have already forwarded entries, I have determined that cancellation of the Matches, scheduled to begin on August 3rd, is simply not practical at this time.

There was and has been no finding or any assertion by Defense that this program is essential or even helpful for our boys in Vietnam. We have been holding hearings with the representatives of the Secretary of Defense, and no one said the lives of our troops are going to be better protected if we continue this program. Any statements to the contrary are simply not the case.

Mr. TYDINGS. Mr. President, will the Senator from Massachusetts yield for a question?

Mr. KENNEDY of Massachusetts. I yield.

Mr. TYDINGS. Is it not a fact that quite to the contrary of some of the arguments propounded in favor of this kind of marksmanship program, the emphasis in infantry training and infantry fighting today is not on static, stationary, one-shot, snipers, but the emphasis is on increased firepower, rapid firepower—the M-16 weapon and the BAR, those weapons which can provide a tremendous amount of firepower in an instinctive shooting pattern in any given area, supported by tactical weapons of larger caliber, and not the old-style sharpshooters with a deer rifle which was great, perhaps, in the Civil War, and even in some areas of World Wars I and II. But these are different conditions we are fighting under today, in the kind of engagement which our men face when they are attempted to be overrun by hundreds and hundreds of opposing combatants.

Mr. KENNEDY of Massachusetts. That is correct. The Senator has stated it accurately. The RECORD is replete with examples justifying the position of the Senator from Maryland.

Mr. President, in conclusion, let me say that history shows plainly that the program has not continued in prior times of budgetary restraint. And the facts demonstrate that this program really is not essential for the boys in Southeast Asia or for our defense effort. In fact the Defense Department itself is now studying the question of whether the continued existence of the program can be justified at all. This certainly does not indicate a ringing endorsement of the program. What we are really talking about is the amount of money which can be saved by shrinking this program this year. If anyone has any doubt as to the amount involved, let me cite again the testimony given by Mr. McGiffert before the Juvenile Delinquency Committee. His estimate was that the total cost was more than $4 million annually, and I understand that the figure now used by the Army itself is close to $5 million. This is the Department of Defense's estimate. I would put it somewhat higher because I believe it fails to take into account the realities of many of the costs involved.

For example, the national match provides for meals and rooms for participants at Camp Perry at $1.60. I am wondering how anyone in the public sector could possibly get room and three meals a day for $1.60. But in any event, the bare minimum of cost is nearly $5 million.

My amendment would restrict the civilian marksmanship program to the point where its structure could continue, but the activities which cost so much would be suspended, and next year we could take another look at the program.

Mr. President, before we vote, we might take into consideration a letter which I received from Mrs. Obenhaus, of Houston, Tex., in which she writes:

> When I think about how hard my husband works as a freight conductor 7 days a week and 24 hours a day on the Southern Pacific Ry., it makes me sick to think that any of his tax money would be wasted on recreation for the NRA.

Mr. President, I could not have stated the case for my amendment more forcefully than that. I hope that my amendment will be successful.

Mr. STENNIS. Mr. President, will the Senator from Massachusetts yield right there?

Mr. KENNEDY of Massachusetts. I yield.

Mr. STENNIS. On that figure of $4 million, is it not true that in this bill there is only approximately $900,000 worth of newly bought ammunition? Is that not the Senator's estimate on that matter? That is my best estimate on it. I believe it is correct, plus the $428,000 in funds for operations. That is all the real, hard money involved in the amendment, as I believe it to be. Is that not correct or approximately correct?

Mr. KENNEDY of Massachusetts. I

would state that I believe that technically there is an element of truth in what the Senator has said. But I do not think that the Senator's figure is inclusive of all the costs and savings involved. The Senator is correct that the particular appropriation which my amendment reduces is in the amount of $428,000. The Senator is also correct in stating that some parts of the ammunition involved are of a type which would not now be used in combat. But what the Senator neglects to take account of is that most of the $2 million worth of ammunition is purchased specifically for this giveaway program. And that $428,000 appropriation is the tip of an iceberg involving $5 to $10 million and at least 5,000 servicemen, which will be controlled if we can control the tip.

The PRESIDING OFFICER. The time of the Senator from Massachusetts has expired.

Mr. STENNIS. I yield 1 minute to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 1 additional minute.

Mr. KENNEDY of Massachusetts. Mr. President, I believe the Senate has a responsibility here, and I am hopeful we will fulfill it.

Mr. YOUNG of Ohio. Mr. President, the amendment offered by the distinguished senior Senator from Massachusetts [Mr. KENNEDY] to reduce appropriations for the National Board for the Promotion of Rifle Practice by $228,000 would be a real saving of taxpayers' money. This meritorious amendment would also restrict the Secretary of Defense from making free ammunition and travel expenses available to civilians participating in regional, national, and international rifle matches, which are, in reality, fat-cat junkets for members of the National Rifle Association.

President Johnson has asked that all expenditures be eliminated which are not essential for the national security. If ever there was a nonessential Federal activity, it is the civilian marksmanship program.

The National Board for the Promotion of Rifle Practice was established in 1903 following the Spanish-American War. This was at a time when reliance on the militia was necessary to provide manpower to fight our wars. It is as outmoded today as flintlock muskets, bustles, and mustache cups.

Furthermore, nowadays, with our M–16 rapid-firing rifle spraying bullets with great rapidity, marksmanship is not so essential as it was in World Wars I and II. In the rapidity and swirling changes of closeup jungle fighting, there is little time for aiming and firing, and little firing from the shoulder by GI's handling the M–16 lightweight rifle.

The civilian marksmanship program was eliminated in World War II and during the Korean war. It has always been one of the first items in the budget to be cut in times of budgetary restraint. Studies made in the past 2 years have shown beyond doubt that the costs of this marksmanship program vastly exceed the benefits derived from it. Indeed, there is a serious question as to whether any benefits at all accrue from this boondoggle. The expenditure of large sums of taxpayers' money and diversion of military personnel for rifle matches such as those conducted at Camp Perry in my State of Ohio actually have a negative effect and create no benefits whatever.

The rifle matches at Camp Perry, subsidized by the Federal Government at a cost of $3 million annually, are a shameful waste of taxpayers' money. It is scandalous that they be held at a time when President Johnson is asking already heavily burdened Americans to accept an additional tax burden of 10 percent.

Mr. President, if this program were to be abolished permanently, citizens can rest assured that there would be no effect whatever on our Nation's military preparedness. In fact, our preparedness would be enhanced. Officials of the Defense Department could divert personnel now involved in this boondoggle to more important and necessary assignment. The Department of Defense would be relieved of a major manpower and money-consuming program. Twenty-three civilian employees in the Department of Defense and three Army officers, one colonel and two lieutenant colonels, are now assigned full time to the office of the Director of Civilian Marksmanship. This in addition to the thousands of servicemen assigned for support duty at the Camp Perry matches and others throughout the year. This is an inexcusable waste of manpower at a time when thousands of young American boys are being drafted each month because of our involvement in an ugly civil war in Vietnam.

As an example of the waste of manpower on this boondoggle, may I cite a typical case reported to me in a letter from a constituent. Robert Phillips, of Ohio, is an active Army reservist. He has completed his active duty to his country, but as a member of the Active Reserve he was called last summer to attend Army Reserve camp. Phillips, at a financial loss to himself, absented himself from his employment from June 17 to July 1. He went to Camp Perry with members of his unit. Ostensibly, this was for military training. Did he get any military training? No, indeed. He spent the entire 2 weeks obeying orders from high-echelon officers to clean and paint the buildings of Camp Perry so that they were bright and clean for junketeers attending the NRA target competition at Camp Perry.

Mr. President, the armed services do not benefit from this boondoggle. Citizens generally do not benefit. The only organization benefiting is the National Rifle Association. It is high time that we stop spending taxpayers' money to subsidize one sport and one sporting organization.

Mr. President, while this amendment cuts only $228,000 from the appropriations bill, the real result will be a savings of many millions of taxpayers' dollars. What we will in effect be doing is cutting off the head of this bureaucratic octopus in Washington which wastes millions of taxpayers' dollars annually in free ammunition and free travel expenses for junkets for civilian sportsmen.

It is high time that this waste be ended. We talk a great deal of economy in Government. Here is where we can practice what we preach. If there is ever a place where taxpayers' money can be saved without any loss in service or benefits to the Government whatever, it is by reducing or eliminating altogether funds for the civilian marksmanship program. I urge that the amendment be adopted.

Mr. STENNIS. Mr. President, I yield back the remainder of my time, and submit the matter to the Senate on the yeas and nays.

The PRESIDING OFFICER. All remaining time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Massachusetts.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Oklahoma [Mr. HARRIS], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I also announce that the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Wisconsin [Mr. NELSON], the Senator from Georgia [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that if present and voting the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. DOMINICK] is necessarily absent.

The Senator from Oregon [Mr. HATFIELD] is absent on official business.

If present and voting, the Senator from Colorado [Mr. DOMINICK] would vote "nay."

The result was announced—yeas 23, nays 67, as follows:

[No. 234 Leg.]

YEAS—23

Bartlett
Brewster
Brooke
Case
Clark
Dodd
Fulbright
Gore
Griffin
Hart
Inouye
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Mondale
Pastore
Pell
Spong
Tydings
Williams, N.J.
Williams, Del.
Young, Ohio

NAYS—67

Aiken
Allott
Anderson
Baker
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, W. Va.
Cannon
Carlson
Church
Cooper
Cotton
Curtis
Dirksen
Eastland
Ellender
Ervin
Fannin
Fong
Gruening
Hansen
Hartke
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Miller
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Pearson
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Yarborough
Young, N. Dak.

NOT VOTING—10

Byrd, Va.
Dominick
Harris
Hatfield
McIntyre
Metcalf
Nelson
Russell
Smathers
Sparkman

So the amendment (No. 281) of Mr. Kennedy of Massachusetts was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. YOUNG of North Dakota. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, I believe we have arrived at the point for the third reading of the bill.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. Who yields time?

Mr. YOUNG of North Dakota. Mr. President, I yield to the Senator from Maine such time as she may require.

ACTIVATION OF A BATTLESHIP

Mrs. SMITH. Mr. President, I recall a committee session 2 years ago when the problem of attacking certain railroad and highway bridges in South Vietnam was being discussed. The Secretary of Defense had made the point that some of these targets were so heavily fortified with conventional antiaircraft weapons that it was almost impossible for our aircraft to knock out these bridges and, furthermore, that the damage that could be inflicted by aircraft was such that the bridges could be repaired in a very short period of time.

The distinguished Senator from Georgia, the chairman of the Armed Services Committee and the Department of Defense Subcommittee, after looking at the location of these targets on a map of South Vietnam, asked the Secretary of Defense "Why was it not a good idea to activate one of our battleships and use their 16-inch guns to attack these targets." The Secretary of Defense indicated that this proposal had received some attention but had been rejected. However, he did assure Chairman Russell that he would give the matter further attention.

On August 1, 1967, the Department of Defense announced, and I quote:

> The Secretary of Defense has approved the recommendation of the Navy for reactivation of the battleship *New Jersey* for deployment in the Pacific Fleet to augment the Naval gunfire support forces in Southeast Asia.

Mr. President, after 2 years of expensive studies that cost tremendous sums and the time and effort of numerous individuals, the Secretary of Defense has reached a conclusion to activate a battleship. I congratulate him on this decision, but I wish to point out that it took the Secretary and the Department of Defense 2 years to make a decision, the desirability of which was obvious to Chairman Russell 2 years ago.

Mr. President, I ask unanimous consent to have printed in the Record an article entitled "Refurbishing Battleship *New Jersey* Is Viewed as a Bargain by Navy," written by Roger B. May, and published in the Wall Street Journal of August 7, 1967.

There being no objection, the article was ordered to be printed in the Record, as follows:

Refurbishing Battleship New Jersey Is Viewed as a Bargain by Navy—Preparing Vessel for Vietnam To Cost $27 Million, but It's in Better Shape Than Others

(By Roger B. May)

Philadelphia.—It will take at least nine months and $27 million to refurbish the battleship New Jersey for use off Vietnam, but Navy experts figure the 45,000-ton behemoth is still the best bargain among the four battlewagons currently in the U.S. mothball fleet.

For one thing, the New Jersey's huge 16-inch guns are still on board, unlike those of the battleship Iowa, which has been lying alongside the New Jersey for several years and is a popular tourist attraction. The big guns can fire two rounds a minute at an effective range of about 20 miles—a major factor in the decision, taken after an $800,000, two-month study, to reactivate the vessel to help pound inland Vietcong positions.

Indeed, although the New Jersey has been in mothballs for exactly a decade, it is rated in good condition. Most of its topside equipment has been stored below in dehumidified interior compartments. Other gear ranging from battle helmets to the coffee urns in wardrooms has never been removed. The ship even has a supply of fuel in its tanks as a precaution against deterioration.

The price of reactivating the New Jersey even "on an austere basis" will be about a fourth of its original $110 million cost. The Navy already considers the New Jersey a no-frills vessel, having rushed it into service during World War II after its launching on Dec. 7, 1942. It doesn't have air conditioning—and won't be getting any, as this would add another $6 million to outfitting costs and extend an already tight preparation schedule. "This will be strictly a hull carrying guns," says one Navy man.

Even before plans were made to reactivate the New Jersey, engineers rated the ship's massive engines "in very fine condition." When the ship was last placed in mothballs, in fact, the Navy spent some $4 million to rebuild its boilers, among other things.

Topside, outfitters have another factor in their favor. The gun mounts have been protected by lightweight steel cocoons (sprayed-on plastic cocoons were abandoned when gulls began eating them), and, as a result, "the gun tops look like they were polished by the crew yesterday," says a shipyard spokesman. Also, a month-long job of painting the 887-foot ship—some 2,000 gallons of paint were used—has already been completed.

Until a few days ago, a series of carbon anodes were hung in the water at intervals around the New Jersey.

Mr. DIRKSEN. Mr. President, for the information of the Senate, I ask the distinguished Senator from Pennsylvania, for whom the time is preempted, how long he wishes to continue to talk.

Mr. CLARK. Mr. President, if the Senator from Illinois will permit me to obtain the floor, to which I am entitled, I shall be glad to yield to him for the purpose of asking that question.

Mr. DIRKSEN. I shall be happy to do so. I yield the floor for an instant.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CLARK. Mr. President, in response to the inquiry of the Senator from Illinois, I understand that I have 2 hours under the bill. I do not expect to take that long, though it may be that there will be colloquy. Several Senators have indicated they wanted to have a little colloquy. However, I would hope we could have a vote on my motion to recommit by 6 o'clock. It may be 6:30.

Mr. DIRKSEN. Does the Senator actually intend to make his motion to recommit?

Mr. CLARK. Yes, I do; and for the information of the Senate, Mr. President, I now move that the bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes, be recommitted to the Committee on Appropriations, with instructions to report the bill back to the Senate as soon as practicable with such amendments as are necessary to accomplish a reduction of $3.5 billion in the total amount now appropriated by the bill, as the committee may think necessary.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Pennsylvania.

Mr. DIRKSEN. Will the Senator yield further?

Mr. CLARK. I yield.

LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT UNTIL 10 A.M.—COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader about the program for tomorrow. I am assuming that when we finish with the defense bill, that will be all for today.

Mr. MANSFIELD. Yes. Mr. President, the business tomorrow will be the Inter-American Bank bill, Calendar No. 486, S. 1688. That will be laid before the Senate and made the pending business this evening, when the pending bill is disposed of.

However, because certain Senators wish to make very important speeches, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

Mr. FULBRIGHT. Mr. President, reserving the right to object, I ask unanimous consent that the Committee on Foreign Relations be permitted to meet until at least 1 o'clock.

Mr. MANSFIELD. Oh, yes.

Mr. KENNEDY of Massachusetts. Mr. President, reserving the right to object, may I have the understanding that the Committee on the Judiciary will be permitted to meet during the session of the Senate tomorrow?

Mr. LONG of Louisiana. Mr. President, may we include the Finance Committee in that request?

Mr. MANSFIELD. Yes. Mr. President, I ask unanimous consent that all committees be permitted to meet during the session of the Senate until 1 p.m. tomorrow.

The PRESIDING OFFICER. Is there objection to the several requests of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Iowa [Mr. Miller] be recognized immediately after the approval of the Journal tomorrow for a period not to exceed 45 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Then, Mr. President, I ask unanimous consent that beginning at 11 o'clock, the distinguished Senator from Louisiana [Mr. Long] be recognized for not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I further ask unanimous consent that at the conclusion of the remarks of the distinguished Senator from Louisiana, there be a period for the transaction of routine morning business.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

THE MINIMUM WAGE LAW AND UNEMPLOYMENT

Mr. DIRKSEN. Mr. President, on July 20, 1967, there appeared in the Mattoon, Ill., Journal-Gazette an editorial entitled "We Wonder, Too," that brings sharply into focus the effect that increases in the minimum wage and greater coverage of small business is having on unemployment. Recent surveys have indicated that the greater impact has been in the rural areas. The editorial does not see the effect as being so limited.

I ask unanimous consent that the editorial to which I have referred be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

We Wonder, Too

As usual, Joe Meek, head of the Illinois Retail Merchants Association has words of wisdom and some interesting observations in this week's IRMA news letter.

Some 40,000 small businesses told the National Federation of Independent Business, Inc., that 400,000 have lost jobs because of the wage law which went into effect in February. Teenagers, mentally and physically handicapped, unskilled workers are most seriously affected. They are capable of limited production, but not productive enough to justify retaining them at the higher legal wage rates. The 40,000 firms have laid off 17,299, about 20 per cent of them blaming the new law.

A spokesman for the Illinois Department of Labor has said he has no reason to doubt the survey and, while he has no figures to support it, he believes the law is having an effect on unemployment in the Chicago area.

Meek says he wonders what will happen when the little stores down to $250,000 volume and below, come under the new law. What will happen not alone to them but to the thousands of proud marginal workers who would lose jobs—forever?

We wonder too.

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 1968

The Senate resumed the consideration of the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

Mr. CLARK. Mr. President, I ask for the yeas and nays on my motion to recommit.

The yeas and nays were ordered.

Mr. CLARK. Mr. President, I should like, if I might, to address some questions to my good friend, the floor manager of the bill, the Senator from Mississippi [Mr. Stennis].

Mr. STENNIS. Mr. President, I beg the Senator's pardon. My attention was diverted.

Mr. CLARK. I believe earlier the Senator from Mississippi wanted me to yield to him; is that correct?

Mr. STENNIS. I simply intended to ask the Senator a question about the time element involved here. If the Senator would rather proceed now with his presentation, that is agreeable. I thank him for his courtesy.

Mr. CLARK. I should like to address a question about the bill to the Senator from Mississippi.

Mr. STENNIS. A little later, or now?

Mr. CLARK. Now.

Mr. STENNIS. All right.

Mr. CLARK. I ask my good friend from Mississippi——

The PRESIDING OFFICER. Will the Senator from Pennsylvania suspend while order is restored? The Senate will be in order.

The Senator from Pennsylvania may proceed.

Mr. CLARK. I ask my friend, the distinguished Senator from Mississippi, if it is true, as alleged by Members of the other body when the pending bill was before the House for passage, that this is the largest single appropriation bill ever presented to Congress.

Mr. STENNIS. The Senator is correct. I made that statement in my opening statement. There were other war years, as I recall, when the total amounts in all bills for military were greater. However, that was not in a single bill.

Mr. CLARK. I ask my friend, the Senator from Mississippi, if the amount in the pending bill as reported to the Senate is not $70,156,420,000.

Mr. STENNIS. The Senator is correct, except for the reduction we made on the floor earlier.

Mr. CLARK. Is it not correct that on top of that huge amount we can also expect before the end of the fiscal year a supplemental military appropriations bill?

Mr. STENNIS. The Senator is probably correct. There may be a supplemental defense bill. However, that depends largely upon the number of additional men that we sent to Vietnam.

Mr. CLARK. Can the Senator give me any idea now as to how much money the supplemental appropriation bill is likely to contain?

Mr. STENNIS. There are different ways of making an estimate on that. However, I had rather rest on this matter on the prediction that this war will soon be costing us $2.5 billion a month.

Mr. CLARK. The Senator will recall that a year ago when the bill was before the Senate he and I had a most interesting colloquy at which point he advised me that in his judgment—which turned out to be a pretty good one—the war was then costing us in the neighborhood of $2 billion a month.

For the 12 months of the last fiscal year, if we say that the cost is $2 billion a month or $24 billion for the fiscal year, we would not be very far away from the correct figure for the fiscal year ending June 30.

Mr. STENNIS. I think it came to just about that amount in the fiscal year that just closed. That is a round figure, but that is about it.

Mr. CLARK. May I ask the Senator whether the 45,000 additional troops which the President has indicated he wants to send to Vietnam are funded in the pending bill?

Mr. STENNIS. The bill before you provides funds for an in-Vietnam strength of 475,000. An increase above that number will bring about an increase in the cost of the conflict. The increase to date already amounts to 45,000.

Mr. CLARK. So, therefore, that would have to be included in any supplemental bill which comes along.

Mr. STENNIS. The Senator is correct. And that is about as accurate as we can get. It has not been contemplated that these men would be sent to Vietnam. However, it has been contemplated that there will be that many men in uniform, and it has been provided for.

Mr. CLARK. The President in his message requesting a tax increase indicated that the cost of the military part of the budget might well go up by a total of $4 billion. I take it that no part of that amount is included in the pending bill.

Mr. STENNIS. The Senator is correct. I would not pit my judgment against the President's at all. However, in my opening remarks I alluded to the statement by the Secretary of Defense during our hearings in which he indicated that, barring unforeseen contingencies, no supplemental for 1968 would be required. In my statement I said that I did not share that belief, for I think there is every likelihood that there will be a supplemental.

Mr. CLARK. Would the Senator be shocked if I suggested my untutored guess that the supplemental appropriation which we will face before the end of this fiscal year is likely to be at least as much as $10 billion? Does the Senator think I am high?

Mr. STENNIS. I would not want to make an estimate now on the facts I have before me. I would rather that the Senator make his own estimate.

I have said that I thought it would be from $4 billion to $6 billion anyway if 100,000 additional men are sent to Vietnam. And they already plan to have 45,000 additional men in Southeast Asia.

Mr. CLARK. Whatever amount the supplemental appropriation may be—and I guess we can agree that it will be at least $5 billion—that amount would have to be added to the deficit for the fiscal year ending June 30, 1968.

Mr. STENNIS. The Senator is correct. I assume there will be a deficit. Additional defense expenditures would have to be added to the cost in the fiscal year 1968 and presumably to the deficit.

Mr. CLARK. Actually, my friend, the Senator from Mississippi, is keenly aware of the fiscal implications of the pending bill. I think he has been very candid and very honorable in pointing out that we are heading for an enormous deficit in the coming fiscal year whether we pass the tax bill which the President has recommended or not.

I think the Senator has answered all of the questions I wanted to ask him. I thank the Senator.

Mr. STENNIS. I thank the Senator from Pennsylvania.

The PRESIDING OFFICER. Will the Senator kindly send to the desk his motion?

Mr. CLARK. I did not understand the inquiry of the Chair.

The PRESIDING OFFICER. The Chair is advised that it would be very helpful to the Parliamentarian to have the motion that has been offered by the Senator from Pennsylvania because it contains instructions that we frankly did not hear at the time the Senator made his motion.

Mr. CLARK. I would be happy to repeat the motion which I think I have already cleared as to propriety with the Parliamentarian.

The PRESIDING OFFICER. The Parliamentarian advises that the rules require that the motion be formally sent to the desk.

Mr. CLARK. The Senator from Pennsylvania is very happy to take it to the desk in person. The Parliamentarian may not be able to read my writing.

Mr. President, my first argument in support of the proposed reduction in the appropriation is that the bill is too high. This is a swollen bill containing, in my judgment, billions of dollars of unnecessary appropriations. We are spread too thin in the world, and I suggest that it is time that we begin to pull in our horns.

My second point is that the bill, and its predecessors—starting with the acceleration of the war in Vietnam—is largely responsible for the fiscal crisis in which we now find ourselves.

My third point is that there is a growing resentment against the apparent need for tax increases dictated in part, but not entirely, by the war in Vietnam, but dictated perhaps even more by the successful efforts of the military-industrial-scientific-congressional complex to foist on this country a series of expenditures which, in my judgment, may in the foreseeable future threaten our democratic system of Government and erode our liberty.

My fourth point is that there is no real necessity by reason of the current situation in Southeast Asia or with respect to China to justify the enormous expenditures we are now engaged in making in the Army, Navy, the Air Force, and the Marine Corps.

My fifth point is that the war in Vietnam has arrived at a stalemate, that the possibility of our winning it in the foreseeable future is minimal, that it is likely if we continue on our current course we will be there for a decade, and that, as the Senator from New Jersey [Mr. CASE] pointed out earlier today, we should either have some assurance from the President that a military victory and/or a pacification of the country is within the reasonable possibility of achievement in the reasonably near future, or we should have a complete reexamination of our entire Southeast Asia policy.

My last, or sixth point, is that Congress—and, indeed, the administration—has a false set of priorities as to what is important in terms of the foreign and domestic policies of this country.

I shall develop each of these points in turn, but I thought it might be useful to give the general outline of my speech before I make it.

I. A SWOLLEN APPROPRIATION

I turn now to point No. 1. The bill is too high. We are spread too thin from a military point of view.

When this bill was before the other body, Congressman GEORGE E. BROWN, Jr., of California, the only Member of the House who voted against the bill, pointed out that it was the largest single appropriation ever presented to Congress. He also stated:

> The amount of money represented by this bill is equivalent to the total gross national product of approximately one-third of the human race. It is staggering to the imagination to realize that this Congress for 150 years struggled over the appropriation in total of an amount of money that we have disposed of here this afternoon in three or four hours.

He was discussing the debate in the House of Representatives.

This bill calls for the deployment of a total of 3,464,302 men. In the military personnel section of the committee report, the dollar figures, when presented in conjunction with the number of men to be kept under arms and in uniform—in the Army, the Navy, the Air Force, the Marine Corps, the Reserve, the National Guard, and the other minor components of the armed services—work out at a cost of $5,400 for every man in the armed services.

If you were to cut back the military personnel in this bill to the actual number of individuals in the armed services in fiscal year 1966, you would reduce the 1968 estimate from 3,464,302 military personnel to 3,091,552. If you were to make that cutback and make the basic assumption which I believe we should make—that we can get along very well in the United States of America in the next fiscal year with the number of men under arms that we had in fiscal 1966—you would immediately cut $1,914,200,000 from the total amount of the bill. So that there, alone, in the one element of military personnel, you could get approximately $2 billion of the $3.5 billion which my motion to recommit envisages.

I have not attempted to pinpoint the reductions which the committee, in its wisdom, might determine to make in the event the motion to recommit should carry; but there are obviously vast areas where substantial reductions could be made without affecting in any way the military mission of the United States, if that mission really is to maintain peace, to work for international cooperation, and to bring the difficulties which now confront us into the diplomatic area instead of the military area.

Title II of the bill deals with operation and maintenance. I will not undertake to suggest specific cuts there. I do not have the expertise to make such suggestions. But no Senator can read through that portion of the committee report without concluding that substantial cuts totaling, at the very least, several hundred million dollars, could be made in the operation and maintenance part of the bill.

Then we come to the procurement part of the bill, for which $5,578,600,000 is requested for the Army, including missiles, of which we have so many already that they are coming out of our ears.

Every Senator knows, and most of the people in the United States know, that we have an overkill capacity, in terms of nuclear weapons, which could flatten the Soviet Union and Communist China together several times over, and still leave a substantial arsenal in the hands of the Army.

Procurement of aircraft and missiles for the Navy is recommended by the committee at $2,950,700,000. Shipbuilding and conversion for the Navy is fixed at $1,297,000,000. Other procurement in the Navy is fixed at $2,336,000,000. Procurement in the Marine Corps is fixed at $665 million. Procurement in the Air Force, which includes many a missile, also, is fixed at $5,547,400,000.

So, without attempting to indicate to the committee in any specific way, because I say again I do not have the particular expertise to do so, these are the general major areas where, in my opinion, cuts far in excess of $3,500,000,000 could be made, without affecting in any way the national security of the United States or the capability of our Armed Forces to do those things which they should be doing in terms of defending the United States of America.

I say again what I said last year when this bill was before us: This is not a defense appropriations bill. This is an offense appropriations bill. Let no one contend that the $70 billion in this bill is intended to defend the United States of America. Far from it. It is intended to defend a wide perimeter all around the world, in many parts of which the United States is engaged in ground operations totally unsuitable to the American character, and where we are pouring out our treasure and our manpower in futile efforts to hold beachheads in countries far beyond the legitimate diplomatic interests of the United States.

So if we are prepared to renounce the thought that we are the modern Roman Empire and that we should impose a Pax Americana on the continents of Latin America, Africa, Asia, and particularly Southeast Asia, and also to undertake to guarantee that another war should not break out in Western Europe, if we are going to renounce that concept, this bill could be cut, not by the amount I am proposing of $3.5 billion, but at least by $10 billion which the Senator from Oregon proposed an hour or two ago that we cut from the bill.

Mr. President, I complete my summary of my first point by reiterating that this is a swollen bill in terms of money; it gives us an offensive capability far in excess of the defensive needs of the United States, and far in excess of our legitimate objectives.

II. THIS BILL AND ITS PREDECESSORS ARE LARGELY RESPONSIBLE FOR THE FISCAL CRISIS IN WHICH WE FIND OURSELVES

Mr. President, I now turn to my second point. The fiscal crisis in which we find ourselves was graphically set forth in the President's tax and budget message of a couple of months ago. He then pointed out that the total expenditure contemplated in his budget message for the fiscal year ending June 30, 1968, was $135 billion. Of that sum, $70 billion, or more than one-half, is represented by this bill.

The President told us that by reason of the fallback in contemplated revenues and the increases in contemplated expenditures, the $9 billion deficit which he envisaged in January 1967, when he sent his budget message to Congress, had increased to somewhere between $23.6 billion and $28 billion. This, obviously, is a frightening deficit, one which I am confident will be all too likely to bring on the fiscal crisis, dislocation, huge deficit, inflation, tight money, and the high interest rates which the President referred to in his message.

The President suggested there were two courses which Congress and the country could pursue in the light of his fiscal crisis. The first course was to do nothing and let things drift. He pointed out the dire consequences of such a course, and strongly recommended that we follow a second course, which was to make a series of drastic economies, almost all out of domestic programs.

He paid lipservice to cutbacks in defense expenditures, but by the time he finished he indicated the defense expenditures might be in excess of what he contemplated in his budget, and this suggestion on his part was no less than candid because in the same message he indicated he wanted to send 45,000 more men to Vietnam. As the Senator from Mississippi so candidly replied in answer to my question, the sending of those men is not funded in this bill, although it is true that most or perhaps all of them are now in uniform.

So the President recommended additional taxes to the tune of $7.4 billion and a cutback in domestic expenditures, which he thought might result in a deficit, not of $23 billion to $28 billion but $14 to $18 billion.

I say that deficit is unmanageable. The greatest peacetime deficit we had before was during the Presidency of Dwight Eisenhower, when it went to $13 billion and brought on both deflation and recession. I would have little doubt, although I am not a trained economist, that the same result would occur if we were to repeat that disaster and run a deficit of that sum.

The **PRESIDING OFFICER**. The Parliamentarian informs the Chair that the 30 minutes of the Senator on the motion has expired, but the Senator has 2 hours remaining on the bill.

Mr. **CLARK**. I am grateful to the Parliamentarian for calling that technical point to my attention. I was under the impression I was using my 2 hours on the bill. I should have stated so. I would like to have the time I have used charged to my time on the bill, and I ask unanimous consent that may be done.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **CLARK**. Mr. President, I suggest that there is a third alternative and a wise and sound alternative which the President did not mention in his message. That third alternative is to obtain, in one way of another, a large part of the curtailment of expenditures out of appropriations which do not cut into the heart and soul of the American people, do not prejudice the poverty program, do not prejudice Federal aid to education, do not result in our turning our heads away from the task we have undertaken of eliminating water pollution and air pollution in this country, do not turn our backs on the Appalachian program, do not turn our backs on a score of other programs including housing for low-income families, rent supplements, model cities, mass transit, public health, and welfare expenditures.

Mr. President, these programs of the once Great Society are the heart and core of the Roosevelt-Truman-Kennedy-Johnson program and I, for one, shall fight as hard as I can to prevent those programs being curtailed. There are programs where we can make cuts without affecting the well-being of a single American citizen. There are three, and the first is the foreign aid program. We have already cut $800 million out of the foreign aid bill, which is pretty close to being 30 percent of the total bill. The House of Representatives has already cut $500 million from the space program. I am in favor of those cuts in light of the fiscal condition and approaching chaos in which we find ourselves. However, why is the military appropriation bill the sacred cow which, like the sacred cows in India, cannot be touched by a Senator or a Representative? Who are we afraid of? I know the Hindus in India are afraid of their gods should they undertake to kill sacred cows over there. That is one of the reasons the Indian economy is in such a chaotic condition. The cows are eating the food which should go to human beings.

I suggest, Mr. President, it is high time the Senate faced the logic of the situation and undertook to cut reasonable amounts from the Defense appropriation bill, with the idea in mind that we might even make the proposed tax increase unnecessary—although I am afraid we cannot do that; but at least that through the total of the cuts in the particular appropriations which do not affect the health, well-being, or safety of a single American family, we could make some significant contribution toward cutting our enormous deficit.

The President is asking for additional taxes totaling $7.4 billion. If we were to recommit the bill as I have suggested, there is almost half of that amount in this bill. Add the $800 million from the foreign aid bill, and the budget figure of $500 million from the space bill, and we have another $1.3 billion. So that we are getting within striking distance of the $7.4 billion in additional taxes which the President is asking.

Oh, no, we are not there. If we had adopted the proposal of the Senator from Oregon—I was one of the five Senators who voted for it—we would be there. I know that the Senate is not ready to go that far. I expect the vote which will take place in the reasonably near future to recommit the Defense appropriation bill will indicate that I will get few, if any, votes, just as the Senator from Oregon did. But let us face this problem now. Because if we do not do so now, we will have to do so on the supplemental appropriation bill, and on the bill next year; or this country will go bankrupt. We cannot continue at this rate without either going bankrupt or raising additional taxes far in excess of anything the President has recommended.

What we are doing now in Congress is going down that first alternative against which the President warned us. He said that there were two alternatives: one, to face the situation, pull in our belts, and the other just to let things drift. That is just what we are doing: We are letting things drift.

I hope that, in due course—if not tonight—the Senate will face its fiscal responsibilities.

It has been said that only $22 billion of the $70 billion in the appropriation bill is for the Vietnamese war. My good friend from Mississippi has suggested that the figure should be a little higher. I think he would place it at $30 billion for the coming fiscal year. Let us say it is $30 billion. This is a bill for $70 billion. What are we going to do about the other $40 billion which is not part of the war in Vietnam?

How can we possibly justify not cutting the bill on the grounds that we are providing our boys in Vietnam with everything they need—although I think the way to provide them with everything they need is to bring them home under an honorable peace—but how can we justify not cutting this swollen bill with the $40 billion additional in it not being used for Vietnam, kidding ourselves and the country that we are doing the patriotic thing, which will result, in all likelihood, in a fiscal crisis which will bring us—and I use these words advisedly—close to the brink of monetary and fiscal disaster.

Certain Senators have suggested that I should indicate where the cuts should be made. Earlier, I indicated that I do not think I have the expertise to do that. But if I were a member of the Appropriations Committee, I would look pretty hard at military personnel and cut back on that total to the figure we had at the end of 1966 which, in itself, would obtain $1,981 million in savings.

I would also take a good hard look at procurement in the Army, Navy, Air Force, and Marines in terms of missiles. We have such a huge overkill now that it is, to me, a futile suggestion to manufacture, store, and stock more lethal weapons of atomic destruction.

Mr. **HART**. Mr. President, will the Senator from Pennsylvania yield at that point?

Mr. CLARK. I am happy to yield to my good friend from Michigan.

Mr. HART. I must plead guilty to being one of the Senators about whom the Senator just made reference. I was one of the Senators who went to him and said, "Look, please do not use the rule of thumb, *x* percentages of the total, and ask us to reduce it by that amount. And don't pick a fixed figure and then tell us that is the equivalent of a 10-percent tax surcharge."

Mr. CLARK. Because of my enormous admiration for the distinguished Senator from Michigan, that is what I have done. I have followed his advice.

Mr. HART. Yes, but we are now down an alley which seems to be equally blind. I am going to read the Senator's remarks at the end of the day——

Mr. CLARK. The Senator will have voted before he can read them.

Mr. HART. Then I will sit here and listen to the Senator's remarks. Perhaps he will be pleased to give us a summary of what he is proposing, because I am anxious about it. I suspect I speak for a lot of frustrated Members in this Chamber on that score.

Mr. CLARK. Yes; and there are plenty of frustrated Members in this body.

Mr. HART. I feel as the Senator from Pennsylvania does, uncomfortable in stating to the Army, Navy, Marine Corps, National Guard, and others, what particular items we believe can wait a year, or saying that something is an item we never did or will need. He and I find ourselves on committees which expose us not to that specific information, but to overwhelming and specific domestic needs which must be met, I suspect, with the same directness that any foreign enemy has to be met with and which relate equally to our survival as a society worth protecting.

Certainly, I share the point the Senator from Pennsylvania has just made. Who wants to run around with a label on him, "You let our boys down in South Vietnam"? No one. And none of us do.

I share the Senator's feeling that the best thing we can do for our boys in Vietnam is to bring them back home under an honorable peace. I think the Senator from Pennsylvania used those words. The problem is when we get to define the conditions, it gets to be about as difficult as looking at a $70 billion defense budget and pointing to what items should be eliminated. Surely there are some substantial items that could wait until we put the fires out at home. In order to get the water to put out those fires, we are going to have to take a look at this $70 billion and see if we can trim it.

I am very grateful to the Senator from Pennsylvania for taking the leadership in an effort to identify those things that prudent men would agree are desirable but are not essential under the circumstances which exist today.

Mr. CLARK. I thank my friend from Michigan for his most helpful intervention. I want to make my own position crystal clear because I made some points before the Senator from Michigan came into the Chamber.

As I look at the bill, as a layman, I think I can see a number of areas where it could be prudently cut.

One is by cutting down the size of the Armed Forces. I have looked at the military personnel sections of the bill. I find if we could cut back the total number of individuals within the armed services to the figure we had in 1966, we could save $1,912,000,000.

Then I looked at the procurement section of the various armed services components, and I think I recall that most Senators—perhaps not all— are in agreement that we have an "overkill" capacity in terms of nuclear and hydrogen weapons, enough to flatten our enemy a good many times over, and that the needs of the Navy for a certain number of ships has been a little exaggerated.

So we could easily get this $3.5 billion that I have in mind. But I do not want to take the responsibility for doing that, and I do not think I should. That is why my proposal is to refer this matter back to the people who are experts with this proposed cut of $3.5 billion, and ask them to cut the bill to that extent.

Mr. HART. Mr. President, will the Senator yield further?

Mr. CLARK. I yield.

Mr. HART. The Senator has stated the fact. I arrived late on the floor. I did not realize he was referring to a motion to recommit with instructions to eliminate the things that may be desirable but are not essential.

Mr. CLARK. I thank the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CLARK. I am glad to yield to the Senator from Oregon, whose courage I commend for the position he took today in the face of overwhelming odds.

Mr. MORSE. I am greatly honored to have the Senator from Pennsylvania stand shoulder to shoulder with me.

I am glad the Senator from Michigan made the last comment he made, which changes what I, otherwise, was going to say, although I still find myself completely in disagreement with the major thesis of the Senator from Michigan. I do not think the Senator from Michigan or any other Senator can sit here, on the basis of the facts, and object to cutting a $70.2 billion defense request, the largest in the history of this country, larger than at any time, larger than for World War II, World War I, the Korean war. It only bears out what I said this afternoon. We are turning over foreign policy, in a real sense, to the military. We get the same argument the Senator from Michigan is using, by clear implication, when he says he does not want to be put in the position that we are letting the boys down in Vietnam. We are not letting the boys down in Vietnam——

Mr. HART. Mr. President, will the Senator yield?

Mr. MORSE. Yes. I yield. If I made a misstatement, the Senator may correct me.

Mr. HART. Will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. HART. I was adopting, I will advise the Senator from Oregon, the remarks that had been made, perhaps before the Senator from Oregon reached the floor, by the Senator from Pennsylvania, who was explaining he did not like to be laid open to the assertion that he was letting down the boys in Vietnam by any meat-ax cut. I do not, either.

Mr. MORSE. In reply I wish to say that we have not offered meat-ax cuts. Our proposals do not let the boys down in Vietnam. The "letting down the boys" argument is the argument other Senators have made in this debate today. That is a flag-waving argument. When we propose cutting this bill, it does not involve any cutting into the Vietnam operation. No one can argue soundly that we would be letting the boys down if the cuts we propose were adopted. It is a non sequitur. In my opinion, it is an unfair argument to be heard from the lips of Senators of the United States. We have a trust and a duty to make cuts in the Defense Department as well as other departments if any of the amounts cannot be justified. When it can be shown there is a national interest need to make a cut in the $70.2 billion defense appropriation, it is our duty to make it.

When the administration goes to the other departments and asks them to take a 10- or 15-percent cut in their appropriations, what is so sacrosanct about the Defense Department budget?

The amounts which would be reduced by the percentage cut, which the Senator from Michigan does not like, on the ground that it is a meat-ax cut, will be made by the very people in the Department of Defense the Senator from Michigan says are qualified to make the cuts. My amendment calling for a 10-percent cut provided that the cuts would be made by the experts in the Defense Department.

Unless the Senator from Michigan is to take the position that the $70.2 billion defense appropriation is sacrosanct and we cannot make any cuts in it, his argument falls to the floor. Let the Secretary of Defense take a 10-percent percentage cut which I propose and tell the President where he thinks the cuts should be made. He has authority to transfer money from item to item under my proposed 10-percent cut amendment.

We should not take the attitude that we cannot touch a $70.2 billion Defense Department appropriation and say there is something about this that makes it untouchable. That is exactly the psychology the Defense Department is trying to create in this country. Those of us who oppose cutting the budget of the Defense Department are unfairly attacked. I know. I have been the butt of it. The charge is that if one takes the position the Senator from Oregon is taking, somehow he is unpatriotic because supposedly he is letting down the boys in Vietnam. That is hogwash. It is pure nonsense. My 10-percent cutting amendment would have not hurt the boys in Vietnam. It would strengthen our position in Vietnam by strengthening our economy. It is a mistake to take the position that this bill is an untouchable bill on the floor of the Senate.

I want to disassociate myself from any argument and any implication that a cut in this appropriation such as is being proposed by any of us has anything to do with the boys in Vietnam.

If the Senator from Michigan does not know where we can make cuts, I suggest that he consider the equivalent of eliminating four unnecessary divisions in Germany, for example. That would save quite a bit of money. Let him refer to the defense stock fund or the antiballistic missile proposal that we have in this bill. I suggest that cuts can be made there and I think they would be there under my proposal.

The fact is that, for some reason, there has developed in the Senate of the United States an unwillingness to face up to what I think is our clear responsibility to protect the interest of the American taxpayer. Here is one vote against any tax increase, as I announced earlier. The American taxpayers are entitled to have Senators vote against tax increases unless they are willing to make cuts in a $70.2 billion defense appropriation. In closing I want to make clear that I respect the views of my friend the Senator from Michigan [Mr. HART]. I do not question his dedication to the welfare of our Nation. I do not question his sincerity in believing that my proposals for cutting this bill are unwise. I know that he is not charging me with letting down the boys in Vietnam. However, in fairness to myself and to him I have made these remarks in an endeavor to leave no room for doubt as to the intent and purposes which are behind the proposals I have made this afternoon.

Mr. HART. Let me make very clear that any suggestion that the Senator from Oregon, in offering his amendment, was letting down the boys in Vietnam would be grossly unfair and will find me in strongest criticism. The fact is I found myself reluctantly working against it.

It was not because of any letting down of the boys which caused me finally to vote against it. Rather, I preferred taking the approach now proposed by the Senator from Pennsylvania [Mr. CLARK] and I am delighted that I find myself now joining both the able Senator from Oregon and the able Senator from Pennsylvania in attempting to eliminate from this $70.2 billion defense appropriation bill a sum which may cover desirable but surely not necessary items.

Mr. CLARK. Mr. President, the argument of the Senator from Oregon is so persuasive that I voted with him today, but I think he has possibly done an injustice to the Senator from Michigan, because the Senator from Michigan has never accepted the point of view which others have taken. I think he has taken an objective view toward the pending amendment. I know he felt bad when he felt he could not vote for the amendment of the Senator from Oregon.

III. RISING TIDE OF OPPOSITION TO WAR IN VIETNAM

Mr. President, I would like to turn now to the third point, "Rising Tide of Opposition to the War in Vietnam."

There is a rising tide of opposition across the country to the way the war in Vietnam is being conducted. I regret that that tide of opposition comes from two diametrically opposed philosophies of thinking.

There are those of us in this body who believe we ought to be making a more earnest effort to arrive at a negotiated settlement, who are not happy with the high casualties we are suffering in Vietnam, who do not approve of the bombing of North Vietnam, and who think that the search-and-destroy policies in the south are counterproductive, are not working, and are only mounting the toll of American boys being killed and wounded.

Unfortunately, there is another school of thought which many advocate in the Senate, which may be called a "Let's kill 'em," philosophy, a philosophy of let us get in there and get it over with, based on the emotional concept that the United States of America is the strongest military power in the world, and it is ridiculous that we cannot beat down to their knees, in the little country of Vietnam, the guerrillas there. Somehow they think the flag is demeaned and somehow the power and status of the American people is suffering because we do not go in there and get it over with.

Mr. President, it is not for me to attempt to controvert that argument at this point, but I think it is enough to say that there is a rising tide of opposition to the conduct of the war in Vietnam. This was evidenced in a poll which was taken, I think by the Associated Press, over the past weekend, which indicated that 44 Senators, I believe, were content with the way the war in Vietnam is being conducted; 40 were disappointed; and the other 16—perhaps the wisest 16 of all—refused to tell the pollster what they thought, if anything.

However, Mr. President, I think there was a widespread feeling also that the respective responsibilities of the executive and the legislative branches of our Government are getting out of line—a feeling that the Executive is assuming too much power, both as Commander in Chief of our Armed Forces and under the Tonkin Bay resolution.

As a member of the Committee on Foreign Relations, I have become acutely aware of that controversy by reason of the testimony of Under Secretary of State Nicholas Katzenbach before our committee early this week. The chairman of our committee, the able Senator from Arkansas [Mr. FULBRIGHT], is strongly of the view that the President is undertaking to exercise authority which is not in accordance with the Constitution.

I do not share that view, but I do think that the President has exercised authority without much reference to the legislative branch, which, if not unconstitutional, is at least unwise; and I believe that this clash of views between a group in the legislative branch and the Executive is not healthy for Congress or for the country.

What happens is that it throws those of us in Congress who disapprove of what is being done in Vietnam back on devices to thwart the President's will—devices which I believe are unsound—and to which we should not resort.

One of them is to cut the liver—and I use the word advisedly—out of the foreign aid bill. I was prepared to vote to cut the military aid, and I did, but I thought the committee went too far in terms of cutting badly needed economic aid for the underdeveloped countries of the world.

Another way we get back at the President is to cut the space program. Personally, I am not too unhappy about cutting the space program, but actually the motivation of most of us in cutting that program is to get back at the President, because of his point of view and his policies in connection with the war in Vietnam.

Mr. President, I do not think that any one of those three devices is a very good way to indicate our displeasure. The courageous and sound thing to do is to vote to cut this bill; and it is in an effort, which perhaps will be a vain effort, to persuade those Senators who do not like our policy in Vietnam, who do not want to see the war accelerated any further, who want to see the bombing of the North stopped, who want to see those additional 45,000 American boys kept home, if that is what they want to do, to have the courage to vote for this motion to recommit, because this is the honorable way to do it.

Those are strong words. I must say I myself have not always hitherto had the courage to follow that practice. I had great trepidation in voting for the amendment of the Senator from Oregon an hour or two ago. I almost did not propose this motion to recommit with instructions to cut, because I was afraid to.

Then I asked myself, "If you haven't got the guts to do this, what are you doing in the U.S. Senate?"

So I decided to take the step. I do not wish to beat my chest or pat myself on the back for doing something that perhaps not too many of my fellow Senators are prepared to do; but I do note that this body is full of a great many logical thinkers, some but not all of whom are lawyers. I suggest that if, after searching your soul, as you ought to be doing, you disapprove of the conduct of the war in Vietnam, you vote to cut this appropriation bill, and do not go off voting to cut taxes, to cut foreign aid further than you think it should be cut, or to cut the space program further than you think it should be cut. Face up to the problem, and vote to cut this bill.

Mr. President, I turn now to my fourth point:

IV. SOUND SOUTHEAST ASIAN POLICY DOES NOT REQUIRE CONTINUED INTENSIFICATION OF THE VIETNAM WAR

Mr. LAUSCHE. Mr. President, before the Senator gets into that subject, will he yield for a question?

Mr. CLARK. Certainly.

Mr. LAUSCHE. I have deep respect for the sincerity of the Senator from Pennsylvania. In my opinion, he is attempting to give full expression to his honest thoughts about how best to serve his country. He will understand that there may be differences of opinion among Senators about how that service can best be achieved.

Mr. CLARK. I do, indeed.

Mr. LAUSCHE. There are those who complain about what is happening in Vietnam, but insist that we cannot pull out, and the only way it can come to an end is through the achievement of an honorable peace.

Mr. CLARK. I share that view myself.

Mr. LAUSCHE. If it is argued that we cannot pull out, what alternative course is there except to give the fullest support, by way of military equipment, to our men who are in South Vietnam?

Mr. CLARK. I think, of course, we should give full support and all necessary military equipment to protect their lives. I do not wish to digress, in this speech, by going into a long dissertation of what I think should be done in Vietnam. But the Senator from Ohio knows that for months, if not for years, I have been advocating a much more strenuous effort to get to the negotiating table, through stopping the bombing in the North, through stating that in the South we would fire only if fired upon, and by persuading our little puppet, General Ky, to do the same. I have reasonable confidence that if we were to assume that primarily defensive attitude, we would get to the negotiating table within the foreseeable future, and the number of American casualties and the loss to the American Treasury would be very much reduced.

I do not expect the Senator from Ohio to agree with me, but that has been my consistent position.

Mr. LAUSCHE. Well, there are three courses that we can follow. One is to pull out.

Mr. CLARK. And nobody advocates that.

Mr. LAUSCHE. Nobody advocates that. The Senator from Pennsylvania and I agree that in the Committee on Foreign Relations, the most vehement opponents of what is happening still take the position that we cannot pull out.

Mr. CLARK. That is right.

Mr. LAUSCHE. The second course would be to cut the appropriations for the military, which in my opinion would be the equivalent of pulling out.

Mr. CLARK. I made the point, before the Senator came into the Chamber, that this is a $70 billion military appropriation bill, of which, at the very most, $30 billion was for the war in Vietnam, as was developed in a colloquy I had with the Senator from Mississippi.

That leaves $40 billion of swollen appropriation having nothing whatever to do with the war in Vietnam. I am proposing that we cut that amount back by $3.5 billion.

Mr. LAUSCHE. I can see how the Senator could come to that conclusion, but I believe the committee that reported the bill has positively and fully explored that situation.

Mr. CLARK. I would disagree with that, but the Senator is certainly entitled to his opinion.

Mr. LAUSCHE. Mr. President, I want our country to achieve peace. However, it must be on an honorable basis. We stopped the bombing five times, and once for 35 days.

Mr. CLARK. Once it was for 6 days, and I think that was all.

Mr. LAUSCHE. The Senator is incorrect. There were some smaller intervals.

I suggested about 2 months ago that we again test Ho Chi Minh by a stopping of the bombing. However, that has not been done.

I am not sure that I was right in suggesting that we stop the bombing again. However, on the subject of pulling out and failing to give adequate moneys to the men, I want to read a letter that was sent to a newspaper in Ohio.

It is with great distress that I read this letter. It reads:

> I always have had great respect and confidence in Senator Frank Lausche until he said, "Quit bombing."

I did not have in mind the ultimate quitting of the bombing of North Vietnam. I recommended another lull in the bombing hoping that Ho Chi Minh would be brought to the negotiating table.

I continue to read the letter:

> Why does he say it and what does he expect the men from the U.S. to do? Sit back and be killed?
>
> In my estimate they are already taking it too slowly. If all I read is true, many men have been killed because they weren't allowed to go ahead until further orders arrived. So I say don't quit now but double the effort to stop those Communists.

This is the most painful sentence in the letter:

> From the mother of five sons who have served in the Navy, Air Force and Army, and a granddaughter now in the Marines.—Mrs. W. J. Rose Sr.

I conclude by saying that my fullest respect goes to you, Senator Clark, on having sincerely and courageously expressed your views on trying to solve this problem that is so perplexing to our country.

Mr. CLARK. Mr. President, I thank my friend, the Senator from Ohio, very much for his kind words.

Mr. President, with respect to my fourth point, I wish to pay tribute to a very distinguished American diplomat, a former Ambassador to Japan, and presently a university professor at Harvard, for the assistance he has given me in the preparation of these remarks, in a splendid address he made on June 15 at the annual meeting of the Associated Harvard Alumni in Harvard Yard. I ask unanimous consent that a copy of his address be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. Ambassador Reischauer points out, and I agree, that the unitary threat of communism has faded to a large extent in Europe, but in Asia it probably never existed. Military aggression has not been a major threat in most of Asia. Chinese armies have crossed their own borders very rarely. They came out to meet us in North Korea, but only when we bore down on their frontiers with massive military strength, as we are now bearing down on their frontiers with massive Air Force strength. China administered a defeat to the Indians along their disputed border, but it made no effort to launch a real invasion of India. Today it has sent 40,000 engineers into North Vietnam, but this is only a tenth as many men as the actual fighting forces we have sent halfway across the world to South Vietnam.

The real threat to the countries of Asia is not aggression so much as internal instability. They are vulnerable to subversion and revolution. They have little defense against guerrilla warfare.

But these are the types of military threat against which our military power is relatively ineffective. When we try to build in Asia a solid defense wall like that of NATO in Europe, it tends to sink into the quagmire of weak economies and unstable political institutions. In guerrilla warfare, under such conditions, we can end up as we have in Vietnam, appearing like an elephant vainly attempting to combat gnats. I believe that analogy is very pertinent indeed, and I say so because it is former Ambassador Reischauer's and not mine.

For many Asians, the enemy has not been Soviet military might or even the rising power of Communist China, so much as the former colonial or semicolonial domination of the West, and their own economic backwardness and political instability, which these Southeast Asian countries attribute, not entirely without justification, to the colonial domination under which they have suffered for well over 100 years. It is Western countries such as ours that have raised their deepest fears.

Those Asians who have embraced Marxist concepts—and many have—regard the capitalism that we seem to champion as the chief threat of continuing foreign domination, and look to socialism, the economic system the Russians proclaim, as their main hope for progress.

We do not seem, either racially or culturally, like friendly overseas cousins, but rather as a new and bigger form of the sort of Western nation—namely, France, and to some extent Britain—that dominated them in the past. One should perhaps also add the Netherlands.

In bringing these false European analogies to Asia, as we are doing in our foreign policy—and the Secretary of State is perhaps the worst offender—we have attempted to implement a set of policies designed to give advanced nations military protection against Communist aggression which were valid in Europe, particularly at the time of the Marshall plan and the Truman doctrine.

We have applied these theories to a part of the world where less developed countries are struggling with the task of nation building, where the problems of external defense are overshadowed by those of lethargic and primitive economies. The lethargy, to a substantial extent, in my opinion, is due to malnutrition and inadequate diet; for it is a fact that perhaps half of the people of the world, including most of those in Southeast Asia, are going to bed hungry tonight. And they are afflicted with antiquated social systems far removed from democracy, inadequate levels of knowledge and skills, and internal political instability. The object lesson of internal political instability is South Vietnam.

Our ponderous war machine all too easily breaks through the weak social and economic foundations of the very country it is meant to defend. Our unrealistic expectations of quick economic results lead to disillusionment and bitterness, both in Asia and back home in the United States. We find ourselves frittering away our great wealth and strength in destructive warfare, rather than bringing them to bear in constructive ways that would seem to be of more benefit to our own interests as well as those of Asians.

And so Ambassador Reischauer makes certain specific proposals which I endorse. First, he says, the immediate balance of power is not much involved in our relationship with Asia, because most of the countries of Asia have little or no weight to bring to a world balance of power—and this is particularly true in the light of the current domestic chaos inside Red China.

His second proposition is that defense against aggression is much less of a problem in Asia than are internal instability and sluggish economic growth. Two corollaries of the second proposition would be that we can do relatively little in a military way to help Asian countries cope with the problem of internal stability, and an overconcentration on the problems of defense would limit and in some cases negate our more important efforts to help in economic development.

As I shall argue in a few moments, this is exactly what has happened in South Vietnam, where our economic efforts are pretty nearly futile.

The third proposition is that we should be careful not to get ourselves involved in the hopeless task of trying to provide internal stability through our own military strength. We should not waste our great resources primarily on costly defense establishments for Asian countries or destructive military activity, but should attempt to save our efforts—and our limited power, for we are not omnipotent—for the vastly more important tasks of construction and development at home as well as abroad.

Finally, we should not try to push ourselves into the role of dominators or leaders or even teachers of Asia, for we are not welcome in those roles. Instead, we should learn how to be of even more help to Asians as sympathetic friends and outside supporters of their own efforts to achieve their own objectives.

We have approached the problems that face Asia with little knowledge and less understanding. We should reexamine our entire Southeast Asian policy. I suggest one of the best ways to get the matter on the record is to indicate to the military, industrial, scientific, and reportorial sectors that the Senate has the will to cut back in a modest amount this enormous and swollen appropriation.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. MORSE. Mr. President, I wish to say to the Senator from Pennsylvania that I support his motion. I shall vote for his motion. I think it is a very sound motion. I think it is an unanswerable reply to a good many arguments we have heard on the floor of the Senate this afternoon by some Senators who do not want to vote for the type of cuts that have been offered them this afternoon.

The Senator's motion means we return the responsibility for cutting over to witnesses for the Department of Defense, who would have to come up and appear before the Committee on Appropriations again. I do not know how the motion of the Senator could be implemented without the Committee on Appropriations seeking the views of the Pentagon and they would have to testify where to make the $3 billion cut.

If they know that is what they have to do, it would be surprising how quickly they could do it. It defies the understanding of anyone how, out of a $70.2 billion budget they could not cut $3.5 billion without having any effect whatever of a kind that would jeopardize the security of the Republic.

I am proud to stand with the Senator and I support his motion.

Mr. CLARK. I thank the Senator.

V. STALEMATE IN VIETNAM

Mr. President, it is true, beyond peradventure of doubt, and despite the optimistic prognoses which have been coming from the military for the last 10 years, that we are in a condition of stalemate in Vietnam.

I am reminded of the old fable, which I believe is from Aesop, of the young man who came running into the assembly of his village crying "Wolf! Wolf! Wolf!" The people went out and looked for the wolf and there was no wolf. He did it again, and somewhat warily they went out and there was no wolf. The third time he cried "Wolf! Wolf!" they would not go, and that was the time the wolf came.

However, the difference between the presence of the United States in Vietnam and the fable is that the victory which the military have been predicting in South Vietnam—the military victory, the great, glorious military victory they have been predicting for 10 years—has not come yet, and I suspect it will never come; but they are going to keep crying "Military victory. We can settle for nothing else."

I say that we are in a stalemate, however disagreeable that phrase may be to those who are in authority in the Pentagon and elsewhere. Why do I say we are at a stalemate? I say that because, having started at the time of the assassination of President Kennedy with something like 16,000 American military personnel in uniform in November 1963, we now approach November 1967, 4 years later, with 485,000 men, more or less, in uniform in Vietnam, and 45,000 more to come in the immediate future, and we are worse off now than we were then.

Meanwhile, over 15,000 American boys have been killed, over 75,000 have been wounded or injured, 850 of our airplanes have been lost in combat, 2,573 airplanes and helicopters have been lost from all causes since the American involvement in Vietnam. We were spending $2 billion a month for this war, but my friend, the Senator from Mississippi, now tells me that we are on our way to spending $2.5 billion a month.

Our military leaders, while voicing optimistic views as to how the war is going one day, tell us the next day it will be a decade or more before we achieve that military victory.

I suggest that although we have killed, according to our own count, 200,000 Vietcong and North Vietnamese, the enemy force we are now facing is the largest that has been under arms since we began attempting to crush the guerrillas and bomb North Vietnam into submission in an effort to bring peace to that war-torn land.

We are told there are 270,000 of the enemy as opposed to our roughly 500,000 Americans, and several hundred thousand more South Vietnamese of various categories, whose fighting ability and will to fight are subject to some question.

Meanwhile, while the military capability of our South Vietnamese allies is shrinking by the day, and while this is becoming more and more an American war every day, the enemy is vastly improved in terms of ordnance, automatic weapons, heavy mortar, flame-throwing equipment, antiaircraft guns, SAM missiles, and Mig aircraft. All we have done has been to accelerate the enemy resistance as we escalated our military effort.

Let us remember that only a fraction of Ho Chi Minh's regular army has been committed to combat. It was reliably stated from American sources the other day that only one-fifth of the regular army of North Vietnam has crossed the demilitarized zone in order to assist their allies, the Vietcong. I wonder who is going to run out of manpower first: The enemy, or we Americans, who are hard pressed not to induct Reserves and the National Guard into Federal service and send them to South Vietnam? Or are we going to draft more and more American boys to maintain the manpower to fight teeming millions of Chinese?

Mr. President, we cannot fight that kind of war. There are too many Chinese. Actually, there may be too many North Vietnamese. We may well be coming to the bottom of the manpower pool long before our enemies. I do not care how patriotic any citizen or Senator may be, there is a limit beyond which even this Senate is not going to go in permitting the flower of the youth of America to be destroyed in the jungles and elephant grass of Vietnam.

Let us take a look at that other war, the war of so-called pacification.

It started with the strategic hamlet plan of Ngo Dinh Diem. That was a failure. There have been half a dozen other plans for pacification—as one phrase has it—of the South Vietnamese countryside, and in other terms perhaps more friendly, the effort to win the hearts and minds of the people of South Vietnam, an effort which has been a complete failure. No one can really deny that.

We go in, bombing, dropping napalm, throwing mortar shells, using automatic weapons, and dragging out screaming natives under the allegation that they are Vietcong or Vietcong sympathizers. So how do we think we are going to win the hearts and minds of the people in that hamlet?

One may say, "How is the Vietcong going to win the hearts and minds of those people when their torture is probably a great deal more terrible than that of our South Vietnamese allies?"

The answer is, they are fellow citizens

in that country. They have a racial and nationalistic affinity for each other; whereas we are the hated colonialists.

If we look candidly at the pacification program, we must come to the conclusion that we have been unable to pacify the country. Our South Vietnamese allies have also been unable to pacify the country. If there is one group of people that the average resident in a South Vietnamese hamlet hates more than American colonials, it is the minions of General Ky.

Why?

Because the third generation of formerly French officers, who represent a majority of the leaders of the fascist junta which now rules South Vietnam, have never fought for their country. They fought for the French. I believe that there are only two officers of lieutenant colonel rank in the South Vietnamese Army today who fought with the Viet Minh and with Ho Chi Minh. If they fought at all, they fought for the Cao Dai and the French.

Under those circumstances, how can we expect these people to be happy about being pacified, how can we expect that they will turn their hearts and minds to what we call the American way of life and democracy in light of the basic facts which I have just recited?

I think it is pretty well accepted that if we left South Vietnam tomorrow, General Ky and his dictatorship would crumble within months, because it does not have the popular support of the people.

Toward the end of last week, I had occasion to comment on the coming South Vietnam elections and I made the point—and I make it again—that it is not necessarily the fact of possible fraud or intimidation or the ruling off the ballot of individuals who in all good conscience should be permitted to run for office, that makes it futile to hope for a reasonably free election, but rather it is the very nature and geography of the country.

I saw a most interesting table published in the New York Times about 10 days ago, under the byline of R. A. Apple, which he said contained information which was collected from official American sources, and which showed that of 17 million people in Vietnam, more or less, hardly more than 3,750,000 would be safe if they voted in the coming election. I am talking of the total population figure. I assume that perhaps half of them would be under 21. I really do not happen to know. But the only people who will vote in this election, as I see it, Mr. President, based on that table, will be the military, civil servants, the merchants and clerks in the cities, and refugees.

The table shows that of 12,000 hamlets in South Vietnam where over 13 million people live—the table is based on American sources of information—only 169 have a total population of 469,000 people who will be secure.

How are we going to open ballot boxes in hamlets when the Vietcong may come in and disrupt everything at the moment the polls open?

Of the 12,000 hamlets, according to the table, well over 3,000 hamlets are completely controlled by the Vietcong. The remainder shift back and forth—one day under our control, the next day under Vietcong control, sometimes at night—usually at night under Vietcong control; sometimes in the daylight, often in the daylight, under our control.

Thus, I suggest that without regard to the charges of fraud, the elections on September the third in South Vietnam cannot possibly represent the real thinking of the peasants—the people of South Vietnam.

It appears that the U.S. goal in South Vietnam is a military victory. It is becoming increasingly clear that to achieve that victory will likely take a decade, will cost hundreds of thousands of casualties, will result in total devastation of the country, and may even, at that, be impossible to achieve.

In a guerrilla war, Mr. President, artillery and aerial bombardment cannot do the job; technology is no substitute for the man on the ground. This is a foot soldiers' war. They will have more foot soldiers, in the long run, than we will have.

The most damaging fact, as I said earlier, is that the pacification effort has failed.

It was a high-ranking American officer who told Mr. Apple, in the article to which I referred in the New York Times a while ago—and I can well understand why—that 8 million troops would be needed for the pacification of the country.

It has well been said by a prominent Vietnamese politician, who is on our side, that the problem is not the North Vietnamese army but the South Vietnamese Government.

Corruption is rife. Police state tactics are rampant. It is as much of a dictatorship as any military junta has been anywhere in the world. The South Vietnamese army is widely charged with incompetent leadership. Young officers who are the head—as I said, the third generation—of the South Vietnamese French hierarchy are too young, too fascist, too pro-American to make any appeal to the people of their country. The requests for reinforcements coming from General Westmoreland and our military are a measure of our failure with the people of South Vietnam.

The people of South Vietnam do not support the Ky dictatorship. If the Ky dictatorship were fighting for freedom in Vietnam, land reform, education, sanitation, for all the things which every human being in this world has a right to ask for, it would have achieved the loyalty of the people. But it has not.

There is open revolt among the Buddhists. The army is dispirited and unwilling to fight under incompetent leadership.

So I say there is a stalemate in Vietnam, and 45,000 troops, or, in my opinion, 450,000 more troops, will not break that stalemate. The enemy have the manpower reserves and the will to fight. While our boys, I am happy to say, have the will to fight, they are up against almost insuperable odds.

VI. WHAT ARE OUR NATIONAL PRIORITIES?

So I come to my final point, VI, which I would like to have headed, "What Are Our National Priorities?"

I suggest that the price we are paying for the Vietnamese war is high, far too high for us to pay. I say this for the following reasons:

First, the thought, energies, and spirit of the leaders of our Government are so absorbed with Vietnam that they have little time for anything else. I think this is apparent almost every day in terms of the President, the Cabinet, and the Pentagon.

Second, until the shooting stops in Vietnam, there is little chance that we can make meaningful progress in establishing that detente with the Soviet Union which is so essential to peace and to the well-being of the peoples of both countries.

Third, all efforts to bring Communist China into the company of civilized nations at the United Nations and elsewhere are bogged down by the war in Vietnam.

Fourth, forward movement toward improving the structure of the United Nations and its ability to establish and maintain the peace of the world has practically come to a halt because of the war and the international animosities it has aroused.

Fifth, the traditional tug-of-war between the Executive and the Congress has been exacerbated.

Sixth, the public image of the United States has been changed from a benevolent Uncle Sam seeking to do more than his share in curing the ills of the world to a power-hungry imperialist bent on establishing by force of arms a Pax Americana.

Seventh, the efforts to balance our international payments and to protect our gold supply have been crippled, if not killed.

Eighth, the casualties are unsupportable.

The figures I have given do not include those afflicted with malaria, dysentery, hepatitis, bubonic plague, and other jungle diseases, which may last for life. The carnage continues and mounts in intensity each month.

Ninth, but perhaps the highest price of all, is the brutalization of human nature and the turning aside of our aspirations for man caused by the war. Primitive instincts for combat have been revived by the daily statistics of the number of Vietcong and North Vietnamese troops killed in the last 24 hours. Watching the war on TV has become a popular spectator sport. Seeing young men killed and old women burned is commonplace in the living rooms of millions of Americans. Clamor in the country for "getting it over with quickly through the unrelenting use of military power, including nuclear weapons," rises daily. The military-industrial-congressional-scientific-reportorial complex rides high. Advocates of arms-control and disarmament have taken to the fallout shelters.

In such an atmosphere, one must attest to the validity of Alexander Pope's phrase, "The greatest enemy of mankind is man."

We still have a chance to make out of American a modern Athens. I fear we are on our way to making it a modern Sparta.

I yield the floor.

EXHIBIT 1

(Text of an address by Edwin O. Reischauer, University Professor at Harvard, at the annual meeting of the Associated Harvard Alumni in Tercentenary Theater in Harvard Yard on the afternoon of Commencement Day, June 15, 1967.)

I have not attended many Harvard Commencements, particularly in recent years. This occasion, however, draws my memory back to that particularly notable Commencement, twenty years ago, when General Marshall, at that time our Secretary of State, stood on this rostrum and proposed in clear, simple terms the broad plan for American aid in the economic regeneration of Europe that came to be known by his name. I remember very clearly how excited I was over what he said, because his proposals seemed to me to be of the greatest significance for the world's future.

I should add, however, that a friend of mine has a different memory of the occasion. He was sitting beside me, and, according to him, when General Marshall had finished speaking, I made the whispered comment that in my judgment the speech had been quite empty of content. I cite this, as a historian, to show you the difficulty of establishing the true historical record.

But in any case, whatever my reactions on that occasion may have been, the reactions of the capitals of Europe were unmistakable. They responded with enthusiasm to General Marshall's proposals, and soon the United States was embarked on one of its most imaginative and certainly most successful ventures in the whole history of its foreign relations. The Marshall Plan contrasted sharply with the narrow-minded self-interest that surrounded the reparations and war-debt problems following the First World War. The inward-looking attitudes of that period helped produce the great world depression and the conditions of economic and spiritual poverty that bred another great war. Whatever the ills of our contemporary society may be, we must admit that the past two decades have seen unprecedented economic growth and prosperity in our own country, in Europe and in many other parts of the world.

General Marshall's speech at Commencement twenty years ago did not deal directly with the political and military situation in Europe, but at much the same time the United States was adopting a posture in these fields that proved successful as the economic policies he outlined here at Harvard. The President three months earlier had enunciated the "Truman Doctrine," and the following summer Mr. Kennan presented what came to be known as the "containment policy." This total American policy toward Europe proved successful. The threats that then seemed so great were in fact contained, and in time tensions relaxed. It is well to remember that, whereas only twenty-one years after the end of the First World War, Europe was once again busily engaged in destroying itself in another great war. Today, twenty-two years after the end of the Second World War, Europe is not only at peace, but the outbreak of another general war there is becoming progressively less likely.

You may wonder why I am talking about Europe, when my own area of specialization is on the other side of the world. I am indeed wandering perilously far afield, but I have commented briefly on postwar American policy toward Europe in order to show that we have really been very successful in this most crucial area of foreign policy and thus to help draw the contrast with the more meager success we have had in Asia.

I do not use the phrase "meager success" in an ironic sense. We have indeed had very substantial achievements in Asia, as well as terrible failures. In our relationship with Japan we have done on the whole as well as we have in Europe. This is important, because Japan is the only major modernized and industrialized nation in Asia and as such possesses a large part of the usable wealth of Asia—that is the wealth that can be devoted to constructive purposes beyond the mere subsistence of the people. Our relations with Japan, therefore, are far and away the most important aspect of our relationship with Asia.

Our efforts also in the field of economic and technological aid to Asia, though far from entirely successful, have represented in a sense a major breakthrough in international relations. The United States has led the way in the concept that aid should be provided, not just to immediate allies of current influence in world affairs, but also to weak countries, whether or not they are aligned with us and however insignificant they may be in the balance of power in the world. We can look on our aid efforts with pride, because they constitute not just a generous, but a statesman-like, approach to what is beginning to loom as the great world problem of our times—and probably of the next several generations as well. I am not referring to the ideological division between Communist and non-Communist nations, but to the much more basic division of the world between the one-third of its people who control four-fifths of its wealth and the remaining two-thirds who at present are trying to eke out an existence on a mere one-fifth of the world's riches.

Our relationship with Asia makes up a very large part of this confrontation of the rich and poor, for about a third of the world's economic power lies in our hands, and Asia holds more than a half of the world's population. There is a great and unfortunately growing gulf between the advanced and relatively stable nations of the so-called "North" and the impoverished, backward, and therefore unstable countries of the so-called "South." This is *the* world problem of our times, and American leadership in recognizing it and attempting to develop means to deal with it has been no minor achievement.

At the same time, our greatest foreign policy failures since World War Two have occurred in Asia. The bitter hostility toward us of the Chinese people or at least of their leaders, is a major tragedy for everyone concerned. There was a long history behind this unfortunate development, and it may be that we could have done nothing to prevent it, but at least we might have done better than to become frozen into a continuing policy toward China that seems almost calculated to maximize Chinese animosities toward us, while minimizing our ability to exercise any beneficial influence on the situation.

The two wars that we have been forced to fight in the past two decades have both been in Asia. Technically speaking they have been "limited" wars, but there has not been much limit to the suffering they have caused. No one needs to be reminded of the cost to us of the present tragic war in Vietnam—to say nothing of the suffering it is causing the Vietnamese. We pay first in the lives of our young men and in the sorrow of their families. We pay in the diversion of so much of our national wealth to destructive purposes, when we would rather see it used for more constructive tasks both at home and abroad. We pay dearly in national unity, for few issues in recent years have so deeply divided our public or so troubled the American conscience. Finally, we pay an already high and steadily mounting price in the strain the war has placed on our relations with the other countries of the world, including our closest and most important allies. Our wars in Asia have threatened to grow beyond their ill-defined "limits" and embroil us in the world holocaust all reasonable men are trying to avoid. This was the case in Korea. It is now the situation in Vietnam.

I do not propose here to try to present a solution for our Vietnam problem. The greatest tragedy of the situation in which we find ourselves is that there is no easy or satisfactory solution. Any course of action open to us is costly and dangerous. All we can do is to attempt to find the least dangerous and least damaging. In my judgment, this course lies between the two extremes of escalation and simple withdrawal. If we were to escalate the war further, we would greatly increase the dangers without bringing the original war in South Vietnam any closer to an end. Simple withdrawal, on the other hand, would, of course, terminate the war for us, but it would also probably leave a far greater legacy of problems than such a solution would solve.

My purpose, however, is not to discuss these matters, but rather to bring out the sharp contrast between the basic success of our postwar policies in Europe and the relatively high incidence of failure in our policies toward Asia. This contrast, I believe, is not just historical accident. It is not mere happenstance that we have done reasonably well in Europe, the part of the outside world we know best, and have met many failures in Asia, a half of the world about which we know very little.

The irony of the situation is that in a sense it was our success in Europe that led us into our failures in Asia. Not knowing much about the people of Asia, their fears and hopes, their weaknesses and strengths, we tended to visualize the problems we faced there in terms of analogies with Europe. Unfortunately these analogies have proved more misleading than instructive.

In 1947, when General Marshall spoke at the Harvard Commencement, Soviet military power was spread over all Eastern Europe and seemed a real menace to the war-ravaged lands of Western Europe. There was a genuine fear of the apparently unitary threat of a Russian-dominated world Communist movement. It seemed necessary, both to us and to the people of Western Europe, to erect a defense dike against the Communist wave and then to attempt to raise the economic and political terrain behind this dike.

In these endeavors the people of Western Europe, being racially akin to us and sharing a common cultural heritage, welcomed us as overseas "cousins" come to their aid. Since these were all countries of long standing and were for the most part democratically organized and institutionally sound, they offered firm political terrain for whatever defense lines we wished to construct with them. Since they were for the most part already industrialized, technologically advanced, and economically modernized, they needed only a limited amount of time and aid to restore their economies and start moving ahead again. Thus they offered solid political, economic and psychological foundations for our military and economic efforts in their behalf. With their wholehearted and efficient cooperation, our policies proved spectacularly successful, and the rapid restoration of strong, secure and healthy nations in Europe soon made the fear of domination by the Soviet Union a thing of the past.

This was our picture of the situation in Europe, which we assumed was similar to the situation in Asia. But not a single item in this picture found a close parallel in any part of Asia, outside of Japan. The unitary threat of Communism has faded to a large extent even in Europe, but in Asia it probably never existed. This was best revealed by the Sino-Soviet split, but it has also been shown by the fierce independence the Korean and Vietnamese Communists have evinced toward both Peking and Moscow and by the way the Indonesians brutally crushed their local Communist movement, in large part because of its ties with China. Nationalism remains a far greater force in Asia than Communism can ever be.

Military aggression too has not been a major threat in most of Asia. Soviet armies crossed their own borders in Asia during the Second World War, but no Soviet troops have been stationed in any foreign country in Asia for many years. In China, the Communists won the civil war not because of Soviet aid but despite the fact that Stalin had written them off in his calculations. Chinese armies in turn have crossed their own borders little. They came out to meet us in North Korea, but only when we bore down on their frontiers with massive military strength. China administered a defeat to the Indians along their disputed border, but it made no effort to launch a real invasion of India. Today it has sent 40,000 engineers into North Vietnam, but this is only a tenth as many men as the actual fighting forces we have sent half way around the world to South Vietnam.

The real threat to the countries of Asia is not aggression so much as internal instability. They are vulnerable to subversion and revolution. They have little defense against guerrilla warfare. But these are the types of military threat against which our military power is relatively ineffective. When we try to build in Asia a solid defense wall like that of NATO, it tends to sink into the quagmire of weak economies and unstable political institutions. In a guerrilla war under such conditions, we can end up, as we have in Vietnam, appearing like an elephant vainly attempting to combat gnats.

For many Asians the enemy in the past two decades has not been Soviet military might or even the rising power of Communist China so much as the former colonial or semi-colonial domination of the West and their own economic backwardness and political instability, which they attribute, not entirely without justification, to this domination. It is Western countries like ourselves that have raised their deepest fears. Those Asians who have embraced Marxist concepts, and many have, regard the capitalism that we seem to champion as the chief threat of continuing foreign domination and look to socialism, the economic system the Russians proclaim, as their main hope for progress. We do not seem either racially or culturally like friendly overseas "cousins" but rather as a new and bigger form of the sort of Western nation that dominated them in the past.

Containment in Europe was in a sense a temporary strategy, designed to give Western Europe time to recover its economic strength and political health. This was quickly achieved and the tensions and burdens of the containment policy then started to decline. In Asia quick economic recovery is impossible, because, with the exception of Japan, the problem basically has never been one of "recovery." Unlike the European countries and Japan, which needed only to restore their war-torn but already modernized and industrialized economies, Asian nations have to go through the much slower process of economic modernization and industrialization. Where European and Japanese recovery took only a few years, economic growth of this sort may require as many decades or even generations.

In bringing these false European analogies to Asia, we have taken a set of policies designed to give advanced nations military protection against Communist aggression and have applied them to a part of the world where less developed countries are struggling with the task of nation-building—where the problems of external defense are overshadowed by those of lethargic and primitive economies, antiquated social systems, inadequate levels of knowledge and skills, and internal political instability.

The very success of our policies in Europe unfortunately has made us all the more insistent on applying these inappropriate policies in Asia. The medicines designed to cure the one international malady, however, have proved relatively ineffective against the quite different malady of Asia. Sometimes these medicines have exacerbated rather than soothed the ailment. Our ponderous war machine all too easily breaks through the weak social and economic foundations of the country it is meant to defend. Our military presence or our eagerness for political alignments builds up counter currents that nullify our well-meant efforts. Our unrealistic expectations of quick economic results lead to disillusionment and bitterness both in Asia and here. We find ourselves frittering away our great wealth and strength in destructive warfare rather than bringing them to bear in constructive ways that would be of more benefit to our own interests, as well as those of Asians.

A certain famous scientist and industrialist once told me that if one can correctly pose a problem, then its solution can always be found. I am not enough of a natural scientist to be able to vouch for the soundness of this concept. To one who deals with the more complex and less tractable world of human nature in its most complex and least tractable forms—which we call society and international relations—the statement sounds overly optimistic. But the reverse is true. If you cannot identify and define the problem you face, then you have little prospect indeed of solving it.

The present occasion does not afford us the time to attempt to define in detail the problems we face in Asia or to spell out approaches to their solution. But let me suggest very briefly a few possible guide lines in these endeavors.

My first proposition is that, unlike Europe or Japan, the immediate balance of power is not much involved in our relationship with Asia, because most of the countries of Asia have little or no weight to bring to a world balance of power. Our interest in Asian countries therefore should not be so much in what they do today as in what they may become in the future, for in time Asia will count much more than it does now, and the future for all of us in this shrinking world will be in no small measure determined by the future of the Asian half of humanity.

My second proposition is that, unlike Europe, defense against aggression is much less of a problem in Asia than are internal stability and economic growth. Two corollaries would be that we can do relatively little in a military way to help Asian countries cope with the problem of internal stability, and an over-concentration on the problems of defense would limit and, in some cases, negate our more important efforts to help in economic development.

This leads to the third proposition, which is that while we should help provide international stability in Asia by maintaining a capacity to deter and, if necessary, stop aggression, we should be careful not to get ourselves involved in the hopeless task of trying to provide internal stability through our own military strength. We should not waste our great resources primarily on costly defense establishments for Asian countries or destructive military activities, but should attempt to save our efforts for the vastly more important tasks of construction and development.

Finally, I should like to suggest the proposition that we try not to push ourselves into the role of dominators or leaders or even teachers of Asia—for we are not welcome in these roles—but that instead we should learn how to be of even more help to Asians as sympathetic friends and outside supporters of their own efforts to achieve their own objectives.

I have not made these remarks as a criticism of specific American policies or specific policy makers. Our present unhappy situation in Vietnam is not so much their fault as the product of American inattention to Asia over a long period of time. My criticism is a broader one, leveled at ourselves—the American people. This is a democracy and the wisdom of our government basically is no more than a reflection of the knowledge and understanding of the people as a whole.

We have approached the problems we face in Asia with little knowledge and less understanding. Our educational system does not prepare us for life in this "one world" in which we now live, here in the second half of the twentieth century. Asia in terms of population constitutes half of this now unitary world, but we remain shockingly ignorant of it. We cannot hope to meet our problems in Asia with success if we approach them on the basis of analogies drawn from other times and other places. We must deal with Asia in terms of its own realities. Only when we have acquired the knowledge to do this, can we hope for as high a degree of success in our Asian policies as we have had in Europe.

(The following colloquy, which occurred during Mr. CLARK's address, is printed at this point in the RECORD on request of Mr. CLARK, and by unanimous consent.)

Mr. CLARK. Mr. President, I ask unanimous consent that I may yield to the distinguished senior Senator from New York on his own time for 5 minutes without losing my right to the floor.

Mr. JAVITS. Mr. President, with the permission of the distinguished Senator from North Dakota [Mr. YOUNG] I yield myself 5 minutes on the bill.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, I take this time to express my conscience and need to disassociate myself from one of the recommendations made in the report on the appropriation bill, as I am a member of the Appropriations Committee.

The recommendation of the committee, urging the executive branch of the Government to initiate immediate deployment of the Nike X antiballistic missile system, is one with which I cannot be associated at this time. This recommendation is not supported, in my judgment, by technological facts as we now know them, nor by the political and strategic considerations which must be weighed heavily in this matter.

I therefore endorse the proposal which has been made by the Senator from Pennsylvania [Mr. CLARK] that the President convene a blue ribbon special commission to consider all aspects of the antiballistic missile issue. The various considerations to be weighed are extremely complex and far reaching, while no case has been made for the urgency of deployment.

In my view, it is essential that a national decision in this matter be fully considered and truly national. I therefore espouse the view that the best way in which to accomplish this is through the employment of a blue ribbon special commission. Such a commission would be an excellent instrumentality to consider this subject.

The blue ribbon special commission should determine how near we are to a technological breakthrough to bring the defensive capabilities of antiballistic missiles near to a parity with the known penetration capabilities of attacking missiles.

I certainly favor continued, aggressive research and development in this field.

In my view, we should study what the Soviets are doing—not that we have to imitate them. However, we should get a very clear idea what they are doing and why. I do not agree that, just because they are doing it, we should do so. Nor do I agree with the reliance on the so-called argument concerning "the Cuba power environment" in urging the deployment of a thin Nike X system.

That may be very desirable. I am of a rather different view as to a thin system and its use at this time.

I think it requires confirmation and also an analysis of our discussions with the Soviet authorities as to the limitation on deployment of antiballistic missiles and what they mean in totality and also a consideration of what such deployment on our part might mean to our allies in the North Atlantic Alliance and especially their feeling as to the validity of our commitment to them with respect to to coming to their aid in the event of attack.

Last, I want to make it clear that we have to analyze the Chinese Communists' missile capabilities in terms of the argument for an all-out antiballistic missile system or thin deployment.

There is a very grave internal situation existing in China which may considerably retard their technological progress. However, what is even more important is an evaluation of Secretary McNamara's words:

> The lead time required for China to develop a significant ICBM force is greater than that required for deployment of our defense—therefore the Chinese threat in itself would not dictate the production of an ABM system at this time.

I believe that Secretary McNamara's views and those of the Joint Chiefs of Staff—and I certainly respect all of them—and the other reasons which I have mentioned strongly indicate the need for the appointment of a blue ribbon special commission to evaluate this entire matter.

We have done this on previous occasions. In my opinion, a major defense decision such as this requires it.

I endorse the suggestion of the Senator from Pennsylvania and urge very much that the President of the United States proceed on that matter.

Mr. CLARK. I thank my friend, the Senator from New York, for the support he has given my position on the antiballistic missile, particularly with respect to the appointment of a blue ribbon commission.

(This marks the end of the colloquy which occurred during Mr. CLARK's address, and which was ordered to be printed in the RECORD at this point.)

Mr. STENNIS. Mr. President, will the Senator from Pennsylvania yield to me? I am not going to take time in arguing the other side of the Senator's argument. The Senator made his point very well indeed. We are in total opposition, for obvious reasons, to his motion to recommit.

I just want to ask one question of the Senator with reference to the so-called poll of the Associated Press that purportedly shows that 40 Members of this body would not back the policy of the President or not back his policy of war. I just cannot believe that that is literally true. I do not charge bad faith in reporting the results of the poll. If I may use a personal illustration, how would they score me in regard to that?

Mr. CLARK. I do not know.

Mr. STENNIS. They did not ask me. I know nothing about it. The first thing I knew about it was when I saw it in the papers. I do not resent that.

Mr. CLARK. I am not a pollster. I just do not know.

Mr. STENNIS. Well, it has gone out all over the world that 40 Senators out of 100 oppose our policy in Vietnam. There was a tone to it, in a way, that we are not backing the war. I think that is very unforunate. I do not know how they would have scored me if they had called me. I do not answer polls very much, but I certainly have backed the war. My complaint, if one may call it that, is that we have not moved faster and further and thereby terminated it.

I know my fellow Senators are all sincere, and I do not believe 40 could be classified, under any category, as being opposed to the policy of the President or opposed to the idea of backing the war once we are in it.

I do not believe the Senator from Pennsylvania himself would fail to support the needed things, materials, and all, of war.

I made that comment just to refute the poll, rather than the Senator.

Mr. CLARK. Mr. President, if the Senator will yield, I do not know; I think on the question on which the poll was purported to be based, I would have been one of the 40, because I am very unhappy about the way it is being conducted; but I have never been for unilateral withdrawal, and I will vote for the bill.

Mr. STENNIS. I know the Senator told me he was not in favor of unilateral withdrawal or pulling out under any circumstances by which we would be run out.

I thank the Senator very much.

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. STENNIS. Mr. President, a parliamentary inquiry. Is the Senator ready to yield back his time?

Mr. CLARK. I am ready to vote, unless some Senator wants me to yield time to him.

Mr. McCLELLAN. Mr. President, I would like to have some time before the final vote.

Mr. CLARK. Mr. President, would the Senator be willing to advise me whether he supports or opposes my motion?

Mr. McCLELLAN. I oppose it.

Mr. YOUNG of North Dakota. I will yield time to the Senator from Arkansas.

Mr. McCLELLAN. I want to speak on something unrelated to the matter under discussion.

Mr. CLARK. The Senator may speak on any subject he wants to. The rule of germaneness has long since passed.

Mr. McCLELLAN. I wanted to speak on another subject.

Mr. YOUNG of North Dakota. I shall be glad to yield to the Senator.

Mr. McCLELLAN. I would like to have about 10 minutes.

Mr. YOUNG of North Dakota. I yield 10 minutes to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, do I have the floor?

The PRESIDING OFFICER. Ten minutes have been yielded to the Senator from Arkansas.

THE F-111B PLANE

Mr. McCLELLAN. Mr. President, on August 18 I made some remarks in this Chamber relating to the action of the Senate Appropriations Committee in reducing the budget request for the Navy version of the TFX from 20 planes to six planes, and in denying to the Pentagon the funds to initiate series production of the F-111B.

I did not attempt to state all the facts about the sorry condition of the Navy TFX because many of them have been classified by the Pentagon, purportedly for national security reasons.

Mr. President, I said on August 18 that I had exercised a measure of restraint in my remarks, but I suggested that Senators could fully acquaint themselves with the truth about the F-111 weapons system by reading the transcript of the July 14, 1967, hearing of the Subcommittee on Defense Appropriations. Furthermore, Mr. President, the distinguished Senator from Mississippi stated—23269—at the conclusion of my remarks:

> The facts are stronger than the Senator has been permitted to state because of the secrecy surrounding some of the main points.

Nonetheless, the Pentagon was swift to respond to my remarks by issuing a statement to the press saying:

> These are essentially "old hat" charges.

Mr. President, I find myself at least in partial agreement with the Pentagon press office. Many of the disturbing facts about the F-111 airplane certainly are "old hat," because they have been in existence throughout the research and development program, and they should no longer be hidden under either a new or an "old hat." But let us look at some of the "old hat" facts:

First. The costs of this aircraft started to mount in 1963, and they have continued to rise ever since under the impact of more than 1,600 change orders. The costs are now estimated to be more than double the 1962 estimate of $5.8 billion for the total program, notwithstanding that the total program in number of planes to be procured has been drastically reduced from above 1,700 to about 1,300. The cost of the reseach and development program has approximately tripled, and the end is nowhere in sight.

Second. The excessive drag of the aircraft has been known to be a deficiency since early in 1963, and it has grown to the extent that it constitutes a severely limiting factor in the plane's performance.

Third. The tremendous growth in weight of the airplane started immediately after the research and development program was initiated, and in spite of attempts to cut the weight of the Navy plane while maintaining commonality, the pounds have continued to accumulate by the hundreds and thousands. Today the Navy estimates the plane to be 16,412 pounds over the specified requirement for takeoff weight, or more than 8 tons overweight when loaded.

Fourth. Twice during 1964, the technical experts in the Navy, gravely concerned about the plane's deficiencies, recommended that the F–111B program be halted until a major redesign had solved the plane's serious problems. Their recommendations were overruled. Also in 1964, the Grumman Aircraft Co., major subcontractor in the TFX program, proposed a major redesign that would have largely eliminated commonality. The competent technical engineers and designers believed in 1964 that the "old hat" should be discarded and a new one designed.

Old hat or new, Mr. President, these are facts. I think it is significant to note that in its press release, the Pentagon did not specifically deny a single statement of fact that I had made in my remarks. Furthermore, Mr. President, confirmation of the accuracy of my remarks will soon be available to the public when the record of the July 14, 1967, hearing of the Subcommittee on Defense Appropriations is printed and released.

After I had completed my floor remarks on August 18, Mr. President, the distinguished junior Senator from Texas [Mr. TOWER] inserted in the RECORD a document entitled "Evaluation by Senator TOWER of Statements Made Recently About the F–111B Program." The statements referred to in the evaluation consisted principally of excerpts from the joint statement prepared for the Appropriations Subcommittee by Senators JACKSON, MUNDT, and myself. Not all of the excerpts were accurately quoted, and certain of them were paraphrased or rewritten. Each excerpt or paraphrase thereof in the "evaluation" which was submitted is followed by an attempt at refutation.

I do not know the source of the information received by the Senator from Texas which was used to prepare the evaluation of our joint statement, but I must respectfully take issue with the accuracy of much of the information he received—and I shall state only one example, Mr. President.

In item No. 1 of the evaluation (23271), an accurate quotation from our joint statement is given as follows:

> The Secretary and the admirals admitted that the existing serious problems of the F–111B made the plane presently unsuitable for service use.

The accompanying "evaluation" and attempt at refutation of that statement says:

> No testimony can be found in which they [the Secretary and the admirals] stated that these airplanes were unsuitable for Service use.

Such testimony can be found, Mr. President. It is plainly in the record. I quote from p. 629 of the transcript of the July 14, 1967, hearing, as follows:

> Senator MCCLELLAN. Am I correct that in each of these preliminary test reports, evaluations, by the pilots, that they concluded their report by saying, "The F–111B is unsuitable for service"?
>
> Mr. NITZE. This is correct. They were reporting upon the planes they were flying. These were Navy No. 1——
>
> Admiral SWEENEY. Air Force No. 4 and Navy No. 5.
>
> Mr. NITZE. These planes were not suitable.

Mr. President, the latest of these test reports is dated June 1, 1967. The Navy No. 5 plane is the latest model they have had in the Navy to fly, and it was found not suitable for service use.

Mr. President, I do not want to belabor every point at issue. I therefore ask unanimous consent that I may be afforded the same courtesy that was extended to the Senator from Texas. I ask that there be printed in the RECORD following my remarks a document which I asked my staff to prepare. It is a comparison of the evaluation submitted by the Senator from Texas with the facts taken from testimony of high Defense Department officials and Defense Department documents.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

STATEMENTS ABOUT THE F–111B (NAVY TFX)

EVALUATION BY SENATOR TOWER OF STATEMENTS MADE RECENTLY ABOUT THE F–111B PROGRAM (CONGRESSIONAL RECORD, AUGUST 18, 1967, PP. S11654–S11655)	STATEMENT BY SENATOR M'CLELLAN ON AUGUST 22, 1967
1. The Secretary and the admirals admitted that the existing serious problems of the F–111B made the plane presently unsuitable for service use. Documents substantiate that finding. The Secretary and others who have testified before Congress and have acknowledged that the four F–111B aircraft presently flying have limitations. No testimony can be found in which they stated that these airplanes were "unsuitable for Service use." Five R&D airplanes were procured for the R&D program; they have identified many problem areas for the F–111, all of which are being satisfactorily remedied. It is the opinion of responsible Navy leaders that the oncoming airplanes are entirely fit for Service use and will provide an air defense capability beyond that of any other aircraft existing or which can be made available in the same time frame.	1. Testimony in the July 14, 1967 hearing before the Senate Subcommittee on Department of Defense Appropriations (p. 629): Senator MCCLELLAN. Am I correct that in each of these preliminary test reports, evaluations, by the pilots that they concluded their report by saying: "The F–111B is unsuitable for Service?" Mr. NITZE. That is correct. They were reporting upon the planes they were flying. These were Navy No. 1—— Admiral SWEENEY. Air Force No. 4 and Navy No. 5. Mr. NITZE. These planes were not suitable.
2. Testimony received this year indicates the Defense Department intends to begin series production of the F–111B without any sound basis for believing that the airplane will be suitable for service use. Two and one-half years of flight testing, which have served their intended purpose of identifying capabilities and deficiencies, furnish a firm basis for F–111B production go-ahead. This is very different from estimating based solely on paper design studies. If we were to hold the program up for flight testing of every detailed design correction the aircraft would be obsolete before it enters the inventory. The fundamental advances provided by the variable sweep wing and the afterburning turbo-fan engine have been successfully demonstrated. What remains are detailed changes to achieve optimum carrier suitability and combat effectiveness.	2. Testimony in the July 14, 1967 hearing (p. 580). Admiral MCDONALD. Because we are confident in our own minds that it will work and we need it. There is a possibility that it won't work. There is no question.
3. Navy test pilots reported that the airplane was unsuitable for Service use. Test reports on a new weapon system under development must be read in the context of the test program and its intended purpose. The deficiencies reported pertain to the R&D aircraft flown by the test personnel and are intended to highlight deviations from a theoretical optimum. Each deficiency and problem listed is reported so that an evaluation may be made for corrective action in the light of total weapon system performance. For this reason, the reports are traditionally critical in order that all possible defects (major and minor) may be considered. For example, in the A–7 program, after five Navy Preliminary Evaluations, the Board of Inspections and Survey report still found over 100 "mandatory deficiencies."	3. The purpose of Navy test pilot preliminary evaluations of a new airplane is to discover and report problems that must be solved. The Phase I NPE is supposed to check the operation of the aircraft, as opposed to electronics and weapons systems. It should take place within 90 days of the first flight of the aircraft. The A–7 aircraft had 18 mandatory deficiencies reported in its Phase I NPE. Subsequent NPE's uncovered over 100 mandatory deficiencies in electronics and fire control systems, many of which had not been solved by the time of BIS trials. Quoting from the test pilots' report of the recent F–111B NPE: "The scope of flying qualities and performance tests performed in this NPE and previous Navy evaluations conducted since first flight of the F–111B in May of 1965 covers but approximately ⅓ of

STATEMENTS ABOUT THE F-111B (NAVY TFX)—Continued

EVALUATION BY SENATOR TOWER, ETC.—continued

"Mandatory deficiency" is standard Navy phraseology and means that the particular airplane undergoing preliminary evaluation, as it is, is not satisfactory because of certain specific deficiencies that must be improved or corrected to make it satisfactory. Virtually all initial Navy preliminary evaluation reports on all aircraft have reflected this evaluation. This is, of course, far different from the implication that the airplane is fundamentally and hopelessly unacceptable. It is equally standard procedure for the Navy and the contractor to work out the desired changes to be incorporated in the future test or production aircraft. This is being done for the F-111B.

4. . . . *in December of 1966, the plane was reported to be incompatible with the catapults on some of the Navy's aircraft carriers.*

The F-111B will be compatible with catapults on CVA 59 class and larger carriers. There has been no report to the Secretary of the Navy in December 1966 that indicates that the F-111B is incompatible with carrier catapults.

5. *Previously reported deficiencies remain largely uncorrected, and many new deficiencies are reported. One hundred and four deficiencies seriously affect the ability of the airplane to perform its mission or constitute safety of flight hazards.*

Many of the 104 discrepancies were relatively minor and could hardly be said to constitute safety of flight hazards. For example, the test pilots felt the need for a fire extinguisher in the crew module. They recommended the relocation of the liquid oxygen converter. They recommended a single point of release for the pilot safety harness. They challenged correct markings on the airplane to indicate location of the crew module pyrotechnics. They challenged the markings on the airplane to warn personnel not to walk on certain parts of the capsule. All but three of the 104 discrepancies have remedial action completed or being undertaken. None of the discrepancies are believed unfixable.

6. *These problems of concern to the Navy engineers are in the basic design of the aircraft, in the air inlet, speed brake, control system, and artificial stability system.*

The basic design problem in the F-111 program has been to develop a weapon system that capitalizes on the variable sweep wing and turbo-fan afterburning engine to achieve a tremendous step forward in tactical and fleet air defense capabilities. This has been successfully accomplished and demonstrated in some 2200 flights involving almost 4,000 hours of flying time.

Such matters as the air inlet duct, speed brake, and control system, although important, are of an entirely different order. Problems of this kind are normal to every new aircraft and have never been considered a basis for program stretchout or delay. While they are troublesome and do require correction, their solution involves engineering fixes, not basic aircraft redesign. In accordance with standard practice, such fixes are not necessarily installed in the R&D aircraft, but in practically all instances have already been scheduled for the operational aircraft.

7. *The artificial stability system was installed to overcome inherent problems relating to poor aerodynamic design of the airplane.*

The latest fixed-wing high-performance aircraft all contain some degree of artificial stability to insure safe operation. The F-111, because of its variable sweep wing, requires stability as other high-speed aircraft, but, in addition, as the wing sweep changes the center of gravity of the airplane moves, requiring an artificial stability system. The artificial stability device in the F-111 would find a parallel in any other variable sweep wing airplane.

8. *Comments about the adverse yaw compensator.*

The compensator installed and tested in F-111B #5 which is referred to in the test pilots report, is a refined version of that previously reported as unsatisfactory in May 1966. The observed characteristics not acceptable in May 1967 are much better. Continued improvements are expected to make the stability and control satisfactory for fleet use. The very fact that engineers concur in a mandatory correction confirms that a fix is possible.

STATEMENT BY SENATOR M'CLELLAN ON AUGUST 22, 1967—continued

the envelope normally required for a Phase I NPE within 90 days after first flight of the airplane. Flight test experience has shown the need for comprehensive testing throughout as wide a portion of the flight envelope as possible during any given test series in order to insure not only thoroughness of test but also to ensure adequate consideration of all aspects of given flight characteristics. For these reasons the picture of the airplane presented herein is qualified. . . ."

4. Tests run on shore based catapults of the Naval Air Test Center in December of 1966 showed that afterburner operation caused overheating of the F-111B tail structure because of close proximity to the jet blast deflector behind the catapult. If this result is confirmed in sea trials, the F-111B will not be able to use afterburner for takeoff on 17 catapults (out of 24) on the latest carriers. Also 4 catapults, out of 8, on the Forrestal and Saratoga do not have the power to launch the F-111B at full fuel weight with a reasonable wind over deck.

5. This statement was extracted from a direct quotation from the NPE report. The total quotation is self-explanatory and follows:

"The Phase IB Navy Preliminary Evaluation of the F-111B airplane evaluated the SWIP (Super Weight Improvement Program) airplane in a restricted, subsonic envelope to determine its ability to perform its assigned mission as a carrier based, fighter airplane and the efficacy of measures taken by the contractor in the correction of previously reported deficiencies which rendered the airplane unfit for service use . . . The F-111B airplane remains unfit for service use as previously reported and was found to be incapable of carrier-based operations . . . Previously reported deficiencies remain largely uncorrected, and many new deficiencies are reported. One hundred and four deficiencies seriously affect the ability of the airplane to perform its mission or constitute safety of flight hazards. Four of these are propulsion deficiencies which affect safe flight and require initiation of immediate corrective action. Corrective action on the remainder must be undertaken and accomplished in the N-1 configuration of the F-111B airplane. One hundred and fifty-three additional deficiencies exist which can be expected to degrade the operational effectiveness of the airplane in service use and correction should be accomplished on a high priority basis. The large disparity between observed performance and the specification performance requirements of the airplane is a cause for concern."

6. The statement from the McClellan-Jackson-Mundt joint statement is out of context. The actual statement read:

"The analysis of the June report from the test pilots is dated 10 July 1967, and is addressed to the Air Force Systems Project Office for the F-111 program. The Navy engineers describe 23 of the F-111B's 100 'mandatory for correction' deficiencies as 'items required in the production aircraft for which a fix is difficult or adequacy of proposed fix is questionable.' Another 9 deficiencies are described as 'items required in the production aircraft for which no fix is in progress and difficulty of achieving an acceptable fix is uncertain.'

"These problems of concern to the Navy engineers are in the basic design of the aircraft, in the air inlet, speed brake, control system, and artificial stability system. The latter was installed to overcome inherent problems relating to poor aerodynamic design of the airplane."

The wording of "basic design of the aircraft" was intended to show the difference between, for example, the problem of control system re-design versus relocating a fire extinguisher.

7. This quotation from the McClellan-Jackson-Mundt joint statement is out of context. The part of the artificial stability system referred to was the adverse yaw compensator, added to provide stability for carrier landings. As the NPE report said:

"A realistic consideration of the operational environment of a combat, carrier based airplane demands that the airplane be capable of safe and consistent recovery without stability augmentation. Failure to provide this capability is a serious deficiency which does not exist in any carrier-based airplane in current operational service."

8. The adverse yaw compensator was tested in May 1966 and reported to be totally unsatisfactory. After 9 months of intensive development effort, it was reported optimized by the contractor in March 1967 and released for evaluation. The test pilots reported:

"While Adverse Yaw Compensation (AYC) alleviates this deficiency sufficiently during day approaches, directional stability and control is not sufficiently augmented in this area to permit night operations. Lack of AYC, in the event of an augmentation

STATEMENTS ABOUT THE F-111B (NAVY TFX)—Continued

EVALUATION BY SENATOR TOWER, ETC.—continued	STATEMENT BY SENATOR M'CLELLAN ON AUGUST 22, 1967—continued
	system failure, results in characteristics which are unacceptable for either day or night shipboard landings." The evaluation by Senator Tower says "Continued improvements are *expected* to make the stability and control satisfactory for fleet use." (Italic added)
9. Considering all the problems inherent in the basic design of the plane, it is now highly questionable whether the F-111B can ever be made carrier suitable. Such a conclusion is contradicted by the facts. The Navy reports referred to do not address the issue whether the aircraft will be carrier suitable, but deal with detailed deficiencies whose correction is required to optimize carrier suitability. Navy testimony before the Congress in all cases makes clear that there is full confidence that, not only will the aircraft be carrier suitable, but that it will provide a greatly improved fleet defense capability and effectiveness. To say that carrier suitability cannot be determined until mid-1969 does not consider the flight testing which has already occurred. The Navy is not estimating based on paper designs. Current estimates are based on relatively minor changes to an in-being aircraft which has demonstrated basic capabilities which will be improved upon in the production aircraft.	9. The testimony of July 14, 1967, shows clearly that the eventual carrier suitability of the F-111B is questionable.
10. Defense Department officials now admit that the plane is not capable of dogfighting with enemy aircraft. The exact capacity of the F-111B to engage in a "dogfight" has not been fully explored. The F-111B has been optimized for destruction of enemy aircraft at long distances from the fleet through use of the Phoenix missile. Dogfighting appears to be highly unlikely when the full system capability is used to destroy the attacking aircraft at long ranges.	10. This quotation was taken out of context. The complete statement reads: "Defense Department officials now admit that the plane is not capable of dogfighting with enemy aircraft. Although its original designation of TFX represented the words 'tactical fighter, experimental' the TFX is no longer a fighter plane. The Navy calls its version a missile-launching 'platform,' while the Air Force version is considered to be a 'low altitude bomber.' "In the July 14 testimony, the Navy further admitted that the F-111B will not replace existing fighter aircraft when it goes into service. The F-111B was intended, in 1962, to supplant the F-4 (Phantom) completely as the Navy's carrier-based fighter. Now additional fighters will have to be procured to serve the roles of attack escort and air superiority fighter for which the F-111B was originally intended."
11. By the reckoning of the Defense Department, the cost of each aircraft has more than tripled. The 1962 estimate of $2.9M as a flyaway cost for an F-111 was before the airplane was defined in its present configuration and did not contain any sophisticated airborne missile control systems. By the time the F-111B was defined for its present mission this cost was estimated to be $4M. The increase from $4M to $8M is comparable to similar increases for recent high-speed aircraft and includes costs for increased capabilities and new requirements.	11. The figures speak for themselves.
12. If Congress approves the budget request under consideration, $208.8 million, it will in effect give its approval to initiating the series production of the F-111B . . . before the aircraft had been proved suitable for service in the fleet. This, of course, is one of the most important issues raised in these hearings. Has the development and test program provided sufficient confidence that the aircraft will be suitable for service use? How much risk is there that the weapon system will not be suitable and that the program will be cancelled? The answer to these questions must be derived from two areas; first, the threat. Here, intelligence estimates clearly establish the need for defense of the fleet against high-level sophisticated enemy air attack using missiles that can be launched at a distance from the fleet. The second area concerns the weapon system capability to meet this threat. Here, the consensus of all Navy expert testimony makes clear that despite detailed design deficiencies in the initial R&D aircraft, the weapon system has the capability to provide a greater defense capability for the fleet at lower cost than any other existing or contemplated weapon system in the time period for which it is proposed. The F-111 capability has been demonstrated by almost 4,000 hours of flight test in both versions of the aircraft. It is not a question of making performance estimates based on design studies. To delay the program will degrade fleet air defense effectiveness and incidentally increase program costs through the stretchout.	12. The second question, "How much risk is there that the weapon system will not be suitable and that the program will be cancelled?" was evaluated by the Defense Appropriations Subcommittee and it unanimously voted to cut back the F-111B funding and eliminate all funds for long lead procurement to start series production.
13. The so-called "sophisticated" or "high level" threat would require the entire missile-equipped Russian Long Range Air Force (Strategic Air Command) to be committed against a single carrier task force. This is an inaccurate statement. "Sophisticated threat," as used by Navy spokesmen, refers to advanced technology as well as large numbers. The F-111B Requirements Study was undertaken to provide information which could be used in making the selection	13. No comment is made on this item because war game studies and intelligence estimates of enemy force levels are highly classified information. The joint statement of Senators McClellan, Mundt, and Jackson covers this subject fully.

STATEMENTS ABOUT THE F-111B (NAVY TFX)—Continued

EVALUATION BY SENATOR TOWER, ETC.—continued	STATEMENT BY SENATOR M'CLELLAN ON AUGUST 22, 1967—continued
of a Navy interceptor aircraft for the mid-1970's from among the F-111B and possible alternatives. Three levels of threat were examined: War at Sea, Limited Conventional War Involving Soviet Forces, and Limited Conventional War with a Strong Enemy but not including Soviet Forces. It was the finding of this study that no device which could be substantially defined in terms of weapons systems performance costs can compete with the F-111B as an interceptor against the two high-levels of threat, if cost, deck space, and effectiveness are taken into account. The number of aircraft employed against the fleet in many of the war games undertaken did not approach the number of such aircraft which intelligence says are possessed by the Soviets long range Air Force. The number of aircraft employed in these games vary from a light attack involving 6 aircraft to approximately one-half of the estimated Russian long range Air Force.	
14. The cost effectiveness study prepared by the Navy for the F-111B is misleading. This conclusion cannot validly be drawn from either the Navy Requirements Study or the testimony about it. The study evaluated many levels of threat from single aircraft to large attacking forces. To plan a defense against only the most "likely" threat would be irresponsible behavior by the Department of Defense. Finally to say that 26 F-4s can provide the same level of protection for the carrier task force as 12 F-111Bs, even if true, neglects the basic purpose of the task force which is to attack enemy targets. The additional deck space required by the added F-4 aircraft would eliminate an equivalent number of attack aircraft and reduce the force effectiveness, although the F-4 aircraft has some air-to-ground attack capability.	14. The quotation was out of context. The McClellan-Jackson-Mundt joint statement said: "The conclusion that we reach about the repeated statements that this plane is urgently required for fleet use by 1970 or 1971 is that testimony about the cost effectiveness study prepared by the Navy for the F-111B is misleading." Additionally, since F-4s or some other fighter will now be required in addition to the F-111B because of the lack of dogfighting capability in the F-111B, the total fighter-interceptor deck space used will be greater, not less, than that of the present 26 F-4s on a carrier. Thus the F-111B *plus supporting fighters* will cost more and use more deck space than the present 26 F-4 fighter complement on a carrier. This fact raises questions as to why the F-111B program is being continued.
15. Only 3 of the 12 planes asked for in the aircraft development program are to be used to answer the fundamental question—will this airplane ever be capable of operating from an aircraft carrier in combat? The Navy wants to introduce a fully operational weapons system into the fleet. It cannot efficiently attack the carrier suitability problem as a separate issue and ignore other problems associated with Fleet Introduction of the plane. All problems must be examined concurrently.	15. The joint statement actually said "According to the Navy's statement, *only* 3 of the 12 planes we are now asked to fund will be used in the aircraft development program to answer the fundamental question—will this airplane *ever* be capable of operating from an aircraft carrier in combat?" The Appropriations Committee did allow enough aircraft for continuation of research and development.
16. The eventual carrier suitability of the F-111B will be marginal at best, if it ever is attained, and tests to determine carrier suitability cannot begin until at least mid-1969. The carrier suitability problems which have been disclosed in the five R&D aircraft presently flying have solutions and there is no reason to believe that the follow-on airplanes will not be fully carrier suitable. In fact, as testified to by Deputy Chief of Naval Operations for Air the low-speed carrier landing potential of the F-111B makes it look very attractive for carrier operation. In mirror landing practice the F-111B has made simulated carrier landings at speeds close to 100 knots. It has been the Navy's universal experience that there is a direct correlation between low-landing speeds and safety of carrier operations. The lower the speed the safer the aircraft. It is anticipated that the F-111B will land at approximately 113 knots. This contrasts with the landing speed of an F-4 Phantom fighter at 135 to 140 knots.	16. Carrier suitability implies ease (or difficulty) of handling the airplane on the carrier deck and also wind over the deck required for launching and landing, as well as flight capability of the plane on and off the carrier. The F-111B presents problems in both of those areas as well as in the flying qualities and performance problems of the airplane. As an example, the NPE report stated: "In summary, the deck handling characteristics are poor. They are expected to slow both launch and recovery rates to the extent that operation of the airplane in numbers will significantly impede carrier operations by reducing the time available for refueling and rearming between recovery and launch and lengthen the time the carrier must remain into the wind."
17. The combat mission performance has been seriously degraded, and the aircraft will not meet the Navy's requirements nor the contract guarantees and specifications. The Navy sets Navy requirements and top Navy officials have testified to a need for the system. It is true that the airplane will not need all contract guarantees. This does not mean, however, that the airplane is thereby unsatisfactory for fleet use.	17. No comment is required.
18. The Navy's present best fighter, the F-4 (Phantom) costs approximately $2.2 million ("flyaway" cost) per unit . . . F-4J flyaway cost is currently given at $3M. However, initial procurement costs can be deceptive. A far better cost picture can be obtained by studying nine-year systems costs; that is the total cost to the services of operating the weapon system for its normal service life. Studies made by the Navy show that the F-111B/Phoenix system per unit aircraft gives approximately double the fleet protection against a sophisticated threat as its nearest rival system. When all rival systems are costed in terms of equal fleet protection over a nine-year period, taking into consideration needed deck space, the cost of carriers to accommodate, and the number of people involved, the nine-year systems cost of the F-111B/Phoenix is substantially less than any competing system including the F-4.	18. The McDonnell-Douglas Corporation has informed the Senate Permanent Subcommittee on Investigations that the current total unit "Flyaway Cost" of the F-4J is $2,218,148.

Mr. McCLELLAN. In conclusion, Mr. President, I must call attention to the fact that the evaluation submitted by the distinguished Senator from Texas obviously does not attempt to analyze fully or refute many of the facts in the joint statement of Senators JACKSON, MUNDT, and myself. It does not even mention some of them. I believe that what I have said and the information contained in the staff document which I have submitted will help to keep the record straight.

I thank the Senator from North Dakota for his courtesy in yielding.

Mr. STENNIS. Mr. President, I yield myself 2 minutes.

I say now for the benefit of those who have just come in that the Senator from North Dakota and others of us who are presenting the bill do not choose again to go into the arguments we made in opposition to the Morse amendment. The identical reasons apply with equal force in opposition to the motion to recommit.

I believe that the Senate will bear those points in mind without having them repeated.

So far as I know, there will be a vote immediately on the motion to recommit, and, if that motion is not agreed to, we will be very near a vote on final passage. I yield back the remainder of my time.

Mr. CLARK. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the motion to recommit. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Oklahoma [Mr. HARRIS] and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Wisconsin [Mr. NELSON], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida, [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], the Senator from Oklahoma [Mr. HARRIS], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. DOMINICK] is necessarily absent.

The Senator from Oregon [Mr. HATFIELD] is absent on official business.

The Senator from Michigan [Mr. GRIFFIN] is detained on official business.

If present and voting, the Senator from Colorado [Mr. DOMINICK] would vote "nay."

The result was announced—yeas 6, nays 83, as follows:

[No. 235 Leg.]

YEAS—6

Clark
Fulbright
Gruening
Hart
Morse
Young, Ohio

NAYS—83

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Hansen
Hartke
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—11

Dodd
Dominick
Griffin
Harris
Hatfield
McIntyre
Metcalf
Nelson
Russell
Smathers
Sparkman

So Mr. CLARK's motion to recommit was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the motion was rejected.

Mr. YOUNG of North Dakota. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, may I say, for the information of the Senate, that so far as I know, the final vote on the bill will probably come within 10 minutes. I have approximately 1 minute remaining, and so far as I know there is only one other speaker.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. STENNIS. I yield the floor, Mr. President. The majority leader has time on the bill.

Mr. MANSFIELD. How much time does the Senator from Oregon desire?

Mr. MORSE. I should like 10 minutes.

Mr. MANSFIELD. I yield 10 minutes to the Senator from Oregon, and more time if he requires it.

Mr. MORSE. Mr. President, I shall vote against the bill. Because I recognize the significance of such a vote, so far as the record of the Senator from Oregon is concerned, it is important that the record show very clearly why he voted against the bill; and I shall now make a brief statement setting forth those reasons.

It has been a depressing 10 days since the Senate Foreign Relations Committee began its hearings on the subject of national commitments and how they are arrived at. From the President and his Under Secretary of State we have learned that the Constitution is dead—"outmoded" was the precise word—insofar as the war power is concerned. That diagnosis has been confirmed by Member after Member of the Senate who deplores the deception with which the war was instituted, but forswears exercising any of his powers to do anything about it.

From the executive branch we are given to understand that the Tonkin Gulf resolution was as good as a declaration of war in empowering the President to run foreign policy and war as he chooses. But then we are also told that the resolution was not necessary, because the powers of the President are plenary and the Constitution meaningless.

If the President is to be taken at his word—if it is true that there are no limits to his discretion—if it is true Congress cannot change the course of the war by repealing the Tonkin Gulf resolution because he will pursue his policy with or without such a resolution—then the conclusion that must be drawn by the American people is that their only means of changing an unsound policy is to vote the President out of office.

But that is a false line of reasoning. The President is incorrect in saying he can do as he pleases, just as congressional critics are incorrect in saying there is nothing they can do to limit his discretion.

Time and time again the framers of the Constitution, who debated the Constitution and who described it afterward, mentioned the power of the purse as the vital, final limitation the people's representatives could exercise to curb executive excess.

I am astonished to read accounts of Senators who say that never again would they vote for a Tonkin Gulf resolution, but cannot bring themselves to vote against the financing of the war. They have effectively abandoned the legislative function completely, for the President says he would not need a resolution to intervene in a foreign country. If Members of Congress are going to guarantee by their actions that the funds to carry out an intervention will always be forthcoming, no matter how much they detest the policy, then the Constitution truly is dead.

Members who deplore the war cannot bring themselves to vote against extension of the draft; they cannot bring themselves to vote against military construction in Southeast Asia; they cannot bring themselves to vote against the money without which the war policy would be changed.

It is no wonder that the President does not pay attention to their advice. They do not act on it themselves.

The Constitution did not clothe the Senate with only the function to advise. It clothed the Senate and the House with the power to veto an unsound foreign policy. Until we demonstrate a willingness to exercise that veto, our advice is empty and meaningless. The war in Vietnam has been carried out only with the funds furnished by Congress. Those who have voted for the authorizations and the appropriations have marched the country step by step into Asia, just as surely as if they had given the order, for they have the power to countermand the order.

Read the constitutional debates. The writers of the Constitution did not put words into it for no reason. Section 9 of article I states:

> No money shall be drawn from the Treasury, but in consequent of appropriations made by law.

Every authority who constructs the Constitution points out that this is a limitation upon the Executive, not upon Congress. In debating whether to give the treaty power exclusively to the President, exclusively to Congress, or divide it between them, it was argued that it was unnecessary to give Congress the exclusive power to make treaties.

> In the course of this discussion, Gouverneur Morris suggested that if a majority were for peace but were not allowed to make it they would be apt to effect their purpose in the more disagreeable mode of negativing the supplies for the war.

In the Federalist No. 773, Hamilton describes certain attributes of the Presidency. He says in general of the Presidential veto:

> The necessity of furnishing each (department) with constitutional arms for its own defence has been inferred and proved.

Earlier, in No. 24, Hamilton spelled out the ways in which the legislative department was furnished with the constitutional arms for its defense in matters relating to national security:

> A stranger to our politics, who was to read our newspapers at the present juncture, without having previously inspected the plan reported to the convention, would be naturally led to one of two conclusions: either that it contained a positive injunction that standing armies should be kept in time of peace; or that it vested in the executive the whole power of levying troops, without subjecting his discretion, in any shape, to the control of the legislature.
>
> If he came afterwards to peruse the plan itself, he would be surprised to discover that neither one nor the other was the case; that the whole power of raising armies was lodged in the *legislature,* not in the *executive;* that this legislature was to be a popular body, consisting of the representatives of the people periodically elected; and that instead of the provision he had supposed in favor of standing armies, there was to be found in respect to this object, an important qualification even of the legislative discretion, in that clause which forbids the appropriation of money for the support of an army for any longer period than two years . . ."

In the Federalist No. 58, Madison declares:

> The House of Representatives cannot only refuse, but they alone can propose, the supplies requisite for the support of government. They, in a word, hold the purse—that powerful instrument by which we behold, in the history of the British Constitution, an infant and humble representation of the people gradually enlarging the sphere of its activity and importance, and finally reducing, as far as it seems to have wished, all the overgrown prerogatives of the other branches of the government. *This power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatievs of the people, for obtaining a redress of every grievance,* and for carrying into effect every just and salutary measure.

On February 25, 1966, I told the Senate that the vote on the special Southeast Asia authorization bill might be the last time Senators would have a chance to exercise a braking influence upon the course of the war in Vietnam. Although many reservations were expressed about the steady rise in the scale of the fighting, only the Senator from Alaska and I took advantage of the tools the Founding Fathers put in our hands to check a policy we regarded as unwise.

As the war edges closer and closer to China, it is more and more incumbent upon those who oppose it to try to change the course of that war before it does explode into war with China. It is not enough to exhort the President to act differently. We must act ourselves. This bill carries in it the bulk of the funds for another year of war. It is for this reason that I cannot cast my vote in support of the bill.

At such time as Congress declines to provide the funds to carry on an undeclared war, the war policy will be changed. The administration itself will find the means of scaling it down, and even negotiating an end to it.

Mr. President, in closing, I wish to say that I am voting against the bill because, in my judgment, I do not think the Senate has taken the action it should take under the constitutional provision of the check of the purse strings to place a reasonable limit upon the appropriations of the Defense Establishment.

As I have said in my speech this afternoon, here we have the largest defense budget in the history of the Republic—$70.2 billion, which is larger than any Defense budget at any time in World War II or any other time in the history of the Nation. Yet, we have heard the argument that we must not touch it, this is the minimum, the Committee on Appropriations has gone over it with a fine tooth comb and, therefore, it must stand inviolate.

The Senator from Pennsylvania and I have urged sending the bill with a cut in it to the Committee on Appropriations to get their advice as to where the cut should be made. When this administration is asking every other agency of the Government for a cut of 10 to 15 percent, except this appropriation, and this one alone apparently must stand sacrosanct, I think we are walking out on our constitutional responsibility to exercise the check of the purse string against the Defense Establishment.

I am going to take judicial notice that a cut up to 10 percent out of the $70.2 billion proposal can be made without in any way weakening the security of the Republic. In fact, I think it will strengthen the security of the Republic because it will strengthen the economy. I cannot continue to vote for these appropriations for the administration when we cannot make cuts in them, or it is argued we cannot make cuts in them, and the administration at the same time proposes that the taxpayers of this country will be taxed an additional 10 percent in the surtax. I shall also vote against that proposal when it reaches the Senate.

Mr. LAUSCHE and Mr. STENNIS addressed the Chair.

The PRESIDING OFFICER (Mr. HART in the chair). Who yields time?

Mr. STENNIS. How much time does the Senator desire?

Mr. LAUSCHE. Mr. President, I would like 15 minutes. This is a very critical issue and it has to be discussed.

Mr. MANSFIELD. Mr. President, I yield the Senator 15 minutes.

Mr. LAUSCHE. Mr. President, it has been alleged that the Congress must act on its own. It has been said this is an undeclared war prosecuted by the President. It further has been said that the President is incorrect in saying he can do as he pleases. Moreover, the statement has been made that we have the largest defense budget in the history of our Nation.

Mr. President, in the last several days the discussion in the Committee on Foreign Relations has been: What authority did we give to the President in the Tonkin resolution in 1964? It is that subject that I wish to discuss with Senators to refresh their memories as to exactly what happened. I shall proceed immediately to the discussion which took place on August 6, 1964. I submit, Mr. President, that this discussion is of the most vital importance, and is concerned with the problem confronting the people of our Nation today.

Is the President violating his authority? Has he usurped powers which do not belong to him? If he has usurped powers he should be impeached, but I respectfully say to Senators that an examination of what took place on August 6, 1964, will show clearly that the President is acting completely within the authority given to him by the Tonkin resolution. I shall now proceed to read what took place on August 6, 1964. The proceedings are carried in the CONGRESSIONAL RECORD:

Maintenance of International Peace and Security in Southeast Asia

> Mr. MANSFIELD. Mr. President, I ask that the Vietnam resolution be laid before the Senate. It has been cleared with the chairmen of the Committee on Foreign Relations and the Committee on Armed Services, with the ranking members of those committees, with the distinguished minority leader [Mr. DIRKSEN], and with the distinguished senior Senator from Oregon [Mr. MORSE], who is interested in the subject.

Following the statement made by Senator MANSFIELD, the Senator from Arkansas [Mr. FULBRIGHT] rose, and I ask Senators to listen carefully to what the chairman of the Committee on Foreign Relations said with respect to the Tonkin resolution:

> Mr. FULBRIGHT. Mr. President, pursuant to the order of the Senate on yesterday, the Committee on Armed Forces, headed by the distinguished Senator from Georgia [Mr. RUSSELL], and the Committee on Foreign Relations met jointly this morning to take testimony on Senate Joint Resolution 189.

The Senator from Arkansas [Mr. FULBRIGHT], still speaking, said:

> Mr. President, I recommend the prompt and overwhelming endorsement of the resolution now before the Senate. The resolution, which has been approved by the Committees on Foreign Relations and Armed Services with only one dissenting vote, endorses the wise and necessary action of President Johnson in ordering the 7th fleet and its air units to take appropriate measures in response to the unprovoked attacks on American naval vessels by North Vietnamese torpedo boats.
>
> The resolution further expresses the approval and support of the Congress for the determination of the President—

I want to emphasize this—

> to take such action as may be necessary now and in the future to restrain or repel Communist aggression in Southeast Asia.

I now skip a bit of the discussion and I go down to the most important part of what took place.

Is the Senator from Maryland [Mr. BREWSTER] present? He is not.

Mr. MANSFIELD. He is.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. LAUSCHE. The Senator is here.

Mr. BREWSTER. I am right here.

Mr. LAUSCHE. This is the Senator from Maryland [Mr. BREWSTER] speaking:

> I had the opportunity to see warfare not so very far from this area, and it was very mean. I would look with great dismay on a situation involving the landing of large land armies on the Continent of Asia. So my question is whether there is anything in the resolution which would authorize or recommend or approve the landing of large American armies in Vietnam or in China.

Now the query is, What did the chairman of the Foreign Relations Committee answer? What did the manager of the bill say?

Mr. President, I want you to listen carefully to what was said:

> There is nothing in the resolution, as I read it, that contemplates it.

That is, the landing of forces in the land area of South Vietnam or in the land area of China.

The manager of the bill went on to say:

> I agree with the Senator that that is the best thing we would want to do—

Mr. FULBRIGHT. The last thing.

Mr. MANSFIELD. Last thing.

Mr. LAUSCHE. Last thing we would want to do; yes.

But listen further—

> however, the language of the resolution would not prevent it.

Would not prevent what? The landing of forces in South Vietnam and if necessary in China.

I did not agree with that. That is what the chairman answered thus far.

> However, the language of the resolution would not prevent it. It would authorize whatever the Commander in Chief feels is necessary.

Who is the Commander in Chief? The President of the United States.

The chairman, or the manager of the bill, further answering:

> It does not restrain the Executive from doing it. Whether or not that should ever be done is a matter of wisdom under the circumstances that exist at the particular time it is contemplated.

What is the meaning of that statement? The action taken should be commensurate with the demands of the circumstances existing at the time that the action is taken.

The manager of the bill further speaking:

> This kind of question should more properly be addressed to the chairman of the Armed Services Committee. Speaking for my own committee, everyone I have heard has said that the last thing we want to do is to become involved in a land war in Asia.

That is the last thing that I want to do. It is the last thing that the President wants to do.

> That our power is sea and air, and that this is what we hope will deter the Chinese Communists and the North Vietnamese from spreading the war. That is what is contemplated. The resolution—

This is the final sentence—

> The resolution does not prohibit that, or any kind of other activity.

I think the Senator from Maryland remembers the question being asked, and he understands that that is the answer that was given to him. It was not in conformity with what he hoped would be the answer but it was, nevertheless, the answer, that the President was given full power to assign the troops of the United States in Southeast Asia in a manner that would meet the circumstances that existed.

Then Senator MORTON, who is not here now, addressing the Presiding Officer, said:

> Mr. President, first, I say to the distinguished Senator from Arkansas that I approve the action that has been taken, and I approve this resolution. On the matter which was the subject of the colloquy between the Chairman of the Foreign Relations Committee and the distinguished Senator from Louisiana, can we not associate our presence in the Gulf of Tonkin to a degree with our own interpretation of our obligations under the SEATO Treaty?

Senator ELLENDER, according to my recollection, questioned whether or not there was a definite attack by North Vietnam upon our ships in the Tonkin Gulf. The query at that time was, Did we falsify? Did we deliberately claim that we were attacked when in fact we were not?

I continue reading:

> Mr. FULBRIGHT. Yes; I made mention of it. That is a further responsibility that we undertook in alining ourselves with other countries in trying to bring peace and stability into this area. That was another obligation which we undertook. It fortifies our right on responsibility for being in the Gulf of Tonkin.

The PRESIDING OFFICER. The time yielded to the Senator has expired.

Mr. LAUSCHE. May I have 5 minutes?

Mr. MANSFIELD. I yield 5 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator is yielded 5 additional minutes.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. DIRKSEN. If we are going to have a Vietnam debate at this time of night, then I will have to go to my office and get my notes and get my feet wet, like a lot of other people have. That clock says 7:30. We have been here all day. I think the time has come to get to a vote on the bill. But if the Senator wants to engage in this discussion, good and well. I will join him. But there are Senators who have been invited to the White House and want to get there.

Mr. LAUSCHE. I merely am answering the argument of the Senator from Oregon. I will complete it in 3 minutes.

Mr. MORSE. Will the Senator yield me 30 seconds? Ten seconds?

Mr. LAUSCHE. The statement I am making is of such vital concern to the United States that I think the Senator from Illinois [Mr. DIRKSEN] will forgo his invitation to the White House.

Mr. DIRKSEN. I am not going to go. I am not invited to go, but I have some notes on my desk, and if we are going to prolong this debate, then we are not going to vote on this bill. I try to be considerate of Senators who have commitments.

Mr. STENNIS. Mr. President, will the Senator yield me 10 seconds?

Mr. LAUSCHE. I yield.

Mr. STENNIS. It seems to me that we are getting away from the bill. The Gulf of Tonkin resolution is 3 years old and we are in this war. However, I hope we can return to the subject matter of the bill and proceed with a vote on final passage.

Mr. LAUSCHE. I will conclude in 3 minutes. I want to say respectfully to the Senator from Mississippi the issue before the country today is whether the President is transgressing his authority.

I have no reason to be deeply sympathetic to the President. He has rejected my recommendations and my proposals time and time again, but I think in this matter he has acted completely within his authority. If I may be granted 3 minutes, I will complete my statement.

Mr. MANSFIELD. Mr. President, the Senator from Ohio was given 5 minutes, and I imagine 3 minutes have been used up already.

Mr. LAUSCHE. The Senator from Kentucky [Mr. MORTON] was speaking:

> I believe the action taken by the President helps to avoid any miscalculation on the part of either the North Vietnamese or the Chinese Communists. I believe the joint resolution gives that policy further strength. In my opinion, the three major wars in which we have been involved in this century have come about by miscalculation on the part of the aggressor.

I now conclude. Miscalculation on the part of the aggressor. Miscalculation that the United States would not stand firm. Those are the final words.

In summary, I say to this body, while I have been in disagreement with the President, while he has rejected my recommendations, in my opinion, under the Tonkin resolution he was given the full authority that he is now exercising.

Mr. MANSFIELD. Mr. President, I yield 3 minutes to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I agree with the chairman of the committee and the minority leader and the majority leader that this is not the time to discuss this matter. I did not anticipate any such discussion. The Committee on Foreign Relations is presently holding hearings—it already has held three—on the subject the Senator from Ohio has raised.

In due time that committee—I will urge it to do so—will report that resolution for full debate on this subject for however long the Senate wishes to do it.

I only think it is proper that I do not let it stand as it is entirely unrebutted. This is a very complicated matter. The Senator from Ohio read only a few paragraphs out of a debate that lasted a good part of 1 day and about 3 hours of the next. It is an involved matter. I do not think it is represented properly merely from a couple of statements made.

I have on numerous occasions publicly stated I was mistaken in the part I played in that affair. In the first place, I misjudged the purposes of the President. I was very close to the President, I thought. I had full confidence in his statements at that time. He was a candidate for the Presidency against Senator Goldwater of the other party, and I thought I understood what his policy was. I proved to have been grossly mistaken in that estimate. I have stated this on numerous occasions in public and privately. I regret the part I played in that incident.

I interpreted that resolution at that time to say that we approved and supported the determination of the President to repel attacks upon our Armed Forces. Then there were words in small letters, "and repel aggression," which have been interpreted to cover the waterfront. Technically, that is correct. He is proceeding under this resolution.

Yesterday, the Senator from Tennessee very clearly made the point, which I agree with, that the intent of the Senate at that time was to repel attacks against our Armed Forces. I believed that a land war in Asia was against the policy of President Johnson, as it had been that of President Eisenhower, President Kennedy, General Ridgway, General Gavin, and others. None of our military leaders had accepted the idea of a land war in Asia. I thought that was our policy.

I thought the resolution was authority to repel attacks against our Armed Forces if they should be attacked. The language was much broader than it should have been. I regret we did not accept the suggestion of the distinguished Senators from Maryland and Wisconsin, who made a very sound offer. I made the point that the amendment which they offered, particularly Senator NELSON, was in accord with what I understood the policy to be, but I had been requested to act immediately. The House had acted and we took little time. The Joint Committees on Foreign Relations and Armed Services, to my recollection, took only an hour and 40 minutes.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. May I have 2 or 3 minutes?

Mr. MANSFIELD. I yield 3 minutes to the Senator from Arkansas.

Mr. FULBRIGHT. What I am asking the Senate to do is reserve judgment on this until we have a debate on it and the Senator from Illinois [Mr. DIRKSEN] can have his notes and the rest of us can have our notes to discuss the real significance of that resolution—and not, on this kind of a revelation of a few paragraphs, reach a conclusion that the resolution was intended to, and actually does, amount to a declaration of war, for which the Constitution provides.

This is the matter the committee is now examining, and I ask that not only the Senate but the press report it in the proper context so that people are not led to the conclusion that, by voting for the military appropriations—which I intend to do—it is thereby endorsing a declaration of war, which was not my intent.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I shall not detain the Senate for 5 minutes.

I yield to the Senator from Louisiana. I know he has an announcement about another vote.

Mr. LONG of Louisiana. Mr. President, I was going to make a statement that we would vote on the veterans' conference report tonight, but in view of the hour, we will not do it tonight, but tomorrow.

Mr. STENNIS. Mr. President, I shall certainly be brief. I regret that the Gulf of Tonkin Resolution has been made the subject of so much discussion in recent days, especially all the attention it is being given in the press. We are 3 years beyond that. We are in the midst of a war. It is confusing to our people at home and our men in Vietnam. These are my personal views.

Mr. President, we are ready to consider a vote on the bill, and I wish to make two points. I think something should be said to the Senate in appreciation of the fine fighting qualities, the splendid morale, and the patriotism that our fighting men are showing halfway around the world, in about as bitter and mean and dirty fighting and as difficult a war as our servicemen have ever had to engage in. They continue to show excellent spirit and the very highest morale, reflecting the very best, in many ways, of American ideals and belief in liberty and freedom. Those youngsters who are there, after just a few months of training, reflect credit on the Americans back home and upon their immediate leadership.

While most of us here at home are having the usual pleasures and enjoying a normal life, those men are fighting, as I say, in as vicious a war as was ever faced by American soldiers. Meanwhile, their loved ones and homes are suffering great pangs of separation and anxiety.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. FULBRIGHT. Mr. President, I join the Senator from Mississippi in what he says about our military men. I only wish to make the distinction that those of us who do not approve of this war would simply like to stop it, so that those men would not have to be there.

Mr. STENNIS. Mr. President, my remarks are not prompted by anything the Senator from Arkansas has said. I just do not want this matter to proceed to final issue without recognizing the gallantry of those men. And I feel as though I speak for every Senator.

Mr. FULBRIGHT. I agree with the Senator from Mississippi.

Mr. STENNIS. I wish also to mention again the fine work of the chairman of the Department of Defense Subcommittee who is chairman of our Committee on Armed Services, the Senator from Georgia [Mr. RUSSELL]. I have never seen him in better form than he has been this year, as he painstakingly took this bill to pieces—into the most minute pieces—and then built it all back. It shows not only his industry and his great experience, but his excellent judgment and very fine, solid patriotism as well.

He was ably assisted, as I have stated, by the Senator from North Dakota, and there were others who pitched in and helped to some extent. But the Senator from Georgia was the master architect, and his heart has been here with us as this bill moved toward passage.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, this bill is the handiwork of the Senator from Georgia [Mr. RUSSELL], who I believe has one of the greatest minds of any person who ever served in this body.

Mr. STENNIS. I thank the Senator very much, and I certainly share that part of his sentiments also.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from Rhode Island, and then 1 minute to the Senator from Iowa. Then I hope we can vote.

Mr. PASTORE. Mr. President, I shall vote for this bill. I believe that all of us feel, right down deep in our hearts, that however we feel about Vietnam, we are there now, and cannot take our feeling out on those boys by not supporting this bill.

I think the remarks of the Senator from Ohio were absolutely pertinent. They were in complete repudiation of the remarks of the Senator from Oregon, who said that Congress had abrogated its powers. The Senator's statement was a direct answer to those charges. I believe the Senator from Ohio was absolutely within his rights. His statement was absolutely relevant and absolutely pertinent to the issue. Regardless of whether or not we agree or disagree with the position of the Senator from Ohio, he had a perfect right to say what he did and his statement in my opinion was completely relevant.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. MILLER. Mr. President, I subscribe completely to what the Senator from Rhode Island has just said.

Since the Senator from Ohio raised the issue, I should like to quote briefly from one point in the RECORD which, in my judgment, and the judgment of many Senators, is even more pertinent than the portions he quoted.

I quote from the CONGRESSIONAL RECORD, volume 110, part 14, page 18409, as follows:

> Mr. COOPER. Then, looking ahead, if the President decided that it was necessary to use such force as could lead into war, we will give that authority by this resolution?
>
> Mr. FULBRIGHT. That is the way I would interpret it.

Mr. MANSFIELD. Mr. President, I yield 1 minute to the Senator from North Carolina.

Mr. ERVIN. Mr. President, in view of the fact that some discussion has been had in respect to the Gulf of Tonkin resolution, I think it would be appropriate, at this point, to have that resolution printed in the Record.

I ask unanimous consent to have printed in the Record House Joint Resolution 1145, 88th Congress, Public Law 88–408, a joint resolution to promote the maintenance of international peace and security in Southeast Asia, so that everyone who reads the Record can interpret it to his own satisfaction.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

PUBLIC LAW 88–408, 88TH CONGRESS, HOUSE JOINT RESOLUTION 1145, AUGUST 10, 1964

Joint resolution to promote the maintenance of international peace and security in southeast Asia

Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

SEC. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

Approved August 10, 1964.

THE DEPARTMENT OF DEFENSE APPROPRIATION ACT: A "BLANK CHECK" TO THE PRESIDENT TO COMMIT U.S. TROOPS TO FIGHT ANYWHERE IN THE WORLD

Mr. GRUENING. Mr. President, H.R. 10738, appropriating $70.2 billion for the Department of Defense, is the largest single appropriations bill in the history of this country. It provides funds to the Department of Defense in an amount more than twice as much as was provided to operate the programs of all of the agencies of the U.S. Government 15 years ago.

The bill is clearly the means by which very large additional resources will be applied to escalate the conflict in Southeast Asia. Once this huge amount of funds is voted it is equally clear that Congress will have no control or say in the way they are used. In the last few days we have heard a principal administration spokesman inform us that the power and authority of the President to deploy troops anywhere he sees fit and to involve them in combat is absolute. Mr. Katzenbach, the Under Secretary of State, testifying before the Foreign Relations Committee, has said that even if Congress were to pass a resolution directing the President to withdraw our troops from Southeast Asia, the President would not be bound by it.

Mr. Katzenbach had previously described the power of the Congress to declare war as "outmoded," the thrust of his testimony being that all the power and necessary authority to commit the forces of our country to battle overseas resided in the office of the Presidency.

Mr. Katzenbach was kind enough, however, to point out the one means available to Congress to make its opposition to our involvement in Southeast Asia effective. Congress could refuse to vote appropriations to carry on the war, and it is this means which I intend to avail myself of in voting against the appropriation for the Department of Defense.

I do not think that there can be any question about the uses to which the funds requested for 1968 by the Department of Defense will be put. A very large part of such funds will be expended on stepping up the war in Southeast Asia under conditions and at such times as the President sees fit.

The appropriation bill, taken in the light of Mr. Katzenbach's testimony, is a "blank check" for the President to carry the war to higher levels and to other areas not now involved, without any restrictions whatsoever. The only assurance we have that the funds in the Department of Defense appropriation bill will not be used to carry the war into North Vietnam by way of a land invasion or be used to start bombing the "sanctuary" of Communist China, is the oft-repeated statement by the administration that we are engaged in a limited war with limited objectives. But these statements have been made at each stage of the escalation, as we increased our troops to over half a million, as we sent the Marines into the DMZ, as we initiated the bombing of areas previously considered out of bounds for our aircraft and as we began to interdict North Vietnamese forces and supplies close to the border of China.

A steady flow of propaganda has come out of the Penatgon on the great precision of our bombing attacks on North Vietnam targets and the extreme care being taken to keep our aircraft from straying into China. But yesterday when two Navy bombers were shot down over China, the White House Press Secretary told the country that it must expect such incidents as a routine matter. We are told not to concern ourselves about this unduly because the President has assured us that China will not misread our intentions and that there is no danger of these bombings on the border of China involving us in a conflict with that country.

But there is considerable doubt in this country about our course of action in Southeast Asia and even greater reservations about accepting the President's assurance at face value. An editorial in today's New York Times concludes with the following remarks:

> Despite the President's expressed confidence that Peking will not react dangerously to Washington's courting of danger, Senator Mansfield is right in warning that the United States is now "closer to the brink" of a war of miscalculation with China. And there is no evidence that this heightened risk-taking will either curb Hanoi's war effort in South Vietnam or diminish its will to fight.

Clear evidence of the likelihood of an escalation of the conflict in Southeast Asia to new areas and operations in Thailand and Laos is given by the Secretary of Defense in his letter to the chairman of the Armed Services Committee dated March 18, 1967. In this letter, Secretary McNamara requests authority to merge the military assistance programs for Laos and Thailand with regular Department of Defense appropriations. He stated that—

> The logistic requirements for the support of combat operations in Laos and Thailand require a more flexible and timely response than is available under MAP (Military Assistance Program) procedures. Therefore, the efficiency and effectiveness of these programs would be improved by integrating their logistic support into the common supply system which supports other combat operations in Southeast Asia.

As the integration of military assistance program funds for Vietnam with regular Department of Defense funds as a prelude to the much greater escalation of the war in that country, so can we expect that a similar commingling of funds for Laos and Thailand is a prelude to the escalation of conflict in these areas.

Here again, as the Senator from Louisiana [Mr. ELLENDER] pointed out so well on August 18, 1967, on the floor of the Senate, we are witness to a further erosion of congressional control and responsibility. The removal of these programs from the military assistance appropriation and their inclusion in the huge Department of Defense appropriation effectively precludes their scrutiny by the responsible committees of the Congress. It is probably useless at this point in time to note that the infusion of military equipment and forces into Laos is in direct contravention of the Geneva accord of 1954, which our Government at various times alleges it supports.

Erosion of congressional control is further evidenced by the fact that the ability of the Comptroller General to audit effectively and to review fully the utilization of funds in Laos and Thailand will be seriously circumscribed when such funds are made part of the Department of Defense appropriation. Secretary McNamara incorrectly indicated to the chairman of the Armed Services Committee that the Comptroller General's audit authority will not be changed by the transfer. He failed to note that as long as funds were provided to Laos and Thailand under the military assistance program the utilization of such funds were subject to audit by the General Accounting Office under agreements providing for end-use inspection, including the records of the recipient countries.

When such funds are provided under Department of Defense appropriations, such agreements do not apply and end-use audits and inspections cannot be made, as I discovered in my capacity of chairman of the Subcommittee on Foreign Aid Expenditures, when I sought to ascertain the utilization of funds provided the Government of Korea for supplemental pay of Korean troops sent to South Vietnam.

The administration views the situation that has developed in Laos and Thailand as "part of the broader struggle against Communist armed aggression in Southeast Asia" and if this view is maintained our country must prepare itself to see armed conflict extended to those countries in very much the same manner as we have seen it grow in Vietnam. As I have stated so often on the floor of the Senate, I am in total disagreement with this conception of a massive, centrally directed Communist conspiracy to take over Southeast Asia by armed aggression.

The years I have spent studying the available documents and reports convince me that we have inserted ourselves into conflicts between civil factions of the countries in that part of the world at a tremendous cost in the lives of our finest young men and in the drain of resources so vital to our domestic economy without being able to effect the outcome of the civil strife. In the process we have lost whatever claim we might have had to moral leadership, have weakened our position in other parts of the world where far greater strategic interests of the United States are involved, have made enemies of those countries which could have been our allies, and have strengthened Communist China and the Soviet Union.

In voting against the appropriation bill, I am availing myself of the recourse which the administration has pointed out to us is the only one remaining for those who dissent from the disastrous course on which we are embarked.

Mr. MANSFIELD. Mr. President, I yield back the remainder of my time.

Mr. DIRKSEN. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is, Shall the bill pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alabama [Mr. Sparkman] is absent on official business.

I also announce that the Senator from Connecticut [Mr. Dodd], the Senator from New Hampshire [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from Wisconsin [Mr. Nelson], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], and the Senator from Minnesota [Mr. McCarthy] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd], the Senator from New Hampshire [Mr. McIntyre], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], the Senator from Alabama [Mr. Sparkman], and the Senator from Minnesota [Mr. McCarthy] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick] is necessarily absent.

The Senator from Oregon [Mr. Hatfield] is absent on official business.

The Senator from Michigan [Mr. Griffin] and the Senator from Kentucky [Mr. Morton] are detained on official business.

If present and voting, the Senator from Colorado [Mr. Dominick] and the Senator from Kentucky [Mr. Morton] would each vote "yea."

The result was announced—yeas 85, nays 3, as follows:

[No. 236 Leg.]

YEAS—85

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Hansen
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
Miller
Mondale
Monroney
Montoya
Moss
Mundt
Murphy
Muskie
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—3

Gruening
Morse
Young, Ohio

NOT VOTING—12

Dodd
Dominick
Griffin
Hatfield
McCarthy
McIntyre
Metcalf
Morton
Nelson
Russell
Smathers
Sparkman

So the bill (H.R. 10738) was passed.

Mr. STENNIS. Mr. President, I move that the Senate reconsider the vote by which the bill passed.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, I move that the Senate insist on its amendments to the bill and request a conference with the House thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Russell, Mr. Hill, Mr. McClellan, Mr. Ellender, Mr. Stennis, Mr. Symington, Mr. Young of North Dakota, Mrs. Smith, and Mr. Mundt conferees on the part of the Senate.

Mr. STENNIS. Mr. President, for the information of the Senate, the committee thanks everyone for the splendid cooperation it received. Those Senators who had amendments to present in opposition to the bill were most cooperative.

Mr. MANSFIELD. Mr. President, the Senate is immensely grateful to the distinguished Senator from Mississippi [Mr. Stennis] for the singularly outstanding manner in which he directed this year's defense appropriation bill to overwhelming Senate approval. He stepped in for the chairman of the Defense Department Subcommittee of the Appropriations Committee, the distinguished Senator from Georgia [Mr. Russell]. He displayed a profound knowledge and broad understanding of our national security program, its problems and its needs. And his advocacy was most articulate and persuasive. The leadership is particularly indebted to Senator Stennis for his agreement to handle the measure on relatively short notice. It is a vast and complex bill. Its wide acceptance by the Senate is the best testament to his highly able and capable performance.

Of course, the chairman of the subcommittee, Senator Russell, regrettably was not able to steer the measure to its final disposition. The Senate, however, is deeply in his debt for initiating the study of this proposal as long ago as last fall and for working tirelessly and with great devotion ever since to see that the best possible measure was brought to the Chamber for the Senate's disposition. Senator Russell has consistently displayed his abiding dedication to the needs of our Armed Forces and has sought vigorously to assure their fulfillment.

Noteworthy during the consideration of this matter both in committee and here in the Chamber were the strong and devoted efforts of the Senator from North Dakota [Mr. Young], the ranking minority member of the subcommittee. He too exhibited a vast and learned understanding of our defense needs and strongly supported this funding measure that is designed to satisfy them to the highest possible degree.

Joining Senator Young on the other side of the aisle was the Senator from Maine [Mrs. Smith] whose appreciation of our military structure has been proven time and time again. Her important contribution to the discussion of this measure was most welcome and we are deeply grateful. The Senate is grateful also to the distinguished Senator from Oregon [Mr. Morse], whose views are always expressed articulately and with deep sincerity. While he voiced his own strong position on this measure, his cooperation was exemplary in assuring its efficient disposition.

The Senator from Pennsylvania [Mr. Clark] is similarly to be commended for joining to assure final action today. And other Senators also should be singled out for their thoughtful and helpful contributions. I refer to the Senator from Massachusetts [Mr. Kennedy] whose articulate advocacy is always welcome. The Senator from Washington [Mr. Jackson] and the Senator from Missouri [Mr. Symington] also played vital roles in assuring the adoption of this measure with overwhelming approval.

Finally, I wish to express again the thanks of this entire body to the Senator from Georgia [Mr. Russell] who was unavoidably absent. His impact in this Chamber is truly significant and greatly appreciated—his absence is always sorely felt; his efforts, however, on this measure were so ably preserved and brought to final fruition by the Senator from Mississippi [Mr. Stennis]. And to the Senate as a whole goes the appreciation of the leadership for cooperating to assure final action today with full consideration for the views of every Member.

Mr. MORSE. Out of consideration for the Senate, I did not make any comments following the statement of my good friend, the Senator from Ohio [Mr. Lausche].

I understood when the Senator started that he was going purportedly to make some answer to me. However, I failed to hear anything that contained any answer to the position taken consistently by the senior Senator from Oregon since 1964.

The quotations he read from the debate on the Tonkin Gulf resolution were not quotations of the Senator from Oregon.

I think the Senator from Ohio knows that I took the same position in August 1964 that I took today: that the Senate of the United States was completely outside its constitutional power and prerogatives when it passed any such resolution as it passed in August 1964 when it claimed that resolution was within its constitutional power.

I said then, and I say now, that in my judgment that action cannot be reconciled with article I, section 8, of the Constitution.

I stand on every word that I said then and that I have said since on the Tonkin Gulf resolution, including every word I said on the subject matter today.

I heard no comment from the Senator from Ohio about this, but the burden of my argument and the constitutional authority I cited today from the very Constitutional Convention itself—Madison and Jefferson, and I could cite others—point out that the constitutional fathers vested in Congress the check of the purse strings.

The burden of my argument was that my reason for voting against the bill was that we were not exercising what I think we ought to exercise by way of the check of the purse strings.

That is my argument, and I heard nothing said by the Senator from Ohio or the Senator from Rhode Island [Mr. Pastore] that had any relevancy whatsoever to my argument.

I am perfectly willing to rest my case on the record I have made.

ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore announced that on today, August 22, 1967, the Vice President signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H.R. 1282. An act to provide for the withdrawal of wine from bonded wine cellars without payment of tax when rendered unfit for beverage use, and for other purposes;

H.R. 2470. An act to provide for the free entry of certain scientific instruments and apparatus for the use of Tufts University, Mount Holyoke College, and the Massachusetts Division of the American Cancer Society; and

H.R. 6056. An act to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions for children of parents who are divorced or separated.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 2531. An act to provide for the disposition of the unclaimed and unpaid share of the Loyal Creek Judgment Fund, and to provide for disposition of estates of intestate members of the Creek Nation of Oklahoma or estates of members of the Creek Nation of Oklahoma dying without heirs;

H.R. 4809. An act for the relief of Mrs. Willifred S. Shirley;

H.R. 5967. An act for the relief of Albert P. Morell;

H.R. 6452. An act for the relief of John E. Coplin; and

H.R. 7362. An act to authorize the Secretary of the Interior to acquire certain properties within the Colonial National Historical Park, in Yorktown, Va., and for other purposes.

REPORT ON CLAIMS PAID UNDER THE MILITARY PERSONNEL AND CIVILIAN EMPLOYEES' CLAIMS ACT OF 1964

The PRESIDENT Pro Tempore laid before the Senate a letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on claims paid under the Military Personnel and Civilian Employees' Claims Act of 1964, for the fiscal year 1967, which, with an accompanying report, was referred to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Commerce:

"Assembly Joint Resolution No. 34—Relative to a Plant for the Production of a Fish Protein Concentrate

"Whereas, Two-thirds of the present population of the world is underfed, being particularly deficient in necessary protein, and the world will be hungrier in the future unless some inexpensive source of protein can be found for human consumption; and

"Whereas, Projects designed to develop the best and most economical processes and methods to reduce fish which are in abundant supply, but not now widely sought after for human consumption, to a nutritious, wholesome, and stable fish protein concentrate must be undertaken if the world food crisis is to be met; and

"Whereas, Congress has authorized the Secretary of the Interior, under Public Law 89–701, to construct an experimental and demonstration plant for the production of a fish protein concentrate and to acquire by lease one additional plant for such purpose, and has authorized the appropriation of various sums for such purposes; and

"Whereas, Such plants are required to be located in such geographical areas as the Secretary of the Interior determines will demonstrate optimum feasibility from the standpoint of operation, maintenance, and economic potential; and

"Whereas, The California fishing industry is a vital economic activity for both the nation and the state as well as an important factor in the utilization of America's fish resources to meet the increasing food needs of the peoples of the world; and

"Whereas, Crescent City in Del Norte County, and other locations on the north coast of California, offer an ideal location possessing optimum potential for the operation, maintenance and economic development of such a fish processing plant and such a plant could provide a means for utilization of the fish resources now unused off the north coast of California; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President, the Secretary of the Interior, and the Congress of the United States to select Crescent City, or some other location on the north coast of California, as the location for an experimental and demonstration plant for the production of a fish protein concentrate as authorized under federal law to be established by the Secretary of the Interior; and be it further

"*Resolved,* That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the Interior, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"Assembly Joint Resolution No. 29—Relative to Governmental Tax Sharing

"Whereas, In the division of governmental functions among local, state and federal bodies in the United States the exercise of powers at various levels is inseparably related to the distribution of taxing authority; and

"Whereas, The larger the percentage of total tax revenue collected at any one level the greater will be the power of that government; and

"Whereas, Today the federal government's share of total taxes far exceeds the total combined share for state and local governments; and

"Whereas, If present tax trends continue, local governments will not be able to meet public demands for more and better schools, highways, health facilities, police protection and other similar services without severe strains upon their respective economies; and

"Whereas, The latest federal budget lists approximately 85 local grant-in-aid activities and, as a consequence, these programs are beginning to exceed the level of manageability; and

"Whereas, The dollar value of grant-in-aid programs has increased from $3.1 billion a decade ago to more than $15 billion this year and the continued growth of such programs makes state and local governments even more dependent upon the federal government; and

"Whereas, Such programs often force the

states to spend tax money excessively in certain areas in order to match the allocation of federal funds; and

"Whereas, It is vital and essential to strengthen state and local self-government; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California endorses the basic principle of tax sharing in order to make additional revenues available to the state; and be it further

"*Resolved,* That the Congress of the United States is urged to enact a workable and realistic tax-sharing program, with consideration given to the following alternatives: tax rebates, unrestricted block grants, federal tax credits against state and local taxes or a transfer of tax sources from the federal to the state and local level; and be it further

"*Resolved,* That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives of the United States, and to each Senator and Representative from California in the Congress of the United States."

A letter from Gates E. Underwood, of Perry Point, Md., praying for a redress of grievances; to the Committee on Labor and Public Welfare.

RESOLUTION OF GENERAL ASSEMBLY OF PENNSYLVANIA

Mr. SCOTT. Mr. President, I present a resolution adopted by the General Assembly of Pennsylvania, and ask unanimous consent that it be appropriately referred and printed in the RECORD.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD.

The resolution was referred to the Committee on the Judiciary, as follows:

PENNSYLVANIA HOUSE RESOLUTION NO. 70

Since the unfortunate and untimely death of President John F. Kennedy, considerable impetus has occurred for the passage of the Dodd Bill relating to regulation and registration of mail order firearms sales; and

Whereas, the Dodd Bill, if enacted, will require citizens desiring to purchase a firearm by mail to submit sworn statements on forms obtained from the United States Treasury Department, whereby said purchase will subject such citizens to police investigation and harassment and lead to registration of said firearms; and

Whereas, Such requirements will cause an inconvenience, and an undue burden on, law abiding people of this Country, particularly in rural areas, and such legislation will give every local police or sheriff in the United States a virtual veto on purchasing of firearms by mail and possibly open the door for the Treasury Department to regulate who may buy firearms; and

Whereas, The Bill of Rights of the Constitution of the United States and article 1, section 21 of the Constitution of the Commonwealth of Pennsylvania guarantee to its citizens the right to keep and bear arms, and the Dodd Bill, if enacted, will be in direct violation of such guaranteed rights; and

Whereas, Responsible organizations such as the National Rifle Association, National Wildlife Federation and others have no objection to workable laws that will prevent the misuse of firearms by increasing penalties for crimes committed with firearms; and

Whereas, The Dodd Bill, if enacted, will seriously hamper small industries that build fine custom rifles for mail order trade throughout the Nation; and

Whereas, Any restrictive legislation should be directed to merely requiring that shipments of concealable firearms in interstate commerce be made in compliance with the laws of the state of destination; and

Whereas, Since practically all states have laws regulating sale of firearms to juveniles, convicted felons, and incompetents and against carrying concealed weapons, and since there are already Federal laws which make it a crime for a convicted felon to transport firearms across state lines, no Federal law for regulation and registration of mail order sales of firearms is necessary; and

Whereas, the Hruska bills (S. 1853 and S. 1854) would close troublesome loopholes in the Federal Firearms Act, properly establish restrictions on interstate traffic of handguns and stop the sale of military surplus destructive devices; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the Congress of the United States to take positive action leading to the defeat of the Dodd Bill and that the Congress of the United States carefully examine and oppose any other Federal legislation relating to registration and regulation of firearms which restricts the rights of law abiding citizens and usurps the police power of the states to control firearms but support those bills that would help correct weaknesses in the Federal Firearms Act and stop the sale of military surplus destructive devices; and be it further

Resolved, That copies of this resolution be forwarded to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and to each member of the Pennsylvania Congressional delegation.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments.

S. 282. A bill to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes (Rept. No. 537).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

William B. Dale, of Maryland, to be U.S. Executive Director of the International Monetary Fund;

Edward M. Korry, of New York, to be Ambassador Extraordinary and Plenipotentiary to Chile;

Livingston T. Merchant, of the District of Columbia, to be U.S. Executive Director of the International Bank for Reconstruction and Development; and

Dr. Homer Daniels Babbidge, Jr., of Connecticut, Dr. Abram L. Sachar, of Massachusetts, and Dr. Robert A. Scalapino, of California, to be members of the U.S. Advisory Commission on International Educational and Cultural Affairs.

By Mr. HILL, from the Committee on Labor and Public Welfare:

Frederick Herbert Wagman, of Michigan, and Robert Higgins Ebert, of Massachusetts, to be members of the Board of Regents, National Library of Medicine, Public Health Service; and

Howard William Habermeyer, of Illinois, to be a member of the Railroad Retirement Board.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MURPHY:

S. 2323. A bill to authorize the transfer of a vessel to the Los Angeles Unified School District for nontransportation use in the training of merchant marine personnel; to the Committee on Commerce.

By Mr. BARTLETT (for himself and Mr. MAGNUSON):

S. 2324. A bill to amend the act prohibiting fishing in the territorial waters of the United States with respect to the penalties provided thereunder; to the Committee on Commerce.

By Mr. MUSKIE:

S. 2325. A bill to facilitate the coverage, under title II of the Social Security Act, of certain State and municipal employees in the State of Maine; to the Committee on Finance.

By Mr. PERCY:

S. 2326. A bill for the relief of Niklaus Morgenthaler, his wife, Nelly Morgenthaler, and their three children, Caroline Morgenthaler, Michael Morgenthaler, and David Morgenthaler; and

S. 2327. A bill for the relief of Zumruta Salihbegovic de Kulenovic; to the Committee on the Judiciary.

By Mr. RIBICOFF (for himself, Mr. BROOKE, Mr. DODD, Mr. JAVITS, and Mr. KENNEDY of New York):

S. 2328. A bill to amend part V of the Interstate Commerce Act in order to extend the termination date of authority for loan guaranties under such part; to the Committee on Commerce.

(See the remarks of Mr. RIBICOFF when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF (for himself, Mr. BROOKE, Mr. DODD, and Mr. JAVITS):

S. 2329. A bill to amend the Interstate Commerce Act to authorize the Secretary of Transportation to assist common carriers of passengers by railroad in preserving and improving essential passenger train services and facilities; to the Committee on Commerce.

(See the remarks of Mr. RIBICOFF when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S.J. Res. 105. Joint resolution to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above joint resolution, which appear under a separate heading.)

ASSISTANCE FOR RAILROADS

Mr. RIBICOFF. Mr. President, I introduce for myself and Senators BROOKE, DODD, JAVITS, and KENNEDY of New York, for appropriate reference, two bills—one to extend the authority of the Interstate Commerce Commission for loan guarantees to railroads under part V of the Interstate Commerce Act, the other to assist passenger railroads through a program of financial help administered by the Department of Transportation.

Both of these bills are intended to provide immediate help for the ailing passenger railroads of the United States. Both would provide assistance to the New Haven Railroad, the only rail system connecting Connecticut, Rhode Island, and Massachusetts, and New York—a railroad threatened with a total and final shutdown in the near future, if help is not provided.

In recognition of the vital nature of the New Haven's service, the States of Connecticut, New York, Rhode Island, and Massachusetts have actively supported the railroad through tax forgiveness programs and direct assistance. I am proud of the fact that Connecticut has been in the lead in this effort—contributing more than $7 million a year to the New Haven in the form of tax relief and bridge and crossing maintenance subsidies.

All of the States have contributed. We are fond of saying in the Congress that the States must meet their responsibilities. In the case of the New Haven, those responsibilities have been met.

Pending in the courts is what most of us believe is the solution to the New Haven's constant financial problem—the New York Central-Pennsylvania Railroad merger. Under the terms of the merger agreement approved by the Interstate Commerce Commission, the New Haven's passenger and freight service must be included. That approval by the ICC has been appealed to the courts, and, after remand by the Supreme Court, is now pending before a three-judge Federal court in the Southern District of New York.

On August 3, 1967, the Interstate Commerce Commission ordered the Pennsylvania, New York Central, and the New Haven Railroads to submit to the Commission by September 3 a lease by which the merged railroad will operate the New Haven immediately on consummation of the merger.

But let us not be misled by the September 3 date. That date is not the date on which the Penn-Central will take over the New Haven. That date is only the return date for the plan. Takeover must await final consummation of the merger—which may well not come until next year and after approval by the U.S. Supreme Court.

What shall we do in the meantime? That is the crucial question.

We have had warnings by the trustees of the New Haven, by Judge Anderson of the Federal district court in New Haven, Conn., and by the officials of the States served by the railroad that the end of the New Haven's cash resources is only a few months away.

Whether it is 30 days or 60 days, the problem is very clear: How will the New Haven continue to operate?

There is no question that the railroad's service is vital and in the public interest. Despite the reduction in service, the New Haven last year operated 1,566 miles of trackage—hauled nearly 20 million tons of freight and carried almost 24 million passengers—employed more than 9,000 persons and contributed a payroll of $73 million to the New England economy. This is a vital resource for Connecticut, New England, and the entire Nation.

President Johnson recognized the New Haven crisis and the need for a solution at his meeting with New England Governors in Connecticut last May.

Equally important, he recognized the vital role that must be played by the Federal Government in solving the New Haven's problems. Immediately after the meeting, the President asked Secretary Alan Boyd of the Department of Transportation to coordinate Federal efforts that might be of help to the New Haven.

That coordinating effort has now been underway for almost 3 months. It has produced a number of meetings, several ideas, many papers—and no action.

During the deliberations, the fortunes of the New Haven have continued to decline. Last Thursday, Secretary Boyd admitted in a statement that one result had been achieved.

> We have come to the conclusion—

The Secretary said—

> that existing Federal programs and activities will be of little assistance in solving the immediate problems of the New Haven. We have, under consideration, a large number of other alternative programs that could be of help in sustaining essential service. These range from doing nothing more than relying on the Pennsylvania-New York Central merger to seeking legislation that would provide emergency funds.

I have had meetings with the White House staff, and officials of the Department of Justice, Housing, and Urban Development, and Transportation.

Secretary Boyd states that existing programs will be of little assistance. I respect his opinion, but I commend to the Secretary's attention two programs which can provide immediate Federal help.

First: The high-speed ground transportation project, scheduled to begin early next year with United Aircraft Corp. turbotrains from Boston to New York. There is no reason why Federal money planned to be used for the project cannot be funneled into the railroad now. I estimate that at least $200,000 a month and perhaps more could be made available in this way.

Second: The Department of Housing and Urban Development is considering a $53 million application to help the New Haven acquire new equipment. The States of Connecticut and New York are prepared to participate and contribute their shares. The application must be expedited and at least a part of it should be approved.

Today I have introduced two bills, which are additional specific proposals to help ailing passenger railroads.

The first would restore to the Interstate Commerce Commission authority to guarantee loans to certain rail carriers to finance or refinance additions and betterments or other capital expenditures made after January 1, 1957, or to finance or refinance expenditures made for maintenance of property.

I ask unanimous consent that the text of a letter explaining the mechanics of the program and describing the use of the loans made under the previous program—which expired in 1963—be printed at the conclusion of my remarks in the Record.

The second bill would establish in the Department of Transportation authority to provide financial assistance to passenger railroads to aid them in preserving and improving essential passenger services and facilities. Such assistance would not be provided unless the application by the railroad was supported by a plan of action—including assistance by State and local governments—to support the railroad's essential service.

Under a formula provided in the bill, funds would be made available for the continued operation of passenger service. Such Federal assistance would not exceed whatever financial aid is available from the States—including tax forgiveness.

Mr. President, we cannot allow the New Haven Railroad—so vital to the economic strength of the Northeastern United States—to be lost to inaction. I hope that these legislative proposals will be given immediate and serious consideration by the Department of Transportation and the appropriate committee of the Senate.

Mr. President, I ask unanimous consent that the two bills be printed at this point in the Record.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills and letter will be printed in the Record.

The bills, introduced by Mr. Ribicoff (for himself and other Senators), were received, read twice by their titles, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

By Mr. RIBICOFF (for himself, Mr. Brooke, Mr. Dodd, Mr. Javits, and Mr. Kennedy of New York):

S. 2328. A bill to amend part V of the Interstate Commerce Act in order to extend the termination date of authority for loan guaranties under such part:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 510 of the Interstate Commerce Act is amended by striking out "June 30, 1963" and inserting in lieu thereof "December 31, 1971".

By Mr. RIBICOFF (for himself, Mr. Brooke, Mr. Dodd, and Mr. Javits):

S. 2329. A bill to amend the Interstate Commerce Act to authorize the Secretary of Transportation to assist common carriers of passengers by railroad in preserving and improving essential passenger train services and facilities:

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Railroad Passenger Train Assistance Act of 1967".

Sec. 2. The Interstate Commerce Act, as amended, is amended by inserting immediately after part V thereof the following new part:

"PART VI

"Purpose

"Sec. 601. It is the purpose of this part to provide for assistance to common carriers of passengers by railroad subject to this Act to aid them in preserving and improving essential passenger train services and facilities, and to encourage State and local governments and their public instrumentalities to extend tax relief and other assistance toward the same end, to encourage the employment of labor, and to foster the preservation and development of a national transportation system adequate to meet the needs of the commerce of the United States, of the postal service, and of the national defense.

"Definitions

"Sec. 602. For the purposes of this part—

"(a) The term 'Secretary' means the Secretary of Transportation.

"(b) The term 'Commission' means the Interstate Commerce Commisison.

"(c) The term 'expense' means expenditures for labor, materials, services and other costs incurred in maintaining, repairing, or renewing road property used in transportation service which are chargeable to the maintenance of way and structure operating expense accounts in accordance with the uniform system of accounts for railroad companies prescribed by the Commission.

"(d) The term 'expenses', in referring to expenses directly assignable as solely related to railroad passenger service or to that portion of common expenses assignable to railroad passenger service, means expenses assignable in accordance with rules governing the separation of operating expenses, railway taxes, equipment, rents, and joint facility rents, between freight service and passenger service prescribed by the Commission.

"Application for aid; conditions precedent to granting

"Sec. 603. In order to carry out the purpose declared in section 601, the Secretary is authorized and directed to consider the application of any railroad subject to this Act for financial aid in the operation of a passenger train or trains required by the present or future public convenience and necessity. No such application shall be approved by the Secretary unless (1) it contains a viable plan outlining action to be taken by such railroad, including any assistance to be supplied by State and local government agencies, to carry out and improve such operation without continued assistance pursuant to this part; (2) the Secretary, after consultation with the Commission, determines that the continuance of such operation is required by the present or future public convenience and necessity; and (3) the Secretary determines that the granting of the aid applied for is necessary to carry out effectively the purpose of this part. Applications shall be under oath or affirmation and in such form as the Secretary shall prescribe. A statement of the findings of the Secretary under the provisions of this section shall be made a matter of public record by the Secretary with respect to each application considered under the provisions of this part.

"Determination of amount of aid

"Sec. 604. (a) The amount of financial aid extended under the provisions of this section shall be determined on the basis of a final accounting respecting passenger train operations conducted during the calendar year preceding the year in which the application is filed and shall be payable as soon as practicable after the end of each such calendar year.

"(b) The maximum amount of financial aid available to any applicant shall be:

"(1) Expenses incurred by the applicant in the preceding calendar year in the maintenance of way and structures which are directly assignable as solely related to railroad passenger service; plus

"(2) Any expenses incurred in the preceding calendar year in the maintenance of the applicant's way and structures by any State, municipality, or other political subdivision, or any public instrumentality thereof, which, if incurred by the applicant, would be an expense directly assignable as solely related to railroad passenger service; plus

"(3) That portion of common expenses incurred by the applicant in the preceding calendar year in the maintenance of way and structures which is assignable to railroad passenger services: *Provided, however,* That the amount of any grant determined in accordance with the provisions of this section shall not exceed the amount of assistance including tax relief, but excluding any assistance available under paragraph (2) above, made available to the applicant in the preceding calendar year by any State, municipality, or other political subdivision, or any public instrumentality thereof, which, in the judgment of the Secretary, is reasonably related to the purpose of this part.

"(c) In determining the amount of aid to be extended to an applicant under the provisions of this section, the decision of the Secretary shall be final.

"Acquisition and modernization of equipment

"Sec. 605. In order to carry out the purposes declared in section 601, the Secretary is also authorized and directed to consider the application of any railroad subject to this Act for financial aid in the acquisition and modernization of passenger cars, including multiple-unit commuter cars, required by the present or future public convenience and necessity. The Secretary shall apply the same conditions precedent to granting aid under this section as are set forth in section 603.

"Discontinuance or change of certain passenger operations or services

"Sec. 606. In the determination of any proposed discontinuance or change in passenger operations or services under the provisions of section 13a of this Act, the Commission shall give appropriate weight to any representations relative to the present or future public convenience and necessity which may have been made by the carrier involved under the provisions of this part and to the amount of tax relief or other assistance extended to the carrier involved by any State, municipality, or other political subdivision, or any public instrumentality thereof which, in the judgment of the Commission is reasonably related to the purpose of this part.

"Assistance of departments or other agencies

"Sec. 607. (a) To permit him to make use of such expert advice and services as he may require in carrying out the provisions of this part, the Secretary may use available services and facilities of departments and other agencies and instrumentalities of the Government, with their consent and on a reimbursable basis.

"(b) Departments, agencies, and instrumentalities of the Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this part.

"Administrative expenses

"Sec. 608. Administrative expenses under this part shall be paid from appropriations made to the Secretary for administrative expenses.

"Appropriations

"Sec. 609. There is hereby authorized to be appropriated not to exceed $100,000,000 to carry out the purpose of this part, and any amounts so appropriated shall remain available until expended."

The letter, presented by Mr. Ribicoff, is as follows:

Interstate Commerce Commission,
Washington, D.C., August 2, 1967.
Hon. Abraham A. Ribicoff,
U.S. Senate,
Washington, D.C.

Dear Senator Ribicoff: This is in reply to your request concerning certain information dealing with part V loan program, namely: (1) A brief summary of the mechanics of how carriers went about getting a part V guaranty, the standards used by the Commission, etc., and (2) a brief description of the total amount of the loans guaranteed by the United States, what was done with them, purpose or use made of the proceeds by the New Haven, B&M, Reading, M–K–T, and CNJ.

Under part V the Commission was authorized to guarantee loans to certain railroads for the financing or refinancing (1) of additions and betterments or other capital expenditures made after January 1, 1957, or to reimburse such railroads for expenditures, made from its own funds for such additions and betterments or other capital expenditures, or (2) of expenditures for the maintenance of property. Section 504(a) of part V provided that no guaranty should be made thereunder:

"(1) unless the Commission finds that without such guaranty, in the amount thereof, the carrier would be unable to obtain necessary funds, on reasonable terms, for the purposes for which the loan is sought;

(2) if in the judgement of the Commission the loan involved is at a rate of interest which is unreasonably high;

(3) if the terms of such loan permit full repayment more than fifteen years after the date thereof; or

(4) unless the Commission finds that the prospective earning power of the applicant carrier, together with the character and value of the security pledged, if any, furnish reasonable assurance of the applicant's ability to repay the loan within the time fixed therefor the reasonable protection to the United States."

In brief, the railroads seeking guaranteed loans filed an application under part V of the Interstate Commerce Act to obtain the Government guaranty as well as authority under section 20a of the Act to issue securities relating to such loans. This office required the application to show the purpose of the loan, statutory and financial justification therefor, the interest rate thereon, railroad's financial statements, such as balance sheets and income statements for past years and projections for future years and, if certain instances, where construction was contemplated, engineering plans. If the railroad sought a loan for the purpose of reimbursing its treasury for funds already expended after January 1, 1957 for additions and betterments or other capital expenditures this office requested the Bureau of Accounts to verify that such expenditures had, in fact, been made. If the proceeds of the loans were to be used for new improvements to railroad property other than equipment, this office arranged for an engineer of the Commission's staff to make a survey of such plans, including a personal inspection of such property to determine the plan's feasibility. After ascertaining that the railroad was seeking a loan for a purpose consistent with the Act, the railroad's financial statements and projections and all contemplated developments were carefully analyzed both in themselves and through discussions with the appropriate staffs of the railroad. In the case of certain commuter railroads, such as the New Haven, B&M and CNJ, consideration was also given to assurances from certain state and local authorities that assistance of one sort or another would be made available by such authorities to the said railroad. Based on the review of the above factors, a judgment had to be made whether a loan requested was one which the carrier was unable to obtain on reasonable terms without a guaranty, that the interest rate proposed was not unreasonably high, and that the full loan could be repaid within 15 years. Another factor that had to be considered was whether the prospective earning power of the applicant together with the character and value of the security pledged furnished reasonable assurance of the railroad's ability to repay the loan within the time fixed therefor and reasonable protection to the United States.

In certain instances where the Commission thought it was necessary, in order to comply with the requirements designated in the Act, restrictions were imposed on the use that the railroad could make of the funds derived from the loan. In other instances, additional collateral was required to be pledged or the amount of the loan was reduced or denied. In view of your request for brevity, a full discussion of such action is omitted.

Following the guarantee of a loan, legal documents giving effect to the loan were reviewed to assure that they would give effect to the terms and conditions prescribed by the Commission's order and that the documents were executed in the form approved by the Commission. Controls were established to assure that the funds were expended for the purpose authorized.

Part V also empowered the Commission to consent to the modification of certain provisions of the loans where the Commission determined it to be equitable to do so. In reviewing petitions for modification, it was felt that a higher test had to be applied since the gratuitous assistance of the Act had expired and modifications were approved only in instances where it was felt such modifications were in the interest of the United States as well as the carrier. The following table shows the original amount of loans guaranteed to the New Haven, B&M, Reading, M-K-T, and CNJ, the outstanding balance of said loans as of June 30, 1967, the statutory purpose of the respective loans, and the use made of the proceeds therefrom.

Finance docket No.	Original loan	June 30, 1967 balance	Statutory [1] purpose	Use of proceeds
		NEW HAVEN		
20372	$8,159,400	$4,351,680	A. & B.	Acquisition of diesel locomotives.
20397	500,000	....	A. & B.	Acquisition of maintenance of way equipment.
20398	1,500,000	802,179	A. & B.	Construction of shop.
21299	13,000,000	12,372,100	R.	Working capital.
		NEW HAVEN TRUSTEES		
21685	$5,000,000	$5,000,000	R.	Working capital.
21808	7,500,000	7,500,000	R.	Do.
		BOSTON & MAINE		
20429	$3,000,000	$1,400,000	R.	Working capital.
21365	3,000,000	2,700,000	R.	Do.
21615	1,000,000	....	R.	Do.
22231	1,000,000	700,000	R.	Do.
22639	1,000,000	....	R.	Do.
		READING		
22545	$30,000,000	$30,000,000	$11,000,000 A. & B. $19,000,000 R.	$11,000,000 acquisition of equipment. $5,000,000 for working capital and $14,000,000 for wide range of capital improvements.
		MISSOURI-KANSAS-TEXAS		
21454	16,000,000	14,080,000	R.	To purchase Missouri-Kansas-Texas' outstanding prior lien mortgage bonds series A and B maturing Jan. 1, 1962.
21552	6,000,000	5,280,000	R.	To purchase Missouri-Kansas-Texas' outstanding bonds.
22577	12,000,000	12,000,000	R.	$2,000,000 to redeem bonds, $5,250,000 working capital, and $4,750,000 for property maintenance or additions and betterments.
		CENTRAL OF NEW JERSEY		
21555	15,000,000	12,375,000	$10,000,000 R. $5,000,000 A. & B.	$10,000,000 working capital; and $5,000,000 equipment.
22640	5,000,000	4,620,000	R.	Working capital.

[1] A. & B.—For additions and betterments or other capital expenditures after Jan. 1, 1957. R—For reimbursement of railroad for expenditures made from its own funds for such additions or betterments subsequent to Jan. 1, 1957.

In all, the Commission has guaranteed loans in 36 separate dockets to 14 railroads for the total amount of $243,972,360, which includes 17 loans in total principal amount of $128,659,400 to the New Haven, and its trustees, the B&M, the Reading, M-K-T, and CNJ. All the loans to the latter five railroads are fully secured based on the Commission's appraisal of collateral except for the loan in Finance Docket No. 21299 to the New Haven. The latter loan to the New Haven was initially denied by the Commission in its interim report dated October 24, 1960, but on reconsideration was approved for several reasons. The Governors of the States of Connecticut and New York, the Mayor of New York and the County Executive of Westchester County agreed at a meeting that the continued operation of the New Haven was essential to the said States and localities and agreed upon a program of financial relief to the New Haven. Thereafter, on October 31, 1960, the Commission met with representatives of said States and localities, and also the State of Massachusetts, and received assurances of relief to the New Haven. Based on such assurances and in view of the emergency situation which confronted the New Haven, the Commission approved the largely unsecured loan, since the need of the New Haven was so urgent that time did not permit the calling of a special stockholders' meeting so as to obtain the necessary consent of the preferred stockholders to the pledge of collateral. However, the New Haven covenanted to apply to the prepayment thereof funds received from certain sources which were anticipated.

In 1961, the New Haven filed a petition in bankruptcy and the United States honored its guaranty in Finance Docket Nos. 20398 and 21299. The trustees of the New Haven assumed obligation with respect to the loans in Finance Docket Nos. 20372 and 20397. The loan in Finance Docket No. 20397 has since been fully repaid. Under part V of the Act the Department of Justice assumed the responsibility of recovering from the estate of the New Haven the amount of the loans and interest in Finance Docket Nos. 20398 and 21299. A settlement had been reached with respect to Finance Docket No. 20398 wherein the trustees of the New Haven agreed to a plan providing for full payment of principal on said loan with the United States waiving interest thereon. The loan in Finance Docket No. 20398 has now been paid down to $802,179. Some small recoveries have been made on the loan in Finance Docket No. 21299 which had reduced the balance on that loan to $12,372,100, but further recovery, if any, on that loan is expected to be very small.

The Central Railroad of New Jersey has gone into bankruptcy in March 1967. The United States has honored its guaranty on the loans in Finance Docket Nos. 21555 and 22640. Recovery upon the latter loans is now being handled by the Department of Justice, but in the short time that has elapsed, no settlements have yet been reported.

I hope this information will be helpful to you.

Sincerely yours,
JAMES T. CORCORAN,
Congressional Liaison Officer.

Mr. BROOKE. Mr. President, our generation may be a witness to the death of the American railroad system, one of the foremost factors in the growth of the United States. Once, not too long ago, flourishing railroad companies provided fast and efficient service for both passengers and freight, and furnished a network which served to bind together every section of the Nation. Now, the railroads are in a serious decline, and some seek to convince us that no further resources should be invested in an effort which will only delay the day upon which the story of the railroads must be relegated to the annals of history.

The decline of the railroads is a problem of national dimensions. But it is one which is symbolized by the present condition of a company which has been, and which continues to be, crucial to the welfare of the entire northeast region of the United States. The distinguished junior Senator from Connecticut has ably presented to the Senate some of the specifics with respect to the situation which now confronts the once great New York, New Haven & Hartford Railroad. I join him in urging the importance of immediate action to guarantee that the New Haven may continue to operate.

The New Haven Railroad has been involved in bankruptcy proceedings since the year 1961. During my years as attorney general of Massachusetts, from the beginning of 1963 to the end of 1966, the New Haven continually sought authorization to discontinue passenger service and to restrict its activities to the transportation of freight. On behalf of the Commonwealth of Massachusetts, I opposed such applications. The Commonwealth of Massachusetts, like the entire Nation, is enjoying a period of economic growth. In order to sustain this economic expansion, proper transportation facilities must be maintained for those persons already living in Massachusetts, as well as for those seeking future employment in the State. The people of Massachusetts and of the entire northeast region will continue to need the safe, dependable means of all-weather transportation which can only be provided by rail service.

We are faced with the possibility of discontinuance of a major part of the railroad service of the Northeast United States. It this unfortunate circumstance does come to pass, many northeast communities will be stripped of adequate rail service, and some will be deprived of rail service altogether. Our highways, already being used at near-peak capacity, will be clogged with added passenger cars and carriers. During periods of inclement weather, many northeast areas will be virtually isolated. Since the New Haven Railroad is a major link between the Northeast and other sections of the country, interstate travel will be profoundly affected if the services which the company has provided are discontinued.

Mr. President, I am not defending the ways in which our Nation's railroads have operated. Much of the declining popularity of railroad travel is the result of the unimaginative policies of the railroads themselves. The plain fact is that the railroads have not responded to the challenge of competition from the airlines, automobiles, and buses. Passenger trains have been dirtier when they should have been cleaner; slower when they should have been faster; less dependable when they should have been more dependable.

But this does not mean that we can afford to let the railroads collapse. The answer, at least so far as the New Haven Railroad is concerned, appears to lie in completion of the proposed New York Central-Pennsylvania Railroad merger which will ultimately include the assets of the New Haven Railroad as well. But, as a result of litigation initiated by competing railroads which eventually reached the U.S. Supreme Court, the merger has been delayed. Takeover of the New Haven Railroad will be delayed at least until next year, and perhaps even longer. Death could come to the railroad during this intervening period.

Accordingly, I strongly support the recommendations which have been made by the distinguished Senator from Connecticut. I am happy to cosponsor the two bills which he has introduced this afternoon. The health of the Nation's railroads is of critical importance. A number of States have already overextended themselves in an effort to provide financial assistance to railroads which operate within their borders. A shot in the arm from the Federal Government is now necessary.

Mr. President, efficient transportation service is essential to the continued wellbeing of the country. Effective transportation requires a variety of methods. We cannot give up any form of travel to which the Nation has become accustomed without suffering serious dislocation in our personal and business lives. I urge that the recommendations and the bills proposed by the Senator from Connecticut receive speedy consideration by this body and by the Congress as a whole.

Mr. KENNEDY of New York. Mr. President, I would like to commend the Senator from Connecticut for his statement drawing our attention to the urgent plight of the New Haven Railroad.

Within the next month, the New Haven may be forced to abandon its operations if financial assistance is not forthcoming. Declining revenues from passenger service and serious cutbacks in shipments of coal and defense materials have jeopardized the very existence of the railroad. The loss of these services would have serious consequences for the New York-New England area, for the New Haven is the only railroad connecting New York with Connecticut, Rhode Island, and Massachusetts. Without these services, 40,000 commuters would be forced to find other means of getting to work, 20,000 tons of freight a year would be disrupted, the whole economy of New England affected, and 9,000 persons would be out of work. It should be clear to all of us that every effort must be made to preserve the New Haven.

The ultimate solution to the financial difficulties that have beset the New Haven for years depends on its inclusion in the proposed Penn-Central merger. But for now emergency assistance must be provided. The States and localities serviced by the New Haven must play their part, but there is also a Federal responsibility to help insure that these services are maintained. Every day the condition of the New Haven worsens, endangering the economy and threatening the commuter access to his job. We must act speedily to assist the railroad through this difficult period.

By reviving the part V guaranties, as the Senator from Connecticut has proposed, we can provide this necessary assistance. The guarantee program worked successfully in the past—the New York Central, which is today financially stable was aided through a period of strain in the past by loans of more than $40 million. And today, the New Haven is not the only railroad that would benefit from these programs—there are at least six roads that face imminent collapse unless they receive aid.

I am less convinced of the need for the Senator's other proposal, which would provide emergency assistance for the cost of passenger operations. This, in my judgment, is more properly a State and local responsibility. Indeed, one wonders why the State of New York has never come to a final agreement with Connecticut to provide funds to keep the commuter service alive. Such an agreement has been promised repeatedly over the past 2 years. Yet it has still evidently not been finally negotiated.

Mr. President, in the past we have assisted railroads in programs of capital acquisition. But today, the need for money is particularly urgent; as the Senator from Connecticut has told us the New Haven faces a final shutdown if we do not act to help provide the funds that will permit the railroad to finance its operations until its future is secure. I believe the need justifies this assistance through the mechanism of the part V guarantee; and I believe the Interstate Commerce Commission has the experience and the firsthand knowledge of railroad operations to administer the program. I hope that all members of this body will consider this legislation favorably so that we can avert the peril that threatens the New Haven Railroad.

Mr. DODD. Mr. President, I am pleased to join my distinguished colleague in cosponsoring the two bills which he introduced today to amend the Interstate Commerce Act to provide assistance to our passenger railroads.

I feel certain that both of these bills will be of great benefit to railroads across the country which are encountering grave financial difficulties in the operation of their passenger services.

In 1965, I introduced a bill to establish a 5-year Federal-State program of matching grants to help railroads with their passenger service problems. Unfortunately, neither this proposal nor any other proposal along these lines was approved. As a result, the passenger service problems of several small railroads remain largely unresolved. Perhaps if we had passed the necessary legislation in 1965, there would be no need for the legislation which we introduce today.

But there is a need for these two bills, and the need is urgent.

In my own State of Connecticut, the bankrupt New Haven Railroad stands as a living testimony of what can happen when government at all levels allows the decline of a railroad.

At the moment, the New Haven is living on a day-to-day, hand-to-mouth existence. Many of us hope that the New Haven's problems will be resolved once it is included in the merger of the New York Central and Pennsylvania Railroads. But the merger itself has been tied up in the courts and no one can predict with any accuracy when the merger will actually be consummated. Until that time those of us who live in the States serviced by the New Haven can only hope and pray that the New Haven will be able to continue its operations.

The problem, however, is much larger than the New Haven, and it affects many more people than those who live in southern New England and New York. It is a problem of national dimensions, for passenger railroads across the country are in trouble, and their preservation is a concern for all of us.

To allow our passenger railroads to decline would inflict a disaster on the entire country and a disaster which is out of all proportion to the cost of the cure. It would mean the scuttling of economic assets now worth billions, because of unwillingness to invest millions; the needless incurring of future highway costs of hundreds of millions to replace railroads that could have been saved by a fraction of that cost; and the creation, perhaps, of new depressed areas strangled by inadequate rail transit, which will one day have to be revived by massive antipoverty programs.

The two bills introduced today could prevent that disaster.

They will help to save those passenger railroads which are dying of obsolescence because they cannot raise the funds even to operate, let alone modernize and revitalize.

I believe that Federal leadership, through programs adequate to the interstate size of the problem, is the only way to save our passenger railroads and I believe that these two bills mark an important step in the right direction.

Mr. President, I urge their prompt enactment.

Mr. PELL. Mr. President, I wish to support and associate myself with the remarks of the Senator from Connecticut [Mr. Ribicoff] regarding the New Haven Railroad. We from New England are painfully aware that we may be approaching the climax of the long string of recurrent crises which have plagued this unfortunate but most essential railroad line. It has been difficult, from the beginning, for all of us in the public and political sector, to provide tangible assistance and support for the railroad because we have lacked the institutional arrangements to extend help to an element of the private sector of the economy, even when that element is providing necessary public service. The Senator from Connecticut has suggested two useful ways to overcome this problem and I congratulate him for doing so.

It is still not completely clear whether or to what degree the ultimate survival of the railroad will depend on public support. The Interstate Commerce Commission has wisely provided for immediate inclusion of the New Haven, by lease, in the Penn-Central merger, as soon as that merger becomes effective. But I am advised that court action on the merger could continue for several more months, assuming maximum complications, and in the meantime, the New Haven's cash reserves are being depleted at such a rate that it will be unable to meet its payroll by late September of this year. So it is evident that emergency steps must be taken to keep the railroad in operation at least until the Penn-Central merger case is finally resolved.

As a first step, I have urged that the Senate take firm steps to restore an appropriation of $450,000 for the high-speed ground transportation program of the Department of Transportation. As I pointed out in testimony before the Senate subcommittee on transportation appropriations yesterday, the $450,000 cut by the House had been earmarked for reimbursing the New Haven for special roadbed maintenance necessitated by the operation of two new turbine-powered high-speed passenger trains under DOT's demonstration program. This payment thus will help the New Haven's cash position, at least in a modest way, and so it seems to me that the reinstatement of this appropriation is the very first step, and probably the swiftest step, which we in Congress can take to provide immediate relief for the New Haven.

Beyond that, I was very pleased to note Secretary Boyd's statement of August 17 that:

> We have, under consideration, a large number of other alternative programs that could be of help in sustaining essential service. These range from doing nothing more than relying on the Pennsylvania-New York Central merger to seeking legislation that would provide emergency funds.

This is encouraging indication that the urgent problem of the New Haven is under continuing scrutiny at the highest levels of the executive branch and that all variations of solutions are being considered. I am sure that the proposals advanced by the Senator from Connecticut [Mr. RIBICOFF] will be welcomed in this context.

In this context also, I wish to take note of my own bill, S. 1806, which would provide for operation of the New Haven's passenger service by an interstate public authority, and which I introduced on May 17, following President Johnson's assurance of Federal cooperation in resolving the New Haven crisis. My bill was advanced as a possible element in an overall reorganization plan, in which, as I suggested, the Federal Government could and should take an initiative in order to provide a viable, orderly, and long-range solution. I still believe very strongly that the problem will not be solved until it is attacked from this comprehensive viewpoint, and I hope that this approach is being considered by the Department of Transportation.

The immediate problem, of course, is short-term cash assistance, and the most direct route at hand is via the Department of Transportation appropriation bill. In this connection, I ask unanimous consent that my statement before the Senate Transportation Appropriations Subcommittee be included in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CLAIBORNE PELL, BEFORE SENATE APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, AUGUST 21, 1967

Mr. Chairman: I greatly appreciate this opportunity to appear here today to express my views regarding a specific portion of the Department of Transportation Appropriation Bill, and that is the High Speed Ground Transportation project which is housed in the Federal Railroad Administration.

I have a very special reason for coming here to plead for this program, as you may know, and that is simply the paternal relationship which I am proud to claim to it. This relationship dates back to June 1962, when I made a speech in the Senate urging the modernization of rail passenger service in the Northeast Megalopolis between Washington and Boston, and introduced a resolution authorizing the negotiation of an eight-state public authority to finance the renovations needed. As a result of President Kennedy's interest in this proposal, a modest study program known as the Northeast Corridor Project was started in the Department of Commerce, and in 1965 this project was expanded into the program now before you. It is authorized specifically by the High Ground Transportation Act of 1965, and I have always been very proud of the fact that when President Johnson signed that act on Sept. 30 of that year he stated publicly that one of the reasons for the enactment was the fact that I had "harassed" him "week after week" to take action. Finally, by way of general background, I would like to point out that the whole story of this program is told in my book "Megalopolis Unbound: The Supercity and the Transportation of Tomorrow," which was published last year by Frederick A. Praeger of New York, and which I would like to incorporate by reference into the record of this hearing.

With regard to the appropriation bill before you, I note with considerable dismay that the House appropriation committee has reduced the $18.6 million requested to $10.3 million. This is a cut of 44 per cent, which on its face, would seem to be a disproportionate reduction in a program which has been duly authorized and widely acclaimed. And when I look beyond these overall considerations and examine the reasons given in the House report for the reductions, I must stay, with all respect to our colleagues in the other body, that their action was based either on misinformation or misjudgment.

A good case in point is the rather modest $450,000 cut in demonstration projects, which happens to be the most crucial item as far as New England is concerned. The House report simply said that this reduction should be "applied to low priority items in other demonstrations programs." I am advised that the *only* place where this reduction can be applied is against the turbotrain demonstration on the New Haven Railroad. This is a project for which the federal government has already made substantial commitments and which is on the verge of becoming operative; I might say that just a week ago today, on August 14 I had the privilege of participating in the first public inspection of the first of two turbotrains to be based in Providence, and I found it to be a most impressive and exciting manifestation of this whole project. However, I am advised that if this $450,000 cut is allowed to stand, there will be a deferral of upgrading and maintenance of roadbed necessary for the proper operation of the demonstration program. And, as a result, the program will have to be reduced in scope, either by cutting speeds or reducing the schedule or by not operating one of the trains. This, in turn, would mean not only that the investment to which the federal government is already committed would not be utilized, but also—and this is perhaps of even more consequence—there would be no opportunity to make an adequate test of public response to the new service, which, of course is the whole point of the program.

There is, moreover, an important corollary consideration involved here, too, which relates to the particular circumstances surrounding the railroad situation in New England at this time. As Secretary Boyd has explained to you, the contemplated federal payments for maintenance and upgrading will simply reimburse the New Haven Railroad for special work necessary to the support of the demonstration. The availability of these funds will help the cash position of the railroad at a very critical time while it awaits consummation of the Penn-Central merger as an alternative to liquidation. Clearly, this is a secondary consideration, as I have indicated, but it is a practical matter which I hope this committee will weigh in the overall context of the program.

All in all, I must say that I am not persuaded, and I don't think anyone else is persuaded, that this $450,000 cut can be applied against a "low priority item" as the House report suggests. I therefore urge this committee, as strongly as I can, to restore this item in full and to insist on its retention in conference.

Turning to the other, larger items disallowed by the House, I must say that I am equally unimpressed by the reasons given in the House reports. Under Research and Development for example, the House disallowed $1.9 million for work on air suspension vehicles, on the grounds that "a number of other agencies have R&D programs concerning air cushion vehicles and that information should be available to the Department." It is true of course, that other government agencies, including the Navy and the Maritime Administration, have sponsored research on skirted, air cushion devices designed for operation on random routes over water and open areas, but this overlooks the fact that the DOT program is concerned with *tracked* air cushion vehicles to meet civilian transportation needs in scheduled operations over specified rights of way in urbanized areas, and the technological considerations are quite different. I might say, in this regard, that I have personally inspected and ridden the French Aerotrain, which is a tracked air-suspended vehicle of the type I have just described, and I have been very favorably impressed with its potential for smooth, high-speed operations. It has been suggested, for example, that this type of device might lend itself admirably to service between airports and metropolitan centers in the era, which is almost upon us, when "stretched jets" and super transports disgorge hundreds of passengers at one time on a given air terminal.

Equally unpersuasive, I believe, were the reasons given by the House report for denying the $3.5 million sought for the autotrain project. As I stated in my book "Megalopolis Unbound," the auto-ferry is "an eminently sensible way to combine the flexibility and mobility of the automobile with the efficiency of mass transportation." It is for this very reason that the DOT program considers the auto train project an important integral part of its demonstration program in testing consumer response and thus pointing the way to an innovation in transportation that might lend itself to further commercial application and in the process save lives, reduce congestion and reduce public highway expenditures. But the House report overlooks all of these considerations and simply says "if the project is economically feasible, there is no reason why private industry cannot proceed with it." This argument simply ignores all of the basic assumptions underlying the High Speed Ground Transportation Act, namely that private industry has demonstrated that it either cannot or will not take the risks necessary to explore such innovations and that government, to promote the public interest, has to take at least the first step. This, as I see it, is what the demonstration program is all about.

And this brings me, Mr. Chairman, to my final, and perhaps most serious criticism of the action taken by the other branch. I refer to what strikes me as the general negative tone of the House report, which if confirmed by the Senate, could place serious restraints on the program. On page 29 of the House report, there appears the following statement:

"A careful analysis of the various projects and demonstrations, both underway and proposed, leads the Committee to the conclusion that many of them are of questionable value and if pursued at all, should be financed by private industry, rather than by the Government."

It seems to me that this language virtually flies in the face of the authorizing legislation, PL 89–220, the High Speed Ground Transportation Act of 1965, and the legislative history thereof, which very clearly states the intent of Congress to authorize such activity. PL 89–220 reflects a public policy decision to conduct publicly financed market tests with modern, up to date equipment, and to underwrite and stimulate, at the same time, the development of new technology. The House appropriations report, it seems to me, comes perilously close to disavowing this basic authorization.

I fully realize, Mr. Chairman, the many pressures which the members of this committee are under and I appreciate the hard choices you must make in view of the extreme pressures on the federal budget at this time. And so I fully realize that, while I and many other senators who are interested in this bill would like to see all of the funds restored under this program, it may be possible for you to restore only a portion thereof. But in addition to restoring all or part of these funds, there is one extremely important and positive thing which you could do, and that is to indicate that you look with favor and approval on the general thrust of this excellent program. If your report would reflect such an attitude, I believe it would help immensely to repair some of the damage done by the House report and enable the excellent staff which is administering this program to proceed with confidence to develop their plans on a continuing basis until such time as they can be fully funded.

A JOINT RESOLUTION REGARDING AN AMENDMENT PROVIDING FOR MEMBERSHIP BY THE UNITED STATES IN THE PAN AMERICAN INSTITUTE OF GEOGRAPHY AND HISTORY

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference a joint resolution concerning an amendment providing for membership and participation by the United States in the Pan American Institute of Geography and History.

The proposed joint resolution has been requested by the Assistant Secretary of State for Congressional Relations and I am introducing it in order that there may be a specific resolution to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this resolution, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the joint resolution may be printed in the RECORD at this point, together with the letter from the Assistant Secretary of State to the Vice President dated August 14, 1967, in regard to it, and a memorandum describing the Institute and its work.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution, letter, and memorandum will be printed in the RECORD.

The joint resolution (S.J. Res. 105) to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S.J. RES. 105

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 89–646, Eighty-ninth Congress, approved October 13, 1966, is amended by striking out "$90,300" and inserting in lieu thereof "$200,000" in Section (1) and adding "(3) the sum of $263,950 for payment by the United States of its assessed annual contributions for the period beginning July 1, 1964 and extending through the fiscal year expiring June 30, 1967."

The letter and memorandum, presented by Mr. FULBRIGHT, are as follows:

DEPARTMENT OF STATE,
Washington, August 14, 1967.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: I submit herewith a proposed draft amendment to the Joint Resolution, as previously amended, providing for membership and participation by the United States in the Pan American Institute of Geography and History.

S.J. Res. 108, enacted as PL 89–646, raised the authorization for the annual United States contribution to the Institute from $50,000 to $90,300. It also provided for financing the activities of the United States National Section of the Institute. Although the legislation provided for a higher contribution than previously permitted, the authorization still fell short of the U.S. assessment of $151,350 for the fiscal year 1967.

The $200,000 authorization provided for in the accompanying legislative proposal would enable the United States to pay in full its current annual quota assessment in the Pan American Institute of Geography and History. This figure is based on the Institute's present financial requirements plus a margin to cover anticipated wage and price increases over the next five years estimated at 4 to 5 percent per annum. The margin would obviate the necessity for annual requests for new legislation to enable the United States to pay its assessment, yet would maintain a ceiling that would require legislative approval in the event of any appreciable program increase.

The United States is currently in arrears in its contributions to the Pan American Institute of Geography and History in the amounts of $101,550 for fiscal year 1965, $101,350 for fiscal year 1966 and $61,050 for fiscal year 1967. The proposed legislation would authorize payment of these arrearages.

A memorandum describing the Institute, its work and the proposed draft amendment is enclosed.

The Department has been advised by the Bureau of the Budget that from the standpoint of the Administration's program, there is no objection to the submission of this proposal to the Congress for its consideration.

Sincerely yours,
WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

MEMORANDUM TO ACCOMPANY PROPOSED AMENDMENT TO THE JOINT RESOLUTION PROVIDING FOR MEMBERSHIP OF THE UNITED STATES IN THE PAN AMERICAN INSTITUTE OF GEOGRAPHY AND HISTORY

The Pan American Institute of Geography and History was created by a resolution of the Sixth International Conference of American States in 1928. In 1949 it entered into an agreement with the Organization of American States whereby it became an inter-American specialized organization. It is composed of the American States (the present Government of Cuba is excluded) and Canada. The Secretariat, numbering about 18 persons, is located in Mexico. The United States has played a leading role in the Institute since its formation.

The Institute divides its work among the fields of geography, history, cartography, and the geophysical sciences. It serves government agencies concerned with those fields by providing a means for the exchange of technical information, developing scientific studies requested by the governments, and organizing projects which can best be carried forward through cooperative efforts of the member states. Its technical competence and significant contributions are recognized throughout the Americas.

The continuing work of the Institute is carried out through meetings of scholars and scientists at General Assemblies and Commission Consultations, through some 30 committees and working groups, and through the publication of professional journals, newsletters, and special publications of a technical nature.

Other accomplishments of the Institute have included the encouragement of aerial photo and mapping programs in cooperation with the Inter-American Geodetic Survey of the U.S. Army, the organization of an international training center in Brazil for scholars in the field of resource development, and the organization of regional pilot projects requiring the cooperation of cartographers, geographers, and historians.

Of immediate pertinence to the budget increase adopted by the Directing Council for fiscal years 1965 through 1968 is the Institute's proposal to undertake, as funds become available, more than a score of specific projects which will directly benefit the economies and the technical potentials of the member states. Among the projects proposed by the VI Directing Council in 1963, are the following which were given priority preference by the IX Directing Council in 1966:

1. Geographic studies of renewable natural resources in Latin America.

2. Pilot study of sub-Andean valleys (for economic development purposes).

3. Special subject maps of Latin American population, land use, climatic phenomena, transportation, techtonic conditions, etc.

4. Grants for the exchange of teachers and students, to improve the level of instruction in cartography, geography and history.

5. Extension of geodetic control networks.

6. Rectification of leveling in Southern Chile.

7. Magnetic determinations in Central America.

In addition, the Directing Council of 1967 will include on its agenda a report of the ad hoc Committee on Remote Sensing (established last year) requesting top priority for a multilateral program in cooperation with the United States to test in aircraft, over selected Latin American sites, newly developed or recently perfected remote sensing instruments for subsequent use on a broader scale in orbiting spacecraft.

In recent years, the Institute has developed its work to a point where additional resources can be used with good effect. Effective in Fiscal Year 1965, the annual budget was increased to $250,000 and an assessment system based on the Pan American formula was adopted. PL 89–646 attempted to give recognition to this change by raising the dollar authorization on the annual United States contribution to the Institute from $50,000 to $90,300. This figure was arrived at by applying 60.2 percent (rather than the actual United States assessment percent for that year of 60.62) against the former annual budget of $150,000. Because an invalid percentage figure and an outdated budget were used in setting the present authorization, the United States is unable to meet in full the U.S. assessment of $151,350 for the fiscal year 1967.

The $200,000 authorization provided for in the accompanying legislative proposal would enable the United States to pay in full its current annual quota assessment in the Pan American Institute of Geography and History. This figure is based on the Institute's present financial requirements plus a margin to cover anticipated wage and price increases over the next five years estimated at 4 to 5 percent per annum. The margin would obviate the necessity for annual requests for new legislation to enable the United States to pay its assessment, yet would maintain a ceiling that would require legislative approval in the event of any appreciable program increase.

The United States is currently in arrears in its contributions to the Pan American Institute of Geography and History in the amounts of $101,550 for Fiscal Year 1965, $101,350 for Fiscal Year 1966 and $61,050 for Fiscal Year 1967. The proposed legislation would authorize payment of these arrearages.

The Department of State believes that experience over the past years has demonstrated that the Institute is an effective instrument for promoting geographic and historical research development throughout Latin America. Moreover, the Institute's technical activities contribute to the general economic development of the area by disseminating information and techniques, especially in the field of natural resources. The Institute, with its hemisphere-wide membership and professional support, thus stimulates scientific progress in Latin America and furnishes a necessary complement to the larger United States programs of technical and financial assistance.

AMENDMENT OF TARIFF SCHEDULES OF THE UNITED STATES RELATING TO THE CLASSIFICATION OF CHINESE GOOSEBERRIES

AMENDMENT NO. 282

Mr. HOLLINGS submitted an amendment, intended to be proposed by him, to the bill (H.R. 2155) to amend the Tariff Schedules of the United States with respect to the classification of Chinese gooseberries, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILL AND JOINT RESOLUTION

Mr. GORE. Mr. President, I ask unanimous consent that at its next printing the name of my distinguished colleague [Mr. BAKER] be added as a cosponsor of S. 918, a bill to authorize the building of a bridge in Chattanooga, Tenn.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, on behalf of the distinguished Senator from Minnesota [Mr. MCCARTHY], I ask unanimous consent that at the next printing of Senate Joint Resolution 54, proposing an amendment to the Constitution of the United States relative to equal rights for men and women, the names of the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Mississippi [Mr. STENNIS] be added as cosponsors of the joint resolution proposing an amendment to the Constitution of the United States relative to the equal rights for men and women.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS ON RADIATION HAZARDS BY COMMITTEE ON COMMERCE

Mr. BARTLETT. Mr. President, on August 28 to 30, Monday through Wednesday of next week, the Senate Commerce Committee will hold its first round of hearings on S. 2067, the Radiation Control for Health and Safety Act of 1967. This bill would authorize the Secretary of Health, Education, and Welfare to step up the research efforts of the Department in the field of radiological health and safety and to develop and administer standards for the control of radiation emissions from electronic products which are in commerce or are imported into the United States.

The committee will be hearing from leaders in the field of radiological health, various Government officials involved in radiation control, and representatives of the health professions and of industry.

Hearings held during the past few weeks by two subcommittees of the House Committee on Interstate and Foreign Commerce have focused primarily on the aspect of this problem that has attracted most public attention—the radiation hazards associated with certain color television receivers. The House committee plans to hold additional hearings later this session, I understand, but the record that has already been compiled is of great value, and it enables the Senate committee to move more easily to the next logical step of the inquiry. Our purpose is to go beyond the television problem and to ascertain the dangers that might be related to the growing range of household, medical, communications, and industrial devices which emit radiation.

We will want to explore what is now known about the health effects of various levels of radiation exposure. We need to know how the professional groups now involved in the field go about setting standards for maximum exposure. Does the problem extend beyond ionizing radiation to other parts of the electromagnetic spectrum? What are the latest figures on the exposure levels being borne by workers and by the population? How close do these levels come to acceptable limits? What are the main sources of this exposure? Can it be appreciably reduced, and how?

The committee wishes to obtain an overall view as to which electronic products and devices now being used in medicine, in industry, and in the home have a potential for emitting harmful doses of radiation. Do we have sufficient data as to what these devices are and what levels of radiation exposure might be associated with them? Is there a need for more systematic surveillance? What responsibility for minimizing radiation hazards has been assumed by the manufacturers of such devices or by professional groups? How great an effort is there, for example, to develop attachments or improvements in instrumentation and design which would minimize dosages emitted by medical and dental equipment or industrial devices? What steps are taken to update older equipment already in use, or to train operators?

It is also important to get a picture of present regulatory efforts. How consistent and how adequate are State and local efforts to investigate possible hazards and to exercise effective control? Is there a need for stepped-up Federal research in this area? Is the setting and enforcing of standards for certain devices at the Federal level appropriate? Is the setting of manufacturing standards an adequate remedy, or do we need to consider the need for training operators, for inspecting and maintaining equipment already in use, and so forth? What kind of governmental machinery is needed?

These are important questions, Mr. President, questions to which we must have answers if we are to legislate effectively in this area of growing national importance. We cannot wait until crisis after crisis arises, such as the recent television incident, and then enact stopgap measures in a mood of fear and hysteria. We must rather recognize devices and techniques which utilize or inadvertently emit radiation for what they are—the products of our technological advance which, while they have a tremendous potential for good, must also be brought under effective surveillance and control.

Fortunately, the witnesses who will be appearing before the Commerce Committee represent a body of experience and expertise that should go far toward enlightening us on these issues. The preliminary and tentative listing released today by the Senate Commerce Committee indicates that on August 28 we shall be hearing from Mr. Hanson Blatz, director of New York City's Office of Radiation Control; Dr. Russell H. Morgan, radiologist-in-chief at Johns Hopkins Hospital and chairman of the National Advisory Committee on Radiation; and Dr. Karl Z. Morgan, of the Health Physics Division of the Oak Ridge National Laboratories.

On August 29 the committee will receive testimony from Dr. William H. Stewart, Surgeon General; Mr. Vernon G. MacKenzie, Assistant Surgeon General; Mr. James G. Terrill, director of the National Center for Radiological Health; and Dr. Lauriston S. Taylor, president of the National Council on Radiation Protection and Measurement.

The committee on August 30 will hear from Mr. James Young, vice president of engineering services of the General Electric Co.; representatives of the American Dental Association; Dr. Fred Medwedeff, a practicing dentist from Nashville, Tenn., who has developed a collimating device designed to reduce dental X-ray exposure; and Dr. Merrill Eisenbud, professor of industrial medicine at New York University.

Radiation exposure from medical, industrial, communications, and household devices is a matter of urgent and growing concern. If the Congress is to exercise foresight and legislative responsibility it must first collect the best information and advice that is now available. The caliber of the witnesses which the Commerce Committee has been able to assemble for August 28 to 30 lends considerable assurance that our hearings will be a major step in the right direction.

NOTICE OF HEARINGS ON INQUIRY ON PLANNING-PROGRAMING-BUDGETING

Mr. JACKSON. Mr. President, from the start of its work in 1959, the Subcommittee on National Security and International Operations has had a continuing interest in the role of the budgetary process in planning and controlling national security policy. In November 1960 a subcommittee report urged President-elect Kennedy to employ the budgetary process as a key program management tool:

> Budget targets should be regarded not primarily as fiscal instruments but as policy instruments.

In the summer of 1961 the subcommittee held hearings on the budgetary process at which Defense officials gave the first explanation before a congressional committee of the planning, programing, and budgetary system being installed by Secretary McNamara. In October 1961 a subcommittee staff report argued:

> Federal budgetmaking, in the main, has concentrated on developing information useful for day-to-day administration of the departments and agencies. Not nearly as much attention has been paid to preparing budgets in such a way as to make them most useful in establishing priorities, in forward planning, in choosing between programs, and in measuring expenditures against meaningful performance yardsticks.

On August 25, 1965, President Johnson initiated a planning programing-budgeting system—PPBS—throughout the executive branch, similar to that introduced into the Department of Defense in 1961. There is, therefore, a substantial experience on which to draw in considering the benefits and costs of the planning-programing-budgeting process.

The subcommittee believes that it will be useful to review the application of PPB in Defense, the lessons of this experience, and the problems encountered in the experiments with PPB in other departments and agencies concerned with national security. In undertaking this review, the subcommittee's purpose is to be helpful both to the executive branch and to Congress. The inquiry will be conducted on a professional and nonpartisan basis.

At my request, three publications have been prepared by the staff: "Official Documents," which contains Presidential statements on PPBS and current Budget Bureau guidelines; "Selected Comment," which provides recent comment from different viewpoints on program budgeting, systems analysis and cost-effectiveness studies—key features of PPB—and an "Initial Memorandum," which identifies the range of issues on which the subcommittee seeks counsel and will take testimony.

During the 90th Congress, the subcommittee will hold hearings at which testimony will be given by present officials of the Government and by other outstanding witnesses. The director of the Bureau of the Budget, Charles Schultze, will testify on August 23 in executive session. Other witnesses for executive and public sessions will be announced later.

TRIBUTE TO CHARLES H. JORDAN, A WORKING HUMANITARIAN

Mr. JAVITS. Mr. President, many Members of the Senate have been very deeply troubled by the mystery surrounding the tragic and untimely passing of Charles H. Jordan, an instructor and an official of the American Joint Distribution Committee, who apparently died under very mysterious circumstances.

His body was found in a river in Prague.

I knew Mr. Jordan personally. I knew many of his friends.

In my judgment, it is the duty of the Nation's authorities to penetrate this mystery. It is most important to our Nation's honor and the security of its nationals.

I will do my utmost to see that this is done.

As for the man himself, Mr. Jordan was a most distinguished man who had worked for 26 years as an outstanding humanitarian in the saving of lives of people in grave danger in Asia and Europe and Latin America for more than a quarter of a century.

Mr. President, we all deeply mourn the loss of Charles H. Jordan. He was one of the finest humanitarians who ever strode the earth.

Again, I repeat that I shall do my utmost to bring about some findings in connection with the mystery. I consider it to be of the utmost importance to our Nation's honor and the security of our nationals whenever they travel, especially behind the Iron Curtain.

I might say, Mr. President, that I believe it is critically important to those countries, also, that there should be no mystery, but that the facts should be widely known; for these countries, it is well known, are trying to establish themselves in terms of respectability and honor with respect to the world, especially the free world, and this could be a critical case in point.

UNJUSTIFIED CRITICISM OF THE ROLE OF THE EEOC IN THE RECENT NEWPORT NEWS SHIPBUILDING & DRY DOCK CO. LABOR DISPUTE

Mr. JAVITS. Mr. President, last week an article which appeared on the first page of Barron's, of July 17, 1967, was inserted into the RECORD. The article was very critical of the EEOC, and directly implied that the Commission's action in persuading the Newport News Shipbuilding & Dry Dock Co. to enter into a conciliation agreement which rectified longstanding racial discrimination against Negroes employed by the company was responsible for a recent labor dispute involving some violent episodes. The article suggested that the ostensible reason for the strike—the company's overtime policy—was not the real issue and that the strike was really attributable to resentment among white employees over the treatment of Negro employees pursuant to the conciliation agreement.

Mr. President, the article reading it carefully, does not actually state, in so many words, that the labor dispute involved the conciliation agreement, but it implies that this was the case.

Mr. President, the function of the EEOC is so critical to our overall fight against racial discrimination that I think the record should be set straight. The fact it seems to me demonstrates that racial discrimination and the conciliation agreement negotiated by the EEOC really had nothing to do with the recent dispute. I call the Senate's attention to a letter dated August 11, 1967, from Mr. Willoughby Abner, Special Assistant to the Director of the Federal Mediation and Conciliation Service, to Mr. Chris Roggerson, a conciliator of the EEOC regarding the dispute. Federal mediators were involved in the negotiations which led to the settlement of the dispute. Hence, they are in the best possible position to know what were the actual issues. The letter specifically states that at no time during either the joint negotiating sessions of the parties at which Federal mediators were present, or at separate sessions between the mediators with the union and the company was racial discrimination or racial unrest even referred to. The letter also states that:

> At no time during the course of the mediation of this dispute did the Federal mediators involved sense or detect racial unrest or racial discrimination as a factor in the dispute.

Finally, the letter states that the only reason it could even be written, in view of the confidentiality of the mediation process, is that the subject of racial discrimination "simply was not dealt with at the bargaining table or in separate meetings conducted by Federal mediators."

Mr. President, attached to the letter is a copy of a settlement agreement executed by the parties which seems to me to confirm the statements in the letter. The agreement covers the concerted refusal to work overtime, disciplinary action against employees who participated in the strike, a study of the "incentive problem" and a study of "rate ceilings." None of these matters has any real connection with racial discrimination.

Mr. President, I ask unanimous consent that the letter from Mr. Abner, the settlement agreement attached to the letter as well as a letter from Commissioner Holcomb to the editor of Barron's concerning the article be printed in the RECORD. I also ask unanimous consent that the original conciliation agreement, and an analysis of it by Prof. Alfred Blumrosen be printed in the RECORD.

Mr. President, it has been suggested, on the basis of the Barron's article, that the powers of the EEOC should be curbed rather than expanded. As the cosponsor of S. 1308 and S. 1667, the two bills now being considered by the Committee on Labor and Public Welfare which would give the EEOC cease and desist order power, I am particularly concerned to set the record straight on this article. It would indeed be a travesty of justice if this story had any real influence on the important legislation regarding the EEOC.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEDERAL MEDIATION AND
CONCILIATION SERVICE,
Washington, D.C., August 11, 1967.

Mr. CHRIS ROGGERSON,
Conciliator, Equal Employment Opportunity Commission, Washington, D.C.

DEAR MR. ROGGERSON: Following your telephone call of August 9, 1967, I contacted the Director of FMCS Region 2 and the Commissioners of our Service who mediated the dispute between the Peninsula Shipbuilders' Association (Union) and the Newport News Shipbuilding and Dry Dock Company which was settled on July 14, 1967.

The facts as reported to me are as follows:

1. At no time during the joint sessions conducted by Federal mediators was the subject of race referred to directly or indirectly as a causal factor in this dispute. In fact, there was no mention of racial discrimination or racial unrest during these joint sessions.

2. At no time during any of the separate meetings held by mediators with representatives of the Company was the subject of racial discrimination or racial unrest discussed or ever referred to.

3. At no time during any of the separate meetings held by the mediators with representatives of the Union was the subject of racial discrimination or racial unrest discussed or ever referred to.

4. At no time during the course of the mediation of this dispute did the Federal mediators involved sense or detect racial unrest or racial discrimination as a factor in the dispute.

As you know, the Federal Mediation and Conciliation Service, through its policies, regulations and practices, strictly protects the confidences of the parties revealed during the course of the mediation of a dispute. It is possible to give you the above information in this particular case only because it involves subject matter which simply was not dealt with at the bargaining table or in separate meetings conducted by Federal mediators.

Sincerely,

WILLOUGHBY ABNER,
Special Assistant to the Director.

P.S. Enclosed is a copy of the Settlement Agreement reached by the parties in this dispute.

AGREEMENT

JULY 14, 1967.

1. In view of the P.S.A. statement that a "concerted refusal to work overtime" by employees of the Transportation Department did not take place, and the P.S.A. statement that it did not condone, support or give leadership to any such "concerted refusal to work overtime," the Company will remove from the personnel records of Deese, Little and Evans the disciplinary action taken against them and will pay them for time lost as a result of the Company's disciplinary action. Deese, Little and Evans will be paid for the two (2) days disciplinary time off after this agreement is signed. The company and the P.S.A. agree that a "concerted refusal to work overtime" by employees is a violation of Article XII of the existing contract between the parties.

The Company and the P.S.A. agree that the settlement herein set forth disposes of all administrative, legal and contractual obligations of the parties relating to the Company's disciplinary action against Deese, Little and Evans.

2. Employees who participated in the strike will not be disciplined or retaliated against by the Company for such participation.

The Company and the Union deplore and condemn those engaged in acts of violence during the strike.

3. The Company agrees that the "incentive problem" shall be given a thorough and objective study and affirmative action shall be taken where the Vice President and General Manager and the Personnel Manager find such action is justified.

4. The Company agrees that where there are "rate ceilings" in classifications there shall be a thorough and objective study and affirmative action shall be taken where the Vice President and General Manager and the Personnel Manager find such action is justified.

PENINSULA SHIPBUILDERS' ASSOCIATION,
L. W. GAULEY, *President.*
NEWPORT NEWS SHIPBUILDING AND DRY
DOCK COMPANY,
C. W. MYERS, *Personnel Manager*

THE EDITOR
Barron's,
New York, N.Y.

Your July 17th article on the Equal Employment Opportunity Commission overlooks the fact that in setting up the Commission under Title VII of the Civil Rights Act of 1964, Congress recognized that neither previous governmental activities nor efforts in the private sector had provided adequate remedies for employment discrimination.

The Conciliation Agreement signed March 30, 1966, by the Newport News Shipbuilding and Drydock Company provided concrete and practical remedies tailored to meet the specific conditions and problems of racial discrimination in the ship yard.

Under the agreement, the company itself in one year recorded more than 3,000 promotions of different kinds for the 5,000 Negro employees. One hundred Negroes are now supervisors or are in line to become supervisors.

In addition, the apprentice school has accepted nearly fifty Negro applicants and the faculty of the school has been integrated. Lockers, shower rooms and toilet facilities have been desegregated. A seniority system providing for future promotions on the basis of length of service and activity has been instituted.

The President of the Newport News Shipbuilding and Drydock Company, Donald A. Holden, after the conciliation said, "we are proud of our part in working out this agreement. It represents, in our view, an effective and responsible effort by the Company and the Commission to further achieve genuine equality of opportunity for Negroes in our yard."

The company's personnel manager thanked the Commission for "the expeditious handling of the approval of the conciliation agreement."

The results of the conciliation were arrived at with the help of one of the nation's outstanding consulting firms, Case & Company.

Indeed, the cooperation of the company and other interested parties during the negotiation of the conciliation agreement fully recognized both the need and the willingness to correct conditions of employment discrimination at Newport News.

Such willingness on the part of the company goes to the heart of the Commission's purpose to assist employers and unions in overcoming obstacles to equal employment opportunity.

The Newport News agreement indicated significantly how sound governmental action taken in cooperation with interested parties can solve problems of employment discrimination and can do so without serious harm to the interest of employers; and that in addition, benefits can result for white employees as well as for Negroes.

Sincerely,

LUTHER HOLCOMB.

CONCILIATION AGREEMENT BETWEEN EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ET AL. NEWPORT NEWS SHIPBUILDING AND DRYDOCK COMPANY

Equal Employment Opportunity Commission, Washington, D.C.: Case No. 5-7-235, 5-7-237, 5-7-520 and 5-7-521, in the Matter of the Conciliation Between Equal Employment Opportunity Commission; Thomas Mann; James Lassiter; Arthur Ford; Reverend J. C. Fauntleroy, et al.; Conciliation Agreement Complainants and Newport News Shipbuilding and Drydock Company, Respondent

Charges having been filed under Title VII of the Civil Rights Act of 1964 by the Charging Parties, the Commission having found reasonable cause to believe the charges to be true and the matter having been conciliated, the parties hereby agree to and do settle the above matter in the following extent and manner:

I. STATEMENT OF PRINCIPLES

1. All hiring, promotion practices, and other terms and conditions of employment shall be maintained and conducted in a manner which does not discriminate on the basis of race, color, religion or national origin in violation of Title VII of the Civil Rights Act of 1964. All present and future employees will be classified and assigned without discrimination on the basis of race, color, religion or national origin. All job classifications shall be open to all employees without discrimination as to race, color, religion or national origin.

2. The Company agrees that all facilities owned, operated or managed by or on behalf of the Company shall be available for the use of any employee without regard to race, color, religion or national origin; that there shall be no discrimination against any employee on said grounds with respect to the use of said facilities, and that the notice required to be posted by Title VII of the Civil Rights Act of 1964 will be posted.

3. The Company agrees that there shall be no discrimination or retaliation of any kind against any person because of opposition to any practice declared unlawful under Title VII of the Civil Rights Act of 1964; or because of the filing of a charge; giving of testimony or assistance; or participation in any manner in any investigation, proceeding or hearing under or with respect to matters covered by Title VII of the Civil Rights Act of 1964, Executive Orders 10925 or 11246, and Regulations issued thereunder, or this Agreement.

II. GENERAL REMEDIAL ACTION

1. Evaluation of Jobs

a. The Company and the Commission shall forthwith undertake a general review to determine if Negro employees are improperly classified with respect to the job they are performing and the rates they are paid relative to white employees doing the same or substantially equivalent work. With respect to several job categories in which, predominantly, Negroes are employed and there is no direct basis for comparison with rates of pay of white employees, a review will be made of such categories to determine whether the rate of pay is discriminatorily depressed on the basis of race.

b. To conduct this review, the Company shall as soon as possible but no later than 45 days from the date of this Agreement, retain at its expense an expert in job evaluation and statements of work content, knowledgeable in race relations, who is acceptable to the Commission, to make this determination. In the event an expert acceptable to the Commission is not designated within 45 days, the parties shall forthwith reconvene for the sole purpose of designating the expert. The expert shall report his findings to the Company and the Commission. The Company shall implement the decision of the expert by re-classifying such employees and/or adjusting the rate of pay accordingly within a period of 30 days from the date of determination. The Company shall supply said expert with adequate staff and facilities and shall make available all records and other information necessary to perform this function. Such review shall be concluded within 120 days of the appointment of the expert, unless the expert requests and the Commission agrees to a reasonable extension of time for this purpose.

c. The scope of the review is to be general, and shall not be limited by or to the complaint of individual employees. However, this review will encompass the rate and classification of any Negro employee who requests such a review. If, as a result of this review, the Commission believes that an employee's job is improperly classified relative to jobs held by white employees or that a rate is lower than that paid white employees performing the same or substantially equivalent work, the Commission shall so notify the Company which will take appropriate action to correct the situation. As a part of this review procedure, there shall be developed written statements of the work content for all jobs involved, which reflect the work actually performed.

d. The expert described above may be an individual, management consultant or operations research organization. Both the Commission and the Company may nominate persons or organizations to be retained as the expert. It shall be the expert's responsibility to conduct the review set forth in the first paragraph of this section.

2. Promotion to supervisor and other positions, upgrading, and vacancies

a. As the Company's last report to the Government showed that only 32 of 1997 persons employed by the Company as "Officials and Managers" were Negroes, the Company agrees that, to comply affirmatively with Title VII of the Civil Rights Act of 1964, the Executive Order of the President and the Regulations of Departments and Agencies of the Federal Government, it will afford affirmative opportunities for promotion to and within supervisory levels, including staff supervisors, junior and senior quartermen, foremen and assistant foremen, assistant superintendent and superintendent, to qualified Negroes employed by the Company. Accordingly, the Company agrees to revise its promotion policies and practices with a view to improving opportunities for qualified Negro personnel for promotion to and within supervisory levels, as follows:

b. An inventory of the skilled Negro employees, indicating their seniority (defined as continuous service with the shipyard) and qualifications, and an inventory of the seniority and qualifications of the last 100 persons promoted to quarterman positions to July 2, 1965, will be conducted jointly by the Company and by Industrial Employment Policy Specialists of the Department of Defense as an interested party, and in the interests of contract compliance, commencing within 30 days of the date of this Agreement. Within 60 days of the conclusion of the inventory, a list of those Negro employees whose seniority and qualifications exceed those of white employees among the 100 persons described above will be developed jointly by the Company and by the Industrial Employment Policy Specialist and will constitute the order of placement, as supervisory positions open, for which the employee's qualifications are relevant, until the list is exhausted. Refusals of Negro employees to accept offers of promotions to supervision must be documented in each case.

c. Provided however that where the Company desires to fill a vacancy with an employee with greater seniority or qualifications than Negro employees on the list, the Company may present his qualifications in writing to the Commission, along with a demonstration of special circumstances and unusual need for which it wishes to promote said employee. If the Commission is satisfied that the request is free of discrimination on the basis of race, color, religion or national origin, it shall grant the request. All appointments to supervisory posts shall be made without regard to the race of the employees who will be subject to such supervision.

d. Prior to the completion of the list described above and its use as a basis for selection of supervisors, supervisory vacancies may develop. Said vacancies will be filled by qualified Negro employees. Where the Company has special reasons for desiring to fill any such vacancy with a white employee, it shall first notify the Commission in writing, stating its reasons. If the Commission is satisfied that the request is free of discrimination, it shall grant the request.

e. Any disagreement between the Company and the Industrial Employment Policy Specialists, with respect to matters described in the first paragraph of this section, shall be resolved by the expert mentioned above, if appointed and available, and otherwise by the Commission.

3. Promotion and transfer to nonsupervisory positions

a. The Company agrees to post at the Employment Office, Yard Personnel Office, and at all normal access gates into the yard, notices of the existence of all job vacancies. Applications to fill such vacancies will be considered and qualified applicants for such jobs shall be selected on the basis of their length of service where their skill, ability, and efficiency are fairly equal.

b. The Company shall permit employees from predominantly Negro job classifications to transfer to vacancies in other departments for which they are qualified. If, within two weeks, the employee is unable to perform in the new job, he may return to his old job. If the vacancy to which he transfers is a lower rate step in his classification, he will be transferred at his rate before the transfer.

c. Employees in predominantly Negro departments shall be given the first opportunity for training in programs in which they are qualified to enter.

d. The Company will apply a liberal policy in the application of this section to advance the basic purpose of this Agreement.

e. To comply affirmatively with Title VII and Executive Orders in the matter of promotion and training, the Company agrees to undertake an intensive re-evaluation of the skills of its Negro employees, to institute training programs to develop and improve the skill levels of such employees, and to promote and adjust compensation on the basis of such re-evaluation and/or training. Opportunities to acquire skills necessary for upgrading shall be afforded Negro employees on a non-discriminatory basis so that they acquire a rounded work experience.

f. The qualifications of all Negro applicants for employment will be reviewed and measured against minimum qualifications for all job classifications. Such applicants will be given full consideration for filling vacancies in all such job classifications for which they may qualify. Review of applicant qualifications shall be concluded within 60 days after the date of this Agreement.

4. Adjustment of rate: Promotional opportunities

In order to adjust the pay rate and classification of Negro employees who may have been discriminatorily denied or delayed in their advancement through the wage and job structure of the Company, the following is agreed to:

a. To determine Company practices with respect to the rate and conditions of promotions of white employees both within steps of job classifications and from one job classification to another, control groups will be picked by a random sample method from the Fitters Department (X-11), the Painters Department (X-33), and Storekeepers (O-53).

b. The sample selected from each department shall be sufficient to trace the pattern of employment history of white employees in the department from the time of their original hiring.

c. From this sample there will be derived a profile of the rate and conditions for promotion of white employees.

d. This profile shall be developed jointly by the expert described in section 1 and the Industrial Employment Policy Specialists, Department of Defense.

e. Thereafter, the expert would compare the history of progression and promotion of individual Negro employees in said departments with the profile.

f. Upon establishment that a Negro employee has not moved up through the grades within the classification in which he is presently employed as rapidly as the norm or standard derived from the sample for white employees, he shall forthwith be assigned the first grade in his job classification, or such other grade as he would have achieved had his history followed the normal progression indicated in the study unless the Company demonstrates from such records as it keeps which are themselves not the product or result of discrimination, that the employee was not promoted for reason of physical handicap, improper attendance or other conduct on the premises. Considerations of the employee's skill and ability are not germane to this section. The burden of demonstrating that from Company records that the employee should not be upgraded is on the Company.

g. Where the expert finds that the Negro employee would have been promoted beyond his classification had the white rate of progress been followed, the Company may assert that the employee is not and cannot become qualified for promotion to the higher classification, using the same standard for promotion between classes heretofore used for white employees as derived from the sample.

h. If the evaluator finds that the Negro employee has such qualifications for promotion, or can achieve them through reasonable training, he shall be placed on a preferential promotion list and given at an appropriate time such training as may be reasonably necessary to equip him for promotion. Such promotion shall be given when need arises for additional members of the next higher class.

i. The sample and its results will apply to other departments to which reasonably applicable. Thereupon the expert shall apply the same standards of comparison of Negro employment records against the promotion and upgrading profile of white employees and the same actions will be taken as a result of that comparison as described in paragraphs 6 and 7.

j. If a further sample is needed, the department or departments from which it is to be drawn shall be discussed with the Commission. The expert will apply the results of any such further sample alone or in conjunction with the previous sample in such departments as are agreed upon in the manner described in paragraphs 6 and 7.

k. The entire Negro labor force will be reviewed in the manner set out above.

l. The Company may as a part of this process, and in its discretion, seek to determine if white employees have been unfairly treated in respect to ingrade progressions or promotions, and to attempt, in the event such unfairness is found, to correct it.

5. Apprenticeship programs

As the Company's last report to the Government (Form 40) showed that only 6 of the 506 apprentices enrolled in the apprenticeship program were Negroes, the Company agrees that, to provide affirmatively for equal employment opportunity, apprenticeship classes shall henceforth be filled as follows:

a. The Company shall, within 30 days of this Agreement, estimate the number of vacancies in the program for the coming year. Similar estimate shall be made each succeeding 12 months.

b. The Company agrees that qualified employees now on the payroll shall have first opportunity to fill apprenticeship classes during the next two years. For these employees, the Company agrees to accept a high school diploma or academic equivalent for admission, to accept employees up to the age of 25 years as entering apprentices, to accept married students as apprentices, to keep such as apprentices should they marry during the course of apprenticeship, and not to debar any employee from the apprenticeship program because of previous attendance at college or other institution of higher education.

c. A list of Negro employees eligible for the apprenticeship program under these provisions shall be compiled and shall be available to the Commission. Rejections of this opportunity by employees on the list shall be obtained in writing, with a copy to the Commission.

d. In filling vacancies in the apprenticeship classes, the Company agrees to exercise its utmost efforts to see that substantial numbers of Negroes are included in such classes. To this end the Company agrees, (1) to include in its recruitment efforts the predominantly Negro schools in the labor market areas; and (2) to notify civil rights organizations in said area of this Agreement and to solicit such organizations to send qualified applicants for such programs. The Commission shall, upon request, supply a list of such organizations. Copies of such notices and solicitations shall be furnished by the Company to the Commission. The parties to this Agreement recognize as a natural result of this recruitment effort that the ratio of Negro to white apprentices in any given year should approach the ratio of Negro to white employees and the ratio of Negro to whites in the labor market area but this provision shall not be construed to require or permit the rejection of any qualified applicant on the basis of his race or color.

e. When the Company has filled one-third of the estimated vacancies in any apprenticeship class for each year through the foregoing procedures, it shall notify the Commission of the proportion of Negro employees enrolled in the class, and the Company shall not fill more than half the remaining vacancies until the Commission has responded. The Commission's response can be expected within two weeks. If it appears to the Commission that adequate numbers of Negro employees will not be enrolled in the class, the Commission may propose additional reasonable recruiting steps which the Company shall undertake to assure the fulfillment of its obligations under this section.

f. The Company shall integrate the apprenticeship faculty by October 1, 1966, and the apprenticeship Selection Committee forthwith.

g. Apprenticeship requirements shall be reviewed by the Company and the Commission within the next 60 days to determine whether increased numbers of Negroes can be appointed consistent with the maintenance of the requirements for qualified apprentices. After this review, the Commission may propose other reasonable steps to increase the number of Negro apprentices, and the Company shall take such steps.

h. All other training programs, formal and informal, including crash training, patternmaking and tack welding programs, shall be open to employees without regard to race or color.

The Company shall post in conspicuous places and otherwise publicize information to all its employees concerning the availability of these programs, and shall actively encourage Negro participation in these programs.

6. Facilities

In view of the desire of the Company to afford equal employment opportunity and to comply fully with the letter and spirit of the aforesaid Civil Rights Act of 1964 and the various Executive Orders and Regulations applicable to its activities, the Company agrees to take the following steps:

a. In addition to the elimination of a segregated facility in the Foundry, the Company agrees to alter the portable toilet facilities in the drawings attached hereto as Appendix II, and made a part hereof, in the manner indicated in such drawings. Such alterations shall be commenced within 30 days from the date of this settlement Agreement, and shall be completed not later than 75 days after work on such alterations has commenced.

b. Also, the Company agrees that all locker room facilities on the premises shall be available for the use of employees in that department without regard to race, color, religion, or national origin and there shall be no discrimination against any employee on such grounds with respect to the use of said facilities. All locker room space shall be reassigned in each department not later than the time specified in paragraph 1, on the following basis:

(1) Lockers in buildings devoted to locker rooms shall be reassigned to all employees on the basis of alphabetical order for all employees assigned to such buildings. Assignment to buildings shall be without regard to race.

(2) Locker rooms in other buildings shall be assigned alphabetically to employees using such facilities, in such a manner as to eliminate segregated use of locker rooms and related facilities.

(3) Henceforth:

(a) Lockers are to be assigned on the basis of needs and in the order of their vacancy regardless of race.

(b) An up-to-date record will be kept of lockers in all locker rooms with particular attention given to the following:

(i) Number and location of vacant lockers
(ii) Date of vacancy
(iii) Date of assignment
(iv) To whom assigned.

(c) During such alterations and locker reassignments specified in paragraphs 1 and 2 and for a reasonable time thereafter, the Company will post on all Newport News Shipbuilding departmental bulletin boards a notice which, in substance, states that all employees have equal rights to use all such facilities. Any employee who interferes with or intimidates employees in the exercise of their rights hereunder and/or takes any other action which is intended to maintain segregated facilities shall result in disciplinary action including, where appropriate, discharge.

7. Other affirmative actions

Take the following affirmative action to effectuate the policies of Title VII of the Civil Rights Act of 1964:

a. Upgrade and advance qualified Negro employees to positions as first-class mechanics.

b. Full-time operators of cranes in the Foundry of 20 tons or above shall be paid first-class mechanics' rates, when they are qualified to operate such cranes in a proficient and safe manner.

c. The Company agrees to promote Thomas C. Mann, Reverend J. C. Fauntleroy and James E. Lassiter to the position of quarterman in their respective departments, effective the first Monday after the signing of this Agreement. The Company further agrees to promote Arthur Ford to the position of materialman, and advance him to mechanic, third class, effective the first Monday after the signing of this Agreement. The Company will review with Mr. Ford his experience and understanding of its operations to determine the most effective use which can be made of his capabilities.

d. Cooperate with the Equal Employment Opportunity Commission with regard to the investigation, conciliation, and processing of the charges of 38 other charging parties without regard to the time limitations of Section 706 of Title VII.

e. With regard to certain charging parties, waive the statutory period within which the charging parties may institute a civil action in the event conciliation is not achieved.

f. In addition, to cooperate with the Commission with regard to the investigation and conciliation of any charges which may hereinafter be filed.

g. Persons aggrieved, whose cases are subject to the job evaluation review under section 1 hereof, but who are not among those listed above, shall not be entitled to retroactive back pay in the event the expert determines that they have been improperly classified or paid.

h. Any person against whom a new act of discrimination is committed after the date of this Agreement shall be entitled to his full remedy under Title VII of the Civil Rights Act of 1964.

III. GENERAL PROVISIONS

1. Policy statement

The Company agrees that its policy statement in support of the principle of equal employment opportunity, which was worked out with the Commission, and is attached to this Conciliation Agreement and marked Appendix III, is incorporated by reference herein as though fully set out. This statement emphasizes the Company's pledge of nondiscrimination with respect to recruitment, hiring, wages, hours, promotions, training, apprenticeships and all other terms and conditions of employment. This policy statement shall be published in full by the Company within 30 days of the date of this Agreement by attaching said statement, signed by the President of the Company, to the pay check of each full-time employee of the Company. Copies thereof shall be displayed prominently on bulletin boards available to all employees.

2. Supervisory employees

The Company shall within 30 days assemble all supervisory employees. It shall read the policy statement set forth herein, advise the supervisors of the contents of this Agreement, including the Company's policy of encouraging equal employment opportunities and a fully integrated work force. In addition, supervisors shall be instructed that they shall encourage the use of facilities on an integrated basis, and that terms of address used in the plant shall be the same for whites and Negroes. Further, supervisors shall be instructed that a violation of the policy set forth in this Agreement shall result in disciplinary action including, where appropriate, discharge.

The Company shall also call departmental or other group meetings for all employees for the same purpose. Meetings of supervisors and all employees shall be completed within 30 days from the date of this Agreement. The Commission shall be advised 5 days in advance of the date of meetings to be held in three representative departments. A representative of the Commission may attend any or all meetings held for this purpose.

3. Implementing procedures

The Company shall establish implementing procedures which will include the assignment of responsibility within the Company for implementation of each and every provision of this Agreement, and a formalized feedback system to keep management apprised of the progress of the program by channelling to top management the substance of all decisions taken hereunder by officers, agents and employees of the Company.

4. Reports

a. The Company shall prepare and furnish to the Commission not later than 90 days from the date of this Agreement a detailed report of the actions to comply with this Agreement. For 2 years thereafter the Company shall report at quarterly intervals its progress in complying with this Agreement. The initial and subsequent reports shall include the following statistical data broken down into the categories white and Negro.

(1) Applications for employment, by name, job applied for.

(2) New hires, by job title, department, name of employee and date of employment.

(3) Changes in rate or job classification, by name of employee, date and department.

(4) Promotions to non-supervisory positions within each department and to supervisor by name of employee.

(5) Entrants into apprenticeship and formalized training and educational programs, by program, by name of employee.

b. The reports required by this paragraph are in addition to other reports required by this Agreement. All reports required to be furnished to the Commission under this Agreement should be addressed to the Chief of Conciliation, Equal Employment Opportunity Commission, Washington, D.C. 20506.

c. After the first 90 days the Commission shall consider simplifying these requirements by accepting in summary form the information contained therein.

5. Review of compliance

a. The Company agrees that the Commission, on the request of any charging party named herein or on its own motion, may review compliance with this Agreement.

b. As a part of such review, the Commission may require written reports in addition to those otherwise provided for which are reasonably necessary to the audit of this Agreement, may inspect the premises, examine witnesses, and examine and copy records and documents.

c. The Commission shall determine whether the Company has complied with this Agreement, may review any finding or decision of the expert referred to in this Agreement, and may revise same where the Commission finds the revision necessary to prevent discrimination.

6. Publication of agreement

The Company agrees that the terms of this Agreement and the proceedings before the Commission, but not including the content of conciliation discussions between the Commission and the Company, shall be made public by the Commission.

7. Federal district court proceeding

The signing of this Agreement shall not prejudice the right of the plaintiffs in the Federal District Court action embracing the same subject matter from seeking an award of costs, expenses and reasonable attorney fees in said action.

NEWPORT NEWS SHIPBUILDING
AND DRYDOCK COMPANY
THOMAS C. MANN
REV. J. C. FAUNTLEROY
ARTHUR FORD
JAMES LASSITER

Date: I recommend approval of this Agreement; Alfred W. Blumrosen, Chief, Conciliations.

EQUAL OPPORTUNITY POLICY

I wish to emphasize the Company's fundamental policy of providing equal opportunity in all areas of employment practice, and in assuring that there shall be no discrimination against any person on the grounds of race, color, religion or national origin.

This policy extends to hiring, working conditions, employee treatment, training programs, promotions, use of company facilities and all other terms and conditions of employment. The Company encourages all employees to exercise their rights under this policy.

The importance of fulfilling this policy cannot be overemphasized. Any violation of the letter or spirit of this policy by any employee of this Company shall result in disciplinary action including, where appropriate, discharge. Specific instructions for affirmative action to implement this policy will be issued.

D. A. HOLDEN,
President, Newport News Shipbuilding and Drydock Co.

THE IMPACT AND SIGNIFICANCE OF THE NEWPORT NEWS SHIPBUILDING AGREEMENT

(By Alfred W. Blumrosen, professor of law, Rutgers Law School, Newark, N.J., former Chief of Conciliations, EEOC.)

A major reason for the passage by the Congress of Title VII of the Civil Rights Act of 1964, and the establishment of the Equal Employment Opportunity Commission was that previous governmental activities had not provided full and adequate remedies for employment discrimination. The Conciliation Agreement signed March 30, 1966, by the Newport News Shipbuilding Company provided concrete and practical remedies tailored to meet the specific conditions and problems of racial discrimination in the ship yard. Under the agreement, more than 3,000 promotions of different kinds were received by the 5,000 Negro employees and 100 more are now supervisors or are in line to become supervisors. These figures are from Company records. In addition, the apprentice school has accepted nearly 50 Negro applicants, and the faculty of the school has been integrated. Lockers, shower rooms and toilet facilities have been desegregated. A seniority system providing for future promotions on the basis of length of service and activity, has been instituted.

No previous effort by the government approached this result. In achieving this result, the interest and concern of all parties—the company, union, civil rights organizations, employees, and the government—were fully taken into account. The cooperation of all of these interests, while carrying out the mandate of Title VII, was the greatest achievement at Newport News.

I. BACKGROUND

The Newport News Shipyard is the largest privately-owned shipyard in the free world. It employs 22,000 men, including some 5,000 Negro employees. It builds military ships, including nuclear aircraft carriers and submarines; repairs military and commercial ships and manufactures heavy machinery.

Charges of discrimination at the shipyard were filed in the late summer of 1965 with the Commission by 41 Negro complainants who work with the local chapter of the NAACP. The investigation of these complaints took place in the fall of 1965. On the basis of the investigation, the Commission found reasonable cause to believe that discrimination existed at the shipyard in the following respect:

(1) Wages of Negro employees doing the same work as white employees were lower than white employees;

(2) Negro employees were promoted at a slower rate than white employees;

(3) Negro employees were not allowed to become supervisors under like circumstances as white employees;

(4) Negro employees were restricted in their access in the company's apprentice program; and

(5) Locker rooms, shower rooms and toilet facilities were segregated.

In November 1965, a conciliation effort was made by the Commission. It was rejected by the company and union. The Commission referred the case to the Attorney General with a recommendation that a "pattern or practice" suit be instituted under Section 707 of the Act, and notified the charging parties of their rights to sue. They instituted a section 706 suit in the Federal District Court in Norfolk, Virginia, with the involvement of the Legal Defense Fund, Inc.

In March 1966, the Company learned that the Attorney General planned to institute suit and that the Department of Labor was considering suspending future government contracts. The company then sought to negotiate with the government. Assistant Attorney General John Doar decided to allow the opportunity for negotiation before filing suit. It was decided that EEOC would lead the negotiation with the participation of Justice, the Department of Defense, and the Department of Labor.

Initial conciliation proposals were developed by Alfred Blumrosen and Kenneth Holbert and refined by the EEOC staff. These proposals were then submitted to the other government agencies and accepted without substantial changes. The Department of Labor issued a letter suspending further government contracts as the negotiations began. The negotiations themselves consumed most of the last part of March. They were headed by Alfred Blumrosen who was then Chief of Conciliation. They concluded on March 30 with the signing of the agreement. The Labor and Defense Departments accepted the agreement as a comprehensive plan to eliminate discrimination which justified the withdrawal of the suspension from government contracts. On the basis of the agreement, the Justice Department concluded that it would not institute suit. The agreement paved the way for the dismissal of the civil suit brought by the charging parties.

The signing of the agreement paved the way for its administration. First steps were quickly taken. Facilities were integrated and the parties moved toward the selection of the expert who had been assigned several tasks under the agreement. Case and Company, a management-consultant firm recommended by the shipyard, was selected and began to work. During the summer and fall of 1966, many problems arose which were hammered out in negotiation sessions between the Commission and the company. These sessions took place frequently.

The Peninsula Shipbuilding Association (PSA) which represented the employees, attacked the agreement at first. After several conferences with the Commission and the company, PSA, in late summer, signed an agreement with the company which recognized the conciliation agreement. Since then, the union has processed more than one hundred grievances relating to the conciliation agreement. By signing the agreement, the union relinquished whatever legal objections it might have asserted in connection with the conciliation.

In the winter of 1966, the administration of the agreement lagged with respect to the identification of Negro employees who were to become supervisors. This project was the responsibility of the Department of Defense under the agreement. Due to the pending reorganization, DOD could not devote adequate manpower to this project. EEOC Chairman Shulman and Mr. Moskowitz of DOD agreed that five DOD personnel would be detailed to the Commission for one month to conduct the administration of this phase of the agreement. Mr. Blumrosen assumed personal direction of this effort and at the end of March 1967, secured agreement of the company to promote seventy-five Negro employees to supervisors, in addition to the twenty-five already promoted. The Commission then indicated that, except for certain problems, the administrative phase of the agreement was concluded.

The administration of the agreement was hampered by lack of adequate manpower. But all parties were understanding of the limitations of the Commission. The Negro employees and the NAACP understood that the Commission could devote but limited personnel to the administration of the agreement, and were patient with the Commission. The union came to understand that the Commission did not wish to supplant it as the representative of the employees, but rather was interested in seeing PSA act effectively on behalf of all employees. The company became aware that the Commission was sensitive to its basic needs and was prepared, in the administration of the agreement, to make adjustments to meet those needs as long as the basic thrust of the agreement was not blunted.

II. PROBLEMS, SOLUTION, RESULTS

There follows a table indicating the nature of the problems of discrimination at the shipyard, the solution reached in the conciliation agreement, and the results of the application of the act:

PROBLEM	SOLUTION	RESULTS
1. Negro employees were underpaid for doing the same work as white employees and were promoted at a slower rate than white employees.	Retention of an expert, (Case and Co.) approved by the Commission to prepare job descriptions to determine the rate and conditions for promotions of white employees, and to determine which Negro employees were underpaid and had been promoted at a slower rate than white employees.	Case and Company conducted an intensive study of each of the more than 30 departments at the shipyard. It then issued a report on each department to the company and Commission indicating which Negro employees should have been promoted and the positions they would have reached if their rate of progress had equaled that of the white employees. The company promoted these employees or placed them on a list for future promotion. While promoting these employees, the company continued its normal promotional practice with respect to white employees. Actually, nearly half of the Negro employees whom Case & Company found entitled to promotion had already been advanced by the Company before the study was completed. This indicated the company's cooperative attitude. This provision of the agreement accounts for the nearly 39 hundred promotion actions on behalf of Negro employees during the year after the agreement was executed.
2. Negro employees restricted to certain departments, not permitted to transfer to higher paying jobs in previously white departments.	Company to post notices of job vacancies so that employees can bid for them and allow Negro employees to transfer to previously all white departments.	Company posted vacancies for the first time in its history and employees, both white and Negro, began to take advantage of the transfer provisions.
3. Negro employees alleged they were passed over for promotion.	Establishment of proposal that promotions are henceforth to be given by seniority and ability.	Application of this proposal on behalf of both Negro and white employees.
4. Negro employees were restricted in promotion to supervisor. At the time of the agreement, only 32 of the nearly 2 thousand officers and managers were Negro although 25% of the labor force was Negro.	DOD and company developed a profile of the qualifications of the last 100 white employees promoted to supervisors. Selected Negro employees to be measured against this profile and those who matched or exceeded it, to be promoted prior to promotion of others. Company could request exceptions in special circumstances. Disputes between company and DOD to be submitted to Case & Co.	This provision requires substantial interpretation in light of problems which arose after the agreement was executed. Rather than the last 100 white employees, it was agreed to use the last 5 whites promoted in each department as the basis for the profile because of variation in standards. EEOC assumed responsibility for administration. Company promoted more than 20 Negroes to supervision during the administration of the agreement, and at the end of the period agreed to promotions of an additional 75 Negroes who had been certified by their own supervisors as qualified to become supervisors. Exceptions were granted in two instances by the Commission, one of which involved a white employee who was the lead foreman handling scaffolding on the Carrier Kennedy, and the other man with special technical skills. The extensive promotions to supervisors were possible because the Company had, over the years, permitted some Negro employees to advance to mechanical status and thus had a reservoir of high skilled men who were available for promotion. All promotions were worked out by agreement between the Commission and the company and it was not necessary to submit any disputes to Case & Company.

PROBLEM—continued	SOLUTION—continued	RESULT—continued
5. Restriction of Negro applicants to apprentice schools, segregation of apprentice school staff and selection of committee. Only 6 of the 500 students were Negro. The apprentice school is a 4 year advanced technical school.	Negotiation of staff and committee, recruitment efforts among Negro schools, elimination of restrictions on married students, those with prior college education, and raise maximum entry age to 25 years, with notification to present Negro employees who might qualify under these standards, of their new opportunities.	Nearly 50 Negroes admitted to the school during the first year after the agreement; prompt integration of staff and selection committee; identification of employees who might qualify, and as part of the closing administrative phase of the agreement, notification to them by the Commission of their opportunities under the agreement. The company engaged in recruiting contacts with the various NAACP branches in the labor market area.
6. Segregated locker, shower, and toilet facilities.	Reconstruction of toilet facilities in accordance with a diagram attached to the agreement to eliminate their segregated character. Reassignment of locker and shower facilities on an alphabetical basis.	This was accomplished by company action within 30 days of the signing of the agreement. No serious difficulties were reported.
7. The specific complaints of the 4 individual charging parties regarding restriction on their promotional opportunities because of race.	Agreement to promote 3 of the 4 individuals to supervisor and to promote the 4 to a higher paying job class.	This provision was implemented the week after the signing of the agreement. The private law suit was dismissed with payment of cost and attorney fees by the company.
8. Resolution of the other 37 complaints which involved rate of pay and promotional opportunities problems.	Agreement on an expedited procedure to resolve these problems.	Charges were satisfactorily adjusted within 3 months of the agreement.

III. SIGNIFICANCE OF THE AGREEMENT

The working out of the agreement has significance in several respects. First, it suggests that problems of employment discrimination can be solved through coordinated governmental activities, given the firm and courageous administration of Title VII. Secondly, it suggests that this can be done without serious harm to the interest of employers. Third, it suggests that in such actions, white employees may benefit as well as Negro employees. The addition of a system of seniority promotion and the posting of job vacancies is inured to the benefit of both Negro and white employees at the shipyard. Fourth, the agreement demonstrates that it is possible to design and execute practical remedies to eliminate the present effects of discrimination. Fifth, it suggests that employers need not await Commission action before adopting a management program to improve their employment practices.

Many employers have been greatly impressed by the detailed and technical approach in the conciliation agreement. This has facilitated acceleration of their own programs to eliminate discrimination, and in this sense is now a model for elimination of discrimination in employment. Other government agencies, Justice and OFCC, are using the agreement as a model as is the Commission. The agreement will continue to have these far-reaching implications in eliminating employment discrimination for years to come.

The agreement represented true government action. It was the only time during my stay in government when Justice, DOD, OFCC and EEOC worked together with such harmony and unity. The result of this cooperation was truly striking. The moral is clear. The interlocking and mutually reenforcing joint action of these agencies can produce under present laws, clear, complete, and meaningful remedies which will eliminate employment discrimination.

"BIG EAR" REPLACES "BIG DISH" FOR NAVY AT SUGAR GROVE, W. VA.

Mr. BYRD of West Virginia. Mr. President, the August edition of the Navy magazine published an article by me reporting on the key radio receiving station being constructed in the static-free area of West Virginia at Sugar Grove in Pendleton County. This facility is to be the home of the "ear" of worldwide Navy communications and is anticipated to become operational in 1968.

I wish to provide this report on developments at Sugar Grove, a new link in the Defense Communications System.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"BIG EAR" REPLACES "BIG DISH" FOR NAVY AT SUGAR GROVE

(By U.S. Senator ROBERT C. BYRD, West Virginia)

What could sound more like home to a Navyman stationed at some faraway place than Sugar Grove, West Virginia?

Undoubtedly, he will hear the name many times and may even speak to some fellow crewman there as soon as the new Naval Radio Receiving Station becomes operational on one of the rolling hills where Sugar Grove is located.

It will be a new home for the "Ear" of world-wide Navy communications, and hopefully, one which will allow messages to be received without the interference of modern-day mechanical noises.

The receiving facilities now located at Cheltenham, Maryland, will be moved to Sugar Grove and will become operational late next year.

CHELTENHAM STATIC

The Sugar Grove station will play an important role as a "gateway" receiving station of the Defense Communications System. In this role, the Sugar Grove facility may well evolve into a primary Defense Department high frequency receiving site for the East Coast.

The Navy asked for a new home when the static of household appliances, automobiles, freeway noises, and jet planes at Andrews Air Force Base drowned out the finer points of the Navy signals coming in from outlying stations. As a member of the Senate Armed Services Committee, I was present to hear the reports, made in 1963 by Navy personnel, of the problems encountered at Cheltenham. Knowing the value of Sugar Grove, I urged a transfer of the facility to that area.

Sugar Grove may be remembered as the home of the ill-fated "Big Dish" Naval Research telescope. It was to measure 600 feet across its face, and exceeded the dreams of even the most future-minded scientists.

SPIRALING COSTS DOOM "DISH"

Unfortunately, by 1962, the estimated cost spiraled to $250 million or more. Thus, on July 18, 1962, after careful investigation of increased costs estimates, and in light of advances in satellite technology which greatly lessened the military need for the instrument, the Department of Defense issued a cancellation order on the "Big Dish".

I was successful in winning approval of the transfer of the receiving station to Sugar Grove, but, as the record will show, some elements of the Navy did not take to the move with great anticipation.

As late as last summer, the final decision to begin construction on some of the buildings was delayed until a last-ditch survey proved the capabilities of Sugar Grove to receive distant signals. Finally, the move was approved by Defense Secretary Robert S. McNamara for a second time. Construction is to start this year on support facilities and on the first of two antennae.

Now, let me describe a typical communications station, which consists of three major components: A transmitting station; a receiving station and a communications center.

MORE SENSITIVE RECEIVERS

I am advised that the best of engineering practices dictate that the components be geographically separated from each other by from 15 to 25 miles and connected together by an integrated control system of microwave and landwire links. For the Naval Communications Station (NAVCOMMSTA) Washington, the transmitter is at Annapolis, Maryland, and the COMMCENTER is at Cheltenham, while the receiving facilities will be relocated to Sugar Grove.

Navy officers said the shift to new quarters was necessary because, in addition to all the by-product noises of the 1960's, radio receivers have also become more sensitive, and modern receivers, because of the improved sensitivity necessary for today's complex multi-channel modes of operation, are highly susceptible to man-made noises.

The beauty of Sugar Grove, aside from its physical characteristics, is that it is located in a radio-protected zone of some 3,500 square miles. This zone is the result of a study started about 10 years ago, sponsored by the National Radio Astronomy Observatory at Green Bank, West Virginia. The State Legislature approved a bill on August 9, 1956 to prohibit electrical encroachment in the zone.

The superior receiving qualities at Sugar Grove are particularly important in the area of communications to and from ships. The radio circuits with naval ships are vital and highly sensitive and include channels for voice, multi-channel teletypewriter, data and graphics.

COST PUT AT $11 MILLION

Because of space and weight limitations in ships and because of the inherent electronically hostile platform of ships, the Navy is limited to low-powered transmitters and inefficient antenna arrangements.

These must be compensated for at the shore end; thus, in effect, an extrasensitive ear must compensate for a weak and barely audible voice to make communications possible. The Navy, ergo, utilizes the best techniques of the art at the best sites obtainable.

Development of the 425-acre site at Sugar Grove into the receiving facility is expected to cost about $11 million. Fortunately, the Navy can make use of the underground building constructed for the "Big Dish," and the 600-foot "Big Dish" concrete bearing platform will serve as the foundation for an antenna. There will also be 40 family housing units, barracks, administration buildings and other service centers.

Each of the two web-type antennae will be circular in design and will measure from 800 feet to 900 feet in diameter. Combined they will occupy 60 acres at the site.

ONE HUNDRED PERSONNEL LIKELY

When operational, the station will employ about 30 civilians and have some 70 military personnel on duty. It is expected to have an annual payroll of about $700,000.

Vice Admiral B. F. Roeder, presently Commander, First Fleet, but the Assistant Chief of Naval Operations for Communications when the transfer was authorized by Congress, said this about the new site:

"Our tests proved conclusively that Sugar Grove is an ideal receiving site markedly superior to Cheltenham and, further, that the national radio quiet zone, protected by legislation enacted by the State of West Virginia, will insure that our investment here will be protected against the situation which developed at Cheltenham."

I look forward to the first signals being received at the station because I know it has a bright future as one of the most tightly "protected" facilities in the military—protected from radio interference, at least.

DIRKSEN REELECTION

Mr. MORTON. Mr. President, I read into the RECORD a column from the August 21 edition of the Washington Post, written by William S. White, one of the best known and most respected columnists and one of the keenest observers of national affairs:

"ABOVE POLITICS—DIRKSEN RE-ELECTION CALLED VITAL

"(By William S. White)

"What is likely to happen when the need for human loyalty among members of a political party to its duly chosen champion meets, flatout, the absolute demands of high national interests clearly standing above any partisan consideration?

"This is no mere iffy thing; for almost certainly precisely this hard and delicate question is going to confront Democratic voters of Illinois next year. The position is this: The veteran Senator EVERETT MCKINLEY DIRKSEN will be up for reelection at a time when the Democratic organization of the State appears from afar to be both essentially strong, in the wake of the tremendous reelection triumph of a few months ago of Chicago Mayor Richard Daley, and prospectively able to offer a vital challenge to Dirksen's continued political life.

"This is far more than a contest for a Senate seat in a big and politically important State in a presidential, as well as a senatorial, election year. For DIRKSEN is not only the Republican leader of the Senate but is also a man all but irreplacable there both to his party and to the country itself.

"In point of fact, he is by any fair measure the least expendable senator in either party, quite apart from the circumstance that his defeat would offer immense problems to the G.O.P. to find an acceptable replacement in the leadership.

"For this man, so often seen so superficially as only a kind of northern Senator Claghorn with an overrrich vocabulary is in simple truth the balance wheel of the Senate itself and by far the greatest force there for an enlightened, and even a statesmanlike, approach to the truly vital affairs of the Nation. On all that really counts—on the great issues of foreign policy on which national honor and national safety alike depend and even on such harsh domestic questions as the right and effective way to solve the racial crisis—he has for years stood miles above small politics.

"He was a strong and nationally-minded supporter of the Democratic President John F. Kennedy in all the foreign crises that had to be faced in those years. And when last DIRKSEN stood for reelection in Illinois, in 1962 John F. Kennedy limited his assistance to the Dirksen challenger, Representative SID YATES.

"And what DIRKSEN did, over and over, for Kennedy in the grand foreign showdowns he has done, over and over, for President Johnson as well.

"What makes the whole business even more poignant is the fact that, again as in 1962, the Democrats are likely to offer a thoroughly able and honorable alternative, possibly in some such man as Adlai Stevenson III. That a Stevenson, given time and luck, might well himself become a notable Senator and a valuable public servant is clearly more than possible.

"But again, all this DIRKSEN has long been; and in the bargain he has, simply and unarguably, earned the gratitude of the responsible people not only of Illinois but of all the United States.

"There is, for example, not the slightest doubt that if the entire United States Senate could vote in the Illinois election next year on some impossible secret ballot, at least 80 of its members, including no less than three-fourths of the Democrats themselves, would mark their ballots for EVERETT MCKINLEY DIRKSEN.

"In the first World War, old Premier Clemenceau of France observed that war—by which he meant the utter and ultimate necessities of war—was too important to be left to the generals.

"The plain fact of the matter is that DIRKSEN is too important to be destroyed by ordinary political considerations.

"And this is going to be the undeniable, final reality next year when the irresistible force of partisan loyalty meets the immovable object of potent national interest.

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PROPOSED ESTABLISHMENT OF A DIVISION OF LOW-INCOME HOUSING WITHIN DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mr. BYRD of Virginia. Mr. President, we have recently heard a great deal about establishing within the Department of Housing and Urban Development a new division devoted exclusively to providing low-income housing. The reason given for creating this new division is that FHA has proven itself incapable of handling low-income housing programs. The critics point to what they consider the meager number of low-income housing built during the past few years.

The Senator from Illinois [Mr. PERCY] recently wrote to Mr. Lawrence Cox, executive director, Norfolk, Va., Redevelopment and Housing Authority, expressing his concern about assigning to the FHA a proposed program of interest assistance payments to low- and middle-income home and condominium unit buyers. He requested Mr. Cox's candid opinion about the necessity for creating a new division within HUD to handle this program.

Mr. Cox responded:

> The fact that the program as now proposed would be administered by the FHA is, in my judgment, correct and would serve the purposes of the program better than if assigned by Congress to another division in HUD, existing or new.

He continued:

> I have been impressed with the success obtained thus far by Secretary Weaver and Assistant Secretary Brownstein in gearing the FHA to handle social-oriented programs.

I ask unanimous consent to have the text of Mr. Cox's telegram printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

Hon. CHARLES H. PERCY,
U.S. Senator,
Washington, D.C.

Re your letter of August 14 concerning the proposal in the pending housing bill that would establish a new program of interest assistance payments on behalf of low- and middle-income home or condominium unit buyers. The fact that the program as now proposed would be administered by the FHA is, in my judgment, correct and would serve the purposes of the program better than if assigned by the Congress to another division in HUD, existing or new. I have been impressed with the success obtained thus far by Secretary Weaver and Assistant Secretary Brownstein in gearing the FHA to handle social-oriented programs.

LAWRENCE M. COX,
Executive Director.

STRONG SUPPORT FOR PRESIDENT JOHNSON'S BOLD NEW "TURN KEY" PROGRAM

Mr. PROXMIRE. Mr. President, Thursday, two Americans of note applauded the President for his new and bold approach to public housing—Project Turn Key.

One of those supporting the President's action was our own distinguished former Senator from Illinois, Paul H. Douglas.

He said:

> This experiment will combine public housing, the best program to build houses for poor people, with a turnkey-fixed cost contract, the fastest way to build such housing, and private management firms, which may be the best way to run public housing units.

Echoing this praise was Mr. Leon N. Weiner, president of the National Association of Home Builders. He called the "Turn Key" project an "innovative approach to low-income housing."

Mr. President, it has long been obvious that the problem of our cities has been one of the major concerns of the Johnson administration. And out of that concern have come such exciting new programs as rent supplements and model cities.

Now we have "Turn Key." Basically, the program is designed to cut out redtape from public housing construction and maintenance by using the genius of private enterprise every step of the way. The program also promises to reduce unit costs—and thus reduce rents.

I think that President Johnson is to be congratulated for his speedy and imaginative response to this pressing problem—and ask unanimous consent to insert the two statements by Senator Douglas and Mr. Weiner into the Record.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Statement by Former Senator Paul H. Douglas, Chairman, National Commission on Urban Problems

I congratulate the President for his prompt action on the Kaiser Committee's recommendation. This experiment will combine public housing, the best program to build houses for poor people, with a turnkey-fixed cost contract, the fastest way to build such housing, and private management firms, which may be the best way to run public housing units.

In the meantime, the National Commission on Urban Problems is working on such questions as zoning, land use, building codes, and housing codes, which are the key issues and among the toughest problems connected with providing decent housing for low income Americans.

Press Release Re Statement by Leon N. Weiner

Leon N. Weiner, President of the National Association of Home Builders, today stated in Buffalo that he welcomed President Johnson's imaginative proposal for testing in a number of localities a program involving private industry in the building and management of housing for low-income families.

Mr. Weiner said "The turnkey approach which is the basis of this proposal has already been tested in the field as a device whereby private builders have been able to provide low-income housing more quickly and at lower costs for needy families. The added innovation of turning the housing over to private management which is advocated in President Johnson's proposal and endorsed by the 'Kaiser Committee on Urban Housing' is a further step forward, in the development of this innovative approach to low-income housing."

Mr. Weiner went on to say "While I cannot at this time express the official position of the NAHB on the matter, our Executive Committee and Board of Directors are meeting tomorrow, and for several days thereafter in Buffalo and I will recommend to them approval of this program."

A SPEECH BY JOURNALIST ERIC SEVAREID

Mr. MUSKIE. Mr. President, Eric Sevareid is one of America's most responsible and respected journalists and commentators.

I had the good fortune recently to read a speech Mr. Sevareid made in January to the Massachusetts State Legislature. His speech was entitled "Politics and the Press."

Mr. Sevareid concludes his remarks raising basic and essential questions about our foreign policy, questions which each citizen should come to grips with.

Mr. Sevareid challenges yesterday's answers to the new and complicated international problems of today, and he calls for a more learned and understanding appraisal of the world and our role in it.

Mr. President, I highly recommend Mr. Sevareid's remarks, and ask unanimous consent that the speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Politics and the Press

(An address by Eric Sevareid, CBS News national correspondent, delivered before a joint session of the Massachusetts State Legislature, Boston, Mass., January 24, 1967)

I cannot imagine an occasion in my life of greater satisfaction and moment than this one. I had never thought that I would one day be welcomed before this ancient body, that I would climb this hill in this Commonwealth, which become landmarks on the indelible map of the inner mind when the schoolboy first opens the book of the great American story. Here, more than anywhere else, I should think, began the process of welding the Athenians' art of democracy with the Romans' science of government.

I was a schoolboy on the Dakota prairies where all was new and raw and wanted building. At times, as my understanding increased, I envied those of my generation who were born in places like this, the old and established places, and had, I thought, only to open their minds and arms and inherit it all, ready made. But I am grateful, now, for my origins. At each stage of the westering impulse America re-made itself socially and physically from the beginnings, from the log house and the loneliness, the hand axe and the terrible labors. Something of what your forebears, very long ago, experienced on these shores of rock my forebears, not very long ago, experienced on those plains of snow and dust. I understood the Pilgrims and what it meant for them far sooner than I understood Harvard and its meaning.

But there was a precious thing we did not have to build, which we took from you. It came through the few books in the library off Main Street; it came through the speeches of the occasional Chautauqua lecturer who appeared in the Opera House above the general store; it came through the talk of my father at the dinner table. New England, Massachusettts, Boston—the great men, their electrifying, illuminating words, as stirring to us then out there as they must have been to your ancestors when they were spoken and written here. They formed the invisible environment in which we lived, the most lasting environment of all. By this mysterious alchemy the miracle of Americanism of national union was performed, quietly, in secret as it were, across thousands of miles, the invisible cords stretching into every valley and clearing, guiding us, binding us all in the face of the worst that the world and our own worse nature could bring against us.

So it is good to be here, where all seems familiar and reassuring, nothing strange; a place I have, in a sense, inhabited all my life.

POLITICS AND THE PRESS

I am here to talk to you about politics and the press, and their relationship, the high art of governing men and the profession or the calling, at least, of informing and explaining to men.

I represent what is called electronic journalism, to use a phrase I once coined in one of my less graceful moments. It was, with radio, the function of informing and explaining through the ear; and now with television, through both ear and eye. And it has become the most immediate, dramatic, in some ways the most powerful form of journalism. Certainly, the most personal, as the affectionate letters from strangers and the denunciatory telegrams arriving at offices like mine attest every day.

The politician, local or national, the journalist, in print or by broadcast, have more than a little in common, beyond the fact that we make our mistakes in public and have no hiding place. About eighty years ago James Russell Lowell wrote: "In a world of daily—nay, almost hourly, journalism, every clever man, every man who thinks himself clever or whom anybody else thinks clever, is called upon to deliver his judgment point blank and at the word of command on every conceivable subject of human thought."

About a hundred and eighty years ago, John Adams wrote, sardonically, of the Congress: "every man in it is a great man, an orator, a critic, a statesman; and therefore every man, upon every question, must show his oratory, his criticism and his political abilities."

Not quite on every subject or question anymore, for the journalist or the politician. Among both, the specialists have developed. But on a frightfully large number of subjects and questions. It will always be this way; it has to be this way. You require no explaining why a world of specialists only would be a jungle, the world of our final floundering. Serious statesmanship and serious communication with others cannot exist without the generalist, the man of the broad and liberal experience and teaching, the philosopher, homespun or literary, of the human condition.

The general politician and the general journalist—we are jacks of all trades and masters of none save the trade of being jack of all, a trade by no means easily mastered. We must always know enough of what is old to recognize what is new, enough of what has been good for man to sense what is going to harm him. People like you work the cutting edge of history; people like me along with you, live at the growing points of society. And we live together, in a frequently miserable marriage of necessity as restlessly close as any two elements of society knows. You make a bit of history every day; we write the first rough draft of history every day. Together we compose the invisible environment of the American mind, make the community weather, sound the tones of the day. And frequently, we detest each other, because as in any marriage, we happen to have certain conflicts of interest. These can be ameliorated but never solved. They would be solved only in the event that one side or the other abandoned its responsibilities, in which case, I fear, this free society would be free no longer.

THE "CREDIBILITY" GAP

The relationship is a daily improvisation as are most of the creative tensions in American political life, including those I would suppose, between executive and legislative and judiciary.

In the national capital, where I live and work, the relationship is severely exacerbated at the present time. The phrase "credibility gap" has become a tiresome cliché already, but the very fact of its existence suggests that the condition is unusual. It is unusual only in degree, but I must say that in a quarter century of reporting Washington I have never seen it in such a high degree as this. The press—print and broadcast—is in part responsible because it has not always understood what the administration was saying and has, on these occasions, translated caution to mean dissembling. But the press is not very different from what it was in the capital five, ten or twenty years ago. It is the governing personnel that has changed the most. And the President is the key to this. It is not only that he is unusually sensitive to criticism by nature, not much given to a humorous recognition of his mistakes and bred in the manipulative techniques of the corridors of Capitol Hill—it is also that he is the kind of master personality to whom other personalities, other egos, exist chiefly as tools and extensions of his own. He therefore has created a certain claustrophobic feeling in the Administration, a certain spirit of intimidation which encourages his lieutenants and assistants to release what news is favorable and to withhold what is unfavorable, in order both to protect the President and to protect themselves from the President.

SOURCES OF MUTUAL MISTRUST

We had some of this under President Kennedy who could also be quick of temper and sharp of tongue and who also tended to divide the journalists into friends and enemies; we had some of it under Eisenhower, not much under Truman, and, unless my memories of those days are faulty, very little under Roosevelt in whose administration powerful personalities—like Ickes, Hull, Hopkins, Wallace—were not only permitted to exist but who spoke out powerfully, often against one another, sometimes even against their chief.

A credibility gap, a lack of trust between the federal government and the press and people—this is a most serious thing, one not easily put right. But I have the feeling it is magnified because of the context in which it exists. This President is at the low point of what may be only another political cycle of a familiar kind. He has rapidly escalated the military effort abroad and it seems caught in a log jam; he has rapidly escalated his domestic welfare projects at home and they seem caught in a log jam. For the time, at any rate, the people have small sense of affairs moving, here or overseas. If and when they begin to move, we will all feel that in our spirits; the press generally will forget its present pique, will give credit when it is due, and then, I think, we may all forget that phrase, "credibility gap."

But I remain a journalist and instinctively I side with the press in the ultimate squaring of this particular account. So I shall defer any full flowering of sympathy with officials who feel bady treated by the press until that marvelous day, when I wake to see public officials complain that this newspaper or that commentator has bestowed greater praise upon them than they deserve, which, indeed, happens frequently. That will be a day to remember!

AN HISTORIC CONDITION

Bad blood between those who govern the people and those who monitor the governors and report to the people is nothing new in the American story. It is a condition we have never lived without. George Washington sickened of the treatment he received from much of the early American press. Thomas Jefferson, who said once that he would choose newspapers over government if he could have but one or the other, left the White House as a reader of only one paper, the Richmond Enquirer, and that chiefly for the advertisements because, he said, they contained the only truths to be relied on in a newspaper.

I think news reporting of government has greatly changed since then. So, I fear, have the advertisements.

But that there has been a substantial growth in the quality of American journalism is as clear to me as that there has been a substantial growth in the quality of our legislatures, state and federal. You would have to search hard for a Jefferson or a John Adams in the Federal Congress of today, but you must search hard, also, to find much corruption by money, to find sluggards, drunks, the boors and the ignorant. The pace is too fast, the load too heavy, our public affairs far too complicated to afford such men, anymore.

I believe the American press to be better educated, more responsible and alert than it has ever been. I am aware of certain recent strictures, including the remark of Professor Arthur Schlesinger, late of these parts, who said that after working in the White House he could never again take seriously the testimony of journalism on important government decisions. Its relation to reality, he said, "is often less than the shadows in Plato's cave."

The professor's charge was answered years before it was made, by Mr. Walter Lippmann who said, "The theory of a free press is that the truth will *emerge* from free reporting and free discussion, not that it will be presented perfectly and instantly in any one account."

The ultimate burden must fall upon the individual citizen. If he wishes to be well informed he must read *widely* in the press and listen *widely* to the broadcasts. No one example of either can serve him more than very partially.

The press is indeed powerful. And is therefore dangerous indeed. Power in any form carries danger within it somewhere; and, as John Adams tried to warn his countrymen long ago, "power always thinks it has a great soul." But if there is an imbalance of power in our country today, I beg you to consider whether it is the power of the press that has been doing the growing at the expense of the others, or the power of government, specifically the federal government and more specifically the Presidency, which acts more on its own in direct ratio to the fatefulness of the decisions to be taken, the Cuban missile decision, and the decision to make a major war out of the Vietnamese guerrilla war, very much included.

POWER AND ITS HAZARDS

Power is required if we are to do anything, good as well as evil. But we had better, you and I as well as Presidents, be frightened of the power we have; the real danger begins at the point where we are no longer frightened. If it is true, as a Frenchman recently said, that in this life men must choose between anxiety and boredom, all those of us who hold a fragment of power had better be anxious. This is an anxiety of an evangelical nature, our saving grace. We cannot have it both ways; we cannot ask authority over the minds and lives of others, rather direct in your case, indirect in mine, and also ask to sleep easy in our beds.

No doubt we would all sleep, if not well, a little bit easier if we could use our instruments, law and communications, better than we do. I am a more credible authority on the failings in my field than on those in yours, so let me glance around my own house which has a fair proportion of glass in its walls. I began broadcasting news and impressions about the news twenty-seven years ago when the great war was starting and at the scene of it. I might have remained with the printed press and its established comforting traditions. But something exciting was happening, the beginnings of the first new form of journalism in a very long time. We all then found it nerve-wracking, difficult. We were an odd lot—some of us, like me, better reporters than speakers, others the reverse. But we were, I think, essentially responsible, under the intuitive caution and common sense of the leaders, like the late Ed Murrow, who set the tone and the guidelines for the new profession. We had to create a tradition, as it were.

The obstacles were, and are, enormous. One is the basic nature of the broadcasting industry. In this country, many newspapers were founded by men with something particular to say and who wished to say it. A lot of them became simple business properties as they were handed down through the generations, but a meaning, a mystique had been established. Radio and then television stations were started simply and purely as business. Their owners then found themselves, often to their surprise and confusion, custodians of free expression, regents and guardians, along with publishers, of the First Amendment, but with their role and rights still somewhat obscure by reason of their existence through specific government license, not true in the case of the papers.

Then, too, by the nature of the structure, the news functions of networks and stations constitute only a department in a great entertainment industry. The news people live in constant competition with the entertainment people for budgeted funds. Even more acutely, they must compete for time, for minutes and hours, and in a more decisive way than a managing editor competes with the advertising department for a newspaper's space.

BROADCASTING AND PRINT

I am sure that broadcasting and the printed press are much more complementary than competitive to one another. Most comparisons between their output are rather meaningless. Their opportunities and limitations are wholly different. A newspaper's space can be expanded, but there are only so many hours in the day. A newspaper's space can be contracted, when there is little news to give, but broadcasting must live with the fifteen minute quarter-hour and the thirty minute half-hour.

A newspaper can use its space concurrently, broadcasting must use time consecutively. Page one, that is, can show you simultaneously a variety of news items, some played prominently, some obscurely, and the reader's eye can skip about to take its choice. Broadcasting must deliver one news item at a time, so that the story of a bus accident at Fourth and Main receives essentially the same prominence as the story of a great revolution in China. A newspaper can offer details including many statistics because the reader can go over it all again if need be; the broadcaster cannot because the listener cannot.

Daily newspapers have radically declined in numbers; broadcasting stations—radio especially—have radically increased. There are probably now too few of the first, too many of the second. In any case this double phenomenon obliges a negative answer to those who contend that stations, because they use public airways under government license, have no right to editorialize, on the news, while newspapers do.* Most do it badly, timidly, but that, too, may change with time. If they have this right, as common sense says they do, then they have the right in full and may properly endorse political candidates, a matter now much in contention.

It is not proper that the more numerous and pervasive medium should have fewer liberties than the less numerous and pervasive, but it is not proper, either, that it should handle its liberties in careless manner. Radio is a case in point where news is concerned. There are now so many radio stations, they have sprung up so quickly that professionalism with the news has taken hold only here and there. News is thrown on the market as quickly and cheaply as recorded jazz or used cars or deodorants. These hourly little swatches of news, delivered in the self-conscious baritone of youngsters just out of their high school or college speech class—these I would call the "non-news programs." People tune into them, I think, not to know what has happened, but what has not happened. To make sure that the atomic bomb has not fallen, that bubonic plague is *not* sweeping the nation. It would be as useful just to ring a bell every hour on the hour and have someone cry, "All's well." It would also provide time for an extra detergent commercial.

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* Stations should editorialize, as stations, and more and more do.

I am not at all sure that radio news is getting better. Television news by the networks and the larger stations I think *is* getting steadily better. The original trouble with it was that its managers fell in love with the pictures and some of its practitioners fell in love with their own image on the screen. What didn't move, wasn't news. An idea wasn't news, because you couldn't put a camera on it. A number of broadcasters thought—and some still do—that they had to perform the news. So we have seen too many character actors and too few minds of character in action. This is changing, steadily for the better. We are learning that a few thoughtful words can often be more revealing than ten thousand pictures and that the people welcome them.

BUILT-IN PROBLEMS

We have some built-in problems, the answers to which we haven't yet come upon. One is the problem of dealing with a complex news story with the simplicity demanded in a hard news program. The printed press has the same problem. Long ago it invented the so-called "all purpose" news story technique which puts the most dramatic single fact in the lead, following it with the less dramatic but often essential facts so that any editor can cut off the story where he wishes. Editing from the bottom up. That is the way the news agencies in particular do it. As James Reston of The New York Times points out, this practice sharpens and inflates the news. It encourages, he remarked, not a balanced but a startling presentation of the news. Time after time, with a complicated story, the result is distortion.

The same is true of the picture medium. I was extremely conscious of this last spring in Vietnam. Buddhists staged some riots in Saigon and Da Nang. The TV cameras wheeled up. They focus, of course, on whatever is most dramatically in motion. They act like a flashlight beam in the darkness. Everything else around, however vital to the full story, is lost in the darkness and ceases to exist. The pictures could not show you that a block away from the Saigon riots the populace was shopping, chatting, sitting in restaurants in total normalcy. The riots involved a tiny proportion of the people in either city; yet the effect of the pictures in this country, including in the Congress, was explosive. People here thought Vietnam was tearing itself apart, that civil war was raging. Nothing of the sort was happening.

Our problem is to find the techniques that will balance the spot news and the spot picture and put them in proportion, and without letting hours or days go by until we can do a special report or a long documentary to explain it all as it really is. This is one reason television news is going back to the daily commentator or "analyst" as they are now called. The men who were used heavily and quite well in the hey-day of radio.

I could talk at great length about these practical challenges and responses, but perhaps to no great purpose. The true challenge, the deep and abiding problem is something of a very different order. It is to see the world not only steadily and whole, but *as it is*, not as our minds have been conditioned to believe it is. To think closely about this is, very often, to feel one's heart sink.

Why has this been called the "age of the journalist"? Why are most of the really enthralling, best-selling books no longer novels of fiction but accounts of real events and real persons? It is because history is moving in geometric progression, because public events more and more dominate private lives, because the most vivid imagination can scarcely compete with the daily realities. Whatever men can think of doing, science and technology now permit them to do, and they do it.

As journalists we are not keeping pace with the realities; we report them but we do not truly understand them, so we do not really explain. I have read much and listened much but I do not understand what will really happen, to what end, when we have men on the moon; I thought I knew something about China but I am at a loss to perceive the inner meaning of the present convulsion in the world's biggest country. I have closely followed the civil rights story but if you asked me now to explain what lies in the deepest recesses of the heart of a Negro boy in an American ghetto, I could not tell you. I am sure they will build the supersonic jet passenger plane but I cannot tell you whether it will improve human life or make it just a bit worse. I am told by experts that a given business, or for that matter, the federal government, can grow to any size at all and under the modern methods of management, operate just as efficiently as when they were small, but I don't know why and I don't quite believe it. I have read much and seen much of the country called Vietnam but I have never dared try to explain, for want of conviction, why the South Vietnamese fight with poor spirits and the Northerners with determination.

THE REAL "CREDIBILITY GAP"

Here lies a credibility gap that is really worth talking about. Constantly, our measurements of things fall short of the realities the people see. It is not that we hide or alter the truth; it is that we often cannot penetrate the truth. It is deep in our American faith to believe that progress, human and material, must inevitably spread here among ourselves and in the distant impoverished lands. It may be quite as likely that catastrophe is approaching, not the millenium. But, poor creatures that we are, we cannot say even this for sure.

My immediate fear is that the gap lies not only between the journalists and the truth but between our national leadership and the truth. I fear the intellectual lag; I fear that yesterday's truths have become today's dogma. Is Mao Tse-Tung's China really to be compared with Hitler's Germany? Is Vietnam really today's Czechoslovakia? Does communism always and everywhere require physical containment or does it not have within itself its own built-in braking mechanism, its own containment? Is it true today, as the administration believes, and as seemed very true in the thirties and forties, that peace and freedom are indivisible? Or is it the real truth that peace and freedom will continue to coexist with war and tyranny as they have coexisted through most human history?

Up to what point is it the responsibility of the United States to try to renovate the economies, the institutions, the ways of life of distant and alien societies, and can this, in fact, be really done? Is democracy an exportable item at all? It is the basic faith of our foreign policy that peace, democracy and material progress are not, each of them, merely good in themselves, but interdependent. I try to find evidence from history that this is so, but I find very little.

Could it be that we are making a gigantic mistake, that we fail to perceive what Archimedes perceived? The Greek mathematician, with his levers and pulleys and screws, said that he could move the world—if he had a place to stand. He knew he did not. He knew his feet had no separate foundation, that he was in and of the world. As a country, we often seem to think that we stand in a separate place. Perhaps this is why we talk about "conquering nature" or "conquering space." But we are of nature, we are in space. We talk of renovating, uplifting almost all the world, of creating what Secretary Rusk calls a "world order" to govern relations between the nations. But we are in and of the world, with our due share of ignorance, sloth, fears, dangers, prejudice. So much so that we have not been able to renovate our own society, the fearful problems of which pile higher and higher.

THE FATAL MISTAKES

Again and again we must remind ourselves of that truth which John Adams perceived as he walked this hill, long ago: "Power always thinks it has a great soul." In that thought lies the secret of the terrible, sometimes fatal mistakes made by every great national power in the past. If our country is indeed the last, best hope of man, it is imperative that somehow, some way, America prove to be the exception, in the long litany of power misused.

We are involved in all this together, you of government, we of the press. We think of ourselves as practical men and we see with much the same eye. We have read our economics, our political science, our sociology. The federal government, like the American press, habitually sends men of that training and cast of mind to foreign places and they habitually measure affairs and prospect in those places with these instruments, the only ones they know. And time after time their diagnoses and remedies prove to be wrong. Today's Africa is the best example of this I know. The preparatory work, helped along by many Americans as well as Europeans, the planning for political institutions and economic processes was done with dedication, yet in one place after another it was all blown to pieces when independence came.

For the critical forces there had little to do with institutions, with politics or economics; they had to do with ancient tradition, profound emotions. The local witch doctor often proved a better judge of his people and their needs than the traveling expert from M.I.T. Among foreigners there it was the anthropologists who were closer to the truth with their predictions, and the psychologists, the philosophers and the poets.

I believe the American State Department must think hard about this. I know the American press, broadcasting included, must think hard. It must develop the new generation of journalists in a different way, with our training but much more besides, including the most exotic languages of Asian peoples, much history, philosophy, comparative religions, psychology and world literatures. For America is now everywhere in the world, touching everything and we shall not understand what we are doing in this new and revolutionary world unless we find fresh eyes and ears.

It was of this that Dr. Charles Malik, the statesman of Lebanon, was speaking, some years ago before a gathering of journalists in New York. He perceived then what I have been able to perceive with clarity only recently and after much renewed travel abroad.

It so happens, he said, that precisely at the moment when they are most desperately needed, the liberal arts are in a state of crisis. "Do you think," he asked, "that the coincidence of these two crises—the special crises of the liberal arts and the general crisis of the world—is purely accidental?

"If you aim," he said to us, "at the real truth in your mediation, not the obvious truth, not the superficial truth, but the deep, hidden tragic truth; if you always faithfully bring out what is ultimately at stake today, namely that there is a rebellion of the elements against all that you have held true and holy and sacred for thousands of years—then," he said, "I believe you will put the entire world in your debt."

That, I am afraid is the real dimension of the task that faces the man of the press today, especially in this earth-shaking nation of the United States. In considerable measure, it is also the task of the American man of politics.

I am not sure that either you or I have chosen the most completely satisfying work in which we spend our days—though I suspect neither of us would want it different. I can only suggest that neither one of us is likely to die of boredom.

DEATH OF EDWARD C. MORAN, JR., OF ROCKLAND, MAINE

Mr. MUSKIE. Mr. President, it is a rare man who can leave his mark on the public affairs of his community, his State, and the Nation. Such a man was Mr. Edward C. Moran, Jr., of Rockland, Maine, who died last month at 72.

Mr. Moran was admired and respected for many achievements—as the father of the Rockland city manager-council charter and as a council chairman, as a U.S. Congressman and author of the Merchant Marine Act of 1936, as a U.S. Maritime Commissioner, as an Assistant Secretary of Labor assigned to reorganizing the Department, as an unsuccessful candidate for Governor of his State, and as director of the Maine Office of Price Stabilization.

These are important contributions, but what I admired most about Carl Moran was his courage in being an active Democrat in Maine at a time when the party could hope for few victories at the polls. His successes in the public interest were highly significant in the development of Maine as a two-party State. Maine people of every political pursuasion have benefited from the revival of political competition, which he helped ignite.

His achievements as a Democrat in a Republican State suggest a man of deep conviction and great energy and optimism. That was Carl Moran. All who knew him or worked with him appreciated his drive. His spirit was contagious. We all took courage from his example and we benefited from his wisdom and experience.

The Nation lost an outstanding citizen, and Maine a favorite son with the passing of Carl Moran. I ask unanimous consent that his obituaries published in the Rockland Courier-Gazette and the Portland Press Herald be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Portland (Maine) Press Herald, July 13, 1967]

Edward C. Moran, Jr., 72, "Mr. Democrat" in 1930's, Dies

Rockland.—Edward Carl Moran, Jr., 72, Maine's "Mr. Democrat" during the New Deal era, died unexpectedly Wednesday morning at his home. He headed E. C. Moran Co. Inc., an insruance agency founded by his father in 1896.

Moran's political star first appeared on the Maine horizon in 1928 when in a stirring speech at a Democratic convention, he united the badly split party elders behind the presidential candidacy of the "Happy Warrior," Alfred E. Smith.

A lifelong resident of Rockland, Moran made two unsuccessful bids for the governorship against William Tudor Gardiner in 1928 and 1930. In 1932 he won the first of two terms in the U.S. House of Representatives from the old Second District in the Democratic landslide which swept Louis J. Brann into the governor's chair.

A pronounced liberal, he supported all of President Roosevelt's policies except he voted for the soldier's bonus bill and against a resolution authorizing negotiation of reciprocal trade treaties by the president.

In his first term in Congress, Moran served on the House Committees on Accounts, Merchant Marine, Radio and Fisheries and World War Veterans. In his second term he was named to the powerful Appropriations Committee.

While serving on the Appropriations Committee he became interested in the Merchant Marine and was anxious to see improvements in quarters for ships' crews, more economical overhaul programs and a more modern maintenance program.

As a result he wrote the Merchant Marine Act of 1936 still in operation today. President Roosevelt appointed him to the United States Maritime Commission in 1937 when Joseph P. Kennedy, father of the late President John F. Kennedy, was chairman.

Moran returned to Rockland in 1940 to run the family insurance business when his father died unexpectedly.

He maintained his interest in government however and in 1942 was named Maine state director of the Office of Price Administration which controlled the state's 60 ration boards.

He was called to Washington in 1945 for a "two months" job of reorganizing the Department of Labor. The job took six months during which time he was appointed an Assistant Secretary of Labor. He sat in on every Cabinet meeting and was asked by President Harry S. Truman to remain at his post. He resigned when the reorganization was completed.

Moran was also the father of the Rockland city manager-council charter approved April 19, 1945. It was selected as a "model charter for the United States" by the National Municipal League. He served on the council and as its chairman under the new charter.

The Rockland insurance man felt strongly the Maine Governor's Council was outmoded and should be eliminated. He wanted to see the Governor as an "executive officer" rather than "a ribbon cutter."

Democratic Governor Edmund S. Muskie named Moran to a committee of 25 to study state government but its recommendations weren't adopted by the Legislature.

Moran was born here Dec. 29, 1894, son of Edward Carl Sr. and Susan Bunker Moran. He was graduated from Bowdoin College in 1917 where he majored in history and government and was an assistant in the History Department. He was captain of the debating team two years.

Following graduation he enlisted in the Army and served overseas. He rose from private to first lieutenant by the time he was released in March 1919 when he returned to join his father in the insurance business.

He was a member and past commander of Winslow-Holbrook-Merritt Post American Legion in Rockland.

Surviving besides his wife, Irene Gushee Moran are a son, Paul W. of Rockland and sister, Mrs. Phyllis M. True of Brunswick; and two grandchildren.

Funeral services will be held at 2 p.m. Saturday in the Congregational Church, the Rev. Charles R. Monteith officiating. Interment will be in Achorn Cemetery.

[From the Rockland (Maine) Courier-Gazette, July 13, 1967]

Former Congressman, Veteran Businessman Carl Moran Dies

A two-term Congressman, father of Rockland's council-manager form of government, and a Rockland businessman for nearly 50 years is dead. E. Carl Moran, 72, died at his 73 Beach Street home Wednesday morning. He succeeded his father as head of the E. C. Moran Insurance Company, and had been active in the business until his death.

Born in Rockland, Dec. 29, 1894, he was the son of Edward Carlton and Susan Bunker Moran. His father not only was the founder of the insurance business but he served as Rockland postmaster and died in office May 28, 1940.

A graduate of Rockland High School in 1913, Mr. Moran receved an A. B. Degree from Bowdoin College in 1917. He served 27 months in the artillery in World War One and was discharged as a first lieutenant.

He became president of the insurance firm on his return from military service in 1919. He was senior past commander of the Winslow—Holbrook—Meritt Post, American Legion, serving as head of the state's first Legion post in 1920.

An active Democrat, he was the Democratic candidate for Governor in 1928 and 1930 and was elected to the 73rd Congress from the Second Maine District in 1932. He served in the 73d and the 74th Congresses.

On the completion of his second term in 1937, he was appointed to the U. S. Maritime Commission and served in that capacity for three years. During World War Two, he was Maine director of the Office of Price Administration. In 1945, his last federal post found him appointed Assistant U.S. Secretary of Labor.

Mr. Moran returned from Washington to play an active part in developing a more modern form of government for Rockland and was chairman of the city council when the new council-manager form of a government went into effect.

He has been known as the father of the present Rockland City Charter. In addition, he was responsible for a complete revision of the city ordinances in 1946.

In 1956, Mr. Moran was named by Gov. Edmund Muskie to serve on a committee to study the Public Administration Service survey of state government. Some 25 years prior, Gov. Tudor Gardner had named Moran to a similar study committee.

In 1942 he published the book "Bunker Family Genealogy" and 20 years later published a second volume on the Bunker family. Researching his mother's side of the family had been a hobby his entire lifetime.

He was a member of the Rockland Congregational Church.

Surviving are his widow, Mrs. Irene Gushee Moran; a son, Paul W. Moran of Rockland; a sister, Mrs. Phyllis True of Brunswick; and two grandchildren.

Funeral arrangements are under the direction of the Burpee Funeral Home.

ALLOCATION TO DEPARTMENT OF DEFENSE OF FUNDS FOR FOREIGN POLICY RESEARCH

Mr. FULBRIGHT. Mr. President, of the funds appropriated for the Department of Defense by the Committee on Appropriations, approximately $28 million is allocated for research dealing in foreign policy problems. Largely focused on such topics as counterinsurgency, the politics of foreign military establishments, and other so-called social and behavioral aspects of the American military presence abroad, the Defense Department is financing a large list of projects in connection with various universities and research organizations, both here and abroad. This is a sharp increase over the amount spent by the Department of Defense in fiscal year 1966, for example, when $10.2 million was earmarked for research on foreign areas and international affairs. Even then, however, the Department of Defense was responsible for approximately one-third of the total amount spent on social sciences by the Federal Government. The Department of State, which should logically be the agency responsible for Government-financed research on foreign affairs, spent only $6.5 million of which $6.2 million supported programs of educational exchange. Defense research in both the social and physical sciences, estimated to cost $45.1 million, is expected to be carried out abroad in fiscal year 1968. Most of these projects are properly cleared through the State Department and the host government, but even then, there is a political risk involved when the Department of Defense sponsors research which could be carried out by a civilian agency.

I brought this matter to the attention of the distinguished Senator from Georgia [Mr. RUSSELL] and I note that the Appropriations Committee has recommended concurrence in the reductions made in the House of Representatives on certain of these projects. The funds requested for Project Agile, for example, investigating what is called "remote area conflict," were cut by $1.2 million. I commend the members of the Committee on Appropriations for reviewing these projects most carefully, for every dollar spent by the Department of Defense in foreign policy matters should be examined so as to insure that it will not result in further military commitments abroad.

I ask unanimous consent to have printed in the RECORD a listing of the social science research projects now being carried out under the auspices of the Departments of the Army, Navy, and Air Force, and the Advanced Research Projects Agency of the Department of Defense.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

Institution (principal investigator) title or description, fiscal year 1967 funding

ARMY

[In thousands]

American Institutes of Research: research on relationships between U.S. troops and indigenous populations in developing countries	$200
H.R.B. Singer Co.: Research on the social science aspects of American military commanders' control of goods brought into a developing country	70
Rowland & Co., Inc.: Preparation of a case book on the Republic of Korea's reserve divisions' civic action program	70
George Washington University—Human Resources Research Office (HumRRO): The Language and Area Training Division of HumRRO, approximately 14 percent of the total HumRRO program	500
American University, Center for Research in Social Systems (CRESS)	[1] 1,915
Work Unit I—Preparation of U.S. military personnel for assignments in developing nations: Impact of counterinsurgency advisory activities on the career orientation of Army officers	58
Work Unit II—Overseas military posts and policies: Their influences on military operations: Mechanisms for improving relations between Americans and local nationals overseas	47
Work Unit III—U.S. defense operations in military assistance civic action, and psychological operations: Social factors relevant to military civic action doctrine, intercultural communications, characteristics of Communist societies relevant to U.S. military interest	$417
Work Unit IV—Indigenous military forces of developing nations; changing roles of the military in the contemporary world	105
Work Unit V—Methodologies for defense research on foreign cultures: Development of analytic models of social processes, techniques for use of experts in foreign area information	177
Work Unit VI—U.S. defense operations in unconventional warfare and counterinsurgency: Internal security, strategic and tactical factors underlying military counterinsurgency operations, nonmilitary effects of physical force by counterinsurgency military units in phase I low-intensity warfare, the operational code of the Communists in Vietnam, world patterns of civil violence	284
Work Unit VII—Social processes underlying military planning for stability: African groups relevant to U.S. military decisionmaking	78
Work Unit VIII—Cultural Information Analysis Center	750

NAVY

Mental Research Institute (Weakland), Content analysis of Communist Chinese mass communications	21
Western Behavioral Science Institute (Raser), Simulated politico-military decision making	32
San Francisco State College (Terrien), Changing size of military organizations	1
Stanford University (North), Threat perception in inter-nation conflict	26
Duke University (Back), Group structure, communication, and stress	1
Massachusetts Institute of Technology (Lerner), Power and deterrence	3
Matrix Corp. (Campbell), Marine pacification training	30

AIR FORCE

University of Denver (Drabek), Theory and method in the study of organizational stress	22
Ohio State University (Haas), Simulation of organizational behavior under crisis or disaster stress	47
Systems Development Corp. (Rome), Executive decisionmaking under stress and crisis	48
Washington State University (Day) Supervision style and productivity	6
Cornell University (Williams), Experimental study of development of consensus	20
Stanford Research Institute (Vollmer), Criteria for the design of new forms of organization	45
Inter-University Seminar on Armed Forces and Society, Inc. (Little), Social research and military management	40
Bureau of Social Science Research (Biderman), Aerospace power and behavioral knowledge	99
Harvard University (Inkeles), Measuring social change in developing nations	$33
University of Maryland (McGinnies), Comparative study of normative behavior: Japanese and American youth	34
Inter-University Seminar on Armed Forces and Society, Inc. (Perlmutter), Political functions of military elites: North Africa and Near East	40
Hebrew University, Israel (Eisenstadt), Comparative studies in modernization and effects on military planning	49
Harvard University (Lindbeck), Military implications of change in Communist China	106

DEFENSE AGENCIES/ADVANCED RESEARCH PROJECTS AGENCY

Systems Development Corporation (Shure) On-line studies of bargaining behavior	256
Educational Testing Services (Kogan) Risk-taking and negotiations	36
M.I.T. (Frey) Comparative research on behavioral change	800
University of California (Rose and Hitchcock) Himalayan border studies	205
Princeton University (Gurr) Genesis of civil violence	39
American University of Beirut (Yorkey) Language research, Lebanon	50
U.S. Army Behavioral Sciences Research Laboratory (Helms) Qualification testing	100
Association for Administrative Research (Nguyen Van Bong) Vietnam vocabulary	53
General Research Corporation (Bavelas) evaluation of group interview techniques	75
George Washington University—Human Relations Research Office (Armilla) advisor-advisee study	55
Human Sciences Research Inc. (Alberts), population movements as factor in insurgency	260
Human Sciences Research Inc. (Alberts), rural value systems—RVN	104
Pan American Health Organization (Ruderman), measuring the impact of health activities on communities	30
Rand Corp. (Schubert), problem analysis	760
Rand Corp. (Goure), Vietcong motivation and morale	754

A BUILDER LEAVES HAWAII

Mr. FONG. Mr. President, it is with much sorrow that I note the death of one of Hawaii's most notable citizens and one who has contributed materially to the social and economic growth of the Islands.

He is Mr. Harold K. L. Castle. Mr. Castle, who died last Saturday, was a descendant of one of the earliest missionary families to Hawaii. At his death, he was the last of the Castles to serve as a member of the board of directors of Castle & Cooke, Ltd., the largest corporation in the State of Hawaii.

Mr. Castle was born in Honolulu in 1886, at a time when Hawaii was still a monarchy, and at a time when the economy of the Islands was solely dependent upon agriculture. He lived to see Hawaii transformed from an era of schooners and barkentines in the Pacific, and horseless carriages, to an age of supersonic flight. He witnessed the evolution of the islands from a Kingdom to a Republic, to a Territory of the United States, and finally as a full-fledged member of the Union of States.

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[1] N.B. Figures do not add up to equal total due to rounding.

He has seen Oahu change from a basically rural community into one of the most modern cities in America and one of the world's foremost tourist attractions.

Through his association with several of Hawaii's business enterprises, the late Mr. Castle had a hand in what has often been termed the phenomenal growth of the Islands. He is famously known as the builder and developer of Windward Oahu.

He had the foresight to acquire lands in Windward Oahu early in his life, and at a time when few could visualize the prospects of population and business growth.

On lands that he has developed or sold, have risen many new suburban communities, business establishments, military installations, schools, a hospital, and several recreational facilities.

Mr. Castle was not one who failed to appreciate his good fortunes and to realize that his many gains were made possible through the growth in population, in the growth of the value of lands, the prospering economy after World War II, and the achievement of statehood. He was appreciative of the friendliness and cooperation of the people with whom he lived and did business.

This gratitude is reflected deeply in his many works of philanthropy. He donated several million dollars worth of land for public use. This included land for school and church sites, parks, and playgrounds. He donated the land for a massive golf course, for a Windward Oahu YMCA, the land occupied by Castle Memorial Hospital, and the land for Hawaii Loa College.

Mr. Castle, president of Kaneohe Ranch Co. in Windward Oahu, was the son of the late James Bicknell Castle and Julia White Castle. Mr. Castle long dreamed that Oahu's windward side would one day become a beautiful setting—surrounded by mountains and the sea—for suburban living. He lived to see this dream materialize beyond his expectations.

He will be missed by all who knew him, and by all who are beneficiaries of his gifts of land and money. To his family, Mrs. Fong and I extend our deepest sympathies during its period of bereavement. We join in saying, Aloha Kainalu.

BOYS NATION ELECTS TEXAN FOR PRESIDENT

Mr. YARBOROUGH. Mr. President, I wish to commend Boys Nation, an organization representing high school leaders from all over the country, for their wise choice of Alan Keyes, of San Antonio, Tex., as president. Alan is an intelligent and highly articulate young man who also won the American Legion national oratorical championship, and is president of the student body of Robert G. Cole High School, in San Antonio.

An article written by Marlyn Schwartz and published in the Dallas Morning News of July 29, 1967, gives a penetrating picture of this outstanding young leader. I was much impressed by the portrayal of this representative of our Nation's rising generation of leaders. He is a young man of whom Texas can be very proud.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEGRO YOUTH LOOKS AT DILEMMA—LEGION HONOREE STRESSES ALLEGIANCE TO SELF AND CAUSE

(By Maryln Schwartz)

Today's Negro faces the dual duty of working for civil rights while maintaining his personal identity, said a San Antonio high school senior honored by the American Legion.

Sixteen-year-old Alan Keyes, the first Negro to be named president of the Legion's Boys Nation, noted, "I feel all members of my race owe a certain allegiance to the movement, but I would like to think I am judged bad or good as Alan Keyes, not bad or good as a Negro."

The teen-ager was named president of Boys Nation from a field of high school leaders from over the country. He is also winner of the American Legion national oratorical championship, arriving in Dallas Friday to give his oration before the Texas convention of the Legion.

Along with the championship, he won a $4,000 scholarship he hopes to use at Harvard University.

The high school senior said he is aware of "trying a little harder" because of being a Negro, "but I am not obsessed with it and since it doesn't bother me, it doesn't seem to bother others either. As I said, you must think of yourself as a person."

He is president of the student body of Robert G. Cole High School, an integrated high school in San Antonio.

He feels, as he said his friends do, that the violence in some of today's civil rights efforts is wrong, "but I think they are justified in some of the big cities because of the conditions which caused them to exist."

Alan said he thinks the problems can be solved only by a concerted effort of state and local governments and private industry.

"But I also feel there must be a change of thinking on the side of the Negro and the white," he said.

Alan's winning speech in the American Legion contest deals with the Constitution.

"I said," he explained, "the best direction for people to follow concerning the Constitution is to put it in action, not just read the words."

He noted that while some of his thoughts in the speech are directed to the rights of the Negro, he more strongly is calling for an understanding to exist between the people and the government at all levels.

"I think the people in my generation are vitally concerned with what is going on in the country today. They are not fools and they are not rebelling to be rebelling. I think they just want to get at the facts."

Alan is the son of Sgt. Maj. and Mrs. Allison Keyes. As a member of a military family, he has spent much of his life traveling. The teen-ager was born in New York and has lived in Maryland, New Jersey and Virginia as well as overseas.

PRESIDENT JOHNSON'S VIETNAM POLICIES SET THE STAGE FOR NEW GROWTH IN THE VIETNAM DEMOCRATIC PROCESS

Mr. BYRD of West Virginia. Mr. President, anyone objectively weighing the results of America's military, economic, and administrative presence in South Vietnam, must conclude that President Johnson's policies have helped build a more solid base for democratic processes than at any time in recent Vietnamese history.

Therefore, as the Washington Post of August 18 said:

> The President's plea for tolerance . . . on South Vietnam's elections deserves to be heard.

The Post emphatically agreed with the President that the United States cannot impose impossible standards for Saigon's elections, anymore than we want to impose impossible conditions for our own elections.

Neither invasion, nor terror, nor subversion has prevented these valiant people from electing a constituent assembly, drafting a new constitution, holding local elections, or staging a national campaign.

This, as the Washington Post says, is no mean feat even for a nation at peace.

Let us not prejudge what is going to happen in the Vietnamese election—before it happens.

Let us not forget that 2 years ago—before President Johnson committed the full weight of the American presence—that South Vietnam was a nation being submerged; that terror stalked every road; that the standard of living was threatened by the Vietcong in every village and paddy.

If American policies have not attained absolute victory, then they have certainly saved a nation from going down thus far under communism.

If Vietnamese elections are not absolutely perfect, according to American standards, let us realize how much improved the political process is in South Vietnam.

To those who have prejudged the outcome, and have already made up their minds, one may say that South Vietnam is much more viable economically, more mature politically, and remarkably freer of terrorism and intimidation than it was 2 or 3 years ago.

This situation is directly ascribable to the American commitment and to American aid.

Let us encourage the South Vietnamese toward a growing democracy, rather than discourage them.

Let us give credit to President Johnson where credit is due.

Let us have faith in the basic democratic impulses of the Vietnamese people, just as we have faith in our own Nation.

That faith and that aid have helped this small nation move along the road to independence and freedom.

I ask unanimous consent to have printed in the RECORD an editorial entitled, "Plea for Tolerance," published in the Washington Post of August 18, 1967.

There being no objection, the editorial

was ordered to be printed in the RECORD, as follows:

PLEA FOR TOLERANCE

The President's plea for tolerance of the "blemish" on South Vietnam's elections deserves to be heard. He was quite right in saying that the United States cannot pose "impossible standards" for Saigon's elections (any more than it would for its own), and he did well to point out that neither insurgency nor invasion has kept South Vietnam from electing a Constituent Assembly, writing a constitution, holding some local elections and staging a national campaign. This would be no mean feat for a unified nation at peace.

The President's report that he has conveyed to Saigon his "conviction that it is vital for the elections to be free and fair" was welcome news. Presumably he has gone on from there to give the force of reality to his conviction; the start of civilian campaigning suggests this is so. A sizable part of American public support for the war has come to hinge on what effect the President's delicate intervention will have in the remaining two weeks of the campaign.

The elections will take place only in "secure" areas, and the junta has screened both candidates and voters. Many Americans probably have already drawn their conclusions as to whether these conditions, and the conduct of the campaign, square with the American aim to guarantee "that the (Vietnamese) people may choose, undaunted, those whom they wish to lead them," as the President put it. Nonetheless, it is, we hope, useful for the President to express his strong faith in free elections, to ask Americans to understand his dilemma, and to bring his influence to bear on Saigon.

SURVEY RESULTS INDICATE UTAHANS ARE NOT INTERESTED IN FEDERAL ANTELOPE ISLAND PROPOSAL

Mr. BENNETT. Mr. President, when the Senate, on July 13, 1967, considered and passed legislation to create a national monument out of Antelope Island in Great Salt Lake I stated in my Senate speech during the discussion on the bill that "most of the people in the State of Utah have no feeling one way or another."

I also pointed out that among those who do have an opinion, my contacts indicated that a majority were in general agreement with me that the State should proceed with the development and that they were well satisfied that the current procedure of State ownership is best.

At the time of the debate on the bill, I did not have available the results of a survey made by Utah's Representative Laurence J. Burton, who asked in his annual questionnaire:

> There has been considerable discussion over possible development of Antelope Island on Great Salt Lake. What do you favor?

Of some 15,000 replies received from all parts of Utah, Congressman BURTON's survey sustained my statement about the Utah interest in this bill.

Only 6.7 percent of those 15,000 who answered said they favored complete Federal development of Antelope Island. I realized at the time of our debate that the figure was quite low, but I did not know it was this low. My mail on the subject certainly indicated this lack of interest in the Federal program, and I am pleased to be able to report these results to the Senate and to complete the record on this point.

In all fairness, also, Mr. President, I should point out that in the poll a total 32.4 percent of those answering the questions indicated they would like to see a fairly equal combination of National and State development. However, as I pointed out in my Senate speech in July, there is considerable doubt that there can be such a joint development of Antelope Island because it is obvious the National Park Service is not about to allow a separate Government agency to set any major policy within the borders of a national monument.

I would also like to list some other figures which showed that 69.3 percent favored a development of some kind at the island. I agree with them. I, also, favor a development at Antelope Island, however, I favor exactly what is going on currently—that is the State's development of the beach on the most suitable portion of the island at the north end.

In summary, the poll shows a total 69.3 percent in favor of development. Of those the totals were: 32.4 percent fairly equal combination of National and State development; 28.2 percent complete State development; 6.7 percent complete Federal development; 0.8 percent mostly Federal development; 0.5 percent mostly State development; 0.4 percent private development; 0.2 percent complete State development or nothing at all; and 0.1 percent part state development and part private development.

A total 18 percent who answered said they were for no development whatsoever. A total 10.1 percent said they did not know and a total 2.6 percent of those who answered the questionnaire left the Antelope Island section blank.

It is obvious from these figures—especially the low 6.7 percent figure in favor of Federal development and the equally significant 18 percent figure who favored no development—that Utahans are far from unanimous as to what they want done at Antelope Island.

ABSENCE FROM PRESS OF ACCURATE INFORMATION ON ISSUES AND POLITICS IN VIETNAM

Mr. FULBRIGHT. Mr. President, one of the reasons why the public is growing more and more confused over the issues and politics of the war in Vietnam is the absence of accurate information in some of our newspapers. After several years of debate on this most important subject, it is indeed unfortunate that one of the country's leading newspapers still bases its editorial comments on errors in fact. In an editorial entitled "Thant on the War," published in the Washington Evening Star of August 3, 1967, which I ask unanimous consent to have printed in the RECORD at the conclusion of these remarks, it is asserted that the independence of South Vietnam "was solemnly guaranteed by the 1954 Geneva accords."

Mr. President, anyone who takes the trouble to read the official text of the Geneva accords will quickly note that the boundary line separating North and South Vietnam was a provisional military demarcation line, to exist "pending the general elections which will bring about the unification of Vietnam." For reasons known to the well informed, these elections have never been held. But to state that these accords insured the independence of South Vietnam is simply untrue, and unfair to those Americans who seek a better understanding of the causes of this tragic war and American involvement therein.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THANT ON THE WAR

U Thant, in his address to the world conference of Quakers, once again gave voice to his simplistic and biased version of the conflict in Vietnam. It is a conflict, he said, that cannot be ended until the United States recognizes it "not as a war of Communist aggression, but as a war of national independence"—more or less like our own American Revolution.

The impropriety of this is self-evident. As Secretary General of the United Nations, Thant is an international civil servant who is supposed to play a moderating, impartial, above-the-battle role in matters of controversy. But he has repeatedly demonstrated, as in his remarks to the Quakers, a penchant for airing his personal views and prejudices against our country's efforts to help South Vietnam maintain its independence.

This independence was solemnly guaranteed by the 1954 Geneva accords. When Thant pooh-poohs charges of Communist aggression in violation of those accords, and when he says in effect that America is "eroding" international morality by its stand in Vietnam, he is guilty not merely of offensive bias, but of historical distortion as well. Certainly, to say that the Viet Cong and the invading North Vietnamese represent "nationalism, and not communism," is to substitute fancy for fact. It is all reminiscent of how Mao Tse-tung and his forces, before they took over China and carried out a terrible purge of countless Chinese, were eulogized far and wide as good-hearted, liberty-loving "agrarian reformers."

Thant's thesis must greatly affront the free Vietnamese, including over a million refugees from Ho Chi Minh's north, who have witnessed the Communist strategy of terror—the systematic torture and assassination of hundreds and hundreds of their village chiefs, school teachers and other leaders vital to their national existence. These people have every reason to fear what would happen to them if Thant's "nationalists" conquered their country. And the same holds true for Burma, his own country, and for Thailand and other neighboring states.

The simple truth is that what the Viet Cong and the North Vietnamese are doing is as much an act of war, a criminal aggression, as the Communist invasion of South Korea in 1950. The Secretary General of the United Nations would be well advised to recognize reality for what it is.

THE PROPOSED TAX INCREASE

Mr. TOWER. Mr. President, several weeks ago I took as the subject of my weekly radio report to Texans the President's proposed tax increase. This week I received from the Kerr County Chamber of Commerce a statement on the same subject, which was in basic agreement with my own position. The chamber's letter reveals that its members also have pierced the transparent argument which the administration is advancing that the tax increase is necessary for our Vietnam efforts. The plain fact is that tax revenues inevitably increase during periods of heavy Government spending for war mobilization, and the swollen nondefense budget offers ample opportunity for reduction by conscientious budget balancers.

Mr. President, I ask that the text of the chamber's letter be reprinted at this point in the Record to be followed by the text of my weekly report to Texans for the weekend of August 12 to 13.

There being no objection, the items were ordered to be printed in the Record, as follows:

Kerr County Chamber of Commerce.
Kerrville, Tex., August 16, 1967.
Hon. John G. Tower,
Senate Office Building,
Washington, D.C.

Dear Senator Tower: At the regular meeting of the Board of the Kerr County Chamber of Commerce on Monday, August 14th, 1967, the following motion was passed unanimously: "That our Representatives in Washington be advised that this group is most vehemently opposed to the 10% surcharge being suggested at the present time by the President of the United States."

The business men of Kerrville represented by the undernamed Board of Directors of the Chamber of Commerce cannot help but feel that there must be a saturation point somewhere in the near future, when it comes to taxes. In fact, we feel this point has already arrived.

Why are our present taxes being thrown away by so many Governmental agencies who do not seem to know the value of a dollar or do not care?

If present Governmental spending would be curtailed, as it very definitely should be, there would be absolutely no reason for any 10% surcharge.

Respectfully,

Tom H. Murray, President, retired from board of J. C. Penney Co.; Clyde Parker, Vice President, General Manager, Chas. Schreiner Co.; James Ware, Vice President, Owner, Ware's Shoe Store; William Dozier, Editor, Kerrville Daily Times; Forest Salter, Owner-Editor, Kerrville Mountain Sun; Wade Hill, retired; Harvey Robbins, Manager, Kerrville Telephone Co.; Harry Schwethelm, Vice President, Hill County Building & Loan; Richard Crick, Owner, Crick's Furniture Co.; Joe Benson, Vice President, First National Bank; Gene Bartels, Administrator, Peterson Hospital; Bob Sowards, Owner, Ben Franklin Store; H. M. Newell, Chas. Schreiner Bank; W. A. Fawcett, Jr., Peterson Auto Co.; John Waggoman, Manager, TV Cablevision Co.; H. T. Paul, Postmaster, Kerrville Post Office; A. D. York, Manager, Lone Star Gas Co.; Bill Stacy, Owner and Operator, Camp Rio Vista; and Whitlock Zander, Manager.

Tax Increase

As you know, Congress has been asked by the Administration to add an extra 10 percent to everybody's federal income taxes.

It is no secret around Washington that Congress looks on this tax-increase request with a considerable lack of enthusiasm. I, for one, think it would be a grave mistake to increase taxes, and I will oppose the bill if it ever gets before the Senate.

The Administration's call for a 10 percent tax increase is a confession of past fiscal failure and a promise of failure to come. It admits the Administration's spending policies have undermined the economy, but it reveals that the Administration's blind solution is simply more and more spending. The facts are that this Administration's irresponsible spending policies already have subjected the American people to a massive dose of the most cruel of all taxations—inflation. This year we are faced with a federal deficit of 30-Billion dollars. Even if there were a tax increase the deficit still would be in the 20's of Billions.

Such an enormous deficit, coupled with continued government spending and with pressure on interest rates leaves us only the prospect of more and more inflation. If the Administration is now given even more tax dollars, it will simply spend them and compound inflation.

For months many of us in Congress have been warning this Administration that its deficit spending policies were leading us toward a $30-Billion-dollar annual deficit and urging a cut in domestic spending. Now, the Administration asks individual taxpayers to bail it out of its fiscal irresponsibility.

An income tax increase, on top of federally-spurred inflation, on top of a coming Social Security tax increase could only further and drastically increase the cost of living of every single American.

Just last month that cost of living was forced up to an all-time high, and it now costs Americans $11.60 to buy what they could get for $10 about six years ago. Repressive taxation on top of such inflation could kick off a serious recession saddling the United States with that most dreaded of economic woes—combined recession and inflation.

It has been estimated that if such a tax increase goes into effect on top of other increases, a worker getting $7,500 a year would have to get an immediate pay raise of $365 just to break even with his current annual purchasing power.

Neither is it any justification to claim that this increase is some sort of "war tax" for future Vietnam needs. The big jump in federal spending has been in domestic, not defense funding, and the needs of Vietnam have been well known months before now.

Since 1960 when the New Frontier-Great Society began its inflationary spending spree, defense spending has increased 68 percent—chiefly because war in Vietnam broke out during the period—but nondefense federal spending has increased 97 percent.

Looking at it another way, since 1960 our population has grown 10 percent, but federal government spending has jumped 83 percent.

Today, this Administration is asking taxpayers to save it from its bankrupt policies. And, if it gets away with that, it never will bring its finances under control but will continue to spend and spend and spend.

This Federal inflationary spending has not achieved its loudly-proclaimed goals—reduced poverty, domestic law and order and more jobs. In fact, through high costs of living, this spending has contributed further to the hardship of many Americans living on fixed incomes.

By refusing to face the fact that it's on the wrong track, the Administration is simply stockpiling a time-bomb of problems just as it has stockpiled deficits each year since 1961 to a total of 60-Billion-dollars. In those seven years the Administration has had to raise the Federal debt limit 14 times until interest in the debt now eats up a dime of every tax dollar.

And these deficits do matter. To go into debt means to borrow. When the government borrows it adds to the money supply, inflating it and causing pressure for increased prices. When it borrows, the government competes with business for investment funds, driving up interest rates and soaking up private capital that might otherwise be creating new jobs.

I, therefore, will oppose this tax increase because it is time to draw the line. It is time for the Federal government to understand that its citizens expect the value of their dollar to be protected and their living cost stabilized.

MAINE LOBSTER LAWS

Mr. MUSKIE. Mr. President, the Maine lobster is a gourmet delicacy from coast to coast. It also is a natural resource which could be depleted if not protected.

The Maine Legislature has recognized the value of lobster for more than 14 decades, yet the concern for conservation persists.

In the summer issue of Maine Digest magazine, Mr. Edward A. Myers, of Damariscotta, Maine, has written a witty review of Maine's lobster laws. He also reveals some of the lobster's most intimate secrets, and the dilemma facing many lobstermen, who are among Maine's most interesting citizens.

Anyone who prizes a Maine lobster dinner will enjoy Mr. Myers' article. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Law of the Lobster

(By Edward A. Myers)

"Might be it might, and might be it mightn't, but it wun't, if it ain't a mind to."

This response of a Maine lobster fisherman to a summer tourist's query about the fog's scaling up could be a fair estimate of any lobster season along the Maine coast—and not a bad capsule history of a fishery first recorded by a diarist sailing with Captain George Waymouth in 1605.

In this diary James Rosier reports a catch of thirty "very great and good lobsters" gathered towards night by a net of twenty fathoms "very nigh the shore," Mr. Rosier's name survives on the cape commanding the western approach to Eggemoggin Reach; but if *he* also had survived to try this technique today, he would be arrested by a warden of the state's Sea and Shore Fisheries Department.

Conviction on the charges would give him plenty of time to catch up on his writing in the county jail along with good reason to hope for publishers' royalties to catch up on the fines. If his "very great and good lobsters" had carapaces which measured more than five inches from the rear of the eye socket to the rear-end of the body shell, he would be tagged for a $10 ante, plus $25 for each lobster, and a possibility of ninety days' imprisonment. Thus, $760 poorer, he would have learned about p. 90, Section 4451 of the Public Laws of 1965.

Then he would be charged with violation of Section 4453, also enacted in 1965, which states that "it is unlawful to fish for catch lobsters . . . by any method other than the conventional method of lobster traps or pots . . . held to mean a stationary device set on the ocean bottom and commonly used along the Maine coast for catching lobsters."

Finally, he would learn to his sorrow that Section 4458 made it unlawful to take lobsters "during the period one-half hour after sunset until one-half hour before sunrise of the following morning." By his own account, he had done his nefarious lobstering towards night, and everyone knows the way Maine holds a lovely light at the edge of darkness, long after sunset. And just in case he should have a clever attorney, the lawbook buttons it up by adding a subsection to the 1961 statute, quite gratuitously in view of 4458, that "catching lobsters at night by *any* method is unlawful."

Alas, James Rosier, thou obviously shouldst not be living at this hour. Alas, also, for the image of the Maine lobsterman, once the apotheosis of independence, of unfettered enterprise, of fearless individuality. How did this hamstringing hodgepodge of legislation—our anachronous Rosier ran afoul of only three out of many—come into being?

If, as Mr. Justice Oliver Wendell Holmes suggested, it is the law wherein we see reflected not only our own lives, but the lives of all men that have been, then it is possible to trace the lobster industry for the last century and a half through the law. It is always embarrassing for Maine people to do this, because even though their forebears were pretty well established with fishing and shipbuilding a decade before the first human erosion of Plymouth Rock, Maine must look to the upstart Massachusetts for most of its early law.

In the fisheries, as elsewhere, conservation laws must ever be looked upon as conserving something for someone *from* someone else. So indeed with the Maine law of 1823 prohibiting non-residents from lobstering without permission, a statute modeled virtually word for word on the one passed by Massachusetts in 1812, eight years before Maine became a state. This law was apparently breached more often than observed; Maine passed progressively more strenuous non-resident laws in 1848, 1852, and 1855. These acts must have done the trick, and all was legislatively quiescent until 1872, when it was first felt necessary to protect the lobsters from the residents.

For many centuries before the arrival of Waymouth and Rosier, the inhabitants of Maine had relished lobsters as food. The Red Paint Indians, who contributed heavily to the twelve million bushels of oyster shells still piled on both banks of the Damariscotta River at the crossing, are suspected of having dried lobster meat on flat rocks for winter stores. Lobsters were then plentiful enough to be found above low water mark, tucked under rocks and seaweed or burrowed into the mud.

This abundance persisted well into the nineteenth century and was available to anyone willing to venture onto the flats at low tide. Those too impatient to wait for the tide used a gaff to hook the lobsters from their hiding places. The lobsters, plentiful as they were became a symbol of low status to such a point that only those citizens "on the town" (in the Maine sense, not the Manhattan) or close to it would permit themselves to be seen gathering lobsters or lugging them home to dinner.

By the 1840's, nonetheless, lobstering had become a livelihood. The most common device was the hoopnet, some of them simply an old wagon-wheel rim with a slack net attached, holding a bait string or bag in the middle. Because the lobsters could crawl out just about as easily as they crawled in, hoopnets had to be tended frequently. The changeability of Maine weather often made this care inconvenient if not impossible and stimulated the development of the lath trap in the early 1870's. This lath pot, credited to Frank Verrill out of Biddeford Pool, is essentially the same as the one in use today and apparently fixed for all posterity by the infinite wisdom of the State Legislature of 1961.

Several decades before Mr. Verrill's design began to belong to the ages, there was an invention in France which was to direct the course of the Maine lobster industry for most of the nineteenth century; the hermetically sealed can. More than twenty factories sprang into being, from Portland down to Eastport, and for forty years there was no law relating to a minimum size that could be canned. There are inklings that people were disturbed by this uncontrolled situation. For one two-year period, egg-bearing females could not be canned; there were brief closed seasons. In 1883 a courageous legislature forbade the canning of any lobster under the size of nine inches. In 1895 the minimum went to 10½ inches, after several years of declining catches. The canning industry all but disappeared, and the modern era of lobstering began to begin.

The population was growing. The railroads had proliferated, permitting shipment of live lobsters much longer distances; the internal combustion engine was not far over the horizon; market pressure was to bring, in less than a decade, an astonishing leap from two cents to over seven cents a pound to the fishermen.

As the twentieth century wore on, a maturing legislature took an increasing interest in the fishery both as an asset to the State of Maine and as a growing body of men who might vote homogeneously. In 1903 the legislature provided for buying egg-bearing lobsters. In 1907 it changed the method of measurement from total length in a stretched-out position, one which the lobster deplores anyway, to length from nose to end of carapace. Twelve years later, when the voters were back from the war, it took care of complaints about broken lobster noses by devising the method of measurement still in use today, from eye socket to the rear of the carapace. Whether the lobster objects least to being stretched out, hooked on the nose, or receiving a brass gauge in the eye socket is not known. The last named method causes neither damage nor pain, and at any rate, the future at the time of measurement is not bright. Not for the lobster, at least.

There have been various size laws passed over the years, the most significant being the establishment of a maximum size in 1933. Maine is the only lobstering state or province to retain a maximum, a law enacted on the theory that larger lobsters were the best breeding stock. The theory is not susceptible of proof, but catch records show a reasonably steady rise from the six million pounds of 1933 to the record high of over twenty-four million in 1957, a catch equalled only in 1889, when the lid was off and canning was indiscriminate. Massachusetts, with no maximum size limit, records no such increase. The Maritime Provinces of Canada, also with no maximum to this day, captured ninety million pounds in 1886, while the current catch is about half as great.

Catch statistics must nonetheless be read with footnotes. The 1889 Maine peak followed fourteen years of special laws which closed the state to lobstering during August and September (or thereabouts—a crystal-gazing legislature moved the closing ahead or back a week or so at each session). Maine's modern-day record of 1957 still stands; the catch was off to below nineteen million in 1965 and did not recover to twenty million in 1966. And, this year Canada, with its eye on the water temperatures, has in several major areas deferred its season for ten days.

The 1967 Maine legislature, concerned at declining catches, has favorably received a law forbidding the hauling of lobster traps on Sundays during the summer. Some interpret this as the first step toward a return to summer closings.

Certainly the chances of survival of a few of the fittest are increased when all egg-bearers and all large lobsters are returned to the sea. The smallest female might produce from seven to nine thousand eggs; the largest might carry as many as a hundred thousand. Our James Rosier, a godly man who participated in the first Christian service held in New England—on Allen Island at Pentecost Sunday would doubtless agree to this method of colonizing the ocean floor.

Which part of the ocean floor is an open question, because of the time it takes to grow from egg to market size. When we catch an eighteen-ounce lobster in June of 1967, we must look back to the summer of 1957 for his start in life. At that point, a female felt the urge to grow and looked about for a hiding place in which to shed her shell. The water was warming, she was active, along with the sea life all around her, and the living was relatively easy, so that her exoskeleton was getting too small for her.

To get her new wardrobe, the lady lobster will go through a great deal. The process of ecdysis (from which a news-magazine drew the word "ecdysiast" as a synonym for stripteaser) is strenuous and dangerous. When shedding is complete, the cast-off shell is usually unbroken, except for the membrane between carapace and tail through which escape was made, and could easily be mistaken for another lobster. The newly-shed lobster is soft and misshapen, particularly in the claws, which have been drawn out through the narrow knuckle joints, but soon regains her former shape and quickly hides to recover from her ordeal.

Her hiding is rarely a complete success. At this point in 1957, our female was discovered by a male and mating took place. In the summer of 1958 she extruded the fertilized eggs in amongst the swimmerets on the underside of her tail. Something about her imminent motherhood inhibited her shedding during this summer; doing so, of course, would have separated her from her eggs. In the following summer of 1959 the eggs hatched. When the last one swam away, our young matron sighed with relief, proceeded to shed again, and once more became accessible to a roving male.

With singular disregard for their own safety, the thousands of larval lobsters swam to the surface, where they were caviar to the gulls and anything else passing or swimming by. There the dwindling number of survivors remained, for a couple of weeks if the water was warm, and for perhaps as long as ten weeks if it was cold. For the benefit of humans who have never gone swimming in the Gulf of Maine, warm and cold are relative terms, 68° being considered toasty (as well as extraordinary rare) by lobster fry, and the high forties as cool.

During this period, the lobster was at the mercy of wind and current. Only by the flimsiest of coincidences would he have been likely to return to the bottom near his mother. She would have been hungry after shedding, anyway, and might have eaten him, as no one appreciates the taste of fresh lobster more than another lobster.

The lobster we caught in June of 1967, therefore, might have started life almost anywhere in the Gulf of Maine, have taken a ride of many miles on one of the currents or countercurrents, have been blown before the prevailing summer southerlies into one of many hundreds of coves or estuaries, or have gone from bay to bay on the sweeping tide. But when he decided to go to the bottom and shed his way to maturity, he also decided to stay pretty close to his new home.

While tagging experiments have turned up an occasional wander-lust lobster a hundred miles away from the tagging point, most recoveries indicate that a range of a couple of miles is nearer the average. Our eighteen-ounce friend has put in eight years of eating and shedding his way to our trap on the limited piece of bottom with which he began to become familiar when he first descended from the surface.

Other tagging experiments by both the Canadian and the Maine fisheries biologists lead to the conclusion that over ninety per cent of the available lobsters are being caught each season. The word "available" excludes the very small, which can take the bait and crawl out of the trap again, and the very large, which can't get into the trap in its present design.

Even as an educated guess, this high percentage of catch is one of the factors filling the legislative halls with the figurative tread of rubber boots every odd-numbered year and resulting in some equally odd legislation. The lobstering State of Maine, once insulated from the outside world beyond Boston, finds that such trite concepts as the population explosion and the consumer price index directly affect the fisherman hauling a string of traps off Pumpkin Ledge.

The average size of the marketed Maine lobster, even in the free-wheeling eighties, was estimated at over two pounds; in 1966, it was a shade over nineteen ounces—and that was up a little from previous years only because of a 1/16'' increase in the minimum measure in 1957. The steady market pressures of increasing population and prosperity have brought the number of ten-dollar license fees over 6,000, as compared with the 3,000 one-dollar fees at the time when licensing was inaugurated in 1915.

The diesel engine, the electronic sounder, the radio-telephone, and nylon heading and warp have all worked their changes. If you divide the catch among 7,000 fishermen, the result of something over 3,000 pounds apiece won't make a living for anyone. Yet it is no longer unusual for a fisherman, with a well-equipped boat that will keep the sea in all weathers, to have a string of traps numbering 600 or even as many as a thousand. Nor is it any longer too rare, the buying price keeps rising, for a fisherman to have a net income in five figures, if he lobsters the year round.

It is a far cry from the fisherman living within short walking distance of the shore, sculling a punt to his Friendship sloop, and hoping the wind was right to haul his string of fifty or sixty traps—to a man who can live fifty miles inland, get a boat on the water in an hour with a down payment, and go to lobstering. This is what is known in marine biological terms as a "wild fishery," for any number can play.

Yet the fisherman is still a hunter, not a farmer harvesting a visible crop. He drops a heavy, slatted oak box into the dark depths, aided perhaps by electronic guidance, but with no knowing what or how much he will catch. The hunting is fascinating, and to a true lobsterman will never lose its fascination. But even as the professional fisherman increases his investment, he reads with some anxiety of the 97 per cent decline in the catch of California pilchards one year for no ascribable reason, and he knows that Maine's 1961 sardine catch fell 70 per cent below the year before, again for no ascribable reason—and as he threads his way through the myriad traps that plague the yachtsman in every Maine harbor, he wonders at the legislature that restricts improvement of his basic gear, the trap, and limits the number of traps he can have on each buoy, but reluctantly votes a pittance for research.

The fisherman's concern is best sounded by Dr. Francis Herrick, whose warning applies equally to those who look to the sea as salvation for practically everything:

"Civilized man is sweeping off the face of the earth one after another some of its most interesting and valuable animals, by a lack of foresight and selfish zeal unworthy of the savage. If man had as ready access to the submarine fields as to the forests and plains, it is easy to imagine how much havoc he would spread. The ocean indeed seems to be as inexhaustible in its animal life as it is apparently limitless in extent and fathomless in depth, but we are apt to forget that marine animals may be restricted to their distribution as terrestrial forms, and as nicely adjusted to their environment. Thus the American lobster occupies only a narrow strip along a part of the North Atlantic coast, and while it is probably not possible to exterminate such an animal, it is possible to so reduce its numbers that its fishing becomes unprofitable."

Dr. Herrick made that warning in June of 1895. Seventy-odd years later, two lobster fishermen were overheard as they walked down the Pemaquid wharf.

"When's the legislature say we got to quit hauling Sundays?

"Sixteenth this month."

"Anyone told the lobsters?"

"WE SHOULD BECOME MILITARILY UNINVOLVED," IS THE SOUND VIEW ON VIETNAM OF ALASKA'S EPISCOPAL BISHOP, THE RIGHT REVEREND WILLIAM J. GORDON, JR.

Mr. GRUENING. Mr. President, with more and more Americans disillusioned about the U.S. performance in Southeast Asia and approaching increasingly the view that I have been expressing for 3½ years that we are engaged in an unjustifiable, illegal, immoral war and that no good can come of it, it is pertinent to note the comment of a very distinguished Alaskan. He is the Episcopal bishop of Alaska, the Right Reverend William J. Gordon, Jr.

In a state of the church address recently he points out:

> I think a great many people feel now that we should not be in Vietnam in a military way, but since we are there they cannot see any way of our getting out honorably, and so endorse our being there. I believe, and here again in my limited knowledge, that we should admit to ourselves that we should not become more involved than we are and that we should make every effort, possibly through the United Nations and other sources, to become militarily uninvolved; to seek other means of settling the Vietnamese problem, even at the cost of the country possibly going Communist.
>
> I feel this way because I do not believe that we can win a military victory, even though we achieve an overwhelming military triumph. We are fighting for an intangible something that cannot be won by force because it must be won within the hearts and minds of men. Even should a military victory be in sight and might be achieved, it could simply be as sounding brass and a tinkling cymbal for all that we cherish and seek in this small but very precious part of God's kingdom on earth.

I ask unanimous consent that the extracts from the Bishop's address on the state of the church, as reported in the Fairbanks Daily News-Miner, be printed at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Bishop Takes Issue With Our Stand in Vietnam

(Note.—These are excerpts from the State of the Church Address, Right Reverend William J. Gordon Jr., Bishop, Missionary District of Alaska (Episcopal).)

One cannot speak of the state of the Church in Alaska without a searching look at the world, and one cannot look at the world without looking face to face at the unholy tensions that face us every hour of our lives these trying days. We hear much these days that the Church should stay out of affairs of state, that we cannot possibly know enough in order to have informed opinions, so we should leave all political decisions to statesmen and those that are in government who have access to more of the facts and figures involved than we do.

Human beings, being fallible, are also prone to be prejudiced in their own spheres, and to look exclusively from their own point of view, or largely exclusively. And I do believe that it is right and proper that those who specifically represent our Lord and His Church in these days have a commission and a commitment to speak out on what we believe is right and wrong, divorced from political or military considerations or specifically economic considerations in relationships between nations. I say again, we cannot say "Thus saith the Lord," because we do not know. And we cannot speak for all Christians or any Christians except ourselves, but we can speak to Christians and among Christians, and I passionately believe it is our responsibility to be involved—to seek answers—even though we can't be sure—and then to become involved. I quote Pastor Martin Niemoller,

"In Germany they first came for the Communists, and I didn't speak up because I wasn't a Communist. Then they came for the Jews, and I didn't speak up because I wasn't a Jew. Then they came for the trade unionists, and I didn't speak up because I wasn't a trade unionist. Then they came for the Catholics, and I didn't speak up because I was a Protestant. Then they came for me—and by that time no one was left to speak up."

I believe that we are called to speak so that those who make decisions may also hear a point of view that we believe within our own human frailties and our own doubts and questionings and our own lack of love, is based on the pure Christian ethic of right and wrong as near as we can ascertain it. This leads to the whole problem of our involvement in Vietnam.

This is a political, an economic and a military problem, but above all, and agonizingly so, it is an ethical problem, where there is no clear right and wrong. I do not pretend that I have much wisdom that is not shared by you—that I have any answers to the Vietnam situation—any real answers. But I do not believe anybody else does either. I believe every man is questioning, and I think we all need to seek the other person's point of view. We all need to formulate an opinion realizing that it cannot be final. And so I dare here tonight as your Bishop, to speak—not for you; not laying down a party line; not in any way saying that this is a committed Christian line, because I know that many other committed Christians, who are more committed than I am, would have a differing point of view.

I suspect from what I read from the headlines of the Anchorage paper that Bishop Dean would differ basically from what I believe. And this, I think, is great, because I hope very much that while he is here he will speak from his knowledge and experience, and from the heart, that we may hear this. (If it is another point of view, I am sure the differences are probably basically the same.) Fortunately his jurisdiction is 10,000 miles away from here so it doesn't make any difference if he does disagree.

I think it is wonderful and this is what I am trying to say—that we need to say what we believe not in an argumentative way, not trying to win somebody over, not trying to sell our point of view, but sharing the little bit of insight and knowledge that we have with every man, and then coming to some place where we can take a stand. Because the great tendency in our day, in our world, is to drift because we cannot be sure enough to do anything, and we let other people who may be even less sure than we are make all the decisions. And so I believe that a Christian should seek all information and knowledge he can possibly find, and on the basis of this take a stand as a Christian. Not "Thus saith the Lord": that this is the Christian point of view; that you have to do this if you are a Christian—but as one Christian, seeking honestly, selflessly, what God would have me do, and have my country do, with all the knowledge that I know, and really seeking knowledge, saying "On the basis of what I know, this is what I believe."

I don't pretend to tell Alaska's Episcopalians, or anyone else how they must stand as a Christian on this issue, but I do feel that we must ultimately make some sort of commitment and not simply stand aside because the issue is too complex. This is something all of us must be, and are, involved in, since it is our country that is involved.

First of all, I think that the Church must deplore the insinuation that all who question our involvement in Vietnam are in some ways lesser citizens, or disloyal in some way to those men who are fighting in Vietnam. Certainly any effort we could make to bring them home on an honorable basis cannot be construed as disloyal and not fully supporting these men who are enduring great privations for us.

Here again, I want to reiterate, I cannot and do not expect to lay down a party line. And this is certainly not the Christian line. Many, many committed Christians differ widely on the question of our involvement. I do not say in any way that any person is less committed—I say again—because he differs from me. But I do feel constrained to share my views with you.

I think there is serious question about the wisdom of our early involvement in Vietnam following the Geneva Conference more than 10 years ago, when many authorities in our country undoubtedly felt that we had, at any cost, to keep Vietnam from going Communist. I am sure that this was an honest decision on their part. And there was obviously a very strong feeling that in free elections the result would be that Vietnam would go Communist, and so I believe we used our influence at that time to prevent this from taking place. This has led eventually to the present escalation in which we are fighting a war against communism largely with the Vietnamese as the context.

I think a great many people feel now that we should not be in Vietnam in a military war, but since we are there they cannot see any way of our getting out honorably, and so endorse our being there. I believe, and here again in my limited knowledge, that we should admit to ourselves that we should not become more involved than we are and that we should make every effort, possibly through the United Nations and other sources, to become militarily uninvolved; to seek other means of settling the Vietnamese problem, even at the cost of the country possibly going Communist.

I feel this way because I do not believe that we can win a military victory, even though we achieve an overwhelming military triumph. We are fighting for an intangible something that cannot be won by force because it must be won within the hearts and minds of men. Even should a military victory be in sight and might be achieved, it could simply be a sounding brass and a tinkling cymbal for all that we cherish and seek in this small but very precious part of God's kingdom on earth.

I simply ask of you, not that you agree with me, but that you honestly ask yourselves what our Lord would have us do as a nation and individually in this tragic, horror-filled situation, and then go forth and stand and seek and wrestle.

I would like to share with you a very brief statement on this subject written by a man that some of you know, who was once rector of this parish, whom I believe is one of the deepest and most penetrating thinkers of our Church at this time, Gordon Charlton.

He asks that we—that his people, and I agree, that they in all this think of two questions. First it would seem that before a nation as powerful as ours could justify itself in raining down destruction upon the relatively helpless people of a semi-primitive country on the other side of the world, we should be able to cite clear and convincing proof that such action is unavoidable and necessary to the larger welfare of mankind. Such is not clear to many of our own people and almost none of the other peoples of the world.

Second, we have made no real effort to turn the Vietnamese question over to the United Nations for solution. This cannot be for lack of confidence in the United Nations' ability to settle disputes, or police truces, for that ability has been amply demonstrated. It can only be because we know that our position has little support among the other nations of the world, and that the U.N. solution might not be to our liking. These two thoughts lead to a final question. Are we truly seeking to assure to the peoples of southeast Asia the right of political self-determination, or are we seeking to establish there a pax Americana?

POLITICAL BROADCASTING IN OTHER DEMOCRACIES

Mr. SCOTT. Mr. President, the Subcommittee on Communications of the Committee on Commerce has been considering several bills to amend or repeal section 315 of the Communications Act. I believe that Senators and other readers of the CONGRESSIONAL RECORD would be interested to know how the Government of Canada and the governments of various democratic countries in Europe regulate political broadcasting. Accordingly, I ask unanimous consent that two papers on this subject, prepared for me by the Law Library of the Library of Congress, be printed in the RECORD.

There being no objection, the papers were ordered to be printed in the RECORD, as follows:

FREE TIME FOR POLITICAL BROADCASTING IN THE UNITED KINGDOM AND CANADA

(By John J. Kominski, legal specialist, the Library of Congress Law Library, American-British Law Division, January 1966)

INTRODUCTION

Political or controversial broadcasting in the United Kingdom and Canada is largely a matter of program policy established by boards of governors in compliance with statutory provisions. Both the British Broadcasting Corporation (BBC) and the Canadian Broadcasting Corporation (CBC) provide radio and television time for such purposes on an equitable basis; however, both also establish qualifications which political parties must satisfy as a prerequisite to obtain "free time." The annual reports of the BBC and the CBC indicate that little difficulty, if any, has been encountered and generally, the procedures followed are satisfactory to all political parties.

THE UNITED KINGDOM

Radio broadcasting

The British Broadcasting Corporation (BBC), the main instrument for broadcasting in the United Kingdom, was established by Royal Charter on December 20, 1926. In order to carry on its business as broadly stated in the Charter, the BBC is required under the Charter to acquire a license from the Postmaster-General.[1] The first license granted was to expire in 1937; there have since been five renewals. The latest renewal on December 19, 1963 [CMND 2236] extended the current term of broadcasting service until July 31, 1976.

Broadcasting on political issues began to be seriously developed in 1928, when "the importance of broadcasting as a medium for spreading political ideas and knowledge among a widening public was soon recognized by the parties. It proved difficult in the early years to secure agreement between them in the arrangement of balanced broadcasts on political issues."[2]

In 1935, the Ullswater Committee, reviewing the BBC record of operation, paid a tribute to the BBC for its policy of balancing broadcasts concerning political parties, and the Committee's recommendations were largely an endorsement of this practice. The Committee further recommended close cooperation and consultation between the BBC and the authorized spokesmen of the political parties, but took care to point out that they were far from implying that all broadcast treatment of political questions should be controlled by the political party organization.[3]

An agreement reached in 1947 between the BBC, the Government and the Opposition, and embodied in an *Aide-Memoire*,[4] established a pattern of political broadcasting which was the basis for that currently in use. The agreement provides for broadcasts by party spokesmen. Each year a limited number of radio and television broadcasting periods is allocated to the main parties[5] in consultation with them. The BBC provides the broadcasting time but the parties themselves decide on its allocation. These broadcasts are known as "Party Political Broadcasts." Subjects and speakers are chosen by the parties, and any party may, if it wishes, use one or more of its quota to reply to a previous broadcast. The broadcasts are arranged in two series, one on radio and the other on television.

The basis of the broadcast time allocation was modified in 1962 by an agreement between the parties.[6] It provided that in the first two years after a General Election the allotment among the three parties would be on the basis of votes cast at the General Election. In subsequent years, the allotment would be on the basis of one-third of the time to be divided according to the votes cast at the by-elections that had taken place since the last General Election and two-thirds of the time according to the votes cast at the General Election. In an actual twelve month period [July 1, 1963 to June 30, 1964] the allotment was as follows:[7]

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[1] The need arises by virtue of the statutory powers of the Postmaster-General under the Wireless Telegraphy Acts, consolidated in the Wireless Telegraphy Act of 1949 [12, 13 & 14 Geo VI, c. 54]. The major part of the BBC's License and Agreement with the Postmaster-General is devoted to a statement of the terms and conditions under which the Corporation is permitted to establish and use its transmitting status and apparatus for wireless telegraphy.

[2] BBC Handbook—1964, London, BBC Broadcasting House, 1964, page 66, citing the General Election of 1931 as an example of difficulty in securing a balance between the parties on political broadcasts.

[3] Report of Lord Ullswater's Committee, CMD 5091, London, H.M.S.O. 1935.

[4] Published as an appendix to the Report of Lord Beveridge's Broadcasting Committee of 1949, CMD 8291, London, H.M.S.O., July 1951.

[5] The main parties here being the Labour Party, the Conservative Party, and the Liberal Party.

[6] BBC Handbook—1964, *op. cit.*, page 67.

[7] *Ibid.* Whitaker's Almanack, 1965 [London, Joseph Whitaker, 1965, p. 332] breaks down the votes cast between 1959 and 1964 as follows:

General election, 1959:	
Conservative	13,750,965
Labour	12,195,765
Liberal	1,661,262
Welsh Nationalist	77,571
Sinn Fein	63,915
Communist	30,897
Scottish Nationalist	21,738

Television

Conservative Party, 4 broadcasts: (2 of 15 minutes, 1 of 20 minutes, 1 of 25 minutes).

Labour Party, 4 broadcasts: (2 of 15 minutes, 1 of 20 minutes, 1 of 25 minutes).

Liberal Party, 1 broadcast: (1 of 25 minutes).

The parties had the right to divide their 25 minute broadcast into 1 of 15 minutes and 1 of 10 minutes.

Radio

Conservative Party, 7 broadcasts: (4 of 10 minutes, 3 of 5 minutes).

Labour Party, 7 broadcasts: (4 of 10 minutes, 3 of 5 minutes).

Liberal Party, 2 broadcasts: (1 of 10 minutes, 1 of 5 minutes).

Television broadcasts

The Television Act of 1954 [2 & 3 Eliz II, c. 55] provided for television broadcasting services in addition to the BBC. The new network of stations was called the Independent Television Authority (ITA). Section 3 of the Act provided a code of programing, part of which was to require due impartiality respecting matters of political or industrial controversy or relating to current public policy.[8] Further provision was made that matters designed to serve the interests of political parties were not to be included in programs, with two exceptions: (1) the ITA could relay the BBC's Party Political Broadcasts, and (2) the ITA could include properly balanced discussions or debates where those participating expressed opinions and advanced arguments of a political nature.[9] In 1963, this provision and both its exceptions were repealed.[10] Such programing is now left to the discretion of the ITA within the guidelines established by the exceptions set out above.

The arrangements for broadcasts during a General Election are agreed on beforehand by the main parties. When a General Election is announced, a certain number of periods are made available to the parties for radio and television broadcasts. The Government Party and the two other main parties agree among themselves how to allocate the time.

The claims of minority parties are considered after Nomination Day, when any party nominating a requisite number of candidates (50) is offered the chance to broadcast. Customarily, the Government Party speaks first and last with the other two main parties being accorded time in between. Any minority party which so qualifies is allotted a shorter period than those offered to the main parties.[11]

On July 30, 1963, after joint consultation by the BBC and the ITA with the Government, the Opposition, and the Liberal Party, it was agreed that there should be two national series of Party Political Broadcasts and time was allotted to the three main parties for General Election broadcasts as follows: [12]

Television

Conservative Party, 5 broadcasts of 15 minutes.

Labour Party, 5 broadcasts of 15 minutes.

Liberal Party, 3 broadcasts of 15 minutes.

These were transmitted simultaneously by the BBC and the ITA.

Radio

Conservative Party, 7 broadcasts: 4 of 15 minutes, 3 of 5 minutes.

Labour Party, 7 broadcasts: 4 of 15 minutes, 3 of 5 minutes.

Liberal Party, 4 broadcasts: 2 of 15 minutes, 2 of 5 minutes.

The current License and Agreement [13] requires that the BBC "broadcast an impartial account, day by day, prepared by professional reporters of the proceedings in both Houses of Parliament." Frequently, the BBC invites Members of Parliament, of both Houses, to take part in talks and round-table discussions on political and controversial matters and to be interviewed on occasions of public interest. "It is recognized that the appearance of an M.P. at the microphone or in front of the television camera may inevitably carry with it a degree of publicity for the party to which he belongs, irrespective of whether the subject of the broadcast be political or non-political. The BBC therefore takes steps to ensure, in the interests of impartiality, that broadcasts by Members of Parliament are regulated so as to provide a fair balance between Government and Opposition." [14]

CANADA

Radio and television broadcasting

Under the provisions of the Canadian Broadcasting Act, 1936,[15] the Canadian Broadcasting Corporation (CBC) replaced the Canadian Radio Broadcasting Commission on November 2, 1936, assuming the assets, liabilities and principal functions of the Commission. The status of the CBC was that of a public corporation, directed as to policy by a Board of Governors, appointed by the Governor-in-Council. The Board was responsible to Parliament through the Minister of Transport.

Through its thirty years of operation, the CBC has been affiliated with network and private radio and television stations in Canada. On October 1, 1962, formal affiliation agreements were drawn up with network and private radio stations; these agreements provided for both a consolidated English CBC radio network and a French radio network. The CBS Radio Network now consolidates the operations of the French, the Dominion, and the Trans-Canada Radio Networks.

In its first year of operation (1936), the CBC carried into effect the provisions of the Canadian Broadcasting Act relating to political broadcasting: [16] the division of time during a Dominion, provincial or municipal election on an equitable basis among all candidates [Section 22(1)(e)], the prohibition of dramatized political broadcasts [Section 22(3)] the naming of sponsors of the political broadcasts [Section 22(4)], and the prohibition of any political broadcasts within a 48-hour "blackout" period prior to an election [Section 22(5)]. The same basic guidelines are still operative. In accordance with the Act's provision that time devoted to political parties be assigned on an equitable basis to all parties and rival candidates, the corporation passed the following regulation in 1936: [17]

"8(2) Each station shall allocate time for political broadcasts as fairly as possible between the different parties or candidates desiring to purchase or obtain time for such broadcasts."

The 1939 Dominion Election campaign saw the introduction of several new features in political broadcasting. On July 8, 1939, the Board of Governors put into effect for the first time, the policy of the CBC respecting "controversial broadcasting." A committee was set up to deal with the problems presented by the campaign and to coordinate and regulate political transmissions. Time was allotted to the political parties on the basis of a formula considered fair to all concerned, and care was taken to safeguard program balance on an equitable distribution of broadcasting periods on private stations and subsidiary hookups in the province.[18]

Free-time political broadcasts, both federal and provincial, were introduced in 1946, with the allocations to be determined by the parties themselves. With the parties' cooperation, the CBC attempted to produce these programs in a form more attractive to listeners, yet to avoid the dramatization of political matters prohibited by regulations.[19] As a means of accomplishing this objective, a federal series, *The Nation's Business,* was broadcast in weekly 15 minute periods, allocated by agreement among the political parties concerned. This series was heard on the French network under the title *Les Affaires de l'Etat*. In January 1947, a series titled *Provincial Affairs* was organized in six provinces.

It is currently the policy [20] of the CBC during the period between election campaigns to make free time available on application in writing from national party leaders for political broadcasts on a national CBC network and to provincial leaders on a regional CBC network. Available time is now allocated as follows:

(1) When there are only two political parties, the total time will be divided equally between the parties.

(2) When there are more than two qualifying parties,[21] time will be divided in the following ratio: two periods to the party in power (but never more than 40 per cent of the time), and three periods to be divided among qualifying opposition parties.

(3) In the event the parties cannot agree on a division of the free time, the matter may be referred to the Board of Broadcast Governors to allocate the time available in such a fair and reasonable manner as it deems necessary.

Others	61, 225
Total	27, 863, 338
By-elections, 1959–64:	
Labour	856, 934
Conservative	724, 861
Liberal	383, 006
Independent	30, 001
Scottish Nationalist	24, 948
Communist	5, 799
Welsh Nationalist	3, 711
General election, 1964:	
Labour	12, 205, 576
Conservative	12, 002, 407
Liberal	3, 093, 316
Others	348, 914
Total	27, 650, 213

[8] Section 3(1)(f). This provision was enlarged in 1963 to include "series of programs" as well as a single program. The Television Act of 1963 [11 & 12 Eliz II, c. 50, s. 16(1)]

[9] Section 3(1)(g)

[10] The Television Act of 1963, [11 & 12 Eliz II, c. 50, s. 16(2)]

[11] BBC Handbook—1964, *op. cit.,* page 69

[12] *Ibid.*

[13] December 19, 1963, CMND 2236, London, H.M.S.O., 1963. Section 14(2)

[14] BBC Handbook—1964, *op. cit.,* page 68.

[15] I Edw VIII, c. 24; amended and found in *Revised Statutes of Canada, 1952,* c. 32. The basic act was re-enacted in 1958 [*Statutes of Canada, 1958,* c. 22] providing for a Board of Broadcast Governors to replace the original Board of Governors.

[16] Report of the Canadian Broadcasting Corporation, November 2, 1936 to March 31, 1937, Ottawa, J. O. Patenaude, I.S.O., 1938, page 15.

[17] Annual Report of the Canadian Broadcasting Corporation, Fiscal Year ending March 31, 1938, Ottawa, J. O. Patenaude, I.S.O., 1938, page 14.

[18] Annual Report of the Canadian Broadcasting Corporation, Fiscal Year ending March 31, 1940, Ottawa, Edmond Cloutier, 1940, page 19.

[19] CBC Annual Report, 1946–1947, Ottawa, Edmond Cloutier, 1947, page 11.

[20] Audience Relations Handbook, Ottawa, Canadian Broadcasting Corporation, February 1964, setting out the regulatory policy of the Board of Broadcast Governors.

[21] Qualified parties are "bona fide" parties as set out below.

(4) During a federal election campaign, the between-election federal series of programs will be cancelled, and during a provincial election campaign, the provincial series of between-election programs will be cancelled.

The corporation grants the privilege of free network time for political broadcasting to "bona fide parties," which are national in extent and which reflect a substantial body of opinion throughout the country. The Board of Broadcast Governors does not set out exact definitions of "bona fide parties," but suggests[22] that such parties should meet all of the following requirements:

(1) Have policies on a wide range of national issue,

(2) Have a recognized national leader,

(3) Have a nation-wide organization established as the result of a national conference or convention,

(4) Have representation in the House of Commons,

(5) Seek the election of candidates in at least three of the provinces and put into the field at least one candidate for every four constituencies,[23] and

(6) Form a group of elected representatives in the House of Commons under a recognized leader to which the House has accorded privileges in the conduct of parliamentary business.

These same basic requirements will apply for granting free time in provincial broadcasts as well.

Federal regulations[24] require that stations allocate purchased time as equitably as possible among all parties or candidates who desire such. However, it is corporation policy[25] that CBC stations are not available for paid political or controversial broadcasting. The only exception to this rule is for those CBC stations serving an area not covered by any privately-owned station which may broadcast a limited amount of paid political broadcasting during federal, provincial or municipal election or by-election campaigns.

FREE TIME FOR POLITICAL BROADCASTING IN VARIOUS EUROPEAN COUNTRIES

(By members of the staff, Library of Congress Law Library, European Law Division, January 1966)

SUMMARY

The present report endeavors to furnish condensed information on the question of the free availability of radio to political parties for their electoral campaigns as reflected in the legislation and practice of the Western European countries, namely, Denmark, Finland, France, the Federal Republic of Germany, Italy, Norway, Sweden, and Switzerland.

As a rule, radio broadcasting in Western European countries is a state monopoly, sometimes exercised exclusively by state enterprises, in other instances by organizations which have a legal status like that of a government department (i.e., Denmark, France, Italy, Norway), or by mixed companies or public corporations (i.e., the Federal Republic of Germany, Finland, Sweden), or by private associations with a government license (i.e., Switzerland). In all instances, however, the government itself reserves the right to supervise radio programs and activities through a state committee, advisory body, or by other means set up to ensure that impartiality is preserved in the programs.

In regard to the use of radio for electoral campaigns by political parties and the granting of free time to these parties for such campaigns, the majority of the national laws are silent. Only the legislation of France contains express provisions dealing with the problem mentioned above. On the other hand, practices and tendencies in this field show that radio is now being used for this purpose, as is the case, for instance, in Germany and Italy where the government and the political parties agreed upon a very detailed program granting such use of the radio.

The situation in regard to radio or television free time in each Western European country will be treated individually in the following:

DENMARK

According to the Law on Radio Broadcasting (*lov om radiospredning*) of June 11, 1959,[1] "the Danish radio is an independent public institution which has a monopoly right of radio broadcasting and television." The activities of Danish radio and television are financially based on annual fees paid by users of radio and television receivers. The fees are confirmed by the Minister of Cultural Affairs in agreement with the Finance Committee of the Legislature. The program of radio and television may not include paid advertisements with the exception of announcements of the State authorities and the radio itself.[2]

A Radio Council (radiorad), appointed by the Minister of Cultural Affairs, consists of two members as representatives of the Ministry; one member as an expert in radio technical matters; 10 members elected by the Legislature from among representatives of the national organization of radio listeners and television viewers; one representative of each political party represented in the Finance Committee of the Legislature.

According to Article 8 of the Rules of Procedure the following, among other things, shall be the duty of the Program Committee elected by the Council:

"To consider and approve proposals on the broadcast coverage of political meetings, events and the like, pre-election political broadcasting and telecasting, and political discussions which according to their character might be taken up by the Legislature."

Director Peder Norgaard, Chairman of the Radio Council, writes in the Annual of the Danish Radio and TV 1964–1965:[3]

"It has been and continues to be the practice in some countries to use radio and television primarily as a tool of the government in power. Particularly in countries where a single man [or party] exercises the power, it is unimaginable that radio and television might be neutral. In our country, where, according to the traditions of centuries, the people have been engaged in many branches of the administration, where the Radio Council is the highest authority in broadcasting and telecasting activities, where rules on activities based on democratic principles have been issued, radio and television have quite another character. . . . The information and other material transmitted by radio or television must be correct, objective, realistic, and many-sided. As a public institution, the Danish Radio cannot commit itself on controversial issues, but it is its duty to give time for the presentation of divergent views in order to give each listener or viewer the opportunity to form his own opinion."

Prior to the elections to the Legislature on September 22, 1964, the program of the Danish Radio and Television was divided into two series: beginning August 25, each day two representatives of each party that nominated candidates for elections answered questions presented in writing by listeners and viewers, and from September 10 each party was allotted one evening starting at 9.10 p.m. On election day evening the results of the elections were reported, and after the outcome was generally known, the party leaders were given an opportunity to comment on the results of the election.[4]

JOHANNES KLESMENT.

FINLAND

The Law on Radio Installations (*Laki radiolaitteista*) of January 27, 1927, provides that for the establishment of radio installations and their use for broadcasting, a license for a certain period and under certain conditions must be granted by a State authority (Post and Telegraph Board). Radio installations and their use are subject to supervision by State authorities.[5]

According to the Law of May 18, 1934,[6] as amended by the Law of November 5, 1948,[7] the Cabinet is entitled to transfer government-owned radio stations and other broadcasting facilities, as well as all property connected with radio activities, to a joint stock company organized for this purpose. The State owns 90 per cent of the shares of this Company and has the sole right to make decisions in the name of the Company in order to satisfy the interests of the State and of the general public. According to the Law, the company, called O. Y. Yleisradio, is administered by a Board of Directors consisting of 24 members who, according to an amendment of 1948, are elected by the Legislature (eduskunta). The members are elected from among citizens familiar with the problems of the arts, public enlightenment, and the economic life of the country, and must represent different social and language groups.

The Company's source of income is the fees paid by radio and television users; these fees are determined by the Cabinet. The activities of the Company are tax free.

In the Committee of the Legislature as well as in the discussions at the plenary meeting of the Legislature special attention was paid to the fact that the Board of Directors should be neutral in its activities and that radio and television programs should be independent of the Cabinet and political parties.[8]

There are no special provisions relating to political broadcasting and telecasting. Little can be found in regard to this question in discussions at the meetings of the Legislature. Therefore it may be considered that the Board of Directors enjoys broad independence in the arrangement of programs and in managing radio and television in general. The neutrality of the decisions of the Board is guaranteed by its composition. Out of the 24 members, 16 are members of the Legislature representing all political parties. The 8 other members represent various strata of the Finnish people.[9]

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[22] See Canadian Broadcasting Corporation White Paper, "Political and Controversial Broadcasting," revised October 25, 1963, Ottawa, CBC, 1963. There are presently five major parties which qualify: Progressive Conservative, Liberal, New Democratic, Social Credit, and Social Credit Rally; a sixth, the Communist Party, has just recently met all requirements according to the CBC Washington Bureau, National Press Building, Washington, D.C.

[23] About 66 candidates are required; there are 265 constituencies in Canada.

[24] SOR 59/456, *Canada Gazette*, Part II, Vol. 93, No. 23, December 9, 1959, Section 7(1).

[25] CBC White Paper, "Political and Controversial Broadcasting," *op. cit.*

[1] *Karnov's lovsaming*, 6, udgave. København, 1961, p. 1301–1302.

[2] Rules of Procedure of the Radio Council (*Forretningsorden for radoprådet*), Art. 8, par. 5. *In Ministerialtidende*, Afdelning A, nr. X, item 177.

[3] Peder Norgaard. *Flere milepaele passeret. Stil Ind. Arbog for Danmarks Radio of TV 1964–1965*. p. 5–9.

[4] Norgaard, *op cit.*, p. 122–123.

[5] *Suomen Asetuskokoelma* (Finland's Official Gazette), 1927, item 8.

[6] *Ibid.*, 1934, item 216.

[7] *Ibid.*, 1948, item 774.

[8] Riksdagen 1934 *Handlingar*, Första delen, Prop. No. 15, Statsutskottes betänkande No. 23; Valtiopäivät 1948. Pöytäkirjat I, p. 488–505.

[9] *Finlands Statskalender 1963*. Helsingfors, 1962. p. 15–16.

Because there is no general survey on the activities of O. Y. Yleisradio available, the issues of the weekly Radio Kuuntelija, containing daily programs of radio and television, were consulted. According to these programs the political parties have had the opportunity in national and municipal election years to present their views to the population through panel discussions where the representatives of all campaigning parties take part. Usually only two or three such discussions are arranged prior to elections, the last being on the eve of election day. Two hours are granted for the last panel discussions and 45 minutes for earlier discussions. In general preelection programs do not differ from everyday programs. Of course, information concerning elections is also given by the general news broadcasting.[10]

JOHANNES KLESMENT.

FRANCE

I. Laws governing political broadcasting in France

French laws strictly regulate the use of radio and television for electoral propaganda. On October 30, 1958, Decree No. 58–1020 Relating to the Use of French Radio and Television Broadcasts for Electoral Propaganda prior to Elections of November 23, 1958, was enacted.[11] Decree No. 64–231 of March 14, 1964,[12] Relating to the Presidential Elections also contains provisions pertaining to the free use of French radio and television.

II. Election to the National Assembly

The State radio and television which has a broadcasting monopoly allocates free time to parties which have presented their candidates in at least 75 districts and which are entered on the list established by a special commission consisting of one member of the Council of State as chairman, one representative of the Minister of the Interior, and one representative of the Minister of Information. The parties and groups which want to use this privilege must address their requests to the above-mentioned commission. The candidates' certificates containing the following must be attached to the requests:

"I, the undersigned . . . . ., candidate to the National Assembly in the . . . . . district of the Department of . . . . ., authorize the party (or the group) to include me, as is required, among the 75 candidates, in support of the request filed in the application of Decree No. 58–1020 of October 30, 1958." (Art. 1)

The national parties or groups are authorized to use the French radio and television under conditions established in Articles 3 and 4 which read as follows:

"*Art. 3.* Each party or group authorized to use radio and television broadcasts for their propaganda purposes may operate during the electoral campaign one radio broadcast of five minutes on channel France II, one television broadcast of five minutes, and one radio broadcast of five minutes on each of the regional radio stations mentioned below: Lille, Bordeaux, Limoges, Lyons, Marseilles, Rennes, Nancy, Strasbourg, Toulouse.

"*Art. 4.* The radio broadcasting on channel France II shall take place between seven thirty and eight p.m., and the television broadcast between seven forty-five and eight p.m.

"On the regional stations the broadcasts shall take place between nine and ten p.m.

"The parties and groups shall indicate in their requests the name of their representative participating in the different established broadcasts. The broadcasts shall take place from November 7 to 20."

The dates and hours of the broadcasts of each party or group are established by drawing lots under the supervision of the commission in charge of establishing the list of the parties and groups which are authorized to use French radio and television.

According to one authority, "Notwithstanding many loopholes, the law is effective in controlling radio and television propaganda and in limiting the cost of a competition which, otherwise, might be too heavy to bear not only for independent candidates but even for some political parties." [13]

III. Presidential elections

Through the application of Law No. 62–1292 Relating to the Election of the President of the Republic by universal voting, Decree No. 64–231 of March 14, 1964, regulating election proceedings was enacted. Article 12 of the said Decree contains the following provisions concerning the use of French radio and television by presidential candidates:

"*Art. 12.* During the electoral campaign, the principle of equality among the candidates shall be respected in the information programs of the French radio and television broadcasts concerning the rendition of or commentaries on the declarations and writings of the candidates, and the presentation of their persons.

"Each candidate shall have at his disposal on French radio and television, during the first round of ballots, two hours' television, and two hours' radiobroadcasting. Taking into consideration the number of candidates, the time of the broadcasts may be reduced by a decision of the Commission referred to in Article 10 of the present Decree. This decision shall be taken within twenty-four hours after the publication of the list of candidates in the *Journal officiel*.

"The broadcasting hours shall be used personally by the candidates. However, each candidate may ask that the political parties or groups whose activities embrace the national territory generally and are identified [*désignés*] by the candidate, participate in these broadcasts, after being qualified by the national control commission, which shall decide whether these parties or groups meet the requirements prescribed by the present paragraph.

"The Minister in charge of information shall establish the number, duration and hours of the broadcasts. The arrangement of each part of the broadcasts shall be established by the Commission referred to in Article 10 in such a way that an equal time is assured to each candidate. The order for the allocation of time shall be established by drawing lots by the above-mentioned Commission.

Each of the two candidates, during the second round of ballots, shall have at his disposal under the same conditions two hours of radio broadcasting and two hours of television broadcasting on the French radio and television.

The Commission mentioned in Article 10 of the Decree of March 14, 1964, consists of the Vice-President of the Council of State as Chairman, the First President of the Court of Cassation, the First President of the Court of Accounts (Cour des comptes), and two members designated by the above-memtioned members from among the members of the Council of State in actual service or honorary members, members of the Court of Cassation or the Court of Accounts.

DR. DOMAS KRIVICKAS.

THE FEDERAL REPUBLIC OF GERMANY

Perusal of official legal sources and the annual yearbook of the Radio of Western Germany [14] which has a special directorate for television, as well as writings in the field of radio and television law did not disclose information pertaining to the existence of laws, or regulations concerning political broadcasting or the granting of free time to political parties and/or candidates in electoral campaigns. Thus, the principle of equal-time prevalent in the United States legislation and written into Section 315 of the Communications Act of 1934 as amended, which pertains to the use of broadcasting facilities by political candidates for public office, has no counterpart in the legislation of the Federal Republic of Germany.

Special *ad hoc* agreements are made with the radio and television administrations to deal with the allocation of time for political broadcasts during electoral campaigns. With respect to television, the following statement from a comparatively recent book in the Federal Republic of Germany [15] shows the basic principles for the allocation of time for political broadcasts during electoral campaigns:

In England, commercial television has, with respect to political broadcasts, completely embraced the principles of the BBC, which accords television time to all parties according to a key. In the Federal Republic [of Germany], also prior to each election the time allotted for political party statements is fixed precisely to the second: the determining basis in each case is decided by the number of members representing a party in the *Bundestag* (Federal Diet) or the Landtag (Diet of a land). However, a certain amount of television time must also be assigned to new candidates.[16]

In the Federal Republic of Germany, broadcasting and television systems are "operated as a public service monopoly with definite autonomy and operational independence of the State," [17] and the various broadcasting organizations are public corporations.

The three political parties in the Federal Diet—the Christian Democrats (CDU; CSU), the Social Democrats (SPD) and the Free Democrats (FDP) were represented on July 1, 1964 on the Radio Council of the West German Radio whose function it is to insure political neutrality in programming. The number of council members and alternates present depended on the numbered strength of the party in the Federal Diet.

ITALY

I. Sources of law

The government supervision of broadcasting services is regulated by the following provisions:

Legislative Decree of the Temporary Head of State No. 428 of April 3, 1947. New Norms on the Supervision and Control of Radio-Broadcasting,[18] as amended by law No. 681 of August 23, 1949; [19]

Regulation of the Parliamentary Commission on the Supervision and Control of Radio-Broadcasting, Issued Pursuant to Section 2 of Law No. 681, 1949; [20]

Decree of the President of the Republic No. 180 of January 26, 1952, Approving the Agreement for the Licensing of Radio and Television Services; [21]

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[10] *Radio Kuuntelija, Radio ja TV lehti* (Radio Listener. The Journal of Radio and Television), 1957, 1958, 1960, 1961.

[11] *Journal officiel,* October 31, 1958. p. 9920–9921.

[12] *Ibid.,* March 17, 1964, p. 2491.

[13] J. A. Laponce. *The Government of the Fifth Republic.* Berkeley, University of California Press, 1961. p. 232.

[14] *Westdeutscher Rundfunk.* Jahrbuch VI. Köln, 1964. 259 p.

[15] Gerhard Eckert. *Knaurs Fernsehbuch.* Droemer,-Knaur, München/Zürich, 1961: Chapter 11 "Zwischen Monopol und Freiheit" (Between Monopoly and Freedom), p. 361–367.

[16] *Ibid.,* p. 366.

[17] George Arthur Codding, Jr. *Broadcasting Without Barriers.* UNESCO, The Hague, 1959. p. 38.

Prepared by
Dr. Armins Rusis

[18] *Gazzetta ufficiale della Repubblica Italiana,* No. 131, 1947.

[19] *Ibid.,* No. 228, 1949.

[20] *La radiotelevisione. Legislazione, documenti parliamentari dal 1958 al 1963.* Milano, 1963. p. 26–29.

[21] *Gazzetta ufficiale, op. cit.,* No. 82, 1952.

Law No. 212 of April 4, 1956, on Electoral Campaigns.[22]

II. The broadcasting system

The 1947 Law established a government monopoly of radio communications and prohibited the possession and use of radio transmitters by private individuals without a special license. It also provided for the creation of a commission composed of 30 members of both Houses of Parliament vested with the authority to supervise the entire radio broadcasting system for the purpose of safeguarding political independence and insuring the nation of fair information.[23]

The Constitutional Court, with Decree No. 59 of July 13, 1960, upheld the constitutionality of the government monopoly of the broadcasting system, stating that the State alone has the authority to guarantee the fairness of its use and has the duty to assure all interested persons that they may make use of the radio and television facilities for the dissemination of their ideas.[24]

III. Electoral campaigns

The main object of an electoral campaign consists in making the candidates known to the electorate and imparting to it their ideas and the political platform they are supporting. In order to achieve this goal, the freedom to use the most advantageous media of communication should be guaranteed.

This has, to an extent, been accomplished by the adoption of the 1956 Law which regulates the posting of electoral placards in public places, on an equal basis for each political group, as well as the political campaign by means of illuminated advertising. But it has entirely neglected the most powerful media like radio and television which have been harmfully used by economically stronger political parties.[25] For these media no law or regulation dealing with the granting of free time to candidates and political parties could be located.

IV. Electoral Campaign of 1963 through the Media of Radio and Television

In 1963 the Government drafted a program to make radio and television services available to the various political parties during the electoral campaign. This program was, by unanimous consent, approved on April 28, 1963, by the representatives of the various political groups and by the thirty-member Parliamentary Commission.[26]

The program is divided into three periods:

(1) *Opening period:* Press conference of the Government and the eight political parties. Length of time, 60 minutes each; statement 15 minutes, questions by the representatives of the daily press, 45 minutes. The speaking order of the parties is to be determined according to the national importance of the parties. The first period ends with a press conference held on behalf of the Government by the President of the Council of Ministers.

(2) *Intermediary Period of Six Weeks.* In the intermediary period electoral speeches, reserved for the political leaders designated by each party, are to be delivered. Length of time, 12 minutes; in addition it will be increased by one minute for every thirty-five Parliamentary members (senators plus representatives) after the initial fifty. Within the assigned time each party may let one or more of its representatives speak either individually or in dialogue. The speech of the representative of the Government is to last twenty minutes. The speaking order of the parties is to be on a rotation basis.

(3) *Final Period.* The political secretaries of the parties, two every evening, beginning on Monday of the last week of the electoral campaign, are to deliver a speech of an equal length of time, twenty minutes each. The speaking order of the parties is to be the reverse of the opening period.

The President of the Council of Ministers is to close the electoral campaign on the last day of the campaign.

Dr. FRAN GJUPANOVICH.

NORWAY

According to the Law on Broadcasting (*Lov om kringkasting*) of June 24, 1933, as amended,[27] the Norwegian State Broadcasting System (Norsk rikskringkasting), is an independent State enterprise and has the sole right to establish and operate radio and television establishments and broadcast and telecast "oral information, music, pictures, and the like" (Art. 1).

The State Broadcasting System operates under the direction of a Board which decides on financial and other general matters in the operation of the enterprise.[28] A director of broadcasting is responsible for the activities of the Broadcasting System in general, and especially for the arrangement of its programs.[29]

The Broadcasting Council (Kringkastingsrad) is an advisory body of 23 members, 12 members being elected by the Legislature (Storting) and 11 members appointed by the King. The Council elects candidates for two program committees (one for radio and the other for television).[30]

The State authorities have the right to disseminate information by means of radio and television (Art. 9).

There were long discussions in the first Chamber of the Legislature (Odelstinget) prior to the adoption of the Law of 1933. The discussions were generally concentrated on the question as to whether broadcasting should be regulated by law or by agreements between the government and private enterprises which started their broadcasting activities several years earlier; secondly, whether the broadcasting activities should be operated as a monopoly of the State or by private or mixed companies. It was pointed out that in the case of a State monopoly the broadcasting might become a tool of the political party in power, as in Soviet Russia. On the other side, it was repeatedly declared that broadcasting, if operated by the State, would be strictly neutral and independent and the programs would be arranged by officials and committees independently of State authorities and political parties.[31]

On the 20th anniversary of the Norwegian Broadcasting System, Artur Klaebo, the program editor, wrote as follows on the principles relating to the planning of programs.[32] "Norwegians are entitled to be well informed on the actual problems of social, cultural, economic, political and religious life, and they shall receive impartial and objective surveys on the different views which are presented."

In the 25th anniversary of the Norwegian Broadcasting System, Professor Olav Midttun, the first Program Chief of the System, stated in a speech:[33] "Despite attacks the Broadcasting System has had great success among the population. The most valuable and important fact is that the Norwegian State Broadcasting System has been an entirely free and independent institution with its own economy and its own Board and Director, who alone bears the responsibility for the planning of programs.:

JOHANNES KLESMENT.

SWEDEN

There are no special laws on the activities of radio and television in Sweden. The Law on Radio Installations (*Lag om radioanlaggningar*) of May 3, 1946 [34] provides that for the establishment and utilization of radio installations, permission from the King in Cabinet is necessary and with that permission certain conditions may be prescribed.

At present, broadcasting and telecasting are the monopoly of the Swedish Radio Joint Stock Company (Sveriges Radio aktiebolag); its shareholders consist of the State, private persons, and various cultural, political, and economic institutions.[35]

According to the agreement of 1959 between the Cabinet and the Company the arrangement of radio and television programs is entirely entrusted to the Company under the condition that all information and other material broadcast or telecast shall be impartial and objective, and that guidance shall be given to the general public in cultural and social matters, and debates for this purpose shall be organized.

A committee appointed by the King controls the radio and television programs and submits its views regarding them to the Board of the Company and to the King in Cabinet.[36]

In 1962 the Board of the Company adopted rules govering the presentation of political propaganda. Actually these rules were a codification of the practices that had been carried out for many years. They provided that the Company shall, as far as is consistent with the principles of impartiality and objectivity, broadcast and telecast information and different views on political problems while preserving the political neutrality and independence of the Swedish radio.

Based on this general principle all parties which have nominated candidates for election must have the opportunity to explain their political platform to the population through radio and television under equal conditions. The right of a party to reply to questions raised by another party shall be guaranteed. Equal time and conditions shall be granted to small interest groups and new parties which have nominated candidates.

The question of antidemocratic parties which, if they were to come to power, would destroy freedom of expression and other freedoms has been solved as follows. The Communist Party which, although having a small number of representatives, has always been represented in the Legislature, has the same rights as other parties. The other antidemocratic movements, such as the Nazi Party, are more limited in their use of radio and television facilities.

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[22] *Ibid.*, No. 87, 1956.

[23] Costantino Mortati. *Istituzioni di diritto pubblico.* 6th ed., Padova, 1962. p. 867–868.

[24] *La radiotelevisione, op. cit.*, p. 95–122.

[25] Mortati, *op. cit.*, p. 367.

[26] *La radiotelevisione, op. cit.*, p. 542–547.

[27] *Norges lover 1682–1963.* Oslo, 1964. p. 1389–1391.

[28] Kongelig resolusjon om instrukser for styret in Norsk Rikskringkasting, kringkastingsjefen, programutvalget og de lokale programad, of October 28, 1949. *In Norsk Lovtidend, 2nen avdelning 1949.* p. 611–615.

[29] Article 5 of the Law; Chapter Instruks for Kringkastingsjefen i Norsk Rikskringkasting of the *Kongelig resolusjon, op. cit.*

[30] Article 3 of the Law; Instruks for Kringkastingradet, *Norsk Lovtidend, 2nen avedlning 1949.* p. 604–605.

[31] *Kongeriket Norges toogattiende ordentlige Stortings Fordhandlinger 1933*, v. 3, Ot, prp.nr. 74 (1933); *ibid.*, v. 7a, p. 38–78; *ibid.*, v. 8, p. 577–610.

[32] Artur Klaebo. *Dette er Norsk Rikskringkasting* (This is the Norwegian Broadcasting System). Oslo, 1953. p. 33.

[33] Olav Midttun. Norsk Kringkasting 25 ar. *In Norsk Rikskringkasting. Radioboka 1958.* Oslo, 1958. p. 82–34.

[34] *Sveriges Rikes Lag* (Collection of Swedish Laws), 86th ed., Stockholm, 1965. p. B118–B119.

[35] The Board of Directors consists of 11 members and 10 substitutes, among whom 6 members and 5 substitutes are appointed by the King in Cabinet, and 5 members and 5 substitutes are elected by the General Assembly of the Company.

[36] *Sveriges Radio årsbok* (Swedish Radio Annual), 1962. Stockholm, 1963; *ibid.*, 1963. Stockholm, 1964; *ibid.* 1964. Stockholm, 1965; *Sveriges Statskalendar* 1964. Uppsala, 1965. p. Bih. 1954.

Usually two months before the national elections radio and television programs are almost entirely dedicated to pre-election campaigns. Panel discussions on various special problems are arranged with the participation of all parties, for instance, a panel discussion on economic problems, another on cultural problems, etc. In the last panel discussion on the day before elections, the party in power, or parties represented in the Cabinet in the case of a coalition cabinet, have 50 per cent more time than other parties because the other parties have presumably attacked them and they need more time to make a counterattack. When the other parties in the last penal discussion, as in previous discussions, are each represented by one representative, the party in power has the right to be represented by two.

All parties have approximately the same opportunities before municipal elections except that only parties represented in previous elections have the right to use radio and television.

Besides this complete information on the development of pre-election propaganda, speeches of political leaders, as well as special features relating to elections are also broadcast.

For approximately two months preceding elections all programs are arranged in agreement with the central organizations of the political parties. In municipal elections where only local radio and television stations are used, the agreement is made with local party organizations. In the period between elections political parties have an opportunity to express their views through radio and television from time to time, following the same rules as mentioned above.[37]

JOHANNES KLESMENT.

SWITZERLAND

At the outset, it should be stated that none of the sources consulted, the official law collection [38] and gazette [39] of Switzerland, the annual reports of the Swiss Association of Radio and Television,[40] as well as the legal writings in the field of radio law,[41] contains any information indicating that political parties and campaigning candidates are granted free time for political broadcasting. However, since recent developments show some changes in the policy regarding programs and services, a short survey thereof seems pertinent.

The Federal Constitution of Switzerland of May 29, 1874, declared in Section 36, paragraph 1 that the posts and telegraph throughout the Confederation were a federal matter.[42] The posts have been a federal monopoly ever since the Constitution of 1848; the term "telegraph" was later interpreted to include telephones and wireless (radio) also. In recent times, television has also been covered by the same legislation and practice.

Thus, the radio now falls under the jurisdiction of the federal posts and telegraphs monopoly (*Regal*) and all radio broadcasts by private associations are operated on the basis of a license (*Rundfunksendekonzession*) granted by the federal authorities in accordance with the Federal Law on Posts and Telegraphs of October 14, 1922,[43] as amended, and related legislation of later date.[44]

While three of the radio broadcasting systems, Beromünster, Sottens, and Monte Ceneri (*Landessender*), are under the direct administration and management of the government authorities, the other seven existing radio broadcasting associations are organized in a corporation (Société suisse de radiodifusion et télévision; Schweizerische Rundfunkgesellschaft) supervised by a federal department. Thus, on February 26, 1931, the Federal Department of Posts and Telegraphs granted the first license to the Société suisse de radiodifusion which was revised on November 30, 1936. During World War II (September 2, 1939–July 19, 1945) by a decision of the Federal Council, the radio was placed entirely under the control of the State; after the war this license was revived and later renewed.[45]

In accordance with this arrangement and the relationship between the Swiss radio association and the federal authorities, supervision by the latter was exercised mainly in the appointment of a number of high officials to the radio association, in the collection of fees and taxes, and in the issuance of directives concerning information services of a political nature. In the first license granted by the Federal Department of Posts and Telegraphs, the radio was, among other things, directed to exclude "advertisements as well as political party or religious propaganda." [46]

Since 1962, however, radio and television activities have undergone a certain reorganization.[47] The Swiss association of radio and television passed a resolution on July 1, 1962, introducing plans for a new structure and programming of the radio. The Federal Council accepted, on June 10, 1963, this plan in principle as well as the text of the new license and the bylaws of the individual radio associations. It is significant that this plan suggested that advertisements be introduced in television only. As regards the information service on the political life of the country and the life and activities of the political parties, the following was stated in the 33rd Annual Report of 1963 of the Swiss association of radio and television: "In connection with the federal elections, at the end of October 1963, it was tried for the first time to place the radio and television in the service of [giving] political information to the people. The Central Commission [of the association] issued directives which must be followed with regard to this kind of broadcasting." [48] In the same Report it was further stated that, in the new type of broadcasting information on political activities in the country, there should be included "debates and news services (*débats et reportages*) devoted to the elections of the National Council, and the Council of States, [as well as] to the election of the National Assembly."[49] However, there was no mention of granting free time to campaigning political parties.

DR. IVAN SIPKOV.

ADDRESS BY SECRETARY GENERAL U THANT TO FOURTH FRIENDS WORLD CONFERENCE

Mr. FULBRIGHT. Mr. President, Secretary General U Thant, in a recent speech to the Friends World Conference in Greensboro, N.C., gave a well-reasoned analysis of the difficulties which the United Nations has encountered as a keeper of world peace. He said:

> It is not the Charter that has failed the international community; it is the international community that has failed to live up to its responsibilities under the Charter.

His comments concerning the general problem of achieving greater world stability, relations between the super powers, and on the situations in the Middle East and in Vietnam deserve the attention of every Member of Congress. There is much wisdom in his advice, and much sorrow in his tone.

I ask unanimous consent that the text of his speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE UNITED NATIONS AND THE HUMAN FACTOR

(Address by Secretary-General, U Thant, to Fourth Friends World Conference, Greensboro, N.C., July 30)

Following is the text of an address to be delivered by the Secretary-General, U Thant, on the occasion of the Fourth Friends World Conference at Greensboro, North Carolina, on 30 July:

"I am happy to be able to participate this evening in the Fourth Friends World Conference. I understand that such a Conference is held only once every 15 years, and that the last such meeting in the United States was held 30 years ago. I also understand that some 900 delegates from some 34 countries are present in the audience. I am very happy indeed to have this opportunity to share some thoughts with Friends who have gathered here from the world over on such an important occasion.

"During recent weeks the Middle East crisis has once again focused attention on the United Nations. This is with good reason, for the situation in the Middle East has posed one of the gravest threats to the peace of the world that has been experienced since World War II, and, I may say, it continues to be ominous and menacing. The communications media, and especially radio and television, have brought to the living rooms of millions of American families the proceedings of the Security Council and the General Assembly. Without doubt, there is a better awareness today of the limitations as well as the potentialities of the United Nations in preserving peace and promoting international security, and—I hope—of the need for it.

"The reactions, at any rate in this country, seem to have been mixed. At the very beginning of the crisis there was considerable comment, much of it critical, on my decision to accede to the demands of the Government of the United Arab Republic for the withdrawal of the United Nations Emergency Force from Sinai and the Gaza Strip. I have explained at length, orally and in writing, the compelling reasons for this decision. I have also explained in a number of reports, both to the Security Council and to the General Assembly, the nature of the problem in the Middle East and the need for international action to solve these problems. As a result of these explanations, I believe there is now a better understanding of the fact that the conflict had a long history and deep-rooted causes. As for the withdrawal of the United Nations Emergency Force, I remain convinced that no other course would have been reasonable, sensible and practical in the circumstances. I may also state in passing that in the course of several meetings of the Security Council since 22 May 1967, not one member of the Council expressed the view that my decision to comply with the demand of the Government of the United Arab Republic was unjustified, or that a decision on the question of the withdrawal of the United Nations Emergency Force should have been taken by the Security Council or the General Assembly.

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[37] Karl-Erik Lundevall. Regler för program om politik (Rules on Programs for Politics). *In Sveriges Radio årsbok* 1962, *op. cit.*, p. 70–85; Rune Sjödén. Televisionen, radion och valpropagandan (Television, Radio, and Pre-election Propaganda). *In Sveriges Radio årsbok* 1963, *op. cit*, p. 44–56; *Karl-Erik* Lundevall. Regler för programverksamheten (Rules on the Compilation of Programs). *In Sveriges Radio årsbok* 1964, *op. cit.*, p. 204–211.

[38] *Bereinigte Sammlung der Bundesgesetze und Verordnungen, 1848–1947. Bern, 1949–1951.*

[39] *Sammlung der Eidgenössischen Gesetze.*

[40] *Annuaire*, published by the Société suisse de radiodifusion et télévision.

[41] J. Buser. "Radiorecht." *Zeitschrift für Schweizerisches Recht* (Basel), v. 51, No. 3, 1932; la-244a.

[42] *The Federal Constitution of Switzerland.* Translation and Commentary by Christopher Hughes, with German Text. Oxford, 1954. p. 43.

[43] *Bereinigte Sammlung, op. cit.*, v. 7, XIII L 2.

[44] *Ibid.*

[45] For a complete account of the developments and legislative treatment of radio broadcasting in Switzerland prior to 1953, *see Bundesblatt*, v. 105, I, 17–64.

[46] *Ibid.*, p. 30.

[47] Société suisse de radiodifusion et télévision. *Annuaire 1963, 33e Rapport*. p. 5–6.

[48] *Ibid.*, p. 6.

[49] *Ibid.*, p. 57.

"After the Security Council called for a cease-fire and after this call was accepted by the parties to the conflict, there was a little more time to take stock and ponder the crisis and its background. The recent emergency special session of the General Assembly, while it could not agree on a substantive resolution, gave an opportunity for the exposition of the various views of Member States on the crisis. The matter has now gone back to the Security Council and I am sure that the Council will wish to give attention to the deep-rooted causes of the conflict and to take appropriate measures towards ensuring a durable peace in the region.

"While it may not be too difficult to analyze the causes of the conflict in the Near East, and even to agree upon an agenda for immediate action, it is less easy to see the Middle East crisis in its longer term perspective. I would like to suggest how this might be approached. I believe we should begin with the Charter of the United Nations and the solemn commitments it contains.

"The Charter expresses the determination of the peoples of the United Nations 'to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained'. It also proclaims that the purposes of the United Nations are 'to maintain international peace and security'. To this end all Member States have bound themselves to 'refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations'.

"These are not mere words. They are, as I said, solemn undertakings. Too often, however, they are forgotten or conveniently overlooked. The attempt is then made to blame the ills of this world, and they are indeed many, on the Charter of the United Nations. We are told that the Charter requires strengthening, that teeth should be put into the Charter, and so forth; and there seems to be a somewhat naive belief that by structural changes brought about by amending the Charter, we can strengthen the United Nations, and indeed turn it into a supranational authority, with the power to come down heavily against the aggressor and to protect the rights of the victims of aggression.

"I have explained on earlier occasions my view that it is not the Charter that has failed the international community, it is the international community that has failed to live up to its responsibilities under the Charter. I have also repeatedly stressed that the United Nations can be only as strong as its Member Governments permit it to be. As long as Governments jealously guard their sovereign rights and as long as they are unwilling to surrender any part of their sovereignty to serve the common good of the international community, it would be futile to expect the United Nations to develop into a supra-national authority. It is well to remember that the Charter does impose a considerable degree of limitation on the dogma of absolute sovereignty of nation-States; but they are reluctant, in practice, even to that extent, to reconcile the concept of national sovereignty with the idea of international authority.

"In the context of the United Nations' action or lack of action in regard to serious situations or crises in several parts of the world, one often hears the charge that the United Nations has failed. Yet, to speak of the failure of the United Nations seems to me to be a contradiction in terms. If Member States are united in the pursuit of the purposes of the Charter, it is impossible that they should ever fail. The plain fact is that the nations are not united in the pursuit of the purposes of the Charter.

"In maintaining international peace and security, the basic assumption underlying the Charter was that the five permanent members would act in concert. The United Nations was the offspring of the wartime coalition, which was expected to keep peace in concert even as it had won the war. Unfortunately, soon after the signing of the Charter the tensions and conflicts between the super-Powers began to show up and to dominate international relations. The reality of a divided world became apparent and began to impede the successful working of the United Nations. Alignments and alliances were formed and there was nothing that the United Nations could do, under the terms of its Charter, to prevent nations from belonging to hostile camps.

"When nations follow divided loyalties, and when alignments are formed around the super-Powers, the apparatus established by the United Nations inevitably comes to be utilized as a forum not so much for harmonizing the actions of Member States as for propagating the rival viewpoints of the protagonists in the cold war. The conflicts and the rivalries which characterized their division began to affect the working of the United Nations, and they continue to do so.

"It is now plainly seen that the United Nations cannot go very far towards keeping international peace and security if the super-Powers do not co-operate towards that end. Such is the constitution of the United Nations that it has no effective authority over the super-Powers, or indeed over any other State. In effect the United Nations can be an effective instrument for keeping the peace, provided the super-Powers are willing to let it keep the peace, either by throwing their weight on its side, or by refraining from active opposition.

"This aspect of the problem is related to the larger question of international cooperation with a view to fashioning a new world. It is obvious that there cannot be true international cooperation if its scope is relegated merely to the level of satisfying regional or ideological interests. Global problems and tensions can be tackled on an adequate scale only by the international community acting in concert. At this stage, however, the international community can act only through nations, and the reality is that these nations, for reasons of self-interest, are not willing to abide by the principles and purposes of the Charter where their vital interests are involved.

"Therefore, what needs to be stressed is the fact that 'we the peoples of the United Nations', in the language of the Charter—and not 'we the Governments of the United Nations'—are the primary source, and therefore the ultimate authority, of the Charter of the United Nations. They, the peoples, have to be made conscious of the role that is expected of them, in influencing their Governments to act according to the Charter of the United Nations. Established attitudes and traditional concepts have to give way to new concepts and new attitudes to problems.

"I realize, of course, that old habits of thought die hard. We need a major educational effort to persuade the people as well as Member States that in the long run their true interests would be better protected, and no nation's essential authority would suffer, by their fulfilling their obligations under the Charter. I also realize that while one of the primary purposes of the United Nations is to serve as a centre for harmonizing the actions of nations in the attainment of their common ends, as laid down in the Charter, the United Nations is also an instrument of multilateral diplomacy which the Governments of Member States are entitled to use to protect and even to promote their national interests.

"All that I am trying to explain at this point is that whenever the national interest, usually the short-term national interest of a Member State, clashes with the larger interest of the international community, there is a special need to invoke the harmonizing function of the United Nations, so that the national interest and the over-all international interest may be reconciled. This is true of both political and economic interests.

"Unfortunately we are still very far indeed from the goals I have outlined thus far. In the pursuit of their political interests, Governments seem to have egocentric impulses which convince them that they should pursue a policy of 'everyone for himself'. Similarly, in the pursuit of their economic interests, Governments seem to feel that it does not matter what disadvantages their economic policies may entail for other nations as long as such policies benefit their own country.

"These attitudes overlook a thesis which has been stated many times, and which Governments readily accept in principle, that there is a close relationship between prosperity and peace and that both are in a very real sense indivisible. We cannot have certain countries continuing to make great economic and technological progress and have the rest of the world wallowing in poverty, suffering from chronic hunger, disease and ignorance. These conditions are a fertile ground for national unrest and for international insecurity.

"What worries me even more is the increasing failure on the part of Governments to observe the fundamental Charter injunction to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State. Too many Governments seem to feel that this commitment applies only to 'the other fellow'. This is wrong in itself. What makes it worse is that the uninhibited use of force to obtain political ends in one part of the world produces repercussions elsewhere. The standards of international morality are eroded in the process. The mass media of communications are pressed into service to obscure the truth and to justify actions however unjustifiable. Before long, a credibility gap develops and all too soon it becomes difficult to distinguish truth from propaganda.

"The dangers inherent in this process can be illustrated by the war in Viet-Nam as well as by the recent conflict in the Middle East. The war in Viet-Nam has been progressively intensified during the last two and a half years. During this period the number of men and the amount of war material involved in the actual fighting has immensely increased. The savagery of the war has steadily escalated and the casualties on the part of all parties involved in the fighting have reached frightening proportions and continue to mount. This is even more true of innocent civilians not directly involved in the fighting who are the helpless victims of the war. There seems to be no end in sight and yet, according to published reports, progress is claimed, which the facts belie.

"In the attempts that are made to justify this tremendous waste of human resources, the issues are over-simplified as much as are the proposed solutions for the problem. I have, on several occasions, expressed my own views on the war in Viet-Nam, and presented certain ideas on how it might be brought to an end.

"I have repeatedly stated how wrong it is to regard the war in Viet-Nam as a kind of holy war against a particular ideology. I have expressed the view that the motivating force on the part of those who are being charged with this ideology is really a strong sense of nationalism, a desire to win their national independence and establish their national identity. It is nationalism, and not communism, that animates the resistance movement in Viet-Nam against all foreigners, and now particularly against Americans. Those Vietnamese who have fought and still fight against foreigners do so to win their national independence. I am convinced that the war cannot be brought to an end until the United States and her allies recognize that it is being fought by the Vietnamese, not as a war of communist aggression, but as a war of national independence.

"It is sometimes argued that those who fight against foreigners in Viet-Nam constitute a small minority of the Vietnamese people. History is replete with instances where the freedom fighters often constituted a minority. The rest of the populace were indifferent to change or preferred the continuation of the *status quo*. Is it not a fact, to take but one example, that during the American revolution, the colony of New York recruited more troops for the British than for the revolution? As for popular support, is it not a fact that the revolution could claim that of less than one third of the people? Is it not also a fact that thousands of rich American Tories fled for their lives to Canada?

"As for the solutions there are those who claim that military victory is feasible and that all that it requires is the application of more manpower and more military power. At the other extreme are those who believe that the only solution is the immediate withdrawal of the United States and its allies from the conflict. In between there are a substantial number of people who share the viewpoint of a very well-meaning and knowledgeable American whom I met recently. His view may be summed up as follows: 'Rightly or wrongly, we are in Viet-Nam. We deplore the magnitude of death and destruction but we must deal with the situation that exists. No doubt we have become increasingly involved against our original intentions but we have no alternative.' I believe this is the general view held by the majority of American people who are at heart peace-loving.

"It seems to me that nothing could be more dangerous than this kind of thinking, that the only alternatives are military escalation and immediate withdrawal. I am convinced that there *are* other alternatives, despite the fact that Hanoi refuses to negotiate with Washington while the bombing of North Viet-Nam is going on, and Saigon will not negotiaate with the National Liberation Front under any circumstances.

"I regard the continuation of the war in Viet-Nam as being totally unnecessary. I have analysed the public statements of the objectives on both sides, and if the task of diplomacy is only to realize the objectives which are explicit or implicit in these statements, I believe this would be possible and an honourable peace could be brought about in Viet-Nam. The first task is to end the fighting and to bring the problem to the conference table. This first task requires certain first steps and I regard it as a great tragedy that it has not been possible to get the parties concerned to take these first steps.

"Meanwhile, as the war goes on, there are two other aspects of it, interacting upon each other, which I find increasingly disturbing. The first is the repercussions which the war in Viet-Nam is having on other situations of crisis elsewhere in the world. I am also deeply concerned at the fact that so many people are willing to turn a blind eye, or at best become hardened, to the sheer human suffering involved in the continuation of this conflict. The preamble to the Charter recalls the determination of the peoples of the United Nations to reaffirm faith in fundamental human rights, in the dignity and worth of the human person'. To ignore human suffering is not only to fail in this duty, but also to provide fuel for one crisis after another.

"We have seen this happen clearly enough in the Middle East. One of the chronic and underlying causes of the conflict, and one to which no solution has been found for 19 years, is the situation of the Palestine refugees. This problem has not only remained unsolved but has become much graver as a result of the recent military conflict. I am glad to say that in the recent meetings of the Security Council and the emergency special session of the General Assembly on the Middle East crisis, when there was disagreement on so many other aspects of the problem, there was agreement on the principle of humanitarian assistance for the innocent victims of the conflict.

"I believe that both in Viet-Nam and in the Middle East there will be no solution to the problem if the human factor is ignored, and the problem will become susceptible of solution only if the interest of human beings involved is kept in mind. I have just referred to the case of the Palestinian refugees. There is imperative need for making a fresh search for peace in the Middle East so that the rights of all countries in the area may be respected, because the various countries are inhabited by human beings, and their rights as nationals of Member States are as important as the sovereign rights of the States themselves. If this simple fact were accepted it would become easier to agree upon solutions which would produce a durable peace in the Middle East and put an end to the cycle of threats and counter-threats leading to actual armed conflict which has three times during the last 20 years produced so much suffering for the unfortunate people involved.

"Another regrettable aspect of both the war in Viet-Nam and the conflict in the Middle East is the effect that they have had on the relations between the two super-Powers. It seems to me that, if these conflicts can be resolved, there may be a resumption of the *détente* between East and West which was developing until the recent escalation of the Viet-Nam conflict. There are a number of global problems for which solutions cannot be found except on the basis of a closer co-operation between the two super-Powers. This is also true of such problems as disarmament, the conclusion of a treaty for the non-proliferation of nuclear weapons, and the ending of the arms race between the two super-Powers. It seems to me that the super-Powers already recognize that they have a common interest in solving these problems but they seem to be very wary about making any positive approach for reasons which are well known.

"I realize, of course, that a *détente* between the two super-Powers cannot by itself bring about peaceful conditions over the rest of the world. However, it is an indispensable first step and I believe that it would immediately produce a congenial climate for co-operation in the United Nations itself.

"I also believe that such co-operation should eventually include the People's Republic of China. China has recently joined the nuclear club and the progress that it has made in the development of nuclear weapons has surprised qualified observers in this country and elsewhere. It bodes little good for the interests of world peace and security to perpetuate the isolation of China and keep her cut off from normal contact with the rest of the world. I believe that the time must come when China can play its part as a member of the international community on equal terms with others, and the sooner this happens the better.

"Before I close let me stress again the importance of the human factor in politics. I am addressing today a group of people who are dedicated to the principles of peace and non-violence and who have engaged themselves in the support of worthy causes everywhere. I believe therefore that this group and the members of this audience will be receptive to my plea for recognizing the importance of this human factor.

"Let us remind ourselves that the Charter of the United Nations speaks in the name of 'We the peoples of the United Nations,' as distinct from the Covenant of the League of Nations, which opened with the words 'The High Contracting Parties'. Although the Charter was signed by the representatives of Member Governments and their aim was to establish an intergovernmental organization, they themselves intended that it should be the peoples of the United Nations who are speaking in the Charter, it is their will that must be felt and their interest that must be protected.

"The peace that we have to seek in order to save succeeding generations from the scourge of war must therefore be a peace that will envelop the whole of humanity. The promotion of 'social progress and better standards of life in larger freedom' is another goal of the Charter that belongs equally to all of mankind. In the absence of a realization that the human race is one and indivisible there can be neither lasting peace, nor effective international co-operation for any purpose. By the same token, I believe that real and effective international co-operation can be achieved, if there is an awareness at all levels that no man can save himself or his country or his people unless he consciously identifies himself with, and deliberately works for, the whole of mankind."

"A STRATEGY FOR A LIVABLE ENVIRONMENT"—REPORT OF THE TASK FORCE ON ENVIRONMENTAL HEALTH

Mr. MUSKIE. Mr. President, last November, the Secretary of Health, Education, and Welfare appointed a Task Force on Environmental Health and Related Problems and assigned it a mission of unequaled scope and importance to the future of American life. Secretary Gardner directed the task force to recommend to him the goals, priorities, and strategy for the Department in seeking to make the environment the ally and not the enemy of man.

A few weeks ago, the task force report was completed and published. The Secretary felt strongly enough about the significance of this report to send a copy of it to every Member of Congress. I commend the Secretary for this step. As I think my colleagues will agree, not every document delivered to the Congress by the executive branch—not even by the Department of Health, Education, and Welfare—can stand the burden of a careful reading. But in the case of this report to the Secretary, careful reading is not only warranted, it is mandatory.

The Task Force on Environmental Health and Related Problems has given Secretary Gardner and the entire Nation, in terms that any concerned citizen can comprehend, a graphic and disturbing picture of the state of the human environment and the effects it is having and will continue to have on the quality of life. But, more importantly, the report goes far beyond a description of the perils we have created in the environment about us. It recommends a number of concrete steps that can and must be taken to restore the quality of the environment and to prevent the mistakes of the past from being repeated on a monstrous scale in the future.

Entitled "A Strategy for a Livable Environment," the report is just that—a plan of action for the reckoning and achievement of necessary goals of environmental health protection. So far as I am aware, this is the first time that the Secretary of Health, Education, and Welfare has ever asked for—and gotten—a blueprint for action in the critical field of environmental health. Earlier reports, some of them quite noteworthy, have been addressed at parts of the environment or at specific environmental programs within the Department. But this report is a bold attempt—and a very successful one—to lay aside the artificial barriers that tend to limit efforts to deal with environmental health and to seek, as far as is humanly possible, a total approach to the health problems of man in his total environment.

My purpose in calling this report to the attention of the Senate is twofold: First, I believe that the report's blueprint for action urgently requires very careful study, not only by the Department of Health, Education, and Welfare and by the Congress, but by the people of this Nation who must ultimately decide the steps to be taken to improve and protect the environment upon which the quality of life in this and future generations largely depends.

My second reason is perhaps closer to home but I trust by no means less worth the attention of my colleagues. I believe that the task force report points up very sharply the need for a continuing review by the Senate of the effects of changing technology on the human environment.

One of the points which the report to the Secretary makes most convincingly is that attention to environmental health problems tends to be split among numerous agencies within and outside the Department of Health, Education, and Welfare. This results in overlapping efforts to deal with environmental health problems and, what is certainly more important, problem areas for which no agency of the Federal Government has clear responsibility.

In my view, somewhat the same situation pertains with respect to the U.S. Senate. We, too, are hampered in our efforts to assess meaningfully the impact of staggering technological change on the quality of man's environment. My 4 years' experience as chairman of the Subcommittee on Air and Water Pollution has made me acutely aware of the Senate's need for a select committee capable of providing a continuing analysis of environmental factors and forces that are now materially influencing the national health and welfare and will do so to an even greater degree in the decades ahead.

For this reason I introduced Senate Resolution 68 calling for the establishment of a Select Committee on Technology and the Human Environment. I was joined in this resolution by Senators Baker, Bartlett, Bible, Boggs, Gruening, Harris, Inouye, Javits, Kennedy of Massachusetts, Kennedy of New York, Long of Missouri, Mansfield, McGee, Mondale, Moss, Nelson, Pell, Proxmire, Randolph, Scott, and Tydings.

I am gratified to say that the Subcommittee on Intergovernmental Relations of the Select Committee on Government Operations, to which the resolution was referred, has reported favorably to the full committee, and I am hopeful that the committee will recommend approval of Senate Resolution 68 to this entire body.

Because I am so convinced of the critical importance of the recommendations presented to Secretary Gardner by his Task Force on Environmental Health and Related Problems, I would like to ask that they be included in the Record as a part of this statement. Let me point out that the recommendations are of two kinds: 10 action goals intended to guide the Department in meeting its immediate and most urgent responsibilities in the field of environmental protection, and 24 additional recommendations designed to create within the Department a system for continuing appraisal of environmental problems and prevention or control of them.

The action goals are as follows:

First. An air quality restoration effort to initiate by 1970, in 75 interstate areas, abatement plans to reduce plant stack emissions by 90 percent, and to establish national standards to reduce vehicle exhaust emissions by 90 percent from 1967 levels through enforcement and a technological development program to provide the equipment necessary to meet the standards.

Second. A water quality effort by 1970 to test all existing and proposed public drinking water supply systems and produce meaningful public drinking water standards which, through an enforcement program, will insure health-approved drinking water for 100 percent of the Nation's public systems.

Third. A waste disposal effort to provide, by 1973, a grant-in-aid program for solid waste disposal at the local level; developmental research program to integrate solid and liquid waste disposal and air quality control; and for the disposal of nuclear wastes.

Fourth. A population research effort to determine by 1968 the effects of population trends on environmental protection goals and programs as part of the basis for setting departmental objectives with respect to family planning and population dynamics.

Fifth. An urban improvement effort to develop by 1973, through research, basic data sufficient to establish human levels of tolerance for crowding, congestion, noise, odor, and specific human endurance data for general stress and accident threats, including traffic, home, and recreation accidents.

Sixth. A materials, trace metals, and chemicals control effort to establish, by 1970, human safety levels for synthetic materials, trace metals, and chemicals currently in use, and prohibit after 1970 general use of any new synthetic material, trace metal, or chemical until approved by the Department of Health, Education, and Welfare.

Seventh. A consumer protection effort which, by 1970, will initiate a comprehensive program for the identification of health and safety hazards associated with the use of appliances, clothing, food, hazardous substances, and other consumer products and for the control of such products which fail to meet consumer protection standards established by the Department.

Eighth. A radiation control effort which, by 1970, through developmental research and enforcement, adequately protects workers and the public from harmful radiation levels.

Ninth. An occupational disease and safety protection effort to extend, by 1970, preventive services to 100 percent of the employed population at its work place.

Tenth. A governmental compliance effort which, by 1969, through effective relations with local, State, and Federal Governments, will insure that criteria and standards for physical and mental health for housing, urban development, and transportation will be available and used by the Federal agencies administering these programs.

The 24 recommendations which comprise a strategy for action to prevent and control environmental hazards are as follows:

First. Establish a surveillance and warning program which will, through basic research, identify current and potential problems, and determine the effect of these problems on man, thus giving the Department the continuing supply of scientific knowledge necessary to protect man from environmental injury and aesthetic insult.

Second. Establish an environmental design program which will establish criteria and dual-level standards for individual hazards and combinations of hazards under varying conditions of geography, population, industrialization, economics, and technology, with one level being the minimum health level acceptable and the other being a desirable level which can be achieved in a specific number of years.

Third. Establish a technological development program using contracts with industry in conjunction with departmental activities and grants to institutions so as to bring about the technological improvement necessary to reach the desirable environmental quality levels.

Fourth. Establish an intergovernmental compliance program using Federal functionally oriented grants-in-aid free of formula and allocation restrictions in conjunction with Federal technical assistance teams to obtain comprehensive plans and action from State and local governments consistent with national goals and objectives.

Fifth. Development by 1970 of a nationwide surveillance system necessary for identifying levels of pollutants and components of pollutants and components of pollutants in air, water, and soil.

Sixth. Establishment by 1970 of criteria for individual and combinations of chemicals discharged into air, water, or soil.

Seventh. Require by 1969 the filing of 5-year comprehensive environmental health plans from State and local governments receiving funds from the Department.

Eighth. Creation by 1968 of a permanent technical assistance unit within the Department which can provide multidisciplined teams of specialists to be available to State and local governments at their request to aid in planning and implementing environmental health programs.

Ninth. Determination by 1969 of the manpower requirements necessary to adequately supply both public and private sector needs for environmental program operations beginning in 1972 and beyond, and the means of supplying such needs.

Tenth. Establishment by 1968 of an integrated effort for health education and general education to create a public understanding of its environment and an increased awareness of the individual and social responsibility in reference to it.

Eleventh. Urge the President to call a White House Conference on Financing Local Government to explore ways for cities and other units of local government to raise adequate funds to finance essential governmental activities on a metropolitan and regional scale.

Twelfth. Urge the President to seek congressional authorization to create a Council of Ecological Advisers to provide an overview to assessment of activities in both the public and private sectors affecting environmental change, and to act in an analyzing capacity, to be in a commanding position to advise on critical environmental risk/benefit decisions, and finally, to be instrumental in the shaping of national policy on environmental management.

Thirteenth. Seek authority to provide air pollution program grants only to those control agencies which develop emergency plans that would control combustion activities under certain air pollution alert conditions.

Fourteenth. Accelerate within the Department of Health, Education, and Welfare a national family planning program to disseminate family planning information to all requesting State and local health agencies, physicians, private associations, and individuals.

Fifteenth. Develop urban and rural model codes and suggested standards for the prevention and control of various sources of noise in the environment.

Sixteenth. Contract with appropriate universities and/or research institutions for the establishment and operation of a facility for large-scale, long-term, health-related studies in human ecology.

Seventeenth. Undertake a grants program for the establishment and support of university-based centers for ecologically oriented environmental health studies.

Eighteenth. Create through contracts a nonprofit research organization using experts in a wide variety of fields to respond exclusively to the Department's needs for problem solving in the health and environmental health areas.

Nineteenth. Establish an Office of Assistant Secretary for Research and Development so that activities within, or supported by, the Department are integrated into a total systems approach and provided with overview, direction, and control.

Twentieth. Provide grant-in-aid or contract support for the establishment and operation of urban sociological health research centers in major metropolitan areas.

Twenty-first. Establish units of the Department of Health, Education, and Welfare in other Federal agencies to provide liaison to those agencies and an assessment of the effects of their programs on man's environmental health and welfare.

Twenty-second. Provide fellowships for in-service training and continued education for departmental personnel in the environmental health field.

Twenty-third. Promote the establishment of programs and curriculums in clinical and human ecology through grants to the Nation's professional schools, such as schools of medicine, law, public health, and public administration.

Twenty-fourth. Provide fellowships for State and local personnel to permit them to continue their education in environmental health fields.

Mr. President, the task force has presented an alarming picture of the environmental health problems facing this Nation at the same time it has given a plan for dealing with those problems. But the task force clearly recognized that the Department is by no means prepared to assume its full responsibilities in the area of environmental health protection.

One of the Department's major limitations is its present failure to make use of the vast capabilities of American industry for the prevention and control of environmental hazards of all kinds. The environmental hazards of which the task force report speaks, and with which I and many of my colleagues are very deeply concerned, are the result of industrialization and the precipitous application of new technologies. But these problems, whether in the form of air and water pollution, or urban congestion, or occupational health hazards, or traffic safety, are going to be solved—if at all—by the application of technical knowledge in the hands of people who have the social and political wisdom to use it in the public interest.

It is folly, I think, to impune the wreckless use of technology and at the same time make no serious attempt to draw on the resources of the greatest of all sources of technological genius—American industry. Yet, as the task force points out in its report, the Department of Health, Education, and Welfare has made little attempt to secure the cooperation of industry in the development of the tools we need to meet the challenges of environmental protection. Neither in the Office of the Secretary nor in the various operating agencies responsible for carrying out elements of the Department's responsibilities in the environmental health field is there strong evidence of a capability to draw effectively on the resources of industry. The task force has made some very meaningful suggestions in an effort to guide the Department toward overcoming this serious deficiency.

The task force has recommended huge investments of Federal funds in the coming years to develop and apply the means of dealing with existing and anticipated problems of man's environment. We in the Congress will be asked to appropriate these sums, if the Secretary acts upon the recommendations that have been presented to him. I would hope that when these appropriations requests are presented, we will have reasonable assurance that the Department of Health, Education, and Welfare will be in a position to make maximum use of funds to take advantage of the great potential for progress that American private enterprise has to offer.

Mr. President, I believe that in this report, "A Strategy for a Livable Environment," Secretary Gardner has made available to us a challenging and imaginative plan for the protection of this and coming generations from hazards in the world about us. I hope that the Secretary will find it possible to translate this report into an effective program. And I hope that my colleagues will join with me in giving the Secretary the support he will need in planning and carrying out such a program.

Let me take this opportunity to acknowledge and thank the members of the Task Force on Environmental Health and Related Problems for the service they have rendered to the Secretary and indeed to the American people. The chairman of the task force was Mr. Ron M. Linton, director of special projects for Urban America, Inc., and former staff director of the Senate Committee on Public Works. The task force members were Mr. Samuel Lenher, vice president, E. I. du Pont de Nemours & Co.; Miss Anne Draper, research associate, AFL–CIO; Harold L. Sheppard, Ph. D., staff social scientist, W. E. Upjohn Institute for Employment Research; John J. Hanlon, M.D., director of public health, city of Detroit and Wayne County, Mich.; and Raymond R. Tucker, professor of urban affairs, Washington University, St. Louis. To each of these distinguished people and to Secretary Gardner who sought their wise and helpful counsel, we are deeply indebted. They have given this Nation a challenge which, like it or not, we must accept. But they have also given us a plan for meeting that challenge and for making the environment the ally an not the enemy of man.

NAVAL ORDNANCE MONTH

Mr. MUSKIE. Mr. President, President Tyler signed into law a bill establishing the original Bureau of Ordnance and Hydrography on August 31, 1832. To commemorate this occasion of 125 years ago, the Secretary of the Navy, on July 19, designated the month of August 1967 Naval Ordnance Month.

As established, the Bureau of Ordnance consisted of one captain, who was chief of the Bureau, one clerk, and three draftsmen. They were located here in the Washington Navy Yard. Today, this very active worldwide command, which is under Rear Adm. Arthur Gralla, U.S. Navy, utilizes the efforts and resources of roughly 40,000 people.

Prior to 1842 Navy ship commanders obtained their own ordnance with funds provided them for the outfitting of their ships. However, with the establishment of the Navy Bureau of Ordnance, that Bureau has been responsible for the development of naval guns, torpedoes, and missiles, which have been devastating in war and provide otherwise the power to protect the sea lanes so vital to our national and economic well-being.

I take this opportunity to offer my congratulations to Admiral Gralla and the very effective group he heads in Naval Ordnance Systems Command on the occasion of this anniversary, and ask unanimous consent that the proclamation of the Secretary be printed in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

SECNAVNOTE 5080
OP–OOB9
Ser 3029
July 19, 1967.

SECNAV Notice 5080
From: Secretary of the Navy
To: All Ships and Stations
Subject: 125th Anniversary, United States Naval Ordnance

1. *Purpose.*—To designate the month of August 1967 as a commemorative period for celebrating the 125th Anniversary of United States Naval Ordnance, and to outline the scope of the celebration.

2. *Background.*—The United States Navy is preparing to commemorate the 125th Anniversary of United States Naval Ordnance. On 31 August 1842, President Tyler signed into Law the bill establishing the original Bureau of Ordnance and Hydrography. It is appropriate that the historical panorama of naval ordnance development receives maximum public awareness during the 125th anniversary month.

3. *Action.*—The month of August 1967 is designated as the 125th Anniversary month of United States Naval Ordnance. All ships and stations will observe the anniversary at appropriate occasions throughout the month. Recognition of the exploits and achievements of naval ordnance during the past 125 years will be noted in public speeches, statements, open house ceremonies and other public events whenever feasible.

4. *Cancellation.*—This Notice is cancelled 1 September 1967.

ROBERT H. B. BALDWIN,
Acting Secretary of the Navy.

Distribution.—SPCC Parts 1 and 2.

RENAISSANCE FOR PUBLIC HOUSING

Mr. MONDALE. Mr. President, the President's announcement last Thursday of a new plan to put private enterprise to work in public housing is welcome news for all Americans concerned with the crisis of our cities. It is evidence of the initiative of this administration in its determination to deal with urban blight. It is also an expression of the positive spirit in which we must respond to the plight of the urban poor.

One particular feature of President Johnson's new plan has special and striking appeal—the use of private management firms. This program would allow the local public housing authority to enter into a contract with a private managerial firm to take over the management of a publicly owned housing project for the low income. This, coupled with the turnkey method adopted last year, is the maximum use of private enterprise in public housing. This would provide for the local housing authority to purchase a project initiated and constructed by private enterprise and then turn over the management of it to a private management firm. The resources of local public authorities are not unlimited, and this program will allow more units for the low income to be built and insure the efficient management of these units.

By this program, recommended by Secretary Weaver and endorsed by the Kaiser Commission, we begin to reap new benefits from a tested and proved public program of long standing. The first step that the President directs Secretary Weaver to take is a giant step forward for public housing.

Public housing is our oldest program aimed at providing decent shelter for the poor. Over the years, it has constructed more than 600,000 units and provided homes for 9,056,000 Americans. Its popularity is attested to by a waiting list of 384,149. Furthermore 4.3 million Americans, 2.7 of them elderly, are eligible for the program if housing were available. However, the public housing program has too often been the whipping boy for slum blight and decay.

This instrument of public policy, and the loyal, dedicated public servants who have devoted careers to creating better housing can use new methods. I am glad that the President is moving within established organizations and tested procedures that benefit from long experience to bring the extra capabilities of private management and know-how to the service of the Nation.

SEEDS OF RIOT

Mr. GRIFFIN. Mr. President, one of America's foremost Negro authors and newspapermen, Mr. Louis E. Lomax, recently wrote a series of articles for the North American Newspaper Alliance on the July riots in the city of Detroit. The articles were published in the Detroit News.

Mr. Lomax's series sheds important light on the role of professional revolutionaries in the wave of violence that has hit our cities.

Because I believe this series of articles should have wide attention at this particular time, I ask unanimous consent that the articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SEEDS OF RIOTS PLANTED HERE BY "SALESMEN"

(By Louis E. Lomax)

Three days before the Detroit riots the city's summer task force, a civilian riot-control group, was assigned to control and end a simulated riot. The explosion point was 12th and Clairmount, the corner where the riots erupted early the following Sunday morning.

The group attacked its assignment and failed—because it overlooked the fact that an organized group, largely from outside the Detroit area, had been operative in the city for more than a month.

And like the riot-control group, this second group had an assignment: burn and destroy.

This second group is highly organized and well trained. It is not made up of thieves and arsonists in the ordinary sense. They are, instead, causists—revolutionaries committed to the belief that the power structure does not have the moral fiber to repent its socioeconomic sins, so the only truly corrective measure is to level the nation in ashes.

The principal U.S. cities were chosen as the initial battleground simply because they afford the cooperation of the innocent and uninformed that every such revolution needs.

"Operation Detroit" got under way several weeks ago when a small band of young Negro men fanned out through the ghetto, posing as magazine salesmen. Once allowed in a home or apartment, the "salesman" would say he was from the South, and he recently had graduated from high school and was selling magazines to earn his college tuition.

The salesman offered the customer a wide range of Negro magazines. The price of the package was $18, of which $12 was to be given the salesman and $6 sent to a legitimate circulation service in New Jersey. The salesman represented the New Jersey company and provided each customer with a receipt and a printed envelope for mailing this payment to the firm.

But the "sale" did not stop there. The salesman went on to sell Black Power.

"I thought I was helping a worthy Negro boy get to college," one of the subscribers said. "I really couldn't afford the subscription, but I sacrificed to help one of my own kind. Then he started talking to me about Black Power. He asked me 'why the hell we let Whitey, particularly the Jews, run the stores in our neighborhood.'

"Then he started asking questions about the community: Who was who; who had guns; who owed big bills at local stores and might be interested in seeing the buildings burn down. I told the fellow I didn't know all that. He left and went next door. I later learned he did the same thing all along our block. I also learned other salesmen called on friends I have many blocks away."

Within a week the salesmen produced such concern along Euclid that several responsible citizens belonging to a neighborhood association decided something should be done. The leaders of the group were immediately threatened by young Negroes they never saw before. Honestly frightened, they remained silent until after the riots.

The battle plan was simple: Remain as obscure as possible until police-ghetto dynamics provided the proper setting for "the revolution."

The uprising almost occurred a month earlier when a Negro was shot and killed while allegedly protecting his wife from three white rapists. But the needed trigger in the street did not fire.

Two weeks later a young Negro woman, a suspected prostitute, was killed by police who said the woman had drawn a knife on them. Again the necessary dynamics—milling, angry Negroes—did not materialize.

But early Sunday morning, July 23, the proper ingredients were mixed in the right proportions at 12th and Clairmount. Even then the riot needed the "assistance" of the police.

Just before dawn police raided a "blind pig," an after-hours club neighborhood residents complained about for six months. The police also knew its existence for months. After all, the policemen on the beat could not be unaware of 50 people at an all-night drinking and gambling party every day of the week.

The merrymakers and gamblers were given the usual searching and then herded into police cars. Then the dynamics began to congeal.

Negroes were milling along 12th. They congregated at the corner of Clairmount to watch the raid and the arrests.

"They called us niggers!" a woman who was in the blind pig said.

"I heard them callin' people niggers," a bystander recalled. "And I shouted we ought to tear up the hunky town. Then somebody threw a bottle through a window! And baby," he laughed, "that's when the fan got clogged!"

What happened immediately after the first window was broken is common fare in the poverty-ridden Negro areas of our cities. More windows were broken, and people started looting.

"I was standing on the street when the looting started," a Negro professor at Wayne State University who lives in the area said. "It was a normal breaking-and-looting scene. They happen all the time. Then people became aware of the fact that the police, following orders, were not interfering with looters."

At this point the professionals moved in. Acting with precision, one squad moved along 12th with hammers and crowbars, smashing windows.

"Come on, baby, help yourself," they shouted to the milling and running Negroes along the street.

Another professional revolutionary squad raced along the street several blocks away, shouting, "Hey, man, the fuzz is letting the people take all they want. Get up to the corner of Clairmount."

"I split like hell to the corner," one looter said. "I got me a TV set."

The looter did not realize he, like the others, was a pawn in the revolutionaries' game. The professionals wanted hundreds of people running, yelling and looting.

Add to that the nonaction of the police, and you have a recipe for chaos and riots—perfect food for revolutionaries.

Within two hours 12th was a human jungle. Dewey Shanks, who lives in the ghetto, and is attached to the mayor's Human Relations Committee under a poverty program grant, was at the corner. One of the agitators was hard at work smashing windows. He shouted to Shanks, "Hey, baby, I haven't seen you since Newark!"

Dewey Shanks was not at Newark. The revolutionary was.

LOMAX ANALYZES DAY OF TRAVAIL—HOW FATE AIDED AGITATORS AS THEY KINDLED RIOT HERE

(By Louis E. Lomax)

Sunday dawn broke over a Detroit that was already beginning to belch flames. It was as if God Himself was on the side of the organized revolutionaries. Everything worked; twists of fate and human weaknesses gave agitators every advantage.

Methodically breaking store windows, the revolutionaries urged the milling Negro people to loot and steal. But—and at least a dozen observers confirmed this—the professionals did no looting of their own. They are not thieves; they are men at war; revolutionaries bent on reducing the nation to ashes.

The looters unknowingly cooperated by having a happy time. The streets teemed with whites and Negroes who stole with abandon and glee. People came in cars from miles away and hauled off freezers, sofas, television sets and clothing.

Meanwhile the Detroit police instituted a maneuver that called for them to move in on the looters, chase them away, but not shoot. The result was a wild game during which the looters mocked the police for being stupid.

The police would move in on one set of looters; the looters would break and run across the street and enter yet another store, a store window a block away would crash and other looters moved in. The police would then take off down the streets, their lights blinking and sirens wailing. The first group of looters, openly laughing at the police, then resumed their stealing.

"Why don't you guys stop this thing?" Dr. James Boyce, a Negro professor at Wayne State University, asked a policeman.

"We're following orders," the policeman shot back.

Then the human element began to play into the hands of the revolutionaries.

A Negro woman on relief set fire to a furniture store because she felt she would never be able to pay the bill she owed there. Due to the interest rate she was being forced to pay $910.12 to satisfy an original debt of $285.

"Yes," she said. "I burned that damn Jew store down. That's one bill I will never have to pay. I made sure the office and all the records went up in flames first!"

Clifford Williams, a Negro, owned a combination drug and liquor store at 12th and Philadelphia. For more than a year civil rights organizations, notably the Congress of Racial Equality (CORE), had been urging Williams to cease his harsh treatment of Negroes. "He told us all niggers steal," a CORE leader said. "He would make Negro customers stand in the middle of the store, their hands at their side, while he waited on them. He said they would steal from his shelves. He also once drew a gun on some Negro women who complained about his attitude."

A month ago CORE put a picket line around Williams' store. Dewey Shanks, who is attached to the mayor's Human Relations Committee, headed the picket line.

"Williams came out and told us we could march until our feet fell off," Shanks said. "'If you niggers don't like the way I treat you, if you don't like my prices, then dammit go buy in Grosse Point!, he bellowed.

Williams' store was the first Negro store burned to the ground. The revolutionaries did not do it. They didn't have to.

At a time when they ordinarily would have been headed for their pulpits, a group of Negro ministers were closeted with Ray Girardin, Detroit's police commissioner. They urged the commissioner to keep his men in check, that the looters not be fired upon. Their reasoning was that once the police opened fire hundreds of Negroes would be killed. This, they contended, would start a major riot. They further contended that if left alone the looting would simply run its course and end. The commissioner agreed.

They were all correct but for the fact that they did not know about the agitator element, hard at work stoking the uprising.

The pattern spread to Detroit's east side. Vignettes reveal what happened next:

A weary but happy arsonist approached a Negro schoolteacher on La Salle Street. "We have 12th Street in flames," he said. "Linwood is next."

A half hour later Linwood was aflame.

A Negro woman approached a Negro doctor on Euclid and bragged that she was getting paid to set fires.

An elderly Negro man who lives on La Salle went to buy groceries on Linwood. He watched in horror as six Negroes set fire to a supermarket. He drove over to Lindy's Market along Joy Road and had barely finished shopping when the same six men drove into the parking lot there. He fled home too quickly to see Lindy's Market go up in flames.

By late Sunday the uprising had spread to the fashionable, integrated Gold Coast near Seven Mile Road. Kenneth Mines, a distinguished Negro lawyer, and his wife, Shirley, a schoolteacher, shuddered with horror as a discount store a block from their $50,000 home burst into flames.

Mines stationed himself at his front door in hopes of hosing down the house lest it catch fire also. "Halt or I'll shoot," a state policeman shouted and Kenneth Mines, one of the most brilliant and promising young lawyers in America, eased back inside.

The Mines family, one of the few Negro families in the area, stayed indoors wondering if their white neighbors would seek revenge against them for what was happening. After two hours they emerged to discover that their white neighbors held them blameless.

Several miles away, along LaMothe Street, a white neighbor pounded on the door of a Negro schoolteacher. "Please," the white man begged, "Let us hide in your home!"

The Negro schoolteacher said "yes."

A few minutes later, another white neighbor fainted while listening to radio reports of the uprising. The teacher's husband, an Episcopal minister, rushed to the white home to give first aid.

Nor was that all. The wife of a Negro doctor was watering her lawn late Sunday when a car bearing five Negro men drove up.

"You black middle class bitch," one of them shouted. "You rich niggers are next!"

The police radio crackled with reports that Negro men were making cross marks in front of several middle class Negro homes. "The report is that these homes are marked for burning," the calls said.

The sun set that Sunday on a Detroit engulfed in flames, hate, doubt and racial suspicion among neighbors of many years standing. And by moonlight, dedicated revolutionaries continued their mission of bringing down the nation's fifth largest city, both physically and spiritually.

HOW ORGANIZED RIOT SNIPERS GOT RESIDENTS' HELP

(By Louis E. Lomax)

Wherever there is an uprising, a sniper will be in the midst of it. And the snipers did appear in Detroit. Some of them were organized, some of them were not.

This is another axiom of revolutionaries. Once organized snipers move against the police they can depend upon the cooperation of nonorganizational people who simply, for whatever reason, want to take pot shots at the police.

The first sniper taken in Detroit was a white man. He was not shooting at Negroes. This white man was out to kill policemen.

A Negro woman on the east side looked in dismay as her next-door neighbor, a Negro man, snaked along her lawn and fired on the police through her hedges.

"Why are you doing that, John?" she yelled.

"It's fun," he shouted back. "This is the first time I've had a chance to try out my new rifle!" He resumed firing.

These human excesses were operative in Detroit but the hard core of sniper activity was highly organized. The link between the dedicated revolutionaries and the organized sniper is more philosophical than organizational. The snipers, on the whole, were Detroit's own sons—Black Power advocates who are trained in guerrilla warfare.

Detroit's sniper activity was a precision exercise worthy of study by those who direct our troops in Vietnam. They knew the terrain, the alleys, the streets, the byways and the roof tops. They monitored police calls, set off sniper activity and then vanished through the alleys.

By midnight Monday they had set up a telephone squad whose job was to make false reports to the police and thus lure the officers into traps. By Tuesday the looters and the fun seekers had their day. The professionals had taken over and Detroit, for all practical purposes, had fallen.

The kind of documentary evidence that makes for conclusions will be difficult to produce for some time. Yet Detroit's responsible Negroes are casting a jaundiced eye at six persons in their community: attorney Milton Henry and his brother, Richard; Edward Vaughn, a book store owner and a Black Power advocate; the Rev. Albert B. Cleage, Jr., pastor of the Central United Church of Christ; and John Boggs and his Chinese wife, Grace Lee Boggs. These individuals comprise what is without doubt the strangest Black Power amalgam in America.

Milton Henry, a former Black Muslim and close confidant of the late Malcolm X, is an ex-Army officer and one-time city councilman in Pontiac. He still lives there but exercises leadership among Black Power and black nationalist elements in Detroit. Several years ago, Henry and others organized something called "GOAL," the Group of Advanced Leadership.

GOAL fissioned into a political organization called the Freedom Now Party (FNP) and actually mounted a statewide slate of candidates in 1964.

Mr. Cleage was the party's candidate for governor against George Romney. After losing the election, Henry announced that the group had received permission to form rifle clubs. It is a known fact in Detroit that black nationalists have been purchasing rifles and taking training under the club charter. Last year a group of Black Power advocates startled Detroit by somehow making their way onto the roof of the heavily guarded City-County Building. The men, unarmed, told reporters that they executed the feat just to convince the white power structure that they could do it. They were represented by Henry.

The Detroit Chronicle, a Negro newspaper, soon became convinced that RAM, the revolutionary organization whose New York leaders now stand charged with plotting to kill civil rights leaders Roy Wilkins and Whitney Young, was meeting in Vaughn's book store. They assigned an undercover reporter to investigate. The reporter was so frightened by what he saw and heard that he refused to write the series.

On the third day of the riots, Vaughn issued a statement in the name of the Malcolm X Society, which he now heads. The statement was issued over the signature of Henry and his brother, Richard. It was given to the press by Mr. Cleage. The release was a copy of a telegram the group had sent to Gov. George Romney, Detroit's Mayor Cavanaugh and other officials. The telegram said the group would take to the streets and ask the rioters to cease and desist if the city and State met several conditions by 1 p.m. Wednesday. These were the conditions:

"Regarding insurrection in Detroit, we, speaking for the Malcolm X Society, will ask for cessation of all hostilities by insurrectionists providing the following eight points are accepted as a basis of discussion by 1 p.m. today:

1. Withdraw all troops.
2. Release all prisoners.
3. Give amnesty to all insurrectionists.
4. Set up district police commissioners.
5. Agree to urban renewal veto by residents.
6. Divide City Council and school board by districts.
7. Provide funds for community-owned businesses.
8. Institute compensatory and compulsory equal employment enforcement."

Dick Henry added: "We don't control anybody in this insurrection but we do believe people would halt the insurrection if we have these eight points as a basic discussion. We want these young snipers to be recognized as men at war, not tried before the criminal jurisdiction of Michigan."

Milton Henry denies that he had any role in the uprising, but he did insist that the rioters, snipers and looters would listen. The telegram was ignored by the public officials, thus there is no way of knowing what the Henry-Cleage combine could have accomplished. This much is known: Thursday night, police arrested General Baker and Glanton Dowdell for activity in the riot area after curfew. Baker and Dowdell are two of the staunchest Black Power advocates in America. Both are alleged to be on parole. Their lawyer is Milton Henry.

Edward Vaughn was attending the Black Power conference in Newark when Detroit erupted. He returned home early Monday to "discover" that the burners and looters had spared his store.

But, he charged that Detroit police stormed his store, smashed pictures of Stokely Carmichael and Malcolm X and ripped the portrait of a black Christ. He said they turned on the water and flooded the place. Vaughn is suing the city of Detroit for $10 million on the basis of 25 sworn eyewitness reports. His lawyer is Milton Henry.

John and Grace Lee Boggs simply disappeared during the uprising. Both are alleged to have association with the Peking-oriented Progressive Labor Party (PLP) which calls for open revolution in America. Their leadership in Detroit's Black Power movement is deep and effective. To Detroit's responsible Negroes the fact that the Boggs couple were totally unavailable—as in contrast to the Henry brothers and Mr. Cleage—raises doubts and suspicions that will prevent the achievement of any kind of Negro unity for a long time to come. Like it or not, the Henrys, the Boggses and the Cleages communicate and have relationships with the people who ran amuck in Detroit. The established Negro leadership does not.

It is further clear that the dedicated revolutionaries who came into Detroit and worked a brilliant military miracle were packed and gone by Wednesday. Everybody knows they were there; many people know who they were. Reporters talked to some of them but could not prove their organizational ties.

Nevertheless the threat has become reality. The dedicated revolutionaries have left Detroit—bound for other cities.

Who Are White Allies of Black Power Terror?

(By Louis E. Lomax)

By late afternoon Wednesday, Detroit was a city of total fright and suspicion. The phone rang in my motel room. It was a Negro schoolteacher who was supposed to be my dinner guest. Her husband, a clergyman, had agreed to babysit while she came to dinner and briefed me on what was going on in her community. She was afraid for me to visit and talk with her in her home.

"Louis," she said "I just saw three white men break into the house across the street from me. They have guns. I don't know what to do."

We discussed the possibility that the men could be snipers, and we agreed that she would not venture out of the house unless it was safe. Three hours later I received a call from her.

"Our home is under siege," she said almost hysterically. "There are tanks and troops all over our lawn. My husband, the children and I are down in the basement on the floor in the dark."

Even as she spoke I could hear machine gun fire in the background.

"Are they shooting at your home?" I shouted.

"No," she cried back. "It's the house across the street. Oh God!" she screamed. A loud noise was heard.

"Stay on the floor," I told her. "I'll go down to police command headquarters and find out what's going on. Stay there, I'll call you as soon as I know something."

My friends had been caught in an assault on the corner house at La Salle and LaMothe, one of the strangest and most significant occurrences of the Detroit riots.

These are the basic facts:

The house was indeed broken into by three white men carrying weapons. But one of the white men involved had first leased the house and then sublet it to three white students from Wayne State University, who allegedly turned the mansion into a haven for drugs and women.

The students were involved with, and frequently visited by, the chairman of a far-out Socialist Party who lived across the street. The white man who leased the house broke into the premises because he was attempting to force the students to move out. The students came home an hour later and, realizing what had happened, elected to stay elsewhere. Meanwhile alarmed neighbors called the police.

Midevening, the police moved in. They had scores of reports that a cache of arms was stored in the house. They used bullhorns and demanded that the occupants come out, their hands up in the air. The occupants, according to police reports, responded with gunfire. At this point a police helicopter hovering over the scene fired a booming flare, the signal for an all-out attack on the house.

This was the noise and bright light my friends heard and saw. Seconds later the police riddled the house with machinegun fire. Five minutes later three white men, their hands over their heads, marched out the back door and surrendered. A search of the home produced only one rifle. At midnight a semblance of calm returned to the community.

Only weeks of police investigation will disclose what really happened in that house at La Salle and LaMothe. But the incident does raise the question of the role of white participants in the Detroit uprising.

Several factors about the involvement of white people are clear:

1. They were there and deeply involved.
2. The first sniper taken was white.
3. Many of the looters involved were white.
4. There were white liberals who felt that the only way to solve the problems of the ghetto was to burn it down.
5. The dedicated Negro revolutionaries do not have the money to carry out their plans.

The white looters can be disposed of easily. They, like their Negro counterparts, were simply out to steal—out of hunger or out of avarice. But a white sniper, a white man firing on the police, and a white home sheltering three white men firing on police pose yet another question.

Who are these white people, what are they up to and why?

The ashes of Detroit have yet to yield final answers but it is clear that Black Power advocates who are committed to burning down America's cities have white allies who, for whatever reasons, wish this nation's destruction.

"I have been colored for 50 years," a Negro civil rights leader in Detroit said. "I know the Negro. Regardless of what you may say about the gulf between Negro leaders and the Negro masses. I know my people.

"I can understand a Negro with a pistol and a switchblade. But when a Negro sniper attacks the police station with a high-powered rifle equipped with a telescopic lens, then we are dealing with something new. White money and white bodies are involved in this senseless destruction of our major cities."

The easy out is to say Communists did it, that they were involved. The rubble of Detroit reveals that this is only partly true. After all, the Communists show up wherever there is strife.

The alarming truth is that disturbing numbers of white people—mostly professionals—are convinced that the evils of the ghetto are incurable this side of total revolution. They are not Communists, rather they are Americans who feel that an urban bonfire is the only thing that will make the white power structure sit up and take notice.

Lomax Sums Up: Will U.S. Listen Now?

(By Louis E. Lomax)

As one pokes in the ruins of Detroit it is irrefutably evident that a Black Power revolutionary organization—or thinly veiled group of organizations—took over and directed the riots.

Detroit is every American city. No honest man can question the Black Power structure's indictment of the Motor City. What one can question is the Black Power advocate's basic philosophy and the militaristic actions that flow from that philosophy.

The first tenet in the Black Power theology is that there has been no change since the Supreme Court decision of 1954, and therefore the American white man is incapable of change.

I first heard this argument from the late Malcolm X as I helped him correct galley proofs of the first edition of the Black Muslim newspaper being printed at a white plant in Brooklyn.

The argument is false on both counts.

A great deal has happened to American race relations since 1954. It has happened for the Negro with training, brains and talent. It has not happened for the Negroes from Mississippi, Alabama and Georgia who have, as migrants, taken over the ghettos of our major cities and inbred their children with something approaching a congenital inability to live in and work into the American mainstream.

The original dream, the one articulated by Dr. Martin Luther King, was that we would all—black and white together—walk, live and pray together. The Negroes and whites who made sure Detroit exploded are yet another breed. They are bent upon bringing down both the nation and the system that undergirds it.

They have lost faith. They are now convinced that neither the white power structure nor I as a successful Negro really care about what happens to them from day to day.

"President Johnson will get his rat bill passed now," a Negro woman in Detroit said to me last month, with pointed reference to the cavalier way the House of Representatives had vetoed the administration bill to eliminate rats.

"I wonder what Governor Romney prayed for in church last Sunday," a Negro Ph. D. said to me in obvious reference to the fact that Romney is a high official in the Mormon Church, which holds, as a basic tenet, that Negroes are created morally inferior and thus cannot achieve the highest spiritual degree.

I stood and watched as the mayor of Detroit convened with what he deemed to be "Negro leadership" to plan the future of Detroit as it rises, Phoenix-like, from the ashes. They were the same old crowd, the same Negro leaders who have not the slightest communications with the Negro masses; the Negroes who could not foresee or stop a racial insurrection if you gave them a detailed blueprint.

These middle-class Negroes applauded and grinned with approval as union leader Walter Reuther, the one man who could produce jobs for the Negro ghetto, promised, "I will get my men to send in trucks and give their labor free to clean up the rubble!"

I stood outside Edward Vaughn's bookstore talking with the owner. "Look," Vaughn said as he waved a copy of my book, "The Negro Revolt," which had been water-soaked along with all his inventory by the Detroit firemen, "you told them; Martin King told them; everybody who cares, white and black, told them. They did not listen."

That is the most fundamental thing written in the ashes of Detroit: Will America listen to those who write and orate their grievance under the aegis of nonviolence? Or, God forbid, the only thing they will hear is the crackling of flames, the burp of gunfire and the wail of police sirens across the nation.

The bad people are now organized. They are subsidized, trained and ready.

Are we?

This Is Black Madness—Lomax Answers Critics of the Successful Negro

(By Louis E. Lomax)

Los Angeles.—A few days ago I wrote a series of articles in the Detroit News and named Negro attorney Milton Henry as one of the Black Power firebrands toward whom responsible Negroes were casting a jaundiced eye as they attempted to find answers in the ashes of their city.

Henry immediately rushed into court and obtained a mistrial for a Negro client who had been indicted for armed robbery. Henry's argument was that white members of the jury might have read the articles and thus formed prejudice against him, the indicted man's attorney.

Two members of the jury admitted they had indeed read the articles and that they had some reservations about Milton Henry. The judge declared a mistrial.

But Henry was not satisfied with his courtroom victory—a victory, incidentally, which had nothing to do with his client's guilt or innocence. Henry went on to charge that I am a Negro but not a "black man," that I have little or no concern for my people.

The truth of what I wrote about Detroit will be judged by history; there will not be a "mistrial" there. But Henry's charges—that I am a Negro but not a "black man," that I have little or no concern for my people—go to the heart of the dialog of anguish that now preoccupies the Negro middle class.

Today's middle-class Negro proceeds from the premise that he is an American, that the white man had robbed him of his just and constitutional right to share in and shape the American mainstream.

True, many middle-class Negroes stood apart from the civil rights struggle that has raged since 1954; others, however, suffered cracked heads, dog bites, rifle butts in their ribs, and gas attacks in Little Rock, Birmingham, Selma, and Montgomery. Still other middle-class Negroes gave their middle-class lives.

Now that monumental change has been achieved, middle-class Negroes are assailed by Black Power advocates for having run away from their heritage; they are charged with attempting to be white; they are indicted for being a part of the brain drain—that exodus of trained and successful Negroes from the ghetto to integrated neighborhoods.

"Why do you live in Beverly Hills?" Ron Karanga, Los Angeles' chief Black Power advocate, asked a Negro television personality. "Why don't you move down with us in Watts? We need your brains to help develop our community."

When the man replied that he considered all of America his community, that he reserved the right to live where his money dictates, that he was trying to help create an America in which anybody who wanted to could get an honest job and move out of Watts, Karanga scornfully dismissed the television personality as a "neurotic Negro who wanted to be white."

There is hardly a single successful Negro in America today who has not had a similar encounter.

The crisis that now grips America's streets has fashioned the Negro middle class into a tortured group of pensive brooders. Some of them don't care about the Negro masses; like their white counterparts, they don't get overwrought about other people's problems (an attitude which, incidentally, is not a felony punishable by law).

Others marched at Selma for their own Negro cause but refused to support the Jews when their temple was bombed at Atlanta.

And, I don't know of a single Negro civil rights advocate who moved to help the poor white people of Kentucky and West Virginia who were rendered destitute by the collapse of that region's coal industry.

But there are middle-class Negroes who do care; there are those who now suffer the deepest anguish. For having achieved something for themselves and having insisted that opportunity be made equally available to all, they are now excoriated for refusing to abandon their basic ethical and political philosophies.

The sin of the concerned Negro middle class—in the Black Power advocates' eyes—is in the fact that they have believed in and, to an extent, manipulated the American dream. Not only did they make it work for themselves but they set the pace for the escalation of expectations among the black masses.

Roy Wilkins, Whitney Young, and Thurgood Marshall most certainly are working for a world in which everybody, including the looter in Detroit and Newark, can have color television sets and deep freezers. Their argument is that victory over poverty and racism lies in a combination of brains, equal opportunity and hard work, not in Molotov cocktails.

The Black Power advocates, on the other hand, are suggesting that the school building should be burned. (I defy anyone to show me how that helps Negroes.) They then go on to excoriate any Negro who does not condone their looting and arson, and to indict as a "white" Negro any black man who clings doggedly to his faith in this country.

There is a sense in which the concerned Negro middle class stands alone, caught in the middle and attacked from both sides.

A. Philip Randolph called for a "Marshall plan" to attack the evils of the ghetto some five years ago. The white power structure laughed at him. Now the same call is being heard from the floor of the U.S. Senate.

Meanwhile the Black Power people have long since named Randolph as "Uncle Tom" and both Roy Wilkins and Whitney Young have been slated for assassination by the Black Power extremists.

The bitter schism that estranges that concerned Negro middle class and the Black Power advocates today is a far cry from the struggle that contorted the Negro during the 1950s and early '60s.

Then it was a question of why most of the Negro middle class refused to share the burdens of Selma and Birmingham.

Now it is the demand that the Negro middle class reaffirm its blackness rather than its humanness as Americans; a demand that the Negro middle class abandon English for Swahili, that it turn revolutionary and take to arson, that it eschew the entire American system of values for some way of life not yet formulated, that it forsake the Judean-Christian heritage for something Negro actor Robert DeCoy calls "the Nigger bible."

This is black madness.

The 5,000 black extremists in this country articulate the despair of the Negro masses but they do not correctly define the goals of America's black people.

The one clear truth that emerges from Detroit and Newark is that the Negro masses want the good things of American life; they don't wish to destroy the American way of life.

The Stokely Carmichaels and the H. Rap Browns would do well to remember the late Malcolm X, their patron saint.

Malcolm brilliantly articulated the grievances of the black masses, but when he bade them to follow him into an alien faith they refused to go. Then Malcolm himself journeyed to Mecca, only to discover that all white men were not devils, that his faith of hatred was a hoax.

He died the death of an apostate, from bullet wounds allegedly inflicted by men of the faith he once served.

The dialog of anguish that now engulfs the Negro middle class, then, ping-pongs from the question "what do we have to do to make America listen?" to the equally painful question, "do I have to live in a rat-infested area to prove I care for Negroes?"

Then, after middle-class Negro tongues have been loosened by Scotch, at a cocktail party, for example, the ultimate human cries begin to ring through the dialog of anguish:

"Must I spend all of my life preoccupied with the color of my skin—even after I am accepted by most Americans as a human being?

"Must I be a 100 percent political person, totally immersed in the race question, in the poverty program, in school busing?

"Can't a middle-class Negro, like so many middle-class whites, devote his greatest energies to something removed from race—whether marine architecture, bacteriology or medieval history?

"Is this reasonable, that I do not want to spend all my waking hours thinking about skin color?"

And the middle-class Negro has the same fears as the whites:

"If they burn down the town and kill white people—that means me, too—for they regard me as white! My house. My business. My wife, my children—they'll burn and kill us all in this Black Power madness."

The middle-class Negro partygoers grow quiet. They all glance at the two or three white liberals who have been invited to make the gathering kosher. Suddenly a Negro college professor asks the only questions worth raising:

"But how do we relate to the Black Power people; what do we do; what do we say; what do they really want of us?"

The silence returns. Finally, and obviously out of embarrassment, a Negro doctor tells a dirty joke to end the impasse. Nobody ventures answers for they are all, black and white, citizens of America, of a society that the Black Power people have decided is without a soul, of a way of life that black extremists have ordered burned, baby, burned.

Some of us are convinced we do know the answer. When it comes to articulating the plight of the black masses, there is not a single sentence in Stokely Carmichael's indictment that the Kings, the Wilkinses and Youngs did not utter five years ago; there is nothing in H. Rap Brown's litany of accusation that the Baldwins or myself did not write seven years ago.

The black masses want precisely what every American wants, no more, no less. Concerned Americans—Negro and white—have been right all along.

Our failure lies in both time and depth: Change has not come to the depths of the ghetto with the same rapidity it has spread over the remainder of the republic, particularly to the middle-class Negro.

This must be corrected. The Black Power people must be urged to forsake violence and join in the new effort.

If they refuse, and assuming concerned people do their work well, the Black Power advocates will find themselves relegated to enclaves, classic studies of men obsessed by thwarted and unrealistic dreams. They will be bypassed by history.

U.S. NAVY JETS OVER COMMUNIST CHINA—IS IT THE NEXT STEP IN ESCALATION?

Mr. GRUENING. Mr. President, at his news conference on August 18, 1967, President Johnson, in commenting on the bombing of North Vietnamese targets less than 1 minute's flying time from the borders of Communist China, stated:

> These air strikes are not intended as any threat to Communist China. And they do not, in fact, pose any threat to that country. We believe that Peking knows that the United States does not seek to widen the war in Vietnam. The evidence has been quite clear.

However, how clear is the evidence from where Peking looks at our actions?

The term "we seek no wider war" has been used even as the extent of the military might of the United States committed to fighting an illegal, immoral, unconstitutional war in Vietnam has been steadily escalated in the past 3 years. How can Peking fail to come to any other conclusion than that it must judge U.S. intentions by its deeds rather than its words.

In explaining why U.S. bombings so close to the borders of Communist China represented no threat to that country, the President said:

> The strikes were made by the most highly trained pilots that we had. They employed every human and every technical precaution to insure that the ordinance fell on target—and it did.

Yet today the New York Times reported that yesterday—only 3 days after these Presidential assurances—two U.S. Navy jets were shot down over Communist China after having veered off course. Severe thunderstorms, harassment by North Vietnamese aircraft and malfunctioning navigational equipment were thought to have contributed to sending the planes off course.

How long will it be before malfunctioning navigational equipment on a U.S. bomber flying a bombing mission 10 miles from Communist China's borders will result in a load of bombs being dropped on Communist China?

These events are ominous in the light of the statement made by President Johnson at that same news conference—and similar statements by Under Secretary of State Katzenbach before the Senate Foreign Relations Committee—that in their interpretation the powers of the President as Commander in Chief of the Armed Forces would—even without the passage of the Tonkin Gulf resolution—have authorized the President to commit over 500,000 men of the United States Armed Forces to fight a land war in Southeast Asia.

In commenting on these statements yesterday on the floor of the Senate, I asked the question:

> What are the limits on this new and disturbing interpretation of the powers of the President?

Despite the clear provision of the Constitution vesting exclusively in the Congress the power to declare war, the President and his Under Secretary of State, by seeking unilaterally to conclude that a declaration of war is outmoded in today's world, seek to vest in the President, unchecked in any way by the Congress, power to wage war anyplace in the world.

The dangers of prodding Communist China into responding to U.S. armed violation of its airspace should be obvious, despite United States repeated protestations that it seeks no wider war. In the words of the leading editorial in the New York Times today:

> Despite the President's expressed confidence that Peking will not react dangerously to Washington's courting of danger, Senator Mansfield is right in warning that the United States now is "closer to the brink" of a war of miscalculation with China. And there is no evidence that this heightened risk-taking will either curb Hanoi's war effort in South Vietnam or diminish its will to fight.

I ask unanimous consent that the editorial entitled "Invading China's Air Space," published in the New York Times of August 22, 1967; the news stories from the same paper on the downing of two U.S. Navy planes over Communist China; and the report on Under Secretary of State Katzenbach's testimony before the Committee on Foreign Relations yesterday be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the New York Times, Aug. 22, 1967]

Invading China's Air Space

The country now is on notice that the shooting down of American planes over Communist China can be expected henceforth as a normal part of the Vietnam war. This is the only conclusion possible from the statement of White House Press Secretary Christian after the downing of two United States Navy jets that strayed across the Chinese border during a bombing mission over North Vietnam.

"With all precautions taken, you are going to have incidents like this one," Mr. Christian replied when asked whether there would be a re-examination of American precautions against incursions into China's air space.

Only Friday, President Johnson told his news conference that American air strikes within ten miles of China's border "do not, in fact, pose any threat to that country." The President insisted that "every human and every technical precaution" is being employed to keep American planes on target, now that the bomb line has been moved a minute away from China as the jet flies.

Yet already, two aircraft striking at a target 75 miles from China—not ten miles—have gone off course and been shot down over Chinese soil. And the country is asked by the President's spokesman to accept this as all in a routine day's work.

The two sub-sonic planes that were shot down possessed some of the country's most sophisticated navigation equipment. Their target was more than six minutes from China's border. But almost daily now there are to be raids by supersonic planes on targets right at China's doorstep. There has been good reason for avoiding such raids during two-and-a-half years of bombing North Vietnam. The aim was to avoid the danger of repeated shooting incidents with China; that caution has now been abandoned.

Despite the President's expressed confidence that Peking will not react dangerously to Washington's courting of danger, Senator Mansfield is right in warning that the United States now is "closer to the brink" of a war of miscalculation with China. And there is no evidence that this heightened risk-taking will either curb Hanoi's war effort in South Vietnam or diminish its will to fight.

Two U.S. Navy Jets Downed in China; One Pilot Seized—Pentagon Says the Planes Strayed After Bombing of Rail Yard Near Hanoi—Peking Makes Charges—Sees "Flagrant Intrusion"—Failure of Navigational Gear Believed a Factor

(By William Beecher)

Washington, Aug. 21.—The Pentagon said that two United States Navy jets were shot down today over Communist China after having veered off course.

The official Chinese press agency Hisnua, said the planes had "flagrantly intruded" into Chinese air space in "an act of deliberate war provocation" and been downed over the Kwangsi Chuang Autonomous Region by the Chinese air force.

Hisnua said one of the American pilots had been captured. Each plane carried a two-man crew.

Pentagon officials said that the Navy planes, Grumman A–6A Intruders, had probably been downed by MIG's, but they added that they could not be sure whether the planes were North Vietnamese or Chinese.

OFF COURSE AFTER RAID

The Pentagon said the Navy jets had gone off course after having completed a bombing run near Hanoi in which they encountered heavy fire from antiaircraft guns and "several" surface-to-air missiles.

Severe thunderstorms, harrassment by North Vietnamese aircraft and malfunctioning navigational equipment were thought to have contributed to sending the planes off course.

The incident, coming atop Congressional criticism that a recent decision to bomb closer to the Chinese border might provoke China into entering the war, is expected to intensify attacks on the Administration's bombing policy.

WIDER WAR DOUBTED

The White House press secretary, George Christian, said that "with all precautions taken, you are going to have incidents like this one," but he insisted this would not lead to a wider war.

"We're confident Peking is aware that the United States does not seek involvement of Red China," he declared.

Sen. J. W. Fulbright, chairman of the Senate Foreign Relations Committee, described the incident as "most unfortunate and very ominous."

"I don't know how they can be so sure Red China won't intervene in the fighting," the Arkansas Democrat said. "They're pretty close to being in the war when they are shooting down our planes over their territory."

Another critic of bombing policy, Senator Albert Gore, Democrat of Tennessee, said the incident "illustrates the risk of a wider war in attacks along the Chinese border."

Phil G. Goulding, Assistant Secretary of Defense, said the two Navy jets, operating off the carrier Constellation, hit the Duchoi railroad yard, about seven miles north of Hanoi, at about 1 P.M. (1 A.M., Eastern Daylight time). The target was about 75 miles from the Chinese border.

FOUR U.S. JETS IN STRIKE

Other sources said that four Navy aircraft had been involved in the Duchi strike and that one of the planes, on returning to the Constellation, reported that the errant planes had developed "difficulties" with their navigational equipment and were last seen headed northeast.

One official disclosed that unspecified American tracking aircraft had noticed the planes in trouble and had radioed a warning that they were getting dangerously close to the border. But it is not clear whether the pilots heard the report. The pilot who made it back safely to the carrier said he had not picked up such warnings on his radio.

The sources said an eastward heading would have brought the planes into the heavily defended Haiphong area. The area immediately to the north, the normal withdrawal route, was blocked by thunderstorms.

In attempting to fly around the storms, which could have "ripped the planes apart," according to one official, the aircraft moved toward China and were intercepted by North Vietnamese jets.

Mr. Goulding said it could not be determined whether Chinese or North Vietnamese planes had downed the Navy jets. Another source said the planes were presumed to be Chinese "because the aircraft are believed to have gone down a very few miles into Chinese territory."

Officials were reluctant to explain how they could determine such detail. The Navy pilots may have been in radio contact with other American planes or the aerial combat may have been witnessed on airborne long-range American radar or the voices of the attacking pilots may have been picked up.

MOST ADVANCED PLANE

The A–6 is an all-weather strike aircraft in the Navy or the Air Force. The $3-million aircraft is packed with the latest navigational gear enabling it to find targets in darkness or bad weather.

Some Pentagon sources thought the two planes' navigational equipment might have been damaged during or after their bomb run, or electrical storms might have interfered with the systems.

At their top speed of about 700 miles an hour, the planes' flying time from the target area to the Chinese border would be about six minutes, it was noted.

The pilots of the two-man aircraft may have had their hands full trying to elude enemy jets, particularly if supersonic MIG–21's were after them, officials said.

Prior to last week's Presidential decision to allow selected strikes as close as 10 miles from the Chinese border, Navy and Air Force bombers have been prohibited from hitting targets within 25 to 30 miles of the border.

KATZENBACH FINDS TONKIN VOTE VITAL—RESCINDING IT, HE DECLARES, WOULD SPLIT THE PRESIDENT AND CONGRESS ON WAR

(By E. W. Kenworthy)

WASHINGTON, Aug. 21.—Nicholas deB. Katzenbach, Under Secretary of State, said today that President Johnson "and indeed the country" would be placed "in an extremely difficult position" if Congress rescinded the Gulf of Tonkin Resolution of August, 1964.

Mr. Katzenbach, testifying before the Senate Foreign Relations Committee, said that if the advance approval to use the armed forces were withdrawn "we would then be in a situation every President . . . and Congress over the years have responsibly sought to avoid in the conduct of international matters—the situation where they do not act together."

In his news conference last Friday, President Johnson challenged Congress to withdraw its support of that resolution if it thought "we have acted unwisely or improperly" in exercising the authority it granted him.

AUTHORITY HELD ABUSED

The resolution authorized the President to take "all necessary measures" (1) "to repel any armed attack" against United States forces, and (2) "to prevent further aggression."

A joint resolution was passed with only two dissenting votes in the Senate following a reported attack on two United States destroyers by North Vietnamese PT boats in the Gulf of Tonkin.

In hearings last week on the extent of American commitments overseas, members of the Foreign Relations Committee repeatedly told Mr. Katzenbach that the President had exceeded Congressional intent.

This was so, they said, in that the President had used the resolution as the basis for assuming Congressional support for dispatching United States ground forces to Vietnam and for ordering bombing attacks close to the border of Communist China.

At that time Mr. Katzenbach also said he thought it made no difference, as far as danger to the United States was concerned, whether bombs were dropped 10, 50 or 100 miles from the Chinese border, because no threat to China was involved and Peking understood that.

Today when Senator John Sherman Cooper, Republican of Kentucky, read from a news ticker an article about the shooting down of two United States planes over Communist China, Mr. Katzenbach said:

"Senator, you might be mistaken in relating that to bombing close to China."

When Mr. Katzenbach resumed testimony today, Senator Karl E. Mundt, Republican of South Dakota, recalled that the President had said that he had not considered the resolution necessary but had desired Congressional support.

Mr. Mundt said he did not think a rescinding resolution would pass, but, "If it did pass, I would like to ask you what then in your opinion would be changed and what would the President do?"

Mr. Katzenbach said that, in his view, the President already had the constitutional authority for what he was doing in Vietnam. Consequently, he said, the rescission "would by itself not prevent him from continuing to exercise that [authority]."

Nevertheless, he continued, the President and the country would be placed in "an extremely difficult position" because he would assume that Congress would then exercise its constitutional prerogative of not appropriating money for the war.

Mr. Mundt then demurred, saying that he was positive that Congress would not cease to raise funds for forces in the field and that all he was trying to do was to sharpen the constitutional issue.

Thereupon Mr. Katzenbach said that, as interesting as the constitutional issue was, the "gut issue here is whether or not the Congress supports the President in what he does and how you would then read a rescission."

"CUT ISSUE" OVERSHADOWED

However, the constitutional issue was what preoccupied the committee today, as it had last week.

That issue, as most of the members saw it, was what control the Congress had over the use of the armed forces if there were no declaration of war and if the President asked, and was granted, broad and unspecified authority, to use those forces "as he determines."

Last Thursday Mr. Katzenbach told the committee that a declaration of war was outmoded in today's world, especially for a war of limited objectives such as the United States was waging in Vietnam.

However, he went on to say that the Southeast Asia collective defense treaty of 1955, together with the Tonkin resolution, gave the President authority to use the armed forces, equivalent to what he would have under a Congressional declaration of war, as provided in the Constitution.

The SEATO treaty called upon the signatories to meet an armed attack on any member nation, or country covered by the treaty, in accordance with their constitutional processes.

Today Mr. Katzenbach modified this argument somewhat. In line with what Mr. Johnson said Friday, the Under Secretary said that the President did not need the Tonkin resolution but had sought it because "it is extremely important that Congress and the President be as nearly as they can be on the same wave-length."

Mr. Katzenbach went on to say that the President could have done all that he had done under the obligations assumed in the SEATO treaty.

Committee members were not satisfied by this argument, either, because of the legislative history of the SEATO treaty and the Tonkin resolution.

DULLES VIEW RECALLED

Thus Senator J. W. Fulbright, committee chairman, noted that John Foster Dulles, late Secretary of State, had assured the Senate, during hearings on the SEATO treaty, that it was not the policy of the United States to build up "a large local force" of United States ground troops on the Asian mainland but to "rely upon the deterrent power of our mobile striking force."

The committee report on the SEATO treaty on Jan. 25, 1955, noted that the committee, upon receiving this assurance from Mr. Dulles, had rejected a proposal "that a reservation be attached to the treaty which would prohibit the use of United States ground, air and naval forces in any defense action unless Congress, by a declaration of war, consented to their use."

Senator Albert Gore, Democrat of Tennessee, said that the real issue in the debate over the Tonkin resolution, which Mr. Katzenbach himself had described as an "extremely broad" grant of power, was the intent of Congress at the time.

It was originally presented, Mr. Gore said, "in the light of an attack upon a U.S. vessel," and the President had interpreted his request for a resolution "as being a fitting and limited response."

"I do not believe it can be reasonably held that Congress intended to authorize an attack upon Laos, an attack upon North Vietnam, an attack upon China," Mr. Gore said.

Senator Stuart Symington, Democrat of Missouri, said he doubted whether the President would have had "this power if he did not have the Tonkin Gulf resolution," and he thought that neither the Armed Services nor Foreign Relations Committee would approve another such resolution.

Senator Clifford P. Case, Republican of New Jersey, said the "evil" in the Tonkin resolution was that "one little clause" was "as the President determines." This, he said, was "an overreaching," and put the Congress in a position of turning him down "on the whole thing," or going along with something that violated all sound precedent.

THE NIXON STRATEGY—AIM AT DEFEATING L. B. J.

Mr. MUNDT. Mr. President, on August 19, the Washington Post published a highly perceptive and informative column by Roscoe Drummond, discussing the Nixon campaign strategy and saluting Nixon's determination to concentrate his efforts on the important business of defeating President Johnson in the campaign of 1968. Nixon will not engage in any tactics designed to disparage any other Republican presidential aspirants. His goal is to encourage his fellow Republicans to nominate the man best qualified by experience, temperament, and campaign ability both to defeat the incumbent and to give the country the type of well-rounded experienced leadership which will bring a successful end to the war in Vietnam and enable the Nation to solve the serious domestic problems which now trouble us.

Roscoe Drummond points out that Dick Nixon will "be building his image as a creative political leader and as a source of fresh ideas to cope with major national problems."

Mr. President, I hope that Nixon's constructive example will be followed by all other Republican presidential aspirants as well as by their camp followers and supporters. It is in strict keeping with the California version of "the 11th commandment," admonishing Republicans at every level not to speak ill of a fellow member of the party. If faithfully followed, it will assure victory to whoever is nominated at our Miami convention, and a popular following after the election which will enable a new President to solve the serious problems which appear to be beyond the capacity of the present administration to solve after over 5 years of unsuccessful effort.

Mr. President, I ask unanimous consent that the Drummond syndicated column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 19, 1967]

NIXON STRATEGY: AIMING PRIMARY DRIVE AT JOHNSON

(By Roscoe Drummond)

NEW YORK.—Richard Nixon is not aiming for the Republican presidential nomination. He is aiming for the Presidency.

This means that, though Nixon will enter all available primaries against all comers, he is not out just to defeat Romney or Reagan or Percy; he is out to defeat Lyndon Johnson.

This means that he is planning to gear his whole campaign not primarily to convince voters to vote for him over his GOP opponents but to convince voters to vote for him over LBJ.

Mr. Nixon believes it will take a full 12 months to bring the issues sufficiently into focus to defeat an incumbent President.

He is convinced that this is the only way a Republican can win next year.

And, simultaneously, he sees this as the best way for him to win the GOP nomination; that is, to make the Johnson Administration, not his fellow Republicans, his target in all his primary contests.

Nixon strategy can thus be seen as resting on these premises: That there are not really two campaigns—the primaries and the election—*but two stages in the same campaign* to win the Presidency and that they are continuous.

That it is self-defeating to conduct one kind of campaign to win the nomination and another kind of campaign to win the election.

That the decision which Republican voters in New Hampshire, Wisconsin, Oregon and elsewhere will have to make is not who is a better Republican but who among the Republicans is better qualified to make the most effective case against Mr. Johnson and to serve in the White House.

Quite apart from the candidates, the concept of the role of the preferential primaries has great validity. And when applied to the candidates themselves, it perfectly fits Mr. Nixon's best interests.

He has the largest experience in Federal service—House, Senate and Vice President. He knows national issues intimately. He has a three-dimensional grasp of international problems and has updated his personal acquaintance with foreign leaders and U.S. problems abroad with extensive travel in the past few years. Only Gov. Rockefeller, having served in high posts in the Roosevelt, Truman and Eisenhower Administrations, has anything like comparable experience.

This Nixon type of campaign means he will be asking the voters in effect to consider each Republican as a candidate against Lyndon Johnson and as a future President facing the most excruciating problems during the next several years. He does not want to see Republicans attacking each other in the primaries.

Right now things are going well for Nixon. For several months the national polls have shown him leading all other Republicans among GOP, independent and Democratic voters. And in New Hampshire a survey taken by the Opinion Research Corporation shows Nixon presently ahead of Romney among Republicans by 37 per cent.

This is an abnormal disparity and perhaps it is due to Nixon's being better known in New Hampshire than Romney.

But Nixon will himself soon be building his image as a creative political leader and as a source of fresh ideas to cope with major national problems.

NEED FOR A CHANGE IN VIETNAM POLICY

Mr. McCARTHY. Mr. President, the recent administration decision to intensify the bombing of North Vietnam and to include targets near the Chinese border has raised new questions about our objectives in the war and about the military means being employed.

The Minneapolis Tribune has previously given general support to both the goals and policies of the administrations in the Vietnam war. It supported the recent decision to send more troops to Vietnam. However, in two editorials, published during the past week it has sharply criticized the escalation of bombing in North Vietnam and expressed the view that—

> Last week's expansion of the air war in Vietnam was a step in escalation which we believe was more dangerous as a provocation to China than it was justifiable on even strictly military grounds.

The editorial calls for a pronounced change in the policy of bombing in North Vietnam and concludes:

> There is much to be gained and little to be lost by such a change in policy. It should be tried.

This strong expression of the need for a change in Vietnam policy is significant *as reflecting not only the views of* responsible editors but also the concern of many citizens. I ask unanimous consent that the editorials of August 15 and 20 be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Minneapolis Tribune, Aug. 15, 1967]

DANGEROUS ESCALATION OF THE BOMBING

The extension of U.S. bombing targets almost to the border of China is a dangerous escalation of the Vietnam War. Previous experience suggests that a stepped-up air war in the north will do little to bring Hanoi to the peace table, and may likely make a political settlement more distinct. But even more important, bombing targets only 10 miles from the Chinese border—the approximate distance from downtown Minneapolis to downtown St. Paul—raises the specter of possible war with China, the world's most populous nation.

In the past, this newspaper has generally supported both the goals and the policies of the United States—and the Johnson administration—in the conduct of this war. However, in recent months we have become increasingly skeptical of some aspects of administration policy, particularly bombing the north. On Feb. 10, for example, we suggested—as have U Thant and many other world leaders—a suspension of the bombing as an invitation for North Vietnam to talk peace. Instead, the administration renewed the bombing promptly after the short truce of the Lunar new year. Again, on April 25, we said our support of U.S. involvement did not commit us to support the kind of aerial escalation then being made.

Now the United States has embarked on a new round of escalation by intensifying attacks in urban areas and by sending planes to points less than two minutes—jet time—from China's border. This new escalation may be President Johnson's reaction to unfavorable public opinion polls and to irresponsible proposals from certain Republican hawks, such as Rep. Gerald Ford. Whatever prompted it, we believe this new escalation is unwise—in terms of our national interest and the cause of peace.

Reluctant as we are to criticize the President's handling of the war, escalation of the bombing in such a dangerous way makes us wonder whether the administration is in a rut and needs some fresh thinking about our entire Asian policy.

While we supported this month's decision to send more troops to Vietnam, provided those troops are used in combative rather than supportive roles, we believe the time has come for the United States to call a halt to its dangerous air game in the Hanoi-Haiphong delta area and north of there to the Chinese border. Bombing in this region (north of the 19th or 20th parallels) should be suspended, rather than increased. Failure to suspend this bombing may at best prolong the war, and at worst may lead the United States and China into a far more disastrous conflict.

[From the Minneapolis Tribune, Aug. 20, 1967]

WHY VIETNAM POLICY SHOULD BE CHANGED

Last week's expansion of the air war in Vietnam was a step in escalation which we believe was more dangerous as a provocation to China than it was justifiable on even strictly military grounds.

The attacks on targets 10 miles from the Chinese border were apparently carried out with great precision by highly experienced pilots, and it is argued that such attacks did not pose a threat to China and were strategically necessary. If the destruction of those highway and railroad bridges was of overriding importance, then perhaps the risk could be justified. But experience shows that bombing alone will not stop the flow of supplies and that the Hanoi government is not likely to be persuaded by such methods to enter into peace negotiations. And while this country may assert that attacks near China are not a threat to that country, who is to say what Peking's attitude will be?

Air warfare in North Vietnam has also brought the United States a long distance away from its original goals. The principle of American assistance was described by President Eisenhower in a letter to the South Vietnamese government in October 1954: ". . . developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means." The same intent was expressed in other ways on many occasions by Presidents Kennedy and Johnson.

During the 13 years that followed, Americans came to recognize that the conflict was not "conventional" by traditional military standards. The public showed adaptability to the flexible response" concept which President Kennedy promoted in the military establishment in the early 1960's.

It is true that dissent grew as the war ground on, particularly as the U.S. role changed from advisory to principal combatant in 1965. But even before then, in September 1963, President Kennedy expressed concern that "Americans will get impatient and say, because they don't like events in Southeast Asia or they don't like the government in Saigon, that we should withdraw." Public support of administration policy was even then tempered with frustration over the lack of conclusive results.

But frustration has caused a turn of events in quite a different direction than withdrawal.

The Tonkin Gulf attacks in August 1964 on U.S. destroyers prompted the first American air strikes in the north—limited at that point to retaliation against North Vietnamese torpedo boats and support facilities. Six months later, in response to Vietcong attacks on U.S. bases, the Secretary of Defense announced the initiation of "joint retaliatory attacks" on barracks and staging areas in North Vietnam.

Thus the bombing in the north began: with great restraint at first, but on a scale which this year ascended to include the Hanoi-Haiphong area and now the border near China.

U.S. involvement seems no longer based simply upon helping the Saigon government to "resist subversion and aggression." It has grown from limited retaliation above the north-south boundary line (the 17th parallel) into a campaign of increased devastation in North Vietnam.

We believe this is a policy which will not shorten the war; which exposes the United States to charges of aggression; and which needlessly raises the threat of confrontation with Communist China.

But a pronounced change in that policy—for example a cessation of all bombing above the 19th parallel—might well provide a basis for moving toward some kind of reasonable settlement. Pleas for this kind of approach have come from many directions: in vituperative terms from North Vietnam and its allies, but also from responsible U.S. and foreign critics, and from some South Vietnamese political leaders as well.

There is much to be gained and little to be lost by such a change in policy. It should be tried.

AFRICAN NATIONS HAVE FAR BETTER RECORD ON SLAVERY CONVENTION THAN U.S.—CXXV

Mr. PROXMIRE. Mr. President, historically the slave trade has been closely identified with the continent of Africa. It was there that the slave trade flourished most profitably during the 18th and 19th centuries.

In some sections of Africa, as I have mentioned earlier, the slave trade is still big business in 1967.

In the United States, slavery in all forms has been constitutionally prohibited for over a century. Yet the United States has failed to ratify the Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.

I am at a total loss to understand or to explain the Senate's failure to give its advice and consent to the Slavery Convention. The Senate's inaction is especially baffling in view of the fact that the United States signed the original Slavery Convention during the presidency of Calvin Coolidge and ratified it during the presidency of Herbert Hoover.

The U.S. economy has not been dependent upon slavery in any form for over 100 years. The people of the United States are unanimously opposed both legally and morally to the practice of slavery. However, the United States is not one of the more than 70 nations which are parties to the Slavery Convention.

But the record of the African countries, by comparison to ours, is almost laudable. The following African nations are parties to the Slavery Convention:

Algeria
Ghana
Malawi
Morocco
Niger
Nigeria
Sierra Leone
Sudan
Tanzania
Tunisia
Uganda
United Arab Republic

Mr. President, I find it very difficult to believe that the people of Morocco or the people of Tanzania or the people of the United Arab Republic are more firmly opposed to slavery than Americans are. But what other logical inference can anyone draw from the Senate's failure to give its advice and consent to this convention?

I urge the Senate to give its advice and consent without any further damaging delay to the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery.

ROBERT VAUGHN SPEAKS AT HARVARD ON VIETNAM WAR

Mr. HARTKE. Mr. President, Mr. Robert Vaughn is widely known as a television actor. He is becoming increasingly well known as an astute student of world affairs. He is in great demand as a speaker on subjects of major public concern.

On May 5, 1967, Mr. Vaughn delivered a speech to the student body of Harvard University which was a reasoned analysis of the war in Vietnam. As the war in Vietnam begs for reason to prevail, Mr. Vaughn's speech deserves close study. For the benefit of Members of Congress, I ask unanimous consent that the entire speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

A SPEECH DELIVERED BY ROBERT VAUGHN AT HARVARD UNIVERSITY, CAMBRIDGE, MASS., MAY 5, 1967

First let me express my gratitude to the Dunster House Forum and Messrs. Gar Alperovitz, Cort Casady and Sandy Levinson for their gracious invitation to address the Student Body of this most distinguished of American Universities.

When I was invited to speak at Harvard I was informed of the renewed anti-war activity which has grown up in this community in recent months. Let me say that the form in which the dissent is being expressed . . . the concept of a "Vietnam Summer 1967" involving groups of volunteers, professional people, housewives and students in opposition to the Vietnam War is one I wholeheartedly endorse.

It is traditional protocol in speaking engagements such as this to take a few minutes to warm up your audience with a humorous anecdote or two. It serves as a lead-in and is not an unnatural procedure, but the subject matter that brings me here today is of such a stark nature that it seems to render that whimsical approach meaningless.

I'm here today to talk about the war. A war which is directly involving almost a half-million of our men. As these inadequate words are being spoken, people are dying. Dying for something that they believe in, or think that they believe in, or wished that they were able to believe in.

Anyone who has the ability objectively to study this war will find staggering volumes of evidence against it. In this war, more than any one that we have ever been engaged in, we are faced with that perplexing dilemma—what is the truth? We are concerned here, like nations have been so many times in past history, with what are the legitimate and illegitimate exercises of power. And we are confronted with the unavoidable question as to whether or not the compromise and destruction that are necessary to win this contest are proportionate to the good which may be achieved.

It is strange to be thousands of miles away from the scene of this struggle trying to understand it. It is difficult, being so far removed, to go beyond academic argument and experience empathy. We lucky civilians here in America know nothing of the reality of war. We know nothing of the sight and stench of carnage. Ask the sane men who have experienced modern war what it is like, and you'll see a disquieting look in their eyes.

Words are small substitute for experience. Perhaps Thomas Carlyle came close when he said, "Under the sky is no uglier spectacle than two men with clenched teeth, and hellfire eyes, hacking one another's flesh, converting precious living bodies, and priceless living souls, into meaningless masses of putrescence."

War is the failure of logic and the last desperate resource of passion. War has long been an unavoidable expression of the human condition. Yet, even more unfortunately, opposing groups of combatants have never been able to perform the respective hostilities without also involving and subsequently murdering a large group of innocent bystanders who, out of indifference or enlightenment, have not cared to engage themselves in that mass hysteria of barbarism. If war cannot be considered appalling for any other reason, this corruption and slaughter of the innocents has always been grounds enough.

If certain men choose to exercise their right to die violently in their youth, for whatever reason, valid or invalid, so be it. But should it be at the expense of others who choose to exercise their right to live? The problem for the non-aggressors, those who choose to live, arises when some aggressor government elects to threaten his inherent rights, including his ultimate right to live. It is then and only then that a man does well to fight. If there is ever any justification for war it stems from the instrinsic knowledge that there can be absolutely no other way to defend a righteous cause. Let us look now at the key issues in this Vietnamese war which our government claims to be a righteous cause, which therefore, makes it honorable for us to fight.

The United States government, basing its decisions on certain assumptions, has committted our political and military might to a steadily expanding struggle in Southeast Asia. William Winter, the distinguished journalist from San Francisco, has labeled those decisions, "fallacious assumptions". If, indeed, these assumptions that created our involvement are seriously challengeable, or even wrong, then U.S. policy is open to grave questioning. Using William Winter's general categories we will review briefly our Vietnam "assumptions." First, The Legal Argument: "The United States has a 'commitment' to South Vietnam."

Secretary Rusk said, "We have a very simple commitment to South Vietnam. It derives out of a Southeast Asia treaty, out of the bilateral arrangements that President Eisenhower made with the government of South Vietnam, out of regular authorizations and appropriations of the Congress of last August (1964), out of the most formal declarations of three Presidents of both political parties."

Let us consider first the Southeast Asia treaty which Secretary Rusk speaks of—and which, by the way, Vietnam was never a party to. It was devised by John Foster Dulles in 1954 after the French defeat in Indochina. It was both a military alliance based on the fear of the "domino theory" and a strategic move that would enable us to retain a military foothold in Southeast Asia. Mr. Dulles invited to Manila the Southeast Asian governments of India, Pakistan, Ceylon, Burma, Thailand, Indonesia and the Philippines. However, India chose to pass up this opportunity to join the American military alliance, as did Ceylon, as did Burma, as did Indonesia. As a point of fact, only the three governments that already had military pacts with the United States and depended on the U.S. for support showed up: Pakistan, Thailand and the Philippines.

Of the several non-Asian SEATO countries, Britain and France have refused involvement on the grounds that there is no Vietnam war commitment possible under the articles of the SEATO Treaty. And there was certainly no provision in that treaty for interfering in someone else's Civil War. And, the Hawks' view to the contrary it was deemed a Civil War not only by President Kennedy but by the leading American authorities on international law, who collectively prepared a statement based on their investigations which was printed in the New York Times on January 15th, 1967, under the title, "U.S. Intervention in Vietnam Is Illegal".

Rusk's second point has to do with the appropriations of the Congress of August, 1964, which were passed in response to the Tonkin Gulf episode and, as it has been pointed out, was not a specific authorization for a large-scale land war. Besides which, it was an act of respect to the President—and in no way a "commitment" by the United States to anybody in Southeast Asia. We might do well to stress that our foreign aid policy has not hitherto included an automatic obligation to war on behalf of those recipient nations to whom we extend our financial aid.

The third point Mr. Rusk refers to is that our commitment to South Vietnam resulted from "The most formal declarations of three Presidents of both political parties." President Eisenhower, the first of the three in question, commenced the alleged "commitment" theory by writing a letter to President Diem on October 23rd of 1954, offering aid to the new government. But, President Eisenhower himself definitely stated that the aid he had offered was only economic! And as late as September the 2nd 1963, less than three months before his death, President Kennedy said, "In the final analysis, it is their war. They are the ones who have to win it or lose it. We can give them equipment, we can send our men out there as advisors, but they have to win it, the people of Vietnam."

It is a curious fact that nowhere in the major speeches, documents, communiques and press conferences bearing on this subject since 1950 can one find the words "commitment," "obligation," or "pledge" used to describe our relation to South Vietnam . . . until the Johnson administration. Yet this administration's now-familiar refrain has been that our whole policy has continued unchanged since 1954.

So we see that the background of the term "commitment" is indeed hazy in the light of historical fact. Eisenhower and Kennedy attempted to avoid the problems we find ourselves in today. Eisenhower, in fact, said that we ought not to become involved in a big land war in Asia. As did General MacArthur, and General Gavin and General Ridgeway.

So the final point on this alleged "commitment" theory is: When we resort to invoking this term, to whom are we relating it? To the Saigon government? We must remind ourselves that the Saigon government, starting with President Diem, has been our own creation. And as Professor Hans Morgenthau points out, "In a sense we have contracted with ourselves, and I do not regard this as a valid foundation for our presence in South Vietnam." President Johnson, to anyone's knowledge, has not brought any further definition to the problem, usually saying simply, as he did in his Johns Hopkins speech of April 7, 1965, "Why are we in Vietnam? We are there because we have a promise to keep."

Furthermore, when Secretary Rusk appeared before the Senate Foreign Relations Committee's hearings on Vietnam, and was challenged to define the grounds of our "commitment", he made the following impatient reply, "Now there's no need to parse these commitments in great detail. The fact is we know we have a commitment. The South Vietnamese know we have a commitment. The Communist world knows we have a commitment. The rest of the world knows it. Now this means that the integrity of the American commitment is at the heart of this problem." He was so right about our integrity but contrary to the meaning he intended.

Next, The Political Argument: "We must stop aggression!"

The term "aggression", as usually defined in international agreements, refers to one nation's unprovoked attack upon another. Or, the imposition of one country's rule upon another by open force. In the case of the country of Vietnam there are not two nations at all, but one. As a result of the Geneva Conference of 1954, Vietnam was temporarily separated into two zones, North and South, thus allowing opposing factions to regroup, to prepare for the nationwide free elections that would take place in 1956. When we, the United States, together with the Saigon government under the dictatorship of Diem, prevented these internationally sanctioned elections, the Southern guerrillas, representing the will of 80 percent of the population, formed up again in order to resist this latest suppression of their freedom. When we violated the Geneva Accords by sending in military assistance to back Diem and then escalated that assistance, the guerrillas turned to their former leader Ho Chi Minh for help. When he sent that help to offset our illegal intrusion, we labeled that action "aggression."

The argument from the "Right" would probably be that Communist influence goes back farther than our noticeable appearance on the scene with Diem; back, in other words, to the Viet Minh. Quite so. But then our influence goes back also. It goes back to our two billion dollar financing of the French in their war against the Vietnamese. Back even to the now seemingly incongruous fact that we supported Ho Chi Minh in his resistance to the Japanese.

Too often, in trying to determine influences, we can follow a receding trail back to a disappearing point, and in so doing the truth becomes bogged down in such a conflicting set of intangibles that reasonable, progressive answers to the problem are made largely impossible. The issue, then, must ultimtaely refer itself to which country first broke international law and which broke it more often. The International Control Commission, which was set up by the Geneva Conference in order to determine those infractions, states that while both sides committed violations, the United States and South Vietnam committed the greater part of them. Viewed in this light, we are forced to again re-ask the question, "Who then, is the aggressor?"

Next, The Religious Argument: "We must stop communism!"

I use the word religious advisedly because a certain paranoia about communism has taken form in this country which has acquired the overtones of a holy crusade. Senator Fulbright described the irony in 1964, saying, "It has become one of the 'self-evident truths' of the postwar era that just as the President resides in Washington and the Pope in Rome, the devil resides immutably in Moscow."

It is not necessary to quote the radicals to prove the point. It is not necessary to repeat the illogicality of the Joseph McCarthy inquisition or the muddled thinking of Billy

James Hargis, or the irrationality of the Birch Society's Robert Welch. No, there is ample evidence in the attitudes of more conventional national leaders. Lately we have heard General Westmoreland alluding in all seriousness to the war in Vietnam as a latter-day Christian crusade. We note Billy Graham flying his banner in the ranks of the Hawks. We see elected representatives of the people, certain U.S. Senators, Presidential candidates, former Vice Presidents, manifesting the same emotional substitutes to thought. We observe that Cardinal Spellman, deaf to the words of his own Pope, has somehow misplaced the arsenal of God and fervently rattles in its stead the sword of Mars.

Like all the "anti-isms", anti-communism is not a policy but an expedient to conceal the fact that we have no policy. Communism, whatever its spiritual limitations, is not the bastard-child of Satan. It is an ideology, and an ideology cannot be killed with a gun. If we seek to stop communism, war is proving to be the wrong way to go about it. As Professor Howard Zinn put it, ". . . We are protecting Vietnam by killing its people and destroying its land. Who else would want such protection?"

This is proving to be a century of revolution. We have yet to see, in scores of places in this tumultous world, more and more of these revolutions. A new generation of leaders is emerging who are inspiring their people with the promise of social and economic achievement. They are not to be denied this need to modernize any more than it was denied to us. In our fervor to halt the potential spread of totalitarianism, what incredible precedent are we setting in Vietnam? Is this the way we intend to counter communism? Are we to oppose inevitably emerging popular revolutions when they don't meet with our fancy, and by our opposition totally ignore the will of the people involved? Are we to prevent the spread of communism by sacrificing the principles of Democracy? Oppose them by disseminating lies to our own people; oppose them by clandestine and illegal plotting in order to set up puppet militarist governments; by breaking treaties, by giving no heed to international law, by marching our legions through the countryside of foreign continents, burning homes, laying waste to the land, and indiscriminately killing friend and foe alike in the zealous pursuit of our own ends? Can we possibly imagine that this bloody insanity will prove that the democratic way of life is more fulfilling than communism?

If we think our methods are righteous we are fooling no one but ourselves. Certainly not the rest of the world! And certainly not history!

Next, The Strategic Argument: "We must stop China!"

The assumption here is that China threatens our nation's security by their avowed desire to wage war directly against us, or by indirectly inspiring wars of national liberation around us. The facts as they stand simply do not support the assumption that China is bent upon waging wars against her neighbors.

The Rand Corporation, under contract to the United States Air Force, did an exhaustive research assignment to determine the extent of China's aggressive tendencies. To the probable irritation of the Air Force, they reported that China cannot, the records show, be so accused of aggressive tendencies.

What are the critical issues that have supposedly indicated her international aggressiveness? We usually cite the border disputes with India, Pakistan and Burma. However, these disputes were the direct results of British colonialism. The result of Britain readjusting the territorial demarcation lines of the Chinese borders. Even Chiang Kai-shek openly supported mainland China on these issues. China took back through negotiation or force what had been hers for centuries, and having done so, sought no further gains and stood fast at those points.

Then there is the oft-cited and totally misunderstood case of Tibet, a Chinese province within China that refused, among other things, to give up its practice of slavery. China, after 10 years of patience and prudence, forced Tibet to suspend that dissatisfactory practice and observe national law. Bloodshed was held at a minimum, contrary to popular propaganda.

Or we might cite the Chinese communist influence in Vietnam. However, we should do well to recall that Ho Chi Minh was waging his war of liberation long before China became a communist country. Then we fall back to citing Korea in which an invading army from the North attacked the South. But they were North Koreans, not Chinese. Sanctioned by the United Nations, our forces entered Korea to defend the South. And when we pushed beyond the 38th Parallel and up through North Korea, China warned that if we went as far as the Yalu River they would have to fight, the Yalu being China's electrical lifeline and also her national borderline. MacArthur unfortunately assumed that they were bluffing. When we pushed through the entirety of North Korea and displayed no intention of stopping at the Yalu, they fought as they said they would. When the war was over China withdrew her troops from Korean soil. Fourteen years later, the United States still has 60,000 soldiers there.

The United States and China are currently jockeying in a power play for the purpose of gaining territorial influence in Asia. And, looking at the situation objectively, the conflict has been staggeringly one-sided. For over 20 years we have been the strongest power in Asia. The United States has almost single-handedly prevented China from joining the world community of the United Nations. China has no combat troops stationed outside of her own borders. On the other hand, the United States has thousands upon thousands of soldiers in Korea, in Japan, in Formosa, in the Philippines, in Thailand, in Vietnam. And we give financial support to indiginous armies in all those areas. Our Navy churns at will through the Yellow Sea, through the North China Sea, through the South China Sea, and controls the entire Pacific Ocean. We have nuclear capabilities at dozens of striking points along China's threshold. All of which begs the question of who is threatening whom?

These very brief comments should not be misconstrued as a naive attempt to whitewash Communist China's power ambitions. Rather, simply a reminder that when China looks across her borders at this massive armament that confronts her, when she hears the voices of certain of our statesmen and military shouting, "war with China is inevitable!", we must recognize that she has excellent reasons for paranoia. The situation is narrowing down to which side is going to panic first and attack the other on the grounds of a "preventive war."

Too many of our military leaders and too many of our statesmen have too many times in the past been wrong in their judgments for us to predicate that their future decisions will suddenly be free of errors. If the impending catastrophe is to be avoided the U.S. has the responsibility of initiating the first steps toward a sane international policy regarding this gigantic Asian country that only one generation ago was our friend and ally.

Next: The Military Argument: "Bombing the North will bring negotiations."

Bombing, as witnessed in Britain, in Germany, in Korea, has proven its ineffectiveness as an inducement to bringing the enemy to his knees. And we are now dropping as much tonnage into Vietnam as we did into Europe at the peak of the Second World War. Despite our efforts to avoid it we are causing extensive casualties among the North Vietnamese civilians. And accidentally destroying churches, hospitals and schools. In the South, it has been estimated that we have wounded a million Vietnamese children and killed a quarter of a million more. And despite this carnage, or maybe because of it, we have driven the enemy further and further away from the possibility of any discussion at the negotiating table.

It is an inescapable fact that the bombing has not only failed its alleged purpose; it is indeed prolonging the war! We must recognize that the bombing has not reduced the enemy's will to fight, has not lowered the morale in the North, has not reduced the flow of supplies South, and most certainly has not advanced the cause of peace.

And lastly: The Idealist Argument: "We are fighting for Freedom."

The question here is whose freedom are we fighting for? Certainly not our own. The Vietcong constitute no threat to our territorial freedom. Neither do the North Vietnamese. Who then? Not the 80% of the South Vietnamese people who have made it amply clear by now that they are not interested in the brand of freedom we have so far offered them. We have consistently failed to give them the one thing that they so ardently desire, restitution of the rights to their own land. Our first puppet Diem saw to that by taking away from them 85 percent of the land they had fought for and won against the French. The absentee landlords to this day ride out to the villages under the protection of American guns to collect exorbitant rents that keep the peasants in a perpetual state of poverty and submission. Whose freedom, then, are we fighting for? The absentee landlord's? Or maybe it's Air Marshal Ky and his Saigon staff who, with the exception of one man, are Northerners who fought with the French against their own people. Or could it be the South Vietnamese soldiers whose freedom we're fighting for? Could be. They don't seem to be very interested in fighting for it themselves. Every year they've been deserting at a staggering rate: 124,000 last year. And it is estimated that even more will make their exit this year. Or perhaps it's the very pro-American South Vietnamese black marketeers and grafters and procurers and prostitutes whose freedom we are concerned with? But that can't be, because we only recently created them ourselves by our presence there.

Then whose freedom are we fighting for? Perhaps we don't even know anymore. Let us not be naive about human nature, our attitude toward the Vietnamese contains as much opportunism as altruism. Yet there are those who would argue, with ready sophistry, that we are in Vietnam to give the people the right to vote for a freely elected government. However, the citizens who have come to the polls, and we should not forget that they are just some 20 per cent of the population, have found only representatives of the ruling military junta on the ballots. Opposition has not been allowed any voice. Is it our intention then to seduce these people with a brand of liberty we ourselves would most emphatically reject?

Senator Young of Ohio is of the opinion that, "The primary reason for our being in Vietnam today is our proud refusal to admit a mistake in our attempt to make Vietnam a pro-American and an anti-communist state. More than anything else, we are fighting to avoid admitting failure. As Walter Lippmann bluntly put it, 'We are fighting to save face!' ".

If that be so, then we must in someway reflect, and by so doing temper our preoccupation with prestige and power and the feeling that a loss of either is intolerable. We talk so fervently of saving face, without realizing that face has already been lost. It has been lost irrevocably, step by step, as we have been talking peace while escalating war. Mankind has already observed our actions. Mankind has already recorded its reactions. What is done, is done, and there is no erasure possible. Face has been lost! But a nation, like a man, if inspired, can change. While there is violence in us, there is also creativity.

Change is the only worthy course of action left open to us. Only through change will we be able to initiate a compassionate and lawful conclusion to the hostilities in that small, tortured country we are ravaging. If we so treasure the opinions of mankind, its histories, having recorded our desolations, will also record our progressions.

If there is not a creative change in our attitude towards international relations it will not be due solely to the dangerously aggressive policies of President Johnson and his advisors. The mantle of guilt must also be worn by we the people who, by and large, have no empathy for what's happening in Vietnam or we wouldn't be allowing it to happen. Most of us have little interest in the matter. We're out of touch. Isolated in the most opulent country the world has ever known. We turn away with a shrug and say, "What can I do about it anyway?", or else we belong to that faction of rationalizers driven by an excess of questionable values and psychological infirmities who say, "Well, it's a dirty business but we're stuck with it! So I say let's bomb the hell out of them and get this mess over with!"

And thus we begin to see a brand of fascism parading under the guise of "Americanism." We see men compelled to swagger rather than to think.

There are many roads to barbarism. And surely America, beginning to emulate decadent societies of the past, is in the process of discovering her own slick new state of barbarity.

Truth, as usual, is one of the first casualties. It has been said that we prolong the war by opposing it—a strange logic indeed. These victims of irrationality must learn that one does not free oneself from a quagmire by foolishly plunging more deeply into it.

It has even been stated by the most militant defenders of our policies that dissension is un-American; furthermore, they are insisting, dissension is actually tantamount to treason. Are these zealots asking us to ignore the factors that have brought us to our current chaos? Are they asking us to compromise our morality and obediently contribute to a war we know to be unjust and illegal? Are they asking us to sit idly by while our young soldiers are brainwashed by their paranoid elders and packed off to kill for a mistaken cause? Are they asking us to resign ourselves passively to throwing more of America's young men into foreign graves? If respect for our Constitution, if compassion for our fellow man, if intelligent and informed opposition to the failures of our Southeast Asia policies can be deemed "treason", then the very meaning of the word has gone awry.

The majority of the American people, despite their differences of opinion, would like to see this war brought to an end. The problem is which course of action will best suit that desire. We have four approaches open to us. First: Escalation, which means an even greater increase of our troops, increased bombing North and South, our probable invasion of the North and the almost inevitable likelihood of a major confrontation with China or Russia or both.

The second approach: Reclaiming: This would avoid the dangers of escalating the war in the North, but would still involve a greater increase of our troop strength in order to reclaim all of South Vietnam for the Saigon government. This plan would involve an expansion of our "search and destroy" methods, increased defoliation of the land, extensive relocation of civilians, forced pacification of the countryside, and after victory, the inevitable long-term occupation of what's left of that nation.

The third approach: Holding, or the "enclave theory", which would essentially be a territorial division of the South—a crazy-quilt solution in which *they* get that section, *we* get this, *they* get that city, *we* get this one. This would avoid the hazards of the two previously mentioned approaches, but would do little to solve the larger problem unless it also involved the following . . .

The fourth approach: Negotiations and Withdrawal; this would be a phased dewesternizing of the war, not a Dunkirk-like retreat. It would be a planned pull out under international control including whatever is necessary to protect the anti-communist Vietnamese after the cease-fire.

When one dispassionately examines the lengthy pros and cons accompanying each of these four approaches, one discovers that for the benefit of world peace and international order we must discard the first three approaches and begin to lay the groundwork necessary for accomplishing the fourth choice: negotiations and withdrawal.

If we really want negotiations the ways and means are still available. As Senator Robert F. Kennedy said in a speech on the Senate Floor on March 2nd of this year, "I propose that we test the sincerity of the statements of Premiere Kosygin and others asserting that if the bombardment of the North is halted, negotiations would begin".

If we sincerely seek peaceful solutions for Vietnam I believe we will find inestimatable support from not only Premiere Kosygin, but Secretary General U. Thant, Pope Paul VI, President deGaulle and a vast host of world leaders and interested nations.

Without further delay we must take the following specific steps:

1. Unconditional termination of bombings in North Vietnam.
2. De-escalation of military operations in South Vietnam starting with the cessation of offensive operations.
3. Recognition of the National Liberation Front as possessing belligerent status, and hence negotiating status, equal to that of the Saigon regime.
4. We also must initiate the reconvening of the Geneva Conference, preferably in some Asiatic city, with our commitment to negotiate on the basis of the 1954 Geneva Accords, including the withdrawal of all foreign military forces and the elimination of all foreign bases in South and North Vietnam, within a specified period of time, and the re-unification of the entire country through free elections.

The war can be ended when we as a country will it to be ended. It is not beyond control.

If this nation still has a choice about its destiny, it hinges on the element of time and the point of no return. Have we not yet learned by experience? Have not the governments involved displayed enough prejudicial blindness, enough inate pride, enough intellectual rigidity? With the threat of the Third World War in the balance how much further can we escalate this war under the delusion that we are promoting peace? Have there not been enough lies to make us recognize the need for truth? Have not yet enough men died, enough women been slaughtered, enough babies burned?

When are we going to find the courage to rediscover our honor?

When, in the name of justice, are we going to wake up!

A GOOD APPOINTMENT TO AN IMPORTANT POST

Mr. GRUENING. Mr. President, on August 14, Secretary of Health, Education, and Welfare John W. Gardner announced the historic appointment of Mrs. Katherine B. Oettinger, Chief of the Children's Bureau, as the first Deputy Assistant Secretary for Family Planning and Population in the Department. All who are concerned about the population crisis welcome this news. The population dilemma is upon us, and the need to have full-time attention directed upon solutions has been obvious for some time. If Mrs. Oettinger is to do her new job properly, she must have the necessary authority, staff, and funding. Let us hope these items are not ignored, as was the case previously when one individual was named as the Deputy Assistant Secretary for Science and Population.

Perhaps the next advance in departmental thinking will be the establishment of a central office in HEW to which all inquiries concerning domestic family planning can be directed. Coordination and dissemination of such information is long overdue.

My bill, S. 1676, would authorize the President to name an Assistant Secretary for Population in the Department of Health, Education, and Welfare and a second person to an identical post in the Department of State. These individuals would head offices for population and would make possible the coordination and dissemination of birth control information upon request at home and overseas. Slowly the changes embodied in S. 1676 are occurring—but our time is short and the population problem is acute.

I ask unanimous consent that the news story announcing Mrs. Oettinger's appointment, which appeared in the Washington Post, August 15, written by Mrs. Eve Edstrom, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

HEW Picks Deputy for Family Unit

(By Eve Edstrom)

Children's Bureau Chief Katherine B. Oettinger yesterday was appointed the Nation's chief for family planning services.

The surprise appointment came 24 hours before Health, Education and Welfare Secretary John W. Gardner is scheduled to announce a wholesale reshuffling of his Department's welfare agencies.

Expected to be heavily involved in the realignment of HEW agencies is the Children's Bureau which Mrs. Oettinger has headed since 1957.

Her resignation from that post and her appointment as Deputy HEW Secretary for Family Planning and Population were announced simultaneously by Gardner yesterday. Gardner also scheduled a press conference for 12:30 p.m. today.

MORE ACTIVE ROLE SEEN

Speculation is that he will announce major new responsibilities for both the Children's Bureau and the Vocational Rehabilitation Administration in providing services to get families off relief rolls.

The Children's Bureau is expected to play a much more active role in the administration of the controversial Aid to Families of Dependent Children program.

This shift could ease the effect of some of the welfare amendments approved by the House Ways and Means Committee and slated for House action this week. Several groups, including the National Governors' Conference, have protested that the amendments are more punitive than helpful.

Other non-controversial relief programs, like aid to the blind, may be shifted to the Social Security Administration. The relief programs and the Children's Bureau have been the chief functions of the Welfare Administration, which was established in 1962 but has failed to fulfill its much-publicized role of helping families out of dependency.

ACTED WITH SPEED

Gardner said a major reason for appointment of Mrs. Oettinger as his family planning chief was the speed with which the Children's Bureau put into effect the Department's family planning policies that Gardner outlined in a January, 1966 memorandum.

In fact, it was Mrs. Oettinger who first made public the Department's policies that increased Federal support for birth control services to the needy whether they are married or not.

Since 1966, the Children's Bureau has expanded its family planning services so that 250,000 women have received such aid last year.

CHICAGO TRIBUNE APPLAUDS SENATE ACTION

Mr. MUNDT. Mr. President, among several important indications of a growing sense of realism on the part of the general public concerning the trade and diplomatic policies of the Johnson administration with regard to our growing problems associated with the war in Vietnam is the encouragingly large number of favorable newspaper editorials which have applauded the Senate actions of some days ago in curtailing the authority of the Export-Import Bank to use American credits in strengthening the economies of those nations presently supplying the Communists in North Vietnam with the weapons of war required by them to continue the fighting.

It is becoming clearly evident that our Senate amendments struck a popular response throughout the country when they serve notice on the world that this country is sick and tired of the trade and diplomatic policies of the Johnson administration which for far too long have been encouraging the use of American credits, exports, and shipments of both strategic and nonmilitary supplies to strengthen the economies not only of Russia and her Communist satellites but also of so-called friendly or neutral nations which, like the Communist countries, have been shipping arms and supplies to our fighting enemy in Vietnam. This country wants no more of a self-defeating wartime policy of feeding and fighting our enemy at the same time.

Mr. President, I strongly hope that the House of Representatives will approve the salutary actions taken by the Senate, despite the strong-arm lobbying which the administration is now bringing to bear upon the Members of the House. A recent editorial in the Chicago Tribune stresses this point. I ask that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Chicago Tribune, Aug. 17, 1967]

A MISSING "BRIDGE"

The Senate has just knocked out one of the "bridges of peace" President Johnson was building to the Soviet Union. This "bridge" would have provided a 50-million-dollar loan for the purchase of American machine tools to equip an auto plant the Fiat company of Italy will build on the banks of the Volga river.

In an unexpected show of sagacity, the Senate specifically barred the Export-Import bank from making the Fiat loan. Going even further, the Senate expressly forbade the bank, which was set up to finance the purchase of goods from American manufacturers, from lending money to any nation, communist or otherwise, which trades with North Viet Nam.

The Senate, in rebelling against the Fiat loan deal which had been pending since early last spring, heeded the warnings of an array of senators. They charged the effect of the loan would be to permit Russia to use 50 million dollars of its resources to increase the production of arms being used against Americans in Viet Nam.

Even as the Senate prepared to vote, Soviet and North Vietnamese leaders met in Moscow to discuss ways of increasing Russian aid to Hanoi. Soviet military and economic aid is a major factor in keeping Hanoi in the war. This year Soviet shipments to Hanoi are reported running 50 per cent over 1966. This is one good reason for the Senate to take the action it did.

Ostensibly, the Fiat company contracted to build an 800-million-dollar miniature Detroit on the Volga to produce 600,000 small and medium-sized cars a year. To do this, tho, it needed high quality machine tools, available only in the United States. Hence the need for the loan.

Critics, aware of how easily American auto plants have been converted to production of tanks or airplane parts, pointed out that the Volga plant, too, could become a producer of military vehicles. They were also aware that the Fiat deal would give Russia access to precision machine tools it could not get elsewhere, thus breaking one of the vital bottlenecks of Soviet industry.

In the end the Senate accepted the anti-Fiat loan amendment of Sen. Karl E. Mundt [R., S. D.]. He offered this as a back-up to the amendment, barring all loans to countries trading with North Viet Nam, which was presented by Sen. Harry F. Byrd Jr. [D., Va.]. Both actions were amendments to a bill raising the bank's lending authority from 9 billion to 13.45 billion dollars.

The matter now goes to the House, where the administration will make its last stand for the bank extension bill without any of the anti-communist loan restrictions. Now that the Senate has shown unusual spunk in clobbering the Fiat-Soviet "peace bridge," it may not be too much to hope that the House will also vote against helping the Soviet Union.

RATS

Mr. YOUNG of Ohio. Mr. President, it was very disheartening when the House of Representatives voted down an appropriation of $20 million a year for 2 years to help eradicate rats from slum areas—rats which too often attack little children and epitomize the filth, squalor, and malignancy of the decaying neighborhoods which they infest.

Unfortunately, in city slums thousands of youngsters go to bed hungry night after night. Years ago, in fact about 40 years after the birth of our Saviour, the philosopher Seneca said:

> A hungry people listens not to reason or cares for justice or is bent by any prayers.

The facts are that hunger and lack of hope in the jungles of our cities is as great a menace as are guerrillas in the jungles of Vietnam.

There are from 100 to 200 million rats in our Nation. New York City alone is believed to house 8 million rats; Washington, D.C., almost a million. Each rat causes $10 a year in damages—food eaten, food contaminated, and property damage. One hundred million rats cause at least $1 billion damage a year. The actual damage is probably greater.

More the $3 million worth of property is destroyed in Cleveland each year by that city's rats. Cleveland is one of the most heavily rodent-infested and afflicted cities in the Nation according to the U.S. Public Health Service. Yet, today the city administration of Cleveland has but 21 people fighting this plague, while a bare minimum of 125 people is required for this task.

There were more than 14,000 reported cases of ratbites last year. Only a few of the many cases are reported. As a rule only the very severe bites are reported or treated by doctors. The correct total is doubtless closer to 50,000. Rats carry 35 known diseases including typhus, plague, ratbite fever, tapeworm, rabies, and other horrible and terrifying maladies. In 1965 the Federal Government spent $27,500 for rat control in urban areas. At the same time $45 million was spent for the eradication of yellow fever mosquitoes. There has not been a case of yellow fever in this country since 1917. Also, it is interesting to note that in the last 2 years, $500 million has been appropriated to control crop pests.

We are spending more than $30 million each day in our involvement in an ugly civil war in Vietnam. Yet, the House of Representatives recently defeated a bill for a $20 million appropriation for a period of 1 year to kill rats in various cities—rats which inflict hundreds of millions of dollars of damage annually and injure little slum children. At the same time we scrutinize carefully all expenditures to eliminate jungles in our cities, we are spending nearly $3 billion each month in an American war in the jungles of Vietnam.

AMERICAN RACE RELATIONS—A PACIFIC PERSPECTIVE

Mr. INOUYE. Mr. President, in view of the current state of race relations problems in this country, I believe that an address by Arthur Goodfriend, special assistant to the chancellor of the East-West Center, before members of the Rotary Club in Wahiawa, Honolulu, Hawaii, August 10, 1967, may be of interest.

I ask unanimous consent that the full text of Mr. Goodfriend's address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

AMERICAN RACE RELATIONS—A PACIFIC PERSPECTIVE

(Address by Arthur Goodfriend)

We meet today as simple citizens at a time when our country is convulsed by civil strife. Some call this strife "treasonable insurrection." Others term it "the revolution of rising frustrations." Others describe it as the price America must pay for centuries of discrimination, exploitation and neglect of the Negro. Still others call it a communist plot.

Just as the disease is diagnosed by different doctors in different ways, so do the remedies vary. Some call for slum removal, urban renewal, guaranteed income, education, recreation. Some urge stronger legislation on civil rights and riot repression. Some ask for all-out efforts to eliminate prejudice, to widen job opportunities, to kill rats. Some propose massive policing programs; others playgrounds; others prayers that looters and snipers be forgiven, since their grievances are great and their cause is just.

Doubtless a major national effort is indicated, involving all these actions mentioned, and more. Clearly, America cannot stand still. The three-pronged challenge to which Vice President Humphrey referred earlier this week—poverty, alienation, unrest—must be met. One can but sympathize with those public leaders and servants whose duty it is to curb and cool the long hot summer. One can hope that actions—contrived in crisis and administered in the heat of highly charged emotions—will, in the long perspective of the problem, work.

It is not my intention today to add another voice to the babel of explanation, confusion and remorse that echoes across America. Rather, it is to talk about your own efforts in Rotary, and ours at the East-West Center, in another area of human relations—Asia, the Pacific and the United States. It may seem odd to talk about Asian-American understanding at this moment of domestic discord. On the other hand, there may be something of value in one situation with relevance to the other. If so, as loyal Americans, we owe it to our countrymen, black and white.

I remember an earlier talk I made to Rotarians, in the western desert of India, in a place called Bikaner. My wife, son and I drove across a vast wasteland peopled with pirates and smugglers. Trapped in a dune, we sighted armed men, mounted on camels, racing toward us and brandishing their guns. They turned out, to our relief, to be members of the famed Bikaner Camel Corps patrolling the Pakistan border.

In Bikaner, we learned how a Rotarian serves his country and the world. Rotarians in that distant oasis were educating students, building schools, supporting hospitals. Their compassion was as great as their ideals. Their intelligence matched their energy. In ways large and small, organizational and personal, they were contributing to the betterment of the people in their community. They were reaching out for understanding with the peoples of the world.

We at the East-West Center also aim at better understanding between Americans and the peoples of Asia and the Pacific. We have been working toward this end for almost seven years. Recently we took stock of our performance, as part of an effort to project our program over the next five years. Scholars and students contributed their ideas. So did members of our staff and of the faculty of the University of Hawaii. From our self-examination emerged five points of such importance as to impel us to their further fulfillment. It may be that these five points, drawn from Asian-American experience, and modified to meet different conditions, are applicable to American affairs.

The first point is that for peoples of different races to achieve mutual understanding, they need to come together; to occupy a common environment; to talk, study and play together in a two-way teaching, learning and living relationship. This is what the East-West Center does. We bring from 30 foreign lands scholars, students, public officials, educators, businessmen, journalists, professionals and others and set them down, in Honolulu, with their American peers. Together, they eat, drink, talk, study, research, sing, dance and get to know each other, not as caricatures, but as human beings. We call this process interchange. Through it, we aim at developing a dialogue between peoples of different cultures. It is difficult to do, and we are still, after six years, in an experimental stage. Our hope is that not only will people emerge from this experience with skills in cross-cultural communication, but that data will be produced of use to others involved in international education, commerce, technical assistance, diplomacy and other fields.

Question: How much of this, on a sustained and structured basis, is being done in the field of American race relations?

The second point is that to the fullest extent possible within the educational process, participants in this experiment interact as peers. Programs must be exercises in equality, parity, mutual consideration and respect—a reciprocal relationship in which Americans learn from Asians and Asians learn from Americans—each identifying deficiencies in the life-experience of himself and others, and each working to overcome such deficiencies.

Question: What parallel activity exists in America in the area of race-relations?

The third point is that a dialogue develops most naturally, and is most fruitful, when participants share a common problem, and deal with this problem, rather than groping for some abstract focus. Problem identification is therefore important. Once identified, important segments of the Center's resources must be committed to its solution. The commitment must be long-range. It must allow for personal involvement in real life rather than text-book situations. It must offer promise that solutions achieved in given situations will be applicable to related problems in other places.

Question: Might such a commitment, involving black and white Americans in an ongoing dialogue centered on crucial problem areas, be usefully made in the context of race relations?

The fourth point is that a combination of the physical sciences, the social sciences, the humanities and arts is essential to problem solution. To build a house requires knowledge of engineering, construction, administration and finance. It also demands knowledge of the human beings who will inhabit the house. Scholars call this a multi-disciplinary approach. Instead of dealing separately with a problem's several parts, they recognize inbuilt inter-relationships, and bring to bear upon problem-resolution the full weight of their individual disciplines, not separately, but together.

Question: Is a wrecker the way to level a slum and get people out of a ghetto? Or is the problem more complex, calling for the skills of sociologists, psychologists, economists, educators, architects, artists, administrators and others, pooling their knowledge in an integrated, strategic assault, rather than squandering their resources on separate, limited, tactical attacks?

The fifth point is innovation and experimentation. The East-West Center sees itself as a laboratory in international education. Conscious of the need to maintain high academic standards, it nevertheless feels obligated to respond to changing situations and needs, and to seek out, examine and utilize non-traditional techniques in carrying out its objectives in international understanding.

Question: Confronted with the failure of past and present programs, may not there be wisdom in searching for imaginative new approaches to race relations?

Such are the five points emerging from six years of experience in the field of international education and cross-cultural communication. They are simple to set down, but difficult to work. We have no illusions that, in the immediate future, they will reduce Chinese-American tensions or bring peace to Vietnam. Issues built up over centuries cannot be settled in a day or in a decade. It is far from certain that they can ever be fully solved at all. All we can hope is that scholarship and research, pitted against problems, and matched by perseverance, will yield each year a few more human beings whose vision has been lifted, whose capacity to think has been broadened, whose compassion has been deepened by a shared experience. Members of an international colleagueship, their numbers may be small. But their ability to cool the heat of existing tensions, to anticipate and prevent the emergency of others, and to catalyze constructive thought and action in their communities, hopefully, will substitute understanding for prejudice, sanity for strife.

Admittedly, international misunderstanding and civil strife are not the same thing. Relationships between Americans and Asians differ from relationships between Americans, Negro and white. History, culture, other factors prevent any pretense that lessons learned in the area of Asian-American affairs can be applied exactly to the solution of domestic matters. Parallels between the two problems, in short, should not be pushed too far.

On the other hand, American relations with Asia and Africa both have long histories. Relationships with Asia are interwoven of many strands—social, political, economic, artistic. So are relationships between American citizens of different race. The revolution of rising expectations—and frustrations—applies as much and more to our Negro citizens as to Asians. The life of the problems we face at home and in the Pacific threatens to be long. In both places, these problems arouse passion. In both places, blood is shed. In both places, a need is felt for dispassionate, objective research, conducted at the level of high scholarship, replacing battlefield and street-corner solutions with the results of persistent, quiet, long-range study. Destiny depends on whether mankind is wise and strong enough to overcome rather than succumb to the weight of the problems proliferating in Peking, Hanoi and the slums of our cities. Destiny invokes a greater time dimension than today.

The East-West Center, as you know, was established by the Congress of the United States in fulfillment of a desire to promote better relations and understanding between the United States and the nations of Asia and the Pacific through cooperative study, training and research. The Center was set up in Honolulu as a project of the United States government in cooperation with the University of Hawaii. It costs the American taxpayer, on an average, about $6 million dollars a year—a figure many hope to see appreciably lifted to one more commensurate with the Pacific's growing importance. The Center is not a substitute for ongoing diplomatic, commercial, technical, cultural or military activities affecting the United States and Asian countries. It is, rather, an American commitment based on recognition of the importance of the Pacific, and on the belief that Asians and Americans should base policies and actions on the best knowledge scholars, researchers, statesmen, officials, professional people and others can put together, by common enterprise, in a common perspective.

I fully recognize that in the situation America confronts in its cities, it cannot afford to wait. The dynamics of life are such as to force immediate action, improvisation, ad hoc decisions to meet the twists and turns of daily events. I do not ask for temporization or delay.

I ask only whether it might not be in the national interest to set up institutes or centers of race relations, in cooperation with strategically situated universities, supplementing other actions undertaken to deal with the immediate aspects of the crisis with research and scholarship, on the premise that the problem will be long-lived, and that we will need, in the long-run, policies and actions based on the best knowledge men of different disciplines can put together, by common enterprise, in a common perspective?

It is a lovely day here beside Lake Wilson. A pebble dropped in the lake will set up ripples felt on the farthest shore. Perhaps this question, posed before this little group of ordinary citizens, will be heard in places far away, and be answered. If so, we will have good cause to remember more than a delicious repast in the Richard Rodby manner.

AMBASSADOR GRONOUSKI ON THE INTELLECTUAL AND AMERICAN FOREIGN POLICY

Mr. **PROXMIRE**. Mr. President, the academic community for too long a period in this Nation's history held itself aloof from the political process, regarding the rough and tumble politics of the post-Jacksonian era as somehow less than gentlemanly. No country can afford for long to do without the guidance of its best trained minds in the making of public policy. Fortunately for America, the dialog between our policymakers and the academic community has always been revived. The periods of aloofness did not last. I take pride in the fact that it was in my own State that an important new chapter in the dialog was begun. At the University of Wisconsin, the Wisconsin idea, as it has been labeled, was hatched during the LaFollette era, which enunciated the then revolutionary doctrine that it was really the duty and responsibility of the academic members of the community to apply their expert knowledge in assisting public servants to tackle their problems with greater effectiveness.

Now, again, the dialog seems to have been broken. And an able son of Wisconsin, our Ambassador to Poland, the Honorable John Gronouski, in a thoughtful speech at the University of Wisconsin on August 8, mourned this new breach and cataloged its costs for the Nation.

The Ambassador, in his speech, does not question the right of dissent with respect to our policy on Vietnam. Obviously, free dissent has been one of the cornerstones of our success as a democracy. What he does question is how monolithic and dogmatic the academic community has become on this issue. This is what has taken its toll. Says Gronouski:

> Academic intellectuals have become so preoccupied with their attack on our Vietnam policy and in the process, so alienated from those charged with formulating American foreign policy, that they seem totally uninterested in generating support for any Administration foreign policy program, however much it accords with their own professed foreign policy objectives.

I commend the Ambassador's speech to the attention of all Senators and ask that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE INTELLECTUAL AND AMERICAN FOREIGN POLICY

My subject tonight is the role of the intellectual in the development of American foreign policy. As a diplomat I always try to stay with the safe, non-explosive subjects!

I should begin by saying that I do not pretend to have a precise definition of an intellectual. Certainly he is a person who is likely to be reasonaby well educated, comfortable in the world of ideas and abstractions, and possessed of scholarly traits. He is also a person who has an interest in issues outside his professional field; interests to which he devotes a significant part of his energies and about which he formulates judgments.

Since most members of a university consider themselves intellectuals, or aspire to become intellectuals, I would think that the topic I have chosen is appropriate for the audience.

Whether it will be popular or not is an entirely different question. For I am about to suggest that because of their emotional preoccupation with a single foreign policy issue—Vietnam—academic intellectuals are in danger of becoming one of the most ineffectual segments of our society. And I am not going to soften this comment by suggesting that the fault lies either in the White House or in Foggy Bottom.

It is not the issue of Vietnam that disturbs me. Nor is it the intellectuals' dissent. God help the intellectual if he ever ceases to probe and analyze—and disagree when he believes the facts warrant it.

What bothers me is not the intellectuals' position on Vietnam, but the fact that there seems to be just one position—prefabricated, official, inviolate, and all too often followed by rote.

This is puzzling. It is puzzling because in an issue so inherently difficult to evaluate, where judgments must be based on so many unproved—and often unprovable assumptions—one would certainly expect more diversity of thought within the intellectual community.

An observer cannot be blamed for suspecting that all too many intellectuals have become reluctant to express views and opinions that are in conflict with those expounded by the articulate, self-designated leaders of the intellectual elite. And even those who do stray from the accepted paths, seem to do so in a voice too soft to be distinctly heard.

I am suggesting that dissent may be an acceptable tool of the intellectual community but, on the subject of Vietnam, it is no longer acceptable within the intellectual community. If you doubt me—as I'm sure many of you do—ask yourself one question: What would happen to your standing among your peers if, tomorrow, you were to defend Lyndon Johnson's policy in Vietnam as a reasonable course of action?

I am suggesting, also, that out of such conformity of thought have come, not reasonable alternative, but valueless slogans.

Is "Stop the Bombing" really a substitute for a reasoned intellectual position? Or "Negotiate Now?" Or "Get Out of Vietnam?" Or "Defy the Draft?"

I submit that America has a right to expect something better than vague slogans offering easy solutions to complicated issues from the most trained and disciplined minds it possesses.

Let me give you another example. From the tone of prevailing intellectual comment, the President, the Secretary of State, and all of their advisers, are bent only on escalating the war and winning total victory—that they really are not interested in a negotiated settlement.

I happen to know this to be false. The entire Administration—from the President down—would move heaven and earth, if that were possible, to end the shooting and achieve a negotiated settlement. I happen to know that for the simple reason that I have been personally engaged in a part of the massive and unceasing effort to work out such a settlement.

But among the intellectual community, neither my judgment nor my word count for very much these days. For whatever I may have been for 20 years before joining the State Department, I am now a member of the establishment and am automatically suspect. I am no longer a free agent, for my job depends on supporting the President. It is implicitly assumed that whatever I was before, having joined the Department of State, I will now compromise any and every principle.

It is curious to me that intellectuals, who value so highly their intellectual integrity, hold in such low esteem the integrity of those from their own ranks who have assumed positions of responsibility in the execution of American foreign policy. Former university deans, former professors of economics, philosophy, political science, law and international affairs from our most respected universities—these are among the chief Presidential advisers in the conduct of foreign policy. These men have explicitly expressed our government's wish for a cease fire and for the immediate start of negotiations. But they are now a part of the establishment and have thereby forfeited their intellectual credentials and all claim to personal and intellectual integrity.

By the same token, any of you in the audience tonight would fall victim to the same fate if you were to join the State Department tomorrow. You would have "sold out." There would be no possibility that you had joined the government to make your own voice convictions more strongly felt.

Again, I am not suggesting that any aspect of the nation's foreign policy should be off limits to critical analysis. Men of integrity can be wrong—in the establishment as well as out of the establishment—and members of the intellectual community have the obligation to offer constructive criticism to positions they deem ill-advised.

But engaging in the popular sport of impugning the integrity of those in policymaking roles is no substitute for analysis. Nor is the implicit assumption that once a member of the intellectual community assumes responsibility in the conduct of foreign affairs, he loses his capacity to intelligently and objectively evaluate the vast amount of information available to him.

This attitude stems in part from different ground rules which govern intellectuals in their various capacities. For example, when academic intellectuals decide that a specific course of action offers promise of resolving the Vietnam conflict, they have no reservations about publicizing their proposal to the fullest extent possible. Use of the full page newspaper ad for this purpose has become standard practice.

But it may well be—in fact, it has often been the case—that their proposal has already been advanced by their government and rejected by the Hanoi regime. But the establishment intellectual is precluded from publicly stating this fact, for a U.S. peace proposal—past, present or future—has not the slightest chance of success unless it is offered confidentially, and is devoid of propaganda overtones.

Thus, being unable to state where responsibility lies for the failure of an idea, which may have appeared promising to those in government as well as those in academic life, the establishment intellectual becomes fair game to the charge of rigidity and intransigence. And he must take the criticism without defending himself except in the most general and unconvincing terms, for to succumb to the urge to verify his credibility in the eyes of his peers, would automatically discredit him and his government among those to whom the proposition was originally offered.

Failure of academic intellectuals to appreciate this necessity for tactful silence is behind much of the conflict and distrust that has grown up between the academic and establishment intellectuals.

The academic intellectual is quick to react to this silence by disparaging members of the establishment as timid, unimaginative and incapable of advancing or even recognizing a fresh peace initiative. The government policy makers and their advisers are accused of intellectual dishonesty, stupidity or worse. Those charged with the conduct of foreign policy, in turn, find it difficult to maintain an attitude of rapport with a group which incessantly challenges their motives and morality.

Thus do academic intellectuals become more and more alienated from their own government's decision making process. This alienation would be serious enough if it was confined to the issue of Vietnam, and Vietnam was the only critical problem of immediate concern to American foreign policy.

Unfortunately, neither of these conditions reflect the real world. We are faced today with several major foreign policy problems, in addition to Vietnam, which are of vital concern to the United States. How wisely we respond to the challenges they present will be the basis on which future historians will measure our present contribution to world peace.

Yet, academic intellectuals have become so preoccupied with their attack on our Vietnam policy, and in the process, so alienated from those charged with formulating American foreign policy, that they seem totally uninterested in generating support for any Administration foreign policy program, however much it accords with their own professed foreign policy objectives. It is a tragedy of major proportions when the best trained minds in America voluntarily withdraw from exercising influence over every aspect of United States foreign policy save one.

I do not believe, for example, that a philosophy professor legitimately can become so concerned over Vietnam that he will sign his name to a formal protest, and yet feign complete indifference to what is happening in the rest of the world. But that is just what is occurring with depressing regularity on campus after campus across the nation.

Nowhere are the consequences of this withdrawal more apparent than in its effect on the President's policy of "building bridges" with Eastern Europe. In a landmark statement on American foreign policy, the President on October 7 last year flatly rejected "cold war" and "containment" as elements of our policy toward the Soviet Union and its Eastern European allies. He articulated instead a policy of "peaceful engagement," designed to reduce tensions and, through increased trade, exchanges and other modes of cooperation, immediately reduce and ultimately eliminate the threat of a thermo-nuclear war which would devastate mankind and pale into insignificance the tragedies of Vietnam.

Where were the intellectuals when the programs introduced by the President to implement this policy shift ran into deep trouble under the sustained attack of those to whom peaceful engagement is being soft on communism, and who would intensify rather than ameliorate the cold war?

Where are the full page ads now that the East-West Trade Bill, the cornerstone of our new and enlightened policy, is in danger of Congressional extinction?

And where are the full page ads supporting the President's decision, which is now under serious attack, to extend government credit guarantees to U.S. companies participating in the construction of a Fiat automobile plant in the Soviet Union and for other projects in Eastern Europe?

What expressions of concern came from the intellectual community when Congress recently refused to provide $10 million for renewal of a program which has provided the people of several countries, including Poland, with the means to buy American books, journals, magazines, newspapers, plays, movies and TV programs? What did they say to some of their Congressional allies who voted to kill this program?

And where are the intellectuals now when a single Congressman threatens to undermine the foundation of our policy toward Poland and Eastern Europe, and the confidence of our Western allies in the sincerity of our engagement policy, by passing legislation to deprive Poland of Most Favored Nation tariff treatment?

But I need not limit my questions to Eastern Europe—or even to foreign affairs.

Where were the full page ads last spring when Congress refused to approve a resolution strengthening the President's hand—and his nation's sincerity—at Punta del Este?

And where was the voice of the intellectual last month when the President's Rat Extermination Bill was voted down; or last year when his open housing bill was allowed to die; or a few days ago when his model cities program was sliced in half?

Can it be that Vietnam is the sole legitimate concern of the entire intellectual community? That intellectuals evaluate a President's program on the basis of whether or not they like his "style" or his accent rather than on the basis of the program's content? Or that because of frustration with the President's Vietnam position they are prepared to sit on their hands and permit a whole series of enlightened programs which he has advanced to suffer defeat with hardly a murmur of protest simply because of his sponsorship?

I hope that is not the case, for if it is we will all be the loser. In a world trying desperately to accommodate two competing social systems, each one suspicious and fearful of the other; with millions of people struggling to throw off the bonds of ignorance, poverty, subservience and despair; with the shadow of the hydrogen bomb clouding our vision and distorting our perspective—no group, least of all the community of intellectuals, can be afforded the luxury of abdicating from responsibility.

I do not ask you to perform as a rubber stamp for this or any other Administration. But I do ask you to serve as a thoughtful responsible contributor to the full development of American policy—foreign and domestic—unfettered by either personal antagonisms or professional conformity.

I ask you to defend your own intellectual integrity, whether or not you agree with your government's policies.

I ask you to defend the intellectual integrity of your colleagues, even when you disagree with them, and even when they have moved from the campus to the center of power.

I ask you to not stand silent when a fellow intellectual goes before the television cameras and disdainfully dismisses a responsible official of your government as a "loon."

Most of all, I ask you to express yourself independently, even though it might cost you the ephemeral respect of your fellow intellectuals.

Looking back, I suppose I should have added one more definition of an intellectual. I should have said he is a person who has the courage of his conclusions; who is unintimidated by the possible alienation of his peers.

If you can meet that test, I have no quarrel with you. If after reexamining your foreign policy positions you can still say that you arrive at your conclusions objectively and honestly, uninfluenced by emotion, slogans, or the prevailing opinion among our colleagues—if you can do that, then you will have fulfilled your obligation as an intellectual.

ALASKA FLOOD IS MAJOR DISASTER

Mr. BARTLETT. Mr. President, yesterday, in the House of Representatives, Representative Howard W. Pollock, the gentleman from Alaska, made a comprehensive report on flood damage in and around Fairbanks, Alaska.

Here I should like to add my own observations to those already recorded by Representative Pollock. He and I flew from Washington late Friday afternoon and returned Sunday afternoon.

Of material assistance to me on this trip was Lt. Col. Lewis A. Pick, Jr., Assistant Director of Civil Works for Pacific Division, who accompanied me from Washington at the direction of Brig. Gen. N. G. Woodbury, Jr., Director of Civil Works in the Office of the Chief of Engineers, and who remained in Fairbanks for a few days to assemble further information.

We had all of Saturday to observe with our own eyes an incredible scene of desolation.

This is Alaska's worst flood. No one knows what damage was done in terms of dollar losses. No assessment of this can be made until the flood waters have subsided and careful inspections have taken place.

However, it can be said that not only Fairbanks, the second largest city in Alaska, but likewise Nenana, a community to the south, and the Indian village of Minto—and perhaps others for all that is known now—felt the full force of the raging water. Everyone was evacuated from Minto. Everyone was evacuated from Nenana. Those communities are still deep under water.

While we were in Fairbanks, going from point to point in company with Gov. Walter J. Hickel, the water dropped 2½ feet, and there was hope, although surely not certainty, that the worst was over.

Very few Fairbanks families were able to stay in their homes. Many of them took refuge at Lathrop High School, where volunteers helped to care for 2,000 persons. Six thousand or more moved to the University of Alaska campus, which is on higher ground. It was reported that about 1,500 Fairbanksans were evacuated to Anchorage. Many more—an unknown number—flew out of Alaska.

Mr. President, as we moved through Fairbanks by Army truck we found the entire business district under water. Homes were inundated. At some points, at some times, it was said that the flood current was running at a speed of 8 or 9 or even 10 knots. Nothing could stand in its way.

The death toll is not yet known and will not be known for a long time to come. Only Saturday afternoon the body of a man was found underneath a truck. It is feared that many were trapped in their homes in isolated areas. It will be weeks before we know how many lost their lives.

There are two especially significant features about this flood which may be unique.

In the first instance, floods generally strike only sections of a given community. Some areas are spared. Not so in the case of Fairbanks, and Nenana, and Minto. The flood waters covered everything in each community.

In the second instance, the flood came during a season of the year when little time remains to make the communities livable before winter sets in. This is in interior Alaska. Fairbanks, for example, is only about 120 miles south of the Arctic Circle. The freezeup is just around the corner, although the weather in Fairbanks Saturday was mild.

When homeowners are able to move back into their houses they will not only face a terrific job of cleaning up, monumental in itself, but the houses must be dried out and placed in habitable condition before the cold weather strikes. Most homes there have basements. They are all flooded. They cannot be pumped out immediately. The water table is so high that if the basements were emptied of water the exterior pressures would cause collapse. Furnace motors must be repaired quickly or new ones installed so that heat may be applied constantly to speed the drying-out process.

So it is an enormously difficult task which confronts our fellow Americans in the State which to many seems so distant. They know the handicaps that face them as they race against time. They should be discouraged. Perhaps they are. But as we traveled to the places where people are being cared for Saturday we found not one person who was downhearted. All were cheerful despite the hardships they had undergone and, indeed, from which they were still suffering. Not a single complaint came to me, at least.

Fort Wainwright, the Army installation close to Fairbanks, was heavily damaged. Congressman POLLOCK and I toured Fort Wainwright guided by Brig. Gen. George M. Jones, commander of the Yukon Command. Bassett Army Hospital there is caring for all the patients who had to be evacuated from the civilian hospital, St. Joseph's. We toured the wards and talked with many of the patients who had been moved under incredibly difficult conditions from one hospital to the other. They were all cheerful, all high in their praise of the care they were receiving. And this was being given despite the absence of running water or sewage facilities. The mains were broken by the rampaging waters.

In general, the water system in Fairbanks survived the flood, although the pipes were broken in some places. Serious damage was done, we were told, to the sewage system and considerable time will be required to make repairs.

The municipal powerplant was able to supply power throughout the critical period but, of course, transmission lines were down all over.

Our information was that so badly damaged was the telephone system that communications may be the last of the public services to be restored.

Mr. President, from those desperate days there will be recorded the stories of many acts of extraordinary heroism. For example, just before leaving Fairbanks at 1:30 a.m. Sunday, I was told, at the airport terminal, of a man, who heedless of his own life had rescued five people from the Chena River, some of them children who had been tossed into the raging stream when their boat overturned.

This is no place, nor is it the time, to single out individuals who are mounting the ramparts, as it were, ready to do those things that need to be done so that Fairbanks may be a viable community again.

Disaster headquarters were set up at the ACS building near Fort Wainwright and manned on a 24-hour basis by the State civil defense organization, and by others. When I saw him last Saturday night I doubt if Mayor H. A. Boucher had been in bed since the flood started Monday night. Governor Hickel had been there almost constantly. Col. Ernest L. Hardin, Jr., district engineer at Anchorage, had moved up to Fairbanks, and it is the Engineers who will do much of the reconstruction work. Colonel Hardin already had a group of disaster experts on the job. The Office of Emergency Planning was represented by Creath A. Tooley, regional director from the State of Washington, and by others. The American Red Cross and the Salvation Army were very much on the job. The Small Business Administration—which will play a very essential and even vital part in the recovery program—was to set up headquarters in Fairbanks yesterday.

Mr. President, I was raised in Fairbanks. Indeed, almost half of the years of my life have been spent there. When I was growing up we frequently had spring floods which covered the lower sections of the town, but no one dreamed then that a flood of major proportions would ever occur. It has. This is a major disaster, a major tragedy. The Chena River was at a high stage the latter part of the week before last. Over the weekend before last there must have been some terrific rains in the upper reaches of the Chena. On Monday night, August 14, the river rose 3½ feet in an incredibly brief time. That was it. And it continued to rise.

Mr. President, no one could see the things that Representative POLLOCK and I saw last Saturday, no one could talk to the people that we talked with, without feeling the deepest sympathy and at the same time the utmost admiration for a group of Americans who were confronting adversity with their chins up.

YOUNG FARMERS TO FIGHT WORLD HUNGER

Mr. LONG of Missouri. Mr. President, there is today a great need for skilled young people to join the fight against world hunger. Jobs in agriculture, both in government and in private enterprise, are going begging because our colleges are not graduating enough students for the openings that are created in this dynamic field.

On August 8, in a Senate speech, I proposed a new effort to step up our program of sending U.S. farm experts to less-developed countries. I fully agree with Secretary of Agriculture Orville L. Freeman who recently urged young American men and women to train for service abroad as agricultural experts. Our youth would have a tremendously important role in the battle against hunger and starvation abroad.

Secretary of Agriculture Freeman summarized the opportunities and the challenges for young people in agriculture in an excellent speech before the National Agricultural Youth Institute in Lincoln, Nebr., August 14, 1967.

It is an urgently needed call to service. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

TRUSTEES OF POSTERITY

(Address by Secretary of Agriculture Orville L. Freeman before National Agricultural Youth Institute, Lincoln, Nebr., Aug. 14, 1967)

I am very glad that I was invited to visit with you today. There is no part of my job that I enjoy more than exchanging ideas with a group of young people—particularly young people interested in agriculture.

As Disraeli, the great English statesman and writer, once said, "The youth of a nation are the trustees of posterity."

You, and others like you, are agriculture's greatest potential asset.

I know there is a feeling among some people in our land: that farming is an old man's occupation—that agriculture is a declining industry—that there is not much economic future in it—that there are far more worthwhile, challenging, and exciting careers to be had in business, the professions, engineering, government, science, and almost any other field—and, in short, that young people planning a career are better advised to stay away from agriculture.

I do not agree. In fact, I categorically deny every one of these statements.

The truth is, agriculture today offers to young people exciting, rewarding opportunities for both service and profit.

To paraphrase an early American humorist—some people know an awful lot, but most of what they know "just ain't so."

Farming is NOT an old man's game. The average age of successful farmers—generally speaking, those with gross sales of $10,000 or more a year—is 46. These farmers incidentally provide about 85 percent of all U.S. farm products sold. They are younger than the average self-employed man in manufacturing, retailing, wholesaling, or self-employment occupations as a whole.

Moreover, there is a continuing increase in the number of young farmers getting established on successful farms. One-third of the new entrants into the $10,000 and up gross sales category, during the 1950's, were under 35 years old.

Agriculture is NOT a declining industry. It is true that less than 6 percent of our people now live on farms compared with 25 percent about 30 years ago.

But rather than indicating that agriculture is a declining industry with a dwindling role in society, this fact testifies to the growing importance of our agriculture.

The average U.S. farmer now produces as much before breakfast as he did in a full day 30 years ago—and more in three hours today than he did in four hours in 1960.

On the average, one person in U.S. agriculture today supplies *abundantly* the food and fiber needs of 40 persons—compared with 26 in 1960 and only 10 persons 30 years ago.

Far from being a declining industry, agriculture is a growth industry—an example for industry and the economy in general.

Between 1950 and 1965 output per manhour in agriculture rose nearly three times as fast as in nonfarming occupations—132 percent in agriculture against 47 percent in the rest of the economy.

Without this immense labor-saving contribution on the part of agriculture, our nation would not enjoy the abundance of goods and services of all kinds that we have today.

Nor could we occupy, much less hold, the position of international leadership that is ours.

The agricultural successes of U.S. farmers and the stagnation in communist agriculture have greatly affected the balance of power between East and West—in our favor.

In some areas of economic competition the Soviet Union is doing well. The overwhelming advantage we once enjoyed in steel production has been narrowed. The generation of hydroelectric power has also increased rapidly in the Soviet Union. In the space race we do not know whether the language first spoken on the moon will be English or Russian.

But in agriculture there is just no contest. With less than 6 percent of our people on farms we feed 200 million Americans, avert starvation for 60 million people in India, and help feed another 100 million people in other parts of the world. The Soviets, with close to half of their labor force still tied to agriculture, have had to import grain in recent years to provide bread for their people.

If we were as far ahead of the Russians in the space race as we are in agriculture, we would now be running a shuttle service to the moon.

American agriculture is the greatest production marvel in the history of man.

Economic prospects in agriculture are promising, not gloomy.

Let's look ahead a few years.

In 1980 most of you will be about 30 years old, embarked on your careers but still in the beginning phases of those careers.

Will there be a good farm or a good farm-related occupation in your future?

Here is what is actually happening!

The number of farms is declining. By 1980 there may be only about 2 million farms in the U.S.—compared with around 3 million today and 4 million in 1960.

The investment required to run a successful operation is increasing. The average farm in 1965 had a capital investment, including land, buildings, machinery, and livestock, of about $63,000. In 1980, it will probably be double that—close to $125,000. The average for the Pacific States—now about $156,000—may increase to about $300,000. In the Corn Belt where the average is now $68,000, the figure may rise to about $124,000. In the Northern Plains it may go up from $85,000 to about $147,000.

Many ask, how can a young person finance a farm which requires so much capital? Well, remember that income is also rising steadily and rather rapidly. How much you can invest depends heavily on how much your investment can earn.

Remember also that you do not have to start with a capital of $300,000 or even $100,000. The capital investment of most farms is built up over many years.

Young people do not ordinarily start farming by owning all the resources used in their farming operations. A survey in 1960 indicated that farm operators under 35 owned less than one-third of the value of the property they operated. By leasing land and borrowing capital, they were able to acquire control of resources that compared favorably with those controlled by older operators.

Much of the financing needed by 1980 will be provided through the accumulation of equity by the more successful farm operators and through the existing credit systems.

Nevertheless, there will be a need for broader access to capital resources than exists today. New public and private financing policies will undoubtedly be evolved. Cooperative arrangements will offer new opportunities to farm successfully with limited capital. Farm leasing as an alternative to outright buying, already widely used, will probably grow. So will leasing of equipment and machinery.

I do not mean to say that the doors will be open to all young people who may want to become farmers. Getting started at farming is difficult. But when was it easy?

Ask your father or your grandfather or some elderly farmer in the neighborhood. Getting a farm was no easy proposition to the pioneer homesteader who acquired 160 acres for a small filing fee and then journeyed to his claim by horse and wagon. Then it took a generation or more of hardship, sacrifice and hard work to conquer the wilderness.

Today we sometimes forget what sacrifices our forefathers made less than 100 years ago to open this great land of ours to the unparalleled abundance we enjoy today.

Don't let anyone tell you that opportunities for getting started in farming are now ended.

True, the number of farms will decline. But most of the farms dropping out will be those with small acreages and small gross incomes. Many of them will be bought by other farmers who want to enlarge their acreages.

There will continue to be opportunities for young people to farm as older farmers retire or give up farming for other reasons.

Furthermore, the long-time picture of agriculture as a low income occupation is changing. Look at the improvement in farm income during the past six years.

The average farmer last year netted about 70 percent more money from his farm than he did in 1960. He still lags behind the average person in the cities—but he's gaining and if farmers will work together we can go faster within the next few years.

We are moving ahead because the American people as a whole, and their government, finally awakened to the fact that we could no longer afford to let farm and rural America keep on sliding downhill.

As I look five to ten years ahead I see the American farm as a very good place to live and to make a living. People who have family size farms and operate them wisely will have as good an income as most people in the cities. Most family farms having gross sales of more than $10,000 will have achieved parity of income with other comparable groups in the economy long before 1980—perhaps by 1970.

Moreover, farm families will continue to profit from increasing property values over the years. The average net worth of farm operator families is about twice as large as that of nonfarm families. In 1962, for example, the average net worth of farm operator families was about $44,000—compared with about $22,600 for all U.S. families. And when you compare median figures—the level with as many families above as below—the comparison becomes $26,000 for farm operator families as against $7,500 for all U.S. families.

Looking to the future, rural America—I like to call it *Countryside U.S.A.*—will be an even better place in which to live than it is today.

I predict a renaissance *throughout* rural America.

I believe we can, and will, revitalize hundreds of existing small towns—and build hundreds of new planned communities—communities that will offer their own sources of employment, that will provide a favorable climate for the development of businesses and services. They will have modern schools and a nearby college. They will boast a medical center and cultural and entertainment advantages.

Such communities will offer almost everything the big cities can provide except the congestion, confusion, crime, jobless ghettos, unrest, polluted air, and dirty water that threaten most great American cities today.

In addition to farming itself, there will be millions of new farm related jobs.

Not many people realize that there are more than 500 distinct occupations in the eight major fields of agriculture: Besides farming and ranching, these fields include research, agricultural industry, agricultural business, education, communications, conservation, and providing agricultural services.

An estimated 15,000 new jobs for college graduates are created in agriculture each year. But last year our Land-Grant Colleges graduated only about half enough students to fill these openings.

Take the field of research alone. Federal, State, and industrial research in agriculture now employs about 27,000 scientists. Looking ahead just 10 years, we estimate that to meet the research goals we have set will require an additional 13,000 agricultural scientists by 1972—and about 13,000 more by 1977. These are exciting, pioneering, creative jobs.

Let no one tell you that the door to economic opportunity in agriculture has slammed shut. It just isn't so!

But what I reject most vigorously is the notion that agriculture is a humdrum field without challenge and excitement.

The truth is that agriculture has been, is, and, I believe, will continue to be the pacesetter of our Nation's advance.

From the beginning, farmers have been in the vanguard of American progress. They struck out to settle new areas. Generation after generation, they pushed the frontier westward. They let nothing stop them—neither hostile Indians, nor lawlessness, nor the arid wilderness of the West—from carving out an immense new agricultural empire, vastly more productive, than any other the world has ever known. Had they faltered—had they failed—the strong and generous America that today stands tall for freedom would never have come to be.

American history clearly demonstrates that food came first, before industry—that the farm came before the city. Before our country could build a sound economy, it had to have ample food. The solid foundation on which our fantastically productive industry and commerce rests was and is agriculture.

What is true in the history of our Nation is equally true around the world today. Food comes first. There can be no secure peace in a hungry world. There can be no real economic advancement without progress in agriculture to trigger it.

That's why America's ability to produce in abundance is so important to peace, security, and freedom throughout the world.

The greatest challenge of our age is to banish hunger from the earth in our time. It is only by opening the horizon of agricultural knowledge and techniques and productivity that this can be done.

Truly American agriculture has a rendezvous with destiny.

Do you young people seek green fields in which to make two blades of grass or grain grow where only one grew before? They are here—in agriculture.

Do you seek opportunity to develop new foods, new fibers, new processes, that will be rich in promise for America and mankind everywhere? The opportunity is knocking at your door—in agriculture.

Do you dare to challenge nature and human lethargy in underdeveloped Nations where if you succeed barren fields will become fertile—but if you fail hunger may erupt in violence? This challenge, too, is here at hand.

All over the world people are seeking a better life. They will not rest short of achieving it.

About 2 billion people—some two-thirds of the human race—live in the underdeveloped regions of Latin America, Africa, and Asia. Their number may more than double by the end of the century. Though seven out of ten of the people in these underdeveloped areas live and work on the land, six out of seven have less food than they need for good health and vitality. They cannot produce enough to feed, clothe, and care for themselves adequately.

You can help a hungry man by offering him food. But to truly help him, you help him to help himself. To do that, you must share with him the know-how and skills that make it possible for him to increase his productivity. Then he and his country can stand with other Nations as self-reliant partners in the great challenge of building a free and secure and peaceful world.

If this is to be done, farmers in the underdeveloped countries around the world must be taught better methods of farming, rapidly and efficiently. They must be provided with tools and the know-how of using them. They must be given motivation to produce more.

All this is fundamentally a job of education—not *only* education, but *fundamentally* education. It is a job of *teaching* people how to make better use of their land, *teaching* them how to use fertilizer and new seeds and irrigation, *teaching* them how to create their own agricultural institutions, *teaching* them how to help themselves.

The most important single item—the key item if this is to be done—is trained agriculturists. Skilled and educated manpower is essential in every phase of a program designed to improve the production and marketing of agricultural products. Yet in virtually none of the less developed Nations is the supply of trained manpower in agriculture anywhere near adequate. In many cases, there is only a handful of educated researchers, planners, and Extension workers. Colleges of agriculture are few and their output small.

Until the less developed Nations can build up cadres of trained personnel of their own, agriculturalists from the advanced Nations must bridge the trained manpower gap.

For a long time now the USDA, the State universities, and other organizations have been lending technicians who carry agricultural "know-how" to countries throughout the world.

But this is not a job that government and educational agencies can or should do alone. We are trying vigorously to enlist the aid of industry in providing the technicians, the management, and marketing know-how, as well as the capital to transform agriculture in the emerging countries. The participation and cooperation of industry is urgently needed.

But again and again we hear from industry that it needs and cannot find young people—young people with skills and intelligence—to go to foreign fields. Older people who are settled in family life are reluctant or unable to undertake this difficult form of public service for long periods.

Here is a natural field for young Americans. Here is another opportunity to render an extremely worth-while service to humanity. Here is an opportunity to gain broad and valuable experience.

Truly, then, you are the trustees of the future.

In closing, I want to hold up before you as a challenge what other young men have done. Take courage from their resolution—and do not be afraid to set greatness as *your* goal as these men did:

Cyrus McCormick—inventor of the reaper at the age of 22.

Isaac Newton—discoverer of the law of gravity at 24.

John Keats—author of some of the most magnificent poetry in the English language before he was 25.

Charles Lindbergh—who flew across the Atlantic, solo, in a single engine plane—and he, too, was only 25.

Eli Whitney—inventor of the cotton gin—at 28.

Thomas Edison—who applied for his patent on the phonograph at 30.

Thomas Jefferson—who wrote the Declaration of Independence at 33.

We have the counterparts of such men in modern agriculture.

During World War II a young man—not quite 30—worked out a new method of converting starch in wheat to fermentable sugars.

Another young man in one of our regional laboratories learned how to make a rubber substitute from soybean oil.

Still another young researcher—about 32—developed an improved method of canning peas.

And the present administrator of one of our important USDA agencies involved in the War on Hunger is a young man of 32. I refer to Les Brown, who was selected as one of the Ten Outstanding Young Men by the Junior Chamber of Commerce.

Don't let the fact that you are young in years stand in your way. Age is as age does. Resolve to be a doer.

Great opportunities confront you in agriculture and its related fields—great opportunities accompanied by great responsibilities.

Tomorrow belongs to youth. It belongs to you. Tomorrow can be as bright as you yourselves resolve to make it.

RIOTS AND MOB SPIRIT

Mr. BYRD of West Virginia. Mr. President, in the August 28, 1967, issue of U.S. News & World Report, Mr. David Lawrence, editor, reprinted excerpts from a speech delivered by Abraham Lincoln in Springfield, Ill., on January 27, 1838. At that time, Mr. Lincoln was 28 years old, a lawyer, and a member of the Illinois State Legislature. Mr. Lawrence stated that Lincoln's views were being quoted in U.S. News & World Report "because the disregard of law and the dangers in mob violence described nearly 130 years ago are strangely parallel to what is happening in our times."

I ask unanimous consent that the item, entitled "Riots and Mob Spirit—America's Greatest Danger," be printed in the RECORD.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

RIOTS AND MOB SPIRIT—AMERICA'S GREATEST DANGER: A PROPHECY WRITTEN IN 1838

(NOTE.—Following are excerpts from a speech delivered by Abraham Lincoln in Springfield, Ill., on Jan. 27, 1838. He was then 28 years old, a lawyer and a member of the Illinois State Legislature. His views are quoted here because the disregard of law and the dangers in mob violence described nearly 130 years ago are strangely parallel to what is happening in our times.—David Lawrence, Editor.)

(By Abraham Lincoln)

At what point shall we expect the approach of danger? By what means shall we fortify against it? Shall we expect some transatlantic military giant to step the Ocean, and crush us at a blow? Never! . . .

At what point is the approach of danger to be expected? I answer, if it ever reach us, it must spring up amongst us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher . . .

I hope I am over wary. But if I am not, there is, even now, something of ill-omen amongst us. I mean the increasing disregard for law which pervades the country, the growing disposition to substitute the wild and furious passions in lieu of the sober judgment of courts, and the worse than savage mobs for the executive ministers of justice. This disposition is awfully fearful in any community. That it now exists in ours, though grating to our feelings to admit, it would be a violation of truth and an insult to our intelligence to deny.

Accounts of outrages committed by mobs form the every-day news of the times. They have pervaded the country from New England to Louisiana. They are neither peculiar to the eternal snows of the former nor the burning suns of the latter. They are not the creature of climate—neither are they confined to the slave-holding or the non-slave-holding States. Alike, they spring up among the pleasure-hunting masters of Southern slaves and the order-loving citizens of the land of steady habits. Whatever, then, their cause may be, it is common to the whole country. . . .

Such are the effects of mob law. And such are the scenes, becoming more and more frequent in this land so lately famed for love of law and order, and the stories of which have even now grown too familiar to attract any thing more than an idle remark.

But you are, perhaps, ready to ask, "What has this to do with the perpetuation of our political institutions?" I answer, it has much to do with it. Its direct consequences are, comparatively speaking, but a small evil, and much of its danger consists in the proneness of our minds to regard its direct as its only consequences.

Abstractly considered, the hanging of the gamblers at Vicksburg was of but little consequence. They constitute a portion of population that is worse than useless in any community, and their death, if no pernicious example be set by it, is never matter of reasonable regret with anyone. If they were annually swept from the stage of existence by the plague or smallpox, honest men would, perhaps, be much profited by the operation.

Similar, too, is the correct reasoning in regard to the burning of the Negro at St. Louis. He had forfeited his life, by the perpetration of an outrageous murder upon one of the most worthy and respectable citizens of the city. And had he not died as he did, he must have died by the sentence of the law in a very short time afterwards. As to him alone, it was as well the way it was as it could otherwise have been.

But the example in either case was fearful. When men take it in their heads today to hang gamblers or burn murderers, they should recollect that, in the confusion usually attending such transactions, they will be as likely to hang or burn someone who is neither a gambler nor a murderer as one who is, and that, acting upon the example they set, the mob of tomorrow may, and probably will, hang or burn some of them by the very same mistake. And not only so—the innocent, those who have ever set their faces against violations of law in every shape, alike with the guilty, fall victims to the ravages of mob law. And thus it goes on, step by step, till all the walls erected for the defence of the persons and property of individuals are trodden down and disregarded.

But all this even is not the full extent of the evil. By such examples, by instances of the perpetrators of such acts going unpunished, the lawless in spirit are encouraged to become lawless in practice. And having been used to no restraint but dread of punishment, they thus become absolutely unrestrained. Having ever regarded Government as their deadliest bane, they make a jubilee of the suspension of its operations and pray for nothing so much as its total annihilation. While, on the other hand, good men—men who love tranquility, who desire to abide by the laws and enjoy their benefits, who would gladly spill their blood in the defense of their country—seeing their property destroyed, their families insulted, and their lives endangered, their persons injured, and seeing nothing in prospect that forebodes a change for the better, become tired of and disgusted with a Government that offers them no protection, and are not much averse to a change in which they imagine they have nothing to lose.

Thus, then, by the operation of this mobocratic spirit, which all must admit is now abroad in the land, the strongest bulwark of any Government, and particularly of those constituted like ours, may effectually be broken down and destroyed—I mean the *attachment* of the People. Whenever this effect shall be produced among us, whenever the vicious portion of population shall be permitted to gather in bands of hundreds and thousands and burn churches, ravage and rob provision-stores, throw printing presses into rivers, shoot editors, and hang and burn obnoxious persons at pleasure and with impunity—depend on it, this Government cannot last.

By such things, the feelings of the best citizens will become more or less alienated from it. And thus it will be left without friends or with too few, and those few too weak to make their friendship effectual. At such a time and under such circumstances, men of sufficient talent and ambition will not be wanting to seize the opportunity, strike the blow, and overturn that fair fabric which for the last half-century has been the fondest hope of the lovers of freedom throughout the world.

I know the American People are *much* attached to their Government. I know they would suffer *much* for its sake. I know they would endure evils long and patiently before they would ever think of exchanging it for another. Yet, notwithstanding all this, if the laws be continually despised and disregarded, if their rights to be secure in their persons and property are held by no better tenure than the caprice of a mob, the alienation of their affections from the Government is the natural consequence, and to that, sooner or later, it must come.

Here, then, is one point at which danger may be expected. The question recurs, "How shall we fortify against it?" The answer is simple. Let every American, every lover of liberty, every well wisher to his posterity, swear by the blood of the Revolution never to violate in the least particular the laws of the country and never to tolerate their violation by others. As the patriots of 1776 did to the support of the Declaration of Independence, so to the support of the Constitution and laws, let every American pledge his life, his property, and his sacred honor. Let every man remember that to violate the law is to trample on the blood of his father and to tear the character of his own and his children's liberty.

Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap. Let it be taught in schools, in seminaries, and in colleges. Let it be written in primers, spelling books, and in almanacs. Let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the *political religion* of the nation, and let the old and the young, the rich and the poor, the grave and the gay, of all sexes and tongues and colors and conditions, sacrifice unceasingly upon its altars.

While ever a state of feeling such as this shall universally or even very generally prevail throughout the nation, vain will be every effort and fruitless every attempt to subvert our national freedom.

When I so pressingly urge a strict observance of all the laws, let me not be understood as saying there are no bad laws, nor that grievances may not arise for the redress of which no legal provisions have been made. I mean to say no such thing.

But I do mean to say that, although bad laws, if they exist, should be repealed as soon as possible, still while they continue in force, for the sake of example, they should be religiously observed. So also in unprovided cases. If such arise, let proper legal provisions be made for them with the least possible delay. But, till then, let them, if not too intolerable, be borne with.

There is no grievance that is a fit object of redress by mob law. In any case that arises—as, for instance, the promulgation of abolitionism—one of two positions is necessarily true: that is, the thing is right within itself, and therefore deserves the protection of all law and all good citizens; or it is wrong, and therefore proper to be prohibited by legal enactments. And in neither case is the interposition of mob law either necessary, justifiable, or excusable. . . .

Passion has helped us, but can do so no more. It will in future be our enemy. Reason, cold calculating, unimpassioned reason must furnish all the materials for our future support and defence. Let those materials be moulded into *general intelligence, sound morality*, and, in particular, *a reverence for the Constitution and laws.*

CRISIS IN OUR CITIES: WHAT RURAL AMERICA CAN DO ABOUT IT

Mr. McGOVERN. Mr. President, the Sunday Washington Post on August 20, 1967, published a superbly written statement by the National Rural Electric Cooperative Association. The article dealt with the problem of congestion, crime, and instability in many of our great metropolitan areas. It pointed to the regrettable fact that the steady exodus of people from the rural areas and small towns into the cities has not only weakened rural American but has aggravated the crisis in our cities.

This is a problem in which I have been vitally interested for a number of years. As the sponsor of legislation aimed at encouraging the development of our rural areas and the slowing down of migration to the cities, I am especially desirous that Members of the Congress read this excellent piece.

I ask unanimous consent that it be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Crisis in Our Cities: What Rural America Can Do About It

Since its early days, our nation has periodically faced a crisis in its cities.

And, since the early days, the root cause has been the same, people flocking to the cities in search of something better, people leaving areas of little opportunity in search of fulfillment for themselves and their children.

In earlier times, the people came from overseas. Nearly all of them came from the land which no longer provided them with a living.

Today the people who fill our cities in search of a better life—nearly 600,000 of them a year—come from our own countryside, nearly all of them from the land which no longer offers them a living.

The fact is, as Secretary of Agriculture Orville L. Freeman and other informed government officials have noted, that 70% of our nation's population is crowded into one percent of our land, many of them crowded into space covered by brick and mortar and macadam, over-laden with smog-filled air—treeless, flowerless, hopeless.

They are the victims of a quiet revolution in agriculture which no longer needs the labor of large numbers of human beings to produce the vast quantities of food and fiber we provide for the world. They are today's landless immigrants who formed our city ghettoes and slums of generations past.

The people of rural America, and America's rural electrics, believe this view of the past and of the present contains the seeds of our future—a brighter, more productive future for the people of the cities and the people in the rural areas.

We believe it is time we use one of our nation's greatest assets—our uncrowded countryside—to help solve the problem which concerns us all.

Rural America boasts more than space. It has fresh air and sun and sky and water. It has room for kids to run barefoot through grass covered with early morning dew, hills covered with clean snow for sleds and skis, fields for people and dogs to romp in.

And it has more.

In the towns and villages of rural America there are uncrowded streets and sidewalks. There is electric power and transportation. There are good roads to bring the products of hard-working people to the great market places.

What rural America lacks are job opportunities. Of the nearly 14 million new jobs created in our country in the past 15 years, few were created in rural areas. Yet polls say half our population would like to live and work in rural areas.

We believe that unless we bend our efforts to the development of rural America, we will fail to solve the problems of our cities. Unless we stem the tide of migration from the country to the city that puts more and more people into less and less space, we will have ignored our greatest asset in meeting one of our gravest problems.

We must start now to develop job opportunities, adequate hospitals and medical facilities, better schools and theaters and libraries, better water and sewer systems, and improved public services and facilities for industry in our rural areas. With them, rural America *can* meet the job hunger of its own people. It *can* provide the space and living room city people so desperately seek.

The nation's rural electrics view with optimism the efforts of our nation's leaders to restore the balance between rural and urban America. We pledge our support and the continuation of our unstinting effort. We invite the participation and cooperation of all people concerned about the future of our country, regardless of where they live.

There is, after all, only one nation, and we are all part of it.

National Rural Electric Cooperative Association.
Washington, D.C.

AIR POLLUTION, PART TWO IN UAW SOLIDARITY

Mr. BOGGS. Mr. President, the August issue of UAW Solidarity contains a second installment by Ted Ogar on the problem of air pollution in our country.

This article, like the last one, helps to acquaint the public with the menace of harmful wastes in our air and I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

(By Ted Ogar)

You cannot trade in a breath of used air as you can a drop of used water. That's why, of all the environmental problems we face, air pollution poses the more serious threat.

The water we drink has been used and reused countless numbers of times. So has the air we breathe. However, we can purify the water before we drink it but we must breathe the air as it comes to us. And there is little clean air to be found most anywhere.

Last month, Solidarity pictured severe air pollution in New York, Detroit, Cleveland and Los Angeles. But it is not only big cities that face danger. The experts say every community of 50,000 or more population is confronted by a clean air crisis. The Salt Lake City Tribune photo at the top of the page shows how smog can attack cities considered to be out in the wide open, supposedly clean air areas of the United States.

The hazards are underscored by John T. Middleton, director of the U.S. National Center for Air Pollution Control. "With every breath we take, an increasing percentage of us comes a little closer to a diagnosable diseased condition—from the common cold to lung cancer."

Yet despite the hazards of air pollution, action to control it has been relatively slow and far from adequate. There are any number of reasons for this. Slow recognition of the problem is one; for most of the past 100 years, air pollution and smoke pollution had been considered one and the same.

But visible pollutants account for only about 10 per cent of the poisons in our air. It's the 90 per cent of aerial garbage that we cannot see or smell that causes most of the damage to human beings and to our vast natural resources.

A relatively late start in research constitutes another drawback. If the most feeble of efforts are to be included in the chronology of air pollution study, the beginnings of intensive and systematic research can be traced back no more than 35 years.

The University of California's Air Pollution Research Center at Riverside, the first such facility in the U.S., has functioned only since 1962, although some independent research in UC's other departments was tentatively launched in 1950.

The new data that have been accumulated have not had the impact expected because of counter-argument and attack, almost entirely by industrial polluters.

But out of all the controversy on air pollution control, one significant fact emerges: with each passing year, the indictment of air pollution as a serious hazard to health becomes strengthened by the weight of evidence flowing out of the research laboratories.

Industry, says Middleton, "is often motivated not to control pollution.

"Controls ordinarily add to the cost of manufacturing," he asserts, "and the operator, concerned about his competitive position, is seeking to minimize his costs and maximize his profits."

Devices to control exhaust pollution should add not one penny to the price of new cars, according to Olga M. Madar, UAW IEB member and director of the Dept. of Conservation and Resource Development.

"The price increase on the 1967 models, along with the industry's unusually high profit picture in relation to other U.S. manufacturing industries," she told a Senate committee, "make it quite evident that industry can well afford to absorb the cost of air pollution control devices."

Industry has done more in recent years to control pollution than it had ever before and for this it deserves a measure of credit but nowhere near what it claims because most of what it has done was under compulsion of law. What little it has done voluntarily was motivated by desire to take the edge off whatever legislation would result from a total lack of cooperation.

Auto manufacturers installed anti-pollution devices on vehicles in California because they had to. It is significant that the devices—with the exception of crankcase controls—were not added to cars being sold outside California. They will be on all 1968 models only because Federal law requires them.

"If California did not constitute as big a chunk of the auto market as it does, we would not have had any action from the auto industry," said Eric P. Grant, executive officer of the states' Motor Vehicle Pollution Control Board. "Detroit did nothing about the problem until it was forced to.

"It still takes a lot of pushing and pulling to get the auto industry to move faster, but they're doing it now. There's a better attitude today, not present years ago, and some corporations are doing what can be considered a commendable job, but I'm still not satisfied."

Louis J. Fuller, who runs the Los Angeles County Air Pollution Control District, may be the toughest administrator anywhere in the U.S. And he's probably the most successful.

Fuller's philosophy of administration is a clear and direct one. The people of Los Angeles County want their air cleaned up and they passed laws to accomplish this. His job is to enforce these laws and he does.

The control district has taken 35,000 industrial violators to criminal court and won convictions in 97 per cent of the cases. Polluters have gone to jail, one industrialist for as long as 60 days.

"We will not tolerate violations of the law and I don't believe in bribing industry with tax incentives to do the right thing. Any area in the country can do a good job on control of air pollution if this is the will of the people."

The public's support of control programs and willingness to act is also called the key to success by Middleton, who previously had headed California's Motor Vehicle Pollution Control Board and the University of California's research center.

Public support in California is high and thus the state has higher standards than those in Federal law. The Clean Air Act sets only minimum criteria and permits states to set more rigid requirements.

Current California standards call for a maximum of 275 parts of hydrocarbons per one million parts of air and limit carbon monoxide emissions to 1.5 per cent. But this is where Federal standards begin. For some engines, U.S. law will permit 410 parts per million of hydrocarbons and 2.3 per cent carbon monoxide.

Federal law has spurred pollution control. In the three years since passage of the Clean Air Act, over $16 million in Federal funds have gone to local, state and regional programs. In 1963, total expenditures for control—at all governmental levels—were about $12 million. In 1966, they almost doubled.

The Harvard Business Review estimates it will take expenditures of $120 billion from all sources over the next 30 years—an average of $4 billion each year—to clean up America's aerial sewers. That's a long way to go, especially since most of the tab has to be picked up by an unenthusiastic industry. And taxpayers will have to provide for research, control and enforcement funds far in excess of current spending.

Prior to 1963, only 17 states had annual anti-pollution budgets of $5,000 or more.

The total spent by the 17 states was a shade over $2 million but California alone provided more than half of that total. Not more than six states—even with a generous interpretation of their control operations—could be said to enforce regulations. In 1965, the number of states with $5,000 annual budgets went up to 40 and three additional states—for a total of nine—instituted regulatory programs.

The situation in 1966 was only slightly improved. California was still leader with a state budget of $2,407,000. Wisconsin was at the bottom of the list with only $5,255. In between were Michigan with a budget of $116,972; Ohio, $128,038; Massachusetts, $54,000; Pennsylvania, $311,455; New York, $500,415, and New Jersey, $659,037. A 25-cent annual per capita expenditure is set as the minimum for an adequate state program but the median figure for the state programs is only 1.2 cents.

For local programs, the acceptable minimum annual per capita expenditure is 40 cents. Only three cities meet or exceed the standard; Los Angeles and Long Beach, Calif., each with 60.5 cents, and Akron, Ohio with 40.2 cents. Detroit's per capita expenditure was 26 cents; Pittsburgh's, 22.7 cents; Chicago's, 32.7 cents; Cleveland's, 31.6 cents; Jersey City's, 2.8 cents, and San Antonio's 0.5 cents.

Despite increased efforts on all fronts, pollution is getting worse, Middleton reports. Industry is spending more money for control devices but it must spend even more. Auto exhaust control devices must be improved because they break down too soon and too often.

California tests produced some startling statistics: 37 per cent of autos with mileage under 2,000 failed to hold up to the standards. System failures on cars with over 20,000 miles on the odometer were listed at 87 per cent.

Grant and Fuller place most of the blame on lack of proper quality control by auto manufacturers. Lack of regular maintenance by auto owners is a contributing factor, according to Grant.

IS THERE A SICK SOCIETY IN THE UNITED STATES?

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record an article, entitled "Is There a 'Sick' Society in the United States?" which appeared in the August 28, 1967, issue of U.S. News & World Report, and I also ask unanimous consent to insert an item from the same issue of this publication, entitled "What Happens When Rioters Get Into Court?"

There being no objection, the two items were to be printed in the Record as follows:

RIOTS, CRIME, YOUTH REVOLT: IS THERE A "SICK" SOCIETY IN THE UNITED STATES?

A strange and troubled mood is appearing in the nation at this time. Growing is the sense that a basic sickness may be spreading through the American society.

Headlines tell of disorders of all kinds.

Massive riots have laid waste to the big cities. Violent crime is invading once-quiet neighborhoods. LSD and marijuana are becoming the staple item for more and more of the nation's young people.

TAKE ALL YOU CAN

The unease of many Americans was voiced recently by Dr. Stuart A. MacCorkle, director of the Institute of Public Affairs at the University of Texas:

"It seems to me that theme of the day is to take all you can regardless of how you get it—and a lot of this attitude is seeping down from high places."

Disquiet is spreading, too, about the war in Vietnam, where American soldiers are fighting and dying for reasons not clear to many people.

Recently Sen. J. W. Fulbright (Dem.), of Arkansas, a critic of the war, charged that it was "poisoning and brutalizing our domestic life." He said:

"The 'Great Society' has become the sick society."

Other authorities say that the Senator's diagnosis does not begin to tell the story of what is wrong with the America of today—or why it seems to be in so much trouble.

A close look at the country shows:

Never has so much well-being come to so many Americans as now. More and more, color-television sets and swimming pools—rather than two cars in the garage—are becoming symbols of the "good life." On August 14 the Census Bureau reported a decline of nearly 25 percent since 1959 in the number of Americans living in poverty. Yet never, too, have values seemed to be crumbling as they are today.

Welfare rolls now provide handouts to more than 8 million Americans, at a time when many jobs go begging for lack of people willing to work.

Signs grow that getting a welfare check is becoming an acceptable way of life for many Americans. On August 16, "The New York Times" told of a family on relief in Yonkers, N. Y., living in a costly motel at taxpayers' expense. Welfare officials finally located a nine-room house in good condition—but the family resisted leaving the motel because the house didn't have enough windows and was located in a semi-industrial area.

All along the line, the idea of responsibility appears to be falling into disrepute.

Being accepted rather widely, as a result of racial demonstrations in recent years, is the view that people are entitled to disobey laws they don't like. Result is rioting that has neared civil war in some cities.

In 1964, there were 15 outbreaks of racial violence reported. That number declined to six the following year—but one was the "Watts riot" in Los Angeles, in which 34 persons were killed.

In 1966, the wave of rioting spread to 38 cities. And so far, this year, racial violence has come to about 115 cities, including Detroit, which suffered the biggest race riot in America's history.

Through it all, the idea grows that rioters are entitled to shoot, burn, and loot. On August 15, the Rev. Dr. Martin Luther King, Jr., civil-rights leader who preaches "nonviolence," blamed the widespread destruction and bloodshed in the cities this summer not on the rioters, but on "the policy makers of the white society."

Concluded law professor Fred E. Inbau of Northwestern University, president of the newly formed Americans for Effective Law Enforcement:

"The philosophy of excuse and individual unrestraint is prevailing too often in government. We have the fuzzy idea that, because an individual is poor or socially deprived, we ought to overlook his criminality. There has been a gradual erosion of the notion that people have responsibilities as well as rights.

"The Supreme Court has contributed to this by overemphasizing individual rights. But civil liberties are meaningless unless you can exercise them in a safe, stable society."

Instead of security, what many Americans are finding is growing anarchy about them. Police, restricted by court rulings in favor of criminal "rights," are finding it harder to make arrests—and parole practices are throwing convicted criminals onto the street with few or no controls.

SOARING CRIME

Results show up in this report issued recently by the Federal Bureau of Investigation:

Between 1960 and 1966, when the U.S. population was increasing by about 10 per cent, serious crime rose 62 per cent. Murders rose 21 per cent, forcible rapes 50 per cent and aggravated assault—often psychotic attacks on helpless persons—went up 52 per cent.

Religious and psychiatric authorities, as well as police, find some evidence that violence is becoming socially acceptable. Dr. Fredric Wertham, New York City psychiatrist, said:

"Some things in America definitely point to decadence, and the most severe symptom of this is violence, a total belief in the morality of force. Children are offered an atom-bomb toy, a movie shows a bathtub filled with blood and with blood coming out of the faucet. You turn on the television set and see the Vietnamese war being presented as if it were a sporting event."

Similarly, the Jesuit weekly "America" noted recently:

"Sexual pornography broke down the sexual guidelines. Porno-violence is aiming at the more fundamental guideline: the rule of law and order in society."

Today, it is America's young who may be paying the heaviest price for the nation's moral turmoil.

Year by year, juveniles continue to account for a disproportionate share of the increase in serious crime. Between 1950 and 1966, with the population aged 10 through 17 going up by 19 per cent, arrest figures for that group showed:

Serious crime of all kinds committed by juveniles—up 54 per cent. Murders by juveniles—up 45 per cent. Aggravated assaults by youngsters—up 115 per cent. And juvenile crime appears to be growing fastest in the suburbs.

CHILDREN ON THE LOOSE

Harold A. Smith, former president of the Chicago Bar Association, says this:

"People aren't making their children behave as they used to. Children don't have to work—there is nothing to do when they come home from school but roam the streets. Our house in the North Shore suburbs has been robbed several times. Once it was some high-school students who were just out to 'have fun.' "

The youth revolt, however, goes far beyond serious crime.

Youngsters by the tens of thousands are flocking to such "hippie" hangouts as East Village in New York City, Haight-Ashbury in San Francisco or Dupont Circle in Washington, D.C.

These youths, many in their teens, denounce striving and hard work. Instead their aim is "peace" and "love." One college professor said:

"The sad part is that many of these kids are deeply sincere and looking for some values. Yet their response to what they see as a 'sick' society is itself the 'sickness' of alienation and despair."

Today the "hippie" movement is in the vanguard of a boom in use of hallucinatory drugs. Federal officials estimate that tens of thousands of Americans have tried LSD at least once, despite medical warning of its genetic and health hazards. Other estimates range to a million. Far more than that are believed to be sampling marijuana.

Illegitimate-birth rates also are on the upward march.

In 1940, illegitimacy accounted for about 3.8 per cent of all births in the U.S. By 1965, the rate had doubled—to 7.7 percent. While nonwhite rates are substantially higher, coming to 26.3 per cent in 1965, white rates are going up slightly faster. White illegitimacies came to 1.9 per cent in 1940, and to 4 per cent two years ago.

Such developments are seen to be flowing, at least in part, from a strange and confusing "new morality" getting support from some church intellectuals.

SITUATION ETHICS

This morality, often called "situation ethics," has moved away from emphasis on fixed ideals of right or wrong. Instead it stresses differences in circumstances which might at times justify lying, adultery, violence and other acts.

Dr. R. Paul Ramsey, professor of religion at Princeton University, said:

"The trouble with 'situation ethics' is not only that it is subject to great abuse in making each person his own moral authority. It provides no way in which men can accumulate moral wisdom through recognition of the similarities and continuities that provide us with a moral system."

LIFE HAS BECOME EASIER

Affluence, itself, is seen as adding somewhat to moral disarray.

Dr. Bruno Bettelheim, University of Chicago psychiatrist, said:

"I think we are in a crisis brought on by the radical change in the availability of goods. Life has become easier in the middle class, and the mass media portrays everything as easy. So our poor feel that all of these goods should be made immediately available to them without work.

"There is real value and satisfaction derived from feeling that you've done a hard piece of work and done it well. In Detroit they should have rounded up those youths on the street, drafted them into a labor corps for two years and provided them with good training, good food and lodging. After two years, they could be placed in well-paying jobs because they would have learned to fill them."

Prof. Samuel Cook, a political scientist at Duke University, said:

"Affluence is raising a peril for all Americans. It can set up a false sense of values and priorities in which we lose sight of what makes life worthwhile."

POPULATION SHIFT

As many authorities see it, what America is paying a price for today are vast shifts in population and technology that have come to the nation in the last quarter century.

With more and more people living in bigger and bigger urban areas, family ties are weakening, among whites to some extent as well as among Negroes. And the "good life" in metropolitan areas is turning up some dark edges. Said Dr. Edward H. Buehrig, professor of government at Indiana University:

"In a small community, you may not know the person across the street—yet by some almost inperceptible gesture you indicate that you are aware of him. But ride a commuter train to a big city and you dare not even cast your eyes toward anyone sitting next to you. Communication simply doesn't occur. By massing people, we're weakening the bonds that tie society together."

Police find it becoming commonplace for citizens to stand by silently while crimes are being committed.

Many Americans assess today's troubles as temporary—not greatly worse than those of the past. Said Dr. Seymour Martin Lipset, professor of sociology and government at Harvard: "The war in Vietnam is clearly a basic source of the *malaise,* in part because there is a loss of innocence in the discovery of the limitations on our powers.

"Yet I don't think anything has really gotten worse. In the 1950s people were worrying about 'conformism' and McCarthyism, now it is the 'hippies' and deviation that bother them. In a few years, another generation is likely to react to today's norms with disgust."

UNFULFILLED PROMISES

An undercurrent of concern is growing that all is not well with the nation—and its leaders. Said Dr. Bettelheim:

"Our Government is much more concerned with getting votes than with what is good for society—much too concerned about how something looks and too little about what is right. They are making promises that will take at least three or four generations of hard work to achieve."

A Rice University historian, Dr. Frank Vandiver, put it another way:

"I don't know of a generation facing more problems in the future than the young people of today. I'm glad I won't have to be around to help."

WHAT HAPPENS WHEN RIOTERS GET INTO COURT

Of 3,927 persons arrested in the Los Angeles riots of 1965, only seven were sent to State prison.

Of 533 arrested in Chicago's 1966 riots, only three went to State prison.

These are among the facts that turn up in the search for answers to questions that are now being asked by many people in the wake of widespread riots.

The questions being asked are these:

What happens to rioters? Are they prosecuted? Convicted? If convicted, what punishment do they get?

It is still too early to know what will happen to the thousands arrested in this year's rioting in more than 100 cities. Courts have not yet had time to dispose of all those cases.

However, records of past years suggest that few will wind up in prison and most will go free on probation.

WATTS RIOT'S RECORD

In the six-day riot in the Watts area of Los Angeles in August, 1965, there were 3,371 adults and 556 juveniles arrested.

Felony charges were placed against a total of 2,761 adults, of whom 1,586 were convicted. Charged with misdemeanors were 610 adults, of whom 452 were convicted.

Of the 2,038 adults convicted, 1,103—or more than half—were set free on probation. Many escaped with fines.

Of the 732 given jail sentences: 360—or nearly half—drew terms of a month or less; 196 were jailed for 2 or 3 months; only 36 received jail sentences of 6 months or more.

Seven were sentenced to a State prison: 4 for burglary, 1 for aggravated assault, 1 for auto theft and 1 for drunken driving.

This is what happened to the 556 juveniles arrested: 210 were released; 8 were turned over to parents; 338 were placed under jurisdiction of juvenile courts which sent only 35 of them to correctional institutions.

Among the adults arrested in the Watts riots, 3,146 were Negroes, 151 were white, 68 were Mexican-Americans and 6 were of other ethnic origin; 439 were women.

Most of those arrested had police records: 11.4 per cent had been in prison; 22.9 per cent had served jail sentences of 90 days or more; 38.3 per cent had records of minor offenses; 27.4 per cent had no prior offenses.

In Chicago's West Side riots of 1966, the 533 persons arrested included 378 adults and 155 juveniles.

The Chicago Crime Commisison has not yet recorded the disposition of all of those cases.

However, Louis P. Garippo, assistant State's attorney, says 83 were indicted under felony charges of looting, with these results: 60 were convicted; 11 acquitted; 6 cases were dismissed for lack of evidence.

Of the 60 convicted of felonies, 47 were freed on probation; 10 were given probation with some jail time; only 3 were sentenced to the penitentiary—one for 3 to 6 years, one for 1 to 3 years and one for 3 to 4 years.

WHAT DETROIT IS DOING

Detroit's courts have worked double shifts to speed the prosecution of those arrested in that city's riots of late July, 1967.

In Detroit, 3,166 persons were charged with felonies. Of the first 2,833 to receive pretrial examinations, 2,075 were bound over for trial. The cases of 758 were dismissed.

Detroit defendants charged with misdemeanors numbered 1,014. Of those, 600 cases were completed by mid-August with these results: About half were acquitted or won dismissal of their charges; those found guilty were sentenced to the same number of days they had already spent in jail awaiting trial.

In Newark, N.J., more than 700 persons have been charged with crimes in that city's riots of mid-July.

ANTIPOVERTY JOBS

In the rioting on May 16 and 17 of this year on the campus of the nearly all-Negro Texas Southern University in Houston, more than 400 were arrested.

Among them were five Negroes charged with murder and assault to commit murder. Those charges resulted from the killing of a police officer and the wounding of two other policemen in an exchange of gunfire between police and snipers in a men's dormitory.

The five murder defendants are free on bond awaiting trial set for October.

Recently it was discovered that two of the defendants were on the payroll of Houston's antipoverty organization, which is partly financed by the federal Office of Economic Opportunity.

One was drawing $1.75 an hour as a recreation director, the other, $1.40 an hour as a "community-development aide." Both were fired from their antipoverty jobs, ostensibly on orders from Washington.

The advisory panel of the Houston antipoverty organization has protested the firings arguing that the alleged killers were the type of persons that poverty fighters need to reach.

RADIATION CONTROL

Mr. PELL. Mr. President, I support the Radiation Control for Health and Safety Act of 1967, S. 2067, introduced by the Senator from Alaska [Mr. BARTLETT]. I applaud his move as well as that of Representative ROGERS, who introduced similar bills in the House of Representatives.

Mr. President, science has provided this generation a range of household accessories that make our lives at home more comfortable and interesting than at any time in history. If along with these benefits the American public is threatened by a source of harmful radiation, then of course we must take remedial steps. The effects of radiation on the human body can be frighteningly dangerous. Therefore, I endorse the call for action made by my distinguished colleagues in Congress.

TYLER (TEX.) COURIER-TIMES APPROVES BILINGUAL EDUCATION BILL

Mr. YARBOROUGH. Mr. President, the principle of bilingual education that I have introduced for the first time in Congress in S. 428 has generated enthusiastic support from all corners of the country. Members of both parties have endorsed the concept of eliminating the learning handicaps of Spanish-speaking children by teaching them bilingually.

In Texas, with our large Mexican-American population, the bill offers to be especially important. Tyler, Tex., Courier-Times, on August 16, noted editorially that:

> Bipartisan political support as seldom witnessed can be claimed for a bill by Senator Ralph W. Yarborough.

The editorial went on to state:

> The wonder of it is, one might gather from looking over the support . . . that someone had not come up with such a plan before.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BIPARTISAN SUPPORT GIVEN BILINGUAL EDUCATION ACT

Bipartisan political support as seldom witnessed can be claimed for a bill by Sen. Ralph W. Yarborough.

The Senate Subcommittee on Bilingual Education the other day approved without opposition a bill by Sen. Yarborough to make funds available for special education programs for Spanish-speaking children.

It was the first time a Congressional group had ever taken action on such a bill, and the first bilingual education bill ever introduced in either house of Congress.

The proposal, S. 428, authorizes $45 million over a four year period to assist selected schools throughout the nation develop and operate new educational programs for children whose mother tongue is Spanish.

Known as the Bilingual Education Act, the bill would affect some two million school-aged children from Spanish-speaking backgrounds in the Southwest, plus thousands more in Spanish neighborhoods of New York, Florida, and elsewhere.

The wonder of it is, one might gather from looking over the support of the motion, that someone had not come up with such a plan before.

Unusual political alliance indeed is reflected in the list of co-sponsors which includes Senators Tower of Texas, Javits and Kennedy of New York, Kuchel and Murphy of California, Montoya of New Mexico, Morse of Oregon, Williams of New Jersey and Randolph of West Virginia.

We defy an attempt to find a list that would more completely cover every shade of political philosophy in the Senate. From whence could any opposition come?

RISING CRIME AND THE COURTS

Mr. BYRD of West Virginia. Mr. President, U.S. News & World Report, in its August 28, 1967, issue printed a resolution adopted on August 4 without a dissenting vote at the recent conference of chief justices at Honolulu, which was attended by justices from 45 States. U.S. News & World Report printed the resolution under the heading "Rising Crime and the Courts—State Justices Take a Stand."

I ask unanimous consent that page 53 of U.S. News & World Report be printed in its entirety in the RECORD.

There being no objection, the page was ordered to be printed in the RECORD, as follows:

RISING CRIME AND THE COURTS—STATE JUSTICES TAKE A STAND

Why the spread of crime and riots?

Chief justices of the highest State courts in the nation suggest some answers—and some remedies. Without mentioning the U.S. Supreme Court by name, the justices say this:

"Among the causes of the spreading disrespect for law and its enforcement are the publicly held views that it is inordinately difficult, and many times impossible, to convict those who are guilty."

Demanded by the justices: swift and sure punishment for rioting, looting and arson.

The recent Conference of Chief Justices at Honolulu was attended by justices from 45 States. The resolution on this page was adopted on August 4 without a dissenting vote.

Whereas, the course of events in our nation during the short 19 years of the existence of this Conference of Chief Justices has evidenced a malignant growth of disrespect for and disobedience of law, which in this year has culminated in unprecedented lawlessness and mob violence; and

Whereas, over the years the members of the Conference have soberly reflected on this tragic course of events and the attitudes which direct it, having at our last meeting, in August, 1966, condemned all forms of disrespect for law by individuals and groups and reminded all of the necessity for reaffirmation of our faith in the rule of law as the only alternative to a lawless society; and

Whereas, we have again at this assemblage deliberated the dangerously low state of law and order and the increase of crime in our beloved country, and have likewise concerned ourselves with an examination of both cause and effect of these conditions; and

Whereas, we recognize, as all must, that the causes, whether real or imaginary, of the civil disobedience which is shaking the very bedrock of our political and social structures are manifold, yet it is our studied view that the foremost cause is a lack of respect for law and an utter disregard for its proper enforcement in the minds of a growing number of our citizens; and

Whereas, if the requisite respect for law on the part of our citizens is to be maintained and enhanced and if civil order is to be preserved it is as imperative that those who breach the law be punished as it is that the innocent be protected, and it is equally essential that it be demonstrated that the law-abiding citizen will receive protection of the law from the lawless as it is that its guarantees will be afforded him who is accused of its breach;

Therefore, be it resolved by the Conference of Chief Justices:

1. That the strength and progress of our nation and the enjoyment of rights and liberties by all our citizens have always been and continue to be dependent in large measure upon the self-restraint and self-discipline of our citizens, as manifested by their belief in, respect for, and adherence to the rule of law;

2. That to insure that we may have change amid order and order amid change, our form

of government wisely provides an orderly remedy at the ballot box and in legislative bodies for effecting social change and correcting unjust laws and social injustices, and through the courts for striking down invalid laws and relieving from improper conduct of those charged with the administration of the powers of government;

3. That those persons and groups who ignore these orderly processes, but instead seek redress of grievances—no matter how deserving—or change in our social order—no matter how much needed—through force, mob violence and riot, accompanied by looting, arson and murder, commit criminal acts of the gravest order, and must be swiftly, fairly and surely prosecuted and punished according to the law which they have violated; such conduct is foreign to the American way of life, and if left unchecked is certain to result in the destruction of the rights and liberties of all our citizens;

4. That among the causes of the spreading disrespect for law and its enforcement are the publicly held views that it is inordinately difficult, and many times impossible, to convict those who are guilty of the gravest crimes against our society, and that there are unreasonable and unnecessary delays in the administration of justice; that to the extent these views are supported in logic and fact it requires that we, and all our judicial, executive and legislative bodies and agencies, reappraise the laws and procedures which affect the task of the policeman, the prosecutor and the courts in their effort to protect society, to the end that we will successfully meet the challenge of lawlessness;

5. That as all true Americans have in time of war stanchly supported our armed forces, all Americans must now lend their active support to those who are charged with the onerous task of continuously waging the war on crime and lawlessness; only if we support the policeman, the prosecutor and the courts can they protect us, our rights and the freedom to enjoy them;

6. That we implore all citizens to deliberately reaffirm their faith in liberty under law.

THE DEATH OF CHARLES JORDAN

Mr. RIBICOFF. Mr. President, with the deepest shock and regret we learned about the tragic death of Charles H. Jordan: humanitarian, friend to those in need.

Charles Jordan, executive vice chairman of the American Joint Distribution Committee, was vacationing in Eastern Europe with his wife and nephew. Last Wednesday evening, after leaving his hotel in search of a newspaper, he vanished from the streets of Prague. His body was found in the Vltava River on Sunday.

I knew Charlie Jordan personally. He was an outstanding man, a dedicated human being. All of his energies and abilities were used to lessen the distress and misery of his fellow human beings.

Mr. President, we do not know the circumstances surrounding this tragic event. But we are painfully aware that a man's life has been snuffed out.

While we cannot bring back Charles Jordan's life, we can at least do everything possible to learn the truth about how he met his death.

It is my solemn hope that the U.S. Government will make a strong representation to the Czechoslovak Government. I urge our Government to take those measures necessary to see that Czechoslovak authorities undertake an immediate and thorough investigation of every aspect of the disappearance and death of Charles Jordan.

ADDRESS BY BENJAMIN V. COHEN

Mr. McGOVERN. Mr. President, on August 11, 1967, Mr. Benjamin V. Cohen addressed the Washington area chapter of the United World Federalists on the subject of our Vietnam policy.

Mr. Cohen is one of the most distinguished legal minds in the Nation. He was a highly regarded official in the administration of the late President Roosevelt. He is recognized as one of our most thoughtful observers of international affairs.

I ask unanimous consent that his provocative address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY BENJAMIN V. COHEN AT MEETING OF WASHINGTON AREA CHAPTER OF THE UNITED WORLD FEDERALISTS, AUGUST 11, 1967

It is now nearly six years since we unilaterally intervened with armed force in South Vietnam—without concurrently consulting or reporting to the United Nations. We intervened in one of the grayest areas of the world in the sense of our knowing what sort of government the people wanted or would support and in the sense of knowing whether in their view a policy of alignment or nonalignment would best serve their interests. The issues on which we intervened consequently were murky in origin, in fact and in law and were colored by fears and hopes of future developments which could not be foreseen or forecast.

At the start the war was treated very much like a top-secret affair. There was little public discussion. Questions were not welcomed, particularly questions how far our military participation went or would go beyond advice and training. Obviously as the war has escalated, it has become clear that it involves cost and consequences for the present and risks for the future far beyond those expected at the time of our initial armed intervention. Many who at first calmly accepted the fact of our intervention, believing no more than a display of power would be required, now concede that our involvement is unfortunate and an early end of the war must be sought. But we are now told that no honorable way out is open to us. So we are urged to continue to pursue the illusory goal of military victory—probably in fact the most costly, dangerous and self-defeating of all possible alternatives.

What has brought us to where we are and why can't we find a way out? It is in truth a long, complex story, and I must be brief. The explanation in large part, I believe, lies in the fact that in making the critical decisions President Johnson like President Kennedy before him has been influenced most by those of his advisers who really believe that South Vietnam is Armageddon where the forces of righteousness are arrayed against the forces of evil and upon the outcome depends the future not only of the fifteen million people of South Vietnam, but the hundred millions in Southeast Asia and beyond. Through their eyes they can see no wrong on our side and no good on the other. In their eyes any peace of accommodation is an abject and ignoble surrender.

In their eyes Ho Chi Minh is a communist, nothing else. He is the advance guard for China, Russia and international communism, not a leader of Vietnamese nationalism who gave aid to American airmen in World War II. In their eyes we are supporting the people of South Vietnam from an unprovoked invasion from the North. But according to President Eisenhower 80 percent of the people of South Vietnam were favorably disposed toward Ho Chi Minh in 1954 when the Geneva agreement was concluded. According to Senator Mansfield, who has followed closely developments in Vietnam for more than a decade, in early 1965 when it was decided to increase our forces in South Vietnam from 25,000 to over 100,000 there were only 400 North Vietnam soldiers among the Viet Cong forces in the South Vietnam which totaled 140,000 at that time. Today, as far as I can discover, the Viet Cong forces have risen to about 300,000 of which 50, possibly 60 thousand are North Vietnam regulars. Our forces are nearing 500,000, not including about 100,000 auxiliary air and naval forces not based in Vietnam. That is the American forces in South Vietnam are roughly ten times the North Vietnam forces there. The Saigon government forces number between 6 and 700,000, of which about 300,000 are available for combat, the balance being assigned to constabulary and pacification work. The Saigon combat forces therefore are roughly equal in number to the Viet Cong forces including the regulars from North Vietnam, but they seem unable to hold their own without the American troops taking over more and more of the fighting.

According to Senator Mansfield about 60 percent of the population at the beginning of 1966 was under some form of control of the Saigon government, largely because of Saigon's control of other cities and large towns. About 22 percent of the population and substantial parts of the rural areas were under Viet Cong control and what remained was no man's land.

The war is a war for the control of South Vietnam. It is a war between rival South Vietnam political-military movements, the one supported and in a high degree directed by the Hanoi government, the other supported and in a high degree directed by the United States. The United States undoubtedly does much more of the actual fighting for Saigon than Hanoi does for the Viet Cong. We might ask ourselves why the Vietnamese we support are less effective fighters than the Vietnamese Hanoi supports.

Official statements justifying American intervention make much of the fact that the International Control Commission in 1962 found that the infiltration of men and supplies into South Vietnam by Hanoi was in violation of the Geneva Agreement, but strangely enough these statements take no notice of the fact that the same report found that the introduction of a large number of U.S. military personnel beyond the stated strength of the Military Assistance Advisory Group was also in violation of the Geneva Agreement. Since that Report was issued, American troops in South Vietnam have increased from 25,000 to approximately 500,000, and Hanoi's troops from 400 to around 60,000. That is a ratio of about 8 to 1, and we seem determined to keep up that ratio. Who then is responding to whose infiltration in this terrible war?

The official position now is that we want to have peace talks with Hanoi. But until the President's Baltimore speech in April 1965, the official line was that no peace conference was necessary, all that was required was that Hanoi leave its neighbor alone and observe the Geneva Agreement. Before Ambassador Goldberg's appointment in the summer of 1965, suggestions to enlist the aid of the United Nations were frowned upon and the efforts of U Thant in the fall of 1964 to bring the principals together were rebuked. Even now there has been no meaningful statement of our peace terms. It is said that we will not weaken our bargaining position by premature disclosure of our terms. But there is good reason to believe that there is no agreement within our government or with the Saigon government on peace terms. Ambassador Lodge before leaving his post reiterated his views that no peace conference was needed, that as our military position improved, the efforts of the enemy would fade out. Ambassador Lodge's views still seem to motivate the actions of our military and political missions in South Vietnam.

In our pursuit of total military victory, we may gain a peace of conquest, but we are making real peace among the war-torn, deeply divided people of South Vietnam impossible. In our pursuit of the war, we favor those supporting the Saigon military dictatorship and look with suspicion and distrust on those who might be able and willing to negotiate peace with the Viet Cong. When the Buddhists force General Ky to call a constitutional Assembly to establish a civilian government, we turn around and help Ky to suppress the Buddhists. Then we are mum when Ky brings pressure on the Assembly to disqualify important peace candidates at the forthcoming election.

The public opinion polls reveals that the paramount wish of the war-weary people of South Vietnam is for peace. What we do not realize is that it is we that stand in the way of peace. It is we and our efforts not to contain but to roll back the Viet Cong from areas they have for years controlled—our efforts to sustain a military dictatorship which lacks popular support and whose existence depends on the continuance of the war—that stand in the way of peace.

If we wish to insist on destroying the Viet Cong as a political force in South Vietnam, that cannot be accomplished by peace negotiations with Hanoi. Military conquest may drive the Viet Cong underground, but military occupation however camouflaged is not peace.

The escalation of the war has not brought peace, but increased casualties and devastation. Further escalation of the war, instead of bringing a quick end to hostilities is likely to bring not only more casualties and devastation, but the gravest risks of the introduction of more sophisticated weapons of offense and defense by both sides, the gravest risks of the extension of the war beyond the confines of Vietnam and the gravest risks of a broadening of outside aid and participation.

The time is overdue for a move to deescalate the war and the casualties, to allow passions to cool and to give reason and political statemanship a chance to prevail where force and military strategy have failed.

If we are prepared for a peace of accommodation and reconcilation, we should have the courage to state our peace terms without equivocation or evasion. We should state clearly our willingness to discuss peace with the Viet Cong as well as with Saigon and Hanoi. We should encourage and not stand in the way of informal peace discussions among the various factions and parties in South Vietnam. We should make increased and wholehearted efforts to secure the assistance of the United Nations in bringing an end of the fighting and hastening the restoration of peace. As an earnest of our good faith, we should promptly announce as has been proposed in slightly varying forms by U Thant, Senator Mansfield, Senator Clark, General Gavin and others that after a fixed date we will cease firing and bombing, stand still and stand fast, not fire unless fired upon, and observe a general amnesty.

There is no one magic formula for peace. It must be sought through many avenues and channels, and adapted to overcome obstacles as they arise. Probably at the moment the most promising approach to peace lies through a cease-fire and stand-fast leading to a prolonged armistice accompanied by active encouragement of the civilian leaders of the various important political movements in South Vietnam, including the National Liberation Front and the Buddhists, to get together, to agree upon a defacto government or authority, or defacto authorities for various zones, and over a period of time to work out the basis of a permanent peace. If the fighting can be stopped and the power of the military restrained, the people of South Vietnam given the opportunity should be able to make their own peace.

We must now devote as much effort to waging peace as we have devoted to waging war. We must bring this cruel war to a close. It has brought grief and suffering enough to the people of Vietnam. It has gravely undermined the authority and influence of the United Nations to preserve the peace and to develop a regime of law. It has diminished, not enhanced, our power and influence for good not only in Vietnam but other parts of the world where we have equal or greater interests and responsibilities. It has contributed to unrest and discontent at home. It has divided our people as they have not been divided since the Civil War. What we need now most urgently is peace. In words of Edmund Burke, "not peace through the medium of war, not peace to be hunted through the labyrinth of intricate and endless negotiations * * * * [but] simple peace, sought in its natural course, and in its ordinary haunts—it is peace sought in the spirit of peace, and laid in principles purely pacific."

TIME TO STOP BEING "NICEY-NICE" ABOUT RIOTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a column by James J. Kilpatrick, "Time To Stop Being 'Nicey-Nice' About Riots," which appeared in the Washington Evening Star of August 22, 1967.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

TIME TO STOP BEING "NICEY-NICE" ABOUT RIOTS

(By James J. Kilpatrick)

The thought occurs, and can no longer be repressed, that it's time for some of us who write for a living to stop writing so nicey-nice about this summer's riots and the Negro leadership. This is a summer of outrage, scored for kettle drums of violence; but such is our sense of genteel restraint that most of us have been playing our typewriters pianissimo. We have settled for murmuring my-my and oh-oh, and they certainly do have grievances, don't they.

Well, nuts. There comes a time when the law-abiding majority of this country, imperfect as it is, ought to put a hard question to large elements of the Negro community: When in the name of God are you people going to shape up?

One is tempted to exempt from the thrust of that question many thousands of Negro citizens who have played no active part in the recent violence and indeed have been victims of it. They can't be left out. Who has given sanctuary to the Negro snipers? Fellow Negroes. They share in the guilt.

What's the matter with the Negro leadership? Since the first torch was put to Newark, one has waited—and waited in vain—for some high-level expression of shame, apology, contrition. Non est. Perhaps nothing was to be expected from H. Rap Brown; his theme is "Get you some guns and burn this town down." The sullen Stokely Carmichael yearns "to kill the whites first." But what of Roy Wilkins, Whitney Young, the Rev. Martin Luther King? They are full of excuses, and in King's case, something more. It's all the fault, says the reverend doctor, of "the policy-makers of white society." He proposes massive strikes and sit-ins to "dislocate" the cities without actually destroying them. He will do this "lovingly."

At every hand, the cry goes up for crash spending programs in the slums. Michigan's Rep. John Conyers wants $30 billion a year. Most of the money would go toward jobs and housing. The New Republic magazine tells us what kind of jobs—not merely jobs for "black waiters, dishwashers and busboys, but jobs that will restore Negro self-respect."

What's wrong with being a waiter, a dishwasher, or a busboy, if one qualifies for the work? Hundreds of thousands of white men and women perform these humble but essential labors. What's the matter with a teen-ager's starting as a bootblack? It's an honest trade—but Washington barbers are desperate for bootblacks. No colored boys apply.

And what of "jobs that will restore Negro self-respect"? From one end of the country to the other, employers increasingly are searching for Negroes as sales clerks, bank tellers, draftsmen, technicians. They may not be overcome with altruism; it may be only the Equal Employment Opportunities Commission breathing down their necks. But the jobs are there. Where are qualified Negro applicants to fill them?

The excuse is that the "ghetto schools" are so bad, and the Negro teen-agers so "insufficiently motivated," that they drop out. It's a feeble excuse. Many a middle-aged American looks at some of these "ghetto schools" and is dimly reminded of the elementary schools of his own unfar nonage. Others recall the pot-stove schoolhouses of the country. The opportunity for an education lies within them. What's asked of the Negro? Ambition. Hard work.

But it is said that the typical Negro has no reason for ambition. He is ground down by three centuries of oppression; he supposes that society owes him back pay at time and a half for 300 years. It won't wash. The typical Negro under discussion isn't 300 years old; he's maybe 15 to 19 years old, and he's living in a generation that is light-years removed from the 17th Century. He has more than most other minorities have had: A fighting chance in a prosperous land.

The cry is that "ghetto housing" is so bad. Okay. Some of it is awful. Some of it is not. But there are twice as many poor whites as poor blacks; the poor colored neighborhoods of Watts and Detroit have their counterparts—and their rats—in poor white neighborhoods across the land. The blunt truth is that self-help could cure at least a part of the ills. If some of Jesse Gray's complainers would spend more time with a dollar rake or a 50-cent broom, and less time with a two-dollar pint of gin, maybe a sense of mutual respect would start to grow. Heresy, one supposes, to say such things. But they need to be said.

NEEDED IMPROVEMENTS IN SOCIAL SECURITY LEGISLATION

Mr. CLARK. Mr. President, in the near future the Senate will begin the consideration of the social security bill passed by the House of Representatives.

It is my fervent hope that we will be able to make major, and badly needed, improvements on the legislation coming before us.

Here are some of those improvements which I and other Senators advocate.

First. Minimum benefits should be lifted from the House-approved increase of 12½ percent to at least the 15-percent rise in benefits urged by President Johnson. This would elevate minimum benefits for single persons from the $50-a-month level approved by the House to $70 and lift the monthly payment for couples to $105.

Second. Raise the earning level on which both benefits and contributions are computed to $10,800 compared with the $7,600 proposed in the House bill.

Third. Medicare coverage should be expanded to benefit the disabled.

Fourth. Enlarge public assistance payments which are now wholly inadequate, and also provide day-care programs for children of families on assistance where the mother is participating in training programs.

Fifth. Establish controls to hold down excessive hospital charges and physicians' fees paid under medicare.

Sixth. Make medicaid available to the medically needy who cannot afford adequate health care.

Seventh. Strengthen the possibility of poor families remaining together by requiring States to make assistance available where the father is in the home until he can obtain work for which he is qualified.

The question of financing future improvements in benefits should be carefully explored by the Senate. Both Democratic and Republican Senators are going on record with increasing frequency as favoring the idea of financing higher benefits out of general revenues. It is time to consider a modest and gradual contribution to the social security trust fund from the general revenues of the United States. We believe this would be an effective way—and a simple one—to introduce the principle of progressive taxation to the social security system.

Another question more and more often discussed is whether young people will get their money's worth out of the present benefit system. The Washington Post believes they will not. Editorially, the Post, on Sunday, August 20, reasoned this way:

> Because of the higher income base and higher payroll tax rates, the maximum annual taxes paid by an insured worker will rise from $290.40 in 1967 to $448.40 in 1987, an increase of more than 54%. If it is assumed that at least a portion of the burden of the equal taxes paid by employers is shifted to employees through lower wages and salaries, then it is pertinent to ask whether the young people who will bear those burdens for the next 30 or more years are really going to get their money's worth out of the system. The answer is no. Studies of costs and benefits conducted by Colin and Rosemary Campbell of Dartmouth College suggest that the young bear Social Security costs that are very high in comparison with the expected benefits, higher than the costs of comparable retirement annuities from private companies.

A number of organizations, including the **AFL–CIO**, strongly challenge this idea and flatly declare that young people are not being shortchanged. However, we should take a careful look at the facts. There is no justice in imposing costs in excess of benefits on the younger generation in this country.

It is to be hoped that the Committee on Finance will hold comprehensive hearings and consider with the greatest care the improvements in the law needed to make it responsive to the needs of American youth as well as retired citizens, widows and dependent children, and the disabled.

Our social security system is one of the strongest pillars of American society. The Senate should satisfy itself that it is also just to all elements in that society.

DR. FRANCIS H. HORN

Mr. **PELL**. Mr. President, Dr. Francis H. Horn has ably served the University of Rhode Island as president for 9 years and has now resigned that office. As a fellow Rhode Islander and an American citizen, I wish to speak in tribute to Dr. Horn for the magnificent work he has done for education during his tenure.

In this period of ever-increasing demands on the Nation's educational system, Dr. Horn has proved an outstanding example of how an important university can best meet these demands.

Under his stewardship, the university has grown in many ways: It has added more undergraduates, more graduate students, more programs, and a number of new buildings.

And as Rhode Island develops into what I like to call "the Oceanology State," I think we should be particularly grateful to Dr. Horn for his expansion of the University of Rhode Island's Graduate School of Oceanography. It now ranks as one of the country's handful of top-level schools that teach the various disciplines of oceanology.

Dr. Horn's credentials of excellence began to appear when he was selected for a Phi Beta Kappa key while at Dartmouth College over 35 years ago. Since then, he has won honorary degrees and academic fellowships in profusion. He has also held many important educational posts, written over 100 articles and reviews, edited several books, and generally distinguished himself as a trustee and consultant in the field of education.

Along the way, he also contributed his talents to this country in World War II, rising to the rank of lieutenant colonel in the Army.

Only last week, Secretary of State Dean Rusk announced Dr. Horn's appointment to the U.S. Commission for UNESCO. This is just recognition at the highest levels of Government of Dr. Horn's capabilities in the cultural field.

Mr. President, I ask unanimous consent that an editorial about Dr. Horn, published in the Providence Journal of March 3, 1967, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DR. HORN'S OWN BRAND OF LEADERSHIP FOR URI

> Dr. Francis H. Horn contributed a great deal to the academic development of the University of Rhode Island. It acquired the title of university in 1951, but did not quite make the grade until after his arrival as president in 1958.
>
> Dr. Horn got it ready to become a university by breaking down the hierarchies established over the years by department heads, some strong in will but limited in vision, then substituting his own brand of leadership over the whole. He is not the most popular president the Kingston campus has had, but his leadership is recognized and accepted.
>
> Dr. Horn put his stamp on the university in the burgeoning years that followed. Placing his faith in the common man, he shaped the expanding university so that it could educate the common man in a manner that would best prepare him for useful citizenship. Dr. Horn believes that half the number of high school graduates should have the opportunity of a college education. If the university has escaped academic excellence, it nevertheless is fulfilling its obligation to give a sound education to those who want it and can benefit from it.
>
> Under Dr. Horn, enrollment has doubled, 40 million dollars worth of new construction has been completed, new degree programs initiated, and faculty salaries raised, enabling the university for the first time to compete nationally for educators. The graduate school has expanded from a few hundred until today one out of five students is working for an advanced degree. Research grants have increased eight-fold to four million dollars.
>
> It is characteristic of Dr. Horn that expansion has accentuated the practical. By no accident, the university has become best known in recent years for its work in the marine sciences, the field in which Dr. Horn believes it can make its greatest contributions to knowledge and human welfare.
>
> Dr. Horn has resigned, effective next summer, so that the Board of Trustees of State Colleges may be free from any influence from him to decide whether Rhode Island College should become a second state university or be absorbed as a Providence branch of the university at Kingston.
>
> The question has burst suddenly upon the public. Dr. Horn believes one university with two branches is enough; Dr. Charles B. Willard, acting president of the college, believes a merger would be a mistake. The board has engaged two consultants to help it decide.
>
> Rhode Island's program of higher education has been developing smoothly, at least to all outward appearances. The university is emerging from its backward ways and is looking on new horizons. The college is a good small liberal arts institution with emphasis on teacher training. The junior college has been created to provide a terminal education primarily for technicians, although its graduates may move on to the college or university. In the absence of a known need for change, why change?
>
> A long study of the university-college relationship should not delay the beginning of a search for the very best educator the board can find to head the university. The university has come a long way under Dr. Horn, but it has a great deal further to go. A pause at this juncture could deprive it of the impetus needed to make it a first-rate state university.

MIDDLE INCOMES WOULD BE VICTIMIZED BY PROPOSED TAX INCREASE

Mr. **PROXMIRE**. Mr. President, for anyone who wonders why there is such strong resistance by so many around the country to the President's proposal to increase taxes, a recent article in U.S. News & World Report may suggest some answers.

This article shows that for a middle income family earning between $7,500 and $15,000 the tax hike together with the proposed social security increase, plus typical increases in local and State taxes and the almost certain 3-percent rise in the cost of living will more than wipe out a 5-percent increase in pay.

This means the Federal employee who falls into this income category will suffer a loss and a significant loss in income if he receives the 4½-percent pay increase the administration has proposed.

This article also shows that for the family in the $8,000 to $10,000 income bracket the combined income and social security taxes more than eliminate the gains from the 1964 tax decrease.

Mr. President, I know that some will say that the tax increase will hold down the rise in the cost of living, that without it, the real income of these families would be even less.

I have addressed myself to this issue repeatedly, Mr. President, and I can see no convincing argument that in view of the virtual certainty that food prices will rise—regardless of demand and without any significant relationship to the proposed income tax increase—that services will continue their relentless rise of recent years and that most other commodities are produced by an industry that is now operating far below capacity with a huge amount of unutilized plant and with workers on short hours and therefore able to meet any foreseeable increase in demand—under these circumstances—the argument that the tax increase will have any effect in keeping prices down is mighty feeble.

Indeed, on the contrary, part of the corporation income tax increase is sure to be passed on to the consumer in higher prices and part of the increase in taxes on incomes of labor union members will, though the negotiation process, push up prices.

So it is clear that for millions of Americans the proposed tax package will mean a significant erosion of real income. The taxpayer who writes his Congressman to oppose the tax increase is right in referring to the painful personal experience that passage of the tax increase proposal represents.

I ask unanimous consent that the article to which I referred from the current issue of U.S. News & World Report be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the U.S. News & World Report, Aug. 28, 1967]

TIGHT SQUEEZE AHEAD ON MIDDLE INCOMES

It's the middle-income family that gets pinched hardest by rising prices and proposed higher taxes.

Even now, middle-class people are hard-pressed, many having to economize.

What worries business is the threat to a prime market for goods.

A point that is beginning to worry business: Millions of people in the middle ranges of income are caught in a squeeze, and this squeeze is going to get worse if federal taxes are raised as now proposed.

The double blow of higher income taxes and higher Social Security taxes would fall relatively harder on this middle-income group than on any other.

This is also the group in which the typical family is most likely to feel the worst pinch of inflation. Some of the sharpest price increases of all show up in the very items that dominate the spending of many middle-income families.

VAST BUT VULNERABLE MARKET

What worries business is that this vulnerable group makes up a vast and vital market for goods and services of all kinds. In many key lines of business, the middle market is so important that any sizable reduction in the group's buying power spells trouble.

In the income group from $7,500 to $15,000 are one third of all American families, and they get 45 per cent of the country's total family income.

These people buy 46 per cent of all the new cars sold in this country, and 40 per cent of the used cars. Three out of four buy some appliance or major item of furniture each year. About 75 per cent own their homes, and 95 per cent own at least one car.

These figures, from the University of Michigan Survey Research Center, demonstrate why business views the middle-income squeeze with some alarm.

Note what the tax proposals now in the works in Congress would do to a middle-bracket family.

The Social Security tax, now $290 a year at the top, would rise to $334 for anyone earning $7,600 a year.

This is just as steep a dollar increase as would apply to a man earning $25,000 or $50,000 a year. At lower levels of pay, below $6,600 a year, there would be no increase in Social Security tax at all until 1969.

As for the federal income tax, once more those in lowest brackets would be spared any increase. All others, including people in middle brackets, would pay a surtax of 10 per cent.

Take a family of four with an income of $15,000. Social Security tax would go up $44. Income tax would rise from $2,062 to $2,268, an increase of $206. Total hike in federal taxes: $250.

On top of that, this family's State and local taxes are almost sure to be going up. A typical increase here would be at least $50 to $60, probably more if the family owns a home and pays property taxes.

All told, this family faces increases adding up to $300 or more. For a family at that income level, probably already straining a bit to make ends meet, an extra $300 in taxes comes as a major blow.

PRICE RISES, TOO

The squeeze will hurt especially when the tax increase is piled on top of a succession of price increases.

To hold his own, a family man in these circumstances must have a substantial raise in pay. In fact, as shown by the chart on page 31, a pay raise of 5 per cent is not enough. The proposed hikes in federal taxes alone—income and Social Security—are more than enough to wipe out all the benefit of the tax cut voted by Congress in 1964 in the case of families earning $7,500 to $11,000 a year.

Other families—those below $7,500 and those above $11,000—generally would retain part of the benefit of the tax reduction of three years ago.

WIDESPREAD COMPLAINTS

From all over the country come complaints from middle-income people who are already feeling the squeeze and are worrying over the additional pinch of higher taxes. Congressmen's mail from home is filled with protests against rising prices and rising taxes.

A random sampling of the mood of people reveals growing worry over the income squeeze. Taxes and prices and the strained family budget, more and more, dominate ordinary conversation.

Many people contend the prices they pay are obviously rising much faster than the 3 per cent yearly rate shown by the cost-of-living index, and are puzzled by the official figures.

It is true that, for millions of people in the middle and upper brackets, the official index does understate the rise. That index is based on only a "modest" standard of living, and thus does not reflect many of the "extras" for which people spend their money.

Take, for example, the family with a child or two in college. Here the squeeze is probably worst of all.

Such a family, if in the middle-income range, is likely to find college cost the biggest item in the budget. Yet, on the official index, education cost accounts for an almost negligible fraction of the cost of living.

Late surveys show another hike in college fees starting in September. Charges well above $3,000 a year are widespread. Few items of family cost have risen so sharply. And scholarship aid is limited for the children of middle and upper-income families.

That is just one item that tends to fall heavily on the middle group. There are many others.

IN GROWING FAMILY, MANY COSTS

Typically, the middle-income family is headed by a youngish white-collar worker with the extra expense of providing for children in a range of ages.

Medical expenses for this family are a considerable item. These costs are climbing much more sharply than the general cost of living.

Shoes are way up in price, and it takes a lot of them for growing children. Auto insurance is skyrocketing, and just about every middle-income family owns a car or two. The occasional dinner out is a treat that some families report they have given up. Prices in better restaurants are jumping.

With youngsters coming along, the family begins to need a home of its own. House prices are always a shock, and the trend is still sharply upward. Building costs are rising. So are land prices. Mortgage costs are at or near the highest in many years. Often the buyer must pay "points" to get a loan, and this means an added cash cost. Settlement charges are up. Required down payments have been rising.

An analysis of department-store ads in newspapers, just completed by George Neustadt, Inc., of New York, shows that goods in the middle-price range have tended to rise more sharply than those in lower and upper ranges. Items covered by the analysis included men's summer suits, women's wash dresses, living room suites, lamps, air conditioners.

THE CASE OF THE VANISHING PAY RAISE

Examples: Three middle-income families, each getting a pay raise of 5 per cent. Figures show that a raise of this size is more than eaten up by the proposed increases in federal taxes, a typical increase in State and local taxes, and a continuing rise of 3 per cent in yearly living costs.

No. 1. Family of four getting $7,500 a year, pay raise: $375

Proposed increase in federal income tax	$147
Proposed increase in Social Security tax	40
Increase in State-local taxes	31
Total tax increase	218
Leaving, out of pay raise	157
Increase in living costs	181
Family's net loss	24

No. 2. Family of four earning $10,000 a year, pay raise: $500

Proposed increase in federal income tax	$216
Proposed increase in Social Security tax	44
Increase in State-local taxes	41
Total tax increase	301
Leaving, out of pay raise	199
Increase in living costs	238
Family's net loss	39

No. 3. Family of four with pay of $15,000 a year, pay raise: $750

Proposed increase in federal income tax	$388
Proposed increase in Social Security tax	44
Increase in State-local taxes	58
Total tax increase	490
Leaving, out of pay raise	260
Increase in living costs	351
Family's net loss	91

These figures help to explain why people across the country, in particular those in middle-income brackets, are protesting latest plans for a double-barreled increase in federal taxes, affecting both the income tax and the payroll tax for Social Security.

(Source: study by USN&WR Economic Unit.)

A common complaint is that the sharpest price rises have seemed to center in the kind of items that people cannot very well avoid buying—that is, unless they are willing to change their way of living.

On the other hand, purchases of some of the items most stable in price can be deferred. Refrigerators and other major appliances are examples.

"LET'S HOLD OFF"

A report from Los Angeles on the attitude of consumers:

"The most fundamental effect of rising living costs here appears to be that most people are making do with what they have. The favorite expression today is, 'Let's hold off until next year.' Most people are putting off such major purchases as a new car, living-room carpeting, kitchen range, or professional landscaping of their yards."

From a family man in Houston: "One thing we're doing these days is avoiding charging at stores. It's almost too convenient, and before you know it, you've run up big bills. Also, we're finding we can delay purchases of clothing and the trade-in of a car."

From Detroit comes the word that a buyer waiting for the 1968-model cars will pay price increases averaging $75 to $100.

Detroiters complain of a whole rash of price increases. Haircuts are going up a quarter to $2.75 weekdays and $3 on Saturdays. City water, milk, cigarettes and orange juice are all up. Shoeshines have been increased to 35 cents, and a bootblack commented: "It's a real cheapskate who can't give me a 15-cent tip."

The pinch is hurting in Chicago, where people complain about increases in cigarettes, gasoline, rent, food, utilities, bus fares, other things. Apartment dwellers, typically are having to pay about 6 per cent more when their leases expire. For new tenants, rents are up around 10 per cent over a year ago.

In New York, apartments in desirable areas are being offered on new leases at rents up 20 per cent or more.

It's getting so people have to think twice before going to a movie. Said a New York movie-goer: "The least you pay to see a good movie in New York in a decent neighborhood is $2.50."

Small businesses and property owners are squeezed, just as are consumers. In San Francisco, the owner of a 30-unit apartment house reports that his taxes are up 20 per cent in just the last year, and adds: "I have not raised rents for some time, but now I'm going to raise them." Another apartment owner: "Repairs of all kinds are prohibitive."

ONE STATE'S "BLACK TUESDAY"

Californians, in particular, are complaining about State taxes. The legislature has just adopted the biggest tax increase ever voted in any State.

On August 1, the day a first large portion of the California tax increases took effect, a family man in Los Angeles wrote a friend in the East: "This is my mad-at-the-world morning—Black Tuesday, I guess it could be called. Governor Reagan's 943-million-dollar tax increase goes into effect. Sales tax up 1 point to a total of 5 per cent, State and local—a sizable increase for a five-member family—cigarettes up 4 cents a package to be increased another 3 cents in October, State income tax up an average of 60 per cent. On top of that, I face a healthy increase in property taxes. Guess I'll have to quit smoking, and if I had not already stopped drinking, that would go too. I'm seriously thinking of asking for either a raise or a transfer to some Micronesian island."

That same attitude, in varying degrees, shows up among consumers across the country, especially those in the hard-pressed middle group.

Many, of course, are getting pay raises sufficient to stay ahead. Other millions are falling behind in this race with inflation and taxes. Big question: Will the squeeze on middle incomes slow or reverse the current pickup in total consumer spending?

WILL NEW TAX INCREASES WIPE OUT 1964 TAX CUTS?

[Federal income tax and social security tax combined for family of 4]

Income	1963 tax	Present tax	Proposed tax	Proposed tax compared with 1963 tax (−) down or (+) up
$3,000	$174	$136	$136	−$38
5,000	594	510	510	−84
8,000	1,150	1,062	1,183	+33
10,000	1,546	1,404	1,559	+13
15,000	2,660	2,352	2,602	−58
25,000	5,492	4,702	5,187	−305
50,000	16,150	13,678	15,061	−1,089

Note: Thus it is only in the middle brackets, from about $7,500 to $11,000, that the proposed income and social security taxes combined would rise above the level of 1963, just before the income tax cut of 1964.

Source: U.S. News and World Report.

INVASION OF CHINA'S AIRSPACE

Mr. KENNEDY of New York. Mr. President, I ask unanimous consent to have printed in the RECORD, the lead editorial of the New York Times for today, August 22. It is entitled "Invading China's Airspace."

As the editorial points out:

> Senator MANSFIELD is right in warning that the United States now is "closer to the brink" of a war of miscalculation with China. And there is no evidence that the heightened risk-taking will either curb Hanoi's war effort in South Vietnam or diminish its will to fight.

Nor is there evidence that it will increase the effort of the South Vietnamese—in the war, in pacification, or in movement toward democratic government—on which all success depends.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

INVADING CHINA'S AIR SPACE

The country now is on notice that the shooting down of American planes over Communist China can be expected henceforth as a normal part of the Vietnam war. This is the only conclusion possible from the statement of White House Press Secretary Christian after the downing of two United States Navy jets that strayed across the Chinese border during a bombing mission over North Vietnam.

"With all precautions taken, you are going to have incidents like this one," Mr. Christain replied when asked whether there would be a re-examination of American precautions against incursions into China's air space.

Only Friday, President Johnson told his news conference that American air strikes within ten miles of China's border "do not, in fact, pose any threat to that country." The President insisted that "every human and every technical precaution" is being employed to keep American planes on target, now that the bomb line has been moved a minute away from China as the jet flies.

Yet already, two aircraft striking at a target 75 miles from China—not ten miles—have gone off course and been shot down over Chinese soil. And the country is asked by the President's spokesman to accept this as all in a routine day's work.

The two subsonic planes that were shot down possessed some of the country's most sophisticated navigation equipment. Their target was more than six minutes from China's border. But almost daily now there are to be raids by supersonic planes on targets right at China's doorstep. There has been good reason for avoiding such raids during two-and-a-half years of bombing North Vietnam. The aim was to avoid the danger of repeated shooting incidents with China; that caution has now been abandoned.

Despite the President's expressed confidence that Peking will not react dangerously to Washington's courting of danger, Senator Mansfield is right in warning that the United States now is "closer to the brink" of a war of miscalculation with China. And there is no evidence that this heightened risk-taking will either curb Hanoi's war effort in South Vietnam or diminish its will to fight.

THE VICE PRESIDENT: CHAMPION OF YOUTH

Mr. McGOVERN. Mr. President, a recent article in the News American describes Vice President HUBERT HUMPHREY'S comments concerning the achievements and aims of the Council on Youth Opportunities of which he is chairman. The Vice President has displayed his usual exuberance and energy in asking all levels of government and all manner of groups, public and private, to exert greater effort to promote opportunities for young people in education, jobs, recreation, and health.

I commend the Council and the Vice President's actions and ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the News American, Aug. 6, 1967]

PLAUDITS DUE HHH FOR YOUTH PROGRAM SUCCESS

(By Ruth Montgomery)

WASHINGTON.—Vice President Humphrey exuberantly reports that over a million needy 16-to-20-year-olds who have never before held jobs are employed this summer in private industry. In addition, another 250,000 are in training programs sponsored by federal, state and local governments.

Humphrey has reason to feel pride in his accomplishment. As chairman of the President's Council on Youth Opportunities, he has personally manned the telephones and hit the sawdust trail to pry opportunities for youth out of mayors and industrial tycoons alike.

In this third year of the program, teen-age unemployment has been reduced for the first time, while adult unemployment has risen, and very little federal money has gone into it.

Hubert Horatio Humphrey has the kind of enthusiasm that is highly contagious. Take camping, for instance. The Vice President discovered that a quarter of all camp beds went unused last summer, and he wasn't about to let it happen again.

By talking virtually non-stop on radio, telephone and TV, he cajoled enough sponsors to send hundreds of thousands of underprivileged kids to camp this summer. He also sweet-talked the head of the National Guard into changing rules and regulations so that National Guard Armories throughout the country were made available for community recreation programs when not in use for guard training.

Private industry was persuaded to sponsor and equip thousands of playgrounds, some of them on city streets blocked off to traffic. Every major league baseball team said goodbye to empty bleacher seats. Thousands of free tickets are given away each week to underprivileged youngsters who had never before seen a pro bat one out of the ballpark.

"I've worked thousands of hours on this youth program, and I'm as happy as a pea-pod," Humphrey bubbles. "It may not be preventing riots, but it's doing a lot of good for the kids. And it's strictly nonpolitical. Two of the most outstanding jobs in this field have been performed by Mayor Lindsay (GOP) in New York and Mayor Daley (Democrat) in Chicago. There's no politics in this."

Among the accomplishments ticked off by Humphrey throughout America are these:

In Arkansas, GOP Governor Winthrop Rockefeller worked with Humphrey's group to send 1300 Negro and white children to outings at Camp Robinson.

Seven hundred youngsters have enjoyed the barracks, mess halls and recreation areas of Camp Ritchie in Maryland.

Film distributors and theater owners in New York have been showing first-run movies in ghetto streets, parks and school yards free of charge; also furnishing high-powered lighting for street dances.

Camp Roosevelt, the oldest Boy Scout camp in the nation, was about to close when Humphrey heard about it. He quickly helped raise money to keep it open, and dispatched 1700 District of Columbia boys who not only enjoyed their first camping outing, but rehabilitated the camp and joined the scout movement.

In Chicago, city firemen donated their off-hours to convert an abandoned Navy warehouse into a gymnasium, where they conduct physical fitness and recreational classes for 7,000 youth a day.

Cincinnati has a mobile playground program, with buses and trucks transporting jungle gyms, basketball and baseball equipment to slum areas.

Baltimore has a renovated tractor-trailer equipped with stage sets and sound systems, and manned by teen-agers who train slum kids to put on skits and plays. Cleveland similarly has a Summer Arts Festival featuring everything from Shakespeare to jive.

Omaha launched a recruiting program to persuade private industry to hire seven unemployed youths for every hundred regular employes.

This proved so "sensationally successful," according to Humphrey, that he talked the National Chamber of Commerce into financing a cross-country tour by leaders of the program to instruct other cities in its operation.

Humphrey has also enlisted Negro musicians, band leaders, disc jockeys and ball players to talk to summer enlistees, and try to persuade them to return to school this Fall.

"I'd rather have one trained disc jockey on my side in this project," he grins, "than a hundred social workers."

DISTRICT OF COLUMBIA HOME RULE

Mr. BYRD of West Virginia. Mr. President, recently I was invited to submit an article on the subject of "Home Rule in the District of Columbia" for publication in the American University Law Review. That article has now been published, having appeared in volume 16, No. 2, in March 1967.

Because I believe that this is a matter of continued import to the Congress, and to the Nation, one which will likely be recurrently before this legislative body for review, I wish to place this article in the Record for such attention and future reference as the Members may find helpful.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

District of Columbia "Home Rule"

(By Robert C. Byrd, U.S. Senator from West Virginia)

There are in our political system any number of issues on which the division of opinion seems to be cast in terms of black and white, of absolute good and absolute bad. Usually, when viewed in a sophisticated manner, these issues dissolve into varying shades of gray. But our politics do not always encourage sophistication in the treatment of public issues; rather a premium is often placed on quaint slogans and simple catchphrases. In view of this fact, it is not difficult to see how one side of an issue, or of several interrelated issues, can easily capture much of the favorable view of the public.

That being the case, it is considered highly desirable that such issues be debated and discussed in a sophisticated manner so that all sides and views will be presented. It is of great importance, therefore, that this *Review* should open its pages to an analysis of the controversy over "home rule."

The intent here is not to be tendentious and dogmatic, but rather to suggest that, when realistically viewed, "home rule" is not simply a matter of rectifying a situation of "no taxation without representation," as it is so often characterized.

THE NEED FOR A SEPARATE SITE

The present unique status of the District of Columbia is in major part the product of events which occurred on June 21, 1783, events which most of us have long since forgotten from our history texts.

The nomadic Continental Congress had settled more or less comfortably in Philadelphia and might have remained there indefinitely. But word reached the Members on June 20th that some eighty soldiers of the Pennsylvania line, mutinous from discomfort and want of pay, had broken from their camp at Lancaster and were marching on Philadelphia. The Congress sent a committee to request protection from the state. Assistance was refused, however, on the stated ground that no action could be taken until an incident had actually taken place.

John Fiske related what happened next:

"They drew up in line before the state house, where Congress was assembled, and after passing the grog began throwing stones and pointing their muskets at the windows. They demanded pay, and threatened if it were not forthcoming, to seize the members of Congress and hold them as hostages, or else to break into the bank where the federal deposits were kept. The executive counsel of Pennsylvania sat in the same building, and so the federal government appealed to the state government for protection. The appeal was fruitless. . . . Thus in a city of thirty-two thousand inhabitants, the largest city in the country, the government of the United States, the body which had just completed a treaty browbeating England and France, was ignominiously turned out-of-doors by a handful of drunken mutineers."[1]

As another historian has noted:

"The event, though not particularly serious in its consequences, was a dramatic representation for the helplessness of the Congress, whose representatives abroad were asking for favors and expecting to be treated as the representatives of a great sovereign nation."[2]

The incident and the subsequent embarrassment emphasized to the Congress the need for a site of its own, free of other authority, where it would have the power to command the respect due it and to maintain the necessary order.

The result was the incorporation into the Constitution, drafted at Philadelphia, of the provision that Congress should have the power "to exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten miles square) as may, by Cession of Particular States, and the Acceptance of Congress, become the Seat of the Government of the United States."[3]

That the concern of the drafters of the Constitution was not unwarranted has been clearly demonstrated to any observer of District of Columbia history. Specific incidents need not be thrashed about like the "bloody shirt" of the Reconstruction era in order to drive home the point that militancy and civil disobedience have been prevalent in the District and that the potential for harm and mischief still exists if ever Congress loses, gives away, or fails to exercise that exclusive power of legislation with which it has been vested by the Constitution. Reference to the 1932 Bonus March and the "Battle of Anacostia Flats" will suffice if illustration is needed.

CREATION OF THE DISTRICT

Discussion of the site of the capital of the new nation at the Constitutional Convention was brief.[4] The overriding thought in the minds of the delegates seemed to be the creation of a federal district in which Congress and the rest of the National Government would be free from the type of indignity suffered at Philadelphia. Certainly, at the very least, in *District of Columbia v. John R. Thompson Company,*[5] this meant freedom from any control by any individual state.[6]

It does not appear, however, that the framers gave any consideration to the effect of such a plan upon the franchise of the residents of the area to be ceded by the states.[7] The fullest exploration of the matter appears to have been made by Madison writing in the *Federalist Papers*, and that treatment is not entirely unambiguous:

"The indispensable necessity of complete authority at the seat of government, carries its own evidence with it. . . . Without it, not only the public authority might be insulted and its proceedings interrupted with impunity, but a dependence of the members of the general government on the State comprehending the seat of the government, for protection in the exercise of their duty, might bring on the national council an imputation of awe or influence, equally dishonorable to the government and dissatisfactory to the other members of the Confederacy," [8]

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[1] Fiske, The Critical Period of American History, 1783–1789, at 112–13 (1888).

[2] McLaughlin, *The Confederation and the Constitution, 1783–1789* in 10 The American Nation: A History 68 (1905). See also 1 Bryan, A History of the National Capital 8–11 (1914); Tindall, Origin and Government of the District of Columbia 31–36 (1903); 1 Proctor, Washington, Past and Present 26–28 (1930).

[3] U.S. Const. art. I, § 8.

[4] 2 Farrand, The Records of the Federal Convention of 1787, at 127–28 (rev. ed. 1937).

[5] 346 U.S. 100 (1953).

[6] *Id.* at 109–10. See 1 Bryan, *op. cit. supra* note 2, at 1; Tindall, *op. cit. supra* note 2, at 6.

[7] Franchino, *The Constitutionality of Home Rule and National Representation for the District of Columbia, Part I,* 46 Geo. L.J. 207, 213 (1957).

After noting that the assimilation of increasing public improvements would be both too great a responsibility to entrust to any state and at the same time a deterrent force which might prevent the government from moving its seat should that later become desirable, Madison continued:

"And as it is to be appropriated to this use with the consent of the State ceding it; as the State will no doubt provide in the compact for the right and the consent of the citizens inhabiting it; as the inhabitants will find sufficent inducements of interest to become willing parties to the cession; as they will have had their voice in the election of the government which is to exercise authority over them, as a municipal legislature for all local purposes, derived from their own sufferages, will of course be allowed them; and as the authority of the legislature of the State, and of the inhabitants of the ceded Part of it, to concur in the cession, will be derived from the whole people of the State, in their adoption of the Constitution, every imaginable objection seems to be obviated." [9]

Though the section when read in its entirety is not completely free of ambiguity (contrast the required "complete authority" with the assurance of a "municipal legislature"), it does seem that Madison at least thought that some form of local self-government was to be allowed the inhabitants of the District. Without, however, deprecating Madison as an authority on the meaning of the Constitution and the intent of its framers, we must note that the *Federalist Papers* were, in the best sense of the word, propaganda, looking always to ratification of the Constitution by the requisite number of states. The arguments were designed primarily and purposefully to refute or disarm criticism of the document; their use then, as aids on construing and interpreting the Constitution, must be carefully circumscribed.[10]

It is significant also, that "home rule" proponents seem unable to find any similar expression of sentiment by Madison either at the Convention or during his career in Congress, in the Cabinet, or as President. These advocates also have been unable to unearth evidence that similar statements were made by any other drafter of the Constitution. In view of this, it is hardly surprising that some people react with a certain degree of scepticism to the claim that Madison's statement is an authoritative exposition of intent of the drafters of the Constitution.

In any event, after ratification, the Congress met and the location of the capital city was settled upon, as is common in our system of politics, by compromise. The Potomac River site favored by Southerners, was accepted in return for Southern support for a Northern aspiration, the assumption of Revolutionary War debts.[11]

Maryland and Virginia both authorized the cession of territory [12] and Congress accepted their offers.[13] At first, under the terms of the federal act, both Maryland and Virginia continued to legislate for those parts of the District which had theretofore been their territory.[14] Upon assumption of federal authority, however, minimum federal legislation was passed. Congress divided the District into two counties, Washington and Alexandria, and provided that the local laws of the two states should continue in effect.[15] A second statute provided for a circuit court and for the appointment of judicial and law enforcement officials.[16]

The following year the District was divided into five divisions with a separate government for each.[17] The interesting thing about these five divisions is that some of them had a measure of "home rule." Some of the people were permitted to elect their governing officials while others were denied the same opportunity, being governed instead by appointed officials.[18]

The city of Washington was governed by a council and a mayor, the mayor being at first appointed by the President but later elected.[19] The governing bodies of the four other divisions were variously selected.

Those who contend, however, that the period from 1801 to 1871, when a territorial government was created, was a period of happy self-government, simply have not studied the history of the period. Congress neglected the people of the District shamefully, apparently feeling that because some of them elected a few local officials they were getting along well. Actually, the District was still being governed for the most part under the laws of Maryland and Virginia as they existed at the time of cession. For an undoubtedly valid appraisal of the situation, we need only look at President Jackson's annual message to Congress of December 6, 1831:

"I deem it my duty again to call your attention to the condition of the District of Columbia. It was doubtless wise in the framers of our Constitution to place the people of this District under the jurisdiction of the General Government, but to accomplish the object they had in view it is not necessary that this people should be deprived of all the privileges of self-government. . . . Is it not just to allow them at least a Delegate in Congress, if not a local legislature, to make laws for the District, subject to the approval or rejection of Congress? I earnestly recommend the extension to them of every political right which their interests require and which may be compatible with the Constitution." [20]

Many, of course, disagree with portions of the statement above quoted. Nonetheless, President Jackson's reservation in the last sentence, compatibility with the Constitution of a grant of political rights, and the restriction on local legislation expressed in the penultimate sentence, reveal that he certainly had doubts as to the power of Congress to delegate legislative powers to the people of the District.

The federal government never used the portion of the District ceded from Virginia, the city and county of Alexandria, and the people of the two divisions, feeling disadvantaged by the lack of attention and the archaic laws applied to them, petitioned for retrocession to Virginia. After Virginia had adopted an acceptance statute,[21] Congress retroceded the area subject to a vote of the citizens.[22] The vote was 763 to 222 for retrocession, and on September 7, 1846, President Polk issued a proclamation declaring the area retroceded to Virginia.[23]

The retrocession was subject to strenuous constitutional argument at the time and subsequently. Late in the nineteenth century and early in the twentieth, efforts were made in Congress to compel the federal government to bring an action to test the constitutionality of retrocession.[24] Some forty years after completion of retrocession, the Supreme Court held that a citizen was estopped from raising the issue by the passage of time.[25]

This little known history of the District is raised here in order to mention an interesting suggestion which has been made from time to time by Members of Congress not enthusiastically pro or con on the subject of "home rule." Their plan was for retrocession to Maryland of all the present territory of the District, save for a small area extending from the Lincoln Memorial to the Supreme Court, and East and West Potomac Parks.[26] Attorney General Robert Kennedy questioned the constitutionality of the proposal and submitted an elaborate brief in opposition.[27]

While no position is taken herein on the issue of retrocession, the substantial constitutional objections and policy considerations which are involved in the current "home rule" discussion, suggest that if Congress were forced to choose one or the other, with the status quo for some reason ruled out, it might well seriously consider partial retrocession.

THE PRESENT GOVERNMENT

Congress reorganized the government of the District in 1871, rendering it similar to that provided for United States Territories.[28] The entire District was made into a municipal corporation, thus combining the separate divisions. The office of mayor was abolished and the office of a presidentially appointed governor was created. A Board of Public Works, its members also to be appointed by the President, was created.

A two-chamber legislative assembly was provided for, the upper chamber to be appointed by the President, the lower to be elected by the people, and a non-voting delegate to Congress was authorized.

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[8] The Federalist No. 43, at 272–73 (Heirloom ed. 1966) (Madison).

[9] *Id.* at 273.

[10] See, Wofford, *The Blinding Light: The Uses of History in Constitutional Interpretation,* 31 U. Chi. L. Rev. 502, 513 (1964).

[11] Tindall, *op. cit. supra* note 2, at 5–30.

[12] Maryland Laws 1798, ch. 2, p. 46; 13 Laws of Va. 43 (Hening 1798).

[13] Act of July 16, 1790, ch. 28, 1 Stat. 130.

[14] See Young v. Bank of Alexandria, 8 U.S. (4 Cranch) 384 (1808).

[15] Act of Feb. 27, 1801, ch. 15, § 2, 2 Stat. 103.

[16] Act of March 3, 1801, ch. 24, § 1, 2 Stat. 115.

[17] Act of May 3, 1802, ch. 53, 2 Stat. 195.

[18] Franchino, *supra* note 10 at 214–21; Note, *Home Rule for the District of Columbia without Constitutional Amendment,* 3 Geo. Wash. L. Rev. 205, 207–08 (1934).

[19] Act of May 15, 1820, ch. 104, 3 Stat. 583.

[20] Quoted in Schmeckebier, The District of Columbia, Its Government and Administration 25 (1928).

[21] Laws of Va. 1845–46, ch. 64, p. 50.

[22] Act of July 9, 1846, ch. 35, 9 Stat. 35.

[23] Proclamation of Sept. 7, 1846, 9 Stat. 1000. A tract of about 46 acres, known as Battery Cove, a dryland area created in dredging the Potomac was retroceded (or perhaps ceded) to Virginia in 1927. Act of Feb. 23, 1927, ch. 171, 44 Stat. 1176. See, Maine Ry. & Coal Co. v. United States, 257 U.S. 63 (1922).

[24] See 45 Cong. Rec. 672 (1910); S. Doc. No. 286, 61st Cong., 2d Sess. (1910); S. Rep. No. 1078, 57th Cong., 1st Sess. (1902); S. Rep. No. 598, 79th Cong., 1st Sess. (1945).

[25] Phillips v. Payne, 92 U.S. 130 (1875).

[26] H.R. Res. 5564, 88th Cong., 1st Sess. (1963).

[27] *Hearings Before Subcommittee No. 6 of the House Committee on the District of Columbia, Home Rule,* 88th Cong., 1st Sess. 341–52 (1963). The brief was inserted into the 1965 hearings, *Hearings Before Subcommittee No. 5 of the House Committee on the District of Columbia, Home Rule,* 89th Cong., 1st Sess. 243–54 (1965), with an extensive refutation prepared by the Legislative Reference Service of the Library of Congress, *Id.* at 254–60; *Cf.* H.R. Res. 10264, 89th Cong., 1st Sess. (1965), to retrocede a less complete portion of the District of Columbia.

[28] Act of Feb. 21, 1871, ch. 62, 16 Stat. 419.

In 1874, all this was repealed and responsibility for the direction of District affairs was vested in a three-member Commission, to be appointed by the President.[29] Avowedly a temporary act, this measure was repealed in 1878 and the present form of government adopted.[30]

In the present "home rule" controversy, it is essential to any understanding of the problems and prospects to know why Congress acted as it did in changing the form of District Government in the 1870's. There were several factors involved, "among which were the rapid population growth of the city after the Civil War; the desire to transform Washington into a city of beauty, dignity, and attractiveness befitting the Nation's Capital; a serious and immediate need for greatly improved and expanded public works and services; racial problems; political differences; and financial difficulties." [31]

All of these factors were intertwined and shed light on the prospects of a self-governing District today. The details can only be sketched in here.[32]

Despite the enfranchisement of Republican-leaning Negroes in 1867,[33] a Republican mayor was elected in 1868 by only a narrow margin; one chamber of the Assembly was captured by the Democrats, and the other was evenly divided, and several outbreaks of interracial violence erupted after charges were made that Negro votes had been bought.

The divided government, the opposition of old-time Washington residents, and a reliance on voting supporters who were demanding greater government services, left the mayor in a precarious position. Financial crisis ensued. The mayor was unable to obtain assistance from Congress, and so basic and essential improvements were left undone.[34]

The Republicans won by a landslide in the 1869 elections, but financial difficulties continued as politicians fought among themselves for the favors of various voting blocs. Great unrest spread among public employees, who had not been paid for months; the city treasury was so empty that on one occasion the furniture in the Mayor's office was seized to pay a small bill.[35] The result in the next administration was increased borrowing and a raising of the property tax rate.[36]

As a consequence, concerned citizens of the District urged upon Congress the territorial form of government which was adopted.[37] A key feature of this government was the Board of Public Works, consisting of a Governor and four other persons appointed by the President and confirmed by the Senate. The Board was empowered to make all regulations considered necessary for keeping the streets, avenues, and sewers of the city in repair and for accomplishing other objectives which should be entrusted to it. It also had the power to levy and collect property assessments.

The man appointed to head the Board, one Mr. Shepherd, proved extremely aggressive, and soon overshadowed even the Governor of the District, Shepherd laid out far-reaching plans for improvements in the District, but he seems to have been a tactless individual, prone to be indifferent to the wishes of others, and apparently also somewhat unorthodox in his approach to finances. It was reported that at 135 to 149 meetings recorded in the minutes of the Board, Shepherd was the only member present.[38]

The national financial panic which struck shortly thereafter brought the District up short; the Board was paralyzed. A taxpayer revolt broke out against Shepherd, who had become Governor of the District, and various representations of misconduct were made to Congress.

A Joint Committee investigated the matter for months and filed a report charging the Board with numerous irregularities including poor financial management, bad administration, and extensive waste. While Shepherd was absolved of charges of corruption, his general behavior and manner were condemned.[39] Upon recommendation of the Committee, the territorial form of government was dissolved and a temporary commissioner system adopted,[40] which, in turn, was replaced by the present system in 1878.[41] Under the latter organic law, the administrative authority of the District was vested in three commissioners, given extensive powers of legislation on local matters.[42]

With this history in mind, it may be seen more clearly why many in Congress doubt that the District is capable of viable self-government.

A SHORT HISTORY OF THE "HOME RULE" MOVEMENT

Although the present congressional fight for "home rule" for the District began in the 80th Congress, the first stirrings of interest and of organizational activities began prior to World War II.[43] A committee, the Burroughs Citizens Association, developed a plan for self-government in 1933. In 1937, an organization called the District of Columbia Suffrage Association was created to push for "home rule." [44] In 1946, the Central Suffrage Conference was created to carry on the battle, and it was succeeded, in 1953, by the Washington Home Rule Committee, still a major lobbying force for "home rule" bills.[45]

All of our postwar Presidents have supported some measure of "home rule"; Presidents Truman, Kennedy and Johnson favored locally elected officials and President Eisenhower favored a territorial form with a governor appointed by the President.[46]

Before the 89th Congress, only one "home rule" bill had reached the floor of the House of Representatives.[47] Briefly stated, the bill would have created a city-manager plan of government. A twelve-member council was to be elected by the people; a mayor and city manager would then be selected by the council. The council would have enacted local ordinances and proposed general legislation to Congress. The House debated the bill on May 24–25, 1948, and although it won two test votes, it was subsequently laid aside and never again taken up.[48]

Prior to the 89th Congress, the Senate passed "home rule" bills five different times.[49] The House of Representatives always proved to be the stumbling block. In the 89th Congress, the drive came close to succeeding, principally because of the strong efforts of President Johnson. The fact that the Administration's bill did not pass, however, even in the face of considerable Administration pressure, testifies loudly to the doubts held by many in both the Senate and the House as to the constitutionality and wisdom of such measures.

On July 22, 1965, the Senate passed the Administration's bill.[50] The House District Committee, however, refused to report any bill. After presidential intercession and persuasion, the Committee was "discharged" from further consideration of such legislation, and the Administration's bill came to the floor.

There, after extensive debate, the President's bill was defeated and a substitute adopted which would have provided for the writing of a charter, subject to approval by a vote of District citizens, for local self-government. The charter itself would then be presented to the people for a vote.[51] As of this writing, it has proved impossible to reconcile the two bills or to develop any compromise.[52]

To place in context the arguments which follow on this issue, a brief consideration of two provisions of the administration's bill would seem to be in order.[53] The bill would have created an elected District Council, mayor, board of education, and also authorized a nonvoting delegate in Congress.

The District Council would have been empowered with local legislative authority, including taxing and borrowing power, subject to certain enumerated restrictions. It was specifically provided that any act of the Council was to be subject at all times to repeal or modification by Congress and the power of Congress to legislate on any District matter as if "home rule" had not been granted was specifically reserved.[54] Any measure passed by the Council and signed by the Mayor, or passed by the Council over the Mayor's veto, would have had to be presented to the President who might, "if he is satisfied that any such act adversely affects a Federal interest," disapprove the measure and thus prevent it from going into effect.[55]

The second provision, and one which caused considerable discussion, was the federal payment formula.[56]

In recognition of the unique status of the District, Congress has annually appropriated a certain amount to assist the District government and provide additional revenues as needed. For a time during the last century, the payment contributed by the federal government amounted to fifty per cent of the District budget. Presently, however, the federal payment represents about thirteen percent of the District budget.

Under present law, District officials are required to come to Congress, present their budgets and justify their requests for federal funds. The purpose and effect of the formula in S. 1118 was to make the payment automatic. As explained by the Senate District Committee, District officials would calculate the amount owing to them each year and present their bill to the Treasury Department; this demand would bear no relation to the District's revenue needs, but rather would be a sum equal to the total value of the following:

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[29] Act of June 20, 1874, ch. 337, 18 Stat. 116.

[30] Act of June 11, 1878, ch. 180, 20 Stat. 103.

[31] 111 Cong. Rec. 17794 (1965).

[32] A full and engrossing account of Washington's government in this period may be found in Whyte, The Uncivil War: Washington During the Reconstruction (1958).

[33] Act of January 7, 1867, ch. 6, 14 Stat. 375.

[34] 2 Bryan, *op. cit. supra* note 2, at 567.

[35] Whyte, The Washington Star, May 11, 1958, p. A26, col. 6.

[36] *Id.* at 97.

[37] Act of Feb. 21, 1871, ch. 62, 16 Stat. 116.

[38] Gelman, *Self-Government for the District of Columbia,* in 2 Editorial Research Reports 522, July 10, 1959.

[39] S. Rept. No. 453, 43rd Cong., 1st Sess. (1874).

[40] Act of June 30, 1874, ch. 337, 18 Stat. 116.

[41] Act of June 11, 1878, ch. 180, 20 Stat. 103.

[42] For a thorough and generally favorable review of the working of the present commissioner government, see Staff Study for the Joint Comm. on Washington Metropolitan Problems, United States Congress, 85th Cong., 2d Sess., The Governing of Metropolitan Washington (Comm. Print 1958).

[43] The following history is summarized from Scott, The Home Rule Issue in the District of Columbia 23–40 (1961). See also, *Congress and the Nation, 1945–64,* Cong. Q. 1514–16 (1965).

[44] Scott, *op. cit. supra* note 43, at 23.

[45] *Id.* at 24.

[46] *Ibid.*

[47] H. Res. 6227, 80th Cong., 2d Sess. (1948).

[48] Scott, *op cit. supra* note 43, at 28.

[49] A table setting forth these bills and other unsuccessful ones is printed in *Hearings before the Senate Committee on the District of Columbia on District of Columbia Home Rule,* 89th Cong., 1st Sess. 153–55 (1965).

[50] S. 1118, 89th Cong., 1st Sess. (1965).

[51] 111 Cong. Rec. 24522–24 (1965); see, Cong. Q.W. Rep., Oct. 1, 1965, pp. 1963–65.

[52] See *"Home Rule" Legislation Apparently Dead This Year,* Cong. Q. W. Rep., May 20, 1966, p. 1017–19.

[53] S. 1118, 89th Cong., 1st Sess. (1965).

[54] *Id.* at § 324(a).

[55] *Id.* at § 324(e).

[56] *Id.* at § 741.

"(1) The real estate taxes the District would receive if property owned and used by the Federal Government and property exempted by special act of Congress were taxable;

"(2) The personal property taxes it would receive if tangible federally owned personal property, with certain exclusions, were taxable; and

"(3) The business income and related taxes which it would reasonably expect to receive if the Federal Government were a private business with an equivalent number of employees." [57]

As the Committee explained the section, it had no doubt as to what it constituted:

"The formula contained in this bill provides for the computation of a permanent, indefinite Federal payment appropriation (not merely an authorization) to be paid to the District each year based on the computations under the formula without further legislative action by the Congress." [58]

As a matter of policy, the wisdom of thus placing Congress in a position where it could no longer oversee the District's administration of federal funds is questionable. It is well known that the congressional oversight function is best served through the appropriations process, which requires that fund requests be justified. Such a plan might also encourage other localities, faced with substantial federal property holdings exempt from local taxes, to demand equal treatment. At bottom, however, opposition to this section rests on constitutional grounds.

First, the section, in effect if not in terms, would have permitted the District to tax federal property. This would be clearly unconstitutional.[59] Proponents of the section argued that it was not really a tax; that all that was being effected was the establishment of a formula by which the annual payment to the District could be computed.[60] Nonetheless, it seemed clear that no essential difference existed between what would be done if a tax were being computed and assessed and what the bill empowered the District to do.

An attempt to analogize the bill's formula to the payments in lieu of taxes on federal property failed, probably as a result of sound observation of Senator Peter Dominick:

"There are examples where a certain percentage of the revenues from Federal lands are turned back to the States or countries, but nowhere is there a situation where not only are payments made in lieu of real and personal property taxes on Federal property but also payments based upon hypothetical business income and related taxes as well." [61]

A second constitutional objection to the payment formula is grounded on the provision in Article I that "no Money shall be drawn from the Treasury, but in Consequence of appropriations made by law." [62] Proponents of the section, in answer to this argument, asserted that the section represented "a permanent and indefinite appropriation and if enacted by Congress, it would be an appropriation made by law." [63] The only thing wrong with this bit of speciousness is that congressional appropriations are limited to one year's duration; maximum monetary amounts are sent, and the purposes for which such funds are to be expended are set out. Appropriations "by law" is something very different from the authorization contained in S. 741.

The constitutional objections to S. 741 have been discussed here rather than below because they, like the payments section itself, are peripheral to a consideration of objections to "home rule" itself. It should be noted, however, that if a formula cannot be developed which provides for annual contributions without the necessity of District officials coming before the Appropriation Committee each year, any grant of self-government will seem inadequate to District officials who have to come to Congress each year and to the citizens who witness the process.

"HOME RULE"—THE CONSTITUTIONAL ISSUE

It should first be noted that Congress is not obligated to provide for some form of local self-government for the District. The present "no taxation without representation" theme was raised at a very early point and suit actually brought to challenge the right of Congress to impose a direct tax in the District. The claim was in regard to the District's lack of representation in the Congress which imposed the tax, but the result of the case is generally applicable.

In *Loughborough v. Blake,*[64] Chief Justice Marshall rejected the challenge, holding that Congress was authorized by the Constitution to impose taxes in all areas over which it has jurisdiction, including the District. The power to tax was not dependent upon any right to representation. Said the Chief Justice:

"The difference between requiring a continent, with an immense population, to submit to be taxed by a government having no common interest with it, separated from it by a vast ocean, restrained by no principle of apportionment, and associated with it by no common feelings; and permitting the representatives of the American people, under the restrictions of our Constitution, to tax a part of the society, which is either in a state of infancy advancing to manhood, looking forward to complete equality so soon as that state of manhood shall be attained, as is the case with territories; or which has voluntarily relinquished the right of representation, and has adopted the whole body of Congress for its legitimate government, as is the case with the district, is too obvious not to present itself to the minds of all. Although in theory it might be more congenial to the spirit of our institutions to admit a representative from the district, it may be doubted whether, in fact, its interests would be rendered thereby the more secure; and certainly the Constitution does not consider their want of a representative in Congress as exempting it from equal taxation." [65]

Mr. Justice Brandeis similarly disposed of the same contention quite summarily:

"It is sufficient to say that the objection is not sound. There is no Constitutional provision which so limits the power of Congress that taxes can be imposed only upon those who have political representation." [66]

Turning to the constitutional problem of granting "home rule," we must note that the Constitution vests in Congress the power to exercise "exclusive legislation in all Cases whatsoever" over the District.[67] Although it has become fashionable of late in some circles to denigrate Congress and to develop theories which seek to weaken its powers, the Constitution clearly vests in Congress the absolute power to legislate for the District; "exclusive" power "in all cases whatsoever."

Proponents of "home rule" argue that the word "exclusive" was included solely to prevent any State from exercising any concurrent jurisdiction over the District, and on this argument they are supported by a clear holding of the United States Supreme Court in *District of Columbia v. John R. Thompson Co.*[68] That case involved the validity of ordinances, enacted by the District governing bodies in 1872 and 1873, which prohibited racial discrimination in public accommodations. In order to hold that Congress could delegate power to the local assembly to enact these ordinances, the Court had to find that "exclusive" did not mean "in all cases whatsoever," but only those cases in which the power of Congress contended with the power of a State. This the Court did.

First, it should be noted that the sources cited by the Court to sustain this view, one of them being Madison's observations in the *Federalist Papers,* No. 43,[69] do not substantiate the Court's conclusion. What they do substantiate is that the Constitutional Convention certainly did intend to exclude the States from any authority over the District. They do not, however, substantiate any claim that this was the only purpose of the clause.

Second, we must note that this salvaging of an ordinance preventing racial discrimination depended on the reading of the clause, and it is not inappropriate to make the observation here that, in handling cases of this sort, the Court today seems sometimes bent on doing the "right" thing, from the Justices' viewpoint, regardless of the legal precedents.[70]

The *Thompson* case is the law of the land. Considering the present composition of the Court, it may be expected that, should the question of the constitutionality of "home rule" reach it in some form, it would be sustained.

Yet, every Member of Congress has taken an oath to uphold and defend the Constitution. That oath places upon each Member the individual and the collective responsibility to decide in the first instance, constitutional questions raised by pending legislation; we may not simply leave it to the courts.

The position taken here, simply, is that we have only the Constitution to guide us. Madison's statement to the contrary, there is no evidence that it was intended at the Constitutional Convention that congressional power over the District was to be less than exclusive. It is the intention at the drafting and formulating stage that is pertinent, and not what a participant later said; particularly when nothing else supports the later evaluation of interest.

Therefore, having only the language of the grant of power before us, it seems plain that the grant is to Congress exclusively, and that the power so granted is not delegable. If the framers had intended another meaning, if they had intended only to exclude the States, that intent could and would have been made clear.

Actually, the proponents of "home rule" in effect concede this argument, and the Administration's 1965 bill,[71] as well as earlier bills, contained explicit recognition of the validity of the argument. It will be remembered that the bill contained an express reservation of power in Congress to legislate for the District as if no local self-government had been granted. Thus, what is created is a sort of concurrent legislative jurisdiction with Congress; an act of Congress would always prevail over the act of the local assembly. In further recognition of the validity of the argument of the opponents, the bill provides that the President may veto any act of the local legislative body and that his veto will be final. It may be asked, then, in view of these concessions, why the bill continues to be opposed. There are a number of reasons.

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[57] S. Rep. No. 381, 89th Cong., 1st Sess. 10 (1965).

[58] *Id.* at 11.

[59] McCullock v. Maryland, 17 U.S. (4 Wheat.) 415, 425–26 (1819); Clallan County v. United States, 263 U.S. 341, 344 (1923).

[60] See *Hearings, supra* note 2, at 127–29, 274.

[61] S. Rep. No. 381, *supra* note 60, at 22.

[62] U.S. Const., art. I, § 9.

[63] *Hearings,* supra note 52, at 129.

[64] 18 U.S. (5 Wheat.) 643 (1820).

[65] *Id.* at 647.

[66] Heald v. District of Columbia, 259 U.S. 114, 124 (1922).

[67] U.S. Const. art. I, § 8.

[68] 346 U.S. 100 (1953).

[69] The Federalist No. 43 (Madison).

[70] See Kurland, *Forward: "Equal in Title to the Legislative and Executive Branches of Government,"* 78 Harv. L. Rev. 143, 157–62 (1964).

[71] S. 1118, 89th Cong., 1st Sess. (1965); related text, *supra* note 56.

First, despite the reservation, Congress is still deprived of its "exclusive" legislative power over the District. The local District Council will legislate. Should Congress oppose the legislation enacted, or the results of it, passage of amending or repealing legislation would be required to rectify the situation. The problems of procedure, as for example when the Council acts when Congress is out of session, and the prospects of confusion in this scheme, reduce the effectiveness of this reservation, making even clearer the loss of "exclusive" legislative power.

Second, the bill would, in effect, transfer part of Congress' "exclusive" legislative power to the President by giving him final power over acts of the local Council. It is true that he may also veto acts of Congress, but this participation in the legislative process is more peripheral than that proposed in the bill and subject to the further congressional right to override.

Thus, we have a proposal to delegate the "exclusive" legislative power of Congress over the District to a local legislative body and to the President. It is indeed "exclusive" power!

There is a third objection here which is more practical and policy oriented than it is constitutional. The procedures set out in the bill would permit the following result. A measure could be debated and defeated in Congress perhaps by a substantial margin. The local Council could subsequently enact the same measure and, if not disapproved by the President, it would become law. Thereafter, if Congress wished to reassert the legal effect of its previous decision, it would have to enact a repealing bill, which still might be vetoed by the President and then require a two-thirds vote of both houses of Congress for passage. Can it be seriously doubted, considering these practical potentialities, that the "exclusive" power of Congress has been greatly debilitated?

It should be obvious that while the Administration's bill in effect recognizes that "exclusive" legislative power resides in Congress, it is carefully drafted to circumscribe the exercise of that power once the local legislative body begins operating. All other "home rule" bills apparently contain similar features.

It is submitted that under the Constitution Congress has "exclusive" legislative powers over the District which it may not delegate, even by means of the sort of legislative legerdemain we see reflected in the Administration bill and others.

"HOME RULE"—THE POLICY ISSUE

The policy issues involved will be touched on only briefly here, since they have been discussed in some detail elsewhere.[72] In substance, however, it is the position taken here that the primary purpose of the District of Columbia was intended to be, and is, to serve as the seat of government of the United States. It was designed and developed for that purpose and should continue to serve that purpose. Performance of this role imposes on the District a host of very special and unusual characteristics and requirements not present in other cities.

Washington is unique. It is our only federal city. It is the only city to which scores of foreign nations send representatives, consisting of diplomats and 10,000 foreign workers in the diplomatic service. No other city has as many other international groups as does Washington. Representatives of foreign news media, foreign students and educators, world business leaders, and others make regular pilgrimages to Washington and form their opinion of the United States in great measure on the basis of what they encounter in this city.

Every citizen of the United States has a proprietary interest in the Nation's Capital and undoubtedly Washington is more visited than any other of our cities by students and adults alike.

In view of these considerations it would seem essential that basic policy concerning the growth and development of the capital and the regulation of the innumerable matters which contribute to the functioning of the city should remain in the hands of Congress. To place these responsibilities in the hands of groups and individuals, who, responsibie to the demands of a local electorate for continuance in office, will inevitably tend to lose sight of the overriding national interest, seems ill advised.

Washington is a unique city, demanding individual treatment. Congress, despite some ill-informed criticism, has governed the District well, has made plans which have allowed it to develop its resources fully, and continues to play its constitutionally prescribed role with prudence and respect for what the city is.

A MODEST PROPOSAL

There is one respect in which the citizens of the District can and should be given a greater voice in their government and that is in the matter of representation in Congress. Congress may by simple legislation provide for a nonvoting delegate in the House of Representatives and at least two bills are pending in the House which would accomplish this result.[73]

Since the District is not a State, however, a Constitutional amendment would be required to give its citizens voting representation in Congress; such a proposal is now pending,[74] and it would seem that this step should be taken. This would insure District citizens effective representation, and would be at the same time wiser and more feasible than the creation of a "home rule" which would, in reality, afford District citizens far less prospect for adequate government than has been suggested.

TEXAS STATE HISTORICAL SOCIETY ENDORSES BIG THICKET NATIONAL PARK BILL

Mr. YARBOROUGH. Mr. President, the Big Thicket in eastern Texas consists of an area of varied and uniquely beautiful wildlife and vegetation. I have tried to preserve untouched the natural woodlands and animals that inhabit them by introducing a bill, S. 4, to create a national park in the Big Thicket. The imperative need for such a park was remarkably dramatized last week by the reported discovery in the Big Thicket area of the ivory-billed woodpecker which naturalists had long feared extinct. The Texas State Historical Survey Committee, in line with its interest in promoting the conservation of sites of historical and natural importance, has passed a resolution favoring the creation of the Big Thicket National Park.

I ask unanimous consent that this resolution of the Texas State Historical Survey Committee be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, Texas is blessed with a wide variety of forests, mountains, deserts and plains, and

Whereas, the "Big Thicket" of Texas, located in parts of Hardin, Liberty, San Jacinto, Polk, Montgomery and Tyler Counties is one of the most unique forest areas in the United States, containing species of loblolly pines, beech, chestnut oak, magnolia, white oak, witch hazel, cherry laurel, silverbell and other species of woody vines and small trees; and

Whereas, a portion of the "Big Thicket" should be preserved in order that the forest habitat might remain naturally balanced for both plant and animal population native to the thicket forest; and

Whereas, Senator Ralph Yarborough has introduced S. 4 which would create a national park in the East Texas area called the "Big Thicket", now, therefore, be it

Resolved, That the Texas State Historical Survey Committee hereby endorses this legislation and requests the Texas Congressional Delegation to give the measure their full support.

FISH PROTEIN CONCENTRATE

Mr. PELL. Mr. President, on August 16, the Senate passed by voice a very fine amendment to the Foreign Assistance Act of 1967 proposed by the Senator from Maine [Mr. MUSKIE] and the Senator from Massachusetts [Mr. KENNEDY]. I wish to congratulate both distinguished Senators upon their imaginative and practical plan for a positive step in the world war on hunger. The proposed encouraging fish protein concentrate as a diet supplement for the two-thirds of the world's population which currently suffers from malnutrition.

"Food from the sea" is an exciting and important concept. We who are pressing for expanding the oceanologic efforts of this country believe strongly in its valuable potential.

PREEMPLOYMENT TESTING AS A FACTOR IN RACIAL DISCRIMINATION IN EMPLOYMENT

Mr. JAVITS. Mr. President, there are presently pending before the Subcommittee on Manpower, Employment, and Poverty of the full Committee on Labor and Public Welfare two bills, S. 1308 and S. 1667, which would amend title VII of the Civil Rights Act of 1964 to provide adequate and more efficient enforcement powers in the Equal Opportunities Commission.

Mr. President, the efforts of the EEOC and other interested organizations to ascertain the existence and causes of racial discrimination in employment have been extremely helpful in promoting a better understanding of the nature of this terrible problem. Such studies as the recent report entitled "Negro Participation in the Apprenticeship Training Program" prepared by the University of Texas Department of Economics pursuant to grant from the Department of Labor show that only part of the problem is attributable to overt discrimination. Lack of interest and proper education are equally serious problems—and much more difficult ones to solve.

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[72] Byrd, *The Case Against Home Rule*, 6 Legal Issues 6 (1966).

[73] H.R. 12690 and H.R. 12693, 89th Cong., 2d Sess. (1966).

[74] S.J. Res. 142, 89th Cong., 2d Sess. (1966).

One of the areas which we know least about, but which surely requires the most detailed study, concerns testing of applicants for employment. It is not merely a question of fair administration of tests. What we must concern ourselves with is much more fundamental. It is the nature of the tests themselves. Experience has shown that many of the tests given to applicants for employment are quite weighted in favor of applicants with middle-class white backgrounds.

Furthermore, there is not only a question of weighing but also a question of suitability. Many of the tests which are administered today seem to have little relevance to the jobs for which they are supposed to show qualifications.

The EEOC has been well aware of this problem and has already given considerable study to it. The Chairman of the Commission recently gave an address on the subject to the Greater Philadelphia Chamber of Commerce which clearly and succinctly sets forth the nature of the problem. In view of the importance of this issue, and the pending bills, I ask unanimous consent that the Chairman's address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Stephen N. Shulman to the Greater Philadelphia Chamber of Commerce on Preemployment Testing Techniques

I am pleased to speak in Philadelphia about the difficult problems of equal employment opportunity because this city so dramatically symbolizes the promise of this country, the promise that is the foundation of equal opportunity. Philadelphia is the city whose creativity produced this country. It was the leader in the staggering task of creating a new nation so far from what everyone had considered the borders of civilization. Today as well, Philadelphia is recognized as one of our great cities.

At the same time, this city also has urgent problems of unemployment and poverty in the minority community. In the slum area of North Philadelphia, the unemployment rate is 11 percent, and the subemployment rate is a startling 34 percent—more than 1 out of every 3 individuals has a serious employment problem. The people in this ghetto area—constituting the third largest Negro population in the country—have not shared in the economic progress experienced by others.

Statistics available to the Commission show that in this city, as is true throughout the nation, minorities have a disproportionately low participation in total jobs, and particularly low in the more desirable white collar and skilled craftsman jobs. With a Negro population of 30 percent, Negroes in Philadelphia represent 7.6 percent of the machinery manufacturing industry and 5.9 percent of the mechanical instruments manufacturing industry. In the railroad transportation industry, with more than 8,500 white collar employees, there are 67 white collar Negroes; in the motor freight transportation and warehousing industry, with more than 1,200 white collar employees, there are 24. In the printing and publishing industry, with over 4,500 skilled craftsmen, there are 118 Negroes. And, according to the Wall Street Journal, a 1966 retake of a 1964 study of Philadelphia insurance companies indicated only a small degree of change in Negro employment. It showed, moreover, little difference betwen companies with written policies of merit employment and those without them—5.4 percent Negro as against 5.2 percent. Indeed, in office, sales, and management jobs, companies with written hiring policies had even fewer Negro employees (3.5 percent) than those without them (4.2 percent).

It is results such as these that have led you to this seminar on equal employment. The stated objective of this seminar is "to help Greater Philadelphia employers to find, train, hire, discipline, and promote Negro and other minority group workers." I think the Greater Philadelphia Chamber of Commerce is to be commended for holding this seminar and seeking this goal, as are all of you for attending. But it is essential to make sure that the good will that led us to this seminar does not delude us into thinking that something has been accomplished merely by holding it. Accomplishments will be built on the good will found here, but they will be achieved only by hard work—and continuous effort—toward the goal. The starting point, of course, is for each of you to examine your total employment procedure to identify and eradicate any aspects of discrimination that may exist there.

As you begin this difficult task, it is important to bear in mind what you are looking for. A failure to recognize—and thus to eliminate—discrimination may result from a misunderstanding of what discrimination is. The law's prohibition against discrimination is often viewed as a prohibition against doing something to harm someone, against taking an action which adversely affects a particular person, an individual Negro. We tend to think of discrimination as an act—a finite incident that can be pinpointed and discussed. When discrimination is so defined, nondiscrimination becomes easy—it means refraining from doing such an act. In fact, the true situation today is that discrimination is often not a specific incident, but a way of life. Discrimination is the result of a system, not the result of any one specific incident, but a way of life. Discrimination is the result of a system, not the result of any one specific act. No single individual or action may be identifiable as the discriminator. Nondiscrimination in these terms means the difficult process and hard work of challenging the system, of undoing its discriminatory effects, of reforming or, perhaps, replacing it.

Let me illustrate what I mean by discrimination being the result of a system by focusing on the selection process for entry-level jobs. I would like to discuss this process today as I have elsewhere, because I believe it serves as an excellent illustration of the point. But let me also say that it is only an illustration; the same analysis can be made of recruitment and promotion systems as well. I will be discussing the role and responsibility of industry because you are the audience. This is in no way to suggest any lack of interest in the problems of union membership, of joint apprentice programs, or of employment agencies—both public and private. The Commission is quite as concerned with the screening techniques used by unions and employment agencies as with those used by industry. One further caveat: I shall dwell today on testing as a screening device, but I use testing only as an example in the selection process and not because of anything special about it. It is in this regard a symbol of the other aspects of employment screening: dress, speech, physical appearance, educational background, arrest records, references, financial position, personal life, past employment history, proper schools, and so forth.

I start with the job application experience of one of the Commission's own employees. It is a useful beginning to the inquiry whether or not selection systems work discriminatory results and, indeed, whether or not they even perform their intended function. Some time ago, as a college student looking for summer employment, he entered a company's employment office to apply for the job of bus driver. The company was very large, and used a bus to take its employes from one building to another within the plant. He filled out an application blank designed for all jobs from janitorial to executive, which gave the personnel office such information as the color of his hair and eyes, and identified his former addresses and schools. But from the application, one could not tell how he drove a bus. He then took a series of tests.

One was a personality test. ("Do you think you're being followed?" the test asked. I wonder if anyone answers yes. He answered no.) Another was an I.Q. test. It indicated his knowledge of spatial relations and basic algebra. Finally, there was the personal interview. There the interviewer merely followed the normal standards used for everyone applying for any job: Was he well dressed? Did he speak well? (Interestingly, in this case, the buses carried signs saying, "Do not talk to the driver.") In any event, the applicant was accepted on the basis of these tests and interviews. He was never asked whether he had a driver's license, whether he had a good driving record, or even whether he could drive a car, let alone a bus. In fact, he didn't have the slightest idea of how to drive a bus. As a college student, he clearly could pass the I.Q. tests and the interviewer's appearance standards. Yet the interviewer was in the dark as to his job-related abilities. We can guess that one reason the interviewer was in the dark was that he, himself, was probably a college graduate who did not know for sure what skills were needed to drive a bus or how difficult it was to learn them. And, we can further guess, he probably applied the same selection technique to a subsequent applicant for a mechanic's job, even though he knew less about fixing a bus than driving one. The system had become rote: Is the applicant neat? Did he score high enough on the test? Is he "nice"? That is all the process told.

This country is made up of many cultures. The cultural background and knowledge of one who grows up in the slums of North Philadelphia differs from that obtained by a product of Haverford. The critical inquiry is: Do these differences make a difference in actual job performance? Or do they make a difference merely in performance in the personnel selection process?

Let me give you an example. Our Commission recently investigated a complaint by a Negro who charged that a company was discriminating against him by requiring the passing of an I.Q. test for promotion to the job of forklift operator. The test involved is one of very wide circulation in this country. I have some questions from that test here today, and as I read them to you, I ask you to think if any of them gives you an indication of the individual's ability to operate a forklift.

1. Clutter, clatter. Do these words have a similar meaning? Contradictory? Mean neither the same nor opposite?

2. Piteous, pitiable. Do these words have a similar meaning? Contradictory? Mean neither the same nor opposite?

3. Parasite, parasol. Do these words have a similar meaning? Contradictory? Mean neither the same nor opposite?

What do these questions really show? If the applicant gets them right, can he drive a forklift? The company requires a score of 12 on this test as a passing grade. What does this score indicate? Some will answer that it indicates I.Q., even if it does not indicate performance on the forklift. We might readily ask what difference I.Q. makes if the individual cannot drive a forklift. But does it even indicate I.Q. or, rather, just familiarity with the verbal facility required in the white society? Is intelligence based only on this standard, or is there another standard on which we might judge?

Perhaps the extent to which this test may be applying culturally biased values—biased against the Negro—can best be pointed out by asking you to join me in taking another test. This test is deliberately designed to be culturally biased in favor of the Negro and against the white; biased in favor of the slum dweller, the person on welfare, the individual who is not well employed. I ask you to bear in mind, as you listen to the questions from this test, whether you would be prepared to be judged tomorrow for your present job on the extent to which you could answer them.

1. If a man is called a "blood," then he is
—a fighter
—a Mexican American
—a Negro
—a hungry hemophile
—a red man or Indian

2. Cheap chittlings will taste rubbery unless they are cooked long enough. How soon should you quit cooking them to eat and enjoy them? 45 minutes? 2 hours? 24 hours? 1 week (on a low flame?) 1 hour?

3. A "gas head" is a person who has a
—fast moving car
—stable of "lace"
—"process"
—habit of stealing cars
—long jail record for arson

Your reaction to this test is that it has nothing to do with your job. I agree. But is the other one relevant to the forklift operator's? The Negro who knows what a "gas head" is may never have seen or heard of a parasol. Is he therefore less intelligent? Less able to operate a forklift? Less able to be a good employee? In the case I am discussing, the Negro employee had driven a forklift for five years with the Federal Government and had passed a test there, with a score of 90, about its actual operation. The test given by his new employer failed to indicate that.

Even a greater danger of cultural bias arises in the personal interview. Here, for example, the interviewer is asked to judge if the applicant speaks correctly. The Negro ghetto dweller may use expressions that the interviewer considers to indicate dullness. Such speech habits and idioms may well reflect only the individual's cultural environment, however, and not his intelligence.

This inquiry into the standards used in personnel selection helps us approach a critical question about minority employment: Is the plight of the Negro and other minorities due to disadvantage or to discrimination? When a Negro lives in a different cultural environment, lacks the verbal facility of his white counterpart, and thus fails a personnel test, one can easily say that he is suffering from a disadvantage that disqualifies him from employment. But does it devolve upon industry to recognize that these cultural differences exist? If a white man is rejected for a job on the basis of his ignorance of "gas head"—when that ignorance has nothing to do with job performance—is he disadvantaged? Or is he being discriminated against? When a Negro is judged on the basis of his verbal facility—when such facility is not a fair estimate of his ability to perform the job—is he disadvantaged? Or is he being discriminated against?

The personnel selection system today emphasizes educational attainment. When one speaks of the qualified Negro, he thinks of one who is at least a high school graduate. When surveys of the unemployed in the slums of North Philadelphia indicate that 70 percent are not high school graduates, one says: "That's the problem—education."

But slums in other cities which have a lower percentage of nongraduates have a comparable unemployment problem. In the Filmore-Mission districts of San Francisco, for example, where 48 percent have not completed high school, unemployment is the same—11 percent as in North Philadelphia. And of all the people who are actually employed in this country today, 42 percent are not high school graduates. There are, consequently, many jobs in this country that are held by white men who lack the qualities required of the "qualified Negro." These qualities are apparently not necessary for the performance of jobs; they are, however, essential for the Negro to survive the personnel selection process.

When the traditional selection system is abandoned, interesting results take place. For example, a subsidiary of the Aerojet Manufacturing Company has located a plant in the center of Watts in Los Angeles, and has set the unique standard that nobody will be hired who meets the company's ordinary standards. In other words, any individual who measures up to the standards traditionally applied to Aerojet's other installations will be referred to one of those installations. Those who do not meet their standards will be hired by the subsidiary. I understand that they have a 70-year-old Negro man, who is blind, weaving rope for their tent-making operation and doing, I am told, a magnificent job. They have a large group of rather elderly Negro women operating their sewing machines; the traditional structuring of the community would have these women as maids and laundresses, or with no jobs at all. Similarly, the KLH Research and Development Corporation recently undertook intensive recruitment drives and hired 19 parolees with criminal records. They report a production record as high as the normal group of new employees.

Commendable as these efforts are—and they can be multiplied by the similiar efforts of many other companies—what is needed is a complete review of selection systems, an agonizing reappraisal, if you will. We must insure—as we move forward in an attack on disadvantage—that we are not practicing discrimination as well. One obstacle to such a complete review is the image we have of racial discrimination. The term "discrimination" brings to mind the image of evil men—of racists consciously mistreating others. With such an image, discrimination becomes an evil that cannot be admitted to have existed in one's own company; any hint of discrimination would be an indictment, an indication of guilt.

This is an obstacle that must be surmounted. The situation I am discussing does not turn on guilt or evil. I am talking about a system and the results that it has wrought. With the enormous increase in employment and business activity, and the resulting great volume of employment applications, industry was required to develop some sort of system to process applications—some kind of objective standard was needed. Some companies gave the responsibility to employment services, public or private; others gave it to union screening devices; others, to their own personnel departments. What is to be feared is that the system chosen began to have requirements and rules of its own—that it fed on itself, producing standards and criteria to make the chaotic employment market orderly, but not necessarily to furnish qualified applicants. The selection system I am discussing is not that of an individual hiring an assistant; it is that of large industries processing thousands of applications. It is this system that may be discriminating—discriminating not because the men who follow it want or designed it to do so, but because the rules developed to make it operate have had that effect irrespective of intention. There is no room for guilt in such a situation—because the Negro is not the only one injured by this system; industry itself is the victim. The employer desiring to get the best employees is thwarted by the system just as much as the Negro attempting to gain the best employment. With both employer and applicant victims, the concept of guilt has no relevance; discovery of discriminatory effects does not make the employer a bad man; it simply makes the system a bad system.

In the area of discrimination on the basis of sex, practices that have become institutionalized are regularly subjected to total review without any difficulty occasioned by notions of guilt. Here, industry—and labor and employment agencies as well—will readily examine a system to eradicate any remaining vestiges of discrimination because they feel nothing was normally wrong with sex discrimination before the Civil Rights Act of 1964 was passed. But the Civil Rights Act is not a criminal statute—its aim is not to establish guilt and punish, but rather to correct a social evil. The same kind of inquiry is needed into the selection system's effect on minorities.

Another obstacle to overcome is inertia and the natural reluctance to undertake such a big task. But if the system is failing to produce the best qualified employees, it is in industry's interest to examine it. If industry itself is a victim, the system must be altered to end discrimination against its creators, as well as to end the social evil it produces. Such an alteration will not mean the abandonment of standards, but the development of improved ones. It will not mean lower standards, but relevant ones; not an end of testing and interviews, but their translation into the realities of a multiracial city and nation.

When I read you questions from the test biased in favor of the ghetto dweller, you probably were unable to answer them. You can imagine how you would feel if your livelihood depended on your ability to do so. Perhaps this provides an insight into how it must feel for someone from the slums of North Philadelphia to approach the personnel selection systems of some of our industries. The system rates an insurmountable barrier; business—and society—is therefore viewed with fear and hopelessness—at first; later, perhaps, with hostility and anger as well. Techniques must be developed to insure that personnel selection is a matter of ability to perform on the job, and not just in the selection process. Both employer and applicant will benefit thereby, and—more—equal employment opportunity will be possible.

NASHVILLE TENNESSEAN PRAISES PRESIDENT JOHNSON'S COMMISSION ON CIVIL DISORDERS

Mr. McGOVERN. Mr. President, in a recent editorial, the Nashville Tennessean has found that President Johnson's Advisory Commission on Civil Disorders "is wasting no time in coming up with far-reaching recommendations on the causes and cures of riots in the cities."

The Tennessean strongly supports the Commission's first announced proposal to increase the effectiveness of the National Guard by appointing more Negro Guardsmen. As the Tennessean observes:

> Only 1.15 percent of Army Guardsmen are Negroes, and it is little wonder that Negroes in the Detroit riot area regarded the Guard as a Haven for the sons of white men while their sons fight in Vietnam; only 127 of Michigan's 9,881 Army Guardsmen are Negroes.

And the Tennessean concludes:

> The President's Commission was right in recommending an immediate, substantial increase in the National Guard and other measures to improve it.

I commend the Tennessean for its forthright editorial on this important matter and ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Commission Has Long Job Ahead

President Johnson's Advisory Commission on Civil Disorders is wasting no time in coming up with far-reaching recommendations on the causes and cures of riots in the cities.

The commission's first concrete proposals were designed to increase the effectiveness of the National Guard. The 11-member panel urged quick improvement in riot control training for the Guard, where some units have been receiving as little as six hours a year.

As another step toward improving the Guard, the Defense Department was urged to make a complete review of procedures used for appointing and promoting officers.

The commission was understandably disturbed by evidence of only token integration in the Guard, which is largely financed by federal funds. Nationwide only 1.15% of Army Guardsmen are Negroes; less than half that percentage are Air Guardsmen. In Tennessee, only 96 of the state's 11,721 Army Guardsmen are Negroes.

It is little wonder that Negroes in the Detroit riot area regarded the Guard as a haven for the sons of white men while their sons fight in Vietnam; only 127 of Michigan's 9,881 Army Guardsmen are Negroes. The President's commission was right in recommending an immediate, substantial increase in the number of Negroes in the National Guard and other measures to improve it.

But it is tragic that National Guardsmen are ever called into the streets of American cities, and the nation prays that it is never necessary again. The commission's job is to recommend ways to guarantee an end to rioting, and while it has made a quick start, it has a long way to go.

TWENTY-EIGHTH ANNUAL NATIONAL AVIATION DAY CELEBRATED AT DULLES INTERNATIONAL AIRPORT WITH ATTENDANCE ESTIMATED UPWARD TO 75,000—AVIATION PROGRESS DEPICTED—SENATOR RANDOLPH RECALLS ORIGIN OF EVENT AND CALLS FOR TRANSPORT SYSTEM TO SERVE ALL STATES, NOT MERELY A DOZEN GIGANTIC GATEWAYS

Mr. RANDOLPH. Mr. President, on last Saturday at Dulles International Airport there was celebrated the 28th National Aviation Day under legislation which I sponsored in the House and the then Senator Claude Pepper, of Florida, sponsored in the Senate, and which President Franklin D. Roosevelt signed into law on May 11, 1939.

The National Aviation Club, with A. G. Hardy as president, and George Thomas as committee chairman, presented an outstanding program for the Dulles observance, which had an attendance estimated as high as 75,000 persons. Knowledgeable aviation officials expressed the view that the program of aerial flights and static displays represented a splendid depiction of aviation progress and was one of the best balanced ever presented in the Washington area. Credit comes, also, to the more than 1,500 club members who worked for months to prepare for a successful event.

Thousands in the audience were children who thrilled with their parents in viewing some of this country's most advanced aircraft, as well as several antiques. Particularly thrilling, of course, was the precision formation flying by the U.S. Air Force Thunderbirds.

The National Aviation Day honorary committee, which I was privileged to chair, included Hon. Mills E. Goodwin, Jr., Governor of the Commonwealth of Virginia; Hon. Alan Boyd, Secretary of Transportation in the Cabinet of the President of the United States; FAA Administrator William F. McKee; U.S. Senators Harry F. Byrd and William B. Spong, of Virginia; Norris Cotton, of New Hampshire; and Warren C. Magnuson, of Washington; Representatives Joel T. Broyhill, of Virginia; Samuel N. Friedel, of Maryland; William L. Scott, of Virginia; and Harley O. Staggers, of West Virginia; Hon. Charles S. Murphy, Chairman of the Civil Aeronautics Board; Adm. Thomas H. Moorer, Chief of Naval Operations; Gen. John P. McConnell, Chief of Staff of the U.S. Air Force; Gen. Wallace M. Greene, Jr., Commandant of the U.S. Marine Corps; Adm. Willard J. Smith, Commandant of the U.S. Coast Guard; Judge James R. Durfee; Arthur Godfrey; Stuart G. Tipton, president of the Air Transport Association; Maj. Gen. Robert R. Williams, Director of U.S. Army Aviation; Roy Foulke, president of the National Air Carriers Association; Joseph B. Hartranft, Jr., president of the Aircraft Owners and Pilots Association; and Lewis W. Dymond, chairman of the Association of Local Transport Airlines.

Mr. President, I have clear recollection of the events which led to the founding of National Aviation Day. In the spring of 1939, I recall, Orville Wright, then 68 years of age, came to then Senator Claude Pepper and to me, then a Member of the House, and said that some of his friends thought there should be a special day to celebrate progress in the field of aviation. Mr. Wright suggested the date December 17, which was the date of the Wright brothers' first flight. But we agreed on August 19, the birthdate of Orville Wright, because it is a date in the summer season much better suited for aviation celebrations than would be a day in mid-December.

Also, Mr. President, as one of the sponsors of the Civil Aeronautics Act of 1938, the founding constitution, in effect, of the airline industry of our country, I recognize that the extent of aviation advancement has exceeded expectations in large degree. I am optimistic about aviation's future. But only if, in observing aviation progress, we recognize that it poses new and ever more complicated problems can our optimism persist.

We must always remember that our transport system must serve the entire 50 States and more than 3,000 counties and not merely a dozen gigantic gateways.

Looking toward this goal, Mr. President, I wrote a letter on August 19, 1967, to the chairman and members of the Subcommittee on Transportation Appropriations of our Senate Committee on Appropriations, and I ask unanimous consent to have it printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Committee on Public Works,
Washington, D.C., August 19, 1967.
Hon. John Stennis,
Chairman, Subcommittee on Transportation Appropriations, Committee on Appropriations, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: On August 15, 1967, the Subcommittee which you chair with efficiency, fairness, and distinction received and considered testimony from officials of the Federal Aviation Administration. Although I share the interest and the desire of most Senators with respect to the program for research and development of the Supersonic Transport (SST), I was pleased to learn that Members of the Subcommittee expressed real concern lest appropriations for FAA and related activities reflect a disproportionate share for the predominantly overseas SST program as compared with established domestic aviation requirements.

Members of the Subcommittee are reported to have stated with emphasis that there must be more attention to the need for domestic air traffic safety and landing equipment—and not alone at the larger airports. I agree. Members also are reported to have expressed the view that there must be more attention to our airports—and not the larger ones only. I share this belief. These are vital issues, and I feel it is my duty to communicate to you and your associates my approval and my commendation. I wish to associate myself especially with the questions and the comments by Senators Monroney and Mundt while the FAA officials were before the Subcommittee as witnesses.

It is my hope that there will be a special emphasis on the problems of the small and medium-size airports during the deliberations of your subcommittee and in the Appropriations Committee, as well as in the hearings and deliberations of the Aviation Subcommittee and its parent Committee on Commerce. With most airlines moving toward jumbo and stretched jets, there seems to be a growing possibility that only the airports serving large centers of population will successfully survive. I note this because the trunkline segment of commercial aviation and the aerospace manufacturers in this country—perhaps with too few exceptions—seem to be concentrating more and more on the overseas and the long-haul jets. We must not permit large numbers of the non-metropolitan area airports to become ghost facilities.

I feel it is the duty of the Congress, through its committees, to ascertain what is delaying progress in the development, production and commercial utilization *in this country* of the short field runway jet aircraft so vitally necessary to sustain the service requirements of the non-metropolitan area airports. Real progress in this field of aviation activity seems to be taking place in other countries. Why is it that we are not willing to try to excell in the short field runway jet aircraft to help the communities of America while we seem to rush into the international supersonic competition? This question must be answered. And the answer as it relates to the short field runway aircraft is important to our country—possibly more important to our own people who are the taxpayers than the competition in the field of supersonics.

Let us move forward with the SST, but let us recognize in equal degree and work with equal fervor to solve the problems of domestic conventional aviation without giving preponderant attention to the "giants"—either in aircraft or in airports. In Senate debate I have called attention to this imbalance. I will accentuate my attention to this issue—if it is made an issue rather than a balanced solution.

Truly,

Jennings Randolph.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. **LONG** of Louisiana. Mr. President, if there is no further business to come before the Senate, I move in accordance with the order previously entered, that the Senate stand in adjournment until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 59 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, August 23, 1967, at 10 o'clock a.m.

* * *

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 22, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord is nigh unto all them that call upon Him, to all that call upon Him in truth.—Psalm 145: 18.

With reverent and thankful spirits, our Father, we bow before Thee in the quiet peace of this moment. Our hearts are filled with gratitude for all the privileges and opportunities which are ours. Knowing that we can show our thankfulness through lives of usefulness to Thee, we pray that Thou wilt give us courage in the face of temptation, confidence when confronted by difficulties, and calmness amid danger. As Thou hast made this world fair for our use, grant that the trials of life may not through our grumbling ingratitude be turned into occasions of unhappiness and misery, but that we may accept with cheerfulness whatever Thou dost send.

Make us true and just in all our dealings and straightforward in all our ways. Give us, we pray Thee, such quiet strength as will enable us to prevail without loud speaking and such gentleness of spirit as will enable us to use our strength with due regard for the rights of others. Reveal to us the path we should take, tune our ears to hear Thy call, keep us ever in Thy way, and be with us as we go; through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 304. An act relating to the Indian revolving loan fund and the Indian heirship land problem;

S. 778. An act to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes;

S. 1727. An act to authorize the consolidation and use of funds arising from judgments in favor of the Apache Tribe of the Mescalero Reservation and of each of its constituent groups; and

S. 1933. An act to provide for the disposition of judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma.

TONKIN GULF RESOLUTION SUPERSEDED BY CONGRESS' MARCH 16, 1967, POLICY STATEMENT

Mr. **REUSS**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. **REUSS**. Mr. Speaker, in hearings before the Senate Committee on Foreign Relations, the administration has made much of the Tonkin Gulf Resolution 3 years ago as congressional authorization for the Vietnam war. The Tonkin Gulf resolution declared:

> The United States is . . . prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

I remind the administration that this language has been superseded by more recent language setting limits on "the use of armed force." In the statement of congressional policy in the Military Construction Appropriation Act of March 16, 1967, Public Law 90-5, the Congress declared "its support of efforts being made by the President of the United States and other men of good will throughout the world to prevent an expansion of the war in Vietnam."

Yet here we are expanding the war in Vietnam. The President has announced that he will dispatch an additional 45,000 American soldiers to South Vietnam, raising our presence there to more than 500,000 men. And the bombing of North Vietnam has been extended close to the Chinese border. This morning's headlines report "Two U.S. Bombers Shot Down Over China."

Congress expressed its sense last March 16 that the war in Vietnam should not be expanded. The United States is expanding it. The administration should reread the March 16 congressional statement.

THE OIL DEPLETION ALLOWANCE

Mr. **JOELSON**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. **JOELSON**. Mr. Speaker, last week I introduced a bill to eliminate the oil depletion allowance. I said at that time and I repeat now that the oil depletion allowance gives unfair advantage to persons and corporations which are the least in need of tax relief. It is an unconscionable gimmick.

My bill has been referred to the House Committee on Ways and Means and I hope that the committee will take favorable action on it. However, if it does not start hearings by mid-September, I intend to file a discharge petition to force the matter to the floor for a vote. If this becomes necessary, I shall appeal to my colleagues in the interest of fair play to sign the petition and I hope that we can obtain the necessary 218 signatures to bring the matter to the floor.

PERMISSION FOR SUBCOMMITTEE ON BANK SUPERVISION OF COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that the Subcommittee on Bank Supervision of the Committee on Banking and Currency may sit today during general debate.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit today during general debate.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION APPROPRIATION BILL, 1968

Mr. **EVINS** of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12474) making appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1968, and for other purposes; and, Mr. Speaker, pending that motion I ask unanimous consent that general debate be limited to 2 hours, one-half the time to be allocated to the gentleman from North Carolina [Mr. JONAS] and one-half to myself.

The **SPEAKER**. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The **SPEAKER**. The question is on the motion.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 12474, with Mr. HAYS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. **EVINS** of Tennessee. Mr. Chairman, I yield myself such time as I may require.

Mr. **PELLY**. Mr. Chairman, the gentleman is making a very important statement. I think that there should be more

Members present. I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 228]

Bow
Brock
Button
Clausen,
  Don H.
Corman
Davis, Ga.
Diggs
Dulski
Eckhardt
Gettys
Giaimo
Hathaway
Holifield
Hungate
Long, La.
McCulloch
McEwen
Mink
Murphy, N.Y.
Pucinski
Rarick
Resnick
Riegle
Rivers
Roudebush
Roybal
Scott
Smith, Iowa
Stuckey
Thompson, N.J.
Williams, Miss.
Willis
Wyman

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HAYS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 12474, and finding itself without a quorum, he had directed the roll to be called, when 397 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Tennessee [Mr. EVINS] is recognized.

Mr. EVINS of Tennessee. Mr. Chairman, we bring you today the appropriations bill for the National Aeronautics and Space Administration for 1968.

The appropriation for this agency should have been included in the regular independent offices and Department of Housing and Urban Development appropriations bill for 1968 which was earlier considered in the House and passed May 17.

NASA, as an independent agency, was not included in the regular bill because the authorizing committee had not acted at the time.

The legislative committees have recently completed action on the authorization bill—and the conference report for NASA has recently been approved.

Last evening the President signed the authorizing bill for the National Aeronautics and Space Administration.

Mr. Chairman, we are pleased that the President took cogizance of the big cuts we have made in the appropriation bill at the time he signed the authorizing bill last evening.

I have before me, Mr. Chairman, a UPI dispatch and we also have available the President's full speech on the authorization for appropriations for NASA.

I want to read portions of what the President said regarding the appropriations for this vital agency:

> [UPI, Monday, Aug. 21]
>
> SPACE
>
> WASHINGTON.—President Johnson Monday commended the House Appropriations Committee for cutting the fiscal 1968 budget for the National Aeronautics and Space Administration.
>
> Johnson took this unusual position for a Chief Executive in a special statement as he signed the $4.96 billion authorization for NASA. The bill reduced Johnson's January budget request for the Space Administration by $234 million.
>
> The House committee last week, operating within the reduced authorization, reported out a NASA appropriation of $4.6 billion, a cut of $517 million below the January budget.
>
> Money bills for the various agencies must pass the Congress in two steps. The first is the authorization which sets an upper limit and the second is the appropriation which actually sets aside the money. The appropriation can be less, but not more, than the authorization.
>
> Johnson said ordinarily he would have opposed such a cut, but that conditions had changed greatly, since January.
>
> He pointed out that the Nation now faces increased expenditures, reduced revenues, a deficit that might reach $29 billion and the 10-percent tax surcharge requested by the administration.
>
> Against this background Johnson said, "some hard choices must be made" to distinguish between "the necessary and the desirable."
>
> "We need not and dare not eliminate the necesary," he said. "Our task is to pare the desirable."
>
> Johnson emphasized that his approval of the reduction signaled no lack of confidence in the space program. Nor did it indicate weakening a program for space exploration, he said.
>
> "Because the times have placed more urgent demands upon our resources, we must now moderate our efforts in certain space projects," the President said. "But our purpose still remains as constant as the heavens we seek to explore; to master the challenge of space."

We have made some hard choices.

We are pleased that the President supports our cut and agrees with the Committee on Appropriations—the President has commended the action of the committee in making these cuts, pointing out that conditions have changed since the budget was prepared last year.

We have distinguished between the necessary and the desirable.

Many of the space programs are desirable but can be deferred.

Let me say further, Mr. Chairman, that the delay in bringing this appropriation to the floor has also been due to the investigation of the causes of the tragic accident that took the lives of three of our astronauts in January.

Committees of both Houses of Congress have investigated the causes of this disaster—both have made recommendations—and NASA is proceeding to correct mistakes and to take steps to prevent a recurrence.

Let me assure you that all members of our subcommittee have given careful, thorough and extensive consideration to the future funding requirements of NASA.

We have all weighed these needs carefully, considered priorities, and taken into consideration our present budgetary situation—the cost of the Vietnam war and the needs of vital domestic programs. We have concluded that NASA programs must be funded, but at reduced levels.

GENERAL BUDGETARY SUMMARY

The President has recommended $5,100,000,000 for NASA and its programs of space exploration for 1968.

The conferees recommended a cut of $234 million below the budget estimate—and our committee is recommending a further cut and reduction. We are recommending a reduction of $516,600,000 below the budget estimate. A cut of more than one-half billion dollars.

This is $282 million below the conference action.

In an overall way the total space program for this Nation—NASA and Defense and other agencies—has totaled some $7 billion.

For the past several years funding for NASA has been held to a steady level of about $5 billion, but this annual level of spending has been cut and reduced and is still declining to provide a more orderly and more economical operation.

SUMMARY OF APPROPRIATIONS

Let me call your attention to the summary of appropriations on page 2 of the committee report. There are three primary areas of appropriations for NASA, as follows:

RESEARCH AND DEVELOPMENT—CONSTRUCTION FACILITIES AND ADMINISTRATION OPERATIONS

SUMMARY OF APPROPRIATIONS

Item	Budget estimates, 1968	Recommended in bill	Bill compared with budget estimates
For research and development	$4,352,000,000	$3,899,500,000	−$452,500,000
For construction of facilities	76,700,000	35,900,000	−40,800,000
For administrative operations	671,300,000	648,000,000	−23,300,000
Total	5,100,000,000	4,583,400,000	−516,600,000

The amount recommended will enable NASA to continue a viable space program—at this reduced level.

We have made some deep reductions. Make no mistake about that.

Some of the members of our committee and others feel we have gone too far.

Certainly, there would have been less reduction under less stringent fiscal conditions.

All programs are being funded at reduced levels.

The long-range programs after Apollo have been reduced or denied at this time.

NASA MAJOR ACHIEVEMENTS IN 10 YEARS

NASA has come a long way since created by Congress in 1958. In 10 years much has been accomplished.

As we all know, Congress has empowered NASA to construct advanced research and development relating to space and aeronautics in support of both civilian and military requirements—and research in the utilization of space for peaceful purposes.

This Nation has come from behind since sputnik was launched by the Soviets.

We have overcome many difficulties and many deficiencies—as NASA has moved this Nation forward in research and development, technology and space exploration.

We have completed the Mercury program.

We have completed the Gemini program.

And now we are well advanced into the Saturn-Apollo program.

Sixteen manned space flights have been made—all successful.

More than 200 unmanned flights have been made successfully.

We have achieved dramatic breakthroughs.

The fact that there has been only one tragedy—as tragic as it was—should not deter the United States from moving ahead in space and developing the technology that is as important as the conquest of space itself.

CONFIDENCE IN SPACE TEAM

As indicated in our report, the committee expressed great confidence in the ability, dedication and knowledge of Administrator James E. Webb and the space team—officials of the space agency and our astronauts.

The cuts and reductions, made by the committee, should in no way be interpreted as a lack of confidence in our space program—or in its leadership and personnel.

Following the regrettable tragedy, I wrote to nine selected astronauts and asked their individual opinions as to whether the space program should be cut and reduced or delayed.

Every response was favorable.

All responded that the space program should proceed with full budgeted appropriations.

Col. Gordon Cooper, Jr. said in his response:

> I feel that it is extremely important for us as a Nation to maintain our technological position and prestige in the world community.

If these men can lay their lives on the line—certainly we can support them. We have the world's greatest scientific team at NASA—we must not dismantle it.

BENEFITS: CONTRACTORS AND EMPLOYEES

This Nation receives great benefits from the investment in the space program.

We must remember that these funds are spent right here on earth—in every State in the Union.

These funds are not spent on the moon, as some allege.

These funds are not providing jobs for men on the moon—they are providing employment and jobs for our own earth people.

There are more than 320,000 people employed in the space program. While this is down 100,000 from the peak of 421,000, the more than 320,000 employees working in private industry, represent a significant part of the work force. Ninety-four percent of the research and development money is spent with industry.

Employment in the space program is expected to drop below 300,000 by the end of fiscal 1968. By reason of reduced budgets NASA contractors have been laying men off—at the rate of about 5,000 per month for the past 18 months. Despite the fact that the number of contractors continued to decline from a peak of about 36,000, this employment continues to have a substantial impact on the economy.

There are, of course, many benefits from the space program.

Much new knowledge has been developed—new skills, new approaches, new scientific leadership, new technology—which is all important to our defense and security.

So a viable space program will be continued.

RESEARCH AND DEVELOPMENT

Let me call your attention to the appropriations for research and development as broken down in the table—shown on page 4 of the report:

[In thousands of dollars]

Program	Budget estimate	Authorization	Recommended in the bill	Bill compared with budget estimates
1. Apollo	2,546,500	2,521,500	2,496,000	−50,500
2. Apollo applications	454,700	347,700	300,000	−154,700
3. Advanced missions	8,000	2,500	....	−8,000
4. Physics and astronomy	147,500	145,500	130,000	−17,500
5. Lunar and planetary exploration	142,000	131,900	125,000	−17,000
6. Voyager	71,500	42,000	....	−71,500
7. Bioscience	44,300	41,800	40,000	−4,300
8. Space applications	104,200	99,500	88,000	−16,200
9. Launch vehicle procurement	165,100	157,700	145,000	−20,100
10. Space vehicle systems	37,000	36,000	35,000	−2,000
11. Electronics systems	40,200	39,200	35,000	−5,200
12. Human factor systems	21,000	21,000	21,000	....
13. Basic research	23,500	21,465	20,000	−3,500
14. Space-power and electronic propulsion	45,000	44,000	44,000	−1,000
15. Nuclear rockets	74,000	73,000	46,500	−27,500
16. Chemical propulsion	38,000	41,000	35,000	−3,000
17. Aeronautics	66,800	66,800	65,000	−1,800
18. Tracking and data acquisition	297,700	290,000	260,000	−37,700
19. Sustaining university program	20,000	20,000	10,000	−10,000
20. Technology utilization	5,000	5,000	4,000	−1,000
Total, research and development	4,352,000	4,147,565	3,899,500	−452,500

We have made this breakdown to show the committee and NASA where we think these cuts can be made and should be made. Some will disagree as to which projects shall be reduced.

As will be noted in the report, all of these research and development items have been reduced.

Two new programs which were budgeted have been cut entirely: the advanced missions program and the Voyager program.

These are both planned and projected beyond the moon landings.

The 18 other items have been reduced.

Ongoing programs involving outstanding contracts are being continued at a reduced level.

Concerning launch vehicle procurement, NASA will continue to procure the Scout, Agena, Centaur, and other smaller space vehicles.

The committee was most impressed with the potential and possibilities of the nuclear propulsion program for long-time, long-range space flights—but we want to achieve other, more immediate objectives first.

NASA maintains a nationwide and worldwide tracking and communications system in which signals are constantly being recorded from satellites in orbit.

Our contracts with countries around the world must be maintained and continued.

With the big Saturn-Apollo missions projected for flight, these facilities will be utilized more extensively.

Operation and maintenance funds must be provided.

The committee recommends funding for the sustaining university program at a level of $10 million.

As many other NASA research programs involve contracts with universities and colleges throughout the country, it was felt that funding could be reduced for this purpose at this time.

CONSTRUCTION OF FACILITIES

Concerning the construction of facilities budget the committee recommends funding for no major new construction—only power stations, powerlines, some launch-pad work and maintenance.

There are no new laboratories.

There are no new major construction projects.

Two-thirds of the construction items recommended in the budget estimate were deleted. The construction funds were cut by two-thirds—$40 million.

ADMINISTRATIVE OPERATIONS

The authorizing committee took a close look at the administration of NASA—at its personnel policies.

There have been layoffs in recent months.

The authorizing committee made some reductions and our subcommittee made an independent study of administrative operations.

We arrived at about the same figures as the authorizing committee. We are recommending $648 million—about the same level as last year.

In summary, Mr. Chairman, we have cut and reduced the three major items in NASA's budget: research and development; construction of facilities, and administrative operations.

While recognizing the immense benefits accruing to the Nation from the space program, the committee is acutely aware of the many demands currently being placed on the financial resources of the country, including the Vietnam war—and we have thus deferred items that could be deferred at this time.

We have made some hard choices. We have tried to distinguish between what we think is necessary and that which is desirable.

As many of our countrymen are concerned about the rate of the Soviets' progress in space, let me discuss briefly the information provided our committee on Soviet space exploration.

In the first place, the Russians are a world technological power and they are exercising that power in the area of space exploration.

Testimony before our subcommittee indicated that the Russians last year launched 44 space flights—and that thus far this year they have completed 17 space missions.

Testimony indicated that some of these flights are for military purposes—some for scientific purposes—some for meteorological purposes—and some are for the further development of manned flight.

It cannot be denied Russia was first to orbit in space—and first to land an unmanned vehicle on the moon.

Testimony before our committee indicated that the Russian space effort is at a greater proportionate level than ours—comparing the space budget with the gross national product.

The Russians still exceed in the area of booster rockets and in heavy payload.

We have surpassed the Soviets in some areas of technology—but not in these important areas.

I want to emphasize that much of the military technology used in Department of Defense space programs comes from the NASA space program—in fact, testimony was to the effect that the DOD depends upon NASA to develop the basic technology which it then applies for military purposes.

We cannot afford to concede space dominance to the Soviets—for defense or any purpose—or in any area.

And let me assure you that if the Communists can compel and force us to abandon our space commitment by maintaining the pressure in Vietnam—then, to them their investment in Vietnam indeed has yielded rich dividends.

This technology holds the key to successful competition in many areas of the future.

This technology will be developed.

The question is:

Will we develop it—or will the Soviets?

Let us acknowledge the fact that the systems approach and the techniques developed in the space program have revolutionized many phases of industrial production.

This systems approach is being used to assist in the solution of problems in our cities large and small.

This concentration of resources and research is being applied to municipal problems of transportation, air and water pollution, housing, land use, and others.

And, of course, we have the great scientific advances brought on by the space program in the fields of meteorology, communications, health care, and education.

SUMMARY

Mr. Chairman, deep cuts have been made in this program.

But NASA can stand these cuts.

The technology is largely developed.

The spacecraft and boosters are on order.

The training is underway.

The flights are on target. The program will proceed.

The cuts we have made are in excesses—things that can be deferred or delayed—Voyager, advanced missions, university support program, and construction.

This program can be made more efficient by the experience of adjusting and streamlining NASA's operations in line with the committee's recommended funding.

A more streamlined NASA can be a more efficient NASA.

A recent editorial in the Washington Star called for cutting more than the $234 million made by the authorization committees.

The editorial called for a new look.

We have taken that new look.

And these recommendations are the result of our reexamination and review of NASA's needs and requirements.

This bill calls for a cut of $516,000—more than a half billion dollars.

This is a crucial, critical period.

We have reduced the budget as much as we feel is possible. There are those who want to cut further; there are others who want to restore some fundings.

I hope the Members will stand by the committee.

We believe the space program should go forward—and it will go forward under the funding recommended.

While the cuts are large, the amounts recommended—$4.583 billion—will certainly provide for a strong and viable space program.

The program will not be dismantled.

Our space team will not be disbanded.

We urge the Members to support the committee—and our recommendations.

In this program, second best is last.

We urge your support.

Mr. JONAS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, my distinguished friend from Tennessee has given a very thorough and detailed analysis of the bill before you. It will not be my purpose to talk about specific items, programs, or missions in order not to cover the same ground he covered and the ground that was covered so effectively in a lengthy debate a few weeks ago when we had the authorizing bill on the floor.

At the outset, however, I would like to say that we considered this bill and the budget request in the light of certain facts that we all ought to recognize. These facts involve the deplorable fiscal situation our country is in today. The President himself in a statement yesterday, which was quoted by the gentleman from Tennessee, stated that conditions have greatly changed since January when his budget was originally submitted. As a matter of fact, $50 million in the budget request was an afterthought on the part of the President himself. He did not even include it in the original budget, but it was sent up as an amendment to the original budget. This is the item that calls for the Nerva II and some construction to support it.

Conditions have changed in other respects since January. The war in Vietnam continues. We are spending about $2 billion a month on it. Unfortunately, there is no evidence or any prospect of its diminishing in scope in the foreseeable future. Other demands are being made upon the Congress for funds. The President is calling for more and more money for grant-in-aid programs to the cities. We are faced with demands from about 3 million civilian employees of the Federal Government for substantial pay increases. You and I know we cannot increase civilian pay unless we increase pay for the men in uniform.

We have a constantly increasing deficit in postal operations. The President is now calling for increased postal rates. We have increasing demands for more funds for health, education, welfare, for transportation, and for all of the myriad activities in which the Government is engaged. We are faced not only with an increase in postal rates, which is a charge on the business enterprises of the country as well as individuals, but we also face a 10-percent surtax charge on all corporate and individual incomes in order merely to reduce the deficit that is expected to approach $30 billion next year.

This is a deplorable situation when it follows a deficit of $9.9 billion last year. As a matter of fact, we have not had a balanced budget in this Government since 1960. The deficits in recent years seem to accumulate to even higher figures. So it was in the light of those facts and this situation that your Committee on Appropriations considered this NASA request for additional new obligational authority.

The very distinguished legislative Committee on Science and Astronautics has the respect of our committee. We recognize that the members of that committee spend long hours worrying over this budget and over the request for authorizations. We do not mean by our action today to undertake to put our judgment over theirs.

But it is proper to state, I think, that the members of that legislative committee, as knowledgeable as they are on this subject, as hard working as they have shown themselves to be, are primarily concerned with and have jurisdiction only over the legislation to authorize new missions and new programs on the part of NASA.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I am glad to yield to the distinguished chairman of the Subcommittee on Independent Offices.

Mr. EVINS of Tennessee. The gentleman from North Carolina is pointing out, and has pointed out, the fact that we as members of the Subcommittee on Independent Offices Appropriations do not pretend to be technical experts on these matters. However, if there is indicated the need for reprograming in the research and development portion of the budget, and if the experts in this field feel that they should transfer a certain amount of funds from one program into another research program, they have the flexibility to do that.

And, specifically, we have already authorized procedures which the gentleman from North Carolina has pointed out by which they could utilize these funds as needed.

Mr. JONAS. I am glad that the gentleman from Tennessee, the chairman of the subcommittee, mentioned that. It breaks my train of thought and I hope I can come back to it but I am glad he made the point.

His statement shows that we did not approach this task of reducing funds with a "meat ax," but identified areas where we thought cuts ought to be made. But, as the gentleman from Tennessee said, we do not pretend to be the experts. If the very able experts down at NASA headquarters feel that they would like to rearrange some of the many items as funded, the authority and opportunity exists for them to do it through reprograming procedures, if they stay within the limits of the funds provided for research and development. They can accomplish that purpose by coming up here and undertaking to obtain approval for such reprograming. We can say that and disclaim any purpose or intention of giving anyone downtown a blank check. I can say this because, if that action is taken, it will have to be taken within the limitation of the appropriation items for R. & D. and it will have to be within the limitation of the missions and projects set forth on page 4 of the report, all of which have been approved by the legislative committee of this body, by the legislative committee of the other body, and by Congress as a whole in adopting the conference report on the authorization bill.

So, Mr. Chairman, while we have made a substantial reduction below the amount authorized by Congress recently, exactly $282 million, we did not do this as the result of any lack of confidence in the legislative committee, or any lack of appreciation for the knowledge of the members of that committee on this subject. But we did it because we felt we were required to do it in the exercise of our responsibility to consider not only the appropriation for NASA, but the other appropriations with which to operate the Department of Defense, which protects the security of our country, and appropriations for housing, education, transportation, and all the other activities of the Government.

In other words, the Appropriations Committee has the responsibility of relating this appropriation bill to all of the other bills we have to consider during the year and of trying to keep total appropriations in a given year as close as possible to expected receipts.

The CHAIRMAN. The gentleman from North Carolina has consumed 10 minutes.

Mr. JONAS. Mr. Chairman, I yield myself 5 additional minutes.

There are a few things I would like to say which I believe will justify the action of the committee.

You will recall that, as the gentleman from Tennessee has already said, the amount appropriated for NASA last year was $4.968 billion. The budget request this year was for $5.1 billion, which includes the extra or supplemental request of $50 million for NERVA. The House authorized $4.927 billion. The Senate authorized $4.851 billion. The conference authorization was $4.865 billion.

Now, the bill before you today is for $4.583 billion. That is $282 million under the authorization, and it is $516 million below the budget. That is, as the gentleman from Tennessee has said, a substantial cut; it is 10 percent, one of the highest cuts made by any subcommittee on appropriations this year. But even though it is a 10-percent cut, even though it is a reduction of $516 million, it is nevertheless $4.5 billion plus—$4,583,000,000 to be exact.

It is the recommendation of your Committee on Appropriations that that is all of the new obligational authority we should allow NASA in view of our other worldwide commitments, and the need for increased spending at home and the possibility of a tax increase and the heavy deficit that lies ahead..

It is in view of those things that we are hopeful that the Committee today will accept the recommendations of the committee, and not make any effort to restore the cuts made by the Committee on Appropriations.

May I say that while I have great respect for the people who run this agency, they are not infallible. We found, for example, that in the Apollo program they are working a number of people, around 10,000, either 6 days a week or 7 days a week. That looks like a crash program to me, to be working Saturdays and Sundays, at great cost in overtime and premium pay.

Gen. Sam Phillips, who runs the Apollo program, responding to a question I asked, filed with the committee a few days before the hearings were printed a statement showing that in July of 1967 the amount of overtime, Saturday and Sunday work in the Apollo program alone, amounted to 9.9 percent of the entire work force, and that the extra cost in overtime and premium pay amounted to $7.3 million a month. It does not take much of a mathematician to figure out that if July is an average month, the taxpayers are paying out about $87 or $88 million a year in overtime.

I just do not know in view of the budgetary situation and our fiscal problems how anybody can justify spending $7½ million a month on overtime just to try to reach an objective that somebody made the mistake of announcing 6 or 8 years ago, that we were going to put a man on the moon in one decade. I do not believe it is worth that amount of extra money.

We have already shown the world that we can land a spacecraft on the moon. There are those who think it is justified for us to engage in this crash program and spend all of this unnecessary money. I do not believe it is. I, myself, would like to see the program reduced to what the Supreme Court would call "deliberate speed."

I would like to take advantage of the technology that we are developing and absorb all of the new knowledge that we are acquiring and not continue to operate a crash program just to fulfill some objective that was set several years ago and which I think was not well advised.

There are some other things about the operation of NASA that I think might be worth noting. For example, in the Apollo applications about which we heard a great deal in the debate when the authorizing legislation was on the floor of the House, there was quite an argument here as to whether the missions for the Apollo applications are really clearly defined. Well, we found out, when we went into the subject, that NASA is asking for $23 million in that program to pay universities around the country to identify new missions and new experiments that will later have to be considered by NASA and approved. I thought that we had the greatest experts in this field in existence at JPL, Ames, Lewis, Goddard, Langley, and other installations. It would seem to me that NASA, with all the talent it has, could identify its own experiments.

NASA plans an increase in personnel cost, that is in-house personnel, of $9.5 million for 1968 over 1967. That is an increase of 400 jobs; 300 of this increase is to go to Cambridge, Mass., to the electronics research center. NASA already has 700 people working there and they have not even built a building to house them. They are in rented space. NASA made the mistake of letting two contracts. They let a contract to build the foundation and then went out for bids to other contractors to build the superstructure to go on that foundation. Well, the foundations for the three buildings are practically completed. But the bids for the superstructure to rest on the foundation were about 30 percent above the estimates so they all had to be rejected. Now NASA is having to redesign the buildings to fit the foundation that is already in place. Yet, they want 300 more people to go up there in that kind of a situation.

They want another 100 people to go down to Langley on the Voyager program, which will be eliminated if our figures stand up. So I do not think they need money for additional in-house personnel.

We found another interesting thing. NASA spends $19 million a year on travel. I admit that theirs is a widespread operation. It is spread all over the United States, but $19 million a year for travel seems excessive to me. On this point I will take the time to remind the members of the Committee, as I have on other occasions, that the travel bill—that the Government's travel bill is budgeted for $1.9 billion in 1968.

It has gone up from $1.6 billion in 1966, to $1.7 billion in 1967, and to $1.9 billion in 1968.

I was glad that the gentleman from Tennessee read the statement issued by the President yesterday. I was sure in my own mind that if we did not make substantial cuts in this bill, he was going to freeze some of their funds just as he did last year. He froze $60 million of the money we appropriated for NASA last year, and they therefore did not obligate or spend it.

We ought to cooperate with the President. I appreciate his statement commending the House for these cuts. I am willing to continue to cooperate with him whenever he proposes cuts in non-essential spending. I do not know of any more important task facing Congress than to reduce substantially the requests for more spending authority as contained in the current budget we have been considering all year. I still hope we can reduce this budget by not less than $5 billion before the year is over. We are approaching that, but we still have a task ahead of us to meet the goal. I think the distinguished chairman of the House Committee on Appropriations intends to discuss that subject, and I shall listen to him with interest.

Mr. EVINS of Tennessee. Mr. Chairman, I yield 10 minutes to the distinguished chairman of the Committee on Appropriations, the gentleman from Texas [Mr. MAHON].

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

THE APPROPRIATIONS BUSINESS FOR 1968

Mr. MAHON. Mr. Chairman, as chairman of the Committee on Appropriations, I have felt it my duty to speak out frequently during the session in behalf of economy and restraint in fiscal matters. This has been fully warranted. I am confident a majority of the Members favor making reductions wherever reasonably possible.

A great force which, of course, motivates us is the possibility of having to vote a tax increase and the threat of the greatest deficit since World War II.

The President in his January budget held down his requests, in my judgment, far below what they would have been had no war been in progress. Nevertheless, what we have been trying to do is to make substantial reductions in the President's budget.

On yesterday, we got a special assist. The morning paper states that the President had endorsed the $517 million cut which will be achieved by the House in the event the NASA appropriation bill is passed today as now drawn. Of course, $234 million of the reduction was achieved in the authorization bill.

Including the pending bill, the House will have reduced the President's budget requests in appropriation bills at this session, in bills for fiscal year 1968, in the total sum of $3,816,000,000. This has not been achieved without a great deal of effort on the part of many Members of the House. We are having and will have a great deal of difficulty in conferences with the other body in holding appropriation bills to the House figure, but we are determined to do the best we can in view of the very critical fiscal situation confronting the country.

The President stated last week that he hoped to reduce his January expenditure budget for civilian programs for the current fiscal year by at least $2 billion. This would offset a $1.5 billion escalation, he advised, that has already taken place in certain noncontrollable civilian programs above the January budget.

To achieve a reduction in the spending or expenditure budget in the sum of $2 billion would probably require a reduction in appropriations and program levels of perhaps as much as $5 billion.

What the President is trying to do for the current fiscal year is to hold down the spending of some of the funds made available to him by Congress so we will not go into the red so deeply.

As we all know, the passing of an appropriation bill by the present Congress does not mean that all of the money will be spent during the current fiscal year. If we should appropriate $10 billion for submarines today above the budget, let us say, the chances are that not more than 5 percent of the money would be spent during the current fiscal year. Many of the funds which we are providing at this session are for long lead-time items and they will, by no means, be spent in toto during the current fiscal year. They will, of course, be spent in future years unless the funds are withheld from expenditure by the executive branch or rescinded by Congress.

Including the pending bill, on appropriation bills at this session for fiscal year 1968, we have cut the President's budget requests for appropriations as I have said, by about $3.8 billion. The best calculation of the Committee on Appropriations—and we have conferred with the Bureau of the Budget—is that our appropriation reductions if enacted into law would result in an expenditure reduction in fiscal 1968 of probably $1.4 billion. Of this amount, some $900 million would be assignable to civilian programs and the remainder would be in military programs.

Now, we should be abundantly clear about the $2 billion civilian expenditure reduction goal set by the President for fiscal 1968. It is not in addition to reductions that Congress makes. It is not on top of civilian expenditure reductions resulting from congressional actions on the 1968 budget. The $2 billion target includes the congressional reductions. In other words, the House to date, according to our calculations, as I just mentioned, has cut civilian expenditures for fiscal 1968 by some $900 million, or nearly one-half of the $2 billion. We will have significant opportunities to add to that, but we cannot overlook the fact that the other body has not yet agreed to the bulk of the reductions thus far made.

It is felt that the foregoing statement is appropriate upon this occasion when we are taking action on a bill which will reduce appropriations by one-half billion dollars and probably reduce expenditures by some $300 million during the current fiscal year.

THE SPACE PROGRAM

Now, Mr. Chairman, with respect to the pending bill, I am troubled by the magnitude of the reduction which we have made. The members of the Committee on Appropriations and the Members of the House do not want to injure the space effort. We believe the program has been very valuable and that additional benefits to the Nation will accrue. What we have done is to seek to make reductions in line with the requirements of the present disturbing fiscal situation. We have been encouraged that the President has reacted favorably to the efforts which we have made in connection with the pending bill.

But let me repeat, I am deeply concerned that in all our actions and efforts, sufficient flexibility be left to the executive branch which is responsible for flying the large boosters and carrying out the program to do the things that are required for success. We do not want to hamper the success of the space effort. Furthermore, if the House of Representatives makes a mistake in the reductions proposed today, further action will be required by the other body which will as a matter of course evaluate our actions and bring to bear the judgment as to what should be done about the space program. Final action will come after the Senate-House conferees have come to agreement.

We seek, in the light of the present fiscal situation which jeopardizes all citizens as the result of the threat of overspending and inflation, to take the wise course. And we are pleased that the President concurs that substantial reduction in the light of this fiscal situation can be made at this time in the NASA appropriation bill. As the President pointed out yesterday, the bill as drawn by the House, despite the one-half billion dollars cut, still carries the sum of $4.6 billion, a rather monumental sum for a civilian program in time of war and great fiscal stress.

The reductions proposed in the space program do not in any way represent any lack of confidence in Mr. Webb, the able administrator of the space program and in the agency which he heads. There have been mistakes made, which to some extent is understandable in a program of this magnitude and complexity, dealing with so many unknowns and new fields of technology. But in the overall, a good job has been done.

Mr. Webb has great capacity as an administrator and unbounded energy and determination to make the program a success. I would not want him, as I am sure the House of Representatives would not want him and the people in the space agency to feel that this reduction is a vote of no confidence. It is not. We have a great respect for and confidence in Mr. Webb and the space agency. We hope that by the judicious expenditure of these funds a successful program can be achieved—that the program for space may continue to be successful.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from North Carolina.

Mr. JONAS. I merely want to join the gentleman from Texas in his statement that this really is an able organization which Mr. Webb has put together. Mr. Webb himself is one of the ablest men I have run into in Government. Anyone would have to acknowledge that who sits there and listens to him testify hour after hour, almost without reference to notes, about all aspects of this complicated and complex program.

While we may not agree with all he says, we all have to admit he is right on top of his job. He knows what he is doing. He is a very strong advocate and has impressed our subcommittee, as has Dr. Seamans, his deputy, and all the others of the team of outstanding scientists he has around him.

Mr. MAHON. I thank the gentleman from North Carolina for his remarks.

The program has been well led. Great achievements have been made. In my opinion, great achievements are in prospect in future years.

I would say of the gentleman from North Carolina that he has been among those in the House who have been most vocal and active in seeking to reduce nondefense appropriations and nondefense spending. He is entitled to a great deal of credit for the size of the reduction which has been made in this space program.

The members of the Committee on Appropriations generally are unanimous on the pending matter. I hope that if efforts are made to increase the bill or to further reduce the program we may stand together in support of this compromise program, which suits no one precisely but which was the best we were able to achieve under the circumstances.

Mr. JONAS. Mr. Chairman, will the gentleman yield further?

Mr. MAHON. I yield to the gentleman.

Mr. JONAS. While reference was made to cuts in the program, I do not remember whether the gentleman from Tennessee [Mr. Evins] made the point or not, but if he did it is worth repeating. Congress has appropriated for NASA, since the beginning, about $27 billion. The cuts have amounted to only a little more than a billion dollars, or about 4.3 percent, as I recall. So we have not even made substantial cuts. We have not destroyed the NASA program, Mr. Webb admitted that in his testimony before the subcommittee.

Mr. MAHON. Of course, the moon shot program—the Apollo program—has not cost the amount the gentleman referred to, but the entire space program for which we have provided funds has, or will when available funds are expended.

The gentleman made reference to the chairman of the subcommittee [Mr. Evins]. The gentleman from Tennessee [Mr. Evins] has worked as an indefatigable exponent of a successful, well-run program. I commend him and the gentleman from North Carolina and the other members of the subcommittee for the work they have done in trying to assist the House in making determinations on this highly important and expensive program.

PRESIDENT'S STATEMENT ON COMMITTEE REDUCTION IN THE SPACE BUDGET

Mr. Chairman, I think it would be well to include the full text of the President's statement of yesterday to which we have referred:

Statement by the President on Signing S. 1296, the Fiscal Year 1968 NASA Authorization Bill

I have today signed a $4.86 billion authorization for the National Aeronautics and Space Administration for Fiscal 1968. This bill—S. 1296—reduces the January budget request by $234 million.

In addition, the House Appropriations Committee last week, operating within the reduced authorization, reported a NASA appropriations bill of $4.6 billion, a total reduction of $517 million below the January budget.

Under other circumstances I would have opposed such a cut. However, conditions have greatly changed since I submitted my January budget request.

I outlined the economic and fiscal realities now facing the Nation in my recent Tax message:

They deal with increased expenditures and reduced revenues.

They deal with a threatened deficit that could run as high as $29 billion.

And they deal with a 10 percent tax surcharge that the American taxpayer has been asked to bear.

The times demand responsibility from us all.

Every Federal dollar must be scrutinized by the Congress before it is appropriated and by the Executive Branch before it is spent. And in the process some hard choices must be made. The test is to distinguish between the necessary and the desirable.

To reach our expenditure reduction target will not be easy, for the January budget was lean. By working together with the Congress we will pursue that goal. To attain it, we need not—and dare not—eliminate the necessary. Our task is to pare the desirable.

The Administration and the Congress must face up to these choices in the space program. I recognize—as also must the Congress—that the reduction in funds recommended by the House Appropriations Committee will require the deferral and reduction of some desirable space projects. Yet, in the face of present circumstances, I join with the Congress and accept this reduction.

Let us be clear about one point. These reductions do not signal a lack of confidence in our space venture. Nor do they indicate that we have lessened our resolve to maintain a strong program of space exploration, science and technology. This was clearly the meaning of the House Appropriations Committee when in its Report, it stated:

"The Committee is impressed by the knowledge and dedication of the officials administering this program. The United States has made great strides in space exploration. We have come from behind in less than ten years and have overcome deficiencies in both military and non-military space programs. We have launched 16 manned flights, and all have been successful. NASA has launched more than 200 unmanned flights and achieved dramatic breakthroughs otherwise since Congress declared that we should undertake a broad and expensive space program. The fact that there has been one tragedy to date should not deter the United States from moving forward and making further advancements. Even with budgetary stringencies facing us, this Nation must move forward in space exploration."

I fully share in this determination.

Because the times have placed more urgent demands upon our resources, we must now moderate our efforts in certain space projects. But our purpose still remains as constant as the heavens we seek to explore: to master the challenge of space.

CONGRESSIONAL ACTIONS AFFECTING THE FISCAL 1968 BUDGET

Mr. Chairman, under leave granted, I am supplementing my earlier remarks by including some elaboration pertaining to the matter of congressional actions to date that affect the President's budget for the current fiscal 1968, which began nearly 2 months ago on July 1.

Of course, the business year of Congress is the whole session, which cuts across fiscal year lines. We have dealt with some fiscal 1967 supplements at this session, but the main fiscal business has been the fiscal 1968 budget.

I must say that there are some unavoidable complexities—both technical and nontechnical—that make for some difficulty in understanding just what Congress, as a whole, has done or is doing to the budget and just where we are fiscally at any given time. In attempting to promote understanding and a better perspective of the situation, the inherent complexities may result in more confusion. And in attempting to avoid this hazard, too much oversimplification may result in misleading.

For one thing, the budget totals, the deficit, the borrowing, and the taxes are set up in the budget on a cash basis—cash income and outgo. Congress, on the other hand, acts in terms of spending authority or authority to obligate for future spending. This authority to obligate and to spend which the Congress provides by its actions extends beyond the single budget fiscal year. Therefore, it is sometimes difficult to relate congressional actions, which are not technically on an expenditure basis, to the President's expenditure budget.

The expenditure budget total is the one that usually gets the most emphasis in the budget and other Presidential messages and the more widely used figure in the press and elsewhere. That is the one that totaled $135 billion in the January budget, and more recently revised upward by several billions. But while important, it is not the budget basis on which Congress acts in the various authorization and appropriation bills. Congress considers and acts not on estimates of amounts to be expended during the year, but rather on the budget requests for authorizations and appropriations for the fiscal year, which are basically on the concept of authority to obligate regardless of the particular fiscal year in which the authority is to be "expended" by the actual issuance of checks drawn against the Treasury.

It is the rough rule of thumb, based on experience, that for the whole Government, for any fiscal year, about 70 percent—more or less—of the appropriations made for the year will be actually disbursed—"expended"—in that same year—in other words, not only appropriated; not only obligated; but also actually checked out of the Treasury, all in that same year. More than 70 percent could and usually would be obligated in the first year, but the amount obligated over the 70 percent would not be paid out until later years. The 70- to 30-percent rule varies widely as between programs, depending on their nature, such as ordinary running expenses where the first year disbursements might be 90-percent-plus; or a long-lead-time major procurement or other program where the first year disbursement might be in the 10- to 25-percent range; or even an advance commitment program involving little or no first-year disbursement.

Another thing, legislative actions affecting the President's budget come at many times, in many ways, in several forms, and from a number of sources. Inactions, as well as actions, affect the situation. The exact scorecard on congressional action in relation to the budget is never at a standstill during the session; it is almost constantly in some state of change. Even budgetary and fiscal recommendations change quite frequently as the President submits modifications, both up and down, to meet changing requirements or as he translates lump-sum, one-line budget allowances into specific line-item requests for appropriations.

And, of course, Mr. Chairman, as the President's recent tax message so well articulated, the complexion of initial January budget projections not infrequently changes due to operation of forces altogether aside from specific congressional actions. Changing economic assumptions that underpin the budget can alter the budget revenue outlook. Market conditions heavily influence the fixed expenditures for interest as portions of the public debt are refinanced. Other mandated-type expenditures that occur under fixed legislative provisions—public assistance, veterans, price supports, and so on—change with changing workloads, weather conditions, and the like.

Now, as to actions thus far, some figures are firm and certain, others are necessarily tentative. Some are estimates that can and sometimes do change. Some are wholly unpredictable at this point.

Several bills have cleared both Houses, some only the House. A few have been enacted into law.

Several bills are still in committees of one House or the other. Some are pending in conference.

Several of the annual authorization bills have dragged badly, thus delaying some appropriation decisions.

Some of the President's budgetary proposals have not had committee hearings even though it is now late August. One or two, I am advised, have not even been introduced in bill form—and may never be.

What I am saying is that a great deal of our fiscal business is not yet finalized. We have much yet to do.

HOUSE ACTIONS ON SPENDING SIDE OF THE 1968 BUDGET

Mr. Chairman, as I pointed out in my earlier remarks, in the 12 appropriations bills for 1968 thus far acted on, including the NASA appropriation today, the House has reduced the President's budget requests for appropriations by the sum of $3,816,000,000. I have made a dozen or so status reports on actions taken in appropriation bills during the session. The up-to-date figure is a $3,816,000,000 cut in requests for appropriations in the 1968 bills.

I am referring only to original House actions, not later Senate actions or conference actions. I am referring only to fiscal 1968 bills, not the two supplemental bills earlier this session. And I am referring only to the bills out of the Committee on Appropriations. While the great bulk of the outgo side of the annual budget is handled in the appropriation bills, there are some portions—often important or key portions—of the budget that can be and are directly affected by what is done—or not done—by the legislative committees with respect to budgetary matters within their jurisdiction. And I am using the traditional, generally well-understood "appropriation" basis of counting—the one we have used over the years. The executive branch uses a so-called new obligational authority counting method, which is nearly always identical to the "appropriations" method but does differ in a handful of cases.

But, Mr. Chairman, as indicated earlier, it would be wholly inaccurate to assume that the $3,816,000,000 appropriation reduction thus far made by the House—or the related $3,464,000,000 "new obligation authority" reduction—would result in a $3.8 billion, or a $3.4 billion reduction in the President's fiscal 1968 expenditure budget. It would do nothing of the kind—nowhere near that much in fiscal 1968. But a dollar reduced is a dollar saved; a dollar not appropriated is a dollar that cannot be obligated and thus cannot be spent.

If $3.8 billion was to be obligated; or if $3.4 billion was to be obligated it was also to be spent. Thus its denial means it cannot be spent. In this context, it is somewhat immaterial whether it was to have been spent in fiscal 1968; in fiscal 1969; or in the year, or years, after. A fiscal year is but a brief, arbitrary period in the biggest continuing business on earth.

But the fiscal year is nonetheless a fiscal measurement period to which budgets and bills are tied, and it is essential to various purposes that the expenditure consequences of fiscal actions be related to these fiscal periods.

As to the effect of the $3.8 billion appropriation reductions by the House in 1968 bills on fiscal 1968 budgeted expenditure estimates, we have undertaken, with some assistance from the executive branch, to roughly approximate the impact of the $3.8 billion appropriation cut on the fiscal 1968 budget expenditure estimate. In round figures, the $3.8 billion cut in appropriation requests would probably result in a reduction of roughly $1.4 billion in fiscal 1968 budget expenditures.

Of this total, roughly $500 million—perhaps slightly more—would relate to defense expenditures, the remainder of some $900 million to civilian purposes. That would be in the 12 appropriation bills.

There are at this writing a couple of expenditure offsets in other legislative actions where, according to our information, the House went above the administration's budget recommendations. While these are instances where the actual appropriation has not yet been either requested or made, they involve mandated-type expenditures by granting a license to obligate and spend in anticipation of a supplemental appropriation:

[In millions of dollars]

	House increase over 1968 budget recommendation	
	New obligational authority	Expenditure
1. Veterans' pensions and benefits, S. 16, adopted by House in March 1967 (the Senate version was over by some $107,000,000)	+68	+68
2. Federal employees insurance liberalization (the final $48,000,000)	[1] +32	[1] +32
House total, these 2 bills	+100	+100

[1] Bill was subsequently vetoed.

So that, Mr. Chairman, at this time, in round figures, and to some extent being repetitious, I would say that the House has taken these actions with respect to the fiscal 1968 administrative budget:

First. It has reduced the budget appropriation requests by some $3,816,000,000, net;

Second. It has reduced the budget new obligational requests by some $3,364,000,000, net; and

Third. It has, by these actions, probably reduced the budget expenditure estimates by roughly $1,362,000,000.

Actually, Mr. Chairman, as a practical matter it has done more than that. At least, some first steps have been taken. For example, the House recently took a first step on the 1968 military construction program when it passed the authorization bill, cutting the request by $316 million. The consequent expenditure reduction figure for fiscal 1968 would be less, but we will not know until the actual appropriation is made.

PARTICIPATION SALES AUTHORIZATIONS

The matter of so-called participation sales authorizations under which certificates are sold against pools of Government-owned loans has been the subject of some controversy this year. They are treated in the 1968 budget as offsets to expenditures and thus are a factor in rendering a comparative account of what Congress has done to the budget.

In the House, $4.3 billion of such sales authorizations for 1968 have been considered; $1.946 billion were authorized. In the appropriation bill for the Department of Housing and Urban Development, the House, by floor amendment, struck $2.354 billion of such authorizations from the bill. This did not change actual Government outlays in prospect by a single dime, but because the proposed sales were counted in the overall budget totals as an offset to expenditures otherwise to be made, rather than as either a receipt or as a borrowing, the effect was to make it appear that the prospective budget deficit had thereby been widened—or deepened.

This is a technical budget presentation rather than a substantive expenditure question. It is complex and not too well understood generally. I have not taken it into account in the figures I gave, but technically, to make a precise comparison, it would have to be reckoned in the comparisons.

SPENDING ACTIONS YET TO BE PROCESSED

The House and the Congress have many opportunities yet remaining to try to improve on efforts to hold the line on the 1968 appropriation requests and expenditure estimates.

What has cleared? Only three appropriation bills for fiscal 1968 have been cleared by Congress—Treasury-Post Office, Interior, and legislative. They reduced the budget obligational authority requests by $145,000,000, and reduced the estimated 1968 budget expenditures by about $103,000,000. But according to our information, this spending reduction would be substantially offset by the veterans pension bill—S. 16—as finally cleared by Congress. We understand that the expenditure effect was $94,000,000 higher than the budget recommendation.

Some $9,000,000,000, plus, of additional appropriation requests are yet to be reported to the House, for military construction, foreign assistance, antipoverty, and various other programs. The House gets two bites at most all of this because the annual authorization routine applies. As I mentioned, it has already taken a first step toward reducing the military construction total. The foreign assistance authorization may possibly be materially reduced. The antipoverty authorization bill has not been reported from committee.

Among other pending fiscal 1968 budget propositions that will have an important bearing on the record of what the House, and finally the Congress, does to the President's 1968 budget are such matters as:

POSTAL RATE INCREASE

The budget figured $700,000,000 as the fiscal 1968 value of the postal rate increases asked by the administration. The proposed July 1 effective date is, of course, no longer realistic, thus at least threatening some loss of fiscal year 1968 revenue. Whatever the resulting loss, such event would increase 1968 budget expenditures by that much because postal revenues are classed in the budget as offsets to postal expenditures.

PAY INCREASES

The 1968 budget allowance for pay increase legislation is $1,000,000,000. If Congress legislates more generously than that, 1968 budget expenditures would be breached accordingly. This is an item to which the President's recent tax message referred.

REFINEMENT OF VETERANS' BENEFITS

There was a proposition in the 1968 budget designed to refine various veterans benefits provisions designed, as I understand, to retrench expenditures in fiscal 1968 by some $89 million. If the legislation is not enacted, it would, presumably, raise the 1968 expenditure $89,000,000 above what the budget included.

REVOLVING FUNDS—REA AND POWER MARKETING AGENCIES

If the earlier propositions—resubmitted in the 1968 budget—to put REA and the Interior power marketing agencies on revolving fund financing are not enacted—and there seems to be some basis for saying they may not—that would have the effect, according to my figures, of raising 1968 budget expenditures by some $340,000,000. Actual outlays for the programs are not affected. Again, this is a technical matter arising from the fact that the budget reflects such business-type funds on a net basis, and because of that, budget revenues would also be raised by the same $340,000,000, though the actual income would not differ.

BEAUTY-SAFETY TRUST FUND

There was a proposition of legislation in the budget to create, as a trust fund, a separate financing arrangement for the highway beautification and highway safety programs and to divert 2-percent excise tax on automobiles from the general budget to supply it. Failure of that legislation would raise 1968 budget expenditures—but not actual outlays—by some $195 million. But because the revenue diversion was priced at $400 million for 1968, the effect of not enacting the bill would be to actually narrow rather than widen the 1968 deficit in comparison to the budget.

There are pending in one place or another several other legislative propositions for which the 1968 budget carried some allowance, but in the aggregate they do not bulk large. I have, I believe, named the major pieces of business that have significant fiscal implications for the current 1968 budget.

CONFERENCES

The Senate has added materially to the appropriations in the Agriculture and Labor-HEW bills, both of which are in conference. It has many other important opportunities to exercise every restraint wherever it reasonably can. We hope it will do so. It ought to do so.

Mr. Chairman, there is no doubt in my mind that the House will make substantial reductions in the fiscal 1968 budget requests for appropriations. It will be well in excess of $4 billion, probably closer to $5 billion. It is also clear, of course, that the first-year—fiscal 1968—budget expenditure reduction effect flowing from the appropriation bill reductions, combined with the impact of fiscal actions in other bills, is going to be considerably less.

But as we assess the budget impact of all our fiscal actions in respect to fiscal year 1968, a key thing to remember is that we face a budget deficit unseen since the closing years of World War II.

Even though Congress by its actions, in the aggregate, stays within, or lessens, the 1968 new obligational authority requests and the 1968 expenditure estimates shown in the President's budget, we cannot afford to be satisfied with the record. For as the President advised in his recent tax message, "the estimate of non-defense spending for fiscal 1968 has already increased by $1.5 billion." That has happened without Congress turning a hand or casting a vote—and the fiscal year is only 7 weeks old! The $1.5 billion represents merely an updating of the natural sequence of events:

First, a $600 million increase in 1968 spending because of release late last fiscal year of funds previously frozen and withheld from expenditure as an anti-inflation measure.

Second, a $900 million unestimated growth in programs whose payments are fixed and ordained by basic law— public assistance and health; farm supports; medicare; and so forth.

This $1,500 million increase in nondefense spending estimates is in addition to the $4 billion additional for defense mentioned as a possibility in the President's tax message.

Already, as I pointed out, the House has taken actions that probably would contribute to fiscal 1968 expenditure reductions—below the January budget figures—of some $1.4 billion, of which perhaps $900 million would be in the nondefense area. As I mentioned earlier, that would be a part of the President's announced $2 billion civilian expenditure reduction goal. But it is a long way from the goal.

In my opinion, the people of the country generally are not convinced that Congress and the executive branch are doing all that can reasonably be done to reduce spending. The imperative need for fiscal restraint requires us to make every possible expenditure reduction short of jeopardizing the Nation's security and well being.

Mr. Chairman, I include two tables—one summarizing the totals of the appropriation bills, the other recapitulating, in summary form, an approximation of congressional actions on the budget to date, and noting some of the program proportions yet to be considered:

SUMMARIZED "SCOREBOARD" OF APPROXIMATE CONGRESSIONAL ACTIONS ON THE FISCAL 1968 BUDGET AS OF AUG. 22, 1967 [1]

	Appropriation reduction	Fiscal year 1968 new obligational authority reductions	Approximate impact on fiscal year 1968 budget expenditures
House actions (spending):			
1. In 11 appropriation bills	−$3,300,000,000	−$2,948,000,000	−$1,152,000,000
NASA appropriation	−516,000,000	−516,000,000	−310,000,000
12 appropriation bills (of $124,163,000,000 in requests)	−3,816,000,000	−3,464,000,000	−1,462,000,000
2. In legislative bills—			
a. Veterans benefits (S. 16, House version)		+68,000,000	+68,000,000
b. Employee insurance liberalization (later vetoed)		+32,000,000	+32,000,000
Total, spending actions	−3,816,000,000	−3,364,000,000	−1,362,000,000
Divided:			
Defense	−1,289,000,000	−1,289,000,000	−490,000,000
Civilian	−2,527,000,000	−2,075,000,000	−872,000,000
Final actions (spending):			
1. 3 appropriation bills (Treasury-Post Office; Interior; legislative agencies)	−145,000,000	−145,000,000	−103,000,000
2. Veterans' benefits (S. 16)		+94,000,000	+94,000,000
Total, final spending actions	−145,000,000	−51,000,000	−9,000,000
Final actions (revenue)[2]			

[1] Various pending items (spending and revenue):

	NOTES
1. $9,000,000,000 plus, appropriation requests pending in committee.	Military construction, foreign aid, poverty, etc.
2. $700,000,000, postage rate increase, effective July 1.	Probably some loss—slippage of time.
3. $1,000,000,000, pay raise allowance in budget.	Question of how the pay bills will compare.
4. $89,000,000 (reduction), refinement of veterans' benefits.	No bill introduced. Inaction would thus be equivalent to an expenditure increase above the budget.
5. $340,000,000, create REA and power marketing revolving funds (technical).	Inaction would inflate budget expenditure, and also budget receipts. No effect on deficit.
6. Beauty-safety trust fund item (technical).	Inaction would have about $195,000,000 net favorable effect on the administration budget deficit.
7. Revenue bill, 10 percent surcharge; extension of certain excise taxes; acceleration of certain tax collections.	A $7,400,000,000 package for fiscal 1968.

[2] Investment tax credit restoration bill as enacted resulted in some loss of revenue for fiscal 1968 as compared to budgetary recommendations.

COMPARATIVE SUMMARY OF APPROPRIATION BILL TOTALS, 90TH CONG., 1ST SESS., AS OF AUG. 22, 1967

[Does not include any "back-door" type appropriations, or permanent appropriations[1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills. All figures are rounded amounts]

	Bills for fiscal 1967	Bills for fiscal 1968	Bills for the session
A. House actions:			
1. Budget requests for "appropriations" considered	$14,411,000,000	[2][3] $124,163,000,000	$138,574,000,000
2. Amounts in 14 bills passed by House	14,238,000,000	[2][3] 120,347,000,000	134,585,000,000
3. Change from corresponding budget requests	−173,000,000	−3,816,000,000	−3,989,000,000
B. Senate actions:			
1. Budget requests for "appropriations" considered	14,533,000,000	[3] 27,795,000,000	42,328,000,000
2. Amounts in 7 bills passed by Senate	14,457,000,000	[3] 29,434,000,000	43,891,000,000
3. Change from corresponding budget requests	−76,000,000	+1,639,000,000	+1,563,000,000
4. Compared with House amounts in these 7 bills	+219,000,000	+2,434,000,000	+2,653,000,000
C. Final actions:			
1. Budget requests for "appropriations" considered	14,533,000,000	9,349,000,000	23,882,000,000
2. Amounts approved in 5 bills enacted	14,394,000,000	9,204,000,000	23,598,000,000
3. Comparison with corresponding budget requests	−139,000,000	−145,000,000	−284,000,000

[1] Permanent appropriations were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968.

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget, $980,000,000; House bill, $925,000,000) and for grants-in-aid for airports (budget, $75,000,000; House bill, $65,000,000).

[3] And participation sales authorizations as follows: Total authorizations requested in budget $4,300,000,000; total in House bills, $1,946,000,000; total in Senate bills, $700,000,000.

Mr. EVINS of Tennessee. Mr. Chairman, we have no further requests for time on this side.

Mr. JONAS. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, I thank the gentleman for yielding me time. I had intended, while the gentleman was in the well, to propound a question or two, which I shall appreciate his answering at this time.

First. Notwithstanding the assist the President has given the committee in supporting the reduction which has been made on an appropriation basis, considering all the previously appropriated and unobligated and unexpended funds, is it not quite conceivable that the spending rate could go on as is, that there would not really be any significant reduction in the expenditure level, notwithstanding the statements the President has made?

Mr. JONAS. I am glad the gentleman asked that question. I intended in my remarks to call attention to the fact that NASA is by no means impoverished, even with this half billion dollar cut.

NASA has in hand some $2 billion of unspent funds previously appropriated. It must be said that much of that money is obligated, because this is a program that requires long leadtime in the purchase of hardware and the manufacturing and fabrication of it.

Mr. MICHEL. That is understandable. Does the gentleman have any figures on unobligated funds?

Mr. JONAS. The latest figures we have are for July 1, 1967, when it was testified that NASA had $277 million of unobligated funds. While this sum was unobligated, a considerable part of it is committed or earmarked.

Mr. MICHEL. So certainly, supporting the chairman's statement that they are not being cut short here to any extent, while I am happy to see what the committee has done, still my own personal feeling is that more and deeper cuts could have been made. Maybe an additional 5 percent would be in order. My calculation is that comes to an additional saving of some $265 million. However, whether or not I will be recognized for that purpose is questionable, but I should like to offer that motion at the appropriate time and I thank the gentleman again for yielding.

Mr. JONAS. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Chairman, I would like to compliment the gentleman from Tennessee [Mr. EVINS], the chairman of the subcommittee, and also the ranking minority member of the subcommittee, the gentleman from North Carolina [Mr. JONAS] for the work they have done on the Independent Offices Subcommittee. Likewise my compliments and thanks to Messrs. BOLAND, SHIPLEY, GIAIMO, MARSH, and PRYOR on the majority side and on the minority, Messrs. MINSHALL, WYMAN, and TALCOTT for the reception which they gave me before the subcommittee when several of the members suggested I appear and give some recommendations on the NASA budget for fiscal year 1968.

At the authorization level in addition to the reductions made by the Committee on Science and Astronautics, I felt there should have been a $250 million cut. The House accepted $201.4 million of those cuts. The committee, on the Apollo program accepted, before bringing the bill to the floor, a $25 million cut. There is no doubt that the members of the Science and Astronautics Committee under the leadership of the gentleman from California, GEORGE MILLER, have worked hard on this program, both the majority and the minority, as well as the professional staff.

Congress must realize that the NASA budget is approximately $5 billion a year, which is a rate approximately one and a half times the total budget of the Federal Government in President Hoover's last year in office. By the time NASA lets contracts, and Congress establishes the management mechanism to monitor the contracts, and by the time scientists have developed and proposed new programs in every direction for space and science as well as aeronautics, one can see what a complicated kettle of worms the NASA authorization, appropriation, oversight, and direction can be. It is obvious that there can be many varieties of opinion as to the resource allocation, as to the policy emphasis at various levels, and as to the probable results to be achieved from specific scientific research and development endeavors. Every Member knows the purpose of research and development is to find out and try out, but nobody knows ahead of time what is going to be the result.

Mr. Chairman, I would like to give some comments on the committee action, with all due respect to the subcommittee and the Committee on Appropriations. Congress should strongly emphasize certain current programs and must defer other programs of lesser national importance.

In no case should Congress oppose any proposed research and development program that has a long leadtime.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I shall be glad to yield to the gentleman from North Carolina.

Mr. JONAS. There is so much in the hearings that I would be surprised if the gentleman from Pennsylvania has had an opportunity to read all of the testimony that was given before our Committee on Appropriations.

Mr. FULTON of Pennsylvania. I have gone into it rather thoroughly.

Mr. JONAS. Mr. Chairman, if the gentleman will yield further, I am sure the gentleman has read all of the testimony and has heard all of the testimony in hearings that was given before the Committee on Science and Astronautics. However, we could not get either Mr. Webb or Dr. Seamans, or any of the other witnesses to pinpoint any places where they could make cuts, because they argued against any cuts in the program. But they did say that if it came to a choice—Dr. Seamans, rather—that all of the new programs and the post-Apollo programs contained in this request which amount to $600 million, it was his opinion—and I believe I am fairly quoting him, as well as the testimony of Mr. Webb—if they had to take a half-billion-dollar cut they thought it ought to be in the programs that had not yet been started instead of reducing further the capabilities of the programs in which we are now engaged.

Mr. FULTON of Pennsylvania. I am glad to have the comments of the gentleman from North Carolina, because that is the direction, I believe, in which I am generally going.

Mr. Chairman, the Nation is now at the crossroads of its space effort. There should be serious thought given to the philosophy of what the Nation should be doing in its space program. A searching analysis of the current and past efforts necessarily leads one to conclude that the only realistic philosophy is—the opportunities for future progress must be kept open and not stifled by premature commitment to existing and obsolescent systems.

The space agency should not be permitted to commit this country far into the future on space boosters, spacecraft, and propulsion systems which will be obsolete within a relatively few years. Rather, the space program should concentrate on fulfilling its one approved commitment; namely, to land and return safely a manned flight to the moon. All other efforts should be devoted to improving all of our systems and technology so that the national space program can forge ahead using technology that is up to date.

Hence, the funding for the Apollo lunar landing program should be allowed to continue at the level approved in the authorization bill. No attempts to further reduce this level should be considered. The House Science and Astronautics Committee accepted my modest reduction of $25 million for the NASA budget request for Apollo. This figure represents the maximum amount of economy that could be applied to a highly complex and sophisticated program already suffering delays and higher costs due to general inflation and the tragic Apollo 204 accident. The accident alone has cost the Apollo program over 1 year in its schedule and many hundreds of dollars which must be absorbed within already restricted monetary limits.

The Apollo program was approved on a bipartisan basis and unanimously. It is the one program which the world has consistently looked to the United States to accomplish. Congress must not disappoint them. Congress must not jeopardize the success and, more importantly, the safety of America's astronauts through unreasonable reductions in funds for Apollo. The Congress has solidly supported the recommendation made by several members of the Science and Astronautics Committee, including the gentleman from Illinois [Mr. RUMSFELD] and myself, and contained in my motion to recommit, that NASA establish an independent Space Safety Panel. These safety procedures in NASA are designed to prevent a recurrence of the Apollo 204 disaster. Congress must not jeopardize such safety measures by further restrictions of Apollo funds.

In line with the national requirement to proceed at all reasonable speed and with the maximum of efficiency and safety with the Apollo program, it is also necessary that adequate funds be made available to the NASA tracking and data acquisition program. Proposed appropriation action would reduce the funds for this vital program down to a level of $260 million for fiscal year 1968. An additional $10 million is essential if this program is to fulfill its mission to support the Apollo program. Such an additional sum would only bring the total level to the fiscal year 1967 level, and would still require NASA to absorb increased costs due to escalation of prices as well as increased services in support of the Apollo mission.

There are numerous additional items of tracking and data acquisition equipment which will become operational for the first time in fiscal year 1968 and which have never been funded before. The minimum level recommended is required to support the six manned space flight network stations, five instrumented ships and Apollo tracking aircraft, all directly related to the Apollo program. All of these facilities will require contractor support personnel, checkout, tests, and simulation testing prior to commissioning.

These new tracking facilities will be needed regardless of how many manned space flights are effected in any particular year. Their proper functioning is an absolute necessity for insuring flight safety, mission success, and the well-being of our astronauts. This is small insurance for the successful accomplishment of this most important milestone in the national space program—the lunar landing.

Another important program complementing the national Apollo lunar landing mission is the NASA lunar and planetary exploration program. Not only will the results of these unmanned space flight missions to the moon, such as Surveyor and Lunar Orbiter, be beneficial to the manned lunar landing, but other program efforts are equally vital to the future manned space flight. The objective of the lunar and planetary exploration program is the scientific exploration of our solar system, using automated spacecraft and earth-based research before the Nation undertakes the ultimate step in committing our astronauts to such tasks. For this reason, it is essential that the lunar and planetary exploration program be maintained at the level approved in the authorization bill.

The past successes of the Ranger, Surveyor, and Lunar Orbiter flights have contributed materially to the planned landing of our astronauts on the moon. The Ranger project, now completed, yielded over 12,000 photographs which have provided a better understanding of the nature of the surface of the moon and hence have permitted space designers to inject safety considerations in their work on the lunar landing spacecraft.

The current series of lunar exploration missions involve a total of seven soft landings by the Surveyor spacecraft to conduct scientific measurements on the lunar surface and to provide detailed high and low resolution photography of the moon at surface level. The Lunar Orbiter program will eventually provide five orbiting spacecraft around the moon for the purpose of providing data on potential Apollo landing sites and to help the Nation's space planners to select those sites where the landing risk is at the absolute minimum. The first two Lunar Orbiters covered 30,000 square miles of the lunar surface, including wide angle photographic coverage of 22 potential Apollo landing sites, not to mention photography of 4 million square miles of the far side of the moon.

Both the tracking and data acquisition and the lunar and planetary exploration programs are important contributors to the national goal of landing men on the moon and returning them safely. They provide the necessary preliminary data and tracking support to insure the safety and success of the Apollo program.

While our national philosophy should be to support our commitment to the Apollo program and its supporting programs, it should not include the commitment at this time to large, follow-on programs involving the same technology and space equipment. The current NASA effort to mount a large Apollo applications program without definite mission planning for flights to take place 6 to 7 years from now and using hardware which was under development for the past 5 or 6 years, should be curtailed.

The opportunities for progress should not be closed by the NASA intention to award long leadtime contracts to purchase large quantities of equipment and hardware already developed or under development at this time. These items not only include the uprated Saturn I boosters but, contrary to the understanding of some, also the Saturn V boosters and the various spacecraft and hardware developed exclusively and specifically for the Apollo lunar landing mission. NASA should be prevented from procuring equipment far in advance to eliminate the possibility that American astronauts will be using spacecraft and booster vehicles that are almost certain to be obsolete.

If NASA is permitted to engage in large advanced purchasing beyond its currently approved needs, it will phase out the possibility of later including new developments, progress in research, and beneficial modifications and improvements. NASA would also be uselessly spending money for booster vehicles and spacecraft for which no known and approved missions exist.

On the question of scheduling for the Apollo applications program, which involves uprated Saturn I, Saturn V, spacecraft and other equipment, there is serious doubt that proper scheduling factors have been considered.

NASA presently intends to produce two Saturn V boosters per year for 1971 and 1972 and four Saturn V boosters per year for 1973 and 1974. Using cost estimates supplied by the space agency itself of a unit cost of $230 million per Saturn V booster at a rate of two per year, and a unit cost of $193 million per booster at a production rate of four per year, these 12 Saturn V boosters would cost the country a total of $2,464,000,000. However, if these 12 boosters were to be produced at a rate of six per year, they would cost $508 million less. It appears inconsistent to purchase these obsolescent boosters for delivery 6 to 7 years from now at the least economical production rate unless it is the intention of NASA to keep these production lines open at all cost. The mission of NASA is research and development, not production and fabrication.

In addition to these scheduling factors, there is the more important question of uprated Saturn I and Saturn V booster vehicles, with their associated spacecraft. They will become surplus to the Apollo lunar landing program and hence would be available at no cost to any missions, when they are approved, for the Apollo applications program.

Current estimates place the expected date for a successful lunar landing program at the launching of the seventh or ninth Saturn V booster. If such is the case, one can readily see that between six to eight of these enormously expensive liquid-fuel boosters will be available. In addition, the best information available indicates that at least four or more uprated Saturn I boosters available from the Apollo program in an excess status.

Yet, NASA persists in planning to purchase at least four more uprated Saturn I boosters and long leadtime items for an additional two Saturn V boosters. NASA witnesses testified that even with a reduction of over $107 million in the Apollo applications program, NASA would still use $57 million for the production of additional uprated Saturn I boosters and $20 million for the procurement of long-lead-time items for two additional Saturn V boosters.

There are no definite, approved missions under the Apollo applications program as yet. If the Congres approves the program as presented, even with the reduction already effected, the Nation will find itself committed many years in the future because of small, incrementally funded purchases by NASA during the coming fiscal year. It should also be noted that the Congress has authorized $6.2 million in fiscal year 1967 for advanced missions planning. This program supplies the planning for future missions, such as Apollo applications. Before NASA is permitted to make long advance purchases of equipment, which even NASA admits will be stored for later use, NASA should be required to carry out the necessary advance planning. NASA has yet to obligate or spend 1 penny of the $6.2 million authorized for the fiscal year just finished. Yet, NASA has testified in appropriations hearings that they intend to spend $23 million with universities for experiment definition when they have yet to spend 1 penny for the vital and necesary in-house planning for advanced missions.

By being permitted to commit the Nation far in advance with large purchases of equipment to be delivered 5 to 7 years from now, NASA will be procuring obsolete equipment which will not be capable of absorbing all of the new research developments and improvements which are certain to come forward during that period.

The supporting philosophy to the main philosophy expressed earlier is that systems should be put into competition with each other and that there should be no selected instruments or "sacred cows." Congress has consistently supported the development of alternate systems for chemical liquid fuels, such as solid propellants, nuclear upper stages, new forms of engines and other promising research areas. NASA must not be permitted to utilize for the next 10 to 20 years the same types of fuels, with only minor improvements, that were used in the 1930's by Goddard and Von Braun.

Much of NASA's activities, as can be seen readily from the proposed Apollo applications program to maintain production capabilities, have degenerated into manufacturing and fabrication. NASA must be required to develop new technology rather than to utilize old or existing technology. The national needs for new and more efficient fuels, solid propellant boosters, space storable fuels, nuclear and other advanced upper stages, reusable boosters and spacecraft, and other research developments will not be fulfilled unless and until NASA returns to a program emphasizing research rather than hardware fabrication under programs such as the Apollo applications programs.

The Nation should not, and must not be "frozen" into using obsolescent space equipment in the 1970 decade by advance, incrementally funded, purchases by NASA at this time of items now in existence for delivery 6 to 7 years from now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FULTON of Pennsylvania. May I have 5 minutes more?

Mr. JONAS. Mr. Chairman, I yield 5 additional minutes to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, in keeping with the previously stated philosophy that "opportunities for future progress must be kept open," there are several specific programs in fiscal year 1968 that deserve the full support of Congress. These include the NERVA Voyager, Sunblazer, solid propellant booster, and the sustaining university programs.

For future space exploration involving missions of extended duration some means of propulsion surpassing the present chemical means will be needed. Improved propulsion capability can be achieved by further refinement and development in the chemical propulsion field or further development in the nuclear rocket propulsion area or through a combination of both.

The nuclear rocket potentially provides a major increase in propulsion capability. It is the next major advancement in propulsion for which there is already established a sound technical base. It misleading to consider nuclear rockets solely in terms of specific missions anymore than we now consider chemical propulsion in terms of specific missions.

Although no specific mission has yet been assigned for the NERVA II engine, major potential missions for a nuclear engine of this nature are possible, such as: earth-orbital operations—maneuvering large spacecraft from orbit to orbit and return in the space about the earth; lunar logistics—increasing payload delivered to the moon; solar system exploration—unmanned space probes; and manned planetary exploration—fly-by and landing missions to Mars and Venus.

Extensive mission analysis has defined a single NERVA engine that could perform all of the major missions for which nuclear rockets would offer significant advantages over chemical rockets. The NERVA II engine will develop about 5,000 megawatts in power and provide a thrust of from 200,000 to 250,000 pounds. The proposed engine could be incorporated into a standard propulsion module, capable of being installed in a third stage to increase the utility of the Saturn V chemical booster rocket. This module could be used singly or it could be clustered to provide the thrust required.

The advantage of nuclear rockets comes from their high specific impulse. A 760-second specific impulse level has been demonstrated in the recently completed KIWI reactor series of tests. Design changes, already identified, can be effected that will permit this value to be increased to 800 seconds. Preliminary studies indicate that further laboratory research may lead the way to achieving specific impulses of up to 900 seconds in the not too distant future. These values compare favorably with specific impulse levels achievable from advanced chemical propulsion systems amounting to only 450 seconds.

These increases in specific impulse would result in an increased payload for the Saturn V booster of 90 percent, over any other upper stage available for flight to the lunar surface directly and over 100 percent advantage for planetary flights of longer duration. Therefore, with a NERVA upper stage, a mission can be accomplished with only half of the several hundred million dollar Saturn V boosters otherwise required.

From the end of 1963 to present, the goal of the nuclear rocket program has been the establishment of a strong technological base through analysis, research, component tests and systems testing which will permit the development of a nuclear rocket engine suited for a wide range of mission applications. It is now time to use the technology thus developed. Failure to support the President's proposed NERVA engine development program in fiscal year 1968 will result in at least partial disbanding of the unique Government-industry nuclear rocket capability which has been developed. Reconstitution of this team at a later date will add 4 years to the normal development cycle.

The proposal to eliminate the funds requested for research and development to support the NERVA program and the $16.5 million for Nerva testing facility construction is not considered in the best interests of advancing the state of the art in new propulsion technology.

The Voyager program should be strongly supported. It is the first major increment of which was included in the fiscal year 1968 NASA program.

The authorization act for fiscal year 1968 included $42 million for Voyager. The House has deleted appropriations for the project.

The Voyager program calls for launches in 1973 and 1975. Opportunities for launching spacecraft toward Mars occur on 25-month intervals. The fiscal year 1968 request is crucial to meeting the 1973 opportunity.

The President's Science Advisory Committee's report on "The Space Program in the Post-Apollo Period" unequivocally endorses and recommends that highest priority be assigned to planetary exploration, particularly Venus and Mars. The report also strongly recommends an expanded commitment to the Voyager program for fiscal year 1968. Now this is not NASA talking. The recommendations in this report are the product of inputs from 40 outstanding scientists throughout the country, the vast majority of whom are associated with major universities. The Congress should strongly endorse their recommendations.

The primary objective of the Voyager 1973 mission is to acquire fundamental scientific information concerning the planet Mars, particularly the physics and chemistry of the planet's body, surface, atmosphere and other environmental factors. It will result in the acquisition of vital scientific information concerning the origin and evolution of our solar system, the origin, evolution and nature of life and the application of this information to an understanding of terrestrial life.

The proposed Voyager system will be equipped with 12 separate scientific experiments in the orbiter and 10 experiments in the landing capsule. This means that a single flight to Mars will provide data from 22 experiments, as opposed to three on Surveyor, one on the Lunar Orbiter and six on the projected Mariner flight to Mars in 1969. This demonstrates a forthright step in advanced planning to increase spacecraft capability for planetary exploration.

The Russians have launched planetary spacecraft at every opportunity since 1960 and there is every evidence that they will continue with a vigorous planetary exploration program. Soviet spacecraft two or three times heavier than our Mariners have been launched both to Venus and Mars. Unless we, as a nation, are prepared to relinquish our preeminence in space, a more aggressive effort such as the Voyager program is essential.

The Sunblazer project, which involved a total of $6.4 million for fiscal year 1968, is a small investment for the dividends it will yield. This is basically a small sun-oriented spacecraft weighing from 15 to 60 pounds designed to measure the electron density and other features of the sun's corona. The use of both lightweight spacecraft and low-cost Scout launch vehicles makes it economically attractive to launch several spacecraft per year to more closely observe solar activity.

The Congress should support relatively low-cost projects such as Sunblazer in preference to the more complex and more costly projects in the physics and astronomy program, such as the orbiting astronomical observatory project.

The Congress authorized $3 million more than the amount requested by NASA for chemical propulsion programs with specific language in the bill limiting the use of this $3 million for the large solid motor development. The effect of the appropriation action will be to eliminate any hope for continuing the large solid motor and will cause a further reduction of $3 million in the planned NASA propulsion program. There are no other major developments in this program, but there are a number of technology items that are essential to the Nation's maintenance of its position in space research. The development of safe, inexpensive and completely storable solid boosters is essential to an efficient and economical alternative to the high-cost liquid-fuel boosters presently being used. This program would be another instance of "putting systems into competition with each other."

The fiscal year 1968 NASA Authorization Act includes $20 million for the sustaining university program, of which $7 million is for training grants, $10 million for research grants, and $3 million for facilities grants. The House action on appropriations for this program has reduced the amount to $10 million without specific reference to any particular element of the program.

In my opinion, Congress should support the full amount of the request for training grants amounting to $7 million. The purpose of the training grants program is to provide financial support for 3-year predoctoral programs for selected students at qualified universities offering Ph. D. degrees in space-related subjects, and thereby help to replenish the pool of highly trained manpower which is drawn upon by NASA projects. We in the Congress must bear in mind that in order for this Nation to maintain preeminence in space, we must have highly trained people to do it.

A total of 3,681 students are now engaged in the program. One hundred and fifty-two universities representing every State in the Union have received training grants. A total of 530 doctorates have been conferred as of April 1, 1967. Another 350 will enter the program in September 1968. Funding of $7 million in fiscal year 1968 is required to maintain this input.

The $10 million requested for research grants to universities should be sustained to support basic research in space and aeronautical related fields. This element of the program will develop expertise in the academic community so urgently needed to enhance the space effort.

The Congress should not allow the $3 million requested for facilities grants to universities in fiscal year 1968. This should not be construed as a lack of support for this element of the program since it is necessary to provide laboratories throughout the Nation for space-oriented research work. However, $7 million was authorized for these purposes in fiscal year 1967. None of these funds have been obligated to date. These funds should be spent before new money is appropriated for facilities grants.

Therefore the Congress should support the sustaining university program to the extent of $17 million in fiscal year 1968.

Mr. EVINS of Tennessee. Mr. Chairman, I yield to the distinguished gentleman from Texas [Mr. TEAGUE], who is chairman of the important Subcommittee on Manned Space Flight.

Mr. TEAGUE of Texas. Mr. Chairman, today this House will make decisions that will affect our capability to achieve and maintain preeminence in space for many years to come. I mean preeminence in terms of our national security, our technological vitality, and economic well-being. The budget of the National Aeronautics and Space Administration was appreciably cut before its submission to Congress; $100 million was cut from the Apollo program by the Bureau of the Budget. Another $100 million for the development of a space station was also eliminated from the budget; $172 million was taken from the Apollo applications program by the Bureau of the Budget. All of this money, Mr. Chairman, was cut from this budget before it reached Congress. The House and the Senate, in authorizing funds for NASA further reduced the amounts requested, and now in the appropriations bill before you an additional reduction of $452.5 million has been made from the NASA request. Over half a billion dollars has been cut from the NASA request in this appropriations bill in addition to the $372 million cut by the Bureau of the Budget before NASA's requirements reached the Congress. In effect, what has been done by the executive department and the Congress is to cut over three-quarters of a billion dollars from our national space program.

In view of this situation, it seems important to look back to our condition in 1958. When Sputnik I made its first flight, we were behind in the space race. We had made the mistake of being complacent—of believing that our technological capability was greater than that of any country on the face of the earth. I recall at that time Dr. John R. Dunning, dean of the School of Engineering and Applied Science, Columbia University, had told me almost a year before the flight of Sputnik I that we could orbit an artificial satellite within 60 days at any time we wanted to. We failed at that time to realize the implications of the space program and we did not want to orbit a satellite badly enough.

With these reductions in our spending on the national space program, are we making the same mistakes over again? It seems that we may well be making these same mistakes again—overlooking the fact that every dollar spent on the space program is being spent right here on earth, every dollar that we are spending is developing a technology useful not only to the development of new knowledge but also to the improvement of our capability for national defense. The NASA budget in total represents approximately 7 percent of our defense budget and about 3½ percent of our total national budget. Furthermore, NASA expenditures contribute only six-tenths of 1 percent to the gross national product. Even though these numbers are not large in the aggregate, they are an important factor in our economy. NASA employment has been a key factor in the economy because it employs highly skilled personnel. The number of these people in the space program is currently declining at a rate of about 5,000 people per month from a peak of 350,000 people. We are beginning to decimate a major skill capability that this Nation, for the long run, can ill afford to lose. I remind the Members again that we must not—we cannot, allow a repeat of the mistakes made in 1957–58 at the dawn of the space age.

The original Space Act of 1958 defined our objectives in space as the extension of human knowledge, the development of space capability and efficiency, the utilization of space, and set forth the goal of U.S. leadership. Since that time we have made major strides toward achieving those objectives in constant competition with the Soviet Union. We have made great progress and I caution my fellow Members not to let this progress slip through our fingers by faint support of the space program at this time. The space program has achieved its successes such as the outstanding Gemini program and had its problems such as the tragic accident when three great astronauts lost their lives. But through all of this, NASA has matured into an effective and capable agency. For example, even out of this tragic accident of last January positive benefits have resulted. Among these are—

First. Significant advance in combustion technology, which can be usefully applied to space projects and to other of man's activities.

Second. Added attention to spacecraft escape system designs rather than wait for more accidents to occur.

Third. Increased awareness of the hazards of ground tests, which will cause them to be treated with less complacence.

Fourth. Emphasis upon the dangers of general complacency in the space program which has stemmed from an amazing series of successes even though less than maximum attention was given to safety and reliability.

Fifth. Step-up quality control and inspection procedures.

Sixth. Indication of the need for a full-time, ever alert safety organization within NASA.

Seventh. Addition of a dimension of seriousness to the attitude of all concerned, including the contractors whose business reputations are at stake, the NASA managers whose leadership competence is put in jeopardy, and the astronauts whose lives are being risked.

Eighth. Improvement in the design and safety of the Apollo spacecraft, so that more reliable equipment will have a greater likelihood of success.

Ninth. Decrease in the chances of accidents in flight, in part because the fire on the pad permitted detailed analysis of the contributory factors.

Tenth. Revelation of the fact that a responsible Government agency can conduct a thoroughgoing investigation of its own and its contractors' performance, even to the point of self-embarrassment.

Eleventh. Demand that there be improved management controls through the subcontracting levels, and also that experiences and techniques be borrowed from previously successful programs.

Twelfth. Emphasize to the public the beneficial role of the Apollo program in furthering technology, education, exploration, international prestige, and the national security, while at the same time revealing the dangers of carelessness in such a complex and important assignment.

Mr. Chairman, these are indications of the growth and maturity of our national space program. To fail to support an adequate budget for NASA at this time would serve our country poorly. Statements have been made on the floor of this House that alteration of NASA's schedules would save money—that NASA is building up an inventory of surplus and obsolete boosters. I have answered these views on this floor and will not take your time to do so again. But I must point out that NASA has a well-scheduled and orderly program with detailed objectives defined for both Apollo and Apollo applications programs. These programs are deserving of our support so that the American taxpayer will receive maximum return on the investment which has been made in the program to date.

In the years to come the establishment of our preeminence in space will very likely be as significant as our preeminence on the high seas. Our greatness as a nation has grown, through history, with our prowess on the high seas, and I believe will continue to grow as we develop and establish our preeminence in space. This we must not fail to do.

Mr. EVINS of Tennessee. Mr. Chairman, I yield to the gentleman from Nevada [Mr. BARING].

Mr. BARING. Mr. Chairman, when it comes to cutting the outrageous spending by our Government, there is no doubt, I am sure, in the minds of my colleagues where I stand. But today I must vigorously protest the cutting of $27.5 million from the nuclear rocket vehicular application, better known as NERVA.

While I am fully aware that Congress is in an economy mood, the cutting of the $27.5 million from the NERVA project is in essence, cutting our nose off to spite our face.

The NERVA project serves a dual purpose. Our future in space and our future in military planning. The NERVA system is versatile. And may I point out that any delay in this program, brought about by the proposed $27.5 million cutback, will place us far behind the Russians in rocket development.

It is all well and good to say that this is an expensive project today, but what of the future. Dr. Mac C. Adams, Associate Administrator, Office of Advanced Research and Technology, stated August 15, 1967, before the subcommittee of the Committee on Appropriations, and I quote:

> If we do not initiate it (the program) this year then we will have to start to cut back substantially on that unique industrial capability that is in being. If later the program is started up again it will cost us time and dollars to retrain personnel. We will perhaps not get back the same people. We will have to get many new people. It will take time to retrain those people and dollars as well. If we do not start now, if we lose a year, it will cost us about two years in time and the cost in dollars also will be up substantially.

And may I add that Dr. Adams felt that the 2 years' loss in time is a conservative figure. And, Mr. Chairman, we cannot afford to give the Russians a 2-year lead.

This is no time for us to be cutting back while the Russians are moving ahead. We must think of the future. If we do not, we may not have any future.

I urge my colleagues to reconsider and put back the $27.5 million for the NERVA project and the necessary funds for construction of facilities pertaining to the NERVA rocket development program.

Mr. BROTZMAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BROTZMAN. Mr. Chairman, I fully realize the pressures on the Committee that brought this bill to the floor, yet I question the wisdom of completely eliminating Project Voyager. We are being penny wise but pound foolish.

We all remember the crash program that followed Sputnik.

This program was expedient but inefficient because of the time factor involved.

We are now in the race to place the first man on the moon and to bring him back.

In Project Voyager, we have the opportunity to proceed on the next phase of man's exploration of space—and the preservation of our competitive position with the Soviet Union.

I believe we should avoid the next gap—the interplanetary exploration gap; we should avoid the possibility of having to spend additional millions or billions of dollars to catch up.

At the very least, I believe we should keep the nucleus of our Voyager teams alive. These teams are truly a national resource both difficult and expensive to reassemble.

Mr. JONAS. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I have been around here a few months and I have learned to be thankful for small favors. In this case I want to thank the committee for lopping off the amount of money it did, but it should have been more.

Let us not be carried away by the fact that this is a $516 million reduction from the budget. It is a reduction, and an appreciated reduction, that the committee provided but it is $516 million off the asking price, and the asking price is always inflated, as everyone in this Chamber well knows.

I wish I could share the esteem in which some of the gentlemen of this committee hold Mr. James E. Webb, the Administrator of the National Aeronautics and Space Administration. Someone is responsible for the terrible tragedy that took place in the Apollo capsule at Cape Canaveral last January. Up to this time I know of no one on whom this responsibility has been placed.

I remember the newspaper stories of last January after that totally unnecessary tragedy occurred, costing the lives of three astronauts, when the same James E. Webb tried to place the blame upon Congress for failing to provide necessary funds. The gentleman from Tennessee [Mr. EVINS], in the hearings on this bill—which I want to say to the committee are excellent—asked Mr. Webb:

> Mr. EVINS. Can any blame for this tragedy be placed on this committee and on the Congress for lack of funds?

And Mr. Webb—and I believe the hearings were held in April—answered:

> Mr. WEBB. No, none.

An administrator of a program such as this, who in January would try to place any part of the responsibility on Congress, and then would come along in April and categorically say that no blame attaches to Congress, does not deserve to hold the job of administrator, and he ought to have been fired long ago.

I am sorry the committee investigating the Apollo fire did not summon a gentleman by the name of Shea to get his views on what happened with respect to this tragedy, which, I say, grows out of the crash program to put a man on the moon. I am sorry that the committee did not summon Mr. Shea to come in and give his views, because he said there had been all kinds of malfunctions and mistakes.

I remember, although I cannot quote him verbatim, that he said last December, a month before the tragedy occurred:

> I hope to God the failures and mistakes have been corrected.

There are reports—and I do not know whether there is the slightest truth to them—that Mr. Shea has been kicked out of NASA, and is living in virtual isolation in the Washington area. I am curious to know what has happened to Shea. Perhaps there is someone in this chamber who knows and can tell us what has happened to this man.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am delighted to yield to the gentleman from Texas if the gentleman can shed some light on that question.

Mr. TEAGUE of Texas. Dr. Joe Shea, a man for whom I have much admiration, was assigned to the Apollo project and was stationed in Houston, Tex. He was brought to Washington and he worked in Dr. Miller's office for many months. I talked to him many times when our hearings were going on. Subcommittee members talked to him. He has recently chosen to leave the Government service and go to Polaroid. That is where he is at the present time. But he was not living in an isolated place. He was working in the office of Dr. George Miller here in Washington.

Mr. GROSS. Mr. Chairman, I should like to ask the gentleman from Texas why we have never heard from Mr. Shea, since he was the manager of the Apollo project and in direct charge, although Webb, of course, was the top Administrator? Why have we never heard from Mr. Shea?

Mr. TEAGUE of Texas. Mr. Chairman, if the gentleman will yield further, I will say to the gentleman from Iowa that it was almost my responsibility to pick the witnesses who appeared before our committee, and I could have picked 100 people including Joe Shea, but when we took Dr. Webb, and Dr. Seamans, and Dr. Mueller and Dr. Gilruth, and Dr. von Braun, and Kurt Debus, there was just so far that we could go. When our subcommittee went to Florida, Mr. Joe Shea was on the plane with us, and the gentleman from Connecticut [Mr. DADDARIO] talked with him almost all the way down and back.

Mr. GROSS. Mr. Chairman, it seems to me the first man almost who should have been called was the man in charge at the time of the disaster, not only then but previously.

Mr. TEAGUE of Texas. What about Dr. George Lowe?

Mr. GROSS. Call them all.

Mr. TEAGUE of Texas. We could not go on forever. If we called the whole 200 people in the United States, we could not go on forever.

Mr. GROSS. But here was the man, Shea, who was the manager at the time and previous to the time of the tragic Apollo fire.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Chairman, the tragic accident has been investigated by the House, by the authorizing committee, by the Senate committees, by the Appropriations Committee, and by a special committee appointed by James Webb, and in this special committee there was some thought that since it was appointed by him, it would exonerate the space agency, but they took full blame and did not lay it at the door of Congress.

The matter has been investigated. It is a tragic thing. But it is back on schedule and back on time. We have a new manager of the Apollo program, General Phillips.

Mr. GROSS. The question remains, Who is the individual or individuals responsible for the long series of mistakes, failures, and malfunctions that Shea said had occurred and which culminated last January in the deaths of the three astronauts.

In considering this huge program, costing billions of dollars, we have every right to know.

Mr. BETTS. Mr. Chairman, in these days when our Nation is confronted by a $135 billion budget, an awesome deficit of $28 billion, and a persistent President who is demanding a sizable tax increase, we in Congress cannot continue to ignore the inefficiency and mismanagement prevalent in Government programs.

Today, we have been asked to appropriate in excess of $4.5 billion for the National Aeronautics and Space Administration. While this agency is responsible for a number of very worthwhile programs, I wish to call to the attention of my colleagues the agency's recurring uneconomic operations in one area, the acquisition and employment of automatic data processing equipment.

In 1963 the General Accounting Office advised NASA, and reported to Congress, that $1 million in rental overpayments had been made for data processing equipment. This overpayment resulted because operational use time had not been determined or consolidated in accordance with contract provisions. NASA responded by assuring the GAO that controls were being installed to provide for the accurate accumulation of operational use time so that rental charges would be computed correctly in the future.

In 1965 the GAO made three separate reports to Congress concerning NASA and its automated data processing operations specifying rentals were reported to be overpaid by the sum of $690,000. NASA obviously had not installed controls to assure the accurate computation of rental charges. The GAO in 1964 undertook a study of leasing versus purchasing selected components of the ADP system. Unnecessary cost and losses that would have been avoided if the equipment were purchased at time of installation totals $1,812,000.

NASA did not escape the critical eye of the GAO in 1966, either. They found that leased computers were "significantly underutilized and, as a result, had incurred relatively high computer costs." Thus, in 3 years when dollar estimates of uneconomic actions were supplied by the GAO, $3.5 million were wastefully expended by NASA in this one area alone.

Other uneconomic activity within NASA cost the taxpayers over $5.8 million in 1965 and 1966. These mistakes resulted from equipment procurement and continued leasing rather than purchasing of electric power facilities.

Mr. Chairman, not only does the wasting of millions of taxpayers' dollars disturb me, but the recurring nature of the problems attests to NASA's unwillingness to heed sound management practices. NASA established in 1958 has yet to develop or submit an accounting system that meets GAO standards and in other instances has failed to comply with the recommendations of the Comptroller General. I have introduced a bill, H.R. 9164, aimed at accelerating the speed with which the executive agencies develop sound accounting systems and reducing recurring waste such as I am now describing. This bill includes a timetable for compliance and provides that no agency should have authority to make expenditures if the agency fails to conform with GAO standards within a reasonable period of time.

Mr. Chairman, the executive departments and agencies are neglecting sound management practices. This must be combated if governmental waste and inefficiency are to be eliminated.

Mr. MONAGAN. Mr. Chairman, I am pleased to find this appropriations bill taking a course which is going to be increasingly necessary for us as time goes by.

This is a bill which reduced the recommendations of the executive branch by $516.6 million. Even more significant than this, the recommended appropriation is $384.6 million below the actual appropriation for 1967. Thus we are reducing the budget in this area by over a quarter of a billion dollars.

We have already made other reductions in the budget and I believe that we should continue to look for further opportunities to reduce our spending in nonessential fields.

PERMISSION FOR MEMBERS WHO HAVE SPOKEN IN DEBATE TO REVISE AND EXTEND REMARKS

Mr. JONAS. Mr. Chairman, I ask unanimous consent that all Members who have spoken today on the bill may revise and extend their remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. EVINS of Tennessee. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

RESEARCH AND DEVELOPMENT

For necessary expenses, not otherwise provided for, including research, development, operations, services, minor construction, supplies, materials, equipment; maintenance, repair, and alteration of real and personal property; and purchase, hire, maintenance, and operation of other than administrative aircraft necessary for the conduct and support of aeronautical and space research and development activities of the National Aeronautics and Space Administration, $3,899,500,000, to remain available until expended.

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, may I supplement what the gentleman from Texas has said about Joe Shea before we leave the subject? We must remember that at Cape Kennedy Dr. Debus was in charge of the operations there while Joe Shea was stationed at Houston. He was not in direct charge of the operations. Later, he was in Washington with Dr. George Mueller, who is in charge of the all manned space flight matters. We did visit Cape Kennedy and brought in the various operational personnel and, as a matter of fact, we cross-examined many of them and made a good record. I would recommend to the gentleman from Iowa that it would be wise to look into that.

Various witnesses were requested. I must say about the gentleman from Texas [Mr. TEAGUE] that he had every witness that we on the minority side asked for. In several instances where it was thought there would be duplication, he wisely ruled against such duplication. On the actual managerial and performance portions of the investigation, the subcommittee, as well as the full Committee on Science and Astronautics, went to great lengths both in Washington and at Cape Kennedy. Likewise, we went to the Manned Space Flight Center at Houston and observed research experiments regarding safety of materials. Likewise, to examine other experiments for future manned space flight use, some of us on the committee went to Phoenix and to Tucson, Ariz., and to Denver, Colo., for further study.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I am glad to yield to the chairman of my committee.

Mr. MILLER of California. I should like to recall to the gentleman's memory that perhaps one of the most pertinent witnesses before this committee was Col. Frank Borman, one of the astronauts, a man who was asked if he would have gotten into the capsule that morning and said willingly he would have gotten into it.

I recall to the gentleman's memory again that Astronaut Stafford at the very time this experiment was taking place was in a similar capsule in California under 19 pounds per square inch pressure of pure oxygen.

I do not think one can pinpoint this to anyone or anything. It was just one of those things that happens in the development of the state of a new art.

I wanted the gentleman to remember those things.

Mr. FULTON of Pennsylvania. My point to the chairman of the Committee on Science and Astronautics as well as to the gentleman from Texas [Mr. TEAGUE], the head of the Manned Space Flight Subcommittee, that I believe the investigation was well run and that enough witnesses were called.

My point was not in justifying the Apollo 204 accident, because my comment had been, for a mere test, I could see no difference between the pure oxygen atmosphere and a sea level air atmosphere in handling the largely mechanical tests.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from Iowa.

Mr. GROSS. Was Shea driven from the service; and, if so, by whom and for what reason?

Mr. FULTON of Pennsylvania. I believe there are other factors of a personal nature with regard to Mr. Shea which I do not consider should be commented on. I think the gentleman had better get that from him and not at this juncture.

Each individual has his own career. Of course, this was a terrible tragedy for anybody to undergo, as it was for many of us, because we lost highly competent astronauts we had grown attached to and with whom we had worked over the years.

Mr. GROSS. Let me ask the gentleman another question. Is it not true that Astronaut Grissom was on the simulator at Cape Canaveral? If so, did the committee go into that?

Mr. FULTON of Pennsylvania. Yes, I brought that up in the hearings. It was not on the capsule as such.

Mr. GROSS. A training simulator.

Mr. FULTON of Pennsylvania. It was a training simulator, not a part of the particular capsule in which the Apollo 204 accident occurred in.

NASA did have communications difficulties; there is no doubt about that. They were continuing even at the time of the accident.

My complaints centered strongly on the failure of NASA to take care of the ordinary needs at this particular time. I complained likewise about the facts that the oxygen could not be cut off, and that it was manually controlled.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CONTE. Mr. Chairman, I move to strike the requisite number of words.

I should like to direct a question to one of the members of the committee as to whether this cut here today will have any effect on the Sunblazer project.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Massachusetts.

Mr. BOLAND. I know of the gentleman's great interest in this project. I know he has been persuasive about it ever since this committee started to consider the budget for NASA. He has been in touch with me frequently on it.

Yes, the cut in this budget will knock out the Sunblazer project. It will defer it, at least, until a better budgetary period.

As I understand it, NASA requested $2 million for research and development, and $2.88 million for construction of facilities. When the authorization committee came back from conference, the $2.88 million was left in, but the $2 million for research and development was stricken. The Senate insisted on this.

Also, the authorization provided that the Director of the space program, if he could find the money by transfer to go ahead with the project. The cut that has been made by the authorization committee in research and development. It was the considered judgment of the members of the subcommittee that there was no sense in leaving the $2.88 million for construction. The committee felt, with the $2.88 million in for construction and the $2 million knocked out for research and development, that the whole project should be deferred.

Mr. CONTE. Therefore, it was the thinking of the subcommittee, in view of the fact that there was no money for research and development, that therefore you should not provide money in this budget for construction. Is that right?

Mr. BOLAND. That was the precise reasoning of the subcommittee.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I am glad to yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Speaking further on this point, $1.5 million is for the launch vehicle, and $2 million for the spacecraft. One can see, if NASA is going to have an actual launching, Congress should be asked for the construction of facilities funds far ahead of the actual launch. The construction of facilities is the item that has the longest leadtime and paces any program. I served on the committee that agreed between the Senate and the House in conference. The House conferees wanted to leave the whole $6.4 million in, because Sunblazer was considered a fine program. Instead of killing the project the conferees agreed to authorize the construction as the pacing item in this solar research effort. Sunblazer studies the sun's corona, analyzing radiation emissions which affect our communications, radio and television on earth. It is designed to learn much more about the sun solar energy and the myriad effects they have on earth. Sunblazer is very practical in relation to the studies of energy particles constantly bombarding the earth and the current research on solar energy.

Mr. CONTE. May I interrupt the gentleman? I think we both agree on the project and I strongly favor it, but if I correctly remember it, the authorizing committee, when they met in conference, came out with a report that if NASA could find the money, then they should go ahead with the project. As I understand it from the gentleman from Massachusetts [Mr. Boland], my colleague on the Committee on Appropriations, NASA could not find the money for research and development and therefore, the money is not in this budget for construction.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. BOLAND. Again I understand that was the reason why the subcommittee, with some justification, did that. I may say also this subcommittee did look very carefully at brand new starts. This is a completely new project, as the gentleman from Pennsylvania has so well stated. It is a project we will get into in the future, and when the budget situation is a little bit better, I know we will, because it is worthwhile and is one that will be necessary in the future.

Mr. CONTE. I certainly appreciate those comments from my colleague from Massachusetts. I hope when the subcommittee meets again next year they will give this item top priority. I know that the gentleman from Massachusetts will be in there fighting for it.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Ryan: On page 2, lines 11 and 12, strike "$3,899,500,000" and insert in lieu thereof "$3,799,500,000".

Mr. RYAN. Mr. Chairman, in the first instance, I should like to commend the committee for its report and particularly for the fact that it has specified on page 4 line items with respect to research and development. It may well be the first time this has been done on the NASA budget. It is important so that NASA itself will understand the intent of the committee and of the Congress and can plan for the future.

I am gratified that the committee has seen fit to adopt the substance of my amendment, offered to the authorization bill, which was designed to reduce the funds for the NERVA program under the line item of "Nuclear rockets" to NASA's original fiscal year 1968 budget request—prior to the amended budget request in which NASA later attempted to include funds for the initiation of a new stage of the NERVA program.

This new departure would have gone beyond the originally intended phasing down of technology studies nearing completion and committed us, through extensive hardware development, to a vast and costly development in the field of nuclear propulsion—the justification for which is a potential manned Mars mission which has neither been agreed to as an objective of the space program nor would necessarily receive public support at this time since it would involve an expenditure of at least $200 billion in the next 18 years. In addition to the lack of requirement for the costly Nerva engine which is proposed for use in the third stage, according to my technical advisers, this nuclear engine has not been fully justified on a technical basis even should a manned Mars mission be contemplated. I think it is clear that the committee on appropriations has intended, by limiting NASA to its original request of $46.5 million, that initiation of this Nerva flight hardware development designed for a manned Mars mission should be deferred pending serious consideration by the Congress of this costly mission and its hoped-for benefits. I trust that NASA will feel bound by this decision of the committee.

The amendment which I have offered today would reduce the amount of funds for research and development by $100 million, from $3,899,500,000 to $3,799,500,000. The purpose of this is to bring under control the program which was discussed earlier by the gentleman from Pennsylvania [Mr. Fulton] the Apollo applications program. He pointed out that that program has gone from $80 million in fiscal year 1967 to $300 million in the proposed appropriation for fiscal year 1968. I believe very strongly that we can with great justification reduce this by $100 million. My amendment will in no way impede the progress of NASA's operations. If NASA should disagree, it will certainly have the opportunity to present to the Committee on Appropriations a request for a supplemental appropriation. At that time I would hope it would do so with more explicit justification and with a clearer definition of the Apollo applications program than it has done up to now.

There are several reasons why I urge support for this amendment.

In the first place, the Apollo program itself has been delayed by more than 1 year as a result of the fire in spacecraft 012.

Mr. Chairman, the Apollo applications program is intended to be a follow-on program which will find means to make continued use of Apollo hardware.

The delay in the Apollo project certainly will result in a delay of the follow-on activities. So whatever urgency NASA suggested when the budget was originally submitted for Apollo applications has been vitiated by the fire.

Second, it has not been made clear what missions are contemplated for the Apollo applications program. We are being asked to appropriate $300 million for programs which have not been explicitly defined. I think this is important to bear in mind. In fact, the committee hearings point out that some $23 million in this program would be used for the definition of "experiments."

As I indicated in my additional views to the House Science and Astronautics Committee Report on Authorizing Appropriations to NASA:

> This project, which according to conservative estimates will cost the Nation at least $5 billion in the next 5 years, is justified on the basis of being simply a full investigation of man's role in the effective exploitation of the environment of space (NASA fiscal year 1968 budget estimate, vol. V, p. RD-2). In other words, the committee is recommending an experiment to determine not *whether*, but *how* we should thereafter proceed to spend, say, $200 billion for space missions which have not yet been determined to be in the national interest.

Third, there are two types of data to be collected by the Apollo applications. One type is scientific data to be collected by instruments. This data could be much less expensively collected through unmanned satellites. The other objective is to determine man's ability to survive and to work in space for long-duration missions. Here we have at least an apparent duplication which has never been sufficiently investigated by Congress, because the Department of Defense, through its Manned Orbiting Laboratory program, is conducting this same type of investigation.

As I pointed out in my additional views:

> We have no clear idea the extent to which the Defense Department and NASA may be duplicating each other's efforts and "reinventing the wheel" at vast, unnecessary public expense.

This is certainly an area to which Congress should address itself in its efforts to reduce unnecessary costs. Deferring funds to permit Congress to give greater scrutiny to this program would in no way limit its potential benefits. Simply finding means to continue to procure Apollo hardware is not a sufficient justification for appropriating $300 million during this fiscal year.

Fourth, we have the study which has been performed by the gentleman from Pennsylvania [Mr. Fulton], which he described earlier, regarding the Saturn V boosters which have been procured in excess of presently contemplated mission requirements. NASA has on order 15.

It is intended that the manned landing on the moon will use either booster No. 7, 8, or 9. There will be at least six surplus Saturn V boosters. NASA in the meantime has ordered two additional boosters for which no justification is given. There are also 12 uprated Saturn I boosters in the current Apollo program, of which at least four will be surplus.

NASA is intending to order seven more of these boosters without any reason which we can yet determine. The effect of this hardware procurement would be to simply force us to find ways to justify these expenses by giving our approval later to any variety of missions that NASA may suggest.

It has been pointed out here today that NASA is "not impoverished"—having at present a bank balance of some $2 billion—at least an eighth of which is totally unobligated. It would be well to remember, also, that NASA has recently rescinded some $326 million of unused authorization under section 307 of the National Aeronautics and Space Act of 1958, which requires that unused authorizations be rescinded 3 years after enactment. This is a total only up to fiscal year 1964, and further unused authorization remains on the books.

It would be entirely appropriate to reduce the funds for Apollo applications by an additional $100 million. NASA can always submit a supplemental request including the following submission which we do not now receive from NASA and which is the sort of information we should specifically require from NASA in future years in relation to all important programs.

(a) A 5-year cost, launch schedule and mission projection for the program based on several assumptions concerning Apollo success.

(b) An assessment of costs and data deficiencies for an alternative program based on MOL and unmanned flights with, first, no postlunar Apollo vehicle procurement and, second, a minimal post-Apollo vehicle-only procurement for storage against future contingencies.

This would give the Congress a chance to participate in the charting of a clear, rational, and efficient course for space exploration.

Mr. EVINS of Tennessee. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the President has already reduced this budget for research and development and the authorizing committee after careful consideration and thorough study, reduced it by $204,435,000 more. The Appropriations Committee has further cut the item to the extent of $248 million. This represents a total cut of $452.5 million below the budget request. Mr. Chairman, this is as great a cut as this item can safely stand.

Research and development is the very heart of our space program. This would be a meat-ax cut of $100 million with no one knowing where it would have its effect. I believe we have gone far enough, and I hope the Committee will vote down the amendment.

Mr. REID of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment of the gentleman from New York. I believe that it is very clear that we have to cut some areas of nonessential spending. Public works, farm subsidies, and a stretching out of the space program seem to me to be areas this body could well consider cutting.

Certainly the post-Apollo applications program is a prime area where cuts could be made without any significant concern to the future of our space program.

Mr. Chairman, I believe that the cut of some $100 million that Mr. Ryan has suggested is an appropriate cut, particularly in light of the fact that this program has gone from $80 million to $300 million although the post-Apollo missions have yet to be fully defined.

Mr. Chairman, I urge support for this cut in nonessential spending.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is just possible that I may never again have the opportunity to support an amendment offered by the gentleman from New York, Mr. Ryan. Because this one involves a substantial cut in this legislation, I hasten to seize the opportunity.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from New York.

Mr. RYAN. Mr. Chairman, the gentleman from New York is overwhelmed by the statement of the gentleman from Iowa, and I certainly hope he will also support other proposals and amendments that I may offer in the future, particularly those which reach the heart of the problems of our cities.

Mr. GROSS. I am glad to catch the gentleman in an economy move here today, and I want to support him.

Mr. RYAN. I thank the gentleman.

Mr. GROSS. Mr. Chairman, I wonder if in cutting this bill it will have any effect on curbing Mr. Webb in dishing out research money for such things as a book on "Social Indicators." I would hope the gentleman's amendment would serve to put the brakes on Mr. Webb on the uses to which he has put some of the so-called research money.

I do not know whether research money goes into the building of wind tunnels, but out of 250 wind tunnels that the Federal Government owns and maintains here, there, and everywhere around this country, NASA has 64 of them, hypersonic, supersonic, transsonic, and subsonic.

At any rate, if the amendment offered by the gentleman from New York, to cut $100 million out of this bill, will serve in any way to put a brake on NASA and some of James Webb's expenditures, then I am all for it.

I would like to ask the chairman of the committee a question, and that is why there is 5 percent transferability of funds provided for in this bill? Why should 5 percent of $4 billion be permitted to be transferred to any and every place in this operation?

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. I want to say to my friend that a transferability of 5 percent among the three NASA appropriations—research and development, construction of facilities, and administrative operations has been carried in this bill for a number of years. The Congress has allowed them this limited flexibility.

Mr. GROSS. Does not the gentleman believe 5 percent is a pretty big transfer allowance, based upon the total amount?

Mr. EVINS of Tennessee. Some Members felt there should be a larger amount so if they find that a certain research program has great potential they then would be permitted to transfer a limited additional amount for this purpose. It was the feeling of the committee that if they should need to transfer additional funds beyond this authority, that they should be required to come back to the Congress.

Mr. GROSS. Does the gentleman not feel that this transferability in this amount is giving away too much control over the purposes for which the money has been designated for spending by the Committee on Appropriations?

Mr. EVINS of Tennessee. In reply to my colleague, I would say that we are not the technical experts. We are authorizing the amount of the appropriation, but as for the technical aspects, we have considered that there may be the possibility that a transfer of some of these funds may be needed. This limited transferability to the extent of 5 percent between the three appropriations for NASA has been the practice we have followed in the past. I believe we should continue this practice in the bill again this year, particularly in view of the reductions we have made.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. REID of New York. In regard to the point the gentleman is making, I am informed that no missions have been scheduled or defined in the Apollo applications program.

I think there is a clear case here for a cut in nonessential spending.

I might add that part of the appropriations, according to page 55 of the hearings, is $57 million for production of updated Saturn follow-on boosters that will not be required until 1973 and 1974. In addition, the budget for the Apollo applications program includes the following other items, most of which indicate the limited definition of the program to date: $23 million to universities for definition of experiments; $80 million for spacecraft modifications; $69 million for an orbital workshop; $55 million for a manned telescope; $20 million for long-lead-time items for Saturn V; and $35 million for support. Certainly, this is an area in which we could reduce expenditures at this time.

Mr. HALL. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, obviously the "party" is split. But I stand as a member of the special investigating subcommittee on the death of those unfortunate military personnel engaged in the space disasters, and as appointed by the Committee on Armed Services. Also, Mr. Chairman, I speak as a 7-year member of the Subcommittee for Research and Development of the Committee on Armed Services.

Mr. Chairman, there are many fallouts of this program in the form of research and development such as weather, navigation, geodesy, mapping, and other areas wherein we might be cutting off our nose to spite our face, should this amendment pass.

If I read the report correctly, we have already reduced the research and development portion of this appropriation bill by almost a half billion dollars, or specifically by $452,500,000.

Now I realize that most bills can be reduced further. I step down to no Member as a watchdog of the U.S. Treasury. But, I think the entire point of this program has been befuddled by the different Saturn programs that are involved. I would refer specifically to the Saturn IB as contradisposed to the Saturn V, which former is the entire basis for the Apollo applications program, versus the Saturn V, which would bring much of the additional research and would be involved in a subsequent program. On the latter, it is possible there should not be too much procurement of follow-on hardware.

As I understand it, Mr. Chairman, if we are going to utilize properly the information and full capabilities developed under the Apollo program for practical applications in space, we must have these flight operations. The funds for the follow-on procurement of the Saturn IB launching vehicle are contained in this budget.

The current level for the "Apollo applications (practical)—and I do insert that parenthetically—program," contained in the appropriation bill for $300 million is close to the minimum number needed to sustain this Saturn IB production.

The major cuts are applied to the AAP and hence to the Saturn IB production and it will be severely slowed down because they are already under order. If I understand correctly, they are currently being melded together in the Michoud facilities in New Orleans, as far as the first stage is concerned.

Mr. Chairman, I oppose this because I believe that further reduction in this program without the scientific expertise on the part of this Agency would indeed, as the chairman of the subcommittee said so shortly and so succinctly—"Rob us of that which we may benefit from, and derive from, a program that is underway and for which the hardware has been ordered."

Mr. ECKHARDT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York to cut the NASA budget by an additional $100 million. Adoption of such an amendment would deal our space program a wound from which it would be hard to recover.

As a matter of fact, the reduction of the NASA authorization by the Appropriations Committee is a matter of regret to me, but all our actions in this Congress are affected by the long shadow of Vietnam. Our Committee on Science and Astronautics made an extremely careful review of all of the projects in the Nation's space program during the authorization hearings held over a period of many weeks, beginning in February of the current session of Congress. Three standing subcommittees of the Science and Astronautics Committee met simultaneously virtually every day of the week during that period. In my opinion, our committee extensively pruned the space agency's budget request, but with discernment.

The Appropriations Committee was, I think, not quite so discerning. But I am satisfied that it has done an honest job with respect to the bill before the House today, and I intend to vote for that bill, however reluctantly.

Reluctantly because I fear that a reduction of a half-billion dollars in NASA's budget for this fiscal year will ultimately result in a loss of momentum in the Nation's space program, and may even jeopardize America's supremacy in space exploration. I would remind the Members of the House that it took America 10 years to develop our present capability whereby we can now make claim to leadership in space in many fields.

I am satisfied that in the long view of history the American space effort will prove to be one of the most significant undertakings of our generation. Fiscal year 1968 may be remembered as the nadir in this important program's course of development.

I look hopefully to the time when the long shadow of Vietnam is lifted, permitting a reversal of the current trend in the funding of America's space program, so that NASA's activities may again move on apace.

Mr. EVINS of Tennessee. Mr. Chairman, I urge defeat of the Ryan amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. RYAN].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE OPERATIONS

For necessary expenses of operation of the National Aeronautics and Space Administration, not otherwise provided for, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901; 80 Stat. 299); minor construction; supplies, materials, services, and equipment; awards; purchase of not to exceed three and hire, maintenance and operation of administrative aircraft; purchase and hire of motor vehicles (including purchase of not to exceed twenty-three passenger motor vehicles, for replacement only); and maintenance, repair, and alteration of real and personal property; $648,000,000: *Provided*, That contracts may be entered into under this appropriation for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 3, line 5, strike out "$648,000,000" and insert in lieu thereof "$611,000,000".

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. RYAN. Mr. Chairman, this amendment would reduce the funds for administrative operations by $37 million from $648 million to $611 million. The reason for this is that administrative operation funds are related to programs, and are in support of R. & D. progams. The committee in its wisdom—and I think the committee did an effective piece of work in that—has reduced the R. & D. funds approximately 10 percent from the original NASA request. My amendment would reduce the administrative operations by $37 million, which is about 9 percent, and which is comparable to the reduction in the research and development funds.

I think it makes good sense to keep the two figures comparable. In other words, a reduction of 9 percent in this item compares to a reduction of 10 percent in the overall total reported out by the committee. The authorization was $648,206,000, and what the committee did was to remove the $206,000 to make it $648 million for administrative operations.

I would simply reduce that amount by a comparable percentage. A serious problem exists in dealing with the NASA budget and in determining the actual cost of individual programs under NASA's overall space program. This is because NASA continues to present classical line-item budget instead of one that is clearly program oriented. It prevents us from having a true understanding of the actual money figures involved in any program. This is most clearly seen in the budget request for administrative operations.

The funds are in support of various programs which NASA undertakes. The amount of funds is related to the work undertaken on these various projects and should be clearly understood as such—to see whether the amount requested for any particular program is reasonable in relation to the size and cost of the rest of the program, and also to see whether the actual entire cost of a given program approximates what we think it is.

The fact is that NASA presents these figures as Administrative Operations costs according to location of the various NASA centers. For each location there is an overhead analysis in terms of salaries, travel, equipment, and so forth. It is not possible from these presentations to understand which part of the Administrative Operations funds are intended to support a particular NASA effort. One cannot determine the actual cost of a given program in any one fiscal year.

Mr. Chairman, I have been very concerned about this problem of NASA's antiquated inadequate budget presentation, and after considerable thought I proposed to the committee in May that all funds for administrative operations be deferred until NASA presented us with a complete breakdown of administrative operations' funds—assigning them to relevant programs in the research and development portion of the budget. I attempted to explain this problem in my additional views to the House Committee Report on Authorizing Appropriations to NASA. On that occasion I said:

> AO budget requests are presented according to location at the various NASA centers. For each location an overhead analysis is provided in terms of salaries, travel, equipment, and so forth. It is not possible from these presentations to discern that portion of AO funds intended to support a particular NASA effort. One cannot determine the actual cost of a given item such as, say, aeronautics during any fiscal year.
>
> Confusing and incomplete testimony should not be relied upon to clarify deficiencies in NASA's original budget submission. Recent testimony leaves the impression that AO support of aeronautics is approximately 75 percent of the direct aeronautics budget and AO support of technology utilization may amount to over 200 percent of the technology utilization direct budget. We are not in the habit of multiplying by a factor of 3 when we consider the cost of technology utilization and evaluate its related benefits. Congress will not have a sound basis for judgment of NASA's requests until NASA reorders its presentation of AO funding to reflect its direct relations to programs.

Mr. Chairman, it is my belief that in future years program orientation should be a primary requirement in NASA's entire budget submission. But I believe that this is a good time to take the first small step, and the administrative operations funds are a good place to start. I believe we can begin this process by asking that the figure appropriated for administrative operations reflect the amount of funds appropriated for research and development projects since the connection between the two is self-evident.

I think it is worth our considering the possibility of insisting, in future years, that this relationship be spelled out even more clearly, to the point where NASA includes in its budget presentation, a breakdown of administrative operation funds as they relate to R. & D. programs so that the Congress may be informed to actual program costs under consideration.

My amendment will not only not harm NASA's operations, it will promote improved planning procedures within NASA management and clarity and frankness in NASA's presentations to the Congress, which are sorely needed for the continued success of the Nation's space program.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I am glad to yield to the gentleman from New Hampshire.

Mr. WYMAN. Does not the gentleman agree that the subcommittee did go into this question at the time that it cut a half billion dollars off this budget?

Mr. RYAN. I can only say, unfortunately, the subcommittee did not reduce the administrative operations part of the budget. I think it could have been cut in proportion to the reduction in research and development, and I do not think it would have done any harm to the space program.

We would still have a very viable program. It would simply require NASA to straighten out some of the management difficulties which have plagued that organization for so long. One of the things that came through clearly in the hearings on the Apollo disaster was the mismanagement of the program. Anything we do to tighten the program and require NASA to give an accounting to the Congress would be of benefit to the program in the future.

Mr. WYMAN. Mr. Chairman, will the gentleman yield for one more question?

Mr. RYAN. I yield to the gentleman from New Hampshire.

Mr. WYMAN. Mr. Chairman, if we cut down the R. & D. money, which has been done, by more than $400 million, we cannot cut down on the in-house operations because of the nature of the contracting. The requirements of in-house staff for management and supervision, and so on, increases as you cut down on the R. & D. The findings of the gentleman are in contrast to the findings of the committee and logic and reason.

Mr. RYAN. I disagree with the gentleman. I think there is a clear relationship between the funding of level of R. & D. and the cost of in-house operations. It is curious reasoning to argue that overhead costs should rise as other program costs decrease.

Mr. BOLAND. Mr. Chairman, I rise in opposition to the amendment. I wish only to emphasize what was pointed out by the distinguished gentleman from New Hampshire, a member of this subcommittee, when he says there is a greater need for a closer look at the operations of NASA when there has been such a substantial cut in research and development. There is no question about the fact that competent personnel in administration are necessary to make sure that there is proper monitoring by NASA employees.

My understanding is that NASA has arrived at a very critical stage in its operations, that it is getting to some flight stages where there is an absolute necessity for competent personnel. A cut of $37 million in this area would be terribly unwise.

I agree with the gentleman from New Hampshire that this is one place where a cut ought not to occur, and this subcommittee did not cut management operations. It accepted almost in toto the amount recommended by the authorizing committee.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from New Hampshire.

Mr. WYMAN. Mr. Chairman, is it not a fact that we are now getting to the point where we already have invested more than $20 million in the Apollo program to put a man on the moon? That it is here where we need this in-house capability? The pending amendment would lessen NASA's effectiveness in respect to the Saturn launches which are indispensable to our huge investment in this program; would it not?

Mr. BOLAND. There is no question about it. The gentleman is absolutely correct.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Chairman, I thank the gentleman for his explanation, but on the face of it, it does look unusual that there should be a reduction in research and development of approximately a half billion, and just about no reduction in the administrative operations.

Mr. BOLAND. As I have indicated, and as the gentleman from New Hampshire has indicated, I think where there has been such a substantial cut in research and development, there is an absolute need for sufficient administrative personnel to properly monitor and contract these programs.

Mr. O'HARA of Michigan. If the gentleman will yield further, it looks to me somewhat like the application of Parkinson's law. I understand there is more appropriation for administrative expense than last year, and there is less to administer, so we have a classical application of that law.

Mr. BOLAND. But I am sure the gentleman will agree with me that where cuts have been so substantial in research and development, the requirement for administration of the program is greater.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I think it should be noted, apropos of the gentleman's last question about comparing this year with last, that last year NASA transferred about $15 million out of other programs into administrative operations, and in 1966 they transferred, as I recall it, about $28 million. This money is not all for the payment of salaries here in Washington. It is to operate Lewis Research Center, Goddard Space Flight Center, Langley Research Center, and the Jet Propulsion Laboratory, and others engaged in research.

Mr. BOLAND. Mr. Chairman, would the gentleman agree that it might be not only possible, but it is probable they will have to transfer funds into administrative operations to run this program?

Mr. JONAS. We were so cautioned, at least, and particularly if there is a wage increase voted into effect this year.

Mr. EVINS of Tennessee. Mr. Chairman, I rise in opposition to the amendment.

The amendment would result in the laying off of scientists, technicians, and other skilled people in the agency. The authorizing committee took a close look at the funding needs for personnel. We took a separate look and came up with about the same level, recognizing the need, that NASA had to transfer funds into this appropriation in previous years.

This would mean laying off personnel who are very essential to the program.

I urge the defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. RYAN].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. EVINS of Tennessee. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HAYS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12474) making appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1968, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. EVINS of Tennessee. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. LANGEN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. LANGEN. I am, Mr. Speaker, in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. LANGEN moves to recommit the bill H.R. 12474 to the Committee on Appropriations.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the

Speaker announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 312, nays 92, not voting 28, as follows:

[Roll No. 229]

YEAS—312

Adair
Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Bevill
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Brasco
Bray
Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Cabell
Cahill
Carey
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clawson, Del
Cohelan
Colmer
Conable
Conte
Corman
Cowger
Culver
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
Delaney
Dent
Derwinski
Dingell
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fino
Fisher
Flood
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gibbons
Gilbert
Gonzalez
Gray
Griffiths
Grover
Gubser
Gude
Gurney
Hall
Halleck
Hamilton
Hanley
Hanna
Hansen, Idaho
Hardy
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hunt
Irwin
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
Kirwan
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyros
Landrum
Leggett
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McCulloch
McDade
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Meeds
Meskill
Miller, Calif.
Minish
Minshall
Mize
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Pool
Price, Ill.
Price, Tex.
Pryor
Purcell
Quie
Quillen
Rarick
Rees
Reid, N.Y.
Reinecke
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Rivers
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Sandman
Satterfield
Scheuer
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Stephens
Stratton
Stuckey
Sullivan
Taft
Talcott
Teague, Calif.
Teague, Tex.
Tenzer
Tiernan
Tuck
Tunney
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion

NAYS—92

Abbitt
Abernethy
Ashbrook
Ashley
Berry
Betts
Blackburn
Blanton
Brock
Brown, Mich.
Brown, Ohio
Burke, Fla.
Byrnes, Wis.
Carter
Cleveland
Collier
Conyers
Cunningham
Curtis
de la Garza
Dellenback
Denney
Devine
Dickinson
Dole
Duncan
Dwyer
Edwards, Ala.
Evans, Colo.
Findley
Flynt
Foley
Gathings
Goodell
Goodling
Green, Oreg.
Gross
Hagan
Haley
Hammerschmidt
Harrison
Harsha
Henderson
Hutchinson
Ichord
Joelson
Jones, Mo.
Jones, N.C.
King, N.Y.
Kupferman
Kyl
Laird
Langen
Latta
Lennon
McClure
McDonald, Mich.
Mayne
Michel
Miller, Ohio
Mills
Montgomery
Moore
Myers
Nelsen
O'Konski
Ottinger
Poff
Pollock
Railsback
Randall
Reid, Ill.
Reifel
Reuss
Riegle
Roth
Schadeberg
Scherle
Schneebeli
Skubitz
Steiger, Ariz.
Steiger, Wis.
Taylor
Thompson, Ga.
Thomson, Wis.
Udall
Ullman
Utt
Watkins
Watson
Wyatt
Zwach

NOT VOTING—28

Addabbo
Bow
Clausen, Don H.
Corbett
Cramer
Diggs
Gettys
Giaimo
Green, Pa.
Halpern
Hansen, Wash.
Herlong
Hungate
Long, La.
McClory
McEwen
Mink
Murphy, N.Y.
Patman
Pucinski
Rodino
Roudebush
Saylor
Smith, Iowa
Stubblefield
Thompson, N.J.
Williams, Miss.
Willis

So the bill was passed.

The Clerk announced the following pairs:

Mr. Addabbo with Mr. McClory.

Mr. Thompson of New Jersey with Mr. Saylor.

Mr. Murphy of New York with Mr. Bow.

Mr. Rodino with Mr. Corbett.

Mr. Green of Pennsylvania with Mr. Cramer.

Mr. Giaimo with Mr. Roudebush.

Mr. Pucinski with Mr. McEwen.

Mr. Long of Louisiana with Mr. Don. H. Clausen.

Mr. Smith of Iowa with Mr. Halpern.

Mr. Williams of Mississippi with Mr. Herlong.

Mr. Stubblefield with Mr. Patman.

Mrs. Mink with Mr. Diggs.

Mr. Hungate with Mr. Willis.

Mr. Gettys with Mrs. Hansen of Washington.

Mrs. REID of Illinois, Mr. POLLOCK, Mr. BURKE of Florida, Mr. MILLER of Ohio, and Mr. WATSON changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO HAVE UNTIL MIDNIGHT TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

FOREIGN ASSISTANCE ACT OF 1967

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12048) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole on the State of the Union for the consideration of the bill H.R. 12048, with Mr. PRICE of Illinois in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania [Mr. MORGAN] will be recognized for 2½ hours, and the gentlewoman from Ohio [Mrs. BOLTON] will be recognized for 2½ hours.

The Chair recognizes the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Chairman, I yield myself 12 minutes.

Mr. Chairman, I rise in support of the bill, H.R. 12048.

This bill authorizes $3,158,919,000 for the foreign assistance program for fiscal year 1968 and $3,576,545,000 for fiscal year 1969.

The authorization in this bill, together with authorizations made in previous years, is sufficient to cover the executive appropriation request of $3,226,420,000 for fiscal 1968.

The committee made a net cut of $219,286,000 in the authorization request.

I know that there are those who say this was not a very deep cut.

I have also heard the argument that because of the cost of the war in Vietnam, the United States could not afford to spend money on foreign aid.

I recognize that there are many who regard the money we spend on foreign aid as a sort of international charity on the part of the United States. They are inclined to evaluate the success of our foreign assistance program in terms of the benefits which the recipients in foreign countries have derived from the money we have spent.

It is easy to reach the conclusion that because we are spending more to defend the people of South Vietnam against Communist aggression, we ought to reduce our expenditures to carry forward the programs which are authorized in the bill before us.

Mr. Chairman, it is time that we faced the facts of life with respect to the foreign assistance program. It is time that we considered foreign aid, not in terms of what it does for foreigners, but, rather, what it does for the United States.

Now, I am sure that I would not have to go very far to find those who would say that if we judge foreign aid in terms of what it has done for the United States, it has been a colossal failure. They can talk about the fact that we have given billions to our Europen allies who are not willing to fight beside us in Vietnam. They can cite almost daily criticisms of the United States and our policies from leaders of nations which have benefited from our aid.

In spite of all this, I still maintain that the foreign assistance program has made a major contribution to maintaining the security and the prosperity of the United States in the past.

I want to say further, in all sincerity, that without the funds authorized in this bill, we cannot win the war in Vietnam, we cannot look forward to working out a peaceful settlement in the Middle East, nor can we expect our neighbors in Latin America to defeat Communist subversion.

I am not saying that all you have to do is pass the foreign aid bill and these problems will be solved. We ought to face up to the fact, however, that if we eliminate or drastically reduce the programs authorized in this bill, these problems will not be solved.

Just consider the war in Vietnam. There is no money in this bill for military assistance to Vietnam. Military aid to Vietnam was included in the Defense Department appropriation beginning last year. This bill does include $550,000,000 of supporting assistance, without which the economy of Vietnam could not operate during this period of military disruption.

This money finances commodity imports for the civilian population and the relief and reconstruction work in the villages.

It is generally recognized that we cannot win in Vietnam by military action alone. Unless the people in the countryside find that they can live in security and earn a decent living, the conflict will go on.

Without large scale economic assistance from the United States, we might as well throw up the sponge in Vietnam.

This bill provides military assistance to 50 countries, not including Vietnam, Thailand, and Laos which are now included in the Defense Department budget, but three-fourths of the money is programed for five countries along the borders of the Soviet Union and Red China—Korea, China, Iran, Turkey, and Greece.

These five countries maintain almost 2 million men under arms. If these countries could not continue to maintain these forces, the Defense Department has estimated that it would cost over $10 billion to replace them with U.S. units.

Although the fighting is concentrated in Vietnam, the Communist military capability has not diminished elsewhere in the world. The Communist forces are ready to move in wherever a weakening of the common defense effort presents them with an opportunity.

U.S. defense strategy is dependent on the availability and the readiness of these forces in key areas. Any action by the Congress which would cause these countries to doubt our continued support would not only endanger our operations in Vietnam, but would make it necessary for us to reorganize, relocate and reequip our own defense forces.

It is easy to overlook the rather impressive success which our economic assistance has attained in a number of countries. It is generally conceded that the Marshall plan saved Western Europe from going Communist. Formosa has developed its resources to the point where economic aid from the United States is no longer required. Korea is making remarkable economic progress.

Nevertheless, we are all aware that there are some countries, where we have invested large sums of money over a period of a good many years, which do not appear to be much better off today than they were when our aid began.

We should not conclude that our efforts to assist these countries have been futile and that our money has been wasted.

It is not popular in diplomatic circles to mention the fact that the United States has a selfish interest in assisting certain of the less developed countries. The fact that these countries have remained independent—have not fallen under Communist domination—is worth a good deal to us.

I had this in mind when I indicated at the beginning of my statement that we should not judge our aid programs primarily in terms of the benefit derived from them by foreigners.

The United States, during the last 20 years, has invested billions of dollars in subsonic jet aircraft, very few of which ever engaged in combat. Most of these aircraft are obsolete and are no longer of any use to us.

No one argues, however, that it was a mistake to build these planes. We needed them to meet an imminent danger. We write off our investment in them as part of the cost of maintaining our security. It is too bad that we have to replace them.

It would be a better world if we could get along without spending money for planes and missiles. We all recognize, however, that our security requires that we continue such expenditures.

The situation with respect to foreign assistance is somewhat similar. We have invested enormous sums in helping countries maintain their independence. In some cases, they have made impressive economic advancement during this process. In other cases, their progress has not been too encouraging.

We should not accept the argument, however, that our investment was wasted or that we should not continue to spend money for this purpose even in countries that do not show much improvement, or where their government officials are critical.

The basic question is whether it is in our interest for these countries to remain independent. How long we continue such expenditures depends on how long we are confronted with the problems that make them necessary.

If the United States were to announce that we were going out of the foreign aid business, the effect on countries in all parts of the world would be devastating. It is not that the aid we supply them constitutes a large part of their resources; except for a few cases such as Vietnam, the United States supplies only a small fraction of the resources available to a country.

The important thing is that governments everywhere feel an obligation to improve the lot of their people and know that they need outside help if they are to succeed. As long as they know that the United States is standing by ready to give assistance, even though the amounts may be limited and the terms severe, these governments can see some hope of attaining their objective. They may announce that they do not want our aid, or do not need our aid, or will accept it only with no strings attached, but if the United States announced that we would no longer assist the less developed countries, the entire outlook of the world would change.

The point I have been trying to make, Mr. Chairman, is that the Foreign Assistance Act provides the President with certain tools he needs in order to deal with the problems and the crises which confront us in our relations with other countries.

The United States finances several other programs which are beneficial to foreign countries, but none of these programs are readily adaptable to meeting the needs of a particular situation.

The Foreign Assistance Act provides the money for financing our foreign policy strategy.

In a sense, it is misleading to refer to the "foreign assistance program." This bill really includes funds for four distinct programs, each different in purpose and in operation.

The bill authorizes $650,000,000 military assistance for 50 countries, of which only 32 get military hardware. The rest receive training assistance only.

As I have indicated, most of the money goes to a very few countries who have important responsibilities in the implementation of our collective defense against Communist aggression.

The rest of the money goes in relatively small amounts to assist several of the less developed countries to defend themselves against subversion. Helicopters and electronic communications are particularly important for such purpose. They cost a lot of money, and the people who operate such equipment require extensive and expensive training.

Our military assistance program focuses on present dangers and shortrun problems.

On the other hand, the development loan fund relates to long-range problems and is available only for countries which are making economic progress and appear to be on their way to becoming self-supporting. These are all dollar repayable loans.

The bill authorizes $600,000,000 for development loans for the fiscal year 1968 and assistance to 22 countries has been planned by the Executive.

Included in the bill is an authorization of $243,000,000 for technical cooperation and development grants. This type of assistance is useful in dealing with both immediate and long-range problems.

This authorization carries forward the old Point 4 program, which has enjoyed almost universal support and commendation.

Every one of the undeveloped countries needs technical assistance. Nearly every country wants technical help in dealing with certain of its immediate problems. Others are concerned with long-range development, recognizing that their people cannot enjoy better living conditions unless they make better use of their resources, both human and material.

The United States should have the means to assist countries who come to us on short notice for help in dealing with a specific problem, as well as to provide technicians to assist with programs and projects which may require several years to carry out.

I have already referred to the supporting assistance program. In addition to the $550,000,000 for Vietnam, there is an authorization of $170,000,000 for other countries. It is planned to provide supporting assistance to nine countries in addition to Vietnam.

Two-thirds of this money is for Korea, Laos and Thailand, all of which are directly concerned with the war in Vietnam.

Supporting assistance goes entirely to countries where the United States has an immediate foreign policy interest. It is economic aid and is used primarily for the purchase through normal commercial channels of raw materials and other essential imports.

While supporting assistance contributes to the economic and social development of the countries which receive it, the amount and nature of such assistance is related primarily to increasing the capability of a country to defend itself against Communist expansion and to maintain economic and political stability.

The availability of suporting assistance funds is essential to the conduct of our foreign policy.

None of us should overlook the fact that this bill authorizes $650,000,000 for the Alliance for Progress for fiscal year 1968. Assistance to 21 countries of this hemisphere is contemplated. For reasons of geography, as well as history, we have a special relationship with the other countries of the North and South American continents.

The people of Latin America are determined to better themselves. The governments of these countries are threatened with Communist subversion, including guerrilla warfare. They recognize that they must cooperate with each other and with us. They look to us for guidance and for assistance.

It is essential that we do nothing to shake their confidence in our continued interest and support.

In conclusion, Mr. Chairman, the United States faces grave dangers.

Every one of us is dissatisfied with the way the war in Vietnam is going and with the world situation in general.

Let me point out that a vote against foreign aid will not have the effect of being a protest vote. A vote against the bill will not make things better. It will make the situation worse.

We need the funds authorized by this bill to bring the war in Vietnam to a satisfactory conclusion.

We cannot deprive the other nations around the world of the assistance that they need and expect—or we will be creating many, many new crises around the world.

I support this bill, and I hope the House after long and careful debate and its consideration under the 5-minute rule will give the President the tools he needs to conduct the foreign policy of this country.

The CHAIRMAN. The Chair recognizes the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, we are all accustomed to having the press take very quick notice of those who set endurance records whether they be for flagpole sitting or underwater swimming. Little recognition was accorded your Committee on Foreign Affairs when it completed its action on the foreign assistance bill for 1967 after a record of 53 sessions. It may be that this indifference was because those who cover the committee's work were as numb as the members. Or perhaps it was a sense of bewilderment as to what we did during those sessions of the committee.

Certainly we did little to respond to the fiscal difficulties that affect our Nation. The President's request for 1968 was reduced by only a little more than $200 million. We had not a word of testimony on the needs for 1969. We therefore accepted the President's request without alteration. If it is difficult to justify the sums for 1968, it is impossible to explain or justify those he requested for 1969. Certainly if we are going to have a 2-year authorization—and I try to have an open mind on that subject—although I find it most difficult—then we ought to know something about how the amounts requested for 1969 were determined and how the 1968 funds were spent.

As never before, the difficulties the committee has had in the matter of studies in depth of these far-reaching programs have troubled me. I am more than ever convinced that if the testimony from the various areas were submitted to the committee's subcommittees, who have developed no little expertise in their subjects, we could bring to the House a far more intelligent presentation. The chairman does not agree to the idea, and I do not mind his disagreeing with me, the chairman having told us it was tried only to fail. I confess I am a "try and try again" person, and have not abandoned the idea.

Amendments will be offered during committee consideration of this bill to reduce the authorizations for various parts of this program. For my part, I am of the opinion that reductions in parts of this bill can be made without impairing the program in the slightest. I intend to support such amendments.

Our chairman has explained the numerous provisions of the bill. I shall confine my remarks to a few points that I consider could stand further discussion.

One provision over which the committee worked at great length is that for assistance for voluntary family planning. The report spells out clearly our thinking on this subject:

> The Agency for International Development is giving special emphasis to food production in the less developed countries and has inaugurated a program of assistance in family planning. The committee feels it is important that this be pursued aggressively. In order to counteract any possible tendency for the Agency for International Development to continue business as usual and to regard family planning programs as a fringe operation, $50 million of economic assistance funds have been set aside to be used only for this purpose.

Again we heard the familiar theme that our aid was geared to self-help. We were given a few examples in a few countries to buttress this contention. It is significant, however, that we heard nothing about the use of the Joint Commission on Rural Development that was initiated by our former colleague, Walter Judd, and used so successfully in Taiwan. It brings local officials into association with our personnel in the planning and execution of rural programs. Last year Congress broadened the language in the expectation that it would be used more widely. Certainly this is self-help. Why has AID not availed itself of this tested device to hasten its self-help program? We just wonder at some of these things they have not attended to.

For more than a decade I have urged our officials to devote more attention to Africa—a continent of hope and frustration, of opportunity and unfulfilled ambitions. Often I have felt like a lonely pleader. A bit perhaps like Billy Graham, I can say that "I have no knowledge that the CIA has helped finance any of my crusades." Only sheer persistence particularly by Congress has moved the executive branch to shift into higher gear on Africa.

Last year the executive made a study and a report on Africa that I find very disturbing. It was not told the committee. It was an executive branch report that was marked "confidential," pretty much top secret. It was impossible to get it. Some far-reaching recommendations with serious policy implications were contained in it. If adopted as the official policy of our Government, Congress would be called upon to implement it. It was prepared by a former Ambassador to Ethiopia but it does not represent the judgment of many of our Ambassadors to African states who have considerably more expertise in matters pertaining to Africa. The gist of the report was that greater emphasis be placed upon the use of multilateral agencies in the development of that continent, and give to regions, not just to single states. Admittedly there are some programs that can best be handled on a multilateral basis. We can handle them that way, but these are relatively few.

To urge, even to insist upon, nations still seeking national identity to forsake that goal for untested and precarious approaches to regional development is to expect too much too soon. We must never forget that modest bilateral programs can have a far-reaching political as well as economic impact on these countries. Furthermore, our bilateral programs carry with them policy considerations that are in our national interest.

Foreign assistance is more than assistance by our Government to other governments. It involves tapping the total of our human and material resources which in the United States often lie in private hands. From the beginning of our legislative efforts we have always included in the annual foreign aid bill provisions to stimulate the use of these private resources. This bill is no exception. The investment guaranty program now in law is extended and strengthened in this bill, thus making possible the greater availability of the managerial and technical skills of our citizens. Members should note that this program has been highly successful, if not as highly publicized as other parts of the program. Through 1966 our Government has paid out only $300,000 against a total reserve of about $300 million.

In 26 years of service on the Committee on Foreign Affairs, I have been a participant in, and a witness to, many legislative battles on matters pertaining to our foreign relations. I have served in time of peace and in times of war, both hot and cold. I am aware of the deep emotional concerns that foreign assistance stirs among our citizens.

Foreign assistance cannot be characterized in simple words like "good" or "bad." It contains within itself many implications for our Nation, not only for today, but for the future. It has obvious deficiencies and shortcomings. Your committee has applied itself diligently to overcoming these as they have become apparent. No statistical chart can depict either its successes or failures. These have to be determined in the sum total of our foreign policy goals. At the same time, we have to balance these goals against our resources.

Those who would urge its termination have a burden to prove that it is not responsive to our national interests even in times of national fiscal difficulties.

Mr. Chairman, there is one thing I want to say from my heart. When we deal with these other countries, it seems to me that we become a little too eager to tell them what to do and how to do it. We do it from the top. We ought to do it from the heartfelt standards of life. What people care about is what we care about in them. They do not want to know what we think is so perfect, because it is not perfect. When we try to make them do things we think are right, perhaps those things are not suited to them at all. So I have tried to urge at every possible opportunity that we try to give the other countries this understanding. Let me divert myself for just a moment at this point. People do not like to ask for help. When they have had it given them, they are apt to turn away from the friends who have given it. Let us not forget that. Let us not become impatient when those things happen to us in the national area.

I hope very much that the House is going to pass this bill. I have found myself sometimes wishing it would not, just wondering what would happen if we did not pass it. But I have come here today to vote for the bill, and I shall hope exceedingly much that the Congress will pass it with a sufficient majority to make it really useful in more ways than one.

I have served many years here with various chairmen and various members of the committee. I find it quite impossible to sit down without saying "Thank you" to Dr. Morgan for his patience. The man is very patient. We put him through terrible things sometimes in the committee—do we not?—and he is so gracious and so quiet. He does not snap back at us and he could do so many times. I see that many, many Members agree with me. He has discharged his responsibilities as he saw them with skill. For my colleagues on the minority side, I want to express to him our very deep appreciation.

In closing, Mr. Chairman, I do urge that this body support this bill.

Mr. MORGAN. Mr. Chairman, I yield 15 minutes to the gentlewoman from New York [Mrs. Kelly].

Mrs. KELLY. Mr. Chairman, I rise in support of the Foreign Assistance Act of 1967.

At the outset, I should like to compliment our distinguished chairman, Dr. Morgan, for the endless patience and high degree of statesmanship which he demonstrated during our committee's consideration of this legislation.

It is seldom, Mr. Chairman, that a committee of the Congress spends 4 months working on a single legislative bill. Yet this is precisely what happened this year with the foreign assistance legislation. We began holding hearings on April 4 and we reported the bill on August 11.

TRIBUTE TO THE CHAIRMAN

During that entire time, Dr. Morgan did everything in his power to assure a comprehensive examination of the foreign aid program, and to give all members of the committee—both the majority and the minority—every possible opportunity to summon and question expert witnesses.

I pay my tribute to Mrs. Bolton who cooperated with our chairman—and who made sure we were all in the act together.

If anyone should complain about lack of information relating to the foreign aid program—how it operates and what it has accomplished—it is not because the opportunity to obtain such information has been lacking.

There are detailed presentations prepared by the Agency for International Development and the military departments—presentations which examine the program in detail, country by country.

There are unclassified summary presentations which run into hundreds of pages and which were made available to all Members of Congress.

There is the record of the hearings held before our committee—a record which fills nearly 1,400 pages of print.

There is a 137-page report submitted by our committee which describes in detail each and every provision of the Foreign Assistance Act of 1967 in addition to dealing with the major issues of the overall program.

And, finally, Mr. Chairman, I should like to refer to the excellent remarks of our chairman, Dr. Morgan, made at the outset of this debate, which contain a fund of valuable information about this program.

I shall not attempt to duplicate any of those sources. Instead, in rising in support of H.R. 12048, I should like to underline several considerations which argue on behalf of this legislation.

CUTS IN THE PROGRAM

The first point relates to the reductions mads in the foreign aid authorization by the Foreign Affairs Committee.

Our committee cut the fiscal 1968 authorization by $305 million—or nearly 9 percent of the Executive request.

We cut $150 million from the Development Loan Fund;

We cut another $100 million from the Alliance for Progress;

We cut $25 million from the contingency fund;

And we cut military assistance by some $30 million.

These are substantial cuts. They trim off what fat there was in the program, and even cut a bit into the bone. They represent the maximum that can be cut from the program without jeopardizing some very important U.S. foreign policy objectives.

Mr. Chairman, I want to stress that while we were working on the Foreign Assistance Act, all of us were keenly aware of the need to reduce Federal spending.

We knew how much the war in Vietnam is costing.

We knew what is involved in some of our long-range security undertakings.

And we were also aware of the fact that the President has asked the Congress to approve a surtax to help balance our budget.

All of these factors went into our decision to cut the foreign aid program by over $300 million—or nearly one-tenth of the proposed program.

But these same factors—and the compelling demands of our national security—also argue against any rash or irresponsible further reductions in this program.

We must not forget that this program is the principal instrument of our efforts to build peace and stability in the world.

We know how much the world's failures to keep peace have cost.

We know how much World War II cost. We know the cost of the Korean war. And we also know that we are spending at the rate of more than $20 billion annually in Vietnam.

The cost of war is extremely high. We try to avoid those costs by working for peace through our foreign aid undertakings. This is low-cost insurance against world disaster. We would be foolish to let it lapse—or to try to "economize" by missing some premiums.

We must also remember that the cost of wars cannot be measured by dollars alone. Loss of human lives, and human tragedy brought about by war, cannot be converted into dollars and cents. And it is human lives, and human welfare, that are our most important considerations.

STRENGTHENING FOREIGN POLICY DIRECTION

Mr. Chairman, the second point which I wish to make is that H.R. 12048, as reported by the Committee on Foreign Affairs, represents a great improvement in the direction of strengthening civilian foreign policy control over our various international undertakings.

First of all, the bill reasserts our support for the principle of cost sharing in the field of mutual security.

For years, our committee has emphasized the need for our allies—in Europe and in other areas—to share the cost of common defense.

We said time and again that the United States cannot shoulder those expenditures alone.

And we endorsed cost-sharing arrangements in NATO, and in other international security arrangements, whereby our friends have been picking up an increasing portion of the tab for mutual security.

Our efforts are going to be strengthened because the bill before the House today continues our close oversight over such programs as NATO infrastructure and international military headquarters.

MILITARY SECURITY—AND SALES

There is, however, another way of sharing defense costs. And we have also stressed this approach.

During the 1950's, Mr. Chairman, three-fourths of our military aid—aid required for mutual security—went in the form of grants.

We gave away weapons, weapons systems, planes and ships, and provided other services to our allies—virtually all of it for free.

Today, three-fifths of that assistance—of military articles and services required to keep the free world safe and to improve internal security—is being paid for by our allies.

It is being paid for through military sales—both direct sales and credit purchases.

Mr. Chairman, much has been said in recent weeks on the subject of U.S. military sales. And I regret to point out that a considerable amount of misinformation has been circulated in the process.

What are the facts of this matter?

First, military sales are an integral part of our foreign assistance program.

We do not, and should not, go around the world dumping weapons left and right. Each and every sale requires the approval of our civilian foreign policy authorities. Through the State Department review of the proposed sales, we try to see to it that they complement and strengthen our other efforts to improve free world security and to stimulate economic development of the less developed countries.

Second, most of our military sales—90 percent of them, as a matter of fact—are made to our Western European allies, Australia, New Zealand, and Japan.

These are developed, industrialized countries which maintain substantial military establishments for the sake of our common security.

They need defense articles and services for those military establishments. They fill some of their requirements at home. And they fill others abroad—in the United States or in some other country which manufactures the kind of equipment that they need.

Only one-quarter of their defense procurement is made in the United States.

Surely these facts should dispel the illusion fostered by some people that our Military Establishment is some kind of an ogre, peddling its wares to anybody and everybody who wants them.

Nothing is further from the truth. What is true, however, is that we have cut down on our grant military assistance program—saving the U.S. taxpayers millions of dollars—by emphasizing sales where the recipient country can afford to contribute more to our common defense.

What is also true is that these military sales have strengthened the defense capability of the free world—helped to prevent the proliferation of inefficient and expensive national defense industries—headed off potential Communist influence in a number of critical areas—and helped to create conditions of internal security necessary for any kind of social and economic progress in a number of the developing countries.

IMPROVED COORDINATION

The third major way in which the bill before the House strengthens the implementation of our foreign policy is by effecting closer coordination between several major activities including the disposal of surplus property, utilization of foreign currencies, and "food for peace."

Those undertakings relate directly to our foreign policy. They are the instruments which our Government must use to achieve our national objectives abroad. Their use should be coordinated, therefore, and made increasingly responsive to the requirements of our foreign policy.

IN CONCLUSION

In conclusion, Mr. Chairman, I would like to say a few words about the relationship between this program and Communist designs for world domination.

There are a number of provisions in the bill which strengthen the prohibitions on the provision of assistance to Communist countries and to countries assisting such regimes through shipping, sales, and other ways.

These restrictions are advisable in some cases, absolutely necessary in others.

But they do not give us the whole picture.

In a larger sense, and in a much more forceful way, the entire foreign aid program can be a potent weapon against those who would perpetuate misery—subvert freedom—and extend their totalitarian rule over an increasingly large segment of the world's population.

This program itself—and the way in which it is used to help others help themselves—is as vital to the cause of freedom as some of our most advanced and complicated military weapons systems.

The point is—much depends on how this program is used. And this involves the flexibility which we give to the President of the United States to conduct the day-to-day operations under this statute.

There are ways of crippling this program without cutting one penny from it. There are ways of loading it down with amendments and prohibitions which would immobilize it and make it useless.

I hope, Mr. Chairman, that the House will resist such amendments. I hope that we will instead continue to improve this undertaking in order to make it as effective as possible for the advancement of human freedom and the improvement of the human condition.

Mr. Chairman, I urge House approval of H.R. 12048.

Mr. JONES of Missouri. Mr. Chairman, would the distinguished gentlewoman from New York yield for a question?

Mrs. KELLY. I glady yield to the gentleman from Missouri.

Mr. JONES of Missouri. I was wondering whether during these 53 sessions of your committee how much time was devoted to reviewing the various programs in which the United States is participating through the United Nations. That is the responsibility of the Committee on Foreign Affairs, is it not?

Mrs. KELLY. It certainly is, Mr. Chairman.

I would answer the gentleman by saying that I cannot tell the gentleman the exact number of hours we spent examining these particular programs. But I want to tell the gentleman that in addition to extensive consideration of this subject by the full committee the Subcommittee on International Organizations and Movements held long hearings on the various operations of the United Nations and its specialized agencies. We have held extensive hearings and spent many hours in that field.

Mr. JONES of Missouri. Mr. Chairman, if the distinguished gentlewoman will yield further, what I am trying to get at is this: Can the gentlewoman recall any United Nations program in which the United States does not participate?

Mr. GALLAGHER. Mr. Chairman, would the distinguished gentlewoman yield to me for the purpose of responding to that question?

Mrs. KELLY. I gladly yield to the distinguished gentleman from New Jersey for the purpose of answering the interrogation propounded by the gentleman from Missouri [Mr. JONES].

Mr. GALLAGHER. Mr. Chairman, I would like to say that we did have hearings with respect to all of the programs in which we participate with the United Nations. In fact, there are several hundred pages of hearings relevant to that particular question.

Mr. JONES of Missouri. Then, perhaps, I had better wait until the gentleman from New Jersey presents his statement.

Mrs. KELLY. I would like to have the gentleman rephrase his question.

Mr. JONES of Missouri. Well, Mr. Chairman, if the gentlewoman will yield further, for many years I have complained about the fact that the United States is always a participant in every program of the United Nations, even at times when we were providing up to 90 percent of the cost of the programs. And I have been working for many years trying to get that amount reduced and in an effort to get a greater participation among other nations. Further, I have expressed the belief on several occasions that where the United States contributes as much as 50 percent of the total cost of any program, they could probably do it better——

The CHAIRMAN. The time of the gentlewoman from New York has expired.

Mr. MORGAN. Mr. Chairman, I yield 1 additional minute to the gentlewoman from New York.

Mrs. KELLY. I hope that the gentleman from Missouri is aware of the fact that we have gradually reduced the contributions which the United States is paying to the United Nations programs, through the initiative of the U.S. Congress. Furthermore, there is only one program—and that is our support for the Palestinian refugees—to which we make a contribution in excess of 50 percent, in fact, about 65 percent.

Of course, U.S. contributions to many other programs have been reduced to about 32 percent, and even lower, over the years.

As the gentleman knows, the congressional delegates who are assigned periodically to the United Nations, participate in the deliberations and decisions of the U.N. General Assembly. I was fortunate to have served as a U.S. delegate in the United Nations and I want to assure the gentleman that we worked hard to reduce the percentage of U.S. contributions to various U.N. programs.

Mr. JONES of Missouri. It was cut down this session?

Mrs. KELLY. I was not present at the last session of the U.N. General Assembly and I do not recall the specific reductions achieved at that time. But I can assure the gentleman that there has been a downward trend in U.S. contributions. The report on the bill H.R. 12048, on pages 31 through 39, gives a detailed explanation of those contributions and of the reductions in the U.S. share of various U.N. programs.

Mrs. BOLTON. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. Adair].

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Sixty-four Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 230]

Bates
Blackburn
Blanton
Bow
Clancy
Clausen,
  Don H.
Corman
Dickinson
Diggs
Dulski
Evins, Tenn.
Flynt
Gettys
Giaimo
Hardy
Herlong
Hungate
Ichord
Leggett
Long, La.
McClory
McCulloch
Murphy, N.Y.
Pool
Pucinski
Resnick
Roudebush
Smith, Iowa
Taylor
Teague, Tex.
Thompson, N.J.
Williams, Miss.
Willis
Wyatt

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Price of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 12048, and finding itself without a quorum, he had directed the roll to be called, when 399 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Indiana [Mr. Adair] is recognized for 10 minutes.

Mr. ADAIR. Mr. Chairman, I would join with those who have paid tribute to the chairman of the committee, the gentleman from Pennsylvania [Mr. Morgan], and to the gentlewoman from Ohio [Mrs. Bolton] the ranking minority member. During the 53 sessions of the committee that ensued before we brought this bill to the floor they were both patient, tolerant, and helpful. I think it is also worthwhile, Mr. Chairman, to commend the committee as a whole for the time that it spent in hearings and in 7 weeks of markup before this bill was brought to this floor. Regardless of what you may think of its content, certainly it cannot be said that we are here with inadequate hearings and with inadequate consideration in the markup of this legislation. During the debate some questions may be asked about matters which are classified. I think it is worth mentioning that both on the majority and minority tables there are classified books relating to economic and military programs which are available for the inspection of Members during debate.

I would also point out that in the report accompanying this bill there is in the final pages thereof a section entitled "Minority Views."

Those of us who prepared and signed those views invite your thoughtful attention to them.

Mr. Chairman, this is the year in which foreign aid as a program ought to be reexamined. When one says that, it is not said to deny the fact that there are some worthwhile elements in this program. I would mention some parts of the technical assistance program and parts of our military assistance program.

But having in mind the fiscal situation in which our Nation finds itself, and having in mind the demands for the taxpayers' dollars, certainly this is the year during which to examine more fully than ever before our whole foreign aid program.

Foreign aid is, admittedly, an arm of our foreign policy. Some say it is also equally designed to insure the independence and freedom of nations throughout the world. With that view one would find it difficult to differ. But as an arm of our foreign policy, a brief look around gives rise to a very serious question as to how effective it has been.

In recent votes in the United Nations, as we point out in our minority views, how many times has the position of the United States—and I would say as recently as on the question of the Arab-Israel war just concluded—how many times have nations which have benefited by our aid programs failed to support the position of the United States and, indeed, through their leaders, taken positions and made statements diametrically in opposition to the welfare and the public position of the United States?

Mr. Chairman, two nations may be singled out in the years since World War II. We have given France more economic and military assistance, approximately $9 billion. Everyone within the sound of my voice knows the present attitude of the leader of that country.

Halfway around the world we have extended to India $6.7 billion in assistance. As recently as the Arab-Israel war, the Prime Minister of India made statements in support of those who opposed us.

Since the end of World War II our assistance in the form of loans, grants, and foodstuffs has amounted to more than $130 billion.

Mr. Chairman, if we ask ourselves whether foreign aid as represented by that use of our resources and as an arm of foreign policy has been successful, we must certainly answer in the negative.

Mr. FRELINGHUYSEN. Mr. Chairman, would the distinguished gentleman from Indiana yield to me briefly at this point?

Mr. ADAIR. I gladly yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. The gentleman from Indiana has called attention to the fact that France voted contrary to our vote in the U.N. The gentleman seemed to be drawing the conclusion that those countries which had benefited from our programs in the past and which have received substantial amounts of foreign aid, they should not take positions differently from ours. I deplore the fact that the position of the French Government in many cases is not in accord with our position, and I should have liked to have seen France vote differently in the U.N.

However, I do not see the relevance of the aid which we might have given that country in the past to the policies of the present French Government.

I would hope that we are not trying to buy the allegiance of any country, and the future governments of a country, because we give them assistance for a particular reason.

Mr. ADAIR. I will say to the gentleman from New Jersey that I think it has been amply demonstrated that even if we were attempting to buy their allegiance, which we are not undertaking to do, it would have failed.

I am simply trying to point out that in areas where we have placed a great many of our taxpayers' dollars, we find a reluctance to come to our support when we need support, whether it be in the U.N., in Vietnam, or in support of our position in the United Nations.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield further?

Mr. ADAIR. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Is the gentleman suggesting that we should not have given aid to France because we might have anticipated that at a later date she would not automatically support us on every issue that we thought was of importance to us, but where France might feel differently? I would think that the position of France is determined not on what we might have given her in the past, or not given to her, but rather upon what she believes is in her national interest.

Mr. ADAIR. I am suggesting that one of the failures in our foreign aid program is the lack of selectivity in determining the nations to whom we give aid. That criticism refers not only to the past, but is equally applicable today as we look around the world at the nations to whom we are giving aid.

We are unwisely, in my opinion, in too many instances giving assistance to those nations whose goals and aims, as enunciated by their leaders, do not seem to be in accord with those of our Nation.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. Yes; I yield to the gentleman from Oklahoma.

Mr. BELCHER. I understood the gentleman to say we should not try to buy allegiance?

Mr. ADAIR. I said it proved we cannot buy it, and we should not try.

Mr. BELCHER. I do not believe we can, either, but certainly when we furnish military aid to someone who is going to be an enemy, how silly can we get, when we furnish military equipment and hardware and everything else to another nation without having any idea whether they are going to shoot at us or shoot with us. I most certainly do not believe that that would be a very smart foreign policy.

Mr. ADAIR. The gentleman brings out the point I made a moment ago, that we have not been sufficiently selective in the nations we have aided, both economically and militarily.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. Yes; I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I would like to say something in reply to what the gentleman from New Jersey said.

I do not suppose all of the billions—and I use the word advisedly—that we have poured into France over the time since World War II, or the time after World War I—which, incidentally, they did not repay—would buy their allegiance, or even get them to support our position. But it does seem to me that the President of France who, for some reason or other, some myth that I cannot penetrate, is supposed to be a great military hero—and if there is any legitimacy toward his being a hero it was provided by the American troops who moved into Paris and let him tag along after them. One would think the least we could expect from him was that he would not try to destroy the United States, and that he would not try——

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mrs. BOLTON. Mr. Chairman, I yield 5 additional minutes to the gentleman from Indiana.

Mr. HAYS. Mr. Chairman, will the gentleman yield further?

Mr. ADAIR. Yes, I yield further.

Mr. HAYS. That he would not try to destroy the currency of the United States; that he would not try to undermine the position of the United States at the United Nations; and that he would not try that which the French press quotes him as saying, to throw the Americans down because they are too powerful.

I do not believe we can expect him to always support us, but I believe the least we can expect is that he would not try to destroy us, and to that extent I agree with the gentleman from Indiana.

Mr. ADAIR. I thank the gentleman for his remarks.

Mr. HAYS. I thank the gentleman for yielding.

Mr. ADAIR. Mr. Chairman, I want to speak about the arithmetic of this bill for a moment.

In round numbers the House committee has before it today a bill reduced from the Executive's request by about $219 million. That produces a bill of $3.15 billion plus that we are now considering.

The question is sometimes asked, and it may be relevant and it may not be relevant, as to what the other body did. Again, in round numbers, the other body reduced the foreign aid request by about $750 million net.

Our committee made reductions in these major portions of the bill, the Development Loan Fund, the Alliance for Progress, the contingency fund, and a very minor cut of some $30 million in the $596 million military assistance request. But the restoration of the NATO infrastructure funds of $84.1 million brought the military figure back up to $650 million.

There will be opportunity offered in the course of the reading of this bill for amendment for the Members to vote upon further reductions in the dollar amounts of this bill.

As to the pipeline, that is the amounts that are unexpended, it is about $6 billion of which $4.4 billion, again in round numbers, is economic—and $1.6 billion is military.

It is frequently said that these funds are in fact obligated for expenditure. To a considerable extent that is true. But there remains the right to deobligate and to reobligate.

Through the years we have seen that done time after time, and I think with reason we can expect that to be done again.

Thus it can be said that there is in the pipeline unexpended at this time an amount roughly equal to 2 years' requests for foreign aid appropriations.

Mr. Chairman, there are some good things in the bill. We have strengthened the private enterprise sections of the bill. We have before us a 2-year bill which many think ought to be a 1-year bill. There will be opportunities to vote upon that.

I have tried to point out both the good and the bad in this bill. It is my intention on final passage to vote against this bill. Each Member of this body must weigh his own obligation in the light of the demands for the taxpayers dollars and in the light of the demands of the war in Vietnam and in the light of the requests for a tax increase, as we consider what our vote will be on this year's foreign aid bill.

The CHAIRMAN. The time of the gentleman has expired.

Mrs. REID of Illinois. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. REID of Illinois. Mr. Chairman, as we commence consideration of the Foreign Assistance Act of 1967, we once again begin an annual debate which has become more agonizing with each passing year. Whether we wish to recognize it or not, foreign aid as we have known it as a national policy in the past stands at the crossroads. Never before has there been such widespread discontent with our foreign assistance programs, both economic and military. Never before has there been more dissatisfaction with the failure of our aid policies in recent years to show more positive results, and never has the Nation had so much hesitation and so little enthusiasm for the future of the program.

Why has so much disillusionment set in with our aid program? There are undoubtedly many contributing factors—reports of waste and inefficiency which come to the Congress each year, growing concern over our commitment in Vietnam, a persistent balance-of-payments problem, an alarming Federal deficit, and serious social unrest in our own cities, to name a few. All of these compound the present dilemma, of course. Just as importantly, I believe, is the fact that the world has changed since the Marshall plan was first conceived after World War II but, in my estimation, our aid policies unfortunately have not. The initial objective was to help free nations of Western Europe regain their economic stability and national security to resist the spread of world communism. It was also designed to assist these nations in developing democracy as a way of life and, we had hoped, create a more peaceful and stable world. The Marshall plan was initiated as a temporary, emergency, regional program—yet, over the years foreign aid has far exceeded its original purpose and is now presented as a permanent, worldwide network financing dozens of programs in the Near East, Southeast Asia, the Far East, and Latin America. Many times, too, we have found that our aid has benefited countries whose policies have been detrimental to our own national interest. Also, the cost is misleading, to say the least, for it is almost impossible to accurately estimate the true amount our Nation has contributed for this purpose since 1946—but we know that it is at least $140 billion.

Now, under the administration's foreign assistance program next year, 100 countries and five territories will receive more American assistance in either economic or military aid or food for freedom—and while the bill now before us would authorize $3.1 billion for fiscal 1968 and $3.5 billion for fiscal 1969, we know this is only a part. To this must be added the millions for Public Law 480, for the Peace Corps, and for United States participation in the various international development organizations—so that when we total it all up, we are talking instead about at least $5.5 billion in foreign assistance in 1968 alone, as the Senate debate brought out last week.

Despite this huge past and proposed outlay of our tax dollars, we find ourselves today in the untenable position of losing more and more prestige abroad and having fewer friends on whom to rely when the chips are down. The failure of our aid program to win friends for America is well known, but it was forcefully demonstrated once again in the recent Arab-Israel crisis. When the key vote was taken in the United Nations, we saw such "friends" as France and India, both recipients of substantial American aid over the years, vote with the Soviet Union. We question, also, whether it was our own military assistance to these nations of the Middle East which indirectly precipitated this conflict, just as a year ago we saw open warfare between India and Pakistan, also made possible to a large extent with American aid. In the light of such events, it is not surprising, therefore, that the American people are beginning to doubt the direction in which our foreign assistance program is taking us—to wonder how much it may actually contribute to the world arms race. We can question, too, just how effective an assistance program so widely distributed and thinly spread can really be in promoting our national interests and whether numerous small programs in many countries in reality only raise local hopes which the United States cannot possibly fulfill, thus resulting in frustration and resentment. I think the time has come to seriously reevaluate the question as to just how far we can reasonably be expected to go in policing the world. After all, we are already shouldering a tremendous free world burden in Vietnam—a responsibility which daily grows more costly.

The urgent need today is for the Congress to put the question of foreign aid in proper perspective. We need to set priorities in this field just as surely as in our domestic policies. The war in Vietnam is now costing at least $25 billion annually—probably more. We are told that the deficit for the Federal Government this year will be twice as large as any year since our aid program began, perhaps reaching as high as $30 billion. The President is calling on our taxpayers to pay an additional 10-percent surtax to meet the rising costs of Government, and we see the dollar's position grow more precarious as our balance of payments fails to improve. Certainly it would be unrealistic under these circumstances for the Congress to fail to give first priority to our own needs over those of others. What happens to the cause of freedom if we have a fiscal and monetary crisis in America and if we continue to make commitments all over the world which we cannot honor?

I have not supported foreign aid bills in the past, and since becoming a member of the Subcommittee on Foreign Operations of the Committee on Appropriations I feel even more keenly that this entire program as it relates to our foreign policy must be completely reassessed. We now have over $6 billion in unexpended funds in the foreign aid "pipeline," but still we are being asked to obligate American taxpayers to another $6.6 billion in aid projects for the next two years. In my judgment, not only is it essential that the Congress have an opportunity to review aid programs annually—but the critical need at this time is to establish meaningful priorities in Federal spending. Until the war in Vietnam is resolved, other less urgent foreign assistance must be postponed.

Mr. WHITENER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Chairman, as we take up the proposed Foreign Assistance Act of 1967 it would be well for every Member of the House to give serious consideration to the economy of the Nation and our vast military requirements before placing an additional financial burden upon the American taxpayer.

We are considering a bill which authorizes appropriations of $3,158,919,000 for fiscal year 1968 and $3,576,545,000 for fiscal year 1969 at a time when the deficit spending of the Federal Government is reaching alarming proportions.

We debate a foreign aid bill at a time when the President of the United States has submitted to the Congress a proposal to add a surtax of 10 percent upon personal and corporate incomes.

We are called upon to give consideration to making available additional billions of deficit dollars during a period when there is a clamor in the Nation for increased domestic spending for the relief of poverty, to revitalize our cities, and for countless other internal projects.

Military assistance, in my judgment, is in an entirely different category from the economic assistance program which has been so costly to this Nation. It is my feeling that a careful and intelligent program of such military assistance for friendly nations dedicated to the cause of freedom is thoroughly justified. Unfortunately, the legislation now before the House does not give an opportunity for one to support the military assistance program unless he is willing to go along with the economic assistance program. That I cannot do.

Mr. Chairman, the United States cannot continue to furnish billions for foreign economic aid, billions to win the military and ideological war against communism, and billions to finance domestic spending without placing an intolerable tax burden upon the American people.

We must face up to the fact that accelerated Federal spending, for whatever purpose, will result in further deficits with their disastrous economic results or an increase in Federal taxes.

The American people are aware of this fact. Probably more than at any other time in recent history they are demanding that the Federal Government reduce Federal spending.

I have not received a letter from one of my constituents advocating an increase in Federal taxes. They do not oppose appropriations for national defense and essential domestic programs. They are strongly opposed, however, to giveaway programs at home and abroad.

They are demanding that the Federal Government make a sincere effort to reduce spending before placing an additional tax burden upon them.

They are aware that they are being asked to provide additional tax dollars to strengthen the economies of some overseas nations engaging in a flourishing trade with our Communist enemies. They feel that they are being required to strengthen overseas economies, which in many instances are competing for their jobs.

They know that the billions of foreign aid dollars which have been appropriated every year since World War II have not defeated ideological communism or won strong allies in our military efforts to halt the spread of communism by force of arms.

Mr. Chairman, I strongly feel that the time has come for our Nation to take a realistic view of the economic, military, and political situation existing in the world. Yearly foreign economic aid appropriations have become as much a part of Federal spending as are our appropriations for the operation of our executive departments.

Foreign economic aid has become a way of life. The acceptance of this type of American foreign aid is now looked upon by many overseas nations as a right to which they are entitled. Some of those who have been eager to accept our dollars have found every reason in the world to excuse their lack of enthusiasm for the sacrifice Americans are making in Vietnam to protect the free world.

If the American people are to be saddled with an additional tax burden to preserve freedom in the world, they have the right to expect those they are protecting with their lives and their resources to give them at least moral support in their efforts.

Mr. Chairman, if a start is to be made in relieving the tax burden of our people, it can begin by the defeat of this foreign aid bill.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. Long].

Mr. LONG of Maryland. Mr. Chairman, I rise to demand closer congressional control over military assistance and sales authorized under the Foreign Assistance Act of 1967.

This Congress is being asked to authorize $650 million for military aid in fiscal 1968 and $714 million for fiscal 1969. But does the Congress know to which country this American money and arms will ultimately go?

Mr. Chairman, the Congress does not know. Despite so-called justifications for military aid to over 50 countries, there is nothing to stop the giving of this military aid to 50 entirely different countries.

Congress does not exercise meaningful control over the military aid we extend to other countries. The Defense Department—which has the chief responsibility—has often made allocations to the wrong countries in the wrong amounts for the wrong reasons, frequently against the long-run interests of the United States and the stability of the free world.

The military assistance program started in 1949 with 14 countries. In fiscal 1968, if Congress approves this authorization request, 53 countries will receive some type of military aid—not counting Vietnam, Laos, and Thailand, now in the Defense Department budget.

This country is thus now involved in the military affairs of almost half the nations on this globe. Yet this country has never conducted a thorough examination of why we are giving arms aid to so many countries, how it serves our national interest, and what effects it has on the countries themselves.

Greece and Turkey were the first recipients of American military aid because they were faced with a Communist threat—one internal, the other external. There is internal instability in much of the underdeveloped world today. Must the United States become involved? This is what Secretary of Defense McNamara himself said last year:

> It would be a gross oversimplification to regard Communism as the central factor in every conflict throughout the underdeveloped world. Of the 149 serious internal insurgencies in the past 8 years, Communists have been involved in only 58 of them—38 percent of the total.

I do not see any necessary connection between a civil war between two overambitious generals in an underdeveloped country, and the security of the United States. And I think it is high time for Congress to have a say in which countries are vital to our defense and in which we should not be meddling or wasting our money.

It is claimed that 75 percent of the dollar amount of the military aid program is given to five countries, and that Congress really need not concern itself too much with the remaining 48 recipients. I submit that these token contributions are often insignificant and meaningless at best, pernicious and destructive at worst.

There are those who say that we should ban the export of high-speed aircraft, tanks and warships from developing countries, but ignore the impact of less sophisticated weaponry in a less advanced nation. Helicopters and small arms do make up a large part of our grant aid program—since they are glibly called "vital to internal security." Yet they also have the greatest potential usefulness in civil wars, repression of civilians, and military dictatorships. The small military training program for foreign officers—casually mentioned in the Defense Department's presentation to Congress—might one day tip the balance of power in an internal struggle which is none of our business.

Only a few years ago, Nigeria was a "showcase" of African stability. Today, she is embroiled in a bitter, tribal war. The Nigerian military has benefited from about $1 million in military aid—chiefly training. Certainly the United States didn't benefit. Giving aid to the military—especially in Africa and Latin America—is no guarantee of internal stability, and it is time we stopped making that assumption. It is a deception of the American taxpayer to ask him—in the name of American security—to contribute to the potential of foreign military around the world to wage war against innocent neighbors, as the Arab States did against Israel, or their own constitutional governments, as the military did in Greece.

The decision to give military aid to a specific country is not just a military decision—it is above all a political decision—and it should not be undertaken without examination by Congress of the implications of U.S. involvement in each specific case. Congress must tighten the reins of decisionmaking now.

Has the executive branch been doing a good job with the power Congress has permitted it to exercise by not holding it to account for each country program?

Our military aid program—which has been over one-third of our foreign aid budget from 1951 to 1966—has been characterized largely by its support of over-size and frequently rightwing military elites more interested in power than in improving society. Our military aid has fomented arms races and diverted money which could have contributed more to internal stability if it had been spent on economic development. It has stoked revolutions and wars on every major continent. Yet it has been disappointing in building up the resistance to Communist aggression for which it had been intended.

Take Latin America as an example. A noted American expert on the military in Latin America, Edwin Lieuwen, said this about our country's military program there:

> Despite more than a decade of military assistance to Latin American nations, the military power and warmaking potential of these nations account for practically nothing.
>
> In so far as military aid programs have increased the political influence of the armed forces, prospects for democracy appear to have suffered. The military tends to resort to non-democratic procedures to achieve internal order and stability.
>
> For the great majority of Latin Americans [the military is less than 5 per cent of the population], who see no great danger of aggression from outside, the U.S. military program compounds their internal problems, interferes with the process of social change, and hinders progress in economic development.

In the proposed military aid program for fiscal 1968 is a small amount—only 2 percent of the total—for civic action programs. But this small amount is distributed among 25 or 26 countries, principally in Latin America. As defined by the Defense Department, the program's purpose is twofold: To employ military forces on economic development projects; and to improve relationships between the military and the civilian populace.

Why should the United States become involved in improving the image of the military in 26 countries, especially in Latin America? I would call it unwarranted and unnecessary intervention. It is against the longrun interests of both the United States and Latin America. If there are economic development jobs to be done, let those responsible for economic development do them.

If the Congress approves a lump sum for military assistance, some of this aid will go to Argentina. Argentina is also a recipient of the infamous Export-Import Bank country X arms loans—$21 million worth. She also obtained another $1 million through direct Pentagon lending. But Argentina already owes the United States $374 million.

Argentina has one of the highest per capita incomes on the continent. It suffers under a military dictatorship which overthrew a constitutional government last year. What then is the justification for military aid to Argentina? A Defense Department spokesman explained it:

> Our program to Argentina is based on supporting broad governmental interest, in a major country in Latin America.

This answer does not satisfy me, nor, I suspect, any Member of this House.

Stationed in Argentina, by the way, are 63 U.S. military assistance personnel engaged in training and the administration of the military aid and sales program. What is the reason for supporting so many boosters of American military weaponry and services, especially in Argentina?

In neighboring Chile, there are 67 personnel in the American Embassy's military section, compared with 55 diplomatic employees. This grossly inflated military representation was strongly criticized by the former American Ambassador to Chile, Ralph Dungan. Dungan was most upset by rumors that the American military advised Chile's armed forces to deal directly with them, bypassing the Ambassador, who is supposed to be chief of the country team. It is this military interference with political decisionmaking that Congress should put an end to.

Underdeveloped countries can ill afford modern weapons, and our arms program only whets their appetities. Why should this country lend or give them money for military hardware and then lend them more money for economic projects they could have financed with their own money if they had not squandered it in the military marketplace? This procedure does not make us a greater friend, it just makes us a greater creditor, and there is no gratitude for that. The Executive has clearly failed the course in military and economic bookkeeping.

Peru is in the market for supersonic jets—she wants to be the first with the latest in Latin America. Peru has already received a $4 million Eximbank country X loan and $1 million directly from the Pentagon for arms purchases. That is the very same country that also received about $18 million in American economic aid in fiscal 1966, and even more in fiscal

1967. Peru already owes us around $200 million, and she is in such dire economic straits now that she is seeking a large American loan to bail her out. There is something wrong with our military aid program—and our foreign policy—when we fail to examine thoroughly each country's total program—military and economic—and tailor both kinds of aid to the particular situation in that country. It is clear that we are not doing this now. What we are doing now is giving from both pockets, and the left hand neither knows nor cares how much the right hand is giving out.

The respected President Eduardo Frei of Chile recently deplored the effects of American military aid on economic growth in an article in which he pointed out that:

> The annual expenditure of the Latin American countries on armanents has reached $1.5 billion. Yet the average yearly sum [in economoic aid] made available by the United States to Latin America in the period 1961–65 was $1.1 billion. The two figures clearly show that present arms purchases seriously undermine the objectives of the Alliance [for Progress]. . . . The armaments race encourages distrust and nationalism and these in turn are among the chief enemies of [economic] integration. It also diverts important resources which should be utilized to satisfy the urgent need for economic and social development.

Our military aid is underpinned by unjustified assumptions. Chief among these is that the arms we provide will be used for the purposes for which we give them.

We poured arms aid into Greece and Turkey because they were members of NATO and we counted on them to fight Communist aggression. Instead, they rattled American weapons at each other over Cyprus, and the Greek military got a bonus use in the overthrow of its own constitutional government.

Pakistan used to be our stanch ally against Red China, so we flooded that country with arms, which she promptly used against India. It was the Russians who acted as peacemakers between the warring neighbors at Tashkent. Pakistan today is closer than ever to Red China.

A Foreign Affairs Committee report pointed out last year:

> Unless issues which the United States regards as important enough to go to war about are regarded by countries receiving military assitance as of comparable importance, we cannot count on them to use their forces to carry out a joint strategy.

Russia has had its share of setbacks, too. Total Communist bloc military aid to Indonesia from 1956 to mid 1965 amounted to over $1 billion. Yet that same Soviet-equipped Indonesian Army blocked a Communist-backed attempt to seize control of the government on October 1, 1965. In Algeria, a Soviet-equipped army overthrew Russia's friend, Premier Ben Bella. And today, a hostile, Soviet-equipped Red Chinese Army glares across the border at Russian troops.

Arms will be used the way the country possessing them sees fit. Military allegiance cannot be won by gifts of arms. Yet our military aid program persists in operating on the assumption that it can.

Fallacious also is the logic that flooding an area with arms automatically breeds stability. Instead, it breeds arms races. We are all familiar with the Middle East arms race whose bitter fruits we are still tasting. Instead of contributing to the escalation of military weapons inventories, we would do better to devote equal effort and zeal to breaking that vicious spiral.

The Defense Department also holds the unjustifiable belief that if the United States provides the weapons, it can maintain a greater degree of control over their proliferation than if they were purchased from other countries. Under this assumption, we sold Argentina 25 A–4 aircraft last year. So Chile went right out and purchased $20 million worth of Hawker Hurricane jets from Britain, and Peru is in the market for Mirage supersonic jets with the made-in-France label.

The Pentagon sold Iran a squadron of F–4 Phantom jet fighter planes after Iran threatened to buy them from Russia. Iran has recently completed a $110 million arms deal with the Russians anyway.

It is not argued that Congress should eliminate military aid. Certainly we should come to the aid of countries on the frontline of Communist aggression. We should offer our assistance when there is a clear and present Communist aggression. But Congress should retain the power to decide in each instance where such clear and present danger exists.

Congress should put an end to the scattering of American arms largesse wholesale around this earth. I believe that Congress should take a long, hard look at the destination of each program of military aid. Congress should not give automatic assent to military intervention in 50-odd countries. Military assistance should not be extended to any country unless Congress gives its specific approval to a program in that country. The blanket powers Congress gives to the Executive to operate our military aid program must end.

During the reading of the Foreign Assistance Act of 1967 for amendments, I intend to offer an amendment to require all military aid and sales to each country to be approved by Congress in specific dollar amounts. Congress must reassert its control over America's foreign policy. All Members of this House are urged to support this reaffirmation of legislative oversight and authority.

Mrs. BOLTON. Mr. Chairman, I yield 15 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, the annual multibillion-dollar bargain basement is now opening in the House of Representatives and the line of foreigners, tin cups in hand, is forming on the left.

Some in this lineup are affectionately described by the American society of bleeding hearts as underdeveloped and underprivileged. But a goodly number in the lineup are professionals in the international art of chiseling and glorified blackmail.

Prohibited from even approaching the bargain counter the House is opening today, and therefore underprivileged spectators, are millions of tax-ridden Americans.

For 20 long and weary years they have been relegated to the sidelines, while from hell to breakfast, and from Ouagadougou to Timbuktu, they have watched billions of dollars—the end product of their enterprise and toil—disappear into the wild green yonder.

Meanwhile, in the corridors adjacent to the bargain basement there will be no lack of bureaucratic advice on how arms may be saved from being twisted out of their sockets. And through the telephones that serve the bargain counters there will be no lack of advice from Foggy Bottom for the next 2 or 3 days as to when and by how much the price tags should be changed in order to get the best possible deal—for the foreigners.

It is possible that in the next day or two the sales force in the bargain basement may be asked a few embarrassing questions. For instance, and for the $140 billion that has been looted from the pockets of American taxpayers for the assorted foreign handouts, what peace, tranquillity, and friends have been established around the world?

Outside of the Koreans and the Thais, what other nations around the world, that have fattened on our international dole, are shedding their blood and spilling their guts in actual combat in Vietnam? Bear in mind that the Australians and New Zealanders have not had their hands in the pockets of our taxpayers.

It will be remembered that President Eisenhower, as misguided as his predecessors and successors in the White House on the subject of foreign handout programs, said that as a result of foreign aid, "our friends among free world nations make available to us for the use of our forces 250 strategic bases, 5 million ground forces, 30,000 aircraft, and 2,500 naval vessels."

Well, in Vietnam where are these men, warships, and planes that our $140 billion worth of love and charity was supposed to produce? No less than 50,000 American lives have been lost in Korea and Vietnam to halt the spread of the Communist world conspiracy. And four times that number have been maimed and wounded. Aside from the Koreans and Vietnamese, and a few other token forces, what nations that have picked our pockets so clean are willing to spill their blood and expend their substance in the common cause?

Take, for instance, the British. Through the years they have borrowed, begged, and otherwise connived to extract billions of dollars out of the U.S. Treasury. For many of these billions, and going back as far as World War I, this Nation's taxpayers are holding the sack. The great, great grandchildren of today's taxpayers will still be holding the bag, for the British are not about to pay up.

Instead, and with the perfidy that marks altogether too many of those who have fattened at the trough in this bargain basement, the British have sent ships under their flag into the ports of Communist North Vietnam with hundreds of thousand of tons of supplies to support our enemies. But for anyone with a reasonable memory this should not come as a surprise, for in the first year of the Korean war the same shameless British traders made 120,000 tons of rubber available to our Chinese Communist enemies along with oil, steel, aluminum, electrical equipment, copper wire, and other strategic materials.

And helping maintain the economy of Cuba, the spawning ground of communism in this hemisphere, are the same British traders.

Yet the British Government, a past master in the art of glorified blackmail, served notice earlier this year that it would withdraw the few thousand troops it has stationed in Europe unless the United States purchased $60 to $80 million worth of military equipment in Britain. A spineless U.S. Government capitulated to this international blackmail.

To top it all off, the Johnson administration is today joined hand-in-glove with the perfidious British in an economic boycott of the South African country of Rhodesia. It is a shameful effort to bring Rhodesia to her knees because she seeks independence from Britain.

Arthur Goldberg, President Johnson's Ambassador and mouthpiece to the United Nations, speaking on the subject of Rhodesia, told the Security Council:

> The international community will not tolerate the existence of a discriminatory system based on minority rule and in defiance of the United Nations and its principles.

What "principles" is Goldberg talking about?

What government in Africa can be designated as a majority government? Does Goldberg mean to say that Ethiopia, the Sudan, Egypt, Algeria, Ghana, Nigeria, and the Congo, to name a few, are not subject to minority rule in the hands of a monarchy or military dictator?

Cuba has a minority government, and if memory serves me correctly, this government even helped bring dictator Castro to power.

As a matter of hard and cold fact, Soviet Russia and all its satellites are minority governments, yet they all hang out at the United Nations and enjoy Goldberg's "principles," whatever they are.

Meanwhile, President Johnson joins in cozy conferences with the hierarchy of the Soviet minority government, sponsors consular treaties, and calls on Congress to build higher and wider bridges to the heartland of the massed dictatorships.

For sheer, unadulterated hypocrisy the Johnson-Goldberg venture with the British in trying to appease the African Caesars by destroying the present Government of Rhodesia is probably without equal.

And this brings us back to the bargain basement. If the Rhodesians had been lining up in the past for their share of the foreign aid boodle it is unlikely the effort would now be made to bully them into submission.

The Rhodesians should have taken a leaf from the books of the Middle East beneficiaries of our economic and military assistance, all of which was designed, we were told, to keep peace in that area of the world. It all blew higher than Gilderoy's kite a couple of months ago, and the pieces have yet to be put together, but here we are at the same old bargain counter, again ready to intrude our long noses and our cash. Who is it we expect to save from communism in the Middle East the next time around?

Incidentally, the newspapers reported a few days ago that this government had made some $27 million available to Israel for food and other supplies. What, I would like to ask those who maintain hot lines with the executive branch of Government, has transpired with respect to Israel's settlement for the bombing, strafing, and torpedoing of the U.S. Navy vessel, the *Liberty*, with a loss of 34 Americans killed, 75 wounded, and heavy damage to the vessel? Is this Government now, directly or indirectly, subsidizing Israel in the payment of full compensation for the lives that were destroyed, the suffering of the wounded, and the damage from this wanton attack?

It can well be asked whether these Americans were the victims of bombs, machine gun bullets and torpedoes manufactured in the United States and dished out as military assistance under foreign aid.

Bear in mind, too, that the Great Society operates a superdooper, worldwide arms sales agency in Secretary McNamara's Defense Department. How contradictory can the Johnson administration be when it peddles $2 billion worth of arms around the world each year and at the same time spends several million a year on a lush payroll of so-called experts to talk disarmament.

This is but one of the scores of contradictions that make a mockery of the whole range of U.S. foreign relations.

Mr. Chairman, for years we have been fed the specious talk that in no time at all the foreign giveaway program would provide such a warm and enchanting investment climate that private investors would flock to the highways and byways of foreign lands. Then and there, they said, we could turn off the faucets of foreign aid.

Nowhere was this to be more true than in Latin America. It hasn't worked there or anywhere else.

Every Member of the House knows that this Government is in serious trouble, financially and otherwise. It is not within the capability of 6 percent of the world's land mass and 5 percent of its population to feed, police, and finance the rest of the world.

This bill ought to be killed now and the billions in the pipeline cleaned out. If necessary, those funds can be deobligated and reobligated.

At a minimum, the time has come to cut this program right into the bone and end it. The time has come to tell the President and the State Department that no longer will these multibillion-dollar handouts be available as diplomatic crutches. No longer will the shoddy business of trying to buy our way around the world be tolerated.

The bill before you carries a price tag that is far too high. Amendments will be offered to slash it and I urge you to support those amendments in the interest of restoring at least a semblance of fiscal sanity in the affairs of this Government.

Mr. UTT. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. UTT. I appreciate the gentleman from Iowa yielding.

He made reference to the situation in Rhodesia and the sanctions there against a friendly country that never asked for any foreign aid. I would like to bring to the attention of the House that one of my great objections to the sanctions against Rhodesia was that America was critically short of chrome and copper. As a result I said at that time we would have to find new sources of chrome. We did find those sources. Last year alone the U.S. Government purchased from Russia $70 million worth of chrome which they could have brought from friendly Rhodesia and could have given the money to them instead of sending it to our Communist enemies. I think, as you say, it is time to call a halt.

Mr. GROSS. I thank the gentleman for that statement.

I yield back the balance of my time.

Mr. MORGAN. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. Monagan].

Mr. MONAGAN. Mr. Chairman, the gentleman from Iowa has been so enthusiastic in his support of this legislation that it may be superfluous for me to say anything more in favor of it, but so long as the chairman has yielded this time to me, I shall proceed with a few points which I consider to be legitimate to advance in favor of this bill.

I do agree, as the gentleman from Indiana [Mr. Adair] said, that this is a vitally important time for us in the consideration of this bill which has come before us this year as in the past. It is a watershed, I believe, because we are meeting the demands of the civilian economy and the demands of the war in Vietnam with their heavy requirements and therefore it is essential for us to examine carefully every aspect of this foreign aid program.

It has been well said that foreign aid is a program which has no constituents. There is no one to lobby, nor voters to exert pressure. On the other hand, I do not believe—and I think everyone will agree with me—that this deficiency should be a reason why we should not support the elements which are in the interests of the United States.

Of course, over the years, this program has had its shortcomings and its defects. I have served on the Hardy subcommittee and I served on the committee which is presently under the chairmanship of the gentleman from California [Mr. Moss]. We are greatly aware of the shortcomings in the administration policy that we have discovered in this program over the years.

On the other hand, we find the same thing to be true in the military program. We find the same failures in other great national programs. I submit that individual imperfections are not enough to warrant us in jettisoning the entire program. We have had successes in this program also. There have been countries which have been given sufficient assistance so that they can move into an area where they are self-supporting and self-sufficient. One example of this is the nation of Venezuela which we helped through a difficult time.

Another which is in the process of development and in the process of creating self-support is Taiwan, where substantially all economic assistance has ceased and we are confined now to granting to that nation military assistance only.

Brazil is a nation which in another field of aid we have helped over some difficult and critical times. Truly, this country is not wholly out of the woods. But, nevertheless, I think that this use of our economic assistance has been in our national interest and has helped the nation of Brazil and has contributed to the security of the hemisphere.

After all, that is what we are trying to do. We are not trying to work any miracles.

I was happy to see agreement on the part of everyone speaking here today to the effect that we are not trying to buy friends through this assistance and if there is really any justification for this program, it is because it is in our self-interest to strengthen certain nations and thereby to add to general security.

Mr. Chairman, three-fourths of the military assistance about which some speakers have been critical, goes to five countries, as the chairman of the Committee on Foreign Affairs has said. These countries include Turkey, Greece, Nationalist China, Korea, and Iran. Obviously, Iran, Turkey, and Greece are on the periphery of the Communist world and restrain Communist adventurism.

If we reduce military assistance—and if it is not provided in some other fashion—it means that the Greek Army, the Turk Army, the Iranian Army, and the Chinese Army will have less than the necessary military equipment.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. MONAGAN. Yes; I yield to the gentleman from Illinois.

Mr. DERWINSKI. I commend the gentleman for properly mentioning the countries on the periphery of the Communist world. Is my recollection correct that the State Department has withheld some military supplies from Greece because of its displeasure with the present anti-Communist government there? It would seem that that would be in contradiction to the gentleman's position.

Mr. MONAGAN. I cannot answer that specifically. There may be some selectivity. But I know—and I think the gentleman from Illinois is well aware of the fact—that over the years during which we have been discussing the problem of providing equipment for the Greek Army, which is facing the Bulgarians at a very, very strategic and narrow point in Greece, one of the criticisms of the cutback in military assistance in the past was made by no less a witness than General Lemnitzer, and it was to the effect that it would prevent the Greeks from obtaining equipment which would be on a par with that new materiel which had been provided the Bulgarians by the Russians.

Mr. DERWINSKI. At the risk of being misunderstood, I definitely agree with the gentleman that the Greek armed forces are one of the groups we should continue to support.

Mr. MONAGAN. I thank the gentleman.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. MONAGAN. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. I would say to the gentleman I believe we are continuing to support the Greek armed forces. I believe military assistance is continuing to go to Greece. Greece is a NATO ally and we depend on the armed forces of Greece to implement our defense strategy.

Mr. MONAGAN. I had expressed my doubt that what the gentleman from Illinois said was entirely true.

Mr. MORGAN. I thank the gentleman for yielding.

Mr. MONAGAN. Now, reference has been made to the action of the other body, as if that was necessarily something that we should automatically follow. But I should like to point out that some of the reductions that have been made there, 34 percent in military assistance, for example, would make it virtually impossible for us to carry out these programs that I have been referring to which are unquestionably of vital interest to our Nation, and I say that, as it turns out with this program, if it is not done here in this bill, it will have to be done in the defense budget, or in other budgets throughout the Government, because these things are necessary and in our national interest.

The total amount of the reduction, as has been said, was $219 million, which is rather substantial. At the same time, we have added $84 million because the bill proposed to take away the jurisdiction over the NATO infrastructure which this committee had had over the years, and transfer it to the Defense Department. And in line with the very logical and sound suggestion which the chairman of this committee has made, that all matters which concern foreign policy and foreign affairs should be concentrated in one bill, it has been the action of this committee to return this matter to the confines of this foreign aid bill, and it is my understanding that the other body in this case has agreed.

With reference to the suggestion that sufficient consideration has not been given to the issues which are raised and inherent in this legislation, I should simply like to point out that the hearings on these programs began on April 4, 1967, and concluded on August 2, and that there were 53 meetings of the committee; that every witness who wanted the opportunity to be heard, whether governmental or private, was heard.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MORGAN. Mr. Chairman, I yield 1 additional minute to the gentleman from Connecticut.

Mr. MONAGAN. I thank the gentleman.

Not only that, but every member of the committee who wanted an opportunity to suggest witnesses or bring in witnesses had that opportunity, even to the extent of boring other members of the committee who had previously heard it and subtracting years from the life of the chairman.

So I say, Mr. Chairman, this program is essential. Certainly it is not perfect, there could be changes made as a result of experience; nevertheless it is one of the tools that the President needs to carry on the foreign policy of the United States and to protect our national security.

I hope that the House will agree with me and support this legislation.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Chairman, after the analytical statement by the gentleman from Iowa, we ought to close general debate and proceed to effectively trim the bill.

But the rules of the House will be followed and other Members will, of course, have plenty to say. But I do think the gentleman from Iowa was especially effective today. He presented us with a high-level bit of corn, which is in keeping with his Iowa background. I do recall 2 or 3 years ago that he even put some of his words into poetry. Of course, this afternoon he used only prose which shows that it is hard to find something poetic in this dubious program.

Mr. Chairman, I would also commend the gentleman from Indiana [Mr. ADAIR] who spoke earlier and who gave you very sound reasons for opposing the program and cutting it down to size. I notice that since he spoke most of the Members have left the floor of the House, obviously convinced that we should make massive cuts in this bill.

So rather than repeat why the bill must be cut, why on behalf of the taxpayers we have to use a hammer to chip away at this bill presented to us by the committee, I would like to digress a moment and inject a few personal observations.

I would first compliment our chairman who very patiently brings this bill to the floor every year. I have never asked him to deny it, but I know that down deep in his heart it must be difficult to stand up and defend the State Department on such a program as this. But he does it heroically enough and even though I may not agree with his arguments for the bill, I admire his courage in telling the House with a straight face that this is a fine program.

I also have great respect for the gentleman from Connecticut [Mr. MONAGAN] who just spoke because, one of the countries that does not receive foreign aid is the land of his ancestors, Ireland, and I think it is wonderful that the proud Irish do not have their hands out—or as the gentleman from Iowa [Mr. GROSS] would say—their tin cup out. It is interesting that a son of the Old Sod like JOHN MONAGAN would defend a program even though Erin is not benefiting by it.

When we really get down to it, as I see it, the issues before us in this bill are just two. One is, as we Members of the House know, that our real strength as a legislative body is that we represent the public. The other body, detached as they are by their 6-year terms, are usually aloof from the American public. They do not do as good a job of representing the public as we do. It strikes me as being especially disturbing that the chairman of the Committee on Foreign Relations of the other body and the members of that committee get all the attention and all the notoriety when the real skill in dealing with foreign affairs is to be found in the Committee on Foreign Affairs of the House of Representatives. So I would think that one way to get the proper attention and recognition in this field is to do a better job of cutting this bill and a deeper job of cutting this bill than was performed in the other body.

I believe if we support the comments and later the amendments of the gentleman from Indiana and the gentleman from Iowa and others of us who will have proper amendments to offer we can do a fine job to restore control of our foreign policy to where it really belongs, to the House of Representatives, the true spokesmen of the people of this country.

The second thing that we ought to keep in mind is that there is not anything that will have as sobering an influence on world affairs as effective cuts made by the Congress in the foreign aid program. Frankly, all the benevolence that we have in this bill is taken for granted.

If we do take meaningful steps in cutting down the program, I believe the aid that we will continue to provide will be appreciated. I would think that even though they would not admit it publicly, our distinguished Chairman and the other Members who must heroically struggle to defend this program might deep down in their hearts be saying, "If we could really trim this to the bone we would then be appreciated abroad."

No one really appreciates a sugar daddy. It is someone who carefully gives you a little practical help that you appreciate far more than the very benevolent individual.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the distinguished gentleman from Wisconsin.

Mr. ZABLOCKI. I commend the gentleman from Illinois for recognizing that the Members of the House, particularly the members of the Foreign Affairs Committee, are more knowledgeable in international affairs than those in the other body. Knowing and realizing that, can the gentleman honestly say that we would be so irresponsible as to cut this bill?

Mr. DERWINSKI. No, I am not saying that would be irresponsible. What I am saying is that when we cut the bill, we would actually help the State Department by giving them some spine, some firmness, and strength that they cannot on their own develop.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to our distinguished chairman.

Mr. MORGAN. I am somewhat confused by the gentleman's statement. I wonder if he is trying to say something similar to what the gentleman from Louisiana [Mr. PASSMAN] said yesterday in relation to another bill: I am "agin" the bill, but I hope it passes. Am I correct?

Mr. DERWINSKI. No. what I am really trying to do is to mellow the gentleman so that when I offer my constructive amendments in the next few days, I might get some good support on his side of the aisle.

Mr. MORGAN. I must say that I have enjoyed the gentleman's service on the committee. He has been an asset to the committee with his humor and good will. A number of the amendments he has offered in committee has made a significant contribution to shaping the bill we have here today.

Mr. DERWINSKI. In keeping with this wonderful spirit of Camp David, Glassboro, or whatever else prevails today, I intend to offer many constructive amendments in the next few days. They, of course, will be in the pattern of reducing the bill. I am pleased that the chairman will have a tolerant and objective point of view toward my amendments.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. In keeping with the "spirit of Derwinski" I might say I hope the gentleman's amendments will have the same success as did most of his amendments in the committee.

Mr. DERWINSKI. I hope my amendments will have as much success as the Israel Army did against the Arabs. In fact, I feel just as virtuous.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. The gentleman has described his amendments as "constructive amendments." I presume the gentleman would not have an amendment to discontinue the program entirely. He would not be that irresponsible, as suggested by the gentleman from Iowa.

Mr. DERWINSKI. What I think we could do is to suspend new authorizations for at least 1 year and let them live off the $6 billion in the pipeline. Then we could come back a year from now and, and who knows, find that we may not need the AID program. I do not think cutting off the AID program would be irresponsible. I think we would be really appreciated by our taxpayers. I think now we are taken for granted abroad. Psychologically, we are taken for granted around the world because of the unnecessary charity of the AID program.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield further?

Mr. DERWINSKI. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Proceeding with the thought of the chairman of our committee, knowing the gentleman's great ability for statesmanship, if he knew his vote would contribute to a discontinuation of the program, would the gentleman desire to have his vote on record for such a discontinuation?

Mr. DERWINSKI. Positively. I think that would be a moment of great glory. We would really restore some sanity to our foreign policy, which is greatly in need of it.

Let me point out, realizing the chairman has referred to the fact that I occasionally try to help an amendment through with humor when I cannot do it with voting muscle, that seriously, one of the troubles about debate in Washington is that there is too much attention centered on the other body, where they have been engaged in personalities. In the next few days when we offer the amendments, they will not be offered in the spirit of deliberately embarrassing the President or adding to the confusion that may exist in the world over debate on foreign policy of the United States. We want to help the State Department to make the cuts they do not have the guts to make themselves on behalf of the poor American taxpayers.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. With friends like that, the State Department needs no enemies, and I am sure they do not require that kind of advice to conduct their business.

Mr. DERWINSKI. As the gentleman from New Jersey knows, the State Department is not necessarily held in as high a repute as some of the truly benevolent agencies in our country, such as the Red Cross, the Cancer Society, or other proper benevolent groups. The State Department is really masquerading as an international benevolent association at the expense of the U.S. taxpayer without elementary results.

As the gentleman well knows, our amendments will be so constructed that the overpowering logic of our position, I am sure, will prevail, and then, of course, we will fortify the chairman's hand when he goes to conference by insisting that the deeper cuts made by the House be sustained in the conference.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman.

Mr. HALEY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Chairman, these are times in which, as related in "Alice in Wonderland," you have to run faster just to stay in the same place. This comes to mind as I think of our Nation's worsening of the payments deficit. The more we spend in foreign lands, the worse the situation becomes and the harder we run trying to catch up.

If foreign countries would spend as much with us as we do with them, the race of course would be about even and gold would stop flowing from our country to theirs. But inasmuch as their spending is not likely to increase, the only way to narrow the race in our favor is for us to spend less abroad. And right now, on the floor of this House today, is a good time to initiate a cutoff program.

The time is ripe because we are today considering again an administration request for authorization of more billions of our taxpayers' dollars for our bureaucrats to spend freely—and, I am sorry to say, wastefully—in all parts of the globe.

Just a few simple figures tell the story of why it is necessary to cut not only foreign spending but some domestic outlays as well. Unless the 10-percent surtax on incomes proposed by the President is approved—and there is, as we all know, no certainty that it will be approved at that level—we may have a $29 billion deficit in this fiscal year, as administration spokesmen now frankly admit. Even with the increased income tax, a deficit of $20 billion or more impends.

With such a tremendous proportion of our total budget for this year earmarked for national defense and for fixed charges such as the astronomical interest on the national debt, there are not many places in which the budget can be effectively trimmed to the extent needed to bring the looming deficit within the bounds of reason. But I submit, Mr. Chairman, that there is one such place—it is in the bill which is before us for consideration today.

The administration, through its spenders in the State Department and the Agency for International Development, is engaged in the annual effort to lead the American people, and their representatives in the Congress, to believe that unless foreign aid is continued on its present broad base, we will lose friends around the world.

But a survey of the attitude of the nations of the world toward the United States today does not make it appear that our spending of far more than $130 billion over the years has gained us any friends—or even gained us the respect of the rest of the nations.

So I would ask you, ask all of my colleagues in this House today, why should we also lose our money and put our monetary system in perilous jeopardy? I do not think there is a reasonable answer to this, except in the minds of those who believe in "check book" foreign policy under the theory that more spending is the answer to every problem.

I would point out to you that only last week, our Commerce Department reported that the U.S. dollar drain during the April–June period exceeded $500 million for the second straight quarter. If this trend continues, the Nation could experience its worst deficit in 3 years in the international balance of payments.

I think this is a situation which cries out for the most stringent economy in our foreign aid spending. As much as I wish it were not so, I recognize the fact that all foreign aid spending cannot be abruptly stopped. But it can and should be reduced well below the figure recommended in this bill before us. And this objective can be accomplished to a great degree, it seems to me, by limiting our distribution of aid funds to needy and worthy nations on which the United States can count in these troubled times.

We have for too many years been doling out our funds, to the great detriment of our own solvency, to too many nations which not only are not our friends and have no intention of becoming our friends, but which are in many cases at best "neutral against us" and in some cases downright and abusively hostile to us and noticeably partial to our Communist enemies.

Beyond this, we have—as every Member of this House knows—allowed the channeling of our taxpayers' hard-earned dollars into countries which in effect used them for the purpose of providing goods of all kinds to our enemies. And—as AID officials reluctantly admitted when caught in the act—we have allowed our assistance funds to be used to fatten the personal bank accounts of corrupt officials of some so-called friendly countries.

I repeat that we cannot, as a practical matter, abruptly turn off the foreign aid spigot. But I also repeat that we can, as a practical and also necessary matter, curb the flow of our dollars through that spigot. I do not think this is a political matter—it is a matter which calls for responsible action by a responsible Congress, for bipartisan action throughout this Chamber. I hope my colleagues on both sides of the aisle will join me in voting this year to impose sharp limitations on this program.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HANNA. Mr. Chairman, "stability" is the great goal for the developing countries of Southeast Asia, but there is a problem in defining the term. To some people, it means an insistence upon a static society, an immobile state—an eternal status quo. Or it may mean more simply preventing the Communists from taking over by open attack; as long as that calamity is averted, these people believe the desired stability is achieved.

I believe that stability in Southeast Asia is a freer term, a higher goal, and a more dynamic possibility. Stability is not only military security, though it must include it; stability is not a police state, though it may have to pass through it; it is not just a rising GNP, though it comprises it; nor is stability preservation of the wealthy, though it may need it.

In short, stability is not keeping a society's head just above water. Rather it is learning to swim, for the whole body politic. Stability, in fact, is development—the development of people and their institutions.

Let me illustrate the status quo in Southeast Asia by repeating to you a true story from northeast Thailand. It demonstrates the difference between what we might call "static" and "dynamic" stability.

Lek was a 27-year-old Thai from Don Saeng village. He was single, and he lived with his family of 12 on 5 acres of paddy land. If the rain was good and not too many pests or diseases blighted the crop, they had enough rice to feed themselves. In a bad season, they tightened their belts and tried to find extra work for additional rice. The family usually tried to grow 1 acre of fibrous kenaf, but often there was not enough water for retting, so it was of poor quality. They raised two pigs, seven buffalo, and four head of cattle.

Lek's friend Sangwan had been his classmate in a sideless school attended by about 200 children. Since no higher level of education was available, their schooling had ended at the fourth grade. Sangwan was married and the father of two children. They lived with his family of eight on 4 acres of paddy land; enough to produce about half the family's needs. They raised two or three pigs a year, but most of the additional family income came from cutting trees and sawing unauthorized lumber in the forest.

Although they were farmers, neither Lek nor Sangwan had ever seen a rice or agriculture officer, and they had little contact with any government officials. They had never heard of a Farmer Club, Farmer Association, or 4–H Club. These young men wanted a better life. They really had not thought much about the future, but they wished to continue farming, as their ancestors had, and to learn a new skill. They had heard of a rice demonstration near Lerngnokthar, where chemical fertilizer had nearly doubled rice yields. They had seen the rice and it looked good, but they did not know how to use the new fertilizer. Besides, they had heard it cost 15 cents per kilo—15 cents they did not have. Lek had also given some thought to becoming a driver, but had no way to learn how.

About 2 years ago, Lek's brother-in-law started talking to him about the future. His comments were something like this:

> The Thai Government is very bad. They will not let you cut trees to build your houses unless you pay bribes. When the police come to the villages, they come to arrest someone, but do they ever help you? Thailand is really a colony of the United States: you can see that by the number of American troops living here. But the Thai people have friends to help them fight against the corrupt government and the colonialists, friends in North Vietnam, China, Cuba, and elsewhere. When they come, all the Communist party will be united and the farmers will have a better life. It is the only way.

Lek thought about what his brother-in-law had said. After all, his cousin had been arrested and fined $10 for taking trees to build a house. Another neighbor had three buflalo stolen, but the police never did help him find them. Maybe this government really was not very good.

Some time later, a friend persuaded Lek and Sangwan to come abroad to a progressive country where they would learn all they wanted. They went on foot with guides through the jungle to North Vietnam. Once there, they entered a training group of 143 Thais, men and women. They were then broken into smaller groups of four and not allowed to talk about their families or homes. Daily instructions were given by North Vietnamese instructors on Communist ideology, weapons, jungle survival, guerrilla warfare, the organization of Liberation Associations, and many other topics. The program continued for 8 months, but the group had to move regularly to avoid attacks by American bombers. Twice they went to Hanoi to see a "really progressive city," although they were accompanied by a guide and were not permitted to speak to any of the people. They were not much impressed by what they saw, although they did admire the large buildings.

After their return to Thailand, they were assigned to work in small groups. They were told how to move in and kill selected village headmen, schoolteachers, or the like, and get away fast. Their leaders discussed setting up various liberation associations—for farmers, priests, students, women, and so forth. The groups often went into a village to help the farmers plant or harvest rice and talk to them about organizing a liberation association.

But life in the jungle was hard. Often they had little or no food to eat, and at times there was none for 3 days. At other times, perhaps a milk can of rice had to suffice for three men, supplemented by bitter roots and leaves. They were constantly on the move, evading antiterrorist squads.

Sangwan began to think more and more about his family and how he would like to go back to them. Life as a farmer might not be so bad after all. He had been warned that the only way to leave the Communist party was to be killed, either by the Communist or the government. Even so, he was tired of running. He decided to give himself up to the district officer, who welcomed him and took him into his home. Lek held out until he was captured by a suppression squad. At first, he was very hostile and would not say anything but: "I haven't seen"; "I haven't heard"; "I didn't do it." Eventually, however, he volunteered to tell his story.

Lek and Sangwan were misled by the Communists because they had no real basis of comparison, no way of testing the validity of their statements. What our AID people are doing is reaching into Don Saeng village and bringing the outside world to people like Lek and Sangwan. They are helping to provide opportunities for Thai peasants to obtain a better education, better employment, to learn new techniques of farming or to turn to other occupations by learning new skills.

Our task is to help the Thai Government develop techniques whereby Lek and Sangwan can identify their own problems and recognize that there is something they and their people can do about them; our job is to help the Thais improve existing institutions and create new ones which will give Lek and Sangwan real benefits instead of the empty promises of terrorists.

But human and institutional development requires much from those who dare to believe in it. It takes men and money. It takes talent. It takes time and belief.

THE NEED FOR MEN

To date, the Agency for International Development has sent into the Far East more than 4,000 American men and women to work on stabilization programs. They are there because they must take the seed to the farmer, must teach the use of fertilizer, and help in the harvest. They must build the schools and instruct the students. They must carry medicine into the jungles, treat the sick, and shelter the homeless. And in some areas, they are needed in the villages to secure safety by day and to protect the peace of the night.

Men are also needed to prepare others to build their own institutions. They must train them to build roads, houses, industries, airfields, and communications systems required for 20th-century living. Men must help other men organize for their common good—to form cooperatives, professional and labor associations, credit unions, banking facilities, and administrative and planning organizations. When people inspire others to help themselves in the development process, the most enduring and powerful force on earth has been unleashed.

The less developed countries must do most of the job themselves. But by their very definition, they cannot do it without some outside help. Only men can reach Lek and Sangwan. The Communists sent men to tempt them with illusions. We send men to help them with concrete realities.

THE NEED FOR MONEY

Of course we cannot increase the stability of the world community by money alone; neither can we do so without it. Money is needed—for material, machines, and for labor. Without it, no program for stability can be set in motion. And if we do not plan for dynamic stability, history's wars tell us that we will pay an even higher price for a static one.

In fiscal 1967, the Congress appropriated approximately $2.15 billion for global development work. Of this amount, $768 million, or about 36 percent, was designated for the Far East region, which includes Southeast Asia. Our rationale for this action can be demonstrated by means of a simple analogy: A man may spend massive amounts for fire and theft insurance on his property, but if he does not spend a little to improve his neighborhood, it will run down, and his own damage risks will rise. So will his insurance rates.

No one denies that we now live in a world which requires immense military outlays. But dynamic stability, in our neighborhood or world community, requires much more from us than just insuring a precarious status quo. It also demands that we maintain, improve, and expand the community in which we live. It takes AID money to improve the world community in which we all live and move.

If an analogy between a private homeowner and the United States as a whole seems too facile, let us consider the assertion of each successive U.S. administration in the past 20 years, with bipartisan support in the Congress: that our national interest is well served by our foreign aid program. In the words of the House Appropriations Committee report on the foreign assistance appropriations bill of 1967:

> It is hardly arguable that our past aid in defense of the free world has paid dividends by helping to thwart and frustrate the world communist drive. Not only has it foiled aggression; it has brought stability to a number of countries.

Additionally, and this is a factor whose significance should never be ignored, every major industrialized country that I know of has a foreign economic assistance program. Some take a larger portion of their national income than ours, some take less. It is striking that some of the nations which we consider most realistically practical—such as France, West Germany, and Japan—have very large programs. So do the Communist-bloc countries. All these governments have concluded that it is in their national interest to have a foreign economic aid program, even though with their smaller wealth, it means a greater sacrifice for their people than for ours.

TALENT

Yankee know-how has achieved legendary status. Our confident "can do" approach and the results it gets constitute probably our most familiar characteristic. With achievement, however, comes responsibility—as every high school valedictory reiterates throughout the country. But because this is almost a cliche, it is not the less true. We do have a responsibility to share what we know and can do. It may even be more than that. It may sound fanciful, but the only way to increase knowledge is to give it away. Ideas and know-how will not keep; they must be nourished in many minds and take root in fresh soils. Talent needs to be shared.

Southeast Asia needs our generosity now, just as we need to share. The human resources of that region of the world alone are almost inexhaustible. The special knowledge that is there—and there is a lot of it—urgently needs release. And it takes talent to develop human resources.

It is not enough just for men and money to fight against something. People must fight for something. Dynamic stability in any country requires freedom from hunger, disease, and ignorance. For fiscal 1968, AID is channeling its diversity of talent to place special emphasis on agriculture, health, and education—with an increase of 25 percent in funds in the latter two areas alone. AID intends to give highest priority to the war on hunger, family planning, and nutrition improvement through its emphasis on improving a country's agricultural, production, population-planning, and child-feeding program.

Public Health is already receiving extensive doses of AID talent. The well-being of any nation rests fundamentally upon the health of its people, and when they are cursed by disease, their hopes grow dim. Education is another essential of future development. It takes an educated people to man the factories, to conduct the administration of public and private business, and to teach the young.

TIME

It takes time for people and institutions to develop. We have time to wait. Instant success may be true for instant coffee and for TV dinners. It is not true, however, for people and their communities. The development of people and their institutions cannot be rushed if what we build is to endure.

When societies are changing from within and are threatened from without, it is not easy to take time to let a pattern of development root itself securely. The temptation is always there—to do it for them, to push too fast and too hard, to force our way on theirs, because we already know it works for us. But what works well for our Midwest and our South may not always be best for their Southeast Asia. Southeast Asia has a unique people and culture, and it is worth our time to take both seriously.

Let me illustrate. Recently, the Agency for International Development planned to build a much-needed water storage facility for the rural people of a village in southern Laos. The aim was to conduct this program on a self-help basis. AID knew how much the villagers wanted this project, and they were eager to get the job done as fast as they could. Men and machines were moved in, plans drawn up, the site confirmed, and labor recruited. The time schedule called for an impressively swift job. Everything looked good—except for one thing. The people of the village suddenly refused to work. Despite AID's pleas, they would not help—the self-help principle notwithstanding. And time was passing.

If the story ended here, we could too easily dismiss the Laotians as lazy, ungrateful, wasteful farmers. We could ease our anger by describing their stubbornness as just another sign of the inscrutable and indolent Asian. They simply would not try, even with our offer of help; apparently they really didn't want the job done after all.

The ingredient that is missing in such an attitude is time—time to consider the people of the land seriously. There was a very good reason why the villagers refused to work. It seems that Pi, a sacred spirit, lived on the very site which Western engineers had designated as the best place along the river to construct the facility.

All that was needed, in this instance, was sufficient time for a resident AID anthropologist to win the trust of the local shaman-priest and then ask if it were possible to move the sacred spirit downstream. It was, and Pi was given another home. When time was taken for that, east and west were ready to build together.

The incident encompassed only a brief period; in many cases, years are involved. But although the delays encountered may seem excessive to our western minds, they are worthwhile investments. A water-storage facility is not very big, but it means a great deal to Laotian villagers. Their spirit means a great deal, too. Accommodation could be made for both.

BELIEF

I have already indicated that dynamic stability in Southeast Asia takes men, money, talent, and time. It also takes a lot of belief. Southeast Asia needs our good faith today. They need someone to confirm their right to be what they are, including their right to be different from us and to develop on their own national terms. People and nations who do not believe in that right become tyrants. They push other people and nations around and spread their own brand of distrust over the world. On the other hand, people who believe in their right to be themselves, to be different, and to develop on their own terms hold this belief for others. So they dare to build.

We believe in the people of Southeast Asia, in their integrity and their longing for stability. And so we have the courage to follow our belief and work with them and for them. We trust each other.

It is true that our stability program in Southeast Asia requires many ingredients. It takes much to accomplish it. But what it takes, it gives back. It gives back men, prepared to live with and contribute to the requirements and benefits of a modern world. For our financial investment, it returns a richer, more peaceful society in which we can continue to prosper. If it takes talent to build and to develop, stability gives back minds grown generous and free through cross-cultural contact. If we must give time and belief, we get back time to enjoy the dignity of our fellow man, and a renewed belief to strengthen and expand the foundations we have laid together.

Mr. MORGAN. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, I shall sincerely try to speak simply. There is nothing that is closer to the American heart than foreign aid. When I was a boy, money was hard to get, and a penny and a nickle were large coins. Good people would give their pennies and their nickles and their dimes, when they ill could spare them, for the missionaries. These missionaries went all over the world, where there is hardship, where there are problems, and they taught what? Religion? Yes. But they were the builders of education and health.

I have great respect for a former colleague on this committee, Dr. Walter Judd. He was a missionary, a medical missionary, and he knew the heart of America and the heart of foreign lands. When he was in this House and a member of this committee, he was always a strong champion of the foreign aid program.

I think we make the foreign aid program too complex. I am not going to quarrel with those who think that our America, in the administration of the foreign aid program, should go out teaching to all the world how many children they should have. I do not believe in that. Our image, the image of Uncle Sam, must be one of sincerity, of simplicity. We are going into other lands to help them raise their economy and to help them raise their standards. I do not think we are raising the stature of Uncle Sam in the foreign eyes when we say we are going into other countries to say how many children they are going to have. Yes, if their complexion is brown, they may have one child or two children, and if it is white, then more? I do not know.

But, Mr. Chairman, this is a fine program. Yes, we spend billions of dollars to make war and we are making war in an unhappy and uneasy and changing world. Should we grudge the little money in this program to advance understanding, to build in the ways of peace?

That is all that is at issue here. I know, some are saying, "The foreign aid program is not popular at home." What do they mean, that it is not popular? The women's clubs are for it. The churches are for it. The labor unions are for it. Many of the industrialists are for it. What do they mean, "It is not popular"?

Do not be frightened off. This is the most popular program we have.

Oh, yes, it can be misrepresented. Some can say, "Do you believe in throwing away money?" Of course no one believes in throwing away money, but we do not throw away money when we are seeking to lift the curse of poverty and the curse of ignorance and the curse of disease from foreign lands. That is not throwing away money. That is an investment in the future.

Now let me talk of how I see this program.

Whenever I look at television I have to go through a lot of commercials, and sometimes I do not like the commercials, but I know they cost a lot of money. I do not hear the stockholders of these companies saying, "Oh, they are throwing away millions of dollars just to give amusement or boredom to the American people." It is money spent as an investment. It is money spent to bring in more business.

Every dollar we spend in foreign aid is just that. We can value it only from that standpoint.

I know a little something about Africa. I am amazed by the great wealth of Africa.

Only a few years ago South-West Africa was nothing but desert. Then they found some diamonds. Ten years later they found some more diamonds. Ten years later was the greatest diamond find in the world.

Mauritania was mostly desert, with less than 1 million population, and they found deposits there of minerals of untold wealth.

The little country of Niger, the poorest of all countries, just recently found minerals of tremendous value.

This is the world of Africa. Yes, there should be a little help to Africa. In Africa we are missing the boat. We are not doing much for Africa. If all this authorization goes through, there still will not be very much for Africa. If it is cut down, there will not be anything for Africa.

Africa is going to be one of our great markets. Why, the Africa of tomorrow, which is right around the corner, will give to us tremendous foreign trade. It is worth cultivating.

So it is all over the world.

Mr. Chairman, my heart is in this bill. My faith is in this bill. I see this bill bringing the near tomorrow, as I have seen during my lifetime the America of yesterday brought into the America of today. When I was a boy the population of California, of the entire State of California, was less than that of the city of

Philadelphia, and that time in Philadelphia the population was 1.2 million. In my boyhood in all of California there were less than 1 million people.

What happened?

Development.

Yes, we can call it foreign aid coming from my State of Illinois, foreign aid coming earlier from New England, going west. Foreign aid—that is the money that built up California. That is the money that built up the great West. First we had railroads and transportation, and then we developed waterpower. Think of the market that California gives us today. Would my Illinois be as prosperous if it were not for California? And what has come about in the development of the wealth and resources of California? My friends, the world of tomorrow will be so much richer because of the money we have put into foreign aid in order to build up the economies of countries which are now small but of tremendous stature in wealth and resources. Build up their economies and they will become our customers and our markets. Our factories will be turning out goods and we will find markets all over the world in a world of plenty that has been made by the little money we are now putting into foreign aid.

Mr. Chairman, I am filled with emotion. I know I am near the end of the road. When you are 85 you know that there are not too many years ahead, and sometimes when you are near the end of the road and you look back at the road you have traveled you can see with greater clarity the vision of the road ahead, the road of tomorrow.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I am glad to yield to my very good friend.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

I would like to congratulate the gentleman in the well for a very eloquent presentation. I might say while he may be somewhat older than some of us in years, he is young in spirit and has been a great addition to the Committee on Foreign Affairs. I should also like to say that the State of Illinois has provided a very sizable contribution in the form of the gentleman from Illinois to our country. I think we are all grateful to it.

In reference to the gentleman's emphasis on Africa, I am very pleased that he did mention the significance of this continent, because it does seem to me this is an area which we have perhaps underemphasized in the past.

In that connection, I have been disturbed about the limitation placed by the other body on the number of countries to which we can give aid, because it seems inevitable to me that if there should be too severe a restriction, the African countries, the new countries, the ones where a token contribution in many cases might be of significance, would have to be stricken from the list of recipients.

Would the gentleman care to comment on the limitation placed by the other body on the number of countries to which we might give aid and what it might do to the countries in Africa to which we have been giving or might give assistance?

Mr. O'HARA of Illinois. I am so very pleased that my friend brought that matter up. If the reduction in the authorization decided upon by the other body prevails, there will be no help going to Africa. Africa will be entirely devoid of any help, and we will be missing the boat badly. I have always felt that the area closest to our interests was Africa and Latin America. Certainly we have an interest in the Far East, which is far away, but our closest interest is in Africa and in Latin America. I think it would be a tragedy if there should be such cuts in the authorization that Africa will be entirely cut off. It would be a tragedy.

In closing, might I respond to my friend. I would say that the greatest enrichment of my life in these later years has been my membership on this committee. We are all prima donnas on my committee. I say that with the warmest affection. Nobody quite can define foreign policy. It has been a complex sort of thing. In earlier days it was rather simple. We wanted to do business with countries, and that was all we were interested in. Now we have world responsibility. Nobody quite to the satisfaction of anybody else can define foreign policy.

Well, now, on the Foreign Affairs Committee my beloved colleagues—every one of them—can define foreign policy to their own satisfaction but convert no one else.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I shall be happy to yield to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman, the gentleman mentioned the chronology of the aid program. I would like to say that I wish the other people of this Nation had one-tenth of his idealism, one-tenth of his dedication, one-tenth of the gentleman's vision, one-tenth of the gentleman's energy, and one-tenth of his ability.

There is a song about being "Young in Heart." The gentleman is young in heart, and insofar as I am concerned the gentleman robs old age of its terrors.

Mr. O'HARA of Illinois. Well, I may have another primary next June and I wonder if the gentleman from New Jersey would come to Illinois and do a little campaigning for me?

Mr. JOELSON. You bet I will.

Mr. ALBERT. Mr. Chairman, will the distinguished gentleman yield to me?

Mr. O'HARA of Illinois. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Chairman, the only thing lacking while the distinguished gentleman from Illinois was speaking is that we did not have 435 Members present. I do not believe we have had a better speech in this House during my tenure of service. I commend the distinguished gentleman from Illinois. As the gentleman advances in years, his eloquence, which I feel is a natural gift, advances with him. I hope the gentleman has many, many more years of service in the House of Representatives. We need him.

Mr. O'HARA of Illinois. I might say to the distinguished majority leader that I have always tried to practice humility. But if I listen to any more compliments of the magnitude which the majority leader has bestowed upon me, I will leave the well of the House with a big head.

Mrs. BOLTON. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. TAFT].

Mr. TAFT. Mr. Chairman, it would be a difficult enough task indeed for a freshman member—insofar as the Committee on Foreign Affairs is concerned—to come to the floor with all of the knowledgeable people upon both sides of the aisle and express views upon the legislation that is pending before us. But, coming as I do, after a Titan, the gentleman from Illinois, makes it an almost impossible job.

I would like to say the experience of serving on this committee has been a most pleasant and a most stimulating one.

I would join in the commendation of the chairman of the committee, the gentleman from Pennsylvania [Mr. MORGAN], and the ranking Republican member, the distinguished gentlewoman from Ohio [Mrs. BOLTON] and, indeed, all of the members of the committee for the tremendous amount of attention that they have given to this bill.

As I have indicated in my additional views, I feel strongly that our national interest dictates that we continue a foreign aid program and try to improve that foreign aid program. And, it is in that spirit that I have offered some additional views, commenting as to the procedures that have been followed in the committee and the suggestions that have been made. Further, I would like to echo the recommendation of the ranking Republican member, my colleague from Ohio, as to the desirability of more use of the subcommittees in the consideration of the details of this bill.

When the distinguished gentleman from New Jersey read my additional views, he commented to me, in his usual perspicacious vein:

> I do not see how any Member with your seniority on the committee could dare come forward and present such suggestions for revolutionizing committee procedures.

Be that as it may, it is not my purpose today to go into further discussion of the desirability of such a change. Rather, I would like to talk about a basic question that is going to come up in the amendments as to whether or not the authorization under this bill should be a 1-year or a 2-year authorization.

I believe the issue involved here is whether or not this amounts to a downgrading of congressional supervision over this program. Would it not be a recognition of the fact that the executive and not the legislative branch is to make policy in this area?

For a few minutes today I also want to go into this to answer arguments that have been made in favor of a 2-year authorization, but it really comes down to what the responsibility of the Congress is, and how we can best do our job. I am convinced—and I believe most of the Members are convinced—that we can do it by continual review. I believe that continual review can best be accomplished by the discipline, at least, of annual hearings.

Let me review for a few minutes the various reasons that have been given in advocating a 2-year authorization.

First, it is said that many countries no longer need short-term help. Well, that may be, but certainly there are many countries that may very well need short-term help, and short-term help in the near future. Indeed, there are some who have recently received such help, and I assume we should take another look next year at them to see what their progress has been. Let me cite just as points of illustration those nations in the Middle East, and perhaps Greece, where certainly there are changing circumstances. I believe there is a continual supervision and decision that could well and really should be made by the Congress, rather than the executive, as the conditions change, and the desires and the interests of the American people change.

Second, it has been said that we have enough experience to know that we can get results under a foreign aid program. We have enough experience to know we cannot get results in some instances as well, and I believe when we see we are not getting results, a 2-year authorization is too long a period for a change in the authorization which, given the opportunity, will be stimulated by the Congress.

It has been said also that congressional recognition of the foreign aid program as being in the national interest will be established by giving a longer authorization than a 1-year period. I believe the answer to that is very simple. The Congress has recognized the continuing nature of the foreign aid program for a period of 20 years, and I believe a study of the record of the past support of the Congress is sufficient to make that point. Certain programs such as the Alliance for Progress program, for instance, have been continuing programs, and authorized over a period of years. There are special reasons for doing so, and I would not upset this area.

It is said, again, that appropriations still will be annual, and that this is a sufficient safeguard for Congress. It seems to me that, quite the contrary, the fact that appropriations are annual means that the programs, at least to that extent, are continually subject to review. Why, if they are to be subject to review as to funds to be provided, should they not be subject to review as to the policy involved? One of the most frank statements made to me informally on this with regard to the 2-year authorization bears repeating here. It is that to go for a vote of the other body again next year might hurt the program more.

Well, if so, I believe we had better take this question head on. The implication is that the future conduct of our foreign policy in other areas than foreign aid can result in some kickback upon the foreign aid program. For those who would change our foreign policy, perhaps that would be a desirable thing. But in any event, if we are to make our decision upon foreign aid and on the basis of poor reasoning of this sort, then I believe the Congress, and indeed the Nation, will have arrived at a sad day.

Another point made by the director of the program before our committee was that perhaps a 5-year authorization might be desirable in some of these programs. He was asked, if this was true, why did he not ask for 5 years? He came out with what I think was quite a factual, truthful answer: that it was not practical to come out with more than 2 years and expect approval.

Thus, I believe really what this comes down to as much as anything else is a matter of convenience of the executive branch.

It has been said that too much agency time is spent in congressional hearings. Perhaps that is true. Some of the suggested reforms with regard to taking some of the more detailed aspects up with subcommittees would probably get down to the people who are actually in charge of a particular program and might be the remedy for this.

It has been said that there is an advantage of freeing the Congress from a yearly review, giving it more time to focus on special problems.

It seems to me proper procedural changes rather than a change in the years of authorization would be the way to handle this matter.

It is said that there has been too much attention to the errors and too little to the successes. Our job is to pay attention to those areas in which we find errors. If we have successes, then the Congress is not called upon to change those programs.

But I think it is our job to review the programs and to pick up errors that we see and point them out.

It is said that annual reviews dull rather than sharpen the interest of the Congress, to say nothing of the American people. But how can less activity create more interest? This just does not add up.

It is said that continuity is needed for sound management. As to this, I might add that sound management may call for continuity as well.

In sum, I do not think a case has been made for a 2-year authorization program. I think amendments should be offered and I, if others do not offer them first, will be offering amendments to cut back on these various programs that have been authorized for a period longer than 1 year.

The Committee might be interested in the figures, as to what the authorizations for 1969 total.

The total figure for 1969 is $2,775,325,000. That is an increase over 1968 of some $273 million.

In summary, if you attempt to justify increases from 1968 to 1969 on the basis of the record that has been presented to you, and that was before the committee, I think you will find very little justification for any 1969 increases there.

In conclusion the basic question still remains: Do you want to have the Congress maintain control and supervision and oversight over this area? Or do you want to give a blank check—well, perhaps not a blank check, but certainly one dated for the next year to the executive branch of the Government?

Do we feel that the Members of Congress are too heavily imposed upon to be called upon to review each of these programs every year and to work their will on these programs?

Mr. Chairman, for the information of my colleagues I include the following tables of the 1969 authorizations in foreign assistance which I expect to ask to be stricken:

1969 AUTHORIZATIONS IN FOREIGN ASSISTANCE ACT OF 1967

Subject	Authorization, 1969	Authorization increase over 1968
Development Loan Fund	$750,000,000	$150,000,000
Technical cooperation and development grants	260,000,000	17,000,000
American schools and hospitals abroad	14,000,000	0
International organizations	158,000,000	17,000,000
Supporting assistance, Vietnam	170,000,000 550,000,000	0 0
Contingency fund	100,000,000	25,000,000
Military assistance	714,000,000	64,000,000
Administrative expenses	59,325,000	0
Total	2,775,325,000	273,000,000

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. Wolff].

Mr. WOLFF. Mr. Chairman, foreign aid is an appropriate way to help our friends in the developing nations with self-help programs. Foreign aid, especially military aid, is not, and will never be, an appropriate way to reward countries antagonistic to the United States.

It is my sincere and sorry conclusion, after examining the conduct of certain aspects of the military assistance program included in our foreign aid program, that we often lack vision and direction in the execution of our policy of foreign aid.

It is not politically sound nor militarily logical to provide military aid to our adversaries. Yet there are in the United States today 20 men from Iraq and the Sudan still receiving training at our military bases. These countries have broken diplomatic relations with the United States, yet we continue to train their military personnel. The Secretary of State has tried to justify this policy but all that emerges is a weak apology for an inexcusable program. Our Nation appears not to recognize what is meant by the breaking of diplomatic relations. Against our best interests, we persist in providing men from countries militantly opposed to us and our policies access to security information on military bases in the continental United States. This type of aid must cease—as of now.

Mr. Chairman, while on this point, I wish to clarify a statement I made last week. I said that Libya had broken diplomatic relations with the United States. The source for that incorrect statement was the Congressional Relations Office of the Department of State. Only after further probing was I able to have this mistake corrected. It is most unfortunate that for two months the Congressional Relations Office was informing Members of Congress incorrectly that Libya had severed diplomatic relations with the United States.

Although Libya has not broken diplomatic relations with the United States, I was interested in a story that appeared in the Washington Post on Friday, August 18. According to a dispatch from Cairo, Libyan troops are regularly defecting to the United Arab Republic. The latter is clearly an adversary of ours and it would be most embarrassing if American-trained Libyan troops were joining the United Arab Republic military.

Clearly when such an unfortunate possibility exists it is imperative that we evaluate carefully our policy of military aid to Libya. Whether or not a country has broken diplomatic relations should not be the only basis for considering the merits of military aid programs.

Jordan maintains diplomatic relations with the United States and expresses a desire to be our friend. Yet when the chips were down, when a decision had to be made, Jordan signed a military assistance pact with the United Arab Republic. Whatever may be Jordan's intentions, that country has a defense pact with an avowed adversary of our's and continued military aid to Jordan is not in the best interests of the United States.

We are told that if we do not provide military aid to certain Arab nations, they will receive that aid from the Soviet Union. I submit that we do not have to give way to this international "blackmail." Such attempts to play the United States against the Soviet Union are irresponsible and perpetuate, rather than lessen, cold war tensions between us and the Soviets.

Mr. Chairman, as my colleagues realize I am a strong supporter of foreign aid. I welcome projects that build self-sufficiency in the developing nations; for that is the purpose of aid. As our aid officer in Taiwan told me several years ago: His job was to make his job unnecessary, and he did just that. The program was so successful the Republic of China no longer needs economic assistance. Through our aid program we must strive to help the developing nations use their resources to become our trading partners; not to remain the perpetual recipients of aid.

Thus, while the principle of foreign aid has my support, there are ways we should alter the existing program to help deserving nations and, at the same time, consider our national interests.

The military assistance program should be separated from the economic aid program. The aims of these two programs are too diverse and their execution too different to properly lump them together in a single piece of legislation. By lumping them together Congress is deprived of certain freedom of action in amending aspects of the aid program. By lumping them together we lose sight of their different objectives. By lumping them together we incorrectly equate military and humanitarian aid. Clearly the bases for dispensing the two forms of aid are different and the two programs should therefore be separated to give maximum control to the aid program. Such a separation would also clear up misunderstandings about the execution of the aid programs and ultimately make foreign aid more effective for the donor and the recipient.

Also, while providing military aid when appropriate, we should move to greatly increase the number of foreign students studying at American universities. The Department of State explains that we train military men because they are the leaders in the developing countries. By doing this we merely extend an already unfortunate situation. Perhaps through a reexamination of our policy, and a marked increase in training of economists, political scientists, and managers, we can reverse the unhappy trend that makes political leaders of military leaders. I would not object to having 2,000 Iraqis and Sudanese studying at American universities. I do object to having 20 Iraqis and Sudanese studying on our military bases.

Mr. Chairman, let us train civilian leaders, not military leaders. Then we will benefit, the developing countries will benefit, and the world will benefit by an appropriate shift from an emphasis on the military to an emphasis on the political.

Foreign aid is unquestionably a wise program. However, indiscriminate and illogical giving will ultimately help no country, least of all the United States. I am sorry we cannot afford more than is requested in the budget for aid at the present time, for aid is one of the most potent weapons against international communism at our command. I do not take issue, Mr. Chairman, with the principle of foreign aid. I do, however, take issue with certain aspects of our foreign aid program as currently executed and I intend to offer amendments accordingly at the appropriate time.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. WOLFF. I yield to the distinguished gentleman from New Jersey.

Mr. GALLAGHER. I would just like to say that we have terminated all AID programs with Iraq and nations that are engaged in the war. The fact is, however, than there were military men training here, and the decision was made that since they were here, they could not be sent back during the war. They had nothing to do with the outbreak of the war, and since it was a short time they had to go in order to finish their training, a decision was made to allow them to continue and then send them home. But no new programs are underway. The programs we did have have been terminated.

Mr. WOLFF. The programs have not been terminated. The men are continuing to receive training. However it is true there are no new programs being initiated for either Iraq or Sudan.

Mr. GALLAGHER. Yes. I am saying we had several technical assistance programs with several nations, supporting assistance programs. All programs have been terminated. The one exception is the aid to military men who are here studying in the United States from Iraq. As I said, they were here before war was declared. A decision was made as to how best they could handle the situation. They could not be sent home immediately.

Mr. WOLFF. I do not understand why these men whose nations had broken relations with us could not be sent home immediately, since we were asked to bring our Ambassador home.

Mr. GALLAGHER. We did terminate relations. The problem was that these individuals were here studying, and so they decided they would let them go since they were here as individuals. But all programs have terminated.

I might say, too, that almost 90 percent of the cash-credit military sales have been made to NATO, Australia, and Japan, with more than 75 percent going to Europe alone.

Mr. WOLFF. I appreciate the gentleman's remarks. However, I am sorry that these programs were not terminated as officially as our relations were terminated with the countries of the Sudan and Iraq.

Mrs. BOLTON. Mr. Chairman, I have no further requests for time tonight.

Mr. MORGAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. ALBERT, having assumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12048), to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, had come to no resolution thereon.

LETTER TO THE SPEAKER FROM PRIME MINISTER KY OF VIETNAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a letter to the Speaker from Prime Minister Ky.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the Speaker has just received a letter dated August 21, 1967, from Prime Minister Ky of South Vietnam.

What this letter does is to reaffirm the principles which have guided the Government of the Republic of Vietnam in the conduct of its affairs. It has been sent to the Congress in recognition of the debates which have taken place here and of the sacrifices and contributions which the American people are making in Vietnam.

It states the position of the Government of Vietnam that the development of democratic institutions is of fundamental importance in the defense of freedom in Vietnam. It pledges support for the democratic process and for acceptance of the verdict of the people in the forthcoming elections.

We welcome this clear statement of policy. As the Vietnamese people go to the polls we can only wish them success in this great effort to establish representative government within a constitutional framework.

The Prime Minister has expressed the hope that the Speaker would call this letter to the attention of the members of the House. I am therefore inserting the letter in the Record and I urge all members to read it. The letter follows:

August 21, 1967.

Hon. John W. McCormack,
Speaker of the House of Representatives.

Dear Mr. Speaker: I take the liberty to write to you at a time when the events in my country occasion passionate debates in the Congress of the United States. Since the American and Vietnamese nations are together defending freedom, and are consenting to tremendous sacrifices, I deem it my duty to affirm again the principles which command the conduct of national affairs by my Government.

The defense of freedom in Viet-Nam requires more than our joint efforts at war, it involves first and foremost our mutual commitment to the achievement of democracy and social justice. Should we stray from that basic commitment, or should you misconstrue our purposes, our alliance would indeed be in jeopardy.

As my Government is nearing the completion of its term of duty, I sincerely feel that we have dispatched our task with honesty and effectiveness under most difficult circumstances. I take special pride in the fact that we have successfully started the course toward democracy and equality for a society which was imprisoned within the deep walls of feudalism, corruption and intolerable social discrepancies. In spite of war, subversion and several grave crises, my Government has undertaken to organize five nationwide elections of vital importance within about a year's time: elections for the Constituent Assembly in September 1966, elections for hamlet and village administration in April-May 1967, Presidential and Senatorial elections next September, and elections for the Lower House next October. I do not know of any better way to warrant our determination to stay the course toward democracy. For it would be proper for all concerned to acknowledge the painful dilemma of our nation, torn between the dream to attain the integrity of democratic life and the necessity to fight for survival. We have lost many of our people, our soldiers, our cadremen in the past elections, and undoubtedly we shall lose many more in the coming weeks; we must devote a great deal of resources to the exercise of democracy which are badly needed on the battlefield; we run the risk of subversion and division at a time when the nation must unite in the face of the enemy. Yet we have all accepted the challenge without a shadow of reluctance.

It seems a cruel irony that some of our friends chose this very moment to voice doubt on our sincerity.

Perhaps the fact that my Government includes officers of the Armed Forces leads to misgivings, for I know of the inherent distrust toward military government in the advanced societies. But in our present historical context, the Vietnamese Armed Forces are of a very particular nature: 700,000 of our young men are under arms in a nation of 15 million people. Our armed forces are not composed of militarists or people inclined to the use of force or violence, but of all generations of Vietnamese within the age of offering the fullest measure of service to their imperiled fatherland. They are the present and the future of our nation.

Furthermore, my Government did not seize power; it was a civilian government which, unable to resolve instability and division, passed on to the Armed Forces the burden of preserving the nation from collapsing. We then formed a mixed team of civilian and military leaders, decided that our term of duty was to be a transitional one, and set out to establish the very rapid timetable for the advent of representative government. We are now reaching the final stage of that timetable.

Of course, two years are a very short period of time. We are convinced that we have engaged our country on the right path, but we are also aware that the tasks which we have begun, such as rural development, reorganization of the administration and of the army, reinforcement of the national economy, need to be continued. That is why, in good conscience, we deem it our duty to run for offices in due democratic process. We hope that the people of Viet-Nam will entrust us with further responsibilities on the basics of our past performances. But should the people decide otherwise, we shall readily accept their verdict.

I am particularly sad to hear accusations that the Vietnamese Armed Forces will resort to coups in the event the election returns should be unfavorable to us. We have devoted the finest hours of the past two years to bringing about the first democratic institutions in our country, we shall not be the ones to destroy them. I have repeatedly warned our soldiers, our civil servants, our cadremen against rigging the elections in any manner, for I think that dishonest elections would deprive our country of democracy for a long period of time. In 1963, the people and the Army overthrew a dictatorial government which was issued from dishonest elections.

That a few press correspondents should misquote my word of caution against unfair elections and make it sound like a threat of coup was, after all, understandable. But for a moment, I felt very discouraged to see some of the best friends of my country give credence to those inaccurate reports. Time and again I have proved that I am capable of placing the interest of our nation above all possible personal ambition; the decision I made on the 30th of June to withdraw from the Presidential race and to seek the Vice Presidency instead, was another instance of my sincerity.

I see therefore no reason for attributing to ill faith on the part of my Government the difficulties that the candidates may encounter in their campaigning. My country is short on physical facilities, several of our airfields are still unsafe, and the wind blows where it may. In my opinion, a dignified attitude for those among us who ambition to be public servants by popular choice should be to endure those misfortunes and persevere in seeking the support of the electorate, and not to display resentment against the adverse conditions which prevail for our entire people. In the meanwhile, I am satisfied that our Government has done its very best to give all candidates a fair share of the means for campaigning. The same amount of money is allotted to all tickets. The Government television and radio allow equal time to all candidates in direct broadcast, and anybody in Viet-Nam can testify that those means are used at their fullest capacity by our opponents, the Vietnamese press is free, and, in part, quite virulently anti-Governmental; on the other hand the foreign press is at full liberty to cover the campaign and the forthcoming elections.

If by the standards of a country with a long experience in the exercise of democracy, and free from the predicaments of war and underdevelopment, our elections still present serious shortcomings, I am the first Vietnamese to deplore that situation. But I can say without any doubt in my conscience that my Government does not deserve any lesson in honesty and patriotism from any quarter.

I am afraid that persistent criticism without substantiated evidence on the part of some prominent American figures may, in the long run, impair the harmony of our joint efforts. The Vietnamese are a proud people, they will accept any amount of tribulations and sufferings, but their dead count as much as the dead from all the friendly lands, and they will admit no discrimination in all the men's supreme tribute to freedom and human dignity.

I see an urgent need, Mr. Speaker, for all of us to keep an appropriate perspective in the partnership between nations, large and small, which are in pursuit of a common ideal, for intemperate reliance upon the physical scale of strength would be the negation of that very ideal.

Mr. Speaker, may I ask you to convey my letter to all the distinguished members of the House of Representatives of the United States.

I stand in profound respect for the great traditions of democracy and justice embodied in your institutions. I greatly value the support of the Congress of the United States for the cause of Vietnam, and I am always ready to discuss in total candor with the distinguished Representatives who wish to further examine the developments concerning the common endeavor of our two nations.

Sincerely yours,
Air Vice Marshal Nguyen Cao Ky.

VIEWS OF HOWARD W. SMITH

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCOTT. Mr. Speaker, the Fauquier Democrat, a weekly newspaper published in my district, had a column in its edition of August 17, 1967, writen by my predecessor in the House of Representatives, Judge Howard W. Smith, who served as the Representative of the Eighth District of Virginia for 36 years, referring to this as a dangerous time in the life of our Nation and giving his views on a number of matters.

Mr. Speaker, I insert this material in the Record at this point for the information of the present membership so that Members will know of his concern:

Smith Writes: What To Do in "A Dangerous Time in the Life of Our Nation"

(By Howard W. Smith)

Broad Run, Va.—Having been a Member of the Congress in 18 consecutive terms, beginning with the year 1930, in the early stages of the Great Depression which so drastically changed our whole system of democratic government, I have been a close observer for more than a third of a century of every branch of our democratic system of government.

I have participated in much of the revolutionary changes that have overtaken us. I have noted with dismay and anguish the surrender to the inordinate demands of minority groups in the country, yielding to their demands and too often encouraging their growth and power by actions or inactions in times of stress.

In a way, all of it has been a part of worldwide unrest and period of revolutionary spirit that has pervaded the human race throughout a period of such great advancement in science, in economic growth, and education that we all feel puzzled at what might be the underlying reasons and the remedies for the situation that exists, both at home and abroad—a situation in which we have taken a part that has appeared to some of us entirely beyond our government functions as a nation in connection with our foreign affairs and our domestic difficulties.

I fear that we have now reached a dangerous time in the life of our nation where we are faced with an incipient revolution in our own homeland that takes on a spirit of anarchy that must be dealt with firmly, patiently, and with all the joint and combined wisdom that we can command.

It seems to me that all of us in America ought to be willing to realize that we are all in it together, that we will accomplish nothing by trying to shift the responsibility from one political party to another, and from one segment of the country to another, but should devote our efforts to meeting the situation as it exists today.

Many of us remember the pronouncement of Winston Churchill when in the hour of Britain's greatest peril and danger, he took charge as Prime Minister, and in his first public statement said in effect, "If we use the present precious hours to quarrel with the past, we may lose the future."

It seems to me that those words are particularly appropriate to the present crisis in America. The future success or failure of any political party, or any political officeholder, fades into insignificance beside the crisis that has been brought upon us by whatever causes or deficiencies we may have had in our differing views about how this situation should have been handled.

If there ever was a time when we should forget past differences and fix our minds upon the solution of a problem that is becoming more serious daily, this is that time.

We are confronted with an unprecedented phenomenon, something that is new, different, dangerous and distressing in our system of democratic government. But as one who has no official responsibility, seeks no public office at the hands of the voters, no axe to grind—political or otherwise—and only a superficial knowledge of what is going on, it seems to me that I am eminently qualified to offer some sage, useful suggestions.

1) Stop passing the political buck. Postpone the election campaign until 1968. This is 1967 and a lot of things are going to happen between now and the election of 1968.

2) Persuade the television system of the country to cease giving the militant scalawags, revolutionaries, demagogues, and traitors equal time—and sometimes more—that the President of the United States or any other important public official.

Any militant Negro revolutionist of the type of the Rap Browns and the Carmichaels knows that if he can pick up some vicious language with which to denounce his country and urge the overthrow of it by force, and yells into the mouth of the television camera his intention to induce his people to burn their cities and overthrow their government by force and violence, he can have every television station in the country eager to display his ugly, contorted features, and his vicious, traitorous and criminal denunciations. Cut them off from their television appearances and you have cut them off from their greatest source of doing mischief.

3) Gas bombs and Molotov cocktails are homemade weapons by which the great conflagrations, that have taken place in the cities, are set off. They are made, designed and used purely for criminal purposes. If we do not have a law against them, pass one quick and enforce it. Fix severe penalties for anyone who makes, possesses or uses these incendiary weapons.

4) The sneaky snipers who conceal themselves on the rooftops and shoot indiscriminately into the streets during these upheavals should be shot on sight and, if captured, should be prosecuted for murder or attempted murder, and held for trial without bail.

5) Make use of the information in the secret files of the F.B.I. I believe that many people in public life have knowledge of some of the information that the F.B.I. has obtained by various methods concerning subversives, concerning the Negro revolution so to speak, and the connection between them and the Communists.

That information should be at least in the hands of people in the government who could use it to advantage in determining what is back of the Negro revolution.

Few people will believe that these riots and burnings and disturbances are organized by the local Negroes themselves. They are not characteristic of the American Negro. There is too much planning, too much concerted action to be spontaneous.

And where is the money coming from to support these revolutionists? We should know so that we would be in a better position to form a judgment about where the trouble lies.

6) Stop trying to find excuses for criminals who participate in the mob violence that seek to burn, destroy, and loot the cities of our land, and deal with them for what they are. Enforce existing laws, instead of shedding crocodile tears for the lawless.

Start using the laws already on the books. Section 2385 of Title 18 of the U.S. Criminal Code would be a good place to start. That law makes it a felony with long terms of prison for any person who advocates or urges others to attempt the destruction of any unit of government, national, state or local, by force or violence.

ROGERS ENCOURAGED BY JUSTICE DEPARTMENT ACTION

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I was encouraged to see that the Justice Department has at last begun to crack down on at least one facet of Rap Brown's violation of the law.

The arrest of Brown Saturday, on grounds of violating the Federal Firearms Act, at least gives us an indication that the Department is now aware of some of the activities of Brown.

I hope this is an indication that the Justice Department intends to pursue other violations of the law by Brown and is prepared to do the same when and if Stokely Carmichael returns to the United States, although there is some doubt now that he will indeed ever return to the United States.

Although I am encouraged that some action has been taken, I still feel that the Justice Department has not completely examined, nor even scratched the surface, of the many other violations committed by these two men.

I am still of the opinion, and I think the law is clear, that both have committed sedition on the face of their remarks over the past few months and I consider these charges more appropriate to their actions than a violation of the Firearms Act by Brown.

Leadership is expected of the Justice Department when citizens flaunt the law. Brown and Carmichael have done so. I repeat, I hope again that the action taken against Brown is only a prelude, and that charges befitting the seriousness of Brown and Carmichael's actions will follow shortly.

HELP FOR EDUCATIONAL TELEVISION

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I would like at this time to express my support for an important proposal encouraging the growth of educational television. I refer to the Public Broadcasting Act of 1967 which will soon come before this House for consideration.

Serious questions arise regarding the present and future of television in America:

Will television be developed to its fullest potential for the benefit of all Americans?

Will programing extend to the millions throughout our land the best of our historical and contemporary culture?

Will we have a nationwide system of television that truly serves the public interest?

I find thoughtful and convincing answers to these questions in the Public Broadcasting Act of 1967. It would carry on Federal support of educational television facilities construction and inaugurate similar support for radio as well. It would establish a nonprofit public corporation to strengthen and improve noncommercial broadcasting stations—without compromising their independence by any form of control. And it would study the present and the future of instructional television to help determine the best ways to enlarge its usefulness in the classroom.

I believe this legislation would enhance the stature and serviceability of public television and bring it the assistance it must have to flourish in peaceful competition with its commercial cousin. The sad truth is that educational television today is barely alive: it has been estimated that a full 40 percent of the viewing public fails to watch ETV due to the poor quality of its offerings. This legislation would stimulate educational television to offer the imaginative and diverse fare—symphonies, symposia, plays—its culture-starved audience demands.

The Public Broadcasting Act would accomplish this without reviving the specter of Federal control. The nonprofit, autonomous, politically free Corporation for Public Television would oversee a program of assistance to independent broadcasting stations, establish libraries of broadcast materials, and disseminate much-needed information.

If we are ever to meet the national need for innovation and quality in noncommercial broadcasting, we must begin now. And swift enactment of the Public Broadcasting Act of 1967, it seems to me, is the best way to start.

THE WARREN REPORT

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, one of the great attributes of the American people has always been their fair-mindedness. They want both sides of the story so they can make a considered judgment in matters of controversy. To give them both sides of the story, the Columbia Broadcasting System recently presented a series of four documentary programs dealing with the assassination of President John F. Kennedy, the Warren Commission's investigation of the assassination, the attempts by critics of the Commission to destroy the credibility of the Commission report, and the bizarre activities of New Orleans District Attorney Jim Garrison in his efforts to build a conspiracy case around the Kennedy assassination. Mr. Speaker, CBS news correspondents Walter Cronkite, Dan Rather, Eric Sevareid and Mike Wallace have done a superb job of examining both sides of the points at issue. While millions of Americans no doubt watched the CBS News Inqury, "The Warren Report," other millions did not have that opportunity. The critics have had their day. It is only fair that the transcript of the CBS documentary be made available for all to read and ponder. Because the transcript of the four programs is lengthy, I will place it in the Congressional Record in eight daily installments. The first installment follows:

[As broadcast over the CBS television network, June 25, 1967]

CBS News Inquiry: "The Warren Report"—Part I

With CBS News Correspondents Walter Cronkite, Dan Rather and KRLD-TV News Director Eddie Barker.

Mr. Cronkite. This is what a rifleman would see from a sixth-floor window if he tracked an automobile down Elm Street in Dealey Plaza, Dallas, Texas.

This is a marksman firing three shots from a Mannlicher-Carcano rifle at a target below him and moving away. These two reenactments represent the heart of the Warren Report. In the view of the Warren Commission, they describe fully the circumstance of the assassination of President Kennedy.

But is there more to this story than the Warren Report ever discovered?

On November 22, 1963, at precisely 12:30 PM, John Fitzgerald Kennedy, the youthful 35th President of the United States drove triumphantly into this square, where hundreds waited to cheer him . . . and where another waited as well.

Seconds later a dying President sped away from Dealey Plaza—into history, into legend, into a national nightmare of suspicion that persists to this day.

In this country rumors spoke of left-wing plots, right-wing plots, Castro plots; even plots to elevate a Texan to the White House. Abroad, where the transfer of political power by violence is historically more familiar, no rumor was too extreme. Faced with this dangerous condition of rumor out of control, President Johnson quickly appointed a commission to discover the real facts of the assassination, a commission of seven Americans so distinguished that their conclusions must be above suspicion—or so it was thought.

As chairman, the new President literally drafted the Chief Justice of the United States, Earl Warren. The other commissioners: Allen W. Dulles, former head of the Central Intelligence Agency. Hale Boggs, Democratic Congressional Whip from Louisiana. John Sherman Cooper, Republican Senator from Kentucky. Richard B. Russell, Democratic Senator from Georgia. John J. McCloy, lawyer, diplomat and adviser to Presidents. And Gerald R. Ford, Republican Representative from Michigan.

The Warren Commission had the mandates it needed to do the job. It could subpoena witnesses, could invoke the cooperation of any agency of the United States Government, could and did use the F.B.I. and the Secret Service as its investigative arms.

This is the result. On September 24, 1964, the Commission presented its findings in the form of this 888-page report to the President. Two months later, it published these 26 additional volumes, the exhibits and hearings on which the report was based.

(Dan Rather at the scene of the assassination:)

Mr. Rather. The basic story pieced together by that Warren Commission Report on the assassination is this: A man named Lee Harvey Oswald crouched here in this dingy window of the Texas School Book Depository as the President passed below. Oswald, the Commission tells us, fired three shots. One missed. One struck both the President and Texas Governor John Connally, riding with him. The third killed the President. Oswald, the Report had it, hid his rifle over there, then ran down the stairs, left the building on foot, and hurried down Elm Street. He made his way to his rented room, picked up a revolver, and about 12 minutes later shot Police Officer J. D. Tippit.

Oswald was captured shortly after the Tippit murder, was questioned for two days in a madhouse atmosphere of confusion and then, in a grisly climax, was himself murdered right in the Dallas police station, by a nightclub operator and police hanger-on named Jack Ruby.

Mr. Cronkite. And that was to be that—an official version of the assassination, arrived at by men of unimpeachable credentials, after what the world was assured was the most searching investigation in history.

Yet in the two and a half years since the Warren Report, a steady and growing stream of books, magazine articles, even plays and a motion picture, have challenged the Commission and its findings; have offered new theories, new assassins, and new reasons.

Only a few weeks ago, a Harris poll revealed that seven out of ten Americans are convinced that there remain many "important unanswered questions," that the whole truth has not been told.

A Gallup poll shows more than six of every ten Americans question that there was a lone assassin.

Man. Well, I don't think that all the facts were brought out. I think something was held back.

Woman. I think there were more involved in it than just Oswald.

Woman. The only thing that disturbs me is the fact that they've sealed away some of the evidence and I think that's rather disturbing to most people.

Woman. I've read the Warren Report, and as I say, I think those men are men of honesty and integrity. And I think they were asked to do a tremendous job within a very short period of time after the assassination, and I think they did the very best they could.

Man. I think it's very accurate.

Woman. I don't know how in the world they could ever reach a conclusion that one person assassinated him. It's ridiculous. I saw the whole thing on television. I just happened to be home at that time and I don't think that Oswald . . . I think that he was working for the C.I.A. myself.

Mr. Cronkite. Screening out the absurd and the irrational, we are left with a series of real and critical questions about the assassination, questions which have not been answered to the satisfaction of the people of the United States.

In this series of broadcasts, CBS NEWS will try to cast light on those questions. They fall under four headings, which we will examine on successive evenings at this same time.

Tonight's question: Did Lee Harvey Oswald shoot President Kennedy?

For the next two nights, we will take up the question of conspiracy. Tomorrow night we will ask, was there more than one assassin firing in Dealey Plaza?

On Tuesday night we will ask whether, regardless of the actual number of gunmen, there was a conspiracy leading to the President's murder.

And on Wednesday night we will ask: Why doesn't America believe the Warren Report?

We will examine these questions here in our studios in New York, in libraries and laboratories from coast to coast, with KRLD News Director Eddie Barker at the assassination site in Dealey Plaza, and with CBS NEWS Correspondent Dan Rather on the sixth floor of the Texas School Book Depository as for the first time since the assassination, news cameras enter and explore the Depository building itself.

Tonight we ask if Lee Harvey Oswald shot the President. To help us answer that fundamental question we must resolve some lesser questions:

Did Oswald own a rifle?

Did Oswald take a rifle to the Book Depository Building?

Where was Oswald when the shots were fired?

Was Oswald's rifle fired from the building?

How many shots were fired?

How fast could Oswald's rifle be fired?

What was the time span of the shots?

First: Did Oswald own a rifle? There is no reasonable doubt that Oswald owned a Mannlicher-Carcano rifle No. C2766. This is the coupon with which he ordered the rifle, by mail, from Klein's Sporting Goods Company, of Chicago. Hidell is one of several aliases Oswald used from time to time. Oswald paid for the rifle with this money order. Here is the application for the post office box to which the rifle was sent—all these documents in Oswald's handwriting.

This photograph, traced to Oswald's own camera, shows him with an identical rifle. This photograph has been widely challenged by Mark Lane and other critics of the Warren Report. During his interrogation, Oswald himself said that his head had been superimposed on someone else's body. Several publications later admitted that they had retouched it and in so doing may have altered the rifle and other details. Lawrence Schiller, of Los Angeles, a professional photographer and photo analyst, made an independent study, of the original picture and negative.

Mr. Schiller. This photograph of Lee Harvey Oswald, which was found the day he was captured and disclaimed by him, has been used by numerous critics of the Report. They say that the disparity of shadows, a straight nose shadow from the nose, and an angle body shadow proves without a doubt that this head was superimposed on this body. To properly recreate the picture to see if the straight nose shadow does correspond to the body shadow, you would have to go to the same address, at the same day of the year and at the same time. We did that. This picture was taken on March 31, 1967, at 214 Neeley Street. And it shows without a doubt that a straight nose shadow corresponds with an angular body shadow. And that the fact

I fear that we have now reached a dangerous time in the life of our nation where we are faced with an incipient revolution in our own homeland that takes on a spirit of anarchy that must be dealt with firmly, patiently, and with all the joint and combined wisdom that we can command.

It seems to me that all of us in America ought to be willing to realize that we are all in it together, that we will accomplish nothing by trying to shift the responsibility from one political party to another, and from one segment of the country to another, but should devote our efforts to meeting the situation as it exists today.

Many of us remember the pronouncement of Winston Churchill when in the hour of Britain's greatest peril and danger, he took charge as Prime Minister, and in his first public statement said in effect, "If we use the present precious hours to quarrel with the past, we may lose the future."

It seems to me that those words are particularly appropriate to the present crisis in America. The future success or failure of any political party, or any political officeholder, fades into insignificance beside the crisis that has been brought upon us by whatever causes or deficiencies we may have had in our differing views about how this situation should have been handled.

If there ever was a time when we should forget past differences and fix our minds upon the solution of a problem that is becoming more serious daily, this is that time.

We are confronted with an unprecedented phenomenon, something that is new, different, dangerous and distressing in our system of democratic government. But as one who has no official responsibility, seeks no public office at the hands of the voters, no axe to grind—political or otherwise—and only a superficial knowledge of what is going on, it seems to me that I am eminently qualified to offer some sage, useful suggestions.

1) Stop passing the political buck. Postpone the election campaign until 1968. This is 1967 and a lot of things are going to happen between now and the election of 1968.

2) Persuade the television system of the country to cease giving the militant scalawags, revolutionaries, demagogues, and traitors equal time—and sometimes more—that the President of the United States or any other important public official.

Any militant Negro revolutionist of the type of the Rap Browns and the Carmichaels knows that if he can pick up some vicious language with which to denounce his country and urge the overthrow of it by force, and yells into the mouth of the television camera his intention to induce his people to burn their cities and overthrow their government by force and violence, he can have every television station in the country eager to display his ugly, contorted features, and his vicious, traitorous and criminal denunciations. Cut them off from their television appearances and you have cut them off from their greatest source of doing mischief.

3) Gas bombs and Molotov cocktails are homemade weapons by which the great conflagrations, that have taken place in the cities, are set off. They are made, designed and used purely for criminal purposes. If we do not have a law against them, pass one quick and enforce it. Fix severe penalties for anyone who makes, possesses or uses these incendiary weapons.

4) The sneaky snipers who conceal themselves on the rooftops and shoot indiscriminately into the streets during these upheavals should be shot on sight and, if captured, should be prosecuted for murder or attempted murder, and held for trial without bail.

5) Make use of the information in the secret files of the F.B.I. I believe that many people in public life have knowledge of some of the information that the F.B.I. has obtained by various methods concerning subversives, concerning the Negro revolution so to speak, and the connection between them and the Communists.

That information should be at least in the hands of people in the government who could use it to advantage in determining what is back of the Negro revolution.

Few people will believe that these riots and burnings and disturbances are organized by the local Negroes themselves. They are not characteristic of the American Negro. There is too much planning, too much concerted action to be spontaneous.

And where is the money coming from to support these revolutionists? We should know so that we would be in a better position to form a judgment about where the trouble lies.

6) Stop trying to find excuses for criminals who participate in the mob violence that seek to burn, destroy, and loot the cities of our land, and deal with them for what they are. Enforce existing laws, instead of shedding crocodile tears for the lawless.

Start using the laws already on the books. Section 2385 of Title 18 of the U.S. Criminal Code would be a good place to start. That law makes it a felony with long terms of prison for any person who advocates or urges others to attempt the destruction of any unit of government, national, state or local, by force or violence.

ROGERS ENCOURAGED BY JUSTICE DEPARTMENT ACTION

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I was encouraged to see that the Justice Department has at last begun to crack down on at least one facet of Rap Brown's violation of the law.

The arrest of Brown Saturday, on grounds of violating the Federal Firearms Act, at least gives us an indication that the Department is now aware of some of the activities of Brown.

I hope this is an indication that the Justice Department intends to pursue other violations of the law by Brown and is prepared to do the same when and if Stokely Carmichael returns to the United States, although there is some doubt now that he will indeed ever return to the United States.

Although I am encouraged that some action has been taken, I still feel that the Justice Department has not completely examined, nor even scratched the surface, of the many other violations committed by these two men.

I am still of the opinion, and I think the law is clear, that both have committed sedition on the face of their remarks over the past few months and I consider these charges more appropriate to their actions than a violation of the Firearms Act by Brown.

Leadership is expected of the Justice Department when citizens flaunt the law. Brown and Carmichael have done so. I repeat, I hope again that the action taken against Brown is only a prelude, and that charges befitting the seriousness of Brown and Carmichael's actions will follow shortly.

HELP FOR EDUCATIONAL TELEVISION

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I would like at this time to express my support for an important proposal encouraging the growth of educational television. I refer to the Public Broadcasting Act of 1967 which will soon come before this House for consideration.

Serious questions arise regarding the present and future of television in America:

Will television be developed to its fullest potential for the benefit of all Americans?

Will programing extend to the millions throughout our land the best of our historical and contemporary culture?

Will we have a nationwide system of television that truly serves the public interest?

I find thoughtful and convincing answers to these questions in the Public Broadcasting Act of 1967. It would carry on Federal support of educational television facilities construction and inaugurate similar support for radio as well. It would establish a nonprofit public corporation to strengthen and improve noncommercial broadcasting stations—without compromising their independence by any form of control. And it would study the present and the future of instructional television to help determine the best ways to enlarge its usefulness in the classroom.

I believe this legislation would enhance the stature and serviceability of public television and bring it the assistance it must have to flourish in peaceful competition with its commercial cousin. The sad truth is that educational television today is barely alive: it has been estimated that a full 40 percent of the viewing public fails to watch ETV due to the poor quality of its offerings. This legislation would stimulate educational television to offer the imaginative and diverse fare—symphonies, symposia, plays—its culture-starved audience demands.

The Public Broadcasting Act would accomplish this without reviving the specter of Federal control. The nonprofit, autonomous, politically free Corporation for Public Television would oversee a program of assistance to independent broadcasting stations, establish libraries of broadcast materials, and disseminate much-needed information.

If we are ever to meet the national need for innovation and quality in noncommercial broadcasting, we must begin now. And swift enactment of the Public Broadcasting Act of 1967, it seems to me, is the best way to start.

THE WARREN REPORT

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, one of the great attributes of the American people has always been their fairmindedness. They want both sides of the story so they can make a considered judgment in matters of controversy. To give them both sides of the story, the Columbia Broadcasting System recently presented a series of four documentary programs dealing with the assassination of President John F. Kennedy, the Warren Commission's investigation of the assassination, the attempts by critics of the Commission to destroy the credibility of the Commission report, and the bizarre activities of New Orleans District Attorney Jim Garrison in his efforts to build a conspiracy case around the Kennedy assassination. Mr. Speaker, CBS news correspondents Walter Cronkite, Dan Rather, Eric Sevareid and Mike Wallace have done a superb job of examining both sides of the points at issue. While millions of Americans no doubt watched the CBS News Inqury, "The Warren Report," other millions did not have that opportunity. The critics have had their day. It is only fair that the transcript of the CBS documentary be made available for all to read and ponder. Because the transcript of the four programs is lengthy, I will place it in the Congressional Record in eight daily installments. The first installment follows:

[As broadcast over the CBS television network, June 25, 1967]

CBS News Inquiry: "The Warren Report"—Part I

With CBS News Correspondents Walter Cronkite, Dan Rather and KRLD–TV News Director Eddie Barker.

Mr. Cronkite. This is what a rifleman would see from a sixth-floor window if he tracked an automobile down Elm Street in Dealey Plaza, Dallas, Texas.

This is a marksman firing three shots from a Mannlicher-Carcano rifle at a target below him and moving away. These two reenactments represent the heart of the Warren Report. In the view of the Warren Commission, they describe fully the circumstance of the assassination of President Kennedy.

But is there more to this story than the Warren Report ever discovered?

On November 22, 1963, at precisely 12:30 PM, John Fitzgerald Kennedy, the youthful 35th President of the United States drove triumphantly into this square, where hundreds waited to cheer him . . . and where another waited as well.

Seconds later a dying President sped away from Dealey Plaza—into history, into legend, into a national nightmare of suspicion that persists to this day.

In this country rumors spoke of left-wing plots, right-wing plots, Castro plots; even plots to elevate a Texan to the White House. Abroad, where the transfer of political power by violence is historically more familiar, no rumor was too extreme. Faced with this dangerous condition of rumor out of control, President Johnson quickly appointed a commission to discover the real facts of the assassination, a commission of seven Americans so distinguished that their conclusions must be above suspicion—or so it was thought.

As chairman, the new President literally drafted the Chief Justice of the United States, Earl Warren. The other commissioners: Allen W. Dulles, former head of the Central Intelligence Agency. Hale Boggs, Democratic Congressional Whip from Louisiana. John Sherman Cooper, Republican Senator from Kentucky. Richard B. Russell, Democratic Senator from Georgia. John J. McCloy, lawyer, diplomat and adviser to Presidents. And Gerald R. Ford, Republican Representative from Michigan.

The Warren Commission had the mandates it needed to do the job. It could subpoena witnesses, could invoke the cooperation of any agency of the United States Government, could and did use the F.B.I. and the Secret Service as its investigative arms.

This is the result. On September 24, 1964, the Commission presented its findings in the form of this 888-page report to the President. Two months later, it published these 26 additional volumes, the exhibits and hearings on which the report was based.

(Dan Rather at the scene of the assassination:)

Mr. Rather. The basic story pieced together by that Warren Commission Report on the assassination is this: A man named Lee Harvey Oswald crouched here in this dingy window of the Texas School Book Depository as the President passed below. Oswald, the Commission tells us, fired three shots. One missed. One struck both the President and Texas Governor John Connally, riding with him. The third killed the President. Oswald, the Report had it, hid his rifle over there, then ran down the stairs, left the building on foot, and hurried down Elm Street. He made his way to his rented room, picked up a revolver, and about 12 minutes later shot Police Officer J. D. Tippit.

Oswald was captured shortly after the Tippit murder, was questioned for two days in a madhouse atmosphere of confusion and then, in a grisly climax, was himself murdered right in the Dallas police station, by a nightclub operator and police hanger-on named Jack Ruby.

Mr. Cronkite. And that was to be that—an official version of the assassination, arrived at by men of unimpeachable credentials, after what the world was assured was the most searching investigation in history.

Yet in the two and a half years since the Warren Report, a steady and growing stream of books, magazine articles, even plays and a motion picture, have challenged the Commission and its findings; have offered new theories, new assassins, and new reasons.

Only a few weeks ago, a Harris poll revealed that seven out of ten Americans are convinced that there remain many "important unanswered questions," that the whole truth has not been told.

A Gallup poll shows more than six of every ten Americans question that there was a lone assassin.

Man. Well, I don't think that all the facts were brought out. I think something was held back.

Woman. I think there were more involved in it than just Oswald.

Woman. The only thing that disturbs me is the fact that they've sealed away some of the evidence and I think that's rather disturbing to most people.

Woman. I've read the Warren Report, and as I say, I think those men are men of honesty and integrity. And I think they were asked to do a tremendous job within a very short period of time after the assassination, and I think they did the very best they could.

Man. I think it's very accurate.

Woman. I don't know how in the world they could ever reach a conclusion that one person assassinated him. It's ridiculous. I saw the whole thing on television. I just happened to be home at that time and I don't think that Oswald . . . I think that he was working for the C.I.A. myself.

Mr. Cronkite. Screening out the absurd and the irrational, we are left with a series of real and critical questions about the assassination, questions which have not been answered to the satisfaction of the people of the United States.

In this series of broadcasts, CBS NEWS will try to cast light on those questions. They fall under four headings, which we will examine on successive evenings at this same time.

Tonight's question: Did Lee Harvey Oswald shoot President Kennedy?

For the next two nights, we will take up the question of conspiracy. Tomorrow night we will ask, was there more than one assassin firing in Dealey Plaza?

On Tuesday night we will ask whether, regardless of the actual number of gunmen, there was a conspiracy leading to the President's murder.

And on Wednesday night we will ask: Why doesn't America believe the Warren Report?

We will examine these questions here in our studios in New York, in libraries and laboratories from coast to coast, with KRLD News Director Eddie Barker at the assassination site in Dealey Plaza, and with CBS NEWS Correspondent Dan Rather on the sixth floor of the Texas School Book Depository as for the first time since the assassination, news cameras enter and explore the Depository building itself.

Tonight we ask if Lee Harvey Oswald shot the President. To help us answer that fundamental question we must resolve some lesser questions:

Did Oswald own a rifle?

Did Oswald take a rifle to the Book Depository Building?

Where was Oswald when the shots were fired?

Was Oswald's rifle fired from the building?

How many shots were fired?

How fast could Oswald's rifle be fired?

What was the time span of the shots?

First: Did Oswald own a rifle? There is no reasonable doubt that Oswald owned a Mannlicher-Carcano rifle No. C2766. This is the coupon with which he ordered the rifle, by mail, from Klein's Sporting Goods Company, of Chicago. Hidell is one of several aliases Oswald used from time to time. Oswald paid for the rifle with this money order. Here is the application for the post office box to which the rifle was sent—all these documents in Oswald's handwriting.

This photograph, traced to Oswald's own camera, shows him with an identical rifle. This photograph has been widely challenged by Mark Lane and other critics of the Warren Report. During his interrogation, Oswald himself said that his head had been superimposed on someone else's body. Several publications later admitted that they had retouched it and in so doing may have altered the rifle and other details. Lawrence Schiller, of Los Angeles, a professional photographer and photo analyst, made an independent study, of the original picture and negative.

Mr. Schiller. This photograph of Lee Harvey Oswald, which was found the day he was captured and disclaimed by him, has been used by numerous critics of the Report. They say that the disparity of shadows, a straight nose shadow from the nose, and an angle body shadow proves without a doubt that this head was superimposed on this body. To properly recreate the picture to see if the straight nose shadow does correspond to the body shadow, you would have to go to the same address, at the same day of the year and at the same time. We did that. This picture was taken on March 31, 1967, at 214 Neeley Street. And it shows without a doubt that a straight nose shadow corresponds with an angular body shadow. And that the fact that there is a disparity of shadows, that fact cannot be used to discredit the photograph.

Mr. Cronkite. Marina Oswald told the Warren Commission that her husband had posed and she had taken the picture. She also said he had owned a rifle.

Mr. Barker. Did you ever see the rifle?

Marina. Yes. But you know, I fear to take this rifle. I just saw it, you know, in the corner. I never touched it, his rifle.

Mr. Cronkite. It seems reasonable to accept the conclusion of the Warren Commission Report that Oswald did indeed own a Mannlicher-Carcano 6.5 mm rifle No. C2766. The answer is yes.

Mr. Cronkite. Our next question is: Did Oswald take his rifle to the Book Depository Building?

At the time of the assassination, Lee and Marina Oswald were together only on weekends. He lived in a rooming house not far from his job and she lived with a friend, Mrs. Ruth Paine, in the suburb of Irving. Mrs. Oswald said her husband kept his rifle wrapped in a blanket in Mrs. Paine's garage. Oswald usually went to Irving on Friday nights with a fellow worker, Buell Wesley Frazier, but the day before the assassination his routine changed.

Mr. Frazier. Well, he come to me the Thursday, November 21st, and asked me could he ride on with me that afternoon, and I said yes. And I said, "Why are you going home this afternoon?" and he replied that he wanted to go home and pick up some curtain rods, so he could put some curtains up in his apartment.

Mr. Rather. Oswald got a lift to the School Book Depository that Friday morning from co-worker Frazier. Frazier's sister, Mrs. Linnie Mae Randle, lived across the street from the Paine house.

Mrs. Randle. I was preparing lunches for my brother there at my sink, and I looked out the window and saw Mr. Oswald cross the street and come up cross my driveway and he had a brown paper bag in his right hand. It was about 27 inches long. It was made out of a heavy brown paper with heavy-looking tape on it.

Mr. Rather. Incidentally, the search of the Book Depository Building made after the assassination failed to turn up any curtain rods. And the furnished room which Oswald was then occupying was equipped with curtain rods.

So Oswald made an uncharacteristic trip to the Paine home Thursday night, returning to the Book Depository on the morning of the assassination with a heavy-looking package that could pass for curtain rods. Was it the rifle? A difference of about eight inches has made this one of the most contentious points for the critics. Within this package I have a disassembled Mannlicher-Carcano rifle identical to Oswald's. Before I tell you the dimensions, you might want to try to estimate them, as Mrs. Randle and Wesley Frazier did, from memory. Mrs. Randle variously estimated Oswald's package of "curtain rods" as 27 or 28 inches long; her brother, Wesley Frazier said about two feet, "give or take a few inches." As a matter of fact, the disassembled Mannlicher is 34 and eight-tenths inches long. Furthermore, Frazier said Oswald, preceding him into the Depository building, carried the "curtain rods" under his armpit with his hand around the bottom. Now obviously, you can't carry this package that way.

Oswald had gotten out of the car first, and was then walking away from Frazier. The Commission decided that Frazier easily could have been mistaken about Oswald carrying the package. You can decide whether Frazier, walking some 50 feet behind and, in his own words, not paying much attention, might have missed the few inches of the narrow end of such a package sticking up past Oswald's shoulder.

Mr. Cronkite. Despite the dispute about just how he carried the package, the reasonable answer to this question is that he did take a rifle to the Book Depository Building.

Our next question concerns Oswald's whereabouts at the time of the murder: Where was Oswald when the shots were fired?

These men have just witnessed the assassination of the President. They are coworkers of Oswald, photographed by Tom Dillard, *The Dallas Morning News* photographer, in fifth floor windows within a minute after the shots were heard.

Mr. Rather. Walter, here in Dallas, Eddie Barker has reinterviewed those men who watched the tragedy from the window just below me. Later on, we will be hearing their own story of the assassination itself. But for now, we wanted to know just what Oswald was doing, and where he was doing it, through the morning of November 22, 1963. We spoke first to this man, Harold Norman:

Mr. Norman. That particular morning three or four of us were standing by the window and Oswald came over and he said, "What's everybody looking at and what's everybody excited about?" So I told him we was waiting on the President. So he just snudged up and walked away.

Mr. Rather. Our next witness from the fifth floor window, James Jarman, Jr.

Mr. Jarman. I was talking to him around about 10:00 o'clock. On the outside of the building some people had gathered. And he asked me what was they gathering around out there for, and I told him that the President was supposed to come by there that morning. And he asked me what time, and I didn't know what time it would be but some of the people had started gathering around. And he asked me which way would the President be coming, and I told him. And so he said, "Oh, yeah?" And I said, "Yeah." Then he turned and walked off.

Mr. Rather. The last man known to have seen Lee Harvey Oswald before the assassination was another co-worker, Charles Givens. Mr. Givens saw Oswald here, on the sixth floor.

Mr. Givens. Well, he was standing about middle ways of the building on the sixth floor.

Mr. Barker. What was he doing there?

Mr. Givens. Well, he was standing there looking with his orders in his hand.

Mr. Barker. And what did you say to him?

Mr. Givens. I just said, "Fellow, it's lunch time, you going downstairs?" And he said, "No," he said, "Close the gates on the elevator when you get out." Well I, you know, kind of excited, wanted to see the parade, so when I got downstairs, I really forgot it. I just rushed off and went out to lunch.

Mr. Barker. This would be about what time?

Mr. Givens. Well about one or two minutes after 12.

Mr. Rather. So the testimony from those who saw Oswald inside the Book Depository is consistent. The testimony from eyewitnesses in the Plaza below is not. The Warren Commission had to choose between seriously conflicting accounts, and many of the critics think it chose badly.

Down in the Plaza, Eddie Barker can show us where those witnesses stood and what they were in a position to see, as they tell their own stories.

Mr. Barker. Dan, Arnold Rowland was here with his wife on Houston Street in the crowd waiting for the motorcade. A few minutes before it arrived, Rowland told the Warren Commission, he noticed an elderly Negro man up in the window where you are now, where Oswald is supposed to have fired from. But he told the Commission, and a few days ago repeated his story for us here, of seeing a gunman lurking in another window entirely:

Mr. Rowland. And I just lookin' around and we noticed a man up in the window and I remarked to my wife, tried to point him out. And remarked that he must be a security guard or a Secret Service agent.

Mr. Barker. So, the window, then, that you're referring to is on the opposite end of the building from where the main entrance to the building is?

Mr. Rowland. Yes, it is on the other side of the building. And he had a rifle. It looked like a high-powered rifle because it had a scope which looked, in relation to the size of the rifle, to be a big scope.

Mr. Barker. Now over here, Dan, still on Houston Street and not very far from the Rowlands, was Mrs. Caroline Walther. Mrs. Walther says she saw *two* men with a gun in the Book Depository.

Mrs. Walther. I looked at this building and I saw this man with a gun, and there was another man standing to his right. And I could not see all of this man, and I couldn't see his face. And the other man was holding a short gun. It wasn't as long as a rifle. And he was holding it pointed down, and he was kneeling in the window, or sitting. His arms were on the window. And he was holding the gun in a downward position, and he was looking downward.

Mr. Barker. About what floor would you say these two men were on that you saw in the window?

Mrs. Walther. The first statement that I made, I said the man was on the fourth or fifth floor, and I still feel the same way. He was about—in a window that was just about even with the top of that tree. I saw the man had light hair, or brown, and was wearing a white shirt. That—I explained to the F.B.I. agents that I wasn't sure about that. That was my impression on thinking about it later. That I thought that was the way the man was dressed.

Mr. Barker. Now, what about this other man who was in the window?

Mrs. Walther. This other man was wearing a brown suit. And that was all I could see, was half of this man's body, from his shoulders to his hips.

Mr. Barker. Now over here, on the corner opposite the Book Depository, stood a fifteen-year old boy named Amos Euins. A few days ago, Amos Euins came back here with us and gave a vivid account of the assassination itself and of a "piece of pipe" he saw poking out of a window—your window, Dan.

Mr. Euins. When he come around, and when I was standin' here, I happened to look up and I seen a pipe, you know. So I never did paid no attention thinking it might be a pipe, you know, just a pipe stickin' out. So it was stickin' out about a foot, about that high, you know.

Mr. Barker. Point out for me, Mr. Euins, the window where you saw the pipe.

Mr. Euins. It was about on the sixth floor, right below the banister.

Mr. Barker. Among the witnesses here in the plaza, the Commission relied heavily on the testimony of Howard Brennan, who, watching from just about here, said that he actually saw the assassin firing.

Howard Brennan. I looked directly across and up, possibility of a 45-degree angle. And this man, same man I had saw prior to the President's arrival, was in the window and taking aim for his last shot. After he fired the last or the third shot he didn't seem to be in a great rush, hurry. He seemed to pause for a moment to see if for sure he accomplished his purpose, and he brought the gun back to rest in upright position, as though he was satisfied.

Mr. Cronkite. It should be noted here that the Commission failed to follow up Mrs. Walther's story. She was interviewed briefly by F.B.I. agents but never called before the Commission or its staff, who accumulated vast minutiae on the relatives of relatives of Lee Harvey Oswald.

Despite these discrepancies, his co-workers knew and certainly saw Oswald. The CBS

News answer: Oswald was in the Book Depository Building when the shots were fired, most probably on the sixth floor.

WHY NO BUTTER FOR OUR SERVICEMEN?

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. NELSEN. Mr. Speaker, recently the Secretary of Agriculture announced that butter and cheese have been added to the list of foodstuffs the U.S. Department of Agriculture donates to needy persons. The dairy goods are to be made available to 3,300,000 participants in the expanding food donation program, according to a July 12 USDA release.

There is a group of people who may wonder about this announcement since butter is not made available to them. I refer, of course, to the men of the Army and Air Force, who are denied the use of butter by a Department of Defense directive dated March 25, 1966. This directive has not been rescinded.

As of May 31, the Department of Agriculture held 91,880,000 pounds of pure, wholesome butter in storage. This is enough to butter a sandwich for every man, woman, and child on the face of the earth with the Russians going back for seconds. Our huge butter stockpile has not persuaded Secretary McNamara, however, to change the Department of Defense antibutter policy.

Apparently, our butter supply is large enough to permit expanded butter distribution to the school lunch program as well as to the direct distribution program operating in 1,460 counties in America. In fact, the Agriculture Secretary has urged 800 more counties to participate.

It is very strange that our country is rich enough to give butter to the needy, but cannot serve it to our fighting men.

The thousands of men that will soon go to Vietnam deserve the best table we can set before them. The half million men serving there now should not have to settle for second best.

I would direct the attention of the Congress to this inconsistency, and urge passage of the House resolution I am introducing today expressing the will of the House that the Department of Defense provide butter for our fighting men.

MORE TRIPS HOME

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. LANGEN. Mr. Speaker, it is small wonder that the Congress and the Nation face great budgetary problems with seemingly no responsible answer to the continuously increasing deficits. Action taken by the House yesterday supplies a pretty convincing indication of why these most undesirable budget experiences have been so prevalent during the sixties.

Congressmen John Kyl, of Iowa; Sam Devine, of Ohio; and James Cleveland, of New Hampshire, with the assistance of the gentleman from Iowa [Mr. Gross] and others, are truly to be commended for their well-expressed desire to delay the approval of the House of a proposal to provide for one paid trip per month by Members to their home districts for as long as Congress may be in session.

While it is true that many Members, myself included, can surely find both advantage and convenience in such reimbursement, it does raise a serious question as to whether this is the time when such expenditures should be added to an already overburdened budget, brought on by both war and domestic expenditures. We are continuously reminded of the budget problem that confronts us, the hardships that have been created because of the inflation that inevitably follows, together with constantly climbing interest rates. There are those of us that have identified the dangers involved and continuously suggested that we ought to explore every possible means of curtailing anything but the most essential expenditures before further burdening the taxpayer by the recommended tax increase.

I have at times raised serious questions relative to expenditures recommended by the administration, and will continue to do so. However, it seems to me that if the Congress is serious in its desire to practice some prudence and frugality in the best interests of our Nation and its citizens, we ought to start with the costs involved in running our own shop.

While the item for consideration yesterday is relatively small, as the Federal budget goes these days, I am reminded that someone said if we pay close attention to the saving of pennies, the dollars will take care of themselves. The House might have done well to have set an example for all departments of Government, that in view of a nation at war and a greatly troubled populace, we as Members might establish a pattern that could serve as a guide and criterion for the entire scene of Government expenditures. I find small contribution, and rather added burdens, to our fiscal problems by virtue of yesterday's action.

In recent weeks, I have heard many complaints because Congress is in session too long, that we have difficulty in getting our work done because of the "Tuesday-to-Thursday club." Adding more paid trips back to the district can only further aggravate those complaints. It will become even more difficult to conduct business on Mondays and Fridays because of a lack of Members in attendance, and it might serve our cause and that of the citizenry even better were we to improve the workweek, complete the session at an earlier date, and so have additional time to spend in the district during the recess. This might serve the constituency as well as Members' families, in a better manner.

Every congressional office these days receives disturbing mail, reminding us of the sacrifices of dedicated people throughout the country in both human life and economic strain, brought about by the war in Vietnam. These conditions are most demanding of our concern and recognition. We had an opportunity yesterday to display, in a very realistic manner, our concerns for all of these problems, by but a very minor sacrifice, and I question whether conditions even warrant that description.

I am sure that everyone would have benefited, whether a Member of this House or a taxpayer and citizen, had we at least shown the courage of conviction to demand a recorded vote. To have done so would have been a great contribution to the entire image of Congress, which presently could stand a compliment.

I am also sure that such action would have made it much easier for us to cope with suggested tax increases, the continuous demand for additional expenditures, and the many other problems that confront the House. We should have displayed an attitude commensurate with the many other suggested needs for budget reductions. The House literally owes to the citizenry such a minimum contribution to the needs of a country that is heavily plagued and burdened by war.

VETERANS' PENSION EQUALITY BILL

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. LANGEN. Mr. Speaker, now that the House of Representatives has approved social security benefit increases, we must make sure that veterans and their dependents, now living on pensions, are not injured by our action. Therefore, I am today introducing a bill to alleviate reductions in veterans' pensions due to social security increases.

The last time we increased social security benefits, thousands of veterans, widows, and other dependents ended up with less money each month due to congressional oversight and overlapping provisions in the two pension systems. We must guard against a repetition of that unfortunate situation.

My bill would refine income limits for the veteran pensions. If this bill meets with the approval of Congress, it will prevent a repetition of last year's problem. It would be unconscionable for Congress to increase benefits, only to discover that many of our veterans, their widows or other dependents, end up with less money.

I urge favorable consideration of this veterans' pension equity bill at the earliest possible moment.

RISING CRIME AND THE COURTS—STATE JUSTICES TAKE A STAND

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. **ASHBROOK**. Mr. Speaker, recently the Conference of Chief Justices met in Honolulu with justices from 45 States attending. As was to be expected, they were very much concerned with the rising crime rate and the recent series of riots throughout the United States. The chief justices of the highest State courts in the Nation passed a resolution on this issue of which the U.S. Supreme Court should take notice. Among the observations made, this reference to the shackling of law enforcement authorities is being reiterated more and more throughout the land:

> Among the causees of the spreading disrespect for law and its enforcement are the publicly held views that it is inordinately difficult, and many times impossible, to convict those who are guilty.

This resolution, adopted unanimously by the chief justices, speaks for itself and needs no further comment. I insert it in the Record at this point:

[From the U.S. News & World Report, Aug. 28, 1967]

Rising Crime and the Courts—State Justices Take a Stand

Why the spread of crime and riots?

Chief justices of the highest State courts in the nation suggest some answers—and some remedies. Without mentioning the U.S. Supreme Court by name, the justices say this:

"Among the causes of the spreading disrespect for law and its enforcement are the publicly held views that it is inordinately difficult, and many times impossible, to convict those who are guilty."

Demanded by the justices: swift and sure punishment for rioting, looting and arson.

The recent Conference of Chief Justices at Honolulu was attended by justices from 45 States. The resolution on this page was adopted on August 4 without a dissenting vote:

"Whereas, the course of events in our nation during the short 19 years of the existence of this Conference of Chief Justices has evidenced a malignant growth of disrespect for and disobedience of law, which in this year has culminated in unprecedented lawlessness and mob violence; and

"Whereas, over the years the members of the Conference have soberly reflected on this tragic course of events and the attitudes which direct it, having at our last meeting, in August, 1966, condemned all forms of disrespect for law by individuals and groups and reminded all of the necessity for reaffirmation of our faith in the rule of law as the only alternative to a lawless society; and

"Whereas, we have again at this assemblage deliberated the dangerously low state of law and order and the increase of crime in our beloved country, and have likewise concerned ourselves with an examination of both cause and effect of these conditions; and

"Whereas, we recognize, as all must, that the causes, whether real or imaginary, of the civil disobedience which is shaking the very bedrock of our political and social structures are manifold, yet it is our studied view that the foremost cause is a lack of respect for law and an utter disregard for its proper enforcement in the mind of a growing number of our citizens; and

"Whereas, if the requisite respect for law on the part of our citizens is to be maintained and enhanced and if civil order is to be preserved it is as imperative that those who breach the law be punished as it is that the innocent be protected, and it is equally essential that it be demonstrated that the law-abiding citizen will receive protection of the law from the lawless as it is that its guarantees will be afforded him who is accused of its breach;

"Therefore, be it resolved by the Conference of Chief Justices:

"1. That the strength and progress of our nation and the enjoyment of rights and liberties by all our citizens have always been and continue to be dependent in large measure upon the self-restraint and self-discipline of our citizens, as manifested by their belief in, respect for, and adherence to the rule of law;

"2. That to insure that we may have change amid order and order amid change, our form of government wisely provides an orderly remedy at the ballot box and in legislative bodies for effecting social change and correcting unjust laws and social injustices, and through the courts for striking down invalid laws and relieving from improper conduct of those charged with the administration of the powers of government;

"3. That those persons and groups who ignore these orderly processes, but instead seek redress of grievances—no matter how deserving—or change in our social order—no matter how much needed—through force, mob violence and riot, accompanied by looting, arson and murder, commit criminal acts of the gravest order, and must be swiftly, fairly and surely prosecuted and punished according to the law which they have violated; such conduct is foreign to the American way of life, and if left unchecked is certain to result in the destruction of the rights and liberties of all our citizens;

"4. That among the causes of the spreading disrespect for law and its enforcement are the publicly held views that it is inordinately difficult, and many times impossible, to convict those who are guilty of the gravest crimes against our society, and that there are unreasonable and unnecessary delays in the administration of justice; that to the extent these views are supported in logic and fact it requires that we, and all our judicial, executive and legislative bodies and agencies, reappraise the laws and procedures which affect the task of the policeman, the prosecutor and the courts in their effort to protect society, to the end that we will successfully meet the challenge of lawlessness;

"5. That as all true Americans have in time of war stanchly supported our armed forces, all Americans must now lend their active support to those who are charged with the onerous task of continuously waging the war on crime and lawlessness; only if we support the policeman, the prosecutor and the courts can they protect us, our rights and the freedom to enjoy them;

"6. That we implore all citizens to deliberately reaffirm their faith in liberty under law."

WHERE HAS THE MONEY GONE?

Mr. **WATSON**. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. **ASHBROOK**. Mr. Speaker, one of the recommendations which has been advanced to help the ghetto areas of American cities calls for an infusion of more Federal funds to alleviate substandard conditions. The issue of adequate housing has been listed as an area in which monumental efforts are necessary. Yet some of those who seek refuge in the panacea of Federal funds either overlook or choose to ignore the Federal urban renewal program which has been in existence since 1949. The basic purpose of this program was to remove blighted urban areas and provide low and middle-income housing. Now, after the passage of 18 years it must be concluded that this program has been a failure, to state the case mildly. Senator Edward Brooke, of Massachusetts, recently declared:

> More low-income housing has been destroyed than has been built.

In the face of incontrovertible evidence that as far as low-income housing is concerned the urban renewal program has been a colossal flop, proposals calling for more Federal funds still issue forth from some circles.

Some recent developments in the housing field were treated by Mr. Willard Edwards, Chicago Tribune columnist, in the August 22 issue of that paper. I insert it in the Record at this point:

Capital Views

(By Willard Edwards)

Washington, August 21.—As a paperback thriller, its title might be The Hundred Billion Dollar Mystery. Suggested subtitles: Where did all the money go? Why did it fail to prevent violent uprising in more than 100 American cities?

One hundred billions is the amount estimated by Chairman George H. Mahon (D., Tex.) of the House appropriations committee as the total appropriated by Congress in recent years to end poverty and improve living conditions in big cities.

Some quiet detective work has been conducted by influential members of Congress in an effort to discover why this vast sum has apparently evaporated with little visible effect on the slum areas it was supposed to benefit.

One of the fields explored was lack of low-income housing, often cited as a cause of civil disorders. A clear-cut conclusion emerged—that maladministration of housing programs has reached a scandalous stage.

A Senate housing subcommittee, after weeks of hearings, has reached a staggering and depressing verdict:

With billions available for many years no truly low-income housing is being built. In fact, more low income housing has been destroyed than has been built. Government red tape has strangled action.

NOT ANXIOUS TO PUBLICIZE VIEW

The subcommittee, headed by Sen. John Sparkman (D., Ala.), a loyal Johnson supporter, is not anxious to publicize this view. It is now wrestling with a plan to pull together "new approaches" to housing legislation, such as some form of subsidizer home ownership for the poor. The Democratic majority will play down past failures.

Meanwhile, Congress is resounding to panick demands for swamping riot-torn cities with fresh billions of dollars. Vice President Humphrey demanded a "Marshall plan" for cities. A Senate labor subcommittee approved a 3 billion dollar emergency slum job and riot damage program and tacked it on a 2.2 billion extension of the war on poverty.

Is more money the answer? Not, it appears, when its spending is entrusted to federal bureaucrats. Sen. Edward W. Brooke (R. Mass.), no foe to higher poverty appropriations, disclosed the story of what happened to one low-cost housing project in his state. With impeccable sponsorship, it has languished for more than two years, the land lying vacant, because the Federal Housing administration is either unable or unwilling to move.

The mayor of Springfield, Ill., in testimony before the Senate subcommittee, provided an even more fantastic example of a frustrated urban renewal project. A five-block area was cleared by 1959 but eight years later only 24 units have been completed and stand occupied while 300 families vainly seek housing. A squabble between two federal agencies was responsible.

ONLY 40,000 UNITS ARE PRODUCED

With 2 billions available for six years, Brooke said, the FHA should have built 2,400,000 units instead of the 40,000 actually produced. Was the FHA, he asked, trying to prove that "hell is a government bureaucracy?"

Rep. Melvin R. Laird (R., Wis.) noted the words of a prominent liberal, Daniel P. Moynihan, former assistant secretary of labor, that "the mood of the administration is one of paralysis." Government, said Moynihan, is a superb instrument for redistributing power and wealth . . . but as an instrument for providing services, especially to urban lower class Negroes, it is a highly unreliable device. . . .

Laird said the failure of federal poverty and housing programs proved the need for a program of sharing revenue with the states. Congress may be slow to accept this approach but many members are beginning to be dubious that more billions will succeed where 100 billions have failed before. Never, they suspect, as long as the money is funneled thru an army of federal employees, now approaching 3,000,000 in number, who operate in a paper-work jungle, bound by regulations and policies which compound the very problems that spending is supposed to correct.

GUIDELINE FOR DETERMINING ROUTES FOR RURAL MAIL DELIVERY

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Zwach] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. ZWACH. Mr. Speaker, sometime ago I wrote the Postmaster General about the need for updating the regulations which served as the Department's guideline in determining the routes for rural mail delivery. The criteria used was two families per mile.

With the continuing low prices and the technological revolution in agriculture to use larger and larger machinery, thus meaning larger farms, there has necessarily been a continuing exodus of underemployed farm families into cities. Consequently, the population density in rural areas has greatly decreased. The remaining farm families still have as much need, or perhaps even greater, for good mail services. Frequently, many of these people have been forced to drive 4 or 5 miles daily to get their mail, while others may get driveaway mail delivery. At the same time, most all cities of 2,500 people or more get house to house delivery. I have always felt that an unplanned discrimination was taking place, especially when the rural resident was aked to pay the same postage rates as those who were receiving more convenient mail service.

I noted then, with great interest, a section of a speech given by the Postmaster General at Cleveland, Ohio, on August 9, that he had heeded my earlier pleas and was reducing the requirement from two families per mile down to 1½ families per mile. The Postmaster General should be commended for moving in the proper direction of providing nondiscriminatory driveway mail service to all farmers. His press release also stated that this small loosening of requirements will benefit approximately 59,000 families in the rural areas.

POSTHUMOUS COMMISSIONS TO AMERICAN SERVICEMEN

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Horton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HORTON. Mr. Speaker, I am today introducing a bill which will correct a most serious injustice in the laws which govern the granting of posthumous commissions to American servicemen. Under section 1521 of title 10 of the United States Code, posthumous commissions and warrants are granted when the deceased serviceman has been selected for promotion but is killed in the line of duty before the promotion becomes effective. By granting posthumous commissions the armed services give public recognition to the particular contribution made by those members of the Armed Forces who, as result of their skills and actions, have earned promotion to a higher rank.

At the present time section 1523 of title 10 of the United States Code provides that the survivors of a serviceman who has received a posthumous commission or warrant are not entitled to any bonus, gratuity pay, or allowance as a result of the granting of such commission or warrant.

However, had not death in the course of service to their country cut short their lives too soon, these men would have become entitled to the higher rank and all of the privileges and benefits appurtenant to it.

This is a highly incongruous and inequitable situation for, in addition to earning higher rank by their earlier outstanding conduct, these men have made the greatest possible sacrifice for their country: they died to protect the freedoms and traditions which the rest of us continue to enjoy. This inequity was brought to my attention by one of my constituents whose son recently lost his life while serving with the Coast Guard.

This serviceman, who lost his life while participating in a rescue operation off the coast of Alaska, was a lieutenant at the time of his death. However, before his death he had been selected for promotion to lieutenant commander. Subsequent to his death he was promoted to the rank of lieutenant commander but his widow and children are only entitled to the pension they would have received had he not been promoted.

Because I believe this situation should be immediately corrected, I am introducing this bill which will repeal section 1523 of title 10 of the United States Code. This will enable the armed services to provide the survivors of servicemen who have been granted posthumous commissions with all of the benefits which normally accompany that commission.

The repeal of this provision will provide additional assistance to the families of some of our servicemen who give their lives in the line of duty, will make the granting of commissions much more equitable and will involve only a minimal expenditure of Government funds. I urge my colleagues to consider this bill carefully and to act favorably upon it.

Mr. Speaker, you will note that the effective date of this bill is January 1, 1961, which will enable the Armed Forces to provide this additional benefit to the families of all servicemen who have died in the line of duty since the beginning of the Vietnam conflict.

A POSITIVE PROGRAM FOR THE MERCHANT MARINE

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Reinecke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. REINECKE. Mr. Speaker, one of the most important matters facing the leadership of this Nation is the present plight of the merchant marine industry. I shall not take the House's time to restate the facts of our present situation. This information has been well documented in the Record, on the floor of the House, and before our Merchant Marine Committee. The present status of the merchant marine is well understood. It is clearly unable to fulfill its role in our national defense requirements. The war in Vietnam has dramatized this.

I shall not comment on the recent administration proposals concerning the merchant marine. These statements of the Secretary of Transportation stand clearly as a continuation of a no-policy attitude. The Department of Commerce, where the Maritime Administration now resides, simply defers to the Secretary of Transportation in spite of clear expressions of the will of the Congress to the contrary.

Instead, Mr. Speaker, I wish to present a list of suggestions of possible incremental moves that may be made by every segment in the maritime industry—the administration, the Congress, the shipbuilders, the ship operators, labor in the shipyards, labor on the docks, and labor aboard ship. All of these segments of the industry have a responsibility and all may contribute to pulling this industry out of the chaos in which it presently wallows.

I sincerely request that the House, in conjunction with the Senate, accept our responsibility and develop a firm, forward looking merchant marine policy and program. Time is very short. It must be done this year.

The specific proposals which I would like to suggest may be controversial. But I think that the time has come to get controversial and call names where they need to be called.

With respect to the executive branch:

First. The executive branch must conduct a complete review, within 6 months, of the projected requirements and capabilities of our merchant marine for both commercial and military needs. A particular view to handling of the military requirements in multiple trouble spot situations such as we just went through with the Middle East crisis and Vietnam is essential. This should be done within the executive departments since the Department of Defense only can provide military requirements. However, this review should be done in cooperation with representatives of the maritime industry. This must be done for the simple reason that at the present time, we have no real projections of what our total needs might be. Therefore, it is truly impossible to determine what must really be done in the way of new ship construction in order to bring our merchant marine capability back into line with our future requirements.

Second. The Maritime Administration should be established as an independent agency. It should not be swallowed up in the Department of Transportation. It is big enough to stand alone. The problems it deals with are different from those of other forms of transportation. There would be no difficulty in gaining cooperation between an independent Maritime Administration and other transportation agencies for coordinating an intermodal concept in scheduling and handling of freight.

The present Secretary of Transportation is grossly inexperienced in maritime affairs. He has displayed an amazing lack of understanding of the problems of the industry. He does not seem to know the source of the material which he has given before congressional committees. In fact, he displays what could be termed a "hostile" attitude toward the entire maritime industry.

Third, establish a continuing Committee on the Maritime Industry. This would replace the Maritime Advisory Committee. Membership of the Committee should be from the entire industry. The reason for this is that we do need a continuing committee, advisory only; one that would establish its own rules of procedure and would elect its own officers. Its function should include: (a) forum for industry cooperation; (b) to establish meaningful goals for the merchant marine; (c) to establish short-range objectives toward seeking these goals; (d) to monitor progress within the industry; (e) to make public reports including views which may disagree with other members of the Committee pertaining to the progress toward objectives, administration of existing laws, and suggested changes in the laws; (f) act as a conscience for the American people in matters pertaining to the merchant marine; and (g) monitor foreign trade rates in comparison with treaty agreements. It has been claimed that the rate conferences come to conclusions that are not necessarily carried out in all instances.

Fourth. Place all Navy shipyards on competitive bidding basis for new construction. An adequate overhead assignment could be made. We could then effect certain economies. We are facing massive spending and must look for reductions in spending at any point where possible.

Fifth. Improve procurement procedures by greater standardization, simplification, and multiple orders placed in any given yard. The idea of distributing a number of like ships in different yards because of unemployment statistics is fine from an employment point of view, but is intolerable when talking about construction costs of shipping.

Sixth. Expand and fund the Manpower Development Training Act programs to assist the merchant marine in the yards, on the docks and aboard ship.

Seventh. Expand and revise standard Federal regulations pertaining to design, construction specifications, manning—particularly in view of automation—safety, fire precautions, navigation, and communication equipment.

Eighth. Simplify and expedite Federal requirements pertaining to subsidy bidding determinations, routine paperwork proliferation, inspections in shipyards, design approvals, required auditing practices, and shipboard personnel for inspections.

Ninth. Extend to 5 years the allowable duration of Government cargo contracts where feasible and compatible with congressional appropriations. With the present 1-year limit, the operators are not in a position to bid as economically as they might if they had a 5-year contract.

Tenth. Reconsider and reevaluate the proposal to upgrade old ships for an active reserve fleet. The administration proposal is to upgrade 100 ships at a cost of approximately $3 million each to provide a continuing reserve fleet; $300,000,000 could be better spent on new construction, Mr. Speaker. These ships, even though up-dated and modified, will still find a very precarious position when it comes to the insurance underwriters when they pass the 20- or 25-year mark. If the administration continues this line of thought, then the Congress should refuse to appropriate the $300,000,000.

Eleventh. Evaluate cost effectiveness of national defense equipment required to be aboard all subsidized ships.

Twelfth. Establish "American first" as our cargo policy with a goal of carrying 40 percent of American trade in American flag ships instead of the 7 to 8 percent now being carried.

Thirteenth. Establish a goal to carry 100 percent of all Government cargoes with 80 percent as an absolute minimum. If we knew the truth, we would probably find that we are actually carrying far less than the 50 percent that we think we are carrying in American flags at the present time.

Fourteenth. Tighten up on the waivers under resolution 17 in Public Law 480 cargoes.

Fifteenth. Regarding specific construction recommendations: because we have no adequate projection of what our future merchant marine needs might be, it is difficult to give more than a very general requirement for construction. A recommendation of 250 ships by 1975 seems minimum. This figure is based on the fact that virtually all of our present merchant marine will be obsolete at that time and that the approximate 1,000 ships that we presently are using would therefore have to be replaced.

On the general assumption that new ships are four times as productive as present ships, the requirement then becomes one-fourth of 1,000, or 250. This will simply keep us, Mr. Speaker, in line with the condition that we are in at the present time. This would not upgrade the merchant marine other than by a factor of time.

Sixteenth. Authorize construction of certain passenger ships, but again defer to the findings of this survey, since we do not know what the projected requirements might be. The administration talks in terms of delivering personnel by air and yet looking at the Vietnam situation, we know that the merchant marine must carry 98 percent of the requirements.

Seventeenth. The financing of these might well be done in accordance with a recommendation of the Shipbuilders Council that the Government make amortized payments so that we do not have such large cash outlays during the construction program. The payments would be distributed over a 25-year period. The ships would be in operation and would be contributing to the economy, contributing to the taxes, and contributing to the national income which in turn would be required to make the payments. This may require congressional action.

The 250 ships would cost the Government, at 55-percent subsidy, approximately $2.5 billion plus interest. The amortization method would require about $25 million per year for 25 years for the first flight of ships up to $125 million per year when five flights of 50 ships each were being paid for. A good ship returns far more to the economy than the $500,000 annual payment required.

Action for the Congress:

First. Restrict subsidies to austere designs only. As long as we go on building custom ships, we are going to be paying custom prices. In foreign shipbuilding, we find that one of the reasons they are able to effect low prices is because they build standard ships. Certain variations, of course, are within the realm of possibility without increasing the cost. As the country which has shown the world how to generate mass production, we certainly are guilty of doing nothing about it in the shipbuilding industry.

The blame cannot be leveled at the shipbuilding industry. The blame actually lies with the administration. They have thwarted the opportunity to tool up for mass production of ships.

Second. Prohibit any operating subsidy to ships constructed in foreign yards and subsequently registered under the

United States flag. I do not preclude this for all time. Until our goals are known and what our requirements must be, we must look first to American shipyards and employment of American labor.

Third. Part of the costs that may be reduced because of various incentive systems which result in reduced subsidies should be returned to the yards and to labor so that they will in turn be provided with an incentive to help make greater cost reductions.

Fourth. Conduct hearings on the proper way to control the runaway flagships. A reasonable solution could be devised that would bring more and more shipping back under the control of the American flag to assure control in time of national emergency.

Fifth. Amend the tax laws to allow accelerated depreciation on shipyard improvements and accelerated depreciation on the incremental ship construction costs due to automation. This would give the industry an incentive to move toward the high productivity type of ship.

Sixth. Allow tax credits for investments in approved training programs. Make training costs, including subsistence loans, available to employees in the industry that have the desire to upgrade their own skills.

Seventh. Expand research and development. Maritime research is vital and basic to our economy. The present level of expenditure of $7,500,000 is a disgrace to the country, and to ourselves.

It must be increased, and should include the following:

Nuclear propulsion.

Hull form standardization. Basic cost reductions as a result of simplified and standard tooling and production parts can be a major factor in cost reduction. Ships are now being built in unitized sections which can be added on to existing hulls. Mass production techniques have very real potential. This modular concept of design must be explored.

New innovations are needed in stowage, containerization, cargo handling methods, palletization, and so forth.

Port handling facilities must come under scrutiny. Extensive employment possibilities exist here.

Research is called for on a detachable power unit of a ship, which would include the bridge, all control equipment, the engine room, and propulsion system. It would operate like a seagoing tug that could snap on to an already loaded hull, transfer it across the ocean, unfasten that hull and allow the port adequate time to unload that hull. The power section could immediately pick up another hull and continue on its return voyage. The power unit is the high capital investment of the ship and must be kept on the seas, not in the ports.

Eighth. An evaluation of the FDL versus modern high-speed merchant marine must be investigated by the Congress.

Ninth. Authorize fish factory ships to include canning, freezing, fileting, refrigeration, and fish protein concentrate processing.

The shipbuilding industry:

First. Must develop austere ship designs. These efficient ships can be built by mass production techniques. They must adopt standards models and let the industry choose between them.

Second. Investigate all cost reduction methods including modular construction which appears to be a major factor which shipyards could incorporate to effect substantial savings.

Third. Incentive programs must be developed throughout ship construction.

Ship operators:

First. Must agree on certain standardization of basic characteristics such as hull shape, general structural design, power range. Very little research would provide the answer to the most efficient hull for a given size and type of ship.

Second. Recommendations for standardization of cargo handling methods must be considered for greater efficiency for all ships and port facilities.

Third. The industry should organize a cargo computer center that would adequately handle all requirements for freight, space, for destination, required routing paperwork, et cetera. All of this could be handled very simply through one cargo computer center that would make the most effective use of American-flag ships; that would provide the most efficient routing and scheduling. It would also provide the Congress with an ideal source of statistics, independent of the administration, pertaining to the cargoes that are handled.

Labor is a major factor:

First. Labor in the shipyards must be willing to accept incentive programs to increase productivity in the shipyards.

Second. Must agree to accept training programs.

Third. Must agree to prefab and work simplification processes.

Fourth. Must broaden the skill definitions to eliminate expensive standby time.

On the docks, labor must cooperate with work simplification programs and standardization of dock gang requirements.

Shipboard labor must:

First. Train for automation.

Second. Must accept reduction of crew size where safe and practical on the premise of an increase in the overall industry employment.

Third. Establish mobility of pension funds as a means of stimulating and upgrading of the industry.

Finally, it is important that labor in all the maritime industry explore and research the possibility of the formation of nationwide, industrywide unions, incorporating all skills involved in the maritime industry.

This practice has been found satisfactory in other industries and has proven beneficial to all. Consecutive management-labor disputes within contract periods cannot be tolerated in the national interest.

I am preparing legislation, Mr. Speaker, to implement certain parts of this program. Most of it, however, will require the creative leadership of the executive branch, the cooperative spirit and new ideas of the maritime industry—labor, management, and Government.

It is time that we decided to work together for the common goal of steering a great industry out of the storms of indecision and inaction, and back on the right course toward progress and growth.

LEGISLATION TO HALT TRAINING OF ARAB AND OTHER FOREIGN MILITARY PERSONNEL FROM COUNTRIES WHICH HAVE SEVERED DIPLOMATIC RELATIONS WITH THE UNITED STATES

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, today I am introducing legislation to bring an immediate halt to all U.S. military training of foreign personnel when the country from which the trainee originates severs diplomatic relations with our Nation. The situation which arose during the most recent Arab-Israel conflict must not be permitted to continue with regard to this particular conflict or any other that may explode in the future.

Presently, Mr. Speaker, our country is continuing to provide military training for eight Iraqi and 12 Sudanese military personnel. Both of these nations have severed diplomatic relations with the United States as a result of the Middle East war that erupted in June of this year. Both of these countries, curiously enough, have ordered their diplomats to return home, while allowing their military trainees to remain in the United States.

During the fiscal year 1967, 42 military personnel from Iraq, 24 from Sudan, and 11 from Syria received military training in the United States. Within the last 4 years the United States has given military training to 331 foreign nationals from five Arab nations that severed diplomatic relations with the United States as a result of the recent Arab-Israel confrontation. I believe that if we allow this military training to continue we will establish a paradox that is inconsistent with our Nation's role in international affairs. I see no reason why this country should continue training military personnel who return home to undertake military actions against the interests of this country or those of our allies.

Upon the eruption of hostilities in the Middle East our State Department chose to permit students of countries which have severed diplomatic relations with us, and who were then in this country receiving military training, to complete their training program. Some of these students, on their own initiative, returned home, perhaps to pilot Soviet-built jets to be used against Israel. As of July 28, eight Iraqi and 12 Sudanese military students were still receiving training in the United States.

The State Department defends these military assistance programs on the theory that to train the country's military personnel will be to increase our Nation's effective presence in their diplomatic arena. But these are nations which have unilaterally chosen to sever diplomatic relations. When such relations are resumed there will be an opportunity to consider whether such training should be continued.

While it is true that the military plays a key role in many underdeveloped societies, and by training the future military leaders of these nations we have provided exposure to the U.S. military doctrine as well as to life in the United States, this exposure does not seem to have the result the State Department contends for it.

The bill I am introducing today provides that when diplomatic relations between the United States and a foreign country are severed, no national of such foreign country shall be eligible to receive or continue military training until such time as diplomatic relations between our country and the foreign nation are resumed.

Mr. Speaker, I urge my colleagues to consider carefully the import of the legislation I am introducing today. If we fail to bring to a halt military training programs custom tailored to suit the military needs of nations which have declared to the world that they are our adversaries, we are simply encouraging an anomalous situation that is clearly contrary to our Nation's security.

CONGRESSIONAL REFORM: ACTION NOW

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have been asked to clarify two questions with respect to the so-called minority staffing section of the Legislative Reorganization Act of 1967. First, does this section give the minority an advantage of committee staff at the expense of the majority? Second, would I favor this provision if I were a member of the majority party?

The answer to the first question is "No"; to the second, "Yes."

Let me point out that section 301 of S. 355 provides for a number of the recommendations of the Joint Committee of the Organization of the Congress, including those for an overall increase in the number of professional staff members assigned to the standing committees, for the hiring of consultants, for specialized training for professional staff, equalization of pay, and other matters.

On the question of staff specifically for the minority, the bill provides simply that in the event minority members are not receiving adequate assistance on a particular committee, they may ask the committee to hire one or two additional professional staff members to serve them.

S. 355 ASSURES MINORITY STAFFING

If minority members of a committee are satisfied with existing staff arrangements—as appears to be the case on many committees—the status quo obtains. However, in the event minority members of a committee are not receiving adequate assistance in connection with committee business, S. 355 amends existing law to provide that they may select for appointment one or two professional staff members. The committee would be required upon request by a majority of the minority members to appoint the person or persons selected by such members.

If there is no vacancy on the staff at the time of such appointment, the bill provides for a temporary increase in the overall number of professional staff members until such vacancy occurs. So this is not taking any staff positions from the majority. The new appointee is paid from the contingent fund of the House until a vacancy occurs.

THE COST—IN PERSPECTIVE

As to the cost of the provision, I have no idea what it might come to, because I have no idea how many of these positions will be requested. Whatever it is, the cost will be negligible. As Senator MONRONEY has pointed out in the other body, the entire cost of running House and Senate together is less than the cost of operating the office of the Bureau of Indian Affairs in the executive branch.

I think it would be helpful in clarifying this question to quote from the final report of the Joint Committee on the Organization of the Congress. I would again like to remind my colleagues that all of the committee's recommendations carry the bipartisan, unanimous endorsement of the committee.

From the final report:

> It was the intent of the 1946 act that committee staff should be professional and nonpartisan . . . Most standing committees of both Houses have observed this requirement. Staff vacancies on these committees have been filled on a nonpartisan basis and the staff has served the needs of both majority and minorty members. Many committees have staff members who have served through several changes of party control.
>
> Unfortunately, on other committees the minority has been denied access to adequate staff. It is fundamental to our legislative system that the opposition have adequate resources to prepare informed dissent or alternative courses of action. All sides of an issue need to be forcefully presented.
>
> The majority has responsibility for the administration of the committee's business and for providing staff that will assist in the presentation of party or individual political viewpoint. In seeking to provide protection for the minority, it would be an error to divide the entire staff of each committee along partisan lines. . . . However, the minority should be entitled to appoint two professional staff positions and one clerical position as a safeguard for their rights.

MINORITY STAFFING IMPORTANT

The whole point of the minority staffing provision is that the minority party should have at least a minimum guarantee of professional staff assistance on congressional committees. It is not a question of numbers per se, or of ratios, or of trying to lessen the effectiveness of the majority. As I tried to explain in "The Need for Increased Staffing" in "We Propose: A Modern Congress":

> The needs of congressional committees go beyond the question of sheer size of a staff and reach to the problem of making possible an effective distinction between majority and minority positions in order to facilitate meaningful floor debate and responsible problem solving. As long as Congress is organized on the basis of a differentiation between majority and minority roles, even at the committee level, it is not realistic to expect adequate legislation to evolve from a "nonpartisan" staff arrangement.

In response to the question, "Would I favor the minority staffing provision if I were a member of the majority party?" I conclude by quoting the final paragraph of my chapter, mentioned above:

> This concern on my part does not stem entirely from the fact that I am a member of the current minortly party. Although it is true we feel the brunt of this staff deprivation at the moment, I expect to feel no differently when my party is in the majority. Effective criticism from the loyal opposition is essential to good government regardless of which party is in control.

HALPERN BILL WOULD ESTABLISH GREAT WHITE FLEET TO FIGHT HUNGER AND DISEASE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. HALPERN], is recognized for 20 minutes.

Mr. HALPERN. Mr. Speaker, I have again introduced legislation to establish a Great White Fleet designed to tender assistance and aid on a continuing basis to people of other nations for the purpose of combating hunger and disease. This fleet would also be available to render emergency aid in the event of any disaster.

This idea was first conceived in 1959 by Navy Comdr. Frank Manson, and was widely acclaimed then. Captain Manson envisioned a group of ships centered around various areas of concentration, such as medical and public health aid and training and education, and electrical power and construction.

These ships would be free to travel extensively to carry out concrete, specific, and immediate programs in areas with limited overland and air access. They would operate on a basis of mutual participation and self-help, demonstrating honest American desire to help struggling people without forcing ourselves upon them in any way; without making them feel an unwelcome sense of obligation for outright handouts.

Senator HUMPHREY and others introduced a Senate resolution in 1959 which was passed, but on which no further action was taken or planned. I have repeatedly submitted legislation in this House to implement this idea, and have urged others to join me.

We can no longer afford to allow this imaginative project to remain unimplemented and unproductive. We need only the will and the vision to put our intelligence and commonsense to work toward realizing a practical and surefooted way to bring modern medical care, education, technology, and productivity to those who so desperately need them.

The White Fleet is a practical, economical, and sensitive approach to our "nation-building" efforts.

Today, I am again introducing legislation to amend the Foreign Assistance Act of 1961 to establish a fleet of presently mothballed Navy vessels. These would be outfitted with Government and privately donated funds and equipment.

Although the fleet would be administered by the Agency for International Development, the bill authorizes the cooperation and participation of knowledgeable private groups. Interagency coordination is also urged, with AID acting as a contractor to the Navy, the Army, the Department of Health, Education, and Welfare, the Department of Agriculture, and so on.

In order to establish a trial fleet of three LST's, AID would require an initial appropriation of $6 to $7.5 million to pull the ships out of mothballs and to outfit them. This estimate would be subject to change, depending on the initial size of the fleet, which could be easily adjusted. Refurbishing and outfitting costs would not require duplication in subsequent appropriations.

A large part of the necessary supplies and equipment would be procured at no cost from surplus stores and private donations. We are presently spending money to keep many Navy ships in mothballs. Instead of lying dormant and useless they could be performing a very worthwhile and needed service. The Government's financial responsibility would be substantially discharged with the reconditioning and would be minimal for maintenance costs.

This legislation would also provide an opportunity to utilize the counterpart funds, the foreign currencies owned by the United States, which cannot be converted into dollars and which are presently resting in overseas vaults while effective means of channeling them are sought.

The Great White Fleet may sound like unrestrained idealism, but, in fact, the practicality of this concept has already been unequivocally demonstrated by the tremendously successful career of the medical ship, *Hope*, which has been voyaging around the world for 7 years.

The Navy donated a mothballed hospital ship to the project, which is otherwise privately administered and funded. As of 1965 more than $6 million worth of equipment, drugs, and supplies had been donated by business firms.

The Saturday Review of July 15, 1967, stated:

> The ship is so popular within the medical profession that it has a waiting list of doctors (they serve in 2-month shifts—for free).

Since 1960 the *Hope* has traveled to Indonesia, South Vietnam, Peru, Ecuador, Guinea, Nicaragua, and now Colombia, treating sufferers, and training people in the medical and paramedical fields. By 1965 more than 30 countries had invited visits, and 3,000 people had received training through Project Hope.

The particular success of *Hope* may be explained in large part by the fact that it is a ship. The flexibility, mobility, and autonomy of a ship make it especially well suited to foreign aid.

Because it is a mobile, self-administered, and organized community, it imposes no obligation on the nations it visits but is at all times fully responsible for its own maintenance and existence. Tensions and resentments are far less likely to arise than from comparable stationary foreign aid programs which may necessitate long-range and perhaps uncomfortable commitments on the part of the host country.

Ships have access to remote undeveloped areas where aid programs often cannot enter. The construction ship of the fleet could make the first efforts toward road and transportation developments in such areas.

The excellent response to the Peace Corps and to *Hope* attests to the success and practicality of volunteer support to staff such imaginative humanitarian causes.

The White Fleet would support a small permanent core of employees paid minimal wages, but would be largely manned by volunteers. Retired people, military reserves trained in engineering and technical fields, medical personnel, and ex-Peace Corpsmen are all promising sources of volunteers.

The White Fleet would be in an excellent position to coordinate diverse small-scale private aid groups such as *Hope*, Medico, and Care, and the Navy's efforts in the area of civic action, such as the Seabees technical assistance teams, Operation Handclasp, and the naval medical research units.

The Great White Fleet unifies a certain form of foreign aid into an organized, appealing, and identifiable force which easily symbolizes constructive action and sincere desire to help alleviate poverty, disease, and ignorance wherever they prevent people from fulfilling themselves.

The Saturday Review pointed out that—

> In an insane world of idiotic spending for fratricidal wars and "defense," the comparatively small expenditures for S.S. *Hope* have lighted a tiny, inexpensive candle in the darkness. Imagine America's image, to say nothing of the world's health, if a thousand ships of *Hope* moved upon the waters of the earth for the alleviation of the ills of mankind. The possibilities for peace in a healthy world stagger the imagination.

Mr. Speaker, I urge that the Congress act on my bill proposing this unique but effective instrument for enhancing international development and understanding. This will do more good for the U.S. image abroad than many more expensive aid programs.

We are a great nation of enormous wealth and knowledge. In a spirit of both generosity and enlightened self-interest in the future of our Nation and the world, let us help those who are deprived, sick, and hungry. And let us do so intelligently and sensitively, with creative programs such as a White Fleet, that can mobilize American support, and render service quietly, effectively, and efficiently.

We should act immediately and appropriate the necessary funds—probably not exceeding $500,000—for a comprehensive study of the proposed Great White Fleet, by a task force which will investigate the most efficient and productive means of implementing the fleet. It will determine its final makeup, mode of operation, administration and management structures, the estimated costs, and the extent to which private support may be generated.

DISORDERLY CONDUCT IN THE CAPITOL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. POFF], is recognized for 15 minutes.

Mr. POFF. Mr. Speaker, the present state of the law applicable to disorderly or other offensive conduct within the Capitol is best understood by an examination of the historical development of such laws.

In 1892 Congress provided the District of Columbia with an act for "the preservation of the public peace and the protection of property . . ." (act of July 29, 1892, 27 Stat. 322, ch. 320). In section 6 of that act it was declared unlawful for persons to congregate and assemble and engage in loud and boisterous talking in the Capitol and certain other buildings. A maximum fine of $25 was imposed. Section 15 of that act provided that persons guilty of such disorderly and unlawful conduct in or about public buildings belonging to the United States shall be liable for a maximum fine of $50.

In section 18 Congress provided that prosecutions for violations of that act were to be conducted by the District of Columbia—Corporation Counsel. Section 18 was codified in title 22, District of Columbia Code, section 109.

Section 6 was amended July 8, 1898. The effect of this amendment was not substantive but merely unified sections 5 and 6 of the act of 1892 into one section. This section was then codified into 22 District of Columbia Code 1107.

However, section 15 was not amended in 1898 and has not been amended to the present date. Section 15 was codified into 22 District of Columbia Code 3111 and also into 40 United States Code 101. Its proscription of conduct in U.S. buildings and the $50 fine remain unchanged.

In 1946, Congress enacted a statute to regulate the use of the U.S. Capitol Grounds (act of July 31, 1946, 60 Stat. 718, ch. 707). That act is codified in 9 District of Columbia Code 118 and the following. Section 6 proscribed haranguing or orating or uttering loud, threatening, or abusive language in the U.S. Capitol Grounds. The 1946 act provided a maximum of $100 and/or 60 days' punishment (9 D.C. Code 125). But section 16(a) (9 D.C. Code 132) specifically excluded conduct within the Capitol Building. Section 16(b) provided that section 3111—section 15 of the act of 1892 relating to the $50 fine for conduct inside the Capitol—was to remain unaffected by the act of 1946.

Thus, the Congress left us with the anomaly of a maximum $50 fine for conduct within the Capitol Building and a maximum fine of $100 for enumerated but similar conduct on the Capitol Grounds.

In 1953 the Congress again amended section 6 of the act of 1892 (22 D.C. Code 1107) and raised the maximum fine from

$25 to $250 and/or 90 days, and created a new disorderly conduct statute subsequently codified in 22 District of Columbia Code 1121. The new law read in part as follows:

> Whoever, with the intent to provoke a breach of the peace or under circumstances that a breach of the peace may be organized thereby—
>
> (1) acts in such a manner as to annoy, disturb, interfere with, obstruct, or be offensive to others;
>
> (2) congregates with others on a public street and refuses to move on when ordered by the police;
>
> (3) shouts or makes a noise either inside or outside a building during the nighttime to the annoyance or disturbance of any considerable number of persons;

Section 1121 does not specify any particular geographical location for the disorderly conduct under subsection (1), thus allowing for application of the statute anywhere in the District of Columbia. However, section 1107—section 6 of the act of 1892—specifies particular places.

It is significant that the 1953 amendment neglected any mention of 22 District of Columbia Code 3111—section 15 of the act of 1892. Thus, while the penalties for disorderly conduct in places other than the Capitol building were increased to $250 and/or 90 days, no increase was made and in fact no reference was made to conduct within or about the Capitol as proscribed in 22 District of Columbia Code 3111. The immediate apparent conclusion to be drawn from that anomalous circumstance is that Congress inadvertently neglected to consider amending section 3111. But in 1946 Congress did remember that particular provision and specifically chose not to alter or amend it when Congress enacted legislation for the Capitol Grounds—16(b) act of 1946.

In view of Congress failure to increase the $50 penalty for disorderly conduct within or about the Capitol in 1946, and Congress silence as to the $50 provision in 1953, section 3111—section 15 of the act of 1892—continues to control the punishment for disorderly conduct in or about the Capitol Building, notwithstanding the greater penalties under 22 District of Columbia Code 1121 or 1107.

This curious state of the law came into focus 2 years ago when a large group of demonstrators converged on the Capitol Grounds and began chanting and orating. The police repeatedly ordered them to disperse and leave the Capitol Grounds, but they refused and were finally arrested. The defendants were charged and prosecuted under both 22 District of Columbia Code 1107 and 1121. In that case, *Feeley* v. *District of Columbia* (220 A. 2d 325 (1966)), — U.S. App. D.C. —, — F. 2d — (No. 20275 (1967)), the District of Columbia Court of Appeals held that although prosecutions for disorderly conduct in or about the U.S. Capitol may be brought under 22 District of Columbia Code 1121 or 1107, for purposes of sentence 22 District of Columbia Code 3111 applies, and the maximum sentence for such disorderly conduct is $50. The court arrived at this conclusion by reading 22 District of Columbia Code 1121, 1107, and section 16 (b) of the act of 1946 together and concluded that a "clear legislative pattern" is discernible requiring the application of section 3111 for sentencing.

Although the act of 1946 provided new and higher penalties—$100 and/or 60 days—for certain specified kinds of disorderly conduct—harangues, loud, threatening, or abusive language, and so forth—in the Capitol Grounds, by excepting section 3111—section 15 of the act of 1892—the act made similar disorderly conduct—sections 1121 and 1107—in or about the Capitol punishable only up to $50 fine. To single out the enumerated 1946 act conduct for punishment up to $100 and/or 60 days and yet to punish sections 1121 and 1107 conduct with only $50 fine while punishing sections 1121 and 1107 conduct up to $250 and/or 90 days for offenses off the Capitol Grounds and in other non-Federal public buildings is illogical. The District of Columbia Court of Appeals, in Feeley, supra, calls this state of the law the result of a clear legislative pattern. The U.S. Court of Appeals in *Smith, et al.* v. *District of Columbia* (219 A. 2d 841 (1966)), — U.S. App. D.C. —, F. 2d — (No. 20279 (July 29, 1967)) calls the reason for this situation "not readily apparent." The corporation counsel calls it, in the appellee's brief in Smith, supra, "obviously due to a congressional oversight." I leave the proper conclusion to the omniscient.

PROSECUTION

The next problem arising under this subject is which sovereign, the United States or the District of Columbia, is the proper prosecutor. Here again confusion exists. To understand this perplexing question, it is necessary to keep in mind 23 District of Columbia Code 101 which follows:

> CONDUCT OF PROSECUTIONS—PARTY PLAINTIFF
>
> The attorney for the District of Columbia shall be known as the Corporation Counsel.
>
> Prosecutions for violations for all police or municipal ordinances or regulations and for violations of all penal statutes in the nature of police or municipal regulations, where the maximum punishment is a fine only, or imprisonment not exceeding one year shall be conducted in the name of the District of Columbia and by the Corporation Counsel or his assistants. All other criminal prosecutions shall be conducted in the name of the United States and by the attorney of the United States for the District of Columbia or his assistants.

It is well settled that where the maximum punishment is both a fine and imprisonment the District of Columbia has no authority to prosecute. *District of Columbia* v. *Simpson* (40 App. D.C. 498 (1913)). This old rule was reaffirmed in Smith, supra.

In section 18 of the act of 1892 (22 D.C. Code 109), the District of Columbia was specifically authorized to prosecute disorderly conduct thereunder (22 D.C. Code 1107 and 3111 disorderly conduct), even though that act provided for a fine only. Since 23 District of Columbia Code 101 the general prosecutorial authorization was not enacted into law until 1901 (March 3, 1901, 31 Stat. 1340, ch. 854), the specific prosecutorial authorization provided in section 18 of the act of 1892 was codified in 22 District of Columbia Code 109. In 1953 the punishment for 1107 disorderly conduct—section 6 of the act of 1892—was increased to a fine and imprisonment. By the same amendment, a new statute, 22 District of Columbia Code 1121, proscribing disorderly conduct, with both a fine of $250 and imprisonment for 90 days, was created. Yet, in this new statute, providing both fine and imprisonment, it was declared that the District of Columbia should prosecute violations thereunder, thus amending 22 District of Columbia Code 109. This particular authorization for prosecution by the District of Columbia supervened that prohibition set out in 23 District of Columbia Code 101 which prohibited such prosecution by the Corporation Counsel.

Section 109—section 18 of the act of 1892—was in 1953 amended and now provides in part as follows:

> All prosecutions for violation of Section 22-1121 or any of the provisions of any of the laws or ordinances provided for by this Act shall be conducted in the name of and for the benefit of the District of Columbia, and in the same manner as provided by the law for the prosecution of offenses against the laws and ordinances of the said District * * *.

"This Act" refers to the act of 1892. Thus it is clear that prosecutions for section 1107, disorderly conduct—section 6 of the act of 1892—are to be conducted by the District of Columbia even though the 1953 amendment increased the punishment to fine and imprisonment. But the U.S. Court of Appeals misses that point in Smith, supra, where it said on page 4 of the slip opinion:

> So far as we are advised, there is no specific exemption of this section from the requirements of 23-101, such as was provided in respect to section 1121.

The court was there referring to section 1107 when it said, by way of dicta, that there was no statutory exemption from 23 District of Columbia Code 101 for section 1107 to permit the corporation counsel to prosecute under section 1107. That conclusion ignores the statutory derivation of 1107 section 6 of the act of 1892. The court implies by that comment that the District of Columbia is not the proper party prosecutor for 1107 disorderly conduct and yet it holds in the opinion that the District of Columbia is the proper party prosecutor for 1121 disorderly conduct. That conclusion seems to ignore the plain meaning of the language in 22 District of Columbia Code 109. Even the U.S. Court of Appeals is confused by the uncertain meaning of the present applicable statutes with respect to disorderly conduct.

This confusion is compounded when we look at the judicial interpretation of the question of which sovereign properly prosecutes under 22 District of Columbia Code 3112—prohibits destroying or defacing certain property. Section 3112 is the sister section to 3111 as both sections derive directly from the act of 1892. Section 3112 is derived from section 1 of the act of 1892 and section 3111 is derived from section 15 of the act of 1892. The act of 1892 provided that the District of Columbia is the proper party prosecutor for violations arising thereunder. That authority is codified in 22 District of Columbia Code 109.

Section 3112, which provided a $50 fine only, was amended in 1906 to provide the greater punishment of up to $100 and/or 6 months. As noted earlier, sister section

3111 has not been amended. Notwithstanding the clear mandate of section 109—section 18 of the act of 1892—but because 3112 provides for both fine and imprisonment—as do 1107 and 1121—the court said in *District of Columbia* v. *Moody* (175 A. 2d 782, 113 U.S. App. D.C. 67, 304 F. 2d 943 (1962)) that prosecutions were to be by the U.S. attorney and not by the District of Columbia. The court came to that dubious conclusion by relying solely on 23 District of Columbia Code 101. This per curiam opinion ignores the section 109 exemption and its evolution from the act of 1892. This District of Columbia Court of Appeals could not explain this curious result and glossed over the apparent inconsistency between 109 and Moody by way of a footnote in Feeley.

Further paradox is seen in the fact that disorderly conduct on the Capitol Grounds prohibited by the 1946 act (9 D.C. Code 123, 40 U.S.C. 193f) is patently required to be prosecuted by the U.S. attorney (9 D.C. Code 125, 40 U.S.C. 193s). It is also significant to note that such disorderly conduct—including the loud, threatening, or abusive language, and so forth—is prohibited only on the Capitol Grounds and not in the actual Capitol Building (9 D.C. Code 132, 40 U.S.C. 193m).

One other provision of law comes to mind as of possible application to occasions of disorderly conduct within the Capitol. That provision is the so-called unlawful entry statute (22 D.C. Code 3102), set out as follows:

> UNLAWFUL ENTRY ON PROPERTY
>
> Any person who, without lawful authority, shall enter, or attempt to enter, any public or private dwelling, building or other property, or part of such dwelling, building, or other property, against the will of the lawful occupant or the person lawfully in charge thereof, or being therein or thereon, without lawful authority to remain therein or thereon shall refuse to quit the same on the demand of the lawful occupant or of the person lawfully in charge thereof, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding $100 or imprisonment in the jail for not more than 6 months, or both, in the discretion of the court.

Although this statute can be applied to entry into the Capitol or House gallery, the problems of prosecution thereunder are serious. The question of entry "without lawful authority" is one of some gravity, especially in view of the policy of permitting visitors into the gallery without knowing their prior intentions. Conversely, the question of demanding persons to "quit" the premises raises the problem of who is the person lawfully in charge. It would appear that the proper person lawfully in charge in the House of Representatives is the Speaker. The difficulty of applying his personal request for persons to quit the gallery is formidable. Also, compounding the problem as to use of this statute is that the Speaker then must be the complaining witness for the purpose of prosecution. Without some more flexible arrangement such as delegation of authority by the Speaker to a person "lawfully in charge of the premises," this statute is of questionable value under which to prosecute conduct within the Capitol or House gallery.

In light of the foregoing analysis of the various potentially applicable statutes, it is understandable that those persons who were arrested for intruding into the gallery of the House on Monday, August 7, were arrested by the Capitol Police for "disorderly conduct"—presumably 22 District of Columbia Code 1107 or 1121. The police do not select the particular statute under which persons are to be prosecuted. They merely "book" arrested persons at the proper precinct under the general heading of "disorderly conduct." It remains to the prosecutor, in this case the corporation counsel, to determine under which statute to charge the defendants. This prosecution falls to the corporation counsel since the disorderly conduct laws generally used by the police are sections 1107 and 1121 of the District of Columbia Code. Prosecutions under those two sections are brought in the District of Columbia branch of the court of general sessions where the corporation counsel is the prosecutor. Smith, supra, implies, however, that the corporation counsel is not the proper prosecutor under section 1107.

In the case of the recent gallery demonstrators, the nine persons arrested were taken by the police to No. 1 precinct where they were "booked" for disorderly conduct. The minimum required collateral for violations of the general disorderly statutes is set by the court of general sessions board of judges. Persons "booked" in the precinct are permitted to post the minimum required collateral and gain their freedom. At the time of posting collateral persons arrested may elect to notify the precinct officer whether they wish to "forfeit" the collateral or stand trial on the charge. The usual course followed in forfeiture elections is that the prosecutor does not subsequently bring a formal charge against the defendant requiring appearance in court, although the prosecutor may subsequently demand the appearance of the defendant even though he has "elected to forfeit."

In cases where the defendant elects to stand trial, a date is set by the prosecuting officer, usually the officer's next court date. In this case the nine persons arrested in the gallery have elected to stand trial and are appearing in the court of general sessions on September 15, 1967.

Many Members have raised the complaint that $10 collaterals are not commensurate with the gravity of the conduct herein involved. Others have criticized the court of general sessions for permitting release with only $10 posted. These comments fail to recognize that there is in existence an order by the board of judges—promulgated April 19, 1965—which permits, in cases for which minimum collateral may be posted, the chief officer of the precinct to have a judge of the court of general sessions pass on the sufficiency of the minimum collateral. Under this order the officer may call, by telephone, any judge of that court when in the officer's opinion special facts or serious extenuating circumstances exist. That judge may then set such collateral or bond as he deems reasonably necessary to assure the protection of the community and to assure the defendant's return. This special provision was not utilized by the officer in charge of No. 1 precinct when these nine arrested persons were booked. They, therefore, were released on the minimum required collateral.

From the foregoing review of the confused and questionable state of the present applicable law to the question of conduct in the House gallery or Capitol Building, it appears that the only practicable method of proceeding against persons such as those recently arrested is under the general disorderly conduct laws—22 District of Columbia Code 1107 and 1121. But it is apparent that, notwithstanding the $250 and/or 90 days' penalties provided thereunder, the only penalty that can be assessed against defendants convicted for disorderly conduct in or about the Capitol is a maximum fine of $50. This is clearly the holding in the Feeley case, and in the companion case, Jalbert against District of Columbia (221 A. 2d 94 (1966)).

The incredible disparity between punishments for disorderly conduct that occurs elsewhere in the District, including public buildings, and that for disorderly conduct within or about the Capitol, coupled with the dubious applicability of the statutes herein previously discussed, dramatizes the need for clear, precise, and effective legislation.

H.R. 9837—HOUSE MEMBERS' TRAVEL ALLOWANCE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. SIKES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. SIKES. Mr. Speaker, it is disappointing to me that the House approved H.R. 9837, to permit reimbursement for a maximum of 12 trips per year to his district for each Member of Congress. I have great respect for the House Committee on Administration and I realize that the bill is offered in an effort to relieve the Members of some of the heavy burden of the cost of holding office which confronts each of us. I realize also that in all the Government it is only Members of Congress who are not reimbursed for all official travel. Nevertheless, it appears to me that we have a responsibility and an opportunity to demonstrate leadership by holding down the costs of Government, and this should be paramount in our thoughts. Particularly is this true when the Nation is confronted with a huge deficit, when costs of Government are going up on every side, and when the President is asking for an increase in taxes. We in Congress should be first to tighten our belts and seek to point the way to reduced costs of Government, not to higher costs.

ALEWIFE CONTROL IN THE GREAT LAKES

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I rise to introduce, for appropriate reference, a bill designed to aid in the restoration of a favorable ecology in the Great Lakes. The bill relates specifically to the alewife, an anadromous marine fish which by some method reached the fresh waters of the Great Lakes. Although present in Lake Ontario in 1873, it was not noted in Lake Erie until 1931. By 1954 it had reached Lake Superior. Within the last few years the species has become a major problem to many communities along the Great Lakes as a result of the massive die-offs which occur. So abundant is the alewife that schools of the fish at times clog water intakes of municipalities and industries. Tons of the fish are washed ashore where they constitute a nuisance and a threat to public health.

My bill calls for an appropriation of $5 million to be used in studying both the life history of the alewife and of control measures, and in developing and carrying out control methods and developing commercial uses of the alewife. Matching funds would be provided by the States involved.

Fortunately the situation within my district at the western end of Lake Erie is not so critical as that in other parts of the Great Lakes. It is my understanding that the most severe occurrences are in Lake Michigan and that the U.S. Bureau of Commercial Fisheries office in Ann Arbor, Mich., is currently studying the problem. The complexity of the problem, coupled with its wide geographic distribution, demands a greater effort on our part to provide the means of restoring an ecological balance.

It is essential that the idea of restoring an ecological balance be stressed rather than any attempt to eliminate the alewife. For the species does possess economic potential. Moreover there have been too many instances in the past where attempts to completely remove a life form have resulted in expensive and biologically disruptive failures.

What is needed, beyond this immediate legislation, is a consideration of the sequential disasters which have plagued the Great Lakes, as a large, complex but interrelated problem, rather than as a series of isolated incidents.

There are doubtless many of my colleagues from all sections of the Nation who are familiar with the ravages caused by the sea lampreys upon the Great Lakes trout population. The near extinction of the trout and the recent apparently successful control of the lampreys are classic examples of species interaction and wildlife management. The further studies envisioned by the bill I am introducing may reveal a substantial connection between the previous lamprey problem and development of the current alewife crisis.

The alewife population explosion and resultant problems are of concern not only to those elected to represent the Great Lakes constituencies, and agencies of the National and State governments working in the area, but to the scientific community at large. Therefore, I urge prompt congressional action to provide control of the alewife and other fish and aquatic animals in the waters of the Great Lakes which affect adversely the ecological balance of the Great Lakes.

UNITED STATES MUST WIN OTHER WAR

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, quite recently one of my constituents—an energetic and dedicated American—was privileged to serve as a member of the U.S. delegation attending the 43d session of the United Nations Economic and Social Council in Geneva.

This man, Mr. Philip I. Berman, is a transportation executive and civic leader in the Lehigh Valley of Pennsylvania. His record of service to community, State, and Nation is long and many-faceted.

On this occasion, Mr. Berman was one of four private citizens serving on the delegation. His role was that of adviser and his primary interest was the United National Institute for Training and Research.

Although much of the work of the Economic and Social Council during its Geneva session was obscured in publicity surrounding a Russian effort to have the Council condemn Israel role in the recent Middle East crisis, Mr. Berman has recounted many of the achievements in a newspaper interview.

I respectfully include this interview, as reported by Mr. Curt Yeske in the Allentown Morning Call, in the RECORD for the information of my colleagues:

MUST WIN "OTHER WAR," BERMAN SAYS—RETURNS FROM U.N. SESSION IN GENEVA

(By Curt Yeske)

Most of the eye-catching news from Vietnam concerns the military war. News of that "other war," the effort at economic and social development, is not near as plentiful because it is far less dramatic and, therefore, holds little public interest.

And unfortunately, the United Nations is confronted with the same situation around the world. That is the view of Philip I. Berman.

Berman, Lehigh Valley transportation executive and civic leader, is back home in Allentown after spending nearly a month in Geneva, Switzerland, as an adviser on the United States delegation to the 43rd session of the United Nations Economic and Social Council (ECOSOC.)

He was one of four private citizens who, along with 10 career government officers and workers, comprised the delegation.

Berman's primary interest was the United National Institute for Training and Research (UNITAR.) His address before the 27-member nation council included remarks about a pioneering UNITAR effort to determine what type of news and opinion concerning the United Nations is reaching the public via mass media.

The need for the research was emphasized by the session which opened July 11.

For the first two weeks, the meetings were bogged down by the Soviet Union's misplaced and unsuccessful attempts to have Israel condemned for its confrontation with the Arab nations.

Although the resolution should have gone before the U.N.'s Security Council at New York, it was the major news story emerging from ECOSOC's meeting, originally called to consider world social and economic issues.

ECOSOC holds the same status on the U.N. organizational chart as the Security Council. But world attention was focused on the "jawing" and verbal battles in the Security Council while the constructive work of ECOSOC went nearly unnoticed by a large part of the world, Berman contended.

ECOSOC's general agenda in the field of economics covered multilateral food aid including production and use of protein; financial assistance for less developed nations; flow of public and private capital to the developing countries; and a 10-year plan to succeed the first U.N. Development Decade launched in 1960.

Berman, a national leader among U.N. advocates, said he was concerned these programs and proposals are too frequently overlooked by the public, and, therefore, fail to win deserved, widespread understanding and support.

"We need all people raised to respectable social and economic levels of our own welfare from the viewpoint of world security," Berman asserted.

He referred to a quote from an address to the council by Ambassador Arthur E. Goldschmidt, U.S. representative on ECOSOC. He said:

"There is nothing inevitable about a world food crisis. There does not need to be a shortage of necessary food on this planet."

He said mankind has the technical knowledge to overcome the problem through food production and population control. The only thing needed is application of the knowledge, the ambassador added.

Berman expanded on the human and economic implications of an underfed nation.

"A man must be healthy to be able to work. If he can work then he can produce and you have production. But if you don't have food, you don't have a healthy worker and there is no production.

"But you must also have a healthy mother in order to have a healthy child who someday, in one way or another, will be contributing to the country's development."

One of the problems in the area of food aid, Berman observed, is national pride. He said some nations object to certain stipulations which come with U.S. or U.N. assistance.

But despite the volume, U.S. aid to the underdeveloped countries is much less in ratio of the gross national product than that of most smaller European nations, he said.

An extensive world traveler in his own right, Berman came back from this trip with a high regard for the U.S. representatives and the State Department.

"The delegation was led by brilliant people who are honest and sincere in their work for peace and world welfare. They are very able, excellent and capable people in whom United States citizens can be proud.

"Individually and collectively, they have the respect of most countries of the world. We found that the countries that criticize us the most are the ones that respect us the most."

The sessions began at 8:30 a.m. daily with a briefing of the U.S. delegation. The council convened in the morning and worked into the afternoon. Business was continued in the evening and into the night at social functions.

And it was at the social gatherings that much of the rapport was established among the representatives from tthe member nations that ranged from the Soviet Union to Gabon.

Although the schedule was strenuous, Berman drew delight in recalling how he and his wife Muriel became acquainted and fell easily into warm conversation with their counterparts from other countries including Russia.

The socials proved an expeditious influence for creating understanding around the conference table, Berman said.

The couple was accompanied by their children, Steven, 16, Nancy, a June Wellesley graduate, and Nina, a Connecticut College student.

Steven attended every daytime session with his father and joined his parents at the evening dinners and social gatherings.

The mission obviously revitalized Berman's already deep faith in the United Nations.

"It is a place for our differences to be expressed and likened, not to be expanded. This is where the United Nations is serving.

"If we keep talking and become friendlier there's no question we can live better together in this very important time."

Berman's work with UNITAR has been primarily in the area of trade development. One of the major tasks of the agency is to ease the shortage of competent representatives in the newly emerging nations.

Lack of experienced or trained leaders able to function in international economics and trade frequently impedes the efforts by the United Nations to help certain underdeveloped countries, Berman said.

He said the world body's programs to upgrade human resources also has been indirectly hampered by the "brain drain" to the United States. Ways must be found to encourage foreign students at American schools and native professionals to add to their countries' development by remaining or returning to their homelands.

VA APPROACHES NURSING CARE GOAL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. EVERETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. EVERETT. Mr. Speaker, in the 88th Congress it was my honor and privilege to conduct the hearings which led to the enactment of Public Law 88-450, authorizing, for the first time, nursing care in the Veterans' Administration. This program has worked extremely well and the chairman of the Committee on Veterans' Affairs, the gentleman from Texas, OLIN E. TEAGUE, has done me the honor to again name me chairman of the Subcommittee on Intermediate Care. Our subcommittee is in the process, at the present time, of conducting hearings which constitute a review of this vital program. The members of this subcommittee, in addition to myself, are the gentleman from Texas [Mr. ROBERTS], the gentleman from Virginia [Mr. SATTERFIELD], the gentleman from Tennessee [Mr. DUNCAN], and the gentleman from Arkansas [Mr. HAMMERSCHMIDT]. In a short time the subcommittee will recommend to the full committee changes in the nursing program which we believe will further help the veterans of this country in this particular field. Under leave to extend my remarks, I include a recent release from the Veterans' Administration entitled "VA Approaches Nursing Care Goal":

VA APPROACHES NURSING CARE GOAL

An expanded program of nursing home care has freed thousands of beds for acutely ill veterans and has already provided more than 3.7 million patient-days of nursing home care for sick and disabled veterans, according to figures released by Administrator of Veterans Affairs William J. Driver. The statistics were part of a report to the White House covering the progress of the three-prong nursing home program, approved by President Johnson in August 1964.

VA now has 4,000 nursing care beds available at 62 of its facilities, and contracts have been signed between VA and 2,270 community nursing homes which provide a potential of 161,000 beds. Both steps were part of the three-point program authorized by Congress which included (1) the creation and operation of 4,000 nursing home care beds within VA's 165 hospital complex; (2) authorization for the VA to place veterans in approved private nursing homes; and (3) a grant-in-aid plan to help States build and operate nursing home care facilities for veterans.

Dr. H. Martin Engle, Chief Medical Director of VA, explained that veterans transferred from the hospitals to nursing home care facilities were mostly older, chronically ill veterans who have received maximum hospital benefits, but still require skilled nursing care.

Costs of the program, excluding the grants-in-aid, ranged from $14.5 million in fiscal years 1966 to $30.7 million in FY 1967. The budget request for FY 1968 is $38.2 million.

The grants-in-aid program has expanded similarly. In FY 1966, $2.5 million was appropriated for construction assistance to states. Four million dollars has been requested for such grants in both 1967 and 1968.

The nursing care program reflects changes in the function of the hospital which have been brought on by advancement in medical techniques, Dr. Engle explained. While the hospital generally was the permanent residence of the chronically ill, it is now utilized primarily during the acute phases of the illness. Long-term supportive treatment and rehabilitation are increasingly carried out with the veteran on an outpatient status while he resumes his normal pattern of community living to the extent his disability will permit.

"We have given much of the actual workload to professional nurses and ancillary health manpower without decreasing the responsibilities of our medical staff for professional attention on an as-needed basis," Dr. Engle added. "More than 1,400 skilled persons are employed in VA nursing homes. This has allowed VA to concentrate its doctors in its general and psychiatric hospitals where such scarce medical manpower can be utilized more fully," Dr. Engle explained.

The following State homes have been approved by VA for nursing care:

	Number of beds
California: Napa County	428
Colorado: Homelake	20
Illinois: Quincy	357
Indiana: Lafayette	152
Kansas: Fort Dodge	22
Massachusetts: Chelsea	241
Michigan: Grand Rapids	427
Missouri: St. James	93
New Hampshire: Tilton	40
New Jersey: Menlo Park	88
New York: Oxford	7
Oklahoma:	
Ardmore	38
Sulphur	68
Rhode Island: Bristol	135
South Dakota: Hot Springs	42
Vermont: Bennington	22
Washington:	
Orting	50
Retsil	80

Construction grants have been approved for these States:

[Dollar amounts in thousands

State	Number of beds	VA participation (estimate)	Total project (estimate)
Georgia, Augusta	192	$982	$2,065
Iowa, Marshalltown	80	532	1,070
Kansas, Fort Dodge	88	400	800
Nebraska, Grand Island	100	744	2,012
New Jersey:			
Menlo Park	100	571	1,175
Vineland	100	555	1,215
Rhode Island, Bristol	30	299	599
Vermont, Bennington	22	123	252
Wisconsin, King	200	1,181	2,881
Total	912	5,387	12,069

Number of beds in operation as of June 22, 1967:

Station:	*Total*
Albany	40
Alexandria	95
American Lake	76
Aspinwall	208
Augusta	40
Bath	40
Battle Creek	65
Beckley	42
Biloxi	71
Bonham	38
Brockton	51
Brecksville	50
Buffalo	36
Butler	64
Canandaigua	47
Castle Point	100
Cheyenne	47
Chicago (WS)	40
Chillicothe	99
Cincinnati	201
Columbia	72
Danville	58
Dayton	84
Dearborn	36
Dublin	56
Fargo	50
Fayetteville, N.C	39
Fort Lyon	37
Grand Junction	42
Hampton	41
Houston	78
Indianapolis	46
Jefferson Barracks	68
Kerrville	37
Knoxville, Iowa	50
Lebanon	37
Lexington	51
Livermore	36
Los Angeles	229
Manchester	38
Marion	69
Montrose	75
Mountain Home	58
Murfreesboro	51
North Little Rock	100
Palo Alto	89
Poplar Bluff	49
Reno	22
Roseburg	35
St. Cloud	44
Salisbury	100
Salt Lake City	46
San Fernando	36
Sepulveda	45
Sioux Falls	75
Togus	60
Tomah, Wis	53
Tuskegee	68
Waco	100
Wadsworth	45
Wilmington	39
Wood	106

KEEP THE OEO

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, one of the most interesting and illuminating things about the irresponsible black power extremists who embrace the philosophy of violence and destruction is their attitude toward the war on poverty. They are absolutely against it. They hate it. They want to destroy it, and one of the resolutions adopted in totalitarian fashion at the recent black power conference in Newark called for violent opposition to it. The war on poverty is anathema to black power extremists, just as all forms of responsible, effective, and progressive social reform are anathema to anarchists and revolutionaries of the extreme left.

Equally significant, Mr. Speaker, is the position of moderate, responsible Negro leaders and groups in regard to the war on poverty. They are wholeheartedly for it. They see it as absolutely essential to the preservation of our political and social order, and only ask that it receive from the Congress the degree of financial support needed to make it effective and successful. This has been the gist of testimony given in recent days by such distinguished Negro leaders as Whitney Young, Jr., and Roy Wilkins.

Mr. Speaker, we cannot ask these leaders and the vast majority of Negro citizens for whom they speak to protect our cities and our social fabric from the desperate and irresponsible few, and at the same time deny to impoverished, blighted communities and neighborhoods the capacity to effectively fight and win the war on poverty. We cannot have it both ways—a tranquil society and a balanced budget, respect for law and order and an order which is inherently shameful and unbearable. In order to preserve the American way of life, we must act to open it up to all Americans.

Mr. Speaker, two editorials which recently appeared in the New York Amsterdam News and the Washington, D.C., Afro-American give what I consider rather eloquent expressions to the views of responsible Negro spokesmen on the war on poverty. With permission, Mr. Speaker, I insert these editorials at this point in the RECORD, with the hope that my distinguished colleagues will pay them close heed:

[From the Amsterdam (N.Y.) News, June 17, 1967]

KEEP THE OEO

But while we deplore the terror in the streets, the looting and the senseless beatings, we will never ignore, nor fail to point out the inequities that inevitably spawn these current racial problems.

The economic, political and social structure of this country is as A. Philip Randolph has put it, "more fragile than it has ever been."

Unemployed, untrained Afro-Americans are still growing in numbers in spite of the efforts of the Johnson Administration to decrease their numbers. At the same moment the summer violence everyone has been talking about begins to explode, the battle starts in Washington to maintain the Office of Economic Opportunity as a vital agency "that serves as a spokesman for the poor."

There are those who would wipe out this agency and scatter its program among other established departments. We support OEO and the work it is striving to do and the work it has done in the past.

Through the efforts of OEO, for the first time the poor of the country are having a say and being heard on matters affecting their future. There is now hope where there was only despair before. To do away with the agency providing this hope will only lead to more resentment and anger—not despair.

Today's Afro-American does not spend his time despairing about how things are. He believes in action. He does not stand still. Not for long.

Congress should be aware of this by now.

[From the Washington Afro-American, July 29, 1967]

MAKING POLITICAL HAY

Events of the past week make it evident that conservative Republicans and reactionary Democrats intend to use the recent riots to mount savage attacks against the efforts of the Administration to solve the long smoldering problems of the ghettos. Their primary target will be the Anti-Poverty program which neither force has ever supported, and would now joyfully bury.

For the Republicans it will be a cynical exercise in partisan politics aimed at capitalizing on the fears that have arisen in the white community as it has viewed the depth of the anger and frustration that exists in the slums.

They will seek to link community action with community disorder, charging in effect that if the poverty program had not encouraged poor black people to organize to improve their own neighborhoods, the ghettos would still be peaceful.

Such a simplistic view conveniently ignores the obvious fact that the problems causing the riots existed long before the poverty program came into being. Also conveniently ignored is evidence that where poverty programs have been in operation, they have been a stabilizing influence on the community and have actually been prime factors in cooling tempers and allaying frustrations.

For the reactionary Democrats, the attack on the Office of Economic Opportunity, which administers the anti-poverty program will be a chance to even the score with Sargent Shriver, who on numerous occasions has gone contrary to their wishes in his attempt to help the people who need help the most.

Together, these two forces form a powerful coalition that has already indicated its strength by virtually strangling the Model Cities Program, and with Macabre humor, refusing even to consider a modest rat control program.

The basic theme of the attack against the War on Poverty will be that since it did not prevent riots in Detroit, Newark and other cities, it has therefore failed and should be abolished as fitting punishment for the "ungrateful" poverty residents, who bit the hand that was trying to help them.

Sadly enough, this will not be difficult to sell to the American people, who unfortunately seek simple answers to complex problems. In their ignorance of just what people think and feel in the ghetto, they may be persuaded that the way to stop riots is to punish everyone who lives there, including the innocent.

The vast majority of the people who live in the riot areas, took no part in the disturbance, yet in the reckless haste to make political capital of a national tragedy, the foes of the poverty program are not concerned with who is hurt, or if America's first real attempt to come to grips with the problems of the slums is washed down the drain.

If there was ever a time when the poverty program needs all the support it can muster, that time is now. Strong voices must be raised in defense of the program. Congress must know that the nation does not want the poverty program ended, or the Office of Economic Opportunity dismantled.

There is too much at stake for anything less than an all out effort by every concerned individual and group to block this dastardly attempt to end the program that marks the nation's first real coming to grips with the problem of poverty.

WAR ON POVERTY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker we have heard much partisan criticism recently of programs established pursuant to the provisions of the Economic Opportunity Act of 1964. But if we look closely we will find that the vast majority of the antipoverty programs are of immeasurable assistance to the poor and of everlasting value to our society.

One inspiring example of victory in the war on poverty has been Trenton, N.J., work experience program for unemployed heads of families, started 2 years ago under title V of the Economic Opportunity Act of 1964. I should like to submit the following material as testimony to this program's brilliant success:

[From the Trenton (N.J.) Sunday Times Advertiser, July 23, 1967]

GAINFULLY EMPLOYED

The success of anti-poverty programs and the effectiveness of the federal and local tax dollars poured into them are sometimes hard to measure. For this reason, the report of Arthur L. Finkle, who directed Trenton's federally-aided work experience program, is a heartening document.

Started two years ago under Title V of the Economic Opportunity Act of 1964, the project has literally worked itself out of business. It gave training, experience and employment to over 180 "hardcore" unemployed heads of families representing a total of 935 adults and dependents. In addition, a number who started in the program as trainees found suitable employment on their own. All the trainees had either been receiving welfare assistance or were potentially in need of it. Those placed by the program are now earning an average of $3,600 a year.

The program brought about a decrease in the city's welfare expenditures, both by giving recipients and potential recipients gainful employment and by shifting the welfare costs of those undergoing training and work experience from the city to the federal government.

Better than these savings, however, says Finkle, are the "related savings in human potential, family solidarity and individual pride. The trainee no longer faces inevitable daily failure; he works productively and his dependents respect him for it. Before he was only nominally the head of a household; now he is truly the leader and supporter of his family, and a model for his children, who will be the heads of future families."

Mercer County will provide the training and work experience for Trenton heads of families who need it in the future. And Finkle—a job well done behind him—has become a consultant in the planning division of the State Transportation Department.

[From the Trenton (N.J.) Evening Times, July 20, 1967]

City Work Experience Project Seen Success

(By Al Drake)

The director of Trenton's two year old work experience program for family heads says the federally aided anti-poverty project has been a success and has some impressive statistics to back the claim.

Arthur L. Finkle's final report as program director also includes recommendations that Mercer County play a larger role in providing relief assistance for cases the city is saddled with.

The county has taken over the work experience program and Finkle next week will begin work as a consultant in the planning division of the State Transportation Department.

SAVED $460,392

Finkle's 15-page report filed yesterday includes his contention that the city saved $460,392 during the two years of operation.

He bases the claim on the fact that 185 unemployed heads of families—representing 935 adults and dependents—were employed as a direct result of the program. Without the program, the trainees would have applied for and received public assistance, he says.

Direct savings from 500 city welfare cases amounted to $144,000, Finkle reported.

Finkle said that while welfare costs increased by 9 percent throughout the state, during 1960, they decreased in Trenton by 22 percent or $73,000.

AVERAGE OF $3,600 A YEAR

Finkle said a number of the trainees who left the program before finishing it found employment on their own. He says the 185 family heads who finished training were given permanent employment now earn an average of $3,600 a year.

At the peak of the program, Finkle reported, no unemployed male heads of families able to work were receiving welfare payments.

In addition, he noted that the program provided for the disadvantaged services in job placement, family counseling, vocational training and money management as well as work experience.

"The mere existence of a welfare agency providing services has shifted the emphasis of public welfare in the city from merely providing financial assistance to rehabilative services," Finkle said. "However great the financial savings . . . they are far exceeded by the related savings in human potential, family solidarity and individual pride."

Finkle said he was recommending that the city welfare division continue training unemployed family heads.

He said the city should recommend that jurisdiction over cases involved these family heads become the responsibility of the County Welfare Board. There is a bill before the Legislature that would provide the shift in jurisdiction.

Finkle's third recommendation was that female family heads awaiting admission to the county's Aid to Dependent Children program be a part of the county run work experience program.

The woinen, he said, should be "granted this opportunity before they fall into the grinding impersonal system of dependency on public welfare."

LET'S WAGE PEACE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. PEPPER. Mr. Speaker, at a time when the world cries out again for peace, I thought it would be of interest to my colleagues and those who read this Record to read a very able and eloquent address delivered at the University of Florida in 1948 by Mr. Earl Faircloth, attorney general of Florida, on the ever timely subject, "Let's Wage Peace" I submit the attorney general's remarks herewith for the Record:

Let's Wage Peace

(By Earl Faircloth, University of Florida, 1948)

Time is of the essence. We must begin at once to do something constructive for world peace. We must wage the battle for peace with all the calculated fury used in waging war if civilization is to be saved. In the recent world conflict the American people showed that they had a unique capacity for achievement in the arts of making war. They were quickly aroused to fighting fervor and gave unstintingly of their very best efforts to win. During the years of the actual fighting an opinion poll showed that 83 percent of the people felt that they were doing something to help fight the war. But it was easy then to find something to do—give a pint of blood, act as a fire warden, or roll bandages for shipment overseas.

Today, unfortunately, there is no such abundance of enthusiasm for preserving the peace. Instead, bleak pessimism pervades the world as the common people sit uneasily on the edge of the world arena and fearfully watch the grim battle rage between the ideological gladiators. Most of us cannot see how anything but open conflict can issue from this cold war between our country and the Soviet Union. The average man understands very little of the complexities of world power politics, but he realizes that if the dogs of war again are unleased there would be little left for him even if they were conquered before civilization was completely destroyed. According to a recent poll of public opinion, only 36 percent of the people feel that they can do something to prevent war. But remember that 83 percent felt that they contributed something directly to the waging of the war. This leaves a large majority of 64 percent who are contributing only to the general attitude of hopelessness and despair. The absence of any constructive thing they can do which would help to preserve the peace adds to the feeling of the inevitability of the terrifying blast of atomic war.

We may draw from the academic debate question this year [Resolved, that there should be established a Federal World Government] the conclusion that it is impossible to legislate human nature; that world unity will come only when the people of the world believe in unity. From the pages of history we have learned that all changes have been wrought by ideas as a starting point. Preceding all of the moves that humanity has ever made, for progress or for the degradation of mankind, there has been the idea, the thinker. The formation of more lasting governments emanated from the ideas propounded by great political thinkers of the seventeenth and eighteenth centuries. James Watt conceived the idea of the steam engine to climax the Industrial Revolution because the necessity for more production drove men to think in terms of better machines. Today man finds himself in the precarious position of having so far outdistanced his moral progress in mechanical creation, that necessity demands that moral progress be permitted to catch up before he is destroyed. Therefore, since all progress is preceded by thinking and ideas, it is of utmost importance that men begin to think in the direction of world unity. We can exert a tremendous influence here in our own country for peace by helping to bring about a trend of constructive thinking about the problems that face us.

A logical place to begin is at the beginning; with the children of our schools and with college students. There are so many ideas that we desperately need to create in our youth if there is to be hope for the future.

First, young people should be taught to judge another person as an individual, rather than classify the individuals of a group as having the same characteristics that are attributed to the whole group. Today it is unnecessary for us to think about these things because someone else has already conveniently placed people in categories for us. For example, we know, without ever having seen one, that Italians are irresponsible, that Japanese are treacherous, that Germans are mechanical automatons, that English are too dense to see the point of a joke, and so on. The chain is endless. We must teach our youth to realize that these generalizations are not necessarily true—to cut through these stereotypes and judge men as individuals who have a brain and a heart just as we have. When this is accomplished, we will have cleared the ground for more construction. We will have learned something of the human equation.

Second, we must be sure that the youth of our country learn with us to think in wider terms with regard to domestic and international affairs. Only with understanding can we hope for world unity, and if our youth, who will soon be making the decisions about these matters do not have a broad grasp of national and international affairs, we cannot hope that they will deal with these problems intelligently. The sense of world community must be developed.

Third, we must teach them quite frankly the cost and consequences of war. Its horrors and its aftermath of misery and sorrow should be made crystal clear. This will be the strongest incentive to the youth of our nation to wage vigorously the battle for peace.

As citizens we must study hard the problems of peace, because it is our duty to cope with them. We have learned well the arts of war. Let us strive to become equally skilled in the more durable arts of peace and thereby save our civilization. This will not mean too great a sacrifice. It may mean giving up a game of bridge in the evening in order to attend a meeting of your committee on foreign affairs. It may mean staying home to plow through a difficult book on international relations when you might rather go to a movie. It might mean that you will have to buy bread for starving people when you would like to buy someone a bouquet of roses. In short, we must sacrifice some of our leisure time in order to think our problems out clearly and influence others to join in the gigantic effort to preserve the peace.

More than 90 million people will be eligible to vote in the elections this year. Yet it is estimated that little more than half of them will go to the polls and do their duty. We should not only consider the platforms of office-seekers very carefully, but we should look long and perceptively into their records and their characters to determine whether they are isolationists, and if so, to what extent. We should determine to what extent they sense the significance of Willkie's One World. In this manner new ideas will get into circulation. Once people are started thinking seriously about those problems, the solution will follow as a matter of course.

We have ample warning now. Horrible pictures haunt the mind. Suspicion is breeding hatred and bitterness. We know that world peace cannot prevail in such a stifling climate, because history has taught us so. But we cannot wait for peace to come, weakly wished for and unbought by conscientious and persevering effort. We must wage the battle for peace with the same grim determination and firm resolution with which we fight wars. I believe in the ability of humanity to solve our common problem of saving the world. I believe that here in our country where free thought and free expression are unshackled we can lead the way to lasting peace if only we can be aroused from our notorious intellectual lethargy.

Tonight, ladies and gentlemen, at a most precarious speed our world swings down the ringing grooves of change. The hour has come to propagandize the ideal of peace. Tonight it is not kings or dictators or presidents who rule the world. It is the power of ideas. Ideas and principles that must be framed into immortal words and sent ringing around the world. These are invincible weapons with which we must wage peace.

FHA COOPERATIVE HOUSING PASSES $1.5 BILLION MARK

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Barrett] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BARRETT. Mr. Speaker, the eminently successful FHA section 213 cooperative housing program has just reached a total of $1.5 billion of mortgages insured. Thousands of families have been able to undertake homeownership with the favorable financing terms of the Section 213 program.

At a recent meeting celebrating this achievement our distinguished colleague, Wright Patman, chairman of the Committee on Banking and Currency, joined with Senator Sparkman in praising the accomplishments of this outstanding program.

Mr. Speaker, under unanimous consent I include his remarks in the Record for the information of our colleagues:

Remarks by Congressman Wright Patman, Chairman, House Banking and Currency Committee, on the Occasion of the Insurance of $1½ Billion Cooperative Housing by the FHA August 18, 1967

My friend and colleague, Senator John Sparkman has talked eloquently about our cooperative housing program under Section 213. This is a very fine program—and I'm proud to have played a part in bringing it into being. Since I'm so much younger!! I'd like to take a few minutes to talk about a newer program. One that John Sparkman and Congressman Barrett and others of us see as the best program that exists today to meet the crisis of our cities.

This new program 221(d)(3) wasn't enacted until 1961—six years ago. Like most new programs it had a long start-up period. In the fall of '64 when the interest rates were jumping around like crazy (always *up*) I asked the public interest groups what the interest rate should be. Since nobody would risk an answer I said "How about 3%".

My colleagues on the House Committee agreed with me. The Senate agreed. And, so we now have a 3% forty-year program. And authority from the Congress to build 40,000 units a year.

Here is a program that really works for people that would otherwise be in that "forgotten family" gap . . . Too well off or too independent for Public Housing; too poor to buy a decent home in the normal market. The initials BMIR in FHA lingo 221(d)(3) BMIR means Below Market Interest Rate. This rate saves the average BMIR family about $23 per month for his home. If you are making $100 a week and feeding a family of four, $23 a month difference on your housing charges makes a decent home possible.

The beauty about 221(d)(3) cooperatives is that if a family's income goes up, it isn't evicted and forced to live in a different and maybe less desirable place. The interest rate for the family goes back to the market rate and the family can stay in its home.

The latest figures are a good beginning. As of June 30, the FHA reported mortgages insured (at no cost) to $190 million. This was for 140 cooperative projects serving 13,500 families. Commitments were outstanding for 26 projects with 1,691 units valued at $25 million. Ninety-eight more projects for 6,500 families were in application stage. On completion this would be $400 million more. It is interesting to note that 33% of these projects are co-ops. They are providing home ownership for the poor, or the nearly poor.

This leads me to three specific points I would like to make as we celebrate and as we look ahead.

1. When the 221(d)(3) program was faced with rising interest rates due to increases in the rates on Federal borrowings, I took the initiative to recommend a fixed interest rate of 3% for this program. I am pleased that the Congress adopted that amendment. The favorable experience with this program confirms the wisdom of that Congressional action, because the 3% interest rate was an essential ingredient in assuring the continued success of this program in meeting the needs of moderate income families. Now, I think the time has come to accept the recommendation of many of the public-interest organizations that we allow a graduated interest rate down to zero in order to provide housing for families whose incomes are lower than those who can now afford the 3% rate. These are families who are not eligible for public housing or rent supplements, so that they are in a gap between existing programs. We should fill that gap, particularly to help bring cooperative ownership to more families who are in the lower income group.

2. The cooperative program under 221(d)(3) has achieved a remarkable record. Almost a third of the (d)(3) housing program provides cooperative home-ownership. *There has not been a single default in any cooperative mortgage under this program.* This shows that moderate income families will assume responsibility when they are afforded the opportunity to own their homes through a cooperative. Moreover, the cooperative communities have been better maintained and have produced a better environment than rental projects. This is due to the sense of pride and responsibility that cooperative ownership inspires. It is also due to the involvement and participation by the people in their own community affairs.

3. We are all dismayed by the recent riots in our cities which erupted from social unrest and discontent among the underprivileged living in slum areas. Everyone agrees that bad housing is one of the causes of the social unrest and discontent. We should act now to take more vigorous action in providing good homes and neighborhoods in our cities. The 21(d)(3) program can materially help. The Administration should accelerate the rate of production of housing under this program and speed up its operations in order to meet the critical needs. This includes the full use of all of the money which the Congress has made available.

I have heard very disturbing reports from many parts of the country that projects are being delayed because funds are not being allocated for them, even though the Congress has authorized the funds and the President's Budget contemplates a program this year of $500 million for 221(d)(3) projects. I am advised that only $200 million has been made available and that allocations are being cut back and delayed. This should be corrected immediately. I see no justification for slowing down a program which is so important in meeting the critical problems of our cities. I urge that immediate action be taken to assure the full use of the money authorized by the Congress. Allocations should be made now based upon the full amount of money which has been authorized.

INDIA ANSWERS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER prc tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MOSS. Mr. Speaker, a reply has been submitted by the Embassy of India to an editorial which appeared in the Sacramento Bee newspaper on June 14, and which I inserted in the Congressional Record on June 19.

For the benefit of my colleagues and other readers of the Congressional Record, I am inserting in the Record at this point a letter I have received from P. K. Banerjee, Minister, Embassy of India, and a letter from the press attaché which was printed in the July 12 edition of the McClatchy newspapers:

Embassy of India,
Washington, D.C., August 17, 1967.

Hon. John E. Moss,
House of Representatives,
Washington, D.C.

Dear Congressman Moss: I have seen from the Congressional Record that sometime back you were pleased to introduce an editorial from the newspaper "Sacramento Bee" of June 14, 1967, entitled "India Speaks from an almost fatal madness." This editorial seems to have been based, as some others in the American press, on the erroneous rendering of the Indian Prime Minister's remarks by some press agencies. In the interest of Indo-American understanding, which we all cherish, we sent a letter to "Sacramento Bee" clarifying the position. The newspaper was good enough to publish our reply, a copy of which I am enclosing herewith for your kind perusal. As you have an abiding and sympathetic interest in India, may I venture to request you to introduce my letter to you along with our reply to "Sacramento Bee" in the Congressional Record, as I feel we owe a clarification to numerous readers of Congressional Record.

With kind regards,
Yours sincerely,
P. K. Banerjee,
Minister.

India Answers

Embassy of India,
Washington, D.C.

Editor of the Bee.

Sir: I have had the occasion to read the editorial about India in The Sacramento Bee on June 14. It is unfortunate that the speech of Prime Minister Indira Gandhi was reported in this country in a slipshod manner and conveyed an erroneous impression in regard to certain vital matters. In fact, most of the remarks attributed to her were not in the speech but were reported out of context from a casual conversation with newsmen aboard the plane carrying her back from Ambikapur to New Delhi. I am sure you realize very well how the perspective can get distorted in such circumstances. For instance, news reports of her remarks that the Egyptian president "is a force for progress", to which you have also alluded, do not state the significant fact that this remark was made in the context of efforts being made by some countries in the Middle East to form an Islamic bloc. I am sure you would agree that formation of a bloc based on religion and the ideology of "Muslim Brotherhood" is a medieval concept and would be harmful for peace and understanding among nations. India stands for a secular, progressive society and not a theocratic society.

The Prime Minister in her remarks did criticize the United States for giving military aid to Pakistan. It is a well-known fact that US-supplied arms and ammunition went to Pakistan worth $1.5 to $2 billion with the objective of fighting communism. It is also a well-known fact that this military equipment was used against India first in April 1965 in Rann-of-Kutch and then in September 1965 in Kashmir. It is also a fact that despite the assurances given to India earlier by President Eisenhower, Secretary of State Dulles and others to the effect that Pakistan will not be permitted to use those arms against India, the US government either did not or could not do anything to stop their use against friendly India. As mentioned earlier, arms were given to Pakistan to fight communism but ironically today Pakistan is the staunchest ally of People's China. In fact, at the time Pakistan was attacking India with American supplied arms, China was threatening to attack India on the northern borders. Their collusion is no more a secret.

In regard to seeking peaceful solutions to our problems with Pakistan or for that matter with China, nobody would be happier than ourselves. We want this. We hope for this. And we have been working for this. This was the spirit of Tashkent meeting and we continue to abide by this.

Aqil Ahmad,
Press Attache.

THE MESCALERO RESERVATION

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Nex Mexico [Mr. Walker] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. WALKER. Mr. Speaker, the Mescalero Reservation, located within Otero County in south-central New Mexico, is the home of approximately 1,500 Indian descendants of three of the leading aboriginal Apache tribes of the Southwest, the Mescalero Apache Tribe, the Chiricahua Apache Tribe, and the Lipan Apache Tribe. The reservation covers approximately 460,000 acres.

The Indians of the reservation are organized under a constitution and bylaws adopted pursuant to the Indian Reorganization Act. The official name of the present-day organized tribe is the Apache Tribe of the Mescalero Reservation. The president of the tribe is Wendell Chino, who is a college graduate and an ordained minister. The governing body of the tribe is the Mescalero Tribal Council, comprised of eight members, elected at large from the membership of the tribe.

Pursuant to the act of Congress known as the Indian Claims Commission Act, suits were filed against the United States on behalf of each of the three aboriginal tribes claiming fair compensation for the taking of their respective original tribal homelands, as well as making claims for damage for other wrongs committed against the tribes.

On April 27, 1967, the first of these suits was brought to a conclusion. On that date, the Indian Claims Commission made a final award of $8,500,000 as compensation primarily for approximately 18,800,000 acres of tribal land in New Mexico which were taken away nearly 100 years ago from the aboriginal Mescalero Apache Tribe. Congress has appropriated the money to pay this final award, and the money has been deposited in the U.S. Treasury to the credit of the Mescalero Apache Tribe.

Other suits claiming compensation for the taking of the tribal lands of the Chiricahua Apache Tribe and of the Lipan Apache Tribe, as well as claiming damage for other wrongs against the tribes, are still being litigated before the Indian Claims Commission.

As noted, descendants of the three aboriginal tribes, the Mescalero Apache Tribe, the Lipan Apache Tribe, and a part of the Chiricahua Apache Tribe are now organized as the Apache Tribe of the Mescalero Reservation and have a common home on the Mescalero Reservation. Also, there is a substantial degree of intermarriage among these descendants of the three aboriginal tribes, and all the descendants have a common interest in the development of the reservation and the enhancement of the welfare of the members of the present-day organized tribe as a whole. By reason of these factors, under the wise and able leadership of Wendell Chino, the president of the tribe, the members of the tribe have agreed that the aforesaid award already made for the original tribal lands of the aboriginal Mescalero Apache Tribe, as well as any future awards in the claims suits which may be made for the benefit of any of the constituent groups of the Apache Tribe of the Mescalero Reservation, should be consolidated into a common fund and used for the benefit of the entire tribe and all its members.

To accomplish this worthy purpose, Congressman Thomas G. Morris and I have joined to introduce this bill, which provides that all funds deposited in the Treasury of the United States, to the credit of the Mescalero Apache Tribe, the portion of the Chiricahua Apache Tribe on the Mescalero Reservation, and the Lipan Apache Tribe, to pay awards on their claims against the United States, shall be consolidated and credited tc the account of the present-day Apache Tribe of the Mescalero Reservation and may be used for any purpose that is authorized by the tribal governing body of the Apache Tribe of the Mescalero Reservation and approved by the Secretary of the Interior.

Under the leadership of the tribal officers and members of the tribal council, the general membership of the tribe has approved a program for the beneficent use of the funds of the abovementioned award for various purposes, including scholarships for students, home improvements, promotion of industry on the reservation so as to provide employment opportunities, and land acquisition.

DESERVED PRAISE FOR THE PRESIDENT'S LEADERSHIP

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Garmatz] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GARMATZ. Mr. Speaker, President Johnson's performance last week during his televised news conference has drawn strong praise from the Baltimore News American.

The paper notes that the conference "was remarkable for his clear, calm, carefully considered assessment of the Nation's problems."

The editorial continues:

> Despite the efforts to draw him into an argument with his critics, the President for 34 minutes reiterated his policies and once again voiced his unswerving dedication to carry them out to the best of his ability.

And, the editorial concludes:

> In essence, the President emerged as a leadership figure whose ordeal is being faced with patient determination and a quiet optimism that better days lie ahead. He set a fine example for Congress—and for the nation itself.

I proudly share these sentiments, and insert into the Record an editorial tribute to President Johnson's sound leadership during these difficult days.

The editorial follows:

White House Perspective

President Johnson's televised press conference on Friday—the first since March 9—was remarkable for his clear, calm, carefully-considered assessment of the nation's problems.

There was little new in what he had to say about such disparate subjects as Vietnam, national finances, trouble in the cities and the woes of farmers.

It was the way he said it and the mood he established which were most important. His words and his demeanor reflected assurance that a strong hand is still at the nation's helm, unshaken by the storms of controversy raging about him.

Despite efforts to draw him into argument with his critics, the President for 34 minutes reiterated his policies and once again voiced his unswerving dedication to carry them out to the best of his ability. Critics, he noted with a smile, always abound in a Democratic society.

In essence, the President emerged as a leadership figure whose ordeal is being faced with patient determination and a quiet optimism that better days lie ahead. He set a fine example for Congress—and for the nation itself.

DISTRICT OF COLUMBIA AREA HELICOPTER SERVICE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Pickle] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. PICKLE. Mr. Speaker, developments aimed at providing the Washington metropolitan area with scheduled helicopter service have led to proposals with definite shape.

The Civil Aeronautics Board is considering certification of such a transportation system presently, and I would urge that their recommendation be set forth as soon as possible for several reasons.

Certainly, there is a definite need for such a service from the transportation standpoint. But also as important is the need to shift airline flights from Washington's National Airport to Dulles and Friendship for reasons of safety.

A scheduled helicopter link between Dulles and Friendship could relieve the overcrowding of National without undue hardship to the traveling public.

I do not think we should allow the present conditions at National to exist until a major air accident forces such steps to correct the situation.

Certification of a scheduled helicopter service will do much to relieve congestion at National and at the same time make more use of the ultramodern facilities at Dulles.

I was pleased to note that the Washington Star in its Sunday edition went on record as favoring the immediate certification of a scheduled helicopter service.

The Star's editorial is succinct and germane to this topic and I would like to commend it to the attention of my colleagues.

The editorial follows:

COMMUTER COPTERS

For some years, in the absence of a regional rail-transit system, the obvious means of providing fast service between Washington and its airports has been the helicopter. Obvious—but unconscionably ignored.

Now, however, the Civil Aeronautics Board suddenly finds not one attractive helicopter proposition on its doorstep, but two.

The ice was broken last week in a spurt of welcome initiative by the 10 major airlines. Their joint request for certification promises at least 24 round trips daily linking National, Dulles and Friendship Airports—and eventually central Washington—at fares which are not exhorbant. Nor can anyone construe this as a play for a fast buck. Actually, it envisions a deficit operation, of about $1.4 million a year at the outset, which the airlines propose to absorb.

The second deal, advanced by a Washington-Baltimore business syndicate, proposes more trips, broader service, lower fares and a much lower deficit—also to be absorbed at no cost to the government.

Indeed, the discrepancies between the two proposals on all these counts are so sharp that one of the groups quite obviously is off base in its figuring. But it should be no great chore for the CAB, with its technical expertise in these matters, to determine which of the two offers the best possibilities for serving the public interest. The important thing now is that the agency should do so.

The apparent need for a federal subsidy has been the deterrent which primarily has cooled the government's interest in such schemes in the past. With that factor eliminated, however, the CAB would seem to have no valid reason to delay a go-ahead now. Our only concern is that the agency authorize routes for the whirlybirds which do not add further to the residential noise nuisance from above.

THE 1967 PAY BILL FOR FEDERAL EMPLOYEES

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. UDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. UDALL. Mr. Speaker, the Compensation Subcommittee of the Committee on Post Office and Civil Service completed work today on a 1967 pay bill for Federal employees. I am not sure that this bill is going to make anyone overjoyed. In the present period, with our severe budgetary problems, there is only so much that can be done. But I believe the bill our subcommittee has worked out is sound and reasonable and equitable.

Today's action by the Compensation Subcommittee is the culmination of many months of discontent, frustration, and general unhappiness on the part of nearly everyone associated with this perennial tug of war. I am happy that my subcommittee has finally resolved the myriad of problems associated with Federal civilian salaries and produced what I regard as a fair, equitable, and, I believe, "vetoproof" bill.

It is not often noted, but salaries for the people who do the work of our Federal departments and agencies constitute a sizable part of our total Federal budget. Out of this year's $135 billion budget more than $36 billion will go for civilian and military salaries. This is a very big item, and the Congress has a high responsibility, I believe, to see that all interests are given proper weight and consideration when any change is contemplated.

In these annual struggles, the members of our subcommittee are forced to render decisions amid many, usually conflicting, pressures. These can be reduced to three sources:

First, there are the 3,000,000 Federal civilian employees who have families to clothe and feed, children to educate, and all the problems and expenses of other Americans.

Second, there is the administration in power, which necessarily views Federal salary problems as but one aspect of its total budget problem, involving fiscal policy, inflation, conflicting demands for available funds, the financing of a war, and other factors. While the administration wants and needs top people to do its important work, its approach to matters of compensation is bound to differ somewhat from that of its employees and potential employees.

Finally, there are the taxpayers of this country, who must pay the costs of any increase in Federal salaries.

In my years in Congress, I have never worked on a salary bill that fully pleased all three of these groups. To paraphrase Lincoln, it may be possible to please some of the people all of the time and all of the people some of the time—I am not sure.

But this year in this matter I have the sad feeling we may please none of the people none of the time. If this is so, it will not be because we of the Compensation Subcommittee have not tried. In the history of my subcommittee, I am proud to say that I have never had a more independent, intelligent, fair-minded membership and the decision reached today was a result of the careful study and attention given to these problems by the members of my subcommittee and their diligent efforts to produce a bill which would be fair and equitable to all concerned.

In meeting my responsibilities on this subcommittee, I have tried to listen fairly and sympathetically to the arguments of the administration and Federal employee groups, while keeping in mind the interests of the taxpayers. In connection with the action of the subcommittee taken today, I would like to get several things off my chest.

To President Johnson, I would like to say that I understand and sympathize with the heavy burdens of your office. I know of your extremely difficult budget problems in the current fiscal year. I understand your concern about inflation, and I am listening to your arguments for a tax surcharge to put income and outgo more in balance. But in a friendly spirit, I must tell you that I regard the position your administration has taken in regard to Federal employees as not entirely fair.

Recall that in 1962 the Congress and the Kennedy-Johnson administration joined in adopting as law the principle of comparability between the salaries of private enterprise and those of the Federal Government. The cold fact is that you are now $2 billion in arrears on this promissory note. Yet this promise has been renewed and reaffirmed in each of the last 5 years. I must tell you that for many Federal employees that promise is losing its credibility and is taking on the qualities of a mirage.

In 1965, we in the Congress wanted to enact a pay bill moving toward comparability, but we were told that 3.6 percent was the absolute, final limit. Even one-tenth of 1 percent above that figure, we were told, would bring inflation crashing down on our heads. Even though increases in the private economy averaged more than 5 percent that year, we had to tell Federal employees, "Wait 'til next year."

For those who listened to that promise, 1966 was "next year." But again it could not be fulfilled. Your administration told us that 3.2 percent was all the budget would allow, including fringe benefits. "Next year" was again the promise.

Mr. President, I fully recognize that the administration has every right to make its recommendations on Federal salary adjustments. But Congress has a role to play, too, and we of the pay subcommittee of the House share with the employee groups some resentment that you can draw an arbitrary line each year and dare us to go beyond it.

I respectfully suggest, Mr. President, that your priorities are out of focus. Certainly our cities need more money, and there are problems of education and health which ought to be met. But I do not believe these and other programs ought to ride on the backs of Federal employees. If they are worth doing, they ought to be paid for by all citizens through the normal processes of taxation and not merely by those citizens who happen to work for you.

In the judgment of my subcommittee, part of the $2 billion deficiency I have cited can be found this year, and the rest can be found next year. The compromise bill I have offered does what you have asked—it holds the pay line for the third year in a row. It requires the Federal employees to subsidize the remaining taxpayers of this country for another 9 months. But it then proceeds to make good on that promissory note, so long delayed. It provides that our obligation to make Federal pay comparable to private industry pay will be met in full, automatically, without further legislation, next year.

Mr. President, I hope you will not mistake the mood of your Federal employees. For the first time this year, the White House itself has been picketed by Federal workers. Post offices in major cities have seen marches for higher pay. Your second veto has inflamed passions. The mood of Federal workers is one of great frustration. They are tired of the plea to "wait 'til next year." They want comparability now. In the compromise I offered today we do not give it to them, but we guarantee it 9 months from now. I hope and believe that this kind of compromise, which meets your immediate problems but ultimately redeems our long-postponed pledge, will meet with your approval.

Now let me say a word to Federal employees. You have fine and democratic organizations headed by effective and vigorous leaders. I understand their problems, and I think I understand and am sympathetic with yours. I believe over the years I have been a friend, and as a friend I have to tell you frankly that you are partly wrong, too.

If I were a Federal employee, I think I would share your feelings of frustration, and I think I might well have written some of the thousands of letters reaching Capitol Hill containing expressions like "fed up," "our backs to the wall," and so forth. I, too, might be demanding immediate enactment of legislation to achieve full comparability with private industry.

Yet, as your friend, in all sympathy and candor, I must tell you not to expect this Congress and this President now in this fiscal year to right all wrongs that exist in the Federal salary system. A government with a prospective $30 billion deficit and a Congress trying to cut expenditures in every category cannot be expected, realistically, to add to this budget $2 billion more for Federal salaries. We do not always have the choices we would like, and it seems to me your choice is between two alternatives. Either you can choose an all-out, bitter, divisive, and prolonged fight that will yield nothing but frayed tempers and a veto, or you can choose this compromise bill, which offers a partial loaf now and a full loaf in less than a year. As a friend, I urge you and your leaders to put your support behind the latter alternative. I think you will be a lot better off with a new pay law, albeit a compromise, than a new and glorious, but fruitless, pay fight.

Finally, I want to say a word to the taxpayers of this country—and I am a hard-pressed taxpayer myself. It is agreed by every impartial observer that most Federal salaries are less than those for the same jobs in private enterprise. Your Congress and two of your Presidents have promised, repeatedly, over the last 5 years that these differences would be wiped out. As taxpayers, we are underpaying our fellow citizens who work for the Federal Government about $2 billion a year. This is not fair, and it should not be allowed to continue. If we are going to fight inflation by holding down salary increases, let us make the burden a little more equal. In the end we can only benefit by being fair to the people who work for us.

In conclusion, I would make this point. These annual pay battles are senseless. I have proposed in the past and continue to favor adoption of machinery to provide orderly pay increases in keeping with the cost of living and increased productivity. With comparability established at the outset, we could be done with the months of infighting that have characterized this process through the years. And the time of the House and Senate committees could be spent, instead, on the many other problems, now largely ignored for lack of time, besetting the Federal service.

Short of that ideal, the pay bill I have proposed today is about the best possible in what is admittedly less than the best of all possible worlds.

Under unanimous consent, I am including the following summary of the major provisions of the reported bill:

Summary of Major Provisions of Committee Print No. 6 Federal Salary Bill, August 22, 1967

The key policies in Committee Print No. 6 are:

(1) The present 20-level Postal Field Service salary schedule will be changed to a 21-level schedule, and all employees subject to the present schedule will be advanced by one numerical salary level. The advancement in salary level will give each employee a 6 percent increase effective the first pay period beginning on or after October 1, 1967 (Postal Field Service Schedule I, on page 8).

(2) A second-phase increase of 5 percent across-the-board is added by Postal Field Service Schedule II, also on page 8.

(3) Rural carriers will receive the same increases as are granted city carriers (Rural Carrier Schedules I and II, page 9).

(4) Employees subject to the General Schedule (classified), Foreign Service Officer and Foreign Service Staff Schedules, Veterans' Administration Medical and Surgical salary ranges, Agricultural Stabilization and Conservation county committee pay schedule, Judicial Branch pay rates or ranges, and Legislative Branch pay rates, all will receive 4½ percent pay raises effective in October, 1967.

(5) The "comparability" lag remaining after the two-phase postal employee increases will be finally closed out by a further adjustment, made by the President the first pay period in April of 1969, under paragraph (2) of section 12 of the bill. The "comparability" lag for other employees will be closed by two further adjustments, made by the President the first pay period in July of 1968 and the first pay period of April 1969, under paragraphs (1) and (2) of section 12.

(6) Salaries of Executive Levels III, IV, and V are increased from $28,500, $27,000, and $26,000, to $29,500, $28,750, and $28,000, respectively, in order to accommodate the general salary increases proposed for career employees.

(7) A "Quadrennial Commission" is established by section 16 to determine proper levels for executive, congressional, and judicial salaries once every four years. Each Commission will make a study for a full fiscal year every four years (beginning with the 1969 fiscal year) and must submit its recommendations to the President by the end of the calendar year in which the study is completed. The President shall include, in the next budget he transmits to the Congress after receiving the Commission's report, his recommendations for the exact rates of pay and the kinds and amounts of expenses and allowances, for Federal executives, Members of Congress, and judges. The recommendations transmitted to the Congress by the President in his budget will become effective the first pay period beginning more than 30 days after transmittal of the budget, unless the Congress has enacted a statute fixing specific rates of pay and amounts and kinds of expenses and allowances or unless one House or the other has specifically disapproved any or all of the President's recommendations.

SOUTHEAST ASIA: PROGRESS LIES IN REGIONAL COOPERATION

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Brown] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BROWN of California. Mr. Speaker, as a civil war rages out of control in Southeast Asia, it can not but be in our interest to be well apprized of the geopolitical aspects of the region. The war is spreading daily. Laos has become a bombing target, Cambodia a sanctuary, and Thailand a participant in the Vietnamese civil war.

The whole of Southeast Asia is far from stable; and the prospects for the future do not appear too hopeful. Boundary disputes abound, provincialism challenges governments centered hundreds of miles away in gaily-lit cities—more a product of the colonial past than a reflection of the majority of indigenous peoples. Indeed, one wonders about the very viability of these small nation-states.

In my opinion, the future of these peoples would seem to lie in some type of regional cooperation. Imagine the great good that could come from, let us say, the development of the vast and mighty Mekong River. Dams for power and irrigation projects could benefit millions of people.

But regional cooperation implies mutuality of interests and, more importantly, it demands the elimination of existing border conflicts. This is especially so, if these countries expect to match the productive capacity of the more-developed nations. The go-it-alone attitude is contrary to their interests, it is an anachronism fed by shortsighted nationalism.

When reading about the various disputes centering around such geopolitical differences, I am reminded of the words of Carlos Romulo, the great statesman and former President of the Philippines, who said, "The nation no longer suffices." He was directing his words primarily to the less-developed, struggling areas of our globe; directing his message to those people in those areas that have not the essential resources for an industrial or self-sufficient agricultural society. For these millions of people, progress lies in cooperation.

And may I stress, Mr. Speaker, that this regional cooperation is, hopefully, but a beginning toward a broader international cooperation, as yet but a dream in the minds of many. Let us hope that the current trend toward regionalism is but another phase in the movement toward mutuality of interests. The world is too small, the resources too few, the hazards too precarious to discontinue or reverse this trend.

Even if the last shot were to be fired in Vietnam tomorrow, there would still remain in that area of the world exacerbating questions regarding frontiers, as well as other difficulties springing from the root of nationalism. I offer for the perusal of my colleagues, Mr. Speaker, one example of the latent questions to be resolved in Southeast Asia. The following article appeared in the July 28, 1967, issue of the Christian Science Monitor:

Cambodian Prince Gives His Views: Sihanouk Jealous of Borders

(By Mario Rossi)

United Nations, N.Y.—In a world racked by convulsions through its southern perimeter, few countries manage to escape controversy. Cambodia is definitely among those which dc not.

The small Asian kingdom without a king happens to have a most uncomfortable geography. To the west, Thailand, which claims some of its territory; to the north, Laos for years in the throes of civil war; to the east, Vietnam, where violence has been an everyday occurrence since World War II.

Under the leadership of Prince Norodom Sihanouk, Cambodia feels it has adhered strictly to the policy of nonalignment, whereas Thailand and South Vietnam are military allies of the United States and that part of Laos controlled by the government is under strong United States influence.

From nonalignment to being suspected by all its neighbors, and by the United States too, is a very small step. Cambodia has been accused by some United States officials of following the Peking line in foreign policy, of being anti-American, of assisting North Vietnam in its war effort.

Such attempts to color Cambodia in the worst possible light have caused concern in Washington. A number of those in a position to know, say the alternative to a neutral Sihanouk would be an unfriendly Sihanouk, and the alternative to a Sihanouk regime probably a Communist regime.

There has been concern that too little is known about Cambodia. This lack of knowledge does not help one understand what is happening in Southeast Asia. In the long run, stability founded upon popular acceptance, it is argued, is far preferable to governments whose pro-American stance is often a way of shielding internal instability.

In an effort to contribute to a greater understanding the writer asked Prince Sihanouk to speak about his country and its problems. He graciously consented to answer a number of written questions.

How does the Cambodian political regime function? According to which plan and by what means are the economics and social development of the country ensured?

Cambodia is a monarchy without king since the passing in 1960 of my lamented father, His Majesty Norodom Suramarit. Her Majesty the Queen Mother does not rule. Venerated by everyone, she is the guardian of the throne and the symbol of the permanence of the monarchy.

Our regime is a parliamentary democracy directly controlled by the people. Our National Assembly, freely elected by secret ballot at universal suffrage, is entirely composed of members of the Sangkum Reastr Niyum (Popular Socialist Community), vast nationalist and "Buddhist Socialist" alignment created by me in 1955 and which I still lead. Only one party remains at the opposition, the Preacheachon (People's Group) of Communist obedience, which no longer dares present candidates at the elections after its resounding defeats in 1955 and 1958.

The government, the Assembly, and the administration are controlled by the people through national congresses held twice a year in Pnompenh. All Khmers (Cambodians) without exception can speak, denounce mistakes and abuses, question the highest personalities. Congress decisions are being fully respected by the responsible authorities.

Finally, the Head of State holds, from time to time, "popular audiences" in which he listens to complaints and helps gain justice when required.

The country's development is ensured through five-year plans which establish the targets, their financing, their priority. In fact, we are not the slaves of a plan and we know how to draw the lessons of our mistakes.

Our principle is that Cambodia must help itself, relying as little as possible upon its friends. We have rejected in 1963 all American assistance. Since that date we accept no financial help—which breeds corruption—and we request those of our friends who wish to present us with a factory or a hospital to build them for us. We immediately reject all forms of assistance with strings attached. We are poor but free. And we realize that sacrifices must be made in the name of independence.

Which are, on a regional level, the foreign-policy problems which most seriously concern the Cambodian Government? I think in particular of the problems arising from Cambodia's relations with Bangkok and Saigon.

Our main problem is to protect the present borders of our country, now reduced to a minimum after having been a great empire. Our Thai and South Vietnamese neighbors occupy vast tracts of a land which was once ours and where still live, for the most part still faithful to the motherland, 3 to 4 millions of Khmers. We are not claiming these territories taken away from us through ruse or violence. But we are determined to preserve whatever land is left to us.

Now the authorities in Saigon claim all our coastal isles—those commanding access to our ports of Kampot, Kep, Ream, Sihanoukville—while the Bangkok authorities claim our border temple of Preah Vihear, illegally occupied by them in 1955 and returned to Cambodia following an International Court decision.

I found myself compelled, consequently, to ask all states with which we have diplomatic relations to address us a declaration stating that they "respect Cambodia's territorial integrity within its present borders," that is, its sovereignty over the territories administered by its government.

Our old and faithful friend, France, was the first to make the declaration last year followed by Singapore and the [East] German Democratic Republic. In June of this year a number of other countries have replied in the affirmative: Soviet Union, Front of National Liberation of South Vietnam, People's Republic of China, Cuba, United Arab Republic, Yugoslavia, and Czechoslovakia. Other declarations are being awaited.

What counts before anything else for us is that the "true" Vietnam [National Liberation Front and North Vietnam] have declared that they will not only "respect" but also "recognize" our present borders even though they had been drawn by the French when they were the masters of Indochina. Thailand has refused to sign with Cambodia a declaration to respect their mutual borders, thus showing that it does not renounce its policy of annexations vis-a-vis our country.

I wish to point out that I have tried for years to regulate our relations with the Saigon and Bangkok governments. The only "answer" by these governments was hundreds of border aggressions and plots against the unity and security of Cambodia.

Should these problems eventually find a peaceful solution, how do you see the political future of the countries which once composed Indochina, and how do you conceive their mutual relations?

Personally, I have long advocated a "neutralized" Indochina guaranteed by the great powers and which could serve as buffer between East and West—each country having the regime of its choice and establishing with the others friendly economic and cultural relations.

That might be an ideal solution. Are you not concerned, nevertheless, lest the Vietnam conflict will threaten the very existence of Cambodia? The United Nations Security Council has some time ago published alarming information on the subject.

In fact, the United States charges my country, without the shadow of a proof, with being a "sanctuary" for the Communist forces of North and South Vietnam, of furnishing the Viet Cong with arms and supplies, etc., and threatens to penetrate our territory to encircle the Viet Cong or else to occupy our northeastern provinces where the "Ho Chi Minh and Sihanouk trails" for supplying the Viet Cong are, according to them, located.

I have done all that I could to dispel these legends. Diplomats, members of the International Control Commission, observers, well-known Western newspapermen have crossed our border provinces by jeep, helicopter, plane, and sometimes on foot. They found no trace of Viet Cong units, nor Viet Cong "bases." They are aware that our border troops have received the order to fire on all armed foreigners trying to penetrate our territory.

What more could we have done?

Is it to be feared that the sharpening of the Vietnam conflict has already irreparably compromised the relations among the three countries of former Indochina, between the latter and Communist China, and between Southeast Asia and the great powers?

It is certain that the massive military intervention by the United States in Vietnam has seriously compromised relations between the nations of Southeast Asia and the West. It seems to us equally certain that the West has miscalculated badly when it fenced off China and prevented it from exercising its rights as a great power. Mistrusts and hates were produced which will take long to disappear once peace has returned.

May I ask you, Monseigneur, what is the state of your relations with the United States?

As you know, since 1965 we have no longer diplomatic relations with the United States, following repeated acts of border aggression which have caused loss of life and which are clearly the responsibility of American forces.

I had proposed to Mr. Dean Rusk the establishment here of an American consulate-general. He refused. Since that time the United States has sounded me out several times with a view to an eventual reestablishment of diplomatic relations.

Our position is very simple. We have no ideological hostility toward the United States. We do not hate it. We simply want, should the Americans wish once again to become our friends, that they should treat us decently, that is, that they forever stop border aggressions and that they pledge to respect, as others have done or will do, our present borders.

That, it seems to me, is not too much to ask. To have diplomatic relations with a country means to recognize that there are established borders and to engage not to kill its inhabitants. Unfortunately, the United States is so tied to Saigon and Bangkok that it does not dare to disassociate itself from their territorial claims. And the United States is so intoxicated by American, South Vietnamese and Thai intelligence reports that it more or less accepts the fable of a Cambodia "accomplice of and giving sanctuary to the Viet Cong."

I note that in recent months American forces have abstained from attacking our border posts and villages. If they kept this up—and they could if they wanted—there would be at least a détente between us. And if they convinced their allies of Saigon and Bangkok to leave us also alone, to stop their daily harassment, their laying of mines on our territory, they would have our sincere gratitude.

As to our borders, the day will come—certainly not before the end of the American engagement in Vietnam—when the United States, which has no special problems with us, will pledge to respect them. At that time it will give me great pleasure to welcome an American ambassador at Pnompenh. But so long as we represent, for the United States, a state whose borders are "vague, badly drawn, contested, etc.," that will not be possible.

To prepare the future I wish the United States would abstain from violating or attacking our borders and that it be understood that we are truly neutral and that we wish to live in peace in order to lift our country from its underdevelopment. We already have done much in this respect and want to do even better.

This is the message I am asking you to transmit to the American people.

TAXES BUT CREATE TAXES

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Rarick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. RARICK. Mr. Speaker, the renewed call for raising taxes from our working and productive citizens prompts me to place in the Record for our colleagues a letter from Dr. William Douglass of Sarasota, Fla., addressed to Mr. Henry Fowler, Secretary of the U.S. Treasury:

SARASOTA, FLA.,
April 15, 1966.

Mr. HENRY FOWLER,
Secretary of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: Never before in the history of any nation has there been such tolerance and accommodation of treason as now exists in the United States—history shows no parallel. Because the United States Government is now, for all practical purposes, controlled by the Communist conspiracy, I must for moral, religious and Constitutional reasons refuse to pay any further federal income tax. Cicero said in 54 B.C., "We are taxed in our bread and our wine, in our income and our investments, in our land and on our property, not only for base creatures who do not deserve the name of men, but for foreign nations. . . ." Cicero could have been speaking for us as well.

Many high officials in the United States Government, both elected and un-elected, are guilty of violating multiple sections of the United States Criminal Code including Sections 241, 371, 1001, 2382, 2384 and 2385. They are also guilty of violating Section 4.21 of the Internal Revenue Agents Training Manual and Sections 7214 and 7623, Title 26, Internal Revenue Code. These same officials are guilty of violating the 4th, 5th, 6th, 7th, 14th and 16th Amendments of the United States Constitution.

As a result of these multiple criminal acts, many billions of dollars of income taxes have been used to further a Communist state in the United States. Over a million industrial, labor, education, trade and other types of organizations and corporations have functioned under a system of administrative law which is identical to Communist law as practiced in Russia and its satellites. These organizations have evaded billions and billions of dollars in Federal income taxes and these unpaid taxes have been made up by the docile serfs in this nation known as the middle class taxpayer, the taxes collected from America's working citizens have been the basic well-spring from which Communist and Communist collaborators have worked to destroy completely the free enterprise system in the United States and to set up a Communist government in the United States. The domestic Communist conspiracy and the International Communist conspiracy are financed almost completely, and of course involuntarily, by the American taxpayer. The United States Government has allowed foundations, labor unions, tax-exempt organizations and others, through the use of tax-free money, to destroy the very fabric of our nation and set up what is essentially a Communist police state varying little from that in Russia today or that of Hitler's Socialist dictatorship.

As young American soldiers die in Viet Nam, the tax money of the American people is being used to supply food, guns and ammunition to the enemies of these American sons. Recently Yugoslavia, for instance received five million dollars worth of copper scrap which is essential to the Communist conquest of America. Yugoslavia also received three million dollars worth of raw material needed to manufacture rayon cord which is used for military truck tires. Communist countries, dedicated to the burial of the United States, have received two and one-half million dollars worth of grinding machines necessary for the manufacture of rocket launchers, bazookas, rifles and cannon barrels. Wheat in vast quantities has been sold to all Communist countries, including Soviet Russia, for the manufacture of industrial alcohol which is necessary for the manufacture of ammunition and fuels for rockets and jet aircraft. How can any Christian allow the Federal Government to force him into committing murder against fellow Americans through this treasonous supplying of war material to the enemy? (See Article 3, Section 3 of the United States Constitution.)

In giving aid and comfort to the enemies of the United States, the United States Government is committing treason against the American people. Those who control the levers of governmental power cannot and will not force me to commit treason against my country, my family, my friends and myself.

The 10th Amendment of the Constitution of the United States says, "The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively or to the people." It follows then that all foreign aid is unconstitutional as the Federal Government does not have the legal right to make gifts of American tax money to foreigners. Foreign aid to our enemies is not only unconstitutional; it is immoral and treasonous. I offer the following documentation as evidence that elected and non-elected representatives of the Federal Government are giving aid and comfort to the enemies of these United States and are therefore guilty of treason:

1. Communist Indonesia (under the leadership of Sukarno, the Japanese collaborator and the vicious Communist murderer of tens of thousands): nine hundred and thirty-eight million dollars in aid which has enabled Sukarno to keep one hundred million Indonesians under slavery.

2. Communist Yugoslavia (under the iron rule of the vicious Communist beast Tito): two billion, five hundred eighty-six million dollars in American tax money to enable Tito to keep 19 million Yugoslavians under slavery.

3. Communist Russia (the fountainhead of the Anti-Christ which is about to take over the entire world in the process of which 60 million Americans are to be murdered—they have openly admitted this): one hundred eighty-six million dollars. This, of course does not include the billions of dollars given to them in World War II.

4. Communist Poland (under the iron-fisted rule of Communist puppet Gomulka): five hundred and forty-eight million American tax dollars to enable Gomulka and his henchmen to keep 30 million Poles under Communist slavery.

5. Communist Cuba (under the rule of one of the most vicious assassins in all history, Fidel Castro): fifty-two million dollars has been received in aid and, as recently as 1965, two hundred and thirty thousand dollars in American tax dollars were given to Castro through a Communist-front known as UNICEF. Americans have even been forced into paying the lion's share of the Communist spy school in Cuba (documentation supplied on request). Seven million Cubans are being held in slavery and under sub-human living conditions partially with the help of American tax dollars.

6. Algeria (under the rule of Ben Bella until he was replaced by another Communist): one hundred forty-nine million tax dollars which have been and are being used to keep eleven million Algerians in slavery.

7. Communist satellite Burma: one hundred and ten million dollars.

8. Communist Ghana (under the dictatorship of the Communist Kwame Nkrumah): one hundred and sixty-three million tax dollars which are used by the Russians to further communize Africa. Even the Marxist-oriented, but ostensibly anti-Communist Senator Dodd, said that Ghana was Russia's first satellite in Africa. Yet, the American people who are looked upon by arrogant bureaucrats as stupid and servile worms, are expected to take this treason indefinitely. This citizen will take it no longer.

The 16th Amendment to the United States Constitution is being administered unconstitutionally because the tax is not levied equally on all citizens. The Constitution of the United States specifically states that all taxes must be levied equally (see United States Constitution Article 1, Section 8). The 16th Amendment was not passed to enable the Internal Revenue Service to set up a gestapo that grants tax favoritism to enemies of the people. It was not set up to be a collection agency for Soviet Russia. The Internal Revenue Service has become an internation revenue service primarily for the benefit of the enemies of these United States. It is now obvious that there is an interlocking conspiracy between the Internal Revenue Service, the various departments of government, large corporations, tax exempt foundations and unions to harass and destroy those American citizens who obstruct the progress of the Bolshevik state in America. These various groups and agencies use the IRS to blacklist, boycott, harass, intimidate, persecute and destroy many Americans who only wish to be left alone and abide by the Constitution of the United States as it was written and intended to be enforced. No American who loves his country and is concerned about the welfare of his family can any longer allow his tax monies to be used to finance this intragovernmental conspiracy which is liquidating the Constitution of the United States, disarming us before our common enemies, while at the same time arming our enemies through the use of tax monies, subverting morality and decency of the people, openly condoning and often encouraging sedition and treason, and very rapidly confiscating all of the assets of the American people. I was born a Christian and raised a Christian and I therefore adhere to the Christian tenet that it is a sin to commit suicide. Financing my own enemies is suicide. I cannot allow the Federal Government to force me to pay taxes in order to take my own life.

The Federal Government and the IRS have been viciously unfair in the administration of the tax laws. The favored few have paid little or no taxes while the majority have been ground down and oppressed with their own money. The following tax evaders, for instance, have never been brought to justice: Adam Clayton Powell, Vice President Alben Barclay, (he didn't even bother to file), Dwight David Eisenhower, (a tax evader on a ground scale), and Billy Sol Estes.

Tax exempt subversive organizations, hiding behind the protective mantle of the Federal Government, are riding herd on the American people. Through the device of tax exemption, the American people are being forced indirectly to subsidize organizations dedicated to the destruction of the United States. The Tax Exempt Division of the Internal Revenue Service has issued tens of thousands of *non-audited and non-supervised* letters of exemption to various tax exempt organizations that are working assiduously to brainwash the American people into accepting Bolshevism and hating Americanism. This insidious cabal has reached gigantic proportions and tens of thousands of organizations are affiliated with this conspiracy.

One example of this treason by tax exempt foundations is the Institute of Pacific Relations. The Carnegie Corporation, the Carnegie Endowment for International Peace, (which is actually a very war-like organization in spite of its name), and the Rockefeller Foundation contributed millions of dollars to this organization. The Institute of Pacific Relations was proven, *by the government itself,* to be a vast and highly effective and very lethal Communist espionage ring. The extent to which the Marxist tax-exempt foundations in the United States are financing the Communist conspiracy is not known because it has never been satisfactorily investigated. The Reece Committee investigated tax exempt foundations, but they were only able to scratch the surface because of pro-Communists within the government not allowing them to have enough funds to properly investigate this conspiracy.

Another example of blatant government support of subversive organizations is the Metropolitan Music School Incorporated. This organization is a *government-cited Communist organization* yet it has tax exemption. Another is the Highlander Folk School, now called the Highlander Center. This is a purely Communist race-hating organization and its parent organization, the Highlander Folk Center, has been *officially cited by the government* as a Communist Organization. The NAACP, CORE, SNCC and all the other race-hating, Communist dominated organizations pay no income tax and are therefore indirectly subsidized by the long-suffering American taxpayer.

The National Science Foundation gave forty-nine hundred dollars to Gaylord Guy King who is head of the Indiana University Chapter of the W. E. B. DuBois Club—*a government cited Communist organization.* (See Attorney General's list of subversive organizations). The National Science Foundation of Indiana University has been guilty of other treasonable activities, (see report of Congressman Roudebush).

Many departments of our Federal Government are now openly or covertly controlled by the Communist conspiracy. An example is the United States Post Office, which cooperates very closely with the Central Intelligence Agency and the IRS in harassing and intimidating American citizens. As evidence of the fact that the United States Post Office is now basically Communist-controlled, one needs only look at the distribution in the United States of tons and tons of Communist propaganda from Soviet countries at no cost to the Soviets. All of this subversive material is paid for, through force, by the American taxpayer.

Another example of essential Communist-control is the U.S. Commerce Department. While our forces in Viet Nam are fighting with defective ammunition and other worn out equipment, the Commerce Department of the United States is encouraging American businessmen to ship billions and billions of dollars of war material to our enemies. Copper, Polystyrene, wheat, entire manufacturing plants such as steel mills, fertilizer plants, various chemicals needed in the production of war materials, and spare parts for their war machinery are all shipped to our enemy through the connivance and encouragement of the United States Department of Commerce. Certainly paying taxes to such a government is morally indefensible.

The Central Intelligence Agency has now become, if it was not always, the American arm of the Russian NKVD. Even Khrushchev himself has bragged that he knows what is going on in the CIA almost before it is planned. Castro was put in power in Cuba through the connivance of the CIA and the only strong anti-Communist leader of the Dominican Republic, General Wesson Y Wesson, was kidnapped by our Central Intelligence Agency. Castro is kept in power by the CIA which keeps the Cuban Freedom Fighters in South Florida constantly off balance, harassed, and confused. Not even the American Congress is allowed to know how many tax dollars are poured into this subversive organization. Even Admiral Hillenkoeter, former head of the Central Intelligence Agency, has admitted that the CIA is full of Communist spies—and he was not able to do anything about it.

Another example of blatant Communism in action in the United States is Lyndon Johnson's War on Poverty. This is truly a war against private property and against the middle class American citizen. Teachers, who have taken part in this program have been brainwashed with Communist books by such noted Communists as Woody Guthrie, Howard Fast, W. E. D. DuBois, Ann Braden and Herbert Aptheker. Many of these so named are top functionaries in the Communist party which is dedicated to the overthrow of the United States. Yet, their works are recommended by Lyndon Johnson's War on Poverty Commissars. Poverty funds have been given to Bolshevik racists fanatics in New York City; funds have been used to support prostitution and in many other ways the money is being used to subvert the morals and the morale of America's youth.

The Department of State has become, for all practical purposes, a branch of the Russian Embassy taking its orders primarily from New York City, (the United Nations). The United States State Department is today entirely under the direction of our Bolshevik enemy. This is true beyond a shadow of a doubt and in evidence I offer the following documentation to wit:

Secretary of State Dean Rusk is himself a very serious security risk. Rusk has been a Communist collaborator for all of his adult life. By 1946 Mr. Rusk had a very active file with our Intelligence Services due to his strong pro-Communist sympathies and activities. In spite of this, in 1946 he was appointed Chief of Internal Security Affairs of the Department of State. In March of 1947 he replaced the spy Alger Hiss as Director of Special Political Affairs. Rusk continued the policies of the spy Alger Hiss in cooperating closely with the Communist conspiracy by keeping known Communists and other security risks in the State Department and filling jobs in the United Nations with these traitors. Alger Hiss and Dean Rusk were responsible for at least 26 American Communists getting key jobs in the United Nations. There can be no question that Spy Hiss, and his Communist collaborator Rusk, knew that these men were Communist espionage agents as their files, containing this information, were in the State Department at the time they were hired. Although Mao Tse Tung had murdered tens of millions of Chinese, Dean Rusk called him "The George Washington of China." Dean Rusk was responsible for the United States rejecting Chiang Kai-shek's offer of troops in Korea and so Rusk was indirectly responsible for the death of many Americans in the Korean war. It was Dean Rusk who formulated the plan to not win in Korea, who tied General MacArthur's hands and who finally was responsible for General MacArthur's being removed from Command. Dean Rusk recommended a two million dollar grant to the Institute of Pacific Relations from the pro-Communist institution known as the Rockefeller Foundation. As reported above, the Institute of Pacific Relations was found to be a Communist espionage ring. (Mr. Rusk was an officer in this Communist espionage ring). This is only a brief sketch of the Communist collaborator Dean Rusk. More information and documentation will be supplied on request.

James Harland Cleveland, Assistant Secretary of State for International Organizational Affairs: This man has a long history of Communist associations. He has written for a number of Communist magazines. Cleveland recently tried to slip the traitor Alger Hiss back into the government. Mr. Cleveland's record is long and sordid and documentation and witnesses will be supplied on request.

Wilbur J. Cohen, Assistant Secretary of the Department of Health, Education, and Welfare: Long history of association with Communists and Communist sympathizers. Wilbur Cohen has many Communist affiliations—documentation supplied on request.

Harry Conover, Councilor U.S. Embassy Buenos Aires: A long and involved Communist record—documentation supplied on request.

Daniel Margolies, Supervisor of International Relations Office: This man has associated with many known Communists and has a number of Communist front affiliations—documentation and witnesses supplied on request.

Livingston Merchant: A long and notorious record of association with Communists and Communist agents. He was reported reliably as being a member of a group in the State Department completely under the control of the Soviet Intelligence.

Alexander L. Peaslee, Chief of the Asian Communist Areas Division in the Bureau of Intelligence and Research, Department of State: This man and his wife have been reported by our Intelligence Services as being a contact of Soviet Intelligence who were supplying confidential and secret information to the enemy. Documentation supplied on request.

David H. Popper, Director, Office of Atlantic Political and Military Affairs, Department of State: A friend of many Communist agents and on the editorial board of the subversive magazine Amerasia—documentation supplied on request.

Hugh C. Reichard, formerly in the Intelligence Research Division of the State Department, now in International Relations Office: Many Communist associations and a draft dodger—documentation supplied on request.

J. J. Reinstein, U.S. Embassy, Paris: Close friend of identified Communist agent Donald Hiss (brother of Alger Hiss now working for former Secretary of State, Dean Acheson—himself a Communist collaborator).

Walt Whitman Rostow: This man is such a serious security risk that when he was considered for a high post in the United States Air Force he was rejected. Documentation supplied on request.

Abba Schwartz, Administrator Bureau of Security and Councilor Affairs: A friend of a number of Communists, Soviet agents and homosexuals. This man is responsible for many Communist spies coming from Red China and Cuba into the United States at the expense of the American taxpayer. He was responsible for the return of one Lee Harvey Oswald to Russia where he trained to kill the President of the United States. Abba Schwartz stole the file on Lee Harvey Oswald after Oswald shot the President. No action has been taken against him for this malfeasance in office.

John Stewart Service: Reported as an espionage agent. He was given a loyalty clearance by a personnel board in the State Department consisting of Selden Chapman, Nelson Rockefeller, Dean Acheson, Julius Holmes. This case has been suppressed according to an affidavit by a court reporter—documentation and witnesses supplied on request.

Julian Singman, known to live with homosexuals and also a close friend of Adlai Stevenson and Abba Schwartz. A serious security risk.

Charles N. Spinks, State Department employee detached to U.S. Information Agency: Spinks was a dues-paying member of the espionage ring known as the Institute of Pacific Relations and wrote for their Communist magazine Pacific Affairs. Spinks has many Communist friends including espionage agent Thomas A. Bission, Communist collaborator Michael Greenberg, Andrew Roth, and Emmanuel S. Larson. In spite of this highly subversive background, Spinks has been assigned to top secret intelligence work. Documentation and witnesses supplied on request.

Edward A. Symans, now retired at taxpayers' expense: Named by Soviet defector as a Soviet espionage agent for 18 years while in government service. In spite of this, Symans was allowed to resign. He was then rehired and pensioned off at taxpayers' expense. The name Symans is an alias. His real name is Symanski.

Dr. Phillip Talbot, Assistant Secretary of State: This man has a long history of association with Communists and Communist-sympathizers and Soviet agents. He was a dues-paying member of the espionage ring known as the Institute of Pacific Relations—documentation and witnesses supplied on request.

Leonard Unger, U.S. Ambassador to Laos: Unger is one of the group in the State Department constituting a suspected espionage ring. Security officer Scott McCloud considered Unger a security risk as far back as 1956. Unger has a long list of Communist associations and affiliations— documentation and witnesses supplied on request.

William Wieland, alias Montenegro: A key figure in the downfall of Cuba and its takeover by Communist Castro. Wieland has long been known as a serious security risk and he is now helping to subvert Australia at the expense of the American taxpayer. Documentation and witnesses supplied on request.

Adam Yarmolinsky, Special Assistant to the Secretary of Defense: Yarmolinsky and his family have had a long association with Communists, Communist agents and other subverters of the American way. His sordid background is too long and involved to document here but documentation and witnesses will be supplied on request.

This is a very brief sample of the spies and traitors in the Department of State at the present time. There are hundreds of others and documentation and witnesses will be supplied on request.

The following persons and departments are also involved in the conspiracy:

Mrs. Esther Peterson, Assistant Secretary of Labor: Mrs. Peterson and her husband have been long time security risks and were close friends and contacts with identified Communist John Abt, identified Communist Charles Krivitsky, identified Communist Victor Perlo and identified Communist Lee Pressman. The pro-Communist background of this Assistant Secretary of Labor is long and involved and documentation and witnesses will be supplied on request.

The President of the United States, Lyndon Baines Johnson: The Communist Party, under the direction of Mr. Gus Hall, openly endorsed Lyndon Baines Johnson and the Democratic Party for re-election in 1964. Communists the world over went all out for the re-election of Lyndon B. Johnson for the Presidency. Hubert Humphrey, Vice President of the United States, has also shown himself to be completely acceptable to the international Communist conspiracy.

The United States Supreme Court: The United States Supreme Court has become one of the most important instruments of Communist global conquest. On November 15, 1965, the United States Supreme Court gave domestic Communists complete constitutional protection by ruling that members of the Communist Party no longer have to register as agents of a foreign power. The Communists themselves have openly admitted that this is the greatest victory in their history. The Supreme Court has handicapped the police and the FBI. It has usurped the powers of Congress and destroyed the security of these United States.

Chief Justice Earl Warren, a close friend of the Communist butcher Tito, has gone all out for complete surrender of American sovereignty to a world body. This is a direct violation of his oath to support and defend the Constitution of the United States. (See also Public Law 85766, Section 1602). He votes consistently for the Communists in cases before the Supreme Court.

Hugo Black, Associate Justice of the Supreme Court: Mr. Black, a former member of the Ku Klux Klan, has been associated with Communist front organizations (see HCUA appendix 9, page 1581). His voting record is 100% pro-Communist.

William O. Douglas, Associate Justice: Justice Douglas has a long line of Communist affiliations. He has voted 97% pro-Communist.

Justice Brennan has close to a 100% pro-Communist voting record.

Abe Fortas, Associate Justice: A defender of Communists and a member of many Communist front organizations including the National Lawyers Guild and the Southern Conference for Human Welfare.

A convicted traitor, George J. Gessner, has been set free on a fantastically asinine technicality. In any country with the government responsible to the welfare and safety of the citizenry, Gessner would have been executed. The Federal Judge in this case is still receiving a paycheck from the American taxpayer.

Many members of the United States Senate and the House of Representatives have records of Communist affiliations and Communist associations. The list is too long and involved to enumerate here but details will be supplied on request. Examples of members of the United States Senate with Communist affiliations and associations are Senators Gruening, Javits, Douglas, and Saltonstall. The records of Gruening, Douglas and Saltonstall can be found in the investigations of the House Committee on Un-American Activities of 1944 (Appendix 9).

Certain Senators, who are supporting Senate Concurrent Resolution No. 32 are in violation of their oath of office to support and defend the Constitution of the United States. This Concurrent Resolution calls for the establishing of an international police force and a disarmament organization through a new United Nations treaty. The Resolution also calls for financial support of this disarmament organization and international police force. Any one who supports disarmament of the United States cannot at this same time claim to be fulfilling his oath to support and defend the United States.

These Senators are also in violation of Public Law 85766, Section 1602 which states: "No part of the funds appropriated in this or any other Act shall be used to pay . . . any person, firm or corporation, or any combination of persons, firms or corporations, to conduct a study or plan when or how or in what circumstances the Government of the United States should surrender this country and its people to any foreign power . . ."

The following Senators, whose salaries are paid by the U.S. taxpayers, are supporting the above mentioned treasonous Concurrent Resolution No. 32: Senators McGovern, Bayh, Church, Bartlett, Burdick, Brewster, Mondale, Hart, Inouye, Javits, Long (Mo.), McGee, Morse, Moss, Newberger, Pell, Proxmire, Randolph, Tydings, Williams (N.J.), Young (Ohio).

The United Nations: Section 109, Public Law 471 states: "It is illegal to use funds for any project that promotes One World Government or One World Citizenship." The United Nations, designed by Communist Alger Hiss and other traitors, is the Communist instrument by which the sovereignty of the United States is being transferred to an internation Communist-controlled government. It is therefore natural that most of the Americans in key positions in the United Nations would be Americans in name only.

The American Ambassador to the United Nations, Arthur Goldberg has a long history of Communist collaboration and Communist sympathies.

Mr. Ralph Bunche, Under Secretary General of the United Nations and therefore one of the three most influential men in that organization is a dedicated world Marxist. Mr. Bunche has been declared a serious security risk on the floor of the United States House of Representatives. His pro-Communist record is long and easily documented and this documentation will be supplied on request.

Mr. Philip Jessup: "Our" Representative on the World Court, was considered such a serious security risk by the United States Senate that he was disapproved as United States delegate to the United Nations in 1951.

The United States taxpayers pay the lion share of the expenses of the United Nations which is being used to destroy our nation and kill off all of our youth in foreign wars. It is now well known that both sides of the Korean War were controlled from the United Nations by Russian General Constantine Zinchenko. The present bloodletting operation in Vietnam is also controlled by the Communists through the United Nations. General Westmoreland, the figurehead commander of our troops, (and himself a member of the Communist-collaborating Council on Foreign Relations), is under command of Russian General Vladimir Suslove from the U.N. It is, of course, impossible for America to win a war when its troops are commanded by the enemy. This undoubtedly will go down in history as the most colossal fraud and sham of all time. No American who does not classify himself as a Communist-collaborator can allow his money to be spent on this mass murder of young American citizens.

The Solicitor General of the U.S., *Thurgood*

Marshall, the top trial lawyer in these United States, is sympathetic to the Communist cause and was an *officer* in a Communist organization (see HCUA appendix 9, page 795). This pro-Communist racist fanatic once said, "I want you to understand that when the colored people take over, every time a white man draws a breath he will have to pay a fine." I cannot, with a clear conscience, pay one infinitesimal portion of this creature's salary and I refuse to do so.

Robert C. Weaver, Secretary, Department of Housing and Urban Development, has a shameful record of cooperation with the Communist enemy. His pro-Communist and Communist associations are: Negro Peoples Committee (see HCUA Appendix 9, Page 184), and Washington Book Shop (see letter by Attorney General Clark, December 4, 1947 and September 21, 1948). I will not be forced to pay one penny of tribute to a government that promotes rather than hangs collaborators such as Robert C. Weaver.

Treason, anarchy and sedition have become rampant within these United States. Herbert Aptheker, Communist; Staughton Lynd, Marxist fanatic and Thomas Hayden, anti-American revolutionary, have all been in violation of the Immigration and Nationality Acts of 1952. For conniving with the enemy they are each subject to a $5,000 fine and 5 years in a Federal penitentiary. They are also in violation of the Logan Act. These three traitors travelled to North Vietnam, without benefit of passports, to deal with the Red butcher of North Vietnam, Ho Chi Minh. What instructions did these enemies of America receive from their master in Hanoi? Were their instructions similar to those received by one Lee Harvey Oswald when he made his sojourn to Mexico? The President of the United States, the Attorney General and the State Department, apparently in collusion with these traitors, remain silent. I will not pay the salaries of men who collaborate with my country's enemies. Many other examples of sedition and treason, carried on with the tacit approval of the Johnson administration, will be supplied on request.

If you wish further evidence that the United States is controlled, for all practical purposes, by the Communist enemy, or if you wish the names of more individuals who have avoided millions of dollars in taxes, I will supply them on request.

Sincerely yours,

William Campbell Douglass, M.D.

PLIGHT OF THE AMERICAN DAIRY FARMER

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. RESNICK. Mr. Speaker, we are all painfully aware of the tragic plight of the American dairy farmer. The recent milk dumpings, the withholding of farm produce from the marketplace, the bitter cries against the economic injustices of falling prices and rising costs are all evidence of the struggle by the American farmer to reverse what have become economic facts of life—that the American dairy farmer cannot make a living on the farm, that he cannot even maintain the economic status quo, and that, in effect, he is trying to walk up an economic "down" escalator.

One means of helping the dairy farmer is to strengthen the import controls on foreign-produced dairy products. The present quotas which were first invoked in 1953 have been continually enlarged and eroded, to the point where they are no longer effective, and rapid remedial legislation is required.

I have today introduced a bill to stop the flood of dairy imports on the domestic market—the dairy import act of 1967—and I strongly urge my colleagues to join in support of this vital measure to help our Nation's dairy farmers.

HON. HERBERT TENZER TESTIFIES ON TAX SURCHARGE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Tenzer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. TENZER. Mr. Speaker, today I testified before the House Ways and Means Committee, on the President's 10-percent tax surcharge proposal. I also outlined my own suggestion, as contained in H.R. 12445 a bill to impose a minimum income tax on certain individuals and corporations.

Because my own income is partly sheltered by real estate depreciation and capital gains taxes, I will be required to pay considerably more in income taxes under my bill than under the President's tax surcharge proposal.

The distinguished chairman of the House Ways and Means Committee and its members appear to be searching for specifics. Specific proposals for budgetary cuts rather than vague generalities—specific proposals for sources of revenue rather than a general increase in rates.

The answer to the committee's search for specifics will not come from those who enjoy special privileges or from the organizations which represent them. If it comes at all, it will come from the Ways and Means Committee or from other Members of the House who are conscientiously representing those who are already carrying their just and equitable share of the tax burden.

My statement at the Ways and Means Committee hearing follows:

Statement of Hon. Herbert Tenzer Before the House Ways and Means Committee, August 22, 1967

Mr. Chairman, I appreciate this opportunity to appear and testify before you and the other distinguished Members of the Ways and Means Committee, on the President's 10 percent tax surcharge proposal. I will also outline my own suggestion for an alternative to raise the same amount of revenue or should you so decide, to raise twice the amount sought by the Administration without costing most taxpayers any more than the President proposed.

At the outset let me say that I oppose the President's proposal for a surcharge in its present form. I will continue to oppose it unless it includes provisions *to tax the untaxed.* By that I mean, the surcharge or equivalent should apply to those whose income is derived from depletion, depreciation, capital gains and other loophole and tax sheltered income, so long as the surcharge remains in effect.

By this suggestion I am not proposing a broad change in our tax laws at this time. While a comprehensive reform of our tax laws is long overdue, I realize that this desirable result will require separate study by this Committee. To accomplish this I have introduced in the House, H.J. Res. 454 to establish a Commission on Unequal Taxation. The Commission would be charged with the responsibility to review the entire tax structure—the existing inequities—the tax loopholes—and would make recommendations to the Congress designed to equitably distribute the tax burden.

Prior to my election to the Congress in November 1964, I was the senior partner of a New York law firm. I have been a practicing attorney for 38 years. During this period I served as chairman and a director of a number of business corporations and of three commercial banks. I have also had extensive experience and investments in real estate.

While I have had a wide experience in law, business, banking and real estate, I am not a tax expert or an economist.

I do know that the generally accepted theory of taxation in America is that money to be used in the service of all the citizens is justly raised by taxation; that a tax which does not apply equitably upon all or which, applying equitably upon all, is used only for the benefit of a few, is unjust.

In his 1st annual message to the Congress on December 2, 1817 President James Monroe said 'To impose taxes when the public exigencies require them is an obligation of the most sacred character, especially with a free people".

If "taxation without representation is tyranny", then representation without taxation is scandalous.

Let me cite examples of what I consider as scandalous. The Internal Revenue Service has informed me that in calendar 196^{4}, there were 35 individual returns filed with adjusted gross incomes of $500,000 and over, and on which no Federal income tax was paid. These returns represented a total adjusted gross income of $75.2 million.

The Internal Revenue Service also informed me that in the same year, 24,084 individuals *filed tax returns* with adjusted gross incomes in excess of $10,000 and paid no taxes. The combined adjusted gross income of these individuals was $523,515,000.

It is equally scandalous that certain corporations enjoy *unusual* special privileges under our tax laws, while most corporations pay at the rate of 48%.

One example of the special privileges to which I refer, is that extended to the oil companies.

In 1964 the U.S. income taxes of the 22 largest oil companies when taken together reveal these interesting statistics.

Year 1964 (*combined*)

Gross profit	$5,179,036,000
Federal tax (4 percent of gross)	240,529,000
Foreign, some state tax (20 percent of gross)	1,064,383,000
Income after tax (74 percent of gross)	3,873,836,000

It is shocking that the largest oil companies pay a smaller percentage of their net incomes in taxes than small businessmen, workers and farmers. The man in the lowest tax bracket pays 14 percent of his net income in taxes.

I have read the testimony of Secretary of the Treasury Henry H. Fowler; of Assistant Secretary of the Treasury Stanley S. Surrey; and of Chairman Gardner Ackley, Council of Economic Advisors and others who testified last week before this Committee. They presented the problem of a $29 billion deficit facing the Administration. They explained how they plan to *borrow 50%—cut 25%*—and *tax 25%*—to meet the deficit.

I have read their analyses of the needs for additional tax revenues. I may even agree with their fears about inflation. However, I cannot understand why they have overlooked, as a source of revenue, those who pay no taxes at all and those who do not pay an equitable share of the tax burden.

The Secretary of the Treasury in his testimony on page 37 of his prepared statement said as follows:

"I want to make quite clear that the choice of the surcharge form to meet a temporary need by no means implies a turning away from the need for achieving important permanent structural changes in the tax system.

"Indeed, as the President stated in his Economic Message, he will be sending a Message proposing comprehensive tax reform later in this Session.

"Both in timing and objectives, however, tax reform should be distinguished from the present temporary surcharge recommendation. The surcharge is needed now for revenue. Expeditious action is essential if it is to achieve its purpose. It is a temporary measure and not a permanent part of our revenue structure. The central issues for Congressional concern are the size of the needed increase and its timing.

"The Tax Reform Message will require more deliberate consideration since it involves proposals for permanent structural changes and some redistribution of tax burdens in the interest of a fairer sharing of the load. Its basic objective is not to raise revenue but to correct a number of inequities and abuses in our tax system. Tax reform is a job that very much needs to be done. I hope your Committee will be giving its consideration to the President's reform recommendations in the months ahead."

However, I am not speaking now of overall tax reform. I am addressing myself to the present needs and how best to meet them.

I do not agree with the Secretary of the Treasury that we must wait for a tax reform message until after the tax surcharge is disposed of. We have had promises of tax reform before.

The Democratic Platform of 1940 contained the following declaration: "To encourage investment in productive enterprise, the tax-exempt privileges of future Federal, state and local bonds should be removed." The Democratic Platform of 1948—"We shall endeavor to remove tax inequities and to continue to reduce the public debt." The Republican Platform of 1952—"A thorough revision and codification of the present hodge-podge of internal revenue laws."

And finally, the late President John F. Kennedy in his Special Message to the Congress on Taxation, April 20, 1961, said: "While it is essential that the Congress receive at this time this Administration's proposals for urgent and obvious tax adjustments needed to fulfill the aims listed above, time has not permitted the comprehensive review necessary for a tax structure which is so complicated and so critically important to so many people. This message is but a first though urgent step along the road to constructive reform." . . .

"Moreover, special provisions have developed into an increasing source of preferential treatment to various groups. Whenever one taxpayer is permitted to pay less, someone else must be asked to pay more." . . .

"It will be a major aim of our tax reform program to reverse this process, by broadening the tax base and reconsidering the rate structure. The result should be a tax system that is more equitable, more efficient and more conducive to economic growth." . . .

I would urge the President not to wait with his tax reform message. The taxpayers who are already paying their share want to know what this Administration intends to do about those who by *tax avoidance procedures,* do not pay their equitable share of the tax burdens.

They want to know now.

The President should send his tax reform proposal to the Congress without delay. Such action will create an air of confidence in the minds of the taxpayers. It will serve to encourage them in giving objective consideration to the Nation's budgetary needs. They will better understand what the President's advisors are saying.

The proposal which I am making today stems from the fact that I want everyone to share in the Nation's mounting tax burden. I want everyone to contribute to the Nation's obligations at home and abroad.

Mr. Chairman, last Thursday I introduced H.R. 12445, a bill to impose a minimum income tax on certain individuals and corporations with substantial incomes. My proposed bill has the following features:

1) Taxpayers with less than $10,000 in actual income will be exempt.

2) A minimum income tax to apply across the board so as to reach all tax loophole and tax-sheltered income, income from tax exempt securities, non-taxed capital gains, excess of percentage over cost depletion and real estate depreciation income.

The thrust of my proposal is to tax the untaxed by having them pay a minimum income tax of 10 percent, to remain in effect only so long as the President's surcharge tax remains in effect.

I have carefully considered this proposal to establish fairness and equitable treatment among all individuals and corporations.

I am not wedded to the text of my bill but to the equity behind the principle. If the principle is accepted, then I am certain that the distinguished Chairman and Members of the House Ways and Means Committee and their tax experts will amend the bill to correct its deficiencies and omissions.

One of the individuals who paid no tax in 1964 had an adjusted gross income of $5,000,000. Under the President's proposal he would not contribute to the cost of running the government.

No matter how you look at it, 10 percent of zero is still zero.

I want those with substantial incomes who pay no taxes to contribute their just share of fighting the war in Vietnam; fighting the war on poverty, and the battle to clean up and rid the riot potential cities of slum areas. I want them to pay an equitable share of the burden of providing education, medical facilities, and building our highways, the benefits from which they share with their fellow citizens.

H.R. 12445 (Tenzer Bill) is not a tax reform measure. It does not single out any particular tax loophole for reform. It simply requires a minimum contribution to the Nation's tax burden through a minimum income tax applied to *all income*—without regard to exemptions, deductions or other special privileges set forth in the Internal Revenue Code.

I fully realize that tax reform cannot be accomplished overnight—however, the time to start is now. A complete overhaul of our tax laws is urgently needed and will be of long-term benefit to our Nation.

With the President's tax surcharge proposal intended to raise only 25 percent of the $29 billion deficit, it seems only fair, reasonable and equitable that every taxpayer, individual or corporate, should pay something toward the tax revenue needed to prevent unbridled inflation.

Unofficial Treasury Department estimates confirm that my proposal will produce about $7 billion in additional revenue. By spreading the tax burden to those who were previously untaxed, other taxpayers will be assured that the surcharge is only temporary.

My proposal can be used as an alternative or as an amendment to the President's surcharge proposal.

Under the President's tax surcharge proposal the low and fixed income taxpayer, one who earns less than $5,000 is exempt. He may however be adversely affected if the budgetary cuts of $7½ billion extend to the basic human needs which he requires to sustain himself and his family.

The additional tax revenues which my proposal will produce, together with the President's surcharge, will provide sufficient funds to safeguard against budgetary cuts in the areas of human needs such as health, education and housing.

I have already stated to the President, in person and in writing, that I will oppose the surcharge in the absence of some sharing of the tax burden by the untaxed and those who have taken advantage of various tax shelters.

For the long term a complete overhaul of our tax laws is necessary. My proposal will answer the question for the short term and indicate to the taxpayer who will be called upon to pay the surcharge that others of their fellow citizens are not escaping their proportionate share of running the government.

Let the tax and economic experts of this distinguished Committee draft a proposal which will equitably distribute the tax burden required by the fiscal 1968 budget.

If a just and equitable revenue proposal is desired, then our policy should be:

"Everybody pays or nobody pays."

[From the Library of Congress, Legislative Reference Service, Jan. 13, 1967]

Nontaxed Incomes of More Than $500,000

The Internal Revenue Service has informed us that in calendar 1964, there were 35 individual returns filed with adjusted gross incomes of $500,000 and over, and on which no Federal income tax was paid. These returns represented a total adjusted gross income of $75.2 million. A breakdown of the income characteristics of these returns follows:

	Number of returns	Amount (thousands)
Salaries and wages	19	$1,145
Business or profession income:		
Net profit	12	14
Loss	8	3,050
Farm income:		
Net profit	1	27
Loss	8	838
Partnership income:		
Net profit	4	24
Loss	17	2,625
Sales of capital assets:		
Gain	29	21,063
Loss	0	0
Sales of depreciable property:		
Gain	6	24
Loss	0	0
Sales of other property:		
Gain	0	0
Loss	3	72
Dividends	32	57,609
Interest	33	2,577
Pensions and annuities	6	74
Net income from rents	8	59
Net loss from rents	13	193
Royalties:		
Gain	3	7
Loss	1	8
Net income from other sources	0	1,430

Source: Statistics Division, Internal Revenue Service.

IRS indicated that, in general, the most probable factors accounting for this income being non-taxable are tax credits and itemized deductions, especially large contributions.

For greater detail on this issue, a copy of Philip Stern's, *The Great Treasury Raid,* is also enclosed. See especially Chapter 1.

PAUL F. PRESTON,
Analyst in Public Finance.

OFFICE OF THE SECRETARY
OF THE TREASURY,
Washington, D.C., August 22, 1967.

Hon. HERBERT TENZER,
House of Representatives,
Washington, D.C.

DEAR MR. TENZER: In reply to your request for information pertaining to the number of non-taxable income tax returns showing adjusted gross incomes in excess of $10,000, I am providing the information you requested for the year 1964, which is the most recent year for which statistics are available.

In 1964, 24,084 non-taxable tax returns

with adjusted gross incomes over $10,000 were filed with the Internal Revenue Service. The total adjusted gross income of these non-taxable returns was $523,515,000.

A table explaining the above is attached.

Very truly yours,

SAMUEL M. JONES,
Deputy Assistant to the Secretary.

INDIVIDUAL INCOME TAX RETURNS FOR 1964

Adjusted gross income	All returns		Taxable		Nontaxable difference	
	Number of returns	Adjusted gross income (thousands)	Number of returns	Adjusted gross income (thousands)	Number of returns	Adjusted gross income (thousands)
$10,000 to $15,000	6,609,927	$78,290,817	6,593,499	$78,094,242	16,428	$196,575
$15,000 to $20,000	1,460,198	24,832,960	1,456,670	24,772,473	3,528	60,487
$20,000 to $50,000	1,211,761	34,505,018	1,208,517	34,407,979	3,244	97,039
$50,000 to $100,000	159,229	10,463,142	158,700	10,429,137	529	34,005
$100,000 to $500,000	34,946	5,707,258	34,626	5,649,031	320	58,227
$500,000 to $1,000,000	1,073	710,407	1,057	700,283	16	10,124
$1,000,000 or more	482	1,019,230	463	952,174	19	67,056
Total	9,477,616	155,528,832	9,453,532	155,005,319	24,084	523,515

H.R. 3803 SEEKS TO REDUCE THE OIL DEPLETION ALLOWANCE, JANUARY 26, 1967

Mr. TENZER. Mr. Speaker, on January 25, 1967, I introduced H.R. 3803, a bill to reduce the oil depletion allowance from 27½ percent at the rate of 2½ percent annually over a 3-year period.

The bill also requires the Secretary of the Treasury to reduce the tax allowance by an additional 50 percent whenever he finds that a substantial part of the tax savings has been used to finance mergers with or to purchase companies in unrelated fields.

Our Federal budget is increasing and our local village, town, city, county, and State budgets are likewise increasing—often to an even greater degree. Plugging the tax loopholes is our way to equalize the tax burdens among the Nation's taxpayers, corporate as well as individuals.

The special privileges under our present tax laws to the oil companies are inequitable and require all other corporations and individuals to carry a greater share of the tax burden than they should be carrying.

It is shocking that the largest oil companies pay a smaller percentage of their net incomes in taxes than small businessmen, workers, and farmers. The man in the lowest tax bracket pays 14 percent of his net income in taxes while in 1965 the 20 largest oil companies paid an average of 6.3 percent of their net incomes in Federal taxes. These companies had a combined net income of more than $5.7 billion, yet paid only $360 million in taxes.

U.S. INCOME TAXES OF 22 LARGEST OIL REFINERS (1962, 1963, 1964)[1]

Rank in size	Year	Gross profit	Federal tax	Percent	Foreign, some States tax	Percent	Income after tax	Percent of gross
Standard (New Jersey)	1962	1,271,903,000	8,000,000	0.6	423,000,000	33	804,903,000	66
	1963	1,584,469,000	69,000,000	4.3	496,000,000	31	1,019,469,000	64
	1964	1,628,555,000	29,000,000	1.7	549,000,000	33	1,050,555,000	64
Texaco	1962	546,371,000	13,000,000	2.3	51,700,000	9	481,671,000	88
	1963	615,768,000	10,250,000	1.6	58,850,000	12	545,668,000	88
	1964	660,761,000	5,500,000	.8	77,900,000	11	577,361,000	87
Gulf	1962	488,351,000	19,389,000	3.9	128,871,000	26	340,091,000	70
	1963	540,065,000	30,870,000	5.7	137,842,000	25	371,353,000	68
	1964	607,343,000	52,443,000	8.6	159,781,000	26	395,118,000	65
Socony Mobil	1962	379,339,000	8,300,000	2.1	128,700,000	33	242,339,000	63
	1963	437,352,000	23,000,000	5.2	142,500,000	32	271,852,000	62
	1964	464,660,000	27,700,000	5.9	142,800,000	30	294,160,000	63
Standard (California)	1962	348,181,000	5,800,000	1.6	28,600,000	8	313,781,000	90
	1963	356,568,000	2,900,000	.8	31,600,000	8	322,068,000	97
	1964	393,188,000	8,300,000	2.1	39,600,000	10	345,288,000	80
Shell	1962	173,555,000	7,200,000	4.1	8,680,000	5	157,675,000	91
	1963	211,575,000	19,100,000	9.0	12,623,000	5	179,852,000	85
	1964	213,575,000	2,800,000	1.3	12,585,000	5	198,190,000	92
Standard (Indiana)	1962	168,843,000	3,105,000	1.8	3,381,000	2	162,420,000	96
	1963	208,022,000	22,182,000	10.6	2,748,000	1	183,092,000	88
	1964	204,817,000	8,486,000	4.1	1,480,000	.7	194,851,000	95
Phillips	1962	158,320,000	48,000,000	30.3	3,365,000	2	106,955,000	67
	1963	160,954,000	52,000,000	26.2	3,491,000	2	105,463,000	65
	1964	152,197,000	32,229,000	22.2	4,950,000	3	115,018,000	74
Cities Service	1962	84,143,000	20,773,000	24.7	3,185,000	3	60,185,000	71
	1963	101,976,000	20,188,000	21.4	4,283,000	4	77,505,000	74
	1964	113,405,000	27,925,000	24.7	967,000	.8	84,513,000	74
Continental	1962	73,477,000	1,065,000	1.4	3,335,000	5	69,077,000	94
	1963	99,665,000	9,143,000	9.2	3,157,000	3	87,365,000	88
	1964	112,009,000	8,725,000	7.7	3,175,000	2	100,109,000	89
Sun	1962	66,395,000	[2] 200,000	0	13,400,000	20	53,195,000	80
	1963	79,976,000	1,300,000	1.9	17,460,000	22	61,216,000	77
	1964	88,577,000	2,400,000	2.7	17,670,000	20	68,507,000	77
Union	1962	59,421,000	8,000,000	13.5	5,500,000	9	45,921,000	77
	1963	73,028,000	13,100,000	17.7	6,000,000	8	53,928,000	74
	1964	87,564,000	13,300,000	15.2	7,200,000	8	67,064,000	77
Standard (Ohio)	1962	37,235,000	9,275,000	25.0	3,738,000	10	24,222,000	65
	1963	54,008,000	15,225,000	28.1	4,896,000	9	33,887,000	62
	1964	70,252,000	21,150,000	30.2	5,334,000	7	43,768,000	62
Sinclair	1962	57,936,000	0	0	10,586,000	18	47,350,000	83
	1963	71,036,000	1,200,000	0	9,532,000	13	62,704,000	88
	1964	66,444,000	[2] 3,119,000	0	10,531,000	15	58,736,000	88
Marathon	1962	35,894,000	[2] 2,200,000	0	205,000	.5	37,889,000	105
	1963	50,058,000	(3)	0	933,000	1.8	49,125,000	98
	1964	63,220,000	(3)	0	2,844,000	4.4	60,376,000	95
Atlantic	1962	61,110,000	0	0	14,844,000	24	46,266,000	75
	1963	56,747,000	0	0	12,734,000	22	44,013,000	78
	1964	61,081,000	0	0	14,005,000	22	47,076,000	77
Tidewater	1962	35,191,000	228,000	.6	2,387,000	6	32,576,000	93
	1963	42,795,000	[2] 63,000	0	3,384,000	8	39,474,000	92
	1964	40,508,000	377,000	13.7	4,426,000	11	35,705,000	----------
Ashland	1962	24,324,000	6,201,000	25.8	2,799,000	11	15,324,000	63
	1963	28,769,000	10,556,000	37.7	104,000	.3	18,109,000	64
	1964	36,385,000	9,672,000	26.8	2,977,000	8	23,735,000	65
Sunray	1962	41,203,000	3,850,000	9.3	1,152,000	2.8	36,201,000	88
	1963	49,727,000	6,533,000	13.3	1,328,000	2.7	41,866,000	85
	1964	29,357,000	[2]7,115,000	0	1,290,000	3.6	35,182,000	100
Pure	1962	27,680,000	[2]2,546,000	0	1,276,000	4	28,950,000	107
	1963	28,582,000	[2]1,212,000	0	27,000	.01	29,767,000	106
	1964	32,282,000	600,000	.01	164,000	.5	31,518,000	98
Skelly	1962	22,674,000	1,260,000	5.7	250,000	1	21,164,000	96
	1963	27,479,000	3,025,000	7.7	275,000	4	24,179,000	89
	1964	26,601,000	785,000	1.2	275,000	2	25,551,000	98
Richfield	1962	36,615,000	6,000,000	16.6	0	0	30,615,000	83
	1963	29,767,000	1,300,000	4.4	773,000	2.6	27,894,000	94
	1964	26,255,000	[2] 629,000	0	5,429,000	20.8	21,455,000	82
Total	1962	4,198,161,000	164,500,000	4	838,891,000	20	3,194,770,000	76
	1963	4,908,386,000	246,660,000	5	950,540,000	19	3,649,849,000	74
	1964	5,179,036,000	240,529,000	4	1,064,383,000	20	3,873,836,000	74

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[1] Compiled from records of the U.S. Securities and Exchange Commission by the staff of the Gasoline Letter. Warning—this table is part of the Mar. 21, 1966, issue of the Gasoline Letter and may not be reproduced by any means—including office copying equipment—without prior written permission of the publisher. Violation of copyright is a Federal offense carrying penalties from $500 to $2,500.

[2] Cr.

[3] Marathon is the only large oil company that has been able to conceal its domestic income taxes in the Securities and Exchange Commission files. We phoned Girard Jetton, Marathon's tax chief, and asked the U.S. figure, but he said it's a secret. Since the firm probably doesn't want to keep secret the smallness of its foreign taxes, it's assumed the U.S. tax is small and all of Marathon's income taxes are listed here as foreign.

Mr. Speaker, the problem is complex. There is no easy solution. I invite my colleagues to comment on my statement in the hope that from the dialogue, discussion and debate, a solution may evolve which may be acceptable to the majority.

CONGRATULATIONS FOR AVONDALE SHIPYARDS, INC., OF JEFFERSON PARISH, LA.

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BOGGS. Mr. Speaker, I want to take this opportunity to commend the leading shipbuilding company in our Nation, Avondale Shipyards Inc., in Jefferson Parish, La., in my district, for the magnificent contributions it is making to the economy of our area and our Nation and for the benefit of our national defense and merchant marine.

Today, Avondale has a construction backlog totaling some $450 million. Included in this massive total are the construction of three large tankers for Humble Oil & Refining Co. at $50 million; 27 destroyer escort vessels for the U.S. Navy at about $300 million; five cargo vessels for States Steamship Co. of San Francisco at $75 million; and miscellaneous work such as construction of chemical barges and huge oil rigs and conversion and repair work totaling some $25 million.

Just last week, Mr. Speaker, it was announced that Avondale is the low bidder for building 11 lash modern cargo vessels for the Prudential & the Pacific Far East Lines at almost $240 million. There is little doubt that Avondale will be awarded this contract under the Maritime Administration's subsidy program. With this latest contract, the construction backlog at the yard would be almost $700 million.

Furthermore, in the past 6 years, under the able leadership of Henry Zac Carter as its president, Avondale has completed contracts totaling more than $550 million for the construction, conversion and repair of all kinds of ships, both for private shipping lines, for oil companies such as Humble, for the Navy and the Coast Guard and other agencies and organizations.

Since Mr. Carter assumed the presidency at the yard in mid-1961, full-time employment at Avondale has climbed from 2,000 to 7,000. By virtue of the $1 billion in completed work, or work under contract, south Louisiana area firms have realized subcontracts totaling more than half that sum, or over $500 million.

This subcontract work has meant—and continues to mean, thousands of jobs for the citizens of Jefferson Parish, where the yard is located, and of New Orleans and other neighboring parishes in south Louisiana.

As an example of the subcontract work provided for area firms, Mr. Carter told me that for the lash cargo ships, approximately $140 million in contracts will be assigned to companies to provide needed materials of all kinds.

Since Mr. Carter became president of Avondale, Mr. Speaker, the yard has completed 21 modern cargo vessels for Lykes Brothers Steamship Co. and its subsidiaries. The yard also has constructed ships for Delta Steamship Lines and oil rigs for Humble and other petroleum companies in our area.

Avondale also is the Nation's largest shipbuilder for the repair and renovation of inland waterways boats and barges; and its contract for building three barges for Humble Oil will be the largest barges ever constructed in our country for regular coastwise service and the largest ever built in the Gulf South.

One of the principal features which has made Avondale a tremendous success in the past 6 years has been the farsighted and progressive team assembled and directed by Mr. Carter and other company officers. They believe that the company should not, and it does not, stand on its past achievements and laurels. As an example, the shipyard is investing some $10 million of its own private capital to enlarge and improve its facilities. Part of this expansion program includes the construction of a huge dry dock next year.

All of these facts, coupled with the philosophy of Mr. Carter and his coworkers, points up that Avondale is leading the way among our Nation's shipbuilders.

Mr. Carter and his coworkers believe that business and industry in our country have a responsibility to participate actively and fully in the civic and governmental affairs of the communities in which they are located.

They subscribe to the conviction that the advancement of our cities and our rural areas should not be left to Government alone, that business and industry should join hands with Government to attain the maximum progress and prosperity for our great Nation. I, too, subscribe to this philosophy, and I am proud to salute Mr. Carter and his fellow officers and employees for the splendid contributions they are making to advance my area and the shipbuilding industry of the United States. I am also pleased to call to the attention of my colleagues the magnificent leadership Avondale is providing for the benefit of our country.

OUR FIRST GREAT WAR CORRESPONDENT

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BOGGS. Mr. Speaker, at the request of an old friend of mine, Comdr. Robert W. Collins who is a retired commander in the Naval Reserve now living at Yazoo City in my native State of Mississippi, I am pleased to bring to the attention of my colleagues an excellent article by Tom Mahoney entitled "Our First Great War Correspondent." This article appeared in the American Legion magazine.

It is particularly appropriate that we note and read Mr. Mahoney's article today for today the 22d of August is the birthday of George Wilkins Kendall whose wonderful career provided the material for Mr. Mahoney's tribute to America's first great war correspondent. Mr. Kendall and Francis Asbury Lumsden founded the Picayune in New Orleans in 1837, a predecessor to one of America's truly great newspapers the Times-Picayune. Mr. Kendall won his reputation for his outstanding reporting of the war with Mexico with ingenuity and meticulous hard work. Many of his dispatches were signed simply "GWK." It was a hallmark of outstanding reporting.

As we render this birthday salute to George Wilkins Kendall on the 158th anniversary of his birth in 1809 it is a genuine pleasure to note that his paper of today the Times-Picayune carries on her masthead "Serving America's International Gateway Since 1837." And what is more, her legions of readers read and rely upon the Times-Picayune as an institution of integrity. Mr. Mahoney's article follows:

OUR FIRST GREAT WAR CORRESPONDENT

(By Tom Mahoney)

One of the most enduringly glamorous figures is the war correspondent who shares the hazards of fighting men to report their battles. The names of Ernie Pyle, Raymond Clapper, Webb Miller and a score of others killed in that role during World War 2 and the years since are mourned on a wall of the Overseas Press Club in New York. In World War 1, Floyd Gibbons survived a torpedoing and took a machinegun bullet in the eye at Belleau Wood. Richard Harding Davis was a national figure earlier.

If you visit the cryt of St. Paul's Cathedral in London, you can find an inscription: "The First and Greatest of War Correspondents." This marks the grave of Sir William Howard Russell whose dispatches to The Times of London revealing the bungling of the Crimean War toppled a British Cabinet.

But, while the British may think him the greatest, Sir William was not the first war correspondent. Without delving into other claims, he must yield precedence to an enterprising American named George Wilkins Kendall.

Eight years before Sir William went to the Crimea, Kendall reported our Mexican War and achieved about every triumph possible for a correspondent. He was our first great war correspondent.

A bullet struck Kendall in the knee as he accompanied his friend. Gen. W. J. Worth, in the storming of Chapultepec fortress at Mexico City on the last day of fighting in September 1847. Lying on a cot with his knee bandaged, Kendall next day reported the end of the war in 1,200 words for the New Orleans Picayune. Even after 11 decades, with their vaster wars, the pulse is still quickened by his dispatch:

"City of Mexico, September 14.—Another victory, glorious in its results and which has thrown additional luster upon the American arms, has been achieved today by the army under General Scott—the proud capital of Mexico has fallen into the power of a mere handful of men compared with the immense odds arrayed against them, and Santa Anna, instead of shedding his blood as he had promised, is wandering with the remnant of his army no one knows whither.

"The apparently impregnable works on Chapultepec, after a desperate struggle, were triumphantly carried; Generals Bravo and Mouterde, besides a host of officers of different grades, taken prisoners; over 1000 non-commissioned officers and privates, all their cannon and ammunition, are in our hands. . . .

"General Quitman, supported by General Smith's brigade, took the road by the Chapultepec aqueduct toward the Belen gate and the Ciudadela; General Worth, supported by General Cadwalder's brigade, advanced by San Cosme aqueduct. . . .

"At a little after midnight Major Palacios, accompanied by . . . members of the municipal council of the city, arrived at General Worth's headquarters, and in great trepidation informed him that Santa Anna and his grand army had fled, and that they wished to surrender the capital. . . .

"At seven o'clock this morning General Scott, with his staff, rode in and took quarters in the national palace, on the top of which the Stars and Stripes was already flying. . . ."

Kendall handed his dispatch, along with lists of dead and wounded, not to a government courier but to his own dispatch rider, "Mr. Kendall's express," as the Army called the arrangement. Relays of horses and riders rushed it to Veracruz and a steamer took it to New Orleans in time for the Picayune to publish it signed "G.W.K." under large headlines on October 14, 1847. Another steamer took copies of this issue of the Picayune to Mobile and a stage line via Montgomery, Charleston, Richmond and Washington bore them to the Baltimore Sun and other newspapers of the north and east with which the Picayune exchanged news. At Washington, the dispatch moved over the three-year-old telegraph line to Baltimore, Philadelphia and New York.

While Kendall was often ahead with important news, official dispatches and some letters to other newspapers reached New Orleans by the same steamer as his account of the capture of Mexico City. But his was the most complete, the best written and the one that first gave the news of victory to most of the country. It is included in many histories and also in "A Treasury of Great Reporting." Prof. John Hohenberg of the Columbia University Graduate School of Journalism lauded it recently in a book on great foreign correspondents.

Kendall had 38 adventurous years behind him and many ahead when he wrote it. He was born, the eldest of five children, on August 22, 1809, in Mont Vernon, a tiny village three miles northwest of Amherst, N.H. His father was a poor storekeeper at Mont Vernon and several other places, including Montreal. When 7, George was sent back from Montreal to the farm of his maternal grandfather, Deacon Samuel Wilkins of Amherst, for schooling, and did not see his parents for many years.

Wilkins, who had lost two sons in the Revolution, treated the boy well, encouraged his reading and imparted to him his own patriotic ideals. George was grateful and always included "Wilkins" when he signed his name. Deacon Wilkins was disappointed, however, when at 17, George decided to become a printer. He started his apprenticeship in a local shop and continued it in Boston and then across the country.

Working usually in print shops, but sometimes as a harvest hand and once as an actor, George followed the Erie Canal west through New York. In 1828, he worked in Sandusky, Columbus and several other Ohio cities. He continued west, traveling through Indiana and Illinois, and then worked south by way of Iowa, Missouri and Tennessee to New Orleans. He next worked in Mobile, Ala., Augusta, Ga., and Charleston, S.C.

When he was 21, and by now a self-reliant young man and competent typesetter, he visited his parents, who were then running a boarding house for university students in Burlington, Vt. He was soon off again, this time to Washington, D.C., to set type, first on the United States Telegraph and then the National Intelligencer, both famous newspapers of the time. By 1832, he was in New York working for Horace Greeley in the printing shop that this New Englander operated before founding the New York Tribune. In that year an epidemic of cholera hit the city.

"What's your hurry, George?" demanded a friend, seeing him rushing down Broadway.

"I'm off to New Orleans," he answered. "You'll die of the cholera if you stay here."

He went by ship and found work in the job printing department of the True American. A little later Francis Lumsden, a North Carolinian with whom Kendall had worked in Washington, became shop foreman on another New Orleans paper. They renewed their friendship, saved their money and started The Picayune, so called because it sold for a picayune, the smallest coin in circulation in New Orleans. Now obsolete, the silver picayune was a Spanish half real, about the size of the present dime and worth six and a fourth cents.

New Orleans, then a city of 70,000, had ten newspapers when the first issue of The Picayune appeared January 25, 1837, and eight more were started during that difficult year. There was a national business panic that closed many banks and in New Orleans there was a printers' strike and an epidemic of yellow fever. But the sprightly, small-page Picayune proved more readable than its rivals and attracted attention with a campaign against dueling.

By 1841, its position was secure enough for Kendall to join an expedition of Texans to New Mexico, then still a Mexican province. This was a project of Gen. Mirabeau Buonaparte Lamar, President of the Republic of Texas. Outwardly it was a good-will excursion to initiate commerce between Sante Fe and Texas. At the same time the expedition was to suggest to the inhabitants of the remote and badly governed province that they revolt from Mexico and join the Republic of Texas. Printed appeals for such action were brought along, though some marchers did not know about this part of the project until they were on their way. "It was looked upon as nothing more than a pleasant hunting excursion," Kendall noted, and the Picayune said his trip would be "full of novelty and delight, unmingled with opposing inconveniences."

The adventure was fraught with bad luck from the start. Kendall hurt his ankle in a fall three days before the expedition left Austin on June 18, 1841, and for a time had to ride in one of the 42 wagons carrying supplies and trade goods. There were 320 men commanded by Brig. Gen. Hugh McLeod of Texas, but they were slow in getting away. By the time they had, many water sources were dry. They thought the distance from Austin to New Mexico was 500 miles, but it was actually 1,000. They lost their way, wandered north of the Red River, and struggled on for 1,300 miles. When they separated to seek food and water, soldiers of Manuel Armijo, the Mexican governor, captured and disarmed all as they approached Santa Fe on September 15. Kendall had a passport signed by the Mexican Consul at New Orleans and protested that he was an American newspaper correspondent, but was held with the others. Two who tried to escape were blindfolded and shot.

The prisoners then were tied together with lariats and marched southward. In crossing the 90-mile desert section of New Mexico known as *La Jornado del Muerto* (The Journey of Death), two captives died and three who faltered were shot by their guards. The guards cut off and kept the ears of the five dead to prove that they had not escaped. A century later, *La Jornado del Muerto* was still so lonely and desolate that it was chosen for the first atom bomb explosion.

Being a prisoner did not keep the observant Kendall from appreciating a pretty girl when he saw one. In a diary he kept, he wrote of an Albuquerque beauty: "She could not be more than fifteen; yet her loose and flowing dress, but half concealing a bust of surpassing beauty and loveliness, plainly disclosed that she was just entering womanhood. Her figure was faultless, and even the chisel of Praxiteles himself never modeled ankles of such pure and classic elegance. . . . I linger to take a last look."

In El Paso, the captives were allowed to rest three days and the local residents, especially the women, did everything possible to make them comfortbale. They fed them all the meat, eggs and bread that they could eat. Kinder guards took over but the march south continued, with the prisoners trudging through Carrizal—a Mexican village where some men of the Pershing Expedition were to meet death in June 1916—to Chihuahua City, Zacatecas, San Luis Potosi, Guanajuato, Querétaro, San Juan del Rio and, after three months and nearly 2,000 miles, into Mexico City.

Some were confined in Santiago prison. Madame Calderon de la Barca, Scottish wife of the Spanish minister visited them and mentioned their plight in her famous memoirs. Kendall was ill with cold and fever and he and 18 smallpox patients were separated from the other prisoners and sent to the hospital of San Lazaro. This was a hospital for lepers and Kendall penned a vivid description of its horrors in his later writings.

Word of Kendall's plight reached New Orleans on February 2, 1842, when a letter that he had written from Chihuahua City on November 27 was received. His partner, Lumsden, and others appealed to Washington and Sec'y of State Daniel Webster demanded that Mexico release Kendall. The British had obtained the release of an Englishman with the expedition. When Gen. Waddy Thompson of South Carolina, the new U.S. Minister, arrived in Mexico City in April, he called at once on Kendall in San Lazaro. Kendall and seven others claiming American citizenship were freed a few days later, but the remainder were chained and forced to repair roads until June 16. Gen. Antonio Lopez de Santa Anna, the Mexican dictator, then freed them as an act of clemency on his saint's day—the birthday of Saint Antonio. Fourteen died of yellow fever on their way home.

Kendall meanwhile recovered his health, left Mexico by way of Veracruz and returned to New Orleans on May 19. His experience, serialized in the Picayune during 1842, made him a national figure. To his displeasure, he found some of his account copied by Capt. Frederick Marryat, the English writer, in his novel "Narrative of the Travels and Adventures of Monsieur Violet," published the following year. In 1844, Kendall rewrote his experiences in a 243,000-word work "The Narrative of the Texan Santa Fe Expedition." Harper & Brothers published this in two volumes. In the preface to his book, Kendall wrote critically of Marryat's use of material that had originally appeared in a series of rough sketches written by Kendall for the New Orleans Picayune of 1842.

On one of his visits to Harpers', Kendall found James Harper elected Mayor of New York and entertaining officers of a woman's temperance society. The newspaperman, who enjoyed the pleasures of life, pulled out his watch. "Come, Harper," he said, "Let's go out and get another drink, it's eleven o'clock. Ain't you dry again, I am!"

Despite this strain on their relations, Harper published seven editions of Kendall's book and sold more than 40,000 copies before the plates were destroyed in a fire at the publishing house. Bogue and Co. brought out a British edition. Originally priced by Harper at $2.50, a first edition is now valued by collectors at $35 to $50 and is the cornerstone of any library of books on the Southwest.

The book and the influence of the Picayune, which by then was a full-sized newspaper of wide circulation, were important factors in the annexation of Texas by the United States and the consequent war with Mexico. The book has been called "The Uncle Tom's Cabin" of the Mexican War.

When warfare began in 1846, Kendall was in Texas sending news of Indians to the Picayune and looking over 4,000 acres of frontier land granted him by Anson Jones, last President of Texas. He rushed to the Rio Grande to cover the war.

The battles of Palo Alto and Resaca de la Palma had been fought before Kendall reached the border on June 14, 1846, and the Picayune had news of them no sooner than anybody else. Upon his arrival, Kendall arranged for shipment of his dispatches to New Orleans from Point Isabel, Gen. Zachary Taylor's base, and appointed agents there and at Matamoros. He then attached himself to Capt. Ben McCulloch's Texas Rangers who scouted far into Mexico.

He rode, ate and slept with the soldiers. At Camargo, he joined former President Lamar of Texas, and other officers "to drink warm champagne together out of a tin cup." Near Saltillo, his troop clashed with a detachment of Mexican lancers. With the memory of Mexican dungeons still fresh in his mind from his 1842 experiences, Kendall plunged into the fray and came out with the flag of the enemy.

There were other correspondents with Taylor's army and the Picayune sent C. M. Haile, a Rhode Island man who had been a West Point cadet for a year before turning to journalism, to assist Kendall. He and Haile were both with General Worth's column when Taylor's army stormed Monterrey, September 20–23, in the first big battle of the Mexican War. They wrote 9,000 words of eyewitness material during and after the fighting. A courier galloped away with it, rushing through Marin, Cerralvo, Mier, Camargo and Matamoros to Point Isabel and a waiting steamer. She reached New Orleans the night of October 3. The Picayune had highlights of the victory in its regular Sunday morning edition and at 10 a.m. issued an "extra" with details that printers had spent the night putting into type. Crowds jammed Camp Street to buy copies and these carried the news to the North and East.

"If we were able to lay before the citizens of New Orleans and the country at large full particulars of the three glorious days at Monterrey in advance of our contemporaries," boasted the Picayune, "it was owing to no happy chance, but was due entirely to the foresight and prudence of our associate, now with the Army . . . Mr. Kendall determined to forward the despatches of our correspondents by express, cost what it would. Circumstances favored his design, and our packages reached us by private hands in eight days from Monterrey."

There was an armistice in northern Mexico after the battle of Monterrey. The war and the correspondents shifted first to Tampico and then Veracruz on the Gulf of Mexico. But before leaving Taylor's army, Kendall asked his officer friends to send the Picayune anything of importance. A Lt. J. J. Bibb at Matamoros received news of the bloody battle of Buena Vista in which both Zachary Taylor and Jefferson Davis distinguished themselves. Bibb relayed it to the newspaper two days ahead of official dispatches. The paper's "extra" gave the news of Buena Vista to the country on March 22, 1847, and helped make General Taylor President of the United States and Jefferson Davis President of the Confederacy.

Lumsden, who traveled from New Orleans, and Haile as well as Kendall arrived at Veracruz that month with Gen. Winfield Scott's army. But Lumsden suffered a broken leg when thrown from a horse and Haile, because of his West Point experience, was commissioned a first lieutenant of infantry. Kendall now faced a multitude of problems but he had great advantages. He was his own boss. If he wanted to charter a ship, buy a horse, entertain an officer or bribe a native, he could do so without having to obtain approval of an expense account. More important, he was with a victorious army and censorship had not yet been invented.

He got off a dispatch signed "G.W.K." as soon as the guns of San Juan de Ulloa had been silenced. He then marched inland with General Worth's staff, organizing a costly and ever-lengthening pony express service to take his dispatches to Veracruz. Three of his riders were captured. One was killed. "Mr. Kendall's express" also carried personal messages for his friends and opened new sources for him. To speed handling of his dispatches, the Picayune sent steamers carrying typesetting equipment to meet those coming from Mexico. By the time the steamers returned to New Orleans, the dispatches were in type and an "extra" was out in a matter of minutes.

Ill for a time with fever, Kendall toiled with Scott's army through the summer of 1847 along the route by which Cortez had invaded Mexico three centuries earlier. Battles were fought and won at Cerro Gordo, Jalapa, Puebla and Churubusco. The army included Robert E. Lee, Franklin Pierce, George B. McClellan, T. J. (later Stonewall) Jackson, U. S. Grant, and many others who were to find high places, some of them because of the national fame Kendall's reports gave them.

He soon recovered from the wound received at Chapultepec in the September fighting. In his official report, General Worth said: "Major Borland and G. W. Kendall, volunteer aides-de-camp, the latter wounded, each exhibited habitual gallantry, intelligence and devotion." On October 29, Worth wrote Kendall: "If it does you no good the commendation of an old soldier can do you no harm. . . . I cannot part with you without an expression of my high and grateful appreciation of the value of your services on my staff in several . . . of the conflicts with the enemy in this campaign—Churubusco, El Molino del Rey & in the final attack upon and capture of the City."

Kendall realized there was a story of greater importance still to come—the peace treaty. Before returning to New Orleans, he made plans for this. This Treaty of Guadalupe Hidalgo, ceding California, Nevada, Arizona, Utah and New Mexico to the United States, and affecting millions yet unborn, was signed February 2, 1848, on the altar of the cathedral there. Escorted by U.S. Cavalry, the Government courier left Mexico City on February 3 for the coast with a copy. Right behind him pounded a Picayune rider. Both reached Veracruz in three days. There the Government man sailed at once for Mobile on the steamer *Iris*.

The steamer *New Orleans* was waiting for the Picayune's dispatch but the local army commander, thinking to assure priority to the Government, delayed her departure two days. Furious over this, her captain pushed the *New Orleans* at top speed and overtook the rival steamer off Louisiana. He delivered the treaty to the Picayune on February 12, about the time the Government courier, James L. Freaner, a former war correspondent for the New Orleans Delta, landed at Mobile.

Freaner left there 48 hours ahead of the Picayune rider, who carried copies of the February 13 Picayune with details of the treaty. Between Mobile and Montgomery, the Picayune man made up 24 hours. The Charleston Courier published the Picayune's story on February 18 and said both it and Freaner had arrived the day before. Neck and neck, the two riders sped north without rest and without sleep. Next day they passed through Petersburg, Va., to which the telegraph had been extended and a summary of the Picayune story clicked ahead. The paper's courier and Freaner arrived together in Washington. Dirty and ragged because of his 17-day dash from Mexico, Freaner, the Government's man, had trouble seeing Secretary of War Marcy, and the February 21 issues of both the Baltimore Sun and Washington Union were out with the Picayune story before there was any Government announcement.

Home again, with the Picayune the best known paper in the South and his captured flag on display in its office, Kendall relaxed a bit. He liked wine, especially Vieux Ceps, bought fine Havana cigars 2,000 at a time and attended the opera at every opportunity. He pursued two personal projects, a history of the Mexican War and a ranch in Texas. The land granted him by the Republic of Texas wasn't suitable for ranching, but he bought a tract to his liking 25 miles northwest of San Antonio and stocked it with sheep, including fine Merinos from Rambouillet, France.

On the book project, he took in Carl Nebel, a succesful French artist, as a partner. Nebel promptly painted the 12 major clashes of the war from information obtained by visits to the battlefields and from participants. Kendall took these to Europe for lithographing and planned to finish his text there. Two things interfered. He felt obliged to report the European revolution of 1848 for the Picayune and he fell in love.

She was Adeline de Valcourt, pretty blonde daughter of a French officer who had retreated from Moscow with Napoleon. They were married in 1849 when she was 19 and Kendall was 40. They lived first in a Paris apartment and then in a house in the suburb of Chaville. Their daughter, Georgiana, was born the next year. Two months later, Kendall returned to America with enough of his history written to describe the paintings of Nebel. The text, on pages 18 by 24 inches, was printed in the Picayune shop. Kendall and Nebel shared all costs and D. Appleton bound and marketed the work. "The War Between the United States and Mexico. Illustrated," for a commission of $5 a volume. It sold at $36 to $48, depending on binding. Few were printed and some were destroyed in a fire at the Picayune. A copy was auctioned for $260 in 1960.

Because his wife was a Catholic and his mother an ardent Presbyterian, Kendall did not bring his wife and children to America until the latter's death in 1856. By then there were two daughters and two sons. Kendall built a little Catholic Church in Boerne, Tex., for his wife. He also gave her the first piano in the area.

As he was popular and well-known, especially with veterans of the war, Kendall was urged to run for governor of Texas. He preferred to farm and to write a few articles for the Picayune and the Texas Almanac. He was past 50 when the Civil War began and took no part in it. He owned a few slaves but opposed secession. He remained on his ranch helping defend his neighbors from Indians. Because of this, he was honored in 1862 by having his name applied to the new 613-square-mile county then created in the area.

After the Civil War, Kendall traveled to New Orleans and found the equipment of the Picayune badly damaged. His partner, Lumsden, had perished with his family in a storm on the Great Lakes in 1860. Kendall went to New York to buy new machinery and took advantage of the trip to visit scenes of his New Hampshire childhood; his friend, Horace Greeley; and also Franklin Pierce, who had served a term as President.

Kendall returned to Texas and continued writing sporadically for the Picayune, though he no longer maintained a controlling interest in it. He died of pneumonia at his ranch home, Post Oak Springs, on October 21, 1867. At the time of his death his only failure was his Mexican War book project. It still lacked a chapter. His son Henry Fletcher, a West Point graduate who became a major, wrote a final chapter but was unable to find a publisher for the manuscript. Adeline Kendall, who outlived her sons as well as two husbands, had no better luck with it. Mrs. Georgiana Fellows, the equally sturdy eldest daughter of the Kendalls, lived until World War 2 and helped Prof. Fayette Copeland of the University of Oklahoma write a scholarly biography of her father, but could do nothing with the history. She finally gave the manuscript to the University of Texas. It is still unpublished.

"He loved Texas with absolute devotion," said the issue of the Texas Almanac that appeared shortly after Kendall's demise. "He never tired of writing or singing its praise. He loved its vast expanse of solitude, its majestic plains, its noble rivers, the green hills of the county named after him." Above his grave in nearby Boerne, his family placed a marker: "George Wilkins Kendall, Poet, Journalist, Author and Farmer; Eminent in All." In 1924, 57 years after his death, his wife Adeline died. Schools and stores in Boerne closed down when she was buried at Kendall's side.

In a 1937 centennial history of the Times-Picayune, Thomas Ewing Dabney wrote: "Considering the difficulties under which Kendall worked, and the fact that he was blazing new trails, he might be called the greatest war correspondent our country has known. He not only reported, he helped to shape events; he organised his own communications system and kept it functioning in daily changing conditions. He consistently scooped the field. The only measure of excellence is the extent of accomplishment in proportion to the facilities at hand; and by this measure, Kendall's work is without an equal."

AID AND THE BALANCE OF PAYMENTS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. REES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. REES. Mr. Speaker, the President's foreign aid program is basic to our national security. It sustains the hopes of all men for world peace and stability. It is a bill that we as individuals and as representatives of our Government cannot, in good conscience, fail to pass.

And we can approve the foreign aid bill without adversely affecting our continuing efforts to correct a situation of concern to us all—this country's balance-of-payments deficit.

Contrary to some charges made in the past, foreign aid now plays only a minor role in creating the deficit. The reason is that the major share of commodities financed by the AID program are purchased from U.S. firms. The dollars never leave this country. During the current fiscal year AID estimates that 97 percent of the equipment and materials which developing countries purchase with U.S. aid will be supplied from within the United States or bought abroad with what amounts to bartered U.S. goods.

A small amount of foreign aid expenditures are made abroad. These include salaries of AID overseas employees, this country's contributions to various international organizations and so forth. These amounts, however, are largely offset by loan repayments under the foreign aid program.

For instance, overseas expenses for fiscal 1967 probably will come to $378 million, only 16 percent of AID's estimated total expenditures for the year. This expense will be offset by an expected $203 million in loan repayments, leaving only a $175 million net adverse impact on our balance of payments.

During the current fiscal year the impact of the foreign aid program will be even further reduced. Out-of-country expenses are anticipated to run $319 million, only 13 percent of the budget. An estimated $212 million in repayments will flow into this country. The net adverse effect on the U.S. balance of payments is estimated, therefore, at only $107 million for fiscal year 1968.

These facts make it clear that we can easily continue U.S. assistance to the developing countries of the world without hampering our own economic progress. The Congress must indeed be concerned about balance of payments. However, our concern on this score need not be directed toward the foreign aid bill. Its adverse effect is negligible.

JUNGLE ROAD FINANCED BY UNITED STATES TO HELP GUYANA OPEN INTERIOR

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GIBBONS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GIBBONS. Mr. Speaker, on May 26, 1966, British Guiana became Guyana, the third British colony in the Western Hemisphere to achieve independence peaceably, and despite the many obstacles in the path of development, it is progressing day by day toward self-sufficiency.

This is of great historical significance because only a few years ago, British Guiana was threatened with a Communist takeover at the time of the British withdrawal.

Our interest has been to help Guyana become self-sufficient and to assure that its freedom of choice was not lost by the imposition of Communist control. Britain, Canada, the United Nations, and the United States have provided aid in an effort to help Guyanese development.

The immediate U.S. strategy in Guyana is to provide an assistance program which will produce tangible results in a short period of time. The United States is concentrating on three major areas of assistance—agriculture, road construction, and internal security—while the United Kingdom, Canada, and the United Nations are heavily involved in technical assistance activities in the educational and other fields.

The New York Times recently published an article on one U.S. endeavor in Guyana—a roadbuilding project to provide access to rich mineral deposits in the country's interior. I would like to include the Times article of July 18 entitled "Jungle Road Financed by United States To Help Guyana Open Interior" in the RECORD.

The article follows:

JUNGLE ROAD FINANCED BY UNITED STATES TO HELP GUYANA OPEN INTERIOR—HIGHWAY, TO BE COMPLETED IN 1968, WILL PROVIDE ACCESS TO RICH MINERAL DEPOSITS

(By Edward C. Burks)

A new "wilderness road," financed mainly by the United States, is being cut 50 miles through the jungle of Guyana.

When completed next year, the two-lane, paved highway will open up an important part of the long-isolated interior, rich in minerals.

The bauxite mining center of Mackenzie on the Demerara River, fastest-growing city in the country, will be linked by road for the first time with Georgetown, the capital, and with the coastal highway.

Although this year-old nation, formerly a British colony, is almost as large in area as New York and Pennsylvania combined, it has only about 800 miles of improved roads. Less than half of that mileage is paved.

Of $21-million in United States loans and grants in the last two years to this fast-growing nation of 700,000, half has been set aside for the highway program. The United States provided more than $1-million worth of road construction equipment as a grant.

FIRST JOB OF THE PROGRAM

The first job tackled was repairing and paving the most important road, the 180-mile-long coastal highway, of which only 30 miles was paved as late as 1964. That road extends from the Surinam border westward past the Georgetown area to the Pomeroon River.

Ninety per cent of the multi-racial Guyanese population lives along the narrow coastal strip not far from the coastal highway.

Guyana claims fourth place among the world's producers of bauxite, the raw material from which aluminum is extracted, and Mackenzie is her main mining city.

The Demerara Bauxite Company (Demba), a fully-owned subsidiary of Alcan Aluminum Limited, of Canada, has the country's largest industrial complex in the Mackenzie area.

Despite continuing racial tensions in Guyana between East Indians and Negroes, both Demba and the smaller American-owned bauxite mining operations of Reynolds Metals on the Berbice River are making major expansions. Guyana bauxite production is increasing toward the 3-million-ton mark, and Demba is also processing some of its bauxite into alumina, the fine powder from which aluminum is made.

The country has an eye on the spectacular gain in export earnings accomplished by neighboring Dutch Surinam after the completion of a dam to produce the power for an aluminum smelter.

A United Nations survey of hydroelectric development possibilities in Guyana is to be ready in the fall. At present there is no aluminum smelter here.

Bauxite and alumina shipments from Mackenzie go down the river by small boat for transshipment in Trinidad.

Mackenzie, with a population of 20,000, is about 90 miles up the river. At present a road leads from Georgetown to Atkinson Field, the international airport 27 miles upstream, and the new road goes on from there to Mackenzie.

Other major American aid projects in Guyana include:

"Sea defense" rehabilitation work to protect widespread coastal areas that are below sea level at high tide.

Improved runways and a new terminal building at the international airport.

A food-for-peace program.

Health programs, technical assistance and encouragement to small industries.

The United States, in supporting the Government of Prime Minister Forbes Burnham, is giving increasing attention to the modernization of agriculture. In particular this means assistance to rice farmers, who have been harassed by spoilage and a poor distribution system. An expensive system of silos is proposed.

EXTENSION HOMEMAKERS CLUBS PROVIDE UNTOLD WOMAN POWER

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. STEED] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. STEED. Mr. Speaker, last week, at its annual conference at South Dakota State University in Brookings, the National Extension Homemakers Council awarded the first prize in its national feature article writing contest to Mrs. Walter Alves, of Wayne, Okla.

Mrs. Alves' winning article, "Extension Homemakers Clubs Provide Untold Woman Power," is a fine and deserved tribute to these hard-working women in every section of our country. By continuously striving to improve their communities, its members have proven to be one of our Nation's most valuable resources.

Mr. Speaker, I would like to include in the RECORD at this point the text of this excellent essay:

WAYNE AREA WOMAN'S PRIZE-WINNING ARTICLE

(EDITOR'S NOTE.—Following is the feature article written by Mrs. Walter Alves, route one, Wayne, that was chosen as No. 1 in the nation at the annual conference of the National Extension Homemakers Council this week in Brookings, S.D.)

(By Mrs. Walter Alves)

Today "power" seems to be the phrase very commonly used, mostly in the wrong direction. According to the dictionary "power" is strength or energy. Both can be applied to woman power when used to describe Extension Homemaker groups.

In 1944 Be-Square Home Demonstration club was formed. Demonstrations? Yes, they are given, never against anything, but for the sole purpose of making our homes a better place in which to live. Soon after the club was organized, the farm women saw the need to help their community. A first aid kit which contained sheets, pillow cases, towels, wash cloths, blankets, hot water bottles, ice bags and medical supplies were placed in readiness for any emergency.

In other activities, these same women assisted the health nurse in giving eye and ear tests to pre-school children; helped in the drive to stamp out polio by cleaning and sterilizing needles, making cookies and punch; and assisting the many nurses who gave of their time to this vital health program.

Red Cross was soon to learn the value of this group of women. Be-Square club made 200 dresses and many other garments for premature infants in Crippled Children's Hospital.

Sewing and good grooming are a part of the many lessons taught. Charm, proper makeup, poise and assurance as well as attractive and well-made clothes, have made this group of farm women some of the best dressed women in the community. No longer is she the farm woman of yesteryear.

Once a year the Extension Homemakers, as they are now called, attend Homemakers Conference at OSU, and attend classes on the changing times. New materials, better gardens, care of appliances, driver education, and safety are among some of the lectures.

At home in their local groups, Extension Homemakers extend an invitation to anyone to come and share their learning experiences in all areas of home and family life. They work with 4–H boys and girls, for they realize that this group are tomorrow's citizens. The boys and girls are taught better farm and home practices through project work; to know values; and be good Americans.

Health being always foremost in the minds of these clubwomen, cancer films were shown to all interested adults and high school girls in the community. In cooperation with the school, the club sponsored a community civil defense program. As a result of the program which included a series of films and lectures, everyone felt better informed and realized more than ever the need to be prepared for disaster. A survey has been made to determine the number of storm shelters in Wayne and surrounding communities.

Eager to know more about their state, the EH groups take an educational tour each year to such places as art and cultural centers, manufacturing plants, military centers, and other places to develop a sense of awareness of the state's present facilities.

Fun? Yes, they indulge in this too, with family picnics, visits with other groups, and a camp day with a neighboring county.

A busy group of women who live close to God and family, have helped to make Wayne one of the big little towns; always ready to assist where needed. These women have used their energy and given many hours to make their homes, their community, McClain county, and Oklahoma a better place in which to live.

Power? Yes, Extension Homemakers have it. In McClain county there are 13 groups with 170 members. For added energy they can reach out to the 26,000 members in Oklahoma and the many thousands in the nation which would provide untold "womanpower."

RACES AGREE ON GHETTO ABOLITION AND NEED FOR WPA-TYPE PROJECTS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, in all the furor which has been raised over the riots, much of it justified, other simply nonsense, little note has been given to the views of the American people concerning the causes of the violence and what should be done regarding them.

The most revealing information which has come to my attention on this subject is the Harris poll, which appeared in the August 14 edition of the Washington Post.

If the findings of the poll are any measure, then it is clear that, while the vast majority of Americans deplore the rioting, a heavy majority of them also, both white and Negro, favor positive governmental action to eliminate the economic and social problems which feed the fires of discontent in our urban ghettos.

I insert the poll in the RECORD at this point and commend it to my colleagues for their consideration:

[From the Washington (D.C.) Post, Aug. 14, 1967]

RACES AGREE ON GHETTO ABOLITION AND NEED FOR WPA-TYPE PROJECTS

(By Louis Harris)

In the wake of the recent riots in Detroit, Newark and other cities, big majorities of both Negroes and whites agree that new Federal programs to eliminate rats in slums, to tear down ghettos, to set up summer camps and to undertake large-scale work projects for the unemployed would be effective measures to prevent future racial outbreaks.

Both races also agree that the riots have hurt the Negro cause, that Negroes suffered the most from the riots and have more to lose than to gain by resorting to violence.

Negroes as well as whites condemn looting and fire-bombings. Whites as well as Negroes believe by substantial majorities that only a minority of Negroes support riots.

DISAGREEMENT ON CAUSES

But Negroes and whites sharply disagree over what triggered the riots. Negroes believe that merchants who gouged their customers and charged exorbitant prices must take some blame. Whites are largely unaware of such practices.

Negroes feel that police have engaged in brutality; whites flatly disagree. Negroes tend to see lack of real progress in housing, jobs for young people and education for Negroes as a fundamental cause of the riots. Whites recognize the need for more effort in these areas, but see them far less as reasons behind the violence.

As a result of a deep feeling that the plight of the Northern black ghetto dweller has been neglected, Negroes tend to say that their riots were mainly spontaneous, stemming from conditions of injustice. Largely removed from the Negro view of life in the slum areas, whites are convinced by a large majority that the riots were organized.

FEDERAL PROGRAMS URGED

One of the major effects of this summer's racial rioting is a widespread recognition on the part of both whites and Negroes that large-scale Federal programs should be undertaken to improve conditions in the cities.

The in-depth Harris Survey of a cross-section of both Negroes and whites across the Nation asked this series of questions:

"Several new laws and programs have been proposed to help resolve the race problem in America and prevent racial outbreaks in the future. For each, tell me if you think it would be effective or not very effective:"

FEDERAL PROGRAMS TO PREVENT RIOTS

1. Setting up large-scale Federal work projects to give jobs to all the unemployed:

	Percent
Effective:	
Public	69
Whites	66
Negroes	91
Not effective:	
Public	24
Whites	26
Negroes	5
Not sure:	
Public	7
Whites	8
Negroes	4

2. A Federal program to tear down ghettos in the cities:

	Percent
Effective:	
Public	65
Whites	63
Negroes	84
Not effective:	
Public	26
Whites	28
Negroes	7
Not sure:	
Public	9
Whites	9
Negroes	9

3. A Federal program to exterminate rats in slums:

	Percent
Effective:	
Public	60
Whites	59
Negroes	72
Not effective:	
Public	33
Whites	34
Negroes	19
Not sure:	
Public	7
Whites	7
Negroes	9

4. Setting up massive summer camps:

	Percent
Effective:	
Public	57
Whites	55
Negroes	78
Not effective:	
Public	32
Whites	34
Negroes	10
Not sure:	
Public	11
Whites	11
Negroes	12

The most popular programs would be public works projects to provide employment in blighted urban areas where Negroes and other minority groups live. But a clear indication of the drastic mood of the country is in the support given to the proposition that ghettos be torn down.

The controversial "rat control" legislation, turned down recently by Congress, is seen as an effective measure for controlling future riots by six out of ten citizens.

In addition to recognition that such legislation might be helpful in averting future racial outbreaks, white people also showed a greater willingness than they did a year ago to lower the bars against Negroes in public eating places, movie theaters, public restrooms, clothing stores and in other areas.

Along with the Negro-white consensus on what ought to be done to prevent future outbreaks, there is remarkable agreement between the races on the consequences of the recent violence.

Whites and Negroes both agree that those who suffered most from the riots were Negroes themselves. The survey of a carefully drawn cross-section of whites and Negroes across the country shows that 58 per cent of all Negroes and 49 per cent of whites believe Negroes were the chief victims of the riots.

Both races also agree that property owners were next on the scale of suffering, followed by white shopkeepers and the cities themselves.

Negroes and whites agree that the outbreaks and violence have hurt the civil rights cause. This view is held by 60 per cent of Negroes and a much higher percentage of whites (89 per cent).

A similar question, whether Negroes have more to gain or to lose by resorting to violence, revealed that 68 per cent of Negroes and 94 per cent of whites feel Negroes have more to lose.

LOOTERS "SHOULD BE SHOT"

Only 10 per cent of the Negroes and 11 per cent of the white believe that most Negroes support the rioting.

By overwhelming margins, whites believe that looters are criminals and "should be shot." And 68 per cent of the Negroes also classify looters as criminals. Over two thirds of the Negroes in the survey disagreed with the statement that "looting isn't as bad as stealing, because things in stores are going to be taken or burned anyway during a riot."

It is therefore fair to conclude that a large majority of Negroes are opposed to action that violates laws. In fact, by 47 to 42 per cent, Negroes feel that people who throw fire bombs in riots deserve to be shot.

FEARS FOR SAFETY RISE

A majority of both Negroes and whites do not believe that a lack of firmness by local mayors and governors was a major cause of the rioting, although whites tend to be more critical than Negroes on this score.

Personal uneasiness on the streets has risen as a result of the riots, with 51 per cent of whites expressing fear for their own safety. However, an even larger percentage of Negroes—65 per cent—say they have fears for their safety.

Despite the large areas of agreement between the two races on the consequences of riots and effective steps to prevent such violence in the future, whites and Negroes are poles apart on what sparked the rioting.

When asked the main reasons the riots broke out, 45 per cent of all white people volunteered that they were provoked by "outside agitators," "minority radicals," or "Communist backing."

NEGRO PLIGHT RECOGNIZED

An additional 40 per cent of the whites, however, attributed the riots to the "way Negroes have been treated in the slums and ghettos of the big cities" and "the failure of white society to keep its promises to the Negroes." Other reasons cited by whites were "teen-agers and other uneducated people just looking for trouble."

Educated whites tend to give more recognition to the plight of Negroes in ghetto communities as reasons for the explosions. But both Negroes and whites agree that Negro hatred for whites was less a cause of the outbreaks than Negro frustrations over lack of progress on jobs, education and housing.

Among Negroes, 7 per cent volunteered that the riots were organized, compared with 93 per cent who said Negro frustration over lack of progress was the prime cause.

NEGROES CRITICIZE POLICE

By better than 2 to 1, Negroes believe that police brutality was a major cause of the rioting. Whites disagree by 8 to 1, with only one white person in six expressing the view that police ever engage in brutality against Negroes.

Seven in every ten Negroes say that lack of decent housing contributed to the riots. In the riot areas themselves, 59 per cent of the Negroes say they know someone who lives in rat-infested housing, 57 per cent report holes in ceilings, 49 per cent overcrowding, 56 per cent faulty plumbing and 68 per cent cockroaches.

But no more than 39 per cent of whites believe deficiencies in Negro housing were a major cause of the rioting.

WHITES CHARGE ORGANIZATION

On jobs for young Negroes, 34 per cent of the white people see lack of employment opportunities as a major reason for the riots, compared with 67 per cent of the Negroes. Three in every ten whites believe failure to give Negroes equality is behind racial violence, compared with over seven out of every ten Negroes.

Mainly because of different estimates of just how bad living conditions are in Negro slum areas, whites and Negroes therefore sharply disagree over whether the riots were organized or spontaneous. By 71 to 23 per cent, whites believe the riots were "mainly organized." By 47 to 37 per cent, Negroes think the outbreaks were "mainly spontaneous."

All in all, the desire among both whites and Negroes is to exert every effort to avoid a repetition of this past summer's rioting. But 15 percent of Negroes testify that they support the riots, and most of these are in the younger age group.

This minority segment, pushed over the line of lawful response by their frustrations with ghetto conditions, are ample cause for future anxiety by whites and Negroes alike.

GEORGIA BOY, WYCHE FOWLER, JR., GETS YOUNG CITIZENS INTERESTED

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, some of the brightest, most capable, and most promising young men in Washington are often those who, from time to time, are employed in congressional offices as staff assistants. During my time in the Congress, I have been privileged to observe a number of these young men and must say that none has impressed me more in a shorter time than Mr. Wyche Fowler, Jr., who served as administration assistant to our former colleague, Charles L. Weltner, of Atlanta.

When Mr. Weltner left the Congress in 1966, he took a position with the Democratic National Committee. At that time, Mr. Fowler followed him and, as always, working quietly and efficiently in the background, has done an excellent job. When Mr. Weltner recently left the national committee, Mr. Fowler was named director of the Young Americans Division.

In regard to his activities in that position, the Atlanta Journal-Constitution, on Sunday, August 6, 1967, ran an article by Wayne Kelley, entitled "A Washington Happening, Georgia Boy, Wyche Fowler, Jr., Gets Young Citizens Interested."

I include Mr. Kelley's article in the RECORD and commend it to my colleagues for their consideration:

GEORGIA BOY, WYCHE FOWLER, JR., GETS YOUNG CITIZENS INTERESTED

(By Wayne Kelley)

WASHINGTON.—The ballroom of the Sheraton Park Hotel was filled with row after row of modest miniskirts and paisley ties. There was nothing more alcoholic than Coke in sight and everyone was having a fine time waiting for the trio to arrive.

Actually, one musician had flaked out on the trio and it was now advertised as a duo. When it finally showed up, no one was surprised to see that it was actually a quartet.

A spotlight from the balcony cut through the dim vastness of the room, focusing on a small stage up front. Into the blinding glare stepped Wyche Fowler Jr., 26, director of the

Young Americans Division of the Democratic National Committee, and a good Georgia boy.

Mr. Fowler, a splendid fellow with curly blond hair and boyish good looks, was wearing his conservative uniform—gray suit and pink shirt highlighted by a raspberry tie. He kind of glowed under the spotlight.

"We are not going to try to sell you on anything," Mr. Fowler assured several thousand clean-cut American youths who are participating in the Capitol's summer intern program.

"No slogans, no party labels," he said in a well modulated but casual voice. "We found that salesmanship often backfires."

Wyche Fowler, Jr. kept his word. There were no long speeches, and the trio—or quartet—twanged joyously on after the chairs were stacked to provide a dance floor.

There was even a happening. Vice President Hubert Humphrey appeared. Wyche Fowler had selectively leaked advance word of the happening to perhaps one or two thousand interns. When anything comes off as planned in Washington, that is a happening. And everyone was happy when the vice president appeared.

The dance and the Cokes and the chance to rub elbows with the vice president were just one small part of the big scene. Defined in its simplest terms, the goal of the DNC Young Americans Division is to get youthful citizens interested in politics.

Once interested, it is hoped, the young men and women will fight each other to join your party. But no one has really planned that far ahead, and it remains to be seen how it works.

In the meantime, many of the 10,000 summer interns in Washington are participating in programs like breakfast seminars to meet cabinet officials and top government executives.

The questions tossed out at these seminars are tough and intelligent, and show that the new generation of Americans is not satisfied with pat political answers, Mr. Fowler says.

"The young people today want to be in on plotting the strategy," he said. "They want their ideas heard in the highest councils of government.

"Right now they feel excluded from the channels of access to leaders of the country and the community," he added. "I think in many cases they are justified in this feeling."

Perhaps the DNC will open up some new vistas of communication. Send your suggestions to Washington, and be sure to address them to Wyche.

TWO-YEAR FOREIGN AID AUTHORIZATION IS NEEDED

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FRASER. Mr. Speaker, the question of a 2-year authorization for foreign aid funds is once again before the House. There are several good reasons to support a 2-year authorization.

First, a 2-year authorization would result in more efficient planning of aid programs. It would be a partial recognition of the fact that many of the problems faced by under-developed areas are long range ones and need to be coped with by projects lasting more than a year. The administrators of our aid programs would have more flexibility in their work. Recipient nations would feel more confident about our commitment to long-range development projects and about our willingness to support them.

Second, by holding the usual 9 weeks of hearings only every other year, the House Foreign Affairs Committee would have more time to consider substantive changes in the aid programs. Consideration of new concepts and evaluation of old ones could be accomplished in a far more systematic manner.

Third, there would be less politics involved in the consideration of foreign aid. The authorizations could be decided upon in the nonelection years.

Finally, there would not be a lessening of the powers of Congress. There would still be annual appropriations. Experience with the Alliance for Progress and development loan funds which have had longer authorizations, has shown that there is no lessening of authority. As pointed out earlier, longer authorizations would enable the Congress to give more careful consideration to long-term needs and new concepts. In this manner, Congress could take the initiative in foreign aid.

Last year we voted for a 2-year authorization of aid funds—except the Alliance for Progress and development loan funds where we supported 5-year authorizations. The House-Senate conference committee reduced this to 3 years for the Alliance and development loan funds and 1 year for all other programs. This year, the House Foreign Affairs Committee has again proposed 2-year authorizations. I support the committee recommendation.

NATIONAL COUNCIL OF CHURCHES SUPPORTS FOREIGN AID

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FRASER. Mr. Speaker, I think that the following letter from the National Council of Churches quite clearly makes the point that our aid programs must be preserved. This organization, which includes many of the major U.S. religious groups, has been an active supporter of numerous progressive ideas, and I agree wholeheartedly with their stand on foreign aid.

At this point in the Record, I insert their letter:

National Council of the Churches of Christ in the U.S.A.,
New York, N.Y., August 21, 1967.

Hon. Donald M. Fraser,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Fraser: Since World War II our foreign aid program has represented one of our most enlightened attempts to use our vast economic resources in a responsible manner. This year in particular, however, there are signs of some erosion in terms of both priority and support for foreign economic assistance, evidently stemming in some cases more from frustration over other matters than from evaluation of the foreign aid program per se. The result so far has been passage of a badly crippled Senate bill which is most inadequate from the standpoint of both the national interest and the most critical needs of those we seek to help.

As the House considers its bill this week, it is imperative that there be no further reductions in the already meager funds allocated for economic aid and that no increase in the interest rate for loans be added to the Committee bill. It is also necessary for effective planning that approval be given to the two-year authorization period, and that any attempts to impose arbitrary limits on the number of aid recipients be resisted.

We urge you to consider the foreign aid bill on its own merits and to give your support to the Committee bill which, as it was reported out, represents a barely adequate though relatively acceptable continuation of our long-term endeavor to use our resources to help create conditions for a more stable world.

Sincerely yours,

R. H. Edwin Espy,
General Secretary.
Arthur S. Flemming,
President.

AFL–CIO SUPPORT OF FOREIGN AID IS BASED ON EXPERIENCE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FRASER. Mr. Speaker, the AFL–CIO is an outspoken supporter of this foreign aid bill. They are a group vitally interested in the social organization of developing countries. Their interest and support reflect the projects and programs which they have developed.

Two programs of AFL–CIO deserve special mention. The American Institute for Free Labor Development (AIFLD), since 1961 has supported several thousand educational courses in trade unionism—more than 6,000 trade unionists have graduated from AIFLD centers in Latin America. In 5 years, 7,500 housing units have been completed with a total financing of over $34 million. AIFLD has plans for 6,000 more units in nine Latin American countries.

In Africa, the AFL–CIO established the African American Labor Center. Only 2 years old, AALC projects already include job training courses and education for workers, medical clinics, cooperatives, and housing.

At this point in the Record, I insert a partial text of the AFL–CIO statement supporting this foreign aid bill. It specifically spells out their support for the 2-year authorization and an increase in aid to 1 percent of our gross national product, and the self-help nature of our aid program.

Statement by the AFL–CIO Executive Council on Overseas Aid, February 26, 1967, Bal Harbour, Fla.

In the present international situation, overseas aid is an indispensable part of our nation's foreign policy for preserving world peace, promoting freedom and fostering economic progress based on social justice.

In this recognition, the AFL–CIO urges Congress to give prompt and overwhelming support to President Johnson's proposal for $3.1 billion in new funds for 1968 foreign aid.

The President reflects the viewpoint of the overwhelming majority of the American people in calling on the countries devoted to peace, democracy and human well-being for maximum cooperation in helping the developing nations achieve freedom from hunger, tyranny and war. Such concerted efforts would be a boon to all mankind and additionally they would strengthen the recipient nations' social base against subversion by Communists and other reactionary forces and thus tend to discourage aggressive adventures endangering world peace.

The Executive Council rejects the notion that the Foreign Aid program is a wasteful give-away or policy of futile philanthropy. Though comparatively prosperous, our own country has a better chance of attaining broadly-based stable prosperity in a peaceful world not weighed down by impoverishment, ignorance, illness and dictatorship.

The Executive Council has often called for an annual foreign aid authorization at least equal to one percent of the gross national product. We reaffirm this proposal. An authorization of one percent of GNP would be a realistic response to the President's admonition that "in the long run, the wealthy nations cannot survive on islands of abundance in a world of hunger, sickness and despair."

It is in our own national interest to do everything to reduce the gap between the richer and the poor nations by aiding the latter's industrial development and enhancing their prosperity.

The net outflow of dollars attributable to AID has hardly affected our balance of payments deficit and was far more than compensated for by the AID program's stimulus to exports and jobs.

Over the years, some mistakes have been made in conceiving AID programs and administering them. Experience has to be gained and errors have to be corrected. The AID program now proposed by the President has the advantage of two decades of experience behind it—experience under Republican and Democratic administrations.

On this basis, the Executive Council welcomes the President's proposal "to provide the continuity needed for sound management" by requesting "authorizations covering two years."

We likewise support the President in his emphasis that "the development job is primarily the responsibility of the developing countries themselves." AID will be increasingly geared to helping nations help themselves.

Thus, every nation aided by the United States would be required to provide the major portion of the resources required for the development. Today, India and Turkey finance more than 75% of their development programs from their own resources. Recipient countries would be required to show that they are improving their own agricultural output before they can be eligible for American aid.

We are proud of the role the AFL–CIO and organizations like the American Institute for Free Labor Development and the African-American Labor Center have played in this work and we intend that it shall be continued and expanded.

We have persistently sought to have U.S. AID efforts geared to improving the living standards of the people, no less than to advancing their rate of national economic growth. In this spirit, American labor has actively championed agricultural reforms, better working conditions, higher educational levels, improved health and social projects.

The Executive Council rejects as baseless the notion that "we give to conquer." We likewise repudiate as outright slander the contention of those who brand our country's AID effort merely as "an instrument of cold war" or "national charity."

Between 1945–1960, our country pumped in about $22 billion as aid to developing nations. In the past 12 years, the U.S. has distributed $15.5 billion in surplus food around the world. Our country has given thirty times as much aid to other countries as all the Communist nations put together. Here is no "arrogance of power."

America has neither sought nor acquired a foot of foreign soil in return. The American people can be justly proud that no other nation in history has done as much for safeguarding and strengthening freedom and assisting economic progress based on social justice.

NEED FOR LIMITED EXTENSION OF COMMODITY EXCHANGE ACT

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. Hathaway] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, on August 16, Assistant Secretary of Agriculture George L. Mehren appeared before the House Committee on Agriculture to discuss in connection with H.R. 11930 the need for limited extension of the Commodity Exchange Act to cover deficiencies in the present regulatory powers of the commodity exchange authority. Mr. Mehren cited a few examples of practices found in the commodity futures markets which should be corrected in the interest of the markets and the public.

Under unanimous consent I include in the Record the following two items which appeared on the Commodity News Service ticker on August 18:

New York Mercantile Official Replies to Mehren Statement

New York, August 18.—Llewellyn Watts, Jr., chairman of the board of the New York Mercantile Exchange, wired Secretary of Agriculture Freeman that "Assistant Secretary of Agriculture Mehren's statement before the House Agriculture Committee of August 17 is so exaggerated, intemperate, and insulting to responsible business and to Exchange officials, that the damage to this important part of the agricultural economy is serious and merits immediate remedial action."

Chicago Board of Trade President Terms Mehren's Statement Irresponsible

Chicago, August 18.—Assistant Secretary of Agriculture George L. Mehren yesterday, in urging congressional approval for a commodity trading bill, said, in effect that the public's interest needed protection in dealing with the Nation's commodity exchanges, where there was "documented abuses by the score—from petty thievery, to operations of confidence men, to swindling."

Henry H. Wilson, president of the Chicago Board of Trade, in commenting today on that testimony by Mehren, said:

"It is disturbing that Mr. Mehren in his zeal should have used phrases which could create in the mind of the casual reader a grotesque misrepresentation of the functions and practices of an institution such as the Chicago Board of Trade and of its members.

"There is in his statement no recognition of the service rendered daily to consumers, producers, and processors by the remarkable mechanics of the futures market.

"There is no recognition of the intensive and expanded efforts at self-policing in search of the occasional offender and of the continuing cooperation by the exchange with governmental authorities.

"There is reflected no awareness of the probity and of the concern for the public's needs and interests exhibited constantly by the officials and members of this institution.

"This is disturbing because Mr. Mehren is charged with governmental responsibility in this important area of the national economy. Even though he obviously did not compose his statement with the Chicago Board of Trade in mind, by omission, at least, he has gravely distorted the picture. And this amounts to irresponsibility."

Mr. Speaker, despite these rather violent reactions by officials of two large commodity exchanges, Mr. Mehren's statement was moderate and supported by facts contained in the record of some 150 documented disciplinary proceedings instituted under the Commodity Exchange Act. Mr. Mehren carefully used these documented cases to demonstrate the need for regulation, not for a basis for an attack on the usefulness of the commodity exchanges. As Mr. Mehren stated:

> These examples are not simply horror stories. They are offered not as means of showing how to get clipped in commodities—nor as generalized disparagement of futures trading. They are offered to show with cold, hard, costly and often dirty cases that regulation is still inadequate.

Under unanimous consent I include in the Record Mr. Mehren's statement so that Members can decide for themselves if it deserves to be described as "exaggerated, intemperate and insulting to responsible business."

The statement follows:

Statement of George L. Mehren, Assistant Secretary for Marketing and Consumer Services, U.S. Department of Agriculture, Before the House Committee on Agriculture on August 16, 1967

Mr. Chairman, members of the committee, I am here today to urge the Congress to amend the Commodity Exchange Act to provide the minimal authorities necessary to assure honest, open and efficient futures trading in regulated agricultural commodities. The Department has frequently submitted amendatory bills for this purpose. This bill—H.R. 11930—does not include all we have requested in earlier bills, but does provide proper and necessary instruments to carry out the original intent of the Congress in regulating commodity trading under conditions which prevail today.

We are requesting specific—and thus limited—authority to disapprove exchange bylaws and rules of exchanges which are contrary to the Commodity Exchange Act; to issue cease and desist orders; to require minimum financial requirements for commission merchants. We ask that four commodities, now totally unregulated, be brought under this Act. We ask that the courts be given injunctive power under carefully specified requirements to halt violations in process. We ask for several provisions intended to protect customer funds held by traders. These and other provisions are intended to achieve the intent of Congress to adequately regulate commodity markets.

We do not ask—as we did before the 89th Congress—to give the Secretary authority to designate new commodities or to prescribe margins or trading rules. Nor do we ask to eliminate the Commodity Exchange Commission or to define the term "manipulate."

This statute, if unamended, will provide an inadequate basis to govern the 17 million transactions involving $75 billions in annual volume now done by commodity exchanges in regulated commodities alone. The great bulk of trading is done by people motivated solely by wish for speculative profit.

I do not make this statement as a judgment between good and evil. This is not my purpose. Futures trading is neither evil nor bereft of economic sense—although a grain corporation president once described it as 'like a roulette wheel with elbow, wrist and knee control." Neither is it a model of perfect, honest, fully competitive activity in the absence of which the economy would be crippled.

I am not here, however, to debate the propriety or usefulness of futures trading. This point is not at issue. We seek only to close some major, and glaring loopholes which now render the present statute less effective than we believe the Congress intended. But the cold facts are that in these generally useful and honest operations there is a long history of manipulation, fraud, and dishonesty inimical to the exchanges and to those who use them—and quite clearly hostile to the interest of the public.

And I am not here to ask to limit speculation. Speculation may not be evil, but neither is it "a thing of beauty and a joy forever" as one academician last year testified. Speculators are doing no more than arbitraging—the nontechnical word is betting—on which of different expectations of future prices will be right. But that is not at issue here. Every competent person knows what speculation is, and why it is needed.

We ask only for the minimal regulatory instruments necessary to insure that futures trading be honest, open and efficient.

The regulations now prevailing have had no adverse impact on trading. That is clear. Trading volume has peaked at record level for five straight years. So, with full respect, I say again that we are not here to argue the general philosophy of market regulations. We are here to ask for specific, and limited, authority to protect the public of this nation against the continuing threat of serious offense to its interest.

There have been pleas that the exchanges can and have regulated themselves. That plea is unfounded. There are documented abuses by the score—from petty thievery, to operations of confidence men, to swindling—like paying a "sucker" high and fictional "dividends" for a few weeks to encourage larger deposits which then are embezzled.

Many such violations do not involve market members. Many do involve market members. One of the largest speculators in history operated by persuading eight prominent brokerage houses knowingly to falsify their records in order cooperatively to conceal his speculations. This speculator stated when apprehended that due to "harassment and interference" by Federal Government, he would sell out his long grain position and go back to Canada. He had no long position. He had a short, a *very large* short position. His threat was false, but not foolish. Its purpose was to depress the market so he could buy in his short position at a profit.

A large company once sold oat futures heavily at Chicago with offsetting purchases on the Winnipeg Grain Exchange. Then they moved actual oats from Winnipeg to Chicago to depress Chicago prices in relation to Winnipeg.

Abuses in spot and futures markets are often interrelated and we need authority to inquire into both. One prominent speculator once lost heavily in a manipulative attempt partly financed by warehouse receipts on soybeans—yet the elevators were empty when his creditors tried to redeem the receipts.

Thus where cash trading is merely an adjunct to futures operations, it too should be observed. Cash handling has in fact been used to protect and promote large manipulative and speculative futures activities instead of using futures to protect actual commodity transactions.

I cannot believe in this regard that the DeAngelis scandal—a $150 million swindle—can be distorted to prove there is no need for further regulation; that harassment and interference must be avoided, and that this trade can, does, and always will regulate itself. The New York Stock Exchange—whose member firms contributed some $12 million to prevent loss to the customers of one member firm—is not quite so pious. It imposes and enforces special requirements on members who also deal in commodity futures.

These examples are not simply horror stories. They are offered not as a means of showing how to get clipped in commodities—nor as a generalized disparagement of futures trading. They are offered to show with cold, hard, costly, and often dirty cases that regulation is still inadequate.

We propose no regulations that will impair the market liquidity necessary both to hedging and price determination. But neither of these functions is served by massive speculation in which powerful interests slug it out to make the market go the way that best will serve their own speculative positions.

We know that a balance must be struck in regulation to contain erratic or artificial price gyrations, yet not to dry up trading so as to limit efficient hedging. Pleas that the provisions of this bill would dry up trading, or commissions, are unfounded.

Some exchanges have long had business conduct committees intended to assure financial integrity and prevent abuses. As in all trading, longs and shorts compete. Accordingly, the CEA and exchanges—a fact that is also of record—have generally functioned by persuasion, not force. There were predictions in 1922, 1936, and at every other attempt by the Department to plug open holes that these somehow "sinister" efforts would destroy these markets. The Committee knows that trading today is at its highest volume in history.

CEA has operated responsibly, soberly—even cautiously—and wherever it could, in cooperation with those exchanges that have and actually enforce rules of conduct and standards of responsibility. The courts generally have shared the view of CEA that market power can be used to manipulate price, to cheat, defraud and impair the efficiency of a market which cannot be considered the private domain of those who are members. Every American has a direct stake in the honesty, the efficiency and the competitive natures of these activities.

INCLUSION OF UNREGULATED COMMODITIES

There often is heavy if sporadic trading in coffee, sugar, livestock, and livestock products now utterly unregulated or even observed. Regulation has been and is needed. About coffee, the Federal Trade Commission reported in 1954 that "Sudden and unreasonable price fluctuations intrinsic in a 'thin' market are amplified by the failure of the New York Coffee and Sugar Exchange to institute proper safeguards followed by regulated exchanges and to prevent trading abuses and irregularities." The Commission also stated, "Furthermore, the New York Coffee and Sugar Exchange has failed adequately to police its members and enforce established trading rules and procedures . . ."

The Department of Agriculture reported after study that excessive and totally unregulated speculation in sugar futures stimulated the price explosions of 1963. The Subcommittee on Consumer Affairs of the House Committee on Banking and Currency also studied the sugar situation. Mrs. Leonor K. Sullivan, the Subcommittee Chairman, later testified her Committee found "a great deal of important information to show that trading in sugar on this exchange (the New York Coffee and Sugar Exchange) should be brought into regulation." Mrs. Sullivan also testified that "frantic buying and selling of futures by amateurs not connected in any way with the trade—coupled with a tremendous amount of speculation, also, as well as hedging by regular traders—caused chaos in the marketing of these commodities (coffee and sugar)—resulting in wild swings in prices which were reflected in quick order in much higher consumer prices. Both of these episodes (the coffee market in 1953 and 1954 and the sugar market in 1963) could have been prevented, or at least sharply contained, by effective Federal regulation."

Traders and exchanges have argued, in their own self-interest, that imported commodities should not be regulated—and cannot be. Both are major items of commerce and consumption. Sixty percent of our sugar is domestic and the rest is imported under Federal program. Nearly all of our coffee is imported, but it is a major item of commerce and consumption in this country. There is nothing inherent in these two markets that would preclude effective regulation of noncompetitive or dishonest activities.

Contracts for pork bellies—as one livestock product—spiralled from 400 contracts in 1961 to 727,000 in 1966, and now run about 950,000 to 1,000,000 contracts per year. Of 72 trading days in 1965, price fluctuation limits were hit on 21 days. Of 20 trading days, November 22 through December 20, 1965, limits were hit on 12 days. On 7 trading days between December 6 and December 14, the market hit the top limit the first three days, the bottom the next two days, and the top again on the last two days. These are violent fluctuations not often seen, and are generated by speculation alone. On December 17, 1965, there were 3,121 speculators trading frozen pork bellies and only 68 hedgers. Speculators held some 12,000 long contracts and 13,000 short contracts. Hedges totaled only 2,000 long and 1,000 short contracts. This was no hedging market. Two percent of the traders were hedgers. Ninety-eight percent were speculators.

CEA has no authority over livestock products, and the trade knows this. Yet a large part of the complaints sent to CEA involve these products. We can do nothing about them.

The need for stability and fair, open and honest practice is no different for these four commodities than for any others. Regulation would not limit activity that is legitimate; witness the volume of trade in regulated commodities.

PROTECTION OF CUSTOMERS

Many customers trading in regulated commodities entrust funds and orders to a brokerage firm registered, he believes, to be reputable and responsible, and to have met statutory standards of financial security as a condition of registration.

This is not true.

The Act says nothing about an applicant's fitness or his solvency. We are required to register people who are insolvent, or who are crooks, provided they pay the registration fee. The Act sets no financial requirements for the registrant. This deficiency of the present Act opens the gates wide for persons inadequately financed, and even confidence men, to obtain Federal brokerage licenses and handle customer's funds and trades.

A few years ago a Las Vegas, Nevada, resident, operating under various assumed names and who had been charged both with operating a "bookie" establishment and with grand theft, registered as a futures commission merchant. At the same time, he applied for and obtained membership in a leading commodity exchange under one of his assumed names. Shortly thereafter he defrauded his commodity customers under pretense of making profits in nonexistent future trades and lost the customers' funds in trading for his own account in unregulated sugar futures. He hurriedly left the country and for several years was a fugitive from justice. Recently he was apprehended. He is now serving a term in a Federal penitentiary—which is small consolation to the customers who lost approximately $60,000 in the brief operation of his firm.

More recently, a corporation without assets applied for registration as a futures commission merchant. It was registered by CEA mainly because we had no authority to deny the application. It filed a financial statement showing substantial cash in the bank and an equivalent amount in capital and surplus. It appears that the financial statement was false. This firm also obtained membership on a leading exchange. It went bankrupt as a result of the firm's activities. The customers of the firm will lose more than $22,000 because the firm diverted customers' funds to finance the general operations of the business. The corporation and its principal officers have been indicted by a Federal grand jury and are currently awaiting trial.

In the public interest, neither of the firms should have been registered and permitted to handle customers' trades.

The proposed bill would give the Secretary of Agriculture the authority to deny—under careful requirements of due process—registration to persons of this character who are unfit to engage in the brokerage business. It would also give the Secretary authority to establish minimum financial standards which would help to insure that firms handling customers' trades and funds are adequately financed for this purpose.

There are other situations in which a registrant is completely honest, but just does not have adequate financial resources to operate as a futures commission merchant. A one or two day rise or drop in a market, and a single customer's failure to supply margin requirements, can seriously jeopardize the funds of other customers of the firm. For example, a Chicago registrant recently filed a statement showing total assets of approximately $440. It did not include any cash in bank or on hand. In another example, a New York firm had total assets of $450, almost half of which was machinery and fixtures. The danger of loss of customers' funds under these conditions is abundantly clear.

INJUNCTIVE POWER

Many of these documented abuses—and virtually every market investigation ever made discloses violations—also manifests the need for injunctive power. This is the most vital of the amendments we are submitting for your consideration. It would enable the Secretary to move in a timely fashion, under stringent conditions of law and equity, to terminate violations. Now we must undertake protracted administrative or criminal proceedings before a final order can be issued or a conviction obtained. Often irreparable damage is done, especially where continued fraud or manipulation is occurring. We can cite cases, large and small.

If injunctive authority were granted under the Commodity Exchange Act, a Federal court would have the power—if a satisfactory showing were made—to enter a temporary restraining order or preliminary injunction to put an immediate stop to the violation.

This provision would carry ample safeguards for the public. First, the Secretary would have to determine that a violation is occurring. He would then have to convince the Attorney General who, in turn, would have to go into Federal court and convince a judge. The American judicial system provides full and effective safeguards in the use of injunctive power. The use of injunctions has been commonplace with regulatory agencies for many years. There is no basis to fear that it would be, or in fact could be, abused in commodity market regulation.

Nor are there special attributes of commodity traders or markets which give them license not given to others for continued violations. The volatility and fast action in these markets do not endow them with unique status, but in fact argue with unique logic that prompt corrective measures should be available.

One example of the need for injunctive authority occurred late in 1963. A new company was organized in New York and registered as a futures commission merchant to handle customers' trades in regulated commodities. The firm did not hold a membership in any exchange. It had no apparent source of income. It was later learned that the firm was being financed by "under the table" kickbacks from two firms which were exchange members and through which its trades were cleared. The company's three major officers had been associated with Anthony DeAngelis prior to his bankruptcy in November 1963 in the so-called "salad oil scandal". Two of the firm's salesmen were former securities broker-dealers whose registrations had been revoked. They had pleaded guilty to securities fraud in another case and were awaiting sentence, and also were named in a land fraud case the previous year.

In view of the individuals involved in the firm, the CEA placed it under close observation. Numerous violations of the law were found including the over-trading or "churning" of customers' accounts. It was found that the secretary-treasurer of the company actually controlled the trading in 44 customers' accounts through powers of attorney issued to him or to other officers or employees of the firm. The practice was to get these customers into and out of the market as rapidly as possible in order to build up commissions for the firm. During an eight-month period, the 44 customers who had a net investment of $55,300 were charged a total of $43,500 in commissions. In one month the total commissions were 150 percent of the average daily equity in these accounts.

It was obvious that the customers were being systematically defrauded, but we had no authority to require the company to stop this type of trading or to discontinue handling customers' accounts. The CEA took the only course of action open. It developed evidence to support administrative and criminal action against the company and its principals. Through an administrative complaint, the firm and two of its officers have been denied trading privileges on contract markets for long periods of time. One officer and three employees pleaded guilty to criminal charges. Two have been sentenced and two are awaiting sentence. A criminal indictment against another officer is pending.

Effective action ultimately was taken. But the company, of necessity, was permitted to continue operation and to handle customers' accounts long after it became apparent that it was defrauding its customers. If the Secretary of Agriculture had had the authority to go into the courts through the Attorney General to seek an injunction as provided by the proposed legislation, in all probability the illegal activities of the company could have been stopped and customers' losses substantially reduced. Again, there appears to be no reason for people dealing in commodity futures to enjoy special license to defraud or to violate the law free of restraint.

WILLFUL AIDING OR ABETTING VIOLATION

There seems no argument at all against finding that a person who willfully aids or abets another person in violation of the Act should also be prosecuted. It has been argued that some attributes—generally undefined—of futures trading prevail here also. We disagree unequivocally.

CEASE AND DESIST ORDERS

We ask for cease and desist orders because we feel the penalties now provided by the Act are too severe for certain types of minor violations. Cease and desist authority would permit the Secretary to stop minor violations without imposing a penalty which could put some firms or individuals out of business. For example, suspending the registration of a large brokerage firm would mean closing its regulated commodity business for the period of the suspension. Obviously, this would be too severe a penalty if the violation had been minor. The proposal actually is a relaxation of the present penalty provisions of the law. Ample protection would be afforded all parties since the provision would require that the respondent be given an opportunity for a hearing on the charges and an opportunity to appeal the Secretary's decision to the courts.

CHEATING AND FRAUD

The cheating and fraud provisions of the Act now apply only to members of contract markets, their employees, correspondents or agents. We ask that this provision be extended to cover all persons who handle customers' orders or funds. There is need for this change. As an example, in Chicago, a man who was neither an exchange member nor associated with any exchange member, established a company to handle commodity futures trading for others. His advertising material spoke of "a new concept in account supervision" through which an agile trader could reap sizeable profits in the futures market. Some 40 persons opened accounts and gave the firm or its president authority to make futures trades for them. The president traded both for his customers and for his own account. After the trades were made, he would put the "good" trades in his own account and the "poor" trades in the accounts of his customers. In five weeks he made a profit of about $4,500 while the customers lost approximately $26,000.

This was a clear case of cheating customers. However, since neither the company nor its president was a member of an exchange or a correspondent, agent, or employee of a member, we had no jurisdiction under the Commodity Exchange Act and no charges could be brought against the management company or its president. The proposed legislation would correct this situation and give customers who deal in commodity futures with nonmembers the full protection of the law.

OFFENSES AND SANCTIONS

Classifying embezzlement and certain other serious offenses as felonies rather than misdemeanors is a needed change. The Las Vegas and California cases described above are excellent examples of situations which would be covered by the proposed amendment. Embezzlement resulting in major losses to customers should not be brushed off as a minor violation. Heavier penalties for these specific violations would be an effective deterrent to would-be violators.

REPORTS AND RECORDS

Members of a contract market must now keep a record of cash or spot transactions made only on the market. The bill would require record of cash or spot transactions made subject to the rules of the exchange, even though not physically made on the exchange. It would also require persons holding positions of a reportable size in commodities to keep a record of all cash or spot transactions and inventories in those commodities. Cash or spot and futures operations in the futures market are often so interrelated that it is almost impossible to determine whether violations have occurred without investigating both types of operations. The absence of adequate records regarding cash or spot transactions makes it difficult for the Department to investigate alleged or suspected violations, or to determine whether futures positions reported as hedges actually qualify as such. The bill seeks to correct this deficiency.

SUBSTANTIAL EVIDENCE

The Commodity Exchange Act provides that certain administrative actions shall be sustained upon judicial review if supported by the "weight of the evidence." This is not the standard usually provided in regulatory statutes. It raises question as to the proper scope of review. The proposed legislation would provide that the administrative action would be sustained if supported by "substantial evidence on the record considered as a whole." Most of the existing provisions for judicial review of administrative actions under regulatory statutes specify "substantial evidence" as the standard. Such provisions are applicable to administrative actions of many officials, including the Secretary of the Treasury, the Secretary of Health, Education, and Welfare, the Securities and Exchange Commission, the Federal Trade Commission, the Interstate Commerce Commission, the Federal Communications Commission, the Federal Power Commission, the Federal Reserve Board, the Civil Aeronautics Board, and the Federal Aviation Administration.

BYLAWS AND RULES

The proposal would give the Secretary authority to disapprove bylaws and rules of contract markets relating to terms of contracts or other trading requirements. He must find that such rules or bylaws violate or will violate any provision of the Act, or the regulations or orders of the Secretary issued pursuant to the Act. It seems obvious that when there is a conflict between an exchange rule and the law, or regulations, or orders issued pursuant to authority granted by the law, the exchange rule should be revoked or so changed as to bring it into compliance.

The proposal would also require exchanges to enforce all of their bylaws and rules which relate to contract terms and other trading requirements. At first glance, a provision of this type would seem redundant. When an exchange adopts a bylaw or rule, it is logical to expect enforcement, especially in light of the plea of self-regulation. In a number of instances, however, exchanges are extremely lax in enforcing important trading rules.

For example, regulations of the Act prohibit the matching of buying and selling orders of different customers unless this is done under an established procdure set forth in an exchange rule. A number of exchanges have adopted such a rule, designed to protect the customers in such situations.

A recent CEA trade practice investigation revealed the absence of enforcement. Although the exchange in question had a rule of this type, and there was a considerable amount of matching customers' orders, it was not enforced. For that matter, neither the exchange officials nor the employees who were charged with supervision and approval of the trades under the rule were even aware of the provisions of the rule. This kind of "self-regulation" cannot assure honest, open, and efficient trading.

CUSTOMERS' FUNDS

Under the proposal, futures commission merchants would no longer be permitted to invest customers' funds in "investment securities," as defined in Section 5136 of the Revised Statutes, as amended, or to lend customers' funds on the collateral of warehouse receipts. The provision for investment in "investment securities" is difficult for commission merchants to interpret, and we have found instances in which firms have inadvertently violated the law by investing customers' funds in securities which were not approved for this purpose. The Department has also encountered difficulty in administering this provision and feels that it is unnecessary because investment of customers' funds would still be permitted in Federal, State or other governmental securities. So far as we know, the provision for loaning customers' funds on the collateral of warehouse receipts has never been used. It does, however, create a potential danger. It is obvious that if customers' funds had been loaned by a futures commission merchant on the collateral of the false warehouse receipts issued by Anthony DeAngelis during the "salad oil scandal," the customers' funds would have been lost.

BOOKS AND RECORDS

The law now requires a contract market to permit representatives of the Department of Agriculture or the Department of Justice to examine the books, records, minutes and journals of proceedings of the market, its governing board and all committees. The proposed legislation would merely require that these books and records be kept in a manner that will clearly describe all matters discussed and action taken by the market or its various committees.

GENERAL PROVISIONS

Presently, futures commission merchants are required by the Act to segregate customers' funds in separate accounts. However, the Act does not specify how such funds are to be handled by banks and clearing associations which serve as depositories for the funds. Under the proposed legislation, depositories would be prohibited from treating the funds as belonging to the futures commission merchant or any person other than the customers, and would thus be prevented from using such funds to offset any liabilities of the futures commission merchant.

The bill would make it a violation of the Act for anyone against whom an order denying trading privileges has been issued to in any manner exercise such privileges during the effective period of such order. Heretofore, the restraint was only on persons extending the privileges without any affirmative restraint on the person against whom the order was issued.

Under the bill, all persons executing orders for others would be required to be registered as floor brokers. At present, certain traders who trade actively for their own accounts can also fill orders for others without being subjected to the provisions covering registered floor brokers.

Instances of unfortunate activity in the futures market which have been mentioned are carefully documented, along with many others of the same type.

SUMMARY

We have sought to exclude issues not relevant to consideration of this bill. We have stated:

(1) the provisions we see as minimal necessities under present conditions to assure that we meet the intent of the Congress expressed earlier;

(2) why these amendments are needed; and

(3) specific examples of abuses now prevalent that could be mitigated or eliminated through these amendments.

My colleagues and I will be happy to answer any questions directed to us by the Committee.

We thank you for this opportunity to present this statement to you.

Mr. Speaker, such sensitivity to a suggestion for improvement, enhancing the dignity and usefulness of the markets is probably only the routine resistance to any extension of regulatory procedure. It is not a new attitude. In 1922 when the first legislation affecting the grain futures markets was enacted, predictions were made that the markets would be ruined. Similar objections were voiced in 1936 when the law was substantially strengthened. Despite these dire predictions the futures markets, after 45 years of regulation, have enjoyed steadily increasing prosperity with a current volume of some $75 billion per year.

Improvements brought about by regulation, such as daily disclosures of volume of trading and open contracts, safeguarding of customers' funds, and curbing unduly large operations by powerful speculators are now accepted by responsible persons in the trade as being in the public interest and of benefit to the markets. In light of the history of 45 years of regulation, it might have been hoped that this time the exchange officials would have welcomed the present conservative and moderate proposals and cooperated in their speedy enactment.

Despite the present expressions of adamant resistance, it safely may be predicted that if H.R. 11930 is enacted, such further steps toward better market practices as more expeditious handling of law violations, realistically severe penalties for serious criminal offenses, and the establishment of adequate financial requirements for all commodity brokerage concerns doing business for the public, will also be accepted and recognized as beneficial to the markets and to all who use them.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. POFF (at the request of Mr. WATSON), for 15 minutes today, to revise and extend his remarks and include extraneous matter.

Mr. FEIGHAN (at the request of Mr. PRYOR), for 10 minutes today, to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. MAHON (at the request of the Mr. EVINS of Tennessee) to revise and extend his remarks during debate on the NASA appropriation bill, and to include tables and extraneous matter.

The following Members (at the request of Mr. PRYOR) and to include extraneous matter:

Mr. PICKLE.
Mr. GARMATZ.
Mr. TAYLOR.

The following Member (at the request of Mr. WATSON) and to include extraneous matter:

Mr. HARSHA.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 304. An act relating to the Indian revolving loan fund and the Indian heirship land problem; to the Committee on Interior and Insular Affairs.

S. 778. An act to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1727. An act to authorize the consolidation and use of funds arising from judgments in favor of the Apache Tribe of the Mescalero Reservation and of each of its constituent groups; to the Committee on Interior and Insular Affairs.

S. 1933. An act to provide for the disposition of judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2531. An act to provide for the disposition of the unclaimed and unpaid share of the Loyal Creek Judgment Fund, and to provide for disposition of estates of intestate members of the Creek Nation of Oklahoma or estates of members of the Creek Nation of Oklahoma dying without heirs.

H.R. 4809. An act for the relief of Mrs. Willifred S. Shirley.

H.R. 5967. An act for the relief of Albert P. Morell.

H.R. 6452. An act for the relief of John E. Coplin.

H.R. 7362. An act to authorize the Secretary of the Interior to acquire certain properties within the Colonial National Historical Park, in Yorktown, Va., and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1282. To provide for the withdrawal of wine from bonded wine cellars without payment of tax when rendered unfit for beverage use, and for other purposes;

H.R. 2470. To provide for the free entry of certain scientific instruments and apparatus for the use of Tufts University, Mount Holyoke College, and the Massachusetts Division of the American Cancer Society;

H.R. 2531. To provide for the disposition of the unclaimed and unpaid share of the Loyal Creek Judgment Fund, and to provide for disposition of estates of intestate members of the Creek Nation of Oklahoma or estates of members of the Creek Nation of Oklahoma dying without heirs;

H.R. 4809. For the relief of Mrs. Willifred S. Shirley;

H.R. 5967. For the relief of Albert P. Morell;

H.R. 6056. To amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions for children of parents who are divorced or separated;

H.R. 6452. For the relief of John E. Coplin;

H.R. 7362. To authorize the Secretary of the Interior to acquire certain properties within the Colonial National Historical Park, in Yorktown, Va., and for other purposes.

ADJOURNMENT

Mr. PRYOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 7 minutes p.m.), the House adjourned until tomorrow, Wednesday, August 23, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1012. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to remove the present limitation on the amount authorized to be appropriated for the work of the President's Committee on Employment of the Handicapped, and for other purposes; to the Committee on Education and Labor.

1013. A letter from the Secretary of the Air Force, transmitting a report of claims paid during fiscal year 1967, pursuant to the provisions of 10 U.S.C. 2732 and the Military Personnel and Civilian Employees' Claims Act of 1964, as amended; to the Committee on the Judiciary.

1014. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Euratom Cooperation Act of 1958, as amended; to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POAGE: Committee on Agriculture. S. 1657. An act to extend for 1 year the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government (Rept. No. 574). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 10673. A bill to amend title III of the Packers and Stockyards Act of 1921, as amended (Rept. No. 575). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 913. Resolution providing for the consideration of H.R. 10409, a bill to amend the authorizing legislation of the Small Business Administration, and for other purposes (Rept. No. 576). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 838. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction (Rept. No. 577). Referred to the House Calendar.

Mr. CELLER: Committee on the Judiciary. Report on the Intergovernmental Committee for European Migration (ICEM) (Rept. No. 578). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MESKILL: Committee on the Judiciary. S. 117. An act for the relief of Martha Blankenship (Rept. No. 579). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. S. 163. An act for the relief of CWO Charles M. Bickart, U.S. Marine Corps (retired) (Rept. No. 580). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. S. 477. An act for the relief of the widow of Albert M. Pepoon (Rept. No. 581). Referred to the Committee of the Whole House.

Mr. TENZER: Committee on the Judiciary. S. 653. An act for the relief of Capt. Robert C. Crisp, U.S. Air Force; with amendment (Rept. No. 582). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 1884. A bill for the relief of Virgile Posfay (Rept. No. 583). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 1963. A bill for the relief of employees of General Services Administration; with amendment (Rept. No. 584). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 3498. A bill for the relief of D. M. Dew & Sons, Inc., and Dewey Campbell (Rept. No. 585). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 5199. A bill for the relief of James E. Denman; with amendment (Rept. 586). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 5233. A bill for the relief of Mrs. Sophie Michalowska (Rept. No. 587). Referred to the Committee of the Whole House.

Mr. TENZER: Committee on the Judiciary. H.R. 6325. A bill for the relief of 2d Lt. Allan L. Schooler; with amendment (Rept. No. 588). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 8088. A bill for the relief of Willard Herndon Rusk (Rept. No. 589). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. H.R. 10655. A bill for the relief of Arthur Anderson (Rept. No. 590). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. House Resolution 508. Resolution to refer the bill, H.R. 1734, entitled "A bill for the relief of Frances von Wedel" to the chief commissioner of the Court of Claims in accordance with sections 1492 and 2509 of title 28, United States Code (Rept. No. 591). Referred to the Committee on the Whole House.

Mr. HUNGATE: Committee on the Judiciary. House Resolution 493. Resolution to refer the bill (H.R. 9326) entitled "A bill for the relief of Dr. Abraham Ruchwarger" to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code (Rept. No. 592). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 12504. A bill to guarantee productive employment opportunities for those who are unemployed or underemployed; to the Committee on Education and Labor.

By Mr. BROYHILL of Virginia:

H.R. 12505. A bill to provide that a District of Columbia public school teacher may retire on a full annuity at age 55 after 30 years of service or at age 60 after 20 years of service, and for other purposes; to the Committee on the District of Columbia.

By Mr. DOWDY:

H.R. 12506. A bill to authorize the Commissioners of the District of Columbia to fix and collect rents for the occupancy of space in, on, under, or over the streets of the District of Columbia, to authorize the closing of unused or unsafe vaults under said streets and the correction of dangerous conditions of vaults in or vault openings on public space, and for other purposes; to the Committee on the District of Columbia.

H.R. 12507. A bill to authorize the Commissioners of the District of Columbia to lease airspace above and below freeway rights-of-way within the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 12508. A bill to authorize the Commissioners of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, public space in, on, over, and under the streets and alleys under their jurisdiction, other than freeways, and for other purposes; to the Committee on the District of Columbia.

By Mr. HALPERN:

H.R. 12509. A bill to amend the Foreign Assistance Act of 1961, as amended, so as to provide for the establishment of a White Fleet designed to give assistance and aid on a continuing basis to people of other nations for the purpose of combating hunger or disease of a persistent nature, and to render emergency assistance in the event of national disaster; to the Committee on Foreign Affairs.

By Mr. HOLIFIELD (for himself, Mr. Blatnik, Mr. Reuss, Mr. Rosenthal, Mr. Erlenborn, Mr. Edwards of Alabama, Mr. Horton):

H.R. 12510. A bill to establish a Commission on Government Procurement; to the Committee on Government Operations.

By Mr. LANGEN:

H.R. 12511. A bill to amend the income limitation provisions applicable to veterans and widows of veterans receiving non-service-connected disability pensions under chapter 15 of title 38, United States Code; to the Committee on Veterans' Affairs.

By Mr. PUCINSKI:

H.R. 12512. A bill relative to age discrimination in employment; to the Committee on Education and Labor.

By Mr. QUILLEN:

H.R. 12513. A bill to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great Smoky Mountains National Park and certain lands comprising the Gatlinburg Spur of the Foothills Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROONEY of Pennsylvania:

H.R. 12514. A bill to provide for uniform annual observances of certain national holidays on Mondays; to the Committee on the Judiciary.

By Mr. VIGORITO:

H.R. 12515. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 12516. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the Enrico Fermi Nuclear Accelerator in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

H.R. 12517. A bill to provide for the control or elimination of the alewife and other such pests in the waters of the Great Lakes; to the Committee on Merchant Marine and Fisheries.

H.R. 12518. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens and for other purposes; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 12519. A bill to amend title 39, United States Code, to provide certain mailing privileges with respect to first-class letter mail sent by certain persons to members of the U.S. Armed Forces in combat areas overseas, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FASCELL:

H.R. 12520. A bill to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD:

H.R. 12521. A bill to amend the Internal Revenue Code of 1954 to eliminate the percentage depletion method for determining the deduction for depletion of oil and gas wells; to the Committee on Ways and Means.

By Mr. HUNT:

H.R. 12522. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 12523. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on honey and honey products and to impose import limitations on honey and honey products; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 12524. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. RESNICK:

H.R. 12525. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. WALKER:

H.R. 12526. A bill to amend the Economic Opportunity Act of 1964 to encourage the adoption of legal service programs which permit maximum opportunity for clients to freely choose their own attorneys; to the Committee on Education and Labor.

By Mr. WALKER (for himself and Mr. Morris):

H.R. 12527. A bill to authorize the consolidation and use of funds arising from judgments in favor of the Apache Tribe of the Mescalero Reservation and of each of its constituent groups; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS:

H.R. 12528. A bill to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the U.S. Capitol buildings and the U.S. Capitol Grounds; to the Committee on Public Works.

By Mr. DULSKI:

H.R. 12529. A bill to provide training opportunities for persons employed in the legislative branch of the Government; to the Committee on Post Office and Civil Service.

By Mr. HORTON:

H.R. 12530. A bill to repeal section 1523 of title 10 of the United States Code, relating to the effect of posthumous commissions and warrants; to the Committee on Armed Services.

By Mr. KING of New York:

H.R. 12531. A bill to amend title 18 of the United States Code to authorize certain communications to be intercepted in compliance with State law, and for other purposes; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 12532. A bill to amend the Foreign Assistance Act of 1961 to restrict the training of certain foreign nationals under that act; to the Committee on Foreign Affairs.

By Mr. RUPPE:

H.R. 12533. A bill to amend the tariff schedules of the United States with respect to the rate of duty on honey and honey products and to impose import limitations on honey and honey products; to the Committee on Ways and Means.

By Mr. TAYLOR:

H.R. 12534. A bill to amend the Internal Revenue Code of 1954 to eliminate the percentage depletion method for determining the deduction for depletion of oil and gas wells; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 12535. A bill to amend the act of October 19, 1949, entitled "An act to assist States in collecting sales and use taxes on cigarettes," so as to control all types of illegal transportation of cigarettes; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 12536. A bill to establish an effective date for the provisions of Public Law 87–140; to the Committee on Armed Services.

By Mr. BLATNIK:

H.R. 12537. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. DANIELS:

H.J. Res. 801. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. FRIEDEL:

H.J. Res. 802. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. NELSEN:

H. Res. 914. Resolution requesting the Department of Defense to use butter in its rations; to the Committee on Armed Services.

By Mr. UDALL:

H. Res. 915. Resolution amending the Rules of the House of Representatives to set aside a portion of the gallery for the use of scholars engaged in studies of the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

282. By the SPEAKER: Memorial of the Legislature of the State of California, relative to a plant for the production of a fish protein concentrate; to the Committee on Ways and Means.

283. Also, memorial of the Legislature of the Commonwealth of Pennsylvania, relative to registration and regulation of firearms; to the Committee on Ways and Means.

PRIVATE BILS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H.R. 12538. A bill for the relief of Gabriel Nunoz-Amezquita (also known as Tony Ruiz Castro); to the Committee on the Judiciary.

By Mr. JACOBS:

H.R. 12539. A bill to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claim of the Wasson Coal Mining Corp. against the United States; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

A Real American

EXTENSION OF REMARKS

OF

HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 22, 1967

Mr. HARSHA. Mr. Speaker, no American who loves his country can look at his Fatherland these days without feelings of sadness and apprehension. Growing anxiety about a rapid increase in crime of all kinds, inter-racial hostility and violence, a common uncertainty about spiritual and social values, the crumbling of elemental relationships and the destruction of American communities—these things, Mr. Speaker, inflict on thoughtful citizens everywhere pain that is both poignant and deep—for behind the degeneration of our social and civic patterns is a breakdown of individual responsibility and initiative.

It is easy, Mr. Speaker, to suspect that Americans generally, are losing their basic goodness and character, their kindness and consideration. But I wish to say that while many Americans are troubled, they are also awakening to the need for old-fashioned neighborliness and action—voluntary action that comes not from legislation nor from the spending of Federal dollars, but from a thankful heart and a compassion for humankind.

Carey Alexander Fleming personifies this kind of action. Known to thousands of friends and neighbors as "Pop" Fleming, Carey, now 74 years old, spends all his time and energy working for that which is good in America. Mr. Fleming loves his country because he knows it. He has been a part of the American dream and has been involved in the struggle that has made that dream come true.

Born in Cincinnati on April 26, 1893, Carey later moved with his family to West Union, Ohio. He now resides on Garrison Road, Route 2, Bethel, Ohio. One of eight children, he quickly learned the necessity and satisfaction of hard work. After completing the eighth grade, he met and married Lenora Alice Vincent. He and Lenora provided a happy and wholesome home for six children.

Soon after the birth of his second son, World War I was declared. Allied shipping was being decimated by German U-boats and the very existence of free nations was at stake. Carey answered the call of our Nation to serve in its hour of need. He joined the Navy to help suppress the threat that confronted America. At the close of World War I, after serving in the Atlantic, Fleming was discharged with the rank of engineer 2d class. Returning to his wife and two small sons, Carey worked tirelessly for the well-being of his growing family. Rearing six children and educating them through the depression years was not easy, but Fleming instilled in each of them a sense of true values and a love and pride for his country. Two of his sons served in World War II, a son-in-law served in the Korean war and four grandsons serve in Vietnam.

Pop Fleming's service to his country and his fellow man did not stop with his honorable discharge from the U.S. Navy. He interested himself in veterans affairs and founded numerous VFW posts throughout southwestern Ohio. Pop has instilled in these veterans organizations the motivation to promote the American way of life by extending a helping hand to his fellow man.

He has held every position of leadership in many of these posts and was once Council Commander for Clermont County. Presently, he is service office for the 4th District of the Veterans of Foreign Wars.

Since his retirement nine years ago, "Pop" Fleming has greatly increased his service to veterans and their organizations. He is a familiar and welcome visitor at many posts where he does whatever needs doing, whether it be getting the books up to date or planning a meeting or special event. He frequently assists the Veteran Service Officer of Clermont County, Mr. James Griffith, in providing help and assistance to soldiers and sailors.

Perhaps the real Carey Fleming is best known through countless acts of kindness to neighbors and veterans who are ill or incapacitated. He is among the first to comfort the widow of a U.S. serviceman killed in action. Even when in poor health himself, he has kept himself busy providing transportation and other assistance for those needing medical care and help. He recently secured a wheelchair for a friend who could not afford to rent one and is a regular visitor at Veterans Administration and other hospitals where veterans are being treated. Anyone, young or old, is free to call on this one-man welfare and assistance program for help.

The words of the late President Kennedy aptly describe Mr. Fleming's philosophy of life, "Ask not what your country can do for you—ask what you can do for your country."

Mr. Speaker, I am proud to honor "Pop" Fleming before my distinguished colleagues and to present him to the people of America with the hope that he may inspire others as he has me. He is indeed a real American and I am honored to call him my friend.

Oil Depletion Allowance

EXTENSION OF REMARKS

OF

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 22, 1967

Mr. TAYLOR. Mr. Speaker, it is my belief that the oil and gas depletion allowance is unreasonably high and should be drastically reduced or eliminated before the American people are required to carry an increased tax burden.

For the past 41 years, the depletion allowance, which permits oil well developers to forget about taxes on the first 27½ percent of their gross income from oil and gas receipts, has enabled the Nation's large oil companies to amass fantastic fortunes while providing the Treasury with much less revenue than that derived from other American corporations.

I am not a geologist and lack sufficient knowledge of the Nation's estimated subterranean petroleum reserves to accurately calculate how large, if at all, the depletion allowance should be.

However, the allowance has been in effect since 1926 and, I am happy to observe, oil reserves do not appear depleted.

From all I can observe, the industry has continued to enjoy a phenomenal tax break while the average citizen has been required to pick up a disproportionate share of the tab for every war and every new program that come along.

I am informed that the present depletion allowance represents an annual loss to the Treasury of about $1¼ billion. This would not pay for the Vietnam war, but it would help. Moreover, it would shift more of the tax burden where it should be.

The oil companies can afford to pay a larger share of taxes and I believe the loophole by which they escape fulfillment of their responsibilities should be promptly closed. I cannot in good conscience vote for an increase in income taxes until this inequity is removed and until unnecessary Federal spending is eliminated.

Vietnam Election

EXTENSION OF REMARKS

OF

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 22, 1967

Mr. PICKLE. Mr. Speaker, a few weeks ago, the opening of the electoral campaign in Vietnam brought on another attack of worry—not to say jitters—about our program and purposes in Southeast Asia. The fever flared up first in our press and then, inevitably, amongst ourselves.

Now this, Mr. Speaker, is understandable enough. We all know that these elections were and are a matter of considerable and legitimate concern to us. But now the fever has fallen somewhat. In the face of outside aggression and domestic harassment, the Vietnamese are going ahead with their elections. This, I think, is as good a time as any to ask ourselves whether our reactions—as expressed in the press and in this body—are not a matter of considerable and legitimate concern to the Vietnamese.

None of us knows, of course, how the Vietnamese will pass this great test. We are only dimly aware of how important it may be for their future. But we also are in a time of testing, Mr. Speaker, and it behooves us—for it is a matter of some importance to our future—to ask ourselves how we are facing up.

Must we not admit, in all honesty, that our first reactions were wildly exaggerated and ill-informed? The ball game had barely started before we heard cries of "foul." There were charges of rigging, of pressure, of dishonest practices. And these charges were quite enough—there was no need of evidence and none was presented—to convict the Government of South Vietnam.

So for a few days we wallowed in gloom and doom and presented a sorry spectacle to our allies in Southeast Asia.

A distinguished Washington newspaper, on the basis of a single, minor—and by all accounts unintentional—mishap, quickly predicted the elections would be a farce. Several of our distinguished colleagues went so far as to suggest, doubtless to the great glee of the hawks in Hanoi, that if elections in this devastated, divided and underdeveloped country were run less honestly or efficiently, than, say, in Massachusetts, or in Brooklyn, or in Cook County, Ill., then we—the greatest power on earth—should simply renege on our promises, abandon our commitments, break faith with the young men who have given their lives so that South Vietnam might be saved from aggression and a measure of stability and hope might be brought to the new nations emerging on the periphery of Communist China.

Mr. Speaker, gentlemen, I suggest that this sort of thing is unworthy of us. It is unworthy of our great press to serve us up such doubt. It is unworthy of us to swallow it and make the world wonder—when world peace depends on it—about our constancy and our resolve.

Support for the Public Television Act

EXTENSION OF REMARKS

OF

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 22, 1967

Mr. GARMATZ. Mr. Speaker, last month the House Committee on Interstate and Foreign Commerce held extensive hearings on the Public Television Act. A bill has been reported to the House and I hope it will be scheduled for early action.

As Maryland is embarking on an ambitious program of educational television, with extensive instructional television in the classrooms, I sponsored a bill on the subject and include in the Record my statement before the committee:

SUPPORT FOR THE PUBLIC TELEVISION ACT

Mr. Chairman, Members of the Committee: It is a pleasure to appear before you today in support of HR 6736, introduced by the Chairman and HR 7748 which I introduced on March 23, 1967.

It is my understanding that this Committee is considering the Chairman's bill. As the sponsor of similar legislation, I wish to state my unqualified endorsement of the provisions of HR 6736 as well as my endorsement for the amended version of the Public Television Act, S. 1160, which passed the Senate on May 17. I find the differences between these two measures to be small and I stand ready to support either version on the floor of the House.

Mr. Chairman, I am prompted to appear here this morning by a general concern for the continued and expanded development of educational television throughout the United States, and by a specific interest in our own educational television facilities which are now being developed in Maryland.

Since 1952 when the Federal Communications Commission began reserving channels for non-commercial educational use, educational television in the United States has grown to 127 stations broadcasting this spring. It is my understanding that 62 additional ETV stations are expected to be on the air by 1968, and that another 34 are in the planning stages.

Among the 62 scheduled for inaugural broadcasts in 1968 or early 1969, is the first station of the Maryland Educational-Cultural Broadcasting Commission—the first of seven Maryland stations which will, by 1970 or 71, provide a completely interconnected state-wide network of UHF transmitters capable of bringing educational television programs to every community in my state. Such state-wide systems have already begun operating in Alabama, Georgia, Hawaii, Maine, Nebraska, and South Carolina. Additional ones are in the planning stages for Mississippi and Vermont. But these state-wide, and state supported facilities are recent in their development and comprise only a handful of the more than 100 stations I just mentioned.

If we look carefully at the vast majority of ETV stations now operating in the United States, if we analize their history and struggle for growth, we must conclude that the entire educational television enterprise has faced, conquered, or been crippled by problems of financing. Traditionally, financial support for educational television systems has been derived from a vast variety of sources which, except in selected instances, have been singly or collectively unequal to the opportunity which educational television can provide.

Accepting the relatively recent efforts at full fledged state support of educational television stations, traditional sources of funding have been local systems and boards of education, colleges, and universities, community support through periodic fund raising activities, and the beneficence of established foundations. Since the early days of ETV, the Ford Foundation has given more than a $120 million. Since 1965 it has made available to community stations funds so far totaling $80 million. The Ford Foundation grant alone during fiscal year 1965–66 approximated $3.5 million, or almost as much money as is contemplated in the initial one year authorization of the pending legislation.

These efforts have all come in recognition of the fact that, in establishing the rules for non-commercial, non-governmental educational television, we created, here in the United States, the only broadcasting system in the world without any visible means of support. These efforts to support it by hard pressed schools and colleges, by interested and dedicated citizens, and by our great foundations have been noble but they have been insufficient. They have been insufficient to permit educational television to realize its potentiality for our citizens, and they have been insufficient to permit normal growth, or in some instances survival.

Mr. Chairman, it was for these reasons that the National Association of Educational Broadcasters convened its first Washington Conference On The Financing of Educational Television Stations in December 1964. It was for these reasons that the Carnegie Corporation sponsored its now famous Commission on Educational Television. It was for these reasons that the Ford Foundation came forth one year ago with its recommendations for the future financing of ETV. It is for these reasons that you, Mr. Chairman and I, and many of our colleagues in this body and the other body have sponsored legislation to breathe life into the recommendations of the Carnegie Commission and provide a stable future for ETV in the United States.

This is not the federal government's first venture into assistance in ETV financing. The Educational Television Facilities Act of 1962 authorized $32 million over a five year period for federal matching grants for new ETV stations and for the expansion of existing station facilities. This authorization has now expired but is my understanding that, prior to the expiration date, the entire appropriated amount had been expended in grants to more than a 140 applicants.

My own State of Maryland was one of the last recipients of matching money under this program. Mr. Chairman, I think it is fair to suggest that, without the possibility of federal assistance under that Act, Maryland would not now be looking forward to the first broadcast of its ETV network. In fact, Mr. Chairman, the Maryland plan might well serve as an illustration of the importance of the pending bill to the future growth of ETV anywhere.

The Maryland plan is as bold as any conceived. It envisions the construction of a state-wide production center and seven transmitters geographically separated but electronically joined in a network capable of bringing the programs of the Maryland Educational-Cultural Broadcasting Commission into every community in our State.

The Maryland plan has required the appropriation of more than $2 million by the Maryland legislature for initial construction and operating expenses. It has required federal participation through a matching grant of $654,301 under the Facilities Act mentioned earlier. These monies will be sufficient only to place the production center and first transmitter on the air. Additional money will be required to construct the six additional transmitter facilities. The 1962 Act having expired, Maryland looks to favorable action on the pending bill in which Title I provides for an additional authorization of $10,500,000, for facilities next year and such sums as may be necessary for the succeeding four years.

When fully operational, the attention of those responsible for operating the Maryland network will turn from a concern with construction to a concern for content—a concern for programming.

As a public facility, supported in a large measure by the taxes of Maryland citizens, our ETV system will seek to provide a balance of program material to meet some of the needs of each of the many social, economic, and cultural groups within our society. Here we begin to touch on one of the fundamental differences between commercial television and ETV. The former seeks the largest possible audience for every program. The Maryland Educational Television network will also seek the largest possible audience but not for each individual program. Our facilities will seek an ever greater audience by programming to meet a variety of interests over a longer time span. In other words, during a given week the Maryland Educational Television network will be bringing to its viewers the kind of program variety which assures that within that time span there will have been something of interest to every citizen, whatever his background.

To accomplish this, the Maryland Educational Television network must look to existing sources of program material and to its own responsibilities for local production and the coverage of local affairs. Here the Maryland network will face the most persistent problem to plague ETV since its inception—the cost of program production.

I am sure that I need not emphasize these costs to any member of this Committee. All of us who have stood for elective office are too familiar with staggering charges associated with filming or taping five minute talks by the candidate, one minute political announcements, and the thirty-second spot.

In planning its program and budgeting its costs, the Maryland ETV network will be like many others throughout the United States. Our facilities will be responsible for providing instructional television for the school system of our State, and a variety of programming for adult audiences in the area of public affairs, cultural activity, and special education.

In the report which formed the basis for the President's recommendation and for the legislation now pending, the Carnegie Commission repeatedly stressed the importance of the vigorous and independent local station, well equipped and immediately responsive to the needs of the local community which it serves. The Facilities Act of 1962 helped to provide hardware and the extension of the provisions of that Act in Title I of the pending bill promises a continuation of this support. What has never been provided before is the kind of assistance now envisioned under Title II of this bill—substantial assistance to local stations and to national production facilities for the development of program material.

Television is only a tool. All the elaborate and expensive electronic equipment is only a means of bringing information, experience, education, culture, and entertainment to the viewer. To invest substantial sums in the technology and a few pennies in the content is to miss the point entirely. The "soft ware" must be at least as good as the hardware if educational television is to make its appropriate contribution to our society.

The Carnegie Commission on Educational Television reached the conclusion that "a well financed, well directed educational television system, substantially larger and far more pervasive and effective than that which now exists in the United States, must be brought into being if the full means of the American public are to be served". This was the central conclusion of the Commission and it was upon this conclusion that the Commission based its recommendation for the establishment of the Corporation for Public Television which is now proposed in Title II of this legislation.

Mr. Chairman, if I may be excused the parochial references, I believe that the general plan for the development of the Maryland ETV network may be useful as an illustration of the relationship between the recommendations of the Carnegie Commission, the provisions of this legislation, and the promise inherent in joining exciting and imaginative programming with sufficient and consistent support.

Maryland has determined to create and foster the growth of the kind of vigorous, independent, and well equipped ETV facility which the Carnegie Commission and the President recommended and toward which the provisions of this legislation are directed. In accordance with other recommendations of the Carnegie Commission, and with the general consensus of all who think and plan for the future of educational television in the United States, the Maryland system will be interconnected to provide coverage throughout the state and will be prepared to join in whatever regional or national systems of interconnection may be developed, through the efforts of the proposed Corporation for Public Television provided in Title II.

In its report to the people the Carnegie Commission emphasizes the need for a firm pedestal of dependable financial support for educational television combined with additional and diverse sources of funds for specific activities and programming purposes. Maryland has embarked on this course. We have determined that our ETV facilities will have the financial foundation of appropriation by the legislature from general funds.

The Maryland Law has also provided for the establishment of an independent commission to own and operate the facilities with the authority to receive grants, gifts, and donations from all sources to meet additional network expenses. Through this arrangement, Maryland will draw on the interest and involvement inherent in the allocation of both public and private funds.

Among the most ingenious and productive developments in our system of government has been the growth of a tradition of federal assistance to state and local projects in which our citizens have already made substantial investment of public and private money. What is proposed in Title II of the pending bill is another unique arrangement for the appropriate and careful channeling of federal assistance to a project which is already receiving substantial pubic and private support not only in Maryand but in nearly every state of the Union.

What is promised by Title II is the realization of the potential which educational television possesses to serve the general welfare.

What the Carnegie Commission and the President recommended and what all of us who are sponsoring these bills are seeking is a new freedom for the American people—a freedom for the artists, the technician, the journalist, the scholars, the public servants to create, innovate and be heard through the medium of educational television. What we seek is to free that medium from the constraint of inadequate funds in order to provide our citizens the freedom to learn, to be informed, and to be entertained through a wider choice or programs than can ever be made available under entirely commercial auspices.

Mr. Chairman, on behalf of myself as a sponsor of H.R. 7748, on behalf of the people of Maryland who have chosen to build a network, and behalf of the increased measure of opportunity and freedom for every American to choose what he shall learn, what he shall see, and what he shall hear, I urge this Committee to act favorably on the pending bill.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 23, 1967

The House met at 12 o'clock noon.

Rev. Paul B. McCleave, director of the Department of Medicine and Religion, American Medical Association, Chicago, Ill., offered the following prayer:

Almighty God, supreme ruler and governor of all things, and whose power no creature is able to resist; hear this, our prayer, as we seek Thy guidance and strength for the day.

May Thy blessing be upon all who are in authority but especially this day bless our President and each Member of this House of Representatives. Direct their consultations to the advancement of the safety, honor, and welfare of the people, that all things may be so ordered and settled by their endeavors that peace and happiness, truth and justice, virtue and piety may be established among us.

We humbly beseech Thee to look in mercy upon our servicemen exposed to peril, conflict, sickness, and death; comfort the prisoners, relieve the sufferings of the wounded, and show mercy to the dying. Grant insight to those in command that soon nations may once again find peace and concord.

With grateful hearts we turn to Thee to raise our voices in thanksgiving for Thy gifts and blessings; continue to bestow upon us Thy love and mercy as we place ourselves in Thy hands. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 10566. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10738. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10738) entitled "An act making appropriations for the Department of Defense for the fiscal year endin June 30, 1968, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. STENNIS, Mr. SYMINGTON, Mr. YOUNG of North Dakota, Mrs. SMITH, and Mr. MUNDT to be the conferees on the part of the Senate.

THE PRESIDENT AND THE DEMOCRATIC PARTY

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, the Democratic Party from Jefferson to Johnson has been the vehicle by which this country was tranformed from a collection of colonies into a thriving industrial democracy.

When the party was led by a strong President, it made its greatest showing.

When unified, it was able to pass its most significant programs.

There is a lesson for us in our history.

Division in the Democratic Party can bring defeat—not only for a President in the White House, but for Members of the Congress.

Division in the Democratic Party will leave the "action" to the Republicans who will seize the initiative because of our default.

Division in the Democratic Party could eventually spell the death or repeal of the finest American progress record in this half century.

Are we about to abandon our purpose because we do not always agree?

Are there not basic principles which define us as Democrats and which no amount of personal or program disagreement can obscure?

Are we about to separate ourselves from a valiant President who with the Democratic Congress has put over more constructive legislation than a dozen previous Presidents put together?

When the President of the United States is a Democrat, the Democratic Party and the Democratic President become synonymous.

Therefore, public criticism directed against the President by members of his own party is public criticism against and injurious to the Democratic Party.

No Democrat wants to see a monolithic party without some differences.

But no Democrat wants to see a fractured party limping into an election year in a defensive position.

The President and the Democratic Party are one entity. Let us give that entity, the Democratic Party, our support and encouragement in this very trying moment in the political life of this great Nation.

APPOINTMENT OF CONFEREES ON H.R. 10738, DEFENSE DEPARTMENT APPROPRIATION BILL, 1968

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none and appoints the following conferees: Messrs. MAHON, SIKES, WHITTEN, ANDREWS of Alabama, FLOOD, SLACK, ADDABBO, LIPSCOMB, LAIRD, MINSHALL, RHODES of Arizona, and BOW.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 10738

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill H.R. 10738.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMENDING THE NATIONAL GUARD

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, I noticed in the Washington Post this morning a typically misleading headline about trigger-happy guardsmen in Detroit. If you read the article, you find out the Guard was doing a good job in Detroit under the circumstances. Both the commander and deputy commander at Detroit, General Throckmorton and General Stone, in open hearings before the Armed Services Subcommittee chaired by Mr. HÉBERT held this morning, commended the National Guard and stated they had no intention of giving the National Guard a black eye on their testimony yesterday.

What General Throckmorton said seems to sum it up. He said that he had commended the guardsmen at Detroit on occasions but saw no press coverage of his statements.

After attending the hearings this morning, it appears to me that the only really trigger-happy group of the Detroit riots was the President's Blue Ribbon Commission as evidenced by their first report about the National Guard at Detroit. I commend Mr. HÉBERT and the members of the subcommittee for going after the real facts.

THE LATE HONORABLE MICHAEL IGOE

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is my sad mission to announce to the House the death of a great son of Illinois and a former Member of this body, the Honorable Michael L. Igoe, who was elected to the 74th Congress as Representative at Large from Illinois, resigning after a service here of 6 months to become the U.S. district attorney in Chicago. Later he was appointed U.S. district judge and served with great distinction and the acclaim of the bar and the public as an outstanding jurist for many years in the Federal court in Chicago.

Judge Igoe was graduated in law from Georgetown University in 1908 and in 1912 was elected to the Illinois State Legislature. As a freshman member he carried the load brilliantly and effectively as the floor leader for the Democratic Governor, Edward F. Dunne. Until his elevation to the Federal bench he remained one of the Democratic leaders in Chicago and in Illinois.

Chicago, Ill., and our Nation have suffered a great loss in the passing of Judge Igoe. To the members of his family I extend the deep sympathy of the House of Representatives of the Congress of the United States.

"UP WITH PEOPLE"

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, it was my very great privilege last night to be at Constitution Hall where the Moral Re-Armament group appeared and presented a songfest, "Up With People."

I think it is the most moving evening I have spent in a long while—so full of cheer and so full of hope for everything we want for our country.

Mr. Speaker, these young people are out of this world. There were 800 of them singing. They came from Panama, from Japan, from Korea, from Germany, from Africa—and, of course, our own people.

I just hope that some of you will pull yourselves together and go to Constitution Hall either tonight or tomorrow night. I think you can still get tickets—I am not sure. But it is certainly worth going because these young people are full of a much needed zeal. They are inspired with an ideal that they really want to put to work—and they are doing it. They have sung in the streets in Harlem and here in Southeast Washington.

They have sung in strange places, where none have gone before, and they have "brought home the bacon." These young people know where they are going. They know what they are doing; their determination is to build a new United States. Certainly, only they can do so.

Those who give themselves to this work have to live clean, and one of their songs is, "You Can't Live Crooked and Think Straight."

Another song is, "Freedom Isn't Free—You Have To Pay a Price—You Have To Sacrifice for Your Liberty."

Are these not the ideas, the hope that we here on the Hill need?

I hope most earnestly that those of you who have not been to Constitution Hall this week will endeavor to do so. This is a festival year. They do not have the international groups here in ordinary years, but they have them this year. I hope you will have the privilege of hearing them.

Mr. FEIGHAN. Mr. Speaker, will the gentlewoman yield?

Mrs. BOLTON. I yield to the gentleman from Ohio.

Mr. FEIGHAN. I wish to compliment the gentlewoman from Ohio for bringing this marvelous program to the attention of the House.

The cast has sung in Japan, Korea, Germany, Austria, Spain, Puerto Rico, Panama, Jamaica, Venezuela, and Canada.

It is my understanding that the cast

consists of citizens of more than 20 nations. It is most refreshing to see youth engaged in this worthy endeavor. I wish all youth, privileged and underprivileged could have an opportunity to hear these fine young people. They are really ambassadors of good will toward man.

Congratulations to Moral Re-Armament for sponsoring this program.

AUTO LIABILITY INSURANCE—TIE-IN SALES

Mr. CAHILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CAHILL. Mr. Speaker, the membership of the House is aware, I am sure, of the decision of the chairman of the Judiciary Committee, the Honorable Emanuel Celler, of New York, to authorize a staff study to determine the necessity for a full congressional investigation of the automobile liability insurance industry. The record is replete with documentation of the need for this investigation. Lest any Member question the need, let me point out the latest intimidation of policyholders by automobile liability insurance firms.

I have in my possession a letter addressed to a constituent policyholder from an accredited insurance servicing agency which contains the following statement:

> We have been advised by your insurance company that they will not renew your automobile policy unless they receive supporting business; such as, homeowners policy, fire policy, household contents, or even a jewelry floater.
>
> Remember, the company requires that an application for some other type of insurance be accompanied with the down payment for your auto insurance.

Mr. Speaker, the company responsible for this practice is one of the largest, best known, and highly respected insurance companies in the United States. I have supplied the name of the company to the chairman of the Judiciary Committee.

Mr. Speaker this is obviously a tie-in sale. This obviously violates not only the spirit but actually the letter of the antitrust laws of the United States. The size of this particular company and its insistence on a tie-in sale before it will write an automobile liability policy must, whether intended or not, have as its objective the destruction of free competition in the United States. This is but one additional piece of evidence that convinces me that the automobile liability insurance industry should be subject to the antitrust laws of the United States.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR THE SUBCOMMITTEE ON BANK SUPERVISION OF THE COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Bank Supervision of the Committee on Banking and Currency may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 231]

Ashley
Barrett
Blanton
Bow
Diggs
Dulski
Fallon
Foley
Gardner
Giaimo
Hanna
Hawkins
Howard
Karsten
McClory
McEwen
Machen
Miller, Calif.
Mize
Pool
Pucinski
Rivers
Roberts
Roudebush
Saylor
Teague, Tex.
Thompson, N.J.
Williams, Miss.

The SPEAKER. On this rollcall 403 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FOREIGN ASSISTANCE ACT OF 1967

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. Morgan].

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 12048) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 12048, with Mr. Price of Illinois in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Pennsylvania [Mr. Morgan] had 1 hour and 18 minutes remaining, and the gentlewoman from Ohio [Mrs. Bolton], had 1 hour and 29 minutes remaining.

The Chair recognizes the gentlewoman from Ohio.

Mrs. BOLTON. Mr. Chairman, I yield 10 minutes to the gentleman from South Dakota [Mr. Berry].

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota for 10 minutes.

Mr. BERRY. Mr. Chairman, I join with other members of the committee who have commended the chairman of our full committee on the very fine and fair job that he has done throughout the hearings.

I also wish to commend the ranking minority member of the committee, the gentlewoman from Ohio [Mrs. Bolton], on the work that she has done, in cooperation with the gentleman from Indiana [Mr. Adair].

The starting point of foreign aid, as we, the American taxpayers know it, is usually considered to be the successful Marshall plan which was primarily responsible for the reconstruction of the war devastated areas of Western Europe. The Marshall plan was successful; the fruits of its work can be seen today throughout the continent. But the reason for the Marshall plan's success has long since been forgotten. It succeeded because the nations of Europe were willing to take our assistance and to help themselves. It succeeded because with our help they tapped their own resources, their own labor, and their own capital, using American technology and American finances, where needed to rebuild their continent.

Today, our foreign aid program has strayed sharply from that concept of self-help.

Our present aid program has failed to secure and hold allies, for the United States. It has failed to meet many of the world's most pressing human problems and the challenges of new technology. It has failed most noticeably in India, the largest recipient of our largess, the Middle East, and Latin America. It has not been used effectively as an arm of our foreign policy to get other nations to assist us in meeting our global commitments. It has frequently been the vehicle for misguided and dangerous policies of arming underdeveloped countries.

These failures deserve special attention and scrutiny, because we are today asked to appropriate $6.3 billion over the next 2 years to continue the program which has produced these results.

THE FAILURES

The failures of the foreign aid program are primarily failures in philosophy of our assistance, the organization of the program, and the objectives of the assistance. Most importantly, as I said before, we have strayed from the original concept and purpose of the program.

In January 1949 the famous point 4 program was outlined by President Truman on the front steps of the Capitol during his inaugural address.

President Truman said:

> We must embark upon a bold new program for making the benefits of our scientific advances and industrial program available for the improvement and growth of underdeveloped areas. I believe that we should make available to peace loving peoples the bene-

fits of our store of technical knowledge in order to help them realize their aspirations for a better life.

The program envisioned sharing American "know-how" and "show-how" but nowhere was there any mention of a giveaway program save in terms of "knowledge." Unfortunately, these principles were soon abandoned. While the program was still in its infancy, it became obvious that it was being misconstrued here at home and the emphasis shifted from giving "ideas" to giving "things."

The extent to which we have ignored self-help and have attempted to bury the problem with cash is clearly revealed by the staggering sums we have poured into this program since 1945. We have spent close to $140 billion during the life of this program and there is no end in sight. Incidentally this figure does not include many related programs such as the Peace Corps, Public Law 480 shipments, funds for the Inter-American Development Bank, and the International Development Association. Nor does it reflect any increase in Vietnam funds since most of that assistance is handled by the Department of Defense.

We cannot expect the American taxpayer to continue to pour billions of dollars into these programs when the recipient countries refuse to help themselves.

This past year it was my privilege to visit a number of the countries of South America and to see what we were spending our money for in the purported improvements of living conditions in those countries.

I visited with many property owners and each time I had an opportunity I asked what real and personal taxes they pay on their property. In almost every instance the answer was the same, "None." I had a long visit with a very fine young rancher who told me he ran about 2,000 head of cattle and had a large acreage of rice. He told me how he operated, how they shipped their rice down the full length of the Amazon and out into the world markets. I asked him what personal property tax he paid on 2,000 head of cattle. He looked at me in amazement and said, "Personal property tax?" He did not even know what I was talking about. I then asked him what real estate tax he paid on his ranch of several thousand acres. Again, he looked at me in amazement. He paid none, or virtually none.

The personal tax on a ranch with 2,000 head of cattle in my district in South Dakota would run from $15,000 to $25,000 a year. And, yet, you—my friends are asking me to levy more taxes against my rancher to ship that money to South America so that South American rancher will not have to dig down in his pocket to pay for the things that should and must be done in his country and his community.

Again, as we drove through these very beautiful cities with block after block after block of magnificent homes, I kept asking what the taxes on these homes would be. In almost every instance the answer was, "Probably nothing—oh, some of them may get hooked for a little but most of them get out of it." It would cost at least $100 a month taxes to own any of those homes, anywhere in the United States.

At the proper time, Mr. Chairman, I shall offer an amendment providing that none of our money shall go to subsidize these wealthy property owners in South America until they establish an effective taxing and collecting system that will put them on the same basis as the tax-ridden property owners in the United States.

We have got to get back to the original concept of the Marshall plan of self-help—where we help those who help themselves. Not just build up a vast American bureaucracy all over the world to pour American taxpayers' money into another 110 ratholes; just to provide thousands of jobs for Americans abroad who succeed in making us the most hated country in the world.

Another terrifying example is India—the country which receives more U.S. aid than any other. I will dwell on these special problems of India in a moment but it is appropriate to mention them here.

The country has a larger cattle population than the combined cattle population of the United States, Australia, and Argentina. Yet India is the No. 1 food-deficient area in the world because it refuses to tap this obvious source of food. It refuses to use this meat for human consumption although those cows eat most of the grain we ship over there. While the Indian has every right to whatever religious beliefs he may choose to hold, he does not have the right to expect American aid to subsidize these traditions and beliefs.

Obviously any long-range solution must be built around an indigenous effort to establish food programs, industry, and a financial system which is all brought about from within. U.S. food aid, birth control programs, and dollar assistance will only continue to camouflage the root problems, which only self-help programs will ever conquer.

We can share American knowledge. We can loan out our technological know-how. We can teach others the lessons of administration and efficiency and production which we have acquired, but we cannot feed the world's population indefinitely nor put our cash behind each and every development project around the globe. We must return to the original intent of this aid program and resurrect the idea of helping underdeveloped countries lift themselves by their own bootstraps.

FAILURE TO BUY FRIENDS

The failure of our foreign aid program to win friends and trustworthy allies for America is sadly revealed by our almost total aloneness on the world scene.

Most recently when a key vote was taken at the U.N. such aid recipients as France and India voted against us and sided with the Soviet Union. Yet in the past 20 years France and India have received nearly $17 billion in U.S. aid.

On July 4, 1967, a Yugoslav resolution was put forth calling for immediate Israel withdrawal from conquered Arab territory. Among nations supporting this measure were Algeria, Cuba, India, Iraq, Iran, Jordan, Lebanon, Libya, Pakistan, Saudi Arabia, Sudan, Syria, Soviet Union, United Arab Republic, and Yemen—quite a cozy little club. Later, on the Latin American resolution which coupled withdrawal with recognition of Israel, that same club, and others, voted against the resolution. The deadlock and failure of the U.N. to come up with a meaningful solution in the Middle East is now history. The lesson is clear, however. When it came to casting that vote in the Chamber, the U.S. taxpayer's money had little effect. If foreign aid is a tool and arm of our foreign policy, it was clearly ineffective.

A second clear example of the failure of our aid program to secure allied stability is the milktoast support we are receiving in the Vietnam war. In an area of the world where other aid receiving nations have a far more strategic stake than the U.S. we receive only token support. For nearly a decade we have been the only powerful bulwark against Communist aggression in Vietnam.

Where is the support and assistance of the 100 nations that receive U.S. aid?

TRADING WITH THE ENEMY

Not only have many allies refused to share the burden of Vietnam, they openly flaunt the United States by continuing to trade with North Vietnam and other Communist countries. Statistics revealed by the Commerce Department show that such aid recipients as Belgium, Germany, Italy, the Netherlands, Norway, Portugal, Great Britain, Egypt, Cambodia, Japan, and France all carried on trade with North Vietnam in 1966 or the first part of 1967. This same group plus Canada, Denmark, Spain, Sweden, Switzerland, Finland, Syria, Iran, Iraq, Yugoslavia, Ceylon, and Pakistan, and Brazil all traded with Communist Cuba during that same period.

Some of these countries in fact carried on a very lucrative trade with Communist countries. Egypt for example carried on a $917 million trade with the Communist bloc countries in the first half of last year.

If foreign aid is to be an arm of our foreign policy, certainly we cannot continue to pour billions into countries who turn right around and trade with powers who are killing American men in Vietnam.

ORGANIZATIONAL FAILURE

A fourth failure of our aid program centers around the misuse, waste, and maladministration of those funds that are appropriated. These are largely organizational funds.

During my visits to other countries in connection with committee studies, I found one central problem running throughout our aid program—there is no incentive for successful completion of development projects. The massive bureaucracy which administers the program is too concerned with perpetuating itself and does not tackle a problem in the manner which a business or industry would. This has resulted in a continual barrage of new ideas for very questionable undertakings but few concrete results or completed projects. The whole theory of foreign aid was originally that it would be a temporary spark to fire development in underdeveloped countries. Today it is hard to view the complex machinery of foreign aid as anything less than a perpetual giveaway program.

We must completely revise and reorient our thinking about the objectives of this program. We must provide an incentive for success. We must eliminate the phrase which I heard so many times "we're working on it" and replace this tired slogan with evidence of accomplishment.

Organizational failures have also been responsible for holding back private investment in underdeveloped countries because there are no vehicles for channeling money abroad on which U.S. private enterprise can rely. This of course requires a much greater effort to create a climate in the Nation's concern that is conducive to investment. How can we expect U.S. business to invest when threatening inflation, nationalization, exorbitant interest rates, and general hostility to American investors frequently exist.

This would hold especially true for the agricultural industry whose techniques, know-how and capital are desperately needed around the world.

Additionally the aid program must adopt the wise management practices of private business to attack the growing problem of waste, fraud, and corruption within the program.

This is the principle reason I opposed the 2-year authorization and will offer or support a 1-year amendment. The program gets out of hand badly enough when the bureaucracy must report to Congress annually without giving them a free reign for 2 years.

THE CASE OF INDIA

These general observations are clearly reflected in the special case of India—the country which is now the largest recipient of U.S. foreign assistance. Our program there deserves special scrutiny.

The country is, among other things, an outstanding example of an area where we have completely ignored the concept of self-help. This point has been forcefully stated in an excellent study of the Indian problem by Dr. Raymond W. Miller, president of World Trade Relations, Inc., and a close observer of Indian affairs.

The point is a very simple one—there are enough calories in India, at the present time, to feed its great population. The bovine population, untapped for either nutritional or draught purposes, because of religious reasons, could adequately feed the population of India. The country, as I mentioned, has a cattle population of over 200 million. That is larger than the United States, Australian, and Argentine cattle population, combined. Like these three great beef-producing nations, India could easily develop a cattle industry which would feed its people and provide the necessary basis for rapid economic development.

Unfortunately, our Santa Claus complex has blinded us from realistically attacking India's problems. We continue to subsidize Indian beliefs, and feed an entire population while not demanding that changes be wrought by the Indian Government.

The case of India serves to document another of my initial points—that there is no incentive for success in the AID program. I have obtained from the Departments of Agriculture and State a list of all programs which they currently have operating in India. The Department of Agriculture sent me a list of Public Law 480 projects. One had been completed, and 22 were still "active." Interestingly, of all the projects which AID sent me as being underway in India, none dealt with the possible food use of cattle. A few were geared to fertilizer and food grains production—two areas which alone cannot, and could not, solve the food problem of India. We can no longer bury the program under cash and grain. We must use U.S. aid as a lever to secure changes by the Indian Government in their outlook toward their own food resources. Not only does the reference for animal life mean that the Indians have not tapped their cattle, but that they permit the rodents, particularly rats and monkeys to destroy vast quantities of the food aid which we are shipping to India at present.

Politically, of course, we have been the subject of violent abuse when India denounced our U.S. role in Vietnam and simultaneously announced its full support for the United Arab Republic in the struggle with Israel. Such announcements should be considered as cause strong enough to withhold all aid or cut back substantially until India realizes that we cannot ask the American taxpayer to spend dollars for support of a country which announces close ties with the Soviets, criticizes U.S. policy, and hurls political insults.

THE MIDDLE EAST

The U.S. assistance to the Middle East can be indicted on two main counts: First, the failure to halt Communist penetration; and second, the escalation of the arms race in the Middle East.

Since 1945, the United States has poured more than $23.5 billion in economic and military assistance into the Mideastern countries. Last year, the appropriation was for roughly $800 million, bringing the total assistance package to more than $24 billion in the past 21 years.

The growing friendship between many Middle Eastern countries and the Soviet Union was unmistakable even before the latest hostilities. The Soviet interest in the vast fuel resources, particularly new discoveries, is clear and has been well known for a long time.

In early 1966, Soviet Premier Kosygin visited the United Arab Republic. The Syrians entertained visiting delegations from both the Vietcong and Red China. Throughout the year news headlines carried repeated evidence of the Soviet's desire to organize an alliance of armed radical governments in the area.

Since 1945, more than $1.2 billion has gone to President Nasser alone. In 1965, he received $55 million in food aid, after telling the United States to "drink the waters of the sea." Further digging revealed that this action was taken after Nasser had pledged to buy $6 million worth of corn from the United States, paying for the food in dollars. This was approved despite admissions from Cairo that several years ago Egyptian officials diverted U.S. corn shipments from the people of the country and sold the grain to obtain revenue for arms purchases. As if this were not sufficient rebuff to cancel aid, Nasser last year "demanded," and that is the word he used, "demanded" $250 million in economic aid.

It was, of course, not a coincidence that the military events this year unfolded at a time when the United States was focusing special attention on South Vietnam. It is astounding, however, that the United States through its aid and food shipments continued to enable Egypt to carry out these ventures.

Soviet penetration in the United Arab Republic is not alone. The Kremlin's embrace has extended openly to Syria which during the past 2 years has been violently anti-American and openly bragged of a "war of national liberation" against Israel. Yet Syria has received $83 million since 1945, received $1.1 million in economic help in 1965 and had funds cut off only when a Communist coup took over the country. Syria received shipments of jets from the Soviet Union as did Iraq, a country which has received over $100 million since 1945, and received $5.3 million in 1966.

Other single incidents have occurred. Libya, the recipient of $220 million in aid since 1945, has asked the United States to leave Wheelus Air Force Base near Tripoli. The base has been considered strategic to our defense of Europe and for flexibility in the Middle East.

Seven countries—Algeria, Iraq, Mauritania, Sudan, Syria, Egypt, and Yemen—have severed diplomatic relations with this country and Lebanon has recalled her Ambassador.

The Soviet influence is reflected in another significant form, despite U.S. assistance. Sizable jumps in economic trade, both imports and exports, between the Communist bloc countries and the Middle Eastern nations are very evident.

Second, our aid has contributed in great part to the escalation of the arms race in the Middle East. Mistaken by the notion that arms for many of these countries were necessary for protection of national integrity and stabilization, we furnished weapons to both sides in the Middle East struggle and continued to do so until they were sufficiently armed to spark a military clash.

Pentagon statistics show that the United States has supplied at least $346 million military aid to 10 of the Arab countries backing Egypt.

Despite the recent hostilities, the United States for some obscure reason continues to train pilots from nine Arab nations. It is very doubtful that we have learned our lesson about arms shipments. Obviously, the administration has not, or there would not be a section in the present bill to continue to permit arms sales on credit to underdeveloped nations, a section which was taken out by the other body.

In short, our Middle East morass means our aid programs failed to halt Soviet penetration and Communist advance in the area. It failed to enhance the U.S.

position and strength. It only made Nasser's strength and bravado greater. It means we support countries violently opposed to U.S. policy and openly anti-American, and it means our aid is still flowing in liberally, despite these abuses.

This quick survey of the foreign aid program does not touch upon scores of programs, scores of mistakes, and scores of areas where drastic changes are needed, It does point up, however, the clear need to reorient the entire program.

Recently, the Republican Coordinating Committee published an excellent white paper on U.S. foreign aid, including 16 specific recommendations for changes in our policy and program administration. This would be a good start.

Without complete changes, foreign aid will remain a perpetual giveaway and complete exercise in futility.

Mr. MORGAN. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Chairman, yesterday the distinguished chairman of the House Foreign Affairs Committee, the gentleman from Pennsylvania [Mr. MORGAN], outlined the provisions of the legislation before this body, the Foreign Assistance Act of 1967.

It is my purpose today to reply to some of the statements, allegations, and distortions which appear in the minority views, which are found at the end of the committee report on this measure.

First, however, I want to reaffirm my own conviction that this foreign aid authorization bill is a good one.

Under the wise and experienced leadership of Chairman MORGAN, the members of the committee—in a bipartisan effort—have hammered out a foreign aid program that is designed to combine maximum effectiveness with minimum cost.

The committee held many hours of hearings. We took testimony from dozens of witnesses representing varying points of view. Further, we have spent 7 weeks in executive session working on the proposal.

As we shaped this legislation, all of us, I believe, very much had economy in mind. Because of the financial requirements of the Vietnam war, our economizing had to be stringent.

It was. We have reported a bill that is approximately 9 percent below the amount requested by the administration.

Regardless of how much economy is practiced, however, there are those who are unalterably opposed to this program.

Some of them are Republicans—some Democrats—most can be characterized as neo-isolationists.

I have no quarrel with their right to oppose foreign aid.

Certainly every member of the Committee on Foreign Affairs—and this includes those of us who have voted for this undertaking fairly consistently—has opposed, at one time or another, some part of this program.

We accept opposition to foreign aid because men, even under the best of circumstances, will differ as to the means to be used to achieve a given end.

But is it too much to ask that issues be considered on their merits—and that the opponents of a given bill produce a rational explanation of their position?

In that respect, I was deeply disappointed by this year's minority views on the bill before the House today.

I say this because I respect the exceptional talents of some of my colleagues who signed those views—and because I know what great effort they have expended in the past to improve our foreign policy undertakings.

Nevertheless, the minority views call to mind an occasion when a "helpful" individual, seeing a man drowning, threw the victim an anchor.

"Why did you do that?," a companion inquired. "Because," replied the disgruntled objector, "he hollered 'help' instead of 'thank you'."

Let us look at some of the views expressed in that report.

Foreign aid is obviously futile, we are told, because although 90 percent of the 122 members of the United Nations have received some U.S. aid, many did not vote as the United States did on resolutions concerning the Middle East crisis.

Through all of the years I have been studying this program, I have never been aware that the prime purpose of foreign aid is to "buy" votes in the U.N.

Since when has diplomacy centered on winning friends rather than pursuing national interest?

It has been my understanding that our foreign aid was designed to assist nations develop economically, socially, and politically, in order to allow them to remain free and independent.

Let us look for a moment at those 122 nations. How many of them are captives of communism?—11—a handful. Of these, only one, Cuba, has been taken over since our foreign aid programs began.

Yet if we had never had a foreign aid program, I submit to my distinguished colleagues that many more nations might be Communist today.

Further, the inference of the minority report is that somehow the basic interests of the United States were flaunted by these "third-world" nations in the U.N.

Many of the nations, it is true, did not see eye-to-eye with the United States on the Middle East crisis.

A majority in the Security Council, however, voted with the United States on the resolution calling for a ceasefire. Was not that, after all, the most important vote?

Further, the Soviet Union was unable to muster a majority in the General Assembly for its proposal to force Israel to return to its former borders.

I do not see any defeats for the United States here—certainly none so serious as to warrant a defeat for the foreign aid program.

There are, after all, many American citizens who disagree very strongly with current policy in the Middle East.

We do not condemn them for their dissent. In our free America we tolerate dissent, and respect the right to freedom of expression.

Shall we tolerate less from nations we hope remain independent?

The minority report concentrates its criticism on India. It implies that since independence India has done nothing to help itself.

The report by those who oppose foreign aid, however, chooses to overlook the progress which has been made in India during the past 15 years. Since 1951, some achievements are:

There has been a 76-percent increase in national income.

Life expectancy for the average Indian has increased from 32 years to 50 years.

The number of children in school has more than tripled.

In agriculture, food grains have registered a 61.8-percent increase in output, despite the fact that in 1965 and 1966 the country experienced two of the most serious droughts of its recorded history.

Steel production has risen from 1.4 million tons to 6.6 million tons.

Installed electric power capacity has been stepped up from 2.3 million kilowatts to 10.1 million kilowatts.

Industrial output has increased 150 percent.

Some two dozen major river valley projects have been begun. Among them is the huge Indus River Basin project, toward which American aid has been directed. When completed it will better the lives of 50 million people in India, and in neighboring Pakistan.

Mr. Chairman, the achievements of the past 15 years which I have just described are not those of a people content to live on a foreign subsidy. Rather, it is indicative of the willingness which the Indians themselves have shown to work hard for their own development, progress, and welfare.

Moreover, they have done this while retaining a vigorous and viable democratic form of government. We have fought world wars to make a world safe for democracy. Right now we are fighting in Vietnam to permit that country to establish a representative form of government.

If we are willing to expend our treasure and our young men in war for such a purpose, shall we do nothing to help the world's most populous democracy develop in peace?

The minority report chooses to ignore this progress. It suggests that India make certain reforms in order to be worthy of our assistance.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. Of course, I am delighted to yield to my esteemed and distinguished colleague the gentleman from Indiana.

Mr. ADAIR. I wonder if the gentleman feels that the world is at this moment safe for democracy?

Mr. ZABLOCKI. The world shall never be entirely safe for democracy. I submit, however, that without the aid programs, democracy would have been in much greater jeopardy throughout the world.

Mr. ADAIR. Of course, the gentleman, if he will yield further——

Mr. ZABLOCKI. Does the gentleman from Indiana agree that since U.S. foreign aid programs were instituted, only one nation has fallen victim to communism?

Mr. ADAIR. No; the gentleman from Indiana does not agree with that statement.

Mr. ZABLOCKI. Is this not an indication of success?

Mr. ADAIR. Mr. Chairman, if the gentleman will yield further, there are degrees of communism. There are many nations which since the inception of our aid program are now more deeply beset by communism than they were at the time of the beginning of our program.

I believe that it is pure speculation to say that the aid program has halted, or even put measurable brakes upon the speed of communism.

Mr. ZABLOCKI. Does the gentleman contend that if we did not have an aid program, Cuba would not be Communist? And, further, that other nations would not be confronted with a Communist threat?

Mr. ADAIR. The gentleman did not say that. I said, on the contrary, that the aid program had not prevented countries like Cuba from becoming communistic.

Mr. ZABLOCKI. Of course, we could not prevent any country if it so desires from becoming Communist. Our aid program is not designed, or of such scope, to prevent every country from becoming Communist. If that is the gentleman's intention, then I suggest rather than cutting the program, he should increase the funds so that the goal envisioned by the gentleman may be fulfilled.

Mr. ADAIR. Certainly building opposition to communism ought to be one of the objectives of such a great expenditure of effort and money as our Nation has put forth.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the distinguished chairman of the Committee on Foreign Affairs.

Mr. MORGAN. I wonder if the gentleman from Indiana will describe what the condition of the world during the last 20 years would have been without a foreign aid program?

Mr. ZABLOCKI. I would suggest the gentleman from Indiana reply to the question of Chairman Morgan. I would be delighted to yield to the gentleman for this purpose.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Indiana.

Mr. ADAIR. I am sorry to say that I did not hear the question the chairman asked.

Mr. ZABLOCKI. I am sure Chairman Morgan would be delighted to restate his question.

Mr. MORGAN. I raised the question as to what the gentleman from Indiana considers conditions in the world would be today without the expenditure of $130 billion which has been made for foreign aid.

Mr. ADAIR. Any attempt to do that would be, of course, pure speculation. No one can with certainty say what the conditions of the world would be. There are those who would argue, as the gentleman in the well does, that the $130 billion or so that we have spent has been very valuable, and on the other hand there are those who would argue, like myself, that its effect has been minimal, but there is no way of measuring what the condition of the world would have been without this program.

Mr. ZABLOCKI. I am sure the distinguished gentleman from Indiana would agree that the evidence is certainly conclusive, that the foreign aid program has been a key element in combating the spread of communism.

Mr. FRELINGHUYSEN. Mr. Chairman, would the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, first of all I would like to congratulate the gentleman for his presentation of the points that he has. I would like to return to the subject of India, and the minority views with respect to that country.

I wonder if it is the feeling of the gentleman that the implication from the minority views is that we should stop feeding the sacred cows of India, or force the Indians to stop feeding them, and have them destroy these cows?

Much as we may recognize that these cows do deplete some food supplies that might otherwise be available to the Indians, it would be hard to argue that we would have success in trying to impose our convictions about their religious beliefs.

The minority report does indicate that this is a delicate subject. If we are not successful in our efforts to get them to kill the sacred cows, what should we do? Should we turn our backs on India, and say, "We will not help you with food or other assistance because we disagree with some of your views and practices."

This would be a harsh kind of judgment in view of the size of India, and the importance to us of having a democratic society in that country.

Mr. ZABLOCKI. Mr. Chairman, I want to thank the gentleman for his observations.

As a matter of fact, that is the same conclusion I had reached after reading the minority report.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman.

Mr. ADAIR. I must correct the gentleman, my good friend from Wisconsin.

In the minority views we make it very clear that we respect the right of every individual to his own religious views. But we say where it is a choice between feeding animals and feeding humans, then humans ought to be fed.

Mr. ZABLOCKI. In reply to the gentleman from Indiana I would venture a guess that the people of India will give the same interpretation to the minority views as I have given.

The implications of the minority views are both far reaching and astonishing.

In the first place, we are told, the Indians ought to give up their religion. It seems that the Hindu religion, in the estimation of some thinkers, is too costly a thing for the peoples of a developing country.

Second, we are told that the Indians should stop having children. Implicit here is approval of the kind of compulsory mass sterilization in recent history practiced by the Nazis in Germany.

Third, we are told that the Indians ought to be grateful for our so-called "subsidy" and therefore should accept unequivocally our positions on international issues.

What do we in turn give them for these fantastic sacrifices? Perhaps our colleagues would be interested to know how much this so-called subsidy actually amounts to.

A little arithmetic reveals that our total aid to India amounts to 67 cents per person per year. Sixty-seven cents for each and every Indian citizen.

Further, three-fourths of that so-called subsidy is in loans, loans which are being paid back with interest by the Indian Government.

And I find in further study that two-thirds of those loans were extended in connection with the sale of U.S. farm surpluses—surpluses which, during the past decade, have cost us more to store in this country than to give away.

We come, therefore, Mr. Chairman, to the kernel—the essence—of thought developed by those who oppose this legislation:

For 67 cents a year, all we want from the Indians is that they abandon their ancient and cherished religious beliefs, that they stop having children, and that they follow us obediently in all things which we undertake in the world arena.

Are such expectations reasonable?

The Bible tells us that Esau sold his birthright for a bowl of soup. Surely this is not what America expects from those whom it assists.

I have never read about, or known, or lived in an America like that. Nor—up to now—have I ever heard it suggested.

We in this Nation are blessed by the Almighty with a per capita income of more than $3,000 annually.

The Indian people have a per capita annual income of less than $100. Shall we now ask them to give up their religion, their right to a family, and their sovereignty in world affairs—all for 67 cents a year?

Hope and pray our Nation never comes to that.

Let us continue to review this report of the minority. On page 132 it accuses the United States of "having bet on the wrong horse" in Indonesia.

The situation in Indonesia, it seems to me, is the best argument in the world for the continuance of foreign aid. As anyone who is familiar with the situation knows, the United States bet on the right horse.

Our assistance to the people of Indonesia, and primarily to the military, was on the assumption that the military was strongly anti-Communist and would thwart any attempt by Sukarno or anyone else to turn the country over to the Communists.

Events have proven us right. Sukarno is out. The Communist Party has been destroyed. Marxist writings have been banned. Freedoms taken away under Sukarno's so-called guided democracy have been restored.

If the United States had not had an aid program in Indonesia, or if we had summarily shut it down when the going got rough, I firmly believe that today Indonesia would be part of a Peking axis.

Our position in Vietnam would be severely shaken. The West—rather than Peking—would have suffered a severe political and strategic setback in Asia.

It is characteristic of the nearsighted minority report that on page 133, recognition is paid to the setback to Moscow and Peking in Indonesia.

Yet the authors are unwilling to ascribe some of the credit where it undoubtedly is due: our aid program in Indonesia.

Mr. Chairman, the minority report is a thinly woven tissue of material irrelevant to the bill before us.

Almost an entire page—page 136—is devoted to the Export-Import Bank loan to Fiat of Italy.

There is no money in this bill for the Export-Import Bank.

Legislation for the Export-Import Bank unfortunately does not even come before the Foreign Affairs Committee. Surely the gentlemen who signed this report must know that.

The Export-Import Bank issue is, however, controversial and it fills space in the report. Apparently those criteria are the only ones which the minority requires.

Foreign assistance is too important to be dismissed in such a manner.

Like some of the members who signed the minority report, I have had criticisms of our aid programs, their administration, and their results. But, for the most part, I believe foreign assistance has met the objectives we have set for it.

The basic purpose of foreign aid always had been to protect the security of the United States by developing military and economic strength among the countries of the non-Communist world.

The success of this objective can be seen in the economic revival of Europe after the Marshall plan.

It can be seen in the military containment of communism in Europe.

It can be seen in countries like Japan, Israel, Iran, Taiwan, and others which once received foreign aid, but have developed to a point where they no longer need it.

Through our experience with this program, we have refined and improved it and we have put increased emphasis on self-help and private participation.

Fifteen years ago most of aid expenditures were grants. Not so today. In the bill before us, most of the authorization is for loans—dollar repayable loans.

Today our aid programs no longer are a significant factor in our balance-of-payments problem.

Almost 90 percent of our economic assistance and 95 percent of our military assistance is now spent in the United States.

Mr. Chairman, through foreign aid, I submit, we demonstrate our leadership of the free world.

Through foreign aid, we accomplish the humanitarian purposes of feeding, sheltering, and educating fellow human beings in less prosperous lands.

Through foreign aid, we are creating markets for American goods and future customers for the vast range of products for consumer and industry which our Nation produces and exports.

Let us remember that we are parliamentarians in the richest, most powerful Nation in the history of the world. It is given to us—as to few before—the privilege of helping to shape for the good of mankind the future of this planet.

It is often said that when the foreign aid bill comes before this body, it suffers for the lack of a constituency to press for its acceptance.

That is not true. The foreign aid bill does have a constituency. It is every American citizen who believes his Nation must live up to those responsibilities and obligations which it has been given through the providence of the Almighty.

Our colleague, the able and distinguished gentleman from Illinois [Mr. O'HARA], most eloquently and dramatically developed this fact in his speech yesterday.

I urge that each Member of this body—regardless of the position he or she previously has taken on aid—consider the desires of that constituency and the welfare of our Nation.

Thus, bearing in mind what our responsibilities are—what our national interest is—we must logically vote for the legislation before us today.

I know that this august body will measure up to the reputation for statesmanship in international affairs with which it has been credited, that it will vote down crippling amendments, and that it will approve the foreign aid authorization bill as reported by the Foreign Affairs Committee.

Mr. ADAIR. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Chairman, it is with great hesitation that I rise following the remarks of the distinguished and able chairman of the Asia and Pacific Subcommittee and the ranking majority member of this committee. The gentleman from Wisconsin is not only a man of high ability and noble character, he has stated his case eloquently and in such a way that—as one who signed the minority views—I can only begin by saying "my head is bloody but unbowed."

I voted against reporting this bill from the committee. I shall vote against it on final passage.

As has been pointed out by several speakers heretofore, should this bill be voted down, there are still sufficient funds in the pipeline so that funds of approximately twice the proportions of this bill could be deobligated and reobligated should that voting down occur. The pipeline contains this amount of funds.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I believe the record should show that although there are about $6 billion of unexpended funds, only about $300 million of that total remains unobligated or unreserved. Would the gentleman advocate that if we have obligated a certain amount of money for a project, for example a fertilizer plant, and the full amount of the reservation has not been expended, that the fertilizer plant be discontinued in the middle of construction and the funds reallocated for a different purpose?

Mr. BUCHANAN. I will say to the gentleman, in light of the fact that we are confronted with the probability of a $29-billion deficit; in the light of an emergency situation in Vietnam; in the light of this unusual fiscal circumstance in which we find ourselves, that such a reassessment would be understandable at the present time of fiscal crisis.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield further?

Mr. BUCHANAN. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I have listened attentively to the gentleman, but the gentleman did not reply to my question. Would he advocate the deobligation of money previously set aside and committed for specific projects? Should we abandon those projects in midstream, having them half-finished to stand there as monuments to our folly? Surely, this is no way to proceed.

Mr. BUCHANAN. I would say to the distinguished gentleman that personally I would very probably not have approved many of these projects in the first place, and therefore would not personally object to a deobligation of many such projects in the future.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield further?

Mr. BUCHANAN. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Because I did use the figure of $300 million in referring to unobligated funds, I should like to add that of that sum, there is only $46 million of economic aid funds that are unobligated and $10 million of other funds. The remainder are funds received against the investment guarantee program. The gentleman fully knows that. So there is not very much left in the program to be obligated in the future.

Mr. BUCHANAN. I will say to the gentleman that my wife would testify, and perhaps his wife would, also, that there have been times when there have had to be deobligations and reobligations in our personal finances during periods of fiscal crises.

Mr. ZABLOCKI. We have never stopped our mortgage and car payments.

Mr. BUCHANAN. May I continue? There are two basic reservations which many of us have concerning this program. The first is as to its theory and direction; the second, as to its administration. Is this the only way that we can help people, provided it is our purpose to help people? Is this the way to fight communism, provided that this is our purpose?

May I say as a churchman and as a Christian, I believe we have an obligation to help people of other lands, and many churches—the gentleman's church and my church—sponsor strong missionary work in education, in health services, medicine, agriculture, and many other fields.

I suspect the best work done in the foreign field is that done by church missionaries supported by voluntary contributions of church people.

May I say further that there are many private foundations which are active in this field. Indeed, a man named Richard

Cornvelle wrote a book a year or two ago which was entitled, "Reclaiming the American Dream," and in it he pointed out the great power for good of the independent sector of our society. We speak of the public sector, meaning government, and the private sector, meaning the profit sector, as if this was all there was to America, but there is a great independent field of material and human resources in the form of churches, foundations, associations, and private individuals, and we have not really laid hold of these resources either at home or abroad toward meeting human need and toward solving human problems.

I would say we could find too many instances of fuzzy thinking and of planning that is not careful planning, and of imprecise answers to precise questions, on the part of the agency which dispenses the economic aid of this program. The gentleman from California [Mr. TUNNEY], in committee offered an amendment which I hope will help correct this, which would provide for the establishment of clearer goals and of measurable work and objectives and programs on the part of AID. The committee did well to look upon this proposal with favor, and it is my profound hope that its implementation will be such as to profoundly improve the aid program.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, the gentleman is quite right in stressing the independent sector, as he calls it, as of value in assisting others less fortunate than ourselves. But is it not true that most church groups, including perhaps the gentleman's own, are also very strongly in favor of the foreign aid program? Would the gentleman address himself to it, if he is opposed to that point of view?

Mr. BUCHANAN. Mr. Chairman, I thank the gentleman. This is precisely correct. I think one of the tragedies of 20th-century christianity is that we have chosen to take the course of lobbying for Government to do what we ought to be doing ourselves in the field of foreign missions and in benevolence. We have stepped aside and said we will be the lobbyists and let the Government do it.

What is the difference? The difference is that this is money taken from people without their consent. If I were a director of Riggs National Bank, I would feel it highly improper to take the assets or profits of my stockholders and give them to anyone who wanted to come in for a handout. No matter how humanitarian, this would not be a responsible fulfillment of my responsibility. But if I were a pastor or a deacon of a church, I think it would be entirely proper for me to give as much as I could for benevolence, because these are funds voluntarily given by people to help other people. There is a distinction.

Mr. FRELINGHUYSEN. Mr. Chairman, it seems to me the gentleman is being grossly unfair to church organizations advocating a role for Government. To advocate that there should be a role for private citizens and private groups and independent groups is not to say there is not also a role for Government, and to suggest that they are trying to avoid their responsibilities by transferring them wholly to the Government is not in accord with the facts. I would guess none of these churches are saying, "We do not believe we have a responsibility for this ourselves," when they urge the Government to exercise some responsibility in this field too. Surely the gentleman can see there is room for both Government and nongovernmental effort.

Mr. BUCHANAN. I would say to the gentleman, certainly there is no necessary exclusion by one of the other. One does not preclude the other. However, there has been, in my judgment, a regrettable tendency for churches to want to substitute, for example, in the poverty program the receiving of grants or making of contracts for soliciting from their own members the kind of voluntary contributions and voluntary work which would be, to me, more redemptive as well as a better way of doing business under the Constitution of the United States.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, I think the gentleman's point is well taken from the point of view of private groups and church groups. Our subcommittee, the Subcommittee on International Organizations and Movements, has done an extensive study of private organizations, foundations, church groups, and other groups. We found several thousand such organizations making a tremendous effort in the foreign aid field. The organizations included in our sample survey alone accounted for some $500 million in annual outlays on overseas programs and related undertakings. They are doing a good job, whether they can do more of course is debatable.

Mr. BUCHANAN. Mr. Chairman, I am aware of the extensive study which the gentleman's subcommittee has made in this field, and commend him for the contribution he has made toward communication and coordination between private and public aid agencies. As he has said, churches are doing a great deal of work in the foreign aid field. They can, however, and must do more.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BUCHANAN. Could the majority side yield me a minute, so I can say a positive thing?

Mr. MORGAN. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. BUCHANAN. I thank the distinguished chairman, and add my voice to those who have praised the gentleman's good judgment and leadership.

May I say that if we have a foreign aid program at all it seems to me that military assistance is a basic and essential part of this program. It would seem, if we have such a program at all, it would be very unwise to cut this part of the program.

We are, in fact, confronted with world communism, which does, in fact, control 25 percent of the earth's surface and more than a billion of the world's people. It does threaten the world with aggression and subversion in Asia, Latin America, and everywhere else.

I would urge that the cuts for which I voted in the committee be made in the economic area, but I would warn, if we are going to have a program, that we exercise great caution in cutting the portion designated for military assistance. We ought to recognize that we are confronted by three choices in the area of military assistance.

We can stand back and do nothing and take the chance, where there is a vacuum, that a Communist government shall by aggression or internal subversion move in to fill that vacuum.

On the other hand, we can determine that we are going to fight every little battle in the world with our troops and with our military capacity because others are not equipped to do so.

Or we can offer some limited, reasonable amount of military assistance to other selected governments to help protect them against Communist aggression or internal subversion.

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mrs. BOLTON. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. BUCHANAN. Mr. Chairman, it would seem to me, if we are going to have an aid program at all, that it would be very unwise to play down or to cut drastically this portion of it. The other body, in its wisdom, has cut the military assistance authorization request by a full one-third.

I would say, in our case, it would be most unwise to make such a cut, because we may find ourselves in the position either of having to fight all of the battles or to watch them lost.

Castro is active in Latin America, seeking to subvert.

Communism is active in Asia and everywhere else.

The Communists may disagree on many things: they disagree on how they shall bury us, when they shall bury us, and who shall be the chief undertaker. They do not disagree that either by power or deception they want to replace our system with their system. They are committed, in the case of the Soviet Union, of Red China, and all the rest, either to direct aggression or to the so-called wars of national liberation with internal subversion transforming governments into Communist governments.

We stand facing this situation, and this is what we must meet by whatever military assistance is provided in this act. With limited help, some governments can deter aggression by a Communist neighbor. With limited help, other governments can ward off internal subversion.

Mr. Chairman, in my judgment, military assistance is the part of the program which can most clearly meet the constitutional test of serving the national interest without which no part of the foreign aid program has a right to stand. I would urge support for the amendments which will be offered to trim down economic aid. Cuts in military assistance, however, should be made with great caution, recognizing our need to halt the progress of godless communism. The largest and most dangerous totalitarian movement our country has faced in this troubled century.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. WRIGHT] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WRIGHT. Mr. Chairman, at the risk of repeating what has been said on many occasions about the foreign aid program, I should like to remind my distinguished colleagues of the central purpose of the U.S. aid program.

That purpose, as I understand it, is to help the developing countries in Asia, Africa, and Latin America to reach the goal of economic "takeoff," and to do so within the framework of their orderly constitutional procedures.

We are all inspired by the economic success stories of Taiwan, Israel, and Mexico, to name a few of the developing countries that no longer need our major assistance. What I should like to call to your attention today is the rapid progress that other countries are making toward economic independence with the help of the U.S. aid program.

I refer specifically to two countries whose stability and progress are highly important to our own security—Korea and Turkey.

Turkey has set 1973 as the target date for achieving the capacity to continue its economic growth on a self-sustaining basis.

Last year the Turkish economy achieved one of the highest growth rates in the world with an increase of more than 8 percent in its gross national production. Agricultural production in Turkey increased by 11 percent, industrial production by 9 percent, and investments in the Turkish economy as a whole were up by an impressive 15 percent.

Korea's accomplishments are even more remarkable. While the rate of economic growth—the gross national product—averaged only 5 percent in Korea during the 1950's, the rhythm of growth throughout the present decade has averaged 9 percent, including an estimated gain of 12 percent in 1966.

This is a record which few nations anywhere in the world can match.

As Korea has progressed, U.S. assistance has steadily declined. Supporting assistance is being phased out and food for freedom grants of grains gradually eliminated. Korea should be able to carry on without major AID help by the early 1970's.

Certainly it is to our national interest to help these countries to demonstrate that the legitimate economic and social objectives of a developing country can be achieved without sacrificing its national integrity or its political liberties.

Can we in the United States abandon these countries on the very threshold of success? Do we want to? I think not. I submit that our goal of a free world made up of viable nations demands our continued support until that day—now close at hand—when these and other countries can stand alone on the threshold of economic takeoff.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. TUNNEY].

Mr. TUNNEY. Mr. Chairman, I rise in support of the foreign assistance bill before the House today. We must continue to assist free people of the world to shape their own destiny and raise their standard of living. The foreign assistance bill makes it clear, however, that each country must make every effort at self-help. It is only when the developing nation is willing to strive toward its own economic and social progress that this country's assistance can be effective.

One of the most frequent charges leveled against the foreign assistance program is that there has been waste and inefficiency in the expenditure of funds. In an attempt to eliminate the sources of inefficiency, the committee adopted an amendment to the Foreign Assistance Act which is on page 38, section 621A entitled "Strengthened Management Practices." This amendment gives congressional endorsement to efforts to implement some basic modern management techniques and systems. I feel its provisions will result in the saving of large amounts of public funds and making more effective use of the funds available.

The Congress must have full information of social, political, and economic conditions in developing countries and, just as importantly, must be able to appraise the relationship of foreign assistance policies and program expenditures to these conditions.

It is the desire of this Congress, as I read it, to be a wise and prudent steward of the public funds entrusted to it; to get the best value for the least money spent. But it is impossible to say whether funds are wisely or unwisely spent if there are no clear ways to judge; no real criteria.

Money is spent to achieve a purpose. Certain information is necessary if any intelligent evaluation of performance is to take place. But I have found it difficult to carry out this responsibility in connection with the aid program. There are certain needs that have not been met, and until they are met, our evaluation of aid expenditures will be based on vague hunches, incomplete information, and purely intuitive judgments.

I believe there are management needs which require attention.

First. At the present time, we have no clear criteria through which we can adequately measure progress against stated objectives. Neither critic, advocate, nor practitioner can escape the necessity for evaluation. But at the present time, we lack a clear and meaningful system of measurement.

Second. There is a lack of clearly defined alternatives which prohibits meaningful comparisons of costs and benefits. And when there can be no meaningful comparisons, it becomes quite impossible to intelligently evaluate whether funds were wisely or unwisely spent.

Third. It is impossible for Congress to quickly secure relevant information in order to evaluate aid programs. The "information explosion" has deluged us with vast quantities of data that, in their immensity, one has neither the time nor the capacity to digest.

Fourth. There is undue emphasis of the amount of money spent on a program rather than on the results of program performance and effectiveness. A report of moneys spent is, in itself, an inadequate measure of what has been accomplished.

Fifth. There are not clear, consistent categories of activities with which to make comparisons between programs in different countries. It is extremely difficult to make comparisons between different programs in different countries if dollars are the only common denominator.

Fortunately, new methods of management control and systems analysis have been developed and their applicability to aid is apparent with only a cursory review of the situation.

The newer management and systems approaches go a long way to meeting the needs of Congress. A good management system should provide: Clear criteria to measure progress against stated objectives; alternative programs designed to reach stated objectives so that comparisons can be intelligently made; quickly available and relevant information; an ability to evaluate with as much precision as possible, program results and not just program expenditures; comparable and consistent reporting categories to allow more effective comparisons. Another attribute of these methods is that they demand precise thinking. The goals and objectives are clearly defined. Progress toward stated objectives is measured in concrete, quantitative terms.

This amendment was developed to take advantage of these modern methods and in this way help meet the needs of Congress. The purpose of this amendment is very simple. It specifically emphasizes in legislation the importance of using advanced management techniques in the planning, execution and evaluation of the foreign aid program—both for internal agency management and to provide more meaningful information and reports to Congress.

The amendment requires the President to establish a management system that includes the following elements:

First. The definition of goals and objectives for the U.S. foreign assistance program.

Second. The development of quantitative indicators of progress toward these objectives for each of the major program activities.

Third. The systematic consideration of alternative means for accomplishing such objectives.

Fourth. The installation of methods of comparing actual results of programs and projects with those anticipated when they were undertaken.

The required techniques have been available for some time and are widely employed in businesses around the Nation. They give alternatives and opinions allow evaluations according to specific criteria which are consistent throughout, and they lend themselves to cost-benefit comparisons between alternatives.

I recognize that these new management techniques will not resolve all the problems of aid administration. However, it is my belief, and the belief of many experts that large areas of the program can be analyzed and reported in quantitative terms and that the areas of uncertainty and judgment can be reduced to more manageable proportions.

We cannot be blamed for not using techniques that were not formerly available. But we would certainly be shirking our responsibility if we did not see that the latest techniques were used when it is obvious that they are the most efficient, and have been successfully used by large corporations for years.

There has been too much loose talk in some quarters that new advances in management are only of interest to the private economy or to the military efforts of our Government. This is just not true.

The significance and magnitude of our Federal aid programs and expenditures demands the best possible management to assure that every tax dollar contributes to the accomplishment of national goals with a maximum degree of efficiency and effectiveness. This amendment will be a major step in expressing congressional support for the use of modern management methods and approaches in our foreign affairs operations.

Mr. Chairman, I think Congressmen Morse of Massachusetts and Frelinghuysen are to be commended for the work they have done in this area of trying to get other Government agencies to utilize some of these modern management techniques, because industry has been using them for many, many years.

Mrs. BOLTON. Mr. Chairman, I yield 15 minutes to the gentleman from New Jersey [Mr. Widnall].

Mr. WIDNALL. Mr. Chairman, I rise in opposition to certain sections of the pending Foreign Assistance Act. I hope the distinguished chairman of the House *Committee on Foreign Affairs will honor* me with his attendance during my remarks because I hope to be able to have the opportunity when I conclude to ask a series of questions of either the chairman or any other member of the committee.

I have listened with interest to the arguments presented by the distinguished chairman of the House Committee on Agriculture with regard to the attempt by the Committee on Foreign Affairs to achieve jurisdiction over Public Law 480. With all due respect to the gentleman from Texas, if I were he, I would not feel too badly because the Committee on Foreign Affairs in previous years has practically taken over the Export-Import Bank as well as much of the jurisdiction of the Committee on Armed Services, with respect to the growing role of military sales abroad.

I am sure most of my colleagues here in the House are aware of the nationwide controversy that has developed over the question of sale of military goods to foreign countries by the Pentagon. Several weeks ago, the minority members of the Committee on Banking and Currency demanded additional testimony on the Export-Import Bank bill by the Departments of Defense and State as well as the Eximbank in order to explain the growing role of the Bank in arms sales. I shall not take the time to discuss that controversy because I have every intention of pursuing this matter when the Eximbank bill comes before the House for final consideration. I would like to say this, however, before leaving the subject of the more than $2 billion in arms sales financed by the Export-Import Bank in recent years by a convenient and very subtle amendment to the Foreign Assistance Act of 1965. Currently, 38 percent of the Export-Import Bank's loans are being extended for arms purchases. Not a single member of our committee—with the possible exception of our chairman—knew a thing about this. Members of the Foreign Affairs Committee now claim, on the other hand, that they have known about this new role of the Bank all along; that there was nothing secret about an arrangement called "country X" loans.

It is interesting to note from the hearings before the Foreign Affairs Committee in April, when Defense Secretary McNamara testified in behalf of the Foreign Assistance Act of 1967, that in his prepared testimony he failed to mention a single instance describing the role of the Export-Import Bank in financing arms credit sales. Not until he was pressed in questioning by the distinguished gentleman from Massachusetts [Mr. Morse] did he admit the role of the Eximbank in this connection.

On page 144 of the committee hearings, the gentleman from Massachusetts asked Secretary McNamara:

> Have you ever sought Congressional sanction for utilization of the Eximbank for military sales?

Secretary McNamara answered:

> No; I think this is a matter for the Eximbank to settle.

Let me remind my colleagues that the Export-Import Bank is in business only because the Congress provides the necessary authority for its operations. It is, contrary to what Secretary McNamara said, not a matter for the Export-Import Bank to settle as to whether or not they *involve themselves in billions of dollars* of arms sales. It is a matter for the Congress to decide and we will have that opportunity in a few weeks.

But all of the controversy involving arms credits by the Eximbank is vastly overshadowed by a provision in the bill before us, found on page 34, lines 3 through 9. This provision is a completely new grant authority to the Pentagon for unlimited arms sales abroad, totally devoid of any congressional control.

Again referring to the House Foreign Affairs Committee's hearings and Secretary McNamara's testimony, not a single line of Defense Department testimony justified this broad and unlimited grant of new authority. On page 189 of the committee hearings, there is a three-paragraph memo from the Pentagon, and that is entirely all that is devoted to this matter in more than 1,400 pages of hearings. Moreover, in the Pentagon memo this new grant of authority is described as "a technical amendment." Let me try to enlighten the House on how this new authority would work. In short, it would permit the President to purchase from private arms salesmen promissory notes or other instruments evidencing indebtedness issued by purchasing countries abroad or international organizations as security for payments due for defense articles or defense services procured directly from the private arms salesmen. Even more important, the Pentagon would then pay cash to the private arms salesmen in exchange for the promissory note and under authority previously granted in section 635(g) of 22 United States Code, section 2395, the President would be authorized to dispose of the notes in practically whatever manner he so determines with up to a 100-percent guarantee of repayment. Presumably the President would ask the Pentagon to dispose of these notes within the private banking system or the Export-Import Bank. Keep in mind, these promissory notes for purchase of arms would be backed 100 percent by the full faith and credit of the United States as promised by the President himself. What this convenient arrangement suggests is that business in arms sales over a period of time could be sustained at little or no cost and with no need for appropriations by the Congress. As a matter of fact, the Pentagon could unload these promissory notes on the Export-Import Bank, and the Export-Import Bank in turn could *pool them with their other assets and sell* participation certificates in the open market in such a manner that would completely preclude any need for appropriations, while at the same time, completely concealing the level of such activity from both the Congress and the people.

Mr. Chairman, if we grant this new authority to the Pentagon, the controversy that has developed over the Export-Import Bank will be moot, in that the so-called revolving fund that guarantees *Export-Import arms credit sales could be* eliminated entirely. Practically all arms sales activity could be conducted under section 524(b)(3). When this matter came before the Senate 2 weeks ago, the Senate majority leader, Senator Mansfield, clearly pointed out that this was an entirely new proposed authority that would enable private arms salesmen, such as Mr. Cummings of Interarmco, to sell as many arms to as many people as he could. The senior Senator from Minnesota, Senator McCarthy, said this:

> Mr. President, this amendment, sponsored by the Pentagon, seems to me to be the most arrogant proposition we have had in some time.

The senior Senator from Tennessee, Senator Gore, said that it would put the Department of Defense in the banking business. The distinguished senior Senator from Missouri and former Air Force Secretary, Senator Symington, said that this new authority would enable private arms salesmen, such as Interarmco's Mr. Cummings, to resell more than 7,000 NATO tanks to the Middle East and the Far East.

I would now like to ask the distinguished chairman of the House Committee on Foreign Affairs, or any member of that committee who is prepared to answer, what justification the Pentagon gave for this proposed new authority? Was there any testimony whatsoever other than the Pentagon memo contained on page 189 of the printed hearings?

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. GALLAGHER. I would like to respond to my colleague from New Jersey that it is not correct that there was an unlimited authority totally devoid of congressional control, as the gentleman has pointed out. At all times the committee has been aware what sales would be entailed, the amount of the sales, the number of countries that were engaged in these sales. At all times the Pentagon, the Department of Defense, has supplied total information to the committee. This information was available to all Members. This information is available to all Members now. I wish to say, however, that the information is classified as "secret," but if any Member wants to know, or if any Member wants to know right now, he has the right to come up here and take a look. All of this has been available to the committee, and to the membership of the House and Senate.

I believe there has been some misunderstanding on it. The fact is, however, that we have been in this business one way or another since, I believe, 1958, when we first got into the military sales, or the grant business on military equipment.

So I believe, while there has been some misunderstanding, the gentleman has rendered a useful service in bringing this out as a point of discussion today.

I believe any Member of Congress who wants to know what is going on, has a perfect right to do so, and has the means of acquiring this information, and has had the means of acquiring this knowledge in every foreign aid debate down through the years.

Mr. WIDNALL. I would just like to say this: that the gentleman has not answered my question at all.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. Yes, I yield to the gentleman.

Mr. MORGAN. In prior years—but I am afraid I neglected to do it this year—the chairman of the Committee on Foreign Affairs always made a 1-minute speech in which I have invited every Member of the House who will observe the security regulations to examine the classified presentation books either in the committee offices or on the House floor during consideration of the bill. All this information the gentleman said, was denied to him as a member of the Committee on Banking and Currency, would have been available to him every year if he had taken advantage of the chairman's invitation, and looked at the books.

Mr. WIDNALL. Does not the gentleman feel that this matter is important enough to have some questions asked at the hearings of the Committee on Foreign Affairs instead of being sloughed off like this? The hearings indicate the extent of this because we have never had anything, because nothing has ever been brought to our committee. We have jurisdiction over the Export-Import Bank and I am not talking actually as to any fight as to jurisdiction between our committee and your committee over the whole control of this. I just think it is absolutely outrageous that the Export-Import Bank which was created for an entirely different purpose has been engaged in what has been a clandestine involvement in the sale of arms where the chairman of the Export-Import Bank tells us that he does not want to know where it goes; he is not concerned where it goes at all; and that he is happy that he does not know. I am concerned and I think other Members of this Congress should be very vitally concerned. I think the American people are entitled to know the extent of our involvement where we are using an agency and an instrumentality that is set up to help create export sales of American products, and for peaceful uses, and for the development of these foreign countries.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. GALLAGHER. I would say to my distinguished colleague that there has been nothing clandestine about this. If the Members of our Committee and the Members of the Congress do not wish to ask those questions, certainly that is their own privilege, based on their own thinking.

The fact of the matter is that long before the bill was even considered, these books with the specific proposals are submitted to our committee and every single country and every single amount and how it is financed, including the Export-Import Bank financing is clearly stated in these books and has been available to the Members of Congress now for some 6 or 7 months and that has also been the case, of course, in previous years.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. FRELINGHUYSEN. It should also be pointed out that in testimony before the Committee on Foreign Affairs in April 1964, a representative from the Department of Defense pointed out that about a billion dollars in sales were anticipated through the Export-Import Bank and private institutions if the guaranty authority were authorized. The committee report that year, which was available to the gentleman as it was to all the Members of the House, specified that this guaranty was being provided in order to encourage these credit sales. There is nothing underhanded in what was done. If the finger of blame is pointed at anyone, surely it should be pointed at Congress. We have been encouraging these sales, encouraging moving away from grants into a sales program.

I might add that if the gentleman and his committee had inquired, the Export-Import Bank surely would have shown no reluctance to testify before them. They did indeed testify this year, when they were questioned by members of the Banking and Currency Committee. The information has been available. The expectation of the sales volume was indicated quite clearly before the program was begun. Our committee has been regularly kept up to date with reference to the financing which is arranged through the Export-Import Bank. I do not think there is any plot at all by the members of our committee to prevent other members from knowing or any one in the House of Representatives. There has been no reluctance in publicizing the fact that these sales are a going practice, and a program which the Congress itself has encouraged.

Mr. WIDNALL. I would just like to make this comment. We have heard a great deal of talk here by members of the committee but nobody has answered my question.

My question was: Was there any testimony whatsoever other than the Pentagon memorandum contained in page 189 of the printed hearings in support of this far-sweeping amendment in section 524(b)(3)?

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. GALLAGHER. I think one point has to be made. The committee in its deliberations, is relying not only on the statements but in fact most of the knowledge that we acquire as the basis of marking up the bill comes from the books supplied to us with that information. It is the basis of our interrogation of witnesses. So the whole foundation of our knowledge in this particular area does come from books that are supplied long before the committee starts to deliberate on the bill itself. So there is no mystery about this. The fact is that the Export-Import Bank aspect of it and of the financing and guarantees is clearly set forth for any Member to study them. Most of the Members on both sides do just this. This is part of the markup process.

Mr. MORGAN. Mr. Chairman, will the gentleman yield further?

Mr. WIDNALL. I yield to the chairman of the committee.

Mr. MORGAN. The gentleman is talking about the testimony heard by the committee and about the information available to the Congress. I wish to expand on the point made by the gentleman from New Jersey [Mr. FRELINGHUYSEN]. On April 16, 1964, Mr. Henry J. Kuss—and this is the fellow they referred to as the arms salesman of the Department of Defense over in the other body—testified before the House Foreign Affairs Committee. He described the major increase in the sales program that was planned for the next year. Speaking of the $5 billion sales potential for the fiscal years 1964 to 1966, he said:

> We hope to negotiate $3,600,000,000 of that on a cash basis through Government and commercial channels. We have been working with the Export-Import Bank, the Morgan Guarantee Company, Chase National Bank of New York City. We would hope that $1 billion of the $5 billion will be handled by the Export-Import Bank.

This is a matter of testimony before the committee in 1964.

The report of the Committee on Foreign Affairs, dated June 1, 1964, stated that the purpose of the amendment to establish guarantee authority:

> To promote private financing of sales of U.S. defense articles and services and thus minimize the expenditure of Government funds for this purpose . . . Since the purpose of the military assistance program is to encourage friendly governments to establish and maintain forces adequate for defense against Communist aggression and since it is to the advantage of the United States for such governments to assume the cost of their own defense as rapidly as possible, there is every reason to facilitate the financing of military sales by banks and the Export-Import Bank in a manner comparable to the financing of other export transactions. There are a number of countries able and willing to purchase military equipment in this manner where the political situation is such that commercial lenders are reluctant to extend credit at going rates. The purpose of the new authority is to provide a sales guarantee similar to the investment guaranty program.

Mr. WIDNALL. Did the chairman ever ask him, or did anybody else ever ask how much they did negotiate?

Mr. MORGAN. I am sorry I did not hear the gentleman.

Mr. WIDNALL. Did anyone ever ask the question, how much they did negotiate?

Mr. MORGAN. Yes. I believe we had that information.

Mr. WIDNALL. That is not in the hearings.

Mr. MORGAN. Mr. Kuss testified in previous years before the committee. Secretary McNamara presented the military sales program to us this year.

Mr. WIDNALL. Of course he testifies. But does he give you that information?

Mr. MORGAN. In 1965, yes. The information is in the presentation books.

Mrs. KELLY. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentlewoman from New York.

Mrs. KELLY. Congress does control the amount of money available for military sales. In this bill there is $60 million in new authorizations. In addition, some $60 million in collections and reimbursements will be available for this purpose. I do want to say, therefore, that the amount of money available for credit sales in this bill is the amount authorized by you and our colleagues.

I would further like to assure my colleagues that we have looked into this. We have had many hearings on it. We have taken it up directly and indirectly with both the State Department and the Department of Defense. We are aware of the amount that was used by the Export-Import Bank.

I feel that this program is most necessary. It is necessary for those countries which are on the firing line, confronting substantial Communist military forces. It is also necessary for those countries likely to be subject to Communist subversion. That is what we need it for, and I think you are well aware of it.

Mr. WIDNALL. I thank the gentlewoman. But still no one has stated whether there was any testimony whatsoever, other than the Pentagon memorandum on page 189 of the printed hearings. Is it not a fact that two separate sets of hearing before Senate subcommittees developed testimony by Pentagon witnesses whereby it was admitted that recent sales of supersonic jet aircraft to Latin America and Middle East nations were made without any meetings whatsoever of the senior interdepartmental group, that the decision to sell was initiated by Mr. Kuss of the Pentagon sales forces? Who would like to answer that question?

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. WIDNALL. Mr. Chairman, may I have 3 additional minutes?

Mrs. BOLTON. Mr. Chairman, I yield the gentleman from New Jersey 3 additional minutes, but that is all.

Mr. WIDNALL. I regret there is not more time, because I think this is an extremely important matter in relation to the future of our relations with many of the underdeveloped countries and the extent of our involvement. It is something that should be urgently considered by the Members.

Is it not a fact that under arms credit arrangements to the Export-Import Bank that the Committees on Foreign Affairs and Appropriations do not know of the extent of arms sales until 6 months after the delivery of such defense articles, and that if this has been the experience under Export-Import arms credit sales which require at least some degree of congressional appropriations to the Pentagon revolving fund, would it not be safe to assume that congressional control and knowledge would be infinitely less where absolutely no annual appropriations are required?

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I think somebody ought to answer the gentleman's question about whether there was any testimony, and since nobody else wants to, I think I can say there was not any, except to say in prior years it has been in the books. I have made a half dozen speeches around here, saying not that the Export-Import Bank financed it, but that the Pentagon was the greatest junk dealer operator in the world, selling junk military equipment to these nations in order that they would have some extra funds which would not appear in the budget that they can play around with.

Mr. WIDNALL. I would like to ask another question. Would the gentleman please enlighten me on the definition of the word "suppliers" on page 34, line 3? Is that necessarily restricted to U.S. private arms salesmen or would our Government be taking the promissory notes to private arms firms in Germany and elsewhere? And would the gentleman define for me the term "international organizations," found on lines 7 and 8, page 34? Does this mean that the United Nations or NATO and SEATO, or, for that matter, the World Bank, would be eligible to purchase arms through this new authority?

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Mr. Chairman, I would like to try to answer the gentleman's question or series of questions. It is not only that these have been clearly set forth in prior years, but they have been clearly identified in this year's program. Secondly, we do know ahead of time what the proposed sales will be, because we get the books some 6 to 8 months in advance. When the bill is passed, it is for proposed sales during the following year. So we do know that. Further, in answer to the gentleman's last question, we do engage in this kind of financing with other governments if they are hard dollar loans.

Mr. WIDNALL. I fail to see how the gentleman knows that, when the senior interdepartmental group does not even meet to consider these.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, I take issue with the gentleman from New Jersey [Mr. GALLAGHER] on that. I do not know anything about it. He and I and everybody else knows that these books are illustrative. That is their term for them. This is what they might do with the money, and too many times it is not what they do with the money at all. They may either give them to a country, or sell them to a country, or anything else. Sure, they bring this up 3 or 4 months ahead of time, but that is not what they do. That is what they might do.

Mr. GALLAGHER. Yes. Sometimes they do do that. Sometimes they do not do that, and sometimes they do less.

Mr. HAYS. Sometimes they do more.

Mrs. BOLTON. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. THOMSON].

Mr. THOMSON of Wisconsin. Mr. Chairman, I think the colloquy that has just taken place on this floor points up one of the serious problems in the whole foreign aid picture.

This Congress and this administration has so fragmented the program that nobody knows what the left hand is doing, and the left hand does not know what the right hand is doing. People who have been on the Committee on Banking and Currency for 14 years made public statements that they did not know anything about the financing of military hardware through the Export-Import Bank.

Sure, it is in these little books, but they march them in with a military guard, into the Committee on Foreign Affairs, and as soon as the committee adjourns the guard marches them out again, and we cannot even find the books unless we go over there.

It is just like their treatment of the treaties on the Panama Canal. I got a notice from the committee that they had there in secret and confidential security the copies of the treaties, and if I wanted to read them, I could come over to that committee room and read them if I had proper clearance. The same day I got a copy of the Chicago Tribune, mailed from Chicago, with the whole of the three treaties published there.

I have listened to the eloquent statements of people who are taking credit for the security of the world as the result of the foreign aid program—but what part of the program has brought world security? Is it this little fragmented part of foreign aid that is under discussion here today?

Is it the part the Export-Import Bank

handles? Is it the part Public Law 480 handles?

Surely the Committee on Agriculture has to continue to handle that, or they would lose the excuse for flying around the world and landing in Timbuktu.

It seems to me that the fragmentation of this program is to confuse the American people, if not to deceive the American people, about the costs of the program and the extent of the benevolence of this country that we are spreading throughout the whole world.

The chairman of the Committee on Agriculture got up the other day and said:

> Don't take it away; oh, don't take it away.

There used to be a song like that.

It was said:

> Don't take away our right to decide on Public Law 480, because if you do and if you put it in the foreign aid bill, the people of America will rise up in revolt at the cost and you cannot pass the bill.

Is it not time that we were honest with the American people, and let them know what the total cost of this program is?

If we are going to have a foreign aid program and if the people are going to accept it, we had better be honest enough to let them know what the costs of it are.

I have heard it said here that it is not to make friends around the world, that it is not to provide for gratitude around the world.

I know that the gentleman from Wisconsin [Mr. ZABLOCKI] went up to Kashmir, between India and Pakistan, to see the Indian refugees there and to look at that great dam America is building on the Indus River, which is going to provide irrigation not only for the Indians but also for the Pakistani. The gentleman was greeted there by a mob with signs that said, "American imperialist go home." Red paint was splashed on the cars, and his very life was in jeopardy.

No, there was no gratitude. There was no friendship. There was bitterness and almost hatred for the Americans, who asked nothing of them.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I am certain the gentleman will recall the demonstration by the American students who greeted our committee in New Delhi, India. That particular demonstration did not reflect my feelings, nor the views of the gentleman from Wisconsin [Mr. THOMSON], nor the conviction of the majority of the American people. Are we to judge our entire people by the acts of that small group of students?

I do not think we should. Neither do I believe that we ought to characterize the entire Pakistani nation on the basis of actions taken by a small group at the dam which the gentleman from Wisconsin [Mr. THOMSON] mentioned. Disturbances by small groups have occurred in the past, are occurring today, and will occur in the future. We cannot stop that. But we should try to interpret them realistically and act rationally, even when we are confronted by irrational and irresponsible actions on the part of others.

The gentleman will recall that in various parts of our trip, in India, in Pakistan, and in other countries which our study mission visited, we found warm feelings toward us, Americans, and sincere appreciation of the assistance which we are providing to those nations.

By the way, I might add that the dam which my good colleague from Wisconsin mentioned is expected to be completed this year. It is my understanding that the United States is getting due credit for that project and that a representative of our country will be invited to the dedication. I hope that the gentleman from Wisconsin [Mr. THOMSON] will consider attending the dedication of the Mangla Dam this fall.

Mr. ZION. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from Indiana.

Mr. ZION. Will the gentleman tell us whether or not any of this foreign aid money is being spent or would be spent in such countries as Belgium, Spain, Brazil, Italy, Mexico, Japan, India, and Hong Kong?

Mr. THOMSON of Wisconsin. I am sure that there are residual amounts still in the pipeline which are going to all those countries.

Mr. ZION. If the statement made by the opposition party that this helps increase the economy and good will and the political stability of those countries is true, and these countries are trading, right now, with our enemy in Vietnam, is it probable that their ability to cooperate with our enemy is being enhanced by the use of U.S. tax dollars?

Mr. THOMSON of Wisconsin. To the extent that we are providing aid of any kind to them, I believe we are doing that, yes. We are contributing to their economy, which they are using against our boys in Vietnam.

Mr. ZION. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from Iowa.

Mr. GROSS. It is reported that between $300 and $500 million of the money this Government expends in Vietnam finds its way to De Gaulle's treasury in France.

Mr. PASSMAN. Mr. Chairman, will the distinguished gentleman from Wisconsin yield to me?

Mr. THOMSON of Wisconsin. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Generally speaking, I never get into the debate on any bill other than on the appropriation bills. However, for the information of the Members I shall place in the mails this afternoon an envelope addressed to each Member of this House containing a recapitulation of the total request for foreign aid for fiscal 1968, a recapitulation of the unliquidated foreign aid funds available for disbursement in fiscal year 1968, and subsequent years, and the total cost of foreign aid since its inception. In addition, there will be a statement on the amount of our gold holdings and the amount of short-term dollar claims of foreigners against that gold. I think you are going to find this very, very informative and a valuable set of figures.

In order that you will not be shocked when you receive this information, you are going to find in the "pipeline" unliquidated funds in excess of $16 billion to the credit of the foreign aid program, and you will find the total funds requested by the President so far this year to be in excess of $9.2 billion. If you add to that figure the amount transferred out of the mutual security program to the Department of Defense appropriation bill, and the interest on the money we borrowed to give away, the total cost of foreign aid in 1968 will be approximately $15 billion.

The information will be in the mail to you this afternoon. I shall speak on the bill tomorrow, and I invite any criticism you can find with respect to the various data I am making available to each Member.

Mr. THOMSON of Wisconsin. I thank the gentleman for his statement and think those facts will be pertinent to the debate on this bill.

Another example of the fragmentation of this program was presented on this floor in the last 2 weeks. At that time we had a proposal to add $300 million to the Inter-American Development Bank. The Members stood up all over the floor and said, "This is a presidential commitment. We have to authorize $300 million more for the Inter-American Development Bank." The following day we had a bill on the floor relating to a pure water system for America which this Congress authorized in the amount of $450 million. The same Members who wanted to fund the money to give away in Latin America and South America opposed funding the bill to purify the water systems and streams of America. Instead of getting $450 million, as Congress authorized, they allowed $250 million. So we are discussing this bill in these days under the admonition of the administration to tighten your belts, boys, tighten your belts at home, because we want to keep them loose for the money we are going to pass out in the foreign aid bill.

This bill is bigger by about half a billion dollars than the bill was a year ago. The administration took out and transferred to the military assistance program about a quarter of a billion dollars, but they added enough in here in the domestic field to make this bill larger than it was a year ago. Now it is time that we have some priorities, that we have a coordinated program and reduce it in size in view of the problems facing America today.

Mr. HARSHA. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARSHA. Mr. Chairman, I rise in opposition to this legislation and would hope that the House of Representatives denies the administration's request for additional foreign aid again this year. In view of the dire economic situation in this country and the tremendous deficit the administration now admits it faces, I think it is high time serious thought be given to curtailing our foreign aid program as it is presently administered.

Despite American generosity, our foreign assistance program has won us neither friends nor respect nor trustworthy allies. Nor has it accomplished the claimed objectives of establishing stability and keeping countries out of the Communist orbit.

Foreign aid flows from many spigots—while this particular bill asks for an additional authorization of $3.158 billion, the total foreign aid package for this year will exceed the amount President Johnson expects to raise by his 10-percent surtax charge.

Furthermore, there are enough unexpended funds in the so-called pipeline from prior years' appropriations to continue the foreign aid program for another 2 years.

How can we ask the tax-ridden citizens of America to add to their gruelling burden so that this questionable program can be extended ad infinitum.

Why cannot the recipients of our largesse tighten their belts a little instead of pushing this additional load off on the taxpayer.

Certainly now is a logical time to cut our foreign aid commitments. This would help stem inflation, reduce the budget deficit, alleviate the balance-of-payment problems, and perhaps provide some relief to this Nation's long-suffering taxpayers.

Furthermore, our foreign aid program should be more closely related to our own economic situation. When our national budget and deficit is large, foreign aid should reflect this fact and be curtailed accordingly. It will do us little good to enhance the economies of foreign nations as claimed by the proponents of this bill at the risk of wrecking our own. At the very minimum, the amendments that I am sure are to be offered to cut down the authorization set forth in this measure, should be adopted.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York [Mrs. KELLY].

Mrs. KELLY. Mr. Chairman, I would like to bring to the attention of this Committee the hearings on the Foreign Assistance Act of 1967. If you look at the index on page 1397, there is a full report of the hearings and testimony relating to sales of military equipment.

I ask you to get a copy of these hearings, review them and see that we did hold hearings upon this subject.

Mr. Chairman, I should like to review briefly the background of our military sales which have been for years an integral part of the mutual security program.

The first fact that we should note is that most of these sales, during the 1961–66 period, have gone to industrialized countries; 78 percent went to Europe and Canada; 11 percent to the Far East; and only 11 percent to all other countries.

Furthermore, U.S. arms sales have helped our national balance of payments. During the 1961–66 period, some 41 percent of our defense expenditures entering the international balance of payments was offset by military sales.

My third point is that U.S. military sales account for a small portion of the defense procurement of the purchasing countries. Less than 25 percent of the military equipment budgets of the industrialized countries are spent in the United States.

My fourth point is that our military sales have substantially reduced our outlays on grant aid, and helped to bring about more fair sharing of our common defense costs. This is precisely what the Congress wanted.

CREDIT SALES

Mr. Chairman, with reference to credit financing about which we spoke earlier, we should note that of the $11.1 billion in orders and commitments made during the 1961–66 period, 72 percent have been made on a cash basis. The other 28 percent was financed by credit provided by private banks, the Export-Import Bank, or by the Department of Defense.

About three-fourths of such credit was provided to the developed countries.

Credit extended through the military assistance sales revolving fund, which has been the subject of much discussion, has financed less than 8 percent of military sales.

During the period 1961–66, total credit expended through this revolving fund amounted to $756 million. In other words, the Department of Defense direct and guaranteed orders accounted for less than 8 percent of the total military sales during this period.

Mr. Chairman, of late the so-called arms race and conflicts among the underdeveloped areas of the world have been a principal target. Articulate spokesmen, emphasizing isolated facts, have placed the blame for this situation upon the United States. They charge that the United States lacks restraint, and that the U.S. military assistance sales program in particular has been a major contributor to arms proliferation.

With this premise in mind, I decided to look at the record. I could not believe that a program which the Congress had legislated into existence could have strayed so far from its original aim to further our foreign policy objectives. Consequently, I asked the administration to give me an X-ray picture of the U.S. military sales, by item category and percentage, for the 5-year period, fiscal years 1962–66, straight facts, devoid of philosophy and generalities. As a result, I find that many well-meaning and responsible people have been stampeded into censuring our military sales program, especially sales to the developing regions of the world, when the record does not bear that out.

SALES TO THE DEVELOPING COUNTRIES

Sales to less-developed countries, as I stated before, represents but 11 percent of the total arms sales of $11.2 billion, including future commitments. Of this amount, approximately $850 million represent actual orders received between fiscal years 1962 and 1966.

LATIN AMERICA

Out of the total actual orders of approximately $165 million received from Latin America, about 34 percent was spent for general purpose supply, maintenance, and support equipment.

The next two largest categories are 30 percent for transport and support aircraft, including helicopters, and 9 percent for communications equipment, both essential to the social and economic progress of the area.

Mr. Chairman, in contrast to the 30 percent spent on transport-type aircraft, only 5 percent has been spent upon tactical aircraft of any kind from the United States, and many of these aircraft have been trainers.

I would like the record to show that this vast area has bought only 70 tanks from the United States and has spent only 3 percent of the total with which to do it.

The remaining 19 percent of sales to Latin America include 8 percent for modernizing mothballed U.S. destroyers, 5 percent for ammunition, 3 percent for weapons, 2 percent for general purpose vehicles, and 1 percent for patrol craft.

The CHAIRMAN. The time of the gentlewoman from New York has expired.

Mr. MORGAN. Mr. Chairman, I yield 1 additional minute to the gentlewoman from New York.

NEAR EAST-SOUTH ASIA

Mrs. KELLY. Similarly, in the Near East-South Asia area, 35 percent of the $670 million in total actual purchases from the United States went for assorted engineer and support equipment, spares and repair parts, and technical services. A strictly defensive missile—the Hawk system—forms the next major category, comprising about 16 percent of total sales to the area. Ammunition makes up the third largest category, forming 12 percent of the purchases, followed by tanks with 11 percent.

Tactical aircraft totals 7 percent, and are balanced by an equal dollar value of transport and support aircraft.

During this entire period, there was only one sale of supersonic aircraft to this area. However, no aircraft have been delivered. The remaining purchases in descending order consist of communications equipment, 5 percent, and so on.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. MORGAN. Mr. Chairman, I yield the gentlewoman from New York 1 additional minute.

AFRICA

Mrs. KELLY. The total sales to the nations of Africa amounted to less than $15 million in the past 5 years. Of this amount 55 percent went for support equipment, spares and repair parts, and other general supplies. So small is the program that the five F–5 aircraft sold to the area amounted to almost 30 percent of the total actual orders for all of Africa. The remaining 15 percent bought small arms, weapons, and ammunition.

After the masses of vague generalizations and point with alarm at isolated examples which has enveloped discussions of U.S. arms sales to underdeveloped areas to date, it is important and reassuring to take a factual look at the detailed record.

I want to say, finally, that the sales program was initiated in 1954. I had a great deal to do with it. I learned on one of my study missions to Europe that our allies were able to pay for at least some part of our mutual security undertakings. When I came back that year, I instigated an amendment which encouraged the sale of military equipment to our allies. I want to say at that yet one point, the sales of military equipment brought back nearly $1.5 billion in gold to our Treasury.

Mrs. BOLTON. Mr. Chairman, I yield 5 minutes to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Chairman, I do not rise to support this bill today, but I do rise to make some remarks about a certain provision in it.

Mr. Chairman, there is a provision in H.R. 12048, the Foreign Assistance Act of 1967, which is unusual to say the least. I find it completely unacceptable, and I am sure that most of my colleagues in the House will agree with me. The provision to which I refer would transfer the jurisdiction of Public Law 480, the Agricultural Trade Assistance Act, from the House Agriculture Committee to the House Committee on Foreign Affairs.

Because there are so many compelling reasons for keeping jurisdiction of this program with the Agriculture Committee, the very fact that the suggestion to transfer jurisdiction has been made is evidence to me that proper consideration has not been given to the consequences of such a change.

In commenting on this proposed jurisdictional change, I first want to point out that the method by which the transfer would be made leaves much to be desired. This procedure not only bypasses the current accepted and well-established method of assigning committee jurisdiction, but also creates a highly undesirable precedent for making jurisdictional changes in the future.

If this provision is allowed to stand unchallenged, it means we could be faced with matters of House reorganization on every piece of major legislation we consider.

And, what makes matters so much worse in this case is the fact that no hearings of any kind have been given to this proposal. We are asked to accept a "pig in a poke" without even a superficial examination of what effects this change might have. Even if this were an uncontroversial proposal, I would object to this summary method of dealing with it; but in fact, it is highly controversial, and because of this the issue needs to be fully and thoroughly explored in depth before any action should be taken on it. I am simply asking that everyone be allowed his day in court on this matter, and not on the House floor like this where we are taking up valuable time from consideration of other important aspects of the foreign aid bill which need our attention.

Moving from these serious procedural questions to the actual merits of the transfer proposal, I want to point out that Public Law 480 has operated exceptionally well under the jurisdiction of the House Agriculture Committee. The committee has done an excellent job of overseeing this significant and highly important program, and I question the need and the wisdom of changing the jurisdiction of the program under these circumstances.

A more fundamental reason for my opposition to this proposed transfer, however, is because of the Public Law 480 program's integral ties with this Nation's food supply. The slightest variation in Public Law 480 exports exerts a profound effect on the American farm economy. For example, in 1965–66 the production of roughly one out of 12 U.S. crop-acres was exported under Public Law 480 programs. I find unthinkable the idea that Public Law 480 can be considered apart from any consideration of both the capacity and ability of U.S. farmers to produce the commodities required by the program, and the effects of the program on farm and consumer prices. Since the Agriculture Committee is charged with the responsibility for dealing with these matters in Congress, it is both reasonable and proper that Public Law 480 should also remain under its jurisdiction.

Coordination of our foreign assistance programs is a commendable and necessary goal. Mr. Chairman, I would like to bring to the attention of the House a provision that is in the present Public Law 480 statute. This is section 407, and it reads as follows:

> SEC. 407. There is hereby established an advisory committee composed of the Secretary of State, the Secretary of the Treasury, the Secretary of Agriculture, the Director of the Bureau of the Budget, the Administrator of the Agency for International Development, the chairman, the vice chairman and the two ranking minority members of the House Committee on Agriculture and the House Committee on Foreign Affairs, and the chairman, the next ranking majority member and the two ranking minority members of the Senate Committee on Agriculture and Forestry and the Senate Committee on Foreign Relations. The advisory committee shall survey the general policies relating to the administration of the Act, including the manner of implementing the self-help provisions, the uses to be made of foreign currencies which accrue in connection with sales for foreign currencies under Title I, the amount of currencies to be reserved in sales agreements for loans to private industry under section 104(e), rates of exchange, interest rates, and the terms under which dollar credit sales are made, and shall advise the President with respect thereto.

During the last extension of Public Law 480, a year ago, I offered an amendment to this section which was adopted by the committee and the Congress, and became a part of the law. My amendment was designed to improve the coordination and communication both between the Congress and the executive branch of Government, and among the four committees of the House and the other body which have a direct concern with Public Law 480.

To my knowledge, this advisory committee has not functioned as well as it could, and I would hope that the issues raised today could help precipitate better coordination through this vehicle.

The law provides the mechanics—what is needed now is the leadership to implement it.

But this coordination cannot be accomplished through the exclusion of U.S. farmers from the decisionmaking process—and that is just what can and possibly will happen if jurisdiction of Public Law 480 is transferred to the Foreign Affairs Committee. There is enough difficulty already in relating Public Law 480 needs to our domestic agricultural production, but the conflicting and contradictory signals to U.S. farmers which could result from the proposed transfer might cause serious problems for producers and a crisis in our country's food supply.

Mr. Chairman, these are just a few of my reasons for opposing this provision of the Foreign Assistance Act. I urge that it be removed from this bill, and if it is to be considered at all, let us consider it at a time and place where all arguments for and against it can be fully and adequately aired.

Mr. MORGAN. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, I think it is helpful in light of the preceding discussion to review some basic facts—perhaps not with the idea that it might change anybody's mind, but because I feel it is essential to put the fundamentals in the RECORD.

In assessing the total cost of foreign aid, I think it is only fair to keep in mind the $70 billion expended by the defense establishment of this country for fiscal year 1967. And probably some $70 billion for the next fiscal year—maybe even more, depending on the situation.

If you do not believe that the Communists, either by direct aggression or through subversion, as has been so eloquently pointed out by one of my colleagues, intend to restructure all of the existing governments and peoples in the world—if you do not believe that—then you do not have any problem with foreign aid. Just close your eyes, vote "No" and forget it.

If you believe that the only purpose of foreign aid is to buy friends, then I think—and I respectfully say this—you have missed the whole point of foreign aid. You do not hand out dollar bills to buy friends.

If you assume that one of the fundamental purposes of this program is the responsibility of the American people to try to assist the peoples of other countries to achieve some stability, economically and politically, so that they can be independent and so that they can in some measure stand on their own feet—if you assume this as I do—then it is immaterial whether they see eye to eye with us at all times; whether they vote with us every day; and whether they agree with us every single minute. All that is really material is that they do not fall completely within the orbit of the Communist empire.

You might say, "That is ridiculous. There is no foolproof way of achieving this objective—nothing sure, nothing certain." And you may be right. But I know one thing. If you cut off the program, if you stop the effort, if you say to the rest of the world, "OK, Uncle Sam is through. We're not going to try to buy friends. We are not going to help others. We are going to cut off the funds." If you do this, you will have to face the consequences.

If you do this, you can save yourselves a few bucks. It costs about 4 cents out of every tax dollar for you and for every American citizen to provide this program. You could save that if you want to.

You can also say, "There is a better way of doing it." I have not heard of it, but you can say, "We can save this money. Forget it."

That message will get through to the rest of the world. Politics does not operate in a vacuum. And people will continue to struggle for their own existence. They are going to do business with somebody to achieve that goal.

In my judgment, it is unrealistic to think that the minute you stop any kind of military sales to anybody, the minute you stop any kind of economic assistance, the minute you stop any kind of humane effort by the United States of America with respect to the free people of the world, that those people will suddenly change their whole way of life, turn around, lift the banner, and say, "Yes, we are free. We march alongside of you. We are just as strong as you are, and we are going to withstand the blandishments of communism. We do not care what they do to us."

That is a nice theory, but what are the facts? That is the problem.

Everyone here—and I do not care how you vote—knows that since World War II the Communists have gone out of their way to influence every single government anywhere, not just in their sphere of influence, as we used to do in the old days, not just within their particular economic orbit, which seemed to be fair international politics, but anywhere.

Do you think they are paying Castro $1 million a day merely for the fun of it?

Do you think they are financing military operations and guerrilla operations in Latin America night and day just because they love freedom or peaceful coexistence?

Do you want to stop all U.S. military sales in Latin America? Sure, just vote against the bill, cut out all the military sales, all the military aid and missions in Africa, Latin America, and Asia and see what happens. Do you think that this will cause the Communists to stop their efforts? Or will it simply give them a clear field to intensify their designs for world domination?

What do you think? Do you believe there is a necessity for military force in this world? Do you believe it is being used by people in politics and power? Do you believe, as Mao does, that political power comes out of the end of a gun?

Are you going to be realistic in the year 1967? If we do not sell some military arms to some of these governments under sensible arrangements and agreements, with some of our democratic concepts being transmitted in the process through our own people, do you think the other salesmen of the world will not knock down the doors to send them their equipment?

What kind of vacuum do you think the world operates in? Do you think the French salesmen are not beating on every door, and that if the Communist salesmen cannot sell, they will not give it away?

Why are the "Commies" now building up Nasser just as fast as they know how to do it? Do you think they are getting cash for it?

Let us talk for just a minute about the economic aspects of this foreign aid undertaking. Sure, we can stop it. We can stop it that quickly. But we must remember that when we do that we will destroy whatever opportunity or stability that now exists in the developing nations who are trying to take a stand in a world composed of free, sovereign, independent nations, who want to do something besides fight wars to solve their problems.

We would take away from them their last opportunity and force them to turn either someplace else or suffer the horrible consequences of revolutions within their own countries.

One final point. If we believe that the only answer the United States of America can have to the problems that exist in the world is the military response, if we think the only answer that we can have to Communist subversion, to the takeover of countries by Communists through deception and fraud—and murder, if you will—if we think that our only answer is the atom bomb or the sending of our men, if we think that, then why do we have a question about the operation in Vietnam?

If the Communists should have the opportunity to take over a country without the commitment of troops, but through political subversion, will we stand here and declare war on the Communist government that does that? Yet subversion is often worse than direct aggression, because direct aggression we could cope with, but we have not been able to find a single answer, no single nonmilitary answer to the question of political subversion.

The only tool we have is the foreign aid program, as bad as some people think it is. I do not think, and I submit it is not that bad, with all its faults. It is not a bad program. It is the only tool we have. We need to use it intelligently.

Sure, we need to narrow its scope, we need to make it more effective, because our resources are limited. We have been doing that. We have restructured the program with the help of the House Foreign Affairs Committee and the comparable committee in the other body, and the administration. We have restructured the whole thrust of foreign aid in the last 10 years. We have tried to go, for example, from grants to loans. We have tried, when it is possible, to interest other countries who have developed a financial capability to join us in joint ventures.

We have managed to get the other developing countries interested in trying to help the other people of the world. We have done all this. We have cut down on the amount of money that is being spent. We have eliminated the shotgun approach.

We have further strengthened the program this year by emphasizing private participation and trying to depend more and more on the private sector.

It is surprising to me, but we still get criticized for trying to bring private enterprise into the foreign aid program under our investment guarantees. It is probably one of the finest things we have. We have $9 billion or more invested in Latin America, and we have made it possible for the American businessman to help in this program by guaranteeing his investment. If we kill this bill, we would vote against it. We would vote against our own interests, our own businessmen. If we would vote against it, we would vote against the very effort we are trying to make, in trying to switch this program from a completely governmental program to a private program in which private interests in the United States will have a major part and role.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, about 90 miles from the gentleman's home in Miami, Fla., is the island of Cuba. It is the only stronghold of communism in the Western Hemisphere. Does the gentleman in advocating our largess around the world suggest we break down toward Cuba and sell her arms?

Mr. FASCELL. Mr. Chairman, I did not suggest by any stretch of the imagination selling arms to the Communists. I am perfectly content to let the Russians carry that burden. I do not say we ought to consider any sales whatever to Cuba with Castro in the chair. But as soon as we can get any democratic regime in Cuba, I think it would be a mistake not to have a program which would say to those people, "We are going to sell you or give you some arms to give you a chance to maintain a democratic form of government."

I never heard of a government anywhere in the world that did not have to have some kind of police power. I just do not believe it is realistic in this day and age. I know the gentleman agrees with that.

Mr. GROSS. Yet we buy arms from the British, who trade with Cuba and help them. How does the gentleman reconcile that?

Mr. FASCELL. Of course, one does not reconcile that. Neither do we condone the British policy of doing business in Hong Kong. But the facts of life are that the British businessmen for a long time have had investments there, and they just do not want to cut them off. They might do it eventually by themselves.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mrs. BOLTON. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Chairman, as the committee began examination of this proposed legislation one of the hopes I had in mind was that it could somehow be transformed into a program which would zero in more effectively than it has in the past on what I consider to be the great problem of tomorrow, that of worldwide famine.

Amendments which eventually become a part of the bill are a step in the right direction.

I feel the proportions of this problem are so vast and so staggering that they demand the attention of this country a redirection of effort considerably beyond what has been undertaken up to now.

We have used the produce of our agricultural plant very generously and lavishly in trying to meet famine conditions, food deficit conditions, in many countries. The Public Law 480 program, to which reference has been made repeatedly today, has been the principal vehicle for getting this done.

I am sure that still more of our commodities will be donated abroad, but I believe everyone by now is painfully aware of the fact that we cannot possibly continue to feed the world, with its population growing as rapidly as it has been in the recent years and as undoubtedly it will continue in the future.

That is why I should like to see this program become an effective tool for famine prevention—just that—and hopefully get away from other side activities.

The social unrest, the revolution which could easily be bred in famine conditions is one which will demand the attention of our country, whether we really want to be involved or not. It is an ominous picture that lies ahead.

As a first-year member of the committee, I want to express my appreciation to the chairman, the gentleman from Pennsylvania [Mr. MORGAN] and to the gentlewoman from Ohio [Mrs. BOLTON] ranking minority member, and other members of the committee who have been very generous in their cooperation with attempts I have made to redirect the program toward famine prevention.

I have always felt that our country, as the preeminent leader of the free world, has to act effectively in foreign policy. One way is with arms. Another way is with dollars.

I would hope we will not face this legislative task this week merely as one of either accepting or rejecting a proposal, but rather as an effort to use our dollars wisely.

The other topic which I should like to call to the attention of Members is an amendment which I plan to offer at the proper time. I bring it up now merely to give the Members an opportunity to question me about it, should they have any questions. It is a proposal to amend the Foreign Assistance Act in a manner which will suspend most favored nation treatment for the Government of Poland until our President has assurances that that government is no longer supplying weapons to our enemy in North Vietnam.

Poland, I regret to say, is the only country which enjoys this favored tariff treatment which is admittedly supplying weapons to our enemy in Vietnam. My amendment will suspend this privilege until such time as the President determines that Poland's arms shipments to the enemy have stopped or until combat operations in Vietnam have terminated. This privilege for Poland was authorized by means of the Foreign Assistance Act of 1963. My amendment would go to that provision. Earlier this privilege had been withdrawn not only from Poland but from the Soviet Union and every other Communist bloc country during the Korean war. It is my feeling that any country which does supply weapons to the enemy should certainly not enjoy the economic privileges under our Tariff Act.

I am very glad to yield to my distinguished colleague from Wisconsin.

Mr. ZABLOCKI. I want to thank the gentleman from Illinois for yielding.

I also am deeply concerned and sympathize with the gentleman's intentions. I appreciate his sending his memorandum on this subject to the Members of the House. But I also note that he bases his determination that Poland is sending military arms to North Vietnam on a boastful statement of a Polish Communist minister. Is that the only source of the gentleman's information? I ask that because I have not been able to substantiate the fact or the extent of the alleged arms shipments by Poland to North Vietnam.

Mr. FINDLEY. No. I might say another and perhaps even more impressive bit of evidence is the text of an address made by the Defense Minister of Poland to the War Academy in Poland as taken down and reported by our State Department's Radio Broadcast Reporting Service. In that speech the Defense Minister very plainly stated that Poland had supplied useful weapons of war, admittedly of World War II vintage, but he said they were effective weapons in the hands of the North Vietnamese. He also alluded to aid that socialist countries, presumably including Poland itself, were supplied in the form of more sophisticated weaponry. From that it was very plain that the top defense official of the Government of Poland was frankly announcing not only to these cadets before him but to the entire world that Poland was actively supplying weapons of war to North Vietnam.

Another official I cited was reported by the Associated Press as having gone to Hanoi and there inspected an antiaircraft unit which was provided, engineered, supplied, and supported by Poland. That antiaircraft unit was given credit for shooting down or damaging 50 U.S. aircraft.

So I would say taking together these two bits of information, they do constitute rather substantial evidence especially in view of the fact that there has been no disavowal of this from any public source in Poland.

Mr. ZABLOCKI. Will the gentleman yield further?

Mr. FINDLEY. Yes, indeed.

Mr. ZABLOCKI. I am familiar with the Polish minister's statement, but I submit to the gentleman that this is the only evidence from Communist officials. As the gentleman knows, I have attempted to obtain a substantiation or factual figures from responsible U.S. officials such as our Ambassador to Poland, and they cannot come up with any figures.

Has the gentleman received any evidence from U.S. intelligence agencies, such as the CIA or the Defense Department?

Mr. FINDLEY. As the gentleman knows very well, I am not at liberty to quote what is in those reports, but I do have a report which does have evidence in it which I will be glad to show him.

Mr. ZABLOCKI. Of military equipment?

Mr. FINDLEY. It includes an item of that sort and also relates to the level of the general trade between Poland and Vietnam which has been rising.

Mr. ZABLOCKI. Yes. As far as the general trade and shipments to North Vietnam, that has been rising, but I am rather concerned about the military shipment of arms.

Mr. FINDLEY. Is it not reasonable, really, to conclude that arms shipments are going forward, if the No. 2 Communist in Poland brags about the effect of Polish arms, and if the top official of the Department of Defense of Poland also verifies the fact that arms have been going forward and will continue to go forward?

Mr. ZABLOCKI. According to the gentleman's statement, this is the only evidence we have which would lead us to assume that the alleged assistance is indeed being provided. On the other hand, I have yet to find a Communist whom I would trust to be very truthful.

Mr. FINDLEY. I think that, perhaps, that might be one more added reason for us to suspend this most-favored-nation treatment.

Mr. CHAMBERLAIN. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. Yes, indeed; I yield to the gentleman from Michigan.

Mr. CHAMBERLAIN. Mr. Chairman, along the line of the colloquy which has been had between the gentleman from Illinois [Mr. FINDLEY] and the gentleman from Wisconsin [Mr. ZABLOCKI], I would like to advise the House that I have in my hand a report here from the Department of Commerce which contains a black list of vessels that have been trading with North Vietnam. And, here, I have the names of 23 ships that have been to North Vietnam since January 25, 1966, a list which I shall be glad to make available to anyone who would like to look at it.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mrs. BOLTON. Mr. Chairman, I yield 1 additional minute to the gentleman from Illinois.

Mr. FINDLEY. I did not catch the last part of the gentleman's statement.

Mr. CHAMBERLAIN. I have in my hand a list of 23 vessels, totaling 177,490 tons of cargo capacity——

Mr. FINDLEY. Are these Polish-registered vessels?

Mr. CHAMBERLAIN. These are Polish ships, flying the Polish flag, that have sailed to North Vietnam in the last 18 months.

Mr. FINDLEY. I might repeat that Poland is the only country now enjoying most-favored-nation treatment which is admittedly shipping weapons to North Vietnam. If arms aid by other favored nations comes to light, I would certainly support similar treatment for them.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman.

Mr. MONAGAN. I would like to ask the gentleman if his amendment passes and becomes law, what would be the effect upon the capacity of the Polish Government to earn dollars and to pay off loans which we have made to the Polish Government, loans which must be repaid in dollars?

Mr. FINDLEY. Well, unhappily, our Government seems determined to renegotiate these dollar debts to the advantage of Poland anyway. But, putting that aside, I feel our preeminent responsibility is our debt to our men in uniform who are now serving in South Vietnam, who are fighting the war, and I think this should take precedence over any monetary consideration to which you allude.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. MORGAN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. Mr. Chairman, I believe the time has come, during the course of this debate, that we had one of those welcome respites during which we pay tribute to the chairman of the Committee on Foreign Affairs, the distinguished gentleman from Pennsylvania [Mr. MORGAN].

Mr. Chairman, I have been on the Committee on Foreign Affairs for 2½ years. I have heard some nice things said about our chairman, the gentleman from Pennsylvania [Mr. MORGAN]. However, I really do not think they have gone far enough. He is indeed, as the distinguished gentlewoman from Ohio [Mrs. BOLTON] said in her opening remarks, one of the most patient men with whom we have had the opportunity to work. He is kind and considerate, pleasant and helpful. About all of the nice things which anyone could say about any human being could be said about Dr. MORGAN.

Frankly, I think in order to be a Member of this body one has to be a little bit neurotic. It may be that Dr. MORGAN's medical training permits him to analyze his colleagues and to use his experience against us. I think he views us somewhat clinically in the committee. I suspect, that whatever modest contribution we make toward the eventual enactment of this bill, we may be even getting some additional compensation by way of medical treatment.

I believe, however, something more should be said about the chairman of the committee than the fact that he is pleasant, kind, patient, decent, considerate, and all of those things.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. Yes; I yield to the gentleman from Illinois.

Mr. DERWINSKI. I thank the gentleman for yielding.

In line with the point the gentleman is making, I wish to point out to the Members that we all appreciate the chairman of the committee. In fact, we appreciate him so much as an individual that we overlook his handling of this dubious legislation. But we appreciate him, regardless of the position he takes on this bill.

Mr. ROSENTHAL. That is quite the point I was coming to.

Mr. DERWINSKI. I thank the gentleman for yielding.

Mr. ROSENTHAL. In addition to these personal accolades about the chairman's character, my judgment is that the chairman is the most knowledgeable Member of this House on this kind of legislation.

I believe he understands this legislation better than any Member not only of this body, but of the other body. It is a fact that he has combined his great expertise and his patience to get this bill, as far as it has come. It is too bad that so many people who really do not understand this bill make the kind of comments they have made.

The other point I would like to make, and I commend to all of you, particularly some on the minority side, to read the remarks of the gentleman from Minnesota [Mr. FRASER] in the report. I especially commend the Members to page 121, where he talks about educating Congressmen in international affairs.

There the gentleman from Minnesota [Mr. FRASER] says:

> In almost every other field of national concern, Members of Congress bring practical experience derived from their earlier careers.

He goes on to explain that so few of us travel abroad or otherwise make an effort to understand foreign affairs. And what disturbs me is that those who are most vocal and critical of this bill, or this type of assistance, have actually precluded themselves from learning anything about what the programs do overseas.

I wonder how one can be intellectually honest and question some of the programs we are talking about here today if he has never really taken an opportunity to see how they work.

So I would urge each of the Members to read the gentleman from Minnesota's [Mr. FRASER] remarks, and perhaps maybe we can all make a little greater effort to learn some things about the value of this kind of legislation.

Mr. Chairman, with regard to the legislation at hand, I would like to briefly give my views.

Mr. Chairman, I am not happy with everything that is in this bill, but I am more unhappy with the things that the bill does not do than with the things it does do. But I do believe, on balance, that it is a good bill. It is a bill that I can vote for, understanding the legislative situation of give and take and compromise.

It is also a bill I can vote for, considering the political climate not only of this House, but in this Nation. If I had my own way about these things, the measure of aid in this bill should be about 1 percent of our gross national product, which would make it somewhere about $7 billion.

One may ask "How can you say things like that in the light of the crises in our cities, and in the light of the crisis in our country, and in light of our commitments to Vietnam?" It seems to me we really ought to look at the long-range point of view, and at the great spread that is developing on this earth between the rich nations and the poor nations. How can we allow the widening of this spread and hope to limit the despair others feel? Can we expect the rest of the world to sink lower and lower, where they have a gross annual income of $100 or $200 per capita? It seems to me there are two things we ought to be looking out for considering our national interests and our need for self-preservation. We ought to try to create a more stable society throughout the world and permit people to participate in the wealth we can give to the rest of the world.

Mr. Chairman, it is truly inevitable—that if you permit this divergence between the rich and poor to grow, not only between, but within nations, that you permit unhappiness, discord, revolution, and all the things we look upon with disdain.

One of the things we can do with foreign assistance, if we were to commit to it 1 percent of our gross national product, is to help these developing nations join in the march toward progress and affluence. We can help them to have hopes for the future; to partake of the capital goods and the education, the housing and all of the things that we have gone so far with in our own country.

I think if we do that, we would be making a major contribution. In terms of our own self interest, we should introduce these goals among the many young countries of the world today that are not partners in the affluent society with us and that are not partners with us in commerce. We could use this assistance to develop markets for the future which is precisely what in many areas these kinds of funds could do. We would be making a major contribution for our self-preservation.

I for one am perfectly willing to accept the benefits of this bill so far as morality and peace and security of the world is concerned. But I think that those of you who may not be willing to join with us in these causes certainly might see it from the point of view of developing future markets, for example, in Asia and Africa and South America.

If we can stimulate such markets and if we can stimulate people to buy the goods we produce which we have the capacity to introduce to the rest of the world, I think we could be doing a very, very useful thing.

Africa is one of the areas that I am especially concerned with as a member of the subcommittee on Africa of the House Committee on Foreign Affairs under the distinguished chairmanship of the gentleman from Illinois [Mr. O'HARA].

I have learned to appreciate more about what we called in high school the Dark Continent. We have made some trips there and we have found out that things are really not quite as bleak and as unhappy or as dark as we might have expected.

The people there have the same aspirations that we have. They want the same things out of life. They want stable governments. They want an enriched society. They want a chance for their children to grow up in an area that is not inflamed by poverty and discord.

Unfortunately, there is in this bill only a modest sum for Africa and in my judgment it should be substantially increased. Here is a whole continent of over 30 countries where communism has made no major inroad. Russia and China tried to do things there but they have not succeeded because proud nationalism has been the prevailing spirit in these countries.

Here are countries where we can make friends. Here is an area where we come in with clean hands—where the reputation of the British and French Governments is tattered by their past colonial history.

Here is an area where we spend $300 million a year and where the benefit of political gain would be enormous if we doubled that amount. I think that would be a major contribution that the United States owes to the rest of the world and to itself.

President Kennedy, as you all know only too well, urged us each to do something for our country. I think we can transpose that a bit by asking what our Nation can do for the rest of the world. The fact is that no matter how poor we may be in any single field or how poor we may be in some areas of our country, we are genuinely an affluent society.

No nation in the world can match us in productive capacity or in individual production or in the things that we own.

If we would only go beyond the moral responsibility—which we must accept and recognize that it is a matter of our self-preservation—we would not hesitate in moving toward the goal of devoting 1 percent of our gross national product to this assistance. I think this House and this Committee, Mr. Chairman, would then be accepting the challenge and the responsibility to meet the goals of peace and prosperity in this world and of this society.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman.

Mr. BINGHAM. I want to congratulate my colleague on what I think is his extraordinarily perceptive statement about this whole program. He has emphasized what are the real purposes and aims of this program and has pointed out to us that the purpose of this program is not to earn the gratitude of people—and not to buy friends, but to do something which goes much deeper than that and which is much more profound.

Mr. Chairman, I associate myself with the remarks of my colleague, the gentleman from New York.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman.

Mr. HOLIFIELD. Mr. Chairman, I have listened to the gentleman's statement and I think he has made a very clear statement of the type of philosophy which I believe we, as responsible members of the leading nation in the world should have.

Mr. Chairman, I would like to commend the gentleman on his statement and I wish to associate myself with the remarks that he has made.

Mr. ROSENTHAL. I thank the gentleman.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from California.

Mr. COHELAN. Mr. Chairman, I, too, wish to join in complimenting the gentleman on what I think is a superb statement on the need for this bill. There are things in the bill that some of us are not too happy about, but, as the gentleman from New York pointed out, on balance it is worthy of support. I would like to associate myself with the remarks of the gentleman from New York.

Mr. Chairman, for years this country has taken pride in accounting itself the richest nation in the world. For a while, we reflected that pride in our foreign aid. Today, however, this great Nation no longer manifests its former pride. Today we rank not first, nor even second, but tied for fifth in terms of the percent of foreign aid we give based on our average national income. We also rank down the list if we base our figuring on gross national product or on the tightness of our loans. We are not, then, engaged in a giveaway program; indeed, we must consider whether or not we are doing our share. Some of my distinguished colleagues have recommended the figure 1 percent of our gross national product. This would be a sizable increase.

I support the bill, not because I favor every aspect of it, but because it represents a good start. I further support the bill because favorable action at this time will allow the full spectrum of legislative action and responsibility to come into polishing the final product. I would like to emphasize, in particular, my dissatisfaction with the present method for selling military equipment. I firmly believe that we must insist that Congress be given every opportunity to assess the need for such sales on a case-by-case basis. I am hopeful that we can work with the administration to achieve some procedure which would be acceptable.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from Illinois.

Mr. FINDLEY. As a former distinguished member of the Committee on Agriculture, on which I have myself served, I wonder if the gentleman would comment as to whether he feels the Foreign Affairs Committee could capably handle the Public Law 480 program.

Mr. ROSENTHAL. My personal view is that they certainly can. I have no pride of possession as to which committee does these things. I think that insofar as Public Law 480 affects foreign affairs and is intrinsically part of our foreign affairs, I certainly think we can and should handle it.

Mrs. BOLTON. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. Scott].

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from California.

Mr. HANNA. I thank the gentleman for yielding.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Chairman, I wish to join in commendation of the remarks of the gentleman from New York and specifically wish to be associated with the tenor of this comments. I would add that as we deliberate the foreign assistance bill, it is important to keep in mind that our contribution to the progress of the underdeveloped countries is a rather small percentage of what is actually needed and used for development. The leadership, energy, determination, and most of the money, must be supplied by the recipients themselves.

In terms of money allocated to development, the major beneficiaries of our foreign aid contribute an average of $8 of their own resources for every dollar they get from our Agency for International Development. Many countries actually surpass that ratio. For example, India in fiscal year 1966 invested $7.3 billion in development. That is 15 percent of its gross national product, and it is 24 times the amount provided by India by AID—which was $310 million. Another example is Colombia which in the same year achieved an 11-to-1 ratio, by investing $980 million, or 16 percent of its gross national product, in development. AID's program in Colombia that year amounted to $87 million.

Those are examples of self-help in the foreign assistance program, in harmony with the standard set by the President:

> Action, not promises, will be the standard of our assistance. Accomplishments, not apologies, are what the American people expect from their desire to help others help themselves.

Over the years, our stimulation of self-help has evolved from a general goal to standard practice. And self-help does not mean merely allocating a certain percentage of a country's budget to development. There are all sorts of conditions and controls, tailored to each particular country's situation and needs. In Pakistan, for instance, a $140 million program loan from the United States was made conditional upon the Pakistan Government's liberalizing its rules on importing of raw materials and spare parts. This was done, and to cite just one result, many factories that earlier had operated at only 50-percent capacity because of raw material shortages now were able to go nearly to full capacity.

Another case in point is Tunisia, where a $15 million loan in 1966 was made contingent upon recommendations of the International Monetary Fund concerning credit ceilings and several other self-help needs. Tunisia met all the requirements. The fiscal 1967 and 1968 loans to Tunisia are tied to further IMF-World Bank conditions, including the restricting of investment to available resources and the improvement of the management and operations of state enterprises.

In summary, while our assistance indeed does provide a vital margin, we are not helping people that do not help themselves. We are not "carrying" governments. With experience and ever more sophisticated techniques, U.S. foreign aid has been toughening up.

Mr. SCOTT. Mr. Chairman, I rise in opposition to this bill, but I would like to share the basis for my opposition with the Committee.

Last spring a questionnaire was sent to all of the households in the Eighth District of Virginia in which a question was asked: "Should Government spending be cut?" Ninety-three percent of the people answered in the affirmative. Next they were asked: "If so, in what areas should cuts be made?" Eighty-eight percent of those answering in the affirmative said foreign aid should be cut. It is their first choice of cuts they desire.

I have received a large number of letters from constituents expressing their views in very strong language, as I am sure many of you have. Mr. Chairman, I believe that we as Representatives should listen to these voices of our constituents.

A college professor wrote bluntly:

> Only those nations who will practically aid Americans are worthy of consideration, as I see it.

A second constituent wrote that foreign aid was "just an added risk of involvement in another Vietnam. Of all the millions shoveled into foreign aid, there is little to show for it. A good example is France."

A third constituent said:

> I think it is time to stop giving out free handouts especially with hardly any of it ever being paid back.

Other letters are to the same effect. The vast majority of the people of my district are opposed to the foreign aid program, and I was elected on the basis that I would vote against all foreign aid except when it could be shown that aid to an individual nation was in the best interest of this country. Now I heard the gentleman from Pennsylvania, the chairman of the full committee, yesterday in his opening remarks state that we would help finance military armament to 50 nations under this program. I wonder how many of these 50 nations would return that military armament to us in some form that we would not appreciate.

While the report states that three-fourths of the military hardware is going to countries adjacent to the U.S.S.R. and Red China, there is no assurance that all of those nations are friendly and will not at some time in the future use the armaments against us or against each other. It might also be well to inquire where the other one-fourth is going and whether it might be used against us at some future time.

In a recent veto message to Congress, the President disapproved of H.R. 11089 providing for additional insurance for Government employees. He made an excellent case for fiscal responsibility, saying that the bill would impose an added burden on the American taxpayer just when we are asked to pay a 10-percent surtax. He said that while all of us are concerned with the well-being of 3 million Federal employees, the President must be concerned with the total public interest.

Now, Mr. Chairman, I doubt that the recipients of this proposed foreign aid should be put on a higher plane than Government employees. If the President feels that the total overall program should be watched as carefully as he said in his veto message, I think it is incumbent upon us to save these funds when we are facing a budget deficit of $30 billion, when the President is asking for a 10-percent surtax to raise approximately $7.5 billion to meet this deficit, when he proposes to withhold expenditures of approximately the same amount even after the expenditures are authorized by the Congress, and when he proposes to borrow the remaining $15 billion.

I believe it is up to the Congress to be as cooperative as possible with him and not pass this bill which would make a further Federal deficit. When we consider, Mr. Chairman, we have furnished total aid to all countries of approximately $130 billion, we have to call a halt to this program at some time, and today is the earliest opportunity.

There is no doubt in my mind that this program was originally conceived on the humanitarian premise of helping the wartorn nations of the world to rebuild their cities and their economy. It was a noble purpose but it has gone on and on. I would favor foreign aid to an individual country when it can be shown to be in the best interest of the United States to give aid to that individual nation, but this wholesale foreign aid to countries who may in the future be our enemies, who may be able to look after themselves, who have gotten into the habit of accepting our aid as a part of their regular budget, taxing their own people only for the remainder of their needs, is not popular with the people of this country. I believe we have a duty, Mr. Chairman, of reflecting the views of our citizens. I also share the views in the opening paragraph of the minority views, "Never has the futility of foreign aid been more obvious."

For these reasons, Mr. Chairman, I will vote against the passage of this bill.

Mr. MORGAN. Mr. Chairman, I yield 8 minutes to the gentleman from Texas [Mr. GONZALEZ].

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Mr. Chairman, I was going to respond to the gentleman from Virginia, who said that 88 percent of his constituents were against foreign aid. The people of Virginia were not always against foreign aid. In fact, our first President was from Virginia, and he was not against foreign aid. In fact, he arranged for a little foreign aid in those days from Russia and France. Perhaps the governments of those countries feel today they made a bad investment.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Virginia.

Mr. SCOTT. Mr. Chairman, I was privileged this year to read George Washington's Farewell Address, and the message in that was to beware of foreign entanglements.

Mr. GONZALEZ. Mr. Chairman, I rise in support of this bill. First, I wish to add my voice of praise and recognition of merit to the distinguished chairman of this committee, as well as each and every single member of this committee. I sincerely compliment them on a tremendous and monumental accomplishment in the face of a very difficult and obstructive and most hostile environment. When the other body has demonstrated what, in my opinion, is a tinge of irresponsibility in this sector, I think every Member of the House should take pride in knowing that we have a responsive and most responsible Foreign Affairs Committee.

I salute the chairman and each one of the members for a tremendous job in the face of these very serious and discouraging obstacles.

Politically, every one of us must be realists. We know that either we cannot stray too far from the comprehension of the distilled experience and cross-section of our constituencies or, if we do, the chances are that we do not maintain ourselves in a representative capacity, even if we are to be reelected. We also know that there are functions or periods of time in our careers in which we must make decisions based on knowledge that is available to us, or on superior ability because of proximity to the issue to discern between the fallacies and the truth, even though perhaps at home there is an ignorance prevailing and shaping the climate of public opinion.

I think that each Member can agree with this statement that foreign aid as such is a complex and a difficult issue to understand. It is easy to conceive of foreign aid—to those who have not bothered to go into it in any great detail—as just one single homogeneous program—which you and I know it is not.

We know that what we call foreign aid today consists of several basic programs.

History does not afford us alternatives. Much as we might praise the chairman and the members of this committee, we may not really be able to praise them sufficiently in order to translate a sense of appreciation. Had these men not been doing their duty, particularly in the last decade, instead of Vietnam we might have had guerrilla warfare in the jungles of the Americas. I am sure it would not be too farfetched to reach that conclusion. Yet that is not appreciated, because history does not delve in alternatives. History does not say what would have happened if America had not be responsive in 1946, 1947, and 1948, with the development of the Marshall plan and the subsequent corollaries to that plan.

Today I rise in support of this bill because I consider it crucial to our well-being and to the national interest. This is a program which has succeeded.

I agree that there may have been mistakes. Every program is susceptible to mistakes. Look at the operation of our own House. Could we say we do not make administrative mistakes in the conduct of our committees or in our own work? Of course, we are human and therefore susceptible to the frailties and errors humanity is prone to.

In view of this, I believe the United States has done a tremendous job. I am proud of my country for what it has done to preserve peace, for what it has done to give aid and comfort to homeless children and people throughout the world, for what it has done to preserve the liberty of people in Greece, in Europe, in the Americas, in the Far East, and even in Africa and Asia.

I believe we have reached a point which perhaps the chairman as a physician recognizes in individual cases, where psychologically humans become afflicted with a disease that compels them to find fault with everything they do. I believe this malaise has infected our country, so that we are hypercritical. Everything America does is interpreted as being wrong.

I know from personal observation and from a close observation of what is written in the other capitals of the nations of the Americas, this is not the case.

Let us look at what the accomplishments of foreign aid as such have been. Just as a meager illustration, in the Americas to the south of us every single country has had a cultural capital that is not really centered in the new world. It has been centered either in Spain or in some other European country.

Throughout history there has been a recorded series of incidents that have at times bred an historical distrust. This has been reflected not only in the political thinking but also in the literary productions and the philosophical works of some of the outstanding minds of this part of the world. Great poets have been produced in Central America, who long ago wrote about the Colossus of the North to be distrusted.

Despite this, despite the involvement of this country in past decades, there has not been a repudiation of the United States as such.

There is one case, as the result of neglect. By way of example, our country was able to concentrate aid to one European nation, to Yugoslavia, in excess of the total amount of aid this country was willing to show toward Latin America in a 10-year period preceding the advent of Castro.

These are causes and effects.

Our vote today or tomorrow on this bill can very well mean the difference between little Vietnams in the Western Hemisphere. It can very well be that. It is this crucial an issue in my opinion.

Coming back to this point about the discrepancy in cultural activity, I think this has shown that the United States, far from being in error and far from having compounded error upon error, if we were to believe our critics, has had a resounding success.

Mrs. BOLTON. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I stand to express my support in general of H.R. 12048, the Foreign Assistance Act of 1967.

I believe the Foreign Affairs Committee has done a remarkable job in studying the entire problem of foreign aid appropriations, and in reporting to the House a bill which will enable the United States to carry on its great work in this humanitarian venture, with the least burden on the American taxpayer, with minimal effect on our balance-of-payment deficit, and with full recognition given to the principle of withholding assistance from nations which have flouted it in the past.

Mr. Chairman, it is axiomatic that the developing nations simply cannot maintain stability without continued economic growth, and that such growth requires external assistance in its developing stages. Without this help, the economies of these struggling nations would certainly falter, and chaos and communism would very probably ensue. It is not to "buy friends" that we furnish this aid. Rather, it is in recognition of the fact that we have been peculiarly blessed with a bounteous economy under our free enterprise system and regard for the less fortunate nations compels us to share with them the fruits of our free way of life. In addition, it is clearly in the interest of the free world that we give these nations an alternative to communism—an opportunity to be self-reliant.

As a member of the Banking and Currency Committee, I have long been involved and vitally concerned with our appropriations abroad, primarily in the field of multilateral agreements. This country has been a contributor to the growth and stability of countries all over the world. We have done our duty and carried our burden in both bilateral agreements, and in the form of contributions or loans to multilaterial organizations dedicated to the work of economic growth. This act before us today is a complement to our multilateral aid programs. And, in terms of self-interest, bilateral aid is also vitally important to us.

Mr. Chairman, I stated I support this bill in general. But while I have the floor, I cannot help but to express my deep concern for certain aspects of this bill. In particular, I refer to section 102 of this bill which expresses "the sense of the Congress that in any case in which any foreign country has severed diplomatic relations with the United States, the President should suspend assistance to such country under this or any other act, including any program designed to complement assistance under this act." This provision follows naturally from the prior section expressing the sense of Congress that every effort must be made to obtain a permanent peace in the Middle East. Supplementing the cutting off of aid, this legislation also urges the President to undertake immediately: first, a thorough review of the needs of the several countries of the Middle East; and second, a reevaluation of U.S. policies aimed at helping meet those needs and securing a permanent peace in that area.

My only regret is that this section merely expresses the sense of Congress that we should not supply aid to any country which has severed diplomatic relations with this country. Hence, when this bill is open to amendments I intend to offer one that will specifically prohibit aid to these countries, and by aid I mean nonmilitary, and military, which, Mr. Chairman, includes the training of military personnel.

Our distinguished colleagues in the Senate, realizing the eminent sense of this change in policy, supported Mr. GRUENING when he proposed the same amendment to that body during deliberation on August 17, 1967.

The United States, in years past, has been more than generous to several nations which have in turn, insulted and maligned us; falsely and recklessly accused us; attacked our national honor and integrity; instilled physical damage and ruin to U.S. property. How can we even consider the continuance, or the renewal of any assistance to these states unless they give us recognition and respect, unless they recognize the territorial rights and diplomatic reality of the existence of their neighbors, and unless they qualify for such aid by proving their peaceful intentions and true adherence to the economic development principal of our assistance programs.

What precisely do we expect to accomplish with our aid? The developing nations seek economic growth; they hope to expand their agricultural output in order to be able to feed their growing populations and they aim for some industrial development to increase their standard of living and to balance their economic output. Yet an economy which is barely able to maintain its population at a minimum level of subsistence is not in a position to provide the investment capital, to obtain the technical know-how, and to engage in the programs of education, and job training, which are necessary to promote efficient economic growth. It is in making contributions to these efforts that we hope to initiate the basic economic structure on which these nations can then, with increasing independence, develop.

It is particularly important at this time that we should recognize the value of promoting such economic progress. Increasingly we are being made aware of the imminence of a world food crisis; as populations grow, with economic expansion lagging far behind, we are approaching a time when the world economy may simply be unable to feed its population; there is, unless strong measures are taken, the likelihood of actual widespread famine, with masses of people literally starving to death. This is hardly a prospect to be taken lightly, and one of the best means of insurance against a situation which even the enormous resources of the United States will be insufficient to resolve is the development, as rapidly as possible, of the economic potential of the emerging nations. Our foreign aid can make an important contribution to the attainment of this objective.

We are sometimes faced with the question of whether the United States should be expected to carry such responsibilities alone; it does not seem right for us to have to shoulder all of the world's burdens by ourselves. In this connection it would be enlightening to consider some statistics disclosed by the Organization for Economic Cooperations and Development. In terms of the percentage of national income devoted to foreign aid, the United States is tied for fifth place among advanced countries; when private investment abroad is added to government aid, the United States drops to eighth place. It seems that the question is not whether we are doing too much; indeed we are simply doing our share.

The issue of the effect of our foreign aid activities on our balance-of-payments position is also one which is the subject of considerable misunderstanding. In light of criticism that our aid is a significant contributor to our balance-of-payments deficit, it should be noted that almost 90 percent of our economic assistance, and over 95 percent of our military assistance is now spent in the United States. Thus, by far the major portion of our aid returns to this country in the form of demand for U.S. exports. Furthermore, when loans or grants are used to purchase American equipment, the U.S. businessman gains a market and a customer—a customer who will return for spare parts and for new machinery years later; thus, the long-term effect on our balance of payments deficit is even less significant than the above percentages indicate. I think it is most unfortunate that so few of our people realize to what extent these funds are devoted to the purchase of American goods and services.

Mr. Chairman, in expressing my support for H.R. 12048, I wish to make it clear that the authorizations contained in the bill should be regarded as minimum levels we might accept and that any further cuts in these authorizations would be unconscionable.

I would point particularly to the funds for the Alliance for Progress. This authorization has already been reduced in committee from the $750 million previously authorized for fiscal year 1968 to $650 million. In considering the wisdom of such a reduction, and certainly to prevent us from suggesting any further decreases, we must clearly bear in mind the particular importance to the United States of progress in Latin America. If any area in the world is currently and potentially of importance to our Nation, that area is Latin America. Traditionally, geographically, strategically, the fate of the United States has been closely connected with that of our southern neighbors.

The Alliance for Progress has been supported by three administrations and by Congress. It is devoted to the promotion of economic and social progress in the Latin American States, with a maximum of self-help on their part, and an ultimate goal of economic integration among those States and freedom from the need for outside help.

Such progress in our hemisphere would not only bring advancement to the Latin American nations, but would redound to the direct benefit of the United States. There is, I believe, an inverse relationship between economic prosperity and political upheaval.

Mr. Chairman, the world is ever becoming a smaller place; we must not abandon this attempt to improve conditions in those parts of the world which are so in need of help and which, far from being remote and irrelevant, are rapidly becoming, in effect, our very closest neighbors. I therefore strongly urge the passage of H.R. 12048, without any further decreases in the authorizations therein contained. To the extent that we are willing to make our best efforts to create the proper background of economic and political progress among the emerging nations, to buttress the framework within which the stable and orderly forces of national development can best operate, to this extent can we promote the emergence of peace and freedom throughout the world.

Mr. BETTS. Mr. Chairman, will the gentleman yield?

Mr. HALPERN. I yield to the gentleman from Ohio.

Mr. BETTS. Mr. Chairman, it disturbs me that we are today asked to authorize in excess of $6 billion for foreign aid when the primary agency administering international programs has exhibited poor financial management practices. Since the inception of the program, now operated by the Agency for International Development, it has yet to meet the accounting system standards prescribed by the General Accounting Office.

Furthermore, the GAO reports that while AID had scheduled for submission during April and June 1967 six segments of their total accounting system, five of them had not been submitted as of June 30, 1967. Failure to establish sound accounting procedures has, in part led to extensive waste and inefficiency. I wish to call attention to the mismanagement prevalent in AID and other agencies administering programs of international assistance by presenting the following list of examples citing specific cases of inefficiency. The list is not an inclusive one, only a sample of the inefficient operations reported by GAO in 1965, 1966, and 1967.

The list follows:

GAO Reports to Congress Concerning Agency for International Development and Foreign Aid Authorizations

1965

Unnecessary cost resulting from inflexible policy, March, 1965, B–14697: $3.7 million unnecessary cost incurred by donating surplus flour instead of wheat to voluntary relief agencies.

Improper payment of port charges, May, 1965, B–146820: Port charges of $393,000 that had been waived by the Colombian Government were improperly paid.

Questionable grant of commodity, July, 1965, B–146820: $23.7 million grant of corn to the United Arab Republic was questioned on the basis that an emergency need existed, although verification was inadequate and distribution unscrutinized.

Displacement of commercial dollar sales of tallow, July, 1964, B–156922: Commercial sales of $5.5 million were displaced between 1962 and 1964 by making available increased amounts of surplus tallow.

Loss of interest on U.S. owned foreign currencies, Sept., 1965, B–146749: $34 million dollars was held in noninterest-bearing accounts in Korea and resulted in $1.8 million in interest not being realized.

1966

Unsound financial statements, March, 1966, B–133220: The 1962, 63, and 64 financial statements of the Agency for International Development Loan Program, which includes some one thousand agreements totaling $12 billion, had a number of significant weaknesses and did not conform to GAO prescribed standards.

Uneconomic ocean transportation practices, March, 1966, B–152538: The failure of several agencies to coordinate their shipments of donated commodities resulted in small quantity shipments and excessive costs.

Unproficient expediting of certain agreements, March, 1966, B–158225: Special efforts were taken to allow countries to avoid the effect of newly passed legislation which required recipient countries to pay foreign exchange costs of ocean freight.

Failure of project to produce the intended results, May, 1966, B–158163: $100 million expended for the Karachi water and sewage system and the Ganges-Kobadak irrigation project failed substantially to produce the intended benefits.

Inadequate auditing procedures, July, 1966, B–159451: Unsatisfactory management control of economic assistance to Vietnam.

Limited accomplishments of economic assistance, October, 1966, B–159380: Benefits derived from U.S. educational and highway development assistance to Liberia fell short of what could have been reasonably expected.

1967

Inefficient utilization of U.S. financed equipment, supplies, February, 1967, B–160735: Failure to implement the El Salvador health project resulted in ineffective use of $300,000 of equipment, supplies, and services.

Fail to maintain value of foreign currency, April, 1967, B–146749: Value of U.S. holdings and loans of foreign currencies decreased by $2.2 billion as a result of changes in exchange rates between 1954 and 1966.

Uneconomic transportation practices, April, 1967, B–159652: Failure to question whether or not recipient countries should defray transportation cost resulted in the U.S. paying $10.6 million for financially able countries in 1965 and 1966.

Inadequate audit coverage of commercial imports, May 1967, B–159451: Need for increased surveillance of imports into Vietnam, through audits and inspections was recommended.

Mr. Chairman, I have introduced a bill, H.R. 9164, which requires all departments and agencies to develop accounting systems in accordance with GAO recommendations within a designated period of time. Those that fail to comply are subject to the suspension of their powers to expend public funds. Mr. Chairman, I urge the active consideration of legislation that would insure that Federal programs are conducted prudently with expenditures being made in accord with good accounting and management practice and following legislative mandates.

Mr. ADAIR. Mr. Chairman, I ask unanimous consent that the gentleman from Kentucky [Mr. SNYDER] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SNYDER. Mr. Chairman, I would like to take this opportunity to congratulate the Committee on Foreign Affairs for providing, on page 37 of H.R. 12048, the provision that no loans, credits, guarantees, or grants or other assistance shall be furnished under this or any other act, and no sale shall be made under the Agricultural Trade Development and Assistance Act of 1954, to those nations trading with or assisting North Vietnam. Through this provision the committee has attempted to give our men in Vietnam the support and backing that the administration has failed to render.

Today in South Vietnam hundreds of thousands of American men are fighting a bloody, unpopular war while those of us in the comfort and security of the United States continually debate the rightness or wrongness of our commitment or argue about stepping up or de-escalating bombing. It is popular to refer to the immoral war and crimes committed against the innocent North Vietnamese. But little reference or time or debate has been given to the innocent young American men bleeding and dying in this far-off battlefield.

Rather the administration has concerned itself with world politics and relegated the American soldier to the role of political pawns to be maneuvered in response to ever changing world opinion.

It has become more important to build bridges of understanding with the Soviet bloc in order to create a "thaw" in the cold war than to support the husbands, sons, and fathers committed to a hot war. But these bridges, if they are to be built, must be two-way, not one-way bridges, as they are now. U.S. concessions and compromise must be met with an equivalent response from others or these gestures are rendered meaningless. To trade with those supplying arms and other materials whether war materials or not is not only wrong but is giving aid and comfort to our enemy; an act defined by the Constitution as treason.

We have all heard the eloquent arguments supporting trade and assistance to the Soviet Union, all the pleas to create understanding and goodwill. But I wonder how logical these arguments would sound, or how you justify $50 million for a Fiat plant in Russia to a mother whose son has been killed by a gun manufactured in Russia; or try to explain to a wife whose husband has died in combat the logic of the United States supporting British sanctions against Rhodesia while British ships unload their cargoes in North Vietnam. Somehow all the cries of promoting understanding and goodwill seem rather hollow.

The gentleman from Pennsylvania [Mr. MORGAN] and the Foreign Affairs Committee in this provision have taken the initiative to provide our fighting men with just the rudiments of the support this Nation owes them. My only regret is that this must come from Congress; for the administration whose foreign policy has committed these men to combat should have had the good sense and decency to support them. The lives of Americans are infinitely more important than the good humor of the Communists and others throughout the world.

Mrs. BOLTON. Mr. Chairman, I yield the balance of the time on our side, 9 minutes, to the distinguished gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. I thank the distinguished gentlewoman from Ohio.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from New York.

Mr. FINO. Mr. Chairman, I rise once again, as I have over the last 3 years, to register my protest at the unconscionable waste of American dollars that goes under the name of foreign aid. According to figures compiled in the Library of Congress, from 1945 through 1966 the United States has extended the incredible total of over $122 billion in foreign aid. Of this gigantic sum, more than $86½ billion has been in economic aid, and almost $26 billion has been in military assistance. Besides these totals we should include interest on funds borrowed by the Treasury for purposes attributable to foreign aid, which amount to another $2 billion, U.S. capital investment in six international financial institutions, which comes to over $7 billion. Of course, these latter funds are not direct and immediate foreign aid, but they are furnished essentially for purposes of economic development, which is the fashionable term for the same old thing. Whether it is expended bilaterally or multilaterally, the money comes out of the same pocket—that of the long-suffering, downtrodden, debt-ridden American taxpayer. This has got to stop.

More than one famous football coach has said that he would be satisfied to keep school alumni sullen, but not mutinous. Well, I think it has passed that point for the American taxpayer. He is no longer sullen. He is just plain mutinous and he has good cause. It is bad enough to talk about a 10-percent surtax. But it is adding insult to injury to ask him to absorb a tax increase to support a foreign aid program the results of which simply do not justify its costs. This country has enough to do at home. It is about time we began putting our priorities in order.

We used to be told that foreign aid was necessary to save the receiving countries from communism. Now we are given a more sophisticated pitch. We are told that if aid is not funneled in sufficient quantities to the so-called third world, to every two-bit republic with more U.N. delegates than college graduates, we will lose our battle for world opinion. This is the old liberal bogeyman—world opinion. Whose opinion? India's opinion? The Arab's opinion? The opinion of missionary-eating Congolese cannibals?

I am tired of seeing taxes go up in middle-income districts like mine so that the international cocktail and economic redevelopment set can get their yearly payola from the State Department cooky-pushers and Park Avenue liberals.

I, for one, am not going to run scared. I do not believe that Congress should yield to threats and pressure, to banana republic blackmail or slum blackmail. We have had our fingers burned too badly too many times, and for that matter, so have the Russians. The men in the Kremlin have just seen something like $2 billion worth of military equipment go down the drain. If they are foolish enough to throw good money after bad that is their business. There is certainly no justification for the United States to act with equal imprudence. As a matter of fact, we make gains only out of Communist blunders like Indonesia and the Middle East—our own "positive" programs never achieve anything.

One aspect of this entire matter that I must say baffles me is the way in which the serious arguments put forth by those of us who oppose this enormous expenditure are brushed aside in a cavalier manner. It is not frivolous, for example, to point out that Africa, Asia, and Latin America do not have the capacity to profitably absorb aid like Europe did 20 years ago. It is not irresponsible to deplore the ever-mounting debt, and the consequent inflationary pressures to which foreign aid contributes. It is certainly pertinent to point out that foreign aid adds to U.S. balance-of-payments difficulties, and to a decline in U.S. gold reserves which some people think has reached a dangerous point.

As a more technical note, I might add that comprehensive development planning by the recipient country, which is often required as a prerequisite to U.S. aid, was not employed by some of the countries which have shown the most progress in recent decades, such as Japan, Malayasia, and Thailand. Furthermore, let me emphasize the point that foreign aid has not brought commensurate political gains, in terms not only of winning friends, which is the minimum we should expect, but, more importantly, in terms of political support. You cannot buy friends, the saying goes. But you have a right to expect that the recipients of your bounty will not bite the hand that feeds them. Finally, it is germane to call attention to the fact that foreign aid supports a large bureaucratic apparatus which has a vested interest in having the program continue. One of the biggest consequences of slashing foreign aid to the bone would be all the State Department cooky-pushers who would have to look for new jobs.

So much for the broad and general. Now just a few instances of the specific and particular. First let us take military aid, which we have distributed with such a lavish hand. When India and Pakistan engaged in open conflict with each other in September of 1965, both employed American weapons. In the recent Middle East clash, Israel and Jordan blasted each other with U.S. supplied arms. Latin American countries have received U.S. military aid for purposes of internal security which has sometimes been used to repress legitimate dissent. Yugoslavia, which is a Communist state, no matter how you look at it, has received U.S. military assistance, and has even had some of its pilots trained in this country. How this could have been justified as in the U.S. interest I simply cannot understand.

As to flagrant waste, the instances are numerous, and because they give rise to sometimes colorful publicity, there is a disposition on the part of foreign aid's defenders to dismiss them as ripples on the lake. Maybe they seem funny, but I do not think the American taxpayer is amused. I once read that the fishermen in Kenya enjoyed the new boats they got from good old Uncle Sam. It meant that they could catch fish twice as fast. However, they saw no particular reason to catch twice as many fish, so like good sensible men they got their day's work done in half the time and then quit. There was the dike built in Jordan with U.S. assistance, designed to trap rain, I suppose for irrigation purposes. The trouble is that the rain never falls, and the dike stands there, in the middle of the desert, presumably harming no one, but serving no particular purpose except as an interesting question mark for the archeologists of some future time. Instances such as these could be multiplied many times over, and they are not ripples on the lake. They are inherent in the vast, formless, and ill-conceived conglomeration that we call foreign aid.

There is yet another aspect of this entire operation that I find deeply disturbing. I refer to a growing reliance on the part of certain countries on assistance from the United States to bail them out of their budgetary and financial difficulties. One writer has pointed out that

India, for example, has been dependent for years on large-scale foreign aid and gifts of food, and that without these transfusions from abroad, India might have suffered mass starvation in 1964–65. Humanitarian assistance is one thing, but external dependence is another. Or take the case of Algeria, which has received over $21 million worth of food from the United States since fiscal 1962. Recently Algeria has bitterly broken relations with the United States, joined in the Arab Union against Israel and sent the pro-Western Tshombe back to the Congo to face execution. If this is an example of the kind of government that gets U.S. assistance, then I say not only is it high time we got out of the foreign aid business, it is overdue.

Mr. Chairman, the United States has been sending aid abroad now for over 20 years. I have already cited the enormous amounts of money that aid has consumed. I doubt, if one objectively looks at the results, that they have been worth the cost. Right now our Nation is engaged in a bitter struggle to put down Communist aggression in Vietnam. The overwhelming majority of countries that have benefited from U.S. assistance either condemn the U.S. position out of hand, or oppose it covertly. They are perfectly willing to take from America, but not to give an iota of support in return.

The Vietnam struggle is taking gigantic sums. Now a 10-percent tax increase has been proposed. The American people cannot carry such a load on their backs and pour forth the money to develop some 100 nations besides. If ever the time was ripe to put a stop to foreign aid, the time is now.

Mr. BROYHILL of Virginia. Mr. Chairman, foreign aid fat, the unspent funds from previous years, is sufficient to keep these programs alive for at least another year, and eliminate the need for a tax increase, let along new funds this year.

Our distinguished colleague, Mr. PASSMAN, chairman of the Foreign Operations Subcommittee on Appropriations, told us a year ago that we had a total of $16,925,154,000 unspent funds in the foreign aid pipeline, and we have little reason to believe that figure is smaller today.

We are going into the third decade of scattering billions around the world, of increased taxes, of higher living costs, and we are now faced with major new demands being made by our people at home for bigger domestic spending programs.

And we have the war in Vietnam on our hands.

An army of more than 50,000 spending experts are busily engaged in handing over our billions of foreign aid dollars, some of which go to countries in better fiscal shape than the United States is today.

Whatever the merits of foreign aid at the close of World War II, the program today has grown into an uncontrollable mishmash of waste, secrecy, and the fiscal pollution of honesty and good intentions in most of the countries where it is being dispensed.

We have given enough, Mr. Chairman, in 90 percent of the areas in which we are dispensing American dollars.

We have deluded ourselves long enough that American dollars can buy friendship, that they can create economic justice in the countries receiving aid.

We have given enough to international pickpockets and Socialist connivers.

We have given our gold, our sweat, our muscle, and our own national security.

We have been lulled to sleep long enough by the foreign aid spending experts who say that we benefit from this spending because most of it is spent here at home.

All of it would be spent here at home if it were diverted to American needs and the betterment of the American people.

More of it would be, in fact, by unsaddling our people once and for all from the aid dispensers who cling like barnacles to the taxpayers' pocketbooks while trying to spend us into bankruptcy.

If American wisdom is needed to aid underdeveloped countries, to bolster overseas economies, then why not create an international board, financing such efforts through private capital, requiring performance bonds, intelligible audits and competence, instead of confusion and corruption?

Mr. Chairman, the world is no less hungry, no more stable economically, and no more friendly to our people than it was before we undertook three decades of unlimited and unbridled foreign aid.

I suggest we reject new funds now, and see how it shapes up without American handouts for a few months. It could not be much worse than it is now, and our own Nation might be in a lot better condition than it is now.

It is worth a try, and preferable to going broke.

Mr. BOLAND. Mr. Chairman, I rise in support of the Foreign Assistance Act of 1967.

In any serious consideration of our national foreign assistance program, the question invariably arises as to the cost of our aid, and whether the United States can afford it. This is an important question which should be asked. It deserves a thoughtful answer.

There are several different ways the answer can be put. Essentially, it depends upon how we measure the cost of aid.

The easiest and most familiar way to express cost is in terms of dollars. Last year, the Congress appropriated some $2½ billion for expenditure under the Foreign Assistance Act. Other forms of economic assistance, including food for peace, Export-Import Bank loans, our contributions to international bodies, and the Peace Corps, added another $3 billion. In all, we pledged about $5½ billion of public funds for all forms of foreign economic assistance.

Five and one-half billion dollars is a lot of money. Is it too much to spend on foreign aid?

Perhaps the first thing to recall is, that we are talking about only 5 percent of the Federal budget, a fact which brings the amount of foreign aid considerably more into proportion. Out of each tax dollar, less than 4 cents goes for economic assistance. About 40 cents goes for defense.

Foreign aid costs each American roughly $30 a year—about what he pays for his daily newspaper.

Relative to our booming national income—now about $600 billion—expenditure on foreign aid is less than 1 percent. The French, the Belgians, and the Portuguese—all with average incomes far below ours—spend proportionally more. Other nations, less wealthy than we, do about as well as we do.

Furthermore, this is all in terms of gross aid flows. But very little U.S. assistance, as we know, is simply given away any more. The great bulk of it is in the form of loans—which bear interest and must be paid back. Each year, hundreds of millions of dollars flow back to the United States in the form of interest and repayments. The vast majority of the countries that we help, not only live up to the terms of our assistance agreements, but also make their payments on schedule.

In 1966, for example, the United States received more than $300 million in dollar loan repayments, and nearly $200 million in dollar payments of interest, mainly in the form of payments to the Export-Import Bank.

In money terms, then, we can see that foreign aid costs much less than we might have thought. But what about gold? The fact is all too familiar that the United States has been losing gold each year out of its national stocks. Even if we can afford the money we spend on foreign aid, can we afford the gold loss?

The answer here is that foreign assistance has hardly anything to do any more with the gold drain. Some years ago, when we extended our aid under easier terms, the countries which we helped could spend our dollars anywhere. If they used these dollars to buy goods in Europe, as they often did, the European economies could then use the dollars they were earning to buy U.S. gold. But no more. We have revised our regulations until today more than 90 percent of the money we provide must be spent in the United States. The amount that is spent elsewhere, which thus may add to our gold drain, has been reduced to the vanishing point. In gold terms, our aid now costs us practically nothing.

In returning to the United States these days, aid dollars are spent on American goods and services. In the process, they provide increased sales for American industry and additional jobs for American workers.

This fact is sometimes disputed by people who doubt the value of aid. These critics contend that aid dollars do not add to the demand for American products, but simply make it easier for foreigners to acquire things which they would have bought with their own means anyway.

Part of the answer to this assertion is a frank admission that it is sometimes so. There are isolated cases in which our economic aid finances purchases which foreigners would have made anyway. When this happens, however, we should remember that our assistance is benefiting the recipient country in two ways, as it releases local funds for reobligation and enables the community to make purchases of other commodities and to invest in other development projects for which they could not budget otherwise. But the instances in which external aid actually replaces local expenditures are comparatively rare. In most cases, if we did not assist the developing country involved it simply would not have the funds to buy the tractors, fertilizer, or industrial machinery that our assistance helps to finance. Or, if it were able to buy these items, it would very possibly buy them elsewhere: from Japan's efficient, enterprising industrialists, or from the developing country's traditional trading partners in the former mother country—for example, Britain, France, or the Netherlands.

Additionally, aid dollars do more than simply provide income for U.S. export firms and the workers they employ. There are indirect effects as well. These firms and workers buy goods and services in their American communities, and their expenditures create more income and more jobs, classically illustrated by the widening rings made by a pebble dropped in a pool of water. By the time all these indirect effects are added up, each aid dollar has provided perhaps $3 or $4 of income for American farmers, workers, and businessmen.

Aid stimulates sales for American industry, not only now but in the years to come. Thus, nations which buy American tractors with U.S. aid funds will return to this country when they need spare parts and accessories. And, familiar with our trade and our services, they are more likely to buy other things from us as well. Some of our most rapidly growing overseas markets today are in countries which we helped to achieve dynamic, self-sustaining economic growth—Israel, Mexico, and Taiwan provides only three examples.

From the point of view of America's own economic welfare, then, the real question does not seem to be whether we can afford aid. The real question is whether we can afford not to provide aid.

Foreign aid provided under the terms we are now using gives a large boost to the American economy. Even without considering the benefits of that aid for the countries which receive it, we must conclude that this is not a bad thing.

But sadly, nothing is free in this world. Foreign assistance must cost us something more than it seems to thus far in our consideration. On a more abstract level, the cost of aid is the value of the other things we might have bought with that $5.5 billion, if we had not chosen to use it for foreign assistance. That much money could do a lot to expand and improve our poverty program. It could finance further dramatic improvements in American education. Or it could help us to win the battle against air pollution more quickly. If we eliminated foreign assistance, we could do more than we are now doing in these areas of pressing domestic need. Alternatively, we could get our astronauts to the moon a little sooner, or we could even turn the money back to the taxpayer to spend as he liked—although he would get back less than 4 cents out of his tax dollar. Are we really buying something with our foreign aid that justifies this sacrifice of $5.5 billion worth of these domestic benefits?

We have already seen that the United States derives substantial economic benefits from its foreign assistance. But this is not the main reason we give aid, and it is not the primary benefit we derive from aid. The most important thing we get out of aid is a better, safer world for ourselves and our children to live in.

I want to make one thing clear at this point. I am not talking in moral terms. I am not discussing charity. I personally believe that we Americans, with our wealth that is unparalleled in all history and our average annual income of about $10,000 per family, have a moral obligation to help those in Asia, Africa, and Latin America who must survive on as little as $300 per family and who yearn for a better life. I myself feel that we Americans have a moral obligation to the rest—the majority—of mankind, but I am not proselytizing or insisting that everyone agree with me.

Instead of asking all Americans to worry about Asian children, I am suggesting that we think about our own children. What kind of world will they live in? Will it be a violence-plagued, starving, insecure world, or will it be one in which the majority of mankind sees some hope of a better future? Obviously, no one can guarantee that foreign aid will buy our children a better world to live in than the one we have today, but I honestly believe that it will help.

In recent years, the cold war has spread to the less-developed societies, those countries which were formerly either dominated, exploited, or utterly ignored by the more powerful, sophisticated nations. We now know well that communism is associated with hunger, frustration, and underdevelopment. We know that revolution and violence are connected with these same conditions. And we know that the world is shrinking at a rapid—almost alarming rate. This process of shrinkage is bringing Latin America, Africa, and Asia closer to us every year. In terms of travel time, in terms of communications, and in terms of impact on our daily lives these continents are much closer to us today than our own regional areas were to each other a hundred years ago. If the people of these continents are hungry, frustrated, prone to violence and receptive to communism, we will feel the effects. As we have learned over and over, most recently in Vietnam, the suffering of others quickly becomes our own suffering. If, out of the 70-odd countries to which we provide foreign assistance, there is just one potential Vietnam, and our aid helps preserve it for peaceful, evolutionary development, then our aid investment will have paid handsome dividends, not only in terms of the money it saves the U.S. taxpayers, but more importantly in terms of human lives and happiness.

But does foreign assistance really help prevent future Vietnams? I believe it is evident that it does. The world is in a process of willy-nilly modernization. People in the poorer countries, unlike their fathers, know about all the things that are lacking in their lives. They demand progress of their governments. They become discontented and rebellious when they feel they are not getting it, that their governments are not doing their jobs. They become disenchanted with the way their societies are run and struggle to escape them, easy prey to agitation or rosy promises of a Communist utopia.

All these countries are sadly lacking in the resources needed to meet the demands of their people for modernization and an improved life. When we provide aid dollars to help fill these resource gaps, we are not simply helping to the extent of the aid we ourselves give. Instead, we expand the resources of the developing country by a multiple of the amount of aid we provide. By participating in multilateral assistance efforts, we encourage other developed countries to help, too. For each dollar of aid we provide, they are likely to furnish an additional dollar or two. And by insisting that the developing countries carry most of the load themselves, through their own self-help efforts, we expand the total resources available still more. The overall result is that each American aid dollar may ultimately mean $8, or $10, or $12 of resources to the developing country.

If we reduced or eliminated our assistance to these countries, they would suffer a loss of resources for their development equal to several times the value of the aid we withdrew. The impact of this loss on their chances of realizing their aspirations for a better life would be crushing. Their frustrations would mount. The chances of other Vietnams would increase appreciably. How penny-wise and pound foolish could we be?

I think this answers my question about whether the benefits we get from foreign aid make it worth our while to give up the other things we could buy with those dollars. I think the answer is yes.

Earlier I remarked that $30 is about what we put out each year on our daily newspapers: at the end of 12 months, you can accumulate a lot of newsprint, worth just as much as yesterday's news always is. The other $30, which we each spend on foreign aid, takes us, and the world a long step up the road to international security. Foreign assistance materially improves our chances of living in a better, safer, happier, more prosperous world. As worthy as it would be to use our aid money for cleaner air, a larger poverty program, a slightly accelerated space program, or more dollars in the taxpayer's pocket, I think, a better world for his children, is the best thing an American could possibly buy with his other $30.

Mr. SCHADEBERG. Mr. Chairman, I do not support the Foreign Assistance Act of 1967. Not because I am against people, but because I believe the people need to be saved from our good intentions corrupted by our ill-advised habit of supporting some governments which, accepting our aid, allows precious little of what they receive to trickle down to their own people so much in need. The annual debate on the foreign aid bill has become an exercise in futility, somewhat as are the debates on the semiannual requests to raise the Federal debt limit. We are treated to the same time-worn arguments in support of the bill that were given when I first became a Member of the House in 1961. We are told we must spend these billions to protect the world from communism. There are several serious inconsistencies in these arguments.

First. The record reveals that there has been an increase in Communist influence and control in the world in spite of the 120 billion of our taxpayers' dollars through the past 20 years.

Second. Times and circumstances change, but our foreign aid program still is premised on the same base it was two decades ago—the only difference is that there is more of it. What was effective 20 years ago or even 5 years ago may not be effective today but we keep on pouring money into an ever diversified number of programs.

Third. It is clear that a good share of our aid dollars do not get into the hands of the people for whom we are told they are intended. I have talked to too many foreign nationals personally not to believe that much improvement in our aid program is imperative if the program is to be effective. I cannot support the spending of billions of our tax dollars for programs which are not accomplishing the purpose for which they are intended.

Fourth. It is inconsistent in the first magnitude for this administration to request billions to help fight communism around the world when it is requesting increased trade with Communist countries; refuses to deny aid to countries supporting the Communists opposing us in Vietnam; permits the solidification of the Communist regime in Cuba; has done nothing to assist exiled freedom fighters from Cuba to overthrow Castro—in fact, as some suggest, supports an agreement made with the Soviets to protect Cuba from invasion; and supports nations that not only do not back us up but actively oppose us.

I have consistently stated that I do not oppose some forms of foreign aid. Likewise, I have consistently stated I cannot in conscience support a foreign aid program of the magnitude of our program; a program shot through with inefficiency, corruption, misuse of funds, and questionable programs. How can we in conscience vote over $3 billion of our people's hard-earned money to support governments all over the world when our Nation is so direly in need of billions in our own Nation? How can we in conscience vote our people's hard-earned money to support a world welfare program when our national debt exceeded by literally billions of dollars the combined debt of all the nations of the world? This does not take into consideration our State, local, and personal debts.

The argument that the present foreign aid program should be continued at the present level because of the success of the Marshall Plan is a hollow one.

Our Marshall Plan aid went to a society that had an ideology of developments. Our seeds were cast upon fertile ground in countries where human resources had developed to such a degree of refinement that the aid seed would be properly husbanded. These conditions are not present in many areas in which present Marshall Plan type aid is intended.

The Marshall program envisioned a united prosperous Europe that would be allied with the United States. This certainly has not materialized. Europe is prosperous and to that extent the Marshall Plan was a success. The plain fact is that Europe is neither united nor does its interests coincide on many issues.

The American people should not be compelled to support the economic climate of countries in which their own citizens refuse to give their support because they lack faith in the integrity or stability of their own governments. Why should the American people pour their money into countries where their own citizens will invest only in easily liquidized assets?

The American people should not be compelled to support the economy of a country in which its government cannot or will not collect taxes from the rich and the poor. Shall we tax a workingman in this country earning $6,000 a year to relieve the rich in other countries to amass fortunes because they are not taxed?

The argument that a vote against this program will prevent us from winning the war in Vietnam is just not true. The only reason we are not winning the war in Vietnam is because our leadership does not intend to win. Our goal is a stalemate, not victory, and as I see it is utterly foolish to tax our people to support an economic program we are told is for the purpose of combating communism when we are not willing to win a war with Communists but are satisfied with a mere stalemate.

A vote against this program will not bring the program to a grinding halt. Everyone knows this. The simple truth is that if this $3.2 billion program is defeated the committee can and no doubt will come before this body with a more realistic program based on a more conservative layout of funds. Even if the committee did not come up with a 1967 bill, there is enough money in the pipeline to carry the program at the present level for over 2 years.

This program is not all bad. There is much good in it but in my estimation it is too big in scope to expect our taxpayers to dig into their pockets for an increase in taxes in face of an inflation that has already wiped out the possible savings of many who have nothing better to look forward to but to be placed at the mercy of the political officeholders when they reach retirement age.

Mr. SCHWEIKER. Mr. Chairman, I rise in support of the new section 304 which H.R. 12048 adds to the Foreign Assistance Act of 1961. This section requests that the President explore the means and prospects for improving the peacekeeping machinery of the United Nations, and report to Congress before March 31, 1968, on his findings and recommendations.

In both the last Congress and in this Congress my distinguished colleague, the gentleman from Pennsylvania [Mr. MOORHEAD], and I have been calling on the administration to take the lead in strengthening United Nations peacekeeping forces.

This is the thrust of House Concurrent Resolutions 130 and 131, which we introduced in this body last February 8. Sixty-one Members of this body, on both sides of the aisle, have since demonstrated their support for the measure by introducing identical resolutions. I know I speak for this large group of Members when I commend the Committee on Foreign Affairs for the stand it takes on United Nations peacekeeping through this section 304.

United Nations peacekeeping has accomplished much in the last decade. It has effectively reduced border violence in the Gaza strip, on Cyprus, in Kashmir, and along the Israel-Syrian border. But the future need for United Nations peacekeeping forces is likely to be greater and more widespread.

Vietnam is the next major challenge for peacekeeping. Canada, already a key contributor of peacekeeping forces to the U.N., announced in April it is drawing plans to send its troops to Vietnam for peacekeeping duty, if and when a settlement is reached.

There are two strong reasons why the United States should be taking a greater initiative in the United Nations on peacekeeping than it is doing.

First, because United Nations peacekeeping has demonstrated it is capable of handling a number of situations which, if unchecked, would threaten international peace.

Second, because as the United States finds itself increasingly more involved in international disputes in distant parts of the world, peacekeeping emerges as a way for these conflicts to be handled without our having to intervene unilaterally.

For these reasons I agree with the committee that the United States seek ways to improve the existing peacekeeping machinery of the United Nations.

In the resolution I have introduced, some of these ways are outlined.

First, more members of the United Nations, aside from superpowers like the United States and the Soviet Union, must be encouraged to earmark troops for peacekeeping operations and have them suitably trained for such duty.

Second, the United States itself must stand ready with transport, communications, and logistics aid to peacekeeping operations, as it has on prior occasions.

Third, the United States must work for the adoption of guidelines to govern future peacekeeping operations, so the operations can be less ad hoc and more smoothly put into the field.

Finally, when conditions on the world scene make it feasible, the United States should support the formation of a true world police force—a United Nations permanent peacekeeping force composed of men individually recruited for duty under the U.N. flag, not the flags of their respective countries.

Mr. Chairman, I am encouraged by the fact that this year's Foreign Assistance Act recognizes the emerging importance of the United Nations peacekeeping question. I hope that this recognition of the problem by the committee will point the way to further congressional study of the present machinery of U.N. peacekeeping and what the United States can do to strengthen it.

Mr. PETTIS. Mr. Chairman, as I have listened to distinguished proponents of this foreign assistance bill, I have been impressed with their thoughtfulness and with their concern relative to our Nation's responsibility to nations whose economic and industrial development has been slower than ours. I must say, however, that our country, too, is facing times of difficulty and danger. It is my conviction, Mr. Chairman, that provisions so earnestly promoted by my esteemed colleagues are too much of a luxury for our already strained economy.

With a costly war in Vietnam, an overburdened domestic budget, an unprecedented operating deficit, a mounting national debt and the threat of runaway inflation, we have no business assuming responsibility for the economic well being of the whole world. I believe, Mr. Chairman, that nothing would please our enemies more than for the United States to spend itself into bankruptcy.

Besides, Mr. Chairman, we have heard in this House today abundant evidence that in many instances our aid has done little or no good. Time and time again, our dollars are fighting each other. Too often, we pour our aid dollars to alleged friends only to see them turn around and do business with governments in Cuba, Red China or North Vietnam who work only for our destruction.

In 20 years of high-minded prodigality, the United States has spent 130 billion in U.S. taxpayers dollars. Ninety percent of the 130 nations who are members of the United Nations have received assistance from us, yet we saw most of them against us during the recent Middle East crisis. France, who has received over $9 billion in addition to some other favors in connection with two wars, works tirelessly to undermine us throughout the world.

Egypt and other Arab nations have received billions in American aid, yet they were quick to falsely blame us for their recent defeat. Mrs. Indira Gandhi, Prime Minister of India, not only voted against us but praised Egypt in a dispute based completely on Communist fabrication. This, Mr. Chairman, in spite of the fact that serious famine in India is averted only through massive aid from the United States.

Furthermore, Mr. Chairman, there are those who believe that India's delay in facing up to her food problem is at least partly attributable to U.S. food aid. We have helped India meet immediate crises, but in doing so, we have also made her dependent on us and have, thereby, weakened her national food production capability. American generosity to such countries as Nigeria and the Congo has certainly not established either political or economic stability and the Alliance for Progress program in Latin America can hardly be called a success.

We said, Mr. Chairman, that our purpose was to help nations help themselves, but these nations have not even developed effective property tax collection systems. We ask our citizens in our congressional districts to increase their already punishing tax burden while the owners of beautiful homes and elaborate farms and ranches in these countries around the world pay little or no taxes.

Our foreign loans carry unrealistically low interest rates—1 percent with no payments for 10 years, then 2½ percent for 30 years. Our Government must borrow its money at a much higher rate. The American taxpayer is burdened with the difference. Few nations ever pay on these loans.

I am not opposed to the foreign aid concept. I have participated in and supported various people-to-people programs. Churches, foundations, universities, and American industry all play vital roles in giving needed aid to disadvantaged people. Massive Government giving, however, is too often looked upon with suspicion by recipient nations. It is frequently misused by greedy bureaucrats and military strong men. Let us first make our know-how available to people who are interested in making progress. As they demonstrate initiative and effort, let us give them monetary credit at realistic rates on the same basis that credit is given to our own Government. Such help does not corrupt and cripple.

Furthermore, there is more than $6 billion available in unused funds from prior year appropriations. Mr. Chairman, I suggest that we pause in this giveaway business until we can get it on a psychologically, politically, and economically sound basis. Before we vote to give more aid to people and countries thousands of miles away, let us consider giving some aid to the American taxpayer.

Mr. BROOMFIELD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BROOMFIELD. Mr. Chairman, as all of us know, there are few bargains in government these days, and this is particularly true where foreign aid is concerned.

But I think the taxpayer and the Nation are getting more than their money's worth in a program which has been growing slowly but steadily during the past 3 years.

The program is the Partners of the Alliance, a unique conception joining together 31 States of our United States with similar areas in South and Central America.

Included in H.R. 12048 which we are currently considering is a provision which I was pleased to sponsor. It would authorize the appropriation of up to $714,000 to support the Partners of the Alliance program.

Most of this money would be used to buy round trip, tourist-class plane tickets and to pay minimal room and board for experts who have volunteered their time and their talent, often at considerable financial sacrifice to themselves, to further the cause of friendship and a better life in all the Americas.

There were Drs. Morgan Collins, Jr., of Forest Creek Clinic and Jose Guierrez, of the Arkansas-Bolivia program who spent what would have been their vacations teaching Bolivian doctors new techniques and practices in Santa Cruz Hospital.

There was a four-man team of experts in agriculture and animal husbandry, headed by Dr. Cecil Gregg, of Texas, who gave of their knowledge to increase agriculture production in Peru.

There was Dr. Donald Watt, of the Vermont-Honduras Partners program and two technicians who drive a truck filled with well-drilling equipment from Vermont to Honduras to supply a town without a usable water supply.

There was Mr. James Fitzpatrick, of Chicago, who worked for 3 weeks in São Paulo helping a community devise plans for sewage treatment facilities to combat a serious problem of water pollution.

There were Dr. Maynard Mires, public health director of Delaware, and Ignacio Gispert, a Cuban refugee who lives in Delaware who, along with Miss Elizabeth Cloud, a psychiatric nurse, spent more than a month in providing medical help to Panamanian hosiptals.

There was Miss Mildred Vernosh, an anesthetist from Madison, Wis., who spent 6 months in Nicaraguan hospitals training nurses in anesthesia.

Out of slightly more than $400,000 spent by the Partners program since its inception, it has returned more than $7,000,000 in direct dollar benefits to Latin America.

The money for travel and for living expenses for these volunteers will permit this program to provide even more valuable assistance to those who are most in need.

For the benefit of my colleagues, a list of the projects undertaken by the Partners of the Alliance follows. I think all will agree that it is one of the best bargains Government has to offer:

ALABAMA/GUATEMALA

	Valuation
School construction, San Ildefonso Ixtahuacan	$550
Bookmobile for environs of Guatemala City, value of equipment, repair, handling, transportation	5,000
Registered bull from Southeastern Livestock Improvement Association	6,000
3 months in-service training program (port operations) with Mobile Port Authority for 3 Guatemalan port supervisors (training, board, and room assistance)	4,550
2 months in-service training at Mobile Rehabilitation Center for Physical Therapist from Guatemalan Neurological Institute (training, board, and room assistance)	3,000
4 refrigerators for Hospital Nacional at Huehuetenango	800
Dental equipment and instruments for Mataquescuitla	1,000
Hospital beds and equipment for children's hospital	1,500
Art exhibit (transportation, handling)	600
Total	23,000

ARKANSAS/BOLIVIA

	Valuation
Medical doctor worked 6 weeks with Bolivian doctors (medical techniques and practices, plus surgery)	$4,250
Census material	(1)
One scholarship for Montero School (funds for other scholarships for Montero and Muyurina being raised)	250
Arranging 1-year scholarships for 2 Santa Cruz students to attend technical vocational high school. Room and board plus tuition to be provided	(1)
One scholarship to Little Rock University being arranged. To include room and board	(1)
Arranged program for 4 university deans and 4 students for 4-day visit in Arkansas	(1)
Conducting survey of available hospital equipment and instruments for Santa Cruz Hospital for summer shipment to Bolivia	(1)
Exploring arrangements for in-service training in rice processing for 2 Bolivians	(1)
Exploring possible summer program involving vocational teachers working with Santa Cruz schools	(1)
Little Rock Exchange Club donated funds for a medical post in Santa Cruz	250
The Little Rock school system is sponsoring a Spanish teachers exchange program during the first 3 months of 1967 (during Bolivian school vacation). The Bolivian teachers will be provided in-home and board plus $300 a month each, plus transportation for 1 of the teachers	5,550
Financing of self-help projects: carpentry training for inmates, construction of bridge, schools, sport field and health center	1,323
Total	11,623

CALIFORNIA/MEXICO

Baja California, Nayarit, Puebla, Sinaloa

	Valuation
Horticulturalist to Puebla, California. Partners arranged transportation and per diem	900
Permanent summer study program arranged between California State at Fullerton and University of Puebla	1,500
Three visits of 4-doctor team to San Blas to develop hospital equipment and other medical projects. Included delivery 10,000 Gambusia fish (mosquito larvae control) and delivery of instrument and drugs. California Partners provided transportation	7,500
University of Southern California Dental School establishing continuing dental project with Baja Norte. Senior students to work with area dentists during summers and over weekend. Providing mobile dental office (vehicle, equipment, etc.)	18,000
Sports equipment sent to La Purisima and San Isidro for developing Little League activities	150
Management group of Starkist has approved a proposal to make an oceanographic survey of the waters of Nayarit, including all equipment and personnel costs. No value assigned at this point	(1)
Arrangements completed for $100,000 Puebla art exhibit for California, tour of schools and galleries. Assisted by California State Art Commission	(1)
Technical books and materials sent to School of Marine Science of University of Baja Norte	$1,000
Medical equipment for Tortugas, Bahia Community Hospital	4,000
Fellowship grant for student from University of Baja to Fullerton State College	3,000
California Partners contribution to Michael R. Young Scholarship Loan Fund, California State College at Fullerton, for students from Mexican Partner states	500
Total	36,550

Other projects in process

	Valuation
A medical and public health and sanitation team have been working in San Blas, Nayarit. They have begun their work on local mosquito control, sewage, and assistance to the city hospital. Dr. R. Peters, a mosquito expert will return next summer for further assistance (additional funds)	2,000
Technical assistance to help the State of Puebla fruit industry	1,100
Joint business ventures are being explored in the fishing and agricultural fields. Fullerton is sponsoring a marine life survey project in San Blas and the data gathered will be available to the local authorities to help develop its marine resources. (Total project contribution will be $30,000) Expended to date	2,500
Drugs and surgical equipment delivered to the community hospital of San Blas	(1)
2 graduate economists of the State of Sinaloa were sent to California for training in crop improvement. The California Partners arranged for room and board during their 4-week stay	2,000
60 California students attended the University of Puebla in a program organized by the State College at Fullerton Foundation. $400 per student (self-financed)	(1)
Three firetrucks to Nayarit	10,000
Fellowship program—California State College	3,000
Additional technical books and publications—University of Baja California	5,000
Additional hospital equipment—Bahia de Tortugas	6,000
Purebred dairy bull—University of Sinaloa	1,000
Additional sporting goods equipment—towns of Baja California, La Purisima, San Isidro	2,000
Total	71,150

COLORADO/MINAS GERAIS, BRAZIL

	Valuation
Shipment of hospital and educational and laboratory equipment (April 1966)	150,000
Organization of emergency (disaster) team of doctors and nurse	(1)
School roofing material, Teixerias	200
Village (Matozinhos) water pump	100
2 University scholarships	3,850
Nurses training material	(1)
Shipment of 8 micro balances and other instruments	$12,800
Shipment of hospital-medical equipment	8,000
Shipment of medicines	500
Antibiotics shipped to Brazil, 20,000 units at 50 cents per unit. Lost in transit and not recovered to date	10,000
(Warehouse dental units and hospital supplies valued at $18,000 lost in 1965 Denver floods)	(1)
Jaycees (Brush, Colo.) sent mimeograph machine to Minas Gerais	50
Scholarship offered by Denver University	1,350
Scholarship offered by Colorado State College	1,350
8 tons of medical and dental supplies for Minas Gerais area hospitals	10,000
The Brush, Colo., school district provided 300 school desks for rural school	3,000
14 cartons of school equipment and new projector and slides provided by Colorado Business and Professional Women	340
Singer Sewing Machine Co. financed a 3-week trip for a student to Minas Gerais for the purpose of developing participation in project activities	1,800
3 school-to-school partnerships in process	(1)
Total	203,340

CONNECTICUT/PARAÍBA

	Valuation
Hospital equipment shipment	30,000
Areia Art and Crafts School (additional 3,000 committed)	2,000
Funds for Santa Rita school construction	1,175
Funds for desks, Pitumbu school	250
Funds for materials for voluntary women's organization	110
Funds for Padre Dehon orphanage	365
Funds for piano for institute for the blind	550
A fifth shipment of hospital and dental equipment left for Paraíba on January 17, 1967. Approximately 200,000 lbs. of hospital equipment provided to furnish a 60-bed hospital, equip 7 dentists' offices and 40 health posts throughout Paraíba	400,000
In August 1966, a laboratory was shipped to Joao Pessoa for the teaching of languages at the University of Paraíba. Donated by Chester Electric of Connecticut	5,000
The Greenwich North Street PTA is sponsoring the construction of the first school in Ribeira—a village of about 1,500 inhabitants. School desks and supplies will also be provided	1,500
Donations of a quantity of books for the Library of the University of Paraíba at Joao Pessoa arranged by Congressman John Monagan	(1)
Funds being provided for plant improvements of a high school in Itaparanga (to date $150 raised)	150
Funds to purchase books in Braille and other material for the Institute for the Blind in Campina Grande. Provided by the Junior Women's Club of Greenwich	250
Assistance to the "Women's Volunteer Organization" in Paraíba for the purchase of fabrics to make hospital clothing, sheets, etc.	100
Pediatrics Hospital (Joao Pessoa)	1,000

See footnote at end of table.

CONNECTICUT/PARAÍBA—continued

	Valuation
Presently in storage, pending availability of transportation funds, are 2 X-ray units and other medical equipment (approximate value)	$20,000
Total	462,450

DELAWARE/PANAMA

	Valuation
Funds for vocational school activity Santiago de Veraguas	90
Nets for fishing cooperative	110
300 pounds vegetable seed and mylar sheeting	1,700
Hand tools for Olivares Vocational School	300
Cabinetmaker to vocational school for 1-month program	1,000
Funds for equipment Del Marva Boy Scouts (continuing project)	650
Medical team, 2 months in Panama. Board and room arranged by Panama Partners	5,250
Glue and lacquer for San Blas Indian crafts program	50
San Miguelito Vocational School, hand tools	600
In-service training program for 2 Panamanian engineers—12 months. Transportation provided by Panama; training, living costs, etc., provided by Delaware	12,400
Agricultural extension training activity, University of Delaware. Room and board, local transportation	750
During the summer of 1966 4 high school students from the Dover area traveled to Panama at their own expense and spent 6 weeks as guests of Panama families and attended regular classes at the Instituto Panamericano	(1)
6 Panamanian students and 2 teachers participated in Partners activities in Delaware for a period of 6 weeks	1,000
The University of Delaware and Delaware Partners providing an agricultural team composed of 4 experts, to work in Panama for a month	(1)
A small food processing industry is now in operation as a joint private sector venture as a result of Delaware/Panama Partners program. $20,000 investment	(1)
To Boy Scouts of Panama (additional funds)	565
Total	24,465

FLORIDA/COLOMBIA

	Valuation
50 junior college and 15 university level scholarships. (34 junior college and 5 university level being utilized.)	69,250
Special junior college program provided for 29 secretarial students. (Room and board provided but value not assigned.)	4,300
3 Florida students studying in Colombian universities. Florida Partners arranged for tuition, Colombian Partners provided transportation, students paying own room and board	(1)
Community college consultant sent to Barranquilla for short-term assignment with technological institute	1,050
Medical supplies sent to Barranquilla for use in gastroenteritis epidemic. (Local authorities reported number of lives saved as result.) Emergency transportation provided	1,250

FLORIDA/COLOMBIA—continued

	Valuation
Agricultural soil kits, publications, disease identification slides, etc.	(1)
Survey of nurses training needs	$4,250
70 films to Audio Visual Systems Institute (ISAV)	1,750
ISAV apprentice training and subsistence provided by Florida State (3 months at university, 3 months with State development commission, 3 months with Tampa station.) (Value assigned for subsistence cost only, not training costs)	2,160
30 Florida students to Cundinamarca, Colombia on 8 weeks special training in Spanish, Latin American history, etc	7,500
Medical supplies	900
A 4-man team representing state civic organizations visited Colombia in March to identify projects and finalize implementation guidelines	1,500
A 3-man team, self-financed, representing Colombia Partners traveled to Florida in March to make arrangements on educational and agricultural programs	1,500
4 4-H Colombians will participate during June 1967 with their Florida counterpart, in an agricultural youth action program	1,000
3 Florida University students have been sent to Los Angeles University (Colombia)	2,400
15 junior college scholarships	4,000
500 pounds medical supplies sent to Colombia	5,000
32 Florida Jaycees now in Colombia visiting counterpart chapters to work out exchange programs through auspices of Florida Partners Committee. Self-financing expenses, $6,000	(1)
5 educators from Florida visiting Universidad Atlantico. Development of institution-to-institution program with Universidad Atlantico	1,000
Total	108,810

IDAHO/ECUADOR

	Valuation
Cash contribution to date to implement projects in Pelileo Town Plan: cannery, irrigation, tailors/weavers training center, and water purification	6,000
Vitamins and antibiotics	200
Hospital equipment	4,000
Auto repair tools for training center (collaboration with Pan American Development Foundation)	700
Motors for spinning cooperative	620
Funds to repair braille equipment for school for the blind	100
Blockmaking machines (collaboration with Pan American Development Foundation) for Marianita school project	240
Water pumps for San Carlos (collaboration with Pan American Development Foundation)	300
4 sewing machines, 1 typewriter for children's center	150
Tents and sleeping bags for forest cooperative	250
Hypodermic syringes for inoculation program	150
Funds for doors, windows for school (collaboration with Pan American Development Foundation)	150
Funds for tools and equipment for vocational training school in Calderon	240

IDAHO/ECUADOR—continued

	Valuation
Funds for equipment for carpentry and home economics classes at Banos	$241
Funds for school carpentry shop in Pelileo	75
Colleges and universities planning to offer scholarships	(1)
Equipment for a physics laboratory in the Mariano Benites School (Pelileo)	75
5 clinics/nutrition centers in the barriadas of Guayaquil received equipment purchased with funds donated by students of Cortland College (New York)	100
Funds to help establish publications service in adult education program for the Province of Manabi	65
Boise College donated funds for educational material	215
Supplies for elementary school in Pillaro	50
Equipment and supplies for Pelileo Hospital	2,898
Total	16,819

ILLINOIS/SAO PAULO, BRAZIL

	Valuation
Short-term consultant to São Paulo to work on pollution problems	1,500
Funds for playground equipment for Escola Villa Maria	345
(Project in process) 4 weeks in-service training for 2 Paulistas in techniques of fund raising etc. * * * for community chest-type program. Illinois to provide training program valued at $50 per day per man at 20 days	2,000
Plus room and board valued at $15 per day, per person, 30 days	1,350
2 scholarships at $2,500 per scholarship (in process)	5,000
Teaching assistant at University of Illinois including compensation plus tuition and fees	4,000
50 Braille watches (estimated value $15 each) shipped in January 1967 to the Foundation for the Blind in São Paulo	750
Working language department scholarship provided by University of Illinois; air travel and expenses provided by Illinois Partners	5,000
Illinois Partners activities for four representatives of the Brazilian Federation to the Chicago World Trade Conference in February 1967	1,000
1 full scholarship at the University of Illinois for the fall of 1967	6,000
Funds provided by the Illinois Federation of Women's Clubs to finance a student exchange program	2,280
Total	30,225

INDIANA/RIO GRADE DO SUL, BRAZIL

	Valuation
Funds for materials for girls' school in Santa Cruz	655
12 university scholarships available (value calculated on 1-year basis)	11,400
Open heart surgery, hospitalization room and board for 2 months postoperative period	7,000
Medical supplies	2,500
Funds for housing	100
Electronic equipment for a university laboratory in Pelotas	100
Industrial exhibits from Rio Grande do Sul to Indiana	(1)

See footnote at end of table.

INDIANA/RIO GRANDE DO SUL, BRAZIL—Con.

	Valuation
Offer of milk bottling equipment for cooperative	(1)
10 students, 2 interpreters assisted in official visit to Indiana firms and institutions	(1)
University scholarship provided	$800
2 small shipments of specialized medicines	(1)
20 tons of hospital and dental equipment provided by the Indiana Hospital and Dental Associations	150,000
A school-to-school program involving 40 schools and universities of the 2 Partners States	(1)
Contributions by Marian College (Indianapolis) to the Santa Cruz Girls' Orphanage	1,165
School supplies donated by Indiana Girl Scouts	1,600
4,000 books provided by Indiana Partners for libraries in Rio Grande do Sul. (Rio Grande do Sul Partners providing transportation)	12,000
Diesel engines and parts donated by the Cummings Diesel Engine Co., of Columbus for 6 vocational schools	24,600
Donation to labor union housing	600
Funds to complete work in girls' school in Santa Cruz do Sul	1,000
Total	213,530

IOWA/YUCATAN PENINSULA, MEXICO

	Valuation
Funds for school furniture for Colegio Central, Merida	160
Student scholarship support (room and board) for students to attend school in Sotuta, Yucatan $15/month/15 boys/year)	3,600
Funds for 14 fertilizer sprayers ($70 each) for Sotuta farmers cooperative	980
Funds for support of credit union workers, Yucatan	2,000
Central College professor and 18 students traveled to Yucatan for educational program	(1)
Arrangements being made for 26 Yucatan medical students' visit to Iowa for program in collaboration with medical school and state health department	(1)
San Sebastian housing Project in Merida	560
Seven universities in Iowa sponsored a performance of the Mexican Ballet Folklorico in Des Moines on March 27. Proceeds for project implementation	5,000
Tipton project—irrigation	1,000
Tools to build a small farm-to-market road and funds to implement various self-help projects	4,000
Medical equipment presently being collected for the University of Merida	(1)
Funds raised to purchase library books for the Ignasio Ramirez Lopez School in Merida	(1)
Central College (Pela) is sponsoring an educational program for 30 students to Yucatan, self-financed, during the 1967 spring vacation. The students will receive credit courses in special geology and other courses	(1)
Youth activities (4-H, etc.) are being developed and implementation scheduled to begin in April	(1)
Community development projects are being arranged in collaboration with the Community Development Foundation	(1)
Yucatan cattlemen to receive technical help from Iowa State University. Cattle projects to evolve	(1)
Total	$17,300

Other projects in process

KENTUCKY/ECUADOR

	Valuation
3 outboard motors for Cayapa Indian project	1,500
Hospital equipment and supplies	10,000
Public administration consultant to Quevedo for 3 weeks	750
For the 4-H in Santa Elena—funds to purchase chicks, feed and vaccine	75
For the Quevedo market—construction material, electrical and plumbing fixtures, etc	500
Books for the Juan Montalvo neighborhood lending library in Guayaquil slums	150
Funds to purchase reference material for the community lending library of Milagro	150
50 kits for rural schools containing inflatable globes, atlas maps, etc., printed in Spanish	303
Kentucky Partners have organized a volunteer medical assistance project through which self-financed physicians will donate their services for a period of 3 weeks in Ecuador	(1)
Funds for little libraries and teaching aids raised by Franklin County Democratic Women's Club	360
Eugenio Espejo General Hospital; 13 beds, etc.—Kentucky Hospital Association	1,300
Total	15,088

MARYLAND/RIO DE JANEIRO, BRAZIL

	Valuation
7 university scholarships	5,600
Program arrangements for Brazilian Agriculture officials	(1)
Funds for 3 school construction projects	4,000
Funds for installing electricity in Favela school	1,000
Antibiotics and other drugs shipped for flood disaster program	11,000
Kitchen equipment for school center in Niteroi	300
Sewing machines and typewriters for vocational school in Sao Goncalo (AFL-CIO)	300
Machine for use in production of high protein doughnuts in pilot nutrition project. (Niños activity)	10,000
Training of 2 technicians to use protein doughnut machine	600
Training offer to electric cooperative technicians. Maryland Electric Cooperative	(1)
Arrangements (room, board, program visits) for 5 students for 2-month period	(1)
Chemistry equipment for Niteroi school	130
2-month program for 5 Brazilian students (including room and board)	(1)
9 self-financed Maryland high school students attended Brazilian schools for 2 months	(1)
A second group of 16 Brazilian students participated in Partners activities (2 months)	(1)
The Maryland/Rio School-to-School Partnership program has expanded to 40. Activities include the exchange of teaching materials, student writing projects with emphasis in the cultural aspects of the 2 regions. Some of the Maryland Partner schools have offered financial assistance for the acquisition of instructional materials	(1)
10 tons of hospital equipment including X-ray machines, operating room lamps, sterilizers, beds, etc. Members of the Maryland AFL-CIO provided transport and crating	$25,000
Total	57,930

MASSACHUSETTS/ANTIOQUIA, COLOMBIA

Initial shipment of 100 professional books sent by Prof. Sam Beer of Harvard to School of Finance and Administration	1,000
Scholarship fund in collaboration with LASPAU (Latin American Scholarship Program of American Universities) program. Funds now being raised with goal of $26,000	(1)
5 scholarships for Colombian students	15,000
350 professional books for libraries	1,000
Technical assistance arranged	10,000
6-month training for a young Colombian banker.	
3 weeks' training period for a Colombian executive in the insurance field.	
Technical help provided in installation of modern physics laboratory for a night school for workers in Envigado (Medellin). (Funds will be provided for laboratory equipment.)	(1)
Total	27,000

MICHIGAN PARTNERS OF THE ALLIANCE

The Oakland County/Cauca Valley, Colombia, operation has been phased out and a statewide Michigan Partnership is developing with Belize (British Honduras). A Michigan Program Development Team is now in Belize. The following data pertains to the earlier Oakland County/Cauca Valley activity:

	Valuation
Exchange of 2 Colombian and 2 Michigan students, scholarships, room, and board. Value assigned to scholarships and subsistence costs	$5,000
Instituto de Ayuda Mutua (self-help) established to provide evening adult as well as school age children's literacy classes:	
Complementary contribution	650
Local volunteer instructors and facilities	(1)
Teacher's guides and instruction material for literacy classes for 300 inmates of Villa Nueva prison. (Instruction provided by 2 exchange students from Oakland University and Peace Corps volunteers)	(1)
Complementary contribution to activate a science museum and laboratory at Colegio Nacional Academico in Cartago	120
School supplies for 450 children attending 3 community built "barrio" schools which receive no government financial assistance	150

See footnote at end of table.

MICHIGAN PARTNERS OF THE ALLIANCE—con.

	Valuation
Vocational training in auto mechanics with focus on unemployed unskilled men:	
Tools and instructional materials from Michigan	$150
Locally provided facilities and salary-free volunteer instructors	(1)
Christmas contributions in lieu of usual gift exchanges by 7 Waterford Township schools toward local purchase of school supplies for 7 schools in Cali and vicinity	150
A photographic exhibit entitled "Cali-Noche" displayed in Oakland County Schools and public buildings	(1)
United Auto Workers Union participation in Congress of the Federation of Free Workers of Valle in Cali and subsequent voluntary consultation with local union officials	965
Hosting return visit of Cali labor union leader to Michigan, program expenses	700
Mimeograph presented by UAW (Michigan) to FESTRALVA (labor union) in Cali	400
Assignment of Oakland County Partners representative in Cali for 10 months to provide liaison with counterpart organization. Salary, transportation of family, etc	15,000
The agricultural committee of the Michigan Partners will send an agricultural expert and his wife to British Honduras to serve in an advisory capacity for 1 year	(1)
Eleven students from British Honduras attending 10 Michigan colleges and universities. Full cost scholarships. Transportation provided by Tan Airlines	77,880
The education committee is working on a school-to-school program as well as the establishment of a special education and rehabilitation program in British Honduras	(1)
The cultural exchange committee is planning to bring a Belizian dance group to Michigan for an extended tour. Further exchanges of people and cultural activities will follow	(1)
The public health and medical education committee is working to provide British Honduras with a public hospital administrator, a Public Health Officer and a public health and medical education specialist	(1)
The Welfare and Women's Service Organization Committee is collecting band instruments, treadle-type sewing machines and homemaking aids for shipment to British Honduras	(1)
The Tourism, Industry, and Commerce Committee supports and serves as a catalyst for the construction and management of a hotel, the organization of a Development Bank. A Special Investment Conference was held in Michigan on March 9, 1967	(1)
Port project being explored	(1)
Total	77,880

See footnote at end of table.

MISSOURI/PARA (BRAZIL)

	Valuation
The Missouri Partners had channeled a shipment of 128 tons of DDT to the Para Partners for emergency use	(1)
Seeds provided for experimental purpose on a farm near Santarem	(1)
("The Governor Alacid Nunes Scholarship": 2 scholarships available to Missouri Students only at the University of Para (including tuition, fees and lodging.) This is a contribution of the Para Partners to their Missouri counterparts committee, $1,000)	(1)
Medical equipment shipped in February 1967 for hospitals in Santarem and Monte Alegre	$1,000
65 schools establishing school-to-school program	(1)
Total	1,000

NEW JERSEY/ALAGOAS, BRAZIL

	Valuation
Seed for school garden projects (including their transportation)	1,300
Funds for school equipment, Sao Miguel dos Campos	387
Funds for Lions Club youth project	400
Rutgers scholarship including all expenses	2,700
Air transportation (for Partners-arranged scholarship) financed through the Institute of International Education of New York	766
New Jersey State Chamber of Commerce provided funds for: 2 sewing machines, breeding sows for agriculture project; partial funding of movie projector and screen	600
1967 Rutgers scholarship	2,700
Air transportation by Inst. Int. Ed. of New York	766
4-H Club youth exchange	600
An Alagoas handicraft exhibit was shown in June at the New Jersey State Chamber of Commerce convention	(1)
Flood stricken people in Alagoas, received 15 packages (680 pounds) of antibiotics and medical supplies	7,000
Films depicting historic and modern New Jersey were sent to its Brazilian counterpart state	(1)
9 New Jersey hospitals and nursing homes have donated 10 tons of equipment for hospitals and medical centers throughout Alagoas. Shipment arrived in Brazil the first week in January	25,000
Another shipment of hospital equipment (approx. 43 tons) is pending—transportation funds are not available	86,000
The New Jersey Partners are sponsoring a project that will provide surplus equipment to rural hospitals in Alagoas, obtainable through the Direct Relief Foundation of California. Questionnaires for listing needs have been sent to the Alagoas Partners	(1)
Total	122,666

NORTH CAROLINA/COCHABAMBA (BOLIVIA)

	Valuation
From April 1966 to March 1967 a total of 66 projects were implemented in the fields of health, education, road construction, water supply and other community social improvements	$12,916
Medical equipment shipped in April 1967	10,000
Total	22,916

OHIO/PARANA (BRAZIL)

3 tons hospital, medical, dental equipment, and instruments	5,000
Parana University professor of Portuguese participated in special language program at Miami University for 2½ months	1,000
Ohio Partners arranged 1-week program for 9 Brazilian students, including speaking engagements. Room, board, and total program arrangements	(1)
Program arrangements for other Brazilian groups	(1)
Various small projects coordinated by Mary Hirschfeld	(1)
Program Arrangements (U.S. transportation, per diem, etc.) for Parana newspaper woman in collaboration with Ohio Newspaper Women's Association. 30-day program coordinated by Mary Hirschfeld	1,500
A group of 20 Ohio students are scheduled to study in Parana in the summer of 1967	(1)
In 1968, 20 Parana students will study at Miami University (Ohio)	(1)
Total	11,500

OKLAHOMA/TLAXCALA-MORELOS (MEXICO)

Honey production project in Tlaxcala	120
60 Oklahoma Federation of Women's Clubs committed to scholarships to girls' school in Mexico. Funds currently being raised	4,800
Oklahoma College of Liberal Arts establishing exchange program to involve 50 scholarships (including fees, room and board). In process	(1)
Planning assistance for soils laboratory and demonstration school in Tlaxcala. Laboratory to be equipped	(1)
Arrangement for 1-hour weekly radio broadcast on partnership program	(1)
Providing 27 one-year scholarships ($85 each) for rural girls to attend special girls' school in Tlaxcala. 7 completed to date	2,295
Students of Oklahoma State University are providing technical assistance plus equipment for a demonstration school and a soil laboratory at Tlaxcala. The equipment has been collected and is in storage to be sent as soon as the community completes the building. (State of Tlaxcala has already donated the land for the school.)	2,000
University scholarships are being developed for the ensuing year. Oklahoma College of Liberal Arts has offered 2 scholarships (tuition, room and board)	(1)

OKLAHOMA/TLAXCALA-MORELOS (MEXICO)—*continued*

	Valuation
Medical and dental supplies and equipment for charity hospital will be delivered by the Oklahoma National Guard planes	$6,000
The Oklahoma Partners participated in the Tlaxcala State Fair by organizing a free Western 4-day Rodeo, air transportation, Rodeo stock, performers, and Rodeo expenses. (Tlaxcala Partners gave hospitality to the 24 Oklahomans during their stay)	10,000
Total	25,215

OREGON/COSTA RICA

10 rural schoolteachers from Costa Rica to 10 Oregon school districts as resource staff for Spanish Language courses and social studies. Cost of stipend and 1-way fare, value of 2 workshops provided by University of Oregon and board and room furnished by local school patrons	6,500
Professional services contributed by Costa Rican teachers	(1)
Camera furnished to Costa Rica Partners to assist in documentary of projects	125
Contribution for Christmas gifts to patients of Children's Hospital	50
2 washing machines and dryer for hospital	1,000
6 Oregon high school students to Costa Rica for 1 month programed for June. Transportation and local costs	3,600
Board and room to be provided by faculty of Liceo Rodrigo Fascio, San Jose	(1)
Slide projector and tape recorder for project use by Costa Rica Partners	120
Textbooks: High school, junior high and elementary English language books requested by Don Bosco, Palomares, Oratino and other schools	1,000
Total	12,395

PENNSYLVANIA/BAHIA, BRAZIL

	Valuation
32 scholarships for Brazilian students	50,560
Air transportation (for 5 Partners-arranged scholarships) financed through the Institute of International Education of New York	3,705
Funds for 60 small self-help projects	11,000
Funds for school construction, Jaguaquara	615
Dental unit. Pennsylvania arranging transportation	1,060
Funds to assist in reconstruction of 20 homes in a self-help program, Lobato	4,000
Agricultural tools	1,000
Second dental unit has been provided for Joao Compre Hospital	600
Funds provided for the completion of home economics school in Cachoeira	5,000
An air conditioner for an orphanage medical center and a refrigerator for the kitchen	1,700
Funds raised to help reconstruct laborers' homes along an access road	$1,750
A service road constructed to connect the village of Lobato with the main road to Salvador with funds donated by the 8 Pennsylvania districts of the United Steel Workers	5,000
5 infant incubators have been donated by Air Shields for hospitals in Salvador	4,200
Shipment of drugs (1967) for Julino Moreira Hospital	2,500
Drugs for St. Anthony Hospital (Bahia), April 1967	3,500
Exchange of medical personnel for experience in tropical diseases through the University of Bahia offered to medical students or doctors	(1)
Total	96,190

See footnote at end of table

TENNESSEE/VENEZUELA

Art exhibit (value $40,000) from Venezuela to Tennessee. Transportation, packing, insurance, etc.	1,500
Exhibit of modern engraving (value $3,000) from Venezuela to Tennessee. Handling costs	600
Purchase of native craft exhibit, Kiwanis subsidized	400
University of Tennessee scholarship. Tuition, board, and room	750
Workshop for 15 Venezuelan women community leaders for 1 month in Tennessee	7,000
Southern Highland Handicraft Guild project valued at $60,000. Tennessee to Venezuela. Design and construction of self-contained shipping cases, documentary film with Spanish soundtrack, etc	7,000
Photographic exhibit from Oriente University to Tennessee. Handling costs	300
Revolving fund, unassigned projects	300
International Book Fair project (collection of Latin American books by students of the University of Tennessee)	800
Tennessee League of Women Voters conducted a leadership conference involving 10 Venezuelan women with emphasis on social action. 30-day program. Expenses and transportation costs shared by Tennessee/Venezuela Partners	10,000
Total	28,650

TEXAS/PERU

	Valuation
23 Small self-help projects implemented by high school students	3,700
17 electric generators provided by Texas Electric Cooperatives (including transportation)	7,500
40 University scholarships (10 presently in use)	29,200
Open-heart surgery on a Peruvian newsboy from Lima and girl from Iquitos. Total costs including post operative period of room and board	10,000
20 "little libraries" from Texas Federation of Women's Clubs	2,300
1,200 feet new one-inch steel cable for suspension bridge (including transportation)	1,000
Small Amp-Champ generators	$625
Wheelbarrows, picks, and shovels for Navan self-help road project	125
Texas Rehabilitation Association provided equipment for Peruvian Institute	300
Elkins Radio Institute of Dallas provided equipment for Peruvian Rehabilitation Institute	340
Funds for Rio Tambo suspension bridge (Marcus, $250)	515
Materials for Moche 4–H Club program	100
Exchange Club of Lubbock assisted with funds for mimeograph machine for jungle school	193
Funds for summer camp and library project, E. Marcus	300
Technical assistance to electric cooperative	500
50 ampules bull semen	300
East Texas Chamber provided school desks for rural schools	800
Hereford Rotary Club provided books for Callao miners' home	125
Arrangements for seperate visits of mayor of Cuzco, mayor of Puno, cattlemen and others in various areas of Texas	(1)
Arrangements for Peruvian gold exhibit and the World of Peru photographic exhibit	(1)
Special training program for Peruvian rehabilitation specialist. Total costs including subsistence provided by Texas Partners	2,000
Air transportation (for Partners-arranged scholarship) financed through the Institute of International Education of New York	2,730
75 TV sets sent to Peru to help develop educational programs with the assistance of the Univ. of Texas Radio-TV School and the Peruvian Broadcasters Association (at $25 each)	1,875
A bus for a school in Arequipa and miscellaneous equipment shipped in October 1966	5,894
Ford tractor and a Ford plow to be used on farms of several villages in the Andes Mountains	5,000
X-ray machine for hospital in Ica	6,500
Assorted hospital equipment donated by Houston Hospital Association	5,000
50 Kw generator for the village of Chijnaya	2,500
Special training program for Peruvian rehabilitation specialist; all expenses financed by Texas Partners	2,000
Used household appliances donated by Hemphill-Wells Store in Lubbock	2,555
3 sewing machines for 4-H Club work in Cuzco area	45
1,875 school books from Huray Co-Op School (Eagle Lake, Tex.)	2,800
Shipment of over 3,000 elementary textbooks for general distribution, donated by the Government of Puerto Rico	6,000
The Texas Federation of Women's Clubs is sponsoring a girl from Peru at the Univ. of Texas with $100 per month plus a room in their Federation headquarters	900
Air grants students 1966–67	3,000

TEXAS/PERU—continued

	Valuation
The Texas Partners and in the Texas Industrial Commission cosponsored an investment conference in Austin in November 1966. Investment opportunities involving hotels and tourism, food processing and cattle operations were advanced by other Peruvian leaders at the meetings	$7, 500
Hospital cost rehabilitation F. Bedoya (Dr. David Wade)	3, 600
School-to-school, Peace Corps (Ilo, Peru)	1, 000
Transportation for hospital equipment, school bus, miscellaneous items by ship, Houston to Callao	5, 894
Obtained during the first quarter of 1967, in funds and equipment (school desks, hospital equipment, tools, generators, etc.) for implementing self-help projects	25, 000
Total	149, 756

UTAH/BOLIVIA

Design for rural cooking stove. Sample shipped to Bolovia	25
6,000 pencils for 4–H Clubs	30
Arrangements for 2-month program for 11 4–H students. Utah Partners provided transportation in state, room, board, incidental expenses, dental and medical contributions	4, 480
In process of planning are 4–H activities involving garden seed and sheep improvement, a cultural/fund-raising exchange	(1)
Educational programs on Bolivia in Utah schools and civic groups	(1)
17 sheep for Bolivia 4–H program in process of implementation	(1)
Major bone surgery for a 9-year-old Bolivian boy. (Including round-trip fare and other expenses.)	15, 000
Bolivia 4–S and Utah 4–H Wool Project (improve breeding and learning sheep shearing techniques)—40 corriedale rams	600
24 community development self-help projects, including technical assistance, i.e., medical teams (seven doctors), agricultural projects, and art exhibit exchange	20, 000
Total	40, 135

VERMONT/HONDURAS

	Valuation
University of Vermont, 5 grants-in-aid per year for Honduran students (graduate or undergraduate) for 5 years: Out-of-State tuition waivers	25, 000
Partners contribution for balance of tuition	12, 500
Partners contribution for cost of transportation	10, 000
Partners contribution for board and room	12, 500
University of Vermont students to Honduras for summer work projects. Transportation and expenses for 6x$560	3, 360
Book and dime project to provide 10,000 library books for English-speaking Island of Utila. 100 books shipped week of April 11x$2.50	250
Summer scholarship for Vermont Medical student to attend Honduras Medical School. Transportation, fees, board and room	1, 000
A truck and 25 deep-well water pumps delivered by 3 technicians in March. Technical assistance provided in installing pumps (truck: $1,500; pumps: $1,900)	$3, 400
The Vermont State Farm Bureau providing agricultural hand tools for cooperatives in Honduras	1, 000
Vermont Medical Association is sending 2 medical students to Honduras in special education activity	1, 500
A Honduran girl serving as counselor for a summer camp	800
Contact has been established between Vermont/Honduras Boy Scouts. There has been an exchange of handicraft work	(1)
Women's work—layettes, clothes	500
Library books—Island of Utila	4, 000
Total	75, 810

WISCONSIN/NICARAGUA

	Valuation
Hospital equipment and medical supplies (value of partial collection of anesthesia apparatus, delivery tables, operating tables, etc., of ongoing statewide collection campaign)	10, 000
Reference books for university library	3, 000
School supplies and athletic equipment	3, 000
Fire truck donated by Shorewood, Wis., to Matagalpa, Nicaragua	10, 000
Cash contribution toward construction of a village Health Post at San Jorge, Nicaragua	730
Nicaragua coffee producers and Wisconsin distributors are exploring the feasibility of establishing roasting facilities in Nicaragua and grinding, packaging, and distribution facilities in Wisconsin	(1)
Arranged hospitality and 1-week program in Wisconsin for group of 8 university students	(1)
Arranged hospitality and 5-day program in Wisconsin for 3 chairmen of Nicaraguan "Departamento" Alliance for Progress Committees	(1)
Miscellaneous hospital equipment for hospital and health centers	15, 000
Above shipment also included school supplies	1, 150
A nurse from Madison, specialized in anesthesia, to teach for 6 months in east coast hospitals of Nicaragua. The transportation costs from Miami to Managua were provided by the Nicaragua Partners, while transportation in the United States was provided by the Wisconsin Medical Society through the Madison Chamber of Commerce	8, 000
The Wisconsin AFL–CIO provided an intercom system to be used in a school in Diriamba	500
2 microscopes provided for 2 high school laboratories in Nicaragua	135
Band instruments for schools	700
Books	649
Athletic equipment	100
Sterilizer and generator (April 1967)	1, 500
Managua student attending LaFollette High School (Madison) sponsored by Wisconsin Partners	$1, 500
Total	55, 964

WYOMING/GOIAS, BRAZIL

4 school projects, funds for materials. Wyoming Lions Clubs (Cody, Cheyenne, Riverton, Afton, and Meeteetse)	901
Diesel generator for electric cooperative	150
Tractor for orphanage. Kelly Walsh High School, Casper, Wyo.	600
2 school project materials. Natrona County High School, Casper, Wyo	350
Materials for school in Goias. Roosevelt High School, Casper, Wyo.	70
Arrangements for Brazilian group visiting state	(1)
Contributions for community development self-help projects by Kelly Walsh and Natrona County High Schools	525
Total	2, 596

PROGRAM CONTRIBUTIONS ARRANGED DIRECTLY BY PARTNERS/WASHINGTON STAFF

Hand tools for Huaura training center (Institute of Rural Education), Peru. Project of Mount Vernon High School, Alexandria, Va	200
Radio and other equipment for 4 villages in Lake Titicaca area of Peru. Project of Mount Vernon High School, Alexandria, Va	220
Amp-Champ generator for village classroom. Project of Women's Democratic Club, 10th Congressional District, Virginia	125
Hand tools and two ewes for Nenquechani village, Peru. Project of Chatham Hall School, Virginia	244
Funds for materials for roof of school, Moyabamba, Peru. Project of Jamestown Elementary School, Arlington, Va	196
Scholarship for Peruvian student to attend Institute of Rural Education, Huaura. Project of 1965 graduating class, Herndon High School, Herndon, Va	120
Reference books for Gabriel Rene Moreno University, Santa Cruz, Bolivia. Project of Massachusetts Rotary Clubs, Cambridge, Mass.	580
School room and latrine project, Juan Latino, Santa Cruz, Bolivia. Project of Sandy Springs High School, Georgia	240
Hospital equipment for Managua, Nicaragua. Project of Mercy Hospital and Kirsten Clinic, Fort Dodge, Iowa	4,000
Funds for potable water project, Punta del Soldado, Colombia. Project of Roslyn (Long Island) Peace Corps Council	600
Materials for sewing cooperative, Tolima, Colombia (Pan American Assembly of Chicago)	100

See footnote at end of table.

PROGRAM CONTRIBUTIONS ARRANGED DIRECTLY BY PARTNERS/WASHINGTON STAFF—continued

	Valuation
Funds for purchase of equipment for Biological Institute, Guatemala City. For production of diphtheria, whooping cough, and tetanus vaccine to supply Central American countries. Collaboration of Pan American Health Organization in installation, etc	$10,000
Pharmaceuticals and medical supplies (bulk for rural mobile health program) to Costa Rica. Provided through Direct Relief Foundation, Santa Barabara, Calif	1,110,000
Pharmaceuticals and medical supplies to Guatemala. Direct Relief Foundation	551,000
Small instruments and pharmaceuticals for rural mobile health program in Honduras. Direct Relief Foundation, Santa Barbara, Calif	225,000
Polio vaccine for Barrancabermeja, Colombia. Provided through Direct Relief Foundation, Santa Barbara, Calif. (Lions Club of Barrancabermeja provided $300 for transportation and procesing)	20,000
Funds for desks for 2 Bolivian altiplano village schools. Project of Yorktown High School, Arlington, Va	550
Hospital equipment (including X-ray) and drugs for Hospital Lorencita Villegas de Santos (children's hospital). Provided through Direct Relief Foundation, Santa Barbara, Calif	103,220
Pharmaceuticals and supplies for rural mobile health program in Nicaragua. Provided through Direct Relief Foundation, Santa Barbara, Calif	123,000
Pharmaceuticals, small instruments, and supplies (primarily for rural mobile health program) for El Salvador. Provided through Direct Relief Foundation, Santa Barbara, Calif.	136,000
Funds to provide mimeograph supplies for 5 rural schools in Guatemala. Project of Downtown Luncheon Business and Professional Women's Club of Miami, Fla	150
Pharmaceuticals and medical supplies (bulk for rural mobile health program). Provided through Direct Relief Foundation:	
Central America (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua)	1,358,700
Mexico	1,082,300
South America (Bolivia, Brazil, Chile, Colombia, Ecuador, Peru)	517,050
Supplies and equipment for Cacimbas School (Piaui), Brazil	200
Supplies for Esperanza de Quinche School. Project of Herndon High School	300
Supplies for Community Center, Guayaquil slum. Project of Beekman Center High School, Plattsburgh, N.Y	200
Equipment Guayaquil School for the Blind. Project of Kamwood Braille Association, Albany, N.Y	450
Water pump for villa of Chitul (Guatemala) contributed by Professional Business Women (Miami, Fla.)	$150
Educational material to rural schools in Ecuador by students of Herndon High School, Va	70
Total	5,244,965

[1] No value assigned.

Mr. FRELINGHUYSEN. Mr. Chairman, as a member of the House Committee on Foreign Affairs I should like to begin by lauding the chairman of our committee and also the ranking minority member, the gentlewoman from Ohio [Mrs. BOLTON]. I think both of those individuals have done a great deal individually in developing a harmonious and intelligent approach by the members of our committee to a complex subject.

I suppose in some committees one could argue that seniority does not automatically work in the best interests of the committee. But in our committee I think we are fortunate on both sides of the aisle to have as senior members individuals of the caliber of the gentleman from Pennsylvania [Mr. MORGAN] and the gentlewoman from Ohio [Mrs. BOLTON].

Mr. Chairman, we are debating H.R. 12048 at a critical time—a time when tension and tempers run high. It is a time of popular dissent and discontent—a time when many of our policies both at home and abroad are being criticized as inadequate, inappropriate, inefficient, and ineffective.

This growing disillusionment is in part a response to the facts of spiraling Government spending on the one hand, and the failure—thus far at least—of the administration to achieve many of our national objectives, domestic and foreign.

Within this unsettling context, then, we must consider the merits of the Foreign Assistance Act of 1967. We must consider both the broad purpose and the details of this bill at a time when many people appear unhappy about the present state of foreign aid. Its supporters are unhappy because we do not spend enough money, or spend it in the wrong way. Its detractors, contending that we should not throw good money after bad, deny there has been any significant progress toward the goals we have set, or they reject the goals themselves as pipedreams.

Mr. Chairman, as we conclude general debate on H.R. 12048, we are once again made aware that on the subject of foreign aid Members of Congress—like the people back home—hold sharply differing opinions. The debate this year has indicated that today's problems—both domestic and foreign—inevitably influence our feelings about the importance of foreign aid, even though the relationship between some of these problems and foreign aid may not be a direct one.

Some have argued, for example, that increasing governmental expenditures, in Vietnam and elsewhere, necessitate major cutbacks in foreign aid spending. In rebuttal, others have contended that the unsettled international picture, including Vietnam and the Middle East, make foreign aid ever more important as an instrument of national policy than has been the case in the past.

Whatever the merits of the arguments advanced, this debate may not have much influence on the votes of the more senior Members present. They may have decided already how they will vote on fiscal passage, and even on some of the amendments. Others, however, have as yet no long voting record which might determine how they will vote on this bill. It is that group especially to whom I should like to speak.

All of us know that every Congress for the past 20 years has, in fact, endorsed foreign aid. I am confident that this 90th Congress will face up to its responsibilities also. Over those 20 years the objectives of the aid program have varied, as have the countries which have been assisted. Over those years much has been accomplished, although as we look back we realize that more might have been done.

Thus, it is my hope that a solid majority of the Members of this body will vote for H.R. 12048. The foreign aid program is of continuing importance to us, and also to those we aid.

While we may criticize some aspect, let us remember that our own security is tied up with the future of such countries as Vietnam, Laos, Thailand, Korea, the Republic of China, Turkey, and others. Our own national interests are vitally concerned with the future of such countries as India, Pakistan, Indonesia, and Brazil—not to mention the whole continent of Africa. Let us, therefore, resist the temptation to practice economy at the expense of the support we can give these countries, support which these countries badly need. We should, therefore, in my opinion, oppose amendments sharply reducing economic or military aid to such countries as this would weaken those whose strength we badly need.

While I do not wish to dwell at length on the significance of foreign aid or its relationship to our own national interest and security, I should like to make a few observations. First of all, all of us, whether we like or not, are deeply involved in the business of helping others. Whether we would like it or not, we cannot turn our back on all we have done in these last 20 years and decide now to renege on our responsibilities.

Needless to say, I would not advocate that we even consider such a course. Instead, what we should be doing is to be considering constructive ways of making our foreign aid programs better, so that as a nation we can use our influence and power with increasing intelligence and effectiveness.

Let us admit our world role: as of right now, we are in charge, whether we like it or not. We can influence other people, and we do influence them, sometimes directly and sometimes inadvertently. People act in reaction to the United States, in relation to our activities. And I believe that, since we are too big to hide, we should try to use the fact of our world significance in a positive way. We should influence other people. There is nothing to be gained by looking backward to the pioneer glories of America when we stood alone, any more than there is something to be gained from continuing an anachronistic posture of laissez-faire in world politics. We need other countries and they need us. We must exert our influence to guide them along national paths which will redound to our mutual benefit.

It is true that we believe in freedom and equality for all men, but just believing this does not make it a reality. It is up to us to show the world, in the most dramatic possible way, that there is another, and a better, and a more sensible—and a more practical—way to live than under communism. And we cannot do it by being modest and shy, by pretending to ourselves and the world that we are not doing something which we patently are doing. Let us rather admit that we are running things—for the time being at least—and fulfill our responsibilities accordingly.

We did not invent the idea of democracy, but we had the opportunity to try this method of government and found it worked. The other countries of the world, in the throes of voluntary or involuntary modernization, should be encouraged to prove for themselves that some form of representative government will work better, last longer, and satisfy the desires of a greater number of people, than a totalitarian state. Our telling them so does not mean anything—but our influence and aid, military and economic, can be allocated judiciously to provide the opportunity for them to find it out for themselves.

Let us therefore stop having our feelings hurt. Let us stop pouting because neutral countries insist upon remaining neutral, and because they occasionally play our aid off against what the Soviets may provide. We should realize that it is natural for other countries to operate in their own immediate national interests instead of ours. If we are willing to aid other countries, let us also not demand applause for doing so. Above all, let us stop expecting people to love us and do what we want simply because we give them aid. The respect of one country for the institutions and activities of another is surely to be more highly prized than the adulation of a sycophant for a generous but sensitive benefactor. We are in Vietnam—we cannot simply get out. We were in Korea and the Dominican Republic. We are giving major parts of our aid package to India, Pakistan, and Brazil. We do all these things because we are necessarily involved in their future, and they in ours.

I spoke of our mutual benefit. It is clear that we are helping them, but what about ourselves? We need them, for the reasons I have given, and for all the other things which they will be able to give us and which we are going to require. We are a rich Nation but others have resources which we need. We are an ingenious and talented Nation, but we have no monopoly on ingenuity or talent, present or potential. Modernization by its very definition is a continuously evolving process, relying necessarily upon the interchange of ideas, methods, skills, commodities. The contributions which the developing nations can make to effective international political, cultural, and economic institutions will be absolutely vital to our own growth. Their development, influenced and supported by our efforts, demands a reasonable stability. We are going to have to continue to ensure that stability, by military and economic means, and we cannot afford to be ungenerous about it.

So let us make the best of it. We are probably the first great power that ever complained so bitterly about assuming responsibilities and exerting influence over other people. But it is part of our job—as the biggest, and the strongest, and yes, the most idealistic people in the world—to keep civilization going. We are in many ways a strange phenomenon in history, and it is not hard to understand why people are often suspicious of us. No nation has ever had such power, linked with such a will to work for the good of man. No nation has ever had such an opportunity to implement its aims. This is something we can get enthusiastic about.

In the simplest possible terms, these poor countries cannot survive without us. Can we survive without them? Let us ask ourselves the question of the Zen Buddhist: What is the sound of one hand clapping?

Let us recognize then, that foreign aid is important—to us as well as to those we aid. Unless the less-developed countries are helped to achieve self-sustaining economic growth, we can expect continuing outbreaks of instability, hostility, and international tensions. This is not to say that foreign aid can eliminate these adverse developments, but our assistance, together with aid from other developed countries, can be of real value.

Let us remember also that unless the less-developed countries are helped, their people will continue to live in poverty, ignorance, and disease without any real opportunity to improve their standard of living.

Skeptics will contend that the problems these countries face are too enormous for foreign aid to be effective. They point to the continuing rapid growth of the poor countries, and their failure even to provide food for their growing populations. Admittedly, there are serious problems, and unless more is done there is real danger of mass starvation in some countries.

These conditions make aid not less important, but far more important. This bill recognizes that more must be done, and done soon, by providing specifically that aid be utilized more vigorously to assist in population control measures, and to increase agricultural production.

What is needed now is not a shrugging off of responsibility by this country, and by other countries which can help. What is needed is a major mobilization of foreign aid effort on a cooperative basis between major donor countries.

In this connection, Mr. Chairman, I should like to point out that the Republican coordinating committee recently recommended a 14-point program to improve foreign aid. The report was prepared under the leadership of Ernest Griffith, former dean of American University, for the task force on foreign relations. Among Members of Congress serving on this task force, I might add, are the gentlewoman from Ohio [Mrs. Bolton], the gentleman from Illinois [Mr. Findley], and myself. At the appropriate time, Mr. Chairman, I shall ask permission to have the entire text of this report included with my remarks at this point. It follows:

Foreign Economic Assistance

THE COST OF U.S. FOREIGN ASSISTANCE

The post-war efforts of the United States Government to assist other nations of the globe are now twenty years old.

During that period—from July 1, 1946 through June 30, 1966—the United States provided more than $117 billion to over 100 foreign nations. This aid ranged in amount from one hundred thousand dollars to the African state of Gambia to $9.5 billion to France. (Appendix A is a listing of these expenditures since June 1, 1946.)

The foreign aid program today involves major annual expenditures of funds. In the fiscal year ended June 30, 1966, foreign aid expenditures totalled *$3.4 billion*—some 3.1 percent of the total Federal Budget. To this amount should be added the agricultural surpluses distributed abroad, loans by the U.S. Government's Export-Import Bank and the U.S. portion of funds loaned by various multilateral agencies.

THE PROBLEM'S MAGNITUDE

The economic gap between the United States and the developing nations is increasing every year. The per capita Gross National Product (GNP) of the United States for 1966 was $3,648. For the same year, that of India was $104; Indonesia $70; Nigeria $117; Bolivia $149—an average of $110 for the four. The gap: $3,538.

The United States per capita GNP in 1960 was $2,993; for the same other four nations it averaged $97. The gap: $2,896.

This gap, in thus widening from $2,896 to $3,538, over six years, increased by 22.2 percent.

Our GNP has gone up 21.9 percent since 1960; theirs 13.4 percent. Today, their GNP as a percentage of ours is 3.0 percent, in 1960 it was 3.3 percent. This is the situation—in spite of all the foreign aid efforts of ourselves and others.

We must recognize that neither the U.S., nor all of the prospering powers of the world combined for that matter, can solve all the world's economic problems. Such is the stark magnitude of the problem presented to the world in general, and especially to the United States as its wealthiest nation.

AMERICAN ATTITUDES TOWARD FOREIGN AID

Support for the principles of foreign aid, private or public, lies deep within our framework of national tradition. Americans responded to Belgian Relief in 1914, the Tokyo earthquake in 1923, and the Arno River flood of 1966 with equal alacrity.

The $117 billion spent by the U.S. Government since 1946 speaks for itself. Just as surely, Americans recognize that serious flaws exist in our present methods, and in the response or lack of response of others to these methods. Republicans believe we should be able to buy more aid and development for much less money.

We cannot abandon the goals; we cannot continue present activities without major changes.

REPUBLICANS HAVE ALWAYS FAVORED SENSIBLE FORMS OF FOREIGN AID

In many instances, American programs of assistance to foreign nations and peoples have proved enormously worthwhile; and often Republican leadership made these successes possible.

The program of relief to Europe after World War I, led by Herbert Hoover, rescued whole nations from the clutches of famine; nor have the Finns forgotten the aid directed to them under Mr. Hoover in 1940. The UNRRA program, whose first director was the former Republican Mayor of New York City, Fiorello H. La Guardia, saved millions of lives after World War II.

The Point Four and Marshall Plan programs, of prime importance in the post-war reconstruction of Europe, would never have come into existence without the approval and support of the Republican 80th Congress.

The Peace Corps and Food-for-Peace concepts were legally incorporated into our aid program by the Republican 83rd Congress under the leadership of President Eisenhower. The International Voluntary Service idea of 1953 was simply enlarged and renamed Peace Corps by the Democrats. The program of distributing agricultural surpluses abroad also began in 1953 under Public Law 480 and was merely renamed Food-for-Peace by the Democrats.

The military aid program was a major element in the alliance system fashioned under the Eisenhower-Dulles foreign policy.

Even the recent special emphasis status for Latin America stems from the Bogota meeting of Western Hemisphere heads of state chaired by President Eisenhower. The enabling legislation for special emphasis aid to Latin America was passed in 1960 during the Eisenhower Administration. Again the Democrats have developed no new ideas—they have simply added the name Alliance for Progress.

Thus it is clear that the Republican Party has always endorsed the *purposes* of foreign aid.

Moreover, we have always promoted *new ideas* and changes in the aid program aimed at making the large amounts of official capital spent abroad more effective.

Republicans believe that it is again time for innovation and that the *methods* used in administering the aid program today fall far short of what the people have a right to expect.

PURPOSES OF FOREIGN ECONOMIC ASSISTANCE

The Republican Party supports the following five purposes of foreign economic aid:

(1) *The promotion of peace, security, and stability abroad in our own national interest.*

To a peace-loving nation such as the United States, security and stability throughout the free and the uncommitted worlds are in our national interest as well as theirs.

Where domestic economic and political frustrations pile up in the nations of these worlds, resentful leaders seek foreign enemies to explain domestic failures. Wars, near-wars, and armaments are costly—to us as well as to them. Hence, much of our aid should be directed toward cooperation in securing national security and stability. Peace is not guaranteed thereby, but the scales are weighted in its direction. Much of our aid has been and should continue to be directed toward those nations which are most likely to cooperate in building up internal order, especially when pointed toward increasing freedom and prosperity. Korea, the Republic of China, Iran, Turkey, Tunisia, Chile will serve as examples. All of these—as with all nations which are in similar stages of development—have areas of instability, but their chances of progress toward economic and political maturity have demonstrably been aided by our cooperation. We should continue such cooperation.

Vietnam is a special case. There are many reasons for our involvement, and the search for order and stability is but one among many. It is self-evident to all of us, that if and when peace, security and stability are attained in Vietnam, our national interest will be greatly advanced all over the world. It is also clear that in attaining such peace, security and stability, large-scale economic and technical, as well as military, aid will be necessary.

(2) *The promotion of prosperity in other nations as an aid to prosperity at home.*

It is well known that prosperity increases trade; that most of our trade, both exports and imports, is with the prosperous nations. Of our total exports last year, Canada, Australia, New Zealand, South Africa, Japan and Western Europe accounted for $13.5 billion or about two-thirds of our exports.

As nations increase in prosperity, their purchases from us likewise increase: they consume even more than they compete. For example, Japan, with a per capita income of $93 in 1935, bought $225.8 million from us. In 1966, with a per capita income of $922, it bought $2.9 billion. During the same 30 years, Mexico's figures were respectively $61 and $66.4 million in 1935, and $470 and $1.7 billion in 1966. Iran's were $50 and $23.3 million in 1935, and $220 and $83.7 million in 1966. Venezuela's were $92 and $125.7 million in 1935, and $895 and $1.1 billion in 1966.

If we can help to set the developing nations squarely on the road to prosperity, our trade with them will inevitably increase.

(3) *The attempt to narrow the dangerous gulf between the "haves" and the "have nots."*

The gap between the Gross National Products (GNP's) of the "haves" and the "have nots" is increasing dramatically. Despite all foreign aid efforts to date, the figures at the beginning of this paper indicate that the magnitude of this problem has been increasing, rather than decreasing, during the 1960's. Attempting to narrow this gap is a matter of conscience as well as sound policy.

In the event of a great disaster, our people have always been ready to respond generously. However, here we are dealing with a long-range situation in which a single gift from our wealth is not the answer. What is needed is the wise use of a portion of our growing annual increment in those situations in which a permanent gain in the productivity of the "have nots" will result. What is also needed—needed more perhaps than our money, machines, food surpluses or technical know-how—is the infusion of our economic philosophy, with its stress on freedom of opportunity and incentive, which has generated the spectacular growth in the "have" nations.

As people nurtured in the Judeo-Christian humanitarian tradition, we are impelled to help others less fortunate than ourselves. Our churches and synagogues, our schools and colleges are the strongest supporters of this approach.

(4) *The demonstration that the free world can give a more satisfying, prosperous life than Communism.*

Clearly we are anti-Communist. Clearly the Communist way of life outrages our deep love of freedom and our religious faith. Yet these great values are not universally shared in the form in which we hold them. Where corrupt governments, exploiting landowners, and greedy money-lenders are able to bleed their people, Communism has all too strong an appeal. It is for us in such circumstances to demonstrate that alternatives which include freedom as a goal can do better than either reaction or Communism. The people in the Republic of China on Taiwan are dramatically outperforming the regimented Chinese on the mainland. In scores of other developing nations—India, Pakistan, Indonesia, Nigeria, Brazil—a crucial drama is being played out. If these nations fail, it should not be because we denied them assistance. Ours is an affirmative approach—to build on what there is, with our eyes fixed steadily on the end result.

(5) *The spread of cooperation and friendly partnership among freedom-loving nations.*

We must encourage other developed nations to increase their assistance to the "have nots." We should be prepared to cooperate with other "have" nations in establishing priorities and plans for large projects in developing countries. For long term aid in support of major development schemes, cooperation would be increased and U.S. costs reduced by devising consortiums composed of other non-Communist donors.

The spirit of cooperation must also be shared by those we would aid. The developing partnerships should not be viewed as being one sided, for the aided nations have much to give us while working with us for a peaceful world. They can enrich us with their culture. They can help our students overseas. Above all, they can and must take the necessary cooperative steps within their own boundaries to develop and spread the will to work with the West toward mutually beneficial goals. There are values in such partnerships which pay dividends in peace and understanding to all concerned.

PRINCIPLES AND METHODS

Discouragement and erosion of support for foreign aid have come about, not initially because of disagreement with these purposes, but because of mounting evidence of waste, misuse, and downright failure in far too many cases. It is both easy and fashionable to attack foreign aid itself because of these failures. In some instances, expectations have been too great; in others, the recipients themselves have been largely to blame; in still others, administrative shortcomings on our part are responsible. Not all of these latter are blameworthy, except in retrospect, for the foreign aid program itself was essentially a great experiment.

However, Republicans believe that the United States should attempt to improve its aid program based on the evidence deriving from past experience. Unfortunately, successive Democratic administrations have by and large failed to understand that the amazing and rapid success of the Marshall Plan could not be quickly duplicated among peoples who have not had in their history the experience of industrialization or the social conditions making for progress. Yesterday's problems in Europe are not the same as today's problems in Asia, Africa and Latin America. The disappointing results of the Alliance for Progress bear adequate testimony to this—so far, people's expectations, rather than their living standards, are often the only things, which have been raised.[1]

It is obvious that promises of much publicized development programs, if not fulfilled, can be positively dangerous to the fragile social structure of developing nations. Therefore, we must realize that the development methods of the late 1960's must be different in many ways from the reconstruction methods used in Europe in the late 1940's. One crucial point is that the time span involved will be far longer; recipients must be told this rather than being given glib promises about what the future can bring.

It appears that the U.S. Government is learning these things the hard way. It is no service to the objectives of foreign aid to gloss over these difficulties and failures. However, we believe that such problems will yield to diagnosis, given the necessary realism in analyzing their principal causes.

Therefore, the Republican Party attaches special importance to the following methods and principles, the failures to apply which have accounted for most of the justified criticism of aid to date. It pledges itself to their vigorous application.

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[1] The Alliance's basic goal was very appropriately stated in human terms—to increase per capita income not less than 2.5 percent per year over the next 10 years. At the halfway point in 1966 only 7 of 19 countries had managed to meet this goal, and they represent slightly less than 30 percent of Latin America's total population.

(1) *No aid should be extended without commensurate self-help effort on the part of those aided*. In this connection, the following activities have been grossly underemphasized.

(a) *Community development, enlisting* the active participation of people at the village and town level. Rural cooperatives are an example, even though they challenge existing local power structures. Such power structures often involve, not only the landlords and politicians, but also the bankers and other money lenders and at times even the religious leaders. Obstacles of this character have been noticeable in nations as diverse as Turkey, India, Brazil, the Philippines.

Painfully but surely, with many mistakes but with many successes, hundreds and even thousands of communities in Latin America, Pakistan, and elsewhere are engaged in cooperative self-help. Often the least costly projects financially are among the most successful. Leadership may be local, A.I.D., or Peace Corps. A modest knowledge of accounting is obviously necessary, but even more important is the capacity for dedicated realistic service that recognizes that permanent benefits can only arise from ultimate local responsibility.

Over-enthusiasm can bring premature multiplication of such projects, as in Peru; but in Peru also can be found some of the greatest successes. Wherever the local effort is most hopeful, aid, however modest, of a financial and technical nature should, where practicable, be forthcoming. This "grass roots" development of attitudes is far more productive in the long run future of a nation than many a grandiose project.

(b) *Utilization at home of capital funds now exported by nationals of the countries aided*. It is reliably estimated that billions, some say perhaps as much as $17 billion, of indigenous capital is presently invested abroad by Latin American nations. This sum may be more than the total U.S. aid to these same nations since 1945. The late Prime Minister of one of the Asian countries aided was found to have a vast fortune banked abroad at the time of his death—an amount perhaps equivalent to the total economic and military aid annually extended by us to his country.

It is not enough merely to criticize these wealthy people; nor perhaps should we penalize their rank-and-file citizens therefore. Local people often have the same fears about investing in their own economies as our capitalists have.

Inflation, instability, corruption, fears of confiscation all take their toll. On the other hand, it is neither justifiable nor possible to bail out nations which are unable or unwilling to create the necessary conditions for investment. Perhaps a combination of taxing exports of capital, joint guarantees or insurance of a substantial portion of investment at home by their governments and ours, together with quiet but persistent pressure for a slow but sure improvement of business practices and climate, may turn the tide.

(c) *Family planning*. The export of American agricultural surpluses, and even progress in international agricultural development, are often at best simply "buying time." Population increases in excess of 2.5 percent a year are likely to equal or exceed the practicable annual gains in gross national agricultural production for many nations. India, the United Arab Republic, Brazil, Indonesia will serve as examples. In Latin America the population increased 17 percent between 1960 and 1965 while their food production increased only 10 percent. Thus many countries are actually *losing* ground.

In some fashion these and other nations similarly situated must meet this problem. We can cooperate technically and financially, but only a determined effort on their part to check their population growth can really do the job. At its present rate of growth, the world's population will double in less than 30 years. No such increase in food production is in sight. Even the United States with its diminishing grain surpluses could not meet the needs of the single nation of India at its present rate of population growth and need for more than two or three years longer.

(2) *The spread of American agricultural knowledge and techniques should be emphasized*. The great majority of the world's people are poorly nourished and the Communist system has repeatedly demonstrated it is unable to meet this challenge. As Professor Don Paarlberg has said, "Agricultural capacity is an asset which we have, which our friends need and which our rivals lack." He suggests we move more decisively in attempting to help the world's hungry people by putting more emphasis on technical aid designed to exploit our agricultural technology, capabilities in fertilizers, insecticides and food processing industries, and agricultural business know-how, especially in developing credit and marketing facilities.

In this connection, we must instill in the recipients the idea that the distribution of American agricultural surpluses is an emergency, rather than a routine, measure. Where necessary they should be asked to agree to improve their own agricultural capacity as a pre-requisite for receiving Food-for-Peace shipments. All too often in the past the provision of our surplus food has interfered with market forces which otherwise would have encouraged agricultural production and has thus fostered the continuance of foolish, centralized planning—usually aimed at building uneconomic industries as in India.

(3) *We should rely more on private enterprise to encourage development abroad*. This requires a more favorable climate in the nations concerned. Threats of nationalization, confiscatory taxation, undue limitations on interest rates, general hostility to investors from other nations, and the lack of native managerial ability do not encourage the influx of private capital. We on our part must be more ready to share controls with foreign nationals, more ready to impart our skills and techniques to them so as to stimulate indigenous investment capable of competing, more willing to accept lower immediate returns in anticipation of a fair and profitable return over a longer period. Puerto Rico's progress under Operation Bootstrap is an outstanding example of what can be accomplished when a liberal private investment climate is created in a developing area.

(4) *Special care should be taken to avoid aid being used to bolster corrupt and self-perpetuating oligarchies*. No error on our part has been more exploited by the Communists than this. There are the obvious examples, and they have been far from exceptional. Where corruption has been a way of life and where oligarchies, military and otherwise, are the general rule, the dilemma of how to reach the poor man at the bottom is a cruel one. The acid test is whether the benefits are really reaching the masses of the people in increasing measure—and are not disassociated from the United States as a source. Constant, unrelenting pressure toward reform in these matters may be labelled "interference" or "aid with strings attached," but there is no other defensible and permanent answer. Situations will increasingly arise in which aid should be reduced or completely cut off pending reform.

(5) *We should explore the economic viability of regional marketing plans which will give small developing nations wider markets for their products*. The success of the Central American Common Market illustrates possibilities for similar modest groupings in parts of Africa and elsewhere in Latin America. By extending bilateral aid to individual countries participating in such cooperatively planned efforts, we can promote the economic viability of many of the smaller nations, at least until such time as they prove themselves willing to go beyond joint planning to closer economic or even political association.

Extending U.S. bilateral aid to a country which has agreed with its neighbors on what type of development each will undertake in order to safeguard against duplication in a small market area, such as Central America, is quite a different matter from trying to force nations together which have different aspirations and cultural backgrounds. In this connection, Republicans believe the Administration's plan, as outlined in the Korry Report, of trying to force newly independent and highly nationalistic African states into regional groupings as a pre-requisite for receiving American aid is unrealistic. Moreover, trying to give aid to an amorphous regional grouping cannot possibly garner as much credit for the U.S. as can direct bilateral aid.

Naturally we expect developing countries to place emphasis on productive efficiency so that they can quickly develop the ability to compete in world markets. They gain little by simply widening the area in which protected industries are sustained behind high tariffs or other controls.

(6) *More emphasis should be placed on projects that will visibly reach the masses of people*. Land reform accompanied by marketing cooperatives (as in Chile), land regrouping (as in the Republic of China), and collective availability of up-to-date agricultural machinery and credit are cases in point. Under such conditions, there would be encouragement to greater productivity. Simple roads to market towns, as in Panama, will often mean more than super highways. Schools, health clinics, instruction in home industries and mechanics, are further examples.

(7) *While not making aid conditional upon support for our foreign policy, aid should not ordinarily be forthcoming to* (a) *those nations whose heads of state* (*like Nasser*) *engage in continual intemperate abuse of the United States or* (b) *those nations which give military aid to our enemies in Vietnam or which engage in military aggression, or* (c) *those nations which, in contravention of international law, harass American citizens engaged in commerce, or confiscate American-owned property without fair compensation*. Aid and comfort should not be given by the U.S. to those who consistently help our enemies or the enemies of other free men. Nor should aid be given to those who rattle swords or engage in aggression. If private representation to the nation's leaders does not produce results, the Voice of America, in certain instances, might make this fact clear to the people of a country.

This does not mean that like Robespierre, Hitler, or Stalin we should insist upon support of our foreign policy in all its aspects. We are dealing with independent nations and a measure of demonstrated independence from us in certain matters is often a political necessity for their leaders.

(8) *Our aid should be concentrated in countries of special importance to the United States*. A limited number of countries should receive the major portion of our aid, because (a) they are important economically in that they have an ordered timetable for eliminating the necessity of economic aid—such as Tunisia, Turkey and Iran; (b) they are important to us militarily—such as non-Communist Korea, Vietnam and Turkey; or (c) they are important politically in that our Communist rivals have failed and a new government wants help in returning to free enterprise development—such as Indonesia and Ghana. In other nations we should consider instituting small aid programs designed to demonstrate friendship and maintain a minimum presence. In these latter nations

we should attempt to cooperate with the greater efforts of other developed countries. Our list of priority countries should be flexible so that new countries can be added, and hopefully so that some countries will develop to the point that they are able to dispense with our economic aid altogether. For example, the Republic of China no longer needs our economic aid, and also requires less military aid (although it must be kept in mind that termination of military aid is not controlled solely by development factors), and Turkey is approaching a similar situation.

We look forward to the eventual termination of all grants in aid and toward the time in which the normal processes of trade, production and loans will carry the burden of development.

(9) *Evidence that technical assistance is often a better stimulant to growth than large scale capital transfers should be seriously examined, particularly in light of the United States' balance of payments problem.* It is becoming increasingly apparent in foreign, as well as domestic, affairs, that attempts by the Democrats to solve problems by simply applying large amounts of tax dollars to them do not necessarily work. When aid to less developed countries was first proposed, experts stressed the need for technical aid and warned against a large scale public capital investment program. Then, as now, the absorptive capacity of developing countries was definitely limited by a lack of administrative and technical skills. Moreover, large scale grants and loans, particularly program loans which provide balance of payments support, have in many cases made it possible for recipient countries to persist in policies which discourage domestic savings and private investment (both foreign and domestic) and inhibit the development of efficient export production. Republicans believe future aid should be contingent upon the recipients pursuing policies calculated to maximize economic efficiency and the utilization of private capital and know-how.

The Administration's contention that the adverse effect on our balance of payments of capital outflow under aid programs is slight, because aid is "tied" to procurement of U.S. goods and services, is now widely recognized to be misleading. The Department of Commerce published figures in March 1967 showing that the *direct* balance of payments drain resulting from U.S. foreign aid programs in 1966 was nearly three quarters of a billion dollars. *Actually* the amount may be higher since these figures include all offsets resulting from "tied" aid. Foreign governments all too often meet requirements that they spend our aid money on purchases from the U.S. by attributing normal purchases from the U.S. to our aid disbursements.[2] The Administration should instruct AID to publish figures showing the true effect of foreign assistance on our balance of payments.

(10) *Special attention should be given to situations in which substantial aid is forthcoming from other nations, and in which we are asked to cooperate.* Excellent examples are the International Development Association and the Inter-American Development Bank—both Republican ideas—and the Asian Development Bank.

(11) *We should explore with developing countries ways and means of increasing their earning capacities.* Inasmuch as many developing nations—Brazil, Colombia, Nigeria—have lost more in some years by the fall in the international price of their export commodities than they have gained by foreign aid, the world-wide stabilization of raw material prices is one possible solution which should be considered.

Another possible remedy for one-crop economies is obviously diversification. However, we should keep in mind that many countries, such as Malaysia and the Ivory Coast, have built boom economies by simply emphasizing production of the one or two crops which they produce most proficiently. At the same time, other countries, such as Indonesia and Ghana, have destroyed what should have been viable economies, based upon agricultural earnings, by trying to diversify into uneconomic industrial activity. Still others, such as India, have ignored the most basic food needs of their people in their haste tc industrialize. The United States should certainly not encourage any such basically uneconomic activity.

(12) *We should realize that, while certain problems are common to all or almost all of the developing nations, each one is in many matters separate and distinct.* Generalizations—including those in this document—are dangerous. Those in the field realize the truth of this more than those in Washington. These latter attach too much importance to "uniformity."

(13) *We should strengthen the Ambassador in his role as chief of mission.* Only the very strongest considerations should be allowed to over-rule his veto; and, subject only to budgetary limitations, his affirmative recommendations should normally be accepted. His small discretionary fund of $25,000 for self-help projects which was recently abolished, should be restored. Increased flexibility based on the sound Republican principle of decentralization (but with full accounting) will allow the Ambassador to adapt the U.S. program to the peculiarities of each different situation.

(14) *The techniques and insights of the social sciences should be brought to bear upon development problems and projects.* Social scientists in the countries concerned should aid in tackling their own problems of economics and technology. In this way their peculiar knowledge can assist in overcoming the barriers found in the existing customs of their countries which stand in the way of modernization. Tribalism in Africa, the now dwindling hacienda society in rural Latin America, certain religious traditions and practices elsewhere will serve as examples.

(15) *To insure a more effective aid program, continuous emphasis should be placed on securing qualified personnel to administer aid.* Aid should not be given unless there are really qualified personnel, both American and local nationals, available to administer it. Qualifications must include a capacity to understand the culture in which a person is to work. Without constructive competency and solid training, aid will be wasted. Many of our failures can be laid at the door of the limited number of such persons, the inadequacy of their training, and the absence of the right motivation. It is equally important that we assist developing nations to produce qualified administrators who can work with the U.S. and perhaps others in promoting growth.

(16) *Much more attention must be paid in the U.S. to the realistic evaluation of what our aid is actually accomplishing.* Both the Executive and Legislative Branches must broaden their supervision over AID and insure maximum objectivity. If the sponsoring agency under the present Administration is unwilling to be realistic in such matters, then Congress must act responsibly in giving its own time and in employing the necessary qualified staff to perform this function. This requires much more than a "fishing expedition." It should be approached constructively.

The importance of effective aid cannot be over stressed and the issues involved in improving the program are far too important for narrow partisanship. Aid is an expensive humanitarian experiment. The American people have a right to expect sound administration of their funds and solid progress as a result.

Appendix A

Total U.S. foreign assistance, by country, July 1, 1946, through June 30, 1965

NEAR EAST AND SOUTH ASIA	*Millions*
Afghanistan	$307.1
Ceylon	92.2
Cyprus	20.9
Greece	3,685.8
India	5,941.5
Iran	1,550.3
Iraq	102.6
Israel	1,133.1
Jordan	512.3
Lebanon	93.0
Nepal	86.1
Pakistan	2,944.9
Saudi Arabi	136.9
Syrian Arab Republic	84.0
Turkey	3,752.4
United Arab Republic (Egypt)	1,100.3
Yemen	39.1
Central Treaty Organization	52.4
Near East and south Asia regional	1,119.5
Near East and South Asia total	22,754.4
LATIN AMERICA	
Argentina	712.9
Bolivia	435.9
Brazil	2,871.5
British Guiana	17.1
British Honduras	3.8
Chile	1,130.3
Colombia	734.7
Costa Rica	136.3
Cuba	57.6
Dominican Republic	207.9
Ecuador	248.8
El Salvador	99.9
Guatemala	210.7
Haiti	110.6
Honduras	74.8
Jamaica	40.3
Mexico	1,055.1
Nicaragua	112.0
Panama	159.6
Paraguay	90.2
Peru	675.2
Surinam	5.0
Trinidad and Tobago	43.3
Uruguay	113.6
Venezuela	388.1
Other West Indies	3.3
ROCAP	84.1
Latin American regional	740.1
Latin American total	10,561.7

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[2] The testimony of N. R. Danielian, President of the International Economic Policy Association before the Senate Foreign Relations Committee on June 12, 1967 reports, "An examination of net non-military assistance and the U.S. trade balance with selected countries, which have received between 50 and 60 percent of total U.S. aid for the years 1958–1965, shows clearly that total net U.S. economic assistance exceeded our trade surpluses with these selected countries by an amount fluctuating between $1.3 and $1.7 billion a year." See Appendix B for the I.E.P.A. figures on the trade imbalance. Indications that "tying" often actually amounts to substitution for normal purchases is also demonstrated by the fact that our trade imbalance in 1958 with these 25 countries was $1.8 billion and in 1965, when assistance was substantially "tied," it was $1.6 billion, or nearly the same.

APPENDIX A—Continued

Total U.S. foreign assistance, by country, July 1, 1946, through June 30, 1965—Con.

FAR EAST	Millions
Burma	114.6
Cambodia	343.1
China	4,778.2
Hong Kong	55.7
Indochina, undistributed	1,535.2
Indonesia	875.9
Japan	4,138.7
Korea	6,315.9
Laos	418.6
Malaysia	39.1
Philippines	1,914.8
Ryukyu Islands	325.7
Thailand	442.8
Vietnam	2,383.7
Far East regional	2,723.9
Far East total	26,405.9
AFRICA	
Algeria	163.7
Burundi	72.4
Cameroon	25.1
Central African Republic	2.8
Chad	4.2
Congo (Brazzaville)	2.4
Congo (Leopoldville)	317.4
Dahomey	8.7
Ethiopia	247.6
Gabon	4.8
Gambia	.1
Ghana	170.4
Guinea	70.2
Ivory Coast	26.0
AFRICA—continued	Millions
Kenya	36.4
Liberia	237.0
Libya	217.3
Malagasy Republic	7.9
Malawi	8.7
Mali	15.8
Mauritania	2.8
Morocco	529.4
Niger	8.8
Nigeria	163.7
Rwanda	1.7
Senegal	25.0
Sierra Leone	27.2
Somali Republic	47.6
Republic of South Africa	167.4
Southern Rhodesia	7.1
Sudan	91.5
Tanzania	44.0
Togo	9.9
Tunisia	470.3
Uganda	17.3
Upper Volta	5.5
Zambia	30.2
East Africa regional	11.2
Regional USAID/Africa	1.0
Africa regional	54.1
Africa total	3,354.6
EUROPE	
Albania	20.4
Austria	1,257.1
Belgium-Luxembourg	2,107.3
Czechoslovakia	193.0
Denmark	933.7
East Germany	.8
EUROPE—continued	Millions
Finland	146.7
France	9,465.1
Germany (Federal Republic)	5,149.0
Berlin	131.9
Hungary	31.5
Iceland	76.4
Ireland	195.9
Italy	6,089.4
Netherlands	2,617.7
Norway	1,283.4
Poland	573.6
Portugal	531.1
Spain	1,908.7
Sweden	125.2
United Kingdom	9,269.8
U.S.S.R.	186.4
Yugoslavia	2,761.4
Europe regional	2,796.5
Europe total	47,852.0
Canada	40.0
Australia	142.6
New Zealand	21.5
Trust Territory of Pacific Islands	107.4
Nonregional total	5,779.0
Total	6,090.5
Total assistance to all countries	117,019.1

Source: Data obtained from the General Accounting Office by Senator Dirksen, who inserted these statistics into the Congressional Record, vol. 112, pt. 12, pp. 16470–16505.

APPENDIX B

U.S. NONMILITARY FOREIGN ASSISTANCE (NET) AND TRADE BALANCES BY COUNTRIES, 1958–65

[In millions of dollars]

Countries	1958		1959		1960		1961		1962		1963		1964		1965	
	Net economic aid [1]	U.S. trade balance [2]	Net economic aid [1]	U.S. trade balance [2]	Net economic aid [1]	U.S. trade balance [2]	Net economic aid [1]	U.S. trade balance [2]	Net economic aid [1]	U.S. trade balance [2]	Net economic aid [1]	U.S. trade balance [2]	Net economic aid [1]	U.S. trade balance [2]	Net economic aid [1]	U.S. trade balance [2]
Afghanistan	19	−4	19	−10	13	−10	30	6	13	−8	32	−3	37	6	34	2
Bolivia	22	17	22	14	13	14	23	16	29	20	44	18	33	17	30	7
Brazil	145	−33	35	−216	42	−147	270	−68	157	−117	128	−186	212	−148	149	−183
Cambodia	37	−2	21	−7	25	--------	24	9	20	5	20	2	7	−1	2	--------
Ceylon	20	−5	19	−12	8	−25	9	−17	8	−19	4	−21	4	−27	4	−23
Chile	47	−7	33	−76	10	--------	121	43	87	−24	109	−32	96	−38	104	24
Colombia	92	−147	32	−134	−7	−54	54	−31	43	−50	69	−9	38	−35	34	−80
Ecuador	3	−9	2	−12	7	−11	11	−4	11	−26	14	−11	17	−4	17	−28
India	243	63	320	129	523	412	370	230	528	411	736	509	864	651	849	580
Indonesia	24	−112	17	−123	45	−132	54	−29	88	−15	77	−7	32	−102	−4	−123
Jordan	57	10	60	16	62	17	61	24	53	20	54	37	45	20	37	19
Korea	311	213	232	131	261	148	228	155	233	204	231	211	157	169	165	149
Laos	30	2	35	3	33	1	51	2	30	4	31	6	39	7	58	8
Liberia	8	14	9	59	8	−4	19	17	35	20	11	4	12	−13	25	−11
Malaysia	(3)	−85	(3)	−150	1	−138	2	−126	12	−155	6	−150	2	−88	4	−123
Morocco	26	33	45	29	61	29	97	55	48	42	53	49	38	31	51	49
Nepal	6	(4)	3	(5)	8	(5)	10	(5)	9	(5)	14	(5)	17	(5)	16	1
Pakistan	145	81	142	65	229	131	218	158	322	243	378	341	377	336	348	291
Philippines	42	18	24	−36	24	−10	11	17	24	−59	8	−34	49	−27	45	−34
Poland	99	75	66	43	127	111	57	34	60	48	46	66	52	84	−6	−31
Thailand	30	−4	48	−28	42	11	29	25	31	32	29	57	18	58	25	67
Tunisia	26	4	30	7	55	21	77	38	53	44	38	25	45	31	54	39
Turkey	122	72	111	44	101	66	153	69	202	106	173	154	126	96	132	81
Vietnam	204	57	168	46	186	48	144	62	148	101	189	114	221	131	300	187
Yemen	--------	(5)	5	(5)	5	(5)	6	(5)	6	(5)	8	(5)	6	(5)	5	(5)
Total	1,758	251	1,498	−218	1,882	478	2,129	685	2,250	827	2,512	1,140	2,544	1,160	2,478	868

[1] Disbursements less repayments.
[2] Exports and imports, f.o.b.; includes U.S. exports financed by military grants and credits.
[3] Less than $500,000.
[4] Not statistically significant.
[5] Not available.

Sources: International Monetary Fund, Direction of Trade, annual 1958–1962, pp. 128–130; March 1965, pp. 63–64; annual 1961–1965, p. 285; National Advisory Council, Semiannual Report to the President and Congress, January–June 1964, pp. 75–77; U.S. Department of Commerce, Foreign Grants and Credits (Washington: U.S. Government Printing Office, 1964 and 1965).

Turning now to the bill itself, I should like to comment on the language in the policy statement with respect to the Middle East, appearing on page 5, starting at line 7. It is the feeling of most members of the Foreign Affairs Committee, Mr. Chairman, that the United States has a major responsibility to do everything possible to bring permanent peace to the Middle East. A thorough reappraisal of our own policies and of the needs of the entire area could lay the foundation for constructive suggestions on our part.

Speaking for myself only, I should hope that such a reappraisal would involve specifically what we might do to help improve the water supply of the area, and also what should be done to alleviate the needs of the refugees and to bring about their permanent resettlement.

The recent "weekend war" has underlined the plight of the refugees. Even before hostilities broke out it was established that the U.N. Relief and Works Agency—UNRWA—was responsible for some 1.3 million Arab refugees. As the result of the recent war, some 300,000 additional refugees have fled to Jordan, Syria, and the United Arab Republic. Unless these people can be resettled on a permanent basis, perhaps on newly irrigated lands now useless because of lack of water, we can only expect more trouble in the future. It is in our own interest that we take a leading role in seeking a permanent solution to this tragic human problem.

The need for water has in the past led to serious friction over available sources of supply. Why could the United States not take the lead now in establishing major desalinization plants in the Middle East? It was President Eisenhower and the former head of the Atomic Energy Commission, Lewis Strauss, who first suggested the idea. Surely, such major new sources of water could provide the inhabitants of the area with a reason to work constructively together, rather than to live in bitterness as they have in the past.

Admittedly the cost of a permanent resettlement of the Arab refugees, and a comprehensive plan for the economic improvement of the Middle East, would be considerable. The help of others would be needed, including, of course, the countries of the Middle East themselves, but the money would be well spent if these deep-seated problems could be solved.

There are many other provisions in this bill, Mr. Chairman, which might be mentioned. Time will not permit any extended discussion by me at this time. In closing let me say that I personally believe H.R. 12048 should be supported with perhaps only one major change. I believe a 1-year authorization for this program is preferable to the 2-year authorization contained in the bill. The annual authorization may be a burden on the Foreign Affairs Committee but, nonetheless, it seems to me an annual review is important and should be continued.

Mr. MORGAN. Mr. Chairman, I yield the remaining time on this side to the gentleman from New Jersey [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Chairman, I have listened to the criticism of the AID program. The arguments advanced by the opponents seem to imply that we only need to cut out foreign aid and all would be well with the world. It is because of foreign aid that all is not well. If the Pakistani and Indians do not settle the Kashmir problem; cut foreign aid and that will show them, even though the basic dispute that has prevented a peaceful settlement has been smoldering in religious and civil strife for a thousand years.

Then we hear that it is impossible to buy friends, and even if we do they will not stay bought. We do not believe that it is moral in this country to buy other people, and it is absurd to predicate an argument against the AID bill on these grounds. Our purpose is certainly not to buy friends, and if they are our friends we certainly would not infer the need to buy them.

It is further stated by the bill's opponents that if we cannot resolve Vietnam, let us immediately cut foreign aid and eliminate the additional burden to the American taxpayer. But who is the American taxpayer and does he really receive no financial benefits from our foreign aid program? My friends, it is the fact of the matter that over 80 percent of our foreign aid expenditures is spent within the United States and many of our large and small industries have had contracts to fulfill for foreign buyers which were paid for out of AID funds. This money spent in the United States employs the taxpayers about which we hear so much.

And then we hear all about old "Uncle Sucker." We are led to believe that the United States and its administrators of AID and its diplomats are nothing but supremely foolish individuals. I would like to ask those who say that the United States is spawning stupidity, just how our Nation with only 9 percent of the world's population and 6 percent of its land mass ends up with one-half of the world's gross national product and a standard of living beyond the dreams of 90 percent of the people of the world?

Then we hear cries of fiscal anguish: our Nation is going broke because of foreign aid. I can only respond that our own gross national product continues to rise each year, our per capita income continues to rise each year, and we are now enjoying an unprecedented period of prosperity.

We also hear that we are continuing to pour increasingly large amounts of money into foreign aid. This is simply not true and it does not take anything other than a brief look at the statistics to demonstrate that we are actually spending far less on foreign aid than we used to. Preliminary figures on overseas loans and grants by the U.S. Government in the fiscal year 1967 have just become available. To the surprise of the critics and to my personal dismay, I discover that these statistics show that U.S. economic aid on concessional terms to the less-developed countries actually declined in fiscal year 1967—and by more than $900 million.

Mr. Chairman, these figures do not represent any short-term quirk in the aid program. In fact the United States has grown richer and richer over the past 20 years and yet has tended to do less and less for the poorer nations of the world. Rather than being concerned about the size of our expenditure being too large, we should be doing something about these indisputable facts. Today our GNP and the Federal budget are both about three times as large as they were in 1949. Our economic aid commitments, however, have actually fallen by more than $3 billion. Whereas foreign aid in 1949 was 2.8 percent of our GNP, today it is just about one-half of 1 percent.

It is singularly apparent that the Marshall plan was a tremendous success because of certain factors inherent in the European situation. This is no reason to preclude assistance to other nations who do not share the industrial history and framework of opinion we found in Europe when we invested such massive funds to rebuild her.

We are now doing all we can to place an increased emphasis on effective self-help as a condition for receiving U.S. aid. It is my contention that this is paying off handsomely. In a number of the major developing countries—among them such giants as Brazil, India, and Indonesia—there have been dramatic improvements in economic policy in recent years. In these and other cases, there is now a good chance for significant national development after a long period of economic stagnation.

We hear the further criticism that "Uncle Sucker" is having to bear the whole burden by himself, and that the friends we helped in Europe during the Marshall plan years are letting the United States pick up the whole tab all around the world. This is patently false today and the indications are that it will become ludicrous chauvinism on the part of those who made this charge in the 1970's. For years we have been urging developed nations—Western Europe, Japan, and Australasia—to join wholeheartedly in the task of development assistance. Ironically, these nations are now moving ahead—at the very time we would appear to be faltering.

Since 1963 six small countries—Austria, Canada, Denmark, Japan, the Netherlands, and Sweden—have doubled the size of their assistance programs. Another group of six aid-donating countries—France, Germany, Canada, Denmark, the Netherlands, and Sweden—has agreed on goals which would increase the aggregate aid programs by $1 billion in the early 1970's.

U.S. leadership, example, and direct and indirect pressure have been major factors in these gains. I believe that the United States has enjoyed a considerable degree of success in two things we have been trying to achieve for a long time:

First. Improved self-help on the part of the less-developed countries.

Second. Greater aid efforts by other advanced nations.

The declining level of U.S. economic aid over the past two decades and the particularly sharp dip in fiscal 1967, to which I alluded earlier—contrasts sadly with these encouraging trends. To put it bluntly, U.S. aid leadership is now slipping.

And yet to listen to the arguments of those who would drastically trim our already declining contribution to nations around the world, you would think it was the end of the world approaching if we pass the bill recommended by the Committee on Foreign Affairs. My friends, it will only be at the end of the world when there are no problems and when there is no need to elect a Congress. Till then, we will have to continue to discharge our responsibilities and we must continue to deal as realistically as possible with a vastly imperfect world. Indeed, I might project what would happen if we shirk our obligations to the underdeveloped nations: they will gain help from someplace and we might find ourselves as a recipient of foreign aid from a country as stingy with its wealth as some of the Members want us to be with ours.

For let me make it very clear that in the beginning of the twilight of the 20th century, someone else will step into the void if the United States abdicates its leadership. As soon as we withdraw our generous hand, a mailed fist is waiting to fill the vacuum. We saw, for example, how the instant we withdrew our pledged support for the Aswan High Dam in Egypt, another power was quick to unleash its own floodgates, and we all know what Egypt's accommodation to communism entailed. If we had continued to exercise real influence in Egyptian ruling circles, the present Middle East tinderbox might have been damped down and behind the Aswan Dam might have been built a great reservoir of good will, which would have allowed us to better aid our good friends in Israel.

Mr. Chairman, the United States is in the very early years of an ascendancy in international politics, and yet already we are having the crotchety signs of old age as a nation. I do not want the history books to record the United States as the only nation in world history that ever went from infancy to senility without having passed through a period of maturity.

For we are reaching the period of our greatest responsibility and our greatest challenge. Nations and people dislike problems and tend to search for tranquillity; the world does not allow such tranquillity. Our Constitution entitles Americans to pursue happiness: it does not guarantee a constitutionally assured happiness. Some say that the 20th century world is too much, the problems too great, the frustrations too searing, the lack of a sense of security too difficult to bear. All these difficulties in the modern world and in modern life are now surfacing as allegedly reasonable arguments against the passage of the aid bill.

So much of what is wrong with the world is being projected into what is wrong with this bill. And yet the history of foreign aid has been precisely to help control hunger, disease, and poverty and to allow nations only beginning to deal with their own problems the opportunity to make the leap into the 20th century. It was said earlier that we are trying to buy friends. I would say that what we are trying to buy is time for these young governments to meet their immense problems and to defeat those who feed on the hunger of the people to promote revolution.

The remarks in this debate have implied that because our foreign aid has not fulfilled instantly all the hopes its supporters have for it, it should be severely restricted. The hopes of man are never going to be completely fulfilled, my friends, but the United States through its farsighted program of foreign aid has brought nearer the day when the signs "Yankee, Go Home" will be replaced by Harry Golden's perceptive remark:

> The United States ain't what's wrong with the world.

All this is not to say that there have not been mistakes made in the administration of the foreign aid program. But how long are the critics of foreign aid going to water ski behind Haile Selassie's yacht? How long are they going to pull the barnacles from this aging vessel and interject them into current debate? I would say that this yacht was a highly successful part of American foreign policy and if it were as clear sailing with the rest of the nations of the world as it is with Ethiopia, I would put our fighting fleet in mothballs and turn all our naval cadets into yachtmen.

We must have a policy in the foreign aid field and we must continue our present effort in this regard. For what kind of alternatives are there, in reality? The minority, on page 134 of their report, suggests a measure which shows just how far removed from reality any proposed alternatives really are. While continuing to hold tight to their own sacred cow of "fiscal responsibility" they suggest "let the Indians eat their cows." Why, there is as much chance of some of the minority members voting for the poverty program or the rat control bill as there is of the Indians eating their cows. But their statement points up the difficulty of asking for understanding where understanding is not wanted.

Mr. Chairman, the final bone that sticks in the throats of the critics of the Foreign Assistance Act of 1967 is the war in Vietnam, although I must say that this bone does not in any way impair their ability to speak. For it is in Vietnam that all our nerve ends receive their most jolting sensations. I honestly believe that Vietnam is a possible alternative to foreign aid and that Vietnam is not the result of foreign aid. Effective foreign aid in dollars and know-how will lessen the chance of other Vietnams. I do not know of any Member of this Congress, be he hawk or dove about our Vietnam involvement, who wishes to see this whole sorry business repeated in other nations. It is my firm belief that the best way to combat the chance of future brushfire wars, deeply committing U.S. fighting men is to build up the economy and the power of the underdeveloped world. This is basically what foreign aid is trying to do, and I think it has done it well in many nations, and in so doing advances our national interest and provides us with a greater sense of national security.

Elmer Davis, the noted commentator and fearless defender of basic American principles, once said that for America to continue to be the land of the free, it must remain the home of the brave. I believe that to resist the tempting cuts that certain amendments will undoubtedly suggest, will take political courage on the part of the Members of the House. For Americans are a restless and energetic people and grow impatient with the agonizingly slow and gradual pace of assisting other nations toward self-sufficiency. Yet this is in our own self-interest, for no one wishes to see "fortress America" standing alone in a world of have-nots, hostile to our prosperity and precluded from enjoying our freedoms. Those who see the passage of this bill containing its full appropriations regard it as some kind of doomsday disaster.

Mr. Chairman, I would regard vast cuts in the already modest request to be just such a doomsday disaster. If we drastically cut this bill, we will be severing the traditional American hand of friendship and we will appear to the world only as a massive club, wielded by a powerful military arm. Foreign aid is one of the main programs that shows the United States as being truly the friend of freedom throughout the world. We must again demonstrate the power of democratic ideals by exercising them responsibly here in the Congress and supporting them around the world. Let us meet this responsibility by demonstrating a renewed faith in our Government, in our country, and most of all in ourselves.

The CHAIRMAN. All time has expired. The Clerk will read.

Mr. THOMSON of Wisconsin. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 232]

Barrett
Blanton
Clancy
Diggs
Dulski
Edwards, Calif.
Erlenborn
Esch
Evins, Tenn.
Fallon
Gardner
Hawkins
Irwin
McEwen
Mize
O'Hara, Mich.
Pool
Pucinski
Resnick
Roudebush
Saylor
Teague, Tex.
Thompson, N.J.
Williams, Miss.
Willis
Wright

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 12048, and finding itself without a quorum, he had directed the roll to be called, when 405 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Assistance Act of 1967".

AMENDMENT OFFERED BY MR. ADAIR

Mr. ADAIR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ADAIR: On the first page, immediately after line 4, insert the following:

"SEC. 2. The Foreign Assistance Act of 1961, as amended, is amended by inserting immediately after the first section thereof the following new section:

" 'SEC. 2. Limitation on Fiscal Year Authorizations.—Notwithstanding any other provision of this Act, nothing in this Act authorizes appropriations for the fiscal year 1969.' "

Mr. ADAIR. Mr. Chairman, the amendment which I am offering is a simple one. It would reduce the authorizing authority in this bill from 2 years to 1 year. In the light of statements that have been made here during general debate, indicating the amount of time that the Foreign Affairs Committee spent on the bill this year, it may seem strange that I am here asking for a 1-year authorization. There are those who could say. "If the Foreign Affairs Committee spent as much time as it did—virtually from the first of April until the present—upon this bill this year, why do some members of the committee not want to skip a year and not have to go through the authorizing process in that year, and thus provide the committee with more time for legislative oversight?

Certainly, Mr. Chairman, it would be easier for us to take a 2-year bill and thus avoid the necessity for consideration next year.

Mr. Chairman, there are those also who would say that the Appropriations Committee will have an opportunity to look at the amounts of money another year, and that might suffice. If that is done, they say, it would not be necessary to look at the authorizing legislation. But, Mr. Chairman, Members know that the policy and the limits of this program are set in the authorizing bill that is before us. In a time when the world is full of so many uncertainties, in a time when even during the discussion and consideration of this year's bill, which approximates the request by the executive branch, how can we with any logic look a full year ahead and say that for the fiscal year after that, fiscal year 1969, how much money we will need?

It has been pointed out that this year's bill carries authorizations for $3,158,000,000 but I would suggest to the committee that there is for 1969 in this bill, unless it is amended, almost $3,600,000,000, a very substantial amount more for fiscal year 1969 than there is recommended for fiscal year 1968. Mr. Chairman, it is absolutely impractical and impossible to look that far ahead and see what the requirements, both as to monetary limitations and as to policy, will be.

Many of us who support this 1-year authorization look hopefully ahead and would hope that some time in the not too distant future there would be a more stable and tranquil world that would permit us reasonably to authorize for 2 years at a time. I think I can say that the members of the Foreign Affairs Committee, almost all of them, would like nothing better than that. But we are not in such a world at this time. We are in a world of the most rapid change. If we are to discharge our duties as members of the committee and Members of the Congress, certainly we have the responsibility for long and careful examination of our foreign aid program and its foreign policy implications, for the years ahead.

Mr. Chairman, I would conclude by saying that if it has taken us since the first of April to this date to determine that for the next fiscal year we need an authorization of $3,158,000,000 how much more important it is——

The CHAIRMAN. The time of the gentleman from Indiana has expired.

(By unanimous consent, Mr. ADAIR was allowed to proceed for 2 additional minutes.)

Mr. ADAIR. Mr. Chairman, how much more important it is, rather than saying today we can see into the future and determine that we need almost $3.6 billion, that we say, "We will meet our responsibilities. We will look at this bill. We will look at the requirements of our program again next year, no matter how burdensome and time consuming it may be."

Mr. Chairman, I must say that the members of the Foreign Affairs Committee gave this question a very great deal of thought. There was no effort, no desire to sidestep responsibility in this connection. Times are rapidly changing. The stakes are too high for us not to look at this program each year, under present circumstances.

I urge the adoption of this amendment providing for a 1-year authorization.

Mr. FASCELL. Mr. Chairman, I rise in opposition to the pending amendment.

As the preceding speaker has pointed out, this is a matter which was given, once again, considerable attention in the Committee on Foreign Affairs this year. As I recall it, we took a separate vote on each section of the bill, as to whether it should be a multiyear authorization as against a 1-year authorization. Then, it seems to me, we took a vote on the total 1-year as against a multiyear authorization.

This is matter which has been under constant discussion and review by the Committee on Foreign Affairs and by the House of Representatives, since the days of the Eisenhower administration, when the idea of a multiyear authorization was first proposed for the development loan funds. It has worked properly. And it has been supported by the committee and by the House.

There really is no sound reason for taking a step backward at this point.

I want to emphasize that we have had 5-year authorizations for the Alliance for Progress and for the Development Loan Fund. The pending amendment would change that. It also would change back the other 2-year authorizations which are now in the bill.

We have had various debates on the subject. As a matter of fact, the House debated the issue last year, and the House supported a multiyear authorization, or a continuation of that for the various programs.

I see no reason, therefore, to go backward now to the single year authorization, particularly on those programs with respect to which we have had multiyear authorizations for a number of years, which has allowed us to do some sound, sensible planning in advance. That has been one of the problems in the program that we were trying to correct. The problem was trying to project into the future without having some kind of reasonable base with respect to authorization upon which to operate.

The multiyear authorization enables us to adopt a businesslike approach in this program. Therefore, just because we do live in a world of fast-changing conditions it does not mean that we have to go on the single-year authorization. I say that because even in programs where heretofore we have had multiyear authorization the authorizing committee has reviewed those programs periodically.

There is nothing to prevent the authorizing committee next year, if we go to a 2-year or multiyear authorization with respect to any of these programs, from analyzing any of the programs in any respect or changing any of the operations or doing any of the oversight that we are required to do. It simply means that we give the legislative oversight function of the committee a better chance to operate, No. 1, and No. 2, it gives the administration the opportunity to do the kind of long-range planning, meaningful and helpful planning, which leads toward efficiency and economy and which is the kind of thing we have all been striving to achieve.

Goodness knows, in a program this large it is hard enough to do. If you did not have the opportunity to project your authorizing base for 1 year beyond the actual year in which you get your appropriation, it would add to the confusion rather than detract from it.

As far as taking care of the fast changes is concerned, I have never noticed any reluctance on the part of this House, or on the part of the committee, to act promptly in the event of an emergency.

Furthermore, we have a contingency fund in this authorization which specifically allows for just such events—that is, fast-changing events, which you could not predict under the authorizing process.

So I ask you please to consider the previous action taken by this House and by the committee in approving the multiyear authorization. Let us not take a step backward at this time when we have had the opportunity to do some planning.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I am glad to yield to the gentleman.

Mr. ADAIR. In order to clarify a remark that the gentleman made, is it not so that the Development Loan Fund authorization and the Alliance for Progress authorization as now constituted run only through fiscal year 1969? They do not run beyond that?

Mr. FASCELL. The gentleman is absolutely correct. I am sorry if I left any other interpretation, but the point I am making is that we have had multiyear authorizations in those two programs and they both expire in 1969. Under your amendment, they terminate in this fiscal year. Now, I do not see any reason for it. In other words, we went up the hill with respect to those two programs at least. Now the gentleman for his own logic and reasons wants to cut it back to a 1-year program. I do not see any purpose in it. We have ample safeguards in the authorizing committee process to review anything that needs any real substantial change. We have plenty of opportunity to act fast, if we need to, and the additional safeguard of the appropriation process. So I urge my colleagues, let us vote down the amendment and stick with the multiyear authorization and get on with our work.

Mr. TAFT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I spoke at some length yesterday on the entire subject of the 1-year or 2-year authorization, giving the arguments that were made in the committee. I did not feel they were strong ones for the 2-year authorization in most cases. In fact, I feel that the bill should be changed in almost every instance to a 1-year authorization. However, I do not feel that the amendment that is before the committee at the present time is the proper way to approach this problem. It is a meat-ax approach. First of all, I am not even sure it is properly in order, but no point of order has been made against it.

But, I would point out to you that, if enacted, it would be contrary to many sections already in the bill.

I have prepared amendments which I have ready to offer to various sections of the bill—as I might say, I did in committee—to strike out the second-year authorization in all instances except in the case of the Alliance for Progress and in the case of the Indus Basin project on which there have already been commitments made. It would be unfortunate if we at this time turned back from those commitments.

I have included in this amendment language different from that which has been offered by the gentleman from Florida who preceded me, because the amendments I expect to offer would cut out the second year of the Development Loan program, because this is such a varied program and so vague, indefinite, and uncertain as to where it might actually be used by the Agency. It is better and more proper that the committee in the hearings next year—at which time I hope we are going into the expected use of the Development Loan Fund—might be able to take a better look at it.

In other words, Mr. Chairman, what I am saying about this amendment, is that during a 1-year bill, and a 1-year bill that makes sense, the proper approach to it is by the individual amendments to the sections involved and not a meat-ax approach.

If you want to defeat the foreign aid bill, of course, there is no harm in voting for the amendment as proposed.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Indiana.

Mr. ADAIR. If the gentleman from Chio is concerned about the fact that this amendment, if adopted, would leave in the bill language in relation to fiscal year 1969, I would say to the gentleman that there are ways in which that can be remedied, either by individual amendments to remove the offending language as it is reached, or even, I believe, in the conference committee. I say this because I understand the other body has approved only a 1-year bill. So the point that bothers the gentleman is not germane.

Mr. TAFT. The point, of course, that the gentleman from Indiana makes is correct as to the technical aspects of the bill, but the reference which I have made has to do with the substantive aspects of the bill. The amendment which I would propose would differ in respect to restoring the commitment for the Alliance for Progress for 1969, which, for all practical purposes, has already been made by this body and, indeed, by the Congress, as has the 1969 commitment for the Indus Basin project.

Mr. ALBERT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I trust that the amendment will be defeated.

I think the practice which the House has followed in previous years is a good one, one inaugurated, I believe, during the administration of President Eisenhower and upon his recommendation.

Mr. Chairman, I agree with the gentleman from Florida [Mr. FASCELL] that it is in the interest of better planning to have a 2-year authorization.

I agree with the gentleman from Ohio [Mr. TAFT] that, if selective changes in the authorization are called for, they should be made on a selective basis.

However, Mr. Chairman, I desire to address myself to the broader aspects of this legislation, as this is the first opportunity I have had to speak on this bill.

Mr. Chairman, I believe sincerely that what we do here this week on this bill might be the most important thing we do during this session of Congress.

We are spending about $200 million a day on defense and war. We are spending about $2 billion a month in Vietnam alone.

We are the richest and most powerful Nation in the history of the world. Can we not spend a few million dollars a week on world peace? The United States of America emerged from World War II the mightiest, strongest, and richest nation in all the annals of time.

When the story of the 1940's, the 1950's, and the 1960's is finally written, when the pluses and minuses of this generation are balanced in the ledger of history, I do not believe we will be judged by the amount of our material resources, by the strength of our Army, or even the standard of living of our people. I believe the most significant fact of this generation will be that we used the great resources at our command to meet the responsibilities which our position of world leadership has thrust upon us.

What we have done, Mr. Chairman, during the last 22 years in spite of minor disappointments here and there, has worked. Western Europe is still free, still strong, still democratic 22 years after the close of World War II. Indonesia is closer to the United States today than it has been in many years. The emerging nations of Africa have moved steadily toward the United States and steadily away from the Communist bloc. The potential for democratic development in Latin America is greater than it has ever been in my time. I believe, in spite of all the criticisms to which our policies might be subjected here and there because of mistakes which undoubtedly have been made, the position of the free world today is what it is because the United States has lived up to its responsibilities as the free world's leader. I am sure that foreign aid has been the overshadowing commitment of the United States since World War II.

I cannot overlook the fact that every President of the United States, viewing the world from the vantage point of that lofty office as he faces his awesome responsibilities, has agreed that a foreign aid program designed to upgrade friendly nations has been an indispensable element in the business of fulfilling our international commitments.

In his foreign aid message President Johnson said:

> Twenty years ago, President Truman set forth the basic proposition underlying the foreign aid program when he told the Congress: "I believe that we must assist free peoples to work out their own destinies in their own way. I believe that our help should be primarily through economic and financial aid which is essential to economic stability and orderly political processes." This judgment was shared by Presidents Eisenhower and Kennedy and by every Congress since the 79th in 1946. It is my judgment today. I believe it is the judgment of most Americans.

In his inauguration message President Kennedy gave his pledge to those people in the huts and villages of the globe.

President Eisenhower's position on the mutual security program, as it remained during his two terms in office, is characterized by an excerpt from his foreign aid message of 1955, in which he stated that he considered the program "an indispensable part of a realistic and enlightened national policy—We cannot be secure in our freedom," he went on, in another part of his 1955 address, "unless elsewhere in the world, we try to build the conditions under which freedom can flourish by destroying the conditions under which totalitarianism grows—poverty, illiteracy, hunger, and disease."

President Truman's administration sent the first foreign aid bills to the Congress after World War II.

It is true, Mr. Chairman, that this program was begun during the Truman administration but it would not have left the launching pad had it not been for the Arthur Vandenburgs, the Sam Rayburns, the JOHN MCCORMACKS, the Dr. MORGANS, the FRANCES BOLTONS, the Joe Martins, the CHARLEY HALLECKS. This program was initiated through the joint efforts of a Democratic President and the Republican 80th Congress and it has been a bipartisan effort ever since that time. In 1957 the distinguished former minority leader, the gentleman from Indiana [Mr. HALLECK], remarked in the House:

> May I remind my friends on the right side of the aisle that it was in the Republican 80th Congress in which I was privileged to serve as Majority Leader that we responded to a then Democratic President of the United States. To do what? To resist Communist aggression and infiltration. Yes, and to provide for the security of our own country. . . . I trust my friends on the right side of the aisle will respond to this program that is heralded by many as having been a great accomplishment for the cause of liberty all over the world.

The Democratic Members of the House of Representatives did respond to the plea of the distinguished gentleman from Indiana and it is my sincere hope that Members on both sides of the aisle will again respond to the same petition today.

In 1953, the then Speaker of the House, the distinguished gentleman from Massachusetts, Joseph Martin, asserted:

> We have no partisanship here today on this bill because this is not a question of Republicans and Democrats. It is a question of Americans and Americanism.

The late distinguished Speaker Sam Rayburn expressed his support of foreign aid legislation in these words:

> Mr. Chairman, I am supporting this bill. I am not supporting it grudgingly; I am supporting it wholeheartedly. I supported this bill during former administrations—I have been for a bipartisan foreign policy all along.

Down through the years the leaders of the House of Representatives have joined hands across the aisle in support of every President's effort to implement programs of foreign and mutual assistance.

In 1959 the distinguished gentleman from Michigan, now the minority leader of this House, said:

> Mr. Chairman, the record is clear that over the period of 11 sessions of this Congress I have consistently supported the Mutual Security Program whether it has been supported by a Democratic President or a Republican President, whether it has been guided through the Congress by a Democratic or a Republican majority.

Only on Monday of this week our present beloved and distinguished Speaker called for the enactment of this legislation in the national interest of the people of the United States.

In a statement typical of her openhearted disposition toward foreign aid, the gentlewoman from Ohio [Mrs. BOLTON], in 1958 urged Members of the House to vote against cuts:

> I hope with great earnestness—

She remarked—

> that this Congress will see fit to give this security program everything that is asked for.

Every chairman of the great Committee on Foreign Affairs, Republican and Democratic, since the days of the Greek-Turkish loan program and the Marshall plan, has supported foreign aid. Those most knowledgeable in the administration have supported it in the past and they support it today.

Secretary of State Dean Rusk, in his statement before the Committee on Foreign Affairs, said that:

> The dominant facts of life in the developing countries are impatience, unrest and, above all, rapid change. Men see widening alternatives and expansive futures. Disillusionment must not follow. Frustrated societies lack stability; they are prey to subversion and aggression; they themselves are sometimes hostile and aggressive. We must help to encourage the dynamic elements of the new societies to address themselves to constructive tasks of economic, social, and political progress.

Secretary of Defense McNamara, in the hearings before the House Committee on Foreign Affairs, said:

> Our long-range security depends upon the political stability and economic growth of nations in the underdeveloped areas of the world. It is to accomplish this that economic aid is proposed and for that reason I strongly support the economic aid program.

General Wheeler, Chairman of the Joint Chiefs of Staff, added this forceful statement:

> I consider this program to be an integral part of our national military strategy and I feel a personal responsibility to support it.

Yes, Mr. Chairman, this has been a bipartisan program. It can exist only as a bipartisan program because it lacks the kind of constituency which would otherwise sustain it politically. I doubt there is any Member of the House who does not believe that it is in the interest of the United States of America that freedom-loving people around the world be allowed to prosper in stability, peace and security.

In many ways the framework of circumstances which must be taken into consideration in determining foreign aid authorizations today bears considerable resemblance to those pertaining during the administrations of President Eisenhower. As regards our need for allies among the uncommitted nations, and in terms of our desire to promote peace and stability in less-developed countries through alleviating conditions of hunger, disease, and illiteracy, our current condition is notably reminiscent of the situation in the fifties. Speaking in economic terms, however, some significant changes have taken place which create a more favorable context in which to discuss this bill.

The gross national product of the United States as it was calculated for the last quarter of 1966 totaled $759 billion. This sum represents an increase of $256 billion over the total for 1960 and is more than double the figure of $365 billion for the GNP of 1953. At the same time, the projected $252 billion budget deficit for the first sector of 1968 is $14 billion lower than the figure for the lowest deficit which occurred during 1953–60. The figures we are now considering for authorization ceilings for fiscal years 1968 and 1969 as reported from the Foreign Affairs Committee represents less than one-half of 1 percent of the gross national product cited above. This fraction compares favorably from the standpoint of economy with more than two-thirds of 1 percent for 1958, the year in which the mutual security program authorizations figures lowest as a percentage of the GNP for the period 1953–60.

It is true, Mr. Chairman, in spite of all these facts that we do have enormous commitments and enormous obligations. We are at war in Vietnam and thousands of our young men are in the field. But is this any reason why we should not undertake to prevent future wars? To me it makes no sense to cut out funds to prevent future fires just because we are faced with the necessity of putting out an existing fire at the present time. This is exactly what we will do if we cut the development loan programs. These programs are aimed at preventing future Vietnams. These are the fire prevention programs of this bill.

Mr. Chairman, I sincerely hope and trust that this bill will not be riddled with amendments. There is no use in undertaking to do a job unless we are willing to do what it takes to do it correctly. While money is tight it will cost us a lot less to do what needs to be done today than to postpone it until the situation around the world grows worse.

I think that fact is made clear from the actions of Castro in recent months. While he is apparently breaking off from the leaders of the Communist nations of Europe and Asia, he is undertaking to develop an indigenous Communist movement in this hemisphere which is of much greater danger to us than a Communist movement run out of Moscow. We have not only a chance but a challenge from Castro and the Latin American countries. Surely, we are going to be measured by the extent to which we meet that challenge right here in our Western hemisphere, we who for generations have been devoted to the principles of the Monroe Doctrine.

Mr. Chairman, America's modern foreign policy was inaugurated during the Republican 80th Congress. I hope I do not live to see it put out of business by the Democratic 90th Congress. The needs, although different, are as great today as they were in 1947. The stakes are just as high. The security of the United States is just as important. The chance to do something for our country is just as real. This, Mr. Chairman, is our challenge. Yes, this is our opportunity. And as God is our helper we must not pass it by.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I should like to pay tribute to the majority leader for a very eloquent defense of the foreign aid program, in which sentiments I most certainly am in accord.

However, the majority leader neglected to give any substantial defense for a 2-year authorization for this bill. He simply argued that a 2-year program would aid better planning.

I must say I have misgivings about the value of a 2-year authorization. It is no secret that opinion was sharply divided in our committee as to whether or not there should be a 2-year authorization or a 1-year authorization, as has been the case in the past.

The implication of some of the remarks by the gentleman from Florida was that we have in some way already committed ourselves to a long-term authorization for this program. Such is not the case, of course.

As a conferee in years past on the foreign aid program, I have found myself in vigorous confrontation, along with the chairman of this committee, with the Members of the other body. They were at that time advocating a long-term authorization, and we House conferees were supporting a 1-year program. At that time the House conferees felt, as I personally still feel, that a 1-year program gives the Congress the kind of control over this mercurial, controversial, difficult, and complex program which is advisable.

I would guess that one of the reasons our committee voted this year, with a sharply divided vote, for a 2-year program was because we were fatigued as a result of the effort involved in giving our annual scrutiny to this bill.

However, I do not believe that the demands on the committee should be decisive as to whether or not we should have a 2-year program.

I see no substance to the argument advanced by the majority leader, and the gentleman from Florida, that we only can have sound and sensible planning if we have a long-term authorization. Of course, planning must proceed, it must be sensible, and it must plan for the years beyond the actual authorization, if we are to have the kind of perspective that we need.

In my opinion, the only way in which the executive branch could get the freedom they might want, would be if they could have a long-term appropriation.

A long-term authorization will not free them from the necessity of coming up to the Hill annually to justify their plans before the Appropriations Committee.

I do not think we should give the administration that freedom, as much as members of our committee might desire additional leisure.

For that reason, Mr. Chairman, I feel it would be advisable to have this program on a 1-year basis. I recognize that in the past the Alliance for Progress and the development program have been on a longer basis, and I personally would see no objection to continuing those programs on a longer basis. As has been pointed out, those two programs are going to expire at the end of the fiscal year 1969, so I would think that no damage would be done if all were put on a 1-year basis. Then it will be necessary for us to take such action as we might deem appropriate next year.

Mr. MAILLIARD. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman.

Mr. MAILLIARD. Does not the gentleman feel that there is validity to the point made by the gentleman from Ohio that we ought to take each one of these up as we come to that point in the bill? I concur in everything that the gentleman has said. I would like to go back to a 1-year authorization on most of the bill, but I think there are some matters that ought to be debated on this and on our side as to each program in the bill.

Mr. FRELINGHUYSEN. I feel it is unfortunate that there should be even an apparent division between those who advocate a 1-year program. However, I am constrained to say, since the gentleman has asked the question, that I do think the gentleman from Ohio has a better approach. I would certainly have advocated an agreement among proponents of a 1-year program.

In any event I would guess the confrontation between the conferees on this bill will result in a compromise along the lines of the kind of program we have had in the past.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman.

Mr. JOELSON. The gentleman raised a point that, even if there were a 2-year authorization, we must have an annual appropriation. Does not the gentleman feel that this would provide adequate congressional scrutiny?

Mr. FRELINGHUYSEN. Of course, I do not feel that. I am not suggesting that the scrutiny by the Committee on Appropriations is not appropriate, but I do not feel this is in any sense a substitute for the scrutiny that the Committee on Foreign Affairs gives to the justifications. If I thought the Committee on Appropriations would have the time to spend 8 weeks in looking over the details of this bill, I would feel happier about the abdication of the responsibility of the Foreign Affairs Committee implied by a 2-year authorization. I feel both the authorization and the appropriation should be on an annual basis.

Mr. GALLAGHER. Mr. Chairman, I rise in opposition to the amendment and I think it ought to be pointed out with due deference to my good and able colleague on the committee, the gentleman from New Jersey, that this 2-year approach is not the result of "mark-up fatigue." It is rather the result of care and consideration given to the question as to the best way to approach the question of a long-term authorization. There is no doubt an honest difference of opinion as to the approach to this question. It is the feeling of the majority and it has been the feeling of some on the minority side in the past that the program should be on a multiple-year authorization.

There are many reasons for this, but I think the basic reason remains that the agency has learned through experience that programs work much better and our investment, the investment of the taxpayer's dollar, is used more wisely when the program can be put on a long-range basis. This gives the recipient country an opportunity to provide the necessary self-help measures.

I think, too, that we should learn from the fruit of our experience. What Congress must do in order to give the recipient countries an opportunity to meet their own obligations through the best means possible is to give a sign, and this sign should certainly be that we consider foreign aid and aid assistance as a basic instrument of our foreign policy. To make that instrument an effective instrument of our foreign policy it is necessary that we put AID on a multiyear authorization.

Mr. Gaud, Director of AID, in his statement I believe laid the basis for it. He said that there can be no instant development, and that they have learned through experience with other countries, the participant countries, the host countries have done much better on a long-range basis.

So for all these reasons—on the basis of our experience, because we want a better investment, because we want to see greater results, and because we want to see developments succeed—the best way of doing this is on a foundation of a 2-year basis. This was the consideration in the committee enacting the 2-year authorization.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Florida.

Mr. FASCELL. The gentleman has made a very strong point with respect to the necessity of planning on a long-range basis, particularly where one of the criteria and one of the demands that we lay down as a matter of policy in this very legislation is that we expect the recipient countries to respond by legislative or administrative action on certain reforms. Obviously, as the gentleman has very correctly pointed out, it surely makes the job very difficult for an administrator and for management on the U.S. side to try to hold down an inducement under the foreign aid program with respect to long-term investments and require the recipient country to take legislative or administrative action by the snap of a finger. Whereas if we have continuing authorizations in the program, then they can be induced to take whatever action is required, legislative or administrative; is that correct?

Mr. GALLAGHER. That is absolutely correct. I thank my colleague for pointing that out.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Indiana.

Mr. ADAIR. I think it worth pointing out that even though some of the programs, including the Development Loan and the Alliance for Progress programs, have been made on more than a single-year basis, Members should observe in this year both of those authorizations were reviewed and reduced. So we did have to take another look at them this year, which is exactly what I am proposing for each succeeding year.

Mr. GALLAGHER. I thank the gentleman. That is the basic argument as to why a 2-year program should be voted, because we do have a yearly review. If we find that something is not working out well, we can go back and change it, as the committee did on the 3-year authorization of the Development Loan. So I think we are not taking away the weapons from Congress. What we are doing, perhaps, is getting back to what Mrs. BOLTON so ably said—allowing the subcommittees to go into these matters in depth, and they can do so only in the off years.

I agree with the gentleman. I know what he is trying to achieve. I believe we are not precluding ourselves the right of yearly review by going through with the bill as drawn.

Mr. ADAIR. Mr. Chairman, will the gentleman yield further?

Mr. GALLAGHER. I yield to the gentleman from Indiana.

Mr. ADAIR. If we do find it necessary to make this annual review, then why not prepare for it and provide the authorization simply in a 1-year bill?

Mr. GALLAGHER. Because while the review may be necessary, it may not always be necessary, and I think vis-a-vis the idea of short-term planning it is not a good investment.

Mr. DERWINSKI. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I would first point out to the Members, who obviously have been giving the speakers close attention, that this has been a very high-level debate. I would hope that for the next 2, 3, 4, or 5 days, as long as we take to amend this bill, it will continue on that level.

May I say in passing that I have often thought that the gentleman from New Jersey [Mr. GALLAGHER] would make an excellent Secretary of State. I have often wondered how much further the world would have progressed if he were in that position instead of merely serving with us.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Mr. Chairman, I find greater pleasure in being here with the gentleman.

Mr. DERWINSKI. The gentleman

may not feel that way after I have finished.

Mr. GALLAGHER. I knew it would not last long. That is why I wanted to get it in early.

Mr. DERWINSKI. I was about to say, Mr. Chairman, that the gentleman had not really offered an objection to the 1-year amendment of the gentleman from Indiana. In fact, at the risk of sounding old, I recall just a few years ago, when the other body was insisting on a 2-year authorization, we here in the House very eloquently fought for a 1-year authorization. All we have to do is reverse the speeches made in the respective bodies a few years ago, and the same language and the same logic will flow. So I would think if all the Members would look back a few years, when we militantly were defending the 1-year authorization, and therefore vote for the amendment of the gentleman from Indiana, we would be consistent with history.

I would like to point out to the Members there is a great deal of furor across the country over the direction of foreign policy. I recall that the chairman of the equivalent committee of the other body, I believe on Sunday, on one of the television shows, suggested impeachment of the President might be moved because of his handling of Vietnam. I would disagree with that, but I think it points out the frustration that Members feel. We would merely be adding to the frustration as well as the complications of the day if we start to relinquish our control and effectiveness in guiding this program.

As a matter of fact, one of the assets of the foreign aid program may well be annual congressional scrutiny. The people who are really most effective in keeping those bureaucrats on their toes, are Members of this legislative body. If we turn them loose for 2 years without any effective control by our committee, I think we invite sloppier administration.

So it seems to me that any defender of the foreign aid program ought to support a 1-year authorization Also anybody who is worried about whether or not his public will permit him to vote for a 10-percent surtax increase, might well notice that in the 1969 funds approved under this bill by the committee we add $418 million to spending. So we are building in spending that we may well wish to control a year from now.

Also, a year from now will be an election year. I have found Members to be especially astute in an election year. The closer they come to the public, the more reasonable and logical and effective they become. Therefore, the more reasonable and logical and effective they will be in studying this program a year from now.

Now, in the spirit of high-level debate, I should also point out, as did the gentleman from New Jersey [Mr. FRELINGHUYSEN] that the distinguished majority leader, who made a most eloquent speech, really did not answer the objections either. The gentleman from Florida [Mr. FASCELL] really has not offered objection to the amendment, although I do say, just in observation, when I listened to the gentleman from Oklahoma and the gentleman from Florida, and even the gentleman from New Jersey, as their eloquence rings through the Halls, I often wonder why the Lord did not bless some of us on this side with some of that eloquence. But we really cannot have everything. For despite the eloquence, there is no logic to the opposition to this amendment. Therefore, to really move ahead with progress and in actual practical support of our poor oppressed President, who is hit on every side by many congressional critics—just think how the Senator from Arkansas [Mr. FULBRIGHT] would react if he had to act on this again next year. He would not have as much time to criticize the President. So we can see there are multiple reasons for supporting the amendment of the gentleman from Indiana.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. I believe the best argument made for the 2-year authorization was by the last speaker. I believe we should help prevent him from being in the same legislative posture as the distinguished Senator from Arkansas, since their voting patterns are not normally parallel.

Mr. MORGAN. Mr. Chairman, I rise in opposition to this amendment. This amendment has been around for a good many years. It is offered every year. Last year it was known as the Mailliard amendment. It was a little bit different last year. The gentleman from California [Mr. MAILLIARD], when he offered it, called it an unusual amendment.

The gentleman from Indiana [Mr. ADAIR], has now made it a really unusual amendment, because he would eliminate the authorizations for 1969 for development loans and for the Alliance for Progress that are already in existing law. That makes it a really unusual amendment.

I agree wholeheartedly with the gentleman from Ohio [Mr. TAFT] that this is a meat-ax type of approach. This is taking one swipe at the whole bill.

Members are going to have the opportunity to amend each and every section of this bill as we go along. It will be only a matter of reading a few pages until we get to page 6, when we will come to the development loan section. If any Member then wants to knock out the extension for fiscal year 1969, he will have the opportunity.

This was the procedure we followed in the committee. This was the procedure the gentleman from Indiana followed, right down the line, in the committee.

I never heard any mention of the Mailliard type or the Adair type of amendment during the 7 weeks we sat in committee. We sat there, and we went through the development loan section, and an amendment was offered to reduce it to 1 year and to cut it. We went right on to the other section on technical assistance. The gentleman from Ohio, offered the amendment to limit the program to 1 year.

We went through it section by section. We can do it here on the floor today and tomorrow, without resorting to a meat-ax type of approach, such as that offered by the gentleman from Indiana.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I am glad to yield to the gentleman from Indiana.

Mr. ADAIR. I might say that one of the objectives of this amendment is to save the time of the chairman and of the members of the Committee. I realize that there are a number of Members of the House who are anxious to conclude this debate in a reasonable time. I realize further that there are a considerable number of amendments to be offered. It was thought that one of the side benefits of an amendment of this sort would be a very considerable saving in time of the Members of the House.

Mr. MORGAN. I can say to the gentleman that if we adopt the 2-year program we can save all of that time next year. The gentleman will not have to go through 7 weeks of hearings, and he will not have to go through 7 or 8 weeks of markup. Just think of the time he can save by voting for the 2-year authorization. He will save a lot of time, much more time than we will save today or tomorrow.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield for a question?

Mr. MORGAN. I am glad to yield to the distinguished gentlewoman from Ohio.

Mrs. BOLTON. I should like to ask the gentleman just what is the point of the 2-year extension? Is it just because they cannot plan unless they have 2 years?

Mr. MORGAN. The gentlewoman from Ohio and I have been on this committee for a good many years. She knows and I know that back in 1957, when the first long-term authorization request was brought to us up in that little room here in the Capitol where the Foreign Affairs Committee used to be, at the direction of President Eisenhower, a request for a 2-year program for development loans, we followed the President's suggestion and adopted the 2-year program. He was back after 2 years, asking, if my memory is correct, for a 3-year authorization, and we again adopted the long-term authorization.

In 1958 he came in and asked for a 3-year authorization for military assistance. We went along with our President. I seem to remember that she was the most prominent prodder for those long-term authorizations.

Mrs. BOLTON. I was? Oh, no, Mr. Chairman, I have lived, in my time, the life that many women lead. We have to plan ahead, when we never know what is going to happen.

I believe the 1-year term is infinitely safer and more sane, and is more justifiable than the 2-year term.

Mr. MORGAN. Well, there are a lot of people in this great country of ours who believe otherwise.

The U.S. Chamber of Commerce came

to our committee, and this is what they said:

> Long-range economic planning and development must be emphasized. To accomplish this goal, multi-year authorizations are desirable.

The farm bureau and representatives of the church groups and other groups expressed themselves as being in favor of a 2-year authorization.

Mr. Chairman, I ask for the defeat of the Adair amendment.

Mrs. BOLTON. Mr. Chairman, I rise in favor of the amendment.

Mr. Chairman, in order to put our minds at rest and to set the record straight here: When the Marshall plan was started the Department wanted 4 years. We gave them one. Surely, no one can question the fact that the Marshall plan was a huge success.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, if I might have the attention of the chairman of the Committee on Foreign Affairs. If we take the long way around Robin Hood's barn and offer amendments to knock out each of the 2-year amendments throughout the bill, I wonder how many he will support?

Mr. MORGAN. I do not know how many the gentleman will support.

Mr. GROSS. Do not worry about me. You know what I will do.

Mr. MORGAN. I am not worrying about the gentleman from Iowa. He surprises me many, many times.

Mr. GROSS. Never labor under any illusion about my position on this bill. On most of the bills in the Committee on Foreign Affairs the gentleman has no occasion to be surprised as to my position.

Will the gentleman say he will support these amendments if we take the long way around as he suggests?

Mr. MORGAN. The gentleman is very reasonable. If there is a good argument made here to cut any of these programs, including the development loan fund, technical assistance, supporting assistance, or military assistance, why, I would have an open mind. I would have to hear convincing arguments though.

Mr. GROSS. I am not talking about cuts. I am talking about the 2-year tenure of this bill.

Mr. MORGAN. I am going to support the 2-year authorization. I am for it.

Mr. GROSS. Yes, so why does the gentleman suggest to those of us who are opposed to the 2-year proposal that we take the long way around and use additional time to offer separate amendments?

Mr. MORGAN. I do not know whether the gentleman knows much about the Senate bill, but they have a 2-year authorization in one of the sections of that bill.

Mr. GROSS. If the gentleman really wants to save time, I wonder if he would support me in an amendment to offer as a substitute for this bill the Senate bill which is for 1 year and represents about a $700 million cut from the administration request?

Mr. MORGAN. If the gentleman will offer the substitute and support it, I might take him up on that.

Mr. GROSS. I wish I might have something more than a qualified answer from the gentleman.

Mr. MORGAN. The gentleman asked me the question.

Mr. GROSS. I am not dealing in "might" at this hour.

Mr. MORGAN. If the gentleman will make that offer right now while he is standing in the well and say that he will support that motion, I will go down in the well and support the gentleman.

Mr. GROSS. I would not vote for it if it was cut by $2 billion.

Mr. MORGAN. That is exactly the answer I expected.

Mr. GROSS. I reiterate that we could save a lot of time tomorrow by adopting a motion to substitute the Senate bill for this one.

Mr. Chairman, the majority leader the gentleman from Oklahoma [Mr. ALBERT], in attempting to justify a 2-year authorization, talked about this rich and prosperous Nation of ours, but he failed to mention the fact that this Government has more debt than all of the rest of the governments of the world combined. He made no mention whatever of the debt, the Federal Government debt, and no mention of the $1.3 trillion of public and private debt in this country. We are so rich in borrowed money that we can underwrite the debts of most of the rest of the world.

When this giveaway program started back in 1947 it was supposed to be a temporary 5-year proposition—out, over, and forgotten about in 1952.

This bill today is living and breathing proof of the fact that there is nothing so permanent in these parts as something temporary.

This program needs to be reviewed once each year, if for no other reason than the fact that we might wake up, after a lapse of 2 years, and find out we have not been able to meet the administrators of the program who come and go at the rate of about one or two every year.

Yes; let us stay with the 1-year program so that we can at least keep some track of the administrators of the foreign giveaway programs.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Indiana.

Mr. ADAIR. I would like to ask the gentleman if he recalls in the sessions of the committee any particular justification for the fiscal 1969 program?

Mr. GROSS. None at all.

Mr. ADAIR. Those sessions were devoted almost, if not entirely, to a justification of the fiscal 1968 program. So, if we contemplate this $3.6 billion figure for 1969, there was no real effort made to justify it. We are asked to take it only on faith and confidence in the program.

Mr. GROSS. The gentleman from Indiana is absolutely correct.

Mr. OTTINGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as one who has taken part in our foreign aid program and as one who has worked overseas, I can tell the members of the committee that there is absolutely nothing more disrupting than having to deal with a country not knowing whether the following year the programs for that country are going to receive congressional authorization. For the sake of economy and efficiency in our foreign aid program, therefore, the 2-year authorization should be retained.

I urge that the amendment be defeated.

Mr. GOODELL. Mr. Chairman, I rise in support of this amendment, including support of the foreign aid bill, in general.

I rise today under circumstances that are painful to me in many ways. It is buffeted as never before from all sides. Former friends are among the most strident critics of certain phases of our aid operation.

I number myself among those who believe deeply that a major foreign aid commitment is imperative. I have in recent years voted against the foreign aid legislation as a protest that our foreign aid program for developing nations lacks a coherent and realistic philosophy. Some improvements have been made, in recent years, but they do not impress me as a part of any meaningful redirection.

It would be a tragedy, however, if this Congress in its present angry and ugly mood, beset with fiscal and other frustrations, cut the vital nerves in the Foreign Assistance Act. I intend to vote for this bill on final passage, unhappy as I am with many of its specific provisions. I urge my colleagues to exercise restraint and dispassionate judgment in our deliberations. As is often said, foreign aid has no constitutents. A vote to carve up this kind of bill will cause few of us any political problems. A vote to continue an overall commitment that is critical to our country in the long run may, in the present context, be difficult to defend politically.

In moments and matters of major consequence, the House consistently keeps faith with the future. It is to the wisdom of that collective judgment that I appeal. At San Francisco, we committed this Nation in support of the effort to replace war with reason, through the United Nations. With good cause, the national patience is sorely tried, but is the commitment wrong?

Through NATO and SEATO we committed our might to forge a shield behind which nations might prosper until able to stand alone in peace and freedom. No doubt the time has come when the nations of Western Europe and Japan must assume their share of this burden. That they can, vindicates our choice.

At Punta del Este, we committed, as President Kennedy put it, our national heritage to "once again transform the American Continent into a vast crucible of revolutionary ideas and effort, a tribute to the creative energies of free men and women, an example to all the world that liberty and progress walk hand in hand." Our task and their task remains unfulfilled.

None of these are commitments taken cavalierly by an executive bemused by illusions of loose constitutional construction. Each has been repeatedly honored by the Congress. Can we bear the judgment of history if we deny them today? The critical areas for decision affect technical assistance, development loans, and the Alliance for Progress. We are investing $70 billion in the future through defense appropriations. Realistic foreign assistance now offers the hope of reducing that staggering burden in the future.

We debate this issue in a world that will be faced with widespread famine before young Americans have reached voting age. Foreign assistance does have one constituency—those Americans who must live tomorrow in the world we structure today. In this context, each of us must balance half a billion dollars against the future.

We hear much of the errors of leadership and errors of policy—wasted dollars, mismanagement, disappointingly slow progress and outright defeat. The principle, however, stands unchallenged. This bill offers only the better of two unattractive choices. Unfortunately, its complexity precludes rewriting the act on the floor. Comprehensive revision of the Foreign Assistance Act is a vital need. The amendments do represent limited improvement. Certainly, there remain enormous untouched areas which cry out for new direction.

Outright rejection or serious curtailment is not, however, the remedy. There is a better way. We must begin to apply the collective expertise of this House in education, housing, economics, poverty, rural development, agriculture, and so on across the board to foreign aid. Most of our aid dollars are spent in these areas, yet our congressional talent on related committees is unused.

The totally negative way invites serious worldwide political repercussions. The world remains polarized—half slave, half free. We are the hope of the free. Should we falter, the results would be dire.

Should our leadership erode or be denied, what then? Does any voice call for preventive war? Should we retire behind the walls of "Fortress America"; and if so, where are the outer perimeters of defense? London and Tokyo? Honolulu and San Juan? Or New York and San Francisco?

I believe it is the will of America that we lead the forces of freedom. As for me, I want no part in writing the history of America's return to isolation.

If this Nation is to long endure, there must emerge from this Chamber the conscience of a mighty people.

Mr. TAFT. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Ohio.

Mr. TAFT. In view of the gentleman's very fine remarks for which I certainly commend him, I wonder if the gentleman would express an opinion as to whether he views the action which would be taken by this amendment as that would result in a withdrawal of the authorizations already made for the Alliance for Progress for the year 1969?

Mr. GOODELL. In answer to the gentleman's question, I will say I looked at some length into the Alliance for Progress as it was operating in Brazil this last year, and I found many frustrations and disappointments in it. I do not believe that we have made any major redirection of this program in this bill. As an example, only 5 percent of the aid in the nation of Brazil is going to rural areas. With the vast majority of the people living in rural areas, we are not even beginning to approach the matter of getting the people involved in self-help, and that is the reason I believe it is not a good idea to make a blanket commitment for 2 years. I believe we had better try to redirect it in the year ahead.

Mr. FRASER. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the pending amendment. I thought that it would be worth straightening out the apparently erroneous impression the last speaker had.

The Alliance for Progress was planned for a 3-year period, and it runs out in 1969. The effect of the amendment of the gentleman from Indiana would be to cut back on a commitment we have already made to support the Alliance for Progress for this 3-year period. In other words, it is not simply a question of the 2-year authorization as against the 1-year authorization for the bulk of the bill; this is a question of turning our backs on a commitment that was made several years ago in support of the objectives of the Alliance for Progress. The same is true, although the consequences would be less political with regard to the development loan fund which has for years been on a long-term basis.

I think this is one of the reasons that this form or kind of amendment ought to be voted down.

If I may add just one other point—the gentleman from New York is right that the AID program needs some redirection and particularly, in my opinion, needs redirection to begin to involve the people of the developing world more in their own future. But we can never get at this question because every year we go through the routine of listening to the Secretary of State, the Secretary of Defense, and then to the regional services and then the military program and by the time we have used up 6 weeks in hearings, we have not spent 1 day on one country in depth to find out really about how the program is operating.

If we decide again on another 1-year authorization, what it means is that next year we are going to go through the same ritual again and we are not going to get to the heart of this program and try to come up with some of the conceptual redirection that it needs.

This is the reason we need a 2-year authorization. I think the gentleman from New York is right when he talks of the war on hunger. We are not doing enough on that but we never get to that subject. We never get a chance to look at the mobilization of the resources of the United States to see if we are doing the things we should do to help those countries, in agricultural production for example, and we will not if we go back to a 1-year authorization. We will go through the same ritual. We will hear the same criticism and there will be the same deficiencies in the program. And I am afraid there will be the same disillusionment on the part of the American public.

We need this 2-year program so that we can begin to concentrate on new projects that are required and I think these are the most important reasons that this amendment and subsequent amendments should be voted down so that a 2-year basis will give our committee some time to begin really to study some of these subjects which so badly need study.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentleman.

Mr. DERWINSKI. I can see the gentleman's point, but how could we effectively work with a program that is not before us? If we accept the amendment of the gentleman from Indiana, the program will be before us and we will be able to cooperate with the gentleman in meaningful studies and make the review that he deems necessary.

Mr. FRASER. I think the gentleman knows that every year we have taken up the Alliance for Progress and every year we have studied the operation of the development fund even though it is placed on a long-term basis. If the rest of the program were on a multi-year basis we could still take a look at it and seek the conceptual changes in the program that are needed. We never can do that when we have to go through a 30-page bill line by line.

Mr. DERWINSKI. What the gentleman really is doing is criticising the chairman, and the conduct of the committee procedure, and I am sure the gentleman does not want to do that.

Mr. FRASER. The gentleman well understands that I am very proud of the work of the chairman and of the committee. I am talking of these very real problems that affect our national interest.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ADAIR and Mr. GALLAGHER.

The Committee divided, and the tellers reported that there were—ayes 129, noes 116.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PART I

CHAPTER 1—POLICY

SEC. 101. Section 102 of the Foreign Assistance Act of 1961, as amended, which relates to the statement of policy, is amended to read as follows:

"SEC. 102. STATEMENT OF POLICY.—The Congress declares that the freedom, security, and prosperity of the United States are best sustained in a community of free, secure, and prospering nations. In particular, the Congress recognizes that threat to world peace posed by aggression and subversion wherever they occur, and that ignorance, want, and despair breed the extremism and violence which lead to aggression and subversion. The Congress declares therefore that it is not only expressive of our sense of freedom, justice, and compassion but also important to our national security that the United

States, through private as well as public efforts, assist the people of less developed countries in their efforts to acquire the knowledge and resources essential for development and to build the economic, political, and social institutions which will meet their aspirations for a better life, with freedom, and in peace.

"In addition, the Congress declares that it is the policy of the United States to support the principles of increased economic cooperation and trade among countries, freedom of the press, information, and religion, freedom of navigation in international waterways, and recognition of the right of all private persons to travel and pursue their lawful activities without discrimination as to race or religion. The Congress further declares that any distinction made by foreign nations between American citizens because of race, color, or religion in the granting of, or the exercise of, personal or other rights available to American citizens is repugnant to our principles. In the administration of all parts of this Act these principles shall be supported in such a way in our relations with countries friendly to the United States which are in controversy with each other as to promote an adjudication of the issues involved by means of international law procedures available to the parties.

"The Congress further declares that to achieve the objectives of this Act, programs authorized by this Act should be carried out in accordance with the following principles:

"First, development is primarily the responsibility of the people of the less developed countries themselves. Assistance from the United States shall be used in support of, rather than substitution for, the self-help efforts that are essential to successful development programs, and shall be concentrated in those countries that take positive steps to help themselves. Maximum efforts shall be made, in the administration of this Act, to stimulate the involvement of the people in the development process through the encouragement of democratic participation in private and local governmental activities and institution-building appropriate to the requirements of the recipient nations.

"Second, the tasks of successful development in some instances require the active involvement and cooperation of many countries on a multilateral basis. Therefore, to the maximum extent practicable, other countries shall be encouraged to increase their contributions to development programs and projects so that the cost of such common undertakings, which are for the benefit of all, may be shared equitably by all.

"Third, assistance shall be utilized to encourage regional cooperation by less developed countries in the solution of common problems and the development of shared resources.

"Fourth, the first objects of assistance shall be to support the efforts of less developed countries to meet the fundamental needs of their peoples for sufficient food, good health, home ownership and decent housing, and the opportunity to gain the basic knowledge and skills required to make their own way forward to a brighter future. In supporting these objectives, particular emphasis shall be placed on utilization of resources for food production and voluntary family planning.

"Fifth, assistance shall wherever practicable be constituted of United States commodities and services furnished in a manner consistent with other efforts of the United States to improve its balance of payments position.

"Sixth, assistance shall be furnished in such a manner as to promote efficiency and economy in operations so that the United States obtains maximum possible effectiveness for each dollar spent.

"Seventh, to the maximum extent practicable, the furnishing of agricultural commodities, disposal of excess property, and United States payments to international lending institutions, undertaken pursuant to this or any other Act, shall complement and be coordinated with assistance provided under this part.

"It is the sense of the Congress that every effort must be made to obtain a permanent peace in the Middle East. To help promote that objective, the President should undertake immediately (1) a thorough review of the needs of the several countries of that area, and (2) a reevaluation of United States policies aimed at helping meet those needs and securing a permanent peace in the area.

"It is further the sense of the Congress that in any case in which any foreign country has severed diplomatic relations with the United States, the President should suspend assistance to such country under this or any other Act, including any program designed to complement assistance under this Act (such as sales of agricultural commodities under the Agricultural Trade Development and Assistance Act of 1954). When diplomatic relations are resumed, a further study should be made on a country-by-country basis to determine whether United States foreign policy objectives would be served by extending assistance under this or any other Act, including any program designed to complement such assistance."

Mr. MORGAN. Mr. Chairman, I ask unanimous consent that the bill be considered as read to the top of page 6, line 3, printed in the RECORD, and open for amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. ADAIR. Mr. Chairman, reserving the right to object, did the gentleman say to the top of page 6, line 2?

Mr. MORGAN. That is correct.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? The Chair hears none and it is so ordered.

Are there any amendments to section 101?

AMENDMENT OFFERED BY MR. O'HARA OF ILLINOIS

Mr. O'HARA of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'HARA of Illinois: Amend line 17 of page 4 by adding immediately after the period the following new sentence: "But in no case shall family planning, either voluntary or otherwise, be made a condition for the granting of any aid or benefit under this Act."

Mr. O'HARA of Illinois. Mr. Chairman, this amendment is very simple. I feel personally that we run into trouble when we seek to put family planning in the foreign aid bill. Already we are hearing from many parts of the world voices of dissent. They are asking the question: Is the United States seeking to determine the number of brown people there should be in the world? Or the number of black people? Mr. Chairman, I know there is a division of opinion on this. My colleague from Illinois offered an amendment, which the committee by a large vote adopted. He wishes to concentrate on increasing the food supply of the world and decreasing the number of consumers of it. I do not agree with the gentleman, but I am not seeking to take out one single word that he put in on that subject. I am merely suggesting that we make it clear to all the world that we are not making family planning a condition for the granting of any aid or benefit under this act. I think by putting in this amendment—and I hope it will be agreed to—we are taking the sting from what might be a poisonous reptile.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, my distinguished colleague from Illinois makes a very strong point. As I understand the thrust of his amendment, it would be that where voluntary aid or assistance is requested, there would then be no prohibition on that as far as his amendment is concerned. It is only when family planning would be made a condition of assistance under this act or a condition for assistance under this act.

Mr. O'HARA of Illinois. No. I mean by the amendment this: That in no case will we say to any country, "Unless you agree to some form of family planning, you do not get any help."

Mr. FASCELL. Mr. Chairman, I thank the gentleman. I understood that was the purpose of his amendment.

Mr. FINDLEY. Mr. Chairman, I rise in opposition to the amendment.

I hope the gentleman can provide me with the exact language of his amendment. I tried to find a copy just now and was unable to, but as I understand it, it would express as the sense of Congress that aid under this program cannot be conditional upon any type of family planning. Is that correct?

To me this would be a most unfortunate bit of language to put in the bill, even though it would be in the part of the bill which has no legislative effect, because if the growing problem of famine is going to be dealt with adequately we must start now. Indeed, this is a problem of tremendous proportions. I believe we will find in a few years it will be raging on every continent, unless something effective is started right now.

Unless we are going to deal adequately with that, little will be accomplished. We have to permit our Government to use the dollars available in foreign policy as an influence in the right direction.

We have twin problems, really, I say to my friend the gentleman from Illinois. We have twin problems not only of food production, which is substantial, but also of family planning.

I am sure the gentleman will agree that all of the language which has gone in the bill in regard to family planning has specified it be voluntary family planning. It does not require any country to have a mandatory program of family planning.

I believe it would be a terrible mistake for the Government of India, for example, to assume from this language that our Government officials, in dealing with them in regard to foreign aid activities in their country, cannot bargain effectively to get their government to undertake voluntary family planning activities.

I hope the gentleman's amendment will be rejected. I believe it would be a step in the wrong direction, and we badly need to take forward steps to meet the growing problem of worldwide famine.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. Does my esteemed colleague wish to put our United States in the position of saying to the world, "You will not get a bit of help from us, you will not get any food, you will not get any help of any sort unless you agree to our program for controlling the population?"

Mr. FINDLEY. Our bill says nothing of that kind. It does have some provisions in it which do indeed encourage the AID Agency to encourage the recipient countries to adopt voluntary family planning programs.

I would say to the gentleman, we would indeed have a confusing piece of legislation if his amendment became a part of the bill. I hope it will be rejected.

Mr. O'HARA of Illinois. I have not taken out a word of the bill the gentleman put in his amendment. If he does not want this in, he will completely destroy the image of Uncle Sam all over the world.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HAYS. Mr. Chairman, I move to strike the requisite number of words.

I hesitate to disagree with my esteemed friend from Illinois, whom I have known since he first came to Congress more than 19 years ago. He has had a long and enviable career in politics, going back to when he was Lieutenant Governor of Illinois.

I am little surprised, really, that he is interested in family planning at this point either way.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I am delighted to yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. I might say that my attention was first drawn to this matter when we were in Africa some years ago. The gentleman from Ohio inquired how much progress they had made in the past year, and they said, "Five percent," and the gentleman asked, "How much has been the increase in your population?" And they said, "Ten percent," and the gentleman from Ohio threw his hands in the air.

Mr. HAYS. I would say the gentleman drew diametrically the opposite conclusion from that little episode from what I did.

I really do not see too much objection to the gentleman's amendment, unless it is taken to mean that we really do not care much whether they do any of this or not.

The language of the bill at the present time does not say that this is a condition of aid at all. It does not say anything about that. It says:

> In supporting these objectives, particular emphasis shall be placed on utilization of resources for food production and voluntary family planning.

There is nothing about any conditions.

I would not want the gentleman's amendment to raise a flag and say to India or to any other country which has more population that it can feed, "You go ahead, and we will supply the food."

I say this, my dear friends, because there is going to be a time coming, and not very far away, when we cannot supply the food to keep the world from famine. Now, the population experts say that before the normal life expectancy of most of us in this Chamber is over, India will have a billion people and China will have more than a billion people. I do not recall the statistics for the rest of the countries one by one, but they are staggering. Nobody anywhere in this bill is trying to force family planning on any country or any family or any individual. We are simply trying in this vast enterprise of foreign aid, which has run now since the end of World War II to over $100 billion, to say that you have to do better in the utilization of your resources; and you ought to be thinking about how many people you can feed. It just boils down to about that.

Now, I do not want to get into any dogmatic arguments or doctrinal arguments with any religious group or any great religious organization, but I think it might be significant to point out that there has been some rethinking in this field in those areas by some of those religious groups themselves, because you have to take a look at the pragmatic side of it and say we just cannot be the granary for the world because we do not have enough acres. We simply cannot do it.

Now, I know you can get into an awful lot of emotional arguments on this subject, but I would say to you that I cannot get much more emotional about family planning than I can about famine on a widespread scale. In fact, I might get more emotional about the latter.

As I say again and I repeat here, if the gentleman does not mean his amendment to say to them, "Go ahead and forget about it," then I have no objection to it, but if that is what he means, I have a great deal of objection to it.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman.

Mr. GALLAGHER. I would like to point out that the gentleman is absolutely correct when he says this bill has provided for the intent of the distinguished gentleman from Illinois. On page 20 we say exactly that—

> (b) In carrying out programs authorized in this title, the President shall establish reasonable procedures to insure, whenever family-planning assistance from the United States is involved, that no individual will be coerced to practice methods of family planning inconsistent with his or her moral, philosophical, or religious beliefs.

So I think that the bill already provides for this contingency.

Mr. HAYS. Yes. I would like to say what the gentleman read is exactly right. The first part of that sentence says, "In carrying out programs authorized in this title, the President shall establish reasonable procedures to insure," and so forth.

Mr. BUCHANAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not want to belabor this point, but all of the testimony we received in the hearings before the committee nailed down several points. In the first place, we live in a neomalthusian era in which at this point unless something happens to get the food supply in proper relation to the population increase, there will be widespread famine in Asia, Latin America, and Africa within the next generation or in a very few years.

Second, where there have been family planning programs the people have received them well. That needs to be underlined.

While I would not object to the gentleman's amendment or his language, there is no particular evil in trying to persuade a government to offer to its citizens this option, this freedom of choice of family planning, where a lack of information or a lack of methods precludes that choice at this time. For a government to provide for its people a voluntary family planning program, giving them the chance to exercise this option, this new freedom, would be to reduce a service which many people in Asia and elsewhere might well welcome.

And, indeed, there are many thousands of women who will bear children in the next 10 years in geographic areas without family planning programs, who would choose to do otherwise, if they had the choice, and the information, and the means necessary to make this choice.

So I hope that the gentleman's amendment will not be interpreted in any way to discourage the need for national programs in order to give the people of the world this choice and this freedom.

Mr. MONAGAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am not going to support this amendment, because I would not want to change the language of the bill which has been carefully written. This subject was discussed and changes were made in the original proposal. I do wish to say, however, that I feel the gentleman from Illinois has suggested a very important point in relation to this entire program insofar as bringing it to other people and particularly to people in less privileged sections of the world.

We have already heard some indication to the effect that the "great American giant" is coming in and telling other people how they should live their lives and how they should regulate the details of their lives.

It is not related to the merits of the program or to the need or planning or to the willingness of the United States to cooperate in voluntary programs. But the over-selling of it creates a very great danger to our image. Therefore, I think the amendment which has been offered by the gentleman from Illinois should be defeated.

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, my good friend, the gentleman from Illinois [Mr. O'HARA] proposes an excellent amendment to the Foreign Assistance Act of 1967, H.R. 12048. The amendment explicitly states that the policy of the U.S. Congress prohibits making acceptance of the "voluntary family planning programs" in title X of this bill a precondition for receiving U.S. assistance.

First, the program for birth control is by name the "voluntary family planning program" referred to on page 20, line 4 of the bill. Certainly the very word "voluntary" should preclude tying birth control to any other assistance programs. When the U.S. aid policy does not tie birth control to the other programs, let the Congress so state here in the Foreign Assistance Act itself. The statement of policy should be made clear.

The issue of voluntarism is important to foreign nations. Members of the House should note that the program for family planning outlined on pages 19, 20, and 21 of this bill is intensive and comprehensive, and is U.S. active involvement in domestic policy abroad.

The Agency for International Development requested only $20 million for the family planning programs under AID. The committee has raised this amount to $50 million for birth control in foreign countries. One need listen only to the many discussions both pro and con on birth control within our own society to realize the impact and the controversy such a dramatic and unnecessary increase in population planning funds will create abroad.

The bill before the House of Representatives today calls for $50 million for family planning. At the time when the U.S. Congress has been forced to cut back severely on domestic programs for the cities and face up to the tremendous cost of the war in Vietnam, an unasked increase of $30 million in the family planning of the foreign aid bill is extravagant. Congress should make reductions in spending wherever possible, and not increase funds above Agency requests for funds as in this case, without urgent and immediate reason.

Members should note that on line 3 page 21, of the bill, there is a provision to include "excess foreign currencies made available under Section 612(c)" for the implementation of the family planning programs. This involves hundreds of millions of dollars worth of local currencies in India alone. Under the present circumstances of the war and the economies necessary in Government at this time, Congress should not go so far as to spend $50 million of the American taxpayer's money for this purpose. Where will it be spent? There are no plans.

It should be noted that the present legislation greatly expands the family planning programs abroad. Previous foreign aid programs in this area have focused on technical assistance concentrated on advisory aid. This bill on page 20 establishes broad assistance to "foreign governments, United Nations specialized agencies, United States and foreign nonprofit organizations, universities, hospitals, accredited health institutions and voluntary health or other qualified organizations." The bill therefore provides assistance to just about any agency or organization which wants to promote birth control in foreign countries on an extremely indefinite basis. When Congress considers as sensitive and as delicate a subject as family planning, the statute should not be so loosely drawn.

What was once an advisory program to assist other nations seeking help in family planning has now blossomed in the Foreign Affairs Committee to include "psychological research, personnel training, the construction and staffing of clinics and rural health centers, specialized training of doctors and paramedical personnel, the manufacture of medical supplies, the dissemination of family planning information, and the provision of medical assistance and supplies." Suddenly the U.S. Government is engaged in the manufacture and supply of birth control devices on a worldwide "friendly nation" scale. The foreign assistance program is now actively to enter, with tremendous funds, the most domestic of all domestic issues, family planning and birth control.

When the United States embarks upon massive population control programs, and the Chinese and other Communist nations do not, within a very few generations, the West and the Free World will be tremendously outnumbered. The United States should develop technology to advance its massive food production capability. Congress would do better to stress the export of this capability to produce rather than limit the populations of friendly nations.

As our outstanding bishop of the Catholic Diocese of Pittsburgh, His Excellency John J. Wright very aptly says:

> When there are not enough straw hats, the solution is not to decrease the number of people, but to increase the number of straw hats.

This is my philosophy. Accordingly, I will offer later an amendment to reduce by $30 million U.S. foreign aid "voluntary family planning programs." This money should be placed in technical assistance for food production, animal management, and rat and vermin control. These funds could well be used for programs of animal management techniques and planning to develop better breeds and herding practices for cattle, goats, hogs, sheep, and even chickens to feed the people in less developed areas. Thirty million dollars a year could start a lot of young couples on a few acres of land on their way to self-sufficiency and success.

Aid funds definitely should be directed toward increasing and improving the food sources for the peoples who live near rivers, lakes, and the oceans. Fish farming, scientific food preparation, drying and storage, and protein additive measures can be further introduced where large populations of productive citizens need more nourishment than they currently receive. Evidence in past programs shows that good scientific agricultural and fishery techniques make an enormous difference in land, and water productivity.

Compare the Indian fishing with a spear and the peasant farmer using a stick and oxen to an American ranch or American farm and the U.S. fishing industry, and one sees what technology can accomplish. Also I would transfer funds into programs of rat and vermin control for those countries where such rodents consume a great volume of the food raised due to lack of storage facilities, and improper practices and handling of grain and other foodstuffs.

In summary, Congress should not embark on a new, large, expensive family planning program. Congress must not allow the voluntary family planning program to become tied or conditioned on other U.S. aid programs. This amendment of the gentleman from Illinois will remove any question of a condition for other aid being imposed. On the contrary, Congress should instead support programs for assistance which will assist less developed nations to produce more and better food from the land, from the sea, develop better storage, processing and distributing systems to reduce the present tremendous ignorant waste.

Mr. DENT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am sorry that this matter was mentioned in the bill, unless we are going to continue it as it is in the bill, for the very simple reason that, having appeared in the bill, and if you now accept an amendment which strikes it out, it does exactly what the gentleman—I believe it was the gentleman from Ohio [Mr. HAYS] said, it gives a sort of clear signal that this country does not want anything to do with voluntary or other type of family planning.

Now, the gentleman who preceded me, my colleague from my home State, said that if we did not accept the amendment of the kindly gentleman from Illinois [Mr. O'HARA] that we would be signaling the world that we were advising them that we were going to impose upon them restrictions which we would not impose upon ourselves.

I might inform the gentleman that we have family planning in the United States, voluntary, if you wish to accept family planning, under our antipoverty programs. I do believe that it would be a lot better if we would now say to these people something that they would not listen to themselves if it was said to them by themselves, that they may listen to from us, that they had better get planning now ahead for this eventual day of a shortage of food that will strike the entire world. Maybe we should have done it 10 years ago. Better slow starvation for a few for 1 year or 2 years, or for a 10-year period, to get a balance of the food supplies, rather than a wholesale mass starvation which will eventually come unless something is done. Those of you who have been to Mysore, Bombay, Calcutta, or Djakarta, need no one to paint a picture for you.

I would suggest to those junior Members of this House who have not had an opportunity yet to travel, that if they get the chance to travel that they go to those places to see for themselves. It is something that they cannot possibly conceive unless they see it. And to the gentleman from Pittsburgh, I would say if we were making a director of a program for family planning, I could not think of a better director—you have made such a success of it for yourself over the years.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman.

Mr. FINDLEY. I compliment the gentleman on his statement, and I would point out that in the past 10 years we have paid about $5 billion for grain to the Government of India, and still the population of India is climbing at the rate of 1,000,000 people a month. If we were to assume responsibility even in a small measure to prevent famine, I think we must also assume the responsibility to encourage them along the paths of voluntary family planning.

Mr. DENT. I agree with the gentleman. I will say this, and I could not say it more sincerely, and I want to say to all of you now, that had it not appeared in the bill and if we were to go ahead and do it as a matter of instruction through our agencies in these countries that need this advice so badly, that that would be one thing. But now that it has appeared in the legislative bill that is before us, we can not divorce ourselves from the thought that will be entertained all over the world that if we strike it out of the bill that this country of ours is not concerned over the fact that they are breeding faster than they are able to feed their people. We cannot continue and I think every person in this Chamber ought to realize that we cannot continue to give a sufficiency of food to keep these uncounted millions of people all over the world—friend and foe alike, sitting still while we have a full larder in the days to come while their cupboards are bare. We will become, as we have become in the economic world, the target of the many who have not, and who see the gold and everything else we have accumulated. That is as nothing compared to the greed and the need of peoples when it comes down to where we are the country with food and they have no food.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DENT. I am happy to yield to the gentleman if I have the time.

Mr. FULTON of Pennsylvania. The question comes up—whether this is a program merely for advice, as the gentleman says—because advice is cheap. But that is not this program, this is for psychological reasons. It is for the construction of clinics and health centers. It is for the manufacture of medical supplies and for the provision for medical assistance and supplies. It is a free medical program abroad. That is what it is. It is moving away from the programs that we have had previously which were just for advice. This is the cold finger of American foreign policy moving pretty far into domestic policy—in my view.

Mr. DENT. As I said, if it had not appeared in the bill, we would continue on with the kind of programs we had which were advising—and I will say to you, it has failed miserably.

I will say to the gentleman, in investigating for this Congress the schools overseas, we had an opportunity to go to New Delhi and had a serious talk with a former Member of this Congress who was the Ambassador there. In his deep concern and in his grave concern over these problems, he convinced me and, in fact, it affected me very seriously, that he had put his finger on one of the problems we have been talking about here. Many of us have religious inhibitions and many of us have religious backgrounds, and in a way we have been taught that to discuss family planning is somehow contrary to our religious beliefs. Well I happen to belong to that faith that has never believed in family control other than by some method best known to Catholics—which fails pretty often—but I say to you no matter what your religion is or the faith of the peoples of the world, especially those people who have not up until this time through the centuries been able to take care of themselves with respect to this problem, who have not been able to feed themselves—if they up until this time have failed to meet these problems, then someone had better do something.

Mr. CAREY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to commend the gentleman from Illinois for bringing the amendment up at this time in order that we can discuss this most delicate matter in terms of forming a national policy.

I wish to suggest for the benefit of those who have not read my biography in the Congressional Directory that I do not oppose family planning in any way. I do not see how you can have 14 children, as we do, without exquisite planning.

Let me suggest, however, that we are dealing here in terms of the most personal, intimate decision that a family anywhere in the world can make, whether it be the people of India, the people of New York City, the people of Africa, or the people of Communist China, who are not included in this bill, but who are growing pretty rapidly. This is an individual, intimate, personal decision.

Frankly, I do not understand the debate, as I hear it, when the gentleman means to put in plain talk what we are asserting as our national philosophy that we do not intend to use coercion or suasion or any kind of undue pressure on any free nation to adopt a program involving this intimate, personal family decision.

I have followed this matter pretty carefully. I am one of those who think the major religions of the world have to say more and do more in this connection to help those who do not understand the responsibility of proper family planning. But I also read in the public print from time to time the deliberations of international conferences in which again and again our enemies in the world, the Communist nations, conclude after every conference held on this subject that the United States is advocating a barbarous, uncivilized program of eliminating the masses in the world whom they no longer wish to feed. I hope this bill will not lend any aid or give support to that kind of conviction placed against our country.

If the gentleman's amendment is so innocuous, why not adopt it? If it says plainly that we do not intend coercion, suasion, or anything but voluntary methods, why not say so plainly?

The answer is that we mean more than that, and we intend to let bureaucrats and zealots, as the gentleman from Pennsylvania has named them, to go into countries and demand that unless they buy our kind of program, they had better worry about feeding their people in some other way, because they are not going to get wheat and other supplies. If they do not mean it, let us say that.

I deplore the misery that is coming through population burgeoning without means to feed the people. I also remind Members that we have had a voluntary program. I remind the Committee that we have had a poor program in India, mainly because that country will not pass a slaughter law to have cow control—not people control, but cow control. Will this bill make India pass a slaughter law to eliminate the excess cow population? Of course it will not do that.

I also remind the Committee that India is a proud nation, and she can be brought to some determination of this kind, but not by coercion, not by suasion. Indian philosophers have said in words that I would like to repeat today that every time a child is born in India, it is one more sign that God has not lost confidence in the human race.

We have to say that we have not lost confidence in our ability to cope with the population masses of the world in a humane and decent way.

But let me point out an experience in the domestic scene. We have family planning in the poverty program. We have family planning in the bill we passed last week, in a more extended way in the welfare system. I will point out to you that in a good many places it is failing because militants and others in the population minority groups are saying that we are trying to eliminate them by forcing them into family planning.

As an actual instance, in relation to planning, in a deprived area of New York City more women went off the pill than went on it because they felt it was directed at them as a minority.

I want this to succeed. I hope it will, but, as I say, it is a most delicate, a most fragile area in which to proceed. I think we need clear direction, continuing the policy enunciated by President Eisenhower, by President Kennedy, and by President Johnson that we intend to give every aid requested in this bill today, but in no way attempt to use our food supplies as a club or a wedge to do things that people do not want to do for themselves.

Mr. GALLAGHER. Mr. Chairman, I move to strike the requisite number of words. I take this time merely to clarify our position. I have heard the gentleman from New York enunciate his feeling on this. There is really no deviation from the policy of the last three Presidents. It clearly sets forth in the bill what the policy is. May I read it again:

> (b) In carrying out programs authorized in this title, the President shall establish reasonable procedures to insure, whenever family-planning assistance from the United States is involved, that no individual will be coerced to practice methods of family planning inconsistent with his or her moral, philosophical, or religious beliefs.

Mr. CAREY. Mr. Chairman, the matter here is that no "individual" can be coerced within a country, but the country must have a program. Is that not correct?

Mr. GALLAGHER. No, that is not so at all.

Mr. CAREY. It says "in carrying out the programs"—if there are no programs, there can be no coercion. Where did the programs come from?

Mr. GALLAGHER. It says—and I will read it again—

> (b) In carrying out programs authorized in this title, the President shall establish reasonable procedures to insure, whenever

family-planning assistance from the United States is involved, that no individual will be coerced to practice methods of family planning * * *

And so on.

Mr. CAREY. Would the gentleman agree that in the conducting of negotiations with nations where the program is considered unsatisfactory with us, that the President and everyone on down involved in conducting these negotiations will be under advice from the House that they are not to use coercion?

Mr. GALLAGHER. Exactly. We have riveted that statement exactly into our committee intent. This is part of the legislative history, this is exactly what we intend, that there will be no coercion.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Chairman, the gentleman from New York cited an Indian proverb that if a child is born, it is a proof that God retains his confidence in human beings. I just hope every time a child is killed in Vietnam, God has not lost his confidence.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. GALLAHER. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, when the gentleman from Illinois says so plainly that this family planning shall not be made a condition, why all the fuss? Why not just adopt it, if that is the U.S. policy? Why not say it that plainly, and adopt the amendment, and go on? If there is any objection to it, let me hear it. I do not hear it.

Mr. GALLAGHER. Let me respond to the gentleman if I have time. The Members will vote as they feel about this amendment, I just want to set forth that the committee was aware of it and the agency was aware of it. That is why we included the language in the bill we are now considering.

Mr. FULTON of Pennsylvania. Does the gentleman favor the amendment?

Mr. GALLAGHER. It is already in the bill.

Mr. FULTON of Pennsylvania. Then there is nothing wrong with the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. O'Hara].

The amendment was rejected.

Mr. MORGAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Price of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12048) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks during general debate in the Committee of the Whole today.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

HELP OUR MOST DISADVANTAGED YOUTH

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, I have joined in cosponsoring a bill which my colleague from Massachusetts [Mr. Burke] originally introduced, providing for the distribution of tickets to sporting events through police and fire departments.

These tickets would be furnished only to children in economically deprived areas, and would afford an opportunity for 20 million youngsters to witness professional and amateur athletic events. The program would accomplish a twofold purpose in that it would serve to bring children from the slum and ghetto areas out into the fresh air and away from their own environment, and would stimulate a better understanding of the police and firemen.

This is a very basic plan, and one which could be put into effect with little difficulty.

Our Government spends billions of dollars a year on recreation, but little of this money is being used to show our deprived youngsters another way of life available to all citizens of this great country. I feel it is necessary today to do something for our young people in these areas which will bring them to the realization that they are important to us and to the future of our Nation; that we really do care about their activities; and that what they aspire to achieve in their lifetime is indeed worthwhile.

I strongly urge all of my colleagues to join in the sponsorship of this program and to add their support for the benefit of our most underprivileged youth.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. FEIGHAN. I am happy to yield to my distinguished colleague, the gentleman from Massachusetts [Mr. Burke].

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, I want to commend the distinguished Member from Ohio [Mr. Feighan] for his statement to the Members of Congress in support of legislation that will provide free tickets to athletic events to our most disadvantaged youngsters throughout the country in the impoverished areas. I am pleased that he has filed a companion bill with me to bring about this desired result. I include in the Record at this time letters I have received endorsing this proposal. The first letter is from Ernie Nevers, former all-time football great and a member of the Football Hall of Fame; the second letter is from the Honorable Ralph S. Locher, mayor of the city of Cleveland; and the third letter is from Alfred Bochner, M.D., psychiatrist in chief, department of medicine, Cleveland Metropolitan General Hospital.

I have received hundreds of letters endorsing this proposal. I am including these three because they represent the thinking that is behind most of these letters.

CALIFORNIA CLIPPERS,
Oakland, Calif., August 15, 1967.

Hon. James Burke,
House of Representatives,
Washington, D.C.

Dear Mr. Burke: This letter follows my telephone conversation with your Administrative Assistant regarding a paragraph in a recent Drew Pearson column.

Your statement "Let's fill up those empty seats in stadiums and ball parks with underprivileged kids at least once every week" is an excellent idea for many reasons.

I have been in athletics most of my life, as a player, coach, and presently as a Board Member of the Oakland Clippers in the National Professional Soccer League. In all my many years of experience in athletics, with very few exceptions, the athlete becomes and remains a very good citizen.

It is pretty well agreed that a youngster begins to form habits for good or bad when reaching the age of reason. It is my honest belief that our elementary schools should have supervised athletic programs in competitive team sports such as soccer, basketball, and baseball.

But it has been evident to me that we do not have a competitive sports program, even on an intramural level, in our grammar school sports programs. I feel that at the age of 6 or 7 years a boy or girl wants to become a part of a group or cooperative team effort and that by doing so they will help to eliminate feelings of hostility among themselves and they can foster a much needed sense of pride in their development.

I realize that present staffs in the grammar schools today are not trained to coach an organized team sport. But in most cases, and particularly in soccer, the teaching skills which would be required for a grammar school program are minimal. It is the intention of our League to hold clinics throughout the country for teachers who are actively involved in soccer now, but my thought is that if we could take one or two teachers from the grammar schools we could develop enough teaching skills in this very simple but competitive game so that they could carry on a program of meaningful value in their respective schools.

It is my understanding that the Poverty Program in Washington has a surplus of some $60,000,000. Certainly some of this money could be used in the poverty areas to develop good competitive sports programs in an effort to curb juvenile delinquency and promote the idea of team spirit and cooperation in their areas. Our own Oakland Clippers is sending a boy from the Hunter's Point section of San Francisco to a one-week soccer coaching school at Stanford University this month because of his demonstrated efforts to promote junior soccer in his poverty stricken area. Would it not be possible for Congressmen such as yourself, who share your views, to initiate legislation for the promotion of these programs?

Your suggestion to fill the ball parks with under-privileged kids is truly an excellent one. We have already started such a program at our home games in the Oakland-Alameda County Coliseum. I am sure that the effect on these youngsters after seeing our games will only give them a further desire to participate in soccer themselves. The same is true with baseball and football. But again we get back to the lack of facilities in our neighborhoods. Surely our public school facilities should be made available during off-school hours rather than having them locked and fenced.

I have discussed this matter at great length with Mr. Ken Macker, Commissioner of the National Professional Soccer League. Mr. Macker has suggested that we both could go to Washington to attempt to develop these ideas with you and your colleagues. It would be a great pleasure for us to meet with you at your convenience.

Best wishes.

Sincerely,

ERNIE NEVERS,
Vice President, Special Projects.

CITY OF CLEVELAND, OHIO,
August 10, 1967.

Hon. JAMES A. BURKE,
Member of Congress,
Washington, D.C.

DEAR CONGRESSMAN BURKE: Thank you for writing me as you did under date of August 7, 1967 enclosing your letter From Director Sargent Shriver dated August 1, 1967 and a copy of the Release from you dated July 20, 1967.

Your suggestion that Policemen and Firemen distribute free tickets to athletic events is a good one, and I shall refer it to Director Ralph W. Findley, of the Council For Economic Opportunities in Greater Cleveland.

Sincerely,

RALPH S. LOCHER,
Mayor.

CLEVELAND METROPOLITAN
GENERAL HOSPITAL,
Cleveland, Ohio, August 16, 1967.

Hon. JAMES A. BURKE,
U.S. Congress,
Washington, D.C.

DEAR SIR: Because of my interest in the promotion of AAU competitive age group swimming I would like to keep in touch with the progress of your Bill, H.R. 11605 and will do all in my power to support your efforts along this genuinely constructive line.

Sincerely,

ALFRED BOCHNER, M.D.,
Psychiatrist-in-Chief,
Department of Medicine.

CEREMONIES TO HONOR LIZ CARPENTER

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, the affable press secretary to Mrs. Lyndon Johnson, Mrs. Mary Elizabeth "Liz" Carpenter, will be honored by three Texas organizations this week at her birthplace in Salado, Tex.

The occasion is the presentation of a Texas historical marker at the historically significant Col. E. Sterling C. Robertson plantation complex, and an award to Liz as one of the outstanding women of Texas. This award is being made through the Texas Federation of Women's Clubs, the Texas State Historical Survey Committee, and the Texas Historical Foundation.

Texas is proud to have given to this country such a lady as Liz Carpenter, who is one of the most viable and vibrant forces in society.

She is a doer, and her energy, capability, and generosity have contributed much to the smooth operation of the First Lady's activities.

She is the kind of person people turn to for advice, and get it unadulterated, and with great humor.

She espouses fervant enthusiasm in every undertaking no matter how dull or tedious.

And though her official duties are time consuming, she has efficiently managed to raise two wonderful children.

She is a triple treat—a lovely wife to newspaper columnist Les Carpenter, an outstanding press secretary to the First Lady, and a wonderful and charming friend to those who know her.

I am pleased that her home State has seen fit to honor her, and I hope that my colleagues will join me in congratulating Liz on this wonderful honor.

Recently an agenda of the activities honoring Liz at Salado appeared in my hometown newspaper, the Austin American-Statesman. I commend the article to the attention of my colleagues.

The article follows:

STERLING ROBERTSON: SALADO HOMESITE TO GET MARKER

The historically significant Col. E. Sterling C. Robertson Plantation complex at Salado will be the scene of ceremonies for presentation of two official Texas Historical markers Aug. 25 at 6 p.m.

The announcement was made by Charles R. Woodburn, president of the Texas State Historical Survey Committee.

The Robertson home will be designated a Recorded Texas Historic Landmark and Mrs. Mary Elizabeth Carpenter, a great-granddaughter of Col. Robertson and press secretary and staff director for Mrs. Lyndon B. Johnson, will be recognized with an official Texas Historical marker.

The marker will commemorate the public service of Mrs. Carpenter and is one in a series honoring outstanding women of Texas. The Robertson Home is Mrs. Carpenter's birthplace.

"The Robertson home is especially significant because it has been kept in an excellent state of preservation by the family and has been occupied continuously by the Robertsons for four generations. The old homesite has changed little from the time it was built in 1852 and is now occupied by Mrs. Sterling C. Robertson III," Woodburn said.

"This occasion is an important milestone in our state marking program," said Woodburn. "We have awarded 1,200 markers in the Historic Building Medallion series—this was our original marker series.

"Since that time we have initiated a half-dozen new official Historical Marker series. The Outstanding Women of Texas series was recently established through cooperative efforts of the Texas Federation of Women's Clubs, the Texas State Historical Survey Committee and the Texas Historical Foundation, private affiliate of the Survey Committee."

Guest speakers for the 6 p.m. ceremonies include Mrs. B. F. Seay of Andrews, president of the Texas Federation of Women's Clubs; DeWitt Reddick, dean of the School of Communication of the University of Texas; and Mrs. Gerry Van der Heuvel of Washington, president of the Women's National Press Club.

Mrs. Sterling C. Robertson III of Salado will accept the landmark designation award from Lee Lawrence of Tyler, president of the Texas Historical Foundation and Mrs. Carpenter will accept the Outstanding Women of Texas recognition.

Dr. Leonard Holloway, president of Mary Hardin-Baylor College, will give the invocation and Joe Wallace, president of the Central Texas Area Museum, will introduce distinguished visitors and guests. John Ben Shepperd, immediate past president of the Texas State Historical Survey Committee, will preside as master of ceremonies.

Immediately following the ceremonies will be a Texas Craft Show from 6:30 p.m. to 8:30 p.m. on the grounds of the Robertson home. Entitled "Old Crafts with New Outlets," the exhibit is being held to enhance Texas crafts.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. PICKLE. I am glad to yield to my distinguished colleague, the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Speaker, I am happy that the distinguished gentleman from Texas has taken this time to call to the attention of the Members the award and citation that are to be made to Mary Elizabeth Carpenter.

It pleases me a great deal that Liz Carpenter will be honored by the Texas Federation of Women's Clubs, the Texas State Historical Society, and the Texas Historical Foundation by being named as one of the outstanding women of Texas. Mr. Speaker, Mrs. Carpenter is all of this and more. I am sure that she can be ranked among the outstanding women of America. A brilliant newspaper woman, she is, indeed, a master of the spoken and written word. Her ability in this field has often been recognized by her associates in this profession. Her uncanny knack of combining reportorial skill with knowledge, persuasion, charm, and a fine sense of humor have won for her a multitude of friends and admirers in this Nation's Capital—a place where competition in the communications field is sharp and challenging. Together with her devoted husband and partner in the news gathering field, Les Carpenter, they have built a remarkable reputation into a growing, effective, and interesting news bureau.

Mr. Speaker, as the press secretary to the First Lady of the Nation, Mrs. Lyndon Johnson, Liz Carpenter has won the devotion and esteem of Mrs. Johnson and the praise and admiration of the news profession for the way in which she has handled this tremendously responsible task. She has plunged into this great role with the same zest, brilliance, and good humor that have constantly marked her career.

Mr. Speaker, I came to know Les and Liz Carpenter when I first came to the Congress. Their bureau served one of the great dailies of my State, the Springfield, Mass., Daily News. They won my respect very early in my congressional career. They dug out their news stories with perception and reported them with fine skill, firmness and, above all, with fairness and accuracy. And this, Mr. Speaker, together with their personality and sociability, have been the hallmarks of their success.

I compliment the Texas societies that will confer this signal honor on Liz Carpenter. It could not happen to a nicer person. I extend my hearty congratulations to Liz, to Les, and their children.

She is one of the finest reporters, and the job she occupies at the White House as the secretary to Lady Bird Johnson she does with finesse, with great charm, and, I believe, truly with great ability.

Mr. PICKLE. I thank the gentleman very much for his statement. I certainly concur with the statement. She is an institution indeed.

AN EVENING IN OLD SEVILLE SQUARE

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, it is with pride that I call to the attention of the House the program for "An Evening in Old Seville Square" to be held on August 24 in Pensacola, Fla. Old Seville Square was once the hub of life for historic Pensacola, a city founded in 1559 by Don Tristan DeLuna and the first to be established in the United States. The pageantry deals in part with the period of the early 1800's and with the period of the War Between the States. This event is receiving nationwide publicity.

The public has much interest in historical pageantry which commemorates our Nation's history. Florida, with its 400-year heritage, under Spanish, French, British, Confederate, and United States flags, contributed much to the early history and lore of our country. There are tales to be told and retold of those early days which are attractive to visitors and residents alike. This is the second annual gay nineties gala and it is being produced by the Junior Service League of Pensacola and the Pensacola Heritage Foundation with the cooperation of the city of Pensacola. I congratulate these fine organizations on their contribution.

I enclose an interesting account from the Washington press on the event:

PENSACOLA HISTORY: OLD SEVILLE SQUARE IS REBORN

PENSACOLA, FLA.—Old Seville Square, once the hub of life for the historic, northwest Florida city, bids again to take its place as one of the area's main attractions with the inauguration of daily walking tours.

Sponsored by the Pensacola Historical Advisory Committee and other civic groups, the tours take visitors to historic sites and restored homes that have played important roles in the city's past.

Tourists see the site where Creek Indians paraded in 1813 with the still damp scalps of 250 men, women and children massacred at nearby Fort Mims.

A year later General Andrew Jackson had a skirmish with the Spanish on the same plot of green. Then, during the War Between the States, Union soldiers captured the city and rode their horses over the square.

Finally, in the 1870's Pensacola settled down to a more tranquil period, and Seville Square became the social center.

With Pensacola now set on a restoration program through a historic advisory committee made up of representatives of leading civic organizations, Seville Square and surrounding blocks are taking on a new, reclaimed look. Eventually, more than 25 blocks will be affected.

One of the first homes to capture attention is the Dorr House, restored by the Pensacola Heritage Foundation and used as headquarters for the Historical Advisory Committee.

The house was built between 1868 and 1871 and is a fine example of the lumber boom era, with high ceilings, riff pine floor, slate mantels and Gibbs windows on the front.

Next door is Old Christ Church, built in 1832 and the oldest church in Florida still standing on its original site. The building now houses the Pensacola Historical Museum.

Across the street is the Dorothy Walton Home, built about 1810. Mrs. Walton, widow of a signer of the Declaration of Independence, was a resident from 1822 until 1838. Next to it is the Moreno Cottage, built as a honeymoon cottage in 1879 for one of the 27 children of Don Francisco Moreno.

Fronting on Government Street are several restored homes now used as shops. Next door is the Steamboat House, shaped like a boat, built about 1881, now used as an art gallery.

Among other interesting restorations is the Barkley House, built prior to 1781, which makes it the oldest known house in the city.

"PAY AS YOU GO" MONEY MAN

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I take great pleasure in submitting for reprinting in the RECORD an informative and timely article on the distinguished gentleman from Texas, the Honorable GEORGE MAHON, chairman of the House Appropriations Committee. It appeared in the Sunday edition of the Washington Star, of August 20, 1967, and was written by Scott Smith. The gentleman from Texas [Mr. MAHON] is one of the most outstanding and most respected Members of the House and it is heartening to know that there is general recognition of his fine qualities and ability.

The article follows:

"PAY AS YOU GO" MONEY MAN

(By Scott Smith)

One of President Johnson's close longtime friends is the Representative who trims the Great Society budget—George Mahon.

Both are Texans, both are Democrats. They've worked together in Washington for three decades, but they disagree more often than they agree.

Mahon is a conservative with a passion for pay-as-you-go government. And as chairman of the House Appropriations Committee he wields his cost-cutting power with awesome force—yet quietly.

"I say we're going to get into deep trouble sooner or later unless we get this government to stop spending so much money. There are just so many people who are *for* something, so many programs. This is what makes it so hard to hold down the spending.

"Now this budget this year. We've gotten $3 billion out of it. In my opinion we're going to get an awful lot more out before we're through . . ."

Mahon's views, needless to say, are well known by the government—in the agencies downtown, where middle-level bureaucrats scream about budget cuts; in the Pentagon, where key people know they can count on him; in the White House, where Lyndon Johnson and his aides must steer controversial proposals through Mahon's money-grinder.

Mahon is under constant lobbying, not only from government people; but from business, labor and professional pressure groups. He holds up well.

He says his job is "a burden, heavy and overwhelming." But he enjoys it.

"I've been able to live with it," he says slowly, his eyes gleaming. "You just can't lie awake nights worrying. I've been learning, from experience, from practice.

"You have to do your reading—there's so much reading—at home at night. I do that. But I can turn it off. I handle the tough ones, the problems you have to really study, either early in the morning or late at night. I guess most business executives learn to do that."

Mahon greatly admires his friend the President.

"He's the most amazing man I've ever met. Really. How he can keep going like he does, conscious of every little detail, with all that responsibility . . . and that awful war."

He adds with the authority of the insider: "He doesn't expect the unreasonable. I have had no *unpleasantness* from him. Of course we disagree on some things, but you have to give and take."

Mahon (he pronounces it MAY-an) is strikingly similar to the President in many ways: both are powerful, persuasive, quiet, tall, from Texas. But his opposition to many of Johnson's pet proposals has led some Capitol Hill wags to wonder whose side he's on. He has voted with the Republicans on a number of controversies and is known to lead an earnest but quiet attack on some of Johnson's key domestic programs.

Johnson's rent supplements project, for example, has drawn Mahon's firm opposition. The House this year voted to kill the program.

Still, for a man of George Herman Mahon's power in a town like Washington, he gets surprisingly little publicity, good or bad.

He's proud of it. "I have never felt the need for public display. And I've always had a very pleasant relationship with the press."

Mahon's idea is that he must use his scissors on Great Society bills within the context of team play. And this means that the infighting must be clean and secret.

The tradition that his committee's hearings are held behind closed doors, for example, doesn't particularly bother Mahon. He feels that the public would benefit if the panel's annual quizzing of the budget director were public, but doubts that the national interest would be served by putting on "a show" like some other committees.

In both formal and casual negotiations with the administration, Mahon tries to keep close to Johnson's people, encouraging an exchange of frank thought and keeping the blood-letting as friendly as possible. He concedes that sometimes this can't be done.

On a lofty level of political philosophy, Mahon has many critics. They don't like his fiscal and political conservatism. But he is widely respected across town. He is one of those clean-living, hardworking congressmen who "know their beans."

One newspaperman puts it this way: "Strom Thurmond in the Senate is just as clean and tough, but his opposition gets sort of fanatical and he therefore loses influence. Mahon tries to be reasonable and therefore keeps his influence."

Mahon puts it this way:

"On lots of issues I'm a middle-of-the-roader. I won't spend the rest of my life in depression and gloom. What you hear here in Washington is always what's wrong with the country; it's hard to keep a balanced idea (of the nation's condition)."

Old-fashioned country living is part of Mahon's background and he still occasionally teaches a Methodist Bible class in Lubbock or picks cotton at his farm there.

He doesn't keep an office open at home but does maintain an assistant there to handle local inquiries, answer some of the mail and keep tabs on local developments.

There are 20 counties—most of them approximately 30 by 30 miles—in his West Texas district. Much of Mahon's voting record reflects his constituency's conservatism.

Over the years he generally has voted with the Republican-Southern coalition in the House, although he has supported many measures which widen the Federal Government's role.

Mahon has voted against civil rights legislation such as the key 1964 act. He has been four-square behind the farm bloc and against federal controls, except for cotton subsidies. He has supported legislation for the oil industry ("That's part of my constituency") but has not been seriously accused of representing it.

To Mahon, the country is temporarily turning "a little more conservative." He cites the 1966 congressional and gubernatorial elections in which Republicans put a big dent in Democratic majorities.

"But you can't predict what's going to happen in 1968. There's evidence that people are worried about overspending, and this Congress is going to do better than the 89th" in trimming government appropriations. "But 1968 is a long time from now."

Over the long haul, he says, the country has become progressively more liberal. As an example he cites growing public acceptance of Johnson's war on poverty.

"The country is adjusting to this so-called poverty program. And it is in the national interest to cope with these problems. But it should be in a more successful way. More economical."

Mahon's insistence on tight fiscal management can be traced to his beginnings. He was born Sept. 22, 1900, in Louisiana, one of seven children of a Presbyterian Scotsman, John Kirkpatrick Mahon. When George was 8, the family moved to Texas and bought a farm.

George Mahon bicycled 14 miles a day to get to grammar school, then went on through Simmons University (now Hardin-Simmons) and the University of Texas Law School.

He taught school and practiced law but remained a cotton farmer. Today he owns "two or three small cotton farms" near Lubbock. They total about 500 acres.

During high school in Loraine, Tex., he dated Helen Stevenson. In 1923, five years after graduation, they were married.

Mahon entered local politics in 1926 and in 1934 was elected to Congress. He has represented the 19th District ever since. "And that's a long time," he says, with a grin.

Mahon was named to the Appropriations Committee in 1939 and 10 years later became chairman of its defense subcommittee—a key job on the Hill. In the following 15 years, before taking on the full committee, he became known as a champion of defense causes and usually backed administrations of either party on Pentagon programs.

His strenuous efforts over the years to get the Defense Department to curb waste helped lead to the appointment of Robert S. McNamara as secretary of defense.

He likes McNamara's cost-effectiveness approach and describes him as "one of the brightest, most dedicated men" he's seen in government.

He adds with a wry smile: "But McNamara is no politician; he'd do better up here with a little diplomacy."

McNamara has disappointed Mahon in one critical area. The Texan thinks the United States must get started immediately on a huge and costly ($30 billion) anti-ballistic missile system. Mahon says he agrees with administration policy of trying to talk the Russians out of a new arms race, but says that since Soviet Premier Alexei N. Kosygin told the President at Glassboro that he "did not want to talk about it at this time," the U.S. delay is no longer justified.

The war in Vietnam is an incredible mess to Mahon, even without any personal military experience.

"I just can't see a way out of it."

His only complaint is that the administration has continued to increase domestic programs while war costs have risen to about $20 billion a year.

In Mahon's future lies a crucial decision involving military spending—whether to turn the manned space program over to the Pentagon or leave it with the National Aeronautics and Space Administration.

Mahon says he likes NASA boss James Webb ("A good man") but knows that the years will bring duplication of efforts, civilian and military, and a choice will have to be made either at the White House or on the Hill.

The space program, meanwhile, is losing its popularity in Congress, he says. The cause: spaceshots are "losing the glamour" and the cost—nearly $8 billion a year—is cutting into other, more popular projects.

And while big controversies hang over George Mahon, he must deal daily with the complex details of much less glamorous proposals—dams, highways, hospitals, etc.

Golf is his major escape from the job. He plays regularly at Burning Tree. Another form of relaxation for him is distance-walking. Mahon likes to just stroll around the high-rise apartment building in Arlington where he lives.

"We've always been in apartments here." He explains that when he and his wife arrived in Washington in 1934, they got an apartment because the job might last only two years, "And every two years . . ."

Although the Mahons aren't social ("We don't go in for that") they do enjoy quiet evenings with friends from Capitol Hill. There are White House invitations, too, and that's all the Mahons need.

And if his economy-mindedness isn't entirely appreciated in the Oval Office, Johnson is well aware Mahon's cost-cutting could be worse.

The President can remember well the days when Rep. Clarence Cannon, a Missouri Democrat, ran the Appropriations Committee. He died in May 1964 and his successor, Mahon, is lenient by comparison.

THE SPRINGFIELD ARMORY EDA PROJECT

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, 2 years ago next Saturday, August 26, 1965, President Johnson signed the Public Works and Economic Development Act of 1965 into law. I was one of the sponsors of this legislation with the distinguished senior Senator from Massachusetts, the Honorable EDWARD M. KENNEDY. My bill was H.R. 7093 in the 89th Congress.

This legislation established an agency for public works and economic development, within the Department of Commerce, to provide Federal financial assistance in areas and regions of substantial unemployment and underemployment to enable them to take effective steps in planning and financing economic development. The bill also provided for assistance to areas feeling the impact of unemployment because of the closing of military and naval installations.

The bill written by Congress was based to a certain extent upon three previous acts, the Area Redevelopment Act, the Public Works Acceleration Act, and the Appalachian Regional Development Act, all of which were supported by our late beloved President John Fitzgerald Kennedy.

The summary of approved EDA projects, as of June 30, 1967, reported by the Honorable Ross D. Davis, Assistant Secretary for Economic Development, are listed by programs, with the amounts in thousands of dollars, as follows:

Public works		Business loans		Working capital		Planning grants		Technical assistance		Research	
Number of projects	Amount	Number of projects	Amount	Number of projects	Amount	Number of projects	Amount	Number of projects	Amount	Number of projects	Amount
833	$431,579	125	$93,925	25	$10,115	74	$4,786	366	$17,950	59	$5,392

Mr. Speaker, as one of the sponsors of the Public Works and Economic Development Act of 1965, I am particularly proud of one EDA project that has benefited my home city of Springfield, Mass. This was the action-oriented study and program for solving the economic problems created by the Department of Defense's phaseout and closing of the historic Springfield Armory.

Accompanied by Senator KENNEDY and me, the then Assistant Secretary for Economic Development, the Honorable Eugene Foley, went to Springfield in June, 1966, inspected the Springfield Armory installation and conferred with community leaders on the impact of the closing of this Army research, engineering, and production facility for small weapons.

Secretary Foley, impressed by the unemployment, dislocation and hardship that would be caused by the closing of the armory, approved a $30,000 EDA grant for a study to determine the feasibility of utilizing the Springfield Armory facilities and property for industrial development and other purposes. The EDA grant was augmented by a $10,000 contribution from the Springfield Armory Planning Committee, a group of the finest community leaders in the area, including business executives, labor leaders, political leaders, educators, and service officials.

The technical assistance work was accomplished by professional consultants from the Realty Research & Consulting Corp. of Pittsburgh, Pa., under contract with the Economic Development Administration; in cooperation with the Springfield Armory Planning Committee, under the cochairmanship of Leland J. Kalmbach, chairman of the board of directors of the Massachusetts Mutual Life Insurance Co., in Springfield, and James J. Shea, Jr., executive vice president of the Milton Bradley Co., Springfield; and the Office of Economic Adjustment in the U.S. Department of Defense, under the alert and capable leadership of Director Donald F. Bradford and his assistant Joseph Magurn, who was assigned to the Springfield Armory project by Secretary of Defense Robert S. McNamara.

Mr. Speaker, the Springfield Daily News on August 16 said:

This city has been cited as an example to other communities throughout the United States for turning a threatened economic loss—Springfield Armory—into a building block for a stronger local economy.

I include the Daily News article in its entirety with my remarks at this point in the RECORD, followed by an interesting story in the Economic Development Administration's monthly report for August 1967, entitled "City's Action Prompt on Arsenal Closure—Springfield Sets Goals for a Stronger Economy."

[From the Springfield Daily News, Aug. 16, 1967]

LAUDED BY U.S. AGENCY—CITY SALUTED FOR COUNTERING LOSS CREATED BY ARMORY CLOSURE ORDER

This city has been cited as an example to other communities throughout the United States for turning a threatened economic loss—Springfield Armory—into a building block for a stronger local economy.

The U.S. Economic Development Administration's (EDA) monthly "Economic Development" report, said the Armory closure decision forced into focus the need for the city to reevaluate its entire economic structure and outlook.

DECAY NOT INEVITABLE

"The example of Springfield can serve all communities that are facing, or may in the future confront a threatened economic loss because of significant change in traditional patterns. There is no inevitability of decay so long as the will exists to accept the challenge of change and to follow through," the EDA report says.

The report traces the Armory situation from the 1964 closure decision of the Department of Defense through present efforts to locate new industries, a technical institute and a museum facility on the Armory property.

"The Armory Planning Committee assigned top priority to the proposal that Armory Square—one of the four Armory facility sites—serves as the location for a regional technical institute.

"The institute would help fill a gap in the area's labor supply, the technician, whose training enables him to provide staff support for the professionals while supervising and coodinating the work of skilled craftsmen in his field," it said.

ECONOMY BOOSTER

The report noted that the existing institute at Trade High School contributes about $1.3 million to the local economy and that a maximum 5,000-student level is envisioned for the proposed Armory Square facility within about 15 years.

"It is projected that the regional technical institute will then add approximately $6 million a year to payroll, services, construction and graduate employment," the EDA report said.

It observed that General Electric Co. has located in Federal Square and employs about 500 workers, many of whom are former Armory employees, and that the Armory Planning Committee is close to making decisions on other industrial firms for the Watershops forge shop and the Page Boulevard warehouse and testing facility.

"According to the EDA-sponsored study, the industrial use that can result from the recommended program can create upwards of 3,000 new jobs. The direct and indirect benefits of such employment . . . would far exceed the normal historical contribution of the Armory to the local economy," the report says.

FORGE SHOP TENANT

A spokesman for the Armory Planning Committee said a decision on a tenant for the forge shop is expected to be made within the next two weeks.

A Midwest metals firm reportedly is the leading contender for the facility and is examining the cost factors before making a final decision.

The committee spokesman said the group's industrial subcommittee is examining proposals from several manufacturing firms for the Page Boulevard warehouse facilities. "It will be at least a month before we can take any direct action on the proposals," the spokesman said.

The planning committee member said that some buildings will not be available until close to the phaseout deadline giving the group time to closely examine all proposals for reuse of the faciilties.

"We must examine all aspects of what impact a particular company will have on the economy of the city. These are not easy decisions to make and cannot be made in a hurry," the spokesman said.

CITY'S ACTION PROMPT ON ARSENAL CLOSURE—SPRINGFIELD SETS GOALS FOR A STRONGER ECONOMY

(On November 19, 1964, word came from the Department of Defense that, by mid-1968, the Armory at Springfield, Massachusetts, was to be completely phased out. This news evoked a chain reaction, first of initial shock and disbelief, then, concerted discussion, and finally, action.

(Today, well before the 1968 deadline, the city is on a course to ease the impact of the closedown decision: Springfield has, in fact, made the decision a catalyst for creating a still stronger local economy.)

For 170 years, the Springfield Armory had provided a major source of small arms for the Nation's defense. Designated as a national armory by President Washington in 1794—making it the first and oldest manufacturing arsenal in the country—it gained worldwide acclaim as a producer of fine military weaponry, particularly through the renown of its "Springfield Rifle," Model 1903.

In turn, the Armory has always been an important mainstay of the Springfield economy. In a sense, the Armory *was* the City of Springfield in its early years. As late as 1964, it was the city's third-largest employer.

In March 1964, 500 of the 2,900 Armory workers were laid off because of discontinuance of the M–14 rifle. Then came the Defense Department announcement of the closedown.

ECONOMY ALREADY IN A STATE OF CHANGE

While the Springfield area has long constituted a center of manufacturing activity, in reality this role has been ebbing for a number of years. The slack created by the out-migration of industry has, to some extent, been taken up by the growing importance of the finance and services industry. But the looming phase-out of the Armory forced into focus the need to re-evaluate Springfield's entire economic structure and outlook.

Spearheading the job of looking to the future was the Armory Planning Committee, assembled from area leaders in business, labor, finance, education and public service. With more than 2,000 jobs at stake, the Planning Committee promptly sought guidance from the Defense Department's Office of Economic Adjustment, then applied in July 1966 to the Economic Development Administration for technical assistance in determining feasible re-uses of the Armory facilities and in converting analysis to action.

In November 1966, EDA approved technical assistance funds for a study, which was conducted by Realty Research and Consulting Corporation of Pittsburgh. The study resulted in three major recommendations:

Establish a regional technical institute to supply the area with technicians capable of bridging the gap between professional engineers or scientists and the skilled worker.

Enlarge the scope of the existing Armory Museum to create a museum complex of interest to the general public.

Determine the best economic re-uses for Armory facilities, supporting the area's industrial redevelopment program with adequate staff and sound industrial location techniques.

A REGIONAL TECHNICAL INSTITUTE

The Armory Planning Committee assigned top priority to the proposal that Armory Square—one of the four Armory facility sites—serve as the location for a regional technical institute. The institute would help fill a gap in the area's labor supply, the technician, whose training enables him to provide staff support for professionals while supervising and coordinating the work of skilled craftsmen in his field.

The decision was based largely on the impressive success of other areas in which technical institutes were created on phased-out military bases. Armory Square, several blocks from downtown Springfield, was an ideal site. Its spacious acreage and available buildings formed a solid basis for the type of institute planned.

The Commonwealth of Massachusetts applied to the General Services Administration, with the endorsement of the U.S. Department of Health, Education, and Welfare, for the cost-free transfer of about 36 acres of Armory Square, with buildings, for educational purposes. The financing program for the institute will involve both State and Federal support in addition to modest out-of-state student tuition income.

Architects and engineers are now busily engaged in transforming Armory buildings into classrooms and shops in time for opening of school in September 1967. Advance registrations indicate a thousand-student opening enrollment this Fall.

It is estimated that the existing Springfield Technical Institute, housed in the city's Trade High School, contributes about $1.3 million to the local economy. A maximum 5,000-student enrollment level is envisioned for the proposed Armory Square facility within about 15 years. It is projected that the regional technical institute will then add approximately $6 million a year in payroll, services, construction and graduate employment. The regional institute will also help attract additional industry to the area.

SPRINGFIELD ARMORY MUSEUM COMPLEX

While much of the Armory facilities ultimately would be used for purposes unrelated to the military, the EDA study recommends that one link with the military past be preserved. This link is the Armory's Benton Small Arms Museum.

From the start, Springfield community leaders and State and Federal agencies agreed unanimously on retaining the museum, not only for the benefit of historians and students, but also to attract tourists and tourist dollars.

The plan for a museum complex on Armory Square starts with the existing arms collection but goes considerably beyond its present scope in order to attract a mass public. The City of Springfield is now preparing the necessary applications to acquire the property and to get permanent loan of the collection; a non-profit corporation is being formed to manage the museum complex; and a $1 million capital funds drive is in the advanced stage of planning.

The study estimates that, within five years of its completion, the museum complex could attract 200,000 visitors annually, introducing almost $2 million a year into the local economy. This, in turn, would support $3 million in new capital investment to service the tourist trade.

INDUSTRIAL REDEVELOPMENT

Re-use of Armory facilities has been a key element in the Armory Planning Committee's program. Even as the EDA study was being completed, its recommendations were being picked up by the Committee, analyzed and put into action.

The General Electric Company now occupies a site in Federal Square, employing many former Armory employees.

The most recently constructed of all the buildings at the Armory's Watershops location is the Forge Shop. Of the six contenders for this facility, the Committee selected a firm that is expanding from its present operation in the Midwest. Its work with exotic metals and other materials brings to Springfield an opportunity for additional industrial growth and diversification.

Careful matching of the area's industrial assets with industry needs has provided the Planning Committee with a list of prospects expected to supply tenants for sites in the Watershops area and the Page Boulevard Railhead area well before the end of the phase-out period in 1968.

According to the EDA-sponsored study, the industrial use that can result from the recommended program can create upwards of 3,000 new jobs. The direct and indirect benefits of such employment, it points out, would far exceed the normal historical contribution of the Armory to the local economy.

PRIDE IN THE PAST PROMPTS ACTION FOR THE FUTURE

The example of Springfield can serve all communities that are facing, or may in the future confront a threatened economic loss because of significant change in traditional patterns. There is no inevitability of decay so long as the will exists to accept the challenge of change and to follow through.

That Springfield has met its challenge so firmly and rapidly expresses a confidence in the future matching the city's justified pride in its past.

OEO DOES BETTER JOB THAN CONGRESS HAS THE RIGHT TO EXPECT

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, no American domestic program in years has stirred more controversy than a war this Nation is waging here at home—the war on poverty. This is a war which desperately needs to be won. The Office of Economic Opportunity, under the capable direction of Sargent Shriver, has been more than effective in fighting poverty, despite the handicap of insufficient operating funds placed upon it by the Congress.

This past weekend, Mr. Speaker, the Director of the Office of Economic Opportunity appeared on the CBS public affairs program, "Face the Nation," and brilliantly described for the American public the work of OEO and its effectiveness in combating poverty. The simple fact is that America wants desperately to combat poverty—many thousands of persons across the Nation are voluntarily helping in this effort—but the tasks which need to be done often are curtailed or limited by nonavailability of funds.

Only this morning, the distinguished NBC news commentator, Chet Huntley, had a great deal of praise for Sargent Shriver and his direction of the war on poverty. Mr. Huntley noted that when Director Shriver's Office of Economic Opportunity came under attack in the wake of rioting in dozens of our cities, it was Mr. Shriver himself who launched a searching investigation of OEO activities in these riot-torn cities.

One of the revelations of this investigation, Mr. Huntley reported, was the fact that antipoverty offices in these cities were spared from destruction by the rioters. Another of the revelations was that only a small fraction of the funds needed to do an effective job in fighting poverty and its causes had been made available to even those cities such as Detroit which had been classified as model examples of antipoverty efforts.

Sargent Shriver and OEO have produced a great deal of action in this vital effort despite stringent fund limitations placed upon it by the Congress, Mr. Huntley concluded. I know that the antipoverty programs needed in my own district are being sharply curtailed or delayed because the funds simply have not been made available by Congress.

I believe, Mr. Speaker, that before we criticize the work of Sargent Shriver and OEO, we as Members of Congress must first look at what resources we have provided to enable them to combat poverty effectively. I believe that if we look at the resources we have provided, and also assess the impact of what has been accomplished, we can only conclude that OEO is doing a better job than Congress has the right to expect.

A LETTER TO THE PRESIDENT

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, the last weekend edition of the Daily Dunklin Democrat—Missouri weekly—a fine newspaper published in my home town, carried an editorial which was entitled "An Editorial to President Lyndon B. Johnson."

Mr. Speaker, I know that it is difficult to reach the President with all of the views of the people on all of the various problems that the President has. This editorial written by Jack Stapleton, Jr., publisher, carries some suggestions about the conduct of the war in Vietnam. I believe it expresses the feelings of a large and continually growing number of people in the United States relative to this war. Mr. Stapleton has expressed the views, I believe, of thousands of people in southeast Missouri, and also of others from all parts of our Nation.

Mr. Speaker, at this time I would like to read three paragraphs from this editorial, and express the hope that the Members will find time to read the entire document, which I have just received permission to have inserted in the Appendix of the RECORD:

> We therefore propose that the Government of the United States, in an effort to preserve the freedom of those who have been violated and reduce American casualties to the lowest possible point, begin a pursuit of the war that has for its sole purpose total victory in the shortest period of time, utilizing every weapon in the American arsenal that is capable of defeating the enemy.

Further down in the editorial Mr. Stapleton writes:

> So that there will be no misunderstanding of what we are proposing, let us outline in a general way the type of step-by-step escalation of the war against the enemy that we suggest. The initial phase might well be a removal of several heretofore off-limit targets in North Vietnam, targets that have not been hit as yet because of the potential repercussions, military or political or diplomatic. A second phase might well be bombing ports of entry into North Vietnam which would, in effect, seal off the north from aid from both communist China and communist Russia, neither of whom will seek to conclude a peace in Vietnam as long as we pursue our present policies which serve to commit more than one-half million Americans in a small, isolated nation.

A third paragraph I wish to quote is as follows:

> Whether the war is won or lost depends, in great measure, upon you, Mr. President, and the policies you pursue in the months ahead. We respectfully suggest your consideration of this proposal, acknowledging that it holds both danger and the need for refinement. But we believe the principle to be sound; we believe it offers an answer to the war in Vietnam that is worthy of your consideration and, hopefully, your adoption.

Again, I say Mr. Speaker, I am hopeful that this complete editorial, a copy of which has been delivered to the White House in the hope that it will be called to the attention of the President, will be read by Members who are interested in a practical approach to the solution of the war in Vietnam. The complete text will be found in my extension of remarks in the Appendix of the RECORD today.

MISMANAGEMENT OF TAXPAYERS' DOLLAR

Mr. WHALEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WHALEN. Mr. Speaker, I would like to call to the attention of the House a practice of the Department of Defense which amounts to mismanagement of the taxpayers' dollar.

This serious failure is costing the public a minimum of $13 million a year and probably considerably more, according to the General Accounting Office. The loss is attributable to the failure of the Defense Department to review in detail contractor cost estimates in procurements where competitive bidding is not employed. I might add that the expenditures under this type of contracting amount to approximately 85 percent of all military procurement, the total of which now runs at the rate of $125 million a day.

This deficiency was brought to light in a recent series of articles published by the Cleveland Plain Dealer and written by Sanford Watzman, a member of the paper's Washington staff.

Mr. Watzman's research cited numerous instances where the GAO determined that contractors were overcharging the Federal Government. The articles indicated that the Defense Department has complied neither with the letter of the law nor its intent as spelled out in the Truth in Negotiating Act. This laxity reflects also on the Congress of the United States in our function as the keeper of the public purse.

I found Mr. Watzman's investigation enlightening and discouraging, Mr. Speaker, and made a further inquiry to the GAO concerning such practices. I found that the noncompliances portrayed by the articles do in fact exist, and were it not for the diligence of the GAO in applying what manpower it can, probably would be more widespread.

The GAO made an examination of prime contracts negotiated subsequent to October 1964 by various procurement agencies of the Departments of the Army, Navy, and Air Force. In a letter to Defense Secretary McNamara, dated October 29, 1965, Mr. Frank H. Weitzel, then Acting Comptroller General of the United States, said:

> Our review was directed principally toward a determination of the extent to which procurement officials responsible for awarding negotiated contracts were requiring contractors to comply with the cost of pricing data requirements of Public Law 87–653 and the implementing Armed Services Procurement Regulation (ASPR) in effect since October, 1964.

Mr. Weitzel went on to say:

> The ASPR provides that contracting officers shall require each contractor to submit, in writing, cost of pricing data in support of proposed costs under certain negotiated procurements and to certify, by the use of the certificate set forth in ASPR 3–807.4, that, to the best of his knowledge and belief, the cost or pricing data submitted are accurate, complete and current. ASPR 3–807.3(e) states that the term "cost or pricing data" refers to that portion of the contractor's submission which is factual and verifiable and embraces all information which might reasonably be expected to affect price negotiations including historical cost experience, current information expected to have a significant bearing on future costs, and the factual data upon which the contractor's judgment in estimating such costs is based. ASPR 7–104.29 requires the inclusion in the contract of a clause designed to give the government an enforceable contract right to a price adjustment if the cost or pricing data furnished by and certified by the contractor were inaccurate, incomplete, or not current.

Mr. Weitzel reported that 141 contracts or contract amendments totaling about $564 million were examined. They were negotiated after October 1964 by 18 military procurement agencies. The check was concerned primarily with the nature of the cost or pricing data being required by agency procurement officials for submission, identified in writing and certified by prime contractors.

The results of the check of the 141 contracts showed the following—

That in 103 contracts, cost or pricing data was not submitted, not complete, or not identified by the contractor.

That in 24 instances, cost or pricing data was not required, apparently because the prices negotiated were based on adequate competition or on prices of commercial items.

That in 14 instances, adequate cost or pricing data in support of the proposal was submitted and certified.

Discussions that GAO officials had with contracting officers indicated that a new form had not been used, Mr. Weitzel said. He added:

> It became apparent to us that there was a general lack of understanding among the officials of the requirements of your Department (Defense) for obtaining factual and verifiable cost or pricing data and certificates as to the accuracy, completeness and currency of such data.

The GAO updated its report on January 16, 1967. In a letter accompanying the report, Mr. Elmer B. Staats, Comptroller General of the United States, outlines certain proposals made to the Defense Department by the GAO.

The full text of the letter follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., January 16, 1967.

To the President of the Senate and the Speaker of the House of Representatives:

The accompanying report summarizes our findings on the need for improving administration by the Department of Defense of the cost or pricing data requirements of Public Law 87–653 in the award of prime contracts and subcontracts. Our review was directed principally toward an examination into the extent that agency procurement officials were requiring prime contractors and subcontractors to submit cost or pricing data and a certificate prior to the award of negotiated contracts as required by Public Law 87–653 effective December 1, 1962.

During fiscal years 1957 through 1966, we submitted to the Congress 177 reports disclosing that Government costs on negotiated prime contracts and subcontracts were increased by about $130 million. The increased costs resulted primarily from the failure of contracting officials in negotiating contract prices to obtain accurate, current, or complete cost or pricing data upon which to establish fair and reasonable prices. As a result of certain of these reports, the Congress enacted Public Law 87–653 to provide safeguards for the Government generally where competition is lacking.

The findings summarized in the accompanying report were disclosed by the first phase of our review of 242 negotiated prime contracts and subcontracts awarded to 85 prime contractors and 89 subcontractors after October 1964. This examination was performed at 18 military procurement agencies and 31 prime contractor plants during the period April 1965 to June 1966.

The second phase of our review, which is currently in progress, includes an evaluation of the practices of the military services in negotiating the prices of 127 of the prime contracts we reviewed in the first phase. These contracts were selected for further detailed review because of our findings that procurement officials had no record identifying the cost or pricing data submitted and certified by the contractors in support of significant cost estimates included in the contract prices. In this second phase of our examination, we performed examinations at 79 prime contractor plants during 1965 and 1966. Our findings on this review will be the subject of further reporting to the Congress in the near future.

We found that 185 of the 242 procurements examined in the first phase were awarded under requirements of the law and the procurement regulations for submission of cost or pricing data and a certificate that the data submitted were accurate, complete, and current. However, in 165 of these awards, we found that agency officials and prime contractors had no record identifying the cost or pricing data submitted and certified by offerors in support of significant cost estimates.

As a result it appears that the certificate is not wholly effective since it may be impracticable to establish whether the offeror had submitted inaccurate, incomplete, or noncurrent data in instances where he had not identified the data he had certified. Further, the Government's rights under the defective-pricing-data clause required by the law to be included in these contracts may be impaired since in such cases it may be impracticable for the contracting officer to establish that erroneous data were relied on in the negotiation if data were not submitted or made a matter of record by the offeror.

We also found that, in the remaining 57 of the 242 procurements examined, agency and contractor records of the negotiation indicated that cost or pricing data were not obtained apparently because the prices were based on adequate price competition or on established catalog or market prices of commercial items sold in substantial quantities to the general public.

Public Law 87–653 waives the requirement for obtaining certified cost or pricing data under such circumstances. However, the records of these awards did not contain an explanation by the contracting officials of why cost or pricing data were not required and the reasons for determining that the prices were based on adequate price competition or on catalog or market prices of commercial items. As a result, it could not be ascertained whether the bases for these determinations were consistent with criteria established in the Armed Services Procurement Regulation.

During our examination of subcontract awards, we found that prime contractors also had no record identifying the cost or pricing data submitted by subcontractors in support of significant cost estimates even though agency contracting officials were required, under negotiated prime contracts other than firm fixed-price type, to ascertain that such data were being obtained. Therefore, there also appears to be a need for thorough reviews by agency administrative contracting officials to ensure that prime contractors are obtaining adequate cost and pricing data, where appropriate, in the award of subcontracts.

During our review, we found that agency officials in awarding prime contracts were not requiring prime contractors to use a new Contract Pricing Proposal Form (DD Form 633) dated December 1, 1964. This form contains instructions to offerors which, if properly implemented, could, in our opinion, go a long way toward achieving compliance with the procurement regulations implementing the law. The Department of Defense has now taken steps to correct this matter. However, during our review of subcontracts, we found that prime contractors were not being required to use the new form in obtaining proposals from their subcontractors.

We proposed that the Department of Defense clarify its procurement regulations to provide that, where cost or pricing data are required in the award of prime contracts and subcontracts, agency officials and prime contractors be required to obtain from offerors written identification of the cost or pricing data, as defined in the regulations, in support of cost estimates along with certificates specifically covering the identified data and to retain such records in procurement files.

We proposed also that the prescribed certificate be revised to require the contractor to certify that a written identification of the cost or pricing data, as defined in the regulation, provided or otherwise made available to the contracting officer or his representative in support of the proposal, has been submitted and that such data are accurate, complete, and current as of the date agreed upon by the parties (which shall be as close to the date of agreement on the negotiated price as is practicable).

Further, we proposed that the Department of Defense take appropriate actions to emphasize and clarify certain existing requirements dealing primarily with the application of Public Law 87–653 to the award of subcontracts and to ensure that agency and contractor officials are complying with them.

The Deputy Assistant Secretary of Defense (Procurement) advised us that a special group had been appointed under the guidance of his office to study all the material contained in our report. He assured us that the necessity of providing additional guidance on the subject of submittal and retention of data or identification in lieu of submittal will be considered. He indicated, however, that it was not possible to forecast the exact outcome of this study.

We have also completed a similar examination covering 138 contracts awarded by 15 offshore procurement agencies to prime contractors in Europe and the Far East. We have advised the Secretary of Defense of our findings which are essentially similar to those described above.

We also have submitted to the Department of Defense for comment similar findings stemming from our review at seven Army Corps of Engineer procurement offices in the United States and at six overseas locations of 195 contracts for construction work.

This report is being issued so that the Congress may be informed of the need for the Department of Defense to improve the effectiveness of its administration of the cost and pricing data provisions expressed by the Congress in the enactment of Public Law 87–653.

Copies of this report are being sent to the Director, Bureau of the Budget, and to the Secretary of Defense.

Elmer B. Staats,
Comptroller General of the United States.

Mr. Speaker, these findings made by the GAO have received scant attention, considering the seriousness of this matter. Several Members of the House, including the Ohio Republican delegation; a few Members of the other body, and the Subcommittee on Economy in Government of the Joint Economic Committee, have attempted to draw attention to this problem.

Today I join them in this undertaking and urge my colleagues to study this matter and support corrective efforts such as the bill—H.R. 10573—introduced by the gentleman from Ohio [Mr. Minshall], which provides for an expanded contract audit program.

The Defense Department repeatedly has put itself on the record as a leading advocate of getting the most out of the taxpayer's dollar. Thus, it is a very sad irony indeed to see the continuation of waste in funds that the GAO has pinpointed. I might add that the Defense Department recently observed "Cost Reduction Week," claiming substantial savings of some $14 billion since 1962. Someone more cynical than I might be tempted to wonder whether some of the effort involved in the tabulation of those savings might not have been expended more fruitfully on the deficiencies unearthed by the GAO.

The need for positive corrective action by the Department of Defense is obvious. The prospects of a continued high level of expenditure in the Vietnam war, a budget deficit approaching $30 billion for fiscal year 1968, and the proposal for a surtax add further urgency to this requirement.

For the information of my colleagues, I am listing below summaries, randomly selected, of representative examples of procurements investigated by the GAO not covered in the Plain Dealer series, reports of which were forwarded to the Defense Department.

The summaries follow:

Company A

A manufacturer contracted with one of the military services for the production of a certain number of Electrical Equipments.

GAO's review disclosed that the material and labor costs included in the negotiated price were overstated "by over $35,000" and, after applying the negotiated overhead and profit rates, the contract price was increased by more than $50,000.

GAO said the material costs were overstated by over $30,000 because cost information available (to the firm) during the negotiations was not considered in the proposed price and because the proposed price did not reveal that a portion of the cost was expressed in Canadian rather than United States dollars. Labor costs were overstated by almost $5,000 due to an error in (the company's) computation of an experience factor used to estimate labor hours.

The related amounts for factory overhead, general and administrative expenses, and profit applicable to the above overstated proposed costs were on the order of $17,000, GAO said.

One quantity of equipment called for in the proposal included a material cost estimate that was found to be almost 20 per cent above the actual cost. This resulted from the inclusion in the cost estimate of certain optional equipment which was not supplied.

GAO concluded that the government negotiator could have been in a position to negotiate a reduction of over $15,000 in material costs if he had known that the equipment was to be supplied without the optional equipment.

In procuring other components for this contract, the firm estimated costs in Canadian dollars. In addition the purchase of these components was made in two different quantities.

The resulting price however, did not reflect the average over-all cost. GAO's analysis indicated that the company's overstatement to the government amounted to over $10,000.

Further, the contractor did not identify the Canadian purchase as such. Thus, he realized additional income of about 7 per cent since the Canadian dollar was worth about $.93 at the time. The contract negotiator, had he known this, could have negotiated a further reduction of $5,047.

In the computation of the labor experience factor for this contract, a clerical error was found resulting in an overstatement of $6,441. Subtracting this amount from the over-all $20,618 estimated left $14,177. Since the negotiation allowed only 80 per cent of the experience factor cost, the actual cost should have been $11,342 for a reduction of $4,658.

Company B

A military contract involving the production of reconnaissance equipment was awarded to a manufacturer in an amount well over a quarter million dollars.

The price was based on an estimate of 36.5 labor hours per unit to be produced.

The company initially had proposed a contract price about 10 per cent higher, based on 40 labor hours per unit.

The records of the military service involved in this contract showed that the 36.5 hour estimate resulted from an average of 34 hours per unit on a prior order and a 35 hour average on an immediately following order, both preceding the contract under review.

The data indicated that a trend upward existed regarding the hours required.

GAO, however, determined that from the firm's own records, an average of "only 30.69 hours was required for the previous 60-unit order." An additional 68 units produced immediately following used an average of about 30 hours a unit, GAO found.

In producing units under an immediately preceding contract, the company averaged 32.5 hours per unit, or four hours per unit less than the hours accepted by the military service.

This would have lowered the unit cost to the government in the amount of about $6,300 for the over-all contract. Related overhead and profit as accepted by the military service amounted to an additional $10,000.

GAO said:

"We believe that use of accurate data on the units would have provided . . . a price of about $16,400 lower than the price accepted."

Company C

In an aircraft procurement for both active and reserve forces, a $2 million contract was signed in 1963 with a manufacturer. Some 18 months later, it was increased by about $120,000.

The GAO review indicated that material cost estimates were "about $17,150 higher than indicated by information available at the time of negotiation."

The company added about $3,580 to these estimates for general and administrative expenses and profit.

In the material cost estimate, the contractor estimated a specific cost to write a certain specification for one of the military services involved in the procurement. The firm estimated the cost for the writing of this specification and then erroneously proceeded to apply this one-time cost to the cost of each aircraft involved in the procurement, resulting in an overcharge of $11,400.

Another example of defective costing in this contract was uncovered in the review of the components of the radio systems for each of the aircraft.

The company's initial cost proposal included a unit price for a particular radio system accessory. The records, however, showed that the contractor anticipated buying the accessory from another source for about half the price instead of from the vendor named in the contract.

GAO determined that this, in fact, is what occurred with a resultant overcharge to the government of $3,450 in the purchase of this one component alone.

Company D

In 1964, the government signed a multimillion-dollar contract for the purchase of a new weapon, including a target fee of several millions.

Included was a subcontract for a major component. Following negotiations, an interim target cost of several million dollars and a target fee of about seven per cent were agreed upon tentatively, due to the lack of sufficient data.

Subsequently, the cost was adjusted to reflect revised overhead rates, thus increasing the target cost by about $2 million with a target fee increase of about $200,000.

The GAO's review disclosed that the subcontractor had cost data available on five parts in the component. This information was more current than that used to negotiate the target cost with the prime contractor.

Use of these data should have provided a sound basis for establishing a target cost more than $700,000 lower than that negotiated, GAO concluded. The target fee, on the basis of the overstated target cost, amounted to an estimated overstatement of $88,000.

Using cost information available at the time of the contract negotiation, the GAO analyzed the costs item by item. The component showing the largest overstatement was an electrical item, by some $247,000. This was determined from a review of three suppliers costs which showed that the average cost in the contract was overstated.

COMPANY E

One of the military services contracted for the procurement of a navigation system, including spare parts and design and technical data at a fixed price amounting to several million dollars.

The GAO's review of this contract determined that the estimates of production hours were questionable. They were based on monthly unit cost reports which "did not follow a consistent method of allocating costs on a unit basis," the agency reported.

Some, GAO found, were based on an estimated standard and others were allocated without considering units in process. A check of the company's records indicated that an average of 1,675 hours per unit had been experienced in production.

This amounted to 200 hours more per unit than had been estimated in determining the cost of the contract.

Similarly, system testing hours required were found to be about 22 hours per unit less than the 400 estimated in the contract.

These two errors amounted to an overcharge to the government of more than $250,000, GAO stated.

Other deficiencies in the estimates upon which the contract was based and signed led the GAO to conclude "that the contract price included costs which were about $363,000 higher than indicated by cost data available prior to negotiations."

GAO also found that the negotiated price included over $60,000 for special tooling on the basis that existing special tooling was to be withdrawn from the contractor's plant and would have to be replaced.

GAO found no evidence to indicate the intended withdrawal of the tooling.

"In fact," GAO stated, "the tooling was not withdrawn" and the contractor incurred an expense of less than $5,000 applicable to special tooling.

COMPANY F

A supplier proposed a price close to a quarter million dollars to a military agency for the production of a special accessory for certain models of aircraft.

Final negotiations, however, produced a contract at a price about 16 per cent lower.

GAO's investigation showed that while the firm contended it did not have precise data upon which to base production man-hours, it actually did have such information.

By using the company's own records, the GAO determined that the items to be produced required an average of about 36.3 hours per unit versus 56.3 hours estimated by the company during the contract negotiations.

The firm disputed the GAO finding. Accordingly, GAO proceeded further and determined that the actual hours expended in production of the unit averaged 35.8 hours per item, even less than GAO's earlier estimate.

The GAO concluded that the use of this data, available at the time of negotiation of the contract, would have reduced the cost to the government by $52,900.

COMPANY G

A contract for the construction and operation of a storage facility was awarded by a Defense Department Agency in an amount close to $2 million.

Included in the contract was provision for several hundred thousand dollars for federal and state income taxes.

The GAO's investigation disclosed that the firm, during the initial five-year period of the contract, reduced its liability for income taxes by almost 10 percent and possibly may reduce it further because of a subsequent merger.

Government contract officers did not include any provision to protect the federal government in the event the contractor reduced his tax liability, GAO found.

In addition, the prices negotiated for renewal periods were 46 per cent more than the only available estimate of operating costs for such option periods, or over a quarter million dollars too high, according to GAO.

The government agency subsequently attempted to renegotiate the prices for the renewal periods of the contract. The agreements reached included reduction of the option periods to three years and the annual cost by approximately six per cent. The price reduction, however, was not based on a review of estimated costs but from a mutual agreement to eliminate an armed guard from the front gate of the facility.

STOP CODDLING ANARCHY

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, the time has come to end the coddling of criminal anarchists in our approach to the problems of riots and violence plaguing this land. Whether white or black, deliberate arsonists, looters, vandals, and murderers must and should be confronted with equal or greater force and the prospect of certain criminal prosecution before they can accomplish their criminal objectives.

If those who represent us in government refuse to do this for political reasons then our laws should and do permit each of us as an American citizen the right of self-defense in the protection of our home, our shop, our job, and our property. This right includes the right to shoot those who force entrance without a warrant.

Let those who would riot, pillage, and burn know in advance what it will mean for them. Let them know if they shoot they face being shot. Let them know that if they attempt to enter to burn a man's home or castle they may justifiably be shot by the occupant in their attempt. Let there be jail sentences and hard labor for the deliberate vandals—without exception and with ample publicity, minors included.

Let the courts help the American people by quitting the bleeding heart, ivory tower, unrealistic bunk that deliberate criminals are justified by hanky-panky psychiatry or tolerance of the "poor defendant" who just happened to burn a city block, throw a Molotov cocktail or two into a few private autos and cause several deaths in the process.

For those who deliberately incite to riot and urge the use of force and violence, let there be swift arrest, certain prosecution and court imposition of maximum sentences in the Federal penitentiary under the toughest of labor conditions, instead of continuances, delays, lawyer "smart talk" and what has amounted too often to judicial tolerance of anarchy in America.

The next time a gang of hoodlums in a Federal courtroom start to chant contrary to the bailiff's command, let there be 30 days in the workhouse for each of them forthwith for contempt of court.

Everyone should note well what the spokesman for so-called black power said yesterday of the effect of their contempt of court on the Judge who yesterday reduced Rap Brown's bail from $25,000 to $15,000. They said of the court "He better listen if he knows what's good for him." This is contempt of court and should be dealt with as such.

Above and beyond the immediate question of contempt of a particular court, day in and day out we are witnessing the language and action of anarchy and revolution across the land, language remaining unchallenged, unpunished and virtually licensed by a permissive Supreme Court, a puzzling Department of Justice and an apparently indifferent Attorney General. Those who preach and act anarchy in the United States must be confronted and dealt with swiftly, firmly and without vacillation by every segment of a law-abiding society, no matter how unpleasant it may be for the moment. It should make no difference whether the anarchy is concerned with a civil rights movement in the Deep South or a labor struggle in the North. The umbrella of the American Constitution was deliberately framed so as not to protect anarchists or the preachers of force and violence as a means to any end.

Advocates of hate and violence, whatever their motivation, are enemies of society and should be dealt with as such, whether they are on a college campus or a street corner in a ghetto. We must stop coddling them as some kind of misunderstood children. They are not misunderstood. Far from it. The language they speak is the language of death, the death of law and order in America which means the death of this Nation.

It is the same with the treatment of cancer in the human body. Cut it out before it spreads too far or it is the end of the whole body. Look for and eliminate the causes later, of course, but cut the cancer out now.

Mr. Speaker, many people feel deeply at this hour that anyone coming to take or burn his home is going to face death in the process. I think I speak for every homeowner, every apartment owner, every shopowner, every property owner, every law-abiding citizen across the length and breadth of this land in protesting that we want help from the Government of this country in protection of home and shop, not by pandering to professional agitators, whatever their special interest. It simply cannot be that all leaders in Government are too frightened of the possible loss of a few votes to stand up for law and order in America.

Mr. Speaker, there are about 200 million people in this country and 95 percent of them are law-abiding citizens. They are mad. They are disgusted. They want protection. They want law and order. They want prosecution of these punks and vandals and hatemongers, not delays, not permissiveness. They want protection from their Government, and they should have it. They want protection under our system of law of their own individual right to protect themselves and their property, even if it means getting a gun. This is a sorry state of affairs for the United States of America.

Mr. Speaker, if what we have today as law-enforcement policy in high places is representative of U.S. leadership, then God help the United States of America. I say this as a former chairman of the Committee on Jurisprudence and Law Reform in the United States for the American Bar Association. I am not now a member of this committee and I speak only as an individual, but I do represent some 350,000 people in my district, and I say to you and to my colleagues here and to the people of this country, we will not tolerate anarchy and this sort of criminal conduct in New Hampshire. We will not have it. And thank the good Lord for that. Would that the same firmness might apply elsewhere.

Let us stop coddling these criminals in the United States, whoever they may be, wherever they may act, and without regard to race or color. The hour is late.

In this connection, I commend the reading of Mr. Kilpatrick's excellent column in the Washington Star of Tuesday, August 22:

Time To Stop Being "Nicey-Nice" About Riots

The thought occurs, and can no longer be repressed, that it's time for some of us who write for a living to stop writing so nicey-nice about this summer's riots and the Negro leadership. This is a summer of outrage, scored for kettle drums of violence; but such is our sense of genteel restraint that most of us have been playing our typewriters pianissimo. We have settled for murmuring my-my and oh-oh, and they certainly do have grievances, don't they.

Well, nuts. There comes a time when the law-abiding majority of this country, imperfect as it is, ought to put a hard question to large elements of the Negro community: When in the name of God are you people going to shape up?

One is tempted to exempt from the thrust of that question many thousands of Negro citizens who have played no active part in the recent violence and indeed have been victims of it. They can't be left out. Who has given sanctuary to the Negro snipers? Fellow Negroes. They share in the guilt.

What's the matter with the Negro leadership? Since the first torch was put to Newark, one has waited—and waited in vain—for some high-level expression of shame, apology, contrition. Non est. Perhaps nothing was to be expected from H. Rap Brown; his theme is "Get you some guns and burn this town down." The sullen Stokely Carmichael yearns "to kill the whites first." But what of Roy Wilkins, Whitney Young, the Rev. Martin Luther King? They are full of excuses, and in King's case, something more. It's all the fault, says the reverend doctor, of "the policy-makers of white society." He proposes massive strikes and sit-ins to "dislocate" the cities without actually destroying them. He will do this "lovingly."

At every hand, the cry goes up for crash spending programs in the slums. Michigan's Rep. John Conyers wants $30 billion a year. Most of the money would go toward jobs and housing. The New Republic magazine tells us what kind of jobs—not merely jobs for "black waiters, dishwashers and busboys, but jobs that will restore Negro self-respect."

What's wrong with being a waiter, a dishwasher, or a busboy, if one qualifies for the work? Hundreds of thousands of white men and women perform these humble but essential labors. What's the matter with a teen-ager's starting as a bootblack? It's an honest trade—but Washington barbers are desperate for bootblacks. No colored boys apply.

And what of "jobs that will restore Negro self-respect"? From one end of the country to the other, employers increasingly are searching for Negroes as sales clerks, bank tellers, draftsmen, technicians. They may not be overcome with altruism; it may be only the Equal Employment Opportunities Commission breathing down their necks. But the jobs are there. Where are qualified Negro applicants to fill them?

The excuse is that the "ghetto schools" are so bad, and the Negro teen-agers so "insufficiently motivated," that they drop out. It's a feeble excuse. Many a middle-aged American looks at some of these "ghetto schools" and is dimly reminded of the elementary schools of his own unfar nonage. Others recall the pot-stove schoolhouses of the country. The opportunity for an education lies within them. What's asked of the Negro? Ambition. Hard work.

But it is said that the typical Negro has no reason for ambition. He is ground down by three centuries of oppression; he supposes that society owes him back pay at time and a half for 300 years. It won't wash. The typical Negro under discussion isn't 300 years old; he's maybe 15 to 19 years old, and he's living in a generation that is light-years removed from the 17th Century. He has more than most other minorities have had: A fighting chance in a prosperous land.

The cry is that "ghetto housing" is so bad. Okay. Some of it is awful. Some of it is not. But there are twice as many poor whites as poor blacks; the poor colored neighborhoods of Watts and Detroit have their counterparts—and their rats—in poor white neighborhoods across the land. The blunt truth is that self-help could cure at least a part of the ills. If some of Jesse Gray's complainers would spend more time with a dollar rake or a 50-cent broom, and less time with a two-dollar pint of gin, maybe a sense of mutual respect would start to grow. Heresy, one supposes, to say such things. But they need to be said.

CAN'T BUY RACE PEACE: McCONE

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, John McCone, former chief of the CIA and chairman of the Atomic Energy Commission has given valuable testimony before the Senate Judiciary Committee in which he stressed several fundamental points which underlie any solutions to the riots and poverty problems in the United States.

Quoting from an article in the August 23 edition of the Chicago Tribune, written by Aldo Beckman, here are several of these highly significant facts.

First. On the necessity of self-help:

> Unless he (the Negro worker) has in his heart that success depends on his own efforts, no amount of money will produce results.

Second. On civil responsibility rather than civil disobedience:

> McCone (told) a member of the committee that he disagreed with the whole concept of civil disobedience.
>
> You can express yourself through the proper channels . . . as long and as loud as you wish, but you have no right to inconvenience the balance of society just because you don't like a law.

Third. On Federal programs:

> We need a careful examination of everything we're doing. We must find the programs that are working and concentrate on them. There are great areas where things are going on that are totally unproductive and they should be stopped.

Mr. Speaker, I place the article from the Chicago Tribune in the Record at this point since these are only a few of the sound statements which the McCone testimony included. They are all worth reading and examining closely.

The article follows:

Can't Buy Race Peace: McCone

(By Aldo Beckman)

Washington, August 22.—Simply pouring more money into cities will not solve the nation's racial problems, John McCone said today.

"We need a careful examination of everything we're doing," said McCone, former chairman of the Atomic Energy commission and a former director of the central intelligence agency. "We must find the programs that are working and concentrate on them. There are great areas where things are going on that are totally unproductive and they should be stopped."

McCone, now a California, business man, told the Senate judiciary committee that competition among various programs must be avoided. He said competition between welfare programs and employment programs also must be avoided. "You can find people comparing the advantages of working to the advantages of being on welfare," he said.

COMPETE WITH WELFARE

He told of a California job training program, financed by federal funds, that was to pay the trainee $175 a month while he was learning a job. The allowance had to be raised to $225 a month, said McCone, to successfully compete with welfare programs, or no men would have enrolled.

McCone appeared before the judiciary committee, during hearings on a House-passed anti-riot bill, making it a federal offense to cross state lines to incite a riot. Under questioning by Sen. James Eastland [D., Miss.], chairman of the committee, McCone said he saw no harm in the bill, but warned it should not be considered an alternative to other steps aimed at upgrading slum areas. "It is not totally remedial," said McCone, "and it would be a mistake for Congress to think this law will end riots."

McCone, who headed a commission which investigated the Watts riots in Los Angeles two years ago, said there was no evidence of those disturbances being triggered by outside agitators.

HITS JOB TRAINING

He said the solution to the Negro problem in America is "jobs in the short range and education in the long range."

He was critical of many job training programs, saying they are not well-coordinated and not aimed at areas where there are job opportunities.

He said he placed great importance on the efforts of business men and unions to help provide Negroees with jobs. McCone also emphasized that Negroes must help themselves and assume a full measure of responsibility for their own well-being.

"Unless he [the Negro worker] has in his heart that success depends on his own efforts, no amount of money will produce results," McCone said. "I have great sympathy for the Negroes being disadvantaged and mistreated thru the years. But this does not relieve him of responsibility."

AID COSTS RISE

McCone said the one thing that disturbs him the most, two years after the Watts riots, is the rise in welfare costs in the areas. "Welfare costs in Los Angeles county have gone up 32 per cent in two years," he said, "while the money being spent on aid to dependent children has risen 54 per cent."

He suggested that all children in Negro areas be enrolled in the Head Start program for pre-schoolers and that teacher-student ratios in ghetto areas be reduced.

"There is some question of whether the Negro children can be brought to the level of white students," said McCone. "It hasn't been proven yet, but it is encouraging."

DISAGREES WITH CONCEPT

McCone, who appeared in executive session before President Johnson's special commission to probe rioting prior to testifying before the judiciary committee, told Sen. Strom Thurmond [R. S.C.], a member of the committee, that he disagreed with the whole concept of civil disobedience.

"You can express yourself thru the proper channels," said McCone, "as long as you wish, and as loud as you wish, but you have no right to inconvenience the balance of society just because you don't like a law."

McCone indicated that leniency by law enforcement officials toward such actions might have been a factor in recent riots.

Appearing after McCone, before the riots commission, was Mayor Hugh Addonizio of Newark. The mayor later released a statement blasting the actions of anti-poverty workers in his city.

He charged that in by-passing city government and dealing with neighborhood groups, the office of economic opportunity "gave a club to the so-called powerless groups" to help beat the cities down when they already were flat on their back.

THE URGENT NEED FOR AN ANTIBALLISTIC MISSILE SYSTEM

Mr. ASHBROCK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, as I have noted before, one of the reasons given by the Defense Department for not going ahead with the deployment of an antiballistic missile system has been the hope that the Soviet Union will reach an agreement with us not to further pursue the construction of such systems in the Soviet Union. As is generally known, the Soviets have been working on ABM systems in the Moscow and Leningrad areas.

Dr. James D. Atkinson, of Georgetown University, in the August 21 Washington Report of the American Security Council, has advanced another compelling argument in favor of taking the necessary steps immediately to construct ABM systems here in the United States. Dr. Atkinson cites a report of August 3, 1967, of the Joint Congressional Committee on Atomic Energy which states that:

> On the basis of our present knowledge, we believe that the Chinese probably will achieve an operational ICBM capability before 1972. Conceivably, it could be ready as early as 1970–71.

Adding its voice to those of others in Congress and the Joint Chiefs of Staff, Dr. Atkinson points out that a Senate Appropriations Subcommittee, in reporting on the Defense Department appropriations bill for fiscal year 1968, states:

> It is the view of the Committee that the deployment of the NIKE–X antiballistic missile system should be initiated immediately, and the Committee urges the executive branch of the Government to take action accordingly.

As the Washington Report shows, the Chinese operational ICBM capability is just a few years away from realization, and yet the United States dickers with the Soviet Union to prevent the proliferation of ABM systems. How the approaching Chinese missile threat is going to be explained away will be interesting indeed.

It is urgently necessary that the American public concern themselves with this vital issue. What reasoning and policies allowed the continuing delay in constructing ABM systems should be an issue of high priority in the 1968 presidential campaign.

To further consideration and discussion of the antiballistic missile issue, I insert the article, "Counter-Deterrence and the ABM," by Dr. James Atkinson, international politics editor, of the American Security Council's Washington Report in the RECORD at this point:

COUNTER-DETERRENCE AND THE ABM

That trenchant observer of the American scene, Will Rogers, once observed that in the field of disarmament Americans had a tendency to scrap battleships while their opponents tore up blueprints. Something of this American tendency of an almost extremist goodwill is in evidence today with reference to the question of anti-ballistic missile defense. We talk and talk in the hope that we can persuade the Soviet Union to dismantle its present anti-ballistic missile system and to refrain from going ahead with further missile defenses. The Soviets stall in the negotiations while continuing to build and deploy their ABMs.

SOVIET CAPABILITIES AND INTENTIONS

The recent study prepared by a special subcommittee of the National Strategy Committee of the American Security Council entitled The Changing Strategic Military Balance: U.S.A. vs. U.S.S.R. has stated that "the preponderance of evidence points to the conclusion that the Soviet Union is succeeding in its massive drive toward strategic military superiority . . . (and that) the year 1967 falls in a crossover period with the U.S.S.R. estimates ranging between 16,000 and 37,000 (deliverable) megatons, to equal or exceed the U.S. estimated range of between 8,000 and 29,000 (deliverable) megatons." This study, with its graphic documentation of the Soviet thrust for military-technological superiority, has received, and continues to receive, widespread attention from leading editors and authorities in both the daily and the periodical press. The New York Times, for example, in a front page story on July 12, 1967, stated that ". . . the Defense Department did not directly contradict the study's findings, but argued that deliverable megatonnage was not an accurate indicator of 'true military capability'."

It has been argued in some quarters in the West, however, that Soviet capabilities as illustrated by the Soviet deployment of an ABM system need not be a cause for alarm since Soviet intentions are peaceful and the Cold War is, in fact, over.

But are the Soviet leaders mellowing? Unfortunately, the most recent evidence would appear to indicate that storm flags are flying in the Kremlin. Some storm signals are:

(1) The official pronouncement of the Communist Party of the Soviet Union issued June 25, 1967, in a summary of 50 years of Bolshevism. It stated that, "The domination of imperialism on the world scene has ended" because of the growth of Soviet military power. The statement also singled out the United States as the "main enemy" of the national liberation warfare movement and charged the state of Israel with aggression.

(2) Appointing (for the first time since Beria's execution in 1953) the Soviet secret police chief a member of the ruling Politburo. This is Yuri Andropov, whose promotion was announced June 22, 1967. Since the KGB (the Soviet secret police) have vast responsibilities for waging unconventional warfare around the world, it would appear that giving Andropov such power indicates stepped-up Cold War operations.

(3) Writing in the official Soviet Armed Forces newspaper, RED STAR, on June 3, 1967, Bulgarian Minister of Defense, General of the Army Dobri Dzhurov said: "The Soviet Union has always been and *will continue to be the main political and material base of the world revolutionary process.*" (Emphasis added.) The general also went on to say that "The Soviet Union constitutes the main support of fighting Vietnam."

(4) Soviet escalation of the Vietnam war is another example of the Soviet's true intentions. Soviet shipping going into North Vietnamese ports has shown a marked increase this year over 1966. As of June 1967 the rate was eighteen per month with an additional 2 to 5 Soviet satellite ships per month. Indicative of this escalation is the Moscow Radio broadcast of July 28 which stated that Soviet ships "leave Odessa practically every day with cargoes for Vietnam."

(5) The recent hard-line in the Soviet press which continually attacks Israel, "Zionism," and the United States. In reporting this trend from Moscow, the *Washington Post* of August 8, 1967 stated that the press campaign was one which "to some senior diplomats here recall the worst days of the Cold War."

These indicators of increasingly "stormy cold war weather" indicate that Soviet strategists understand quite well that revolutionary agitation and propaganda, "peace marchers" in London and New York, guerrillas in Africa and Latin America are techniques of conflict on a par with guided missiles and nuclear submarines. But does it follow that these same Soviet strategists are unaware of the possibilities for nuclear blackmail of the West in the event that they attain strategic military-technological superiority? Indeed, one may well ask whether the present U.S. limitations on air strikes against military targets in North Viet Nam result from the steady accretion of Soviet military-technological power?

CHINESE COMMUNIST NUCLEAR WEAPONS DEVELOPMENT

Even if it were possible to disregard the evidence of the Soviet deployment of an ABM system or systems and the counter-deterrence which this poses to the announced U.S. policy of deterence, it would be still more difficult to close our minds to the ominous developments in China.

The Chinese Communists exploded their first H-bomb on June 17, 1967. It was apparently a sophisticated implosion type in the two-to-seven megaton range. The complicated electronic triggering and measuring devices that would appear to have been required, in this and other nuclear tests, would be of great assistance to the Chinese in building an intercontinental missile. Since the Chinese progress in nuclear weapons development has been faster and more effective than had been anticipated by Western sources, it may be that they will also develop a nuclear ICBM delivery capability sooner than the mid-1970's, which is the time phase previously estimated by Western sources. Moreover, the Chinese *now* possess the design capability for a multimegaton thermonuclear weapon which can be delivered by aircraft.

The possibilities of the Chinese Communists exercising nuclear blackmail against Southeast Asian countries, Japan, or, indeed, against the United States are underscored in a report released August 3, 1967, by the Joint Congressional Committee on Atomic Energy. The Committee said: "We believe that the Chinese will continue to place a high priority on thermonuclear weapons development. With continued testing we believe they will be able to develop a thermonuclear warhead in the ICBM weight class with a yield in the megaton range by about 1970. We believe that the Chinese can have an ICBM system ready for deployment in the early 1970's. On the basis of our present knowledge, we believe that the Chinese probably will achieve an operational ICBM capability before 1972. Conceivably, it could be ready as early as 1970–1971."

The Joint Committee then went on to sound a warning about the direct threat to U.S. national security posed by Chinese Communist nuclear weapons developments by pointing out that "Most significant for the United States is the fact that a low order of magnitude attack could possibly be launched by the Chinese Communists against the United States by the early 1970's. At present we do not have an effective antiballistic-missile system which could repel such a suicidal (for the Chinese) but nevertheless possible strike."

THE STABILIZING VALUE OF A U.S. ABM SYSTEM

In the final analysis, the value of a system of deterrence is that which the enemy believes about it. If the Soviets believe that the U.S. deterrent offensive force can be neutralized by their ABM systems to a point at which the Soviet war-making capability will sustain only an acceptable level of damage (and, of course, their acceptable level may be much higher than ours), then they have achieved a counter-deterrence posture which may lead them to risk—at a given crisis in international relations—a nuclear war.

Equally, if at some future point the Chinese Communists should believe (in the absence of a U.S. ABM system) that there is somewhat more of a "suicidal" element for the United States than for them in a nuclear war, they might, in a given confrontation, launch a surprise nuclear attack on America.

The evidence of the post-World War II period suggests that it has been the stabilizing factor of U.S. military-technological power which has prevented a general war. Today, under the impact of both the Soviet and Chinese Communist military-technological thrust, that stability appears to be threatened. Would the production and deployment of a U.S. ABM system—perhaps even on a crash basis as a clear demonstration of credibility—have a definite stabilizing value on world politics? That it might well do so is indicated by the thoughtful and carefully measured words of the Senate Appropriations Committee. In reporting on the Defense Department Appropriation Bill for fiscal 1968 (August 4, 1967), the Committee said: "It is the view of the Committee that the deployment of the NIKE–X antiballistic missile system should be initiated immediately, and the Committee urges the executive branch of the Government to take action accordingly."

Dr. James D. Atkinson,
Editor.

ONE-WEEK-A-MONTH RECESS FOR THE HOUSE

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, on Monday, August 21, the House amended the Legislative Act of 1959 authorizing each Member of the House one paid round trip to his district for each month the House is in session. While I agree that this is a step in the right direction, it is regretted that the next logical step was not taken.

The Representatives of the people do need to return to their districts to keep in personal contact with their constituents. The people have a right to question their Representatives on the issues of the day; and while many Congressmen keep contact with their districts through the mails, there is no substitute for face-to-face confrontation.

If round trips are to be paid for by the Government, then ample opportunity to meet with the people should be provided so that money yields the greatest return. I refer to the suggestions I made for the reorganization of the House, which provide a 1-week-a-month recess from legislative activity which would provide the Members of the House an opportunity to hold office hours in their districts and to discuss pending legislation with interested parties before this legislation was considered on the floor of the House. Under my plan, the remainder of the month would be reserved for House business including regular sessions of the House from 12 noon to 5:30 Mondays through Fridays—5 days a week. Every Member would be expected to be present at the sessions with his district being well aware that he would be penalized paywise if he were not present without official permission from the Speaker.

Such orderly procedure would make it possible for legislation to be scheduled for a month in advance so that on his week in the district, the Member could discuss appropriate legislation with those individuals and groups who would be expressly affected—either by the passage or the failure of the passage of legislation. This would truly give the people a voice in their government, a chance to express themselves, an opportunity for the Member to better represent his district by gathering a body of facts and opinions upon which to base his judgment. Big business and large organizations have the finances to lobby in Washington; but the individual citizen, the small businessman, the farmer, the student, and the teacher not only lack the time, but the finances, to come to Washington to discuss legislation with their Congressman.

Years ago, when the House met for 6 months or less, ample opportunity was provided for Members to keep in touch with their constituents. Today, with the House in session 10 to 12 months a year and having recess only during those periods when many of their constituents are away over holiday vacations, some way must be found to make representative government truly representative. It would make a great deal of sense to provide each Member with a round-trip ticket for travel to his district each month if the Member were in a position to spend enough time in the district to justify the expense. Of course, some work can be done on weekends, but Members of the House are not superhuman beings. They need some time to be with their families—to worship in the church. They need days for recreation to refresh their body, the mind, and the soul. While each month the House is in session is a partial solution to the problems faced by most Members, the money could be better spent if there was an opportunity for the Member to spend enough time in the district at work to justify the cost of the ticket.

For some, of course, my remarks do not apply since they live within an hour or two from the Capitol to make ample use of time in return for the cost of the trip. For those of us who live several hours from the Capitol, including travel time to and from the airport, the time during the weekend is indeed limited since most of the time we are not advised early enough of the fact that no sessions will be held on Friday. It is difficult to make commitments on Friday even though at the last minute, time would be available for work in the district. Since the House is not in session every Monday, and we have no way of knowing whether quorums will be called, and in many cases whether business will transpire which will require a vote—no commitments can be made for Monday. On the other hand, if a week were provided, a schedule could be firmed up ahead of time, and the people could get to talk with their Representative in person.

THE SCANDALOUS TAX PREFERENCES OF THE OIL INDUSTRY

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There is no objection.

Mr. JOELSON. Mr. Speaker, I hereby insert in the RECORD a letter which I have today written to Internal Revenue Commissioner Sheldon Cohen. This letter discloses a tax advantage enjoyed by oil companies by administrative ruling of the Internal Revenue Service which deprives the National Treasury of an estimated billion dollars a year.

Coming on top of the oil depletion allowance which the oil companies are so generously given, this administrative ruling serves to reemphasize the fact that the average taxpayer is not treated with the same tender concern as the Government seems to reserve for oil interests.

The letter follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., August 23, 1967.
SHELDON S. COHEN,
Commissioner, Internal Revenue Service, Department of the Treasury, Washington, D.C.

DEAR COMMISSIONER COHEN: I am writing you about what I consider to be unjustified preferential treatment over other taxpayers which oil companies receive by administrative ruling by the Internal Revenue Service.

This regards royalties which United States companies pay foreign governments for oil produced abroad. I understand that rather than merely deducting the sums of such royalties from gross income for tax purposes, American oil companies are permitted to deduct the entire sum of royalties paid abroad from their taxes dollar for dollar.

In my opinion, this is an unconscionable determination and is not rendered any the more palatable by the fact that it has existed for many years. Although I do not have the exact figures at hand, I would estimate that this gimmick deprives the federal government of conservatively a billion dollars a year in needed tax revenues. This figure of a billion dollars does not, of course, include the additional $1½ billion of tax payments escaped by the oil industry through oil depletion allowances.

There has been some concern about the failure of major oil companies to provide employment in this country by exploring domestic resources. As a matter of fact, domestic drilling has considerably diminished. Oil companies naturally will prefer to drill abroad because of the great tax advantage which they receive as outlined above. It seems to me that rather than encouraging them to fatten hostile Arab nations, we should adopt policies which would encourage them in the interests of our national security to develop oil resources at home.

I would remind you that by reason of the deduction of oil royalties paid abroad and the oil depletion allowance, a company such as Atlantic Refining Company has paid absolutely no income tax for at least the past 5 years despite the fact that it has enjoyed substantial net profits. Its net profit in 1966, upon which it paid no income tax whatever, was $127,384,000. Even worse, several companies which have enjoyed substantial profits have received tax credits appliable either back 3 years or ahead 5 years. Thus, in 1963, Sinclair Refining Company received a tax credit of $1,200,000 despite the fact that it made a net profit of $85,731,000. In 1964 the same company received a credit of $3,119,000 on a net income of $66,444,000. Likewise, in 1963 Tidewater received a credit of $63,000 on a net income of $42,795,000. In 1964 Sunray D.X. Oil Company received a staggering credit of $7,115,000 on a net income of $29,357,000. I could furnish you with countless further illustrations, but I think I have already made my point.

I urge you to re-examine and reappraise policy on this matter, and to keep me informed about it.

Sincerely,

CHARLES S. JOELSON,
Member of Congress.

DEPLORABLE CONDITIONS AT FRANKFORD ARSENAL

Mr. NIX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NIX. Mr. Speaker, I wish to take this opportunity to inform this body of deplorable conditions that exist at Frankford Arsenal in Philadelphia. I was appalled at hearing of these conditions at this important Federal installation.

The abominable conditions of which I speak are continuous instances of racial discrimination in hiring and promotion practices. Discrimination against Negroes, which was first documented in letters to the Secretary of the Army and the Vice President of the United States in 1965, although I must add that the conditions have existed long before that.

But Mr. Speaker, instead of improving, the employment and promotion system as regards Negroes has worsened at Frankford Arsenal, despite Federal Government policies, regulations, Executive orders, or acts of Congress concerning equal employment opportunities.

There are on the employment rolls at Frankford Arsenal many Negroes who for 10, 15, and 20 years have remained in frozen dead-end positions despite efforts to better themselves and their positions.

When passing grades on the Federal service entrance examinations was set as a prelude to promotion, Negroes took the test and, even then, those who passed have been waiting some 2 years for promotions—promotions which have been given to white employees with similar and less qualifications.

There are instances of record at Frankford Arsenal where Negroes have been placed in a career position with progression slated to grades GS–9 and GS–11. Those positions soon developed dead ends for the next promotion steps have been abolished by means of an internal reorganization within the Negro's office.

Mr. Speaker, these next facts speak for themselves:

White employees hold 1,106 career and noncareer jobs in the white collar classification—GS–9 through GS–11. Negroes hold only 80 of these positions.

White employees hold 811 white-collar positions both career and noncareer in the GS–12 grades. Negroes hold only 23 of these positions.

Qualified Negroes are available to fill the vacancies as they occur. They have applied through the usual channels yet continually find the doors of opportunity closed.

Mr. Speaker, I intend to call for an investigation of the conditions at Frankford Arsenal. I ask you to join me in calling for the granting of equality of opportunity to all who are deserving of it. For that is the premise on which this country was founded and that is the premise on which we labor here in Congress.

I wish to include with these comments a copy of the letter outlining the conditions of which I spoke from the northwest Philadelphia branch of the National Association of Colored People:

NORTHWEST PHILADELPHIA BRANCH,
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE,
Philadelphia, Pa., August 12, 1967.
Hon. ROBERT N. C. NIX,
House of Representatives,
Washington, D.C.

DEAR SIR: We submit to your attention, previous complaints of racial discrimination concerning Mr. Elvin P. Pierce, employed at Frankford Arsenal (formerly submitted 22 October 1965, copies to Senator Scott, Vice President Hubert Humphrey, Secretary of Army) of which has not been resolved nor has any change in the vicious pattern of racial discrimination in the promotion and placement of Negroes improved. If anything may be said, the employment situation in this Federal agency has become "deplorable", regardless of Federal policies, regulations and Executive Orders concerning Equal Employment Opportunities.

Negroes employed at this agency for periods of 15–20 years remain in frozen dead-end positions, while white employees enjoy (with as little as a high school education) positions in the GS–9–11–12–13 and 14 white collar jobs. Negroes are told by Frankford Arsenal officials, they must "pass a Federal Service Entrance Examination" "you are not qualified", "you need to supplement your education" etc. (those Negroes who passed the FSEE test two years ago are still in the same positions as before the examination). Concurrently white employees (with less education or as much) are placed in career positions (or non-career) white collar jobs in the GS 7–9–11–12–13 and 14 positions.

Our Labor and Industry Committee discovered that if a Negro is qualified and placed in a career position which has progression to GS 9 and GS 11, Frankford Arsenal has a designed method of abolishing the next promotion (by causing an internal reorganization within the Negro's office) which adversely affects him, leaving the Negro in a "dead-end" position. Frankford Arsenal, then tells the Negro you must "pass the FSEE test in order to advance to another open career series".

The case submitted to Senator Clark, Senator Scott (referred to above, Mr. Elvin P. Pierce, 22 October 1965) concerned this illegal practice. Mr. Pierce still remains in a dead-end position at the GS–7 level, further complicated by Frankford Arsenal officials by placing the Negro for the past 16 months in a mis-assigned dead-end position. This reassignment was an attempt by Frankford Arsenal officials to resolve said complaint—or for other devious reasons. In either case, Mr. Pierce has suffered a gross inequity (including his family—who equally shares his hardships) since submitting said complaint to Washington officials.

Our Labor and Industry Committee of NW Branch, Phila. Pa., finds it imperative that you initiate a Congressional Investigation of employment conditions existing at this important federal agency. At this critical time, Federal agencies should set the example to be followed by private industry, i.e., to upgrade qualified Negro employees, initiate on-the-job training programs for promotional opportunities, etc., to improve the Negro's economic status.

Further, the Congressional Committee should bring in a representative from the Civil Service Commission headed by Honorable John Macy, in order to improve job standards, lower entrance requirements, and eliminate the Federal Service Entrance Examination (substitute years of faithful government experience in lieu); re-write all of Frankford Arsenal's regulations regarding Equal Employment Opportunity with the proper spirit intended by Executive Orders etc.

Further, the Congressional Committee be empowered to freeze all promotional opportunities until such selection is made by fair officials who reside, communicate, live and understand the Negro and its community, in order to improve the employment statistics at Frankford Arsenal as follows:

White employees hold one thousand, one hundred and six (1,106) career and noncareer white collar positions in the GS 9 through 11 jobs, Negroes hold only 80 of these positions.

White employees hold eight hundred and

eleven (811) white collar positions (career and non-career) in the GS 12 and up jobs, Negroes hold only 23 of these positions.

Study of this deplorable condition, by our Labor and Industry Committee as to why Negroes are not selected in the GS 9 through 12 jobs (although found otherwise qualified) is that the selecting supervisors and other responsible officials are white . . . live in the suburbs such as Levittown, New Jersey, white Northeast part of Philadelphia, Pa. Similar employment conditions existed in Newark, New Jersey, before the recent explosive situation.

The Philadelphia Negro community is alerted to these employment conditions at Frankford Arsenal, and we feel before frustration and bitter emotions result in the general "I have nothing to lose" attitude, which we are trying desperately to avoid, the Congressional Investigation be made at this agency, to improve the economic status of Philadelphia Negroes, as well as the white employees.

Again, we state, we are prepared to submit facts and figures to verify our complaint regarding racial discrimination practices which persist in violation of Federal and Executive Orders concerning Equal Employment Opportunity.

If our Labor and Industry Committee may be of assistance to you in this matter (or any other) please advise.

Very truly yours,

Dr. Harry Greene,
President.
Elvin P. Pierce,
Chairman, Labor and Industry Committee.
Robert Johnson,
Vice Chairman.

THE 70TH ANNIVERSARY OF BLACK HORSE TROOP

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, on August 19 of this year, all over this land of ours, graduates, friends, and admirers of the Culver Military Academy of Culver, Ind., celebrated the 70th anniversary of the Black Horse Troop of that world-famous school.

I am indebted to Constantine N. Kangles, distinguished lawyer and master in chancery in Chicago, who is a vice president of the Culver Military Academy Father's Association and whose son, Nicholas, has been a Culver cadet since last summer, for the following information:

First. The troop is the last cavalry unit on any campus in this Nation. The Black Horse Troop has participated in Presidential inaugurals by parading in Washington along with West Point and U.S. service academies. The troop is, as such, not only well known throughout this Nation, but in many foreign countries as well.

Second. August 19 marked the retirement of a distinguished military officer, Gen. Delmar Spivey, a superintendent of the academy, being indeed a fitting climax to a most illustrious career. General Spivey, concluding 11 years at Culver as its superintendent, was a World War II bomber pilot, and headed the Air Universities War College.

Third. Commencement exercises of the Culver summer schools were held August 19, where some 1,700 or more students participated.

Mr. Speaker, I am extending my remarks to include interesting excerpts from an article by Ridgely Hunt in the Chicago Sunday Tribune of July 18, 1965, as follows:

The New Culver: Scholarship, Sabers, and Fans in the Hat

(By Ridgely Hunt)

Down amid the cornfields of central Indiana lies Culver Military academy, which is at once a country club, a basic training camp, a preparatory school, and a foster home for 874 of the nicest kids who ever lived. Because it costs $3,000 a year to send a boy to Culver—plus another $500 if he joins the cavalry troop—most of the cadets come from wealthy homes. On Mothers' weekend, when parents descend on the campus from all over the midwest, the parking lots are jammed with Continentals and Imperials. Even so, 20 per cent of the students receive scholarships, so the school encompasses poor as well as rich.

But rich or poor, the Culver cadets shine with a sort of adolescent splendor. Their backs are straight, their heads erect, their gaze unwavering. When they speak, they look you manfully in the eye, maintaining a decent respect but refusing to be overwhelmed by superior age or wisdom. Their discourse is peppered with "sir's" and heavily larded with school boy humor.

On parade they crackle with military precision. The guidons dip and snap erect, and 1,700 white-duck legs scissor back and forth together. As the cadet officers march to their posts, their sabers clank softly. Then with a rattle of orders and a crash of drums, the whole corps swings past in review, faces stern, plumes waving in the springtime breeze. You would never suspect, to look at these stiff-backed youths, that inside their high shakos a few have rigged battery-operated fans to cool their heads.

Culver cadets regard the military life with emotions ranging from ardor to irreverence. "Four years is enough," says one regimental staff officer in explaining his choice of a civilian college. This year only one graduate is going on to West Point and one to the Air Force academy. Three are going to Yale, two to Harvard, five to Stanford, and 11 to Northwestern, the most popular choice. There were 209 in the class.

"A lot of people like me just don't like the military," says a 16-year-old third classman, or sophomore.

And a 14-year-old fourth classman, his voice still unchanged, states flatly, "I think it's a farce."

For most of its 75 years Culver was a rigidly militaristic school, tho it has long ranked among the best. Many parents, having botched the job of rearing their sons, sent them to "get some sense pounded into their heads." Plebes sat at attention during meals, perched on the front edges of their chairs, and they were obliged to polish the upper classmen's boots. After four years of this rigorous environment, many entered the world at the age of 18 with a Prussian bearing and with commissions as second lieutenants in the United States army.

Military schools have traditionally been regarded as genteel correctional institutions for the sons of the rich, and this reputation continues to haunt and to injure Culver. In a recent Dr. Kildare television program, an irate father advised his knife-wielding son that he had better repent lest he be sent to a military school. "And there," says a Culver official bleakly, "went 25 years of public relations down the drain."

Little of the old militarism remains at Culver. R.O.T.C. instruction has been cut to two class periods a week plus drill on Thursday afternoons and Saturday mornings if the weather is nice. "During the winter months," says Steven R. Patterson, a second-classman from Los Angeles, "the military system almost goes completely underground." The cadets always wear uniforms, even while traveling between school and home at vacation time and they march to church three times a week, but mostly they move about the campus singly or in bunches as they would at any school.

"I've tried to indoctrinate our boys with the idea that you can play soldier all day long and never learn a darned thing," says Maj. Gen. Delmar T. Spivey, a retired air force officer who heads the academy. This is a remarkable belief for a West Point graduate who has completed a distinguished military career, but General Spivey [pronounced Spy Vee] is a remarkable man. He still remembers with distaste the military school graduates whom he knew at West Point and whose unbending militarism exceeded all requirements. "We called them tin soldiers," says General Spivey. "Why, you could hardly talk to them.

"The military system serves a useful purpose here," he says, "but it's not paramount. It teaches a boy respect for constituted authority. It teaches him the principles of morality and the pride of belonging to a unit. It's a convenient way to reward the boys for achievement." Culver offers a variety of chevrons, stripes, insignia, and badges that denote rank as well as athletic or academic honors.

"And the military serves a very useful administrative purpose," says General Spivey. "The boys control their own actions 24 hours a day." By forming ranks and marching out the door, the cadets can empty the dining hall in a third the time it would require if they shoved thru in a mob. Cadet officers maintain order in the dormitories—called barracks at Culver—thus freeing faculty members from routine police chores that they must perform at non-military prep schools.

"And it doesn't take very much of the boys' time," says General Spivey. "I don't know what they would be doing if they weren't doing this."

Most students agree. "I get all the time I need for studying," says Patterson.

"Heck, I get all the time I can stand," adds Miles B. Kehoe, 16, of Whittier, Cal.

Like most of his faculty, General Spivey devotes his energies less to sabers and shakos than to scholarship and morals. "I have a strong feeling that parental control and the amount of time that parents spend with their kids have declined more and more because of the type of society in which we live," says General Spivey. "I regret this deeply, but it's a fact of life. We farm our children out to teachers and playground supervisors and baby-sitters. Most of our parents are deeply concerned for their youngsters, and most would like to have them at home. But they send their sons here because of a desire for them to have a better education than they could get at home and because they want to take them away from the distractions of their communities. I usually sum up those distractions as wine, women, and automobiles."

While he speaks in his paneled office, a gun barks down by the lake, and a bugle sounds retreat. Over the years the general has stood a thousand retreats, saluting the colors as they fluttered downward in the twilight. He has flown military aircraft since 1928—everything from the fabric-covered DH's to advanced jet fighters. He was shot down over Germany and culminated his imprisonment with a secret mission that might have shortened the war. Now, while the last bugle notes die away, he talks of more immediate matters, his soft voice still touched with the drawl of his boyhood on a South Carolina farm.

"I have a feeling that people don't have a real, deep purpose in life and that they're just running helter-skelter, trying to find something, they don't know what. Youngsters want leadership. They want guidance and direction. They want a purpose in life. I feel this is absolutely true."

Part of that direction comes from the regular army personnel who run Culver's R.O.T.C. program: four officers and four non-coms, all of them as straight and polished as bayonets. Under army instruction the cadets master such subjects as leadership, first aid, army history, and map reading. They learn marksmanship with .22 rifles and study the anatomy of such venerable weapons as the M1 rifle and the .30 calibre light machine gun, which are no longer much used in the army but which are almost the only arms available for R.O.T.C. units. They carry M1 rifles on parade but don't shoot them. If they complete Culver's four years of military training, the cadets may receive credit for some college R.O.T.C. work, but they no longer graduate with commissions.

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The cadets live their most glamorous moments on the parade grounds, and when the Black Horse troop canters down the road, 150 youths in boots and spurs with banners flying, the earth trembles beneath their hoofbeats. But the deeper excitement comes in the classrooms when their instructors lead them in assaults on the battlements of knowledge. Teachers like Arthur G. Hughes, chairman of the English department, prick them with questions, stirring them up until their minds ignite and their ideas ricochet among the desks.

"Well, how about our world at Culver? Would we drive Thoreau out? Would there be no chance for him at all? Yes, Vance, go ahead."

"Well, Thoreau spent most of his time saying what he wanted to do rather than talking about what other people wanted to do, and I know most of my years here I've had to do what everyone else wanted."

"Unhuh. Yes, Coplan?"

"Well, if a person wanted to do what Thoreau did, he could just sit around and think."

"But Thoreau did more than that," Hughes insists. "He did till his own fields and build his own house and feed himself. He hired himself out as a surveyor."

"He could do theatrics," another cadet suggests. "He could join the philosophy club or the liberal club." A mild burst of laughter sweeps the room. Hughes, who once ran an education program for the United Automobile Workers union, is faculty adviser to the Liberal club.

The next afternoon Hughes yields his seat to Ralph E. Dittman, 17, the regimental commander, or highest-ranking cadet in the academy. Dittman is a phenomenon—a scholar, an athlete, a leader, admired by students and faculty, he's everything a father has ever sought in a son. Sergeant Major Sprouse calls him the roughest line backer in the state. His teachers call him brilliant. Tho his father is an air force colonel, Dittman will enter Harvard next fall and intends to study medicine. Now he lectures Hughes' class about Yeats' poetry, a subject on which he has written a 50-page honors paper, stressing the effects of mysticism and Irish mythology on the poet's work. After a 45-minute display of restrained erudition, he winds up with a reading of "Sailing to Byzantium." The next day he would help the varsity baseball team to victory, and the day after that he would lead the corps of cadets thru a full-dress review.

Not all Culver cadets are Dittmans.

"I had a new boy this year who was the biggest marshmallow I ever saw," says Channing Mitzell, a history instructor who also serves as counselor to battery B of the academy's artillery unit. "He couldn't tie his tie. He was so sensitive that if you raised your voice to him, he cried. He had a speech impediment. He couldn't drill, couldn't get his left foot out at the same time that everyone else did, and he cried because he couldn't.

"His mother came and stayed at the inn for the first two weeks of school." Culver runs an inn and a motel on the campus for parents and other visitors. "She used to sneak into the barracks without my knowing and make his bed for him. She bought him a snap-on tie so he wouldn't have to tie his own. Finally I told her that I was having enough problems with her son and she was making them worse. So she went away.

"I put two of my best boys to work with this kid, teaching him to drill, and they did it in private so he wouldn't be embarrassed. I got the hall officer to work with him and teach him to tie his tie. Then the hall officer asked if he could try to help this kid with his speech, and I said, 'Sure, go ahead.'

"This boy came in one day at the end of the first semester and said, 'Mr. Mitzell, I'd like to show you something.' I said, 'What's that?' And he said, 'Red radishes.' That's all he said. 'Red radishes,' I said, 'My God, I don't believe it!' His speech impediment was just about gone.

"He wanted to go home at first. He came in here and begged me to send him home." But Mitzell persuaded him to stay and fight, and the boy won.

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"A lot of guys never wanted to come here," says one cadet. "Their parents just sent them." Yet Culver will not knowingly accept an unwilling student and does its best to keep him out.

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Inevitably, a few who enter cannot stay. Some cannot adjust to prep school discipline; some go AWOL; some cheat. One boy was dismissed last spring because his ungovernable temper led him into repeated insolence toward his teachers and cadet officers. Another departed speedily after he threatened to beat up an instructor. A third ended his Culver career by gambling. These malefactors typically repent their sins, and most receive second and third chances to reform. Dismissal comes only as a last resort and usually fills the faculty with sorrow. The lost sheep represents a failure.

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Most cadets disapprove of such offenses as cheating and stealing. They live by an honor code, which some of them take more seriously than others but it is the basic law of their private society, and they do not like to see it violated.

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To the great majority who stick it out Culver offers a world of riches for mind and body: an enormous gymnasium with a swimming pool; a library fit for a small college; an auditorium with all the equipment of the professional stage and an Ivy league drama professor to show them how to use it; and a dining hall managed by a major restaurant chain. The food is of the type euphemistically described as "plain but hearty"; i.e., boiled frankfurters for lunch, meatloaf for supper.

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Within a single afternoon a cadet may be exposed both to the horsemanship instruction of Col. Gerald C. Graham, a former aide to General MacArthur, and to the literary tutelage of John M. Hartley, a Briton with a dry sense of humor and a splendid, Victorian mustache. "Does the meaning of any other word elude you?" Hartley asks. "Shards? What are shards? Shards are broken pieces of pottery. The kind of thing you throw out when it's broken and that the archeologist will be delighted to dig up and give to a museum." Humor is an important weapon in the prep school teacher's armory. With it he can quell a classroom disorder or drive home a bit of information. One instructor, as he draws a large circle on the board, ritualistically chants, "Swing and sway with Cassius Clay," or for variety, "Swing and sway with Chaplain Bray." The boys think it's hilarious.

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And always there is the control exerted by the cadet officers, the youths who have earned the right to bear a saber [about $28 at the academy store] and an assortment of chevrons on their arms. All cadets enter the academy as privates and receive $450 worth of identical uniforms, which are specially made so that they can be lengthened in sleeve and leg as the cadets grow. Most new boys are too fat, however, so that as the year progresses, coats and blouses are more often nipped in than expanded.

Promotions in rank come mostly in the junior, or second-class, year when cadets reach such positions as battalion staff sergeant or company first sergeant. They usually enjoy this first taste of authority. "Last year was the best," says First-Classman Benner, looking back to his first major promotion. "Last year was sheer exuberance. I've learned a lot since then." Benner, who was graduated last month as a cadet first lieutenant, had felt the first heavy touch of responsibility.

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Pride comes in many ways to the Culver cadets as it does to all prep school boys. It comes, first of all, in the simple act of survival in this world where their fathers cannot extricate them from trouble and where their mothers cannot comfort them. It comes in winning honors and promotions or in converting a detested enemy into a close friend. It comes in the time of glory on the soccer field or in the act II reprise of a production of "Brigadoon." And especially it comes in the realization that, as they have outgrown boyhood, they have become men. And pretty good men at that.

MATSUNAGA BOOSTS PAN-PACIFIC CONFERENCE FOR AID TO THE BLIND

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, it was a heartening experience to support and witness the passage in the House of Representatives of H.R. 12257, the Vocational Rehabilitation Amendments of 1967, last Monday.

The bill proposed six additional amendments to the Vocational Rehabilitation Act which would first extend through the fiscal years 1969 and 1970 the appropriation authorization for grants to States for the basic program of vocational rehabilitation services for handicapped individuals; second, authorize one additional year of appropriations for support of statewide planning in vocational rehabilitation by the States, through June 30, 1968; third, authorize the establishment and operation of a National Center for Deaf-Blind Youths and Adults; fourth, authorize a program of project grants to States for providing vocational rehabilitation services to handicapped migratory agricultural workers and members of their families; fifth, provide that no residence requirements will be imposed which excludes services under the plan any individual who is present in the State; and sixth, make a special provision affecting the Federal allotments available to the rehabilitation program in the District of Columbia.

This past year, 173,000 persons were rehabilitated, bringing the total to more than two million handicapped people who have now been rehabilitated to activity and useful work since the beginning of the vocational rehabilitation program.

The demonstrated success of the vocational rehabilitation program is due in large part to the effective leadership of Miss Mary E. Switzer, the longtime Commissioner of Vocational Rehabilitation. The President has recently appointed Miss Switzer to the new capacity of Administrator of the Social and Rehabilitation Service, where she will bring together and direct the major programs in welfare, rehabilitation and certain health and health-related programs within the Department of Health, Education and Welfare. This most able administrator deserves the highest praise for her efforts to improve the lives of the Nation's handicapped and disabled persons.

However, this formidable problem still finds our Nation with nearly 4 million disabled people who need vocational rehabilitation services if they are to become employable, with approximately four thousand new cases being added each year. If we are to achieve real success, we must have active individual and organizational participation in the private sector.

One such organization which has long been actively engaged in the rehabilitation of the blind is the Lions Club International. Their work in this field is well known and needs no elucidation.

I rise at this time, however, to call the attention of my colleagues to the laudable project in this connection which is being sponsored by the Lions Clubs of Hawaii: a Pan-Pacific Conference on "Servicing of Visually Handicapped Persons," which will be held in Honolulu, Hawaii, on November 10 through 12, 1967.

This Pan-Pacific Conference is being sponsored by the Hawaii Lions Eye Foundation, in cooperation with the American Foundation for the Blind and the Department of Social Services of the State of Hawaii. The keynote speaker for the conference will be Mr. M. Robert Barnett, executive director of the American Foundation for the Blind, who is widely known for his international leadership in work for the blind.

Mr. Shizuo Onishi, the distinguished chairman of the Hawaii Lions Eye Foundation, has stated that the purpose of the conference is to provide a medium for the interchange of information on the most current trends in services available to and for the blind, and to provide a medium for the interchange of information for the peoples of the Pacific basin.

The Hawaii Lions Eye Foundation has invited Lions organizations in the Pacific basin, governmental agencies, and various other organizations, to participate in and contribute ideas to the conference, and I am sure that the discussions which will be held in November will prove meaningful in developing and improving programs for the blind and visually handicapped persons.

The Lions throughout the world should be commended for their work in this area and encouraged to continue this great service to those in need.

As a member of the Lions Club myself, therefore, I ask my colleagues to lend whatever assistance they deem appropriate in boosting the forthcoming Pan-Pacific Conference for aid to the blind. The place: Honolulu, Hawaii; the time: November 10 through 12, 1967.

NASA APPROPRIATIONS ACT, 1968

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Schadeberg] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, it is unfortunate that the recorded vote on only one issue cannot reflect the real thinking of the Member who has but two choices—yea or nay. A "yea" vote could well be interpreted as being wholly in favor of the entire project, when in fact in the conviction of the one who votes "yea" some of the projects may well be wasteful and at best questionable in terms of value received in return for the appropriations.

On the other hand a "nay" vote may well be interpreted as being opposed to the entire program in space. Nothing could be further from the truth. It is not possible to qualify one's vote.

While I support our space program as the greatest event in mankind's history, I am concerned about its goals and methods.

The race for the moon is undeniably costing the United States a great deal more than it has to, because haste is an additional cost; men working overtime is expensive. My colleague, the gentleman from North Carolina, Representative Jonas, pointed out in debate some examples of inefficiency and mismanagement of NASA. Saturday and Sunday work as part of the Apollo program in July 1967 cost $7.3 million. If that is an average month, taxpayers must pay some $87 million in additional expenses. As my colleague Representative Fulton showed NASA's awarding of long leadtime contracts, such as the Saturn V boosters, is expensive and creates a hardware surplus. Worse yet, such action closes the opportunities for progress, since the integration of advances in development are prevented. Had the boosters been properly scheduled, there could have been a savings of half a billion dollars. The figures used for costs are NASA's.

I seriously question the value of racing to the moon. Inner space is far more strategic and deserves more of our efforts than are presently being made.

Congress has the power of the pursestrings. This power is meaningless, if never used. The space program has been one of the truly remarkable aspects of American society. Like all human institutions, NASA is subject to the process of institutionalization, the slowing of the rate of progress as an organization's energies are absorbed internally. Of all the Government activities, NASA was marked by a high degree of advancement and efficiency. I believe NASA is slowing down, not for want of funds, but out of a belief such funds will always be forthcoming; no one will ever criticize. If this continues, then NASA will receive the money and decide how it is to be spent years in the future. Let us reverse this process. The United States must decide it wants technological progress and greater knowledge of the universe, not to be first to the moon with obsolete hardware.

I voted against the NASA appropriations, 1968, to cause NASA to resume its former rate of progress. I would support a NASA program that would reflect an economic outlay of funds more consistent with the critical financial situation in which we find ourselves at this time.

THE MILITARY MANPOWER PROCUREMENT DEBATE

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CURTIS. Mr. Speaker, I would like to continue today my discussion of military manpower procurement and utilization policies, and to inform the other Members of the House of the responses I have received to my inquiries on this issue.

EFFICIENT UTILIZATION OF MILITARY MANPOWER

One of the most important questions for the Congress to consider in this period of increasing troop commitments to Southeast Asia is the problem of maximizing efficiency in the utilization of military manpower. Secretary McNamara, on his return from his visit to Vietnam, suggested that improvements could be made in the utilization of manpower in Vietnam, improvements which could reduce the need for the assignment of some of the additional troops requested by General Westmoreland to Vietnam. This is merely an example of the short-range, emergency need for increasing efficiency in the use of manpower resources by the military. The larger problem—and the problem which must be faced by the Congress—involves the overall policy of the Armed Services with regard to selection, training and utilization of military manpower.

I have argued that efficient utilization of manpower requires a coordination of manpower needs, training facilities and responsibilities, and manpower procurement between the military and civilian sectors in our economy. I have felt, and many other Members of the Congress and the public at large have agreed, that we can and should reduce our dependence on conscription as the source of military manpower. The draft is uneconomical and inefficient, as well as inequitable, and we should be studying ways and means to eliminate this system in favor of a more democratic and rational system of military manpower procurement.

My bill, H.R. 422, would establish a joint House-Senate committee to study the problem and develop a more efficient system. The recent action of the Congress in passing the military selective service amendments was insufficient in that it failed to consider this important problem. Therefore, I have taken the floor on numerous occasions to bring to the attention of this House studies, reports, and comments on these questions which I hope will stimulate discussion, debate, and further study of the basic issues. Today, I would like to call to the attention of the Members a most interesting and most valuable speech which was delivered by Mr. Jack W. Carlson, senior staff economist of the President's Council of Economic Advisers. This speech, which I am enclosing in my remarks today, is a lucid and well-thought-out analysis of the present manpower utilization policies of the Air Force—which is applicable to the other services as well—and includes many useful suggestions and observations for improving the efficiency of military personnel policies.

Mr. Carlson, now with the Council of Economic Advisers, was Assistant Secretary for Special Studies of the Air Force during the period 1965–66. This speech was delivered at the 25th anniversary Symposium on Personnel Research and Systems Advancement, San Antonio, Tex., on November 3, 1966. The studies that he presented to the symposium on the management of manpower resources in both the Department of Defense and the Air Force are the most significant studies which have been made to date on the problem; and they are especially important to the Congress, as Mr. Carlson was closely associated with the area under consideration and intimately familiar with his subject matter.

Mr. Carlson concludes from his lengthy analysis:

> The Departments of Defense and the Air Force are only moderately efficient and effective in the use of their personnel. It is equally clear that significant improvements can be made.

These improvements can result in marked reductions in personnel costs, enough reductions to cast considerable doubt on the Department of Defense's estimates of the cost of an all-volunteer military force. He continued:

> It is reasonable to assert that a few important improvements could reduce manpower expenditures by more than $2 billion a year for the same level of performance, or DoD could benefit from a marked increase in personnel performance with no reduction in cost.

Most importantly, Mr. Carlson bases his analysis of military manpower utilization on the sound economic principle that the Nation has only a limited amount of manpower resources, which must be allocated among competing manpower users, including the civilian economy as well as the military establishment, in such a manner as to provide an adequate defense structure, sustain the economy at a high level of economic growth, and maintain the highest possible level of production of public goods demanded by Americans in addition to national defense.

Mr. Carlson also finds that our information on the impact of defense spending on our manpower resources is sketchy and uncertain at this time. He recommends:

> Therefore, as a first step towards reducing our ignorance, *a study should be initiated to measure more adequately the impact of Defense expenditures on the economy through withdrawing, disciplining, training, educating and discharging men.* Then other studies should follow to determine more intelligently the extent that DoD should assist further in achieving other national goals. (Emphasis is Mr. Carlson's.)

I have been advocating a study of this type for many years now, and my bill H.R. 422, sets up a congressional study group to accomplish this task. As Mr. Carlson points out, this study must cover the total impact of military manpower policies on the economy—therefore, it is necessary that Members of the Congress who are expert in both civilian labor, educational, economic and social problems, and in military manpower problems be included on this study group. Thus my proposed joint House-Senate committee would include members of the House and Senate Education and Labor Committees as well as members of the two Armed Services Committees. It is only through such a broadly based study as the one I have proposed that the Congress will have the information, which we lack today, necessary to evaluate the total impact of military manpower procurement on the whole economy.

Mr. Carlson also points out that the DOD has carried out inadequate studies into the area of manpower costs and requirements:

> Unfortunately, the Defense Department has traditionally concentrated its planning activities on the basis of weapon systems with less regard for manpower resources. This has occurred in spite of the fact that roughly $30 billion or one-half of the Defense budget is spent for military and civilian compensation and training costs.

Mr. Carlson proposes several key improvements which the DOD could make in computing manpower costs and setting manpower requirements.

On the question of manpower requirements for military jobs, Mr. Carlson finds that skill levels are actually higher than they need be for certain jobs—this creates dissatisfaction in the ranks of the highly skilled military personnel because their jobs are not challenging and not commensurate with their skills. These highly skilled personnel are the first to leave when their obligated service is up and the last to become career military men. Mr. Carlson cites figures to show that while 31 percent of first-term motor vehicle operators, packaging experts, and information helpers accepted career status with the Air Force, only 6 percent of the expensively trained and highly skilled defense missile guidance mechanics, ballistic missile launch repairmen, and instrument repair technicians accepted career status. The result is higher training costs due to the high turnover of skilled people and "reduced performance from inadequately trained or insufficiently experienced personnel."

Mr. Carlson finds that the draft, while providing the military with the required number of personnel at lower pay levels than the same young men would receive in the private sector, includes high social costs to American youth:

> Because the draft provides manpower to the Services at less than the prevailing wage rate for similarly skilled men in the civilian economy, the Services tend to favor military techniques and methods which use relatively large amounts of labor in general, and skilled labor, in particular. Also, total production for the entire economy is lower; and manpower is used where it is not most productive. Therefore, the social cost of $5–$15 billion which is now borne by drafted young men would be reduced by moving towards a voluntary force.
>
> Originally, the draft was designed to distribute the burden of protecting our country upon all citizens; and, as a byproduct, it provided a desirable "civilian flavor" in each military service. The draft, however, is a great subsidy for DoD, and its cost unfortunately is not equally distributed among the Nation's young men. In fact, the cost tends to be borne by young men who are unable to avoid the draft through college or other types of deferments.

Mr. Carlson proposes several improvements in our military manpower policies which will have the dual effect of reducing manpower costs while improving efficient use of resources and of encouraging more volunteers and thus reducing the need for the inefficient draft. First, he advocates a restructuring of the structure of military compensation and incentives. His research shows that "almost all servicemen prefer a higher amount of cash now rather than future payments." Thus younger personnel, who are facing the crucial decisions on a military career, actually are turned away by a compensation system which provides low cash benefits and 20 percent of total compensation in noncash or future benefits. Those who benefit from increases in future and noncash benefits are most likely to be careerists already, and thus a change in the structure of compensation, even without a pay increase as large as that considered by the DOD to be necessary to secure a volunteer army, would produce more volunteers and better manpower efficiency and economy.

Also, Mr. Carlson points out that military promotion policies deter qualified personnel from continuing with a career in the Armed Forces. Promotions in the military are based mainly upon age with the quality of performance of relatively little importance. According to Mr. Carlson's figures, only 1.3 percent of promotions to major in the Air Force in December 1965, were based in any way on above-average performance. This representative example shows why retention rates are as low as they are. As Mr. Carlson says:

> There is nothing so discouraging to young and highly trained men as to be told that they must wait and be promoted with "the herd." Yet this is precisely what current policies implicitly say to highly qualified young men. Naturally, they won't stay and they don't stay.

The facts show that the more highly skilled soldiers leave the Armed Forces for civilian jobs where promotion is more rapid and where the chance for real responsibility is available.

While the military services do use Mr. Carlson's fourth tool to motivate higher performance and reenlistment—awards and special recognition—to good advantage, the assignment policies of the services need to be revamped. As Mr. Carlson points out, officers are rotated every few years in and out of specialty areas; therefore, officers never have the opportunity to develop real expertise in a job specialty before they are forced to move on. In addition retraining costs are multiplied by this approach which is "frequently rationalized because of the need to prepare all officers for general officer responsibilities in spite of the fact that only 0.03 percent can be general officers at any one time."

This system of rotation is intolerably wasteful and expensive in light of the growing need for specialization and technological developments within the military. As Mr. Carlson concludes,

> The great advances in technology now affecting the Defense Department make it folly to ignore specialization among all personnel. If ignored, then the substitution of civilian personnel in the place of military personnel should and must be considered as a desirable alternative in all but direct combat-type jobs.

An example of the harm which the Armed Forces present assignment policy can create was brought to my attention when one of my constituents, a 12-year career officer in the Army, asked for my help in resigning from the Regular Army. This officer was a qualified Army aviator with a B.B.A. in industrial management from the University of Toledo and an M.B.A. in transportation from Michigan State University. During his 12 years in the Army, this man had seen considerable experience in statistical analysis and cost effectiveness studies and was intimately familiar with both military logistics needs, primarily in aircraft procurement and supply, and with modern statistical and budgetary techniques. As a statistical officer in Vietnam, he designed and implemented an Army Aviation Data Center, including a system for collecting, storing, retrieving, analyzing, and presenting combat intelligence, maintenance, and aviation supply information.

However, the officer, who holds the rank of major, wished to resign, and will resign after his current tour of duty in South Vietnam—his third tour in the combat zone. Why? I will quote you his own reasons from his official resignation:

> a. On three occasions I have made application or expressed a desire for advanced schooling to obtain a Ph.D. degree in the fields I have been most qualified (References a, b, d, and e above). On these same three occasions I have been turned down for this advanced schooling by my career branch because no requirement existed (References a, b, and c above). It seems inconceivable to me that a branch requiring the aptitudes and knowledge of a Ph.D. does not have a requirement. Within the office to which I am presently assigned as an ADP qualified statistical officer MOS 96400, contracts are let to hire Ph.D.'s at a minimum of seventy-five dollars per day consulting fee. These individuals are working on problems directly involving transportation—aviation actions. Does this not constitute a requirement for a better educated more experienced Army officer? Certainly—in the long run—the Army would gain by having qualified officers at less expense with adequate professional and educational experience doing the same jobs for which these Ph.D.'s have been engaged. Civilian concerns have offered me jobs, which do include the explicit offering that I would be able to obtain a Ph.D. at the full or part expense of the company, with a salary higher than that I now receive from the Army. To gain a Ph.D. degree remains my utmost desire; and, as will be noted in reference b above, I have been accepted for a Ph.D. program and have paid the necessary preliminary fees. I have made an attempt to gain this degree part time; however, the universities within the St. Louis area do not accept part time doctorial candidates. Neither have I found any other universities of reputable standing at which I could achieve this goal on a part time basis. With the above mentioned civilian concerns offerings in hand for a Ph.D. and my wife having available a fellowship to receive her Ph.D. training, plus the Army's continued reluctance to continue my education for our obvious mutual gain; I consider this resignation my only recourse.
>
> b. The next reason I will now elucidate for my desire to leave the service regards my career and schooling assignments as dictated by OPD–TC. Upon completion of my Master's Degree at Michigan State University I understood I was to be assigned to a validated position in order to apply the benefits of the training. This assignment was to be in accordance with para. 13. j. of reference f above. To this date I have not been assigned to a validated position. It is interesting to note that my first assignment following this schooling was that of an instrument examiner MOS 1982. For this assignment I was not qualified or even trained. It was most certainly not a validated position to exploit my school training. Reference is made to the first paragraph of the third indorsement of g above. "This obligation must be fulfilled, otherwise the expense of the program to the government and the taxpayer is not justified." If the taxpayers' expense is to be justified, assignments should be carefully made so as to utilize the educational abilities of the personnel involved. Since my graduation from Michigan State I have had assignments which have only partially utilized my undergraduate and graduate schooling. If the course curriculum that I have undergone were fully examined a position in transportation movements—DTMS or logistics planning—DCSLOG would have been far more appropriate—providing they were validated positions. My assignments have continued to be as an aircraft maintenance officer, an area remote from my schooling or experience. Assignments to jobs requiring my educational abilities and experience have not been derived from my career branch, but rather have been detailed from my office or unit at my insistence. In addition to making application for a Ph.D. program, I have, also, requested entrance into career programs. These requests have been similarly denied. (See reference e.) Most recently an additional request for a career program has been tendered by me. The outcome of this request at OPD level is uncertain. The most probable outcome of this request will be denial for the same unsubstantiated reasons as previously given. I question whether the Army offers a rewarding career. I question whether the Army uses its resources properly. I question whether the Army knows what resources it needs. While my peers are assigned to advanced military schooling, I continue to receive assignments to maintenance officer positions—the same assignments I received as a First Lieutenant in 1959 but now as a Major and eight years later still find myself being assigned. The degradation of the assignments given to me by OPD is indicative of how purposeless I find my army career. If my efficiency reports were poor or reflected inability, I could comprehend this assignment position; however, with the reports that have been written on me, I can only assume OPD has chosen to ignore these reports for the sake of assigning a number rather than a personality.
>
> With these cogent reasons and flagrant misassignments by OPD, I consider this resignation as the only recourse to further my aptitudes and career as a distribution—OR&SA decision maker and manager.

I wrote to the Secretary of Defense concerning this soldier because I felt that it was a tragic loss for the Army to force this qualified officer to resign by failing to utilize his training and experience. I would like to include this letter and a reply I have received from the Office of the Secretary of Defense, because the questions I put to the Secretary bear directly on the issues raised by Mr. Carlson in his speech of November 1966. The letters follow:

July 10, 1967.

Hon. Robert S. McNamara,
Secretary of Defense, Department of Defense,
Washington, D.C.

Dear Mr. Secretary: On June 13, 1967, I received a visit from a constituent, Major ———, who asked my assistance in obtaining approval for his request for resignation from the Army. I have been informed by Major ———'s Branch Operations Board (Transportation Corps) that he is being retained under the Army's Selective Retention policy for up to 18 months. Whatever the eventual outcome of his resignation request, I feel that his case, and his reasons for wanting to resign after twelve years in the Army, should be brought to your attention.

Major ——— began his military service, after successful completion of an R.O.T.C. program, in 1955. He is a qualified aviator, a specialist in aircraft maintenance, and has acquired a B.B.A. in industrial management from the University of Toledo and an M.B.A. in transportation from Michigan State University. Major ——— has seen considerable experience in statistical analysis and cost effectiveness studies during his twelve years of military service (see attached application for Detail as Student Officer, with endorsements) and combines a knowledge of military logistics needs, primarily in aircraft procurement and supply, and statistical and budgeting techniques. He is presently assigned to the U. S. Army Aviation Materiel Command as a qualified statistical officer (MOS 96400), while awaiting reassignment to Vietnam (20 July, 1967).

On three separate occasions, Major ——— has applied or expressed a desire for advanced schooling to obtain a Ph.D. in economics or a related field. His reasons for wishing to pursue such a course of study are stated in his own words:

"Under the present and what will continue to be a cost effective environment of DOD, I feel it essential that a well qualified and properly educated economist be assigned within the operations research/systems analysis environment of the Army. The major emphasis in the operations research/systems analysis field seems to be predominantly in the mathematical and engineering areas. The disciplines inherent in the field of economics are those which lend themselves most acutely to the problems the Army presently has in the development of new aircraft systems, systems analysis, the state-of-the-art, and economic trade-offs to produce acceptable aircraft for the mobile Army at minimum cost."

Despite the enthusiastic approval of this course of study from Brigadier General Schiltz, Commander of the Army Aviation Materiel Command, and Lt. Gen. William Bunker, Deputy Commander of the Army Materiel Command, these three requests for Ph. D. training in economics have been denied by the Transportation Corps on the grounds that "This branch does not have requirements for training of officers at the doctorate level" (see attached letter of Lt. Col. Akers, 21 Aug. 1963). Yet, I am informed that the Transportation Corps presently hires, on a contract basis, civilian Ph. D.'s in economics at $75 a day to do the type of work Major ——— wishes to do.

Because of his inability to acquire the necessary training to proceed along a career course in his chosen field—systems analysis/operations research—Major ——— has felt it necessary to submit his application for resignation. As you know, I am very concerned with the problems of military manpower utilization, and I feel that the loss of an officer of Major ———'s experience, ability and interests because of a "lack of a requirement for a Ph. D" is very unfortunate.

The enclosed statement of a requirement for an officer with a pilot rating and an economics Ph. D., prepared by Special Studies Office of the Materiel Command on 16 May 1967, speaks for itself in outlining the need for such a qualified officer in the areas of Major ———'s interests and training. And yet, the Transportation Corps has repeatedly denied the need for such specialists, preferring instead to hire civilian Ph. D.'s on a contract basis. In a conversation with a member of my staff, Colonel Royal of the Transportation Corps stated that this policy was based on an overall military personnel policy of rapid rotation of officers to create "military generalists" rather than specialists in fields like cost effectiveness analysis.

While the Armed Forces need a supply of general officers, it is also true that there is a need for specialists, and that only a small number of officers will advance to colonel and higher ranks. Therefore, a personnel policy of training every officer to be a "generalist" with no opportunities for the kind of specialization which men of Major ———'s caliber wish to achieve seems to be inefficient and conducive to dissatisfaction and resignations.

I would appreciate your comments on this case as it applies specifically to the Transportation Corps and the lack of requirements for economic Ph. D.'s in the officer grades and generally to the Army's personnel utilization policies. I am enclosing copies of a number of documents connected with this case for your information. I would also appreciate receiving any recent studies or material you might have on military manpower utilization and personnel management. I am hopeful that this case will stimulate a review of the particular policies involved in this matter.

Thank you very much for your cooperation.

Sincerely,

THOMAS B. CURTIS.

DEPARTMENT OF THE ARMY, OFFICE
THE SECRETARY OF THE ARMY,
Washington, D.C., July 19, 1967.

Hon. THOMAS B. CURTIS,
House of Representatives.

DEAR MR. CURTIS: This letter is in reply to your inquiry addressed to the Secretary of Defense in behalf of Major ——— who contacted you concerning his resignation from the Army.

* * * * * *

Major ———'s desire to attend advanced schooling is understandable; however, his request was denied on the basis that his branch (Transportation Corps) has no requirement for an officer with the qualifications that he desires to attain.

This year under the Army's advanced degree program more than 900 officers are enrolled in colleges and universities all preparing themselves to fulfill certain Army positions that require post-graduate training. The existing program is aimed at permitting the Army to plan ahead in filling some 3,400 positions that have been determined to require a certain degree of postgraduate training.

In case of positions requiring graduate degrees, the career branch anticipates vacancies for about two years in advance. These vacancies may be caused by anticipated transfer of the incumbent, retirement, or the creation of new requirements. In any case, the position must first be identified and the requirement validated before the position is assigned to the branch and an officer selected for advanced schooling.

Major ———'s request to attend advanced schooling was reviewed by his branch, and he was considered by the Army Education Requirements Board as a possible candidate to fill a position requiring post-graduate work in economics. The final determination was that he would not be selected for advanced schooling at this time due to a lack of a requirement for such an officer. At the present time the Transportation Corps has 12 officers who have been identified and who are considered to be best qualified for selection for advanced degrees, when and if a requirement does exist. Unfortunately, Major ——— is not among the 12 officers selected.

It is pertinent to note that the personnel requirement request submitted by Mr. J. K. Gerdel, Chief Special Studies Officer, U.S. Army Aviation Command, has not been approved by the Aviation Command or the Army Materiel Command as a valid requirement, nor has the Army Education Requirements Board approved the training of an officer for this position.

It is difficult to comment precisely on the statements concerning the hiring of civilian consultants, because the exact positions to which Major ——— refers are unknown. The Army does, however, hire many consultants in the field of economics to satisfy temporary requirements as well as full time employees that are required in positions which are enhanced by the employment of civilian experts who are more stabilized in their positions than the military counterpart.

For the most part the training of career officers is designed to cover a wide variety of subjects which will in turn provide the career branch with an individual who is fully qualified to fill any vacancy within his field. Only under the Army specialists' program is an officer's training directed toward a limited field. Major ——— has been in the Army for approximately 12 years. Of this time he has spent more than four years as a student, or approximately one-third of his total military service. Throughout this time his training has been programmed to provide the Transportation Corps with a highly qualified officer with the necessary scholastic background to allow him to pursue the highest realm of a military career.

In regard to your questions concerning utilization of officers who have received training in a specific field, the Army makes every effort to utilize the knowledge gained by these officers immediately after completion of the course of instruction. The governing factor, however, is the need of the service at the time the individual is being considered for reassignment. On occasions a deferred utilization tour is more appropriate to the officer and to the Army. In all instances, however, the officer's records reflect his qualifications to include any specialized courses of instruction which he has attended.

The Army is vitally interested in obtaining the maximum return from funds expended in training an individual and this is one of the major reasons Major ——— was not selected for further schooling. The Army does not feel that the maximum return has been gained from the training already given this officer. Further, there are other officers considered better qualified and who can reasonably be expected to provide the Army with a greater service in the future.

On one other occasion Major ——— requested to be assigned to a specialist program. However, he was denied on the basis of limited career schooling and lack of practical experience in the field.

Attached you will find the latest proceedings of the Army Education Requirements Board which summarizes the Army's requirements for officers with advanced degrees. You will note that of the 4,418 positions identified only 225 require a PhD, and the majority of these are in the engineering and physical sciences. You may be assured that this program is periodically reviewed to insure the best utilization of personnel and to achieve the greatest return for the Army.

I trust this information will be of assistance to you in your reply concerning this matter.

Sincerely,

JOSEPH L. HADAWAY,
Lieutenant Colonel, GS Office,
Chief of Legislative Liaison.

Mr. Speaker, as it may be noted from the DOD's reply, the Army was concerned over the fact that this major had received "more than 4 years as a student, or approximately one-third of his total military service" and that this training has not been fully utilized as yet. Thus his branch, Transportation Corps, turned down his three requests for advanced Ph. D. training. Yet, as the major notes, he was never assigned to a validated position; the Army consistently reassigned him to aircraft maintenance jobs which did not utilize his special training in statistical analysis and cost effectiveness. Thus his 4 years of expensive schooling were effectively wasted by the Army because the Transportation Corps did not have any openings for his skills, or their rotation policies did not allow them to utilize his skills to good advantage.

Also, as the DOD points out, the Army would rather hire civilian economists at higher cost "to satisfy temporary requirements as well as full-time employees that are required in positions which are enhanced by the employment of civilian experts who are more stabilized in their positions than the military counterparts." Yet, as the major replies, in his letter to me of August 3, 1967:

> If more stabilization is necessary to do a good job why then does not the Army stabilize the military personnel to fulfill these requirements at less cost with more military experience.

This example of wasted manpower and discouraging assignment policies by the military demonstrates Mr. Carlson's point effectively, and it shows again why a thorough review of the military's manpower policies is desperately needed. If competent and qualified officers, who are willing and able to serve if only their qualifications can be utilized so that their careers are interesting, are forced by thoughtless assignment policies into resigning in discouragement and disgust, then we should be thinking of ways to change present policy.

I would like, at this point in the RECORD, to reprint Mr. Carlson's speech in its entirety, so that the many interested Members who have followed these discussions can benefit from the expertise which Mr. Carlson brings to this question. I should add that I intend to bring these remarks to the attention of the DOD for their comments and observations so that the dialog on the points I have been making can continue; and I shall, of course, make their reply available to this House.

Mr. Carlson's speech follows:

IMPROVING EFFICIENCY IN THE USE OF MANPOWER RESOURCES[1]

(By Jack W. Carlson)[2]

INTRODUCTION

I appreciate the invitation to present a paper on the occasion of the Silver Anniversary of the Personnel Research Laboratory. Many of the alumni and current members of the Laboratory are attending this conference and must justifiably feel a sense of accomplishment for what the Laboratory has now become. Beginning as a developer and administrator of aptitude tests, it is now the Air Force Center for personnel and manpower research. The initiation of the Personnel Management Model and development of Occupational Analysis mark its coming of age and clearly places the Laboratory in the forefront of research organizations within the Defense Department and the Federal Government.

The challenge of the Laboratory today is to remain dynamic. Members of the scientific community are forecasting a doubling of presently accumulated technical knowledge within the next 25 years. While the Laboratory and participants in this Symposium celebrate the accomplishments of the past, they should realize that the world of manpower analysis is rapidly changing.

My purpose is to identify areas for analysis and improvement in the management of manpower resources in both the Departments of Defense (DoD) and Air Force. First, the objectives of the Defense Department are considered in relationship to our national goals. Brief consideration is then given to the appropriate mix of machinepower and manpower followed by a discussion of some approaches for identifying the most efficient mix of manpower skills. Policies which influence the actual flow of personnel are evaluated in terms of their impact on attracting, retaining and motivating each skill-type required. In the final section, I have commented on the nature and magnitude of manpower research in the Air Force.

One conclusion is clear—*the Departments of Defense and the Air Force are only moderately efficient and effective in the use of their personnel. It is equally clear that significant improvements can be made.* From incomplete analysis, it is reasonable to assert that a few important improvements could reduce manpower expenditures by more than $2 billion a year for the same level of performance, or DoD could benefit from a marked increase in personnel performance with no reduction in cost.[3]

NATIONAL SECURITY AND OTHER NATIONAL GOALS

As an economist, I am naturally concerned with allocating resources among competing claims on a basis of least costs. Although there are a few resources that are relatively "free," such as the air we breathe and the water we drink, most resources are scarce. (Even those that were once free are becoming scarce, e.g., clean air.)

These resources are distributed on the basis of the willingness and ability of each individual to purchase them (demand) and the corresponding availability of each (supply). The actual matching of these two forces, demand and supply, is called a price, or the trade-off of one good for other goods. While prices are often automatically determined in the private sector of our economy, they are not always automatically available in the public sector. Instead, the government must *deliberately* compute prices ("shadow prices"). The ingredient that is lacking is not usually the supply cost—although at times computed incorrectly—but rather, the demand. In the private sector, demand is expressed automatically by "dollar votes" of consumers willing and able to purchase goods. In the public sector, government demand for goods and services comes from national goals which are given expression through the media of the ballot box, demonstrations and legal proceedings.

Several attempts have been made to forecast the future goals and objectives of Americans. The National Planning Association has recently enumerated and costed one set of goals.[4] Their analysis shows, first, that the cost of achieving even a modest array of goals far exceeds the ability of the economy to pay for them. Therefore, trade-offs between highly desirable goals must be made. Second, the achievement of even a lower level of these goals means that we must follow policies that sustain the economy at a high level of economic growth. Third, there are a variety of public goods demanded by Americans in addition to national defense. Some of these are urban development, social welfare, improvements in the quality of our environment and better health and education.

The Defense Department fits into the achievement of these American goals by (1) providing the primary focal point for national security and (2) by way of a by-product, contributing in the achievement of other national goals. Obviously, if the Defense Department can help raise the skill level of disadvantaged Americans while fulfilling its primary goal of national security at little or no additional cost, then it should. In this way Defense can achieve foreign policy objectives while simultaneously developing skills for economic growth and reducing poverty. This is extremely important now because total Federal expenditures for nondefense purposes have had to be cut to reduce pressures on prices and provide more funds for the war in Vietnam. In fiscal year 1967, expenditures subject to immediate Presidential control are estimated to be $23 billion or less,[5] while Defense expenditures are estimated to be $70 billion or more,[6] and expenditures not subject to immediate Presidential control are estimated to be $31.5 billion or more (e.g., Veterans' pensions, Farm price supports).[7] Under these conditions other worthwhile objectives suffer unless they can be achieved within the Defense Department's budget of over $70 billion.

However, we are not sure of the total impact of Defense expenditures on the Nation's manpower resources and thus on both national security and other goals. Nor do we know what the real increases in cost and lower levels of effectiveness are to Defense by including programs to simultaneously achieve Defense objectives and other national goals. Therefore, as a first step towards reducing our ignorance, *a study should be initiated to measure more adequately the impact of Defense expenditures on the economy through withdrawing, disciplining, training, educating and discharging men.* Then other studies should follow to determine more intelligently the extent that DoD should assist further in achieving other national goals.

MANPOWER COSTS AND REQUIREMENTS

Once the national objectives of the Defense Department are determined, the Department must then combine men, equipment, and facilities at the least cost. Alternatives should be explored to accomplish various levels of achievement. Unfortunately, the Defense Department has traditionally concentrated its planning activities on the basis of weapon systems with less regard for manpower resources. This has occurred in spite of the fact that roughly $30 billion or one-half of the Defense Budget is spent for military and civilian compensation and training costs. With over one-half of Defense expenditures immediately dependent on effective use of manpower resources, DoD should give this area at least as much analysis as that given to the development of weapons systems.

After arriving at a rough approximation of the proper mix of manpower and machine power, further adjustments must consider the "qualities" or characteristics of personnel in relationship to each current and future job. It makes a difference if military and civilian personnel have achieved differing "quality levels" based on higher plateaus of education, skills, and experience. It matters both in terms of performance and costs.

Each service and the Office of the Secretary of Defense now separates the development of manpower requirements (demand) and the actual management of the flow of personnel (supply). In both cases, costs are usually excluded or understated.

Numerous information systems covering portions of manpower resources in each of the Services and the Office of the Secretary of Defense have never been effectively integrated. A data system exists for costs and is completely separated from the data for manpower requirements. In addition, there is another describing the characteristics of personnel actually on active duty. Furthermore, to add to the confusion, there is only a primitive Air Force or Defense-wide data system for civilian personnel.

One of the few crude bridges in this gap is the development of personnel "cost factors" which usually reflect only current budget costs. They do not include in-kind benefits such as dependent medical care or future cash payments such as retirement or "insurance" payments for disability. There is no costing of personnel as they flow through career patterns, including expenditures for training, education, orientation and relative levels of performance. Consequently each Service has practically no information as to the cost of each personnel type. One reason for this situation is the difficulty of developing this kind of data in the present structure of the Planning-Programming-Budgeting System. Apparently no attempt has been made to develop data for a Personnel System.

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[1] Delivered at the Twenty-Fifth Anniversary symposium on Personnel Research and Systems Advancement, San Antonio, Texas, November 3, 1966, sponsored by the U.S. Air Force.

[2] Mr. Carlson is currently with the President's Council of Economic Advisers; during 1965–66, he was Assistant for Special Studies in the Office of the Secretary of the Air Force. The analysis and conclusions in this paper are attributable to the author and should not be interpreted as reflecting the views of any Federal agency.

[3] This doesn't include the savings to society of eliminating the draft. A partial analysis of this aspect of manpower wastage can be found in an unpublished paper by W. Lee Hansen and Burton A. Weisbrod, "Economics of the Military Draft," University of Wisconsin, October 28, 1966.

[4] Leonard A. Lecht, *Goals, Priorities, and Dollars, The Next Decade.* (New York: The Free Press) 1966.

[5] Testimony given by Bureau of the Budget Director Charles Schultze before the Committee on Ways and Means, House of Representatives, September 12, 1966.

[6] The Budget Message of the President, January 1967.

[7] Op. cit., Director Schultze's testimony.

The first attempt in the Department of Defense to develop even crude total personnel costs factors was conducted during 1966 in the "civilianization" studies (Project MIXFIX). Even this seemingly obvious step was incomplete, and only the Air Force attempted to relate costs to each type of skilled personnel affected by civilianization of the military force. In the future, both average costs and those costs associated with adding a few individuals to an on-going activity (marginal costs) should be developed.

Costs can be computed for each type of skilled resource based upon occupation (or specialty), educational level, major academic field (for recently graduated personnel), experience, mental capabilities (e.g., AFQT, AFOQT), physical attributes (e.g., eyesight), risk acceptance levels and other useful characteristics (or fewer). There is a difference in cost between an M.B.A. statistician, educated at the expense of the Defense Department, with 3 years in the field and 10 years on active duty, adept at quantitative analysis who seeks to avoid risk-taking; and a B.S. physical education major, 1 year as a maintenance officer and 5 years active duty, low on verbal and quantitative capability, 20:20 vision, who seeks risk and is a pilot. There is a difference between an experienced engineer in the Civil Service and an inexperienced officer returning from the Engineering School at the Air Force Institute of Technology. In addition, there are differences in both the effectiveness and substitutability of different individuals with different characteristics.

In setting manpower requirements, these cost and performance differences should not be ignored. Manpower requirements are now set with only the most indirect consideration of costs. Boards of officers or distinguished individuals decide what the educational level should be for entire military occupations, or each supervisor is asked to specify personnel qualities needed for each job under his jurisdiction. Skill levels are therefore not directly related to cost nor are they constrained by increases in costs. Boards of officers and supervisors quite naturally prefer more highly-trained personnel irrespective of the job. Nor are cost considerations forced on higher-level decision makers. At the highest levels increases in Defense appropriations are easier to obtain; and, in addition, the draft guarantees a flow of skilled personnel who are paid at less than civilian market wages. Although the draft does not assist the recruitment of civil service personnel, the fact of easily obtainable defense dollars creates a bias toward specifying high-skill levels within the civilian component of DoD. The average distribution of grades among military officers in 1951 was 0–3.0 (Captain) and was 0–3.1 (or essentially the same) in 1964. Enlisted grades crept from E–3.6 (between Corporal and Staff Sergeant) in 1951 to E–3.9 (nearly Staff Sergeant) in 1964. During the same period the average Civil Service grades rose rapidly from GS 5.3 (1951) to GS 7.4 (1964). While the military services rushed to increase the educational and skill levels of most jobs with the grade structures remaining the same, Civil Service escalated grade levels to accomplish the same thing.

An obvious example of over-investment is found in the requirement that all pilots have baccalaureate degrees or higher. There is no indication that officers with baccalaureate degrees do better in purely flying assignments than those without baccalaureate degrees. Currently (July 1, 1966), 183 pilots on flying status hold doctors degrees and 4,586 have earned masters degrees. Many other officers with advanced degrees and enlisted personnel with high school diplomas and college training are doing menial military tasks which are well below their capabilities.

The overstatement of requirements for each personnel type has resulted in each Service maintaining an unnecessarily large educational and training program. Yet, the graduates of the programs which develop the highest skills are not likely to stay in the military beyond the period of time that they are obligated to serve, because the overstatement of requirements results in their being assigned jobs which to them are unchallenging. (In addition, current personnel policies fail to encourage either retention or motivation as discussed below). The Services consequently find themselves in the wasteful position of educating and training two or more men when only one may have been adequate, if the requirement had not been overstated. There are analytical methods which can reduce the likelihood of either understating or overstating manpower requirements.

Manpower requirements can be determined by treating each organization as a producer of services or products for other organizations. What is necessary is an identifiable service or product and the manpower inputs. Each skill type (broadly defined) has a different and measurable impact on the output of each organization. The same is true for various combinations of skill types. Assuming the trade-off between machine power and manpower is made,[8] then the output measure of each organization can be identified.

For example, a wing which supports and operates B–52's or F–105's might be measured by Operational Readiness Indices such as number of sorties flown, number of aircraft assigned, number of successful missions, number of aircraft committed, number of aircraft in commission each day, number of aircraft flying hours, and average time required for the turn-around of aircraft.

In some cases, qualitative measures will have to be used because some outputs do not lend themselves to easy quantification. In the case of a research organization such as the Personnel Research Laboratory, merely counting the number of reports or pages in reports each year compared with the number of professional staff members employed to produce them is inadequate. Some measure of the quality of the work is necessary.

All military organizations (e.g., squadrons, wings) with similar missions or outputs and with similar equipment can be evaluated as to variations in the mix of skill types, and one mix of skill types may tend to achieve higher levels of performance—as for example measured by the Operational Readiness Indexes. The variations in skill types could be made to identify personnel types (based on education, experience, training, aptitudes, etc.) which are associated with higher levels of performance. The cost (compensation, training, variations in number of working days, etc.) of each group of personnel or skill type could be attached to its apparent productivity. The direction of change in the skill-mix, for each type of organization can be revealed by this process. The decision to change is easy if the costs of two skill-types are the same but one typically performs better in relationship to the organization's mission. But if the cost of the higher performer is also larger, the choice is more difficult and the decision-maker must judge if the increase in performance is worth the increase in cost.

In contrast to the organizational approach, requirements can be determined by studying each existing job and how it is related to other jobs. The elements making up each job can be identified. Each group of factors thus compiled for each job can then be identified with personnel types. Then the requirements of an entire organization can be determined by summing the personnel types for each job. Care must be exercised to recognize the interdependence of jobs within a military unit. This approach looks at the problem from the small or element of each job and then adds up the elements for each job requirement and hence applies this to all the jobs in an organization.

The organizational approach identifies the more productive organizations and the personnel types making for the greater effectiveness. Then more of the productive types are substituted for the less effective personnel types under the cost constraint until the best mix is achieved; this becomes the organizational requirement including requirements for each job.

The process of determining requirements should be repeated regularly to be consistent with the dynamic changes in DoD. Both of the above processes will greatly assist in reducing the misstatement of manpower requirements and possible over-investment in personnel skills.

In addition, not only the demand for personnel types changes, but the supply of each personnel type changes. For example, the quality of instruction that schools and colleges provide has increased dramatically during the past decade. This is reflected in the 3.2% (trend) increase in productivity per man-hour of which some studies show 7/8ths can be explained by education, training and other causes of technological change. Over 50% of the growth of GNP has been attributed to this source.[9] Under these growth conditions, the Defense Department is found wanting. In many areas, jobs or organizational requirements have not been reevaluated for 10 years and longer. This means jobs that once required a college degree might now require a high school degree, but the former requirement still exists. The net result of lagging behind the dynamics of the real world is even greater and continually increasing the military's overstatement of requirements for each job. This naturally leads to an unsatisfied man performing in his job at only one-half or two-thirds of his capability. He becomes discouraged and dissatisfied, waiting for the day he can return to an environment in civilian life which will allow him to use his full capabilities and which will reward him for this.

PERSONNEL POLICIES AND RESEARCH

Personnel policies must be modified to attract, retain and motivate the flow of personnel types required for the Defense mission. It is not enough to look at the mix this year or next, but for several years. Therefore, drafting, disciplining, training, educating, and discharging should be evaluated as an integrated personnel system with all the techniques associated with systems analysis.

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[8] This is a simplifying assumption. The relative cost and effectiveness of personnel types will impact on the deepening and broadening of machine power, but this is not included in the discussion that follows.

[9] See Edward Denison, *The Sources of Economic Growth in the United States*, Committee for Economic Growth, 1962; J. Kendrick, *Productivity Trends in the United States*, National Bureau of Economic Research, 1961; and Robert Solow "Technical Change and the Aggregate Production Function," *Review of Economics and Statistics*, 1957.

The objectives of this should be to match the flow of personnel types to the requirements of each job. Alternative personnel policies and practices should be evaluated to determine those which attract, retain and motivate each personnel type to meet adequately each job requirement at the lowest costs. If DoD objectives include assisting disadvantaged young men (Category IV's), then the costs and effectiveness may vary accordingly.

During the past few years, each service has generally attempted to retain any and all personnel who would stay. This is true almost without exception for servicemen who had completed more than their initial obligation. Fortunately, this policy has been successful in providing the total number of people needed. Prior to the buildup in Vietnam, June 30, 1964, the Air Force, for example, had stated requirements that 55% of their total force should be career personnel. The Air Force achieved 54% or 98% of its goals. But, the individuals who accepted career status were not usually the ones the Air Force needed to fill the more technical jobs identified for career servicemen. For example, during the last five years, 31% of all eligible first-term Motor Vehicle Operators, Management Engineering Specialists, Packaging Experts and Information Helpers agreed to accept career status in the Air Force. Only 6% of the Defense Missile Guidance Mechanics, Ballistic Missile Launch Repairmen and Instrument Repair Technicians accepted career status. A similar pattern appeared among officer personnel. Sixty-three percent of the nonrated personnel in the Operations Occupational Group remained beyond the sixth year while only 28% of the Civil Engineering Occupational Group stayed.

The loss must be measured by both *reduced performance* from inadequately trained or insufficiently experienced personnel and *increased training and processing costs* due to higher turnover of people. The training of a Defense Missile Guidance Mechanic costs about $10,000 and requires 255 training days, while the Motor Vehicle Operator costs only $1,000 and requires 75 days.[10] The loss of the Missile Guidance Mechanic is 10 times greater in money and over 3 times more costly in time. If the retention rates for both skill areas is desired to be the same at, say 18%, then the Defense Department could pay up to $6,000 in cash to each mechanic while maintaining the current pay of the vehicle operator and disallow reenlistment of excessive drivers, or pay the vehicle operators less so as to retain only 18 percent of the drivers and pay the mechanics something greater than $6,000 additional.

Shortcomings of the personnel system in the past need not plague the Services in the future. There are several personnel policies that can and do assist in providing the required mix of skilled personnel.

First, *the draft* is of tremendous assistance to each Service in providing both the required number and many skilled personnel at lower pay levels than the same young man would receive in the private sector. The Defense Department has indicated that it would cost an additional $5–15 billion to attract and retrain the same type and number of young men without the draft.[11]

Originally, the draft was designed to distribute the burden of protecting our country upon all citizens; and, as a byproduct, it provided a desirable "civilian flavor" in each military Service. The draft, however, is a great subsidy for DoD, and its cost unfortunately is not equally distributed among the Nation's young men. In fact, the cost tends to be borne by young men who are unable to avoid the draft through college or other types of deferments.

Second, the structure of *compensation* and incentives is very important in securing the mix of personnel types required. The experience of the private sector, where market forces operate more fully, does provide insights which may be helpful in improving the structure of compensation. The private sector pays for: higher levels of skill, relative scarcity of each occupation, superior performance, higher levels of education, greater experience, greater responsibility, increases in hazard, and disruptions to family life. The private sector pays over 88% of its compensations in *cash*.

In contrast to the private sector, the military has recognized only half of the criteria above: "increase in hazard," "greater experience," "disruption to family life," and, recently, some increased payment for "relative scarcity of occupations" among enlisted personnel (e.g., Proficiency Pay and the Variable Reenlistment Bonus). Also increased pay is given to a relatively few officers for special qualifications: doctors of medicine and lawyers. Except for the above cases, increased pay is not usually given for "higher levels of skill," "higher levels of education," "superior performance" or "relative scarcity of each occupation." Almost without exception, DoD has requested higher across-the-board compensation increases instead of differential pay so as to recognize more fully higher skill and educational levels. The salary reform studies of the Hook Commission in 1949, the Cordiner Committee in 1958 and the Randall panel in 1963 did not fully consider differential pay. And now, weapon systems and military planning are more sophisticated, but DoD is saddled with an archaic compensation structure. The net result is that DoD pays highly skilled personnel too little and less skilled personnel too much. With the economy at a high level of employment and with increases in growth dependent on the efficient use of manpower resources, the Federal Government and the Defense Department cannot be satisfied with continually over-paying some of its personnel and underpaying others. Pay must be used, as it was intended, to attract, retain and motivate the wide range of personnel skills that are required. No more or no less should be paid. There are other critical claims on the taxpayers' dollars that cannot go unrecognized. The current under-payment of some personnel leads to excessive turnover and the associated higher costs for additional training. The overpayment of others leads to higher than necessary compensation costs and training costs which compounds the problem.

Military compensation distributes more noncash benefits by providing more "free" present and future services than is the practice in the private sector. To add to the problem the proportion of noncash and delayed elements of total compensation has increased since 1949.

Roughly 50% of total compensation is now labeled basic pay and is paid in cash. Thirty percent is paid for special purposes such as housing, clothing and hazard allowances which may be paid in cash (e.g., hazard pay) or in kind (e.g., housing). Over 20% is paid for strictly noncash or future benefits for such services as dependent medical care and for future pays such as retirement and "insurance" for disability.

The more elderly use noncash services more than younger personnel. Therefore, greater compensation accrues in this form to older and more senior personnel. Also, it is evident that free services are used more extensively than is necessary. If the Federal Government gave in cash to military personnel an amount equal to the *total* cost of providing free medical facilities to dependents and service personnel for *nonservice-connected-medical-care*, less medical service would be demanded by service personnel because of their higher preference for other goods and services. A move in this direction can help to alleviate over-crowding in military medical facilities.

Almost all servicemen prefer a higher amount of cash now rather than future payments. This is evident by the interest rate military personnel are willing to pay for consumer goods. Generally, younger people are willing to pay high rates of interest to borrow for the essentials of courting and setting up housekeeping. The time preference or interest rate for cash is typically 10–20% for younger military personnel. This rate is significantly higher than either Government bond yields of 4½% or lower government accounting rates of 3 or 3½%. Because of this difference, income promised 20 years in the future means little or nothing now to young servicemen, but it means a higher cost by government computations. Characteristically, Government pay increases during the past five years have ignored this fact and have increased retirement pay at a faster rate than cash payments.

To an airman or officer in his nineteenth year of service, a basic pay increase at the guidepost rate of 3.2% means 25–35% increase in compensation that year. This arises because the retirement pay is a fixed percent of *terminal* basic pay and provides a stream of retirement income that 50% of the basic pay increase for the remaining life of the serviceman.[12] In contrast, the airman or officer completing his first year of service receives practically nothing in present value terms from the increase in his retirement. (A similar but smaller impact occurs with Civil Service pay; retirement pay is based on a percent of the average income of the *highest five years*). Thus, pay increases given to military and Civil Service personnel during the last five years have given *very small compensation increases to junior and middle career personnel and have given very large increases to personnel who have long since committed themselves to a career* and who generally possess less education and are less open to innovation. This is another example of the government increasing the compensation of senior personnel much more rapidly than junior and middle career personnel who are generally in short supply. The additional cost of rapidly increasing compensation for senior personnel is in many cases unnecessarily burdening the taxpayer without any significant returns.

The above deficiencies in the military compensation system (and to a lesser extent, civil service) are further encouraging younger and more skilled personnel to return to the private sector as soon as possible, where compensation is not predominantly based on old-age or paid in services. The compensation system should be modified to provide more compensation in cash, greater differentials based on skill and educational levels and less future pay, if the Services wish to increase retention and motivation at much lower costs.

Third, *promotion policies* are successfully used in the private sector to retain and motivate skilled personnel. In contrast, in the

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[10] Secretary McNamara's testimony before the Committee on Armed Forces, House of Representatives, June 7, 1965.

[11] Because the draft provides manpower to the Services at less than the prevailing wage rate for similarly skilled men in the civilian economy, the Services tend to favor military techniques and methods which use relatively large amounts of labor in general, and skilled labor, in particular. Also, total production for the entire economy is lower; manpower is used where it is not most productive. Therefore, the social cost of $5–15 billion which is now borne by drafted young men would be reduced by moving towards a voluntary force.

[12] For example, an officer of 43 years of age, who is a Lt. Colonel, earns $10,000 base pay, has a remaining life expectancy of 25 years, who receives a base pay increase of 3.2% or $320, will receive a compensation increase of 25% or $2,527.75=$320+19

$$\frac{\$160}{n=1\ (1+.05)^{n}}$$

(The above calculation considered only basic pay and retirement and thus did not include other benefits.)

Military Services and to some extent in the Civil Service, promotions are seldom given for above-average performance and for purposes of retention. Promotions are primarily based on waiting for the requisite age and then being promoted along with poorer performers. For example, in the December 1965 promotion to Major in the Air Force, only 1.3% of all promotions were based in any way on above-average performance. The remainder, or 98.7%, of the officers promoted, were treated as if they were of equal performance and were promoted after roughly the same number of years of service. Quite obviously, many officers among the 98.7% had superior performance records and tremendous potential for further development, while in the same group many officers had below average records and low potential for development.

There is nothing so discouraging to young and highly trained men as to be told that they must wait and be promoted with "the herd." Yet this is precisely what current policies implicitly say to highly qualified young men. Naturally, they won't stay and they don't stay. For example, the retention rate of enlisted personnel after completing four years in 1964 was 13% for those with the rank of E–3 (AIC) and 33% for those with the rank of E–4 (SSgt).[13] A similar pattern emerges when comparing officers with more advanced degrees in skill areas in short supply and officers with baccalaureate degrees in academic disciplines which were in ample supply.

When men who are highly trained and educated leave because of essentially no opportunity and no promotion, the services must maintain a larger training and education program for less capable personnel. It is hard to estimate what tremendous losses are sustained by such personnel policies, but the combination of existing compensation and promotional policies must cause at least a 6% wastage in DoD manpower resources. This would be equivalent to roughly $2 billion dollars. Perhaps it is closer to $5 billion.

Fourth, *awards and special recognition* motivate people to higher performance levels. There is no substitute for the pat on the back, public recognition, and medals for retaining and motivating personnel. Even the seemingly insignificant addition of lightning bolts for the visors of Lieutenant Colonels gave outward recognition of the officer's high status and probably increased motivation. Commendably, each service uses this policy tool very effectively.

Fifth, *assignment policies* can and do have an impact on attracting, retaining, and motivating skilled personnel. In the civilian economy, individuals specialize early in their careers and then broaden themselves for additional levels of responsibility. Among enlisted and civil service personnel, the Department of Defense does essentially the same thing. But this is not followed with officers. Officers are rotated at 2–4 year intervals into and out of specialties and occupation groups. Although each Service attempts to develop some career patterns, their efforts are either ineffective or are ignored in actual assignments. For example, an officer may fly for one tour, then be an academic instructor, then a management analyst and then return to the cockpit. Each job requires on-the-job training and may mean the equivalent of one year loss for each 3 years assigned to each new occupation. This approach is frequently rationalized because of the need to prepare all officers for general officer responsibilities in spite of the fact that only .03% can be general officers at any one time. Or, a loose career ladder is maintained to allow older personnel no longer suitable for flying or combat jobs to move into a "desk job." Of course, the preparations and execution of a war requires flexibility, but the current assignment policies appear unduly flexible and intolerably wasteful. The education and experience patterns of general officers could include earlier specialization with broadening responsibilities later in a career, as occurs with many top executives in industry. Flying personnel could be given a career pattern which includes only flying with the flexibility that pilots could leave with reduced retirement benefits or a lump sum payment after, say, 10 or 15 years. If the airlines are an example, pilots in nonfighter aircraft can have successful careers through at least 20 or more years. Fighter aircraft may require the faster reflexes of youth and, therefore, fighter pilots should be considered for transfer to bombers or cargo-carrying aircraft later in their careers.

The great advances in technology now affecting the Defense Department make it folly to ignore specialization among all personnel. If ignored, then the substitution of civilian personnel in the place of military personnel should and must be considered as a desirable alternative in all but direct combat-type jobs.

While it is easy to identify problems, and obviously wasteful policies, it is much harder to correct them. I do not wish to minimize the difficulties. But it is not always clear that we are moving in the right direction.

Conceptually, it is possible to define a personnel type—e.g., a man who is an experienced comptroller (more than one year), non-rated, company grade officer, master's degree in business—and trace his movement in the personnel system, given current policies.[14]

This can be followed by simulating the modification of personnel policies (e.g., compensation system based on additional pay for higher skill and educational levels and a promotion system based on performance) in order to calculate the likely changes in the actions of each personnel-type. Then the cost stream for each personnel-type under alternative personnel policies should be determined. Thereby, least-cost policy options can be isolated for the decision-maker.

To carry this approach further, changes in *requirements* for each personnel-type can be simulated in relationship to the needs for manning weapons systems and other military jobs. Again, cost streams must be attached to alternative mixes of personnel-types. Similarly, alternative requirements can be evaluated. In the final step, simulation of various personnel types can be made on the requirement side as well, with the ultimate matching of requirements (demand) and personnel flows (supply). The decision-maker can intuitively add factors not already considered and then make a selection of the mix of personnel policies and a statement of requirements at or near the lowest costs. This type of model, or more correctly, family of models offers a tremendous potential for greatly improving the effectiveness of personnel and manpower management, and at less cost.

The creation of these models and the development of other research projects, discussed above, will not be an easy task. Moreover, it will require improvement in the operation of manpower research and development activities within each Service.

To be most effective, applied research is best performed under special environmental conditions. These are: semi-isolation from operating organizations; latitude to initiate projects as well as to perform assigned research projects; and access to the highest levels in each Service (Deputy Chief and Chief of Staffs, Assistant Secretary and Secretaries of each Service and DoD).

Basic research is ideally conducted in an academic environment with its associated freedom and inquiring atmosphere. DoD should include grants to the academic community to foster this type of research.

Applied research can be performed in essentially three environments: academic community, consulting organizations, and in-house applied research centers. Each has its advantages and each should be used by DoD. More contact and contracts should be let to competent professors in civilian universities. Consulting groups, such as the Rand Corporation for the Air Force, provide a valuable and indispensable bridge between the academic community and each Service as well as generating imaginative approaches to resolving old problems.

In-house research efforts are particularly important in developing new systems for personnel management and recommending policy changes. The conceptual development of the Personnel Management Model and the development of Occupational Analysis at the Personnel Research Laboratory are two very good examples.

Although research efforts are not built overnight, now is the time to start. Competent researchers are hard to find, and, unfortunately, the Services have deluded themselves into thinking they can have a research effort in-house merely by reorganizing and labeling new jobs as research positions. It is time that the Services reduce the detrimental fragmentation of their efforts and further isolate research centers from the day-to-day demands of military operations.

Improvement in applied research and development will require the integration of diverse data sources. A fruitful starting point can be the integration of all costs, personnel, manpower, training, education, preaccession, ROTC, retirement, and Reserve data files, which already exist. Computer facilities set aside for manpower analysis may need to be expanded in each of the Services. As in the past, the Services will want to safeguard the privacy of each serviceman's personnel records.

In the Air Force, the Personnel Research Laboratory is the focal point of personnel and manpower applied research. It will need far more support than it is now receiving to match the challenge of the 1960's and 1970's. Also the Lab needs to increase its ties with all relevant disciplines including economics in the academic community (including the Air Force Academy and Air University). One approach is to reserve manpower spaces at the Laboratory for visiting researchers from academic life for part or all of a year. Also, consultants could be budgeted to work on special problems. In addition, it may be useful to have biannual symposia on Air Force and DoD Manpower research.

THE POSITIVE SIDE OF THE DOD STUDIES

In my continuing studies of military manpower policies, I have stressed mainly the areas of weakness in the present structure, because I feel there is much that needs to be improved and because I feel that a broadly based congressional study along the lines I proposed in my bill, H.R. 422, is very necessary at this time. But I would also like to point out that the DOD has been making some positive strides in certain areas of manpower utilization. One such improvement was recently called to my attention in an article from the Washington Post on the utilization of women in the Air Force. The article reported that the DOD has given its approval to a program to triple the size of the WAF in order to "use more volunteers instead of drafting people."

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[13] The causal relation may have been reversed—promotions may have been given to enlisted personnel because they expressed a desire for a career and not because of higher achievement levels.

[14] See the developments at the Personnel Research Labratory. The Personnel Research has successfully applied a useful flow simulation technique (modified Markov chain) to the Air Force officer force in some recent research efforts.

This article prompted me to write to Col. Jeanne Holm, Director of the Women in the Air Force concerning this program. My letter and a reply I received from Colonel Holm follow:

JULY 31, 1967.

Col. JEANNE M. HOLM,
Director, Women in the Air Force,
Arlington, Va.

DEAR COLONEL HOLM: I was very interested in reading a recent news report which stated that the DOD has approved a major expansion of the Women in the Air Force in order to use more volunteer resources rather than extending the draft.

This is an area of considerable interest to me, as I feel the military could do a lot more in replacing inductees with civilian-trained volunteers and career-oriented volunteers. Therefore, it was heartening to read that the Air Force is moving in this direction by expanding the WAF. I am interested in developing this matter further, and I would appreciate any information you could give me on the positions now authorized for women in the Air Force, those which will be opened up for women under the expansion program, and those positions which are now filled by inductees or regular Air Force troops but which could be filled by women. Any research that your organization has done on the potential utilization of women in the Air Force would be of interest to me.

I am also interested in the utilization of women civilians in the military establishment. If you have any information on this subject—both in present utilization and future potential—I would appreciate receiving it. I feel that a public and congressional dialogue on the possible utilization of women in WAF and civilian positions will be of inestimable value in the current debate on draft reform.

Thank you very much for your cooperation.

Sincerely,

THOMAS B. CURTIS.

DEPARTMENT OF THE AIR FORCE,
Washington, D.C., August 9, 1967.

DEAR CONGRESSMAN CURTIS: This is an interim response to your letter of July 31, 1967, in which you expressed interest in the recently announced decision to expand the utilization of military women in the Air Force.

This decision was reached after an extensive review of Air Force personnel needs and an analysis of our capability to recruit and retain women qualified for military service throughout the world. It is in keeping with the recommendations of the National Advisory Commission on Selective Service and consistent with the Department of Defense objective of maximum reliance on voluntary manpower resources during a period of extended operations and high draft calls.

With reference to your questions concerning positions which will be open to women under the expanded program, currently all Air Force officer jobs are opened to qualified women officers except those that are restricted by law. For example, they may not be members of air crews or serve in grades above lieutenant colonel. We anticipate no changes in this policy concerning WAF officer utilization. They will continue to be employed in those officer jobs for which they are qualified, either by education or actual job experience prior to entering the military, consistent with needs of the Air Force. Attached is a list of Air Force jobs being performed by women officers.

I regret that I am unable at this time to give you complete information on the jobs that enlisted women will fill under the expanded strength, as this has not yet been determined. A review is being made of all Air Force enlisted specialties in order to determine which additional fields will be opened to women within the framework of mission requirements and the dictates of sound personnel management. When this determination has been made, we will furnish you with the information you requested. At that time, we will also furnish you with information on the utilization of civilian women in the Air Force.

Your interest in the utilization of women in the Armed Forces is deeply appreciated.

Sincerely,

JEANNE M. HOLM,
Colonel, U.S. Air Force,
Director, Women in the Air Force.

AIR FORCE SPECIALTIES CURRENTLY PERFORMED BY WAF OFFICERS

Director of Personnel Management.
Comptroller.
Planning Programming.
Air Traffic Control Staff Officer.
Weapons Controller.
Precision Photographic Services Officer.
Weather Officer.
Advanced Weather Officer.
Staff Scientist.
Mathematician.
Physicist.
Chemist.
Behavorial Scientist.
Scientist, Special.
Staff Development Engineer.
Development Engineer, Special.
System Program Staff Officer.
Communications-Electronics Staff Officer.
Communications Officer.
Ground Electronics Officer.
Electronic Computer Maintenance Officer.
Transportation Staff Officer.
Transportation Officer.
Supply Services Staff Officer.
Supply Services Operations Officer.
Supply Services Sales Officer.
Food Services Officer.
Supply Management Staff Officer.
Supply Operations Officer.
Procurement Management Staff Officer.
Procurement Officer.
Logistics Staff Officer.
Accounting and Finance Staff Officer.
Accounting and Finance Officer.
Budget Officer.
Auditor.
Data Automation Staff Officer.
Management Analysis Officer.
Administrative Staff Officer.
Administrative Officer.
Personnel Staff Officer.
Personnel Officer.
Personnel Service Officer.
Manpower and Organization Management Staff Officer.
Manpower and Organization Management Officer.
Education and Training Staff Officer.
Education and Training Officer.
Instructor.
Information Staff Officer.
Information Officer.
Intelligence Staff Officer.
Intelligence Officer.
Air Targets Officer.
Air Tactical Intelligence Officer.
Legal Staff Officer.

Mr. Speaker, I have been informed by the Air Force that this study of the utilization of women is going to be a comprehensive study covering the use of civilian as well as military women to determine where women can be usefully employed and where savings can be made in present personnel policies. I was informed that an interim report will be ready on this study in September with a final report in the late fall—I will, of course, make these reports available to the Congress as soon as I receive them.

I would like to congratulate the Air Force for this study, because I think it is a step in the right direction. I believe an efficient manpower procurement policy must stress the utilization of both male and female civilians in noncombat positions, and the use of incentives to promote volunteers and career-oriented personnel instead of relying on the draft. The Air Force has managed over the years to meet its personnel requirements without conscription, and it is appropriate that this service should initiate studies of this type. I would hope that the Army would begin similar studies, because I feel that the goals and objectives of the Air Force, as stated by Colonel Holm, should be carried across the board by the Department of Defense. This study should also provide useful data for the kind of thorough congressional study which I advocate, since an open, public study with opportunities for cross-examination, rebuttal and free discussion is necessary to give the public and the public's representatives in Congress the opportunity to establish basic policies in the area of military manpower procurement and utilization.

THE NATIONAL SECURITY COUNCIL AND OCCUPATIONAL DEFERMENTS

On July 17, 1967, I took the floor to discuss our present system of occupational deferments in the context of our recent action in amending the selective service laws to place responsibility for determining occupational deferment—II–A—categories in the National Security Council instead of the old Interagency Advisory Committee on Essential Activities and Critical Occupations in the Departments of Labor and Commerce. This discussion can be found on pages 19068–19070 of the CONGRESSIONAL RECORD, July 17, 1967.

In my remarks, I enclosed a copy of my letter of July 10 to Bromley Smith, executive secretary of the National Security Council, requesting information on the steps the NSC has taken to implement its new responsibilities and his observations on the propriety of the Congress' action; this letter may be found on page 19069, July 17, 1967. I have received a reply from Mr. Smith, which I would now like to insert in the RECORD at this point:

NATIONAL SECURITY COUNCIL,
Washington, D.C., July 31, 1967.

Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CURTIS: This is in response to your recent letter requesting information as to the plans of the National Security Council for carrying out the advisory responsibilities assigned to it by the Congress in the Military Selective Service Act of 1967.

The Council will use all resources in the Government, including the expertise of the Labor and Commerce Departments, to carry out its advisory responsibilities to the Director of Selective Service. The Council staff is now working closely with General Hershey, the Department of Defense, and the Bureau of the Budget in adapting existing internal and inter-agency arrangements to perform the newly assigned functions.

Now that the Congress has entrusted this advisory function to the Council, the statutory obligation will be carried out, without duplication of effort and with full understanding of the importance of the issues involved.

Your interest in this matter is appreciated.

Sincerely yours,

BROMLEY SMITH,
Executive Secretary.

The comments of Mr. Smith on this issue are useful, but I felt the Members of this House would be interested in an elaboration of points I made in my original letter of July 10. Therefore, I wrote Mr. Smith again, and I enclose my letter at this point. I should add that I will inform the House on whatever response I receive to my most recent letter as soon as I receive one. My letter to Mr. Smith of August 14 follows:

AUGUST 14, 1967.

Mr. BROMLEY SMITH,
Executive Secretary, National Security Council, Washington, D.C.

DEAR MR. SMITH: Thank you for your letter of July 31 concerning the plans of the National Security Council for carrying out the advisory responsibilities assigned to it by the Military Selective Service Act of 1967.

I appreciate the information you provided, but I am still very much interested in obtaining specific information on the methods, procedures, and staff arrangements—including the coordination with other Federal agencies—which have been, or are being, developed by the National Security Council to carry out its responsibilities in this area. As I stated in my letter of July 10, I felt that the transfer of responsibility for this task to the National Security Council was carried out without adequate Congressional study and deliberation and without, seemingly, prior consultation with the Council. Therefore, it is imperative that Congress examine the implementation of this transfer in detail to evaluate the carrying out of this important and urgent responsibility.

As I requested in my letter of July 10, I would appreciate any information you could give me as to the staff assignments, interagency arrangements, and methods of operation which have so far been developed, or are planned at the present time. The Interagency Advisory Committee which handled this function before the Selective Service amendments of 1967 had a detailed procedure for applying for a listing on the two "lists" of "critical occupations" and "essential activities," and the Advisory Committee had done some work in updating the 1962 job descriptions and in reviewing the old listings. Secretary Wirtz, in his March 21 testimony before the Senate Subcommittee on Manpower, stated that the old list was badly out-of-date and in need of a thorough restudy. What arrangements have been made to replace the old procedures? How soon will it be possible for industries facing critical skill shortages to submit new applications for consideration? When will a review and updating of the "lists" be carried out?

I also would appreciate your opinions and comments on the feasibility of transferring this responsibility to the National Security Council over the alternative of leaving it in the Departments of Labor and Commerce or of creating a National Manpower Commission. If I am not mistaken—and correct me if I am wrong—the Council was not consulted before this change was made. Therefore, I think your opinion of the wisdom of this switch would be valuable in evaluating Congress' action. I would be interested in knowing whether the Council carries out any analogous responsibilities, i.e. directly advising and establishing guidelines for another Federal agency or Department. Is this new responsibility consistent with your present functions and methods of operation? Do you have staff, or access to staff, who are familiar with the problems of manpower allocation in both the military and civilian segments of the population?

I am interested in continuing my research into the operation of our military manpower procurement policies, and your comments and observations will be extremely useful. Thank you very much for your cooperation and assistance.

Sincerely,

THOMAS B. CURTIS.

The importance of a prompt and comprehensive restudy of our present system of occupational deferments is demonstrated by the testimony of Secretary of Labor Willard Wirtz to the Senate Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare, chaired by Senator EDWARD KENNEDY of Massachusetts, during the subcommittee's hearings last March and April. I discussed this testimony in my remarks in the RECORD on July 17, 1967. At that time, I wrote to Secretary Wirtz for an elaboration of these points—my letter may be found on page 19069 of the RECORD. In his testimony, Secretary Wirtz discussed skill shortages in the civilian economy which have been intensified by a system of deferments which is out-of-date and not responsive to the needs of essential civilian industry. Secretary Wirtz replied to my letter on July 31 and he enclosed a tabulation of the specific skills which are in short supply today. I would like to enclose that letter and a list of job openings in my remarks at this point:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D.C., July 31, 1967.

Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CURTIS: This is in reply to your letter of July 10 requesting information concerning occupational deferments from military service.

The Department of Labor does not have occupational data concerning those registrants deferred from military service because of their employment in agriculture or industry. We do receive from Selective Service its monthly statement of registered manpower. A copy of the latest statement, for May 31, is enclosed. We have checked with the Selective Service System, and they do not obtain any data on a regular basis on the occupations of those registrants deferred in industry. In 1953 and 1964, they made one percent sample inventory studies. The one in 1964 was not completely tabulated.

Data concerning occupational shortages are available from the listings which each State Employment Service agency compiles regarding job openings which cannot be filled locally. Such openings are placed in inter-area recruitment. The enclosed listing of selected job openings by State does not contain all current occupational shortages in local Employment Service offices. However, it does provide an indication of the volume, trend and types of occupations which local Employment Service offices are having difficulty in filling from local sources.

It is not appropriate for me to comment upon the ability of the National Security Council to advise Selective Service on occupational deferments as provided by Section 2(b) of the Military Selective Service Act of 1967. The Department of Labor has offered to make its resources, expertise, and experience available to the National Security Council in carrying out its responsibilities under the statute. As you indicated, it will take some time to develop procedures and organizational structures to implement these statutory requirements.

I shall be very glad to keep you advised with respect to this matter.

Sincerely,

W. WILLARD WIRTZ,
Secretary of Labor.

A LISTING OF SELECTED JOB OPENINGS

(Prepared by Interarea Recruitment Branch, Employment Office Operations Division, U.S. Employment Service, Department of Labor)

Code and title:	*Totals*
001.081, architects	58
001.281, draftsmen, architectural	35
002.081, aero engineer	489
002.281, aero draftsman	203
003.081, electrical & electronic engineer	1,183
003.181, electrical & electronic technician	602
003.281, draftsmen, elec, & instr tech	114
005.081, civil engineer	496
007.081, mechanical engineer	1,244
007.281, mechanical draftsmen	181
008.081, chemical engineer	133
012.188, industrial engineer	863
017, draftsmen, nec	293
020.088, mathematician	68
020.188, programers, statisticians, & rel	332
022.081, chemists	181
045.108, counselor and psychologist	183
070.108, physicians & surgeons	131
075, registered nurses	1,251
078, medical and dental technicians	186
079.378, lic prac nurses, phys therapist, & rel	482
090.228, teacher, college	117
091.228, teacher, secondary school	672
092.228, teacher, elementary	1,226
097.228, instructor, vocational training	203
100.158, librarians	66
160.188, accountant	375
166.268, personnel interviewer	15
195.108, social worker	440
196.283, air pilot	20
201, secretary	281
202, stenographer	600
209, steno, typing, filing nec	683
213, ADP operators	289
250, salesmen, real estate and insurance	285
311, waiters and waitresses	206
355, attendants, health services	178
372, guard and watchmen	297
375, policemen and detectives	848
518, molders, coremakers and related	53
600, machinists and related	1,762
601, toolmakers and related	765
603, abrading occupations	342
604, turning occupations	533
605, milling and planing occupations	350
606, boring occupations	221
620, vehicle and engineering equipment repair	250
621, aircraft repairing	514
622, rail equipment mechanics and repairmen	6
623, marine mechanics and repairmen	148
638, miscellaneous occupations in machine install and repair	191
681, twisting, beaming, warping occupations and related	28
683, weavers and related occupations	127
693, modelmakers, patternmakers, and related occupations	116
706, metal unit assemblers and adjusters nec	38
712, fabricate and repair surgical, medical, dental instruments	11
720, radio, TV, and phonograph assembly and repair	52
726, electronic components—accessories	224
729, electrical equipment, necessary assembly and repair	107

A LISTING OF SELECTED JOB OPENINGS—Con.

Code and title—Continued	*Totals*
777, modelmakers, patternmakers, moldmakers	19
785, tailors and dressmakers	442
786, sewing machine operators, garment	329
804, tinsmiths, coppersmiths, sheet metal workers	617
806, transportation equipment assemblers	854
807, bodymen, transportation equipment	232
810, arc welders	348
812, arc welders and gas welders	174
821, transmission-distribution lines and circ air	23
822, wire communic detection sign'lg equip air	107
823, elecn comm det sign'lg equipment air	123
824, licensing equipment and building wiring necesary air	79
825, transportation and materials handling equipment necessary air	602
828, elec'l-elec'n products nec: fab inst rep	206
840, construction and maintenance painters and related	26
860, carpenters and related	98
862, plumbers, gas fitters, steam fitters, and related	447
940, timber cutting and related occupations	77

From Secretary Wirtz' letter, it appears that we do not even know today what kind of occupational specialties are being deferred. We have some idea of where skill shortages exist, but we cannot evaluate our occupational deferment system without information on what skills are being deferred. This would seem to be one area where immediate study by the Congress and the National Security Council is warranted. As I stated in my remarks of July 17, there has been no action taken on updating the categories of essential activities and critical occupations since last year, because the Departments of Labor and Commerce suspended their activities pending congressional action. I have now been informed by unofficial sources that the National Security Council, in a directive of August 8 signed by W. W. Rostow, has told the Interagency Advisory Committee on Essential Activities and Critical Occupations to continue operations as before the passage of the Military Selective Service Act of 1967. The Interagency Committee is to "report" to the NSC, but otherwise no changes whatsoever from the previous structure will be made. However, the Secretary of Labor has thus far declined to take official action to carry out the directive of the National Security Council, and so nothing is being done today about occupational deferments.

It is just this secrecy, this "bouncing ball" of responsibility from agency to agency which I have decried in my previous remarks on the floor and in my testimony before the Armed Services Committees of both Houses. This "passing of the buck"—which was inevitable since the Congress placed responsibility for occupational deferments in the NSC without studying the problem and without even consulting the NSC to determine if this was feasible—exemplifies the need for a full congressional study of the military manpower procurement system.

MILITARY CONFLICT IN NIGERIA

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, the military conflict between the Federal Government of Nigeria and its eastern region has taken a grave turn. Despite U.S. efforts to keep the struggle within the area, the Soviet Union has now internationalized it. Recent press reports indicate that about 20 jet fighter planes of Russian or Czechoslovakian origin have been delivered to Nigeria and are now being assembled. It has been reported that Russian pilots and technicians are on their way to Nigeria.

The secession of the eastern region has now become a matter not merely of concern to the people directly involved, but to the world at large.

We have far too much experience in the Congo and other countries not to realize the full implications of the Soviet involvement. The United States has refused to supply either side in this conflict with arms or personnel. It has likewise refused to issue export licenses to enable either side to buy weapons in the United States on a commercial basis. Unfortunately, others have not chosen to follow this course. A problem of significant international dimension has emerged.

The military conflict must be resolved quickly. If it is not resolved, the world's leaders will again find themselves confronted with decisions critical to the peace of the world. The regional development of West Africa may be delayed for years to come.

The Department of State should, in my view, encourage the Organization of African Unity, or the African States individually to endeavor to bring about discussions between the parties directly concerned, discussions which, hopefully, may lead to peace and stability.

FAVORABLE EDITORIAL COMMENT ON GOP VIETNAM PROPOSAL

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, I continue to call the attention of the House to the favorable editorial comment that the July 10 gradual, reciprocal deescalation of the conflict in Vietnam put forward by eight Republican Members has received around the country.

Today I include for the RECORD, editorials from the Harlan, Ky., Enterprise, the Middleboro, Ky., News, the East Liverpool, Ohio, Review, the Portsmouth, Ohio, Times, the Salisbury, N.C., Evening Post, and the Bismarck, N. Dak., Tribune:

[From the Harlan, Ky., Enterprise, July 23, 1967]

TO ESCALATE OR TO DEESCALATE?

"We are winning the war—but . . .," was the message given to Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

The "but" translates into a call for still more troops—perhaps 100,000—to be added to the 466,000 there at present.

This number we are told, is the minimum needed to complete the job begun by a relative handful of American advisors only a few short years ago.

Yet behind the now somewhat guarded and muted predictions of eventual victory for the cause of democracy lies the sobering belief of the generals that this many troops will be required solely to keep us on top of the Viet Cong and North Vietnamese during the coming months.

For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

McNamara described more than the immediate situation when he said at Da Nang. "Our casualties are high but we have also inflicted high casualties on North Vietnamese army units."

What he described was the situation as it was in 1965 and 1966 and as it is likely to be in 1968. Only the numbers have been changed—for the higher.

It is often forgotten that escalation is not the prerogative only of this country. Options open to the Communists include a step-up of terrorist bombings in Saigon and other South Vietnamese cities; the infiltration in even greater numbers of the large North Vietnamese standing army; the use of Communist "volunteers" from other countries; the opening of diversionary action in Korea.

This was emphasized by eight Republican congressmen the other day as they introduced a scheme for a de-escalation of the war that would steer a middle course between "those who would bomb more and those who would bomb less."

Representatives Morse of Massachusetts, Dellenback of Oregon, Esch of Michigan, Horton of New York, Mathias of Maryland, Mosher of Ohio, Schweiker of Pennsylvania and Stafford of Vermont propose a halt to all bombing in North Vietnam north of the 21st parallel for 60 days. This would exempt the city of Hanoi but not the port of Haiphong.

If the North Vietnamese responded with a similar de-escalatory step, such as dismantling major supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 20th parallel for a like 60-day period—and so on down in five steps until the 17th parallel dividing North and South Vietnam was reached.

The staged de-escalation plan would produce a growing atmosphere of mutual confidence, think the congressmen. Its virtue is that most military targets are in southern North Vietnam.

Thus should the North Vietnamese fail to respond to the first bombing limitation, bombing could be resumed north of the 21st parallel without having caused the military effort in South Vietnam any disadvantage.

Would such a plan work? The Congressmen honestly don't know. Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

That we are willing to invest another 100,000 men in Vietnam is probably quite credible—and acceptable—to Hanoi. That we are ready to de-escalate by small steps, however, is something that does not seem to have been made as credible to them as it might be.

[From the Middlesboro (Ky.) News, July 22, 1967]

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[From the East Liverpool (Ohio) Review, July 11, 1967]

Something Better Than Nothing

None of the eight Republican congressmen backing a plan to cool down violence in Vietnam by degrees has anything to do with party leadership.

This gives them the option to speak freely. It gives other Republicans the option to kick the stuffing out of their proposal.

It also gives the general public a chance—and this could be important—to assess their proposal with a minimum of partisan prejudice.

It is a plan to let the undeclared enemy in Vietnam respond to an invitation to de-escalate the war by following the example of the United States. This side would quit bombing targets in North Vietnam for 60 days. If North Vietnam then showed signs of easing up its military efforts, a series of similar withdrawal moves would be understaken, until military violence had ended.

Both sides could save face. Both sides would be relieved of an open-ended commitment to beat the other side into surrender.

The ultimate outcome would be like the outcome in Korea, where the United States maintains a massive garrison on a standby basis, though there has been no overt military violence since Dwight D. Eisenhower carried out his 1952 presidential campaign promise to stop the fighting.

It is significant in 1967 that the Johnson administration is where the Truman administration was in 1952. The Truman administration knew the public was growing intolerant of a war that fighting men could not understand. It knew something needed to be done but did not know how to go about it.

The eight Republican congressmen have proposed a plan to end the most recent U.S. adventure into Asiatic power politics. It is something better than nothing, which is all that has been forthcoming from the Johnson administration.

The Johnson administration can think of nothing better than to promise to negotiate if its enemy makes the first move.

[From the Salisbury (N.C.) Evening Post, July 17, 1967]

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[From the Bismarck (N. Dak.) Tribune, July 14, 1967]

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Would such a plan work? The congressmen honestly don't know. Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

THE WARREN REPORT

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, this is the second installment of the transcript from the CBS television documentary entitled, "CBS News Inquiry: The Warren Report."

The transcript follows:

Announcer. A CBS News Inquiry, "The Warren Report," continues. Here again is Walter Cronkite.

Mr. Cronkite. We come now to our fourth question for tonight: Was Oswald's rifle fired from the building? To answer this one the Commission placed major reliance on physical evidence found within the building. Three shells, later identified as fired from Oswald's rifle, were found forty-two minutes after the shots. Ten minutes later a rifle was discovered.

Mr. Rather. The rifle was found on the sixth floor, back near the stairway between some cartons by Deputy Constable Seymour Weitzman. And from that episode came a description that has plagued the Warren Commission account for years, the identification of it as a German Mauser.

Eddie Barker asked Constable Weitzman what happened.

Mr. Weitzman. I'll be very frank with you. I stumbled over it two times, not knowing it was there.

Mr. Barker. Just went right by it.

Mr. Weitzman. Went right by it. And Mr. Bone was climbing on top, and I was down on my knees looking, and I moved a box, and he moved a carton, and there it was. And he in turn hollered that we had found a rifle.

Mr. Barker. Well, when did you first get a full view of the gun?

Mr. Weitzman. When the crime lab brought the gun out, after they had gone over it. I could see portions of the gun while they were doing partial investigation of it here in the building.

Mr. Barker. What kind of gun did you think it was?

Mr. Weitzman. To my sorrow, I looked at it, and it looked like a Mauser, which I said it was. But I said the wrong one because just at a glance I saw the Mauser action, and—I don't know—it just came out words, it's a German Mauser. Which it wasn't. It's an Italian-type gun. But from a glance it's hard to describe, and that's all I saw it was at a glance. I was mistaken, and it was proven that my statement was a mistake, but it was an honest mistake.

Mr. Rather. So Mr. Weitzman now seems sure that the rifle was indeed Oswald's Mannlicher-Carcano, and that his identification was simply a mistake.

The most important ballistic evidence in the case is a spent bullet, two bullet fragments, and three empty shells, or hulls, as they are sometimes described. The nearly whole bullet was found in Parkland Hospital under circumstances we'll consider in detail tomorrow night. The two fragments were found in the Presidential limousine. The shells were found here on the sixth floor, below the windows here, by Patrolman Gerald L. Hill, who told Eddie Barker about it.

Gerald L. Hill. We saw a barricade, a sort of three-sided barricade of boxes that would have shielded anyone between the boxes and the window from general view, from the rest of the floor. And then immediately under the window that was later determined to be the actual spot that the shots were fired from, there were three rifle bullet hulls, right against the baseboard of the building where the floor and the wall come together.

Mr. Cronkite. One of the experts who made the ballistic examination for the Warren Commission was Dr. Joseph D. Nicol, Superintendent of the Bureau of Criminal Investigation for the State of Illinois. Walter Lister asked about his conclusions.

Mr. Nicol. It is my feeling that both the fragments, as well as the one relatively whole bullet, had been fired in the same gun. And then based upon the comparison of the tests which were available to me, it was my opinion that the same weapon which fired the tests also fired the—the three evidence specimens.

Mr. Lister. In the case of the virtually intact bullet that was found on a stretcher in Parkland Hospital, and the two fairly sizable fragments found in the front of the Presidential limousine, you felt that those were definitely fired from Oswald's rifle?

Mr. Nicol. Yes, sir.

Mr. Lister. To the exclusion of all others?

Mr. Nicol. To the exclusion of all others, right.

Mr. Cronkite. From the ballistic evidence it seems that the answer to the question of whether Oswald's rifle was fired from the building is yes.

To this point the Warren Commission's case appears strong; despite minor discrepancies it appears that Oswald had the opportunity and the murder weapon.

And now we come to one of the most telling arguments that has been raised against the Warren Report in these past two and a half years, a point which we now know seriously disturbed members of the Commission itself. For the critics argue that Lee Harvey Oswald could not have fired his rifle fast enough and accurately enough to be the sole assassin. The critics argue therefore that Oswald was not the gunman at all, or that there was more than one gunman. Well now, here we have twin questions. How many shots were fired in Dealey Plaza that day? And how long did it take to fire them?

First, how many shots were fired?

Mr. Rather. Walter, the obvious way to answer those questions seemed to be to talk to our eyewitnesses in Dealey Plaza, ask them how many shots they heard, and in what kind of sequence. That's what we tried first.

Mrs. Walther. I'm sure there were four shots.

Mr. Barker. How many shots did you hear?

Mr. Williams. I heard three. The first and second was further apart than the second and third. In other words, there was a bang—and a bang-bang right thereto.

Mr. Barker. How many shots did you hear?

Mr. Norman. Three.

Mr. Barker. In how long a period of time?

Mr. Norman. Oh, I'd say just about like this, you know—boom (clicking sound)—boom (clicking sound) boom. Something similar to that.

Mr. Nix. I would say—bang—bang—bang.

Mr. Holland. There were definitely four shots.

Mr. Weitzman. Well, just three quick bursts, like bang-bang-bang.

Mr. Cronkite. There is an old axiom among lawyers that nothing carries more weight with a jury, or is less reliable, than eyewitness testimony. In this case we have just learned that the testimony of assassination earwitnesses also is unreliable. In a moment of utter horror and confusion, in a bowl certain to start echoes, it's too much to expect that human ears will register and correctly recall the number and sequence of a series of quick shots.

But we have heard Mr. Hill describe how he found three shells, and Mr. Nicol state that they were fired from Oswald's rifle. Many critics maintain that additional shots were fired; but no physical evidence ever has been produced. The most reasonable answer to this question seems to be: three shots.

But it is only barely possible that three shots could have been fired by Oswald alone.

The most dramatic and most important single piece of evidence of the assassination was provided by Mr. Abraham Zapruder, who, on November 22, 1963, stationed himself with an amateur movie camera right here.

On one roll of 8 mm color film, Mr. Zapruder had the astonishing luck to capture the entire assassination. We cannot show you that film on television. It was purchased from Mr. Zapruder by LIFE Magazine. That film, though, serves as a clock. If we know the exact speed the camera was running, and can see in the film where the bullets struck, it should be possible to determine not only how many shots were fired, but the amount of time between them. This is critical to the question of whether Oswald could have physically accomplished the murder.

If the time between shots was less than the time necessary to operate Oswald's cheap bolt action rifle, a rifle like this one, then obviously he was not the sole assassin. A test of time between shots could not prove that he did fire the shots. It might prove that he did not.

Mr. RATHER. Here is how the Warren Commission reconstructed a time sequence from the film. Now Mr. Zapruder was filming the motorcade from the grassy knoll. At the very moment the gunman must have been tracking it from up here.

Using the critical frames of the Zapruder film as a guide, the Warren Commission, and now we, can reconstruct exactly what the gunman must have been seeing at every moment.

We know that the President had not yet been hit when the car slipped beneath this oak tree. The President would have come into the gunman's sights, in the Report's words, "for a fleeting instant through an opening in the leaves, just as frame number 186 went through Mr. Zapruder's camera." Remember that frame, 186.

We stop the car at frame 186 to show you what a gunman would have seen in that instant, except for the fact that the tree has grown since 1963. There's more foliage on it now. And the overhead highway signs were not there then.

The Commission did not think the shot was fired here. Now the President is again concealed by the leaves, emerging just as the Zapruder camera, over on the grassy knoll, is shooting its 210th frame. The gunman can now see the President again, but Mr. Zapruder's view was blocked by a ground level sign, and his film didn't show what was happening in frame 210, which the Commission decided was the first moment that President Kennedy could have been hit.

The Zapruder film did not show the President again until frame number 225, where we stopped the car once more. Here the Zapruder film seemed to show the President already hit; so that hit must have occurred somewhere between frames 210 and 225 of the Zapruder film. As to just where, we'll have some intriguing new evidence in a few moments.

Along here the Commission said a second shot was fired, probably a miss. But at this point the third shot, the fatal one, destroyed the President's head. That moment is clearly shown in Mr. Zapruder's film, at frame 313.

Could Oswald really have done this? Marine Corps records show Oswald has attained the rank of sharpshooter; but he was not a genuine expert, according to his fellow servicemen. One of his fellow Marines claimed that Oswald was actually a very poor shot, and simply was not interested in marksmanship activities.

Mr. CRONKITE. It seemed evident that we should try to establish the ease or difficulty of that rapid fire performance. Hence, our next question: How fast could that rifle be fired?

Oswald's rifle was test-fired for the Warren Commission by F.B.I. and military marksmen. The rate of fire for this bolt action rifle and its accuracy against a moving target were critical to the Commission's case against Oswald. And yet, incredibly, all tests for the Commission were fired at stationary targets. The F.B.I. won't comment on why.

Based more on testimony than on firing tests, the Commission concluded it was an easy shot for Oswald to hit the President at that range. From its tests the main conclusion drawn was that this Mannlicher-Carcano could not be fired three times in a span of less than 4.6 seconds, because it took about 2.3 seconds to operate the bolt mechanism between shots.

To explore glaring omissions in the tests fired for the Commission, CBS News decided to conduct its own tests with the Mannlicher-Carcano.

Mr. RATHER. A moving target is harder to hit than a stationary one, and the elevation of the sixth floor window might make a difference. The only elevation for the Warren Commission firing tests were the 30-foot tower, less than half the height of the Book Depository's sixth floor above Elm Street.

So CBS News had a tower and target track constructed to match exactly the heights and distances in Dealey Plaza. The target track was angled to match precisely the angle of Elm Street. The target, a standard F.B.I. silhouette, moved by electric motor at eleven miles an hour, approximately the speed of the Presidential limousine. A rifle of the same make and age as Oswald's was fitted with the same 4-power telescopic sight found on his rifle. These CBS News tests were conducted on different days at the range of the H. P. White Ballistic Laboratory, in rolling farmland, north of Belaire, Maryland. Eleven volunteer marksmen took turns in firing clips of three bullets each at the moving target. None of the men had much familiarity with the Italian Mannlicher-Carcano, although each was given time to practice at a nearby indoor range; and most of the volunteers were experienced with bolt action rifles.

In each case the first shot was fired at a point approximating the point at which the Warren Commission deduced the first shot was fired. Distance, about 175 feet. In six seconds the distance grows to 270 feet.

Results varied. A Maryland state trooper made two hits in the silhouette, one near miss—in slightly less than five seconds. Another state trooper's best time was 5.4 second. One hit, two near misses.

A weapons engineer had the best score. Three hits in 5.2 seconds. A technician at the H. P. White Ballistics Laboratory managed three shots in the fastest time, 4.1 seconds, half a second faster than the fastest time turned in for the Warren Commission, but only one hit.

Altogether the eleven volunteer marksmen made 37 attempts to fire three shots at the moving target. 17 of those attempts had to be called no time, because of trouble with the rifle. In the 20 attempts where time could be recorded, the average was 5.6 seconds.

Mr. CRONKITE. From our own tests we were convinced that a rifle like Oswald's could be fired in 5.6 seconds or less, and with reasonable accuracy, at a target moving much the same as the Presidential limousine was travelling away from the Book Depository's sixth-floor window.

So, clearly, there is no pat answer to the question of how fast Oswald's rifle could be fired. In the first place, we did not test his own rifle. It seemed reasonable to say that an expert could fire that rifle in five seconds. It seems equally reasonable to say that Oswald, under normal circumstances, would take longer. But the circumstances were not normal. He was shooting at a President. So our answer is: probably fast enough.

In addition to the number of shots, and the capability of the rifle, it is important to know the time span between shots—since, as we pointed out previously, if the shots were closer together than the rifle could be fired, two rifles must have been involved.

So, our next question: What was the time span of the shots?

The answer might lie in Mr. Zapruder's film of the assassination. You'll recall that the Commission decided that the first shot was fired at frame 210 on the Zapruder film, and the last shot at frame 313.

Tests of the camera made by the F.B.I. reported that it was running at a speed of 18.3 frames a second. Divide 103 frames by 18.3 frames a second, and you get 5.6 seconds which is the time the Commission reported Oswald probably had to take.

It's a point upon which the critics have seized. Could Oswald have fired three shots in 5.6 seconds? Well, then new evidence made its appearance.

It was at first called to our attention by a distinguished physicist, Dr. Luis Alvarez, of the University of California at Berkeley.

BILL STOUT. What was it that made you interested enough to dip into the Warren Report to begin analyzing the photos of that day?

Mr. ALVAREZ. Well, I think it was probably that I had lunch every day with a bunch of my graduate students who were keenly interested in the controversy that was going on at the time. For a while I couldn't get very interested in it. But then when Life magazine republished the frames from the Zapruder movie, I spent an evening looking at them and I found something that excited my interest.

Mr. STOUT. What first caught your eye, Dr. Alvarez?

Mr. ALVAREZ. Well, it's right here in the picture. At frame 227, the highlights on the windshield of the car are all drawn out into rather pronounced streaks. And you can see that in the frame ahead the highlights are individual dots. And again in the frame beyond them are individual dots.

So something rather violent happened to the line of direction of Mr. Zapruder's camera in frame 227. It swung violently.

Mr. CRONKITE. If Dr. Alvarez were right, the Zapruder film might contain a record of the number of shots fired. If blurs, which could be accepted as evidence of gunshots, occurred in a certain time span—then the shots themselves would be in the same span.

We remind you again that the film is owned by Life Magazine, and is not available for broadcast. So, CBS News commissioned an expert photo analyst, Charles Wyckoff, of the Massachusetts firm of Edgerton, Germeshausen and Grier, to make an analysis of the Zapruder film frames.

Dan Rather interviewed Mr. Wyckoff.

Mr. RATHER. Mr. Wyckoff, the entire Zapruder film shows the whole assassination?

Mr. WYCKOFF. Yes, it does, Dan. The—the film was an 8 mm motion picture film, and the entire record, in which the President was in view, was represented on a film about this long—which only took about ten seconds. And all of the records of interest were on this small piece of film. We actually looked at all the frames, but we only studied certain frames in detail. And the reason for studying those frames in detail was the fact that there were certain little things in there that looked blurred at first. And we were quite interested in why they looked blurred.

For instance, on frame 190 here, or rather, let's start with frame 189—there's a wall in the background with little—little holes, that you can see a white building through those holes.

Mr. RATHER. Now, that's a tiled——

Mr. WYCOFF. That's a tiled wall. And you can see the little holes, if you look at it with a magnifying glass. Here, you see those that are nice and round, and fairly sharp. And, yet, in frame 190, right next to it, you can no longer tell that those holes are circular. They're blurred out.

Mr. Rather. Now, why is that?

Mr. Wycoff. Something must have happened to Mr. Zapruder when he was—something must have startled him when he was holding his camera. He had a—a camera very much like this model right here, which is an 8 mm camera. And as he held it up to his eye, focusing—concentrating on the President, something startled him—and he jumped a little bit with the camera.

Mr. Rather. Not nearly that much?

Mr. Wycoff. Not anything like that at all. Just a very subtle jump. But that was just enough to cause a blur of these little holes in here. And also a blur of highlights on the car.

Mr. Rather. All right, now, you see that very clearly in frame 190, and that frame does look distorted—and you can't see the white holes in the wall across the street clearly at all. Now, how many times does that occur in this ten second stretch of 8 mm film?

Mr. Wycoff. Now, that—that occurs several times, as we've represented up here on the—on this film on the wall. It occurs at frame 190, it occurs again at frame 227. Frame 227 was the next evidence that I had of Mr. Zapruder moving his camera. And it occurs at frame 318.

Now, this is interesting, because we all know that at frame 313 the President received the fatal shot. We have a natural reaction time—that—that he heard the sound at about the same time that the—that something happened to President Kennedy, when he was fatally wounded here. We can apply this same correction, of about four or five frames, to each one of these frames where I noted motion.

In other words, I am saying that it was possible that there could have been a shot fired here, another one fired in this area of 222, 223, and another one in the area of 313—noticeable now in 318.

I think the important thing is the fact that we have found an indication some twenty frames prior to the time the Warren Commission thought that the first shot was fired. Now, whether or not this was a shot, we cannot say. But certainly Mr. Zapruder, the photographer, was disturbed at that point.

Mr. Stout. What does this finding mean to those of us who simply have followed the controversy over the assassination, and are not physicists?

Mr. Alvarez. Well, to me, it means that there were indeed three shots fired, as the Commission said; that the one that apparently didn't hit anyone in the car was fired before the one that hit the President, and not between the two shots that obviously hit the President.

Mr. Cronkite. Just as a rough check on this theory, we decided to try it ourselves, using other cameramen holding similar cameras, standing on a rifle range, filming an automobile while a rifleman fired over their heads.

These two volunteers are aiming their cameras at a parked limousine. Their instructions: "Hold the cameras as steady as possible, and keep filming no matter what happens." The shots will come between them and the car. The cameramen are as far from the firing platform as Mr. Zapruder was from the sixth floor of the Book Depository. (Sound of gunfire in background)

The reaction was obvious. The film taken by these cameramen showed the effect of the shots, despite instructions to hold steady. Even in steadier hands, motion was always noticeable. This frame shows highlight dots around the car's windshield. In reaction to a shot, the dots changed to crescents. And in the following frame they become streaks, comparable to streaks found on some frames from Mr. Zapruder's film.

Incidentally, Dr. Alvarez also suggested that the first shot might still be lodged in the tree. We checked it with a metal detector. But, unfortunately, it did not reveal any presence of a bullet. Perhaps more sophisticated equipment will be developed in the future to x-ray the tree.

Perhaps the most intriguing feature of the entire Alvarez-Wyckoff experiment is this—at the time he undertook to study the film for us, Charles Wyckoff was unaware that there was anything unusual about frame 186 of the Zapruder film. He tentatively placed one shot there, only because of Mr. Zapruder's slight jiggle at frame 190. Yet, in the Warren Commission's Report we learn that, to a gunman tracking from the Book Depository the President's head would have come into view for an instant through a hole in the foliage, just at frame 186—where it now appears something startled Abraham Zapruder.

If a shot had been squeezed off there, a shot which missed, the length of time available to Oswald begins to stretch, even if the Commission's clock is right, for the Warren Report placed the first shot at frame 210.

But, now, that brings up a second question. Was the clock right? You'll recall that the Zapruder film is the basic clock for all of these events. Now tests of the camera, made by the F.B.I.—a camera like this one—reported that it was running at an average speed of eighteen point three frames per second. The camera had been obtained from the Bell and Howell Company, the manufacturers.

During our CBS investigation we asked the company if they had tested the camera's speed. The result was a public announcement that they had tested it, and the result was the same as the F.B.I. test. And the announcement continued that they had that day donated the camera to the National Archives—and this is it.

But if the clock was not exactly right, then the whole sequence of events—from the number of shots, to the time span of the shot, and many other things—would be affected.

Curiously, most of the critics themselves accepted the 18.3 speed without a question—except one, who insists it was running at twenty-four frames, as could have happened if the control had been depressed.

Now, we decided to see if we could clock the clock. We turned again to photo expert Charles Wyckoff.

Mr. Wyckoff. They have a clock over here with a sweep second hand. And if we photograph that clock with each one of these cameras, we're—we will be able to measure the time that it takes to run through the few hundred frames, as we've shown here. And I'll—I'm—I will try this for you right now. What I'll do is to turn a light on and illuminate the clock dial, start the camera, and then start the clock and let it run for about a ten or fifteen second period.

Mr. Rather. And you do that with each camera?

Mr. Wyckoff. We do that with each camera. And then we take the film out, process it from each record—and we end up with a result very similar to what you see on this chart right here.

This corresponds to the first camera. This is the second, the third, the fourth, and the fifth. We started each frame here—we edited until we got the frame corresponding to zero time on each one of the cameras. Then we counted off the same number of frames on each camera record that corresponded to frames 190 to 318 in the Zapruder record.

Mr. Rather. And there was this much difference in the cameras, although they were the same kind of cameras?

Mr. Wyckoff. Same kind of cameras. There was this much difference in time. The first camera read 6.90 seconds. The second camera, 7.30 seconds. The third, 6.70. The fourth, 8.35. And the last, 6.16 seconds.

Mr. Rather. So, under this theory, the shooter, or shooters, of the shots could have had up to how many seconds to fire?

Mr. Wyckoff. They could have had, according to this, up as much as eight and thirty-five hundreds of a second—which is a pretty long time.

Mr. Cronkite. In this hour we have been considering the relationship between Oswald and the assassination. To the account given in the Warren Report we have made three additions, each of which rests on evidence at least as persuasive as any provided by the Commission.

Our analysis of the Zapruder film suggests strongly that the first shot was fired at frame 186. The Commission said only that the first shot to hit came between frames 210 and 225.

Something startled Mr. Zapruder earlier. And the evidence is that a rifle shot was what startled him.

We have shown that the Zapruder camera was quite possibly running slower than the Commission thought. The earlier shot and the slow camera together mean that the rifleman may have had additional time to get off three shots.

We have shown by carefully controlled experiments that a Mannlicher-Carcano rifle can be fired more rapidly and accurately than the Commission believed.

Now, these points strengthen the Warren Report's basic finding. They make it more likely that Oswald shot the President. They significantly weaken a central contention of the critics—their contention that Oswald could not have done it because he did not have enough time to fire.

It is now reasonable to assume that the first shot fired through a tree missed its mark, and that it was this shot that Governor Connally heard. The Governor's insisted all along that he was not struck by the first shot. It now appears he was correct.

Now we can answer all our secondary questions.

Did Oswald own a rifle? He did.

Did Oswald take a rifle to the Book Depository Building? He did.

Where was Oswald when the shots were fired? In the building, on the sixth floor.

Was Oswald's rifle fired from the building? It was.

How many shots were fired? Three.

How fast could Oswald's rifle be fired? Fast enough.

What was the time span of the shots? Seven or eight seconds.

Did Lee Harvey Oswald shoot President Kennedy? CBS News concludes that he did.

Yet this is only the beginning of our inquiry. We drew the distinction between Oswald as *a* killer, and Oswald as *the* killer.

The Warren Commission, despite the most widely accepted, and often, re-stated capsule version of its findings, did not state that Oswald was the only killer. It did state that it could not find any evidence that others had conspired with him.

Yet it is on precisely this point that most Americans question the Commission's conclusion most strongly. Almost two out of three Americans seem to feel that behind such a monstrous deed there must have been a conspiracy.

Tomorrow night we'll be back at this same time, with Dan Rather and Eddie Barker in Dealey Plaza, when we consider the question: Was there a conspiracy?

CONGRESS MUST ACT TO UNIFY NATIONAL WILL AND PURPOSE ON VIETNAM

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection

to the request of the gentleman from Utah?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the question of what constitutes a national commitment is of great importance. It is a subject on which I have spoken on the floor of the House several times, and one which I feel deserves a thorough public airing so that the people of this country may understand better the governmental processes which can lead us to peace or to war.

In August of 1964, the administration and the Congress decided that the form of such an endorsement should be that of a joint resolution, known as the Gulf of Tonkin Resolution. Passed in response to a reported atttack by North Vietnam upon two American ships in international waters, it declared congressional support for measures already taken, and to be taken, by the President. The hearings on the resolution dealt almost exclusively with the facts of the attack and did not consider the war then raging in South Vietnam.

Today there is a great uneasiness among Senators and Representatives who voted for that resolution—an uneasiness that pervades the entire country. It is an uneasiness born of unanswered questions—how did we get there, why are we fighting there, what will be the ultimate cost, when will we be able to get out, what is the risk of China entering the war?

Despite the fact that with the latest increase in troops committed to the war, we will have over half a million men in Vietnam, the largest number since World War II; and

Despite the fact that a projection shows that more American men will be killed this year, and twice as many wounded, as were killed or wounded in all the previous years of the war combined; and

Despite the fact that we are spending over $20 billion per year on this great war effort, we are still uneasy about why we are fighting in Vietnam.

Thus, I am not being critical of the war or its conduct by pointing to this uneasiness. Aggression by means of subversion, terror instilled by guerrillas, and entire units of North Vietnamese troops which can disappear into the jungles with scarcely a trace present a kind of military threat we have never before faced and one which is extremely difficult to meet. Yet, it is no wonder that those who have so many unanswered questions, and those who view the statistics of this war are uneasy; it is no wonder that they cannot understand the high cost to America.

America values freedom today as much as in the past, and I am confident, America will never shirk its responsibility to protect that freedom. America has the determination to fulfill that responsibility. Still, there is the uncertainty which we all feel. Americans are uncertain as to how and why this war began and how it will end. The previous instances which ushered us into war presented much sharper answers to these same questions.

On February 3, 1917, at a time when most of Europe was already at war, Germany began an unrestricted submarine war against American ships. Shortly thereafter the Congress declared war. There was no doubt in the mind of the Nation what we wanted to do. Similarly, and more strikingly, Congress reacted after Japan attacked a sleeping Pearl Harbor on December 7, 1941, by declaring war the next day. Again, the American people did not falter.

Even our participation in the Korean war, though authorized by the United Nations and never formally declared a war by the Congress, was precipitated by an easily recognizable event; namely, the invasion on June 25, 1950, of South Korea by over 60,000 North Korean troops spearheaded by over 100 Russian-built tanks.

The Vietnam war has no such easily definable origin or national consensus. Its beginning was small and its growth, until recently, was slow. Very few people remember how it all started, if they ever knew. Yet, it is a war that has been going on since the end of World War II. American aid was first given on June 27, 1950, when President Truman sent a 35-man military assistance advisory group in to advise the troops of other nations there in the use of American weapons. From this small beginning American participation has snowballed. The commitment of American troops began slowly. The first American injuries did not occur until October 22, 1957, and the first death on July 8, 1959. On May 5, 1960, the number of U.S. troops in Vietnam was doubled from 327 to 685. By 1962, it had again been upped to approximately 4,000 men; to 15,000 men in 1963; and to 23,000 men by the end of 1964.

Can anyone say when America began to "fight" the Vietnam war? With such a gradual and undefined beginning, is it any wonder that the American people are confused, that they do not understand the war and that they seek and deserve a clarification of how we got there and what we are doing there?

Yet our security can be imperiled not only by overt aggression but also by transformations which are made to appear, insofar as is possible, as not aggression at all. These "concealed wars" or "wars of national liberation" may appear as internal revolution or civil war. They may be instigated by outside forces or merely exploited by them. Many believe that these represent significant threats to the security of the free world.

Gradual Communist infiltration and domination of vital areas through steps each of which is small and seemingly insignificant may not appear to justify overt intervention. These nonovert aggressions present issues which are deliberately and intrinsically unclear. They stand in contrast to the armed invasion across the frontier of another country, the sinking of passenger ships with innocent civilians aboard and the unmerciful predawn attack on a major military-civil target.

To ask for certainty in these situations may be a prescription for inaction. It may not be possible in advance to determine the nature of the conflict or every U.S. response.

These considerations make especially important clarification and resolution of national will through constitutional procedure.

Some will say that the American commitment actually began when the Congress passed the Gulf of Tonkin Resolution on August 10, 1964. But there are striking differences between the events which preceded that resolution and the form of our response, and those of the three other wars of this century. In each of the two world wars, a massive attack upon American lives, ships, and territory was followed close on the heels by a formal declaration of war by the Congress of the United States. After the invasion of the North Koreans, the United Nations Security Council asked the United States and other members to enforce the U.N. order for a cessation of hostilities and a withdrawal of troops. However, in the words of Secretary of State Rusk, testifying before the Senate Foreign Relations Committee meeting jointly with the Armed Services Committee on August 6, 1964:

> The immediate occasion for this Resolution is of course the North Vietnamese attacks on our naval vessels, operating in international waters in the Gulf of Tonkin, on August 2nd and August 4th. However, it is obvious that these attacks were not an isolated event but are related directly to the aggressive posture of North Vietnam.

The Congress might have responded with a declaration of war, though I am not now suggesting that it should have or that the form of the Gulf of Tonkin resolution should have been different. What must be realized, and what has led to immeasurable confusion, is that the legal basis for one section of the resolution is not the same as the legal basis for the other section, and the President cannot use the legal basis for one section to justify action under the other section.

Section I of the operative part of the resolution reads:

> The Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

Here, the legal basis cited was that of the Commander in Chief to repel the attack upon the two American naval vessels operating in international waters. As the President stated at his news conference last Friday, he did not need congressional authority for these purely defensive actions. It is always the right of American military personnel to respond when attacked. Therefore, once again, the legal basis for the response to the attack upon the American ships in 1964 was in the President's constitutional authority as Commander in Chief.

Section 2 of the resolution presents an entirely different legal basis for our further action in Southeast Asia. It reads:

> The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President deter-

mines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

Here the legal basis for U.S. action in Vietnam is placed on our treaty obligation under SEATO with the limitation that whatever action is taken must be consonant with the Constitution of the United States and the Charter of the United Nations. Therefore, we must look to the SEATO Treaty to find out when we have an obligation and what kind of obligation it is. Article IV, the principal operative section of the treaty, reads as follows:

> 1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.
>
> 2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.
>
> 3. It is understood that no action on the territory of any State designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned.

The SEATO Treaty requires a determination of an "armed attack" before a country may act. Section 1 of the Gulf of Tonkin resolution was based upon such a determination but it related only to an armed attack upon U.S. ships, and the action approved was the subsequent attack which had been made upon certain North Vietnam support facilities as retribution.

No similar determination of armed attack on South Vietnam was made in the resolution, nor in any form by the Executive or by the Congress until February 27, 1965. On that day the State Department issued a report entitled, "Aggression From the North," in which armed attack and internal subversion against South Vietnam was charged.

This document might be considered to be a determination but was issued 6 months after the passage of the Gulf of Tonkin resolution.

Since there was no determination of armed attack against South Vietnam as the basis for section 2 of the Gulf of Tonkin resolution, the SEATO Treaty at that point had not been properly implemented in respect to South Vietnam and therefore could not serve as a basis for military action there.

The hearings on the SEATO Treaty in 1954 also make it perfectly clear that some form of congressional action is required to authorize action under article IV. Senator Wiley, the chairman of the Senate Foreign Relations Committee, unmistakably clarified the meaning of the phrase "constitutional processes" when he asked Secretary of State John Foster Dulles the following question during the hearings on the treaty:

> So whether it were the threat mentioned in Section 2 [of article IV] or the common danger resulting from open attack, action could be taken only after consultation with Congress?

To this, the Secretary of State unqualifiedly answered:

> Yes.

Again, later in the hearings, the Secretary of State stated that the President "would act through the Congress if it were in session, and if not in session he would call Congress."

So far as I can learn the provisions of the treaty have been fulfilled only with respect to the attack upon the American ships; they have not been fulfilled with respect to the attack upon South Vietnam.

Is this "paperwork omission," as it might be called, a matter of small importance—just a technicality hardly worth correction? I think not.

Quite the contrary, in my view this failure to take the required constitutional steps has led to the great feeling of uneasiness in the country.

Because of this failure, the great issue of Vietnam—in all its vexing complexity—has never been placed on the great anvil of democracy where major policy decisions have traditionally been hammered out. Consequently, the unanswered questions linger on, tormenting the Congress and the people.

Had the issue been placed squarely on the anvil, the people of the United States—through their elected representatives in both Halls of Congress—could have brought divergent views together in synthesizing debate and brought the matter to clear resolution. After the debate and amendment process, a final vote would have occurred. Without doubt, on an issue of this moment, a record vote would have been entered—as it was on the Tonkin resolution. From that day forward the Senators and Representatives would have defended the vote. The die would have been cast. In effect, the people would have spoken—and in all probability subsequent criticism and dissent would have been relatively isolated and restrained as it has been in past wars. In implementing this decision, the President would have had little trouble establishing priorities and rallying support.

Unfortunately, this has not occurred. Lack of compliance with constitutional procedure has had the effect of denying to our Nation a powerful unifying influence. This lack has undermined our position at home. It has of course not gone unnoticed by the outside world and there too has tended to weaken our position by making us needlessly vulnerable to criticism.

Is it too late to fulfill constitutional procedure? I say it is not; indeed, the sooner the better.

A resolution should be placed before the Congress—one which will be debated and amended in order to forge a policy acceptable to the American people, one which will answer the grave fundamental questions now being asked. In my view, this is the logical, proper, sensible way to remove the feeling of uneasiness so prevalent today.

The Congress surely now comprehends fully this national uneasiness.

The procedure, far from causing the enemy to misjudge our determination, would in the end clarify America's will and purpose. Even prominent officials in the Department of Defense have in the last week stated that it might now be time to air the issue again. No Senator, Representative, or member of the executive branch should feel that the fulfillment of constitutional procedure would constitute criticism of past conduct of the war.

Rather, it would be recognition that it is time for both Houses of this representative Government to measure up to the grave responsibility placed upon them by the Constitution.

For two important reasons—first, because the SEATO Treaty as the law of the land demands it; and second, because the American people deserve and desire to have this issue resolved in the only appropriate and capable forum—I have invited my colleagues in the House to join me in introducing the following joint resolution:

> *Resolved, by the House of Representatives (the Senate concurring)*, That upon the adoption of this resolution, the appropriate committees of each House of Congress shall immediately consider and report to their respective bodies their determination as to whether further congressional action is desirable in respect to policies in Southeast Asia.

This action would be in keeping with the great constitutional procedures upon which this country is built. It would settle the national will and purpose. Because it would help to unify the Nation, it would enable the President to provide more effective leadership in this difficult and trying period.

IMPROVE THE OPERATION OF CONGRESS

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today a bill to improve the operation of the Congress of the United States.

The procedures under which the Congress operates, while innovative and efficient at the time of their establishment, can no longer keep pace with the needs of America. The business of the Congress is the most important business of our Nation and the Congress must have the tools and the powers to expedite the Nation's business. Yet we are presently operating under conditions which few corporations in America would consider sound financial management or efficient practice.

The legislation which ultimately emerges from our cumbersome processes affects increasingly larger numbers of Americans and it is not in the national interest that our citizens should suffer because their representatives are hampered in their efforts to make thoughtful decisions.

Many reforms ought to be instituted and no one bill can deal with all of them, nor are all of them susceptible of correction by statute. What we cannot write into law, we can only hope that time and a recognition of our present weaknesses will change.

The measure I am introducing today is similar in many respects to the bill which already passed the Senate and which is now pending before the House Rules Committee. Certain other elements are similar to those in the bill introduced by the gentleman from Missouri [Mr. BOLLING]. And yet others touch on areas which have yet been covered in existing legislation.

Specifically, my bill incorporates provisions for a Joint Committee on Ethics and Conduct. The establishment of such a permanent House-Senate group, with a mandate to formulate a comprehensive code of ethics including rigorous conflict-of-interest provisions, coupled with adequate and effective enforcement powers, is long overdue. As I have said many times before on this floor, the Congress can no longer continue to operate under a double standard, enacting strong conflict-of-interest provisions for the executive and no meaningful ones for the legislative branch. The faith of the American people in the integrity of their representatives must be restored, and, in my judgment, this can be accomplished only in the framework of full disclosure of income, gifts, real estate holdings, creditors, and business associations. I have included the provisions of my earlier disclosure bill in this congressional reorganization measure, and, in my judgment, this is truly the first area of legislative reform that demands our attention.

There are two additional features of my bill that I should like to highlight. First, the legislation passed by the Senate effects a number of needed changes in the appropriations process so that the Congress will be in fuller possession of all the facts on which to base sound fiscal judgments. The one aspect of the appropriations process that is of increasing concern to me is the matter of late funding for educational assistance programs. Those responsible for planning local school district budgets, as well as those students dependent on Federal assistance to finance their college educations, must not be kept waiting until it is too late to plan meaningfully because we in the Congress are unable to make thoughtful and timely decisions about appropriations. Accordingly, the bill I am introducing today would establish a joint committee to study this problem and make appropriate recommendations no later than 30 days after its enactment.

Finally, the participation of the Congress in the decisionmaking process in foreign affairs has increasingly taken the turn of reacting to crises when important—and at times irreversible—steps have already been taken by the Executive and when far-reaching decisions have already been set in train. In my judgment, it is vital that meaningful debate on foreign policy take place in the Congress; it is vital that we close this constitutional gap. I have included in my bill a modification of a proposal I advanced in the 89th Congress to permit the Secretary of State, and the other Secretaries of the executive departments, to be recognized on the floor of the House to answer private notice questions submitted previously by Members and supplementary questions. Private notice questions would have to be answered at least twice a month and could be televised at the option of a majority of the Members voting.

While perhaps not as great departures from existing practice, other features of the congressional reorganization bill are nevertheless significant. Principally, the provisions for a mandatory August recess except in time of war and assurances of adequate minority staffing are important. Similarly, management studies to improve the maintenance functions associated with the House of Representatives could result in significant saving of taxpayers' funds and increased efficiency.

I need not catalog here today each of the specific provisions of the bill. Occasions in the recent past of bad scheduling and hurried debate on the floor merely reinforce what all of us in this Chamber already know: the time has come for major reform of our congressional processes.

As the gentleman from New Hampshire [Mr. CLEVELAND] pointed out on the floor earlier this week, the Congressional Reform Act passed by the Senate has languished in the Rules Committee for 5 months, with only 1 day of hearings. Any further delay will be a disservice to the American people, and a clear-cut example of the need for reform of our own procedures.

FACTS ON FOREIGN AID

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. GROSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. GROSS. Mr. Speaker, no Member of the House of Representatives is more expert on the subject of foreign aid than the distinguished gentleman from Louisiana [Mr. PASSMAN], the chairman of the House Appropriations Subcommittee, which deals annually and directly with the subject.

For years, the gentleman from Louisiana has laid before the House the unvarnished facts concerning this foreign handout program that has already cost the taxpayers of this country a minimum of $140 billion.

I trust that every Member of the House will read and digest the following information the gentleman from Louisiana [Mr. PASSMAN] has prepared:

The three attached recapitulation sheets convey a factual message and pose this question: Can we survive indefinitely as a strong nation if we continue dissipating our wealth which creates inflation, deficit spending, increased public debt, increased balance-of-payments deficits, loss of gold reserves and loss of world markets because of our extravagance?

The AID Agency, this year, agrees with my definition of foreign aid. I quote their definition verbatim:

> **"Broadly speaking, foreign assistance is any aid—military or economic—which is extended by one country to another as loans or grants. This definition includes assistance rendered through the various international agencies—such as the United Nations—as well as that which is on a strictly bilateral basis. Used in this context, 'foreign aid' includes not only those programs carried out by the agency for international development, but also a number of other programs authorized by Congress."**

Net foreign aid costs, 1946–1967, inclusive: *114 billion, 694 million dollars.* Cost of interest on what we have borrowed to give away: *37 billion, 839 million dollars.* Total cost of foreign assistance (not including Defense Department), 1946–1967, inclusive: *152 billion, 533 million dollars.*

New funds requested for foreign aid, all categories, first 7 months of 1967: *9 billion, 206 million, 154 thousand dollars.* This does not include *1 billion, 400 million dollars* previously carried in mutual security now in the Defense Department appropriation. Neither does it include a request for *4 billion dollars* to pay the interest on what we have already borrowed to give away.

Unliquidated funds on hand on June 30, 1967 from prior years' authorizations: *16 billion, 396 million, 781 thousand dollars.* If the Congress approves all new funds requested by the President this year, there will be on hand to be spent or obligated during the current fiscal year, the staggering total of *25 billion, 602 million, 935 thousand dollars.* Our country is committed to disburse funds during the current fiscal year in 100 nations and 5 territories of the world.

Only the first item on the attached list of new funds is mentioned publicly as foreign aid; however, the other 15 items are indeed foreign aid. Foreign aid has been so fragmentized and so enmeshed in the budget that it is difficult even for members of Congress to unscramble it and put together the total figure. Indeed, we have substituted aid for trade and appeasement for firmness. I believe it is my obligation to furnish factual information on the foreign aid program.

NEW FOREIGN AID FUNDS REQUESTED 1ST 7 MONTHS OF 1967

CATEGORY I

Foreign assistance request (mutual security)	$3,226,420,000
Receipts and recoveries from previous credits	266,356,000
Military Assistance Advisory Group (MAAG)	42,000,000
Export-Import Bank (long-term credits)	2,295,000,000
Public Law 480 (agricultural commodities)	1,772,500,000
Inter-American Development Bank (Latin America)	300,000,000
International Development Association (IDA)	104,000,000
Peace Corps	118,700,000
Total, new foreign aid request for 1967, category I	8,124,976,000

OTHER FOREIGN AID REQUESTS

CATEGORY II

Export-Import Bank (regular operations)	$555,000,000
Permanent construction overseas (military)	331,900,000
Contributions to international organizations	109,362,000
Educational (foreign and other students)	54,800,000
Ryukyu Islands	14,956,000
Migrants and refugees	5,660,000
Atomic Energy Commission (Euratom)	2,500,000
Inter-American Highway	7,000,000
Total, new foreign aid request for 1967, category II	1,081,178,000
Total, new foreign aid request for 1st 7 months of 1967	9,206,154,000

(FROM THE RECORD—FANTASTIC—FRIGHTENING—FACTUAL)

FOREIGN AID UNLIQUIDATED FUNDS FROM PRIOR YEARS

CATEGORY I

Foreign assistance requests (mutual security)	$6,718,512,000
Military Assistance Advisory Group (MAAG)	1,300,000
Export-Import Bank (long-term credits)	4,078,454,000
Public Law 480 (agricultural commodities)	1,862,157,000
Inter-American Development Bank (Latin America)	1,769,093,000
International Development Association (IDA)	206,128,000
Asian Development Bank	130,000,000
Peace Corps	63,483,000
Total, unliquidated funds from prior years, category I	14,829,127,000

OTHER FOREIGN AID UNLIQUIDATED FUNDS FROM PRIOR YEARS

CATEGORY II

Export-Import Bank (regular operations)	363,542,000
Permanent construction overseas (military)	1,106,000,000
Contributions to international organizations	2,454,000
Educational (foreign and other students)	61,995,000
Ryukyu Islands	8,402,000
Migrants and refugees	3,267,000
Atomic Energy Commission (Euratom)	6,296,000
Inter-American Highway, Latin America	15,698,000
Total, unliquidated funds from prior years, category II	1,567,654,000
Total, unliquidated funds from prior years on hand June 30, 1967	16,396,781,000

(EVEN MORE FANTASTIC—FRIGHTENING—BUT FACTUAL)

GOLD HOLDINGS (FREE WORLD COUNTRIES)

Gold holdings, United States (Dec. 31, 1952)	$23,252,000,000
Gold outflow from United States (1952 through 1966)	10,093,000,000
Gold holdings, United States (Dec. 31, 1966)	13,159,000,000
Gold holdings, other countries[1] (Dec. 31, 1952)	13,028,000,000
Gold holdings increase, other countries[1] (1952 through 1966)	15,946,000,000
Gold holdings, other countries[1] (Dec. 31, 1966)	48,974,000,000

SHORT-TERM DOLLAR CLAIMS HELD AGAINST UNITED STATES BY FREE WORLD COUNTRIES

Short-term claims against United States (Dec. 31, 1952)	10,546,100,000
Short-term claims increase, foreign countries (1952 through 1966)	21,291,200,000
Short-term claims against United States (Dec. 31, 1966)	31,837,300,000

U.S. BALANCE-OF-PAYMENTS POSITION (REGULAR TRANSACTIONS)

1950 net deficit	−1,912,000,000
1951 net deficit	−578,000,000
1952 net deficit	−1,100,000,000
1953 net deficit	−2,100,000,000
1954 net deficit	−1,500,000,000
1955 net deficit	−1,100,000,000
1956 net deficit	−1,000,000,000
1957 (only credit in 17 years)	+500,000,000
1958 net deficit	−3,400,000,000
1959 net deficit	−3,700,000,000
1960 net deficit	−3,800,000,000
1961 net deficit	−2,400,000,000
1962 net deficit	−2,200,000,000
1963 net deficit	−2,660,000,000
1964 net deficit	−3,006,000,000
1965 net deficit	−1,306,000,000
1966 net deficit	−2,077,000,000
U.S. deficit, 1950 through 1966, inclusive	−33,339,000,000

GROSS PUBLIC DEBTS

Public debt, United States (Dec. 31, 1966)	329,548,000,000
Public debt, free world countries (latest available figures)	248,000,000,000
Public debt, United States, exceeds debts of other free world countries by	81,548,000,000
Public debt, United States, exceeds combined public debt of all other countries of the world by (estimate)	39,421,000,000

[1] Does not include Sino-Soviet bloc.

How long can we continue to pursue our present foreign policy and foreign aid program? Can we survive as a nation if we continue with inflation, deficit spending, ever-increasing public debt, ever-increasing balance-of-payments deficits, continuing loss of gold reserves, and loss of world markets because our extravagance is making it more difficult for us to compete without large subsidies on many of our exports.

CONGRESSIONAL REFORM: ACTION NOW

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I quote the concluding paragraph of an editorial in this morning's Washington Post on the congressional districting bill:

> We are hopeful that the conferees will approve a reasonable bill and that it will be enacted. If they should fail to do so because of a continued betrayal of the Senate by its own conferees, the country will be face to face with a real crisis in its legislative machinery.

I make no comment on the bill. I merely wish to make the point that not a few of us in this Chamber think that Congress has already reached a crisis in its legislative machinery.

Mr. Speaker, I urge the leadership of the House to call upon the members of the Rules Committee to report S. 335 to the House floor without further delay.

OF RESPECT AND RATS

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, on Wednesday, August 16, a group of demonstrators from Harlem arrived in Washington to demand a "rat bill." An account of their visit appeared in the Washington Post of Thursday, August 17, 1967, and I would like to insert that account in the RECORD.

The crudeness and disrespect apparently shown by this group to my colleagues, the gentlemen from New York [Mr. BRASCO and Mr. RESNICK], and the gentleman from Michigan [Mr. CONYERS] was inexcusable and completey senseless. All three of these Members have worked consistently for civil rights and to solve the problems facing our Nation's cities. The gentlemen from New York have done much to aid the citizens of Harlem. Ironically, both of them voted for the "rat bill"—rollcall No. 178 page 19555—which was the ostensible purpose of the demonstrators' visit.

And yet, this group, under the leadership of Jesse Gray, treated Messrs. BRASCO, RESNICK, and CONYERS with total disrespect. Mr. Speaker, I am more concerned as an American citizen than as a Member of Congress with this group's behavior. Disrespectful treatment of a Member of Congress is more than just a personal affront.

Congress is not simply the legislative branch of the Federal Government. It is and should be as much a symbol of law and order as the American flag is a symbol of patriotism and national unity.

I have spoken out often in defense of the right to dissent from the policies and actions of our country. However, I condemn anyone who expresses that dissent by performing an illegal act such as burning the flag. The importance of the flag as a symbol of our Nation cannot be overstated. The symbolic importance of Congress should also be respected.

Therefore, while I will defend the right to disagree with the decisions of Congress, I was quite disturbed by the total disrespect shown by the group from Harlem. We are a nation founded upon law and order. The actions of Jesse Gray and his followers, like the recent riots in many cities, indicate that some apparently no longer support law and order. I hope that my colleagues and others who read the following article will pause to reflect upon its serious implications.

ADVOCATES OF RAT BILL REVISIT HILL

(By George Lardner, Jr.)

Shouting demonstrators from Harlem renewed their demands for a "rat bill" yesterday in a noisy visit with Congressmen that provoked angry words but no arrests.

Led by Jesse Gray, who touched off a demonstration in the House chamber last week, the delegation left after shouting down several House liberals who met with them in the Longworth Building.

"We're not holding you responsible," Gray told Rep. Frank J. Brasco (D-N.Y.) who arranged the meeting. "But I hold your party responsible."

Gray abruptly terminated the informal conference in a House committee room after Rep. John Conyers, Jr. (D-Mich.), one of the five Negro members of the House, urged them to turn their anger into power at the polls.

"Uh, uh, no more," one man in the delegation shouted.

Already interrupted several times, Conyers finally told the group angrily: "If you think burning down America is right, why come here? Just go get your (Molotov) cocktails, go to work and don't waste my time."

About 80 of the Harlem residents arrived in two busloads on Capitol Hill in midafternoon with a live rat in tow. They quickly grew indignant over their reception by Capitol and Metropolitan police. Officers crowded the sidewalks around the Capitol and the Longworth Building.

Capitol Police Chief James M. Powell said he smelled alcohol on the breath of a man in one of the buses as they pulled up on South Capitol Street. He refused to let anyone off that bus.

Brasco intervened in an effort to get the group off the bus.

"You aren't going to do it, Congressman," Powell insisted. "These people are here to make trouble."

Only the other busload was allowed to alight for the meeting in the small, crowded committee room. Passengers on the first bus were taken to the Dodge House.

At the meeting arranged by Brasco, Rep. Joseph Y. Resnick (D-N.Y.), the first to speak, assured the group that "you have all my sympathy" but said he had to rush off for a vote on the civil rights bill before the House.

Gray told him, in effect, to get lost.

"If you want to demagogue, demagogue," Resnick shouted back.

"I'm a better one than you are," Gray retorted. "I don't even know your name and respect you even less."

An aide to Sen. Jacob K. Javits (R-N.Y.) assured the group that a rat control bill would be added to housing legislation before a Senate subcommittee, but by now the demonstrators were protesting their lack of representation since Adam Clayton Powell was ousted.

Gray told reporters he intended to stay in Washington to demand that he be put in Powell's seat. Asked about allegations styling him a Communist, he said:

"They're improving. They used to just call us 'niggers.'"

Downstairs Mrs. Sims turned over a small grown rat to a private from the First Precinct.

"His name is Lyndon," police quoted her as saying. "You can have him. We have a lot more where we came from."

The 43-year-old Gray led a walkout over Conyers' remarks. As the group left, Beraneece Sims, assistant director of Gray's Harlem Community Council for Housing, read a proclamation dubbing Harlem the independent "Federation of Malgarvey."

In related developments:

The Department of Housing and Urban Development, answering a query from Rep. H. R. Gross (R-Iowa), said that a "conservative estimate" indicates that 14,000 children a year are bitten by rats and many are babies in cribs.

House Republican Whip Leslie C. Arends (Ill.) suggested that Democrats might have planned the defeat of the Administration's rat-control bill last month so as to blame Republicans. He said unusual procedure was used in bringing the bill to the House floor.

UNSCRAMBLING THE POVERTY PROGRAM

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, on many occasions in the past, I have spoken on various aspects of the administration's war on poverty.

On some of these occasions, I have praised individual programs which were being run effectively. But on others, I have had to express my doubts about the proliferation of these programs and the lack of coordination among them.

I have also pointed out that many of our great urban problems of today will not miraculously disappear just because we pass a bill or throw more money at them. Rather, thoughtful planning is needed to avoid wasteful duplication, and hard decisions to establish priorities.

I was, therefore, most pleased to note a most thoughtful and provocative editorial in the Christian Science Monitor of Wednesday, August 22, 1967, entitled "Unscrambling the Poverty Program," in which that fine newspaper's editorial staff calls for "decisive national leadership, which will help define and clarify the urban social crisis" especially in view of "the multifarious programs now on the books and which are all in different states and stages of implementation."

For the enlightenment of my colleagues, and with the hope that the message so aptly expressed therein will be beneficial to the administration as well, I include the text of that editorial:

UNSCRAMBLING THE POVERTY PROGRAM

When faced with a complicated problem, a thoughtful man first sits down and tries to think it out. He gets as many facts as he can, sorts out the fundamental from the superficial, outlines his priorities and then decides how, when, and where to tackle the question. This is the right way to meet a major challenge. And it is just as valid for the Administration in Washington, as it faces the tremendous social crisis in American cities, as it is for an individual citizen working out his own personal problems.

Perhaps never before in American history has there been a greater feeling of confusion, of drift and cross-purpose over any crisis than there is over today's urban racial issue. While recognizing the need for quick action, we doubt if any action taken in the present mood of confusion will be effective.

During the three or more years of the Great Society's lifetime, a flood of new measures has poured forth from Washington. While sincerely motivated, these multitudinous measures have left the country bewildered. The average citizen feels that a great deal has been done but that very little has been accomplished. And his bewilderment is only increased when the President, as he did Friday, notes that there are some "15 or 20" urban bills pending before Congress. Hearing this we are all impelled to ask: are that many bills necessary, how many are duplicative, which ones seek to do too much, which ones will fall far short? In short, word that there are a dozen and a half or so bills before Congress on city problems does not automatically reassure us. Nor, for example, does the knowledge that there are now two-dozen housing bills pending, and that each is caught up in all kinds of political crosscurrents.

What is desperately needed today is decisive national leadership, which will help define and clarify the urban social crisis. The various threats of this crisis need to be drawn into a few easily understandable strands which can then be subjected to all-out treatment. Popular pressure for action can never be brought effectively to bear when only a few experts can be expected to keep in mind the multifarious programs now on the books and which are all in different states and stages of implementation.

We do not ignore the fact that the problem is many-sided and complicated. We do not deny that it must be attacked on more than one front. But we do believe very strongly that the first requisite for effective action must be to rid the poverty program of the stifling clouds of confusion which today greatly lessen its effectiveness. This will be achieved only by a determined White House effort to simplify the poverty program and concentrate national effort at a few key points.

INTERFERENCE WITH FIREMEN PERFORMING THEIR DUTIES DURING THE COURSE OF ANY RIOT

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. WYLIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. WYLIE. Mr. Speaker, today I introduced a bill, with 24 cosponsors, making it a Federal offense to discharge a firearm or other weapon and thus interfere or harass a fireman in the performance of his duties.

Recent reports of riots in many cities brought to me the conviction that the most dastardly act in these disorders is firing on firefighters by snipers. This discharge of firearms at men on ladders seeking to protect lives and property seems indefensible from every standpoint—and yet there is no Federal law, and as far as I am able to determine no State law, to cover this specific situation.

A bill has passed the House making it a Federal offense to cross a State line for the purpose of inciting a riot. This was done under provisions of article I, section 8, of the commerce clause of the U.S. Constitution, as follows:

> The Congress shall have power to regulate commerce with foreign nations and among the several states.

I supported that bill.

Surely, the starting of fires in buildings through which citizens receive their supplies of food, clothing, and other essentials from many States, and the blocking of highways over which such commodities are delivered is just as much an interference with interstate commerce as the crossing of a State line to encourage such lawlessness. The bill I have introduced makes it a finding of Congress that riots affect adversely interstate commerce.

Unarmed firemen who risk their own lives for the safety of others have no opportunity to defend themselves. It is for them that I propose this protection against rioters.

In support of my legislative proposal, I quote portions of a recent column by Stanley Levey, Scripps-Howard staff writer. Mr. Levey says:

> Big city fire departments across the country face a wave of early retirements and recruiting problems because of attacks by rioters on firemen doing their duty. . . .
>
> This gloomy analysis was a major conclusion of a meeting of officials of the International Association of Fire Chiefs and the International Association of Fire Fighters.
>
> Present at the session were fire officials from such major cities as Cleveland, Cincinnati, Detroit and Newark where riots have occurred. The two union groups called for federal legislation to protect members of the fire service while performing their duties during riots and other disturbances. They agreed that stiff penalties would deter such interference. . . .

Mr. Speaker, it is to provide this protection, which the firemen are asking, that I have introduced this bill.

MERCHANT MARINE PROBLEMS

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, I want to call attention to a statement on merchant marine problems made by the distinguished gentleman from the State of California [Mr. REINECKE]. It appears in the CONGRESSIONAL RECORD for August 22, page 23621.

Mr. REINECKE's statement is a concise, thorough, positive, businesslike set of proposals for action on the merchant marine problem which has been of deep concern to many of us for many months.

His statement, as a matter of fact, is a series of proposals directed to five different sources of needed action: the executive branch, Congress, the shipbuilders, the ship operators, and maritime labor.

The gentleman from California cuts through much of the verbiage which has been issued on this subject, and deals with the heart of the issues involved.

He says in his statement that policies and programs must get underway now, this year. I endorse that view, and I recommend Mr. REINECKE's statement as a starting point.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask the distinguished majority leader, why come in early tomorrow?

Mr. ALBERT. If the gentleman will yield, numerous Members have expressed the hope that we can get through early tomorrow. I am doing the best I can to accommodate them.

Mr. GROSS. Is it expected that this bill, with some 40 or 50 amendments still outstanding, can be taken care of tomorrow?

Mr. ALBERT. I have no way of answering the gentleman as to whether they will be taken care of tomorrow or not. He knows more about the amendments than I do.

Mr. GROSS. Would there be anything wrong with this bill going over, if it is not finished—without intending, of course, ever to disrupt the T & T Club? Is there any reason why it could not go over until next week?

Mr. ALBERT. We have to finish it this week. If we do not finish it tomorrow, we hope to finish it Friday.

Mr. GROSS. May I ask the distinguished majority leader what the business for next week is, if he has any idea of it?

Mr. ALBERT. We will have some business for next week, but I do not have the complete report on what we will have at this time.

Mr. DERWINSKI. Mr. Speaker, will the gentleman permit me to make an observation to the gentleman from Iowa?

Mr. GROSS. Yes. I yield to the gentleman.

Mr. DERWINSKI. I would think my dear colleague, a member of the Committee on Foreign Affairs, would appreciate the fact that if we agreed to the request of the majority leader, then majority Members would be so mellow and pleased with our cooperation they will probably accept more of our amendments.

Mr. GROSS. Well, I am afraid I could not operate on that basis.

Mr. ALBERT. We do have important conference reports outstanding, as the gentleman knows. The armed services appropriation bill, the HEW and the Agriculture bills. If any of those are ready, we will certainly bring them up as soon as they are ready.

Mr. GROSS. Next week?

Mr. ALBERT. Next week or tomorrow if we get to them.

Mr. GROSS. I withdraw my reservation, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALL. Mr. Speaker, I object.

IN MEMORIAL, ETHEL PERCY ANDRUS, FOUNDER AND PRESIDENT OF THE NATIONAL RETIRED TEACHERS ASSOCIATION, AND THE AMERICAN ASSOCIATION OF RETIRED PERSONS

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. LAIRD] is recognized for 20 minutes.

Mr. LAIRD. Mr. Speaker, the year 1967 has been a sad one for millions of Americans because it has been witness to the passing of two great pioneers in the field of aging—John Fogarty of Rhode Island, who was known and revered by all of us in this body, and Ethel Percy Andrus, who came to be known and highly respected by a great many of us in the Congress during the past several years.

Dr. Andrus, Mr. Speaker, was a great lady who lived a full and marvelous life and who died on July 13, in Long Beach, Calif. During her life, she followed two careers—one a teaching career which spanned the years from 1903 to 1944. Her second career began upon retirement. By 1947, she had founded the National Retired Teachers Association and 10 years later organized the American Association of Retired Persons which has done such wonderful work for the aged.

Memorial services were held this noon in the auditorium of the Department of the Interior. I was privileged to take part in this tribute to a great American and would like to share a little of her life and work with my colleagues in this body.

To that end, Mr. Speaker, I ask unanimous consent that the program for the memorial services held today in honor of Dr. Ethel Percy Andrus be inserted in the RECORD at the conclusion of my remarks.

Following insertion of the program which includes a short biography of Dr. Andrus as it appeared in the New York Times, I ask that the tributes which were made by the distinguished participants in the memorial service be included in the order in which they were given.

The material referred to above follows:

IN MEMORIAM: ETHEL PERCY ANDRUS, AUGUST 23, 1967

Dr. Ethel Percy Andrus, founder and president of the National Retired Teachers Association and the American Association of Retired Persons, died July 13 in Long Beach, California. Her age was 82.

A stately auburn-haired woman with blue eyes, Dr. Andrus won fame after her retirement. She began teaching in 1903 and from 1916 to 1944 was principal of Lincoln High School in Los Angeles. But, in spite of her long service, her pension on her voluntary retirement turned out to be $60 a month.

Although she had some money of her own, she began to wonder how the rest of the nation's thousands of retired teachers were able to exist. She found out there was no national organization to speak for retired teachers and decided to become their spokesman.

She traveled all over the country. By 1947 she had interested enough persons to start the National Retired Teachers Association, aimed "at putting dignity back into the life of the penniless former teacher."

She contacted retired teachers in every state and issued many pamphlets and periodicals. She persuaded thousands of former teachers to take up jobs as tutors, counselors or consultants to children's courts, to visit the sick in veterans hospitals and to serve the handicapped and disabled—anything to keep active.

Her favorite advice to people thinking with dread of retirement was: "Don't retire; have a second career." The advice was based on her own experience.

In 1958 Dr. Andrus organized the American Association of Retired Persons to broaden the scope of her work with the aging.

Dr. Andrus and her members—they say they number more than a million—have lobbied for bills to improve pension plans, to benefit older people and to enable ex-teachers to work as substitutes. She appeared at Congressional and subcommittee hearings to speak in favor of health programs for the elderly.

In 1958 she instituted for her members a group health insurance plan and the following year opened a nonprofit drug-buying service to provide pharmaceuticals at low cost. A worldwide travel program for older persons was inaugurated.

She worked almost 16 hours a day to make the word "retirement" lose its terrors.

"As it is," she said, in an interview in 1954, "when you leave a job, they often just give you a gold watch and all you can do is look at it and count the hours until you die. Yet think of all the grand things we can do that youth can't. Think of all the things we already have done. Some day, the retired teachers in this country will have the dignity they deserve."

Dr. Andrus was born in San Francisco and received a Ph. D. from the University of Southern California in Los Angeles. Her pupils at Lincoln High School included Robert Preston, Robert Young and former governor Goodwin Knight.

She had served as executive secretary for the American School for Girls, Damascus, Syria, as a member of the national advisory committee for the White House Conference on Aging in 1961, and as a member of the advisory board of the American Association of Homes for the Aging. She edited 22 publications and spoke widely.

In 1954 she was chosen as national teacher of the year by the International Senior League. In 1963 she received three awards from Freedom Foundation for her editorial work and for the NRTA *Journal* and Modern Maturity which she edited. She also received a citation for public service from the Alumni Association of the University of Chicago in 1965. Last month she received an award for excellence in educational journalism from the Educational Press Association of America for her editorial, "The Good Samaritan," published last January in the NRTA *Journal*.

Dr. Andrus lived in Long Beach, California.—The New York Times.

MEMORIAL SERVICE

Invocation—the Reverend Frederick H. Arterton, D.D., Canon, Washington Cathedral.

Joint color detail.

Twenty-third Psalm—Mr. William Dudley Jones, Concert Moderator, U.S. Marine Band.

NATIONAL TRIBUTES

The Honorable Harrison A. Williams, Jr., Senator, New Jersey.

The Honorable Melvin R. Laird, Congressman, Wisconsin.

Dr. Edward W. Brice, Assistant to the Assistant Secretary for Education, Office of Education, Department of Health, Education, and Welfare, Washington, D.C.

The Honorable William D. Bechill, Commissioner, Administration on Aging, Department of Health, Education and Welfare, Washington, D.C.

Mr. Leo J. Reynolds, executive officer, State Teachers' Retirement System, Sacramento, California.

Mr. Leonard Davis, honorary president, National Retired Teachers Association and American Association of Retired Persons, New York, New York.

Lord's Prayer—Mr. William Dudley Jones.

Retiring of the Colors.

Benediction—The Reverend Frederick H. Arterton.

Mr. Speaker, due to committee responsibilities, Senator WILLIAMS of New Jersey was unable to attend the services. His remarks were read by a representative from his staff. The remarks follow:

NATIONAL MEMORIAL SERVICE FOR DR. ETHEL PERCY ANDRUS

(Remarks of Senator HARRISON A. WILLIAMS, JR.)

Mr. Chairman, honored guests, ladies and gentlemen, the death of Dr. Ethel Percy Andrus saddened not only the officers and members of the Associations she founded, but all of us who were so keenly aware of the leadership and personal example she continued to give to the entire field of aging. Hers was a lifetime dedicated to service, first as an educator for the young, and later as an educator and spokesman for continuing education and involvement of older persons as responsible citizens.

Although Dr. Andrus often referred to others as "practical idealists," these words also describe her and are easily documented by the impressive list of programs she initiated with a wisdom and foresight that were really pioneering efforts.

To many, Dr. Andrus will be remembered for the beautiful publications she edited. These were outstanding not only for the pictures but her messages that were inspirational, challenging, and threaded with a deep love for her country and the American way of life. Many of her articles were written to remind and rekindle pride in our national heritage. She dared to be patriotic when it appeared to be out-of-date. It was this ability that earned for her the Freedoms Foundation Awards as Editor and for each of her magazines "for significant contributions to perpetuating the history and traditions of America."

Dr. Andrus worked diligently to preserve the principles of democracy by taking a dynamic personal role in action at the community, State and local levels—on behalf of those who were less able to speak for themselves or were not as articulate or so well-informed.

Few people have appeared before the committees of Congress or the State legislature with more convincing material or personal magnetism in support of legislation that was always for the common good—not just for those she served and represented.

She had a disarming way of identifying herself as "one of those problems in aging about which so many meetings were held." Dr. Andrus, as we all know, was instead an example of the solution to aging and gave encouragement and motivation to many who might otherwise have been willing to retire out of life.

I can think of no greater tribute to Dr. Andrus than to recall a statement frequently attributed to her. She challenged her contemporaries by saying that no one had the right to command or demand respect simply because they had accumulated a number of birthdays: "Indeed, one needed to continue to earn respect at any age."

Dr. Andrus continued to earn the respect and gratitude of all who were privileged to know her personally, and by the millions who met her through her publications and public appearances.

She will be recorded in the history of our time as one of the great women of America.

NATIONAL MEMORIAL SERVICE FOR DR. ETHEL PERCY ANDRUS

(Tribute of Congressman MELVIN R. LAIRD)

Honored guests, ladies and gentlemen, this memorial service has a very deep personal significance to me.

Last year at about this same time, I was preparing to participate in the Biennial Convention of the American Association of Retired Persons in Salt Lake City, Utah. On September 8, I shared in the opening session with two of the Nation's great leaders and pioneers in the field of aging who are no longer with us—my close friend and colleague, the late Congressman John E. Fogarty, and a truly great lady and humanitarian, Dr. Ethel Percy Andrus.

In many ways, these two individuals had a great deal in common—their concern for the health and welfare of their fellow men and a personal dedication to those principals and ideals necessary to achieve their goals.

A narrow view should mark only their passing and the tragic loss of their place and influence in the life of the Nation, and to the thousands of individuals whose lives have been enriched by the programs they sponsored and the inspiration of their leadership.

In reality, John Fogarty and Ethel Andrus were builders for a better tomorrow and the challenge and the legacy they left, will continue to be carried on by those who were privileged to work with them and to know and share their philosophy of service.

The social history of our time will record that when retirement was considered an ending, Dr. Andrus created a feeling of independence, dignity and purpose for the later years. At a time when there was no expected role for older persons, Dr. Andrus promoted "Pride in Participation" as the 1966–1967 conference theme; at a time when the younger generation was being downgraded, Dr. Andrus rose in their defense, expressing her faith in the youth as the strength of our country's future.

While Dr. Andrus was always a teacher at heart, she was also a most effective communicator. She was an editor's editor, through the beautiful and informative publications of the two Associations she founded. It is fitting and deserved that just 10 days before her death, she received an Award from the Educational Press Association of America for editorial excellence for her January article in the NRTA *Journal* entitled, "The Good Samaritan."

Dr. Andrus was in every sense that "good samaritan" and will live on as an example of everything she sought to encourage and promote in others.

There is no greater tribute or recognition we could pay to Dr. Andrus' memory than to say that upon the foundation she built with vision, faith and courage, a better tomorrow has been made possible for which each of us may reverently add: "Thank God for sharing Dr. Ethel Percy Andrus with us until her task was completed."

A WOMAN FOR ALL SEASONS

(By Edward Warner Brice)

Mr. Chairman, Ladies, and Gentlemen: The brotherhood of men is at a low ebb in the world today. The friendly handclasp of a brother has been replaced by the harsh words of hate and violent acts. Our hearts are heavy as we contemplate these tragic events destroying so much that has been accomplished in the progress of mankind.

But, we here today can take heart that here in America, in the life of a person like Ethel Percy Andrus, the spirit of brotherhood is warm and real. Here, because of her—and people like her, adults of every Nation in the world can live and work and play as brothers. Together they have made a contribution to the building of a better world.

I think that it is fitting that we come here today from our various labors to memorialize Dr. Andrus because I have never known a woman except Dr. Andrus, whose motives were always pure kindness. Her faith in democracy, in her fellowmen, and in God, was unshakeable in the face of adversity, tempered by the spirit of mercy, and radiant with the courage of an indomitable Moses. She had visions of a better world and a clear sense of the older adults role in helping to create it. We know her record well. Her messages and testimony will ring through all the ages, bidding us to live fully the whole of our lives.

It is altogether fitting that this first memorial service is being held in a government building owned by all of the people of the United States. Because, Dr. Andrus was at home with many government officials, and spent her life in public service. Her permanent memorial is the warm thoughts of all of us in government, the arts and professions in all walks of American life who see in her life the daily reminder that the concerns of people do count. For it was in this area of Dr. Andrus' life that was revealed the spiritual beauty and intellectual distinction which were characteristic of the woman. If we are going to live the years of peace to which this weary world is entitled, and which we passionately want for our children, then we must be strong like Dr. Andrus, and be prepared to work day and night for the good of all mankind. Let us work, as she did, in a spirit of true tolerance and forbearance.

Dr. Andrus was a woman who was a calm port in the time of storm; fearless in what she believed to be right; sober in the face of great odds. She was truly "a woman for all seasons."

Mr. Speaker, due to a tragedy in his own family, Mr. Reynolds was unable to attend the services. His tribute will be reproduced in the proceedings of the service:

PREPARED TRIBUTE OF WILLIAM BECHILL, COMMISSIONER ON AGING, HEW

We honor today both the memory and the contributions of a very fine person, Dr. Ethel Percy Andrus.

Dr. Andrus was never one to be sad, or idle, or to look back. When she considered time at all, it was usually to look ahead and start something new. This could be either a new organization, a new service, a new program, or a new fight to promote the kind of constructive social action that she felt was essential to the well-being of older people.

What moved Dr. Andrus to assume the leadership and interest that she so eloquently demonstrated in behalf of older people during her lifetime? I believe it was a mixture of equally strong sense of indigmation about the abilities of the individual, coupled with an equally strong sense of indignation about the failure of our society to recognize those abilities in the years of later life and retirement.

Dr. Andrus was one of the first to realize that our nation was neither seriously facing the questions of meaningful use of the retirement years nor concerned enough with a place of respect and purpose of older people in the world around us. She was a pioneer in both organizational effort by older people themselves and in ideas for the advancement and enhancement of their personal status and prestige. And, she knew how to fight hard and be persistent about what she believed was right.

One particular legacy which Dr. Andrus leaves is her belief that older Americans are quite capable, if provided the opportunity, to do things for themselves and to grow and develop as individuals throughout life. The work of the two organizations she founded, the National Retired Teachers Association and the American Association of Retired Persons, has done much to shatter the myth that all older people are inactive, helpless, and must have others do for them at all times.

In today's complex society, there is great need for skills, experience, and willing hands and minds. All of these can be found among older people, and the country is just now beginning to realize this fundamental fact which Dr. Andrus recognized long ago. This is part of her heritage to us and we should never lose sight of its value in our future work.

Remarks of Leonard Davis

It was my privilege to know Dr. Andrus during the last twelve years of her life—years in which this magnificent woman having already concluded one illustrious career as an educator, embarked upon another career which brought to her a fulfillment very few of us achieve and which brought to the older people of our Nation the dignity of being. She lived only for the opportunity to change the concept of the older American from a faceless "people" to one of "individual persons," persons with dignity, with a sense of self, with confidence and optimism with security and assurance. She herself enjoyed this marvelous feeling of individuality and devoted her life to sharing this feeling with all of us.

Twelve years—years which seem so short now—and yet years in which so much was accomplished. It seems incredible to me now that there were only a dozen of those full, rich years. For during them, I lived a lifetime of friendship with her and gained an appreciation and understanding of life that will extend through the span of my own time here on earth.

Twelve years in the rich and brilliant fabric of her life—years in which I was privileged to gain a personal insight into the kind of individual she was—into the inspiration that she gave to others as she did to my own family and to myself.

I was constantly amazed at the relationships she maintained with her former students. Students—many of them extremely successful in their varied careers who would constantly seek her out for advice and guidance. Old friends never failed to maintain touch with her and as busy as she was she always had time for each of them. New friends and followers continually strove to be replenished from her unfailing reservoir of wisdom and strength and warm, simple friendship.

Her friendship was a thing to be prized and nurtured. She gave so much of herself—demanded so little for herself—but required those around her to give fully of themselves to others, just as she did. In that sense she was no easy taskmaster. Those of us who had the honor of walking with her from the inception of the two great organizations she founded knew that she would be implacable and unyielding when the well-being of her beloved associations was at stake.

Those of us who experienced the thrill of close and intimate contact with her over the years grew under her guidance and stretched our capabilities under her leadership. Like any great builder she had the ability to sense the possible where everyone else thought none existed. That was the secret of her leadership which has brought so much good to all of us—which has enabled each of us to assume our proper place in the world.

All who worked most closely with Dr. Andrus through the years—and particularly her most devoted, loyal and beloved associates, Ruth Lana and Dorothy Crippen—could not help but be inspired to devote their entire lives to her principles. Illness and obstacles meant nothing to her. She experienced setbacks, but never knew defeat. She was that rare person—one who put usefulness of purpose above everything. To her, self interest meant nothing.

If such a person is given to this world, mankind is fortunate. If we are given the opportunity of knowing that person, working with her, sharing her dedication with her—then we are twice blessed. If we are given the chance to carry on her work and exercise her mandate, then we are indeed thrice blessed.

The millions of persons, old and young, whose lives have been enriched, and will continue to be improved as a result of her vision, will keep her memory bright. And I speak for all of them when I express a deep sense of personal bereavement, tempered only by gratitude that we were able to know her, and that she was able to lead us for as long as she did, and as superbly as she did.

Dr. Andrus is gone. But her legacy of hope and accomplishment, her heritage of purpose and inspiration, is with us still.

And it will always be.

TIME TO REEVALUATE THE GULF OF TONKIN RESOLUTION

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, exactly 2 weeks ago, I was privileged to join the distinguished gentleman from Illinois [Mr. FINDLEY] and 17 other colleagues in this House in introducing a resolution directing the Committee on Foreign Affairs to reevaluate the Gulf of Tonkin resolution.

That legislation called upon the committee to determine whether the Gulf of Tonkin resolution "empowers the President to carry forward military operations of the current scope and magnitude in Southeast Asia, whether it requires modification in light of changing political and military conditions, and whether alternative legislative action is necessary."

During the past week, we have heard some disturbing statements by one high in the administration, during testimony before the Foreign Relations Committee of the other body. We have been told that the Gulf of Tonkin resolution was considered to be tantamount to a declaration of war.

I can say with certainty that at the time the resolution was passed, 3 years ago, I for one certainly did not look upon it as a declaration of war. Many of our colleagues with whom I have discussed this question assure me they felt the same way.

The time is here when we must recall the circumstances of the passage of that resolution. There had been two attacks by North Vietnamese PT boats against U.S. destroyers in the Gulf of Tonkin. The President asked the Congress for a joint resolution "to promote the maintenance of international peace and security in Southeast Asia."

At that time, the United States had about 16,000 men stationed in Vietnam, and we called them "advisers." The President told us that what the Nation had done up to that point was "a measured response."

In succeeding weeks, the President stressed the limited involvement of the United States in the Vietnam conflict. He assured the American people that we had no intention of getting bogged down in a land war in Southeast Asia.

He expressed this intention:

> We are going to get them to save their own freedom with their own men, with our leadership, and our officer direction, and such equipment as we can furnish them.

Today, we see such a statement as empty words. The total of our military manpower in Vietnam has increased almost thirtyfold. We now have 466,000 troops committed to what has become a full-scale war, the longest war in our history, and the third biggest war our Nation has ever been involved in.

Soon, we have been told, our troop commitment will rise to 525,000 men, and from the ways of constant escalation we have witnessed, we cannot know how much larger the force will become.

Limited involvement has turned into a raging war in which present casualty rates indicate that 11,190 American men will be killed this year. This is more than in all of the previous 5 years combined. Almost twice as many will be wounded this year. We have lost more than 500 American pilots and over a billion dollars worth of planes.

Yet for all our expenditure of blood, heartbreak, and money, the flow of supplies from North Vietnam into South Vietnam has tripled—from 100 tons a day to 300 tons a day—in the last year. Enemy strength has increased 2½ times. Marine units in the northern provinces are under greater military pressure this year than ever before.

This has become more and more an American war. The South Vietnamese army cannot protect pacification teams, and its rate of desertion has reached the ratio of one out of every four.

United States troops are forced to assume an increasingly greater role in the conflict, and Maj. Gen. Nguyen Van Thieu, the South Vietnamese Chief of State, has asked for more American troops while refusing to order general mobilization of his own country.

More Americans were killed in the last 3 months than South Vietnamese—2,427 to 2,010. The total of American wounded has been twice that of the South Vietnamese in the past 2 months.

Today, 3 years after the Gulf of Tonkin Resolution, we see no sign of settlement being closer. There is no indication that our massive military power is bringing us closer to the end, nor is there any sign of imminent negotiation.

Wounds and death are being inflicted each day on American young men thousands of miles away from home. The drain on our budget has kited up to $20 billion a year, and there is no sign of diminishment in the near future.

We can no longer sit back and watch this fire and blood bath boiling up to greater proportions, without taking stock and deciding whether this is really what the Congress and the people intended.

There are many indications that the tenor of the times has changed. Recently, when the administration sent three military transport planes to the Congo, the Congress rose up in its role as watchdog, and its protests forced the recall of the aircraft.

The decision must be made speedily, whether the changes of the past 3 years require amendment to the resolution, or whether entirely new legislation is necessary.

Mr. Speaker, I urge immediate action on the resolution which was introduced in this House 2 weeks ago, for we cannot afford to delay any longer.

THE PUBLIC BROADCASTING ACT OF 1967

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. OTTINGER. Mr. Speaker, the Committee on Interstate and Foreign Commerce, on which I am privileged to serve, has reported to the House, H.R. 6736, the Public Broadcasting Act of 1967.

If enacted, this legislation will have an impact on our society that will last through the years; an impact whose effect will be to stimulate and uplift the minds of our citizenry which has proven itself eager to see the best of what America has to offer via the medium of noncommercial broadcasting. While receiving minimal support over the years, this medium, known by the phrase "public television," has done much in improving its own program content.

I speak, of course, about achievements in a field which has been chronically underfinanced and understaffed.

The Public Broadcasting Act has three main components which I briefly would like to describe.

Title I of H.R. 6736, first of all, will extend the existing Federal support for construction of facilities and increase the coverage to include noncommercial educational radio broadcasting. When the 87th Congress passed the legislation establishing a program of Federal matching grants for the construction of television facilities, it set down a strong foundation for the legislation which we are considering here today.

Since 1963, under Public Law 87–447, the Federal Government has provided $32 million under the Educational Television Facilities Act to help build towers, transmitters, and other facilities.

In his message on health and education to the 89th Congress, the President noted that these funds have helped noncommercial television stations with an estimated potential audience of close to 150 million citizens of this country.

Title I would increase the existing Federal support for television facility construction to $10.5 million in fiscal year 1968, more than three times the present year's appropriations.

In addition, it allows educational radio stations to be eligible for facilities support. In doing so, it recognizes the valuable and long-standing contributions that educational institutions have made in the field of radio broadcasting, including the rapid growth and development of FM broadcasting. For example, of the more than 300 educational radio stations holding licenses in 1966, the Federal Communications Commission estimates that about one-fifth have gone on the air in the previous 2½ years.

Before I turn to title II of this legislation, the accomplishments of the existing and successful title I educational television facilities grants and the impact that they have made on my own State of New York merit comment.

New York has been responsive, both to the opportunities to improve educational services through use of broadcasting communications and to the opportunities to establish essential facilities through Federal assistance.

Within the State, seven educational television stations are in operation in New York City, Schenectady, Syracuse, Rochester, and Buffalo—half of them activated with Federal assistance provided under the Educational Television Facilities Act which is contained in title I of the bill which will soon come before the House. WNDT in New York City has done a particularly outstanding job and I have received many favorable comments on its programing from viewers in Westchester and Putnam Counties.

Based on past achievements of these stations and the future promise of electronic communications in the educational picture, the State has developed a comprehensive plan to establish a State network. This network would permit the sharing of resources throughout the State. The first phase of the network plan, currently underway, covers the "backbone" system which interconnects Buffalo, Syracuse, and New York City. Comprehensive planning is also underway leading to establishment of new broadcast facilities in such towns as Binghamton and Watertown. Later phases of the State network plan in New York City will incorporate these outlets into the system.

In the stress which is given to educational television needs, we should not overlook achievements in educational radio. Continuing patterns of development which will enable noncommercial educational radio services to fulfill their role in education are important. Many educational radio programs and formats now considered "standard" among noncommercial radio services were pioneered and developed in New York by such educational radio stations as WNYC, WYNE, WRVE in New York City, and WAMC–FM at the Albany Medical College.

Because New York is among the States which have exhausted available Federal funds under the 1962 statutory limit of $1,000,000 the continuance and growth of public service in both radio and television is dependent on the provision of this bill.

Now let me turn to title II which would create a nonprofit educational broadcasting corporation.

This corporation would, Mr. Speaker, have both authority and responsibility. It is important that we understand what the necessary limitations of the corporation are as well as its potential powers.

Briefly, the corporation would:

Be a nongovernmental body with a board of directors of 15 members.

This board will be called upon to establish some means of support to establish production centers and help local stations improve their proficiency.

It will be authorized to accept funds from other sources than the Congress of the United States. The legislation authorizes "seed money" from Congress to launch the initiation operations of this independent corporation which would study future ways to finance public broadcasting.

It will be the source of formulation of long-range national policies concerning the future of satellite communications programs. It is clear that the area of satellites and their relation to television will require the most detailed and comprehensive study by the executive branch and the Congress before further steps are taken in this field to help improve educational television and radio.

Mr. Speaker, at this point let me say that there has been widespread concern—shared by Members on both sides of the aisle—that the corporation should be absolutely free to make decisions in the public interest. I share that concern. I am happy to note that we have written into the legislation some safeguards to allow for free and independent broadcasting. These safeguards are contained both in the legislative history of this bill and the version of the legislation now before us. It is a concern shared by the Carnegie Commission in its invaluable report on educational television.

The study which the commission undertook recommended that the establishment of the "federally chartered, nonprofit, nongovernmental corporation" which was so fundamental to its proposal that the Carnegie Commission—I use their words—"was most reluctant to recommend the other parts of its plan unless the corporate entity is brought into being."

The corporation will not operate or control stations; it exists to serve the national network of educational—or public—television and radio stations in this country. It will serve to extend and improve public television programing in the United States, programing which already has received the enthusiastic support of local and State public education agencies, colleges, and universities supported in part by tax revenues, and other nonprofit organizations. In communities across this country, groups were established primarily to promote educational television broadcasting and they have responded well by using local initiative to set up educational television stations and provide matching support for the Federal grants.

Finally, Mr. Speaker, I turn to title III of this legislation. This title would authorize the study of the whole range of instructional television, or ITV, as it is becoming known in the educational field. The impact of classroom television and what it can mean at a time when the new technology has increasing applications in the classroom should not go unheeded or unexplored. This field needs to be studied more fully before further advantage can be taken of the many existing programs over public television which could be used for instruction and over closed-circuit classroom stations themselves.

Mr. Speaker, I think it is quite clear that this House can act to stimulate and uplift the general field of educational television and educational radio broadcasting in this country. Public television, as it is now known, has not met the promise forecast for it at the beginning of the television age.

Today, we can move toward the realization of the full promise of noncommercial broadcasting.

Enactment of this legislation will affect, for the better, generations to come. I urge passage of the Public Broadcasting Act of 1967.

VETERANS' BURIAL BILL

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. TIERNAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. TIERNAN. Mr. Speaker, for many years concern over the shortage of available interment sites for veterans in our national cemeteries has been growing steadily. Today there are over 40 million veterans in the Nation, some 2 million of whom are over 70 years of age. The number of veterans eligible for burial in these consecrated areas is increasing by almost 1 million per year. These former servicemen, however, have become alarmed at the failure of both the legislative and executive branches of Government to expand the national cemetery program. In the words of John E. Davis, national commander of the American Legion, this quiet nonexpansion policy has led the veterans to believe "that their service has now been downgraded and that they are no longer fit to be buried beside their comrades."

Their main complaint is that the present number of 1 million available gravesites is totally inadequate to meet the ever-growing demands for burial, especially since no new interment areas have been authorized. For 20 and more years this problem has been attacked in a number of ways. Private groups, such as the American Legion, have advocated a new policy of expansion, and large numbers of our colleagues have responded by introducing from 30 to 60 bills every session dealing with the shortages in our national cemetery system.

Unfortunately, in the last 20 years only one such measure has been enacted. In 1950, $600,000 was appropriated to buy additional land. But these funds were no match for the continued opposition of local business and Government leaders who see in the use of prime lands for cemeteries a loss of both revenues from private development and taxation.

In response to this growing issue, I have introduced a bill that would authorize the Secretary of the Interior to permit the burial of qualified veterans in suitable and appropriate portions of the Nation's memorial battlefields. If enacted, my proposal would provide these deprived veterans with more land for burial sites. Moreover, since the land involved is already off the tax rolls and not open to private development, no additional tax loss would be felt by any locality. On the contrary, Mr. Speaker, as a final resting place for the dedicated soldiers of our land, these national battlefields would become more meaningful to both residents and tourists.

This proposal does not constitute a drastic departure from conditions which prevail in a select few of our national battlefields, for seven of them, including Antietam, are already used as national cemeteries. My measure, however, would greatly extend this practice, and every interested American—the tourist, the land developer the taxpayer, and especially the veteran—would benefit.

Certainly not all complaints would be answered, but I feel confident that the use of national battlefields for the interment of veterans is a major step toward a workable solution of the problem, and I therefore urge the speedy passage of my bill.

Mr. Speaker, without objection, as part of my remarks I include a copy of this proposed legislation:

H.R. 12556

A bill to amend the Act of May 14, 1948, to permit the burial of veterans in national battlefields, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 14, 1948, as amended (24 U.S.C. 281), is amended by adding at the end thereof the following:

"(c) Subject to regulations prescribed by the Secretary of the Interior after consultation with the Secretary of the Army, the remains of any person specified in paragraphs (1) through (5) of subsection (a) of this section may be buried in any national battlefield under the jurisdiction of the Secretary of the Interior."

FOOD STAMP ACT OF 1964

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. WALKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WALKER. Mr. Speaker, the Food Stamp Act of 1964 was enacted with the dual purpose of "strengthening our agricultural economy" and providing "improved levels of nutrition among low-income households."

The food stamp program is a success. It has more than lived up to its high expectations of 6 years ago when the first project area was inaugurated. The program is not only exciting, but an effective way by which we have helped the people in our country in need of food assistance. It has charted a new course in the wise and prudent use of our food resources.

It has improved diets and health of our low-income families. It has expanded food markets for our farmers. It has stimulated the local economies of areas in which it operates.

The food stamp program had its beginning in 1961. It started on a trial basis—to see if there was a better way to help those who need help in obtaining more and better food. Its success in areas where it was tested led the Congress to pass the Food Stamp Act of 1964. The Food Stamp Act was supported because it has proved its worth.

For people it is self-respecting and dignified. Participants invest their own money in the program. By being able to get additional food at the retail store, participants can choose the foods best suited to their needs. This program has proved to be a very valuable supplement to the restricted food purchased by our low-income families. It means more meat, more milk, more poultry, more fruits and vegetables for the food stamp family. And these are the protected foods that make for better diets and improved health.

It is quite apparent that the program is not only good for people, it is good for local economy also. The retailers and wholesalers who play a major part in the growth of our economy have done their share to make the program successful. Their participation in this program is also voluntary, but almost all retailers find it worthwhile to participate. Retailers have often expressed their attitudes toward the program and the benefits that it has brought them. The increased business has been welcomed enthusiastically.

And, it helps farmers, too, who have bigger markets because low-income families are buying more food at local retail stores.

The food stamp program has accomplished much and it can do more. It can still go further in establishing its value to this Nation, to our agriculture, to the food industry, and more important of all, to those Americans who need food assistance.

But Congress must provide the legislative base and it must provide it soon. Therefore, I urge the House conferees to accept the 3-year version of S. 953.

OEO'S CATALOG OF FEDERAL ASSISTANCE

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FASCELL. Mr. Speaker, in a letter to the editor of the Washington Daily News, Dona O'Bannon gives credit where credit is overdue. She compliments the Office of Economic Opportunity for its exceptionally useful publication entitled "Catalog of Federal Assistance Programs." As she points out, this type of publication has long been needed, and it is ridiculous to find fault with the OEO for producing that document. One cannot logically complain about the complexity of federally sponsored programs and then turn around and grouse about the modest expense required to publish a carefully indexed, easily used guide that is a thorough ready-reference.

I add my own thanks to that of Dona O'Bannon for OEO's excellent catalog, and I commend her letter to the attention of my colleagues:

OEO's Catalog

I read with great interest your editorial Aug. 8 entitled "Where the Money Goes—."

Over the years, the states and local communities of our nation have complained that information is often very difficult to obtain on Federally sponsored programs due to the increasing complexity and diversity of the Federal Government. And always, local officials complain of the proverbial "red tape."

The catalog compiled and distributed by the Office of Economic Opportunity presents all Federal programs in a readable, indexed form. Not only is it useful to state and local officials, but it is extremely helpful to congressmen in their efforts to provide greater and more specific information and assistance to interested constituents.

The Federal program which provides funds for "anadromous fish" may seem frivolous to the editors of The Washington Daily News, but to a community whose economy may be based on those species of fish who live in salt water but return to fresh water to spawn, it is vital for the existence of the community as well as for the food supply of the nation.

I think you will find that there is no other one location in which all Federally sponsored programs are so carefully indexed or explained as in OEO's Catalog of Federal Assistance Programs. The Catalog is a valuable addition to the list of "educational" publications in our country.

Dona O'Bannon.

ABOLITION OF DEATH PENALTY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Edwards] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, 24 Members of the House are today introducing a bill to abolish the death penalty for the conviction of a Federal crime. We believe that the United States should join the 73 other nations which have already outlawed this archaic and barbarous punishment. We also hope that action at the Federal level will encourage the remaining 37 States which still retain capital punishment to pass abolition legislation.

Mr. Speaker, there is growing recognition of the ineffectiveness, not to speak of the moral and spiritual questions posed, of the judicial taking of life itself. In 18th-century England, there were 350 crimes for which the death penalty could be imposed and that century was not marked by obedience to the law.

The fact is, Mr. Speaker, that the death penalty is not a deterrent to crime. If capital punishment deters murder, then those States without the penalty should have higher murder rates than those retaining the penalty. Yet crime statistics do not bear this out at all.

There is the further fact, Mr. Speaker, that executions are carried out disproportionately on the ignorant and powerless, the poor and members of racial minorities. The law enforcement system itself is corrupted by a trial for life because of the inherent sensationalism which surrounds such a trial and its effect on all who take part.

Finally, Mr. Speaker, no system of justice is perfect and there is always the possibility of executing innocent people. It has happened and can happen again.

The 24 Members of the House of Representatives who have joined in sponsoring this humane bill are:

Mr. Edwards of California, Mr. Ashley, Mr. Brasco, Mr. Brown of California, Mr. Burton of California, Mr. Celler, Mr. Conyers, Mr. Diggs, Mr. Farbstein, Mr. Fraser, Mr. Halpern, Mr. Hathaway, Mr. Hawkins, Mr. Jacobs, Mr. Nix, Mr. O'Hara of Illinois, Mr. O'Hara of Michigan, Mr. Railsback, Mr. Rees, Mr. Resnick, Mr. Reuss, Mr. Rosenthal, Mr. Roybal, and Mr. Tenzer.

DEMOCRATS STAND WITH PRESIDENT JOHNSON

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, a President is always an inviting target for his critics. He may be the most powerful man in the world, but he is also the most vulnerable because he is where much of the action is.

Another reason is that a President's popularity ebbs and flows in proportion to the kinds of action he must take in response to a series of controversial events.

It is hardly news, Mr. Speaker, that President Johnson has been faced with a series of very difficult decisions this year. And it is hardly surprising that his critics have been trying to exploit these difficulties.

The economy demands a tax increase. There is racial conflict in our cities. And the Vietnam situation is challenging the understanding of many Americans.

But no amount of criticism can alter the fact that Lyndon Johnson has done more for America than any other President in our history.

We Democrats support such a President. And we shall stand by him in these difficult days.

PRODUCTIVE EMPLOYMENT OPPORTUNITIES

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Carey] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CAREY. Mr. Speaker, the Founding Fathers of our great Nation declared it to be the right of every American to life, liberty, and the pursuit of happiness. One of the most important aspects of this right is the right to a job, to earn a decent wage in order for each person to support his family with dignity.

The bill I have introduced today, which now has 77 Members of the House as sponsors, would create 1 million jobs to turn the idea of full employment from a lofty concept to a concrete fact.

There is a million-man army scattered all over our country, ill fed, ill clothed, and ill housed. This army of unemployed or underemployed individuals is a drain, a loss and a liability not only to our economy, but to our pride in ourselves as a great nation. This army finds in its ranks teenagers, delinquents and potential delinquents, and if its numbers are allowed to grow unchecked, contains the making of a minefield of unrest particularly in the cities of our Nation.

It is not melodramatic to state the truism that the devil has plenty of work for idle hands, especially when one looks at the devilish infernos destroying life and property day after day.

This bill is an anti-idleness bill. This bill to guarantee a job and the feel of a paycheck to every person able and willing to work has been too long in coming.

Norway, for example, has had for a long time a provision in her constitution guaranteeing everyone a right to a job. It is time that in keeping with human dignity, our economy, soon to soar to the $800 billion gross national product level now provides such guarantees so that this economy can continue to be stable and strong. Now is the time to begin.

A man is not likely to burn a shop when that shop is the factory that gives him a living. A man is not likely to set fire to a home when the improvement of that home is providing him a steady job and a chance to do better. A man is less likely to listen to the frantic and foolish cries of black power demagogs when he is a member of the manpower force at a living wage.

Finally, the very least guarantee we should extend to those who are fighting our fight in Vietnam is that they will return to a land of full opportunity, full employment and decent living conditions. Anything less is a breach of faith in the compact between those who fight in our defense and their fellow Americans for whom they are prepared to make every sacrifice.

JOINT COMMITTEE TO INVESTIGATE CRIME IN THE UNITED STATES

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DANIELS. Mr. Speaker, I am very proud to join with my very good friend, the distinguished gentleman from Florida [Mr. PEPPER] in cosponsoring House Joint Resolution 1 to create a joint committee to conduct an investigation of crime in the United States. Yesterday, I introduced House Joint Resolution 801, a companion measure.

Mr. Speaker, the shocking rise in crime as evidenced by the statistics of the Federal Bureau of Investigation is a national problem which knows no geographical or political boundaries. It is a serious problem which must be dealt with nationally as well as locally.

It is time that this Nation set in motion a nationwide war against crime. Every effort ought to be made to mobilize the law enforcement resources of each of the States as part of a coordinated campaign against crime. I think this House joint resolution is an important first step which ought to be taken. I commend Congressman CLAUDE PEPPER for his support of this resolution and I know that if this House does its duty and adopts this resolution and the Senate follows suit that we will have taken an all important step toward curbing the annual increase in crime.

SMALL BUSINESS ADMINISTRATION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BYRNE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, one of the most effective means of fighting poverty is by providing disadvantaged persons in our larger cities an opportunity to become owners of small businesses.

The Small Business Administration has quite properly taken a lead in this endeavor, and I am happy to note that this effort is bearing fruit in Philadelphia.

Philadelphia is indeed fortunate to have among its business and professional men a number of enterprising young Negro leaders who are working with the Small Business Administration to make it possible for other Negroes to enter the mainstream of American business.

These public spirited men have formed a nonprofit organization known as Poplar Plaza, which plans to develop a shopping center at 10th and Poplar Streets, a predominately Negro area of North Philadelphia.

Mr. Clarence Farmer, who is head of this enterprise, is one of 27 Philadelphia businessmen who have pledged funds to get this project started.

The small Business Administration is helping with a loan of $350,000 and additional help is being provided by the Continental Bank & Trust Co., the Frankford Grocery Co., the North City Corp., and other organizations.

Because it demonstrates so clearly how the Small Business Administration, in cooperation with business and civic leaders and with private banks, helps promote worthwhile projects of this type, I ask unanimous consent that an article describing this project that appeared in the July 23 issue of the New York Times be inserted in the RECORD at this point:

NEGROES TO BUILD SHOPPING CENTER—PROJECT IS FIRST FOR NEW PHILADELPHIA CORPORATION

PHILADELPHIA, July 22.—In the spring of 1965 a group of young Negro business and professional men met here to determine how Negroes could best help themselves get ahead in the business world.

This week that group—now a corporation—announced its first project—the development of a 13,000 square foot shopping center in which all of the stores will be operated by young Negroes. It will be called Poplar Plaza and will be situated at 10th and Poplar Streets in a predominantly Negro area of North Philadelphia.

The sponsoring organization, the Greater Philadelphia Enterprises Development Corporation, announced that it had been granted a $350,000 loan for the project by the Small Business Administration, a Federal agency. Additional help has come from the Continental Bank and Trust Company, the Frankford Grocery Company, the North City Corporation and other organizations.

"The most important aspect of Poplar Plaza," said Clarence Farmer, the nonprofit corporation's president, "is that it has been conceived and will be executed by members of the Negro community as a pilot effort to create greater minority group entrepreneurship." He added:

"We are now on our way, and are already looking for other similar opportunities. From this experience we are convinced that there is great potential and great need for projects of this type throughout the city."

TWENTY-SEVEN WITH A GOAL

Mr. Farmer, who was recently named executive director of the Philadelphia Commission on Human Relations, is a North Philadelphia businessman and was among the 27 men who pledged funds to get the corporation started. Their specific goal was to encourage Negro-operated businesses to expand and to create new enterprises with government and private financing.

Establishments in the new center will include a Frankford-Unity supermarket with 30 employes, a restaurant, a dry cleaning shop, a barber shop and a professional office. There will be parking for 60 automobiles.

Two businesses already operating on the site, a gasoline station and a drugstore, will become part of the center. Construction will begin in September and is expected to be completed by early next spring.

A 15-YEAR GUARANTEED LEASE

J. Harrison Jones, president of the Continental Bank and Trust Company, expressed "delight" over the opportunity to cooperate in a plan to provide more jobs and business services in North Philadelphia and help to expand the local economy.

The lease for the supermarket will be guaranteed by the Frankford Grocery Company for 15 years. The concern will also provide the store's first inventory.

Local investors, including some members of the development corporation, will invest $25,000 in the project. Victor H. Wilburn, architect and planner, has designed the shopping center, which will be adjacent to two of Philadelphia's largest public housing developments.

In addition to creating the shopping center, the development corporation has been engaged in providing technical assistance on a voluntary basis to dozens of small Negro businessmen with limited resources.

It has provided legal counsel, accounting services, marketing assistance, and other advice and counsel as it was needed. Many of these businesses, small and struggling, were kept alive only through the help provided by the corporation.

ELECTRIC RATES GO DOWN

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, during the past 2 years I have made many statements before this body to the effect that the introduction of public power to an area has resulted in rate reductions. This appears to be the case in Maine also. Even the threat of a Federal power project such as the Dickey-Lincoln School hydroelectric project has brought about announcements of rate reductions by the private utilities in the State of Maine. This substantiates my theory that a Federal power yardstick is necessary to keep electric rates within reason. I call your attention to the following editorial which appeared in the Lewiston Daily Sun August 21. While these announcements are certainly welcome news in Maine, I fear that if the Dickey project is not completed, if funds are not provided this year, the private utilities will resume their former high-rate complacency.

The article follows:

ELECTRIC RATES GO DOWN

There was a time when electricity was a luxury which many people could not afford. Getting the house "wired" was an objective of homeowners so that they could share in the better life which electricity would bring.

But all that has been changed as our society has become more and more dependent upon electricity for lighting, for cooking, for home heating, and for a thousand and one daily tasks, small and large, which formerly had to be given personal attention.

Electricity no longer is a luxury. It is an everyday necessity and a major pillar of our society. Thus, when the utilities which are given exclusive charters by the state to provide electric power to the people announce a reduction in rates, it is an important event in the lives of just about all of our citizens.

Last Friday, the Central Maine Power Co., which services the most populous portion of the state, announced the filing of new rate schedules with the Public Utilities Commission designed to save consumers $760,000 a year. The rates will go into effect September 1, unless the PUC objects, and that is inconceivable.

The cutback in rates is the fourth to be volunteered by CMP Co. in the past four years. $200,000 of the reduction involves revision of residential rates; while $560,000 in fuel savings are being passed on to the consumers under the "fuel clause" approved by the Commission.

Earlier in the week, the Bangor Hydro Electric Co. announced a rate reduction for its customers in central and eastern Maine which will save them $211,000 a year.

The effort to provide electric service as economically as possible is a continuing one. But the public power battles in the Legislature, and the continuing effort to bring federal power into Maine and New England through the Dickey-Lincoln School project, no doubt are acting as a spur for the investor-owned utilities, to the consumers' benefit.

AID TO DIPLOMA SCHOOLS OF NURSING

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Rooney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, today I have introduced legislation to provide increased aid to diploma schools of nursing in order to relieve a critical shortage of nurses.

This shortage of nurses is evident nationwide and is becoming increasingly critical. Many of our diploma nursing schools, both public and private, are in dire financial straits and are in danger of having to discontinue the nurse training programs.

Our population is rapidly mounting but the training of nurses is not keeping pace with America's growth. In addition, far too many trained nurses are dropping from the profession.

The situation is the same in private and public hospitals and in military hospitals. Hospitals are being forced to operate with inadequate nursing staffs.

I have been working closely with Pennsylvania hospital administrators in the preparation of this legislation which would effectively aid nursing education. There are 797 hospital diploma schools of nursing in the country and 94 in the State of Pennsylvania.

My bill would authorize the expenditure of nearly $50 million per year for a 5-year period to make emergency grants to diploma nursing schools to permit them to develop and expand their training programs and gain a new lease on life.

Each eligible nursing school would be authorized a flat $24,000 annual grant to meet operating costs plus a $6,000 annual sum for library resources. In addition, nursing schools also would qualify for grants of $400 per student during each year of the 5-year period.

The purpose of this legislation is not to create a Federal giveaway program but rather to spark an immediate and nationwide program to improve and expand our facilities for training nurses.

The shortages of personnel facing our military hospitals is reason enough for the Federal Government to take immediate action in this regard. But the fact that this shortage also is affecting civilian hospitals of all types makes it incumbent upon Congress to act promptly.

Our Nation cannot afford to let the shortage of nurses go unchecked. A vastly improved system of nursing education is as vital as a vastly improved program of general education. A shortage of nurses means that hospitals cannot provide the level of care necessary. A shortage of nurses means that the very lives of our civilian and military personnel are being jeopardized by inadequate hospital care.

The problem is not one of hospitals operating willingly with inadequate staffs. The problem is simply that there are not nearly enough trained nurses to fill the positions which exist in our hospitals.

WHAT IS THE DEMOCRATIC PARTY?

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Howard] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HOWARD. Mr. Speaker, the illustrious former Governor of the State of New Jersey, Woodrow Wilson, once asked publicly: "What is the Democratic Party?" and he answered, "an instrument of great and noble purpose."

This is the Democratic Party through which the Nation has grown prosperous, and to which men from all sections and stations of life have given their allegiance.

The Democratic Party has, indeed, become an instrument of great and noble purpose when it was unified.

It was unified on a common set of principles. And it was—when it was strongest and best—unified behind a strong and effective national leader like Lyndon B. Johnson.

Today, we represent one of the most effective political parties in the world. And one of the reasons for our effectiveness is the effectiveness of our national leader.

Surely, there is difference in our party. Surely, there are diverse individual and group interests.

But we hold the belief that the Democratic Party is much more than a collection of men; much more than a collection of interests; and much more than the enjoyment of party rank of national power.

We are a real party because we have moved great programs forward in the last half century.

We are a real party because we have felt the responsibility of supporting national leaders who have given their hearts, their lives, and their devotion to their country.

We had such leaders in Woodrow Wilson, in Franklin Roosevelt, in Harry Truman, and in John F. Kennedy.

We have such a leader today in Lyndon Johnson.

Make no mistake about it—the future of the party depends upon the success or failure of President Johnson.

We here in this House have done much to contribute to his success. But we must do more.

We must not let internal differences fracture the edifice of this great organization.

We must not give our opponents ammunition to shoot at our President or at his programs.

The Democratic Party does not seek uniformity of opinion, but it does seek unity of purpose.

Lyndon Johnson is the symbol of the Democratic Party's unity of purpose in the 1960's. We are strong in that unity. If we differ, let us differ as friends, and not as enemies. If we differ, let the differences be resolved in some common pursuit.

The country today is upset and disturbed. Events at home and abroad test our national existence almost every day.

Let the Democratic Party, and its leader stand as new symbols of the national unity we need and want.

RENT SUPPLEMENTS ARE CATCHING ON

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BOGGS. Mr. Speaker, one of the most misunderstood programs that has come before this Congress and the last is the rent supplement program proposed by President Johnson.

However, with each passing day the program is moving ahead and housing units using the program are going into operation. Now for the first time we are getting concrete evidence of how the program works and how it is beneficial to the community and to the economy.

For the program is one that utilizes the free enterprise system, making it possible for homes that are privately built, paying taxes, and scattered throughout an area, rather than being concentrated to produce another slum.

We are all learning about the value of the rent supplement program, and that learning process is certainly accelerated by the excellent critique of the program that appeared in the Washington Daily News, August 23, 1967.

I heartily recommend the reading of this article, because it is my firm belief that the future of housing, particularly for our poor and handicapped, lies with the rent supplement program.

BUSINESS SCENTS PROFITS: RENT AID GETS GOING FAST

(By William Steif)

Despite troubles with Congress, the Federal Government's controversial rent supplement program is on the move today.

A major reason is that it has the solid support of the housing, banking and real estate industries. They scent profits and are pushing it along.

Spokesmen for these interests and officials of the Federal Housing Administration contend, in fact, that the rent supplement program has got off the ground faster than any previous Federally sponsored housing effort. For instance:

Secretary Robert C. Weaver of the Housing and Urban Development Department today dedicated in Boston a 38-unit apartment project, the first ever built exclusively for poor persons eligible for rent supplements.

Within the next several weeks, 52 such units will be ready at Pasco, Wash., and 28 units will open at Vicksburg, Miss.

Already hundreds of rehabilitated units for rent-supplement families have opened since the first 22 units became ready in February in Cleveland's Hough district.

Since Congress approved the first funds for rent supplements 15 months ago, supplements for 33,961 new units and 1902 rehabilitated units have been committed. That's how much construction was stimulated by the $32 million Congress voted last year for rent aid.

TOUGH FIGHT

Nevertheless, the rent supplement program faces a tough fight in a 17-member Senate Appropriations Sub-committee this week after taking a severe beating from the House last May.

The House refused by a 232-to-171 vote to approve any additional money for the current 1968 fiscal year, restricting the program to the $32 million a year already obligated for 40 years. The Administration had wanted to raise the annual spending level to $72 million.

The President hopes the Appropriations Sub-committee headed by Sen. Warren G. Magnuson (D., Wash.) will do this. If it does, HUD officials believe the full Senate will go along—particularly since Sen. Everett M. Dirksen (R., Ill.) and 10 other Republican senators recently declared their support of rent supplements. Then it will simply be a question of seeking a compromise between House and Senate.

PHILOSOPHICAL

Arguments against the rent supplement program appear to be largely philosophical, but they weighed heavily in the House last May.

Rep. Paul Fino (R., N.Y.) objected that the Johnson Administration sought to subsidize "spongers and loafers" to the "discouragement of the guy who works." He maintains the real aim of the program is to mix poor and middle-income people, Negroes and Whites.

Rep. Charles Jonas (R., N.C.), high-ranking on the Appropriations Committee, said: "I don't know how you can justify taxing John Smith to pay Bill Jones' rent, or part of it."

Others in the House said the Vietnam war requires a spending cutback.

Still others pointed out rent supplements would average about $950 yearly per unit, slightly more than twice the average per-unit Federal subsidy for public housing.

Proponents of rent supplements say the idea is to stimulate private construction of decent housing for poor people much faster than the 30-year-old public housing program has done thru local public agencies. In those 30 years, 654,000 units of public housing have been built.

COST SMALLER

The proponents concede the per-unit cost of public housing is smaller, but note that rent supplement projects are privately executed, pay taxes, tend to be smaller and more scattered than public housing and don't create the sterile new slums which public housing agencies have built in some cities.

To qualify for a rent supplement, the poor family must be able to qualify for public housing. In addition, the family must fit into one of five categories: Elderly, handicapped, living in sub-standard housing, displaced by natural disaster or displaced by Government action (usually urban renewal or highway construction).

The low-income tenant tells his potential landlord he needs rent aid. The tenant agrees to pay a quarter of his income toward rent; Thus a family improving its income over time will grow more and more self-sufficient without having to move, as often happens in public housing.

DIFFERENCE PAID

The landlord handles the paperwork and the FHA agrees to make up the difference between the tenant's payment and the going rent for the apartment. The FHA payment goes directly to the landlord.

In the 38-unit Boston project are eight two-bedroom apartments renting at $150 a month, 12 three-bedrooms renting for $165 and 18 four-bedrooms renting for $175. The income of a family of seven can't exceed $4400 a year.

Thus, the family making $3600 a year will pay $900 toward the $1800 annual rent for a two-bedroom unit, with the other $900 coming from rent supplement. The seven-member family making $4400 would pay $1100 toward the $2100 annual rent for a four-bedroom flat, with the FHA paying the $1000 difference.

NONPROFIT

The Boston project was developed by the Charles Street African Methodist Episcopal Church as a non-profit operation. It borrowed $612,000 from the Brookline (Mass.) Savings Bank, got FHA insurance on the mortgage and contracted with an architect to design and a general contractor to build the 38 units. The FHA agreed to put $50,134 a year into the project in rent supplements, permitting the mortgage payments to be met and providing for maintenance of the units.

Eleven months after construction began, the project is completed and several families have moved in.

Nation-wide, nearly 20,000 of the units so far committed by FHA are being sponsored by church or union groups. Nearly 14,000 other units are being built by limited-dividend builders, who cannot earn more than 6 per cent on their investments once tenants move in. Some 200 units are co-operative, sponsored by the tenants themselves.

Non-profit, limited-dividend and co-op sponsors of this kind of housing must get FHA insurance on their mortgages in order to qualify their projects' tenants for rent supplements. FHA mortgage insurance and rent aid are integral parts of the same package. FHA must investigate each proposal and, if feasible, the project can go ahead. Management stays in private hands, unlike most public housing.

ADVERSE EFFECTS OF INCREASING INTEREST RATES ON FOREIGN ASSISTANCE LOANS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FRASER. Mr. Speaker, I oppose the suggestion that we should raise the interest rates on our foreign assistance loan funds. The League of Women Voters in their publication "Foreign Aid at the Crossroads" discusses some of the problems that would be created by an increase in interest rates. I place the following excerpts from their booklet in the Record:

Problems in Aid Receiving: The Debt Explosion

In this era of explosions—population, hunger, political—there is now a less audible detonation: the "debt explosion."

The total foreign debt of the developing countries rose from $10 billion in 1955 to over $30 billion by 1965—an astronomical $20+ billion in 10 years. This represents an annual average increase of 16.5 percent, much in excess of the rate of growth of the less developed countries. At current lending rates the total debt will reach $90 billion by 1975.

What is serious for the borrowing country is the increasing amount of money it needs each year to service these debts. Debts servicing costs to the developing countries are to rise from $0.8 billion 10 years ago to nearly $7 billion a year by 1975; in terms of export earnings, repayments will cost the less developed countries 13.6 percent of their foreign exchange income by 1975, compared with 3.7 percent in 1955 and about 10 percent this year.

In 1965, two reports—one issued by AID and the other by IMF—warned that heavy repayment and servicing in foreign debts were endangering these nations' economic growth efforts.

The debt build-up has come about for many reasons. Although the newly independent nations started with almost no obligations, they were ambitious and plunged into development and debt with equal enthusiasm, agreeing too easily to short-term credits at too high interest rates.

The lending countries are not without blame either. There has been too much high-pressure salesmanship by industrial countries anxious to sell equipment which they sold on suppliers' short-term credits, sometimes as a by-product of export promotion programs. Too frequently, payments due on short-term loans have mounted much faster than the income these projects could possibly earn.

Where member countries have already become burdened with excessive debt commitments, IMF has helped to arrange the refinancing of such debts. However, the Fund has stressed that the real need is for both debtor and creditor countries to exercise proper responsibility and restraint to prevent the build-up of excessive indebtedness in the first place.

A rise of one half of 1 percent in the current U.S. interest rates, indicates an AID study, would necessitate $100 million more in aid to do the same job. The same study put a price tag on the length of the grace period, finding that it would take $140 million more a year in aid funds to compensate for a cut of two years in the present 10-year period. The AID report asked the U.S. Congress not to harden further AID minimum loan terms and suggested that other nations giving assistance should reduce loan rates.

THE FEDERAL ROLE IN WATER- AND AIR-POLLUTION CONTROL

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Johnson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, a few days ago, Mr. Max Edwards, one of our outstanding young attorneys who is serving as assistant to the Secretary of Interior and as legislative counsel for the Department of Interior, spoke before the 90th annual meeting of the American Bar Association on the subject of the Federal role in water and air pollution control.

Mr. Edwards' talk reviews the Federal laws relating to the prevention and control of pollution and traces the legislative history of these laws, as well as discusses in depth the jurisdictional responsibilities of all levels of government in waging a major battle against these two evils which threaten to deprive us of our most valuable natural resources and of the health of mankind.

Mr. Edwards' remarks constitute a valuable reference for local government, and should help local agencies and States who are seeking the solutions to their construction and research problems in these two fields.

So that accurate, firsthand information on how the Federal Government can assist in seeking the search for clean air and clean water, I submit the following excerpt of Mr. Edwards' speech:

Remarks by Max N. Edwards, Assistant to the Secretary and Legislative Counsel, Department of the Interior, at the 90th Annual Meeting of the American Bar Association, Honolulu, Hawaii, August 7, 1967.

Before attempting to summarize the Federal Law and legislative history relating to the prevention and control of water and air pollution, I should like first to illustrate the magnitude and gravity of the probems we face.

Water pollution control is a race against time. We must clean up our lakes, streams, and reservoirs by the year 1980 when this Nation will be withdrawing and using the full limit of our daily supply of 650 billion gallons of fresh water. Discounting what might be developed in the field of weather modification, it is evident that our water needs can be met only by an aggressive expansion of our water resources and development program which will enable us to use and reuse the water supplies we now have available.

The cost we must pay for the sins of our past and to achieve our goal is tremendous. It is estimated, for example, that it will take at least $20 billion just to provide secondary waste treatment facilities for 80 percent of the population by 1975. The complete job may cost in excess of $200 billion if we clean up the backlog of pollution and provide facilities to take care of new generations.

Three out of five Americans are threatened by air pollution. Dr. William H. Stewart, Surgeon General of the Public Health Service at the Department of Health, Education and Welfare, says unequivocably that there is an abundance of compelling evidence which demonstrates beyond any reasonable doubt that air pollution is guilty of killing and disabling people, and that it is capable of doing more widespread damage than it has already done. Studies clearly demonstrate a close relationship between air pollution and chronic respiratory and cardiovascular diseases and excess death among those suffering from those diseases. These studies further show a correlation between urban, pollution-loaded environments and lung cancer and emphysema. The evidence points a finger of blame at air pollution as contributing to chronic bronchitis and the common cold as well as increasing the agony of those who suffer from tuberculosis, influenza, and pneumonia.

But air pollution damage and destruction is not limited to people. According to Senator Edmund S. Muskie of Maine, Chairman of the Senate Subcommittee on Air and Water Pollution, this Nation suffers in excess of $11 billion annually in property damage to buildings, machinery, clothing, furniture, art, plants, trees, and animals.

The prevention and control of water and air pollution is the primary responsibility of the State and local governments. The Congress has insisted upon preserving State jurisdictional rights in dealing with the Nation's pollution problems. It is only when the States refuse to accept this primary responsibility that Congress has been willing to give it to the Federal Government. In any case, however, the Federal Government will continue to play a strong role in assisting the States in fulfilling the task of improving the quality of our environment.

At the outset it should be understood that by virtue of Reorganization Plan No. 2 on May 10, 1966, all functions and responsibilities concerning water pollution control, except those relating to public health aspects, were transferred from the Secretary of Health, Education and Welfare to the Secretary of the Interior. The Federal Water Pollution Control Administration, created by the Water Quality Act of 1965 (P.L. 88–234), is today a separate bureau with the Department of the Interior in direct charge of the Commissioner, James M. Quigley, appointed by Secretary Stewart L. Udall.

The general responsibilities for the prevention and control of air pollution were conferred upon the Secretary of Health, Education and Welfare (now Dr. John W. Gardner), by P.L. 84–159, and the Surgeon General of the Public Health Service. Within the Bureau of Disease Prevention and Environmental Control in the Public Health Service is the National Center for Air Pollution Control under the direction of John T. Middleton.

The Federal Water Pollution Control Act is the basic authority for the responsibilities and activities of the Department of the Interior in the field of the prevention, control, and abatement of water pollution. The Act became a permanent law in 1956 by virtue of P.L. 660, 84th Congress, which extended and strengthened a temporary measure first enacted in 1948, P.L. 845, 80th Congress. The Act was amended in 1961 (P.L. 87–88), again in 1965 by the Water Quality Act (P.L. 89–234), and by the Clean Water Restoration Act of 1966 (P.L. 89–753).

It is sad, but interesting, to note that prior to 1948 the Federal Government refused to assume a role of any significance in the field of water pollution control. Section 13 of the Rivers and Harbors Act of 1899, commonly referred to as the Refuse Act, did prohibit the discharge or deposit into navigable waters of any refuse matter other than that flowing in a liquid state from streets and sewers. But this Act was passed mainly in the interest of navigation and was administered by the Secretary of the Army. The Public Health Service Act of 1912 did recognize the human health aspects of water pollution and authorized investigations relating to diseases caused by water pollution. The Oil Pollution Act of 1924 pertains to the control of oil discharges from vessels into coastal navigable waters and was intended to prevent damage by oil to aquatic life, harbors and docks, and recreational facilities. The administration of the Oil Pollution Act was transferred from the Secretary of the Army to the Secretary of the Interior effective December 3, 1966, by the Clean Water Restoration Act of 1966 (P.L. 89–753).

After serious but unsuccessful efforts in 1936, 1938, and in 1940, the Congress, in 1948, passed the Federal Water Pollution Control Act which was intended to be a temporary 5-year program. It was extended for 3 years, to June 30, 1956, by P.L. 82–579. When that law expired it was replaced by the permanent Federal Water Pollution Control Act (P.L. 84–660) which today remains the basic authority for a comprehensive Federal program for the prevention, control, and abatement of water pollution. The essential provisions of the law provided for a declaration of policy to recognize, preserve, and protect the primary responsibilities and rights of the States in preventing and controlling water pollution. It provided for continued Federal-State cooperation in the development of comprehensive programs for water pollution control, affording increased technical assistance to the States, and allowed a more substantial research function in cooperation with universities and other non-governmental institutions. The Act further called for the collection and dissemination of basic data on water quality and encouraged interstate compacts and uniform State laws. Authority was provided for grants to State and interstate agencies to help them to establish and maintain adequate water pollution control measures, with appropriations authority of $3 million a year for fiscal years 1957–1961, authority for construction grants for municipal waste treatment works authorizing appropriations of $50 million a year to an aggregate of $500 million, the grant to any one project being limited to 30 percent of the cost or $250,000, whichever is the smaller. Authority was granted for Federal enforcement measures against pollution of interstate waters, and procedures were modified and simplified for abatement actions. The 1956 Act called for the appointment of a Water Pollution Control Advisory Board by the President and provided authority for a cooperative program for the control of pollution from Federal installations.

There can be no doubt that the 1956 Act was a mark of substantial progress in attacking a frustrating domestic problem. To illustrate the impact of the program it is interesting to note that grants for municipal waste treatment works construction generated local spending of $4.80 for every Federal dollar expended. The average annual contract award for the 5 years prior to the 1956 Act was $222 million. The annual average for the 5-year period following the Act's passage was $360 million.

In 1961 Congress amended the Federal Water Pollution Control Act (P.L. 87–88) by broadening the enforcement authority to cover navigable as well as interstate waters and extended that authority for enforcement to intrastate streams when requested by the Governor of a State. The 1961 Act increased the appropriation authorization for construction grants to June 30, 1967, and the dollar ceiling on a single project was raised to $600,000 and to $2.4 million when two or more communities joined in a construction project. Annual appropriations authorizations for research were stepped up and program grants to State and interstate water pollution control programs were extended for 7 years to June 30, 1968. For the first time the principle of water storage in Federal reserves for low-flow augmentation for water quality was passed into law. In addition, the amendments provided for establishing seven regional laboratories to engage in water pollution control activities and authority to study the quality of the waters of the Great Lakes.

Strengthening amendments to the Federal Water Pollution Control Act were made in 1965 when Congress passed the Water Quality Act (P.L. 89–234). This Act created the Federal Water Pollution Control Administration and authorized a new 4-year program of grants and contracts for the development of new and improved methods for controlling waste discharges from storm sewers and combined storm and sanitary sewers. Appropriation authorizations were increased substantially and the dollar limitation for construction grants was doubled.

Certainly the most important feature of the Water Quality Act was a new concept to establish water quality standards for interstate waters. The Act permits the States to adopt water quality criteria applicable to any interstate waters or portions thereof within the State together with a plan for the implementation and enforcement of the water quality criteria adopted. If the Secretary determines that the criteria and the plan meet the terms of the Act, the State criteria and the plan together become the water quality standards.

The States were given until June 30, 1967, to adopt the water quality criteria and the plan following public hearings or to file a letter of intent to do so. In the event a State refuses to file a letter of intent or fails to establish adequate water quality standards, or if the Governor of a State whose water quality standards have been fixed by the Secretary, desires a revision of those standards, the Secretary may, after reasonable notice, call a conference of representatives of Federal departments and agencies, interstate agencies, States, municipalities, and appropriate industries, and thereafter prepare regulations setting forth standards applicable to interstate waters. A State then has at least 6 months in which to adopt suitable water quality standards, failing in which the Secretary shall proceed to establish the standards himself.

If the Governor of a State affected by standards established by the Secretary is not satisfied, he may within 30 days petition the Secretary for a hearing. The Secretary shall call such public hearing to be conducted by a Hearing Board of appropriate Federal and State representatives. The Hearing Board's responsibility is to determine whether the standards established by the Secretary should be approved or modified and make recommendations to the Secretary. The Secretary is bound to revise, modify, or place the water quality standards into immediate effect according to the recommendation of the Board.

Prior to the Water Quality Act, provisions for enforcement were exclusively within the terms of the Act of 1956, as amended in 1961. Section 10(d) provides that when requested by the Governor of any State, or State water pollution control agency, whose waters are being polluted by a discharge in another State and it endangers the health and welfare of persons, the Secretary shall promptly call a conference of appropriate Federal and State representatives. Three-weeks notice is provided and following the conference, if the Secretary finds that effective progress toward abatement of the pollution is not being made, and that the health and welfare of people is being endangered, he shall recommend to the appropriate State water pollution control agency that it take remedial action. The Secretary must allow at least 6 months for his recommendations to be followed. If the recommendations are not followed, then the Secretary shall call a public hearing to be conducted by a Hearing Board of State and Federal representatives. In the event the Hearing Board makes findings that no progress is being made toward abatement, the Board shall notify the Secretary who then gives notice to the polluters of the Board's findings and recommendations and also notifies the State agency. Again an additional 6-month period must be given for abatement of the activities causing the pollution. Only thereafter may relief be sought by court action in behalf of the United States.

The same procedure of conference and public hearing shall also apply in the case of pollution on interstate or navigable streams which endangers the health and welfare of persons within the State where the discharge occurs unless the Secretary determines that the effect of such pollution is not of sufficient significance to warrant the exercise of Federal jurisdiction. The Secretary likewise may call a conference on the basis of reports, surveys, or studies when he has reason to believe that the victims of pollution are in a State other than that in which the discharge originates. An additional reason for calling a conference exists if the Secretary finds that pollution causes substantial economic injury resulting from the inability to market shellfish products in interstate commerce.

It is worth noting that the governing body of a municipality may also request the Secretary to call a conference if he secures the concurrence of the Governor and the State water pollution control agency.

The enforcement procedures which I have mentioned under section 10(d) of the Federal Water Pollution Control Act have been severely criticized as slow and tedious. Perhaps this criticism is justified when we realize that noxious discharges may continue well beyond a 12-month period before relief may be sought in a court of law. I would guess that some lawyers would even consider the entire proceedings ludicrous. Nevertheless, experience has proven these cumbersome tools of conferences and public hearings to be remarkably effective. The reason for the success of the conference is that it has become the court of public opinion where most violators have had to admit their guilt and submit a satisfactory plan to abate their own pollution. Since passage of the 1956 Act there have been 42 cases of Federal enforcement—three have advanced to the public hearing stage, but only one has reached the courthouse.

The new procedure for enforcement and abatement of pollution in interstate waters is found in section 10(c)(5), a part of the Water Quality Act of 1965. It provides that a discharge of matter which reduces the quality of the water below the water quality standards is subject to abatement by an action brought by the various United States attorneys but only after the secretary has given notice of at least 180 days to the parties causing the pollution. In the event of pollution of waters endangering the health or welfare of people only in the State in which the discharge originates the written consent of the Governor of that State is necessary before bringing suit on behalf of the United States.

It is clear that enforcement under the Water Quality Act of 1965 based upon violations that lower the water quality standards is more direct and effective than proceeding under the conference and public hearing routine provided in section 10(d). Some confusion has arisen in attempting to reconcile the two procedures and I have been asked whether the more recent Act of 1965 does not repeal section 10(d) with respect to enforcement and abatement measures. I think not. While most actions will be brought under section 10(c)(5) for water quality standard violations the old procedure under section 10(d) will remain useful. The conference and public hearing approach might prove very effective in those cases where pollution is known to exist yet there might be insufficient evidence to convince the Attorney General that he should go to court following the 180-days notice called for in section 10(c)(5). That procedure would remain necessary in intrastate cases where the Governor refuses to consent to court action by the Attorney General. Furthermore, until adequate water quality standards have been adopted under the 1965 Act, there is no alternative but to proceed by conference and public hearing.

The Clean Water Restoration Act of 1966 (P.L. 89–753) is the most recent Congressional voice in providing new concepts and broader directives to assist the States in the Nation's clean water campaign. It became evident from our experience, going back to 1948, that dollars alone would not achieve our ultimate objectives. The 1966 Act recognized the need for comprehensive river basin planning to achieve both upstream and downstream, as well as tributary control and abatement. Congress authorized grants of not to exceed 50 percent to the States to meet the administrative expenses for a planning agency to develop an effective, comprehensive water quality control and abatement plan for a river basin. These funds are available upon the request of the Governor of a single State or a majority of the Governors when more than one State is involved. The comprehensive plan must be consistent with the applicable water quality standards within the basin and must recommend treatment works and sewer systems that will provide the most effective and economical means of collection, storage, treatment, and purification of wastes for both municipal and industrial works and systems. In addition, the plan must recommend the maintenance and improvement of the water quality standards with the basin and adequate facilities to finance the plan.

The Clean Waters Act puts great emphasis on the existing construction grants program by eliminating the previous ceilings for single and multi-municipal projects. The reason for doing so was, of course, to permit more matching funds for big cities which have long been the Nation's greatest polluters. In addition, the 1966 Act increases the Federal contribution to 40 percent of the project cost if the State agrees to match at least 30 percent of the cost of all projects for which grants are made from the State's allocation for a single fiscal year. If the States agree to match only up to 25 percent of the cost of all projects but further agree to establish adequate and enforceable water quality standards, the Federal contribution increases to 50 percent. It is interesting to note that Congress thought it proper to sufficiently award and recognize towns and cities which moved forward with construction programs prior to the availability of Federal funds and assistance. For that reason the Act provides equitable reimbursement provisions for State and local funding.

The appropriations authorization for construction grants was stepped up significantly to $450 million for the fiscal year 1968, $700 million for 1969, $1 billion for 1970, and $1.25 billion for 1971. Congress did not disturb the existing provision of the law requiring that one-half of the first $100 million be spent for grants to projects serving the municipalities of 125,000 or under.

Under the new Act grants for research and development fall into three categories. The first is for programs to demonstrate new or improved methods of controlling waste discharges from storm sewers and combined storm and sanitary sewers. Here the Federal participation in the project cost is increased from 50 to 75 percent and authorizes appropriations of $20 million for each of the four fiscal years, 1966–1969. The second category consists of grants to any State, municipality, or intermunicipal or interstate agency to assist in the development of projects to demonstrate advanced waste treatment and water purification methods. In this case the Federal share may go up to 75 percent and the Act authorizes $20 million for each of the three fiscal years 1967–1969. The third area of Federal grants for research is authorized to go to individuals for research and demonstration project designed to prevent industrial pollution. In this instance no single grant may exceed $1 million or 70 percent of the cost of the project. Here again there is an authorization of $20 million for each of the three fiscal years 1967–1969.

The Federal Air Pollution Control Program, surprisingly enough, began as recently as July 1955. Prior to that time the American people mysteriously wondered about catastrophes like that which occurred in Donora, Pennsylvania, in October of 1948 when this town of 14,000 suffered 20 deaths and widespread illness because of severe air pollution. What New Yorker can forget that fateful Thanksgiving Day of 1966 when air pollution darkened the skies at midday? Only the holiday exodus prevented severe damage to human health and possible loss of life. The tragic tale of smog, which seems to embarrass every citizen of Los Angeles, may indeed be a blessing for the rest of the Nation's growing metropolitan areas whose problems, though acute, have developed more slowly. The lessons we are learning from Los Angeles may provide the lead time for the survival of other Americans, whether they live in Chicago or Cincinnati.

The 1955 Air Pollution Act was essentially a program of Federal research and technical assistance to the States and local governments (P.L. 84–159). It is significant to note that the policy set forth by Congress is consistent with, if not identical to, the policy enunciated in the Federal Water Pollution Control Act: that the State and local governments have a fundamental responsibility for dealing with community air pollution problems and that the Federal Government has an obligation to provide leadership and support in solving those problems. The Act was amended in 1960 to provide for a study of pollution caused by motor vehicles. The study illuminated this particular problem and drew upon it the hopeful attention of the American people; and it was this study which provided the groundwork for the national control measures now in effect. The Clean Air Act of 1963, as it has been amended, is remarkably similar to the Federal Water Pollution Control Act. It is highlighted by Federal grants for air pollution control programs. Federal funds are available in amounts up to three-fourths of the cost of developing, establishing, or improving regional air pollution programs. To encourage State participation, the law provides that Federal money is not available if the non-Federal expenditures are less than provided by the State in the previous year. Not more than 12½ percent of the Federal money available for these grants may be spent in any one State. In addition, the Act provides the Secretary broad authority to engage in a national research and development program for the prevention and control of air pollution.

The enforcement procedure under the Clean Air Act is almost identical to the methods used under the Federal Water Pollution Control Act, prior to its amendment in 1965. If there has been a discharge contributing to air pollution which endangers health or welfare of persons in a State other than the one in which the discharge originates, the Governor of any State or a State air pollution control agency may ask the Secretary for action. The Secretary must give notice to the appropriate air pollution control agency and promptly call a conference. If the discharge and air pollution condition is purely intrastate, then the Secretary shall also call a conference if, in his judgment, he believes that the situation warrants the exercise of Federal jurisdiction. Likewise, if there has been a discharge creating an air condition problem that is interstate, the Secretary may call such a conference based solely upon reports, surveys, or studies which lead him to believe that pollution is endangering the health and welfare of the persons in a State other than the one in which the discharge originates. The Secretary shall also call similar conferences when requested to do so by the governing bodies of municipalities if there is concurrence by the Governor of the State and the State air pollution control agency. As in the case of applying the Federal Water Pollution Control Act, if at the conclusion of the conference the Secretary is not satisfied that progress toward abatement is being made, he shall make appropriate recommendations to the State or municipal air pollution control agency and allow at least 6 months for his recommendations to be followed. Again, if no action is taken, the Secretary shall give notice and call a public hearing. At the conclusion of the hearing, the Board shall make recommendations to the Secretary who, in turn, forwards the Board's findings and recommendations to the party responsible for the contaminative discharges as well as to the air pollution control agency having jurisdiction of the area. It is only after compliance with this procedure that the Secretary may request court action by the Attorney General, and then only in the case of interstate pollution. If the condition is one of an intrastate nature, then the Governor of the State may request technical assistance from the Secretary to prosecute an action in the State court or request the Attorney General to bring suit on behalf of the United States.

A further important feature of the Clean Air Act stepped up research, training, and technical assistance activities. New major responsibilities were asigned to the Federal Research and Development Program in two vital areas of consideration. First, in the study of motor vehicle pollution and sulphur oxide pollution arising from burning coal and fuel oil, and second, in the development of criteria relating to the effects of air pollution on health and property.

By 1965 Congress was convinced that it was technically feasible to control motor vehicle pollution on a national scale. In October amendments were enacted to permit the Secretary to establish appropriate standards applicable to the emission of any substance from any kind of motor vehicle which, in his judgment, causes or contributes to the cause of air pollution which endangers a person's health or welfare (P.L. 89–272). The Secretary was given broad discretion in determining the reasonable length of time for the automotive industry's compliance and has now established national emission standards for the 1968 model cars which will be reaching the market this fall.

Congress in 1966 enacted the most recent amendments to the Clean Air Act by authorizing Federal grants to State and local agencies to help them in maintaining effective air pollution control programs. This supplements the previous authority which limited grants to the development, establishment, or improvement of these programs (P.L. 89–675).

In summary, after almost 19 years of Federal assistance in the efforts to stop and correct water pollution in the lakes, streams, and reservoirs of this country, and following 11 years of endeavor to control and abate air pollution, we must concede few rewards and small success. A greater emphasis on control and abatement must be made from City Hall to the Nation's Capital. Strong and effective tools of control are now available, but in both areas of our responsibility they must be sharpened by increased appropriations merely to keep pace with problems of a greater population.

As I have tried to emphasize, and as the Federal law provides, the primary responsibility for the control and abatement of air pollution rests with the State and local governments. Congress has assumed a role of strong support and leadership by providing adequate machinery and a good deal of money to accomplish the job. Too many State and local officials have been reluctant to appreciate the magnitude of the challenge and have failed to maintain the pace which may be necessary for their own survival. In truth, most States, counties, and towns have been too hopeful that Washington would do the job. The battle can be won only by a combined effort at all levels of Government.

FOOD STAMP LEGISLATION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. VANIK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. VANIK. Mr. Speaker, at this time I would again like to draw the attention of Members of this House to a pressing matter—the need for final action on the food stamp legislation in the agricultural bill. The agriculture bill passed both Houses by a substantial margin, but during the last 2 months conferees have been unable to agree on a satisfactory compromise between the two versions on extending the food stamp program.

As I understand it, the disagreement involves the length of time for which the program is to be extended. The House version provides for a 1-year extension; the Senate version for 3 years. Thus, although we are well into the 1968 fiscal year, neither the States nor the Department of Agriculture can proceed with plans for expanding the program.

As I stated in the House last Monday, I firmly believe that a 3-year extension is in the best interests of the program, the States, and the Congress. With the security provided by such an extension, the States can proceed with an orderly utilization of the program, and local agencies can effectively make plans to carry out the purpose of the program.

My own city, Cleveland, was one of the areas chosen to participate in the pilot testing of the program. I am proud that our successful operation of the program during the pilot phase was a contributing factor in the enactment of the Food Stamp Act.

A lot of people in Cleveland have worked hard to make the program successful. Just this June, an agreement was reached with several major banks in the city to sell stamps through their branch offices in poverty areas, thus making it easier for people to buy food stamps. A nutrition education program in Cleveland is helping people use their food stamps to buy low-cost nutritious foods.

This is a young, vital and growing program. It has proved, through more than 6 years of testing, to be a good program. And the Department of Agriculture has proved that it can administer the program properly.

If the conferees cannot agree and the agriculture appropriations bill is signed into law before the authorization for food stamps is approved, then this invaluable program will die. Two million Americans will be deprived of the assistance which has meant the difference between malnutrition and undernourishment and a proper diet.

It is my hope that the House conferees will support a 2- or 3-year food stamp program, which has such meaning to the needy of America.

PROSPERITY OR POVERTY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. TAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. TAYLOR. Mr. Speaker, President Johnson designated July 30, 1967, as a day of prayer for peace in our Nation. The following sermon was delivered on that lay by the Reverend W. Fred Herlong, at the Church of the Transfiguration, Bat Cave, N.C. Reverend Herlong is a dedicated minister and is a brother of our colleague from Florida, the Honorable Sydney Herlong, Jr., and I recommend this sermon to my colleagues, as follows:

Prosperity or Poverty

(Sermon delivered by the Reverend W. Fred Herlong at the Church of the Transfiguration, Bat Cave, N.C., on July 30, 1967)

Text: "Remember the sabbath day, to keep it holy. Six days shalt thou labor and do all thy work"—Exodus 20:8, 9.

"This Book of the Law shall not depart out of thy mouth; but thou shall meditate therein day and night, that thou mayest observe to do according to all that is written therein: for then thou shalt make thy way prosperous, and then thou shalt have good success." Joshua 1:8.

This day has been proclaimed by the President as a Day of Prayer—prayer for peace within our Nation. It is always a little puzzling to many of us when we are called upon for a special day of prayer. Actually we should have been praying for this peace among man every day. If we follow the practice of saying our daily prayers as spelled out in our Book of Common Prayer, we do pray for peace and deliverance. If we all follow this practice of praying from the prayer book daily, we should be aware of the fact that an ounce of prevention is worth a pound of cure. Nevertheless following the proclamation of our President, we do make this a day of prayer: prayer for deliverance from insurrection, riotous ravaging and relentless robbery which has become a cancer of our society and is spreading day by day. As we think of proclamations we should remember our Lord nearly 2,000 years ago, made a proclamation concerning His Church when he said, "My house shall be a house of prayer." God's house of prayer is not limited to buildings but to the Church and the people of God wherever they may be.

Committees have been appointed by both the President and the Congress to investigate the causes of the present civil war that is now going on and which some promise will get worse. Actually the best place and the best way to discover the causes of such disorder is to search the Scriptures, for herein is truth that is eternal.

There are those who say that poverty is the cause of such riots and that we must see that every person has a minimum income, whether he works or not; and that if we would do away with our slum areas all would be well. There are a few things wrong with such ideas that all we have to do to correct our evils in this area is to give everybody all he wants. If we put a premium on idleness we will bring a collapse to our whole society. We can build marble palaces for some people and it will not be long before they look like hog pens. All one has to do to justify this fact is to take a tour in many of our rebuilt housing areas in the cities and larger communities. Of course, what we are faced with today are the slum areas where the negro lives. We make no condemnation of the black man, per se, but of all of those who do not really care about their environmental living or else they would keep them clean and neat. But this is work; work which in many areas is a forgotten virtue.

Many of those who flock to the urban areas go to search for an easier life. As a consequence hundreds of thousands failing to find this end up on the relief and welfare rolls. There are some people who just will not work, unless they can find something easy. I can tell you of some incidents that I know about first hand. This past season when there was a tremendous surplus of citrus fruits in Florida, the growers found that there was not enough labor to harvest the crop. They appealed to the Secretary of Labor for permission to bring in help from the Bahama islands and other islands of the West Indies. The reply they received, which incidentally was encouraged and supported by some self-appointed spokesmen with the National Council of Churches; the reply was that no off-shore labor could be brought in until we had used all of the unemployed in our cities. And so the citrus growers, through the employment offices of many cities called for help. The result was that thousands were brought in by bus from many cities and towns and here is what happened.

They had been told that they could earn big money, but apparently were not told they would have to work and so most of these people, imported from the cities and towns and areas of unemployment, would stay about a week, and then go back home and get on the relief rolls again.

The proof that these people could have made big money is borne out by the final results of the appeal of the citrus growers. After having exhausted their efforts and patience to use this imported labor from the cities, at the last moment, permission was finally granted that would allow the importing of help from the West Indies. My son, who has charge of harvesting citrus for a large firm, said that his payroll record showed that most of these "off-shore" laborers earned as much as $200 per week. But they did not mind working.

Let us see what the Bible says about work, prosperity and poverty. In the book of Exodus wherein is recorded the Ten Commandments, the law of life, we read: "Six days shalt thou labor and do all thy work but the seventh day is the Sabbath of the Lord thy God." We refer many times to keeping the Sabbath, or the Lord's Day, but we forget that part "six days shalt thou labor."

It has been noted in history that the glory of Greece collapsed because of their attitude towards work. The Greeks achieved great stature in philosophy, mathematics and architecture, but made little progress in any science. On the other hand, the Hebrews regarded work as a divine command from which no man was exempted. And through the Scriptures work is regarded as a divine ordinance for human life.

Sometimes we hear it said that the Bible teaches that work is a curse which is laid upon humanity as a punishment for sin. But in the Book of Genesis, we read that man was placed in the Garden of Eden to dress it and keep it; in other words, to work and take care of it. (Gen. 2:15). The Bible teaches that work is the normal, natural and healthy routine of human living. It is as obvious and regular an activity as that the sun should rise or that lions should hunt. "Man goeth forth unto his work and to his labor until the evening." (Ps. 104:19–23).

Honest toil is blessed by God in the abundance of a good harvest or in the prosperity of a family. (Ps. 65). Thus the Biblical point of view is that work as such is neither a curse nor a punishment but is an integral part of God's intention in the creation of the world. (I believe those people who think that Heaven is a place where people lie around and do nothing are going to be surprised, because no one would be happy with nothing to do.) Work, however, like every other aspect of human existence, has fallen under the curse which is a consequence of human sin. The whole field of man's work, which ought to be the sphere of his glad cooperation for the common good, has become the scene of bitter rivalry and murderous quarreling. Read the story of Cain and Abel. (Gen. 4). "The ground is full of thorns and thistles." (Gen. 3:18). The world of labor so far from becoming the happy workshop of the commonwealth of mankind is disarranged as a consequence of human sin: and God's good purpose in the creation is frustrated.

The Bible implies that all drudgery, bitterness and wretchedness of man's workaday life is the consequence of his rebellion against God. The Bible discourages the suggestion that Utopia can be reached by any social or political techniques. "Cursed be the ground for thy sake; in sorrow shalt thou eat of it all the days of thy life; thorns and thistles shall it bring forth unto thee; in the sweat of thy face shalt thou eat bread, till thou return unto the ground, for out of it wast thou taken; for dust thou art and unto dust thou shalt return." (Gen. 3:17).

The result of man's sin is that work which should have been a congenial and enjoyable activity, now becomes a discipline and a task to be endured in obedience to the law of God. Man is unfit to live in Paradise and the angel of God "with his flaming sword bars his return there." (Gen. 3:24). Man's unending illusion that he can by his science or technology find his way back into a workless paradise is the self deception that arises from his refusal to recognize the law of God. But the law still stands: "Six days shalt thou labor." This commandment need not be taken in a literalist way as a condemnation of the five day week, but it surely means that an honest week's work is every man's duty. The eternal law of God cannot be replaced by modern substitutes.

The problem of poverty then is not something that can be eliminated by political expediency or philosophic and philanthropic programs. It is a matter that can be solved only by obedience to the law of God. "Six days shalt thou labor and do all thy work." This is the law. St. Paul's exhortation follows the interpretation of the law when he said "Now we command you, in the Name of the Lord Jesus Christ, that ye withdraw yourselves from every brother that walketh disorderly and not after the tradition which he received of us. When we were with you, we commanded you, that if any would not work, neither should he eat." Note St. Paul did not say, would not eat but should not eat, which must be interpreted as meaning he does not deserve to eat, but out of the charities of his neighbors he would eat undeserved bread.

Finally let us remember that Joshua at the time that he was building a nation was exhorted by the Lord God: "The Book of the Law shall not depart out of thy mouth; but thou shalt meditate therein day and night, that thou mayest observe to do according to all that is written therein: for then thou shalt make thy way prosperous, and then thou shalt have success."

CHRONIC ALCOHOLISM IS A DISEASE AND NOT A CRIME

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Hagan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HAGAN. Mr. Speaker, on July 20, 1967, I inserted into the Congressional Record an article from the Atlanta Journal reporting the findings of a Fulton County jurist that chronic alcoholism is a disease and not a crime.

Now I would like to insert into the Record the court order in Jack Dunlap against the city of Atlanta, as follows:

[Case No. B–29126]

Jack Dunlap v. City of Atlanta, Fulton Superior Court

Jack Dunlap is a chronic alcoholic. Chronic alcoholism is recognized by the Medical Profession as a tragic and widely prevalent disease.

At the trial below Dunlap could not recall the number of times he had been arrested for public intoxication. "It seems", he testified, "like it was almost a monthly deal that I got, arrested" (transcript, p. 6.) He estimated that since July 1964 he had been incarcerated "in the neighborhood to 25 times." (transcript, p. 6.) Jack Dunlap is homeless, friendless, ill and without resources.

On March 30, 1967, he was arrested in a drunken condition in the City of Atlanta for the violation of Section 20–15 (a) of the City of Atlanta Code, to wit:

"Sec. 20–15 Drunkenness

"(a) *Prohibited.* It shall be unlawful for any person to be and appear on the streets of the city, or in any public place or place of business patronized by the public in an intoxicated condition."

On May 12, 1967 he was convicted of violation of the above section of the Atlanta Code.

From this conviction, by Writ of Certiorari, he appeals to this Court.

His position is that if one suffers from chronic alcoholism, that condition constitutes a defense of the crime.

The City of Atlanta admits that Jack Dunlap is a chronic alcoholic. According to the evidence in this case he does not, by reason of his disease of alcoholism, have the capacity to control when he is going to drink and then, as a medical witness testified at the trial, "if he begins to drink, he can't control the duration of his drinking", (transcript, p. 20.)

If by reason of his disease, Jack Dunlap cannot control or avoid becoming or remaining drunk in public, such acts could not be considered voluntary on his part, and this court will not support a verdict of Guilt in any prosecution which is essentially that of being intoxicated in a public place. It is a well settled common law principle long adhered to in this state that conduct cannot be criminal unless it is voluntary.

It has been contended that to allow Jack Dunlap to defend this charge on the grounds that he is a chronic alcoholic would cause vast changes in the handling of alcoholism in this city. The disposition and care of alcoholics is a matter not within the province of this court but in the province of other agencies of government such as the health departments.

Nonetheless as Justice Cardozo has said in another decision concerned with human rights rather than the machinery of government, this decision does not involve any "seismic innovation", but simply reaffirms fundamental principles. *Palko* vs *Connecticut* 302 U.S. 319 (1937).

Indeed, it has recently been held that chronic alcoholism is not a crime, because it is not a volitional act. *Easter* vs *District of Columbia* 361 F. 2d 50 (1966).

In *Driver* vs *Hinnant* 356 F. 2d 761 (1966) it was held that the North Carolina statute providing that any person found drunk or intoxicated on a public highway or any public place shall be guilty of misdemeanor may not be applied to a chronic alcoholic.

That Court held however, as this one does, that excusal of one afflicted with chronic alcoholism from criminal prosecution is confined exclusively to those acts on his part which are compulsive as symptomatic of the disease, and with respect to other behavior—not characteristic of confirmed chronic alcoholism—he should be judged as any person not so afflicted.

This Court feels that neither the City of Atlanta nor our Judicial system should stamp a diseased alcoholic as a criminal when, as it must be said in the case of Jack Dunlap, he is one of those most unfortunate among us whose only offense is the succumbing publicly to a disease known by the medical profession as alcoholism.

This Court therefore holds that chronic alcoholism is a defense to a charge of public intoxication and finds that the Court below erred in its conviction of the movant herein.

Ordered that the petition for certiorari be granted and that this case be remanded to the Municipal Court, General Division, Judge Robert Jones, with directions to acquit the petitioner of the offense for which he was convicted in this matter.

This 17th day of July, 1967.

Jack Etheridge,
Judge, Superior Court, A.J.C.

[Case No. B–29127]

Jack Dunlap v. City of Atlanta, Fulton Superior Court

For the reasons stated in this Court's Order in case numbered B–29126 this date, and because the offense charged in the instant matter, to wit: violation of Section 20–27 of the Atlanta Code, as amended entitled "Loitering", grew directly from the chronic alcoholic state in which the movant existed at the time of arrest, it is hereby

Ordered that the petition for certiorari be granted and that this case be remanded to the Municipal Court, General Division, Judge Robert Jones, with directions to acquit the petitioner of the offense for which he was convicted in this matter.

This 17th day of July, 1967.

Jack Etheridge,
Judge, Superior Court, A.J.C.

OPEN DOORS AND WAITING MULTITUDES

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Hagan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HAGAN. Mr. Speaker, on Sunday, August 20, I attended the regular morning worship services at the Memorial Baptist Church in Arlington, Va. The speaker was the Reverend C. Kenneth Hayes, a Southern Baptist missionary on furlough from his duties as director of religious education at the Oimachi Baptist Church in Tokyo, Japan. A native of Louisville, Ky., Mr. Hayes graduated from Georgetown College and Southern Baptist Theological Seminary. At the time of his appointment by the Foreign Mission Board in 1964, Mr. Hayes was serving as associate pastor of Briarcliff Baptist Church, in Atlanta.

Mr. Hayes' talk Sunday morning was on "Open Doors and Waiting Multitudes." The subject matter gave a graphic insight into the varying customs of this country and Japan and underscored the vast difference in the educational systems. I was so impressed that I thought my colleagues would enjoy reading the text, which follows:

Open Doors and Waiting Multitudes

Text I Corinthians 16: 9.

It is not too much to say that Asia is the focal point of world attention and concern at this moment. Just as all the world stood facing Berlin and southeast Europe fifteen years ago when the Truman Doctrine was promulgated and tested, so today Oriental names such as Da Nang, Bangkok, Dien Bien Phu, Djakarta, Peking, Okinawa, Hanoi have become commonplace on every street corner of the world. Politically, Americans are divided not so much by the old lines of Republican and Democratic as they are by titles such as hawks and doves in relation to their attitude on the Asian question. Today we are engaged in a costly war over a small part of the vastness that we call Asia. But at stake in this conflict is not simply Vietnam—Asia is at stake. Our problem is not whether we can win the war—nearly everyone on both sides knows that we have the power to win the war next week—but rather what will be the price of victory. Will the hard line or the soft line ultimately aid us in winning the ideological war in Asia? Who is wise enough to say?

Towering over this vast continent of emerging restless complexity of races and clans that we lump together under the name "Orient" stands the vibrant, energetic nation of people called Japan. The changes that the past twenty years have wrought in this nation defy description.

When I departed the shores of Japan in February 1948, her cities lay in ruins, her people starving, her great empire wrested in unbelievable suddenness, and her once healthy economy ground to a dead stop. In addition, the heart of her spiritual power was swept away, as the Emperor declared for all to hear, "I am not a descendant of the gods." Everywhere the only common denominator was physical suffering, the hurt and shame of defeat and spiritual void.

For those skeptical of modern-day miracles Japan would be a good place to visit. To be sure, American economic and technical assistance and military protection have provided the climate in which this miracle could take place. But at the same time credit must be given to the Japanese industriousness for other nations have been similarly aided in recent years yet without the same results. Today Japan is not only the natural and recognized leader in every area in Asia—government, industry, economy, agriculture, education—but she is a leader in the world's family of nations. She stands first in the world in shipbuilding and among the leaders in many other important areas. It is anticipated that in the very near future she will stand next to the United States and the Soviet Union in gross national product. I submit to you that this is a miracle.

It is in this place, pulsating with life, youth and vitality that we live and seek to give our witness. Our life and work perhaps contradicts most of the mental images that we normally have of work on a mission field. When I make my way to work at the church each morning it is either by means of a jam-packed subway or commuter train or by a shiny new car in bumper-to-bumper traffic on a six lane modern highway. The people with whom I work wear clothes—clothes made of finer material and better workmanship than mine. Educationally the people with whom we work are either equal or superior to us. The man who teaches my wife the Japanese language is dean of the Department of Philosophy at Nihon University, a school with 100,000 students. To keep his mind sharp he is working in his spare time translating Schleirmacher's "The Christian Faith" into Japanese from the original German, and using the English translation as an aid.

When I happen to get caught in a conversation with him he wants me to compare for him the ethical teachings of Hegel with Kant, and of course he expects me to be able to do this in Japanese. My own teacher, who graduated from a mission university in the same class with my pastor's daughter is constantly wanting me to comment on some American author whose books I have never read. When I try to preach in my church it is in a worship service in which Bach has been played for the prelude, the special music may have been something by Handel accomplished by skilled musicians in taste and reverence that would put many American churches to shame. The congregation will be made up of university students, professors, nuclear scientists, doctors and persons from other highly skilled professions. It calls for the very best that I have to try to preach to such a congregation in English through an interpretor to say nothing of trying to do it in my Japanese which is right now on about the kindergarten level.

Our immediate neighbors are perhaps also a contrast as to what you might expect to find on a mission field. Three other foreign families make up our immediate neighborhood. One is a highly educated chemical engineer from Chicago, who specializes in production techniques in the oil refining business. Another is an Italian with a Dutch wife who is the representative of Italian Air Lines in Japan. The third is a Bulgarian family in the pharmaceutical business. He is fluent in five languages, has M.D.s from two European universities, and has had extensive management experience. When these couples get together the conversations proceed along the lines of a comparison of the ski slopes of the Swiss Alps with the Japan Alps, the best places to buy pearls in Kyoto, English weave in Hong Kong, brass in Bangkok, and what you did the last time you were in Australia. The doctor from Bulgaria told of the difficulty of getting management personnel in his field to live in Japan. They were offering to provide a furnished apartment that would rent for $1,000 a month, furnish two chauffeur driven cars, an unlimited expense account, and a $45,000 annual salary, after taxes, and could not find any takers. The Bulgarian couple use French in their home because they want their children to be educated in French schools. The second grade child of the Italian family is fluent in three languages. But what about our Japanese neighbor? He owns the land on which these people live. They pay $700 a month rent but his house is bigger than theirs!

This is my parish. The last places I served in the states were growing, wide-awake churches where I had to hurry to keep up. But here I not only cannot keep up, it usually takes me a week to find out what I missed.

The Japan to which we have gone could not be better described than by Paul's statement in I Corinthians, where he says, "A wide door for effective work has opened to me, and there are many adversaries." There are several things that make this statement especially apt for my own situation. About a year before I went to Japan five pastors from the Japan Baptist Convention made a forty day visit to the states. Three of these men went home unmoved by what they saw. Two of them went back forever changed—their vision, outlook, attitude completely transformed. This forty day journey in the wilderness of these men was later to have a profound influence on my life and ministry. You are also aware of another kind of preparation.

After a happy five year ministry in a growing Ohio church, we suddenly, unexplainably went to Atlanta to do religious education work in another new church. For a little more than two years we served at Briarcliff, mostly in a learning capacity. A little more than two months after arriving in Japan one of these pastors who had been to the states and had his vision enlarged called me and said, "I understand you are an educational director." God in His own way and in His own plan had been preparing the place and the servant for that place and in His own good time brought them together.

Prior to this invitation from this pastor to come and help him with his educational program I had tried to fit into the pattern of what I saw most of the other missionaries doing. Especially during language school this consists primarily of teaching English Bible classes in some of the small churches or missions. For me it was a frustrating drag to try to teach Bible through an interpreter to an everchanging group of students whose sole purpose in coming was to hear the foreigner speak his native English so that they could see how much or how little they could understand. I kept asking myself, "Is this what I have prepared my life for and traveled to such a great distance to do?"

I assumed that this would be my portion for I had asked before appointment if I might go as an educational specialist. In answer to this, an official of the Board had said, "No, and for two reasons. One, you are not qualified for you have no degree in religious education. Second, there has been no call for such a specialist." I was also told that the Japanese have a high respect for the role of the pastor but little appreciation for other church related vocations. So, at the outset when I was asked about my experience I would simply reply by saying that most of my experience had been in a pastorate. What a delightful shock it was then to hear the pastor extending an invitation to come and do what I most wanted to do and felt most qualified to do.

In a very real sense this was the opening of the door of opportunity for me. I soon learned that churches all over the country were looking for this kind of help but had been bypassing the other missionaries because they had the reputation of being preachers. Invitations began coming to serve as a minister of education from all over Japan. The thing that people had said could not be done was now becoming possible by the grace of God.

You may find it strange that I labor this point. Perhaps this background will be of help. Some years ago the Japan Baptist Convention reached the point in its maturity in which all of the work was placed in the hands of Japanese leadership and the missionary took a back seat. This is of course the goal of our missionary endeavor—an indigenous church. But even though you know this is the way it should be it is frustrating to say the least to sit back and wait to be asked to make a contribution, especially when the waiting sometimes stretches from months into years. Therefore when my fellow missionaries who had been waiting in the galleries heard about the door that had been opened to me they said, "Man, this is an unprecedented opportunity. Take it and go." And so in a very real sense I can say with Paul, "There is a wide door for effective work opened to me." Out of this early opportunity to help one of the pastors who had been to the states and seen what an educational program could do for a church, the other one who had had his eyes opened by his trip to the states led his church to extend me a call to become the minister of education in his church following my formal language school. It is this church that I now serve.

But just as the first part of Paul's statement has been true in my life so has the second, "and there are many adversaries." What are some of these adversaries?

1. LANGUAGE

I should have been prepared for the struggle with the language that awaited me, for Jess Fletcher had said to me in one of our conferences, "I think I ought to warn you about the language. They have told us not to send anyone out to do language work, who is as old as you." My unstudied reply was a quick, "I am not afraid of the language." The study of the Japanese language might be said to be a never ending humiliation. Not only do you not know what the teacher says to you on the first day of school, but you do not understand her on the last day of school two years later, either. They plan it that way. Added to this is the daily humiliation of not being able to understand and be understood in the market place, over the phone, at the door. Then the crowning humiliation is the first Sunday in your church after you have graduated from language school when you not only do not understand the sermon of the pastor, you don't know his subject. In many countries our missionaries are preaching in the new language after six months. In Japan it takes that long to understand whether they have said open the book or close the door. I complained about not being able to follow a conversation in a committee meeting to one of my fellow missionaries. He said that this would come sometime between the tenth and fifteenth year depending on how hard one tried.

One twenty year veteran was heard to say, "I can now relax in the language for the first time." Our neighbor who has the use of five languages was asked if she planned to learn Japanese. She said "No, its too hard. I could learn two or three languages while I learned Japanese." One of our language instructors said that when one Japanese is talking with another Japanese they understand about 80% of the conversation. After I learned that Emil Brunner had made the classic statement that the Japanese language is demon possessed, I feel justified in listing it as one of the adversaries.

2. THE FOREIGNNESS OF CHRISTIANITY

Many times when a seed is transported and planted in a new soil, as it grows, matures, reproduces itself it begins to take on a form that is characteristic of the soil into which it has been transplanted. The Christianity of the United States can easily be said to be characteristic of the American soil that has produced it. Unfortunately, however, the Christianity of Japan has never been able to disassociate itself from the Western culture patterns which first gave it birth. Our buildings are primarily Western in architecture. Our order of service is little different from this one. Our hymns are mostly translations. Our seminary students study primarily Western and for the most part European theologians. My pastor said the other day that to his knowledge there was not a single book in Japanese on the subject of the role of the pastor.

As a result of these Western trappings along with the heavy subsidy from foreign and primarily American churches, in the eyes of the man on the street in Japan, Christianity is a foreign import—a white man's religion. No one seems to know exactly in what way or to what extent Christianity needs to be changed to make it Japanese. Yet it seems obvious that some changes need to be made for to become a Christian in Japan is a very unJapanese thing to do and requires a break with nearly everything in their national background. Of course, for any person to become a Christian requires puting off the old and putting on the new man, but it is not unAmerican to become a Christian and it should not be unJapanese either. Buddhism is also a foreign import, but in the course of its history in Japan it has taken on a truly Japanese form. It is still Buddhism, to be sure, but it is Japanese Buddhism. Roman Catholics have had work in Japan for four hundred years. Protestants have been at work there for more than a hundred. Yet the combined total of their membership today totals only about 800,000. Obviously with so much effort exerted by so many different groups over such a long period of time, there must be some fundamental problem responsible for the lack of numerical results.

3. THE OLD RELIGION

Buddhism, as was mentioned earlier, is a foreign religion having originated in India and come to Japan through China and Korea. It has both profoundly influenced Japan and been influenced by the Japanese. It is not my purpose here to explain the teachings of Buddhism. Suffice it to say that though it has many branches and sub-branches even within Japan itself, in nearly each type it is primarily a mild philosophical contemplation of the middle way and the Lotus scriptures with the ultimate goal being that of losing self and becoming one with the universe.

Shintoism, in contrast to the imported Buddhism, is native to Japan. Basically a combination of nature worship and ancestor worship, there are said to be more than eight million gods in its pantheon.

These ancient religions, along with the ethical teachings of Confucianism have become so intertwined that it is difficult for even the Japanese to distinguish whether a particular concept or idea is Buddhist, Shintoist, or Confucian in origin. The Japanese have no conflict in accepting the beliefs of all these religions as having equal value and validity. It is not at all uncommon for a person to have a Shinto wedding, live according to the ethical principles of Confucius and then have a Buddhist funeral. Each year as a part of the New Year's celebration the people swarm to the Buddhist temple for the ringing of the gong to bring in the new year, and then rush almost in mass directly from the Buddhist temple to the Shinto shrine for the early morning ceremony there. Rather than seeing this as a conflict between religions and a compromising of convictions, the Japanese see it rather as a part of their strength, saying that they they have taken, adapted and used the best of each of the great religions. They would be delighted to accept Christianity in the same way except that fortunately Christianity has been able to make it clear that the claim of Christ is an exclusive claim—to accept Christ calls for the rejection of all other gods.

4. THE NEW RELIGIONS

Much has been said recently about the spectacular growth and influence of the new religions of Japan. It has really been since the end of World War II that they have mushroomed into prominence, now claiming some 18 million adherents, or one out of every five Japanese. It has been said that their emergence represents the third great milestone in the history of religion in Japan—the first being the introduction of Buddhism in the 6th century, the second the appearance of the popular branches of Buddhism in the 13th century. Of the 171 new religions listed by the Ministry of Education approximately one-third are registered under Shinto, one-third under Buddhism, and the remaining one-third miscellaneous. Their rise at the end of World War II can partly be explained by the lifting of restrictions on religious activities, the blow of defeat, and the loss of confidence in what they had been taught to believe in so strongly provided the religious vacuum in which these new faiths flourished. Their strength lies perhaps in the simplicity of their teachings, the emphasis on the promise of practical help for daily living, the stress given to the worth and dignity of man, and the magnetism of the centers of worship which have been created and the strength of their leadership.

5. SECULARISM

Modern day Japan is no longer Buddhist, nor Shintoist. The prevailing religion of Japan today is the same as it is in America today—secularism. Basically, this is a belief whereby all values and convictions are subservient to the material. The most important question is always, "What's in it for me?" Today there is a fervent passion for education, especially technical and scientific education, and always the motivating principle is economic. "I want things. All kinds of things, gadgets, cars. I want my child to get in the best kindergarten so the best elementary schools will be open to him. This moves on up the educational scale because the best companies want the graduates from the best universities, and you can't get on this never-ending escalator unless you get in the best kindergarten." This story is repeated over and over so much that if someone would compose the music for it it would become the national anthem. Our domestic helper rented her home in a suburban city, released her two maids, sold her beauty shops and moved to the big city and took a job as a maid so that her son could get into the Tokyo school system and thus be assured ultimately of getting on with the best company. Many other illustrations could be given to show that Japan can be characterized today as a secular society. It is easy to see how this attitude of a desire for things in the present world militates against a religion that is as other worldly as Christianity.

Suffice it to say that through these and many other adversaries that could be elaborated here, Satan is busy in Japan just as he is busy wherever the Gospel is proclaimed in an effort to hinder the work of Christ. But even though this is true, even though Satan is ever present seeking to turn victory into defeat, advantage into disadvantage, there is a wide door of opportunity open for me.

I went to Japan having experienced first hand the values and joys of a team ministry. I also went with a desire to be a servant—to work under the direction of national leadership obviously more cognizant of needs and opportunities than I could ever hope to be. I went to Japan with a conviction that if Asia is to be brought to Christ it will be done by Asians and most probably by the most advanced and best equipped Asians—the Japanese. I also went with the conviction that if Japan is to be evangelized it will be done by the local churches—the tool Christ created for this purpose and to whom the commission was given. I also went with the conviction that if the church is to be the strong instrument for evangelism it was intended to be it must have a program of outreach, Bible teaching and disciple training.

All of these hopes, dreams and aspirations are being met through my relationship to the Oimachi Baptist Church. In this church I work on a team with a Japanese pastor as team captain. The possibilities for developing a program of outreach and education are without limit.

Just a few weeks ago during the little farewell party the church had for us, my pastor stated his dream once again. He wants his church to be a pilot church for all of Asia to come and witness what God has done through these unworthy servants. What he is trying to build—a church with 1,000 in S. S. by 1970 when the Baptist World Alliance comes to Tokyo, is not for the glory of Pastor Otani or the Oimachi Church but for the glory of God.

After the pilot church is built and people are aware of this one concrete illustration of what can be done he wants to be able to take his team—pastor, minister of music, and minister of education all over Japan and all over Asia helping others to do the same task.

Already opportunities are coming to me to visit other churches and help them with short term projects. Already opportunities for writing are coming. These are the doors that are being opened to me and for which all the credit and praise belongs to God.

There is obviously far more than I can accomplish. Would you like to help? You can. You may feel that you ought to come yourself and be a part of what God is doing in bringing redemption to man in Japan or wherever man is lost in sin. You can pray that your own children will respond to God's call to be a part of a task far bigger than themselves. You can give through your church—a church that participates in the Cooperative Program, the main line of missionary endeavor.

Will you?

Open doors, waiting multitudes; they wait for us; the door is open for us to enter today; will we enter these doors to serve these multitudes?

ADDITIONAL INSURANCE FOR SERVICEMEN

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, I have introduced a bill of paramount importance to our servicemen. Basically, this bill will increase the insurance available to our servicemen from $10,000 to $30,000. The maximum of $10,000 has existed since 1917. Today's dollar is worth approximately one-third of what it was worth a half century ago.

My bill will provide for the automatic issuance of $15,000 insurance to each serviceman. He will then be allowed to purchase coverage in increments of $5,000 up to a maximum of $30,000.

The bill treats all military personnel equally. A recruit will be entitled to the same insurance benefits as a general. In this respect, my proposal differs from that of the administration. The administration bill also allows a maximum coverage of $30,000, but the amount available to any individual over a basic $12,000 is on the basis of the servicemen's basic pay. It seems grossly inequitable to me that the average officer who undergoes a lesser risk than the enlisted man should receive the added advantage. A sense of justice has prompted me to introduce my bill.

It is most important that we increase the maximum insurance, but the $2,000 increase from $10,000 to $12,000 proposed in the administration's bill certainly will not be adequate to meet the needs of the deceased serviceman's family in 1967. The additional insurance available on the basis of increased pay will not benefit the average serviceman, since his basic rate of pay is too low for him to qualify for the added insurance.

Moreover, since the value of the dollar has decreased one-third since the inception of the insurance program, just to assure our servicemen the insurance protection they were originally to enjoy, the full $30,000 should be available to all.

With the growing list of casualties of the Vietnam conflict, I sincerely hope this bill will be expeditiously acted upon. Each day, many servicemen are killed, leaving behind wives, children, and other dependents. When one of our soldiers offers the greatest sacrifice to his country, we should, as the very minimum, provide enough insurance that his dependents will be adequately provided for.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1968 — CONFERENCE REPORT

Mr. MAHON submitted a conference report and statement on the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Goodling (at the request of Mr. Gerald R. Ford), for an indefinite period, on account of death of his 93-year-old mother.

Mr. Fallon (at the request of Mr. Garmatz), for today and tomorrow, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Lloyd) and to revise and extend their remarks and include extraneous matter:)

Mr. Laird, for 20 minutes, today.

Mr. Halpern, for 15 minutes, today.

(The following Members (at the request of Mr. Edmondson) and to revise and extend their remarks and include extraneous matter:)

Mr. Feighan, for 10 minutes, today.

Mr. Patten, for 30 minutes, on August 24.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Frelinghuysen to include extraneous matter in his remarks made today in the Committee of the Whole.

(The following Member (at the request of Mr. Lloyd) and to include extraneous matter:)

Mr. Bow.

(The following Member (at the request of Mr. Edmondson) and to include extraneous matter:)

Mr. Hanna.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 10566. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes.

ADJOURNMENT

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 33 minutes p.m.), the House adjourned until tomorrow, Thursday, August 24, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1015. Under clause 2 of rule XXIV, a letter from the Comptroller General of the United States, transmitting a compilation of General Accounting Office findings and recommendations for improving Government operations, fiscal year 1966 (H. Doc. No. 161), was taken from the Speaker's table, referred to the Committee on Government Operations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 1308. A bill to establish the Saugus Iron Works National Historic Site in the State of Massachusetts, and for other purposes; with amendment (Rept. No. 593). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Third report pertaining to America's small lakes (Rept. No. 594). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee of conference. H.R. 10738. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 595). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 12540. A bill to provide for the control of the alewife and other fish and aquatic animals in the waters of the Great Lakes which affect adversely the ecological balance of the Great Lakes; to the Committee on Merchant Marine and Fisheries.

By Mr. BYRNE of Pennsylvania:

H.R. 12541. A bill to provide for the establishment of a program under which tickets to professional, semiprofessional, and amateur baseball, football, basketball, hockey, and soccer games will be furnished at no cost by local police officers and firemen to individuals under the age of 19, particularly such individuals who are economically underprivileged; to the Committee on Interior and Insular Affairs.

By Mr. CAREY (for himself, Mr. St. Onge, Mr. Feighan, Mr. Clark, Mrs. Kelly, Mr. Tenzer, Mr. O'Neill of Massachusetts, Mr. Giaimo, Mr. Annunzio, Mr. Slack, Mr. Shipley, Mr. Burke of Massachusetts, Mr. Kyros, Mr. King of California, Mr. Brademas, Mr. Staggers, Mr. St Germain, Mr. Machen, Mr. Eilberg, Mr. Adams, Mr. Evans of Colorado, Mr. Leggett, Mr. Dingell, Mr. Matsunaga, and Mr. Addabbo):

H.R. 12542. A bill to guarantee productive employment opportunities for those who are unemployed or underemployed; to the Committee on Education and Labor.

By Mr. CELLER:

H.R. 12543. A bill to amend the Federal Cigarette Labeling and Advertising Act; to the Committee on Interstate and Foreign Commerce.

By Mr. COLLIER:

H.R. 12544. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 12545. A bill to provide for the training and equipping of the National Guard in riot control; to the Committee on Armed Services.

By Mr. DENT:

H.R. 12546. A bill to impose a minimum income tax on certain individuals and corporations with substantial incomes; to the Committee on Ways and Means.

By Mr. EDWARDS of California (for himself, Mr. Ashley, Mr. Brasco, Mr. Brown of California, Mr. Burton of California, Mr. Celler, Mr. Conyers, Mr. Diggs, Mr. Farbstein, Mr. Fraser, Mr. Halpern, Mr. Hathaway, Mr. Hawkins, Mr. Jacobs, Mr. Nix, Mr. O'Hara of Illinois, Mr. O'Hara of Michigan, Mr. Railsback, Mr. Rees, Mr. Resnick, Mr. Reuss, Mr. Rosenthal, Mr. Roybal, and Mr. Tenzer):

H.R. 12547. A bill to abolish the death penalty under all laws of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 12548. A bill to amend title 38 of the United States Code to increase to $30,000 the maximum servicemen's group life insurance which may be provided members of the uniformed services on active duty, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WILLIAM D. FORD:

H.R. 12549. A bill to amend the Internal Revenue Code of 1954 to eliminate the percentage depletion method for determining the deduction for depletion of oil and gas wells; to the Committee on Ways and Means.

By Mr. HUNGATE:

H.R. 12550. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. KLUCZYNSKI:

H.R. 12551. A bill to supplement the antitrust laws of the United States in order to prevent anticompetitive practices, by providing for just compensation upon termination of certain franchise relationships; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 12552. A bill to amend certain provisions of the Internal Security Act of 1950 relating to the registration of Communist organizations, and for other purposes; to the Committee on Un-American Activities.

By Mr. PATTEN:

H.R. 12553. A bill to amend section 312(c) of the Federal Aviation Act of 1958, relating to research and development, to require the Federal Aviation Administrator to provide for the development of a proximity warning device for use on all civil aircraft of the United States in the interest of safety in air commerce and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RARICK:

H.R. 12554. A bill to prohibit the use of the Federal Bureau of Investigation to investigate claims brought against the United States under the Federal tort claims procedure contained in title 28, United States Code; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 12555. A bill to amend title 38 of the United States Code to liberalize the provisions relating to payment of pension, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TIERNAN:

H.R. 12556. A bill to amend the act of May 14, 1948, to permit the burial of veterans in national battlefields, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BEVILL:

H.R. 12557. A bill relating to the prohibition of riots and incitement to riot in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BYRNE of Pennsylvania:

H.R. 12558. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service and for other purposes; to the Committee on Armed Services.

By Mr. CONABLE:

H.R. 12559. A bill to amend the Social Security Act to permit an individual to become entitled to hospital insurance benefits under title XVIII of such act, if he is otherwise qualified therefor, without filing application for benefits under title II of such act; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 12560. A bill to extend second-class mailing privileges to certain publications of offices of State secretaries of state; to the Committee on Post Office and Civil Service.

By Mrs. GREEN of Oregon:

H.R. 12561. A bill to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped; to the Committee on Public Works.

By Mr. HANNA:

H.R. 12562. A bill to amend title 38 of the United States Code so as to increase the period of presumption of service connection for certain cases of multiple sclerosis from 7 to 20 years; to the Committee on Veterans' Affairs.

By Mr. HARSHA:

H.R. 12563. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 12564. A bill to repeal percentage depletion; to the Committee on Ways and Means.

By Mr. LLOYD:

H.R. 12565. A bill to amend the Economic Opportunity Act of 1964 to further limit political activity on the part of workers in poverty programs; to the Committee on Education and Labor.

By Mr. PELLY:

H.R. 12566. A bill to amend the Merchant Marine Act, 1936, so as to decrease the permissible minimum downpayment with respect to fishing vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. PERKINS (for himself, Mr. Daniels, Mrs. Green of Oregon, Mr. Holland, Mr. Brademas, Mr. O'Hara of Michigan, Mr. Carey, Mr. Hawkins, Mr. Hathaway, Mrs. Mink, Mr. Meeds, Mr. Burton of California, Mr. Quie, Mr. Reid of New York, Mr. Steiger of Wisconsin, and Mr. Gibbons):

H.R. 12567. A bill to make certain technical amendments to the Library Services and Construction Act; to the Committee on Education and Labor.

By Mr. PETTIS:

H.R. 12568. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 12569. A bill to provide for the issuance of a special postage stamp to commemorate the 50th anniversary of the independence of the Baltic States (Estonia, Latvia, and Lithuania); to the Committee on Post Office and Civil Service.

By Mr. REID of New York:

H.R. 12570. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. ROONEY of Pennsylvania:

H.R. 12571. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSTENKOWSKI:

H.R. 12572. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. WYLIE (for himself, Mr. McCulloch, Mr. Devine, Mr. Poff, Mr. Hall, Mr. Cramer, Mr. Ashbrook, Mr. Harsha, Mr. Lukens, Mr. Miller of Ohio, Mr. Clancy, Mr. Williams of Pennsylvania, Mr. Edwards of Alabama, Mr. Latta, Mr. Betts, Mr. Minshall, Mr. Nelsen, Mr. Bow, Mr. King of New York, Mr. Pollock, Mr. Goodell, Mrs. Bolton, Mr. Brown of Ohio, Mr. Widnall, and Mr. Stanton):

H.R. 12573. A bill to amend title 18 of the United States Code to make it unlawful to injure, intimidate, or interfere with any fireman performing his duties during the course of any riot; to the Committee on the Judiciary.

By Mr. ZWACH:

H.R. 12574. A bill to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia; to the Committee on the District of Columbia.

By Mr. BRADEMAS:

H.R. 12575. A bill to provide for the control of the alewife and other fish and aquatic animals in the waters of the Great Lakes which affect adversely the ecological balance of the Great Lakes; to the Committee on Merchant Marine and Fisheries.

By Mr. FRIEDEL:

H.R. 12576. A bill to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMER (for himself, Mr. O'Konski, Mr. Gurney, Mr. Wyman, Mr. King of New York, Mr. Denney, Mr. Edwards of Alabama, Mr. Wylie, Mr. McDonald of Michigan, and Mr. Wydler):

H.J. Res. 803. Joint resolution to amend the Universal Military Training and Service Act, as amended, in order to provide for the deferment of law enforcement officers and firemen from training and service under such act; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HANLEY:

H.R. 12577. A bill for the relief of Filippo Carcione; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 12578. A bill for the relief of Ondina Botelic; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 12579. A bill for the relief of Zivko Georgiefski; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 12580. A bill for the relief of Remedios Baar; to the Committee on the Judiciary.

H.R. 12581. A bill for the relief of Ronald K. Fairweather; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 12582. A bill for the relief of Parascevas Proestakis; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI (by request):

H.R. 12583. A bill to provide for the free entry of certain silver medals for the use of the Chicago Policemen's Benevolent & Welfare Association; to the Committee on Ways and Means.

PETITIONS, ETC.

Under clause 1 of rule XXII,

147. The SPEAKER presented a petition of the Legislative Assembly of Costa Rica, relative to the protection of the sovereignty of Costa Rica, which was referred to the Committee on Foreign Affairs.

SENATE

Wednesday, August 23, 1967

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God, our Father, amid all life's changing scenes make us conscious of Thy overshadowing presence.

We thank Thee for the unquenchable impulse toward Thee Thou has planted within us.

Open our eyes to see Thee, not just out of the rim of the universe on some distant star, but in the human love which hallows our own lives and sanctifies our homes—love which at its best bears witness to Thee and which alone is the balm able to cure the hurt of the world.

May our lives, freed of pettiness and prejudice, and radiant with good will which leaps all barriers, be open channels through which Thy saving grace may flow for the healing of the nations.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, August 22, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the order entered yesterday, the Senator from Iowa [Mr. Miller] is recognized.

Mr. MANSFIELD. Mr. President, with the assent of the distinguished Senator from Iowa, I should like to attend to some business which is of some consequence, but on which there is no controversy.

Mr. MILLER. I yield to the distinguished Senator from Montana.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 514 and the succeeding measures in sequence.

The PRESIDENT pro tempore. Without objection, it is so ordered.

TOUCHET DIVISION, WALLA WALLA PROJECT, OREGON-WASHINGTON

The Senate proceeded to consider the bill (S. 485) to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 5, after the word "control," to strike out "water quality control,"; on page 3, line 4, after the word "law" to strike out "Construction costs allocated to irrigation beyond the ability of the irrigators to repay shall be returned to the reclamation fund from revenues derived by the Secretary from the disposition of power marketed through the Bonneville Power Administration from the McNary Dam project."; and in lieu thereof to insert "Construction costs allocated to irrigation beyond the ability of the irrigators to repay shall be charged to and returned to the reclamation fund in accordance with the provisions of section 2 of the Act of June 14, 1966 (80 Stat. 200), as amended by section 6 of the Act of September 7, 1966 (80 Stat. 707)."

After line 14 to strike out:

Sec. 3. (a) The Secretary is authorized, as part of the Touchet division, to construct, operate, and maintain, or otherwise provide public outdoor recreation facilities, to acquire or otherwise to include within the project area such adjacent lands or interests therein as are necessary for present or future public recreation use, to allocate water and reservoir capacity to recreation, and to provide for the public use and enjoyment of division lands, facilities, and water areas in a manner coordinated with other project functions. The Secretary is authorized to enter into agreements with Federal agencies or State or local public bodies for the administration of project land and water areas and the operation, maintenance, and replacement of facilities and to transfer project lands or facilities to Federal agencies or State or local public bodies by lease agreement or exchange upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation and fish and wildlife enhancement purposes.

(b) Joint costs allocated to recreation or fish and wildlife enhancement shall be nonreimbursable.

(c) All costs allocated to the enhancement of anadromous fish species shall be nonreimbursable.

(d)(1) Except as provided in subsection (c) of this section, if, before commencement of construction of the division, non-Federal public bodies indicate their intent in writing to agree to administer project land and water areas for recreation or fish and wildlife enhancement or for both of these purposes pursuant to the plan for the development of the project approved by the head of the agency having administrative jurisdiction over it and to bear not less than one-half the separable costs of the project allocated to either or both of said purposes, as the case may be, and all the costs of operation, maintenance, and replacement incurred therefor, not more than one-half of the separable costs and all the joint costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by the United States and be nonreimbursable.

(2) No facilities or project modifications which will furnish recreation or fish and wildlife enhancement benefits shall be provided in the absence of the indication of intent with respect thereto specified in subsection 3 (d) (1) of this Act unless (i) such facilities or modifications serve other project purposes and are justified thereby without regard to such incidental recreation or fish and wildlife enhancement benefits as they may have or (ii) they are minimum facilities which are required for the public health and safety and are located at access points provided by roads existing at the time of project construction or constructed for the administration and management of the project or facilities for the enhancement of anadromous fish species. Calculation of the recreation and fish and wildlife enhancement benefits in any such case shall be based on the number of visitor days anticipated in the absence of recreation and fish and wildlife enhancement facilities or modifications except as hereinbefore provided and on the value per visitor day of the project without such facilities or modifications. Project costs allocated to recreation and fish and wildlife enhancement on this basis shall be nonreimbursable.

(c) The non-Federal share of the separable costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by non-Federal interests, under either or both of the following methods as may be determined appropriate by the head of the Federal agency having jurisdiction over the project: (i) payment, or provision of lands, interests therein, or facilities for the project; or (ii) repayment, with interest at a rate comparable to that for other interest bearing functions of Federal water resource projects, within fifty years of first use of project recreation or fish and wildlife enhancement facilities: *Provided*, That the source of repayment may be limited to entrance and user fees or charges collected at the project by non-Federal interests if the fee schedule and the portion of fees dedicated to repayment are established on a basis calculated to achieve repayment as aforesaid and are made subject to review and renegotiation at intervals of not more than five years.

(f) Notwithstanding the absence of an indication of intent as specified in subsection 3 (d) (1), lands may be provided in connection with project construction to preserve the recreation and fish and wildlife enhancement potential of the project:

(1) In non-Federal public bodies execute an agreement within ten years after initial operation of the project (which agreement shall provide that the non-Federal public bodies will administer project land and water areas for recreation or resident fish and wildlife enhancement or both pursuant to the plan for the development of the project approved by the head of the agency having administrative jurisdiction over it and will bear not less than one-half the costs of lands, facilities, and project modifications provided for either or both of those purposes, as the case may be, and all costs of operation, maintenance, and replacement attributable thereto), the remainder of the costs of lands, facilities, and project modifications provided pursuant to this paragraph shall be nonreimbursable. Such agreement and subsequent development, however, shall not be the basis for any reallocation of joint costs of the project to recreation or fish and wildlife enhancement.

(2) If, within ten years after initial operation of the project, there is not an executed agreement as specified in paragraph (1) of this subsection, the head of the agency having jurisdiction over the project may utilize the lands for any lawful purpose within the jurisdiction of his agency, or may offer the land for sale to its immediate prior owner or his immediate heirs at its appraised fair market value as approved by the head of the agency at the time of offer or, if a firm agreement by said owner or his immediate heirs is not executed within ninety days of the date of the offer, may transfer custody of the lands to another Federal agency for use for any lawful purpose within the jurisdiction of that agency, or may lease the lands to a non-Federal public body, or may transfer the lands to the Administrator of General Services for disposition in accordance with the surplus property laws of the United States. In no case shall the lands be used or made available for use for any purpose in conflict with the purposes for which the project was constructed, and in every case except that of an offer to purchase made, as hereinbefore provided, by the prior owner or his heirs, preference shall be given to uses which will preserve and promote the recreation and fish and wildlife enhancement potential of the project or, in the absence thereof, will not detract from that potential.

(g) As used in this Act, the term "nonreimbursable" shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges.

(h) Costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be treated as project costs and allocated among all project purposes.

And, in lieu thereof, to insert:

Sec. 3. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Touchet division shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213). All costs allocated to the enhancement of anadromous fish species shall be nonreimbursable.

So as to make the bill read:

S. 485

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for purposes of supplying irrigation water initially for approximately ten thousand acres of land, providing municipal and industrial water, flood control, the enhancement of fish and wildlife resources, and the enhancement of recreation opportunities, the Secretary of the Interior (hereinafter referred to as the Secretary) is authorized to construct, operate, and maintain the Touchet division of the Walla Walla project, Oregon-Washington, in accordance with the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto). The principal works of the division (hereinafter referred to as the project) shall consist of the Dayton Dam and Reservoir, fish passage facilities, a diversion dam, and associated drainage facilities.

(b) The Secretary is authorized to construct the Dayton Dam and Reservoir to the physical limitations of the site and to recognize the cost of providing such additional capacity as a deferred obligation to be paid, in accordance with section 2 of this Act, at such time as the additional storage capacity is contracted for: *Provided*, That until such additional storage capacity is contracted for, operation and maintenance cost attributable to the excess capacity shall be funded and added to the construction costs allocated to deferred capacity.

(c) In order to assure a realization of the fish and wildlife enhancement benefits contemplated by this Act, the Secretary shall adopt appropriate measures to insure the maintenance of a streamflow between Dayton Dam and the mouth of the Walla Walla River that is not less than thirty cubic feet per second unless he determines that a water shortage or other emergencies exist or that lesser flows would be adequate for the maintenance of fish life.

Sec. 2. Irrigation repayment contracts shall provide for repayment of the obligations assumed thereunder with respect to any contract unit over a period of not more than fifty years, exclusive of any development period authorized by law. Construction costs allocated to irrigation beyond the ability of the irrigators to repay shall be charged to and returned to the reclamation fund in accordance with the provisions of section 2 of the Act of June 14, 1966 (80 Stat. 200), as amended by section 6 of the Act of September 7, 1966 (80 Stat. 707).

Sec. 3. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Touchet division shall be in accordance with the provisions of the Federal Water Project Recreation Act. (79 Stat. 213). All costs allocated to the enhancement of anadromous fish species shall be nonreimbursable.

Sec. 4. The interest rate used for purposes of computing interest during construction and, where appropriate, interest on the unpaid balance of the reimbursable obligations assumed by non-Federal entities shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption from fifteen years from date of issue, adjusted to the nearest one-eighth of 1 per centum.

SEC. 5. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

SEC. 6. There are hereby authorized to be appropriated for construction of the new works involved in the Touchet division, $16,630,000 (January 1965 prices), plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes and, in addition thereto, such sums as may be required to operate and maintain said project.

Mr. JACKSON. Mr. President, the bill now before the Senate is S. 485, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division of the Walla Walla project in Oregon and Washington. This measure passed the Senate in the 89th Congress, but no action was taken in the House.

The outstanding adaptability of this project to multiple-use water resource development in the southeast area of the State of Washington, plus the substantial benefits which will accrue to sport and commercial fishing in the Pacific Northwest make it a very desirable project.

Dayton Dam on the Touchet River will be the principal feature of the project. As a result of the control which the dam and reservoir will provide over the presently unpredictable flow of the river, 10,000 acres of prime row crop farmland will be brought under full irrigation. The nearby town of Dayton will receive 1,000 acre-feet per year of municipal and industrial water, and the Walla Walla basin will enjoy the benefits of a lake ideally suited to the multiple recreation uses of fishing, boating, swimming, picnicking, camping, and waterfowl hunting. The project is badly needed as a flood control measure for the Touchet Valley, which has suffered perennial losses from spring flooding.

Potentially an outstanding salmon stream, the Touchet will provide a restored run of anadromous fish when the waterflow, temperature, and water quality of the stream can be controlled.

The Senate Committee on Interior and Insular Affairs, after full hearings and executive consideration found that the Touchet division, as proposed in S. 485 and as amended, is a true multipurpose project that would advance maximum use of an important water resource, and would benefit both the region and the Nation as a whole. Each feature of the project is physically and economically justifiable, both individually and collectively. The project has the support of all Federal, State, and local agencies, and of the residents of the area directly affected.

Accordingly, the committee urged prompt and favorable action by the Congress on S. 485, as reported. I would urge the same.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 527), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

S. 485, which is sponsored by Senator Jackson for himself and his colleague from Washington, Senator Magnuson, authorizes construction and operation, under Federal reclamation laws, of the multipurpose Touchet division of the Walla Walla project. The Touchet division is in southeastern Washington along the Touchet River.

Dayton Dam and Reservoir which are authorized by the bill will form the only sizable lake in the Walla Walla Basin. The facility will bring 10,000 acres of rich farmland under full irrigation in its initial stages with deferred water storage for an additional 7,000 acres. Water sports, boating, swimming, fishing, and water skiing as well as camping and picnicking opportunities will be created. Works authorized by the bill will make 1,000 acre-feet of municipal and industrial water available to the city of Dayton.

Expert testimony at the hearing shows that the project will reestablish the anadromous fish run on a very large scale. A potentially outstanding salmon stream, the Touchet River is expected to contribute more salmon to the Columbia River fishery when the project is in full operation than it did in the days before Lewis and Clark.

The Touchet valley suffers destructive floods and periods of severely reduced flow with resultant pollution of the stream. The proposed project will afford vital protection of life and property, plus greatly ameliorating the growing water pollution problem.

The benefit cost ratio of the Touchet division, as reported by the committee would be 2.35 to 1 for all benefits and 1.83 to 1 for direct benefits only. Revised overall costs of the Touchet division were placed at $16,630,000 by the Department of the Interior using January 1965 prices.

COMMITTEE AMENDMENTS

The Department of the Interior recommended in its report of August 9, 1967, that S. 485 be enacted with amendments. The Department recommended three amendments: (1) that no specific allocation of costs to water quality control purposes be made in the bill; (2) that section 2 of the bill be amended so as to reflect the consolidated payout system now in effect for the Federal Columbia River power system; and (3) that the provisions of the Federal Water Project Recreation Act regarding costs of the Touchet division allocated to recreation and fish and wildlife enhancement and a provision that costs assigned to anadromous fish species be nonreimbursable be incorporated into the bill as a new section 3.

The committee has considered these amendments and recommends their adoption. The amendments are as follows:

(1) Reference to the words "water quality control" at page 1, lines 5 and 6 is deleted.

Pursuant to the request of the chairman of the Senate Interior Committee on January 9, 1967, the Department of the Interior and other Departments and agencies of the Federal Government are currently developing a policy position with regard to the evaluation of benefits and the reimbursability of costs allocated to water quality control under the Federal Water Pollution Control Act and related statutes. Section 3(b) of the Federal Water Pollution Control Act provides as follows:

"(b)(1) In the survey or planning of any reservoir by the Corps of Engineers, Bureau of Reclamation, or other Federal agency, consideration shall be given to inclusion of storage for regulation of streamflow for the purpose of water quality control, except that any such storage and water releases shall not be provided as a substitute for adequate treatment or other methods of controlling waste at the source.

"(2) The need for and the value of storage for this purpose shall be determined by these agencies, with the advice of the Secretary, and his views on these matters shall be set forth in any report or presentation to the Congress proposing authorization or construction of any reservoir including such storage.

"(3) The value of such storage shall be taken into account in determining the economic value of the entire project of which it is a part, and costs shall be allocated to the purpose of water quality control in a manner which will insure that all project purposes share equitably in the benefits of multiple-purpose construction.

"(4) Costs of water quality control features incorporated in any Federal reservoir or other impoundment under the provisions of this act shall be determined and the beneficiaries identified and if the benefits are widespread or national in scope, the costs of such features shall be nonreimbursable."

As a result of the Department's studies, they have recommended to the Water Resources Council that the evaluation of water quality control benefits be based upon a recognition that the improvement of water quality serves one or more of the basic water use functions; namely, irrigation, municipal or industrial water supply, fish and wildlife enhancement or recreation. To the extent that the benefit to any of those functions is derived separably from water quality improvement, as distinct from that derived from quantitative requirements for flowing water or water in storage, a definite benefit attributable to water quality control may be claimed. This benefit, applied through the customary cost allocation procedures, will determine the portion of the project cost properly allocable to water quality control.

The impact of the Department of the Interior's study is that the present plan of development does not provide any facilities or storage capacity in Dayton Reservoir specifically for water quality control purposes. The costs of water quality control are allocated to the specific project purposes which water quality control will benefit.

In conjunction with the Department's evaluation of how best to handle water quality control, the Department is also developing administrative guidelines under the Federal Water Project Recreation Act. Though these guidelines have not been finalized the Department proposes to follow the procedures outlined above on a project-by-project basis until such time as an agency-wide Federal policy is established.

The committee plans to hold a separate hearing on Federal policy and procedures regarding the reimbursability of project costs allocated to water quality control when a uniform policy position has been established. In the interim the committee accepts the procedure recommended by the Department of the Interior.

(2) The second sentence of section 2 is amended to conform to the recently established consolidated payout system now in effect for the Federal Columbia River power system. As a result of this amendment financial assistance for irrigation purposes will be derived from the system as a whole and not one of its constituent parts.

(3) All of section 3 is deleted and a new section 3 is inserted. The new section 3 makes applicable the provisions of the Federal Water Project Recreation Act and provides that all costs allocated to the enhancement of anadromous fish species shall be nonreimbursable. S. 485 as introduced contained language dealing with recreation and fish and wildlife purposes which was drafted prior to the enactment of the Federal Project Recreation Act.

DESCRIPTION OF PROJECT

The Touchet River now is completely uncontrolled. Every year in the pattern of all tributary streams in the Pacific Northwest the river floods its valley in the spring and by late summer carries insufficient water to meet local requirements.

Although some irrigation development was started a century ago, today only 5,000 to 6,000 acres are irrigated and much of the land has less than a full water supply. Irrigation from the river has been primarily by gravity diversion but pumping has increased in recent years. Water rights on the river have been adjudicated and a system of priorities has been established.

A principal feature of the Touchet project will be the Dayton Dam on the Touchet River a few miles upstream from the valley's largest community of Dayton. The dam would be a rolled earth fill structure about 200 feet high. It would create a reservoir of 52,600 acre-feet, of which 2,700 acre-feet would be dead storage, 1,700 would be inactive storage; 33,200 acre-feet would be conservation storage, and 15,000 acre-feet would be joint storage to be operated on a seasonal and forecast basis for flood control and conservation.

Reservoir right-of-way required for all project purposes totals 1,470 acres, all now in private ownership. Of this total about 390 acres are now cultivated and 15 farmsteads would be inundated. A country road and power and telephone lines would be relocated.

Facilities for fish enhancement in addition to the necessary controlled flow of water consist of a trap below the dam, and a hopper and tramway to carry upstream migrants over the dam. Selective level outlets in the dam and a collector system for downstream migrants are also to be provided specifically for fish.

The large cost allocation to fish and wildlife enhancement is primarily justified by the restoration of a substantial run of anadromous fish made possible by this project. A large annual yield of mature salmon made available to the fisherman of the lower Columbia and Pacific waters, as well as local sportsmen, is contemplated.

Water from the reservoir will be released into the natural stream channel from which it will be diverted by the irrigators and the city of Dayton through their own facilities; some by gravity system and some by pumping.

Irrigation water will be served initially to some 9,960 acres of land: 3,520 acres requiring full supply, and 6,440 acres requiring only supplemental water. The quality of the land when irrigated suits it for a shift from grain production, the area's principal land use, to row crop farming of fruits and vegetables.

The committee considered the allocation of cost and the water charges for municipal and industrial water as recommended by the Department of the Interior. Under procedures generally approved by the committee and properly applied by the Bureau of Reclamation the water charges for municipal and industrial water supply are computed to return at least the total cost allocated to that purpose, with interest, within 50 years. In the Touchet division, the recommended water charges would meet the requirement for payout and also result in revenues which would contribute toward repayment of the portion of the costs allocated to irrigation which is beyond the ability of the irrigators to repay. The proposed water charges would be slightly less than the cost of water from an alternative single purpose municipal water reservoir at the same location.

Recreation facilities would include boat ramps and docks, sanitary facilities, access roads and parking areas, and overnight camp units. Under a cost-sharing provision of the Federal Water Project Recreation Act, a local public body must assume certain responsibilities for recreation facilities in construction and maintenance. The port district of Columbia County, Wash., has indicated its interest in assuming the duties required of a local public body.

The outstanding adaptability of this project to multiple use in the service of the southeast Washington area, plus the substantial benefits accruing to the northwest fisheries, make this a desirable project.

ECONOMIC PROFILE

The following tabulation outlines the allocation of costs contemplated by the present bill:

Cost allocation:	
Irrigation	$6,249,000
Municipal and industrial	141,000
Flood control	883,000
Water quality	----------
Fish and wildlife	9,035,000
Recreation	194,000
Highway improvement	128,000
Total	16,630,000
Reimbursable costs:	
Irrigation	6,249,000
Municipal and industrial	141,000
Fish and wildlife	656,000
Recreation	81,000
Total	7,127,000
Nonreimbursable costs:	
Flood control	883,000
Water quality	----------
Highway	128,000
Recreation	113,000
Fish and wildlife	8,379,000
Anadromous	(6,763,000)
Other	(1,616,000)
Total	9,503,000

COMMITTEE FINDINGS AND RECOMMENDATIONS

The Senate Committee on Interior and Insular Affairs, after full hearings and executive consideration, finds that the Touchet Division, Walla Walla project, as proposed in S. 485 and as amended, is a true multipurpose project that would advance maximum use of an important water resource, and would benefit both the region and the Nation as a whole. Each feature of the project is physically and economically justifiable, both individually and collectively. The project has the support of all Federal, State and local agencies, and of the residents of the area directly affected.

Accordingly, the committee urges prompt and favorable action by the Congress on S. 485, as reported.

NATIONAL PARK FOUNDATION

The Senate proceeded to consider the bill (S. 814) to establish the National Park Foundation which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 4, line 3, after the word "services," to insert "without reimbursement therefor," so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to encourage private gifts of real and personal property or any income therefrom or other interest therein for the benefit of, or in connection with, the National Park Service, its activities, or its services, and thereby to further the conservation of natural, scenic, historic, scientific, educational, inspirational, or recreational resources for future generations of Americans, there is hereby established a charitable and nonprofit corporation to be known as the National Park Foundation to accept and administer such gifts.

SEC. 2. The National Park Foundation shall consist of a Board having as members the Secretary of the Interior, the Director of the National Park Service, ex officio, and no less than six private citizens of the United States appointed by the Secretary of the Interior whose initial terms shall be staggered to assure continuity of administration. Thereafter, the term shall be six years, unless a successor is chosen to fill a vacancy occurring prior to the expiration of the term for which his predecessor was chosen, in which event the successor shall be chosen only for the remainder of that term. The Secretary of the Interior shall be the Chairman of the Board and the Director of the National Park Service shall be the Secretary of the Board. Membership on the Board shall not be deemed to be an office within the meaning of the statutes of the United States. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business, and the Foundation shall have an official seal, which shall be judicially noticed. The Board shall meet at the call of the Chairman and there shall be at least one meeting each year.

No compensation shall be paid to the members of the Board for their services as members, but they shall be reimbursed for actual and necessary traveling and subsistence expenses incurred by them in the performance of their duties as such members out of National Park Foundation funds available to the Board for such purpose. The Foundation shall succeed to all right, title, and interest of the National Park Trust Fund Board established in any property or funds, including the National Park Trust Fund, subject to the terms and conditions thereof. The National Park Trust Fund is hereby abolished, and the Act of July 10, 1935 (49 Stat. 477; 16 U.S.C. 19 et seq.), as amended, is hereby repealed.

SEC. 3. The Foundation is authorized to accept, receive, solicit, hold, administer, and use any gifts, devises, or bequests, either absolutely or in trust, of real or personal property or any income therefrom or other interest therein for the benefit of, or in connection with, the National Park Service, its activities, or its services: *Provided,* That the Foundation may not accept any such gift, devise, or bequest which entails any expenditure other than from the resources of the Foundation. An interest in real property includes, among other things, easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources. A gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of the National Park Service, its activities, or its services without reimbursement therefor.

SEC. 4. Except as otherwise required by the instrument of transfer, the Foundation may sell, lease, invest, reinvest, retain, or otherwise dispose of or deal with any property or income thereof as the Board may from time to time determine. The Foundation shall not engage in any business, nor shall the Foundation make any investment that may not lawfully be made by a trust company in the District of Columbia, except that the Foundation may make any investment authorized by the instrument of transfer, and may retain any property accepted by the Foundation. The Foundation may utilize the services and facilities of the Department of the Interior, and such services and facilities may be made available on request to the extent practicable.

SEC. 5. The Foundation shall have perpetual succession, with all the usual powers and obligations of a corporation acting as a trustee, but the members of the Board shall not be personally liable, except for malfeasance.

SEC. 6. The Foundation shall have the power to enter into contracts, to execute instruments, and generally to do any and all lawful acts necessary or appropriate to its purposes.

SEC. 7. In carrying out the provisions of this Act, the Board may adopt bylaws, rules, and regulations necessary for the administration of its functions and contract for any necessary services.

SEC. 8. Income and property received or owned by the Foundation shall be exempt from all Federal and State taxation with respect thereto. The Foundation shall be regarded as an instrumentality of the United States for the purpose of all tax laws, but for no other purpose, and contributions, gifts, and other transfers made to the Foundation shall be regarded as contributions, gifts, or transfers to or for the use of the United States.

SEC. 9. The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to Congress an annual report of its proceedings and activities, including a full and complete statement of its receipts and expenditures.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 532), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The thrust of this bill is to encourage our citizens to participate in a more meaningful way in the efforts of their Government to provide park and recreational opportunities for America. The bill will not cost the Government any money; its purpose is to encourage donations of money and property which can be used to further the programs of the National Park Service.

At present, there is established under the existing law a five-member National Park Trust Fund Board, which Congress authorized in the act of July 10, 1935 (49 Stat. 477), to accept donations of money or securities for the benefit of the National Park Service. Chiefly because of the makeup of the existing Board, the limitations on its power to invest, and the limitations on the type of property it may accept, the present National Park Trust Fund has not proved to be the type of body that can attract significant donations of private capital and property. In the 27 years of its existence, a total of $745,495.87 has been received. However, of this amount, $500,000 was donated in 1964 for Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites in New York; and in 1966, $100,000 was donated for the St. Gaudens National Historic Site in New Hampshire. Both of these donations were made pursuant to special acts of Congress which authorized the acceptance of donations for establishment of these specific areas. The current total of other receipts since 1935 is $145,495.87.

S. 814 would therefore abolish the existing Board and establish in its place a National Park Foundation. The Foundation's Board would have a greater number of private members and broader authority then the existing Board. The need for an expanded body with greater private participation for wider appeal to prospective donors, and the need for broader authority to deal with property is recognized.

The principal changes in the existing program that the National Park Foundation would accomplish are in the problem areas of membership, authority to deal with property, and the type of property that can be accepted for the benefit of the National Park Service. Briefly, they are as follows:

MEMBERSHIP

The membership of the existing National Park Trust Fund Board is composed of a majority of Government officials—the Secretaries of the Treasury and Interior, and the Director of the National Park Service—plus two private members appointed by the President of the United States.

Under S. 814 the Board governing the new National Park Foundation will have a majority of private members—the Secretary of the Interior as Chairman, the Director of the National Park Service as Secretary, and not less than six private citizens appointed by the Secretary of the Interior.

AUTHORITY TO DEAL WITH PROPERTY

Under the existing National Park Trust Fund Act of 1935, the Board accepts gifts of money or securities and turns them over to the Secretary of the Treasury, who invests, reinvests, or retains investments, in such amounts as directed by the Board, and disburses the income. Under this procedure, the Secretary of the Treasury determines how the funds are to be invested, and the practice has been to invest them almost exclusively in Government securities.

Under S. 814, the Foundation may accept property and the Foundation, itself, may invest, reinvest, retain, lease, sell, or otherwise deal with the property, or income thereof, so long as it follows the terms and limitations, if any, of the instrument of donation. The new Board would not, therefore, be limited to investments prescribed and made by the Treasury Department.

PROPERTY

The existing National Park Trust Fund Board is limited to accepting donations of personal property only. The effect of this has been to restrict donations to money or securities. Under S. 814 the new Foundation is authorized to accept donations of both personal and real property or any income therefrom or interest therein, including future interests in property, easements, and other less than fee interests in land. Any property donated to the National Park Foundation would be regarded as a gift to the United States. The activities of the Foundation therefore would not conflict with the programs of such organizations as the National Trust for Historic Preservation which assists in the preservation of privately owned historic properties.

The committee believes that the National Park Foundation could be of significant benefit to the United States in curbing price escalation of lands proposed for acquisition by the Government as national park system areas. It could do so by using Foundation funds to acquire and hold key tracts of land which the Congress is considering for authorization, and when the authorizing legislation is approved the Foundation could convey the property to the Federal Government. In this way, the great escalation in land prices between the time Congress considers an area and the time funds are available to acquire could in part be avoided. Of course, if Congress did not authorize the area the Foundation could sell the property and reinvest the proceeds.

AMENDMENT OF THE MERCHANT MARINE ACT

The bill (H.R. 158) to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 533), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of this bill is to require that after December 31, 1967, only such sums as the Congress may specifically authorize by law may be appropriated for the use of the Maritime Administration for the following categories, of activity:

(1) Acquisition, construction, or reconstruction of vessels.

(2) Construction-differential subsidy and cost of national defense features incident to the construction, reconstruction, or reconditioning of ships;

(3) Payment of obligations incurred for operating-differential subsidy;

(4) Expenses necessary for research and development activities (including reimbursement of the vessel operations revolving fund for losses resulting from expenses of experimental ship operations);

(5) Reserve fleet expenses;

(6) Maritime training at the Merchant Marine Academy at Kings Point, N.Y.;

(7) Financial assistance to State marine schools; and

(8) The vessel operations revolving fund.

Enactment of this bill would place the Maritime Administration on a basis comparable to that now in effect with regard to principal activities of the Department of Defense, the U.S. Coast Guard, the Atomic Energy Commission, the National Astronautics and Space Administration, and other major programs within the executive branch.

BACKGROUND OF THE LEGISLATION

At the present time section 209(a) of the Merchant Marine Act, 1936, as amended, provides for continuing authority for appropriations by the language:

"There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act."

When the Merchant Marine Act of 1936 was originally enacted the administering agency was the U.S. Maritime Commission, an independent agency responsible to the Congress. The programs authorized by that act were set up in a fashion intended to permit their efficient administration under broad enabling authority. The availability of a construction revolving fund minimized the need for seeking specific annual authorization for appropriations for major program categories.

Since shortly after World War II, however, such matters as the transfer of the administration of the maritime functions to the Department of Commerce, the denial of the availability of the construction revolving fund, and other self-imposed limitations have had the practical effect of placing the operations of the agency on a strictly annual basis.

These developments have made the advisability of annual review of the Maritime Administration's policies and programs of increasing importance. Enactment of this bill would necessarily result in the Senate Committee on Commerce and the Merchant Marine and Fisheries Committee of the House of Representatives annually reviewing the policies and programs of the Maritime Administration in fulfilling the authorization requirement this legislation would provide.

While enactment of this bill would require the Maritime Administration to appear annually before four committees of the Congress rather than two, this could well enhance the finding of workable solutions to the many problems of our merchant fleet.

Your committee held 2 days of hearings for the receipt of testimony on this bill and on S. 340, a companion measure. The Maritime Administration witness said that if this committee concluded that voluntary appearances before the committee to explain maritime programs would not adequately serve our purposes, the Department of Commerce would have no objection to favorable consideration of the bill. All other witnesses urged that the bill be favorably considered.

COST OF LEGISLATION

Enactment would involve no significant additional cost to the Government.

BILL PASSED OVER

The bill (S. 1035) to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDENT pro tempore. The bill will be passed over.

HOLDING OF CERTAIN LANDS IN TRUST FOR THE CHEROKEE NATION

The Senate proceeded to consider the bill (H.R. 536) to provide that the United States shall hold certain Chilocco Indian School lands at Chilocco, Okla., in trust for the Cherokee Nation upon payment by the Cherokee Nation of $3.75 per acre to the Federal Government which had been reported from the Committee on Interior and Insular Affairs, with amendments on page 1, line 5, after the word "land", to insert "except oil, gas, and other minerals therein"; in line 7, after the word "School", to strike out "will be held by the United States in trust for" and insert "are hereby conveyed to"; on page 3, after line 20, to strike out:

Sec. 2. All of the mineral interests of the United States in lots 1 and 2 (south half southeast quarter), section 29, township 29 north, range 2 east, Indian meridian, Oklahoma, comprising 77.84 acres more or less, are hereby declared to be held in trust by the United States for the Cherokee Nation. If title to the surface of any of this land should revert to the United States, and land shall become subject to the provisions of section 1 of this Act.

On page 4, after line 3, to insert:

Sec. 2. The title of the Cherokee Nation to the land conveyed pursuant to this Act shall be subject to no exemption from taxation or restriction on use, management, or disposition because of Indian ownership.

After line 7, to insert:

Sec. 3. This conveyance is subject to existing rights-of-way for waterlines, electric transmission lines, roads, and railroads.

After line 10, to insert:

Sec. 4. The Indian Claims Commission is directed to determine, in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act, less the payment of $3.75 per acre as provided in section 1, should or should not be set off against any claim against the United States determined by the Commission.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An Act to convey certain Chilocco Indian School lands at Chilocco, Oklahoma, to the Cherokee Nation."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 535), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The principal purpose of H.R. 536, as amended, is to convey 2,668 acres of land which are no longer needed for the Cherokee Indian School in Oklahoma providing the nation pays to the United States the amount the United States paid the nation for the land.

NEED

The lands within the Chilocco Indian School reserve, now consisting of about 8,550 acres, were first set aside by President Arthur by Executive order dated July 12, 1884 (1 Kappler, Indian Laws and Treaties, 842). The act of March 3, 1893 (27 Stat. 640), provided for payment for these and other lands in the Cherokee outlet in an amount which averaged $1.29 per acre. In 1961 the Indian Claims Commission determined that the fair market value of these lands in 1893 was $3.75 per acre and gave judgment to the Cherokees for the difference between this and the amount actually paid them by the United States. For the acreage involved in H.R. 536, therefore, the Indians have been paid a total of $10,000 more or less.

Section 10 of the 1893 act, which opened most of the Cherokee outlet to settlement, provided that the lands which President Arthur set aside for school purposes should continue to be reserved for these purposes. Hence, though the 2,668 acres covered by H.R. 536 are now excess to the needs of the Chilocco School, legislation is necessary before they can be disposed of. Enactment of H.R. 536 will furnish the needed authority.

The Cherokees plan to lease the acreage for farming and to use the revenues for educational purposes among Cherokee young people. No objection has been voiced by any tribe in Oklahoma or in the 19 States sending pupils to the Chilocco School.

AMENDMENTS

The committee has adopted several amendments, the first of which provides that only the surface of the subject lands shall be donated to the tribe, with a reservation of oil, gas, and other minerals in the United States.

The second amendment provides that the tribe shall receive a nontrust title to the land and that there will be no exemption from taxation or restriction on use, management, or disposition because of Indian ownership.

The third amendment provides that the conveyance made by H.R. 536 is subject to existing rights-of-way for waterlines, electric transmission lines, roads, and railroads.

The fourth amendment directs the Indian Claims Commission to determine in accordance with the provisions of section 2 of the act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this act, less the payment of $3.75 per acre as provided in section 1, should or should not be set off against any claim against the United States determined by the Commission.

The title of the bill has been amended to reflect amendments recommended by the committee.

The lands to which H.R. 536 applies are located many miles away from other lands of the Cherokee Nation. At the committe hearing on August 9, 1967, the tribal representative expressed the Cherokee Nation's willingness to accept this surplus property without minerals and in a nontrust status. The bill has been modified accordingly.

COST

Enactment of H.R. 536 will require no expenditure of appropriated funds by the Government.

DISPOSITION OF FUNDS APPROPRIATED TO PAY JUDGMENT IN FAVOR OF EMIGRANT NEW YORK INDIANS

The bill (S. 1972) to provide for the disposition of funds appropriated to pay a judgment in favor of the Emigrant New York Indians in Indian Claims Commission docket No. 75, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1972

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Emigrant New York Indians that were appropriated by the Act of May 29, 1967 (81 Stat. 50), to pay a judgment by the Indian Claims Commission in docket numbered 75, and the interest thereon, after payment of attorney fees and expenses, shall be distributed as determined in sections 4 and 5 of this Act.

Sec. 2. The Secretary of the Interior shall prepare rolls of all persons born on or prior to and living on the date of this Act (a) whose names appear on the membership roll of the Oneida Tribe of Indians of Wisconsin; or (b) whose names appear on the membership roll of the Stockbridge-Munsee Indian Community of Wisconsin; or (c) who are Brotherton Indians of Wisconsin of at least one-fourth degree Emigrant New York Indian blood and not members of either of the organized groups mentioned in (a) or (b).

Sec. 3. For the purposes of expediting the enrollment of persons referred to in section 2, subsections (a) and (b) of this Act, the governing bodies of the Oneida Tribe of Indians of Wisconsin and the Stockbridge-Munsee Indian Community of Wisconsin shall, with the assistance of the Secretary, prepare membership rolls of their respective bands. Applications for enrollment under subsection (c) of section 2 must be filed with the Superintendent of the Great Lakes Agency, Ashland, Wisconsin 54806, on forms prescribed for that purpose. The determination of the Secretary regarding the eligibility of the applicant shall be final.

Sec. 4. The Secretary of the Interior shall apportion to each group mentioned in section 2 so much of the aforementioned judgment and accrued interest as the ratio of its enrollees bears to the total enrollees of all of said groups.

Sec. 5. The funds apportioned to the

Oneida Tribe of Indians of Wisconsin and the Stockbridge-Munsee Indian Community of Wisconsin shall be placed to their credit and may be used, advanced, expended, deposited, invested, or reinvested for any purposes that are authorized by the tribal governing bodies thereof and approved by the Secretary of the Interior. The funds apportioned to the group mentioned in section 2(c) shall be available for distribution in equal shares to the enrollees or their heirs or legatees. Payment may be made directly to each enrollee except that a share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons.

SEC. 6. None of the funds that may be distributed per capita shall be subject to Federal or State income taxes.

SEC. 7. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 536), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The Indian Claims Commission, in docket No. 75, awarded the Emigrant Indians of New York $1,313,472.65. The Oneida Indians, the Stockbridge-Munsee Indians and the Brotherton Indians in Wisconsin are the recipients of this award. The amount of the judgment, less $131,347.26 for attorney fees, is on deposit in the Treasury of the United States, to the credit of the Emigrant New York Indians.

S. 1972 provides that the Secretary of the Interior shall prepare rolls of all persons born on or prior to and living on the date of this act, whose names appear on the membership rolls of the Oneida Tribe and the Stockbridge-Munsee Community. The bill also provides that the Secretary shall prepare a roll of the Brotherton Indians of at least one-fourth degree Emigrant New York Indian blood who are not members of either of the other two communities. The bill provides for the apportionment to each group of so much of the judgment fund and accrued interest as the ratio of its enrollees bears to the total enrollees of all three groups. The judgment fund will be placed to the credit of the respective groups and may be advanced for any purpose authorized by the tribal governing bodies and approved by the Secretary.

The committee understands that the Brotherton Indians plan to distribute all of their funds on a per capita basis. The Oneida Tribe plans to set aside 15 percent of its share for reservation programing and to distribute the remainder among its membership. The Stockbridge-Munsee Tribe proposes to use 50 percent of its share for general reservation improvements and set aside the remaining money for per capita payments.

COST

There will be no appreciable cost to the United States since enrollment costs will be paid from the judgment fund.

TERMINATION OF FEDERAL SUPERVISION OVER THE PROPERTY OF THE CONFEDERATED TRIBES OF COLVILLE INDIANS

The Senate proceeded to consider the bill (S. 282) to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 4, line 15, to strike out the word "Reservation;" and insert "Reservation or elsewhere owned by Colville Indians;"; on page 5, line 2, after "subsection (a)" to insert "of this section"; in line 6, after the word "ten", to strike out "years." and insert "years with allowance for growth that will occur during the sales period"; on page 6, at the beginning of line 20, to strike out "conclusive;" and insert "conclusive. Any enrolled member who does not elect (or who does not have an election made for him) to withdraw from or remain with the tribes will be considered a member who has elected to remain."; and on page 7, line 5, to strike out "members: *Provided,* That title to any tribal forest lands that need to be sold shall be taken by the Secretary of Agriculture by publication of a notice in the Federal Register; and funds for that purpose are hereby authorized to be appropriated, and such lands shall become national forest lands subject to the laws that are applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended:", and insert "members. For the purposes of this subsection, the ratio of the withdrawing to the remaining members shall be adjusted to the nearest one-half of 1 per centum: *Provided*, That title to any units of tribal lands that are chiefly valuable for timber purposes and that need to be sold shall be taken by the Secretary of Agriculture by publication of a notice in the Federal Register; and funds for that purpose are hereby authorized to be appropriated, and such lands shall become national forest lands subject to the laws that are applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended:".

In line 25, after the word "such" to strike out "tribal forest"; on page 22, line 3, after the word "the", to strike out "Surgeon General of the Public Health Service" and insert "Secretary of Health, Education, and Welfare"; on page 23, line 1, after the word "sales" to insert "issue grazing permits, lease lands, and other routine management activities"; at the beginning of line 4, to strike out the word "timber" and insert "timber and other natural resources"; and on page 23, after line 21, to strike out:

"SEC. 31. The costs required by this Act may be paid from tribal funds which are hereby made available for such purpose subject to full reimbursement by the United States".

So as to make the bill read:

S. 282

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sections of this Act shall become effective on the date a majority of the number of adult members of the tribes voting in a referendum approve a termination of Federal supervision in accordance with those sections. The Secretary of the Interior shall conduct a referendum to ascertain the wishes of the enrolled adult members within ninety days after the enactment of this Act in accordance with such rules and regulations as he may prescribe.

SEC. 2. The purpose of this Act is to provide for the termination of Federal supervision over the trust and restricted property of the Confederated Tribes of the Colville Indian Reservation, Washington, and of the individual members thereof, for the disposition of federally owned property acquired or withdrawn for the administration of the affairs of said Indians, and for a termination of Federal services furnished such Indians because of their status as Indians.

SEC. 3. For the purposes of this Act:

(a) "Tribes" means the Confederated Tribes of the Colville Indian Reservation, Washington.

(b) "Secretary" means the Secretary of the Interior.

(c) "Lands" means real property, interests therein, or improvements thereon, and includes water rights.

(d) "Tribal property" means any real or personal property, including water rights, or any interest in real or personal property, that belongs to the tribes and either is held by the United States in trust for the tribes or is subject to a restriction against alienation imposed by the United States.

(e) "Adult" means a member of the tribes who is an adult according to the law of the place of his residence.

SEC. 4. At midnight of the date this section becomes effective the roll of the tribes shall be closed and no child born thereafter shall be eligible for enrollment: *Provided,* That the tribes shall have a period of six months from the date this section becomes effective in which to prepare and submit to the Secretary a proposed roll of the members of the tribes living on the date this section becomes effective, which shall be published in the Federal Register. If the tribes fail to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll for the tribes which shall be published in the Federal Register. Any person claiming membership rights in the tribes or an interest in the assets of the tribes, or a representative of the Secretary on behalf of any such person, may, within ninety days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals, the roll of the tribes shall be published in the Federal Register, and such roll shall be final for the purposes of this Act.

SEC. 5. Upon publication in the Federal Register of the final roll as provided in section 4 of this Act, the beneficial interest in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encumbrance before the transfer of title to such tribal property as provided in section 7 of this Act without the approval of the Secretary. Any contract made in violation of this section shall be null and void. Property which this section makes subject to inheritance or bequest and which is inherited or bequeathed after the effective date of this section and prior to the transfer of title to tribal property as provided in section 7 of this Act shall not be subject to State or Federal inheritance, estate, legacy, or succession taxes.

SEC. 6. The Secretary shall—

(a) within sixty days after this section becomes effective institute a program, to be completed within one year, to bring up to date all ownership records pertaining to trust or restricted lands on the Colville Indian Reservation or elsewhere owned by Colville Indians; and immediately following completion of such program, jointly with the Secretary of Agriculture, determine what parts of the tribal lands are valuable chiefly for timber purposes, what parts are valuable chiefly for farming, what parts are valuable chiefly for grazing, and what parts are valuable chiefly for other purposes; and divide each such part into appropriate units for sale or management in accordance with the provisions of this Act;

(b) cause separate appraisals to be made by three qualified independent appraisers of the units designated under subsection (a) of this section for the purpose of ascertaining the fair market value of each such unit. The fair market value of the timber assets shall be defined to be the market price that would be realized if the sale of the timber assets were made over a period of ten years with allowance for growth that will occur during the sales period. The Secretary shall determine fair market value by averaging the three appraisals;

(c) determine the fair market value of tribal mineral rights (including oil and gas) but the determination necessarily need not conform to the geographical boundaries of the surface units;

(d) determine the value to the tribes of the tribal hunting and fishing rights on each unit appraised, to the extent such value is not included in the appraisal;

(e) cause a summary of said appraisal to be delivered to all adult enrolled members of the tribes and within sixty days thereafter give to each member whose name appears on the final roll of the tribes an opportunity to elect to withdraw from the tribes and have his beneficial interest in tribal property recognized by section 5 converted into money and paid to him, or to remain in the tribes and participate in the tribal management plan to be prepared pursuant to subsection (g) of this section; in the case of members who are minors, persons declared incompetent by judicial proceedings, or deceased, the opportunity to make such election on their behalf shall be given to the person designated by the Secretary as the person best able to represent the interests of such member: *Provided,* That any member, or any heir or any devisee of any deceased member, for whom the Secretary has so designated a representative may (on his own behalf, through his natural guardian, or next friend) within one hundred and twenty days after receipt of written notice of such secretarial designation, contest the secretarial designation in any naturalization court for the area in which such member resides, by filing of a petition therein requesting designation of a named person other than the secretarial designee, and the burden shall thereupon devolve upon the Secretary to show cause why the member-designated representative should not represent the interests of such member, and the decision of such court shall be final and conclusive. Any enrolled member who does not elect (or who does not have an election made for him) to withdraw from or remain with the tribes will be considered a member who has elected to remain; and

(f) select the portion of the tribal property which if sold at the appraised value would provide sufficient funds to pay the members who elect to withdraw from the tribes for their beneficial interest in the total tribal property, sell the property so selected and pay the proceeds of the sale to the withdrawing members. For the purposes of this subsection, the ratio of the withdrawing to the remaining members shall be adjusted to the nearest one-half of 1 per centum: *Provided,* That title to any units of tribal lands that are chiefly valuable for timber purposes and that need to be sold shall be taken by the Secretary of Agriculture by publication of a notice in the Federal Register; and funds for that purpose are hereby authorized to be appropriated, and such lands shall become national forest lands subject to the laws that are applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended: *Provided further,* That if the tribes are not willing to accept the appraised value of such lands, as determined under section 6(b) of this Act, the tribes may commence an action in the appropriate Federal court for a judicial determination of just compensation and such determination shall be made without regard to the appraisal standard contained in section 6(b): *Provided further,* That any person whose name appears on the final roll of the tribes, or a guardian or any person designated by the Secretary on behalf of any person who is a minor or an incompetent, shall have the right to purchase, for his or its own account but not as an agent for others, any other property in lots as offered for sale for not less than the highest offer received by competitive bid; any individual Indian purchaser who has elected to withdraw from the tribes may apply toward the purchase price up to 100 per centum of the amount estimated by the Secretary to be due him from the sale of his interest in tribal property: *Provided,* That title to lands purchased by using individual interest as collateral shall be withheld by the Secretary until distribution of the proceeds of the tribal estate as provided in this section; and if more than one right is exercised to purchase the same property pursuant to this proviso the property shall be sold to one of such persons on the basis of competitive bids;

(g) cause a plan to be prepared in form and content satisfactory to the members who elect to remain in the tribes and to the Secretary for the management of tribal property through a trustee, corporation, or other legal entity. If no plan that is satisfactory both to the members who elect to remain in the tribes and to the Secretary has been prepared six months before the time limit provided in subsection (b) of section 7 of this Act the Secretary shall adopt a plan for managing the tribal property, subject to the provisions of section 14 of this Act: *Provided,* That property which is held by the United States for the benefit of the tribes shall continue to have the status of tribal property until title is conveyed or transferred pursuant to section 6(f) or 7(a) of this Act and the net proceeds are actually distributed to the individual members.

Sec. 7. (a) The Secretary is authorized and directed to execute any conveyancing instrument that is necessary or appropriate to convey title to tribal property to be sold in accordance with the provisions of section 6 of this Act, and to transfer title to all other tribal property to a trustee, corporation, or other legal entity in accordance with the plan prepared pursuant to subsection (g) of section 6 of this Act: *Provided,* That at any time prior to a transfer of such other tribal property to a trustee, corporation, or other legal entity, the Secretary may, upon request of a majority of the members who elected to remain in the tribes, sell such other tribal property and distribute the proceeds of sale among the members if he determines that such action is the more feasible and practical course to follow. Any tribal forest lands sold under this authority shall be purchased by the Secretary of Agriculture in accordance with the provisions of subsection 6(f).

(b) It is the intention of the Congress that all of the actions required by sections 6 and 7 of this Act shall be completed at the earliest practicable time and in no event later than four years from the date this section becomes effective.

(c) Members of the tribes who elect to withdraw from the tribes and receive the money value of their interests in tribal property shall, upon the publication of the proclamation authorized by section 17(a), cease to be members of the tribes: *Provided,* That nothing shall prevent them from sharing in the proceeds of tribal claims against the United States.

Sec. 8. No funds distributed pursuant to section 6 of this Act to members who withdraw from the tribes shall be paid to any person as compensation for services pertaining to the enactment of this Act or amendments thereto and any person making or receiving such payments shall be guilty of a misdemeanor and shall be imprisoned for not more than six months and fined an amount equal to the payment received by him plus not more than $500.

Sec. 9. (a) The Secretary is authorized and directed to transfer within four years from the date this section becomes effective to each member of the tribes unrestricted control of funds or other personal property held in trust for such member by the United States.

(b) All restrictions on the sale or encumbrance of trust or restricted interests in land, wherever located, owned by members of the tribes (including allottees, purchasers, heirs, and devisees, either adult or minor), and on trust or restricted interests in lands within the Colville Indian Reservation, regardless of ownership, are hereby removed four years after the date this section becomes effective, and the patents or deeds under which titles are then held shall pass the titles in fee simple, subject to any valid encumbrances. The titles to all interests in trust or restricted land acquired by members of the tribes by devise or inheritance four years or more after the date this section becomes effective shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by one or by more than one person, the Secretary may—

(1) upon request of any of the owners, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted four years from the date this section becomes effective;

(2) upon request of any of the owners, and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold and distribute the proceeds of sale to the owners: *Provided,* That any one or more of the owners may elect before a sale to purchase the other interests in the land, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) if the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

(d) The Secretary is hereby authorized to approve—

(1) the exchange of trust or restricted land between the tribes and any of the enrolled members;

(2) the sale by the tribes of tribal property to individual members of the tribes; and

(3) the exchange of tribal property for real property in fee status. Title to all real property included in any sale or exchange as provided in this subsection shall be conveyed in fee simple.

Sec. 10. The Secretary is authorized, in his discretion, to transfer to the tribes or any member or group of members thereof any federally owned property acquired, withdrawn, or used for the administration of the affairs of the tribes which he deems necessary for Indian use, or to transfer to a public or nonprofit body any such property which he deems necessary for public use and from which members of the tribes will derive benefit.

Sec. 11. No property distributed under the provisions of this Act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this Act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided,* That, for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

Sec. 12. (a) That part of section 5 of the Act of August 13, 1914 (35 Stat. 687; 43 U.S.C. 499), which relates to the transfer of the care, operation, and maintenance of reclamation works to water users associations or irrigation districts, and section 1 of the Act of July 29, 1954 (68 Stat. 580; 43 U.S.C. 499a), which relates to the transfer of movable property to irrigation districts or water users associations, shall be applicable to the irrigation works on the Colville Reservation.

(b) Effective on the first day of the calendar year beginning after the date of the proclamation provided for in section 17 of this Act, the deferment of the assessment and collection of construction costs provided for in the first proviso of the Act of July 1, 1932 (47 Stat. 564; 25 U.S.C. 386a), shall terminate with respect to any lands within irrigation projects on the Colville Reservation. The Secretary shall cause the first lien against such lands created by the Act of March 7, 1928 (45 Stat. 200, 210), to be filed of record in the appropriate county office.

(c) The Secretary is authorized to adjust, eliminate, or cancel all or any part of reimbursable irrigation operation and maintenance costs and reimbursable irrigation construction costs chargeable against Indian-owned lands and non-Indian-owned lands that are subject to the provisions of this Act, and all or any part of assessments heretofore or hereafter imposed on account of such costs, when he determines that the collection thereof would be inequitable or would result in undue hardship on the owner of the land, or that the administrative costs of collection would probably equal or exceed the amount collected.

(d) Nothing contained in any other section of this Act shall affect in any way the laws applicable to irrigation projects on the Colville Indian Reservation.

(e) There is hereby authorized to be appropriated, out of any funds in the United States Treasury not otherwise appropriated, the sum of $11,596.25 for payment to the Colville Tribes with interest at 4 per centum annually as reimbursement for tribal funds used for irrigation construction and operation and maintenance benefiting nontribal lands on the Colville Indian Reservation, such interest being computed from the dates of the disbursement of such tribal funds from the United States Treasury to the end of the fiscal year in which the appropriation is made.

SEC. 13. Nothing in this Act shall abrogate any water rights of the tribes and their members, and the laws of the State of Washington with respect to the abandonment of water rights by nonuse shall not apply to the tribes and their members until fifteen years after the date of the proclamation issued pursuant to section 17 of this Act.

SEC. 14. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this Act, the Secretary shall protect the rights of members of the tribes who are minors, non compos mentis, or in the opinion of the Secretary, in need of assistance in conducting their affairs, by causing the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate without application from the member, including but not limited to the creation of a trust of such member's property with a trustee selected by the Secretary, or the purchase by the Secretary of an annuity for such member: *Provided,* That no member shall be declared to be in need of assistance in conducting his affairs unless the Secretary determines that such member does not have sufficient ability, knowledge, experience, and judgment to enable him to manage his business affairs, including the administration, use, investment, and disposition of any property turned over to such member and the income and proceeds therefrom, with such reasonable degree of prudence and wisdom as will be apt to prevent him from losing such property or the benefits thereof: *Provided further,* That every trust created for any minor member of the tribe under this section shall contain a provision requiring the trustee to continue the trust after the minor reaches the age of majority under the laws of the State of his residence until the trustee can make a finding in accordance with the terms of the trust with respect to the need of such person for assistance in conducting his affairs: *Provided, however,* That any member determined by the Secretary or the trustee to be in need of assistance in conducting his affairs may, within one hundred and twenty days after receipt of written notice of such determination, contest the determination in any naturalization court for the area in which said member resides by filing therein a petition having that purpose; the burden shall thereupon devolve upon the Secretary or the trustee to show cause why such member should not conduct his own affairs, and the decision of such court shall be final and conclusive with respect to the affected member's conduct of his affairs.

SEC. 15. Pending the completion of the property dispositions provided for in this Act, the funds now on deposit, or hereafter deposited, in the United States Treasury to the credit of the tribes shall be available for advance to the tribes, or for expenditure, for such purposes as may be designated by the governing body of the tribes and approved by the Secretary.

SEC. 16. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this Act, or to establish a marketable and recordable title to any property disposed of pursuant to this Act.

SEC. 17. (a) Upon removal of Federal restrictions on the property of the tribes and individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribes and their members has terminated. Thereafter individual members of the tribes shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians and, except as otherwise provided in this Act, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the tribes and their members, and the laws of the several States shall apply to the tribes and their members in the same manner as they apply to other citizens or persons within their jurisdiction: *Provided,* That the Secretary is authorized to continue beyond the date of said proclamation to exercise functions and authorities essential to the completion of the termination of Federal responsibilities under this Act, including but not limited to the probate of trust or restricted estates of deceased Indians, and the administration to their completion of contracts for the education program authorized by section 26 hereof, it being the intent of this proviso to authorize the Secretary to complete as speedily as possible all of the actions required under existing law and under the provisions of this statute in order to complete the Federal obligations authorized to be acomplished by this Act.

(b) Nothing in this Act shall affect the status of the members of the tribes as citizens of the United States.

SEC. 18. Effective on the date of the proclamation provided for in section 17 of this Act, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribes are hereby terminated. Any powers conferred upon the tribes by such constitution which are inconsistent with the provisions of this Act are hereby terminated. Such termination shall not affect the power of the tribes to take any action under their constitution and bylaws that is consistent with this Act without the participation of the Secretary or other officer of the United States.

SEC. 19. The Secretary is hereby authorized and directed to transfer title to cemeteries within the Colville Reservation to any organization authorized by the tribes and approved by him. In the event such an organization is not formed by the tribes within eighteen months following the date this section becomes effective, the Secretary is directed to perfect the organization of a nonprofit entity empowered to accept title and maintain said cemeteries.

SEC. 20. The Secretary is authorized to set off against any indebtedness payable to the tribes or to the United States by any individual member of the tribes or payable to the United States by the tribes any funds payable to such individual or tribes under this Act and to deposit the amounts set off to the credit of the tribes or the United States, as the case may be.

SEC. 21. Nothing contained in this Act shall deprive the tribes or their constituent parts of any right, privilege, or benefit granted by the Act of August 13, 1946 (60 Stat. 1049). The governing body of the tribes as recognized by the Secretary is authorized to reserve from distribution, with the approval of the Secretary, adequate tribal funds to defray the cost of prosecuting tribal claims against the United States and the Secretary is authorized to continue supervision of such funds. Any balance remaining after such litigation has been concluded shall be distributed among all members whose names appear on the final roll, or their successors in interest.

SEC. 22. Nothing in this Act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency and may transfer such functions, in whole or in part, to a State agency with the consent of such agency and the other party or parties to such instrument.

SEC. 23. The Secretary is authorized to issue rules or regulations necessary to effectuate the purposes of this Act, and may in his discretion provide for tribal referendums on matters pertaining to management or disposition of tribal assets.

SEC. 24. All Acts or parts of Acts inconsistent with this Act are hereby repealed insofar as they affect the tribes or their members.

SEC. 25. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 26. Prior to the issuance of a proclamation in accordance with the provisions of section 17 of this Act, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribes to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

SEC. 27. Effective on the date a majority of the number of the adult members of the tribes voting in a referendum approve a termination of Federal supervision, the Secretary of Health, Education, and Welfare is authorized and directed (a) to conduct such studies as are necessary to determine present and anticipated health needs of members of the tribes and the resources that are available to meet them; (b) to work with appropriate State and local agencies and with the tribes for the purpose of arranging for participation by the tribes and their members in comprehensive health care programs, including, but not limited to, private voluntary health benefits plans, group insurance policies or contracts, or similar group arrangements provided by carriers; (c) to develop plans and make arrangements for the orderly assumption of financial responsibility by the tribes and their members, the State and the localities involved, in accordance with their respective abilities, with respect to environmental and preventive health services now authorized under the Act of August 5, 1954 (68 Stat. 674); and (d) to assure to the extent practicable, that adequate sanitation facilities (as described in section 7 of such Act) are provided on the reservation prior to the date on which a proclamation in accordance with the provisions of section 17 of this Act is issued.

SEC. 28. Nothing in this Act shall affect the authority to make timber sales, issue grazing permits, lease lands, and other routine management activities otherwise authorized by law prior to the termination of Federal control over such timber and other natural resources. If title to any of the lands comprising the Colville Indian forest is purchased by the United States, the administration of any outstanding timber sales contracts thereon entered into by the Secretary of the Interior as trustee for the tribes shall be administered by the Secretary of Agriculture.

SEC. 29. All sales of tribal lands pursuant to this Act on which roads are located shall be made subject to the right of the United States and its assigns to maintain and use such roads.

SEC. 30. Any person whose name appears on the final roll of the tribes who has, since July 24, 1961, continuously resided on any forest lands purchased by the United States by this Act shall be entitled to occupy and use as a homesite for his lifetime a reasonable acreage of such lands as determined by the Secretary of Agriculture, subject to such regulations as the Secretary of Agriculture may issue to safeguard the administration of the national forest.

SEC. 31. There are hereby authorized to be appropriated such amounts of funds as may be necessary to carry out the provisions of this Act, to remain available until expended.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 537), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 282 is to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof.

BACKGROUND

Section 5 of Public Law 772, 84th Congress (70 Stat. 626), provided that:

The Business Council of the Confederated Tribes of the Colville Reservation shall, in accordance with Resolution Numbered 1955–33, dated April 8, 1955, of the Colville Business Council, submit to the Secretary of the Interior within five years from the date of enactment of this Act proposed legislation providing for the termination of Federal supervision over the property and affairs of the Confederated Tribes and their members within a reasonable time after the submission of such proposed legislation.

In compliance with the 1956 act, the tribal business council submitted proposed legislation providing for a two-stage termination program. That proposal was introduced in the 88th Congress as S. 1442.

In late October 1963, the then chairman of the Subcommittee on Indian Affairs, Senator Church, of Idaho, held hearings on S. 1442 at Spokane, Nespelem, and Seattle, Wash. Officials representing the tribal business council, and various organizations of Colville Indians, as well as individual Indians, and county and State officials gave testimony on and suggested amendments to S. 1442. The vast majority of those appearing to testify did not support S. 1442, but recommended a one-step termination process that would result in ending trusteeship at the earliest possible date.

Subsequently, S. 1442 was amended to provide for a referendum on the question of termination and would, if approved by a majority of the Indians, set into motion a terminal program patterned after the act of August 13, 1954, as amended, affecting the Klamath Tribe of Oregon. S. 1442 passed the Senate on August 18, 1964. However, due to the lateness of the session, it was not possible for the bill to be acted on by the House.

On January 12, 1965, the tribal business council by Resolution 1965–1 requested the reintroduction of S. 1442 with certain proposed amendments. Senator Jackson introduced that proposal, S. 1413, as requested by the council.

On April 5 and 6, 1965, following the receipt of executive department reports on S. 1413, the Subcommittee on Indian Affairs conducted hearings on the bill. Spokesmen for the tribal business council, representing the majority who support termination legislation, and minority members who oppose the bill, as well as representatives of the Colville Indian Association, the petitioners party, and individual tribal members, gave their testimony. Officials from the Department of the Interior were also heard. The printed hearings were distributed to members of the tribe. The bill was amended and passed the Senate on July 22, 1965. The House did not take favorable action during the remainder of the 89th Congress.

By Resolution 1966–379, the Colville Tribal Business Council requested the reintroduction of S. 1413 as previously amended and passed by the Senate. Senators Jackson and Magnuson have sponsored S. 282, as requested by the business council.

On June 8, 1967, the Indian Affairs Subcommittee held hearings on S. 282, at which representatives from all groups and factions within the tribe, and Interior Department witnesses again testified. These printed hearings have been widely distributed to tribal members.

NEED

The committee believes that a large majority of Colville Indians want to dissolve the tribal entity and dispose of their assets. In recent tribal elections, candidates running on the termination issue have been elected, increasing the total number of councilmen supporting this course, further evidencing the desire of most members for complete termination. It is believed that these Indians should have the opportunity to express themselves on the question of termination, and S. 282, as reported, would assure this opportunity by providing for a referendum, at which a majority of the adult members voting would determine if Federal supervision and control of these tribes would be brought to an end.

S. 282 has been amended by incorporating several proposed clarifying and perfecting changes suggested by the executive agencies. It is believed that these amendments further strengthen the legislation and will aid in avoiding the problems encountered in earlier termination acts.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar, beginning with "New reports."

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. RANDOLPH, from the Committee on Public Works:

Harold C. Jordahl, Jr., of Wisconsin, to be alternate Federal Cochairman of the Upper Great Lakes Regional Commission; and

Brig. Gen. Willard Roper, U.S. Army, to be a member of the Mississippi River Commission.

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

One hundred and sixty-eight postmaster nominations.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar, beginning with "New reports."

DEPARTMENT OF STATE

The legislative clerk read the nomination of Edward M. Korry, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Chile.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

INTERNATIONAL MONETARY FUND

The legislative clerk read the nomination of William B. Dale, of Maryland, to be U.S. Executive Director of the International Monetary Fund.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The legislative clerk read the nomination of Livingston T. Merchant, of the District of Columbia, to be U.S. Executive Director of the International Bank for Reconstruction and Development.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

U.S. ADVISORY COMMISSION ON INTERNATIONAL, EDUCATIONAL, AND CULTURAL AFFAIRS

The legislative clerk proceeded to read sundry nominations in the U.S. Advisory Commission on International, Educational, and Cultural Affairs.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The **PRESIDENT** pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NATIONAL LIBRARY OF MEDICINE

The legislative clerk proceeded to read sundry nominations to the Board of Regents, National Library of Medicine, Public Health Service.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The **PRESIDENT** pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

RAILROAD RETIREMENT BOARD

The legislative clerk read the nomination of Howard William Habermeyer, of Illinois, to be a member of the Railroad Retirement Board.

The **PRESIDENT** pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

PROGRAM—ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is anticipated that the distinguished Senator from Louisiana [Mr. LONG] will call up the conference report on S. 16, dealing with veterans pensions. According to the information I have, there will be a rollcall vote on the conference report.

I ask unanimous consent that at the conclusion of the transaction of routine morning business, Calendar No. 486, S. 1688, the Inter-American Development Bank bill, be laid before the Senate and made the pending business at that time.

The **PRESIDING OFFICER** (Mr. LAUSCHE in the chair). Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. I thank the distinguished Senator from Iowa for yielding to me.

THE REPUBLICAN PARTY AND THE WAR IN VIETNAM

Mr. MILLER. Mr. President, in recent days a number of statements have been made by prominent members of the Republican Party relating to the war in Vietnam. Depending on their viewpoint, some columnists and editorialists have seized upon these statements as evidence of the position or direction in which the Republican Party is moving with respect to the commitment of the United States in Vietnam and the conduct of the war by the President.

Some of my colleagues have advocated a cessation of the bombing of military targets in North Vietnam. Others have advocated—not more bombing, as some superficial interpreters would have the public believe, but bombing of more meaningful military targets heretofore long recommended by our military leaders and less bombing of the less meaningful targets. None of them speaks for the Republican Party as a whole any more than I do. Their statements represent individual or small group positions which may or may not represent the consensus of the party when it goes before the electorate in 1968 following its national convention in Miami.

But I think it well to attempt to put some of these statements in perspective. Unless this is done—unless the consensus of the Republican Party is made clear—the electorate is going to be confused. The voters may conclude that there is no real difference between the two major parties or between their respective candidates for President who, as Commander in Chief of our Armed Forces, will lead this country to victory, to defeat, or to stalemate.

There appears to be little difference between the consensus of the Republican Party and the consensus of the Democratic Party with respect to our overall policy toward South Vietnam. Republican Senators and Democratic Senators joined together 82 to 1 in 1955 to ratify the SEATO Treaty, which establishes the legal commitment of the United States to help South Vietnam, as a protocol state, resist aggression from North Vietnam. On August 7, 1964, Republican and Democratic Members of the entire Congress joined in adopting the Southeast Asia resolution, with only two dissenting votes. It is clear from the record that the overwhelming consensus of both parties is that the word of the United States, the commitment of the United States, should be upheld.

This is not to say there is agreement over whether the miscalculation of North Vietnam which led to our involvement could have been avoided. There are many who believe that irresolute leadership on the part of the United States following North Vietnam's violation of the Geneva accord of 1962 on Laos laid a foundation for this miscalculation; and that this was compounded by the 1964 presidential campaign statement of President Johnson to the effect that American boys would not be sent to Vietnam to fight Asian boys' battles. The statement by Secretary of State Acheson in January 1950 before the National Press Club that the "defensive perimeter runs from the Ryukyus to the Philippine Islands" placed the U.S. Pacific defense perimeter east of Korea and has often been said to have laid the foundation for the miscalculation of North Korea which led to the Korean war a few months later.

The statements and policies of any administration and its leadership which may have led to miscalculation and war are entirely proper subjects for the voters to consider in choosing to continue or change an administration. And this is not inconsistent with the May 2 statement by Senate Republican Leader DIRKSEN:

> Preserving wholly our right to full and fair inquiry and criticism, we reiterate our wholehearted support of the Commander-in-Chief of our Armed Forces.

The U.S. commitment in Vietnam, of course, rests on the assumption that the Government of South Vietnam will take all reasonable measures to resist the aggression and will call upon the signatory nations of the SEATO Treaty for only that assistance which is needed by a nation which is willing to help itself. Over 50,000 members of the Army of South Vietnam killed in action, 12,000 civilians killed or assassinated, and another 40,000 civilians kidnaped by the Vietcong bear tragic testimony to this willingness.

Much interest is being centered on the manner in which the elections are being conducted, and, quite correctly, the United States expects that they will permit an expression of the free will of the people to the maximum extent possible considering the wartime circumstances and state of development of the country. But it would be most naive and unfair to seize upon understandable shortcomings of the South Vietnamese Government as an excuse for the United States to renege on its commitment.

One of the strategies of North Vietnam is to bring about these very shortcomings in the hope that they will result in a pullout by the United States, whose people have become tired and frustrated by the prolongation of the war. This is why the Vietcong seek to interfere with the elections by threatening and terrorizing those who would vote or serve as candidates. They realize there are people in the United States who expect the elections to be conducted according to a standard of conduct that even elections in parts of the United States could not meet. They hope that charges of vote fraud, even though unsubstantiated, will turn Americans away from support of the war.

Columnists Evans and Novak, in their article entitled "Debunking the Vote Fraud," which appeared in the August 16 issue of the Washington Post, point to a recent report of our Ambassador, Ellsworth Bunker, rebutting charges of campaign discrimination and sabotage which have been appearing in the press. In the same issue, columnist Roscoe Drummond suggests that it would be more fair, more wise, and more mature for the critics to measure the Vietnamese election not against some standard of theoretical perfection but against the flaws and shortcomings of actual American political practices; and columnist William White sharply criticizes the critics who seem to have "predetermined the case" notwithstanding factual information "patiently supplied by Americans on the ground in South Vietnam."

In my speech to the Senate on June 12, I pointed out that the manner in which the elections are held is of equal importance to their outcome, so I fully appreciate the necessity for the officials of the present government to take all reasonable precautions, taking into consideration the wartime conditions which exist. But I must warn that we should be exceedingly careful to not play into the hands of Communist propaganda and subversion, which are already apparently having an impact on some people in this country who overlook the fact that no elections whatsoever are being held in North Vietnam.

Mr. President, I have received a copy of the letter from Premier Ky addressed to the Vice President on this subject. This communication has been reported in this morning's newspapers. I would like to read what he had to say. The letter is dated August 21, 1967.

August 21, 1967.

Hon. Hubert H. Humphrey,
Vice President of the United States, and President of the Senate.

Dear Mr. Vice President: I take the liberty to write you at a time when the events in my country occasion passionate debates in the Congress of the United States. Since the American and Vietnamese nations are together defending freedom, and are consenting to tremendous sacrifices, I deem it my duty to affirm again the principles which command the conduct of national affairs by my Government.

The defense of freedom in Viet Nam requires more than our joint efforts at war, it involves first and foremost our mutual commitment to the achievement of democracy and social justice. Should we stray from that basic commitment, or should you misconstrue our purposes, our alliance would indeed be in jeopardy.

As my Government is nearing the completion of its term of duty, I sincerely feel that we have dispatched our task with honesty and effectiveness under most difficult circumstances. I take special pride in the fact that we have successfully started the course toward democracy and equality for a society which was imprisoned within the deep walls of feudalism, corruption and intolerable social discrepancies. In spite of war, subversion and several grave crises, my Government has undertaken to organize five nationwide elections of vital importance within about a year's time: elections for the Constituent Assembly in September 1966, elections for hamlet and village administration in April–May 1967, presidential and senatorial elections next September, and elections for the Lower House next October. I do not know of any better way to warrant our determination to stay the course toward democracy. For it would be proper for all concerned to acknowledge the painful dilemma of our nation, torn between the dream to attain the integrity of democratic life and the necessity to fight for survival. We have lost many of our people, our soldiers, our cadremen in the past elections, and undoubtedly we shall lose many more in the coming weeks; we must devote a great deal of resources to the exercise of democracy which are badly needed on the battlefield; we run the risk of subversion and division at a time when the nation must unite in the face of the enemy. Yet we have all accepted the challenge without a shadow of reluctance.

It seems cruel irony that some of our friends chose this very moment to voice doubt on our sincerity.

Perhaps the fact that my Government includes officers of the armed forces leads to misgivings, for I know of the inherent distrust toward military government in the advanced societies. But in our present historical context, the Vietnamese Armed Forces are of a very particular nature: 700,000 of our young men are under arms in a nation of 15 million people. Our Armed Forces are not composed of militarists or people inclined to the use of force or violence, but of all generations of Vietnamese within the age of offering the fullest measure of service to their imperiled fatherland. They are the present and the future of our nation.

Furthermore, my Government did not seize power; it was a civilian government which, unable to resolve instability and division, passed on to the Armed Forces the burden of preserving the nation from collapsing. We then formed a mixed team of civilian and military leaders, decided that our term of duty was to be a transitional one, and set out to establish the very rapid timetable for the advent of representative government. We are now reaching the final stage of that timetable.

Of course, two years is a very short period of time. We are convinced that we have engaged our country on the right path, but we are also aware that the tasks which we have begun, such as rural development, reorganization of the administration and of the army, reinforcement of the national economy, need to be continued. That is why, in good conscience, we deem it our duty to run for offices in due democratic process. We hope that the people of Viet Nam will entrust us with further responsibilities on the basis of our past performances. But should the people decide otherwise, we shall readily accept their verdict.

I am particularly sad to hear accusations that the Vietnamese Armed Forces will resort to coups in the event the election returns should be unfavorable to us. We have devoted the finest hours of the past two years to bringing about the first democratic institutions in our country, we shall not be the ones to destroy them. I have repeatedly warned our soldiers, our civil servants, our cadremen against rigging the elections in any manner, for I think that dishonest elections would deprive our country of democracy for a long period of time. In 1963, the people and the army overthrew a dictatorial government which was issued from dishonest elections.

That a few press correspondents should misquote my word of caution against unfair elections and make it sound like a threat of coup was, after all understandable. But for a moment, I felt very discouraged to see some of the best friends of my country give credence to those inaccurate reports. Time and again I have proved that I am capable of placing the interest of our nation above all possible personal ambition; the decision I made on the 30th of June to withdraw from the presidential race and to seek the vice presidency instead was another instance of my sincerity.

I see therefore no reason for attributing to ill faith on the part of my Government the difficulties that the candidates may encounter in their campaigning. My country is short on physical facilities, several of our airfields are still unsafe, and the wind blows where it may. In my opinion, a dignified attitude for those among us who ambition to be public servants by popular choice should be to endure those misfortunes and persevere in seeking the support of the electorate, and not to display resentment against the adverse conditions which prevail for our entire people. In the meanwhile, I am satisfied that our Government has done its very best to give all candidates a fair share of the means for campaigning. The same amount of money is allotted to all tickets. The government television and radio allow equal time to all candidates in direct broadcast, and anybody in Viet Nam can testify that those means are used at their fullest capacity by our opponents. The Vietnamese press is free, and, in part, quite virulently anti-governmental. On the other hand, the foreign press is at full liberty to cover the campaign and the forthcoming elections.

If by the standards of a country with a long experience in the exercise of democracy, and free from the predicaments of war and underdevelopment, our election still present serious shortcomings, I am the first Vietnamese to deplore that situation. But I can say without any doubt in my conscience that my Government does not deserve any lesson in honesty and patriotism from any quarter

I am afraid that persistent criticism without substantiated evidence on the part of some prominent American figures may, in the long run, impair the harmony of our joint efforts. The Vietnamese are a proud people; they will accept any amount of tribulations and sufferings, but their dead count as much as the dead from all the friendly lands, and they will admit no discrimination in all the men's supreme tribute to freedom and human dignity.

I see an urgent need, Mr. President, for all of us to keep an appropriate perspective in the partnership between nations, large and small, which are in pursuit of a common ideal, for intemperate reliance upon the physical scale of strength would be the negation of that very ideal.

Mr. President, may I ask you to convey my letter to all the distinguished members of the Senate of the United States.

I stand in profound respect for the great traditions of democracy and justice embodied in your institutions. I greatly value the support of the Congress of the United States for the cause of Viet Nam, and I am always ready to discuss in total candor with the distinguished Senators who wish to further examine the developments concerning the common endeavor of our two nations.

Sincerely yours,
Air Vice Marshal Nguyen Cao Ky.

As I pointed out in the January 23 issue of U.S. News & World Report, I doubt that the American people will tolerate an unduly prolonged war. Over the past year and a half, more and more people have begun to suspect that our bombing effort in North Vietnam has failed to bring the war dramatically nearer a conclusion—not because of the failure of our air and sea power, but because of the failure of the administration in its conduct of the war to permit our air and sea power to be used against many highly significant military targets. The speech of the minority leader of the House of Representatives on August 8, resting as it does on factual information, has confirmed this suspicion.

The Secretary of Defense in his comments on the minority leader's speech was quoted as saying that the speech ignores the basic objectives of the air campaign against North Vietnam not to waste American lives needlessly on targets that do not contribute significantly to the North Vietnamese war effort. Does the Secretary really think the American people believe that the port at Haiphong, through which each month nearly a hundred thousand tons of petroleum, heavy weapons, equipment, and supplies have been flowing to feed the war effort of North Vietnam, does not "contribute significantly to the North Vietnamese war effort"? Does he think the American people do not believe that the Doumer Bridge in Hanoi and the rail yards 10 miles below the Red Chinese border, both of which were struck by our planes since the House minority leader's speech, have not been contributing significantly to the North Vietnamese war effort? If they have not, then why, indeed, were the latter two targets struck? And is it not significant that former President Eisenhower, a great military leader in his own right, publicly supported these latest strikes on military targets in the north?

Airfields in North Vietnam supporting Mig fighter attacks on our planes have not yet been struck. Operations from one or more of these fields caused two of our Navy bombers, striking targets near Hanoi on Monday, to stray over Red China and be shot down in their efforts to elude the faster Mig fighters. If these airfields had been destroyed, another incident involving Red China would have been avoided and four Navy airmen and two planes would not have been lost.

The Secretary of Defense also said that other basic objectives of the air campaign are "not to take actions which would broaden the war, to bring in additional combatants at the cost of countless American lives, to avoid unnecessary devastation and civilian casualties in North Vietnam." If there are military targets in civilian populated areas, appropriate warnings by radio or dropped leaflets could be furnished stating that these targets were subject to attack and that civilians should leave the area.

Nor do I know of any military leader in the Pentagon or in the field, or any Member of Congress, who wishes to see the war widened by the Soviet Union or Red China coming into the war more than they have already. If the leaders in Moscow and Peiping are convinced that such action would cause them to pay too high a price, they will not come in—even though a few editorial alarmists say they will—although there may be all kinds of dire threats calculated to deter our targeting effort.

An example of the type of threatening language we can expect has been revealed following the shooting down over Red China of two of our Navy bombers. Peking termed the incident a "blatant provocation" said that our attacks on new military targets was a "grave escalation" of the war, and obliquely hinted at a repetition of the Korean war.

Reaction from some quarters in the United States portrays a picture of hand wringing and great anxiety. The suggestion has even been made that we will not hit military targets in the 30-mile buffer zone anymore—that is, the area of North Vietnam within 30 miles of the Red Chinese border. It is just such a response which could invite the Red Chinese leaders to miscalculate and, assuming weakness and irresoluteness on the part of the United States, think that their greater involvement in the war would not be followed by disaster for them, because we would return to the "privileged sanctuary" doctrine of the Korean war.

There is a risk that these leaders will not be convinced of the willpower of the United States to make them pay too high a price for greater intervention in the war. There is, indeed, a risk that, if the war continues at its present pace and eventually North Vietnam is unable to sustain its military operations in the south, Red China will come into the war in pursuit of her statement that she will not permit North Vietnam to be defeated militarily. But these are all risks which were assumed, or certainly should have been assumed, when the first American combat troops were sent to South Vietnam; and they are risks, moreover, which our military leaders regard as highly improbable.

Until the Korean war, there never was a time in our Nation's history when an American soldier was committed to battle that he did not have the assurance that he would be sustained and protected by all of our military power. When this policy was abandoned by the "privileged sanctuary" doctrine, as applied to military targets beyond the Yalu River, the American and United Nations forces were deprived of a victory, and a hostile stalemate has continued ever since.

A great many patriotic Americans stand in abhorrence of the thought that the hostile Korean stalemate may be repeated in Vietnam. And as the weekly casualty reports continue to add to our tragic toll—over 12,000 killed and 76,000 wounded so far, including 7,700 killed in the last 12 months—more patriotic Americans are expressing the view that if the administration is unwilling, in the name of "restraint"—whatever that means—to take the risks which should have been assumed when we first became involved in combat operations in South Vietnam, and if because of this unwillingness the war is going to be a prolonged war, then we should get out. Either of these alternatives involves a disaster—a disaster in the form of more and more casualties to our American fighting men and those of our allies if the war is prolonged, or a disaster to the United States and the free world because the United States has not made good on its word and pulled into a shell of isolationism. If I correctly judge the mood of the American people, they are rapidly coming to the conclusion that the disaster of more and more casualties from an unduly prolonged war is the greater.

But I cannot believe that the American people think it is right to be placed in a position of having to make such a miserable choice. To them it seems unthinkable that the most powerful nation in the world must settle for such a choice. However, the conduct of the war by this administration is swiftly moving them to make it.

In this climate of public opinion, a few Republicans are making overtures to the voters by suggesting "disengagement" of the United States from the war in Vietnam with a "modicum of embarrassment." If this idea is pursued, they could nominate for President on the Republican ticket a candidate who offers the American people the choice of the disaster of pulling out of Vietnam without achieving our objectives—reneging on our commitment, letting the Communist wars of so-called national liberation succeed, permitting Southeast Asia to fall to the Communist world, intensifying the danger to the Philippines, Korea, Australia, New Zealand, Taiwan, India, and Pakistan; not to mention encouraging Castro Communist revolutions in Latin America, and destroying the confidence of freedom-loving peoples everywhere in the integrity of the United States.

This choice would be juxtaposed against a choice seemingly to be offered by the administration in the form of the disaster of more and more casualties due to a prolonged war, involving more and more of our ground forces, while at the same time living up to our commitment. Such a disaster would be justified by scaring the people into a belief that shortening the war by making full use of the conventional capability of our air and sea power would widen the war, because Red China or the Soviet Union would come into the war more than they have already. This would imply, of course, that the leadership of the United States was unable to convince the leaders of these countries that such action on their part would be most unprofitable to them.

A Republican Party offer of the disaster of pulling out before achieving our objectives would be fraught with peril to this country's future and to the future of the free world; and it would be perilous to the future of the Republican Party. It might be attempted in the name of a Republican Peace Party, but these would be false colors because it would be a "peace-at-any-price" party. It would repudiate a basic principle of the Republican Party, which characterized 8 years of peace during the Eisenhower administration—that the only way to meet the dangers of Communist aggression is through firm and resolute—not belligerent—policies and actions, the kind which have not, I regret to say, characterized the administration since 1960, except for a brief period at the time of the Cuban missile crisis.

Mr. President, I hope and pray the American people will not have to make such a choice. I pray that Frank Trager, professor of international affairs of New York University, is right in his optimistic view that the clash of regular armies could end before the close of 1967—in the July issue of the American Legion magazine. I hope the President will assume the risks, which should have been assumed when the first American combat soldiers were sent to South Vietnam, and use our air and sea power to its fullest effectiveness in order to shorten the war, hold down our casualties, and make our word good. But if this is not done—and for too long it has not been done—the Republican Party has a responsibility to offer the American people a better choice than an ignominious withdrawal and a Communist victory. It has a responsibility to offer to shorten the war and live up to our commitment—to uphold that commitment in the face of Communist aggression, and to avoid needless casualties by supporting our fighting men with the maximum use of our air and sea power.

This does not mean more bombing. It means less bombing of targets of relatively little military significance and bombing of targets with maximum military significance. It does not mean killing more North Vietnamese civilians. Appropriate warnings can be given to satisfy our moral responsibility on this point. It does not mean invading North Vietnam and thereby risking a parallel to the Korean war. It does not mean a wider war, because resolute leadership, backed by our economic and military power, is capable of convincing the Soviet Union and Red China that it will be a disaster for them to come further into the war.

At the same time, the choice the Republican Party should offer must include the willingness and imagination to explore every reasonable avenue to settlement of the conflict by peaceful means—at the conference table. This does not imply settlement of the kind which would permit Communist aggression to pay off, but settlement on the basis of the minimal objectives outlined by the President—with North Vietnam permitted to retain its territorial integrity and South Vietnam being left alone to settle its own destiny, free from force, violence, and terror directed, supplied, and controlled from the north and free from invasion of troops from the north. And in our exploration of the avenue for peaceful settlement, more encouragement should be furnished continued meetings and initiatives of the All-Asian Peace Conference, which I recommended in my Senate speech of February 25 last year and which was formally proposed by Thailand's Foreign Minister Thanat Khoman in early August last year.

The economic, political, and psychological influence the members of the Conference can bring, individually and collectively, upon North Vietnam's will to continue its aggression, has a great potential in bringing a just and lasting peace to Southeast Asia. Last June, 10 Asian nations met in Seoul, Korea, ostensibly for economic cooperation. They consented to let President Park of South Korea, in his role as President of the Conference, issue a political communique, endorsing both the American and South Korean position in Vietnam. Japan did not put its name to the communique, but it did not say "No" either. And as the allied position improves in South Vietnam, Japan can be expected to assume great leadership in the cause of peace and resistance to aggression.

Election of a Republican President in 1968 with a purposefulness in keeping with our party's traditions would destroy any hope of Hanoi that a change in administrations would relax our commitment. This fact alone could shorten the war and further the cause of a peaceful settlement.

The most knowledgeable reports I have seen from Vietnam indicate that the war is going badly for the North Vietnamese and the Vietcong. At such a time, one could expect the Communist psychological warfare to be intensified—for this offers the only possible means of defeating the allies. The American people are being fed suggestions of a stalemate and the illusion that a unilateral cessation of the use of our air and sea power on military targets in the north is the avenue to a peaceful settlement. But it is this very activity, our bombing program in the north, which limits the level of supplies and, therefore, the numbers of North Vietnamese and guerrilla forces which can be sustained for combat against our forces in South Vietnam.

Any allied leader of troops in South Vietnam would term it a "disaster" to withhold our pressure upon the logistics operations of the north, for this would lead to far more casualities to our own forces; and, instead, for 2 years the plea has been to increase this pressure.

In his testimony before the Preparedness Investigating Subcommittee of the Committee on Armed Services yesterday, the Chief of Staff of the Air Force pointed out that had it not been for our air activity over North Vietnam, we could well have required 1,300,000 ground-force troops in South Vietnam, instead of the number we now have there; and the number of casualties from such an enlarged war can well be imagined.

Once North Vietnam ceases and desists from directing, controlling, and supplying the Vietcong in the south—one of our minimal objectives in the war—the backbone of the guerrilla infrastructure in the south will be broken, the Army of South Vietnam can steadily take over responsibility for providing security—although not necessarily within the 6-month period provided by the Manila Declaration—and pacification can move rapidly forward. I do not say that the pacification program cannot make progress unless North Vietnam leaves its neighbor alone. But victory against North Vietnamese aggression is essential if the people of South Vietnam are to have confidence in their government. Without such confidence, pacification will continue to be most difficult and take far longer—and this means a greater cost in human lives and suffering to the people.

Mr. President, there has never been a war which was so intensely covered by the press. With literally hundreds of individuals writing about various aspects of the war, the pacification program, and, indeed, every aspect of life in South Vietnam, it is to be expected that personal views of the writers and reporters will creep into their stories bearing the dateline, "Saigon." Some commentators and columnists, in turn, rest their efforts on some of these stories because they have not had the opportunity to visit South Vietnam.

Some of the stories represent a quick visit to Saigon which, though important, does not provide the perspective gained from close, personal observation in the field, such as I fortunately had the opportunity to have. The net result is that many conscientious Americans are confused, and the confusion is compounded when some Members of Congress, who have access to classified and generally accurate information, express sharply different views on the war.

This, I suppose, is one of the prices that citizens must pay for the blessing of liberty. All I can do is do my best to present the picture as I see it, resting my judgment on the most reliable information available to me, the opinion of experts in whom I have confidence, and my own experience and observations. I hope that what I have said will be of benefit to my country, first, and to my party, second.

IOWA RADIO AND TELEVISION STATIONS EXERCISE LAUDABLE RESTRAINT

Mr. MILLER. Mr. President, on the last weekend of July, rumors were rife throughout the Nation of impending racial strife.

If there was any time in which restraint was demanded of the news media to avoid inflaming the public even more, it was that weekend.

To the credit of most news media, enough restraint was shown that this rumor was not picked up and broadcast as a fact. In other words, the news media, for the most part, demonstrated adherence to a high standard of ethics.

The WMT stations in Cedar Rapids, Iowa, were among the responsible radio and television stations displaying sound judgment by declining to add their voices to the rumormongers.

On August 2, WMT stations broadcast an editorial which shed some background on that tension-ridden weekend. It is an example of responsibility and self-control which should be practiced by all the news media.

I ask unanimous consent that the broadcast editorial, entitled "Rumors" be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[A WMT stations editorial, Aug. 2, 1967]

RUMORS

During World War Two, when propaganda was considered a potent weapon by both sides, the Office of War Information made a careful study of rumors . . . how they start and how they could be effectively dealt with. They discovered one thing for sure. No matter how false or ridiculous a rumor may be, you can't stop it by denying it. Usually, it has just the opposite effect. That's why this station and other responsible media refused to deny or even recognize the existence of the wild rumors which swept Cedar Rapids and other Iowa cities last weekend. The lunacy, in fact, was nationwide. The same idiotic stories that circulated here were being repeated throughout the country.

We can tell you now that these completely false rumors about impending racial strife in Cedar Rapids almost reached explosive proportions. WMT and other stations received hundreds of phone calls—ranging from rational requests for information to hysterical diatribes. Sporting goods stores sold more guns and ammunition than at the height of the hunting season . . . and the sales were made to white men. The City of Cedar Rapids was forced to spend more than five thousand dollars in overtime pay to reinforce the police and fire departments against the threat of trigger-happy whites, inflamed by nothing but completely false rumors, too absurb to repeat. The Iowa Highway Patrol, police and sheriff's offices across the state had to do likewise.

Law enforcement agencies have no choice but to be prepared for any emergency . . . and to hope that emergency never materializes. And of course it didn't. The only arrests were four irresponsible teenagers hoping to stir up some excitement in a car equipped with a homemade arsenal. The conclusions are obvious and painful.

In the words of today's youth, we lost our cool.

If a fabric of completely false rumors can whip up something approaching mass hysteria, how would me react in the face of a real emergency? Democracy, more than any other form of government, requires responsibility and self-control by its citizens. The threats to our free society are apt to increase rather than decrease in the years ahead. Our survival demands that we learn how to keep our cool.

THE LIMITING FACTOR

Mr. MILLER. Mr. President, in today's Wall Street Journal, the lead editorial, entitled "The Limiting Factor," exemplifies once again the sound and perceptive economic principles and writings of that great newspaper.

Commenting on the tax increase proposed by the President, it points out:

> There is one economic argument for the tax increase, however. It could be argued that the lesser evil is to risk the sharp but temporary pain of a recession rather than accept the virtual certainty that the deficit will bring the more permanent debilitating effects of sharp inflation.

This is another way of expressing an idea I brought out in a speech a few weeks ago, when I said that it appears we are headed either for recession or depression. A tax increase and a reduction in domestic spending could result in a recession; but if we continue to have multi-billion dollar deficits and the inflation and high interest rates which such deficits inevitably bring with them, we will have a depression, and in my book, the choice is quite obvious. It may be serious and painful, but a recession is far, far better than a depression.

The editorial also points out what I and many others have been pointing out for a long time—the need for the administration to establish priorities in domestic spending, rather than trying to do everything at once. The failure of the administration and its leadership in Congress to establish and act according to such priorities is one of the major reasons for the critical economic situation facing the country today.

Mr. President, I ask unanimous consent that this splendid editorial, entitled "The Limiting Factor" and published in the Wall Street Journal of August 23, 1967, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE LIMITING FACTOR

The Administration is having a tough time selling its surcharge proposals and its discomfiture nicely underlines certain economic truths.

Back in 1960, remember, all the talk was of the need to "get this country moving again." The complaint was that while the nation was growing economically, it was not growing fast enough. Part of the cure, as prescribed by two Democratic Presidents, was to cut taxes.

No one can quarrel much with the high premium placed on growth, although it sometimes seems excessively prized. Without the wealth and jobs an expanding economy creates, the nation can have little hope of attaining many of its other goals. Most especially it cannot hope to effectively combat poverty.

What's more, the tax cut the Presidents proposed did succeed in speeding the growth rate. This success was widely credited to the "new economics," but that brand of alchemy has not produced much gold since. The stodgy old economics had long argued that oppressive tax rates hinder growth, and that is the truth which seems reinforced by experience in the 1960s.

Now the Administration comes to tell us that taxes must go up again. It is true, of course, that low taxes are not the only ingredient necessary for growth. Reasonably stable prices, which allow long-range business planning, are perhaps even more necessary. And price stability, already queasy, could get quite sick indeed in the face of a $29 billion Federal deficit.

The Administration argues that business today could stand higher taxes without harm, but that conclusion stirs doubt even in citadels of the new economics. The New York Times and the Washington Post, for instance, seem to believe the real reason for the surcharge proposal is to spare the President the embarrassment of a record-shattering deficit in an election year.

There is one economic argument for the tax increase, however. It could be argued that the lesser evil is to risk the sharp but temporary pain of a recession rather than accept the virtual certainty that the deficit will bring the more permanent debilitating effects of sharp inflation.

Such a choice of evils would have been unnecessary if Government spending had been kept in check. It is all very well to blame the spending spurt on Vietnam, but it is a short-sighted budget planner who forgets that national defense may assert its overriding claim at any moment. Besides since 1960 defense costs increased 50% while cash outlay for non-defense items soared 61%.

It is also all very well to argue that the tax increase is only temporary, but history flashes the warning that temporary war taxes tend to become permanent. The warning is particularly apt because when the Vietnamese fighting ends we may well be faced with the tremendously expensive prospect of matching the Soviet Union in antimissile defenses. A sudden plunge in defense spending is far from certain.

It seems wise to wonder, then, what effect the tax surcharge will have on economic growth even if it does not provoke any immediate recession. Certainly if the nation is to be visited with a series of boosts, simply because the Government insists on spiraling its spending, there will not be a very favorable climate for expansion.

The corollary is—or would be under sensible economic management—that the Government must in fact contain its spending in order to avoid growth-depressant rates of taxation. Those who talk, for example, of a lot more money for cities had better start to talk, too, of cutting back elsewhere on domestic spending.

For what should be clear about the present economic quandary is that it resulted from a failure to set priorities, from a failure to recognize that the Federal budget does have at least rough limits—limits set not by a hidebound tradition of stinginess, but by the Administration's own cherished goal of economic growth.

Mr. MILLER. Mr. President, I yield the floor.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Thereupon, at 10 o'clock and 50 minutes a.m., the Senate took a recess subject to the call of the Chair.)

(At 10 o'clock and 57 minutes a.m., on the expiration of the recess, the Senate reconvened, when called to order by the Presiding Officer (Mr. BYRD of West Virginia in the chair).)

ORDER OF BUSINESS

The PRESIDING OFFICER. Pursuant to the previous order, the distinguished Senator from Louisiana [Mr. LONG] is recognized for 1 hour.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I might suggest the absence of a quorum without prejudicing my rights to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MCGOVERN in the chair). Without objection, it is so ordered.

LEGISLATIVE QUOTA ON IMPORTS OF OIL

Mr. LONG of Louisiana. Mr. President, I have today introduced a bill which would establish a legislative quota on imports of oil. The following Senators have joined as cosponsors of this legislation: Mr. ALLOTT, Mr. ANDERSON, Mr. BAYH, Mr. BENNETT, Mr. BURDICK, Mr. BYRD of West Virginia, Mr. CARLSON, Mr. CURTIS, Mr. DOMINICK, Mr. EASTLAND, Mr. ELLENDER, Mr. FANNIN, Mr. HANSEN, Mr. HARRIS, Mr. HARTKE, Mr. HRUSKA, Mr. MCGEE, Mr. MANSFIELD, Mr. METCALF, Mr. MONTOYA, Mr. MONRONEY, Mr. MORTON, Mr. PEARSON, Mr. RANDOLPH, Mr. STENNIS, Mr. TOWER, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota. Before the close of the session today, another Senator may ask that his name be added as a cosponsor.

Mr. President, many nations of the free world, particularly those of Western Europe and Japan, today face a threatening and costly situation because their traditional oil supplies from the Middle East and Africa have been disrupted. The director of the Office of Oil and Gas, Department of the Interior, recently stated that a study of the implications of the Middle East crisis showed that "Japan and the nations of Western Europe stood to lose upward of 80 percent of their oil supply. By contrast, less than 3 percent of our own supply would be affected." That is not the full story, because when the dictators of the Middle East cut off their oil from the consuming countries, the United States was fortunate enough to have a shut-in capacity available for such an emergency. Not only was this reserve sufficient to replace the 3 percent of our requirements previously supplied by the Middle East, but in addition it has been called upon to supply substantial quantities to our friends of the free world who were heavily dependent on the Middle East.

In brief, this very recent experience presents the reasons and justification and need for the bill I have introduced, much more forcefully than any words could possibly portray.

We can take great pride in the fact that our Nation, through the years, has encouraged the development within our own borders of a strong domestic petroleum industry. Credit for this fortunate situation must be shared by Congress, the executive branch of the Federal Government, and the governments of the several oil-producing States which have all contributed in providing policies enabling and encouraging the development of a domestic industry which is the envy of the world. Whatever problems we have had in assisting friendly nations in meeting their petroleum needs as a result of the current Middle East crisis, it takes little imagination to visualize how much more acute those problems would be if the United States were dependent on Middle East or African oil to fuel our industrial machines, our automobiles and trucks, our trains, to heat our homes, and to supply our military forces, including the troops in Vietnam. In the absence of a domestic petroleum industry able to rise to the emergency, we would be in a desperate crisis. As in World War I, World War II, the Korean war, and the 1956 Suez crisis, the current Middle East episode persuasively demonstrates that the United States cannot afford to become dependent upon foreign sources for our oil supplies. This vital lesson has been repeatedly impressed upon us: that America's economic strength, its military supremacy, its freedom, its influence in the world, all depend heavily upon the health of the domestic oil-producing industry and its capability of meeting our growing petroleum needs.

Mr. President, Congress is to be commended for the action it took in 1955 in establishing in the law what has become to be known as the national defense amendment. This provision was reviewed and strengthened in 1958 and again was incorporated in the Trade Expansion Act of 1962. As my colleagues know, this provision of the law is a broad delegation of authority to the President to take action whenever imports of a commodity threaten the security of the Nation. It was under this authority that in 1959 the President by proclamation established the mandatory oil import program which continues in effect today under the administration of Secretary of the Interior Udall. The sole purpose of this program is to maintain a healthy, vigorous petroleum industry to serve the national security. We have now had 8 years of experience with this program. I believe that Congress should now review this matter and, based upon the lessons of this 8 years of experience, take action which will assure the attainment of the objective of the program; namely, the military security of the Nation.

During this 8 years, the program has served well. I am convinced that in its absence, imports of petroleum would be much greater than they are today, and our domestic industry would have suffered commensurately. I do not wish to quarrel with the administrators of the program, because they have had a difficult task and in the main have handled it well; but like any governmental undertaking of this type, it invites continuous maneuver by those who seek exceptions and special treatment. This has been the experience in the administration of this program; and as a result, the administrators of this program have been and continue to be forever importuned and pressured by those who seek a favored position, exception, or special treatment. If the program has proven its value, and I believe it has, then it seems to me that Congress has a responsibility to review the program based on its 8 years of experience and to provide further legislative guidelines, confirmed by this experience to be worthy and justified. By doing so, Congress would lessen the burden on the administrators of the program and protect them from the incessant and endless applications for exceptions and special treatment.

Mr. President, it seems to me that, in the interest of good government, Congress has a duty to review its broad delegation of authority under the national security amendment of the Trade Expansion Act of 1962 and, in the light of the intervening experience, surround it with reasonable and appropriate legislative guidelines which, in our best judgment, will assure the objective of this law—namely, the protection of the national security.

The demand for oil in the United States currently is in the order of 12 million barrels daily. Prior to the current Middle East crisis, total imports of oil were averaging about 2,500,000 barrels daily. Of this total amount of imports, about 1 million barrels daily is residual fuel oil. This is a heavy fuel oil which is used by industry and large commercial users. Under the present mandatory oil import program, there are two separate programs, one for residual fuel oil and the other for crude oil and light petroleum products. The bill I have introduced does not cover residual fuel oil. The present administrative program covering residual fuel oil would continue unchanged. The bill would apply only to imports of crude oil and light products which have been averaging in the order of 1,500,000 barrels daily. My bill basically is designed to write the present mandatory oil import program for crude oil and light products into law. It would not require any major overhaul or alteration in the present program. What it would do is establish a few principal legislative guidelines, leaving the administrators of the program with broad discretionary authority in the administration of the program within these legislative guidelines.

EXPLANATION OF BILL

Under the mandatory oil import program, which has been in effect since 1959, the United States is divided into two areas: First, district I–IV which includes the District of Columbia and all the States of the United States except those States in district V; and, second, district V which includes the States of Arizona, Nevada, California, Oregon, Washington, Alaska, and Hawaii. Under the program, these two geographical areas are treated separately and differently; and the bill I have introduced would continue this treatment.

Paragraph (e) of the bill would establish a legislative limit on imports into the United States east of the Rockies, that is district I–IV, of 12.2 percent of oil production in that area. The 12.2-percent limitation is the same that is presently in effect under the mandatory oil import program. This limitation has been in effect since the latter part of 1962. This is the key provision of the import program. If the program is to be meaningful and effective, if it is to have stability and if the industry is to have confidence in the program, this limitation on imports into district I–IV must be firmly established. Unfortunately, during the past year, administrative actions have been taken which very seriously threaten the stability and integrity of the 12.2 limitation. I refer to the administrative actions involving first, petrochemical feedstocks; second, foreign trade zones; third, authorization for imports of asphalt outside the 12.2 limitation; fourth, the recent action which defines No. 4 fuel oil as residual fuel oil and, therefore, permits its importation outside the 12.2 limitation; and, fifth, the recent proposals regarding low sulphur fuel oil aimed at alleviating the air pollution problem.

In addition to these actions there are now pending before the administrators of the program a number of applications involving the establishment of refineries and petrochemical plants in Puerto Rico, the Virgin Islands, and Guam, all of which seek separate treatment and exceptions which, in the aggregate, amount to some 125,000 barrels daily which would enter the United States outside the 12.2 limit.

An example which clearly shows the need for firmly establishing the 12.2 limit by law involves imports from Canada. Under the Presidential proclamation establishing the mandatory oil import program, imports from Canada are within the 12.2 limit. In carrying out this mandate, imports from Canada each year estimated and included within the 12.2 limit, the balance of permissible imports then being allocated for import from all other source countries. This method is fine in theory; but unfortunately, Canadian imports have consistently exceeded the estimate. Last year, imports from Canada exceeded the estimate by about 50,000 barrels daily. This is a large loophole in the program and it threatens to grow larger. If the mandatory oil import program is to be meaningful and effective, this Canadian loophole and the other loopholes and threats to the program which I have mentioned must be closed.

Mr. President, in my opinion the administrators of the program have made one fundamental mistake. Let me say first that I know each time they have taken these actions to which I have referred which have weakened the program and threaten its effectiveness, that they have acted in good faith and with good intentions. But it must be kept foremost in mind that the import program has one and only one purpose and that is to maintain a healthy, vigorous, domestic petroleum industry in the interest of national security.

This purpose and objective of the program cannot be realized if it is to be used to solve other problems which may arise even though these other problems may have unquestionable merit. The import program cannot be maintained as an effective instrument if it is to be used to cure the economic ills of Puerto Rico, the Virgin Islands, or Guam; or if it is to be used to solve the worldwide competitive problems of the petrochemical industry; or if it is to be used to solve a localized asphalt or other product supply problem; or if it is to be used to solve the pollution problem. All of us recognize that each of these problems is meritorious and deserves our attention, but they cannot be solved through continuous manipulation and changing of the basic rules of the oil import program if that program is to be maintained as an effective and meaningful instrument to serve the national security.

Paragraph (f) of the bill applies to the Western States which are included in district V. Under the present program, district V is accorded separate and different treatment because within that area there is an inadequate local production as compared with consumption. In contrast, in the Eastern States, that is districts I–IV, we have historically had a substantial excess producing capacity. That is the basic reason these two areas under the present program have been treated differently. It is important that the program in district V be designed to encourage the development of production within that area and for the fullest use economically feasible of oil from States located east of the Rocky Mountains. To date the program in district V has generally served this purpose and for this reason I believe the present program for their area should be continued without basic change.

If the basic objective of the mandatory oil import program is to be realized, it is necessary that we have a program which prevents the Western States from becoming increasingly dependent on imports. The basic objective of the program would be defeated if the large and important area of district V were permitted to become increasingly dependent upon foreign sources for its oil needs. This paragraph of the bill is designed to accomplish that objective.

Paragraph (g) of the bill would require that imports of finished and unfinished products be progressively reduced. Historically the United States has not been a substantial importer of gasoline, home heating fuel, or other light products. The United States has always had adequate domestic refining facilities, and we should make certain that we always do. There is no need to import finished products; and in the interest of maintaining an adequate refining industry, this should not be encouraged. Under the mandatory oil import program, authorized imports of finished products aggregate about 75,000 barrels daily. When the program was inaugurated in 1959, provision was made that importers of products in the year 1957 could continue to import in the same quantity. This action was taken so as to avoid any hardship on those who were importing products. But there is no justification in freezing into the program this 1957 pattern; and since our refining industry is capable of providing our product needs, imports of finished products should be steadily reduced.

Mr. President, in that connection there are commitments which have been made by the administrators of the program, and they are firm commitments upon which large investments of American capital to established refineries in Puerto Rico and perhaps elsewhere have occurred. I am not advocating that this Government breach those agreements. In fact, I would advocate that the agreements be kept, but in due course as these agreements terminate I would hope that all of this matter would be subject to progressive reduction and, hopefully, eventual elimination of products imported. However, I am not insisting on entire discontinuance today or even in 20 years, but I am saying that they should be progressively reduced.

In regard to unfinished products, the United States historically was not an importer until the voluntary crude oil program of 1957 when imports of unfinished oils developed as a circumvention. You will note that there is no fixed period for the phaseout for imports of finished and unfinished products of oil under this provision. Administrators of the program would have freedom to reduce such imports in the best manner possible and without causing present importers of products who may have commitments from suffering any undue hardships.

Paragraph (h), in addition to defining the geographical areas which comprise "district I–IV and district V" which I have already explained, also defines "petroleum" and "imports." You will note that "petroleum" as used in the bill does not include residual fuel oil, which as I already mentioned, is under a separate program and is, therefore, omitted entirely from coverage under my bill. The definitions of "petroleum" and "imports" are designed, however, to include several categories of shipments of petroleum into the United States which do not now technically qualify as "imports." For example, there are shipments of some 50,000 barrels daily from Puerto Rico which are not now treated as imports but should be included because they involve the displacement of domestic oil by foreign oil just the same as imports which enter the United States directly.

As I previously mentioned, this loophole threatens to become enlarged because of the applications pending before the administrators of the mandatory oil import program by individual companies which plan to build large petrochemical plants and refineries in Puerto Rico, the Virgin Islands, and Guam. These applications, if approved, would result in some 125,000 barrels daily of oil shipments into the mainland United States. These individual companies are vigorously pursuing their applications, and the Department of the Interior is under continuous pressure to grant these applications. It is vitally important, therefore, that this loophole be closed.

Paragraph (h) would also close another loophole which has arisen as a result of the action taken by the Secretary of Commerce in establishing two foreign-trade zones in the United States for the operation of petrochemical plants designed to use foreign petroleum feedstocks. Under the Foreign-Trade Zone Act, shipments into a zone are not deemed to be imports into the United States. This action by the Secretary of Commerce was further implemented by a change in the Presidential proclamation authorizing the mandatory oil import program, which change authorized the Secretary of the Interior to permit the imports of oils into these trade zones. The two companies involved have applications now pending before the Department of the Interior seeking permission to utilize foreign oil in these trade zones. If these applications are granted, it can be expected that other petrochemical companies will seek similar treatment. This constitutes a very serious threat to the program of considerable potential which should be prohibited by law so that the Department of the Interior will not be subject to these pressures for actions which would clearly circumvent the purpose of the program.

THE NEED FOR CONGRESSIONAL ACTION

Mr. President, the petroleum industry in the United States today fortunately is strong and capable of meeting our current requirements. But, unfortunately, there is pursuasive evidence that, during recent years, in fact, for the past 10 years, the industry has suffered persistent deterioration and there is real danger that it may not remain strong enough in the years ahead to meet our ever-increasing requirements. For 10 years the drilling of wells, both exploratory and development and other activities which constitute the major indicators of the industry's health and vigor have declined. These trends may be summarized as follows:

1966 decrease below base period, 1957–59

[Percent]

Geophysical activity	−38.7
Active rotary rigs	−40.5
Exploratory wells	−24.7
Total wells	−27.5
Employment	−15.3
Crude oil price	−4.0

These trends for the past 10 years show that there has not been adequate incentive for the exploration and development of new reserves of petroleum in the United States. This is reflected in the facts which show that during the past 10 years we have found and developed new reserves barely equal to our consumption. Prior to the past decade, we found 1½ or 2 times current requirements. If we are to meet the increasing needs of the future, the current drilling and finding rate must be increased—as it certainly can be—otherwise, at some period in the near future, we may not be able to meet our requirements. If such should ever be the case, a Middle East crisis such as we now have would be disastrous. For this reason, we must not permit these declining trends in the domestic petroleum industry to continue. We must not sit idly by. It is clear that action is needed, and I believe the primary responsibility lies with Congress. In January 1965, the Department of the Interior issued a report which concluded:

> What has been done since 1956 to find new supplies of oil, whether through new discoveries or through increasing recovery rates of oil deposits, has not been enough to provide a sound basis for future growth.

Here is an official and authoritative warning that our security position with respect to a vital commodity, essential in the defense of our Nation, is threatened. Congress would be grossly remiss in its responsibility if it failed to take note of this situation and to take action designed to correct the adverse trends that have been in effect for the past 10 years.

The bill I have introduced may not be the full answer to this problem. No one can be sure that firmly limiting imports to the 12.2 ratio will provide adequate incentive to the domestic petroleum industry so as to enable it to reverse the deteriorating trends of the past 10 years. But it is obvious that the present situation cannot be permitted to continue. It is obvious that positive and affirmative action is required in order to assure our future energy needs. It is obvious that the present mandatory oil import program has been weakened by the creation of loopholes in the program and is seriously threatened by additional ones. As a result, the industry is losing confidence in the program. Its stability and effectiveness has been impaired. The program no longer provides the assurance that is necessary if the domestic industry is to have the incentive to plan long-range programs in the development of new reserves of petroleum. This failure of the program is causing serious threats to our domestic economy throughout the oil producing States; but far more important is that our security position is weakened. We cannot as a nation permit this to continue.

Mr. President, the Congress has the responsibility to firm up the mandatory oil import program and make it more effective so as to provide the consuming public of the United States with insurance against some future Middle East crisis.

The nations in Western Europe and Japan are paying dearly for the disruption of their traditional oil supplies from the Middle East and Africa. The oil formerly shipped through the Suez Canal must now be hauled around the continent of Africa to reach its European destinations. Tanker rates have soared and prices to consumers have reflected these increased costs. However, shipments of Middle East and North African oil to Great Britain and the United States is not available at any price. These Arab nations have declared a boycott on oil shipments to us and our British friends and several of them have also included West Germany among the boycotted nations. So currently Middle East and North African oil laid down in the principal consuming nations is very expensive indeed, rather than cheap, and in certain instances is not available at any price.

Therefore, Mr. President, I submit that the present mandatory import program the objective of which is the maintenance of a healthy petroleum industry in the United States capable of meeting our needs in peace and in war must be firmed up in order to insure this Nation against becoming overly dependent on overseas supplies of oil which are beyond our control. This insurance policy would be reflected in adequate supplies for our needs and substantial emergency reserves available to alleviate the needs of free world nations which have become dependent on Middle East oil.

Mr. President, I know there are those who contend that the limitation of oil imports means that the consuming public will have to pay ever-increasing and unreasonably high prices for oil. The record completely disproves this contention. The mandatory oil import program has been in effect since 1959 and during the intervening years oil prices compare most favorably with prices for other commodities. The following two tables compare oil prices with other commodity prices:

RETAIL PRICE TRENDS FOR OIL AND ALL COMMODITIES

[1957-59=100]

	Retail price index, regular grade gasoline		Consumers' price index, all commodities
	Tax excluded	Tax included	
1957	102.4	101.2	98.5
1962	94.3	100.1	103.2
1966	99.9	104.8	102.2
June 1967	103.7	107.1	110.5

WHOLESALE PRICE TRENDS FOR OIL AND ALL COMMODITIES

[1957-59=100]

	Crude oil price index	Wholesale price index, principal oil products (gasoline, kerosene, distillate and residual fuel oil)	Wholesale price index, all commodities
1957	102.9	106.0	99.0
1962	96.8	95.8	100.6
1966	96.0	96.0	105.9
June 1967	96.7	98.8	105.8

The price record speaks for itself.

The oil industry can point with pride at their record of prices. Far from contributing to the inflation record, the facts show that crude oil prices and the refinery prices of the principal oil products have assisted in alleviating the inflationary push as reflected in the prices for all commodities.

The reasonableness of oil prices can also be demonstrated in other ways. For example, an hour's wage, based on the average for all manufacturing industries now buys 8.5 gallons of gasoline which is one-third more than 10 years ago and 10 percent more than 5 years ago. Additionally, today's gasoline is a far superior product to that used 10 or even 5 years ago.

The facts on oil prices show that the import program has not resulted in higher prices but that prices to the producer and to the refiner have actually declined. The import program has been an insurance policy for assuring adequate domestic supply in normal times and in emergencies such as the current Middle East debacle without causing unreasonable prices. Actually the insurance policy has cost nothing while providing a domestic industry that can supply our needs so that we need be beholden to no foreign government for our energy supplies.

Mr. President, there are also those who contend that a limitation on oil imports leads to unreasonable and unjustified profits by the oil industry. An analysis of profits and the earnings record of the petroleum industry shows this argument to be false. The "Quarterly Financial Report for Manufacturing Corporations" published by the Federal Trade Commission-Securities and Exchange Commission, reports the annual rate of profit after taxes on stockholders' equity which measures the earning power from the stockholders' point of view; it also provides a basis for comparing rates of profit of various industries. A comparison of the rate of return after taxes for all manufacturing corporations, except newspapers as reported by the FTC-SEC when compared with the rate of return on stockholders' equity for the domestic petroleum industry show that the domestic petroleum industry's rate of return has consistently lagged behind that for all manufacturing corporations.

RELATION OF PROFITS AFTER TAXES TO STOCKHOLDERS, EQUITY—DOMESTIC PETROLEUM COMPANIES AND ALL MANUFACTURING CORPORATIONS

[Ratio of profit to equity in percent]

	U.S. petroleum corporations	All manufacturing corporations	Petroleum versus all manufacturing
1958	7.2	8.6	−1.4
1959	8.5	10.4	−1.9
1960	8.8	9.2	−0.4
1961	8.7	8.9	−0.2
1962	8.8	9.8	−1.0
1963	9.8	10.3	−0.5
1964	10.1	11.6	−1.5
1965	11.3	13.0	−1.7
1966	12.3	13.4	−1.1

Source: Chase Manhattan Bank for domestic petroleum corporations and FTC-SEC for all manufacturing corporations.

I would like to point out that the corporations covered by the Chase Bank calculations include some 30 of the larger and more profitable companies engaged in U.S. petroleum operations and that if the smaller units or independents could be included in the calculations the rate of return for the domestic petroleum industry would compare even less favorably with that for manufacturing companies in general. Naturally profits after taxes are not figured on a percentage depletion basis. This study is based purely on what an investment is earning based on the amount invested.

Mr. President, by any test an effective mandatory oil import program is cheap insurance for the American consuming public.

Mr. President, there is another reason why the import program should be firmed up and that is the very substantial effect that increasing oil imports has on our balance-of-payments problem. The deficit in U.S. petroleum trade is a significant item in our chronic balance-of-payments problem. Oil is now the Nation's No. 1 import, dollarwise. Petroleum imports last year exceeded $2 billion according to the Department of Commerce.

I ask unanimous consent to have printed in the RECORD a summary of the dollar value of U.S. petroleum imports and exports as reported by the Department of Commerce for the past 9 years.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

U.S. PETROLEUM TRADE BALANCE

[In millions of dollars]

	Exports of petroleum and products	Imports of petroleum and products	Petroleum trade balance
1958	557	1,625	−1,068
1959	480	1,529	−1,049
1960	479	1,543	−1,064
1961	445	1,616	−1,171
1962	443	1,768	−1,325
1963	446	1,773	−1,327
1964	419	1,873	−1,454
1965	418	2,052	−1,634
1966	436	2,104	−1,668

Mr. LONG of Louisiana. Mr. President, the oil trade deficit—excess of imports over exports—for the past 9 years has exceeded $1 billion annually and the deficit is worsening. In addition, it should be noted that this deficit does not include the tanker transportation costs nor does it include U.S. military purchases of oil abroad. If these payments are added on, the average oil trade deficit has exceeded $1.8 billion for the past 9 years.

A stabilization in the volume of oil imported is a practical means of making a substantial contribution toward alleviating our balance-of-payments deficit. At the same time such actions would serve the interest of national security by assisting in the restoration of the vitality of the domestic petroleum industry so that adequate availability of oil and gas would be assured.

Mr. President, as chairman of the Finance Committee, it will be my purpose that the committee review this matter at an early date. I am hopeful that the committee will then take appropriate action so as to bring this matter to the Senate for its consideration.

In the meantime, I urge each Member of the Senate to give this matter his careful consideration in connection with our domestic economy and our domestic defense posture.

I do so because I strongly believe that no subject has a higher priority. I do so because here involved is a matter of concern to each State whether or not it produces oil and to every citizen of the United States. The vital importance of this matter to all of us is made unmistakenly and vividly clear by the current Middle East crisis.

Mr. President, I ask unanimous consent that the bill which I now introduce may be printed in full at the close of the colloquy which follows my statement. Other Senators wish to make comments on this subject.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD, as requested.

The bill (S. 2332) to promote the general welfare, foreign policy, and national security of the United States, introduced by Mr. LONG of Louisiana (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the distinguished majority leader.

Mr. MANSFIELD. I wish to commend the distinguished Senator from Louisiana for this speech, which is of such vital importance at this time. I speak as one of the cosponsors of the bill introduced by the Senator from Louisiana.

The Senator from Louisiana speaks of the relationship between exports and imports of petroleum and petroleum products in relation to our balance of payments and also in respect to the domestic stability of that vital segment of our economy. He also does well, I believe, to bring out the fact that even though the latest of a number of crises in the Middle East has, on a global basis, resulted in a disequilibrium in the petroleum position, fortunately we were in such a position that we could maintain enough supplies to take care of our needs. But there is an ever-present question which makes the bill which has been introduced and the statement which has just been made worthy of the consideration of every Senator, whether he comes from an oil State or not, as the Senator has indicated.

I have one question to ask the Senator. I do not know whether he has the answer to it or not. Can the Senator tell us what estimated reserves, in years, we have in this country?

Mr. LONG of Louisiana. The figure is 11.5 years, however, this is declining, because we are not discovering adequate oil deposits. In 1958, the reserves were about 13.5 at the then current rate of production. The rate at which we consume oil has greatly increased. Whereas we used to be finding two barrels of oil for every barrel we consumed, we are now down to the point where we are finding just about as much as we are consuming. So it is a growing problem and a threat to our industry and country with demand for the product going up and with domestic exploration and activity going steadily down.

Mr. MANSFIELD. In other words, our supplies are not inexhaustible?

Mr. LONG of Louisiana. So far as we can determine, we can produce this Nation's fuel requirements for many years to come if we provide the incentives. If we are to be told that some oriental potentate will provide us with our requirements, then when this Nation finds itself in an emergency it will not have the supplies it requires. For example, the more prolific oil and gas wells are getting down to around the 12,000- to 15,000-foot level, but relatively few wells have been drilled that deeply. Most have been drilled at no more than 4,000 to 5,000 feet. We could drill twice that deep if there was adequate incentive and find great supplies of additional oil.

The question is whether we want to maintain the industry. It might be found that we would eventually be able to produce oil more cheaply out of shale, for example, which is on the surface in several Western States, and which can be produced at a rather reasonable cost right now. We have enough shale in this country from which we could provide our petroleum needs for 500 years or 1,000 years on the basis of current needs. I refer only to shale. So we are in a position today where we can provide for our petroleum requirements. Petroleum happens to be the lowest cost fuel for the purpose right now, but I am speaking in terms of petroleum, shale, and coal, and various other products available to us for the future.

Mr. MANSFIELD. May I say that in the eastern part of Montana, in the Williston Basin, we have had to drill down to 12,000, 13,000 or 14,000 feet, whereas in the old Cat Creek and Cut Bank areas there was shallow drilling. So it is becoming more expensive.

I think the statement made by the distinguished Senator is certainly worthy of consideration. I want to commend him for a most important speech.

Mr. LONG of Louisiana. I thank the Senator.

There are facets of this problem which I shall not go into this time, but will later. For example, if we wanted to expand our foreign trade, hopefully to get oil at a cheaper price, and if we expanded oil imports much more than we have done, we would never get our balance of payments in order, because if this Nation is to rely upon foreign fuel, we simply cannot find enough customers abroad for other American products to maintain our balance of payments, or balance of trade, in view of the enormous requirements of this Nation for fuel. Foreigners are not going to do that much business with us.

We have an unfavorable balance of payments right now, in spite of all we can do about it. If this program is not maintained, it will be even less favorable to us than it is today.

Furthermore, when we look at it even from a cost point of view, assuming we are able to buy oil from the Near East countries or Venezuela more cheaply than we are able to buy it in this country, we must bear in mind that if we are not able to produce, they will not sell to us so cheaply when we are entirely dependent upon them for it and are not able to produce our own requirements.

Mr. President, other Senators desire to make statements on this subject on their own time, so I yield the floor.

Mr. RANDOLPH. Mr. President, the knowledgeable Senator from Louisiana is persuasive this morning in focusing attention on a problem which not only reflects his own concern and that of business and industrial segments in Louisiana, but is also a matter of importance to the business, industry, and general welfare of many States throughout the Union.

I listened to the remarks of our distinguished majority leader [Mr. MANSFIELD] as he commended the Senator from Louisiana for his clarification of this problem and for his appraisal of the deleterious effects which are being felt throughout the country because of the diluting of the program which deals with the controls on importation of oil into the United States.

I am grateful that my able colleague from Kansas [Mr. CARLSON] enables me to speak at this time rather than after he gives his address. I have asked that he, in a sense, yield to me, so that I will be able to return to a committee which is attempting to keep a quorum for the consideration of amendments.

The problem of oil in a State like West Virginia is two-pronged. My diligent colleague from West Virginia [Mr. BYRD] is in the Chamber. We have fought together against the importation of residual oil into our State. I shall speak only briefly of residual oil, because that is not the theme of the discussion today. But residual oil from Venezuela has been virtually dumped in the U.S. fuel markets as a waste material—at almost any price, and it has been in direct competition with bituminous coal produced in West Virginia and other States. However, my remarks now will not concern that problem—a continuing one—but I will speak of the situation in West Virginia as, perhaps, it parallels that in some of the other States.

The junior Senator from Louisiana, on June 8 of this year, spoke in this forum effectively on this matter when he said:

> The Nation's much-maligned 400,000 stripper wells, which individually produce small quantities but collectively account for one-fifth of the total domestic crude oil output, can be appreciated for their true worth today. They may not pour out oil like some of those fabulous wells of the Middle East, but at least those humble stripper wells are here. No American has to grovel before some foreign potentate to obtain the energy that these wells pump into our economy.

I appreciate the colloquy between the distinguished majority leader and the distinguished assistant majority leader on this matter of the production of oil within our own country—not only from those wells which gush oil, but also from those wells from which the oil is really pulled out of the earth. In West Virginia we classify these as stripper wells, the term used by the Senator from Louisiana.

At this point, Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks, a table showing oil and gas operations in West Virginia, by counties, for the year 1965.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

OIL AND GAS OPERATIONS IN WEST VIRGINIA, BY COUNTIES, 1965

[As prepared by Wallace R. McCord]

County	Permit to drill or deepen in 1965	Completions[1]						Total footage drilled	Average depth of wells (feet)	Total initial daily oil (barrels)	Average initial daily oil per well (barrels)	Total initial daily gas (m.c.f.)	Average initial daily gas per well (m.c.f.)	Number of drilling wells or completions not recorded at the end of year
		Oil wells	Gas wells	Oil and gas wells	Storage et al., wells	Dry holes	Total completions							
Barbour	74	0	54	0	0	7	61	262,089	4,297	0	0	185,780	3,440	22
Boone	13	2	10	0	0	2	14	40,311	2,879	38	19	30,461	3,046	2
Braxton	37	0	25	1	0	6	32	73,448	2,295	6	6	49,858	1,921	11
Cabell	4	0	3	0	0	0	3	6,429	2,171	0	0	124	62	2
Calhoun	115	6	48	31	0	10	95	192,927	2,031	662	18	43,428	562	27
Clay	30	6	9	9	0	1	25	49,409	1,976	293	19	7,407	412	10
Doddridge	152	17	43	43	1	14	118	252,831	2,143	2,692	45	73,160	851	37
Fayette	14	0	15	0	0	0	15	38,785	2,586	0	0	24,396	1,626	2
Gilmer	151	1	86	38	0	9	134	293,781	2,185	804	21	196,745	1,587	34
Grant	1	0	0	0	0	1	1	13,000	13,000	0	0	0	0	0
Hampshire	6	0	5	0	0	2	7	40,971	5,853	0	0	20,505	4,101	0
Handcock	1	0	0	0	0	1	1	10,400	10,400	0	0	0	0	0
Hardy	4	0	3	0	0	1	4	28,681	7,170	0	0	20,294	6,764	0
Harrison	35	1	15	2	8	6	32	89,271	2,790	25	8	28,606	1,683	14
Jackson	37	6	22	1	0	9	38	144,792	3,810	98	14	32,164	1,398	4
Kanawha	44	3	36	0	1	5	45	153,660	3,415	38	13	141,515	3,931	10
Lewis	80	0	56	2	7	8	73	237,358	3,251	67	34	106,269	1,832	25
Lincoln	24	1	8	1	1	1	12	34,416	2,868	23	12	3,396	377	12
Logan	23	0	17	0	0	3	20	61,237	3,064	0	0	15,221	895	7
Marion	9	1	2	0	2	3	3	23,537	2,942	31	31	249	124	5
Marshall	14	0	1	0	7	0	8	24,288	3,036	0	0	168	168	5
Mason	20	12	0	0	0	3	15	29,987	1,999	186	16	0	0	6
McDowell	30	0	21	0	0	1	22	86,156	3,916	0	0	61,297	2,919	11
Mercer	1	0	0	0	0	1	1	4,293	4,293	0	0	0	0	0
Mingo	10	0	8	0	0	1	9	30,569	3,397	0	0	4,929	616	3
Monongalia	12	1	6	0	1	2	10	36,831	3,683	5	5	9,401	1,567	3
Morgan	1	0	0	0	0	1	1	4,867	4,867	0	0	0	0	0
Nicholas	2	0	1	0	0	0	1	2,800	2,800	0	0	500	500	1
Pleasants	3	0	1	0	0	1	2	2,657	1,329	0	0	20	20	2
Pocahontas	4	0	0	0	3	0	3	19,351	6,450	0	0	0	0	1
Preston	1	0	1	0	0	1	2	15,444	7,722	0	0	3,275	3,275	0
Putnam	14	0	7	0	0	4	11	38,893	3,536	0	0	4,987	712	2
Raleigh	5	0	3	0	0	1	4	14,680	3,670	0	0	2,248	749	2
Randolph	1	0	0	0	1	0	1	5,275	5,275	0	0	0	0	0
Ritchie	129	8	38	37	0	9	92	187,474	2,038	660	15	48,011	640	45
Roane	135	45	24	26	1	11	107	225,761	2,110	1,197	17	22,992	383	36
Taylor	2	0	1	0	0	1	2	6,349	3,175	0	0	50	50	1
Tyler	6	4	0	0	0	0	4	9,055	2,264	24	6	0	0	2
Upshur	82	0	62	1	0	3	66	279,656	4,237	10	10	138,107	2,192	31
Wayne	13	1	8	0	0	2	11	27,932	2,539	2	2	2,254	282	5
Wetzel	4	1	0	0	0	2	3	6,082	2,027	3	3	0	0	2
Wirt	35	5	5	15	0	2	27	63,329	2,345	811	41	9,919	496	12
Wood	9	4	0	0	0	5	9	26,681	2,965	45	11	0	0	3
Wyoming	19	0	16	0	0	1	17	57,393	3,376	0	0	32,477	2,030	2
Total, 1965	1,406	125	660	207	33	141	1,166	3,253,172	2,792	7,648	23.0	1,320,213	1,523	399
Total, 1964	1,410	74	620	280	65	150	1,189	3,152,383	2,650	8,468	23.8	1,196,912	1,330	452
Total, 1963	1,469	93	782	242	94	166	1,419	3,754,915	2,646	12,836	38.3	1,493,863	1,459	464
Total, 1962	1,718	101	870	329	58	199	1,557	3,404,166	2,184	15,166	35.3	1,629,082	1,359	576
Total, 1961	1,647	59	809	296	65	160	1,389	3,447,723	2,482	9,479	26.7	1,271,312	1,151	656

[1] Includes 1964 wells completed in 1965.

Mr. RANDOLPH. Mr. President, when a producer—let us say a small producer in West Virginia—drills for oil, he is undertaking a hazardous task. Looking at the figures for 1965, we note there were 141 dry holes drilled in West Virginia that year. The producer drills in the hope, of course, of striking oil; but he has no assurance that he will not drill a dry hole.

So, if he is to continue to drill those wells, he has to be in a position to feel that foreign importations of oil are not replacing the oil which he hopes to bring from the earth of the State of West Virginia.

In other words, we know that the program is threatened by the importation of oil from overseas countries. Such importation, very frankly, lessens the exploration for oil by the small, independent producers.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. LONG of Louisiana. I have some knowledge of some of these problems, in view of the fact that, together with relatives, from time to time I have been engaged in small drilling operations. We found that we have to get out of the business; we cannot make enough money drilling oil wells to pay expenses, with the pressure that is on the industry. We must get out of the business; and other small producers such as the Senator has described are likewise being forced to retire from the business of drilling for oil.

When that happens, it means that a farmer who has some oil beneath his property will find that the oil is worth nothing to him because it is no longer profitable for someone to drill for that oil. It is worthless. Thus he has been denied the value of that deposit beneath his farm. He had something of substantial value which is gone, because domestic producers cannot compete with the enormous supplies of oil available from Saudi Arabia, Kuwait, or Venezuela.

But then, when the Nation desperately needs the oil, that oil from Saudi Arabia or Venezuela is not there; and if that farmer could have produced his oil, it would be available for national security.

Mr. RANDOLPH. I appreciate the point made by the Senator from Louisiana. I supply for the RECORD, Mr. President, the number of persons now engaged in the industry in the State of West Virginia.

There are 3,170 persons employed in the oil and gas production operations, and in associated operations such as refining and transmission, there are over 8,000 additional jobs. Approximately 7½ million acres of land are under oil and gas leases in West Virginia. This is nearly 49 percent of the land area of the State.

It is obvious that tens of thousands of West Virginians are receiving economic benefit from oil and gas operations. The value of oil and gas production last year in West Virginia was $85 million, but this is a lower figure than for 1965. The number of producing wells and new wells for 1966 shows approximately the same level as 1965.

Mr. LONG of Louisiana. If I might make one further point on the Senator's time, one might suggest that in the event of a national emergency such as a war, we have then a crash program, to try to discover oil and process it in a hurry.

The difficulty at that point is that the prime material one would need is steel, both to drill the well and provide casing for it, and for piping through which to produce the oil. At that point the steel is in demand and in short supply, every bit as much as the oil is.

Mr. RANDOLPH. The Senator is correctly appraising the situation that would exist if such an emergency arose.

Mr. President, I was born in the heart of an oil and gas field, at Salem, W. Va. My father, in addition to being a lawyer and cattle shipper, was an oil and gas producer.

I remember his having told me during World War I that he was called to Washington, D.C., with other small producers. They, like he, were independent producers.

They were told to go back home and drill wells, and that the Government would help, so to speak, to "bail them out" if they drilled dry holes.

He drilled wells, and many of them were dry holes. But the Government failed to come to his rescue and reimburse him for the dry holes that were drilled in an effort to strengthen our supply of oil during World War I. The men were called here and told to drill, but something happened between that time and the later time for payment for their losses in the drilling of nonproductive wells.

So I speak from family experience. I have done some "roustabout" work myself, in the oil and gas fields of West Virginia. So I do understand the problem, and the impact of a weakening of the oil import program.

Mr. President, I quote from a telegram received from one of our small West Virginia operators. With reference to the legislation introduced by the Senator from Louisiana, which I am gratified to cosponsor, he said:

> This is badly needed to stimulate declining exploration and drilling.

From another small producer in our State, I have a telegram expressing hope that I will join with the Senator from Louisiana in sponsoring the legislation.

Other oilmen have talked with me on this vital matter.

Mr. LONG of Louisiana. Mr. President, as the Senator well knows, the table I put in the RECORD indicates that employment in this industry of drilling and exploration is down by approximately 15.3 percent.

Mr. RANDOLPH. That certainly is true; and people engaged in the industry are constantly being fenced in by that situation. They want to drill, but, frankly, less and less exploration is done, because of the problems involved. We are drilling more wells for gas, frankly, than we are for oil, in West Virginia.

The oil industry is an important industry in our State. It directly and indirectly affects our economic level and, frankly, the well-being of literally thousands and thousands of people.

Mr. President, I commend again the initiative and the spirit which have been demonstrated by the distinguished junior Senator from Louisiana. I feel privileged to join in this effort which, I hope, will result in legislation to alleviate the existing situation which may aid the potentate across the sea, but which does injury to the citizens in the State of West Virginia and those of other States. They are participants in the private enterprise system which is so necessary to our continued growth and progress.

Mr. CARLSON. Mr. President, I commend my colleague, the junior Senator from Louisiana, for bringing to the attention of the Senate this important matter.

I associate myself with the remarks made this morning by the distinguished majority leader, the senior Senator from Montana [Mr. MANSFIELD], and the distinguished senior Senator from West Virginia [Mr. RANDOLPH] concerning the problem of the importation of oil.

Today petroleum supplies about 75 percent of our total energy requirements. Its place is even more significant in the effectiveness and mobility of our Armed Forces. An assured supply, available without question, is essential if our Nation is to continue to enjoy a vigorous growing economy; if we are to be free from international political blackmail in the Middle East; if, indeed, we are to be able to continue our way of life as we have known it.

Through the years, there have been those who have advocated that we should shut-in and save our domestic oil reserves and in the meantime use the less costly oil produced in the Middle East and other foreign areas. This may sound prudent in theory but it is a false argument. The erroneous and specious nature of this position is revealed in the answer to the question: How costly would Middle East oil be today if we were dependent upon it to carry on the war in Vietnam. The answer is obvious—it would be too costly.

In taking this position, I am reassured in the fact that others who have studied the matter have come to the same conclusion. In 1957 the President's Special Committee to Investigate Crude Oil Imports, which committee consisted of the Secretary of State, Secretary of Defense, Secretary of the Treasury, Secretary of the Interior, Secretary of Labor, and Secretary of Commerce, after a thorough and careful study, stated:

> The low cost of imported oil is attractive, but excessive reliance upon it in the short run may put the nation in a long-term vulnerable position. Imported supplies could be cut off in an emergency and might well be diminished by events beyond our control. This vulnerability could easily result in a much higher cost, or even in the unavailability, of oil to consumers.

Mr. President, twice within a decade we have had demonstrated to us, through prolonged disruptions of Middle East oil supplies, that this Nation has no alternative except to maintain adequate oil supplies within its own control. There is no greater essential to bulwark and give strength to our present position of world leadership than adequate supplies of energy fuels.

How best to see to it that we never pursue a course of overdependence on foreign oil, to the end of losing our position of strength as to fuel supplies, is a question in which I have had a strong and continuing interest throughout my public life. This interest is natural in that I represent the State of Kansas, the first oil producing State west of the Mississippi. But my concern goes deeper than protecting the oil producers of Kansas—it rests in a conviction that preparedness for our security, and indeed even remote emergencies such as the present one in the Middle East, requires maximum development and availability of our own oil supplies.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Kansas may be permitted to proceed for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARLSON. Mr. President, I thank the Senator for yielding the time to me.

A keystone of assuring such preparedness has been the mandatory oil import program. Today, that program is in jeopardy from all manner of pressures and contrivances to circumvent its effect. None of these circumvention proposals have the remotest relationship to the central purpose of that program, nor to the intent of Congress when it authorized that program. That purpose and that intent is to preserve our national security position as to essential fuels.

Because we are today witnessing again in the Middle East the need for, and the wisdom of the Congress in providing for this program, and coincidentally are witnessing efforts which would make a shambles of the oil import program, I join with my colleagues in sponsoring the legislation to accomplish what I and many others felt should have been accomplished long ago, a firm, effective, long-range limitation on oil imports. The administration under the present program has a basic standard limiting oil imports to 12.2 percent of domestic production in the area east of the Rockies.

That ratio, due to existing and potential exemptions, exceptions, and loopholes, is becoming more and more meaningless, however. The amendment proposed would simply write that ratio into law, and thus establish a standard under which we would still be the world's largest oil importer. We would at least know, from day to day, what the level of imports would be—and the domestic petroleum industry could plan its exploratory programs and investments with some degree of certainty.

Mr. President, in 1955 I was involved firsthand in the deliberations which led to adoption of the defense amendment to the Trade Act under which the present oil import program was authorized. With 16 other Senators, I cosponsored a proposal to limit oil imports to 10 percent of domestic production. Under assurances that the clear intent of Congress to assure a firm import program would be carried out, I agreed with and supported the compromise amendment giving the President authority to act to limit oil imports as well as other imports which threatened to impair the national security.

For several years prior to 1955, and subsequent to 1955, I have been closely involved in the Senate's deliberations on this question. In those years of debate there has developed an unmistakable congressional recognition that oil imports must be firmly limited if we are to preserve an oil reserve able to support our position of world leadership and assure our national security. In addition, the past three Presidents have recognized this need and have pursued a policy of limiting oil imports as necessary to the national interest.

Today, in view of world conditions both in Asia and in the Near East, the wisdom of that policy should not be subject to question or debate. It is made self-evident by events which are headlined every day.

I could go on at length into the history of legislation consideration and action, which makes this congressional position on oil import clear and indisputable. However, I would like to dwell briefly on only one aspect of that policy because it points up the present situation. During hearings before the Office of Defense Mobilization—now the Office of Emergency Planning—which has responsibility for certifying a threat to security from excessive imports, there were advocates—just as there are today—of exceptions and exemptions to the system of import limitations for purposes unrelated to our oil security requirements.

As a witness before these ODM hearings, I had occasion to speak to the then proposed exceptions. I would like to quote two paragraphs from my testimony on that occasion, in October 1956—which, incidentally, was the month of the outbreak of the last Suez crisis. My comments at that time were:

> I certainly would not have agreed to the Defense Amendment if such exceptions had been part of the understanding of the plan. I do not believe that Congress would have accepted the Defense Amendment on that basis.
>
> I think it would be a grave mistake if we should establish a policy on the basis of such exceptions because in effect we would have no policy at all. If a policy is to be effective, it must provide for a clear-cut limitation so that the domestic industry will be informed as to what part of the market it will have access to. That is the only way we can bring about the necessary stability to insure a domestic industry capable of meeting our security requirements.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. LONG of Louisiana. Mr. President, I commend the Senator for the very fine statement he is making and also for his effort through the years to join with others on both sides of the aisle in the effort to handle this very difficult problem.

As the Senator has pointed out, if we had tried to write a law that provided all the exceptions which have been demanded by the administrators of the program, it would have wound up being no law at all; because, as the Senator has so well indicated, with all these exceptions, everyone else would have had an exception in mind, and it would have multiplied, with the result that there could have been no law.

Mr. CARLSON. Mr. President, I know of no other Member of the Senate who has been more concerned and more active in this situation than has the distinguished Senator from Louisiana, and I appreciate his kind remarks.

Mr. MONTOYA. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. MONTOYA. I also should like to commend the Senator from Kansas for the very fine statement he is making.

I also commend the Senator from Louisiana for having taken the lead in trying to provide proper legislation to prepare our country for future emergencies. I believe that his committee can do a great public service in evaluating the merits of the bill which he has introduced, in which I have joined as a cosponsor.

It is about time that Congress looks at the oil situation in a broad context, in view of the situation which occurred recently when the Middle East supply was cut off and we had to resort to emergency measures.

I recommend the Senator from Kansas and the Senator from Louisiana and all others who have joined with us in trying to bring about an evaluation of the situation and to do something for the future of America in this field.

I thank the Senator for yielding to me.

Mr. CARLSON. Mr. President, I appreciate the statement that has been made by the distinguished Senator from New Mexico [Mr. MONTOYA]. His remarks have added much to the debate this morning.

It is the uncertainty and loss of confidence occasioned by a long string of exemptions and exceptions sought by varied interests which now present a grave threat to the oil import program. Except for these existing and potential loopholes, which are contrary to the intent of Congress, and which threaten irreparable damage to the security purpose of preserving effective import limitations, the proposed bill here under discussion—and indeed this discussion—would be unnecessary.

Mr. President, I shall refer briefly to proposals and pending applications, now under active consideration by the Oil Import Administration, which constitute these threats to the program, to our security, and to our adverse balance-of-payments position in which oil imports already constitute the largest single deficit item.

There are a half-dozen applications to build refinery petrochemical plants in Puerto Rico, the Virgin Islands, and Guam, involving plans to ship additional refined petroleum products of 125,000 barrels daily to the U.S. mainland.

There are pending proposals by chemical companies to ship petrochemical feedstocks from foreign areas into U.S. trade zones for processing. This is a tactic aimed only at circumventing the program.

Chemical companies, moreover, are pressing the Department of the Interior to establish for them a separate import program permitting them to import unlimited foreign petrochemical feedstocks outside the present import program. This would mean potential loss of a 500,000-barrel-daily market to the domestic petroleum industry. In this effort, these chemical companies appear to have the active support of Secretary of Commerce Trowbridge. Some months ago, the Secretary of Commerce approved two foreign-trade zones which, as I have mentioned, were sought by the chemical companies involved for the sole purpose of circumventing the oil import program. The Secretary of Commerce recently issued a press release advocating greater access to imported petrochemical feedstocks for chemical companies so that the industry can maintain and increase the current high level of exports, all in the interest of the balance of payments.

I, too, am concerned about the balance-of-payments problem. But I do not believe domestic oil producers should be called upon to subsidize petrochemical exports.

It may be necessary to assist the chemical companies in their worldwide competitive problems, and I would be willing to work with the Secretary of Commerce to find a proper way to do so, but the Secretary is wrong in taking the position that the only answer is unlimited access to imported feedstocks. It also may be necessary to take action to protect the domestic market from invasion by the foreign petrochemical industry; but if so, we should establish a quota for petrochemical imports or increase the tariff on such imports. I recognize that the domestic chemical industry is facing a serious problem from foreign competition, but in attempting to meet this problem we should not nullify the oil import program aimed at strengthening the domestic petroleum industry in the interest of national security.

Mr. President, other actions have been taken in recent months which also threaten the effectiveness of the program. For example, the Presidential import proclamation, establishing the present program, recently was amended to give the Secretary of Interior discretionary authority to permit additional imports of asphalt. There is no demonstrated need for higher asphalt imports.

The Presidential proclamation has even more recently been modified to permit changes, again at the Secretary's discretion, to provide import quota bonuses to refiners who manufacture low-sulfur fuel oil in the interest of abating air pollution. Air pollution is a problem which must be resolved. It is under active consideration in Congress. But I fail to see the justification, at this time, for rewarding companies through manipulation of a security-oriented program for meeting their responsibilities with respect to air pollution. The pollution problem must be solved, but it and all the other problems cannot and should not be solved at the expense of an effective oil import program.

These are some of the circumstances which now threaten the national policy of effectively limiting oil imports to the end of preserving the Nation's energy mobilization base. All together, they present a threat to that policy which is most disturbing. In my view, therefore, I see no alternative except for Congress now to act to eliminate these threats. That, in effect, is the purpose of the bill which I am pleased to cosponsor with a number of my colleagues who are equally concerned as to these developments. I pledge my full efforts to its passage, and I urge the Senate to give it full consideration in light of today's headlines, which make clear that we have no choice but to maintain a viable, vigorous industry able to meet our petroleum requirements for the foreseeable future, in a world divided into two armed camps.

Mr. YARBOROUGH. Mr. President——

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senator from Texas be given 10 minutes.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, the Senator from Texas is recognized for 10 minutes.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. BYRD of West Virginia. Mr. President, I thank the distinguished Senator from Texas for yielding.

I wish to express my appreciation to the able and distinguished majority whip, the Senator from Louisiana, for the leadership which he is demonstrating in introducing this legislation. I also wish to express my gratitude to him for allowing me to join as one of the cosponsors.

My very congenial senior colleague, Senator RANDOLPH, has already addressed himself to this subject in a remarkably fine way this morning, and he has stressed the case for West Virginia; and I intend to have something to say about the matter a little later in the week or possibly within the next few days.

I commend the Senator from Louisiana and all those who have participated in the discussion this morning. I assure him of my support in his efforts along this line, and I again thank him for allowing me to be a cosponsor.

OIL IMPORTS MUST NOT BE ALLOWED TO SWAMP ALL DOMESTIC DEVELOPMENT

Mr. YARBOROUGH. Mr. President, I join in all that has been said in commending the distinguished majority whip, the Senator from Louisiana [Mr. LONG] for his leadership in this matter, and for his introduction of the bill which would write into law an existing executive order to preserve a domestic industry.

I congratulate the distinguished senior Senator from Kansas [Mr. CARLSON] for the fine comments he has just made on this subject.

Mr. President, today, in my home State of Texas and in her sister oil-producing States, the domestic petroleum industry is responding, by increasing production, to rising petroleum requirements due to the disruption of Middle East oil movements. U.S. oil once again is being moved to Europe, primarily to Great Britain, which is the victim along with ourselves of an ill-conceived Arab oil embargo, and to eastern Canada, to replace Middle East oil no longer available.

The old adage, "History repeats itself," is borne out with great force in this situation. We are witnessing a rerun of the drama and the dangers of dependence on Middle East oil that shook the free world just a decade ago, in the Suez crisis of 1956–57. A decade later, the Suez Canal again is closed, blocked by the nation which would profit most by it being open. We can be thankful that it is a summer rerun, to use a television phrase, because had this new oil crisis developed in the winter, when demands for heating fuels are at a peak, it could have been far worse.

The greatest comfort we can find in this new oil turmoil in the Near East is that the American people, unlike our friends in the United Kingdom, are not threatened with shortages and rationing of essential petroleum products. We are in this fortunate position because our domestic oil producing industry, in spite of excessive oil imports and serious economic difficulty reflected in dangerous declines in domestic oil exploration and development in recent years, has an excess of idle crude oil producing capacity—a holdover from our past development years—rated at between 2.5 and 3 million barrels daily.

While we can be secure in the knowledge of having adequate oil to see us through this new emergency, we should at the same time take seriously the threat and the lesson of this new, worldwide petroleum crisis. The lesson is abundantly clear. It reminds us that we can continue secure and free from fear of future oil crises if we pursue sound and consistent policies which will restore confidence in our domestic oil industry, and lead to a correction and a reversal of the declining industry activities which threaten our ability to find and develop adequate oil supplies for the future.

Mr. President, if anyone wishes to learn about the declining confidence and the declining abilities, all he need do is turn to the financial pages of the newspapers and read, over the years, of the fewer and fewer oil wells being drilled in America. The number of rigs has declined in the Southwestern States, represented in part by the distinguished Senator from Louisiana [Mr. LONG] and the distinguished senior Senator from Kansas [Mr. CARLSON]. This situation exists throughout the oil producing areas. The number of rigs running has gone down. In my State of Texas, when I read the Sunday papers, I see announcements of auction after auction of oil rigs. Drillers are going out of business.

One of the essential elements of such needed national policies is an effective limitation on oil imports. Without effective import controls, foreign oil in normal times would quickly displace and effectively eliminate our domestic oil producing industry. The present world oil situation illustrates why we must not permit that to occur.

Oil is not something that can be grown like an oak tree where a seedling is planted and it comes up in a couple of years. For oil, long periods of exploration, and geological work, are required to determine whether to drill. Once the oil is brought to the surface, pipelines and refineries, which had to be planned in advance, must be built.

We urge this limitation not to limit America to oil within her boundaries, but rather in order to keep the Nation in such a position that its economy cannot be wrecked by the cutting off of its imports. We are the greatest users of oil in the world, with our great number of automobiles, our vast industries, and fuel which is used in homes. This Nation is more dependent upon oil than any other country in the world. We seek to protect the industry and to protect the economy of the Nation.

Mr. President, to the end of providing definite and specific limitations on the extent of our dependence on so-called cheap foreign oil, I join as a cosponsor of the amendment which would write into law the present 12.2 import ratio in districts I–IV, and the existing program for district V which is the area west of the Rockies. I know that some who know that Middle East oil, for example, is found at a cost which is a minute fraction of finding a barrel of domestic oil, believe we should take advantage of that cheap oil.

That is our right up to a point. But when domestic industry is destroyed, it is economically unsound.

I am reminded by such reasoning of the old World War II story of the housewife who was delighted to find a market running an unheard-of sale on fresh pork chops at 39 cents a pound. Her soaring spirits collapsed, however, when she found this particular butcher was out of pork chops. So it is with cheap oil: we get a big bargain and the Suez closes. This is like the housewife who went to get her 39-cent pork chops.

Today, the Middle East oil monarchies have not only told us they are out of cheap oil, they have gone even further and boycotted oil shipments to the United States, Great Britain, and West Germany; and they threaten to confiscate all American-owned interests in those countries, further emphasizing the necessity of developing our domestic production.

It takes little imagination, Mr. President, to surmise the critical situation which would confront our country today if we were substantially dependent upon Middle East oil. We would be denied it altogether, in which case our economy would grind to a halt, or we would pay dearly for that oil on the terms of the Arab bloc countries. Those terms upon which they say we can import the oil would be the equivalent of political and military blackmail.

I cosponsor this measure to strengthen the oil import program for the future, therefore, out of a conviction that it would be a national tragedy of crippling proportions ever to permit our country, our industry, our Armed Forces, and our people, to be subject to such unacceptable terms for access to vital petroleum supplies. These countries would have us orient our foreign policies to their demands or to say to us that we cannot have any more oil. Once we become dependent on it, the so-called cheap foreign oil would command a premium and a price that we could neither pay nor tolerate. Those who doubt this can today get conformation from the people and the leaders of the United Kingdom.

The measure would not cut imports, although a meritorious case can be made for reducing the present level of 2.5 million barrels daily. Instead, it would simply give teeth to the control formulas that exist under the present program, and write it into law to keep executive officers from opening up this country to a flow of foreign oil that would liquidate domestic development. In my opinion, such action by the Congress is made necessary by the mounting demands of numerous interests for special arrangements permitting them to circumvent the present program. All experience refutes those who believe more imports would benefit the consumer. Those who clamor for more cheap foreign oil do so not to provide lower prices to the consumer; they do so only to realize higher margins for themselves from the use of a cheaper raw product, without any concurring benefit to the consumer, but with a weakening of our domestic economy.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be granted 15 additional minutes to carry on this colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, the Oil Import Administration in the Department of Interior has done an admirable job. It has administered the program effectively and well. I know not a single official in the Administration who would but agree that it would be national folly to extend our dependence on foreign oil, by the process of killing off our domestic petroleum industry through increasing imports.

But recent events has convinced me that, unless the Congress reaffirms its intent that oil imports be effectively stabilized to protect the long-range consumer and national defense interests of our country, the complex of special exemptions and private proposals now pending—and which, if approved, would result in additional hundreds of thousands barrels daily of oil imports—will continue and increase on a scale that will make the program fall of its own weight with its unfair exemption in favor of certain imports.

The Oil Import Administration, already besieged with special-interest demands too numerous to mention, will find itself increasingly swamped with new innovations to permit their sponsors immunity from import controls.

Mr. President, both experience and reason have long since made clear that necessary regulation, to be successful, must apply to all affected with equity. The measure which I and my colleagues offer here, and which we urge this body give its careful thought, simply would preserve the equity that is so vital to such a program. Events in the Middle East, our commitment in Vietnam, the tremendous needs of our people now using more than 12,000,000 barrels of oil per day, make clear that we must have effective import controls for an assured domestic capacity to serve our needs, and make clear that we can do no less than deny all special privilege by applying this essential program equally to all affected by it.

Mr. President, this bill would not cut off any foreign imports and it would not lessen what we are importing. This is not an antiforeign trade measure. It would preserve present levels; it would write into present law the amount of imports that the Department of Interior permitted for a long time, which are now threatened by numerous special exceptions, and all kinds of contrived exceptions to wreck the program. This measure would permit continuance of foreign imports and at the same time provide for American domestic industry to continue exploration and have oil ready in the event we should have new "Suez Canals" in the future.

We could have a Suez situation in other countries, as well as in Arab countries. It could happen in friendly countries of the world. I shall not mention the names of those countries, but if we read the daily headlines, it is apparent that it could happen that we could have other Suez crises. If one were to take the Arab countries and add two more countries, one could readily see what would happen; and we cannot run that risk. I traditionally believe in foreign trade. This is not a bill to reduce foreign imports. It is merely to stabilize it in order to prevent our domestic industry from being ruined.

Mr. RANDOLPH. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. RANDOLPH. I ask this question of my able colleague from Texas, who has indicated that if war crises continue to develop, certain supplies could be summarily stopped in the United States where we have in a sense caused our domestic producers to lessen their drilling activities, and we would be in difficulty.

The Senator well remembers that in World War II we were faced with our shipping lines being cut because of the German submarines in the Atlantic Ocean where ships were bringing supplies of petroleum into the United States. He will recall also that we were so concerned that we passed a Synthetic Liquid Fuels Act. Senator O'Mahoney sponsored it in the Senate, and as a Member of the House, I cosponsored it in that body.

That act came into being to determine whether we could take coal and oil shale and process it into gasoline. We were even thinking of the possibility of processing agricultural products into synthetic petroleum products because of the real threat which faced us during the war. The Senator from Texas realizes that, in a degree, the threat exists today as it existed then; is that not correct?

Mr. YARBOROUGH. The Senator from West Virginia is eminently correct. I want to congratulate him on his leadership with Senator O'Mahoney in World War II, in sponsoring the Synthetic Liquid Fuels Act.

It was my experience in World War II to be on the staff of an infantry division in Europe. After the American lines had advanced into Germany, we saw that the French people were virtually without gasoline. They were trying to keep their cars on the road. One way they obtained gasoline was via the black market. American gasoline stored in tanks had to be guarded by soldiers with live ammunition because gasoline was selling at $20 a gallon on the black market back of the lines. Some unfortunate incidents occurred which strained our relations with France.

On some of the civilian cars in France, at that time, I saw what I called the "Maytag"—a clumsy machine built on top of the car, looking like a Maytag washer. It manufactured a kind of fuel to take the place of gasoline. It was a crude contraption.

There was another machine the Army called "the water heater" because it looked like a water heater in one's home. It was a tall machine that cooked briquets and made a kind of fuel from those briquets, a kind of semigasoline, using coal and coal briquets. It, too, was very crude. The car did not go very fast. It was not efficient fuel. It smoked a lot. But it made a kind of fuel and got cars moving. There were other devices of that kind in France, I remember, which sprang up when the country ran short of gasoline, which, as I said, cost $20 a gallon on the black market.

Mr. RANDOLPH. If the Senator will yield further, my distinguished colleague recalls in World War II, the Luftwaffe—the German Air Force—was actually ready to continue fighting, but had no fuel to do so.

Mr. YARBOROUGH. The Senator is correct; no fuel.

Mr. RANDOLPH. The tanks in its planes were dry. They had their planes and pilots ready to continue the bombing of England, but they could not get the aircraft off the ground. We must remember this condition. Thus, fuel is a mighty important factor in war, to the United States of America, and other countries. It is important to realize that we must not destroy the program of domestic growth in this country at this critical time of world tension and actual warfare.

Mr. YARBOROUGH. Again the Senator from West Virginia is eminently correct. I saw that with my own eyes. The destruction of Germany's fuel supply was the greatest single factor, I think, in our relatively quick victory in Europe. Serving on the infantry staff in Europe at that time, I saw many of the newest Messerschmidts under the trees in the Black Forest. We were bombing all their airfields but we could not find them in the trees, but the Germans ran out of fuel.

In today's machine age, with so much modern mechanized industry, we must have fuel if we are to survive. We must stay mobile on the ground. We cannot be placed in the position of Germany when it was without adequate supplies of fuel.

Bombing of the oil fields in Rumania, we remember, was another big factor in defeating Germany. We were able to get our supplies of oil. The Axis ran out of fuel. The skies then became open to our airpower.

Mr. CARLSON. Will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. CARLSON. I wish to commend the distinguished Senator from Texas for an excellent statement in which he described not only thoroughly but also factually the situation in oil as it exists in the Midwest, in Texas, Oklahoma, Kansas, and other States, as a result of the present situation on oil imports. We have some real problems in oil drilling, in the lessening numbers of rigs in operation, and proration. The industry is in serious difficulty. I want to commend the Senator for an excellent statement this morning and am glad to cooperate with him and the distinguished chairman of the Committee on Finance, the Senator from Louisiana [Mr. Long] in trying to get action on this legislation.

Mr. YARBOROUGH. I thank the Senator from Kansas. I recall the statement he made to me one time, off the floor; it was a true statement, but rather tragic to me, that Kansas had more independent oilmen and small operators than any other State in the Union. He rather boasted that Kansas had more than Texas. Our oil industry has declined and domestic exploration has almost stopped—not by accident, not because of modern scientific methods, and the higher percentage of production of wells than they had 30 years ago; not because of the risk of capital, but because of the flood of foreign oil that does not pay taxes to the domestic economy.

When we drill an oil well out in the Middle West, in the Senator's State, or in the Gulf States, such as Louisiana, the owners of that oil well pay a real property tax to the school district in which the oil well was drilled. Then they have to pay a county tax to the county. Nearly every piece of land is in some kind of irrigation district of some kind, and they pay a tax to every taxing authority there. A lot of them are within the city limits, also. Some cities stretch their boundaries to annex some of these oil wells. They also pay a city tax.

So they pay the city tax, the county tax, always a county tax, and always the school tax—very often the city tax—and other local taxes. Some of them pay 5 or 6 percent ad valorem rate. Then they pay a State tax or a producing tax on so much a barrel of oil. In addition, those who do the drilling work pay an income tax to the United States of America.

So what do those companies do if they happen to own oil wells in Saudi Arabia? They charge off 50 percent as taxes but they do not pay any taxes. The oil well men at home, however, do have to pay all these taxes, at every level of government from the lowest to the highest—that is, the Federal Government.

Mr. PEARSON. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. PEARSON. Mr. President, I associate myself with the comments made by the distinguished Senator from Texas, and also of my very distinguished senior colleague, the Senator from Kansas [Mr. Carlson], and ask that my name be added along with those cosponsoring the legislation introduced today by the Senator from Louisiana [Mr. Long]. His bill is sensible and necessary. It would introduce a legislative course for a program which now is only lightly regarded as an administrative issue by the Department of the Interior.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PEARSON. Mr. President, the bill introduced by the Senator from Louisiana [Mr. Long] is a measure that is necessary to shore up the sagging mandatory oil import program which has been operating so effectively since 1959.

Although the Senator from Louisiana's bill would not alter the production of domestic oil by increasing capacity to meet that lost from the Middle East, it nevertheless would protect the American oil industry from excessive imports from the Middle East and other foreign suppliers.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PEARSON. I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. The Senator from Kansas is recognized for 3 minutes.

Mr. PEARSON. Mr. President, as a Senator from the sixth largest oil producing State in the Nation, I have determined that such legislation is necessary if we are to have some semblance of internal protection for an industry which for years has been suppressed by administrative purchases of foreign oil and the blatant circumventing of the mandatory oil import program.

With the introduction into the world oil picture of embargoes from the rich Middle Eastern fields, many of our allies in Europe are beginning to feel the pinch of short supplies of oil as manifested by the rise in cost of gasoline in some Western European countries and in England.

Some countries that normally ship oil to the United States are not disposed to switching their production allegiance. Venezuela, as an example, has indicated that she might reserve some oil for Europe, but does not want to give up the lucrative and sustaining market in this country.

These occurrences all affect the industry in this country in some manner. Our domestic industry has not been permitted to expand or hardly keep pace with its own capabilities in recent years. Now, however, with the reduction of some 360,000 barrels daily of imports into this country from the Mideast, our refineries on the east and west coasts are not producing up to capacity.

I want to point out, Mr. President, that, aside from today's legislation, the fact that 360,000 barrels of Middle East oil is no longer coming to American refineries because of embargoes indicates that the domestic petroleum industry should be given a chance to pick up this slack and produce more oil for internal consumption.

As an example of what purchases are being made overseas of petroleum products, I am advised that oil and oil products to be purchased for use in Vietnam during the 1968 fiscal year will amount to some 70 percent of the entire annual production of the Kansas petroleum industry.

Again, I thank the Senator from Louisiana for his leadership in suggesting such legislation today and deem it a privilege to be accepted as a cosponsor with the many other distinguished Senators.

I thank the Senator from Texas for yielding to me for the purpose of making this statement.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. PEARSON. I yield to my senior colleague from Kansas.

Mr. CARLSON. Mr. President, I wish to commend the Senator from Texas for his interest in the oil industry. This is not something new for him. He has been doing it for years. He has made an excellent statement with regard to the situation in our State.

I refer also to the statement made by the Senator from Texas. Kansas was the first State west of the Mississippi where oil was discovered. We are not first in production. We have given in to Texas, California, Louisiana, and Oklahoma, but Kansas is well up on the list. I was interested in that statement.

Mr. PEARSON. I thank the Senator.

Mr. President, I yield the floor.

Mr. McGEE. Mr. President, as the Senator of a State that makes a major contribution to supplying America with energy in the form of petroleum, I am pleased today to be able to join my colleague from Louisiana [Mr. Long] in sponsoring this legislation designed to tighten up our present oil import policies and, not incidentally, thereby strengthen this industry and our national security.

Our present policies with regard to oil imports are unsatisfactory because they are, from the standpoint of the producer, and particularly the small, independent oil companies that form the backbone of our domestic industry, too uncertain. They are shot through with special exemptions for certain countries and products. These weaken the program and undermine its effectiveness at a time when we should be very mindful of the need to maintain and promote a healthy oil industry domestically. We need only look at the recent Middle East crisis for a demonstration of the need to give our domestic industry the kind of assurance that will foster greater effort toward the development of domestic reserves.

Mr. President, if we are to have an oil import policy, let us have one that exhibits the virtues of stability and equality, applying the same rules to everyone. I think this bill will effectively do that.

The bill (S. 2332) to promote the general welfare, foreign policy, and national security of the United States, introduced by Mr. Long of Louisiana (for himself and other Senators) was ordered to be printed in the Record, as follows:

S. 2332

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the national security provision (19 U.S.C.A. 1862) of the Trade Expansion Act of 1962 be amended by adding the following new subsections:

"(e) Imports of petroleum into Districts I–IV shall not exceed 12.2 per centum of production of crude petroleum and natural gas liquids in those Districts during the most recent appropriate period for which U.S. Bureau of Mines statistics are available.

"(f) Imports of petroleum into District V shall be limited so as to encourage development of District V production and use of domestic supplies in that District, but in no event shall the maximum level of overseas imports which shall be subject to allocation, be greater than the amount necessary, when added to domestic supply available to the District and to the volume of overland imports into the District which shall be exempt from allocation, to approximate total District V demand. Determination of supply-demand relationships in the District shall be made by the U.S. Bureau of Mines for appropriate periods.

"(g) Imports of petroleum into Districts I–IV and District V, other than crude petroleum, shall be progressively reduced.

"(h) As used in this Act:

"(1) 'Petroleum' shall include crude petroleum and natural gas liquids, and finished and unfinished products thereof except residual fuel oil for use as fuel.

"(2) 'Imports' shall include 'imports for consumption' as reported by the U.S. Bureau of the Census and shipments (A) from Puerto Rico, the Virgin Islands and Guam into the United States, and (B) into any foreign-trade zone located within the United States.

"(3) 'Districts I–IV' means the District of Columbia and all the States of the United States except those States within District V.

"(4) 'District V' means the States of Arizona, Nevada, California, Oregon, Washington, Alaska, and Hawaii.

"(i) The President, upon a finding that a national emergency threatens the adequacy of fuel supplies to meet national requirements, may modify or suspend the quota established by subsection (e) for a period not to exceed six months."

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous unanimous-consent agreement, the Senate will now proceed to the period of morning business.

The Senator from Louisiana is recognized.

ORDER FOR RECOGNITION OF SENATOR JAVITS

Mr. JAVITS. Mr. President, I ask the acting majority leader whether it would be agreeable to him—as I do not wish to intrude in the consideration of the conference report and the vote—if I could be recognized for 10 minutes after the vote on the conference report, when I understand there will be a period for the transaction of morning business.

I ask such unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS' PENSION AND READJUSTMENT ASSISTANCE ACT OF 1967—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Chair lay before the Senate the conference report on the disagreeing votes of the two Houses with reference to S. 16.

The PRESIDING OFFICER. Does the Senator desire that we close morning business first?

Mr. LONG of Louisiana. No. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the amendment of the House to the bill (S. 16) to amend title 38 of the United States Code in order to increase the rates of pension payable to certain veterans and their widows, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 17, 1967, pp. 23133–23142, Congressional Record.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG of Louisiana. Mr. President, I would like to ask that the Senator from West Virginia [Mr. Randolph], the Senator from Delaware [Mr. Williams], and other Senators who have taken part in the handling of this legislation be notified by the secretaries on both sides of the aisle, in order that they might comment on this conference report. I am going to suggest the absence of a quorum——

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CARLSON. I wonder if the Senator would not suggest the absence of a quorum before we begin consideration of the conference report.

Mr. LONG of Louisiana. I think we may save time by having some Senators make their statements. I assure the Senator I will not proceed to a vote without having a quorum call first. The reason I say that is that some Senators have asked that they may make statements because they have other commitments. I shall ask that they be recognized, after which I intend to suggest the absence of a quorum.

Mr. President, this is the conference report on the Veterans' Pension and Readjustment Assistance Act of 1967. It originally passed the Senate on February 7 as the Vietnam Era Veterans' Readjustment Act. The House added a cost-of-living pension increase and educational benefits to the bill and then returned it to us. The Senate agreed to the pension increase, amended the bill further to provide greater educational opportunities for veterans returning from military service and requested a conference with the House.

In most respects the conference agreement contains features that were in the Senate bill. However, to be perfectly fair, I must say that except for additional educational features we put into the bill before we passed it the second time, the principal features of the House and Senate bills were substantially similar. Both extended wartime benefits to Vietnam servicemen and their dependents and survivors. Both provided for a cost-of-living increase for veteran pensioners similar to the 1965 increase we provided for persons receiving compensation based on a veteran's service-connected disability. With respect to the educational features that I referred to earlier, both the House and Senate versions provided identical educational increases under the GI bill of rights, from $100 to $130 monthly for a veteran without dependents; from $125 to $155 for a veteran with one dependent, and from $150 to $175 for a veteran with two dependents. Proportionately smaller rates are provided for those enrolled on a part-time basis. Additionally, for the veteran with two dependents, a $10 monthly benefit for each dependent in excess of two is provided. This additional feature was a Senate amendment which the House conferees accepted in order to provide additional educational benefits for veterans with large families.

Another important aspect of the conference agreement in the educational field involved a Senate amendment to which the conferees agreed adding on-the-job, on-the-farm and flight training to the educational opportunities available to veterans.

With regard to the pension program provisions and the Vietnam wartime benefits, in only one significant instance were we unable to persuade the House conferees of the wisdom of a Senate amendment. This concerned the Curtis-Miller amendment to require that increases in social security payments be disregarded in determining the amount of, or the eligibility for, veterans benefits. Even though the Senate had passed this sort of amendment five times, the House conferees had a compelling logic behind their refusal to agree to it. First, they argued that a 1964 amendment to the veterans law permitted 10 percent of a pensioner's retirement income—social security, annuities, private pensions, and so forth—to be disregarded for this same purpose, and this 10-percent figure was worked out specifically to cover the social security increase Congress was considering that year. Unfortunately, the social security increase did not become law until 1965, but in the meantime many persons came onto the veterans pension rolls, or qualified for higher pensions, solely because of the 10-percent amendment. When the social security increase finally came about, these people, and no others, lost the additional veterans pension benefit that they had derived only a few months earlier under the 10-percent feature. The House conferees felt our amendment gave these people, and no others, an unwarranted windfall.

With respect to future social security increases, the House conferees agreed that the objective of the Senate amendment was meritorious, but they argued that it was administratively difficult and that it was unfair by being confined only to social security increases. They felt that the general rise in living costs demanded a change with respect to other forms of income as well as social security.

They also agreed that as soon as the amount of the 1967 social security increase is fixed they would, to quote from the statement of managers in the conference report:

> Take the necessary action to assure that any increase in social security payments . . . will not result in a reduction of combined income from VA pension, dependency and indemnity compensation, and social security or in removal of any person from the VA pension or dependency compensation rolls.

Chairman OLIN TEAGUE has given his word that he will help take care of this problem that has long concerned us in the Senate. He is a man who keeps his word, and on that basis, I was willing to have the Senate conferees recede on our amendment at this time and deal finally with this matter later in the fall.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks the statement of the managers on the part of the House and the summary.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LONG of Louisiana. The Finance Committee's part of the bill falls completely in line with the President's recommendations and is supported by the administration. This part, however, has been increased some $10 million yearly by acceptance of House provisions in the pension and wartime benefit areas. This means a little over $110 million as provided by Senate Finance Committee provisions for additional pension, and Vietnam benefits have risen to $121.6 million dollars yearly under the conference agreement.

The educational features of both the House and Senate bills which fall outside the Finance Committee's jurisdiction exceeded the President's recommended increases in educational benefits and these overages constitute the bulk of the differences in cost between what the administration requested and what the conferees have agreed to. While the administration's recommendations called for a little over $189 million in additional benefits for the first full year of operation, the House version of S. 16 would have cost $236 million and the Senate version $282.8 million.

Mr. President, by inclusion of certain House features not in the Senate bill, the conference bill provides additional veterans' benefits totaling $285 million for the first year.

I would be remiss if I did not commend my fellow Senate conferees on their fine, outstanding work and assistance. Further, I must also commend in particular, three Members of this distinguished body for the tremendous contributions they have made on behalf of the veterans. And without whose help, this omnibus veterans bill would not have been possible.

First, I congratulate my good friend, the distinguished junior Senator from New Mexico [Mr. MONTOYA], who, because of his farsightedness and initiative, introduced in the Senate during the 89th Congress the first Vietnam veterans bill, S. 3580—only to see it die in the other body. However, he persevered and, joined by 73 other Senators, he introduced S. 16 to provide the benefits which our fighting men so richly deserve. His contributions will not be forgotten. His efforts have truly given impetus to provide wartime benefits to Vietnam veterans and have led to enactment of S. 16.

I must commend a distinguished Senator who has a fine persevering spirit; namely, the distinguished and able senior Senator from Texas [Mr. YARBOROUGH], who has been in the forefront of almost every battle to provide this Nation's servicemen with benefits for their services to their Government. It has sometimes appeared that he has fought his battle for educational benefits as a lone sentry, but because of his unswerving diligence, others have joined with him to insure that those who don their country's uniform will have the financial support from the Government to seek or commence their interrupted educations. Senator YARBOROUGH is indeed a great friend of the veterans. Without his aid and capable assistance, this magnificent veterans bill would not be a reality, today and today's enactment of S. 16, as an omnibus veterans bill, is due to his tireless efforts.

I congratulate the chairman of the Subcommittee on Veterans' Affairs of the Committee on Labor and Welfare, the distinguished senior Senator from West Virginia, [Mr. RANDOLPH]. Through his cooperation and assistance veterans of the cold war and the more recent veterans of a hot war in Vietnam, will be provided benefits in this bill. He is certainly entitled to a great deal of credit. Without his efforts, much of what we have achieved here could not have been accomplished. S. 16, and particularly the educational provisions therein, should stand as a monument to his outstanding career as a Member of the Senate and as an American.

I can say in all sincerity it was a great privilege and pleasure to be able to work with these men in meeting the obligation we have to those who have served our country.

For the information of those Senators who desire to know the specific details of the conference agreement, I ask unanimous consent that the press release of the Committee on Finance describing the bill be printed at the end of my statement. I urge that the conference report be agreed to.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

HOUSE-SENATE CONFEREES REACH AGREEMENT ON S. 16, THE VETERANS PENSION AND READJUSTMENT ASSISTANCE ACT OF 1967

Chairman Russell B. Long (D., La.) Committee on Finance, today announced that the conferees on S. 16 had reached agreement regarding the differences between the House and Senate versions of this legislation. As agreed to by the conferees, S. 16 would provide more than a quarter billion dollars in additional veterans benefits each year. Senator Long pointed out that the most important features of the bill (a) extend wartime rates of benefits for Vietnam veterans and their dependents; (b) increased educational allowances and broadened opportunities under the "Cold War G.I. Bill;" and (c) provide a cost-of-living increase with respect to non-service-connected pensions similar to the increase Congress voted in the 89th Congress for those receiving compensation growing out of death or disability.

VIETNAM VETERANS

Under the bill, for purposes of VA benefits, military service of ninety days or more beginning August 5, 1964 (date of Tonkin Gulf Crisis) and ending on a date determined by Presidential proclamation or Congressional resolution would be considered service during wartime. Thus, eligible servicemen could receive the following additional benefits (presently available only to veterans of foreign wars.)

Funeral Expenses ($250 burial allowance).—Under present law, reimbursement of burial expenses is provided to wartime or Korean Conflict veterans or peacetime veterans receiving service-connected compensation at time of death. This bill would extend the burial allowance to Vietnam Era veterans.

Compensation—Wartime rates.—Presently, veterans service in peacetime or under conditions other than extra hazardous and who are disabled in service receive 80 percent of compensation payable for wartime disability. This bill would provide Vietnam Era veterans with the full disability compensation rate.

Pension for Non-Service-Connected Disabilities.—Vietnam Era veterans and their widows and surviving children would become eligible for monthly pension payments. Under present law, pensions are available only with respect to those veterans with non-service-connected disabilities who served during World War I, World War II, or the Korean Conflict period and their survivors.

Psychosis as Service-Connected.—A psychotic condition (such as paranoia) arising within two years after discharge or termination of Vietnam conflict will be considered to be service-connected for purposes of hospitalization by the Veterans Administration.

Drugs.—Payment for prescribed drugs and medicines in treatment of non-service-connected disabilities would be provided for veterans who are on either compensation or pension (both new and old) rolls and in need of regular aid and attendance. (This benefit will also be available to veterans of prior wars).

Automobiles.—Payment by the Veterans Administration of an amount up to $1,600 for automobiles or other conveyances, including special appliances to veterans who are amputees or blind and who were in the Armed Forces on or after January 31, 1955, provided their condition arose in the line of duty or as a direct result of the performance of military duty. The conferees also agreed that the present time limitation on applying for their auto allowance should be removed.

EDUCATIONAL BENEFITS

Educational Assistance Allowances.—Both the Senate and House versions increased the rates of educational payments provided by the "Cold War GI Bill of Rights" from $100 to $130 monthly for a veteran without dependents; from $125 to $155 for a veteran with one dependent, and from $150 to $175 for a veteran with two dependents. Proportionately smaller rates are provided for those enrolled on a part-time basis.

The conferees agreed to provide, in addition to the $175 for a veteran with two dependents, a $10 monthly benefit for each dependent in excess of two.

Educationally Disadvantaged.—The Conferees agreed to authorize full benefit payments under the GI Bill to educationally disadvantaged veterans so that they can complete high school without losing any of their eligibility for follow-on college benefits.

War Orphans.—The conferees also agreed to extend the age limit for orphaned students under the War Orphans Education Assistance Program, from 22 to 25.

Reporting Fees.—Educational institutions are authorized an annual reporting fee based on the number of enrolled veterans in order to defray the cost of submitting reports required by the Veterans Administration.

NEW CATEGORIES OF TRAINING

Certain on-the-job, cooperative on-the-farm, and flight training programs were agreed to as new categories of education for which veterans can receive assistance. These new categories offer educational opportunities similar to those previously available for veterans of World War II and Korea.

On-the-Job Training.—The conferees agreed to provide allowances for up to 36 months of on-the-job and apprenticeship training. Payments for the first six months would be at the rate of $80 per month for a veteran with no dependents, $90 monthly for those with one dependent and $100 per month for veterans with two or more dependents. Thereafter, payments will become subject to periodic reduction.

On-the-Farm Training.—The conferees similarly agreed to provide 36 months of cooperative on-the-farm training. Payments to veterans enrolled in such programs will be at the rate of $105 per month for a veteran with no dependents, $125 for those with one dependent monthly, $145 for veterans with two dependents monthly, with an additional $7 per month payable for each dependent in excess of two. The trainee must be enrolled in institutional agricultural courses for a minimum of 12 clock hours per week and must be engaged in agricultural employment related to such courses.

Flight Training.—Veterans engaged in commercial flight training will be entitled, for up to 36 months, to receive payments amounting to 90 percent of tuition costs. The trainee's entitlement for educational assistance allowances will be charged at the rate of one month for every $130 paid. (36 months entitlement would then amount to approximately $4,600). No payments will be available to those seeking private pilot licenses.

PENSION

Both the House and Senate agreed to provide:

Cost-of-Living Increase.—A 5.4 cost-of-living increase for all pensioners who are now receiving payments under the so-called "new pension" law, together with a greater pension increase (approximately 8½%) for widows and widows with children in the lowest income categories. (See attached schedules.)

War Widows.—A $5 monthly rate increase (from $65 to $70) for Spanish-American and prior war widows;

Housebound Allowance.—An increase of $5 a month (from $35 to $40) in the housebound pension allowance for "new pension" veterans;

Widows Aid and Attendance Allowance.—Initiation of a new program providing a special aid and attendance allowance of $50 a month for widows pensions under the "old pension" or the "new pension" program, the Spanish-American War and prior war programs in need of regular aid and attendance.

Total Disability.—Presumption of permanent and total disability for pension purposes on attainment of age 65; this removes the necessity for veteran aged 65 and over to prove that he is totally and permanently disabled.

Aid and Attendance Presumption.—Presumption of regular aid and attendance for pensioners given to wartime veterans receiving nursing care in public or private nursing homes in lieu of requiring a veteran so situated to prove he requires aid and attendance.

Marriage Requirement.—Reduction of the five-year alternative marriage requirement for widows to one year (or any period if a child is born to the parties of the marriage).

Income Exclusions.—Enlargement of present exclusions from income for pension purposes by disregarding amounts paid by wife for last illness of veteran prior to death and amounts paid by a widow or a wife for last illness and burial of a veteran's child; and

Medical Devices.—The furnishing of certain devices, medical equipment and supplies (except medicine) to pensioners in need of regular aid and attendance.

In addition to these benefits, the conferees agreed to the following provisions for pensioners:

Housebound "Old Law" Veterans.—A "housebound" rate of $100 per month is given to "old law" veterans, similar to housebound allowances presently provided under the "new pension" program.

Spanish-American and Indian War Veterans.—The Administrator of Veterans' Affairs is directed to pay aid and attendance veterans of the Spanish-American and Indian Wars the higher rates as between the "new pension" program (based on need) and the service pensions they currently receive (regardless of need) when the facts in each particular case warrant it.

MISCELLANEOUS

Anatomical Loss.—The conferees agreed to add to the basic rate of compensation payable to severely disabled veterans by allowing a statutory award of $47 monthly for each anatomical loss they suffer except that the combined benefits may not exceed a total of $400 monthly. Under present law only a single $47 award is payable, regardless of how many anatomical losses are sustained.

Loan Guaranty.—Under the conference agreement the final cut-off date for World War II veterans to apply for home and small business loans would be extended from July 25, 1967 until July 25, 1970.

Direct Loans.—Under present law, the maximum limit on direct home loans which may be made by the Veterans Administration is $17,500. The conferees agreed to provide the Veterans Administration with flexibility to make direct home loans up to $25,000 in areas where they find that cost levels so require.

Social Security—Veterans Benefits.—The conferees deleted the provision contained in the Senate bill which would have prevented an increase in social security benefits from applying to reduce or terminate a veteran's benefit. However, the conferees firmly agreed that once the amount of the proposed 1967 social security benefit increase has been determined, legislation would be swiftly enacted to assure that no veteran benefit would be reduced or terminated because of the social security hike.

The following schedules reflect the new amounts of pension payable under the conference agreement as compared with present amounts:

VETERAN WITHOUT DEPENDENT

Annual income		Conference agreement	Present rate
More than—	But equal to or less than—		
	$600	$104	$100
$600	1,200	79	75
1,200	1,800	45	43

VETERAN WITH DEPENDENTS

Annual income		Conference agreement			Present rate		
More than—	but equal to or less than—	One dependent	Two dependents	Three or more dependents	One dependent	Two dependents	Three or more dependents
	$1,000	$109	$114	$119	$105	$110	$115
$1,000	2,000	84	84	84	80	80	80
2,000	3,000	50	50	50	48	48	48

WIDOW WITHOUT CHILD

Annual income		Conference agreement	Present rate
More than—	But equal to or less than—		
	$600	$70	$64
$600	1,200	51	48
1,200	1,800	29	27

WIDOW WITH CHILD

Annual income		Conference agreement[1]	Present rate[2]
More than—	But equal to or less than—		
	$1,000	$86	$80
$1,000	2,000	67	64
2,000	3,000	45	43

[1] Plus $16 for each child in excess of one.
[2] Plus $15 for each child in excess of one.

CHILDREN (NO WIDOW)

	Conference agreement	Present rate
One child	$40	$38
Each additional child	16	15

Mr. LONG of Louisiana. Mr. President, the cost of this bill exceeds the President's recommendations by nearly $100 million. If any Senator wishes to make a speech on Government spending that could perhaps have been postponed, I would suggest that he make it now, rather than on a debt limit bill, which I shall have to manage, and rather than on a tax bill, which it sometimes becomes our duty to pass.

This is something that we should do. In my judgment, it provides benefits which the Nation can afford, and exemplifies to those who have answered the call to make whatever sacrifice may have been necessary in defense of their country, that their service is appreciated. While it exceeds the President's request, I believe that the President will sign the bill, recognizing that he as well as Congress has responsibilities to provide justice and compensation to those who have made great sacrifices for their country.

Mr. President, while we have enough

Senators present, I ask for the yeas and nays on the conference report.

The yeas and nays were ordered.

EXHIBIT 1

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the amendment of the House to the text of the bill (S. 16) to amend title 38 of the United States Code in order to increase the rates of pension, payable to certain veterans and their widows, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

On February 7, 1967, the Senate passed the bill S. 16, which provided additional readjustment assistance for certain veterans of the Vietnam era and sent the bill to the House. On March 15, 1967, the House Committee on Veterans' Affairs reported to the House the bill H.R. 2068 which provided pension increases, additional readjustment assistance to veterans of service after January 31, 1955 (the termination of the period of the Korean conflict for purposes of wartime veterans' benefits), and increases in certain educational benefits. H.R. 2068 was passed by the House on March 20, 1967, and the bill S. 16 was then taken up and all after the enacting clause was stricken out and the text of H.R. 2068, as passed by the House, was inserted as an amendment to S. 16. The bill (as amended) was then returned to the Senate.

On June 1, 1967, the Senate passed an amendment in lieu of the House amendment to S. 16 and requested a conference. The House agreed to the conference and three meetings of the conferees were held on July 18 and 27 and August 10, 1967.

The conference report which precedes this statement is a substitute for the House and Senate amendments to S. 16. The principal substantive differences between the amendments of the two Houses are set forth below, together with an explanation of the action of the conferees thereon.

INCREASED BENEFITS FOR "OLD-LAW PENSIONERS"

The Veterans' Pension Act of 1959 established innovations in the payment of veterans' pension. One was to relate the amount of pension to graduated income levels rather than paying the same rate of pension to all pensioners who received less than a single fixed amount of annual income. Another new feature was to take into consideration the net worth of an individual in determining his eligibility for a pension. Under section 9(b) of that act, individuals who had been receiving pension under the law in effect immediately before its effective date were permitted to remain under the "old law" for purposes of receipt of pension if they were otherwise eligible. Persons who elected to do so are referred to as "old-law pensioners."

The House amendment extended several additional benefits to old-law pensioners. The Senate amendment had no comparable provisions.

Under the House amendment—

(1) The monthly rate of pension payable to any widow who is an old-law pensioner would be increased by $50 if she is in need of regular aid and attendance.

(2) Any veteran who is an old-law pensioner and (A) has, in addition to a disability rated as permanent and total, additional disability or disabilities independently ratable at 60 percent or more, or (B) by reason of his disability or disabilities, is permanently housebound but does not qualify for pension based on need of regular aid and attendance, would be entitled to a pension at the monthly rate of $100 rather than at the lesser rate otherwise payable to him.

(3) Any veteran who is an old-law pensioner and is receiving increased pension by reason of being in need of regular aid and attendance would be eligible to receive such drugs and medicines as might be ordered on prescription of a duly licensed physician as specific therapy in the treatment of any illness or injury suffered by him.

The conference agreement is the same in these respects as the House amendment.

EXCLUSIONS FROM INCOME

The House amendment provided that, in computing income for purposes of determining eligibility for pension and of parents for dependency and indemnity compensation, payments of annuities under the retired serviceman's family protection plan (10 U.S.C. 1431–1446) would not be considered. It also provided that in computing income for the purpose of determining eligibility of parents for dependency and indemnity compensation, pension payable to old-law pensioners, as such, would not be considered. The Senate amendment had no comparable provisions.

The House conferees receded in these respects and the conference report does not provide for exclusion of these types of income.

EXCLUSION OF SOCIAL SECURITY INCREASES

The Senate amendment contained provisions which would have permitted a person entitled to pension or a parent entitled to dependency and indemnity compensation on the date of enactment of any general increase in benefits under the Social Security Act enacted after July 1, 1965, to exclude the amount of such increases in computing his annual income for the purpose of determining his eligibility for such pension or dependency and indemnity compensation, as the case might be.

The conference report contains no provisions in this respect.

It should be noted that while the Social Security Amendments of 1965 (Public Law 89–97) provided an increase in benefits averaging about 7 percent, that Public Law 88–664 (which was reported by the House Veterans' Affairs Committee as H.R. 1927, 88th Cong.) provided for a 10-percent exclusion of social security and similar income for pension purposes.

The Senate amendment was resisted by the managers on the part of the House on the basis that it was inequitable in that it applied only to increases under the Social Security Act and that the administration of such a proposal would be extremely difficult. While covering social security increases, it would not give any relief to individuals receiving increases under the Federal civil service retirement system or railroad retirement system or under any State, county, municipal, or private retirement system.

The conferees wish to make clear that it is their intention to take the necessary action to assure that any increase in social security payments which might result from enactment of H.R. 12080 (which was reported by the House Committee on Ways and Means on August 7, 1967) will not result in a reduction of combined income from VA pension, dependency and indemnity compensation, and social security or in removal of any person from the VA pension or dependency and indemnity compensation rolls.

Further, the managers wish to point out that Public Law 89–730 provides that when there is a change in income of individuals receiving a non-service-connected pension due to an increase in payments under a public or private retirement plan or program, the effective date of the reduction or discontinuance of pension shall be the last day of the calendar year in which the change occurred. This provision provides ample time for the Congress to act in the event a social security rate increase is enacted.

On February 2, 1967, the chairman of the House Veterans' Affairs Committee sent the following communication to all Members of the House and entered the statement into the CONGRESSIONAL RECORD:

"The administration has recommended an increase in social security payments. As a result, Members of Congress and the Veterans' Affairs Committee are receiving many inquiries as to the possible effect of social security increases on the veterans' pension program.

"The veterans' pension program is based on income limits; therefore, any increase in social security payments may result in reduction and, in some instances, removal from the pension rolls.

"Last year Congress enacted legislation providing that income changes during the year would not affect pensions until the beginning of the next year. This gives us time to coordinate our efforts with the Ways and Means Committee.

"The committee is well aware of this problem and when the Congress has decided as to the level of increase in social security payments we expect to make appropriate adjustments in the veterans' pension program."

INCREASED AID AND ATTENDANCE ALLOWANCE FOR CERTAIN INDIAN AND SPANISH-AMERICAN WAR VETERANS

The House amendment would require the Administrator to pay to veterans of the Indian Wars or Spanish-American War who are receiving pension based on a need for regular aid and attendance the higher rate in a particular case as between the rate authorized under provisions applicable to World War I, World War II, and Korean conflict veterans and the one specifically provided for veterans of the pertinent war.

The Senate amendment contained no similar provisions.

The conference report contains these provisions that were in the House amendment.

ADDITIONAL BENEFITS FOR VIETNAM ERA VETERANS

The Senate amendment defines the term "Vietnam era" to mean the period beginning August 5, 1964 (the date of the Gulf of Tonkin incident), and ending on such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress. It also extended, on the basis of service during this period, pension to veterans, their widows, and children; presumption for medical purposes of service-connection of active psychosis arising within 2 years after discharge or release from service; and financial assistance in the purchase of specially equipped automobiles. In addition, the amendment makes the Vietnam era a period of war for purposes of title 38, United States Code, thus extending to veterans serving during this period eligibility for other so-called wartime benefits. These include wartime rates of compensation, burial allowances, and certain medical benefits.

The House amendment took a different approach. Under the House amendment, veterans of service after August 5, 1964, became eligible for wartime rates of compensation and burial allowances. Eligibility for pension was limited to veterans and their widows and children of deceased veterans of the "Vietnam conflict" which was defined to have the same meaning as "Vietnam era" in the Senate amendment.

Under the House amendment, veterans of service after January 31, 1955 (the termination of the Korean conflict for purposes of wartime veterans' benefits), would be entitled to certain medical benefits, including the 2-year presumption of service connection in the case of an active psychosis and would be eligible for assistance in purchasing specially equipped automobiles.

Except for the provisions relating to assistance in acquiring specially equipped automobiles, the conference substitute adopts the service period requirements of the Senate amendment.

SPECIALLY EQUIPPED AUTOMOBILES

The period during which eligibility could be acquired for receiving assistance in acquiring specially equipped automobiles differed in the two verisions as indicated above. There are other variances in the two versions.

Existing law establishes time limitations for applying for this benefit. The House amendment retained these limitations with necessary modifications to permit veterans granted entitlement to utilize that entitlement. The Senate amendment removed all limitations on time for applications for this benefit.

In addition, the House amendment requires that veterans in order to be eligible for this assistance must have incurred the disability in line of duty as a direct result of the performance of military duty.

The conference substitute contains provisions from both versions. Veterans of service after January 31, 1955, are made eligible for this benefit and the disability on which the award of the benefit is based must have been incurred in line of duty as a direct result of the performance of military duty. All limitations on time for applying for this benefit are abolished and it is only necessary that a veteran make application for such benefits in accordance with regulations prescribed by the Administrator of Veterans' Affairs.

MEDICINES FOR AID AND ATTENDANCE PENSIONERS

Section 612(h) of title 38, United States Code, as presently in effect authorizes the Administrator of Veterans' Affairs to furnish drugs or medicines ordered on prescription of a duly licensed physician as specific therapy in the treatment of an illness or injury suffered by a veteran of World War I, World War II, or the Korean conflict who is receiving increased pension under existing law based on need of regular aid and attendance.

The Senate amendment merely extended these provisions to apply to aid and attendance pensioners of the Vietnam era.

The House amendment (1) makes it mandatory for the Administrator of Veterans' Affairs to furnish these drugs and medicines and (2) extends the benefits of the section to (*a*) "old-law" aid and attendance pensioners, (b) aid and attendance pensioners of the Vietnam era, and (*c*) veterans receiving aid and attendance compensation for service-connected disabilities with respect to drugs and medicines prescribed for nonservice-connected conditions.

The conference substitute is the same in substance in this respect as the House amendment.

ENTITLEMENT TO EDUCATIONAL ASSISTANCE

The Senate amendment provided that an eligible veteran's entitlement to educational assistance would be equal to 1½ times the duration of his service on active duty after January 31, 1955. The House amendment contained no provision with respect to entitlement. Under existing law, an eligible veteran acquires one month of entitlement for each month of service on active duty after January 31, 1955.

The conference agreement contains no provisions with respect to entitlement.

EDUCATIONAL ASSISTANCE ALLOWANCE

Both versions increased the amount of educational assistance allowances payable to eligible veterans participating in the veterans' educational assistance program under chapter 34 of title 38, United States Code. The only difference in the two versions is that House amendment provided for fixed rates of educational assistance for eligible veterans having two or more dependents. The Senate amendment provides for additional amounts to be paid on account of each dependent of an eligible veteran in excess of two.

The conference substitute adopts this feature of the Senate amendment.

FLIGHT TRAINING; FARM COOPERATIVE TRAINING; APPRENTICESHIP OR OTHER ON-THE-JOB TRAINING

The Senate amendment contained provisions adding flight training, on-farm training, and apprenticeship or other on-job training to the veterans' educational assistance program of title 38, United States Code. These provisions were almost the same as the provisions in the educational assistance program for veterans of the Korean conflict which has terminated. The House amendment contained no similar provisions.

The managers on the part of the House felt that in light of experience under the Korean conflict educational assistance program and because of changed circumstances modifications in the Senate provisions were imperative. Accordingly, the provisions in the conference substitute relating to flight training, farm cooperative training, and apprenticeship or other on-job training are substantially different from the provisions relating to these subjects in the Senate amendment.

Flight training

Under the conference substitute, the Administrator of Veterans' Affairs may approve the pursuit by an eligible veteran of flight training accepted as necessary for the attainment of a recognized vocational objective in the field of aviation, if (1) the veteran possesses a valid private pilot's license or has satisfactorily completed the number of hours of flight training instruction required for a private pilot's license, and meets the medical requirements for a commercial pilot's license, and (2) the flight school courses meet Federal Aviation Administration standards and are approved by that Agency and the appropriate State approving agency.

Each eligible veteran pursuing a program of education consisting exclusively of flight training would be paid an educational assistance allowance computed at the rate of 90 percent of the established charges for tuition and fees which similarly situated nonveterans are required to pay in the same flight courses. This allowance would be paid quarterly upon receipt of certification from the veteran and the flight school as to the actual flight training received by the veteran during such quarter and the cost thereof. The veteran's entitlement would be charged with 1 month for each $130 paid to the veteran for such a course.

Farm cooperative training

Under the conference substitute, an eligible veteran without any dependents enrolled in an educational institution for a farm cooperative program consisting of institutional agricultural courses for a minimum of 12 clock hours per week, would be eligible to receive an educational assistance allowance at the rate of $105 per month if he was concurrently engaged in agricultural employment which is relevant to the institutional courses under standards prescribed by the Administrator. A veteran with one dependent would receive $125 per month, with two dependents $145 per month, with $7 per month for each dependent in excess of two, if he were so enrolled.

The conferees expect the Administrator of Veterans' Affairs to develop additional regulations defining farm cooperative training to insure that the veteran trainee's employment is in an area consistent with his institutional training program, and that the school offering the institutional portion of the program has cognizance of the trainee's job circumstances and has taken appropriate steps to insure that the trainee's job experience is coordinated with his institutional training.

Apprenticeship or other on-job training

Any eligible veteran could receive a training assistance allowance under the conference substitute while pursuing a program of apprenticeship approved by a State approving agency as meeting standards of apprenticeship published by the Secretary of Labor, or a program of other training on the job approved by a State approving agency as provided in section 1777 of title 38, United States Code, which would be added by the conference substitute.

The amount of the training assistance allowance payable to an eligible veteran under this program is shown in the following table:

Periods of training	No dependents	1 dependent	2 or more dependents
1st 6 months	$80	$90	$100
2d 6 months	60	70	80
3d 6 months	40	50	60
4th and any succeeding 6-month periods	20	30	40

On-the-job-training programs (other than apprenticeship programs) would be subject to approval by State approving agencies in accordance with detailed standards set out in the conference report.

In enacting the new program of on-job training, the conferees wish to make it clear that it is their intent that the State approving agencies approve training only in those fields that offer worthwhile knowledge and skills ordinarily obtained through the educational process leading to an accepted training objective and which will not have the attributes of a wage subsidy.

Training for occupations which require a relatively short period of experience in order for a trainee to obtain and hold employment at the market wage in the occupation, such as automobile service station attendant or manager, soda fountain attendant, food service worker, salesman, window washer, building custodian, or other unskilled or common labor positions, as well as clerical positions for which on-the-job training is not the normal method of procuring qualified personnel, should not be approved.

The Secretary of Labor is responsible for the administration of the Manpower Development and Training Act, and other on-the-job training activities in the Department of Labor. It is the intent of the conferees that the Administrator of Veterans' Affairs fully explore the advantages of using the Department of Labor's experience and resources in connection with the Veterans' Administration responsibility and activities in the field of apprentice and on-the-job training.

REPORTING FEE

The Senate amendment contained a provision under which the Administrator of Veterans' Affairs would pay to each educational institution which is required to submit reports and certifications to him with respect to eligible veterans enrolled therein an allowance at the rate of $1 per eligible veteran for each month during which a required report or certification was made to the Veterans' Administration by the educational institution. The House amendment contained no provisions on this subject.

This provision is substantially the same as the reporting fee provisions in the educational assistance program for Korean conflict veterans. Again, the managers on the part of the House felt that revisions were necessary in this portion of the Senate amendment in order to make it acceptable. Under the conference substitute, the Administrator of Veterans' Affairs would pay a reporting fee to any educational institution, including correspondence schools, in which persons receiving assistance under chapter 34 or 35 of title 38, United States Code, are enrolled computed for each calendar year by multiplying $3 by the number of persons enrolled therein on October 31 of that year. The Administrator could, if the enrollment of such persons on such date fluctuates more than 15 percent from the peak enrollment of such persons in such institution during such year, establish another date for such institution. These provisions in the conference substitute lend themselves to the utilization of electronic equipment in administering this program. The reporting fee would be paid to the institution as soon as feasible after the end of the calendar year for which it is applicable.

STATUTORY AWARDS

The House amendment rewrites section 314(k) of title 38, United States Code. As rewritten, a disabled veteran would receive a statutory award of $47 per month for each specified anatomical loss he has suffered, except that the combined benefits under that section could not exceed a total of $400 monthly. Under existing law, only a single award of $47 is payable, regardless of how many anatomical losses have been sustained by a veteran.

The Senate amendment contained no comparable provisions.

The conference substitute is the same in this respect as the House amendment.

BURIAL FLAGS

Both versions provide that in cases where servicemen die under circumstances where a burial flag is not furnished to their next of kin by the military department (i.e., where the body of the serviceman is not recovered) the Administrator of Veterans' Affairs will furnish a flag to the next of kin. The two versions differ, however, in the periods to which they apply. The House amendment applies to deaths occurring after May 27, 1941, thus having the effect of extending eligibility based on in-service deaths occurring on or after January 31, 1955. The Senate amendment applies in the case of deaths occurring during the Vietnam era.

The conference substitute is the same in this respect as the House amendment.

PERIOD OF ELIGIBILITY UNDER THE WAR ORPHANS' EDUCATIONAL ASSISTANCE PROGRAM

The House amendment contained provisions under which the period during which an individual could receive assistance under the War Orphans' Educational Assistance Program would be increased. The present generally applicable period is between the ages of 18 and 23 years. The House amendment would extend this to age 26. The Senate amendment contained no comparable provisions.

The conference substitute is the same in this respect as the House amendment.

EXTENSION OF LOAN PROGRAM FOR CERTAIN WORLD WAR II VETERANS

The Senate amendment contained provisions extending the final terminal date of the loan guaranty program for veterans of World War II from July 25, 1967, to July 25, 1970. The House amendment contained no comparable provision. The conference substitute adopts the language of the Senate amendment in this respect with additional provisions to insure that a veteran of World War II whose entitlement under the phase-out formula extended beyond July 25, 1967, and terminated before or shortly after the effective date of this act would not be denied the benefits of the extension provided by the amendment.

INCREASE IN THE AMOUNT OF DIRECT LOANS

The Senate amendment authorized the Administrator to raise the basic limit of $17,500 on direct home loans to veterans to not in excess of $30,000 where he finds that high-cost levels in a particular area so require.

The conference substitute adopts the principle of the Senate amendment with a single modification of reducing the higher maximum amount which may be established in any high-cost area from $30,000 to $25,000. This modification provides a sufficient margin ($7,500) to accord veterans in areas of extra high housing costs direct loan assistance substantially equivalent to that given veterans in other areas in purchasing similar type housing.

While this provision of the bill may produce some difficulties in determining what areas should be singled out for special treatment, the Administrator is afforded considerable latitude in establishing criteria for this purpose. For example, he can determine whether the loan maximum in the excepted areas will be uniformly set at the $25,000 level or will be variable, as, for example, by setting one or more intermediate limits so that differing maximums might be applied in the light of variations in high-costs levels between the areas affected.

EFFECTIVE DATES

Under the House amendment, this legislation would have taken effect on July 1, 1967.

The Senate version provides that the legislation shall become effective on the first day of the first calendar month which begins more than 10 days after the date of enactment of this legislation, except for the provisions concerning (1) presumptions relating to psychosis, (2) the furnishing of drugs to certain veterans receiving additional compensation or increased pension by reason of being in need of regular aid and attendance, (3) burial allowances in the cases of veterans of the Vietnam era, which provisions would be effective on the date of enactment of the legislation, with a savings clause for application to those made eligible solely by virtue of enactment of this legislation application could be made before the expiration of the 2-year period which begins on the date of enactment, or in the case of a correction of discharge, 2 years from the date of such correction.

The conference substitute is the same as the Senate amendment in this respect.

SUMMARY

S. 16 as passed Senate, June 1, 1967	*H.R. 2068 (S. 16) as passed House, March 20, 1967*	*Conference agreement*
	TITLE I	
(1) Same.	(1) A cost of living pension rate increase for all veterans alone, veterans with dependents, widows alone, widows with children, and children alone who are now receiving a pension under Public Law 86–211, as amended. Cost: $91,504,000.	(1) A cost of living pension rate increase for all veterans alone, veterans with dependents, widows alone, widows with children, and children alone who are now receiving a pension under Public Law 86–211, as amended. Cost: $91,504,000.
(2) Same.	(2) A substantially greater pension rate increase for widows and widows with children in the lowest income categories (approximately 8½ percent). Cost: $18,268,000 (included in item 1 above).	(2) A substantially greater pension rate increase for widows and widows with children in the lowest income categories (approximately 8½ percent). Cost: $18,268,000 (included in item 1 above).
(3) Same.	(3) A $5 per month pension rate increase for Spanish-American and prior war widows. Cost: $3,121,000.	(3) A $5 per month pension rate increase for Spanish-American and prior war widows. Cost: $3,121,000.
(4) Same.	(4) An increase of $5 per month in the "housebound" pension allowance under current law for veterans, from $35 to $40 per month. Cost: $1,251,000.	(4) An increase of $5 per month in the "housebound" pension allowance under current law for veterans, from $35 to $40 per month. Cost: $1,251,000.
(5) None.	(5) The creation of a new "housebound" rate of $100 per month for veterans under the old pension law. Cost: $2,552,000.	(5) The creation of a new "housebound" rate of $100 per month for veterans under the old pension law. Cost: $2,552,000.
(6) Same, except for fact that it does not cover widows covered by the old pension law. Cost: $1,704,000.	(6) A special aid and attendance allowance of $50 per month for widows receiving pension under Public Law 86–211, the old pension law, the Spanish-American War and prior wars, who are found in need of regular aid and attendance. Cost: $2,520,000.	(6) A special aid and attendance allowance of $50 per month for widows receiving pension under Public Law 86–211, the old pension law, the Spanish-American War and prior wars, who are found in need of regular aid and attendance. Cost: $2,520,000.
(7) Same.	(7) Presumption of permanent and total disability for pension purposes on attainment of age 65. Cost: Not significant.	(7) Presumption of permanent and total disability for pension purposes on attainment of age 65. Cost: Not significant.
(8) Same.	(8) Presumption of need for regular aid and attendance for pensioners who are being furnished nursing care in public or private nursing homes. Cost: Not significant.	(8) Presumption of need for regular aid and attendance for pensioners who are being furnished nursing care in public or private nursing homes. Cost: Not significant.
(9) Same.	(9) Reduction of the 5-year alternative marriage requirement for widows to 1 year (any period if there is a child born to the parties to the marriage). This liberalization applies to pension and the service-connected death programs. Cost: Not significant.	(9) Reduction of the 5-year alternative marriage requirement for widows to 1 year (any period if there is a child born to the parties to the marriage). This liberalization applies to pension and the service-connected death programs. Cost: Not significant.

SUMMARY—Continued

S. 16 as passed Senate, June 1, 1967	*H.R. 2068 (S. 16) as passed House, March 20, 1967*	*Conference agreement*
	TITLE I—continued	
(10) Same.	(10) Exclusion of income for pension purposes of amounts equal to amounts paid by a wife for the last illness of the veteran prior to his death. Cost: Not significant.	(10) Exclusion of income for pension purposes of amounts equal to amounts paid by a wife for the last illness of the veteran prior to his death. Cost: Not significant.
(11) Same.	(11) Exclusion of income for pension purposes of amounts equal to amounts paid by a widow or a wife for the last illness and burial of the veteran's child. Cost: Not significant.	(11) Exclusion of income for pension purposes of amounts equal to amounts paid by a widow or a wife for the last illness and burial of the veteran's child. Cost: Not significant.
(12) None, *but excludes social security increases enacted after July 1, 1965, for pension purposes under "new" and "old" laws and for determining eligibility for dependency and indemnity compensation.* Cost $7,700,000 for 1965 social security increase. (Anticipated additional cost for first full calendar year after enactment of social security increases recommended by the President: $86,933,000.)	(12) Exclusion of income for pension purposes and for dependency and indemnity compensation for parents of annuities under the retired serviceman's family protection plan. For the purpose of determining eligibility of parents for dependency and indemnity compensation, the bill would also provide for the exclusion from consideration as income of pension payable under the provisions of title 38 of the United States Code as in effect on June 30, 1960 (the so-called "old pension law" in effect before enactment of Public Law 86-211). Cost: Not significant.	(12) Statement on social security in the Statement of Managers—No formal legislative language. House recedes from material in (12) of H.R. 2068.
(13) Same.	(13) In the medical field, the furnishing of any type of therapeutic or rehabilitative device, medical equipment and supplies (except medicine) when medically indicated to pensioners entitled to pension based on need for regular aid and attendance unrelated to individual need for an invalid lift. Cost: $5,246,000.	(13) In the medical field, the furnishing of any type of therapeutic or rehabilitative device, medical equipment and supplies (except medicine) when medically indicated to pensioners entitled to pension based on need for regular aid and attendance unrelated to individual need for an invalid lift. Cost: $5,246,000.
(14) None.	(14) Directs the Administrator of Veterans' Affairs to pay in aid and attendance pension cases having service in the Spanish-American or Indian wars—the higher rates as between those authorized in Public 86-211, as amended, and those specifically provided for the earlier wars when such action would be in the best interest of the veteran. Cost: $808,000.	(14) Directs the Administrator of Veterans' Affairs to pay in aid and attendance pension cases having service in the Spanish-American or Indian wars—the higher rates as between those authorized in Public 86-211, as amended, and those specifically provided for the earlier wars when such action would be in the best interest of the veteran. Cost: $808,000.
Total first year cost: $110,526,000. (Plus potential additional cost of $86,933,000, as explained in item (12) above.)	Total first year cost Title I: $107,002,000.	Total first year cost: $107,002,000.
	TITLE II	
	The benefits provided by the bill in title II for those serving on or after *August 5, 1964,* are:	For the veterans of the "Vietnam era"—the period beginning August 5, 1964, and ending on such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress.
(1) Same for the veterans of the "Vietnam era"—the period beginning August 5, 1964, and ending on such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress.	(1) An increase in service-connected disability compensation for veterans serving during this period from the present 80 percent of the wartime rates to full wartime rates, under all circumstances. Cost: $7,365,000.	(1) An increase in service-connected disability compensation for veterans serving during this period from the present 80 percent of the wartime rates to full wartime rates, under all circumstances. Cost: $7,365,000.
(2) Same; except term used is "Vietnam era".	(2) Pension for veterans of Vietnam conflict for non-service-connected disability and death, and for their widows and children as currently provided for veterans of World War I and later war periods, and their widows and children. Cost: $971,000.	(2) Pension for veterans of Vietnam era for non-service-connected disability and death, and for their widows and children as currently provided for veterans of World War I and later war periods, and their widows and children. Cost: $971,000.
(3) Same for veterans of Vietnam era.	(3) Burial allowance of $250 to cover the burial and funeral expenses of deceased individuals who had served during this period. Cost: $657,000.	(3) Burial allowance of $250 to cover the burial and funeral expenses of deceased individuals who had served in Vietnam era. Cost: $657,000.
(4) *Authorizes* drugs for veterans of the Vietnam era who are aid and attendance pensioners; does not cover the old law cases or drugs for the non-service-connected disability of the service-connected aid and attendance veterans. Cost: Not significant.	(4) *Requires* the furnishing of drugs and medicines to aid and attendance pensioners. Also amends the law so that service-connected veterans receiving aid and attendance compensation shall be furnished drugs and medicines for non-service-connected conditions and extends this benefit to aid and attendance pensioners under the old law. Cost: $2,214,000.	(4) *Requires* the furnishing of drugs and medicines to aid and attendance pensioners. Also amends the law so that service-connected veterans receiving aid and attendance compensation shall be furnished drugs and medicines for non-service-connected conditions and extends this benefit to aid and attendance pensioners under the old law. Cost: $2,214,000.
	The benefits provided for those serving after *January 31, 1955,* are:	
(5) Same for veterans of Vietnam era.	(5) Extension of the 2-year presumptive period for veterans who develop a psychosis within that period after discharge by providing them a service-connected status for purposes of medical and hospital treatment. Cost: Not significant.	(5) Extension of the 2-year presumptive period for veterans who develop a psychosis within that period after discharge by providing them a service-connected status for purposes of medical and hospital treatment. Cost: Not significant.
(6) Same for veterans of Vietnam era.	(6) Miscellaneous medical benefits such as authorizing payments to State homes for	(6) Miscellaneous medical benefits such as authorizing payments to State homes for vet-

SUMMARY—Continued

S. 16 as passed Senate, June 1, 1967	*H.R. 2068 (S. 16) as passed House, March 20, 1967*	*Conference agreement*
	TITLE II—continued	
	veterans of this period and the use of private contract beds in a Commonwealth or a possession for non-service-connected conditions. The same sort of care may be provided under contract in the Veterans' Memorial Hospital at Manila, Republic of the Philippines. Cost: Not significant.	erans of this period and the use of private contract beds in a Commonwealth or a possession for non-service-connected conditions. The same sort of care may be provided under contract in the Veterans' Memorial Hospital at Manila, Republic of the Philippines. Cost: Not significant. The benefits provided for those serving after *January 31, 1955*, are:
(7) Extends existing law for service during the Vietnam era; due to disability incurred in or aggravated by active service; removes time limitations for application. Cost: $720,000.	(7) Authorizes an allowance of $1,600 toward the purchase of an automobile for a veteran who, as a direct result of the performance of military duty, has lost or lost the use of one or both feet, one or both hands, or who has suffered permanent impairment of vision in both eyes as defined. Application is required for this benefit within 5 years after the date of discharge, within 3 years after sustaining the loss of sight or limbs regardless of date of discharge, or within 1 year from date entitlement to compensation for the disability is determined. Cost: $3,432,000.	(7) Authorizes an allowance of $1,600 toward the purchase of an automobile for a veteran who, as a direct result of the performance of military duty, has lost or lost the use of one or both feet, one or both hands, or who has suffered permanent impairment of vision in both eyes as defined. Removes time limitations for application. Cost: $3,432,000.
First year cost: $9,713,000.	First year cost of Title II: $14,639,000.	First year cost: $14,639,000.
	TITLE III	
(1) None.	(1) Existing law authorizes basic rates of compensation which are paid according to degree of disability. In addition, certain statutory awards are authorized for specific disabilities. Among such awards is the payment of an allowance of $47 per month (in wartime cases), in addition to the basic rate applicable, where the veteran has lost the use of a hand, a foot, both buttocks, an eye, a creative organ, complete organic aphonia, or deafness of both ears. However, only one such allowance may be paid. Section 301 would authorize the payment of the additional allowance for *each* such loss, in addition to the basic rate of compensation. Cost: $262,000.	(1) Existing law authorizes basic rates of compensation which are paid according to degree of disability. In addition, certain statutory awards are authorized for specific disabilities. Among such awards is the payment of an allowance of $47 per month (in wartime cases), in addition to the basic rate applicable, where the veteran has lost the use of a hand, a foot, both buttocks, an eye, a creative organ, complete organic aphonia, or deafness of both ears. However, only one such allowance may be paid. Section 301 would authorize the payment of the additional allowance for *each* such loss, in addition to the basic rate of compensation. Cost: $262,000.
(2) Same, but limited to Vietnam era. (Appears in title IV.) Cost: Not significant.	(2) Provides for the issuance of a burial flag under those circumstances where an individual dies while in service after May 27, 1941, but his remains are either lost at sea, or are for some other reason not recovered. Cost: Not significant.	(2) Provides for the issuance of a burial flag under those circumstances where an individual dies while in service after May 27, 1941, but his remains are either lost at sea, or are for some other reason not recovered. Cost: Not significant.
(3) Same.	(3) Section 303 authorizes full benefit payments under Public Law 89-358 "to educationally disadvantaged veterans so they can complete high school without losing their eligibility for follow-on college benefits". Cost: $15,000,000.	(3) Section 306 authorizes full benefit payments under Public Law 89-358 "to educationally disadvantaged veterans so they can complete high school without losing their eligibility for follow-on college benefits". Cost: $15,000,000.
(4) Same; except rate of $10 is added for each dependent in excess of 2. Cost: $104,000,000.	(4) Section 304 increases the rates of payment under Public Law 89-358, the Veterans' Readjustment Assistance Act, to $130 monthly for a veteran without dependents, $155 for a veteran with one dependent, and $175 for a veteran with two or more dependents, with proportionately smaller rates for individuals who are taking courses on a three-fourths, half-time, or cooperative basis. Cost: $95,000,000.	(4) Section 304 increases the rates of payment under Public Law 89-358, the Veterans' Readjustment Assistance Act, to $130 monthly for a veteran without dependents, $155 for a veteran with one dependent, and $175 for a veteran with two dependents, with $10 additional for each dependent in excess of two, and proportionately smaller rates for individuals who are taking courses on a three-fourths, half-time, or cooperative basis. Cost: $104,000,000.
(5) None.	(5) Section 305 would amend the War Orphans Educational Assistance program by increasing the period of time during which training may be taken. The present generally applicable period is between the ages 18 and 23. The proposed legislation would extend this age to 26. Cost: $4,400,000.	(5) Section 305 would amend the War Orphans Educational Assistance program by increasing the period of time during which training may be taken. The present generally applicable period is between the ages 18 and 23. The proposed legislation would extend this age to 26. Cost: $4,400,000.
(6) On-the-job training.	(6) None.	(6) Provides on-the-job training with appropriate safeguards and a monthly training assistance allowance as indicated in the table below:

Period of training	No dependents	One dependent	Two or more dependents
First 6 months	$80	$90	$100
Second 6 months	60	70	80
Third 6 months	40	50	60
Fourth and any succeeding 6 month periods	20	30	40

SUMMARY—Continued

<table>
<tr><th>S. 16 as passed Senate, June 1, 1967</th><th>H.R. 2068 (S. 16) as passed House, March 20, 1967</th><th>Conference agreement</th></tr>
<tr><td></td><td>TITLE III—continued</td><td></td></tr>
<tr><td></td><td></td><td>Cost: $27,000,000.</td></tr>
<tr><td>(7) On-the-farm training.</td><td>(7) None.</td><td>(7) Authorizes farm cooperative training consisting of institutional agricultural courses at a minimum of 12 clock hours per week at the rates indicated.
<table>
<tr><th>No dependents</th><th>One dependent</th><th>Two dependents</th><th>More than two dependents</th></tr>
<tr><td>$105</td><td>$125</td><td>$145</td><td>The amount in Column IV, plus the following for each dependent in excess of two: $7.</td></tr>
</table>
Cost: $5,000,000.</td></tr>
<tr><td>(8) Flight training. Cost of items (6), (7), and (8): $42,000,000.</td><td>(8) None.</td><td>(8) Provides flight training for eligible veterans who have valid private pilot licenses or the equivalent in flight training hours and who can meet the medical requirements necessary for a commercial pilot's license. The educational assistance allowance is to be computed at 90% of the established charges for tuition and fees for similarly circumstances nonveterans enrolled in the same flight-training course, with each $130 paid to a veteran to cancel one month of training eligibility. Cost $7,000,000.</td></tr>
<tr><td>(9) Entitlement to educational assistance based on one and one-half times the duration of service on active duty. No first year cost.</td><td>(9) None.</td><td>(9) None.</td></tr>
<tr><td>Total first year cost of Title III: $161,000,000.</td><td>Total first year cost Title III: $114,662,000.</td><td>Total first year cost of Title III: $162,662,000.</td></tr>
<tr><td></td><td>TITLE IV</td><td></td></tr>
<tr><td>(1) Reporting fee $1 per month per veteran to educational institutions. Cost: $1,600,000.</td><td>(1) None.</td><td>(1) Propose to pay yearly fee to educational institutions based on their peak enrollment in October as reported by the computer. Cost: $1,300,000.</td></tr>
<tr><td>(2) Extends cut-off date for World War II veteran loan guaranty program from July 25, 1967–July 25, 1970. Cost: Not significant.</td><td>(2) None.</td><td>(2) Accepts July 25, 1970 date. Cost: Not significant.</td></tr>
<tr><td>(3) Increase direct loan amount from $17,500 to $30,000 in areas where administrator finds cost levels so require. Cost: Not significant.</td><td>(3) None.</td><td>(3) Increases direct loans in areas where the Administrator finds cost levels so require to $25,000. Cost: Not significant.</td></tr>
<tr><td>Total first year cost of Title IV: $1,600,000.</td><td></td><td>Total first year cost of Title IV: $1,300,000.</td></tr>
<tr><td>Total first year cost entire bill: $282,839,000. (Plus potential additional cost of $86,933,000 as noted in item (12) on p. 2.)</td><td>Total first year cost entire bill: $236,393,000.</td><td>Total first year cost entire bill: $285,603,000.</td></tr>
</table>

OLIN E. TEAGUE,
W. J. BRYAN DORN,
JAMES A. HALEY,
WALTER S. BARING,
E. ROSS ADAIR,
WILLIAM H. AYRES,
Managers on the Part of the House.

EDUCATION FOR COLD WAR GI'S

Mr. YARBOROUGH. Mr. President, I desire to commend the present occupant of the chair [Mr. MONTOYA], the original author of S. 16, with which my bill, S. 9, and certain House provisions were merged. I believe the distinguished Senator from New Mexico who occupies the chair had some 70-odd sponsors on S. 16, to which I also had the honor to add my name.

Mr. President, today marks the culmination of an effort I began in 1959, 8 years ago, to provide educational assistance for cold war veterans like that given to Korean veterans.

After 8 long years, we have attained full justice for the millions of young Americans who have served our United States so faithfully on every continent of the world in that period of time beginning February 1, 1955. Mr. President, 1967 is a year of justice for veterans of the cold war and the Vietnam era.

The distinguished Senator from New Mexico who occupies the chair [Mr. MONTOYA], the distinguished majority whip, the Senator from Louisiana [Mr. LONG], and the distinguished senior Senator from West Virginia [Mr. RANDOLPH] bear a large share of the credit for that justice.

Now any veteran who entered service during the past 12½ years and served over 6 months with an honorable discharge may go to school with Government scholarships.

From the start of this effort, the cold war GI bill had the support of a majority of the Senate; it was reported from the Labor and Public Welfare Committee in the 86th, 87th, 88th, and 89th Congresses, and passed by the Senate in 1959 and 1965. In spite of executive branch opposition and the indifference of others, the cold war GI bill, in a limited form, was enacted in 1966 as Public Law 89–358.

That substantial benefit for the veterans of Vietnam and the cold war in the 1966 law was, however, less helpful to veterans seeking an education than the Korean GI bill had been. Last year I introduced a bill to provide the full range and scale of readjustment benefits for the veterans serving since January 31, 1955. That bill was reintroduced this year as S. 9, with the support of over 50 of my colleagues as cosponsors. It was reported from the Labor and Public Welfare Committee on May 24 and passed by the Senate as an amendment to S. 16, the bill of the distinguished occupant of the chair [Mr. MONTOYA], on June 1, 1967. Now, with Senate adoption of the conference report on S. 16, we shall at last provide a full program of readjustment educational asistance to the over 5 million veterans of the cold war and Vietnam who are already discharged and are out of service. These amendments to last year's cold war GI bill should bring at least as many as 100,000 additional veterans yearly into a training program, to add to the estimated 500,000 now receiving cold war GI bill benefits.

The conference-agreed bill will increase the educational payments for institutional training substantially; it will authorize a new program of training for the educationally disadvantaged veterans who have not attained a high school diploma; and it will authorize new programs:

On-the-job training—for the first time with this bill; it was not in the GI bill last year—on-the-farm training—for the first time in this bill; it was not in the cold war GI bill last year—and flight training—for the first time in this bill; it was not in the cold war GI bill last year.

Not enough of the discharged cold war veterans are going to school. One million more should enroll this fall. If they do, we will have the best-educated group of veterans in the world, even as we have now the most efficient and most dedicated group of fighting men in the world. At the same time we are telling these young men—and the young men who will benefit in the future—that we are grateful for what they have given, and they have given much. We must give them this educational opportunity when they come home. They have given the best days of their lives, they have forsaken career benefits and often left behind wives and children, and they have in many instances given up golden chances to get ahead in civilian life, to serve their country in uniform.

Too many have returned and have faced unfortunate odds, trying to catch up with their peers, who were not called upon to serve their country.

Mr. President, the passage of this 1967 bill, attaining full equity for contemporary veterans, is due largely to the unfailing support, interest, and cooperation of the chairman of the Veterans' Affairs Subcommittee, the Senator from West Virginia [Mr. RANDOLPH]. The veterans are greatly in his debt. This bill could not have been acted on as it was without the help and cooperation of the junior Senator from Louisiana [Mr. LONG], chairman of the Finance Committee and chairman of the conference between the House of Representatives and the Senate, who assisted in every possible way, as did all the conferees. The result could not have been attained without the assistance of the distinguished present occupant of the chair, the Senator from New Mexico [Mr. MONTOYA], the author of the basic bill, S. 16, which went to the House of Representatives, was modified by the basic House amendments, and was brought back in a form where the Senate amendments could be added and the educational and training benefits plus the special Vietnam benefits could be obtained, in addition to the provisions of the original S. 16, as introduced by the Senator from New Mexico.

Mr. President, this is a Senate achievement. The executive did not recommend it. But the country needs it, and our Nation will be strengthened by it. This noble institution, the Senate of the United States, with its able leadership, has again led in progress for the Nation.

This is the branch of the Government which initiated the cold war GI bill, which will help educate millions of cold war veterans, and veterans yet to come.

Mr. AIKEN. Can the Senator from Louisiana explain to us why this conference report was not brought up last week, so that the veterans would have been able to share in its benefits a month earlier than they will be now?

Mr. LONG of Louisiana. Mr. President, this bill provides $285 million of additional veterans' benefits during its first full year. As one of the conferees, I worked diligently to see that the increases provided in the Senate bill, which amounted to about $46 million more than provided by the House bill, were kept in the bill. We brought back from conference a bill which provides even more for veterans, in terms of dollars, than was provided by either the House bill or the Senate bill.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LONG of Louisiana. I ask unanimous consent that I may have 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. If anyone wishes to talk about economy in government, about the national debt, or about the fact that we cannot afford the spending we are doing, I suggest that he do his talking now. As far as I am concerned, in conference I sought a compromise where one could not tell that the House was prevailing or the Senate was prevailing.

With regard to the effective date of this bill, the substantial benefits of the bill would become available the first day of the month occurring more than 10 days after the President signed it. Conceivably the bill might have gone into effect 1 month earlier than it now otherwise would. To argue that we rush legislation through and put it on the President's desk for signature at the earliest possible time would be, in effect, transferring the decision to the executive branch and taking it away from the Congress.

I would hope that the veterans would appreciate what has been done for them. They have been provided with additional benefits of over $285 million a year. Rather than quarrel about the fact that the bill might conceivably have gone into effect a month earlier, it should be realized that the $285 million a year in veterans benefits now contained in the measure will, in the next 5 years, amount to $1.8 billion in veterans' benefits. Frankly, it seems to me as well that we make the decision ourselves rather than to take it to the doorstep of the President and rush him to decide as to when he should sign the bill.

If any Senator had wanted to call up the conference report, I am advised by the Parliamentarian that that Senator would have had that privilege. I am not the only Senator who has the right to call up the conference report when the Senate has possession of the official papers, although traditionally the chairman of the Senate conferees would be the one to do it. If any other Senator had wanted to insist on his right to call up the conference report during the past 4 days, he could have done so.

I did fight and do everything in my power to see that we persuaded the House to our way of thinking on the question of providing additional veterans' benefits, which, of course, could get more money. We brought back a bill, which, in dollar terms, provided even more than the bill we passed in the Senate. We brought back a bill which provided a lot more in dollar terms by over $50 million for the first year, than the bill passed in the House would have provided. After that the increase in cost would be even greater.

We brought back a bill which, in dollar terms, exceeded the amount in either the House bill or the Senate bill. In give and take fashion the Senate yielded to the House and the House yielded to the Senate on high-cost items.

I, for one, felt that I would bring this conference report up today, but I would not have opposed the wishes of any other Senator who wanted to bring up the matter sooner.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. AIKEN. Mr. President, I think the Senator from Louisiana should be commended for holding out for a higher level of benefit for the veterans, including the Vietnamese war veterans who, until this measure becomes law, apparently occupy a position of a kind of second-class veterans.

I commend the junior Senator from Louisiana for holding out on that amount. However, I would like to know whether, by virtue of postponing the effectiveness of this measure for 1 month—which the administration evidently desired—$23 million was saved to the Treasury, or approximately that much.

Mr. LONG of Louisiana. Mr. President, I assume that if the bill had been signed several days ago, it would have gone into effect sooner and there might have been a difference of approximately $20 million. However, I hope that one would look at the doughnut instead of the hole. I hope the veterans who, over a period of 5 years, will receive an additional $1.8 billion in benefits, most of which is due to things we did in the Senate, might not be too much upset at the fact that we had not acted somewhat sooner.

If the House had gone along with us when we passed the so-called Montoya bill last year, S. 3580, the Vietnam veterans would have been eligible for a great many of these benefits, nine months or almost a year earlier.

So, while some may say: "Well, if the Senate had moved more expeditiously, more benefits might have been paid to the veterans," it must be remembered that this will not cost the veterans anything in the long run. In the long run, the veterans will be a lot better off because we have struggled to provide additional benefits.

Mr. AIKEN. Mr. President, I again commend the Senator from Louisiana for his handling of the bill in a manner which will give increased benefits to veterans and their families. I commend the administration for its efforts to save money to the Treasury, although I can think of better places to save a few million dollars than by the postponing of the effectiveness of this act for a month. Thereby in effect taking it out of our war veterans.

Mr. President, I have nothing more to say. I will vote to approve the conference report.

I point out, however, that the amount of money which was saved by the delay, $23 million, if that is the approximate amount—and I believe it was—is thirty-three one-thousandths of 1 percent of the amount contained in the military appropriations bill which we passed yesterday.

Mr. LONG of Louisiana. Mr. President, people talk about economy and they talk about reducing nonessential spending. I know of very few who want to reduce what we regard as essential defense spending during the time of warfare.

When one talks of reducing domestic expenditures, if he wants to vote against such action, here is something that he can vote against. And if one wants to make a speech about reducing expenditures, I suggest that when the Federal post office pay raise bill comes up, that might also be a good time to talk about how to effect a savings in our economy and about how expenditures can be postponed to some later date. Few such speeches will be heard. Usually we hear such speeches when those of us who must try to provide the money bring in a tax bill or a debt limit bill to make it possible to pay for pay raises and veterans' benefits.

It is a very difficult responsibility for all of us to think in terms of providing that which we would like to provide to all worthy American citizens, such as veterans, Federal employees, retired employees under the social security program, and other persons in deserving categories.

On the other hand, we must think in terms of our responsibility in fiscal and monetary matters to maintain a stable economy on the one hand and to maintain a balanced budget insofar as we can on the other. It is a very important and sometimes heavy responsibility.

If we can provide $285 million of additional veterans' benefits annually and one wants to take issue with the fact that it should have been done sooner, I must say that is a difficult person to satisfy.

We have tried very hard to take care of all our deserving veterans' needs, and had we insisted on passing the legislation at a much earlier date, while we would have provided some veterans' benefits sooner, the benefits would have been much less and not half as satisfactory as the result reached by the conferees.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. Mr. President, I have another question to ask the Senator, but I first associate myself with the Senator from Vermont in this matter in view of the fact that I did speak last Friday with respect to the fact that the 1 day's difference made a month's difference to those who are affected.

I am entirely sympathetic with the views expressed by the Senator from Louisiana. However, I feel that this was a case of justice deferred.

We were doing the best we could to bring the measure to passage at the earliest possible moment. However, that is water over the dam. I am sure that the conference report will be agreed to today.

It is a fact, is it not, that the conference report includes an extension of the opportunities for small home and business loans to veterans of World War II from its expiration date, which has already occurred, to July 25, 1970?

Mr. LONG of Louisiana. The Senator is correct.

Mr. JAVITS. Mr. President, I point out that I am deeply grateful—and this is my amendment—that the amendment is included in the bill.

It will affect some 4,683,000 World War II veterans who would have been deprived of an opportunity which almost 7 million veterans of both the Korean war and World War II have already availed themselves, although the number diminished somewhat in recent years. Only 166,000 utilized the program last year. Already this year, some 38,000 have participated.

I express my appreciation to the Senator from Louisiana, as chairman of the Senate conferees, for having brought back the conference report with this kind of provision in it.

I thank my colleague for yielding.

Mr. LONG of Louisiana. Mr. President, I thank the Senator from New York.

When we passed S. 3580 last October, it contained many of the benefits for Vietnam veterans that are contained in the pending measure.

Had the Senate had its way, those veterans would have been enjoying some of these benefits starting in November of last year. However, as far as the veterans as a group were concerned, we did prevail in providing far more additional benefits because more time was consumed in reaching final action in this area.

Mr. JAVITS. Mr. President, will the Senator yield briefly?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. Mr. President, the Senator from Colorado [Mr. Dominick] is desirous of making comment upon the conference report, and I ask unanimous consent that a statement by him upon the conference report be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Dominick

Mr. President, I am gratified that the Senate is in a position to act favorably today on the Conference Report to S. 16. As the ranking minority member of the Veterans Affairs Subcommittee, I was privileged to be able to participate in the hearings on the portion of the bill as originally contained in S. 9, and in the Conference on S. 16.

The extension of wartime rates of benefits for Vietnam Veterans and their dependents, the increased educational allowances under the "Cold War G.I. Bill" and the provisions granting a cost-of-living increase with respect to non-service-connected pensions are indeed welcome.

While I applaud the progress made under this bill in Veterans' benefits, I feel that in several instances the Vietnam Veterans are getting short-changed. In education benefits, for example, World War II and Korean veterans receive one and one-half months credit toward their education for each month served. S. 16 regrettably provides only one day of credit for each day served. Quite frankly, this inequity exists only because the Administration has opposed this concept. I sincerely hope that this inequity can be rectified in the future.

Again, over the Administration's opposition, we were able to include certain on-the-job, cooperative on-the-farm, and flight training programs. While some of these programs are not as comprehensive as I would have liked to see, we were at least able to retain the concept and offer some assistance in job training to Vietnam veterans.

Our skyrocketing inflation is creating a most difficult situation for those living on fixed incomes. Therefore I was very gratified that we were able to enact a cost-of-living increase for our non-service connected veterans.

Despite the deficiencies in the bill, I think we have made a great step forward in assisting our veterans, and I hope that this bill will be signed expeditiously by the President.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. COOPER. One of the most difficult questions I have been asked in letters from veterans is the effect of social security payments upon their pension. Would the Senator elaborate, for the Record, as to what the consequence is, under present law, of social security payments to a veteran receiving a pension, and what it will be after the bill is approved?

Mr. LONG of Louisiana. Let me put it this way: In providing these pension increases in veterans' income in S. 16, we are providing a monthly benefit increase which a person receives in addition to his social security income.

In conference, we had the Curtis-Miller amendment, which the Senate had agreed to five times, and which I very vigorously supported, even to the extent of asking that Senators Miller and Curtis be permitted to come into the room and sit at the table and support that provision, in which they are greatly interested.

The genesis of the matter apparently started when the House passed a social security bill about 3 years ago and the Veterans Committee passed a bill which was intended as a companion bill. The veterans bill, by allowing an exclusion of 10 percent of public or private retirement income was intended to provide that veterans might have the benefit of social security increases or the benefit of an increase of income from other retirement income sources, including social security, and continue to draw the same veterans' benefits to which they had been entitled.

Unfortunately, although the veterans bill became law, the social security bill on that date did not. The latter was deadlocked in conference because of the medicare amendment added by the Senate, which the House declined to accept in whole or in part. The result was that the veterans law had an unintended effect, and about 29,000 persons became eligible for pensions or had pension increases, who were never intended to be made eligible for those pensions. This was a result of one bill passing without the companion bill becoming law.

Those people, having been on the pension rolls for some 9 months, were very resentful when we passed a social security bill which made them ineligible for the veterans' pensions they had been enjoying during this brief period.

Senator MILLER and Senator CURTIS sought very diligently to provide that no one would lose any benefit that he had achieved as a result of one of the two bills becoming law. And the Senate has agreed to such an amendment about five times.

The House conferees took the view that they never intended to make these 29,000 eligible for those additional benefits. From the House point of view, the only way we could get it straightened out, unless we wished to compound the mischief, was to decline to treat social security income differently from any other income, and simply let nature take its course, and those people who had not been intended to receive these additional benefits—be placed in the same position as they enjoyed prior to the 10-percent exclusion law. It should be noted that in no event did any person end up with less total annual income in 1966 from the VA and social security than he had enjoyed in 1964. In most cases, after the 1965 social security increase, veterans had more total income, not less.

Naturally, we have heard a great deal from these 29,000 people. It is my impression that you will hear 10 times more from people from whom you have taken something than from people for whom you have done something.

Senator CURTIS and Senator MILLER have labored diligently in this field to see that this type of thing did not occur again; and, indeed, they have tried to look after those who have lost benefits to which they have become entitled.

The House conferees have given us firm assurance that if we pass a social security bill this year they will pass and send to the Senate a veterans' bill which will take this into account and assure that no one will lose any benefits because we pass a social security bill in this session of Congress.

The House conference report states:

> The conferees wish to make clear that it is their intention to take the necessary action to assure that any increases in social security payments which might result from enactment of H.R. 12080 (which was reported by the House Committee on Ways and Means on August 7, 1967) will not result in a reduction of combined income from VA pension, dependency and indemnity compensation, and social security or in removal of any person from the VA pension or dependency and indemnity compensation rolls.

So I feel confident that the error will not be repeated, and I can only regret that it occurred in the first instance.

Mr. COOPER. As I understand it, the present law is based on the income of the veteran.

Mr. LONG of Louisiana. The Senator's understanding is correct.

Mr. COOPER. The amount of pension payments is graduated according to income. Thus, if a veteran became eligible for a pension because of need and non-service-connected disability and received social security payments as well, then if an increase in social security payments raised his income over the pension income level, this would cause a reduction in his veteran pension. That would occur under present law?

Mr. LONG of Louisiana. The Senator is correct.

Mr. COOPER. And that would also occur if there is a change in railroad retirement benefits or civil service retirement benefits.

Mr. LONG of Louisiana. The Senator is correct.

When a veteran's income from any source increases, it tends to reduce his entitlement to monthly pension benefits.

Since pension benefits are based on need and are related to income, the general rule is that when an increase in social security occurs, if we want the veterans to get it and keep it, we must pass a companion veterans bill or amend the social security bill to raise the amount the veterans may receive as income—social security or otherwise—and continue to receive their monthly veteran pension.

May I say to the Senator from Kentucky that this is a very simple problem for the Senate to meet and a more difficult problem for the House to meet, because in the Senate it is all handled by the same committee. Veteran pension and compensation come within the legislative jurisdiction of the Senate Committee on Finance, as do the social security bills. But in the House, the Committee on Ways and Means handles social security measures and the Veterans' Affairs Committee handles the veterans' bills, with the result that both, carefully respecting the jurisdiction of the other, can arrive at the sort of hiatus that occurred when a so-called veteran companion bill was enacted, although the Social Security bill which it was intended to accompany did not become law.

Mr. COOPER. I ask one other question of the Senator: Would the same situation obtain with those persons who are referred to as "old law pensioners," and those persons who opted to receive pensions under the new law?

Mr. LONG of Louisiana. Yes. Although old law pensioners have a different level of income, the same principle applies to them, namely they must meet certain levels of income in order to be eligible for VA pension.

Mr. COOPER. I thank the distinguished Senator. I compliment and commend him and the committee for the fine work they have done for veterans, and particularly those veterans in need because of illness or inability to take care of themselves without additional treatment.

Mr. LONG of Louisiana. I thank the Senator.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PROUTY. Mr. President, I have heard that certain key members of the Veterans' Affairs Committee in the other body indicated that at some time in the reasonable future they would correct this inequity with respect to veterans pensions as a result of increased social security. Has the chairman of the Committee on Finance any reason to believe that is their attitude?

Mr. LONG of Louisiana. They have promised that this error will not occur again. I believe the Senator from Vermont was not in the Chamber when I explained this matter the first time.

The view of the House committee has been that they passed a bill intended as a companion bill to what would have been the social security bill of 1964, but the social security bill of 1964 never became law because it was deadlocked in conference over the medicare issue. The companion veterans' bill, which anticipated an increase in social security income, which did not occur that year, had the unintended effect of allowing about 29,000 persons to become entitled to additional veterans' benefits which had never been intended for them. So the House conferees insisted that was a mistake. Rightly or wrongly, they feel it was for the most part the mistake of someone in assuming that the social security bill was going to become law that year.

Later, when the social security bill became law in 1965 the 29,000 people that the House conferees never intended to have on the rolls went back off of the rolls. The House conferees contend, the only way to straighten out the matter is to leave the 29,000 people off the rolls and that we should at some time in the future prevent that from happening again. They assure us they will send us a bill, or they will agree to one if we send to them a bill to see that no veteran loses benefits because we pass a social security bill this year.

I did everything in my power to try to persuade the House conferees to agree to at least some part of the Curtis-Miller amendment, which would provide that social security increases in the future would not adversely affect a veterans' benefit by reduction or termination of his VA payment.

We tried for 2 days, and spent more time on that provision than on any other item in the bill, including those items costing more money, and even to the extent of asking the Senator from Iowa [Mr. MILLER] and the Senator from Nebraska [Mr. CURTIS] to join us in the committee room to discuss the matter, but we could not prevail. However, we will see to it that in the future, no veteran benefit will be reduced or terminated because of a social security hike.

Mr. PROUTY. I am sure the Senator did everything in his power to correct this matter, and I commend him for it. I hope it is clear that this situation is not going to be tolerated much longer.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. LONG of Lousiana. I yield.

Mr. MILLER. Mr. President, as I understand the matter, the main bone of contention which the House of Representatives has is that in 1964 they passed a law which permits the Veterans' Administration to ignore 10 percent of the outside income of a veteran before they started taking into account outside income in determining his eligibility for a pension.

I further understand that they propose to pass a bill in the other body and send it to the Senate later this session which will enable future increases in social security to not run afoul of that 10 percent, as a result of which a veteran receiving increased social security benefits will be cut back in his veteran's pension in an amount more than the increase he is getting from social security. Is that not so?

Mr. LONG of Louisiana. The Senator is correct.

Mr. MILLER. I was present at the conference at the invitation of the distinguished minority whip and I want the Senate to know that he did his very best to uphold the position of the Senate on this matter. I am sure he would have come back to the Senate recommending that we vote against the conference report had it not been for the assurance of the House of Representatives that this would be forthcoming in the future.

Mr. LONG of Louisiana. I thank the Senator.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

THE VETERANS PENSION AND READJUSTMENT ASSISTANCE ACT OF 1967 OFFERS IMPROVED BENEFITS AND NEW OPPORTUNITIES TO THOUSANDS OF VETERANS AND THEIR DEPENDENTS

Mr. RANDOLPH. Mr. President, it is gratifying that the Senate moves toward final passage of S. 16, the Veterans Pension and Readjustment Assistance Act of 1967, as agreed on in conference. I commend my able associate from Louisiana, the Honorable Russell Long, and his colleagues on the Committee on Finance for their efforts in behalf of this measure. Likewise, recognition comes to the senior Senator from Texas, the Honorable Ralph Yarborough, who exerts effective leadership in the field of veterans' legislation.

The bill, S. 16, is designed, in part, to provide veterans of the Vietnam conflict essentially the same wartime benefits as are afforded veterans of other wars. Additionally, the measure offers increased educational opportunities and benefits under the so-called cold war GI bill.

Finally, S. 16 provides a cost-of-living increase with respect to non-service-connected pensions, as well as improvements in a broad range of other pension-related programs.

Senators recall that the original bill, S. 16, passed this body early in the life of the 90th Congress, and was amended in the form of a substitute in the House of Representatives. When the measure returned to the Senate floor on June 1, 1967, the Senate also chose to amend by substituting new language before asking for a conference. It was at this stage that the provisions of S. 9, the Cold War GI Bill Amendments of 1967, were included as a part of S. 16. Through the unflagging efforts of our diligent friend from Texas, the cooperation of the membership of the Subcommittee on Veterans' Affairs and the Committee on Labor and Public Welfare, chaired by the Honorable Lister Hill, S. 9 was ordered reported to the Senate with the report being filed May 24, 1967.

Provisions of S. 16 will broaden and strengthen educational opportunities for our returning servicemen and women. The measure makes important upward adjustments in the rates of educational assistance allowances which will aid veterans in defraying costs of higher education. The new rates for full-time institutional education show an increase from $100 to $130 monthly for a veteran without dependents, from $125 to $155 per month for a veteran with one dependent, and from $150 to $175 for those with two dependents. For each dependent in excess of two a $10 additional monthly benefit will be payable.

When it becomes law, S. 16 will assist disadvantaged veterans in securing high school credits needed to enter college without exhausting their entitlement.

An annual reporting fee is authorized to educational institutions based on the number of enrolled veterans, in order to defray the costs of submitting reports required by the Veterans' Administration.

Another significant advancement in readjustment benefits provided in S. 16 is the inclusion of additional categories of education for which veterans may receive assistance allowances. These include on-the-job training programs, cooperative on-the-farm training, and flight training programs. These new areas open educational avenues similar to those previously made available for veterans of World War II and Korea. In each case, however, there have been important changes.

The measure approved by the Senate offers up to 36 months of on-the-job and apprenticeship training. For the first 6 months, payments would be at the rate of $80, $90, and $100 per month, for veterans with no dependents, one dependent, and two or more dependents, respectively. Thereafter, periodic reductions in dollar amounts take effect.

Up to 36 months of cooperative on-the-farm training will also be available to eligible veterans on enactment of the Veterans Pension and Readjustment Assistance Act of 1967. Those enrolled may receive educational assistance allowance payments at the rate of $105 per month for veterans with no dependents, $125 monthly for veterans with one dependent, and $145 monthly for veterans with two dependents. There is an additional $7 per month payable for each dependent in excess of two. In order to qualify, the trainee must be enrolled in institutional agricultural courses for a minimum of 12 clock hours per week and must be engaged in agricultural employment related to such courses.

For eligible veterans engaged in commercial flight training, up to 36 months of payments, amounting to 90 percent of tuition rates, will be available. The trainee's entitlement to receive educational assistance allowances will be charged at the rate of 1 month for every $130 paid. Hence, the maximum 36 months entitlement could amount to approximately $4,600 in flight training tuition. No payments will be available to those seeking private pilot licenses.

Mr. President, the enactment of the Veterans Pension and Readjustment Assistance Act of 1967 does not signify that all needed legislative actions have been taken in the field of veterans' affairs. Even now, at the direction of President Lyndon B. Johnson, the Administrator of Veterans' Affairs, the Honorable William J. Driver, is conducting a series of nationwide hearings. The purpose of this effort is to determine and develop means through which laws pertaining to veterans can be made more responsive and more effective.

As chairman of the Subcommittee on Veterans' Affairs, I commend the Senate for moving expeditiously to make available to American servicemen and women the benefits of the Veterans' Pension and Readjustment Assistance Act of 1967. It is just legislation, it is necessary legislation, and it represents a wise investment in the future of some of our most dedicated citizens.

Again, I commend the Senator from Texas [Mr. Yarborough] and the Senator from Louisiana [Mr. Long] for their determination to bring from the conference a bill which will have meaning in the lives of thousands of veterans. I likewise express appreciation to the Senator from New Mexico [Mr. Montoya] who introduced the original S. 16, and to the Senator from Colorado [Mr. Dominick] for his careful attention to the proceedings of the hearings and the conference.

Mr. MONTOYA. Mr. President, it is with a great deal of pleasure and personal gratitude that I rise to urge my colleagues to give prompt and swift approval to the conference report on S. 16, the Veterans' Pension and Readjustment Assistance Act of 1967.

This Congress has the opportunity to rectify a situation which is grossly inequitable to many millions of our veterans who have made great sacrifices to serve this Nation.

We have been delinquent in our treatment to our returning Vietnam era veterans in not according them the same treatment we have accorded veterans of other conflicts. We have been delinquent in not providing full educational benefits to those of our veterans whose careers we have interrupted by calling on them to serve and protect us. We have been delinquent in our treatment of our disabled veterans. We have been delinquent in our responsiveness to the needs of the widows and children of our deceased veterans.

Final passage of S. 16 will permit us to rectify these inequities. Final approval of S. 16 will prove that the U.S. Government is anxious to fulfill its obligations to those gallant men who have borne the brunt of battle that this Nation might continue in freedom.

This legislation we are considering here today is long overdue and is the culmination of many, many months of diligent work and perseverance on the part of many, including the distinguished chairman of the Finance Committee, Russell Long. Without his leadership this measure would not be before us today.

While we are recognizing those who have labored so diligently on this legislation, I would like to take this opportunity to pay due recognition to that one individual who is so often overlooked but who equally as often is the mainspring of the legislative process. I speak of the professional staff man on the committee responsible for the dogged, painstaking details of the bill. In this instance I speak of an extremely capable and astute young man. I speak of Mr. Frank McDermott, professional staff man for the Senate Committee on Finance. He has ridden herd on this veterans legislation and has been most helpful to me and my staff.

I am happy to say that this legislation is the outgrowth of a bill, the Vietnam Era Veterans Readjustment Assistance Act, which I introduced last session of Congress (S. 3580); in which I was joined by 56 Members of this body; and which was unanimously passed by the Senate only to die in the House, caught in the adjournment rush last October.

I again introduced this proposal in this Congress as S. 16. As originally introduced, S. 16 would have provided those benefits to our Vietnam veterans which were provided to veterans of other conflicts.

As you know, S. 16 has subsequently been chosen as the vehicle with which to not only extend wartime rates of benefits for Vietnam veterans and their dependents, but also increased educational allowances and broadened opportunities under the cold war GI bill, as well as provide a cost-of-living increase with respect to non-service-connected pensions similar to the increase Congress voted in the 89th Congress for those receiving compensation growing out of death or disability.

VIETNAM ERA VETERANS

Under the bill, as approved by the conferees, for purposes of VA benefits, military service of 90 days or more beginning August 5, 1964—date of Tonkin Gulf crisis—and ending on a date determined by Presidential proclamation or congressional resolution would be considered service during wartime. Thus eligible servicemen could receive the following additional benefits presently available only to veterans of foreign wars: a $250 burial allowance; wartime compensation rates; pension for non-service-connected disabilities; psychosis as service-connected; and payment of certain drugs.

These are the provisions of my original S. 16, and I am particularly happy to see that the conferees retained the date of the Tonkin Gulf crisis—August 5, 1964—as the beginning of the "Vietnam era." This permits us to continue to make the distinction between peacetime and wartime conditions and therefore benefits.

EDUCATIONAL BENEFITS

The increased educational assistance allowances and other educational benefits provided by this bill will permit our veterans to continue the education which was interrupted when they were called upon to serve our country, or to acquire the additional education which they were never able to embark upon because of service to their country.

In addition, the new categories of training which have been provided are most essential and offer educational opportunities similar to those previously available for veterans of World War II and Korea. Thus, certain on-the-job, cooperative on-the-farm, and flight-training programs have been added as new categories of education for which veterans can receive assistance.

INCREASED PENSIONS

As amended, S. 16 provides a long overdue and much deserved and needed 5.4 cost-of-living increase for all pensioners who are now receiving payments under the so-called new pension law, together with a greater pension increase—approximately 8½ percent for widows with children in the lowest income categories. The measure also provides for some additional benefits for pensioners.

OTHER PROVISIONS

I was also pleased at the retention of a provision extending until July 25, 1970, the cutoff date for World War II veterans to apply for home and small business loans; and with the flexibility which has been provided to the VA to make direct home loans up to $25,000 in areas where they find that cost levels so require.

Of particular importance to veterans all over this Nation is the conferees' firm commitment that once the amount of the proposed 1967 social security benefit increase has been determined, legislation will be swiftly enacted to assure that no veteran benefit will be reduced or terminated because of the social security hike. This is a most urgently needed provision and I have every confidence that the Committee on Finance will work toward its early enactment.

Again, I urge my colleagues to give the conference report swift approval and forward this measure to the President for his signature.

Mr. BYRD of West Virginia. Mr. President, it has been estimated that approximately 94 million Americans will fall into the category of veterans, dependents, or survivors who will have future reason to hail the Senate adoption today of the House-Senate conference report on S. 16, the Veterans Pension and Readjustment Assistance Act of 1967.

This legislation represents a realistic, comprehensive packet of veterans programs constructively geared to meet foreseeable as well as present needs. It includes cost-of-living increases in compensation payments; expanded general benefits in a range of classifications for veterans, dependents, and survivors, including pension and education; establishment of wartime benefits for Vietnam era GI's; extension of the time period for home loan eligibility for World War II veterans; and the provision for specially equipped automobiles for severely disabled veterans.

As the sponsor of legislation proposing Federal monetary allowances for specially equipped automobiles for paraplegic veterans, I am pleased at the inclusion of $1,600 for this purpose in this measure.

I am gratified to note that the Veterans' Administration program for guaranteeing mortgages for home and small business purchase for World War II veterans has been extended. That legislation, due for expiration as of this past July 25, will be extended 3 years to July 27, 1970.

As one measure of the success of this program, both in terms of the number of veterans benefiting and the economic gains accruing therefrom, statistics for my own State of West Virginia show that since the effective date of the World War II GI bill, there have been 38,871 home, farm, and small business loans secured by veterans in West Virginia under the bill's provisions. These totaled $294,824,080 through June 30 of this year, and included loans directly through the VA and private loans guaranteed by the VA. Of this total, West Virginia veterans secured 440 farm loans aggregating $1,584,417 and 675 business loans totaling $2,531,375, leaving almost 37,000 loans secured by West Virginia veterans for homes.

Nationwide, it is estimated another 100,000 veterans may yet benefit from these loan provisions, now extended.

I note that the conference report states that this new veterans pension and readjustment assistance law provides more than a quarter billion dollars in additional veterans benefits each year. As a member of the Senate Appropriations Committee which votes funds for these veterans programs, I intend to give my full support to the necessary funding to permit continued successful operation, in keeping with the intent of the Senate in giving practical, not merely verbal, recognition for the services of our Nation's former military men and women, volunteers and draftees alike.

A STEP FORWARD FOR AMERICA'S VETERANS

Mr. KUCHEL. Mr. President, today the U.S. Senate, by approving the conference report on the Veterans' Pension and Readjustment Assistance Act of 1967, will be meeting a considerable portion of its responsibility to those who have given of themselves to defending and preserving the freedom all Americans enjoy today. This measure provides a broad-ranging package of needed benefits for America's veterans.

As agreed to by the conferees, S. 16 would provide more than a quarter billion dollars in additional veterans' benefits each year. It involves the following important features:

First. Extends wartime rates of benefits for Vietnam veterans and their dependents;

Second. Increases educational allowances and broadens opportunities under the cold war GI bill; and,

Third. Provides a cost-of-living increase with respect to non-service-connected pensions similar to the increase Congress voted in the 89th Congress for those receiving compensation growing out of death or disability.

I am particularly pleased to see that this proposal contains the major provisions of two bills which I was proud to cosponsor—S. 9 and S. 16. These proposals seek to equalize, expand, and improve benefits for the men now fighting in Vietnam. It is inconceivable to me that the brave men who search out the enemy in the mountains and deltas of South Vietnam should not be acknowledged as full-fledged representatives of this Nation. This bill, by incorporating S. 9 and S. 16, provides that needed recognition through expanded benefits.

All in all, S. 16 is a step forward for the veterans of this Nation. But there is a great deal that still remains to be done. For example, Congress must consider legislative steps to give our veterans the dignity of a decent burial. In line with this, I am hopeful that my proposal, S. 1799, to increase the present meager burial allowance from $250 to $400 will be acted upon favorably by the Senate

Finance Committee in the near future. It is also necessary for the Congress to act on the creation of a separate Veterans' Committee on the Senate side. I was pleased to see such a proposal adopted in the reorganization bill. I hope that it will be approved by the House. It is time that the Senate establish a committee to give particular attention to the affairs of veterans.

Mr. President, no legislation can ever repay the Nation's debt to the brave men that have served and are serving in our Armed Forces. But we must continue, in the very least, to meet the basic needs of our servicemen and veterans. That is our Republic's honorable debt to them. I believe S. 16 is an important and essential step forward in discharging the Nation's obligation.

The **PRESIDING OFFICER**. The question is on agreeing to the conference report.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. **BYRD** of West Virginia. I announce that the Senator from Arkansas [Mr. McCLELLAN], the Senator from Utah [Mr. MOSS], the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD], the Senator from South Carolina [Mr. HOLLINGS], the Senator from New York [Mr. KENNEDY], the Senator from Montana [Mr. METCALF], the Senator from Wisconsin [Mr. NELSON], the Senator from Georgia [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], the Senator from South Carolina [Mr. HOLLINGS], the Senator from New York [Mr. KENNEDY], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Montana [Mr. METCALF], the Senator from Utah [Mr. MOSS], the Senator from Wisconsin [Mr. NELSON], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] would each vote "yea."

Mr. **KUCHEL**. I announce that the Senator from Massachusetts [Mr. BROOKE] is absent on official business.

The Senator from Colorado [Mr. DOMINICK] is necessarily absent.

If present and voting, the Senator from Massachusetts [Mr. BROOKE] and the Senator from Colorado [Mr. DOMINICK] would each vote "yea."

The result was announced—yeas 88, nays 0, as follows:

[No. 237 Leg.]

YEAS—88

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
Miller
Mondale
Monroney
Montoya
Morse
Morton
Mundt
Murphy
Muskie
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—12

Brooke
Dodd
Dominick
Hollings
Kennedy, N.Y.
McClellan
Metcalf
Moss
Nelson
Russell
Smathers
Sparkman

So the report was agreed to.

Mr. **RIBICOFF**. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. **KUCHEL**. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR RECOGNITION OF SENATORS MORSE AND PROUTY

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent, in view of the fact that the distinguished Senator from New York was allocated 10 minutes at this time, that the Senator from Oregon [Mr. MORSE] be recognized for 5 minutes, and the Senator from Vermont [Mr. PROUTY] for the same time.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

The Senator from Oregon is recognized.

CANCELLATION OF EDUCATION LOANS TO COLLEGE STUDENTS WHO ENTER THE ARMED FORCES

Mr. **MORSE**. Mr. President, the distinguished junior Senator from Vermont [Mr. PROUTY], who serves as ranking member of the minority on the Education Subcommittee of the Senate Committee on Labor and Public Welfare, is joining me today in introducing legislation to amend title II of the National Defense Education Act, the insured loan program of title IV of the Higher Education Act of 1965 and the health professions student loan program in order to give deserved recognition to the services being rendered by the young men and women who are serving this country in the Armed Forces.

If enacted, the bill would allow the cancellation, or "forgiveness," of the loan of a college student who leaves the classroom to take up arms for his country. All of the loan—100 percent of it—would be forgiven at the rate of 25 percent for each year of service.

It would give the youngster who has gone into debt for his education—and then entered the Armed Services—a helping hand in repaying that obligation. This measure, Mr. President, would be the Congress' way of recognizing that service to his country. And there has not been a better way of saying "thank you" since the Phoenicians invented money, 1,200 years before Christ.

The cold war GI bill can—and does—materially assist the veteran who wishes to resume his education. But it does not help the youth who struggled to finish college before entering the armed services, and who chooses not to go on to graduate school, or some other form of higher education.

There is ample precedent, Mr. President, for extending a helping hand—through forgiveness provisions—to those who serve our Nation.

There is a 50-percent "forgiveness" clause in the present National Defense Education Act student loan program for those who become the teachers of our children; there is a similar "forgiveness" provision in the Nurses Training Act of 1964, and a "forgiveness" clause in the health professions student loan program.

May I say, Mr. President, that without the efforts of the Senator from Vermont [Mr. PROUTY], those forgiveness provisions would not be a part of the law today.

The forgiveness provisions, Mr. President, apply to those who render vital services to our society. And I am convinced that the young men and women who serve in our Nation's Armed Forces are also vitally necessary for our very survival, just as those who teach and heal are needed for the people's growth and development.

How do these forgiveness provisions work, Mr. President?

Let me take a moment or two to refresh our memories.

In the National Defense Education Act of 1958, a "forgiveness" clause applies specifically to teachers. It provides that college graduates who become teachers—in public, or private nonprofit elementary or secondary schools; in elementary or secondary overseas schools of the Armed Forces; or in institutions of higher learning—may cancel up to half the amount of their loans at the rate of 10 percent for each year they teach in those institutions.

If those graduates teach in poverty areas, or in schools for handicapped youngsters, they may cancel out their entire NDEA loan at the rate of 15 percent a year for each year they teach.

Thus, this forgiveness function becomes an incentive for young college graduates to teach in areas of vital need.

Much the same reasoning is behind the Nurse Training Act of 1964 which established a low-interest loan program for nursing students.

Its "forgiveness" clause provides that graduate nurses may cancel up to half the total of their loans at the rate of 10-percent for each year of nursing in any public or private nonprofit institution.

And under the health professions student loan program students of medicine, dentistry, osteopathy, optometry, pharmacy and podiatry may earn up to a 50-percent cancellation of the amount of their loans—at the same 10-percent rate for each year the graduate practices in a designated shortage area.

Physicians, dentists, and optometrists who practice in rural areas may earn forgiveness of the entire loan at the rate of 15 percent a year for each year they practice in such an area.

Mr. President, this Nation does not have universal military training for all its youth, as some nations do. And under our admittedly imperfect Selective Service System some young men are drafted while others are not. The draftee, therefore must postpone his educational or career opportunity to meet the demands of duty.

In the past few years, Mr. President, we have seen the educational and fiscal gap widen between the veteran and the nonveteran. It has made us aware that some young men are paying a heavy price for serving our country.

During the darkening years of World War II, Mr. President, we did not view veterans readjustment assistance as a reward for service, but rather as a partial restitution to veterans for opportunities postponed.

We live in an age where the college diploma is the minimum requirement for enjoyment of the good that society has to offer. A generation ago, Mr. President, it was the high school diploma that was the bench watermark—the basic key to the good society.

Today, and it is in the national interest, we continue to encourage our young people to get the best education that their capabilities will permit. We do this, Mr. President, not only because the educated person is a supposedly happier and better prepared person, but because the greater the investment in education for all, the greater benefits our society reaps.

And our society, Mr. President, can only be as great as its members.

I would point out further, Mr. President, that since Selective Service can call upon young men in the graduate schools of our country, what the distinguished Senator from Vermont and I propose can be of immediate and practical assistance to them. In my judgment, these amendments to these student financial aid statutes are but a small enough offering from a nation which owes a debt of gratitude for the dedication and self-sacrifice of its young veterans.

I hope, Mr. President, that this proposal will be worthy of the enthusiastic support and endorsement of the Senate of the United States.

I send to the desk, for appropriate reference, on my own behalf, and that of the able junior Senator from Vermont [Mr. Prouty], the measure we are proposing, and I ask unanimous consent that the text of the bill be printed in the Record at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred, and, in accordance with the request of the Senator from Oregon, the bill will be printed in the Record.

The bill (S. 2334) to amend the National Defense Education Act of 1958 and the Public Health Service Act in order to provide for cancellation of loans pursuant to such acts for service in the Armed Forces, and to amend the Higher Education Act of 1965 in order to provide for payments for such service on loans insured or made pursuant to agreements under such act, introduced by Mr. Morse, for himself, Mr. Prouty, Mr. Javits, Mr. Yarborough, and Mr. Montoya, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2334

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) clause (3) of section 205(b) of the National Defense Education Act of 1958 is amended to read as follows:

"(3) (A) All of any such loan (plus interest) shall be canceled for service as a member of the Armed Forces of the United States at the rate of 25 per centum of the total amount of such loan plus interest thereon for each complete year of consecutive service; and

"(B) not to exceed 50 per centum of any such loan (plus interest) shall be canceled for service as a full-time teacher in a public or other nonprofit elementary or secondary school in a State, in an institution of higher education, or in an elementary or secondary school overseas of the Armed Forces of the United States, at the rate of 10 per centum of the total amount of such loan plus interest thereon for each complete academic year or its equivalent (as determined under regulations of the Commissioner) of such service, except that (i) such rate shall be 15 per centum for each complete academic year or its equivalent (as determined under regulations of the Commissioner) of service as a full-time teacher in a public or other nonprofit elementary or secondary school which is in the school district of a local educational agency which is eligible in such year for assistance pursuant to title II of Public Law 874, Eighty-first Congress, as amended, and which for purposes of this clause and for that year has been determined by the Commisisoner, pursuant to regulations and after consultation with the State educational agency of the State in which the school is located, to be a school in which there is a high concentration of students from low-income families, except that the Commissioner shall not make such determination with respect to more than 25 per centum of the total of the public and other nonprofit elementary and secondary schools in any one State for any one year, (ii) such rate shall be 15 per centum for each complete academic year or its equivalent (as so determined by regulations) of service as a full-time teacher of handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed or other health impaired children who by reason thereof require special education) in a public or other nonprofit elementary or secondary school system, and (iii) for the purposes of any cancellation pursuant to clause (i) or (ii), an additional 50 per centum of any such loan (plus interest) may be canceled, but nothing in this paragraph shall authorize refunding any payment;".

(b) The amendment made by this section shall apply only with respect to service in the Armed Forces performed after the date of enactment of this Act, whether the loan was made before or after such enactment.

Sec. 2. (a) Section 741(f) of the Public Health Service Act is amended by inserting "(1)" after "(f)", by redesignating clauses (1) and (2) as (A) and (B), respectively, and by inserting at the end thereof the following:

"(2) Where any person who obtained one or more loans from a loan fund established under this part serves as a member of the Armed Forces of the United States, 25 per centum of the total amount of such loans, plus accrued interest on such amount, which is unpaid as of the date that such service begins, shall be canceled for each complete year of consecutive service."

(b) Paragraph (3) of section 823(b) of such Act is amended by redesignating such paragraph as subparagraph (B) and by inserting before such subparagraph a new subparagraph as follows:

"(3)(A) all of any such loan (plus interest) shall be canceled for service as a member of the Armed Forces of the United States at the rate of 25 per centum of the total amount of such loan plus interest thereon for each complete year of consecutive service, and".

(c) The amendments made by this section shall apply only with respect to service in the Armed Forces performed after the date of enactment of this Act, whether the loan was made before or after such enactment.

Sec. 3. (a) Section 421(b)(2) of the Higher Education Act of 1965 is amended by inserting after "on student loans" the following: "and for payments under section 437".

(b) Section 427(a)(2)(E) of such Act is amended by inserting after the comma at the end thereof the following: "and that the lender will enter into such agreements with the Commissioner as may be necessary for the purpose of section 437,".

(c) Section 428(b)(2)(B) of such Act is amended by inserting after "of this part" a comma and the following: "including such provisions as may be necessary for the purpose of section 437,".

(d) Part B of title IV of such Act is amended by inserting at the end thereof a new section as follows:

"PAYMENTS BY THE COMMISSIONER ON ACCOUNT OF SERVICE IN THE ARMED FORCES

"Sec. 437. The Commissioner shall, in the case of any loan insured under section 427 or made pursuant to an agreement under section 428(b), make payments on behalf of the borrower for service after the date of such loan by the borrower as a member of the Armed Forces of the United States at the rate of 25 per centum of the total amount of such loan plus interest thereon for each complete year of consecutive service."

(e) The amendments made by this section shall apply only with respect to loans made after ninety days following the date of enactment of this Act.

Mr. PROUTY. Mr. President, I am grateful to the distinguished senior Senator from Oregon for his kind references to me.

I commend the senior Senator from Oregon most highly for offering the bill which has just been introduced. It has my enthusiastic support, and I am proud to be a cosponsor.

This is legislation which any thoughtful colleague will be quick to endorse and support, for it will lend material meaning to the Senate's often-declared support of the dedicated youth of this Nation—the young veterans who serve quietly and meaningfully, then come back home to become the thoughtful, responsible members of their communities.

The principal thrust of the legislation offered today by Senator Morse, chairman of the Senate Subcommittee on Education—on which I have the honor to serve with him—is to permit "forgiveness" of 25 percent per year of the obligation incurred by a young man who borrows under the student loan program, then leaves the classroom for service with the Armed Forces.

This sort of thing can hardly be labeled a "giveaway." Indeed, I see it—as I am sure other Senators do—as an investment in the improvement of the very fabric of American life.

Further, Mr. President, I agree with the Senator's characterization of this legislation as the "hot war GI bill," for, while Congress has yet to formally declare our involvement in Vietnam as a war, we can hardly think of American boys in that strife-ridden Southeast

Asian nation as being involved in a cold war.

A patrol through stinking rice paddies, in the dark of night, seeking a fiery confrontation with Communist guerrillas along the Ho Chi Minh trail, can hardly be labeled a cold war.

A piece of shrapnel knifing through a GI's body is not cold; neither is a bullet.

And in this spirit—spirit of the "hot war GI bill" Senator MORSE has offered today—I add my warmest endorsement.

Again, may I thank my friend, the distinguished Senator from Oregon, for permitting me to be a cosponsor of this meritorious legislative proposal.

Mr. MORSE. Mr. President, if the Senator will yield, I wish to say that I am greatly honored by the cosponsorship of this bill by the Senator from Vermont, the Senator from New York, the Senator from Texas, and the Senator from New Mexico [Mr. MONTOYA].

I want the Senator from Vermont to know that I shall hold early hearings on this bill, so that we can get it to the full committee soon after the Labor Day recess.

Mr. PROUTY. I thank the Senator.

Mr. JAVITS. Mr. President, I should like to express my appreciation to the Senator from Oregon for permitting me to become a cosponsor of the bill. He divined, quite rightly, that I would appreciate that, and I do, and I am honored to be joined with him and my other colleagues.

Mr. YARBOROUGH. Mr. President, I am proud to cosponsor this measure for forgiveness of student loans for our veterans in service with the distinguished senior Senator from Oregon and the distinguished junior Senator from Vermont.

As one of the original cosponsors of the National Defense Education Act of 1958, and a principal author of the cold war GI bills, I have long sought to improve educational opportunities for our veterans, and I welcome this opportunity to give my endorsement to the proposal of the senior Senator from Oregon.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the distinguished Senator from New York completes his remarks under the unanimous-consent agreement, the hour now being well after 2 o'clock, the unfinished business dealing with the Inter-American Bank, be laid before the Senate and made the pending business.

The PRESIDING OFFICER (Mr. SPONG in the chair). Without objection, it is so ordered.

ANTIDUMPING CODE

Mr. JAVITS. Mr. President, the Senator from Indiana [Mr. HARTKE] has recently circulated a letter to all Members of the Congress in which he asserts that in at least three respects the Antidumping Code signed by the United States and other countries on June 30, 1967, is in conflict with the Antidumping Act, 1921. Accordingly, he argues that the code should be submitted to the Congress for its approval and he has introduced Senate Concurrent Resolution 38 to that effect.

Senator HARTKE's charges are obviously serious ones and I should like to comment on them, especially since I have, for the past several years, strongly urged the President and the executive branch to negotiate exactly the kind of code which has been concluded. On July 28, 1965, I introduced a resolution, Senate Resolution 133, to this effect with my Republican colleagues on the Joint Economic Committee. A similar resolution was introduced in the House by Representative THOMAS CURTIS of Missouri, the ranking Republican member from the House on the Joint Economic Committee.

The Antidumping Code signed on June 30, 1967, was agreed upon by most of the major trading nations of the world—EEC, the EFTA countries, Japan, and Canada—after close to 2 years of tough negotiations. The United States undertook these negotiations in an attempt to prevent the proliferation of highly restrictive antidumping laws and procedures in the industrialized nations of the world. In my judgment this code will achieve this end and will thereby remove new protective barriers against U.S. exports and international trade in general.

Before commenting on Senator HARTKE's specific charges, I wish to emphasize that before these negotiations were undertaken by Ambassador Roth, the Trade Information Committee of his office held public hearings during the week of September 12, 1966, at which representatives of industry and labor expressed their views on the possibility of an international antidumping agreement. It is important to note that a significant majority of those submitting views to the committee supported an effort to negotiate such an agreement. There were, of course, some differences of views regarding the exact provisions to be included in an agreement. But the majority firmly endorsed the principle espoused in my Senate Resolution 133—namely, that international harmonization of antidumping laws and procedures is vitally important to insure continued growth of international trade. Among those in support of such an agreement were the Manufacturing Chemists Association, the Synthetic Organic Chemical Manufacturers Association, the Dow Chemical Co., General Electric, the Aluminum Association, the U.S. Chamber of Commerce, the Commerce and Industry Association of New York, the National Council of American Importers, the Committee for National Trade Policy, and the Committee for Economic Development.

The Trade Information Committee's hearings have clearly shown that the proponents of an international antidumping agreement speak for a broad national constituency, while the opponents, such as the American Iron and Steel Institute, the Cement Industry Committee for Tariff and Antidumping, speak only for a limited group of special interests with essentially protectionist purposes for their own enterprises.

Let me now turn to the substance of Senator HARTKE's arguments. In his letter, he points to three areas of the code which, in his judgment, are in conflict with the act. These areas deal with the causal relationship between dumped imports and injury, the definition of the term "industry," and the timing of the consideration of dumping and injury.

The first area relates to article 3(a) of the code, which provides as follows:

> (a) A determination of injury shall be made only when the authorities concerned are satisfied that the dumped imports are demonstrably the principal cause of material injury or of threat of material injury to a domestic industry or the principal cause of material retardation of the establishment of such an industry. . . .

Senator HARTKE points out that section 201(a) of the act vests the Tariff Commission with authority to determine whether "an industry in the United States is being or is likely to be injured by reason of the importation of dumped merchandise" and notes that the notions of "principal cause" and "material injury" are absent from the act.

Since the whole theory of the imposition of antidumping duties is the concept of injury, then the injury must certainly be at least directly attributable to dumped imports; "principal cause" is therefore a reasonable evidence rule as to the relationship to injury. Indeed, a case could be made that the dumped imports should be more than simply the principal cause, and perhaps even the overriding cause of injury. But at the very least the notion of a principal cause certainly seems appropriate to the whole spirit of the Antidumping Act. This is equally true with the notion of "material injury," since it would surely not conform with the purposes of the act to permit antidumping duties to be imposed where the injury was only slight or negligible.

I now turn to the second area discussed in Senator HARTKE's letter, which concerns the definition of "industry." Article 4(a) of the code provides as follows—and I am quoting it in its entirety because Senator HARTKE has obviously misread it in at least two important respects:

> (a) In determining injury the term "domestic industry" shall be interpreted as referring to the domestic producers as a whole of the like products or to those of them whose collective output of the products constitutes a major proportion of the total domestic production of those products except that
>
> (i) when producers are importers of the allegedly dumped product the industry may be interpreted as referring to the rest of the producers;
>
> (ii) in exceptional circumstances a country may, for the production in question, be divided into two or more competitive markets and the producers within each market regarded as a separate industry, if, because of transport costs, all the producers within such a market sell all or almost all of their production of the product in question in that market, and none, or almost none, of the product in question produced elsewhere in the country is sold in that market or if there exist special regional marketing conditions (for example, traditional patterns of distribution or consumer tastes) which result in an equal degree of isolation of the producers in such a market from the rest of the industry, provided, however, that injury may be found in such circumstances only if there is injury to all or almost all of the total

production of the product in the market as defined.

Senator HARTKE first points out that article 4(a) defines the term "domestic industry" to include all—I repeat, Senator HARTKE says all—of a country's producers of a product which is "like" the dumped imported product under consideration. But as article 4(a) makes quite clear, there are two equally available and permissible definitions of the term "domestic industry" and the second one by no means involves all producers. Instead, it relates to those of the domestic producers whose collective output of the products constitutes a major proportion of the total domestic production of the products in question. The code therefore defines industry in terms of a majority notion—a notion which is certainly a reasonable one and one, I might note, fully in line with the definition of industry laid down by the Tariff Commission in its regulations concerning escape-clause cases. Indeed, as one who feels that extraordinary duties, like antidumping duties, should be imposed only in truly compelling cases, the application of the notion of a bare majority in some cases—that is, 51 percent of the collective output—might trouble me as being too loose a test. But while it may be arguable I certainly regard it as reasonable and consistent with the act.

Senator HARTKE also makes much of the fact that article 4(a)(ii) lays down, in his view, an exceptional and restrictive definition of a segmented industry, whereas the act in no way articulates such a notion and speaks only of the "domestic industry." I would first note that the use of the word "exceptional" is certainly consistent with past practice, since in only a few cases has geographic segmentation been applied. Second, article 4(a)(ii) lays down not one but two situations in which geographic segmentation may be used. The first is indeed a strict formula—though a sound one in economic terms. But the second situation is considerably more flexible and indeed permits a variety of interpretations to suit a number of cases. I fail to see how this could be termed an inconsistent interpretation of the act or one which unreasonably restricts the discretion of the Tariff Commission. Finally, the fact that geographic segmentation is permissible only if there is injury to all or almost all of the total production in the area strikes me as perfectly fair. Given that geographic segmentation can carry us into quite small and certainly arguable "subindustries," such a condition is, to my mind, a necessary safeguard against the abuse of this notion.

With respect to the third area, I frankly think that the provisions in question—articles 5 (a) and (b) and article 10(a)—are not entirely clear on their face and an explanation properly must be sought from officials of the executive branch as to how these provisions are to be interpreted. As I now understand them, these provisions, as they will be applied, will not bring about simultaneous investigations into dumping and injury—which would clearly be inconsistent with the act.

The provisions of articles 5 (a) and (b) read as follows:

> (a) Investigations shall normally be initiated upon a request on behalf of the industry affected, supported by evidence both of dumping and of injury resulting therefrom for this industry. . . .
>
> (b) Upon initiation of an investigation and thereafter, the evidence of both dumping and injury should be considered simultaneously. In any event the evidence of both dumping and injury shall be considered simultaneously in the decision whether or not to initiate an investigation. . . .

These two provisions clearly require that a dumping complaint shall be supported by evidence both of dumping and of injury and that both dumping and injury shall be considered simultaneously in the decision whether or not to initiate an investigation. The first sentence of article 5(b) is purely hortatory and does not impose a binding obligation.

The key question is the meaning of the word "evidence" in article 5(a) and the second sentence of article 5(b). Such a term could require either very full proof of injury or, on the other hand, only a modest and preliminary indication of injury. In fact, it is my understanding that our negotiators in Geneva made clear that a dumping complaint would be accepted only if it included allegations suggesting that injury was taking place, but that no investigation whatsoever would be made of the question of injury until the Treasury Department had found that dumping was taking place.

Moreover, I understand that it was in prior years the practice of the Treasury Department to ask for such an indication of injury—and those are the advisory words "indication of injury"—in an antidumping complaint, in order to assure that its investigation into the question of dumping would not be a futile one. In other words, under these provisions of the code, the Treasury Department simply intends to revert to a prior practice and this is clearly recorded in the negotiating history of the code and understood by the other signatories of the code.

Article 10(a) provides as follows:

> (a) Provisional measures may be taken only when a preliminary decision has been taken that there is dumping and when there is sufficient evidence of injury.

Consistent with the manner in which article 5 will be implemented, I understand that under this provision the Treasury Department will withhold appraisement on the basis of the evidence of injury which was found to be sufficient at the time the complaint was accepted. In other words, this provision, as construed by the executive branch, in no way envisages any investigation into the question of injury prior to the time that a case is referred to the Tariff Commission.

I would now like to discuss some of the more general questions raised by Senator HARTKE—and especially the question of what is the proper relationship between the Congress and the President in a case like the present one.

I would first like to point out that the provisions of the code deal with matters as to which the act is silent. The provisions therefore have the effect of interpreting some of the important terms used in the act. I would like to stress this point. The code fills in the gaps, as it were, in the act and brings to the surface concepts which have to be dealt with in the consideration of an antidumping case but which the Congress did not feel obliged to deal with when it passed the act in 1921. In other words, the code does not attempt to substitute new terms for existing terms in the act or to set up concepts different from those in the act. Instead, it seeks to articulate matters which are relevant to the concepts dealt with in the act but which the act itself does not express. I would therefore emphasize that the code is fundamentally an interpretative and not an amendatory document—were it the latter, I would have as much concern about it as Senator HARTKE.

As I read his letter, Senator HARTKE's basic assertion seems to be that it is fundamentally unlawful for the President to interpret by executive agreement the terms of a domestic law such as the Antidumping Code. This is a considerably restrictive view, it seems to me, of the relationship between the Congress and the President and one which gives absolutely no scope, in this instance, to the President's constitutional responsibilities. Is the President—as Senator HARTKE suggests—really in the position where by executive agreement he cannot fill out and elaborate some of the concepts used in the act, in a manner which is fully consistent with the act?

I see no reason why the President cannot conclude an agreement which interprets the act in a manner consistent with the provisions and purposes of the act and then proceed to have the agreement implemented in accordance with the act. The key question in my mind is not whether the President has the basic authority to do so but rather how he exercises it and whether, in the final analysis, each interpretation provided for in the agreement is in fact consistent with the act.

That is why I made the detailed statement I did about the matter which has come up with respect to such consistency. If it is, then I see the executive agreement, and the act interacting in a complementary relationship, each supporting the other and both working towards a common objective—one which was, of course, in the first instance laid down by the Congress. In this manner, the respective constitutional responsibilities of the Congress and the President are fully respected and fully discharged. If, on the other hand, an interpretation is inconsistent with the act, then to that extent the agreement clearly has no validity and the act remains paramount. Insofar as I have studied the code to date, I am satisfied that it is faithful to the purposes of the Antidumping Act.

I would have thought that it was generally accepted that we should do our utmost to increase international cooperation in the field of trade. Certainly the Code represents a significant step forward in harmonizing international practices in the field of antidumping and avoiding the often troublesome friction and differences that arise from the application of conflicting national laws. It is especially in this light that I am unwilling to agree that the President is foreclosed from promoting the purposes of the act in an executive agreement which does not change, but only interprets, the act, and leaves the act paramount.

An important aspect of Senator HARTKE's basic argument seems to be that it is fundamentally wrong for the President to reduce the discretion of the Tariff Commission or the Treasury Department by elaborating or refining the terms of the act. This argument puts a maximum premium upon the retention of administrative discretion to the exclusion of all other considerations—and this I cannot accept. Surely, the whole effort both in our domestic law and in international law has been to develop through experience an increasingly refined and certain body of rules to guide our behavior. To put it another way, our efforts have for many years now been devoted to moving from the general to the specific and from the hortatory to the obligatory and to the specific in an attempt to work out the elements of a peaceful and productive society both in our country and throughout the world.

This is in large part achieved through the constant refinement of rules of law, so that areas of ambiguity and potential conflict are reduced as much as possible and interested persons have as complete an understanding as possible of their rights and obligations. This is why I have felt so strongly that the negotiation of an antidumping code would be a significant step forward in increasing cooperation in international trade.

Moreover, the agreement is a Presidential action which has ample precedent in past executive agreements. For example, the General Agreement on Tariffs and Trade—GATT—an executive agreement whose validity has been upheld by the courts—in many respects interprets U.S. law and to that extent limits the discretion of agencies administering such laws. Take, for example, article VI of the GATT which deals with dumping and which is, of course, that article of the GATT which the Code elaborates and defines. When article VI was first negotiated as part of the GATT in 1947, it very largely reflected the concepts and provisions of our Antidumping Act. But with respect to the concept of injury in the act, which was—as it still is—simply stated as "injury" and without any elaboration, article VI provided that antidumping duties may be imposed only where dumped imports cause "material injury" to a domestic industry. I think the reason for the addition of the interpretative term "material" is quite clear. As I have noted above, it was obviously intended to avoid the imposition of antidumping duties in cases where the injury was only slight or negligible. This interpretation has stood since 1947, has never to my knowledge been challenged, and has been consistently used in the determination of injury in dumping cases.

I have one final thought concerning Senator HARTKE's charges. He—and I think sincerely—believes that the code should be presented to the Senate as a treaty and cannot be legally justified as an executive agreement. The executive branch—and I think equally sincerely—takes the opposite view. I for one am not prepared to impute bad faith to either side. But there is obviously a very serious difference of view on this important matter.

The question is how best to resolve the issue. I seriously question whether the most effective or indeed the most appropriate way is a political confrontation between the Senate and the executive branch. The resolution of the sort Senator HARTKE has introduced cannot, as we all know, force the President to submit the agreement as a treaty, and he has already made the choice.

Would it not be far more consistent with the manner in which our laws are administered to leave the issue to the courts, which is where the GATT agreement was decided?

Mr. President, after all, it is the judiciary which under our system of a separation of powers is the competent body to consider and resolve such an issue. I am wholly in favor of having the Senate as fully informed as possible about the provisions of the code and about the intentions of the executive branch in carrying it out. But I very much doubt that Senator HARTKE's resolution will actually help us to come to grips with the merits of the case. Insofar as any private person believes that, following the entry into force of the code, the act is being improperly administered, he can certainly seek judicial relief, for again I repeat the act not being superseded by a treaty remains paramount if it cannot be construed consistently with the executive agreement. At the point, we will all be able to have the benefit of a considered, objective, and final ruling on the issue.

Mr. President, that is the central theme I am presenting to the Senate. Once the judiciary is asked to pass on this matter, remembering the paramount attention to the American people, we will all be able to have the benefit of a considered, objective, and final ruling on the issue, whereas a political confrontation between the Congress and the President would result in no such ruling; it may result in political heat but not a final ruling.

Mr. HARTKE. I wish to ask a few questions of the Senator from New York [Mr. JAVITS]. I think we can all agree that we are interested in the greater aspect of free trade among nations but that the United States should not be the victim of unfair trade either inside or outside her borders.

I wish to ask the Senator from New York why we were forced to enter into this agreement while Canada reserved unto itself the right to take the agreement back to its Parliament for ratification?

Mr. JAVITS. I am, obviously, not familiar with the constitutional processes of Canada, nor can I give the Senator a definitive answer why the agreement was referred to the Canadian Parliament for ratification. However, I understand that in the Canadian case the agreement represents a major overhaul of Canada's dumping law while in our case I contend the agreement merely carries out the intent of existing legislation.

Mr. HARTKE. It is, however, quite significant that other countries which have parliamentary systems had the wisdom to realize they must present the code to their legislatures. I would now like to call the Senate's attention to Senate Concurrent Resolution 100, introduced by the Senator from Connecticut [Mr. RIBICOFF], and which passed the Senate with only one objection, that made by the Senator from New York.

Senate Concurrent Resolution 100 specifically points out that this is not a question of foreign policy; it is a question of commerce, which is specifically reserved to the U.S. Congress. Further yet, this authority, up until the time of the Reciprocal Trade Agreements Act, was specifically retained within the jurisdiction of the Finance Committee acting upon matters of tariffs and negotiations concerning tariffs. But, in each case, what was granted the President was both severely and restrictively delineated. The concurrent resolution and the accompanying report went into specific terms with regard to dumping.

In the report submitted with the resolution by the Finance Committee to the Senate, No. 1341, of the 89th Congress, first session, it states in part:

> Another area may involve the treatment of "dumped" goods by the country in which the dumping occurs. This problem concerns unfair trade practices in a domestic economy and it is difficult for us to understand why Congress should be bypassed at the crucial policymaking stages, and permitted to participate only after policy has been frozen in an international trade agreement.

This was specifically directed to the negotiators that they should not by-pass Congress.

I now want to ask the Senator from New York: Is there anything new that has occurred as a result of the code adopted at Geneva?

Mr. JAVITS. Let me answer the first part of the Senator's comments. I am glad I did protest against Senate Concurrent Resolution 100 precisely for the purpose of being able to refute the use to which the Senator is seeking to put it. As I understand that resolution—which by the way was not approved by the House and, therefore, does not represent an expression of Congress—it was directed principally toward bringing the American selling price question before Congress. Of course, that is an issue before Congress and the Finance Committee, and will be voted on. So that I think, in that respect, the answer is very evident.

As to the other question, with respect to the propriety of bringing this matter before Congress, as I have pointed out, if it were an original law, an effort to supersede what would be paramount to the Antidumping Act, then I would thoroughly agree with the Senator. But the contention of the Executive, with which I agree, is that it is not a paramount law, or even a law, that it is nothing but—if you will—a set of regulations implementing a law.

If, as the Senator argues—and as I said before I respect his argument although I do not agree with it—there is an inconsistency, an effort in the code to make it, in effect, paramount to the law, then I say that the courts will decide that. Any party in interest can sue. There is no barrier against it.

Mr. HARTKE. The specific will of the Senate is obvious as shown by the report.

It is a clear warning to the administration not to proceed without the consent of Congress in this field. Yet they have proceeded, where we told them not to. The code cannot be in limbo. Either it made some substantive changes in the law so far as the antidumping authority of the United States is concerned, or it did not.

If it did not make any changes, the administration should have, forthwith, come here to say that all the same provisions of the antidumping law as written and as interpreted still have the same force and effect. That is not the contention of the administration, as the Senator from New York knows. There is an intention to change substantive features of the law at the present time.

Mr. JAVITS. With regard to the substantive aspect of the Senator's comment, the administration will have to stand or fall on the substantive proposition that this code does not overrule the law. It may change regulations or interpretations. That, I say, the President has a right to do, so that he is equal or superior to any one of the executive departments which he heads. But if we change a law it will be carried out by the court. That is the burden of the argument.

Mr. HARTKE. The whole point is not the question of the courts, but whether the Executive invaded the constitutional domain of Congress. The view of the Senator from New York seems to be that they have not done so. If the Tariff Commission follows the code in making an industry determination, the Tariff Commission will not be following the law.

Mr. JAVITS. Congress has an absolute right to change what the Tariff Commission may be doing under the law, or under the code, at any time it chooses to amend the law. But if it does not choose to amend the law, and if the court sustains the code as being a valid exercise equivalent to regulatory power, then I think the procedure is perfectly proper.

I might say to my colleague that he would be at perfect liberty to do so—we do it all the time—to introduce legislation in accordance with the antidumping law to prohibit or to require the particular thing which the Commission may be doing as a matter of practice under this code. I may agree with that. I may not agree with the substance, but he has a right to do it. We do it all the time.

Mr. HARTKE. Is it the contention that the word "injury" as it is specified in the Antidumping Act is the same as "principal cause of material injury" as in the code?

Mr. JAVITS. I argue, and I do argue, and I would like the Senator to read it.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. HARTKE. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

Mr. FULBRIGHT. Mr. President, I yield 2 minutes to the Senator from Indiana without losing my right to the floor.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 2 additional minutes.

Mr. JAVITS. I shall be brief. I do argue precisely that, that the words "principal cause of material injury" are an appropriate implementation of the words used in the statute. Obviously the rules under which it operates are the rules in the code insofar as they are consistent with law. Otherwise the courts will act.

Mr. HARTKE. If there is inconsistency which must be judged in determination with law, the Executive has endorsed a useless and meaningless document. If it is in conflict, they have invaded our primacy—the right of Congress to make these determinations.

I invite the attention of the Senate to the fact that I intend to respond in full on this matter. I also point out the fact that here again is another demonstration of absolute disrespect for the right of Congress to use its power in the manner in which it should be used.

I also invite the attention of the Senator from North Carolina [Mr. ERVIN], who heads the subcommittee which has the separation of powers problem as a matter under study, I hope that the question of the Antidumping Act in the United States and the question of the international code on dumping will receive prime consideration before his committee and the Committee on Finance, and I here request a hearing be fore both committees.

I further think it is another example of how the executive by a simple dictate of its own, has taken unto itself authority which the Constitution never intended and which the Congress said last year should not be taken.

Mr. JAVITS. I wish to say that the exercise of authority, when one has it, is never tyranny. The acid test can be had in the courts as to whether the executive department is or is not exercising legitimate authority. In the General Agreement on Tariffs and Trade, going far beyond this, there was a challenge in the courts, and that challenge was defeated, and we have been acting on that. It never would have happened if it had to come from the grave problems inherent in the Congress.

The same is true here. If it is not something which can be done in the general exercise of the executive department, the courts can give redress. Anybody can have his day in court. Congress can change it.

In my judgment, the assertion of power by the President when he has it is not tyranny. It is the duty of the President to exercise it.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 12474) making appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1968, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 12474) making appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1968, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on compilation of General Accounting Office findings and recommendations for improving Government operations, fiscal year 1966, dated August 1967 (with an accompanying report); to the Committee on Government Operations.

REMOVAL OF LIMITATION ON AMOUNT AUTHORIZED TO BE APPROPRIATED FOR WORK OF THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to remove the present limitation on the amount authorized to be appropriated for the work of the President's Committee on Employment of the Handicapped, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

AMENDMENT OF EURATOM COOPERATION ACT OF 1958

A letter from the Chairman, United States Atomic Energy Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the EURATOM Cooperation Act of 1958, as amended (with accompanying papers); to the Joint Committee on Atomic Energy.

REPORT OF SECRETARY OF THE SENATE

A letter from the Secretary of the Senate, transmitting, pursuant to law, his report of receipts and expenditures, for the period January 1, 1967, through June 30, 1967 (with an accompanying report); ordered to lie on the table and to be printed.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the House of Representatives of the State of Pennsylvania; to the Committee on the Judiciary:

"HOUSE RESOLUTION 70

"Since the unfortunate and untimely death of President John F. Kennedy, considerable impetus has occurred for the passage of the Dodd Bill relating to regulation and registration of mail order firearms sales; and

"Whereas, the Dodd Bill, if enacted, will require citizens desiring to purchase a firearm by mail to submit sworn statements on forms obtained from the United States Treasury Department, whereby said purchase will subject such citizens to police investigation and harassment and lead to registration of said firearms; and

"Whereas, Such requirements will cause an inconvenience, and an undue burden on, law abiding people of this Country, particularly in rural areas, and such legislation will give every local police or sheriff in the United States a virtual veto on purchasing of firearms by mail and possibly open the door for the Treasury Department to regulate who may buy firearms; and

"Whereas, The Bill of Rights of the Constitution of the United States and article 1, section 21 of the Constitution of the Commonwealth of Pennsylvania guarantee to its citizens the right to keep and bear arms, and the Dodd Bill, if enacted, will be in direct violation of such guaranteed rights; and

"Whereas, Responsible organizations such as the National Rifle Association, National Wildlife Federation and others have no objection to workable laws that will prevent the misuse of firearms by increasing penalties for crimes committed with firearms; and

"Whereas, The Dodd Bill, if enacted, will seriously hamper small industries that build fine custom rifles for mail order trade throughout the Nation; and

"Whereas, Any restrictive legislation should be directed to merely requiring that shipments of concealable firearms in interstate commerce be made in compliance with the laws of the state of destination; and

"Whereas, Since practically all states have laws regulating sale of firearms to juveniles, convicted felons, and incompetents and against carrying concealed weapons, and since there are already Federal laws which make it a crime for a convicted felon to transport firearms across state lines, no Federal law for regulation and registration of mail order sales of firearms is necessary; and

"Whereas, the Hruska Bills (S. 1853 and S. 1854) would close troublesome loopholes in the Federal Firearms Act, properly establish restrictions on interstate traffic of handguns and stop the sale of military surplus destructive devices; therefore be it

"Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the Congress of the United States to take positive action leading to the defeat of the Dodd Bill and the Congress of the United States carefully examine and oppose any other Federal legislation relating to registration and regulation of firearms which restricts the rights of law abiding citizens and usurps the police power of the states to control firearms but support those bills that would help correct weaknesses in the Federal Firearms Act and stop the sale of military surplus destructive devices; and be it further

"Resolved, That copies of this resolution be forwarded to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and to each member of the Pennsylvania Congressional delegation."

A telegram from the National Commander, Veterans of World War I of the U.S.A., Inc., Washington, D.C., expressing appreciation to the Members of the Senate for the passage of the Veterans Pension and Readjustment Act of 1967; ordered to lie on the table.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LONG of Louisiana (for himself and Mr. Ellender):

S. 2330. A bill declaring a portion of Bayou Lafourche, La., a nonnavigable waterway of the United States; to the Committee on Public Works.

S. 2331. A bill authorizing construction of certain navigation channel improvements on the Atchafalaya River and Bayous Chene, Boeuf, and Black in Louisiana; to the Committee on Public Works.

By Mr. LONG of Louisiana (for himself, Mr. Allott, Mr. Anderson, Mr. Bayh, Mr. Bennett, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Carlson, Mr. Curtis, Mr. Dominick, Mr. Eastland, Mr. Ellender, Mr. Fannin, Mr. Hansen, Mr. Hartke, Mr. Harris, Mr. Hruska, Mr. McGee, Mr. Mansfield, Mr. Metcalf, Mr. Monroney, Mr. Montoya, Mr. Morton, Mr. Pearson, Mr. Randolph, Mr. Stennis, Mr. Tower, Mr. Yarborough, and Mr. Young of North Dakota):

S. 2332. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Finance.

(See the remarks of Mr. Long of Louisiana when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE:

S. 2333. A bill to provide certain benefits for certain employees in the postal field service who are required in the interest of the Government to transfer to new duty stations; to the Committee on Post Office and Civil Service.

By Mr. MORSE (for himself, Mr. Prouty, Mr. Javits, Mr. Yarborough, and Mr. Montoya):

S. 2334. A bill to amend the National Defense Education Act of 1958 and the Public Health Service Act in order to provide for cancellation of loans pursuant to such acts for service in the Armed Forces, and to amend the Higher Education Act of 1965 in order to provide for payments for such service on loans insured or made pursuant to agreements under such act; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD (for himself, Mr. Brooke, Mr. Byrd of Virginia, Mr. Cotton, and Mr. Pastore):

S. 2335. A bill to amend the act of July 4, 1966 (Public Law 89–491); to the Committee on the Judiciary.

By Mr. JACKSON (for himself and Mr. Magnuson):

S. 2336. A bill to determine the respective rights and interests of the Confederated Tribes of the Colville Reservation and the Yakima Tribe of Indians of the Yakima Reservation and their constituent tribal groups in and to a judgment fund on deposit in the Treasury of the United States, and for other purposes; to the Committee on the Interior and Insular Affairs.

By Mr. HARTKE:

S. 2337. A bill for the relief of Anastasios Limniatis; to the Committee on the Judiciary.

By Mr. CASE:

S. 2338. A bill to amend title 23 of the United States Code to increase the total mileage of the National System of Interstate and Defense Highways; to the Committee on Public Works.

(See the remarks of Mr. Case when he introduced the above bill, which appear under a separate heading.)

By Mr. HATFIELD (for himself and Mr. Morse):

S. 2339. A bill to provide for the designation of that portion of U.S. Highway No. 30 between Portland and Astoria, Oreg., as part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. BENNETT:

S. 2340. A bill for the relief of Chan Lung Kin (also known as Ken Chan or Chan Sing); and

S. 2341. A bill for the relief of Kiril (Cyrille) Petrov Kiriakov; to the Committee on the Judiciary.

By Mr. KENNEDY of Massachusetts:

S. 2342. A bill for the relief of Maria Pimentel Souza Vieira Barros; to the Committee on the Judiciary.

By Mr. JACKSON (for himself, Mr. Hatfield, Mr. Inouye, Mr. Mansfield, Mr. Kuchel, and Mr. Burdick):

S.J. Res. 106. Joint resolution regarding the status of the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above joint resolution, which appear under a separate heading.)

EXPANSION OF THE INTERSTATE HIGHWAY SYSTEM

Mr. CASE. Mr. President, I introduce, for appropriate reference, a bill to amend title 23 of the United States Code to increase the total mileage of the National System of Interstate Highways from 41,000 to 50,000 miles.

At the present time the Federal Bureau of Public Roads has requests from numerous States, including New Jersey, for almost 21,000 miles of highway, over and above the existing authorization—requests which cannot be considered because, with the exception of a tiny reserve that must be retained for contingency purposes, all of the mileage authorized under the Federal-Aid Highway Act of 1956 has been allocated.

Population growth and the increasing use of motor vehicles make it advisable that the Interstate System be expanded now from its presently authorized 41,000 miles. I am told by Bureau of Public Roads officials that although the system is scheduled to be completed by 1972 it now appears it will be 1974 before it is finished. We should not wait until 1974, or even until 1972 to start to concern ourselves with expanding the system to meet the needs of ever growing traffic congestion.

The need is here and now.

Only last week the New Jersey Commissioner of Transportation submitted to the Federal Highway Administrator a proposal to reassign a previously authorized segment of the Interstate Highway System—approximately 7 miles long—in northern New Jersey for a new east-west expressway in central New Jersey. This proposed interstate expressway, running from Trenton to Asbury Park would mean adding 37 more miles to the Interstate Highway System. However, as I have already pointed out all of the authorized mileage under the Federal Highway Act of 1956 has already been allocated. Because of this, the Federal Highway Administrator has advised me that favorable consideration cannot be given to the Commissioner's proposal.

Mr. President, those portions of the Interstate Highway System that have already been completed and are in use have certainly proven their worth.

Equally important with meeting traffic needs, are the safety features that a modern highway meeting Interstate System standards provides.

In 1966 there were approximately 53,000 traffic fatalities in our Nation. This is an appalling figure.

Recent figures provided by the National Safety Council show that the mileage death rate on the completed portions of the Interstate System currently is about 2.9 deaths per 100 million miles of travel or 2,650 fatalities.

Nearly 23,500 miles of the system were in operation at the end of 1966, and during that year carried 91 billion miles of travel. If deaths during this amount of travel had occured at a rate of 7.5, which was the rate on all rural roads in the Nation in 1966, there would have been about 4,000 more deaths during the year than actually occurred.

Funds for the construction of the Interstate System are derived from the trust fund which was established by Congress and administered by the Federal Bureau of Public Roads, which is financed primarily through taxes on petroleum products used in motor vehicles. This fund is self-sustaining, and the revenues are derived solely from those making use of our roads.

I hope the Senate will give early consideration and approval to my bill which would expand our great Interstate Highway System.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2338) to amend title 23 of the United States Code to increase the total mileage of the National System of Interstate and Defense Highways, introduced by Mr. Case, was received, read twice by its title, and referred to the Committee on Public Works.

STATUS OF TRUST TERRITORY OF THE PACIFIC ISLANDS

Mr. JACKSON. Mr. President, for myself and on behalf of the majority leader [Mr. Mansfield], the Senator from California [Mr. Kuchel], the Senator from North Dakota [Mr. Burdick], the Senator from Oregon [Mr. Hatfield], and the Senator from Hawaii [Mr. Inouye], I submit a joint resolution regarding the status of the Trust Territory of the Pacific Islands.

This joint resolution was submitted to Congress by the President of the United States on August 21. Its purpose is to establish a study commission to consider the future political status of this area.

The Committee on Interior and Insular Affairs, under whose legislative jurisdiction matters relating to the territories of the United States lie, has expressed a deep interest in Micronesia and we intend to support the President in his efforts to meet the responsibility of our Nation in the trust territory.

I ask unanimous consent that the letter from the President accompanying the joint resolution, be included at this point in my remarks together with the text of the joint resolution and a letter from the Secretary of the Interior addressed to President Johnson.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and letters will be printed in the Record.

The joint resolution (S.J. Res. 106) regarding the status of the Trust Territory of the Pacific Islands, introduced by Mr. Jackson (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S.J. Res. 106

Joint resolution regarding the status of the Trust Territory of the Pacific Islands

Whereas the United States is the administering authority of the Trust Territory of the Pacific Islands, pursuant to the Trusteeship Agreement between the United States of America and the Security Council of the United Nations; and

Whereas the United States, in the Trusteeship Agreement, undertook a solemn obligation to "foster the development of such political institutions as are suited to the trust territory" and to "promote the development of the inhabitants of the trust territory toward self-government or independence as may be appropriate to the particular circumstances of the trust territory and its peoples and the freely expressed wishes of the people concerned;" and

Whereas the United States, in the Trusteeship Agreement, further undertook a solemn obligation to promote the economic, social, and educational advancement of the inhabitants of the Trust Territory; and

Whereas the United States is dedicated to the principle of government by consent of the governed; and

Whereas the Congress of Micronesia has petitioned the President to "establish a commission to consult the people of Micronesia to ascertain their wishes and views, and to study and critically assess the political alternatives open to Micronesia; and

Whereas the President has proposed to establish a commission in response to such petition and has invited congressional participation; and

Whereas the Congress by enacting Public Law 90–16 has evidenced its support for an intensive program to promote the political, economic, social and educational advancement of the Trust Territory: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of Congress that whatever steps may be necessary shall be taken to provide for such a degree of self-government as will permit the people of the Trust Territory freely to express their wishes as soon as possible, and not later than June 30, 1972, on the future status of the Trust Territory.

Sec. 2. In addition to eight members of the commission to be appointed by the President, the appointment of eight members of Congress to serve on the President's Commission on the Status of the Trust Territory is hereby authorized. Four of such members shall be appointed by the President of the Senate, and four shall be appointed by the Speaker of the House of Representatives. An additional member shall be appointed by the President, and shall serve as Chairman.

Sec. 3. The commission shall study and assess all factors bearing upon the future of the Trust Territory and shall consult as appropriate with representatives of the people of Micronesia. The commission shall, no later than eight months after funds for the commission are appropriated and made available to the commission, submit recommendations to the President and to the Congress of the United States concerning the best means to obtain the objective set forth in section 1.

Sec. 4. The commission is authorized to appoint and fix the compensation of such personnel as may be necessary to enable it to carry out its functions. Employees of the executive branch may be detailed to assist in the work of the commission, with or without reimbursement. Any member of the commission who may be appointed bv the President from among the public shall be compensated $100 per diem for his services when engaged on commission business, and all members shall be entitled to reimbursement for actual travel and per diem in lieu of subsistence when engaged in commission business, as authorized by law for persons employed intermittently. The commission is authorized to procure services as authorized by 5 U.S.C. 3109.

Sec. 5. There is authorized to be appropriated out of moneys in the Treasury not otherwise appropriated such funds as may be necessary for the purpose of carrying out the provisions of this joint resolution, but not to exceed $200,000, to be available until expended.

The letters, presented by Mr. Jackson, are as follows:

The White House,
Washington, August 21, 1967.
Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: The principle of government by consent of the governed is the foundation of democracy.

Today, I urge the Congress to join me in taking a further step toward self-determination for the 93,000 Micronesian people who live in the Mariana, Caroline and Marshall Islands that comprise the Trust Territory of the Pacific Islands.

The United States administers this trust territory through a 1947 agreement with the United Nations. Under that responsibility we have encouraged the Micronesians to participate fully in determining their own future and shaping their own free institutions.

I am sure the Congress shares my deep interest in the status and well-being of Micronesia. Congress approved the original trusteeship agreement. It has supported an intensive program to promote the political, economic, social and educational advancement of the islands.

In 1966, the people of the territory, acting through their popularly elected legislature, called upon the President of the United States to create a Commission to consider their future status.

I am happy to honor their request. The Joint Resolution I am submitting would provide for such a Commission.

The Commission will study and assess all of the factors bearing on the future of the trust territory. It will consult with the people of Micronesia. And it will make its recommendations to the President and to the Congress within eight months after its work begins.

I ask the Congress to join with the Executive Branch in this vital undertaking by authorizing the appointment of eight members of the Congress to serve on the Commission, along with eight members and a chairman selected by the President.

Through this Commission, we once again have an opportunity to reaffirm our national commitment to the ideals of democracy and self-determination.

I am attaching a detailed statement of the Secretary of the Interior who, together with the Secretaries of State and Defense, join with me in urging prompt approval of this important resolution.

Sincerely,

Lyndon B. Johnson.

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., August 2, 1967.
The President,
The White House,
Washington, D.C.

Dear Mr. President: The question of the political future of the Trust Territory of the Pacific Islands is a matter of great concern to the people of the Trust Territory (Micronesia), the Departments of the Interior, Defense and State, the Congress of the United States, and the United Nations. We are all aware, as I know you are, that an early resolution of that question is highly desirable.

In 1966 the popularly elected legislature of the Trust Territory, the Congress of Micronesia, by House Joint Resolution No. 47 petitioned you "to establish a commission to consult the people of Micronesia to ascertain their wishes and views, and to study and critically assess the political alternatives open to Micronesia . . ." The Secretary of Defense, the Secretary of State, and I believe that this request should be honored, and we believe also that a commission along the lines requested by the people of Micronesia through their representatives is the proper way in which to approach this matter.

After many months of joint consideration and close cooperation, the Departments of State, Defense and Interior have agreed upon a legislative proposal which responds to the request of the Congress of Micronesia, and which invites Congressional participation in a Presidential commission to make appropriate studies and recommendations to the President and to the Congress. There is enclosed a copy of that proposal in the form of a draft joint resolution "Regarding the Status of the Trust Territory of the Pacific Islands."

The balance of this letter states the relevant background, the need for the commission, and a detailed explanation of the proposed joint resolution. I recommend, and respectfully urge, that you commend this proposed legislation to the Congress of the United States for prompt and favorable action.

On July 18, 1947, by joint resolution, the Congress authorized the President to approve the Trusteeship Agreement between the United States and the Security Council of the United Nations, pursuant to which the United States has since administered the area known as the Trust Territory of the Pacific Islands. The Trust Territory, comprising the Mariana, Caroline, and Marshall Islands, involves over two thousand islands in the Western Pacific, and has a population of over 93,000. Since 1951, the Secretary of the Interior, by designation of the President has been responsible for the administration of the Trust Territory.

The Trust Territory occupies a unique relationship to the United States. Because we possess no sovereignty over the Trust Territory, United States authority in the area is derived from the 1947 Trusteeship Agreement. Under the 1947 Trusteeship Agreement (copy enclosed) which we signed with the United Nations Security Council, the United States does have "full powers of administration, legislation, and jurisdiction" over the territory (Article 3). The people of the Trust Territory are aliens as to the United States; yet the United States affords to them diplomatic protection when they travel abroad (Article 11). The Trust Territory is a foreign area for purposes of United States customs and tax laws, but the United States could, if it chose, cause these and other United States laws to apply there as fully as in the States (Articles 3 and 9).

The Trusteeship Agreement makes no provision concerning the procedure for its termination other than that its terms "shall not be altered, amended, or terminated without the consent" of the United States (Article 15). However, Article 6 requires that the United States "foster the development of such political institutions as are suited to the trust territory and shall promote the development of the inhabitants of the trust territory toward self-government or independence as may be appropriate to the particular circumstances of the trust territory and its peoples and the freely expressed wishes of the peoples concerned; and to this end shall give to the inhabitants of the trust territory a progressively increasing share in the administrative services in the territory; shall develop their participation in government; and give due recognition to the customs of the inhabitants in providing a system of law for the territory; and shall take other appropriate measures toward these ends."

In view of United Nations practice with respect to the termination of trusteeship status for other areas, we believe that an expression of opinion from the residents of the Trust Territory, in the form of a plebiscite with appropriate United Nations involvement, would be essential.

The United States is, in our judgment, endeavoring to meet the objectives of political development as stated in Article 6 of the Trusteeship Agreement. We have been and are fostering the development of political institutions and promoting self-government by, among other things, the creation and utilization of legislative bodies at all levels of the territorial government—municipal, district, and territory-wide. The people of the Trust Territory have shared and are sharing increasingly in the administration of the area through employment in the executive branch. For example, a Micronesian has recently been appointed as a District Administrator, several others serve as Assistant District Administrators and, at the Headquarters, a Micronesian was recently designated as Deputy Assistant Commissioner for Resources Development. We have given due recognition to the customs of the inhabitants in providing a system of law, as evidenced by provisions of the Trust Territory Code which recognize customs as having the status of law, in the absence of written statutes.

The United States has, through the Secretary of the Interior, created a Government of the Trust Territory which is similar in many respects to American territorial governments in Guam, American Samoa, and the Virgin Islands. Its chief executive, the High Commissioner, by virtue of Public Law 90–16, is a Presidential appointee subject to Senate confirmation; its popularly elected territorial legislature has extensive legislative powers; its independent judiciary is headed by appointees of the Secretary of the Interior, but is largely manned by natives of the area. As in the case of American Samoa, there is no appeal from final decisions of the highest court in the Trust Territory to the Federal judicial system. The Government of the Trust Territory is financed very largely by means of Federal grants which for the last three years have approximated $17,500,000 annually. The Congress has increased the authorization for such grants to $35,000,000 a year for fiscal years 1968 and 1969 through enactment of Public Law 90–16. The actual appropriation for FY 1967 was $19.2 million, and for FY 1968, $24 million.

We have not yet sought to elicit "the freely expressed wishes of the peoples concerned" as to the political status they would prefer. But in light of the evidence that the people of the Trust Territory are increasingly anxious to express themselves on this issue, we believe that the United States Government should promptly take action on this subject. In August of 1966, the Congress of Micronesia expressly requested that we do so. By overwhelming majorities in each house of that Congress, a resolution was adopted which stated in part that "this generation of Micronesians should have an early opportunity to determine the future constitutional and political status of Micronesia." The resolution called for the creation of a Presidential commission to assess the political alternatives open to Micronesia and to ascertain the wishes and views of the Micronesians. The full text of the pertinent resolution, H.J. Res. No. 47, is enclosed.

The enclosed joint resolution, if enacted, will respond to the request of the Congress of Micronesia. It will respond in what we believe will be a most comprehensive and effective manner. We think it is important, if we are to accept the responsibilities inherent in the undertaking requested by the representatives of the people of Micronesia, and as proposed by the joint resolution, that from the very beginning we devote our best efforts and our combined resources to the task. It is our hope that the Congress will, by enactment of the joint resolution, join in this effort. Our suggestion respecting the size of the membership of the commission and that there be eight congressional members is premised in part upon the recognition of the interests of several interested committees in each House.

Until an effort has been made to identify the political alternatives which are realistically available to the Micronesians, it seems to us premature for representatives of the United States to discuss officially alternatives with them. We anticipate that among the options available to the Micronesians, when they are asked to participate in a plebiscite, would be sovereign independence. Additionally, there is evidence that certain Micronesians believe that some form of lasting association with the United States is the most attractive status alternative. The commission, as we envision its activities, would meet in Micronesia and conduct extensive hearings and discussions, thus permitting maximum Micronesian involvement and participation. This we see as leading both to the formulation of the commission's recommendations and to a greater and useful understanding of the issues by the Micronesians.

If the people of the Trust Territory incline toward lasting political association with the United States, the form of that association is a matter ultimately for the Congress of the United States to act upon. It is because of this basic congressional responsibility that we have proposed the enclosed draft legislation authorizing the participation in a status commission of representatives of the United States Congress. Without such participation, it would be difficult for the proposed commission to arrive at, in the words of the Congress of Micronesia resolution, "meaningful proposals of the political and constitutional alternatives open to the people of Micronesia."

Specifically, the joint resolution begins with a series of seven recitals, the first four of which reflect the basic relationship of the Trust Territory to the United States and our obligations to the Trust Territory. The fifth acknowledges the request of the Congress of Micronesia that a commission be created; the sixth announces the desire of the President to create such a commission and to invite congressional participation; and the seventh recognizes the recent congressional action we have already noted which we believe evidences congressional support of an intensive program to promote the political, economic, social and educational advancement of the Trust Territory.

Section 1 states that "it is the sense of Congress that whatever steps may be necessary shall be taken to provide for such a degree of self-government" as will permit the Micronesians to participate meaningfully in the foreseen plebiscite. Apart from insuring consistency with the Trusteeship Agreement, this language means that, on the day they go to the polls to vote on their political future, the Micronesians must know what the consequences of their vote will be. If they vote to associate with the United States, they must know with reasonable certainty the terms of that association.

Section 1 also provides that this plebiscite, this occasion on which the people of the Trust Territory will "express their wishes . . . on the future status of the Trust Territory," will be held "as soon as possible, and not later than June 30, 1972."

Section 2 provides that in addition to eight members of the Commission to be appointed by the President, there shall be eight congressional members, four to be designated by the President of the Senate and four to be designated by the Speaker of the House of Representatives. The section also provides that the President shall appoint an additional member who shall be the Chairman.

Section 3 requires the commission to study and assess all factors bearing upon the future of the Trust Territory, and to submit recommendations to the President and to the Congress of the Untied States concerning the best means to obtain the objective set forth in section 1. Section 3 requires that the submission must be made within eight months after funds are appropriated and made available to the commission.

Section 4 provides for the detail of employees to the commission, the hiring of technical or expert personnel, and for the payment of travel expenses of the commission members, and per diem in lieu of subsistence.

Section 5 authorizes the appropriation of not to exceed $200,000 to be available until expended, for the purposes of the commission. This amount should permit necessary travel to, from, and through the Trust Territory by members of the commission, travel to and from Washington by public members, assuming that there will be such, and by Micronesian members of the commission, if any; a small staff for approximately 12 months; and all other necessary expenses of the commission such as communications, printing and supplies.

The Departments of State and Defense have concurred in the foregoing.

Respectfully yours,

Stewart L. Udall,
Secretary of the Interior.

REVISION OF FEDERAL ELECTION LAWS—AMENDMENTS

AMENDMENTS NOS. 283 AND 284

Mr. WILLIAMS of Delaware submitted two amendments, intended to be proposed by him, to the bill (S. 1880) to revise the Federal election laws, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT OF INTER-AMERICAN DEVELOPMENT BANK ACT—AMENDMENTS

AMENDMENT NO. 285

Mr. HICKENLOOPER submitted amendments, intended to be proposed by him, to the bill (S. 1688) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the fund for special operations of the Inter-American Development Bank, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 286

Mr. LAUSCHE proposed an amendment to Senate bill 1688, supra, which was ordered to be printed.

ADDITIONAL COSPONSOR OF BILL

Mr. PROXMIRE. Mr. President, I ask unanimous consent that at its next printing my name be added as a cosponsor to Senator Case's bill, S. 1686, which would add 536,000 acres to extend and expand the Grand Canyon National Park.

I feel that this is necessary and desirable in view of the minimal cost of the project and the significant protection it would afford a great part of our national heritage. I compliment Senator Case for acting to recognize these facts.

The high priority that the preservation of the Grand Canyon receives in the American mind should be clear to us all. It was magnificently demonstrated in the last session of Congress when two dams were proposed which would have flooded large regions in and near the Grand Canyon. The absence of these dams from this year's central Arizona project attests to the unpopularity of tampering with this natural wonder.

The danger to the area is not completely over, however. Local or State dams could still be built in the area of the Grand Canyon, particularly in the Marble Canyon vicinity. Because of the high national priority against such action, it seems imperative to me that we protect this region by inclusion in the national parks system.

This proposal seems all the more sensible in light of its negligible cost. All but 160 acres of the land is currently owned by the Federal Government through the national forest system or is owned as tribal land by the Navajo or Hualapai Indian Councils. Further, the land desired for inclusion in the park is marginal from a commercial standpoint because of its rugged nature. In short, the protection afforded the area demands that such a minimal cost be undertaken.

Because of the protection this extension of the park would provide and because of the slight cost of such an effort, I want to join Senator Case in his effort to expand the national park system in the Grand Canyon region.

The dangers the Grand Canyon has recently faced, however, also point up a broader problem. We do not attach enough importance—either here in Congress or in the executive—to fully studying and evaluating the conservation aspects of our work. That the so-called Grand Canyon dams could ever have been seriously considered by Congress points up the fact that alternatives to their construction were never adequately examined before this legislation reached us.

The same was true in the more recent past with the Hooker Dam portion of the central Arizona project. I feel strongly that the Connor alternative should have been more carefully examined by the Interior Department to discern whether it might more satisfactorily meet the conservation needs of the area by avoiding the dangers the Hooker site poses for the Gila—pronounced heela—Wilderness Area.

To avoid such prospects in the future I would call on the Department of the Interior to pay more attention to the conservation aspects of all proposals of dams and other projects which would significantly mar our natural beauty. Part of such a study should involve comparative evaluations of specific alternatives to proposed projects to insure that the least possible harm is done.

I do not intend this suggestion to interfere with meeting the crucial water and other needs of any part of this Nation, but it does seem imperative that we meet such needs in a manner consistent with the best conservation policies.

My point is that some degree of rationality and study is needed before summarily agreeing to take on dubious conservation policies. Alternative proposals should be sought and demanded by Congress to provide perspective and guidance in our evaluations of public works projects.

My remarks today, Mr. President, address themselves, then, not only to the very specific dangers that face the Grand Canyon, but also to the more subtle ones which threaten good overall conservation policy. I feel that both require prompt and full consideration by Congress.

The PRESIDING OFFICER. Without objection, the name of the Senator from Wisconsin will be added as a cosponsor of the bill, at its next printing.

CHANGE OF REFERENCE—S. 1937

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maryland [Mr. Brewster], I ask unanimous consent that the Committee on the District of Columbia be discharged from the consideration of S. 1937, to authorize the Secretary of the Interior to construct a recreational center in the District of Columbia, and that the bill be referred to the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING BY SUBCOMMITTEE ON AGRICULTURAL RESEARCH AND GENERAL LEGISLATION OF THE COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. JORDAN of North Carolina. Mr. President, I hereby give notice that the Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture and Forestry will conduct a hearing on the following bills next Tuesday, August 29, beginning at 10 a.m. in room 324, Old Senate Office Building:

S. 1389, to amend the Import-Export Overtime Law, enabling the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work;

S. 1476, to authorize user charges for inspection of plants processing certain imported inedible animal byproducts; and

S. 1655, to authorize user charges for the registration of economic poisons.

CHANGE IN HEARING DATES FOR SMALL BUSINESS CRIME PROTECTION INSURANCE CORPORATION BILL

Mr. McINTYRE. Mr. President, I would like to announce that the hearings to be held by the Small Business Subcommittee on S. 1484, a bill to establish a Small Business Crime Protection Insurance Corporation, and for other purposes, originally scheduled for September 13, 14, and 15, 1967, have been changed to September 14 and 15, 1967. The hearings will commence at 10 a.m. each day in room 5302, New Senate Office Building.

Persons desiring to testify or to submit written statements in connection with the bill should notify Mr. Reginald W. Barnes, assistant counsel, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C. 20510, telephone 225-3921, not later than Thursday, September 7, 1967.

SENATOR KUCHEL AUTHORS LAW REVIEW ARTICLE ON WATER CRISIS IN THE WEST.

Mr. HANSEN. Mr. President, the June, 1967, San Diego Law Review contains an article entitled "From Dust to Dust? A

Legislator's View of California's Coming Water Crisis," written by the minority whip, the distinguished Senator from California [Mr. Kuchel].

The article deals generally with the water crisis which faces the entire Pacific Southwest and proposes a constructive way out of the bitter controversy surrounding Colorado River legislation. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

From Dust to Dust? A Legislator's View of California's Coming Water Crisis

(By Thomas H. Kuchel[*])

Two centuries ago, when the Spanish padres came into California, the Central Valley was a vast area of lakes and tule bogs. In some places tall rushes waved as far as the eye could see, piling up century after century to build fertile deep soil. The sight one sees today is entirely different. The vast plains of reeds and bogs are no more; early irrigation systems, using the then-plentiful ground water supply, and the later development of the Central Valley Project[1] have enabled the land to be cultivated to yield a bountiful gift of food for our whole nation.

In the north, beautiful Shasta Lake now stands on the Sacramento River. Near Fresno, at the southern end of the valley, Friant Dam diverts the San Joaquin River through two giant canals, the Madera Canal and the Friant-Kern Canal, to meet the irrigation needs of the arid southern valley area. The Sacramento River crosses the Sacramento Delta and is lifted into the Delta-Mendota Canal. The Delta-Mendota Canal irrigates the lands along its 120-mile length then releases the remaining Sacramento River water into the old San Joaquin River bed to replace the diverted flow of the San Joaquin River.

While the Central Valley Project is a masterpiece of engineering,[2] it was conceived and built at a time when the pressures on California's water supply were different from those which we must face today and in the future. The "population explosion" is a fashionable term to use these days. Most of the time it is thought of in terms of the increasing difficulty of finding parking spaces or apartments, but numbers may be helpful to emphasize that the population explosion is truly awesome. Anthropological finds have indicated that man's earliest ancestors were on this earth millions of years ago. From the early dawn of man's time on earth until the time of Christ, the population of the earth grew to one-quarter of a billion people. It was not until 1650 that the earth's population doubled, reaching one-half billion. It has doubled twice since then, reaching one billion about 1830 and two billions about 1930. At the present rate of growth, one-quarter of a billion people are added to the earth's surface every four years, a far, far cry from the length of time taken to produce the first one-quarter billion men. The quarter billion people existing at the time of Christ have doubled three times; first in 1,650 years, then 180 years, then 100 years. At the present rate of population growth, the 1930 figure of two billion will be doubled by 1980, a period of only 50 years.[3]

California's development is even more dramatic. Between 1860 and 1960 the State's population increased forty-fold. Between 1950 and 1960, California's population increased 48.5 per cent. Each 24 hours, 1,500 inhabitants are added to the State of California.[4] Just three years ago, California passed New York to become the largest state in the Union. Projections of the population growth of California estimate that there will be 25 million people in the state by 1980 and 50 million people by the end of the century.[5] The most basic requisite for the existence and sustenance of this vast number of people is water.

The development of water resources typically is measured in decades rather than years. Therefore, we simply must look ahead to the turn of the century, three decades from now, when those 50 million people will depend for their survival upon what is done today. This is not to say that the United States is the Sahara Desert. Our country has an *average* annual precipitation of approximately 30 inches. This converts to a runoff of about 4.4 trillion gallons of water each day. After evaporation and various natural withdrawals, only 1.1 trillion gallons per day of that water is considered potentially usable. This appears to be a fixed amount. It is unlikely that technology will raise the ceiling of water available to support human life in this country. However, even the 1.1 trillion gallons per day is not all available for use since there are great variations in the amount of precipitation in various regions. Much water is wasted in the areas of high precipitation, such as the East and Northwest, while areas such as the arid Southwest region of our country are water-deficit areas. The portion of the 1.1 trillion gallons which is available for human use is also reduced by water pollution and by our failure adequately to store the water available to us. After all of these avoidable and unavoidable losses are taken into account, less than half of the 1.1 trillion gallons per day is still available to support human life.[6]

Long range water requirement forecasts indicate a possible requirement of nearly 900 billion gallons a day by the year 2000. Even within the next decade water needs may exceed 600 billion gallons per day.[7]

Whatever water crises exist in this nation, they will be greatly magnified in California where, by the end of the century, we are destined to have wall-to-wall people jammed into the vast coastal metropolitan areas. To support that civilization water must be provided. How can this be done?

One [answer] is relatively simple and involves not "planning for population growth." This means not encouraging new industries to move into an area. It means not developing our water resources to a maximum, and thus not providing the water that would make possible additional urban or industrial growth, or bring into production new farming areas. It means not building those new power stations or those new freeways. No real estate development will be built in an area where electricity and water will not be provided. No industry will come where it will not receive space, power or water.[8]

To paraphrase: make Arizona and California uninhabitable and people will move elsewhere. This approach certainly offers an unacceptable solution. Non-preparedness in the field of water development and conservation would thrust California, and perhaps our nation, into economic and social cataclysm. Those who reject non-preparedness must roll up their sleeves and work today in the hope that they will leave a California in which their children's children may lead a happy and productive life.

Since 70 per cent of the precipitation in the State of California occurs in the northern third, and 77 per cent of the requirements are in the southern two-thirds,[9] difficult problems of water storage and transportation exist. California, being the largest user of both surface and ground water in the nation with ever increasing needs, has performed engineering wonders in its quest to provide water for its people. However, present water consumption of over 25 million acre-feet per year[10] is a mere percentage of what the needs of the State will be by the turn of the century. The vast-ground water basins which have provided much of the needed water for California are fast becoming overdrawn. It is estimated that the present water sources, including the Colorado River and the State Water Project, will handle adequately all of the projected growth only until about 1990.[11] But that is less than 25 years away. When that date comes, there must be supplemental sources of water or severe restrictions in water use will follow.

Fortunately, there exists a spectrum of possibilities for supplying the projected requirements for additional water. The gravity of the situation dictates that all of these possibilities be examined in detail. We must learn to control and abate pollution where it has despoiled water sources. We must develop and improve our techniques of waste-water reclamation, since, although we have only a fixed amount of water, by reuse we might multiply the supply manyfold. We must continue the development of techniques for desalination of sea water and brackish water. We must continue our research into weather modification in the hope that every available ounce of moisture can be wrung from the clouds in the most advantageous locations and then conserved for human use. Finally, we must put aside narrow sectional bias and seriously study the feasibility of major interbasin transfers of water. Let us examine each of these areas in more detail.

WATER POLLUTION CONTROL

Pollution control is one hope for the future of both California and our nation. To study it is to see examples of the disgraceful way in which America has treated this God-given resource. Anyone who had walked along the banks of the Potomac River in our nation's capital in mid-August last year could have confirmed the scientists' judgment that it would be safer to swim in a cesspool. New York City discharges 400 million gallons of untreated sewage into the Hudson River each day. Recently several children found a watermelon floating in the Hudson, took it home, washed it off and ate it. Eight of them were later hospitalized with typhoid fever.[12]

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[*] Thomas H. Kuchel, United States Senator from California. J.D., University of Southern California, 1935. Member, Senate Committee on Interior and Insular Affairs.

[1] Funds for the Central Valley Project were first authorized under the authority of the Emergency Relief Appropriation Act of 1935, ch. 48, 49 Stat. 115, and were reauthorized as a federal reclamation project in 1937. 50 Stat. 844, 33 U.S.C. § 540 (1937).

[2] *See* U.S. Department of the Interior, Reclamation Project Data (1961) (as supplemented 1966), for general description of project features.

[3] Cook, *How Many People Have Ever Lived?* Population Bulletin, Feb. 1962.

[4] Cook, *California: After 19 Million, What?* Population Bulletin, June 1966.

[5] State of California, California Statistical Abstract 1965; Cook, *supra* note 4, at 32.

[6] Senate Select Comm. on National Water Resources, 86th Cong. 2d Sess., National Water Resources and Problems 3 (Comm. Print No. 3, 1960); *See also* Nace, *Are We Running Out of Water?*, U.S. Geological Survey Circular 536 (1967).

[7] Senate Select Comm. on National Water Resources, 86th Cong., 2d Sess., National Water Resources and Problems 1 (Comm. Print No. 3, 1960).

In 1954, nearly 60 percent of the total United States water requirements were for irrigation. But by 1980 this use will fall to approximately one-third of the total national requirements. Dasmann, The Destruction of California (1965).

[8] Dasmann, *supra* note 7, at 211–13.

[9] U.S. Department of the Interior, Mineral and Water Resources of California, 452 (1966).

[10] *Id.*

[11] *Hearings on S. 3823 before Senate Comm. on Interior and Insular Affairs*, 89th Cong., 2d Sess. 58 (1966).

Lake Erie is quickly becoming a pile of industrial sludge, and it is no surprise. The Detroit River, which flows into Lake Erie, daily absorbs 19,000 gallons of oil, 200,000 pounds of acid, 2 million pounds of chemical salts and 100,000 pounds of iron, along with the raw sewage of the city.[13]

California is blessed to have been spared the ravages of the worst kind of water pollution. Perhaps it is because the men who built the largest state in the Union in a semi-arid region had a greater than usual respect for the gift of water which God had bestowed upon them. Geography has also protected California from the tandem development of major industrial cities along the length of a single river.

Perhaps because water pollution is the most visible aspect of our water crisis, it is the area in which the most is currently being done. In 1965 and 1966, Congress approved amendments[14] to the Federal Water Pollution Control Act[15] which will go far toward cleaning up our country's waters. The 1965 amendments,[16] collectively entitled the "Water Quality Act of 1965," established the Federal Water Pollution Control Administration (FWPCA) under the Department of Health, Education and Welfare. The FWPCA was designed to administer an all-out fight on water pollution by use of federal facilities and grants to local areas, as well as cooperation with the Public Health Service and institutions of higher learning throughout the country. In 1966, the FWPCA was transferred from the Department of Health, Education and Welfare to the Department of the Interior which is the Department having primary responsibility for development of our nation's water resources.[17]

The 1966 amendments, the "Clean Water Restoration Act of 1966,"[18] gave the administering Department new financial weapons, and also provided sanctions to be used in the battle for clean water. At the same time, it removed the ceiling on individual grants. This should prove to be a valuable incentive to larger cities to get busy on construction of waste-treatment facilities which were heretofore not eligible for federal assistance, and were being held in abeyance because of financial difficulties. Under varying circumstances, federal grants may be increased to as much as 55 per cent of construction costs, providing the States also extend financial assistance.

WASTE-WATER RECLAMATION

Waste-water reclamation goes hand in hand with our efforts to control pollution of our streams. Although the concept of purifying and reusing secondhand water is new in some parts of the country, it is an old and growing practice in the Southwest. The fact of the matter is that the human race has been using and reusing the same water from the beginning. A dramatic example of this reuse is present in Los Angeles. For several years the city has been reclaiming about 11 million gallons of water a day at Whittier Narrows where large sand beds along a river provide an almost perfect filter system.[19] The Whittier Narrows plant taps a large trunk sewer coming from an area which has little of the hard-to-handle industrial waste. The purified effluent is piped to sand beds along the Rio Hondo and the San Gabriel Rivers and helps to recharge the groundwater supply. The plant has been in operation for four years and produces purer water than that from the Colorado River at slightly over half the cost of Colorado River water.

The Pomona Valley area began 40 years ago its pioneering works for reclamation and reuse of waste water. Recently its capacity was increased to 8 million gallons per day.[20] Similarly, the Supervisors of my home County of Orange have completed an excellent, comprehensive plan for the disposal and reclamation of waste-water in that county over the next 40 years.[21] Orange County will use reclaimed water for irrigation, for recreation, to build up an underground barrier against salt water intrusion and for many other industrial and domestic uses. This plan is recommended reading for those who charge that California's water crisis is the result of mismanagement of our existing resources.

DESALINATION OF SEA WATER

A new, major area of hope in development of our water resources is desalination of sea water and purification of brackish water. The federal effort in desalting sea water began in 1952 with the establishment of the Office of Saline Water in the Department of the Interior.[22] At the beginning of this decade the federal government, realizing that the vast oceans that cover 80 per cent of the earth's surface must be tapped if the most arid regions of our world land mass are to sustain human life, greatly increased the level of funding to support this program.[23] Over the first ten or more years of the program, roughly $100 million has been spent in basic research.[24] The processes which were known at the beginning of the program have been greatly refined.[25]

Most desalination units which have been built produce on the order of 1 to 2 million gallons of fresh water per day at a cost of about $1.00 per 1000 gallons. The President recently signed a bill, sponsored in the Senate by this author,[26] to allow the Department of Interior to contribute $57.2 million toward the construction and operation of a massive nuclear-powered dual-purpose desalting and electrical power generating facility to be built off the coast of Orange County.[27] This facility will be built at a total cost of approximately $450 million by the Metropolitan Water District of Southern California in conjunction with Southern California Edison Company, the Department of Water and Power of the City of Los Angeles and the San Diego Gas and Electric Company. The plant will produce 150 million gallons of water per day (or 168,000 acre-feet per year) and will generate approximately 1800 megawatts of electric power.[28] California now draws 5.1 million acre-feet of water from the Colorado River each year. Thus, the one-half billion dollar desalting plant, which will not be completed for a decade, will provide just a drop in the bucket of water (approximately 3.3%) that is drawn annually from the Colorado River. There is also a cost differential, since it is estimated that the proposed plant could supply water to Southern California at the Metropolitan Water District Diemer Reservoir in Orange County at 27¢ per 1,000 gallons, contrasted to 10¢ per 1,000 gallons drawn by the Metropolitan Water District from the Colorado River for municipal and industrial use.[29]

While the desalinized water will cost $71 per acre-foot as it comes out of the plant, transporting it to the Diemer Reservoir will increase the cost to $88 per acre-foot. This is by far too expensive for agricultural use, and California agricultural users presently utilize about 3.85 million acre-feet of water annually from the Colorado River.

A secondary benefit derived from desalinized water is its high purity. By blending the distilled water with the less-pure water received from other sources, a softening effect can be achieved without the need to install softening equipment at treatment plants.[30]

Making sea water potable is a giant step forward, and nuclear energy will reduce the cost, but it would be a cruel delusion to depend upon this source alone—a source which is still in the experimental stage—as the answer to the water needs of the 50 million thirsty Californians who will be with us in a short three decades.

WEATHER MODIFICATION

Our nation is engaged in an extensive research program to test the potential of weather modification as a source of supplemental water.[31] Scientists are probing the secrets of weather so that water in the clouds might fall where it will do the most good. Their laboratory is the whole outdoors. Our scientists have had to be very ingenious to know with assurance when they themselves have in fact changed the weather and when the thanks for the rain should go to Mother Nature.[32]

INTERBASIN TRANSFERS

A final hope and, I submit, the best hope for adequate water for all of the semi-arid West, is the importation of water into the Colorado River from outside its basin. Aqueduct systems have been developed in California which are engineering miracles. When proposed, each met stiff opposition, and the resulting water wars were a sad, if colorful, chapter in western history. In the early 1940's, the Owens Valley Aqueduct and the Metropolitan Water District Colorado River Aqueduct were opened to deliver water to the Los Angeles Basin. By 1972, the State Water Project will be in operation bringing water from Oroville Dam south to the Los Angeles Basin. These projects have shown the feasibility of massive long-distance transfer of water for municipal, industrial and irrigation uses.[33]

A series of drought years at the turn of the century forced Los Angeles to look to the Owens Valley for its domestic water supply. The 40-year fight which ensued included undercover land purchases for the City of Los Angeles, dynamited irrigation ditches, a scheme by which President Theodore Roosevelt extended the boundaries of the Inyo National Forest eastward to incorporate treeless federal lands which were needed for the Los Angeles water system, and an incompetently built dam which broke, inundating towns below and killing several hundred persons.[34]

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[12] Bird, *Our Dying Waters,* Saturday Evening Post, April 23, 1966.

[13] *Id.*

[14] 79 Stat. 903 (1965); 80 Stat. 1246 (1966).

[15] 70 Stat. 498, 33 U.S.C. § 466 (1956).

[16] 79 Stat. 903 (1965).

[17] Reorganization Plan No. 2 of 1966. H.R. Doc. No. 388, 89th Cong., 2d Sess. (1966).

[18] 80 Stat. 1246.

[19] County Sanitation Districts of Los Angeles County, A Plan for Water Re-Use (1963); Bart, *Los Angeles: Second-Hand Water,* Saturday Review, 41–42, Oct. 23, 1965.

[20] County Sanitation Districts of Los Angeles County, *supra* note 19, at 49–51.

[21] Lowry and Associates and Engineering Science, Inc., Waste Water Disposal and Reclamation for the County of Orange, California, 1966–2000 (1966).

[22] 66 Stat. 328, 42 U.S.C. §§ 1951–53 (1952).

[23] 75 Stat. 628, 42 U.S.C. §§ 1951–58 (1961).

[24] For a short history of the saline water conversion program see S. Rep. No. 319, 89th Cong., 1st Sess. 3–5 (1965).

[25] The basic processes include: distillation, freezing, humidification, chemical separation, and membrance. For a basic discussion of these processes see U.S. Department of the Interior, The A-B-Seas of Desalting (1966).

[26] The bill, S. 270, became P.L. 90–18 on May 19, 1967.

[27] S. Rep. No. 49, 90th Cong., 1st Sess. (1967), reporting on S. 270.

[28] *Id.*

[29] *See Hearings Before the Subcomm. on Water and Power Resources of the Senate Comm. on Interior and Insular Affairs,* 90th Cong., 1st Sess. 110, 119 (1967).

[30] *Id.* at 112.

[31] U.S. Department of the Interior, Plan to Develop Technology for Increasing Water Yield From Atmospheric Sources (1966).

[32] *See generally, Hearings on Progress in Weather Modification Before Subcomm. on Water and Power Resources of Senate Comm. on Interior and Insular Affairs,* 90th Cong., 1st Sess. (1967); *Hearings Before Senate Comm. on Commerce,* 89th Cong., 2d Sess., ser. 89–59 (1966); *Hearings on S. 2875 Before Subcomm. on Water and Power Resources of Senate Comm. on Interior and Insular Affairs,* 89th Cong., 2d Sess. (1966).

[33] U.S. Department of Interior, Mineral and Water Resources of California 521–70 (1966).

The effort to use Colorado River water in California met with similar resistance. In the early 1930's, the Arizona Governor called out his National Guard to prevent Parker Dam from being built.[35] Since the days when Arizonans and Californians stood gunbarrel to gunbarrel across the Colorado River, a spirit of cautious cooperation has grown. This is due, principally, to the statesmanship and understanding of the water leaders of these two great States.

Within California we have seen the fears of Northern Californians finally assuaged by adequate "County-of-Origin" protection[36] so that the great State Water Project, the most massive water project ever undertaken, might progress and bring the waters of the Feather River to the Central Valley and to Southern California.

Meanwhile, as an increasingly thirsty Pacific Southwest becomes a vast megalopolitan complex, this area is compelled to look, perhaps afar, for a new water supply to slake its thirst. That water supply could be as far away as the Yukon River, or as near as the Eel. And, indeed, the supply could be the mighty Columbia River.[37] If an area has surplus water—surplus to both its present and future requirements—and if another area is parched and unable to grow because of a water shortage, this nation has a solemn duty to study, scientifically and with the utmost care, the problem of efficiently utilizing its water resources.[38]

Unfortunately, in the last two years a legislative foundation has been laid for a high wall around the water resources of the Pacific Northwest. Section 8 of the Federal Water Projects Recreation Act[39] forbids the Secretary of the Interior to undertake feasibility studies on any reclamation project without prior Congressional authorization.[40] The Water Resources Planning Act[41] creates the Water Resources Council and the River Basin Commissions and then forbids them to take any action to study, plan, or recommend the transfer of waters between river basins. The National Water Commission bill,[42] which passed the Senate recently, is the only legislation which would even permit the study of interbasin transfers. That legislation requires no report at all for five years and would permit the Commission, if it so desired, to ignore the plight of the Southwest, and to steer clear of any interbasin transfer studies.

Those who oppose even studying the water needs of the Northwest and Southwest and diversion as a possible solution to our water shortage remind me of Aesop's fable of the dog and the ox:

"A dog was lying in a manger full of hay. An ox, being hungry, came near and was going to eat of the hay. The dog, getting up and snarling at him, would not let him touch it. 'Surly creature,' said the ox, 'You cannot eat the hay yourself, and yet you will let no one else have any'." [43]

Make no mistake, supplemental water will be added to the Colorado River Basin and it will benefit every basin state. It will ease the honorable burden of the Mexican Water Treaty.[44] Tens of millions of people are going to be added to the population of the semi-arid Southwest in the next several decades and they must have water to satisfy their needs.[45]

THE COLORADO RIVER

No discussion of western water would be complete without mentioning the Colorado River. After many years of angry struggle, consummated by a decision of the United States Supreme Court in 1963,[46] California and Arizona finally have begun building an atmosphere of cooperation and friendship. Out of the amity built up between these two States, a seven-State agreement emerged in the form of a bill[47] which was pending before the House Committee on Interior and Insular Affairs last year. That bill is one of the significant documents in the history of western water. It marks the first time that representatives of an entire region have met, argued, compromised and finally hammered out an agreement on the water resources development of their region. Unfortunately, in the closing days of the last Congress, it was not possible to pass that bill.

Earlier this year this author introduced in the Senate a bill[48] which incorporates most of the features of the seven-State legislation considered last year. The proposed bill would:

(1) authorize the construction of the Central Arizona Project to alleviate water shortages in Phoenix and Tucson;

(2) protect California's existing uses in the water to which the United States Supreme Court said California is entitled,[49]

(3) authorize the development of projects in the Upper Colorado River Basin;

(4) authorize vital studies on the augmentation of the water supply in the Colorado River under the supervision of the National Water Commission;

(5) retain authorization of Hualapai Dam;

(6) provide for the creation of a basin

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[34] DASMANN, DESTRUCTION OF CALIFORNIA 138–73 (1965).

[35] *Id. See generally,* 1 TERRELL, WAR FOR THE COLORADO RIVER (1965).

[36] The Water Resources Development Bond Act, CAL. WATER CODE §§ 12930–44 (West 1956). *See generally* Johnson & Knippa, *Transbasin Diversion of Water,* 43 TEXAS L. REV. 1035, 1042 (1965).

[37] It is estimated that over 262.5 million acre-feet of Columbia River water finds its way into the Pacific Ocean each year. U.S. GEOLOGICAL SURVEY, MINERAL AND WATER RESOURCES OF WASHINGTON 349 (1966).

[38] Corker, *Save the Columbia River for Posterity or What Has Posterity Done for You Lately?* 41 WASH. L. REV. 838, 842 (1966):

"My conclusion is a hard one. I shall state it just as bluntly as I know how. At some time in the future, water will flow from the Columbia River Basin to the Colorado River Basin in substantial quantities. There are only two hedges to that prediction: First, cataclysmic disaster, like nuclear war, may overtake us. Second, a breakthrough in desalting the ocean may alter every basis of prediction.

"We disregard the first contingency, because optimistic or pessimistic, we must plan for survival. The second contingency is unlikely to have a significant effect, even if a major breakthrough occurs. Most of the Colorado River basin is an inland empire, meeting the ocean only at the Gulf of California, in Mexico. In any event, we should not gamble with people's futures on the basis of breakthroughs which may or may not occur."

[39] 79 Stat. 213, 217, 16 U.S.C. §§ 4601–12–21, 4601–19 (1965).

[40] The Act has been effective in preventing any study by the Secretary of the Interior of diversion into the Colorado River Basin. *Hearings on S. 3034 Before the Subcomm. on Water and Power Resources of the Senate Comm. on Interior and Insular Affairs.* 89th Cong., 2d Sess. 35–37 (1966); Similarly PUB. L. No. 89–672, 80 Stat. 951, which authorized the Secretary of the Interior to hire private organizations to conduct technological studies for the Department of the Interior provided that the contemplated private studies could only be on matters previously authorized by statute. While the limitation to previously authorized projects was not in the original bill, S. 3460, 89th Cong., 2d Sess. (1966), the restriction was added in the Senate Committee on Interior and Insular Affairs before the bill was reported to the Senate. S. REP. No. 1523, 89th Cong., 2d Sess. (1966).

[41] 79 Stat. 244, 42 U.S.C. § 1962 (1965).

[42] S. 20 passed the Senate Feb. 6, 1967, and is pending in the House.

[43] Professor Ralph W. Johnson of the University of Washington, chief consultant on water problems to the Senate Committee on Interior and Insular Affairs, captured the statesman's attitude, which should be a model to all, when he said:

"What I am urging is that you not use the diversion issue as a whipping boy and let it blind you to the fact that 95 percent or more of the water problems and opportunities of this region will continue to exist and will have to be planned for and handled by the people of this region whether or not a diversion occurs.

"This is not to suggest that the Pacific Northwest should be unconcerned with the diversion issue, but rather that it should be kept in perspective. Our attitude should not automatically be against diversion, but rather should be one of ascertaining as accurately as possible the exact cost, social, economic, and political, of diversion, to this region, the true needs of the Southwest and which of the various alternatives available, including a possible diversion, might best provide the answer to those needs. We cannot simply be negative about this question. Rather, we must realize the very real water-related problems of the Southwest and attempt to assist in the solution of those problems. This does not deny the necessity for some tough, hard looks at the way the Southwest is using its present water supply, as I have attempted to point out on other occasions. Nor does it mean to imply that a diversion of the Columbia must ultimately come about. Rather it does suggest an attitude of mutual acceptance of responsibility for a problem that must be considered as regional, and profoundly important to the whole of the west."

Address by Professor Ralph W. Johnson, Statewide Water Resources Forum, Seattle, Washington, Dec. 12, 1966.

[44] The "Mexican Water Treaty," (Treaty with Mexico Relative to Waters of the Colorado and Tijuana Rivers and of the Rio Grande, Feb. 3, 1944) obligates the United States to deliver to Mexico 1.5 million acre-feet of water each year from the Colorado River.

[45] Some suggest that the 50 million people expected to be in California by the year 2000 could be kept out by regulating immigration. Fifty years ago, when the infamous Bisbee, Arizona deportation was investigated by a young lawyer named Felix Frankfurter, Arizona found that deportation of United States citizens from its borders was prohibited by the Constitution of the United States. See letter of Nov. 6, 1917 to the President of the United States from the President's Mediation Commission, *quoted in* FREUND, SUTHERLAND, HOWE & BROWN, CONSTITUTIONAL LAW 823–25 (1954). In 1941, when California tried to keep refugees from the dustbowl from entering California, the Supreme Court held that such action by the State was a violation of the commerce clause of the United States Constitution. Edwards v. California, 314 U.S. 160 (1941).

[46] Arizona v. California, 373 U.S. 546 (1963).

[47] H.R. 4671, 89th Cong., 1st Sess. (1965).

[48] S. 861, 90th Cong., 1st Sess (1967).

[49] The Court allocated to California 4.4 million acre-feet of Colorado River water per year when 7.5 million acre-feet are delivered at Lee Ferry in accordance with the Colorado River Compact. Arizona v. California, 376 U.S. 340, 342 (1964).

fund to finance the augmentation of the Colorado River flow; and,

(7) eliminate Marble Canyon Dam.[50]

This author believes that broad regional support can be established for this legislation, but in early February, the concept of regional cooperation was dealt a shattering blow by one of its strongest supporters. Secretary of the Interior Udall announced that he now supports legislation which would authorize construction of the Central Arizona Aqueduct and Hooker Dam in New Mexico but which would eliminate any basin development fund, eliminate any protection of existing uses in California, eliminate any development of upper basin projects, eliminate any study of water importation, and eliminate any new hydroelectric revenues to fill the basin development fund.[51] In short, Secretary Udall proposes to eliminate "regional cooperation" and to push instead a "stripped down" Central Arizona Project bill. Perhaps prophetically he once said, "If a Secretary or a Commissioner becomes a champion of one region, I think this is a way to insure failure of any plan." [52]

Although Secretary Udall contends that the Central Arizona Project can be financed by high property tax rates and high water rates within the project area, the construction of the project without any provision for augmentation of the existing water supply in the Colorado River would spell water disaster to the remaining basin states.

Both the bill introduced this year by Arizona Congressman Udall [53] and the proposal of his brother, Secretary Udall,[54] delete protection of existing uses in California which had been agreed upon previously. California now draws 5.1 million acre-feet per year from the Colorado River, and the Supreme Court set California's allocation of the normal flow at only 4.4 million acre-feet.[55] Last year's seven-State bill provided that in time of scarcity, existing uses of Colorado River water in California—to the extent of 4.4 million acre-feet per year—and in Arizona and Nevada, should be given priority over new uses in Arizona.[56] The existing uses were to be protected until an additional 2.5 million acre-feet of water per year are delivered into the Lower Colorado River from sources outside the natural drainage area of the river.[57] Congressman Udall has called this "4.4 guarantee" a mere "piece of paper," [58] but this piece of paper may be the difference between life and death for Southern California a little more than two decades from now. All California seeks is assurance that in water-short years, newly created uses in the Central Arizona Project area will not reduce California's use of the river below 4.4 million acre-feet. There is no sound reason for shifting the use of water from its historic uses—taking it off the table in Los Angeles and off the land in the Coachella and the Imperial Valleys—merely to service new uses in Phoenix and Tucson.[59]

CONCLUSION

In this article I have tried to indicate the urgent need for additional sources of fresh water that now faces California. While the actual times of shortages will be in the future, the urgency exists now. Now is when we must develop the technology which will provide fresh water from the sea and allow us to control the weather. Now is when steps must be taken to abate the pollution of our waterways, and to develop a program of reuse of waste water. Now is when studies of interbasin transfers must be conducted. It must be realized that the preliminary steps alone will take years to accomplish. Construction of the facilities to implement the technological advances and to carry out the recommendations of the studies will take more time.

It can be seen that while the faucets will not run dry for a few decades, it will take these decades to evolve and implement orderly solutions to our coming water problems.

We have come a long way from the water wars of the West to the legislation reported out of the House Interior Committee last year, which embodied seven-State regional cooperation. I would hope that in the near future the representatives of the entire Western United States might sit down together once more and plan to meet the water needs of the West in a lasting spirit of cooperation and understanding. We must act now. When the water shortages are upon us it will be too late.

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[50] The essential elements of this legislation were spelled out in the author's testimony before the Irrigation and Reclamation Subcommittee of the House Committee on Interior and Insular Affairs on March 13, 1967:

"(1) We propose early, vigorous and meaningful steps to augment the inadequate flows of the Colorado River. We propose, as a first step, that the Secretary of the Interior, functioning under guidelines established by the National Water Resources Council and the proposed National Water Commission, investigate long-range water supply and demand, determine how much should be imported, determine what sources can furnish this without injury to the areas of origin, and what importation projects can be recommended to Congress for authorization.

"Do we not, in this wonderful Nation of ours, seek to prevent waste wherever it occurs? Should not our government determine where the great rivers in this country, which annually dump vast amounts of fresh water into the seas might be used to slake its people's thirst, if the area of origin were first carefully protected? The Northwest California streams, and the mighty Columbia River system, the possibilities of desalting seawater, all should be inventoried with the utmost care, for each one of them will help sustain Americans in future times.

"There is an impending water shortage in the Colorado River Basin. It is not imaginary. It is very real. And no amount of investigation or delay will make it go away.

"(2) We insist on adequate protection for the states and areas of origin of water exported to the Colorado, including full protection of the priorities of those areas, in perpetuity. California may well be such an area of origin. The Columbia Basin, if that is the area of origin, requires the same protection.

"(3) We ask recognition of the Mexican Treaty burden as a national obligation, and that an appropriate share of the cost of importing water be allocated to the performance of that Treaty. The Budget Bureau agreed to this principle in the 89th Congress. We agree with the Upper Basin States that whenever importations into the river system are accomplished to the extent of 2.5 million acre-feet annually, both basins should be relieved of the danger of curtailment of their own uses to perform the Nation's treaty obligations to Mexico. The 2.5 million acre-feet includes 1.5 million acre-feet of water which must be delivered to Mexico at the border, and 1 million acre-feet of losses between Lee Ferry and the border.

"(4) We agree on the necessity of balancing the operation of Lake Mead and Lake Powell, so that the benefits of wet years and the burdens of drought shall be equitably distributed between Upper Basin and Lower Basin reservoirs. The two reservoirs should go up and down together.

"(5) We agree upon the authorization for construction of five Upper Basin projects.

"(6) We agree to reimbursement of the Upper Colorado River Basin fund for prior payments out of that fund to compensate reduction of the power operations at Hoover Dam occasioned by filling of Lake Powell. The bill spells out the method.

"(7) We agree upon the authorization for construction of Bridge Canyon (Hualapai) Dam and Power Plant, and for creation of a basin account to help finance the Central Arizona project and importation works, fed by revenues from Hualapai Dam and by revenues from Hoover, Davis and Parker Dams after they have paid out. I have gone along on the elimination of Marble Canyon Dam. But if this source of revenue is removed, I have proposed that Arizona, not the development fund, pay the cost of any increase in size of the Central Arizona aqueduct above the 1,800 c.f.s. project described by the Bureau of Reclamation in its cost estimate last year.

"(8) We agree to the authorization for the construction of the Central Arizona Project, as part of the regional plan. But we agree only on the condition that, if the water supply of the Colorado River is insufficient to satisfy the requirements of the projects already in existence of heretofore authorized by Congress for construction in Arizona, California and Nevada, these existing uses shall be protected. This is subject to the limitation on California's protection imposed by the Boulder Canyon Project Act. The effect is that when the supply drops to 7.5 million acre-feet, the Metropolitan Water District of Southern California will lose nearly 700,000 acre-feet of its present supply before Arizona loses any water at all. However, the Central Arizona project shall bear the next share of the shortage if the supply drops below 7.5 million acre-feet annually before imported water arrives. To this end the priorities of existing and authorized projects will be protected as against the proposed Central Arizona Project, but only until works have been constructed to import at least 2.5 million acre-feet each year. This is the quantity which must be added to the river to assure availability in the Lower Basin of the 7.5 million acre-feet apportioned by the Supreme Court, if and when the Upper Basin depletes the flow at Lee Ferry to the minimum allowed by the Compact. The protection thus given to an existing and authorized project in Arizona and Nevada would be unrestricted in quantity. But the protection to California's existing projects would be limited to 4.4 million acre-feet annually.

"I may add, with respect to the exact language now in our bill protecting existing uses, that it was the acceptance of this compromise by Arizona's Governor and three Congressmen in the 89th Congress, at the urging of Secretary Udall, that enabled California to support construction of the Central Arizona Project. This language simply recognizes the century-old foundation of western water rights, the protection of existing uses on which California relied in building a half-billion dollars worth of projects. Without this agreed language, we would have to oppose the Central Arizona Project with all the means at our command."

[51] S. 1013, 90th Cong., 1st Sess. (1967). A similar bill, S. 1004, 90th Cong., 1st Sess. (1967), was introduced by Senator Hayden of Arizona and cosponsored by Senators Fannin of Arizona and Jackson of Washington.

[52] *Hearings on H.R. 4671 Before Subcomm. on Irrigation and Reclamation of House Comm. on Interior and Insular Affairs,* 89th Cong., 1st Sess. 194 (1965).

[53] H.R. 9, 90th Cong., 1st Sess. (1967).

[54] S. 1013, 90th Cong., 1st Sess. (1967).

[55] *See* note 49 *supra.*

[56] H.R. 4671, 89th Cong., 1st Sess. § 305(a) (1965).

[57] *Id.*

[58] Address by Congressman Udall, Annual Convention Irrigation Districts of California, San Diego, California, Dec. 8, 1966.

[59] In 1965, prominent members of the State administration proposed that the protection of existing uses in California exist for only 25 years. Since it seems clear that the existing sources of water will be adequate only until about 1990, it is obvious now, as it was then, that such a limited protection is like buying a life insurance policy which lapses upon the death of the insured.

EXPANSION OF MAILING PRIVILEGES OF MEMBERS OF ARMED SERVICES

Mr. HART. Mr. President, I wish to go on record in support of H.R. 10226, a bill to expand mailing privileges to and from members of the armed services. I believe the bill, will, by extending air transportation mailing privileges and increasing free letter mail, be extremely beneficial to the members of the armed services and their families. The men in the Armed Forces overseas have to depend on the mails to communicate with those in the United States and all the means we have at our disposal to increase the efficiency and quantity of these communiques should be utilized.

The first part of H.R. 10226 will extend free mailing privileges to all members of the Armed Forces outside the contiguous United States and thus be more equitable than the existing act which grants this privilege only to those in combat areas. Free mailing privileges should not be regarded as a reward for those engaged in combat areas; it should be granted to all forces overseas who are involved in fulfilling an American commitment. H.R. 10226 grants this same privilege to those hospitalized as a result of illness or injury received while on active duty as well as those incurred in combat areas. This again lessens the differentiation between those individuals involved directly and those involved indirectly in serving their country.

The second section will alleviate some of the financial strain from the families and friends of servicemen when they want to mail parcels by air parcel post. By making it possible to mail parcels under 30 pounds and measuring less than 60 inches in length and girth combined at the regular surface rate of postage plus a special fee to be designated by the Postmaster General, more families will be able to send packages to their servicemen outside of the contiguous United States.

I have received many complaints from constituents about the prohibitive costs of mailing parcels overseas. These are from people who do not complain because their men are in the service, but do complain—and with justification—when they discover they are unable to send the parcels they would like due to financial limitations. Also, people cannot justify sending a parcel which has mailing costs greater than the value of the contents. Especially for the family that has already incurred a financial hardship due to the induction of a son, husband, or father, the need for liberalization in the cost of mailing parcels is apparent.

The third part of H.R. 10226 is designed to extend air facilities for second class news publications to all members of the Armed Forces rather than just to Armed Forces in combat areas as at present. This liberalization is desperately needed. With the multitude of complexities facing the world, it is imperative that the serviceman be kept accurately and currently informed.

The fourth section clarifies the application of this bill and past regulations and benefits on this subject for U.S. servicemen stationed in the Canal Zone.

Mr. President, I urge early passage of H.R. 10226 thus liberalizing and making more equitable the mailing privileges for members of the Armed Forces and their affected families and friends.

BROTHERHOOD FOR VIETNAM

Mr. TOWER. Mr. President, the Houston, Tex., Junior Chamber of Commerce has quite recently embarked on a most worthwhile effort, a project they have named "Brotherhood for Vietnam."

The program is designed primarily to generate a "sense of participation on the part of our local people in the struggle of our soldiers and to cultivate a deeper appreciation for the sacrifices they are making in our behalf." Its two major purposes, as explained in a Jaycee letter to me, are as follows:

> (1) By prearrangement (Format, approximate time, etc.) some 20 to 30 taped interviews with soldiers from the Harris County area will be secured. These messages will be short (no more than two or three minutes) and will be primarily messages from the soldiers themselves directed to the folks back home concerning what they feel we, here in Houston can do to give them the support they need. These messages would be both patriotic and challenging.
>
> (2) Selection of a village in the Mekong Delta Region which the Houston Junior Chamber of Commerce will "adopt," and investigations of possible contacts for receiving, security, and distribution of material goods to this village.

Mr. President, it is hoped by the Houston Jaycees that their Brotherhood for Vietnam project will serve as a model program for other Jaycee chapters.

I am pleased to have been of some assistance to this fine group of young men.

I have contacted various Government agencies in their behalf and am in particular pleased at the encouragement they have received from our State Department.

Mr. President, since the project is such a worthwhile one, and the fulfillment of its objectives so important to a successful conclusion of our Vietnam effort, I ask consent that a fuller explanation of it, expressed through correspondence received by me, be printed at this point in the RECORD.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

HOUSTON JUNIOR CHAMBER OF COMMERCE,
Houston, Tex., May 29, 1967.

Hon. JOHN G. TOWER,
Senate Office Building,
Washington, D.C.

DEAR MR. TOWER: This letter will inform you of a challenge which the Houston Jaycee Chapter has recently put into project form. "Brotherhood for Viet Nam" is the name of the project, and we believe it could be one of the most important projects we have ever attempted.

The project, which began as an idea of a local Houston Minister, Mr. John Click, was presented recently by him to the executive members of the chapter and later to the Board of Directors where it was adopted unanimously by the organization.

If successful, this project could play a meaningful part in counteracting the efforts of those who continually undermine our war efforts in Viet Nam by generating a sense of participation on the part of our local people in the struggle of our soldiers and to cultivate a deeper appreciation for the sacrifices they are making in our behalf. Also, and perhaps even more important, it could ultimately win an important segment of the Vietnamese people away from Communism.

Mr. Click will be in Japan on business in September of this year. From there he will go to Viet Nam for the purpose of accomplishing the following missions:

1. By prearrangement (Format, approximate time, etc.) some 20 to 30 taped interviews with soldiers from the Harris County area will be secured. These messages will be short (no more than two or three minutes) and will be primarily messages from the soldiers themsleves directed to the folks back home concerning what they feel we, here in Houston, can do to give them the support they need. These messages would be both patriotic and challenging.
2. Selection of a village in the Mekong Delta Region which the Houston Junior Chamber of Commerce will "adopt", and investigations of possible contacts for receiving, security, and distribution of material goods to this village.

The taped interviews will be returned to Houston and broadcast at various times during the day for perhaps several months by our local radio and television stations. (Mr. Click has talked with one of the more influential businessmen in our community who has indicated that, if the interviews are secured, he will gather together others in the community to give their best efforts toward getting the programs on the air.)

The "adopted village" of which Mr. Click will bring back photos, movies and recordings, will be supplied on a continuing basis to the best of our ability with material goods such as drugs, clothing, teaching aids, etc. We will attempt to keep this program on a personal basis through the correspondence and photos from individuals in our chapter to individuals in the village.

If this project is successful, we would hope to outline a model program which would be forwarded to other Jaycee chapters in the State and perhaps the nation, with the idea of conveying to the Vietnamese people a message of genuine concern and a sincere desire on the part of American businessmen to promote "Brotherhood" in this battle-torn part of the world.

Certainly, this is a most ambitious project, even for the largest Jaycee Chapter in the world (1600). We believe, however, that if it can be done, we can do it. Our experience (and success) in our current programs to send supplies and aid to Peru and Honduras, and our "Soap for Viet Nam" project strengthen this belief.

We know that this project will take a lot of outside help. At this stage in our planning, the success of the project hinges on the support given it by people like yourself.

Mr. Click will have very little time in Viet Nam considering the distances he must travel and the number of people he must interview in completing the groundwork necessary for the carrying out of the project. His time will be inadequate unless we can obtain clearances that will allow him to move from place to place without delay.

If you feel this plan has merit and is worthy of your support we would be very grateful for any interest you might show and any help you could give us in securing travel privileges in Viet Nam for Mr. Click.

Thank you for your time. We pledge to you that with your help and the help of other Americans like you, actively interested in accomplishing these goals, we will do everything within our power to make this project a success.

Sincerely,

HENRY C. TOWNSEND, Jr.,
Chairman, Government Affairs Committee.

ARCHIE BENNETT,
President.

DEPARTMENT OF STATE, AGENCY FOR INTERNATIONAL DEVELOPMENT,
Washington, D.C., August 17, 1967.

Hon. JOHN G. TOWER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TOWER: I am writing with further reference to your inquiry on behalf of the Houston Junior Chamber of Commerce. In my letter of June 28 I mentioned that we were consulting with the Department of Defense in order to determine how best to be of assistance to the Houston Junior Chamber of Commerce project in Vietnam. On July 31st we and representatives of DOD met with two members of the Houston Junior Chamber of Commerce and Reverend John Click. We expressed our interest in working with the Houston Junior Chamber of Commerce and discussed ways in which the Jaycee program could be most effectively implemented.

As it now stands, Reverend Click will visit Vietnam the latter part of September to tape interviews with servicemen from the Greater Houston area and to determine on the spot, in consultation with our personnel and representatives of the voluntary agencies, how best to implement the Jaycee program. We and the Jaycees are agreed that the best approach is to first determine specific needs and then for the Jaycees to organize their appeal to the public toward meeting these needs.

Subsequent to our meeting on July 31st, we arranged for Reverend Click to meet with representatives of several voluntary agencies in New York. It is my understanding that he was particularly impressed with the facilities which CARE can offer to the Jaycees for implementing their program.

I think I can say for both AID and DOD that we appreciate the flexibility shown by the Jaycees and their willingness to meet with us before actually beginning their program.

On the basis of our discussions to date, we anticipate that the Houston Junior Chamber of Commerce will make an important contribution to our efforts in behalf of the Vietnamese people.

Thank you for your continued interest and if we can be of further assistance, please let me know.

Sincerely yours,

ALEX DICKRIT, Jr.
(For the Director of Congressional Liaison.)

THE PRESIDENT'S EFFORTS TO NEGOTIATE IN VIETNAM REBUFFED BY HANOI

Mr. McGEE. Mr. President, in numerous addresses to the Nation, President Johnson has stressed the fact that the ultimate road to peace in Vietnam lies first in a response for negotiations from Hanoi. It takes two parties to negotiate, said the President. And we cannot talk about peace only to ourselves.

Those statements have often been seized by the critics of the administration as an indication that President Johnson does not want to negotiate an honorable settlement in Vietnam.

Yet the truth of the President's assertions are now being demonstrated.

A United Press International news story of August 22 reports that authoritative diplomatic sources in London believe that Ho Chi Minh, the ruler of North Vietnam, has "shut all channels for Vietnam peace feelers." Any possibility for a cease-fire, the report said, have now come to a standstill.

Clearly, it is not President Johnson who has stopped seeking peace.

It is Ho Chi Minh.

President Johnson has said he would go anywhere, anytime to negotiate in the cause of peace.

Ho Chi Minh now slaps the world in the face and says:

> We will do nothing to negotiate for peace.

Where does the fault lie? Not in the stars, but in Hanoi.

To those who now say, let us make new overtures for peace, the answer has been given in unmistakable terms.

Hanoi will not negotiate because she believes the United States will lose its will to go on.

Hanoi will not negotiate because she believes internal American divisions will call a halt to the American military and economic commitment in South Vietnam.

Hanoi has closed all doors to peace, because she believes she will achieve through propaganda means what she has been unable to achieve by military means—the conquest of South Vietnam.

President Johnson and the United States have no alternative but to continue military pressure on the north in order to halt incursions into the south.

Our door to negotiation is always open. The Communists have closed theirs. We have no alternative but to support the President as he perseveres in Vietnam.

MAYOR CAVANAGH, OF DETROIT, DISCUSSES CIVIL DISORDERS

Mr. HART. Mr. President, there is, I believe, no mayor in the United States who surpasses Mayor Cavanagh, of Detroit, in his understanding of the crisis of our cities.

The Detroit News of August 20, 1967, published excerpts from the testimony of Mayor Cavanagh to the National Advisory Commission on Civil Disorders. His testimony carries a message for every American. What is even more important is to recognize that it is a message which has been sent to all of us by Mayor Cavanagh and others for years. We would do well to heed it.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

CAVANAGH'S WASHINGTON TESTIMONY OFFICIAL ACCOUNT OF DETROIT RIOT

(NOTE.—Following is the first portion of Mayor Cavanagh's testimony Tuesday before the National Advisory Commission on Civil Disorders on the Detroit riot which began July 23, and how similar situations exist in other cities. In this respect, he also was testifying as the unofficial spokesman for the U.S. Conference of Mayors and National League of Cities, of which he is the outgoing head.)

This is not the first time I have appeared in Washington or before a major public forum to speak about the crisis in the American city or in my own city of Detroit.

For the last five years I have repeatedly raised my voice and I have repeatedly warned that the American cities today are in a state of crisis so deep and so abiding that our national destiny is threatened.

A year ago, I told the Ribicoff committee: "We must make sure that everyone in this nation begins to think about the larger questions—begins to realize that the warfare on our city streets is as important to our national destiny as some consider the warfare in Southeast Asia."

This same theme was echoed in my presidential address to the National League of Cities last November.

I have served as a member of the National Advisory Committee on Area Redevelopment, National Citizens Committee for Community Relations, and several special advisory committees to President Johnson dealing with urban affairs.

In 1963, I warned the National Association of Housing and Redevelopment officials at their national convention that cities face a tragic situation that is nothing less than a national shame.

Last November, I told the Conference of National Organizations that "our treatment of the Negro has been a national disgrace. Our laws, our customs and our attitudes are changing now, I only hope they change fast enough to match the impatience of so many forgotten Americans."

It is acknowledged by objective observers that Detroit has used federal programs with great effect, that it has progressive leadership in the school system and in city hall, and that its relations with the Negro community are among the best in the country.

Still we have to conclude that we have not done enough.

I told the United States Conference of Mayors in a presidential address just two months ago that "our problem is quite clearly that the great social and physical programs for rebuilding our cities and for upgrading the quality of American life are still regarded largely as 'frills' and that instead of moving up cities on the national scale of priorities, we seem to be slipping."

In April before the National Institute of Public Affairs I warned that everything in this nation is not going to be all right. My words that night were: "I do not mean to preach blood and thunder here tonight. But there is a good deal of thunder that can be heard and blood has already spilled."

Since that night in April, much more blood has spilled.

How many warnings does this nation need? How many times must we mayors go before Congress, before the administration, before the leaders of this nation with our simple message that we are all in the urban boat and that that boat is full of holes?

Of Michigan's approximate eight million citizens, roughly 10 percent are Negroes. About 70 percent of all Negroes in the state live in the Detroit metropolitan area, where roughly half of the state's population is centered.

Detroit's Negro population today—in the city itself—is estimated at over 600,000 out of 1.6 million people. Detroit is surrounded by an extensive group of suburbs—there are about 200 separate units of government in the metropolitan area. The suburbs now contain the bulk of the metropolitan area population. Only a handful have any Negro residents.

The explosion that ripped Detroit had many points of origin over a long, long period of time. It has its links with events of recent years in Washington, D.C.; in Birmingham and Tuscaloosa, Ala.; in Jackson, Miss.; in Cambridge, Md.; in Kansas City; in the Watts district in Los Angeles; in Harlem and Bedford-Stuyvesant in New York City; on the south side in Chicago; and in the cotton fields of Louisiana and Texas.

The fact is that up to date in 1967 alone, there have been disturbances of major proportions—ranging from major incidents to riots—in 59 cities of the United States—cities containing almost half the population of the

United States—in the East, the South, the Midwest, the Southwest and the Far West. Some of these eruptions were more violent than others. Last year the count was 37 cities.

There has been no discernible relationship between the location or degree of violence in these disorders to social or economic or governmental factors. If there was a pattern, it was a crazy quilt. It is clear from our experience that you cannot extinguish a single flame in a general fire. You must extinguish the entire fire, and damp down all the sparks and ignition points.

The explosion in Detroit was one flame in a nationwide fire. A spark fell in Detroit, and an ignition took place. Newark seemed to set the sparks flying, but the elements of combustion were there before Newark. Detroit itself dropped sparks on a half-dozen other Michigan cities. But the elements of combustion were there for many, many years.

Every city has its individual aspects—its strengths and its weaknesses. We thought we were in a stronger position in terms of human relations than many other cities. Every outside observer agreed that we were. And I believe we were. But the difference wasn't deep or fundamental enough to forestall the catastrophe.

We in Detroit discovered to our sorrow that we were not, in the words of the poet John Donne, "an island." We were a part of the nationwide phenomenon of these eruptions. The places where they occurred were almost incidental, just as the incidents which ignited them were almost always accidental.

There is a widespread belief that the rioting in Detroit was the work of conspirators, that police need more power to crush rebellions and that the great social programs which had been so successful in Detroit are now bankrupt failures.

I would say from the evidence we have now that the influence of the conspirators was very small.

I would say that Detroit needs more police officers but that our present laws are adequate to cope with riot situations.

I would say that social programs are still very relevant and very much needed.

In the remarks to follow, we will touch on all of these matters but it is important to understand from the beginning that there are no single answers or easy assumptions to make about Detroit's riot. Such simplistic approaches are too often part of American thinking.

The basic issue in Detroit is the same issue which is bringing this nation to its most frightenng domestic crisis since the Civil War. And it is the same Civil War issue—race—around which most of the rioting swirls.

But before getting to this larger picture, let us take a look at the factors involved in Detroit's riot.

The riot began spontaneously and fed on the images from a hundred other cities. It quickly exploded beyond the capacity of the police to handle and roared out of control.

It did not start—as some might assume—from a specific, justified grievance in the Negro community. There was no overt act of police brutality.

I cannot and would not affirm that everything I did, or which was done in my name and by my authority, during the hours of destruction and violence, was in every respect the best that could have been done. Hindsight is a great instructor. I have learned much from it. Yet, I cannot honestly say today that under the circumstances of the hour, and with the information that I had at the time—with rumors having almost the authority of facts—that I could have done much better than I did.

Moreover, I am not sure that even such improvements hindsight recommends would have made any major difference in the results. Could the Milwaukee pattern have been applied to Detroit? Perhaps. But it rained hard in Milwaukee the next night, as it did in Detroit in 1966 when we had trouble, and in both cases, rain greatly dampened the danger. Yet it rained in Newark without effect.

The Detroit Police Department had a well-developed and battle-tested riot plan which had been praised and used as a model by departments all over the nation. The department also was barely recovering from a bitter labor dispute in which more than 1,000 policemen had called in sick as part of a strike action. What effect this labor dispute may have had on the attitude of police the first morning of the riot is unknown. But consideration of it should not be dismissed.

We have said that Detroit's riot did not start from a specific incident which might arouse the passions of a mob. It also should be made clear that it did not start from the work of revolutionaries who belong to the black extremist movements.

Extremist groups exist in Detroit and have for some time. They were involved deeply in the 1966 incident. But this year, from all the information we have, they cannot be credited with causing the explosion. In fact, the discussions among the extremists were that 1968 was the year for Detroit.

The people out on 12th Street early Sunday morning when the blind pig was raided were people of no distinct class. There were some drunks, some drifters, some middle class and perhaps even some wealthy, some hustlers, some petty gamblers, some factory workers, some prostitutes—just night people out for a late bite to eat or a little vice-related activity or on their way home. These people had no direct connection with the extremists as far as we know.

Those who came and swelled the crowd to 200 apparently were residents from the large number of apartment buildings near 12th Street. There is still no evidence that there was a significant number of extremists among this group.

Police have arrested one young man for goading that crowd into action. But for one or two persons to be able to turn a friendly crowd into a group of looters points to the facts that the seeds of the powder keg must have been present. There was a common atmosphere which extremists and non-extremists breathed.

That common atmosphere is the quality of life for many if not most of those who inhabit the Negro, Puerto Rican and Mexican-American ghettoes in our cities across the country. These people have had the shared experience of slum living—not just by the quality of their housing conditions, but by the quality of their living conditions. I mean the overall conditions of degradation, disorganization and poverty—in which the young grow up without hope of legitimately sharing in the supposed fruits of the affluent society—that affluent society within their sight but beyond their reach.

It is this slum atmosphere of the ghetto which breeds and cultures the extremists—the militant haters, social outlaws and demagogues who regard the violation of law and violence as their only way of making their mark and obtaining their share.

It is this atmosphere which was present on 12th Street in Detroit that early Sunday morning, and elsewhere in Detroit in the succeeding hours and days. As far as our information now goes, it just happened to ignite and to explode.

Detroit's experience was that there was no incident and no rallying point. As Bayard Rustin recently observed: "Although it may be of some interest to search for a pattern, no very profound purpose is served by concentrating on who struck the match. There are always matches lying around. We must ask why there was also a fuse and why the fuse was connected to a powder keg."

We can conclude that in Detroit, the matches indeed were lying around.

The early pictures of the rioting and looting—the beginnings early Sunday morning—showed a high percentage of young men. We will submit to you copies of news pictures taken at that time. Look at the faces. You will see mostly young men.

These young men are the fuse.

For the most part they have no experience in real productive work. For the most part, they have no stake in the social arrangements of life. For the most part they have no foreseeable future except among the hustlers and minor racketeers. For the most part, they are cynical, hostile, frustrated and angry against a system they feel has included them out. At the same time, they are filled with the bravado of youth and a code of behavior which is hostile to authority.

The extremists, of course, always turn up. They are the unchosen leaders of potential rioters.

When a substantial number of people in a community come to feel that law and order is their enemy and their oppressor, that community is in danger. Such groups exist in most of our communities today.

In our case, it seems clear that it was not until looting became widespread and was joined in by whites and Negroes alike, with almost a carnival spirit, that the riot got out of hand. And by that time, it was not just young rebels any more. They led but were followed by housewives and well-dressed men in good cars. Some of these men had stood for a time protecting stores and yelling at looters, but then gave up and joined the looting themselves.

Again I emphasize: There was no specific, justified grievance which sparked the outbreak. The city had made a (maximum) effort to use all possible resources over a long period of time to lessen tension between the races and to improve housing, education and jobs for the Negro community.

But it is obvious that what we did could not prevent a significantly large percentage of our population from feeling alienated enough to violate society's laws.

The powder keg these young men ignited is the social background. This social background is simply that for the overwhelming majority of the Negro population, oppression and segregation are still too much a part of a life.

It is true that there have been changes in these patterns in recent years and in Detroit, of all northern American cities, those changes have perhaps been the most meaningful and the most far ranging.

But despite this, it is clear that a significant number of the American white middle class has never accepted the Negro as a neighbor, as a fellow worker or as a contributing member of American society.

This constant arm's length treatment does feed back through the entire fabric of the Negro community and creates the social background of estrangement and frustration that make up the larger powder keg.

As for those who feel that the total answer to the situation—to the dangers whose manifestations we have seen—is simply more guns, clubs and force, they are wrong, catastrophically wrong.

Of course, the increased availability and more effective use of peace-keeping forces is vital and essential.

But those who cherish the thought that the situation, nationwide, can be dealt with simply by sterner measures of force and repression are deluding themselves.

Repression, without channels of release, is a Molotov cocktail. It takes only one match to set it off, and then its destructive effects can spread everywhere.

WHAT THE MAYOR REQUESTED

(NOTE.—Following are excerpts from the second portion of Mayor Cavanagh's testimony to the National Advisory Commission on Civil Disorders, in which he made recommendations for action at the federal level. Cavanagh testified as the spokesman for other mayors who privately urged him to cover their needs as well.)

Detroit has moved effectively and swiftly to make the best use of existing federal programs. We have done a great deal. There is so much more to be done.

In the course of my testimony before the Ribicoff Committee I said:

"I know how inadequate so many of our programs are, and this is why I find it difficult, to accept (compliments) because I know that as much as we try, we really don't get down to the streets. In all of our agencies and among all of our people, we really aren't too sure what is happening."

We have programs to combat poverty, youth employment and adult employment projects, manpower development skills training centers, juvenile delinquency control activities.

No one has tried harder to listen to the people of the streets and to translate their views into programs. Community relations programs have been backed by strong executive orders and special training for police personnel.

It is clear to me that despite our massive efforts there is an underclass in our urban society who have not been reached and for whom there are few programs which touch them and give them hope.

Since the riot a number of specific steps have been taken to meet the emergency needs of the riot victims including provision for food, shelter, clothing and the like. The private agencies and individuals have responded magnificently to meet these needs.

Within city government I have set up a Mayor's Development Team to assure coordination of our efforts as a city government in meeting emergency needs and to work with others who are similarly concerned about blueprinting the future shape of our city.

We must throw away the textbook as we do this planning. We must increase our efforts to involve the community as we do this planning. We must have some way of reaching the militant as well as those who have given us hope.

We must work with the Citizens Resources Committee—New Detroit—chaired by Mr. Joseph L. Hudson Jr., as it seeks to involve the private sector and encourage innovation by all levels of government.

In everything that has been said today, we have emphasized the role of the federal government in helping to create the "livable" city. Local government has a role and a responsibility and there is increasing evidence of an awakening in the state halls and by businessmen.

We must take firm measures to assure the maintenance of law and order; we must meet the emergency needs caused by the extensive damage running into hundreds of millions of dollars and to relieve the suffering of the innocent victims of the riots; we must eliminate the causes of civil disorder.

To restore law and order we must modernize our techniques for dealing with mob action, adopt the latest scientific devices, revamp our plans for dealing with civil disorder by planning for a more effective and fluid governmental response.

I have requested planning assistance from the secretary of the army and support federal legislation which will grant aid directly to the cities in training, equipping and paying police officers.

There is the need for a federal riot police force to be located in our major cities and to be a part of the local police.

I have asked Gov. Romney to consider the formation of National Guard riot battalions located in the metropolitan areas to provide skilled and speedy response to civil disorders.

We must frankly face up to the need to consider and accept a new principle on which to base federal programs and appropriations—the principle of reparation for long-standing injustice dating back to the generations preceding ours.

I mean the injustice of pervasive discrimination, and of the denial of equal educational, vocational and professional opportunity for advancement and progress.

This has gone on for years and is still with us. The price they have paid for these generations of injustice is incalculable.

Now the nation must, I believe, begin to make reparation—for the deeds of past generations, and of our own.

The principle of reparation is recognized in international law. In recent years the West German Republic made very substantial deliveries of goods and equipment to many countries in Europe and most recently to Israel—in the name of the living and in the name of the dead.

I am not talking about individual reparations in money. Even in international reparations, the world learned by bitter experience that money alone neither pays for the injuries of the past nor buys a secure future. I am talking about reparations in the form of special work training programs, special educational programs, special community construction and reconstruction programs, including both housing and business, involving efforts, not only by government, but by business, by private and public organizations, by the schools and the universities.

We must reorder our national priorities and place the needs of our cities high on the national agenda so that the reparations principle can have meaning and effect.

It is just as important to our national destiny that we deal with the cases of warfare on the streets of America as it is to conduct a war in Southeast Asia.

We must reorganize the federal establishment—the departments and agencies—to make them more responsive to urban needs and to assure a coordinated effort which emphasizes innovation.

We know we must write a new textbook for the two Americans with which we are faced.

Block grants to cities will provide flexibility and fix responsibility where it belongs, right in the community.

The funds available must be of the magnitude which will have an impact on the problems.

To propose to conduct a war on all the influences blighting our urban society with a bow and two arrows will merely heighten tensions and lead to further explosions.

We must learn much more about our problems and encourage urban research and innovation.

It is pathetic that we should spend so much money on attempting to find cures for the ills besetting the body and yet have done so little to seek cures for the ills of our urban society.

We must engage in massive programs to encourage private enterprise to create jobs in slum areas and to train slum dwellers.

This may take the form of specific tax incentives, tax credits or fast amortization of factories or other enterprises in the slums.

We provide tax credits for pollution control devices but we have not provided similar credits for business investment which can help to eliminate pollution and stifling of the human spirit.

For those who would otherwise not be employed, there is the need to emphasize the role of the public employer as the employer of last resort.

There are many things which should be done to make our cities more beautiful and more habitable.

Cities do not have the funds to begin to do all that must be done yet they can provide meaningful jobs for those who will not be able to get a job in the private market.

This could be done through a reconstruction and urban public works act which would combine training with public sector activities, and designed to emphasize employment of ghetto area residents.

In a variety of ways we can make it possible for our nation to use the potential female labor force by creating a network of day care service centers for children which will use the time to advantage by giving a meaningful experience rather than just caring for them.

We must take steps to provide insurance and reinsurance for those who are willing to invest in or live in "high-risk" areas—America's ghettos.

Of the $144 million direct loss during the Detroit riots, estimated by the state insurance commissioner, only $84 million was insured.

Getting insurance to rebuild or to create a new environment in the slums will be increasingly more difficult.

Disaster insurance and reinsurance is presently available for crops and for loss from natural disasters. It should be extended to cover riot damage.

We must assure to each child in America that he will get the same quality education—and it must be of a high quality—no matter where he lives, in the slums or in suburbia.

The urban school situation is a national disgrace for it emphasizes the inequality which affluence has made possible.

Public education must be equal, quality education.

There should be established an urban development fund and an urban development corporation to create the financial underpinning and the management capabilities needed to create the "livable" city.

The fund could be a revolving one which encourages investments in low cost housing, technological innovation, slum area based industries and creative solutions.

It should be a risk-taking activity and should lean heavily on the genius of American enterprise to support their investments through the use of the urban development corporation.

Encouragement of new firms and Negro business enterprises in slum areas will provide employment, reduce tensions, stimulate personal ambition among Negro youths and provide a more stable community base.

The need for decent housing is obvious, yet for the slum dweller it seems beyond his reach.

A low cost housing program which emphasizes home ownership is needed and it must be designed to make it possible for people on welfare to make the payments.

The technology exists. The barriers created by the building trades will have to be overcome.

The necessary subsidy will have to be provided.

The health problems of slum dwellers are not being met by existing medical facilities. A vast expansion of neighborhood comprehensive treatment and emergency care centers will eliminate the existing imbalance.

The deep resentment of those who take advantage of the slum dweller's lack of sophistication in handling money, in selling shoddy goods, in overcharging for what he gets is a source of discontent.

A consumer services and consumer protection program which is tailored to eliminate this situation is required.

There is an urgent need for a census to be conducted of the major cities of America in order to reveal the facts about unemployment, dilapidated housing and to count every resident of the inner city.

Criticism has been leveled about the past census missing too many of these residents.

To achieve the goals set forth above will require the mobilization of public opinion through exercise of leadership by the President of the United States and the great weight of his office.

My purpose in appearing here was to inform you of the needs of Detroit, which are the needs of America's cities.

The cry from the ghetto can no longer go unheeded. While some may think that they have responded to this cry, the response has been small and slow in relation to the magnitude of the needs.

You have learned something about Detroit and its people. We have described the riot and attempted to identify the causes. We have tried to convey the sense of urgency which possesses us. The urgency must grip the conscience of this nation and of its leaders.

Detroit has been called a city of hope in the past—hope that the problems of our cities could be solved, that the urban sprawl could be managed.

That hope still lives. But fulfilling that hope is not just Detroit's problem. It is the nation's. It will take an aroused nation, mobilizing all its resources, to solve this problem. It exists coast to coast and border to border.

Stokely Carmichael has called me an "idiot" for saying that the Negro problem could be solved in a capitalist society.

I still maintain it can be solved. We must do it. The future of this nation hangs in the balance.

PRESERVATION OF HISTORIC SITES

Mr. TOWER. Mr. President, the editorial page of the Dallas Morning News of August 8, 1967, contained an excellent piece of Walter B. Moore, Texas Alumnae editor, concerning the preservation of historic sites and buildings through the civic-minded efforts of Texas cities and their residents.

As a member of the Housing Subcommittee, I have sponsored and/or cosponsored measures designed to assist in such preservation, particularly in our urban renewal areas. Encouragement from the Federal level can of course accomplish just a fraction of what individual city and State initiative and interest can accomplish.

It is indeed important to us all, I feel, that the Nation's history and early culture be adequately preserved. I am certainly hopeful this local approach trend brought to our attention by Mr. Moore continues. I ask consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Texas Today: History-Minded Houston

(By Walter B. Moore)

Fast-growing cities of Texas are displaying an admirable ability to look forward and backward at the same time. San Antonio's HemisFair '68 is, of course, the leading current example of a tribute to the past and a vision of tomorrow. If it comes up to expectations, San Antonio's 250th birthday party should provide brighter years to come for Texas' third-largest metropolis.

Fort Worth is another city that is doing a lot to display its history. The downtown Heritage Hall, with reproductions of scenes from the turbulent past, is one example. Log cabins restored in a city park are another.

Austin's Old Bakery on Congress Avenue is another example and there are others in the capital. Dallas, of course, has its Wax Museum and many public museums at the State Fair of Texas, though we sometimes wonder if this city's citizens are as appreciative of its history as are those in many other cities.

Houston, which can never be accused of lack of aggressiveness in trying to beat the world in growth, also is among the Texas leaders in preserving the past. The current issue of Houston, the chamber of commerce magazine, mentions two interesting examples.

Harris County Heritage Society has started building a replica of the "long row" of shops that were found along Houston's Main Street before the Civil War.

Houston Junior League and Kappa Alpha Theta sorority contributed to the building fund which will amount to $50,000. The City of Houston donated the land, on Bagby Street between Dallas and Lamar Streets.

There will be replicas of Houston's first library, the Capitol of the Republic when it was in Houston, a barber shop, a general store, the first theater and other antebellum buildings.

Allen's Landing Park is another Houston historic spot. This is where Houston's founders, John K. and Augustus C. Allen, built their trading post the year Texas gained its independence. They selected the place where Buffalo and White Oak Bayous converged. They thought that it was a natural turning basin for ships coming from the Gulf. (This is more than four miles east of the present Houstin Ship Channel Turning Basin, part of the nation's third-largest port.)

Houston Chamber of Commerce has been working since 1963 on making this into a park. Recently the $100,000 project was dedicated. Sam Houston's granddaughter, Mrs. Jennie Morrow Decker, unveiled a market commemorating the history of the port.

That history really began on Jan. 26, 1837, when the steamer Laura docked at Allen's Landing. Now, a private operator is running an old-fashioned boat, called the Laura II, along the channel for the entertainment of visitors.

Earlier, the Heritage Society restored four beautiful, historic homes and opened them to visitors in the heart of downtown Houston, near the city's fine new cultural center.

Such things are going to help the tourist business, of course. But we hope even more that they will stimulate other Texans to preserve their history. It will be especially fine if more of the beautiful old homes, such as some of those in Gonzales, are restored.

Mrs. Ima Hogg of Houston, Mr. and Mrs. Eugene McDermott of Dallas and a few others are setting fine examples.

Texas needs many more such citizens. It needs concerted efforts, probably a permanent foundation, to choose places of genuine historic interest and provide some funds that will stimulate Texans to act. Texas State Historical Survey Committee, working through county committees, has done a great deal to mark historical sites. But there's much more to be done and the time is short to save many structures.

DEDICATION OF SOUTH PASS CITY, WYO.

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the Record the remarks of Jerry A. O'Callaghan, Chief of the Office of Legislation and Cooperative Relations of the Bureau of Land Management, at the dedication of South Pass City, Wyo., last month. South Pass City and the South Pass itself are historic landmarks, not only to Wyoming, but to the entire United States. They played a particularly significant role in that most American development, sometimes called Westering. The State of Wyoming has now created the Old South Pass Historical Preserve, has purchased South Pass City, and has launched a program to preserve and manage this landmark.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

The Significance of South Pass

(Remarks of Jerry A. O'Callaghan, Chief, Office of Legislation and Cooperative Relations, Bureau of Land Management, at the dedication of South Pass City, July 16, 1967)

I did not come the 2,300 miles from the Potomac estuary to this mountain pass to tell you what you know as well as I. We are standing on historic ground. That would be a case of carrying coal to Newcastle, or oil to Casper, or possibly jade to Lander.

The dedication of South Pass City by the Old South Pass Hisoric Preserve Commission does give us an occasion to think again about the significance of South Pass.

Before doing that, however, I would like to deal with an equally pleasant task.

I convey greetings from Secretary of the Interior Stewart Udall and Boyd L. Rasmussen, Director of the Bureau of Land Management. The preservation and restoration of historic sites is one of the distinguishing features of the Third Conservation Wave now washing over our land.

Secretary Udall has been a prime mover in this new conservation. He regrets that a very heavy schedule does not permit him to be present today. He compliments you on the initiative that the people of Wyoming have taken to restore and preserve the historic values of South Pass.

Boyd Rasmussen, the Director of the Bureau of Land Management, is a career public land administrator. He takes intense personal interest in anticipating the newer uses of the public lands. The cooperation between the Bureau of Land Management and the Old South Pass Historical Preserve Commission, an agency of the State of Wyoming, we hope points the way to further efforts to highlight the historic dimensions of the public lands.

As all American school children learn in about the second month of their first year in the primary school, Christopher Columbus discovered the New World while looking for the Far East. Even after it had become impressed on the European mind that a New World two continents big rested between Europe and the Far East, the attraction of reaching the Far East by sailing west lost little of its pull. One of the reasons the East Coast of North America was so thoroughly explored was an almost constant search by mariners for a fabled Northwest Passage that would lead to Asia and its riches.

As these hardy mariners nosed into every bay, inlet and estuary on the East Coast looking for the sea passage that would lead to Asia, 2,500 or so miles to the West near the origin of three great river systems the Missouri, the Columbia, and the Colorado, a land passage awaited. The Laramide revolution of the Late Cretaceous threw up the cordilleran crests of the Rockies. The subsequent erosion, if I have grasped my geology correctly, of the Tertiary era left an 80 mile saddle between the crests of the Wind Rivers on the northwest and the Sierra Madres on the Southeast. At the northern edge of this saddle near the headwaters of the Sweetwater the erosion had left a long gradual slope. Its ascent from the east was so gentle that John C. Fremont compared it to "the ascent of Capitol Hill from the Avenue at Washington."

In two fateful decades 300,000 Americans trekked up this ascent and descended the Pacific side.

The numbers of these people are not so important as the goal they sought and won. They were on their way to settle Oregon, California, and Utah. They won, giving thereby a continental dimension to American representative democracy. This continental dimension is the great contribution of the United States to the world. We did not invent marketplace democracy. The Athenians did. We did not invent representative government. The English did. Before the United States, direct democracy had not proved itself beyond the city-state. Representative democracy had not proved itself beyond an island. The settlement of the Northern American continent proved for the time at least that a continent spanning people could govern themselves and still remain one people.

South Pass was the pre-eminent mountain pass of this Westward Movement. Of the thousands who guided the wagons or pushed their hand carts through this pass, each according to his hopes was thinking of a farm in Oregon, a haven in Utah, a gold claim in California. Many also thought beyond to an ever beckoning Asia. If our fate in the world today is inseparably tied into Asia one of the links in the long chain of events and forces would have to be South Pass. For the men, women, and children who trekked through had found the Northwest Passage.

Although he seemingly did not appreciate its potential as a migration route, the first American to traverse this pass was Robert Stuart. He was returning from a little bit of empire building at Astoria. John Jacob Astor was attempting to establish himself in the fur trade which was part of the China trade at that time.

Stuart had gone to Astoria by sea. It fell on him to lead a party eastward overland to report a disaster to John Jacob Astor. His trade ship, the *Tonquin*, had been destroyed by Indian attack in British Columbia.

Stuart, a young Scotsman brought up in the fur trade, had heard of "a pass to the south" leading more directly to St. Louis, the point of departure for the trans-Mississippi West. He headed east. After delays and difficulties he arrived on the western approaches to the pass on October 22, 1812. Stuart passed south and east of the part of the pass the immigrants would follow.

One of the difficulties of the human condition is that we more often than not don't know when we are making history. In his meticulous account Stuart gives not the slightest indication that he realized what he had discovered.

Twelve years later William Ashley certainly realized the importance of what his men, Jedediah Smith and Thomas Fitzpatrick, had discovered. In the terms of his own business, the fur trade, he saw an opportunity at South Pass. He introduced an innovation in the fur trade, substituting the annual traders' rendezvous for the fixed trading post. He and his men quickly seized up South Pass as the key topographic feature.

For 15 years, from 1825 until 1840, the heyday of the Rocky Mountain fur trade, the annual rendezvous was held near South Pass.

One of my prize possessions is a set of Remington color prints. They adorn my office walls in Washington. One of my favorites is called "The Gathering of the Trappers." There has been so much written about Remington. I suppose I could look up the origin of this print. Even without looking it up I am convinced that portrays a great strip of country here at South Pass.

Even before the mountain men were finished with their rendezvous, others were using South Pass to demonstrate its other uses. Captain Bonneville, on leave from the army, tried his hand in the fur trade. He brought wagons through the Pass.

The mountain men's rendezvous of 1835 was notable in that two men of the cloth, Samuel Parker and Marcus Whitman, were present to remind the mountain men that organized society was not far behind them. The next year the missionaries were back and the message should have been even clearer that organized society was close behind.

Marcus Whitman was back with his bride, Narcissus, and Henry Spalding had his bride, Eliza. Captain Bonneville had shown that wagons could come across South Pass; Narcissus Whitman and Eliza Spalding proved that wagons and women could make the trek. It is somewhat ironic that these two ladies should have been at South Pass even before that intrepid explorer and army officer, John C. Fremont. He came to South Pass in 1842 "to describe and fix in position the South Pass. . . ." Fremont did not discover South Pass. He did, however, have a facile pen and an expansionist senator for a father-in-law. His report, printed by the Government and widely distributed, gave widespread publicity to this mountain corridor

Just at the abrupt ending of the fur trade the immigrants began coming through. The first wagon train to California came through in 1841. While there would be migrations of greater size, the 1843 migration to Oregon was the crucial one. It tipped the scale for American predominance at least south of the Columbia River.

For two decades South Pass was a great transportation corridor. The immigrant trains of the 1840's and 1850's were succeeded by commercial freighters. The romantic Pony Express operated through the Pass for a brief eighteen months, followed by the less romantic but technologically far advanced telegraph lines in the early 1860's.

Gold was first discovered in the Pass in 1842. Its brief burst of glory as a mining center came, however, in the years straddling 1870. The placers were high-graded and the boom faded as rapidly as it appeared, but it was a great show while it lasted.

Atlantic City provided Wyoming with its first brewery and an opera house. South Pass City had its brief day in the sun as the largest community in Wyoming Territory and county seat of Sweetwater County. It boasted five hotels, three meat markets, two bakeries, four law firms, and thirteen saloons.

One of the citizens was Esther Hobart Morris, a strong-minded lady and successful business woman. The legal fetters placed on women's business and legal affairs had cut deeply into her strong spirit. As the time drew near for the first territorial legislature, Mrs. Morris, general interpretation has it, gave a tea party at which she secured the promise of the hopeful nominees for the introduction of women's suffrage. True to his promise or his convictions, William Bright, successful in the South Pass canvass, sponsored and carried through the Women's Suffrage Act. To make the record complete, however, we might note in passing that one of its chief opponents was also from South Pass City. Mrs. Morris did not have to wait long to assume specific responsibilities of the suffrage. She was appointed a Justice of the Peace for this lively mining community and served eight months. I am really not reciting this to tell you things you well know better than I. I do feel some responsibility to let you know that I know.

As the immigrant age passed away South Pass was used in reverse—not so much of men but of animals. The Wyoming ranges were stocked in part by cattle out of Oregon brought East through the South Pass and similarly sheep were brought in from California and Oregon.

In this latter stage, however, South Pass was playing a secondary role as a transportation corridor. South Pass was by-passed in the construction of the first transcontinental railroad. I'm indebted to Al Larson, dean of Wyoming's historians, for pointing out to me General Grenville Dodge's analysis of the decision to carry the Union Pacific more southerly. The engineering factors were the most favorable at South Pass. Other considerations: a somewhat shorter distance, closer proximity to Denver, and the more easily identified coal beds left South Pass out of running for the transcontinental railroad.

Frederick Jackson Turner's great essay "The Significance of the American Frontier in American History" converted the study of the frontier from the episodic and romantic to the systematic and institutional. He used South Pass as one of his bench marks.

With this kind of history, it is hardly surprising that the National Park Service would recommend South Pass as a National Historic Landmark. The Secretary of the Interior made it completely official on January 20, 1961. The National Historic Land Marker is placed just several miles from here.

Carved into the facade in the National Archives in Washington is the prophesy that "The Past is Prologue." As an historian I am professionally dedicated to the delineation of the past. As a Government official involved in public land management with my colleagues in the Bureau of Land Management and the Department of the Interior, I am deeply involved in the future. Responding to new interests in the public lands, the Bureau of Land Management's Wyoming office has recently published a map of The Wildlife and Recreation on the Public Lands in Central Wyoming. A quick look at this map shows a preponderance of public lands in the immediate vicinity of this historic Pass. The American people, including those in Wyoming, are finding new uses for these old public lands. Ed Pierson, our State Director, was telling me not so long ago that so many Wyoming families had taken up the scientific hobby of searching for fossilized fish that it may soon become necessary to set out special digging areas to assure their conservation while protecting other values.

Our Director, Boyd L. Rasmussen, was speaking not far from here last month to the Western Governors at their Conference in West Yellowstone, Montana. He pointed to the possibility that some Western sites had the possibility of becoming a Williamsburg of the Plains. He went on to explain that fidelity to historic authenticity as well as the possible use of these sites as tourist attractions would demand adequate capital and skillful management. He went on to indicate the need for a systems approach. He pointed out that in these interlocking systems there would be a place for private enterprise, State initiative, and Federal responsibility.

Here at South Pass City we have, I think, a classic example of what Director Rasmussen was talking about. The State of Wyoming has now created the Old South Pass Historical Preserve. The people of Wyoming, through their Wyoming 75th Anniversary Commission, have used the proceeds for the purchase of Old South Pass City. The people of Wyoming are launched on providing capital and management.

I am personally very proud of the cooperation that Ed Pierson, our State Director, and Don Calhoun, our Lander District manager, have shown in working with you. As the Federal contribution to this enterprise they have classified a buffer zone around Old South Pass City looking to its eventual transfer to the State or the Commission. They have embarked on a program of determining the validity of the numerous mining claims in this area. As they push forward on the multiple use planning for the public lands in Old South Pass, Wyoming, BLM'ers will coordinate particularly with regard to recreation development.

Your dedication of Old South Pass Historical Preserve today is one response to the Third Conservation Wave which, as I have said earlier, is washing over the land. Restoration and preservation of historic sites and a concern for natural beauty are its hallmarks. If there is one thing that is clear about these new concerns it is that they cannot be the exclusive concern of any one level of government or even of government collectively. These concerns are properly for people and government together.

Today we have honored unknown thousands and several sturdy individuals associated with Old South Pass. We honor them essentially because they seized the opportunity that their times and circumstances put before them. Today, can we do less than seize the opportunity that our times and our circumstances place before us—that is, to provide a proper regard for our history while preparing for the future by the careful nurture of our Nation's bounty.

THE ST. LOUIS CARDINALS FOOTBALL TEAM—OWNER AND PLAYER SPORTSMANSHIP AT ITS BEST

Mr. SYMINGTON. Mr. President, Monday night, on national television, the people of the United States had a chance to see the football team of the St. Louis Cardinals defeat the Baltimore Colts, the first defeat for the latter in a preseason game since 1964.

More important, they saw a fine new young quarterback, but one who still has far to go if he is to fill the shoes of Charley Johnson.

In this connection, everyone in Missouri is mighty proud of Charley, and also of Charles and William Bidwill, owners of the Cardinals.

With the premise that Johnson would be calling the Cardinal signals, Sports magazine predicted that this year they would win the division championship. Now, however, the experts admit that prediction may well have to be revised.

After last night one cannot be sure, however, because even though Charley Johnson has now gone on active duty with the U.S. Army for 2 years, his teammates have just demonstrated they do not intend to let him down.

Equally important, and a credit to all sports, is the attitude of the two men who own this club—Charles "Stormy" Bidwill and his brother Bill.

Charles Bidwill's reaction was as follows:

> This comes as a blow to the Cardinals, as it would to any NFL Club that lost its number one quarterback. However, we realize that Charley has a primary obligation to his country, and we must put our personal feelings behind any call by our Nation.

Charley Johnson himself stated:

> I'm ready to go into the Army right now. But I'm determined to come back to pro football.

Everybody in Missouri is proud of these three men and their teams.

Johnson began his active duty at Fort Sill, Okla., on August 22; and after basic training he is to be stationed in Hampton, Va. Johnson has completed most of the requirements for his doctorate in chemical engineering—an all-around All American.

Charley Johnson's thousands of fans, also his teammates, will feel his loss deeply. But the spirit with which Johnson and the Bidwills have accepted his call is an example for all people who are interested in sports and sportsmanship.

THE NEED TO DIVERT TRANSATLANTIC AIR FLIGHTS FROM NEW YORK AND BOSTON

Mr. MUSKIE. Mr. President, airplane traffic along the east coast becomes a greater safety hazard each day, to passengers as well as to those below in homes and offices.

One possible way to reduce air traffic over major east coast cities would be to divert transatlantic flights to auxiliary fields away from congested areas.

A year ago, Gov. Kenneth M. Curtis, of Maine, suggested that a study be made of the feasibility of developing the Dow—Bangor, Maine—Air Force Base into such an auxiliary for transatlantic flights to and from Boston and New York. The Bangor facility will be deactivated next July by the Strategic Air Command and the Air Defense Command.

Governor Curtis' suggestion has merit. Bangor is 400 miles nearer Europe than New York and 200 miles nearer than Boston. Bangor is on the great circle route to Europe, and the Federal Government has invested more than $83 million in the field's facilities, which can handle any kind of jet in any kind of weather.

Furthermore, Bangor is free of congestion, both in the air and on the ground, and could be served by feeder lines to the hometowns of transatlantic passengers, with a minimum of confusion.

I repeated Governor Curtis' suggestion recently to Transportation Secretary Alan S. Boyd. He responded that he did not consider it appropriate to expand the scope of his Department's planning studies to include Bangor.

Secretary Boyd said that passenger and freight facilities would have to be built at Bangor, and that no airline other than Northeast has expressed interest in serving Bangor.

I was disturbed by Mr. Boyd's answer. The Bangor facility has many buildings which could be adapted to passenger and freight needs. Even if new construction were necessary, these costs would be only a fraction of what it would cost to build a completely new airport, such as has been suggested for New York, including access roads and land acquisition.

Furthermore, until a Transportation Department study determined that transatlantic operations at Bangor were feasible, there would be no reason for any other airline to express an interest in serving Bangor.

Most distressing of all is the type of development the Department is considering for the relief of air congestion.

FAA Administrator William F. McKee reports that his agency is doing everything possible to make air travel safer by trying to reduce traffic at airports. At the same time, General McKee is talking about building new airports to serve urban areas whose skies already are crowded.

Let us look at New York City. One day last year, 104 planes were counted circling the three airports simultaneously. Now a fourth airport is being considered for New York.

This approach may be the traditional one, but it is not necessarily the whole answer.

It takes several years to build a major new airport, and it has been estimated that by the time the fourth New York airport had been completed, the average runway delay at Kennedy International would be more than 1½ hours. In addition, a fourth airport would only increase air traffic, increase chances for midair collisions, and add to the overall inconvenience and travel time of passengers.

Diverting transatlantic flights away from New York, to Bangor and elsewhere, is one way to help to reduce the problem, as well as to improve passenger service.

Of all transatlantic passengers using Kennedy International, only a third live in the New York City region. However, two-thirds of all transatlantic flights land or take off at Kennedy.

This means that two-thirds of all those persons now forced to use Kennedy International could be served as conveniently and more safely at an airport far removed from New York.

At Bangor, for instance, the transatlantic traveler would be spared the crowded terminal, the long lines for tickets, and the long walk to the feeder airline counter. Once aboard, his trip would not be delayed because his plane was forced to wait in line to take off. And at all times in the air over Bangor, he would be safer because there would be far less air traffic.

Mr. President, no one who flies frequently or who reads the press reports of air disasters is insensitive to the growing problems of air travel, caused by congestion.

The question we all ask is how the Transportation Department, the Federal Aeronautics Administrations, and our States and cities are planning to solve the problem.

Judging from what we see today, we were not planning properly 5 years ago. Judging from Secretary Boyd's response to my suggestion for utilizing Bangor, I question whether we are applying much commonsense to the problem today.

One thing is clear: with 50 percent more people expected to be flying in 1971, the problem is getting more critical quickly. I believe that Secretary Boyd and others responsible for air safety are not meeting their responsibility to the public if they are not studying every reasonable alternative to traditional planning.

FOREIGN LOAN TERMS PENALIZE THE AMERICAN TAXPAYER

Mr. GRUENING. Mr. President, the staff of the Subcommittee on Foreign Aid Expenditures has made an analysis, at my direction, of the loan agreements for foreign economic assistance entered into by the Agency for International Development from 1963 through fiscal year 1966 in order to obtain an approximation of the amount of money the U.S. Treasury will save because of the higher interest rates on these loans required by the 1963 legislation. This analysis showed that 344 loan agreements were made with foreign countries from 1963 until September 1966 amounting to $4,643,000,000, at rates of interest of 2 percent or higher. One hundred and eighteen loan agreements with a value of $1,366,000,000 were made at an interest rate of 2 percent; 173 loan agreements were made at 2½ percent with a value of $2,817,000,000; and 53 loan agreements were made with a value of $461,000,000 at interest rates in excess of 2½ percent.

The higher rates of interest put into effect since 1963 will result in a savings to the U.S. Government estimated at $1,750,000,000 over the life of the loans.

Prior to 1963 it was the common practice of the Agency for International Development to negotiate loan agreements with foreign countries at negligible rates of interest. The loans often ran for 30 to 40 years. No repayments on principal and no interest charges accrued for a grace period of 10 years. Interest charges on the loans subsequent to the grace period were generally set at three-fourths of 1 percent. At that time the Treasury's cost of borrowing money to finance these loans was about 4 percent.

In 1963 I offered an amendment to the Foreign Assistance Act, which was cosponsored by Senators Simpson, ERVIN, MOSS, CANNON, DOMINICK, MORSE, YARBOROUGH, BIBLE, and SMATHERS, which would have required that foreign assistance loans bear interest at the same rate that the United States itself must pay to borrow money.

At that time I made the following remarks:

> In 1961—with the passage of the Foreign Assistance Act of 1961—there was a loud fanfare of publicity that the foreign aid program was being put on a hard-loan policy. We were told at that time that henceforth development loans would be repayable in dollars rather than in local currencies. We were told that loans would replace grants, against which there had been increasing objections in the Congress.
>
> I must point out that at the time I pointed out on the floor of the Senate the glaring deficiencies in the bill—the absolute discretion given to the Administrator of the AID program to fix repayment terms, including interest rates.
>
> Despite this warning, the bill passed without closing the gap—without giving the guidelines to the foreign aid administrator as to the terms to be imposed under development loans.
>
> Since the passage of the 1961 Act, $1,315,775,000 in development loans have been made on terms of three-fourths of 1 percent interest, repayment in 40 years, with preliminary grace periods of 10 years.
>
> * * * * *
>
> Four percent per annum interest is a conservative figure for the cost of money borrowed by the Government. Figuring even more conservatively, let us assume a figure of 3½ percent interest as the cost to the United States of the money borrowed to enable it to make these loans. Not figuring interest on interest, it will cost the United States over the next forty years approximately $780 million to make these loans in the sum of $1.3 billion.

While my amendment was not adopted, it did serve to bring the attention of Congress to the disparity in interest rates on economic assistance loans, and the Congress did enact a new amendment in 1963 which raised the interest rates on development loans substantially. Minimum interest rates during the grace period were set at three-fourths of 1 percent and at 2 percent during the subsequent amortization period.

In 1964 I again introduced an amendment to require that foreign aid loans carry an interest rate which would equal the cost to the United States of borrowing money to make these loans. At that time I stated on the floor of the Senate that—

> Hope was expressed in the previous debate, when I sponsored a similar amendment, that the AID administration would show some discretion in making these loans; that where a project was self-liquidating, as in the case of a power plant, the terms of a true loan at businesslike interest rates showing some concern for the American taxpayer would prevail, but apparently there was no discretion.

I then placed in the RECORD a table which showed that during 1963 AID had negotiated 103 loan agreements amounting to over $1 billion at interest rates of three-quarters of 1 percent for 40 years.

My amendment was again not approved. But again Congress enacted an amendment to the Foreign Assistance Act which set the minimum interest rates at a somewhat more realistic level. Minimum interest rates during the grace period were set at 1 percent per annum and at 2½ percent during the subsequent amortization period.

A further step in achieving more realistic interest rates on AID loans to foreign governments was taken when the Senate last week adopted an amendment to the Foreign Assistance Act increasing interest rates during the grace period on development loans from 1 percent to 2 percent. This action will result in additional large savings to the U.S. Government in years to come.

THE SCHOOLHOUSE IN THE CITY

Mr. MORSE. Mr. President, the Commissioner of Education has called to my attention an address given on July 11, 1967, at Stanford University, by Dr. Harold B. Gores, president of educational facilities laboratories, entitled "The Schoolhouse in the City."

Dr. Gores has addressed himself to a problem which I know is of concern to each of my colleagues, and in view of the fact that the Education Subcommittee plans shortly to mark up the Elementary and Secondary Education Act bill, I ask unanimous consent that the address to which I have referred be printed at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE SCHOOLHOUSE IN THE CITY

Let me begin with an ancient story. Once upon a time the people of the valley heard a great noise coming down from the hills. As you would expect, a committee was formed to go up into the hills to see what was making all the racket. In due course the committee came to a clearing in whose center was a great contraption producing a great noise and large quantities of dust and was presided over by a local character named Zeke.

"What is this thing?" asked the chairman of the committee. "It's a stonecrusher," Zeke replied. "Are you crushing any stones, Zeke?" the chairman asked. "No," replied Zeke. "Well," said the chairman, "isn't that rather wasteful?" And Zeke replied, "I guess it is, but you see it takes all my time and energy just to run the damn thing empty."

This has been the trouble in our city schools. It has taken all our time and energy just to run them empty. There's never been the money and therefore not the energy to prepare for problems before they break upon us. Typically, city schools have not beaten the gun anticipating new problems. Rather, and typically, they have simply reacted to the sound of the shot.

In simpler days, school systems could get away with being mostly regulatory and custodial. But today, simple surveillance however benign, isn't enough.

One of the first to remark on the changing circumstances of urban education was the Heald-Hunt-Rubin Commission speaking to the New York City School Board in the year 1959 as follows:

"In the necessary and continual questioning of municipal operations, the nature and worth of a schoolhouse defy simple analysis. Though it looms as the most frequently created of all classes of municipal structures, and therefore in the aggregate is the most expensive item of capital outlay, it is burdened by having to perform more than the commonly recognized function of serving well the instruction of the young. If the schoolhouse is to produce to the maximum, it must also perform the less commonly recognized, but nonetheless vital, function of leading the city toward a better and higher plane of living.

"The schoolhouse that is only a place where children are taught during the day fulfills its primary function. Many cities are satisfied with this much and only this much. But there are those who expect the schoolhouse to serve its city in additional ways: it must serve to strengthen the whole fabric of city life by serving its whole community; its architecture should lead the neighborhood on to its own renewal; and it must help to anchor those families who are needed to keep a city in balance culturally and economically, and who are encouraged to desert to the suburbs if the city's schools are dreary and cheerless.

"Cities are organic; therefore, they must continually renew themselves. Their growth and greatness may have come about by accident or good fortune; but their decline can be forestalled only by design. Of all municipal structures, the schoolhouse, being the most numerous, holds the key to a city's physical and, indeed, sociological future.

"A big city is a wondrous place. The advantages derived from sheer massiveness are manifold. But this same bigness, addressed to schooling the young, is a handicap. Eminent sociologists and city planners have stated that one square mile is about the largest area to which a resident identifies himself and about which he will take personal action to affect its affairs—provided, of course, there is a channel through which he can act. If the area is much greater, if he lacks a place to be heard, he tends not to act in person or in concert with his neighbors, but, instead, 'writes a letter to the editor,' puts in an angry telephone call to some branch of city government or, worse, just moves away."

This was 1959, when good maners still required the use of gentle and circuitous language. But what the Commission was really saying, in the bluntness now acceptable in the year 1967, was that unless schools reorganize they would fail to anchor the middle class to the central city, that the city schoolhouse "still sitting by the road, a ragged beggar sunning," a brick fortress glowering at its hostile neighborhood, is one of the principal ejectors of the middle class, speeding them on their way to private schools or to suburbia. The old city schoolhouse, of which there are more than 600 in the 15 largest cities of our country, and constituting, for example, one third of all the schools of the city of Boston, was best described by John Hersey in *The Child Buyer* when he said:

"The school is an old, dark brick, two-story contraption, a Norman fortress, built as if learning and virtue need a stronghold, one defended by old-fashioned weapons, a place of turrets and parapets, with narrow slits in the bricks through which scholars with crossbows can peep out at an atomic world. The building makes education itself seem archaic, monastic—shabby, too. The paint on its blinds and trim is cracking; its double front door, with its rattling push bars, is of a dirty, tawny color. Above the entranceway, over an arch in relief that doesn't bear any structural weight, our State motto's written in parched and spalled cement letters, 'Land of Steady Habits.' "

If it were the national intention to empty our cities of parents and children, the city schoolhouse that is a masonry fortress afloat on a sea of blacktop, bounded by a hurricane wire fence with two basketball hoops is the ideal instrument. Add to the hostile schoolhouse the mounting danger in the streets, and you have the best combination of the world's best reasons for getting out of town as soon as you can afford it if you have children.

And it is happening. Not long ago I arrived in one of our great cities just in time to observe a helicopter hovering over a high school and deploying police cruisers in the neighborhood to quell the riot in the school. When, later in the day, the Superintendent of Schools said to me, "If we can only improve the schools sufficiently, I think we can save this city," I couldn't help but think of the title of a chapter in one of Amy Lowell's books I read as a boy—the title: "I Spit Against The Wind."

Historically, and with few exceptions, cities have attempted to renew everything except the schools. In the relatively enlightened city of Pittsburgh, for example, they cleaned up the air, built the Golden Triangle, improved housing, cleaned up the river, but they haven't built a high school since 1927. A happy exception has been New Haven, Connecticut, which started its renewal with its schools and may yet become the first slumless city in America.

Though EFL deals only with the solids of education (as distinguished from its fluids, the people who are forever flowing in and out) and its gasses (the curriculum), we are nevertheless in a good position to observe the cities as they grapple with their problems. Philosophical and pedagogical debates can rage interminably, but the moment of truth arrives when a building has to be located and built.

A building is a 60-year decision which cannot later be erased by taking a vote. It just stands there to serve or to haunt whoever determined where it would be and what it would be. The best tip-off as to whether a city understands what it is, what its problems are, and what it must become, is what it is doing about its shoolhouses. When you hear about Pittsburgh's five great schools you know that somebody there has a feeling about what Pittsburgh is going to be. When you hear what Syracuse is planning, you'll know that someone there has a vision of a new Syracuse. If you could only know one thing about a city to measure its grasp of its human problems, look to the schoolhouse.

If there is one message about urban education which comes through loud and clear, it is that there is no one solution. If schools are to fulfill their role in revitalizing our cities, a great variety of new art forms in education will be required, and for the first time there is a growing climate of consent to such experimentation.

Let me list some of the new formulas, the new art forms, the new arrangements which I see emerging:

1. *Formulas for size of school.* In olden times, say until 1958, the conventional educational wisdom declared that ideally elementary schools should provide two classes per grade and that high schools, to be efficient, should enroll at least 750 students, but if enrollment reached 1,250, the school would be massive and insensitive.

We know now, though, that if monolithic line and staff administration (imported by Horace Mann from Prussia more than a century ago) is replaced by decentralized control, by schools-within-schools, by houses, by subschools, then a school can be as large as it needs to be—and still be good.

2. *Formulas for size of site.* From time to time various official bodies proclaim how much land is proper for a school. One of the latest pronouncements for an elementary school is 20 acres plus an acre for every hundred children. That such a formula, if applied in our central cities, would wipe out the homes of the student body seems not to have been noticed.

We know now, though, that very good city schools can be built on very limited sites if we would only depart from the design cliches of the suburbs. The platforming of space, the use of rooftop playgrounds, the substitution of nylon for blacktop for play fields—all these serve to obsolete the ancient rules of thumb about size of site.

3. *Formulas for organization—6–3–3: 8–4: 6–2–4: 6–2–2–2: and other mystical arrangements.* The Boston Latin School was established in 1635, thereby leading, it is claimed, to the founding of Harvard College a year later so that Latin graduates would have someplace to go. Whatever the truth may be, as a nation we have worshipped the elementary school since 1642, the free and universal high school since the 1860's, the junior high school since 1910. Only now are the classic arrangements of schools by grades beginning to crumble, and principally because the notion of "grade" itself is being challenged.

When New Haven sought to rethink and renew its schools, the sensible and sensitive arrangement turned out to be 4–4–4. New York City is groping toward 5–3–4 on its way ultimately to 4–4–4. But it won't be long before some bright city decides that a school should consist simply of all the children it is sensible to gather there. School size and its composition have suddenly become a question of logistics, not of inherited cultural patterns.

4. *Formulas for length of life.* Conventionally, school buildings are built to last forever—actually for 60 years, which in today's world is the reasonable equivalent. Accordingly the schoolhouse is still the quintessence of the mason's art, great ceramic fortresses whose chambered interiors are laced with calcium walls. Within, the classrooms are filled with indestructible furniture to defy any scholar who may unsheathe a jackknife to leave evidence that he once passed through the place. In these schools, much admired by the maintenance department at city hall, nothing yields, nothing nourishes the eye or is warm to the touch. The city schoolhouse, new or old, represents the municipal mind at its cruelest. It is a strange phenomenon: individually, we like children, but as groups—as governments—we don't.

Yet, and despite the nuts and bolts approach to the places of learning, we know some things on which we should act:

a. In view of the mobility of populations, any solution which is incapable of being converted someday to another use is imprudent.

b. In view of the changes likely to occur in how we teach, any arrangement expected to last 60 years without change is procrustean where it should be protean.

c. In view of the changing nature of the central city, the building of a conventional schoolhouse should be contemplated only as a last resort—when it is clear, to quote Commissioner Howe, "There will always be somebody there." To declare, as we always have, that because there are children to be educated we automatically need a schoolhouse is fallacious. If there are children to be educated what we need is space in which to do it. Only if the space is lacking, only if there are no available "roofs" under which we can constitute a humane and supportive environment for learning do we need a schoolhouse. Indeed, from what I have observed in Cleveland's Supplementary Educational Center (a converted warehouse) many of our city's children would be better off if they could escape forever the old city schoolhouse.

We know now how to create space for learning which says to the teacher and the child what Plato said to all of us: "That which is honored in a country will be cultivated there." The trouble with schoolhouses isn't their roofs, it's their spirit. An office building or other commercial structure, treated with a designer's tender loving care, can provide an environment in which the child knows he is wanted, that we want him to learn, and that his city has invested in him because it believes he is its future. In the past we have dealt almost exclusively with architecture; we should also be dealing with the profession of design.

We're talking about buildings. Let me put them into perspective. If you build a million-dollar high school, its operations budget will be about a million dollars every three years. Over a life of 60 years, the cost of the building will be only about 6% of the total cost of fulfilling the purposes for which the building was built in the first place. Or to put it another way, when you add two teachers to your staff, their salaries and fringe benefits for 30 years equal the cost of one million dollars worth of building. Think of the number of city school boards which discuss for five minutes the consequence of adding two teachers and then argue into the dawn the expenditure of one million dollars for buildings. In short, building costs are chicken feed in the education scheme of things. People are more important—and more expensive—than bricks.

Yet bricks are important, especially if employed in inventive ways. For example, Syracuse, New York, has decided to disperse its core city schools to the periphery. Just as devotees of horse racing require sylvan settings for their tracks, the schools are likewise edging toward the outskirts where, as in the suburbs, the grass is greener and the tulips are taller. As downtown Syracuse locates its elementary schools, and next its junior high schools, near the city's boundaries, the chances improve that someday the suburbs will be partners.

It is increasingly clear that our central cities can't solve their problems alone. Most of them are inevitably on the Washington, D.C. trajectory—93% Negro. Within the month I listened to the problems of an Eastern city and said, simply, "You are Washington, D.C. minus six years." Unless unusual solutions are found—and quickly—Washington, D.C. will provide the basic pattern for Northern central cities. The flattening of the curve is up to the suburbs. And it is indeed up to the suburbs to reach into the central city, for the central city, being what it is, is unlikely to make proper advances toward the suburbs. Among the variety of new arrangements which must occur, the metropolitanizing of school districts has high priority.

But there are other things which can be done. Let me list a few:

a. In Boston, there is some hope that the public schools and Tufts Medical School will together constitute a medical village, a constellation of schools and housing which will be a viable and safe neighborhood.

b. In New York, the so-called Garrison Law will enable the New York City schools to enter into partnership with the private sector to the end that joint-occupancy structures, housing both education and apartments—or even light manufacturing—may come about. This may be the first instance growing out of law in which schools will enter the business of creating neighborhoods.

c. Increasingly, I see the development of schools which aren't just for children but for people. To be sure, the young need to be served, but the schoolhouse commited only to the young is too specialized for the city's good. Indeed, if all parts of our cities are to become good places for good people to live, committing the schools solely to the young is too slow a process. Adults need the schoolhouse as much as children do. And adults determine what happens now, not a generation hence. To put the matter in bluntest terms, the schoolhouse in the slum should be the people's college, their town hall, their cultural center, their country club, their school.

d. In Chicago, there is the beginning of a study based on demographic trends, population movements birth rates extrapolated forward rather than interpolated backward, and arrangements with the private and church-related systems which exist, side by side, with the public schools. From my observations any city which attempts to plot its future course in education without regard to the companion system of church-related schools is planning in a vacuum. Chicago may well teach us all how to construct a system which will educate all the children of all the people.

e. I view with special alarm the kinds of schoolhouses designed to defend themselves from hostile neighborhoods. The invention of unbreakable glass is not a major contribution to our culture or to school design. Nor, in my view, is the windowless school which, like the Spanish Missions, turns its back on the desert. Schools designed to defend themselves from hostile neighbors imply that the neighborhood won't improve by the year 2030.

f. America's big cities have failed to take advantage of their volume of construction to entice industry to develop modular systems of design and construction based on performance specifications. Pittsburgh is a notable exception to this general rule as you will hear. But generally our big cities have not been alert to systems development as have been, for example, the Metropolitan School Board of Toronto, the Catholic schools of Montreal, the University of California with respect to its dormitories, the Universities of California and Indiana with respect to academic buildings, and a number of smaller school systems outlying Los Angeles and San Francisco.

It is an interesting question as to why there is a Valley Winds School on the periphery of St. Louis but not in it, a Barrington Middle School outlying Chicago, a Sonora High School outlying Los Angeles, a Sheldon School in Colorado but not in Denver, a systems school in Athens, Georgia, but not in Atlanta, a Nova High School in Fort Lauderdale but not in Miami, and a systems school coming up in Gates-Chili but not in Rochester, or indeed anywhere else in New York State except a place you never heard of—a town named Gates-Chili. Why this should be so is obvious—our cities are too complex in their decision making to respond quickly to advances in the state of the art. By the record it would appear that the bigger the school district the less likely it can grasp the advantages of technological progress.

g. Schools are sub systems of government. Unless schools are planned within the total planning of the community three dire consequences are predictable:

1. Schools will be located where someday nobody may live.

2. They will fail to acquire buffer zones and tentacles reaching out to the community.

3. They won't get the money, much of which will be coming from Washington under conditions which require total community planning.

But there are those of us who believe that the neighborhoods will improve—and soon—as the conditions of life improve. When that day comes, the new but sullen schoolhouse which turned its indestructible back on the neighborhood will clearly be the wrong school for the rest of its life.

In sum, there is no one way to solve any city's educational problems. The intelligent response is a variety of responses. Everything needs to be tried: education parks as at Miami Beach and East Orange; metropolitan districting as in Hartford and its suburbs; linear solutions as in Brooklyn; joint-occupancy as in New York and Boston; the rebuilding of neighborhoods around schools as in New Haven; the creation of education neighborhoods around our city universities. The alternative is to keep on building schools which lack relevance to their neighborhoods and the larger society.

To end on an optimistic note it appears that we are about to get a powerful, new partner—the private sector. Given encouragement, systems-oriented industry, especially Aerospace, has the capability of creating the new social invention which our city schools require. Edward Logue, Boston's City Planner, says it best:

"I believe our government must have an important role in saving our cities because it, in effect, is saving itself. I believe that the education of a million slum children, giving them a chance to become part of America, is more important than putting a new town on the moon. I believe our national priorities should be reappraised and much more governmental attention given to our cities. Even more, however, I believe that the private enterprise system must face the challenge of the slums.

"The imagination and the drive that has made our system the most productive in the world must be turned to the task of renewing our cities.

"Maybe it means we should overhaul the Internal Revenue Code to make it as attractive to invest in the slums as it is to buy the tax-exempt bonds or search out oil and gas. If we do, we might just connect up 10 million presently forsaken people with the mainstream of American life. There is still time. Let us make a start before it is too late."

To do less than this is to accept the ancient Malayan proverb: "Better our children die than our culture."

GOV. WINTHROP ROCKEFELLER OF ARKANSAS PRAISED

Mr. BAKER. Mr. President, last November, Winthrop Rockefeller made political history by winning election as the first Republican Governor of Arkansas after 94 years of Democratic control. Since that time, he has made remarkable progress in demonstrating that the Republican Party offers the people of the South and of the Nation a solid and efficient way to achieve progress.

His record of achievement has been so outstanding that it was the subject of an article written by Jim Hyatt and published in the Wall Street Journal of August 23. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A ROCKEFELLER MAKES GOOD IN ARKANSAS

(By Jim Hyatt)

LITTLE ROCK., ARK.—Can a wealthy college dropout from the East flee Cafe Society to find happiness and national prominence as the favorite son of a poor Southern state?

Winthrop Rockefeller apparently can. After upsetting 94 years of Democratic Party control to seize the state house last year, Gov. Rockefeller seems to be heading for a 1968 shoo-in victory for a second term.

The opposition concedes Mr. Rockefeller has quickly consolidated voter support in the state, despite the roadblocks thrown up by an overwhelmingly Democratic legislature. Even a prominent Democrat observes: "Right now, the governor has the popularity to get reelected."

Nothing is certain in politics, of course, but the governor is increasingly acting like a man with a political destiny. While Democrats flounder about looking for a gubernatorial candidate, Mr. Rockefeller this summer is cruising the back roads of Arkansas in a special office-bus, visiting state agencies and meeting voters. He plans a special legislative session in January to seek governmental "reforms," a good launching pad for his actual campaign next year. And his highly organized, well-financed state party organization intends to drum up more support in the legislature, where the GOP is outnumbered 35 to 0 in the senate and 97 to 3 in the house.

Arkansans appear to like the high tone set by the quiet, urbane Rockefeller, especially after 12 years of the unabashedly corn-pone politics of Orval Faubus. They no longer remember Mr. Rockefeller's "carpetbagger" arrival from the East in 1953 or his earlier, widely publicize divorce and multimillion-dollar settlement with Barbara "Bobo" Rockefeller.

In this impoverished state, voters admire Winthrop Rockefeller's emphasis on "efficiency" and his vow to run state government like a modern corporation. He seeks the best advice available on state problems and plugs for better schools, improved state services and modernized government within a two-party system.

These appeal to the growing industrial middle class across the South where, except for the controversial Gov. Kirk of Florida, the GOP has had little success in winning governorships.

At age 55, Mr. Rockefeller has reached the level of public service attained many years earlier by other members of his famed family. Indeed, older brother Nelson insists his own political career is ending. But Winthrop may be hammering out a national political future; he has been mentioned, for example, as a possible Republican Vice Presidential candidate.

RIGHT OF BROTHER NELSON

The Arkansas Rockefeller already has taken an ideological stance considerably more "center" than that of New York Gov. Nelson Rockefeller, a liberal, or another brother, David, an "Eastern establishment" international banker. "Winthrop may have come from the Eastern wing of the party," says one Republican insider, "but today, he's recognized as a Southerner. He stands close to the center of the party. He can go to any of those states in the South and they'll listen to him."

The governor claims he plans to serve only two terms, and that he has no national political ambitions. "I'm in Arkansas by choice," he says. "I prefer to live here rather than in Washington."

Mr. Rockefeller probably will go to the 1968 national convention as a favorite son, a tactic he hopes more states will adopt. He claims not to have made a choice for the nominee, although Michigan Gov. Romney spoke at an appreciation dinner in Little Rock this spring. All the present front runners for the Republican nomination, Mr. Rockefeller says, are his personal friends.

Meantime, Democrats in Arkansas struggle to find a gubernatorial candidate for 1968. "They're badly split," says a Little Rock banker, "but they'll be well organized and will come forward with a new face." He adds, contradicting himself, "If they have to, they'll go back and call Faubus."

Mr. Rockefeller, unlike a number of more liberal Republicans, didn't sit out the 1964 election while Sen. Goldwater carried the GOP banner. He supported the ticket (and outpolled Goldwater in Arkansas). He managed to steer clear of implications that he rubber-stamped all of brother Nelson's views. "We're each entitled to our own opinions," he explains. And he managed to appear much more moderate than his Democratic opponent last November, James D. "Justice Jim" Johnson.

NO KIN TO L. B. J.

Mr. Johnson, a member of the Arkansas supreme court, spent his time blasting the national Democratic Party. "I'm not related to the other Johnson," he told his audiences. But his candidacy aroused fears among voters that his election would revive racial troubles in Arkansas. He had organized the White Citizens Council in Arkansas in the mid-50s, and spent much of 1964 endorsing Sen. Goldwater at rallies across the South.

Mr. Rockefeller won the support of most Negro voters despite his opposition to much of the Federal civil rights laws and Federal policies on guidelines for desegregation. But he also leaned heavily on bread-and-butter state issues and won the votes of Democrats and "independents" who were tired of the Faubus administration.

His victory brought two-party politics officially to Arkansas, but the transition hasn't been easy and is far from complete. The Republican governor brought only a handful of companions into office: Lt. Gov. Maurice "Footsie" Britt, U.S. Congressman John Paul Hammerschmidt and several local office holders.

The all-Democrat senate quickly dug in to block the new administration. They took away Lt. Gov. Britt's authority to appoint committees. They voted for millions of dollars in state outlays that the governor said were unnecessary. They blocked Rockefeller appointments to state boards and commissions.

Even the governor's veto of more than 30 bills proved ineffective; the legislature overrode several vetoes with a simple majority vote. "They made review by the governor almost meaningless," asserts one Rockefeller aide.

On July 10, on the Senate floor, I stated: "Some pharmaceutical manufacturers would like to have the American public believe that the local pharmacist is the villain behind high prescription drug prices. Such allegations are totally unfounded. It is high time that the blame be removed from the much maligned community pharmacist and placed where it belongs, right at the front door of the drug manufacturers themselves.

"The fact is that the pharmacists are as anxious as the general public to see drug prices reduced," I concluded.

About that time, at my invitation, two very distinguished pharmacologists testified before the Monopoly Subcommittee.

Dr. Harry Williams, professor of pharmacology at Emory University School of Medicine, Atlanta, Georgia, paused in the midst of his recitation about what is wrong with the drug industry to tell the committee that he had no information which would indicate that the local pharmacist makes an exorbitant profit on his operation.

"As a matter of fact," he went on to say, "the prescription markup in today's pharmacy is about what I remember from my own time in a retail pharmacy in 1937. Maybe it is a little less."

Later during the day's session, Dr. Solomon Garb, professor of pharmacology at the University of Missouri, attacked the view of the drug industry and some doctors that generic prescribing is undesirable because it places on pharmacists a responsibility they are not equipped to meet—that of choosing the source of supply of the drug.

Dr. Garb insisted that all the pharmacists he knew were both ethical and competent, and he believed that they could be relied upon to dispense only wholesome, potent drugs.

Gov. Rockefeller has brought his own style to Arkansas politics. Former Gov. Faubus, says an acquaintance, "paid great attention to detail. He could tell you where some state patrolman would be working that day, or why a taxpayer was complaining about some county revenue officer."

Mr. Rockefeller, by contrast, "is a great one for delegating authority. He's interested in the broad general outlines." Indeed, the governor's staff insists state department heads have new freedom under the Rockefeller administration. Job seekers don't have to be cleared through the governor's office, they add.

Money, of course, contributes to the Rockefeller style. "He goes first class, he buys quality, and our people like that," says an admirer.

Some legislators have found the style hard to adjust to, particularly compared with the Faubus manner. They bristle when Gov. Rockefeller refuses to trade votes for key appointments useful in their districts. "Faubus knew how to push you without breaking, and then turn around and ingratiate himself with you," says one state senator.

Public service came slower to Winthrop Rockefeller than to many in his family. A college dropout at Yale, he spent some time as a rough-neck in the Texas oilfields. When he moved back to New York, he became a bon vivant on the night-club circuit. (He also was active in the Urban League, a fact that still arouses right-wingers in Arkansas.) He entered World War II as a private and left as a lieutenant colonel with a bronze star and oakleaf cluster.

In 1948, he married Barbara Sears. Partly to escape the publicity of the subsequent divorce, Mr. Rockefeller came to Arkansas in 1953. He soon plunged into development of his ranch atop Petit Jean Mountain northwest of Little Rock. His Santa Gertrudis herd became the talk of the cattle world and he expanded into real estate and other ventures.

NEW JOBS, INDUSTRIES

In 1956, he married divorcee Jeanette Edris, a Seattle hotel and theater heiress, and the couple quickly became prominent in the state's cultural and philanthropic activities. Gov. Faubus took office in 1955, and named Mr. Rockefeller head of the state's new Industrial Development Commission. During his tenure as chairman, the state gained 600 new industries and 90,000 new jobs.

The activity in state affairs persuaded Mr. Rockefeller that Arkansas needed two-party politics. He became Republican National Committeeman in 1961 and set out to rebuild the state GOP. By 1964, he was ready to oppose Gov. Faubus, a race he lost. But the Rockefeller campaign drew 44% of the vote, the well-organized team never stopped running, and by last year another campaign was in full swing even before the Democrats picked their candidate.

Wearing the boots and straw hat that have become his trademark, Mr. Rockefeller has become a familiar sight to voters. He has learned the technique of meeting people and of speaking off the cuff and appears comfortable in the role of a politician.

Mr. Rockefeller says his personal wealth is "over $10 million." Staff members won't elaborate, although a number of sources have estimated that each of the five Rockefeller brothers and one sister is worth more than $200 million.

The wealth became a political problem this year, when the state's attorney general ruled the governor couldn't use his own funds to supplement salaries of state employes or to remodel the governor's mansion or the governor's office. Some wags claim the state would have to elect a millionaire perpetually to keep up the practice. But Rockefeller supporters admire the gesture. "At least we know he's not in politics for the money," says one.

A SALUTE TO CITY AND COUNTY GOVERNMENTS

Mr. MURPHY. Mr. President, Governor Reagan has signed a proclamation designating October 8 through 14 as a salute to city and county governments. As one who has always believed that problems should be handled as near to home as possible, and that by so doing our citizens, our States, and our Nation will be better and more efficiently served, I applaud this action. Every day in countless communities throughout the State of California, devoted and talented public officials strive to make their community and the State of California a better place to live. In the proclamation the Governor states that these officials "perform more than 1,000 identifiable functions, spend $4 billion annually, and employ 270,000 persons." So, Mr. President, I join the distinguished Governor of the State of California in saluting city and county governments which, after all, are the very pulse and backbone of this democracy. I ask unanimous consent that the proclamation be printed in the RECORD at this point.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

[From the office of the Governor, Sacramento, Calif.]

SACRAMENTO.—Governor Reagan signed a proclamation today for a Salute to City and County Government to be held statewide October 8 through 14.

California possesses a great resource in our institutions of City and County Governments. During this week, we will emphasize the reserve of talented public officials, their duties and the role of city and county government in California's dynamic growth.

"Whereas The cities and counties of California daily fulfill needs of the people by providing public protection, education, streets and highways, parks and recreation, health and welfare, and other vital services; and

"Whereas The cities and counties, in carrying out these services, perform more than 1,000 identifiable functions, spend four billion dollars annually, and employ 270,000 persons; and

"Whereas It is in the interest of every Californian that these basic and traditional local government units remain responsive, modern and efficient, employing dedicated and capable public servants; and

"Whereas It is essential that the public be made aware of the structure, functions and performance of city and county government; and

"Whereas Special observances can stimulate citizen interest in local institutions, and aroused interest encourages citizen participation and better government; and

"Whereas The California Legislature has requested the Governor to proclaim the week of October 8–14, 1967, as City and County Government Week;

"Now therefore, I, Ronald Reagan, Governor of California, do hereby proclaim the week of October 8–14, 1967 as City and County Government Week, and I urge the citizens of California to participate in appropriate ceremonies, programs and educational activities."

NO REASON FOR FAILURE TO RATIFY FREEDOM OF ASSOCIATION CONVENTION—CXXVI

Mr. PROXMIRE. Mr. President, article 20 of the Universal Declaration of Human Rights, to which the United States is a party, states that anyone has the right to join any association or organization. The only qualification is that the meetings of this association must have peaceful objectives.

Although this document is only a declaration and is therefore not binding in any legal sense, it is significant that the United States has chosen to publicly state its concurrence with the principles of article 20. It is further to our credit that we, in our country, uphold the stated principles of article 20, which unequivocally affirms, the ends and means of our American trade unions.

The U.N. Economic and Social Council has worked in close cooperation with the International Labour Organization since 1947 for the promotion of trade union rights. One of their most significant accomplishments was the adoption of the Freedom of Association and Protection of the Right to Organize Convention on July 6, 1948. This convention was one of the first worldwide treaties to deal with a fundamental human right.

Article 2 of the Freedom of Association Convention provides—

> That workers and employers, without distinction whatsoever, shall have the right to establish and subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization.

Article 3 states:

> These organizations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom . . . and to formulate their programs. The public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof.

These freedoms are already inherent in the laws and traditions of our Nation. There is no reason why we should not ratify this convention, just as there is no reason that we should not ratify the conventions concerning slavery, forced labor, political rights of women, and genocide. The U.S. Senate has a responsibility to our friends and neighbors throughout the world who are deprived of these fundamental freedoms. Let us act swiftly to undo the wrongs we have permitted through our abstention.

THE F-111B

Mr. TOWER. Mr. President, it has come to my attention that the distinguished senior Senator from Arkansas [Mr. McCLELLAN] has had placed in the RECORD some additional material about the F-111B.

I certainly welcome this further contribution to this most important debate. Both the Navy and the Air Force desperately need new and advanced aircraft to face the enemy threat projected for the 1970's, and I know all Senators are concerned that those aircraft be provided and be the very best possible.

The Senator from Arkansas certainly is the most informed man in the Senate on this question, and all of us deeply respect his advice and judgment. I regret that his RECORD insertion indicates he feels my previous comments on the F-111B were designed to rebut arguments he has personally made. I can assure him that my comments were not so inspired. I have not seen the McClellan-Jackson-Mundt document to which the Senator from Arkansas refers. I and my office have received a great many questions about the F-111B from both the public and from others of my colleagues. I had asked the Navy weeks ago to respond to many of those questions, and my comments last week were drawn from that material.

If my words of last week appear out of context from the McClellan-Jackson-Mundt document, or paraphrased, or incomplete, or anything else, it is because they were not and are not connected with a response to, or comment upon, that document.

I am, nevertheless, pleased to have the further contributions of the Senator from Arkansas to this debate. His points are well taken. The original managerial decision was abysmally bad. One aircraft cannot be made to do the work of two. It cannot be good high and good low. It cannot be the best fast and the best slow. It cannot be a top penetrater and a top loiterer. Neither can the contractor nor the technicians and workers on such a plane be blamed for the massive problems flowing from such a mistaken original concept.

But neither can our Navy and Air Force be doomed to exist in the 1970's with no plane because we cannot give them a perfect plane. The mistake has been made; the tyranny of time and enemy threat now forces us to make the best of a bad situation. We must continue to develop the F-111A and the F-111B because for all their development faults they are the best that can be available when we need them.

In addition, I have a certain abiding faith in the engineering know-how of American aircraft technicians. When they tell me they strongly feel they can make the F-111B a significant and successful plane for the fleet, I believe them. They have documented their case for me. It is a convincing case.

I think they will make the plane work, and I do not think anybody expected that the few already-flying research models of the F-111 would be either perfect or combat ready. Research models never are. It remains my continuing suggestion that we proceed with F-111 development on an orderly, controlled basis. I think the cuts accomplished by the Senator from Arkansas have assured this situation, and, if the F-111 turns out poorly and there is someplace we can get a better plane in the timespan involved, I will be the first to join the Senator in accomplishing that goal.

DEATH OF CHARLES JORDAN

Mr. KENNEDY of Massachusetts. Mr. President, I rise today to say a few words about Charles H. Jordan, a man I knew well, and greatly admired, who died in Czechoslovakia last week.

I think it is no exaggeration to say that Charles Jordan was greatly respected throughout the world.

Though for the past 27 years Charles Jordan represented a Jewish voluntary agency, his tireless efforts on behalf of the poor, the oppressed, and the needy knew no bounds of race or religion.

"I consider myself an international civil servant," Charles Jordan told an interviewer 2 years ago. "I go any place I am sent to and where the people may need me." Going where he was sent and where he was needed, as the New York Times has pointed out, meant almost continuous travel and strenuous efforts which were only possible because of his seemingly boundless energy.

Everywhere he went, Charles Jordan made friends and helped people.

I came to know Charles Jordan when I assumed the chairmanship of the Senate Judiciary Subcommittee on Refugees almost 3 years ago. I feel I was privileged to have know him and to have worked with him.

Charles Jordan had friends throughout the world. The respect and affection of his fellow workers in the voluntary agencies is shown by his election to posts of highest honor and responsibility. He was president of both the International Council of Voluntary Agencies in Geneva and the American Council of Voluntary Agencies in New York. From 1959 to 1961 he served as cochairman of the International Committee for World Refugee Year, under the sponsorship of the United Nations.

As current chairman of the American Council of Voluntary Agencies, he was a spokesman, representative and coordinator of the efforts of all of the major Protestant, Catholic, Jewish, and nonsectarian charitable groups in this country with overseas programs.

His loss will be deeply felt by all of these groups, and, indeed, all who knew him.

Charles Jordan could not eradicate the troubles and pressures of our time which create the oppressed and the homeless. He could, however, devote a lifetime to helping to find food and shelter and new lives for these people.

This work remains with us in this troublesome 20th century. Others will and must take up the work Charles Jordan can no longer continue.

Yet, many of us who have worked with Charles Jordan will remember and be inspired by the high standards of devotion he set during his lifetime of service.

He was a man who did not have enough hours in a day to do the work he felt so essential. He did not have enough years in his lifetime to carry out his plans for making life better for those in need.

Only last week, I received a letter from Charles Jordan outlining a number of refugee programs and containing suggestions for changes in existing programs. Other friends received letters outlining his plans for the future. His schedule was a full and important one.

There are many questions surrounding Charles Jordan's death which require clarification. Yesterday, the Czechoslovak press speculated that "he probably committed suicide." Charles Jordan's friends and associates reject such speculation. I feel that Mr. Jordan's family, friends and associates are entitled to all of the facts surrounding this matter and a full and impartial investigation of the last hours of his life.

There is a heavy burden on the Czechoslovak authorities to provide answers for the many questions which have been raised in connection with the death of this selfless and compassionate international civil servant.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Now, Mr. President, I understand that the morning business is concluded.

The PRESIDING OFFICER. Morning business is concluded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAHON, Mr. SIKES, Mr. WHITTEN, Mr. ANDREWS of Alabama, Mr. FLOOD, Mr. SLACK, Mr. ADDABBO, Mr. LIPSCOMB, Mr. LAIRD, Mr. MINSHALL, Mr. RHODES of Arizona, and Mr. BOW were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 10566) to provide for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes.

AMENDMENT OF THE INTER-AMERICAN DEVELOPMENT BANK ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 1688.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1688) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the fund for special operations in the Inter-American Development Bank, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with amendments on page 2, line 18, after the word "of", where it appears the second time, to strike out "$900,000,000."; and insert "$900,000,000";" and after line 19 to insert:

> (c) The voting power of the United States shall be exercised for the purpose of disapproving any loan which might assist the recipient country directly or indirectly to acquire sophisticated or heavy military equipment.

So as to make the bill read:

S. 1688

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That the Inter-American Development Bank Act (22 U.S.C. 283–283k) is amended by adding at the end thereof the following new section:

"SEC. 15. (a) The United States Governor of the Bank is hereby authorized to vote in favor of the resolution entitled 'Increase of $1,200,000,000 in Resources of Fund for Special Operations' proposed by the Governors at their annual meeting in April 1967 and now pending before the Board of Governors of the Bank. Upon the adoption of such resolution, the United States Governor is authorized to agree, on behalf of the United States, to pay to the Fund for Special Operations of the Bank the sum of $900,000,000, in accordance with and subject to the terms and conditions of such resolution. The United States Governor is also authorized to vote in favor of the amendment to Annex C of of the agreement, now pending before the Board of Governors of the Bank, to modify the procedure employed in the election of Executive Directors.

"(b) There is hereby authorized to be appropriated without fiscal year limitation, for the United States share in the increase in the resources of the Fund for Special Operations of the Bank, the sum of $900,000,000.

"(c) The voting power of the United States shall be exercised for the purpose of disapproving any loan which might assist the recipient country directly or indirectly to acquire sophisticated or heavy military equipment."

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I rise to give my full support to S. 1688, a bill to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the fund for special operations of the Inter-American Bank. This bill was reported to the Senate by the Committee on Foreign Relations with 14 votes in its favor and only two opposed. Especially in view of the committee's skeptical and tough-minded approach to the regular foreign aid legislation this year, the strongly favorable vote for the pending bill should weigh heavily with all Senators. This may perhaps be classified as a foreign aid measure; but, if so, it is one with a profound difference.

Here I would recall my introductory remarks of August 14 on the Foreign Assistance Act of 1967, on which the Senate has just taken action. At that time I said:

> Members of the Committee believe that the bilateral aid program should be retrenched, and that a larger portion of our aid should be channeled through international development organizations.

The bill before us directly responds to this belief held by a majority of the members of the Committee on Foreign Relations.

The record of the Inter-American Development Bank should be familiar by now, for we have enacted legislation on the subject a number of times in the 7 years since the opening of the Bank's doors in 1960. If any reminders are necessary concerning the structure and activities of the Bank, and especially of the fund for special operations, the committee report and the printed hearings should suffice to refresh our understanding and appreciation of the Bank's performance. On this point, I think it appropriate to quote the first two sentences of the minority views expressed by certain members of the House Banking and Currency Committee when the comparable bill (H.R. 9547) was reported to the other body. They began with these words:

> We have been and continue to be enthusiastic supporters of the Inter-American Development Bank. It is an excellent institution.

In fact, the minority position in the House committee report really did not argue against the legislation; instead, it unsuccessfully called for a reduction of the U.S. contribution by one-sixth. Presumably, the House vote for the full administration request reflected a view that a 17-percent cut was not so critically important as to warrant a rebuff to Latin America and renegotiation of the whole agreement.

Yet the primary point I wish to stress today is the degree to which the multilateral character of the Inter-American Bank has given our Latin American friends a chance to participate and exercise responsibility in a common development effort with us. Among the cliches which seem to maintain their popularity is the old saw about "putting your money where your mouth is."

With apologies for this inelegant language, I would suggest that the Latin American countries have done precisely that through the instrument of the Inter-American Bank. Of the total subscriptions of roughly $1,770 million to the ordinary capital resources of the Bank the United States has contributed approximately $762 million, while the Latin American countries have subscribed to the larger remainder of more than $1 billion. Since the bulk of these sums represent callable capital, or contingent liabilities, a more meaningful figure is the total of paid-in capital, amounting to $381,580,000. Of that sum the United States has paid $150 million, and the Latin American countries together have furnished roughly $232 million. They have done so not all in national currencies—most of which at present are not convertible—but with 50 percent of the $232 million figure paid in gold or U.S. dollars.

Even in the fund for special operations, which is described as the Bank's soft-loan window and which relies primarily on U.S. financing, the Latin American countries have contributed roughly $35 million in U.S. dollars out of their total contributions amounting to the equivalent of approximately $220 million. Moreover, in terms of Bank operations as a whole, it should be noted that those Latin American contributions which do not take the form of gold or U.S. dollars in several cases are made in currencies which are either convertible or close to the status of convertibility.

There is no magic in these figures by themselves. What they do represent, however, is a very definite commitment on the part of the Latin American countries to make the Inter-American Bank a joint enterprise rather than a one-way street. With the kind of stake that I have described, and with trained bankers and economists handling that investment, the Latin American countries adopt attitudes toward the operations of the Bank which are no less responsible than those of the United States. Indeed, there have been occasions when the management of the Bank has been criticized for maintaining an unduly cautious rate of disbursement. On this matter of confidence in the Bank's reputation and aims, it is worth stressing that Canada, the United Kingdom, Sweden, and Germany—all nonmember countries—have made a total of $70 million available to the Bank in separate agreements.

While the financial aspect of the Bank is certainly one that must interest us all, the basic question is what the Bank has done with the sums made available to it for lending. According to the Bank's summary of its seventh annual report, total loans from all windows of the Bank represent obligations of more than $2 billion and are being devoted to the following operations; when completed these will help to—

Improve agriculture on some 4,813,508 acres of farmland and provide farmers with 278,251 credits.

Build or expand 48 large industrial plants and provide 2,415 credits to small- and medium-scale industrial enterprises.

Expand Latin America's electric power capacity by 2,710,000 kilowatts, install 7,886 miles of transmission lines, build or improve distribution systems in 120 communities.

Build or improve 1,545 miles of highways and 7,870 miles of farm-to-market roads.

Install or expand 2,340 water supply systems and 253 sewage systems which will benefit some 36,700,000 inhabitants.

Build 297,200 homes to house 1.8 million members of low-income families.

Modernize or expand 73 centers of higher education.

Establish eight national and one regional preinvestment fund to speed the preparation of development projects and help prepare 27 specific projects.

This summary culled from a wealth of data indicates not only the basic character and scope of the Bank's undertakings, but also how essential these operations are to the Alliance for Progress concept. The phrase which describes the Inter-American Bank as "the Bank of the Alliance" is far from an empty one. The Bank's activities are an integral and vital part of the Alliance program, where increasing weight is being given to country performance and self-help efforts. In this connection it should be emphasized that the Inter-American Committee on the Alliance for Progress—known as CIAP—established to give coordinated, multinational direction to the Alliance, has been growing in effectiveness. Together with the United States and other multilateral lending agencies, the Bank actively participates in the annual CIAP review of country programs, and its lending policies toward the member countries take full account of the recommendations made by CIAP. The Foreign Relations Committee has welcomed this means of coordination and anticipates continuing progress.

The measure before us, of course, concerns only the question of additional resources for the Bank's fund for special operations. The bill authorizes appropriations of $900 million to be paid in three equal installments over the next 3 years beginning in fiscal year 1968. Since the United States has been contributing $250 million annually to the fund over the past 3 years, the current proposal represents a $50 million—or 20-percent—increase in the U.S. contribution. This relatively small increase in part responds to the need to support a higher rate of lending on flexible terms. More importantly, it is designed to give substance to the policy determination of the American Presidents at Punta del Este to finance regional programs which will encourage future integration of the Latin American economies.

While the United States is proposing a 20-percent increase in its contributions to the special fund, the Latin American countries together are undertaking to double the past rate of their contributions. They are proposing to make $100 million a year available to the fund for the next 3 years, in contrast to $50 million annually over the past 3 years. In addition, the four Latin American nations with the largest quotas in the Bank—Argentina, Brazil, Mexico, and Venezuela—and with the largest capabilities, have agreed to have the Bank use portions of their increased contributions to the fund for the purpose of making loans to other members of the Bank. This is a new and praiseworthy development which has resulted from the cooperative nature of Bank activities.

Some of those who oppose the measure before us have placed much emphasis on the "soft loan" character of the fund for special operations. They claim that the loans will not be repaid and therefore are disguised grants. They also act as if there were no differences between the lending terms of the Inter-American Bank's special fund and those of the International Development Association, or IDA.

The fact is that loans from the fund for special operations are made on flexible terms which bear little relationship to the truly "soft" lending arrangements provided by the IDA. As stated in the committee report, fund loans for educational and social purposes carry annual charges of no less than 3 percent, including the normal three-quarters of 1 percent service charge payable in dollars; loans for more strictly economic purposes incur annual charges of 4 percent and more, counting the service charge. Moreover, no loan from the special fund has been made for a period in excess of 30 years, and most of the lending is for a shorter term. While repayments of principal and interest generally are being made in the borrower's currency, some are being made in dollars and every effort is devoted to encouraging dollar payments whenever feasible. Finally, although the Bank has been operating for too short a time to have received many repayments, it is interesting to note that approximately 80 percent of the more than $10 million equivalent repaid to date has been in dollars. These figures do not indicate in any way what the record will be over the longer term, but they should help inhibit talk of "giveaways."

We have had a great many debates in the Senate over a number of years concerning the desirability of making loans rather than grants to the less developed countries, and I will not rehearse those arguments. But I would at least point out—as I have on numerous occasions—that the financial position of the United States would be in better shape today if we had given Marshall plan aid to Europe entirely in the form of loans. I might also add that one way to help bring about a situation in which loans to Latin American countries might not be repaid would be for the United States to turn its back on the Alliance for Progress concept, and particularly on Bank multinational efforts to promote sound development plans and projects.

A section in the committee report is devoted to the relatively minor possible effect of S. 1688 on the U.S. balance of payments. Because that section is both succinct and comprehensive, I will only stress the point that the bulk of the U.S. contribution to the special fund will take the form of loans "tied" to purchases in this country. And the Treasury Department has assured the Congress that its estimate of 90 percent of our money being spent here is a conservative one. In arriving at that figure the Department has taken account of possible "slippage" in the use of the letter-of-credit mechanism, and of other imponderables.

In the last analysis, however, the basic ground for opposition to S. 1688, as I see it, lies in the statement that the United States in the face of its domestic difficulties just cannot afford to divert its resources abroad. Frankly, I have considerable sympathy with this position in its general outlines; indeed, I have spoken along similar lines on a number of occasions recently. But I honestly do not believe that our common effort with the Latin American countries to develop their great potential through this multilateral instrument comes under such a category. Any thesis can be applied indiscriminantly and carried to self-defeating extremes, and I suggest that this one is no exception.

Mr. President, I believe that we in the Senate and in the country at large have had a surfeit of dramatic events, of grandiose programs and high-flown pronouncements. We need instead to find the means for steady progress toward moderate goals which are clearly in the national interest and within the Nation's capabilities. I suggest that our support for the Inter-American Bank is one of these appropriate vehicles, and I urge favorable action on this bill to give effect to that support.

Mr. President, I yield the floor.

DANGERS IN THE $900 MILLION REQUEST FOR FUND FOR SPECIAL OPERATIONS—INTER-AMERICAN DEVELOPMENT BANK

Mr. SYMINGTON. Mr. President, although the Senate Foreign Relations Committee favorably reported S. 1688 which would double the U.S. contribution to the fund for special operations of the Inter-American Development Bank, my distinguished colleague, Senator GORE, and I felt we could not support a contribution of $900 million to this soft-loan window of the Bank. Our reasons are detailed in the minority views accompanying the committee's reports.

At this time I would make a few comments regarding this request for funds.

If approved, this additional contribution of $900 million by the United States would increase the total contribution of the United States to the fund for special operations—FSO—since its inception in 1959, to $1.8 billion.

The amount of money sought from the United States has substantially increased with each request. Unless checked, there will be no stopping of this snowball effect.

Through the years, I have continued to support the lending institutions to which the United States is a contributor, such as the World Bank, the Inter-American Development Bank and more recently the Asian Development Bank, in their regular operations of making loans on a businesslike basis in order to finance many worthwhile projects in the underdeveloped countries. It is a fact we all know, however, that other developed countries have not accepted their share of the financial responsibility of these lending institutions. As their economies continue to grow, even without consideration of what we have done with military and treasure to foster that growth, why should not they be expected to shoulder more of the burden.

I can no longer support the "soft-loan windows" of these lending institutions—International Development Association in the case of the World Bank, fund for special operations in the case of the Inter-American Development Bank. These so-called windows make loans at practically no interest, for 30, 40, or 50 years, loans often repayable in the currency of the borrowing country.

Loans on such terms—and we all know this—are nothing more than grants. Everybody knows that. Therefore they should be so designated, rather than to continue this questionable and slick effort to try to sell the Congress and the American people that they are "loans," and that they will be repaid.

It is argued that a number of the Latin American nations are finding it difficult to service their short- and medium-term debts, also that low-interest, long-term loans are the solution. As stated in the minority views filed by Senator GORE and myself:

> This argument appears to be a straightforward one in favor of encouraging fiscal irresponsibility on a continental basis. If this is even partly true, then the Latin American countries are acting unwisely in taking on an increasing volume of debts, and the United States is not helping its neighbors by underwriting this process.

If these countries continue to obtain these soft loans, or disguised grants, then much of the goal of these international lending institutions, namely to encourage self-help, will be meaningless.

This trend of increasing soft loans and declining hard loans was evidenced in the IDB's 1966 annual report. That report stated that its soft loans last year totaled $291.3 million, up more than $90 million from 1965. But hard loans fell $21 million to $100.9 million.

It is argued that the balance-of-payments effect of these additional funds would be delayed until the 1970's; and that they would be relatively minor, as it is estimated the greater percentage would be tied to U.S. goods and services.

First, this argument would seem to imply that our balance of payments will be in a more favorable position in the 1970's—a premise difficult to believe in view of our 18-year continuing unfavorable balance of payments and the mounting costs incident to the Vietnam war.

Second, in regard to "tied aid" it must be pointed out that any percentage figure of goods purchased in the United States can be misleading, as it does not take into account the so-called substitution effect. As stated by an administration official:

> It is essential . . . that we demonstrate that our *commercial* trade surplus—which is a plus to our balance of payments—is not eroded when we contribute our goods and services through aid. The United States simply cannot afford to lose any commercial sales as a result of its aid efforts.

Of even more immediate importance than the balance of payments, however, are the needs of our own citizens, particularly in the areas of education, employment, housing, and health. At a time when these needs are pressing and our resources are limited, it would seem that priorities should be established. As between domestic programs and foreign aid, it is clear to me that domestic programs must have the higher priority.

Congress must accept and exercise its responsibility, especially in that our fiscal and monetary problems, serious for years, are now approaching the critical stage.

Mr. MORSE. Mr. President, I join the distinguished senior Senator from Missouri and the distinguished senior Senator from Tennessee in the position they have taken with regard to the pending measure.

The distinguished Senator from Missouri has made my speech for me. I have, however, an additional reason for joining them. I voted the other day, as the Senator knows, substantially to reduce the foreign aid bill below the amount that the Senate voted.

I thought that amount was so high that I had to vote against the whole bill.

I cannot possibly vote to support the amendment to this bill in view of the fact that there is already too high a level established for foreign aid. I will also oppose it for the reasons that the Senator from Missouri and the Senator from Tennessee have brought up.

Mr. SYMINGTON. I appreciate what the distinguished senior Senator from Oregon has just said. For the reasons he has mentioned, I, too, ended up by voting against the foreign aid bill.

I would like to be present and to participate further in the debate with the able senior Senator from Tennessee and the able senior Senator from Oregon, but I know that what they say about the matter will be far better expressed than any remarks I could make.

In closing, this country must face up to the growing problems incident to its financial position. I have just received a letter from a lifelong member of my party, a man very possibly the outstanding authority on financial analysis in my State. He believes we may well be moving toward a running inflation which will be much more serious than the steady relatively mild inflation we have been undergoing in recent years. He also believes that unless we do something in major effort to stop these tremendous outflows of credit, especially as the gold continues to flow out of our country, we will be underwriting very serious future financial problems indeed.

Mr. GORE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I will be glad to yield.

Mr. GORE. Mr. President, I thank the Senator.

I also thank the senior Senator from Oregon. It is a pleasure to work with my distinguished colleague on this and on many other matters.

Does not the Senator find it strange that only about a week after we finished the battle on the foreign aid bill, in which the Senate Foreign Relations Committee made some substantial cuts, we are now considering a second foreign aid bill which, if passed, will bring foreign aid authorizations by the Senate this year to a greater sum than we spent on foreign aid last year?

Mr. SYMINGTON. The Senator is right. It is just one more effort to tap the till of the American taxpayer so as to further conditions in other countries despite the great and growing problems we now know we have in our own country.

Mr. GORE. Mr. President, it was the able senior Senator from Missouri who, about 3 years ago, opened my eyes to the fact that every time Congress made a reduction in foreign aid, another "soft" loan window was opened. Congress will find if it really examines this matter, that instead of reducing foreign aid, the foreign aid outlay this year is more than $6 billion.

Mr. SYMINGTON. The Senator's eyes are always open. My eyes in turn were opened by the distinguished senior Senator from Oregon.

He was the one who, when the bill to promote soft loan windows for the World Bank first came to the floor, brought the matter to my attention.

I am glad to join with him and the distinguished senior Senator from Tennessee in what to me is a wise position in the matter.

Mr. LAUSCHE. Mr. President, I send to the desk an amendment which would change the language in the first committee amendment. I ask unanimous consent to dispense with the reading of the amendment, and I will describe it.

Mr. GORE. Mr. President, I would like to know what the amendment contains.

Mr. LAUSCHE. Mr. President, I will explain the amendment. Until this year, the law authorized $250 million a year for subscription to the soft window loans IAD Bank.

Mr. GORE. Mr. President, I would like to have the amendment read first.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> On page 2, lines 18, and 19, insert the following: Strike out "$900 million." Insert $750,000,000."

Mr. LAUSCHE. Mr. President, the amendment is a simple one. It would change in the pending bill the figure $900 million that is to be paid at an annual rate of $300 million to a new figure of $750 million to be paid at an annual rate of $250 million.

Mr. President, as a preliminary matter. I would like to discuss the fiscal structure of the Inter-American Development Bank.

It has two lending windows—one for hard and the other for soft loans. The capital structure of the hard loan window is $2,150,000,000. Of that amount, the U.S. Government has subscribed $761 million on callable terms. The terms are that $150 million is to be paid in, and the balance of $611 million is to be payable when called. These are contributions to the hard loan window. The hard loan window, however, is not involved in the pending bill.

The pending bill would authorize the United States to pay into the Inter-American Development Bank the sum of $900 million in a 3-year period to be used in making loans repayable with soft currency.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. GORE. I believe the Senator anticipated the result just a bit. The measure authorizes the U.S. member of the so-called Bank to vote for a resolution to increase the amount of the "soft" loan account, and after the resolution is passed, he is then authorized to commit the United States to pay in $900 million. So in this way we authorize our representative at the Bank to commit us to $900 million. I want to bring this out because it differs from the usual authorization bill in which we usually go through a procedure of authorizing an appropriation, and then the Appropriations Committee is free to appropriate a lesser amount.

Mr. LAUSCHE. Mr. President, I have construed that to be the equivalent of an authorization. Speaking with preciseness, the description given by the Senator from Tennessee is correct.

What is the capital structure of the soft loan window? I think this is very significant.

I asked questions of Mr. Joseph W. Barr, the Under Secretary of the U.S. Treasury and obtained these answers:

> Senator Lausche. Now, getting to the capital structure of the Fund for Special Operations, the soft window, am I correct in my understanding that the total contributions are presently the equivalent of $1,119,474,000?
>
> Mr. Barr. That is correct, sir.
>
> Senator Lausche. Of that figure just given, the United States has contributed in dollars $900,000,000.
>
> Mr. Barr. That is correct, sir.
>
> Senator Lausche. This would indicate that in the Fund for Special Operations the United States is the principal participant.
>
> Mr. Barr. That is correct.
>
> Senator Lausche. Why is it a greater participant in the Fund for Special Operations than it is in the hard loan division?
>
> Now, be brief.
>
> Mr. Barr. Senator, these countries simply cannot take on many more hard loans. It is very obvious that there is no need for a bank with a large capital to take on a—to put in a lot of hard loans for these countries which they cannot repay.

The point I am trying to make is that at the soft loan window, the United States is the principal contributor.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. GORE. Mr. President, there is another unique feature. The United States contributes hard currency, and the Latin American countries make their contributions in their own currencies. In other words, they put up $300 milion in soft currency to get $900 million of hard American dollars.

Mr. LAUSCHE. I think that is substantially correct.

I come now to what is contemplated by the pending bill with regard to the soft loan window.

We already have $900 million involved in that operation of the Inter-American Development Bank. It is now proposed by the pending bill to have the United States, in the next 3 years put up another $900 million. That would mean that in this soft window operation the United States will have posted $1.8 billion, and all the other members of the Bank will have posted about $411 million.

I concede what has been said by the chairman of the Committee on Foreign Relations, the distinguished Senator from Arkansas [Mr. Fulbright], that the operations of this Bank have been sound and its objectives constructive. However, conceding that to be the fact, it is my belief that with the President asking Congress to adopt a 10-percent surtax, and with the painful prospects of a huge deficit and the monetary demands of the war in South Vietnam, and the extravagant demands that are now being made, with some proponents asking for an expenditure of $40 billion to stop riots—in the face of these facts, it is my firm belief that if our citizens are to be asked to tighten the belt because of the huge cost of the Vietnamese war, if they are asked to pay additional taxes to reduce the deficit, then we should ask the Inter-American Bank also to tighten its belt.

My proposed amendment is very modest. Instead of subscribing $900 million in the 3 years, we would subscribe $750 million in 3 years. It would keep the Bank in operation, it would enable it to do a huge job, and it would give some relief to the tensions which now exist with respect to the money that the U.S. Government has available to perform the functions and obligations which rest upon it. We should tighten our belts; but while we do so, we should also ask the other nations who are dependent upon our bounty to reduce the amounts which they ask.

That, in substance, is my case, Mr. President: $750 million in 3 years, added to the $900 million which we have already put into this window, making a total of $1,650,000,000, is a liberal amount.

In its report on the supplemental foreign aid authorization bill for fiscal year 1966, providing additional economic aid for Vietnam, the committee stated that—

> Foreign aid should not remain sacrosanct when it comes to apportioning the war's financial costs among Federal activities. Belt tightening because of the war must not be restricted to domestic programs but should include our foreign aid programs as well. American citizens should not be called upon to accept reductions in programs which affect their daily lives, see their taxes increased and war costs spiral, while the foreign aid program escapes unaffected and undiminished. (S. Rept. 1060, 89th Cong., 2d sess., p. 9).

I subscribe fully to the aforementioned principle.

I yield the floor.

Mr. SPARKMAN. Mr. President, the proposed amendment was offered in committee. As a matter of fact, the Senator from Ohio offered two different amendments. The first one was for a larger cut. It was voted down by the committee. Then the Senator from Ohio offered a cut in the same amount he is offering at present, and the committee voted that down by a vote of 12 to 4. I believe it is pretty decisive.

The committee had studied the matter, had studied it carefully, and came to the conclusion, as the chairman has pointed out, that this bank had been doing an excellent job, that it should be allowed to continue to operate, and that we should not cut its funds below the amount provided for in the bill as it is now before the Senate.

There is another aspect to the matter. This is not a unilateral proposition. It is true that so far as putting the money in is concerned, it is a unilateral proposition, but it is on a multilateral basis and is negotiated, and this is the sum that was agreed to in the negotiations. In the event we should seek to change our contribution to it, there would have to be a renegotiation among the nations that are parties to the agreement.

I believe very strongly that the committee should be sustained in its vote, and that the amendment should be rejected.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, I am opposed, and firmly so, to the bill now before the Senate.

The measure, S. 1688, provides for a virtual grant, in the guise of "soft" loans, of an additional $900 million for use in Latin-American countries. This is foreign aid, pure and simple, and, in my view, about the worst form of foreign aid.

Just last week, most of us sort of congratulated ourselves on cutting back foreign aid expenditures authorized through the annual foreign aid bill. We did succeed in reducing the authorization by some $700 million below the administration's request. This was in support of the Committee on Foreign Relations. I was glad to see that the Senate supported the committee in paring down the measure.

But what are we asked to do today, just a week later? We are asked to pour into the foreign aid barrel $900 million, which will more than offset the reductions we made only a few days ago.

Mr. President, our priorities are sadly out of balance. Admittedly, the needs of the people of the underdeveloped world are great, but we have an overriding duty to provide for our own needs, which are pressing, indeed. Until adequate provision is made for education, employment, housing, health, and community facilities for our own people, I cannot in good conscience vote for another bill which will put almost another billion dollars into another foreign aid program.

I have supported all of the foreign aid bills, beginning with the Marshall plan. But I have felt that the time has come when we should make retrenchments, in view of our balance-of-payments difficulties, in view of the fact that we are engaged in a major war, in view of the fact that we have an almost unprecedented deficit, and in view of the fact that the President is urging Congress to increase taxes by 10 percent. It just seems to me that it is time for the United States to retrench on foreign aid.

Mr. President, I supported the reductions made by the Committee on Foreign Relations, and I voted for the regular foreign aid bill only a few days ago. Why do we have another foreign aid bill within a week? If we are to have another one, why should we increase foreign aid while the President is urging his administrators to cut back on highways at home, and on all of our domestic programs? Our needs at home are well known.

A few years ago, in 1963, when Congress was considering the accelerated public works bill, it was estimated that our backlog of water and sewer facilities alone amounted to some $12 billion, and that this backlog would grow to $21 billion by 1970. At the rate we have been going in recent years I would expect that backlog to have grown at an accelerated rate.

When President Johnson launched his Great Society program, he pointed out:

> By 1975 we will need over 2 million new homes a year. We will need schools for 10 million additional children, welfare and health facilities for 5 million more people over the age of 60, transportation facilities for the daily movement of 200 million people * * *. Among the most vital needs of our metropolitan areas is the requirement for basic community facilities—for water and sewerage. Many existing systems are obsolete or need major rehabilitation. And population growth will require a vastly increased effort in years ahead * * *. A community must offer added dimensions to the possibilities of daily life. It must meet the individual's most pressing needs and provide places for recreation and for meeting with neighbors.

Mr. President, funds are now being cut for all of these programs. The term "Great Society" is no longer heard with such frequency, but the unmet needs of our people continue to grow; and yet, while all of these are being cut the Senate is asked to pass a bill increasing the so-called soft loan grants to Latin America by $900 million. Why?

But, our own unmet needs aside, if we can afford another $900 million foreign aid package on the heels of the one voted last week, a multilateral agency such as the Inter-American Development Bank is surely one of the poorest vehicles one could choose for such an increase in the foreign aid effort.

Under this program, the communities which are fortunate enough to receive aid in Latin America will not even know that the American people are contributing to their development. No, we must somehow obscure our generosity. We put it into a common pot called the "Inter-American Development Bank." It is not a bank. It is not truly inter-American, because the United States has no prospect of benefiting from it; it is one way.

We are now enmeshed in a bewildering assortment of multilateral arrangements, and the worst of these are the so-called soft loan windows of international lending institutions.

In the regular foreign aid bill, Congress conducts an annual review. We know for what projects we appropriate the money. We can follow through, exercising our responsibility of oversight, but when we commingle our money with the soft currencies of the Latin American countries in this so-called Inter-American Bank, then the Congress is finished with it. Indeed, we do not know, and we have not been advised, for what projects, for what development this money will be used, except in a generalized way. Some people regard this as a merit. It gets it out of our hair. We can wash our hands of it. Give it away and forget it, except we add it to the deficit, or we have to raise taxes to pay it, and then there is the balance-of-payments headache.

So I say if we can afford to give another $900 million in foreign aid, let us give it for purposes of which we have knowledge. Let us make it available for projects of a certain character in specific countries. Let us know what we are doing with the taxpayers' money.

Much has been said recently about congressional loss of control over governmental policies, direction, and programs. Many feel Congress is habitually bypassed. But in this instance, Mr. President, by passing this bill Congress will assist in the bypassing process.

By feeding additional new money into the so-called Bank, Congress will not only lose control of expenditures, but it will deliberately turn its back upon and wash its hands of all responsibility for oversight and surveillance. Is that a worthy discharge of responsibility by those of us who are privileged and honored by the American people with election to the U.S. Senate? I should think they would expect something better of us. I should think the American people regard $900 million as a substantial sum of money, and that they would expect their Senators to safeguard and husband these public funds.

What contribution does the program call for on the part of the Latin Americans? While we will put into the fund another $900 million of hard American currency, they will put into it $300 million of their soft currencies. It seems to me that this is an unwise program. I should much prefer to make this money available through a more regular procedure, if we could afford more than we approved in the bill last week—$900 million more.

The President's most recent recommendation for a tax increase is now much in the news and much on the minds of the American people. But with or without an increase in revenues on the order envisioned by the President in making his latest recommendation, we face the prospect of a deficit for this fiscal year far exceeding the unenviable record established in the Eisenhower administration. Admittedly, the sum of $300 million a year for 3 years, called for by the bill, will not bankrupt the country; but this is only one item among many—and a rather large one, in my view. It is entitled only to a low priority.

I do not think we can overlook the effect of the bill on our chronic balance-of-payments problem. The 1966 deficit was some $1.4 billion, which is uncomfortably high. Our gold reserve is now drawn down drastically, and there are but few bright spots on the horizon. This year's first quarter showed a deficit of $536 million. The second quarter deficit ran to $513 million. This gives us a seasonally adjusted annual average deficit of $2.1 billion thus far this year in our balance of payments. This bill will deepen the deficit in the years to come.

Mr. President, there is no end to the generosity of the American people. They are motivated with charitable good will, noble impulses, and generous attitudes. But I suggest that there is a limit to the size of the deficit that we can run. There is a minimum below which we cannot let our gold reserves go and continue to have readily acceptable currency throughout the world. There is a limit to the level of taxation which it is advisable to lay upon the people. I also think there is a limit to the preference that we can give to our foreign commitments.

I do not wish any of my colleagues to be uninformed on what we are about to do by the pending legislation. I wish them to know exactly what they are voting upon.

Under the terms of the bill, the Senate will be voting to turn over to an international bank, so called, over which the U.S. Congress will have no control whatsoever, the sum of $300 million per year for the next 3 years, in order that the institution may lend, or give, this money in Latin America.

The loans made will be "soft" loans, those that will be repaid—if at all—in currencies which are not convertible.

This means that the United States has no expectation of repayment.

Therefore, what we are doing or what we are being asked to do is tantamount to making a grant of $900 million to further some enterprises in Latin America.

Mr. President, is there any city in Latin America which has been harder hit than Fairbanks, Alaska? Or Detroit?

Is there any country in Latin America which has suffered such political turmoil as the United States has witnessed in recent weeks?

What superior claim rests here. I leave

it to my colleagues to answer those questions.

It may be felt by some that $900 million is an inconsequential sum of money. It is not. I am a member of the Finance Committee which has responsibility of levying taxes to raise revenue. Just set out to try to fix a tax levy which will raise $900 million. We will find it will place quite a burden upon quite a number of people.

Of course, $900 million may be relatively small when compared to our vast national defense expenditures. But then, what is not?

Let us compare this amount with something concrete right here at home.

Last year, we appropriated for a rather small operation in the Department of Housing and Urban Development, a program to assist in the construction and improvement of much needed sewer and water systems throughout the country, the amount of $100 million. Even though this will not go very far, and community leaders know this, enough of them went to the trouble and expense to file applications in sufficient quantity to establish quickly a backlog of $800 million in requests.

I recently visited a high school and discovered that raw sewage was seeping through the surface of the playground. The children were leaping in play over pools of vile, odiferous matter.

The community had not been able to obtain a loan—which it would repay in hard money with interest—to construct a sewage facility; yet we are being called upon this afternoon to give $900 million—this week—after having passed the foreign aid bill of some $2.7 billion last week.

I say that our priorities are out of balance. The $900 million—if we had it in the U.S. Treasury, or if we could levy additional taxes to bring in that much revenue—would about equal the applications from communities throughout America for assistance in building water facilities and sewage disposal facilities through this particular Department of Housing and Urban Development program to which I just referred.

Of course, there are other programs with additional unapproved applications.

Mr. President, I should like to give another indication of how much money $900 million is.

We hear a great deal about poverty in this country and how much money would be required to supplement the income of every family in America to the $3,000 per year level.

Please understand I am not advocating that we do this, but if we really wanted to cure poverty and raise the income of every family in America to $3,000 a year, what this bill would give away is almost 10 percent of the entire amount required to do this by direct subsidy.

So, suffice it to say that $900 million is a lot of money. It is a large sum.

Yes, our priorities are upside down when we increase foreign aid while making retrenchments in much needed programs at home. I hope this is not regarded by my colleagues as cheap demagoguery. I certainly do not feel the necessity of restorting to demagoguery. I think these are facts and that these facts should be faced and should be considered when we are asked to pass another foreign aid bill when we passed a $2.7 billion foreign aid bill only last week. And if we pass this bill as it is, despite the reductions made last week, the Senate will have increased foreign aid authorizations this year over our expenditures last year by several million dollars.

Let me return more directly to the bill under consideration.

Few people realize the full extent of U.S. involvement in multilateral financing arrangements. Some people are mesmerized by anything called a "Bank." Just say we are turning over a "Bank," and some people want to open the Treasury door. Then add to that "Inter-American" and then the appealing word "Development," and you have an instrument of political appeal. But it is a giveaway no matter how appealingly one phrases it.

We have many of these multilateral financing arrangements. Adding together all the U.S. quotas and subscriptions in international financial and monetary institutions, the current total comes to roughly $15.5 billion. And our commitments to international institutions are scheduled to increase. Beyond the $900 million proposal contained in this bill, S. 1688, we have already been informed that the Congress will be asked next year to provide approximately $412 million in callable capital for the ordinary operations of the Inter-American Development Bank.

This is a bottomless barrel. It is intended so to be. These "soft" loan windows were started a few years ago, when sentiment in the Congress began to grow to reduce foreign aid. We thought we had reduced it—the regular program of foreign aid. If we look closely, we will find we have not reduced it at all. It has just been scattered.

How many Senators know that there was $1.5 billion of foreign aid in the bill we passed last night? There was. How many Senators knew, when we passed the foreign aid bill last week, that there would be a foreign aid bill for $900 million, under a different name, this week?

The Senator from Louisiana [Mr. ELLENDER] placed a table in the RECORD a few days ago. I am going to refer to it shortly. I will give the page number now in order that, if Senators want to look at it, they may do so. It appears on page 22923 of the RECORD for Wednesday, August 16. This table in the RECORD, to which I shall shortly refer, shows how the money has been dispersed and concealed in other bills and in other programs, but the total is as great as ever. Congress has either fooled itself or has been fooled into thinking that foreign aid has been reduced.

At the beginning of this year it was anticipated that the United States would contribute something on the order of $960 million to the International Development Association, the softest of all soft-loan institutions; a substantial sum was being proposed for a soft-loan window in the newly established Asian Development Bank; there was every intention of even making a donation to the fledgling African Development Bank—of which the United States is not even a member.

This bank idea—international bank, regional bank—is a new gimmick into which Congress is urged to pour the American taxpayers' money, or by which we are asked to increase our national debt.

Thus far, these plans and subsequent negotiations have been blocked by the hardheadedness of the other developed countries. The latter are quite willing to see the United States undertake further commitments in the multilateral lending field, but they are now most reluctant to join the United States with comparable contributions in this area. There, nevertheless, is every reason to assume that ways of breaking these negotiating roadblocks will be found, and that Congress will receive requests amounting to something on the order of $1.5 billion in the next session for these multilateral operations.

Returning to the Inter-American Development Bank, the fund for special operations of that institution affords an excellent example of how an initially modest project can grow and create its own momentum. In 1959 the United States authorized a first contribution of $100 million to the fund; a second subscription of $50 million was authorized and appropriated in January of 1964; little more than a year later the United States approved the sum of $750 million to be appropriated at the rate of $250 million annually during the fiscal years 1965–67; we now are dealing with a request for $900 million over a 3-year period. Not surprisingly, it is found that the ability of the Latin American countries to absorb these soft loans seems to increase right along with the total contributions, and the fund's projected desirable rate of annual lending is constantly adjusted upward. Who can doubt that by 1970 the Congress will be asked for another $1.05 billion to support the fund for 3 more years at a new rate of $350 million annually? And absolutely no one can present a reliable estimate of when the process will stop.

It may seem easier to vote for these and other sums because of the many assurances given by the executive branch that their impact will not be felt for several years. We are told the best guesses—and they are just guesses—of officials are that 90 percent of the U.S. contribution will be tied loans and that eventually the dollars will return to this country. Again, we are told that the effect of the projected U.S. expenditures upon our balance of payments will be very minor until 1970 and later years—as if the balance-of-payments problem will suddenly vanish by then. But, judging from the poor rate of progress so far in overcoming the payments deficit, and because of the consequences of the Vietnamese war, it is almost certain that we shall be carrying the payments burden well into the 1970's. Moreover, even if true, this argument is misleading in that we would, in effect, be giving goods for which we pay, but for which we cannot expect repayment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LAUSCHE. The Senator has just made the statement that testimony was given that 90 percent of this money will eventually find itself back in the United States, through the purchasing of goods in the United States, and therefore there will be no adverse impact on the balance of payments.

The thought has been running through my mind that while these loans may be tied in with the purchase of American goods, we incidentally release other funds, making them available to the borrowing country to buy goods in other nations, and thus we do have some effect on the sale of American goods. The tie-in is with respect to the moneys which we lend, but it does release other moneys to be used in buying foreign goods.

Has the Senator given any thought to that question?

Mr. GORE. Yes.

Mr. LAUSCHE. What is his conclusion?

Mr. GORE. First, we are not assured that there will be a 90-percent tie-in. We are only told that thus far that has been about the percentage.

Second, unquestionably, there will be international trade implications. I do not see by what sleight of hand the United States can continue to export either money, goods, or jobs without affecting its international balance of payments. I do not believe there is any sleight of hand that will permit it. So, eventually, we must face the question.

Finally, the question of repayment of these fund loans is acknowledged to be moot even by those intimately concerned with the issue. A minimum requirement which would encourage repayments would be the creation of world trade conditions favoring expansion of Latin American exports to the United States. Congress will undoubtedly be placed under increasing pressures, as indeed it already is, to give trade preferences for imports into the United States and to give tax concessions for U.S. investment abroad. Pressures will be exerted to make one-sided preferential trade agreements, both in order to help Latin American development and to stimulate loan repayments.

Of course, Latin America needs assistance, but it is doubtful that additional loans are helpful. The statements of Treasury Under Secretary Barr and then Assistant Secretary of State Lincoln Gordon make it abundantly clear that, in the former's understated words:

> The burden of debt service in many of these Latin American nations is becoming difficult.

And Mr. Gordon estimated that up to a quarter of the export earnings of these countries are absorbed by debt servicing.

Because the central problem is the accumulation of short- and medium-term debt, which has required a number of rescheduling arrangements, it is argued that long-term financing on easy terms is the solution. Frankly, this argument appears to be a straightforward one in favor of encouraging fiscal irresponsibility on a continental basis. If this is even partly true, then the Latin American countries are acting unwisely in taking on an increasing volume of debts, and the United States is not helping its neighbors by underwriting this process.

Of course, the above point loses its validity if we consider these soft loans as grants. Perhaps, in reality, they are grants. If so, let us so designate them. I think there would be some merit in letting our neighbors in Latin America know that the people of the United States were making contributions to their welfare. I find no particular appeal in hiding or camouflaging the generosity of the American people.

Why do we go through this process of putting $900 million of our people's money into a pot into which the Latin Americans will pay $300 million of soft currencies? That is a pretty good deal—to put up 30 cents worth of questionable paper in order to obtain 90 cents in good money.

If we must give more foreign aid, let us give it; but let the people know that we are giving it. Let the recipients know that we are giving it.

I know that some of us become impatient in dealing with foreign aid bills. Those of us who have to sit, each year, through the hearings, find it exasperating. But if we are not willing to exercise our responsibility of surveillance over the distribution of the American taxpayers' money, then let us not distribute it.

The statistical evidence before the committee also demonstrates that catastrophe will not ensue in Latin America if the United States chooses to postpone taking on any new soft loan commitments through the special fund this year, or at any time. According to Mr. Gordon's testimony, only about 6 or 7 percent of gross investment in Latin America as a whole, over the last 5 to 6 years, has come from the governmental programs of the United States.

Our contributions through the medium of the special fund represent a quite modest portion of that percentage figure. There is no justification for regarding this bill as a critical and urgent measure which must be pushed through Congress without delay if we wish to uphold our close and warm relations with Latin America.

I see no justification for considering this measure as so urgent, so vital, or so crucial that it must be passed while so many domestic programs are being cut to the bone. I see no reason why this measure must be regarded as so urgent, so vital, or so critical that we must increase our national debt by $900 million only 1 week after the passage of the foreign aid bill.

Under no circumstances should S. 1688 be considered a touchstone for determining the degree of friendship and continuing interest maintained by the U.S. Congress toward the countries of Latin America. The record of the last decade fully attests to our genuine and continuing concern. It is not becoming to the dignity and status of the United States as a great nation for our people to feel compelled to give constant tokens of affection to our friends; indeed, it would be demeaning to both sides should we indulge in such practices.

Perhaps some will feel that we should not sharply reduce our foreign aid. The fact is that we are not reducing our foreign aid, as I said earlier. This is one of the great fallacies that I hear repeated time after time.

During the debate last week on the regular foreign aid bill, the senior Senator from Louisiana [Mr. ELLENDER] placed in the RECORD a table that I think is most illuminating. According to the table, if one takes into consideration the direct foreign aid included in bills other than the one to which we usually give that title—that is, military aid which has been shifted out of the regular foreign aid bill; Public Law 480 assistance; and assistance through financial institutions—foreign aid has not been reduced in recent years. I invite the attention of Senators to the table placed in the RECORD by the Senator from Louisiana [Mr. ELLENDER], which appears on page 22923, of the CONGRESSIONAL RECORD, so that they may see for themselves. I shall refer to it. It shows a total of foreign aid for 1967 amounting to $6,283,200,000.

We made substantial reductions in the regular foreign aid bill only in relation to the amount requested by the President. The Senate cut the foreign aid authorization bill down to some $2.7 billion.

According to newspaper reports, the other body will raise this figure. The real foreign aid package for this year will probably end up in excess of $6 billion, as it has for each of the last 3 years.

No, Mr. President, I cannot support the pending bill. As between domestic and foreign programs, it is clear to me that domestic programs must have the higher priority. Congress must accept and exercise its responsibility.

This is not to say—and I do not say—that all foreign aid should be discontinued. I voted for the bill that the Senate passed last night. That bill contained more than $1 billion of military foreign aid, military assistance. I thought it wise to do so. Perhaps this should have been stricken out.

I voted last week for the passage of the regular foreign aid authorization bill, after voting for some reductions. It may have been that I was in error there. It may be that I am in error now. However, we can pile on and pile on until finally there is too much. Somewhere there should be a stopping place. Somewhere we must give priority to our own people, whose needs are so great.

Mr. President, I wish to offer an amendment. However, the Senate Foreign Relations Committee will be host to a Head of State within 5 minutes. I would like to attend.

I wonder if we could take a recess, or if the votes on amendments could go over until tomorrow.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TYRANNY IN THE INTERNAL REVENUE SERVICE

Mr. WILLIAMS of Delaware. Mr. President, in the August issue of the Reader's Digest there appears an excellent article by Mr. John Barron entitled "Tyranny in the Internal Revenue Service."

This article calls attention to certain instances where overzealous or arrogant employees have taken advantage of the power of their offices. In mentioning these abuses the writer very appropriately points out that the overwhelming percentage of employees of the Internal Revenue Service are trying to do a good job, but that does not excuse the abuses.

In replying to this article Commissioner Cohen when testifying before the House Committee on Appropriations on August 10, attempted to refute the accuracy of some of the cases mentioned by saying:

> An article in the August issue of Reader's Digest, entitled "Tyranny in the IRS," contains too many half-truths, distortions and unsubstantiated conclusions to remain unanswered. . . .

I am sure that the Reader's Digest, which is one of our most reliable magazines, checked these cases for accuracy before they were printed and that it is well able to take care of itself and defend its position.

I do, however, want to discuss the Department's rebuttal on three of the examples referred to in the article since they refer to cases which I had previously exposed and discussed. In these three instances I not only know that the Reader's Digest statements are correct but that their accuracy can be documented by letters furnished to me by the Treasury Department, two of them over the signature of none other than Mr. Sheldon S. Cohen, Commissioner. The three cases are as follows:

WEBB & KNAPP

The Reader's Digest article reads in part:

> Over a period of seven years, IRS allowed the New York-based real-estate firm of Webb & Knapp to pile up tax debts of more than $27 million, while the Federal Housing Administration lavished on it $67 million in government-insured loans. Upshot? Webb & Knapp defaulted on the loans, and IRS in December 1965 wrote off a whopping $26 million as "uncollectible."

In attempting to refute this statement the Commissioner told the committee that the article was wrong because merely writing an account off as "uncollectible" does not necessarily mean that they would discharge the tax liability, therefore, they took exception to the magazine's using the words "wrote off a whopping $26 million as 'uncollectible'" when discussing Webb & Knapp's tax liability.

As evidence that this $26 million has been written off I will read from a letter dated August 9, 1966, addressed to me and signed by Mr. Sheldon S. Cohen, Commissioner of Internal Revenue. The full text of this letter appears in the Congressional Record, volume 112, part 20, page 26463. The letter reads in part:

> During our discussion on July 28, 1966, you asked for information on the action of our Manhattan District in writing off as uncollectible certain tax liabilities of Webb & Knapp, Incorporated, New York City, New York.
>
> . . . Since there appeared to be no possibility of collection, the District, in December 1965, wrote off as uncollectable almost $26 million. This write-off by the Manhattan District was included in the tabulations for 1965 which accompanied my letter of March 8, 1966, to you.

The fact is that this quotation relating to the writeoff as uncollectable of the $26 million for Webb & Knapp was taken from the Commissioner's own letter.

The second part of Mr. Barron's comment on Webb & Knapp related to the fact that while the company was piling up the multimillion tax liability, which subsequently was written off as uncollectable, the Federal Housing Administration, another Government agency, insured over $67 million in loans on housing projects being built by that firm. Every one of these mortgages was in default at the time of my report to the Senate.

A letter signed by Assistant Secretary-Commissioner Brownstein, dated September 22, 1966, containing an itemized breakdown of these loans can be found in the Congressional Record, volume 112, part 20, pages 26464 and 26465.

The Department's own records confirm that this company, which owed the Government over $26 million in delinquent income taxes, was loaned $67 million by a Government agency, yet the administration is still defending the transaction.

The second case: The tax liability of Mr. Stavros Niarchos and his shipping companies.

In discussing this case the Reader's Digest said:

> Similarly, IRS last year simply wrote off as "uncollectable" a tax bill of more than $23 million owned by six American shipping companies controlled by Greek magnate Stavros Niarchos.

In refuting this case Mr. Cohen begins by telling the committee that "Reader's Digest is as wrong about this situation as it was about Webb & Knapp."

The fact is that the Reader's Digest was not wrong about Webb & Knapp as is proven by the Department's own records. Nor was the Reader's Digest wrong when it said that the Treasury Department wrote off as "uncollectable" a tax bill of more than $23 million that was owed by six American shipping companies which were controlled by Mr. Stavros Niarchos.

The Treasury Department's own record shows that these shipping companies of Mr. Niarchos' owed over $25 million in income taxes—$17 million in delinquent income taxes and about $8 million in interest and penalties—and that this $25 million tax liability was settled for a payment to the Government of $1,468,002.02, or about 6 cents on the dollar.

As proof that these unpaid taxes were "written off as uncollectable" I quote from a letter dated October 4, 1966, signed by Acting Commissioner of Internal Revenue Mr. William H. Smith. This letter was addressed to me and was the Internal Revenue Service's report on the status of Mr. Niarchos' taxes and can be found in the Congressional Record, volume 112, part 20, page 27332.

> It may be of particular interest to you, however, that in 1962 a suit was instituted by the Department of Justice in the U.S. District Court for the Seventh District of New York to reduce to judgment Federal tax assessments totaling approximately $17,000,000 against six United States corporations owned or controlled by Mr. Niarchos. *These assessments, which the Internal Revenue Service had been unable to collect and most of which had therefore been written off as uncollectible,* consisted primarily of corporation income taxes, and were based on the Government's contention that income of certain of these United States corporations was improperly diverted to certain foreign corporations through the chartering and subchartering of seagoing vessels.

Furthermore, the Treasury Department's records also show that these companies of Mr. Niarchos' had over a period of years withheld payroll taxes from their employees but had not sent these withheld taxes to the Federal Government. Likewise, these same companies of Mr. Niarchos' did not pay their unemployment taxes as is required by law.

That is not all. Not only were Mr. Niarchos' companies delinquent in their income taxes, their unemployment taxes, and withheld payroll taxes but also while these delinquent accounts were outstanding another agency of the Federal Government, the Maritime Commission, guaranteed a multimillion-dollar loan at low interest rates to a newly created corporation of Mr. Niarchos' to help finance his construction of a new ship. The taxpayers are guaranteeing that obligation.

Here are two examples of taxpayers who have multimillion-dollar delinquent tax accounts getting millions in loans from other Government agencies; yet when this is exposed we find the representatives of this Great Society actually defending this type of transaction.

The third case: Lawrence L. Callanan.

In discussing this case the Reader's Digest article states:

> As Senator Williams notes, still harder to explain is the treatment of people like Lawrence L. Callanan. An official of the Steamfitters Local No. 562 in St. Louis, Callanan was convicted in 1954 of extortion, received a 12-year sentence. He was paroled in 1960, and in April 1964 President Johnson commuted his sentence, thereby enabling him to become a union leader again. The same month, IRS settled his unpaid tax debt of $40,219.84 for a token $17,000 plus an agreement that he would pay more if his income rose. "No prospect of any material increase (in income)," said IRS. A few months later, Callanan's union lieutenant, John L. Lawler, handed over $25,000 to "Friends of LBJ." Next, Callanan, supposedly without money for his taxes, kicked in $2,000 to the Democratic National Committee. Then he emerged as director of the lush "voluntary" political fund of Local No. 562, his salary reported at $15,000 to $20,000.

The Commissioner in attempting to refute this case denies that this $40,000 was compromised for $17,000 plus an agreement that he would pay more if his income rose and placed great emphasis on the fact that the full amount of the $40,000 liability had been paid. As evidence that there was a compromise settlement I quote from a January 6, 1966, letter signed by Commissioner Cohen:

Information furnished by the District Director in St. Louis, Missouri, discloses that an offer in compromise from Mr. Callanan was accepted on April 9, 1964. The amount of the offer was $17,000, plus a future income collateral agreement providing for the payment of a graduated percentage of annual income in excess of $7,500 for the years 1964 to 1974, inclusive. This is the only offer which has been accepted from Mr. Callanan over the past thirty years.

The following is a breakdown of the liability which was compromised:

Taxable year	Tax	Penalty	Assessed interest	Accrued interest	Total
1950	0	$206.68	$755.47	$698.48	$1,660.63
1951	$1,222.00	1,048.54	604.97	898.36	3,773.87
1952	4,883.51	3,382.49	1,762.07	3,033.09	13,061.16
1953	4,861.95	3,414.20	1,462.57	2,945.57	12,684.29
1954	5,097.48	920.20	1,202.10	1,820.11	9,039.89
Total	16,064.94	8,972.11	5,787.18	9,395.61	40,219.84

The full text of this letter can be found in the Congressional Record, volume 112, part 1, page 658.

It is true that payment has been made, but this payment was not made until after I insisted that the Treasury and Justice Departments explain just how $28,000 could be siphoned into a political campaign by a man who was being excused from paying his income taxes on the basis that he was a pauper.

At this point I ask unanimous consent that there be printed my outline of this case as appearing in the Record of January 19, 1966.

There being no objection, the outline was ordered to be printed in the Record, as follows:

In 1954 Mr. Callanan as an official of this union was convicted of a $28,000-shakedown of a Tulsa pipeline contractor.

Federal Judge Rubey Hulen in sentencing Mr. Callanan described the case as a "more grievous and aggravated violation of the law" than any other racketeering case tried before him.

Continuing, Judge Hulen said. "The evidence of merciless use and betrayal of people who labor for their livelihood and were members of union supposed to be represented by these defendants, is shocking. Unless I had heard the facts under oath I would not have believed them."

The Judge further remarked that Callanan "hasn't shown one bit of remorse. Indifference to the welfare of union workmen is glaring."

He stated further, "Callanan took from the funds of the union, of which he is an officer, funds to pay for his defense. . . . Callanan was the brains of the racketeering conspiracy."

In 1960 after serving about half of a 12-year sentence Callanan was paroled.

Treasury Department records show that during the years 1956, 1957, 1958, 1959 and 1962 Mr. Callanan did not file any Federal income tax returns.

For the years 1950, 1951, 1952, 1953 and 1954 Mr. Callanan created a delinquent tax liability, including penalty and interest, of $40,219.84. The Treasury filed a deficiency tax assessment as follows:

Taxable year	Tax	Penalty	Assessed interest	Accrued interest	Total
1950	0	$206.68	$755.47	$698.48	$1,660.63
1951	$1,222.00	1,048.54	604.97	898.36	3,773.87
1952	4,883.51	3,382.49	1,762.07	3,033.09	13,061.16
1953	4,861.95	3,414.20	1,462.57	2,945.57	12,684.29
1954	5,097.48	920.20	1,202.10	1,820.11	9,039.89
Total	16,064.94	8,972.11	5,787.18	9,395.61	40,219.84

On April 9, 1964, the Treasury Department accepted an offer in compromise whereby Mr. Callanan paid $17,000 in settlement of his $40,219.84 tax debt plus a graduated percentage of his income in excess of $7,500 for the years 1964 to 1974.

An Internal Revenue Service summary noted that he was then earning $150 a week as a steamfitter and added a doleful note that there are "no prospects of any material increase" in his income.

In the same month, April 1964, President Johnson commuted the sentence of this labor racketeer and thereby removed the legal blocks which had restricted his union activities.

The St. Louis Globe Democrat in its October 2–3, 1965, issue carried this interesting comment:

"Before his commutation was granted . . ., Calanan faced legal blocks to resuming union-related activity until July 1971.

"He recently surfaced on the political high seas as the director of the lush 'voluntary' political fund of Local 562, his salary reported in the $15,000–$20,000 range."

Reports of campaign donations filed with the Clerk of the House of Representatives January 12, 1965, show that on November 2, 1964, John A. Lawler, Business Manager of the Steamfitters Local 562, contributed $25,000 to "Friends of L.B.J."

Section 608 of Title 18 of the U.S. Code, entitled "Limitations on political contributions and purchases:

"(a) Whoever, directly or indirectly, makes contributions in an aggregate amount in excess of $5,000 during any calendar year, or in connection with any campaign for nomination or election, to or on behalf of any candidate for an elective Federal office, including the offices of the President of the United States and Presidential and Vice Presidential electors, or to or on behalf of any committee or other organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for any such office or the success of any national political party, shall be fined not more than $5,000 or imprisoned not more than five years, or both."

On June 2, 1965, Mr. L. L. Callanan, 10517 Lookaway, St. Louis, Missouri (home address), made a $1000 contribution to the Democratic National Committee.

On June 24, 1965, Mr. Lawrence Callanan, 1242 Pierce Avenue, St. Louis, Missouri (address of the union), made another $1000 contribution to the Democratic National Committee.

These two $1000 political contributions were made by the same man who just the year before had compromised a $40,000 tax obligation for $17,000.

On June 2, 1965, a $1000 contribution to the Democratic National Committee was made in the name of E. Beck, 4317 Haven Street, St. Louis, Missouri. Mr. Beck is listed as Mr. Callanan's son-in-law and according to press accounts, last year was made an assistant to Callanan in running the "voluntary" political fund of Local 562 members.

Mr. WILLIAMS of Delaware. After my remarks of January 19, 1966, I was advised that instead of a $25,000 contribution it was a $52,000 contribution made by the union to the "Friends of L. B. J."

After my denunciation of the lenient treatment given this labor racketeer and after the Department of Justice had been asked to explain, Mr. Callanan paid his tax delinquency as follows: On May 18, 1966, he paid $3,586.14 and on October 25, 1966, he paid $10,138.09 in taxes and penalties and $11,874.36 in back interest.

But these payments do not change the fact that originally the $40,000 tax obligation had been compromised for $17,000 as stated in the Reader's Digest article.

I compliment Mr. John Barron and the Reader's Digest on the remarkable job it has done in calling some of these glaring cases to the attention of the American public, and I suggest that the administration, instead of trying to confuse the picture with a back-handed rebuttal, frankly admit the facts. The only error the Reader's Digest may have made—as far as these cases are concerned—is that it did not have the space to portray the full picture as to how badly these particular cases were handled.

At this point I ask unanimous consent to have printed in the Record two articles appearing in the St. Louis Globe-Democrat. The first article is dated October 2–3, 1965, and the second is an editorial dated July 22–23, 1967.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the St. Louis Globe-Democrat, Oct. 2–3, 1965]

Questions To Be Answered

It is revealed elsewhere in today's Globe-Democrat that John Lawler, business manager of Steamfitters Local 562, made a $25,000 campaign gift to "Friends of LBJ," $2,000 to the President's Club for Johnson Committee, and $3,000 to the Democratic National Committee all in 1964.

Considering that Lawler's salary for 1964 was reported as $19,960, this is extremely generous giving indeed.

The Globe-Democrat believes the Internal Revenue Service should make an investigation of Lawler's finances to determine whether he paid taxes on what must be a vast income above his stated salary to enable him to give so generously to President Johnson and the Democratic National Committee.

We think, too, that United States Attorney Richard D. FitzGibbon should investigate whether any Federal law has been violated by these gifts. Federal law forbids a contributor from giving over $5000 to one committee in a Federal election.

This may be difficult for Mr. FitzGibbon since he was the Callanan-Lawler candidate for Mayor until the steamfitter gang found that Alfonso J. Cervantes had too great a lead and switched their endorsement from FitzGibbon to Cervantes. Nevertheless it is his duty and we expect Mr. FitzGibbon to do it.

We think that the Internal Revenue Service should also investigate the gift of Lawrence Callanan of $2000 to the Democratic National Committee this year.

Callanan, convicted labor racketeer, was permitted to pay $17,000 cash in settlement of a bill of $40,219 for taxes, fraud and other penalties and interest.

He is required, under terms of the settlement, to pay a percentage of future earnings in excess of $7500 a year on the $23,219 balance of his tax liabilities.

If Callanan were so poor that the Internal Revenue Service had to compromise his debt to the government, how could he contribute $2000 to the Democratic party?

Certainly the Internal Revenue Service, in view of Callanan's obvious affluence, should find adequate grounds for reopening its tax settlement.

Surely there can be no connection between the enormously generous gifts of Callanan and Lawler and President Johnson's commutation of Callanan's sentence, which enables him to go back into union activities.

Nevertheless, perhaps former Attorney General Robert Kennedy—now Senator from New York—would care to comment on his recommending Callanan for a return to grace in view of the smelly record of the steamfitters as blocks to progress in St. Louis, Callanan's continuing to run the union from his jail cell and, most importantly, the remarks of the late Federal Judge Ruby Hulen who, in sentencing Callanan, described the case as a "more grievous and aggravated violation of the law," than other racketeering cases tried before him.

"The evidence of merciless use and betrayal of people who labor for their livelihood, and were members of unions supposed to be represented by these defendants, is shocking," Judge Hulen stated at the time. "Unless I had heard the facts under oath I would not have believed them."

The Judge remarked that Callanan "hasn't shown one bit of remorse. Indifference to the welfare of union workmen is glaring." Judge Hulen stated further, "Callanan took from the funds of the union, of which he is an officer, funds to pay for his defense . . . Callanan was the brains of the racketeering conspiracy."

Perhaps the White House itself would care to elaborate on the clean bill of health given Callanan last year.

It would be interesting to know, also, who urged Attorney General Kennedy and President Johnson to pardon this notorious extortionist.

The evidence of law violation and the possibility, at least, of the illegal use of union funds cries aloud for investigation.

Everyone who believes in good government will not be content until strong affirmative action is taken in the cases of Lawler and Callanan and, if there are abuses of law and trust, as we strongly suspect, they are thoroughly aired and punished.

[From the St. Louis Globe-Democrat, July 22–23, 1967]

STEAMFITTERS AND CORRUPT PRACTICES LAW—JUSTICE DEPARTMENT SHOULD ACT

The revelation that St. Louis Steamfitter Local 562 gave more than $80,000 from its lush political fund to out-of-state campaigns in 1964—and has never filed a report of these contributions as required by federal law—checks this issue up to the United States Department of Justice.

The Federal Corrupt Practices Act provides that "any committee, association or organization" which accepts donations or makes expenditures for the purpose of "influencing or attempting to influence" election of congressional candidates, must file a detailed list of receipts and disbursements with the clerk of the House of Representatives in Washington.

No such report has been made by the steamfitters, whose power hungry bosses seem to think themselves above the law. Nor were any reports filed for 1966 campaigns.

Yet United States statutes provide such reports must be made to the House of Congress whenever funds are given or received from two or more states.

Globe-Democrat investigation has shown checks for $1000 or more were sent to the war chests of politicians running for office in at least six states, including New York where $10,000 went to the campaign of Robert F. Kennedy for Senator. It has further been disclosed $52,000 was donated to the presidential campaign of Lyndon B. Johnson.

The notorious leadership of Steamfitter Local 562 is under the thumb of Lawrence L. Callanan, an ex-convict, who served a federal term for racketeering. While he was in prison, the union was run by John L. Lawler, who had charge of the political fund's purse strings during the 1964 campaigns.

After Callanan was released from prison, President Johnson gave him a commutation, a favor that permitted the steamfitter chief again to take over reins of the evil-smelling union, which is avidly reaching for a dominant influence in Missouri and, through its fat political giving to become a power in Democratic circles nationally.

While we don't intimate that the President received a contribution in payment for his Callanan commutation, $52,000 is a rich piece of campaign icing from a single local union.

Quite possibly, Mr. Johnson didn't even know about the gift. Now he does, and he as well as the other leaders of the Democratic party ought to be seriously concerned.

Attorney General Ramsey Clark should promptly start action to bring this union to book. He should move against the local bosses responsible for distribution of opulent political funds, eked out of a lug on working union members—campaign sugar unreported in violation of federal law.

If Mr. Clark feels any reluctance about going to bat with this issue, the President should instruct the Attorney General to act.

The move for bringing this case to court should be made by the Criminal Division of the Justice Department, in St. Louis or in Washington, where jurisdiction probably lies. The statute of limitations runs five years for violating provisions of the reporting law.

The steamfitters and their power-grabbing leaders are the most baneful political influence in St. Louis and in this state. They are reaching out with their lug-funded largess to thrust their influence into Congress, as witness the checks sent to candidates for Senate and House in areas as far away as Michigan, Wisconsin, Minnesota and New York.

It is dangerous enough for any special interest, or politically ambitious group, to pave the way to power with campaign checks. Callanan reportedly has bragged the fund of his union satrapy has shucked out $18,000,000 during the last 20 years.

Now it develops not only has the Callanan-Lawler combine been contributing heavily, far and wide, to political campaign pots. It has ignored federal law in its operations.

The Justice Department would seem to have a clear obligation to act and waste no time instigating prosecution.

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, in response to the inquiry by the able senior Senator from Tennessee, and after consultation with the majority leader, with the Senator from Tennessee, with representatives of the minority, and with the manager of the bill, I am prepared to state that there will be no rollcall votes this afternoon; and I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Without objection, it is so ordered.

AMENDMENT OF THE INTER-AMERICAN DEVELOPMENT BANK ACT

The Senate resumed the consideration of the bill (S. 1688) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the fund for special operations in the Inter-American Development Bank, and for other purposes.

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I submit a unanimous-consent request and ask that it be stated.

The PRESIDING OFFICER. The unanimous-consent request will be stated.

The legislative clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Thursday, August 24, 1967, at the conclusion of routine morning business, during the further consideration of the bill (S. 1688) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to one-half hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader or someone designated by him: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. BYRD of West Virginia. Mr. President, before the request is propounded I wish to say again that this unanimous-consent request has been cleared with the majority leader, the manager of the bill, the Senator from Tennessee [Mr. GORE], the Senator from Ohio [Mr. LAUSCHE], and the minority.

The PRESIDING OFFICER. Is there objection? Without objection, the order is entered.

Mr. PROXMIRE. Mr. President, we are today considering legislation to increase the resources of the fund for special operations—the FSO—of the Inter-American Development Bank by the equivalent of $1.2 billion. The U.S. share of this increase would be $900 million and would be payable in three equal annual installments in fiscal years 1968, 1969, and 1970.

This increase of FSO resources would permit the Bank to increase its activity in the vital areas of agriculture and education and to assume new leadership responsibilities in the field of economic integration and multinational project financing.

There is a great deal of concern, both in the administration and in the Congress, over the U.S. balance-of-payments problem. In view of the serious threat to our payments position caused by the conflict in Vietnam, it is particularly appropriate that we study very carefully the impact of the Bank's operations on our balance of payments, and specifically, how this increase in FSO resources will affect the balance.

First, to place the discussion of U.S.-IDB payments relations in a broader context, let us look briefly at the trend of the U.S. payments position with Latin America. Latin America has become a bright spot in the U.S. payments picture. The Foreign Relations Committee heard testimony that in spite of the large amounts of assistance to Latin America channeled through our bilateral programs, the United States has had a net surplus of $340 million with the Latin American republics during the past 4 years.

I wish to stress: A net surplus of $340 million. From 1960 through 1964 we were in substantial but declining deficit with our neighbors to the south. But in 1965 we moved to a surplus of $170 million, and last year this surplus rose to $361 million.

Beginning in 1963, Latin America has gained substantial foreign exchange reserves through transactions other than those with the United States. The region had large trade surpluses with Europe and Japan from 1962 to 1965. But unlike Europe—and this is most important—Latin America has not been converting its increased dollar holdings into gold. As a matter of fact, Latin America has sold $435 million worth of gold since 1961. Of this decline, $200 million has been in the period since December 1962 when Latin dollar holdings have been rising.

The Latin American area has therefore been a strong plus for our balance of payments in recent years, and Latin American governments have been most careful to take U.S. interests into account in formulating their reserve management policies.

Let us now look at U.S.-IDB payments relationships and at the probable impact on our balance of payments of the proposed increase in the U.S. contribution to the FSO. The IDB began operations in 1960. The initial U.S. contribution to the Bank in 1960, as well as our contribution to the FSO in 1964, was paid 50 percent in cash and 50 percent in nonnegotiable, non-interest-bearing demand notes. The cash payments were reflected immediately in our balance-of-payments accounts. But payments in the form of demand notes do not enter our balance-of-payments accounts until much later—when they are actually drawn upon by the Bank for disbursement.

When in 1965 we again increased our contribution to the resources of the FSO, the United States made its payment entirely in the form of letters of credit—which, like notes, have no immediate impact—rather than in cash. Given the intervals which occur between the payment of contribution quotas to the Bank, the commitment of these funds to loans, and the actual need for cash to meet loan disbursements, the U.S. contributions have not been utilized immediately and therefore have not been reflected as outflows in our international payments accounts until well after the funds have been appropriated.

The net of all U.S. payments to and receipts from the Bank, taking account of both the FSO and the Ordinary Capital, during 1960–66 has been adverse to the U.S. balance of payments in the amount of only $69.0 million. If we exclude the early years when large cash payments for the initial capitalization of the Bank were taking place, we find that our net transactions with the Bank have been favorable to the U.S. balance of payments—in short the United States recorded a surplus of $122 million with the IDB during the period from 1963 to 1966. The United States will probably show a further surplus of $28 million in 1967.

In all, then, the Bank's operations since its establishment in 1960 through the end of this year, 1967, will affect the U.S. balance of payments adversely by a total of only $41 million, or only about a yearly average of $5 million. I stress that at the present time the entire IDB operation is favorable and not unfavorable to our balance of payments.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. SPARKMAN. The $5 million to which the Senator has referred takes into consideration the total operations from the very beginning of the Bank; is that correct?

Mr. PROXMIRE. The Senator is correct; and the initial years were adverse years.

Mr. SPARKMAN. Does the Senator have the surplus in 1966, last year?

Mr. PROXMIRE. Year 1966?

Mr. SPARKMAN. Take 1965. The Senator consolidated the figures for 1960 through 1966, I believe.

Mr. PROXMIRE. I have referred to the period 1963 to 1966.

Mr. SPARKMAN. Yes. May I give those figures?

Mr. PROXMIRE. Yes.

Mr. SPARKMAN. When we started the program we were in a deficit standing but that deficit grows smaller year by year until in 1965 we moved into a surplus of $170,000,000. Last year that surplus rose to $361 million, just in our dealing with Latin America and through this particular agency.

As the Senator said, taking into consideration all of the years, the average is $5 million a year. We cannot point to a record that is that good in many parts of the world; is that correct?

Mr. PROXMIRE. The Senator is correct. We certainly cannot.

Mr. SPARKMAN. Is it the opinion of the Senator that the argument that this has an adverse effect on our balance of payments is not correct?

Mr. PROXMIRE. It is my conclusion that the effect on our balance of payments is favorable and that it would be a mistake to argue that it would be adverse to our balance of payments.

Mr. SPARKMAN. I am glad that the Senator has made that point.

Mr. PROXMIRE. I thank the Senator.

Mr. President, the proposed U.S. contribution of $900 million under the pending legislation would have little effect on the U.S. balance of payments in total; and over the next 3 years or so, its impact will be negligible. The proposed U.S. contribution, as in the case of our 1965 contribution, would be available for use exclusively for the purchase of goods and services in the United States or in the Latin American member countries of the Bank. U.S. dollars used to finance local costs in Latin America would be made available only through the "special letter of credit" mechanism, which permits such dollars to be spent exclusively in the United States.

On the basis of the experience we have had with similar tying arrangements in the social progress trust fund, the administration estimates, very conservatively in my opinion, that fully 90 percent of the U.S. contribution will be used in the United States.

I call this 90 percent estimate conservative because actual SPTF experience under this arrangement has been that less than 5 percent of the U.S. money has been spent outside of the United States. More than 95 percent of U.S. money came back to us in the form of U.S. exports under SPTF projects and the letter of credit mechanism.

Taking the administration figure as a fair estimate, at projected levels of FSO lending, this means that the adverse payments impact of this $900 million contribution would be only $1 million in calendar 1968, $4 million in 1969, and $11 million in 1970. The bulk of the total estimated balance-of-payments cost of $90 million would not be felt until the years after 1970.

Mr. President, I would stress that our balance-of-payments problem is a matter of timing. We have a serious and significant balance-of-payments problem this year, 1967, and perhaps we will have a problem next year, 1968; but that does not mean that it will continue indefinitely.

In my judgment, it is most unlikely to continue after 1970.

Mr. President, these are the figures. They are based on sound reasoning and sound estimates. But I am sure that many of you are aware of a problem that is not so easy to analyze and not so easy to solve. I refer to the so-called export additionality problem. This problem, as it applies to the Bank, revolves around the phenomenon of local cost financing. As I mentioned before, local costs financed with dollars from the FSO are now tied to U.S. exports through a letter of credit arrangement which insures that the dollars must ultimately be used for the purchase of U.S. exports. In many cases, however, this requirement can be satisfied by financing normal commercial U.S. exports. This is called the substitution effect. To the extent this substitution occurs, U.S. exports are not truly additional to what they would have been in the absence of IDB financing, and no balance-of-payments advantage is gained by the tying of assistance.

Secretary Fowler has recently set up an interagency group to study and propose solutions to the problem of substitution as it affects our overall assistance programs. Sincere concern over the effects of this phenomenon as well as the overall impact of the IDB on the U.S. balance of payments is reflected in the attitude of the Bank's management and membership, which have recently agreed upon several measures which would moderate the impact of Bank operations on the U.S. balance of payments. This concern is well expressed, I believe, in the following words of the Executive Directors of the Bank in a report on the increase of FSO resources:

> In the light of these [balance of payments] problems, which should be regarded as basically transitory in nature, the Bank and its members fully appreciate the difficulties inherent in United States responsibilities in the free world. Accordingly, the Bank proposes to cooperate in the greatest possible degree with the United States in meeting these difficulties by suitable measures, which obviously would be subject to review as conditions change.

The measures which have been agreed upon are impressive. First, this same issue of local cost financing that I have been talking about was discussed at length in the Bank and between its member countries, and a step was proposed which would treat this issue in a highly responsible way. The proposal is to limit, on the average, the proportion of FSO dollar financing which may be used for local costs in borrowing countries to the level which prevailed in 1966, except in relation to the critical areas of agriculture and education. It is understood that this maximum average will be around 35 percent. Looking at the record of FSO experience during the 6 years of the Bank's loan operations, the average level of dollar financing for local costs has been about 47 percent. So, this measure would mean a 26-percent reduction in the proportion of such financing except in agriculture and education. In these two areas, the Bank will hold the financing of local costs with dollars to the minimum consistent with their high priority and with appropriate self-help efforts on the part of the borrower. The United States, through its Executive Director, will have a strong voice, loan by loan, in deciding what this minimum should be.

In addition to the percentage limitation, the Bank's Latin American members are sharply increasing the magnitude of their local currency contributions. These contributions can and will in many cases be used in place of dollars to finance local project costs in the borrowing countries.

These measures represent a responsible and well-balanced approach to U.S.-IDB balance-of-payments relations because they recognize the real need for local cost financing and balance this need with measures by the Bank and the Latin American countries to protect against possible damage to the U.S. balance of payments.

The Bank is also taking additional and welcome steps in the ordinary capital lending window in its efforts to safeguard the U.S. balance of payments. Although these steps are not directly related to the FSO increase we are now considering, they do help to demonstrate the Bank's awareness of and concern with U.S. balance-of-payments problems. Let me say a word about this.

Loans from the ordinary capital window of the Bank may now be used for procurement anywhere in the free world on the basis of competitive bidding. Accordingly a number of countries which are not members of the IDB have benefited substantially by receiving procurement orders for projects financed by the Bank. Yet the Bank has found it difficult to secure funds at reasonable terms on the markets in many of these nonmember countries.

The IDB Governors at their eighth annual meeting instructed the Board of Executive Directors to study further the mobilization of resources of nonmember countries and to propose for implementation such measures as might be required to correct the existing unsatisfactory situation. In taking this action, the Governors had before them a report which states that—

> The Bank should explore the possibility of producing or, if pertinent, increasing the contributions of those nations. If the result of this study and of the related inquiries so dictate, the Bank should not discard the possibility that the utilization of funds which presently may be used freely be linked, under appropriate procedures, to purchases in those countries whose contributions are satisfactory in the judgment of the Bank.

To summarize:

First, the Bank is operating in a region which on the whole and despite large assistance flows from the United States, is a bright spot in the U.S. balance-of-payments picture.

Second, the average annual adverse impact of Bank operations on the U.S. balance of payments has been only $5 million since the Bank began operations, a small sum by any standard when weighed against the vital work the Bank is doing in Latin America. The Senator from Alabama pointed out that this is because of deficits in the early years and big surpluses in recent years.

Third, the impact of the present proposal is expected to have a negligible impact on the U.S. balance of payments, particularly during the first few years.

Fourth, and very importantly, the Bank has demonstrated a sincere concern with U.S. balance-of-payments problems and has proposed reasonable and responsible measures which should be most effective in moderating those problems.

In short, balance-of-payments arguments do not provide a sound basis for opposition to this legislation. Indeed, the balance-of-payments facts and the Bank's extremely cooperative attitude argue most strongly in its favor.

Mr. BAKER. Mr. President, Latin American unity and cooperation have been a dream and goal of leaders of this hemisphere since the days of Simon Bolivar. The Inter-American Development Bank has proved to be one of the most effective tools for unified Latin American action in solving its problems and has brought us far down the road toward achieving the goal of greater cooperation among the nations of this hemisphere.

The amendments to the Inter-American Development Bank Act in S. 1688 would put new money into the fund for special operations which will have exhausted its resources by next year.

The success of the IDB and especially of the fund for special operations leaves, in my judgment, no question but that the bank and this phase of its operation should be continued. It should not only be continued but we should follow recommendations to increase our share of the fund to $900 million for the next 3 years. This would be about $50 million a year more than we now give to the fund.

Under the agreement our Government has reached with the participating Latin nations, they would likewise increase their contribution by approximately $50 million a year. This would be a highly significant 100-percent increase in the Latin American share of the total Latin share to about 25 percent instead of the present 15 percent.

This is a great step forward. But there is an even more significant aspect. Until now, the Latin contributors to the fund have insisted that their moneys be used for projects only in their own countries. Now the four largest contributors—Brazil, Argentina, Mexico, and Venezuela—have agreed to permit their funds to be used in any member country.

There is much more at stake here than just a simple increase in funds for the Bank. At stake is the much broader and significant question of increased involvement of the Latin countries in this Bank and in the overall goal of hemispheric unity.

We stand today at a crucial point. Should we fail to go along with this measure, it could be a severe setback for our efforts in Latin America.

Our approval of this bill is an investment in peace and progress in this hemisphere. Our failure to approve it would be a setback to all we have strived to achieve in the past 8 years. We cannot fail now.

To fail to provide the funds requested by the administration, or to reduce it and thereby make it necessary to renegotiate the agreement would be a discouraging blow to our Latin allies and one which could destroy their initiative and desire to push forward in this united effort.

Reducing or eliminating these funds would be a false economy which could potentially cost us far more than we are discussing here.

Despite the pressures at home for economy and the drain on our resources from the war in Vietnam, we cannot let our guard down in this hemisphere. The outbreak of a Vietnam-type war in this hemisphere or the emergence of another Cuba on a bigger scale cannot be tolerated. By keeping faith with the Latin nations in such joint ventures as the IDB and through it helping to strengthen and build up the economies of these nations, I hope that we can avoid such situations here.

I realize that those who oppose this measure do not do so with any intent to reduce our traditional cooperation with Latin America. They feel that we must take care of our problems at home before turning to those of other countries. In general, I agree with this position and I consistently voted last week to trim general foreign aid wherever possible. But the Inter-American Development Bank at this juncture in history offers a unique opportunity. We would be shortsighted to ignore it. We must not let the Bank falter and perhaps fail, for this would wash away many of the costly gains we have made in Latin America across these years. We cannot permit that to happen.

STATE TAXES INCREASE

Mr. BAKER. Mr. President, a major argument advanced against revenue sharing has been that the States are not doing enough to carry their fair share of the tax load.

An article published in the New York Times of August 20, 1967, indicates that the States are making much better efforts to carry their financial burden.

The important point that needs wider recognition in Government circles is that the States are nearing, in most cases, the limit of their financial capacities. They need help and meaningful assistance without Federal controls. My revenue-sharing proposal, S. 1236, which has been cosponsored by 15 of my colleagues, would be an important first step toward meeting the oncoming fiscal crisis.

I ask unanimous consent to have this article from the New York Times printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AVERAGE TAXES UP BY $25 PER PERSON—REPORT GIVES DATA FOR STATE AND LOCAL COLLECTIONS

CHICAGO, August 19.—State and local governments collected an average of $25 more taxes per person in fiscal year 1966 than in the previous year, a study showed this week.

The state-local tax take averaged $290 for every man, woman and child in the nation.

The increase followed a trend that has emerged since the Commerce Clearing House, a private reporting agency on tax and business law, began annual reports on combined state and local taxes in 1962. The studies are based on Census Bureau statistics.

In five years the per capita state-local tax burden has increased as much as $114 in Hawaii and $101 in New York. The trend was less marked in the South, where increases in five years have been less than $50 in a half-dozen states and only $37 in Texas.

The range of per capita state-local taxes in 1966 was from South Carolina's $188 to New York's $410, with California, $395, and Hawaii, $365, next at the upper end.

Six states—South Carolina, Alabama, Mississippi, Arkansas, Kentucky and Tennessee—collected less than $200, and the next two also were Southern states—Georgia and North Carolina. The per capita median was $287, an increase of $32 from 1965, the study showed.

New York was the only state to collect more than $400 per capita state-local taxes in 1966, but 14 other states and the District of Columbia had per capita tax burdens of more than $300. Those states were California, Colorado, Connecticut, Delaware, Hawaii, Iowa, Kansas, Michigan, Minnesota, Nevada, Washington Wisconsin and Wyoming.

In 1965, only six states exceeded the $300 mark, and none was over $400. Revised figures showed that New York headed the list in 1965 as well with $372.

At the bottom of the scale, however, there was less difference. Last year 11 states—Alabama, Arkansas, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia and West Virginia—had per capita tax burdens of $220 or under, while the year before 13 states fell in that category.

Amounts of the increases in per capita tax burdens over fiscal year 1965 ranged from a low of $11 in North Dakota to a high of $67 in Hawaii.

In addition to North Dakota, five states—Alabama, Georgia, Mississippi, Tennessee and Texas—had increases of $15 or less, while five states besides Hawaii—Colorado, Idaho, Iowa, Washington and Wyoming—had increases exceeding $40.

The study showed that state and local tax collections rose to the record high of $56.7-billion during the period, a jump of $5.5-billion. Leading the way was New York with collections of $7.485-billion. Close behind was California, collecting $7.478-billion.

Two states—Illinois and Pennsylvania—passed the $3-billion mark, and three—Michigan, Ohio and Texas—collected more than $2-billion each.

More than $1-billion was collected by each of nine states—Florida, Indiana, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, North Carolina and Wisconsin.

The state-local per capita tax burdens, rounded to the nearest whole dollar, in New York during fiscal years 1966, 1965 and 1962 were $410, $372 and $309; for New Jersey in those years, $288, $269 and $235.

Here is a rundown, prepared by the Commerce Clearing House, of state-local per capita tax burdens by states for the fiscal years 1966, 1965 and 1962, rounded to the nearest whole dollar:

	1966	1965	1962
$341 or over:			
New York	$410	$372	$309
California	395	361	304
Hawaii	365	298	251
Nevada	344	322	273
Wisconsin	343	310	244
$301 to $340:			
Massachusetts	335	302	271
Washington	335	294	253
Colorado	335	292	255
Minnesota	332	299	251
Delaware	322	302	242
Wyoming	320	278	246
Iowa	317	276	230
Connecticut	316	291	257
District of Columbia	311	288	-------
Michigan	310	290	237
Kansas	303	273	233
$281 to $300:			
Oregon	299	281	230
Vermont	297	278	232
Arizona	296	266	223
Illinois	296	266	242
Montana	290	265	232
Rhode Island	290	263	218
New Jersey	288	269	235
Maryland	288	261	221
Alaska	287	250	214
Idaho	287	245	191
Indiana	285	257	203
Utah	282	255	214
$240 to $280:			
South Dakota	276	241	207
Pennsylvania	261	245	207
New Mexico	261	243	287
North Dakota	259	248	217
Maine	253	233	212
Florida	251	233	198
Nebraska	248	220	184
Missouri	245	223	187
Louisiana	245	222	194
Ohio	243	225	199
New Hampshire	240	221	199
Oklahoma	240	216	186
$200 or under:			
Texas	220	207	183
Virginia	211	188	147
West Virginia	209	192	171
North Carolina	207	188	157
Georgia	206	191	152
Tennessee	193	178	144
Kentucky	193	175	150
Arkansas	187	159	140
Mississippi	184	170	140
Alabama	182	168	132
South Carolina	181	161	136

Last year, Census Bureau data indicated California's per capita tax was highest for fiscal year 1965. California tax collection figures subsequently were revised downward from $7.058-billion to $6.723-billion for fiscal year 1965, and the per capita tax became $361 instead of $379. This revision left New York the highest state in fiscal year 1965 in total tax collections—$6,726-billion—and in per capita tax burden—$372.

AMENDMENT OF THE INTER-AMERICAN DEVELOPMENT BANK ACT

The Senate resumed the consideration of the bill (S. 1688) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the fund for special operations in the Inter-American Development Bank, and for other purposes.

Mr. GRUENING. Mr. President, I am opposed to S. 1688, which increases the U.S. contributions to the Inter-American Development Bank by $150 million over a 3-year period. It is to me unthinkable and inconceivable that at a time when we are drastically slashing all our domestic programs—education, pollution abatement, resource development, public works, highways, the war on poverty, the war on crime, housing, aid to our cities, slum clearance, research, and all the essentials that will bring up to date much overdue neglect—we should even dream of substantially increasing any aspects of our foreign aid. What kind of a policy is it that while it deprives our own people of what they have not only long awaited but what has been actually voted by Congress simultaneously requests more money for foreign aid?

Far more reasonable would be to reduce our foreign aid program at least proportionately to the drastic cuts imposed upon the folks at home, only the beginnings of which we have so far been allowed to see.

My opposition to the increase in funds for the Inter-American Bank can be summarized very briefly by the following questions:

First. Should the United States embark on a program of increased assistance to foreign countries at a time when severe cuts have been made in its own badly needed domestic programs or should the recipient nations be made to take a cut in aid at least proportionate to the domestic cuts?

Second. Should the United States give increased economic aid to foreign countries without taking into account the adverse economic effects and waste in existing programs or should any increased aid be limited to the capabilities of the recipient countries to absorb and utilize effectively the increased assistance?

Third. Should an increased economic aid program for Latin American countries be divorced from the decisions of those countries to devote a considerable amount of their economic resources to obviously unneeded military programs or should all U.S. economic aid to Latin American countries be conditioned on an equal or greater cut in those countries' own military expenditures?

Fourth. Should any resolution increasing economic assistance be approved unless it indicates the close connection between economic development and the measure necessary to contain the population explosion which we are now witnessing in Latin America?

It is the needs of our own communities which have been sorely neglected because of the country's preoccupations with the war in Vietnam and the drain on available resources caused by that seemingly endless conflict. The President has said in his March 1967 message on Latin America proposing an increase in aid to Latin America that such increase "must not be at the expense of our efforts in other parts of this troubled world." I would certainly agree if the President meant to include Watts, and Harlem, and Appalachia, and Alaska's Indians and Eskimos—indeed, all of the United States—in "other parts of this troubled world."

Domestic program after domestic program has fallen by the wayside.

The President in his September 8, 1966, economic message and the Director of the Bureau of the Budget in his subsequent testimony before the House Ways and Means Committee announced a program of program deferrals and reductions. It was estimated at that time that Federal program levels would be reduced by about $3 billion and expenditures in the 1967 fiscal year would be reduced by about $1½ to $2 billion. Since then the figures have been revised sharply upward. Total delays, postponements, and reductions actually amount to $5.2 billion in the program levels. The effect of these program reductions on expenditures in 1967 is estimated at $3 billion.

More recently, the President has indicated that he will seek to reduce all domestic programs in 1968 by 15 per cent. Since a great many of these programs cannot be cut because of statutory and other requirements, the actual import of a 15 per cent cut in the total domestic programs would be much greater on those programs, such as the antipoverty and slums clearance programs.

I have a great regard for the countries of Latin America, and the men, women and children of these countries. They are our neighbors. Given sensible assistance they will continue to be good neighbors. But such assistance as Latin America requires must be gaged against our own domestic requirements. This is not the time to consider a huge increase, or any increase in aid. In all justice and fairness to our own people we should reduce foreign aid programs, at least proportionately to the reductions in our domestic programs.

Therefore, I shall vote against S. 1688.

PERSONAL STATEMENT

Mr. MORSE. Mr. President, from time to time we hear and read about Communist propaganda in our country. I think it is typical of most of us that we do not give it too much attention because the real thing does not often cross our lives.

On the other hand, we know that it exists. We take cognizance of it here in the Senate. We act from time to time, by the way of legislation dealing with both domestic and foreign policies that relate to Communist tactics, propaganda, or threats.

My colleagues in the Senate will recall that back in 1954, there was offered here on the floor of the Senate, in connection with a bill aimed at communism in unions, an amendment cosponsored by the then Senator from Massachusetts, Senator Kennedy, later the President of the United States. The then Senator from Minnesota, and now the Vice President of the United States, Mr. Humphrey, and the senior Senator from Oregon were the other two cosponsors of the Kennedy amendment.

The amendment became the law of the land, and is the law of the land today. That law outlaws the Communist Party in the United States.

When we speak of outlawing the Communist Party, we mean it is not a legal party in the United States. It cannot occupy a place on the ballot. It cannot have the benefit of other legal prerogatives to which legal political parties are entitled. The amendment defined the Communist Party as a conspiracy, rather than a political party.

How well I remember some of the liberals, including some liberal organizations in this country, that were highly critical of the Senator from Massachusetts and the Senator from Minnesota and the Senator from Oregon for our sponsorship of that amendment. They engaged in very typical loose thinking, highly fictitious, fallacious reasoning, in their criticisms of the Senator from Massachusetts and the Senator from Minnesota and the Senator from Oregon.

One of their prize arguments was that we would deny the right of people to engage in a revolution. My reply to them was, "I do not question the right to revolt." They cited me what they thought was unanswerable authority, although they took him out of context—Thomas Jefferson and his defense of the right of revolution.

I remember the occasion when I said to one of these liberal groups, "You get me a quotation from Thomas Jefferson in which he says that the Government will be party to financing its own overthrow, because that is what is involved in our amendment," pointing out the primary objective of the Communist forces in the world was the overthrow by force of existing governments and replacing such governments with totalitarian governments of Lenin-Marxism.

I said:

> All we are making perfectly clear in this amendment is that we are not going to vote American taxpayers' dollars to support a party in this country with a Communist philosophy, dedicated to the proposition of having as its objective the overthrow of our constitutional form of government by force. That is why I support this amendment, and I am proud to have my name on it.

That satisfied some of the criticism. But we were very careful, as the Congressional Record will show, to see to it that all the procedural guarantees were made available to any individuals that became involved in any prosecution for the advocacy of the overthrow of the Government by force, supplanting constitutional government with a government by way of Communist enslavement.

Mr. President, I give this little history as background to the very interesting exhibit I am about to insert in the Congressional Record. It is an exhibit that arrived in my office this morning. It is dated August 18, 1967. Its heading is: "Oregon District of the Communist Party."

Of course, Mr. President, in defense of my State, I want to make it very clear that for someone to write at the top of a piece of paper "Oregon District of the Communist Party" does not mean that we have a Communist Party in the State of Oregon in any legal sense whatever.

Of course, there is not anything to stop anyone from taking a piece of paper and typing at the head of it the words "Oregon District of the Communist Party, Post Office Box 3291, Portland, Oreg. 97208, August 18, 1967."

Then there is the following statement:

> The District Committee of the Oregon Communist Party condemns the role of Oregon's Senator Morse in the recent national railroad strike. Behind the big words about "mediation to finality" lies the hard fact that Morse has become the key man in President Johnson's move to deny the right to strike to organized labor. After his activities in last year's Aero-Mechanics strike and his willing participation in this year's railroad strike, Morse deserves the title of strikebreaker.

Well, this is typical of the propaganda that comes out of the minds of the Communists. They pay no attention to the facts. They do not let the truth or honesty or principles stand in their way to any degree at all.

Mr. President, I do not read this to answer it. It does not deserve an answer. I would not dignify it by putting in the facts that utterly destroy the false charges I have already read from the first paragraph. I merely read it so that the Senate will know, and the Record will show, that this prevarication is being disseminated in our country by those who refer to themselves as Communists.

This interesting document proceeds:

> The compulsory arbitration railroad bill passed by Congress and signed by LBJ on July 17th, is just the forerunner of an anti-labor onslaught inside and outside of Congress. Actually, this so-called "emergency legislation" is part of a conspiracy by the big corporations, the Congressional reactionaries, and the Johnson Administration to use the war in Vietnam as a cover under which they intend to curb the growing militance of the nation's workers by taking away their only real weapon—the right to strike! At the time of the New York's Transit Workers strike some 20 months ago, Johnson promised that he would devise ways of dealing with strikes against the "national interest." Now, with Senator Morse as the "liberal" front man, he is making good on his promise.

If anyone can locate in that paragraph any statement of operative fact, I should like to have it pointed out to me.

The next paragraph:

> Senator Morse has been the bitterest Senatorial critic of the war policies of the Johnson Administration in Vietnam. Now, he uses the argument of—*the need to successfully prosecute the war in Vietnam* to justify forcing the railroad shopmen back to work! His anti-labor position has become a liability for the growing peace movement.

Mr. President, I used to teach logic. I could not, if I were teaching it again, find a better example of a nonsequitur, the false cause fallacy, than the sentences I have just read from this third paragraph.

Mr. President, when you propose, as the Senate proposed and enacted into law, an act that provides for continued operation of the railroads of the country, so that the economy of the country will not be brought to its knees in an hour of national emergency, you are not following an anti-labor position. You are not following a position that is a liability to a peace movement. You are simply taking the position that when we are following a foreign policy that sends soldiers to the battlefield in Southeast Asia, we must keep our economy operating in the interest of giving the maximum protection to those boys while they are carrying out their duty; and they have no choice but to carry out their duty as patriotic members of our Armed Forces.

But this Communist Party sheet continues:

> The peace movement cannot allow itself to become a party to the suppression of labor. It must, instead, constantly point out that it is the war which is the cause of the high prices and high taxes which cut into the worker's standard of living, and it is those who support the war in their drive for more profits here at home and abroad also support the suppression of labor's right to strike.

That is typical, of course, of the policy of the Communist Party to encourage insurrection and the making of proposals that they hope will stir up enough domestic strife and confusion to lead to an overthrow of Government. It insults our intelligence.

But this nonsense continues with these words:

> One cannot be against the rights of labor and for the largest possible movement against the war, just as one cannot logically support the war without accepting the consequences of the war—including the suppression of the right to strike.

It is unbelievable, but that is what it says. How could English words be linked together in sentences more meaningless than these sentences are?

The next paragraph:

> Senator Morse has his reasons for doing Johnson's bidding on the railroad strike. He hopes to convince Johnson not to support his likely opponent in the Democratic primary—Bob Duncan. Duncan, of course, is a war hawk, and, as such, he is tied to the high taxes, high prices, high interest, low wages, and no-strike policies of LBJ. But there is no real choice between a Morse, who will sell out both the labor and the peace movement for personal political advantage, and a Duncan, who already has done so—all the way with LBJ.

Let me say, in all fairness to former Representative Duncan, that that paragraph is just as lying about him as the other parts of this propaganda sheet are lying about me. I want it to be perfectly clear that that is my position.

Then it ends:

> The Oregon Communist Party believes that the situation calls for an alternative—

Note the alternative—

> We urge that the labor movement, the Black community, and the peace movement look for a candidate who will provide an alternative to LBJ's policies—both at home and abroad.

Let me say that I know this propaganda will be completely repudiated by the labor movement in my State and in my Nation. It will be repudiated by the overwhelming majority—I think 99 percent plus—of the Negroes of the country. It will be repudiated by those who sincerely believe that our foreign policy should be changed vis-a-vis Southeast Asia, and, for that matter, our foreign policy in many other parts of the world as well. It will be repudiated, may I say, by all thinking Americans. But I wanted to call attention to what we must expect, in these troublesome times of this country, because the Communists always try to take advantage of critical periods.

Let trouble spots break out in any area or in connection with any set of issues, and we can expect that those with the Communist philosophy will try to spread their dissension within groups of very sincere and dedicated dissenters.

This memorandum is signed by Ralph Nelson, chairman. I do not know who he is.

I only want to say about him that he is not going to have any influence, in my judgment, on public opinion in my State. Oregon is a State with a glorious record of supporting our constitutional system of government, and the people of the State of Oregon have a glorious record of analyzing the issues and the stand taken on them by candidates. They will have no trouble seeing through this recital of unconnected half-truths, misstatements, and misguided judgments as are set forth in the six paragraphs of this Communist propaganda over the signature of one Ralph Nelson.

One has to have a sense of humor about these matters. One of my colleagues who saw the document said:

> You could very well afford to pay the printing cost of that document.

Let me say that I want nothing to do with that document except to make the answer to it that I have just made.

I say to the people of my State that we must make very clear that the Ralph Nelsons—and I say the Ralph Nelsons because he seeks to assume that others hold his point of view—will be completely repudiated at all fronts in my State on the false doctrines set forth in this astonishing memorandum.

Mr. President, I ask unanimous consent that the entire document be printed in continuity at this point in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

OREGON DISTRICT OF THE COMMUNIST PARTY,
Portland, Oreg., August 18, 1967.

The District Committee of the Oregon Communist Party condemns the role of Oregon's Senator Morse in the recent national railroad strike. Behind the big words about "mediation to finality" lies the hard fact that Morse has become the key man in President Johnson's move to deny the right to strike to organized labor. After his activities in last year's Aero-Mechanics strike and his willing participation in this year's railroad strike, Morse deserves the title of strikebreaker.

The compulsory arbitration railroad bill passed by Congress and signed by LBJ on July 17th, is just the forerunner of an anti-labor onslaught inside and outside of Congress. Actually, this so-called "emergency legislation" is part of a conspiracy by the big corporations, the Congressional reactionaries, and the Johnson Administration to use the war in Vietnam as a cover under which they intend to curb the growing militance of the nation's workers by taking away their only real weapon—the right to strike! At the time of the New York's Transit Workers strike some 20 months ago, Johnson promised that he would devise ways of dealing with strikes against the "national interest." Now, with Senator Morse as the "liberal" front man, he is making good on his promise.

Senator Morse has been the bitterest Senatorial critic of the war policies of the Johnson Administration in Vietnam. Now, he uses the argument of—*the need to successfully prosecute the war in Vietnam* to justify forcing the railroad shopmen back to work! His anti-labor position has become a liability for the growing peace movement. The peace movement cannot allow itself to become a party to the suppression of labor. It must, instead, constantly point out that it is the war which is the cause of the high prices and high taxes which cut into the worker's standard of living, and it is those who support the war in their drive for more profits here at home and abroad also support the suppression of labor's right to strike. One cannot be against the rights of labor and for the largest possible movement against the war, just as one cannot logically support the war without accepting the consequences of the war—including the suppression of the right to strike.

Senator Morse has his reasons for doing Johnson's bidding on the railroad strike. He hopes to convince Johnson not to support his likely opponent in the Democratic primary—Bob Duncan. Duncan, of course is a war hawk, and, as such, he is tied to the high taxes, high prices, high interest, low wages, and no-strike policies of LBJ. But there is no real choice between a Morse, who will sell out both the labor and the peace movement for personal political advantage, and a Duncan, who already has done so—all the way with LBJ.

The Oregon Communist Party believes that the situation calls for an alternative. We urge that the labor movement, the Black community, and the peace movement look for a candidate who will provide an alternative to LBJ's policies—both at home and abroad.

RALPH NELSON,
Chairman.

DISPOSITION OF FUNDS IN FAVOR OF THE UPPER AND LOWER CHEHALIS TRIBES OF INDIANS

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate the message from the House of Representatives on H.R. 678, a bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Upper and Lower Chehalis Tribes of Indians in Claims Commission docket No. 237, and for other purposes.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 678) to provide for the disposition of funds appropriated to pay a judgment in favor of the Upper and Lower Chehalis Tribes of Indians in Claims Commission docket No. 237, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BYRD of West Virginia. I move

that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to: and the Chair appointed Mr. Jackson, Mr. McGovern, and Mr. Fannin conferees on the part of the Senate.

INCREASE OF AMOUNT OF REAL PROPERTY WHICH MAY BE HELD BY THE AMERICAN ACADEMY IN ROME

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate the message from the House of Representatives on S. 281.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 281) to increase the amount of real property which may be held by the American Academy in Rome which was to amend the title so as to read: "An Act to increase the amount of real and personal property which may be held by the American Academy in Rome."

Mr. BYRD of West Virginia. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order previously entered that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 55 minutes p.m.) the Senate adjourned until tomorrow, Thursday, August 24, 1967, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 23, 1967:

AMBASSADOR

Edward M. Korry, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Chile.

INTERNATIONAL MONETARY FUND

William B. Dale, of Maryland, to be U.S. Executive Director of the International Monetary Fund for a term of 2 years.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Livingston T. Merchant, of the District of Columbia, to be U.S. Executive Director of the International Bank for Reconstruction and Development for a term of 2 years.

U.S. ADVISORY COMMISSION ON INTERNATIONAL EDUCATIONAL AND CULTURAL AFFAIRS

The following-named persons to be members of the U.S. Advisory Commission on International Educational and Cultural Affairs for terms expiring May 11, 1970, and until their successors are appointed and have qualified:

Dr. Homer Daniels Babbidge, Jr., of Connecticut.

Dr. Abram L. Sachar, of Massachusetts.

Dr. Robert A. Scalapino, of California.

NATIONAL LIBRARY OF MEDICINE

The following-named persons to be members of the Board of Regents, National Library of Medicine, Public Health Service, for terms expiring August 3, 1971:

Frederick Herbert Wagman, of Michigan.

Robert Higgins Ebert, of Massachusetts.

RAILROAD RETIREMENT BOARD

Howard William Habermeyer, of Illinois, to be a member of the Railroad Retirement Board for the term of 5 years from August 29, 1967.

EXTENSIONS OF REMARKS

The New Manpower Grab

EXTENSION OF REMARKS

OF

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 23, 1967

Mr. BOW. Mr. Speaker, once again, the Johnson administration is seeking congressional authority to expand the activities of the U.S. Employment Service under the guise of escalating the alleged unconditional war on poverty. The legislative vehicle which would make USES the principal manpower agency of the Nation is H.R. 11280. This is the new manpower grab.

Ostensibly, this bill would give USES a new charter which would "provide a more comprehensive and definitive statement by Congress" of the role that the Service is to play in dealing with the Nation's employment and manpower problems. In plainer terms, it would give approval to USES efforts to take over the entire employment placement industry now handled more than adequately by private enterprise.

Mr. Speaker, you will recall that a similar bid for power by the Employment Service died with the adjournment of the 89th Congress. The objectives of this bill are the same as those of last year's bill, although they have been buried amidst flowery and flowing language. The proposals appear to be but slight modifications of activities already approved and the logical extension thereof. The extension of powers provided for are couched in moderate terms and contain no extreme language which might alert and fan opposition.

But careful study reveals that the employment service bill of 1967, as this bill is entitled, is nothing more than a cleverly written attempt by USES to pull the wool over the eyes of Congress. The true intent of the bill is the eventual takeover of all employment functions of this Nation, all under the guise of assisting the unemployed and disadvantaged.

The March 1967 issue of the American Legion Magazine contained a brief statement I prepared regarding the purported need for a USES charter. Although written before the introduction of H.R. 11280, the article is appropriate to this legislation and to the prevailing policies of the Department of Labor regarding their so-called need for comprehensive manpower services.

Mr. Speaker, I insert this article in the Record so that every Member of this Congress will be made aware of the latest efforts of the administration to make additional inroads in another area of private enterprise:

> A "new charter" for the United States Employment Service is the polite description of an ambitious power grab that, if successful, would make this agency "the manpower agency" of the nation. This is the goal established some years ago by its former director, Louis Levine. It is a goal toward which USES has been working in countless quiet maneuvers. It is the goal it sought to legitimatize through the Clark-Holland Bill, which fortunately failed of enactment in the closing days of the 89th Congress.
>
> The USES received its present charter in the dark days of the great depression. It was given the task of finding jobs for the unemployed. This is still its primary responsibility, but USES has shortchanged the unemployed in order to extend its activities into services to employers, professional people and those who simply wish to change their jobs. It has sought to have industries assign their personnel functions to the employment services of the various states. It has tried to take over the placement services of our colleges and universities. It has offered testing and counseling services in high schools. In short, its efforts are directed toward a day when any American workingman or woman who seeks a new job will be required to go to the government employment agency. Every American businessman who seeks new employees will have to hire them through that agency. Total control of hiring and firing in America by any agency would be a serious blow to our free enterprise system, yet this is the ultimate goal of those who advocate the "new charter" for USES.
>
> The problem of unemployment today is serious enough to absorb all of the energy and all of the talent USES can muster. Men and women with skill are in great demand today. They need no federal manpower agency. But those who remain unemployed have great need for assistance. A recent survey in Ohio indicates that of 114,000 persons remaining unemployed, 99,000 are virtually unemployable because of educational deficiences, lack of training and work experience. Fifty percent are under 25 years of age, with their adult life time still ahead of them. Similar conditions are found in all states. It is a bleak prospect, indeed, unless the federal agency assigned this responsibility renders assistance in training, and in placing these people. Its present "charter" gives the USES responsibility and ample authority to help the unemployed find work. It has responsibility under the Manpower Development and Training Act to train the

unemployed. There is no requirement for broader authority or additional legislation. USES should concentrate on the job.

Unless you, as an American citizen, ask your Congressman and Senator to take steps to block the government's mammoth manpower grab, you may well find that your most basic freedom—the right to decide your own life career for yourself—will soon be the real battlefield victim of the war on poverty.

Thailand: A Dynamic and Constructive Pacific Neighbor

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 23, 1967

Mr. HANNA. Mr. Speaker, Thailand is one of the most active initiators and supporters of regional cooperation in Southeast Asia. As a result, Thailand is playing an important part in such organizations as ECAFE, ASPAC, ASA, the Colombo Plan, the Asian Development Bank, and the recently founded ASEAN. Bangkok often serves as the host city for the annual meetings of these groups and, in fact, was the city in which the ASEAN was organized a few weeks ago. This kind of regional "spirit" is of critical importance to the development of strength and stability in Southeast Asia and Thailand should be commended for her efforts in regional cooperation. It would be well worth our while to take a closer look at this dynamic and constructive nation.

Since the revolution of 1932, which overthrew the last of the absolute Kings, Thailand has been a constitutional monarchy with the King as Chief of State, a Prime Minister as head of the Government, a Cabinet, a Parliament, and an independent judiciary. The present Chief of State, King Bhumibol Adulyadej ascended to the throne in 1946; Field Marshal Thanom Kittikachorn, the Prime Minister, took office in 1963.

As is common to many developing nations in Southeast Asia, Thailand faces some problems in the Government. Although the problems are real, it is important that we view them in the perspective of a nation struggling to create a viable constitutional system upon the basis of a heritage of eastern monarchalism. There can be no sure guide to success in this endeavor. Only diligence and patience can overcome the historically based obstacles.

The most fundamental of Thailand's political problems and the one to which the most energy has been devoted is the development of a constitution suited to its traditions and to its present needs. The military, especially the army, has had a predominant role throughout most of this period, which has been marked by several coups and attempted coups. The most recent was in 1957. In 1958, a bloodless "revolution" carried out by the ruling military group abrogated the constitution then in effect and replaced it with an interim constitution which gave extraordinary powers to the Prime Minister and to the executive branch. At that same time Parliament was dissolved and replaced by a 240-member appointed Constituent Assembly. This body was given the dual responsibilities of serving as an interim legislative body and of drafting a new constitution. Today, the Constituent Assembly is still working on the drafting of the new constitution. Prime Minister Thanom had indicated that it would be ready on January 1, of this year, and that general elections would be held within 180 days thereafter. Although the Assembly failed for many reasons to meet this deadline, we can expect that the new constitution will be promulgated shortly. Meanwhile, order is being maintained and progress is being made under the interim constitution.

A second problem confronting the present administration is the threat of Communist subversion in the northeast. The U.S. State Department reports:

> It is clear that the Communists are making a major effort there.

Steps are being taken to preclude any serious problem of insurrection and the presence of U.S. military forces in the northeast provides the Thai people in the area a measure of security.

Thailand's role in foreign affairs is unique in the history of Southeast Asia. It was the only country to avoid colonization by the Western imperialists. The wisdom of the Thai Kings during the 18th and 19th centuries—maintaining domestic tranquility, while demonstrating great diplomatic skill with foreign powers—kept Thailand independent. Shortly after World War II the Thais developed close relations with the United States.

Thailand today stands as one of the most rigid resistors of Communist domination in Southeast Asia. The Thais have gone so far as to align themselves firmly behind the U.S. efforts in Vietnam, having pledged a small military force to assist in the fighting. As she has been since 1949, we may conclude that Thailand will remain a solid force against Communist aggression and a supporter of programs designed to produce stability in the region.

The Thai economy is a bright point in the scheme of Southeast Asian development. Although the Thai economy operates as a free enterprise system, the Government plays a significant role in its direction. Through careful supervision of export-import relationships, refusal to indulge in excessive deficit financing, and regard for inflationary pressures, the administration has achieved an extremely stable economy. Thailand's balance of payments is only slightly less than favorable—with foreign reserves to cover well over 1 year's total imports—and the currency is one of the most stable in Southeast Asia. This economic stability, of course, is attractive to foreign investors, as well as providing an extremely healthy atmosphere for domestic industry.

The Thai economy combines stability with a tremendous rate of growth. The annual rate of growth since 1960 has been 7 percent; it was 9 percent in 1966 and expansion has continued during the first few months of this year. Much of this can be directly attributed to the first 6-year plan which came to a successful conclusion in 1966—the original targets of the plan being achieved by the end of 1965. Most of the growth emanated from the industrial sector. In 1964 and 1965, the annual growth rate of manufacturing was 14 percent, electricity and water supply 19 percent, and trade and commerce 10 percent.

Despite the growth of industry, agriculture remains the foundation of the Thai economy. Eighty percent of the population depend upon agriculture for their income and 80 percent of those depend upon rice. The rate of growth in this sector has been disturbingly low in recent years—only 2 percent in the 1965–66 period. Yet, the labor force has not shifted substantially to other sectors. Rice, which once composed 60 percent of the total export figure is now only 33 percent. Per capita income has increased steadily for Thailand as a whole, yet those in agriculture have enjoyed only a small share of the growth.

Aware of this disparity and the detrimental effect that it could have on the economy in the long run, the Government plans to gear the second 6-year plan toward broad-basing economic growth. A greater share of the labor force must enter the industrial sector—at present 20 percent of the population produce 75 percent of the gross national product. This will call for a great deal of training to enable the Thai people to fill the various needs of industry and to update agricultural plans. The second 6-year plan presents a more sophisticated challenge to the administration, but their unqualified success in the first plan affords them much confidence.

At present two outside developments affect the Thai economy in a very favorable manner. First, there is the war in Vietnam. Thailand is now an important base for American efforts. Behind the American military, with its vast civil engineering capacity, flows much aid and many development projects of a nonmilitary nature. Most of this assistance is directed toward Thailand's northeast region which has always been an area of little production. Money and skill are now available for roads, dams, and schools. Further rapid expansion of consumer spending has resulted from American personnel, especially toward Western-style goods. In turn, this has given a boost to domestic industry.

The second factor, and again one that is a source of despair for many in other parts of the world while benefiting Thailand, is the failure of major rice producing nations to get their grain to market. Thailand, the world's largest exporter of rice before the shortage, is enjoying a great expansion of income from the resulting increased world market price. Although only a short-run phenomenon, the rice shortage will provide more funds for the development projects the Government plans for the future, among other things, by making the balance of payments more favorable.

The social conditions in Thailand appear quiet at present, and the administration is taking steps to maintain this tranquillity. The population of Thailand is 32 million with a comfortable population density. Housing shortages create a problem only in the Bangkok area and a housing development program is at work to alleviate the shortage. The provision of birth control education, now available from private groups, is being discussed for all Thai citizens as an attempt to keep the 3-percent annual population increase from expanding and creating the widespread problem found in many Southeast Asian nations.

Educational and health facilities present the most serious social problems. Over 100,000 children reach school age each year. For many, even the 4-year period of compulsory education is unavailable, and the inadequacies of the system increase for the higher levels of education. The Government is making steady progress in this field aware that education is of critical importance to long-range development. Educational facilities were expanded on all levels in 1966, and large appropriations have been made in the second 6-year plan for further growth—both in quantity and quality of education. The establishment of private schools will also be of assistance in the alleviation of this problem.

The shortage of health facilities is most grave in the rural areas. The national budget set aside B544.8 million—about $27 million—for the Ministry of Public Health for this year. Other assistance has been provided by charitable agencies and by American forces in the northeast section. These programs are still inadequate, however. The Government apparently recognizes the importance of these facilities and the prospects for serious progress are good.

As do many of the members of the Pacific community, Thailand suffers from the pains of development. This very proud, nationalistic state faces a number of social and economic problems. But, Mr. Speaker, Thailand is working diligently to overcome these handicaps and to assume a responsible role in world affairs. We can look to the Thai economy to continue to grow at the rapid pace of the past few years and to the Thai Government to continue their resistance to communism and to support cooperation among the independent states of Southeast Asia. Thailand is a valuable friend of freedom and cooperation in the Pacific community.

SENATE

THURSDAY, AUGUST 24, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Mr. Joe V. Hotchkiss, executive director, Council of Community Churches, Columbus, Ohio, offered the following prayer:

Almighty God, we are grateful for the many blessings that have been bestowed upon us. As we gather here at this hour, help us to accept the task that lies ahead. Grant us the knowledge that no matter how difficult the future may be, under Thy guidance and direction, we cannot fail.

Keep us aware, O God, of who we are and what is expected of us. As we discharge our responsibilities in the government of this Nation, help us to do so without malice or prejudice to any citizen, regardless of his religion, race, national origin, or status in society.

Grant unto this body and to all men the wisdom of Thy truth, that the community of God on earth is a reality and the understanding that all God's people are one, in the place where they are. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on August 21, 1967, the President had approved and signed the following acts and joint resolution:

S. 95. An act for the relief of Capt. Rey D. Baldwin;

S. 650. An act for the relief of T. Sgt. Anthony J. Corso, U.S. Air Force (retired);

S. 1281. An act to authorize the appropriation of funds to carry out the activities of the Federal Field Committee for Development Planning in Alaska;

S. 1296. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes;

S. 1701. An act to declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes; and

S.J. Res. 10. Joint resolution to establish the Golden Spike Centennial Celebration Commission.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, August 23, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements during the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar beginning with "New Reports."

The PRESIDENT pro tempore. Without objection, it is so ordered.

If there be no reports of committees, the nominations on the Executive Calendar will be stated.

UPPER GREAT LAKES REGIONAL COMMISSION

The legislative clerk read the nomination of Harold C. Jordahl, Jr., of Wisconsin, to be alternate Federal Cochairman of the Upper Great Lakes Regional Commission.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

MISSISSIPPI RIVER COMMISSION

The legislative clerk read the nomination of Brig. Gen. Willard Roper, U.S. Army, to be a member of the Mississippi River Commission.

The PRESIDING OFFICER (Mr. SPONG in the chair). Without objection, the nomination is considered and confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE

Mr. MANSFIELD. Mr. President, I call up the nomination under the Department of Defense.

The legislative clerk read the nomination of Townsend Hoopes, of Virginia, to be Under Secretary of the Air Force.

Mr. BYRD of Virginia. Mr. President, last week I asked the Senate to delay the confirmation of Mr. Hoopes as Under Secretary of the Air Force. I did this to emphasize the prevailing thinking among high civilian officials in the Defense Department. The view of Mr. Hoopes and many other civilians in high position in that Department have given me some concern.

At last week's meeting of the Senate Committee on Armed Services, I put a number of questions to Mr. Hoopes, one of which I should like to read this morning:

> Senator Byrd. Let me state it once more. My belief is that a long war in Vietnam is advantageous to the Soviet Union. Now, is that your personal view, or is it not your own personal view?
>
> Mr. Hoopes. I would say it is not my personal view, in broad terms.

Mr. President, for some time I have been concerned that men in high position in our Government refuse to concede that U.S. involvement in a long war in Vietnam is to the advantage of the Soviet Union.

To me it seems logical that if we are to end this war at an early date and in an honorable way, we must have people in top policy positions who are convinced that a long war is draining American economic resources and American manpower, to the extent that the war should be ended at the earliest possible time.

The war in Vietnam has not gone well, and the end is not in sight. I have talked with many high military officers and with most of the high civilian officials in the Pentagon, and not one of them will say that the end of the war in Vietnam is in sight—this despite the fact that over a 2-year period nearly 1 million Americans, including those who have been rotated out of Vietnam, have seen service in that small nation.

To my mind, it is not unlikely that one of the problems—perhaps the basic problem—is the attitude of high officials in the Pentagon, who refuse to concede that a long war for the United States in Vietnam is advantageous to the Soviet Union.

I asked the Senate last week to hold over the confirmation of Mr. Hoopes not because of any lack of integrity on his part. It was not a matter of personality. But I did it in order to emphasize my very deep belief that some of the policies we are following in regard to the handling of the Vietnam war are unwise and are leading to a long, long war in that area.

In that connection, I should like to cite some figures in regard to shipping going through Haiphong Harbor for the month of June. The amount of shipping going through Haiphong this past June was more than double the amount of shipping that went through the same enemy port last year.

To me it is tragic that we have drafted and taken from their homes and their families and their communities hundreds of thousands of Americans and sent them to Vietnam, and yet, simultaneously, have permitted the free flow of equipment and material to the enemy harbor in North Vietnam.

Again, Mr. President, I wish to emphasize that my request to delay consideration by the Senate of the appointment of Mr. Hoopes had nothing to do with any of his personal qualities, but it was my purpose in doing so to emphasize some of the thinking which prevails among high officials in the Department of Defense.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Townsend Hoopes to be Under Secretary of the Air Force? [Putting the question.]

The nomination was confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified immediately of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore announced that on today, August 24, 1967, the Vice President signed the enrolled bill (H.R. 10566) to provide for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 16. An act to amend title 38 of the United States Code in order to increase the rates of pension payable to certain veterans and their widows, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes; and

S. 281. An act to increase the amount of real and personal property which may be held by the American Academy in Rome.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Reports on Military Construction Contracts Awarded on Other Than a Competitive Bid Basis

A letter from the Commander, Naval Facilities Engineering Command, Department of the Navy, transmitting, pursuant to law, a report on military construction contracts awarded on other than a competitive bid basis, for the 6-month period ended June 30, 1967 (with an accompanying report); to the Committee on Armed Services.

Amendment of Act Establishing a Program for the Preservation of Additional Historic Properties

A letter from the Chairman, Advisory Council on Historic Preservation, Department of the Interior, Washington, D.C., transmitting a draft of proposed legislation to amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. JORDAN of North Carolina, from the Committee on Public Works, with amendments:

S. 222. A bill to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped (Rept. No 538).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TYDINGS (for himself and Mr. Mondale):

S. 2343. A bill to amend the United States Housing Act of 1937 to facilitate the purchase of dwelling units by tenant families; to encourage the formation of resident councils in public housing projects; to assist in the rehabiliation and modernization of such projects and in the provision of needed social services; and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 2344. A bill to provide for research for the control of those species of fish and other aquatic life in the waters of the Great Lakes which affect adversely the fish resources and ecological balance of the Great Lakes; to the Committee on Commerce.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK:

S. 2345. A bill for the relief of Rosie L. Fadul; and

S. 2346. A bill for the relief of Adela B. Cadag; to the Committee on the Judiciary.

AMENDMENT OF U.S. HOUSING ACT OF 1937 TO FACILITATE THE PURCHASE OF DWELLING UNITS BY TENANT FAMILIES

Mr. TYDINGS. Mr. President, the 90th Congress has seen a noteworthy surge of interest in the problem of housing for low-income families. From a number of different sources have come plans for new means to provide attractive and inexpensive dwellings and to encourage homeownership. While I support this search for new initiatives in housing, for new and imaginative uses of private, profitmaking enterprises, I believe we should not forget the programs we already have. With the flurry of proposed new mechanisms for providing low-income housing, I believe we have thus far paid too little attention to the need for improving the mechanisms which are already operating. There are many flaws in our existing programs. But low-income housing has been and is being constructed under these programs. I believe that we cannot use the flaws we see in these programs as excuses to abandon them altogether.

For the past 20 years, our basic attack on the problem of providing housing to low-income families has been the construction of public housing. Approximately 640,000 units now exist across the country. Every municipality of any size has governmental machinery which is planning and building new public housing units. Between 1964 and 1966, 425,000 households—1.5 million individuals—were admitted to low-rent public projects. We cannot turn our backs to public housing programs and call the whole undertaking a failure. We must do our best to remedy its inadequacies.

Public housing, as it operates now, has not met the high hopes of its sponsors. It has not solved our urban housing problems, and in many instances it has even created new problems. In too many cities, housing units which were, in the first place, cheaply and inadequately built, have been allowed to deteriorate shamefully. In too many cities, petty bureaucrats wield arbitrary power over all aspects of the lives of public housing tenants, treating them not like citizens but like supplicants for royal favor.

In too many cities, tenants regard public housing projects as the "end of the line." Such projects become collections of society's failures and the breeding ground for crime and despair. The tenants feel no stake in the projects and no responsibility toward them. In substantial part, this attitude is fed by inflexible rules which require the eviction of tenants whose incomes rise above fixed levels. Instead of rewarding this indication of social success, and holding out these tenants as examples for others, public housing rules now penalize these tenants. Often these tenants are unable to afford decent housing on the private market even though their earnings exceed public housing maximums. Thus, the penalties of "success" are plain to everyone in public housing. Economic and social failure is made the desirable goal.

During the past 3 months, I have consulted extensively regarding the problems of public housing with local public housing authorities, with residents of public housing, with antipoverty organizations, with representatives of the National Association of Housing and Redevelopment, and with others. The legislation I am introducing today, with the cosponsorship of Senator MONDALE, was prepared based on these consultations. Representative HENRY S. REUSS is introducing the companion bill in the House.

In my investigations, and particularly during several visits in Baltimore public housing projects, I became convinced that many of the excellent programs undertaken by the Baltimore Urban Renewal and Housing Agency—BURHA—under the able direction of Richard Steiner, can provide a blueprint for remedying a significant number of the ills of public housing across the Nation. Let me cite several of these programs. BURHA actively promotes the formation of resident councils to express views about project management and to undertake activities for the general welfare of the project. Moreover, as I have seen on my trips in the city, project managers pay attention to the views expressed by resident councils and take action to remedy grievances. In addition, every BURHA project attempts to offer as wide a range as possible of social services to project residents, although the available funds for this purpose are unfortunately limited. As part of this program, BURHA encourages the local antipoverty agency to use facilities within projects as bases for their services to the entire neighborhood. I believe these programs should be emulated across the country, and funds should be made available so that the programs can be expanded generally.

These programs give attractions to life in public housing projects. Because of the enlightened approach of the Baltimore authority, I know from my investigations that a significant number of public housing residents in Baltimore would prefer to stay in their dwellings, even though they have reached the maximum income levels permitted under existing law. These residents would welcome the opportunity to become owners of their units. And, as I shall discuss, I believe many benefits would come to public housing projects across the country if such tenants were permitted to become homeowners.

Our basic aim must be to invest public housing projects with an active sense of community pride and spirit. When projects lack a sense of community—when they contain no one but those identified as social failures, when they are shut off physically and socially from their surrounding neighborhood, when they are managed by bureaucratic fiat without regard to the needs of the residents—then public housing merely adds to our ills by fostering social alienation and economic dependency. The goals of all our social programs, including public housing, must be the opposite—to foster social involvement and economic independence. That is the goal of the legislation I introduce today.

I. PRIVATE OWNERSHIP OF PUBLIC HOUSING UNITS

The first purpose of this legislation is to end the shortsighted, self-defeating policy which evicts public housing tenants who are successful in increasing their incomes.

Last year a knowledgeable official involved in Federal public housing policy made this observation:

> Our principal legislative constraint has been the requirement that families whose incomes exceed the limits established locally for continued occupancy must vacate the project. This has meant that over time, the public housing program has progressively served a lower income segment of the housing market. It has also meant not only an increasing economic-class concentration of the families, but also a constant loss of the more successful, upwardly mobile segment of the tenant population. Thus the encouragement to individual aspiration that the presence of success models might have had upon other tenants, has been lost. Since those who are upwardly mobile and successful move out, obviously those who remain are those who haven't or can't make it. In short, the process of graduation from public housing projects may well create for the non-graduates a sense of hopelessness and little self-worth. (Abner D. Silverman, Remarks at Federal Housing Authority Director's Meeting, Washington, D.C., May, 1966.)

I believe that this legislative constraint must be abandoned. I believe that public housing tenants should be positively encouraged to remain in public housing—and that they should be given a greater stake and sense of responsibility than could be possible by maintaining an indefinite status of tenant. Economically successful tenants should be given an opportunity, and encouraged to purchase their dwellings. The sense of individual responsibility and pride which homeownership brings should be made available to public housing residents.

Since 1965, the Housing Act has permitted local agencies to sell detached or semidetached public housing units to tenants. This program has, however, had virtually no impact for two basic reasons. First, the category of units which could be sold was unnecessarily restricted. Second, the purchase price payment arrangement prescribed by the 1965 legislation was so rigid that few, if any, families whose income had reached maximum occupancy limits could afford the required payments. The legislation I propose today remedies both these problems, by giving maximum flexibility to local agencies in determining what units can be sold and what purchase price payment rate should be required.

A legislative proposal now pending in Congress would broaden the category of purchasable public housing units to those units which are "sufficiently separable" from other units to be "suitable" for private purchase. I believe this proposal, though a definite improvement over the 1965 legislation, is unduly narrow. Condominium arrangements have proven both workable and attractive in private multiunit housing, and I see no reason that a local public housing agency should be forbidden from using this valuable technique, as a means of encouraging ownership and economic mixtures in all of its housing units. As private condominiums have demonstrated, it is an easy accounting proposition to apportion common facility costs among condominium residents. The same accounting techniques can and should be used in public housing projects. To reject this possibility is to forgo the possibility that high-rise public housing can share the benefits of social and income mixes brought by continued occupancy of "above-income" tenants. Yet of all public housing, high-rise units most need the social impetus which private ownership of individual units may bring.

The second obstacle which has deprived the 1965 legislation of significance, and which would not be remedied by the proposal already pending before this Congress, is that tenants at maximum income limits cannot easily afford to purchase units on terms which can presently be offered. A family with two children, having an annual income of $4,800 is, based on national averages, at present maximum income level for public housing occupancy. This family should be required to spend no more than 20 percent of its income on housing costs. Although the desirable percentage figure may be higher for those with larger income, it is generally accepted that the 20-percent figure is most appropriate for the relatively lower income families. Thus a family earning $4,800 should spend no more than $80 a month on housing. But, using national average figures for public housing projects, I estimate that total monthly payments—including services, local taxes, interest and principal—would under present law range from $94.57, for a unit valued at $13,250, to $104.80, for a unit valued at $15,890. In highest priced urban areas, such as New York, maximum income level increases to $6,000, allowing a $100 per month housing cost. But housing costs there are also increased. Thus I estimate that total monthly payments for a housing unit purchaser in New York would range from $115.40, for a unit valued at $14,900, to $124.75 for a unit valued at $17,360.

See table I at the conclusion of my remarks.

Thus, if private ownership of public housing units is to be a viable alternative to eviction of over-income tenants, some flexibility for purchase price payment must be provided. I believe such flexibility is both possible and desirable. The legislation I introduce provides that monthly principal payments may be reduced, and the presently required 40-year amortization period may be correspondingly extended, so that total monthly payments will not exceed 20 percent of the purchaser's income. As is evident from table I, reduction of principal payments would be sufficient to bring total payments within proper income range.

Although principal payments may be reduced, the public agency is, of course, still obligated to repay at the previously agreed rate those who hold outstanding bonds on the project which includes the purchased unit. To insure that bondholders will be fully protected, and that the public agency will be able to meet its repayment obligation, the legislation I introduce provides that the Federal annual contribution shall be maintained "at an amount equal to the debt service on interest and principal payable by the public housing agency, and not paid to the agency by a purchase" of the particular dwelling unit. Even with reduced principal payments, the public housing purchaser would still be paying more toward the full costs of his unit than he pays as a tenant. Presently the Federal annual contribution bears almost the entire amortization cost—both principal and interest—of each public housing unit. Rental receipts usually account only for operating expenses.

This flexibility regarding principal payments not only permits above-income tenants to become purchasers. It also protects purchasers against the problems of fluctuating incomes. One grave problem which disables many low-income families from becoming homeowners is uncertainty of income and proneness to temporary unemployment. The possibility that principal payments can be reduced when family income suddenly drops, is an invaluable and necessary protection.

While reduction of principal payments gives significant protection, the legislation is so devised that the reduction does not give an undue windfall to the purchaser. Under present law, if a purchaser wishes to move from his unit or if he defaults on his contract, the public housing agency has an option to repurchase the unit by paying the aggregate principal payments made by the purchaser. This new legislation would basically continue this provision, so that a purchaser who was making reduced principal payments would obtain no more than he had paid.

I should note that under present law, and under my proposed legislation, this repayment of principal payments is a significant boon to the public housing purchaser. In effect, by changing from a tenant status to a purchaser's status, the public housing resident immediately comes into one substantial benefit of ownership: he begins to accumulate an equity in his dwelling, which he can later redeem for himself or his children. This equity savings account can be of significant assistance to fostering a sense of economic security, and continued upward social mobility, for public housing residents who had previously paid only rent and retained nothing from their payments. Indeed, the usefulness of this equity savings feature of public housing ownership should be emphasized by public housing agencies in encouraging tenants to become owners, to carry out the intent of this legislation. It is, of course, not necessary for a tenant to have actually reached maximum income limits to become a purchaser, either under present law or under this proposed legislation. The tenant need only have sufficient income to afford to become a purchaser, and this should be an active possibility for many tenants under the flexible payment formula provided by this proposed legislation.

One other aspect of this legislation gives useful and necessary financial flexibility to local agencies in devising workable purchase arrangements. The agency can enter a purchase agreement with a tenant without at the same time necessarily conveying legal title to the tenant. The advantage of postponed conveyance of title is that the agency can retain its partial exemption from local taxes, and the monthly housing cost to the purchaser is reduced accordingly. Title can be conveyed when it is evident that the purchaser can afford to bear full local tax payments.

In a number of ways, the transition from public housing tenant to public housing owners is thus assisted by this proposed legislation. Another provision, regarding services furnished for the purchased unit by the local agency, is also designed to ease and encourage transition from tenancy to ownership. The legislation provides that the agency may charge the purchaser for the cost of services provided to him, but the agency is instructed to "encourage the purchaser to assume all responsibilities of ownership," including provision of services required for his dwelling unit. Thus, for example, if repairs are needed, and the purchaser wishes to furnish these repairs himself, he is entitled as a homeowner to do so. The legislation also provides that the agency may prescribe minimum standards for dwelling units to protect the interests of other directly affected units.

Encouraging above-income tenants to remain in public housing projects can, I believe, bring great benefits both to the tenant—by easing his transition to homeownership, providing equity savings as one attribute of ownership, and making available housing which he can afford—and benefits to the public housing projects as well—by encouraging a desirable mixture of economically and socially upward mobile families. Having such families in the project will provide examples and leadership to the other residents, and it can change the whole tone of the public housing programs. Projects need no longer be regarded as temporary dwellings or as a shelter for failures; they can be seen as buildings in which people chose to live because they are desirable places to live.

Unfortunately, the pressing need for low-income housing continues unabated, and our national supply remains inadequate to the need. For the social health of public housing projects, we must not allow them to become shelters for failures. But neither can we follow policies which exclude those with the lowest incomes from public housing. Their need is too great, and the alternatives for them are too bleak. The two policies—retaining the successful and maintaining accessibility for the very poor—must go hand in hand. Accordingly, the legislation provides that the Department of Housing and Urban Development shall give priority to requests from local agencies to replace units which are sold under this proposed program, and thus insures that units which are sold will be readily replaced by additional units which can be made available for new low-income tenants.

The legislative proposals I have outlined will, for the first time, make it possible for public housing tenants to purchase their dwellings and remain in them when they have reached maximum income occupancy limits. But this will not be enough to make this program successful. There must also be powerful incentives to convince tenants that they want to remain in public housing as owners. Aside from the financial advantages of ownership which I have discussed, two other advantages must be assured: First, the physical facilities of the project must be attractive and modern; and two, project residents must have significant influence over the operation of the projects. In short, ownership of public housing units must not only be possible; it must be desirable. If we achieve this goal, we will have significantly improved public housing for all its residents, owners, and tenants alike. That is the intent of the legislation I introduce today.

II. PROJECT MODERNIZATION AND REHABILITATION

Public housing projects, in many parts of the country have deteriorated physically so that they are coming to resemble the slums which they replaced. Many units were built during the Second World War when materials were scarce. Other units were constructed without adequate attention to the needs which they must satisfy—electrical wiring is thus inadequate to modern appliance requirements, plumbing does not accommodate laundry equipment and so forth. And many projects, inhibited by unrealistic original construction cost limits, failed to provide general facilities such as playground space or public rooms which could be used for classrooms or nurseries, or space for establishment of small commercial activities such as family grocery stores or laundromats to serve residents without easy access to community facilities.

Funds must now be made available to arrest the deterioration of older public housings projects and to improve the facilities of the others. The necessary cost would be small compared to overall Federal project costs. Since the inception of the public housing program 30 years ago, well over $1 billion has been expended by the Federal Government in annual contributions to local public housing agencies. An additional Federal annual payment of $5 million, rising over 5 years to $25 million in fiscal year 1972, would bring substantial physical improvement and modernization of all existing public housing units. A Federal contribution of this relatively small amount would mean local public housing agencies could borrow from private commercial lenders over $300 million. The Federal investment is small, and the returns would be significant.

Theoretically modernization funds are already available from reserves accumulated by local agencies and from the presently authorized Federal payments to local agencies. But this availability is, unfortunately, only theoretical. Local reserves are in fact quite limited, and the demand on existing authorized Federal payments for the construction of new units is greater than the available funds. Thus, modernization needs are not being met. A special, earmarked fund of sufficient magnitude to permit these needs to be promptly satisfied, is vitally necessary for the health of public housing projects throughout the country.

III. SOCIAL GOALS OF PUBLIC HOUSING

The initial hope of reformers, who saw public housing programs as a panacea for the problems of poverty, was that recent living conditions would in themselves eradicate the social problems of the slum dwellers. This hope has proven false. It is now clear to all that decent physical living conditions are at best only one part of the social needs of the poor—an important part, but only a part.

This realization is made evident in the range of antipoverty programs which have been launched since 1964, under the Office of Economic Opportunity, the Department of Health, Education, and Welfare, the Department of Labor and others. These programs rightly reject the assumption that physical conditions in themselves dictate social conditions. But, in discarding the assumption under which public housing programs were initially heralded, we must not ignore the potential for expanding the function of public housing to encompass social as well as physical goals. There is a vital social role which public housing can and should play in the overall antipoverty effort. We must not overlook this potential merely because the original sponsors of public housing failed to see it.

In my view, there are two basic ways in which we should utilize public housing projects to accomplish important social purposes. The first is to develop within public housing projects, active and significant instruments of local self-government. One basic, and I believe vitally important, aspect of our present antipoverty program is to involve the poor in making decisions which directly affect them. This principle must be extended to public housing, to involve all residents in the managerial decisions which affect their lives.

Seemingly small, things like control over who may enter one's dwelling and the conditions under which management is permitted to use master keys to enter are in reality vitally important aspects of the rights to privacy and fundamental decency. Seemingly small decisions such as whether new screen doors are needed more than repaving of the sidewalks, or whether new recreation areas or equipment are necessary, should be made in significant part by the people who are intimately affected by those decisions—the public housing tenants and owners themselves. In short, local self-government must become a reality in public housing.

Although the goal of local self-government is in the abstract difficult to dispute, in practice relatively few local public housing authorities have permitted its realization. In too many local projects, a patronizing attitude of "big brotherism" pervades the relationship between the local authority and public housing residents. The residents' view are not actively solicited, and are ignored when offered. There are, moreover, persistent reports from many parts of the country that public housing residents who band together to express common interests and concerns in project management are viewed with hostility by public housing authorities and, in some instances, subjected to retaliatory action—even eviction—by the authorities. Many of these reports may be exaggerated. But they are widely believed by public housing residents even in cities with most enlightened management. Positive action must be taken not only to dispel the view that local authorities are hostile to resident organizations, but also to create and encourage such organizations. Resident organizations can become the nucleus of a sense of community within public housing projects, and a sense of involvement in civic affairs generally, for project residents.

I believe that new legislation can provide an effective framework for fostering local self-government in public housing projects by establishing the rights of public housing residents to band together for common interests and to require public housing authorities to recognize the legitimate function of these organizations. Accordingly, one section of the legislation I introduce today provides that "each public housing agency shall, to the maximum degree practicable, encourage and facilitate the formation and operation of resident councils, both within individual projects and among the several projects which may be operated by the agency, so that the views of residents of the projects with regard to any aspect of their management shall be fully and freely expressed." It would not be sufficient, of course, for a local agency merely to tolerate the existence of resident councils. Their views must be sought by the agency, and action must be taken to respond to the project needs which they express.

Facilitating residents organization is one means of insuring that public housing projects accomplish vital social purposes. Another means is to view public housing projects as focal points for overall community efforts to deal with the problems of the poor. Public housing must be an integral part of Federal, State, and municipal action against poverty. The physical facilities of projects must be made available to agencies at all levels responsible for providing services to the poor. These services must not, however, be limited to residents of the public housing project in which the facilities are located. We must take every possible step to break down any sense of social or physical separation between public housing projects and their surrounding neighborhood. The projects must not be regarded as ghettos by those living within or outside them. We must seize this opportunity to break down separation between the project and its neighborhood by making the project a part of the entire neighborhood in the provision of social services.

But more than provision of physical facilities is required. Public housing projects must have staff—both professionals and nonprofessionals drawn from the poor themselves—who are alert to the needs of project residents and who insure that their needs are being met, either by referral to a community agency already providing services, by devising new programs with community agencies to satisfy unmet needs or, where necessary, by providing services themselves to meet needs which would otherwise be unsatisfied.

The public housing management must itself adopt a conception of its role as much broader than meeting needs for physical shelter. It must actively participate in meeting social needs. At present, the funds available to local public housing agencies are hardly adequate, however, to meet even the physical needs of projects. New funds are therefore needed to permit local public housing agencies to accept their responsibility for a broader social role. I have consulted with officials of the National Association of Housing and Redevelopment, and based on their estimates of staffing needs to carry out required social programs. I propose that, for the next fiscal year an authorization of $10 million be made, increasing by annual increments of $10 million to $50 million annually after 5 years. The cost justification, on a per-unit basis, for the full authorization of $50 million, is set out in table II, attached at the end of these remarks.

IV. FEDERAL SURPLUS REAL PROPERTY

The program which I have discussed thus far is directed at improving our existing public housing program. The final section of the legislation I introduce today is designed to tap a new resource for expanding our present program for providing low and moderate income housing, both through the public housing program and other Federal, State, and municipal urban renewal programs. There is, throughout the country and particularly in urban areas, a desperate shortage of housing available for low and moderate income families. We have devised many programs to attempt to meet this shortage—public housing, FHA-subsidized mortgages, rent supplements, 221(d)(3) projects and the like—but, for a variety of reasons, a serious shortage remains. I believe we must use every resource at our command to meet this shortage, and I propose that we use one additional resource which thus far has not been tapped. According to a survey which the General Services Administration recently forwarded to me, at the beginning of this year, there was a total of almost 33,000 acres of unused federally owned land in metropolitan areas of 100,000 or more population. This land has been formally classified as surplus and awaits disposal by the Federal Government. There is also an additional 20,000 acres of Federal land which is not being used by any Federal agency though it is now termed excess land and is not yet formally classified as surplus. This total acreage, in municipal areas, amounts to approximately 81 square miles—the euivalent of the total land area of Cleveland, Ohio. The GSA survey, identifying the locale of Federal surplus and excess land is attached as table III.

Under present law, this land can be made available to States or municipalities at less than market value for such purposes as recreation, preservation of historical areas, or construction of hospitals or education facilities. But a municipality which needs this land to meet its housing shortage must compete with private purchasers for the land and must in any event pay full market value. On those terms, it is most often impossible for the municipality to construct housing which low- or moderate-income families can afford.

I believe that the housing shortage is sufficiently urgent that the Federal Government should make available its surplus land to municipalities, for construction of low- and moderate-income residences, at 50 percent of market value. Such provision would treat housing needs in the same way that recreation or conservation needs are now treated with regard to disposal of surplus Federal lands. This Federal resource should be made available as another resource in meeting our urgent shortage of low- and moderate-income housing.

Mr. President, the proposals I advance today will, if enacted, give significant impetus to improving the quality of our public housing program and to bring that program closer to the dreams of its original sponsors. These proposals will also offer significant assistance to housing construction programs generally. I am hopeful that these proposals will be favorably considered in the 90th Congress.

Mr. President, I ask unanimous consent that a statement by Senator MONDALE be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MONDALE

I wish to commend the Senator from Maryland (Mr. TYDINGS) for his leadership in offering this bill to revitalize public housing. I know the Senator has devoted much time and effort in his search for a proposal to bring the concept of public housing into the '60's. It is a privilege to be a co-sponsor of this bill in the Senate.

The Housing and Urban Affairs Subcommittee, of which I am a member, has just finished its hearings on the housing bills of 1967. One of the themes that was cited throughout these hearings is the lack of safe, decent, sanitary housing units for our citizens of low income. Although home ownership proposals, where much of our attention was focused this year, will assist to arrest this lack of decent housing, we must realize that the primary source for housing for the low income will for many years be public housing.

We cannot continue to criticize public housing as "high rise public slums," but rather we must attempt to modernize the program and meet the objections of the critics. This bill is the first major proposal to revitalize public housing since 1949. Our ideas, our values, and our standards have changed since 1949, but public housing has not. It is no wonder that there are more and more critics of this program who view it as an outdated concept.

This bill will bring public housing up to date. First, the manner in which we treat public housing tenants will be brought up to date. Instead of viewing him as a recipient of public welfare and as a second-class citizen, this proposal makes clear that he is an equal citizen. It will give the tenant incentive by permitting him to purchase his unit. An increase in self-respect, pride, and a feeling of dignity are the results of home ownership. The first section of this bill will provide the mechanism for home ownership and yet keep the minimum monthly low enough to allow a family with an income of $3,000.00 a year to purchase this unit.

Second, the dwelling units themselves will also be brought up to date. The bill provides for money for the rehabilitation and modernization of public housing. This is overneeded. Some of our public units are a disgrace. They look like barracks out of World War I or refugee camps. This is a situation that must be altered immediately. These buildings, if left this way, will have to be torn down, which will mean fewer and fewer units for those of low income. Third, the philosophy of public housing is brought up to date. In the past we have centered too much of our attention on the provision of a safe, decent place to live. This is not enough. The public housing dweller, like the middle-class citizen, needs to have a sense of community. This bill will foster such a sense of feeling of community by encouraging the use of resident counsels in planning for social services adjacent to the public housing unit.

Thus, I feel that the major revamping of public housing is necessary. It must be revitalized. This bill attacks the problems of public housing head-on and offers the necessary solutions to modernize the program.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the full text of the legislation and a section-by-section summary of it appear at this point in the RECORD, followed by the three tables to which I referred in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and without objection, the bill, summary, and tables will be printed in the RECORD.

The bill (S. 2343) to amend the U.S. Housing Act of 1937 to facilitate the purchase of dwelling units by tenant families; to encourage the formation of resident councils in public housing projects; to assist in the rehabilitation and modernization of such projects and in the provision of needed social services; and for other purposes, introduced by Mr. TYDINGS (for himself and Mr. MONDALE), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2343

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PURCHASE BY TENANT FAMILIES OF DWELLING UNITS IN LOW-RENT HOUSING PROJECTS

SECTION 1. Paragraph (9) of section 15 of the United States Housing Act of 1937 is amended to read as follows:

"(9) (a) Notwithstanding any other provision of this Act, but subject to the provisions of any contract with the Authority, any public housing agency may permit, pursuant to the provisions of this paragraph, any member of a tenant family to enter into a contract (either individually or as a member of a group) for the acquisition of a dwelling unit in any project of the public housing agency by such purchaser or a member or members of his family upon the following terms:

"(A) The purchaser shall pay at least—

"(i) a pro rata share cost of any services provided by the public housing agency, including but not limited to, administration, maintenance, repairs, utilities, insurance, provision of reserves, and other expenses: *Provided,* That the public houing agency shall encourage the purchaser to assume all responsibilities of ownership, including provision of such services required for his dwelling unit: *And provided further*, That to insure satisfactory conditions in other dwelling units in the project directly affected by the conditions for which the purchaser assumes responsibility in his dwelling unit, the public housing agency may prescribe minimum standards for the dwelling unit for violations of which by the purchaser the public housing agency may charge the purchaser for costs of remedial services it provides;

"(ii) local taxes, or payments made in lieu thereof, by the public housing agency on his dwelling units; and

"(iii) monthly payments of interest and principal sufficient to amortize a sales price, equal to the greater of the unamortized debt or the appraised value (at the time such purchase contract is entered into) of the dwelling unit, in not more than forty years: *Provided,* That the public housing agency may, under terms and conditions to be prescribed by it, permit a purchaser to apply an amount equal to the rent paid for his dwelling unit less a pro rata share cost of expenses incurred by the agency, over a period not exceeding three years prior to the entering into of any such contract, toward the purchase price of such unit.

"(B) Monthly payments of principal may be reduced, and the length of time permitted to amortize the sales price extended accordingly, so that the total monthly payments made by the purchaser pursuant to subparagraph (A) shall not exceed 20 per centum of the purchaser's income: *Provided,* That the annual contribution authorized by this act shall be maintained at an amount equal to the debt service on interest and principal payable by the public housing agency, and not paid to the agency by a purchaser under contract of acquisition pursuant to this paragraph, with respect to the loan outstanding on the dwelling unit under such contract.

"(C) The interest rate shall be fixed at not less than the average interest cost of loans outstanding on the project, except that in the case of a project on which bonds are not outstanding the interest rate shall be fixed at not less than the going Federal rate applicable to such project.

"(D) If at any time (i) a purchaser fails to carry out his contract with the public housing agency and if no member of his family who resides in the dwelling assumes such contract, or (ii) the purchaser or a member of his family who assumes the contract does not reside in the dwelling, the public housing agency shall have an option for six months after the agency has notice of either such occurrences to acquire his interest under such contract upon payment to him or his estate of an amount equal to his aggregate principal payments plus the value to the public housing agency of any improvements made by him.

"(b) When a contract for the acquisition of any dwelling unit is entered under this paragraph, the Department of Housing and Urban Development shall give priority under a program reservation to the local housing authority for a replacement unit for a family within the established income limits for low-income occupancy.

"(c) Nothing contained in this paragraph (9) shall be construed to limit its application to dwelling units in projects constructed subsequent to August 10, 1965."

REHABILITATION AND MODERNIZATION OF LOW-RENT HOUSING PROJECTS

SEC. 2. Section 10(e) of the United States Housing Act of 1937 is amended by inserting before the period at the end of the first sentence the following: "; *And Provided further*, That the aggregate amount of contracts for annual contributions that the Authority is authorized to enter into shall be increased by $5,000,000 for each of the fiscal years 1968, 1969, 1970, 1971, and 1972, and such additional authority shall be available solely for the purpose of enabling public housing agencies to amortize the capital investment required, after consultation by such agencies with projects residents, for the modernization and rehabilitation of existing low-rent housing projects, which improvements may include provision of new facilities, within the project or adjacent to it, for general use of residents of the project or projects involved and of the surrounding neighborhood".

RESIDENT COUNCILS AND SOCIAL SERVICES

SEC. 3. Section 15 of the United States Housing Act of 1937 is amended by adding at the end thereof the following new paragraph:

"(10)(a) Pursuant to regulations promulgated by the Secretary, each public housing agency shall, to the maximum degree practicable—

"(A) Encourage and facilitate the formation and operation of resident councils, both within individual projects and among the several projects which may be operated by the agency, so that the views of residents of the projects with regard to any aspect of their management shall be fully and freely expressed.

"(B) Make available, within or adjacent to the facilities of projects, social services in coordination with appropriate municipal, State and Federal agencies. Such services may include, but are not limited to, homemaking and income budgeting programs, family counseling, health care, employment counseling and training, preschool nurseries and day care centers, tutorial and remedial education programs, recreation programs and assistance to the elderly. Such services as are provided shall be made available to eligible residents of the project and the surrounding neighborhood. In promulgating regulations to carry out this paragraph, the Secretary shall consult with the Secretary of Health, Education, and Welfare and the Director of the Office of Economic Opportunity.

"(b) The Secretary may enter into contracts with public housing agencies to assist in financing services and facilities in accordance with the provisions of paragraph (a). In order to make payments pursuant to such contracts, there is authorized to be appropriated to the Secretary not to exceed (i) $10,000,000 for the fiscal year ending June 30, 1968; (ii) $20,000,000 for the fiscal year ending June 30, 1969; (iii) $30,000,000 for the fiscal year ending June 30, 1970; (iv) $40,000,000 for the fiscal year ending June 30, 1971; and (v) $50,000,000 for each fiscal year commencing after June 30, 1971. Sums so appropriated shall remain available until expended."

SURPLUS REAL PROPERTY FOR LOW- AND MODERATE-INCOME HOUSING

SEC. 4. Section 108 of the Housing Act of 1949 is amended to read as follows:

"Surplus Federal real property

"SEC. 108. (a) The President shall transfer or cause to be transferred, to the Secretary any right, title, or interest held by the Federal Government, or any department or agency thereof, in any real property which (1) is surplus to the needs of the Government, and (2) is determined by the Secretary, upon the request of a local public agency, to be needed and to be used to provide housing for low- and/or moderate-income individuals.

"(b) In addition to any transfers authorized under subsection (a), the President may, at any time in his discretion, transfer, or cause to be transferred, to the Secretary any right, title, or interest held by the Federal Government, or any department or agency thereof, in any real property which (1) is surplus to the needs of the Government, and (2) a local public agency certifies will be within the area of a project being planned by it.

"(c) When any real property is transferred under this section, it shall be sold by the Secretary to the local public agency at a price (1) in the case of property transferred under subsection (a), equal to 50 per centum of its fair market value, and (2) in the case of property transferred under subsection (b), equal to its fair market value. The proceeds from any such sale shall be covered into the Treasury as miscellaneous receipts.

"(d) The Secretary shall make annual reports to the Senate and House of Representatives with respect to the disposition of any real property transferred to him under this section during the preceding twelve-month period."

The summary and tables, presented by Mr. TYDINGS, are as follows:

SECTION-BY-SECTION SUMMARY OF S. 2343

SECTION 1. TENANT PURCHASE OF PUBLIC HOUSING UNITS

(1) Any public housing units (whether detached, semi-detached or under an arrangement established by the local public housing agency such as condominium ownership) may be purchased from the agency by a tenant upon payment of a) cost of services provided for the unit by the agency, b) local taxes or, payments made by the agency in lieu of local taxes and c) principal and interest payments sufficient to amortize the purchase price over a forty-year term.

(2) As under present law, unit purchase price is determined by, at the time of purchase, either the unamortized debt on the unit or its market value, whichever is greater. Three years' prior rent paid by the purchaser, minus certain expenses borne by the agency, may be credited toward the purchase price.

(3) To ensure that tenants who reach maximum occupancy income limits will be able to afford purchase of their units, and to safeguard purchasers whose incomes fluctuate, the section provides that principal payments may be reduced so that total monthly housing payments will not exceed 20% of the purchaser's income.

(4) If a purchaser defaults, or for the period in which principal payment requirements are reduced as explained in (3) above, the federal annual contribution to the local public housing agency will be increased so that it can meet its principal and interest obligations on the unit. This federal guarantee will fully protect public housing bondholders.

(5) When the purchaser fails to carry out his contract, or when he moves from the dwelling, the local agency has a six month option to repurchase the unit by repaying the purchaser his aggregate principal payments plus the value of improvements he has added to the unit.

(6) To ensure that the sale of a public housing unit does not diminish the available supply of low-income housing, the section provides that the Department of Housing and Urban Development shall give priority to a local housing authority request for an additional unit.

NOTE.—Under present law, only "detached or semi-detached" public housing units can be sold to tenants, and the inflexible purchase payment schedule places ownership beyond the means of those with incomes at the present maximum occupancy limits.

SECTION 2. REHABILITATION AND MODERNIZATION OF PUBLIC HOUSING PROJECTS

To provide funds needed for rehabilitation and modernization of public housing projects, an annual Federal payment of $5 million rising to $25 million by 1972 is authorized. Based on this guaranteed Federal payment, local housing agencies will be able to borrow approximately $300 million from private lenders. It is estimated that this amount will be sufficient for the urgent physical needs of existing public housing projects. The section requires that the local agency consult with public housing residents in identifying rehabilitation and modernization needs.

SECTION 3. RESIDENT COUNCILS AND SOCIAL SERVICES

(1) The right of public housing residents is established to organize resident councils so that their views regarding any aspect of project management can be fully and freely expressed. Local public housing agencies are instructed to encourage and support operation of such councils.

(2) Local housing agencies are mandated to make available, within or adjacent to, housing projects, a broad range of social services, including such services as family counselling, health care, employment counselling and training, etc. Such services shall be made available in coordination with appropriate municipal, state and federal agencies.

(3) To assist in the provision of social services, an authorization of $10 million is made for fiscal year 1968, increasing by $10 million increments to $50 million in fiscal year 1972.

SECTION 4. SURPLUS FEDERAL PROPERTY FOR LOW AND MODERATE INCOME HOUSING

The Secretary of Housing and Urban Development is authorized to sell surplus federal lands at 50% of market value to local agencies for the provision of low and/or moderate income housing. Under present law, surplus federal land can be sold at less than full market value for such uses as recreation, education or hospital facilities.

TABLE I.—COST ESTIMATES FOR PURCHASE OF PUBLIC HOUSING UNIT UNDER S. 2343

	National average of construction in—		High-cost urban area, construction in—	
	1959	1966	1959	1966
Original total cost of housing unit [1]	$13,253.00	$15,894.00	$14,932.00	$17,364.00
Monthly principal payment (40-year amortization)	27.61	33.11	31.11	36.18
Monthly operating costs and local taxes (1966 estimate)	43.33	43.33	57.63	57.63
Monthly interest payment, at 3½ percent [2]	23.63	28.36	26.66	30.94
Total monthly payments	94.57	104.80	115.40	124.75
Annual income limit for public housing occupancy for family with 2 children	4,800.00		6,000.00	

[1] Original cost approximates purchase price as it would be determined under present law and under sec. 9(A)(a)(iii) of S. 2343.
[2] Prevailing Federal interest rate on project bonds in March 1967.

TABLE II.—*Estimated cost for carrying out a socially-oriented management function*

[Housing program of 1,000 units, cost per unit per month, $5.80]

Personnel:	
Director of Tenant Relations: Acts as director and also as focus of contact with community agencies in employment, education, health and welfare services	$10,000
Family counselors: Counselors work with troubled families, interview admissions and movements; also work with families in terms of opportunities for advancement to home ownership. Workload of approximately 20 percent of total tenant body, 200 families; 1 counselor for each 60 families in workload. 3 at	6,000
Homemaking and family budgeting aides: Aides work on group basis with tenants; also personal contacts for difficult situations. 1 aide for every 300 families. 3 at	5,000
Tenant organization aides: Aides work to involve tenants in the life of the housing community and as cooperators in management; aides supervise use of community spaces, 1 aide for every 300 families. 3 at	55,000
Total personnel budget	58,000
Overhead (supplies, equipment, etc., 20 percent	11,600
Total annual budget	69,600

NOTE.—Estimated workloads for carrying out individual counseling and group work services are based on accepted standards in the social services profession.

TABLE III.—GENERAL SERVICES ADMINISTRATION EXCESS AND SURPLUS FEDERAL REAL PROPERTY IN OR ADJACENT TO CITIES 100,000 OR MORE POPULATION AS OF DECEMBER 31, 1966

EXCESS PROPERTIES

[GSA control No. and property identification]

Region 1

Connecticut

N–Conn–479, U.S. Naval Res. Training Center, Cromwell (.996 acre leased, 1 bldg.).

Massachusetts

N–Mass–547, Naval Ind. Res. Shipyard, Hingham (21.915 acres, 5 bldgs.).

D–Mass–552B, Ft. Independence Radio Sta. Site, Castle Island, Boston (21.51 acres, includes .01 acre easement, 2 bldgs.).

D–Mass–641, Watertown Arsenal, Watertown (82.51 acres, 63 bldgs.).

W–Mass–653, Fan Marker, Peabody (.298 acre leased, 1 bldg.).

N–Mass–654, NIR Gear Plant, Lynn (69.06 acres, 36 bldgs.).

D–Mass–655, Springfield Armory, Springfield (2,896.441 acres, includes 2,800 acres permit, 77 bldgs.).

Rhode Island

N–RI–446A, Disaster Recovery Center, North Kingstown (9.33 acres, 4 bldgs.).

I–RI–456, Arcadia National Fish Hatchery, Exeter-Richmond (26 acres, 7 bldgs.).

N–RI–457, Former U.S.N. Res. Training Center, Woonsocket (2.114 acres, includes .054 acre easement, 2 bldgs.).

Region 2

New Jersey

D–NJ–440C, Raritan Arsenal, Township of Edison (276.153 acres, 67 bldgs.).

G–NJ–466A, Naval Ind. Res. Shipyard, Kearny (9.896 acres, 4 bldgs.).

New York

N–NY–490A, U.S. Naval Training Device Center, Mineola (.65 acre, 5 bldgs.).

N–NY–554, U.S. Naval Supply Depot, Scotia (246.187 acres, includes 2.34 acres of misc. structures, 73 bldgs.).

D–NY–584B, Mil. Ocean Terminal, Inst. #364, Brooklyn (96.73 acres, 52 bldgs.).

N–NY–624, U.S. Naval Training Device Center, Port Washington (161.54 acres, 33 bldgs.).

Puerto Rico

N–PR–450A, Naval Radio Sta. (T), Martin Pena (5.13 acres, 4 bldgs.).

N–PR–451, Naval Hospital, San Patricio (19.5 acres, 15 bldgs.).

N–PR–454, Naval Radio Sta. (R), Sabana Seca (596.95 acres, 7 bldgs.)

Region 3

Washington, D.C.

J–DC–440, National Training School for Boys, Washington (313.337 acres, 16 bldgs.).

V–DC–441, VA (Mt. Alto) Res., Washington (13 acres, 28 bldgs.).

Maryland

A–Md–404F, Agriculture Research Center, Beltsville (13.9044 acres).

A–Md–404G, Agriculture Research Center, Beltsville (58.6 acres).

D–Md–417D, U.S. Army Res. Center, Riverdale (.63 acre) .

N–Md–474, Naval Weapons Ind. Res. Plant, Strawberry Point, Baltimore (52.38 acres leased, 12 bldgs.)

Virginia

C–Va–434, Hybla Valley Test Area, Fairfax Co. (1,273.369 acres, 4 bldgs.).

D–Va–509A, Manassas AF Sta., Manassas (45.18 acres, 32 bldgs.).

Region 4

Alabama

D–Ala–474, Alabama Ord. Works, Childersburg (119.48 acres).

Florida

N–Fla–564, Richmond Field, Miami (1,508.36 acres, 65 bldgs.).

F–Fla–648, U.S. Quarantine Sta., Fisher Island, Miami Beach (14.96 acres, 10 bldgs.).

G–Fla–650, Don Ce Sar Place, St. Petersburg (.83 acre, 3 bldgs.).

Georgia

D–Ga–484, Air Ind. Equip. Storage Site, Marietta (19.24 acres, 1 bldg.).

G–Ga–484, Ind. Equip. Storage Site #6, Marietta (25.77 acres, 19 bldgs.).

D–Ga–542A, Hunter AFB, Savannah (5,372.81 acres, includes 281.16 acres easements, 654 bldgs.).

Mississippi

D–Miss–483, Mississippi Test. Fac., Hancock Co. (17.5 acres).

Region 5

Illinois

D–Ill–564, Nike Site C–54, Chicago-Gary Defense Area, Orland Park (184.93 acres, includes 173.83 acres easements, 4 bldgs.).

D–Ill–575, U.S. Army Support Center, Chicago (3.13 acres, 2 bldgs.).

Indiana

D–Ind–501, AF Plant #61, Terre Haute (56.158 acres, 5 bldgs.).

J–Ind–507, U.S. Penitentiary, Terre Haute (80.05 acres, 5 bldgs.).

Region 6

Iowa

D–Iowa–443, Offutt AF Fac. S–3, Missouri Valley (467.05 acres, includes 178.3 acres easements, 13 bldgs.).

Kansas

D–Kan–422–II, Forbes AFB, S–2, Topeka (265.62 acres, includes 240.87 acres easements, 5 bldgs.).

D–Kan–451, Topeka AF Sta. Topeka (15.41 acres, 2 bldgs.).

Region 7

Arkansas

V–Ark–445D, Va Hospital, North Little Rock (112.6 acres).

Louisiana

T–La–436A, South Pass Range Rear Light St., Plaquemines Parish (61.1 acres, 6 bldgs.).

N–La–453D, Naval Headquarters Support Activity, New Orleans (4.54 acres, 2 bldgs.).

G–La–493, Post Office, Covington (.469 acre, 1 bldg.).

Oklahoma

W–Okla–404R, Aeronautical Center, Will Rogers World Airport, Oklahoma City (1 bldg.).

Texas

J–Tex–523A, Alien Detention Fac., El Paso (12 acres leased, 13 bldgs.).

J–Tex–749A, Border Patrol Sector Headquarters, El Paso (12 acres leased, 8 bldgs.).

D–Tex–767, Ft. Worth Army Depot, Ft. Worth (364.68 acres, 47 bldgs.).

GR–Tex–767, Ft. Worth Federal Center, Ft. Worth (1 bldg.).

Region 8

Arizona

F–Ariz–457B, PHS Sanitorium, Phoenix (1 acre, 2 bldgs.).

G–Ariz–477, Estate of Gilbert E. Alvord, Phoenix (394.25 acres, 1 bldg.).

Colorado

D–Colo–441H, Outdoor Firing Range, Denver (624.3 acres, 8 bldgs.).

N–Colo–460KK, Navy East Blast Research Range (Lowry AF Bombing Range), Arapaho Co. (3,832.72 acres, 4 bldgs.).

G–Colo–472C, Bourke, Donaldson, Taylor Bldg., Denver (1.2 acres, 1 bldg.).

Region 9

California

D–Cal–503D, Oakland Army Base, Oakland (20.22 acres, 1 bldg.).

V–Cal–514F, VA Center, Los Angeles (1.14 acres).

N–Cal–566A, Cyane Navy Housing Project, San Diego (5.01 acres).

G–Cal–582E, Quarantine Sta., Reservation Point, Terminal Island, San Pedro (5.3 acres, 7 bldgs.).

Z–Cal–598B, FCC's Monitoring Sta., Santa Ana (58.17 acres, 1 bldg.).

D–Cal–698A, OSI Area, Cheli AF Sta., Bell (3.93 acres, 3 bldgs.).

D–Cal–768, Pier 4, Ft. Mason, San Francisco (.4 acre, 1 bldg.).

D–Cal–768A, Ft. Mason, San Francisco (10.44 acres, includes 3.53 acres tidelands, 2 bldgs.).

D–Cal–779A, AF Res. Recovery Center, San Francisco (12.374 acres, 16 bldgs.).

N–Cal–795A, Former Warren Navy Housing Project, San Diego (36.42 acres).

GR–Cal–832, Delta-Mendota Canal Right-of-Way, Stanislaus Co. (9.31 acres).

N–Cal–835, Cape Esperance Housing Project, South San Francisco (13.954 acres, includes .18 acre easement, plus fence).

N–Cal–838, Independence Housing Project, San Diego (27.64 acres).

G–Cal–858A, Sacramento Region Ind. Foundation Property (McClellan AFB), Sacramento (44.36 acres, 56 bldgs.).

D–Cal–864, Madera AF Sta., Madera Co. (55.82 acres, 61 bldgs.).

G–Cal–878, Old Mint Bldg., San Francisco (1.09 acres, 1 bldg.).

J–Cal–880, Sylar Property, MDB&M, Lake Co. (50 acres, plus road easements).

D–Cal–884, NIKE Batteries LA–70 & LA–73, Los Angeles (35.3 acres, 19 bldgs.).

Hawaii

D–Hawaii–403C, Ft. Ruger Mil. Res., Honolulu (4.43 acres).

N–Hawaii–477, Damon Storage Area, U.S. Naval Supply Center, Honolulu, Oahu (12.232 acres, 5 bldgs.).

D–Hawaii–499A, Manana National Guard Site, Pearl City (4.65 acres, includes 1.22 acres easements, 2 bldgs.).

D–Hawaii–513, Kapahulu Pumping Sta. Site, Honolulu (.23 acre, 1 bldg.).

Region 10

Washington

GR–Wash–514, Former Highway Tract, Vancouver Barracks (VA Hospital), Clark Co. (11.609 acres).

GR–Wash–628, Portion of Segment "D", NIKE Battery 45, Spokane Co. (.87 acre).

G–Wash–777, Fed. Office Bldg., Seattle (.61 acre, 3 bldgs.).

SURPLUS PROPERTIES

Region 1

Connecticut

V–Conn–477, VA Hospital, Newington (57.5 acres, includes 1.1 acres easement).

Massachusetts

T–Mass–552A, Ft. Independence, Boston (13.17 acres, includes 11.35 acres submerged land, plus wooden pier).

D–Mass–565B, A.F. Annex, Ft. Dawes, Boston (28 acres, 16 bldgs.).

V–Mass–567A, VA Hospital Res., Bedford (86.2 acres).

N–Mass–592 , Naval Shipyard. DoD 169, Quincy (38.67 acres, 53 bldgs.).

V–Mass–627, VA Hospital, Rutland Heights (87.18 acres, 33 bldgs.).

D–Mass–644, Ft. Banks, Winthrop (39,292 acres, 100 bldgs.).

D–Mass–646, Fort Heath (NORAD Center), Winthrop (13.51 acres, 7 bldgs.).

W–Mass–651, Squantum Radio Range, Quincy (2.52 acres leased, 1 bldg.).

Region 2

New Jersey

N–NJ–468A, former Port Newark Shipyard, Port Newark (.605 acre, 1 bldg.).

N–NJ–505, Todd Shipyards, Hoboken (18.6 acres, 9 bldgs.).

New York

D–NY–402A, Ft. Slocum, David's Island, New Rochelle (120.17 acres, includes .21 acre easement, 91 bldgs.).

D–NY–402B, Ft. Slocum—Neptune Dock Site, New Rochelle (3.21 acres, includes .89 acre leased, 5 bldgs.).

D–NY–466C, AF Plant #68, Lewiston (5.27 acres, 2 bldgs.).

B–NY–466D, Lake Ontario Storage Area, Lewiston (9.92 acres easements for water & power lines, 3 bldgs.).

W–NY–495A, N.Y. H fac., Lido Beach, Hempstead (.79 acre, includes .1 acre easement, 1 bldg.).

T–NY–538A, Tarrytown Light Sta., Westchester Co. (.72 acre, 1 bldg.).

N–NY–554, U.S. Naval Supply Depot, Scotia (89.43 acres, 24 bldgs.).

T–NY–557A, Rockaway Lifeboat Sta., Ft. Tilden (2.78 acres).

GD–NY–567, Mitchel AFB, Hempstead (517–735 acres, includes 181.2 acres easements, 160 bldgs.).

D–NY–584, Military Ocean Terminal, Inst. #483, Brooklyn (7.2 acres leased, 2 bldgs.).

D–NY–603, Niagara Falls-Buffalo Defense Area Nike Batteries BU 51/52, Inst. #4423, Hamburg (152.54 acres, includes 95.2 acres easements, 21 bldgs.).

D–NY–604, Niagara Falls-Buffalo Defense Area, Nike Battery BU–09, Inst. #4762, East Amherst (98.81 acres, includes 65.52 acres easements, 4 bldgs.).

N–NY–623, Wallabout Housing Project, Brooklyn (1.01 acres, 3 bldgs.).

N–NY–627, New York Naval Shipyard, Brooklyn (226.231 acres, 163 bldgs.).

Pennsylvania

GD–Pa–521, Philadelphia Army Supply Base, Philadelphia (31.64 acres, 37 bldgs.).

D–Pa–570, Philadelphia Defense Area, Nike Battery PH–07, Bucks Co. (94.04 acres, includes 64.55 acres easement, 19 bldgs.)

D–Pa–587, Nike Battery PI–42, Pittsburgh Defense Area, Allegheny Co. (63.46 acres, includes 33.38 acres easements, 16 bldgs.).

N–Pa–591, U.S. Naval Res. Training Center, Philadelphia (.9573 acre, 1 bldg.)

Puerto Rico

D–PR–431A, Ft. Amerquita Mil. Res., Cabras Island, San Juan Harbor (42.3 acres, includes 2.41 acres easements, 5 bldgs.).

D–PR–441A, Ft. Buchanan Mil. Res., Malaria Control Channel & Pumping Sta., Catano (54.84 acres, includes 30.27 acres easement, 1 bldg.).

N–PR–450A, Naval Radio Sta. (T), Martin Pena (144.14 acres, 2 bldgs.).

N–PR–451A, Water Filtration Plant, San Patricio (19.8 acres, includes .57 acre easements, 5 bldgs.).

Region 3

Maryland

A–Md–404H, Agricultural Research Center, Beltsville (1.59 acres).

A–Md–404–I, Agriculture Research Center, Beltsville (.08 acre).

D–Md–483, Washington-Baltimore Defense Area, Nike Battery BA–09, Fork (90.05 acres, includes 81.22 acres easements, 8 bldgs.).

Z–Md–484, Laurel Monitoring Sta., Laurel (8.81 acres).

Virginia

D–Va–481D, Oyster Point Ammunition Storage Annex, Newport News (671.94 acres, includes 12.06 acres easements, 20 bldgs.).

N–Va–493H, Portion Marine Corps School, Quantico (9.79 acres).

D–Va.–562, Midlothian Microwave Sta., Midlothian (3.06 acres).

D–Va–569, NIKE Battery 63, Driver (339.09 acres, includes 268.09 acres easements, 11 bldgs.).

W–Va–575, Microwave Link Repeater Fac., Alexandria (.45 acre leased, 2 bldgs.).

Region 4

Alabama

D–Ala–469B, Montgomery AF Sta., Montgomery (197.63 acres, includes 14.67 acres easements).

D–Ala–474B, Alabama Army Ammunition Plant, Childersburg (247 acres, 1 bldg.).

North Carolina

G–NC–517, Post Office & Annex, Shelby (.5 acre, 2 bldgs.).

N–NC–521, Naval Weapons Ind. Res. Plant, Winston-Salem (10.322 acres, includes .512 acre leased, 40 bldgs.).

D–NC–526, Charlotte Army Missile Plant, Charlotte (79.61 acres, includes 1.96 acres easements, 28 bldgs.).

Tennessee

B–Tenn–560–I, AEC, Oak Ridge (2.78 acres, 1 bldg.).

G–Tenn–562, U.S. Post Office, Lebanon (.4 acre, 1 bldg.).

G–Tenn–563, U.S. Public Health Service Hospital, Memphis (3.212 acres, 4 bldgs.).

Region 5

Illinois

D–Ill–496A, O'Hare International Airport, Illinois (50.79 acres, 13 bldgs.).

G–Ill–498A, Post Office, Elgin (.405 acre, 1 bldg.).

F–Ill–570, PHS Hospital, Chicago (11.2 acres, 10 bldgs.).

G–Ill–572, Federal Office Bldg., Waukegan (.413 acre, 1 bldg.).

G–Ill–573, U.S. Post Office, Pekin (.3496 acre, 1 bldg.).

Indiana

D–Ind–422, Vigo Ord. Plant, Terre Haute (Railroad Facility) (50.8 acres).

D–Ind–430B, Kingsbury Ord. Plant, La-Porte (77.52 acres, 17 bldgs.).

D–Ind–501, AF Plant #61, Terre Haute (399.724 acres, included 16.33 acres easements, 41 bldgs.).

G–Ind–502, U.S. Post Office, Elkhart (.4696 acre, 1 bldg.).

Kentucky

D–Ky–432B, Camp Breckenridge, Morganfield (8,385.11 acres, 959 bldgs.).

V–Ky–513, VA Hospital Res., Louisville (8.3 acres).

D–Ky–518, Markland Locks & Dam Project, Ohio River, Boone Co. (11.84 acres, 10 bldgs.).

D–Ky–522, Markland Locks & Dam Project # 36, Campbell Co. (13.8 acres, includes .05 acre easement, 7 bldgs.).

Michigan

D–Mich–559, Ft. Wayne Mil. Res., Detroit (96.88 acres, 60 bldgs.).

D–Mich–569, Detroit Defense Area, Nike Site D–54–55 C&L, Riverview (37.46 acres, includes 23.994 acres easements, 4 bldgs.).

G–Mich–591, U.S. Post Office, Grand Haven (.455 acre, 1 bldg.).

I–Mich–593, Northville Biological Lab. 1413–09139, Northville (15.5 acres, 5 bldgs.).

D–Mich–596, Muskegon Army Engine Plant, Muskegon (59.56 acres, includes 2.59 acres easements, 25 bldgs.).

Ohio

G–Ohio–406D, GSA–DMS Sharonville Depot, Sharonville (2.3 acres).

D–Ohio–439B, Cleveland Army Tank-Automotive Plant, Cleveland (45 acres).

D–Ohio–580A, Ravenna Army Ammunition Plant, Ravenna (2.44 acres).

D–Ohio–583, Ft. Hayes Mil. Res., Columbus (66.11 acres, 102 bldgs.).

D–Ohio–621, Nike Site CL–48 (Launcher Area), Independence (73.53 acres, includes 24.31 acres easements, 10 bldgs.).

D–Ohio–628, Lordstown Mil. Res., Warren (481.07 acres, includes 2.06 acres easements, 58 bldgs.).

D–Ohio–644, AF Plant # 27, Toledo (79.4 acres, 11 bldgs.).

Region 6

Iowa

G–Iowa–444, Federal Bldg. (Valley Bank Bldg.), Des Moines (.27032 acre, 1 bldg.).

D–Iowa–448, Offutt AFB, Nike Battery OF–

10, Treynor (156.35 acres, includes 101.99 acres easements, 21 bldgs.).

Kansas

D-Kan-422LL, Forbes AFB, S-5, Topeka (257.25 acres, includes 232.7 acres easements, 5 bldgs.).

V-Kan-426C, VA Center Res., Wadsworth (138.9 acres).

I-Kan-476, Haskell Wetlands, Lawrence (572.68 acres).

Minnesota

G-Minn-454A, Post Office, Stillwater (.45 acre, 1 bldg.).

Missouri

H-Mo-421H, Jefferson Barracks Area, St. Louis Co. (43.436 acres).

V-Mo-421-I, VA Hospital Res., Jefferson Barracks, St. Louis (40 acres, 1 bldg.).

D-Mo-430H, Weldon Spring Res. Training Area, St. Charles (.12 acre).

D-Mo-430-I, Weldon Spring Army Res. Training Center, St. Charles (131.08 acres, 2 bldgs.).

Nebraska

D-Neb-442CC, Lincoln Comm. Annex No. 7 (Transmitter), Lincoln AFB, Nebraska (20.34 acres, includes .34 acre easement, 1 bldg.).

D-Neb-442DD, Lincoln TVOR Annex, Lincoln AFB, Nebraska (41.07 acres leased, 3 bldgs.).

D-Neb-442EE, Lincoln Ammunition Storage Annex, Lincoln AFB, Nebraska (1,332.31 acres, includes 691.27 acres easements & 1.04 acres license, 25 bldgs.).

D-Neb-442FF, Lincoln Comm. Annex No. 2 (Receiver), Lincoln AFB, Nebraska (44.1 acres, 1 bldg.).

D-Neb-442GG, Lincoln Radio Beacon Annex Homing Beacon, Lincoln AFB, Nebraska (1.31 acres, 1 bldg.).

D-Neb-442HH, Lincoln Radar Annex, Lincoln AFB, Nebraska (77.02 acres, includes 76.33 acres easements, 2 bldgs.).

D-Neb-442II, Lincoln AFB, Nebraska (3,288.96 acres, includes 133.18 acres easements & 2,037.87 acres leased, 780 bldgs.).

D-Neb-442JJ, Lincoln AFB, Nike Battery LI-01, Agnew (160.51 acres, includes 120.59 acres easements, 22 bldgs.).

D-Neb-442KK, Lincoln AFB, Nike Battery LI-50, Crete (144.92 acres, includes 102.78 acres easements, 21 bldgs.).

D-Neb-442R, Lincoln AF Missile Site No. 3, Nebraska (246.49 acres, includes 245.99 acres easements, 2 bldgs.).

D-Neb-442T, Lincoln AF Missile Site No. 5, Nebraska (259.92 acres, includes 249.03 acres easements, 4 bldgs.).

D-Neb-442Z, Lincoln AF Missile Site No. 11, Nebraska (256.62 acres, includes 238.26 acres easements, 6 bldgs.).

D-Neb-470B, Offutt AF Fac. Site 1, Mead (621.02 acres, includes 231.64 acres easements, 81 bldgs.).

D-Neb-486, Offutt AFB, Nike Battery OF-60, Louisville (161.06 acres, includes 121.42 *acres easements, 18 bldgs.)*

Region 7

Arkansas

G-Ark-491, Post Office, Malvern (.2249 acres, 1 bldg.).

Louisiana

D-La-428C, New Orleans Army Terminal, New Orleans (17.82 acres permit, 6 bldgs.).

D-La-438AA, Barksdale Air Defense Site, Nike Battery BD-50, Louisiana (134.55 acres, includes 98.28 acres easements, 21 bldgs.).

D-La-438Z, Barksdale Air Defense Site, Nike Battery BD-10, Louisiana (161.29 acres, includes 114.19 acres easements, 21 bldgs.).

N-La-453D, Naval Headquarters Support Activity, New Orleans (28.15 acres, 43 bldgs.).

Texas

V-Tex-453E, VA Hospital Res., Dallas (.0065 acre).

D-Tex-477AF, Bergstrom Air Defense Site (Nike-Hercules Site, BG-80), Texas (247.09 acres, includes 214.24 acres easements, 12 bldgs.).

D-Tex-479U, Castner Range, Ft. Bliss, Texas (.5854 acre).

B-Tex-570A, USAEC, Medina Fac., San Antonio (41.64 acres easements, plus railroad spur trackage).

S-Tex-580B, Rio Grande Rectification Project, El Paso Co. (2.12 acres, 3 bldgs.).

D-Tex-593D, Camp Swift, Bastrop Co. (23.828 acres, 3 bldgs.).

N-Tex-608F, U.S. Naval Aux. Air Sta., Outlying Field #55, Kingsville (221.5 acres, 9 bldgs.).

W-Tex-761, FAA Air Route Traffic Control Center, San Antonio (5.6 acres leased, 2 bldgs.).

D-Tex-767, Ft. Worth Army Depot, Ft. Worth (4 bldgs.).

GR-Tex-767, Ft. Worth Federal Center, Ft. Worth (1 bldg.).

Region 8

Arizona

D-Ariz-437Y, Davis-Monthan AFB, Tucson (50 acres).

J-Ariz-505, Fed. Youth Camp, Tucson (25 bldgs.).

Colorado

GR-Colo-420A, Cherry Creek Resv., Denver (7 acres).

G-Colo-441-I, Portion of Remaco Railroad Spur, Lakewood (.25 acre).

D-Colo-460DD, Lowry AF Missile Site #1, Denver (696.65 acres, 3 bldgs.).

D-Colo-460FF, Lowry AF Missile Site #2, Elizabeth (255.72 acres, includes 202.14 acres easement & 4.36 acres leased, 1 bldg.).

D-Colo-460-I, Lowry AF Missile Site #1, Colorado (358.55 acres, 1 bldg.).

Region 9

California

V-Cal-456F, VA Hospital Res., Livermore (34.0005 acres, 5 bldgs.).

I-Cal-497B U.S. Geological Survey Center, Menlo Park (2.385 acres).

V-Cal-514H, VA Center Res., Los Angeles (21.8 acres, 6 bldgs.).

V-Cal-531B VA Res., San Fernando (13.6 acres).

N-Cal-546B, Admiral Hartman Navy Quarters, (Bayview Terrace), San Diego (.9 acre).

Z-Cal-598B, FCC's Monitoring Sta., Santa Ana (28.76 acres, 1 bldg.).

N-Cal-621A, Naval Weapons Ind. Res. Plant (DOD #450), Torrance (170.77 acres, 34 bldgs.).

GR-Cal-694A, Camp Elliott, U.S. Naval Retraining Command, San Diego (25.22 acres).

N-Cal-694A, U.S. Naval Retraining Command, Camp Elliott, San Diego (5,186.81 acres).

N-Cal-740, Departmental Res. Plant, DOD #46 (Bethlehem Steel Co.), San Francisco (44.97 acres, 65 bldgs.).

D-Cal-747, Benicia Arsenal Mil. Res., Benicia (35.25 acres, plus railroad trackage).

D-Cal-753B, Norwalk AF POL Retail Dist. Sta. #2, California (13.97 acres).

N-Cal-758A, U.S. Naval Weapons Sta., Concord (40.306 acres).

GJ-Cal-786, U.S. Penitentiary, Alcatraz Island, San Francisco (22.5 acres, 25 bldgs.).

N-Cal-789, Preble-Sachem Housing Project, San Diego (33.11 acres).

W-Cal-790, Intermediate Landing Field, Site 17, Los Angeles-Phoenix Airway, Desert Center (3.36 acres easements & permits).

P-Cal-827, U.S. Post Office Site, Venice (oil & gas deposits).

C-Cal-842, Richmond Res. Shipyard, Richmond (203.06 acres, 66 bldgs.).

D-Cal-858, McClellan AFB, Sacramento (8.3 acres, 1 bldg.).

I-Cal-861, U.S. Geological Survey Camp, Taft (20 acres, 19 bldgs.).

G-Cal-863, Post Office, Turlock (.3 acre, 1 bldg.).

I-Cal-866, Contra Costa Canal Right-of-Way, Contra Costa Co. (.756 acre).

D-Cal-874, Norwalk AF POL Retail Dist. Sta. #1, Santa Fe Springs (11.58 acres, includes 2.34 acres easements, licenses & permits, 2 bldgs.).

W-Cal-879, VOR (VHF Omni-directional Range), Ontario (1 bldg. plus related personal property).

W-Cal-881, Mountain View Beacon, Santa Clara Co. (.046 acre leased, 1 bldg.).

I-Cal-882, Delta-Mendota Canal Right-of-Way, San Joaquin Co. (11.06 acres).

D-Cal-883, NIKE Site LA-73, Los Angeles (4.87 acres, 4 bldgs.).

G-Cal-885, Estate of Joseph Kahanek, San Francisco (.06 acre, 1 bldg.).

Hawaii

Z-Hawaii-460, Waipahu Monitoring Sta., Waipahu (136.56 acres).

N-Hawaii-471A, Pearl City Security Area, Pearl City (1.603 acres).

N-Hawaii-475, Manana Veterans Housing Area, Manana, Ewa, Oahu (21.634 acres, 33 bldgs.).

N-Hawaii-482, John Rogers Veterans Housing Area, Moanalua, Honolulu, Oahu (16.561 acres, 50 bldgs.).

N-Hawaii-484A, Ft. Barrette Naval Res., Oahu (16.706 acres, 10 bldgs.).

N-Hawaii-489, Red Hill Storage Area, Halawa, Ewa, Oahu (34.369 acres, 2 bldgs.).

N-Hawaii-495A, Halawa/AIEA Veterans Housing Area, Halawa, Ewa, Oahu (121.763 acres, 200 bldgs.).

Region 10

Oregon

Z-Ore-540, Portland Monitoring Sta., Portland (108.8 acres, 10 bldgs.).

I-Ore-562, Tract OC-K-86A, Oregon City-Keeler Trans. Line, Washington Co. (2.6 acres).

I-Ore-562A, Oregon City-Keeler Trans. line right-of-way, Washington Co. (18.7 acres).

Washington

G-Wash-522C, Auburn Depot Mil. Res., Auburn (8.76 acres).

V-Wash-548A, VA Hospital, American Lake (5 bldgs.).

GR-Wash-553B, U.S. Naval Air Sta., Seattle (6.44 acres).

N-Wash-553C, U.S. Naval Air Sta., Seattle (15.96 acres, 3 bldgs.).

D-Wash-556A, Tacoma Storage Site, Pierce Co. (202.3 acres, includes 2.52 acres easements, 20 bldgs.).

GR-Wash-665, Bremerton Annex, NAD, Bangor (27.5 acres, 37 bldgs.).

N-Wash-665E, Bremerton Annex Spur, Shelton-Bangor-Bremerton Naval Railroad, Bremerton (15.26 acres, includes .37 acre easements, 2 bldgs.).

N-Wash-666C, Navy Eastpark Defense Housing Project, Bremerton (33.1 acres).

N-Wash-673, Manchester Annex, Naval Supply Depot, Seattle (150.67 acres, 58 bldgs.).

C-Wash-685, U.S. Science Exhibit, Seattle (6.5 acres, 7 bldgs.).

W-Wash-695B, ASH, Sea-Tac. Airport, Seattle (1 bldg.).

N-Wash-702, Craven Center Recreation Center, Bremerton (1.2 acres, 1 bldg.).

D-Wash-704, NIKE-AJAX Site 03, Seattle Defense Area, Washington (68.45 acres, includes 65.69 acres easements).

N-Wash-706 & 706A, Magnolia Manor Naval Housing Project, Seattle (20 bldgs.).

D-Wash-716, Army NIKE/AJAX Site 62, Seattle Defense Area, Kitsap Co. (163.89 acres, includes 125 acres easements, 9 bldgs.).

D-Wash-722, Army NIKE/AJAX Site 81, Seattle Defense Area, Washington (123.52 acres, includes 88.15 acres easements, 16 bldgs.).

D-Wash-722A, Forward Maintenance Shop, Poulsbo (3.22 acres, 4 bldgs.).

D-Wash-723, Army NIKE/AJAX Site 32-33, Seattle Defense Area, Washington (330.28 acres leased & 102.11 acres easements, 6 bldgs.).

D-Wash-724, Army NIKE/AJAX Site 20, Seattle Defense Area, Washington (147.04 acres, includes 119.36 acres easements & .36 acre leased, 15 bldgs.).

D-Wash-757, Fairchild AFB Fac. S-1, & Radio Relay Annex #3, Deer Park (264.37 acres, includes 242.44 acres easements, 4 bldgs.).

D-Wash-758, Fairchild AFB Fac. S-2, & Radio Relay Annex #6, Newman Lake & Trentwood (282.58 acres, includes 262.48 acres easements, 5 bldgs.).

D-Wash-762, Fairchild AFB Fac. S-7 & Radio Relay Annex #8, Wilbur & Creston (2.6 acres leased & 243.9 acres easements, 1 bldg.).

D-Wash-771, Fairchild Defense Area NIKE Battery 45, Washington (124.55 acres, includes 58.98 acres easements, 18 bldgs.).

D-Wash-772, Fairchild Defense Area NIKE Battery 87, Spokane (142.01 acres, includes 75.87 acres easements, 30 bldgs.).

SENATOR SCOTT CALLS FOR RESEARCH ON PROBLEM FISH IN GREAT LAKES

Mr. SCOTT. Mr. President, increasing numbers of scientists, political leaders, governmental officials, industrial representatives, and the general public are calling for an all-out attack on the problems in the Great Lakes. The current flurry of activity relative to the control of nuisance fish in the Great Lakes has been triggered by the recent massive die-off of the alewife in Lake Michigan.

Very little is known about the lakes, even today. Present investigations are hampered by a lack of information about the past conditions in the lakes. Because the lakes resemble inland oceans more than lakes, they present special problems not ordinarily faced by researchers of fresh water problems. It is true that many studies have pointed out critical problems in the Great Lakes, but not much is known about their causes and little action has been taken to alleviate them. As Dr. Arthur D. Hasler, professor of limnology at the University of Wisconsin, points out:

> It is incongruous in these days of space science and molecular biology that the natural history and hydrology of our Great Lakes and rivers still remain inadequately documented and poorly described, to say nothing of our meager understanding of the complex environmental interactions which govern the growth and production of the aquatic animals and plants they support.

The need for understanding what is happening to our Great Lakes is "the compelling requirement of our time."

The greatest crisis of the Great Lakes today is the failure of responsible individuals to look beyond their own harbors to the problems of the entire basin. Research will help define the problems, but only an interstate effort at every level of government—local, State, and Federal—can combat the mounting crisis.

Our most immediate need is a vastly increased knowledge of the most basic aspects of the physics and chemistry of the waters of the Great Lakes and of the behavior, life cycles, and ecological interrelationships of the living organisms inhabiting the lakes. While at first glance, much of this basic type of research may appear unrelated to the problems of management of the resources of the Great Lakes; nevertheless, it is precisely this kind of knowledge which becomes most useful in the work of establishing policies for wise fishery management.

Studies on the most basic, elemental forms of aquatic life which constitute a source of food energy to all higher forms—including the fish—have been seriously lagging. The only way to gain an understanding, and thereby be able to control the excessive productivity of fish species of marginal value which periodically die off in excessive numbers and constitute a public health hazard, is by launching and supporting a concerted research effort on the total ecology of all of the Great Lakes.

The need for this concerted research effort is immediate and imperative. The fact that we are losing the usefulness of this great natural resource is before us; and the need for action based on evidence obtained from sound research effort is of primary importance.

We have all been informed that the Great Lakes are being polluted. Three of the Great Lakes—Erie, Michigan, and Ontario—are now seriously affected by pollution and may get worse. Despite some increase in research on the problems of the lakes, present pollution abatement procedures are inadequate and more scientific knowledge must be acquired before effective lake management programs can be established. To a large extent, we know what is polluting the Great Lakes; and we know the sources of these polluting materials. We also know how to treat many wastes so that their effects on aquatic organisms are minimized. Unfortunately, there is still much to be learned. There are too many polluting materials which act upon the aquatic environment in an extremely subtle manner—the effects of which do not manifest themselves for many years and the results of which are unpredictable.

Mr. President, when that point in time is reached, it is very often too late to reverse the processes of nature and control measures are totally ineffective.

I direct your attention now to the more immediate problem before us—that of the massive die-off of the alewife in Lake Michigan.

Although the recent die-off of the alewife has been one of the largest on record, it has not been the only die-off; nor has the alewife been the only species of fish subject to this die-off phenomenon. Periodic die-offs of various species of fish in the Great Lakes have occurred in the past. As an example, the smelt—introduced into the upper lakes from Lake Ontario early in this century—has become prized by fishermen and is taken in large numbers in the Great Lakes today. There are periodic die-offs of the smelt that have occurred in Lake Erie and create similar nuisance problems to those which have been created by the recent alewife die-off. This does not mean that the smelt must be eliminated from the lake. The gizzard shad is another species which has experienced the die-off phenomenon. We must not provide for the indiscriminate elimination of this vast storehouse of food energy nor attempt to institute control measures which may in the final analysis prove to be more serious than our present problem.

The alewife has been known to appear in Lake Ontario since the late 1800's. They may have entered Lake Ontario by way of the St. Lawrence River from their native habitat along the Atlantic coast, or could have been introduced accidentally when shipments of shad were released into the lake in the early 1870's. The alewife was very abundant in Lake Ontario by 1890 and continues to be the most abundant fish in the lake today. Niagara Falls would have blocked movement of the alewife to the upper Great Lakes, but they were able to migrate through the Welland Canal which connects Lake Erie and Lake Ontario. They were first recorded in Lake Erie in 1931 and became abundant there by 1942. From Lake Erie the alewife had free passage into the upper Great Lakes. It was first recorded in Lake Huron in 1933, in Lake Michigan in 1949, and in Lake Superior in 1954.

Although the alewife became very abundant in Lake Erie, it did not dominate the fish population and become the most abundant species of the lake as it did in Lake Ontario. Conditions in Lake Huron and Michigan were well suited for the alewife, apparently; and, it increased rapidly until it became the most abundant species of these lakes. What these favorable conditions are in these lakes is not known. It had reached its maximum abundance in Lake Huron about 1961 and appeared to be approaching its greatest abundance in Lake Michigan during 1966-67. The alewife has spread throughout Lake Superior and its numbers have increased steadily in recent years, but it has not yet reached great abundance there.

A variety of reasons have been suggested as to why the alewife problem has occurred. One reason presented is that the fish population has reached its peak of productivity and the fish are reacting to stress induced by fish population pressure. There is some indication that the die-off of the alewife is associated with a temperature increase of the water. There is also some evidence that the die-off is associated with pesticide levels in the lakes. It has been suggested that the die-offs are due to a hormone imbalance in the species since they are basically a salt water species and their physiology has not completely adapted to fresh water. Some are of the opinion that there is a lack of competition and no predator control to keep the population of the alewife down. Others tend to regard the problem no less slightly by stating that an introduced species into a new habitat is always highly successful and responds by increase in total numbers; or that this is a natural phenomenon which will tend to take care of itself in time and should be left alone.

At the present time, there is not enough known about the alewife's life history nor about the life histories of other species of fish which periodically tend to die-off in the Great Lakes to indicate which of the suggested reasons is responsible. It may well be that a combination of these factors will be the final determining answer.

A variety of methods has been suggested as control measures. There has been a proposal for increasing the commercial use of the alewife. The introduction of a terminal predator such as the coho salmon is being attempted as a solution to the problem. The striped bass has also been suggested as a control predator. Others have suggested that the responsibility for control measures be placed on the commercial fisheries, due to the fact that they severely deplete the predator species and thus reduce the control of the alewife. It has also been suggested that the large schools of alewife be trapped prior to the die-off so that they do not create a hazard to public health and recreation along the shorelines.

Opinions regarding the institution of control measures differ widely. It has been indicated that control is almost impossible or that control will cut down on the availability of food for sport fishes and thus reduce the sport fisheries, or that increased commercial fishing will wipe out the sport fish, or that control of the alewife will jeopardize the lakes' trout program.

From all of this, only one major, clear-cut fact is indicated. There is a lack of agreement relative to the method of control of the alewife and other fishes which create nuisance conditions in the Great Lakes; and, this lack of agreement is due to a lack of information necessary to understand the complex problems of the Great Lakes.

Problems of the Great Lakes are many and complex. Much of the fresh water in the lakes, which constitutes a third of world supply, can hardly be called fresh. Each of the lakes has its own problems, requiring different scientific, technical and economic approaches to solve them. Greater leadership and more imaginative research approaches from Federal and State agencies and from universities and industries alike are needed if we are to renew this vast fresh water resource and solve the problems at hand.

Accordingly, Mr. President, I introduce, for appropriate reference, a bill to initiate a program of research leading to the control of those species of fish and other aquatic life which adversely affect the fish resources and ecological balance of the Great Lakes. Five million dollars of Federal matching grants to interested Great Lakes States are authorized for this program.

I believe that my bill provides for the necessary research effort as a preliminary measure to controlling the fisheries problems of the Great Lakes.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2344) to provide for research for the control of those species of fish and other aquatic life in the waters of the Great Lakes which affect adversely the fish resources and ecological balance of the Great Lakes, introduced by Mr. SCOTT, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2344

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, because of the fact that the ecological balance of certain of the Great Lakes has been disrupted, and others are endangered, the Secretary of the Interior is authorized, for purposes of providing for the maximum utilization of the fish resources, combating water pollution, and promoting and safeguarding water-based recreation for present and future generations, in the waters of the Great Lakes, to cooperate with, and provide assistance to, the States in conducting research for controlling those species of fish or other aquatic life which affect adversely the fish resources and ecological balance of the Great Lakes.

SEC. 2. In carrying out the purposes of this Act, the Secretary of the Interior, in cooperation with the States, is authorized (1) to conduct, directly or by contract, such studies, research, and investigations, as he deems desirable, to determine the abundance and distribution of those species of fish or other aquatic life which affect adversely the fish resources and ecological balance of the Great Lakes and their effects on other fish or equatic life, pollution, and water-based recreation within the Great Lakes; (2) to conduct, directly or by contract, studies of control measures of those species of fish and other aquatic life; (3) to establish and carry out, based on studies made pursuant to this Act, programs relating to controlling those species of fish and other aquatic life; and (4) to take such other actions as he deems desirable in carrying out the purposes of this Act. The costs of any study, research, investigation, program, or other action conducted or carried out in accordance with the provisions of this Act shall be borne equally by the Federal Government and by the States, acting jointly or severally.

SEC. 3. The Congress hereby consents to any compact or agreement between any two or more States entered into for the purpose of carrying out a program of research, study, investigation, or other action relating to the control of those species of fish and other aquatic life which affect adversely the fish resources and ecological balance of the Great Lakes. The right to alter, amend, or repeal this section or the consent granted herein is expressly reserved.

SEC. 4. Nothing in this Act shall be construed to alter, amend, repeal, modify, or diminish the present general authority of the Secretary of the Interior to conduct studies, research, and investigations related to the mission of the Department of the Interior.

SEC. 5. There is authorized to be appropriated not to exceed $5,000,000 for the Federal share of the costs involved in connection with any study, research, investigation, program, or action conducted or carried out in accordance with this Act.

SOCIAL SECURITY ACT AMENDMENTS OF 1967—AMENDMENT

AMENDMENT NO. 287

Mr. BOGGS submitted an amendment, intended to be proposed by him to the bill (H.R. 12080) to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes, which was referred to the Committee on Finance, and ordered to be printed.

AUTHORIZATION OF STUDY RELATING TO THE AVAILABILITY OF INSURANCE PROTECTION AGAINST DISASTER PERILS RESULTING FROM RIOTS OR OTHER CIVIL DISORDERS—AMENDMENTS

AMENDMENT NO. 288

Mr. HART. Mr. President, one of the most serious problems in riot-torn and hard-core urban areas is the unavailability of insurance. For example, even previous to the riot in Watts, insurance rates were about 2½ times higher than in other areas of Los Angeles. Since the Watts riot, rates have risen another 2½ times.

Availability of insurance is vital to the well-being of core cities.

Business cannot exist without insurance and the inner city has no hope of survival without business.

Moreover, residential neighborhoods where insurance is prohibitive or unavailable have a history of rapid decay because no one wants to undertake unprotected improvements.

Insurance companies understandably are reluctant to write fire and damage policies in areas with a riot history or riot potential. Or, if they do, the costs are often so high that businessmen and residents just cannot carry them.

Mayor Jerome P. Cavanagh has defined this as one of the major problems in Detroit; and we must find a solution quickly.

There are a number of possible solutions to this problem of unavailability of adequate insurance in ghetto areas.

One would have Government get into the insurance business, writing affordable policies in areas where no one else will. The industry will certainly be nervous about that idea.

Or the Government might offer to reinsure high-risk policies, protecting insurance firms from massive losses and allowing them to write policies at lower cost. This might work about the same way that the Federal Deposit Insurance Corporation protects bank deposits.

Or perhaps the industry itself might work out a system of "assigned risk" where each firm takes a proportionate share of policies in the troubled areas.

At any rate, it is clear that the rehabilitation of all inner cities depends heavily on some sort of sound program. Hopefully, the industry will be able to provide it. If it can not, Government must.

Today, Mr. President, I am submitting, for appropriate reference, an amendment in the nature of a substitute to Senate Joint Resolution 102.

My amendment to Senate Joint Resolution 102 is designed to assure adequate insurance for real and personal property in inner cities. Under my amendment, the Secretary of Commerce is directed to sit down with the insurance industry and attempt to formulate a voluntary risk-sharing plan for underwriting such insurance for real and personal property in core cities.

If the Secretary of Commerce and the insurance industry are unable to agree upon an insurance plan, my bill directs the Secretary to submit to Congress specific recommendations for Federal legislation guaranteeing real and personal property insurance in urban areas where insurance is presently unavailable or available only at prohibitive rates.

Hopefully, the insurance industry and the Secretary of Commerce can work out a voluntary insurance plan; if they cannot, however, the Federal Government can and must act swiftly to solve this problem.

I ask unanimous consent that two recent newspaper articles dealing with this problem of obtaining adequate insurance in ghetto areas be printed at this point in the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the articles will be printed in the RECORD.

The amendment (No. 288) was referred to the Committee on Commerce.

The articles, presented by Mr. HART, are as follows:

[From the Washington Post, Aug. 20, 1967]

INSURANCE HARD TO GET IN DISTRICT OF COLUMBIA GHETTO

(By Paul W. Valentine)

Small-shop owners in Washington's ghettos say insurance companies are squeezing them out of business by canceling burglar and riot policies or charging astronomically high premiums.

The insurance industry says, officially, it isn't so. At least the situation is not as simple as the shop owners say.

But one veteran insurance broker, who spoke only on agreement that neither his name nor his company be divulged, told the Washington Post:

"I can't say that there is an industry-wide policy to cancel insurance in high crime areas, but among the individual companies that I know about, I'm afraid the answer is yes."

He said, "Up until the riots started, my company had been insuring four liquor stores here (in a predominantly Negro commercial district). Now they tell me they're not going to write any more liquor policies. All the companies are coming to this view."

Less than two weeks ago, an advisory panel was appointed by the President's National Advisory Commission on Civil Disorders to look into the high costs and availability of insurance coverage in areas damaged or threatened by riots.

The pattern emerging among store owners interviewed by The Washington Post showed that insurance companies were either refusing to renew expired policies or canceling them outright if the owners had been robbed recently. Some owners said their policies were still in force, but they were worried about being dropped when the expiration dates come up.

Others said they have dropped some lines of insurance, because the annual premiums are more costly than paying for the broken glass themselves.

TOO EXPENSIVE

A poll conducted recently by Hilliard Schulberg, executive director of the D.C. Retail Liquor Dealers Association, shows that 55 (or 40 per cent) of the 130 responding liquor store owners now have either no insurance or a "negligible" amount because of high rates.

Abe Liss, president of the Midtown Business Association, estimated that 25 to 50 per cent of the 115 stores in his organization have no insurance, either because it has been refused them or because it is too expensive.

Insurance industry people don't like to talk openly about it, but in the wake of Detroit and Newark, they are grimly conscious of the fact that areas of high crime incidence are congruent with potential riot zones, and the typical small white-owned retail store in the ghetto is a prime target of Negro vengeance.

Take the example of Ben Weise, manager of Carter's Liquors at 14th and U Streets nw., a heavily traveled intersection in a Negro business area.

Weise has an "open stock" theft policy with Maryland Casualty Co. The current annual policy, which cost $423, will expire in three weeks.

On Aug. 4 the McLaughlin Co., agent for Maryland Casualty, routinely mailed Weise a renewal policy at an increased cost of $502. On Aug. 16, McLaughlin agent David Rosenberg suddenly called Weise to say that Maryland Casualty had decided to withdraw the policy.

In the 10 years that Weise has dealt with the McLaughlin Co., he has never had a fire, theft or robbery at his store.

"I don't know what I'm going to do," Weise said. "No other company will take me now. The McLaughlin people told me to go to Lloyd's of London. But that's much more expensive and it takes a longer time to process claims."

Maryland Casualty president Charles H. Peterson contacted in Baltimore, denied that his company has embarked on a general policy of canceling insurance in high crime and riot potential areas.

He referred specific questions about the Weise case to McLaughlin official T. S. Clark in Washington.

Clark, too, denied any pattern of ghetto, cancellations but noted in Weise's case:

"When you have a small premium producer with a high potential exposure it's just not sound underwriting to continue his policy."

He said Maryland Casualty had written three "small, high-risk" policies for Weise—the open stock theft policy, another policy on his station wagon and a third one for workman's compensation.

"Maryland Casualty, in reviewing its books, just decided to cancel on him," Clark said.

He acknowledged that Weise has had a "good experience record," that is, no claims for theft and robbery over the years.

In fact, Clark volunteered, the location of Weise's store at the busy intersection of 14th and U Streets nw. is a deterrent to thefts and burglaries.

Clark, whose agency handles insurance for numerous companies, said that cancellation requests by the companies have been a "general thing" over the years, and he has not detected any increase recently.

"Two or three years ago," he said, "one company here asked us to cancel every piece of burglary insurance. We did it and then placed it all with Maryland Casualty."

Melvin L. Stark, manager of the Washington office of the American Insurance Association, also says there is no policy of canceling ghetto insurance.

RATES HAVE SOARED

Figures maintained by the National Bureau of Casualty Underwriters show that, on a District-wide basis, premium rates for burglary and robbery insurance have soared in recent years.

Between 1964 and 1966, the rates for various lines rose an average of 61.5 per cent but the storekeepers' burglary-robbery policy, popular among small retailers, jumped 87.6 per cent and mercantile safe insurance leaped 101.8 per cent.

There are no city-wide statistics showing how many stores have closed because of insurance difficulties but data in the D.C. Licenses and Inspections Department indicate a general decline in business license renewals in ghetto areas.

Between fiscal 1965 and fiscal 1967, drug store licenses declined by 18 in the city, gasoline stations by 39, grocery stores by 67, laundries by 22 and delicatessens by 26. Barber-shop and dry-cleaning licenses increased in the same period.

[From the Washington Evening Star, Aug. 7, 1967]

NO INSURANCE, NO BUSINESS

(By Eliot Janeway)

NEW YORK.—The disaster in Detroit has uncovered a problem common to all our cities which is threatening them with a blight more cancerous than violence. Even where the volcano of urban disorder merely seethes and does not erupt, the fear that it may has become a clear and present danger to normal neighborhood commerce.

Insurance against fire, casualty, and theft is as rudimentary a cost of doing business as hiring labor, buying merchandise, and burning electricity. Like every other cost of doing business, it is passed through onto the cost of living. The cost of insuring stores and the goods in them is going up—as the cost of insuring cars for youngsters under 25 did several years ago.

But higher costs for insurance companies and store-keepers, and higher prices for their customers, can be the smaller part of the problem. Suppose insurance is not to be had at any price. Suppose insurance companies decide to cut their losses by classifying risks in urban jungle centers as uninsurable. And suppose a trend starts among local merchants to take their beating and close up shop.

The business incentives to do so are obvious, and so are the economic consequences. For years before the outbreak of the jungle war in our cities, it was an axiom of investment analysis that fire and casualty companies lost money on their insurance operations, and relied on their investment earnings to make out. But now damage losses are sky-rocketing, while investment grade securities are not.

The fire and casualty companies can make money simply by shrinking back their high-risk policies and letting their money work for them—instead of disrupting their investment earnings on making good their underwriting losses.

Although insurance represents just a nominal cost of doing business, no one dares do business without it. Big businesses won't, and small businesses can't. The neighborhood businessman has his working capital tied up in his inventory. The small distributor supplying the local retailer has his working capital, in turn, tied up in customers' receivables.

If a small business can't insure its inventory, and its premises and improvements, it can't stay in business. If it can't recover on its losses, without delay or litigation, it's out of business. Every local merchant and dealer and service operator who makes the grade is jealous of his standing with the insurance companies, and knows what it is to struggle to establish and maintain it.

Small business keeps big business going because small business means the avenues along which big business moves its products to the retail public. Big business is free to operate at locations it regards as economic. Small business, for better or worse, must take its chances where the customers are. Big business operates with other people's money. But the local shopkeeper whose windows and shelves are on the firing-line in our cities has to operate with his own money on the line.

At the retail end of the economic process, people who live in cities need to be able to trade where they live. The more underprivileged a family is, the less its members can afford to waste time and transportation traveling to shop. People who live in or around troubled areas, whether they rent or own their homes, have learned the hard way that empty store fronts ruin neighborhoods as fast as they drain and strain city treasuries.

Insurance is the arterial link between production as it comes out of the factory gate and moves through the middlemen who store and sell it to the consumer. If violence in the cities cuts this artery, the resultant paralysis could bring on a depression; and the country's business men are running scared that it will.

There is something that can be done. It is simple and, instead of costing the government money, it can actually earn income for the Treasury while it insures the economy. All LBJ need do is copy FDR's anti-depression cure for mortgage foreclosures and apply it to insurance policy cancellations. Mortgage lenders have been using FHA to buy federal reinsurance for mortgages, and insurance underwriters now need a similar facility for buying federal riot reinsurance. This is one presidential proposal Congress would pass quickly.

POLICE OFFICERS HIGHER EDUCATION BILL—AMENDMENTS

AMENDMENT NO. 289

Mr. RIBICOFF. Mr. President, I submit, for appropriate reference, an amendment to the Law Enforcement and Criminal Justice Assistance Act of 1967, H.R. 5037. In brief, this amendment will provide a student loan fund and scholarships to assist young people seeking a career in police work and tuition grants to police officers desiring to improve their skills through inservice training. This amendment is virtually identical to S. 1502 which I introduced on April 12, 1967.

Mr. President, we need well-trained and educated police officers to handle the difficult situations they face every day. This amendment is an important step in that direction. Its passage will help to assure every citizen a better quality of law enforcement.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 289) was referred to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. MOSS. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 1508) to provide for a comprehensive program for the care and control of alcoholism, the name of the Senator from New York [Mr. KENNEDY] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Ohio [Mr. YOUNG], the Senator from Oregon [Mr. MORSE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oregon [Mr. HATFIELD], the Senator from South Dakota [Mr. MUNDT], the Senator from Utah [Mr. MOSS], the Senator from Iowa [Mr. MILLER], the Senator from Indiana [Mr. BAYH], and the Senator from Wisconsin [Mr. PROXMIRE], be added as cosponsors of the bill, S. 1856, to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARTLETT. Mr. President, I ask unanimous consent that at the next printing of Senate Joint Resolution 101, amending title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce to guarantee certain loans made to the National Maritime Historical Society for the purpose of restoring and returning to the United States the last surviving American square-rigged merchant ship, the *Kaiulani*, and for other purposes, the name of the senior Senator from Indiana [Mr. HARTKE] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 24, 1967, he presented to the President of the United States the following enrolled bills:

S. 16. An act to amend title 38 of the United States Code in order to increase the rates of pension, payable to certain veterans and their widows, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes; and

S. 281. An act to increase the amount of real and personal property which may be held by the American Academy in Rome.

THE ALLIANCE FOR PROGRESS

Mr. SPARKMAN. Mr. President, the sixth anniversary of the Alliance for Progress affords an opportunity to assess its success to date. The facts are encouraging and must be rewarding to all, who have invested their time, interest, and energy in strengthening the Alliance.

In the annual review of the Alliance, published this month, it is reported that the Latin American countries are themselves financing 87 percent of the total amount invested in the Alliance, rather than the 80 percent originally contemplated. The determination of our neighbors to the south to reinvest their capital in the Alliance is fulfilling President Johnson's pledge that the Alliance would not be a handout program but would rather be a self-help effort to "build democratically through a partnership of all."

The Nation can quite rightly be proud of the Alliance's progress and the effort of this administration and the Latin American member countries to its continued well-being and improvement. The Alliance is providing Latin Americans a peaceful, progressive alternative to the violent revolutions we all wish to avoid.

I ask unanimous consent that a series of editorials which calls attention to the encouraging news from the Alliance for Progress be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Aug. 22, 1967]

LATIN SELF-HELP

The determination of Latin American countries to plow back money into their own development is the most promising news in the Alliance for Progress annual report this month.

When the program was set up six years ago, it envisioned an investment of $100 billion in this decade, with $10 billion from the United States, $10 billion from outside sources, and $80 billion from inside Latin America.

But as the report points out, the promising news in the Alliance for 19 nations south of the border are doing much better than that. Instead of 80 percent for the Alliance effort, they have financed about 87 percent of total investment from their domestic resources.

One of the reasons is a rather strange export from Washington. A crew of Internal Revenue Service experts under an Agency for International Development contract has been showing the Latin governments how to increase efficiency in tax collections.

As a result, in eight countries, tax revenues have risen more than 50 percent since 1961, and in five others, collections increased by an encouraging 30 to 50 percent.

A year ago President Johnson declared that the Alliance was not a Marshall Plan or a program of handouts to bolster the status quo. Its purpose, he emphasized, was to "build democratically through a partnership of all."

Judging from the statistics on Latin self-help so far, the program is fulfilling that definition admirably.

[From the Baltimore Evening Sun, Aug. 18, 1967]

ALLIANCE'S PROGRESS

The sixth anniversary of the Alliance for Progress was observed this week. There was little fanfare, but a general feeling that things are looking up. Indeed, some statistics contribute to this sense of cautious optimism since they indicate that Latin America seems now to be emphasizing financial self-help more than its traditional dependence on foreign assistance. Chilean President Eduardo Frei, at the Punta del Este summit conference earlier this year, expressed this change of attitude when he said, ". . . no external aid can replace our own domestic effort, or the degree to which we correct deficiencies in the structures of our economies and of international trade."

When the Charter of the Alliance for Progress was signed on August 17, 1961, it set as its goal the generation of $100 billion over a decade for development in Latin America. About $10 billion of that was supposed to come from the United States, another $10 billion from other sources external to Latin America, and $80 billion from within Latin America itself. Now, it is reported, the Latin nations have already contributed about $90 billion in terms of private and public investment, resource development, construction of schools and homes, etc. And the trend, according to one Washington official, is toward "definite increases in the pace of investment, education, health, sanitation and housing."

The story is not all bright, however. It is generally conceded that the original goal of $100 billion is far short of what is needed for comprehensive economic development. Much of the capital that Latin America has produced over the past six years has not gone into development projects, but to pay off short-term loans. Moreover, inflation and the rising cost of capital goods imports have reduced the effectiveness of this capital. Most of the area's problems are still there: inflation, trade imbalance, fluctuating prices for primary products, population pressures.

Despite this, the basis for development is being laid, and gains in two significant areas give reason to hope for better things to come. These are tax collection, and investment in education. During the past six years, seven countries increased their tax intake by 40 per cent, another four by 25 per cent, and smaller gains were reported in other countries. Expenditures for education have risen even faster than tax collections.

The alliance never was expected to be a panacea for Latin America's ills. And to commit total faith in it would be unrealistic. Still, to some degree, the spirit of the alliance seems to be catching on, and that is reason enough to be optimistic.

[From the New York Times, Aug. 18, 1967]

THE AID IRRESPONSIBLES

With only fleeting flashes of balance, the Senate is hacking recklessly at an Administration foreign-aid request that was too small in its original form. The irresponsibles indeed seem bent on crippling the program at precisely the points where need is greatest.

Yesterday, the Senate first rejected a bid by Robert F. Kennedy to restore $72 million of a $172-million cut in the Alliance for Progress, then voted to slash an additional $100 million for the 1968 development loan authorization. On Wednesday, the Senate adopted Peter Dominick's amendment to double the service charge on development loans during the first ten-year "grace" period.

The Foreign Relations Committee had already cut the Administration's modest development loan request by $150 million. The Alliance for Progress cuts are proposed at a time when that effort, launched by President Kennedy six years ago, appears to be regaining impressive momentum. Nearly 87 per cent of total investment in Alliance projects has come from the savings of Latin-American countries, as against a target of 80 per cent. The Senate's action is poor reward for that greater Latin self-help.

If Senator Dominick's amendment becomes law, it would deny assistance to the neediest of nations already burdened in many cases with debt-carrying charges. It would embarrass the United States which has pressured other lending nations, with some success, to provide easier credit.

Perhaps Mr. Dominick is unaware that all of Denmark's aid loans and 90 per cent of Britain's were provided interest-free last year. Canada and the Netherlands offered 58 and 47 per cent, respectively, of their foreign aid without interest.

But the Senate, along with many private citizens seems still afflicted with the notion that the United States is playing what William S. Gaud, director of the Agency for International Development, calls an "Uncle Sucker" role in dispensing aid.

This is a myth, as figures produced by the Organization for Economic Cooperation and Development in Paris clearly disclose. The United States is down in a tie for fifth place so far as percentage of national income devoted to foreign aid is concerned. When private investment abroad is added to government aid, the United States drops to eighth.

Senators with consciences should consider these statistics before voting to cut even further the contribution to needy peoples by the richest nation on earth.

COMMITTEE ON APPROPRIATIONS TO CONSIDER FIRST APPROPRIATION BILL FOR NEW DEPARTMENT OF TRANSPORTATION

Mr. SPARKMAN. Mr. President, the Senate Committee on Appropriations has the opportunity to perform a rare public service as it considers the first appropriation bill for the new Department of Transportation.

The Department, through its Federal Railroad Administration, has already made substantial commitment of funds in preparation for the auto-train project, in which motorists could drive directly on a train for lengthy trips. Unfortunately, the $3,511,000 the Department requested to get this program moving was deleted from the bill by the other body.

The cost of ending the project would be $1.5 million to $2 million to the Government, which the Railroad Administration estimates could be equal to or larger than the ultimate cost to the Government of the full year and a half experiment.

A very good analysis of this situation is provided in a recent editorial in the Birmingham Post-Herald. Mr. President, I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PLANES, TRAINS, AND TAXPAYERS

In the report of the House Appropriations Committee on funds for the new Transportation Department there are some intriguing items.

The committee approved $142 million to carry on development of a supersonic airplane—plus $99 million carried over from last year's budget. But it denied $3.5 million for the development of railroad cars to carry autos—an idea for stimulating rail business by permitting travelers to take their cars along.

The committee said the supersonic plane was needed for U.S. prestige, that foreign supersonic projects are being financed by tax money, that government financing was necessary to preserve the health of a "major" industry—the airlines.

But the committee said it couldn't understand why the government should pay for the railroad project "during this period of high Federal deficits," and anyway if the idea was any good the railroads could finance it themselves.

The "auto-on-train" project, of course, may not be practical. But then, as the committee said, the supersonic program is full of "uncertainties"—uncertainties as to construction, uncertainties as to economic feasibility, uncertainties above solving the sonic boom problem.

Nevertheless, as the House Appropriations Committee sees it, it is necessary in the next year to spend $241 million in tax money on the supersonic plane, but foolish to put out $3.5 million on a project which might help "preserve" another major industry, the railroads.

Just in passing, it also can be noted that altogether the bill appropriates $866.3 million for the Federal Aviation Administration, which runs airline traffic control, carries on aviation research and helps pay for local airports. The Federal Railroad Administration, charged with helping get the railroads modernized, was given $14.5 million.

UNITED STATES AND SOVIET UNION RECOMMEND MAJOR PROVISIONS OF NONPROLIFERATION TREATY DRAFT

Mr. CARLSON. Mr. President, despite what sometimes appears to be a bleak outlook for world peace, there is cause for optimism in the news that the United States and the Soviet Union have today recommended the major provisions of a nonproliferation treaty draft. Both as a representative to the United Nations and as a Senate adviser to the U.S. delegation at the Geneva Disarmament Conference, I have become increasingly convinced of the serious need to curb nuclear spread.

In his message to the 18-Nation Disarmament Conference last year, the President noted that:

> There are differences among the members of the Conference on Vietnam, but these differences make our common interest in preventing nuclear spread and curbing the nuclear arms race all the more important to pursue.

Since then the Middle East crisis has further emphasized that need.

Nonproliferation of nuclear weapons has been U.S. policy ever since World War II. When we were the only nuclear power in the world, we proposed, in 1946, full international control of atomic energy.

Subsequently, President Eisenhower proposed his atoms-for-peace plan to help guard against the diversion of peaceful nuclear materials to weapons use. That plan resulted in the establishment of the International Atomic Energy Agency, which plays an increasing role in monitoring peaceful nuclear activities to guard against diversion.

President Eisenhower also made the first U.S. comprehensive test ban treaty proposal. One of the purposes of this proposal was to help keep additional fingers off the nuclear trigger.

The motivation behind our nonproliferation policy was expressed by Secretary Dulles in 1957 when he said:

> Already large nuclear weapons are so plentiful that their use in general war could threaten life anywhere on the globe. And as matters are going the time will come when the pettiest and most irresponsible dictator could get hold of weapons with which to threaten imense harm. . . .
>
> Your government believes that this situation can be and should be remedied.

In 1963, President Kennedy said:

> I ask you to stop and think for a moment what it would mean to have nuclear weapons in so many hands, in the hands of countries large and small, stable and unstable, responsible and irresponsible, scattered throughout the world. There would be no rest for anyone then, no stability, no real security, and no chance of effective disarmament. There would only be the increased chance of accidental war and increased necessity for the great powers to involve themselves in what otherwise would be local conflicts.

President Johnson, in 1965, called nuclear weapons proliferation the "gravest of all unresolved human issues."

Thus, U.S. policy on nuclear weapons spread has not been and should not now be a partisan issue. It achieved its first real impetus under the Eisenhower administration and this forward motion has been carried on since then by Democratic administrations.

Neither have the negotiations in pursuit of a nonproliferation treaty been a bilateral matter between the United States and the Soviet Union. Because some have suggested we have been ignoring our NATO allies in this negotiating process, I, as an adviser to the Geneva Conference, asked the Arms Control Agency for information bearing on this charge. The account I received indicates extensive NATO consideration and involvement.

Still missing from the draft proposed at Geneva today and still left to be negotiated is the article on safeguards. In my opinion these must be negotiated and approved before final action is taken. The Soviet Union opposes the European Common Market—EURATOM—safeguards instead of the International Atomic Energy Agency system on the grounds that EURATOM inspection amounts to self-policing. Some of the Common Market countries want their system to be used in connection with the treaty.

Hopefully, Mr. President, that impasse can be broken soon. The serious differences that have been resolved augur well for agreement and I applaud the progress made in Geneva today.

Mr. President, I ask unanimous consent to have printed in the RECORD the memorandum I have received from the Arms Control Agency, "Draft Treaty on the Nonproliferation of Nuclear Weapons," dated August 24, 1967, a memorandum entitled "Background on Draft Nonproliferation Treaty," and a statement by William C. Foster, representative to the 18-Nation Disarmament Conference.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NONPROLIFERATION TREATY NEGOTIATIONS AND NATO

The North Atlantic Council (NAC) was closely consulted on the submission to the Eighteen-Nation Disarmament Conference (ENDC) of the original U.S. draft treaty to combat nuclear spread. NAC did not object to its submission and the draft was presented in August of 1965. The Soviets submitted their draft shortly after and an impasse in the negotiations existed throughout most of 1966. By mid-December 1966, we were able to submit to our NATO allies new draft formulations of the main parts of the treaty that we thought we might be able to negotiate with the Soviets while still maintaining U.S. and NATO security objectives. This stage of consultation with our allies continued through January and early February, prior to the opening of the Eighteen-Nation Disarmament Conference on February 21.

On the wake of these consultations with our allies, we returned to Geneva a few days prior to the Conference opening on the 21st.

While we had originally hoped to complete the negotiations on certain points, about which we had fully consulted our allies, with the Soviets and submit them for the consideration of the Conference, the Soviets objected and said then that they preferred to wait until a complete treaty draft had been worked out before agreeing to table any text. The most important thing still missing was an article governing safeguards (discussed below).

The official negotiations continued at the Eighteen-Nation Disarmament Conference, which could only discuss the question in a general way since no new draft text had been introduced at the Conference. Mr. William C. Foster, the U.S. Representative, made a tour of the European capitals—Bonn, Rome, Brussels, and the Hague—which had expressed a special interest to consult further in the light of the above developments. When it appeared that still more extensive consultations would be necessary before a complete text could be submitted, the U.S. requested a six-weeks recess of the ENDC. The recess commenced on March 22.

After further extensive consultations with our allies in Washington and other capitals, and in the North Atlantic Council, we obtained a "green light" in the Council on April 20 to resume negotiations with the Russians with a view to submitting a draft jointly with the Soviet Union when the ENDC reconvened on May 18.

A great deal of progress was made towards an agreed text during the recess. The U.S. and its allies concurred that the major part of the text which was agreed could be presented to the Conference, leaving the unagreed portions, foremost of which was still an article on safeguards, for further negotiations between the U.S. and USSR. We have proposed this to the Soviet Union and currently the negotiations are being directed towards this objective.

The safeguards problem arises out of the existence of two international safeguards systems—one the International Atomic Energy Agency (IAEA) at Vienna, and the other a system set up earlier by the European Atomic Community (EURATOM) of the six Common Market Countries. The IAEA was established as a result of a proposal in former President Eisenhower's "Atoms for Peace" plan.

While it had always been U.S. policy to work towards a single, world-wide system of safeguards, the Common Market countries are reluctant to abandon their safeguards system in favor of IAEA because of the unfavorable effects they feel this would have on progress towards European unity. Moreover, the U.S. considers the EURATOM safeguarding system as effective.

The Soviet Union is agreeable to mandatory safeguards on the non-nuclear signatories of the treaty, but believes those safeguards should be administered by the Vienna agency. From the outset they have opposed the idea that the EURATOM system is equivalent to IAEA, on the grounds that it amounts to self-policing.

The United States is trying to work out a solution satisfactory to our NATO allies in EURATOM and, at the same time, acceptable to the Soviet Union. One suggestion for a compromise position to maintain a safeguards clause in the treaty, which has been made by some, involves an arrangement which would preserve the safeguarding function of the regional EURATOM system as long as the IAEA could verify this safeguarding function as effective.

DRAFT TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The States concluding this Treaty, hereinafter referred to as the "Parties to the Treaty,"

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to cooperate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear-weapon States,

Convinced that in furtherance of this principle, all Parties to this Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in cooperation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention that potential benefits from any peaceful applications of nuclear explosions should be available through appropriate international procedures to non-nuclear-weapon States Party to this Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used should be as low as possible and exclude any charge for research and development,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race,

Urging the cooperation of all States in the attainment of this objective,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a treaty on general and complete disarmament under strict and effective international control,

Noting that nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories,

Have agreed as follows:

ARTICLE I

Each nuclear-weapon State Party to this Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

ARTICLE II

Each non-nuclear-weapon State Party to this Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

ARTICLE III

(International Control)

ARTICLE IV

Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty, as well as the right of the Parties to participate in the fullest possible exchange of information for, and to contribute alone or in cooperation with other States to, the further development of the applications of nuclear energy for peaceful purposes.

ARTICLE V

1. Any Party to this Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depository Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must

be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to this Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for all Parties upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to this Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes and provisions of the Treaty are being realized.

ARTICLE VI

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of ———, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by all nuclear-weapon States signatory to this Treaty, and ——— other States signatory to this Treaty, and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded weapon or other nuclear explosive device prior to January 1, 1967.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

ARTICLE VII

This Treaty shall be of unlimited duration.

Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

ARTICLE VIII

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Treaty.

Done in ——— at ——— this —— day of ———, —.

Backgrounder on Draft Nonproliferation Treaty, August 24, 1967

The draft nuclear non-proliferation treaty tabled at Geneva today is comprised of a preamble and eight articles.

The draft was worked out between the co-chairmen of the Eighteen Nation Disarmament Conference, the United States and the Soviet Union, in consultation with their allies. It has been recommended by the U.S. and the Soviet co-chairmen for discussion and negotiation in the ENDC and for the consideration of all governments. Its tabling allows the other participants in the conference, including eight non-aligned nations, to join in working out a final treaty draft which can then be put before other governments, probably at the coming UN General Assembly.

The central core of the draft lies in Articles I and II. Essentially, they would bind nuclear weapon powers not to transfer nuclear weapons to non-nuclear-weapon powers, and the latter not to manufacture or otherwise acquire nuclear weapons. These undertakings also apply to "other nuclear explosive devices", which would be prohibited because they and the technology of their development are essentially indistinguishable from nuclear weapons.

The treaty deals with what is prohibited, not what is permitted. Thus Articles I and II prohibit any arrangement involving transfer of nuclear weapons, directly or indirectly. But the treaty does not, for example, prevent NATO consultation and planning for its nuclear defense or the permanent NATO committee established for this purpose since no transfer of nuclear weapons or devices is involved.

The preamble declares the intent of signatories to work for other measures to halt a nuclear arms race, supports the principle of regional nuclear free zones, and expresses the intention to share potential benefits of peaceful explosions without discrimination and to seek reduction of the intrusiveness of physical inspection through development of automated safeguards.

Article III, on safeguards, is left blank in the draft, because all the points at issue have not been resolved in the past several months of discussions. However, the area of agreement on the treaty as a whole is so great that the United States and the Soviet Union believe the present draft should be brought to the consideration of the whole conference, while the co-chairmen continue to seek an acceptable formulation on safeguards.

Presently there are two international systems of safeguards, those of the International Atomic Energy Agency (IAEA) and of the European Atomic Energy Community (EURATOM). While the United States has followed a policy of seeking a worldwide safeguards system, it realizes that EURATOM countries wish to maintain the safeguards system they have already established, which they view as an important element of progress towards European unity. The United States, therefore, believes the treaty should include effective, mandatory safeguards administered on a worldwide basis in a way that takes existing EURATOM safeguards into account.

The Soviet Union holds that the treaty should include mandatory safeguards, administered by the IAEA, on all non-nuclear parties. For treaty purposes the Soviets consider administration of safeguards by EURATOM to be "self-inspection", i.e. allies checking on allies.

Article IV would assure non-nuclear-weapon states that the treaty would not impede peaceful nuclear developments, recognizing the right of participants to exchange information and contribute, alone or in cooperation with others, to further development of peaceful applications. Such national development and international cooperation applies to research, production and use as well as to information, equipment and materials.

Article V prescribes the procedure for amendments, which would require a majority vote, including those of all parties having nuclear weapons and of parties who are members of the IAEA Board of Governors at the time the amendment is considered. This clause is designed to ensure that amendments desired by the majority have a fair chance of adoption while at the same time preventing amendments lacking wide support among countries having advanced peaceful nuclear programs.

Article V also provides for a review of the operation of the treaty after five years, providing non-weapon states a forum to express any dissatisfaction they feel with progress toward disarmament.

Article VI deals with signatures and entry into force, in language comparable to that of the existing limited test ban treaty. The number of signatures to be required to bring the treaty into force has not been decided. The United States has no specific view on this matter, but believes the number should be large enough to allow the treaty to start achieving its purpose as soon as it enters into force.

Article VI defines nuclear-weapon powers as those possessing such weapons on January 1, 1967. This date was chosen to freeze the number at the present five, by preventing other states from achieving the status of a nuclear-weapon state under the treaty before they sign it.

Article VII stipulates that the duration of the treaty shall be unlimited in order to inspire confidence and establish a firm basis for other arms control measures. A treaty limited to a specific number of years, as some have advocated, would tend to create a "countdown" atmosphere, leading to pressures for conducting clandestine preparations for a weapons program when the treaty expired.

Article VIII provides simply that the official languages of the United Nations, English, Russian, French, Spanish and Chinese shall be the languages of the treaty, and all language versions shall be equally authentic.

The reason Articles I and II prohibit the transfer of "nuclear explosive devices" as well as weapons is that these devices are technically indistinguishable from nuclear weapons; hence, to permit them would leave a loophole as large as the treaty itself. Actually, research on such nuclear explosions, which could in theory be used for earthmoving, mining, etc., is still in an early stage, and the feasibility of such applications has not yet been established. On March 21, 1967, U.S. Delegate William C. Foster at Geneva proposed that, if and when such explosions become feasible and are consistent with test ban limitations, they be made available to all states by those states which possess nuclear weapons.

No concrete plan has yet been worked out for the provision of such a "detonation service" for peaceful nuclear explosions. The U.S. position on such an arrangement, set forth in Geneva statements of March 21 and June 8 is (1) that the detonation should be under appropriate international observation, with the nuclear device remaining under the custody of the performing state, (2) that there should be an international body to which non-nuclear states could direct their requests for such service, and (3) that the cost should be kept as low as possible, and should exclude the cost of research and development.

The United States believes that the treaty would promote the security of all states by reducing the possibility of nuclear war. The problem of additional security assurances, which is of concern to some non-aligned countries, remains to be considered. This is a matter which, because of its complexity and the divergent interests of the countries concerned, cannot be dealt with in the treaty itself. The U.S. and Soviet co-chairmen will explore this problem further, including the possibility of action that can be taken in the United Nations. They are expected to present recommendations to the Eighteen Nation Disarmament Committee on this matter in the course of the Committee's consideration of the draft treaty.

Statement by William C. Foster, U.S. Representative to the 18-Nation Disarmament Conference (ENDC) at the 325th Plenary Meeting in Geneva, August 24, 1967

Mr. Chairman, a major milestone on the path toward achievement of a non-proliferation treaty is marked today.

An important initial milestone was the unanimous adoption of the Irish Resolution in 1961 (UNGA Res. 1665). Public debate, here and in New York, private negotiations and additional action by the General Assembly and the UN Disarmament Commission followed in the succeeding years.

1965 was marked by the public presentation of concrete treaty texts, by the submission of an eight-nation joint memorandum on non-proliferation, and by the adoption of General Assembly Resolution 2028. As a result, multilateral negotiations in this committee and in the General Assembly took on new meaning.

Given this new direction and impetus, the 1966 negotiations in this Committee succeeded in identifying with greater clarity the major obstacles to agreement. At the end of the ENDC session that year the eight-nation joint memorandum made the following comment:

"The eight delegations regret that it has not so far been possible to arrive at an agreement on a treaty acceptable to all concerned. They are deeply conscious of the danger inherent in a situation without an agreement that prevents proliferation of nuclear weapons. They view with apprehension the possibility that such a situation may lead not only to an increase of nuclear arsenals and to a spread of nuclear weapons over the world, but also to an increase in the number of nuclear weapon Powers, thus aggravating the tensions between States and the risk of nuclear war.

"The eight delegations are aware that a main obstacle to an agreement has so far been constituted by differences concerning nuclear armaments within alliances, a problem mainly discussed between the major Powers and their allies."

Today, for the first time, conclusion of a non-proliferation treaty is within reach. The members of this Committee, all of whom helped bring the negotiations to this point, share in the achievement we mark today. As will be seen from a careful examination of the draft, it is based upon the principles enunciated in the joint memoranda and Resolution 2028.

The draft non-proliferation treaty we are presenting today is a recommendation for discussion and negotiation in the ENDC and for the consideration of all governments. We have worked long and hard over it. We have sought to take into account the interests of all potential adherents. This draft reflects constructive suggestions made by other delegations here and by other governments. We could not, of course, expect governments to be committed to this draft at this point since all governments would want to be able to consider improvements which might be suggested here.

We recognize the interest of governments not represented on this Committee to have their views on the non-proliferation treaty draft made known during this next and crucial stage in the elaboration of the treaty. A procedure already exists for the circulation within the Committee of the views of non-members.

Let me now present a brief explanation of the provisions of the draft.

Article I deals with the obligations of nuclear-weapon states. First, they cannot transfer nuclear weapons, or control over them, to any recipient whatsoever. Second, they cannot assist non-nuclear-weapon states to manufacture or otherwise acquire nuclear weapons. Third, these prohibitions are applicable not only to nuclear weapons but also to other nuclear explosive devices.

Article II deals with the obligations of non-nuclear-weapon states and is the obverse of Article I. First, such states cannot receive the transfer of nuclear weapons, or control over them, from any transferer whatsoever. Second, they cannot manufacture or otherwise acquire nuclear weapons, or seek or receive assistance for such manufacture. Third, these prohibitions are applicable not only to nuclear weapons but also to other nuclear explosive devices.

We have already made clear the reasons for including such devices in the prohibitions of the treaty. These devices could be used as nuclear weapons and the technology for making them is essentially indistinguishable from that of nuclear weapons.

The United States recognizes that the benefits which may some day be realized from nuclear explosions for peaceful purposes should be available to the non-nuclear states. In his message of February 21 to the ENDC, President Johnson stated, and I quote, "The United States is prepared to make available nuclear explosive services for peaceful purposes on a non-discriminatory basis under appropriate international safeguards. We are prepared to join other nuclear states in a commitment to do this." My delegation has elaborated on this proposal in interventions at our 295th and 303rd meetings.

We are pleased that the Preamble of the draft non-proliferation treaty contains a forthright provision on peaceful nuclear explosions. It states and I quote, "Potential benefits from any peaceful applications of nuclear explosions should be available through appropriate international procedures to non-nuclear-weapon parties on a non-discriminatory basis and the charge to such parties for the explosive devices used should be as low as possible and exclude any charge for research and development."

Article III, the safeguards article, has been left blank although there are several references to safeguards in the Preamble. The Article is blank because the Co-chairmen have not yet been able to work out a formula which would be acceptable to all states which wish to support this treaty. The Co-chairmen are continuing their consultations with a view to drafting an agreed text for this Article. In the meantime, I hope that ENDC plenary discussion will focus on the provisions which have been submitted today with the safeguards discussion being deferred for the time being while the Co-chairmen work on the problem.

Article IV results from many suggestions by non-nuclear-weapon countries that the treaty contain an article on peaceful uses of atomic energy. Indeed, the idea for such an article was originally derived from the treaty of Tlatelolco, Mexico. The article describes two recognized rights of parties with respect to peaceful uses. First, it makes clear that nothing in the treaty draft interferes with the right of the parties to develop their research, production and use of nuclear energy for peaceful purposes in compliance with Articles I and II, which, of course, include provisions on peaceful nuclear explosive devices. Second, it recognizes the right of the parties to participate in the fullest possible exchange of information for, and to contribute alone or in cooperation with other states to, the further development of the applications of nuclear energy for peaceful purposes. These two rights are specific elaborations of the principle, stated in the Preamble, "That the benefits of peaceful applications of nuclear technology . . . . should be available for peaceful purposes to all parties, whether nuclear-weapon or non-nuclear-weapon states." As the Preamble also makes clear, this principle includes not only modern reactor technology and the like, but "any technological by-products which may be derived by nuclear-weapon states from the development of nuclear explosive devices."

These provisions make clear that the treaty would promote, not discourage, national development and international cooperation with respect to peaceful applications of atomic energy. This applies to research, production and use as well as to information, equipment and materials.

Article V deals with amendments and review. Paragraph 1 states how amendments may be initiated and is derived from the Test Ban Treaty. Paragraph 2 describes how amendments enter into force.

It provides that an amendment must be approved by a majority of the parties who are members of the IAEA Board of Governors.

The last paragraph of Article V provides for a conference after five years to review the treaty's operation with a view to assuring that its purposes and provisions are being realized. This will provide an opportunity for non-nuclear and nuclear-weapon states alike to assess whether the treaty is accomplishing its primary purpose of preventing the spread of nuclear weapons and also its purposes of easing international tensions and facilitating agreement on cessation of the nuclear arms race and on disarmament. The review conference is thus relevant to the question of further measures of disarmament, a question which has been of such interest to many members of this Committee.

The draft also contains preambular provisions on arms control and disarmament, including a declaration of intention to achieve a cessation of the nuclear arms race at the earliest possible date. The "declaration of intention" form was of course suggested in the eight-nation joint memorandum on non-proliferation of last August. In a similar vein, a later preambular paragraph calls for the cessation of production of nuclear weapons and the elimination of nuclear weapons and delivery vehicles from national arsenals, pursuant to a treaty on general and complete disarmament under strict and effective international control.

These preambular provisions state the purposes of the treaty. Steps toward achievement of these purposes would be reviewed by the review conference to which I have referred. Thus, while no specific obligation for nuclear disarmament would appear, the preambular provisions combined with the review paragraph in Article V would provide the most realistic approach to this problem.

We share the general desire for early progress to halt the nuclear arms race and to begin the process of reducing and ultimately eliminating nuclear weapons from national arsenals. The United States has proposed, and will continue to pursue, various measures to achieve these objectives. But we all know why it would not be feasible to incorporate specific obligations to this end in the treaty itself. The differences that have prevented agreement on these measures have not as yet been resolved. Any attempt to incorporate specific nuclear arms limitation obligations in the treaty would inevitably also inject these differences into the consideration of the treaty itself and could only jeopardize its prospects.

Let us therefore agree to pursue these nuclear arms limitations measures with a greater sense of urgency and, I would hope, in a spirit of greater cooperation. Let us also all agree that this treaty must be regarded as a step toward the achievement of these other necessary measures. We are convinced that the treaty will create a more favorable environment for agreement on them. That is why we believe we must concentrate now on ways to expedite and facilitate the conclusion of this treaty and avoid actions which would delay or jeopardize it. The situation requires that our efforts be focused on achieving a realistic agreement as soon as possible.

Article VI contains signature and entry into force provisions derived from those of the Test Ban Treaty. It would require that a certain number of non-nuclear-weapon states in addition to the nuclear-weapon signatories would have to ratify before the treaty would enter into force. We have not expressed a view on the precise number. The United States believes it should be sufficiently large so that the treaty will begin to achieve its purposes when it enters into force.

Article VII states that the treaty shall be of unlimited duration. It contains a withdrawal clause similar to that of the Test Ban Treaty with one significant improvement. The notice of withdrawal, together with a statement of reasons therefor, would be submitted to the UN Security Council as well as to the parties. The withdrawal provision is central to this treaty. States will adhere to the treaty if they believe it is consistent with their security interests. Under the proposed clause, a party can cease to be bound by the treaty if it decides that its supreme interests have been jeopardized by extraordinary events related to the subject matter of the treaty.

Article VIII provides depositary procedures for the treaty text. It also states that the treaty will be equally authentic in each of the five official languages of the United Nations.

We recognize that the problem of security assurances, which is of concern to some non-aligned countries, remains to be considered. The United States maintains the view that this is a matter which, because of its complexity and the divergent interests involved, cannot be dealt with in the treaty itself. We are, however, exploring various possible solutions, including action which could be taken in the context of the United Nations, whose primary purpose is the maintenance of peace and security. We expect that the Co-chairmen will be exploring this problem further with a view to presenting recommendations to this Committee in the course of our consideration of the treaty.

Mr. Chairman, if the draft presented today leads to a generally accepted treaty, our generation will pass on a gift to future generations. Such a treaty will lessen the danger of nuclear war. It will stimulate widespread, peaceful development of nuclear energy. It will improve the chance for nuclear disarmament. It will help reduce tensions. Like the test ban and outer space treaties, it will constitute a major step toward a more peaceful world. It will be a treaty for all of us—but most of all for our children and our grandchildren.

Mr. Chairman, the future safety of mankind requires prompt action to halt the spread of nuclear weapons. An unprecedented opportunity to do so now awaits us. Let us seize this opportunity while we can.

ENCOURAGING RURAL ECONOMIC DEVELOPMENT

Mr. PEARSON. Mr. President, the continuing migration of people from our farms and small towns threatens the existence of many of our rural communities. This is not only bad for rural America but it also serves to compound the gigantic problems of the already overcrowded cities.

If we could better control and slow down this rural to urban migration, significant economic and social benefits would accrue to the Nation as a whole.

If the migration trend is to be altered, it is clear that it would be necessary to greatly expand the quantity and quality of economic opportunities in rural America. I am confident that the Rural Job Development Act of 1967, recently introduced by Senator HARRIS and myself and cosponsored by 28 other Senators, if enacted, would be a significant step toward achieving this goal.

Mr. President, an editorial appearing in the September 1967 issue of the Farm Journal succinctly identifies the interrelationship between the problems of urban and rural America and cogently argues that expanded economic opportunities in rural areas would significantly contribute to the alleviation of many of the problems which now plague both communities.

Mr. President, I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REMEDY FOR BOTH FARM AND CITY

This summer we have seen twin economic and social problems across the nation. One is too-low farm income, which basically stems from the fact that more people are trying to make a good living at farming than can do it. The other is the riots in the cities and other troubles that happen from herding too many people into too-small space.

The problems are "twin" because both would benefit from the same basic remedy: *we need the jobs, and the education to provide skilled workers for them, to make it possible for more people to live in rural America*. We need to stem the flow of people into big cities already unable to cope with the hordes they have.

To speed up the availability of more jobs in non-metropolitan America we need more tax incentives to businesses that choose to set up shop there. Many a community is already offering such and we hope more will. To these might be added tax incentives by the states and federal government. And with this must go improvements by the communities that wish to become prospective locations, to make themselves into attractive places where businesses and their employes will want to live and work. That includes such things as good schools, health services, libraries, active churches, recreation facilities, etc.—things that the people already living there should have anyhow.

If you think all this pretty dreamy, we submit that it is a more practical remedy for the long-run than most of the instant answers we are presently trying to think up to meet the urgent problems of both farms and cities. It would be hard to get tax-incentive legislation through state legislatures and Congress. Big cities would oppose it. But the program need not involve moving establishments now operating, only new businesses or additional plants. More difficult ideas than this have been made into law.

The most promising long-range solution to the "farm problem" is more off-farm jobs in rural America. Such jobs would let those farmers who want to, or have to, leave farming, part way or all the way, do so. They might well make more money, and so would the farmers who would be left. Meanwhile all of them could continue to live where they do now, or not far away. How much better for them than to move as strangers to South Chicago, South Philadelphia, or South Big City anywhere!

The big cities would benefit, too. They might begin to solve their problems of crime, traffic, wretched housing, slums and ghettos. How much better off Detroit would have been if the people who swarmed in from rural communities had been able to find jobs, and the vocational education to go with them, where they came from.

It's no wonder big cities have riots. It is simply abnormal for so many people to live atop one another in so little space, like ants in an ant hill. Nor is it any longer necessary in this day of rapid transportation, of communications media that bring the best of the arts that the cities have to offer, of branch stores of the biggest emporia of large cities, of decentralized health and education facilities. The Mayo Clinic is in Rochester, Minn. Many universities are in small places, and now Community Colleges are bringing higher education to the countryside.

The nation as a whole would gain, both economically and socially, from a spread-out of people and jobs. It would be sounder of fibre if more of its people had a little elbow room, access to the open country, a part in community affairs—in short a normal kind of life.

True, this would bring some problems to those farm neighborhoods that want things to stay just as they are. But change there will be, and the smart communities will be those that guide it along positive lines.

A bill recently introduced in the U.S. Senate would offer federal tax incentives to any business choosing to locate in those areas of rural America that the Secretary of Agriculture would designate as "economically deficient." That would be a start, but we suggest making such benefits available *anywhere* that is sufficiently non-big city.

We're rushing about these days trying to think up mustard-plaster answers to the emergencies upon us. While we're at it, why not consider the *real long-range remedy for both farm and city—which is to make it possible for more Americans to live out over America?*

PRESIDENT JOHNSON ASKS A REPRESENTATIVE AMERICAN GROUP TO OBSERVE SOUTH VIETNAMESE ELECTIONS AT FIRSTHAND

Mr. McINTYRE. Mr. President, the American people are going to have a large group of private eyes and ears on the spot in South Vietnam to observe the coming elections.

President Johnson, at the request of the South Vietnamese Government, has asked a representative group of American leaders to visit South Vietnam during the campaign and elections next week.

This is a heartening sign from the Government of South Vietnam, and a worthy response from the United States. South Vietnam has already invited the United Nations to send a team of observers for the election and has opened all secure areas to the world's free press.

This is a vital demonstration of democracy in a beleaguered country.

Surely, the representative group which President Johnson has asked to go to South Vietnam is uniquely qualified to give us an unbiased and objective view of just what is happening.

This is a remarkable thing for a nation to do while it is engaged in a struggle against Communist aggression.

It reflects well on the faith of Vietnamese people in their own abilities to build a representative and democratic national government.

I trust that this move will quiet those who have criticized the election before it has taken place.

President Johnson should be complimented on his choice of this group.

Let us not expect a Utopia to result from the Vietnamese elections. After all, America has its own problems.

But we cannot overlook the dramatic step which South Vietnam has now taken to open its election process to the world.

I compliment both the President and South Vietnam for their joint efforts.

MILITARY AID TO GOVERNMENT OF GREECE

Mr. CLARK. Mr. President, following my speech in the Senate on Monday of this week, urging that there be no resumption of U.S. military aid to the junta which is presently in control of the Government of Greece, I have received a number of communications expressing support for my stand.

Because I believe that they may be of interest to readers of the Congressional Record, I ask unanimous consent that a few of the communications be printed in the Record.

There being no objection, the communications were ordered to be printed in the Record, as follows:

Philadelphia, Pa.,
August 22, 1967.

Senator Joseph Clark,
Senate Office Building,
Washington, D.C.:

Congratulations for your most farsighted and unequivocal stand on the issue of economic assistance to the Greek dictators. Your proposed solution of immediate return to the existent constitution and free elections is the only one guaranteed tranquillity and security of vested interest.

Julius Iossifides, M.D.

Wynnewood, Pa.,
August 22, 1967.

Senator Joseph Clark,
Senate Office Building,
Washington, D.C.:

Congratulations for your August 21 speech concerning the Greek political situation.

Nicholas Gonatdas,
Professor, University of Pennsylvania.

Washington, D.C.,
August 22, 1967.

Hon. Joseph S. Clark,
Senate Office Building,
Washington, D.C.

Dear Senator: I just concluded reading your speech in the Senate entitled "Democracy In Greece". Congratulations. Let's hope it will remove the blinders of the State Department on this question.

Sincerely yours,
George C. Vournas.

Washington, Pa.,
August 20, 1967.

Senator Joseph Clark,
Senate Office Building,
Washington, D.C.:

Thank you for your stand on Greece. I am with you.

John Perris, M.D.

Miami, Fla.,
August 18, 1967.

Senator Joseph S. Clark,
U.S. Senate,
Washington, D.C.

Dear Senator Clark: We have been waiting patiently for the American government to withdraw military support from the recent Greek military government and thus see it decline. Not only hasn't this been done, but its prospects for the future seem nil. We have become increasingly disenchanted with American foreign policy since the death of President Kennedy, but "this is the last straw."

The United States has given its consent to a military coup which prevented a democratic election in taking place and elect a competent, effective and popularly supported government, a government which has as its head people whose desire is to see that Greece join the developed nations of the world.

In accomplishing this, Greece will become more dependent on the United States for its industrialization and the goods that the Americans can provide for the emancipated Greeks. In doing so it will also align itself ideologically with the "West."

Leaving the question of morality aside, where is the logic in the United States foreign policy? A nation of suppressed "have nots" are inclined to listen to the appeals of our rival states. If you say the eight million Greeks do not matter, what about the public sentiment that this situation has provoked in closely allied countries?

Please for the benefit of all, help restore democratic government in Greece.

Sincerely,
Mrs. James C. Strickland.

Chicago, Ill.,
August 21, 1967.

Senator Joseph S. Clark,
Senate Office Building,
Washington, D.C.:

Congratulations on your democratic stand in refusing aid to Fascist Greece.

John A. Damianos.

Wilmington, Del.

Hon. Joseph Clark,
U.S. Senator of Pennsylvania,
Washington, D.C.

Dear Sir: Congratulations for your stand on the Greece dictatorship. The U.S. must do everything possible to restore democracy in Greece. If we do not do so Greece will become fertile ground for a "Batista to be replaced by a Castro type of government." The majority of the Greek people appear to believe that the dictatorship was instigated by the U.S. via CIA. We must dispel such thoughts by helping the Greeks to find the road to democracy again. Neither the junta nor the King appear to be moving in this direction in spite of what they say. Let us move while we can.

Sincerely yours,
Peter N. Yiannos.

Washington, D.C.,
August 21, 1967.

Senator Joseph S. Clark,
Senate Office Building,
Washington, D.C.

Dear Sir: I would like to congratulate you and thank you for today's speech about Greece. As one who knows Greece well, has written books and articles about the country, and has just returned from a nightmare summer in that stricken country, I am only too aware of the vast measure of ignorance and indifference which prevails in our governing body in regard to Greece. Your understanding in depth and breadth of the situation is a ray of hope at a time when it is sorely needed.

I can only hope that your important and urgent words will reach those who are not as yet awakened to the dangers of a fascist government, and who do not realize how surely, if unconsciously, the Junta is playing right into communist hands, so that where there was no danger of any communist takeover in the past, a desperate people may well turn to drastic political leftist means as their only hope of resistance and eventual freedom. Thank you for so eloquently speaking against the continuance of the present madness in Greece.

Very truly yours,
Edward Fenton.

Geneve,
August 24, 1967.

Senator Joseph Clark,
U.S. Senate,
Washington:

Congratulations your statement on Greece stop please airmail if possible full text thank you.

Jean Siotis,
Professor.

NEED FOR JOB-CREATING INDUSTRIES IN RURAL AREAS

Mr. MONRONEY. Mr. President, about a month ago, proposed legislation was introduced in Congress to provide a series of tax incentives to new job-creating industries in rural areas. As a cosponsor of the legislation, I feel it is a very important approach to the serious crime and riot problems in metropolitan slum areas.

The September 1967 issue of the Farm Journal, the Nation's largest farm magazine, will contain an editorial in support of this general idea, which is a long-range remedy to the most important single domestic crisis of our time.

Mr. Donald O. Cunnion, the director of editorial relations for the Farm Journal, has brought this editorial to my attention, and I believe it deserves the widest possible attention. Therefore, I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Remedy for Both Farm and City

This summer we have seen twin economic and social problems across the nation. One is too-low farm income, which basically stems from the fact that more people are trying to make a good living at farming than can do it. The other is the riots in the cities and other troubles that happen from herding too many people into too-small space.

The problems are "twin" because both would benefit from the same basic remedy: we need the jobs, and the education to provide skilled workers for them, to make it possible for more people to live in rural America. We need to stem the flow of people into big cities already unable to cope with the hordes they have.

To speed up the availability of more jobs in non-metropolitan America we need more tax incentives to businesses that choose to set up shop there. Many a community is already offering such and we hope more will. To these might be added tax incentives by the states and federal government. And with this must go improvements by the communities that wish to become prospective locations, to make themselves into attractive places where businesses and their employes will want to live and work. That includes such things as good schools, health services, libraries, active churches, recreation facilities, etc.—things that the people already living there should have anyhow.

If you think all this pretty dreamy, we submit that it is a more practical remedy for the long-run than most of the instant answers we are presently trying to think up to meet the urgent problems of both farms and cities. It would be hard to get tax-incentive legislation through state legislatures and Congress. Big cities would oppose it. But the program need not involve moving establishments now operating, only new businesses or additional plants. More difficult ideas than this have been made into law.

The most promising long-range solution to the "farm problem" is more off-farm jobs in rural America. Such jobs would let those farmers who want to, or have to, leave farming, part way or all the way, do so. They might well make more money, and so would the farmers who would be left. Meanwhile all of them could continue to live where they do now, or not far away. How much better for them than to move as strangers to South Chicago, South Philadelphia, or South Big City anywhere!

The big cities would benefit, too. They might begin to solve their problems of crime, traffic, wretched housing, slums and ghettos. How much better off Detroit would have been if the people who swarmed in from rural communities had been able to find jobs, and the vocational education to go with them, where they came from.

It's no wonder big cities have riots. It is simply abnormal for so many people to live atop one another in so little space, like ants in an ant hill. Nor is it any longer necessary in this day of rapid transportation, of communications media that bring the best of the arts that the cities have to offer, of branch stores of the biggest emporia of large cities, of decentralized health and education facilities. The Mayo Clinic is in Rochester, Minn. Many universities are in small places, and now Community Colleges are bringing higher education to the countryside.

The nation as a whole would gain, both economically and socially, from a spread-out of people and jobs. It would be sounder of fibre if more of its people had a little elbow room, access to the open country, a part in community affairs—in short a normal kind of life.

True, this would bring some problems to those farm neighborhoods that want things to stay just as they are. But change there will be, and the smart communities will be those that guide it along positive lines.

A bill recently introduced in the U.S. Senate would offer federal tax incentives to any business choosing to locate in those areas of rural America that the Secretary of Agriculture would designate as "economically deficient." That would be a start, but we suggest making such benefits available anywhere that is sufficiently non-big city.

We're rushing about these days trying to think up mustard-plaster answers to the emergencies upon us. While we're at it, why not consider the real long-range remedy for both farm and city—which is to make it possible for more Americans to live out over America?

FALSE ECONOMY IN THE WATER POLLUTION CONTROL BUDGET

Mr. MUSKIE. Mr. President, on August 15 the Evening Star published an excellent editorial urging the Senate Committee on Appropriations to vote to appropriate $450 million this year for the sewage treatment construction grants program as authorized by the Clean Water Restoration Act of 1966.

If we are to carry on the enormous task of cleaning up our Nation's rivers and streams, the Federal Government must live up to its commitment to the State by providing the full authorization. The distinguished Senator from Delaware [Mr. Boggs], the ranking Republican member of the Subcommittee on Air and Water Pollution, and I have urged the Appropriations Committee to recommend the full $450 million. We have pledged to do everything possible to insure that this Federal commitment is fulfilled. As the Star editorial points out, the Nation can ill afford the kind of false economy which the administration's budget request represents.

Mr. President, I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

False Economy

In 1966, Congress reacted to the deplorable state of the nation's rivers by passing the Clean Water Restoration Act. Among the act's principal features was the authorization of $450 million in federal aid for municipal sewage treatment facilities.

The purpose in offering federal matching funds was to stimulate the states to contribute financially to the construction of plants. And the concept that cities, the states and the federal government should pool their resources in tackling what is, in fact, a local, state and national problem was a sound one.

But now that the time has come to fork up the money, the administration and the Congress seem to be about to snatch away the tempting carrot of federal participation.

The economy-conscious administration, looking for trimmable material in the budget, sliced the authorization roughly in half, asking for a $203 million appropriation. The House, presumably also aware that rivers don't vote, went along with the administration cut.

The matter is now before the Senate's Public Works Subcommittee. We would urge the Senate to take a careful look at the sorry condition of so many of the nation's once-beautiful rivers and streams before they sharpen their own budget-cutting knives. If the fine promise of the Clean Water Restoration Act is not to die in its infancy, then the states and the cities must be convinced that the federal government will indeed put its money where its mouth is.

SENATOR NELSON WORKS FOR LOWER DRUG PRICES

Mr. GRUENING. Mr. President, earlier this week the able and articulate Senator from Wisconsin [Mr. Nelson] addressed the Wisconsin Pharmaceutical Association meeting in Green Bay, Wis. Because his remarks that night, August 21, deal with the high cost of prescription drugs—a problem for which he does not blame the pharmacist, nor do I—I ask unanimous consent that the complete text of his speech be printed in the Record at the conclusion of my remarks.

As chairman of the Small Business Monopoly Subcommittee, the Senator from Wisconsin [Mr. Nelson] made a number of suggestions which he asked his constituents to consider. They appear near the conclusion of his address. At this time I will comment only on one.

Senator Nelson proposes that a drug compendium be established by the Food and Drug Administration. The compendium would list all drugs by generic names, with cross-indexes for trade-name equivalents, showing side effects, contradictions, prices, and a therapeutic index, and providing other pertinent information. He believes the Food and Drug Administration could prepare the compendium in cooperation with the drug companies of our Nation. Such a compendium would be of great value to the consumer, and I commend the Senator for his concern and his suggestion. I hope the Federal Government can work closely with the drug industry in the preparation of this long-overdue project.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alaska?

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Senator Gaylord Nelson, Wisconsin Pharmaceutical Association Meeting, Green Bay, Wis., August 21, 1967

The pharmacists of Wisconsin and I have many common interests and problems. We are both seeking some common objectives and answers to common questions. And we both have become the victims of misunderstanding and misinformation.

I am pleased to be able to visit with the Wisconsin pharmacists. I know that you have a vital interest in the affairs of the Senate Monopoly Subcommittee. I also know that Wisconsin pharmacy is looked upon as a leader in your profession. Our School of Pharmacy at the University heads the lists of leading schools in the country; our Wisconsin Pharmaceutical Association is looked upon as one of the leading state professional societies; our Board of Pharmacy is one of the more effective among the states. Many leaders and new ideas in your profession have come from Wisconsin.

I suppose that you feel as if everyone is out to make the pharmacist the scapegoat for the high cost of prescription drugs. I think I know how you feel, because I have also become the brunt of a lot of criticism for daring to seek answers that the profession of pharmacy and others have sought for a number of years.

Before the drug hearings began in the Senate committee, one columnist noted that "great cauldrons of money" are at stake. So I expected a fierce battle from the pharmaceutical manufacturers at the very outset.

Even though there has been a tragic clouding of the real issues by drug companies, your professional societies, state and national, are doing a splendid job of putting your story across. I can assure you that you have had and will continue to have my sympathetic understanding and assistance.

The American public must be made aware that there are two components to the cost of pharmaceutical services—the cost of the professional services rendered by the pharmacist, and the cost of the drugs called for in the prescription.

At the present time, the community pharmacists are being blamed for both cost components, whereas your profession is really only accountable for the professional service costs.

I am surprised by the great amount of misunderstanding that exists on this very basic point.

In practically all cases, the testimony before the Subcommittee has dealt with wholesale costs—acquisition costs to pharmacists. In spite of what you may have heard, no one has appeared before the committee to blame the pharmacists for high drug prices. If some members of the public have this mistaken impression, the committee will work all the harder to demonstrate that this is just not so.

I have been surprised by the great misconception held by some doctors, pharmacists, medical associations and other experts in the field.

An Oconomowoc doctor wrote me: "I advise you to leave medicine to those who practice it and just vote as do others in your party."

"We pharmacists end up getting the criticism," complained a Fox Valley constituent in another letter.

Words of encouragement came, too. A retired pharmacist, in business for forty years, wrote me from a small northern Wisconsin town. He said that he knew the whole system of drug distribution was a mess and he wanted me to find out why.

I have visited with Dr. William Apple, Executive Director of the American Pharmaceutical Association, and with your own Executive Director, Dr. Allen Daniels. I think that they understand and support the objectives of the hearings.

I can easily understand the reaction of the critics who wrote me. Newspaper, TV and radio accounts can easily distort the true picture.

The extraordinarily wealthy Pharmaceutical Manufacturers Association is circulating propaganda all over the country to discredit the hearings. In their zeal to protect their 140 major drug company members, they are trying desperately to shift the blame to the little fellow—the community pharmacist. They are bombarding the public with stories that don't tell the whole truth. They have written hundreds of doctors, all the state medical societies, many county medical societies, schools of pharmacy, the AMA, and many others, asking individuals and groups to deluge the committee with resolutions and letters of protest.

And they have written all the newspapers in Wisconsin, sent in TV and radio announcements and spots, and sent letters to leading Wisconsin businessmen to try and intimidate me.

It would be interesting to find out how much money, time and effort was spent in Wisconsin by the PMA to propagandize the public. I wonder if they spent as much in other states?

Much of the furor exists because of the great disparity existing between the prices of trade name and generic drugs. A single glance at the drug catalogs will show differences of five, ten, or even twenty times.

I think an Appleton pharmacist identified the crux of the problem better than anyone. In a letter to me, he said: "Find out why one drug, regardless of trade name or generic name, from the same supplier, costs the government one price, the hospital a different price, and the little retail pharmacist a higher price."

On July 10, on the Senate floor, I stated: "Some pharmaceutical manufacturers would like to have the American public believe that the local pharmacist is the villain behind high prescription drug prices. Such allegations are totally unfounded. It is high time that the blame be removed from the much aligned community pharmacist and placed where it belongs, right at the front door of the drug manufacturers themselves.

"The fact is that the pharmacists are as anxious as the general public to see drug prices reduced," I concluded.

About that time, at my invitation, two very distinguished pharmacologists testified before the Monopoly Subcommittee.

Dr. Harry Williams, professor of pharmacology at Emory University School of Medicine, Atlanta, Ga., paused in the midst of his recitation about what is wrong with the drug industry to tell the committee that he had no information which would indicate that the local pharmacist makes an exorbitant profit on his operation.

"As a matter of fact," he went on to say, "the prescription markup in today's pharmacy is about what I remember from my own time in a retail pharmacy in 1937. Maybe it is a little less."

Later during the day's session, Dr. Solomon Garb, professor of pharmacology at the University of Missouri, attacked the view of the drug industry and some doctors that generic prescribing is undesirable because it places on pharmacists a responsibility they are not equipped to meet—that of choosing the source of supply of the drug.

Dr. Garb insisted that all the pharmacists he knew were both ethical and competent, and he believed that they could be relied upon to dispense only wholesome, potent drugs.

Dr. Garb concluded: "I cannot understand why a pharmacist should be considered less competent or less reliable than a physician in terms of choosing reputable manufacturers and good products."

I wholeheartedly support the contention of these two eminent experts.

Dr. Williams concluded his testimony saying that there is no difference in the relative effectiveness of most generic and brand name drugs. He urged that pharmacists "shop around" for drugs. This would force manufacturers' prices down by compelling brand name makers to compete with generic products, he added.

Dr. James Goddard, Commissioner of Food and Drug Administration, testified before the Committee ten days ago. He said that within 18 months, through its new St. Louis Research and Testing Laboratory, FDA was going to do chemical and clinical testing of the top selling drugs. Using double blind clinical testing, FDA will be able to determine once and for all whether generic equivalency does exist in the more important drugs.

Dr. Goddard emphasized that the chances are excellent that most generic drugs today are effective and safe.

He said, "You don't always have to buy a brand name product in order to be sure that a drug is good."

Make no mistake about it—I don't want to see the pharmacists of this country dispensing substandard drugs whatever they are called simply because they are cheap. Quality drugs are important to you and to the public. This concept pervades every aspect of the committee hearings.

Much time and discussion has been devoted to the subject. We are asking specific questions on quality and attempting to uncover whatever information there is on the topic. I fully realize that drug effectiveness depends upon its quality, rather than what its name is or who manufactures it.

On June 12, Dr. William Apple addressed the Pacific Northwestern Pharmaceutical Convention and Exposition.

He said that the whole generic controversy could have been avoided twenty to forty years ago when the issue first began to smoulder. Industry, the medical profession and the pharmacy profession should have gotten together and accepted the responsibility, he said. But the drug industry representatives had too large a vested interest. The stakes in advertising and patented products run into hundreds of millions of dollars.

Dr. Apple continued, ". . . our first concern is to provide sick people the best quality drugs men and money can produce. If we had accepted this premise," he said, "we simply wouldn't have any inferior generics or inferior brand name drugs."

Instead the battle cry by the drug companies now seems to be that you can identify a good drug merely by looking at the label on the bottle.

The fact is, and this was re-substantiated by Dr. Goddard again last week, that in a 4600 sample survey made by FDA in 1966 some trade name drugs and some generic drugs both showed evidences of poor quality; 8.7% of the trade name and 7.7% of the generic drugs were found to be subpotent. Plenty of room for improvement exists for manufacturers of both kinds in maintaining higher standards of workmanship.

Other actions by FDA since that time have resulted in hundreds of millions of tablets manufactured by ten major drug companies being recalled. In one case alone, over one-half billion tablets of Librax, manufactured by Roche Laboratories were recalled. FDA rated the hazard as serious.

This last June, the *Medical Letter,* a prestigious and widely accepted journal, devoted to studying drugs, stated that after extensive testing, 22 different brands of prednisone are available on the market which are of the highest quality and may be prescribed freely with confidence.

The *Medical Letter* states, "There is nothing either in the reports of clinical trials or in the experience of the *Medical Letter* consultants to suggest that variations in formulations are causing any problems in patients."

The *Letter* went on to say that, "The great price spread among tablets purchased from different pharmaceutical companies suggests the desirability of prescribing by generic names and specifying—at least for patients of limited means—that the prescription be filled with low-priced prednisone tablets."

The *Letter* shows graphically that prices vary dramatically from a high of $170.00 per thousand tablets to as low as $5.90—wholesale—per thousand tablets for an equally safe and efficacious drug.

When the president of Schering was confronted with this fact—his product is the $170 one—he could not deny that Merck's product at $22 per thousand was equally as good or that Upjohn's product at $22.50 was equally as safe. He did not deny that a great many other brands were just as good. He had no clinical proof that Meticorten was superior to any other brand. He couldn't substantiate his argument that Meticorten was better because doctors prescribed it more often than any other brand, which he told our subcommittee. Nor did he dispute that prednisone at $5.90—wholesale—was a good drug.

Is this testimony to the effectiveness of Meticorten? Or is it testimony of the effectiveness of the $800,000,000 ($3,000 per doctor) that the drug companies spend every year for advertising. And this doesn't take into account the promoting done by the zealous detail man.

The president of Parke, Davis testified that the cost of making prednisone is 50¢ per hundred tablets. That amounts to a difference of 3600% between cost and wholesale price to the pharmacist.

Schering is a research oriented company. But so is Merck and Upjohn and a great many others. Yet Schering bases its high price on their cost of research.

How can Schering justify a price structure which discriminates unfairly against the American pharmacist and the American consumer?

Even though Schering's list price on prednisone to the pharmacist is $170 per thousand, in three separate bids to the Defense Department over a 12 month period ending in 1966, they quoted prices of $8.20 and $9.20 per thousand tablets—a difference of 2000% in price to the community pharmacist.

Schering has offered prednisone to the New York City Health Administration on many occasions at prices ranging from $10.00 to $17.00 per thousand tablets.

The sad fact is that the price of prednisone sold in this country is sometimes two to four times the price other countries pay for the identical Schering product.

The U.S. State Department has furnished the committee with some overseas prices.

Using the 100 tablet wholesale U.S. prices for comparison purposes, Rome buys prednisone for $12.20, Mexico, $12.26, Australia $7.70, Rio de Janeiro $5.30, and Berne, Switzerland $4.37. The U.S. price is $17.90.

There is no doubt in my mind that Schering makes a profit overseas even at these rather low prices. The fact is that competition exists there which forces prices down.

The committee checked on the prices of the drug resperine. CIBA sells their product under the brand name Serpasil. The U.S. wholesale price is $39.50 per 1000 .25 milligram tablets. The State Department survey produced overseas prices for Serpasil in Bonn, Germany of $10.53, $11.09 in Berne and $11.20 in London. We pay three times those prices in this country.

Thorazine, a drug developed in France by Rhone-Poulenc is licensed for sale and manufacture in the U.S. to Smith, Kline and French. It is sold here for $6.06 for 100 .25 milligram tablets, in Paris for $1.08, London for $1.08, and $2.40 in Bonn, $2.40 in Rome,

$2.53 in Rio, $2.52 in Teheran and $3.48 in Vienna. Worse yet, all research on Thorazine was done by the French company, which developed it. So research costs cannot be claimed by Smith, Kline and French.

What conceivable explanations can the drug companies have to defend these unconscionably high prices in the United States?

I am as deeply interested in and committed to preserving the free competitive enterprise system as the dominant force in the delivery of health care services as you are.

I was gratified to learn in July that the Louisiana State Pharmaceutical Association went on record as "commending the Monopoly Subcommittee for expressions of interest in the small businessman's problems." It is that kind of encouragement which is needed by a Senate committee or any group which sets out to make any kind of change.

As long as the professionals on whose shoulders we have placed this responsibility perform the job well, there should be no argument.

A high official in the Department of Health, Education, and Welfare has informed me that he has received reliable information that the Pharmaceutical Manufacturers Association and the American Medical Association are engaged in a cooperative effort to fix the blame for high drug prices on the community pharmacists and to discredit the Senate committee drug hearings.

I am completely satisfied that the objectives of the drug hearings are being met.

One might wonder about the independent judgment of the AMA when 48% of its income is derived from advertising—the bulk of which comes from drug company advertising.

In 1966, the financial statement of the AMA disclosed an income from advertising of $13,300,000.

One might wonder about the objectivity of the AMA when one considers the phony survey on prescription drug prices they did in Chicago recently. The totally invalid results were pointed out by Thurman Miller, President of the American Pharmaceutical Association's Academy of General Practice. He stated that the survey suggests "that the AMA is interested in supporting brand names concept rather than in physicians prescribing quality drugs."

Dr. Apple testified before a Congressional committee two weeks ago that the AMA surveys merely "indict the current distribution and marketing policies for drugs in this country."

The AMA should take the lead in helping its member doctors to realize more fully that there are many drugs available on the market which can be purchased for less money—which affect a great saving for the patient. The example of prednisone is just one. The amount of income derived by drug advertising should not detract from the objectives of the AMA to ensure a healthy population at the most reasonable cost.

Recently the Michigan Pharmaceutical Association, in an angry response to what it called the failure of drug manufacturers to end price discrimination against community pharmacies, resolved to stop attempting to defend drug makers prices.

Mr. Reed Bement, Secretary of the National Council of State Pharmaceutical Association Executives, said that rather than discuss the generic drug issue, "we are even better qualified to talk about the economic aspects of how our members are being discriminated against by the pricing policies of nearly all of the *so-called* ethical pharmaceutical manufacturers.

"How many of the smaller pharmacists and pharmacies are being squeezed into extinction?" he said.

And he concluded, "I just want the PMA and its members to straighten up and fly right and to treat our members fairly, the way they would want to be treated."

The tragic fact is that there are too many preferred buyers between the manufacturer and the local pharmacist—the Federal government, through the Defense Supply Agency which buys for the VA, government dispensaries for other programs including OEO, hospitals, dispensing physicians, the notorious doctor-owned drug stores, city, county and state purchasers, and voluntary health agencies. The trend is alarming. The result is that the private patient has to subsidize all the rest of the ever growing preferred list of buyers to some degree and most of the profits which the drug companies are reporting. No wonder there is such a hue and cry from the consumer, who is erroneously led to believe that the pharmacist is to blame.

The extremes of the unfair discriminatory pricing system can be shown in the example of Benadryl. New York City bought Benadryl 50 milligram capsules from Parke-Davis for $15.63 per thousand. When the drug is ordered generically under the name of Diphenhydramine, the cost is only $3.00 per thousand. In both cases the drug was purchased from Parke-Davis.

Can the PMA say that Diphenhydramine is five times better, five times faster, and five times purer when it's called Benadryl?

It is a tragedy that the community pharmacist could not buy this drug under either name at either price.

The ramifications involved in any inquiry into prescription drugs is full of pitfalls. There are no easy answers. I have only touched on a few of the problems to be solved and just a couple of the questions which should be eventually answered.

Let me throw out a few suggestions for your consideration.

1. The establishment of a drug compendium, which lists all drugs by generic names, with cross indexes for trade name equivalents, showing side effects, contradictions, prices, a therapeutic index, and any other pertinent information. FDA could do this with the cooperation of the drug companies. Many witnesses—pharmacologists, doctors and industry—have endorsed this idea.

2. Clinical testing by FDA to settle the generic controversy once and for all is necessary. Already, however, support is forming for generic prescriptions. The Somerset County, New Jersey, Pharmaceutical Association stated publicly that it is time for every pharmacist to support the generic concept. Their bulletin recently stated that, "The choice of the drug belongs to the doctor, but the choice of the specific product belongs to *you*, the registered pharmacist. Your training, knowledge, and capabilities make this so. You are the one who is the expert. All a doctor learns about medicines, he learns from the detail men, who teach only about their specific product."

3. I have cosponsored the Quality Stabilization Bill which would help to reduce the inequities falling on the small retailer. This bill would promote quality and price stabilization, define and restrain certain unfair methods of distribution, and protect the rights of producers and resellers in the distribution of goods identified by certain names, brands and trademarks.

4. If we can have continuous inspection of animal foods, why can't we have more intensive inspection of drug companies? We're talking about life-saving and life-giving essential drugs. It's absolutely ridiculous to do less than the total effort possible under any circumstances.

5. FDA should issue seals of approval in the form of registration numbers for each drug and each company. If the label bears it, dispense it. If the label doesn't have it, don't dispense it. Through its health and welfare programs, the government should never reimburse for the cost of drugs unless the drug has proven its value and its safety and the company itself maintains good manufacturing practices. We want *all* drugs to be good.

6. Perhaps we should look at legislation which preserves the rights of the pharmacist to dispense drugs. Perhaps a law or regulation which says that only a registered pharmacist should be allowed to own a majority interest in pharmacies would prevent incursions by discount centers, department stores, and others who are more interested in the fast buck rather than caring whether the patient gets the best possible care.

7. By the same token, then, the possible use of a system of professional fees should be studied. Your own executive directors, Mr. Daniels and Dr. Apple, and many others support this concept. Pharmacy is a highly skilled profession. The fee system would add to its professional stature. It is immaterial at this point at what level the fee would be established. I'm sure the profession would be fair about that. The point is that finally the drug component cost itself would be bared, and everyone—the public, the manufacturers and the doctor—would be more aware of his own responsibility for good, inexpensive health care.

No longer could the manufacturer throw up a smoke screen of doctors, pharmacists, government officials, health agencies, and volunteers to disguise the true casts.

We're talking about life-saving and life-giving drugs which are essential to the well being of our country. They are necessary to man's existence. Health is a basic right.

But we cannot tolerate a situation where the elderly, who comprise the largest group of drug consumers, the chronically ill, and the poor, find it impossible to maintain their standard of living and still be able to buy the drugs they need for comfort and life.

I know my responsibility to them. I know my responsibility to you. I'm sure you know yours in return. Perhaps we will all have to change our ways a little bit—life is like that every day. I know we can accomplish those ends and help make the American dream more possible tomorrow than it is today.

URBAN COALITION CONFERENCE IN WASHINGTON

Mr. CLARK. Mr. President, this morning in Washington a unique conference of 1,000 delegates from American industry, labor, civil rights, religion, and government convened at the Shoreham Hotel.

I say unique because seldom if ever do we have such a broad and encompassing coalition of representatives of all major sections of American life brought together—and this I emphasize—to take effective action on some of the most pressing problems facing our Nation today. In short this was not a pro forma gathering today; it was not merely an audience.

The urban coalition, as it will be known, was convened by Mayor Joseph M. Barr, of Pittsburgh; Mayor John V. Lindsay, of New York City; and 16 other national leaders, for the purpose of making a "major reassessment of present national priorities" in terms of the civil disturbances that have struck more than 30 American cities this summer.

One of the first actions by the urban coalition this morning was to adopt a comprehensive emergency economic program to provide jobs and training for the Nation's unemployed and a major social and physical reconstruction of our cities. The program was overwhelmingly approved, which means that it has the support of such noted leaders in different fields of American life as: Gerald Phillippe, chairman of the board of General Electric, and Henry Ford II, chairman of the board of Ford Motor Co.; Walter Reuther, president of the United Auto Workers; and A. Phillip Randolph, president of the Sleeping Car Porters Union; Mayor James Tate, of Philadelphia; Mayor Jerome Cavanagh, of Detroit; and Mayor Richard Daley, of Chicago.

Mr. President, because I feel this will prove to be a historic and profoundly influential statement of our country's priorities, goals, and economic objectives, I ask unanimous consent to have printed in the RECORD the "statement of principles, goals, and commitments" adopted today by the emergency convocation of the urban coalition.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF PRINCIPLES, GOALS, AND COMMITMENTS EMERGENCY CONVOCATION: THE URBAN COALITION

We are experiencing our third summer of widespread civil disorder. In 1965, it was Harlem, and the disaster of Watts. In 1966, it was the Hough area of Cleveland, Omaha, Atlanta, Dayton, San Francisco and 24 other cities. This summer, Newark and Detroit were only the most tragic of 80 explosions of violence in the streets.

Confronted by these catastrophic events, we, as representatives of business, labor, religion, civil rights, and local government, have joined in this Convocation to create a sense of national urgency on the need for positive action for all the people of our cities.

We are united in the following convictions:

We believe the tangible effects of the urban riots in terms of death, injury, and property damage, horrifying though they are, are less to be feared than the intangible damage to men's minds.

We believe it is the government's duty to maintain law and order.

We believe that our thoughts and actions should be directed to the deep-rooted and historic problems of the cities.

We believe that we, as a nation, must clearly and positively demonstrate our belief that justice, social progress, and equality of opportunity are rights of every citizen.

We believe the American people and the Congress must reorder national priorities, with a commitment of resources equal to the magnitude of the problems we face. The crisis requires a new dimension of effort in both the public and private sectors, working together to provide jobs, housing, education, and the other needs of our cities.

We believe the Congress must move without delay on urban programs. The country can wait no longer for measures that have too long been denied the people of the cities and the nation as a whole—additional civil rights legislation, adequately funded model cities, anti-poverty, housing, education, and job-training programs, and a host of others.

We believe the private sector of America must directly and vigorously involve itself in the crisis of the cities by a commitment to investment, job-training, and hiring, and all that is necessary to the full enjoyment of the free enterprise system—and also to its survival.

We believe the sickness of the cities, including civic disorder within them, is the responsibility of the whole of America. Therefore, it is the responsibility of every American to join in the creation of a new political, social, economic, and moral climate that will make possible the breaking of the vicious cycle of the ghetto. Efforts must be made to insure the broadest possible opportunity for all citizens and groups, including those in the ghetto, to participate fully in shaping and directing the society of which they are a part.

This Convocation calls upon the nation to end once and for all the shame of poverty amid general affluence. Government and business must accept responsibility to provide all Americans with opportunity to earn an adequate income. Private industry must greatly accelerate its efforts to recruit, train, and hire the hard-core unemployed. When the private sector is unable to provide employment to those who are both able and willing to work, then in a free society the government must of necessity assume the responsibility and act as the employer of last resort or must assure adequate income levels for those who are unable to work.

EMERGENCY WORK PROGRAM

This Convocation calls upon the Federal Government to develop an emergency work program to provide jobs and new training opportunities for the unemployed and underemployed consistent with the following principles:

The Federal Government must enlist the cooperation of government at all levels and of private industry to assure that meaningful, productive work is available to everyone willing and able to work.

To create socially useful jobs, the emergency work program should concentrate on the huge backlog of employment needs in parks, streets, slums, countryside, schools, colleges, libraries, and hospitals. To this end an emergency work program should be initiated and should have as its first goal putting at least one million of the presently unemployed into productive work at the earliest possible moment.

The program must provide meaningful jobs—not dead-ends, make work projects—so that the employment experience gained adds to the capabilities and broadens the opportunities of the employees to become productive members of the permanent work force of our nation.

Basic education, training, and counseling must be an integral part of the program to assure extended opportunities for upward job mobility and to improve employee productivity. Funds for training, education, and counseling should be made available to private industry as well as to public and private nonprofit agencies.

Funds for employment should be made available to local and state governments, nonprofit institutions, and Federal agencies able to demonstrate their ability to use labor productively, without reducing existing levels of employment or undercutting existing labor standards or wages which prevail for comparable work or services in the area but are not less than the Federal minimum wage.

Such a program should seek to qualify new employees to become part of the regular work force and that normal performance standards are met.

The operation of the program should be keyed to specific, localized unemployment problems and focused initially on those areas where the need is most apparent.

PRIVATE EMPLOYMENT, ASSISTANCE AND INVESTMENT

All representatives of the private sector in this Urban Coalition decisively commit themselves to assist the deprived among us to achieve full participation in the economy as self-supporting citizens. We pledge full-scale private endeavor through creative job-training and employment, managerial assistance, and basic investment in all phases of urban development.

The alternatives to a massive and concerted drive by the private sector are clear. They include the burden of wasted human and physical potential, the deterioration of the healthy environment basic to the successful operation of any business, and the dangers of permanent alienation from our society of millions of citizens.

We propose to initiate an all-out attack on the unemployment problem through the following steps:

In cooperation with government, to move systematically and directly into the ghettos and barrios to seek out the unemployed and underemployed and enlist them in basic and positive private training and employment programs. We will re-evaluate our current testing procedures and employment standards so as to modify or eliminate those practices and requirements that unnecessarily bar many persons from gainful employment by business or access to union membership.

To create a closer relationship between private employers and public training and emergency employment programs to widen career opportunities for our disadvantaged citizens. To this end, we will proceed immediately to promote "Earn and Learn Centers" in depressed urban areas that might well be the joint venture of business, labor and local government.

To develop new training and related programs to facilitate the early entry of underqualified persons into industrial and commercial employment.

To develop large-scale programs to motivate the young to continue their education. Working closely with educators, we will redouble our efforts to provide part-time employment, training, and other incentives for young men and women. We also pledge our active support to making quality education readily accessible to deprived as well as advantaged young people.

To expand on-the-job training programs to enhance the career advancement prospects of all employees, with particular emphasis on those who now must work at the lowest level of job classifications because of educational and skill deficiencies.

We pledge to mobilize the managerial resources and experience of the private sector in every way possible. We will expand part-time and full-time assistance to small business development. We will strive to help residents of these areas both to raise their level of managerial know-how and to obtain private and public investment funds for development. We will work more closely with public agencies to assist in the management of public projects. We will encourage more leaders in the private sector to get directly and personally involved in urban problems so that they may gain a deeper understanding of these problems and be of greater assistance.

We pledge our best efforts to develop means by which major private investment may be attracted to the renovation of deteriorating neighborhoods in our cities. We will explore and encourage governmental incentives to expedite private investment. We will develop new methods of combining investment and managerial assistance so that the residents may achieve a leadership position in the development of their areas.

HOUSING, RECONSTRUCTION, AND EDUCATION

This Convocation calls upon the nation to take bold and immediate action to fulfill the national need to provide "a decent home and a suitable living environment for every American family" with guarantees of equal access to all housing, new and existing. The Urban Coalition shall, as its next order of business, address itself to the development of a broad program of urban reconstruction and advocacy of appropriate public and private action to move toward these objectives, including the goal of rehabilitation and construction of at least a million housing units for lower-income families annually.

This Convocation calls upon the nation to create educational programs that will equip all young Americans for full and productive participation in our society to the full potential of their abilities. This will require concentrated compensatory programs to equalize opportunities for achievement.

Early childhood education must be made universal. Work and study programs must be greatly expanded to enlist those young people who now drop out of school. Financial barriers that now deny to youngsters from low-income families the opportunity for higher education must be eliminated. Current programs must be increased sufficiently to wipe out adult illiteracy within five years.

This Convocation calls upon local government, business, labor, religions, and civil rights groups to create counterpart local coalitions where they do not exist to support and supplement this declaration of principles.

This Convocation calls upon all Americans to apply the same determination to these programs that they have to past emergencies. We are confident that, given this commitment, our society has the ingenuity to allocate its resources and devise the techniques necessary to rebuild cities and still meet our other national obligations without impairing our financial integrity. Out of past emergencies, we have drawn strength and progress. Out of the present urban crisis we can build cities that are places, not of disorder and despair, but of hope and opportunity. The task we set for ourselves will not be easy, but the needs are massive and urgent, and the hour is late. We pledge ourselves to this goal for as long as it takes to accomplish it. We ask the help of the Congress and the Nation.

(Note.—This statement was unanimously adopted by members of the Steering Committee and their representatives at a meeting Wednesday, August 23, 1967. Mr. Roy Ash and Mr. Theodore Schlesinger were unable to attend or to be represented.)

VIETNAM

Mr. McGEE. Mr. President, journalist Roscoe Drummond, in his column published August 23 in the Washington Post, assessed the present military situation in Vietnam. His column goes far toward answering the critics who contend that the United States is entangled in a stalemate. We are not.

There is absolutely no way to judge how long the war will last, as Drummond points out, because that depends on the staying power of the aggressors. But encouraging progress toward the goal of convincing Ho Chi Minh and his followers of the hopelessness of their undertaking has taken place, and Mr. Drummond has concisely summarized some of this progress. I ask unanimous consent that his column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Vietnam Report: Stalemate Talk Refuted

(By Roscoe Drummond)

Is everything going badly in Vietnam, are we mired in a hopeless mess?

Or is the fighting of the past two years about to pay off, is Hanoi likely to capitulate soon?

On the basis of the most reliable facts and judgments I can put my hands on the candid answers are:

1—There is absolutely no way to judge how long the war will last, how long it will take to bring the aggression to a halt, and a forecast of ten years can be as wrong as a forecast of ten months.

2—It is untrue that the fighting is stalemated. The war is not at a stalemate; significant and encouraging progress is being made.

Here are statistics which bear most directly on this assessment. They are undoubtedly not precise. But they reflect the real trend.

Q. Is South Vietnam doing its share? A. In 1961 the total ground forces of South Vietnam was 274,000. It is now up to 735,000 and 65,000 are being added this fall.

Q. What of South Vietnamese morale? A. Defections are down two-thirds over a year ago and missing-in-action has been reduced by half. Two years ago the South Vietnamese were losing three weapons to the enemy for every one captured. Today they are capturing more than three for every weapon lost.

Q. Do the South Vietnamese have the staying power to persevere? A. Since 1960 South Vietnam has lost 50,000 killed in action, 26,200 during the past two years; that's the equivalent of our losing 800,000. They are fighting on.

Q. Are South Vietnam and the United States fighting alone? A. In 1965 there were 500 Free World troops in Vietnam. Today there are 54,000. There are 37 countries providing some degree of aid to South Vietnam and are backing United States policy.

Q. What of enemy reverses? A. The North Vietnamese and Vietcong have not had a single tactical victory in two years. About 40 per cent of enemy bases in South Vietnam has been neutralized. Enemy defection went up from 10,000 in 1965 to 20,000 in 1966 and is now running at a 40,000 yearly rate. The enemy loss rate in 1966 was 8400 per month and is now running at 12,800 per month.

What is happening to North Vietnam? A. Its electric power production is crippled (perhaps as much as 85 per cent), 30 per cent of its rail system knocked out, and much of its railway repair facilities, plus steel and cement factories immobilized. Hanoi has lost half of its Mig jets and in the last ten months 3500 of its trucks and 4000 water craft have been destroyed.

The effect of the bombing is now being openly admitted by the Hanoi press which is exhorting its people to work harder and longer at war production because about 500,000 workers are constantly engaged in repairing bomb damage.

As to the South Vietnamese elections, the Vietcong seem as worried that they will go well as some in the United States seem certain they will go badly.

None of these statistics say when it will be over, but they are evidence that the war is not stalemated. The need is to keep our eye on the goal, not on the clock.

IMPACT OF BYRD AMENDMENT TO EXPORT-IMPORT BANK BILL

Mr. MUSKIE. Mr. President, on August 10, 1967, the Senate was involved in the consideration of the Byrd amendment to the Export-Import Bank bill. It was the objective of the amendment to prohibit the use of the Bank's credit resources "in connection with the purchase of any product by any nation the government of which is furnishing goods or supplies" to North Vietnam.

In the discussion as to the possible impact of the amendment, the question arose as to which free world countries are engaged in trade with North Vietnam.

As the floor manager of the bill, I pointed out that the last calendar year for which we have complete information was 1966. Excerpts from my remarks at that time are as follows:

> First of all, we ought to have some idea of what countries we are talking about, because the Byrd amendment proposes that we do something that could restrict, if not eliminate, our trade with many free world countries.
>
> What are the possible countries that we are talking about? The last calendar year for which we have complete information is the calendar year 1966. The free world countries exporting goods to North Vietnam in 1966 were some 20 in number, and I will read them into the Record.
>
> They were: Austria, Belgium, Luxembourg, Denmark, France, Federal Republic of Germany, Italy, Lebanon, Norway, Spain, Switzerland, United Kingdom, United Arab Republic, Cambodia, Hong Kong, Japan, Singapore, New Zealand, Mexico, and India.
>
> If these countries were to be covered by the Byrd amendment by reason of the trade that they engaged in in 1966 with North Vietnam, then the Byrd amendment would have some impact upon our trade with those countries from now on.

The list of countries to which I referred, Mr. President, was based on information supplied by the International Red Cross. To the best of my information, it is an accurate list for calendar year 1966. As I pointed out in the debate, I did not have information for 1967, and I suggested that we should not adopt the Byrd amendment in the absence of a full understanding of its implications.

I also pointed out that free world countries were reducing their trade with North Vietnam.

Under date of August 16, 1967, I received a letter from the Honorable Frank Corner, Ambassador to the United States from New Zealand, one of the countries included in the 1966 list.

Ambassador Corner points out that there has been an embargo on trade between New Zealand and North Vietnam since March 17, 1966 and that trade prior to that date in 1964, 1965, and 1966 was minimal.

I am happy, Mr. President, to fill out the record with respect to this stanch ally of the United States; and I regret that the incomplete information to which I have referred did not disclose the fact of the embargo at the time of the debate. I ask unanimous consent that Ambassador Corner's letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

New Zealand Embassy,
Washington, D.C., August 16, 1967.

Senator Edmund S. Muskie,
Washington, D.C.

Dear Senator Muskie: I was very concerned to read a report in the New York Times of 11 August alleging that you had stated during a debate in the Senate on the Export/Import Bank Act Amendment of 1967 that New Zealand is one of the countries which carries on trade with North Vietnam.

New Zealand is a staunch ally of the United States and we have men (admittedly a small number compared with those sent by the United States) fighting and dying for principles we believe in strongly.

The fact is that there has been an embargo on trade between New Zealand and North Vietnam since 17 March 1966 and there has been no trade whatsoever between the two countries since that date.

Prior to the embargo there had been a very small amount of trade, limited mainly to the sale of tallow from New Zealand valued at £4,877 in 1964/65 and £16,550 in 1965/66. Imports for these two years were practically negligible, totaling some £26 and £3 respectively.

Do you think it would be possible to find some way to draw attention to the misconception which may have been created in the minds of Senators and the general public by your reported remarks? This would be valued by all of us who value our happy relations with the United States.

Yours sincerely,

FRANK CORNER,
Ambassador.

NOMINATION OF THURGOOD MARSHALL

Mr. GRIFFIN. Mr. President, when the question comes before the Senate, I shall vote to confirm the nomination of Thurgood Marshall as an Associate Justice of the Supreme Court of the United States. I shall do so because of his remarkable background, his unusual qualifications, and his demonstrated competence.

Judge Marshall has had a most distinguished career as a lawyer, as a judge, and as Solicitor General of the United States. His nomination to the Supreme Court has been approved by the Committee on Judicial Appointments of the New York State Bar Association, and the corresponding committee of the American Bar Association. His background, his qualifications, his philosophy have been closely examined by the Judiciary Committee on three different occasions—and on each occasion he has demonstrated that he does possess the qualities which a member of the Supreme Court should have.

He has vast experience as a trial lawyer. He served for almost 4 years as a U.S. circuit judge. He has been Solicitor General of the United States for the past 2 years. These varied experiences truly qualify him for service on the Supreme Court.

The fact that he is a Negro should not affect our decision, but it does add a special significance to his nomination. His appointment is living proof that every person in this country can go as far as his talents and qualifications warrant.

I believe we should pass on this nomination on the same basis as we pass on all other nominations: Is the person qualified for the post to which he has been named? On this basis there can be only one result, in my opinion.

The nomination of Judge Marshall should be confirmed. I shall vote to confirm it.

VIETNAM

Mr. CLARK. Mr. President, I ask unanimous consent to have two articles printed in the RECORD, without further comment.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

IN THE NATION: A GRIM COST ANALYSIS

(By Tom Wicker)

WASHINGTON, August 23.—The emotions of Hubert H. Humphrey are always near the surface and they were showing with painful clarity the other way when he defended the Vietnamese war before a group of Florida Democrats. In a strained voice, the Vice President said that "If I didn't believe what we are doing is right I simply couldn't come before mothers and fathers and tell them what I've just told you. . . . It would be beneath a man's sense of decency."

It is not, of course, fashionable in some circles to credit Hubert Humphrey with a "sense of decency," but those who know him know that it is a real thing—more highly developed, indeed, than the peculiar sensibilities of his more savage critics.

SIGNS OF INNER STRUGGLE

Nevertheless, the tone of these remarks does not suggest a serenely convinced mind. There is obviously within Hubert Humphrey, as within most of us, an emotional struggle, and the reason is surely more fundamental than the tactics of war, the question of bombing or the number of troops required.

Nor is it for most Americans, in all probability, disbelief in the reasons the Johnson Administration gives for waging war. As in the case of tactics, the President may or may not be right in those reasons, but his duty in office surely is to act upon his understanding of things. "The heart of the Presidency," John Kennedy wrote, "is informed, prudent and resolute choice."

The real cause of so much anguish may be, therefore, the question whether this war is worth its indisputable costs. And the only true way to make that judgment is to weigh these costs against President Johnson's assessment—not that of his critics—of the validity of the war.

To sum up what has been said in justification of the war by the Administration:

It is necessary to repel external aggression, whether overt as in Korea or clandestine as in Vietnam, because aggression is not only wrong but destructive of peace. It is necessary for the mighty to protect the integrity of small nations unable to protect themselves. And all nations should have the right of political self-determination.

The spread of Asian Communism must also be contained. The insidious techniques of "wars of national liberation" must be checked or they will be used elsewhere. If South Vietnam goes Communist, the whole of Southeast Asia must follow and the Pacific defense line will be thrust back to Hawaii.

Finally, an American commitment has been given—by three Presidents and in the SEATO treaty—and if that commitment is abandoned, no other American commitment, in Berlin or anywhere, will be creditable or effective.

This is the general reasoning upon which President Johnson has acted: it is the reasoning that Hubert Humphrey has accepted; it is in the Administration's pursuit of these goals that all the violent tactical controversies arise.

Accepting these as honorable and worthwhile objectives, which could justify the present war even in the mind of a man of peace, what has proved to be the cost of trying to achieve them?

In dollars, it is now $24 billion a year and the total will be infinitely greater. In American lives, it is now above 12,000 and that total, too, will be infinitely greater. In all human lives, it is incalculable. But these are only the most concrete costs.

The war has blunted and all but destroyed the hopeful beginnings of the Great Society. It has produced the gravest American political disunity in a century, and it has aggravated the profound discontent with America of the postwar generations.

It has reduced President Johnson's effectiveness in the area in which he offered the most—domestic affairs. It has shattered the fruitful and necessary relationship he had reestablished between Congress and the White House. It has given lesser priority to American responsibilities elsewhere in the world. It has strained old international relationships, reduced prospects of *détente* with the Soviet Union and contributed tragically to the notion of America as a self-righteous defender of the *status quo* in an age of revolution.

SPECTER OF HOLOCAUST

It has added to the climate of violence in the world and raised the dread possibilities of wider war and unlimited destruction. And even if that final price were to be paid, there still would be nothing to guarantee the achievement of the President's goals.

Surely this is what challenges Hubert Humphrey's sense of decency. Even if the war is right in principle, can these terrible costs be decently borne?

IF VIETNAM ESCALATOR WORKS, WHY DID THE EDSEL GO DOWN?

(By Art Buchwald)

We were sitting around discussing the war in Vietnam the other night when somebody remembered that our Secretary of Defense, Robert McNamara, used to work for the Ford Company.

Then somebody else said, "I wonder what would have happened if Ford continued making the Edsel motor car?"

This is what we decided could have happened:

The year the Edsel came out a high-level conference was called. The vice president in charge of sales made his report. "Sir, we might as well face it. The Edsel is a bomb. We can't sell enough of them to pay for one advertising spot on the Ed Sullivan show. I think we ought to take our losses and get out."

"Wait a minute," a board member said, "If the Edsel falls, the Ford might fall, then the Mercury, and then finally the Continental. Psychologically this would be the greatest victory General Motors could possibly achieve, and our prestige in the motor industry would be impaired forever. We've got too much at stake for us to stop the Edsel now."

"I disagree with you, sir. I think we made a mistake and should admit it."

"Balderdash. The solution is to pour in more men and money. Surely, with all our resources we can make the Edsel a big success, and we will show General Motors once and for all that if Ford makes a commitment to a car it will keep it."

"What's your plan, sir?"

Let's send in our top engineers and develop the best car money can buy."

A year later the high-level group stared glumly at the sales figures. "Sir, as you can see, we only sold 43 cars this year. The people just won't buy the Edsel. It's not their kind of car. Let's get out before it's too late."

"We can't just get out. We've got 50,000 workers committed to making a successful car and we'd be the laughing stock of the world if we quit now. The problem seems to be with the Edsel management team. Let's change the management, send in another 75,000 workers, add an additional $30 million and we're bound to have a winner on our hands."

A year later the same group met to hear the news that only 23 Edsels had been sold. But one of the top-flight executives, who had just returned from a visit to the Edsel factory, was optimistic.

"It may take more time than we thought," he said, "but progress is being made. We have to concentrate harder on the customers to win them over before we'll see any results on the sales charts. Our industrial intelligence division says that General Motors is hurting badly and that with each new Edsel coming off the production line, their morale is sinking to a new low. This is no time to let up. I propose we pour in another 125,000 workers and $50 million additional funds. GM must be made to realize that their hard-sell tactics won't pay off."

Three years later, with 550,000 workers on the production line and a billion dollars invested in the car, only one Edsel was sold—to the Smithsonian Institution.

"What do we do now?" someone asked.

"I think we should stop making Fords, Mercurys, Thunderbirds and Continentals and put all our resources into the Edsel. Our engineers say that all they need is 250,000 more workers and another billion dollars, and they'll have General Motors on their knees."

BAD CONDITIONS OF MIGRANT LABOR CAMPS EXPOSED

Mr. WILLIAMS of New Jersey. Mr. President, despite many long years of effort in the field of migratory labor, many problems which plague the Nation's farmworkers still remain. A number of recent newspaper articles describe graphically the terrible conditions in which men, women, and children must live day in and day out. The articles deal with housing, but the conditions extend to the total environment of work, homelife, and leisure. These workers and their families, amid a prosperous society, find themselves caught in a vicious cycle of squalor.

The first article was published in a prominent southern newspaper, the Nashville Tennessean. Mr. Rob Elder, a reporter for the paper, took on the identity of a migrant worker and traveled from Tennessee to a tomato canning plant in Bridgeton, N.J. Living in a labor camp for 3 days. Mr. Elder's firsthand account describes the inadequate living conditions with which these workers had to contend.

New Jersey is not alone.

Mr. Hank Burchard, of the Washington Post, also investigating the conditions of labor camps, visited with workers in Cheriton, Va. The deprivations Mr. Burchard encountered only highlight problems which are indeed endemic in most of the labor camps in America. Such deficiencies as a lack of adequate, uncontaminated water, lack of clean bedding, and lack of adequate toilet facilities, are only a few of the conditions which deprive our migrant workers of a normal and healthy environment.

It is discouraging and disheartening to read these articles because they point up the many problems which still exist for migrant workers throughout our country.

However, an article published in the New York Times of Monday, August 21, reflects an encouraging development. New Jersey's Gov. Richard J. Hughes recently appointed a migrant labor task force, composed of prominent citizens of the State who are dedicated to cleaning up these conditions. Unlike similar groups in the past, this task force is not oriented toward the growers.

This task force has reported to Governor Hughes that several migrant labor camps in south Jersey are badly in violation of the State migrant labor law and has recommended closing these camps.

I congratulate Governor Hughes on appointing a task force which obviously is doing the job for which it was created with vigor and without partiality.

I have not seen the specific labor camps which are referred to in the report, but I have, in other years, seen other camps, which were fully as bad as those described in this instance.

I pledge to Governor Hughes my full support for whatever actions he decides to take, whether it be severe fines, closing of camps or other measures.

The laws which govern the operation of these camps are the only protection for powerless and poverty-stricken people who cannot protect themselves. They can be enforced; they should be enforced; they must be enforced.

Mr. President, I ask unanimous consent that the news article from the Nashville Tennessean, the article from the Washington Post, and the article from the New York Times be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Nashville Tennessean, Aug. 13, 1967]

TENNESSEANS FIND WORK CAMP FILTHY

(By Rob Elder)

BRIDGETON, N.J.—Freddy McCullum, who is 18 and from Jasper, Tenn., sat on his bunk in his red shirt and socks and plaid hat and stared at me, his blue eyes pleading for a friend.

It was Sunday morning and Freddy and I were among the 111 Tennesseans at the migrant labor camp where we were to live while working here at Hunt-Wesson Foods' tomato canning plant.

Hunt-Wesson is a division of Hunt Foods and Industries, Inc., one of the nation's 150 largest industrial corporations with net sales of more than $500 million from products ranging from Wesson Oil to Ohio Blue Tip matches. The plant where we were to work makes Hunt's tomato catsup, sauce, and other products.

The handful of boys who had enough money were already making plans to move out of the camp into boarding houses, and Freddy was listening with obvious envy.

"I'd like to move to town and get out of this hell hole," he confided to me, unaware I was a reporter.

I asked him if he had the money. He tried to answer as if it didn't really matter.

"No," he said.

Freddy, like all the other Tennesseans except me, had come because Tennessee Department of Employment Security letters and radio announcements said we could earn $1.64 an hour and up, working 12 hours a day, seven days a week.

I had come because I am a reporter for the Nashville Tennessean, which wanted to know what would happen when Tennesseans went to New Jersey as migrant laborers.

I found out the hard way—by signing up as one of the workers, living with them in the labor camp and working with them in the cannery.

I had first inquired about the jobs at the Employment Security Department's Youth Opportunity Center in Nashville, identifying myself as a reporter for the Nashville Tennessean.

W. L. Boswell, manager of the center, had told me the Hunt-Wesson jobs were "better than average."

Then I had gone to the Youth Opportunity Center in Knoxville, wearing old clothes and signing up for one of the jobs under my own name, but saying I worked in a bookstore which had gone out of business and left me out of a job.

Hunt-Wesson shipped us to New Jersey from Tennessee on three buses; mine arrived early Sunday, Aug. 6, with 26 boys from Chattanooga and Knoxville.

We climbed off, stiff from the 16-hour ride and hungry for breakfast, and stared at the barracks and the cluster of half-naked, unshaven young men around the front door.

"Man, you better get back on that bus before it turns around and leaves here," one of them told me as I lugged my suitcase past three white refrigerators which lay abandoned in the mud between the road and the door.

How is it? I asked him.

"It's hell," he replied. He had come up on the bus which arrived the day before, from Nashville. The bus from Memphis had gotten here Friday night.

Kenneth Serata, the Hunt-Wesson industrial relations manager who had hired us back in Tennessee, had told us, "It won't be the Waldorf."

He had stood in the Youth Opportunity Centers in Nashville, Knoxville, Memphis and Chattanooga and told us:

"There won't be any chandeliers, and there won't be any Persian rugs on the floor."

Serata and the employment officials had emphasized that we were going to a labor camp which would be spartan but decent. They had told us there would be "dormitory type living quarters" with a "company cafeteria" and laundry facilities. The camp, they had assured us, had passed a New Jersey state inspection.

Much later I was to learn that the camp is officially listed as "disapproved" by the New Jersey Migrant Labor Bureau. But now there were more pressing matters, like getting inside and finding a bunk and some breakfast.

The new arrivals, amid knowing laughter from the boys who had come earlier, stepped in the front door. We found heat, flies, and a stifling stench. Serata was right; there were no chandeliers. Nor were there light bulbs in several of the ceiling sockets. There were no Persian rugs on the concrete floor. But in most places the floor was covered—with filth.

The front room—the "company cafeteria" we had heard about—contained several wooden tables. On one, puddles of oatmeal swam on plates crawling with flies. This was breakfast.

On the table beside the plates lay a stained cardboard poster from the New Jersey Migrant Labor Bureau.

"Clean daily," it said in big black letters. "Enjoy your home."

Down a dark, littered hallway were the "dormitory-type" sleeping quarters—hot, dark rooms crowded with army bunks. I picked a bunk and felt the stained mattress. It was damp. Over the bunk was a plywood shelf, on it an empty whisky bottle.

Serata and the Tennessee employment officials had lectured us before we left about representing our state and its bid to attract industrial hiring. Liquor and sex would not be tolerated in the labor camp, Serata had warned us sternly.

"We expect you to help us keep it as pure as an elementary school," he had said in Knoxville.

As I stared at the filthy bunk on which I was to sleep, a woman walked into the room. "Gimme a cigarette," she said. This was Mary.

She had long, uncombed hair, a band-aid on her cheek, and a tattoo on her shoulder. A soiled duster, a white slip and shower scuffs were her clothes, and her accent sounded Spanish.

One of the boys asked her about it.

"I ain't no ——— Cuban," she snapped, pronouncing it "Coo-bun.'

"I'm from West Virginia," Mary insisted. Where in West Virginia? "I dunno the town," she said. The question and its implied doubt seemed to hurt her feelings. "You ——— hillbillies," she said, and walked out.

Later she returned to tell us that she was 19 and pregnant; that the silent, swarthy man who stood guard in the door while she used our shower was her husband, and that she was our cook.

Mary brought the new arrivals some sheets—I never got the blankets or pillow cases we had been promised in Tennessee—and the Tennesseans settled down on the bunks, brushing off the flies and talking about how we had gotten ourselves into this.

Most of us had never heard of Bridgeton, a city near the Delaware Bay in southern New Jersey's farming region. And we certainly had never heard of Roadstown, the crossroads five miles from Bridgeton where the labor camp was located.

All we knew is that we would live in the camp and work at the cannery in Bridgeton, and hopefully make some money.

Five of the 16 Tennesseans in the room where I slept were from the South River community near Kingston, Tenn., and had signed up together.

"We were just sitting in my car, fooling around, and we heard it on the radio," explained Charles Proctor, 22. The radio announcement by the state Employment Security Department had brought them to the Youth Opportunity Center in Knoxville, where they had been interviewed and hired.

To Charles and his brother Clarence, 19, and to the other South River boys, it had sounded like a chance to make some money. There aren't many chances to make money around South River, they explained, so they felt lucky to get good-paying jobs in New Jersey, where they were told they could work for Hunt-Wesson from Aug. 7 until Oct. 10.

Most of the Tennesseans were around 20 years old; a few were much older. Sam Taylor, from Knoxville, told me he was 62 and just out of the county workhouse.

"It was a thousand times better than this," he said.

Another of the older men, George Britt, 42, said he had been a bootlegger in Knoxville. There were a few college students among us; Doug Wilson, from Jefferson City, said he was taking a pre-med course at the University of Tennessee; Roy Walker, 19, had been living with friends in Nashville after a year at Brown University, where he had had a National Merit Scholarship.

But for the most part, the Tennesseans were boys who would not go to college. Many had dropped out of high school and found employers unwilling to hire them for permanent jobs because of their draft status.

The bus from Memphis had brought only Negroes, and while there had been some whites on the other buses, we made up less than half the total group. The Negro boys referred to anyone in any position of authority over us as "the man." Before the week was out, all of us had adopted the phrase.

"The man" usually meant Morris Kernan, the farmer who owned the labor camp. He told us he had contracted with Hunt-Wesson to house and feed us. Serata had told us we would get living quarters free, and the company would deduct from our pay $15 a week for meals.

There was nothing to eat but oatmeal when we arrived, and Kernan blamed it, as he blamed everything else, on the group which had arrived from Memphis Friday night.

"This place was clean when they got here," he said, insisting that they had messed it up. There was no food, he told us, because they had broken into the kitchen and stolen his grocery supply.

The Memphis boys told a different story. The camp had been bad when they arrived, they said, and when they first saw it, some had refused to get off the bus for three hours.

Kernan also blamed Serata, the Hunt-Wesson recruiter, for leading us to expect too much.

"That man lied to you," he said. "I'm caught in a trap and you boys are caught in a trap." He had previously used the camp to house Puerto Rican migrants, Kernan said, and they had given him no trouble.

Sunday night was bad. Kernan had put a pool table, a television set and a juke box in the front room, and since there was no supervision, some of the boys played the juke box all night, keeping others awake. From my bunk I could see the black shape of the screenless back door. Every few minutes someone came and stood in the door, urinating into the mud outside. There was an outhouse, but it was 20 yards away, and many of the boys refused to walk through the dark, high weeds to use it. Flies swarmed around the door and through it, and as soon as I opened my eyes Monday morning I counted eight on my bunk.

Monday brought Serata, the company official who had hired us in Tennessee. Addressing the entire Tennessee group, he threatened us with "immediate dismissal" unless we improved our conduct in the camp.

He also made a list of our complaints. The Tennesseans asked for screens on the doors, a light in the outhouse, extermination of the flies and better food. There were other requests—ranging from blankets to better records on the juke box, on which most of the songs were in Spanish. Serata listened to them and told us:

"We're going to try to bring this place up to a livable par with your help."

He said the company would pay those of us who had already replaced Mary in the kitchen to do the cooking. But, he said, those of us who moved out of the camp would still have $15 a week deducted from our checks, whether we were there to eat the meals or not.

When Serata said he knew we wanted to stay because we were still there, there was derisive laughter and one boy shouted:

"We're broke. That's why we haven't been to the bus station." Hunt-Wesson had paid for the trip from Tennessee on the agreement we would have that, too, deducted from our checks. Most of us did lack money for a return ticket, but the Monday morning meeting ended when Serata asked how many of us wanted to work. Everyone in the room raised a hand.

There was no work Monday; we were told the tomatoes were slow in arriving at the plant because of a hard rain the week before.

For most of the Tennesseans, this meant another day of boredom in the labor camp, five miles from town. For me it meant a chance to make contact with Jack Corn, the Nashville Tennessean photographer who had come to Bridgeton to work with me. Corn stayed in a motel and I remained at the labor camp, but we managed to meet at least once a day. We decided I would tell no one I was a reporter, and he would keep out of sight at the motel. My daily meeting with him sometimes seemed like my only contact with the world I had always taken for granted.

Monday afternoon I was back at the labor camp when one of the boys, Billy Wilkerson of Winchester, gashed his eyelid in a scuffle. I ran to find Mary.

"Where's the first aid kit?" I asked. There was none, she told me. Another boy finally found a band-aid in his suitcase.

I walked the mile to a general store where the boys who had any money left were buying cigarettes. Several of the Negro boys were there ahead of me, asking the proprietor whether he had any guns for sale. He refused to show them any.

Tuesday most of us went to work. The company hauled us to town in a school bus, and I reported with the night shift at 7 p.m.

We were instructed to sign tax withholding forms and cards authorizing Local 56 of the Amalgamated Food and Allied Workers Union to deduct dues from our checks. That was the only contact we had with the union.

Some of the Tennesseans did manual labor in the plant; I was assigned to the crew which operated a machine which placed empty cans on a conveyor line. My job was to inspect the 10,000 cans which passed me every hour and catch any which had fallen on their sides or turned upside down. I worked from 7 p.m. until 7 a.m.

As I walked towards the school bus which would take us back to the labor camp, I saw several of the Tennessee boys assigned to the day shift standing idly in the plant yard.

They still had not been put on the payroll, they told me. Vester Miller, 22, of Lebanon, was bitter.

"They lied to us in Nashville about everything," he said. "About what it would be like where we stay, about the food, and about going to work right away."

Back at the camp, food was still a problem. Wednesday's breakfast was cornflakes. For the night shift, which spent the day at the camp, there was no lunch, and dinner was a coffee cup of stew and another cup of fruit cocktail, with soft drinks. When we boarded the bus Wednesday night to return to the plant, we were handed paper sacks containing two sandwiches each.

At 9 p.m. Wednesday, I walked off my job.

There was no pay for me to draw, since I had not earned enough to cover all the deductions which would be taken out of my check. Later, when I asked company officials to show me how much I had made and how much more I owed, they refused.

The company stuck to its word that we were free to leave at any time at our own expense, and no one tried to stop me. I met Jack Corn and went to the motel for the first good night's sleep I had had since the previous Friday.

The next morning Corn and I went to the camp and took pictures, then went to the plant and confronted Serata and told him I was a reporter for the Nashville Tennessean and that Corn was photographer from the paper. Serata left the room and returned to say the company's legal office was preparing a lawsuit against the newspaper for misrepresentation.

I asked him whether he felt he had been honest with the boys he had hired in Tennessee.

"No comment, he said. Then he added "Let me change that answer to yes."

Serata told me he would be willing to live in the camp himself, and said all of the complaints voiced by the boys were "trivials."

"I believe the company has tried its best to accommodate the boys," he said. "It would not be to the company's advantage to maintain an unfavorable environment in the labor camp, because those that displayed a disenchantment would probably leave the company in a week or possibly less time. The company will make every effort to satisfy the needs of the seasonal workers and our doors will remain open so far as any suggestions or improvements are concerned," he said.

Serata called in Earl Holbrook, assistant industrial relations manager for Hunt-Wesson's eastern region. Holbrook was cordial, and told us to call him if we wanted further information.

We did, after checking the next day with the New Jersey Migrant Labor Bureau in Trenton, the state capital. Charles Yersak, the bureau chief, told us the camp was officially listed as "disapproved" by his office because Kernan had not installed wash basins when told to do so by a state inspector.

Leon Rennebaum, supervising inspector of housing for the bureau, told us he did not consider there to be "any negligence on Hunt's part" for telling us the camp had been approved.

Rennebaum said that he, thinking Kernan would have installed the wash basins before we arrived, had told Hunt-Wesson the camp was in good shape.

Yet he also said there was no indication in the bureau's files that the camp operator had met the requirement of a July 5 inspection in which he was ordered to "provide evidence of the safe sanitary condition of the water supply."

This was a new requirement, Rennebaum explained somewhat lamely, and one on which he said the state does not demand strict compliance.

When Corn and I asked to see a copy of the latest inspection report on the camp, we were told it had not been received yet by the bureau's Trenton office.

Yersak, the bureau chief, said it would be illegal for the company to deduct $15 a week from the checks of the boys who moved out of the camp.

We telephoned Hunt-Wesson and asked Holbrook, the regional industrial relations executive about this. He said the money would not be deducted, as Serata had told us it would. I asked to speak to Serata.

"He has left the company," Holbrook said. "I took care of that at noon yesterday."

Holbrook said Hunt-Wesson was paying the cost of bringing the camp up to state standards.

All of the Tennesseans had been put to work by Wednesday afternoon, Holbrook told us—and 98 of the 111 were still working with 93 still living in the labor camp.

I also called Morris Kernan, the camp owner, and told him I was a reporter. He seemed to assume immediately that any story I would write would be unfavorable, although he claimed conditions in the camp were "far better" than what "a large percentage" of the Tennesseans had at home. Like Serata, he told me he had contacted a lawyer to sue me.

"If you paint a bad picture," he said, "you may be in trouble." There was a pause and then he added.

"Not from me. Are you taking notes on this? If you are, tear them up because I haven't talked to you." The telephone line went dead, and Corn and I started the long trip home to file our story.

[From the Washington (D.C.) Post, Aug. 20, 1967]

Migrant Worker: Bound to Squalor—Report on Virginia Eastern Shore

(By Hank Burchard)

Cheriton, Va., August 19.—If you approach the Farm Bureau labor camp for migrant workers here from downwind, you may smell it half a mile away.

The stench is a blend of human waste and sweat and garbage and the sharp, dank odor of the sandy gray soil of the Delmarva Peninsula.

It is characteristic of nearly all of the 150 migrant camps in the Virginia Eastern Shore counties of Northampton and Accomack.

Cheriton, whose 140-odd double cabins make it the largest of the camps that house the Shore's 8000 or more migrants, is not a bad example of the prevailing living conditions. It is better than most of the 47 camps visited by The Washington Post in recent weeks, and it is described by officials of the State Health Department as above average. Cheriton has, for instance, running water.

Each and every camp has been inspected by the State Health Department and issued a permit. This is supposed to mean minimum standards set by law have been met.

Dule Robinson of Apopka, Fla., a 28-year-old mother of five, was living at Cheriton a week ago. She seemed oblivious to the swarms of buzzing, biting flies swarming around as she sat in the doorway of her 10-by-10 foot half-cabin.

Normally she would have been in the fields during the daylight hours, working alongside her husband picking tomatoes for 15 cents the ⅝ bushel, or potatoes or cucumbers or beans or corn or broccoli. She was packing because the family had decided to pull out for the truck farms of New York.

GOT BAD START

"It's a good crew, but Mr. Denton (the crew leader) got a bad start this year and we done wound up at this place 'cause the good places (in other states) done got their pickers already. So we come here. Ain' never coming here again, you can believe that."

The seven Robinsons were packed in a shack that wasn't much when the Federal Government built Cheriton camp during World War II. It has a leaky tin roof, a bare light bulb, two windows with torn screens, three rusty cots with greasy mattresses and uncounted flies, mosquitoes, bedbugs, fleas, chiggers and other assorted vermin.

She cooks on a two-burner kerosene stove they brought with them. She washes the plates on which they eat fat pork, greens and tomatoes in a galvanized tub they also brought with them. To fill the tub she carries it 30 yards to a faucet that supplies a dozen families.

The faucet rises from the center of a garbage-filled mud puddle. There are a dozen sinks in the camp's one washhouse, but that's about twice as far, and during the infrequent times when there is hot water available, it takes a long time to get a turn.

Dule (pronounced Dooley) Robinson is dirty. Her children are dirty. So is her husband. Their bodies and clothes are washed in the same tub used for the dishes but it doesn't do much good.

Why don't they use the two showers available (one for women, one for men) to the 600 to 800 workers housed at Cheriton? The floor is covered with human feces and soaked with urine.

CHILDREN DIRTY TOO

Why don't people use the pit privies? For one thing, the approaches to them also are strewn with human excrement. So are the seats inside. There is no evidence there ever was toilet paper.

"We tried putting the children in the car and going down the road to the gas station," Dule Robinson said. "But the man wouldn't let us use his bathrooms even after we bought gas.

"Now we just go down the road a ways."

For the privilege of living in half a shack at Cheriton the workers pay $5 (for a family) to $8 (for four adults of the same sex) a week.

Assuming minimum charge and minimum occupancy, the camp apparently takes in at least $1000 a week from May through September. The landlord farm bureau, a private growers' association, claims high maintenance costs result in a loss.

OTHER CAMPS ON PAR

The other three farm camps are on a par with Cheriton, according to the Health Department. The remaining 12 dozen camps are individually owned by farmers and canneries. The farm camps are much smaller than Cheriton, usually housing only one crew of as few as 10 to 150 workers or so, plus their children (when statistics about Shore migrants are compiled, they generally refer to the number of workers "plus children").

These smaller camps charge no rent, at least not officially, although some crew leaders are said to demand money from the workers beyond the standard rakeoff—if the farmer pays a quarter per basket of tomatoes, the crew leader gets a dime—for "services supplied."

In the individual farmers' camps, running water is a rarity, even though State law requires "adequate housing, suitable to the kinds of workers employed . . . with facilities that provide reasonable conveniences and comfort."

The State standards are ignored by most farmers here. The requirements, adopted in 1962, specify sound construction and such things as hot and cold running water in new camps but set no deadline for the updating of camps built before then. There is little new construction.

MEET REQUIREMENTS

In existing camps, the health law says, "The camp operator (owner) shall be responsible for meeting the requirements and regulations. He . . . shall inspect the grounds . . . each week and see that it is maintained in a clean and orderly condition.

"An adequate and convenient supply of uncontaminated water shall be available at all times (one hand pump supplies a whole camp in many cases) . . . one privy seat for each 20 persons . . . laundry trays or wash tubs shall be provided on the basis of one for each 30 persons.

"One (bathing) tub for each 15 persons . . . in rooms used for sleeping at least one window opening to the outer air . . . at least 100 square feet of floor space for each person (some sheds of less than 100 square feet sleep six or more workers).

"Between assignment to different persons, each bed, cot, or bunk shall be furnished with mattresses with clean covers or straw filled ticks . . . (which) shall be kept in a sanitary condition and laundered or otherwise sanitized (you can scrape greasy filth off a typical mattress with a fingernail).

All windows must be screened (some are) and screen doors must have self-closing devices (but screen doors are not required).

Adequate refrigeration must be provided, it says, but the only refrigerator a reporter saw was hauled in by a crew leader. "Metal cans with tight fitting covers for garbage" (a reporter saw none), with pickups twice a week.

EFFECTIVE MEASURES

"Effective measures shall be taken to control rodents, flies, mosquitoes, bedbugs or other insects (such measures are unheard of). Fire protection equipment (one sand bucket was seen) and first aid supplies (none). Rooms shall have at least two exits" (some do have man-sized gaps in two or more walls).

Most, if not all, of these requirements are unmet in camp after camp.

Of the scores of workers and crew leaders interviewed, all but one said Virginia's Eastern Shore camps are the worst in the East. The lone dissenter, crew leader Leonard (Punch) Mulberry, said he thinks South Carolina is worse.

Dr. Belle Fears, health director for the two Shore counties, said there are "a few" camps under her jurisdiction which substantially comply with the State health laws she is charged with enforcing, but she couldn't say whether these few would number as many as a dozen of the 150 camps.

REGULAR INSPECTIONS

Under the law, the camps are to be regularly inspected by her subordinates and apparently they are. It is her duty to inform the camp owners of the requirements, to warn them if standards are not met and, if compliance does not follow, to close the camps and prosecute the owners.

Dr. Fears has been health director here for four years. She said there have been some camps closed during that time. She's not sure how many prosecutions there have been.

"What am I supposed to do? We try to persuade the growers to fix up their camps, and some of them have gone along with us. But as soon as they put in a screen or a shower or clean up, the workers tear it all down again.

"Suppose we took all the growers to court—the cases would just be thrown out. Growers are very important men around here and even if it got to a jury there would never be a fine or a sentence. Judges, bankers, people at the Court House—they own the farms."

Asked if what she meant was that the State laws governing mainland Virginia cannot be enforced along the Eastern Shore, Dr. Fears said, "Well, we like to feel we make a little progress every year."

William J. Timm is the State director of the Virginia Migrant Labor Health Project, a program 80 per cent funded by the U.S. Public Health Service. The project is now in its fourth year and has received more than $500,000 in Federal funds.

CONDITIONS SEEM TERRIBLE

Although there are 14 other Virginia counties—in the Shenandoah apple region—where there is significant use of migrant labor, nearly all of the money and effort is being spent on the Shore because the upland apple growers "maintain very fine conditions on their own initiative," he said.

Timm is an employe of the State Health Department and supervises the work of Dr. Fears and the 28 other staff members of the project.

"I know to an outsider the conditions in these camps must seem pretty terrible," Timm said. "It is pretty terrible, and I'm afraid there hasn't been as much progress as we would like.

"But you must understand the special difficulties under which we work. I have to live with these people (the growers). For instance, this year I am president of the Rotary Club in Cape Charles, and the majority of the influential members are growers.

"One of the worst camps is right across from where I live and if the wind is right it isn't very pleasant, I can tell you.

"Now the farmer who owns it is a fine man and as good a friend and neighbor as I've ever had. He keeps my son's riding horse for us and won't take a cent for it. But if anybody tries to talk to him about his camp he gets awfully upset. The farmers around here are pretty independent and individualistic.

AWFUL LANGUAGE

"One of our health aides visited him and tried to talk to him about how clean camps make good healthy workers but he got mad and said some terrible things to her, just awful language, I couldn't believe it when I heard about it, and ran her off.

"I'd like to talk to him about the camp, but I just don't know how I'd go about it."

Timm, 63, retired to the Shore six years ago after 31 years with the A&P in New York City.

"I am preparing a strong recommendation," he said, "that some way be found so that we can control the type of migrant who comes into this part of the State.

"We get a very unhealthy selection, the less desirable element among the migrants."

Timm said he has not recommended a crackdown on the farmers. "It wouldn't work," he said, echoing Dr. Fears' fears that such a campaign would collapse in the courts. "The power structure around here is pretty clear," he said.

CLINICAL HEALTH PROGRAM

Timm and Dr. Fears would rather talk about the extensive clinical health program they are running for the workers. The main thrust of the program has been in this direction and, judging from the 72-page annual report and the comments of the workers, much has been accomplished.

Timm conceded that conditions in the camps "certainly are responsible for some of the health problems our clinics deal with . . . our attack on the problem is a little one-sided, I guess."

Crew leaders and workers agree with Timm that the workers who come here are not the best. "Look," said one, "the only reason I'm here is because the other crew leaders beat me out for the good places farther up the Shore (in Maryland and Delaware). Half my people dropped out when they found out we was coming here, and I've had to sign on every kind of wino and bum.

"Nobody comes to Virginia if they can help it. Damn this State!"

Timm said the Shenandoah growers, who have combined to build large central camps rather than use scattered sheds and barns and corn cribs as is done on the shore, have found that "it is cheaper to run good clean camps. But maybe the economics of apple-growing are different."

AWARE OF CONDITIONS

Helen Johnston, chief of the Migrant Health Branch of the U.S. Public Health Service that administers the Virginia grant, said she is aware of the conditions prevailing in the Eastern Shore camps.

Other than withdrawal of Federal funds, she said, there is little that can be done about it from the Washington level. "We must consider who would be hurt if we cut off the program," Miss Johnston said. "The State people had no interest in caring for migrants before we got involved, and I hardly think they would care if we pulled out. All we can offer through Federal aid is incentive to improve conditions.

"Enforcement of the State health laws is a State responsibility. And enforcement often must be done through local courts and local governments that are dominated by growers."

Paul Agnano, a sanitary engineer consultant to the PHS Migrant Health Project, said he agrees that camp conditions on Virginia's Eastern Shore are deplorable, "but they compare with parts of Maryland, Delaware, New Jersey and New York where what we call the 'Eastern Stream' of migrants work. Some other States are far worse."

The "Eastern Stream" workers generally start their working year in Florida and work their way north as crops grow ripe, stopping in Georgia, the Carolinas, Virginia and into Delaware, New Jersey and sometimes to New York and then back down again for late crops, arriving back in Florida for the citrus season.

Most of the migrants along the Shore this year are Negro, with a few Mexican-Americans, a very few whites, some Puerto Ricans and Cubans.

NEW STANDARDS

Their children attend schools set up specially for migrants (an eight-week school here just closed) and some families, with working children, can even break out of the pattern, eventually moving up to trailers and then out of the whole business. But most don't make enough and many are in hock to the crew bosses, who make sure they stay at it.

The Department of Labor on July 1 issued new migrant housing standards designed to upgrade conditions. States failing to meet the new requirements will not be allowed to use the Federal labor recruiting service.

In areas such as the Virginia Shore, Agnano said, "we have warned (the Labor Department) that the result is likely to be importation of workers either from other parts of the State or from other States by individual farmers or growers' associations. The new standards would not apply in such cases."

Many Shore workers already are recruited through such a "black market," and local observers say the practice will become the rule if tough enforcement is attempted.

[From the New York Times]

Panel Bids Hughes Shut Farm Camps

(By Ronald Sullivan)

Freehold, N.J., August 21.—Gov. Richard J. Hughes' Migrant Labor Task Force has called on the state to close immediately, as public nuisances, several migrant labor camps in South Jersey.

Several members of the task force threatened today to resign if the Governor did not act.

In a resolution passed last week by the group and made public here today, the Governor was strongly urged to shut "those migrant labor camps which are presently disapproved and yet which still flagrantly violate the provisions of the Migrant Labor Law."

The Governor announced in Trenton today that he had ordered state officials "to convene immediately and consider steps for the prompt cessation of these conditions."

"The dangers to health and, indeed, the inhumanity of a continuation of such conditions is intolerable," he said in a message to five state officials who have overlapping responsibility for enforcing the state's migrant labor code.

But according to a member of the task force, which held a public hearing today on migrant labor conditions in Monmouth County, the Governor's message did not go far enough. He said several members of the group were prepared to resign if the Governor did not take action to close the disapproved camps immediately.

The task force declared that the camps were "rife" with violations that included overcrowding, grossly polluted water, inadequate garbage facilities and unsanitary open privies.

The resolution pointed out that the violations had existed all summer but that the camps were allowed to remain open.

OTHER JOBS URGED, TOO

The resolution strongly urged the Governor "to mobilize immediately" so that "migrant workers displaced from migrant labor camps are provided with adequate housing and, where possible, other employment."

"The task force believes that the departments of the executive branch of the government of this state have adequate resources—whether technical, financial, or personnel—to provide such employment opportunities and housing," the resolution declared.

The task force has 11 members and its chairman is J. Stanley Husid.

The task force made a series of recommendations earlier this summer to improve conditions for about 15,000 Negro migrants who come to New Jersey every summer to work on the produce farms.

But a leading member of the task force who asked not to be identified said several members were convinced that their recommendations were "subverted" by the reluctance of the Hughes administration to implement them.

"The Governor knows we're mad and that we mean business this time," he said.

The group identified at least five growers in Cumberland County as having many violations.

A member of the Task Force said one of the camps housed 130 migrants, when it was only supposed to accommodate 90.

THE JAM WE ARE IN

Mr. HARTKE. Mr. President, I am concerned about the leadership of the United States in world affairs. There is no question about the United States greatness and her capacity for leadership. Yet "there is an erosion of confidence that you can almost smell, these days, in Washington's hot, humid air."

This "erosion of confidence" stems from the awareness "that there has never been a time since the last World War ended when the United States has been more nearly alone in the world."

This problem is dealt with by Mr. Stewart Alsop in the Saturday Evening Post of July 22, 1967. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Jam We Are In

(By Stewart Alsop)

Washington.—There is an erosion of confidence that you can almost smell, these days, in Washington's hot, humid air. The Washington mood is a bit like that expressed in the sad little ditty unhappy children used to recite: "Nobody loves me, everybody hates me, goin' out in the garden and eat worms. . . ."

Our side won the Middle Eastern war, and for a few days after the brilliant Israeli victory there was a brief euphoria in official Washington. Since then, the fact has become increasingly clear that Israel's victory was by no means necessarily a victory for the United States. For it has also become increasingly clear that there has never been a time since the last world war ended when the United States has been more nearly alone in the world.

Hardly anybody loves us, and a great many people hate us. Even the Israelis by no means love us. As several correspondents have reported from the scene, the Israelis have little admiration for this country and no sense of gratitude, and regard U.S. policy as feeble and vacillating.

The Arabs, of course, hate us. This hatred is generally dismissed in this country as mere hysteria, fanned by vicious propaganda. It is that, but it is more than that. In order to make their amazing little state viable in 1948, the Israelis forced hundreds of thousands of Arabs out of Arab cities like Jaffa and Haifa, and off the land they had tilled for centuries. Now it seems likely that the Arab refugees of 1948 will be joined in their filthy camps by tens of thousands of new refugees from Old Jerusalem and the land west of the Jordan. Is it really very surprising that the Arabs hate the Israelis? And is it any wonder that the Arabs hate the United States, as the sponsor and protector of Israel, almost more than they hate Israel itself?

In the aftermath of the six-day war, there was some hope in official Washington that the Soviets would work "in parallel" with the United States to damp down the Middle-Eastern hatreds and achieve a lasting settlement. President Johnson and Premier Kosygin did not come to blows at Holly Bush, but they came to no agreement either, and since then the hope has been dying. It seems much more probable that Soviet policy was accurately predicted by an unnamed Soviet official (probably the Russian ambassador in Paris) who was quoted as follows in the French weekly, *Le Nouvel Observateur:*

"The diplomatic and political battle we are going to wage at the side of the Arabs . . . will be very hard. We will blackmail the Americans with respect to their oil interests and their shipping in the Suez Canal . . . We will lead an incessant propaganda campaign among the young generations [of Arabs] against the cowards, the opportunists and the collaborators of the Anglo-Americans. . . ."

In this battle, Arab hatred will be a most useful weapon. And the stakes are high. The Israelis are brave fighters, but the Arabs outnumber them by more than 15 to, 1 and they are sitting on the world's greatest proved reserves of oil in what is historically one of the world's greatest strategic land areas.

Moreover, in their "diplomatic and political battle" against the "Anglo-Americans," it is now clear, the Soviets will have an enthusiastic ally in Charles de Gaulle's France. Official Washington was hardly surprised when de Gaulle refused to join the consortium to assert the right of peaceful passage in the Gulf of Aqaba, or when he cut off the supply of arms to France's former ally, Israel.

But there was surprise—and a good deal of rage—when it was learned that two French oil companies, with official encouragement, had attempted to move in on the Anglo-American oil interests in the oil-producing Arab countries. "If de Gaulle really does that," said one normally unemotional American official, "we ought to break diplomatic relations with Paris."

It has taken a long time, but the conclusion is at last being forced upon the American Government that de Gaulle really does regard the United States not only as an enemy but as the enemy. The final rupture by de Gaulle of the French-American alliance has undermined the whole American system of alliances.

NATO may be a long time a-dying, but it is dying surely, killed by de Gaulle. The German-American alliance, once rock-firm, is seriously enfeebled. The Germans, and the Japanese and the Italians as well, may join with the French in the assault on the Anglo-American oil interests in the Middle East. The British, alone among our major allies, supported the project to assert the right of passage in the Gulf of Aqaba.

If, as a consequence of joining this country in that attempt, the British lose their oil holdings in the Arab countries, it will be a near-total economic catastrophe for them. They may be so enfeebled that they will have no choice but to crawl into the Common Market on hands and knees, on de Gaulle's terms. De Gaulle's basic condition, of course, is the death and public burial of the Anglo-American alliance. If that alliance dies, the United States will indeed be alone in the world, and this is one reason for the erosion of confidence you can small in Washington's air. The other, of course, is Vietnam.

"In a way," one high official has remarked privately, "we were as wrong about Vietnam as about the Bay of Pigs." He did not mean that this country was necessarily wrong to intervene in Vietnam. He did mean that the cost of intervention, in casualties, in expenditures, in military-force levels, and above all in the time required to achieve a settlement, was vastly underestimated. The awful thought that an acceptable settlement may be unachievable, and the war unwinnable, is beginning to occur, even to former official optimists.

In short, this country is in a jam all over the world. The jam we are in could be worse. It would be worse if Nasser were presiding in triumph over Tel Aviv, or Ho Chi Minh over Saigon, for example. But it is a very bad jam all the same, and we won't get out of it by going out in the garden and eating worms.

The jam we are in requires facing up to some hard questions. For example, if de Gaulle is determined to treat us as an enemy, should we not treat him likewise? What price will we pay to keep Britain out of the Common Market, and thus preserve the only alliance we have that is worth preserving? And is more of the same really all we can do in Vietnam?

The trouble is that to the people who should be asking such questions, the asking itself is a confession of failure. Many of these people are brilliantly able. But perhaps new men are needed to do the new thinking which now so clearly needs to be done.

"HOW TO START A RIOT"—ADDRESS BY EVELLE YOUNGER

Mr. MURPHY. Mr. President, all responsible Americans deplore the violence that has rocked so many of our cities. Like an epidemic they seem to have spread across our Nation. Now is the time for all straight-thinking citizens of every race, creed, and color to speak out against such lawlessness.

Evelle Younger, former superior court judge and now the very competent district attorney for Los Angeles County, on August 2 addressed the National Association of Defense Lawyers in Criminal Cases. His speech, entitled "How To Start a Riot" or "Something To Displease Everyone," is one of the best treatments of this serious subject I have seen. It deserves nationwide attention.

Mr. President, I ask unanimous consent that Mr. Younger's outstanding speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

HOW TO START A RIOT OR SOMETHING TO DISPLEASE EVERYONE

(By Evelle J. Younger, district attorney, county of Los Angeles, State of California)

All citizens must be bewildered and alarmed by the tragic riots that have been occurring with frightening frequency in our nation. However, as lawyers who practice criminal law, you must be especially concerned and interested because, whatever else a riot is—racial protest, rebellion, social revolution, you name it—it most certainly is one tremendous crime spree. Everyone who participates in a riot is a criminal. Accordingly, I selected this subject as one that you might consider timely and interesting. Besides, I claim some degree of expertise in this area. I don't claim to know how to stop riots, and even if I did, I wouldn't speak on that subject. Hundreds of public officials throughout the land, from the President on down, are telling us how to stop them. The field is overcrowded.

I do claim to know something about how to start a riot—having been rather intimately connected with the Watts Riot and having made a serious study of other recent outbreaks—and to my knowledge, there have been no previous speeches or articles on how to start a riot; so that seems an appropriate subject for this convention.

Before outlining procedures to be followed in starting a riot, and in order that you may better understand these recommended procedures, it is probably advisable to identify the personnel ingredients of a riot. What kind of people participate in a riot? In every recent Class "A" riot in America, virtually all of the people involved have been Negro. In Detroit, some white hoodlums moved in for the looting and attacked targets of opportunity, but they were not really a factor.

In any particular city, however, from 90 to 95% of the Negro community will not support or participate in a riot. These responsible Negroes, in fact, are the big losers in any riot and they know it; so they are understandably more frightened by and critical of those who participate in riots than are members of the white community. Each Negro in this group has been mistreated in some degree by the majority, but he is relatively secure, and intelligent. His conviction that violence accomplishes nothing outweighs any resentment he may feel toward the white community. The responsible Negro leadership falls into this group. Unfortunately, these "leaders" have been unable to communicate with the riot-prone Negroes and are no more effective in stopping a riot than is the white leadership. Also, the cream of Negro young men fall into this group, too, but most of them are away serving our country in the armed forces or are busy getting an education and are not available to exert any restraining influence on the riot-prone Negro.

The other 5 to 10% are riot prone. These are the ones who become involved. This 5 to 10% further breaks down as follows: A very small percentage are the extremists—the haters—those whose feelings against "Whitey" are deep and violent. They are blinded by rage. They will burn 9 Negro dwellings to get one owned by a white man. They claim, and possibly believe, that by promoting violence they promote the welfare of the Negro. Actually and unfortunately, this conviction is strengthened by the fact that, after a riot in a particular city, we move in, spend massive amounts of money, and try to do things we should have done 50 years ago. Most of those in this group are young and they are psychotic. Each is a potential killer. These are the bombers and snipers. These are the ones who give the killing of policemen and firemen top priority in any riot. This group of extremists is very small but seems to be growing steadily. Incidentally, white extremists have not, so far, become active in any riot. It has been rumored, however, that white extremists have given financial support to black extremists. We've never been able to confirm this rumor; but there is considerable logic behind it. For example, if I were the head of a white extremist group held together by hatred of the Negro, and had some money in the treasury, I'd give that money to some militant revolutionist, like Rap Brown or Stokely Carmichael, who preaches hate, violence, and rebellion, and who, for some reason I'll never understand, manages to get massive attention in the media far out of proportion to his importance. I can't imagine a more effective way to slow the progress of the Negro.

In addition to the haters, you have a small percentage of political extremists and agitators—principally communists—involved in every riot. These people want riots to occur for political reasons.

You also have a small percentage of professional or confirmed criminals—mostly thieves—who want riots to occur because they can operate at maximum speed with minimum risk in a riot. I recall one professional burglar who had a ball during the Watts Riots. As soon as things really got going, he backed a moving van up to the rear door of an appliance store and cleaned out the store. He got as far east as Kansas City, driving his van full of stoves, TV sets, and refrigerators, before we caught him.

These racists (the haters), the political extremists and agitators, and the confirmed criminals are the real villains. They are criminals in the truest sense. They are dangerous. They comprise at most 20% of the participants in any modern American riot. They probably are strong enough to start a riot, particularly if they follow the suggestions outlined below; but they haven't started one yet. As a matter of fact, they haven't had to. Enough riots start accidentally to keep any extremist reasonably happy. Certainly, after a riot starts, this group moves in fast and pours fuel on the flames and tries to make the riot as bloody, as damaging, and as extensive as possible. The fact is, though, that while this 20% could probably start a riot, they can't sustain it.

Only the remaining 80% of the 5 to 10% can sustain a riot. Only this 80% can make a riot truly successful, make it last anywhere from 24 hours to a week. People in this group are not sufficiently stable or responsible to be part of the 90 to 95% of the Negro community who are not potential rioters; on the other hand, they are not true criminals. They are not basically bad. They are only junior-grade criminals. They are the looters, the burners, and the rock-throwers. They are the back-bone of any riot. Most of them have been previously arrested; but that's not significant—the fact that a Negro in a slum area has been arrested does not necessarily mean that he has done anything wrong. Many have prior convictions, usually misdemeanors, usually petty theft. These junior-grade criminals, however, have one thing in common—a resentment toward the so-called "power structure". Consciously or subconsciously, they harbor a grudge against "Whitey". Often, the resentment has been controlled or suppressed until a riot starts. In some, the hatred or resentment is deep enough to permit them to burn buildings. In others, it is not that strong, but strong enough to enable them to participate in looting. In others, it is strong enough only for rock throwing. In some, it is so weak that the person would not even steal except that the riot provides an irresistible opportunity.

Now that we've described the ingredients, people-wise, let's consider conditions essentil to any successful riot. You can't just have a big riot any old time and place, you know. It's like Grunion hunting. Conditions must be right.

Climate is important. In recent years, there has never been a successful riot in a snowstorm. A heavy rainstorm is also bad. Hot, humid weather is best.

And now, an essential condition: There must exist in the community where the riot is to occur a disadvantaged minority, a group that has been mistreated by the majority (in ways ranging from polite discrimination to physical abuse) for a substantial period of time. Any kind of minority will do; but historically, most successful riots have involved religious, ethnic, or racial minorities. Often throughout our history, this condition has existed to a satisfactory degree—for example, during the period when the Irish were the favorite target of the majority, and later, the Italian-Americans in the East and the Orientals in California took the brunt. There has never been a period in our history, though, when this condition existed to the ideal degree that it exists today. Unlike the Irish and Italians, the Negro did not come to this country voluntarily, so his resentment against mistreatment is logically greater. Also, the Negro, though a free American for over 100 years, has been the target of discrimination and prejudice during this entire time—a more than adequate period. Also, fortunately, or unfortunately, the Negro looks "different" and is easy to identify. Then, too, the Negro minority is just the right size. 5% is adequate; 10% is ideal. The Negro comprises 11% of our population. Actually, in this connection, when a riot occurs in a place like Newark where the minority comprises over 50% of the population, it is a waste of manpower.

Now let's consider another essential "condition". There must be widespread disobedience of and lack of respect for law and order. We need not spend much time discussing this condition, because it must be obvious that in this regard the climate in our country today is ideal. There has not been a time in our recent history when the rule of law was so in jeopardy—not just from militant extremist Negroes but from citizens in all walks of life and all levels of society. Many Americans regularly and openly disobey laws they don't like. The traditional method of seeking changes in the law by urging legislative action seems old-fashioned. We have been sophisticating law and morality out of existence. Discipline as a means of regulating human behavior has gone out of style. Certain national magazines do everything possible to popularize the use of illegal drugs. Famous scientists encourage lying in front of mail trucks, blocking traffic and troop trains, and assorted resistance to authority. Prominent educators encourage students to use LSD. An editorial in the student newspaper at one of our nation's great universities urges its readers to smoke marijuana in violation of the law. When police are called upon to preserve order, they are often jeered, insulted, and spat upon by the very people they are paid to protect. Screams of "police brutality" drown out those who urge higher standards and training, and better pay, and a higher degree of professionalization for law enforcement. Those interested in more and bigger riots could hardly ask for more.

And now, let's consider one final condition. It is desirable, though probably not essential, that tension exist between the races throughout the land. I say tension is not essential because it is so easy to create if it doesn't exist. If tension reaches the level of hysteria, as it has in this country, then the riot climate is ideal. Speaking of tension, we can't be surprised when we hear the Powells, Carmichaels, and Rap Browns cry "Blood will flow!", "Riots are essential!", "Go get your guns!", etc., etc., etc., but we must be amazed to see the help these extremists get from supposedly reasonable people. For example, I recently heard a self-proclaimed civil rights leader in my community say that unless a certain number of jobs were created immediately and given to persons without regard to skill or qualifications, that there would certainly be another Watts. Incidentally, when I accused him of inviting trouble, he was highly incensed and claimed he was just reporting "facts". It's become standard operating procedure for a Congressman or Senator who wants to dip into the pork barrel and get millions of dollars poured into his district under some poorly-planned and potentially useless project, to urge passage on the basis that it is essential to prevent a riot. And here's the best example of all—The Republican Coordinating Committee in Washington accused the President of playing politics and refusing to act to prevent a riot in Detroit; and Lyndon Johnson, understandably irritated, forgot that a President is supposed to rise above this sort of thing and responded by blaming Governor Romney for not stopping the riot there. On the same day, Senator McClellan blamed the Supreme Court for "creating an atmosphere in which riots flourish." A few days later, Governor Romney, in a most intemperate statement, accused President Johnson of Lying. Glory be! What more could an anarchist ask for?

Now, when "conditions" are right, you can sit back and wait for a riot to start. Some commies and extremists claim credit for starting certain of the recent riots, but they are just bragging. They don't deserve the credit. The fact is, all the recent riots have started accidentally, triggered by some explainable incident. The incident usually, but not always, involves a confrontation between a Negro and a white policeman; but in Hartford, Connecticut, a fight between two Negroes was sufficient. The rumor following the incident has normally been more important than the incident. In Watts, the arrest of the Frye's drew a crowd; but the rumor that the police were beating a pregnant Negro woman (who wasn't pregnant and wasn't beaten) started the riot. In Newark, a Negro taxi driver was arrested for a traffic violation; but the false rumor that he had been killed by a white policeman triggered the riot. Normally, after the incident, the rumor follows; the crowd gathers following the rumor; then, if someone starts throwing rocks, and breaking windows (and so far, someone always has) the riot starts.

In case you don't want to wait for a riot to start by spontaneous combustion, there are several things you can do to start one.

First, it is important that you select the right city as the location for your riot. It need not be a big city—even Waterloo, Iowa, a town of 75,000, will do—so long as the necessary conditions exist. Don't select a city that has recently experienced a riot. Once citizens of a community, black and white, know a riot can happen, they try harder to prevent a repeat. It is difficult to start a second riot. Also, the police are better prepared after the first riot. For example, there is a very critical period after the first rock is thrown, the first window broken, when the police can move in with massive but restrained force and possibly prevent a riot. The first time, however, police action will not likely be swift and decisive enough. That, of course, is understandable. Just as a puppy who is spanked every time he barks is not likely to be a good watch dog, so is a police department that for years has been accused of being overly aggressive apt to not be aggressive enough. In Los Angeles and Newark the police did not overreact; they underreacted. You can't count on that a second time.

Also—and this advice will surprise you—don't select Los Angeles, Newark, or Detroit; but select a city like these—a city where some effort has been made to help the Negro. Don't select a city where the Negro is no better off than he was 25 years ago, where there has been no progress or attempt at progress. Select a community where the voters have elected Negro Congressmen, or State Legislators, or City Councilmen, or have representatives on the Police Commission. A little bit of freedom is a heady wine. When a Negro has a taste of a better life he understandably wants more. The perfect rioter is one who has experienced excitement, who has tasted a bit of success and is hungry for much of it, who has achieved minor gains and now demands massive rewards as his due.

Once you have selected the city, make sure that the people—black and white—in that city are sufficiently scared and angry. Once you ignite the fire, you want to be certain that masses of people get involved and keep it burning. There are several things you can do.

First, get some white man—preferably a Nazi or member of the KKK (although this isn't essential) to go on one of the radio or TV talk shows where the wilder and more antagonistic the guest the more time and exposure he gets. Have him relate the rumor over the air that 100 Negro snipers have been imported from some named city outside the state to shoot up—not Watts—but Beverly Hills, Glendale, and San Marino. Have him brandish a firearm if the host on the show will permit it and say something like, "By God, let 'em come. I'm ready!" Just to be on the safe side, get several people to repeat this on all the talk shows as often as possible. Then, have another person phone in and say that he is a gun dealer and has only 5 weapons left. Every gun in town will, of course, be sold within a matter of hours. The Negro extremists will react as anticipated. Policemen will naturally get worried and show it. Leaves will be cancelled. The Police Chief, or Sheriff, or District Attorney, will say, "Keep calm"; but no one will be listening.

Now apply the clincher. Get a TV commentator to bring a TV camera into the area you have selected as the site for your riot. Of course, it will be in a Negro area, preferably the worst in the city. You won't have any trouble finding someone to cooperate. Most TV station managers and commentators are responsible citizens. They know that TV is an immensely powerful force—for good or bad. But you'll find some commentators and stations preoccupied with ratings and if you can promise excitement, you'll get cooperation. As a matter of fact, I have a standing offer to bet any TV executive in Los Angeles that if he will lend me a camera and crew, I can start a riot in any city in the United States within 48 hours. Not one has been willing to take the bet.

The commentator will probably know all the tricks, but here are some suggestions to pass on to him: Find a Black Nationalist and ask him his reaction to the way the whites are buying up all the guns. He will say that this proves what he has been saying all along, that "Whitey" is out to exterminate the Negro and that the Negro must move first—"Kill or be killed!" Then find another youth screaming "Burn, baby, burn!", or "Get Whitey!", or some similar war cry. This kind always loves to go on TV; and gets twice as wild when the filming starts. Before he goes on, ask him if he heard the rumor that 30 minutes before, in another area of the city, a white policeman shot and killed a Negro teenager for stealing a package of cigarettes from a drugstore. Naturally, he will relate the rumor as fact on the air and scream a call to all blood brothers to arm themselves. Be sure the commentator doesn't let the head of the Urban League or NAACP get on the air and try to calm people down. Tell the cameraman to stick around as long as possible after the riot starts. He'll be safe as long as he has film in his camera. Tell him to be sure and identify and film the first liquor store that is broken into so that some inclined to stay at home will get into the act. Tell him to concentrate on shots of violence. When a policeman reacts to provocation, show the reaction, not the provocation.

You can always get a shot of a policeman with a night stick and another shot of a Negro child who fell while running and cut his face, and with a little clever editing, make it appear the policeman beat the child. After the riot starts, there will be plenty of violence; and it won't be necessary to fake it. Tell him shots of dead women, children, or policemen, are most likely to keep the riot going.

Having started the TV operation, move on till you find two Negro young men fighting. It won't be difficult. Teenagers—white or black—are inclined to be physical. Phone the police, tell them a gang of Negro teenagers is attacking a white man. When the first police car arrives, phone again and give another false report and get another car to the same area. The crowd will be growing fast. Have others phone in more false reports and get more police cars. The more the better. If other fights have not started by this time and if the police haven't yet been stoned, or spat upon, go up to someone in the rear of the crowd—where they can't see the police clearly—and tell them you saw one of the white policemen in the back seat of a police car pistol whipping one of the Negro teenagers who had his hands cuffed behind him and his feet chained together.

If by this time you haven't started an A–1, king-size, bloody riot, I'll turn in my card and resign from the society of riot engineers.

It should, of course, be obvious to all that I definitely am not interested in starting riots. I'd give anything if I knew what to do to stop them immediately. I have simply tried to point out the problems we face and what we might expect from those who want more and bigger riots, in order that we might be better prepared.

I'm afraid we are in for more trouble. I think I know what we in America must do in order to stop riots; but we may not yet be ready to do what must be done. Sooner or later we are going to have to do two things—things that in my opinion all Americans are not yet ready to do.

First, we must insist that all Americans obey all our laws at all times, period. Not just the laws they like, but all laws, period. Not just when a policeman is polite, and has the preferred color skin, but always, period. We must make everyone obey the law, not just the bad guys with guns or burglar tools, but college professors and famous people whose hearts are pure and who are just trying to stop the war in Viet Nam—everyone, period. You have been hearing similar statements from prominent politicians and public officials for months; but if you've listened closely there has always been a qualification: Laws must be obeyed, but; not laws must be obeyed, period. Laws must be obeyed, "but unless we create more jobs there will be more riots", or, "but unless we spend x billion dollars on slum clearance and higher welfare payments, blood will flow", or "but you can't expect people without hope to respect the law", etc., etc., etc. The time has come to say the law must be enforced and obeyed, period—not just by rich people but by poor people, period. The President of the United States said for the first time on July 27, 1967, during his statement to the American people concerning the riots. "The law must be enforced and obeyed, period." When every responsible citizen in the United States says the law must be enforced and obeyed, period—then we are ready for Step II. Step I without Step II will not provide a permanent solution; Step II will not be possible without Step I.

Here's Step II: Free the slaves. Are we ready for that yet? I wonder. If so, we must be absolutely honest with ourselves and the Negro. To ourselves, let's admit we haven't done what is necessary so that the Negro will be treated equally with the white American. And we must be honest with the Negro and say we are not talking about equal cars, or equal homes, or equal salary, but equal opportunity. What have we done in the past? The average white American has practiced discrimination in varying ways in varying degrees. The average American will vote against a school bond issue that would provide needed new educational facilities in a Negro district; then help prepare gift boxes to distribute to poor Negroes at Christmas time to demonstrate lack of prejudice. We have been afraid to let the Negro come all the way up. We have been afraid to give him equal educational and employment opportunities. Let's face it. We might have successfully kept the Negro in slavery; but we can't keep him half free. When the day comes that a Negro child has the same life expectancy as a white child born on the same day; when a Negro child entering kindergarten has the same eventual opportunity to get a job as his white classmate; and when the Negro can live anyplace he can afford without insults or harassment, then on that day Stokely Carmichael will not be able to afford a trip to Cuba. Let's be honest and admit that just throwing money at the Negro problem hasn't made it go away. In the past, after a riot occurs, we have poured money in to the area; but we spend it not to provide opportunity, but as a bribe. We say, in effect, "Here, Negroes, are X million dollars. Spend it; any way; spend it fast; there's more where that came from; but please—no more riots." It's going to cost an enormous amount to give the Negro and other disadvantaged minorities equal opportunities across the board. Let's spend money wisely on programs like Headstart and compensatory education programs that truly speed the day when the Negro has equal educational opportunities; and not on absurd anti-poverty programs where we hire unqualified people to do unnecessary jobs and where we hire untrained and inexperienced, unemployable people to administer the program so the cost of administration will be over 50% and we can get rid of the money faster. This particular program at least provides the poor Negro with a good laugh. It won't be easy or cheap to provide equality of opportunity for the Negro; and it will take a long time. When all Americans are truly ready, then progress can be made. I say let's do it now. The sooner the better, not because we love all our fellow human beings as we do ourselves—that's too much to expect—but because enlightened self-interest requires that we solve the so-called "minority problem" permanently—and there is no other way to do it.

Finally, I offer a suggestion. While we are working out our problems let's get rid of our national inferiority complex. Government should cease its preoccupation with introspection and feelings of guilt; and should stop espousing the idea that society is at fault for riots. This self-pity syndrome is extremely dangerous. Let's stop worrying about what the Russians and Chinese Communists will say about us—the hell with what they say! Let us say to the world, "Sure we have problems—we have problems because our citizens, including Negro citizens, enjoy a higher degree of freedom than has been enjoyed in any other country in the history of the world. When we have trouble with a minority, we don't exterminate the minority. We try to solve the problem. Our system of government isn't perfect. It's just the best ever devised by man—and don't you forget it!"

NOMINATION OF FREDRIC R. MANN TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY TO BARBADOS

Mr. CLARK. Mr. President, as the Senate knows the President has nominated my friend of long standing, Fredric R. Mann, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Barbados.

I ask unanimous consent that a biographic résumé of Mr. Mann be printed in the RECORD.

There being no objection, the biographic sketch was ordered to be printed in the RECORD as follows:

FREDRIC R. MANN

Position for which considered: Ambassador to Barbados.

Present Position: President, Industrial Container Corporation and Mannkraft Corporation.

Office Address: 1617 John F. Kennedy Boulevard, Philadelphia, Pennsylvania.

Born: September 13, 1903, Gomel, Russia; American citizenship derived through naturalization of parents.

Legal Residence: Pennsylvania.

Marital Status: Married.

Family: Wife, Silvia Nelson Rosenberg; Children, Five daughters.

Home Address: 2101 Parkway, Philadelphia, Pennsylvania.

Education: Yale University, 1919–21; Wharton School, University of Pennsylvania, Bachelor of Science degree, 1924.

Language Ability: Not stated.

EXPERIENCE

Non-Government: 1938–54, President, Seaboard Container Corporation; 1951–present, Commissioner of Fairmount Park (President since 1963; 1952–55, Commissioner of Recreation, Philadelphia; 1953–present, Treasurer, Dropsie College for Hebrew & Cognate Learning; 1954–56, President, National Container Corporation (retired as Chairman of the Board); 1957–present, Founder and Vice President, Philadelphia Industrial Development Corporation; 1961–present, Commissioner, Delaware River Port Authority; 1965–present, Director and Vice President, Philadelphia Port Corporation.

Government: 1943-present, Member, U.S. Mint Assay Commission; 1955-present, Member of the Mayor's Cabinet, Philadelphia; 1956-present, City Representative and Director of Commerce, Philadelphia.

MEMBERSHIPS

Trustee, Philadelphia Orchestra Pension Foundation (1948-present).

President, Robin Hood Dell Concerts, Inc. (1949-present).

Fellow, Brandeis University (1952-present).

Member, Special Gifts Committee, John F. Kennedy Center for the Performing Arts.

Trustee, Harry S. Truman Library (1954-present).

Director, National Recreation Association (1955-present).

Vice President, American Committee for the Weizmann Institute of Science.

Honorary Chairman of the Board, America-Israel Cultural Foundation.

Member, Philadelphia Arts Council (1961-present).

Trustee, John Fitzgerald Kennedy Library Corporation (1964-present).

AWARDS AND CITATIONS

Citation, Philadelphia Junior Chamber of Commerce (1952).

Award, Man of the Year Award: Tau Epsilon Phi Fraternity (1953).

Citation, Brownsville Boys Club, Inc. (1954).

Citation, American Legion (1956).

Award, Public Relations Award: The Charles Morris Price School of Advertising and Journalism of the Poor Richard Club of Philadelphia (1963).

EXTENSION OF VETERANS' BENEFITS

Mr. KENNEDY of New York. Mr. President, I regret that legislative business prevented my presence in the Senate for the vote to extend veterans' benefits. I express my pleasure at the unanimous passage of the bill, and express my wholehearted support for it.

The men who will benefit from this special are of a very special kind. Some are special because they volunteer for the hazards of military service. Others are special because they are victims of a discriminatory draft law. They serve, in many cases, because they have less money than others; they are thus unable to pile deferment on deferment—for education, occupation, and family—and escape military service altogether.

The burden of service they bear willingly. And the record of their achievement has been brilliant—in Berlin, in Vietnam, everywhere they have been called upon to fight or to wait. Yet the reward for this service has only been further disadvantage. They have lost 2 years—time which their more fortunate contemporaries have spent in school or in jobs. The result is that veterans aged 20 to 24 have a higher unemployment rate than those who have not served.

The bill we have passed will help to correct this unfairness. By increasing the benefits under the GI bill of rights—for education, for job training, and for compensation for injuries—it helps introduce a measure of fairness into our unfair Selective Service System. Further, it gives the victims of that system a more equitable opportunity when they return to civilian life.

I am happy to see that the Senate has recognized our obligation to these men, and has passed the bill.

SENATOR MOSS ON "THE WATER CRISIS"

Mr. HARTKE. Mr. President, the Senate has recently seen another of its Members step forth into the world of authorship. Last month the distinguished Senator from Utah [Mr. Moss] saw his book, entitled "The Water Crisis," issue from the press of the publisher, Frederick Praeger. I congratulate him on his prowess and on the leadership he has shown in the field of water resource management.

As a member of the Subcommittee on Water and Power Resources in the Interior and Insular Affairs Committee, Senator Moss has played an important role. While his own State is one in which water shortage is a greater problem than in many others, he sees the water problem in national perspective. He recognizes the importance of conservation in Appalachia, pollution control in New England, and restoration of the health of the Great Lakes, as well as the importance of irrigation in the arid areas and the needs of industry for water supplies.

Shortly before Senator Moss' book made its appearance—and I might add that it bears an introduction by our recent colleague, himself the author of a number of books, former Senator Paul Douglas—the Utah junior Senator spoke to a Washington audience on the same general topic of the water problem. The speech was given before the Washington chapter of the Public Relations Society of America on June 20. While it is not in any sense a summary of the book, it indicates some of the important conclusions reached by the author. Perhaps it might, for those who read it, lead the interested to delve more deeply into "The Water Crisis."

Mr. President, I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR FRANK E. MOSS, DEMOCRAT OF UTAH, BEFORE THE WASHINGTON CHAPTER OF THE PUBLIC RELATIONS SOCIETY OF AMERICA, JUNE 20, 1967

It would be hard to think of a more appealing audience for me to address these days than the Washington Chapter of the Public Relations Society of America.

For one thing, from the standpoint of a politician, you are the people most skilled in the art of communication with the public, which is the life blood of politics.

For another, I have just published a book on a subject of significance to the business community and you have direct access to the nation's business leaders.

More importantly, as modern public relations men, you are, as a group, the real conscience of American business and my subject today is one which commands your interest.

The only improvement I can think of would be to hold this meeting in Utah. As a matter of fact, that's a good idea. Utah is a wonderful place to meet. As United States Senator from the State of Utah, I extend to you a very warm invitation to our state. Utah would be a fine place to talk about water because it is the site of major water developments. These include Lake Powell—the 186 mile long "Jewel of the Colorado"—which is the subject of the feature article coming in the July issue of National Geographic.

Also, Utah is a state where water is valued for its true worth. Water, like other commodities, changes in value as it becomes scarcer. This fact brings to mind the story of a famous Senator, whom some of you may remember, whose well advertised appreciation of good bourbon was quite in keeping with his oratorical attainments. His critics said there was a connection. At any rate, in prohibition years, between his family and his doctor, he found it increasingly difficult to maintain the standard to which he had become accustomed. After one long dry spell, a faithful retainer brought him a bottle of his very favorite, handing it over with profuse apologies about the cost.

The old man held it up to the light admiringly and said, "Tut, tut, my boy, think nothing of it. Suppose they had charged you what it's really worth?"

There's a lesson in the jest. Does anybody know what water is really worth?

I can tell you this. The price is going up.

For the next generation of Americans, water may be the nation's most critical problem.

The root cause of the problem is quite simple. The total amount of water available to us is fixed by nature. The number of persons to use it and the demands they make on it are not.

Our expanding industrial society is putting such pressure on water that the resource itself is deteriorating. It is in question whether or not we will reverse the trend, restore our waters, and provide the additional amounts we need for use. This is the "Water Crisis," which is the title of my book, scheduled for publication in July.

I have tried to treat the subject constructively. I wished to do more than sound the alarm. I believe the water problem can be solved. This is not the first time America has faced resource destruction. During our westward expansion, other generations raided the forests and the wildlife.

This generation is raiding the rivers and lakes. It is easy to see why. The demand for water is truly prodigious—and increasing. Every year, we must find larger amounts to supply the kitchens and bathrooms of sprawling cities and suburbs; to water parks, and irrigate crops in the drier states; to supply industry. Whole regions compete for riverflows today with all the jealousy with which early settlers in the west fought for water holes.

You have heard it said that we have plenty of water if only we take care of it. That could be true. With three percent of the fresh water available on the globe's land surface. America is better off than many nations. But a more accurate way of stating the case for the United States is this: we have enough water only if it is properly managed. Today it is not being properly managed. We can't go on like this.

Some parts of the United States have already run out of water; that it, the number of persons occupying a given basin has grown to the point that they either must bring water in from other basins or mine ground resources. This is going on in the Southwest today. In other parts of the country, the cost of living, or the cost of doing business—they can't be separated—is going up because the quality of the water is going down due to pollution. Elsewhere, even normal cyclical variations in precipitation cause serious trouble. In still other areas, actual resource destruction is undermining water supply. Take Rock Creek. The lower third of its watershed, except for Rock Creek Park, has long been fully developed. Before World War II, the middle third was rich farming country. But by now, the woods and pastures have been replaced with massive housing developments, and urban sprawl is pushing into the watershed's upper third.

In fifty years, the stream's drainage area has been cut in half. Chevy Chase, Woodmont, Forest Glen, Kensington, Garrett Park—Each has dried up tributaries of Rock Creek. Now the rain scoots off the land, filling the stream with yellow mud.

An analysis of the Nation's 22 water resource regions shows that most have major problems; for many, the problems are critical. Surely we are capable of something better than this. Just plain pride, if it weren't also our lives, should make us want to do better. We can, and the way is clear. That is what I have tried to show in my book.

Doing better means the kind of a program on which public relations people and politicians can join hands. Let me elaborate on this point. You know better than anyone else that, in our kind of society, you have to organize and drum up support for any policy position you want to make stick. Well, in the water field, we have lots of separate policies and as many organizations trying to further their separate goals. We have a lobby for ducks, a lobby for fish, a lobby for power, a lobby for navigation, a lobby for pollution abatement, a lobby for irrigation, a lobby for flood control, a lobby for nearly everything you can think of—save one. There is no lobby for John Q. Public; for the Nation as a whole and its greatness and beauty. We have several lobbies for leaving things as nature left them, but if we are going to keep on increasing the number of people, we surely have to give nature a helping hand in trying to provide water resources for them.

The crying need today is for support for a water policy that will serve the national interest. And those whose job it is to keep the public informed bear a heavy responsibility for the adoption and implementation of such a policy.

We have made a start toward recovery of some of the lost ground. Sensing the peril that faces us, I believe our people are prepared for the long haul job.

As a matter of fact, a water resource restoration movement is underway. The stage was set by the Senate Select Committee on National Water Resources which studies water supply and demand and issued its report in 1961. With the cooperation and support of President Johnson, the 88th and 89th Congresses enacted more constructive water resources legislation than any of their predecessors. Much groundwork, of course, had been laid by President Kennedy and the 87th Congress. And we cannot afford to let the pace slacken.

There are two areas of activity which call for the professional competence of this group. These are areas where there is a need for greater initiative and leadership in the business community, as well as need for understanding by the public. One is the area of broad national water policy, which I have mentioned briefly. The other is the obvious one of pollution control.

In a sense, the pollution control program is a tremendous business opportunity, as great as any in our history. We think of the railroad building era in the West as the great economic expansion of the last third of the last century. Our current effort to restore our environment, both air and water, demands a tremendous program of research, construction, and equipment manufacture.

There is a dual opportunity for American business. You know, we tend to forget the extent to which our whole business structure depends upon the theory that the corporation is a person before the law. The corporate form was one key to the realization of the vast developmental opportunity in the last century. Now, something new has been added. The responsibilities, as well as the opportunities of the citizen are increasingly recognized as devolving upon the corporation.

This is the solid foundation of today's industrial public relations. The needs of the American people in the national water pollution crisis offer a rare public relations opportunity. At the start-up of the pollution control program, the response of some spokesmen for business sounded as though water were the business of some other citizens, or perhaps of the corporate citizen of the last century.

But the signs of change are in the air. There is growing recognition of a simple proposition stated by the New York Times in December of 1965—there is no inherent right to pollute water. We started doing that in the early days of our industrial development, and business was no more to blame than the rest of us. It was inexpensive—and mostly harmless—to let our rivers carry away the wastes of factories, refineries, slaughterhouses and homes. But there are too many of us to do that any more.

Changing such a convenient and ingrained habit doesn't come easy. It costs money. Somebody is going to have to pay. The cost is bound to go into the cost of doing business, and may come out in the price of the product. I believe American consumers are ready to pay the price, especially if the story is put to them right. This, too, is a public relations challenge.

Looking again at national policy, the aerospace people have taught us to use the term "system approach" for solving big problems. All right, we need a system approach to the national water problem. To get it we will have to make use of the famous slogan—think. We must think ahead; think "organization;" and think big.

Thinking ahead means long-range planning. In 1965, New Yorkers had to restrict the serving of water in restaurants while southern Californians could water lawns, wash cars, and fill their swimming pools. California's secret was planning. Even under eastern drought conditions, twice as much rain fell on New York as on Los Angeles.

We can understand the size of the Los Angeles water problem if we realize that ten million people live on a near desert within the metropolitan water district of southern California. Most of their water is brought two hundred and forty miles across mountain ranges and desert. It is then distributed through four hundred and fifty miles of lines to one hundreds and nineteen cities and many large unincorporated areas. California is one State that realizes how long it takes to plan and build water projects. A 1966 pamphlet issued by "Californians for Water Action" emphasized—"there is a gap of twenty-five years from planning table to the water tap." The "California Water Plan,"—now being built—involves the most massive transfer of water yet attempted on this continent, and will satisfy expected southern California water demand through 1990. But we need a California water plan for the whole United States and for every river basin in it.

Thinking "organization" means taking a hard look at the existing governmental structures through which we Americans manage our water resources.

In 1965, Newsweek magazine charged that the big obstacle to restoring the Hudson Valley was bureaucracy. Newsweek said that "more than fifteen Federal agencies from the Coast Guard to the Department of Commerce tangle with the New York State departments of conservation, health and public works, as well as commissions for fish and game, parks, water resources and motor boats, to name a few. And few of these are under any obligation to consult with each other or a higher authority."

Congress has recognized such fragmentation in the Federal Government. Under the provisions of the Water Resources Planning Act of 1965. The Water Resources Council was formed to coordinate the water policies and projects of more than a score of Government agencies among which have been scattered responsibility and money for water resources work.

The Council has a very highgrade staff of specialists. They are professionally competent and skilled in the art of government. But they are not the responsible political policy makers.

The members of the Council are the Secretaries of the Army; Agriculture; Health, Education and Welfare; Interior; and the Chairman of the Federal Power Commission. The job of planning and managing our water resources has become too big to be handled by a committee. And whatever we call it, this Council functions as a committee to reconcile bureaucratic differences. To give the needed direction to Federal efforts, I have proposed a full-fledged Department of Natural Resources.

Thinking big means giving careful consideration to such proposals as the NAWAPA scheme. (NAWAPA is an acronym for North American Water and Power Alliance.) Recognizing that northern Canada and Alaska have enormous quantities of fresh, clean water that flow unused into the Arctic Seas, the engineers of the Ralph M. Parsons Company proposed a one hundred billion dollar project of Continental Water Resource Development. It would recapture from 15 to 20 percent of the excess runoff of the far north and redistribute it to Canada's prairie provinces, the U.S. West and Midwest, and possibly, Mexico. The 500 mile long trench in the Canadian Rockies would be used as a great reservoir from which water would be distributed south to many States and east to the Great Lakes and beyond.

Three years ago, I was chairman of a subcommittee of the Senate Public Works Committee, which took a look at the NAWAPA proposal. We made a comparison with the inventory of all Federal projects foreseeable for the next twenty years. It appeared to us that for twenty-five percent more money NAWAPA could deliver twice as much water and was subject to expansion.

Of course, the Canadians have something to say about this—and they have said plenty. In between the pros and cons, however, there is a great body of Canadians who feel that if appraisals of their resources and projections of their needs show a marketable surplus, they could do worse than sell it to the United States. After all, water can be produced as a sustained yield crop. It is not subject to depletion as are the uranium and natural gas that the Canadians are very happy to sell to us.

One of the great values of massive proposals like NAWAPA is that they focus attention on other aspects of national policy.

NAWAPA's $100 billion price tag makes people stop and think. It compels us to intensify watershed conservation, and to clean-up the rivers through which this water would be distributed.

Except for the need to study new water for the Great Lakes, the USS. is no more ready to enter into a water transfer compact than are the Canadians. We have barely begun to study the possibilities of full development of our own water resources.

I have mentioned cost previously.

A tragic irony of the recent water for peace conference in Washington was noted both by President Johnson in his opening statement and Secretary Rusk in his closing one—we could do a lot more both in the developed and the developing nations if it were not for the financial drain of Vietnam.

There are those who worry about the economic impact of a sudden reduction of military spending. I tell you we should welcome the event for more reasons than the obvious one. We need the money—not just for development but for actual natural resource preservation.

A nation that aspires to put a man on the moon should be able to solve its life-dependent problem of water resource management. A nation that spends ten percent of its gross national product on defense can certainly put whatever it takes into preserving something to defend. I have heard it suggested that we start investing in resource conservation at least one-twentieth of what we spend on defense. This would be a kind of depreciation allowance, five percent for restoration and maintenance. We can surely afford it.

Man's inability to manage water resources caused ancient civilizations to crumble. We need not suffer their fate. We are not less dependent upon water than was man a thousand years ago; but we have far more scientific knowledge and technical capability to control our environment. We need not run out of water if we can solve the political problems that stand in the way of an adequate national water management program. As I have said, solving these problems is a challenge for both statesmanship and public relations.

To bring some order into the national water picture, the administration has asked for a national water commission. It would be composed of prominent persons outside of government. It would have five years to study and prepare recommendations.

Such an investigation could be of great value in settling long range policy questions. It could help put in proper perspective various courses of action: conservation, pollution control, additional re-use of water, desalting, weather modification, inter-basin transfer systems, and improved water use practices in agriculture, industry and the home. All these are things that must be done to assure water for tomorrow. A commission could take a national view—in contrast to Congress, whose Members represent regional interests.

But the formation of a commission must not be used as an excuse to "wait and see." America has run out of time in which to repair her water resources.

We must push ahead with water supply development. We must improve State, regional and Federal water management methods. We must press the national clean water effort to the full extent of the law.

The future of every American depends on water, regardless of his income, profession or station in life. This is one battle we have to win.

PROBE OF CAUSES OF CIVIL EXPLOSIONS

Mr. CLARK. Mr. President, the Nation's press, generally, is currently performing an important public service in probing—and encouraging other institutions and individuals to probe—the underlying causes triggering the civil explosions which hit nearly 30 American communities this summer. This is the kind of service which the press can do uniquely well; more effectively, in fact, than any other medium.

One of the most important, and I think incontrovertible, conclusions which the press has reached is that a prime cause of the turbulence, bloodshed, and looting has been the fact of ghetto poverty and widespread joblessness.

With this realization, both the Philadelphia Inquirer and the Philadelphia Bulletin have extended enthusiastic support to Philadelphia's Mayor James H. J. Tate in his efforts to find employment for approximately 1,500 of Philadelphia's jobless poor. The Inquirer has provided splendid editorial support, and the Bulletin, additionally, has inaugurated a plan offering free classified advertisements in the "Situations wanted" columns to any unemployed Philadelphia residents. This is a farsighted idea which I should like to see newspapers in other cities emulate.

If joblessness in Philadelphia is drastically reduced, and if, consequently, the threat of civil disturbances is diminished, the newspapers of Philadelphia may, quite justifiably, take a good part of the credit. Mr. President, I ask unanimous consent to place in the Record two editorials from the Philadelphia Inquirer, the first entitled "In Response to the Jobmobile"; the second, "A Basic Need: Jobs."

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Philadelphia Inquirer,
Aug. 1, 1967]

In Response to the Jobmobile

Some popular myths about people who live in city slums—people who are out of work and on relief—were quickly dispelled Monday when the jobmobile made its first rounds in North Philadelphia under a new, city-sponsored, antipoverty program announced by Mayor Tate last weekend.

Hundreds of job-seekers responded to the opportunity. Lines formed quickly and grew steadily longer as the word spread. Soon, eager applicants were finding their way directly to hiring headquarters instead of waiting for a ride in the jobmobile.

What were the jobs offered? They were not plush positions at high pay. They were jobs for sewer-cleaners and street-sweepers. There were other openings of comparable level—giving an opportunity to provide essential public services requiring a willingness to work but no particular skills or education.

These jobs were accepted, gladly and thankfully, by persons who had been unemployed and on relief—applicants of various ages, many with families to support.

Persons fortunate enough to live outside the slums are heard, on occasion, to voice the opinion that relief recipients would rather be idle than work, or will not take menial jobs. The jobmobile may well serve to open some eyes and change some views.

[From the Philadelphia Inquirer,
Aug. 2, 1967]

A Basic Need: Jobs

There is no more effective way to help the victims of unemployment and poverty than to provide them with jobs and pay checks.

There is no better way to relieve the frustration and despair of the unfortunate and downtrodden than to offer them an opportunity to build self-respect and become self-supporting through constructive work.

Philadelphia is moving in the right direction with its jobmobile program. The decision to extend the recruiting drive, to include employment opportunities in private industry as well as in governmental departments and agencies, is highly commendable.

Mayor Tate and all others who had a part in the instant success of the jobmobile have good reason to be encouraged. Their resolve to retain the momentum of the employment campaign deserves full support from the entire business community—from the largest companies to the smallest. We urge management in all segments of private enterprise to enumerate their potential job openings.

Enthusiastic and grateful response of Philadelphians to the jobmobile on its initial rounds indicates that so-called "hard core" unemployed are not so hard core as had been widely believed. They may have been hardened by years of poverty, and by countless rebuffs in applying for jobs in the past, but their readiness and eagerness to work were quickly demonstrated when the door was opened to them and they knew that their applications for employment would be not only politely considered but warmly welcomed.

It seems to us that semi-skilled and skilled job openings, along with those in the unskilled category, should be listed by firms participating in the employment drive. Some of the unemployed, even though deficient in education and training, are capable of learning new skills through on-the-job instruction or vocational classes.

If more anti-poverty funds were devoted to providing broader job opportunities and training, instead of dissipated on programs of lesser practical value, the tangible benefits to the poor could be increased substantially.

TURMOIL IN RED CHINA

Mr. THURMOND. Mr. President, it is appalling to me that the Government of the United States appears oblivious to the revolution which is ripping open the No. 2 Communist power in the world, Red China.

Here we have a case of an outlaw nation suffering internal turmoil which could easily change the course of world history, and the main thing you read about in the press is race riots in the United States.

Of course, we have a free and open society in the United States, and our problems are aired quite readily. But, at the same time, I feel our Government should take some public stand opposing the murder of thousands of innocent people in Red China. The people of China have always been friendly to the United States, and it has been only since this vast nation fell under a Communist dictatorship that a wedge has been driven between the American and mainland Chinese people.

Further, it is my opinion that this administration has an obligation to tell the American people and the world what is going on in Red China today. Certainly the Communists are doing all possible to suppress news to the world about this revolution against Mao, and here is a chance to show the inhumanity of the Communist dictatorships. I am not suggesting that should Mao fall from power the new Communist dictators would be any more humane, but I am saying that the American people and the world should be told as much as possible of the terror which is ripping open the most populous nation of our time. Such information should serve as a warning to the people of other countries who may think there is some salvation in Communist dictatorships.

Also, I find it difficult to accept the contention of some that the United States does not know exactly what is going on in Red China. I am confident our Government does know what is going on—as it is their business to know. Should this not be the case, then an immediate investigation would be in order.

From information available to me it appears our radio voice and other means of news dissemination abroad are not being used to take maximum advantage of the internal strife in Red China. This is in stark contrast to the use of the press by this administration in promoting their domestic programs.

Mr. President, in the Friday, August 18, 1967 issue of the News and Courier of Charleston, S.C., there appeared an editorial entitled "China in Convulsion." This newspaper and many others are doing their best to inform the American public of what is happening in Red China, but it appears more hard information could be provided the press and the people by our Government. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CHINA IN CONVULSION

Turmoil inside Red China, including a report of tank and artillery battles, suggests that the world's most populous nation is on the verge of a colossal civil war.

In recent weeks, fighting has broken out in Red China's central provinces. Wuhan, formerly known as Hankow, is a principal center of strife between followers of Mao Tse-tung and President Liu Shao-chi.

Due to lack of hard information, it is difficult to tell what is happening, and impossible to forecast the future. The best we can do is try to discern the broad outline of the conflict, examine the situation in terms of Chinese history, and cite options available to the United States.

Mao's "cultural revolution" has been raging for over a year. In this period, the aging communist dictator has unleased youthful mobs against foes in the Communist Party hierarchy and against the party bureaucracy at many levels. It has been a time of mob rule and virtual mindlessness. Hordes of youths are shouting slogans instead of studying and working.

Resistance to Mao seems to be widespread. It is possible that Red China soon may be a land of competing communist regimes. Such a condition would somewhat resemble the rivalry of warlords in the early decades of this century. Warlordism first appeared as the Manchu dynasty began to break up.

The United States will have to make its own decisions if warlordism is the wave of the immediate future of Red China. A weakened Red China would present an opportunity to cut the rail line providing support from China for the war in Vietnam. At Wuhan is one of the bridges essential to rail traffic to North Vietnam.

Beyond this is the opportunity for hitting Red China's nuclear weapons plants at Lop Nor in Sinkiang. These plants are only 800 miles from U.S. air bases in Thailand. It is possible that the U.S. government may want to destroy these plants to eliminate a nuclear threat facing the free world. Whether Mao or his enemies now control the Lop Nor plants is not known to us.

Another unknown factor is the role and attitude of the Soviet Union. The Soviets recently delivered a tough ultimatum to Red China when a Russian ship was besieged in a Chinese port. The ultimatum, however, does not reveal the full Russian attitude. It should not be forgotten that the Communist party of the Soviet Union laid the foundation of Chinese communism.

While the USSR is worried about Red Chinese nationalism, it undoubtedly wants a reliable communist regime in Peking. It is possible that the USSR, in the event of a Chinese civil war, would intervene militarily on the side of a pro-Moscow faction. On the other hand, if Maoists possess China's atomic weapons, they might use them against Russian territory.

In summary, these are days of convulsion inside Red China that could shake the world.

FACTORS IN OUTBREAKS OF VIOLENCE

Mr. CLARK. Mr. President, post mortems continue, as they should, on the civil disturbances that brought turmoil, bloodshed, and destruction to nearly 30 American cities this summer. In assessing the causes of this turbulence there is increasing evidence that the American public may be in advance of the Congress.

A public opinion poll by Louis Harris, published this morning in the Washington Post, tends to bear this out. The American public, both white and Negro citizens, see unemployment as one of the chief contributing factors in the summer's outbreaks of violence.

Consequently 69 percent of the public, as shown in this poll, believe that large-scale Federal work projects to give jobs to the unemployed would be effective in preventing recurrence of the disturbances. Among those most affected by joblessness, the Nation's Negroes, the vote in favor of such projects was 91 percent.

The public also favors, as a preventive measure, a Federal program to tear down ghettos in our cities, and also programs to exterminate rats and to set up massive summer camps for underprivileged youngsters.

Mr. President, Members of Congress and those entrusted with the leadership of our States and communities should study this poll most carefully, especially as they formulate plans and programs to prevent the recurrence, ever again, of this summer's bloodshed and destruction. I ask unanimous consent that the Washington Post report of the Harris poll be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HARRIS SURVEY: RACES AGREE ON GHETTO ABOLITION AND NEED FOR WPA-TYPE PROJECTS

(By Louis Harris)

In the wake of the recent riots in Detroit, Newark and other cities, big majorities of both Negroes and whites agree that new Federal programs to eliminate rats in slums, to tear down ghettos, to set up summer camps and to undertake large-scale work projects for the unemployed would be effective measures to prevent future racial outbreaks.

Both races also agree that the riots have hurt the Negro cause, that Negroes suffered the most from the riots and have more to lose than to gain by resorting to violence.

Negroes as well as whites condemn looting and fire-bombings. Whites as well as Negroes believe by substantial majorities that only a minority of Negroes support riots.

DISAGREEMENT ON CAUSES

But Negroes and whites sharply disagree over what triggered the riots. Negroes believe that merchants who gouged their customers and charged exorbitant prices must take some blame. Whites are largely unaware of such practices.

Negroes feel that police have engaged in brutality; whites flatly disagree. Negroes tend to see lack of real progress in housing, jobs for young people and education for Negroes as a fundamental cause of the riots. Whites recognize the need for more effort in these areas, but see them far less as reasons behind the violence.

As a result of a deep feeling that the plight of the Northern black ghetto dweller has been neglected, Negroes tend to say that their riots were mainly spontaneous, stemming from conditions of injustice. Largely removed from the Negro view of life in the slum areas, whites are convinced by a large majority that the riots were organized.

FEDERAL PROGRAMS URGED

One of the major effects of this summer's racial rioting is a widespread recognition on the part of both whites and Negroes that large-scale Federal programs should be undertaken to improve conditions in the cities.

The in-depth Harris Survey of a cross-section of both Negroes and whites across the Nation asked this series of questions:

"Several new laws and programs have been proposed to help resolve the race problem in America and prevent racial outbreaks in the future. For each, tell me if you think it would be effective or not very effective:"

Federal programs to prevent riots

1. Setting up large-scale Federal work projects to give jobs to all the unemployed:

Effective:	*Percent*
Public	69
Whites	66
Negroes	91
Not effective:	
Public	24
Whites	26
Negroes	5
Not sure:	
Public	7
Whites	8
Negroes	4

2. A Federal program to tear down ghettos in the cities:

Effective:	*Percent*
Public	65
Whites	63
Negroes	84
Not effective:	
Public	26
Whites	28
Negroes	7
Not sure:	*Percent*
Public	9
Whites	9
Negroes	9

3. A Federal program to exterminate rats in slums:

Effective:	*Percent*
Public	60
Whites	59
Negroes	72
Not effective:	
Public	33
Whites	34
Negroes	19
Not sure:	
Public	7
Whites	7
Negroes	9

4. Setting up massive summer camps:

Effective:	*Percent*
Public	57
Whites	55
Negroes	78
Not effective:	
Public	32
Whites	34
Negroes	10
Not sure:	
Public	11
Whites	11
Negroes	12

The most popular programs would be public works projects to provide employment in blighted urban areas where Negroes and other minority groups live. But a clear indication of the drastic mood of the country is in the support given to the proposition that ghettos be torn down.

The controversial "rat control" legislation, turned down recently by Congress, is seen as an effective measure for controlling future riots by six out of ten citizens.

In addition to recognition that such legislation might be helpful in averting future racial outbreaks, white people also showed a greater willingness than they did a year ago to lower the bars against Negroes in public eating places, movie theaters, public rest rooms, clothing stores and in other areas.

Along with the Negro-white consensus on what ought to be done to prevent future outbreaks, there is remarkable agreement between the races on the consequences of the recent violence.

Whites and Negroes both agree that those who suffered most from the riots were Negroes themselves. The survey of a carefully drawn cross-section of whites and Negroes across the country shows that 58 per cent of all Negroes and 49 per cent of whites believe Negroes were the chief victims of the riots.

Both races also agree that property owners were next on the scale of suffering, followed by white shopkeepers and the cities themselves.

Negroes and whites agree that the outbreaks and violence have hurt the civil rights cause. This view is held by 60 per cent of Negroes and a much higher percentage of whites (89 per cent).

A similar question, whether Negroes have more to gain or to lose by resorting to violence, revealed that 68 per cent of Negroes and 94 per cent of whites feel Negroes have more to lose.

LOOTERS "SHOULD BE SHOT"

Only 10 per cent of the Negroes and 11 per cent of the whites believe that most Negroes support the rioting.

By overwhelming margins, whites believe that looters are criminals and "should be shot." And 68 per cent of the Negroes also classify looters as criminals. Over two thirds of the Negroes in the survey disagreed with the statement that "looting isn't as bad as stealing, because things in stores are going to be taken or burned anyway during a riot."

It is therefore fair to conclude that a large majority of Negroes are opposed to action that violates laws. In fact, by 47 to 42 per cent, Negroes feel that people who throw fire bombs in riots deserve to be shot.

FEARS FOR SAFETY RISE

A majority of both Negroes and whites do not believe that a lack of firmness by local mayors and governors was a major cause of the rioting, although whites tend to be more critical than Negroes on this score.

Personal uneasiness on the streets has risen as a result of the riots, with 51 per cent of whites expressing fear for their own safety. However, an even larger percentage of Negroes—65 per cent—say they have fears for their safety.

Despite the large areas of agreement between the two races on the consequences of riots and effective steps to prevent such violence in the future, whites and Negroes are poles apart on what sparked the rioting.

When asked the main reasons the riots broke out, 45 per cent of all white people volunteered that they were provoked by "outside agitators," "minority radicals," or "Communist backing."

NEGRO PLIGHT RECOGNIZED

An additional 40 per cent of the whites, however, attributed the riots to the "way Negroes have been treated in the slums and ghettos of the big cities" and "the failure of white society to keep its promises to the Negroes." Other reasons cited by whites were "teen-agers and other uneducated people just looking for trouble."

Educated whites tend to give more recognition to the plight of Negroes in ghetto communities as reasons for the explosions. But both Negroes and whites agree that Negro hatred for whites was less a cause of the outbreaks than Negro frustrations over lack of progress on jobs, education and housing.

Among Negroes, 7 per cent volunteered that the riots were organized, compared with 93 per cent who said Negro frustration over lack of progress was the prime cause.

NEGROES CRITICIZE POLICE

By better than 2 to 1, Negroes believe that police brutality was a major cause of the rioting. Whites disagree by 8 to 1, with only one white person in six expressing the view that police ever engage in brutality against Negroes.

Seven in every ten Negroes say that lack of decent housing contributed to the riots. In the riot areas themselves, 59 per cent of the Negroes say they know someone who lives in rat-infested housing, 57 per cent report holes in ceilings, 49 per cent overcrowding, 56 per cent faulty plumbing and 68 per cent cockroaches.

But no more than 39 percent of whites believe deficiencies in Negro housing were a major cause of the rioting.

WHITES CHARGE ORGANIZATION

On jobs for young Negroes, 34 per cent of the white people see lack of employment opportunities as a major reason for the riots, compared with 67 per cent of the Negroes, Three in every ten whites believe failure to give Negroes equality is behind racial violence, compared with over seven out of every ten Negroes.

Mainly because of different estimates of just how bad living conditions are in Negro slum areas, whites and Negroes therefore sharply disagree over whether the riots were organized or spontaneous. By 71 to 23 per cent, whites believe the riots were "mainly organized." By 47 to 37 per cent, Negroes think the outbreaks were "mainly spontaneous."

All in all, the desire among both whites and Negroes is to exert every effort to avoid a repetition of this past summer's rioting. But 15 per cent of Negroes testify that they support the riots, and most of these are in the younger age group.

This minority segment, pushed over the line of lawful response by their frustrations with ghetto conditions, are ample cause for future anxiety by whites and Negroes alike.

J. WAYNE FREDERICKS' TWO-WAY EDUCATION OF AFRICA AND AMERICA

Mr. HARTKE. Mr. President, a few days ago—on August 12, to be exact—a good friend to many of us left the State Department after nearly 6½ years as a dedicated public servant working in a most difficult area of rapid change.

I refer to the man who has done so much to promote understanding between American and African leaders as Deputy Assistant Secretary of State for African Affairs, J. Wayne Fredericks. The work of Mr. Fredericks through these years of emerging African nations has been characterized by the New York Times as one in which he made his post "a key instrument of two-way education." Certainly not the least of his contribution, as the Times points out, has been in educating Members of the Congress and other Americans about the great continent which some of us have visited during these years. I am sure there are others whose visits there have been made more meaningful, as mine was in 1962, by the help toward understanding Africa that he has provided.

Mr. Fredericks was appointed to the post by President Kennedy and began his service there on February 20, 1961. He was not a career diplomat, but his service may perhaps, as the Times indicates, have been the more useful for that fact. Now that he has moved on to the Ford Foundation, he will be much missed.

I ask unanimous consent, Mr. President, that the editorial of which I speak, which appeared in the New York Times on August 10, may appear in the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

KEY JOB TO FILL AT STATE

A Deputy Assistant Secretary for African Affairs does not rank high in the State Department bureaucracy, but J. Wayne Fredericks transformed that post into a key instrument of two-way education. He did much to educate leaders of the new Africa about America, but his greater contribution may have been the education of Americans about Africa's problems and prospects.

Mr. Fredericks was a tireless advocate of an active and distinctive American policy for a continent usually low on Washington's priority list. He thus helped overcome that "tremendous institutional inertial force" at State of which Adlai Stevenson warned President-elect Kennedy in 1960. He aroused an enduring interest in Africa on the part of intelligent young members of the Congress and many others in the community at large.

This dedicated man could carry on such a free-wheeling, many-faceted operation in part because he was not a career diplomat, beholden to the Foreign Service establishment. With his departure from Government, President Johnson and Secretary Rusk would be well advised to conclude that they can best fill the job by going outside the Foreign Service, as President Kennedy did when he appointed Mr. Fredericks in 1961.

S. SGT. JIMMY G. STEWART RECEIVES MEDAL OF HONOR, POSTHUMOUSLY, FOR GALLANTRY AND VALOR IN VIETNAM—SECRETARY OF THE ARMY STANLEY R. RESOR SAYS JIMMY STEWART GAVE "HIS OWN LIFE SO THAT OTHERS MIGHT LIVE"

Mr. RANDOLPH. Mr. President, this morning at the Pentagon, in a moving and solemn ceremony, the Medal of Honor was presented posthumously to S. Sgt. Jimmy G. Stewart, U.S. Army, for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty.

The presentation was made by Hon. Stanley R. Resor, Secretary of the Army. The recipient was the wife of the deceased, Mrs. Gertraud H. Stewart, 1833 Gardiner Drive, Columbus, Ga. Other members of the family present for the ceremony were the mother, Mrs. Ethel M. Stitt, route 1, Racine, Ohio, and the stepfather, Delmar J. Logan, of Middleport, Ohio. He is survived by sons Robert L., 3, and John W. Stewart, 2.

Members of the Congress present were the Senator from Ohio [Mr. Lausche], Representative Ken Hechler, of West Virginia; Representative Clarence E. Miller, of Ohio; Representative Jack Thomas Brinkley, of Georgia; and the Senator from West Virginia [Mr. Randolph].

Staff Sergeant Stewart was born December 25, 1942, at West Columbia, Mason County, W. Va., but moved, at the age of 15 years, to Middleport, Ohio, where he atended high school. He enlisted in the U.S. Army on April 25, 1960, and continued in the service until killed in battle on May 18, 1966, in Vietnam. He was serving with Company B, 2d Battalion, 12th Cavalry, 1st Cavalry Division—Airmobile—at that time. His overseas service included a tour from September 1960 to November 1963 with the 3d Infantry Division in Germany, and with the 1st Cavalry Division—Airmobile—in Vietnam from August 1965 to May 1966. His prior awards and decorations included the Purple Heart, National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Medal, Republic of Vietnam Military Merit Medal and the Combat Infantryman's Badge.

At the ceremony today in the office of the Secretary of the Army, Maj. Gen. Kenneth G. Wickham, Adjutant General of the Army, read the following:

> The President of the United States of America, authorized by Act of Congress, March 3, 1863, has awarded in the name of The Congress the Medal of Honor, posthumously, to Staff Sergeant Jimmy G. Stewart, United States Army, for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty:
>
> Early on the morning of 18 May 1966, a reinforced North Vietnamese company attacked Company B, 2d Battalion, 12th Cavalry, which was manning a defensive perimeter in Vietnam. The surprise onslaught wounded five members of a six-man squad caught in the direct path of the enemy's thrust. Sergeant Stewart became a lone defender of vital terrain—virtually one man against a hostile platoon. Refusing to take advantage of a lull in the firing which would have permitted him to withdraw, Sergeant Stewart elected to hold his ground to protect his fallen comrades and prevent an enemy penetration of the company perimeter. As the full force of the platoon-sized main attack struck his lone position, he fought like a man possessed; emptying magazine after magazine at the determined, oncharging enemy. The enemy drove almost to his position and hurled grenades, but Sergeant Stewart decimated them by retrieving and throwing the grenades back. Exhausting his ammunition, he crawled under intense fire to his wounded team members and collected ammunition that they were unable to use. Far past the normal point of exhaustion, he held his position for four harrowing hours and through three assaults, annihilating the enemy as they approached and before they could get a foothold. As a result of his defense, the company position held until the arrival of a reinforcing platoon which counterattacked the enemy, now occupying foxholes to the left of Sergeant Stewart's position. After the counterattack, his body was found in a shallow enemy hole where he had advanced in order to add his fire to that of the counterattacking platoon. Eight enemy dead were found around his immediate position, with evidence that fifteen others had been dragged away. The wounded, whom he gave his life to protect, were recovered and evacuated. Sergeant Stewart's indomitable courage, in the face of overwhelming odds, stands as a tribute to himself and an inspiration to all men of his unit. His actions were in the highest traditions of the United States Army and the Armed Forces of his country.

Secretary of the Army Resor's remarks, addressed to the wife, the mother, and the guests present, were as follows:

> Mrs. Stewart, Mrs. Stitt, Distinguished Guests: I am honored to represent the President of the United States today in bestowing the Medal of Honor upon an American soldier who gave his life heroically for his country. Staff Sergeant Jimmy G. Stewart, whom we honor today, was one of those rare individuals, so completely devoted to duty, that he willingly laid down his own life so that others might live.
>
> In November 1963 Staff Sergeant Stewart joined the 11th Air Assault Division. This was the test division which tested and proved the airmobile concept which has played such an important part in the Army's operations in Vietnam.
>
> Sergeant Stewart stayed on with the division when in July 1965 it was reconstituted as the 1st Cavalry Division, Airmobile. He deployed with the division to Vietnam in August 1965 and served with it until his untimely death.
>
> The 1st Cavalry Division deployed directly to the 2nd Corps Area in Vietnam at a time when the enemy was threatening to split South Vietnam along the Pleiku-Ankhe-Qui Nhon axis. At the time of the division's arrival in Vietnam, nearly half of the population of the 2nd Corps Area was under Viet Cong domination. Today 89% of that population is under control of South Vietnam and its Allies. In August 1965 70% of the rice land in the 2nd Corps Area was under Viet Cong control. Today 95% of the rice land is under control of the government of South Vietnam. Two years ago none of the important highways could be used unless a major military effort was launched to open one for a limited number of days for a specific purpose. Today 90% of the important roads are open. Two years ago almost none of the railroads were in operation. Today 53% of railroads, or 226 miles, are repaired and in use.
>
> The progress which has been made in the 2nd Corps Area in the last two years is in large part due to the outstanding performance of the division of which Staff Sergeant Stewart was a member. It reflects the sacrifice and devotion of the many fine Americans who have served in this division throughout this period. In time of war sacrifice and service are not equal. The progress which has been made in the 2nd Corps Area reflects particularly the extra sacrifice and extra service which have been displayed by those unusual individuals who under the extraordinary demands of combat have responded with unusual qualities of leadership and self-sacrifice. Sergeant Stewart was one of these.
>
> His selfless acts of courage are an example from which we may all draw inspiration and courage. His heroism has earned him a rightful place among our Nation's most honored soldiers. It is indeed fitting, therefore, that we should recognize his extraordinary courage and devotion to duty by bestowing upon him posthumously the Nation's highest award for valor.

Mr. President, the following tribute of Gen. Douglas MacArthur to gallant fighting men can be applied very correctly to Jimmy Stewart, the hero who lost his life in battle:

> His name and fame are the birthright of every American citizen. In his youth and strength, his love and loyalty, he gave all that mortality can give.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AMENDMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which the clerk will state.

The Legislative Clerk. A bill (S. 1688) to authorize the United States to participate in an increase in the resources of the fund for special operations in the Inter-American Development Bank, and for other purposes.

The Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is S. 1688 and there is pending the amendment offered by the Senator from Ohio [Mr. Lausche].

Who yields time?

Mr. SPARKMAN. Mr. President, do I understand that the Lausche amendment is pending?

The PRESIDING OFFICER. The Senator is correct.

Mr. SPARKMAN. And 30 minutes of debate is allowed for each amendment.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LAUSCHE. Mr. President, was not a substitute offered on yesterday by the Senator from Tennessee [Mr. Gore]?

The PRESIDING OFFICER. There was not.

Mr. LAUSCHE. It was not offered, so my amendment is pending.

The PRESIDING OFFICER. The amendment of the Senator from Ohio [Mr. Lausche] is the pending question.

Mr. LAUSCHE. We have a time limitation of one-half hour.

Mr. SPARKMAN. I do not know of anything we could add to what was said yesterday. As far as I am concerned, I am prepared to yield back the remainder of my time.

Mr. LAUSCHE. I think we should contact the Senator from Tennessee [Mr. Gore], so he will know what is happening. I am ready to vote.

Mr. PASTORE and Mr. HICKENLOOPER addressed the Chair.

Mr. SPARKMAN. Mr. President, on the amendment, I yield 10 minutes to the Senator from Rhode Island [Mr. Pastore].

The PRESIDING OFFICER. The Senate will be in order.

Mr. MANSFIELD. Mr. President, will the Senator withhold his request briefly?

Mr. SPARKMAN. I yield to the distinguished majority leader.

Mr. PASTORE. I shall need only 5 minutes.

Mr. MANSFIELD. I have no objection to the Senator being recognized for 10 minutes, but I ask unanimous consent that the Senator postpone making his remarks for the purpose of displacing temporarily the amendment of the Senator from Ohio [Mr. Lausche], so that the Senator from Iowa [Mr. Hickenlooper] can call up his amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

AMENDMENT NO. 285

Mr. HICKENLOOPER. Mr. President, I call up my amendment No. 285 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to read the amendment.

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment offered by Mr. Hickenlooper is as follows:

On page 1, delete lines 4 and 5 and insert in lieu thereof: "283–283k) is amended by renumbering section 14 thereof to section 15 and by adding a new section 14, as follows:

" 'AUDIT

" 'The Secretary of the Treasury shall instruct the United States Executive Director to propose the establishment by the Board of Executive Directors of a program of selective but continuing independent and comprehensive audit of the Inter-American Development Bank, in accordance with such terms of reference as the Board of Executive Directors itself (or through a subcommittee), may prescribe. Such proposal shall provide that the audit reports be submitted to the Board of Executive Directors and to the Board of Governors.

" 'The Comptroller General of the United States shall prepare for the Secretary of the Treasury the scope of the audit and the auditing and reporting standards for the use of the United States Executive Director in assisting in the formulation of the terms of reference.

" 'The reports of the National Advisory Council on International Monetary and Financial Policies to the Congress shall include, among other things, an appraisal of the effectiveness of the implementation and administration of the loans made by the Bank based upon the audit reports. The Comptroller General shall periodically review the reports of audit and findings issued and report to the Secretary of the Treasury and the Congress any suggestions he might have in improving the scope of the audit or auditing and reporting standards of the independent auditing firm, group, or staff.' "

Immediately preceding line 6, page 1, insert the following:

"Sec. 2. The Inter-American Development Bank Act is further amended by adding a new section 16 at the end thereof:",

In line 6, page 1, substitute "Sec. 16" for "Sec. 15".

Mr. HICKENLOOPER. Mr. President, this amendment is identical to the amendment inserted in the House bill, which is identical to S. 1688, as I understand it, except for the amendment which was added in the House. This amendment provides for an audit on behalf of the United States in connection with the funds which we place in the Bank, and would be in the nature of a continuing audit.

The amendment was inserted in the House bill without objection and was accepted. So far as I know, it meets with the approval of the House side completely.

There is this fact about it, that the amendment was not considered by a House committee, nor was it considered by a Senate committee. Therefore, there is some question as to whether there might be some objection which could develop in connection with hearings.

I have talked this over with the Senator from Arkansas [Mr. Fulbright], the chairman of the Committee on Foreign Relations. I hesitate to quote him exactly—and I shall not try—but he told me yesterday that he thought, on the surface, there could be no real objection to it. He also expressed the idea that inasmuch as it had not been heard by a committee, either in the House or Senate, there might be some merit in leaving the matter open for a period of time to see if any real objection did develop.

The Senator from Alabama [Mr. Sparkman], the Senator in charge of the bill, now in the Chamber, may have some views on the amendment, and I wonder whether he would care to express them now.

Mr. SPARKMAN. Yes. I will say this: I am in hearty accord with what the Senator from Iowa has just said. The fact is, I was considering offering the amendment myself until I learned that he was going to do so.

Mr. HICKENLOOPER. I did not mean to compete with the Senator.

Mr. SPARKMAN. Not at all. It had been called to my attention by the author of the amendment on the House side, Representative Selden, of my State. I read his remarks made on the occasion of the bill's being considered in the House of Representatives. I was very much in sympathy with it. By the way, Mr. President, in that connection, I ask unanimous consent to have printed in the Record the remarks made by Representative Selden on July 26, 1967. It is on page 20239 of the Record; also an excerpt from the report of the Special Study Mission to the Dominican Republic, Guyana, Brazil, and Paraguay of the Committee on Foreign Affairs of the House of Representatives.

There being no objection, the remarks and excerpt were ordered to be printed in the Record, as follows:

REMARKS BY MR. SELDEN

Mr. Selden. Mr. Chairman, since its inception under the administration of President Eisenhower, I have supported the Inter-American Development Bank, and I do so again today. I believe that the Inter-American Development Bank has played a beneficial role in Latin America, and I feel that the withdrawal or reduction of our support from this institution at this time would not be in the long-range best interest of either Latin America or the United States. At the same time, however, I would be the first to suggest that the administration of this institution, or any other international institution, for that matter, is not perfect. As a matter of fact, a visit to several Latin American countries last fall by our colleague, the Honorable William Mailliard, and myself, convinced both of us that the administration of some of the loans made from the Social Progress Trust Fund administered by the Inter-American Development Bank could be improved. Our report on this study mission, House Report 219, dated May 1, 1967, recommended among other things that this trust fund, which is 100-percent contributed by the United States, and is administered under an agreement with the Inter-American Development Bank, be fully reviewed by the U.S. General Accounting Office. I have been informed, however, that since this is an international agency, and there is no provision under the trust agreement for such an audit, the books and records of the bank directly related to the Social Progress Trust Fund are not available to the U.S. General Accounting Office.

Therefore, Mr. Chairman, I am submitting for consideration of the House today a proposed amendment to the bill H.R. 9547, which would, through the Secretary of the Treasury, direct the U.S. Executive Director of the Inter-American Development Bank to propose the establishment by the Board of Directors of that Bank of an independent and comprehensive audit program similar to the audits made by the Comptroller General of the activities of the U.S. Government.

Mr. Chairman, while I remain of the view that the Comptroller General should have the authority to review for the Congress the operations and administration of the Social Progress Trust Fund, I recognize that an independent review by this agency of any member government might well cause serious misunderstandings and unnecessary resentment among the Bank's other members.

I feel that the amendment I am proposing will accomplish without these complications, and in a manner that should be acceptable to the bank's members, a review of the operations which I believe is necessary to the efficient conduct of any institution's activities.

The Secretary of the Treasury has informed me that, through the U.S. Executive Director, he will diligently seek to have established the proposed method of obtaining an objective and independent review and appraisal of the effectiveness of the implementation and administration of the loans made by the Bank not only for the benefit of the United States, but for that of the other members of the Bank as well.

Mr. Patman. Mr. Chairman, will the gentleman yield?

Mr. Selden. I shall be happy to yield to the chairman.

Mr. Patman. I would ask the gentleman is it not true that this amendment has been worked out by the gentleman with both the majority and minority members of the Committee on Banking and Currency of the House?

Mr. Selden. I have consulted with the gentleman from Wisconsin [Mr. Reuss], and he has assured me that he has consulted with the other members of the committee in connection with this amendment.

Mr. Patman. It is my understanding that it is acceptable to our side, and we have no objection to it on this side.

Mr. Selden. I thank the gentleman for his endorsement of the amendment.

Let me say in closing, Mr. Chairman, that I am convinced that one of the features of democracy that has helped to maintain the Government of the United States since its founding is the requirement that the actions of the executive branch be independently and objectivively reviewed, either by the Congress or by the public, so that impetus can be given to make needed improvements.

In my view there is nothing that contributes more to the laxity of the administration of the funds of others, or to mistaken suspicions regarding such administration, than the knowledge that owners do not have full information concerning the quality of administration.

Because this proposal includes an analysis of the efficiency of loan implementation, it seems to me that it would be of vital importance to those who are borrowing and must repay, and I hope, therefore, that the other member countries of the Bank will join in supporting this proposal.

EXCERPT FROM REPORT OF SPECIAL STUDY MISSION

4. Projects funded by the Social Progress Trust Fund and administered by the Inter-American Development Bank, which have had long delays in their execution, should be reevaluated and a determination made as to whether they should be continued or terminated.

Funds for the Social Progress Trust Fund were authorized in both 1961 and 1964, and nearly all of this amount was committed for projects at least 2 years ago. As of December 31, 1966, $228,947,518 of the $525 million is still unexpended. In some cases, this has happened because of disagreement between the Bank and country officials as to the ways and means of executing the project. In other cases, past failures on the part of IDB and AID to achieve proper coordination has inordinately delayed projects. The failure of the IDB to have timely representation in some of the countries concerned has also caused problems and delays.

The Inter-American Development Bank is an agent for the Social Progress Trust Fund and is accountable to the U.S. Government for the fund's proper and effective use. The study mission believes there should be a concentrated effort made to ascertain how best to utilize the money remaining in the fund and that there should be a full review by the U.S. General Accounting Office.

Mr. HICKENLOOPER. I thank the Senator from Alabama. I was about to have the same material inserted in the RECORD.

Mr. SPARKMAN. It seems that the Senator and I should get together and compare notes, but I thought it would be well to have that in the RECORD.

Mr. HICKENLOOPER. Yes.

Mr. SPARKMAN. I have also discussed this with the chairman of the committee and I think he feels that it would be well to give us an opportunity to turn this over in our minds between now and the time the conference is held.

Mr. HICKENLOOPER. As he expressed it to me—and I am perfectly willing to go along with it—indicated general approval of the particular amendment, but there is this parliamentary fact about it, that if we adopt it now——

Mr. SPARKMAN. Then we lock it in.

Mr. HICKENLOOPER. Yes, we lock it in. And there is nothing in conference. So that if something came up between now and the conference, and a change might be desirable, it could not be changed or altered. Therefore, I agreed yesterday with him that if it were agreeable to members of the committee, I would be perfectly agreeable to withdraw the amendment at this time, with the understanding that unless some cogent reason came up between now and conference, because the bill will be in conference, anyway, with this amendment in it on the House side——

Mr. SPARKMAN. Yes.

Mr. HICKENLOOPER. Unless some cogent reason occurred, as to why the amendment would not be good, then the chairman assured me that he would look with favor and hope the conferees would also look with favor on joining the House and adopting this audit provision in conference.

Mr. SPARKMAN. I am certainly willing to go along with the Senator.

Mr. HICKENLOOPER. Mr President, under those circumstances, I am perfectly willing to withdraw the amendment, so that we can really take a better look at it.

Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. SPARKMAN. Mr. President, is not the pending business the Lausche amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. SPARKMAN. I believe there is a feeling that the Senator from Tennessee [Mr. GORE] wanted to offer a substitute. An effort is being made to have the Senator from Tennessee come to the Chamber. I therefore ask unanimous consent that I may yield 10 minutes to the Senator from Rhode Island with the time not being charged to this particular amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

PROPOSED TREATY ON NONPROLIFERATION OF NUCLEAR WEAPONS

Mr. PASTORE. Mr. President, as Chairman of the Joint Committee on Atomic Energy as well as congressional adviser to the U.S. delegation to the 18-Nation Disarmament Conference, I have been following very closely the detailed negotiations that have been transpiring in Geneva, as well as the discussions our representatives have been having with our allies and with representatives of the U.S.S.R. in connection with the development of a nonproliferation treaty.

I am pleased, therefore, to inform you that at 10 a.m. eastern standard time this morning, Ambassador Foster officially introduced a proposed treaty on the nonproliferation of nuclear weapons. I am informed that Ambassador Roshchin of the U.S.S.R. also introduced a proposed treaty on behalf of his country. It was hoped that the United States and the U.S.S.R. would jointly table identical language. Although the language is believed to be identical, the U.S.S.R. preferred to introduced their treaty separately. This in no way, however, detracts from what I believe to be a milestone in world history.

The fact that the most powerful Communist nation in the world—the Soviet Union—and the most powerful nation in the free world—the United States—recognize that the safety of the world requires responsible nations to work together in the control of nuclear weapons is a major step forward.

The safety of nations behind the Iron Curtain, as well as the safety of nations outside the Iron Curtain, depends upon the effective control of the most devastating weapons known to man.

Mr. President, I request unanimous consent to place in the RECORD at the conclusion of my remarks the statement that Ambassador William C. Foster made this morning at the 325th Plenary Meeting of the 18-Nation Disarmament Conference in Geneva when he introduced the proposed draft treaty on behalf of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PASTORE. Mr. President, I also request unanimous agreement to include at the conclusion of my remarks the proposed treaty introduced by Ambassador Foster.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. PASTORE. Mr. President, I commend Ambassador Foster and the other members of the U.S. delegation that have worked so diligently in the development of this proposed treaty. It is my understanding that with the exception of article III all portions of the proposed treaty are agreeable to the U.S.S.R. and others participating in the 18-Nation Disarmament Conference. Both the United States and the U.S.S.R. do recognize that some form of international inspection and verification is required. To date, however, we have not successfully developed wording acceptable to both the U.S.S.R. and ourselves. Together with our allies and other participants at the 18-Nation Disarmament Conference, it is hoped that we will, during the upcoming sessions, reach agreement on an effective international control system which will be incorporated in the treaty as finally adopted.

The language that is agreed upon by the United States and the Soviet Union reflects this country's longstanding nonproliferation policy and helps clear the air on the nature of that policy in one important respect. During the course of past negotiations on this treaty, the Soviets have feared—without cause I might add—that under nonproliferation treaty language previously proposed by us we could relinquish control over our nuclear weapons to some of our NATO allies.

Our efforts to allay these fears gave rise here at home to a view expressed by a few that, in our anxiety to get a nonproliferation treaty, we were, in effect, putting the Soviets in a position where they could dictate to NATO what kind of nuclear arrangements they will permit and what kind they will not stand for. The reasoning behind this seemed to be that the Soviet price for agreement to a treaty was to deprive the NATO Alliance of the nuclear weapons which they want and which we would, lacking Soviet objection, give them.

As far as the United States is concerned, the Soviets are not going to have any voice in nuclear arrangements in NATO, with or without a nonproliferation treaty. We are not going to relinquish control over our nuclear weapons—offensive or defensive—to anybody, not in Europe or anywhere else on earth. For one thing, there is a law against it. Section 92 of the Atomic Energy Act prohibits the "transfer" of nuclear weapons to another nation. And, as was made evident at last year's hearings of the Joint Committee on Atomic Energy on the nonproliferation of nuclear weapons, the executive branch neither intends to ask that this law be amended, nor does the legislative intend to amend it.

Article I of the new draft treaty is patterned after this provision in the Atomic Energy Act. The treaty is therefore in furtherance of American policy long ago articulated by Congress. It does not prohibit us from doing anything that wasn't already prohibited by our own legislation.

The Senate has specifically endorsed the concept of preventing nuclear weapon spread without a single dissenting vote. It did this last year when Senate Resolution 179, sponsored by me and cosponsored by 58 other Senators, was passed by a bipartisan vote of 84 to 0, with none of the absent Senators declaring themselves opposed.

This endorsement did not, of course, constitute approval in advance of just any treaty language. During the hearings and floor debates on the resolution, views of Senators on various proposed treaty provisions were expressed. The new draft article I, patterned after section 92 of the Atomic Energy Act, avoids criticism previously leveled on the earlier draft of that article.

One problem which I have addressed on a number of occasions is still with us—a solution to the impasse over a safeguards article.

In discussing, on the floor of the Senate this year, the specific language I recommended, I noted that what I was saying—pure and simple—was "that any nation that gives fissionable material for civilian use shall make sure that the recipient of such material agrees to international inspection and all those who receive it in turn agree that they will subscribe to international inspection." The purpose of such safeguards is to prevent the diversion to weapons use of fissionable materials from peaceful nuclear activities.

As I understand it, the Soviet Union does not disagree with the concept of international inspection to provide assurance that non-nuclear-weapon countries are not diverting such materials. Where, then does the trouble lie?

The safeguards problem derives from the existence of two international safeguards systems—one of the International Atomic Energy Agency, or IAEA, headquartered in Vienna, and the other a system set by the European Atomic Energy Community of the six Common Market Countries. The latter is known as Euratom. The IAEA was established as a result of a proposal in former President Eisenhower's atoms-for-peace plan.

I want to say at this juncture that, in my opinion, international inspection is absolutely necessary and that without it, of course, no treaty will be worth the paper it is written on.

As I have proposed on occasions in the past, I believe international control is sufficiently important that we should utilize all competent organizations that are capable of assuring special nuclear material will be used for civilian purposes and not diverted to military uses. I believe that we should utilize the existing Euratom inspection system as well as the International Atomic Energy Agency. I would hope that the Warsaw Pact nations would also develop an international safeguards system similar to Euratom and that other regional groups will do likewise.

The International Atomic Energy Agency has developed certain safeguard procedures and standards and is in the process of developing additional standards. I hope the IAEA will give the utmost attention to this responsibility.

Any and all international regional safeguard systems that many develop should be under the overall umbrella of the International Atomic Energy Agency. The IAEA should assure through personal verification that proposed safeguard standards are being maintained amongst those nations that become signatories to the nonproliferation treaty including regional organizations. I would hope the technical experts of IAEA and Euratom can successfully work out safeguard procedures acceptable to both.

Mr. Adrian Fisher, Deputy Director of the U.S. Arms Control and Disarmament Agency, recently stressed the weight which we must place on a safeguards article. He noted that in recent months there were times when it appeared that negotiations might deadlock because of dissension over a safeguards clause for the treaty. Why, then did we not abandon it? Mr. Fisher gave a cogent explanation:

> The answer is that it has become increasingly evident that controls over civil nuclear activities are important in preventing proliferation. A treaty which embodied international safeguards over such activities would at one stroke accomplish what it would otherwise take much time to bring about—maybe more time than we can afford. There is good reason to believe that the Soviets too have become increasingly aware of this. It has therefore become worthwhile to try very hard to achieve a treaty which contains this important element of assurance.

I associate myself with these comments. I am convinced that the United States and the Soviet Union, along with the other nations of the world, realize the imperative need to conclude a nonproliferation pact. We cannot let the safeguards problem lay waste to all the constructive efforts that have been made toward that agreement. I call upon all involved to utilize their legal, diplomatic, and political acumen in renewed, vigorous effort to achieve a consensus on this vital topic.

The potential for nuclear weapons development exists in the Middle East, as in some other of the world's hotspots. Israel has an advanced technological base in its small, peaceful nuclear program. There is nothing to arouse suspicion either that Israel or the United Arab Republic is presently using their nuclear facilities to make their own nuclear weapons. Nevertheless, international safeguards on all nuclear facilities in Israel, Egypt, and the other Near Eastern states would make a major contribution to the reduction of suspicion and tension in that strife-ridden area. It would supplement the assurance provided by the fact that both Israel and Egypt are signatories to the limited test ban treaty.

It thus becomes clear why we must pursue a meaningful safeguards article. Besides serving as a key part of the nonproliferation treaty it will perform an indispensable role in quelling apprehension about the intentions of potential nuclear weapon states.

In conclusion, Mr. President, I would like to quote from the statement of Ambassador William C. Foster when he introduced the U.S. proposed treaty this morning in Geneva and when he stated:

> If a draft presented today leads to a generally accepted treaty, our generation will pass on a gift to future generations. Such a treaty will lessen the danger of nuclear war. It will stimulate widespread, peaceful development of nuclear energy. It will improve the chance for nuclear disarmament. It will help reduce tensions. Like the test ban and outer space treaties, it will constitute a major step toward a more peaceful world. It will be a treaty for all of us—but most of all for our children and our grandchildren.

To paraphrase the very prophetic statement which was made by our late President, the beloved John F. Kennedy, we live in a very sensitive and dangerous world. These developments will occur step by step. And this is another step in that direction, a small step, to be sure, but it is a promising one, a hopeful one; and I hope that now that we have proceeded to formal discussions of a nonproliferation treaty, we will end up with a sound treaty that will give assurances, not only to ourselves but to the rest of the world, against the peril of a nuclear holocaust.

EXHIBIT 1

STATEMENT BY WILLIAM C. FOSTER, U.S. REPRESENTATIVE TO THE 18-NATION DISARMAMENT CONFERENCE (ENDC), AT THE 325TH PLENARY MEETING IN GENEVA, AUGUST 24, 1967

Mr. Chairman, a major milestone on the path toward achievement of a non-proliferation treaty is marked today.

An important initial milestone was the unanimous adoption of the Irish Resolution in 1961 (UNGA Res. 1665). Public debate, here and in New York, private negotiations and additional action by the General Assembly and the UN Disarmament Commission followed in the succeeding years.

1965 was marked by the public presentation of concrete treaty texts, by the submission of an eight-nation joint memorandum on non-proliferation, and by the adoption of General Assembly Resolution 2028. As a result, multilateral negotiations in this committee and in the General Assembly took on new meaning.

Given this new direction and impetus, the 1966 negotiations in this Committee succeeded in identifying with greater clarity the major obstacles to agreement. At the end of the ENDC session that year the eight-nation joint memorandum made the following comment:

"The eight delegations regret that it has not so far been possible to arrive at an agreement on a treaty acceptable to all concerned. They are deeply conscious of the danger inherent in a situation without an agreement that prevents proliferation of nuclear weapons. They view with apprehension the possibility that such a situation may lead not only to an increase of nuclear arsenals and to a spread of nuclear weapons over the world, but also to an increase in the number of nuclear weapon Powers, thus aggravating the tensions between States and the risk of nuclear war.

"The eight delegations are aware that a main obstacle to an agreement has so far been constituted by differences concerning nuclear armaments within alliances, a problem mainly discussed between the major Powers and their allies."

Today, for the first time, conclusion of a non-proliferation treaty is within reach. The members of this Committee, all of whom helped bring the negotiations to this point, share in the achievement we mark today. As will be seen from a careful examination of the draft, it is based upon the principles enunciated in the joint memoranda and Resolution 2028.

The draft non-proliferation treaty we are presenting today is a recommendation for discussion and negotiation in the ENDC and for the consideration of all governments. We have worked long and hard over it. We have sought to take into account the interests of all potential adherents. This draft reflects the constructive suggestions made by other delegations here and by other governments. We could not, of course, expect governments to be committed to this draft at this point since all governments would want to be able to consider improvements which might be suggested here.

We recognize the interest of governments not represented on this Committee to have their views on the non-proliferation treaty draft made known during this next and crucial stage in the elaboration of the treaty. A procedure already exists for the circulation within the Committee of the views of nonmembers.

Let me now present a brief explanation of the provisions of the draft.

Article I deals with the obligations of nuclear-weapon states. First, they cannot transfer nuclear weapons, or control over them, to any recipient whatsoever. Second, they cannot assist non-nuclear-weapon states to manufacture or otherwise acquire nuclear weapons. Third, these prohibitions are applicable not only to nuclear weapons but also to other nuclear explosive devices.

Article II deals with the obligations of non-nuclear-weapon states and is the obverse of Article I. First, such states cannot receive the transfer of nuclear weapons, or control over them, from any transferor whatsoever. Second, they cannot manufacture or otherwise acquire nuclear weapons, or seek or receive assistance for such manufacture. Third, these prohibitions are applicable not only to nuclear weapons but also to other nuclear explosive devices.

We have already made clear the reasons for including such devices in the prohibitions of the treaty. These devices could be used as nuclear weapons and the technology for making them is essentially indistinguishable from that of nuclear weapons.

The United States recognizes that the benefits which may some day be realized from nuclear explosions for peaceful purposes should be available to the non-nuclear states. In his message of February 21 to the ENDC, President Johnson stated, and I quote, "The United States is prepared to make available nuclear explosive services for peaceful purposes on a non-discriminatory basis under appropriate international safeguards. We are prepared to join other nuclear states in a commitment to do this." My delegation has elaborated on this proposal in conventions at our 295th and 303rd meetings.

We are pleased that the Preamble of the draft non-proliferation treaty contains a forthright provision on peaceful nuclear explosions. It states, and I quote, "Potential benefits from any peaceful applications of nuclear explosions should be available through appropriate international procedures to non-nuclear-weapon parties on a non-discriminatory basis and the charge to such parties for the explosive devices used should be as low as possible and exclude any charge for research and development."

Article III, the safeguards article, has been left blank although there are several references to safeguards in the Preamble. The Article is blank because the Co-chairmen have not yet been able to work out a formula which would be acceptable to all states which wish to support this treaty. The Co-chairmen are continuing their consultations with a view to drafting an agreed text for this Article. In the meantime, I hope that ENDC plenary discussion will focus on the provisions which have been submitted today with the safeguards discussion being deferred for the time being while the Co-chairmen work on the problem.

Article IV results from many suggestions by non-nuclear-weapon countries that the treaty contain an article on peaceful uses of atomic energy. Indeed, the idea for such an article was originally derived from the treaty of Tlatelolco, Mexico. The article describes two recognized rights of parties with respect to peaceful uses. First, it makes clear that nothing in the treaty draft interferes with the right of the parties to develop their research, production and use of nuclear energy for peaceful purposes in compliance with Articles I and II, which, of course, include provisions on peaceful nuclear explosive devices. Second, it recognizes the right of the parties to participate in the fullest possible exchange of information for, and to contribute alone or in cooperation with other states to, the further development of the applications of nuclear energy for peaceful purposes. These two rights are specific elaborations of the principle, stated in the Preamble, "That the benefits of peaceful applications of nuclear technology. . . . should be available for peaceful purposes to all parties, whether nuclear-weapon or non-nuclear-weapon states." As the Preamble also makes clear, this principle includes not only modern reactor technology and the like, but "any technological by-products which may be derived by nuclear-weapon states from the development of nuclear explosive devices."

These provisions make clear that the treaty would promote, not discourage, national development and international cooperation with respect to peaceful applications of atomic energy. This applies to research, production and use as well as to information, equipment and materials.

Article V deals with amendments and review. Paragraph 1 states how amendments may be initiated and is derived from the Test Ban Treaty. Paragraph 2 describes how amendments enter into force.

It provides that an amendment must be approved by a majority of the parties who are members of the IAEA Board of Governors.

The last paragraph of Article V provides for a conference after five years to review the treaty's operation with a view to assuring that its purposes and provisions are being realized. This will provide an opportunity for non-nuclear and nuclear-weapon states alike to assess whether the treaty is accomplishing its primary purpose of preventing the spread of nuclear weapons and also its purposes of easing international tensions and facilitating agreement on cessation of the nuclear arms race and on disarmament. The review conference is thus relevant to the question of further measures of disarmament, a question which has been of such interest to many members of this Committee.

The draft also contains preambular provisions on arms control and disarmament, including a declaration of intention to achieve a cessation of the nuclear arms race at the earliest possible date. The "declaration of intention" form was of course suggested in the eight-nation joint memorandum on nonproliferation of last August. In a similar vein, a later preambular paragraph calls for the cessation of production of nuclear weapons, and the elimination of nuclear weapons and delivery vehicles from national arsenals, pursuant to a treaty on general and complete disarmament under strict and effective international control.

These preambular provisions state the purposes of the treaty. Steps toward achievement of these purposes would be reviewed by the review conference to which I have referred.

Thus, while no specific obligation for nuclear disarmament would appear, the preambular provisions combined with the review paragraph in Article V would provide the most realistic approach to this problem.

We share the general desire for early progress to halt the nuclear arms race and to begin the process of reducing and ultimately eliminating nuclear weapons from national arsenals. The United States has proposed, and will continue to pursue, various measures to achieve these objectives. But we all know why it would not be feasible to incorporate specific obligations to this end in the treaty itself. The differences that have prevented agreement on these measures have not as yet been resolved. Any attempt to incorporate specific nuclear arms limitation obligations in the treaty would inevitably also inject these differences into the consideration of the treaty itself and could only jeopardize its prospects.

Let us therefore agree to pursue these nuclear arms limitations measures with a greater sense of urgency and, I would hope, in a spirit of greater cooperation. Let us also all agree that this treaty must be regarded as a step toward the achievement of these other necessary measures. We are convinced that the treaty will create a more favorable environment for agreement on them. That is why we believe we must concentrate now on ways to expedite and facilitate the conclusion of this treaty and avoid actions which would delay or jeopardize it. The situation requires that our efforts be focused on achieving a realistic agreement as soon as possible.

Article VI contains signature and entry into force provisions derived from those of the Test Ban Treaty. It would require that a certain number of non-nuclear-weapon states in addition to the nuclear-weapon signatories would have to ratify before the treaty would enter into force. We have not expressed a view on the precise number. The United States believes it should be sufficiently large so that the treaty will begin to achieve its purposes when it enters into force.

Article VII states that the treaty shall be of unlimited duration. It contains a withdrawal clause similar to that of the Test Ban Treaty with one significant improvement. The notice of withdrawal, together with a statement of reasons therefor, would be submitted to the UN Security Council as well as to the parties. The withdrawal provision is central to this treaty. States will adhere to the treaty if they believe it is consistent with their security interests. Under the proposed clause, a party can cease to be bound by the treaty if it decides that its supreme interests have been jeopardized by extraordinary events related to the subject matter of the treaty.

Article VIII provides depositary procedures for the treaty text. It also states that the treaty will be equally authentic in each of the five official languages of the United Nations.

We recognize that the problem of security assurances, which is of concern to some non-aligned countries, remains to be considered. The United States maintains the view that this is a mattter which, because of its complexity and the divergent interests involved, cannot be dealt with in the treaty itself. We are, however, exploring various possible solutions, including action which could be taken in the context of the United Nations, whose primary purpose is the maintenance of peace and security. We expect that the Co-chairmen will be exploring this problem further with a view to presenting recommendations to this Committee in the course of our consideration of the treaty.

Mr. Chairman, if the draft presented today leads to a generally accepted treaty, our generation will pass on a gift to future generations. Such a treaty will lessen the danger of nuclear war. It will stimulate widespread, peaceful development of nuclear energy. It will improve the chance for nuclear disarmament. It will help reduce tensions. Like the test ban and outer space treaties, it will constitute a major step toward a more peaceful world. It will be a treaty for all of us—but most of all for our children and our grandchildren.

Mr. Chairman, the future safety of mankind requires prompt action to halt the spread of nuclear weapons. An unprecedented oportunity to do so now awaits us. Let us seize this opportunity while we can.

EXHIBIT 2

AUGUST 24, 1967.

DRAFT TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The States concluding this Treaty, hereinafter referred to as the "Parties to the Treaty,"

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to cooperate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear-weapon States,

Convinced that in furtherance of this principle, all Parties to this Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in cooperation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention that potential benefits from any peaceful applications of nuclear explosions should be available through appropriate international procedures to non-nuclear-weapon States Party to this Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used should be as low as possible and exclude any charge for research and development,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race,

Urging the cooperation of all States in the attainment of this objective,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a treaty on general and complete disarmament under strict and effective international control,

Noting that nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

Have agreed as follows:

ARTICLE I

Each nuclear-weapon State Party to this Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

ARTICLE II

Each non-nuclear-weapon State Party to this Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

ARTICLE III

(International Control)

ARTICLE IV

Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty, as well as the right of the Parties to participate in the fullest possible exchange of information for, and to contribute alone or in cooperation with other States to, the further development of the applications of nuclear energy for peaceful purposes.

ARTICLE V

1. Any Party to this Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to this Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for all Parties upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to this Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes and provisions of the Treaty are being realized.

ARTICLE VI

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of ———, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by all nuclear-weapon States signatory to this Treaty, and ——— other States signatory to this Treaty, and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

ARTICLE VII

This Treaty shall be of unlimited duration.

Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

ARTICLE VIII

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Treaty.

Done in ——— at ——— this —— day of ———, ——.

Mr. GORE. Mr. President, on August 17, 1965, the United States led the nations of the world in being the first to submit a draft treaty to prevent the spread of nuclear weapons. The draft was presented to the 18-Nation Disarmament Conference at Geneva as a basis for negotiations. It formally attested to the U.S. policy of nonproliferation of nuclear weapons adhered to by every President of this country since World War II.

Since the submission of this draft treaty at the Geneva Conference, intensive negotiations have been underway with the Soviet Union, with our NATO Allies, and with other countries to reach agreement on an acceptable treaty text. As chairman of the Disarmament Subcommittee of the Senate Foreign Relations Committee and as an adviser to the U.S. delegation to the 18-Nation Disarmament Conference. I have closely followed the course of these negotiations, having just recently attended a session of the Conference and conferred with our chief delegate, Mr. William C. Foster, and other delegates.

Following months of hard negotiations, progress toward a nonproliferation treaty is reflected in the new draft presented to the Conference today. That draft was recommended by both the United States and the Soviet Union for further discussion and negotiation. It is not an agreed treaty and it does not represent a fait accompli—but it does represent a separation of the wheat from the chaff. And the wheat evidenced by this draft is substantial. It represents an understanding by the United States and the Soviet Union on every important aspect of the treaty except safeguards—a matter that is still the subject of continuing consultations. The safeguards article, therefore, has been left blank pending the outcome of further negotiations.

Mr. President, I think a brief explanation of the thrust of the draft treaty, upon which there is concurrence between the United States and the Soviet Union, would be useful. In this connection, Mr. Foster's explanation given in Geneva today, is useful as an understanding of the major operative articles of the treaty—articles I and II. As explained by Mr. Foster:

> Article I deals with the obligations of nuclear-weapon states. First, they cannot transfer nuclear weapons, or control over them, to any recipient whatsoever. Second, they cannot assist nonnuclear-weapon states to manufacture or otherwise acquire nuclear weapons. Third, these prohibitions are applicable not only to nuclear weapons but also to other nuclear explosive devices."
>
> Article II deals with the obligations of nonnuclear-weapon states and is the obverse of Article I. First, such states cannot receive the transfer of nuclear weapons, or control over them, from any transferor whatsoever. Second, they cannot manufacture or otherwise acquire nuclear weapons, or seek or receive assistance for such manufacture. Third, these prohibitions are applicable not only to nuclear weapons but also to other nuclear explosive devices.

Mr. Foster continued:

> These devices could be used as nuclear weapons and the technology for making them is essentially indistinguishable from that of nuclear weapons.

Article III is the blank safeguards article.

Article IV was incorporated in the text to assure the non-nuclear-weapon states that the treaty would in no way impede peaceful nuclear developments. It makes clear that nothing in the treaty draft interferes with the right of the parties to develop their research, production and use of nuclear energy for peaceful purposes in compliance with articles I and II. The peaceful nuclear explosions by non-nuclear-weapon countries, which are prohibited by the treaty, constitute just one out of many peaceful uses of nuclear energy.

Article V prescribes procedures for amending the treaty. The modalities set forth in paragraph 1 are derived from the limited test ban treaty.

Paragraph 2 provides that an amendment must be approved by a majority of the parties to the treaty, including the nuclear-weapon parties and all other parties to the treaty who are members of the IAEA Board of Governors.

The last paragraph of article V provides for a conference after 5 years to review the treaty's operation with a view to assuring that its purposes and provisions are being realized.

Finally, the treaty contains a clause patterned after the limited test ban treaty, giving each party the right to withdraw from the treaty if it decides that extraordinary events related to the subject matter of the treaty have jeopardized its supreme interests. The withdrawing country must, however, give notice of its withdrawal to all other parties and to the U.N. Security Council 3 months in advance, stating the extraordinary events it relies upon.

Thus, Mr. President, progress has been made today toward nuclear sanity. There is progress because, among other things, the obligation in article I, which is patterned after the provision in our Atomic Energy Act prohibiting the transfer of any atomic weapon in foreign commerce, is no longer being attacked on the charge that it permits a MLF. The treaty deals only with what is prohibited and not with what is permitted. It would prohibit any arrangements involving the transfer of nuclear weapons, directly or indirectly.

Problems still confront us in achieving a nonproliferation treaty, but in view of the progress already made, I am confident those problems will be overcome.

AMENDMENT OF THE INTER-AMERICAN DEVELOPMENT BANK ACT

The Senate resumed the consideration of the bill (S. 1688) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the fund for special operations in the Inter-American Development Bank, and for other purposes.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that there may be a quorum call without the time being charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. LAUSCHE. Mr. President, I made my statement on my amendment yesterday. I am prepared to yield back the remainder of the time allocated to me, provided that the opponents of my amendment are willing to do likewise.

Mr. SPARKMAN. Mr. President, I am willing to yield back the remainder of my time.

First, I ask unanimous consent that there be included in the RECORD a reproduction of the table that appears on page 67 of the committee hearings.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. BALANCE OF PAYMENTS WITH LATIN AMERICAN REPUBLICS [1]

[In millions of dollars]

	1960	1961	1962	1963	1964	1965	1966
Exports of goods and services	5,185	5,290	5,245	5,331	6,032	6,105	6,742
Imports of goods and services	4,574	4,193	4,384	4,528	4,660	4,861	5,266
Balance	611	1,097	861	803	1,372	1,244	1,476
Unilateral transfers	−208	−262	−293	−398	−373	−445	−417
U.S. Government capital	−161	−703	−501	−379	−248	−331	−377
Eximbank	(−6)	(−348)	(−151)	(8)	(201)	(24)	(53)
Foreign Assistance Act [2]	(−24)	(−108)	(−187)	(−217)	(−236)	(−283)	(−453)
Others [3]	(−131)	(−247)	(−163)	(−170)	(−213)	(−72)	(23)
U.S. private capital	−539	−453	−219	−166	−1,016	−335	−445
Latin American capital	1	75	108	39	175	37	124
U.S. balance of payments on recorded transactions	−296	−246	−44	−101	−90	170	361

[1] All items are net. Military transfers excluded.

[2] Foreign Assistance Act includes Development Loan Fund and AID.

[3] Others—Long-term IDB, SPTF, Public Law 480, military sales, and exchange stabilization fund; also all foreign currency holdings and short-term claims.

Source: Commerce Department.

The PRESIDING OFFICER. Who yields time?

Mr. LAUSCHE. I yield back the remainder of my time.

Mr. SPARKMAN. I yield back my time and suggest the absense of a quorum.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Arizona [Mr. HAYDEN], the Senator from Louisiana [Mr. LONG], the Senator from Wyoming [Mr. MCGEE], and the Senator from Oregon [Mr. MORSE] are absent on official business.

I also announce that the Senator from Indiana [Mr. HARTKE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Montana [Mr. METCALF], the Senator from Wisconsin [Mr. NELSON], the Senator from Georgia [Mr. RUSSELL], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

On this vote, the Senator from Alaska [Mr. GRUENING] is paired with the Senator from Oklahoma [Mr. HARRIS]. If present and voting, the Senator from Alaska would vote "yea," and the Senator from Oklahoma would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. COTTON] and the Senator from Colorado [Mr. DOMINICK] are necessarily absent.

The Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Texas [Mr. TOWER], and the Senator from Delaware [Mr. WILLIAMS] are detained on official business.

If present and voting, the Senator from Texas [Mr. TOWER] and the Senator from Delaware [Mr. WILLIAMS] would each vote "yea."

On this vote, the Senator from New Hampshire [Mr. COTTON] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from New Hampshire would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from Massachusetts [Mr. BROOKE]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Massachusetts would vote "nay."

The result was announced—yeas 38, nays 41, as follows:

[No. 238 Leg.]

YEAS—38

Allott
Bartlett
Bible
Boggs
Burdick
Byrd, Va.
Cannon
Carlson
Church
Cooper
Curtis
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Hansen
Hickenlooper
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
Miller
Morton
Mundt
Murphy
Prouty
Ribicoff
Spong
Stennis
Symington
Talmadge
Thurmond
Young, N. Dak.
Young, Ohio

NAYS—41

Aiken
Anderson
Baker
Bayh
Brewster
Byrd, W. Va.
Case
Clark
Dirksen
Dodd
Fulbright
Griffin
Hart
Hatfield
Hill
Hollings
Inouye
Jackson
Javits
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McIntyre
Mondale
Monroney
Montoya
Moss
Muskie
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Scott
Smathers
Smith
Sparkman
Tydings

NOT VOTING—21

Bennett
Brooke
Cotton
Dominick
Gruening
Harris
Hartke
Hayden
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
McGee
McGovern
Metcalf
Morse
Nelson
Russell
Tower
Williams, N.J.
Williams, Del.
Yarborough

So Mr. LAUSCHE's amendment was rejected.

The PRESIDING OFFICER. The Senate will be in order. The attachés will retire to the rear of the Chamber. Senators will take their seats.

The Senator from Tennessee is recognized.

Mr. GORE. Mr. President, I addressed the Senate yesterday at some length in opposition to the pending bill. My remarks are in the RECORD for all Senators to read. It appears to me that the vote just had on the amendment of the senior Senator from Ohio was a test. I therefore do not wish to press the case.

The PRESIDING OFFICER. The Senator will suspend for a minute.

Who yields time?

Mr. FULBRIGHT. Mr. President, I yield such time to the Senator as he requires.

Mr. GORE. Mr. President, I have concluded.

Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1688) was ordered to be engrossed for a third reading and was read the third time.

Mr. DIRKSEN. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 5 minutes.

Mr. DIRKSEN. Mr. President, I note that the pending bill came from the committee by a substantial vote. I fully endorse it in every way, particularly the principle involved, because it does seem to substitute the private enterprise concept instead of putting this burden upon the Government.

The Bank has, indeed, had a splendid record. I have had an opportunity to go over its annual report. I notice, among other things, that the operations of the Bank have been audited by a reliable firm; namely, Price Waterhouse & Co.

Furthermore, the report sets forth in considerable detail everything that anyone wants to know with respect to a loan. I notice, for instance, with respect to loans to Mexico, that set forth are the borrower, the guarantor, the purpose of the loan, the project cost, the progress achieved, the currency involved, the total amount, when it is disbursed, how it is repaid, and the amount outstanding. What is more, a substantial interest rate is involved, so the Bank does get a return on its money.

The Bank is well operated. It is an operation that we can look upon with some degree of pride. It shows that this principle works in the field of aid and with respect to the type of loan that is being made. The loan made in Mexico, for example, is a complete attest to the fact that this is a successful undertaking.

Mr. President, this measure, S. 1688, must be considered as a part—in fact, a key part—of our efforts to help bring about in the Latin Republics of this hemisphere greater economic and social progress; progress toward the realization of a developed economy based on a free enterprise system. The Inter-American Development Bank has proven its value in this effort. The committee vote of 14 to 2 to report the bill favorably reflects the confidence of the committee on the Bank's performance and value. Its action should be upheld.

Only last week we considered and approved by a vote that speaks for itself, 68 to 20, an amendment to the foreign aid bill to allow a 75-percent guarantee for private investment in developing nations. That indicated the sentiments of this body insofar as the direction that our assistance programs should take is concerned. I am pleased to see this support for the development of a free enterprise system in Latin America. It is the only real answer to the threat that hangs over many of those nations The Bank provides great support for private enterprise.

Now we have the recommendation of the Committee on Foreign Relations that we authorize the U.S. Governor of the Bank to vote in favor of a resolution of the Bank's Board of Governors to increase the resources of the Fund for Special Operations. That resolution calls for an increase in the Fund of $1,200 million. If we authorize the U.S. Governor of the Bank to vote in favor of the resolution, we will be pledging $300 million a year for 3 years while the other member nations will be obligated for $100 million a year for the same period. If we fail to authorize the U.S. Governor to act, the resources of the Fund will be exhausted in a matter of a few short months. That is the situation we face.

There have been other programs in the foreign assistance field in recent years that I have questioned—not only as to their purpose but also as to their actual operation. Senators may recall that only last year it was almost impossible to obtain accurate, factual information from our own agencies relative to our own loan and grant programs. That is not the case we have here with the Inter-American Development Bank.

Mr. President, in considering this amendment to the Inter-American Development Bank Act, it is helpful to refer to the Bank's seventh annual report—the latest one that is available. It shows the Bank's condition as of the close of business on December 31, 1966. It is a model that could well be followed by other institutions that administer similar programs. In addition to the Bank's own detailed report, there is the opinion of the independent auditors, one of the most respected companies in this field, Price Waterhouse & Co.

The report contains, in addition to the usual information such as a balance sheet and a statement of income and expenses and general reserve, more detailed information as to the actual operations of the Bank than one is accustomed to finding in this type of report. More specifically, I refer to the statement of loans. Here, on a country by country basis, we find the type of information that is needed by Congress, but usually not found, on which we can form a judgment as to the effectiveness or ineffectiveness of a particular program.

One or two loans will be sufficient for the purpose of illustrating the type of information that is available on every single loan that the Bank has made. The loans are reported in a 10-column form and the columns have the following information:

1. Country and borrower (Guarantor).
2. Purpose (project cost).
3. Progress achieved.

4. Currency.
5. Amount.
6. Disbursed.
7. Repaid.
8. Outstanding.
9. Approved (signed) [date].
10. Interest (maturity).

A loan to the Nacional Financiera S.A. in Mexico is shown. It was made for capital goods export whose invoice value is shown at $7,514,917. The original commitment is shown in U.S. dollars as $3,221,626 with a disbursement of $2,777,708. Repayments are shown as $22,626 with a balance outstanding of $2,556,082. The loan was approved April 8, 1964. It carries a 6-percent rate of interest and is repayable over the years 1965–69. Another loan, again in Mexico, was made for the purpose of irrigation. A very detailed report is made, and the general description indicates that it was a 20-year, 6½-percent loan and among other things indicates the canal mileage, road mileage, and the 3,300 housing units that will be constructed, as well. Also, in these more general descriptions are listed other participants in the loan, in this instance Banker's Trust Co. and the Meadow Brook National Bank, both of New York; Fidelity-Philadelphia National Bank Trust Co.; Marine Midland Trust Co. of Western New York, Buffalo; the Citizens & Southern National Bank of Atlanta, and Crocker-Citizens National Bank of San Francisco.

There are other loans where the repayment period is longer and the interest rates lower; they are generally for housing, water and sewer systems, school construction and higher education but exactly the same information is available. They are made from the Fund for Special Operations.

In examining this report, Mr. President, I notice that loans from the ordinary capital resources window of the Bank tend to run from a 5¾-percent rate of interest to a 6½-percent rate. In those loans from the Fund for Special Operations the loans are gradually moving to the 4-percent and even 4½-percent rate. And, Mr. President, it should be stressed that part of the loan is in local currency from that country's investment in the Bank.

The soundness of the Bank and its operation is demonstrated in two ways. First, by the fact that in 1966 the Bank enlarged the lending capacity of its ordinary capital resources by borrowing or arranging to borrow a total of $110,433,798 in the world's capital markets. All—and I stress "all"—of the 1966 borrowings were made outside of the United States. Secondly, and significantly, the Bank was called upon to administer funds for Germany, Sweden, the United Kingdom, Canada, and Spain in Latin America. This degree of confidence evidenced in the Bank by those countries is well deserved, Mr. President. This is a well-run, well-managed Bank doing a good job. It should be continued and this bill should be supported.

It seems to me that we have come a long way in developing a program of assistance for our neighbor countries to the south in the Western Hemisphere and they in turn are showing a greater degree of self-help. In the early days of the program there did not appear to be as much concern for the development of a private enterprise system as there should have been. But that has changed and the Bank is one of the features that has helped to bring that change about. It is a good one.

For the first time, so far as I am aware, countries in Latin America have become willing to make contributions of their own currencies to a multinational lending institution and have those currencies loaned in and used by other member nations. This is the very type of activity that we have tried to encourage. Now they have gone further and agreed to double their subscription. In place of the ratio of five U.S. dollars to one unit of foreign currency, they have agreed to a 3-for-1 ratio. That is to say, they have agreed to make $100 million available each year for the next 3 years if we will make $300 million available each year over the same period.

What would happen if we failed to carry out our part of this undertaking, if we amended this measure so as to make our annual subscription less than what is authorized by the resolution? Aside from the damage that would be done in our relations with our neighbors to the south, and the damage would be substantial, we would be faced with the problem of renegotiating the resolution of the Board if the member countries would be willing. But I very seriously doubt that we could reach another agreement that would be as favorable to us as this one, to say nothing of what the effect of our refusal would have on the Bank itself.

I do not believe that this is the time and certainly it is not the place where we should consider lessening our support for the development of a free enterprise system in Latin America. There is a war being waged in every country to the South of us today, it is a war of economic systems, and we are attempting to establish a capitalistic, free enterprise system. If we succeed in the development of a free enterprise system then that is good. If we fail, I do not like to contemplate the consequences.

Earlier, Mr. President, I made reference to two loans made in Mexico. I had another reason for referring to these two loans in Mexico other than using them to demonstrate the wealth of information made available by the Bank on its various loans. The other purpose I had in mind was to point out how well Mexico is succeeding in her program of economic development. I am not aware of any other nation that has moved forward economically so rapidly and on so sound a basis as has Mexico. Of course, she has problems yet unsolved but she is attacking them with a spirit and energy that leaves no doubt but what they will be solved. And by supporting the Bank as the committee has recommended we can assist not only Mexico but all of the Bank's member nations to realize these same achievements.

Look at what Mexico's progress has meant to us. Unlike her sister republics she has made giant strides in the field of agriculture. With help from Bank loans such as I referred to and through private investment by U.S. firms and through a determined effort on her own, Mexico has become a net exporter of agricultural products. Only two other countries in the Western Hemisphere, the United States and Canada, have this status today. Her national income has increased, her manufacturing is booming, wages are up equal in fact to Italian wages, her exports have increased, Mexican-United States trade has increased substantially. All of this is what we hope to see in the sister republics in this hemisphere and I am convinced that it can be achieved if we persevere in our efforts and in turn self-help is realized in each of the countries. That is why the Bank must be authorized to proceed and that is why the committee should be supported. With such a promising start with so much to be gained, we cannot now stop or turn back our efforts to help.

Mr. DODD. Mr. President, the legislation now before the Senate proposes to increase the U.S. contribution to the Inter-American Development Bank's Fund for Special Operations by $50,000,000 a year over the coming 3-year period.

This is a time when Congress is subjecting every expenditure to painstaking review—and rightly so. But I would, nevertheless, urge complete support for the proposed increase in the operational funds at the disposal of the Inter-American Development Bank.

Perhaps more than any other agency, the Bank has been responsible for economic growth and social reform and for creating a climate conducive to private investment by native and foreign capital. In doing so, the Bank has helped the nations of the Americas to resist the unceasing attempts at subversion by Havana, Peiping, and Moscow. In this sense, it has made an important contribution to our own security.

At the Havana Conference a year ago January, the Communists and extremist nationalists designated the United States as its chief enemy. They committed themselves to the creation of a continentwide Vietnam in the Americas. And at this very moment, Communist-inspired guerrilla movements are active in Venezuela, Guatemala, Colombia, Peru, Chile, and other Latin American countries.

The Communist call to battle against the United States was repeated earlier this month at the Conference of the Latin American Solidarity Organization in Havana. The New York Times dispatch of August 8 on this Conference said the following:

> The Latin American solidarity organization, in a draft resolution, called today for the "seizure of power through armed struggle" on the continent.
>
> It also called on the Latin American peoples to fight the resolutions of the Organization of American States and accused what it called the "putrid Yankee department of colonies" of planning new aggression against Cuba at a proposed meeting of the organization's foreign ministers.
>
> Havana sources said that the draft resolution approved by the working community of the solidarity organization conference reflected a victory by hardline revolutionaries over the more traditional elements, but they said that some of the hard-liners would have preferred an even more precise document.

I have repeatedly taken the stand that our own country and the countries of the Americas will have to face up to the danger of Communist subversion, and that the means will have to be found to eliminate the cancer of Castroism from the heart of the Caribbean area.

But the war against Castroism has to be fought on two fronts simultaneously.

On the one hand, we must seek to make it more difficult for the Castro regime to operate by strengthening the economic and political sanctions against it. If we take the necessary measures, I am confident that the day will soon arrive when the Cuban freedom fighters, both inside and outside their country, will be able to restore freedom to their suffering motherland.

On the other hand, despite the existence of Castroism, we must seek to push ahead as rapidly as possible with a massive program of reform in the countries of Latin America, designed to eliminate the poverty and social injustice which the Communists are so adept at exploiting.

Freedom would have no future in the Americas if we confined our policy to the kind of negative and sterile anticommunism that seeks merely to defend the private enterprise system, while it does nothing to improve the lot of the masses of the people.

Freedom can only survive in the Americas if it can be demonstrated that it is a far more effective instrument of social revolution than Communist totalitarianism.

This is where the Inter-American Development Bank comes in.

The bank does not provide foreign aid in the classical sense of grant money for food and materials or for investment purposes. It lends money for development purposes to nations applying to it. The funds required to make these loans possible have been advanced to the bank on a regional basis by 21 governments of the Americas. The loans are generally granted at an interest rate of 3 to 4 percent and call for repayment in 20 or 30 years.

Moreover, this money is loaned on a matching basis or better—in fact, domestic capital accounts for 60 percent of most projects. For example, the most recent newsletter of the Inter-American Development Bank reports on a loan of $1,800,000 to the Government of Bolivia to help finance the construction of some 60 rural water supply systems which will benefit about 160,000 people. The total cost of this project is reported as $3,475,000. The bank is putting up 51.8 percent of the necessary capital and this is being matched by local contributions totaling 48.2 percent.

The project is part of a larger plan to eliminate waterborne diseases in Bolivia by bringing drinkable water to every community in Bolivia.

In the 7 years of its existence, the Inter-American Development Bank has built up an impressive record.

It has served as a catalyst in mobilizing the energies and resources of the Latin American people in self-help projects.

In support of its projects, it has been able to mobilize internal financial resources at least equivalent to the total amount of money it has loaned.

It has helped to create new institutions and to improve existing institutions in the areas covered by its program.

It has trained large numbers of administrators, in this way contributing to more efficient public administration.

The Bank's accomplishments must be viewed within the larger context of the accomplishments of the Alliance for Progress. The Alliance got off to a slow start because the ingrained conservatism of some of our Latin American neighbors did not easily lend itself to reform. But the results of this program are now becoming evident throughout the Americas.

Tax collection, previously always a weak point in the Latin American countries, has increased by more than 40 percent in many countries since the inauguration of the Alliance and by 20 to 25 percent in other countries.

Savings and loan associations and cooperatives have been established, and they have undergone a mushroom growth.

An increasing share of the public income is being devoted to education, sanitation, housing, and other projects of a social nature, including agrarian reform. The claim has been made, indeed, that the Alliance for Progress has accomplished more in the field of land and tax reform over the past few years than was accomplished in the previous two decades.

I believe that the additional funds proposed in this legislation—amounting to some $50,000,000 more per year than our last contribution—will be an investment that will pay for itself many times over in terms of moving Latin America toward self-sustaining economic growth and modernizing reforms. It will help to give Latin America the kind of democratic political stability essential to resist the relentless efforts of the Communists to undermine the economies of the Americas and subvert their governments.

Mr. KENNEDY of New York. Mr. President, I rise in support of the committee's recommendation on the Inter-American Development Bank.

We have had disagreements during recent days on the nature and extent of American assistance abroad. I have been among those who have opposed the Senate's action in reducing the scope of our foreign aid. But if there is one thing that this body—and this Nation—are united on, it is the need for developing nations to help themselves. It is this goal that forms the principal objective of the IDB—and it is this goal which will be impeded if the amendments before us are approved.

The case for the committee's recommendation—$900 million for the next 3 years—has been persuasively stated by the Senator from Arkansas and the Senator from Wisconsin. I want to emphasize briefly only a few points:

First. The $150 million increase in the U.S. contribution to the Fund for Special Operations represents a 20-percent increase—but the Latin nations have agreed to raise their contributions by 100 percent. This suggests that our partners are not failing to shoulder their share of the burden.

Second. This increase is designed to fund programs for regional economic integration, a goal which now appears to be moving toward reality. The April summit meeting of American Presidents pledged itself toward regional cooperation in education, in trade, and in modernizing the life of the continent, and the Bank has voted to aid this endeavor. This is a constructive investment—for it points the way to a self-sufficient, strengthened, economic life for the peoples of Latin America.

Third. There are those who demand that we have before us an item-by-item list of projects which our contribution will fund. This demand is unrealistic; for the IDB cannot approve specific projects unless it knows the capital it has available.

But we do know what the Bank—and specifically, the Fund for Special Operations—has done in the past. It helped create the National Housing Institute in Honduras—an organization which has built more than 1,400 units of housing in its initial phases.

It helped finance large-scale construction at the University of Chile.

It helped build a national waterworks system in Venezuela—irrigating 482 rural communities, bringing direct benefits to more than 360,000 people.

It has aided the people of the continent, not any limited interest.

Fourth. This contribution will not adversely affect our balance-of-payments posture. Indeed, the Bank's executive directors pledged themselves to "cooperate in the greatest possible degree with the United States in meeting these difficulties by suitable measures . . ." Mechanisms such as "special letters of credit," insure that the greater part of our contribution will return to us, in the form of purchases for our products.

In my judgment, our contribution to the IDB is a necessity in building the kind of international cooperation we want. It is multinational: uniting the resources of the hemisphere to meet its common special enemies. It is practical: supplying funds for projects which aid directly the people of the continent. It helps the United States: by helping our neighbors rebuild their economies, and by providing expanded markets for our own economy.

The Bank is, in short, a worthy—and effective—ally in our goal of helping these nations to achieve economic growth. It deserves our full support.

Mr. MANSFIELD. Mr. President, I yield back the remainder of my time.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. FULBRIGHT. Mr. President, if there are no further speeches to be made, I move that the Committee on Foreign Relations be discharged from the further consideration of H.R. 9547, a bill to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas.

The motion was agreed to.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 9547.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 9547) to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the fund for special operations of the Inter-American Development Bank, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. FULBRIGHT. Mr. President, I move to strike out all after the enacting clause of H.R. 9547 and to substitute therefor, the text of S. 1688, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, I support the statement made by the distinguished minority leader, the Senator from Illinois [Mr. Dirksen], and the statement of yesterday of the distinguished chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. Fulbright].

I support S. 1688, which would authorize a $900 million contribution of the United States to the Fund for Special Operations of the Inter-American Development Bank. This authorization would permit the Secretary of the Treasury, who is the U.S. Governor of the Inter-American Development Bank, to vote for a resolution which would serve to increase by $1.2 billion this fund, with payments to be made in equal installments over the next 3 years.

The Inter-American Development Bank has been one of the outstanding successes in bringing economic and social development in our hemisphere. Conceived during the administration of President Eisenhower, it became an important cornerstone in the Alliance for Progress proclaimed by President Kennedy and has become now the main financial instrument in the program which the Presidents of the Western Hemisphere laid before us at Punta del Este a few months ago.

The Bank has had an excellent record in its 7 years of existence. Its more than $2.1 billion of loans range the entire spectrum of economic and social development from industrial plants to low-cost housing, from credit unions in the highlands of Peru to interconnection of telecommunication systems, from irrigation in Mexico to electric power in Rio, from paper and pulp mills in Chile to cattle raising in the Dominican Republic, from a nursing school in Buenos Aires to a bakery in El Salvador, from water and sewage systems in hundreds of rural and urban communities to financing of intermediate credit institutions. Throughout the hemisphere the Bank, and it is a bank, has reinforced the institutions which are essential to create and nurture a basic democratic system.

The primary purpose of the activities of this Bank has been to foster economic and social development, which will create a stable political situation which will attract private capital and will lead to the growth of a middle class, whose savings and investments will assist their march into the 20th century. Latin America today is very much like our own West was 50 years ago. The vast riches are still locked in their soil. Lack of credit prevents the industrialization both agriculturally and goods-producing, and this lack of credit, which we felt so keenly 50 or 60 years ago in the West, is exactly what this Bank is trying to remedy. It is interesting to note that the Latin American countries themselves are prepared to augment the Fund for Special Operations with $300 million. The Bank has been most successful in lending and relending the currencies of its member countries. These currencies are utilized to cover much of the local cost of the projects. In this connection, it should be remembered that the Bank does not finance the total cost of any project, seldom going over 50 percent of the cost. This means that the borrower himself has to put up the difference, and, in fact, the Bank's projects have led to a mobilization of domestic resources within the countries of well over $5 billion for development purposes. It has been said that these are soft currencies and soft loans. It is true that the loans are on terms and conditions consonant with the nature of the project. These frequently are not foreign exchange earners but are to finance the infrastructure—the underpinnings on which a modern system can lay its foundations and, therefore, requires concessional terms. Yet each project, each loan is carefully examined. Its financial and technical feasibility is thoroughly reviewed, and the project is controlled from beginning to end. Since nearly all these projects require a degree of institutional reform within the Latin American countries, it is the Latin Americans themselves who insist on changes in tariffs, who propose reforms in tax laws, who insist on laws for cooperatives, and they can accomplish this without running the risk of loud cries of interference in the domestic affairs of the Latin American countries. This to a large measure has been the secret of its success.

It has been said that these are soft moneys. Again one should note, that almost all currencies of the Latin American countries are freely exchangeable, but most important of all is the fact that every loan made by this Bank requires the borrower to maintain the value. This means that when he repays, he repays in the equivalent value of the dollar on the day of repayment. This discipline means in effect that inflation to the extent that it exists in three or four countries will not help him, and he must find means of making the project pay sufficiently, as if he were repaying the loan in dollars.

Things have been quiet in Latin America for a few years. Perhaps it is due in no small measure to this institution which is working so hard to fulfill where it can the rising expectations of the Latin American people. I think we should respond to success as well as to failure. The investment which is being proposed here that the United States makes in this Bank is preventive medicine which hopefully would obviate the necessity of larger authorizations for funds to cope with more serious military problems in our own hemisphere. I urge you to support the committee by voting in favor of S. 1688 as reported.

Mr. President, I wonder if the Senate would indulge me for a moment longer, before the final vote so that those Members who are now detained will be given a reasonable time to return to the Chamber and record their decision on this matter.

I make this request in an effort to rectify an unfortunate situation that I understand occurred a short while ago when the Senate voted to reject the Lausche amendment. At that time the distinguished Senator from Delaware [Mr. Williams] was absent, through no fault of his own; also, the Senator from Utah [Mr. Bennett], the Senators from Louisiana [Mr. Long], Massachusetts [Mr. Brooke], Oregon [Mr. Morse], New York [Mr. Kennedy], and the Senator from Wyoming [Mr. McGee], similarly were detained, missing the vote through no fault of their own. If these Senators had voted for the Lausche amendment the numerical count of the yeas and nays obviously would have been different; however, as the announced positions of these Senators demonstrate, the result would have been the same—the Lausche amendment still would have been rejected. I am extremely sorry that it happened. I do not know what can be done to correct it properly. If it were a case of those few votes changing the outcome, I certainly would ask for a reconsideration. It was an unfortunate occurrence—one I regret very much.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], and the Senator from Wyoming [Mr. McGee] are absent on official business.

I also announce that the Senator from Indiana [Mr. Hartke], the Senator from Massachusetts [Mr. Kennedy], the Senator from South Dakota [Mr. McGovern], the Senator from Montana [Mr. Metcalf], the Senator from Wisconsin [Mr. Nelson], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], and the Senator from Texas [Mr. Yarborough] are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts [Mr. Kennedy] and the Senator from

Florida [Mr. SMATHERS] would each vote "yea."

On this vote, the Senator from Alaska [Mr. GRUENING] is paired with the Senator from Wyoming [Mr. MCGEE]. If present and voting, the Senator from Alaska would vote "nay," and the Senator from Wyoming would vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. COTTON] and the Senator from Colorado [Mr. DOMINICK] are necessarily absent.

The Senator from Texas [Mr. TOWER] is detained on official business.

If present and voting, the Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 65, nays 21, as follows:

[No. 239 Leg.]

YEAS—65

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Boggs
Brewster
Brooke
Cannon
Carlson
Case
Church
Clark
Cooper
Curtis
Dirksen
Dodd
Fong
Fulbright
Griffin
Harris
Hart
Hatfield
Hickenlooper
Hill
Holland
Hollings
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McIntyre
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Spong
Tydings
Williams, N.J.
Young, N. Dak.
Young, Ohio

NAYS—21

Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Eastland
Ellender
Ervin
Fannin
Gore
Hansen
Hruska
Jordan, Idaho
Lausche
McClellan
Miller
Morse
Stennis
Symington
Talmadge
Thurmond
Williams, Del.

NOT VOTING—14

Cotton
Dominick
Gruening
Hartke
Hayden
Kennedy, Mass.
McGee
McGovern
Metcalf
Nelson
Russell
Smathers
Tower
Yarborough

So the bill (H.R. 9547) was passed.

Mr. FULBRIGHT. Mr. President, I move that the Senate insist upon its amendments and request a conference thereon with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. FULBRIGHT, Mr. SPARKMAN, Mr. MANSFIELD, Mr. HICKENLOOPER, and Mr. AIKEN conferees on the part of the Senate.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. CARLSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that Senate bill 1688 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, for the second time in a few days the Senate has witnessed the profound expertise and highly capable talent of the distinguished Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Foreign Relations Committee. I refer of course to his outstanding handling of the measure just adopted which is designed to increase the capitalization of the Inter-American Development Bank, less than a week after he steered this year's foreign aid authorization to success. Senator FULBRIGHT's flawless advocacy and devoted efforts contributed immensely to the Senate's approval. We are deeply grateful.

The Senate is grateful also for the strong support of the Senator from Iowa [Mr. HICKENLOOPER], the ranking minority member of the committee. His splendid cooperation on this, as on all matters that gain his endorsement, assured its wide acceptance.

The Senator from Alabama [Mr. SPARKMAN] is similarly to be commended for offering his highly capable support. His views are always most thoughtful and his support always welcome. Other Senators contributed to the discussion of the matter and cooperated generously to make certain final disposition today. Noteworthy were the efforts of the Senators from Tennessee [Mr. GORE] and Ohio [Mr. LAUSCHE]. They offered their own strong and sincere views yet did not inhibit the Senate's action to finish the matter. The Senator from Missouri [Mr. SYMINGTON] is to be similarly commended.

Finally, to the Senate as a whole goes the appreciation of the leadership for joining in such a highly cooperative spirit to dispose of this measure with dispatch and with orderly and efficient action.

WALL STREET JOURNAL REPORTS SURTAX MAY INCREASE INFLATION

Mr. PROXMIRE. Mr. President, the principal economic argument in favor of the proposed 10-percent surtax is that it will stem inflation.

The lead article in this morning's Wall Street Journal raises a hard, practical reason why it may do precisely the opposite. The surtax may increase—not decrease—prices.

Here is why: The contention that the surtax will cut prices is already greatly weakened by the cold fact that the prime components that have been pushing up prices during the past 6 months have been increasing food prices and steadily, sharply raising prices in services.

Government tax policy and spending policy has little or no effect in these areas. The prime target of Government fiscal policy is industrial prices: the hard and soft commodities that consumers purchase.

But the opportunity for industry to produce these without inflationary pressure has been, and remains, excellent.

Demand can increase greatly without putting any real pressure on plant capacity. Six months ago this Nation's industry was operating at 91 percent of capacity. The latest figures indicate industry is now down to 84 percent.

And the other principal element of production—manpower—is also available to meeting increased demand. Hours worked in factories continue to move along at the lowest level in 6 years. Obviously the Nation's industry can greatly step up its production to meet increased demand without inflationary pressures.

And yet, as the Wall Street Journal reports this morning, industry is beginning to increase prices in a broad spectrum and with more and more momentum. This is, as the Journal points out, in response to cost increases, not in response to demand increases, which are still far below the pressure levels.

Under these circumstances, the principal effect, in the view of many businessmen, of the tax surcharge is to increase the cost of doing business and constitute the basis for another price increase to absorb it.

Most American industry is capable of doing just this. Indeed, prices throughout American industry—as contrasted with much food and service pricing—are determined by cost analysis, and cost pressure.

The surtax increase will constitute just another cost pressure pushing up prices.

I ask unanimous consent that the article in the Wall Street Journal to which I have referred be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INFLATION IMPETUS: INDUSTRIAL PRICES RISE ON A VARIETY OF GOODS AFTER RECENT STABILITY—SOME ECONOMISTS FEAR HIKES SIGNAL START OF A SPIRAL—A PUSH FROM PAY BOOSTS—WILL SURCHARGE SPUR RISES?

(By Albert R. Karr)

Prices on a wide variety of industrial goods are going up, ending a long period of relative stability and adding a strong push to other inflationary pressures on the nation's economy.

Manufacturers in recent weeks have announced a flurry of price increases on such items as chemicals, tires and rubber products, steel plates, can-making steel and aluminum, vinyl flooring, shoe materials, construction materials, trucks, textiles and carpet yarns.

"Generally, industrial prices have been increasing all along the line in the last few months, and have been gaining momentum recently," says William Seeman, a purchasing agent at Youngstown Sheet & Tube Co. Lately, he says, the big steel-producing company is paying more for conveyor belts, sulphuric acid, and iron and steel casings.

The business survey committee of the National Association of Purchasing Agents says that in July, 23% of its members reported higher average prices on the goods they buy, compared to 19% of its members in June and 15% in May. "There is developing rather rapidly a climate for price increases on industrial products," says John J. Balles, senior vice president and economist for Mellon National Bank & Trust Co., Pittsburgh.

INFLATION RESTRAINT

Until recently, the economy had been remarkably untroubled by industrial price levels. In June, the Government's index of industrial commodity prices stood at 106% of the 1957–59 average, unchanged since February, and up only slightly from 104.9% a year earlier. Consumer prices, of course, have been rising steadily since the start of 1966, chiefly because of increases in food prices and the cost of services. Economists say the prolonged stability of industrial goods prices was a major factor in preventing careering inflation during the past 18 months.

Some economists believe President Johnson's proposed 10% surcharge on individual and corporate income taxes will help bring about further increases in industrial prices. The surcharge is being sought by the Johnson Administration partly to cool off the economy and head off an expected sharp rise in inflationary pressures. But some economists figure that many companies, already squeezed for after-tax profits, will view the surcharge as just another added cost, and thus as another reason for raising prices. "I predict it will start a round of higher prices," says an official of Scripto Inc., Atlanta maker of pens, pencils, and cigaret lighters.

Most economists believe that, even without the effects of the proposed surcharge, there are enough other factors to bring about an upward spiraling of industrial prices.

LABOR-COST PRESSURE

The Labor Department says pay increases negotiated during the first half of 1967 averaged an annual rate of 4.3% up from 3.7% in the first half of 1966; these rising labor costs are putting increased upward pressure on industrial prices.

Higher railroad freight rates and increases in the cost of raw materials also are putting price pressure on factories.

It's far from certain that all the companies that feel a need to raise prices will be able to do it, of course. One major pressure against their plans: The operating rate for all American factories currently is less than 85% of capacity, and price increases traditionally come more slowly when this rate goes below 90%.

However, there are signs of a bottoming-out of the recent economic slowdown that could bring a rise in the factory operating rate and increase the chances of price increases in other ways. Economists say that inventory reduction, a major cause of the economy's pause, has been pretty well accomplished; retail sales are holding up well; incoming orders are showing less downward momentum and some signs of turning up soon; and personal income is rising smartly—though consumers are still saving rather than spending an unusually high proportion of their incomes.

Alan Greenspan, president of Townsend-Greenspan & Co., a New York economic consulting firm, says generally industrial prices turn up "whenever profit margins are being squeezed and demand either stops going down or turns upward." (Yesterday, however, Federal Reserve Board member Andrew F. Brimmer said that profits are not pinched enough to justify widespread price increases.)

CONSTRUCTION-COST PROSPECTS

One segment of the economy that will see especially rapid price increases is the construction industry, predicts Otto Wheeley, vice president and marketing manager of Koppers Co., a diversified Pittsburgh manufacturing, engineering and construction company. Construction workers' wages have been rising sharply lately and many of the contracts bid on by construction companies in the past year or so contain escalator clauses specifying that increases in labor costs will automatically result in upward adjustments in the terms of the contracts, says Mr. Wheeley.

Westinghouse Electric Corp. recently boosted prices of such capital goods as turbine generators and watt-hour meters used by utility companies by 2.5% to 4%. M. J. McDonough, a Westinghouse marketing manager, says more price increases on similar equipment are probable.

Textile makers predict higher prices this fall. An official of one major textile mill says prices on more than half the company's products have been raised from 5% to 10% since a wage increase of about 6% was announced three weeks ago. "Signs indicate that prices could go up another 5% to 10% later," he says. "Even a buyer who is pessimistic about the coming year knows that wages in general are up and there is a shortage of material."

THE LONG-TERM OUTLOOK FOR HOUSING

Mr. PROXMIRE. Mr. President, the poor performance of the housing industry over the past year and a half has aroused considerable concern. The 1966 decline in housing production was the worst since World War II, and the recovery this year has been slow and far less "automatic" than many people had expected. The first marked improvement finally came in July, when housing starts were up 10.8 percent for the month to a seasonally adjusted annual rate of 1,360,000. But even with this heartening news there is still a great deal of uncertainty about whether the trend will continue.

With this somber picture in mind, I have been impressed by a number of recent articles and papers, which have been called to my attention, that forecast a major housing boom over the next several years. The source of optimism in these forecasts is a projected upsurge in housing demand rather than an easing in mortgage conditions. New household formations, which are by far the most important factor in housing demand, will be rising very sharply during the next 4 or 5 years, reflecting the growth into adulthood of the large number of babies born after World War II. One forecast projects an increase in family formations between 1966 and 1970 of more than 30 percent, which compares with an actual decline over the past 4 or 5 years.

In terms of quantitative estimates, many analysts feel that a conservative forecast would place new housing starts at a 2 million annual rate by 1970. In a paper prepared for the Subcommittee on Housing and Urban Affairs of the Senate Banking and Currency Committee, the National Association of Home Builders estimated housing demand to 1975 using two alternative growth projections developed by the Joint Economic Committee. On the basis of the high projection, the NAHB foresaw an annual demand for the years 1966–70 of nearly 2 million housing units and for 1971–75 of 2¼ million units. The low projection yielded estimates for the two periods of 1¾ million units and 2 million units, respectively. Translated into dollar volume, by 1975 residential construction would be between $66 and $73 billion, or more than double the 1965 volume.

If we accept these estimates, the long-lagging homebuilding industry could become a major impetus to economic growth in the years ahead. Whereas it now accounts for a little more than 4 percent of GNP, by 1975 its share could rise to 5.5 percent. The 10-year increase would be between 137 and 162 percent—more than any other sector of the economy.

Most observers feel that because of the huge increase in housing demand, we will have a housing boom by 1970 even if there are no significant changes in credit conditions. However, if we are to realize the full potential in the housing field, we will have to take steps to make financing available. The NAHB estimated that to finance the increases in housing demand I have outlined, the total net requirement for financing—gross investment requirements less repayments—would reach $38 billion in 1975. This figure is nearly double the $20 billion required in 1965, and illustrates the magnitude of the task we face in making sufficient mortgage credit available.

I think this is a subject which deserves priority consideration in the Congress. The staff of the Joint Economic Committee has prepared a memorandum for me on the "Long-Term Outlook for Housing," which analyzes the points I have raised in greater detail. I ask unanimous consent that the memorandum be placed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

AUGUST 22, 1967.

THE LONG-TERM OUTLOOK FOR HOUSING

The 1966 decline in the housing industry was the worst since World War II, with the rate of construction of new homes dropping by ⅓ in a few summer months last year. Another way of looking at the extent of the set-back would be to note that housing production dropped from an annual rate of 1,600,000 units in January 1966 to 848,000 in October. It is true that as interest rates eased and mortgage money became somewhat more available, some recovery was noted early in 1967 but progress of the recovery has been slow and far less "automatic" than many people had hoped and expected. Seasonally adjusted annual rates in June 1967 had just about recovered the levels a year earlier.

The latest figures for housing starts show a marked improvement for the first time this year. The Commerce Department reported last week that July housing starts were up 10.8 percent to a 1,360,000 unit seasonally adjusted annual rate. This compares with the upward revised June rate of 1,227,000 new starts. While this news is heartening, a slight decline in July in the rate of issuance of building permits indicates that there are still clouds on the horizon, especially if interest rates firm up appreciably.

In part, the time required to regain normal rates may be a product of the severity of last year's recession. The First National City Bank recently listed a number of reasons for the lack of exuberance in the revival. Many builders disbanded their organizations or reduced them to a skeleton basis last year. It will take time and a more assured outlook for the larger firms specializing in apartment and tract development to get going again. The example of overbuilding and poorly planned developments here and there have made mortgage lenders particularly cautious, going even beyond the matter of interest rates as such. Other builders and buyers have been discouraged by the sharp increases in the prices of both land and homes. And it will doubtless take some time before families who could not get mortgage credit last year are persuaded to try again.

On the other hand, there can be no doubt about the long-run needs for housing. Shelter must be provided for an additional 2.5 million persons each year on top of that needed for a poputalion of 200 million. There is moreover a recognizable backlog in adequate and decent housing for a population that has doubled within the lifetime of the average Senator, in contrast to the 350 years which passed between the settlement at St. Augustine, Florida, and the day when the country reached its first 100 million population figure in 1915.

In the coming decade all sources of housing demand—household formations, replacements, and increase in inventory to take care of second homes and an increased mobility—are pointing upward. And new household formations, by far the most important factor in housing demand, will show a dramatic spurt, reflecting the growth into adulthood of the large number of babies born after World War II.

But the relatively very large number of persons born in the late 1940's also makes it extremely difficult to project with certainty the number of new family formations in the years ahead. This is due to a phenomenon that the Census Bureau has termed the "marriage squeeze." As the Bureau of the Census points out, approximately equal numbers of boys and girls are born each year, but the lower average age of girls at marriage means that among persons born in any given year, the girls are ready for marriage sooner than the boys. The assumptions by which equality in numbers of brides and grooms is achieved account for two alternative sets of projections developed by the Census Bureau. Under the lower marriage assumption, the number of grooms is left unchanged from the 1959–64 rates, indicating a postponement in marriage for many of the girls. The Bureau's higher projection on the other hand assumes that some shift may occur in the traditional age pattern, and averages the estimates of brides and grooms. It would be purely speculative to try to say whether the higher projection or the lower one will prove nearer the facts ten years from now. But, giving full credit to the determination of young ladies, it would appear somewhat safer to take the higher estimates—the Census Bureau's Series 1—as indicative of the number of households and families in the years ahead.

On this basis, the number of households in 1967 is placed at 59.7 million and is expected to increase to 64.5 million by 1971 and 70.0 million by 1975. Between now and 1975, this represents an increase of a little over 17 percent. A household is defined by the Bureau to include all of the persons who occupy a house, an apartment, a room or group of rooms. Group quarters such as institutions, large rooming houses, convents, staff quarters in hospitals, etc., are not included in households. The number of households is thus by definition the same as the number of occupied housing units.

In addition to the stimulus which residential construction will receive from new household formations, replacement demand will also be rising over the coming decade. Each year hundreds of thousands of houses and apartments disappear from the nation's housing stock. Some are torn down to make room for highways or urban-renewal construction, some are converted to commercial uses such as stores, others are destroyed by natural disasters, fires and floods. Although data on removals has been fragmentary, some of the guesswork in making estimates has been removed by a comprehensive study prepared by the National Association of Home Builders. The study concludes that total units removed from the market will grow from an annual average of 585,000 in the early 1960's to 720,000 in the early 1970's.

Among the components in the demand for housing, vacation and second homes are one of the fastest growing elements. This factor, together with the tremendous mobility of the American population (20 percent move each year), will call for increased inventory of dwelling units even without the expected increase in the number of households and population. An estimated 130,000 units a year, an increase of 25,000 annually, will be needed to satisfy these demands.

Another noteworthy trend in the housing industry is the expected rise in the use of mobile homes. Particularly in the South and West, mobile homes are becoming alternatives to conventional residences, and it seems certain that in future years their importance in relation to the country's aggregate housing stock will increase. Projected increases indicate a net annual figure of approximately 150,000 units per year or half of the industry's total production, will go for new living quarters.

The trend toward higher average incomes is also a factor supporting a higher demand for housing. Rising incomes over the past decade have significantly reduced the proportion of families who could not afford to buy homes because of very low incomes. In terms of 1965 dollars, 70 percent of all families had incomes of less than $7,000 ten years ago; whereas by 1965 this proportion had fallen to 50 percent and is expected to decline to 40 percent by 1975. Households with more money can also be expected to support increased demand for apartments as well as individual houses, assuming a continuation of the fairly steady proportion of disposable income which consumers have spent on housing in recent years.

On balance the long term outlook for residential construction is clearly bullish; a *potential* of 2 million units annually by 1971–75 would seem to be a conservative estimate. (See Table 1.) Given this clear, over-all need for housing of all kinds, it is likely that there will be major changes in the composition of the demand for housing as between "singles" and "multiples" in the next decade. The industry which is still shaken by the difficult period of 1966 will need an extra measure of adaptability and good health in order to adjust to the significant population and demographic shifts which will take place affecting the housing "mix."

The group in which the head of the household is under 35 years of age now comprises 24 percent of all households, but is expected to increase to 30 percent in 1975. At the same time, the solid core of home owners consisting of the group of households headed by persons from 35 to 65 will decline from 76 percent to 70 percent of all households. While all households will be increasing by 17 percent, it is expected that households headed by single males or females will increase by 26.7 percent.

The decreasing birth rate since 1959 is still another factor affecting the residential needs and preferences of our population in the decade immediately ahead. Although children do not buy houses, their parents do, and the lack of growth in the number of children 0 to 9 years of age, the expanding young household group under 35, and the substantial increase in households headed by single persons all point to a greater demand for apartments than the raw data on increasing numbers of population taken alone would suggest.

Other conditions reinforcing the view that the apartment boom is not at an end but may pick up again in a few years is the increasing mobility of a large part of our population and the fact that the increased cost of new homes may be a deterrent to young families who might otherwise be seeking more room.

In addition to the challenges to the housing industry arising from this changing composition of demand are a number of other intangibles. First of all, even if the economy is buoyant and mortgage credit plentiful, there is nothing immutable about the proportion of consumer income spent on housing. In recent years this ratio has remained stable at 13–14 percent. However, housing must compete with other consumer expenditures, and its appeal relative to cars or other goods will depend to some extent upon the invention and creativity of the housing industry. If the industry could arouse widespread interest over new housing the ratio could rise quite significantly.

Many critics have argued that greater architectural innovation could generate a much larger demand for new dwellings. The housing boom of the 1920's, which was triggered by the introduction of new high rise apartments and the new concept of the suburb, is cited as an example. Many affluent families discarded their Victorian town houses for the more fashionable, more convenient new housing.

Some new housing concepts are emerging. For instance, builders have developed a number of "open-space communities." This kind of planned development of self-contained communities—including schools, churches, shopping centers and in some instances office buildings and sites for light industry—is considered by some observers as at least a partial answer to the unattractive consequences of unplanned suburban sprawl. The time involved to undertake such projects, however, implies that it will take a substantial amount of time before such communities account for a large portion of new housing starts.

On the cost side, a major breakthrough has been expected in the widespread application of mass production techniques to housing construction. Restrictive and outmoded union work rules and building code provisions have too often been major obstacles to such a breakthrough. And in addition this kind of detailed regulation has deterred innovation in the housing industry. The development of a uniform building code would aid in correcting this situation.

The movement of large corporations into the housing field is a development which could speed innovation. Traditionally housing has been the province of predominantly small builders who lacked the expertise and capital to undertake expensive experimentation. The participation of large companies introduces the possibility of nationwide production and distribution of dwellings.

Even without a basic change in the industry, the forecast is for a housing boom of the order of 2 million starts a year. But with a big *if*—the availability of financing.

The Joint Economic Committee estimated in its study "U.S. Economic Growth to 1975; Potentials and Problems," that the dollar volume of residential construction by 1975 would be between $66 and $73 billion or more than double the 1965 volume. Residential construction would increase accordingly from a little more than 4 percent of gross national product at the current rate, to about 5.5 percent by 1975. The 10 year increase would be between 137 and 162 percent, representing a larger increase than any other major sector of the economy. These projections, which have been adopted by the National Association of Home Builders, do not take into account any factor for substantially reducing substandard housing.

These requirements will greatly exceed the availability of mortgage money unless there are some changes in and supplements to existing mortgage credit institutions. A study published by the NAHB estimated that in order to finance the projected growth in residential construction between 1965 and 1975, total mortgage debt would have to increase to between $300 to $325 billion in 1971, and to between $400 to $490 billion by 1976. These figures compare with a present mortgage debt of $230 billion and include mortgage requirements for new and used housing with about 40 percent of it devoted to new construction.

Or in terms of annual requirements, the following comparisons show the tremendous increase in investment needs of housing. The National Association of Home Builders estimated gross investment requirements in 1965 at $45 billion, and repayments at $25 billion, yielding a total net requirement of $20 billion. By contrast the estimated gross requirements for housing in 1975 are placed at $84 billion and repayments at $46 billion, leaving $38 billion in net requirements. (See Table 2.)

The great need for mortgage credit in the years ahead, coupled with the prospect for marked changes in the mix of types of housing required, will challenge the Congress to develop appropriate aid. In giving encouragement to housing, the Congress will need to examine not only the outlook, but such things as prospective types of financing, the importance of interest rate changes to builders of multiple unit dwelling as compared to the purchase of single-family-owned dwellings, and the changes in building materials and skills.

TABLE 1.—BASIC HOUSING DEMAND AND HOUSING STARTS HALF DECADES, 1961–75

[In thousands of units]

Half decade	Source of demand			
	Household formation	Net removals	Increase in inventory	Basic housing demand
Estimate, 1961–65	900	585	130	1,615
High projection:				
1966–70	1,166	657	160	1,983
1971–75	1,340	720	180	2,240
Low projection:				
1966–70	972	657	150	1,779
1971–75	1,161	720	170	2,051

TABLE 2.—INVESTMENT NEEDS FOR HOUSING, 1965–75

[In billions of dollars]

	1965	1975
Gross requirements:		
New, 1 to 4 housing units	16.0	30
New, 5 units and over	5.5	8
Existing housing	20.0	39
Existing, 5 housing units and over	3.5	7
Total	45.0	84
Repayments:		
Total, 1 to 4 housing units (new and existing)	21.5	40
Total, 5 housing units and over (new and existing)	3.5	6
Total repayments	25.0	46
Net requirements:		
Total, 1 to 4 housing units (new and existing)	16.0	31
Total, 5 housing units and over (new and existing)	4.0	7
Total net requirements	20.0	38

Source: "An Assessment—The National Mortgage Structure," National Association of Home Builders, in "A Study of Mortgage Credit," Subcommittee on Housing and Urban Affairs, Committee on Banking and Currency, U.S. Senate, May 22, 1967, pp. 275, 276.

SENATE FAILURE TO ACT ON HUMAN RIGHTS CONVENTION CONSTITUTES GREAT INSULT TO U.N.—CXXVII

Mr. PROXMIRE. Mr. President, as I rise today to urge the Senate to give its advice and consent to the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery, I am deeply ashamed to admit to the Senate and the American people that there are only two charter members of the United Nations who have failed to ratify a single one of these five treaties: the Union of South Africa and the United States.

It is not necessary here to recount the tragedies of the Union of South Africa. Even the most casual observer of the international scene can understand why that troubled nation has not ratified a single human rights convention.

But the United States is another case altogether. Our failure to ratify the human rights conventions has been the source of embarrassment for ourselves, puzzlement for our allies, and propaganda for our enemies.

These human rights conventions—developed through American initiative and adopted through American advocacy—have languished too long in the Senate.

On July 22, 1963, President Kennedy submitted the Conventions on Forced Labor. Political Rights of Women, and Slavery to the Senate for our advice and consent. In the intervening 4 years, while the Senate has failed to act, 15 additional nations have ratified the Convention on Forced Labor, 12 additional nations have ratified the Convention on Political Rights of Women, and 18 additional nations have ratified the Convention on Slavery.

How much longer will the United States be heeded in the councils deliberating human rights questions? Through the Senate's failure to take any action, our participation has become a meaningless gesture and our signing a cruel charade.

I want to impress upon my colleagues what an unpardonable insult and grievous disservice our failure to ratify a single human rights convention constitutes to the United Nations.

A strong and vital United Nations can be a determining factor in maintaining world order and achieving world peace. A strong and vital United Nations is very much in the national interest of the United States.

By giving its advice and consent to the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery, the Senate can positively reaffirm the U.S. commitment to the United Nations. Both the United States and the U.N. today critically need that commitment.

IN PRAISE OF THE NATIONAL GUARD

Mr. GRIFFIN. Mr. President, in the last several days some criticism has been directed at the Michigan National Guard and its actions during the recent civil disorders in Detroit. Members of the Michigan Guard have been described as "trigger happy," "green," "nervous." The implications of such remarks—the use of such "color words"—is misleading and leads to misunderstanding about the conduct of the National Guard in Detroit.

To be sure, some members of the National Guard were nervous. Undoubtedly some were frightened. Some may have fired their weapons too quickly. Such conditions are regrettable, but they are equally understandable.

General Throckmorton, who commanded the Federal forces in Detroit, himself pointed out that Regular Army troops "going into combat for the first time tend to be nervous and trigger happy." As one who served in an infantry division during World War II, I am not surprised that this is the case.

But in spite of the many difficulties they faced, the fact is that the Michigan National Guard performed with honor and great distinction in a situation that almost defied description. The Regular Army troops likewise conducted themselves admirably. It is pointless to attempt a comparison of the performance of the two groups.

However, critics of the National Guard should remember that the Regular Army troops supplemented the Guard; they did not replace it. Even after the Regular Army troops arrived in Detroit, the National Guardsmen were left to control the disorders on Detroit's West Side, where the trouble erupted. The Regular Army troops were stationed on the East Side of Detroit.

The guardsmen ended the disorders in the areas where they were assigned, and did so with a minimum of violence. In my opinion, the National Guard performed well under very difficult circumstances.

While the criticism of the National Guardsmen is not justified, the experience in Detroit has pointed up the need for new and additional training of National Guardsmen. Most definitely, training procedures in National Guard units all around the country should be improved. I am glad that consideration of such improved training for riot control is now underway.

In closing, let me emphasize the fact that the people of the State of Michigan and the people of the city of Detroit, in particular, are grateful to the National Guard for the outstanding service they performed under most trying circumstances.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. LAUSCHE. I commend the Senator from Michigan for the statement he has made. The Michigan law-enforcement officials suffered the same distress that comes to every law-enforcement officer at times of riot and violent demonstrations. The law-enforcement officers are condemned; the rioters and the demonstrators are excused.

How can we expect precise conduct from law enforcement officers faced with hundreds of people shouting, threatening, striking, and battering? Of course we cannot. Yet that is the situation that prevails every time a riot occurs. Those who incite the riot and those who participate in it are exculpated, and the law-enforcement officials are condemned on the basis that they acted too hastily and imprudently.

Place yourself in the midst of a mob—shouting at you, spitting at you, denouncing you, firing at you, setting buildings afire, sniping at firemen—and then answer the question, What would you do under those circumstances?

It is a tragic situation that in every riot—organized and designed—the ultimate culprits are supposed to be the law-enforcement officials. I would ask this man who testified yesterday, saying that the National Guardsmen were trigger happy, "Do you expect that National Guardsmen, under the circumstances which I have described, would be in the same state of equanimity and peace of mind as, for example, the Presiding Officer of the Senate?" Mr. President, that would be impossible.

I think the time is at hand when the people of the Nation should throw their support behind their law-enforcement officials, and begin putting the blame where it belongs.

I ask my fellow Senators, How many times have you read, after a riot, the claim that there was police brutality or National Guard brutality? In every instance, that is the ultimate claim. No matter how spurious or false that claim may be, we sit idly by, or we subscribe to it, while the pillars of our Nation are being torn down, the lawless taking charge, and innocent law-abiding citizens becoming the victims, not daring to go upon the streets, and fearful within the walls of their own homes.

I commend the Senator from Michigan for the statement which he has made.

Mr. GRIFFIN. I thank the Senator from Ohio.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. GRIFFIN. I am happy to yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I commend the able Senator from Michigan and also the able Senator from Ohio for their statements, and ask that I be associated with their remarks.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. GRIFFIN. I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I wish to join my fellow Senators in paying respect to the law-enforcement officers, not only in the city of Detroit but also throughout this country; and I join the Senator from Ohio and the Senator from Michigan in saying the time is long past due when law-abiding citizens should stand up and support their law-enforcement officers, and recognize the problem they have in dealing with these riots. They are deserving of our support 100 percent, and I commend both the Senator from Michigan and the Senator from Ohio for their defense of what those gallant men are trying to do.

Mr. GRIFFIN. I thank the Senator from Delaware.

I think it is important to keep in mind, when judging the performance of the National Guard, that these are citizen soldiers. They are the workers in the factories, the bankers, the accountants, and other people who, most of the weeks of the year, are not in uniform, but have volunteered to be ready to serve their country and their State in the event of an emergency. These people have not trained 365 days a year. They make important contributions when they put on the uniform and go into service under very difficult circumstances, upon very short notice.

I think, taking those facts into account, that the Michigan National Guard conducted itself admirably and did an outstanding job. We should be praising them instead of listening to the criticism directed their way. Such criticism, of course, tends to discourage people from going into the National Guard, and especially when we fail to recognize the contributions and the sacrifices they have made.

Mr. WILLIAMS of Delaware. I agree completely with what the Senator has said. The members of the National Guard, the firemen, the police, are all law-abiding citizens who have left their families and their homes in order to go out and preserve law and order in the streets against a lawless element, and they deserve not only our support but our thanks and our appreciation. Again I congratulate the Senator.

Mr. LAUSCHE. Mr. President, will the Senator from Michigan yield further?

Mr. GRIFFIN. Yes, I yield.

Mr. LAUSCHE. A Member of Congress made the statement that we expect the law-enforcement officials to coolly and retiringly stand by while they are assaulted, but that they may resist and strike back after they are dead upon the ground. That seems to be what we are expecting of our National Guardsmen, our regular military men, our police, and above all our firemen.

Why is there not more spoken about the position of the firemen, who are there to put out fires and save lives, while rioters, behind hidden walls and windows, keep shooting at them? Little is said about the firemen, but much about the supposedly oppressed and abused people whom our law enforcement officers must seek to control.

Mr. GRIFFIN. Mr. President, while the cry of police brutality is often used as the excuse for these attacks on law and authority, it certainly is incredible that snipers should have directed their fire in the first instance at firemen. How could firemen be guilty of police brutality, or even be associated with police brutality? All they do is wait in a state of readiness to answer a fire alarm and try to put out fires.

The firemen have nothing to do with arrests, with putting people in jail, or with any charges of police brutality. Yet the most serious situation we had in Detroit was when defenseless firemen were fired upon while they were trying to put out fires and protect life and property.

It is very difficult to understand.

Mr. LAUSCHE. Mr. President, I have a bill in the Judiciary Committee which would make it a Federal offense to interfere with a fireman while that fireman is in the performance of his duty and engaged in putting out a fire. My bill has not yet been called up for attention. I have written the chairman of the Committee on the Judiciary concerning this measure.

A penalty of imprisonment is provided for in my bill. The penalty ought to be death for the man or woman who snipes at a fireman who has no other purpose than to protect life and property.

I hope that some action will be taken on my bill. If I had my way, I would see that the penalty, at the discretion of the judge, could be death to a man or woman who interferes violently with a fireman who is performing his duty and trying to save life and property.

Mr. GRIFFIN. I thank the Senator from Ohio.

FAILURE TO VOTE—POINTS OF ORDER

Mr. WILLIAMS of Delaware. Mr. President, earlier today, while attending a meeting of the Committee on Finance, I unfortunately missed the opportunity to vote on the Lausche amendment. I want the RECORD to show that had I been present and voting, I would have voted in favor of the Lausche amendment.

Mr. LAUSCHE. Mr. President, I ask the Senator from Delaware why he was not present when the vote was taken on my amendment.

Mr. WILLIAMS of Delaware. The Senate Finance Committee was holding a session and I, along with other Senators, was attending the session.

I am sure the bells rang in the room, but we did not notice it. At any rate, we did not get here in time for the vote. That was unfortunate, because I was very much in favor of the amendment of the Senator from Ohio, and I would have liked to support it. The Lausche amendment would have reduced the amount from $900 million to $750 million a reduction of $150 million.

Had we been present and voting, our votes may not have changed the outcome. Nevertheless I would have liked to have been recorded in favor of the amendment. Had it passed I would have voted for the bill but it lost and I cannot support the bill for the full amount. With our country faced with the prospect of a huge deficit—a 10-percent increase in taxes—it is imperative we start reducing the cost of some of these programs.

Mr. LAUSCHE. Mr. President, I would like to make a comment upon this subject. Yesterday morning, at a breakfast meeting of perhaps 15 Senators, the subject of national difficulties was discussed. One of the Senators said that the difficulties in the Nation are a consequence of an absence of truthfulness.

He stated that truthfulness ought to be the primary objective of public officials. When he made that statement, I made no comment upon it at the time. However, I subscribe fully to the statement. Unless public officials are truthful, our Nation cannot endure.

What happened today is unfortunate. I appreciate very much what the distinguished majority leader has had to say, that if he had known what the situation was, he would not have tolerated the closing of the vote without all Senators having an opportunity to be present.

I do, however, want to express my view on a subject that has concerned me in the 11 years that I have been a Senator.

I did not raise the point of regular order this morning. However, there were Senators who raised the point of regular order at a time when my amendment had a majority of the votes.

When that point of regular order was raised, it was not recognized. Subsequently, Senators changed their votes. A few other Senators came in the Chamber, and the vote reversed itself.

The point of regular order was then raised, and when the point of order was raised, at a time adverse to the proponents of the amendment, recognition was given to that point of order.

The only reason I raise the question now is that I have wondered what the rule is that uniformly operates so that truthfulness cannot prevail.

When is a point of order recognized—when given by the opponents of a measure or when given by the proponents of a measure?

The PRESIDING OFFICER. Is the Senator making a parliamentary inquiry?

Mr. LAUSCHE. I raise that parliamentary inquiry at this time so that I may be guided in the future.

The PRESIDING OFFICER. When a Senator who is present on the floor demands the regular order, the Chair must then recognize this, and enforce the rule. This compels the Chair to announce the vote, except that any Senator on the floor at that time has the right to vote, if he seeks to be recognized.

Mr. LAUSCHE. Mr. President, a second parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LAUSCHE. Mr. President, must a Senator be recognized as a prerequisite to the right to call for the regular order?

The PRESIDING OFFICER. No.

Mr. LAUSCHE. That is, a Senator can say, "Mr. President, I call for the regular order," and that brings the matter legally before the Senate.

The PRESIDING OFFICER. The Senator is correct.

Mr. LAUSCHE. Mr. President, another parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LAUSCHE. Mr. President, in the event that a Senator raises the point of regular order, is it the responsibility of the Presiding Officer to see if any Senator present in the Chamber has not voted?

The PRESIDING OFFICER. At that point, it is up to the Chair to announce the vote, subject to any Senator on the floor asking for recognition for the purpose of voting.

Mr. LAUSCHE. If no Senator is on the floor and asking for recognition, it is the responsibility of the Presiding Officer to announce the result of the vote.

The PRESIDING OFFICER. The Senator is correct.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 5876) to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the code.

The message also announced that the House had passed a joint resolution (H.J. Res. 804) making continuing appropriations for the fiscal year 1968, and for other purposes, in which it requested the concurrence of the Senate.

AMENDMENT TO THE CONTINUING RESOLUTION FOR FISCAL YEAR 1968

Mr. HAYDEN. Mr. President, I ask the Chair to lay before the Senate a message from the House on House Joint Resolution 804.

The PRESIDING OFFICER laid before the Senate a joint resolution (H.J. Res. 804) making continuing appropriations for the fiscal year 1968, and for other purposes, which was read twice by its title.

Mr. HAYDEN. Mr. President, I ask unanimous consent that the Senate proceed immediately to the consideration of House Joint Resolution 804, which is an amendment to the continuing resolution for the fiscal year 1968.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. HAYDEN. Mr. President, this amendment merely provides for the extension until September 30, 1967, of the existing provision of the first continuing resolution under which governmental activities without their regular annual appropriation have operated since June 30, 1967.

Three of the fiscal year 1968 appropriation bills—Interior, Treasury-Post Office, and legislative—have been enacted into law. In addition, two fiscal year 1967 appropriation bills have been signed into law—the second supplemental and the Defense supplemental. The Agriculture and Labor-HEW appropriation bills are in conference. An agreement has been reached in conference on the Defense appropriation bill.

There are six appropriation bills in the Committee on Appropriations. These bills are State-Justice, independent offices, NASA, District of Columbia, public works, and Transportation. Hearings have been virtually completed on all six of these bills. The remaining three appropriation bills—foreign aid, military construction, and the supplemental—are in the House Committee on Appropriations awaiting authorization.

I urge adoption of the resolution.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The question is on agreeing to the resolution.

The joint resolution (H.J. Res. 804) was agreed to.

AUTHORIZATION FOR COMMITTEE ON PUBLIC WORKS TO FILE REPORT ON S. 1467

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Public Works be authorized to file its report on S. 1467, the Highway Beautification Authorization, until midnight tonight, following the adjournment today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, but before the Chair puts the question, I believe I should explain the purpose behind the request of the minority leader and the Senator from Montana.

It is anticipated that sometime this afternoon, it will be possible for the House to take up the conference report on the Defense appropriation bill; and that will occur, if it occurs, sometime after 3 o'clock. So the Senate should be on notice that if this request is granted, it is quite possible that we will reassemble sometime after 3 o'clock for the purpose of considering the conference report on the Defense appropriation bill.

I make my request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 2 o'clock and 1 minute p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 3 o'clock and 57 minutes p.m. when called to order by the Presiding Officer (Mr. MANSFIELD in the chair).

CRITICISM OF APPOINTMENT OF PRESIDENTIAL COMMISSION ON SOUTH VIETNAM ELECTIONS

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. PEARSON. Mr. President, each of us in the Senate, and indeed all Americans, are vitally interested in the political campaign now underway in South Vietnam, a campaign which will be culminated in elections on September 3.

Each of us hopes and desires that these elections will be as free, as open, and as honest as possible. And yet we should be realistic and pragmatic enough to understand, however, that given the political history of that country, it would be unfair and unwise to expect the campaign or the election to be the very model of democratic processes. I should hope that there would be some recognition of the difficult climate in which this election will be held. Although a Constituent Assembly was formed and a Constitution was drafted, and although we now proceed into an election day, we should not expect South Vietnam to turn into a Western-style democracy overnight. Freedom has been under a bitter attack for a long time in that troubled land.

South Vietnam has been subject to war, colonialism, corruption, and occupation by military power. It is a land divided, not only physically by mountains and plains and the 17th parallel, but also severely divided by religious belief. There has been an absence of a great national leader and, at times, an absence of any powerful political philosophy.

Thus, it would seem to me that some of the criticism and comments about the present campaign are of questionable value and have had the effect of greatly exaggerating the problems involved.

But aside from all of this, the point I seek to develop is that it is my belief that the President's appointment of a Commission of distinguished Americans to go to Vietnam to observe the campaign and the election can only serve to confuse rather than to clarify an already confused situation.

First of all, if the purpose of sending the observing Commission is to satisfy critics in foreign countries, the mission will be inevitably doomed to failure. No foreign government or foreign press is going to put any stock in anything favorable the Commission might have to say about the elections; for, unfortunately, the general view is that the United States is now controlling the elections, and it would seem to me that simply sending another team of Americans, regardless of how distinguished may be the character of the Commission, will satisfy no one and only serve to strengthen the arguments of those who say the Americans are controlling the election.

Mr. President, thus it seems obvious that President Johnson is sending this Commission to Vietnam for the primary purpose of attempting to satisfy critics of his policy in Vietnam here in the United States. One is forced to this conclusion for the very simple and basic reason that sending such a Commission to Vietnam at this late time can accomplish absolutely nothing in determining whether or not the campaign and the election will have been fair and open.

The Commission will spend only a few days in South Vietnam. The members neither speak nor understand nor read the Vietnamese language. The Commission cannot have any detailed familiarity with the country or, in fact, the issues of the campaign. The Commission, of necessity, will rely upon the Ky government and the American mission for guidance as to where to go, what to see, what to hear, and what to do.

In short, the Commission will not be able to really judge whether or not the elections have been conducted fairly by any reasonable standard.

But, Mr. President, while the Commission cannot accomplish anything constructive it can do considerable harm. Given the abruptness of the Commission's formation and visit, their presence and their activities can only serve to irritate the Vietnamese and again, to repeat, to strengthen the argument of all those who say that the Johnson administration is, in fact, controlling the Vietnamese elections. It can only serve to further promote the natural concern the Vietnamese and others have about American domination and influence in their internal affairs.

No one would argue that we should not do what we can to assure a free and honest election there. I have recited the problems and conditions under which this election will be held. But, as I have argued above, this Commission cannot make any contribution.

Mr. President, I take note that on August 11 the distinguished Senator from Louisiana, the majority whip [Mr. LONG] placed in the RECORD a letter to the Secretary of State from the South Vietnamese Ambassador in Washington, wherein a very thoughtful and kind invitation was extended to Members of Congress to observe the electoral processes. I note with great satisfaction and approval that the distinguished majority leader and the distinguished minority leader respectfully rejected this invitation on the very proper basis that the election in South Vietnam was the concern of the Vietnamese and not of the Senate of the United States.

Mr. President, finally, I want to emphasize that I am in no way criticizing those individuals who have accepted service on this Commission. They are all honorable and decent men whose sense of public service commands them to accept this or any invitation or request from the President of the United States.

Despite this, Mr. President, I repeat that it is my judgment the President has appointed this Commission for purely political reasons and that he expects only political benefits from it, for he knows full well that the contribution the Commission can make to the Vietnam campaign and elections is virtually nil.

It has been charged that we have Americanized the war; it has been charged that we have Americanized the pacification program—it will now be said that we have Americanized the Vietnam election.

SPECTACULAR INCREASE IN NUMBER OF PARDONS AND COMMUTATIONS BY JOHNSON ADMINISTRATION

Mr. WILLIAMS of Delaware. Mr. President, during recent years much criticism has been expressed over the lenient attitude of our Federal courts in dealing with criminals. Today I wish to discuss a form of this leniency which cannot be attributed to the laxity on the part of our courts, but rather to the new attitude of the administration in opening the prison doors through accelerated approval of pardons and sentence commutations.

No doubt some of these pardons and commutations can be fully justified; however, a question may well be asked as to why there is such a tremendous increase in the number now being granted by the "Great Society."

For example, during the 8 years of the Eisenhower administration, a total of 999 pardons were granted, or an average of 125 per year; and during this same 8-year period, a total of 44 sentence commutations were approved, or an average of 5.5.

Under the 3 years of the Kennedy administration, 1961 through 1963, the number of pardons granted was 525, or an average of 175 per year, while during the same period the number of sentence commutations totaled 76, an average of 25 per year.

But under the Johnson administration there has been a spectacular increase in the number of pardons and commutations. During the 4-year period, 1964 1967, there has been a total of 1,097 pardons granted, or an average of 274 per year. This is more than double the level of pardons granted under the Eisenhower administration.

During the same 4-year period, 1964–67, there were 256 commutations of sentences, or an average of 64 per year, as compared with an average of 5.5 per year during the Eisenhower administration and 25 per year during the Kennedy administration.

During the last 4 years of the Truman administration, 1949 through 1952, there was a total of 45 commutations of sentences, or an average of 11 per year, and a 4-year total of 961 pardons.

During the past 4 years, commutations of sentences have more than doubled the rate during the Kennedy administration, they are nearly 12 times the rate during the Eisenhower administration, and nearly six times the rate during the Truman administration.

Pardons granted under the Johnson administration are nearly 50 percent higher than the rate under the Kennedy administration and more than twice the rate under the Eisenhower administration.

At this point I ask unanimous consent that a tabulation of the pardons and sentence commutations for each of the years 1949 through 1967 be printed in the RECORD. This chart includes the last 4 years of the Truman administration, the 8 years of the Eisenhower administration, the 3 years of the Kennedy administration, and the 4 years, 1963 through 1967, of the Johnson administration.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Fiscal year	Pardons granted	Sentence commutations
1949	178	17
1950	401	13
1951	190	9
1952	192	6
Total	961	45
Average	240	11
1953	97	7
1954	55	7
1955	59	4
1956	192	9
1957	232	4
1958	98	6
1959	117	2
1960	149	5
Total	999	44
Average	125	5½
1961	226	18
1962	166	13
1963	133	45
Total	525	76
Average	175	25
1964	316	72
1965	195	80
1966	364	81
1967	222	23
Total	1,097	256
Average	274	64

Mr. WIILLIAMS of Delaware. But this is not all the story. In addition to opening the prison doors under this Great Society, criminals, while serving their prison terms, are now being allowed to establish eligibility for unemployment benefits, social security benefits, and, under certain circumstances, increases in civil service retirement benefits—all as a result of work performed while serving a prison sentence.

In 1954, Congress enacted a law which prohibited any Government employee from drawing civil service retirement benefits if that employee was convicted of having accepted bribes or embezzling Government money while holding public office. With strong administration support, this law was repealed on September 12, 1961. Now a Government official who is convicted of embezzling Government funds or who is convicted of accepting bribes for decisions made in connection with his official duties as a Government employee, can, after serving his prison sentence, retire with full retirement benefits. In fact, under the latter ruling, under certain circumstances, he can even have some of his time while serving in prison counted toward increasing those retirement benefits.

Mr. President, it is time that we stopped coddling these criminals and remember that there are millions of Americans who, as innocent victims of these crimes, and millions of hard-pressed taxpayers who should be given some consideration.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. CHURCH in the chair). What is the will of the Senate?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 19 minutes p.m.) the Senate adjourned until tomorrow, Friday, August 25, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 24, 1967:

IN THE ARMY

The following-named person for reappointment to the active list of the Regular Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be colonel

Hall, Robert E., O31747.

The following-named person for appointment in the Regular Army by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3290.

To be second lieutenant

Friedman, Richard J. (MSC), OF105954.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

To be major

Downer, Robert G., O1919490.

To be captains

Accousti, Kenneth W., O4030788.
Albritton, Herbert H., O5330929.
Barrett, Thomas E., O5305210.
Becraft, Franklin L., O5210014.
Booth, Benny L., O4077764.
Clark, Bernard J., O5700759.
Daniels, Harry V., Jr., O4074676.
Dillon, William F., Jr., O4064795.
Estep, Ronald C., O5301959.
Fouratt, Enos J., Jr., O5200633.
Griffith, James E., O4049747.
Hasson, Ross D., O5306258.
Howard, Ronald D., O5001071.
Jones, Aaron M., O4075320.
King, George L., O5309419.
Kite, Paul L., O5301878.
LeVesque, Victorian C., O4076605.
Madden, William F., O4022018.
O'Dell, Charles H., O5308351.
Padula, John F., Jr., O2316951.
Raunam, George J., O5405210.
Ray, Gerald C., O69548.
Skidmore, David D., O5310681.
Stewart, John O., O4061417.
Thomas, Golden L., O5208505.
Watson, Roger L., O5402969.

To be first lieutenants

Adams, Thomas L., Jr., O5317015.
Allan, William D., O5014493.
Andrews, John W., O5209277.
Baker, Mark A., O5512057.
Baker, Richard C., O5707000.
Baron, David V., O5532276.
Baxter, Boyd R., O5515683.
Bennis, John M., O5009019.
Biege, Richard A., O5221432.
Breese, William E., Jr., O5312102.
Brown, Jesse E., O2313411.
Byard, Danny R., O5318467.
Cabrinha, Joseph W., O5705723.
Case, James W., O5409975.
Christensen, David D., O5709947.
Clark, Marion F., II, O5319526.
Clearwater, Robert M., O5210654.
Coppens, John P., O5516494.
Cox, Jimmy D., O5415548.
Crissman, Robert S., O5517543.
Culp, Sidney T., O5415829.
Cummings, Francis J., O5016914.
Cunneen, Dennis M., O5530989.
Davis, John F., O5309600.
Denton, Jesse H., O2294078.
DiLizio, Stephen, O5222687.
Findeisen, Edgar J., O5415805.
Firestone, Dennis E., O5532263.
Forys, Conrad W., O5410683.
Fuller, Edwin A., O5018292.
Garnett, Bruce M., O5221201.
Gilbert, Jack D., O5515758.
Gregg, Wendell H., O5406401.
Haertle, William R., O5700047.
Hardman, Williard M., Jr., O5216443.
Henchell, Frederick G., O5705856.
Herrick, Thomas H., O5517599.
Hill, Ralph L., O5219198.
Hipp, Gerald T., O5214875.
Isbell, Ernest L., O5310895.
Johns, Sidney M., O5709868.
Junkins, Arthur L., O5531422.
Keough, Francis P., O5012119.
Koors, Glenn J. P., O5015620.
Langley, Dennis S., O5010084.
Lewis, Bernard I., O5007663.
Mabry, Joseph M., O5317322.
Makowski, Kenneth R.. O5412493.
McDonald, James R., O5216561.
McIlwain, Charles P., O2296805.
Medley, Larry J., O5530759.
Miller, Richard G., O5708080.
Misner, Dale A., O5534332.
Morris, William L., O5321688.
Myrick, Reed J., O5211840.
Nall, William N., O5314090.
Newton, Anthony H., O5315134.
Ohta, Thomas K., O5516184.
Pedersen, Ralph D., Jr., O2303788.
Peetz, Robert G., O5214161.
Poch, Todd H. R., O5511923.
Polterock, Martin S., O5517376.
Potter, Richard W., Jr., O5312334.
Powell, Robert B., O5223949.
Price, James F., O5515117.
Prokopowicz, John H., O5321999.
Quattromani, Anthony F., Jr., O5217025.
Reed, Walter R., O5517427.
Ritenour, Thomas J., O2306733.
Robbins, Bryan L., O5320751.
Roper, Emil M., O5707028.
Rosensteel, Grant L., Jr., O5220260.
Shoemaker, George G., O5706022.
Smith, Charles F., O5218537.
Smith, Doyle E., O5411880.
Smith, Richard G., O5415475.
Stewart, Donald P., O5218216.
Trombley, Thomas H., O5309970.
Terrell, Richard H., O5415962.
Warman, Cletis M., O5414928.
Watkins, George H., O5321725.
Weems, Kelly G., Jr., O2318174.
Weiss, Robert M., O5011477.
White, Francis J., Jr., O5227124.
Wiley, David D., O5708371.
Wynn, David F., O5217817.

To be second lieutenants

Antoine, Lawrence V., O5536701.
Barber, George L., III, O2312968.
Barbera, Michael H., O5536796.
Bayliss, William A., Jr., O5326358.
Berry, Page E., O5230226.
Bridges, Franklin G., O5536308.
Childress, William W., O5418593.
Collum, Charles E., O5412716.
Conrad, Carlton J., O5331581.
Daniel, Jack L., Jr., O5233490.
Daniele, Thomas N., O5533821.
Deal, Clifford L., Jr., O5241124.
Dooley, Patrick G., O5534918.
Ferrea, Albert J., O2323097.
Foreman, Richard N., O5024041.
Greenhouse, Aloysius, O5417906.
Gruner, Kenneth A., O5418297.
Hall, Duane F., O5417978.
Hanna, Hugh H., O5419104.
Hartman, Robert S., O5709141.
Heefner, Rodney R., O5224661.
Holland, James G., III, O5326416.
Holp, John D., O5424817.
Hopp, Carl F., O5324582.
Howell, Larry T., O5323908.
Irby, Richard L., Jr., O5328187.
Jacobson, Warner C., O5710504.
Johnson, Carleton T., O5418029.
Kline, David A., O5224773.
Kullman, Stanley G., Jr., O5334424.
Larson, David L., O5711234.
Ledoux, Laurie E., O5421506.
Lindtwed, Charles R., O5534974.
Lowe, Karl H., O5325122.
Mans, William A., O5711172.
Marek, Paul M., O5417143.
McDole, Kenneth L., O3118307.
Menist, Robert L., O5710822.
Millard, George A., O2313577.
Miller, Donald E., O5328075.
Mitcham, Eugene L., III, O5419806.
Modrall, Nelson E., O5531380.
O'Connell, John J., Jr., O5228751.
Orenstein, Leo R., O2322944.
Perkins, Gary W., O5225415.
Riley, Larry H., O5420079.
Sanford, Gaylord B., O5711268.
Taylor, Harry O., O5326989.
Torbert, Ronald D., O5326500.
Trout, Marvin D., O2319444.
Tupa, George L., O5326658.
Webb, Myrt W., Jr., O5713021.
Welch, Douglas M., O5418436.
Williams, George F., Jr., O5418925.
Williams, Herbert D., III, O5331692.
Wilson, Albertis C., O5325359.

The following-named persons for appointment in the Regular Army of the United States, in the grades and branches specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3294 and 3311:

To be captains, Army Medical Specialist Corps

Ben, Raymond F., MM2298861.
Cover, Joseph D., MJ2293607.
Meier, Theodocia E., R2298077.

To be captains, Army Nurse Corps

Karwoski, Richard J., MN2290214.
Lutz, John M., MN902880.
Matthews, Charles D., MN902840.
Soltys, Anthony W., MN2297555.
Youngman, Clifford P., MN2291596.

To be captains, Dental Corps

Goldberg, Joel R., O5227429.
Mattia, Michael N., O5239683.
Pagan, William J., O5826457.
Rigdon, Walter F., O3169168.
Suson, Morris A., O5540553.

White, John C., O4073636.
Ziesmer, Dale W., O5224185.

To be captains, Judge Advocate General's Corps

Davies, David C., O2304961.
Miranda, Ralph G., O5404366.

To be captains, Medical Corps

Bell, Michael J., O2315644.
Bruckman, Joseph A., O5518406.
Claypool, Robert G., O5540204.
DiMarco, Joseph C., O5233795.
Fagarason, Lawrence A., O5501384.
Grosshans, James T., O5223982.
Hammond, James B., O2239750.
Lowell, George G., O2325440.
Maurer, David A., O2316985.
McDonald, Edward G., O2309359.
Montesco, Seymour I., O5239688.
Naeve, Michael P., O2316870.
Quinn, Leon J., O5525631.
Schneider, Edward M., O5712635.
Vanchiere, Charles M., O2316981.

To be first lieutenants, Army Medical Specialist Corps

El-Beheri, Mahmoud S., MM2308621.
Moore, John W., MJ2312786.
Shannon, Phillip D., MJ2305210.

To be first lieutenants, Army Nurse Corps

Brown, Irvin L., MN5711818.
Burke, Carole A., N2318990.
Chaney, Kenneth R., MN5712811.
Dunphy, William J., MN2311330.
Freeman, William E., MN2313642.
Froat, Edward F., MN5241530.
Learmann, Paul C., MN2324660.
Loehrer, Edward O., MN2305053.
Oswald, George E., MN5520568.
Urban, Donald D., MN2317510.

To be first lieutenants, Dental Corps

Brady, Robert E., O5024589.
Duet, William J., O5408769.
Hays, Granvil L., O5540628.

To be first lieutenant, Judge Advocate General's Corps

Kaplan, Harvey W., O5014127.

To be first lieutenants, Medical Corps

Alden, Errol R., O5232624.
Aussem, John W.
Baker, John Q., O2321889.
Blount, Richard B., O5319860.
Buratto, Gregory J., O5707393.
Burdick, George E., O2316837.
Clark, Thomas H., O5219735.
Coleman, Wayne L., O2321341.
Cox, Jack A., O5707788.
Eshleman, John D., O2325421.
Giberson, Eric S., O2321656.
Glass, Billy L., O2325763.
Graham, Jeffery J., O5228977.
Haynes, James L., O2325425.
Hubbard, Robert B., O2321237.
Jenis, Edwin H., O2321339.
Johnson, Dariel L., O2326292.
Kelly, Leonard W., Jr., O2325426.
Kitchings, Olen E., III, O2325429.
Lauring, Lewis M., O2316822.
Lewis, Robert E., O2321189.
Maher, Paul J., O2325798.
Marcus, Robert D., O5417515.
Messersmith, John K., O2325800.
Rogers, Philip W., O5412635.
Steudel, Wolfgang T., O2326299.
Stutz, Friedrich H., O2321370.
Susac, John O., O2320743.
Turner, Clifford J., O2320817.
Usher, Bruce W., O5316770.

To be first lieutenants, Medical Service Corps

Brothers, Chauncy P., Jr., O2305730.
Bulla, Bill F., O5531479.
Hart, John S., O2317547.
Hassell, William B., O2311853.
Hermanutz, Robert J., O5532320.
Inman, Roy N., O5514212.
Kinion, Ronald O., O3111261.
Maxwell, Clyde E., Jr., O2317540.
Miller, John T., Jr., O2317591.
Nolan, Kenneth J., O2306565.
Sutton, William L., O2315660.
Wade, Douglas E., O5216324.
Zucker, Michael D., O5001474.

To be first lieutenants, Veterinary Corps

Kerr, William K., O2317306.
Watson, William T., O5319880.

To be first lieutenant, Women's Army Corps

Schwartz, Helen R., L2310024.

To be second lieutenant, Army Medical Specialist Corps

Ingeman, Peter L., MJ2320962.

To be second lieutenants, Army Nurse Corps

Boone, Charles A., MN2324006.
Bordas, Carl, MN5251514.
Creel, Kenneth E., MN2320027.
Sapolis, Richard J., MN5239598.
Smith, Alan P., MN5330275.

To be second lieutenants, Medical Service Corps

Bauer, Robert S., O2320466.
Moody, Herschell L., O5327582.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 328 3284, 3286, 3287, 3288 and 3290:

Chase, Robert E.
Goldammer, Robert M.
Markham, Selwyn L.
Miles, Otha G.
Murphy, Robert F.
O'Farrell, Michael S., O5421025.
Reamey, Herbert K., III.

The following-named distinguished military and scholarship students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 2107, 3283, 3284, 3286, 3287, and 3288:

Austin, Robert D., Jr.
Baade, Clifford K.
Baldwin, Charles L.
Bauer, Michael W.
Beer, Jan D.
Bordelon, Leon, III
Bores, David R.
Brady, Ronald L.
Brown, George P.
Bushey, William R.
Caruthers, Robert S.
Coats, Lee R.
Conrad, Russell V., Jr.
Cupp, Lloyd G., Jr.
DePriest, John V.
Dixon, Gurney L.
Dodson, James E.
Dolan, John F.
Downing, John T.
Dubroff, Jack B.
Eckert, Frederick J.
Egan, Francis E.
Eichling, Robert E., Jr.
Evans, James H.
Fahey, Thomas K.
Fanelle, Donald D.
Faught, Samuel C.
Fletcher, James M.
Fuzy, Eugene A.
Garozzo, Louis F.
Giddings, Clyde A.
Gomez, Jesus
Gregery, Byron J.
Grimes, Richard P.
Hammond, Thomas C.
Hawthorne, James S.
Hejna, Donald J.
Hill, Gerald L.
Hill, Joe L.
Hills, Shaun C.
Hostetler, Harold R., Jr.
House, Randolph W.
Joles, Frederick D.
Jupe, Robert L.
Kardash, William E., Jr.
Keller, Tommy A.
Kelly, Ronald L.
Kerschen, Arthur H., Jr.
Kelly, Robert J.
Koepnick, Donald J. M.
LaGree, Brooks J., Jr.
Lieteau, James N.
Mahlum, Loyd D.
Massey, Felix M., III
Mastrangelo, Michael A.
Materi, Steven T.
McBride, Patrick H.
McDevitt, Paul J.
McKenna, Kevin J.
McMillan, John C.
McPhee, James J.
Menzies, Gary W.
Miller, Victor E.
Mitchell, David H.
Morrison, Frank R., Jr.
Moylan, Roger E.
Mugge, Paul C.
Murphy, Daniel E.
Nelson, Harry A.
Niemira, James M.
Oebbecke, Joseph C.
Overly, Orbie R.
Paczowski, Alan R.
Pharr, Owen F., Jr.
Platt, Robert N.
Porter, Roger J.
Puppel, Dennis D.
Radzienda, Leo E.
Redman, Robert A.
Robbins, Paul L.
Roberts, Keith L.
Rowan, John E., Jr.
Sabine, Henry A., III
Sabol, Kenneth A.
Sever, Robert S.
Siddons, James G.
Slayton, Barney F.
Sloniker, Michael E.
Smith, Danny W.
Smith, Edmond E.
Statler, Wayne A.
Sullivan, Norman C.
Sweeney, Michael S.
Terry, Dale R.
Thibedeau, Robert J.
Thorn, Perry W.
Thrash, John J.
Wadsworth, Grady L.
Wagstaff, Hubert T.
Way, Robert E.
Weber, Richard A.
Whitehead, James A.
Yarrison, James L.
Zimmerman, James E.
Zitnick, Charles L., Jr.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 24, 1967:

Department of the Air Force

Townsend Hoopes, of Virginia, to be the Under Secretary of the Air Force.

Upper Great Lakes Regional Commission

Harold C. Jordahl, Jr., of Wisconsin, to be alternate Federal Cochairman of the Upper Great Lakes Regional Commission.

Mississippi River Commission

Brig. Gen. Willard Roper, U.S. Army, to be a member of the Mississippi River Commission, under the provisions of section 2 of an act of Congress approved June 28, 1879 (21 Stat. 37; 33 U.S.C. 642).

Postmasters

ALABAMA

Marjorie N. Haislip, Brownsboro.
Hugh M. Bates, Clanton.
Oliver G. Bruner, Fort Deposit.
Elna P. Williams, Midland City.
James A. Mills, Jr., Pine Apple.
Wylma P. Shaneyfelt, Sipsey.
William W. Wright, University.

ARKANSAS

Russell A. Orr, Ash Flat.
Hautie L. Huskey, Blevins.
Morris G. Harrison, Forrest City.
Emma L. Wisenhunt, Norphlet.

CALIFORNIA

Ronald G. Telford, Burney.
Noelie M. Changala, El Toro.
John W. Blum, Jr., Maywood.
James W. Segale, Moccasin.
Charles R. Harper, Napa.
Letitia S. Campbell, San Quentin.

COLORADO

Forrest F. Frasier, Gunnison.

FLORIDA

Wyman Coarsey, Cortez.
James W. Anderson, Hialeah.
Thomas G. Moon, Sr., Oviedo.
James B. Ball, Quincy.

GEORGIA

Charles E. Cowart, Bronwood.
William R. Mathews, Columbus.
John F. Atkinson, Jr., Juliette.
Frances C. Clayton, Waco.

ILLINOIS

Bobby J. Horner, Armington.
Alice B. Duax, Ashkum.
Norma M. Muggler, McConnell.
Daniel J. Sullivan, Rochelle.
Virgil J. Gebhart, Troy.

INDIANA

James E. Jones, Bargersville.
Loyd C. Browning, Madison.
Max M. Dyer, Rossville.

IOWA

Loren B. Ledford, Buffalo.
Benjamin R. McDaniel, Davis City.
John W. Rogers, Hancock.
Wayne R. Stall, Johnston.
Erwin C. Behr, Long Grove.

KANSAS

Jack A. Kirby, Easton.
Joseph W. Henkle, Sr., Great Bend.
Helen M. Frye, Haddam.
Gary L. Miller, Norcatur.

KENTUCKY

Georgia C. McCowan, East Bernstadt.
Lorene J. Elkins, Magnolia.
Lucille S. Smith, Pikeville.
Charles H. Walker, Rumsey.

LOUISIANA

Russell B. Crum, Monterey.

MAINE

Ronald W. Bradbury, Aurora.
Clyde A. Richards, Dexter.
Richard A. Agathos, Lisbon Falls.
Gilbert W. Bishop, Norridgewock.
Jerald A. Paradis, Scarborough.
Barbara L. Morton, South Casco.
Ruby F. Small, South Thomaston.

MARYLAND

Thomas H. Adams, Bel Air.
Edward F. Mooney, Lonaconing.
Donald P. Carrico, Mechanicsville.
Edward R. Grimes, Sykesville.
Mary Ann Massey, Wye Mills.

MASSACHUSETTS

Mildred C. Ainslie, Marshfield Mills.
John W. Murphy, Norwood.
David I. Walsh, West Brookfield.
Richard G. Smith, West Upton.

MICHIGAN

Deanna D. Sellke, Hawks.
Margaret E. Powell, Idlewild.
Richard C. Michaels, Ironwood.
Howard E. Gladman, Leland.
Edward G. Schnepp, Owendale.
Leonard A. Yaroch, Port Austin.
Lawrence A. Frith, Vermontville.
Elwood J. Grubb, Wixom.

MINNESOTA

Roger D. Miller, Belview.
Stephen M. Hecimovich, Buhl.
Gerald A. Schuldt, Clear Lake.
Marlowe J. Moehnke, Eyota.
Elfred M. Williams, Staples.
Laddie D. Forst, Jr., Strathcona.
Sylvester G. Vogel, Victoria.

MISSOURI

Earl A. Bollinger, Fredericktown.
Denton C. Kelp, Holt.

NEBRASKA

Howard L. Spoeneman, Lewellen.
Duane L. Whitaker, Minatare.
Richard D. Daniels, Scottsbluff.
Charles E. Landholm, Uehling.

NEW HAMPSHIRE

Theodore H. Moe, Jr., East Swanzey.
Stanford R. Johnson, Groveton.
Elmer J. Dickey, Lancaster.

NEW JERSEY

Francis S. Yuresko, Hibernia.
John P. Granato, Jr., Madison.
Joseph F. Grastara, Oradell.
Sarah S. Goldberg, Roosevelt.
M. Stuart Atwood III, Stone Harbor.

NEW MEXICO

Harry I. Martin, Lake Arthur.

NEW YORK

Daniel J. Healy, Bay Shore.
James Hollenbeck, Jr., Candor.
Jack H. Hudson, Shushan.

NORTH CAROLINA

Wade M. Hobson, East Bend.
Dorothy A. Blanchard, Hobbsville.
Foster G. Rodgers, Stantonsburg.
Leslie B. White, Woodland.

NORTH DAKOTA

Alden A. Lieberg, Arvilla.
John C. Dulmage, Leeds.
Blaine G. Meier, Riverdale.

OHIO

Jack E. Zinkon, Baltic.
Harold G. Rearick, Gibsonburg.
Fredric E. Merriman, Hartford.
Samuel J. Mitchell, Philo.
Howard S. Foust, Plain City.
George P. Fillman, Port Washington.
Jesse F. McGrady, Jr., Rockbridge.

OKLAHOMA

Eldria L. Johnson, Boley.
William S. Conaway, Valliant.

PENNSYLVANIA

Arthur L. Blumer, Allison Park.
Jeanette R. St. Clair, Blairs Mill.
Arthur D. Cummings, Callery.
Stewart H. Eberly, Fleetwood.
Myrtle R. McGuirk, Glen Mills.
Earle P. Hoffman, Gratz.
Lloyd M. Rowe, Jr., Greencastle.
Henry A. Golavich, Harwick.
Ellis E. Miller, Hegins.
John J. Miller, Huntingdon Valley.
Michael L. Vongrey, Jr., Kittanning.
Mildred A. Cleary, Koppel.
Elwood A. Getz, Kresgeville.
Katherine A. Pirih, Langeloth.
Newell A. Blair, Linesville.
Harry A. Shibley, New Milford.
Charles F. Sutton, Newtown.
John K. Buffington, Punxsutawney.
Jay F. Kesner, Shippenville.
Jennie S. Workman, Six Mile Run.
Joseph M. Henry, Union City.

SOUTH CAROLINA

Luther E. Watkins, Chappels.
James C. Parris, Gaffney.
Martha S. Griffin, McBee.
Windell S. Dunning, Santee.
Betty A. Austin, Startex.

SOUTH DAKOTA

Ronald D. Wicks, Carpenter.

TENNESSEE

Frewl B. Buffaloe, Gates.
Marshall G. Pierce, Jr., Halls.
Carl W. Smith, Kenton.
Lester K. Neese, Paris.

TEXAS

Thomas D. Levisay, Bangs.
Robert L. Mosty, Center Point.
Thomas D. Davis, Haskell.
Jenny J. Schooler, Loop.

VERMONT

William S. Mace, Ferrisburg.
James N. Kennedy, Island Pond.
John H. Harris, Proctorsville.

VIRGINIA

Marion A. Waldron, Chesterfield.
Barbara C. Hurst, North Tazewell.
Garry G. Martin, Ripplemead.
Charlotte H. Webb, Weems.

WASHINGTON

Robert M. Egland, Addy.
Roy A. Betlach, Spokane.

WEST VIRGINIA

Thaddeus M. Pritt, Beverly.
Nettie B. Spessard, Glen Jean.
Edward F. Rickard, Letart.
Ruth E. Foy, Montcalm.
Herman V. Walker, Morgantown.
James W. Spence, Saint Marys.
Nick P. Markos, Short Creek.
Francis A. Atkins, Sutton.

WISCONSIN

Audrey E. Winsauer, Boulder Junction.
Donna E. Spaeth, Downsville.

WYOMING

James H. Fuller, Torrington.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 24, 1967

The House met at 12 o'clock noon.

The Reverend John Maury Allin, bishop of the Episcopal Church of Mississippi, offered the following prayer:

Brethren, whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report; if there be any virtue, and if there be any praise, think of these things.

Let us pray for aid in the search for truth, and in truth seek God;

Let us pray for awareness of our limitations and weaknesses; for recognition of our mistakes and failures;

Let us pray for wisdom as well as knowledge, for perception and understanding;

Let us pray for faith and courage, for strength and humility;

Let us pray for justice and freedom;

Let us pray for peace;

Let us pray for vital sharing between those who have and those who have not;

Let us pray for those who suffer, whoever, wherever they be;

Let us pray for all in danger due to war or neglect;

Let us give thanks for many blessings undeserved;

I pray through Jesus Christ. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 158. An act to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration.

The message also announced that the Senate had passed with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 536. An act to provide that the United States shall hold certain Chilocco Indian School lands at Chilocco, Okla., in trust for the Cherokee Nation upon payment by the Cherokee Nation of $3.75 per acre to the Federal Government.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 281. An act to increase the amount of real property which may be held by the American Academy in Rome.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 16) entitled "An act to amend title 38 of the United States Code in order to increase the rates of pension payable to certain veterans and their widows, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H.R. 678) entitled "An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Upper and Lower Chehalis Tribes of Indians in Claims Commission docket No. 237, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. MCGOVERN, and Mr. FANNIN to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 282. An act to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes;

S. 485. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes;

S. 814. An act to establish the National Park Foundation; and

S. 1972. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Emigrant New York Indians in Indian Claims Commission docket No. 75, and for other purposes.

WASTE IS WASTE

Mr. PIKE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PIKE. Mr. Speaker, I know that Dr. MORGAN is wanted for surgery, but before we resume the job of cutting up the $3,158,000,000 foreign aid bill, I would like to take 1 minute to remind the House that the Department of Defense last year spent about $800 million more than that just for little purchases of under $10,000. I have one of them in my pocket. My wife would call this a knob on her gas range, but the Defense Supply Agency calls it a "handle, spare, synchronizing." It is made in Newark, N.J., and sold there for $1.62. This one was bought by the Government in Columbus, Ohio, for $312.50. In the past year, in three separate transactions they ordered 130 of them at a total cost of $33,398.95. They should have paid—instead of $33,000—$210.60. Everybody loves to cut up the foreign aid bill but that is not where most of the waste is.

CRITICISM OF FOREIGN POLICY BY SENATOR KENNEDY OF NEW YORK

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I was interested to hear on the radio and read in the newspapers of certain criticisms of the U.S. foreign policy by Senator KENNEDY of New York. It seems only fair at this point to remind the Senator that, of the three principle architects of our foreign policy—namely, Secretary Rusk, Secretary McNamara, and Under Secretary Katzenbach—that two of them were picked by the late President Kennedy—namely, Secretary McNamara and Secretary Rusk—and the third was picked by the junior Senator himself, Mr. Katzenbach.

Mr. Speaker, if I may offer a little advice to the President, perhaps it would ease Senator KENNEDY's pain if he got rid of one or all of them.

NATIONAL COMMISSION ON URBAN LIVING

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, I wish to call the attention of the House to H.R. 3155, introduced by our colleague, the gentleman from Minnesota [Mr. QUIE] on January 19, and referred to the Committee on Government Operations. I am convinced that had this bill been reported out of committee expeditiously, it could have had a cooling effect on what has been a long, hot summer. The bill would have provided the people of the Nation with a National Commission on Urban Living, to study in depth the problems resulting from the far-reaching economic and social changes which have so profoundly affected life in our cities.

H.R. 3155 directs the Commission to study trends that will influence the future quality and character of urban life and to recommend ways of dealing with the problem areas of the future.

Mr. Speaker, this is an important piece of legislation, but apparently it is not receiving the attention in committee it deserves. I urge that H.R. 3155 be given immediate favorable consideration by the Committee on Government Operations. The need for such legislation is urgent.

AMENDING TITLES 5, 14, AND 37, UNITED STATES CODE, TO CODIFY RECENT LAW AND IMPROVE THE CODE

Mr. CELLER. Mr. Speaker, by direction of the Committee on the Judiciary, I ask unanimous consent to take from the Speaker's desk the bill H.R. 5876—an act to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the code, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 14, strike out lines 3 to 13, inclusive.

Page 14, line 14, strike out "(23) (A)" and insert "(22)".

Page 15, line 3, strike out "(B)" and insert "(23)".

Page 50, line 11, strike out "(A)".

Page 50, line 13, strike out "(B)" and insert "(70)".

Page 50, line 15, strike out "(70)" and insert "(71)".

Page 51, strike out lines 3 to 6, inclusive.

Page 52, strike out lines 8 to 14, inclusive, and insert:

"(F) by amending paragraph (13) (C) by striking out the words 'Coast and Geodetic Survey' and inserting 'Environmental Science Service Administration' in place thereof;".

Page 55, strike out lines 9, 10, and 11, and insert:

"(76) Section 8337(e) is amended by striking out the words 'within the purview of' wherever they appear and inserting 'in which he is subject to' in place thereof."

Page 70, strike out lines 13 to 17, inclusive.

Page 70, after line 17, insert:

"(98) Section 902 is amended—

"(A) by striking out paragraph (1) (B) and (C) and inserting in place thereof:

" '(B) an office or officer in the executive branch; and

" '(C) any and all parts of the government of the District of Columbia other than the courts thereof;';

"(B) by striking out the word 'and' at the end of paragraph (1);

"(C) by striking out the period at the end of paragraph (2) and inserting '; and' in place thereof; and

"(D) by inserting the following new paragraph after paragraph (2):

" '(3) "officer" is not limited by section 2104 of this title.' "

Page 70, after line 17, insert:

"(99) Section 903(a) (5) is amended by striking out 'in the civil service or uniformed services'."

Page 70, after line 17, insert:

"(100) Section 8113(b) is amended by striking out 'shall' and inserting 'may' in place thereof."

Page 70, strike out lines 23, 24, and 25.

Page 70, after line 25, insert:

"SEC. 3. Title 10, United States Code, is amended as follows:

"(1) In section 280, strike out '6150,'.

"(2) Chapter 80 is repealed. In the analysis of part II of Subtitle A, strike out the item relating to chapter 80.

"(3) In section 1586(g) (2), strike out 'compensation schedule for the General Schedule of the Classification Act of 1949, as amended,' and insert 'General Schedule as prescribed in section 5104 of title 5' in place thereof.

"(4) In subsections (c) and (d) of section 2031, strike out the words 'noncommissioned and commissioned officers' wherever they appear and insert 'officers and noncommissioned officers' in place thereof.

"(5) In the analysis of chapter 559, strike out item 6112.

"(6) In section 8851(a), insert 'whose name is not on a recommended list for promotion to the reserve grade of brigadier general' after 'in the reserve grade of colonel'."

Page 70, after line 25, insert:

"SEC. 4. Section 107(c) of title 32, United States Code, is amended by striking out '251 and 252' and inserting '402 and 403' in place thereof."

Page 70, after line 25, insert:

"SEC. 5. Title 37, United States Code, is amended as follows:

"(1) In section 415(d) (3), strike out 'is'.

"(2) In section 554(a), strike out 'when it is located outside the United States, or in Alaska or Hawaii'.

"(3) In section 1007(b), strike out the second sentence."

Page 70, after line 25, insert:

"SEC. 6. (a) The Secretary of Labor shall act on any application for an Exemplary Rehabilitation Certificate received under this section from any person who was discharged or dismissed under conditions other than honorable, or who received a general discharge, at least three years before the date of receipt of such application.

"(b) In the case of any person discharged or dismissed from an armed force under conditions other than honorable before or after the enactment of this section, the Secretary of Labor may consider an application for, and issue to that person, an Exemplary Rehabilitation Certificate dated as of the date of issuance, if it is established to his satisfaction that such person has rehabilitated himself, that his character is good, and that his conduct, activities, and habits since he was so discharged or dismissed have been exemplary for a reasonable period of time, but not less than three years. The Secretary of Labor shall supply to the Secretary of Defense a copy of each Exemplary Rehabilitation Certificate which is issued, and the Secretary of Defense shall place it in the military personnel record of the individual to whom the certificate is issued.

"(c) For the purposes of subsection (b), oral and written evidence, or both, may be used, including—

"(1) a notarized statement from the chief law enforcement officer of the town, city, or county in which the applicant resides, attesting to his general reputation so far as police and court records are concerned;

"(2) a notarized statement from his employer, if employed, giving the employer's address, and attesting to the applicant's general reputation and employment record;

"(3) notarized statements from not less than five persons, attesting that they have personally known him for at least three years as a person of good reputation and exemplary conduct, and the extent of personal contact they have had with him; and

"(4) such independent investigations as the Secretary of Labor may make.

Any person making application under this section may appear in person or by counsel before the Secretary of Labor.

"(d) No benefits under any laws of the United States (including but not limited to those relating to pensions, compensation, hospitalization, military pay and allowances, education, loan guarantees, retired pay, or other benefits based on military service) shall accrue to any person to whom an Exemplary Rehabilitation Certificate is issued under subsection (b) unless he would be entitled to those benefits under his original discharge or dismissal.

"(e) The Secretary of Labor shall require that the national system of public employment offices established under the Act of June 6, 1933, chapter 49, as amended (29 U.S.C. 49 et seq.), accord to any person who has been discharged or dismissed under conditions other than honorable but who has been issued an Exemplary Rehabilitation Certificate special counseling and job development assistance.

"(f) The Secretary of Labor shall report to Congress not later than January 15 of each year the number of cases reviewed by him under this section and the number of Exemplary Rehabilitation Certificates issued.

"(g) In carrying out the provisions of this section the Secretary of Labor is authorized to (1) issue regulations; (2) delegate his authority; (3) utilize the services of the Civil Service Commission for making such investigations as may be mutually agreeable."

Page 71, line 1, strike out "Sec. 4." and insert "Sec. 7."

Page 71, line 4, strike out "(70)" and insert "(71)".

Page 71, line 13, strike out "Sec. 5." and insert "Sec. 8."

Page 72, line 7, strike out "Sec. 6." and insert "Sec. 9."

Page 72, line 8, strike out "1–5" and insert "1–8".

Page 72, line 13, strike out "1–5" and insert "1–8".

Page 72, line 18, strike out "1–5" and insert "1–8".

Page 72, line 22, strike out "1–5" and insert "1–8".

Page 73, line 13, after "(12)," insert "(22),".

Page 73, line 14, strike out "and (98)" and insert "(98), (99), and (100)".

Page 73, line 18, strike out "Sec. 7." and insert "Sec. 10."

Page 74, line 2, strike out "6" and insert "9".

Mr. CELLER (during the reading of the Senate amendments). Mr. Speaker, I ask unanimous consent that the further reading of the Senate amendments be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, I do so for the purpose of asking the chairman of the Committee on the Judiciary to explain to the House the changes that were made and whether the changes were substantive or otherwise.

Mr. CELLER. This bill passed both Houses unanimously.

They concern the classification of salaries of employees of the Federal Government and the Coast Guard.

Practically all of the changes are clerical and technical in nature and none of them are substantive in any way.

Mr. GERALD R. FORD. If I may pursue the matter further, does this action meet with the approval of the gentleman from Ohio [Mr. McCulloch] and the gentleman from Virginia [Mr. Poff] and other members of the committee?

Mr. CELLER. It does. It is the unanimous recommendation of the Committee on the Judiciary including the gentlemen you have named: namely, the gentleman from Virginia [Mr. Poff] who is the ranking minority member of the Subcommittee on Revision and Codification of the Laws, and the gentleman from Ohio [Mr. McCulloch], the ranking member of the Committee on the Judiciary.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD I yield to the gentleman.

Mr. GROSS. Does this provide for any additional supergrades or upgrading of any employees?

Mr CELLER. No, the amendments do not.

Mr. GROSS. And all of the amendments are germane to the bill?

Mr. CELLER. Yes.

The SPEAKER Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

A PRESIDENT AND A PARTY OF THE PEOPLE

Mr. MACHEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MACHEN. Mr. Speaker, the 1960's are rapidly drawing to a close. And I believe history will judge this decade as a period of great Democratic leadership.

This has not been an easy period for the Nation. But under the leadership of two great Democratic Presidents America has reached new heights of economic and social progress.

Our people enjoy unprecedented economic prosperity. And this generation of Americans—perhaps more than any other—has been responsive to the needs of those who are still outside the mainstream of our national life.

President Johnson's record as a Chief Executive who has done more to improve the Nation's health and education, the quality of its urban life and created a new commitment to equal opportunity.

Mr. Speaker, the President's critics notwithstanding, there is no question but that the American people will return to office a President and a party that have accomplished so much of lasting value to improve the quality of our national life.

The 1960's will bring 10 consecutive Democratic years of achievement. For these have been the years of John F. Kennedy and Lyndon B. Johnson.

CONTINUING APPROPRIATIONS FOR 1968

Mr. MAHON. Mr. Speaker, pursuant to the order of the House on Monday last, I call up the joint resolution (H.J. Res. 804) making continuing appropriations for the fiscal year 1968, and for other purposes, and ask unanimous consent that the joint resolution be considered in the House as in Committee of the Whole.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CALL OF THE HOUSE

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 233]

Anderson, Tenn.
Ashley
Ayres
Blanton
Dulski
Erlenborn
Fallon
Fisher
Giaimo
Goodling
Green, Oreg.
Hawkins
Holifield
Holland
McEwen
MacGregor
Mize
Pucinski
Purcell
Resnick
Roudebush
Saylor
Thompson, N.J.
Williams, Miss.
Willis

The SPEAKER pro tempore (Mr. Albert). On this rollcall 405 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONTINUING APPROPRIATIONS FOR 1968

The SPEAKER pro tempore. The Clerk will read the joint resolution.

The Clerk read the joint resolution, as follows:

H.J. RES. 804

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (c) of section 102 of the joint resolution of June 30, 1967 (Public Law 90–38), is hereby amended by striking out "August 31, 1967" and inserting in lieu thereof "September 30, 1967".

Mr. MAHON. Mr. Speaker, I move to strike the last word.

Mr. Speaker, this is an amendment to the continuing resolution. It merely changes the date from August 31 to September 30 so that the continuing resolution would continue through September. It is necessary that we pass this resolution so that the operations of the Government can continue uninterrupted beyond August 31. I will not detain the House with the details, but will elaborate my remarks to some extent for general information purposes.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Speaker, I thank the gentleman from Texas for yielding.

There is no opposition to this resolution on this side of the aisle. If we do not pass the resolution we will be in complete chaos as far as many of the operations of the Government are concerned.

The Committee on Appropriations has completed the vast majority of its session's work in the House. A number of bills are now pending in the other body, awaiting action there. The foreign aid bill which we are going to continue to consider today is an authorizing bill, which must be passed before the Appropriations Committee can bring in its report; but I might say, Mr. Speaker, as far as the Committee on Appropriations is concerned we are as near up to date as we can be and are now waiting for authorization bills and action by the other body, and I would hope that this is the last continuing resolution that will be necessary.

I thank the gentleman for yielding.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I would ask the gentleman from Texas if he believes that this Congress will be through with its business and adjourned by September 30?

Mr. MAHON. Of course, I do not know. I doubt it very seriously. I doubt that we will be able to finish our work and adjourn by that time, but we will certainly have completed work on practically all of the appropriation bills, if we can get the bills back from the other body, and get the necessary authorizations on the three remaining bills. We have passed in the House all but three of the fiscal 1968 bills. We are waiting for the authorizations on those—foreign assistance, military construction, and the closing supplemental bill with such major items as the antipoverty program.

Mr. GROSS. Well, a more appropriate date would probably be about November 30, would it not?

Mr. MAHON. At times the Congress moves with some considerable speed, but we are not moving very rapidly now. But I would hope, as the cooler weather sets in, that we would possibly start moving with a more sprightly step in disposing of our business.

Mr. GROSS. I certainly join with the gentleman in that hope, but again I say that around here we live in hope, and sometimes think we will die in despair.

I will say to the gentleman, I am a little surprised. With the date of September 30, we will go through this rigmarole again next month just as sure as the gentleman from Texas and the gentleman from Iowa are standing on this floor at this moment. We will go through this again in September. I think a more realistic date would be about November 30 and perhaps we ought to go even to December 30 as a forward date.

Mr. MAHON. We ought to have a better estimate of that by September 30.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman.

Mr. BOW I hate to think, as the gentleman from Iowa has said, that we will be back on November 30 with another continuing resolution. I hope we can finish the work by the 30th of September. I am sure every effort will be made by the Committee on Appropriations toward the goal. But as the gentleman from Iowa and the gentleman from Texas know, a great deal depends on the cooperation we get from the other side of the Capitol and from our own committees in bringing authorizing legislation to the floor.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman.

Mr. CURTIS. I only want to comment that I think the gentleman from Iowa is being a great deal more realistic. The Committee on Ways and Means has adjourned or recessed its hearings on the President's proposals to increase taxes until after this Labor Day recess. One of our difficulties in our hearings is trying to get information from the administration on expenditures as well as on appropriations. So from a more realistic standpoint, even though the gentleman's comimttee, which does work hard, meets its date of September 30, I am afraid that the Congress might well be around here.

SCOPE OF THE CONTINUING RESOLUTION

Mr. MAHON. Mr. Speaker, under leave granted, I am including excerpts from the committee report on the pending resolution:

Briefly, the emphasis in the resolution is on the *continuation of existing projects and activities* at the lowest of one of three rates, namely, the fiscal year 1967 rate; the budget request for 1968 where no action has been taken by either House; or the more restrictive amount adopted by either of the two Houses. The whole thrust of the resolution is to keep the Government functioning on a minimum basis until funds for the full year are supplied in the regular course of events.

While the outside date in this second resolution is September 30, it is just that—an outside date. Like continuing resolutions of the past, it ceases to apply to an agency or activity concurrent with approval by the President of the applicable appropriation bill in which provision for such agency or activity is made. Thus, the scope of the resolution constricts as each regular bill is enacted; and it becomes wholly inoperative after the last approval.

Under this resolution, then, all the appropriation bills would have to be signed by the President by September 30 if a hiatus is to be avoided or further action obviated.

As with previous continuing resolutions, this one does not in any way augment the appropriation for a given project or activity in the regular bills for the fiscal year 1968. In the words of the resolution being extended:

"* * * expenditures therefrom shall be charged to the applicable appropriation fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law."

In other words, while this resolution—as in the case of similar resolutions of previous years—does not enumerate *specific* amounts that may be obligated and expended for the countless activities of government during the interim July–September period, the controlling factor, known to all who have any responsibility for the management of the programs or the obligation of the funds, is that whatever is used during this interim must be taken out of, or charged against, whatever amount is finally appropriated in due course for the whole year.

DELAYS IN APPROPRIATION BILLS

The Committee's original reporting plan, released on April 10, was to bring all of the regular annual bills for fiscal 1968 to the House during the period March 20–June 30. The last one, for the new Department of Transportation, was scheduled to be reported on June 30.

The first 9 bills for 1968 were reported on schedule, but all the others were, or still are, either wholly or in significant part delayed for lack of more timely enactment of a number of related annual authorization bills.

The Public Works appropriation bill includes the atomic energy budget, and was held awaiting clearance of the annual authorization bill.

The new Transportation appropriation bill includes the Coast Guard budget, for which the annual authorization routine was delayed slightly.

The space budget (NASA) was left out of the Independent Offices—HUD bill earlier in the session due to lack of an underlying authorization which cleared only on August 8th, and to expedite the matter, a separate NASA appropriation bill was just recently processed in the House.

The Foreign Assistance and Military Construction appropriation bills continue to await disposition of the related annual authorization bills.

There will also be the usual closing supplemental bill later in the session.

As Members know, the Committee on Appropriations cannot, within the rules, report appropriations for any purpose not previously authorized by separate law. Hearings are completed on the pending bills. The Committee has been at a virtual standstill for weeks.

Following is a tabulation comparing the original committee reporting schedule with the status of the annual bills for 1968, two of which remain to be reported—not counting the customary closing supplemental bill:

THE ANNUAL APPROPRIATION BILLS AS OF AUG. 24, 1967

Bill	Committee reporting schedule, Apr. 10, 1967	Reported to House	Passed House	Passed Senate	Final congressional action	Notes
Treasury-Post Office	Mar. 20	Mar. 20	Mar. 22	May 23	June 29	
District of Columbia	Apr. 14	Apr. 13	Apr. 18			
Interior	Apr. 21	Apr. 21	Apr. 27	May 18	June 12	Bill omitted provision for saline water program for lack of authorization bill (budget $13,482,000).
Independent offices—HUD	May 12	May 12	May 17			Bill omitted NASA, budget $5,100,000,000, plus a couple of small items due to authorization bill delay.
Labor-HEW	May 22	May 22	May 25	Aug. 2		Bill omitted anti-poverty program, budget $2,060,000,000, and 10 or a dozen other programs, budgets totaling some $261,840,100, due to lack of authorization bills.
State, Justice, Commerce, and judiciary	May 26	May 25	May 31			Bill omitted Appalachia item, budget $33,000,000, due to lack of authorization bill.
Legislative	May 26	May 25	June 1	July 10	July 24	
Agriculture	June 2	June 2	June 6	July 13		Bill omitted an Appalachia item, budget $3,000,000, due to lack of authorization bill.
Defense	June 9	June 9	June 13	Aug. 22		
Public Works	June 16	July 20	July 25			Delay, awaiting AEC authorization bill, budget $2,646,100,000, plus 4 small items, budgets $15,385,000 not yet authorized.
Transportation	June 30	July 13	July 18			Authorization bill for Coast Guard (budget $107,014,000) was delayed slightly.
NASA		Aug. 18	Aug. 22			Not originally scheduled as a separate bill. Annual authorization bill cleared Congress Aug. 8.
Military Construction	June 16					Awaiting authorization bill, budget $2,937,000,000.
Foreign Assistance	June 23					Awaiting authorization bill, budget $3,818,736,000.

Note: Supplemental bill for 1968, for which no reporting date was set, is not listed, but it is scheduled to carry, in addition to any necessary last minute supplements, such major items as the antipoverty program.

THE APPROPRIATION BUSINESS OF THE SESSION

* * * * *

Bills to date

The House has considered, at this session, 14 general appropriation bills—2 supplemental bills for the fiscal year 1967 and 12 regular bills relating to fiscal 1968.

In the 14 bills of the session, the House has considered budget requests for appropriations of $138,574,509,837. Against that aggregate, the House approved appropriations totaling $134,585,569,839, an overall reduction of $3,988,939,998. The total of every bill was less than the corresponding budget request. Relatively minor further reductions in 4 of the 14 bills reported from the Committee on Appropriations were made on the House floor, involving a combined floor cut of $29,618,118 from the reported versions.

Bills for fiscal 1967

The 2 bills for fiscal 1967 involved budget requests for appropriations of $14,410,802,833. The House approved $14,238,346,133, a reduction of $172,456,700. The major portion of the total approved was in the special supplemental for Southeast Asia military requirements—$12,196,520,000.

Final budget requests for appropriations considered in these two bills totaled $14,533,474,652, against which $14,394,451,417 was appropriated, a net reduction, overall, of $139,023,235, in those requests.

Bills for fiscal 1968

The 12 bills for fiscal 1968 thus far considered in the House involved budget requests for appropriations of $124,163,707,004. The House approved $120,347,223,706, an overall reduction of $3,816,483,298. These sums include advance funding for fiscal 1969 for the urban renewal and urban mass transit programs and aid to airport grants (budgets, $1,055,000,000; House approved, $990,000,000).

Expenditure Impact.—Of course, not all of the $3,816,000,000 House reduction to date against fiscal 1968 budget *appropriations* requests will translate into an *equal* reduction from the budget estimate of *expenditures* (disbursements) *during* the same fiscal year 1968, for the simple reason that, like the normal pattern of events, it was not expected, and thus not estimated that anywhere near the full amounts requested for appropriation for fiscal 1968 would actually also be paid out within the same (fiscal 1968) year. Carryover unexpended balances for expenditure in subsequent years are a normal thing. But a reduction in appropriation is nonetheless a reduction in proposed spending—in either the same year, the year following or beyond.

Participation sales authorizations.—While the amounts involved do not enter into the appropriation or spending authority totals, House actions in certain of the bills on the requests, submitted pursuant to the Participation Sales Authorization Act of 1966, for authority to issue participation certificates against pooled loan paper do directly affect the budgeted deficit. This is because proceeds from such sales are counted in the budget as offsets to budget expenditures rather than as budget receipts. The House acted on $4,300,000,000 of such sales authority requests but, as a result of floor actions, approved only $1,946,000,000, and thus, by so doing, "increased" the administrative budget deficit by the difference of $2,354,000,000 (partially offset by the $750,000,000 sales shortfall estimated in the January budget, so that, technically, the effect is $1,604,000,000), although as noted, *did not* thereby increase government appropriations or spending authority or actual governmental expenditure outlays.

Totals to be considered

Of the $138.6 billion of budget requests for appropriations thus far considered in the House, $83,859,870,000 was involved in 2 Defense bills; $54,714,639,837 related to nondefense bills. Of the total reduction of $3,988,939,998 thus far made by the House in the 14 bills, $2,620,789,998 was cut from the nondefense requests, $1,368,150,000 is the net cut recommended from the two defense bills thus far considered—the defense supplemental for fiscal 1967 and the regular annual defense bill for fiscal 1968.

The $138.6 billion of budget requests for appropriations thus far considered in the House represents roughly 94 percent or so of the total appropriations which it is now tentatively indicated will be submitted for action in bills this session. Unforeseen circumstances could of course, intervene and alter the outlook, but it is now indicated that Congress will be asked to appropriate, at this session, largely for fiscal years 1967 and 1968 and to a very limited extent for advance funding for fiscal 1969, something on the order of $163,500,000,000 or a little more, for administrative budget purposes, counting roughly $15,200,000,000 of so-called permanent appropriations such as interest on the national debt that must be reckoned in the totals even though such appropriations do not come before the Congress for votes in the annual appropriation bills. The $15.2 billion figure may be on the low side because, depending on what happens in a number of expenditure areas, including defense, and what happens in respect to revenues, borrowings could be heavier and thus interest on the debt could be somewhat higher. According to recent Executive Branch estimates in connection with the pending tax bill, it could go as much as $700,000,000 higher, again depending on a number of contingencies.

Summarizing the figures another way, the $163.5 billion probable total administrative budget requests for appropriations at this session—the total may be higher than 163.5—would involve—

(*a*) about $86,800,000,000 in 3 defense bills of the session (the fiscal 1967 supplemental in the spring; the regular annual bill for fiscal 1963; and the military construction bill not yet reported from committee);

(*b*) about $61,500,000,000 in 14 other bills of the session; and

(*c*) about $15,200,000,000, plus, in so-called permanent appropriations that accrue under laws of earlier years and must be counted but which are not before the House for action in bills of the session.

Amounts yet to be reported

The foregoing overall probable budget and appropriation total for the session includes $9,040,685,000 of specific budget requests *presently* involved in the 3 bills still pending in the Committee on Appropriations of the House, as follows:

1. Foreign aid, $3,818,736,000,
2. Military construction, $2,937,000,000, and
3. Closing supplemental (poverty, etc., budgets deferred from earlier bills for lack of authorization), $2,284,949,000.

The $2.289 billion figure for the closing supplemental, and thus the $163.5 billion approximation as a session total of the budget requests for appropriations, may be on the low side by some indeterminate amount because of necessary last minute supplements not yet received from the President.

Senate action

The Senate has passed 8 of the 14 appropriation bills thus far messaged to it from the House—the 2 supplementals for fiscal 1967 and 6 regular bills for fiscal 1968.

The 8 bills involved budget appropriation requests of some $113.912 billion considered by the Senate. They would have appropriated about $114.024 billion, a net increase of $112 million above the budget requests and some $2.490 billion above the House amounts in those bills.

Substantial amounts of dollar differences between the two Houses are still pending resolution in conference. And large amounts are yet to come before the Senate for a vote.

Final action

Five appropriation bills have received final clearance this session—the 2 supplementals for fiscal 1967 and 3 bills for fiscal 1968. They involved some $23,882,000,000 of budget requests for appropriations. They appropriated $23,598,000,000, a reduction of $284,000,000.

The conference report on the defense bill may be cleared in a day or so. The budget requests for appropriations are $71,584,000,000. The House approved $70,295,200,000. The Senate approved $70,132,320,000. The Senate version was $1,451,680,000 below the budget.

A summary of the grand totals on the bills to date follows:

COMPARATIVE SUMMARY OF APPROPRIATION BILL TOTALS, 90TH CONG., 1ST SESS., AS OF AUG. 24, 1967

[Does not include any "back door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	All figures are rounded amounts		
	Bills for fiscal 1967	Bills for fiscal 1968	Bills for the session
A. House actions:			
1. Budget requests for "appropriations" considered	$14,411,000,000	[2] [3] $124,163,000,000	$138,574,000,000
2. Amounts in 14 bills passed by House	14,238,000,000	[2] [3] 120,347,000,000	134,585,000,000
3. Change from corresponding budget requests	−173,000,000	−3,816,000,000	−3,989,000,000
B. Senate actions:			
1. Budget requests for "appropriations" considered	14,533,000,000	[3] 99,379,000,000	113,912,000,000
2. Amounts in 8 bills passed by Senate	14,457,000,000	[3] 99,567,000,000	114,024,000,000
3. Change from corresponding budget requests	−76,000,000	+188,000,000	+112,000,000
4. Compared with House amounts in these 8 bills	+219,000,000	+2,271,000,000	+2,490,000,000
C. Final actions:			
1. Budget requests for "appropriations" considered	14,533,000,000	9,349,000,000	23,882,000,000
2. Amounts approved in 5 bills enacted	14,394,000,000	9,204,000,000	23,598,000,000
3. Comparison with corresponding budget requests.	−139,000,000	−145,000,000	−284,000,000

[1] Permanent appropriations were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968.

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget $980,000,000; House bill, $925,000,000) and for grants-in-aid for airports (budget, $75,000,000; House bill, $65,000,000).

[3] And participation sales authorizations as follows: Total authorizations requested in budget, $4,300,000,000; total in House bills, $1,946,000,000; total in Senate bills, $700,000,000.

BUDGET DEFICITS

For the current fiscal year 1968, the January tentative administrative budget deficit projection was $8.1 billion—resting, however, as always, on a number of assumptions and a number of proposed legislative actions. That projection is, of course, now wholly invalid. Budget projections never materialize; they always turn out differently. They often turn out worse; sometimes for the better. They always rest on many assumptions, many contingencies, many uncertainties. This year's budget projections were no exception.

The tentative character of the projected deficit for fiscal 1968 was pointed out on the House Floor on January 24th, the day the President's new budget was submitted. It was noted that even if only a handful of selected budget assumptions and contingencies did not materialize, the administrative budget deficit for 1968 could go as high as $18.3 billion.

The President's message of August 3 (H. Doc. 152) now puts the 1968 budget deficit in the range of from $14 billion to $29 billion, a more precise figure depending on a number of unknowns. It hinges partly on certain assumptions about Vietnam spending and about both congressional and executive branch actions in the fiscal field. But even under the more favorable assumptions, a budget deficit range of $14–$18 billion is indicated for fiscal 1968, in sharp contrast to the original projection of $8.1 billion only seven months ago.

Mr. Speaker, I ask for a vote on the joint resolution.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO REVISE AND EXTEND REMARKS

Mr. MAHON. Mr. Speaker, I ask unanimous consent that Members who spoke on the joint resolution just passed may revise and extend their remarks and include tables and extraneous material.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FOREIGN ASSISTANCE ACT OF 1967

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 12048) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 12048, with Mr. PRICE of Illinois in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, it had agreed that section 101 ending on page 6, line 2, of the bill be considered as read and open for amendment at any point.

Are there further amendments to section 101?

AMENDMENT OFFERED BY MR. O'HARA OF ILLINOIS

Mr. O'HARA of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'HARA of Illinois: On page 4, line 12, strike out the words "home ownership and".

Mr. O'HARA of Illinois. Mr. Chairman, homeownership and decent housing constituted a very successful part of our program in Latin America and largely in recognition of that there was offered by the gentleman from Florida [Mr. FASCELL] an amendment which the Committee on Foreign Affairs accepted, I think, unanimously.

I wish to say that I supported the amendment, not realizing at the time that the words "land ownership," while acceptable and applicable in Latin America, and I think in our own country, might be received differently in Africa and invite a clash of concepts.

The reason for my amendment is that in Africa private ownership of land is regarded as part and parcel of the colonial era. Let me read the remarks on this subject by Julius Nyerere, the President of Tanzania, for whom I have high regard, and who is held in high esteem in this country as well as in many other countries the world around. In his book entitled "Freedom and Unity," on page 166, he states:

> In our traditional African society we were individuals within a community. . . .
>
> To us in Africa land was always recognized as belonging to the community . . .
>
> Each individual within our society had a right to the use of land. But the African's right to land was simply the right to use it.
>
> The foreigner introduced a completely different concept, the concept of land as a marketable commodity. According to this system, a person could claim a piece of land as his own private property whether he intended to use it or not.

Mr. Chairman, I, like most Americans, believe in private ownership of homes. It is one of the strong stabilizing elements in our society. Americans are encouraged to own their own homes, although we all are familiar with abuses and evils that sometimes comes from absentee landlordism.

But in Africa there is a different thought. They believe that all land is for the use of the people who need it. They do not believe in private ownership. I do not welcome a clash of concepts in the name of foreign aid. That is why I have offered the amendment. I do not believe we should get into a controversy in the name of foreign aid on the economic and political philosophies of other countries.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Connecticut.

Mr. MONAGAN. The gentleman has brought up an interesting point. We do not want to outrage the sensibilities of any of our friends throughout the world. On the other hand, may I suggest to the gentleman that the phrase which appears in the legislation here, "homeownership," is not necessarily confined to individual homeownership. There might be various types of homeownership. There might be combinations, cooperatives, corporations, or anything else. So this language is not necessarily contrary to what the Government is saying.

Mr. O'HARA of Illinois. My purpose in offering the amendment was largely to have a clarifying discussion of the matter on the floor of the Committee. I wonder if I might get the reaction of the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Florida.

Mr. FASCELL. I wish to thank my distinguished colleague for making a very important point that needs to be made quite frequently when we discuss programs of this kind. Obviously, we do not desire to change the concepts with respect to the title of lands in any particular country. "Homeownership," as used in this bill, deals strictly with the investment program for the construction of homes in those countries that desire to engage in home construction programs either public or private. Therefore, I believe in presenting his amendment, the gentleman has helped to make legislative history. He has helped to make it clear that the language which is in the policy statement is in no way designed to change basic land ownership concepts of individual countries unless they, themselves, seek to do so. With that explanation in the RECORD, I trust that he would withdraw his amendment and let the legislative history stand.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Ninety-two Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 234]

Ashley
Blanton
Diggs
Erlenborn
Fallon
Fisher
Giaimo
Goodling
Green, Oreg.
Hanna
Hawkins
Holland
Irwin
McEwen
Mize
O'Neill, Mass.
Pool
Pucinski
Purcell
Roudebush
Saylor
Thompson, N.J.
Williams, Miss.
Willis

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H.R. 12048, and finding itself without a quorum, he had directed the roll to be called, when 407 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. CONYERS. Mr. Chairman, I move to strike out the last word.

I thank the distinguished chairman of the committee for permitting me to add just a few words in support of the amendment offered by the distinguished gentleman from Illinois [Mr. O'HARA].

I think the concept of striking out the words "home ownership," the concept of which is not very well known in the African nations, reflects the concern of the distinguished subcommittee chairman and his understanding of the customs and problems of the peoples of the world.

I think Mr. O'HARA's concern springs from a book that was written by President Julius Nyerere of Tanzania.

On page 166 of President Nyerere's book, "Freedom and Unity," he speaks about the African concept and the concern of holding lands open to all people who need them. So in that sense the concept of homeownership, as we understand and appreciate it in this country, is not very well known in Africa.

I think this kind of concern in our foreign relations, Mr. Chairman, is extremely important and the distinguished gentleman from Illinois [Mr. O'HARA] has reflected this kind of concern throughout his years of service on this very important committee.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I am delighted to yield to the gentleman.

Mr. FINDLEY. Just as a point of information, is it not true also that the idea of private property is not well known or accepted in Africa?

Mr. CONYERS. The gentleman is correct. It is not a developed idea at this stage. I think perhaps the gentleman from Illinois could expand on that by saying it is in the process of becoming integrated into the ideas of many of the African societies at the present moment, but it is not accepted generally as it is in this country.

Mr. FINDLEY. Although the idea of personal land tenure may not be widely accepted, would it not be in the interest of Africa to encourage them to explore the homeownership area even though the ownership of homes might not necessarily involve ownership of real estate too.

Mr. CONYERS. I think the gentleman is right and I agree with everything he has said.

Mr. FINDLEY. In that event I would not see any objection to leaving it in the bill.

Mr. CONYERS. I do not think that we are going to make a good beginning, if I might suggest to the gentleman, by passing legislation that is going to force them into this concept.

Mr. FINDLEY. Of course, there is no compulsion involved here.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman.

Mr. O'HARA of Illinois. I thank the gentleman from Michigan.

Mr. Chairman, the gentleman from Florida has made it very clear that this is not intended to be interpreted as a clash of concepts. He has assured us that the language in the bill is not intended for a moment to question the thinking or the concepts of the African peoples. I have admiration and affection for the president of Tanzania, whose friendship I have enjoyed for many years, and I would not wish in a bill on foreign aid any language that might be interpreted as a reflection on the philosophical, economic and political beliefs of an outstandingly great African statesman.

In view of the clarifying statements of the able gentleman from Florida and that I believe we have made legislative history on the floor in the debate I thank all who have participated in this discussion and ask unanimous consent to withdraw my amendment

Mr. CONYERS. Mr. Chairman, I yield back the balance of my time.

Mr. O'HARA of Illinois. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. DERWINSKI

Mr. DERWINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DERWINSKI: On page 5, immediately after line 13, insert the following:

"It is the sense of the Congress that the President should suspend assistance under this or any other Act, including any program designed to complement assistance under this Act (such as sales under the Agricultural Trade Development and Assistance Act of 1954), to the United Arab Republic and to the Syrian Arab Republic."

Mr. DERWINSKI. Mr. Chairman, in the vernacular of the committee, this is a perfecting amendment. It would merely put into the hands of the State Department, as I see it, a weapon of practical influence.

I remind Members that since the start of the various foreign aid programs some 20 years ago, Syria has been the recipient of $75 million and the United Arab Republic $1,136,000,000. The results, if any, to the United States, to those countries and to their citizens have been rather nil. Then we should take into account that Syria and the United Arab Republic have been the major causes of unrest in the Middle East. We ought to give the State Department extra leverage to deal with them. I would think that by accepting this amendment, which is a "sense of Congress" amendment stating that we feel that aid to these countries should be suspended, we would give the State Department a very valuable weapon.

They would not have to apologize to the Syrian or to the United Arab Republic authorities; all they have to do is to say, "That nasty old Congress is threatening to cut you off. Therefore, will you please cooperate? Will you drop your antagonism toward Israel?" or whatever else we would be suggesting they do.

With the fear of stronger congressional action in the future, it may well be that this would be a very valuable tool for the State Department to have.

So looking ahead to the practical use of this "sense of Congress" language, I feel that the amendment would be a welcome addition to the bill. I believe it speaks for itself. It is self-explanatory.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Florida.

Mr. FASCELL. The language to which the gentleman's amendment is directed already includes the two countries which the gentleman has specified in the amendment. Is that not correct?

Mr. DERWINSKI. In general, yes, in general language. But I was deliberately being more specific.

Mr. FASCELL. I understand the gentleman's purpose. I just want to make it clear that the general language includes the two countries which the gentleman specifically spells out in his proposed amendment; is that correct?

Mr. DERWINSKI. Correct.

Mr. FASCELL. Does the gentleman think that perhaps by only mentioning two of the countries and not all of the countries, some unfortunate inference might be drawn from the gentleman's amendment?

Mr. DERWINSKI. No, I think just the opposite. I think that in mentioning the two countries that have been most difficult to deal with, by indicating to them—and that is why I have proposed the amendment to the "sense of Congress" section—our attitude, it will be a signal to those countries that the patience of Congress may be at an end. I think this will be a very valuable weapon for the State Department.

Mr. FASCELL. Mr. Chairman, will the gentleman yield further?

Mr. DERWINSKI. I yield to the gentleman from Florida.

Mr. FASCELL. I appreciate the gentleman's desire. I think it is well taken. The only point, as I see it, is that the general language covers all the countries, including the two countries which the gentleman specifically spells out in the amendment. But in the report we cover all of the countries. I believe the legislative history is quite clear. In trying to do what the gentleman's amendment proposes, and which is well motivated, I think it might have an adverse inference which the gentleman does not intend.

Mr. DERWINSKI. You do not feel that it would be valuable leverage? Actually the gentleman is saying it is unnecessary.

Mr. FASCELL. May I say the language covers the general point the gentleman seeks to make, and the legislative history makes clear what countries we are talking about. But by amendment then to specifically pick out just two of the countries to have severed diplomatic relations, we raise an unfortunate inference that in some way we do not mean to deal as harshly with the others.

Mr. DERWINSKI. My inference would be that we intend to be a little firmer with these two. This has been a very helpful exchange. I think it was of benefit to all Members on the floor. I thank the gentleman.

Mr. GALLAGHER. Mr. Chairman, I rise in opposition to the amendment.

I would like to point out that Mr. Fascell has made the point that these countries are already included in the bill. In fact, there was nothing that took a greater amount of time than this issue did with our committee. We grappled with the language for 6 weeks. It was the feeling of our committee we should not single out specific countries by name in the bill, although the report does take care of the problem we are now discussing.

The fact of the matter is that to these countries which are the subject of the amendment we have already terminated all aid and assistance. The bill provides that if the executive branch did not terminate aid, this bill by its very language would terminate that aid. I would like to report that the aid has been terminated.

Further, I would like to say at the completion of the deliberations of the committee in its wisdom and liberality voted by 21 to 2 to reject the kind of language that would specify countries by name and show a sensitivity to events in the Near East. The language that is presently in the bill, which takes care of this problem, was adopted by a vote of 21 to 2, which reflects the thinking of both sides on this issue. So rather than open it up and add further friction to the already complicated problems in the Near East, I would hope that we would reject this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. Derwinski].

The amendment was rejected.

AMENDMENT OFFERED BY MR. REID OF NEW YORK

Mr. REID of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Reid of New York: On Page 5, line 9: following "objective," add the following: "the United States should encourage, as part of pacific settlement, direct talks among the parties concerned, using such third parties or United Nations assistance as they may wish. To this end,".

Mr. REID of New York. Mr. Chairman, this is a very simple and, I believe, a very direct amendment. It encourages direct talks amongst the parties to the dispute in the Near East, using such third party or U.N. assistance as they may wish. It is consistent with the U.S. position and consistent with the draft resolution that the United States offered at the United Nations on June 13, 1967. Further, it is consistent with the Charter of the United Nations, which calls on the parties to any dispute in the first instance to try to settle it themselves.

I believe that meaningful progress toward a permanent peace and not another armistice in the Near East requires that there be recognition of the merits of direct talks and, where possible, that the United States should facilitate this.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Mr. Chairman, I am authorized by the chairman to say that this language is acceptable. It meets with the intent of the bill and with the intent of the goals that our Government, I think, is pursuing in the Near East.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the distinguished chairman of the Foreign Affairs Committee.

Mr. MORGAN. Mr. Chairman, I think the gentleman's language improves the language in the bill. There is only one word in the gentleman's amendment, the word "direct," which bothers me a little bit. I think without the word "direct" it would be better, but I have no objection to the amendment.

Mr. TAFT. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from Ohio.

Mr. TAFT. Mr. Chairman, I commend the gentleman for his amendment. I strongly support it. I believe the efforts of the United States in the direction of trying to obtain direct negotiation of the parties in the Middle Eastern dispute should have been stronger than they have been. Specifically, I would like to call the attention of the body to article 33 of the United Nations Charter in this respect, which says:

> 1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.
>
> 2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

I believe the gentleman's amendment is fully in accord with that principle of the Charter of the United Nations, which I would have hoped our Nation long ago could have invoked.

Mr. REID of New York. I thank the gentleman for his very thoughtful comment and for his continued interest in trying to work toward meaningful peace in the Near East. The gentleman is absolutely correct that article 33 of the charter is precisely what is involved. I believe the amendment is totally in accord with that concept.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I am happy to yield to the distinguished chairman of the Judiciary Committee.

Mr. CELLER. It is true, is it not, that the Israeli would welcome a situation of this sort, where they could have direct negotiations with the Arab nations.

Mr. REID of New York. That is entirely correct. I believe Israel feels very strongly that it is essential that there be direct talks.

Mr. CELLER. Does the gentleman not believe that the nations like our own might well try to encourage direct negotiations between Israel and her Arab neighbors?

Mr. REID of New York. I do. That is precisely the intent of the amendment.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I am happy to yield to the gentleman from New York.

Mr. BINGHAM. I thank the gentleman. I should like to compliment him on his amendment, which seems to be an improvement in the bill. I certainly agree with the gentleman on the importance of direct talks in this situation.

Mr. REID of New York. I thank the gentleman.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the distinguished gentleman from Florida.

Mr. FASCELL. I should like to join the gentleman with respect to the policy feature he lays forth. Obviously we will not have any permanent peace in the Middle East until direct negotiations do take place. This presupposes the existence of and recognition of Israel as a fact of life and as a government entitled to integrity and position in the Middle East and in the world.

Mr. REID of New York. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Reid].

The amendment was agreed to.

Mr. CHAMBERLAIN. Mr. Chairman, I

move to strike the requisite number of words.

Mr. Chairman, in 1965 I was accorded the opportunity of traveling to Southeast Asia on behalf of the Armed Services Committee. During the course of our travels we stopped at Bangkok, Thailand. Our committee was greeted by our U.S. personnel there and taken into town in a fleet of Mercedes automobiles manufactured in Germany.

I was disturbed by this, and I called this to the attention of our people there in the hope that some remedial action could be taken. I was told they were aware of the problem and intended to do something about it and that they soon hoped to have some U.S. vehicles—Chevrolets, to be specific—that would help to correct the situation.

In 1966 I was again accorded the opportunity to visit this area for the same committee. My friend the gentleman from Missouri [Mr. Ichord] was with me on the first of these trips.

Again we were met at the airport at Bangkok by a fleet of Mercedes automobiles, by our U.S. personnel. On inquiry, I was told that these were provided by the Government of Thailand free of charge for use by our people who were on duty in that country.

I made an inquiry as to why no progress had been made, and I asked specifically how many foreign vehicles were in our motor pool in Bangkok. There were 167 foreign made passenger vehicles there, as opposed to 46 U.S. manufactured passenger vehicles.

That breaks down to 38 Mercedes, 12 Volkswagen buses, 17 Consuls, 46 Morris, six Vauxhall, eight Zodiac, 29 Mercedes 190, a Mercedes 300, and 10 Mercedes buses. Again, this is to be compared with the 46 U.S. passenger vehicles in the same motor pool.

Ever since June of this year I have been trying to determine what the situation is at the present time. I have not yet been able to get a response to my communication sent to our personnel in Bangkok. Since the first of August I have even sent three cables. As yet I do not have a response. I am concerned with our balance-of-payments problems. Out of the goodness of our hearts we are trying to help the other people of the world. In this bill we are authorizing appropriations to help foreign governments which will ultimately permit them to go to Germany or elsewhere and spend other funds for vehicles to give to U.S. personnel to ride the streets of Bangkok. This is true also in other nations of the world to a lesser degree. So, I would like to put this question to the chairman of the committee for the Record, because it is my hope that there are those from other governments who may be curious enough to read our Record as well as some of our own people in the State Department. I am wondering if the chairman of the committee could tell us if he is in accord with the policy of our Government of making funds available to foreign governments for them to use to purchase foreign-made vehicles for our personnel to use in the performance of their duties in foreign countries.

Mr. MORGAN. Will the gentleman yield?

Mr. CHAMBERLAIN. I yield to the chairman of the committee.

Mr. MORGAN. I want to say very emphatically that I am not in favor of purchasing automobiles made overseas. The President's message said 90 cents out of every dollar of economic aid was spent in this country and 95 cents of every dollar of military assistance was spent in the United States. I firmly believe that if we buy automobiles, they should be American made.

Mr. CHAMBERLAIN. I thank the gentleman for his comment. I hope this is an area where we can have further improvement.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. CHAMBERLAIN. I am glad to yield to my colleague.

Mr. ICHORD. Did the gentleman from Michigan ascertain that the funds which the Thai Government used to purchase the automobiles for American use were foreign aid funds?

Mr. CHAMBERLAIN. I cannot say to the gentleman whether that is so or not, but I am told that over the years we have made available in excess of $1 billion to the Thai Government. I am further advised that there are substantial funds in this bill for the Government of Thailand.

Mr. MORGAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to say to the gentleman from Michigan that section 604 of the existing law has a section on procurement. Section a reads as follows:

> Funds made available under this Act may be used for procurement outside of the United States only if the President determines that such procurement will not result in adverse effects upon the economy of the United States or the industrial mobilization base with special reference to any areas of labor surplus or to the net position of the United States in its balance of payments with the rest of the world.

I firmly believe if they are using any automobiles or other things of that nature manufactured by a foreign government, they are not complying with section 604. I firmly believe, as far as I am concerned, that every vehicle that moves over there and belongs to the United States should be American manufactured.

Mr. CHAMBERLAIN. Will the distinguished chairman yield briefly on this point?

I appreciate what the distinguished gentleman from Pennsylvania has said, and I believe this is so. But, the vehicles that have been made available to our motor pool, the MAAG pool in Bangkok, are being made available by the Government of Thailand without any expense whatsoever. So, they would not be reached through the legislation and the section to which the gentleman from Pennsylvania refers.

What I am trying to say to my colleagues here is this: that today we are trying to help the Government of Thailand and they, in turn, in their effort to thank us are providing foreign-made vehicles for our personnel in Thailand for their use in the performance of their duties.

So, my feeling is—and I believe the chairman shares my feeling—that if they are going to do this, we should not ask our personnel to ride up and down the streets in Bangkok in German-made vehicles. If they are going to provide vehicles for our personnel to use, why cannot our people ride in vehicles manufactured in the United States?

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. May I point out to my distinguished colleague that on page 128 of the act, at the bottom of the page, it states that—

> None of the funds contained in this paragraph shall be available for the purchase of new automobiles and vehicles outside the United States.

So, we do have a restriction upon it.

Mr. CHAMBERLAIN. Mr. Chairman, if the gentleman from Pennsylvania will yield further, I appreciate the gentleman from New Jersey [Mr. Gallagher] calling that fact to my attention. I would say to him, however, Mr. Chairman, that I am the author of that amendment.

Mr. GALLAGHER. Mr. Chairman, if the gentleman from Pennsylvania will yield further, I want to congratulate the gentleman from Michigan, because we are in agreement upon this question.

Mr. CHAMBERLAIN. Mr. Chairman, if the gentleman from Pennsylvania will yield further, we have a situation here where they are not using these funds which have been appropriated for the purchase of these vehicles directly.

In other words, the Thai Government will come to us and say, "We are purchasing these vehicles ourselves and we are making these vehicles available to your personnel for their use."

We want to help Thailand, but why should they insist that our people ride in foreign made vehicles at the expense of our own taxpayers.

Mr. GALLAGHER. Mr. Chairman, if the gentleman from Pennsylvania will yield further, well, we have another provision under this bill to the effect that unless the Thai Government has some reciprocal agreement in order to make up their payments situation, and goes and buys German-made goods——

Mrs. KELLY. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the distinguished gentlewoman from New York.

Mrs. KELLY. I would like to say at this point that 90 percent of the money authorized under this act is spent here in the United States of America.

Mr. CHAMBERLAIN. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield further to the gentleman from Michigan.

Mr. CHAMBERLAIN. If I may respond further, I have said time and time again that I recognize that fact; but what I am trying to do is to establish a record that will impress the Government of Thailand and others with the fact that we do not like their using our own money to indirectly provide foreign-made vehicles for our people assigned to duty in their country.

Mr. CURTIS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I had intended to take

the floor during general debate to challenge a statement contained in the committee report, and also the statement which has just been made by the distinguished gentlewoman from New York [Mrs. KELLY] to the effect that 90 percent of this money is spent in the United States.

This is the result of some pretty fancy bookkeeping. The actual facts are to the contrary.

On page 3 of the committee report there is this quotation from the President of the United States:

> Foreign aid adds no significant burden to our balance of payments problems.

In his message to Congress on foreign aid President Johnson stated that almost 90 percent of the economic assistance and 95 percent of our military assistance is now spent in the United States.

It is this kind of statement that produces the credibility gap. I say this because this is just contrary to the fact and is only the result, as I say, of some pretty fancy juggling of the books with rhetoric.

Here is what is actually going on: A country that has normal trade with the United States, say, of $100 million finds that when it is given, say, $50 million of aid money for aid projects, agrees that it will spend at least $50 million in the United States or use $50 million of its available foreign exchange in their purchases which they are already making in the United States.

Now, when it comes to balance of payments where we count as one of our major pluses our balances of our exports over our imports, this money is already counted there. And the attempt of AID to claim it, is to count it twice. That it has no effect on balance of payments is just made up out of whole cloth.

Now, here is what this is designed to do. The attempt is to deceive the American people and the Congress into believing that the AID project itself will have 90 percent of its expenditures used to buy in the United States, for that project. As a matter of fact, if this were so AID would certainly not be fulfilling its functions which is largely building infrastructure; in other words, roads, schoolhouse building, homes, and so on, where the bulk of the material used is native material, and the bulk of the cost of the total project is in the cost of wages.

Now, if anyone wants to get the accurate statement he can read in the committee hearings on page 1252 where a very responsible person, Lincoln Gordon, Assistant Secretary of the Department of State, sets forth this very thing, and let me read:

> There is nothing unique about the effect of foreign aid on the balance of payments. If one wishes to characterize a transaction which increases foreigners' claims on United States resources as having an "adverse" effect, then United States private foreign investments, United States imports, expenditures of United States tourists abroad, in short anything that leads to an outflow of funds, also has an "adverse" effect on the balance of payments.

And of course that is true. Then Mr. Gordon goes on to point out the justification of why we will accept these kinds of things, and he says:

> Both foreign investment and foreign aid lead to an outflow in the U.S. balance of payments. Both serve high-priority national objectives.

The point is that the justification may be there. But defend it forthrightly on that basis. Do not argue that it has no effect on balance of payments.

What in the name of Heaven is the administration's proposal of the interest equalization tax to cut back on private foreign investment, otherwise? Because there is the same kind of tie-in there. Of course there is. Our exports depend on private foreign investment.

So let us get this debate back in context.

Let me tell you that foreign aid has a direct bearing, a deleterious bearing, on our international balance of payments. Furthermore the money, I argue, is not so well invested, the money is not so well spent as it is in the private sector. So let us get this debate on a proper level. The amount of foreign aid is a vital factor in our balance of payments, and the more we can cut this foreign aid bill down, believe me, the more we are going to zero in on this serious deficit in our balance of payments.

I simply want to set the record straight, and I hope this administration will start speaking with a straight tongue.

Mr. FASCELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there is a difference, of course, between cash flow on a current basis, and ultimate cash flow as it may affect foreign claims against the reserves of the United States.

What the reconciliation of those two items might be, I presume the gentleman from Missouri cannot tell us. If we are talking about credits——

Mr. CURTIS. Mr. Chairman, will the gentleman yield on that point?

Mr. FASCELL. Yes, I yield to the gentleman.

Mr. CURTIS. Yes, we can tell you what it is. It is this negative balance that has been worrying everybody; that is what the effect is.

Mr. FASCELL. Well, I would agree with the gentleman on one point: that a negative balance may or may not be a desirable thing, depending upon the priorities which one wants to assume. I simply want to add this to make it clear when we are talking about priorities, I am perfectly willing—although I will not admit completely the gentleman's point—to assign whatever priority assistance under this program is essential to our national security needs.

If the gentleman from Missouri does not want to do that, of course, he has that right and that is his responsibility as he sees it. Personally, I see this program as having the very highest priority.

Mr. CURTIS. Mr. Chairman, will the gentleman yield further to reply as to what I might think?

Mr. FASCELL. I yield to the gentleman because I would be glad to find out what the gentleman thinks.

Mr. CURTIS. I do assign a very high priority to foreign aid. I have been in favor of evaluating and am for foreign aid. But my point is this, and I do want to get this clarified. It is as to the amount of it. To try to argue that in view of that, it does not require this high priority and does not have a deleterious effect on the balance of payments is what I am objecting to.

Mr. FASCELL. The gentleman, of course, has the right to object, and he has made his point.

I just want to emphasize the perspective, and I am glad the gentleman agrees with that perspective. We do assign a high priority to this program. For example, we have many people who have assigned a high priority to the defense budget, yet they do not support military assistance expenditures overseas. Yet, in my mind, these expenditures should receive as much priority as other U.S. military expenditures overseas.

But I think it is unfortunate to try to develop in the legislative history that by some indirect method or in some way the Committee on Foreign Affairs is trying to deceive the Congress concerning the impact of this program on our balance of payments. I think that is an unfortunate inference to make with reference to the committee or the individual members and even the intelligence of this body. I think we all understand how the cash outflow works. We also understand the problem of the balance of payments and the priority that the foreign aid program has to take in the scheme of things. We recognize the price we have to pay. But we do make the point that we have tried to restructure this program, and we have restructured it so as to minimize its impact upon the balance-of-payments problem. Of the cash we do make available for this program, the great percentage of it ends up with purchases in the United States either directly or indirectly.

The measures taken by AID over the past several years at the urging of this committee have reduced the balance-of-payments impact of the AID program to a virtually irreducible minimum. The gross impact in fiscal year 1968 is estimated at $319 million. However, many people tend to see only the cash outflow and do not take into account the fact that each year the United States receives payment on loans made by AID and its predecessors. These loan repayments will be an estimated $212 million in fiscal year 1968, which makes the net impact on the balance of payments $107 million.

About 97 percent of the commodities currently being purchased are procured in the United States and more than 90 percent of the expenditures resulting from the total proposed fiscal year 1968 program will be made in the United States. The remaining untied expenditures are not currently susceptible to being tied, although AID is exploring the possibility to tying part of the contributions to international organizations to U.S. procurement.

What we are trying to say, of course, is that it is obvious that we are trying to help our own business and at the same time we are trying to help other people around the world. I do not think that is a bad position to be in.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman.

Mr. GALLAGHER. The gentleman will agree that we took quite a bit of time on this. The best estimates from people who are interested in this, from the various echelons of the Government and out of the Government as well, is that the percentage spent in the United States for all nonmilitary grants and loans in the calendar year 1966 was 83.8 percent. The projections for fiscal year 1968 will run even higher and may run in the vicinity of 87 percent. On the commodity purchases these expenditures have been in excess of 90 percent and will in the future, according to the estimates, be 97 percent.

Mr. FASCELL. I think the gentleman from Missouri has made one valid contribution to this legislative history in this discourse and that is that there is not any question about the fact that the foreign aid programs costs us some money. There is no question that it has some effect on our balance of payments. There is no question that each of us in our own mind has to assign a priority for this program in its relation to the national security interest of the United States.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman.

Mr. CURTIS. In the committee hearings you will find there data that shows that this figure instead of being 85 percent is around 39 percent. So let me say this, I have not quite finished the work I am doing in trying to get what I think is a proper accounting system to find out really what it is because AID's bookkeeping is in such disorder that you cannot really get the right figure, but I am satisfied that it is probably below 40 percent.

The CHAIRMAN. The time of the gentleman has expired.

If there are no further amendments to section 101, the Clerk will read.

The Clerk read as follows:

CHAPTER 2—DEVELOPMENT ASSISTANCE

TITLE I—DEVELOPMENT LOAN FUND

Sec. 102. Title I of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Development Loan Fund, is amended as follows:

(a) Section 201(b), which relates to general authority, is amended by striking out the last sentence.

(b) Section 202(a), which relates to authorization, is amended by striking out "and $750,000,000 for each of the fiscal years 1968 and 1969" and substituting ", $600,000,000 for the fiscal year 1968, and $750,000,000 for the fiscal year 1969".

(c) Section 205, which relates to transfers to international lending institutions, is amended as follows:

(1) Strike out "only".

(2) Strike out "or the International Finance Corporation" and substitute "the International Finance Corporation, or the Asian Development Bank".

(d) At the end of such title I, add the following new sections:

"Sec. 207. Purposes of Development Assistance.—In furnishing development assistance under this chapter the President shall place appropriate emphasis on—

"(a) assuring maximum participation in the task of economic development by the people of less developed countries through the encouragement of strong economic, political, and social institutions needed for a progressive democratic society;

"(b) programs directed at enabling a country to meet the food needs of its people from its own resources including the furnishing of technical knowledge and of resources necessary to increase agricultural productivity; assistance for improved storage, transportation, marketing, and credit facilities (including provision for foreign currency loans to small farmers), cooperatives, water conservation programs and adaptive research programs; and technological advice: *Provided*, That relief from the immediate threat of famine, hunger, and malnutrition may be provided by the United States and other countries, and that assistance provided under the Agricultural Trade Development and Assistance Act of 1954, as amended, should complement assistance furnished under this Act;

"(c) assisting recipient countries in their efforts to meet increasing needs for trained manpower in their development efforts by improving education planning and research, training teachers and administrators, developing and constructing educational institutions, and using modern educational technology;

"(d) developing programs to combat malnutrition, to control and eradicate disease, to clear slums, and to provide adequate and safe drinking water, adequate sewage disposal systems, overall health education, maternal and child care, and voluntary family planning services which shall, where feasible, be included as part of programs of maternal and child care, and other public health assistance; and

"(e) other important development activities including assistance for programs to assist industrial development; the growth of free labor unions, cooperatives, and voluntary agencies; improvement of transportation and communication systems; development of capabilities for sound economic planning and public administration; urban development; and modernization of existing laws to facilitate economic development.

"Sec. 208. Self-Help Criteria.—In determining whether and to what extent the United States should furnish development assistance to a country under this chapter the President shall take into account—

"(a) the extent to which the country is taking such measures as may be appropriate to its needs and capabilities to increase food production and improve the means for storage and distribution of food;

"(b) the extent to which the country is creating a favorable climate for private enterprise and investment, both domestic and foreign;

"(c) the extent to which the government of the country is increasing the role of the people in the developmental process;

"(d) the extent to which the country's governmental expenditures are allocated to key developmental areas, including agriculture, health, and education, and not diverted for unnecessary military purposes or to intervention in the affairs of other free and independent nations;

"(e) the extent to which the country is willing to make contributions of its own to the projects and programs for which the assistance is provided;

"(f) the extent to which the country is making economic, social, and political reforms, such as tax collection improvements and changes in land tenure arrangements, that will enable it to achieve developmental objectives more efficiently and justly; and

"(g) the extent to which the country is otherwise showing a responsiveness to the vital economic, political, and social concerns of its people, and demonstrating a clear determination to take effective self-help measures.

"Sec. 209. Multilateral and Regional Programs.—(a) Multilateral Programs.—The Congress recognizes that planning and administration of development assistance by, or under the sponsorship of, multilateral lending institutions and other international organizations may, in some instances, contribute to the efficiency and effectiveness of that assistance through participation of other donors in the development effort, improved coordination of policies and programs, pooling of knowledge, avoidance of duplication of facilities and manpower, and greater encouragement of self-help performance.

"(b) Regional Programs.—It is further the sense of the Congress (1) that where problems or opportunities are common to two or more countries in a region, in such fields as agriculture, education, transportation, communications, power, watershed development, disease control, and establishment of development banks, these countries often can more effectively resolve such problems and exploit such opportunities by joining together in regional organizations or working together on regional programs, (2) that assistance often can be utilized more efficiently in regional programs than in separate country programs, and (3) that to the maximum extent practicable consistent with the purposes of this Act assistance under this Act should be furnished so as to encourage less developed countries to cooperate with each other in regional development programs."

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that chapter 2 of the bill, on page 6, line 4, to page 11, line 4, be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Gross: On page 6, beginning in line 12, strike out "$600,000,000 for the fiscal year 1968, and $750,000,000 for the fiscal year 1969" and insert in lieu thereof the following: "$500,000,000 for the fiscal year 1968".

The CHAIRMAN. The gentleman from Iowa is recognized for 5 minutes in support of his amendment.

Mr. GROSS. Mr. Chairman, it is scarcely necessary for me to tell those in the House Chamber that this is the first substantial cutting amendment to be offered to this bill. The amendment would cut the authorization for so-called loans from $600 million to $500 million.

I would point out to you that the Development Loan Fund is that area of the bill which provides for soft loans—or 40-year loans with a grace period of 10 years on which no payment is made except a 1-percent carrying charge. There is absolutely no payment of real interest or principal during that period, and I predict that most of these loans will not be repaid. There will be few in this House today who will be here when the defaults start to come in.

There is no necessity to take a great deal of time on this amendment. There is no necessity for me to tell every Member on the floor of the House this afternoon of the financial condition of this Government. There is little need for me to remind you that the Federal debt alone is $330 billion on which the taxpayers are now paying interest annually of some

$14 billion. We are in debt head over heels. Financially speaking, as I have said before, we are not skating on good solid ice in this country. We are walking in the water with our skates on.

This House has the reputation of being the advocate of economy. The amendment I have offered and providing $500 million, simply brings this bill to the level of the bill approved by the other body. I have enough pride in the House to hope that this amendment will be adopted so that at least it cannot be said that we have become the spending body and the other body is the economy Chamber of the Congress of the United States.

Speaking of the total bill, the gentleman from Louisiana [Mr. PASSMAN], chairman of the Subcommittee on Appropriations on foreign operations, which will in the end appropriate money for this bill if a bill is enacted, yesterday sent a communication to all Members of the House in which he said:

> Unliquidated funds on hand on June 30, 1967, from prior years' authorizations, $16,396,781,000.

He goes further to say:

> If Congress approves all new funds requested by the President this year there will be on hand to be spent—

And he is speaking of this foreign handout program when he says:

> There will be on hand to be spent or obligated during the current fiscal year the staggering total of $25,602,935,000. Our country is committed to disburse funds during the current fiscal year in 100 nations and 5 Territories of the world.

Mr. Chairman, it might be said that I am something of a "piker" in offering an amendment to cut $100 million from this particular fund. I am doing only the best I can in the hope for success and that some degree of sanity will prevail in the consideration of the bill.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Chairman, I think members of the Committee would be interested to know of two other significant items with respect to the figure of $500 million.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(On request of Mr. ADAIR, and by unanimous consent, Mr. GROSS was allowed to proceed for 2 additional minutes.)

Mr. ADAIR. Mr. Chairman, there are two other significant items concerning this figure of $500 million to which the gentleman's amendment would reduce Development Loan Fund. First, that was the amount of money appropriated last year for this purpose. Second, it is the amount of money which the other body put in its authorizing bill for this year.

Mr. GROSS. Mr. Chairman, I thank the gentleman for his contribution.

I urge the House to adopt the amendment.

Mr. ZABLOCKI. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I realize that it is difficult to rise in support of funds for any portion of this program and to oppose cuts. I wish to submit, however, that development lending is the one area where we expend money on a loan basis. We further tie in these expenditures 100 percent to procurement in the United States.

The gentleman from Iowa, in advocating a $100 million cut, over and above the $150 million by which the committee has already reduced this portion of the bill, in my opinion, would seriously injure a number of vital programs that are now being pursued in various countries, with the hope of making them economically viable and politically stable.

The gentleman from Iowa does not state when, in which countries he wants his cut to take effect. India, Pakistan, Turkey, and Korea are the four countries that receive the bulk of the resources provided by the Development Loan Fund. These four countries would be most seriously affected by the cut the gentleman from Iowa is proposing.

A substantial Development Loan cut would seriously injure the program in India.

We are hopeful that Turkey by 1970 will be attaining the position of economic viability where it may not need additional economic assistance. This cut would, I submit, injure Turkey's program and delay the achievement of that goal.

Certainly the gentleman from Iowa would not desire to have any of our development loan funds cut in Korea. Korea is the country that we expect very shortly will become economically viable, as Taiwan is today.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I only want to say to the gentleman I am deeply concerned about the injury that is being done to the American taxpayer.

Mr. ZABLOCKI. But this is one area, as the gentleman from Iowa knows, where the cost to the American taxpayer is the smallest. These loans are repayable in dollars also, we have been able, by encouraging other countries to join in various consortia, to share the cost of helping the underdeveloped countries. The amendment of the gentleman would disrupt this process. We would be, in effect, reneging and negating the effect we are trying to bring about through the aid consortia. Therefore, Mr. Chairman, I hope this amendment will be defeated.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, is it not true under this program the loans are repayable in dollars, and that our loan repayment experience has been excellent, with less than one one-hundredth of 1 percent in default?

Mr. ZABLOCKI. The gentleman from Florida is absolutely correct. If the gentleman from Ohio, Mr. Vorys, were here, he would point out that the development loan fund, on which he worked so hard, has always had an excellent repayment record.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, if these loan terms are so good, why do we not extend them to our own citizens in this country? They provide a 40-year loan, with a carrying charge of only 1 percent during the first 10 years, and 2 or 2½ percent interest during the last 30 years. Why not let our own citizens in on some of these good things of life?

Mr. ZABLOCKI. The gentleman knows that we do have subsidies in our country reflected in rural electrification, farm price stabilization, urban renewal, loans for small business, and many other programs, millions of individuals have been the beneficiaries of those acts.

Mr. GROSS. Are those on comparable terms?

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. The real reason for this kind of loan is that the will of the Congress and of the House in particular has been to get our country out of the grant business. This type of loan has gotten us out of the grant business. These are all hard dollar loans, tied in to self-help measures on the part of the lendee.

Mr. MORGAN. Mr. Chairman, I rise in opposition to the amendment.

The committee cut this authorization from $750 million to $600 million, which was a cut of $150 million. We did this because some members of the committee believed that the carryover of funds already authorized would provide enough funds.

There are 22 countries programed for fiscal year 1968 under the development loan program. Most of this money goes to a few large countries. These countries are India, Korea, Pakistan, and Turkey. This is where the money will go. These countries are important and are making progress. As the gentleman from Wisconsin [Mr. ZABLOCKI] has just said this program is tied in, 100 percent, to procurement in the United States. We do not wrap these dollars up in bushel baskets and go around handing them out to foreign governments. This is a program that finances products produced in the United States.

Mr. Chairman, the development loan program has been around since 1957. It was inaugurated by President Eisenhower. In those days loans repayable in local currency were permitted. About $6 billion of those loans repayable in local currency were made. Payments on those loans are coming in. They have not been defaulted. We have received a total of $1,434,000,000 in principal and interest paid on the local currency loans. Very few of them are in default.

In 1960 we changed the program to require hard dollar loans. We have loaned, under the development loan program in dollar repayable loans about $7 billion; $911 million has already been paid on the principal, and we have received $690 million in interest, which makes a total of $1,602 million paid back on these dollar repayable loans.

This is not a giveaway program. This is a program tied 100 percent to procurement in this country and the loans are being repaid. There are only about four loans in default. They amount to only $4,712,000.

This is a good program. The money paid back can be reloaned. Some day it will help get foreign aid off our backs. It is a good investment.

I would hate to see the amendment offered by the gentleman from Iowa adopted, because this is a program needed in the developing countries. We make loans at a low interest rate, and offer a grace period of 10 years. That is what we have to do to get these countries off the ground while they are getting their development started.

It is a good program. It is tied in to American procurement. It is a program that is working. It is a program that is needed.

I oppose the amendment.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Illinois.

Mr. COLLIER. I thank the gentleman for yielding.

How can this be a good deal for us in the sense it has been stated when every single dime covered by this whole bill will have to be collected at some time in the future? We are, as a Nation, going to borrow every dollar needed to fund this program. If we do it, at what interest rate will we borrow? How could this be a good deal for us, when we have to go out to borrow the money to loan at a three-fourth percent interest rate? How this is a good program I do not know.

Mr. MORGAN. We do not borrow money just for this program. As long as our Government operates at a deficit we will have to borrow. We borrow for our domestic programs.

Mr. COLLIER. How then is the program a good deal?

Mr. MORGAN. I must say the gentleman is not looking at the worldwide picture. We face much greater dangers than going bankrupt in this country. We have to protect our security. So long as I can borrow money for my security I am going to borrow it.

SUBSTITUTE AMENDMENT OFFERED BY MR. ICHORD FOR THE AMENDMENT OFFERED BY MR. GROSS

Mr. ICHORD. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. ICHORD as a substitute for the amendment offered by Mr. GROSS: On page 6, beginning in line 12, strike out "$600,000,000 for the fiscal year 1968, and $750,000,000 for the fiscal year 1969" and insert in lieu thereof the following: "$450,000,000 for the fiscal year 1968".

Mr. ICHORD. Mr. Chairman, my substitute amendment would go one step further than the amendment of the gentleman from Iowa and would reduce the Development Loan Fund $150,000,000 instead of $100,000,000. Instead of keeping up with the Senate it would put the House $50,000,000 more on the side of economy.

When the foreign aid authorization bill was being considered in 1963, I charged that foreign aid had gotten completely out of hand. Today, 4 years later, instead of improving, the situation has worsened. The foreign aid program has completely left the bounds of reason.

In 1963 our national debt was approaching $305 billion. At the beginning of this year our national debt had increased to the astronomical sum of $329,548,000,000 exceeding the public debt of all other free world countries by approximately $81 billion. In 1963 we had experienced a deficit in 12 of the last 13 years in our balance of payments. Today in 1967 we have seen large deficits incurred in our balance of payments in each of the 4 years since 1963 and the foreign aid program has contributed heavily to those deficits. The total cost of foreign aid from 1946 to 1967 has been almost $115 billion. To make this expenditure the Nation had to increase its national debt; therefore we should add to this figure the cost of the borrowed money which would increase the actual cost to approximately $152 billion.

In 1963 we were concerned about the nature and extent of foreign aid and its burden upon a hard-pressed American taxpayer. Today we are concerned about the nature and extent of aid which may be made available for certain Communist countries and we view Congress considering a tax increase on its still hard-pressed taxpayers in order to defray the cost.

In 1963 the Clay Commission which had been appointed by President Kennedy to make a study and recommendations on foreign aid because of the great concern then existing, made its report. This blue ribbon commission, consisting of 10 outstanding private citizens throughout the land, used the same terms we hear tossed around the chamber today, "curtailment, reductions, termination, sharpening up, phasing out." But today, instead of finding the programs reduced, curtailed or phased out, we find that foreign aid has been divided and fragmentized throughout several bills. The $3.2 billion contained in this bill for fiscal year 1968 is only a small part of the total foreign aid bill. The total requests this year have been about $9.2 billion for the first 7 months of the year. The distinguished chairman has mentioned that a great part of this money will go to India. Let us look at India.

In 1963 we were concerned about the high cost of aid to India, its opposition to our foreign policy, certain aspects of its internal policy, and the small impact of our aid program on the economic position of India. Today, the economy of India is in a shambles, its people are still starving——

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. ICHORD. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. MORGAN. Mr. Chairman, reserving the right to object—and I shall not object—but time is short today and any further requests for extension of time, I am going to be constrained to object to.

Mr. ICHORD. I thank the distinguished chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The gentleman from Missouri [Mr. ICHORD] is recognized for 3 additional minutes.

Mr. ICHORD. Mr. Chairman, its government is still embracing our enemies, rats are still protected by religious beliefs, sacred cows are still walking over and around hungry human beings and I have heard about some of our foreign aid employees considering a program of inserting a birth control device in the cows to attack the problem. My God. No wonder some of us ask: Is this altruism or sheer stupidity?

Mr. Chairman, I hope the House will adopt this amendment which will save $150,000,000 instead of $100,000,000.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. ROONEY of New York. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred fifty-three Members are present, a quorum.

Mr. GALLAGHER. Mr. Chairman, I rise in opposition to the substitute amendment to the amendment.

Mr. Chairman, I think all of the arguments that have been made against the amendment offered by the gentleman from Iowa are equally applicable here against this substitute amendment. Perhaps there are even more arguments that can be made, for the cut is going to be even deeper than the cut proposed by the gentleman from Iowa [Mr. GROSS].

Further, I feel that if one feels that foreign aid does no good then, of course, this amendment should be adopted.

On the other hand, if the feeling is that foreign aid does serve a useful purpose and is a useful instrument of U.S. foreign policy, then I think we should stop and consider this question before we slash this particular item to ribbons, which is what the substitute amendment which has been offered by the gentleman from Missouri would do.

I cannot disagree with the gentleman on his thinking as to how he should vote, but I do disagree with the approach as to what we should do in this particular situation.

I believe to say we can solve all of the problems and clean up all of our problems that presently exist with our budget, with our overextended commitments in all the programs we have throughout the world, by saying "let the Indians eat their cows," and by making all of the usual cliche arguments that are made against this proposal, would be extremely adverse to our national interest.

To believe that the Indians would eat their cows is just a ludicrous and very insulting argument, and I believe it has no bearing here. I believe we should consider the number of countries that are going to be involved, and what cuts it would effect.

As far as programs go, as the Members will recall, last year this bill was cut more than 25 percent. There is no fat left in this section of the bill. To cut into it now would be self-defeating. We finally have countries participating on a multilateral basis, and other countries contributing, some to a far greater extent than we are. So to make this particular cut is not the answer. If we would tell them that we are now cutting our portion of the development assistance, the multiplier effect, as far as other countries in reducing their assistance, would be disastrous.

Also it would be disastrous to believe we should cut certain programs we presently have in Korea, in Turkey, and in the Philippines. These are the countries that would be adversely affected. Eighty-three percent of our funds go to these countries: India, Pakistan, Turkey, Korea, Indonesia—which is now turning its back on communism and becoming one of the promising nations for the cause of freedom in the Far East. To say that we should revoke dollar loan development to me is the worst kind of thing we can do. To say we would turn our backs on Korea, that now has troops over in Vietnam, would be self-defeating. As to the rest of the 17 percent, I believe, as Mr. O'HARA of Illinois so eloquently stated yesterday about Africa, we do have some development loan programs in Africa, very small ones that are on the basis of consortium programs with other nations.

I believe that the people who disagree with foreign aid could make cuts in other areas, but that it would be self-defeating as far as these nations are concerned who are seeking loans, and who need loans for self-help purposes.

If you want to cut foreign aid some place, perhaps you can do it, but I believe this would be the worst possible place to cut this bill.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Florida.

Mr. FASCELL. Is it not true that development loans benefit private enterprise in recipient countries?

Mr. GALLAGHER. Yes, exactly, they are tied in with 100-percent expenditures here in the United States.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I would ask the gentleman is it not a prerequisite of these loans that at least 50 percent of these funds be used to promote private enterprise?

Mr. GALLAGHER. That is exactly right.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I would say to the gentleman in that respect that there is nothing to prohibit them giving any amount of money they want to Korea. If they want to do so they could put every dollar there.

Mr. GALLAGHER. The gentleman is right. If there is any place we should encourage the people, it is over there in Korea, because Korean troops are in Vietnam taking bullets with us.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Missouri [Mr. ICHORD] for the amendment offered by the gentleman from Iowa [Mr. GROSS].

Mr. ICHORD. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ICHORD and Mr. GALLAGHER.

The Committee divided, and the tellers reported that there were—ayes 121, noes 87.

So the substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS], as amended by the substitute amendment.

Mr. GALLAGHER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GROSS and Mr. GALLAGHER.

The Committee divided, and the tellers reported that there were—ayes 136, noes 95.

So the amendment, as amended by the substitute, was agreed to.

AMENDMENT OFFERED BY MR. DERWINSKI

Mr. DERWINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DERWINSKI: On page 6, immediately after line 9, insert the following:

"(b) Section 201(d), which relates to rates of interest, is amended by striking out '1 per centum' and substituting '2 per centum'."

And redesignate the following subsections accordingly.

Mr. DERWINSKI. Mr. Chairman, the purpose of this amendment is to raise the interest rate during the 10-year grace period under these loans from 1 percent to 2 percent. I do not claim originality in the use of these figures, since the other body adopted such an amendment by a vote of 53 to 30, and in the bill they passed they established this 1-percent rate.

In a rough calculation, for what it is worth, if we had maintained all through the history of these loans a 2-percent minimum interest rate during the 10-year grace period, the annual income to the United States would have been $58 million a year, which I believe would have been a substantial help to our balance of payments and any other factor we wish to consider.

I am a bit embarrassed that I am offering this amendment at this point. Perhaps the gentleman from Wisconsin and others on the majority side might agree that if I had offered it first and passed it, it would have saved them the last hassle we just had. So, therefore, I apologize if I am a little late and did not save the Committee a lot of unnecessary pain and frustration on the vote we just had, but the purpose of this amendment is actually to make sure that when we call it a loan, it is a loan.

I cannot quite conceive of a 1-percent carrying charge being in any way a practical figure on a loan. Even the 2-percent figure is not very impressive.

If one is an American homeowner, about to purchase a home, and is to finance the home through the FHA or the VA, the practical interest rate will be 6 percent. If he is going to purchase a home in California or in Florida, where the real estate markets are booming, and wants to get a conventional loan, he will be paying more than 7 percent.

It would seem to me, in the light of the cost of the national debt and in the light of rising interest rates in this country—and if we do pass a tax increase bill this session of Congress money will be tighter and interest rates in the domestic economy will go up—that it would be very practical and helpful if we would accept this amendment setting a minimum rate of 2 percent.

Frankly, I prefer to direct my remarks to the supporters of the bill, who might be tempted to oppose the amendment, because I conceive of this amendment as another helpful addition to the program. By setting a more realistic interest rate, by easing the pressure on the American public, by at least acknowledging the fact that if a loan is worth making it certainly should be at least a 2-percent rate, to me the practicality and the need for this amendment are made obvious.

I hope that the Committee will accept the amendment as offered.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Illinois.

Mr. FINDLEY. As I understand the amendment, it would make the interest rate conform with the Senate version of the bill?

Mr. DERWINSKI. That is correct.

Mr. FINDLEY. It would set the interest rate for this grace period at 2 percent?

Mr. DERWINSKI. For the 10-year grace period the minimum interest rate would be 2 percent; that is correct.

Mr. FINDLEY. I believe it is a commendable step forward. My only complaint is that it does not place the interest rate at the cost of the money to the Government. I do recognize, however, the facts of life being as they are, we cannot take the whole step now.

Mr. DERWINSKI. Of course, the gentleman knows I am trying to protect the bill as much as I can, even though I do not believe that is quite appreciated at the majority committee table. I thought if I offered too high a rate I would be charged with gutting the bill. Heaven forbid. I would not think of doing that.

My 2-percent rate is intended to be helpful to the program, helpful to the AID agency, helpful to the taxpayers of the United States, and helpful to the floor managers in passing this bill.

With my amendment, I believe the bill will start to take a little more acceptable shape.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Illinois.

Mr. COLLIER. Actually, contrary to what my colleague from Illinois said, even if we got the rate up to the rate which the Federal Government pays for its borrowing, there still would be a loss, inasmuch as there is to be no payment made on the principal for 10 years. The difference in the interest which we would pay for the money during the interim period would be compounded, would it not? Therefore, even if the loan were made at the going rate of interest the Federal Government pays for money, we would still wind up losing money.

Mr. DERWINSKI. The gentleman is correct. That merely dramatizes the need for but also the mildness of my amendment.

Mr. FASCELL. Mr. Chairman, I rise in opposition to the amendment.

It has already been pointed out that these are dollar loans. If the developing countries could go to the Bank and pay the Bank interest rates there would be no argument. But we are not in the lending business as such.

If we see some reason in the idea of assisting private enterprise in developing countries, so that they might possibly have some economic stability, some economic viability, with the hope that there might be some political stability and some future; if we can wean these developing countries off of a grant program, then it would seem sensible to try to help as much as we can with respect to a lending program on a dollar repayable basis.

If that is true in the interests of your own country, because I think this program has to be measured in the self-interest of the United States, very much at the same priority as a military effort, then I think we have to recognize that we cannot charge what the traffic will bear, because it is not a commercial enterprise in that sense. I will admit it is a matter of opinion as to how far you want to go for length of grace period. There might be a reasonable difference of opinion as to what the minimum interest rate should be, as a token rate of interest, during the grace period. But I submit to you that there are no statistics or no valid reasons why at this particular time it is advisable to take a 1-percent jump.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Is it not true, however, that there are statistics which indicate the developing countries are paying increasing amounts to service debts? The amount has gone up from $1 billion in 1955 to about $4 billion annually. Is it not self-defeating if we should simply add to that load, if what we are trying to do is to assist those countries? As it is already, without this proposed increase, there is an increasing proportion of the moneys available for their development that must be attributable to these debt service charges. So we, on the basis of economy, are actually losing ground, because if we must assist these countries, we may have to do it in forms which will be far more expensive to us than the concessions we presently are granting.

Mr. FASCELL. The gentleman from New Jersey is eminently correct. This is the crux of the matter. Not for one moment discounting that a difference of opinion can exist, the question is what is your ultimate objective? I think this goes to the guts of the whole program no matter how you vote. Obviously, if you disagree with the objective you vote against the program. If you disagree with the ultimate objectives you vote to put whatever restrictions in this program you think ought to be put in in order to keep the taxpayer's dollar from being used for that purpose. But I say if the long-term objective is valid and reasonable and it is, then we should not so vote.

In this case we are talking about loans to developing countries primarily to assist private enterprise in order to get a climate which is politically, economically, and socially ultimately beneficial not only to the borrowing country, but to the United States as well.

Thus we are being self-defeating not only by cutting the amount of money made available to them, which is repayable to us in dollars, but by raising the interest rate or otherwise restricting the terms of this loan program.

Mr. GALLAGHER. Mr. Chairman, I rise in opposition to the amendment.

Too often discussions about interest rates shed more heat than light. Perhaps it is the nature of the subject. Everyone of us has—at one time or another—borrowed money. We have purchased a car on an installment plan, paid off the interest and principal on the mortgage on our homes, borrowed money to put the kids through college.

Development loans today are 106-percent repayable in U.S. dollars, with 1 percent or more interest during the 10-year grace period, 2½ percent or more interest during the remaining life of the loan, and a loan maturity of up to 40 years. These loan terms have already been stiffened twice since the passage of the Foreign Assistance Act of 1961. The interest charge after the grace period was raised from three-fourths of 1 percent to 2 percent in 1963. In 1964, this rate was again increased to the present 2½ percent, and the interest rate during the grace period was hiked from three-fourths of 1 percent to the present 1 percent. A third increase in loan terms in a 4-year period is certainly excessive.

As Members are aware, the other body has, however, proposed a third increase in this 4-year period—a hike in the grace period interest rate from 1 percent to 2 percent. I remember that this amendment was adopted on the floor of the other body last year—and then defeated in conference. I trust the House will accept the recommendation of the Foreign Affairs Committee to retain the existing terms for development loans. Then we can be in a position to correct this mistake in the conference after Labor Day.

I have two points to make which underline the importance of retaining the development loan terms presently in the Foreign Assistance Act. They are addressed in part to the dialog concerning the development loan terms which took place this year in the other body, and in part to similar dialogs which have taken place in past years on the same topic in this Chamber.

My first point is that a parallel, tempting though it may be, cannot be drawn between the loan terms the Members of this Chamber have experienced in their daily lives and the loan terms of the foreign aid program. The critical difference is that Americans repay debts in dollars, the currency of this country, used for the conduct of our business. Less developed countries also repay debts in dollars but the conduct of their business and commerce is in their own national currencies. This means, as we all know, that the less developed countries must earn these dollars abroad, primarily through exports. But it is characteristic of a developing country's international accounts that the value of its imports far exceeds the value of its exports. Moreover, these imports are characteristically industrial goods, spare parts, and the like, whose world market prices have been steadily increasing relative to the returns on the exports of the less developing countries—usually foodstuffs, raw materials and mineral products.

The significance of this trade imbalance, of course, is that the less developed countries have to borrow abroad—contracting debt that must be repaid at some future time—in order to pay for today's imported industrial goods and spare parts. Every dollar that must be repaid to the United States in principal or interest for past loans is a dollar that is unavailable to be spent for the import purchases essential to today's development program.

To measure what the impact of a hike in the grace period interest rate would be on the debt service of the recipient countries, let us assume that the full amount of the committee authorization for development loans and Alliance loans is appropriated and used in fiscal year 1968. This would mean $1,325 million authorized and appropriated for development loans and Alliance loans this fiscal year. At 1 percent interest over a 10-year grace period, the interest on that amount would total $132,500,000. At 2 percent, it would be $265 million. So what this amendment amounts to is an additional charge of $132,500,000 on the less developed countries on fiscal year 1968 loans. And, of course, there would be a similar additional increase in the years to come.

My second point bears directly on the one I have just made. It is that in the field of development loan terms, which is so important to the developing countries, the United States is not offering terms as concessional as many of its donor nation colleagues.

One would expect that the United States, as the Nation with the highest per capita national income, would be leading the world on loan terms. Such is not the case, as the record shows.

The Development Assistance Committee uses as a yardstick—for measuring a country's development assistance terms—the percentage of a country's assistance that is either 100 percent grant or on a loan basis at no or low interest.

Top marks go to a country whose aid program is either 100 percent grant or a combination of grant assistance and interest-free loan assistance. Three countries qualified for top marks in 1966—Australia and Norway whose aid programs were 100 percent grant, and Denmark whose aid program was a combination of grants and interest-free loans. Another four countries also surpassed the United States in this regard.

Belgium and Canada furnished 100 percent of their aid for 1966 on a grant basis or on a loan basis at up to 3 percent interest. The United Kingdom extended 93.1 percent of its aid for the year on these terms, and Canada furnished 91.2 percent on this basis.

So the United States, with 87.5 percent of its aid furnished on a grant basis or on a loan basis at up to 3 percent interest, came in eighth for the year among Development Assistance Committee members. The United States last year had a per capita national income of $3,100—by far the highest of any Development Assistance Committee member. Yet it came in eighth.

Another measure of the effectiveness of development assistance is the percentage of a country's loan program which is interest free. Last year, four countries furnished all or a substantial portion of their loan program at zero-percent interest. Denmark, as we just noted, furnished all its loans interest free—$13.5 million—followed by the United Kingdom with 90 percent of its loans at zero-percent interest—$219.7 million—Canada with 58 percent of its loans at zero-percent interest—$30.5 million—and the Netherlands with 47 percent of its loans at zero-percent interest—$10.8 million.

The import of the two points I have just made—that loan terms are critical to a developing country which pays back its development debts in foreign exchange, and that the United States trails the leaders in the effectiveness of its development loans terms—is quite clear. It is that we would be ill-advised to consider stiffening the terms of development loans a third time in 4 years.

A hike in loan terms at this juncture would be incompatible with the United States goal of helping developing countries to achieve self-sustaining growth in the shortest possible time with the least amount of aid. High loan terms mean that more aid is needed to do the same development job. They are, therefore, self-defeating.

An increase in the grace period interest rate would undoubtably have a snowballing effect on the hardening of loan terms of the other donor nations which look to the United States as a yardstick in fixing loan terms.

George Woods, President of the World Bank, recently commented upon the adverse effect of the rapid rise of total annual debt service charges of the developing countries—from less than $1 billion in 1955 to about $4 billion this year:

> These levels of debt service are dangerously high. They mean that a good part of the countries' foreign exchange resources must be devoted to servicing previous obligations rather than to new productive development.

Now is not the time to increase that debt service burden by a hike in the grace period interest rate on development loans.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DERWINSKI and Mr. GALLAGHER.

The Committee divided, and the tellers reported that there were—ayes 120, noes 98.

So the amendment was agreed to.

The CHAIRMAN. If there are no further amendments to this section, the Clerk will read.

The Clerk read as follows:

TITLE II—TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 103. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to technical cooperation and development grants, is amended as follows:

(a) Section 211(a), which relates to general authority, is amended by striking out the last sentence.

(b) Section 211(d), which relates to a ceiling on assistance to United States research and educational institutions, is amended as follows:

(1) Strike out "$10,000,000" and substitute "$20,000,000".

(2) After the words "may be used" insert the words "during fiscal years 1968 and 1969".

(c) Section 212, which relates to authorization, is amended to read as follows:

"SEC. 212. AUTHORIZATION.—To carry out the purposes of section 211, there is authorized to be appropriated to the President $243,000,000 for the fiscal year 1968 and $260,000,000 for the fiscal year 1969, which amounts are authorized to remain available until expended."

(d) Section 214(c), which relates to authorization for American schools and hospitals abroad, is amended to read as follows:

"(c) There is authorized to be appropriated to the President for the purposes of this section $14,000,000 for the fiscal year 1968 and $14,000,000 for the fiscal year 1969, which amounts are authorized to remain available until expended."

(e) Section 214(d), which relates to special foreign currency authorization for fiscal year 1967, is amended to read as follows:

"(d) There is authorized to be appropriated to the President for assistance to the Girl's College of Israel, for the fiscal year 1968, $1,000,000 in foreign currencies which the Secretary of the Treasury determines to be excess to the normal requirements of the United States."

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that title II, beginning on page 11, and continuing on page 12 through line 18, be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT OFFERED BY MR. ADAIR

Mr. ADAIR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ADAIR: On page 11, line 24, and page 12, line 1, strike out "$243,000,000 for the fiscal year 1968 and $260,000,000 for the fiscal year 1969" and insert in lieu thereof the following: "$220,000,000 for the fiscal year 1968".

Mr. ADAIR. Mr. Chairman, the purpose of this amendment is to reduce the authorization in technical assistance from $243 million to $220 million.

In light of actions recently taken, that may seem a modest proposal and a modest cut. I believe it is, but there are many, including myself, who feel that some of the better parts of the foreign aid program are to be found in the technical assistance, or technical cooperation programs.

It is through these programs largely that we try to teach others and to demonstrate to others how to help themselves. So on that basis, Mr. Chairman, I am offering only this modest cut.

For the information of the Members, I would say that the appropriation for this aid in the last fiscal year was $200 million. There is supposed to be a carryover possibly in the magnitude of $25 million, so it would appear that if this amendment is adopted there would be adequate authorization for the proper funding of this program.

Mr. Chairman, I would further point out that if the Members would consult the classified books at the committee tables, they would find that there is provision in this program for a number of countries with which we do not now, as a result of the recent Middle East crisis, have a program of this nature going forward.

Mr. Chairman, I would urge the adoption of this amendment.

Mr. O'HARA of Illinois. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment strikes at Africa. If this amendment carries, there will not be one red cent available for Africa.

Mr. Chairman, I have a deep interest in Africa. As I envision the future of Africa, there is tremendous natural wealth there which is being developed and Africa with the proper help will become one of the great markets for the products of American factories.

In Africa we have a great opportunity, and if we miss the boat it will be a tragedy.

Mr. Chairman, I repeat with all the sincerity and force at my command this amendment strikes at Africa. It takes away any possibility that we could give any aid or assistance to Africa at this critical time.

I do hope, Mr. Chairman, that this amendment will be defeated.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman.

Mr. FULTON of Pennsylvania. I compliment the gentleman for a very good statement.

The point here is, on this particular smaller amount of technical assistance, this is the kind of U.S. assistance that goes far. The program trains local individuals. From there on these can train other local citizens. Those who learned how to do the job first, then can train other people in widening circles.

This technical assistance has effect in geometric progression. So I compliment the gentleman on pointing out the assets and benefits of our U.S. technical assistance programs. I take the same position on the need for support of the technical assistance programs as the gentleman does.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman.

Mr. ADAIR. Mr. Chairman, I certainly share the concern of the gentleman in the well about the proper development of the newly developing African nations and our relationships with them.

I would point out again that for last year there was only $200 million appropriated for this item. My amendment would leave $220 million plus an expected carryover of $25 million, and of that there is programed an increase for Africa of $5,800,000.

Mr. O'HARA of Illinois. Mr. Chairman, there is no Member of the House I have greater respect for than the gentleman from Indiana. I have always found him fair and I have always found him intelligent.

Mr. Chairman, I want to say to him now, and I think he will agree with me, that this $23 million cut, and it relatively is not very much money, but I think he will agree with me, and I am asking him so to express himself, that most of the $23 million, if not all of it, will come out of Africa.

Mr. ADAIR. No; I must say to the gentleman I do feel that Africa, in light of the increased provision made for it, will fare better than it did last year. I rarely differ with the chairman of the Subcommittee on Africa, but in this instance I must.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the distinguished chairman of the committee.

Mr. MORGAN. I want to say to the gentleman from Indiana that this is a 10-percent cut, approximately, in technical assistance; 85 percent of this appropriation is required to finance going programs and you can be certain with this cut there will be very few new starts in Africa.

Mr. O'HARA of Illinois. Mr. Chairman, we will be cutting the program out and that would be a tragedy.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman.

Mr. FRELINGHUYSEN. I would like to point out that during general debate yesterday, I commented on the Republican coordinating committee's statement on foreign aid.

I would like to refer to the language of that committee, to be found on page 23696 with respect to technical assistance.

Point (9) of that statement says:

> (9) *Evidence that technical assistance is often a better stimulant to growth than large scale capital transfers should be seriously examined, particularly in light of the United States' balance of payments problem.*

It seems to me a statement such as that from a responsible source, namely, the Republican coordinating committee, should be considered in light of this amendment. I believe that technical assistance is one of the areas that should definitely not be cut, and that there should be strong bipartisan support for the programs which have been developed and which are projected in this area.

So I strongly support what the gentleman from Illinois has been saying with respect to this particular amendment.

Mr. O'HARA of Illinois. I thank my colleague from New Jersey.

Mr. GALLAGHER. Mr. Chairman, I rise in opposition to the amendment. The distinguished gentleman from Illinois has certainly made the point that Africa will be drastically injured in the kind of program instituted under this section if we should adopt the amendment. These countries in Africa need the technical assistance which would be provided. Actually, the shortage of human resources is a basic weakness in the less developed countries. What we are trying to do through this program is to develop human resources in those countries so that they can help themselves. We do that by university teams and by skills that we send to these underdeveloped countries.

Not only would Africa be hurt, but also Southeast Asia. In a recent conference of ministers of Southeast Asia a plan was adopted by which we would offer technical assistance and it would be a program in which those countries would participate. A cut in the authorization would result in a cutback in the university teams and other programs designed to help those people learn how to take care of themselves.

What we need today are not speeches but more votes, and so I recognize the weakness in my position. But I think there is one thing we should not do today and that is to cut this investment in human resources. People throughout the world are being helped under this program with a very small investment on our part. Perhaps it is the smallest investment we have made in the foreign aid program, and yet it is the most meaningful.

I would hope that, as the meat axes fly in this House today, they will not touch this section and that the amendment will be rejected.

Mr. FARBSTEIN. Mr. Chairman, I move to strike the requisite number of words.

I do not know whether the Members of this House are aware of the fact that private investment in the underdeveloped countries for the last 3 years has been on a plateau. We have been trying to encourage private investors to go into the underdeveloped countries. We have been spending money along these lines so it can be substituted for foreign aid. By cutting the sum suggested for technical assistance, you are cutting the throats of those who are spending time and money in order to encourage these underdeveloped countries to engage in self-help, to build themselves up, to pull themselves up by their bootstraps so it will not be necessary for them to depend upon foreign aid.

I have been holding a series of hearings, and I have heard some of the most prominent business people in this Nation tell us how important it is that we do all we can to assist these various countries to assist themselves. It is self-help. It is the best reason for our investing our money in these underdeveloped countries.

If you are going to decrease those moneys that are necessary in order to assist the various underdeveloped countries to help themselves, you are defeating not alone the question of foreign aid, but you are defeating the basis for all efforts that we are expending in order to get private interests to go into foreign countries. This is necessary both for the benefit of these foreign and underdeveloped countries, and for business in this Nation. So I believe we will be doing ourselves a great disservice by cutting this authorization. I therefore hope the proposed amendment will be defeated.

AMENDMENT OFFERED BY MR. GROSS TO THE AMENDMENT OFFERED BY MR. ADAIR

Mr. GROSS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

> Amendment offered by Mr. GROSS to the amendment offered by Mr. ADAIR: On page 11, line 24, and page 12, line 1, strike out "$243,000,000 for the fiscal year 1968 and $260,000,000 for the fiscal year 1968 and $260,000,000 for the fiscal year 1969" and insert in lieu thereof the following: "$210,000,000 for the fiscal year 1968."

Mr. GROSS. Mr. Chairman, this is a simple amendment, I simply want to take $10 million more off the authorization for this particular purpose and bring the bill down at least to the level of the bill approved by the other body. I do not see how we can sustain any reputation for economy in the House if we are going to exceed the spending by the Senate. It is just that simple.

In this program there is technical assistance running out of its ears. There is technical assistance running out of the ears of the United Nations. As I remember it, we are also putting up between 40 to 50 percent, and perhaps more, of the money that is spent by the United Nations for technical assistance.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Chairman, to provide further information for our consideration, let me say again if the Members will consult these books, they will find that the $243 million contains provision for technical assistance to countries like Sudan and the United Arab Republic, which have broken diplomatic relationships. I find it difficult to know why we need to provide technical assistance at this time for them.

Mr. GROSS. I thank the gentleman for his observation.

Mr. LENNON. Mr Chairman, will the gentleman yield?

Mr GROSS. I yield to the gentleman from North Carolina.

Mr. LENNON. Mr. Chairman, a member of the Foreign Relations Appropriations Subcommittee advises me there are actually seven different categories of technical assistance under our foreign aid program. Does the gentleman know whether or not this is so, and whether this is just one of them?

Mr. GROSS. No. I cannot say. I would be surprised if there were only seven.

Mr. LENNON. Mr. Chairman, will the gentleman tell me if the Peace Corps is specifically involved, not only under this program, but also involved directly in giving technical assistance and teaching these people, so in turn they can teach others?

Mr. GROSS. Of course the Peace Corps is involved in technical assistance, and in some cases wet-nursing.

Mr. LENNON. I am not concerned

about that at the moment, but I do commend the gentleman for offering his substitute amendment.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the gentleman from Iowa yielding. I am glad he brought to the attention of the House the so-called bilateral aid we provide, up to 44.4 percent, which by a fluke determination of the counsel for the Department of State allows us to provide more to the United Nations' Extended Technical Assistance Fund than we do here, because it is one of their two special funds outside of the regular assessed funds and budget of the United Nations. I wonder if the gentleman knows that in addition to this we have an additional extended technical assistance fund? Possibly it is one of the seven the gentleman from North Carolina talks about, as it is in the OAS.

Mr. GROSS. It would be an achievement if we could be sure not a dollar of the United Nations special fund is spent in Cuba?

Mr. MORGAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, technical assistance has been a part of the foreign aid program since 1949. It began as the old point 4 program.

Mr. Chairman, the committee authorized $243 million, the full amount.

I am not concerned today as to what the Senate authorized. I am not going to follow the Senate blindly, as suggested by the gentleman from Iowa. I wish he would follow the Senate on some other programs. He has been here praising the Senate all day. I certainly hope it will be educational to him and that he will take heed and follow them on some of the other programs.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman has not heard me praise the other body.

Mr. MORGAN. The gentleman has been speaking favorably about two amendments of the other body.

Mr. GROSS. I have been trying to say that I have great pride in the House, and I do not want the other body to usurp any of our past glory of being the economizers of Congress.

Mr. MORGAN. If the gentleman remembers the foreign aid bill of last year, he knows that the House went over to the other side with a larger bill than the Senate had.

This program is a very important part of the program. If we cut this program approximately 14 percent, as the amendment of the gentleman from Iowa proposes, we are going to damage the program.

Eighty-five percent of these program funds are for going programs. New emphasis has been planned for Africa. These programs will be out of the window. There will not be much that is new with a 14-percent cut.

Last year this program was cut back to a limitation of 40 countries in the other body, and the conferees were successful in removing the limitation, but last year more than 10 countries were cut off technical assistance because of the lack of funds, and there were no new starts.

Again this year, with a 14-percent cut, the continent of Africa is going to suffer.

Certainly, I want to back up every word of the gentleman from Illinois [Mr. O'HARA] who, as a student of Africa, has told this House this program is very vital to Africa. This is perhaps the most important program for Africa included in the foreign aid program.

Many members of the committee know that Africa does not receive very much military assistance. Under existing law there is a limit on military aid to Africa. Many Members know that most of the African countries do not qualify for development loans. Only a very few countries do. Technical assistance is the basic program for Africa.

A vote to cut this down to $210 million is definitely a vote against Africa.

Mr. LEGGETT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to oppose the desecration of the technical assistance, an integral part of this foreign aid bill.

The Foreign Affairs Committee has laboriously reviewed this matter country by country for better than a year. Now with a flick of the majority on the floor of this Committee we propose to set aside the considered judgment of this committee.

Last year I voted against the foreign aid bill as a protest against the operations of our AID program in Vietnam. This year that program may be some better.

There is another country this year, however, that stands out for the attention of the American people—Indonesia. Regardless of what opinion we may have of the current escalation in Vietnam and where we are going, we do know that our firmness to date in that Southeast Asian country has given the inspiration and support to the Indonesian people under General Suharto to remove themselves from the Communist yoke countries.

Indonesia, the fifth or sixth largest nation in the world, is an example for all Americans and for the world of what can be achieved through a proper exercise of American foreign policy. I would only hope at this time that we do not blow our success by being overzealous, nervous, and enthusiastic in our efforts to bring the Southeast Asian war to a close. I find it rather ironic that by and large the Members of this House who endorse the force and expense of our Southeast Asian effort most enthusiastically and are willing to spend $3 or $4 billion every month to achieve success by force among the 25 million population of Vietnam will probably be the first to support the reduction in technical asistance to underdeveloped countries which would have the effect of cutting our effective aid to Indonesia with a population of 110,000,000 to perhaps less than $20 million for the entire fiscal year of 1968.

The administration requested but a nominal loan commitment for Indonesia in the budget early this year because it did not know the direction which that latter country would take. The administration request has been overtaken by events of the past 6 months. In that time frame General Suharto has effectively replaced Sukarno as head of Government. He has adopted a policy of economic stabilization which includes measures politically difficult for the Government, in an effort to bring the hyperinflation of the last 10 years under control. An international group consisting of the United States, Japan, the Netherlands, Germany, India, Australia, Canada, and Great Britain has been formed to provide the necessary assistance to implement Indonesia's economic stabilization policy. This group has pledged over $200 million toward this goal for 1967, which will meet foreign exchange requirements for the importation of essential manufactured products and raw materials. The World Bank and the International Monetary Fund, supported by these national donors, have been working with the Indonesia Government to develop effective economic reforms and improvements, such as the stabilization program.

Although the stabilization program appears to be bringing inflation under control, stabilization of so severely damaged an economy is but a first step. The next step is to begin the kind of assistance needed to put the Indonesian economy on the road to recovery. In anticipation of this need, the World Bank is sending a mission to Indonesia early this fall to make recommendations on priorities of economic development and projects to be undertaken.

What has happened in Indonesia so far is almost a textbook example of two cardinal principles of foreign assistance: self-help and multilateralism. Self-help in Indonesia's recognition of the grave condition of its economy and in its taking the bitter medicine of a rigorous stabilization program. Multilateralism in the large and varied group of nations working together under the leadership of the IMF and World Bank.

We would do well to give adequate support to this program. Not to do so would be to reject the very principles we have long insisted be applied to foreign assistance. Not to do so would damage the multilateral effort now underway. But more importantly, not to do so would jeopardize one of the most important opportunities we have ever had in foreign assistance. Indonesia, a nation of 110 million people, which was just a few years ago on the brink of communism, and which threatened one neighbor after another, has turned away from this. It has rejected communism and it has joined with its erstwhile opponents to begin the kind of regional cooperation that is the most certain surety for international peace. But, it has just begun. Forces still exist which could turn Indonesia back should the present government falter and the promise of economic improvement that it now holds out fail. Indonesia could become a dramatic alternative to communism and narrow nationalism. With its natural and human resources, and given the right kind of encouragement and support now, Indonesia could be a self-sustaining nation, helping to lead the nations of Asia toward peaceful development. But decisions must be made now, and one of the chief decisions will be how this House treats the administration's development loan authorization request.

Any further cut in that request will surely mean that the already inadequate funds budgeted for Indonesia will be further reduced. The United States will then be unable to bear its fair share of the international support which the courageous leaders of Indonesia deserve.

In closing I would like to read to the Committee a firsthand report which I have just received in my office from Prof. Bruce Glassburner, professor of economics at the University of California at Davis who is in Djakarta today. He has served as chairman for 2 years of the California University of Indonesia Economics Project, a Ford Foundation program. He states as follows:

> I am spending my summer in Djakarta as a special consultant to the AID Representative here—a job which I am finding most fascinating. The new Indonesian government is the first in this country's history to listen with more than half an ear to its professional economists. The results so far are good, but the job of reconstruction of the market system after more than ten years of dreadful distortion of price relationships is immense, and the economists' time appears to be running out. These economists, incidentally, are predominantly Berkeley trained, being the cream of the crop who received training under the University of California-University of Indonesia Economics project, a Ford Foundation financed effort, of which I was a member for three academic years, and was Chairman of for two years. This must be the biggest payoff project we've had anywhere, even though the final results aren't in yet.
>
> I won't go into detail about the present program, but will only say that their effort to stem the inflation (which is still serious) and to bring about rationalization of price relationships has already been much more successful than we had any right to hope for, and, given the political breathing space, Indonesia's economic performance can be expected to match the "miracle" in Taiwan, Korea, and Thailand within ten years time. If this sounds fantastic, consider what has happened in the last two countries in the past decade.
>
> But what I am getting at is that, although their success depends ultimately on their professional expertise (which is considerable), and upon their political staying power, substantial assistance on reasonable terms is also absolutely necessary. I have learned to my dismay that the State Department has announced to the Indonesians that they can count definitely on no more than $20 million from the U.S. for fiscal year 1968. They will be able to increase that by raising their absorption capacity of PL 480 goods, but after having seen our $200 to $300 million program in Pakistan, and the great good that it is doing, I find these tiny numbers appalling.
>
> The combination of an independent and economically successful Thailand, Malaysia, Singapore, and Indonesia will certainly make any domino hypothesis look quite silly. One must concede that Laos and Cambodia would be badly compromised by our failure in Viet Nam, but it does not following that the rest will collapse, particularly if there is a strong and prosperous Indonesia to the south, and Australia also backstopping. Indeed, our bargaining latitude—if and when we get the Viet Cong and North Vietnamese to the bargaining table—will be vastly increased if we can count on strength and, at the very least, neutrality from this nation.
>
> We are very much aware out here that Congress is in no mood to be generous with aid, and that there is much sympathy, particularly in the Senate, with multilateralism. No economist opposes careful spending (or lending), and no liberal opposes multilateralism. However, the multilateral machinery is only moderately good at best (IMF has only one man here, and IBRD has no one; the Dutch, who are ostensibly leading the Intergovernmental Group for aid to Indonesia have only one, very junior, man here). Also, the quantum of aid, which is probably sufficient for this calendar year's stabilization program, will simply not be enough next year, and even less adequate from 1969 on, if they get their plan going. In my opinion, we alone should offer not less than $100 million for calendar year 1968 (which now means no less than $50 million for fiscal 1968), and anticipate increasing it as rapidly as Indonesia's organization to absorb it can be increased.
>
> I hope you will read these words with sympathy and understanding, and that you will do your best to convince your colleagues that there is a great opportunity here. It's a gamble, of course, but compare it, if you will, with the magnitude of the gamble in Viet Nam. Give us one percent—or even ½ of one percent of the cost of that effort, and there is a high probability that it will come back with huge dividends. Here there is oil, tin, bauxite, and huge agricultural potential. In the long run it is bound to be used effectively by someone. I'd like to see it be the right people. Best personal regards.

During the years since independence, the country has experienced almost no economic development. Real per capita incomes are probably lower now than before World War II. Food production has increased less rapidly than population, and agricultural export earnings have fallen because of declining production and falling world prices. Production in almost all other sectors except petroleum also has declined in absolute terms.

During the 1954–65 time frame, per capita food production declined about 12 percent, due mainly to a shortage of funds and a lack of incentives for investment of privately owned plantations and to poor administration on those which had been nationalized. Tin production has declined markedly, especially since the ouster of Dutch nationals following the government's takeover of mining enterprises in 1957.

Manufacturing enterprises in Indonesia suffered from increasing underutilization of plant capacity, primarily because of shortages of raw material and spare parts. Moreover, production was hindered by inadequate maintenance of capital equipment, insufficient electric power, and shortages of qualified administrators and technicians. Most of Indonesia's roads deteriorated, as did the rail system. The government's determination to "Indonesianize" the economy resulted in the loss of much of the experienced foreign manpower formerly available within the country.

The most pressing and pervasive of Indonesia's economic problems under Sukarno was runaway inflation. The cost-of-living index for the last 2 years of Sukarno's administration rose 2,500 percent.

A large lag of revenues behind expenditures was built into the tax system, with almost no taxes collected in rural areas, and widespread evasion of direct taxes in the cities. One result of the runaway inflation was a kind of "guerrilla economy" in the cities, where civil servants, soldiers, and privately employed people alike, had to resort to moonlighting, petty thievery, and even extortion to make ends meet. The result was unbounded chaos. Ports became hopelessly clogged, government services were all but paralyzed, and businesses were wildly inefficient.

When Suharto came to power early this year Indonesia had little to show for the aid received other than a large military establishment that absorbed 50 percent of the nation's resources and a debt burden of $2.4 billion.

Since the failure of the Communist-backed coup attempt of October 1, 1965, not only Indonesia's political orientation, but its economic orientation has undergone a radical change for the better. A new government led by responsible military and civilian figures has taken power. Confrontation with Malaysia was officially terminated, and trade between Indonesia, Malaysia, and Singapore has been resumed. Indonesia has resumed membership in the United Nations, the International Monetary Fund, and the World Bank; all of these organizations are now involved in Indonesia's stabilization efforts and in its plans for longer-range rehabilitation and development.

The new government has identified economic reconstruction as its primary task and, with the assistance of the IMF, has drawn up and is implementing a program of economic stabilization. The necessary changes required for an effective stabilization program demand sacrifices at all levels of Indonesian society. In the current period of political and economic stress prevailing in Indonesia the United States and other interested European and Asian countries have been moving to provide timely assistance.

As an essential beginning for economic reconstruction, the new government is now implementing an IMF-endorsed stabilization program. The government has drawn up a balanced budget for 1967 based on several economically sound budget changes. Expenditures have been halted on a number of uneconomical prestige projects, military expenditures as a portion of the budget have been reduced by half, and tax collections have increased. The government announced early in 1967 sharp increases in prices of consumer goods and services from state enterprises—for example, gasoline prices were raised 800 percent—while reducing the substantial government subsidies to these enterprises. In October 1966, a number of currency reform measures were enacted to achieve a more realistic exchange rate and to aid in reestablishing the authority of the central bank over Indonesia's foreign exchange.

The government is endeavoring to attract foreign capital to help rehabilitate the economy. In an effort to make Indonesia an attractive target for investment, the government has passed a new foreign investment law, has signed an AID investment guaranty agreement, and has arranged to negotiate the return of foreign companies taken over by the Sukarno regime.

The government has made an encouraging start on its overall enonomic problems. Rigorous bank credit controls have been continued and, in combination with exchange rates which have favored imported goods over domestically produced items, have done much to curb domestic inflation. The rate of inflation has shown a marked decrease, from an 800 percent increase in 1966 to an anticipated 70 to 80 percent overall increase in 1967. While selective credit, tariff, and exchange measures will probably have to be taken to make domestic production more profitable, the Indonesian Government has demonstrated an economic self-discipline during the last 9 months that was sorely lacking in the Sukarno regime.

Many measures will have to be taken before Indonesia is safely on the road to a self-sustaining agricultural and industrial economy. On balance, however, the new government has shown that it possesses the internal fortitude needed to carry off a painful stabilization program and to initiate, with the assistance of the World Bank, the Asian Development Bank, and various donor countries, including the United States, comprehensive but reasonable plans for rehabilitation and development.

In conclusion I would remind the committee again that we can help make the world safe for democracy and private enterprise development in a time of peace as compared to a time of war for a few cents on the dollar. It makes little sense to spend billions to conquer by force underdeveloped natives to spoon feed them democracy when we will not spend a few cents to help the natives peacefully to spoon feed themselves.

I frankly am glad that the present inadequate aid authorization which we are trying to maintain will only last for 1 year. We will have another chance to rehabilitate this program in a forceful way to meaningfully help the peoples of the world again next year.

Mr. GALLAGHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to congratulate the gentleman for his statement, which is perfectly on point. I think he has certainly put his finger on one of the very, very important programs in this bill today. Indonesia is a country which has the fifth largest population in the world and which has turned its back completely on communism. We put through military budgets without batting an eye in this House, and yet here we have this very small investment that we are about to make to the country which ranks fifth largest in the world in terms of population and we are about to pull the rug on them. This could be one of the most unwise things we could do here during the entire consideration of this bill.

This is but just one of the items that we would abandon and in which we would abdicate our interest in that part of the world and signal to these people that they have no friends and no hope as to what we would ultimately do and what they in turn would do with reference to the Communist camp and thus undermine the position of the government that is seeking to establish some stability in Indonesia.

Mr. Chairman, General Suharto and all the people in Indonesia who are committed to the cause of freedom and the principles of democracy should receive our wholehearted encouragement and assistance.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Chairman, I am sure that the gentleman from New Jersey is not trying to convey to the membership of the House that this money not be specifically earmarked?

Mr. GALLAGHER. No; I am not saying that at all. But it is a part of the program. As to the earmarking of funds, what are we going to do? Are we going to take it away from Korea, from Brazil, from the Philippines, from Turkey? These are the countries which are involved.

Mr. Chairman, 83 percent of this money is involved in eight countries. I think we would be making a very large and serious mistake if we cut this program down to the amount which is contained in the amendment which has been offered, and which has been urged to be adopted by the gentleman from Iowa.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield further?

Mr. GALLAGHER. Yes.

Mr. DERWINSKI. I believe the gentleman is correct when he points out the fact that the funds which are going to Vietnam, as well as those which have gone to Indonesia, have resisted communism. But at that point I think we part, because the fact that we denied Sukarno's government foreign aid contributed to his downfall.

Mr. GALLAGHER. Let me say that I heard the arguments in this House back in those days with reference to this matter. The administration in those days was placing a small bet upon the training programs for the second and third echelons of the military in Indonesia. One of the best investments which we ever made was our investment in training the second and third echelons in Indonesia, who are, in effect, the people who turned against Communist Red China, and I hope that we will encourage these people in the future. They are our friends.

Mr. DERWINSKI. The point is that there are doubts about this approach. If anyone is concerned about Indonesia, this figure can be flexible.

Mr. GALLAGHER. If the gentleman is making that point, that we are going to take it away from them, I will make the point again, "Do you want to take it away from Korea, from Brazil, from the Philippines or from Turkey?"

Mr. DERWINSKI. Mr. Chairman, if the gentleman will yield further, there is such a thing as a pro rata distribution of funds in this program just as there is such a thing in connection with domestic programs.

Mr. GALLAGHER. Well, if there is no "rata," there cannot be any "pro."

Mr. FULTON of Pennsylvania. Mr. Chairman, I rise in opposition to both amendments and in support of the technical assistance program.

Mr. Chairman, there are places at which this bill can be cut. However, this technical assistance program is certainly not one of them. Where will this particular amendment hit the technical assistance program?

Mr. Chairman, 47 percent of this program is going to Africa. Page 14, section 103(c) of the committee report verifies that the distinguished gentleman from Illinois [Mr. O'HARA] is correct in his statement to that effect. Smaller proportions go to other parts of the world. There is 7 percent for east Asia and 6 percent for the Near East and south Asia.

The 38 countries in Africa will be affected substantially by any cut in technical assistance funds.

AID estimates Africa program requirements for fiscal year 1968 at $195 million.

Ninety-three percent of AID's proposed fiscal 1968 commitments are for development loans and technical assistance, indicating the stress that it places on development aid to Africa.

Technical assistance to manpower training and institutional development, two of Africa's greatest needs, accounts for more than one-half of the proposed fiscal 1968 commitments for development aid.

The AID program will continue to focus on education and training, food production, health, strengthening of the private sector, and expansion of transportation, communications, and other facilities which provide a base for economic growth.

Better education and training are essential if Africa is to make social and political progress and have the trained manpower needed for economic development. AID already has given substantial help both with general and specialized education. With AID help, more than 800,000 textbooks are being distributed in Africa in fiscal 1967, bringing the total number distributed since the start of the AID program to 3.3 million. About 833,000 African students are enrolled in schools that AID has assisted, while more than 20,000 teachers have been trained with AID help.

In Nigeria, AID-financed specialists from American universities are helping adapt U.S. educational techniques to Nigerian needs in science, agriculture, education, veterinary technology, and the arts and sciences. They include teams from the University of Pittsburgh, Kansas State University, Western Michigan University, Michigan State University, the University of California at Los Angeles, Colorado State University, New York University, Harvard University, the University of Wisconsin, and Ohio University.

Similarly, AID has provided capital assistance, or technical advice through U.S. university faculty members, to the University of East Africa; Changombe Teacher Training College, University College, and the Agricultural College in Tanzania; Haile Selassie I University in Ethiopia; Kassala Institute of Education in Sudan; Chott Maria Agricultural School in Tunisia; and Booker T. Washington Institute in Liberia.

The Liberians have now assumed complete responsibility for Booker T. Washington Institute after 12 years of AID assistance. It is the largest Government-operated secondary school in the country, training electricians, secretaries, radio repairmen, machinists, farmers, and other skilled workers.

AID will continue to emphasize technical and vocational training, including training for agriculture, improvements in higher education, and teacher training. University education should be shifted toward training in African institutions rather than abroad and to this end, AID will assist African universities specializing in key fields to serve regionwide training needs. It will provide scholarships to these schools for students from other African countries. The result will be a gradual reduction in the number of AID-sponsored African students coming to the United States for undergraduate degree training. AID also plans development loans in fiscal 1968 to improve and enlarge facilities at several African universities.

Although the great majority of Africans are engaged in food production, output lags behind growth of populations. Moreover, critical shortages occur whenever unfavorable weather or crop failures cut production. The problem is further complicated by inadequate marketing and distribution systems.

AID assistance is directed to the whole range of factors stimulating farm output—improved government agricultural planning and policies; education for agriculture; agricultural research; establishment or expansion of extension services; increased use of fertilizers, pesticides, and improved seeds; greater access to farm credit, and irrigation and reclamation.

With AID encouragement, the Ethiopian Government in 1966 reorganized the principal agencies responsible for agricultural and industrial planning and established a new Ministry of Land Reform. In Ghana, AID is helping develop agricultural extension and educational services, marketing and credit programs, and cooperatives. In the East Africa region, AID has provided technical and capital assistance to the East Africa Agricultural and Forestry Research Organization, enabling it to maintain and expand its services.

With AID assistance, Morocco has begun a massive self-help effort to increase cereal yields by 30 percent a year. The government has sold over 60,000 tons of fertilizer to farmers on liberal credit, and is also selling seeds and providing free service by heavy farm machinery to wheat growers. Another AID-assisted program was responsible for the planting of nearly 100,000 acres of forage to fatten the country's beef herds. It is estimated that the forage crops planted in 1966 will add some 12,400 metric tons of meat to Morocco's protein-short diet. AID-sponsored poultry production centers also are expected to have a major impact on the nation's ability to feed itself. From an original stock of 6,500 chicks imported from the United States, about 188,000 chicks will be available this year for distribution as breeding stock to upgrade native chickens.

AID also has helped Tunisia make important gains in agriculture. For example, an AID contract with an American firm brought modern well-drilling techniques to the country, resulting in wells that produce twice as much water as other wells and cost only half as much to drill. The Tunisian Government's plans to drill 350 wells in five years, adding 100,000 acres of irrigated land to the present 200,000, are under study to determine the optimum amount of acreage that can be effectively developed.

Through the AID program, about 1.3 million acres of African land have been irrigated or reclaimed, and AID-assisted agricultural credit institutions will provide loans to about 45,000 farmers in fiscal year 1967.

AID's Africa program in fiscal 1968 will concentrate on better coordination and exchange of research, adaptation of research to local problems, increased commercialization of agriculture as an alternative to subsistence farming, and more effective government administration and price policies.

Studies emphasizing increased food production are underway or are planned in Ghana, Ethiopia, Nigeria, and Tanzania. To increase regional output, AID will study ways to improve the wheat varieties in north and east Africa, grain marketing and storage methods in east Africa, and livestock production, processing, marketing, and distribution.

AID will also consider authorizing program loans to Ghana and Tunisia which may be used in part to import agricultural machinery and other essential items.

Another key AID objective in Africa is strengthening of the private sector, which has good potential for development.

In fiscal 1966, AID lent $8 million to the Ethiopian Investment Corporation—EIC—to finance equity and loan investments in industrial and agricultural enterprises, including an oil seed mill, a meat cannery and a factory for manufacturing glass containers. The EIC will foster the growth of industry by identifying and developing sound business opportunities, and by attracting private capital, both domestic and foreign, to these and other new areas of investment. When necessary, the EIC will invest in enterprises being established or expanded.

In Nigeria, AID provides technical assistance to help the government attract foreign investors and encourage private enterprise. With guidance from AID-financed economic advisers, the government has adopted policy changes to encourage foreign investment. AID also shares the costs of feasibility surveys with prospective investors.

In Ghana, U.S. consulting firms and the International Executive Service Corps, working under AID contract, are helping to transform the Government-operated National Investment Bank into a privately operated development institution.

AID is helping Morocco develop its phosphate and tourist industries. An AID-financed dragline went into operation at the open-pit phosphate mines at Kouribga in 1966. The machine will increase the production of phosphate rock by some 3 million tons a year and earn Morocco $30 million a year in foreign exchange with which to finance other development projects. U.S. technicians financed by AID also are helping Morocco to modernize its tourist industry. Tourists spent $66 million in the country in 1965, compared with $25 million in 1961. AID is also assisting Morocco to form an investment promotion center to spur private investments in the country's industries.

In fiscal 1968, AID will continue to stimulate private sector development through loans from the proposed U.S. private investment corporation being considered by major banks to finance investment opportunities in Africa; by arranging with U.S. financial institutions to station staff members in Africa to identify investment opportunities for their clients, and by studying ways to establish large-unit private agricultural production in about 10 countries.

AID will consider development loans to Ghana and Tunisia to finance imports of raw materials, fuels and lubricants needed by the industrial sector and will consider contracting for studies of new industrial opportunities in Ghana in line with the country's decision to encourage private enterprise.

The AID program for Africa also includes capital and technical assistance to projects which provide a base for economic growth—roads, railways and other transportation facilities, and communications systems and power projects.

For example, AID authorized a development loan of $21.7 million to Ethiopia in fiscal 1966 to finance the engineering and construction of a hydroelectric dam in the Blue Nile River Basin, 103 miles northwest of Addis Ababa. When completed in 1971, the project will add 100,000 kilowatts to Ethiopia's generating capacity, or enough power to meet the country's industrial and consumer needs through the 1970's.

Similarly, an AID loan is helping to finance construction of a water supply system for Ibadan, Nigeria, one of the largest African cities south of the Sahara. In Sudan, technical assistance from AID and the Bureau of Public Roads helped the country establish a highway department. Sudan is as large as Alaska, Texas, and California combined, but as yet has only 5,000 miles of roads.

In fiscal 1968, AID will continue to assist several countries in planning and engineering road systems and water supply and sewerage facilities. It also plans studies of proposed power grid systems that would serve several West African countries. It will consider development loans totaling $25 million for roads and railways, and loans totaling $10 million for power development and airport improvement. It also may finance engineering and construction costs of farm-to-market and urban roads in Kenya, Liberia, Nigeria, and Malawi, and the cost of engineering services, training programs, and equipment for communications satellite ground stations in east Africa, Ethiopia and Nigeria.

Other planned AID activities include an aerial inventory of Liberia's mineral potential, to be financed by a development loan, and continued assistance to police improvement programs in the Congo—Kinshasa, Rwanda, and the Somali Republic. AID finances training programs and communications equipment for these programs, which strengthen police capability to maintain internal security and prevent subversion.

Therefore if Congress is cutting, it is cutting in vital areas.

Subsection 103(d) under the technical cooperation and development grants provides for American schools and hospitals abroad. It provides not only for hospitals and help in Israel, but also help for the Roberts College in Istanbul, the American University in Beirut, the American University in Cairo, and Project Hope.

In answer to the gentleman from Indiana, the bill has a provision already in it on page 5 expressing the sense of the Congress:

> . . . that in any case in which any foreign country has severed diplomatic relations with the United States, the President should suspend assistance to such country under this or any other act.

So that the amount proposed in here for Jordan, the United Arab Republic, Tunisia, Morocco, and so forth for a total of $12,127,000 under the present legislation will not go to those countries.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield for a question?

Mr. FULTON of Pennsylvania. If the gentleman will get me extra time I will.

Mr. JONES of Missouri. I am not interested in extra time.

Mr. FULTON of Pennsylvania. In Africa these moneys are going into countries which are already being aided by many European countries, former colonial powers. It has been estimated that our assistance will be only 10 percent of the total program to help these countries develop. I therefore feel that in this and in some of the other sections of the bill which contain projects that have received technical assistance funds right straight through since the late 1940's, supported by both the Republican and Democratic Parties, cuts should not be made. When AID estimates that all of its current development loan projects and more than one-half of its technical assistance projects to Africa will be completed by the end of fiscal 1968, and most of the remaining technical assistance projects completed by the end of fiscal 1969, it would seem senseless to withhold the necessary funds at this point.

In order to avoid cutting the technical assistance program, I have proposed an amendment to reduce the voluntary family planning program, which was increased at the committee level from the $20 million requested this year to $50 million. The amendment would instead take the $30 million increase from foreign counterpart funds held in foreign countries, and will save $30 million in U.S. dollars which should go into technical assistance in nations without tremendous overpopulation problems.

So, Mr. Chairman, I urge the defeat of both the amendments to this vital part of the bill. Those who are interested in economy should recognize that there is a great multiplier effect and a great economic advantage to helping these people develop their own productive facilities. Then they will not be foreign aid freeloaders, but will rather be helping themselves to self-sufficiency through these technical training assistance programs.

Mrs. KELLY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, these cuts are serious in themselves. What is more serious is the reversal of policy involved in these cuts. By reducing the authorization as proposed in these amendments, we are in fact turning our backs on the policy of building pace and stability in the world in the cheapest and best way we know how: by helping countries to help themselves, and by encouraging them to cooperate with each other in solving their common problems.

The only alternative to this program is chaos and instability on a worldwide basis.

Such instability, Mr. Chairman, could only result in added expenses to us, expenses for more arms, more weapons, more equipment to put out brush fires all over the world. I believe the road to peace does not lead in that direction.

The road to peace leads in the direction of programs which we should not and must not cut further.

Mr. FULTON of Pennsylvania. Mr. Chairman, would the gentlewoman yield?

Mrs. KELLY. Yes; I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. We have been talking about the trouble in our U.S. cities and the troubles our local police forces have been having in the United States. I would point out that aid under technical assistance will continue to train the police forces in Uganda, Somalia, Chad, the Ivory Coast, and Nigeria, to help maintain their internal security. I believe these African countries need to have this training continued as far as these local police forces are concerned, for maintenance of law. Therefore, I recommend that the Congress do not cut these funds.

Mr. THOMSON of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to advise the House that I have pending and I will offer at the appropriate time an amendment which will prohibit assistance under this act or the Agricultural Trade Development Act to any country which has severed, or hereafter severs diplomatic relations with the United States of America.

The technical assistance we are talking about has been going to Algeria—and they have broken diplomatic relations.

It has been going to the Sudan—and they have broken diplomatic relations and have offered 1,800 troops to attack Israel.

It has been going to the United Arab Republic—and they have been the leaders in the opposition to the position of America and the hopes for peace in the Middle East.

Mr. Chairman, that amendment I hope will eliminate these soft sounding phrases and the sense of Congress resolution in the front part of this bill, because nobody downtown ever pays any attention to it. I want this Congress to write a judgment of this body that that aid will be cut off, and I want the President and the people of America to know that it is the position of the Congress and it is our determination that it be cut off.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman.

Mr. GROSS. I have just gotten some figures on this technical assistance for some years past, and those appropriations are as follows:

In 1956 it was $127 million.

And remember the request is for $243 million in this bill and my amendment would take it down to $210 million.

In 1956, as I say, it was $127 million.

In 1957 it was $135 million.

In 1958 it was $113 million.

In 1959 it was $150 million.

In 1960 it was $150 million.

In 1961 it was $150 million.

In 1962 it was $296 million.

In 1963 it was $225 million.

In 1964 it was $155 million.

In 1965 it was $204 million.

In 1966 it was $202 million.

For last year there was appropriated $200,000,000 and AID found it impossible to obligate that amount. Now there is wailing because the gentleman from Indiana and I are trying to reduce the request to $210 million.

Mr. THOMSON of Wisconsin. I would just like to say one word about Indonesia that has caused so many crocodile tears to be shed on this floor this afternoon.

Indonesia's program is for $3 million for the fiscal year 1968. Indonesia got in 1967, or there was allocated for Indonesia at that time, $1,300,000. But that is not the only money that has been going to Indonesia because the President has what is called a contingency fund and he has dipped very liberally into that contingency fund to support Indonesia's Government and called it supporting assistance. I do not know whether it is classified as confidential or secret, and the chairman of the good committee is crying about Indonesia, but under the development loan program—well, they got, shall I say, $17 million in supporting assistance from this Government. So they are being funded and they are being supported. I am sure our Government intends to continue it but I think it is high time to cut this aid to some of these Asian countries that are the enemies of peace in this world.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman.

Mr. ROSENTHAL. If the gentleman's amendment were to pass and I have an intuitive feeling that it will, there would not be any need for the pending amendment. The thrust of the amendment offered by the gentleman from Indiana [Mr. ADAIR] is that because some of the countries that had broken relations were receiving aid he wanted to reduce the bill the amount of that aid so that they would no longer receive aid. If the gentleman's amendment passes, it would be consistent to defeat the pending amendment.

Mr. THOMSON of Wisconsin. That would depend on when the amendments come up. If they come up after Thursday or before Tuesday, a lot of you fellows will not be here to vote on them. This amendment comes at page 37 of the bill.

Mr. ROSENTHAL. But in principle I am right in what I say?

Mr. THOMSON of Wisconsin. No, the gentleman is not even right in principle. I think this money should be cut out of the bill. It should be stricken out. It is not needed. It is overfunded. In its present form it is bad and I think it is time this Congress recognized it and adopted some of these good amendments.

Mr. FASCELL. Mr. Chairman, I rise in opposition to both amendments. I recognize that in doing so I am like a boy with a finger in the dike, and his friends are helping him by sawing off his arm. So I shall not belabor with logic what may be inevitable when you do not have the votes. But I believe we have the responsibility to make a record for the American people, and therefore I want to discuss several points which I consider of major importance.

We have struggled for a long, long time with the foreign aid program because we have never really found a way to divorce ourselves from the rest of the world, as much as some of us would like to. We know that our undertaking in the foreign aid field has been a long, hard trek. It has been expensive and at times frustrating. Yet I am not sure in my own mind that I have ever heard of a satisfactory alternative to the course which we are pursuing in this instance.

In that same spirit we have struggled in this body to restructure the program many, many times. I want to point out that the program which is being considered here today is not a rehash of the same old programs. If it has missed your attention—and perhaps it has—we have an entirely new emphasis in this program.

If there is one thing that we can say about this legislation, it is this:

The programs and activities which are to be funded out of the foreign aid authorization before the House today, are as new, and as relevant to the conditions confronting us in the world of 1967, as any single measure approved by this Congress to date.

I cannot stress this too strongly—because it seems to me, having had the honor to serve in the House for nearly 13 years, that the fate of this undertaking, and thus the disposition of some of our great national purposes, may well hang on this single issue.

Permit me to tell you, then, where this undertaking has parted with old and perhaps wornout prescriptions—and where it has moved into new and exciting channels.

I want to make this as brief as possible, and I will begin with the conclusions, developing the supporting evidence later.

The conclusions are these:

The program which the House is asked to approve represents a sharp departure from the policy of providing assistance to build up selected industrial segments of the underdeveloped countries—only those segments which can be expected to produce quick profit for each additional dollar of investment.

There was nothing intrinsically wrong with that approach—except for the fact that frequently it did nothing for the remaining 85 percent of the populations of the developing countries, causing those masses to become increasingly alienated discontented, and violence prone.

The program that we are talking about today emphasizes the partnership of the masses of the people in the development process and concentrates on three basic objectives. These are—

First, increased food production, required to feed the rapidly growing population of the world, and to provide a surplus of savings required for comprehensive economic development;

Second, education, to break down the ingrained, age-old habits which make rational and efficient approach to economic development impossible;

And third, health, to safeguard man's advances on the other two fronts and to improve the human condition.

In rechanneling the program in order to emphasize these three priorities, we have also changed the tempo, as well as the direction, of our assistance.

First, we laid down the rule in the bill H.R. 12048 that henceforth self-help shall be the regulator and the determinant of our assistance.

We are serving notice to our friends abroad that our aid will not be used to make up for the lack of effort, or timidity, on their part.

We will give them support only to the extent that they help themselves.

Second, we are also announcing that we are not in this foreign aid undertaking to bring increased gains to those few who are already at the top of the economic scale in the developing countries, but that we will reserve our support for those projects and programs which are designed to bring the masses of the people—with their vast talents, their latent energy, and their aspirations—into the task of building a better future for their, and for our own, children.

We stressed once again in the bill H.R. 12048 that the guidelines outlined by the Congress last year in enacting title IX of the Foreign Assistance Act of 1966—support for democratic processes and for maximum popular participation in development—will continue to be the guiding principles of our effort.

Third, we have taken bold new steps to facilitate and increase private participation in foreign aid—both by encouraging private enterprise in the developing countries, and by providing direct support for private activities through investment guarantees, improved cost sharing of investment surveys, direct assistance to private American organizations and institutions interested in overseas development, and in other ways.

And, fourth, we have closed the door tightly against the possibility of our assistance benefiting—either directly or indirectly—those who work at cross purposes with our policies in the world arena.

We are strengthening prohibitions on all forms of assistance to those who assist North Vietnam.

We are continuing the very stringent provisions of our law which apply to Communist Cuba.

And we are proposing to deny access to our farm commodities to those who make more difficult the very heavy tasks already borne by our boys in South Vietnam.

Mr. Chairman, these are positive, constructive changes in our foreign policy undertakings supported under the authority provided by the Congress in the foreign assistance legislation.

I am proud to say that the Subcommittee on International Organizations and Movements, which I have the honor to chair, has played a significant role in bringing about these changes.

Over a period of years, our subcommittee has conducted studies and investigations which:

Focussed attention on the vital role of private U.S. industry and voluntary organizations in foreign aid;

Highlighted the necessity for broad-gaged popular participation in development;

Stressed comprehensive rather than selective approach to development;

Emphasized the key role of the behavioral sciences, research, education, and modern communications in the development process;

And pointed the way in many other respects to the new directions embodied in the bill before us.

As I said, we are proud of the results stemming from our efforts—not only because we have had a part in them but rather because of the promise which they contain for breaking the vicious circle of human misery, discontent, and international violence.

Mr. Chairman, permit me to summarize the monetary consequences of the changes in approach and policy which I have just described.

In the first place, the program before us increases by 50 percent—to nearly three-quarters of a billion dollars—the resources which will be devoted to improving agricultural production in the receiving countries.

Second, this same program anticipates the commitment of nearly a quarter billion dollars for education and training relevant to the development process.

And third, the program earmarks more than $200 million for the fight against disease—the fight which must be won if the people of the developing countries are to have the physical capability and stamina to move ahead with the tasks before them.

In addition, this program contains supporting assistance—although on a much reduced scale—principally for those nations located on the periphery of the Communist empire who are contributing heavily to our common defense—more heavily, in fact, than their own resources permit.

We are also proposing to continue—however, again on a reduced scale and in a more pinpointed fashion—development lending which results in long-term returns to our Nation; support for the Alliance for Progress programs; participation in worthwhile projects sponsored by the United Nations family of organizations; and other smaller programs.

Let me say one final thing:

The bill before the House has been cut more than $300 million by the Foreign Affairs Committee—or nearly 10 percent of the authorization requested by the executive branch.

This is a sizable cut. In one sense, that cut is regrettable when we consider the needs and the desperate condition of nearly one-half of the human race. At the same time, however, this reduction was necessary because of the size of our many commitments—both at home and abroad—and the high level of taxes borne by the American people to meet those commitments.

We must proceed with the urgent tasks of meeting Communist aggression—provide for our future security through such long-range programs as space development—and respond effectively to the legitimate needs of our own people at home.

These tasks cost money. And because of that, we had to make this substantial reduction in the foreign aid program proposed for fiscal year 1968.

Mr. Chairman, I firmly believe that the bill recommended by the Foreign Affairs Committee by the overwhelming vote of 27 to 7—the bill which received the support of majorities of both political parties represented on that committee—is a sound bill which warrants our support.

The challenge which confronts us abroad, and our own national self-interest, dictate this course. The amendments proposing to cut the authorization should be defeated.

Mr. GALLAGHER. Mr. Chairman, I rise in opposition to the amendment.

Mr. JONES of Missouri. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. JONES of Missouri. Mr. Chairman, before other Members are recognized, should the gentleman from New Jersey have the floor for recognition? If he does, I am going to object, because the gentleman has spoken on this. I have tried to get the floor for questions from some of the other speakers, and I have not been able to do it.

Mr. GALLAGHER. Mr. Chairman, I moved to strike the requisite number of words on the first amendment.

The CHAIRMAN. The Chair will state that the gentleman may have spoken on the original amendment.

Mr. JONES of Missouri. Mr. Chairman, may I put in my order? I would like to be recognized sometime today.

Mr. GALLAGHER. Mr. Chairman, I yield to the gentleman from Missouri.

The CHAIRMAN. The gentleman from Missouri is recognized for 5 minutes.

Mr. JONES of Missouri. Mr. Chairman, I am not going to take the full 5 minutes.

When the gentleman from Pennsylvania was up several minutes ago, he made the statement there may be several places in the bill where there may be cuts, but it should not be cut here. I would like to ask the gentleman from Pennsylvania to tell me where, in his opinion, it can be cut.

Mr. FULTON of Pennsylvania. I will be glad to tell the gentleman. I want to cut $30 million U.S. dollar authorization from the family planning and birth control programs under U.S. foreign aid which cuts the line item down to $20 million and limit use of U.S.-owned foreign currencies held abroad to $30 million for these programs in 1968. The aid agency asked for $20 million U.S. dollar authorization only for 1968.

Under the present bill, there is authorized for use in the coming fiscal year 1968, for family planning money over $2 billion in counterpart funds under section 612 of the Foreign Act of 1962 as amended. I think that is too much.

Mr. JONES of Missouri. I thank the gentleman very much. He has given me two places where it can be cut, and I assume the gentleman is going to support amendments to cut those.

The gentleman from Illinois, for whom I have the greatest respect [Mr. O'HARA] and also the gentleman from Pennsylvania told us how this was going to ruin Africa. Then the gentleman from California [Mr. LEGGETT] said we are going to ruin Indonesia. Then the gentleman from New Jersey said we are going to ruin five or six other countries, and he did not mention Africa or Indonesia. The thing about it is, the gentlemen ought to get together before they get up here like this. They get us confused.

I think we ought to cut it all out. The way we are going right now, I think it is time to offer a preferential motion to cut it all out.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I would like to point out to the gentleman, with regard to technical assistance, there was actually appropriated $200 million last year. My amendment would bring the authorization for this year down to $210 million. Actually, out of last year's appropriation of $200 million, almost $7 million was unexpended.

Also, I wish some of the experts on this bill would tell us how much there is in it for Egypt. It is there.

Mr. JONES of Missouri. They are all experts, they tell me.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Mr. Chairman, the only experts today are on that side of the aisle without benefit of fact.

The gentleman says we ought to get together. The firing is coming in on all sides and it is difficult to keep a low silhouette today.

I would like to respond to the gentleman, that there was appropriated or allocated for Egypt $1.6 million for technical assistance, before the war broke out over there.

Mr. GROSS. It is still there.

Mr. GALLAGHER. Yes, it is. May I say it is still there. But, as the gentleman well knows, all those programs have terminated. For all the Arab programs put together under this section, the allocated amount would be approximately $7 million—period. As the gentleman well knows, all of those programs have terminated. The executive terminated them. This bill terminates them. So there is no problem on these programs. They are terminated.

Mr. JONES of Missouri. Mr. Chairman, I refuse to yield further. The gentleman mentioned something I am familiar with. I just got back from the Middle East. They had some of these programs going in the Palestine refugee program. On the Gaza strip, they had 300,000 people. So they carried on vocational training to try to train them. The result in the course of the year was they trained 200 in a year, out of the 300,000. That is the kind of progress they are making. They do not know how to use the money when we give it to them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS] to the amendment offered by the gentleman from Indiana [Mr. ADAIR].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 116, noes 104.

Mr. GALLAGHER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GROSS and Mr. GALLAGHER.

The Committee again divided, and the tellers reported that there were—ayes 141, noes 145.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Indiana.

Mr. ADAIR. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ADAIR and Mr. GALLAGHER.

The Committee divided, and the tellers reported that there were—ayes 139, noes 138.

The CHAIRMAN. On this vote by tellers, the ayes are 139, the noes 138. The amendment is agreed to.

The Chair votes "no."

So the amendment was rejected.

Mr. GERALD R. FORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GERALD R. FORD. Mr. Chairman, the Chair had announced the vote, and that the amendment had been agreed to.

The CHAIRMAN. The Chair will state that the Chair had not completed the announcement.

Mr. GERALD R. FORD. Mr. Chairman, the Chair had announced the vote, and the Chair had brought down the gavel.

The CHAIRMAN. The Chair will state that the Chair has the right to make the vote a tie, and the Chair exercised that right.

Mr. GERALD R. FORD. But the Chairman does not have that right after the vote has been announced, and after the gavel has fallen.

The CHAIRMAN. The Chair will state that the Committee had not proceeded to any other business, and the Chair exercised its right before the Committee proceeded to any other business. The Chair exercised its right to vote.

Mr. GERALD R. FORD. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GERALD R. FORD. Mr. Chairman, is it within the Rules of the House that there should be a recapitulation of the vote?

The CHAIRMAN. The Chair will state not on a teller vote.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. RYAN: On page 11, immediately after line 19, insert the following:
>
> "(c) at the end of section 211 add the following new subsection:
>
> "'(f) The President shall establish a committee composed of individuals, both within and without the Government, or arrange for a (nongovernmental) research group, university or foundation or any combination thereof to study the advisability and practicability of establishing an International Development Corps dedicated to a career service in international development composed of specialists in international technical assistance. The study shall include but is not limited to a review of existing technical assistance programs, including but not limited to the existing resources, organizations, activities, needs, training programs, future trends, and needs. The report, including findings and recommendations, shall be submitted to the President and both Houses of Congress no later than April 30, 1968.'"
>
> And redesignate the following accordingly: Subsections "c," "d," and "e," to "d," "e," and "f."

Mr. RYAN. Mr. Chairman, the U.S. foreign assistance program is now entering its third decade. As first conceived, the program was to be only temporary, but, as new conditions developed, the need to assist other nations—both economically and militarily—persisted.

The decade of development launched by President Kennedy required philosophical and programmatic revision. As during the days of the Marshall plan, economic assistance predominance returned to prevail over the military component of the foreign aid legislation. The terms and conditions to which economic assistance is subject are, however, much different today.

Reconstruction of the late 1940's and early 1950's has been replaced by assistance to the development of societies desirous of increased economic productivity.

Although not obvious at first, it is by now clear that many of the premises upon which economic reconstruction was based are not applicable to the process of development. Large capital inputs require trained people if the capital is to be used efficiently. Often a large segment of the population of a nation in the early states of economic development lacks requisite skills and training.

> These underdeveloped countries are missing some of the vital ingredients which Europe already had—institutions, technology, management skills, and the like. Consequently, the results of our financial aid have been disappointing. General economic development . . . in the developing countries is not as simple as some would imply. (Report of the National Advisory Commission on Food and Fiber, *Food and Fiber for the Future,* July 1967, p. 324).

Institutions reflect the needs and capabilities of the people those institutions serve. Institution building must, of necessity, begin with people. Slowly we are becoming aware of the fact that the institutions and techniques of one society may well be completely unworkable in another. People can change from old ways to new ones—they can acquire new skills and become accustomed to new methods. As the orientation of a society changes, necessity may call forth new institutions.

In light of the subsequent decade, perhaps President Truman's concept of a point 4 program was visionary. During the years since 1961, however, the vision has become a reality—a necessity. Point 4, more broadly known as technical assistance, is manifested in a variety of forms and institutions. In the words of the Agency for International Development:

> In many ways technical assistance, a phrase that simply means the provision of expert American advisors, is at the heart of foreign economic aid. For it is in the person-to-person contact between United States specialists and their foreign counterparts, who will one day carry on the tasks of development themselves, that the essential transfer of modern technology occurs. (A.I.D., *Proposed Foreign Aid Program, FY 1968*, p. 31.)

Parenthetically, the above statement notwithstanding, America does not have a corner on the market of expert advisers.

Point 4, or technical assistance, was highlighted in 1960 by the gentleman from Wisconsin, Congressman REUSS, in his proposed study of the feasibility of a point 4 Youth Corps, which gave impetus to legislation creating the highly successful Peace Corps.

The success of the Peace Corps has increased the awareness of the importance of technical assistance and the role it plays in economic development. Steel plants are useless absent people skilled in their operation. As was stated in the "Summary Report of the International Conference on Middle Level Manpower" held in San Juan, P.R., October 1962:

> Human beings are the instruments of development because it is only through the acquisition by large numbers of men and women of the tools and the spirit of modern science and technology that national development can be achieved.

The report pointed out that:

> Studies show that about half of the increase in output in the United States over the last fifty years is attributable to just non-material factors—the upgrading of skills—rather than to physical capital and available labor force.

The "upgrading of skills" is often a long slow process. Even if the knowledge is available and applicable to an existing situation; even if someone is capable of transmitting that knowledge, all is to no avail if the recipient refuses to utilize new methods—perhaps because he is used to, and therefore, thinks that old methods are better.

> In some of the most densely populated regions of the underdeveloped world, 70 or 80 percent of the total population are engaged in peasant agriculture. These people are usually illiterate, tradition-bound, and suspicious of outside assistance. Long and bitter experience has taught them to cling to the known and proven until the proffered substitute has established its superiority. Establishing such proof, however, is usually a time-consuming process. (Report of the National Advisory Commission on Food and Fiber, *Food and Fiber for the Future,* July 1967, p. 316).

In short, technical assistance in its broadest sense includes defining the problem; once defined, researching to find an answer; testing that answer; applying it to the problem; disseminating the information; persuading people to try something new. Each phase perhaps can be done by one person. More likely it will require several people, each possessing different skills. The researcher who defines the problem and finds a solution may not necessarily be conversant with the culture, customs and language of the people in need of that new method such that he can communicate with and teach them to accept the result and use it effectively.

Each year recognition of the importance of technical assistance becomes more pervasive. But the available resources are completely inadequate—the trained people willing to research, to find answers, and to transmit this knowledge.

During fiscal year 1966, economic assistance committed by the Agency for International Development including supporting assistance, but excluding food for peace—Public Law 480—and military aid, amounted to $2,665 million. Of this, only $313 million, or 11 percent, was devoted to technical assistance grants—including technical assistance for the Alliance for Progress.

As for the human resources devoted to technical assistance, technical assistance in the sense of people working in the area, the facts speak for themselves.

As of March 31, 1967, there were only 7,435 U.S. technicians abroad under the auspices of AID. "AID, Operations Report" (W–129) (1967).

As of the same date, AID had 146 contracts with 74 universities to supply technical assistance to host countries. These contracts involving somewhat over 1,000 university personnel are worth $203.3 million. In addition, another 76 universities provide training, research, or technical assistance aid under 155 contracts worth $25.5 million. Of these latter, 102 contracts were for training—presumably AID-sponsored foreigners. AID, "AID-Financed University Contracts," Contract Services Division (W–442) 1967.

According to AID, "Proposed Foreign Aid Program Fiscal Year 1968, Summary Presentation to the Congress," page 46, since the beginning of the point 4 program in 1949, over 97,000 foreign technicians and professionals have come to the United States for training under U.S. foreign aid auspices. During the same period 19,000 were trained in other countries.

Annually, 5,000 to 6,000 AID-sponsored foreigners receive training in the United States or countries other than their own. Because of the factors involved, the quality of such training is, however, difficult to quantify. Whether a technique applicable in the United States is transferrable to his own nation will often determine the value of a training program under conditions not equivalent to those to which the trainee will return. For example:

> Another major obstacle to rapid agricultural development is the lack of basic and adaptive research that can be applied in the developing regions. Practically all of the agricultural research that has been done in the world has been done in the developed countries—in the temperate zones—whereas the underdeveloped countries lie for the most part in the tropics. . . . One of the most critical problems is a lack of research on tropical agriculture. (Report of the National Advisory Commission on Food and Fiber, *Food and Fiber for the Future*, July 1967, p. 316).

The Technical Assistance Information Clearinghouse has identified over 500 U.S. agencies, missions, and foundations engaged in work in foreign countries. Some 65 of them are nonprofit, relief and rehabilitation agencies registered with AID's Advisory Committee on Voluntary Foreign Aid which makes them eligible to obtain various types of U.S. excess property, to obtain overseas freight subsidy and to participate in the food-for-peace program. Most of these agencies are involved in relief work, although some engage in technical assistance projects.

Of the 500 organizations mentioned above, it is difficult to ascertain the number of people they have engaged in technical assistance. Some are engaged in pure relief work; others like the Rockefeller Foundation are extensively involved in research and applying new solutions to existing problems at a variety of levels ranging from the village to the university.

The International Voluntary Service, a private, nonprofit agency, has some 250 volunteers working at the hamlet level in Laos and Vietnam.

Besides our Peace Corps with over 12,000 overseas volunteers, there are some 6,900 volunteers from other countries engaged in the same kind of activity according to the International Volunteer, April–June 1967, published by the International Secretariat for Volunteer Service.

As for international organizations with regular technical assistance programs, those including FAO, IAEA, ICAO, ILO, U.N., UNESCO, and WHO had, as of December 31, 1966, a total of 1,280 technical assistance experts in the field—100 of whom were U.S. citizens. The total expenditures for 1966 were $35.8 million.

The United Nations Development Program, combining the Special Fund and the Expanded Technical Program, had only 4,486 such experts in the field as of December 31, 1966—at a total expenditure of over $134.6 million. Nearly half of these people are in the Special Fund section which specializes primarily in preinvestment surveys.

Since the United Nations Development Program was established in 1965, some 19,000 international experts have served in low-income countries; 300,000 men and women have been trained in their own countries; and 36,000 have been trained outside of their country. The quality and intensity of such training, however, varies with the program.

In March 1965, the United Nations Institute for Training and Research was established. Several of its programs are devoted to training personnel in technical assistance. The Institute concentrates as well on studies related to needs of developing nations and the implications of scientific and technological development.

A paper prepared by the Department of Development of the Organization for Economic Cooperation and Development for the world assembly meeting of the International Secretariat for Volunteer Service held in New Delhi, India, earlier this year revealed the following facts. As of 1965, the number of volunteer technical assistance personnel sponsored by OECD member countries including Australia was 16,031 in 1965. These volunteers include those serving with the U.S. Peace Corps. About half of the volunteers perform teaching functions, while the rest provide essential middle-level personnel primarily for community development.

This same report indicates that the number of officially sponsored bilateral technical assistance personnel, other than the above mentioned volunteers, was, in 1965, 76,300. Over 40,000 of this latter group were involved in education.—"The Role of Volunteers in the Technical Assistance Programs of the Member Countries of the Organization for Economic Cooperation and Development," Development Department of the Organization for Economic Cooperation and Development, technical paper No. 20, March 1967.

These figures are not encouraging if compared to the job at hand. Technical assistance, as used in the context of economic development, is not merely the transmission of knowledge. In order to put our technological and scientific skills and research to maximum use, we must, first, survey and understand the technical needs and opportunity in the area of concern; second, develop adequate research programs; and third, put technology and new research to work effectively in developing nations.

Such assistance runs the gamut from research on a specific theory to increasing managerial skills. Testifying as Assistant Secretary of State for Latin America, Lincoln Gordon indicated that one reason for the increase in taxes collected in Latin America was because:

> . . . on the technical side, the majority of the participating countries have asked . . . for technical help from our own Internal Revenue Service. . . . and I believe that this has played a most important part in the improvement. (*Hearings*, before U.S. Senate Committee on Foreign Relations, on S. 2859, 89th Congress, second session, p. 459 (1966).)

In its recent report, The World Food Problem, volume 1, pages 20–21, May 1967, by the Panel of the World Food Supply of the President's Science Advisory Committee, it was stated:

> Increasingly, United States foreign assistance should take the form of knowledge, technical assistance, adaptive research, education and institution building.
>
> The scarcest and most needed resource in the developing countries is the scientific, technical, and managerial skill needed for systematic, orderly decision-making and implementation. Through technical assistance programs, the United States should emphasize guidance, education, and the development of indigenous capabilities—for the long term—because the task in the developing nations has only just begun and will continue for many decades to come.
>
> In recent years, United States programs of technical assistance have largely given way to capital assistance and the purpose and value of each has become blurred. The important distinction between these two instrumentalities of aid should be recognized and each should be employed sharply and effectively to reinforce the other in helping those developing countries that are willing to make the effort to solve the complex problems of feeding their people and improving the quality of their lives.

The National Advisory Commission on Food and Fiber in its July 1967 report, "Food and Fiber for the Future," pointed out, on page 133, that:

> This technical assistance program will have to be considerably larger than any program this country has carried out in the past. Presently, United States annual economic aid, including money, technical assistance and education, amounts to only .003 percent of the gross national product.

In its summary presentation of the "Proposed Foreign AID Program, Fiscal Year 1968," at page 31, AID stated that:

> In many ways technical assistance . . . is at the heart of foreign economic aid.

Many problems exist in present technical assistance programs including those of the United States.

Dr. John Caldwell of North Carolina State University, Raleigh, chairman of the International Affairs Committee, National Association of State Universities and Land Grant Colleges, pointed out in his testimony that the present contract system between AID and the universities did not permit requisite flexibility; the projects were often short run; often inadequate time was given to prepare for the program; the existence of little if any followthrough; lack of assured tenure deterred professors from remaining on a long-term project; and the contracts were usually for projects rather than programs which are broader in concept than the former. Hearings, before the House Committee on Foreign Affairs on H.R. 12449, 12450, to amend the Foreign Assistance Act of 1961, 89th Congress, second session, pages 899–901, 1966.

But the foundation of a technical assistance program is people, and herein lies the greatest problem. As noted in its "Progress Report: Toward the Conquest of Hunger, 1965–1966," the Rockefeller Foundation, on page 21:

> As nations grapple with food production problems in the decades ahead, the lack of trained agricultural leaders, educators, and scientists will loom as a major shortcoming. Too few people have been trained in the sciences related to agriculture; of these, far too few have been trained to meet the needs of their homelands.

Statistics indicate that a shortage of skilled personnel willing to work in technical assistance exists as well in the United States.

> With mounting evidence of shortages of trained U.S. manpower to deal with international problems, a program for improvements in international education must make a long range commitment to provide specialists for research, for teaching and for international service . . .

> As in most fields there is a critical shortage of faculty, according to Dr. Fayerweather: "There are today probably only 100 to 200 American professors who should be considered really competent international business teachers and researchers," . . .
>
> Urban and environmental studies concentrating on the problems of cities in both the developed and developing areas is another rapidly growing field and one for which trained personnel will be needed increasingly. William L. C. Weaton believes we should be training a minimum of 100,000 persons per year for the next decade to build such a pool of manpower in the international area. This would require at least a doubling of output to meet urban professional and scientific needs during the next decade. (*Planning for the Implementation of the International Education Act of 1966: An Interim Report*, Department of Health, Education and Welfare, July 1967, p. 3, 17, 18).

Dr. Stewart, testifying as Surgeon General of the United States, as to the present situation in the area of health alone emphasized the difficulty of replacing an individual who has been working in a foreign country and returns to the United States:

> It is difficult to find the person who has the training and experience that would replace this person. More or less we look around to see who might have been in this field some way or another. We are not at the present time training a cadre of people coming along with the interest, with the education, and with the training and experience in the international health field. They sort of grow up topsy-turvy. (*Hearings*, before the House Committee on Interstate and Foreign Commerce, *International Health Act of 1966*, 89th Congress, 2d Session, p. 29, 1966).

Our program of giving assistance, in one form or another, to other nations will continue to exist for the forseeable future. Unlike reconstruction, development requires imparting knowledge and teaching skills to those who lack it if they are to use capital resources efficiently. We appear now to be on the threshhold of recognizing the importance of transfer of skills and knowledge; that is, technical assistance, as well as the complexity of the process meshed in its development and transfer.

Each year new legislation embodies more programs requiring skilled personnel, especially since 1961 legislation has given increasing emphasis to the human component of foreign assistance and economic development.

In 1961, the Peace Corps was embodied in legislation—Public Law 87–293; there was the Mutual Educational and Cultural Exchange Act of 1961—Public Law 87–256; prior to this, Congress had enacted the National Defense Act of 1958—Public Law 85–864; there were also the addition of subsection (g) to section 251 (22 U.S.C. 2211(g)) of the Foreign Assistance Act providing for the promotion of the cooperative movement in Latin America—Public Law 88–205, 1963; the adding of chapter 7 to said act (section 471 (22 U.S.C. 2281) providing for establishment of Joint Commissions on Rural Development, the activities of which may include "such research, training and other activities as may be necessary—for such development."—Public Law 89–583, 1966.

In 1966, subsections (d) and (e) were added to section 211 of the act. The former authorized the President to use up to $10 million to assist U.S. research and educational institutions to develop and carry out programs concerned with the economic and social development of less developed nations. Subsection (e) places a priority on increasing agricultural production and the utilization of adaptive research programs for this purpose—Public Law 89–583.

The foreign aid bill before us, H.R. 12048, includes a new section 207, subsections (b) and (c), of which emphasize the need for technical knowledge, adaptive research programs, trained manpower and assistance to the development of basic institutions.

Subsection (b) proposed to be added to section 461 of the act (22 U.S.C. 2271) mandates the President to include recommendations for improving and establishing agricultural research and training facilities in Latin America, Africa, and Asia.

The bill proposes the addition of title 10 to the act, authorizing the President to provide assistance for family-planning programs.

Section 601(c) of the act (22 U.S.C. 2351) provides for an International Private Investment Advisory Council on Foreign Aid.

In addition to these provisions, the Congress last year enacted, but failed to fund, the International Education Act of 1966 (Public Law 89–698) providing for support and improvement—on a long-range, broad-gage basis—of research and teaching in international affairs in colleges at both the graduate and undergraduate level.

In his message of February 2, 1966, President Johnson, in calling for such legislation proposed to "create a corps of education officers to serve in the U.S. Foreign Service." He also proposed that—

> AID be given authority to provide support to American research and educational institutions, for increasing their capacity to deal with programs of economic and social development abroad.

In that same message he proposed a program to "create an international career service in health." Noting that, "the first requirement of an international health program is trained manpower" he proposed to—

> 1. Increase the supply of Americans. . . .
> 2. Establish a select corps of International Health Associates [the members of which would serve with AID, the Peace Corps and international organizations]. . . .
> 3. Create an International Corps in the Public Health Service. . . .

by directing the Secretary of Health, Education, and Welfare to build a career service corps competent to sustain the international health programs in which this country participates.

He also proposed to double the present AID program to strengthen medical and health training institutions in developing nations.

Unfortunately, the Congress failed to enact the international health bill.

AID, itself, is taking steps to meet the increasing demand for technical assistance, has placed primary emphasis on food and health. The Office of the War on Hunger was recently established in AID. This Office will also have a population service. It has assisted in the establishment of the International Executive Service Corps, a nonprofit organization which supplies technical advice to foreign businessmen.

AID has numerous contracts with universities and other organizations providing specific technical assistance to host countries as well as research teams.

The trend toward an increasing emphasis on technical assistance is clear, but the resources devoted to this area are limited, indeed; there is a lack of coordination; the projects are often short term with little if any followthrough; to date the necessity of basic long-term research has been almost completely neglected; and as pointed out by the staff study for the Research and Technical Programs Subcommittee of the House Committee on Government Operations, "The Brain Drain Into the United States of Scientists, Engineers, and Physicians," July 1967, there is in fact an outflow of precious talent from the nations which desperately need it.

I welcome what appears to be a recognition by the Congress and the Executive of the importance of technical assistance, the basic component of which is skilled personnel. Recently, great emphasis has been given to both agriculture and health. As necessary as these basic programs obviously are, if we have learned anything, it is that the components of development are interrelated—the more developed a society becomes, the more complex the relationships.

Despite pressing needs, other factors must not be abandoned. For example, the more developed the agricultural system becomes, the greater the need to develop other sectors which until then seemed perhaps relatively unimportant.

The basic problem remains—people—people to research; people to develop and test; people to transmit the results of that knowledge.

The Peace Corps thrives; the International Education Act exists on paper awaiting funds. Last year the President proposed the creation of an international corps in the Public Health Service, the establishment of a program of fellows in international health. Each in itself is a worthy proposal. Yet each is the response to the immediate need; a response to that receiving the most emphasis.

The Peace Corps is a proven success; other specialized corps will succeed; but let us go one step further and in doing so recognize that for the foreseeable future, foreign aid is here to stay; that the primary need of developing areas is the acquisition of knowledge and skills; that the demand will require a huge number of people to research, to develop new solutions, and to transmit and to apply the results.

Let us recognize the need to establish, what I called for sometime ago, an International Development Corps.

People are available; they lack, however, an institutional framework within with which to operate; an institution which will provide the necessary organization, coordination and training; an institution, in short, which will permit people to make a career in the area of technical assistance and economic development.

Such an institution would not divest existing organizations of their programs. The primary function of the International Development Corps would be to permit—induce, if you will—people to equip themselves to provide technical assistance, to establish programs where none exist, to provide coordination where needed, and to fill in existing needs not currently met.

Organizations such as the Peace Corps would be a continuing necessity providing, to some extent, a training ground for those who are predisposed toward a career in this area.

The Peace Corps as conceived, however, even were its manpower resources to increase by a factor of 100—cannot provide the personnel necessary to fill the ever-increasing demand for technical assistance. Peace Corps volunteers are not career personnel. They volunteer for 2 years only. Most of them are college graduates trained in the liberal arts rather than technical skills. Their training period, although permitting those who desire it to obtain some technical knowledge, is far too short to equip them as in-depth specialists. More than one half of the volunteers are teachers during their tenure with the Peace Corps. After 2 years, they return to the United States, some to continue their education, others to begin different careers.

I do not intend in any way to derogate from the Peace Corps as conceived and as operated. It fulfills a vitally-needed function. Its high quality volunteers perform an excellent service both for the United States and the host countries. It is clear, however, that the Peace Corps as conceived can fill only a small part of the needs of a large and constantly growing field—that of technical assistance. Peace Corps volunteers are indeed needed, but increasingly there is a vital need as well for the career specialist.

The International Development Corps would fill the gap between the Peace Corps and the concept underlying the International Education Act. It would provide the necessary institutional framework. Secretary Gardner indicated the need for such an institution.

> One of the problems with this group of Peace Corps volunteers returning who want to enter is that we do not have the facilities which can easily move them into international health careers, so we hope to tap at least one possible new source of personnel here for the medical field. (Hearings, before the House Committee on Interstate and Foreign Commerce, on H.R. 12453, The International Health Act of 1966, 89th Congress, 1st session, p. 18 (1966)).

International Development Corps career personnel would be more professionally oriented than the Peace Corps Volunteers, at the same time it would be able to supplement the efforts of the Peace Corps Volunteers.

In its interim report, the Department of Health, Education, and Welfare noted.

> The U.S. has been active in agricultural assistance to other countries since 1947, but, indicates consultant Clifton R. Wharton, Jr., there appears to be little cumulative effect of this vast experience. He attributes this to the fact that few organizations have set up any mechanism to allow advisors to pass on their practical knowledge of development to the people taking over similar assignments abroad. (*Planning for the Implementation of the International Education Act of 1966: An Interim Report*, Department of Health, Education, & Welfare, July 1967, p. 16).

But why limit the concept merely to health or agricultural specialists? Important as these areas are, a variety of other kinds of skills are needed by the developing countries.

The International Education Act as conceived is not broad enough in scope; it is designed primarily to strengthening of university curriculums. Technical assistance requires a diversity of talents, those of the union organizer, those of the skilled mechanic, those of the expert in cooperatives as well as those of the university specialists and the highly trained researcher.

Not only would the International Development Corps career personnel fill the gap between the Peace Corps, and the concept underlying the International Education Act, in addition, the International Development Corps could perform coordination as well as information gathering and dissemination functions not only in conjunction with U.S. public and private organizations, but in conjunction with organizations of other nations, as well as international organizations.

Broadly sketched, these are some of the primary functions of the International Development Corps. In essence its role is to fulfill existing needs; to give added direction and emphasis to this aspect of economic development; and to supplement—not replace—the resources of existing organizations, as well as to be supplemented by them.

In effect the International Development Corps would perform the function of recruiting, training, and developing personnel for technical assistance—a function which AID has a difficult time fulfilling primarily because of the lack of institutional underpinnings. Whether the International Development Corps would be a part of AID or a separate institution is too early to ascertain.

But a proposal of this magnitude requires careful study, intensive analysis in order to sharpen the lines; to define more clearly the existing needs; to ascertain with more precision the relationships with existing institutions both national and international.

I believe the President should establish a group of individuals, familiar with this general area, drawn from both the Government and the general public to conduct a study of technical assistance both in terms of existing resources, needs, organizations, and activities.

Mr. Chairman, as I have pointed out, there is an increasing recognition of the importance of technical assistance as a factor in the meaningful development of the economically underdeveloped nations. This is apparent in such legislation as the Peace Corps Act and the proposed amendments to the foreign assistance act, especially those emphasizing the need to increase food production and control population expansion, and, as was brought out by the remarks of the gentleman from Florida [Mr. FASCELL] earlier when he spoke of education and health needs.

Technical assistance in its broadest sense, including the definition of problem areas, research to find the solutions, transmission and application of the existing or newly found knowledge, depends upon people-to-people with a variety of skills.

The human resources needed to meet the increasing demand for technical assistance are not sufficient despite recent efforts to increase the supply.

Notwithstanding university personnel under contract with AID, as of March 31, 1967, there were only 7,435 U.S. technicians working abroad under AID sponsorship.

The need for channeling more people into a career of technical assistance, if we are to have a successful foreign assistance program, is by now obvious, but there exists no overall institutional framework.

I propose here a study of the advisability and practicability of the creation of a program to develop career technical assistance personnel. I call it an International Development Corps. It would not supplant existing national or international organizations; rather it would supplement their efforts as well as providing better coordination, better dissemination of information, and more comprehensive training in technical assistance.

This proposal, however, requires extensive study, of existing resources and future needs in the area of technical assistance, by people familiar with the problems.

Under my amendment, Mr. Chairman, such a study would be made by a group selected by the President which would report its findings and conclusions to the President and to both Houses of Congress no later than April 30 next year.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the distinguished chairman.

Mr. MORGAN. Yesterday was the first time I saw this amendment. In its original form, the gentleman had an authorization in for $100,000 of AID funds. I understand now that his revised amendment does not contain any authorization of money at all. Is that correct?

Mr. RYAN. That is correct. The amendment provides for no authorization of any additional money.

Mr. MORGAN. Do I understand that the gentleman's amendment is a request of AID to make a survey or study, and an effort to coordinate AID technicians with the Peace Corps operations, or is it to supply better trained technicians out in the field?

Mr. RYAN. The object is to provide a career type of service in technical assistance beyond the Peace Corps concept. Scientists, engineers, and other specialists in development problems would be involved.

Mr. MORGAN. You are merely now asking for a study.

Mr. RYAN. That is correct.

Mr. MORGAN. You are not proposing that there be established a corps of technicians?

Mr. RYAN. No, I think that would have to await the results of the study. The establishment of my proposed International Development Corps would be the next step to be considered.

Mr. MORGAN. You are merely proposing that AID should make a study?

Mr. RYAN. That is correct.

Mr. MORGAN. There is no recommendation in the amendment that there should be such an organization. No money would be authorized in the amendment for such a study?

Mr. RYAN. That is correct. I think this concept should be reviewed, and there should be findings and recommendations before we reach the point of setting up such a corps. I appreciate the chairman's interest. I hope the amendment will be adopted.

Mr. MORGAN. Mr. Chairman, I shall be glad to take the corrected version of the amendment to a conference.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Just for the legislative history, I would hope that the gentleman has made it very clear in his discussion with the gentleman from New York that this study would merely be a first step. I am sure our committee will take a good hard look at what might follow.

Mr. MORGAN. I can assure the gentleman that the committee will do so.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Ryan].

The question was taken; and on a division (demanded by Mr. Ryan) there were—ayes 58, noes 98.

So the amendment was rejected.

PREFERENTIAL MOTION OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. Gross moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Iowa is recognized for 5 minutes in support of the preferential motion.

Mr. GROSS. Mr. Chairman, I am deadly serious in offering this preferential motion. After what has transpired here this afternoon I cannot think of a better time to put an end to further consideration of this bill. Everyone here knows what this preferential motion means, and if you want to put a stop to what has been going on this afternoon, this is a good place to do it.

Mr. BOGGS. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, I have not spoken on this bill, but I must oppose this motion. I have no idea that this motion will be adopted. I am sure it will not be. But, frankly, I do not know what the gentleman is talking about when he says, "What has been going on?" I have seen debate going on here that I consider very high-level debate. I have not agreed with a lot of the debate. I have tried to defeat a lot of the amendments, and I will continue to do so. But there hase been a very good debate here today and yesterday.

Sometimes I am puzzled about what we do to ourselves. All of us are very sensitive about criticism of the House of Representatives or of Congress generally. Yet sometimes the worst criticism comes from the membership of this body itself. We have had good debate on this bill. This is a vital piece of legislation. The idea that we would send out this notice to the world today by the adoption of this motion with the turmoil that exists everywhere, with the problems that exist everywhere, with the crying demand that comes from all over the world for leadership from us, from this great Nation—would be the most outrageous thing that any legislative body could do.

I have great admiration and respect for the gentleman from Iowa, but I think that his motion here today, and the criticism of this body, and asking that we strike the enacting clause is the height of irresponsibility.

I would hope that if we want respect by the country that we would first show respect ourselves. I hope this motion will be resoundingly defeated.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Gross and Mr. Gallagher.

The Committee divided, and the tellers reported that there were—ayes 98, noes 148.

So the preferential motion was rejected.

AMENDMENT OFFERED BY MR. KEITH

Mr. KEITH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Keith: On page 12, immediately after line 18, insert the following:

"(f) At the end of such title II of chapter 2, add the following new section:

"'Sec. 218. Fish and Other Protein Concentrates.—(a) The President is authorized to conduct a program designed to demonstrate the potential and to encourage the use of Fish and other Protein Concentrates as a practical means of reducing nutritional deficiencies in less developed countries and areas. This program shall include—

"'(1) studies and activities relating to food technology;

"'(2) development of suitable marketing techniques;

"'(3) development of consumer acceptance programs;

and

"'(4) feeding programs designed to demonstrate the nutritional value of Fish and other Protein Concentrates as a diet supplement.

"'In carrying out his functions under this section, the President shall consult with the National Council on Marine Resources and Engineering Development, appropriate government agencies and other such technical groups or agencies as may be helpful with such activities. In accordance with section 601(b) of this Act, the President shall encourage full participation in such program by United States private enterprise.

"'(b) The President is authorized to use funds made available under this part for the purposes of this section, and is urged to use at least $2.5 million of such funds for such purposes.'"

Mr. KEITH (interrupting the reading of the amendment). Mr. Chairman, my amendment is a simple one. I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KEITH. Mr. Chairman, the Senate, recognizing that protein concentrate could be most useful in combating malnutrition and starvation in the underdeveloped countries amended the bill to authorize AID officials to use at least $2.5 million of its funds for studies relating to food technology, the development of consumer acceptance programs, and programs which will demonstrate the value of fish protein concentrates. That is the substance of the Senate amendment to this particular section. Several members of your committee, noticing the Senate amendment, are here proposing that the House go along with the Senate amendment and that we further amend it to include other food protein concentrates such as soybeans and wheat as well as the fish protein concentrates which have been added by the Senate.

We noted also that, under the Senate version, the AID officials could minimize the role of free enterprise.

Mr. Chairman, protein concentrates were developed and are being produced by the ingenuity of private enterprise and industry. We feel that it is essential that its expertise be utilized wherever possible in any aid programs. Therefore, our amendment further provides that the President shall encourage full participation in such programs by U.S. private enterprise.

Mr. Chairman, the amendment authorizes no more money—it attacks the most serious problem of nutrition, it emphasizes the role of free enterprise.

I hope the House will adopt it.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I will be glad to yield to the chairman.

Mr. MORGAN. The chairman of the committee has examined the amendment and read the amendment adopted by the Senate. This is language slightly different from the Senate amendment, but I think it has been modified and, as far as I am concerned, it has been improved. Speaking for the Democratic side, we have no objection to incorporating the amendment in the bill.

Mr. KEITH. I thank the gentleman.

Mr. BERRY. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman.

Mr. BERRY. Mr. Chairman, I think the amendment offered by the gentleman from Massachusetts is a better amendment and is more inclusive and provides for better protein feed and food nutrition in the underdeveloped areas than the Senate amendment. I would certainly support it. So far as this side is concerned, we favor the adoption of the gentleman's amendment.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I am glad to yield to the gentleman.

Mr. OTTINGER. Mr. Chairman, I commend the gentleman for offering an excellent amendment. I strongly favor and support it.

Mr. Chairman, fish protein concentrate offers one of the most promising solutions to solving the nutritional problems of the millions of people who live subject to starvation in the underdeveloped countries of the world.

The gentleman from Massachusetts has been one of the leading figures in the country promoting this solution. His persistent work has done much to bring to the attention of officials in this country and of the world the potentials of fish protein concentrate—and to induce those officials to take action. This amendment materially furthers this fine cause and I am glad to join the gentleman in supporting it.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman from Minnesota.

Mr. FRASER. Mr. Chairman, I rise in support of the amendment of the gentleman from Massachusetts [Mr. KEITH]. This amendment will help to alleviate the problem of protein malnutrition in the less developed countries. Malnutrition is the underlying cause of retardation of physical and mental growth, results in higher susceptibility to disease, and reduces the capacity to perform work. Obviously all this acts as a drawback to development in Africa, Asia, and Latin America.

Fish protein concentrate supplies the protein to combat malnutrition. FPC is 80 percent protein, by weight, and its protein price per unit of weight is the lowest known from any existing and feasible source.

This amendment will authorize a pilot program. The amendment has the approval of the Administrator of AID. It was easily adopted by a voice vote in the other body, and I hope the members in this body will give a similar approval.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman from Washington.

Mr. PELLY. I thank the gentleman from Massachusetts for yielding.

I have long known of the interest that the gentleman has had in the utilization of a great fishery resource; namely, protein. I am glad he introduced this amendment. I certainly support it.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman from Illinois.

Mr. FINDLEY. As a point of information, for the legislative history, the Department of Agriculture has an Agricultural Research Service which deals in protein food problems and opportunities. In the opinion of the gentleman, could the President, if he sees fit, use the resources authorized by this amendment as a part of the same Agricultural Research Service now underway in the Department of Agriculture?

What I am getting at is the fact that we already have a program of a similar type, and would it not be in the interest of economy to reduce the bureaucracy involved and consolidate the two?

Mr. KEITH. Mr. Chairman, I do not think so. I think the amendment, as good as it stands and having been approved by the senior members of the committee on both sides of the aisle, and by the AID program officials as well, should be adopted.

Mr. FINDLEY. Mr. Chairman, if the gentleman will yield further, this would necessarily have to operate under AID; is that the case?

Mr. KEITH. It would be operated under AID.

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman from Massachusetts.

Mr. BATES. Mr. Chairman, the recommendation is a fine one and I am very happy to support the amendment which has been offered by the gentleman from Massachusetts [Mr. KEITH].

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I wish to associate myself with the remarks which have been made by the gentleman from Massachusetts and compliment the gentleman for introducing this amendment.

Mr. KEITH. Mr. Chairman, I am very grateful for the evidence of harmony on both sides of the aisle in support of this amendment and hope that it will continue for the balance of the afternoon.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. KEITH].

The amendment was agreed to.

The CHAIRMAN. If there are no further amendments to section 103, the Clerk will read.

The Clerk read as follows:

TITLE III—INVESTMENT GUARANTIES

SEC. 104. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to investment guaranties, is amended as follows:

(a) Section 221(b), which relates to general authority for investment guaranties, is amended as follows:

(1) In paragraph (1)(B), strike out "and".

(2) In paragraph (1)(C), strike out the colon and substitute ", and".

(3) After paragraph (1)(C) add the following new subparagraph:

"(D) loss of equity investment from such risks as the President may determine, other than loss arising from fraud or misconduct for which the investor is responsible: *Provided*, That compensation under this subparagraph shall not exceed fifty per centum of the investor's loss:".

(4) In paragraph (1), amend the proviso to read as follows:

"*Provided*, That the face amount of the guaranties issued under this paragraph (1) outstanding at any one time shall not exceed $9,000,000,000, of which not more than $125,000,000 shall be outstanding at any one time under subparagraph (4) of this paragraph (1), and". (5) Paragraph (2) is amended to read as follows:

"(2) where the President determines such action to be important in the furtherance of the purposes of this title, assuring against loss, due to such risks and upon such terms and conditions as the President may determine, of—

"(A) any loan investment for housing projects with appropriate participation by the private investor in the loan risk,

"(B) any loan investment for credit unions, or

"(C) any other investment in an amount not to exceed 75 per centum of the aggregate approved investment in the project:

Provided, That guaranties issued under this paragraph (2) shall emphasize economic development projects furthering social progress and the development of small independent business enterprises: *Provided further*, That no payment may be made under this paragraph (2) for any loss of equity investment arising out of fraud or misconduct for which the investor is responsible, or for any loss of loan investment arising out of fraud or misrepresentation for which the investor is responsible: *Provided further*, That the total face amount of the guaranties issued under this paragraph (2) outstanding at any one time shall not exceed $575,000,000, guaranties issued under this paragraph (2) for other than housing projects similar to those insured by the Department of Housing and Urban Development, shall not exceed $415,000,000, and guaranties issued under this paragraph (2) for credit unions shall not exceed $1,000,000: *Provided further*, That this authority shall continue until June 30, 1971."

(b) Section 222, which relates to general provisions for investment guaranties, is amended as follows:

(1) In subsection (b), after the words "shall be available for meeting" insert the words "necessary administrative and operating expenses of carrying out the provisions of sections 221, 224, and 231 (including, but not limited to, expenses pertaining to personnel, supplies, and printing) subject to such limitations as may be imposed in annaul appropriation Acts, for meeting".

(2) In subsection (d), after the words "in section 222(b)" insert the following: "(excluding fees required for purposes other than the discharge of liabilities under guaranties)".

(3) At the end of subsection (h) add the following new sentence: "The allowable rate of interest under this subsection shall be prescribed by the Administrator as of the date the project covered by the investment is officially authorized by him and, prior to the execution of the contract, he may amend such rate at his discretion, consistent with the provisions of this subsection."

(c) Section 223, which relates to definitions, is amended as follows:

(1) In paragraph (a), after the words "services pursuant to a" insert the words "lease or".

(2) Paragraph (c) is amended as follows:

(A) Immediately after "owned by United States citizens," insert the following: "or nonprofit associations and voluntary agencies created under the laws of the United States or any State or territory,".

(B) Strike out the period at the end thereof and insert a colon and the following: "*Provided further*, That in the case of any loan investment a final determination of eligibility may be made at the time the guarantee is issued; in all other cases, the investor must be eligible at the time a claim arises as well as at the time the guarantee is issued."

(d) Section 224(c), which relates to housing projects in Latin American countries, is amended (1) by striking out "$450,000,000" and "$300,000,000" and substituting "$600,000,000" and "$350,000,000", respectively, (2) by striking out "misconduct" and substituting "misrepresentation", and (3) by striking out "1969" and substituting "1971".

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that title III be considered as read, commencing on line 19, page 12 and extending over to page 16, line 19, and be printed in the RECORD at this point and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Are there any amendments to section 104? If not, the Clerk will read.

The Clerk read as follows:

TITLE IV—SURVEYS OF INVESTMENT OPPORTUNITIES

SEC. 105. Section 232 of the Foreign Assistance Act of 1961, as amended, which relates to authorization for surveys of investment opportunities, is amended by striking out "1965" and substituting "1968" and by striking out "$2,100,000" and substituting "$4,880,000".

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that this section of the bill be considered as read, printed in the RECORD at this point, and open to amendment at any point. This section is covered in lines 19 through 24 of page 16 of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT OFFERED BY MR. FASCELL

Mr. FASCELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FASCELL: On page 16 strike lines 20–24 and substitute the following:

"SEC. 105. Title IV of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to surveys of investment opportunities, is amended as follows:

"(a) Section 232 is amended by striking out '1965' and substituting '1968' and by striking out '$2,100,000' and substituting '$4,880,000'.

"(b) Section 233 is amended by striking out in paragraph (a) 'substantially beneficially owned by United States citizens' and substituting 'of which at least 33⅓ per centum of the beneficial ownership is held by United States citizens'."

Mr. FASCELL. Mr. Chairman, this amendment deals with surveys of investment opportunities. We have found this to be a very beneficial program in getting private enterprise to make the necessary surveys and investments. And, if they found the right type of opportunities and if they decided to take advantage of them, they pay the full cost of the survey which is made. However, if for some reason, they decide not to participate in the investment opportunity, of course we pick up one-half of the tab, and the survey may be used to attract some other investor.

Mr. Chairman, the idea of the program is simply to get more interest on the part of private enterprise through surveys of private opportunities in order to encourage private investment in these areas.

The language with which we are specifically dealing is the availability of this program to those organizations substantially and beneficially owned by U.S. citizens. We have changed that language in order to make it clear that at least 33⅓ percent ownership must be held by U.S. citizens.

So, actually, all this is, is a liberal interpretation of the act so as to make it broader and make it possible for more companies to get into the investment field.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Chairman, I thank the gentleman from Florida for yielding. I would say to the gentleman that we on the minority side have been consulted concerning this amendment, we have had an opportunity to study it, believe it is a good amendment, and that it should be adopted.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the distinguished chairman.

Mr. MORGAN. Mr. Chairman, I would like to say that the majority side also has had an opportunity to examine the amendment, and discuss it both with the minority and with the executive, and I will endorse what the gentleman from Indiana has already said.

I believe it is a fair and good amendment, and I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The amendment was agreed to.

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, nickel, dime and quarter diplomacy is a success in the credit union movement in Latin America. Fostered by a program under the Agency for International Development, Latin Americans have been establishing and managing credit unions on a local basis to mobilize investment capital at the level of the average salaried or wage-earning citizen. For a relatively little investment in technical advisory programs, the United States has been rewarded with a strong and growing movement among the working peoples of the South American nations toward this form of economic democracy. Self-generated savings are growing at a substantial pace, and the number of credit unions increases almost daily.

During the calendar year 1966, the number of credit unions in Latin America increased from 1,912 to 2,216; the number of credit union members increased from 463,516 to 589,591; members' savings increased from $32 million to $41.4 million; loans outstanding increased from $29 million to $37.2 million. Cumulative loans since July 1962, operations began under an AID contract, reached $111.7 million as of the end of 1966.

There are approximately 266 members per credit union and the average saving per member is approximately $70. Our estimate, that the credit unions have saved members approximately $5 million in interest during 1966. This assumes, of course, that the member would have been able to borrow elsewhere.

Recently, regional credit union development programs have been begun in East Africa—specifically, Tanzania, Kenya, and Uganda. As of September 30, 1966, these countries had a total of 188 credit unions with 21,600 members and $480,000 in member savings. Loans to members exceed $400,000 to date.

This marshaling of savings and the consequent availability of credit is of such extreme importance that AID helped to establish a Cooperative Development Bank in Ecuador and has granted it a loan of $1.2 million. Credit unions purchased 80 percent of the voting stock in the bank and have borrowed from it.

The credit union in turn loaned the money to its members who put it to use to increase their earnings. The increase in earnings resulted in an increase in savings, thereby making more credit available. This use of outside loans to generate inside savings is an extremely important concept which needs to be expanded and given widespread application.

The House Foreign Affairs Committee accepted my amendment to authorize the issuance of extended risk guarantees of up to 100 percent of loan investments made by U.S. credit unions in credit unions or organizations of credit unions in the less developed countries, subject to an authorization ceiling of $1,000,000. This provision appears in title III of the bill providing for "investment guarantees." The amendment will make it possible for credit unions and credit union associations in the United States to continue the development of their counterpart organizations in the developing areas. The limit of $1,000,000 may seem small in the billion-dollar program of foreign assistance, but the multiplier effect of a million dollars in the credit union is fantastic. And this is one form of foreign assistance which causes the United States no balance-of-payments difficulties. In fact, it helps capital in the developing countries to be invested at home, lessening the dependence upon American capital aid.

U.S. experience in furnishing technical and capital assistance to credit unions in Latin America clearly shows that credit unions can plan an important role in enabling the people of the less developed countries more effectively to help themselves to improve their economy. The credit unions do so by encouraging saving and enabling the savings then to be put to work in providing necessary capital for the starting and building of farms and small businesses. Credit unions have proven particularly beneficial to economic development in rural areas by providing the necessary capital for farmers to purchase the seed, fertilizer, and equipment which will enable them to increase the productivity of their farms.

In many areas the credit unions are the only available financial institutions. There remain many more communities in which there are still no institutions of any kind to meet the needs of the people on mobilizing savings to provide capital to small private enterprises. The type of loans which would be encouraged by the proposed amendment will provide "seed" capital to stimulate the establishment of new credit unions as well as to assist existing credit unions to expand their operations.

In addition to the function of credit unions in mobilizing savings to provide capital for small private enterprises, the organization and operation of such an institution at the local level helps develop community leaders who have learned first hand how capitalism works and why. And further, among the savers and borrowers throughout the community there accrues an increased appreciation for and stake in the private enterprise system.

Authority to guarantee 100 percent of the amount of a loan for a credit union is necessary because it is expected that the source of such loans will be U.S. credit unions which are generally precluded by State or Federal regulation from making such an investment without a 100-percent guarantee.

While there is no feasible way of insuring that loans to credit unions guarteed under the proposd authority would be used to purchase U.S. products, it is my understanding that AID would seek in the administration of the credit union program to insure a maximum of developmental benefits from the relatively small amount of dollar drain involved. Also this program, like other assistance and guaranty programs affecting the U.S. balance of payments would be subject to review by the interagency balance-of-payments committee.

The guaranties of loan investments made by U.S. credit unions to credit unions or organizations of credit unions in developing countries certainly is a boost for nickel, dime, and quarter diplomacy. It mobilizes capital in the sector of the country which is making individual investments in houses, furniture, property for farming, livestock, seeds, and every conceivable individual investment. In addition, it provides an organized form of community security for the unexpected losses and the natural disasters which would otherwise eliminate the worker from any chance of advancing economically his own lot and that of his children.

A third amendment to the Foreign Assistance Act of 1967 which was accepted at the committee level is to eliminate the techniques of bribery, kickbacks, and other illegal or fraudulent payments and credits in connection with the U.S. foreign aid program. The amendment appears on pages 45 to 46 of the bill, and reads as follows:

> Sec. 502. Notwithstanding any other provision of law, whenever any individual, firm, or entity (including authorized agents of such firm or entity) participating in any aid transaction financed with funds made available under the Foreign Assistance Act of 1961, as amended, has been found by the Inspector General, Foreign Assistance, to have attempted, aided, assisted, or engaged in bribery or other illegal or fraudulent payments or credits in connection with such transaction, such firm or entity shall not be permitted to participate in any program or operation financed under such Act.

Recent publicity has indicated alleged improprieties in the AID program in Vietnam, but the amendment covers the entire foreign assistance program worldwide.

It is my belief and the committee's recommendation that the possibility of financing bribes, kickbacks, and monetary inducements of a fraudulent or illegal nature should be eliminated. The American taxpayer should not pay to have hard earned tax dollars line the pockets of unscrupulous wheeler dealers, and when the Inspector General, Foreign Assistance, finds this to be the case, he is instructed to forbid the participation of that individual or corporate entity which is so found in any program or operation financed under the Foreign Assistance Act.

It is not my intention to cast any reflection on any current investigation. The determinations of questions arising under this amendment rests solely with the Inspector General, to be based upon his own findings and his own judgment.

There is no doubt that enough questions have been raised recently in the public press to prompt a thorough investigation of AID practices throughout the world. Inspections should be made to ascertain the correct facts and to save the American taxpayers from wasteful and illegal spending.

The CHAIRMAN. If there are no further amendments to this section of the bill, the Clerk will read.

The Clerk read as follows:

TITLE VI—ALLIANCE FOR PROGRESS

Sec. 106. Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Alliance for Progress, is amended as follows:

(a) Section 251(h) of the Foreign Assistance Act of 1961, as amended, which relates to transfers to international lending institutions, is amended as follows:

(1) Immediately after "named in section 205" insert "(other than the Asian Development Bank)".

(2) Immediately after "for use" insert "in Latin America".

(b) Section 252, which relates to authorization, is amended as follows:

(1) Strike out "and for each of the fiscal years 1968 and 1969, $750,000,000" and substitute "for the fiscal year 1968, $650,000,000, and for the fiscal year 1969, $750,000,000".

(2) Strike out "$100,000,000 in each such fiscal year of the funds appropriated pursuant to this section for use beginning in each fiscal year" and substitute "$110,000,000 of the funds appropriated pursuant to this subsection for use beginning in fiscal year 1968 and $115,000,000 of the funds so appropriated for use beginning in fiscal year 1969".

(3) Insert "(a)" immediately after "Sec. 252. Authorization.—" and at the end thereof add the following new subsection:

"(b) There is hereby authorized to be appropriated to the President for the fiscal year 1968, $714,000 for grants to carry out programs and activities of the Partners of the Alliance in accordance with the purposes of this title."

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that title VI starting at the top of page 17, line 1, over to page 18, to and including line 7, be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT OFFERED BY MR. ADAIR

Mr. ADAIR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Adair: On page 17, beginning in line 15, strike out "for the fiscal year 1968, $650,000,000, and for the fiscal year 1969, $750,000,000" and insert in lieu thereof the following: "for the fiscal year 1968, $578,000,000".

On page 17, strike out lines 18 through 24, inclusive.

And remember the following paragraph accordingly.

Mr. ADAIR. Mr. Chairman, this is an amendment to reduce the authorization for the Alliance for Progress for fiscal year 1968 from the $650 million now in the bill—and that is both loan and grant money—to $578 million, both loan and grant money.

The $578 million figure is the figure arrived at in the other body. So an agreement to that figure here would put us in agreement with the action already taken in that body.

The appropriation for the Alliance for Progress for fiscal 1967 was $508 million. If this amendment is adopted, there is in the authorization $70 million more than was, in fact, appropriated last year for this purpose.

The appropriation request for this year is $643 million, but in addition to the $578 million available if this amendment is adopted, there is almost $50 million in estimated recoveries and reimbursements.

Mr. Chairman, each of us in this room realizes that there is a great deal of value in the programs known as the Alliance for Progress. We would certainly not want to see them discontinued. But I am confident that this amendment can be adopted so we can save an appreciable amount of money and still leave more than was available for the program last year, thus not in any serious way endangering the carrying forward of this program.

Mr. Chairman, I urge the adoption of this amendment.

AMENDMENT OFFERED BY MR. SELDEN TO THE AMENDMENT OFFERED BY MR. ADAIR

Mr. SELDEN. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Indiana.

The Clerk read as follows:

Amendment offered by Mr. Selden to the amendment offered by Mr. Adair: Immediately after the matter proposed to be inserted add the following: ", and, notwithstanding section 2 of this Act, for the fiscal year 1969, $750,000,000".

Mr. SELDEN. Mr. Chairman, yesterday our distinguished colleague, the gentleman from Indiana [Mr. Adair], introduced an amendment which was subsequently passed reducing the authorizing authority from 2 years to 1 year in all chapters of this bill.

As the gentleman from Indiana [Mr. Adair] knows, I supported a 1-year rather than a 2-year authorization when this subject was considered in the Committee on Foreign Affairs. However, I did so with one specific reservation and that was that it would be unwise for the Congress to deauthorize funds already authorized for the Alliance for Progress by the last Congress.

This point was also made in debate yesterday by the gentleman from Ohio [Mr. Taft] and, in answer to the gentleman from Ohio, the gentleman from Indiana [Mr. Adair] indicated that this matter can be remedied by an amendment to the section of the bill affected.

Consequently, the amendment I am offering will continue the 2-year authorization for the Alliance for Progress without otherwise affecting the amendment which was offered yesterday by the gentleman from Indiana [Mr. Adair] and adopted by the House of Representatives.

Mr. Chairman, I am sure that most of the Members of this House will agree that no area in this entire world is more important to the United States than the area we know as Latin America. Yet, we know this area to be one in ferment and one which is being increasingly subjected to Communist pressures.

In 1960 we agreed to work with the nations of Latin America in an effort to alleviate some of the social, economic and fiscal problems that make this area a prime target for Communist aggression. This program, the program we know as the Alliance for Progress, has now been in operation for 6 years. During that period of time our Latin American neighbors have invested $79 billion in their own development, and the United States has provided the necessary margin of additional resources to keep that program moving.

There may be differences of opinion as to the success of this program, but one thing is certain—no Latin American nation, willingly or unwillingly, has moved into the Communist orbit since this program has been in operation.

Last year, Mr. Chairman, the Congress authorized a 3-year program subject, of course, to annual appropriations. To deauthorize the remaining year of that authorization would be badly misunderstood throughout Latin America and, in my opinion, would be extremely detrimental to the goals that all of us seek.

Consequently, Mr. Chairman, I would hope that the amendment that I have offered will be adopted.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. SELDEN. I am happy to yield to the gentleman from New York.

Mr. ROSENTHAL. If your amendment to the amendment is adopted, how does it affect the cut?

Mr. SELDEN. It would not affect the cut. If my amendment is adopted, it will not affect the cut proposed by the gentleman from Indiana [Mr. Adair].

Mr. ROSENTHAL. Your amendment is consistent with the reduction that the gentleman from Indiana has proposed?

Mr. SELDEN. It does not affect the cut in any way, but it will provide a 2-year authorization.

Mr. MAILLIARD. Mr. Chairman, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from California.

Mr. MAILLIARD. I just want to join the gentleman in saying that regardless of how we end up on the various dollar amounts, I agree that to deauthorize something which had already been authorized by this Congress would lead to a lot of misunderstanding in the area which in my judgment is most vital to the welfare of the United States; namely, the Western Hemisphere. I hope the gentleman's amendment will be approved.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I merely wish to get the picture completely clear as to the effect of the gentleman's amendment. If I correctly understand, by putting his amendment on the amendment of the gentleman from Indiana as an addendum to the Adair amendment, he does accept deauthorization to the extent of about $70 million for the fiscal year 1968, and he assures authorization at the $750 million level for the following fiscal year. Is that correct?

Mr. SELDEN. My amendment would simply eliminate the deauthorization that was made yesterday for the second year of the Alliance for Progress. It would not affect the amendment of the gentleman from Indiana [Mr. Adair] except as to a second-year authorization.

Mr. EDMONDSON. But it does adopt the language of the gentleman's amendment as to fiscal 1968, which is at the level of $570 million-plus.

Mr. SELDEN. That is correct.

Mr. TAFT. Mr. Chairman, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Ohio.

Mr. TAFT. I support the gentleman's amendment. This gets to the very point which I made on the floor yesterday. The Adair amendment, striking the second year in this case of the Alliance for Progress, as least took out the entire authorization for 1969 that had already been approved by the Congress.

Mr. SELDEN. I thank the gentleman.

SUBSTITUTE AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from Indiana [Mr. Adair].

The Clerk read as follows:

Amendment offered by Mr. Gross as a substitute for the amendment offered by Mr. Adair: On page 17, beginning in line 15, strike out "for the fiscal year 1968, $650,000,000, and for the fiscal year 1969, $750,000,000" and insert in lieu thereof the following: "for the fiscal year 1968, $508,000,000".

On page 17, strike out lines 18 through 24, inclusive.

And renumber the following paragraph accordingly.

The CHAIRMAN. The gentleman from Iowa is recognized for 5 minutes in support of his amendment.

Mr. GROSS. Mr. Chairman, I will not take any part of the 5 minutes. I think everyone knows what this amendment would do. It would cut $70 million off the figure of $578 million as proposed by the gentleman from Indiana [Mr. Adair], and bring this back to the appropriation level for this year. We need to save some money in this bill. We need to get the figure down to or below the figure of the other body. I am only trying to save $70 million—badly needed dollars—to try to do something about the internal affairs of this country, and to save the taxpayers of this county some money. $70 million is involved and I ask you to accept the substitute.

Mr. MORGAN. Mr. Chairman, I rise in opposition to all the amendments. I want to agree with the gentleman from Ohio [Mr. Taft] when he said yesterday that what we did yesterday was a meat-ax approach. I refer to applying the 2-year limitation amendment to all sections of the bill. Our experience today proves that interpretation was correct, because we are really in a mess here with the parliamentary situation now facing us. We have the amendment offered by Mr. Adair, the amendment to the amendment offered by Mr. Selden, and now the substitute amendment offered by Mr. Gross.

I think all of us are really confused. I bet there is not a Member in the House who really knows how much money the amendment of Mr. Gross involves, and what the amendment of Mr. Selden does, because this is a very confusing situation.

Mr. Chairman, I think the Alliance for Progress has been a good program. It is a program that has to move forward. If we do not start helping our neighbors to the South, we are going to wake up in this big country of ours one of these days and be very sorry. We have been very negligent for many years in not looking to the South and in not helping these underdeveloped countries of our neighbors to the South.

This program is a planned program. It has moved forward. There have been many forward steps in a number of those countries in land improvements, in tax collection, and in many other features being promoted under the policies of the Alliance for Progress.

We have already had the original Adair amendment passed. The figure has been approved. I think the figure of $650 million represents a reduction by the committee, and that is the proper figure.

I hope, Mr. Chairman, that the amendment to the amendment is defeated, and that the substitute amendment is defeated.

Mr. DERWINSKI. Mr. Chairman, I rise in support of the Adair amendment.

Mr. Chairman, I should also say I rise in partial support of the great chairman of our committee. The chairman just pointed out that with these three amendments before us, and, of course, his own comments, the membership could be thoroughly confused. This is understandable, because the gentleman from Indiana [Mr. Adair], and the gentleman from Iowa [Mr. Gross], and the gentleman from Alabama [Mr. Selden], and the chairman—these are four of the greatest minds that Congress has ever seen, and it is not surprising their comments would sail over our heads in their four-way discussion.

All we are doing here, we are accepting the Adair amendment, is approving for the Alliance for Progress $478 million in loans and $100 million in grants. That strikes me as being a rather generous, positive treatment. First of all, in this day and age, with the complications that we have financially, $100 million in grants is a substantial figure.

I hate to quote the gentleman from Ohio [Mr. Taft], against the position he has taken, but I was looking through his notes a while ago, and he has a clipping from a newspaper pointing out that the Indian Government have reduced their investment in their 5-year plan—

obviously because we have been very charitable in our support of their Government. The same thing is taking place in Latin America. The more generous we are with the Alliance for Progress funds, the more liberal we are in the manner we allot them, the less they really invest—and, we know, there is a continued outflow of funds from Latin America to Swiss banks.

So I would think in the light of accepting the Adair amendment yesterday, it would be consistent to tighten up a bit on the dollar amounts of this program. There is no point in presenting the pipeline argument again. We know there is plenty of money in the pipeline for Latin America. We are not cutting any program—we are making a practical readjustment of an authorization. And we do not deauthorize anything or cut off any program. What we are really doing with the Adair amendment is guaranteeing to the House and to the other body that they will have a good chance to take a look at this next year.

So taking into account the substitutes before us, I would think the logical, consistent, practical course for the House to follow is to accept the amendment offered by the gentleman from Indiana [Mr. ADAIR].

I also believe, if we would move expeditiously and approve a few other amendments of this type he offers, we all might be on our way to our home districts, by a reasonable hour this evening.

So, in view of the overwhelming practicality of the Adair amendment—and I hope the chairman has appreciated my clarification of all these figures—it would be very proper to immediately support the Adair amendment, to vote down the Selden amendment and the Gross substitute amendment; and then we shall have proceeded in a fine, constructive manner.

Mr. FULTON of Pennsylvania. Mr. Chairman——

Mr. DERWINSKI. The gentleman is not going to inject family planning into this issue, is he?

Mr. FULTON of Pennsylvania. No.

The CHAIRMAN. For what purpose does the gentleman from New Jersey rise.

Mr. GALLAGHER. Mr. Chairman, I rise in opposition to the amendment.

I am not quite sure whether the gentleman has added a clarification of the amendment.

I will yield to the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. I have an amendment to offer to the substitute amendment.

Mr. GALLAGHER. Mr. Chairman, I will withdraw and permit the gentleman to offer his amendment.

AMENDMENT OFFERED BY MR. OTTINGER TO THE SUBSTITUTE AMENDMENT OFFERED BY MR. GROSS

Mr. OTTINGER. Mr. Chairman, I offer an amendment to the substitute amendment offered by the gentleman from Iowa [Mr. GROSS].

The Clerk read as follows:

Amendment offered by Mr. OTTINGER to the substitute amendment offered by Mr. GROSS: Strike "$508,000,000" and all thereafter and insert "$650,000,000, and for the fiscal year 1969, $750,000,000."

Mr. ADAIR. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ADAIR. Mr. Chairman, I make the point of order that it is not in order, as there are two amendments pending.

The CHAIRMAN. The amendment is offered as an amendment to the substitute amendment offered by the gentleman from Iowa. The Selden amendment is an amendment to the Adair amendment.

The amendment to the substitute amendment is in order.

The Chair recognizes the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. Mr. Chairman, this amendment to the Gross substitute amendment will give the Committee an opportunity to vote on the provisions for the Alliance for Progress provided for by our Foreign Affairs Committee; namely, $650 million for the fiscal year 1968 and $750 million for the fiscal year 1969.

I believe the provisions made by our committee were excellent provisions. There is urgent need for the Alliance for Progress. The President made commitments to our Latin neighbors when he recently went to the Punta del Este Conference that are carried out in this authorization. We ought to honor these commitments.

The Alliance for Progress has been making great strides in recent years. Self-help measures have increased dramatically in many countries. These local efforts and contributions of the Alliance countries are predicted on our continued maintenance of support for the programs to which they relate. If we drastically cut out Alliance support we in effect undermine the work our missions have accomplished so successfully abroad to stimulate self-help. We also undermine the confidence of the Latin American officials who, often at great political risk to themselves, embarked on these self-help efforts.

With respect to fiscal 1969 authorizations, we committed ourselves to these in the 1966 Foreign Assistance Act. Our missions abroad and the countries involved have laid plans based on Congress keeping faith with its acts. To roll back our previous commitments now would seriously undermine our Latin American programs and relations.

I believe there is no more important part of this bill than this provision making authorization for the Alliance for Progress. I hope that this committee will uphold the determination of the Foreign Affairs Committee and its own previous action. I urge adoption of the amendment.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I am glad to yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. I should like to support the Alliance for Progress authorization because I feel that Latin America is very important. I believe the progress and development of every nation of this hemisphere is basic to peace. We must also have good conditions that private industry can participate fully in development. These Latin American countries are each and all especially important. The United States has made commitments for the Alliance for Progress, which this Congress on behalf of the American people have approved and confirmed by statute.

I favor the gentleman's amendment to restore and fulfill our U.S. commitment to Latin America and her people under the successful Alliance for Progress.

Mr. OTTINGER. I thank the gentleman.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I am glad to yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I would be inclined to support an Alliance for Progress program with a 2-year amendment, as the gentleman's amendment would provide. My question is, however, If we vote against both the substitute amendment and the amendment offered by the gentleman from Indiana, and the amendment thereto, would we not have the same result? In other words, the gentleman is offering what the committee is recommending.

Mr. OTTINGER. No, we would not. If my amendment is voted down and the Gross substitute amendment is voted down, we would be left with the $578 million offered in the amendment by the gentleman from Indiana [Mr. ADAIR], as amended by the Selden amendment to add the second year.

Mr. FRELINGHUYSEN. The gentleman missed my point. If we voted down the amendment offered by the gentleman from Indiana and the amendment to that, would we not get back to the committee language?

Mr. SELDEN. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I yield to the gentleman from Alabama.

Mr. SELDEN. No, we would not; because the amendment offered by the gentleman from Indiana [Mr. ADAIR] yesterday eliminated all 2-year authorizations.

Mr. FRELINGHUYSEN. I wonder how the amendment offered by the gentleman from New York would protect us against that limitation in the action taken yesterday.

What magic is there in this language that protects the sweeping language we adopted yesterday from prevailing over the language in this bill?

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I yield to the gentleman.

Mr. FASCELL. The reason is because it would be a substitute amendment and then we would be writing in a 2-year authorization.

Mr. FRELINGHUYSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FRELINGHUYSEN. Is it true because a subsequent amendment is adopted with respect to a matter of this kind, would this have any influence at all on the effect of the action taken yesterday with respect to the 1-year program approved by this House?

The CHAIRMAN. The Chair would not be in a position to answer that kind of a question on a matter of consistency.

Mr. FRELINGHUYSEN. I was just asking for clarification. There is no possibility for the Chair to clarify whether action taken today of this kind could or could not affect the action that was taken yesterday?

The CHAIRMAN. The Chair would not attempt to get into that type of a problem at this point. That would be a matter for the Committee to determine.

Mr. FRELINGHUYSEN. I am sure an individual's intention has no relevance at all. I want to know what the effect will be.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I yield to the gentleman from Florida.

Mr. FASCELL. Obviously we find ourselves in a parliamentary situation where by action taken yesterday we put the whole program back on a 1-year basis. What is proposed to be accomplished by the four pending amendments, both by way of the amendment to the amendment and the amendment to the substitute, if we vote for the gentleman's amendment to the substitute, we would be authorizing a 2-year program. No parliamentary objection having been raised and one now being too late to be raised, the effect of such action, if we adopt the gentleman's amendment, would be to write in a 2-year program in this section only.

Mr. COLLIER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from New York yield for a parliamentary inquiry?

Mr. OTTINGER. I will be glad to yield.

Mr. COLLIER. Was not a point of order originally made contrary to what the gentleman from Florida just stated prior to the time that the gentleman took the floor?

The CHAIRMAN. A point of order was made by the gentleman from Indiana on the amendment of the gentleman from New York. The Chair ruled that the amendment offered by the gentleman from New York was an amendment to the substitute offered by the gentleman from Iowa. At the present time there are four amendments pending.

Mr. COLLIER. A further point of inquiry, if I may. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COLLIER. Can a motion which rescinds the previous action of this body be offered, as it was today, and reverse the action already taken by the Congress yesterday?

The CHAIRMAN. No such motion has been offered.

Mr. COLLIER. A further parliamentary inquiry. If the amendment to the substitute were adopted, would that not now be exactly the situation?

The CHAIRMAN. The Chair would not pass on that.

The Chair recognizes the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I decline to yield further.

The intention and purport of this amendment is to provide a 2-year authorization, $650 million for fiscal year 1968 and $750 million for fiscal year 1969, and I ask for its support.

Mr. GALLAGHER. Mr. Chairman, I rise in support of the Ottinger amendment and in opposition to the substitute amendment.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I will be glad to yield to the gentleman from New York if he needs some further time.

Mr. OTTINGER. I thank the gentleman very much for yielding. I think the situation at this point is clear. It is to provide a 2-year authorization with $650 million for fiscal year 1968 and $750 million for fiscal year 1969.

Mr. GALLAGHER. I thank the gentleman.

Now that the parliamentary situation has been clarified, I would hope we would adopt Mr. OTTINGER's amendment. That would do precisely about what the committee had intended in the first place. Short of that I think it is necessary to point out in reference to Mr. ADAIR's amendment that this committee has already cut $219 million out of this section, which brings it approximately up to the appropriation requested, so this committee has not just passed through this without a great deal of consideration.

I think what really is necessary is to relate that prior to the summit Conference at Punta del Este where some $543 million had already been allocated for programs in which there was multination participation.

At that point, the countries of Latin America, together with the United States, pledged themselves to an additional $100 million program.

I think it is necessary that we encourage the people of Latin America to take the self-help measures that are the conditions precedent to these projects and funds which are being allocated by the U.S. Government.

I think it is also significant to point out that since 1961 there has been a 25-percent increase in the taxes collected by the governments in Latin America. And, if we exclude Argentina, that would show a 37-percent increase in taxes collected in Latin America since the inception of the Alliance for Progress program.

Further, Mr. Chairman, I think one other factor as to why we should adopt the Ottinger amendment and reject the other amendments is the fact that since the instigation of this program 87 percent of the capital investment in the Alliance has been put up by the participating nations of Latin America. If we should cut back now upon this operation, what we would be doing to them is saying, "There is no use in your contributing your capital investment to the Alliance for Progress, for there is no future for the Alliance."

Mr. Chairman, if we really want to torpedo the Alliance for Progress program, then we should adopt the amendment which has been offered by the gentleman from Indiana. But if we are for the Alliance for Progress program and for encouraging self-help and are interested in seeing Latin American progress, then I think we should do our share and adopt the Ottinger amendment and vote down the other amendments which have been offered along this line.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. It does seem to me that the amendment offered by the gentleman from New York, if we are seeking to overcome the action taken yesterday, should have a provision to the effect that notwithstanding section 2, title VII, which is the language offered in the amendment by the gentleman from Alabama. Otherwise there could not be an exception to the prohibition against a 2-year program for any part of this act.

Therefore, if it is in order to do so, I should like to ask unanimous consent that language be added to the amendment which has been offered by the gentleman from New York to the effect that notwithstanding section 2——

Mr. GROSS. Mr. Chairman, I object.

Mr. GALLAGHER. Mr. Chairman, the gentleman is correct.

Mr. GROSS. Mr. Chairman, I object.

The CHAIRMAN. The objection is heard.

Mr. EDMONDSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am somewhat reluctant to get into this debate on this particular subject. But I have a firm and abiding conviction that the Alliance for Progress represents the strongest and most affirmative program that we have in the Western Hemisphere, not only to advance our own interests, but also to stop the efforts of Castro and the Chinese Communists, as well as the Russian Communists to subvert our continents.

Mr. Chairman, I wish to nail down for my own personal understanding, the view of the chairman of this committee as to what course a strong believer in the Alliance for Progress, and a man who believes that it does need a 1969 authorization, as well as a 1968 authorization, as to what course can be followed which provides the best guarantee in the present parliamentary situation to get a good program for the Alliance for Progress nailed down, both in fiscal years 1968 and 1969.

I would like to yield to the chairman of the committee for his advice as to how we can vote to accomplish that objective in the present situation.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. Yes; I yield to the distinguished chairman.

Mr. MORGAN. Mr. Chairman, I can only tell the gentleman how I am going to vote. I realize that we are involved in a very serious parliamentary situation, but I am going to vote for the Selden amendment to Mr. ADAIR's amendment, then vote against Mr. ADAIR's amendment altogether, and then support any other amendment designed to take care of the 1969 authorization.

Mr. EDMONDSON. What does the gentleman propose to do with respect to the Ottinger amendment, could I ask?

Mr. MORGAN. I believe the Ottinger amendment is not complete without the words "notwithstanding the provisions of section 2".

Mr. EDMONDSON. So if I correctly understand the opinion of the chairman of the full committee, the course to follow is to vote down the two principal amendments that are pending before us here today, and to put ourselves in a position where we can then, by separate amendment, provide a firm and certain 1969 authorization?

Mr. OTTINGER. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. EDMONDSON. I yield to the gentleman from New York for that purpose.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. OTTINGER. Mr. Chairman, I believe we have to have a determination from the Chair as to what the effect of my amendment would be with respect to the Adair amendment, whether or not the language coming subsequent to the Adair amendment does not, in fact, amend it.

The CHAIRMAN. The Chair will state that is not a matter for determination by the Chair. It might be a matter for determination by the Committee in the debate, and the vote that will follow.

Mr. OTTINGER. A further parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. OTTINGER. If we adopt my amendment, do we have a second-year authorization for $750 million?

The CHAIRMAN. The Chair will state the gentleman offered his amendment, and the gentleman should be clear on that subject.

Mr. OTTINGER. Then I assume the answer is "yes." The intention is "yes."

Mr. FASCELL. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. EDMONDSON. I yield to the gentleman for that purpose.

Mr. FASCELL. I thank the gentleman for yielding for a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FASCELL. I would like to ask the Chair the following parliamentary inquiry:

When action is completed with respect to both the amendment, and the amendment to the amendment, the substitute, and the amendment to the substitute, would then an amendment to line 17 be in order, which would state "notwithstanding the provisions of section 2 of this act"?

The CHAIRMAN. The Chair will state if the pending amendments were voted down, an amendment to do that would be in order.

Mr. FASCELL. I thank the gentleman for yielding.

Mr. COLLIER. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

The CHAIRMAN. Does the gentleman yield for the purpose of a parliamentary inquiry?

Mr. EDMONDSON. I yield for that purpose.

Mr. COLLIER. I thank the gentleman for yielding.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. COLLIER. My parliamentary inquiry is this: Mr. Chairman, in that event, would amendments throughout the balance of the sections of this bill, phrased on the order set forth by the gentleman from Florida, be in order, thereby rescinding the action taken by the House yesterday?

The CHAIRMAN. The Chair will state that the Committee may do so if it so desires.

Mr. COLLIER. The Committee may do so?

The CHAIRMAN. The Chair will state "Yes," and the Chair is referring to the Committee of the Whole.

Mr. COLLIER. Mr. Chairman, a further parliamentary inquiry: What would the parliamentary situation be notwithstanding what the Committee did?

The CHAIRMAN. The Chair will state that is not a matter for determination by the Chair.

Mr. EDMONDSON. Mr. Chairman, based on the advice of the chairman of the full committee, as I understand it—and I hope I have understood correctly—it is my intention to vote against the amendments that are pending at this time, and to endeavor to put ourselves in a position where we can, by subsequent amendment, provide adequately for the Alliance for Progress in the future.

Mr. BOW. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, with all these parliamentary questions going on here about what did what to who, we have lost track of the money. I am a little interested in the money.

Do I understand that the Gross amendment reduces the amount to be spent to the amount of this year?

Mr. GROSS. That is right.

Mr. BOW. And this year we have an $8 billion deficit.

Now do I also understand that all the other amendments increase the amount from what they had this year when we are anticipating a deficit of $30 billion?

Mr. GROSS. That is correct.

Mr. BOW. So the Gross amendment would provide what they had this year, when we have an $8 billion deficit and anything else would increase the amount when we are facing an anticipated deficit of $30 billion?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. GROSS. Mr. Chairman, the gentleman from Ohio is absolutely correct. The situation that confronts us is that if you want to hold this to the appropriation of last year, which was $508 million, then vote down the Ottinger amendment and adopt my substitute to the Adair amendment.

Also, if you do not want to undo the position taken by the House yesterday—only yesterday—outlawing the 2-year program, then vote down the Ottinger amendment and adopt the substitute amendment which I offered.

Mr. BOW. I thank the gentleman for his explanation.

Mr. Chairman, it seems to me we must get back again to helping the President and others on this question in this matter of trying to save some money in this fiscal situation that we are in. We have an $8 billion deficit this year. It seems to me that they ought to go along with what they had this year instead of increasing the appropriations when we are facing a $30 billion deficit.

So, Mr. Chairman, I support the Gross substitute amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. SELDEN] to the amendment offered by the gentleman from Indiana [Mr. ADAIR].

The amendment to the amendment was rejected.

Mr. OTTINGER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from New York rise?

Mr. OTTINGER. Mr. Chairman, I would like to offer a clarifying amendment.

The CHAIRMAN. To what?

Mr. OTTINGER. To the substitute amendment.

The CHAIRMAN. That would not be in order.

The question is on the amendment offered by the gentleman from New York [Mr. OTTINGER] to the substitute amendment offered by the gentleman from Iowa [Mr. GROSS].

The amendment to the substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS] as a substitute for the amendment offered by the gentleman from Indiana [Mr. ADAIR].

The question was taken; and on a division (demanded by Mr. MORGAN), there were—ayes 122, noes 105.

Mr. GALLAGHER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GROSS and Mr. GALLAGHER.

The Committee again divided, and the tellers reported that there were—ayes 132, noes 140.

So the Gross substitute amendment for the Adair amendment was rejected.

SUBSTITUTE AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from Indiana [Mr. ADAIR].

The Clerk read as follows:

> Substitute amendment offered by Mr. OTTINGER for the amendment offered by Mr. ADAIR: Strike all language in the Adair amendment and substitute: "for the fiscal year 1968, $650,000,000, and notwithstanding section 2 of this Act, for the fiscal year 1969, $750,000,000."

Mr. ADAIR. Mr. Chairman, I make a point of order against the amendment on the ground that it covers material already dealt with.

The CHAIRMAN. The Chair is ready to rule on this. This amendment is in a different form than any that has been considered. The Chair overrules the point of order.

Mr. OTTINGER. Mr. Chairman, I hope that this substitute amendment overcomes the technical objection to my previous amendment. It returns us to the language of the bill, providing $650 million for the Alliance for Progress for fiscal year 1968 and, notwithstanding the Adair amendment offered earlier to restrict all authorization to one fiscal year, provides for the fiscal year 1969 the amount of $750 million.

I urge support of the Committee and adoption of the substitute amendment.

Mr. FASCELL. Mr. Chairman, I rise in support of the substitute amendment offered by the gentleman from New York.

I believe if there is any one place in this bill in which we should support a 2-year authorization, this is it. We have had long-term commitments made both by the executive branch and by this House with respect to the Alliance for Progress.

It is true that we are dealing here only with the authorization for a second year and not the appropriation, and that this is subject to review and change. Nevertheless, we are dealing in the arena of international politics and we cannot be blind to the interpretation which would be placed on our action if we would not only insist on a reduction in the authorizations for the Alliance for Progress but if we would also revert to a 1-year authorization. I believe this would be a tragic political mistake which would redound to the detriment of the United States. It would be extremely self-defeating.

It would not save one thin dime for anybody, and it could only be interpreted as a political maneuver.

I therefore urge the Members to retain in the bill language which would say that we still have confidence and faith in the programs of the Alliance for Progress as a joint effort of the two hemispheres, both in the public and private sector. We will still reserve to ourselves, even when we make that statement by adopting the Ottinger amendment, the right to review the program, to go through the appropriation process, to change or otherwise modify the authorization.

I believe that we should do this.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding.

I certainly hope this amendment will be adopted as it has been offered. It involves not only our own security and not only our relations with our neighbors in this hemisphere, but also the honor of the United States and of this Congress. If we do not go along with this we indicate we do not believe in sticking to the commitments Congress itself makes with reference to our dealings in Latin America and in this hemisphere.

If Members believe in the honor of the United States, if they believe in the honor of Congress, if they believe in the security and well-being of our country and of our neighbors in this hemisphere, under attack from Communist subversion, they will vote for this amendment.

I hope the substitute amendment will be adopted overwhelmingly.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Texas.

Mr. PICKLE. I thank the gentleman for yielding.

Members of the Committee, I have fundamentally believed the 1-year authorization in this particular field is best. I just think it is good for us to review these programs on a yearly basis. I have so voted in the past.

I do say, this is the exception. We are talking about a program affecting people immediately to the south of us. It is in our hemisphere. Certainly we ought to have a 2-year program for the Alliance for Progress.

I am delighted we have reached the point, in all the parliamentary maneuvers, that we can at least have a good clear vote for the 2-year authorization for the money originally put in the bill, as offered by the gentleman from New York.

I certainly believe this is the exception which should be made, and I appeal to my friends to vote for it.

Mr. MORSE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I am delighted to yield to the gentleman from Massachusetts.

Mr. MORSE of Massachusetts. I join the gentleman in support of this amendment. I urge my colleagues on this side of the aisle to think beyond the immediate moment, to think of the honor of this House, to think of the honor of this country, to think of that which we have already agreed to a year ago in passing this bill, and to recognize that the solidarity and peace of this planet perhaps in the ultimate depends on the solidarity of the two continents in the western part of the world.

I urge every one of my colleagues to support the substitute amendment.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I am delighted to yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. I should like to support the gentleman, because this House has already made its pledge. If we do not adopt this substitute amendment we are then returning that pledge back unhonored.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I am glad to yield to the gentleman from New Jersey.

Mr. GALLAGHER. I believe the gentleman made a significant point. There is not one penny actually involved in this gesture.

I would hope we are not too stingy to make a kind gesture to our Latin American friends, saying that we still have faith and encouraging them to keep going with the program they have already undertaken.

Mr. DERWINSKI. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I will just take a minute. It pains me to disagree with the gentleman from New Jersey and the gentleman from Florida. They are both so effective, so sincere and dedicated, but so much so that they let their emotions run away from reason. To use the words of the gentleman from New Jersey, there is nothing stingy about the Adair amendment. It leaves $578 million in this. I do not see how by any stretch of the imagination anyone can call $578 million a stingy sum.

The other point that is made is "the honor of this country and this Congress." Is there not something honorable in taking a good hard look at the program year by year to see whether or not it is deficient? Honor lies in perfecting the program and not being overgenerous with it. In fact, there is more honor in calling a spade a spade and admitting that there is a defect and that it needs tightening up, it seems to me, than in proceeding as if this were a new south-of-the-border Santa Claus. Honor lies in sustaining a proper funding and in looking at the program a year from now and seeing to it that the dollars spent south of the border are matched by their effective dollars so that the program really works.

I would say that the gentleman from Florida and the gentleman from New Jersey, inadvertently of course, made the best arguments to support the Adair amendment.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield first to the distinguished and charming gentleman from New Jersey.

Mr. GALLAGHER. I thank the very able gentleman from Illinois.

Is it not a fact that this year, when we saw the money was not used, we took out $219 million? Therefore, if the Latin American nations do not meet their commitment in the next year, we can still take it out of the bill next year. We have done that. But let us at least keep our word and say that if you do your part, we are prepared to do our part, because, as I said before, we are not really appropriating one cent, but we are giving them some hope that if they do their part, we are there to do our part.

Mr. DERWINSKI. We are retaining in the Adair amendment $578 million to keep our word.

Mr. GALLAGHER. Which is just a little bit below what we have anticipated and agreed to down at Punta del Este.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Iowa.

Mr. GROSS. Which happens to be $70 million more than was appropriated for the same purpose this year. Is it not about time that some Member of the House gave attention to the honor, integrity, and well-being of the taxpayers of this country who have to foot these bills?

Mr. DERWINSKI. That is a most profound statement.

Mr. ADAIR. Mr. Chairman, Members have said that if the reduction in dollars in this authorization below the $650 million in the bill is voted, we are doing something that is harmful to the honor of the Congress. I wonder if those Members would feel then that if the Committee on Appropriations reduces that figure, they are doing something dishonorable with respect to the Congress and the American people.

We have an obligation to look at these figures each year. Here is an opportunity to save $72 million without in any serious way impairing a program. At a time when we are asked for increased taxes, at a time when we are faced with great deficits, it seems to me that the least we can do is to provide this saving which can be accomplished and still permit the programs to move forward.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Is it not a fact that in the reduction the committee was passing upon the gentleman's persuasive argument and the $650 million figure was adopted as a result of the gentleman's amendment which we have adopted heretofore?

Mr. ADAIR. It is true that the reduction in the committee resulted from an amendment offered by the gentleman from Indiana. But it was not the entire extent of the amendment offered.

Mr. GALLAGHER. But, we were partially persuaded by the gentleman?

Mr. ADAIR. Yes; only partially.

Mr. MORGAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, $643 million has already been programed for the fiscal year. I would hope that we can defeat the Adair amendment and support the Ottinger amendment.

I wish to emphasize the fact that last year when this House passed a 3-year authorization for the Alliance for Progress, it included $696 million for fiscal year 1967, $750 million for fiscal year 1968, and $750 million for fiscal year 1969. We passed a 3-year authorization. In doing that, it is my opinion that we indicated a definite commitment to our neighbors to the south who are cooperating in the Alliance for Progress program. Further, I feel that the nations of the south regard this as a commitment. I feel this action of the House today, should it take the 1969 authorization out of the bill, will be felt all over the 21 countries to the south of us.

Therefore, Mr. Chairman, I hope the amendment which has been offered by the gentleman from New York [Mr. Ottinger] is adopted.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I am delighted to yield to the distinguished gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of the Ottinger amendment and in opposition to all amendments intended to cut funds for the Alliance for Progress. I do so for many reasons, but I should like to emphasize just one important reason: our aid can be a key factor in bringing into existence a Latin American Common Market.

Such a continental market should be encouraged because through it Latin Americans may achieve unparalleled social and economic development in a much shorter time period than they would through disjointed efforts.

The chain of events since the historic summit conference in April confirm an impression widely held that Latin Americans have taken this program to heart. Our sister Republics are moving toward an era of economic unity with determination, spurred on by endorsements from the private sector as well as by government agencies and officials. The Latin nations are courageously revising or scrapping outmoded economic patterns and spreading the benefits of science and technology throughout the continent.

Economic integration definitely falls within the purview of the Alliance for Progress. We took firm commitments to support this Alliance in 1961. Last April we assumed a commitment to support the concept of a Latin American Common Market but without active participation. The southern Republics will finance most of this program from their own resources. Our role, as a member of the Alliance and the American family of nations, is to lend assistance where we can and especially to the task of helping Latin America make a smooth transition to economic integration.

I have other compelling reasons for supporting economic integration and U.S. assistance in Latin America. Both of these elements help the Latin Americans to deal with Castro-inspired guerrilla activities, to consolidate their social and economic gains of the past 6 years, and to promote political stability.

At this crucial stage of the Alliance and Latin America's development, it would be wise, in my opinion, to authorize a modest increase, rather than a decrease, in our appropriation to help the Alliance finance programs and projects that are essential to Latin America's social welfare and economic growth.

In this country we realize that a Latin American Common Market will help to alleviate some critical problems. President Johnson expressed the consensus of experts when he called regionwide planning and economic collaboration "absolutely essential" for Latin America. He pointed to overlapping industries, restricted markets, and high tariff walls as indications of economic waste.

A hemispheric market can flourish and sustain the huge population of Latin America only if tariffs are slashed or removed; only if major industries are integrated, and only if efficient production and distribution contribute to the general welfare. This implies major adjustments in the economic fabric of all the Latin American member nations.

At Punta del Este President Johnson told the hemisphere Chiefs of State—

> Move boldly and the United States will be at your side.

I want to identify some of the bold moves that the Latin American members of the Alliance have made in order to insure the creation of a Latin American Common Market by 1980.

The five Republics in the Central American Common Market have eliminated all but a minor segment of the tariffs on intrazonal trade.

The South American Republics and Mexico—forming the Latin American Free Trade Association—IAFTA—have cut tariffs on thousands of items, and even deeper cuts are contemplated.

At the recent June conference of the Inter-American Economic and Social Council the conferees established an Export Promotion Center for expanding overseas markets and for giving technical training to exporters.

Representatives of Colombia, Venezuela, Chile, Peru, and Ecuador made the first move toward creation of a subregional common market by creating the Andean Development Corp. to promote multinational enterprises and the private and public sectors of this subregion. Capital for the most part is expected to be provided by the participating countries.

This integration involves a common merchant marine and integration in the petrochemical, automotive, and steel industries. Also involved are cultural and technical collaborations.

Recent developments in Latin America's physical integration evidence an important aspect of total integration.

The emphasis here centers on multinational projects whose costs are shared by the participating countries, assisted by international lending agencies. The benefits, however, may affect people living beyond the boundaries of the participating countries.

For instance, the Alliance project for a "marginal highway" along the eastern slopes of the Andes, is cosponsored by Peru, Ecuador, Colombia, and Bolivia. This 3,500-mile artery will enable the people of these countries to develop a vast virgin territory. Eventually the marginal highway will be linked to road networks in other countries, thus promoting the aims of continental integration. Incidentally, the basic survey of the marginal road was financed with U.S. funds disbursed through the social progress trust fund.

Other multinational ventures sponsored by our sister Republics, range from aviation and telecommunications systems to educational and cultural exchanges. These ventures give a fair indication of Latin America's self-help progress toward a common market. This great undertaking deserves both our encouragement and financial support. Let us not scuttle the hopes and aspirations of our most valuable neighbors.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from New York [Mr. Ottinger] for the amendment offered by the gentleman from Indiana [Mr. Adair].

The question was taken; and on a division (demanded by Mr. Morgan) there were—ayes 103, noes 129.

Mr. MORGAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Ottinger and Mr. Adair.

The Committee again divided, and the tellers reported that there were—ayes 134, noes 144.

So the Ottinger substitute amendment for the Adair amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. Adair].

Mr. GALLAGHER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Adair and Mr. Gallagher.

The Committee divided, and the tellers reported that there were—ayes 155, noes 127.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. THOMSON OF WISCONSIN

Mr. THOMSON of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMSON of Wisconsin: On page 18, strike out lines 1 through 7, inclusive.

Mr. THOMSON of Wisconsin. Mr. Chairman, I have taken this time and offered this amendment to call to the attention of this committee some of the fine work that is being done under the Alliance for Progress, and to raise a word of caution about a deviation from a course which I think everybody would approve.

Three years ago a program was started, known as the Partners of the Alliance for Progress. It was designed to attract and encourage private enterprise to get into the program of exchanging technical assistance and know-how and supplies and other things with other communities in Latin America. There was not any appropriation specifically listed for this program, but to prove that they had plenty of money in the program they made available $400,000 to the American Partners of the Alliance for Progress. That was $400,000. We would think, after listening to the pleas that we always have a bare bones budget in the Alliance for Progress—this was $400,000 that they used to attract the private sector into an exchange with Latin America. They went further and gave $140,000 to a private corporation which they created, which is known as the Partners of the Alliance for Progress. The purpose was to have a private corporation which would attract private financing to pay the expenses of the people that were working between the two nations, particularly for financing airplane trips from the various States down to South America. That was working very well.

The Government was trying to get out of putting money into it, and they were hoping the private sector would take it over. It did work very well. But to show how confused the Committee on Foreign Affairs sometimes gets, an amendment was adopted in the committee to provide $714,000 for 1 year to provide for junkets between Wisconsin and Michigan—no, not Wisconsin. We want to pay our own way there.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. No, just a minute. Let me finish this first.

Mr. ZABLOCKI. The gentleman mentioned Wisconsin.

Mr. THOMSON of Wisconsin. I did not mention everyone in Wisconsin. I just said the people in the Partners of the Alliance for Progress want to pay their own way, and that is the philosophy of the Partners of the Alliance for Progress. I hate to see this program diverted to further Government funding, putting the Government deeper into it than they have ever been before, at a time when the Government is trying desperately to get out of it and encourage private initiative to take it over.

Not only did it work well for 4 years, but after it had worked for 4 years, AID created a study in the State of Colorado, which is known as the Binational Development Feasibility Study, to encourage, the participation of private and local government institutions in international development by establishing cooperative relationships between the allies in the United States and the allies in the developing countries.

AID put $65,000 into that study to determine whether it was feasible to do what they had been doing for 4 years, a program which had by then encouraged 30 States and communities in America to get into the program.

Who was the director of that study? A newspaper story said they had appointed a former lawyer, a former teacher, a former preacher, and former Member of Congress to direct the study. I understand since then he is a former husband. But he is directing the program. And it was not without a great deal of help, because the staff consisted of this director, two associate directors, two clerical employees, five part-time research analysts, one part-time typist and three part-time research analysis volunteers.

What I would like to know is, how could one little part-time typist take care of 13 employees in that office in the lush, plush Denver Club Building in Denver, Colo.?

Well, he was to report after 6 months. He has made his third interim report, and we have not received the final report. Nevertheless this committee proposes to plunge into a plan to triple the cost without waiting for this $65,000 study of its feasibility.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

I yield to the gentleman from Wisconsin.

Mr. THOMSON of Wisconsin. Mr. Chairman, I appreciate the gentleman's yielding to me.

My point is, when this program was working so well, when the Government is trying to get out of the business and save the taxpayers money, and induce private enterprise to take it over, why in the world should we spend more money in 1 year than this agency spent in 3 years in support of this program?

Surely, we could induce people to do this, like they have in Wisconsin. They sent nurses to Latin America, and they sent electrical supplies and know-how and did it all without any Federal money whatsoever.

I did not raise this question, of course, to agitate the apple-cheeked advocate of the Partners program. I just brought it to the attention of this Congress in the hope that when AID is doing something that is well done this body in its confusion should not destroy one of the worthwhile things they are doing.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I do not have the floor. The gentleman from Iowa has the floor.

Mr. ZABLOCKI. Will the gentleman from Iowa permit the gentleman from Wisconsin to clarify who is the apple-cheeked advocate? He is not referring to the gentleman from Wisconsin, is he?

Mr. THOMSON of Wisconsin. Well, now, the gentleman knows that.

Mr. ZABLOCKI. Some of my colleagues were not sure.

Mr. GROSS. Mr. Chairman, I do not believe I yielded to the gentleman, but the gentleman from Wisconsin knows he can communicate with his colleagues who want to know.

Mr. ZABLOCKI. I did not make the charge. I thought it would be best for the man who made it to clarify it.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. I should like to ask the gentleman from Iowa or the gentleman from Wisconsin to give some of us who are not on the committee the benefit of a discussion of the relationship between the people-to-people program, which many of us have known about and participated in and strongly supported over the years, and this $714,000 authorization proposed for Federal support for the Partners of the Alliance.

Mr. GROSS. The gentleman will have to ask some of the experts on the people-to-people business. I do not junket. I do not have that kind of contact with the foreigners all over the world, from Ouagadougou to Timbuctu.

Perhaps the gentleman in the well of the House could make a contribution.

Mr. MACGREGOR. I am sure the gentleman from Iowa meant nothing by the juxtaposition of wording with respect to junkets.

Perhaps the gentleman from Wisconsin can tell us about the people-to-people program and the relationship.

Mr. THOMSON of Wisconsin. That is fine. I have never been to Ouagadougou or Timbuktu.

In 30 areas of this country, in 14 or 15 States and 30 communities, individuals in the private sector are volunteering on a people-to-people program. It is a good program. It is working well. But the Federal Government now thinks the Government contribution should be phased out, and the program should be supported by private enterprise.

As a matter of fact, in their own publication, the Partners of the Alliance point out that within 3 years it is anticipated this program will be self-sufficient. Why, if it is going to be self-sufficient in 3 years' time under this activity, should we now fund it for 3 or 4 times the amount they have used and have needed as seed money to get the program started?

Mr. MACGREGOR. I would like to vote for your amendment. I would like to ask, if I voted for it, would I be doing damage to the people-to-people program?

Mr. THOMSON of Wisconsin. Not at all. They have had $500,000 already and they have a nationwide setup with a group which is going around soliciting money from individuals. It is anticipated and is hoped by the people at AID that within 3 years they will have collected enough money to pay the travel costs for the people going to Latin America and providing these services.

Mr. GROSS. Mr. Chairman, I rise in support of the gentleman's amendment. It eliminates a shameful provision. The leadership on the other side of the aisle ought to immediately accept this amendment and get it over with.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, if I have time left.

Mr. GALLAGHER. I understand this had bipartisan support and actually the original thinking on this matter originated from your side.

Mr. GROSS. I assume that the gentleman who proposed it will speak and try to defend it. But that still does not mean I should support it or that the leadership should not accept it.

Mr. BROOMFIELD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in the preamble of H.R. 12048, there was included some statements of policy on how the foreign aid program should operate. Two of these statements I think are especially noteworthy.

The first states that aid from the United States shall be used in support of, rather than substitution for, the self-help efforts that are essential to successful development programs.

The second states that assistance shall be furnished in such a manner as to promote efficiency and economy in operations so that the United States obtains maximum possible effectiveness for each dollar spent.

Whether we are for or against this bill, or foreign aid as a program, I think we have to agree that these objectives are admirable ones, and that they deserve our full support.

But these words in the preamble are not worth very much if they are simply that—just words with no particular relationship to what is actually going on in the foreign aid program.

We are now at that moment of truth when we must match these words with deeds.

Before us is an amendment to delete a proposed $714,000 grant for the Partners of the Alliance.

For those of my colleagues who are not acquainted with this program and to the progress it has made over a short period of time, I would urge them to turn to page 23685 in yesterday's Congressional Record for a state-by-state breakdown of protests and to see for themselves whether they consider this program worthy of our support.

In my estimation, this is one of the very few legitimate bargains our Federal Government has to offer.

It is on target with our stated objectives in the foreign aid—namely, to support self-help efforts and to obtain maximum possible effectiveness for each dollar spent.

Our investment to date in the Partners program has been about $400,000. From this investment, we can actually count more than $7 million in measurable results, plus immeasurable benefit in understanding, in good will, in cooperation between these partnerships in the United States and in Latin America.

I understand that there are some who have referred to this program as "freeloading." I can only say this. No full-fledged, honest-to-goodness freeloader is going to have a thing to do with the Partners program.

He would have to work too hard, and encounter too difficult conditions for his taste.

If anything, I think it is more accurate to say that we in the United States and Latin America are the freeloaders. We are freeloading off the talents, the energies, the dedication of the volunteers in the Partners program who receive nothing in the way of salaries or wages.

Some of the top experts in the fields of medicine, agriculture, business and finance, industry, communications, and education have been active in this program, men and women who would have nothing to do with a Government contract, but who were willing to donate their services to their country and to the cause of humanity.

These volunteers have saved lives, eased pain, reduced hunger, prevented disease, provided education, and furnished that spark called hope to the inhabitants of communities throughout Central and South America.

They have cooperated with host governments, with AID program directors, with the Peace Corps in providing the technical skills in their particular trades and professions.

In the Partners of the Alliance program, we have a distinct success. The least we can do for this program is to give it the means to continue its good works on behalf of those in need in Latin America and the American taxpayer.

We are never going to get a better bargain than this one.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Chairman, I believe that the gentleman from Michigan knows that this matter should be given great consideration by the Committee of the Whole House on the State of the Union.

The amendment as prepared was adopted overwhelmingly in the Committee on Foreign Affairs and I wish to commend the gentleman from Michigan for the work that he has done on this matter.

Further, Mr. Chairman, I wish to commend the work that has been done by the Partners of the Alliance, which work I feel should be encouraged.

The amendment that the gentleman from Wisconsin is sponsoring would, if adopted, remove the provision for funds that the gentleman from Michigan has provided for the Partners of the Alliance, and would thereby punish this program for a job well done.

Mrs. BOLTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment which has been offered by the gentleman from Wisconsin [Mr. Thomson].

Mr. Chairman, I cannot look at this matter in this abridged way.

We have all kinds of programs such as student exchanges, exchanges under the Fulbright Act, and various programs that make it possible to exchange people. However, no one seems really to care about the actual people. These programs make it possible for people from, say, Michigan, to go to a state in South America.

Last night I attended a dinner at the Willard Hotel with a group of people from all over this world. There were teachers, social workers, and so forth, and brought together by an organization which is designed to do just that.

They came from all over the world to engage in and participate in courses of training in their particular lines of work. They lived in our homes and they have won the admiration and respect of all.

Lasting friendships have resulted between people widely separated by cultures and distances.

I know it is very disturbing to have to appropriate money. I do not blame Mr. Thomson at all for his remarks, but I cannot follow them. I do not know what they all mean because I do not like figures. I know the process of going through this kind of thing is always difficult, though extremely important and necessary.

Mr. Chairman, my sympathy goes to the opposition to the amendment because I have seen so much happen through people being able to get together so that they can exchange views, and can live in each other's homes.

Granted, Mr. Chairman, the money should be properly spent, it should never be misspent, and it should never be thrown down the drain, as the gentleman apparently believes it is, and I do not disbelieve anything he says, but I would like very much to have the whole picture considered by each one of you—not just this amendment. To me the amendment is a very small though important thing, and the human being is so very great. And if we can just assure ourselves in our own minds the real goal of this whole matter. If we really want to do something for people, I believe we will go a great deal further in our attempts in the Alliance for Progress, which I am not particularly enthusiastic about, and in the various other programs that are under this bill.

I thank the Members for listening. I know they are all tired, and that everybody would like to go home. But I could not let the moment pass without attempting to emphasize the real cause of all this, the human being.

Mr. GALLAGHER. Mr. Chairman, will the gentlewoman yield?

Mrs. BOLTON. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Mr. Chairman, I would like to join in the remarks of the distinguished ranking minority member of our committee, the gentlewoman from Ohio [Mrs. Bolton].

I would also like to compliment Mr. Broomfield, who is one of the most conscientious and diligent members on our committee. I believe he has rendered a useful and meaningful service by his amendment.

So, Mr. Chairman, I join in urging

that the amendment which would delete this will be voted down.

Mrs. BOLTON. I thank the gentleman very much.

Mr. Chairman, I am simply going to say that I do not ask the Members either to vote for it or to vote against it, but to vote as their conscience sees fit, remembering that people are really all that matter.

Mr. FASCELL. Mr. Chairman, will the gentlewoman yield?

Mrs. BOLTON. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, I would like to associate myself with the remarks of the gentlewoman from Ohio, [Mrs. Bolton], and say that I am a very strong supporter of the program, Partners for the Alliance. I would simply point this out: This program has been in existence and funds have been used for it, and it was felt, therefore, by the authorizing committee that, rather than have funds just picked up here, there, and everywhere, that this should be a line item so that it could be scrutinized.

Mr. Chairman, I believe we all ought to vote down the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was rejected.

The CHAIRMAN. If there are no further amendments to this section of the bill, the Clerk will read.

The Clerk read as follows:

TITLE VIII—SOUTHEAST ASIA MULTILATERAL AND REGIONAL PROGRAMS

Sec. 107. Title VIII of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to Southeast Asia Multilateral and Regional Programs, is amended by striking out section 273.

TITLE IX—UTILIZATION OF DEMOCRATIC INSTITUTIONS IN DEVELOPMENT

Sec. 108. Section 281 of title IX of the Foreign Assistance Act of 1961, as amended, which relates to utilization of democratic institutions in development, is amended by inserting "(a)" immediately after "Sec. 281." and by adding at the end thereof the following new subsections:

"(b) In order to carry out the purposes of this title, programs under this chapter shall—

"(1) recognize the differing needs, desires, and capacities of the people of the respective developing countries and areas;

"(2) use the intellectual resources of such countries and areas in conjunction with assistance provided under this Act so as to encourage the development of indigenous institutions that meet their particular requirements for sustained economic and social progress; and

"(3) support civic education and training in skills required for effective participation in governmental and political processes essential to self-government.

"(c) In the allocation of funds for research under this chapter, emphasis shall be given to research designed to examine the political, social, and related obstacles to development in countries receiving assistance under part I of this Act.

"(d) Emphasis shall also be given to the evaluation of relevant past and current programs under part I of this Act and to applying this experience so as to strengthen their effectiveness in implementing the objectives of this title."

Mr. MORGAN (interrupting the reading). Mr. Chairman, I ask unanimous consent that title IX be considered as read, printed in the Record, and open to amendment, commencing with line 14 on page 18, to and including line 17 on page 19.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Are there any amendments to section 108?

If not, the Clerk will read.

The Clerk read as follows:

TITLE X—VOLUNTARY FAMILY PLANNING PROGRAMS

Sec. 109. Chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to development assistance, is amended by adding at the end thereof the following new titles:

"TITLE X—VOLUNTARY FAMILY PLANNING PROGRAMS

"Sec. 291. General Authority.—(a) In order to aid countries where population growth is outpacing food production and where, as a consequence, there is danger of deterioration in their nutrition level with harmful effects on both health and economic growth, the President is authorized to provide assistance for voluntary family-planning programs in friendly foreign countries and areas, on such terms and conditions as he shall determine, to foreign governments, United Nations specialized agencies, United States and foreign nonprofit organizations, universities, hospitals, accredited health institutions, and voluntary health or other qualified organizations.

"(b) In carrying out programs authorized in this title, the President shall establish reasonable procedures to insure, whenever family-planning assistance from the United States is involved, that no individual will be coerced to practice methods of family planning inconsistent with his or her moral, philosophical, or religious beliefs.

"(c) As used in this title, the term 'voluntary family-planning programs' includes but is not limited to demographic studies, medical and psychological research, personnel training, the construction and staffing of clinics and rural health centers, specialized training of doctors and paramedical personnel, the manufacture of medical supplies, the dissemination of family-planning information, and provision of medical assistance and supplies.

"Sec. 292. Authorization.—Of the funds provided to carry out the provisions of part I of this Act for the fiscal year 1968, $50,000,000 shall be available only to carry out the purposes of this title, together with excess foreign currencies made available under section 612(c). None of the funds made available for the purposes of this title shall be expended in connection with any family-planning program involving the use of abortion, sterilization, or euthanasia as a method of population control.

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that title X of the bill starting on page 19, line 18, down through page 21, line 8, be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT OFFERED BY MR. FULTON OF PENNSYLVANIA

Mr. FULTON of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Fulton of Pennsylvania: On page 21, line 2, strike out "$50,000,000" and insert in lieu thereof: "$20,000,000".

On page 21, line 3, after the word "with": insert "not in excess of $30,000,000".

Mr. FULTON of Pennsylvania. Mr. Chairman, I have an amendment at the desk. I rise in support of the amendment to reduce the U.S. dollar funds allocated for voluntary family planning by $30,000,000. On page 21, line 2, of the bill, Congress is asked to authorize the sum of $50,000,000 for broad and indefinite family planning programs of a greatly expanded nature. The AID agency has no plans prepared for this unasked for money.

In addition, line 3 on page 21 in the bill provides that "excess foreign currencies made available under section 612(c)" can be used to implement family planning programs. Presently the U.S. Government has a grand total of $2,318,800,000 in excess foreign currencies in 11 countries. I have confirmed the figure with the U.S. Treasury this morning by telephone. Certainly when this money is available for use in American foreign assistance programs, the American taxpayers should not be asked for an additional $50,000,000 in hard-earned wages and salaries. These programs have increased as follows: fiscal year 1966 $3.6 million, $9 million in fiscal year 1967, and proposed $20 million in 1968.

The Agency for International Development, which administers the voluntary family planning programs in U.S. foreign aid abroad, made a request to the House for $20,000,000 for fiscal year 1968 to implement family planning programs. In a letter of June 2, 1967, to the chairman of the Committee on Foreign Relations in the other body, AID Administrator William S. Gaud indicated that AID spent an estimated $9 million for family planning in fiscal year 1967 and planned to increase the program to $20 million in fiscal year 1968.

At a time when the U.S. Congress has been forced to cut back severely on domestic programs for the cities and even to cut back U.S. defense funds for 1968 by over $1 billion in facing up to the economic consequences of the war in Southeast Asia, an unasked increase of $30 million in the family planning section of the foreign aid bill is extravagant. Congress should be making reductions in spending wherever possible and not increase funds above Agency requests without urgent and immediate reason. While there exists this tremendous supply of excess foreign currencies, this section of the foreign aid bill can be substantially reduced without injuring operation of family planning programs in underdeveloped countries. As the program now stands as reported by the House Foreign Affairs Committee, Congress is making more than a 500-percent increase in this area. The issues in family planning are delicate and foreign nations are quite sensitive to the domestic intervention which such an immediate massive population control program by the United States implies. Congress has not drawn specific instructions on this aid program, and until it does so, the spending of $50,000,000 is not efficient planning. Economies are now a vital necessity in Government and here is an area where economies can be made without injury to AID programs, on the testimony of AID officials and the statements of Mr. Gaud, AID Administrator, himself.

These programs must be cleared with developing countries prior to instituting such programs. Administrator Gaud states how carefully these programs must be instituted. He states:

> In many countries birth control is still a sensitive issue, in which U.S. involvement must be particularly circumspect in order not to be self defeating.

I quote in full Mr. Gaud's letter:

> Department of State, Agency
> for International Development,
> *Washington, D.C., June 2, 1967.*
> Hon. J. William Fulbright,
> *Chairman, Committee on Foreign Relations,*
> *U.S. Senate,*
> *Washington, D.C.*
>
> Dear Mr. Chairman: Thank you for your letter of March 18 inviting comment from this agency on Senate bill 1264 which would add to the Foreign Assistance Act a new "title X" for voluntary family planning programs.
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> We appreciate and share the concern of yourself and the other cosponsors of this bill for support of family planning programs as an essential part of the overall foreign assistance effort. While the bill does not add any authority which we do not have under more general authorities already in the Act, the proposed specification of authorities and policy statements with respect to voluntary family planning programs would be an impressive Congressional endorsement of greatly increased emphasis on population programs by A.I.D.
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> A.I.D now gives high priority to assistance for voluntary family planning programs. We consider population programs together with agricultural programs to be our most important weapons in the "War on Hunger", to which the President has expressly directed that maximum emphasis be given. The planning and preparation of effective projects to implement a new policy of course takes time even though the highest priorities are involved. Also, in many countries birth control is still a sensitive issue, in which U.S. involvement must be particularly circumspect in order not to be self defeating. Nevertheless, we have been able to increase expenditure of appropriated funds for population programs from about $3.6 million in fiscal year 1966 to an estimated $9 million in fiscal year 1967, and we plan to increase this figure to at least $20 million in fiscal year 1968. Where we go after next year will continue to depend not only upon the availability of funds but also upon the acceptability of family planning programs to the countries involved, and their capacity to administer such programs.
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> In addition to such direct assistance to population programs, host country budgeting for such programs will continue to be facilitated by various forms of direct and indirect budgetary support deriving from P.L. 480 sales and A.I.D. program loans and supporting assistance programs. Such indirect assistance is already a significant factor in country-instituted family planning programs in such countries as Taiwan, Korea and Pakistan.
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> In order to continue building up our momentum we have directed the missions to give high priority to population programs. We have directed that a senior member of each mission be specifically designated to be responsible for population matters. This is in addition to ten full time population experts now on the staffs of various missions, which number will be increased. In order to expedite programming we have requested the missions to forward proposals for population programs outside of, and in advance of, the normal programming cycle. In support of the missions along these lines we are strengthening our central population program staff in Washington by increasing its size from 4 to 28, with particular emphasis at this point on personnel qualified to assist the missions in planning and starting appropriate programs. Furthermore we are making it clear to all concerned that if a country asks us to help in financing the purchase or manufacture of contraceptives, and there is need for us to do so, we will.
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> In the United Nations system we have been giving active support to the adoption of positive policies in the field of family planning and to specific projects to carry out these policies. We will continue to work with UN agencies to increase their effectiveness in population matters.
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> With respect to a separate authorization for voluntary family planning programs, as you know, we consider it generally inappropriate for legislation to earmark funds for a single foreign assistance purpose, however worthy and important that purpose may be. Such earmarking impairs flexibility that is important to effectiveness of the foreign assistance program. In order for assistance to be administered most effectively, A.I.D. must be able to allocate its limited resources according to all considerations as they may be known to us at any given time. We must weigh the relative needs of various programs for helping the people of the less developed countries to make their own way toward a better life. We are particularly concerned about the potential of excessive population growth to cancel investment intended to raise standards of living. However, as you pointed out in your speech introducing this bill, voluntary family planning programs must be looked at in relation to education, capital investment and other measures directed at the same objective of improving standards of living and the quality of life. These programs also can and do operate to reverse the vicious circle between birth rates on the one hand, and ignorance and poverty on the other.
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> With respect to the establishment of an "Advisory Council on Voluntary Family Planning" we are agreeable in principle. However, we are concerned that it should not duplicate the function of the Perkins Committee's subcommittee on "Feeding and Population" which is already providing valuable guidance along general policy lines.
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> Also in certain other respects there are fine points of language which would have to be worked out. For example, in order that the proposed language not be subject to construction as precluding assistance to population programs of UN agencies other than the UN specialized agencies we believe the reference to "United Nations specialized agencies" in the proposed section 291(b) should be broadened to refer to "the United Nations, its specialized agencies, and other international organizations and programs."
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> Needless to say, the subject matter of this bill is important to us. We would welcome an opportunity to discuss in detail our position on this bill and the plans we have for assisting family planning activities. We could then explore the possibilities for working out a mutually acceptable version of the bill to serve our common interest in voluntary family planning progress as an essential part of the overall development effort.
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> The Department of State concurs with the views stated in this letter.
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> The Bureau of the Budget advises that there is no objection from the standpoint of the Administration's program to the submission of the report.
>
> Sincerely yours,
> William S. Gaud.

Mr. Chairman, my amendment is for the purpose of saving $30 million in U.S. dollar authorization by reducing provision for $50 million in U.S. money for fiscal year 1968 for the birth control and family planning programs abroad under the U.S. foreign aid program. This is the exact amount that was requested in dollars, $20 million, by AID, for the coming fiscal year 1968.

My amendment likewise provides $30 million authorization for use of U.S. owned counterpart funds. These are the funds which in local currency owned by the United States which the United States and local governments have under joint control.

Mr. Chairman, we must remember this AID program has gone up from $3.6 million in fiscal year 1966 to $9 million in fiscal year 1967. This program will now rise to $100 million per year under the Fulbright proposal in the Senate. This is clearly not good planning, good management, nor good efficiency, and will actually hurt these programs abroad.

I believe that is going too fast and too far.

Even Administrator William S. Gaud of the AID program says that we have to accomplish this proposal carefully and delicately.

We must not upset these friendly nations when these people feel the United States is acting against their traditions, legal and religious principles, and their national background.

I have asked the chairman of the House Committee on Foreign Affairs, Mr. Morgan, does the chairman have any objection to this amendment? My amendment authorizes the use of $30 million in counterpart funds instead of U.S. taxpayers' dollars.

Mr. MORGAN. Of course, the gentleman is correct in saying that the executive requested $20 million. It seems that the amendment now drafted in the bill was a single bill introduced in the other body by the chairman of the Senate Committee on Foreign Relations. It was just picked up during the markup of this bill and incorporated in it as an amendment on voluntary planning.

The committee had some excellent testimony on this from General Draper and his group. The executive testified that they only needed $20 million, as the gentleman has already said.

But you are really not saving any money here because this $50 million actually comes out of the funds already authorized. So there is not any actual saving of $30 million unless the executive uses the full authorization, that is the full $50 million. So there is not any actual dollar saving. But I think they will stay within the figure of $20 million and I see no strong objection on this side to the gentleman's amendment.

Mr. FULTON of Pennsylvania. I am glad to hear that the amendment is accepted.

I ask the ranking Republican gentleman from Indiana [Mr. Adair], Do you also accept my amendment?

Mr. ADAIR. I remarked earlier to the gentelman that the only reservation I had was as to whether or not the local currencies available would be in the countries were they were needed.

Mr. FULTON of Pennsylvania. I can assure the gentleman these funds are located in 11 underdeveloped countries and the amount of U.S.-owned foreign currencies is over $2 billion. Approximately $1,250,000,000 of excess U.S.-owned foreign currencies is in India alone. I believe the Indians should be spending these local currencies and financing a number of items that are for local purposes such as training.

Mr. ADAIR. The effect of the gentleman's amendment would then be to release $30 million in this bill for other uses.

Mr. FULTON of Pennsylvania. That is correct, and save the taxpayers of the United States $30 million in U.S. cash dollar authorization for these programs in 1 year, fiscal year 1968 alone. This does save U.S. taxpayers the requirement of putting up $30 million new U.S. tax funds for U.S. birth control programs abroad. The requirement does not hurt the programs because counterpart funds, U.S.-owned foreign currencies abroad can be used up to a total of $30 million value in fiscal year 1968.

When the AID agency admits it has no definite programs above $20 million for 1968, it certainly cannot be said that proper and economic planning has been prepared for the additional $30 million for 1968.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I am glad to yield to the gentleman from New York.

Mr. CAREY. I thank the gentleman for yielding. I take this time for the purpose of inquiring as to the identity of the kinds of organization that might be assisted under the language on page 20 at lines 7, 8, 9, and 10, at which point the bill refers to "United Nations specialized agencies, United States and foreign nonprofit organizations, universities, hospitals, accredited health institutions, and voluntary health or other qualified organizations."

I have never seen such a wide description of such organizations in or out of Government before. I do not mean to be facetious, but under this language could assistance be rendered to the Vatican State or the Knights of Malta?

Mr. FULTON of Pennsylvania. Your comment is excellent, because we have discussed this program with indefiniteness of this provision. I believe that when the money is appropriated there should be definite limitations as to the kind of organizations this money can be given to. I believe it does need a much more official control. So I really agree with the gentleman that in appropriation of the money, it should not go to such indefinite destinations as "foreign nonprofit organizations." It does not say what kind of organizations they are. Or some "other qualified organizations." It does not say whether the money will go to domestic or foreign organizations, the kind, variety, or even if they are charitable organizations or nonprofit organizations. I think the gentleman has a good point.

Mr. FRASER. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. FRASER. Mr. Chairman, I rise for the purpose of pursuing the subject of the last colloquy about the range of organizations that might qualify for grants or assistance under this section of the act. For example, I know the AID Agency already finds it useful to work with private organizations in some countries where the Government itself would be somewhat handicapped for various reasons in accepting a contract directly. In Latin America, I know of one very effective organization which has a contract with AID to begin working with women's groups to develop educational programs with respect to family planning. I think there is some importance to having a range of choices open, because in this very sensitive field, which runs into national and religious questions, one must be prepared to work, I believe, with those groups which will be most compatible with the society involved.

I have a specific question I want to direct to the chairman, and then I will be glad to yield to Members. I wanted to ask the chairman this question: The language on page 20, lines 7 and 8, refers to "United States and foreign nonprofit organizations." There might be an instance where an organization was nonprofit and operated both in a foreign country and in the United States, an international organization, and there are some who are already active in the planned parenthood field. My question is, would it not be true that an international organization would qualify under this language, assuming that it was otherwise qualified and competent to engage in family-planning activities?

Mr. MORGAN. It is my opinion this would be consistent with U.S. Government policy to support funding operations of this type of organization.

Mr. FRASER. I have one further question. With respect to some of these organizations, the funding must appropriately be referred to specific projects. There may be other instances in which it would be useful that organizations get general grants so U.S. money is not necessarily directly identified as funding the project. I assume this kind of funding would be one of the choices open to AID as it sought to find the most effective way to move forward in the family planning field. Would the gentleman agree with that interpretation?

Mr. MORGAN. Yes, I agree with that.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, I am glad the gentleman brought up this commentary in regard to the remarks of the gentleman from New York. My amendment has left the purposes stated for these family planning foreign programs as they are in the bill as reported by the House Foreign Affairs Committee. The methods of distribution of authorized funds can be definitized as to method after detailed program hearings and action by the Appropriations Committee. I think the gentleman has been well advised to bring out these policy points.

I believe, however, when the duty arises to make specific purposes and the outlining of planning procedures, then that is for the Appropriations Committee. This refers to the jurisdiction of appropriations on distributing the money from the U.S. Treasury, under the general authorization of purposes to AID.

Mr. FRASER. I appreciate the comments of the gentleman. I assume, too, what is involved is commonsense and good judgment on the part of AID as it moves forward.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Chairman, on page 21, lines 4 through 8, section 292, with respect to that sentence, it might be helpful to make a little legislative history at this point. There are some countries, such as India, where sterilization is undertaken, not as an official program, but it is encouraged as a part of the family planning effort. As I construe the language of this section, it is not intended as precluding family planning assistance for any program in any such country. Am I correct?

Mr. FRASER. If I am an authority on this, I might say it specifically prohibits the support of the program—it prohibits support of actions such as abortion, sterilization, and so on.

Mr. FINDLEY. Yes.

Mr. FRASER. But if there is a different program in the same country which does not involve those particular acts, then those programs would be eligible for support. Perhaps the gentleman from Wisconsin can speak on this.

Mr. FINDLEY. That is my interpretation.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike the last word.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Chairman, if I may reply to the gentleman from Illinois, in view of the fact that the language on lines 7 and 8 on page 21 of the bill was the result of my amendment, is was my intention that no U.S. funds or foreign currency belonging to the United States be used for the purpose of abortion, sterilization, or euthanasia as a method of population control.

U.S. funds cannot be used for sterilization. If India wants to use its own funds to finance that, this would not affect it.

Mr. FINDLEY. I thank the gentleman for that clarification.

Mr. O'HARA of Illinois. Mr. Chairman, I congratulate my friend from Pennsylvania who, in my judgment, is one of the ablest Members in this House. I think all of this matter is a mess. I call the attention of the Members to the worldwide range of the language. As has already been pointed out by my colleague from New York [Mr. Carey], I never have seen in any legislative act such a broad range. Everything is covered: "United Nations specialized agencies, United States and foreign nonprofit organizations, universities, hospitals, accredited health institutions, and voluntary health or other qualified organizations." Everything is in there. Then we get down to this term, " 'voluntary family planning programs' includes"—but it is not limited. In other words, it includes the entire world. It is all a mess.

Next year or the year following, when the scare of world annihilation by bursting population is over, many people will recover their sanity. So many people are saying our greatest problem today is in the exploding population, and in 5 years and 10 years, we will be unable to feed all the peoples of the world, and we will all perish, that the subject has become an obsession. In time sanity will return. Let me say this: If we give more attention to developing better methods of agriculture the world over, we will be able to feed the people of the world, and it is just that simple.

Let me also say that the good Lord above can be depended upon to provide plenty of food for all his creatures, without killing some of them by preventing their birth.

I support the amendment of my good friend from Pennsylvania. It is a good amendment.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. The gentleman is certainly right. AID can use this $30 million saving to help peoples of developing countries planning for better agriculture and for fertilizer. AID can likewise use the saving for animal management, for example, better methods on how to keep goats, sheep, rabbits, buffalo, and cattle. AID can also teach technical methods on the new food supplement and protein development programs to feed everybody in the world.

I feel as the gentleman does that Congress should emphasize the positive and constructive, and not overemphasize the negative aspects of——

Mr. O'HARA of Illinois. Would the gentleman agree that we can continue believing in God and not subscribing to the weird creed that God is dead?

Mr. FULTON of Pennsylvania. That is exactly right. Heaven on earth must be worked for through helping people have security and opportunity for good living. We must work hard to increase food for the peoples of the world and remember that we can all act as brothers for the good, and the progress of each other if we adhere to the high principles outlined by the gentleman from Illinois. I firmly believe we must persevere toward this high end.

Mr. CAREY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Pennsylvania, not so much because I am concerned about the use of funds in this field. My personal belief is that there is actually no shortage of funds in this field to carry out the practical and workable instruments, policies, and provisions now needed in many areas of the world.

I found it somewhat incredulous a moment ago to hear the colloquy between the gentleman from Minnesota and the distinguished chairman of the committee as to the type of organization that could be aided under this bill.

Why do we not identify the organization we are talking about by name? The provision of the bill is carefully drawn to make it absolutely certain that any and all activities which may be advocated by the International Planned Parenthood organization may be funded in full.

It is no secret that the International Planned Parenthood Federation is incorporated in England and exists in 45 countries. It is also no secret we cannot control, nor would we seek to control, the policies of that organization.

By their own methods they decide what should be advocated in a given country, ranging from sterilization to euthanasia. I believe it is nugatory in this bill to indicate that U.S. funds cannot be used for these purposes, because in any funding authorized, as stated in the colloquy between the distinguished chairman of the committee and the gentleman from Minnesota, the basic funding can be organizational or for propaganda purposes or for enlisting membership, or for doing anything to attract people to the program advocated by this agency.

I am not going to interfere with the language in this bill. It has been heard in the committee.

I point out to the Committee today sitting here that this language is broad enough to include any conceivable agency for any purpose in this field that could ever be contrived in the time and tenure of this bill. We have never given such a blank check to anyone before.

I know this is a delicate religious field in which we are dealing. I hope the day never comes when I will come to this body and come to this well and ask anyone to legislate my religious beliefs and underwrite them with Federal funds.

In this case, beliefs of individuals who are not here before us today can be underwritten and will be underwritten, regardless of whether they are consistent with the opinion and will of the majority of the country in which they are advocated, or of anyone in the country in which they are advocated.

This is a provision to sell, to deal, to invite, to propagandize in any way, shape, or form, as indicated in the colloquy between the distinguished gentleman from Minnesota and the chairman of the full committee, whether or not the government in the country involved believes these programs are workable and necessary and desirable. Regardless of that fact, under the conditions of this bill, our Government will be party to aiding, abetting, and husbanding any organization in any country in which an AID official approves funds to carry on any program.

Therefore, all the language that says we will not support certain activities, or that this may not be conditioned upon a program being involuntary, is just so much hokum.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to the distinguished gentleman from Minnesota.

Mr. FRASER. I only want to say to the gentleman that I think the gentleman gave an adequate description of the range of positions that are open to the agency. It is true—and I would like this to go into the RECORD—as a matter of practice, I deem it unwise for the agency to go into any country through any private or nongovernmental mechanism if the government of that country itself did not approve of that being done. That may pose a different situation than where a government itself may be asked to undertake a program. They may elect not to do so, but some private agency may.

Mr. CAREY. We will never know whether the government involved wanted to do it or not, or it would be the action of some AID official. I pointed out that many conferences on world population have said time and time again that one of the quickest and most feasible ways to reduce population is to go about reducing infant mortality in the areas involved. Then the parents involved know that some family will succeed them and they will produce in the proper numbers. But there is not an incentive here to reduce infant mortality.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FULTON].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE XI—FOOD PRODUCTION TARGETS AND REPORTS

SEC. 295. FOOD PRODUCTION TARGETS AND REPORTS.—In making his recommendations to the Congress for programs for the fiscal year 1969 and each fiscal year thereafter, wherever appropriate, the President shall, for each country receiving assistance under this Act which he finds has a substantial food deficit, include—

(1) descriptions of proposed programs, if any, in the areas of food production, storage, and distribution, and voluntary family planning;

(2) information on achievement targets in food production, storage, and distribution, and their relationship to expected changes in total population; and

(3) a detailed report on progress with respect to food production, storage, and distribution, and the relationship of this progress to population.

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that the entire title XI, to the bottom of page 24, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. ADAIR. Mr. Chairman, reserving the right to object, is that to the top of page 24? Did the gentleman ask us to have considered as read up to the top of page 24, the chapter on supporting assistance?

Mr. MORGAN. To be considered as read. I just want to cover the rest of title XI, which has not been read, down to the bottom of page 21.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. If there are no amendments to be proposed, the Clerk will read.

The Clerk read as follows:

CHAPTER 3—INTERNATIONAL ORGANIZATIONS AND PROGRAMS

Sec. 110. Chapter 3 of part I of the Foreign Assistance Act of 1961, as amended, which relates to international organizations and programs, is amended as follows:

(a) Section 301, which relates to general authority, is amended by adding at the end thereof the following new subsection:

"(d) In any case in which a fund established solely by United States contributions under this or any other Act is administered by an international organization under the terms of an agreement between the United States and such international organization, such agreement shall provide that the Comptroller General of the United States shall conduct such audits as are necessary to assure that such fund is administered in accordance with such agreement. The President shall take such steps as may be necessary to modify any existing agreement entered into before the date of enactment of this subsection to conform to the requirements of the preceding sentence."

(b) Section 302, which relates to authorization, is amended as follows:

(1) In subsection (a) strike out all after "for such purposes," and substitute "for the fiscal year 1968, $141,000,000, and for the fiscal year 1969, $158,000,000. Such amounts are authorized to remain available until expended."

(2) Subsection (b) is amended to read as follows:

"(b) There is authorized to be appropriated to the President for loans for Indus Basin Development to carry out the purposes of this section, in addition to funds available under this or any other Act for such purposes, for use beginning in the fiscal year 1969, $51,220,000. Such amounts are authorized to remain available until expended."

(c) Immediately after section 303, add the following new section:

"Sec. 304. United Nations Peacekeeping.—It is the sense of the Congress that the cause of international order and peace can be enhanced by the establishment, within the United Nations Organization, of improved arrangements for standby forces being maintained by United Nations members for United Nations peacekeeping purposes in accordance with the United Nations Charter. The President is therefore requested to explore through the United States Representative to the United Nations, and in cooperation with other members of the United Nations and the United Nations Secretariat, both the means and the prospects of establishing such peacekeeping arrangements. The President shall submit to the Congress, not later than March 31, 1968, a report upon the outcome of his initiatives, together with such recommendations as he may deem appropriate."

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that chapter 3, extending through page 22 and to the bottom of page 23, be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT OFFERED BY MR. DERWINSKI

Mr. DERWINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Derwinski: On page 23, strike out lines 8 through 25, inclusive.

Mr. DERWINSKI. Mr. Chairman, may I direct the attention of the members of the committee to my amendment. I am striking lines 8 through 25, which call for a U.N. peacekeeping force. I recognize that this is a sense of Congress phraseology, but as I interpret this section, this puts the Congress on record as recommending to the President and the United Nations that we would cooperate in setting up a permanent United Nations peacekeeping force or, as you may more appropriately call it, an international police force.

Mr. Chairman, I think the international political facts of life are that the U.N. cannot place into the field any peacekeeping forces, unless it receives the cooperation of major world powers. It is absolutely fiction to think that the U.N., independent of the world's major powers, could establish such a force.

Therefore, I would think at this time, in view of world tensions and the problems not only in Southeast Asia, but in Africa and other areas, that this would be looked upon with extreme disfavor.

Let us take for example whatever government remains in Nigeria. Think of the charges and countercharges that would prevail if there were U.S. involvement and U.S. favoritism, since, after all, we would be financing this situation.

You know, of course, that within the last 48 hours, President Johnson has been wrongfully accused of becoming involved in the problems of Biafra. Of course, the President is entirely innocent of that charge. However, with the emotions and feelings that are prevalent in that area, the charge has been made and the innocent little people out in the boondocks believe them.

So, if you look at the record of previous U.N. peacekeeping forces where we consistently provided for 40 percent to 50 percent of the cost—and, incidentally, in the Congo, in the Middle East, and in the Cyprus police actions we have contributed approximately $300 million. That contribution has not earned for us any particular good will. These peacekeeping arrangements have, at best, been tenuous; they did not really work in the Middle East when that situation developed.

So, Mr. Chairman, for the Congress to go on record and say that we recommend the establishment of such a force and establishing it in a permanent nature, I think would be extremely poor timing.

Mr. Chairman, I would assume that the State Department and the executive branch can very properly discuss this subject without the premature blessings from the Congress. If they come back from the U.N. with some workable idea and if it is presented to us in some form, I am sure it will receive study. However, for us to prematurely accept the plan—and that is what we would be doing in this amendment, I think would be most unwise, especially at the present time.

Mr. Chairman, the purpose of my amendment is to strike this section and, therefore, remove the possibility that Congress is at this point putting its stamp of approval upon a U.N. peacekeeping or international police force or any other type of international force which you choose to call it.

If the members of the committee read the section, I feel it is self-explanatory. I further feel that if you have paid any attention to me at all—and I hope I have made some points—I would sincerely hope without undue controversy we could accept this amendment.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Florida.

Mr. PEPPER. Mr. Chairman, with all due respect to the distinguished gentleman in the well, if there were ever a time when we need to be freed of this terrible obligation that we have to bear today as the outstanding nation in order to try to preserve life and decency for the people who are the victims of aggression, it would be appropriate to go forward and to have some sort of international organization which would perform that function.

Mr. DERWINSKI. Mr. Chairman, if the distinguished gentleman from Florida will bear with me, my point is that in this section the Congress will be going on record as recommending to the executive that negotiations with the U.N. to establish a peacekeeping force, a police force, or whatever you want to call it, and the Congress may well make that decision someday, but in the language of this section we are accepting the principle. I do not believe that Members of Congress intend or are willing to accept the principle of an international police force at this time.

Mr. MONAGAN. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Mr. Chairman, it seems to me that it is an extremely mild statement that is contained in this section 304. All it is is a sense of Congress resolution. I submit that it is not a recommendation, as the gentleman from Illinois has suggested. It merely says that in the opinion of the Congress some time in the future it would be a good thing to improve arrangements for standby forces.

Mr. Chairman, I believe the gentleman from Florida [Mr. Pepper] has made the vital point here that certainly at this time in the world it is incumbent upon us to do everything that we can to try and develop some sort of international cooperation in the field of peacekeeping. We have had experience in the Gaza strip; we have had experience in the Congo; we have had experience in Cyprus where it has been beneficial to have had a peacekeeping force. Not all of them have been entirely successful or satisfactory to us, and it is true that we have paid in some cases more than we should have paid while others have shirked their responsibility, but I believe on the whole that the money that we have paid has been well spent.

There is nothing in this language about financing. We assume no liability in this field. We still would have subsequent control through our vote in the U.N. if it came to that point, on the setting up of a force, and on the financing.

Mr. Chairman, I think in view of today's circumstances that we should not shun this opportunity. This language should be retained in the bill, and I hope that the amendment will be defeated.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. MONAGAN. Yes; I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding. I would simply like to point out that the language which the amendment would delete simply suggests that the President is requested to explore with representatives at the United Nations the practicality of establishing such a force.

Mr. Chairman, I would think no damage could possibly be done to the national interests of this country if there should be an exploration of the financial problems, and the practical problems that might be connected with the setting up of such a force.

It should also be said that the peacekeeping forces of the U.N., to which the United States has contributed, have in fact been a substantial factor in reducing some of the international tensions in some countries, such as between India and Pakistan, in the Congo, and in the Middle East.

Mr. MONAGAN. In the Gaza strip.

Mr. FRELINGHUYSEN. Thus it would be in our interest to establish in some way an extension of the peacekeeping role of the United Nations.

Mr. MONAGAN. I agree with the gentleman. It is a very tentative and exploratory opinion that we are speaking about here, and I certainly feel that we should not throw this out of the bill at this time.

Mr. COLLIER. Mr. Chairman, I move to strike the requisite number of words.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to my colleague, the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Chairman, I thank the gentleman for yielding.

I would like to read some of the pertinent phraseology from this section under discussion granted that we might individually interpret the principal wording, but this is what I believe it says:

> It is the sense of . . . Congress that the . . . establishment, within the United Nations Organization, of . . . standby forces . . . for . . . peacekeeping purposes—with the means and prospects—

That is the meat. It is the sense of Congress that we establish standby forces within the United Nations Organization. Then the President is requested to explore this with the representatives of the United Nations, and not only to explore the cooperation but both the needs and prospects of establishing this, and then by March 31, 1968, he is to report the outcome of his initiatives, together with his recommendations.

Mr. Chairman, the President can do this now without the sense of the Congress.

My point is that if we accept this language we will in effect be accepting the principle of an international peace force. I am sure that is not the intention, but that is exactly what this is saying.

Mr. Chairman, I thank the gentleman for yielding.

Mr. COLLIER. Mr. Chairman, I yield back the balance of my time.

Mr. WATSON. Mr. Chairman, at no other time in the past 20 years has there been greater need to eliminate foreign aid spending. Let us remove this onerous international grab bag from the aching backs of the American taxpayer. Our foreign benevolence of over $130 billion has won us neither friends, respect, nor trustworthy allies.

We simply cannot afford the continuing burden of foreign aid, especially in the light of the gigantic cost of the Vietnam war and unparalleled domestic spending. I believe that I speak for the overwhelming majority of American taxpayers who had hoped for a substantial reduction in foreign aid this year. But, this year's foreign aid request is the same old tune that has been played for the last 20 years.

It is unconscionable for us to force another burden upon our tax-ridden citizens while many of the people we are assisting in Latin America continue enjoying avoidance of taxes. Even State Department officials admit there is little or no effective property tax collection system in any South American country. Why should we help them when they refuse to help themselves?

It is past time for us to set strict priorities on Federal spending, and it seems logical to me that the first program to receive the surgeon's knife should be foreign aid. With the alarming growth of the budget deficit as well as a deficit in our balance of payments, it should be perfectly obvious that this Nation can no longer feed the entire world.

Probably the single greatest fallacy of the foreign aid program is that it has created the impression in most countries that the United States has the responsibility for supporting the rest of the world.

It seems to me that the expenditure of $130 billion should have at least put the poorer nations of the world on the road to recovery. It has attained a measure of success in those nations which have been energetic and industrious enough to get back on their feet after the disasters of war, but one only needs to look at India, Africa, the Middle East, or South America, to see the real failures of this unending dole.

We have been feeding India for the last 12 years, and yet at this very hour, India faces national starvation. In fact, a great percentage of our food shipments have gone toward the subsidization of livestock in India. I would not take it upon myself to condemn the religious views of the Indian people, but it is indeed sad to see 200 million fat cows walking around while the human population is starving.

We subsidize governments in Latin America, and the result has been to create a greater disparity between the haves and have-nots. After a professional propaganda program undertaken by the Kennedy and Johnson administrations in connection with the Alliance for Progress program, Latin America today is probably worse off economically than before the program started.

Of course the biggest joke yet is the effect of our foreign aid program in Africa, where billions have been wasted on economic development in nations where people still insist on selling their fellow human beings into slavery, and, in some instances, eating each other.

The American taxpayer is sick of the waste, corruption, and mismanagement of the foreign aid program. Twenty years of experimentation is enough. For the most part, the foreign aid program is a failure, and it is time we admitted it. Let us hope that the next 20 years will be different. They will be different if we begin right now to eliminate the foreign aid program.

Mr. FRASER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I will just take a minute or two to correct what I think is an inadvertent misstatement by the gentleman from Illinois.

I just want to make clear that what we are talking about are improved arrangements whereby national forces are earmarked for use by the United Nations whenever that requirement arises. We are talking about national forces and we are not talking about international forces. We are talking about pursuing the initiatives of the Scandinavian countries and Canada and other nations around the world that are attempting to encourage earmarking specific units of their national forces, give them training and equipment, and do other things that would make them available and effective in the event they should be called upon to contribute to a peacekeeping force.

I would only say to the gentleman, he should remember the problem which arose in the attempt to get a force on the island of Cyprus. A delay there threatened to evoke a war between two of our allies, Turkey and Greece. The gentleman might recognize the value of having in place among the member nations the capacity quickly to bring to bear forces which might be requested by the United Nations. But this does not contemplate the establishment of an international force but only of a national force. That is, we are through this amendment only attempting to earmark national units.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentleman.

Mr. FINDLEY. For purposes of clarification, am I correct in assuming that the language here is broad enough to contemplate arrangements other than those involving all of the U.N. membership?

In other words, this could even comprehend some better arrangements for peacekeeping operations by NATO, SEATO, CENTO, or some other group within the U.N. membership?

I think it is a helpful idea to explore better peacekeeping arrangements and I do commend the gentleman for offering the amendment.

Mr. FRASER. I thank the gentleman for his remarks.

I want to say that it is my hope that the administration would explore these possibilities as well.

I know of the gentleman's long interest in the concept of an Atlantic union. Even if that is some years away, still the possibility of increased cooperation among the NATO nations remains a distinct possibility and it ought to be pursued.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentleman.

Mr. BINGHAM. I want to say that I did not understand at all the interpretation that was based on this paragraph by the gentleman from Illinois.

It seemed to me perfectly clear that what the gentleman in the well is saying is correct. The wording is "improved arrangements for standby forces being maintained by the United Nations Organization."

That means countries that are members of the United Nations—for the purposes of peacekeeping.

As a matter of fact, I am sure the gentleman will agree with me there are such arrangements now and they do exist. They have proved useful and all that the gentleman's proposal would suggest is that the President is requested to explore ways of improving these existing arrangements.

Mr. ADAIR. Mr. Chairman, I move to strike out the last word for the purpose of addressing an inquiry to the gentleman from Illinois [Mr. DERWINSKI].

Does the gentleman from Illinois have any concern that this might lead to a permanent peacekeeping, permanent police organization? References have been made to those possibilities during this debate and I would like to have the opinion of the gentleman from Illinois on that point.

Mr. DERWINSKI. In my opinion, the key word here is "establishment." The language in this section calls for the establishment of a standby force. I do not know how you interpret that, but to me it would be a permanent standby military force that is to be established.

One other point, if the gentleman will yield—we should not prematurely be supporting this philosophy. I do not see any encumbrance on the President on any power that he now has to discuss this at the U.N. But in this section we put the premature stamp of the Congress on the establishment of such forces.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman.

Mr. FARBSTEIN. Will the gentleman from Illinois please read this statement or this sentence:

> The establishment of improved arrangements for standby forces being maintained by United Nations members * * *.

In other words, all that is sought here, as I understand it, is that there shall be established improved arrangements for standby forces by member nations of the United Nations. I cannot see how you can possibly read into this language a provision for a standing army. All we seek is to know that, in the event of difficulty, there shall be designated certain member nations or certain forces within member nations that can be immediately called upon and asked, "Now, look. Will you please have your people go there, go hither or yon?"—not that there shall be a standing army which shall be called upon. That is the way I interpret that language.

Mr. DERWINSKI. I hope I am not interpreting the gentleman to say that he would provide that U.S. units assigned to the standby force could be sent abroad at the order of the U.N.?

Mr. FARBSTEIN. That is not the question. The United States has military forces. All that is suggested here, if I understand correctly, is that whoever is in charge of the American forces in the United States can be asked, "Well, now, will you consider that in the event that you are called upon to be one of the numerous nations who are sought to engage in peacekeeping operations, you will know whom you are going to call upon immediately?" That is the way I interpret it.

Mr. ADAIR. Does the gentleman, then, concede that the specific, designated standing units would be maintained in various participating countries

Mr. FARBSTEIN. No, I interpret it to mean that arrangements should be made with the various heads of the armies and the various governments for them to understand that there will be a certain division or a certain subdivision of a division that will be used for these purposes. That does not mean particular individuals. But the country will understand it will be called upon to furnish a company or a division or any number of individuals who will act if called upon as part of this force, this peacekeeping force.

Mrs. KELLY. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentlewoman from New York.

Mrs. KELLY. Mr. Chairman, I cannot believe that the gentleman from Illinois is raising this question, for the simple reason that I would far prefer to have other governments set aside forces that could be used by the United Nations when necessary instead of expecting our country to go it alone in putting out brush fires all around the world. Do you not think it would be far better if we had more units furnished by other United Nations members now in Vietnam?

Mr. DERWINSKI. I hope the gentlewoman does not think by any stretch of the imagination that the U.N. would send standby forces to South Vietnam to protect them from aggression from the North.

Mrs. KELLY. How do you know? You cannot tell.

Mr. DERWINSKI. I would certainly not want to put my trust in them.

Mrs. KELLY. We have made mistakes in the past. Let us not make similar mistakes in the future.

Mr. DERWINSKI. Mr. Chairman, I think it is obvious that we have an honest difference of interpretation here. I note that the gentleman has not answered my other point, that we should not give advance sanction to a U.N. police force.

Mr. FASCELL. Mr. Chairman, I rise in opposition to the amendment. I wish to make clear on the record that, so far as I am concerned, there is no honest difference of opinion or misunderstanding with respect to the interpretation of the pertinent provision of the bill except in the mind of the gentleman from Illinois. There is one very important phrase in this sentence which has not yet been touched upon, and that is the provision of the bill which refers to the enhancement of prospects for peace "by the establishment, within the United Nations Organization, of improved arrangements for standby forces being maintained by United Nations members for United Nations peacekeeping purposes in accordance with the United Nations Charter."

I want to remind the gentleman there are two articles, at least, that deal with this subject in the United Nations Charter. I refer to article 43 and article 45. There is no way that you can stretch the language of section 110(c) of the bill to change those articles. Those articles simply involve a commitment by the members of the U.N. to provide their own standby forces for peacekeeping functions undertaken pursuant to the U.N. Charter.

That is what we are talking about. We are not talking about an international headquarters, or moving the troops, or a supreme command of any kind. We are talking about taking the articles of the U.N. Charter which now exist and call upon the U.N. members voluntarily to provide standby forces.

We are merely saying that we have not been happy with the ad hoc arrangements that have existed in the past, and that we are hoping that some study will be given to improving the arrangements which already exist under the U.N. Charter.

We can stretch that if we want to, but I do not see how we can, reasonably or logically. I hope that we can vote down the amendment and retain the language as it is in here, because I think we need this study desperately.

If we are concerned about the United States being the policeman of the world, at least let us try to take the imperfect arrangements for peacekeeping purposes that now exist under the U.N. Charter and try to improve them in some measure.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I want to tell the gentleman that now pending in my committee there are 75 resolutions on this subject, introduced by Members on both sides of the aisle. These resolutions in favor of United Nations peacekeeping forces are now pending. Sixty-five of them are identical resolutions, and 10 more are resolutions on the same subject in general. So there is a growing interest in this House in a United Nations peacekeeping force.

This is only a sense of Congress resolution. This is a simple thing; it merely directs our delegation at the U.N. session that is coming up, starting next month, to make an investigation or survey, to see whether this thing would be possible. I can assure the House that a fight for a permanent peacekeeping force has been made by the gentleman from Pennsylvania, Congressman SCHWEIKER, on the other side of the aisle, and by the gentleman from Pennsylvania, Congressman MOORHEAD, on this side, and they have found great interest in this matter. I know the House is interested in this. This is a sense of Congress resolution. I hope the amendment is not adopted.

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. Mr. Chairman, I yield to the gentleman from Pennsylvania.

Mr. MOORHEAD. Mr. Chairman, I would like to ask the distinguished chairman of the Foreign Affairs Committee if he recalls that a similar resolution was proposed during the Eisenhower administration and passed in 1958 by the 85th Congress?

Mr. MORGAN. That is correct.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, the sense of Congress can become confusing and I am sure a few Members can remember the Tonkin resolution, so this is not time wasted as we attempt to clarify the purposes of this language having to do with the United Nations peacekeeping. The gentleman takes the position there are two articles in the Charter of the United Nations which limit U.N. authority in such efforts and in effect give to the President certain authorities with regard to the conduct of the military affairs of the United States. Am I correct? I do not want anybody but Americans telling our troops when and where to fight. Certainly not the U.N.

Mr. FASCELL. I do not know that they give the President any authority. The only point I made was that there is a provision for national standby forces in articles 43 and 45 of the charter—a charter to which this country is a signatory.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. WAGGONNER. Mr. Chairman, I ask unanimous consent that the gentleman from Florida be allowed 3 additional minutes.

Mr. FASCELL. Mr. Chairman, I did not ask for the time. If the gentleman wants time, he can ask for the time on his own, and I will be glad to answer any questions.

Mr. WAGGONNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. FASCELL. Mr. Chairman, will the gentleman yield so I can finish that answer?

Mr. WAGGONNER. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, the only point I raised with respect to the U.N. Charter was that the language in the bill says that a study should be conducted to investigate methods of improving peacekeeping arrangements which have to be conducted in accordance with the U.N. Charter. The U.N. Charter provides under articles 43 and 45 for standby peacekeeping arrangements. We are not changing that. We are simply talking about trying to improve the arrangements now authorized under the charter. We are not changing the charter.

The charter simply provides, under paragraph 1 of article 43:

> All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

That is paragraph 1 of article 43. There are two other paragraphs involved. Article 45 says:

> In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air force contingents for combined international enforcement action—

And then it goes on.

In other words, we have had these kinds of arrangements within the United Nations. All we suggest in this bill is that the United States, in carrying out its commitment under these articles, seek to have improved arrangements for these peace-keeping forces, so that they could move more effectively when we have a problem.

Mr. WAGGONNER. If the United States or the United Nations has this authority under its charter now, what is to be accomplished with a sense-of-Congress resolution, except that we want, as the gentleman from Illinois says, a United Nations peacekeeping force established?

Mr. FASCELL. That is what the gentleman from Illinois says. I do not say that. The language in the bill does not say that.

The gentleman from Louisiana is against it.

What we are saying here is that we—the United States—ought to undertake the initiative to study improved arrangements, under what we have in the charter.

Mr. WAGGONNER. I agree with the gentleman from Florida that we need some improved arrangements in the United Nations, because the predominant voice at one time has dwindled away to nothingness. We need to establish some authority in an organization that we finance to the extent we do the United Nations.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I am happy to yield to the gentleman from Florida.

Mr. HALEY. I believe we need some new arrangements so far as the United Nations is concerned. They could be very simple.

They have been a failure at everything they have attempted to do. The best arrangement we could make is to take them by the nap of the neck and the seat of their pants and throw them out of the United States.

Mr. WAGGONNER. I will designate the gentleman as a body of one to accomplish that.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I am happy to yield to the gentleman from Illinois.

Mr. DERWINSKI. I am pleased to hear that very strong voice from the Florida delegation, oh, that was the other gentleman from Florida.

We are not amending the United Nations Charter. Perhaps we could do a good job on that if we had the opportunity. It is unfortunate, but that is not within our jurisdiction now.

If all the gentleman wanted to do with this language in the bill was to study ways of improving, why not use that phraseology? It specifically reads "establishment." I cannot read anything into "establishment" but what the word calls for, the creation of a permanent force

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I am happy to yield to the gentleman from California.

Mr. MOSS. I have with great patience listened to the dialog. I read here that there is a sense of Congress that peace can be enhanced by the establishment—of what? Quite clearly, the establishment of improved arrangements on the part of member nations. Improved arrangements, not anything else.

If the gentleman will take the trouble to go back to his old course in English at the grammar school level and diagram the sentence, he will find that it is "improved arrangements" and that only.

I thank the gentleman for yielding.

Mr. DERWINSKI. If that is my problem, then the gentleman must have trouble with his bifocals, because the language clearly states the "establishment" within the United Nations organization of improved arrangements for standby forces. That is the establishment of standby forces.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Illinois.

It takes more than the usual amount of nerve to even stick this kind of a provision in the bill and subject it to any kind of public discussion.

It has only been a couple of months ago that there was a United Nations force in the Middle East. Secretary General U Thant ordered them to get out before the Israelis ran over or through them. What did the United Nations mean as a peace force in the Middle East? What has it meant in the Congo where the massacres continue? This language in the bill is the great big foot in the door toward the organization of a United Nations army. There is no reason why the United Nations should not be fighting on the side of the United States in South Vietnam today. They are not there because they are not willing to shed any blood or spill any guts to halt communism. If they lived up to the U.N. Charter they would have to be in Vietnam supporting us in fighting the aggression of the North Vietnamese.

Would U Thant command this standby force in the United Nations? Who do you think would command this force? Who is going to pay the bills for this force? Well, I have an awfully good idea about the latter. It is your good old Uncle Sucker. He will be paying the bills for any standby force in the United Nations. We have paid them in the past and if there is any kind of standby force organized as a result of the language in this bill, we will pay for it.

Mr. THOMSON of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. THOMSON of Wisconsin. Is this a program to permit U Thant to send troops into Rhodesia to enforce the sanctions there?

Mr. GROSS. The Lord only knows what it will do. I have no doubt whatever that it would be used in Rhodesia to enforce that shameful British-American boycott.

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes. I yield to the gentleman.

Mr. MOORHEAD. The gentleman criticized some of the United Nations peacekeeping forces, and I think they deserve to be criticized. What we say here is they should be improved on their peacekeeping. It is improvement that we are looking for.

Mr. GROSS. Well, I criticize all of that Tower of Babel in New York, otherwise known as the United Nations. I suggest that legislation on this subject should be considered separately. The chairman says he has seven bills introduced in the committee for this purpose.

Mr. MORGAN. Seventy-five.

Mr. GROSS. And let us go about our business here today.

Mr. MORGAN. Forty of them from your side.

Mr. GROSS. Well, what is my side?

Mr. MORGAN. I do not know. I do not know. I know you belong to the minority, but anyway I thought you sat on the other side.

Mr. GROSS. Does the gentleman want to say something else?

Mr. MORGAN. Yes.

Mr. GROSS. Go ahead.

Mr. MORGAN. I want to say, Mr. GROSS, I want to take some opposition to your criticism of the peacekeeping forces around the world. Certainly the force on Cyprus is still in operation, is it not?

Mr. GROSS. The what?

Mr. MORGAN. The force on Cyprus.

Mr. GROSS. The force on Cyprus?

Mr. MORGAN. Yes. The United Nations peacekeeping force on the island of Cyprus.

Mr. GROSS. I do not know that they are keeping very much peace even there. Every few days we read of shooting and killing on Cyprus.

Mr. MORGAN. I just wondered.

Mr. GROSS. I wonder who is paying for that force over there.

Mr. MORGAN. Well, we are paying for part of it.

Mr. GROSS. Sure we are.

Mr. MORGAN. I wonder if the gentleman can tell the House——

Mr. GROSS. Did the U.N. keep peace in the Middle East?

Mr. MORGAN. They kept the peace in the Middle East for 8 years.

Mr. GROSS. It all ended the other day and they have not put the pieces together yet, have they? And the peacekeeping force is out of there.

Mr. MORGAN. Eventually they will have to move back in there if you want peace in that area.

Mr. GROSS. You mean the United Nations will keep the peace?

Mr. MORGAN. Absolutely. Absolutely.

Mr. GROSS. You know we will get help over in Vietnam only so long as we help ourselves.

Earlier this year President Johnson sent Henry Cabot Lodge around the world to drum up help for our troops in Vietnam—well, wait a minute now——

Mr. MORGAN. Well, all I know——

Mr. GROSS. Just wait a minute now.

And the other day he sent Gen. Maxwell Taylor around the world, along with Clark Clifford, a Presidential intimate. They too were supposed to drum up troop support in Vietnam. They all came back emptyhanded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

Mr. DERWINSKI. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DERWINSKI and Mr. GALLAGHER.

The Committee divided, and the tellers reported that there were—ayes 98, noes 110.

So the amendment was rejected.

The CHAIRMAN. If there are no further amendments to this section, the Clerk will read.

The Clerk read as follows:

CHAPTER 4—SUPPORTING ASSISTANCE

SEC. 111. Chapter 4 of part I of the Foreign Assistance Act of 1961, as amended, which relates to supporting assistance, is amended as follows:

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that chapter 4 starting at line 1, page 24, down to line No. 18, be considered as read, printed in the RECORD, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. JONES of Missouri. Mr. Chairman, reserving the right to object, I take this time to reserve the right to object to find out from the chairman of the committee what his intentions are.

The rumor is blowing around here that we are going to go until about 9 o'clock, and then come back tomorrow morning.

Mr. MORGAN. I am not paying any attention to any rumors. My intention is to keep going until I am stopped.

Mr. JONES of Missouri. I am going to object, and I want the bill to be read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

(a) Section 401, which relates to general authority, is amended by striking out all after "political stability" and substituting a period.

(b) Section 402, which relates to authorization, is amended by striking out "for the fiscal year 1967 not to exceed $715,000,000: *Provided*, That where" and substituting "$170,000,000 for the fiscal year 1968 and $170,000,000 for the fiscal year 1969. In addition to funds otherwise available to carry out the purposes of this chapter, there is authorized to be appropriated to the President for use in Vietnam $550,000,000 for the fiscal year 1968 and $550,000,000 for the fiscal year 1969. Amounts appropriated under this section are authorized to remain available until expended. Where".

AMENDMENT OFFERED BY MR. BERRY

Mr. BERRY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BERRY: On page 24, strike out lines 8 through 18 and insert in lieu thereof the following:

"(b) Section 402, which relates to authorization, is amended (1) by striking out '1967' and substituting '1968', and (2) by striking out '$715,000,000' and substituting '$600,000,000'."

Mr. BERRY. Mr. Chairman, the hour is late, the nerves of the Members are frayed, the bill is yet long, there are some 28 or 30 amendments still remaining. I shall not take much time.

Mr. Chairman, all this amendment does is to provide that, instead of the $550 million that is set up in the bill for Vietnam, and $170 million for the other countries of the world, it simply lumps both of these sums together and cuts the figure to $600 million instead of $720 million, and it leaves the discretion of where it shall go and what country shall receive it to the administration to decide.

More than that, Mr. Chairman, it brings the figure in line with the bill that was passed in the other body at $600 million.

It is true that it cuts the appropriation by some $90 million less than it was last year. But if you have read the papers and, of course, you have—and if you have read the magazines and, of course, you have—then you have read of the recent drug scandal where the Saigon cabinet was reported to have received $1 million, or something around $1 million, from drug companies in this country, and the fact that for 4 or 5 years there was no auditing of this account, and so forth.

There is no question but that there is plenty of fat in this provision and in this section of the bill. It can be cut, it should be cut, and it will be cut, if we do our duty to the taxpayers and our Nation generally.

I ask, Mr. Chairman, that you support this amendment and put these two accounts together, at the same time give the discretion of disposal of the $600 million to the administration to use as they deem best.

Mr. ZABLOCKI. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman's amendment would strike $120 million of supporting assistance funds.

Supporting assistance funds build the defensive strength of countries that are threatened by Communist expansion or by political instability.

The President requested for the fiscal year 1968, for supporting assistance, $170 million to support a program for all countries except Vietnam.

He also requested a separate authorization and appropriation of $550 million for Vietnam.

Supporting assistance funds relate directly to U.S. security interests. About 90 percent, $688 million, of the proposed supporting assistance program is for Vietnam, Thailand, Laos, and Korea.

A reduction in the program of supporting assistance would not only prevent adequate funding of those four programs in east Asia but would provide no funds at all for other programs amounting to $75 million in other areas of the world.

For Vietnam the reduction would mean delaying the expansion of the revolutionary development program. It would postpone some of the development projects that could mean a great deal to the new Vietnamese Government. The result would be a slowdown in achieving the objectives of the United States.

Mr. Chairman, if we elect to follow the suggestion of the gentleman who offered the amendment and cut out these supporting assistance funds, we would be undercutting the efforts of our boys in Vietnam. I hope we will not do that.

I hope that we will be responsible at least in this area.

Supporting assistance in countries other than Vietnam, I might point out, has dropped from $654 million in fiscal year 1961 to the proposed program of $195 million in 1968.

Supporting assistance for the fiscal year 1968 will not be provided to over two dozen less-developed countries which have received aid in the past.

Therefore, Mr. Chairman, I hope the gentleman's amendment will not prevail.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I am delighted to yield to the distinguished chairman, the gentleman from Pennsylvania.

Mr. MORGAN. I wonder where the gentleman offering this amendment is going to apply his cut. Is he going to apply it to South Vietnam? Is he going to apply it to Laos or to Korea or Thailand?

Two-thirds of all this $170 million of additional money that I have listed here beyond the $550 million for Vietnam goes to these three countries.

Mr. ZABLOCKI. That is correct.

Mr. MORGAN. Where are the cuts going to be made? We are in serious trouble in that part of the world. This is an important program. It is a program that supports our military forces there. It is tied in real tight to our military operations. This program used to be known as defense support and is now called supporting assistance.

This is just as essential to victory in that part of the world as the money that is spent for military purposes.

Mr. ZABLOCKI. I thank the distinguished gentleman for his contribution.

Mr. Chairman, we have heard many Members on both sides of the aisle praise our chairman for his patience, diligence, and the way he conducted the hearings and the markup of the bill. So many of us have said how knowledgeable he is. Yet here we are being asked to undercut his efforts of the last few months and the last few weeks.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman from Wisconsin yield?

Mr. ZABLOCKI. I yield to the gentleman from New York.

Mr. ROONEY of New York. I should like to say that I can well recall how during the 8 years of the Eisenhower administration, the first 2 years of the 83d Congress with Republican leadership, and the other 6 years under Democratic leadership, we on this side of the aisle fully supported this vitally important item.

Mr. ZABLOCKI. It is a backup to our boys in Vietnam.

Mr. BERRY. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from South Dakota.

Mr. BERRY. This last argument is interesting, because under the Eisenhower administration we were not in any war. We did not have to pay a whole lot of money for our boys in Vietnam or for some other bauble in the world.

Mr. ZABLOCKI. But our supporting assistance, whatever name it had, was greater in sum.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman further yield?

Mr. ZABLOCKI. I yield to the gentleman from New York.

Mr. ROONEY of New York. When did the present deplorable situation in Vietnam develop?

Mr. ZABLOCKI. Under the Eisenhower administration.

Mr ROONEY of New York. Of course.

Mr. ZABLOCKI. Mr. Chairman, I yield back the balance of my time.

Mr. RYAN. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. RYAN. Mr. Chairman, on February 24, 1966, when we were considering a supplemented appropriations bill for economic assistance to South Vietnam, I said that we should recognize that the $275 million requested then would be unlikely to bring about significant change as long as the war continued to escalate. I warned:

> We should not be deluded into believing that these funds will somehow open up a new era in the economic development of Vietnam and that this will turn the military tide.

How can a meaningful economic development program be carried on in the midst of a war?

Realistically, the supporting assistance program has done little more than enable South Vietnam to keep its head above water economically.

If the struggle for the hearts and minds of the people of Southeast Asia is to be won, then there must be a political resolution of the war in Vietnam. I have spoken about this many times, so I will limit my remarks to the effect of that war on our foreign assistance program.

An effective program of foreign aid is becoming another casualty of the Vietnam war. The war is eroding both our capacity and our willingness to give assistance to needy nations.

Domestically, it is creating new suspicion of international commitments, political or economic, rational or foolish.

For many years the foreign aid program has had to face serious opposition. Now it faces deep doubts among its friends. The war is perverting the existing aid program. It has created a climate in which ever-increasing proportions of a decreasing aid budget are earmarked for Vietnam. More than one-third of AID's scarce overseas manpower is now tied down in Vietnam. Economic aid to Vietnam has tripled since 1965, and it now consumes 22 percent of the economic assistance recommended by the Foreign Affairs Committee.

Of the $550 million supporting assistance to Vietnam, only about 15 percent goes for long-term economic development. The rest is related to the war, either directly through refugee aid, pacification and so-called "revolutionary development," or indirectly through emergency stabilization to offset the economic effects of war operations. About 50 percent is intended for economic stabilization. Two-thirds of the supporting assistance funds are for South Vietnam. Southeast Asia, as a whole, consumes over 80 percent.

As long as we are in Vietnam militarily, we have a responsibility not to let civilians starve; we have a responsibility to provide alternative means of livelihood and of housing for those whose lives the war has disrupted. But let us reflect upon the consequences for the overall economic assistance program; the diversion of the resources which this country has committed to foreign economic development into war support; the diversion of AID personnel into activities whose primary purpose is not economic at all; the squeeze on the budget and the second thoughts about international commitments which result in a reduced overall aid program.

I do not doubt the worth of economic aid to the people of Southeast Asia; but I do question the validity of trying to promote economic development, while the war undermines the whole socioeconomic structure. Vietnam used to export grain; massive imports of Public Law 480 rice are now required to keep that country from starvation.

I question the use of the aid program for paramilitary purposes. "Civil-military pacification/revolutionary development" is based on the dubious premise that people who are driven from their villages, placed in hamlets where the mania for security approaches that of a concentration camp, subjected to pseudorevolutionary cadres not native to their region, and still exposed to Vietcong terror, can somehow be "aided."

The committee report states:

> In 1966 a net of 444 hamlets and nearly 1 million people were secured and given renewed Government services.

The cold bureaucratese of these words is chilling. I wonder how many are grateful for being "secured" and "serviced" in such fashion. Economic aid is a very weak and long-term antidote to revolutionary fervor in the best of circumstances. It is a perversion of the concept when peasants must be driven into submission and contained in "secured hamlets" before they can be "aided."

I am certain that the individual AID worker is a dedicated American, committed to helping the Vietnamese people. I do not question his good faith. I do question placing him into a situation where his purposes and the purposes of the AID programs are compromised from the outset.

There are those who will say, with reason, that as long as we are in Vietnam militarily, we have to win "the other war" by economically aiding the people. That is not at issue. What concerns me is the distortion of an aid program under such circumstances.

According to AID's statistics, U.S. aid provides one third of South Vietnam's national budget—one third, exclusive of the war. We could go on to provide the other two thirds without making a noticeable dent on the progress of the war.

Vietnam holds a profound lesson for us on the matter of military commitments, if we will only learn it.

Mr. ADAIR. Mr. Chairman, as efforts have been made today to make reductions in dollar amounts in this bill, it has been apparent that the argument time after time is that we want to reduce the dollar value of the bill, but "don't do it here." That argument was used with respect to development loans. It was used with respect to technical assistance. It was used with respect to the Alliance for Progress. It is being used now.

If we are going to make a substantial dollar reduction in this bill, it obviously must come from someplace, and one of the places from which it must come is supporting assistance.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Will the gentleman admit that this is a much more vital program than the development loan program or the Alliance for Progress program in dealing with the threats to our security which confronts us today?

Mr. ADAIR. A few hours ago, when we were discussing the Alliance for Progress, that was almost exactly the argument that was made then, that we have got to preserve tranquility in this hemisphere.

Mr. MORGAN. Mr. Chairman, will the gentleman yield further?

Mr. ADAIR. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. The gentleman well knows from his long service on the Committee on Foreign Affairs that supporting assistance was previously known as defense support. He knows very well that supporting assistance really supports our defense and is tied in real tight to our military operations in Vietnam. Is that not so?

Mr. ADAIR. I do know that this was at one time called defense support. But I would say the degree of closeness of the tie-in varies very greatly from country to country and from year to year.

Mr. MORGAN. The gentleman knows the local currency derived from the supporting assistance to South Vietnam goes into a fund, out of which they pay their own troops and finance part of their own military budget. That is true, is it not?

Mr. ADAIR. A part of their payments is made out of this fund, but a great part is made out of Department of Defense funds.

Mr. MORGAN. Any cutback in supporting assistance would lead you to expect some cutback in the effectiveness of our military forces in South Vietnam; is that not so?

Mr. ADAIR. I would not agree with the gentleman on that.

If this amendment is adopted, there is then $50 million more than the total amount requested for South Vietnam. The total amount requested for that country was $550 million. This amendment leaves only $600 million. So if we give every dollar to South Vietnam that was requested, we would have only $50 million for the other nations in this program.

Mr. MORGAN. The gentleman realizes we have problems with other countries closely associated with that area?

Mr. ADAIR. I certainly do.

Mr. MORGAN. The program for those other countries adds up to $118 million. Will the gentleman tell me how he is going to fit requirements for $118 million into the $50 million that is left?

Mr. ADAIR. No. We are giving the administration elasticity. The author of the amendment did not say $550 million for Vietnam, and $50 million elsewhere.

Mr. MORGAN. It seems unusual.

Mr. ADAIR. What we do is to say to the Administrator, "You may use your own discretion, but we think under the circumstances there is too much money in the bill, and we want you to spend less."

Mr. MORGAN. I think that considering the problems we have in that area of the world, we ought to give them every dime they ask for, if we expect to win over there.

Mr. ADAIR. If the Administrator of this program under the amendment wants to put $550 million in Vietnam, he can do it. But I would like to say further that if the Members are interested in making dollar cuts in this bill, we have only yet remaining in the bill in any appreciable amount this item, the President's contingency fund, and then military assistance. If my figures are correct, we have reduced the bill by actions thus far today by $222 million. If we are to do better than that, then these reductions have to come from these programs. Admittedly, I will agree with the chairman, it may be a little difficult to squeeze out these reductions, but in the light of our fiscal situation it should be done.

Mr. MORGAN. Mr. Chairman, I just want to say that in the light of the conditions in Southeast Asia; in the light of the criticism that has been made here on the floor of this Congress of the operation in Vietnam; in the light of the great demand in this country to win over there, I think this Committee ought to oppose cutting a single dollar from this program. They need every dime of the $550 million in South Vietnam, and the $118 million requested for use in Thailand and Laos, and the surrounding areas. The amount that is left after this cut is not enough. There is need for much more than $600 million. I hope this Committee gives us the money and gives us the opportunity to move forward in that part of the world.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I would like to support what the chairman of the committee has said by pointing out that the amendment by implication quite clearly suggests to the executive branch that there should be a cut in the amount to be made available for Vietnam itself. The fact that there is no longer a separate authorization for Vietnam is an indication that it should not necessarily be left protected. I would think adoption of this amendment would be doubtful wisdom on our part. Certainly we members of the committee do not know enough to say we think they can spend less in Vietnam or elsewhere and achieve the same purposes.

We were not able to reach such a judgment on the basis of the information received by the members of the committee. It might well be dangerous to assume, because there is an impulse—and the impulse is quite obvious—to economize, that this is a good place to do it. We are touching very close to the heart of our entire effort both in Vietnam and in the surrounding countries that receive supporting assistance. We should certainly look twice, no matter how economy minded we are, before we cut as deeply as this would necessitate.

I urge defeat of this amendment.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Chairman, the inference has been made that inevitably Vietnam would be the place that would suffer. I take violent issue with that. If Members again will look at the books, they will find that this includes programs for countries as far away as Jordan and Yemen. If we can put programs in these countries, certainly we can study them with a view to reducing them and not injure our program in South Vietnam.

Mr. MORGAN. If the amendment of the gentleman from South Dakota had eliminated only those countries and cut by that amount, he would have a good argument, but this cuts the guts out of our program in Southeast Asia.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. I believe the significant point the gentleman from Pennsylvania [Mr. MORGAN] has made, is that 90 percent of this amount goes to Laos, Korea, Vietnam, and Thailand, all very intricately tied in to our effort in Vietnam.

This is a cut of $120 million. There is only $75 million that goes to five other countries, so no matter what we would do we would be drastically cutting into our military effort in Vietnam.

If we do not want to be humane, at least we ought to be intelligent and not vote against our national interest.

Mr. BERRY. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from South Dakota.

Mr. BERRY. This puts it exactly at the figure the Senate passed.

Mr. GALLAGHER. I do not care, really, what the Senate does. If the Senate is not really as interested, as we are, in saving lives in Vietnam by every possible precaution; then I am afraid I cannot be pursuaded by that argument. I think we must afford every possible protection to our people engaged in the fight.

Therefore, we ought to support this measure.

Mr. MORSE of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am not going to take long, because the hour is late. We have heard the debate.

There is a feeling in the House that we are somehow serving the national interest by cutting this bill at every turn.

I urge everyone on both sides of the aisle to think and think seriously as to what they are doing if they support this amendment.

Those of us who are concerned about the interests of our Nation, about our involvement and our commitment in Southeast Asia, are doing no service to this country by supporting this amendment.

I urge its defeat.

Mr. RUMSFELD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not intend to take the full 5 minutes, but I should like to ask the chairman about the section in the report which relates to this portion of the bill. I take it that the report is referring the so-called commodity import program, on pages 39-43, dealing with this section of the bill.

Mr. MORGAN. It includes that, yes.

Mr. RUMSFELD. The first full paragraph on page 41 says that the effort to combat inflation has produced encouraging results.

The information I have is to the contrary. This difference of view possibly might depend on how one defines the word "encouraging."

It is my recollection that on a base of 100 in June 1965 the figures in 1967 for retail sales was 200 and for food 240, and that today, in August 1967, the retail sales figure is up to 300 and the food is up to about 340.

I would not call that "encouraging."

Mr. MORGAN. Could the gentleman measure what it would have been without this program?

Mr. RUMSFELD. I believe that is a good question. There are those who are connected with the commodity import program who argue that it has done a great deal by keeping it from going a great deal higher. This is possible, but I have seen nothing to document that contention.

My concern is this. The bill and report come to the floor dealing with the commodity import program, the revolutionary development cadre program, and other important and expensive programs. My study of each of these programs is that they have not been well administered and that their success, if any, has been very limited.

I would have been more encouraged had the report contained some facts, details, scholarship that would accurately indicate what the defects have been, and what your committee's recommendations, if any; were for restrictions and improvements. Regrettably the report is both sketchy and shallow, with respect to the nonmilitary aspects of U.S. involvement in Vietnam.

We know that the Government of South Vietnam has not been cooperating fully in these programs. I worry that the committee has not gone into these matters sufficiently and not given the Members sufficient information in the report so that we can vote intelligently.

I do not know if this section ought to be cut or tripled, quite honestly. Certainly neither the report nor the debate have shed much light on it.

Mr. MORGAN. I know the gentleman is a member of the Committee on Government Operations, which is concerned with foreign aid spending, and of the subcommittee under the chairmanship of the gentleman from California [Mr. Moss]. I know the gentleman is very knowledgeable on this subject. I believe that he has visited this area.

Perhaps the gentleman's detailed study has gone into situations with which the members of the Foreign Affairs Committee are not familiar.

However, I can assure the gentleman—I can assure him—that this amount of money requested here is vitally needed in this area if we are going to continue our efforts to win the war. I admit, as the gentleman and I both know, that there has been inadequate supervision out there in the past; there may not be enough Americans out there supervising; but since the gentleman's visit out there as a member of the Moss subcommittee I think a great improvement has been made as a result of the recommendations of your own subcommittee. I think it has continued to improve. If possible, another inspection by either your own committee or members of my committee ought to be made in this area. We should not cripple operations in Vietnam while we wait for further investigation. We have a real interest in this part of the world, and we will have to continue this program with an adequate amount of money and follow with inspections later.

Mr. RUMSFELD. I would like to make this comment to the chairman. I agree that this aspect of the effort in Southeast Asia; namely, the nonmilitary programs or the so-called other war, is important. If the military effort in South Vietnam is not to have been totally in vain and fruitless, then we have to point to a time when the nonmilitary programs have been sufficiently successful that the capability of the Government and people of South Vietnam will be sufficient so that they can retain any measure of success that has been won militarily. Regretably, this is almost as far from being the case today as it was 3 years ago. I think the gentleman will agree that this puts a tremendous focus and importance on this side of the program. The thing that concerns me, to reiterate briefly, is that I have been and remain distressed by the lack of progress. Unless one envisions a U.S. force of half a million men permanently in Vietnam, you have to ask yourself at what point will we have had sufficient success on the nonmilitary side of it so that we could, if there were military success, begin to withdraw and deescalate the level of U.S. involvement. We are not at that point today. It seems to me, while we should possibly not attempt to rewrite this particular section on the floor, that this is the time when the full membership of the House should review these matters. This is the time when some candid and informed remarks on the nature of these programs, the problems, and what your committee recommends to the executive branch to improve these programs would be extremely helpful. I am sincere when I say I do not know whether this should be cut or tripled. I honestly do not know. It is my intention to oppose the amendment and support the committee, not because the report has enlightened me, but rather because I would rather err on the safe side, in view of the importance of this section.

Mr. MOSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to acknowledge the outstanding contribution of the gentleman from Illinois and every member of my Subcommittee on International Operations in our study of the operation of these programs in Vietnam. There is no question but what the administration of the programs has left much to be desired, but I am not prepared to endorse at this time the cut which the amendment contemplates. I think a far sounder approach is to continue a careful followup on the implementation of the recommendations which have been made by the Committee on Government Operations, and the additional recommendations which are contained in three reports which will be released on Monday next and a series of approximately six additional reports which will be released as quickly as the necessary staff work can be completed. We are indeed in a most critical area of the world. This is one where our problems are very complex. I think it is one where we need a better definition of some of our goals. I am satisfied that the present Administrator of AID is doing a much better job than his predecessor. I think that the commodity analysis work being carried on in the mission is superior to the work that was carried on a year ago. I am confident that the principal economic officer in the mission is much more capable of meeting the needs of a very fragile economy than was the director there a year ago. I believe this is an area where the Congress should maintain the closest oversight. I want to assure the Members of this House that it is my intention as chairman of this subcommittee, as long as I have the authority, to continue a very close followup on the implementation of the recommendations which have been made.

I believe that the gentleman from Illinois [Mr. RUMSFELD] who was previously in the well, will agree that they have been objectively made and that they have not reflected any partisanship flavor at all. The objective of the committee has been to improve the administration of the program, which in our opinion, represents the only effective means of reducing expenditures.

Mr. Chairman, to cut the program here at this point, without the careful analysis which is needed, I feel could be—could be—very dangerous and very prejudicial to the interest of the United States.

Mr. HARDY. Mr. Chairman, will the gentleman yield to me?

Mr. MOSS. I shall be very happy to yield to the gentleman from Virginia.

Mr. HARDY. Mr. Chairman, I would like to compliment the gentleman from California upon his observations.

Now, Mr. Chairman, this thing over there has been very poorly administered.

As a member of the gentleman's subcommittee, I have had an opportunity to review many of the transcripts of the testimony which was taken over there very recently. It reflects a sad situation. We encountered some similar situations in times past when I had the chairmanship of that particular subcommittee. I think, however, while I believe we could have very appropriately some criticism directed to the AID agency for not having a change in administration to improve this program long before now, and the improvement has been slow in coming and the program should have been in better shape than it is now, however, I join the gentleman from California in expressing the belief that it would be a mistake to cut it at this particular stage of its operations. I feel we ought to apply our best efforts to clean up the situation, a cleanup job which should have been done a long time ago.

Mr. MOSS. I thank the distinguished gentleman from Virginia for his contribution.

Mr. Chairman, I wish to assure the members of the Committee that the recommendations which have been made by the subcommittee will be made available at the earliest possible moment to the Committee on Appropriations for its full consideration.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Florida.

Mr. HALEY. May I say to the gentleman from California that I feel he has performed a great service in making this investigation, an investigation for the Congress and the American people, which gives us cause to think about this program.

But may I ask the gentleman this question: What happened to the man who was running the program and whether they did not bring him back here to Washington and promote him to a higher salary?

Mr. MOSS. To my knowledge they have not brought him back and promoted him to a higher salary.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. BERRY].

Mr. BERRY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BERRY and Mr. GALLAGHER.

The Committee divided, and the tellers reported that there were—ayes 121, noes 125.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. MOSS

Mr. MOSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Moss: On Page 24, immediately after line 18, insert the following:

"(c) At the end of such chapter 4 add the following new section:

" 'SEC. 403. UNITED STATES REFUND CLAIMS.—It is the sense of the Congress that the President should seek the agreement of the Government of Vietnam to the establishment and maintenance of a separate special account of United States dollars, which account shall be available solely for withdrawals by the United States, at such times and in such amounts as the President may determine, in satisfaction of United States dollar refund claims against the Government arising out of operations conducted under this Act. Such account should be established in an amount not less than $10,000,000 and maintained thereafter at a level sufficient to cover United States refund claims as they arise.' "

Mr. MOSS. Mr. Chairman, I offer this amendment in the hope that it will assist our representatives in Vietnam to correct an undesirable situation noted by the Foreign Operations and Government Information Subcommittee during its continuing investigation of U.S. assistance programs in Vietnam.

The subcommittee was informed in Vietnam last year that the United States had for some time been seeking, without success, to obtain the agreement of the Government of Vietnam to the establishment of an account against which withdrawals could be made in satisfaction of U.S. dollar refund claims. We learned that these claims had often been subject to unduly lengthy negotiations which resulted in unsatisfactory compromise settlements. We also learned that an account of this sort had already been established to meet a similar problem in neighboring Laos.

For these reasons, the Committee on Government Operations, in a report issued in October of last year, recommended that the U.S. AID mission in Saigon accord high priority to obtaining the assent of the Government of Vietnam to the establishment of such an account.

Despite this recommendation, the subcommittee learned during its followup investigation in Saigon last month that the account has not yet been established. We also learned that the Government of Vietnam's performance in the payment of U.S. dollar refund claims continues to be unsatisfactory and that the amount of claims outstanding had risen from less than $1 million 2 years ago to more than $7 million in July.

This amendment states the sense of Congress that, in view of the past record, the United States should press for the establishment of such an account at this time. The amendment also states that the account should be established in an amount of at least $10 million, which is only slightly in excess of the amount of claims outstanding. Finally, the amendment states that the account should be maintained by the Government of Vietnam on a continuing basis but leaves the amount to the discretion of the negotiating parties.

Mr. Chairman, the record indicates clearly that there is an urgent need for such an account in Vietnam. I urge the adoption of this amendment.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the distinguished chairman.

Mr. MORGAN. I have examined this amendment and my staff and the staff of the Committee on Government Operations have been in consultation on this amendment.

I know there is strong objection from the executive branch, but I see no reason why this amendment should not be in the bill. It simply sets up an escrow account to expedite valid claims against the Government of South Vietnam arising out of the commodity assistance in AID.

I know that they have a fund there now that is smaller than this, but this sets up a fund of $10 million.

Mr. Chairman, I think this is a good amendment and I accept it on behalf of the majority side.

Mr. THOMSON of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman.

Mr. THOMSON of Wisconsin. I rise simply to ask the author of the amendment the amount of claims that we now have pending against the government of Vietnam?

Mr. MOSS. As of July 5, 1967, they have reached a total of $7 million.

Mr. THOMSON of Wisconsin. Has the gentleman given any thought to creating such a fund in Spain, Turkey, or Nationalist China, and some of the other countries where the volume of unauthorized and luxury goods seems to be unmanagable?

Mr. MOSS. The gentleman has not undertaken an examination of the operation in those countries as he has in Vietnam and would not propose to make recommendations as to those other countries.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I will be very happy to yield to the distinguished gentleman from New York.

Mr. REID of New York. I would commend the gentleman for offering this amendment. It is totally in line with the unanimous recommendation of the subcommittee.

It is true that there are some $7 million in funds that reportedly represent United States dollar refund claims on which we have been seeking satisfaction.

I think an escrow account is proper.

As the gentleman may recall, we have an escrow account in Laos and it serves the administrative and fiscal necessities there very well.

Mr. THOMSON of Wisconsin. The gentleman is correct.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Indiana.

Mr. ADAIR. I, too, have had an opportunity to examine the amendment that is offered. I believe it has merit and that it should be adopted.

Mr. MOSS. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. MOSS].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER 5—CONTINGENCY FUND

SEC. 112. Section 451 of the Foreign Assistance Act of 1961, as amended, which relates to the contingency fund, is amended by striking out "for the fiscal year 1967 not to exceed $110,000,000" and substituting "$75,000,000 for the fiscal year 1968 and $100,000,000 for the fiscal year 1969".

AMENDMENT OFFERED BY MR. BUCHANAN

Mr. BUCHANAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Buchanan: On page 24, beginning in line 23, strike out "$75,000,000 for the fiscal year 1968 and $100,000,000 for the fiscal year 1969", and insert in lieu thereof the following: "$50,000,000 for the fiscal year 1968".

The CHAIRMAN. The gentleman from Alabama is recognized for 5 minutes in support of his amendment.

Mr. BUCHANAN. Mr. Chairman, the stated purpose of the contingency fund is to provide for urgent assistance needs which are unforeseen. My amendment would simply cut this assistance fund to $50 million for the next year. This is the same figure which was passed by the other body.

The appropriation for last year was only $35 million. The appropriation request for next year is only $31 million. The amendment provides ample room above these figures. I would hope my friends on the majority side will support this modest cut in the President's contingency fund. It would seem to me quite reasonable that if the President needs any more money for urgent, unforeseen assistance needs, he can come to Congress and ask for it.

Mr. FASCELL. Mr. Chairman, I rise in opposition to the amendment. Of course, any contingency fund reflects questions of judgment and discretion. The gentleman who proposes this cut is entitled to his. But the fund is exactly what it says it is, a contingency fund. We have cut this fund year after year after year. It has been very tightly administered and used, and because it is a cushion for contingencies, we ought to allow at least that flexibility by not reducing it to the point at which additional action in this body would be required.

Since there is a judgment factor involved, and since our past experience has shown us that the fund has been wisely used and wisely controlled, I do not think we ought to try to take it down to the last possible dollar in authorization. I think we ought to leave some cushion, some area of flexibility. I urge that the amendment be defeated.

Mr. TAFT. Mr. Chairman, I rise in support of the amendment. The argument just made by the gentleman opposing the amendment should be held up against the fact that the administration, in making application this year, made application for only $31 million for appropriation under this fund. Some changes have occurred since that have been mentioned in the committee hearings which possibly could have some effect, and it might be said that more money is needed for the contingency fund on that account. However, there has been no proof made of that. There was general agreement in committee that, if there was some additional expenditure required in the foreign aid field in the Middle East or other areas of the world, the administration should come before the committee and present the request.

The request for $100 million is contrary and, I think, in conflict with the appropriation request.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I am glad to yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I suppose the gentleman would agree, however, that the amendment proposed would represent a paper cut. There is no economy in having an authorization ceiling of $50 million instead of $75 million.

Mr. TAFT. I agree with the gentleman with this exception: that, if an application is made for a supplemental appropriation, then the administration would not have to come to this body again to get further authorization, and it seems to me this body might well want to have the Foreign Affairs Committee take a look at the amount additionally asked for in the authorizing process.

Mr. FRELINGHUYSEN. Mr. Chairman will the gentleman yield further?

Mr. TAFT. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, the gentleman virtually took the words out of my mouth, but I was not able to get them out to complete my original sentence. It does seem to me there is some value in having a higher contingency fund, so as to avoid the necessity of going to both the authorizing and appropriating committees, if an emergency should arise that would necessitate additional funds. Much as I like to protect the jurisdiction of my own committee, I see nothing to be gained by having the administration come to us if some future emergency would arise that would require additional authorization. If we give them a reasonable flexibility, it would seem to me that going to the Appropriations Committee would be adequate. We do not gain anything by requiring two steps instead of one. The seriousness of a situation can be fully discussed both in our committee and among the membership generally; one formal point of contact within the legislative branch should be adequate in a contingency.

Mr. TAFT. I guess it comes down to a point of philosophy as to whether we want to give the administration a blank check or have them come in for more funds. The Appropriations Committee could handle the request for an additional amount for the contingency fund, but they would not necessarily know what it was to be used for.

I think the contingency fund would not even have to be used within the area generally authorized. It seems to me if the administration wants more money than has been requested, they should come and tell Congress what they wish these appropriations for.

Mr. FRELINGHUYSEN. Of course, to describe the contingency fund as a blank check is quite a loose description. It is, of course, quite impossible to foresee the use the money will be put to. There has been quite strict accountability in the use of this fund. There is supervision afterward as to what the money has been spent for, and what the contingency has been. There is no blank check or anything underhanded that has been done.

Mr. TAFT. The gentleman knows that I would not say there is any question of accounting for it afterwards, but the question I raise here is whether the Congress wants to have some say as to what this money is used for, in addition to the amount of the appropriation authorized.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I just want to say to the gentleman that we cannot program in advance the contingencies or emergencies. There has to be some flexibility. I do not recall whether it was the year 1962 or 1963 when the authorization of the contingency fund turned out to be inadequate, and President Kennedy had to ask this Congress for $100 million for the emergency in South Vietnam. I know that the appropriation request is only $31 million, but if an unforeseen emergency occurs we would need only an additional appropriation if there is already a cushion in the authorization.

Mr. TAFT. I would say to the gentleman if the Congress is in session, it could act upon the appropriating process, and I have every confidence that under the competent administration and supervision of the Foreign Affairs Committee by the chairman, we could act upon it and give action very quickly.

Mr. MORGAN. I just want to say to the gentleman further that the contingency has gone as high as $300 million in past years. In 1960, it was $155 million; in 1961, it was $250 million; in 1962, it was $300 million; and in 1963, it was $300 million.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio may proceed for 1 additional minute.

Mr. HALL. Mr. Chairman, I object

The CHAIRMAN. Objection is heard.

Mr. GALLAGHER. Mr. Chairman, I move to strike the requisite number of words.

I yield to the gentleman from Pennsylvania [Mr. Morgan].

Mr. MORGAN. Mr. Chairman, the gentleman from Indiana [Mr. Adair] knows that this committee in 1963 or 1964 became alarmed about the use being made of the contingency fund, and served notice on the executive that they were spending contingency fund money that we felt very definitely was not for emergencies or contingencies.

As a result, annual authorizations and appropriations for this fund have been reduced. This year the authorization request was for $100 million. The committee in its wisdom cut it to $75 million.

I hope we can leave some flexibility.

Mr. ADAIR. Mr. Chairman, I move to strike the requisite number of words.

I believe it would be worth while to ask for what purposes the contingency fund money has been spent in the recent past. I have in my hand a list of approved uses of the contingency fund through June 27, 1967.

In the nonregional area there has been used some of this fund for civil strife, $42,000 for civil strife; $288,000 for hurricanes; $460,000 for floods. Some for earthquakes.

Here is an interesting item: at Ambassador's authority, $755,000. I am at a loss to know just what that is, but we spent $755,000 for it.

On the other hand, for the Ivory Coast

we made a loan for public safety commodities, whatever those are, of $275,000.

We gave the country of Lesotho an Independence Day gift. Members may recall that we used to call that Bechuanaland. We gave them $100,000 for an Independence Day gift.

I am skipping along.

Indonesia got a budgetary support loan for commodities in the amount of $17 million.

The Dominican Republic received a grant for public safety commodities in the amount of $276,000.

The Dominican Republic received a budgetary support loan for commodities in the amount of $5 million.

Guatemala received $1,099,000 as a grant for technical assistance activities involving urgent security-related considerations. I am sure all Members know what that is.

Here is one in Haiti, a grant for a malaria eradication program of $400,000.

Panama got a loan for urban renewal of $3.6 million. She got a loan for budgetary support of $2.6 million. She got a grant for budgetary support of $606,000.

There are other items on the list.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. I really believe the gentleman has made a good case for this, because I do not really see how we can anticipate earthquakes and floods. There is no question an argument can be made, but I believe the important point is how each one would look at the use of contingency fund dollars, and this administration has perhaps been the most prudent user of the contingency fund.

The figures are all here. In 1956 we used $98 million; in 1957, $95 million; in 1958, $149 million; in 1959, $154 million. Last year we used $48 million, and the year before $89 million.

I believe that one could make a pretty good case, item by item, overall, we have been extremely prudent.

Mr. ADAIR. I should like to ask the gentleman, in light of the fact that there have been so many budgetary support items in this fund, if he believes that perhaps our own national budget could get a little support out of the President's contingency fund?

Mr. GALLAGHER. It might be a good idea.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. BUCHANAN].

The question was taken; and on a division (demanded by Mr. ZABLOCKI) there were—ayes 129, noes 71.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER 6—ASSISTANCE TO COUNTRIES HAVING AGRARIAN ECONOMIES

SEC. 113. Section 461 of chapter 6 of the Foreign Assistance Act of 1961, as amended, which relates to assistance to countries having agrarian economies, is amended by inserting "(a)" immediately before "Wherever" and by adding at the end thereof the following new subsection:

"(b) In presenting proposals to the Congress for fiscal year 1969 the President shall include recommendations for improving and establishing agricultural research and training facilities in tropical and subtropical regions of Latin America, Africa, and Asia. These recommendations shall be developed after consultation with the Departmnet of Agriculture, land-grant colleges of agriculture, and other approprate institutions and organizations, including those in the regions concerned."

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that chapter 6, from line 1 on page 25 to line 16 on page 25, be considered as read, printed in the RECORD at this point, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Are there any amendments to section 113? If not, the Clerk will read.

The Clerk read as follows:

PART II—MILITARY ASSISTANCE AND SALES

SEC. 201. Part II of the Foreign Assistance Act of 1961, as amended, which relates to military assistance and sales, is amended as follows:

(a) Section 502, which relates to statement of policy, is amended as follows:

(1) Section 502 is redesignated as section 501.

(2) In such new section 501, immediately before the last paragraph insert the following new paragraph:

"It is the sense of the Congress that in the administration of this part priority shall be given to the needs of those countries in danger of becoming victims of active Communist or Communist-supported aggression or those countries in which the internal security is threatened by Communist-inspired or Communist-supported internal subversion."

(b) Section 503, which relates to general authority, is amended as follows:

(1) Subsection (a) is amended by striking out "lease, sale, exchange,".

(2) Subsection (d) is amended by striking out "; and" and substituting a period.

(3) Subsection (e) is amended as follows:

(A) Subsection (e) is redesignated as section 525.

(B) In such new section 525, strike out "guarantying, insuring, coinsuring, and reinsuring" and substitute "GUARANTIES.—(a) The President may guarantee, insure, coinsure, and reinsure".

(C) In such new section 525(a), strike out "such" the second place it appears and substitute "any".

(c) Section 504(a), which relates to authorizations, is amended by striking out the first sentence (including the proviso) and substituting "There is authorized to be appropriated to the President to carry out the purposes of this part not to exceed $650,000,000 for the fiscal year 1968, and not to exceed $714,000,000 for the fiscal year 1969. Of the amount appropriated pursuant to this subsection for each of the fiscal years 1968 and 1969, $84,100,000 shall be available each fiscal year solely for cost-sharing expenses of United States participation in the international military headquarters and related agencies program and in the North Atlantic Treaty Organization infrastructure program. No part of any funds made available under any other provision of law shall be used for the cost-sharing expenses referred to in the preceding sentence.".

(d) Section 505(a), which relates to utilization of assistance, is amended as follows:

(1) Subsection (a) is redesignated as section 502.

(2) At the beginning of such new section 502, strike out "UTILIZATION OF ASSISTANCE.—(a) Military assistance" and substitute "UTILIZATION OF DEFENSE ARTICLES AND DEFENSE SERVICES.—Defense articles and defense services".

(e) Section 506, which relates to conditions of eligibility, is redesignated as section 505.

(f) Section 507(a), which relates to sales, is amended as follows:

(1) Subsection (a) is redesignated as section 522.

(2) In such new section 522, strike out "SALES" as the section caption and substitute "SALES FROM STOCK".

(3) In such new section 522, strike out "subsection" each place it appears and substitute in each such place "section".

(g) Section 507(b), which relates to sales, is amended as follows:

(1) Subsection (b) is redesignated as section 523.

(2) In such new section 523, insert "PROCUREMENT FOR SALES.—" as the section caption.

(3) Strike out "section 508" in the third sentence and substitute "section 526".

(4) Strike out "subsection" in the sixth sentence and substitute "section".

(h) Section 508, which relates to reimbursements, is amended as follows:

(1) Section 508 is redesignated as section 526.

(2) Strike out "furnish military assistance on cash or credit terms" and substitute "finance sales".

(i) Section 509, which relates to exchanges and guaranties, is amended as follows:

(1) Strike out the section caption.

(2) Subsection (a) is redesignated as section 527(b).

(3) In such new section 527(b), strike out "as payment for assistance furnished under this part" and substitute "in exchange for defense articles and defense services bartered by the United States Government under subsection (a)".

(4) (A) Insert the following new subsection (a) in such new section 527:

"SEC. 527. EXCHANGES.—(a) The President may, subject to the provisions of section 632(d), use funds available to carry out this part to acquire defense articles and defense services from any source and barter such defense articles and defense services with any friendly country or international organization in exchange for other defense articles and defense services."

(B) Insert the following new subsection (c) in such new section 527:

"(c) The President may, without reimbursement from funds available for use under this part, barter defense articles, which are in the stocks of the Department of Defense or which the Department of Defense is authorized to procure under other provisions of law, and defense services with any friendly country or international organization in exchange for other defense articles and defense services of approximately equal or equivalent value which are required for the use of the Armed Forces of the United States."

(5) Subsection (b) is redesignated as section 525(b).

(j) Section 510, which relates to special authority, is amended as follows:

(1) Section 510 is redesignated as section 506.

(2) Strike out "the fiscal year 1967" each place it appears and substitute in each such place "each of the fiscal years 1968 and 1969".

(k) Section 511, which relates to restrictions on military aid to Latin America, is amended as follows:

(1) Section 511 is redesignated as section 507.

(2) In subsection (a), strike out "section 507" and substitute "chapter 3"; and strike out the colon and the proviso.

(l) Section 505(b), which relates to utilization of assistance, is redesignated as subsection (c) of such new section 507.

(m) Section 512, which relates to restrictions on military aid to Africa, is amended as follows:

(1) Section 512 is redesignated as section 508.

(2) Strike out "section 507" and substitute "chapter 3".

(n) Section 513, which relates to the certification of recipient's capability, is amended as follows:

(1) Section 513 is redesignated as section 509.

(2) In subsection (a), strike out "section 507" and substitute "chapter 3".

(o) Section 514, which relates to administration of sales and exchange programs involving defense articles and services, is amended as follows:

(1) Section 514 is redesignated as section 521.

(2) Insert the following new chapter heading before such new section 521:

"Chapter 3—Foreign Military Sales"

(3) At the end of subsection (a), add the following: "It is the purpose of this chapter to authorize measures consonant with that objective to enable allied and other friendly foreign countries, having sufficient wealth to develop and maintain their defense capacities without undue burden to their economies, to acquire defense articles and defense services on a reimbursable basis. In carrying out this chapter, special emphasis shall be placed on procurement in the United States but consideration shall also be given to coproduction or licensed production outside the United States of defense articles of United States origin when such production best serves the foreign policy, national security, and economy of the United States. In evaluating any sale proposed to be made or guaranteed or financed by the United States Government pursuant to this chapter, there shall be taken into consideration (1) the extent to which the proposed sale damages or infringes upon licensing arrangements whereby United States entities have granted licenses for the manufacture of the defense articles selected by the purchasing country to entities located in friendly foreign countries, which licenses result in financial returns to the United States, and (2) the portion of the defense articles so manufactured which is of United States origin. Recognizing the economic interdependence of the free and independent countries of the world and the adverse effects which large-scale purchases of defense articles and defense services of United States origin may have on the net position of a purchasing country's balance of payments with the United States, it is the sense of the Congress that the United States Government should give consideration to procuring from countries making such large-scale purchases, for use by the Armed Forces of the United States or to carry out chapter 2 of this part, selected defense articles and defense services under competitive arrangements, open to United States suppliers, which assure quality, cost, delivery, and support terms at least equal to those obtainable from United States suppliers."

(4) Subsection (b) is amended as follows:

(A) Strike out "section 511(a)" and substitute "section 507(a)".

(B) Strike out "$85,000,000" and substitute "$100,000,000".

(C) Strike out the colon and the proviso.

(5) Add the following new subsection:

"(c) No defense article or defense service shall be furnished under this chapter to any country or international organization unless (1) the President finds that the furnishing of defense articles and defense services to such country or international organization will strengthen the security of the United States and promote world peace, and (2) the country or international organization is otherwise eligible to receive defense articles or defense services."

(p) Add the following new section between new sections 523 and 525:

"Sec. 524. General Authority for Credit Sales.—(a) The President may use funds available under this part to finance sales of defense articles and defense services to any friendly foreign country or international organization on such terms and conditions as he may determine.

"(b) In carrying out this section, the President may—

"(1) acquire defense articles and defense services from any source for sale by the United States Government to purchasing countries or international organizations;

"(2) make disbursements on behalf of purchasing countries or international organizations for defense articles and defense services procured directly from suppliers by purchasing countries or international organizations upon agreement of the purchasing countries or international organizations to reimburse the United States Government; or

"(3) purchase from suppliers any instruments evidencing indebtedness issued by purchasing countries or international organizations as security for payments due for defense articles and defense services procured directly from suppliers by purchasing countries or international organizations, and dispose of any such instruments in accordance with section 635(g)."

(q) Add the following new section at the end of the new chapter 3:

"Sec. 528. Leases.—(a) The President may, subject to section 632(d), use funds available to carry out this part to acquire defense articles from any source and lease such defense articles, on such terms and conditions of payment as he may determine, to any friendly country or international organization.

"(b) Payments received under this section shall be credited to the appropriation, fund, or account funding the cost of the defense articles leased, or to any appropriation, fund, or account currently available for the same general purpose."

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that chapter 6, part II, starting on page 25 and extending to the bottom of page 34, be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Are there any amendments to part II?

AMENDMENT OFFERED BY MR. RIVERS

Mr. RIVERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Rivers: On page 27, line 2, strike "$650,000,000" and insert "$590,000,000" and

On line 3, strike "$714,000,000" and insert "$654,000,000" and

On line 5, strike "$84,100,000" and insert "$24,100,000" and

On line 8, insert a period after the word "program" and strike the remainder of that sentence on lines 8 and 9.

Mr. RIVERS. Mr. Chairman, this is a very simple amendment.

When we had the military construction bill up before the House for consideration, this item was authorized for the infrastructure of NATO. It was not real infrastructure, but for construction at the new headquarters of NATO.

In the old days when we had the beginnings of NATO, it was strictly foreign aid. This is not true today. These are affluent countries. This item here was included by the President in his military construction bill, sent up to the Capitol, and referred to our committee. We did not seek it—we did not seek it.

This item of $60 million for this new construction came to our committee purely as a military construction item. Accordingly, we considered it. We tightened the restrictions upon it. Instead of giving the blue sky to the Secretary of Defense, we referred it to and required that the Secretary of the Department of the Army handle it and report to the committee upon the progress of it.

This is part and parcel of a military commitment, and it has nothing to do with military assistance.

Now, we did not seek this. We handled it, we passed it, and it is now over in the other body for consideration.

And, moreover, we had a rollcall on it and I do not recall anyone voting against it, certainly not in this committee.

So, this is not needed.

Now, if you will refer for 2 years to the authorization, this to me is ridiculous. As a matter of fact it is so ridiculous it is ridiculous.

So I suggest that you take the $60 million out and leave it as it is.

Now, you put the military in our hands. This is our business, and we report to you. We require that the military report to us and thereby you will know what is going on. That is how simple this is. This item has no business in this bill.

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. Of course I yield to my distinguished colleague, the gentleman from Massachusetts [Mr. Bates].

Mr. BATES. Mr. Chairman, I want to say that I agree entirely with the statement of the chairman of the House Armed Services Committee. This item was considered by our committee. It was sent up by the administration and it did pass the House. This is merely a duplicate of an item on which we have already acted.

Mr. Chairman, all afternoon we have tried to practice a little economy. This is the easiest economy vote of the afternoon.

I thank the gentleman from South Carolina for yielding.

Mr. RIVERS. Mr. Chairman, I am not going to stay here and get into any jurisdictional fight with the Foreign Affairs Committee. If you want to leave it with the Foreign Affairs Committee, go ahead. We have already worked on it. We are your military committee. We do a pretty good job. We watch it like a hawk watches a chicken. If you do not want us to do it, it is all right with us. We have already done it. We do not want to sit here and fight with anyone. This should be taken out. And, incidentally, you are saving $60 million.

Mrs. KELLY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is very difficult for me to rise in opposition to an amendment by my colleague, the distinguished gentleman from South Carolina [Mr. Rivers], who has the great responsibility of handling the authorization for military construction and other military affairs which at this time accounts for almost three-quarters of our national budget. However, it seems to me rather insignificant for the gentleman to endeavor to come here and try to seize a small item of $60 million which is at the present time included in this foreign aid bill which comes from the Committee on Foreign Affairs.

This authorization for NATO infrastructure has been included in the foreign affairs bills since 1951. It was recommended at that time by our President, and for 16 years Congress has retained it in the Foreign Affairs Committee.

I realize all too well what the gentleman has said, that this recommendation to put NATO infrastructure into the Committee on Armed Services came from the Defense Department.

The main issue involved in this situation is that NATO is a multinational security arrangement. This program has been under the jurisdiction of the Committee on Foreign Affairs because it has been carried out pursuant to treaties and agreements negotiated by the Department of State.

This program is directly related to military assistance and sales authorized in foreign aid legislation.

The basic considerations which govern U.S. participation in these cost-sharing arrangements are political and economic, rather than military.

Over the years the Committee on Foreign Affairs has emphasized the need for cost sharing in its approach to this authorization. This should be emphasized because the members of my committee feel that it is for the betterment of the taxpayer if it remains in the Committee on Foreign Affairs. It would be lost in the huge authorizations of the Committee on Armed Services.

Mr. Chairman, I want to repeat that at no time in the hearings before our committee did the Defense Department make an effective case for the transfer.

I want to repeat, the NATO infrastructure program is a cost-sharing arrangement for the construction of military facilities which have a high degree of common use for mutual defense. The United States currently contributes 25 percent to this program. The U.S. share of this NATO infrastructure program is $60 million for fiscal 1968. That is the amount that my colleague wants to cut out of this bill.

Mr. Chairman, I feel it is much better if this authorization remains in this bill than go over to the military appropriations bill.

Mr. TAFT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let us look at the facts with regard to why this attempted shift is being made at this time, and judge our votes on the basis of what the implications really are here.

I believe they are made pretty clear by the fact that this very week, in an informal appearance here on the Hill, the Administrator of the AID program stated that he wished to see the NATO, SEATO, and headquarters funds switched to defense from the Committee on Foreign Affairs.

The reason to me is a very clear one. He thinks it is easier to get the money that way. That is really the issue you are going to have by tieing up this aid to defense. You might as well face it here. That is the issue that you are going to be voting on on this amendment and I urge the defeat of the amendment.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I yield to the gentleman.

Mr. MORGAN. This is the situation that the House is in right now. We voted on a military appropriation bill several weeks ago. This $24 million was in that appropriation. It was sent over to the other body. They passed the military appropriation bill the other day and they took out the $24 million because they said that they regarded this as coming under the jurisdiction of the Foreign Relations Committee. So they filed the conference report and that $24 million is not in here. The other body apparently accepts the jurisdiction of the Foreign Relations Committee over this matter.

Now we come down to the $60 million for military construction. We have had this jurisdiction for 14 years ever since the NATO infrastructure began. This is a program where the cost of construction is shared by our NATO allies. The foreign governments pay for the rest of this while we pay only 26 percent.

Now we have passed through a period where we have reduced this from the 45 percent that we used to pay when NATO was started down to 26 percent, and it has been the result of hard bargaining.

If you want to include this $24 million every year in the $74 billion defense budget and if you want the $60 million or more in the NATO structure submerged in the Defense Department budget, then vote for the amendment offered by my good friend, the gentleman from South Carolina [Mr. RIVERS]—and he is my good friend.

But if you want it left with the committee that has looked at it every year so that we can continue to examine it and adjust it as we have done for 14 years, then I ask you to vote against the amendment.

Mr. TAFT. I commend the gentleman and I certainly want to endorse everything that he has said.

As I said, I think the amendment should be defeated.

Mr. BATES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there are those who believe that the Armed Services Committee initiated this proposal. Nothing could be further from the truth. This came from the Department of Defense. This is an administration proposal.

Mr. Chairman, the fact of the matter is that so much of this military aid is in this foreign aid bill for one very obvious reason—and every Member on this floor knows it. We have known for years that the economic aspect of this bill would have a most difficult time being enacted unless it was associated with the military items involved in this bill.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman.

Mr. MORGAN. Why did the Department of Defense try to take it away?

Mr. BATES. They are not trying to take it away.

Mr. MORGAN. They certainly are.

Mr. BATES. All they are trying to do is to put it where it should have been put years ago.

Mr. MORGAN. I indicated on this floor yesterday that we had a $1,800,000,000 military assistance bill a few years ago and all that is being asked for this year is only $596 million. All the rest of that $1,200,000,000 of military assistance is now in the Defense Department appropriation bill.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman.

Mr. RIVERS. If what the distinguished gentleman from Pennsylvania says is true, why did not this administration keep it in its budget and send it to them? No, they sent it to our committee. The gentleman from Ohio is exactly 195 percent wrong. On this matter, he just does not know what he is talking about. Talk about getting stuff easy? Why, my goodness, in the foreign aid bill what on earth could be easier than the manner in which this is written or considered. If this administration had wanted this in the Committee on Foreign Affairs, they would have kept it there. But they sent it to our committee. If you do not want it, then beat the amendment. I will not lose any sleep—I have enough worries. This is so ridiculous—it is ridiculous.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman from Michigan.

Mr. CEDERBERG. Our Military Construction Subcommittee handles the funds that are appropriated for the U.S. share. If the Foreign Affairs Committee wishes to handle this whole operation over the 14 years, they ought to review the fact that most of these foreign countries are completely in arrears in the construction that has taken place in NATO. Perhaps the thing to do is to adopt this amendment and we can get a better policing effect on this and try to get some of the money from the countries in NATO that is long overdue.

Mr. TAFT. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman from Ohio, if he will not take too long.

Mr. TAFT. The gentleman will not take very long. I think the fact is pretty clear that the Defense Department wants this, and if the Administrator of the program wants it over in the Armed Services Committee, the reasons I believe speak for themselves.

Mr. BATES. Mr. Chairman, all I want to say is this. The House has already put into the military construction bill $60 million for the identical item that is contained in this bill. Therefore, this item should be eliminated from this bill.

Mr. GROSS. Mr. Chairman, will the gentleman yield.

Mr. BATES. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from Ohio [Mr. TAFT] says they want to get military assistance over in the Armed Services Committee so they can get the money easily. I am a member of the Foreign Affairs Committee and I do not know of any other committee that rolls over and plays dead faster than it does when somebody wants a big, fat handout.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Both committees are fortunate to have such beneficent souls on the committees as the distinguished gentlemen from Ohio and Iowa.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman yield?

Mr. BATES. I yield to the gentleman from New York.

Mr. ROONEY of New York. It has been my experience that if the Foreign Affairs Committee does not hold onto this authorization, and if it becomes involved in the defense budget, you will never hear of it or find it again.

Mr. BATES. I would think the gentleman would be familiar with it because we discussed it on the floor a couple of week ago.

Mr. HARDY. Mr. Chairman, will the gentleman yield to me?

Mr. BATES. I yield to the gentleman from Virginia.

Mr. HARDY. This is an authorization for construction. That is what this construction business is. The reason we are doing it is that we had to get out of France. It seems to me the politicians and diplomats must have negotiated an arrangement by which we were in France to start with.

Just one other aspect of this that is important to bear in mind: On every one of these bases where there is any United States use, there must be additional construction to our standards in order to meet our needs. That is what the Armed Services Committee wrote in the legislation—to authorize it on the same basis, and it all ought to be in one spot.

Mr. MORGAN. Mr. Chairman, before the debate ends, I think we ought to find out what happened in the other body so far as this matter is concerned. During the debate on the Armed Forces appropriation bill, the senior Senator from Mississippi, who was handling the bill in behalf of Senator RUSSELL, who is ill, was questioned by Senator ELLENDER from Louisiana. Senator ELLENDER said this to Senator STENNIS:

> The Senator is also familiar with the item of $60 million for NATO infrastructure contained in the Military Construction Bill.
>
> Senator STENNIS. Yes.
>
> Senator ELLENDER. It is my hope that when the bill is reported, the $60 million will be stricken because it is included in the Foreign Aid Bill. As I pointed out on Wednesday, when the Foreign Assistance Authorization Bill was before the House and debated in the Senate, at the rate the DOD has been incorporating Military Assistance Programs within its funds, it will not be long before the entire program is integrated in the DOD budget. I fear if this happens, the Congress will lose what little control it has over the military program. The funds will be concealed in the huge DOD budget, and the program will not receive the close congressional scrutiny it has received as part of the Foreign Aid budget.

The Department of Defense apparently wants to get the military assistance money incorporated in the Defense Department budget. Last year they came up here with a recommendation by the executive that to simplify the bookkeeping they needed all military assistance for South Vietnam included in the Defense Department budget. This year they came up here with a proposition that they are going to take over all military assistance for Thailand, that they are going to take over all military assistance for Laos, and that they are going to take all the NATO infrastructure program and put them in the DOD budget.

If we keep on, I agree 100 percent with Senator ELLENDER that if this all gets into the DOD budget, it will be lost from sight.

We fought this out at the White House level, and the gentleman from Indiana [Mr. ADAIR] was at the conference and he will back me up. This was 2 years ago, when Mr. McNamara took the position that military and economic assistance be in separate bills. We fought it out at the White House level, and those who insisted it be in one package won the argument, and the recommendation came from the executive that it should be in one bill.

Ever since that, the Department of Defense has kept trying.

I want to tell the members of the Armed Services Committee that the greatest support I had that night at that conference in the White House was from the distinguished and longtime chairman of the Armed Forces Commitee, Admiral Vinson.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Virginia [Mr. HARDY].

Mr. HARDY. Mr. Chairman, does the gentleman want to suggest that the House of Representatives is going to take its instruction from the White House as to whether or not this should be done?

I have two questions. Let me ask the other and the gentleman can answer them both at the same time. The gentleman has cited what took place in the Senate, and he has read the debate. Is the gentleman recommending that we make the same mistakes the Senate made?

Mr. MORGAN. That is what we have been doing all afternoon here.

Mr. HARDY. I hope not.

Mr. PASSMAN. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, it has been my privilege to handle the appropriation bill for the mutual security program for the past 13 years. I have profound respect for the distinguished chairman of the Armed Services Committee, and I am not quarreling with him as an individual but I do know that Mr. McNamara has been trying to take all military assistance out of the mutual security appropriation bill for many, many years. Previously the Congress turned the proposition down. He is still pursuing the same course, but he is doing it a piece at a time.

This is the largest foreign aid bill since the inception of the foreign aid program 20 years ago.

Make no mistake about that. If we include all the programs that have been removed from the mutual security bill over the past years and put them in one package, then this is the largest foreign aid bill since the inception of the program. We are talking about $3,200,000,000 today. Remember, all there is over $1,400,000,000 already in the defense appropriation bill, which was previously carried in the mutual security bill. If we pick up all those pieces and get the grand total, we will find we are trying to get this House to pass the largest foreign aid bill in the history of the foreign aid program.

Mr. McNamara could not move the entire program over at one time. He has tried it before and the Congress turned him down. So now he is doing it piece by piece. It matters not to me who handles the authorization, but I do think we should keep all foreign aid in one bill where we can look at it, and where the taxpayer can look at it.

So far this year the President has requested over $9,200,000,000 for foreign aid. The total program has been so fragmentized until even the most astute Member of Congress has difficulty in putting it together. I think what we are doing here is giving Mr. McNamara piecemeal what he has been trying to get in one chunk for 5 or 6 years. If we keep fragmentizing the foreign aid program and scattering the various programs throughout the $172 billion budget one of these days we are going to wake up and discover there is no foreign aid bill as such. It will have just disappeared. I think we would be wise to keep it all in one package, where we can look at it, and where the American taxpayer can look at it. Keep it where we can see it. Do not go for Mr. McNamara's trap.

I urge the Committee to vote down the amendment.

Mr. ADAIR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, when it has appeared that there has been a reason to take some items of military assistance out from under the purview of the Foreign Affairs Committee we have shown a willingness to let it go. But in those instances such as remain in the bill now, when we are speaking not basically about military affairs but about foreign policy, we feel properly these matters ought to remain in the foreign aid bill and ought to be subject to the scrutiny of the Foreign Affairs Committee.

As the gentleman from Louisiana has just pointed out, if this process continues, eventually the whole of military assistance will have been engulfed in and submerged by a fantastically large Department of Defense budget, and Members of this body will know little or nothing about what is happening to the foreign policy aspects of military assistance.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I certainly do not

intend to cast any reflection on any subcommittee or on any committee of the House, but I wonder if the distinguished chairman of the Committee on Armed Services, the gentleman from South Carolina [Mr. RIVERS], could tell us how we could ever put together the total cost of the purely military assistance programs, if we bury them in some 200 different places in a $70 billion appropriation bill? That is my concern. How are we ever going to be able to ascertain the total cost of military assistance?

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from South Carolina.

Mr. RIVERS. I should like to answer the gentleman in this way: This is purely a line item budget. We know everything that is contained in the line item of $60 million for construction of facilities at the NATO headquarters. The $24 million about which the gentleman is speaking goes to SEATO and CENTO for other things, but this is a line item, and everybody who has sense enough to read it can understand what a line item is. Everything is disclosed. It is simple.

Mr. ADAIR. I say to the gentleman that we are not at all disputing the scrutiny which his committee gives to this as a line item. I am trying to make the point that it is a foreign policy question.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Michigan.

Mr. CEDERBERG. In answer to the gentleman from Louisiana, in the first place this is not handled in the $70 billion defense budget in the Appropriations Committee which is handled by the gentleman from Texas [Mr. MAHON]. This comes under the jurisdiction of the gentleman from Florida [Mr. SIKES], and we handle the military construction, which is $1.5 billion or $2 billion. The gentleman can be mightly sure that we scrutinize it line item by line item.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I am certainly not talking about the military construction appropriation bill handled by the gentleman from Florida [Mr. SIKES]. I am speaking only about that item which has been carried in the mutual security bill for the past 15 or 16 years.

Let me say for the record, that it may be a line item bill, but I am afraid the Congress is going to lose sight of the program when it is buried in a line item bill of between $1.5 billion and $2 billion.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from South Carolina.

Mr. RIVERS. This is a line item, and it goes directly to the gentleman from Florida [Mr. SIKES], as straight as a marten for his gourd.

Mr. ADAIR. This is beside the point of the argument we are making.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Illinois.

Mr. SIKES. Mr. Chairman, I move to strike the last word.

I think it might be useful for the House to know that the item now being discussed is included in a bill which already has been passed by the House. The House Committee on Armed Services included this item in the military construction authorization bill which the House passed some weeks ago. That bill is now before the Senate. The program already has been approved by the House. There is no point approving it a second time. We do not want to authorize it twice, because we do not want to spend it twice. Quite logically it would come out of this bill at this point since it has already been approved in another bill. The amendment should be adopted.

To go one step further, the Military Construction Subcommittee of the Committee on Appropriations has had lengthy hearings on the very same items we now are talking about. Within a short time we hope to bring a bill to the floor which will provide funding for the program. So, one, the item has already been approved. There is no point in approving it twice. Two, the Appropriations Committee, through its Military Construction Subcommittee, has heard the justifications for funding and is prepared to bring a bill to the floor as soon as we have an authorization. The amendment should prevail.

Now may I yield to my distinguished colleague, the ranking minority member of the subcommittee, to corroborate what I have said?

Mr. CEDERBERG. I certainly agree with the gentleman from Florida completely. One of the situations here I think is, as I see it, that I doubt very much if the members of the Committee on Foreign Affairs understand very much about the NATO military construction details, I do not think you really understant it. The U.S. Government does the major part of all the construction in NATO.

We have already paid and these NATO countries are far behind in their payments. As far as I am concerned personally, if the Committee on Foreign Affairs wants to handle this thing, maybe they can get the money back better, but we have not done too well in 14 years. It seems to me this ought to be in one subcommittee. I think the Armed Services Committee and our Subcommittee on Military Construction has a greater expertise in determining the appropriations for military construction, which includes airfields, pipelines, and all of the other things, than the Committee on Foreign Affairs.

Mr. SIKES. I thank the gentleman from Michigan for his very effective contribution.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Have you handled this particular item in your bill in the past, or is it new to your committee?

Mr. SIKES. This is the first year we have had the program, just as it is the first year that the Committee on Armed Services has had it. The Armed Services Committee included the program in its authorization and it is now within the jurisdiction of the Military Construction Subcommittee on Appropriations.

Mr. PASSMAN. Mr. Chairman, if the gentleman will yield further, in other words, it is a part of Mr. McNamara's package to get all military assistance out of the mutual security bill and put it into the Defense bill?

Mr. SIKES. I would not undertake to predict Mr. McNamara's plans. I am simply telling my distinguished friend what already has happened. This program has already been approved, and we do not need to do it a second time.

Mr. BRAY. Mr. Chairman I move to strike the requisite number of words.

First, Mr. Chairman, I am very happy to hear the Committee on Foreign Affairs state that they have been very economical in all of its operations.

As to what we are going through here this evening, this entire affair is rather foolish. It is the first time that it has occurred during the period of my tenure of service in the House of Representatives. It is the first time that I recall where one committee goes into the field or jurisdiction of another committee, without any authority. It is most unusual.

Mr. Chairman, the Committee on Armed Services had nothing to do with having the matter in question referred to the comittee. It was sent down to us through channels, and when it came before the committee we heard it and went into great detail on the matter. Incidentally, one can check the hearings and one will see we did this because of several things which were involved. We were worried about and interested in this particular item.

Mr. Chairman, this House passed that item in the armed services authorization, I believe unanimously and at no time was this action challenged by any member of the other committee.

If we are going to allow any committee to grab anything—to go over into the field of another committee, when the matter was not sent and directed to them. If we allow this we are certainly going to create a great deal of confusion in the future. We should be very careful before we create a precedent and allow the Foreign Affairs Committee to get by with this.

Mr. Chairman, insofar as I am personally concerned I do not care what committee handles this matter. However, we certainly become a most disorderly and irresponsible body if we allow any committee to move into the jurisdiction of another committee without proper direction and authorization, to move into a field of considering a matter that was never sent to it. I say this especially in view of the fact that the Committee on Armed Services has already acted upon the request and no question was raised about it on the floor of the House at the time it passed this body.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, the more this matter is discussed, the more confused I become. I observe that the distinguished gentleman from South Carolina has reduced the item of "Military assistance" from $650 million to $590 million.

I further observe that the other body cut the item of "Military assistance" to $391 million, representing a total cut of about $205 million.

The gentleman from South Carolina has only cut it $60 million.

Now, Mr. Chairman, a footnote which appears on page 4 of the report says—and I direct the attention of the chairman of the Committee on Foreign Affairs to footnote No. 12 which states:

> Funds to provide military assistance to Vietnam, Laos and Thailand and for international military headquarters and the U.S. share of NATO infrastructure were requested in the Department of Defense budget.

Did we not also in the Defense budget authorize some military assistance to Vietnam, Laos, and Thailand and that there is not more duplication than this $60 million contained in the figure of $650 million?

Mr. MORGAN. There is some duplication. The Senate has already taken care of it. The Defense Department appropriation included $24 million. The Department of Defense appropriation was reduced over there by that amount. We have already won a partial victory, because $24.5 million of NATO money is left in this bill by the Rivers amendment.

Mr. ICHORD. I do not know what the amount is, but I should think the amount should be cut further than the $60 million.

Mr. MORGAN. Well, of course, that is the amount involved in this particular item. Let me bring one thing out——

Mr. BRAY. Mr. Chairman, I still have the floor, and I do want to make this remark: That if every committee here wants the Committee on Foreign Affairs or any other committee to move in and take over jurisdiction of matters that were not referred to it, but had already been referred to and acted on by another committee, then vote down this amendment. But if you do so you will be encouraging other committees to disregard the rules of the House.

I hope that this amendment is approved.

Mr. MORGAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not want to have the members of the Committee go to a vote on this amendment under the impression that this money has already been authorized by the Congress, because that is not so. The authorization for part of it has passed the House, but the military construction bill is still over in the other body. It has not been acted upon, and I have evidence that Senator STENNIS and Senator ELLENDER and some of the other Members over there are not going to look at this authorization the same way that it was looked at by the House committee.

So, Mr. Chairman, if the Committee adopts the Rivers amendment here, and they take out this authorization over in the other body, then we are certainly going to be in a parliamentary mess here.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. Yes, I yield to the gentleman from South Carolina.

Mr. RIVERS. Mr. Chairman, this is in the military construction bill over in the Senate, it will be in conference. This money is already in the military budget. The gentleman will not have any problem at all because it will be in the military budget, and it will go to the gentleman from Florida [Mr. SIKES], and the gentleman will be relieved of it. The gentleman does not have a single worry.

Mr. MORGAN. Mr. Chairman, apparently some of the distinguished Senators look at it differently. Senator ELLENDER has said that it is going to be removed. He is the senior Senator from Louisiana, and Senator STENNIS has agreed.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. Yes, I will yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, does the distinguished chairman say that the senior Senator from Louisiana is in a position to be assigned to the joint conferees who will finally pass on the military construction bill?

Mr. MORGAN. I believe that he has a great deal of influence over in the other body, and he is a prominent member of the Committee on Appropriations over there.

I am looking forward to getting the necessary infrastructure money for the executive branch, and I believe this is the best way to do so.

Mr. JACOBS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I regret this apparent controversy between two great committees of the House. They say that wars are impossible unless both sides are right.

So, Mr. Chairman, I suggest to the membership that probably the best way to resolve this controversy and be fair with both committees is to give $30 million to each and go on to the next amendment.

Mr. WAGGONNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to ask a question of the distinguished chairman of the Committee on Foreign Affairs, whether or not we are going to finish this bill tonight, or are we going to adjourn over until tomorrow?

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Florida.

Mr. FASCELL. For a committee that did not want jurisdiction and did not have jurisdiction for 14 years, they sure put up one big fight.

Mr. WAGGONNER. Mr. Chairman, will somebody answer my question on whether we are going to finish with this bill tonight?

Mr. MORGAN. Will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman.

Mr. MORGAN. It is the committee's intention to keep on going until we are through. I would like to finish the bill, but, of course, that depends on the other Members too.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina [Mr. RIVERS].

The question was taken; and on a division (demanded by Mr. MORGAN) there were—ayes 148, noes 78.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. ROSENTHAL

Mr. ROSENTHAL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ROSENTHAL: On page 30, immediately after line 24, insert the following:
>
> "(o) Immediately after the new section 509, add the following new section:
>
> "'SEC. 510. RESTRICTION ON TRAINING OF CERTAIN FOREIGN NATIONALS.—In any case in which diplomatic relations between the United States and any foreign country are severed, no national of such foreign country shall be eligible to receive or continue training under this Act (as defined in section 644(f)) until such time as diplomatic relations between the United States and such foreign country are resumed.'"
>
> And redesignate the following subsections accordingly.

Mr. ROSENTHAL. Mr. Chairman, this is a very, very simple amendment. I have given copies of it to both the chairman of the committee and to the ranking minority member. It is quite precise and quite simple. It means exactly what it says—that in any case in which diplomatic relations between the United States and any foreign country are severed, no national of such foreign country shall be eligible to receive or continue training under this act—and by that, we mean military training—and such training cannot be resumed until such time as diplomatic relations between the United States and such foreign country are resumed.

Mr. Chairman, there are some few countries today with a small number of people involved that are still receiving military assistance in situations where the United States and the foreign country no longer have diplomatic relations.

It seems to me that this is blatantly offensive and violative of good conscience and policy and practice.

It would be in the best interest of the United States to terminate the military training of officers and pilots of those countries which no longer have relations with the United States.

I might say in the case of those countries that are involved, they are receiving assistance by way of military assistance and military equipment from the Soviet Union. There is a blatant per se conflict of interest between ourselves and them and it is quite a simple amendment and I would urge the adoption of the amendment.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman.

Mr. BURTON of California. I would like to commend the gentleman from New York for offering his amendment.

I read with shock in the newspapers the other day that we are almost doubling the number of students who come here from parts of the world and countries that have severed diplomatic relations with our Government, and where those governments have on their own motion broken off relations with our Government.

Mr. Chairman, I think it is outrageous that we should spend our money to train young men in the art of battle and that we should train military people who are citizens of nations who by their own act are antagonistic to our national interest.

Mr. Chairman, I hope the amendment is adopted and I think the gentleman from New York is to be highly commended for giving all of us an opportunity to vote in favor of his amendment.

Mr. EILBERG. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman.

Mr. EILBERG. Mr. Chairman, I too certainly heartily agree with the gentleman from New York.

The recent disclosures by the Department of Defense that the United States was training pilots and military personnel from Arab States which have severed relations with this nation brought into the open a grave situation. That we should be providing our enemies with vital information on the operation of our defense capabilities and allowing them to inspect our bases must be one of the most serious lapses in common sense in recent history. These men from the Arab States are the same ones who, just two short months ago, tried to destroy our ally, Israel. According to the Department of Defense, there are over 300 men from Arab countries being trained in the United States at the present time, 20 of whom are from Iraq and Sudan, two countries that saw fit to break diplomatic relations with the United States. Allowing these people into our training programs in the first place was sheer folly, but to keep them on after their nations have denounced the United States is idiocy. While these men learn the intricacies of our latest jet aircraft, their brothers at home stone U.S. embassies, attack our allies in Aden and Jerusalem and run to Moscow for new armaments in the war against democracy.

At this time, we are considering the amount and scope of future assistance to the needy nations of the world. Shall American taxpayers be asked to subsidize the training of a war machine whose stated purpose is the destruction of the only democracy in that part of the world and the only true friend the United States has in all the Middle East? Shall this Congress furnish the money and the means for sharpening the sword of tyranny? We must stop the training of military personnel from countries which have purposes inimical to our own.

In the recent war in the Middle East, the Israelis found on the field of battle "made-in-America" markings on the equipment abandoned by the fleeing Arab soldiers. To add insult to that injury, we now admit that we also trained those soldiers in the use of the weapons we provided for the Arab destruction of Israel. Perhaps the Arabs will have learned a lesson from their latest confrontation with the Israelis; that they must surrender their stance of belligerency. The second lesson of the war should be very obvious to the people of the United States, that we must cease arming and training the Arab nations. The Arabs, through their hatred, have brought the world to the verge of another world war, and they were assisted in their task, however inadvertently, by the U.S. training of their armies. We cannot help our friends and ourselves by giving assistance to those who would see democracy destroyed.

Mr. SELDEN. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman.

Mr. SELDEN. Do we have in our Armed Forces at the present time nationals of Cuba and would this amendment bar their training in our armed services?

Mr. ROSENTHAL. I do not intend that this amendment would bar such training of persons who are nationals of Cuba but opposed to the present regime there.

Mr. SELDEN. I think perhaps we still have Cuban refugees who have come into this country and who are receiving training in our Armed Forces. Do I correctly understand that you do not intend for your amendment to bar their training?

Mr. ROSENTHAL. No, I do not.

Mr. PETTIS. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KUPFERMAN. Mr. Chairman, I am pleased to support the gentlemen from New York [Mr. ROSENTHAL and Mr. WOLFF] in this amendment to prevent assistance to countries breaking diplomatic relations with us.

My bill, H.R. 12532, is to the same effect and purposes, adding a new section 515 to the Foreign Assistance Act of 1961.

In view of the lateness of the hour and the fact that I have heretofore detailed the need for this position, especially with respect to terminating U.S. military training of foreign personnel from nations that have severed diplomatic relations with us—see CONGRESSIONAL RECORD of August 22 at page 23623—I will now merely reiterate my support.

Mr. HALPERN. I wish to commend the gentleman for this much needed amendment. I have a similar amendment at the desk, which would amend a different section of the bill but would accomplish the identical purpose. I am delighted that the gentleman has offered his amendment and I am pleased to associate myself with it.

One of the most ironic things that I have ever heard, Mr. Chairman, is that we continue to provide military training to students from countries which have broken off diplomatic relations with our country. Let me cite Iraq, the Sudan, and Syria. Oh, yes, it will be said that such training is suspended in the 1968 program. But the fact remains that the 1967 program did continue and still continues in some instances despite the slap in the face that these countries gave us. How ridiculous can we get. That is why we must have this kind of prohibition, and that is why this amendment should pass overwhelmingly.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from New York.

Mr. WOLFF. I am happy to see that the gentleman, a member of the committee, has offered an amendment on the subject about which I alerted the House the other day during general debate. I have been in constant communication, protesting to both the Department of Defense and the Department of State this gross danger to our national security. Even in view of strong representations to both Departments the programs of training both Iraq and Sudan military are continuing. We are told this training will cease at the end of the program.

This is not satisfactory, since vital information given during this training can pass to our Communist adversaries and seriously impair our national security. We are told this is a device to ingratiate us into the hearts of people who have constantly made known their antagonism and hatred of all we in the United States hold dear. Only yesterday in the Evening Star, Sudan reaffirmed the fact that they will not, under any circumstances, renew relations with us. We cannot continue this dangerous policy. These programs must cease immediately. It must be remembered our Ambassadors were summarily dismissed and thrown out of both the Sudan and Iraq. At the very least we should stop military assistance to any nation who acts in this fashion.

Mr. ROSENTHAL. I Thank the gentleman.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from Illinois.

Mr. FINDLEY. To make a little legislative history, is it the gentleman's intent that this amendment not prohibit the training of former nationals of Cuba?

Mr. ROSENTHAL. In response to the question of the gentleman from Alabama, I said the amendment speaks for itself. I think this would have to be an administrative decision as to where one's allegiance lay, whether it lay with the present government.

Mr. FINDLEY. But you have no such intention by this amendment.

Mr. ROSENTHAL. By no means at all.

Mr. BRASCO. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BRASCO. Mr. Chairman, I rise in support of the amendment, which would bar military training of personnel, from countries who have broken diplomatic relations with the United States and urge its immediate adoption.

Recently I made public figures which clearly indicated that we continue to give military training assistance to countries in the Mideast who not only have broken diplomatic relations with us but clearly indicate that they would again use this training to bring to that area of the world the horrors of war.

Mr. Chairman, until these countries act in a responsible manner and give clear and unequivocal proof that they intend to live in peace with their neighbors it would be a most irresponsible act on our part to continue such training.

Mr. COLLIER. Mr. Chairman, I rise to tell the gentleman from New York that I wholeheartedly support his amendment. I think it is nothing short of asininity for us to train foreign nationals that have severed diplomatic relations with the United States. I would think, however, if there was any question with regard to military training given to Cuban refugees, that possibly any question could be eliminated in this area by merely adding that this would not apply to foreign nationals who were refugees of the country or nation which severed such diplomatic relations with us.

Mr. ROSENTHAL. I am grateful to the gentleman for his support.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from Illinois.

Mr. YATES. I agree with the purpose of the amendment. I cannot understand why nationals of countries which have broken relations with us should receive benefits such as those granted to the students mentioned in this amendment. I rise, if the gentleman will yield for that purpose, to ask a question of the author of the amendment. When will the amendment become operative? Will it pertain to training programs that are now in existence? Or will this amendment be effective prospectively.

Mr. ROSENTHAL. It can only be operative upon the enactment of this Act and upon signing by the President. From what I understand, these programs are presently continuing. This will become enacted into law I hope long before the programs are terminated.

That would then be consistent with the pending amendment.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Mr. Chairman, there is a continuing training program of Iraqi military officers. When that program ends, and it is going to be phased out, I think, at the beginning of fiscal year 1968. All future programs are suspended.

Mr. YATES. Mr. Chairman, will the gentleman yield so that a response may be given to my question?

Mr. COLLIER. I yield to the gentleman.

Mr. YATES. Mr. Chairman, will the gentleman yield to the gentlewoman from New York for an answer?

Mr. COLLIER. I yield to the gentlewoman from New York.

Mrs. KELLY. Mr. Chairman, in answer to the question, I can say that there are 20 in training, and of that 20 all will be returned and will have finished their training in about 2 months, with the exception of two Iraqis, who will continue training until March of next year.

Mr. Chairman, I do rise in support of this amendment for the simple reason that I have endeavored to have this training cut off for the nationals of such countries even though I am informed that there is no program planned for them for military training in fiscal year 1968.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, unfortunately this is the same type of thought I have been getting from both the Secretary of Defense and also the Secretary of State. They tell us they will end these programs at the conclusion of the program. I am prepared to offer an amend to the amendment, which will state that all programs shall now cease as of the passage of this act.

Mr. COLLIER. Mr. Chairman, I would be in favor of that.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. RYAN] is recognized.

Mr. RYAN. Mr. Chairman, I rise in support of this amendment. It is perfectly clear that these training programs have continued after the outbreak of war in the Middle East, after diplomatic relations were broken with the United States by a number of the Arab countries. There are approximately 20 airmen still being trained from Sudan and Iraq, both of which broke diplomatic relations.

Jordan, which has 24 airmen receiving training in the United States, joined in a military alliance with the United Arab Republic against Israel.

There are now 326 Arab military personnel receiving training, and the number is to be increased to 633 during fiscal year 1968.

Despite clear-cut prohibitions spelled out in the Foreign Assistance Act and the food-for-peace program, which contains my amendment which was adopted last year to cut off assistance to the United Arab Republic, assistance has continued to flow to the United Arab Republic and other Arab nations which have waged war against Israel.

This amendment will make clear the determination of Congress to end this bankrupt policy which is so detrimental to peace in the Middle East.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Chairman, everybody seems to have different figures as to how many Arab military personnel are being trained in the United States. I just thought the record ought to show that on August 22 I received a letter from William B. Macomber, Jr., Assistant Secretary of State for Congressional Relations, in response to my inquiry, advising that as of August 9, the following personnel from the following countries were in training: Iraq, eight; Sudan, 12; Jordan, 35; Lebanon, five; Libya, 40; Morocco, 150; Saudi Arabia, 69, and Tunisia, seven.

Mr. Chairman, I support this amendment. It should be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. WOLFF].

AMENDMENT OFFERED BY MR. WOLFF TO THE AMENDMENT OFFERED BY MR. ROSENTHAL

Mr. WOLFF. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from New York [Mr. ROSENTHAL].

The Clerk read as follows:

> Amendment offered by Mr. WOLFF to the amendment offered by Mr. ROSENTHAL: Add the following: "The program under which nationals of Iraq and Sudan are currently engaged in military training shall cease immediately upon passage of this Act."

Mr. WOLFF. Mr. Chairman, it is clear to me and certain of my colleagues that when a country breaks diplomatic relations with the United States, that nation is declaring itself in opposition to the United States and our policies. I am shocked that the Departments of State and Defense only halfheartedly accept this fact of international politics.

Iraq and the Sudan this spring severed diplomatic relations with the United States. They declared themselves militantly opposed to us and certain of our policies. They sent our Ambassadors home. Yet the United States, in a foolish and unsuccessful attempt to buy friends in the world community, continues to aid Iraq and the Sudan. For almost 2 months I have been prepared to offer the amendment offered by the gentleman from New York [Mr. ROSENTHAL]. In fact, when I uncovered this outrageous practice I contacted the gentleman from New York [Mr. ROSENTHAL] and made him aware of the facts upon which his amendment is based. I am happy he has taken the initiative to offer this amendment which I was prepared to offer; however, it needs strengthening to put an end to the important threat to our security brought about by the continued training of Iraqis and Sudanese at our military establishments. As I have said from this very spot on several previous occasions, there are 20 men from Iraq and the Sudan training today at military bases in the continental United States.

The amendment now before the Committee would end this unjustifiable U.S. policy immediately. There is no earthly reason why we should aid Iraq and the Sudan, especially militarily. There are clear and striking reasons why we should not aid these nations.

Not only will this amendment end the current foolish practices immediately—it will prevent a reoccurrence of this unfortunate situation.

The State Department tries to justify itself by reporting that we will enter into no new aid agreements with countries that have broken diplomatic relations with the United States. This policy is clear admission that it is not in our interests to provide economic or military aid to countries with which we do not have diplomatic relations. This policy, then, is a contradiction of the current policy of letting the men from Iraq and the Sudan finish the training programs they began in the last fiscal year. To close the barn door literally months after the horse has left is both futile and foolish.

The State Department also tries to

justify itself by reporting that both Iraq and the Sudan are striving to restore normal relations with the United States. If this is so, then I ask, why did they break relations at all? And an Associated Press dispatch yesterday reported that the Sudan had no desire to restore relations with us. Which way are we to turn, Mr. Chairman? I turn to the facts. And the facts are that Iraq and the Sudan voluntarily broke relations with us; those relations have not been restored; and Iraq and the Sudan stand for different principles and have different goals than do we.

We are giving these countries the best of two possible worlds; they thumb their noses at us but by winking at the same time they manage to keep our aid.

Mr. Chairman, the foolishness of the present U.S. policy in this regard is clear. There is no basis to justify aid, especially military aid, to countries with which we do not have diplomatic relations. I therefore ask my colleagues for immediate passage of this amendment to the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, I wish to associate myself with this amendment. I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TENZER].

Mr. TENZER. Mr. Chairman, I wish to associate myself with the remarks of the gentleman from New York [Mr. WOLFF] and the gentleman from New York [Mr. ROSENTHAL]. These men, from nations which have broken diplomatic relations with us, are being trained in the handling of sophisticated weapons, information about which they could be handing to the Soviet Union, which is the main source of weapons to the countries they represent.

I will support the amendment to the amendment and the amendment as amended, and I urge my colleagues to do so overwhelmingly.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. LONG].

Mr. LONG of Maryland. Mr. Chairman, I rise in support of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Chairman, the latest figures on this amendment involve about 17 people. These figures are for August 22. There are five from Iraq and 12 from the Sudan.

Many of these people will finish their training next month. Some will continue into April of next year.

I have no strong objection to the amendment. The program has all been canceled for next year for any country which has broken diplomatic relations.

I will be glad to take the gentleman's amendment to conference and do what I can to sustain the House position.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. WOLFF], to the amendment offered by the gentleman from New York [Mr. ROSENTHAL].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ROSENTHAL], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WIDNALL: On page 33, strike out line 8 and all that follows down through page 34, line 9, and redesignate the following subsection accordingly.

Mr. WIDNALL. Mr. Chairman, I offer an amendment to strike from H.R. 12048 the new section 524 entitled "General Authority for Credit Sales."

Mr. Chairman, yesterday on the floor of the House I asked the distinguished chairman and other members of the Committee on Foreign Affairs to answer, if they could, several questions that have been raised regarding this broad new grant of authority to the President for financing arms sales. First, I asked any member of the committee to inform the House of the justification submitted by the administration for this new authority, other than that provided in a three-parapraph memorandum found on page 189 of the committee hearings. Judging from the lack of response, I am forced to conclude that the administration was not asked for any additional justification.

All of us realize that from time to time there are matters involving national security which cannot properly be answered in public or during floor debate. Certainly, regarding the Export-Import Bank's involvement in more than $2 billion in arms credit sales, information concerning the identity of the purchasing countries as well as the equipment sold is of a classified nature. However, regarding the Pentagon request contained in section 524 for a broad new sales authority, there can be no past experience which justifies secrecy. In short, there is absolutely no reason why this Congress cannot be advised, in broad general terms of the manner in which this new authority is intended to be used.

Mr. Chairman, the Senate Foreign Relations Committee, and later the Senate itself, removed section 524 from the Foreign Assistance Act of 1967. Many Senators were greatly disturbed over its provisions in that the President could guarantee, with the full faith and credit of the United States, promissory notes issued by foreign governments to private arms suppliers for the sale of military equipment and services. Certainly this is a justifiable concern shared by many of us in the House.

A few weeks ago, Members from both parties objected strenuously to the commitment of military troop transports to the Congo, in that there was genuine concern that a modest initial commitment could later escalate into something beyond our control. Similarly, providing supersonic jet aircraft on liberal credit terms to unstable foreign governments with a history of border clashes with their neighbors could, to a considerable extent, commit the supplier. All this leaves aside the far more important question of arms credit sales to less developed countries which rely to a large extent on the United States for economic assistance. These and several other substantive questions have been raised in past weeks regarding arms sales.

What has disturbed me the most, however, is that there is ample evidence that neither the Congress nor the executive branch have exerted any real control over the extent of these arms sales. With regard to the role of Congress, certainly control must be lacking when in every instance knowledge of a sale by the appropriate committees does not occur until many months after delivery of the weapons.

Few in this Chamber will disagree with the statement that neither knowledge nor control can occur where the constitutional appropriations role of Congress is lacking.

Mr. GALLAGHER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the consequences of this amendment will be extremely far-reaching. What it does in effect is abolish the ability for us to extend credit for the purchase of defense equipment.

What it would do, is effectively emasculate the ability of the Department of Defense to participate in any credit sales, and repeal the authority guaranteeing credit extended by the Eximbank or others and effectively precludes credit sales of any kind.

Now, do we want to abolish the authority to make credit sales of military equipment and procurement? If so, this is the way to do it, because that procurement is purchased—90 percent of the purchases are handled by this means. To abolish the authority now present in the Foreign Assistance Act of 1961, as amended, in order for the Department of Defense to guarantee credit extended both by the Department and export and import and private sales, I think really what we want to consider is whether or not we want to sell defense equipment. There is just no other way that underdeveloped countries can purchase this equipment, if we do not extend the credit. There is no way for them to do it.

Furthermore, if we do this and if we adopt the amendment, what we will be doing is denying any kind of ability to repay. If we deny them credit, what we will have to end up doing is making grants to these countries so that they can pay for this equipment. If we remove the guarantee for this equipment, then we remove the guarantee that we allow the Department of Defense to exercise in these sales.

So. Mr. Chairman, I hope we will not adopt this amendment. This is not the kind of thing that we can do under the 5-minute rule, act upon something which has been in effect since 1961, a part of it.

Mr. Chairman, if we really want to do away with Department of Defense sales, this is the way to do it. And, if we do away with it, I believe what we have to do is to conclude that there is only one other big offerer of such sales and that is the Soviet Union. I dislike bringing this into the discussion, but many of our industries will be hurt by this action. We will emasculate the program. If we adopt the amendment what we will do is to deny underdeveloped countries the right to do business with the United States.

I might say also that 75 percent of these sales are carried on with developed countries located in areas of our own interest, NATO and other countries.

So I would hope we would not accept this amendment tonight.

Mr. **WIDNALL**. Mr. Chairman, will the gentleman yield?

Mr. **GALLAGHER**. I yield to the gentleman from New Jersey.

Mr. **WIDNALL**. There is nothing in this amendment that changes the existing law under which the U.S. Government has been able to finance the sale of billions of dollars worth of arms, and in order to sell arms for cash. This eliminates and proposes to change our law which takes out all congressional control over the sale of arms for credit. I think it is an extremely dangerous situation, one which can get us involved throughout the entire world to a far greater extent than we think.

Mr. **GALLAGHER**. I understand the gentleman's point. But the fact is that it goes far beyond that. If the gentleman wants to say that there are countries that can afford to pay cash for this equipment, then, of course, those sales will not be disturbed. But the gentleman's amendment is far reaching. I think certainly we would be ill advised to adopt it here tonight.

Mr. **TAFT**. Mr. Chairman, will the gentleman yield?

Mr. **GALLAGHER**. I yield to the gentleman from Ohio.

Mr. **TAFT**. I would like to call the attention of the gentleman in the well and the attention of the gentleman from New Jersey to the fact that while this section of the bill does not amend any other provision of prior sections of the bill that have already been passed, on page 26 there is language contained in section 503(a) relating to the present situation, and sections 503 (b), (c), (d), and (e) which would be repealed in their entirety. I think it points out the problem of amending a bill here on the floor of the House in this regard.

Mr. **CAHILL**. Mr. Chairman, I move to strike the requisite number of words.

Mr. **WIDNALL**. Mr. Chairman, will the gentleman yield?

Mr. **CAHILL**. I yield to my colleague from New Jersey.

Mr. **WIDNALL**. Mr. Chairman, I ask for this time in order to complete my presentation which was interrupted under the 5-minute rule.

Yesterday, I maintained that section 524 created a broad new authority by which the President would be authorized to use funds to finance sales of defense articles and defense services on such terms and conditions as he may determine. Section 524(a) contains language virtually unlimited in scope and far broader than any language in existing law governing arms credit sales. Under section 524(a) there is no limitation on the manner in which the President may finance such sales other than the requirement that the President my use funds available under this part.

Section 524(b)(3) again creates and specifies an entirely new avenue of approach to arms credit sales, in that private arm suppliers in this country may sell arms to foreign governments in exchange for promissory notes, which notes will later be guaranteed by the full faith and credit of the U.S. Government and presumably sold to private banks or the Export-Import Bank. With regard to this particular provision, yesterday I maintained that such guarantees by the President of these promissory notes would not necessitate any appropriations controls, in that there would be no requirement for maintaining a minimum 25-percent reserve in the Pentagon revolving fund. The authority for permitting the President to guarantee these promissory notes is contained in section 635(g) of part III of the Foreign Assistance Act of 1961, as amended. The requirement for maintaining a minimum 25-percent reserve fund, on the other hand, is contained in an entirely different part—part II—of the Foreign Assistance Act which states that a 25-percent minimum reserve shall be maintained against the contractual liability "related to any guarantee, insurance, coinsurance, and reinsurance issued pursuant to this part." In short, Mr. Chairman, the 25-percent minimum reserve fund applies only to guarantees issued by the President under the authorities contained in part II of the Foreign Assistance Act. The new section 524(b)(3), on the other hand, obtains its Presidential guarantee authority under an entirely different part—part III of the act—and therefore is clearly not subject to the 25-percent reserve fund.

This should be of crucial importance to members of the Committee because under this arrangement, hundreds of millions, if not billions, of dollars of arms credit sales could concur with little or no dependence upon the appropriations process. If we have had little or no knowledge and control over the Export-Import Bank's arms credit financing of more than $2 billion in arms sales where that program depended upon at least some authorizations and appropriations to the revolving fund, one can only conclude that we would have virtually no knowledge or control over arms credit sales requiring little or no appropriations under section 524.

Keep in mind that private arms suppliers in this country could give extremely liberal credit to foreign purchasers of arms by a willingness to accept 10-, 15-, or even 20-year promissory notes of repayment. With a 100-percent full faith and credit guarantee of repayment by the President, the private banking system, or the Export-Import Bank would have no hesitation in buying these notes from the Defense Department. The temptation for both buyer and seller to negotiate longer and easier credit terms for defense articles of questionable need would be inevitable. The arms salesmen in the Pentagon would have a heyday.

Few, if any of us would support an outright prohibition against arms credit sales. Many of us, however, are deeply concerned over the growing lack of control by the executive and legislative branches.

Mr. Chairman, I urge the House to support my amendment and remove from the pending bill section 524 in its entirety.

Mr. **CAHILL**. Mr. Chairman, I yield back the balance of my time.

Mr. **DAVIS** of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment, and in support of my position I would like to say this: that if you have a country, and if you have a flag, and if you have a government, you have to give that country the recognition, be it large or small, to which it is entitled, and that it is entitled to a defense establishment, and it is going to have it.

We inisted on having it since 1776. We have insisted on having it ever since. Over 50 percent of our tax dollar today goes toward a defense establishment and we cannot in proper recognition of human nature say to a smaller country "all right; we are going to spend 50 cents of our dollar on defense, but we are not going to let you spend a dime on your flag, on your president, and on your defense establishment." We cannot do that.

We cannot do that. If their credit is good we cannot say, you cannot spend a dime for your defense establishment where we use our own credit and our own national debt to defend ourselves or to build up our defense establishment.

May I say this, too. This goes back to a little experience I had in World War II when I went to Brazil. There I found that the infantry men were doing the goose step and they were parading around with Mausers on their shoulders. They kept doing it because they were receiving small arms and help from Nazi Germany. The thing that changed them was a P-40 with tiger's teeth painted on its nose and that took the loyalty of the average Brazilian away from Hitler and caused it to be transferred to the United States of America.

I would like to say this about military support for another country. If you sell arms or materiel or trucks or airlifts or aircraft to another country and your State Department or Defense Department decides it is not in the interest of your country to continue to support them—how long does it take you to cut them off? I would say a maximum of 20 days. How do you do it? You withdraw the spare parts and you withdraw your cadre of trained personnel and you thereby withhold from them the capabilities that you have given them through the sale of military aircraft, tanks, small arms, or what-have-you.

Next, I would like to say this, that you build up a rapport—a liaison with another country that develops an affection and a feeling of loyalty to the country that supplies arms under a military assistance program and we would forfeit that if we adopted the amendment offered by my good friend, the gentleman from New Jersey.

So, Mr. Chairman, I heartily, urgently and sincerely implore you to reject this amendment. I think it is not in the national interest and that it ought to be rejected.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman.

Mr. STAGGERS. Mr. Chairman, I agree with the statement made by the gentleman from Georgia.

Mr. Chairman, foreign aid today has become a sort of old woman's reticule into which we throw every project that does not plainly belong somewhere else. In consequence, there is no single item in it which does not arouse somebody's antagonism. It is impossible to consider foreign aid dispassionately as long as we consider it as a whole. Amendments as often as not complicate the measure, instead of clarifying or simplifying it. It would be helpful if we could take up each item separately, so that objection to one item would not carry over to another.

One item which in my opinion should be considered with extreme care is the authority of the Export-Import Bank to extend credit or credit guarantees in the sale of military items abroad. Here we have no "rat hole" to arouse public ire. It is important to the domestic interests of the United States that credit arrangements may be available to those foreign powers who may wish to buy our products. If the so-called revolving fund credit is phased out, as is proposed in some quarters, we are going to lose an appreciable part of our foreign sales.

This is no time to deliberately shut off some of our markets. Our industrial machinery is in high gear. We need the jobs which industry supplies, and the taxes which it will pay if it is in operation. Our foreign military trade, large or small as it may be, affects our total economic output in far greater ratio than its value as compared with the value of all products. Cut down sales of military products, and reduced wages will cut down sales of other products.

This is not a case in which foreign powers are trying to get something for nothing. They need arms to protect themselves from our enemies as well as their own. They mean to pay for what they get, and they will pay for it. Their credit should be good.

Further, if we do not sell what they need, they will acquire it somewhere else. Our adverse trade balance is draining our diminishing supply of gold at an alarming rate. To cut foreign trade would accelerate the loss.

The House, in my opinion, should resist the temptation to alter the original authorization bill by limiting the authority of the Export-Import Bank to extend credit to properly selected foreign customers for our military products.

Mr. DOW. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman.

Mr. DOW. Mr. Chairman, I think we should not let this moment pass by saying that there is a body of opinion which believes the whole armaments business and the whole matter of military aid overseas is a pretty shabby business. I think we know very well how badly we were humiliated by the difficulties between Pakistan and India, for we were supplying arms to both sides.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. DAVIS of Georgia. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. HALL. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. FINDLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the language indeed is broad. It permits the President to finance sales of defense articles on such terms and conditions as he may determine. This is a tremendously wide latitude of authority. I am sure no banking institution would permit credit arrangements with such a broad blank check to one of its officers.

The provision conveys a tremendous range of authority to the President, too much in my view. It is easily recognized that we should have some arrangement for credit sales to friendly foreign governments, but I wonder whether it is really wise for us to convey a blank check to the President, who, of course, would endorse it to the Secretary of Defense. This sort of credit activity should have the closest possible congressional scrutiny.

I recognize, as the gentleman from Ohio argued, that it is very difficult to perfect provisions like this on the House floor. But if the amendment offered by the gentleman from New Jersey is accepted, and I hope it will be, then the opportunity would be at hand for the Foreign Affairs Committee or the appropriate committee to consider this whole matter thoroughly and come forth with a bill that does provide for adequate congressional review.

General Eisenhower, in his celebrated farewell speech to the Nation, warned against the growing influence of the military-industrial complex. In my view, authority like this to make any kind of deal for any quantity of arms the Secretary of Defense might choose is wide open to abuse by this growing industrial-military complex. I do urge support for the gentleman's amendment.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Wisconsin.

Mr. REUSS. I commend the gentleman for his remarks and I support the Widnall amendment. Just when we get one sort of leakage on these credit sales partially closed, along comes some ingenious citizens from the Pentagon who think up another way of accentuating leakages. It is like the old jingle: Close the doors, they are coming in the windows; shut the windows, they are coming in the doors.

Actually, in the Export-Import Bank bill as passed earlier this week by the other body there are some very good controls inserted on these credit arms sales. It allows more than a billion dollars for credit arms sales to the developing countries, which is God's plenty, it seems to me. But unlike this provision, the Eximbank bill has some safeguards and some congressional controls. This provision is wide open, and I agree with the gentleman from Illinois that it should be stricken.

Mrs. KELLY. Mr. Chairman, I rise in opposition to the amendment. I do not rise in defense of each and every transaction of the DOD. But I believe that we ought to view the proposed amendment in a proper perspective.

To review the background of military sales, Mr. Chairman, I wish to say that section 524 as written in the bill has been in most part in the law for years—since as early as 1951.

At the present time, under the law, credit sales can take place as follows:

DOD can purchase weapons for a foreign government and extend credit to the foreign government, pay the U.S. manufacturer, and charge the full amount of the sale against the revolving fund.

The second method is this: DOD can provide credit for government-to-government or industry-to-government sales by paying the manufacturer directly, accepting promissory notes from the foreign government, guaranteeing the notes, and selling them to a private bank or the Export-Import Bank, charging the revolving fund with a 25 percent reserve against the guarantee.

Under the bill, Mr. Chairman, a third option would be open to DOD. This is the new provision:

> In some instances a foreign government may prefer to issue promissory notes to the manufacturer rather than to the U.S. Government.

The amendment would authorize DOD, in cases in which the sale is approved in advance by the U.S. Government, to take the promissory notes issued to the manufacturer, guarantee them, and sell them to a private bank or the Export-Import Bank. In all cases, 25 percent of the guarantee reserve would be charged to the military sales revolving fund.

This is not an open end authorization, Mr. Chairman. It does not circumvent the appropriation process. All military sales would continue to be limited by the amount of money authorized and appropriated for military assistance by Congress. Further, there is no way for DOD to get away from the 25 percent reserve on all guarantees issued. DOD has never issued any guarantees without such a 25 percent reserve. DOD has never intended to avoid the reserve requirement, and neither has our committee.

If that would make anyone happier, we can make that 25 percent reserve requirement explicitly applicable to section 524(b).

Mr. BROCK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wonder how long this Congress is going to continue to write legislation which says "the President may use funds available on such terms and conditions as he may determine."

Since when is it the prerogative of the President to determine the terms and conditions of arms sales to any foreign nation? Since when have we decided to abrogate our responsibilities to the American taxpayer and the American people as to policy on what is right and what is wrong? Did we not learn a lesson on the Export-Import Bank, when we found out that "country X" loans were going to both sides of every conflict in the last 5 years?

The political hypocrisy of that kind of action is obvious and apparent, and it should be shameful to everyone in this Chamber. How can we say, as the gentleman from Georgia did, that we buy loyalty by selling arms to these countries? Look at the record and see how much loyalty we bought. Disagreement, disappointment, and discord perhaps, but not loyalty. Look at how many friends we have obtained in the world in the last 6 years.

What do they think of us when they find out we have been sending arms, not only to them, but also to their enemies? How far can we go? Is it any wonder this Nation has reached its low point in international respect?

Mr. Chairman, I am distressed when I see people in this body justify an arms shipment to both sides under any condition. I am distressed when I hear talk of profits from arms sales. I am more distressed, though, when, by refusing to accept your constitutional responsibility, some would deny the integrity or the intelligence in this body to determine what is right or wrong and leave your decision up to the President.

I cannot understand anyone arguing against this amendment, after the revelations of the past 6 months, in regard to the Export-Import Bank with country X loans. The record is shameful.

What right do you have to let our foreign policy be involved in the arms race under any circumstances?

This is a new authority as it is written. I believe it should be stricken out. I support the genleman from New Jersey and I commend him for bringing it to the attention of the Members.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from New York.

Mr. WYDLER. I want to get one thing absolutely clear in regard to this amendment, so that we in the House will know exactly what we are doing. I have been told if we do not pass this amendment we are giving the President of the United States an authorization to spend any amount of money he sees fit any time in the future. Am I correct in that understanding?

Mr. BROCK. The way I read the language of the bill as it is written, I see no limitation whatsoever on his authority. I see no reason he could not turn this money over and over again on resale of guaranteed foreign promissory notes.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Iowa.

Mr. GROSS. It has been stated before, but I believe it ought to be repeated, under the terms of this provision, that the President can procure arms from any source—any source.

Mr. BROCK. That is correct, unless this amendment is adopted.

Mr. GROSS. And turn them over to any international organization. What international organizations? What are the sources from which these arms are to be acquired?

Mr. BROCK. If the gentleman will look at some of the loans we have made to so-called friendly nations before, he will be well advised to oppose any such unlimited authorization—to nations or international organizations.

Mr. GROSS. Are we at this late hour tonight going to pass a bill with this kind of a provision in it, without any understanding of what it means? I certainly support the amendment to strike out this provision.

Mr. BROCK. I have no intention of voting to pass the bill, and I thank the gentleman for supporting the amendment.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. I would like to respond to the last question by the gentleman from New York.

It is not correct that the President can authorize the sale of any amount to anybody at any time. The only thing that would be authorized are those country loans and that equipment which are programed in this book that this committee and this Congress will pass upon, in its wisdom, or not pass upon, whatever the case may be. It includes only the material that is in this book.

There is really nothing new, except the question of notes. This sales authority has been in existence for at least 10 years.

Mr. BROCK. May I say to the gentleman that this is new, additional authority in subsection (3). The language says:

> The President may use funds available under this part to finance sales of defense articles and defense services to any friendly foreign country or international organization on such terms and conditions as he may determine.

There is no restriction in that, absolutely. Show me where the authorization is, if the gentleman will.

Mr. GALLAGHER. I would like to. This has always been the authority. The only really new thing in here is page 34, line 3.

Mr. BROCK. Subsection (3)? That is what I am opposed to.

Mr. GALLAGHER. Yes.

Mr. BROCK. That is entirely new. It is the broadest part of the whole section. Its acceptance by this Committee would represent a complete abdication of responsibility.

Mr. GALLAGHER. This is new. Credit sales are not new. The authorization is not new.

Mr. BROCK. No; but the purchase and resale of foreign obligations is entirely new. That is the point. The amendment would deny such authority, and it should be passed.

Mr. SIKES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not question the sincerity or the motives of any person who is concerned over the practice of arms sales by the United States to friendly countries. I think it is sensible, however, that we look at the consequences. If we hamper the sale of weapons, and this amendment most assuredly will hamper the sale of weapons, we take away the capability of our friends to fight or we make them dependent upon our enemies for their weapons. Neither situation is desirable.

When we hamper sales of military equipment, we open the door for the Communists to intensify their plans for world domination. When we weaken our friends, we strengthen the Communists. When we refuse arms to our friends, we neutralize our friends, or we drive them into the Communist sphere of influence.

I have been disappointed, just as many of you have been, at the results we have obtained from the foreign aid program. I know that we have helped a great many people who have turned against us when it was their turn to help us. I know that we fight a lonely war in Vietnam, where there are very few who now stand by our side.

But when we talk about sales of weapons to our friends we are talking about an entirely different situation. Disappointment in one program should not disrupt the other.

Let us look at a very important example of the type of situation which could be anticipated under the language of this amendment. Recent discussions on America's role in providing weapons to other nations already has resulted in preventing a resupply of weapons to the best friend we have in the Middle East. It is obvious that Israel is all that stands in the way of Russian domination of the Middle East today. No matter who is to blame, or how it happened, most of the Arab countries are lined up with Russia and against us. Only Israel is firmly on our side. But because of talk on this very subject in the Congress, our Government has put a brake on the sale of American military equipment abroad and Israel is seriously, almost desperately, in need of aircraft and spares.

Oh, I know that Israel captured a billion dollars worth of ground equipment, but there are no wings on ground equipment. It cannot be made to fly. Israel set the stage to win that war very largely by superb use of airpower. Even though Israel's losses in aircraft were moderate, there have been no replacements. Much more serious is their inability to get spares, engines, and parts with which to retain firstline efficiency in the aircraft remaining in the inventory. France will no longer help Israel with supplies. De Gaulle is playing up to Russia. The failure of the United States to provide spares and aircraft leaves Israel with no reliable source.

By contrast, the Arab forces, whose equipment was heavily depleted by the effectiveness of the Israel strategy, are being resupplied rapidly by the Russians. The United Arab Republic has received more than 200 Migs, most of them more modern than the ones destroyed—more modern than the ones Israel has—and this represents substantially more than a 50-percent replacement of war losses.

Obviously, the Arabs know of this country's refusal to help Israel and this encourages Arab belligerency. Refusal on our part to help Israel is most untimely and it could produce highly undesirable results.

Just as control of the air was a vital part in the smashing success enjoyed by Israel forces, control of the air now continues to be vital in the volatile Mideastern situation. The threat of a renewed confrontation continues to hang over the area and the rapid buildup of Arab weapons and aircraft from Russia stocks adds tinder to a still-smoldering fire.

What is now being done to Israel is but a preview of what is to be anticipated in every instance when there are friends who need our help and want to buy military equipment. There is no longer a place for neutrals in the world. Just about everybody must be on one side or the other. Let us not drive them away by language, however well intentioned, which could only result in making it so difficult to help our friends that they would have to turn somewhere else. Emergencies must be met forthright.

Do you want to send Israel down the drain? Do you want to weaken and jeopardize the existence of other friends of the United States all over the world? This language will do just that. There are curbs on the program and Congress will exercise them. The amendment should be defeated.

Mr. COLLIER. Mr. Chairman, I move to strike the requisite number of words.

You know, Mr. Chairman, after listening to the previous speaker one would think that the only way any of these nations could secure arms would be through the means provided for in this bill, and nothing could be further from fact than that.

You know, we have had an experience of some years' dealing in this program. I do not know, after the experience we have had, how we can sit here tonight and say that the United States of America should become the sales representative, the broker and the banker, for the sale of arms all over the world, much of which will be shipped to nations that could not defend themselves for 24 hours against a mechanized battalion.

Mr. Chairman, if I ever saw blank-check authority granted to the President in any piece of legislation, it is here. I only regret that the gentleman's amendment does not go further and also embrace the next section of the bill, section 528, as it applies to leases, which again states that—

> The President may, subject to section 632(d), use funds available to carry out this part to acquire defense articles from any source and lease such defense articles, on such terms and conditions of payment as he may determine, to any friendly country or international organization.

I suppose that means France, among other countries.

Mr. Chairman, how can this Congress here this evening—and bear in mind the fact that this will be a revolving fund—grant any President this authority?

Mr. Chairman, the gentleman from Georgia who spoke earlier stated that every nation is entitled to maintain its pride and security by having arms. Is it the objective of the United States of America to be the broker and the banker for every small nation that wants arms?

If you will go back to the original intent and purpose of our getting into the armament phase of foreign assistance at all, you will find that the only purpose for this, the only justification was for mutual security.

Can any Member here this evening say that after 10 years this phase of the foreign aid program has been in our mutual security and that we were presumably——

Mr. BATTIN. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from Montana.

Mr. BATTIN. You know, it is quite interesting that not too many months ago this same committee made a request for funds and for a continuation of the life of the Arms Control and Disarmament Agency.

It is going to be rather interesting to find out what argument is used then to spend money to control arms versus what we are hearing today on this legislation, to spread arms all over the world.

Mr. COLLIER. The gentleman from Montana is exactly right. And, in light of the fact that we are getting into an area here that opens the door to continuing to arm small nations and make it easier for them to get weapons of destruction, I would like to ask the chairman of the committee when this matter was being considered whether or not the Arms Control and Disarmament Agency had anyone to appear and to testify for or against this provision of the bill and if not, why not?

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. This is not anything new in this bill. This has been contained in the bill for a long, long time.

Mr. COLLIER. This I understand. But there is an entirely new concept embodied in this legislation, and the gentleman from Pennsylvania knows it. Therefore, there is no point in our dealing in semantics.

Mr. MORGAN. This is not a new concept at all.

Mr. COLLIER. The new concept is with reference to the loan provision of the programs; it certainly is.

Mr. MORGAN. Country X programs are not new programs. They have been around since 1964.

Mr. COLLIER. As I understand the situation, we have had a pretty sad history with the program.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from Tennessee.

Mr. BROCK. What is new is subsection 3 which gives this blanket authority to take these notes from foreign countries and resell them and to do with them anything which the President wants to do, without any restrictions whatsoever? That is the brandnew blank-check authority contained in this legislation.

Mr. MORGAN. Mr. Chairman, will the gentleman yield further?

Mr. COLLIER. I yield further to the gentleman from Pennsylvania.

Mr. MORGAN. I feel that if the members of the gentleman's committee are interested in correcting this, they should have done so with reference to the bill that is now pending in the Rules Committee.

Mr. COLLIER. But certainly let not anyone leave the impression that the little nation of Israel, which took care of several Arab States in about 86 hours, is going to be left totally defenseless if this amendment is adopted, because everyone knows that this is just not so.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, at the time that the Committee on Banking and Currency considered the Export-Import Bank bill we had no information, absolutely no information before our committee, about the extent of the arms traffic through the Export-Import Bank. It was only after that bill went over to the Committee on Rules that that information became available to us.

Mr. DINGELL. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, it is indeed surprising to find this Congress so anxious to strip the President of the United States of one of the really important foreign tools that we can make available to him.

If my colleagues believe, Mr. Chairman, that we are going to prevent trafficking in arms by adoption of this very ill-advised amendment, they are simply mistaken.

I would point out to my colleagues that if they would turn back to page 27, they will see that the House has already approved the power of the President of the United States to give over half a billion dollars, $590 million worth of arms, to any country in the world that this Nation chooses to provide with arms.

I would point out further that under the contingency fund the President of the United States has, he can use this—and it is a very large sum—to make available arms to friendly nations around us. So we have two sources of arms that this Nation can use for its foreign policy, but in either event I would point out to my colleagues we must make those arms available as gifts under those two sections.

Let me point out something else: This amendment is drawn supposedly to attack the problem of the United States arming other countries around the world, but if my colleagues would refer to page 34, and look at section (Q), beginning at line 10 on that page, they will find that we can grant and engage in a new and fresh subterfuge, and that is to lease arms to countries around the world. If my colleagues will remember, in World War II we really armed the free world through the device of leasing. So this is not going to do very much, but what this is going to do is to say that if this Nation chooses, as an instrument of its foreign policy, to arm foreign countries, it may give them to them, or it may lease them to them.

Let us look at the situation around the world and try to see if this is really in the best interest of this country.

Before I comment in this direction, I would like to point out that I have been critical of the fact that American arms were on both sides of the India-Pakistani conflict.

Also I have been rather critical that they were on both sides of the Jordan, but I want to state to my colleagues that we did not make this world in which we live. We simply do the best we can as a free nation living in a very difficult time and in a very difficult world.

One of the most important instruments of foreign policy this Nation can use is to see to it that those friendly nations do achieve possession of arms in a manner which befits their circumstances, and which we believe protects the best interests of this Nation.

Let me tell you a little bit more. I think it is important that we should recognize that if this country does not engage in the sale or supply of arms to certain countries which feel their national defense requires they should have new and sophisticated arms, they are going to go to other countries for those supplies and weapons.

I would also point out many nations are doing this right now; they are going to Russia. Russia is a big arms supplier in this world. Russia generally ties those arms sales which they make to long-term economic situations which ofttimes bankrupt or literally turn the recipient nation into a thrall or fiefdom of the Soviet Union.

The Chinese do the same thing.

The French are engaged in arms sales.

Britain makes arms sales.

There are any number of other countries around the world that engage in this kind of activity.

This amendment may look good. It might look like you are for peace—and that may well be. And if you believe that by adopting it you will appear to be for peace—but, my friends, I say to you it may well not be a peace of free men but a peace of slaves and of the dead.

What I want to see is a foreign aid bill that gives the President the authority to take steps that are necessary to guarantee and assure the freedom and the security of this Nation.

By depriving the President of the ability to make wise judgments and to take actions that are necessary to assure the freedom of this Nation, you strike a bad blow at that freedom and at that security and at that judgment that we hope the President will have.

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

Mr. MORGAN. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. CELLER. I yield to the gentleman.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. Celler] is recognized.

Mr. CELLER. Mr. Chairman, I am one of those who feel that Israel because of her recent sad and tragic experience and because she is faced with a dearth of arms and the inability of nations that are friendly to us to supply her, should have arms. I fear me that this amendment would militate against our desire to supply Israel properly with arms.

Mr. Chairman, it would be tragic indeed if Israel could not forfend against her Arab neighbors who are bent upon plunging her into the sea.

Israel has no natural resources. But Israel has wondrous spiritual resources—she has perseverance, prescience, intrepidity, wisdom, audacity. With those spiritual resources she was able to overcome the dreadful odds that she found against her—and she won out. Unfortunately, those who have been vanquished boast that they are the victors and they are itching for another round.

Recently Israel has had great difficulty in getting supplies of arms. She lost a great deal of her arms in the recent conflict. Indeed, her losses were far from inconsequential. At this moment it would be highly dangerous for Israel to face the hazard of any war because of the dearth of airplanes and missiles that she desperately needs now.

France, as a result of De Gaulle sulking in his tent, brooding and with ridiculous self-pity—egomaniac that he is—refuses to continue to sell arms to Israel. Great Britain is the only nation at this moment that is willing to sell arms to Israel. And Great Britain because of her economic difficulties may not be able to continue to sell arms to Israel. I hope her economic conditions are daily growing better. Then she shall be better able to help little Israel.

Israel cannot buy arms from Russia.

Israel cannot buy arms from Soviet satellite nations.

Where is she going to buy the arms she needs if she cannot buy them from the United States?

Mr. Chairman, the flame of democracy burns brightly in Israel and wherever that flame of democracy burns, we must nurture it—and we can only nurture that flame of democracy by feeding Israel the proper armament so that she may properly defend herself and keep that flame of democracy burning brightly. The enemies of Israel are our enemies. Her detractors are our detractors. We must keep this little nation that has won the respect of the Western World—aid the nation that accomplished so much with so little.

It is true, as the gentleman from Florida explained, that Israel has had difficulty in the past few months obtaining even spare parts—parts from the United States, such as radar equipment and various parts for airplanes and tanks and so on. She has been sorely put to it. She wanted to buy those parts with cash on the barrelhead. And yet because of some intransigence or myopia of certain folk in the State Department, she could not buy those spare parts. That is a strange situation, my good friends.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. WYDLER. I just want to be clear in my mind as to what this section says. The past performance of this administration is to give aid to the Arab nations and deny it to Israel. I find nothing to indicate Israel is to get aid under the section, but it is clear Arab nations will get such further aid. Does this section limit the sale or give this power to the President only to sell arms to Israel?

Mr. CELLER. I believe the effect will be to make it more difficult for arms to be secured on credit by Israel, and that is why I rise in my place today to protest, and I hope that the amendment will be defeated.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Those of us who remember back in the 1950's will remember that some of us had the same situation arising in respect to Israel and the Middle East. If there had not been the opportunity for Israel to buy that equipment at that time—and some of us on this floor whom I see on both sides of the aisle were those who went down to the State Department and who talked to the White House and pointed out the danger of this very provision that has been in here since——

Mr. CELLER. I do not want that danger to arise or occur again. Therefore we should take no chances with an amendment of this sort. I hope, therefore, the amendment will fail.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Dow].

Mr. DOW. Mr. Chairman, I just want to finish the thought I was expressing when I was so rudely interrupted. I am speaking in support of the amendment. This has no relation to any particular nation, I would like to assure the previous speaker, the distinguished chairman from New York, I am sure under present arrangements the State of Israel can secure the arms they need under the grant program or under any other program. This particular amendment relates not to a country but to a method. I do not favor a new method of providing military assistance. It lends to the increase, to the fattening, of the great industrial-defense complex in this country.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I rise in support of the amendment. I am well aware of the fact, as are the other Members of the House, that Israel went to France to purchase airplanes. In a way I am glad that they were compelled to go to France, because I would hate to think that it was an American plane, supplied with American ammunition, that bombed and strafed the *Liberty*, killing and wounding more than 100 members of her crew. And I would hate to think that it was America that supplied the torpedo which damaged the ship and killed so many men.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Bingham].

Mr. BINGHAM. Mr. Chairman, I yield to no one in my concern for the State of Israel, but I do feel that under existing law, which would not be affected by the amendment there are plenty of ways for us to supply Israel with all necessary arms. May I call the Members' attention to the ample provisions for the sale of arms, for the procurement for sale, for sales from stock, for sales on credit, and for guarantees, that are set forth right here in the report of the Committee, under the Ramseyer rule, at pages 83, 84, and 85.

The elimination of the proposed section 524 would only be eliminating a new authority. I am sure in the existing law there is plenty of room for us to make available what we need to make available.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I support the amendment to eliminate the proposed section 524 which provides new and additional authority for credit arms sales. Let us take stock of the facts. The United States has become a major arms supplier to the underdeveloped world, which can ill afford to divert scarce resources to armaments. There is the spectacle of the United States arming both sides in the India-Pakistan conflict.

From 1962 to 1966 arms sales totaled $11.1 billion.

It is fallacious to assert that denial of this blank check authority would prevent the President from doing everything that is necessary to support the gallant State of Israel and other nations where we have commitments and a vital interest.

There is ample authority under section 507 of the Foreign Assistance Act, which authorizes the sale of defense articles or services to any friendly country or international organization on credit; under section 508, which provides for the reuse of the receipts of arms sales solely for the purpose of "financing sales and guarantees;" and under other provisions, both in present law and in new language in the bill before us, for guarantees, exchanges, and leases.

Mr. Chairman, there should be a reexamination of the arms sales policy. Certainly a policy, which trained the troops and supplied the weapons used by Jordan against Israel in the recent Arab-Israel war, is self-defeating.

The fact is that the United States has been a major source of sophisticated weapons and aircraft for the Arab nations which are determined to destroy Israel. Has this contributed to peace in the Middle East or has it increased tensions?

Despite Jordan's most recent aggression against Israel, Jordan airmen and other military personnel are still being trained in the United States, and—unless the amendment which we adopted earlier tonight is implemented—present plans are to continue training Jordan military personnel during fiscal year 1968, as well as other Arab military personnel. Moreover, there is every indication that the administration may provide more armaments to Jordan. This would only inflame tensions in the Middle East and reward an aggressor, further endangering Israel.

I hope that those who are being stampeded by emotional argument will pause long enough to ask whether the new blank check authority may be used to arm Israel's eternal enemies.

Mr. Chairman, it is time to curtail the role of the Pentagon as broker in arms sales.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Chairman, I rise to clarify much of the smoke that has developed.

First, all this amendment would do would be curtail sales. It would not interfere with aid, or any other method by which nations get arms from us.

Second, the facts of the case are that the Pentagon and the administration have been very judicious in supplying arms. Despite any political differences with the President, I respect his desire to achieve world peace. I respect the desire of the leaders in the Pentagon to achieve world peace. I do not think they are misusing any authority under the sales program.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Chairman, in view of the outstanding leadership qualities the chairman has exhibited before, I yield to the distinguished chairman of the Armed Services Committee.

Mr. RIVERS. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I worry about this amendment for this reason. The other day word came to me that two South American countries wanted to buy some F-5 airplanes. I wrote to DOD. They said that they were not able to buy F-5's, and they should buy wheat. So they went on and bought the wheat, and then they made a long-term agreement with France to buy the Mystere fighter, and we lost the sales and the spare parts and technical assistance. The same thing happened with India. We said, buy wheat, and then they had a long-term agreement with Russia to buy Mig-21's. This amendment would prevent our great aerospace industries from selling our production all over the world. The image of America will continue to disappear—all over the world. I worry about it. I cannot support this agreement.

The CHAIRMAN. The Chair recognizes the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, I congratulate the gentleman from New Jersey for bringing this amendment to the floor tonight so that the Members of the House will have an opportunity to express their concern in a meaningful way over some of the disclosures that have recently been made about the sale of arms.

Mr. Chairman, I am in support of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, the first thing the amendment does is strike out the whole section, not just the new authority, but the authority that has existed in the law with respect to credit sales for some 15 years.

The statement has been made that this program is without limitation. That is not correct. There is a limitation to credit sales reflected in the authorization contained in this bill, not only in the $590 million set aside for military assistance, but also within the program itself, which is confined to $120 million for this year.

We can object to the new authority for credit sales, but to talk about arms races and arms sales—this amendment does not get to it. All it does is tie Uncle Sam's hands behind his back in the struggle going on in the world today.

Let me review some facts regarding the credit sales program:

To begin, the authority for credit sales, as opposed to cash sales on the one hand and grant aid on the other, is required for the following reasons:

First, to facilitate carrying out the policy of the President and of the Congress to achieve a transition from grant to sales as quickly as possible for as many countries as economic and political conditions permit;

Second, to permit the filling of valid military requirements in countries that can basically afford to pay but do not have funds immediately available to pay cash on the barrelhead—for example, Iran, who expects to have oil income in the early seventies.

Third, to make credit available to countries to whom sale is consistent with U.S. foreign policy interests but for whom political risk precludes the availability of credit from the private banking community at acceptable rates of interest;

Fourth, to permit sale to countries for whom the only viable alternative is purchase from the Communist world; and,

Fifth, to permit a broader range of flexibility in the U.S. response to the many variables of: military threat, defense capability, type of equipment required, alternative sources, ability to pay, and last the risks incurred by the United States if it sells or does not sell. These considerations all are taken into account in determining the U.S. response to a purchase request.

In brief, the credit sale of military equipment is an essential element of the execution of U.S. foreign policy. Without adequate authority and funding for credit sales, the United States would be precluded from influencing the amount, type, and delivery timing of military equipment acquisition by many countries where the United States has important foreign policy interests.

Now the gentleman from New Jersey has charged that the language in the bill found on page 34, lines 3 to 9, which is the proposed new section 524(b)(3) of the Foreign Assistance Act, would authorize unlimited arms sales, totally devoid of any congressional control, in such a manner that would completely preclude any need for appropriations. He has also alleged that the Pentagon misleadingly described this requested authority as a "technical amendment" on page 189 of the committee hearings.

The gentleman's charges are without foundation, and are apparently based on a misunderstanding as to the operations of the credit sales program. I call the gentleman's attention to page 49 of the committee report which accurately states and without qualification that—

> The enactment of this subsection would not have the effect of increasing the funds available for financing credit sales or the total volume of sales which could legally be financed by such funds.

First let me deal with the charge that this amendment has been deviously described as a technimal amendment. Contrary to what the gentleman from New Jersey has stated, the Pentagon memo at page 187–189 of the hearings expressly points out that this proposed amendment is one of five substantive changes. Similarly, the committee report on pages 44 and 49 calls attention to this amendment as a substantive change.

Turning then to the charge that this amendment is so broad that appropriations would not be needed, I hope that the following explanation of the way in which credit sales are made will be enlightening.

Under existing statutory authority of many years standing, credit sales are consumated by two methods.

The first method, which is authorized by section 524(b)(1), concerns government-to-government transactions. For example, assume that Israel wished to buy from DOD $10 million worth of tanks manufactured by Chrysler. Under this first method, Israel would sign a credit sales agreement with DOD agreeing to pay for these tanks over a number of years and issue promissory notes to DOD as security. DOD would use $10 million in the credit sales revolving fund to buy these tanks from Chrysler. Depending on the nature of the credit terms, DOD would either hold these promissory notes or sell them under section 635(g) to a commercial bank or to the Export-Import Bank. If DOD sold the notes, it would issue a guarantee under section 525 and obligate $2½ million as a reserve against the contingent liability of $10 million. Accordingly, the net cost to the revolving fund of this transaction if DOD sold the notes would be $2½ million or $10 million if the notes were not sold.

The second method, which is authorized by section 524(b)(2) and is simply a recodification of section 632(e), involves Government-to-industry agreements as well as government-to-government agreements. To take the hypothetical Israel purchase I just mentioned, Israel would sign a contract directly with Chrysler for $10 million worth of tanks. DOD would sign a credit agreement with Israel, pursuant to which DOD would pay directly to Chrysler vouchers submitted by Chrysler to Israel and forwarded by Israel to DOD with a certification that payment was due. As would be the case in the government-to-government type of transaction, Israel would give promissory notes to DOD as security for the installment payments owed. DOD would either hold the promissory notes and therefore incur the full charge of $10 million to its revolving fund or sell the promissory notes under section 635(g) to private banks or to the Export-Import Bank with a guarantee under section 525. If the notes were sold pursuant to a guarantee the net cost to the revolving fund would be the same $2½ million as in the first example cited.

The proposed new authority would merely be an optional means of accomplishing the same result. Using this same hypothetical transaction with Israel for purposes of illustration, let us assume that Israel because of its own internal legal, economic, or political considerations either is unable to issue promissory notes payable to the U.S. Government or would prefer to issue such notes to private industry. In that event, under the proposed amendment Israel would sign a contract directly with Chrysler, as in the second example, for $10 million worth of tanks. Instead of being a cash contract, however, the contract would be on credit terms and Israel would issue its promissory notes to Chrysler. If the U.S. Government had previously approved the transaction and agreed to finance it, DOD would sign a note purchase agreement with Chrysler to acquire the $10 million worth of promissory notes. Again, as in the earlier examples, depending on the credit terms, DOD would either hold these notes and thereby incur a charge to its revolving fund of $10 million or would sell the notes under section 635(g) to a private bank or to the Export-Import Bank with a DOD guarantee under section 525. Again as in the earlier examples, the net cost to the revolving fund if DOD sold the notes would be $2½ million.

As I have demonstrated, no matter which means is utilized to consummate these credit transactions, whether it be the two existing statutory authorities or the proposed amendment, the cost to DOD funds is exactly the same. Further, if the country were a Latin American country, the full $10 million would be charged to the Latin American ceiling whichever credit alternative is followed. In no way, therefore, would this new authority have the effect of increasing the total dollar value of sales which could be accomplished.

Parenthetically, I should add that this proposed amendment has absolutely nothing to do with Interarmco and was not proposed by the executive branch in order to enable it to finance Interarmco sales. DOD has never financed Interarmco sales and has no intention of doing so. Indeed, if it had wanted to do so, it could have been done so many years ago under the two existing statutory authorities I have previously described.

Finally, I wish to emphasize once again that, as pointed out by the chairman of the Committee on Foreign Affairs, the proposed credit sales program is fully described in the annual presentation books which have always been available for examination by all Members of Congress. Whether credit sales are consummated under the two existing authorities or under the proposed new authority the level of such activity has not been, and we are assured will not be, concealed from the Congress.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. MORGAN], to close the debate.

Mr. MORGAN. Mr. Chairman, I rise in opposition to the amendment. This authority to sell arms under the Export-Import Bank has been around since 1964. It is not new at all. We are not trying to legislate for the Export-Import Bank. I am sure they are a good financial and banking institution. This amendment, if adopted, I think would be very bad not only for our own security, but for our friendly countries around the world.

We who have been in this business of military assistance for many years know that in the 1950's we had a military assistance program of $3 or $4 billion. It was a grant program then. We have worked it around so that we sell $2 for each dollar we provide in grants; still we are criticized for it. Now we are selling arms after a determination by the President that such sale will strengthen the security of the United States and promote world peace.

I oppose the amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. WIDNALL and Mr. GALLAGHER.

The Committee divided, and the tellers reported that there were—ayes 160, noes 120.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. LONG OF MARYLAND

Mr. LONG of Maryland. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. LONG of Maryland: On page 27, line 12, immediately before the quotation marks insert the following: "Notwithstanding any other provision of this Act, each proposed sales agreement for cash or credit, each proposed barter, exchange, guaranty, loan, or lease program, each proposed grant program of military equipment, and each proposed training program, for any country, shall (except in the case of assistance provided under and in accordance with section 506(a)) be approved in specific dollar amounts by law prior to the extension of such assistance to such country under this part."

Mr. LONG of Maryland. Mr. Chairman, the purpose of this amendment is not to stop the military assistance program, but merely to put it under a closer control and scrutiny of the Congress. It undertakes to provide the same kind of congressional control over military sales and aid to other countries as is exercised now for military construction and other items of our own budget in the Armed Forces of the United States.

The present military aid is justified to Congress only upon an illustrative basis. After obtaining congressional approval of the entire military aid program, the Department of Defense can then give entirely different amounts to entirely different countries.

Under the terms of my amendment, the gift, loan or sale of military aid will have to be justified upon a line item basis; as, for example, in the 1967 military construction bill. Listed there, for example, are each building, each installation—for example the naval station at Annapolis, Md., operations facilities, $5 million.

This line item would then state the

maximum aid that could be given that country in that year. And any reduction from that maximum could not be diverted to other countries, but would revert to the Treasury of the United States.

Mr. Chairman, I might point out that last year the Department of Defense departed from the illustrative justifications that they gave the committee in over 20 instances. It gave money to one country that they had not even listed at all.

Mr. Chairman, our military aid program has been a great mistake in many ways. It has had the effect in the past of promoting arms rivalries such as exist in Latin America, the Middle East; of financing wars, such as between India and Pakistan; of equipping the military overthrow of constitutional governments, such as in Greece and Argentina; and of diverting funds from economic betterment of poor peoples as in nearly all of the underdeveloped countries.

For example, in Latin America, between 1961 and 1966, our aid amounted to an annual average of $1.1 billion a year. The military budget for the Latin American countries for each year was $1.5 billion. So they spent the equivalent of everything we put into aid—and then some—on the military budget.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. LONG of Maryland. I yield to the gentleman from Connecticut.

Mr. MONAGAN. If I understand this amendment it provides that every credit, every barter, every exchange and loan or lease, grant of military equipment, has to be approved by a joint resolution of the Congress of the United States; is that correct?

Mr. LONG of Maryland. Well, I changed the language somewhat, but it would have to be approved by the Congress.

Mr. MONAGAN. If the gentleman will yield further, then it has to be passed upon by the Congress?

Mr. LONG of Maryland. It has to be passed upon in the same way that we do now for our own military construction.

Mr. MONAGAN. In other words, if we wanted to provide an item of equipment to Israel, or whatever country it might be, you would have to have an act of the Congress, or such item would have had to have been previously included in a submission to the Congress?

Mr. LONG of Maryland. It would have to be previously justified and included in the bill; that is right.

Now, there will be objections to this. One objection will be made that this will be an awful lot of work for the committees. I do not believe it is any more difficult to assemble all of the justifications in this case than any other. They still undertake to justify this to the committee, but the point is that they are not held to the justification, and I want to hold them to it in this bill.

The committees might have to work harder, but I think if Congress is going to assert its powers and keep them from draining away to the Executive, it has to be willing to put in the necessary work to do it.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 6 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. LONG of Maryland. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. MORGAN. Mr. Chairman, I move that all debate on this amendment close in 10 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. Gallagher].

Mr. GALLAGHER. Mr. Chairman, the question is not of supply of arms; the question is that hopefully the demand will cease, but until such time as that occurs, the amendment offered by Mr. Long is not the solution.

Mr. Chairman, I have great admiration for the gentleman from Maryland, but I would like to synopsize the problems created by the amendment.

The Long amendment would require each transaction of sale, grant, lease, and so forth, to be the subject of a joint resolution of the Congress. The Department of Defense executes about 200 such transactions a month—each of them requiring a DD Form 1513 which includes all the provisions of a formal Government-to-Government agreement.

The effect of Mr. Long's amendment would require the whole process of presidential proposal of a joint resolution and action by both Houses of the Congress thereafter for each of the Department of Defense transactions, including the sale of a carburetor to the United Kingdom. It is clear that Mr. Long would leave the executive branch and the Congress time for no other business, and would bring the program of grant and sales in effect to a complete halt.

The amendment should be voted down.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Bingham].

Mr. BINGHAM. Mr. Chairman, I supported the amendment of the gentleman from New Jersey [Mr. Widnall]. I rise at this time simply to say that I believe this is a very different proposition. I believe it would tie up the administration much too tightly, for example, by limiting any possibility of classified transactions.

I believe there are times when there have to be classified transactions in this area. It would also limit the possibility of action between sessions.

I believe this would be a grievous and unwarranted restriction on the flexibility needed by the administration.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. Rumsfeld].

Mr. RUMSFELD. Mr. Chairman, I want the Record to be very clear here as to the way this debate is being conducted. It is 11:15 p.m. The gentleman from Maryland offered his amendment. Immediately at the conclusion of his 5-minute discussion on his amendment the majority party, his party, moved to limit debate to 10 additional minutes, and thus shut off debate.

Mr. Chairman, this is an important piece of legislation. It seems to me it is worth being debated and discussed. If the leadership in the House cannot have enough foresight to schedule the Congress of the United States so that we can deal responsibly with each amendment that is offered, then I believe we are doing a serious disservice to the people of this country, and the taxpayers.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. Monagan].

Mr. MONAGAN. Mr. Chairman, my objection to this amendment is that it puts the Congress in the day-to-day business of running the details of the defense program. We are not set up to do that. We should not do it. This provision would take away from the administration of this program the flexibility which it needs to make it effective.

In addition, if a case arose where it was necessary in an emergency to provide equipment quickly, under this provision you would have to wait for a joint act of the Congress or have previously passed a specific provision in the law by a joint action.

We do not want to tie the hands of the Executive in this way in these dangerous and difficult times.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Edwards].

Mr. EDWARDS of California. Mr. Chairman, I rise in favor of the amendment and yield to the gentleman from Maryland [Mr. Long].

Mr. LONG of Maryland. Mr. Chairman, I want to point out that this does not tie up the day-to-day operations of the Department of Defense or of the Executive any more than does the present system of justifying and passing, on a line item basis, our own national defense budget.

I might have pointed out also that I have provided in my amendment for emergency situations.

In cases of assistance provided under and in accordance with section 506, and under the terms of that the President may, if he determines it to be vital to the security of the United States, order defense articles from the stocks of the Department of Defense and defense services for the purposes of part II, subject to subsequent reimbursement therefor from subsequent appropriations available for military assistance. The value of such orders under this subsection in the fiscal year 1967 shall not exceed $300,000,000. Prompt notice of action taken under this subsection shall be given to the Committees on Foreign Relations, Appropriations, and Armed Services of the Senate and the Speaker of the House of Representatives.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. Dingell].

Mr. DINGELL. Mr. Chairman, I would point out that this amendment, although I suspect it has been offered in the best of good faith, is mischievous in the extreme.

I would point out that it strikes a body blow at the one thing which is the requirement of a good and intelligent foreign policy and that is the ability to react quickly, promptly, and immediately to the dangerous and hazardous situations.

The effect of this amendment is going to be to boggle up the Defense Department with redtape literally up to its ears.

The ability of this Nation to act promptly—the ability of this Nation to provide arms quickly—the ability of this Nation to support our friends immediately in times of crisis and urgency will be seriously hampered and curtailed.

Mr. Chairman, this is a bad amendment and should be summarily defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Chairman, in addition to restricting the flexibility of the President to the point that it would almost handcuff him, I think this amendment has one additional serious defect.

Under this amendment, in order for our country to assist by these means a small, independent nation which might be attacked or threatened with attack, we would have to know in advance that it was going to be threatened with attack.

I do not believe, looking back over the last 10 years, that any of us can assume that prescience or foreknowledge that would permit us to make that kind of judgment in advance.

Mr. Chairman, the President has to have some kind of flexibility to act in situations of this kind and, therefore, I urge that we vote down this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, the Widnall amendment put one of Uncle Sam's arms behind his back. This amendment would put both of Uncle Sam's arms and one leg behind his back. Because obviously what you are doing by this would be to require that every transaction be authorized by the Congress and you would be telling your opposition exactly everything you are doing in every country. If that is your objective, then this is the way to do it.

So far as embarrassing the administration is concerned, I do not think anyone stands to be embarrassed because the net effect of this proposal would be to force the Department of Defense and the President to take everything out of existing Department of Defense stocks.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in strong opposition to this amendment.

This amendment would put a very unwise, unnecessary and dangerous straitjacket on the executive, and impose an additional burdensome responsibility on the Congress that would not be at all helpful.

In view of the fact that, by striking section 524 from the bill, we have stripped the President of his ability to make credit sales, I suppose it would not be surprising if we should approve this further restriction on our ability to maintain a reasonable foreign aid program. However, Mr. Chairman, I do hope that this particular amendment is rejected.

Mr. MORGAN. Mr. Chairman, I rise in opposition to the amendment. The Long amendment would require the approval by Congress of each sale of every kind to every country. This would keep Congress in practically continuous session. If you think you are working late tonight, pass the Long amendment and you will work late every night.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland.

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

On page 35, line 1:

"PART III

"CHAPTER 1—GENERAL PROVISIONS

"SEC. 301. Chapter 1 of part III of the Foreign Assistance Act of 1961, as amended, which relates to general provisions, is amended as follows:

"(a) Section 601(c)(3), which relates to an International Private Investment Advisory Council on Foreign Aid, is amended by striking out '5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2)' and substituting '5703 of title 5 of the United States Code'.

"(b) Section 608(a), which relates to acquisition and use of excess property, is amended by inserting immediately before the first sentence the following: 'It is the sense of the Congress that in furnishing assistance under part I excess personal property shall be utilized wherever practicable in lieu of the procurement of new items for United States-assisted projects and programs.'

"(c) Section 610(b), which relates to transfers between accounts, is amended (1) by striking out '510' and substituting '506', and (2) by striking out '$5,000,000' and substituting '$11,000,000'.

"(d) Section 612, which relates to the use of foreign currencies, is amended by adding at end thereof the following new subsection:

"'(d) Notwithstanding section 1415 of the Supplemental Appropriation Act, 1953, excess foreign currencies, as defined in subsection (b) may be made available, in addition to funds otherwise available, to encourage the establishment, improvement, or expansion of private enterprises in friendly less developed countries. Priority shall be given to enterprises designed to promote, increase, or improve food production, processing, distribution, storing, and marketing. The President may make loans or guaranties with such currencies on such terms and conditions as he may deem appropriate in the circumstances. To the maximum extent practicable in making such loans or guaranties, the President shall utilize the services of private financing institutions, including intermediate credit institutions which finance private business activity even though there may be a governmental interest in such institutions. No agreement or proposal to use any foreign currency under this subsection shall be entered into or carried out until the expiration of thirty days following the date on which such agreement or proposal is transmitted by the President to the Senate Foreign Relations Committee and to the Speaker of the House of Representatives.'

"(e) Section 614(a), which relates to special authorities, is amended by striking out '510' and substituting '506'.

"(f) Section 620, which relates to prohibitions against furnishing assistance, is amended as follows:

"(1) Subsection (f) is amended by inserting 'and no defense articles or defense services shall be provided,' immediately before 'to any Communist country'.

"(2) Subsection (j) is amended to read as follows:

"'(j) The President shall consider terminating assistance under this or any other Act to any country which permits, or fails to take adequate measures to prevent, the damage or destruction by mob action of United States property within such country, and fails to take appropriate measures to prevent a recurrence thereof and to provide adequate compensation for such damage or destruction.'

"(3) Subsection (k) is amended by striking out '510' and substituting '506'.

"(4) Subsection (n) is amended to read as follows:

"'(n) No loans, credits, guaranties, or grants or other assistance shall be furnished under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which sells or furnishes to North Vietnam, or which permits ships or aircraft under its registry to transport to or from North Vietnam, any equipment, materials, or commodities, so long as North Vietnam is governed by a Communist regime.'"

Mr. MORGAN (interrupting the reading). Mr. Chairman, I ask unanimous consent that the portion of the bill starting on page 35, line 1, to the bottom of page 37, be considered as read and printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? The Chair hears none, and it is so ordered.

Mr. ROONEY of New York. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ROONEY of New York. Mr. Chairman, I make a point of order against the language on page 36, beginning on line 3 and running through line 23, on the grounds that it makes an appropriation and is therefore in violation of paragraph 4 of rule XXI which reads as follows:

> No bill or joint resolution carrying appropriations shall be reported by any committee not having jurisdiction to report appropriations, nor shall an amendment proposing an appropriation be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A question of order on an appropriation in any such bill, joint resolution, or amendment thereto may be raised at any time.

The language in this paragraph permits excess foreign currencies to be made available without going through the budgetary process as now required by law. The present requirement is contained in section 1415 of Public Law 547 of the 82d Congress, which reads as follows:

> SEC. 1415. Foreign credits owed to or owned by the United States Treasury will not be available for expenditure by agencies of the United States after June 30, 1953, except as may be provided for annually in appropriation Acts and provisions for the utilization of such credits for purposes authorized by law are hereby authorized to be included in general appropriation Acts.

The language in the bill in line 5 provides that foreign currencies "may be made available." This language would clearly permit the use of foreign currencies without further budgetary action and I respectfully request that the Chair sustain my point of order.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. MORGAN. Mr. Chairman, I wish the gentleman from Illinois [Mr. FINDLEY] if he is present, to be heard on the point of order.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. FINDLEY. Mr. Chairman, the amendment contains the same authority as was provided in the Public Law 480 extension bill of last year. Under that act the chairman of the Agriculture Committee consulted with the chairman of the Appropriations Committee, and there was agreement which apparently was satisfactory with both committees. But the point of order I believe is well taken that this does constitute legislation on an appropriation bill. I was hopeful, because of the pleasant arrangement that had been made on the Public Law 480 matter, the same arrangement might prevail.

Mr. ROONEY of New York. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from New York.

Mr. ROONEY of New York. I would like respectfully to say to the gentleman that this is not legislation on an appropriation bill. This is appropriation on a legislative bill.

Mr. FINDLEY. I thank the gentleman for the clarification.

Mr. MORGAN. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is conceded. The Chair sustains the point of order.

AMENDMENT OFFERED BY MR. MONAGAN

Mr. MONAGAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MONAGAN: On page 35, immediately after line 21, insert the following:

"(d) Section 611, which relates to completion of plans and cost estimates, is amended by adding to the end thereof the following new subsection:

"'(e) In addition to any other requirements of this section, no assistance authorized under title I, II, and VI of chapter 2 and chapter 4 of part I of this Act shall be furnished with respect to any capital assistance project estimated to cost in excess of $1 million until the head of the agency primarily responsible for administering part I of the Act has received and taken into consideration—

"'(1) a report on the review of the proposed capital assistance project, conducted by controller of such agency with such assistance from other divisions of such agency as he may request, which shall set forth his views, comments and such recommendations as he may deem appropriate with respect to the adequacy of the justification, feasibility studies and prospect for effective utilization of such projects; and

"'(2) a certification from the principal officer of such agency in the country in which the project is located as to the capability of the country (both financial and human resources) to effectively maintain and utilize the project taking into account among other things the maintenance and utilization of projects in such country previously financed or assisted by the United States.'"

And redesignate the following subsections accordingly.

Mr. MONAGAN. Mr. Chairman, I submit this amendment on behalf of the gentleman from California [Mr. MOSS], who was compelled to leave. I serve not only as a member of the Committee on Foreign Affairs, but also as a member of Mr. Moss' subcommittee of the House Committee on Government Operations, and, therefore, I am happy to perform this service.

Mr. Chairman, this is a very simple amendment. It is designed to correct an obvious deficiency in the capital assistance program of the Agency for International Development.

The record of the Agency for International Development is replete with poorly planned and managed capital assistance projects. This is evidenced by the number of congressional reports, GAO reports and even the Agency's own audit reports issued year after year. They continually disclose numerous instances of poorly planned and managed projects.

In spite of section 611 of the Foreign Assistance Act which was enacted to prevent such happenings, millions of dollars have gone to finance projects of this sort. Obviously, an additional control—independent of the existing procedures for capital assistance—must be built into the processing mechanism.

This amendment would do just that. It provides that when more than $1 million is provided for any capital assistance project, the Agency must consider the findings of the Agency's controller as to the project's justification, feasibility, and prospects for effective utilization. Placing this additional review responsibility in the Office of the Controller allows for an independent preaudit outside the planning machinery which already exists. This should help greatly to insure the success of the project.

In addition, the amendment also requires a certification by a principal officer of the U.S. country team that the recipient country has the capability to effectively utilize and maintain the AID-assisted project. Among other things, this certification would be based on how well the recipient country utilized and maintained projects previously financed by the United States. Too often, despite the fact that past performance by the recipient country shows that it has not effectively used or maintained U.S. assisted projects, the Agency continues to finance additional projects.

The additional workload required by this amendment would be very little. However, the benefits derived in terms of well-founded projects effectively utilized and maintained could be phenomenal. For example, if we take the Agency's capital assistance lending for the past fiscal year and apply the $1 million criteria, this amendment would affect 50 loans out of a total of 64. But they would represent 98 percent of the total dollar value of loans signed during that year. As of the end of the 1967 fiscal year, there were 60 loans of this type authorized but not signed. If all these were to become loans in the current fiscal year, this amendment would affect only 47 out of the 60 loans. But—significantly—they would represent 98 percent of the total dollar value.

This amendment would help to prevent the building of powerplants that sink into swamps, such as the thermal powerplant in Santa Cruz, Brazil; schools without teachers, such as the school construction program in northeast Brazil; and roads that go nowhere, such as the road in southern Peru that ended at a mountainside. Unfortunately, AID has supported such projects in the past. We should make sure this never happens again. Too much of this program has been audited after the fact. What it needs is some preaudit.

Mr. Chairman, in short, this amendment would provide the additional control needed to make sure that AID-assisted projects are justified, feasible, and will be effectively utilized and maintained. This can be accomplished with little additional workload by a preaudit before millions of dollars of U.S. assistance are committed to such projects.

Mr. Chairman, we need this additional control and I strongly urge adoption of this amendment.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. MONAGAN. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I want to say to the House that for the last 8 or 9 years, there has been a very good liaison operating between the Subcommittee on Government Operations and the Committee on Foreign Affairs. This began in the days when the subcommittee was headed by Mr. HARDY.

This amendment was brought to my attention several days ago. It is similar, to section 513, which relates to military aid which was sponsored in the other body by Senator MORSE, on the recommendation of the General Accounting Office. AID is somewhat unhappy about it, because they would rather have the Assistant Administrator make the report, than the controller of the agency. But I think it is a good amendment, and I will be glad to take the amendment to the conference.

Mr. MONAGAN. Mr. Chairman, I thank the gentleman. For the information of the House, I might say that this amendment provides that when more than $1 million is provided for any capital assistance project, the Agency must consider the findings of the Agency's controller as to the project's justification, feasibility, and the prospects for effective utilization.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. MONAGAN. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Chairman, the minority had an opportunity to examine the amendment and we have no objection to it.

Mr. MONAGAN. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. THOMSON OF WISCONSIN

Mr. THOMSON of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMSON of Wisconsin: On page 37, after line 24, insert the following:

"(5) At the end of section 620, add the following new subsection:

" '(s) No assistance shall be furnished under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, in or to any country which has severed or hereafter severs diplomatic relations with the United States or with which the United States has severed or hereafter severs diplomatic relations, unless (1) diplomatic relations have been resumed with such country and (2) agreements for the furnishing of such assistance or the making of such sales, as the case may be, have been negotiated and entered into after the resumption of diplomatic relations with such country.' "

Mr. THOMSON of Wisconsin. Mr. Chairman, this is the amendment that I announced I would submit. It relates to *the countries that have broken diplo-*matic relations with the United States.

The first on the list is the United Arab Republic, which was a full belligerent, land, sea, and air, in the recent Middle East conflict.

Syria, which was a full participant and active belligerent with ground and air forces.

Iraq, which engaged in limited ground fighting with Israel troops.

Yemen, which broke diplomatic relations before the Arab-Israel conflict.

Algeria, which sent Mig planes to fight in that conflict.

Mauritania and the Sudan.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the chairman of the committee.

Mr. MORGAN. I have examined the gentleman's amendment. Of course, we have already suspended any aid to any countries which have broken diplomatic relations. This provides an escape clause, since it permits aid to start again after the resumption of diplomatic relations.

I have no objection to the amendment, so far as I am concerned.

Mr. THOMSON of Wisconsin. I thank the gentleman.

Mr. HALPERN. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from New York.

Mr. HALPERN. Does this amendment provide for cutting off all assistance, military and nonmilitary, to any nation which severs diplomatic relations with the United States?

Mr. THOMSON of Wisconsin. It says, "No assistance shall be furnished."

Mr. HALPERN. I thank the gentleman. It is identical with an amendment I have at the desk. I am pleased to defer to the distinguished gentleman from Wisconsin, a member of the committee, and I compliment him for offering the amendment.

This is a very simple amendment, Mr. Chairman, and I am pleased to see it is being accepted by the chairman of the committee.

We made it clear a short while ago, when we adopted the amendment offered by the gentleman from New York [Mr. ROSENTHAL], as amended by the amendment offered by the gentleman from New York [Mr. WOLFF], that we will not condone military training for the personnel of any nation which severs diplomatic relations with the United States. Commendable as that is, it does not go far enough, Mr. Chairman. We should cut off all assistance to any country which has severed diplomatic relations with our Nation. That is just what this amendment does. I trust it will win overwhelming approval.

I commend the gentleman.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from Indiana.

Mr. ADAIR. What the gentleman's amendment does, obviously is to express simply and forcefully the intent of the House, as we have enunciated it time after time here today. It clarifies the issue and makes very certain what our *national policy is. It should be adopted.*

Mr. THOMSON of Wisconsin. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. THOMSON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 37, line 24, strike out the quotation marks and insert in lieu thereof the following: "Notwithstanding section 640 of this Act, no defense articles or defense services shall be acquired from, or provided to, any such country by any means under this or any other Act. Nothing in this or any other Act shall be construed to authorize the President to waive the provisions of this subsection.' "

Mr. GROSS. Mr. Chairman, let me read the preceding language in the bill which is part of the amendment I offered in the Foreign Affairs Committee in the markup of the bill. I will read the subsection as it appears in the bill:

> No loans, credits, guaranties, or grants or other assistance shall be furnished under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which sells or furnishes to North Vietnam, or which permits ships or aircraft under its registry to transport to or from North Vietnam, any equipment, materials, or commodities, so long as North Vietnam is governed by a Communist regime.

I am now adding these words by my amendment:

> Notwithstanding section 640 of this Act, no defense articles or defense services shall be acquired from, or provided to, any such country by any means under this or any other Act. Nothing in this or any other Act shall be construed to authorize the President to waive the provisions of this subsection.

I think all of you know what I am trying to get at—the perfidious British, for instance, who have been sending their ships into North Vietnam with hundreds of tons of supplies of all kinds. Now the United States Government is about to buy $60 million or $80 million worth of military equipment from these same British. It is about time to put a stop to this kind of business. It is about time to say to those—and I do not care what nation it is—who sail their ships into North Vietnam with cargoes to supply the people who are killing Americans—it is time to say to them that they must stop. This amendment is also needed to take away the authority of the President to set aside the plain intent of Congress.

Mr. CHAMBERLAIN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. CHAMBERLAIN. Mr. Chairman, as my colleagues know, I have long been interested in this subject and in the past have offered amendments to achieve the same end. While I wish to commend the committee for the flat prohibition they put in the bill before us here, I think that the House made its intent clear in times past. We do not want by our actions to make any aid whatsoever available to anyone who is assisting North Vietnam to carry out its destruction. I have dis-*cussed this amendment with the gentle-*man at length in the past few days and weeks, and I am satisfied his amendment strengthens this bill. I would urge its adoption.

Mr. GROSS. I thank the gentleman for his contribution and wish to say only *this: 15,000 Americans have died in Viet-*nam up to this point. How many, how many more are going to die as a result in whole or in part of the supplies that some of our alleged friends around the world have shipped to the North Vietnamese? The least we can do here is to say that we buy nothing and accept nothing from countries that perfidiously trade with the North Vietnamese.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. FASCELL. As the gentleman knows, I was the author of the original amendment on the prohibition for North Vietnam, so my question is directed in a friendly fashion to an inquiry as to the gentleman's intent and the language of his amendment, because I want to be sure I understand exactly how far it goes. I think I know the gentleman's amendment, but I would like to have his explanation. As I understand this, in the use of the word "country," does the gentleman interpret that to mean that any ship, for example, which flies the country's flag notwithstanding the fact that it is not in the service of that country or not owned by that country?

Mr. GROSS. That is right.

Mr. FASCELL. In other words, even if the vessel is under charter, so long as she flies the flag of a country which may be trading with North Vietnam, then this prohibition would apply?

Mr. GROSS. Registered or flying the flag. I want to go just as far as I can make it go. If the gentleman from Florida can suggest any better language to make it any more restrictive, I would be happy to have him do so.

Mr. FASCELL. No; I just wanted to understand the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

Mr. DERWINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have an amendment

pending, the purpose of which would have prohibited military sales to Yugoslavia. However, under the amendment which has just been adopted as offered by the gentleman from Iowa, Yugoslavian-flag ships doing trade with North Vietnam, are prohibited from receiving our aid. The amendment which was offered by the gentleman from Iowa and which has just been adopted accomplishes the same purpose. Mr. Chairman, in order that we may save the time of the House, I withdraw my amendment and commend the gentleman from Iowa.

AMENDMENT OFFERED BY MR. BERRY

Mr. BERRY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BERRY: On page 37, after line 24, insert the following:

"(5) At the end of section 620 add the *following new subsection:*

"'(s) After December 31, 1967, no further assistance shall be furnished under this Act to any country in Latin America until the President determines and reports to the Congress that the recipient country has established and implemented an equitable and effective system of tax collection with respect to taxes on real and personal property.'"

Mr. MORGAN. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Pennsylvania reserves a point of order against the amendment.

Mr. CHAMBERLAIN. Mr. Chairman, will the gentleman yield?

Mr. BERRY. I yield to the gentleman from Michigan.

Mr. CHAMBERLAIN. Mr. Chairman, I am pleased to note in this bill that the committee continues the House's insistence that no U.S. aid should go to any country that furnishes or permits vessels under its registry to furnish supplies to North Vietnam. As one who has in the past sponsored and supported amendments to achieve this purpose, I am gratified that the gentleman from Iowa has offered the amendment just adopted and I am certain it will greatly strengthen the prohibitions on this trade with North Vietnam.

It has been now several years since the House first began to work its will to eliminate this trading with the enemy in the absence of effective action by the executive branch. Even though it has been reduced, it is indeed deplorable that today we still must express our concern about this continued traffic. During 1967 ships flying the flags of the United Kingdom, Italy, Cyprus, and Malta have delivered cargoes in North Vietnam. While these are not now aid recipient countries, apparently, it is essential that we continue the prohibitions contained in this bill concerning those helping to supply the Hanoi Regime. For without this ban, I am sure other free-world-flag ships would soon again be steaming into Haiphong.

There are still, in fact, too many loopholes which prevent the elimination of this traffic. For example, the blacklist belatedly established by the administration on January 25, 1966, which by denying U.S. Government-financed cargoes to ships that have called at North Vietnamese ports seeks to reduce this traffic, has been singularly unsuccessful. The most recent list includes the names of 45 different vessels and to date only one shipping interest has agreed to stop carrying trade to North Vietnam. The authoritative maritime editor of the Baltimore Sun, Helen Delich Bentley, on August 14, 1967, characterizes this and this similar Cuban blacklist as "a facade to cover up what amounts to a futile deterrent to ships whose owners want to trade with Communist nations.

Of the free world countries which have vessels under their registry engaged in either Cuban or North Vietnamese trade during 1967—that is the United Kingdom, Lebanon, Greece, Italy, Cyprus, France, Finland, and Malta—I have been advised by the Agency for International Development that two—Greece and Lebanon—received military aid during fiscal 1967. As the law now reads the President, if he desires to, may continue such aid to countries trading with Cuba. Similar discretionary authority, however, was deleted last year by the committee with respect to trade with North Vietnam.

Now, Mr. Chairman, this is only one side of the coin. The negative side. What, we should ask, have these and other countries who have been the recipients of so much U.S. aid over the years done to help the cause of freedom in South Vietnam? It is indeed incomprehensible that some of these countries should in effect be helping the enemy but it is no less appalling to survey the microscopic assistance that they are providing the Republic of South Vietnam. Permit me to quickly give a few examples:

First. The United Kingdom which over the last 20 years has received $9 billion of U.S. aid has contributed to South Vietnam some medical, scientific, pharmaceutical, and roadbuilding equipment, and fishing boat engines.

Second. Italy which has received over $6 billion since 1946 has made a total contribution to South Vietnam of a 10-man surgical team.

Third. Greece, which has so far received nearly $4 billion in aid has provided South Vietnam with $15,000 worth of medical supplies.

Fourth. Belgium, who has received over $2 billion in U.S. aid has contributed an ambulance, some medicine, and nine scholarships.

And so the list goes.

A few weeks ago the administration sent a special mission to our Southeast Asian allies in an effort to increase the amount of their assistance to the war effort. At least that was one of the announced purposes of the Gen. Maxwell Taylor-Clark Clifford mission when they departed Washington. Upon their return, empty handed, there was no mention of this effort having been made. The apparent failure of their mission is perhaps exemplified by the fact that the President of the Philippines would not even talk to them; and there is now speculation in the press that the Philippines may withdraw the 2,000 noncombat military engineering unit recently sent to South Vietnam after months of delay and procrastination. Up until that time the total contribution of the Philippines amounted to 60 civic action personnel. This from a country whose national security is intimately bound up with the fate of South Vietnam and where over 38,000 American soldiers have died in defense of Philippine independence and freedom. In terms of what we are doing in that part of the world as compared with what the free world countries of Southeast Asia are doing for themselves, the case of the Philippines is more the rule than the exception. The failure of the administration to obtain greater help from our so-called allies in the struggle in Vietnam is a hard and inescapable fact but it is a fact as well which can only raise grave questions about the efficacy and value of our foreign aid program. The high purpose of our aid program over the years has been not an attempt to buy friends but to bolster and encourage the forces of freedom throughout the world. In return we would expect a common feeling of responsibility toward the maintenance and preservation of freedom throughout the world wherever it might be challenged. When the chips are down, however, it must be said, I believe, that our great expectations have been sadly unrealized. Therefore, today while I am encouraged by the actions taken by the committee toward tightening up this program I feel nevertheless that I must continue to use my vote as a protest over a program which despite its good features remains a matter of deep and growing concern to the American people. I would particularly point out, however, that my vote in no way should be interpreted as an unwillingness to support our efforts in South Vietnam. Quite obviously a first rate aid program is needed there more than anywhere and in view of this the deficiencies and inadequacies that have from time to time been uncovered are all the more disturbing. Consequently, until there is greater evidence that it is effective and appreciated by the recipient countries I believe that this is the best means by which I can try to effect whatever reforms and changes may be necessary to achieve the desired results.

Mr. BERRY. Mr. Chairman, I think that the amendment and the purpose of the amendment is perfectly clear. It simply says that until the President determines that these recipient countries have established for themselves an equitable and effective real and personal property tax system, that our aid shall be withheld from them. But, now, Mr. Chairman, as I pointed out in my original remarks yesterday, last spring I visited six or seven of the countries of South America. While I was in one of these countries I was invited out to a dinner with five or six gentlemen of that country whose purpose it was to sell me on the idea that I should do a better job of selling the people of South Dakota on foreign aid. I listened to the arguments. Finally, I turned to one man who had told us that he operated a large ranch running about 2,000 head of cattle. After they had told me that I should do a better job of selling foreign aid to my people, I asked him what personal property taxes he paid on 2,000 head of cattle. He looked at me in amazement. He said, "Personal property taxes?" He paid none.

Well, I know and you know that a ranch which runs 2,000 head of cattle in my district would pay anywhere from $15,000 to $25,000 a year in personal property taxes. Besides that, such rancher would pay a heavy real estate tax. He would pay a sales tax as well as an income tax. However, down there things are different. They pay no taxes yet they look to the United States and the overburdened taxpayers here to provide the funds necessary to do the things their community and state should do.

Mr. Chairman, I just do not know how we can look our people in the face and ask them, tax-ridden as they are, to increase their tax burdens and ship it down to South America to relieve those property owners in those countries, until the property owners down there are willing to carry the bulk of the burden of their own communities and the burden of their own countries, at least to the best of their ability.

The purpose of this amendment, Mr. Chairman, is to force them to do a better job and speed up their tax reform program.

Mr. Chairman, I will agree the Internal Revenue Office of this country has people down there helping them to set up a better system of tax collection, but this only applies to the sales tax and the income tax. It does not apply to property tax. Those property owners are the ruling class and they simply refuse to tax themselves and will not until we are willing to force them.

May I submit to the Members that it is not fair to our people up here to ask them to pay more taxes when these people down there—and I am not talking about the poor people, I am talking about the people with property, lots of property—pay little or no taxes on their property.

Another example, Mr. Chairman. When we came back through Rio, we were driven around the city by the AID officials. We came to a very nice park area. They had it all dug up. They were putting in a sewer system. Some of the AID officials told us that we were putting in this sewer system. This was in a good part of town. Right across the corner from where we were parked was a house that in most any part of this country would cost $30,000 to $35,000. I asked them what the tax would be on that house. They said "Probably nothing, because the owner probably would not pay any even if a tax was levied."

Mr. Chairman, I submit you are asking my people and your people to pay more taxes to send down there to put in sewer systems and hundreds of other similar projects for these people when they will not tax themselves to help put in these needed improvements. We are spending millions of dollars doing for these people what they should in all justice be doing for themselves.

I ask your support for this amendment.

Mr. MORGAN. Mr. Chairman, I want to renew my point of order that I believe the amendment offered by the gentleman from South Dakota is not germane.

Mr. Chairman, the purpose of this bill is to furnish assistance to foreign countries, and promote the mutual security. The amendment offered by the gentleman from South Dakota is a definite interference in the internal affairs of another country.

Therefore, Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. Does the gentleman from South Dakota desire to be heard on the point of order?

Mr. BERRY. No, Mr. Chairman.

Mr. WAGGONNER. Mr. Chairman, may I speak on the point of order?

The CHAIRMAN. Does the gentleman from Louisiana desire to be heard on the point of order?

Mr. WAGGONNER. Mr. Chairman, I do desire to be heard on the point of order.

The CHAIRMAN. The gentleman from Louisiana may be heard.

Mr. WAGGONNER. Mr. Chairman, title I, chapter 2, section 208, is entitled "Self-Help Criteria." It says:

> In determining whether and to what extent the United States should furnish development assistance to a country under this chapter the President shall take into account—
>
> "(a) the extent to which the country is taking such measures as may be appropriate to its needs and capabilities to increase food production and improve the means for storage and distribution of food;
>
> "(b) the extent to which the country is creating a favorable climate for private enterprise and investment, both domestic and foreign;
>
> "(c) the extent to which the government of the country is increasing the role of the people in the developmental process;
>
> "(d) the extent to which the country's governmental expenditures are allocated to key developmental areas, including agriculture, health, and education, and not diverted for unnecessary military purposes or to intervention in the affairs of other free and independent nations;

And so on and so forth we go with additional criteria.

Section 208 describes in great detail the self-determination criteria which are required of these countries before they will receive foreign assistance, so it is beyond comprehension to me that when we require in one part of this bill very specific self-help criteria on the part of those who receive assistance that we would be willing to ignore it in every other area. We simply ask that they make the same effort to help themselves we require of our people in order to help them. We ask they tax themselves.

Therefore, Mr. Chairman, I believe the point of order is out of order. This is simply an additional requirement to become eligible for aid.

Mr. MORGAN. What the gentleman is reading from there is criteria to help the President make the determination.

Mr. Chairman, I still believe the gentleman's amendment is not germane.

The CHAIRMAN. The Chair is ready to rule on the point of order.

The Chair has had the opportunity to examine the amendment, and the amendment would delay the operation of the proposed legislation pending an unrelated contingency. Under a previous precedent of the House to be found in Cannons Precedents, volume VIII, section 3037, a similar amendment was held not to be germane. The present occupant of the chair, following that precedent, sustains the point of order.

AMENDMENT OFFERED BY MR. PEPPER

Mr. PEPPER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. PEPPER: On page 37, after line 24, amend the following: "No ship which transported any goods or personnel to or from North Vietnam or Cuba so long as either of such countries is governed by a Communist regime shall be admitted to any port of the United States or any of its territories, Commonwealth or possessions.
>
> No captain who has taken any ship as captain into North Vietnam or Cuba so long as either shall be governed by a Communist regime shall be permitted to enter any port of the United States or any of its territories or Commonwealth or possessions as the captain of any ship."

Mr. ZABLOCKI. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order against the amendment.

The gentleman from Florida is recognized.

Mr. PEPPER. Mr. Chairman, this amendment is simply for the purpose of making it clear that any ship which transports goods or personnel to or from Vietnam or Cuba shall thereafter so long as either of those countries is governed by a Communist regime be denied entry into any port of the United States or to any of its possessions, commonwealths, or territories.

It also provides the same thing with respect to a ship captain. Any ship captain who takes a ship into Vietnam or into Cuba, so long as either of those countries is governed by a Communist regime, is thereafter denied the right of bringing a ship into any port of the United States or any port of its commonwealths, territories, or possessions.

There is already, as the chairman will authenticate, a blacklist of ships which do transport goods or personnel to or from these countries. I think it would be clearer and more effective and a stronger notice to those who operate such ships and to those who own them, if we made this clear as a matter of statutory provision.

In other words, a ship that goes into one of these Communist countries is thereafter incapable of entering an American port.

That, it seems to me, diminishes the value of that ship and would deter any proprietor in wanting to allow his ship to carry goods into one of those countries.

It seems to me to be desirable that these policies should be clearly effectuated and stated in the statute; and they seem to follow naturally from the preceding provision at the bottom of this page of the bill. That is the reason I have offered the amendment at this time.

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. ZABLOCKI] wish to be heard on the point of order.

Mr. ZABLOCKI. Mr. Chairman, after the explanation made by the gentleman from Florida, I withdraw my point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. PEPPER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SCHWEIKER

Mr. SCHWEIKER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. SCHWEIKER: On page 37, after line 24, insert the following:
>
> "(5) At the end of section 620 add the following new subsection:
>
> " '(s) In any decision to provide or continue to provide any program of assistance to any country under the Foreign Assistance Act of 1961, as amended, there shall be taken into account the status of the country with respect to its dues, assessments, and other obligations to the United Nations; and where such country is delinquent with respect to any such obligations, the President shall furnish the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives a report setting forth the assurance given by the government of the country concerned of paying all of its arrearages and of placing its payments of such obligations on a current basis, or a full explanation of the unusual or exceptional circumstances which render it economically incapable of giving such assurance.' "

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SCHWEIKER. Mr. Chairman, the amendment I offer today is designed to encourage nations receiving our foreign aid to become more responsible in their payment of dues to the United Nations.

The United States helped bring the United Nations into existence 22 years ago in San Francisco. We have always been one of its stanchest backers, both morally and financially, in its quest for world peace. Of the $6 billion that it has cost to operate the U.N. for 22 years, the United States has provided an impressive $2.9 billion, or nearly half.

In 1967 our contribution to the U.N. will be $233 million. This will cover 30 percent of the regular U.N. budget, 40 percent of the Cyprus and Gaza strip peacekeeping costs, 40 percent of the U.N. Development Program and Children's Fund and up to 70 percent of special relief programs.

Yet today there are 56 countries on our foreign aid list who are more than 1 year in arrears to the United Nations for dues, assessments, or both. If we do not consider the assessments, over which there has been considerable controversy, there are still 35 of our foreign aid recipients more than a year behind in their regular United Nations dues.

Twenty-one of the 56 nations have been delinquent in their United Nations payments 2 years or more. Under article 19 of the United Nations Charter this could strip these nations of their vote.

The combined total arrearage of these 56 nations is over $61 million. The United Nations is in financial peril largely because of the delinquencies of these 56 nations on our aid list. I believe that since so many countries in arrears are recipients of our aid, the United States can and must do something to encourage them to be fully paid members of the United Nations.

For this reason I am offering an amendment similar to one the other body adopted last week by a vote of 62 to 24 in its version of the Foreign Assistance Act of 1967.

This amendment does not go so far as to tell any nation "pay up or else." But I hope it would provide the needed leverage on our aid officials to persuade all our foreign aid client countries in the United Nations to be fully paid members.

The amendment requires that AID, when giving aid, take into account whether or not the recipient country has paid all its dues and assessments to the United Nations.

The administration is nevertheless free to send aid to a country that is in arrears to the United Nations. But in doing so, the President would report to Congress either the country's assurance to pay its obligations or an explanation of why the country cannot economically afford its allotted share of the United Nations budget. This would keep Congress fully advised of these matters, but it would not tie the hands of our aid officials in advance.

For the great majority of the 56 nations I have mentioned, the amount of aid they receive annually from the United States far overshadows the amounts they owe the United Nations.

Here are some examples:

Afghanistan received $40.4 million in American aid in fiscal 1966. At the same time it owed the United Nations around $65,000 in back dues and assesements. I presume that Afghanistan made full use of our aid, but its current U.N. arrearage has grown—to $122,297.

Brazil received $415.7 million in aid from us in fiscal 1966. Its U.N. arrearage then was $579,702. Its U.N. arrearage now is $1,673,140.

Chile received $124.5 million in aid from us in fiscal 1966. Its U.N. arrearage then was $366,633. Its U.N. arrearage now is $574,488.

Thus we can see a pattern. Countries receiving our aid are at the same time letting their obligations to the United Nations pile up unpaid. If the United States truly wishes to see the United Nations succeed as an international peacemaker and peacekeeper, it ought to do what it can to discourage such a cavalier attitude among the nations getting American aid toward their U.N. responsibilities.

Mr. Chairman, I urge the adoption of this amendment. At the appropriate time I will ask permission to include certain tables showing the facts of this situation.

EXHIBIT 1.—COUNTRIES RECEIVING FOREIGN AID AND OVER 1 YEAR IN ARREARS IN U.N. DUES AND ASSESSMENTS

Country	Total U.N. arrearages	U.N. arrearages, calendar year 1965 and prior	U.S. aid, fiscal year 1966 (millions)	Total U.S. aid, fiscal year 1946-66 (millions)
Afghanistan	$122,297	$64,748	$40.4	$349.2
Argentina	2,525,528	1,466,619	44.9	767.7
Bolivia	175,794	129,754	40.4	470.7
Brazil	1,673,140	579,702	415.7	3,234.8
Burundi	174,790	128,754	.1	7.2
Central African Republic	12,215	6,960	.5	3.3
Chad	66,051	20,011	1.2	5.3
Chile	574,488	366,633	124.5	1,254.4
China	19,593,100	14,701,401	152.8	4,957.3
Congo (Kinshasa)	104,468	46,919	42.8	356.9
Costa Rica	82,520	36,480	19.2	156.0
Dahomey	------------	45,516	1.3	10.0
Dominican Republic	199,563	153,523	116.6	322.3
Ecuador	134,330	76,781	33.9	281.8
El Salvador	12,441	7,186	11.2	121.1
France	19,589,190	17,031,152	20.7	9,449.2
Gambia	62,040	15,000	.3	.4
Greece	295,747	8,000	110.1	3,836.0
Guatemala	49,100	39,845	9.6	213.9
Guinea	74,522	28,482	7.2	76.3
Haiti	176,475	130,435	3.5	106.4
Honduras	33,490	16,794	14.4	87.7
Iraq	349,680	257,601	5.4	118.2
Italy	1,403,276	544,242	71.6	6,261.2
Ivory Coast	83,653	37,613	5.5	31.3
Jordan	167,085	121,045	48.0	557.0
Laos	83,649	37,609	55.6	475.6
Lebanon	36,173	29,603	.1	88.4
Libya	83,653	37,613	3.2	233.7
Mali	$107,912	$61,872	$2.7	$18.8
Mauritania	88,191	42,151	.1	2.9
Mexico	1,499,753	1,393,330	129.3	1,251.0
Nepal	52,722	6,682	13.2	99.1
Nicaragua	104,202	58,162	21.7	132.5
Panama	51,244	45,989	16.9	672.6
Paraguay	132,125	86,085	16.0	106.5
Peru	201,218	162,826	50.6	677.6
Poland	5,486,598	4,393,562	7.6	558.4
Portugal	406,314	233,666	3.5	518.1
Rwanda	64,215	18,175	3.9	5.4
Saudi Arabia	235,095	154,526	4.3	143.1
Senegal	87,069	41,029	6.0	25.1
Sierra Leone	70,479	24,439	4.9	31.7
Somalia	85,737	39,697	5.4	52.9
Spain	2,157,844	2,009,932	158.7	2,089.9
Sudan	270,054	200,995	19.7	108.7
Syria	120,117	62,568	.7	83.8
Tanzania	6,359	1,104	6.9	51.5
Thailand	28,824	2,430	61.3	494.6
Togo	48,792	37,924	2.2	12.1
Uganda	99,947	53,893	3.9	21.3
United Arab Republic	644,515	379,788	60.5	1,156.5
Upper Volta	111,895	65,855	1.6	7.3
Uruguay	444,616	329,518	9.0	131.3
Yemen	210,783	164,743	2.8	33.2
Yugoslavia	388,568	333,269	140.8	2,828.4
Total (56)	61,143,646	46,571,231	2,154.8	44,646.7

Source: State Department 10; OIA report, Feb. 15, 1967, based on data supplied by United Nation's Controller's Office, Feb. 14, 1967; Agency for International Development, Statistics and Reports Division, Office of Program Coordinator, report on "U.S. Overseas Loans and Grants," Aug. 22, 1966.

EXHIBIT 2.—COUNTRIES RECEIVING FOREIGN AID AND OVER 1 YEAR IN ARREARS IN U.N. DUES AND ASSESSMENTS, BY INDIVIDUAL ACCOUNTS

[Balance due, 1965 and prior years]

Country	Regular budget and working capital fund	UNEF	UNOC	Balance due
Afghanistan		$27,144	$37,604	$64,748
Argentina	$533,949	912,670		1,466,619
Bolivia	56,590	38,331	34,833	129,754
Brazil	247,918		331,784	579,702
Burundi	110,759	7,704	10,471	128,754
Central African Republic		371	6,589	6,960
Chad	3,694	6,485	9,832	20,011
Chile		141,786	224,847	366,633
China	3,119,266	4,894,928	6,687,207	14,701,401
Congo (Kinshasa)	44,551	2,368		46,919
Costa Rica	18,984	10,279	7,217	36,480
Dahomey	35,718	2,804	6,994	45,516
Dominican Republic	79,696	19,324	54,503	153,523
Ecuador	66,996	5,665	4,120	76,781
El Salvador		3,837	3,349	7,186
France			17,031,152	17,031,152
Gambia	16,000			16,000
Greece	8,000			8,000
Guatemala		1,636	38,209	39,845
Guinea	2,708	15,836	9,938	28,482
Haiti	74,432	22,087	33,916	130,435
Honduras		4,117	12,677	16,794
Iraq	141,977	93,262	22,362	257,601
Italy		544,242		544,242
Ivory Coast	35,718	1,895		37,613
Jordan	35,718	41,725	43,602	121,045
Laos	35,714	1,895		37,609
Lebanon		17,495	12,018	29,603
Libya	35,718	1,895		37,613
Mali	$35,718	$1,895	$24,259	$61,872
Mauritania	16,123	8,813	17,215	42,151
Mexico		607,137	786,193	1,393,330
Nepal	2,784	658	3,240	6,682
Nicaragua	22,200	2,047	33,915	58,162
Panama		12,074	33,915	45,989
Paraguay	33,769	28,087	24,229	86,085
Peru		73,642	80,184	162,826
Poland		1,927,552	2,466,010	4,393,562
Portugal	31,993		201,673	233,666
Rwanda		7,704	10,471	18,175
Saudi Arabia	16,400	68,639	69,487	154,526
Senegal	14,371	6,240	20,418	41,029
Sierra Leone	22,544	1,895		24,439
Somalia	14,635	7,617	17,445	39,697
Spain		1,024,773	985,159	2,0 ,932
Sudan	111,161	83,974	5,860	200,995
Syria		42,189	20,379	62,568
Tanzania			1,104	1,104
Thailand		2,430		2,430
Togo		12,600	25,324	37,924
Uganda	35,718	7,704	10,471	53,893
United Arab Republic		331,401	48,387	379,788
Upper Volta	35,348	16,362	14,145	65,855
Uruguay	186,400	45,456	97,662	329,518
Yemen	79,416	41,725	43,602	164,743
Yugoslavia			333,269	333,269
Total	[1] 5,382,686	[2] 11,182,395	[3] 29,997,330	46,571,231

[1] 35 countries.

[2] 49 countries.

[3] 46 countries.

Source: Same as exhibit 1.

EXHIBIT 3.—NATIONS SUBJECT TO LOSS OF VOTING RIGHTS UNDER ART. 19, U.N. CHARTER

Country	Total U.N. arrearages	Amount in excess of 1965 and 1966 U.N. arrearages [1]	U.S. aid, fiscal year 1966 (millions)
Albania	$118,207	$28,377	
Argentina	2,525,528	458,244	$44.9
Byelorussian S.S.R	2,618,832	1,277,336	
Cuba	893,998	444,850	
Czechoslovakia	4,845,557	2,031,980	
France	19,589,190	3,878,203	20.7
Hungary	2,478,932	1,034,244	
Poland	5,486,597	2,015,987	7.5
Rumania	1,385,950	483,020	
South Africa	1,746,035	404,539	
Ukrainian S.S.R	9,958,552	4,876,345	
U.S.S.R	76,382,562	37,891,935	
Yemen	210,783	120,952	2.8
Bolivia	175,794	85,975	40.4
Bulgaria	636,578	254,802	
China	19,593,100	10,048,690	152.8
Congo (B)	134,131	44,301	
Dominican Republic	199,563	109,733	116.6
Haiti	176,475	86,645	3.5
Iraq	349,680	170,021	5.4
Jordan	167,085	77,254	48.0
Nicaragua	104,202	14,372	21.7
Ecuador	134,330	22,043	33.9
Paraguay	132,125	42,294	16.0
Saudi Arabia	235,095	77,894	4.3
Spain	2,157,844	518,453	158.7
Sudan	270,054	135,310	19.7
Syria	120,117	7,830	.7
United Arab Republic	644,515	127,995	60.5
Upper Volta	111,895	22,064	1.6
Uruguay	444,616	220,043	9.0
Burundi	174,790	84,959	.1
Total	151,202,726	67,096,690	
Total for those 21 nations receiving U.S. aid for fiscal year 1966	53,003,378	18,324,961	768.8

[1] The payments required to avoid being subject to art. 19.

Source: Computed from State Department 10:OIA report, Feb. 15, 1967, based on data supplied by the United Nations Controller's Office, Feb. 14, 1967; updated State Department report; "U.S. Contributions to International Organizations," House of Representatives Doc. No. 445, 89th Cong., 2d sess., June 27, 1966; Agency for International Development, Statistics and Reports Division, Office of Program Coordinator, "Report on U.S. Overseas Loans and Grants," Aug. 22, 1966.

Mr. FASCELL. Mr. Chairman, I rise in opposition to the amendment. I do so because while the objective is worthy, the method of execution is faulty. I submit that the people who would be affected the most are the ones who would contribute the least, because they are not responsible for the problem with arrearages. I believe the gentleman who is the proponent of the amendment is correct in saying that some 56 nations are in arrears, owing some $160 million. But the biggest part of that debt is owed by the Communists, and this amendment will not affect them one way or the other.

Mr. SCHWEIKER. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Pennsylvania.

Mr. SCHWEIKER. Mr. Chairman, France is on the list. They owe a considerable amount of money. We gave approximately $20 million, that is, to France, last year. I certainly would not put them in that category.

Mr. FASCELL. Mr. Chairman, France is not on our AID program, so they would not be affected.

Mr. SCHWEIKER. I beg the gentleman's pardon. I said they were. They received $20 million from our AID. Here is the table from the report in the other body, listing them as receiving $20 million in 1966. That is my point.

Mr. FASCELL. Mr. Chairman, in my opinion 1966 does not affect the operation of this amendment for the coming fiscal year. France is not now in the AID program and they are not in our program for fiscal 1968. I cannot make it any clearer than that.

The biggest bulk of the arrearage is owed by the Communist countries and France, and this amendment does not affect them. So while the amendment is worthy, it does not get to the countries we are trying to get to. It will, instead, reach approximately 50 countries which are in arrears in one sum or another, or who are having difficulty making their payments. They are recipients of our AID program. What we are saying in effect is that we are tying another condition to what is basically a self-help program, to require them to belong to an international organization.

I respectfully submit that this kind of condition does not help us collect the dues, and it does not help to make Uncle Sam's financial assistance program conditioned upon such an event. So while the purpose is laudable, this is a very ineffective way to make those collections for the United Nations—as much as we ought to do everything we can to see that those arrearages are collected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SCHWEIKER].

The question was taken; and on a division (demanded by Mr. SCHWEIKER) there were—ayes 118, noes 94.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER 2—ADMINISTRATIVE PROVISIONS

SEC. 302. Chapter 2 of part III of the Foreign Assistance Act of 1961, as amended, which relates to administrative provisions, is amended as follows:

(a) Immediately after section 621, insert the following new section:

"SEC. 621A. STRENGTHENED MANAGEMENT PRACTICES.—(a) The Congress believes that United States foreign aid funds could be utilized more effectively by the application of advanced management decisionmaking, information and analysis techniques such as systems analysis, automatic data processing, benefit-cost studies, and information retrieval.

"(b) To meet this need, the President shall establish a management system that includes: the definition of objectives and programs for United States foreign assistance; the development of quantitative indicators of progress toward these objectives; the orderly consideration of alternative means for accomplishing such objectives; and the adoption of methods for comparing actual results of programs and projects with those anticipated when they were undertaken. The system should provide information to the agency and to Congress that relates agency resources, expenditures, and budget projections to such objectives and results in order to assist in the evaluation of program performance, the review of budgetary requests, and the setting of program priorities.

"(c) The President shall report to the Congress annually on the specific steps that have been taken, including an evaluation of the progress that has been made toward the implementation of this section."

(b) Section 624(d)(2)(B), which relates to statutory officers, is amended by striking out "of assistance" each place it appears.

(c) Section 625(b), which relates to employment of personnel, is amended as follows:

(1) Strike out "the Classification Act of 1949, as amended (5 U.S.C. 1071 et seq.)" and substitute "section 5332 of title 5 of the United States Code".

(2) Strike out "505 of the Classification Act of 1949, as amended" and substitute "5108 of title 5 of the United States Code".

(d) Section 625(c), which relates to compensation of personnel, is amended as follows:

(1) Strike out "the Classification Act of 1949, as amended," and substitute "section 5332 of title 5 of the United States Code".

(2) Strike out "505 of the Classification Act of 1949, as amended" and substitute "5108 of title 5 of the United States Code".

(e) Section 625(d)(2), third proviso, which relates to initial assignment in the United States of Foreign Service Reserve officers, is amended by striking out "forty" and substituting "fifty".

(f) Section 626, which relates to employment of experts, consultants, and retired officers, is amended as follows:

(1) In subsection (a), strike out "15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a)" and substitute "3109 of title 5 of the United States Code".

(2) In subsection (b)—

(A) strike out "section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263)" and substitute "sections 3323(a) and 8344 of title 5 of the United States Code"; and

(B) strike out "201 of the Dual Compensation Act" and substitute "5532 of title 5 of the United States Code".

(g) Section 629(b), which relates to personnel detailed to foreign governments or international organizations, is amended by striking out "1765 of the Revised Statutes (5 U.S.C. 70)" and substituting "5536 of title 5 of the United States Code".

(h) Section 632(d), which relates to allocation and reimbursement among agencies, is amended by striking out "507 and 510" and substituting "506, 522, and 523".

(i) Section 634(d), which relates to reports and presentations to the Congress, is amended by inserting immediately preceding the first sentence the following: "When requests are presented to the Congress for appropriations for fiscal year 1969 to carry out programs under this Act, the programs to be carried out with the funds appropriated for that fiscal year shall also be presented to the Committee on Foreign Relations of the Senate, if requested by the Chairman of that Committee, and to the Committee on Foreign Affairs of the House of Representatives, if requested by the Chairman of that Committee."

(j) Section 635(e), which relates to health and accident insurance for foreign participants in technical assistance programs, is amended by inserting immediately preceding the first word a paragraph designation "(1)" and adding at the end the following new paragraph:

"(2) Any agency of the United States Government is authorized to pay the cost of health and accident insurance for foreign employees of that agency while those employees are absent from their place of employment abroad for purposes of training or other official duties."

(k) Section 636(a)(5), which relates to purchase and hire of motor vehicles, is amended as follows:

(1) Strike out "(5 U.S.C. 78(c)(2))" and substitute "(31 U.S.C. 638a(c)(2)),".

(2) Strike out "(5 U.S.C. 78a–1)" and substitute "(31 U.S.C. 638c)".

(l) Section 636(d), which relates to assistance for dependents' schools abroad, is amended by striking out "$1,500,000" and substituting "$2,500,000".

(m) Section 636(e), which relates to training of Foreign Service personnel, is amended by striking out "301 of the Dual Compensation Act (5 U.S.C. 3105)" and substituting "5533 of title 5 of the United States Code".

(n) Section 636(g), which relates to expenditures of military assistance funds, is amended by striking out "3 of the Travel Expense Act of 1949, as amended (5 U.S.C. 836)," and substituting "5702(c) of title 5 of the United States Code".

(o) Section 637(a), which authorizes appropriations for administrative expenses of the agency administering part I, is amended by striking out "1967 not to exceed $55,813,500" and substituting "1968, $59,325,000, and for the fiscal year 1969, $59,325,000,".

(p) Section 640, which relates to military sales, is amended by striking out "503" and substituting "521", and by striking out "assisting of" and substituting "furnishing of defense articles and defense services to".

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that chapter 2, beginning at the top of page 38 and ending at the bottom of page 42, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT OFFERED BY MR. O'HARA OF ILLINOIS

Mr. O'HARA of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. O'HARA of Illinois: Amend line 8 of page 38 by inserting after the words "believes that" and immediately preceding the words "United States" the words "a study should immediately be undertaken to determine whether".
>
> Strike lines 14 to and including line 26.
>
> Strike lines 1 to and including line 4 on page 39.

Mr. O'HARA of Illinois. Mr. Chairman, in the closing days of the markup of this bill, an amendment was offered and accepted by the committee that instructed the President to establish a computer system. There were no hearings on it. There was very little debate in the committee.

I made some inquiries and found that AID had been doing some work along this line, but there were problems.

My amendment merely provides that there should be a study started immediately to determine the feasibility of this suggestion. I advance that as a matter of prudence.

These computers cost a lot of money. To rent one runs as high as $160,000 a month. The computer used in the stock exchange at New York cost more than $6 million. It is prudent to inquire into the feasibility of the system before throwing such large sums into the experiment.

Let me read a few excerpts from an article published in the current issue of Time, the issue of August 18:

> Yet the most versatile computers are forced increasingly to perform well below their potential. Even the costliest ($160,000 a month rent) computer cannot store data, sort out information or solve problems without precise and detailed guidance. For some of the latest "third generation" computers, such programs require 1,000,000 hand-devised computations. If any one of them is wrong, or if the programmer overlooks something, the computer eventually will make a costly mistake or quit functioning.
>
> When somebody in the Army Reserve's computerized data bank in St. Louis goofed not long ago, for instance, some 200 New York State Reservists were ordered to two weeks' active duty in Wisconsin—to the complete surprise of the Pentagon.

The article goes on to cite a number of similar instances. Then it quotes an authority in Chicago as saying:

> People who rushed to get a computer have spent three desperate years trying to utilize it.

Mr. Chairman, it may be that there should be a computer system; I do not know; but certainly before putting all this money into it there should be a thorough study made.

In my amendment I have suggested that the study be done immediately, so that in case there is a pressing need for a computer system the study can be made and quickly concluded. The second session of this Congress will convene in January. In 4 months' time, after the study had been made and the project found feasible, we could have the computer system.

Mr. Chairman, I include the entire article for information of Members.

The article is as follows:

COMPUTERS

THE "SOFTWARE" SNARL

The computer is running into trouble—because of shortcomings in man, not in the machine. In just two decades, the electronic marvels have grown so complex and intricate to operate that man is hard put to maintain the proper control. The problem is one of telling the machines what to do and how to do it—through an arcane shorthand of codes, languages, programs and systems known as computer "software."

The software snarl is worsening despite gargantuan outlays to end it. In the $6 billion electronic data-processing market, more money will be spent this year on software than on computers themselves. Yet the most versatile computers are forced increasingly to perform well below their potential. Even the costliest ($160,000 a month rent) computer cannot store data, sort out information or solve problems without precise and detailed guidance. For some of the latest "third generation" computers, such programs require 1,000,000 hand-devised computations. If any one of them is wrong, or if the programmer overlooks something, the computer eventually will make a costly mistake or quit functioning.

When somebody in the Army Reserve's computerized data bank in St. Louis goofed not long ago, for instance, some 200 New York State Reservists were ordered to two weeks' active duty in Wisconsin—to the complete surprise of the Pentagon. Last May, the New York Stock Exchange's $6,000,000 computer-fed ticker tape broke down for 3½ hours because of a loophole in the process by which Wall Street's most sophisticated computer ordinarily detects errors in punched cards feeding it new information. With the electronic system jammed, the Big Board hastily switched to its old methods of recording stock transactions by hand.

BONUSES FOR PIRACY

Complicating the difficulties in devising programs is a growing shortage of programmers. At least 100,000 men and women are now busy giving instructions to the nation's 37,000 digital computers, but another 50,000 such jobs are going begging. Computer makers are producing the equipment faster than the industry can train such specialists. Moreover, computer users fault many specialized schools for accepting pupils with no aptitude for the job and for turning out unqualified graduates. "If we were to have no advance in hardware for five years," says President Walter F. Bauer of Informatics Inc., a Los Angeles firm specializing in software problems, "the programs would just be catching up to the capabilities of the machines."

In the scramble for manpower, want-ad columns bulge with invitations to housewives and high school graduates to take up programming. Corporations shamelessly pirate each other's help, then pump captured employees for names of more candidates for raiding. Specialized recruiting firms have sprung up collecting bonuses of up to $2,000 per programmer. The competition has put programming among the U.S.'s best-paid technical occupations. Qualified persons with computer training can land $7,000-a-year jobs; the pay goes to $10,000 after two years, and a five-year veteran (at age 25 or so) will often draw $14,000. Top creative experts may earn $22,000 and up.

WAYWARD SLOBS

Many programmers are fractious fellows who delight in disdaining the button-down graces of corporate life, such as wearing a necktie to work. "We give management a hard time," says Programmer Armin Bendiner, 27, of Washington, D.C. "They're annoyed because they're at the mercy of us wayward slobs."

Clannish, often introverted, programmers labor over problems that demand logical thinking (though not necessarily mathematical background) and painstaking attention to detail—yet defy solution by any standard or scientifically disciplined approach. "Some call it an art and some it black magic," says A. W. Carroll, RCA's manager of systems programming. Whatever it is, the talent is scarce enough that many companies show great tolerance for "wild ducks." "I overcame my prejudice against working for IBM," says full-bearded Manhattan Computer Expert Larry Josephson, 28, "when I was interviewed by a man dressed in a musty old suit and tennis shoes. We just talked about drinking and sex."

The software snarl caught computer manufacturers underprepared, partly because the uses of computers proliferated beyond expectations and partly because the third-generation machines required wholly new and vastly more complicated programs than earlier models. "Sometimes," says Executive Vice President Paul Rice of Chicago's Daniel D. Howard Associates, "people who rushed to get a computer have spent three desperate years trying to utilize it."

THE LOGIC FACTORIES

One consequence of such snags is the swift rise of software service and consulting companies, which offer high-level technical support, such as systems design or programming to meet individual specifications. By one estimate, there are now some 2,500 of these logic factories, the bulk of them one- to three-man shops. At least two dozen are publicly owned corporations. The largest, Los Angeles' Computer Sciences Corp., has grown from a two-man firm in 1959 into a $37 million-a-year enterprise with 2,500 employees and 156 customers.

Some time in the '70s, most computer men predict, today's software knot should be untangled, partly by a vast expansion of computer schools and partly by more automation. Computer companies are straining to concoct programs that write other programs. Thus they foresee the day when a few standardized reels of tape will begin to replace programmers at the simpler levels. Still, few in the industry expect competent technicians to face unemployent. If today's pattern holds, every new triumph in computer technique will only fortify the demand for wider applications. The saturation point for computers is as yet nowhere in sight.

Mr. TUNNEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the amendment, I believe, is an amendment which should not be accepted by the Committee. The modern management techniques that were placed into this bill as a requirement to the AID Agency were thoroughly debated in the committee.

It was passed in the committee with the overwhelming support of the Democrats and the Republicans. As a matter of fact, it was rewritten in committee because it was felt some of the language was perhaps too technical. The purpose of having the AID agency utilize modern management techniques is obvious. It is intended to save money and was intended to allow the Congress to find out just what the objectives are in the foreign policy of the AID agency, and to establish the measurements of accomplishment against these basic objectives. This is the one big criticism of the AID program, namely, that nobody knows just what is going on and what the accomplishments and objectives are. This received thorough consideration in the committee. As I say, my amendment, which is now a part of the bill, was accepted by the overwhelming majority of the Republicans and Democrats. So I would hope that the amendment offered by the gentleman from Illinois will be defeated.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. TUNNEY. Yes. I yield to the gentleman from Illinois.

Mr. FINDLEY. I would like to add my word of encouragement to the gentleman. I think he is the author of a very excellent step forward for the State Department, and I hope his amendment will stay in the bill.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. TUNNEY. I yield to the gentleman from Florida.

Mr. FASCELL. I would point out to the gentleman, I dislike being opposed to my distinguished colleague, the gentleman from Illinois, but I do not believe we really need a study on the use of automatic data processing in the agency. I really do not think we need a study with respect to the application and use of management techniques and systems analyses that have been tried and proven by every managerial concept in the United States. I think it is high time we gave some encouragement to our agency to further use these modern business techniques.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Illinois [Mr. O'Hara].

The amendment was rejected.

AMENDMENT OFFERED BY MR. BUCHANAN

Mr. BUCHANAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Buchanan: On page 42, beginning in line 18, strike out "1968, $59,325,000, and for the fiscal year 1969, $59,325,000," and insert in lieu thereof the following: "1968, $55,814,000,".

Mr. BUCHANAN. Mr. Chairman, this will simply cut $3,511,000 from the administrative expense authorization. Now, this would be the same figure that was appropriated in fiscal year 1967 and also the same figure that was passed by the other body. The President has asked all agencies to hold down their personnel. AID will obviously not need as many personnel as they may have anticipated when we look at the cuts we have just made in this program. The House bill is down to $2.8 billion or thereabouts. The Senate bill is down to $2.6 billion from an authorization request of $3.3 billion. This is a 20- to 25-percent cut. This corresponding cut in the administrative expenses is very small. It is simply $3,511,000 out of $59,325,000 in the authorization request. This money is not to pay the people who are in the field doing the work. This money touches those in Washington primarily, the men in charge of AID missions, the bureaucracy of AID, and not people in the field whose salaries are funded out of program expenses rather than the administrative expense budget. The personnel plans of AID are never fully met. They asked for more slots than they are going to have people for by the end of the year. For all these reasons I would suggest that it would be a reasonable thing to accept this amendment cutting this administrative expense authorization by a mere $3,511,000.

Mr. Chairman, I urge the adoption of the amendment.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. Yes, I gladly yield to the distinguished gentleman from Minnesota.

Mr. MacGREGOR. I commend the gentleman from Alabama for offering this amendment.

May I remind the members of the Committee that Lyndon Johnson in his tax message of August 3 said as follows:

> I am directing each Department and Agency head to review every one of his programs, to identify reductions which can be made and to report to the Director of the Budget in detail on the actions he is taking to put those reductions into effect.

The gentleman from Alabama in his amendment has identified reductions which can be made, and it is my opinion that the adoption of the gentleman's amendment will help the President in his economy effort.

Mr. BUCHANAN. I thank the gentleman for his contribution. May I say one thing more? There is no Vietnam issue here. Vietnam is financed separately by an $11 billion authorization elsewhere in this bill.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Minnesota.

Mr. FRASER. Mr. Chairman, I appreciate the interest of the gentleman from Alabama in trying to save money in this bill. But this $3 million, compared to the $300 million which we have already cut from it, really does not do much by way of saving money for the taxpayers of this country. However, in my opinion it hits at a very sensitive portion of the program.

One of the problems we have had during the life of this program has been to get AID to strengthen their training programs. We need to provide training such as was being given in Hawaii to people going out as provincial representatives in Vietnam. This is now being given at the Foreign Service Institute. We would like to see this kind of training expanded and made permanent. We need similar efforts to train people serving in Latin America, Africa and other places. Thus this proposed cut hits at a very vital part of the administration of the program.

If this amendment is adopted, we continue to downgrade the morale of the people, we retard them in their efforts to bring in and keep people whom they need, and to give to them the more extensive training which they need.

I really hope that the gentleman from Alabama will reconsider this amendment. It is a very small amount of money. It hits at a very sensitive section, the administration of the program. I do not feel that it is a wise amendment. I might add that the committee supported the amendment which was offered by the gentleman from California [Mr. TUNNEY] designed to introduce new management techniques and systems. In this process of necessity AID will have to have new trained personnel in order to make this system function. All this amendment would do is to cut back and cripple with the result that I really do not think there is any savings of any consequence to our Government.

Mr. Chairman, I appreciate the concern of the gentleman from Alabama with reference to these matters. I know, having served with the gentleman on the committee, that he has a genuine and deep interest in how this program is administered.

Mr. BUCHANAN. Mr. Chairman, I appreciate the gentleman's concern, and would hope we could cut the number of personnel and not the training program.

Mr. MORGAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I cannot see what is so magic about the figures which were written into this legislation in the other body, or about the figures which were contained in last year's appropriation act. However, that seems to be the magic word around here today. I have heard it said about 150 times. "This is the figure that was allowed by the other body," or "it was the figure in last year's appropriation act."

Mr. Chairman, if we go ahead and vote for Federal pay raises—and, of course, the AID pay increases for fiscal year 1967 amount to $1.1 million—if we go ahead and vote them overseas allowances and so forth, and then provide no money to comply with what we require them to do by statute in this body, then I think we are headed for trouble. This is false economy. The Agency has been criticized here, because they did not do a good job out in Vietnam. We have not been able to police operations out there. How can they do a good job out there, when you deny to them the right to send out inspectors and to send out qualified personnel under the AID program to supervise and observe this program?

It is no wonder that the black market operates and flourishes in those countries. We have to have the personnel with which to supervise these operations. However, by cutting back on the administrative funds, we certainly will not have better administrative programs and personnel in South Vietnam or in any other program where we have an aid program now in operation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BUCHANAN and Mr. ZABLOCKI.

The Committee divided, and the tellers reported that there were—ayes 153, noes 122.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. WILLIAM D. FORD

Mr. WILLIAM D. FORD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAM D. FORD: On page 42, immediately after line 14, insert the following:

"(o) Section 636, which relates to provisions on uses of funds, is amended by adding at the end thereof the following new subsection:

" '(i) Notwithstanding section 640 or any other provision of this Act, none of the funds made available to carry out this Act shall be used to finance the purchase, sale, long-term lease, exchange, or guaranty of a sale of motor vehicles unless such motor vehicles are manufactured (1) in the United States, or (2) in the recipient foreign country by a company owned and operated by nationals of such country. For the purposes of this subsection, a company shall be deemed to be owned and operated by nationals of the recipient foreign country only if the President determines that—

" '(A) a majority of the officers of such company are nationals of such country;

" '(B) not less than 90 per centum of the employees of such company are nationals of such country;

" '(C) such company is engaged primarily in manufacturing motor vehicles in such country.

Provided, That where special circumstances exist wherein the purpose of this Act could not be carried out by a strict construction of this section the President is authorized to waive the provisions of this section in order to carry out the purposes of this Act.' "

And redesignate the following subsections accordingly.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes in support of his amendment.

Mr. WILLIAM D. FORD. Mr. Chairman, I shall not take the 5 minutes. This is a relatively simple amendment that is patterned after language already in the Federal Code with respect to the building of ships. The effect of the amendment would be to require that in the purchase of motor vehicles with funds provided under the AID program, motor vehicles must either be manufactured in the United States or manufactured in the country which is the recipient of the aid which is part of this program by a company owned and operated within that country by its own nationals.

This would have two direct effects. It would prevent the purchase of motor vehicles in competition with American motor vehicles from a third country. But it would also prevent American-owned motor vehicle production in foreign countries for resale through the AID program to the country receiving aid under the program.

The proviso at the end of my amendment is for the purpose of continuing a consistent practice of AID at the present time of using American vehicles whenever possible, but to leave them the flexibility they might need for a temporary use of foreign vehicles or where there is a very special circumstance that would make it impossible to use an American vehicle to carry out the purposes of this act.

One simple example of that might be the light and medium motorcycle production which comes from other countries, which is part of counterinsurgency programs in Asia; when we do not manufacture the type of vehicle that is used. This amendment is intended to apply to normal four-wheeled vehicles, those we refer to as cars and trucks.

I might say that, contrary to some of the assertions that have been made, after spending considerable time researching the present practices of AID; I find that the vast majority of motor vehicles purchased with AID funds are being purchased from U.S. manufacturers. However, there are circumstances that are leading American manufacturers to move more and more of their manufacturing processes to other countries.

For example, since the time that we adopted the Canadian-United States auto products agreement 2 years ago, all of the production of right-hand drive automobiles by both Ford and General Motors has now been moved to Canada. We do not make any vehicles of that kind any longer in the United States.

As I have said, up until now the vast majority of the vehicles have been purchased from U.S. manufacturers. I just want to be sure that will continue to be the case, and we will not encourage U.S. industry to export jobs.

Mr. POLLOCK. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from Alaska.

Mr. POLLOCK. What would be the situation where there was an American company in a recipient country manufacturing vehicles? Would they be excluded or not?

Mr. WILLIAM D. FORD. Yes, the

American company in the recipient nation would be excluded unless the American company had a majority of its stock held by nationals of that nation. I do not want to encourage American industry to go to a foreign country and then compete with American products that it makes in our own country. This past year American automobile companies brought 48,000 passenger car units into this country. I would rather, when we have a contract through AID to supply trucks, for example, that those trucks be manufactured in the United States and not manufactured in either Canada or England and delivered to West Germany or wherever they might be used.

Mr. POLLOCK. I would like to respond to the gentleman by saying that I think your amendment is a good amendment, but I am a little bothered by the fact that the American manufacturer would be prohibited from having his vehicles manufactured in that country participate simply because we are using American tax dollars here, but yet you are preventing the American manufacturer from manufacturing in that country for AID.

Mr. WILLIAM D. FORD. Very frankly, I do not think it is in our best interest, when we have a situation, for example, where the Ford Co. is building trucks in the United States and Ford is also manufacturing trucks in one of its plants in a foreign country, to fill an order with the foreign-manufactured product. The profits end up going to the same place, but the jobs do not end up going to the same place.

Mr. SCHADEBERG. Mr. Chairman, I support the gentleman from Michigan in his amendment. I represent a district in which there are two automotive plants: American Motors in Kenosha, Wis., and a Chevrolet plant in Janesville, Wis. It would be difficult to explain to the workers in these two plants as well as those workers in many plants in my district who are engaged in the manufacture of parts used in auto manufacture why they had to pay taxes to support vehicles purchased with their tax dollars manufactured in foreign countries.

I commend the gentleman for offering his amendment.

Mr. WILLIAM D. FORD. Mr. Chairman, I thank the gentleman for his support. American Motors used to be in my district.

Mr. MORGAN. Mr. Chairman, I wish to ask the gentleman a question.

The original amendment that the gentleman filed with the committee the other day did not contain the proviso that this amendment carries; is that correct?

Mr. WILLIAM D. FORD. That is correct, Mr. Chairman.

Mr. MORGAN. I was worried somewhat, because in some of the countries it is necessary to have automobiles with right-hand drives. These are no longer manufactured in the United States. Is that correct?

Mr. WILLIAM D. FORD. That is correct, and one of the purposes of the proviso would be to make it possible under those circumstances to purchase such vehicles outside the United States, because they are not available from normal U.S. manufacturers.

Mr. MORGAN. In many places around the world, they use two-wheel vehicles or three-wheel vehicles, as in our malaria programs, or in some of our programs in South Vietnam. Does the proviso also provide that these vehicles can be purchased somewhere else, in cases when these types of vehicles are not manufactured in the United States?

Mr. WILLIAM D. FORD. Yes, Mr. Chairman. That is what is referred to as a special-purpose vehicle. That is the purpose of this.

Mr. MORGAN. Mr. Chairman, I am a great supporter of buying all vehicles in America. If the gentleman's amendment applies to motor vehicles used in our AID programs, and requires that they are to be American purchased, I support his amendment.

Mr. WILLIAM D. FORD. Mr. Chairman, I thank the gentleman.

Mr. CHAMBERLAIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to address a question to the author of the amendment. I would be grateful if the gentleman would explain to me how his amendment differs from the provision in existing law that states:

> *Provided*, That none of the funds contained in this paragraph shall be available for the purchase of new automotive vehicles outside of the United States.

That, as I understand it, is the law as it is today. How does the gentleman's amendment differ from this?

Mr. WILLIAM D. FORD. Mr. Chairman, my amendment is stricter than that, because it not only says the automobile must be purchased in the United States, but that it must be manufactured here. I do not want Ford to negotiate a contract in Detroit for 500 trucks, and then find they are manufactured in Canada before they are delivered to Germany.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. WILLIAM D. FORD].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FASCELL

Mr. FASCELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FASCELL: On page 42, immediately after line 2, insert the following:

"(1) Section 636(a)(16), which relates to services of certain commissioned officers, is amended by striking out 'Coast and Geodetic Survey' each place it appears and substituting 'Environmental Science Services Administration' in each such place."

And redesignate the following subsections accordingly.

Mr. FASCELL. Mr. Chairman, I have cleared this amendment with the minority as well as the majority. It makes no substantive change in the law. It conforms with requirements of the reorganization act. It changes the name of the Coast and Geodetic Survey as it appears in the present law, to conform with its present name of "Environmental Science Services Administration."

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Chairman, as the gentleman says, this has been cleared. It is a technical amendment. There is no objection to it at all. We agree to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. FASCELL].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER 3—MISCELLANEOUS PROVISIONS

SEC. 303. Section 644 of chapter 3 of part III of the Foreign Assistance Act of 1961, as amended, which relates to definitions, is amended as follows:

(1) In subsection (d), insert "production facilities, utilization facilities," between "special nuclear material," and "or atomic weapons", and "or articles involving Restricted Data" before the period at the end of the subsection.

(2) In subsection (e), strike out "and formerly Restricted Data" and, immediately before the period at the end thereof insert the following: ", and data removed from the Restricted Data category under section 142d of that Act".

(3) Subsection (f) is amended as follows:

(A) Strike out "including orientation, training aid" and "including the transfer of limited quantities of defense articles for test, evaluation, or standardization purposes,".

(B) Add the following new second sentence: "'Training' includes formal or informal instruction of foreign students in the United States or overseas by officers or employees of the United States, contract technicians, contractors (including instruction at civilian institutions), or by correspondence courses, technical, educational, or information publications and media of all kinds, training aid, orientation, training exercise, and military advice to foreign military units and forces."

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that chapter 3, beginning at line 1 of page 43 and continuing through line 3 of page 44, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 44, immediately after line 3, insert the following:

"SEC. 304. Section 402 of the Foreign Assistance Act of 1963 is amended by adding at the end thereof the following new subsection:

"'(c) The application of section 231(b) of the Trade Expansion Act of 1962, as added by subsection (b) of this section, is hereby suspended with respect to the products of Poland imported after the date of enactment of this subsection. Such suspension shall continue—

"'(1) until the date designated by the President by Executive order (for the purposes of section 112 of the Internal Revenue Code of 1954) as the date of the termination of combatant activities in Vietnam and waters adjacent thereto; or

"'(2) until the President determines that Poland is no longer supplying to North Vietnam any items which are, for the purposes of title I of the Mutual Defense Assistance

Control Act of 1951, as amended, arms, ammunition, or implements of war, and he reports to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives that he has received assurances satisfactory to him that the supplying of such items to North Vietnam will not be renewed by Poland;

whichever first occurs.' "

Mr. **FINDLEY**. Mr. Chairman, the amendment does just one thing. It suspends the tariff privilege known as most-favored-nation treatment from the Government of Poland until the President has assurances that that Government is no longer supplying weapons of war to our enemy in Vietnam.

It is aimed against the Government of Poland, officials of which are gleeful over the arms aid being supplied to our enemy with great effect against U.S. airmen.

The amendment singles out just one country, Poland, because that country happens to be the one and only government which admittedly is sending arms and which also enjoys this favored treatment under our tariff laws.

I should like to call attention to an Associated Press dispatch of June 25, only a short time ago, datelined Warsaw, which says:

> Poland pledged full assistance Sunday to the Vietnamese *Communists* "until complete victory" and disclosed that Polish firearms already have been sent to Hanoi.

The No. 2 Communist is quoted as saying:

> We are glad that Polish guns are bringing *concrete results to you in your fight.*

He continued with this statement:

> We are giving and we will continue to give material, political and military aid.

I call attention also to the Friday, July 28, issue of the daily report of the Foreign Broadcast Information Service, a publication of the State Department. This issue carries the text of a speech in Warsaw to the General Staff Academy by the Minister of National Defense of Poland. In the speech monitored from Warsaw radio he refers, of course with abusive language, to our military conduct in Southeast Asia, and he voiced this sentiment:

> In a way we, Poland, are participating in this war by lending assistance to the Vietnamese people, and the same weapons with which we fought during World War II are now used in Vietnam. These weapons, obsolete under our conditions, prove of excellent value in the hands of people who are dedicated to the cause and who have learned in action how to use them effectively.

This is the Polish Defense Minister speaking to the war academy in Warsaw. He continued in the speech:

> Modern weapons produced in the socialist countries and possessing considerably better technical and tactical features than United States weapons are still more effective.

To me this leaves no doubt but what Poland is indeed sending weapons to Hanoi, which, by the testimony of the No. 2 Communist in Poland, Zenon Kliszko, are responsible for sending to the ground U.S. aircraft. In fact, Kliszko, on a visit to Hanoi just recently inspected an antiaircraft unit he said was supplied by Poland and congratulated the crew for having damaged or knocked down 40 U.S. aircraft.

It may be that this amendment I offer will not stop Polish arms from going to Vietnam, but it will be a useful warning to the many other countries who enjoy most-favored-nation treatment that we are not about to put up with this kind of nonsense. Perhaps it will to a degree impair our commerce and maybe cost us a little bit of profit in commercial channels. Perhaps in some respect it will interrupt the pleasant relationship, if there is such, that we have had with Poland. But do we owe anything less than this action to the men who have died in Vietnam perhaps because of Polish arms? I say we owe them this action.

You will recall that Poland received most-favored-nation status in 1960 and Congress ordered its suspension in 1962. President Kennedy in his foreign aid message for 1963 asked that MFN be restored to Poland and the Foreign Assistance Act of 1961 was amended by the authorization bill of 1963 to accomplish that purpose.

The arguments for lifting Poland's status as a MFN appear to me to be these:

First. Poland is the only country receiving MFN treatment which is sending arms to Vietnam. Accordingly, I do not believe she should enjoy a substantial tariff concession from the United States while she seeks to undermine our *position militarily in Vietnam.* Hanoi antiaircraft units—armed with equipment supplied by Poland—are reported to be responsible for the loss or damage to 40 American planes. The loss of life, not to mention the cost of replacing or repairing the planes, has had an adverse effect on our military position in Vietnam. Polish aid thus is responsible not only for the loss of valuable planes, but also for the loss of American life.

In light of these developments consider the fact that the MFN tariff *concession has been the most significant* factor in Poland's favorable balance of trade with the United States. In 1959, for example, the last year before MFN was restored, Poland's exports to the United States amounted to $31.8 million and her imports from us were almost $75 million, an unfavorable dollar deficit to Poland of $43 million. However, in 1966 Poland's exports to the United States were $82.9 million and its imports only $53 million, resulting in a favorable balance of trade to Poland of $29.9 million.

The influence of Poland's MFN on balance of trade with the United States is a major factor in building up its dollar and gold reserves and deleting our own. Indeed following the extension of MFN to Poland her exports to the United States have increased almost threefold.

Second. Poland is a member of the International Control Commission—along with India and Canada—established by the Geneva Convention of 1954 to implement and supervise the Accords. As a member of the ICC Poland has the obligation to remain scrupulously neutral in the conflict in Vietnam. Neither India nor Canada has been involved in the conflict either through economic, political, or military assistance. Contrast this with Poland's actions. She has established relations with the National Liberation Front in South Vietnam, and has supplied economic assistance to the Vietcong. Radio Warsaw and the leaders of the Polish Government have repeatedly villified the United States for its involvement in Vietnam. To North Vietnam Poland has provided political, economic, and military assistance. This is hardly the posture for a nation charged with the responsibility to implement an international convention in an impartial manner.

What are the arguments presented by the Department of State against the proposal to lift MFN? First, of course, I want to draw your attention to the fact that neither the State Department nor the White House has denied the validity of the reports.

The arguments presented against lifting MFN are these:

First. "We need to maintain a balanced policy regarding the Vietnam war." It is the first requirement of a leader to establish priorities. The President must determine which is more important, ending the conflict in Vietnam or continuing our less than satisfactory relations with Eastern Europe as though there were no conflict in Vietnam in which they are actively assisting our enemy. I am in favor of any policy that will give the nations of Eastern Europe greater autonomy from the Soviet Union and promote internal independence, but I am also a realist. As long as the war in Vietnam continues there will be no significant improvement in our relations with either the Soviet Union or Eastern Europe. If the President is seeking to "build bridges" to the East, he must recognize that the Vietnam conflict stands in the way. Therefore, our entire foreign policy should be framed around the proposition, "Will this policy promote or retard an honorable settlement in Vietnam?" This must be the first priority, *because the war prevents a normalization* of relations elsewhere. Indeed, any policy or measure that helps to end the Vietnam conflict also helps to "build bridges" to the East.

The second argument advanced against listing MFN is that it will not halt Polish military shipments to North Vietnam. This is only an assertion. We do not know whether it is true or not. I believe, however, that even if Poland continued her shipments, other countries not now providing military assistance—*would be restrained from increasing* their support for North Vietnam. Few countries would place their relations with North Vietnam on a level higher than a satisfactory economic and political relationship with the greatest military and economic power in the world: the United States. Yugoslavia and other nonalined nations may well decide that if Poland can get away with sending arms to Vietnam, then she can increase with impunity her economic assistance to Vietnam, too.

The third argument advanced is that to suspend MFN would jeopardize Poland's ability to service her debts because of her dollar and gold shortages, including the 1960 claims settlement. I question this reasoning. Poland pays to U.S. claimants only $2 million a year—her present favorable balance of trade, as of last year, was almost $30 million—so lifting MFN, even assuming an adverse balance of trade, would not seriously jeopardize her ability to raise $2 million a year. As for the allegation that she could not—or would not—pay her others debts, I think this is unrealistic. For Poland to default on a contract for claims and Public Law 480 shipments would seriously injure her status in the international financial community. Poland would find it extremely difficult—if not impossible—to receive long-term credits or even regular commercial loans. Nor could she turn to either the Soviet Union, China, or the other Eastern European countries for assistance, because they must rely on long-term credits themselves. Furthermore, we have relieved Poland from repurchasing in dollars a large portion of her Public Law 480 debts by our willingness to accept Polish local currency instead of dollars.

The fourth argument advanced against lifting MFN is that such an action would seriously limit our presence and leverage in Poland. However, if we are afraid to lift MFN because of a fear that Poland might cancel our various economic and cultural programs with her as well as defaulting on her debts and claims, then it is Poland which has leverage with us, not the other way around. When the Congress ordered the President to lift MFN for Poland in 1962 no cultural or exchange programs were canceled as a result. I have been provided with a 12-page, single-spaced report by the Department of State detailing our activities in Poland. Almost all of the activities covered in the report—including welfare programs under Public Law 480, U.S. exhibits at Polish trade fairs, an embassy library, television and motion picture films, cultural exchanges, distribution of Ameryka magazines, radio programs from VOA and RFE, lecture programs, exhibits, book fairs, textbook translations, agricultural, medical and social research programs, including the construction of the children's hospital—would not directly be affected by lifting MFN. American presence in Poland—as the extent of these programs testify—would not be removed.

There is no indication that any of these programs—many of which I supported—would be jeopardized by the lifting of MFN. We need not attempt to buy the loyalty of the Polish people to our ideas. Poland has looked West, not East, for 1,000 years. Her people will not turn against the West because MFN is lifted. If all possibilities of Western contact were removed from Poland it would probably create the same stress and strains that resulted in 1956 and the Government would be forced into allowing greater contact with the West.

The final argument against lifting MFN to Poland is that it is the most independent of all Communist countries in its internal policies and that our aid encourages this. It is said that trade with the West is beneficial in widening this impact of the "keyhole" effect. First, I am not arguing that we should discontinue commercial trade with Poland. I have never opposed East-West trade on a commercial basis when it involved nonstrategic items. The question of Poland's internal autonomy is irrelevant here. I am proposing to lift MFN only until the President has determined Poland is no longer supplying arms and other defense material to North Vietnam.

In closing, I want to observe that many knowledgeable and responsible observers of the Polish contemporary scene have compiled impressive evidence to indicate a retrogression in Poland's internal liberalism. Among these authorities and their publications are Richard Staar's book, "Poland, 1944–66," and his article, "The Hard Line in Poland," published in the April 1967 issue of Current History; Adam Bromke's book, "Poland's Politics"; and Andrew Field's article in the New Leader—May 11, 1964—entitled, "The Myth of Polish Liberalism." The Department of State's own staff report on the internal conditions in Poland, prepared this April, cites several examples of the retrogression of internal freedoms.

Mr. ZABLOCKI. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, certainly I have no way of judging whether or not Poland did indeed provide some World War II-vintage weapons to North Vietnam. All we have as evidence, as has been pointed out by the gentleman from Illinois, is a statement of a Polish Communist military official, an official who could be expected to express solidarity for the Communist cause and to exaggerate the role of his own department in this regard.

I want to point out that Mr. Kliszko's speech that the gentleman from Illinois referred to was published in Hanoi but not in Poland. I am told it is not printed in Poland and it was not available there.

But let us put in perspective what this amendment would do in relation to our national interests. We must remember that the United States has long-term interests in many parts of the world. Our national interests in Europe and Eastern Europe, for example, exist independently of what happens in Africa, Latin America, or the Far East.

We ought to remember further that we and we alone should have full control over what we do or what we may not do to protect those interests. It would be foolish, for example, to allow a Communist making a speech in Eastern Europe or Africa or Latin America or Hanoi to decide our national policy.

We must remember finally that three consecutive administrations, beginning with the administration of President Eisenhower, have explicitly stated that the United States has a tangible, definable interest in Eastern Europe. Pursuant to this determination we resumed relations with Poland after the October 1956 change of the government of that country.

Mr. Chairman, we know that Poland does not have any sizable weapons industry.

There are other countries of Eastern Europe—the Soviet Union, Czechoslovakia, East Germany, to mention three—which are much more developed in this field. Therefore, Poland's provision of aid to North Vietnam must be marginal.

Further, the level of Polish exports to North Vietnam, from what I have been able to ascertain from published statistics on this subject, is relatively small—less than $5 million in 1965, about $10 million in 1966, and probably somewhat higher in 1967. The portion of those exports which may consist of war materiel must therefore be even smaller. These figures would seem to indicate, therefore, that the military equipment, if any, that Poland may have shipped to North Vietnam could not have been of the sophisticated type, usually credited with shooting down U.S. planes.

While I do not condone any assistance to North Vietnam by any country, as I said previously we must look at this problem in a proper perspective. We cannot allow ourselves to have our entire policy—and all of our worldwide interests—controlled by what happens in a single area, or what is said by a Communist in Hanoi.

Initiation of discriminatory tariff treatment toward Poland will not make easier our task in North Vietnam. It will be principally a gesture of hostility. This action in these circumstances would undermine the President's entire program of encouraging better U.S. relations with Eastern Europe. Liberal elements in countries of that area will be discouraged in their efforts.

If we withdraw most-favored-nation treatment from Poland, we will be discouraging those in Poland who seek better relations with the United States and proving right those who say that there is no future in good relations with the United States. We will not be protecting the security of the United States by encouraging those elements in Poland who try to create a solid Communist bloc united in hostility to the United States.

Denial of most-favored-nation treatment would be a blow not to the leadership of the Polish regime, but to the people of Poland, who would regard this as a sign that the United States has lost interest in their welfare and their efforts to develop closer ties with the West.

Finally Mr. Chairman, Poland, with U.S. encouragement, is about to become a member of GATT. The decision to apply for membership was not lightly taken and represents the victory of those elements within the Polish leadership who seek closer ties with Western Europe. For the United States now to withdraw "most favored nation" from Poland will make us look ridiculous in the eyes of our European allies. As a member of GATT the United States may not arbitrarily withdraw "most favored nation" from any other GATT member. Mr. Chairman, I strongly urge the amendment of the gentleman from Illinois [Mr. FINDLEY] be defeated.

Mr. CHAMBERLAIN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I take this time in order to address a query to the gentleman from Wisconsin [Mr. ZABLOCKI].

I recall the gentleman's statements minimizing the Polish trade with North Vietnam.

I am wondering if the gentleman is

aware of the document, known as the Blacklist, which was issued on August 4, 1967, by the Department of Commerce listing the foreign-flag vessels arriving in North Vietnam since January 25, 1966; that is, the last 19 months?

This document carries the names of 23 Polish vessels that have carried shiploads of goods to North Vietnam.

Mr. ZABLOCKI. I am fully aware of the Polish ships involved. I am ready, however, to advise the gentleman from Michigan that the bulk of the trade of Poland with North Vietnam is shipping services, but the cargo in those ships is not controlling.

Mr. CHAMBERLAIN. I would say to the gentleman that anything North Vietnam is going to pay the freight on, when they have a total war economy, is something that they need urgently. Any time we have an opportunity to tighten the screws on this traffic, I think that this House of Representatives should do it.

Mrs. KELLY. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, in 1957 and prior to that date, I sponsored amendments similar to the one offered by the gentleman from Illinois, opposing trade with Poland. However, in later years, in 1960, the most-favored-nation clause was given to Poland.

As a result, Poland has benefited from the Public Law 480 program. Almost half-billion dollars worth of surplus farm commodities were sold to Poland. At the present time Poland owes the United States $687 million. Most of this resulted from the purchase of Public Law 480 imports. The total sum due to the United States from Poland in the next few years is as follows: $22 million in 1967, $21 million in 1968, $53 million in 1969, and $37 million in 1970.

Mr. Chairman, what this amendment would do would be to deprive Poland of ability to pay this debt to the United States. I believe the amendment is detrimental to the interests of the United States, and also those of the people of Poland.

Mr. Chairman, having been to Poland a year or so ago, I can truthfully say that there are no people in that part of the world who are more in sympathy with the United States than the Polish people. However, we must realize their geographic situation, and we must realize that their government is Communist controlled, and nothing can change that today.

Further, I want to say that the younger generation growing up in Poland do not appear to me to be committed to the communistic regime. There are few peoples living under the bondage of communism who resist that ideology more than do the Polish people.

I also feel at this time, when we are depending upon Poland more than any other country as an ear into Hanoi, that the adoption of this amendment would be detrimental to our efforts to achieve peace with justice in Vietnam.

Mr. HALPERN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment offered by the distinguished gentleman from Illinois [Mr. FINDLEY] to suspend the most-favored-nation treatment now accorded to Poland, until our President has assurances that nation is no longer supplying weapons to our enemy in North Vietnam.

As the able gentleman pointed out on this floor yesterday, Poland is the only nation still enjoying this favored tariff treatment, yet still freely and admittedly supplying the hardware of war to our enemy.

As the gentleman pointed out, the tariff privilege had been withdrawn from the entire Soviet bloc, including Poland, during the Korean war, but the favored position was restored to Poland in 1963.

The amendment is doubly justified by Poland's present hard line, and if we seek evidence of this, let us take the treatment of Polish Jews, for example.

Following the devastating blow given to the Soviet Union by Israel's victory over the Russian-backed Arab States, the Russians retaliated by ordering even tougher penalties and restrictions than heretofore against Jewish citizens in the U.S.S.R.

This line spread to other Iron Curtain countries, but the most vicious of all was the Polish policy of retaliation, which is still running rampant in that country.

How can we, in all good conscience, underwrite such an inhuman, reactionary attitude, by continuing most-favored-nation treatment for Poland?

Mr. ROONEY of New York. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, it seems to me that this pending amendment is directed not toward the atheistic Communist Government of Poland—which I would slap just as fast as any other Member here would—but to the 30 million people who live in Poland.

Mr. Chairman, I visited Poland a few years ago, and I did not find a single farmer—and I traveled extensively in Poland at the time—I did not find a single farmer—and you know the great bulk of the population of Poland are farmers—who was not thoroughly familiar with the fact that they had received the most-favored-nation treatment from the United States and very much appreciated it.

That is the fact, I say to the distinguished gentleman from Illinois [Mr. DERWINSKI]. Everyone I spoke to—and I had three and four people with me as skilled interpreters at the time—said the same.

Mr. Chairman, I spent a morning at the ham factory in Krakow, Poland, which had about 1,400 or 1,500 employees where they package or tin the two Polish hams which are best known here in the United States, the Krakus brand and the Atlantis brand.

When the superintendent of the establishment came out to the automobile to greet me, he immediately took me a short distance to a pen containing hogs which were about to be slaughtered, and with pride said: "I want you to know that there are only 5 percent from collective farms; the rest of the hogs, 95 percent, are from private farms."

Mr. Chairman, this is indeed a strange brand of communism to find behind the Iron Curtain much different from the Soviet Union. I do not want to do anything to hurt these fine Polish people who I believe will be the first to come out from behind that Iron Curtain. They are our sincere friends here and now.

I can also state some facts with respect to the practice of religion in Poland. I am an ardent admirer of Cardinal Wyszynski, the primate of Poland, who continually stands up to the atheistic Communist government on many issues.

Mr. Chairman, when you come out of Mass on a Sunday morning, as I did, and find two companies of Polish troops lined up in drill formation in full uniform, commanded by officers, waiting to go into the next Mass, you say to yourself this is surely another strange brand of communism.

Mr. Chairman, I sincerely say that for us to adopt this pending amendment of the gentleman from Illinois, if it were ever to become law and deprive these friendly people of this treatment, we shall be doing great damage not only to the security of our own Nation but to our standing before the rest of the free world because, Mr. Chairman, there is not an actual bit of Red godless communism in their hearts and minds, they are captives of the commissars who run the Polish Government.

Mr. DERWINSKI. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

I would first point out to the distinguished gentleman from New York who just spoke that touring a country like Poland with an interpreter is a very calculated risk that you were taking.

Mr. ROONEY of New York. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman.

Mr. ROONEY of New York. Would it surprise the gentleman if I were to say one of the interpreters is a friend of the distinguished gentleman from Illinois [Mr. DERWINSKI]? I refer to the Honorable Michel Cieplinski.

Mr. DERWINSKI. Well, no, you would not surprise me—but just a minute—then you may as well tell the House that you were touring Poland with a State Department official, who obviously has to support the position of the Department. So I do not think that he was impartial.

The point is—being of Polish extraction, I have a soft spot in my heart for the Polish people—as you have for the Irish people.

The only difference between the Polish and the Irish is that we do not have a Blarney Stone. But otherwise we are the same type of people—we have the same religion and the same spirit. We were oppressed by the Russians just the same and as long as you were oppressed by the English.

The point I am making is this: If you want to help the poor people of Poland, for whom many have expressed great respect this evening, the way you can do it is to support the Findley amendment. One way you can help those people, or other peoples behind the Iron Curtain, is to stop supporting their governments. You do not help an oppressed people in any Eastern European country if you shore up their governments.

Let me review the alleged need of the Polish Government to export Polish hams to the United States. The last time I was in Poland they were exporting hams to the United States and they were also rationing meat in Poland. I do not see the justification, if we are concerned for these people, to allow their Government any favored tariff treatment to export food to the United States when they are depriving their own people of essentials.

You speak about religious freedom in Poland. There is no real religious freedom there. The Government is not strong enough to wipe out religion because the populace is overwhelmingly Catholic. In other countries behind the Iron Curtain the people happen to be divided—some Orthodox—some Protestant and some Catholic. So the Reds use a divide-and-conquer technique.

In Poland, unfortunately for the Communists, the Catholic Church has the public support, so they cannot attack the entire population and, therefore, the Reds tolerate religion. They do not protect it—they just tolerate it. They have wiped out Catholic schools, they draft seminarians. I have a news clipping here in which members of the Post Office Committee might be interested, which reveals that any letter sent to Poland from the United States or any free world country is censored by the Polish Government, and there are instances where funds have been removed.

I do not see how that Government in any way justifies any favored-nation treatment.

I would say that if we pass the Findley amendment and they feel that they must regain the most-favored-nation status, then they might make some meaningful domestic and international adjustments. We should use a little pressure on them and say, give your people some liberty—give your people some fundamental freedoms.

There was also mention of collective farming—the reason they have little collectivist farming is that the farmers oppose it. The farmers would not work under collectivization and the Communists are as yet not that strong.

Every time you aid the Communist government or when it is given unearned respectability, you actually add to the bondage under which the people are suffering.

I will go on a cross-country tour with any Member of this body before any Polish community in this country, and argue for the Findley amendment. The Findley amendment is good for the people of Poland.

But that is not why we should support it. The Findley amendment is good, practical international politics for the United States and the people of the United States. That is what we are here for. We are not only concerned with the people of Poland. We can help them as we help our own foreign policy by stopping trade subsidy of these Eastern European Communist governments.

Mr. GALLAGHER. Mr. Chairman, I rise in opposition to the amendment. The issue really at this late hour is not whether we like communism or whether we dislike Communists. We all dislike Communists, especially at 5 minutes after 1 in the morning. The real issue is whether or not we wish to rescind the most-favored-nation treatment from Poland. The political posture of Poland is no different now from what it was when the most-favored-nation treatment was extended to Poland, which was back during the days of President Eisenhower.

In their wisdom at that time they thought this was a good way to extend relationships and to expand their interest in the West. It was in 1960 when this treatment was extended, and we have voted for it every year.

Now suddenly we find that there is no reason existing for that treatment. Well, there is a very significant reason and that is, since 1960 Poland has been doing considerable business with the United States. If we withdraw this status at this time, what we will be doing is cutting off Poland's ability to do business with the United States so that she can pay back the $680 million she owes. We are depriving the Polish people of the right to buy some $40 million each year of American agricultural products over and above that provided under Public Law 480. So I think it is a little late in the day for us to say, "We made a mistake back in 1960."

Three Presidents, three administrations, have ratified this policy. It would not be of special help to the Polish Government. That Government will only change when the 123 Russian divisions leave Eastern Europe. But three administrations have ratified this policy as the best policy, and I hope that we do not change it now.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Is it not true that the hierarchy in Poland who certainly are not sympathetic to communism favor the continuation of the most-favored-nation treatment for Poland?

Mr. GALLAGHER. There is no doubt about it.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Illinois.

Mr. DERWINSKI. What evidence does the gentleman have for that statement? Does he have a letter from the hierarchy?

Mr. GALLAGHER. You have my colleagues' certified word, my friend.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Illinois

Mr. FINDLEY. I think the gentleman will recognize that there is one very different condition today that did not prevail back in 1958 and 1959, and that is the Vietnam war, where a lot of American boys are being killed. Many of them are of Polish ancestry, along with other American boys, and some of them undoubtedly are being wounded and killed by Polish weapons.

Mr. GALLAGHER. There is no question that we must do everything we can to keep our boys from being shot. It might be that the Polish Government will be able to manufacture better arms since we adopted Mr. WIDNALL's amendment. But let us not bring that up now, since it was not applicable before when some were trying to cut out funds going to Korea.

The issue is clear and simple: Are we going to withdraw the most-favored-nation clause and cut off Poland's ability to do business with the United States? If that is what we want, then we should vote for the amendment. If not, let us vote against it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FINDLEY].

The amendment was agreed to.

Mr. GUBSER. Mr. Chairman, I strike the last word.

Mr. Chairman, as one who loves the House of Representatives, who is proud of his membership in this body, and one who respects the House as a coequal body in a coequal branch of our Government and a keystone of free government, I am compelled to protest the procedures of this confused evening.

I protest the depths to which the legislative process has been dragged tonight.

Without question this bill is now jammed with outright contradictions and errors of both omission and commission. I doubt that the committee knows what is in it, I do not know what is in it, and I seriously question that the White House and State Department lobbyists who have jammed the Halls today know what is in it.

This bill is not being written tonight. Instead what is the full House's responsibility is being shifted to a joint conference committee of probably 10 or 12 Senators and Representatives. This House, which bears the joint constitutional responsibility of assuming legislative power is passing the legislative buck to a conference committee.

If one believes in orderly and sensible legislative procedure; if one respects the Democratic process then he can follow no other course than to recommit this bill to the Committee on Foreign Affairs where it can be revised into an intelligible form.

Too much money is involved; too many important principles are at stake for law to be made by this ridiculous mockery of the legislative process.

As a believer in this House and proper legislative procedure I must vote to recommit this bill. At the proper time I hope a majority will share this view.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PART IV—AMENDMENTS TO OTHER ACTS

SEC. 401. (a) The joint resolution entitled "Joint resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization", approved July 11, 1956 (22 U.S.C. 1928a—1928d, inclusive), is amended as follows:

(1) Section 2 of such joint resolution (22 U.S.C. 1928b) is amended by striking out "North Atlantic Treaty Organization Parliamentary Conference" and substituting "North Atlantic Assembly".

(2) Sections 2, 3, and 4 of such joint resolution (22 U.S.C. 1928b, 1928c, and 1928d) are amended by striking out "North Atlantic Treaty Parliamentary Conference" each place it appears and substituting in each such place "North Atlantic Assembly".

(3) Section 2 of such joint resolution (22 U.S.C. 1928b) is further amended by striking

out "such Conference" each place it appears and substituting in each such place "such Assembly".

(b) Section 105(b) of the Legislative Branch Appropriation Act, 1961 (22 U.S.C. 276c—1), is amended by striking out "the NATO parliamentarian's Conference" and substituting "the North Atlantic Assembly".

SEC. 402. The first section of the Act entitled "An Act to authorize participation by the United States in the Interparliamentary Union", approved June 28, 1935 (22 U.S.C. 276), is amended by striking out "$50,000" and "$25,100" and substituting "$53,550" and "$26,650", respectively.

SEC. 403. The Agricultural Trade Development and Assistance Act of 1954, as amended, is amended—

(1) by redesignating such Act as part IV of the Foreign Assistance Act of 1961, as amended;

(2) by striking out "this Act" each place it appears and substituting "this part"; and

(3) by striking out "the Foreign Assistance Act of 1961, as amended" and substituting "this Act".

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that part IV of the bill, starting on page 44, line 4, to page 45, line 16, be considered as read, printed in the RECORD, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT OFFERED BY MR. LATTA

Mr. LATTA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LATTA: On page 45, line 9, strike lines 9 through 16.

Mr. LATTA. Mr. Chairman, realizing that the hour is late, I hope not to use my 5 minutes, as I believe everybody on this floor understands this amendment. This amendment would strike the language seeking to transfer the jurisdiction of Public Law 480 from the Agriculture Committee to the Foreign Affairs Committee, by merely deleting lines 9 through 16.

The Agriculture Committee has had Public Law 480 under its jurisdiction for approximately 13 years. I believe everybody in this House will agree that this has been one of the most successful programs that we have had the opportunity to support. I know there are many Members on this floor, including the person in the well, who now support Public Law 480 under the jurisdiction of the Agriculture Committee, who would not support it as a foreign aid giveaway program.

The argument is going to be made by the proponents of this transfer of jurisdiction, that it has ceased to be a surplus disposal program and is now a giveaway program. This may be true to a certain extent, because we have gotten some of our surpluses down in the last several years. That does not mean that surpluses might not pile up again tomorrow.

The argument is also going to be made that the Foreign Affairs Committee, dealing primarily in foreign affairs, should have the jurisdiction of Public Law 480. Let me say there is more than foreign policy, AID, and the State Department involved in Public Law 480. Eight agencies of our Government now are involved in this program: The Department of Agriculture, the Office of Emergency Planning, the Department of Defense, the Commerce Department, the Library of Congress, the Smithsonian Institution, the National Science Foundation, and the U.S. Treasury, not to say anything about the State Department, AID, or USIA. So more than foreign policy is involved in Public Law 480 or you would not have all of these departments and agencies participating.

Let me say that it grieves me most deeply to have to propose this amendment, since the transfer amendment was proposed by my dear friend from Michigan, a very able and distinguished member of the committee [Mr. BROOMFIELD]. The amendment was presented during the markup stage on the bill. There was no testimony taken. Neither the Department of Agriculture nor the State Department, to my knowledge, asked for this transfer. The President of the United States did not ask for it. But my good friend from Michigan thought it would be a good idea, and he is so persuasive in the Foreign Affairs Committee that he persuaded enough members on that committee to adopt his amendment.

Let me say, my colleagues, as we well realize, we have had a lot of trouble on this foreign aid bill, by reason of the attempts to take jurisdiction from other committees. I do not believe this is the way to acquire or change the jurisdiction of any committee.

This year the House and the Rules Committee acted on the matter of jurisdiction over Public Law 480. We gave the jurisdiction of Public Law 480 to the Committee on Agriculture. I think if there is a case—which I doubt—for transferring the jurisdiction of Public Law 480 from the Agriculture Committee to the Foreign Affairs Committee, they should make their case at the proper time. Certainly this is not a proper time to attempt to make a case to change the jurisdiction of a committee. We have an important and very comprehensive bill under consideration. It has been debated here for approximately 14 continuous hours. Public Law 480 is an important and effective program. I want to see it continue to be an important and effective program. I want to see it continue to have the same success and wide support that it has had.

I do not believe we will have that same support and success if we transfer this program to the Foreign Affairs Committee and it becomes an all-out giveaway program with AID purchasing foreign agriculture products to give away. I urge the adoption of my amendment.

Mr. JONES of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. POAGE] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. POAGE. Mr. Chairman, yesterday the gentleman from Oklahoma [Mr. BELCHER], who is the senior minority member of the Committee on Agriculture, and I joined in a letter to every Member of this House seeking support for this amendment.

In our letter we stated the following:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D.C., August 22, 1967.

DEAR COLLEAGUE: We take this opportunity to solicit your support of our effort to strike Section 403 of H.R. 12048, the "Foreign Assistance Act of 1967" which is scheduled for House action this week.

Section 403 of this bill would remove from the Committee on Agriculture the jurisdiction over Public Law 480 (the Food for Peace program) and vest that jurisdiction instead with the Committee on Foreign Affairs.

During the debate in the House we expect to be able to show that:

This proposed method of changing House committee jurisdiction is a very bad precedent.

No hearings or opportunity for the submission of views on this question were afforded to either our committee, the public, or the Administration.

The House has vested jurisdicition over Public Law 480 with the Committee on Agriculture which initiated this program in 1954 and has exercised continuous jurisdiction over it for the past 13 years.

Even though the Foreign Affairs Committee has assured us otherwise, the financing and administration of the Food for Peace program would, without further amendments, remain in and be charged to the U.S. Department of Agriculture if H.R. 12048 were passed.

The issue at hand, however, transcends by far the question of which committee of the House of Representatives should be charged with the responsibility for this important program.

The issue is: Which committee possesses the best qualifications to best make food work for peace We hope you will agree that the record of the Committee on Agriculture first in inaugurating Public Law 480, then in extending and expanding it through the years, and finally in giving it a new dimension in the 1966 amendments is a record about which every Member of this House, Democrat and Republican, can be proud.

The tasks ahead are even more vital and challenging with our new responsibilities to meet the rising world food and population crisis. We submit that the past decade and a half of bi-partisan experience, teamwork, expertise, and cooperation should not now be hastily and arbitrarily discarded.

Your support of this matter is greatly appreciated.

Sincerely yours,

W. R. POAGE,
Chairman.
PAGE BELCHER,
Ranking Minority Member.

I would now like to develop the points we raised in our letter.

First. Is the proposed method of changing House committee jurisdiction a bad precedent?

Yes, Mr. Chairman, it certainly is. Here we have a situation where one committee of the House is reaching out and taking the complete jurisdiction over a program that another committee has held for over 13 years.

Would not this method be a precedent for every committee of this House to use if it wished to take over the jurisdiction of another committee?

Is there not a better and more logical method for the various committees to resolve their jurisdictional differences? Of course there is.

The Legislative Reorganization Act of 1967 would be one proper way.

Another proper way would be the introduction of a resolution to vest jurisdiction and a thorough hearing at the Rules Committee.

But simply adding an entire statute under the jurisdiction of another committee to a foreign aid bill, certainly impresses me as an unwise and unsound method of establishing committee jurisdictional lines.

At this point, Mr. Chairman, I would like to point out to the House the provisions of House Resolution 83 which sets forth the powers and jurisdictions of the House during this, the 90th Congress. It reads as follows:

H. Res. 83

Resolved, That effective from January 3, 1967, the Committee on Agriculture, acting as a whole or by subcommittee, is authorized to make studies and investigations into the following matters:

(1) The restoration and development of foreign markets for American agricultural products and of international trade in agricultural products; the disposal of agricultural commodities pursuant to Public Law 480, Eighty-third Congress, as amended, and the use of the foreign currencies accruing therefrom; and the effect of the European Common Market and other regional economic agreements upon United States agriculture;

(2) All matters relating to the establishment and development of an effective Foreign Agricultural Service pursuant to title VI of the Agricultural Act of 1954;

(3) All matters relating to the development, use, and administration of the national forests, including but not limited to development of a sound program for general public use of the national forests consistent with watershed protection and sustained-yield timber management, and study of the forest fire prevention and control policies and activities of the Forest Service and their relation to coordinated activities of other Federal, State, and private agencies;

(4) Price spreads between producers and consumers;

(5) The formulation and development of improved price support and regulatory programs for agricultural commodities; matters relating to the inspection, grading, and marketing of such commodities; and the effect of trading in futures contracts for such commodities;

(6) The administration and operation of agricultural programs through State and county agricultural stabilization and conservation committees and the administrative policies and procedures relating to the selection, election, and operation of such committees;

(7) The development of upstream watershed projects authorized by Public Law 156, Eighty-third Congress, and the administration and development of watershed programs pursuant to Public Law 566, Eighty-third Congress, as amended; the development of land use programs pursuant to titles I and IV of the Food and Agriculture Act of 1962; and the development of the various programs provided for by the Child Nutrition Act of 1966;

(8) All other matters within the jurisdiction of the committee: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For the purposes of such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings, to make such inspections or investigations, and to require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee, or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths or affirmations to witnesses.

The committee may report to the House (or to the Clerk of the House if the House is not in session) at any time during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the committee for expenses of its members or other members or employees traveling abroad.

This resolution, which was adopted by the House on February 21, 1967, clearly gave to the Committee on Agriculture jurisdiction over Public Law 480 during the 90th Congress.

Second. Was there an opportunity for the submission of views on this question afforded to either our committee, the public, or the administration?

No, Mr. Chairman, there was not. The first I heard about this proposed change was after this bill was reported to the House.

To my knowledge there was no announcement of this proposed drastic change in Public Law 480 until House committee Report No. 551 was filed, and then on page 57 it simply stated:

Section 403 makes technical amendments to the Agricultural Trade Development and Assistance Act of 1954, as amended, which have the effect of incorporating that act as part of the Foreign Assistance Act of 1951. No changes were made in the provisions of the act.

Again, Mr. Chairman, as far as I know there were no views expressed on the language in section 403 by either the administration or by any of the many groups and organizations that follow Public Law 480 closely.

At this point, Mr. Chairman, I would like to insert in the Record a news story from UPI appearing in the August 3 edition of the Journal of Commerce. This article describes in some detail the provisions of H.R. 12048 as it was introduced on August 2, but makes no reference whatsoever to the proposed jurisdictional change in section 403:

House Group Approves Most of Foreign Aid Bill

Washington, August 2.—President Johnson scored a major victory when the House Foreign Affairs Committee today voted to give him virtually all he asked for in the new foreign aid program, and without restrictive amendments.

The committee cut less than $200 million from the administration's request for $3.4 billion for world-wide economic, technical and administrative assistance during the current fiscal year.

And it voted an even larger amount—nearly $3.5 billion—for fiscal 1969.

HOUSE APPROVAL DOUBTED

But committee chairman Thomas E. Morgan (D-Pa.) predicted to reporters that there would be a "tough fight" getting the bill through the economy-minded House later this month, and an even more difficult chore in reconciling differences with the Senate version.

The Senate Foreign Relations Committee last week voted to cut the current program by $740 million more than the 20 per cent of the total, refused the second-year authorizations completely and wrote severe new restrictions on the number of countries which may participate and on use of the funds for such programs as the sale of U.S. arms abroad.

The House committee has been meeting in closed sessions at least three times a week on the big foreign aid bill since it completed its hearings June 10.

It postponed a final committee vote on the package until tomorrow, but no additional amendments will be offered.

The House committee took these actions:

Cut a previously-authorized $750 million for development loans to $600 million.

Cut a previously-authorized $750 million for the Alliance for Progress to $650 million.

Cut a $100 million request for the President's contingency fund to $75 million.

Approved intact the requests of $243 million for technical cooperation, $720 million for supporting assistance, and $596 million for straight military aid.

Before approving military aid, the House committee agreed with the Senate committee that funds for NATO infrastructure costs should continue to be included as part of foreign aid.

MOVE SOUGHT

The President had acted to move this item to Defense Department budget instead. The House committee estimated the costs of this item at $54 million; the Senate committee at $84 million.

The House committee also approved an amendment expressing the sense of Congress that there should be an immediate and thorough review of the needs of the countries in the Middle East area, with a re-evaluation of U.S. policies there.

And it included a restriction barring aid transactions with any firms which the aid agency's inspector finds have been accepting bribes or kick-backs.

This is directed at several U.S. drug firms which reportedly made under-the-table payments to an official of the South Vietnam government to have their products included in the commercial import program there.

The House committee cut previously-authorized funds for the Alliance for Progress by $100 million.

The committee reduced the authorization for loans under the alliance from $650 million to $540 million, and increased grants from $100 million to $110 million for a net reduction of $100 million.

The Senate committee last week cut the authorization to $578 million, including $100 million for grants and the remainder for loans.

The House committee action today makes it certain that the program will be reduced for the current year.

It seems clear to me, Mr. Chairman, that section 403 was quietly inserted in this bill near the end of the committee's markup session and was not subject either to notice or to hearings by those most directly affected.

Third. Has jurisdiction over Public Law 480 been vested in the Committee on Agriculture which initiated this program in 1954?

Of course it has, Mr. Chairman.

In the 83d Congress the bill that became Public Law 480 was S. 2475 by the late Senator Schoeppel, of Kansas. That bill passed the other body on July 28, 1953, and was referred to the House Committee on Agriculture. Companion bills—H.R. 6845 by Dr. Judd, of Minnesota and H.R. 7875 by Mr. Harrison, of Nebraska—were also referred to the House Committee on Agriculture. Several other Members of the House introduced similar measures. I introduced H.R. 8271 providing for the use of agricultural commodities in foreign countries. All these bills were referred to the Committee on Agriculture.

On June 16, 1954, the House passed S. 2475, and after conference it was approved by President Eisenhower on July 10, 1954.

During the past 13 years there have been many extensions of the act, and in each case the legislation to do so has been referred to the Committee on Agriculture.

The committee has followed Public Law 480 very carefully through the years, and we even have a Special Subcommittee on Foreign Agricultural Operations, chaired by the gentleman from Missouri [Mr. Jones] to keep the House fully apprised of the operations of this very important program.

Fourth. If section 403 of H.R. 12048 were passed, how would the financing and administration of the food-for-peace program be carried out?

It is clear that for the period ending December 31, 1968, the Department of Agriculture would continue to be charged with the operation and budgeting of this program. After the present statute expires, perhaps there would be changes in the administration of the program and in the appropriations process.

In the meantime, however, the Department of Agriculture would be charged with a program within the control of a committee other than its parent committee in the Congress.

What is there so wrong, Mr. Chairman, with the way Public Law 480 is now being carried out that makes this drastic change necessary?

It seems to me that all of us can be proud of the fact that Public Law 480 has enjoyed bipartisan support and has been administered in a spirit of cooperation and teamwork. Why try to rewrite this time-tested success story now?

Finally, Mr. Chairman, let me say that when all is said and done, it probably is not all that important which particular committee of the Congress does this or does that. There have been many jurisdictional changes in the House throughout the years.

What is really important is: How are we best going to make food work for peace?

Famine lurks just around the corner in many areas of this planet. Increased agricultural skill and technology are vitally needed. U.S. food and fiber knowhow are needed. The continued help of the American farmer is needed. U.S. agribusiness help is needed. The cooperation of all agencies of our Government is needed.

We at the Committee on Agriculture recognize the foreign policy implications of Public Laws 480, and we are willing to work with our colleagues on the other committee, but I implore the House not to take precipitous and hasty action which might destroy Public Law 480, one of the great monuments to American's compassion and commonsense.

Mr. JONES of Missouri. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first I should like to explain that the chairman of our committee, Bob Poage, is not here tonight because he had to leave earlier in the day and on tomorrow morning will receive an honorary degree from his alma mater, Baylor University. I will ask, when we go back into the House, that his statement may be printed in the Record immediately following the remarks of the gentleman from Ohio [Mr. Latta].

Mr. Chairman, I will try not to reiterate some of the points made by the gentleman from Ohio, who offered the amendment. I believe it should be emphasized, however, that on February 16, 1967, House Resolution 83 was reported to this House, and it was subsequently adopted, stating that the Committee on Agriculture is authorized to make studies and investigations into the following matters—and I will read six lines:

> (1) The restoration and development of foreign markets for American agricultural products and of international trade in agricultural products; the disposal of agricultural commodities pursuant to Public Law 480, Eighty-third Congress, as amended, and the use of the foreign currencies accruing therefrom; and the effect of the European Common Market and other regional economic agreements upon United States agriculture; . . .

This resolution, which was adopted by the House on February 21, 1967, clearly gave to the Committee on Agriculture jurisdiction over Public Law 480 during the 90th Congress.

The fact that this bill was brought out and included the provisions to transfer Public Law 480 to the Foreign Affairs Committee, which would be stricken by the amendment offered by the gentleman from Ohio, was rather closely guarded. At least, it was given no publicity. Even the news items put out by the Associated Press and the UPI did not make reference to the fact of making this important change, which Congress had approved earlier this year.

Public Law 480, as most Members know, was passed in 1953; and, contrary to some statements which have been made earlier, it was a Senate bill which was adopted. The law went into effect in 1954. It has been effectively operated to the advantage not only of this Nation but also of the farmers of this Nation for the past 13 years.

Public Law 480 at this time and under the operation of the Committee on Agriculture does offer a hope to the farmers for increased production. It certainly should not be changed from the Committee on Agriculture.

I believe we all realize we would be setting a bad precedent to adopt a provision that had no more opportunity to be discussed, and had not been discussed or given an opportunity to be considered, by the other committees involved.

I know the hour is late. It is now 1:20 in the morning. I am not going to take up any more time, because I have confidence in the intelligence and fairness of the Members in this House to maintain Public Law 480 under the Committee on Agriculture. I expect to support the amendment offered by the gentleman from Ohio and hope other Members will also.

Mr. BROOMFIELD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and Members, I should like to call attention again to the statement which was made by Mr. Lynn who is the legislative director of the American Farm Bureau Federation, when he appeared before our committee May 3. He said that the Farm Bureau recommended:

> Public Law 480 operation be transferred to this committee and to AID, and that we take it out of the agricultural budget and handled as part of this budget because, with the amendment to this law last year, with the word "surplus" removed, it is truly an arm of our foreign aid program and should not be geared solely to domestic farm program objectives.

Mr. Lynn also said in the hearings at page 780:

> If food aid, economic assistance, and technical assistance are to be coordinated, it seems apparent that they must be administered by the same government agency. U.S. assistance should be offered to less-developed countries as a unified program containing those elements that will best fit each country's developmental needs.

I would like to call attention to the comprehensive report of the President's Science Advisory Committee.

This study, issued in May of this year, was the result of the deliberations of more than 100 experts. Two of the major conclusions are particularly pertinent to our discussion:

> Food supply is directly related to agricultural development and, in turn, agricultural development and overall economic development are critically interdependent in the hungry countries.
>
> A strategy for attacking the world food problem will of necessity encompass the *entire* foreign economic assistance effort of the United States in concert with other developed countries, voluntary institutions, and international organizations.

I emphasize the word "entire" as indicative of the rationale of the Committee on Foreign Affairs that led to the inclusion of the amendment in the bill.

If one takes the time to read the voluminous justifications submitted to the Committee on Foreign Affairs in support of the economic assistance programs, he will recognize that there are many facets in those programs to assist the less developed countries to meet their food requirements.

First, and probably most immediate, is the shipment of agricultural products to deal with the deficiencies that exist today—not next year or the next decade.

Second, is the upgrading of the human and material resources of those countries in order that they may increase and diversify their production. This has always been an intimate part of our technical assistance programs. More recently the Peace Corps has participated in these efforts.

Third, is the longer range problem of mounting population pressure that often nullifies any gains made in food production. For some years the Committee on Foreign Affairs has been aware of this problem. This year it has included in the bill before this body a provision that sets aside $20 million in economic assistance funds—together with local currencies which may be appropriated—for the promotion of voluntary family-planning programs.

I must note that there are provisions in Public Law 480 touching on these matters but understandably they are not accorded the priority in emphasis that their importance warrants. I certainly do not want to criticize the Committee on Agriculture for not giving more sustained attention to these worldwide problems. I want to make that clear. Its efforts have been directed toward improving markets for our agricultural produce. It has every reason to be proud of its accomplishments.

The issue is not a narrow one of committee jurisdiction. I would ask this House to make its judgment on the broader issue of the mobilization and coordination of our foreign assistance programs to achieve maximum impact and effectiveness. The Congress has been critical of the fragmented bureaucracy in the executive branch where competition often overshadows coordination.

This amendment is not offered in any spirit of a quest for power for our committee. It is offered only for the purpose of producing a modest degree of coordination within the Congress.

Mr. ZABLOCKI. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I take the time to list a few programs utilizing Public Law 480 funds. Similar if not identical programs are authorized in the Foreign Assistance Act. For instance, country withdrawals of U.S.-owned local currencies were used for direct military support, food and agriculture, industry and mining, transportation, labor, health and sanitation, education, public safety, public administration, community development, housing, and private enterprise promotion.

Mr. Chairman, in my opinion aid programs would be better coordinated if utilization of Public Law 480 funds were under the jurisdiction of the Foreign Affairs Committee.

Therefore, Mr. Chairman, I hope the amendment of the gentleman from Ohio [Mr. LATTA] will not prevail.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. I thank the gentleman.

I would like to associate myself with the remarks which have been made by the gentleman from Michigan [Mr. BROOMFIELD] who has spent many long hours and who has put a great deal of study into this problem.

Therefore, I hope that his position will prevail.

Mr. BELCHER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I have never been jealous of our authority as a committee on agriculture. I have, as a member of the Committee on Agriculture, been willing to accept the responsibility and try to discharge the responsibilities that accrue to a committee on agriculture. So, therefore, I am not just arguing this point in order to just have a little bit more authority in this House of Representatives.

However, I think it is a pretty bad precedent when all you have to do is insert about that many lines in a bill handled by a completely different committee and take away the jurisdiction of another committee.

What would the Foreign Affairs Committee think if we slipped in a little paragraph in an agricultural bill taking all of the foreign aid program away from that committee? They would probably be pretty darn glad to get rid of it.

I want to say that Public Law 480 has been a popular program. And, as much trouble as you have had today getting your program through, it is no wonder that you would like to have one popular program in order to tie onto this one. And, I do not blame you for that.

But also I have heard here several times that we had to have a 2-year foreign aid program because you do not have time to look this over every year. Well, you are going to have to look it over every year, because the House cut your 2-year program down to a 1-year program. So, therefore, you will not have any time to take care of Public Law 480.

Now, Mr. Chairman, here is the thing about this: We do not have to take all night to pass Public Law 480. We write the kind of a bill that you do not have to amend here on the floor. The last vote on Public Law 480 was 330 to 20. The one before that was 349 to 6. There were no amendments from the floor on that particular bill.

This started out as an agricultural trade development act and it has done just that. Six billion dollars worth of agricultural exports have been developed under this program. We started out with Public Law 480 with Japan. Now we sell Japan $1 billion worth of agricultural products every year for hard cash.

Now, Mr. Chairman, my concern is that if the Foreign Affairs Committee takes this over, and they foul the thing up as much as they have the foreign aid program, we will never be able to get it through. It is now 1:30 in the morning. Supposing that we had to consider Public Law 480 right along with this foreign aid program? We would not get through by day after tomorrow. So I feel that why change from the committee that has done a good job and has had a popular bill, one that has been accepted by the House, and one which has been accepted by the foreign nations, over to a committee that has so fouled up their part of the foreign aid program that we have been here almost 12 hours, and we have had more amendments on this bill today by this House than the Committee on Agriculture has had on Public Law 480 during the past 14 years.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. BELCHER. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Chairman, I was interested in hearing the gentleman from Michigan say that the Farm Bureau favored the transfer of the administration of Public Law 480 from the Committee on Agriculture to the Committee on Foreign Affairs, but I would like to offer this comment:

There has been considerable in the newspapers lately to the effect that one of the Members of this body [Mr. RESNICK] who was on the floor recently, was making charges that in some way the Farm Bureau owned the Committee on Agriculture, and this is a great refutation of that fact.

Mr. BELCHER. Mr. Chairman, I would say the Farm Bureau has not been in the gallery today, or they would certainly resent that statement that they want the Foreign Affairs Committee to handle Public Law 480.

Mr. RESNICK. Mr. Chairman, will the gentleman yield? The gentleman mentioned my name.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. BELCHER. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. If we had a few more votes we would have done a better job here today. But I would say one thing, and that is we always support the gentleman's program. Unfortunately, the gentleman has not always supported foreign aid.

Mr. BELCHER. The House supports our program, not the gentleman.

Mr. GALLAGHER. I heard what the gentleman said, but the gentleman has not supported foreign aid.

Mr. BELCHER. The vote was 349 to 6 on our program.

Mr. GALLAGHER. Exactly.

Mr. BELCHER. That was not the gentleman, that was the House of Representatives.

Mr. GALLAGHER. If you can get that kind of support out of the House, you would have no trouble.

Mr. WHITTEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I arise in support of the amendment. The Committee on Foreign Aid at one time had control of this program, see section 550, Foreign Aid Act of 1953, and section 402 of the Foreign Aid Act of 1954.

During that time, those in charge of foreign aid would not spend their funds to any great extent for farm commodities, particularly farm commodities of which we had a surplus, but supported and spent their funds for productive equipment and machinery to put our foreign competition in business.

It was because of that attitude which still prevails with aid officials that Public Law 480 was passed. May I say that under Public Law 480 farm commodities can only be sold for foreign commodities when they are in addition to normal sales for dollars. It is for the Department of Agriculture to handle such a program, though may I say here, they do confer with your aid people as to the terms of agreements with foreign countries, as to the use of foreign currencies generated by 480 sales. I would like to read to you my summary of the conditions which prevailed when the foreign aid people had this program before:

REPORT ON FOREIGN AGRICULTURAL PRODUCTION

Pursuant to a directive dated February 25, 1955, a special investigation was made of increases in foreign agricultural production. An interim report was received in June 1955 and was made the subject of a special hearing of this committee on July 29, 1955, and published shortly thereafter. The final report on this subject was received on October 27, 1955.

A thorough review of both reports makes it apparent that the failure of tihs Government to meet competition in world agricultural markets is doing the American farmer irreparable harm. It is resulting in large increases in agricultural production abroad, with a steady increase in agricultural surpluses in the United States. It is rapidly restricting the American producer to the United States domestic market.

There have been 13 freight rate increases in the United States since World War II. Minimum wages have been increased by law. Other increases in costs have come from the bargaining power of labor unions. Prices charged by manufacturers, wholesalers, and retailers have given them the highest profits ever received. Whatever the merits of such increases and the benefits to these groups, the result has been to increase the costs of what the farmer must buy.

At the same time, the farmer's parity formula has been changed so that these increased costs are no longer reflected in his price supports. His supports are now based on the average price he has received for the preceding 10 years.

Production of United States farmers, which is not surplus to world needs, but only to United States demands, has been held off world markets; and the farmers' acreage in the United States has been cut back in an effort to absorb that which the United States would not sell.

While production of United States farmers has been held off world markets by failure to sell through normal channels, the United States has spent billions of United States dollars expanding the production of the same commodities in foreign countries. It has been busy making competitors of former customers, thus adding to world supplies and United States surpluses instead of reducing them.

Since farm income is the result of volume times price less cost, it is understandable—with reduced acreage and volume, lower prices, and increasing costs—why farm income is dropping rapidly to depression-day levels.

The present huge Commodity Credit Corporation investment of almost $9 billion comes not from the price support system so much as from using American dollars to put foreign lands into production for export, and from making loans and grants to provide them with agricultural machinery. The United States has provided technicians to teach them how to increase their production. Tax concessions have been granted to United States firms to get them to expand in foreign lands. Then to further bring about the ruin of many American farmers, the United States Department of Agriculture has held United States commodities off world markets so as to give markets to foreign countries far beyond their prewar share.

Such course adds to total world supplies. While the United States held its cotton off the world market and cut United States farmers' acreage, it invited and largely financed an increase of 5 million acres to be put into production in foreign countries. Yet 55,000 United States farm families, according to Secretary Benson's own report, were left without homes by the reduction in United States cotton acreage last year alone.

Largely financed by the United States, 1 million new acres of fine farmland have been added in Mexico through irrigation. Production of cotton in that country has doubled since 1950–51—from 1.151 to 2.2 million bales. This year Mexico's exports have increased from 742,000 bales to 1.8 million bales, which is as much as the United States will export for dollars at its high offering price this year. Much of the Mexican production is financed by American financial interests.

The same situation exists with regard to many other countries in South and Central America. And in recent weeks, through the Aswan Dam proposal, the United States has taken the first step to help finance the development of 2 million new acres in Egypt.

India, where the United States financed 2,000 deep irrigation wells, has increased cotton production 50 percent since 1950–51 and will have a 4 million bale crop in 1955–56.

Foreign dairy production has been increased by 740 million pounds of cheese and 66 million pounds of dried milk in the years 1950–54. During that period, while the United States would not sell competitively, exports of cheese from the United States dropped from 47.5 million pounds in 1950 to 5.4 million pounds in 1954.

During the period July 1, 1947, to August 1, 1955, the United States Export-Import Bank of Washington made loans of $260 million to foreign countries for farm machinery and equipment. The International Bank for Reconstruction extended $500 million in loans for the same general purposes.

From April 3, 1948, to March 31, 1955, the United States foreign aid program provided $984,159,436 in United States dollars to promote agriculture in foreign countries and created $710 million of counterpart funds for furtherance of agriculture in those countries. During this period the International Cooperation Administration granted a total of $476,819,000 for agricultural machinery, tractors, and equipment for foreign countries.

On June 1 of last year, there were 738 United States agricultural technicians on duty in foreign countries, helping to increase agricultural production. Of such agricultural technicians, 240 are located in Latin America.

The farm picture is anything but bright. Farm income compared to the national income has dropped from 7 percent in 1950 to 5 percent at the present. Farm income has dropped 21 percent in the last 3 years while other income has increased 14 percent. Farm income is deteriorating at such a rate as to seriously threaten to bring on another depression. The situation has become so serious as to cause a recommendation that a billion dollars be paid out to the farmers this year in an effort to bolster farm income and purchasing power. Though it is in the guise of a soil bank, it actually amounts to a direct grant, on an agreement not to farm. Such recommendations do not in any substantial way correct the causes of the present farm situation.

While our Government has raised costs, reduced prices, and held United States production off world markets, we have spent billions in increasing foreign production of the same commodities under the foreign aid programs which continue.

These reports, which fully substantiate these comments, are offered for printing in the Record at this point. Portions of the interim report have been inserted in the appropriate sections of the final report to make a full and complete record.

October 27, 1955.

Memorandum for the chairman.

Re increases in foreign agricultural production.

Pursuant to committee directive dated February 25, 1955, this staff has completed a study of increases in foreign agriculture production.

An interim report was submitted to the committee on June 22, 1955. There is attached the final report of this staff. Figures shown on exhibits 1 and 2 are based on Department of Agriculture crop estimate of September 1, 1955. On October 1, 1955, the Department increased the estimate for United States cotton production by approximately 1 million bales.

Respectfully submitted.

Charles G. Haynes,
Director, Surveys and Investigations,
House Appropriations Committee.

DIRECTIVE

By directive dated February 25, 1955, the Committee on Appropriations, House of Representatives, required that an inquiry be made into the following points:

1. The increase in agricultural production in foreign countries during the past 5 years, with particular reference to the basic commodities receiving United States price support.
2. The United States interests which have brought about such increased foreign production through furnishing of financial support and technical direction and assistance.
3. The extent to which such United States financial interests receive special tax concessions from the United States Government on income from production in other countries.
4. The extent to which such financial interests are tied into the Department of Agriculture and national farm organizations, through representation on advisory committees and similar groups.
5. The amount of foreign-aid funds which have been used to encourage increased agricultural production in foreign countries.
6. What special concessions other countries throughout the world make to move their exports, both agricultural and nonagricultural, into world markets.

CONTENTS OF REPORT

Summary of final report:

Increased foreign agricultural production.

United States interests furnishing financial support to foreign agricultural production.

Special tax concessions on income from production in other countries.

Financial interest of members of advisory groups.

Foreign-aid funds used to encourage agricultural production.

Special concessions of foreign countries to encourage exports.

Point I. Increased Foreign Agricultural Production:

Interim report: Cotton. Wheat. Tobacco. Peanuts. Corn and rice.

Final report: Cotton production. Cotton exports. Wheat production. Wheat exports. Corn production. Corn exports. Rice production. Rice exports. Tobacco production. Tobacco exports. Dairy products.

Point II. United States interests furnishing financial support to foreign agricultural production:

Interim report: Anderson, Clayton & Co. The Corn Products Co. W. R. Grace & Co. United States capital in Mexico. Unconfirmed reports of activities in Latin America. Information from agricultural attachés. Foreign activities of farm machinery and food-processing companies. Agricultural loans made by the Export-Import Bank. Credits for agricultural purposes, International Bank for Reconstruction and Development.

Final report: Interviews with cotton merchants, producers, ginners, bankers, and associations. Interviews with exporters and processors of grain, tobacco and dairy products. Agricultural loans made by the Export-Import Bank of Washington. Credits extended for agricultural purposes by the International Bank for Reconstruction and Development. International Basic Economy Corporation.

Point III. Special tax concessions on income from production in other countries:

Interim report: Foreign tax credit. Western Hemisphere trade corporations. Income from sources within possessions of United States. China Trade Act corporations. Dividends received from certain foreign corporations. Tax treaties. Foreign corporations not subject to United States tax. Individuals.

Point IV. Financial interests of members of advisory groups.

Point V. Foreign-aid funds used to encourage agricultural production:

Foreign Operations Administration and predecessor agencies: Turkey. Iran. Pakistan. India. Latin America.

Technical assistance activities of the Food and Agriculture Organization.

Point VI. Special concessions of foreign countries to encourage exports:

Interim report:

Export incentives for non-agricultural products: Remission of taxes. Rebate of import duties paid on raw materials. Retention of foreign exchange. Multiple exchange rates. Other export incentives.

Export incentives for agricultural products: Mexico, Brazil. India. West Germany. Dominican Republic. Cuba.

Loan to Brazil to finance cotton withholdings.

Final report: Brazil, Colombia, Paraguay, and Union of South Africa. France. Sweden. Australia. Franco-Egyptian trade agreement as related to cotton. Egypt. Turkey. The Netherlands. African territories of France, the United Kingdom, Belgium, and Portugal. Sudan. Uruguay.

SUMMARY OF FINAL REPORT

In this part of the report the staff members have summarized what appeared to be the more significant findings contained not only in this report but also in the interim report submitted June 22, 1955.

The summary follows the order of the sections of the report. It should be noted that section 1 contains data on exports of each commodity following comments on production. Complete information on exports for 1954–55 was not available so data used is for the crop year 1953–54 or the calendar year 1954.

Particular attention is invited to exhibits 1 and 2 which are the sources of many statistics used in the report.

INCREASED FOREIGN AGRICULTURAL PRODUCTION

(See pp. 99 through 120 of these hearings for supporting details.)

During the 4-year period ending with the crop year 1954–55 foreign countries increased production of all the basic commodities—cotton, wheat, corn, rice, tobacco, and peanuts—over 1950–51 levels.

Based on the most recent information available for the crop year 1954–55 the increase was approximately as follows: Cotton, 5.1 million bales, 28 percent; wheat, 329 million bushels, 6 percent; corn, 403 million bushels, 19 percent; rice 29 million pounds, 13 percent; tobacco, 457 million pounds, 9 percent; and peanuts, 1,360,000 tons, 14 percent. These increases are substantial but the increase of 28 percent in cotton production is particularly significant when it is realized that United States production declined 16 percent from almost 16.5 million bales in 1953–54 to an estimated 13.9 million bales in 1955–56.

While it is impossible at this time to forecast the world's 1955–56 crops, such information as is available indicates a further substantial increase over 1954–55 on at least two of the major basic commodities—cotton and wheat—possibly as much as 1.5 million bales on cotton (6 percent) and 440 million bushels on wheat (7 percent).

Land devoted to production of these two commodities in 1955–56 is expected to be substantially more than in 1954–55, nearly 2 million acres of cotton and 15 million acres on wheat, in addition to an increase in 1954–55 over 1950–51 levels of almost 10 million acres on cotton and 46 million acres on wheat.

COTTON

According to USDA statistics, United States cotton exports declined over 2.2 million bales in the past 3 years, from 5.7 million bales in 1951–52 to about 3.5 million bales in 1954–55, a loss of nearly 39 percent. During the same period exports by foreign countries increased over 3 million bales, 46 percent.

Examination of data on exports for the 2-year period 1951–52 to 1953–54 (see comments on cotton exports) shows that in 8 countries which constituted 80 percent of the United States cotton market in the prewar years of 1935–39 imports from the United States declined from 53 to 33 percent of total imports.

If the United States had retained in 1953–54 the same share of the market provided by these 8 countries as it had in 1951–52, it could have exported an additional 1.75 million bales.

The free-world countries which are providing serious competition to United States cotton exports are Mexico, Nicaragua, Brazil, Peru, Turkey, Greece, Syria, Iran, Pakistan, Egypt, and the Anglo-Egyptian Sudan. Although India has increased production about 1.25 million bales in the past 5 years, exports have shown little increase.

Those countries showing the greatest increase in cotton production during the past 5 years are: Mexico, the Central American countries of Nicaragua, Guatemala, and El Salvador, Colombia, Greece, Spain, Turkey, Iran, Syria, India, Pakistan, Nigeria, and Tanganyika. While Egypt is expected to produce about the same in 1955–56 as in 1950–51, a substantial increase of nearly 290,000 bales has occurred in the past 2 years.

Mexico is undoubtedly the country providing the greatest competition to United States cotton at the present time, with the potential for even more competition in the future. It produces the most desirable types of cotton with the use of modern methods and machinery. Nearly 1 million new acres have been added or converted from other crops to cotton production since 1950–51 and new irrigation projects, partly financed by the United States, have been the most important factors in increasing the yield from 0.6 bale to almost a bale per acre during the same period. United States private interests appear to have done more to promote cotton production in Mexico than in any of the other free world countries and indications are that they will continue to expand their activities. Production has doubled since 1950–51 from 1,151,000 bales to an estimated 2.2 million bales in 1955–56, and is nearly 4 times the 5-year postwar average of 577,000 bales. At the same time, exports have increased over 1 million bales, from 742,000 bales in 1950–51 to an estimated 1.8 million in 1955–56, equivalent to total exports made by the United States in 1954–55 through regular commercial sales.

(In the September 1955 issue of Foreign Agriculture, a publication of the United States Department of Agriculture, the following statement was made:)

"Uncertainties everywhere about what the United States price would be after July gave Mexican exporters an opportunity of which they took good advantage. In early July they were offering their cotton to German importers with a contract clause providing that if the United States introduced an export subsidy on cotton their price would be lowered to the same extent."

In the Central American countries of Guatemala, Nicaragua, and El Salvador the situation is similar to that in Mexico. Production in these 3 countries in 1955–56 is indicated at 400,000 bales, as compared to only 50,000 bales in 1950–51. Future production is estimated as high as 900,000 bales but lack of transportation and shipping facilities is a present deterrent. Record yields of over a bale per acre are being obtained and here, as in Mexico, United States private interests have been instrumental in furnishing the production incentive by providing financing, merchandising, etc. Exports are estimated at about 360,000 bales in 1955–56, more than 7 times 1950–51 exports.

In the South American countries of Argentina, Brazil and Peru production has remained fairly stable during the past 5 years but Colombia increased production from about 35,000 bales in 1950–51 to an estimated 130,000 bales in 1955–56. Peru had a moderate increase of about 100,000 bales during the same period. Argentina is expected to produce 500,000 bales in 1955–56, slightly more than its 1950–51 crop. Except for its record crop of nearly 2 million bales in 1951–52, attributed to high world prices in 1950–51. Brazil has maintained production at about 1.6 million bale average since 1950–51. United States interests do not appear to have had a substantial effect in these countries, certainly not to the extent indicated in Mexico and Central America.

In Europe, Greece and Spain are the principal cotton producers. Greece had a steady increase from about 117,000 bales in 1950–51 to an estimated 170,000 bales in 1954–55. Moreover, a 55 percent increase in acreage and favorable growing conditions are expected to produce 325,000 bales in 1955–56, nearly triple the 1950–51 crop. Much of this increase can be attributed to United States aid programs which furnished both machinery and technical assistance. Spain has increased its production from about 20,000 bales in 1950–51 to an estimated 125,000 bales in 1955–56.

In the Middle East, Turkey has been averaging about 600,000 bales annually for the past 5 years but a 210,000-acre increase is expected to produce an additional 70,000 bales in 1955–56. Syria, although it produced a record crop last year of 366,000 bales is expecting a 20 percent increase in 1955–56, over 3 times the 1950–51 crop. Yield is expected to be as high as 380 pounds per acre. Iran has nearly tripled its production in the last 5 years, with an estimated 1955–56 crop of 350,000 bales, and during the same period acreage increased from 321,000 to an estimated 7,000,000 acres. This country has also received substantial aid from the United States, as has Turkey.

India, second only to the United States in the free world, has increased cotton production 50 percent since 1950–51, with a 1955–56 crop indicated at 4 million bales, as irrigation projects, partially financed by the United States, brought 3.5 million additional acres into production.

In Pakistan, production has been fairly stable at about 1.25 million bales for the past 5 years but 1955–56 is expected to show a sharp increase to 1.5 million bales. This country, like India, has been the recipient of United States foreign aid.

Egypt, historically a producer of long-staple cotton, had a prewar average of about 1.9 million bales. After the war, production increased from a low of 1.5 million bales average in the first 5 postwar years to an estimated 1.75 million bales in 1955–56.

The only other African countries showing substantial increases in the past 5 years are Nigeria and Tanganyika.

WHEAT

The production of wheat in foreign countries for the crop year 1954–55 was 329 million bushels more than in 1950–51. This sizable increase resulted even though the crop in Canada, which experienced unfavorable weather in 1954–55, was appreciably less than normal production. Foreign production for 1955–56 is currently estimated at 440 million bushels more than 1954–55.

Wheat acreage in foreign countries has increased during the 5-year period 1950–51 to 1955–56 by an estimated 61 million acres. Large increases in wheat acreage and production have been recorded in a number of the European and Middle Eastern countries which have received substantial foreign-aid grants in recent years. France is now producing 100 million bushels more wheat than in prewar years and in 1954–55 became the world's fourth largest wheat exporter. The current 1955–56 crop in Italy is estimated to be 56 million bushels larger than 1954–55.

Turkey has almost doubled 1954–55 wheat acreage and Greece has increased acreage 20 percent and production by 50 percent, as compared to prewar years. Turkey is reported to have planted almost 500,000 more acres to wheat in 1955–56 than in 1954–55. India may produce 319 million bushels in 1955–56, the largest crop on record for that country.

Most Latin American countries, as a part of their programs to increase home food production, have expanded wheat acreage and production. The acreage in Mexico has increased 50 percent and production has more than doubled since the period 1935–36 to 1939–40. Wheat is a minor crop in Peru but production and acreage are almost twice the prewar years. Brazil has increased wheat production about 60 percent in the last 5 years.

United States exports of wheat and wheat flour, because of worldwide shortages of bread grains, reached an all-time high of 503 million bushels in 1948–49, or about 51 percent of the world wheat and flour trade. From that year on the urgent postwar needs lessened while foreign production increased and the United States share of world exports steadily declined to a low of 24.7 percent in 1953–54 and 28.7 percent in 1954–55.

United States exports to the United Kingdom in 1951–52 were 11 percent of that country's imports but by 1953–54, had declined to 2 percent. United States exports to West Germany in 1951–52 were 71 percent of West Germany's imports. By 1953–54 this had dropped to 27 percent. During the same period the United States incurred substantial losses in exports to 10 out of 12 major importing countries of American wheat and flour.

CORN

Corn production outside the United States in 1954–55 is an estimated 403 million bushels more than in 1950–51. Argentina, a traditional large corn producing country, reported one of the smallest crops for several years or about 177 million bushels less than the 5-year prewar average.

In Mexico, corn production reached an all-time high of 142 million bushels in 1954–55, which is attributed to larger acreages and substantial increases in yields as a result of hybrid seed corn and improved methods. Brazil has also increased its corn output, the last two crops being about 30 million bushels larger than 1950–51.

The largest corn-producing country in Western Europe is Italy, and the 1954–55 crop was 116 million bushels. The introduction of United States hybrid seed, and activities of United States hybrid seed corn companies, has contributed to larger corps and yields in Italy. The African corn crop has shown a sizable increase. In one country, the Union of South Africa, the 1954–55 crop is estimated at 138 million bushels or 88 percent greater than 1950–51.

Prior to World War II, Argentina was the leading corn exporting country and United States exports only averaged about 38 million bushels annually from 1934 to 1938, or about 10 percent of the total world exports. In recent years the United States has become the principal exporting country with average corn exports of 106 million bushels per year from 1950 to 1954, or 58 percent of the world average. Most American corn is shipped to Canada, Mexico, and Western Europe and in recent years, corn sales have had to compete with larger supplies and exports of barley, grain sorghums, and feed wheat, at competitive or lower prices.

RICE

World rice production in 1954–55 (excluding Communist China, North Korea, and the Soviet Union) is presently estimated at 262 billion pounds. This will be the second largest crop on record, 29 billion pounds more than 1950–51. The United States portion of this 1954–55 production was 5.9 billion pounds or about 2 percent, while Asian countries account for approximately 88 percent.

Of particular importance to American rice producers and exporters are the substantial increases in Argentina, Brazil, Colombia, Mexico, and Cuba from 1950–51 to 1954–55. Cuba, which has always been the largest market for United States rice, reports a 1954–55 crop of 340 million pounds or 173 million more than 1950–51. Current estimates for the 1955–56 crop are 440 million pounds. Reports received from the grain trade state that Cuba will be self-sufficient in rice, possibly within 5 years.

During 1954 exports of United States rice declined more than 500 million pounds, or 30 percent from shipments in 1953, while foreign producing countries increased their total exports by 833 million pounds. Exports from Asia increased 1,122 million pounds, of which 1,060 million was attributed to Burma. Smaller exports of rice to Cuba accounted for about 140 million pounds of the reduction in United States 1954 exports. Increased supplies of rice in world trade at lower prices during 1954 were also responsible for the decline in exports from the United States and some other Western Hemisphere countries.

TOBACCO

Tobacco production in foreign countries increased by an estimated 457 million pounds or 9.2 percent in the period 1950–54, and acreage increased 741,000 acres. United States production increased 206 million pounds from 67,000 more acres over this same period. Since flue-cured tobacco comprises over 80 percent of all United States tobacco exports and oriental tobaccos are more competitive in world markets, these 2 varieties of foreign growths are the more important to American tobacco growers.

Flue-cured tobacco produced in many foreign countries has shown an upward trend. The acreage of flue-cured tobacco in the major present and potential competing countries increased from 384,000 acres to slightly more than 1 million acres, 172 percent, between 1935–39 and 1954 and production increased from 370.6 million pounds to 986.1 million pounds, 166 percent, over the same period. Canada, Southern Rhodesia, India, and Japan have reported the more sizable increases. Southern Rhodesia's output in 1954 was 119 million pounds or 95 million more than the prewar 1935–39 average. It is reported that the British American Tobacco Co. is largely responsible for the growth of the flue-cured tobacco industry in Southern Rhodesia. Japan's 1954 flue-cured production of 155 million pounds is 81 million more than the 1935–39 average. India has increased flue-cured tobacco grown from 27 million pounds in 1935–39 to 106 million pounds estimated for the 1954 crop. Large quantities of Indian flue-cured tobacco are exported to Japan. The Philippine Republic is encouraging the growing of flue-cured tobacco and United States exporters forecast a downward trend in tobacco exports to that country which has been an important market for the United States.

Larger percentages of oriental tobacco, used in cigarette blends in European and other countries, indicates increasing competition for American tobacco. Turkey has increased oriental production from 128 million pounds in the prewar years 1935–39 to an estimated 234 million pounds in 1955. Greece, another major producer of oriental tobaccos, is reported to have a 1955 crop of 175 million pounds, 26 million larger than in 1954. Political-economic considerations are reported to have resulted in larger purchases of tobacco from Turkey and Greece by several Western European countries, mainly France and Germany, during recent years.

American producers and exporters of leaf and manufactued tobacco are confronted with many forms of trade barriers and foreign export incentives when they attempt to sell their products in world trade. However, the United States continues to be the world's leading tobacco exporting country. United States flue-cured tobacco is largely exported to Western Europe, the Philippine Republic, and Australia. The United States share of United Kingdom tobacco imports has declined steadily from 1950 to 1954 as a result of smaller dollar allocations and competition with Canadian tobacco, which has a tariff preference, and with tobacco from the Central Africa Federation, which has both a tariff preference and a guaranteed purchase agreement. Trading arrangements and cheaper foreign tobacco have worked against United States exports to other countries around the world.

PEANUTS

The principal foreign peanut-growing countries are India, China, French West Africa, and Nigeria and the peanuts produced in these countries are generally crushed for oil, which is competitive with animal fats, cottonseed, soybean, and other vegetable oils. The peanuts grown in the United States are mostly used for domestic edible purposes. Peanut production in foreign countries during 1954–55 reached an estimated record total of 11,178,000 tons, or 1,360,000 tons more than in the crop year 1950–51.

The major portion of world exports is from the African countries and is shipped principally to Europe, France and the United Kingdom being the leading markets. These exports are either in the form of oil or shelled and unshelled nuts for crushing. Mexico has been exporting peanuts for edible use in small but steadily increasing quantities. United States peanut exports are not large as only small surplus stocks are exported for crushing.

DAIRY PRODUCTS

Foreign production of dairy products as a whole has been moving upward in the 5-year period 1950 to 1954. Milk production in foreign countries during 1954 was about 28 billion pounds above 1950, the result of a demand for dollar or other foreign exchange or efforts to attain self-sufficiency in food supplies. Milk production has also increased in the United States over this same period but exports of most dairy products have decreased.

The utilization of world milk supplies shows a definite trend away from butter, but when foreign milk producing countries have larger than normal milk supplies, much of this excess goes into that product. New Zealand and Denmark usually supply around 60 percent of world butter exports and the United States has supplied less than one-half of 1 percent, except during World War II. During the past 5 years increased foreign milk production, to an important extent, has blocked any material expansion in exports of United States butter.

Foreign countries produced 740 million pounds more cheese, 66 million pounds more dried milk and 134 million pounds less canned milk in 1954 than in 1950. While United States exports of these three dairy products have decreased during this same period, exports from foreign producing countries have increased. United States export sales of whole dried milk are being blocked by price and exchange in many foreign markets, while the major part of United States nonfat dried milk exports is currently distributed by the United Nations Children's Fund. The export market for American condensed milk is almost totally lost while the Netherlands exported almost 125 million pounds more canned milk in 1954 than in 1950. United States exports of cheese in 1954 were only 5.4 million pounds or about 42.1 million pounds less than 1950.

There is a great need and potential demand for milk products in practically all deficit-producing countries, particularly in parts of Latin America and the Far East. Since the exported surplus of dairy products in the United States is a small percentage of total production, the further development of foreign outlets would be most important to the American dairymen.

U.S. INTERESTS FURNISHING FINANCIAL SUPPORT TO FOREIGN AGRICULTURAL PRODUCTION—PRIVATE INVESTMENTS

(See pp. 121 through 148 of this hearing for supporting details.)

The major activities during the past few years of United States private interests in the promotion of foreign agriculture have been concentrated in Latin American countries. In these countries many United States companies, individuals and financial institutions have, either directly or through subsidiaries and affiliated concerns, brought about large increases in cotton production and exports by establishing cotton gins and markets, furnishing technical or management assistance, and providing financial aid to growers, cotton ginners, and cotton cooperatives.

United States capital investments, financing, and management have to a much lesser degree promoted some part of the increased production of other basic commodities and dairy products in these countries. It is not indicated that much actual farming has been undertaken by Americans, but in some countries and localities the establishment of markets, elevators, processing plants, and the furnishing of seeds and technical assistance has provided the basis for sizable increases in the output of corn, wheat, rice, and milk.

In those countries outside the Western Hemisphere which show important increases in agricultural production, the main contribution made by United States private capital appears to be the introduction, sale, or financing of modern agricultural and processing machinery. United States improved varieties of cottonseed, hybrid corn, and other seeds, and the furnishing of technical assistance.

In Mexico, where United States investments are largely credited with the very great increase in cotton production since 1950–51 it is reported that a majority of the cotton gins are owned or controlled by American interests. Many United States cotton firms are either establishing new gins or buying up the few remaining Mexican-owned plants. The Murray Co. of Texas, Inc., a large gin machinery manufacturer, reports that exports to Mexico in 1955 will include 40 complete cotton gins.

Anderson, Clayton & Co., the world's largest merchandiser of cotton, had an indicated $16,021,000 invested in Mexican plants and equipment as of July 31, 1954. This company also has subsidiaries in Peru, Brazil, Argentina, Paraguay, and Egypt. Foreign plants of Anderson, Clayton & Co. include 15 cotton compress and warehouse units, 22 oil mills, and 112 cotton gins, the majority of these being located in Latin America. Anderson, Clayton & Co. operations in Brazil were started in 1934 and it has been reported that the growth of the cottongrowing industry in Brazil is largely the result of the activities of this company.

Hohenberg Bros. Co. of Memphis, Tenn., through an affiliated company, Empresas Hohenberg S. A. de C. V., operates 8 cotton gins in Mexico and makes production and harvesting loans to farmers. During the past year Hohenberg Bros. Co. started operations in Guatemala and Nicaragua. It is reported that 80 percent of this company's export sales will be from foreign cotton growths.

Cook & Co., Inc., of Memphis, Tenn., through foreign affiliates operates 8 gins in Mexico and handles about 100,000 bales of Mexican cotton annually.

George H. McFadden & Bros. of Memphis, Tenn., through Mexican subsidiaries maintains 8 cotton gins in the large producing sections of Mexico and expects to handle about 95,000 bales of Mexican growths in the crop year 1954–55. McFadden & Cia., Ltd., a subsidiary, operates gins in Brazil at six locations and a warehouse at São Paulo. Loans are made to producers, ginners, and cooperative cotton organizations and in 1954 this company handled about 100,000 bales of Brazilian cotton.

In the Central American countries of Nicaragua, El Salvador, and Guatemala, Weil Bros. Cotton, Inc. of Montgomery, Ala., through a Panamanian subsidiary Algodonera Weil, S. A., handles a major part of the cotton export from these three countries.

W. R. Grace Co. jointly operates the largest cotton mills in Peru and is active in the buying and exporting of cotton in that country. Overall, the Grace company's Latin American affiliates produced 97,600,000 yards of cotton, rayon, and woolen fabrics in 1954.

Mexican cotton production is now being aggressively encouraged by United States capital, as irrigation projects which were started some years ago are nearing completion. Major banks in the United States consider cotton production or harvesting loans in Mexico a sound investment. In April 1955, the press reported a $10 million credit granted by Bank of America to finance cottongrowers in Mexico. Press comment included the statement that this loan is an indication of "confidence of American banks in Mexico's economic future and easy sale of a bumper cotton crop."

Most of the larger American cottonseed companies are active in exporting improved United States varieties to Mexico and other Latin American countries. The Delta & Pine Land Co., of Scott, Miss., reports export sales of 1,606 tons of cotton planting seed, from September 1, 1954, to May 31, 1955.

The Rockefeller Foundation has supported crop breeding and extension work in Mexico which has resulted in substantial increases in corn, wheat and bean yields. Many United States interests are reported to be investing in agriculture in Latin America, mainly cotton, and many of the companies which presently have investments there plan to expand their operations if earnings and economic and political conditions justify such expansion.

LOANS BY EXPORT-IMPORT BANK

From July 1, 1947, through August 3, 1955, the Export-Import Bank of Washington made loans totaling approximately $260 million for agricultural purposes to borrowers in foreign countries. Funds from these loans were used to purchase farm machinery, fertilizer plants, land development machinery, sugar mills, grain storage equipment and expansion of highway and irrigation facilities.

Export-Import Bank credit also has been important in facilitating exports of farm products. On August 3, 1955, for example, the Export-Import Bank authorized a loan of $60 million to the Bank of Japan to finance the purchase of American raw cotton. At present market prices this will finance the purchase of about 330,000 bales of cotton.

By far the largest agricultural credits (approximately $90 million) were extended to Israel. Mexico received loans totaling $30 million from the Export-Import Bank for the purchase of farm machinery, sugar mill equipment and the construction of dams to increase irrigation facilities.

Other countries receiving loans for irrigation and land development purposes include Afghanistan, Haiti, and Iran.

LOANS BY INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT (WORLD BANK)

Up to July 29, 1955, the World Bank had extended approximately $500 million in credits which were used either directly or indirectly to expand agricultural production. Of this total, approximately $143 million have been loaned for land improvement, river basin development, and irrigation purposes. Australia, Italy, Peru, Thailand, Turkey, and India received the largest loans for land improvement and irrigation purposes. Australia and Colombia received the largest loans for the purchase of agricultural machinery.

In terms of total loans received either directly or indirectly for agricultural purposes Australia leads other countries by a wide margin with total credits of $126.8 million. Colombia is second with total credits of $81.8 million. India, Turkey, Thailand, the Netherlands, Peru, Italy, Guatemala and Chile also are among the more important borrowers from the World Bank for agricultural purposes.

SPECIAL TAX CONCESSIONS ON INCOME FROM PRODUCTION IN OTHER COUNTRIES

(See pp. 149 through 153 of these hearings for supporting details.)

For some years the United States Government, by provisions in its tax laws, has encouraged American trade and investment in foreign countries by certain credits or other tax advantages. Among these provisions are foreign tax credits, a reduction in tax rate for so-called Western Hemisphere trade corporations, exemption from United States taxes of business located in United States possessions (under certain conditions), special deductions for China Trade Act corporations and deductions for dividends received from foreign corporations if certain conditions are met.

Foreign corporations owned by United States interests and incorporated in a foreign country are not subject to United States taxes unless dividends are paid to the American owners. If dividends are not paid, liquidated earnings brought into the United States would be subject only to the capital gains tax.

Staff members were advised by cotton merchants having investments in foreign countries that United States tax concessions had not been a factor in making such investments. They also stated that foreign subsidiary corporations had been organized to facilitate doing business, not to avoid United States taxes.

FINANCIAL INTERESTS OF MEMBERS OF ADVISORY GROUPS

(See pp. 154 through 156 of these hearings for supporting details.)

The interim report submitted in June listed officials of companies either believed or known to be engaged in agricultural activities in foreign countries who were serving on various USDA committees.

Changes in such membership, according to the latest information received, are shown in this report.

Staff members have not been able to ascertain that any officials of companies having foreign agricultural interests are serving on any committees of national farm organizations. However, a number of such individuals are serving on various committees of the National Cotton Council of America.

FOREIGN AID FUNDS USED TO ENCOURAGE AGRICULTURAL PRODUCTION

(See pp. 157 through 170 of these hearings for supporting details.)

In 20 selected countries throughout the world, where during the past 5 years important increased production of one or more of the basic United States price-supported commodities has been reported, United States foreign aid funds obligated by the Foreign Operations Administration and predecessor agencies for the promotion of agriculture, totaled $984,159,436 from April 3, 1948, to March 31, 1955. In addition, approximately $710,800,000 in local counterpart funds, created by United States assistance activities in some of these countries, have been programed for the furtherance of agricultural production and processing. These countries, as well as details of the above figures, are shown in table 1, page 40A of the interim report.

The International Cooperation Administration reports total economic aid funds obligated worldwide from the beginning of the program to March 31, 1955, for imports of agricultural machinery, agricultural tractors, fertilizer, seeds for planting and pesticides, amount to $476,819,000. ICA also reports that 738 United States agricultural technicians, including administrative personnel for agricultural programs, were on duty in foreign countries on June 1, 1955.

In Turkey, where cotton, tobacco, corn, rice and wheat production show sizable increases, United States foreign aid funds for agriculture total approximately $66.9 million. In Iran, where cotton production in 1955–56 is expected to increase 220,000 bales over 1950–51, United States aid programs have obligated $47.3 million for the promotion of agriculture. India, which has reported the 1954–55 cotton crop as about 1,200,000 bales larger than 1950–51 and also substantial increases in corn, wheat, rice and flue-cured tobacco over the same period received $174.5 million in foreign aid for agriculture. In Greece, similar aid programs amount to $45.4 million and counterpart approved withdrawals for agriculture total $64.8 million. In the last 5 years Greece has raised much larger crops of cotton, wheat, corn, and rice.

United States foreign aid to Latin America for agricultural development has been largely part of the technical cooperation program. Programs are carried out through cooperative service agencies called servicios, jointly staffed, administered and financed by United States and the host government.

The projects and aid funds in Latin America have not been large when compared to Europe and Asia, but more funds and emphasis are indicated for the future. The principal activity to date has been the furnishing of agricultural, technical, and administrative personnel. ICA reports 240 United States technicians were in Latin American countries on June 1, 1955.

The Food and Agriculture Organization of the United Nations reports technical assistance programs in operation during 1954 in 55 countries located throughout the world. Total funds for the expended program of FAO during recent years have been approximately $25 million of which the United States contributes about 55 percent. The various activities of this organization include the assignment of several cotton specialists to foreign countries to furnish advice on the production, marketing, and classification of cotton.

SPECIAL CONCESSIONS OF FOREIGN COUNTRIES TO ENCOURAGE EXPORTS

(See pp. 170 through 179 of these hearings for supporting details.)

By far the largest part of the world trade in agricultural products is carried on directly or indirectly by Government boards, is manipulated by multiple exchange rates employed by the exporting country, or is influenced by Government subsidies.

Foreign Agriculture Circular FG 13–55 states "Over 96 percent of the world's wheat crop today is produced and marketed under price supports or other forms of official incentive and planning."

Foreign Agriculture Circular FC 7–55 states:

"Nearly all important surplus cotton producing countries * * * have established governmental policies or programs which are, as circumstances demand, utilized to expedite the exportation of cotton."

Essentially the same situation prevails with respect to international trade in rice, tobacco and sugar.

On a geographic basis, it is found that the surplus agricultural producing countries of South America employ multiple exchange rates and vary them from time to time to promote exports. Turkey and France employ domestic support prices on their important agricultural products and sell at lower prices in the world market than at home. Sweden limits imports and subsidizes exports when necessary to maintain internally stable prices and supplies.

The Netherlands subsidizes exports of dairy products to stabilize the domestic market. The products of African colonies are directed toward the mother countries by government boards. Egypt maintains price supports and manages export sales of cotton through a Government agency.

A number of countries such as Mexico, India, and Pakistan have export taxes on their major agricultural exports which are adjusted as necessary to expedite exports.

France subsidized wheat exports by $1.40 a bushel in early 1955. Uruguay subsidized frozen beef exports to the extent of approximately 47 percent of the sale price in 1955.

It is reported that in early 1955 Australia subsidized butter and cheese exports to the extent of 11 and 7 cents a pound, respectively, while the Netherlands subsidized sales of butter to the United Kingdom by approximately 2.4 cents per pound.

The Government of Turkey has absorbed large losses in selling wheat, cotton and several other products for export at lower than their domestic support prices.

One Brazilian exporter dropped his export selling price 4.6 cents a pound on cotton (12 percent) within 20 days after the exchange rate for cotton exporters was raised 16 percent on May 4, 1955.

Colombia gives tobacco exporters a bonus of about 40 percent on their export sales and tobacco export subsidies in Paraguay are approximately equal to the export sale prices.

POINT I. THE INCREASE IN AGRICULTURAL PRODUCTION IN FOREIGN COUNTRIES DURING THE PAST 5 YEARS, WITH PARTICULAR REFERENCE TO THE BASIC COMMODITIES RECEIVING UNITED STATES PRICE SUPPORT

The interim report submitted June 22, 1955, contained information available as of that date on increased production of cotton, wheat, tobacco and peanuts by foreign countries in the free world:

INTERIM REPORT ON POINT 1

Twenty-eight countries which showed substantial increases in production of one or more of the price-supported basic commodities (cotton, corn, wheat, peanuts, rice and tobacco) were selected for special study. An analysis sheet for each country (as well as for the United States and the World) was prepared showing production, acreage, yield per acre, and exports for each commodity for the following periods: 5-year averages 1935–36 to 1939–40 and 1945–46 to 1949–50. Annual data for the years; 1950–51 to 1954–55, inclusive. The percentage change between 1950–51 and 1954–55. Estimates for 1955–56, where available.

Data were assembled by the appropriate divisions of the Foriegn Agriculture Service. Some test checks of the accuracy of the figures have been made. A number of meetings have been held with officials of various divisions of the Department of Agriculture and with trade associations to discuss increased production and trends in foreign countries.

For this report, analysis sheets for five of the countries—Mexico, Iran, Turkey, India, and Pakistan—were selected for inclusion. They appear as exhibits 1 through 5[1] at the end of the report. (Analysis sheets on the other 23 countries are available at the office of the director of the staff.)

Mexico was included because of the substantial increases in cotton and other agricultural products in that country in recent years, much of which may be attributed to private interests in the United States. Iran, Turkey, India, and Pakistan were included because they also have sharply increased production of cotton and other crops in recent years while receiving large foreign-aid grants from the United States.

A detailed analysis of the foreign-aid program in Iran appears in this report (see pt. 5) and similar data for Turkey, India, and Pakistan will be included in the final report.

A few examples of preliminary findings to date are given below:

COTTON

The greatest increases in production and the greatest potentials for future competition with the United States are Mexico and the Middle East countries of Turkey, Syria, Iran, Iraq.

In Mexico cotton production has increased from a prewar 5-year average of 334,000 bales to a postwar 5-year average of 577,000 bales and to 1,780,000 bales in the crop year 1954–55. Cotton exports have increased for the same periods from 105,000 to 343,000 to 1,150,000 bales.

It is reported that Mexico started its program for expansion in irrigation facilities in 1947, and is proceeding approximately on schedule. It is anticipated that the program will be completed in 2 or 3 years, at which time the limit of appreciable expansion will be reached. The Yaqui River project is expected to increase irrigation substantially in the Northwestern section.

In the Middle East countries of Turkey, Syria, Iran, and Iraq, cotton production decreased from a prewar 5-year average of 459,000 bales to a postwar 5-year average of 390,000 bales and then increased to 1,260,000 bales in the crop year 1954–55. Cotton exports for the same periods decreased from 157,000 to 85,000 and then increased to 684,000 bales.

It is believed that there will be continued increases in cotton production in the Middle East.

Cotton production in Nicaragua, El Salvador and Guatemala has increased steadily from approximately 50,000 bales 4 years ago to an estimated 300,000 bales in 1954–55. A further increase of about 100,000 bales is expected in 1955–56, and potential annual production estimates after several more years of development range from 700,000 to 900,000 bales.

In Peru cotton production has increased 25 percent during the past 5 years to 505,000 bales in 1954–55. During the same period exports, which are a large proportion of production, increased 25 percent.

Mrs. MAY. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I just want to say I believe in a way the gentleman from Michigan has done this House a service in bringing this matter before us although I disagree with his amendment, and I will support the amendment offered by the gentleman from Ohio.

Mr. Chairman, I would like to bring to the attention of the House a provision that is in the present Public Law 480 statute. This is section 407 which establishes a committee to advise the President with respect to general policies relating to the administration of the act, including the manner of implementing the self-help provisions, the uses to be made of foreign currencies, rates of exchange, interest rates, and the terms under which dollar credit sales are made. Prior to the extension of Public Law 480 last year, the advisory committee was composed of the Secretary of Agriculture, the Director of the Bureau of the Budget, and the Administrator of the Agency for International Development.

During the consideration of Public Law 480 before our committee a year ago, I offered an amendment to this section which was adopted by the Committee and became a part of the law. My amendment broadened the membership of the advisory committee to include the chairman, the vice chairman, and the two ranking minority members of the House Committee on Agriculture and the House Committee on Foreign Affairs, and the chairman, the next ranking majority member, and the two ranking minority members of the Senate Committee on Foreign Relations. This change in the membership of the group, I felt, would do much to improve the coordination and communication both between the Congress and the executive branches of Government, and among the four committees of the House and the other body which have a direct concern with Public Law 480.

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[1] These exhibits now appear as exhibits 3 through 7 at end of final report.

To my knowledge, this advisory committee has not functioned as well as it could, and I would hope that the issues raised today could help precipitate better coordination through this vehicle.

The law provides the mechanics—what is needed now is the leadership to implement it.

I am confident, however, that the distinguished gentleman from Pennsylvania [Mr. Morgan], the distinguished gentleman from Texas [Mr. Poage], the distinguished gentlewoman from Ohio [Mrs. Bolton] and the distinguished gentleman from Oklahoma [Mr. Belcher] have the desire and the leadership to improve the functioning of this advisory committee, and the coordination which can be attained through it.

But this coordination cannot be accomplished through the exclusion of U.S. farmers from the decisionmaking process and that is just what can and possibly will happen if jurisdiction of Public Law 480 is transferred to the Foreign Affairs Committee. There is enough difficulty already in relating Public Law 480 needs to our domestic agricultural production, but the conflicting and contradictory signals to U.S. farmers which could result from the proposed transfer might cause serious problems for producers and a crisis in our country's food supply.

Mr. Chairman, these are just a few of my reasons for opposing this provision of the Foreign Assistance Act. I urge that it be removed from this bill, and if it is to be considered at all, let us consider it at a time and place where all arguments for and against it can be fully and adequately aired.

Mrs. KELLY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I was delighted to hear the gentleman from Mississippi say that it was the Committee on Foreign Affairs who initiated Public Law 480 and in that way foresaw the use of our American farm products to encourage and serve our foreign policy.

As the gentleman said, in 1954 Public Law 480 was enacted to help the United States to solve a domestic problem, to dispose of our farm surpluses. But that problem does not exist today.

Finally, the Committee on Agriculture decided to call this program the "Food for Peace." It is an important instrument of United States foreign policy. Resources channeled through this program are larger than those spent in development lending, supporting assistance, and technical assistance combined—that amount is $1.7 billion.

The President's budget recognizes the fact that Public Law 480 expenditures are related to international affairs, not domestic farm programs.

The money generated under these sales is used by the United States to promote economic and political problems in foreign nations.

The amendment should be defeated to enable coordination of programs dealing in foreign policy—in that way and only in that way will the foreign policy of the United States be perfected.

Mr. QUIE. Mr. Chairman, I rise in support of the amendment. I know there is a natural tendency for a committee to be very disturbed about losing jurisdiction over a bill. I am not on the Agriculture Committee any more, and I have also been interested in securing jurisdiction of some education matters in other committees. I can understand the desire of one committee to gain jurisdiction and another one to oppose losing jurisdiction.

I would like to talk about the merits of which committee ought to handle Public Law 480. In my mind, the merits clearly lie that it ought to remain in Agriculture, because one of the primary reasons for Public Law 480 all these years is the development of markets in other countries of the world. At this time we do not have a great surplus, but we did make a significant and important change in Public Law 480 in the last Congress, and that is, it was no longer limited to surpluses. From now on we can plan production to meet the food needs of other countries of the world. That must be continued. If we lose sight of that because of individuals who do not have the background and understanding the Committee on Agriculture has had through these years, we will again get back into the surplus problems facing our country and our farms that produce now between 1 in 4 to 1 in 5 acres for export overseas.

You can imagine how the reduction of sales overseas in any way would be a great harm to our farmers, who are presently in a bad economic plight.

Also last year we made another significant change in the legislation. The Agriculture Committee no longer is selfishly interested only in the sale of American agriculture production, but they realize that the only way there is hope for underdeveloped nations to ever achieve anything is, first, to solve their food needs, and from now on Public Law 480 is administered in such a way that in order to receive food from the United States, they must also address themselves in a courageous way to solving their own agricultural problems.

Now, who has an understanding of the solution of agricultural problems? Despite the difficulty we have today in this Nation, we have the greatest record of increase in agricultural production of any nation in the world, and with the kind of technological development we have here, we can prove that Malthus is wrong. Nations across this globe are worrying about what is going to happen to their people when they cannot produce enough food. If it had not been for the United States food production, India in the last year, it is estimated, may have had 40 million deaths because of famine and starvation.

Here is an agricultural system in the United States that can be transported if we have an understanding of tropical agriculture, and there will be an additional amount of money expanded for that type of research.

I am convinced that the committee of this House which has had jurisdiction for these years has the understanding now to make the progress with the use of Public Law 480 that can give hope to any nation in the world that they can feed their people. With that background I do not think we ought to throw them off now and shift the responsibility over to another committee that has not proven its ability.

For that reason I strongly support the amendment of the gentleman from Ohio.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Kansas.

Mr. DOLE. Mr. Chairman, in the debate concerning jurisdiction over Public Law 480, it has been suggested that the only reason for the passage of this law or for the Agriculture Committee's having jurisdiction over it was because of the existence of commodity surpluses and that since some of these surpluses have temporarily disappeared, the Committee on Agriculture should, therefore, lose jurisdiction.

Mr. Chairman, I suggest that such reasoning is an oversimplification and indicates a lack of understanding of the food-for-peace program.

Since its inception, Public Law 480 has had as one of its major objectives the development of trade in agricultural products. The act itself, when enacted in 1954, was designated the Agriculture Trade Development and Assistance Act. The statement of purpose of Public Law 480, as assessed by the Committee on Agriculture in 1954 in its report on this legislation states in part:

> The purpose of this legislation is greater utilization and enjoyment at home and among friendly peoples abroad, of the abundance of food and fiber produced on the farms of the United States. This legislation declares it to be the policy of the Congress that this greater dissemination of abundance shall be *managed to expand international trade*, to promote the economic stability of American international trade, to *promote the economic stability of American agriculture* and the national welfare, and to further the foreign policy of the United States.

It is clear, Mr. Chairman, from this statement of purpose in 1954 that there is now and always has been more to Public Law 480 than the disposal of surpluses. It is just as clear that there is now and always has been, of necessity, a coordination between domestic agriculture and the food-for-peace program.

Committee Report No. 1558, accompanying H.R. 14929, enacted in 1966, affirms the continuing need to closely coordinate overall domestic agricultural planning with food-for-peace activities.

The report, dated May 27, 1966, states in part in reviewing the accomplishments of the food-for-peace plan:

> And it has made definite contributions toward building commercial markets for our agricultural products.

The report itemized some practical results for American trade that have been attained:

> Japan, for example, was an early recipient of wheat, cotton, and other U.S. farm products *for which it paid in its own currency.* Today, it is the leading cash customer for U.S. farm products, buying nearly a billion dollars worth a year, and paying entirely in dollars. Other nations have followed the same course—Spain, Italy, Greece, Taiwan, Thailand, Israel, and others.

Mr. Chairman, the food-for-peace plan is more than a "giveaway" plan. It is an integral part of the effort of the United States to generate markets for our products abroad. Food for peace acts as a catalyst for the buying of vast amounts of American foodstuffs, often with dollars.

To incorporate the food-for-peace program into the Foreign Assistance Act would be an unfortunate de-emphasis of the market-building aspects of Public Law 480, and an equally unfortunate added emphasis of the "giveaway" aspects of the program. The goal of the food-for-peace program under the Agriculture Committee is to put itself out of business.

Mr. Chairman, members of the Committee on Agriculture are pleased to observe that throughout the 13 years that our committee has had jurisdiction and control over Public Law 480, agricultural trade development has evolved into agricultural trade on an expanding basis. We feel that our long association has been, in part, responsible for the program's success, since over $16 billion worth of commodities had been distributed under the program at the end of fiscal 1967. The Commodity Credit Corporation cost or domestic value of these commodities is in excess of $23 billion, and certainly this indicates the tremendous impact Public Law 480 has had on domestic agriculture.

But the real test of a program's integrity, Mr. Chairman, often comes from the Congress itself.

The original Public Law 480 was passed by a voice vote on June 16, 1954. Amendments to the legislation were passed by voice votes in the 84th and 85th Congresses. Since then, the votes have been as follows: August 20, 1959, 305 to 53; July 27, 1961, voice; September 3, 1964, 349 to 6; June 9, 1966, 333 to 20.

Mr. Chairman, I trust Congress will agree that there is historic justification for continuing the food-for-peace program under the jurisdiction of the Committee on Agriculture.

Yes, Public Law 480 was born in an atmosphere of bipartisan cooperation. It has grown and expanded through the years in this same bipartisan spirit.

But I am certain, Mr. Chairman, that the American farmer will soon notice, and notice unhappily I might add, that a major farm program has been taken away from him if section 403 is enacted. He will fear, and I feel justifiably, that he has been assigned to a second-class status in the State Department if section 403 prevails.

He will no doubt consider this action by the Congress as a further attempt to deescalate the importance of American agriculture, and I predict he will react accordingly.

And the record cannot be altered as far as the political implications are concerned. This popular program was reported by a Republican-controlled Agriculture Committee in 1954. It was given a rule by the Republican-controlled Rules Committee. It was passed by a Republican-controlled Congress, and it was signed into law by a Republican President. Through the years the program has been administered and extended on a bipartisan basis by Democratic Presidents and Democratic Congresses, working together with a Republican President and a Republican Congress.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Chairman, I rise in support of the amendment by the gentleman from Ohio [Mr. LATTA] to delete section 403 of the committee bill.

The effect of the amendment is to retain jurisdiction of the Agricultural Trade Development and Assistance Act in the Committee on Agriculture where it was placed by the Congress and where it belongs.

Section 403 of the bill reported by the Foreign Affairs Commitee comes to us with the statement that it is merely a technical amendment. I submit that this is not an accurate characterization of the effect of section 403.

Section 403 would, through this legislation, change the rules of the House and transfer jurisdiction over the Agricultural Trade Development and Assistance Act away from the Committee on Agriculture and give it to the Committee on Foreign Affairs. I do not agree with the objective of the Foreign Affairs Committee, but even if I did, I would strongly take issue with and oppose the method employed to seize jurisdiction of this important agricultural legislation.

If the Committee on Foreign Affairs believes that it can assert jurisdiction with respect to any matter which may have an incidental effect upon or which may in some manner further and strengthen our foreign policy objectives, then it could rightly claim the jurisdiction being exercised by almost every standing committee of the House. Certainly the activities of the Department of Defense and legislation dealing with such activities have a very direct effect and impact upon our foreign policy and are vital to the effectuation of such foreign policy. Is the Committee on Foreign Affairs by this reason to have jurisdiction over legislative matters now within the jurisdiction of the Committee on Armed Services?

This proposal of the Foreign Affairs Committee, in my judgment, is a most serious matter. It does violence to the orderly procedure of the House. There are orderly ways for jurisdictional questions to be raised and decided. But the manner used here to seize the jurisdiction of another committee is clearly wrong and should be rejected by the House.

Let me say something briefly about the Agricultural Trade Development and Assistance Act. It was first enacted in 1954 during the Eisenhower administration. It was handled on a completely nonpartisan or bipartisan basis. This legislation has provided an intelligent basis for using effectively our agricultural commodities and abundance. This measure has been in effect for 13 years. It has been amended and extended almost every 2 years since it was originally enacted, and there never has been any question but that it is properly within the jurisdiction of the Committee on Agriculture.

It is an outstanding piece of legislation which has been beneficial to our farmers and to our Nation. I know of no other piece of legislation which has been so widely heralded and supported by Members on both sides of the aisle. The Committee on Agriculture deserves to be commended for its stewardship. The House should provide recognition for this stewardship by rejecting this effort by the Foreign Affairs Committee to seize jurisdiction of this popular measure. Perhaps the Foreign Affairs Committee desires to take jurisdiction of this legislation because of the popularity it enjoys in the hope that it will somehow bolster its efforts in the field of foreign aid.

It is a misnomer to contend that the Agricultural Trade Development and Assistance Act should be transferred to the Foreign Affairs Committee because it involves foreign policy.

Let me read to you the declaration of policy which was restated by the Congress just last year. Section 2 states:

> SEC. 2. The Congress hereby declares it to be the policy of the United States to expand international trade; to develop and expand export markets for United States agricultural commodities; to use the abundant agriculture productivity of the United States to combat hunger and malnutrition and to encourage economic development in the developing countries, with particular emphasis on assistance to those countries that are determined to improve their own agricultural production; and to promote in other ways the foreign policy of the United States.

This policy clearly indicates that it is an agricultural measure and an agricultural resource that is being used. This piece of legislation has certainly furthered our foreign policy objectives, and our foreign policy has benefited from it, but that does not provide any valid reason for transferring such a measure to the Foreign Affairs Committee. The Committee on Agriculture has recognized, perhaps better than anyone else, the importance of food in the world and its relation to peace. It has gone further than any committee that I know of to provide for the greatest possible coordination in the use of these resources for the benefit of our Nation and our foreign policy.

Section 407 of the Agricultural Trade Development and Assistance Act has provided for the establishment of an advisory committee made up of the Secretary of Agriculture; the Secretary of the Treasury; the Secretary of State; the Director of the Bureau of the Budget; the

Administrator for the Agency for International Development; the chairman, vice chairman, the two ranking minority members of the House Committee on Agriculture and the House Committee on Foreign Affairs; and the chairman, the two next ranking majority members, and the two ranking minority members of the Senate Committee on Agriculture and Forestry and the Senate Committee on Foreign Relations. This committee has the responsibility to survey the foreign policies relating to the administration of the act and the use of the foreign currencies generated from the sale of agricultural commodities.

Perhaps if the Foreign Affairs Committee would show the leadership of the Committee on Agriculture, the measures handled by that committee might find greater popularity.

I urge the House to support the amendment to delete section 403.

Mr. KLEPPE. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from North Dakota.

Mr. KLEPPE. Mr. Chairman, I support the motion of the distinguished gentleman from Ohio [Mr. LATTA] to strike section 403 from the Foreign Assistance Act of 1967. It seems to me that the arguments for leaving jurisdiction over Public Law 480, our highly successful food-for-peace program, with the House Committee on Agriculture are far more persuasive and compelling than those for transferring it to the Committee on Foreign Affairs.

If the Committee on Agriculture had failed to enact a sound, workable food-for-peace program, if it had taken any action whatsoever to obstruct or impede the effective operation of this Nation's humanitarian efforts to utilize American farm surplus to help feed hungry people in so many countries around the world, then there would be reason for this proposed jurisdictional shift.

The record clearly shows that this has not been the case. Public Law 480 legislation, which has been moving expeditiously through the House Committee on Agriculture since the inception of the program 13 years ago, has literally saved the lives of millions of people. From these efforts has come a program which has enjoyed the strong, bipartisan support of farmers and urban people alike. The program has put to effective use billions of dollars worth of American farm products. It has served to strengthen farm prices to some extent but, far more importantly, it has made it possible for this Nation to heed the cries of millions of hungry people.

If any mistakes have been made in our food-for-peace operations—and inevitably there would be some in a program of this magnitude—they are not traceable to the law itself, or to its purposes and intent. There is some criticism today of the food-for-peace program on the grounds that it is not being pushed as aggressively as it might be. I am concerned over the fact that grain exports under Public Law 480 have been lagging in recent months. I understand that shipment of some 1.5 million tons of food grain for India is being delayed. But responsibility for this certainly does not rest with the Committee on Agriculture.

I am also concerned with the action which would logically follow transfer of jurisdiction over Public Law 480 to the Committee on Foreign Relations. This would be the transfer of the food-for-peace program from the Department of Agriculture to the State Department's Agency for International Development. It would probably also involve the transfer of USDA foreign agricultural attachés to the Department of State.

It will be remembered that these attachés were shifted from State to Agriculture under the reorganization plans of the 1950's. The reasons for having these attachés responsible to and a part of the Department of Agriculture are as valid now as they were then. These attachés are the "eyes and ears" of the Department of Agriculture overseas. They gather and analyze agricultural information which is of primary interest to the Department of Agriculture. They play a major role in helping to develop and expand foreign markets for American agriculture.

By way of contrast, I believe the Department of State through the years has shown greater interest in lowering the barriers against imports of foreign agricultural commodities than it has in promoting markets for U.S. farm commodities in other countries. The failure of its negotiators to achieve any significant gains for American agriculture in the Kennedy round trade discussions is an example of this. I am sure that the farmers of this Nation would much prefer to have the Department of Agriculture, rather than the Department of State, seeking to develop agricultural markets abroad.

I see no reason to shift jurisdiction over food-for-peace legislation from the House Committee on Agriculture. In fact, the reasons for keeping this authority where it is, seem most compelling to me.

Mr. FOLEY. Mr. Chairman, I rise in support of the amendment. I know the mood of the House is to vote. I will not take a long time. I only wish to say as a member of the Agriculture Committee for the past two and a half years, that I have consistently voted in this House in support of the foreign aid program. I intend to do that on this bill, this morning as I have before. I feel very strongly that this is an amendment which should be adopted, and that it is an unfortunate course for the Committee on Foreign Affairs to make this attempt to deprive the Committee on Agriculture of its proper responsibility.

The new Public Law 480 approach is not primarily directed to help farmers. It is to help the world grapple with its very dangerous and pressing problems of food. The Committee on Agriculture has the knowledge, and it has the experience and the dedication to that task.

I hope the House will accept this amendment, that it will retain jurisdiction in the Agriculture Committee. I tell my friends on both sides of the aisle that in my judgment this important program has been handled in an exemplary way by the Agriculture Committee. The committee on its record deserves the confidence of the House.

Mr. GATHINGS. Mr. Chairman, will the gentleman yield?

Mr. FOLEY. Mr. Chairman, I yield to the gentleman from Arkansas.

Mr. GATHINGS. Mr. Chairman, I concur with the remarks of the gentleman from Washington [Mr. FOLEY] and those of the other proponents of the amendment. Public Law 480 is a creature of the Committees on Agriculture of both Houses of Congress. It is being administered by the Department of Agriculture in the interest of moving farm commodities to friendly nations. One of the prime features of the program is the development of markets for various agricultural products. As a result of these efforts great quantities of farm commodities have moved into export for cash alleviating to a great degree a most serious balance-of-payments situation. I hope that the amendment will be agreed to and the jurisdiction over Public Law 480 remain with the House Committee on Agriculture.

Mr. MORGAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, far be it from me to try to take any jurisdiction from any committee. When this provision was offered in the Committee on Foreign Affairs, I was not in favor of it, but it was adopted by my committee, by a vote of 24 to nothing, and I feel it my duty as chairman of my committee to come and defend the position of my committee.

When Public Law 480 was adopted in 1954, certainly it was an agricultural program. We had in the old foreign aid bill, section 505, under which we disposed of about $15 billion worth of agricultural surpluses. When the Committee on Agriculture took it over, the situation was just as the gentleman from Mississippi has described. We had surpluses coming out of our ears. But last year, when the 2-year authorization and the $3,100 million authorization for Public Law 480 providing foreign aid for the farmer was passed in this House it included a 2-year authorization without difficulty. The word "surplus" was eliminated because there is no more surplus. That is the reason why the Farm Bureau, which was one of the organizations which invented Public Law 480, appeared before the Committee on Foreign Affairs and said, "If we are going to buy these agricultural products on the open market, they should be programed and procured just the same as we do when we buy automobiles or coal or steel." Why not declare surpluses of automobiles and why not declare surpluses of steel, and why not declare surpluses for all of these industries and let them have programs too?

Public Law 480 is a foreign aid program. During the fiscal year 1966, under title I of 480, $295 million came out of CCC stocks and $910 million on the open market. Talk about a foreign aid program for the farmer? Title II and title III, disaster relief, and voluntary agencies, were all out of CCC stocks. Title VI, credit sales $51 million out of CCC stocks, and $2,900,000 on the open market. We are told that there are no more surpluses. They buy farm products the same way they buy automobiles and other commodities on the open market. There is no reason this should not be programed now, just as we program anything else, and the farmer can be allotted his acreage according to the demand of the market.

I do not want to get into any jurisdictional problem. The gentleman from Mississippi [Mr. WHITTEN] passed his agricultural bill this year and he carried in this bill $1,675,000,000 for Public Law 480. Talk about a foreign aid program for the farmer. Why not have one for automobiles? Why not have one for steel, for coal, and so on? No, this is a bill which is a fragment of foreign aid. They send up a bill for $1,675,000,000 for fiscal year 1968.

My friend from Mississippi is now in conference on his big farm foreign aid program. It seems to me that anybody who comes from an agricultural district realizes that he gets a lot out of foreign aid.

If anybody comes from an industrial district in this House, if he votes for foreign aid or talks for foreign aid the term becomes a nasty word.

Here we have built in a special foreign aid program for the farmer, and it passes the House, as the gentleman from Oklahoma says, "oh, very easily," with the support of the boys from the industrial districts who walk up that middle aisle and support the program.

When we have a foreign aid program which helps to sell steel, to sell coal, or to sell anything else of industrial use, the foreign aid program is a nasty, nasty program.

I say, this is a jurisdictional fight, but it is not my fight.

If we are ever going to control foreign aid spending, as the gentleman from Louisiana [Mr. PASSMAN], said in his sheet that he sent to every Member, we are going to have to put the foreign aid legislation together again.

The gentleman from Texas [Mr. POAGE], the chairman of the great Committee on Agriculture, asked me, the day the rule was adopted, if I would assume the responsibility, as the chairman of the Committee on Foreign Affairs, for taking the $1,605 million authorization for Public Law 480 and putting it alongside of the $3.1 billion, or the $2.7 billion as we have today for foreign aid and if I would be willing to pay the bill. Certainly I will undertake to pay the bill, because that is the only way we are going to get this kind of foreign aid brought down to size.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. WHITTEN. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania may be allowed to proceed for 5 additional minutes.

Mr. HALL. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The question is on the amendment offered by the gentleman from Ohio [Mr. LATTA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: On page 45, immediately after line 16, insert the following:

"SEC. 404. The second sentence of subsection (b) of section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), which relates to munitions control, is amended by inserting immediately after 'the United States and its allies' the following: 'or for any State or local law enforcement agency or law enforcement official'."

Mr. DINGELL. Mr. Chairman, this is an amendment which is offered to make it possible to do something the amendment offered by our good friend and colleague some years ago, the gentleman from Florida [Mr. SIKES], accomplished in another respect. This is to permit the reimportation into this country of military hardware sold or given abroad under our mutual assistance program.

As my colleagues will recall, that amendment prohibited the reimportation of that kind of military hardware except for sale to the armed services of the United States. This amendment would expand the exemption included in the so-called Sikes amendment by permitting the reimportation of military hardware given under our foreign assistance program for purposes of sale to law enforcement authorities of the State or local governments.

The reason for this amendment is very simple. The law enforcement authorities around this country right now, because of the riots, are striving very hard to purchase certain items of military ordnance shipped abroad under our mutual security program for gift or sale to our allies.

The principal items among these will be the .30-caliber M-1 and M-2 carbines which have been found by our State and local law enforcement authorities to be particularly useful in riot control. These are items which were in particular shortage and of particular value to the Detroit police during the time of the recent riots in the city of Detroit.

Mr. MORGAN. Mr. Chairman, will the gentleman yield to me?

Mr. DINGELL. I will be delighted to yield to the chairman.

Mr. MORGAN. I wonder if the gentleman spoke to the gentleman from Florida [Mr. SIKES], who was the original author of such an amendment some years ago.

Mr. DINGELL. I have spoken of this to my good friend and colleague, the gentleman from Florida [Mr. SIKES] and I can assure the gentleman that the gentleman from Florida [Mr. SIKES] is in entire agreement with and in support of the amendment which I offer.

Mr. MORGAN. Mr. Chairman, as far as the majority side is concerned, we would be glad to accept this amendment.

Mr. DINGELL. I would yield to my good friend from Florida who is the author of the original language.

Mr. SIKES. If my friend will yield, I do support the amendment. I know of the situation. We know that these items of equipment should be made available to the police departments. They are not now available anywhere, and they want and need them.

Mr. DINGELL. That is correct.

Mr. SIKES. I know a number of such instances. Everyone on the floor knows of instances of local police departments that need them, particularly the M-1 carbine and that kind of weapon that you cannot find in this country.

Mr. DINGELL. The gentleman is entirely correct. I would point out to my colleagues that there are many more law enforcement authorities around the country who are trying to buy these devices.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. DINGELL].

The amendment was agreed to.

Mr. QUILLEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to recommend that we use an ax to kill this foreign assistance bill in its entirety.

I believe that this is the wisest course we can follow in the light of heavy financial need both for the war in Vietnam and for needed domestic programs at home.

If we accept AID's definition of foreign aid, and I see no reason why we should not, it is absolutely clear we should use the ax to kill this foreign aid bill, although I fully realize that unfortunately the program would still continue uninterrupted for another 2 years. There is already enough money left over from previous appropriations to do this. There are billions of dollars in the till now that can be used to meet any outstanding obligations and any other pending commitments.

In unspent funds for foreign assistance requests—mutual security—alone from prior years, there is over six and a half billion dollars already in the pipeline to be used, but that is not all.

The foreign aid budget does not represent the real extent of our foreign aid effort. While the budget asks for around $3 billion, we are really spending $9 billion a year on programs to benefit other nations, such as food for peace, and various loan programs through international banking organizations.

There is a total of $16.3 billion in unspent foreign aid funds on hand. When all foreign aid funds that are being requested this year, plus what is unspent are added together, the total is $25.6 billion.

I literally shrink from the astronomical figure that we have spent in the name of foreign assistance since 1946. Over 152½ billion dollars. This figure does not even include the amount the Defense Department has parceled out in the form of military aid of all kinds.

During the more than 20 years that our foreign aid program has been in operation, the people of this country have seen a world in turmoil, war, and revolution. In a majority of the countries, the United States has tried to help. Instead of being the helping hand as originally intended, our foreign aid program has been a complete failure, and we have lost face.

If we had saved only half of the 152½ billion dollars we could cut taxes instead of increasing them. We could lift the suffering from blight and poverty in both our cities and our rural areas.

Is it not time we put our people first in our minds and worked solely for their betterment? Is it not time we lifted the burdens of high taxes and inflation from our people's shoulders and gave them a break? The American people have the right to be attended to first.

We cannot rightfully be stingy with our own domestic programs designed to create opportunity for Americans when we give vast sums of money away openhandedly, and in many instances without discernible purpose, abroad.

I will not swallow the argument that we can afford to do both. We cannot afford bankruptcy, and that is where we are headed if this wild spending trend continues unabated.

How can our Nation survive as a strong and vital power if we continue to live with inflation, greater and greater debts, an unfavorable balance-of-payments situation, spending in the red, and loss of our gold reserves and of world markets?

Let us act today to wipe out altogether this unnecessary spending. We have been saying all year that we must cut expenditures, and this is certainly the proper place to start.

It is clearer every day that we will face a deficit of between 28 and 30 billion dollars this year and now the President is pushing for an increase in income taxes. Confronted with these facts, we cannot sit back and approve more and more funds that eat up our taxpayers' money and tear down our Nation's financial well-being.

Let us end this fiasco once and for all. We know that very little of the billions that have been spent in every type of foreign aid has gotten to the people of other lands. Millions have been lost through mismanagement and inefficiency and millions more have gone to the upper and ruling classes that do not need financial assistance of any kind. I tremble to think how much of our nonmilitary aid has been squandered in Vietnam, causing rampant inflation which has only made matters worse for the South Vietnamese.

We have ignored the facts long enough. Now we must act to guarantee our solvency and to preserve our financial integrity.

Again, I strongly recommend that we here today use the ax on foreign aid and vote down this legislation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PART V—ELIGIBILITY OF CERTAIN PARTICIPANTS IN FUTURE FOREIGN AID PROGRAMS

Sec. 502. Notwithstanding any other provision of law, whenever any individual, firm, or entity (including authorized agents of such firm or entity) participating in any aid transaction financed with funds made available under the Foreign Assistance Act of 1961, as amended, has been found by the Inspector General, Foreign Assistance, to have attempted, aided, assisted, or engaged in bribery or other illegal or fraudulent payments or credits in connection with such transaction, such individual, firm, or entity shall not be permitted to participate in any program or operation financed under such Act.

AMENDMENT OFFERED BY MR. WAGGONNER

Mr. WAGGONNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Waggonner:

On page 46, line 5, add a new section numbered 503 to read:

"Sec. 503. Notwithstanding any other provision of law, all funds except for those countries in this hemisphere, and those who render us assistance in Vietnam, authorized or appropriated under the Foreign Assistance Act of 1961, as amended, shall be held in abeyance until 90 days after the final settlement of hostilities and the fighting in Vietnam."

Mr. MORGAN. Mr. Chairman, I reserve a point of order against the amendment.

Mr. WAGGONNER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WAGGONNER. The chairman of the full committee having reserved a point of order, it leaves to me the right to speak to the merits of this amendment and later to speak to the point of order, does it not?

The CHAIRMAN. That is correct.

Mr. WAGGONNER. Mr. Chairman, the Latin language contains an incisive phrase, "quid pro quo," which without my having to explain to you simply means that you get something for something.

Mr. Chairman, it appears to me that we have reached the point in this program of foreign assistance, that we ask for "quid pro quo," that we get something for something because we have been dishing out something in the way of the taxpayers' dollars and natural resources in this country in our program of foreign assistance. We have been getting little in return. There are those of the House who say that we must give assistance to those in this hemisphere, that which is mutually beneficial to us and to our friends in South America.

Under this program of foreign assistance, I would agree. So, therefore, I make an exception to those in this hemisphere in limiting aid until after the cessation of hostilities in Vietnam, and please remember that I said "hostilities." I did not use the word "war," because I recognize that we have not had as yet an official declaration of war in Vietnam. As well, there are those of us still here tonight who believe that we ought to try to do something more to get the war in Vietnam over, and we are doing something when we require help in Vietnam for the help we give them.

Mr. Chairman, this amendment, if adopted, would simply say to these people around the world who have been through the years recipients of our aid, that if you help us get Vietnam over, if you restore the "quid pro quo," if you give us something for that we have been giving you, we will continue to help you.

Mr. Chairman, we are not now getting "quid pro quo."

Mr. Chairman and my friends, in these days when the President of the United States finds it necessary to come before the Congress with a Presidential message saying that in order to finance the activities of this country in the war in Vietnam and other activities of the Government it is necessary to levy a surcharge tax of 10 percent, I believe it is time to start thinking about some way to reduce this problem of increased expenditures. If you really want to help our friends in this hemisphere this is especially true.

If you really want to try to get the war over and to demand of these people some help for us in Vietnam in return for what we have been doing for them, if you believe in "quid pro quo," you will express it by adopting this amendment and you will help our friends in this hemisphere and you will as well do something about getting the war over.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. Morgan] insist upon his point of order?

Mr. MORGAN. I do, Mr. Chairman.

Mr. Chairman, the amendment which has been offered by the gentleman from Louisiana is purely and clearly not germane and has reference to unrelated matters as contained in this bill.

The CHAIRMAN. Does the gentleman from Louisiana [Mr. Waggonner] desire to be heard?

Mr. WAGGONNER. I do, Mr. Chairman.

Mr. Chairman, in speaking to the point of order, part V of this act, of which this amendment is an additional section, is entitled "Eligibility of Certain Participants in Future Foreign Aid Programs." And, from this day on, it is the future as far as time goes and we certainly can and ought to add further restrictions to other participants, as section 502 has already done.

Now, Mr. Chairman, we have had one rather arbitrary ruling from the Chair tonight. I do not believe that the Chair can justly say that this is not germane because, Mr. Chairman, this bill already restricts the eligibility requirements for certain participants and this amendment makes exception of those who are in this hemisphere and those who are going to help us in Vietnam, if they return something for our something. This Congress can place any limitation on assistance they choose. We have done it already on several occasions tonight.

The CHAIRMAN (Mr. Price of Illinois). The Chair is prepared to rule.

The amendment offered by the gentleman from Louisiana would delay the operation of this proposed legislation for an unrelated contingency.

The Chair would like to refer to section 3037 of Cannon's Precedents of the House of Representatives, volume 8, to the effect:

> An amendment delaying operation of proposed legislation pending an unrelated contingency was held not to be germane.

In a previous ruling today, the Chair, when asked to rule upon a similar amendment dealing with an unrelated contingency, held that it was not germane to the pending bill.

The Chair so holds in this instance, and sustains the point of order.

Mr. WAGGONNER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. WAGGONNER. Mr. Chairman, for my edification would the Chairman tell me wherein this amendment is unrelated? The Chair has used that expression on about three occasions.

The CHAIRMAN. The Chair will state

that it is unrelated because it is dependent upon the cessation of hostilities.

Mr. WAGGONNER. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. WAGGONNER. Was the ruling of the Chair based upon the definition of the word "unrelated," or the germaneness of the amendment? The point of order was based on germaneness.

The CHAIRMAN. The Chair will state that the ruling of the Chair was based upon the precedent which the Chair quoted to the gentleman, and to the House.

Mr. WAGGONNER. A further parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. WAGGONNER. Mr. Chairman, in what way is this amendment any different from the other restrictions that we have placed in the bill by the adoption of several other amendments tonight?

The CHAIRMAN. The Chair will state that the Chair had not passed upon those other amendments, and was not asked to pass upon those other amendments.

Mr. DENNEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I had an amendment of a very similar nature. I will not offer it. I just want to make a short statement with reference to it. I did my homework. I know under the rulings of this House it is not germane. But I do feel, Mr. Chairman, that the world should know that I, as one Congressman, some 22 years after I came back from the jungles, with two boys out there tonight—and I do not know where they are, and they do not know where I am—with 130-some-billion dollars that have been spent throughout the world, when we are fighting a war right here in America, when we have a situation where the Secretary of Defense says for our own survival we cannot spend $30 billion for antiballistic missiles, when we have a situation where our own friends call us names and turn us down in the United Nations, it seems to me that we should declare to the world, the countries in the free world and the countries behind the Iron Curtain, that the time for a bank moratorium has just about arrived.

If they are not going to deposit into this bank of the free world their manpower, their materiel, their know-how, and their ability to try and get peace in this world, then I believe we in America had better put a moratorium on it.

Mr. Chairman, I would close with the statement that when I was in the FBI, I read the writings of Karl Marx. It impressed me very much where he said the way to destroy capitalism is to keep them engaged in small wars, drain off their manpower, and bankrupt them economically.

Ladies and gentlemen, let us not fall into that trap.

Thank you very much.

Mr. ROTH. Mr. Chairman, I have been an advocate of foreign aid for many years before coming to the House. Having seen the great progress that has resulted from American aid to Europe through the Marshall plan, and the miraculous recovery of Japan after World War II, I am proud of America's role in helping build these nations into a bulwark against Soviet-inspired aggression and subversion. Effective in its initial years, as it has grown the program has begun to drift, and this has given rise to the need for a constructive reevaluation of its purposes and practices. It is therefore with no little regret that I rise in opposition to the foreign aid bill before the House today.

This country is facing the prospect of substantial increases in personal and corporate taxes as the result of the administration's free spending policies in recent years. The Ways and Means Committee, last week and again this week, is holding hearings on the President's tax proposals. Various experts, including the distinguished and knowledgeable chairman of the Ways and Means Committee [Mr. MILLS] have estimated that without action on the part of the administration or Congress the fiscal 1968 budget deficit may amount to as much as $29 billion. The result of this staggering deficit will almost certainly be another spiral of inflation. On the other hand, if we accept the President's surtax proposal, a dampening of the expected fall upturn of the economy is likely to result.

Rather than subject the American taxpayer to a still heavier burden, it is incumbent upon the Congress and the administration to cut spending to the maximum extent possible—until it hurts—before tacking on the proposed 10-percent-tax surcharge. Foreign aid, in my estimation, is one area in which reductions can be made this year without substantial injury to the overall program.

It should be noted that the foreign assistance program comprises only part of our foreign spending activities. In addition to it, there are programs such as the Peace Corps, military construction, support of our Armed Forces based overseas, the Export-Import Bank and other international lending institutions through which dollars are funneled overseas, and other Government activities engaged in foreign spending. This does not include the substantial amount of investment in foreign countries made by the private sector of the economy.

There is, according to the committee report, a total of more than $6 million in the foreign aid pipeline: nearly $4.5 billion in economic assistance funds, and more than a billion and a half in military assistance—remaining to be spent from funds appropriated in previous years. We could, therefore, reduce the authorizations proposed by H.R. 12048 by a substantial amount and the programs underway would continue to operate for some time to come. It is obvious that we cannot and should not dismantle the program entirely. This would be wasteful of past gains and destroy the purpose of foreign aid. But, Congress should make a determination with respect to particular aspects of the foreign aid program which require continuous funding to sustain their operation, and reduce substantially the authorizations for programs having sufficient funds in the pipeline to continue. Where the need for money for specific programs is spelled out, conditions may warrant maintaining our efforts at present, or only slightly reduced, levels.

Our balance-of-payments problem continues to plague us. In the years immediately following the end of the Second World War, the United States was primarily an importer of raw materials of low labor content and an exporter of manufactured items of high labor content. More recently, however, this situation has been reversed, and we are taking in manufactured items of relatively higher cost than the goods, such as agricultural commodities and scrap iron, of low labor content we export. In an effort to cope with the threat to the dollar, past administrations have initiated short-term measures which have had limited success. We have reduced the amount of goods a returning tourist may bring in with him duty free, we have instituted "buy American" campaigns in connection with our foreign aid programs, we have levied special taxes on foreign earnings and investment, and we have urged business to voluntarily cut back on their investment overseas, but none of these measures have resulted in any meaningful improvement in our balance-of-payments problem. The best that can be said for them is that they have slowed the rate at which it was getting worse.

Mr. Chairman, listening to the figures on how much of our foreign aid money is actually spent here in the United States, I wonder if anyone really knows where the money is spent. The President and the committee report claim that more than 90 percent of these funds are used to buy American goods and services. On the other hand, testimony on the part of reputable witnesses before the Foreign Affairs Committee states that in 1965 only about 43 percent was spent here. This is, I believe, an issue of no little importance, for one of the avowed purposes of the entire program is to lay the groundwork for enlarged trade, and to develop new trading patterns.

In 1965 the private sector of the economy achieved a net dollar inflow of more than $2.1 billion. The government sector, on the other hand, completely offset this favorable balance by a total dollar outflow of more than $2.7 billion.

Doubtless all of the foreign aid programs can be justified to a greater or lesser degree by their contribution to national security. Regardless of the relative merits of many of these international obligations, the strength of the economy here at home is the keystone upon which all these other undertakings depend. To maintain the economy on an upward course and limit the impact of inflation and a dampening of the economy caused by a tax boost, Federal spending must be reduced.

In conjunction with holding down spending for foreign aid, I would hope that Congress and the administration would undertake to reevaluate the direction of the program against the following standards:

First. Is the program, as is charged by some, getting the United States too involved in the affairs of other nations, as, for instance, in Vietnam and the Congo?

Second. How can the foreign aid program best be restructured to further increase the participation of private enterprise?

Third. Are we pursuing the most effective means toward reducing other nations' dependence upon U.S. aid, and enabling them to meet their own needs more effectively?

With respect to the above suggestion, Mr. Chairman, it might well be advisable for Congress or the administration to commission a blue ribbon committee—such as those created to study recommendations for improving the Selective Service System—to study all aspects of our foreign aid program in depth.

Mr. Chairman, although I shall oppose this bill, I firmly support its aims. I am certain that, should the measure be defeated, the Foreign Affairs Committee would swiftly present us with an amended bill preserving the truly essential parts of the program and providing cuts in lower priority endeavors.

Mr. SCHEUER. Mr. Chairman, there are a great many reasons why our foreign assistance program is important to us and to the rest of the world. Some support foreign aid because it helps to develop a community of free nations; some because it fights the menace of communism. In my opinion, the best reason for our continued support of the foreign assistance program can be expressed in one word—humanitarianism.

The late President Kennedy put it into words when he said the foreign aid program was carried out "because it is the right thing to do."

I see no reason to apologize for a humanitarian spirit; nor, I think do millions of other Americans. The thought of people going to bed hungry—anywhere in the world—troubles us deeply. U.S. citizens are not willing for children to die at age 6 because of a lack of medical care. In India, for instance, the life expectancy is only 47, compared with 70 in the United States; there is only one physician for every 5,800 people, compared with one per 690 people in our own country. Millions of people in India do not get enough food, and what they do get is not as nourishing as it should be. Only one-quarter of the adults in that country can read and write.

In Kenya the life expectancy is 43, even lower than India's, and there is only one physician for each 9,700 people.

Even more sobering, there are regions of our own Nation where these same problems exist. There is one physician for 1,060 residents in the east south-central States—Maryland, Virginia, West Virginia, North Carolina, South Carolina, Florida, Georgia, and the District of Columbia—while the United States average is one per 690 people; 2.2 percent of the U.S. population is illiterate as of the 1960 census, but for the nonwhite population in the South, the illiteracy rate is 11 percent. Out of 1,000 infants born in the United States in 1963, 25.2 died within 1 year. In the South the infant mortality rate was 45.2 per 1,000 births. The life expectancy of the white population in our country is 67.55 for males and 74.19 for females, whereas for nonwhite persons it is 61.48 and 66.47 respectively.

The import of these statistics is obvious: U.S. aid indisputably is needed around the world. Yet we are providing this assistance without having cured our own social ills.

I do not suggest that we should abandon all of our efforts internationally until we are whole at home; but I do suggest that, as we make an effort to mend the ills of the world, we summon up more of our resources, more of our talent, more of our energy to mend our ills at home.

If we performed at home on a vast scale what we are doing overseas there is no doubt in my mind that we would be met with success. Abroad, thousands of our technicians are working shoulder-to-shoulder with people of foreign countries showing them better ways to educate their people, to feed them, and to provide for their health needs.

This work is being done in ways to install pride and hope in the people of the underdeveloped countries.

We not only show them a better way of digging a well; we train a well-digger and then we help them prepare to train their own well-diggers after we have gone.

We conduct immunization programs, but we do it in concert with local people who thus learn how to conduct their own programs.

We may be able to present the local farmers with a new and better seed, but more important in the long run, we help in setting up agricultural training and research institutions that will serve the people long after we are gone.

Immunization, construction, agriculture, education, training—all of these are "the right thing to do." They are the right thing to do at home and abroad. Because we are a humanitarian nation, and because this assistance is the right thing to do, I support it wholeheartedly. But I suggest that our humanitarianism shall be operative on at least two fronts—at home and abroad; where there are needs to be met—and certainly they exist in this country—we should strive far more urgently to meet them.

Mr. ABBITT. Mr. Chairman, I am very much opposed to this so-called foreign aid bill now pending before the House of Representatives. It is nothing but an extension of the huge giveaway program of the American taxpayer's money. The program is shot through with wanton waste and gross inefficiency. In the past few years, it has accomplished nothing good for America. It has been a heavy burden upon our people, a useless burden. We should discontinue it immediately.

Apparently the theory of those running this program is, and I quote "Pour it in, ask no questions and hope for the best." In other words, a desire to use all of the money available, to give away to foreign nations with no control or strings attached our hard-earned money whether the money does any good to the people intended to be helped or not. We have now been pouring our resources into some foreign countries for 15 or 20 years. I am convinced that the total available resources of the free world will not sustain some of these countries for another 5 years.

They have made little or no progress toward improving their own situation. There is no effective communication within some of these countries and no real effort has been made to be self-sustaining. We have apparently made no real friends with this program. Many of the recipient countries are rendering aid and assistance to our enemies although we have poured millions and millions of dollars into their economy. It is a great demonstration that money will not buy friends and I am sick and tired of contributing in any way to our enemies.

In addition to the fact that this is a no-good program which has cost the American taxpayers over $114 billion from 1946 to 1967 in addition to the cost of interest on what we have borrowed to throw away, there is now on hand in unliquidated funds as of June 30, 1967, from prior years authorization of over $16 billion.

This amount of Federal funds is available to be spent on this iniquitous program and I say in all sincerity not another cent should be appropriated, certainly at this time. Here we are, a great nation, with a national debt of approximately $331 billion. The administration is saying that we have got to increase income taxes in the amount of $6.3 billion. We are going to run into the red this year approximately $30 billion unless taxes are increased to take care of it. We see in this giveaway program over $16 billion available to be spent yet we are being asked and directed and demanded to authorize another $3 billion in this iniquitous bill.

It is time for this Congress to stop such giveaway programs, to demand a return to sanity and to protect America and not try to take care of the entire world, many nations of which are our rank enemies and unfit to receive taxpayers' money. And even if they receive it, it is stolen or given to those not needing it and the good intended is never, never accomplished.

Mr. DONOHUE. Mr. Chairman, I most earnestly urge and hope that our continuing discussion and final action on this bill, the Foreign Assistance Act of 1967, will be primarily based upon the legitimate standards of American self-interest in realistic recognition of the very great burdens already resting upon our American taxpayers.

In other words, I very firmly believe the appropriations we authorize for further foreign assistance programs should not only be minimal, but they should be approved only after the most searching scrutiny and our common conviction that they are thoroughly justified.

Programs that have, by experience and evidence, proved to be of substantial worth, in our own self-interest, such as technical aid to backward countries, Development Loan Fund operations, food for peace, and the Alliance for Progress should continue to be given our conscientious, adequate support in prudent avoidance of the historical error of being "penny wise now and pound foolish later."

However, further assistance of any type to countries that have already become fully rehabilitated and completely revived economically should and must be terminated. Our limited aid should go only to those impoverished peoples who clearly need help and who are just as clearly capable and disposed to use our help to help themselves by improving their farming techniques, health programs, educational processes, sanitation systems, hospitals, and their basic industries.

Also I think that the great majority of our taxpayers desire that the extension of our aid should be governed by the additional requirement that recipient nations actually demonstrate—not simply promise—initiation and implementation of foundation reforms in land ownership and tax laws that, in the past, have seemed always, in so many countries, to consistently favor the wealthy and oppress the poor.

Mr. Chairman, throughout the history of our foreign aid program there have, unfortunately, been repeated revelations of too many and too great instances of waste and extravagance because of an unhappy pattern of loose and lax administration throughout the entire complex of foreign aid.

It is our congressional obligation to encourage the elimination of waste and extravagance and loose administration as much as we humanly and legislatively can by being perseveringly insistent upon the most searching and constant supervision of this vitally important program and through the recruitment and appointment of personnel of the highest character, integrity and ability. It is also our stern congressional obligation to insist upon the fullest presentation, from executive department sources, of all information, good and bad, that will enable the Congress to act on this measure with intelligence and wisdom in protection of the people's investment.

There can be no doubt that most American taxpayers are convinced that the so-called giveaway era should be ended and it should be ended right now. I am sure that they also feel it is only good sense and simple justice to ask and expect that the nations we have aided and are aiding will fully and effectively cooperate with us for common survival.

Mr. Chairman, the great urgency of thorough review, sensible limitations, and rigid reforms in the protection of our complex foreign aid program has been obvious for a long time. The sooner the Congress responds to that urgency, the more economical and effective our programs will be; the more universally respected we shall become abroad; and the more confidence in our representative government we shall generate among our own American people.

I very greatly fear, particularly in these currently critical days of our national history, that we too much overlook the fact that without the existence of a high morale among all our own citizens, neither this program, nor any other, will ever accomplish the intended objectives.

The only legislative way in which we can encourage and preserve a high morale among our people is by concretely demonstrating in our actions here, that this Congress is primarily concerned, and especially now, with the imperative domestic needs of our own American citizens before and beyond any other commitments. With prudent attention to our own self-interest, let us then fully observe and fulfill this priority of concerns in our determinations on this Foreign Assistance Act.

Mr. RANDALL. Mr. Chairman, I am opposed to H.R. 12048 for reasons expressed in former years which are still valid and because of recent occurrences not present in other years.

All the reasons that have been recited against foreign aid in past years are still applicable: first, foreign aid as administered seems to result in our loss of world prestige and loss of friends; second, it has led to loss of our gold, by adverse balance of payments; and third, the present authorization is not needed because adequate appropriated funds are available in the pipeline.

However, this year there are new and quite potent reasons why this bill should not be passed. In 1967, we must consider this measure in the light of some recent happenings, including: first, the President's proposal for a 10-percent surtax increase; second, the expensive conflict in Vietnam; and third, our sorry experience at the time of the recent Middle East debate in the United Nations.

No one can be real sure exactly how much has been spent of our taxpayers' dollars in the last 20 years on foreign aid. There have been estimates that the total runs as high as $130 billion. Of the over 120 members of the United Nations, nine out of 10 of them have at one time or another received U.S. assistance.

The recent Middle East crisis should offer adequate proof that even our most sincere and good-intentioned efforts to play the role of one going around the world doing good have been a total failure. Put in other terms, when it came to a showdown our country had little or no influence with the members of the United Nations to whom we have given assistance in former years.

The only possible rationale for foreign aid is that it exists because it is an arm of our foreign policy. The test of its usefulness or its continuance should be its effectiveness. The complete failure of our foreign aid program to win friends was demonstrated anew in the Arab-Israel conflict. Two of our supposedly best friends, France and India, voted with the Soviet Union. France has received over $9 billion of U.S. economic aid, and has yet to pay its World War I debt. India has received over $6½ billion in financial assistance as of the end of fiscal year 1966, yet Madame Ghandi recently went out of her way to pay a high tribute to President Nasser, and criticized the United States for putting "pressure" upon India by attaching conditions to her supply of food.

Much has been written about the ingratitude of India, which is the largest single recipient of the United States economic aid. Leaving out of consideration the question of appreciation or gratitude, we have reason to wonder whether they are planning to do anything to help themselves, about their everlasting problem of too little food.

I, for one, was astonished and amazed to learn that there are more cattle in India than the combined cattle population of the United States, Argentina, and Australia. These cattle may be sacred. It may be true that they have religious beliefs and a sort of reverence for the life of these animals. But how much longer can we subsidize this kind of animal life by supplying food for humans at the expense of our own American taxpayers? From 1955 to 1966 we shipped more than 35 million tons of wheat to India.

It will never be possible to know accurately how much of this was consumed by rats, which are in turn protected because of religious beliefs in India. We hear a lot of talk about family planning in India. There should be some consideration and assurance, also, that they are going to do something about the use of some of their animals for food, and do something to eradicate their rats. The most important question to ask concerning India, is specifically, what will be their future attitude toward the United States.

How can we continue to spend our taxpayers' hard-earned money in India, when they continue to show their appreciation by insult, criticism of our foreign policy, and continued ties with the Communist bloc at the United Nations, all the while making complimentary remarks about President Nasser? Their latest insult is to ask us to pay additional shipping costs for food to go to India because the Suez Canal is closed, by Nasser whom they praise.

One of my strongest reasons to oppose the Foreign Assistance Act of 1967 is that the people of my district are demanding a reduction in Federal spending. I suspect this is also true of most of the Members of this House. I am sure each one of us has received hundreds of letters in opposition to the proposed increase in Federal taxes, and not a single letter urging such an increase. At the same time, my people have no objection to appropriations for the Department of Defense or even essential domestic programs. The disturbing thing about this foreign aid program is that in my mail it is continually referred to as a "giveaway" program. Equally disturbing is the fact that this economic aid authorization and appropriation has become an entrenched part of the Federal budget. It has become a recurring item of Federal expenditure as regular as those of our oldest executive departments.

Most unfortunately, many of the recipient countries seem to think that they have a right to receive money from the United States, under some form of entitlement.

Our people are so heavily burdened with taxes, they will not accept the enactment of a surtax, or any kind of tax. If we as Members of Congress are going to relieve our people of this burden, then somewhere, somehow, a start must be made. A good time to start is now. A start can be made by voting down this bill for the new fiscal year. Even under the frequently false assumption that foreign aid is an effective tool of foreign policy, there are ample funds in the pipeline.

Put into different language, the task of the House this year is to place foreign aid in its proper perspective. The time has come that we must set priorities, just as carefully in foreign expenditures as in our domestic expenditures. The war in Vietnam should hold the highest priority until that effort can be successfully concluded or an honorable peace negotiated.

One of our Members suggested the other day that to suspend this year's authorization would have a most sobering effect, in that it would give us a chance anew to determine who are our true friends in this world. No one really admires or respects a big spender unless there is a reason or some purpose for the expenditure. What has happened is that our State Department has become a sort of philanthropic organization. Some have referred to the foreign aid program as a sort of charitable foundation. Others have described it as a kind of benevolent association. But the true test of the issue is not whether we are humanitarian or cold-hearted, concerned or indifferent, but whether our benevolence and our philanthropy is effective and accomplishes its purpose, which should be to effectively increase our friends and allies in the world. Such has not been the result.

Since it would seem to be apparent that each year we have fewer friends in the world, and a little less prestige, the appropriate question to ask is, How much longer can this country bear up under its foreign aid program? The answer is our country cannot patiently tolerate foreign aid any longer. The time to stop is now.

Mr. HORTON. Mr. Chairman, for the past 4 days I have closely followed the thought-provoking floor debate on this authorization and the various amendments to it. I believe that the majority of the amendments reflect an astute balancing of the conflicting interests with which we are confronted. On the one hand we are faced with the need for reducing expenditures by the Federal Government and on the other by the compelling needs of many peoples around the world.

The careful analysis to which my colleagues have subjected this bill and the issues raised by it reflects credit on this body. Low priority programs have been eliminated without rendering our aid program ineffective. Further, by limiting the authorization to 1 year we have retained the ability to comprehensively review our foreign-aid commitment next year in light of the new circumstances which may have developed by that time.

Typical of the care with which the House has cut this authorization is the motion to recommit the technical assistance segment of this authorization which will be offered shortly. I intend to support the motion to recommit because the cuts which are included in it are designed to eliminate the low priority aspects of this program. The effectiveness of the program, which includes funds for such vital projects as agricultural research and educational assistance, will not be reduced.

Likewise, the highly beneficial yet inexpensive Partners for the Alliance program has been retained at a cost to the taxpayer of only $700,000. This program does much to stimulate additional foreign assistance from private sources and adds a much needed people-to-people orientation to at least one segment of our aid program.

Conversely, because we have made every effort to protect the interests of the American taxpayer, we have reduced or eliminated such low priority segments of the authorization as the contingency allowance.

I am disappointed with reductions in funds authorized for the Alliance for Progress. In light of the very great needs of this area, the close and longstanding ties we have with our neighbors to the south, the President's pledge of additional aid to these countries during the meeting of the American Presidents at Punta del Este last April and the unique strategic importance of these countries to the defense of the United States, I supported full funding of the Alliance for Progress.

Additionally, we have made several improvements in the administration of the foreign aid program. I was pleased to join with the majority of my colleagues in supporting the amendment offered by the gentleman from New Jersey [Mr. WIDNALL] which removed from the legislation the provision granting new authority to the Defense Department to finance the sale of American arms to foreign countries. The administration proposal would have allowed the Defense Department to buy notes of indebtedness from American firms which sell arms to foreign countries on credit. It was anticipated that the Defense Department would then guarantee these notes for their face amount and resell them to American investors. The effect of this authority would have been to allow the Secretary of the Defense Department to circumvent the legislative appropriation and review process at will.

I also favored the amendment which eliminated NATO infrastructure funds from this authorization. Such expenditures should be funded through the normal channels for defense expenditures and I think this amendment improves both this bill and the defense authorization bill.

Mr. Chairman, I am pleased to support the Foreign Assistance Act of 1967 as it is now amended. After this authorization passes the House it must clear two additional hurdles before it becomes effective: First, the conference committee which will attempt to resolve the points of difference between the House and the other body; and, second, Presidential approval. I therefore take this opportunity to publicly express my strong support for the concept of foreign aid and, with some notable exceptions, for the way in which it is currently being administered by the Agency for International Development and the other agencies of the State Department.

Shortly after the close of World War II Congress approved the Marshall plan and thus launched this Nation's foreign aid program. The essential purpose of the Marshall plan was to rebuild the European economic, social and political infrastructure. The social patterns, human habits and the commercial know-how were all present, only the requisite capital was missing. This the United States provided in massive amounts and the results were spectacular.

The phenomenal success of the Marshall plan deluded many Americans, both in and out of government, into thinking that similar infusions of capital elsewhere in the world would achieve comparable results. Our experience in administering foreign aid programs during the intervening 20 years has shown that money alone does not stimulate the progress we seek. However, we have so far been unable to develop a more effective mix of money and some other as yet untried ingredient.

My continuing study of the foreign aid program has led me to three conclusions. First, with some reductions, we should continue our financial commitment to the underdeveloped nations. Second, we should redirect the emphasis of our aid. Third, we must broaden our search for other ingredients to include in our foreign mix. Continuing and strengthening our foreign aid program will serve a dual purpose: aiding the peoples of the underdeveloped nations while furthering the cause or our own national security.

This year, I have repeatedly advocated cuts in Federal expenditures not related to our national defense, and I have accordingly supported reductions in the funds appropriated for certain foreign aid projects. The other demands presently being placed on the Federal purse dictate that we stretch out present capital investment projects whenever it is possible to do so without jeopardizing the economic utility of the project.

However, I have opposed reckless slashes in this authorization because I believe foreign assistance is a program of very high priority. In determining the priority to be accorded foreign aid, it is important to bear in mind that the United States no longer stands alone among the developed countries in supporting a foreign aid program. As a result of our urging and example, 14 other nations have instituted foreign aid programs. In fact we are no longer the leader in providing foreign aid if the contributions of each country are ranked according to the percentage of their gross national product which is devoted to this purpose.

In 1949 the United States shouldered the inordinately large burden of rebuilding Europe and devoted $7.2 billion or 2.8 percent of its gross national product to this task. Our foreign aid contributions were then without peer.

In contrast, the authorization which we are considering today only provided for the expenditure of approximately $3.1 billion. Even with the addition of the $1.5 billion sought by the administration for the food-for-peace program and related programs under Public Law 480, this amount is only six-tenths of 1 percent of our anticipated gross national product for calendar year 1967. This percentage, which does not reflect the cuts we have just made, is significantly lower than the same statistics for last year. At that time four other countries were devoting a larger percentage of their gross national product to foreign aid than the United States.

I certainly do not believe that we should devote the same percentage of our gross national product to foreign aid that we did in the crisis years immediately following World War II. But I do think that these figures indicate that the funds we are now devoting to foreign aid, particularly in light of the cuts just enacted, are not excessive.

I emphasize that my primary concerns are that we reevaluate the methods by which we are attempting to achieve the ultimate goals of our foreign aid program and that we dramatically improve the administration of these programs within the recipient countries. In calling for a reevaluation of these methods I am seeking a reordering of our priorities: not a fundamental change in the philosophy of our aid.

Fortunately, it is no longer common practice to devote vast sums of American money to aiding the construction of showcase industrial developments which are totally beyond the technical, supply, logistic, and market capacity of the recipient nations. However, I believe that our aid program continues to place far too great emphasis on industrial development.

Starvation is a fact of life in many of the recipient countries and it makes little sense to develop a vast industrial complex in the face of this fact. Altering this fact of life through a combination of agricultural reforms and voluntary birth control programs should be our first goal. Because these are programs which will produce benefits only in the long run, logic dictates that they be undertaken immediately.

The urgency of this work is dramatized by our experience under the food-for-peace program.

This experience convincingly demonstrates that even the tremendous productive capacity of the American agricultural establishment cannot prevent mass starvation throughout the underdeveloped world unless the Malthusian cycle is broken in these countries by containing the population explosion and instituting far-reaching agrarian reforms.

Grains and other commodities previously provided under the food-for-peace program have largely come from American surpluses accumulated over considerable periods of time. Having almost exhausted these reserves, we must now provide the foodstuffs for the foreign aid program from current production.

Current production, which is relatively inflexible in the short term, is not now sufficient to meet the anticipated demands of even 1970. Were we today to embark upon a crash program to expand our agricultural capacity, it is probable that by 1975 the world food need would have outstripped our productive capacity unless fundamental reforms are undertaken in many foreign countries. In fact, Paul and William Paddock in their book "Famine, 1975" suggest that mass starvation by the middle of the next decade is unavoidable even if we achieve the maximum potential expansion of our agricultural capacity and succeed in having the underdeveloped countries institute massive agricultural reforms and population control programs.

Our food-for-peace experience further indicates that limitations on the capacity of the recipient countries to transport and distribute food once it arrives on their docks and wharves precludes the possibility of American foodstuffs, even if available, being used as the primary source of food in these countries.

India, which has one of the best transportation networks in Asia, exemplifies the problem we face. Even if the United States were able to continue providing 7 percent of India's food requirements, which necessarily increase with the population explosion, it would soon be impossible for the Indian Government to effectively distribute this ever-increasing volume of food.

Our foreign assistance experience of the last 20 years also suggests, the new economics notwithstanding, that it is impossible to reverse the historic pattern of economic development; a self-sustaining agricultural establishment must proceed full-scale industrialization. This is not to suggest that all industrial development must await the achievement of agricultural surpluses. Rather, I am suggesting that fundamental and unalterable economic forces preclude the establishment of a sophisticated industrial economy in a nation lacking a mature economy and burdened with a deficit agricultural system.

For the foregoing reasons I urge that our aid program accord high priority to projects involving basic agricultural research; projects which will modernize, expand and reform existing agricultural practices in underdeveloped nations; and projects in support of voluntary birth control. I am pleased to note that this year's authorization institutes a new program to conduct research into tropical agriculture and increases the funds available for the aid of population control programs.

Equally important, we should be devoting far greater effort and resources to the development of foreign educational systems. As a result of American help and example, most underdeveloped countries now recognize the importance of universal education. Despite soaring financial support for education, many countries are currently fighting a losing battle. Honduras, for example, has continually increased its expenditures for education in recent years and currently devotes 28 percent of its national budget to education. However, because of its high birth rate, the percentage of the population to which educational opportunities are available remains relatively constant.

Experience has shown that unless a very large portion of the citizens of an underdeveloped country possess at least minimal education, it is impossible for that country to effectively maintain and expand the relatively sophisticated technologies and market economies which we are trying to create through our foreign aid program.

Educational investments, which can only produce results in the long run, should be timed so that the requisite number of literate workers, as well as highly skilled, technical, and professional workers, will be available at the time they are needed by the increasingly sophisticated economies of these countries.

If this confluence of needed and available skills is to be achieved, massive additional infusions of American educational aid will be required. Much of this money can be provided by reducing the financial support of other existing aid programs which should be accorded lower priority because they are responsive to less immediate needs.

I also believe that the American Government should redouble its efforts to have countries receiving American aid institute tax reforms and aid the widespread development of progressive private banking institutions. Both of these changes are prerequisites to the establishment of viable, market oriented, industrial economies.

Tax reforms are essential if these nations are to be able, equitably, to raise sufficient revenues to implement their development plans. Justice requires that progressive tax structures be developed and that enforcement techniques be vastly improved so that the economic costs of development are borne by all segments of the population generally in relation to the ability of each to shoulder this burden.

The development of banking institutions as we know them in this country will do much to prompt the accumulation of capital in the substantial quantities needed to support continuing industrialization. Such a banking system would also do much to assure that all segments of the population are able to share in the benefits of economic growth.

What is primarily required is that we provide these countries with the requisite technical know-how and the stimulus to act. Neither our Government nor the aid recipient would be required to spend significant sums of money.

At this point it is appropriate for me to note parenthetically that I strongly endorse the concept of multilateral aid and regard it as a most valuable complement to our existing bilateral aid program. However, in evaluating the relative appropriateness of these two approaches to foreign aid, I think it is essential that one understand both the subtle distinction between the purposes of bilateral and multilateral aid and the basic mechanical limitations which are placed on the administration of multilateral aid programs.

One must first recognize that, in addition to the primary humanitarian function which it serves, the foreign aid program is an important and appropriate instrument of American international political policy. Some programs are closely tied to the implementation of these policies and others are not. Those which are should remain under the immediate and sole control of the American Government so that these policies may be achieved with maximum effectiveness. Foreign aid programs not directly related to the achievement of specific international political goals of the United States can, and in my view should, be administered by multilateral aid organizations.

If we fail to forthrightly acknowledge this distinction, we not only hinder American foreign policy, we also do serious, perhaps irreparable, damage to the international institutions which administer multilateral aid programs.

Let me illustrate this point. Many people have suggested that the loan funds administered by the Agency for International Development should be transferred to the World Bank. However, these same people would argue that to protect our balance of payments position, a legitimate economic and political goal of the United States, we should require that these funds be loaned in a manner such as to minimize the adverse effect on our balance of payments.

Most of us would concur in the opinion that this is a legitimate interest for the United States to protect. However, the imposition of this restriction on funds contributed to the World Bank or any other international organization is contrary to the basic philosophy of multilateral aid. It is fundamental to this type of aid that funds be granted to the international organization without restrictions and that credit be granted by that organization on the same basis.

When one country transgresses the bonds of this basic philosophy, it merely encourages others to do likewise. If the process is repeated often enough, the multilateral institution through which the aid is being granted is vitiated.

It is imperative that this distinction be borne in mind when we consider which programs should be multilaterally administered. I emphasize that I feel there is a role for both types of aid but I do not feel that many of the existing AID projects can be successfully shifted to multilateral organizations to which we should be making totally unrestricted contributions.

Aid projects which are regionally oriented rather than nationally oriented are particularly suitable choices for programs to be turned over to multilateral organizations for administration. Many of our public health assistance programs are examples of this type of aid and the administration of these programs could well be shifted to the World Health Organization or some similar international body.

I earlier mentioned my concern that the administration of our aid programs within the recipient countries be improved. To achieve this, I suggest that the staffing techniques of the Agency for International Development be changed to include volunteers, similar in purpose to the Peace Corps volunteers, who would serve as resident advisers on village development projects organized by the Agency.

Paid on a wage scale similar to that of Peace Corps volunteers, these people would supplement the existing supervisory staff of skilled technicians, not replace it. Their continuing on-location presence would provide an effective vehicle for translating the technicians' advice and recommendations into workable solutions, thus easing the burden on the supervisory staff members who are responsible for many projects.

It is my belief that the institution of such a program would provide one of the heretofore missing elements in our foreign assistance programs, that of a close working relationship between people of our country and theirs. This demonstration of human concern may be the catalyst needed in our aid program to effect the basic behavioral changes toward self-help we seek in the people of the countries receiving our aid. Hopefully this will be a catalyst that will not only develop greater initiative and responsibility, thus establishing the foundation for future self-sufficiency, but also contribute to a fuller understanding of America's goals.

In the past we have concentrated on the material aspects of forging viable economies within these countries at the expense of concern for the human factors in the development equation. I believe that my proposal for the volunteer corps which I have described, will be a step toward adding this human element which is perhaps one of the missing ingredients in our foreign assistance programs.

Mr. BROWN of California. Mr. Chairman, I will not add my name to the list of those who intend to vote in favor of this bill.

My reasons for this opposition are varied and many, but I will say that perhaps my overriding reason can be summed with these words: I will not vote in favor of the Foreign Assistance Act of 1967, Mr. Chairman, because, in my heart, I know that what we should be debating and voting upon today is a Domestic Assistance Act of 1967—and beyond 1967.

In capsule form, Mr. Chairman, this Foreign Assistance Act is not presently commensurate with our national priorities.

We are turned around. This administration would have us blindly follow a path leading to a bottomless pit. Is there an end in sight in Vietnam? The message ought indeed to be clear enough. President Johnson has just consented to General Westmoreland's most recent request for additional deployment of American boys in that civil war—45,000 more troops will be provided by this country in 1968.

The massive cost of our involvement in Southeast Asia hardly needs elaboration. We are presently expending more than $2 billion a month—almost $30 billion a year. What was initially a minor commitment of around 600 technicians has become a major and brutal commitment of over 500,000 American soldiers. And there is no end in sight.

A further sign that this sacrifice shall continue is the administration's recent request for a tax increase. Americans are to dip into their pockets once again to finance U.S. involvement in a civil war 7,000 miles away. I assure you that citizens across the breadth of this land are today fast becoming more conscious of national priorities. And I would say that this growing consciousness about national priorities is broadly based; that is to say, the middle-income sector is developing a wariness similar to that of the vast majority of our poor.

For how long will our citizens be asked to prop up an oppressive and highly unpopular military government in Vietnam? I suspect as the stark reality begins to set in—so to speak—administration policymakers will become increasingly under scrutiny by the American public. National priorities will, indeed, become the focal point for debate.

Will our citizens continue to sit and observe as we vote down one domestic program after another? Will it be amusing to them as their elected legislators laughingly refuse even to debate the merits of legislation aimed at eliminating the rats from our slums and other areas? As the torch is put to one American city after another, will not our citizenry wonder about national priorities? As citizens—all of them American citizens—confront one another in the streets in what appears to be a lineup of "haves" versus "have-nots," will they not one day see the futility and tragedy of it all and seek to divert funds from a war most of them readily admit they fail to understand, and demand, instead, a massive domestic program at home?

These, then, are some thoughts which cross my mind as I listen to the debate taking place here today. I was impressed at the way Senator Percy, of Illinois, expressed himself on this subject when he said:

> If we continue to spend $66 million a day trying to save the 16 million people of Vietnam while leaving the plight of 20 million urban poor in our own country unresolved—then I think we have our priorities terribly confused.

I fully agree with Senator Percy's analysis. I am opposed to our involvement in the Vietnam war. Until we extract ourselves from that bloody conflict and begin to channel funds toward the proper priorities, any expenditure abroad will receive a long, hard, critical review from where I stand. Such is the case with this Foreign Assistance Act of 1968.

I readily admit that it was neither an easy nor a clear-cut decision for me to arrive at regarding this bill. Over the months, I have researched this subject carefully and extensively. In all fairness, I submit that the act encompasses some good, positive features—features which reflect an understanding of the methods we must use and approach we must take if our foreign assistance program is to bear positive results, both for this Nation as well as for the recipients of our aid.

However, despite these good features, I perceive the bill as more damaging and detrimental to our national interests than beneficial and constructive.

I realize there are some who will gasp in disbelief at my remarks and respond that this bill, as amended, would authorize a total foreign aid program of only about $2.8 billion for fiscal year 1968; also, that this is but a very modest change from last year's total; that, indeed, the current administration request has been trimmed to proper and prudent dimensions.

How, it will be asked, can one refuse the infusion of a paltry $2.8 billion in aid to the struggling, less-developed countries of the globe, in view of our massive $30 billion a year expenditure to one side of a civil war in Southeast Asia?

The answer is that as long as we remain entangled in Vietnam to the extent that we are, and 30 million Americans face a life of poverty, I must voice my opposition to further expenditures abroad—particularly when those expenditures reflect, in large part, the same mistakes of foreign policy which precipitated our involvement in Vietnam.

It is plain that the war in Vietnam

feeds upon our Great Society resources. We are now faced with a 10-percent increase in taxes; taxes that are made necessary by our adventurism in Southeast Asia. Actually, it is difficult to assess who suffers more from the hostilities, our own citizens or those of Vietnam. In relation to this point, I would like to direct the attention of my colleagues, Mr. Chairman, to the similar views expressed by Mr. Hobart Rowen in a recent issue of the Washington Post:

> ### GUNS NOT BUTTER: L. B. J. TAX POLICY STRESSES THE SHIFT
>
> (By Hobart Rowen)
>
> Belatedly, the Johnson Administration is confessing that even the rich American society cannot have unlimited amounts of guns and butter. Its request for a $7.4 billion, 10 per cent tax surcharge is an admission that this much money, at least, must be diverted from vacations and color TV sets to buying guns, helicopters and ammunition for the shooting war in Vietnam.
>
> But the impact is even deeper than that, and Budget Director Charles L. Schultze yesterday drew a clear blueprint—somewhat unintentionally—of the shift from butter into guns.
>
> His figures show that mountains of dollars have been poured into Vietnam in the past three years—and only pitifully small amounts into troubled U.S. cities and for social needs.
>
> For example, in response to questions by Chairman Wilbur Mills (D-Ark.) of the House Ways and Means Committee, Schultze estimated that of a $44 billion increase in the projected fiscal 1968 budget compared with fiscal 1965, $29.7 billion has gone to defense, all but $3.8 billion of which was for Vietnam.
>
> Measure that $26 billion increase for Vietnam against increases in the following items:
>
> For the anti-poverty program—$1.6 billion
>
> For the public housing—$600 million
>
> For other low-cost housing—$600 million
>
> For secondary and elementary education—$1.4 billion
>
> For public assistance—$1.4 billion
>
> Schultze's tally showed that lumping all poverty, housing, education, and welfare programs together, the increase in spending amounted to only $6.2 billion in the three-year period.
>
> One Administration rebuttal to this line of argument is sure to be that additional billions are poured into socially desirable programs through trust fund operations.
>
> But that cannot conceal the fact that at a moment of great national crisis, the Johnson Administration finds itself limited on what it can spend at home by the billions of dollars it has committed the nation to spend in Southeast Asia.
>
> But we are not yet at the end of the cycle. As Schultze and Treasury Secretary Henry H. Fowler made clear, the President's "program of fiscal responsibility" in meeting the costs of the Vietnam war contemplates not only the tax increase, but further sizable reductions in non-military spending.
>
> Thus, Schultze boasted that if we realize $1.5 billion in civilian expenditure reductions in fiscal 1968, non-Vietnam spending will constitute only 14 per cent of the Nation's total output, compared with 16 per cent in fiscal 1964, and 16.5 per cent during the Eisenhower Administration.
>
> So the Great Society becomes a not-so-great society. Not only is there no consideration being given to a Marshall Plan for the cities, as proclaimed by Vice President Humphrey, but even existing programs are being whittled back.
>
> And if the Administration and Congress should try to limit the size of the fiscal 1968 deficit to $14 billion—the lower end of the range that Secretary Fowler yesterday said is tolerable—there would have to be cutbacks deeper than that $1.5 billion mentioned by Schultze.
>
> Revenues, with the surtax, are now estimated at $122.5 billion and expenditures at a potential $143.5 billion—prior to the President's commitment to restrain, cut and control.
>
> That's a gap of $21 billion—and if the $14 billion figure isn't in the Administration's propaganda just to make Congress feel a bit less sick, that target would require reductions of $7 billion somewhere.
>
> Or, it will require more sales of "participation certificates" for a cosmetic touch-up of the deficit.
>
> In any event, the Administration finally did face up to the need of putting a tax-revenue bill before Congress. It helps show dramatically how deep and costly is our involvement in Southeast Asia, which Fowler said offers "no clear prospect of any early ending."
>
> But do we have the whole story, even on statistics?
>
> For example, the cost of 45,000 additional troops in Vietnam is put at from "zero to $4 billion." But cleverly, this is a net figure, which includes offsetting savings that Secretary of Defense Robert McNamara has been ordered to find.
>
> One wonders, therefore, whether the real figure for the additional troop cost is not the $5 to $6 billion predicted earlier by Sen. John Stennis (D-Miss.) and so vigorously denied by the Administration.

I do not intend, however, to discuss or analyze at this particular time, the capacity, nor the will, of our citizens to support this war effort. The important and more immediate point for our consideration is that we are financing an illegal and unjust involvement in a civil war to the tune of almost $30 billion a year. And we continue this policy at a time when our people and cities are faced with the wrath and torch of urban slumdwellers, and smolder with rebellion, and increasing societal disruption.

In view of the obvious need for expensive and expansive social engineering in our own Nation, I reiterate to you that I cannot and will not, at this time, support additional expenditures abroad. We cannot at once afford to involve ourselves in the bloody, protracted conflict in Vietnam, a renewed and massive effort to alleviate the desperate conditions of our poor at home, and foreign assistance.

To me, the priorities are clear. Assistance to our own people is first; foreign assistance is next, and expenditures for war in Vietnam should not have been on our list in the first place—because it is, our domestic programs suffer; and, as long as our domestic programs suffer, I stand in opposition to these foreign expenditures. I suppose this is a roundabout way of expressing a dissatisfaction with the war. Perhaps it is.

Others are expressing similar views. I find myself in complete agreement with the distinguished chairman of the Senate Foreign Relations Committee, the Honorable WILLIAM J. FULBRIGHT, who stated recently:

> Administration officials tell us that we can indeed afford both Vietnam and the Great Society, and they produce impressive statistics of the gross national product to prove it. The statistics show financial capacity but they do not show moral and psychological capacity. They do not show how a President preoccupied with bombing missions over North and South Vietnam can provide strong and consistent leadership for the renewal of our cities. They do not show how a Congress burdened with war costs and war measures, with emergency briefings and an endless series of dramatic appeals, with anxious constituents and a mounting anxiety of their own, can tend to the workaday business of studying social problems and legislating programs to meet them. Nor do the statistics tell how an anxious and puzzled people, bombarded by press and television with the bad news of American deaths in Vietnam, the "good news" of enemy deaths—and with vividly horrifying pictures to illustrate them—can be expected to support neighborhood anti-poverty projects and national programs for urban renewal, employment and education. Anxiety about war does not breed compassion for one's neighbors; nor do constant reminders of the cheapness of life abroad strengthen our faith in its sanctity at home. In these ways the war in Vietnam is poisoning and brutalizing our domestic life. Psychological incompatibility has proven to be more controlling than financial feasibility; and the Great Society has become a sick society.

Mr. Chairman, we are presently witnesses to a social vomiting in the streets of America, from a sickness festering for too long in the bowels of our society. And, it was bound to evidence itself. I say this, because we have never sought an answer or treatment for this sickness; instead, we coated it over with stop-gap or temporary measures.

We are painfully aware now, that this social sickness affects all of us. No one is free from it—certainly, we cannot hide from the truth any longer; for it confronts us on our own terms, in our own neighborhoods, on our own streets.

Our domestic problems await proper solutions. The solutions demand vast and immediate expenditures, as well as basic social reorientation.

Consequently, we must reassess our national commitments and priorities and bring them into proper focus and balance. The conflict in Vietnam must be settled so that we may be better equipped—morally and financially—to get at first things first. Until that time, I will not support expenditures for Vietnam—neither will I presently lend my support to foreign assistance.

The plain and irrepressible truth is we cannot afford the entire package. Someone will be shortchanged in the process—in this case it would be the American public; and it is my view that they deserve more than an open-ended Asian war and a short-sighted, deflated war on domestic poverty.

But what of the bill itself? As I stated earlier in my remarks, it encompasses both good and bad features.

First, I am pleased to note that the initial administration request was reduced in committee from $3,226,420,000 to $3,158,919,000. Those members responsible for the reductions deserve our admiration.

However, my opposition to this Foreign Assistance Act goes much deeper than fiscal concern alone. I have strong reservations about the thrusts and objectives of our entire foreign assistance program. Where does the aid go, and for what purposes? What type of assistance is it—economic or military? What about the self-help aspects of this aid? Are we doing all we can to discourage regional arms races?

Before I begin to elaborate on these subjects, I want to commend the distinguished members of the House Committee on Foreign Affairs for including in the bill, section 304, which calls for U.S. initiative in strengthening arrangements for standby forces to be used for United Nations peacekeeping purposes. This section represents a progressive and farsighted understanding of the work that can be carried out by that world organization in preserving the peace. This amendment to the bill reflects the general provisions of the more than 60 bills, including my own, which have been introduced this session on this subject.

Much of my dissatisfaction with our foreign assistance program stems from my strong dislike for those provisions which allow for military grants and sales. In my opinion, this arms policy has not served our long-range national interests.

In the eyes of much of the world, the United States seems more intent on furnishing swords than plowshares. During the past 17 years, we have bestowed on foreign governments $8 billion in military vehicles and weapons, $7 billion in aircraft, $5 billion in ammunition, $2 billion in ships, $2 billion in communications equipment, $1.5 billion in missiles, and $3 billion in other supplies. Services granted in the form of base construction, training, repair, and spare parts amounted to an additional $8 billion, for a staggering total of $37 billion dispensed abroad since 1950.

The armaments which these sums represent are no less staggering: 4,385 F–84 fighters; 2,812 F–86 fighters; 3,292 aircraft trainers; 20,279 tanks; 75,995 trailers; 150,552 2½-ton trucks; 1,362,000 carbines; 2,106,000 rifles; 72,777 machineguns; 29,716 mortars; 30,340 missiles.

And that is not all, Mr. Chairman. As if to augment these massive gifts of arms, the Defense Department is now engaged in a mushrooming sales campaign. Direct sales to foreign governments already exceed $16 billion, while Pentagon officials anticipate orders worth another $15 billion in the next decade.

Rather than to outline here a broad, general picture of the military arms policy we are following, I will discuss, instead, a good case in point—our military assistance program to Latin America.

I was impressed by an excellent review of U.S. Government operations in Latin America by the Honorable Allen J. Ellender, Senator from Louisiana. These views are contained in Senate document No. 18, 90th Congress. I offer for your perusal the conclusions of Senator Ellender:

> 1. I again recommend an immediate reduction in the overall emphasis we are placing on military assistance. In my view, we are working at cross-purposes when we seek to bring about economic integration and cooperation on the one hand, and assist and encourage neighboring nations to increase their military strength on the other.
>
> I question many of our high ranking officers stationed throughout Latin America as to what they believe to be their primary role and the function of their assignment. There was a singular lack of any real understanding and agreement as to what they were actually to do in behalf of our Government. Some stated that their presence was to limit the influence of other governments, such as France or Russia. Others stated that they were there to assist with internal security. I recommend that immediate steps be taken to explicitly define the role of our military assistance programs on a country-by-country basis. If this role is indeed to assist in internal security operations, I would have fewer objections, but I doubt that this can be shown in a majority of cases.
>
> 2. As a furtherance of the internal security justification, it would seem to me that better results could be obtained by recruiting civilian police officers to aid in this work. In any event, no single feature of our foreign policy so tarnishes the image of the United States as does the presence of large numbers of military personnel parading around the streets of foreign cities in uniform. I recommend that in those few cases where a military assistance program is actually in the best interest of our Government, our officers and men be directed to make their military presence in the country as unobstrusive as possible and be instructed to wear civilian attire when going before the public.
>
> 3. I questioned all of our representatives abroad and could not find any who admitted that a military buildup was in progress in any part of South or Central America. However, the fact remains that we sold jet fighter planes to Argentina on the basis of "modernizing" the Argentine Air Force. In response, Chile has purchased jet fighters from Britain, and the Chilean Foreign Minister has been quoted as saying, "This is the start of an arms race in this area."
>
> As will be seen in my country report on Chile, this nation can ill afford to divert any of its resources from economic development, which has already suffered greatly because of the lack of attention to agricultural development, although it has one of the greatest agricultural potentials of any country to the south of us.
>
> The fact remains that whether an arms race is in the making or not, our military presence in these countries tends to create fear and suspicion among neighbors. Except for scattered guerrilla activities, all of Latin America is now at peace, but if we encourage the creation of large military establishments, the question will naturally be asked, "Against whom is this military might to be directed?" Since jet fighter planes and tanks are of questionable value in maintaining internal security, good neighbors might conclude that the purchase of these armaments is for use against them, and they will naturally be constrained to increase their own defense structure. Therefore, I recommend that the activities of our military assistance advisory group be curtailed and the large number of high ranking officers we are maintaining abroad be returned home as soon as possible.
>
> The following table indicates the authorized strength for fiscal year 1967 of military and civilian personnel, including locals attached to military group staffs throughout Latin America.

U.S. MILITARY GROUPS—LATIN AMERICA—FISCAL YEAR 1967 MANPOWER AUTHORIZATIONS

Country	Officers	Enlisted	U.S. civilians	Locals	Total
Argentina	38	25	2	9	74
Bolivia	26	23	2	10	61
Brazil	51	52	13	49	165
Chile	27	21	1	8	57
Colombia	33	28	1	6	68
Costa Rica	4	7	------	2	13
Dominican Republic	35	24	------	3	62
Ecuador	30	39	------	9	78
El Salvador	13	12	------	3	28
Guatemala	15	15	------	4	34
Honduras	9	12	------	3	24
Nicaragua	11	12	------	2	25
Panama	3	2	------	1	6
Paraguay	13	12	------	4	29
Peru	35	34	1	5	75
Uruguay	15	12	1	7	35
Venezuela	42	39	1	2	84
Total	400	369	22	127	918

We have heard discussed here today, the constant flow of large and sophisticated military hardware to the nations of Latin America. And, we are told that this weaponry is to be utilized to assist in the defense of the hemisphere, and to quell local insurgencies—or, as we hear more often, to deal with Communist agitators. Allow me to elaborate on this last point for a moment, because, in my opinion, it presents us with one of our greatest obstacles to success in dealing with the peoples of Latin America and, for that matter, the world.

It is indeed a tragic thing to say, but in my judgment, we seem to be furthering the cause of those enemies we profess to obstruct. In too many instances, these Communist agitators who are beaten back into the bushes, largely with American weaponry, are legitimate and well-intentioned nationalists. Frustration with corrupt and unconstitutional governments that make a mockery of progressive reform as outlined in the Alliance for Progress, is what generally causes these guerrillas to take to the hills; then, ironically, our weapons help keep them there. This further intensifies their frustration, and they do indeed take on ideological philosophies which run counter to ours. In effect, then, we assist in backing these nationalist movements into an ideological corner, where they must look outside their local sphere for guidance and assistance. And, I hasten to add, they generally find willing allies. Is this in our interest? I think not.

Success in Latin America lies in fundamental socio-economic and political reform—not to say, revolution. It will not be easy, if it is at all possible, in our lifetime. It will demand nothing less than a massive infusion of human and financial resources—both local and external. The continued diversion of capital from reform outlays to military expenditures is, with few exceptions, a useless waste. It is a luxury that less-developed countries can ill afford.

There has been a cutback in this military assistance as a result of voting here today; for this, I am encouraged. More American dollars should be diverted from military assistance to economic reform; if we can realize this soon enough, we might possibly be saved the expense of more Vietnams. I believe that what we are a witness to, and victims of, in Vietnam—and it would do us well to learn our lesson—is a failure to move with the tide of revolutionary reform presently sweeping the less-developed world. We should realize that, at times, we will find ourselves in the awkward and painful position of discovering that what might constitute a "friendly" government in our American eyes, is an oppressive, unrepresentative, antireform government in the eyes of the local peoples.

We found ourselves in that awkward and painful position in 1954 in Vietnam. Unfortunately we chose to back the forces representing the status quo, rather than the popular forces for change. Now we see that all the military might we have introduced is not powerful enough to reverse the intense desire for this change.

The lesson? Sincere alliance with the aspirations and desires of the people who seek reform will, in most cases, bring us much more in the way of positive returns, than all of the military might we funnel into the capitols of the world to maintain an unjust status quo.

In Latin America, we have the opportunity to prevent an arms race from escalating and getting out of hand. One of the greatest statesmen to emerge from Latin America has outlined the situation clearly and eloquently. I direct your attention to the remarks of Eduardo Frei Montalva, the President of Chile:

> The armaments race also conspires against the strengthening of the Alliance. The annual expenditure of the Latin American countries on armaments has reached $1.5 billion. Yet the average yearly sum made available by the United States to Latin America in the period 1961–65 was $1.1 billion. The two figures clearly show that present arms purchases seriously undermine the objectives of the Alliance. A Latin American country in 1965 had, in proportion to population, approximately the same number of men under arms as the United States. India, with twice the population of Latin America and having had two armed conflicts in recent years, has fewer soldiers than Latin America.
>
> Nobody can possibly suppose that these weapons and armies are going to deter an aggressor from outside Latin America. Equally, the assertion that to stop subversion these countries must purchase fifty-ton tanks, supersonic aircraft and battleships defies belief. The armaments race encourages distrust and nationalism and these in turn are among the chief enemies of integration. It also diverts important resources which should be utilized to satisfy the urgent need for economic and social development. It is therefore essential that a decision be taken at the highest levels of the Alliance to establish a quantitative limitation on arms purchases.

Mr. Chairman, I feel it essential that the entire U.S. policy of selling and granting arms abroad be investigated thoroughly by Congress. In his connection, I offer for insertion, an editorial from the July 23, 1967, edition of the New York Times. It is my belief that the editors have summed up the situation and probable consequences of our present policy, exceedingly well:

Feeding the Arms Race

> Some members of Congress are beginning to ask searching questions about America's government-sponsored, booming international arms business. It's about time. A series of events in recent years has cast serious doubt on some of the basic assumptions that underlie the arms aid and sales programs. In a number of situations, it is clear that the decision to sell or give American arms has done more harm than good to the interests of the United States.
>
> In a series of articles on the arms business, Neil Sheehan reported in The Times last week that this country has given away or sold $46.3 billion worth of arms in the last seventeen years. Weapons sales in the last fiscal year totaled $1.5 billion and the Defense Department's supersalesman of arms, Henry J. Kuss Jr., says he intends to boost that figure to $2 billion a year for the next eight years.
>
> Administration spokesmen argue that arms sales and aid have helped to strengthen free world defenses against Communist aggression. They point out that 89 per cent of recent arms sales have gone to members of the NATO alliance. In most cases, such sales unquestionably have given American allies more and better arms for their money because of superior American research and the efficiency of mass production. But these advantages have been bought at a price that is becoming increasingly dear for the alliance and the world.
>
> Aggressive sales tactics have provoked growing resentment among European countries who fear the political consequences of overdependence on the United States for arms and the economic implications of increasing American superiority in the technologies associated with arms development. Instead of bowing meekly to the American drive for dominance in the arms field, the Europeans have entered the international arms competition with determined vigor, further aggravating the worldwide arms race.
>
> The United States is also shipping increasing amounts of weapons to the developing nations—1.2-billion dollars' worth in the last five years—in the name of "mutual security." This is an area of the arms business particularly open to question. Sometimes arms aid is justified in terms of political expedience, for the purchase of political influence. More often than not, such influence proves to have been an illusion, as when Pakistan cast her lot with Red China against India; or, in the case of the Soviet Union, when Jakarta's generals used Russian arms to suppress a Communist uprising.
>
> Certainly some arms sales and aid will continue to be prudent where proved friends are seriously threatened and for as long as the Soviet Union refuses to cooperate in curbing arms races, as in the Middle East.
>
> But the search for alternatives, such as arms limitation and the development of effective United Nations peace-keeping forces, must be pressed with vigor and imagination. To continue to peddle arms with the reckless enthusiasm that has characterized American policy in the recent past is to settle for a solution to the problem of international insecurity that is demonstrably self-defeating.

Before I conclude my remarks, Mr. Chairman, I do want to praise another aspect of our foreign assistance program which, hopefully, reflects a major and basic shift in our policies.

As we are all aware, last year the Foreign Affairs Committee called upon the Agency for International Development to refocus their programs. The committee urged that AID seek through its programs to involve people of the developing world in the development process. This amendment has become known as title IX.

I urge all Members of the Committee to review thoroughly a report released by the Agency for International Development on May 10, 1967, entitled "Report to the Congress on the Implementation of Title IX."

In my opinion, the implementation of title IX would go a long way toward solving many of our problems regarding our entire foreign policy. I say this, because title IX seeks to face up to the fact that it is both prudent and wise to expect, and, in fact, to encourage change in the less developed world. Moreover, there is implicit in the philosophy of title IX, the understanding that this change would, in many cases, originate and be directed from below—that is from the grassroots public, if you will—rather than from the top, which, in too many cases, places the tools, direction, and orientation of change in the hands of the wrong persons.

I assure you, this does not necessarily mean that the United States will do a turnabout, and systematically roam around the world seeking out revolutions to lead, but I will tell you one thing that it does mean: we will seldom find ourselves flying in the face of popular movements. Yes, it is true, at times we may indeed be lending at least moral support to wars of national liberation. Horrendous, some will say. Traitorous, will come the cry from other corners. But I do not look upon this proposition as such. Why such a hue and cry every time mention is made of these manifestations? What is a "war of national liberation"? Is such a war or societal disruption ipso facto counter to our national interests? I believe too many people have done their utmost to lead us to this belief—and, if these souls remain as inflexible as they have evidenced in the past, they are leading us down a blind and dark alley.

I say that these persons are the ones who have painted us into a corner with their "brush-fire," "anticommunism" foreign policy. Theirs is a policy of defeat, for it flies in the face of reality. It is a foreign policy that is more conscious of pragmatism and expediency, than to human interests and progress for all the world's peoples. It is for the most part, negative, and does not thrust forward to meet the challenges of the future.

This foreign policy fails to adequately recognize the positive good about America. It forgets our own revolution which inspired a whole continent—nay, a whole world, to national liberation. It forgets that democracy originates with the people themselves, and cannot be of the same quality if it is imposed or directed from above. It forgets that the destiny of people is best determined and guided by the people themselves. And, perhaps most important of all, it forgets that the best hope lies in the American faith that people left alone to handle their own lives will do a decent and good job of it.

Am I advocating that we withdraw from the field of international relations? Not at all. On the contrary, I am asking for broader and more extensive participation in world affairs; albeit, an active and flexible alliance with a broader cross section of the people, as well as some basic reorientation of our national interests.

I have seen some good changes over the past few years. I wait for more. I wait especially, for one of our biggest blunders to date to end: involvement in the Vietnamese civil war. Vietnam tests the very essence of our society—I speak not of our strength, but of our sense of justice. Justice could end the war for us, force alone will not.

Mr. Chairman, we have a war of our own to win—the domestic war on poverty. Let us escalate this war.

Let us negotiate a peaceful end to the bloody conflict in Southeast Asia, so that we might divert those billions of dollars to solving our own problems.

I am confident that the good will of our people is such that they would encourage our participation in the awesome task of uplifting the conditions and lives of other peoples less fortunate than themselves.

Because of the war, and because of the need for further changes in our foreign assistance programs, I will not vote in favor of this bill.

Mr. ROGERS of Florida. Mr. Chairman, I rise in opposition to the foreign aid bill.

In the committee report it is noted that the unexpended balance of this foreign assistance program on hand is more than $6 billion, almost twice what we are asked to authorize here today.

Mr. Chairman, the Congress should not authorize any more funds for the foreign aid program until these unexpended funds are used.

I particularly am opposed to this program at this time when we are in need of funds for more important programs here at home and for the war in Vietnam.

I therefore urge that the bill be rejected, certainly until what has already been appropriated for foreign aid programs has been used.

Mr. ADAIR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, at the appropriate time it will be my purpose to make a motion to recommit. My motion will include the amendment relating to technical cooperation which was considered here earlier this afternoon, or in the early evening.

The Members will recall that the amount of technical cooperation provided in the bill is $243 million. The motion to recommit would provide that it be reduced to $210 million for the coming fiscal year.

I think it further worthy of note, Mr. Chairman, if my computations are correct at this late hour, to comment that we have apparently at this moment taken from the bill during the course of the consideration in Committee of the Whole a sum of about $310 million or $311 million below the figure that was presented in the bill by the committee.

If the motion to recommit is adopted, it would increase that amount by $33 million additional.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Price of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12048) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, *pursuant to House Resolution 909*, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. MORGAN. Mr. Speaker, I demand a separate vote on the amendment offered by the gentleman from New Jersey [Mr. Widnall] which deleted the provisions beginning on page 33, line 8, down through line 9 on page 34.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

On page 33, strike out line 8 and all that follows down through page 34, line 9, and redesignate the following subsection accordingly.

The SPEAKER. The question is on the amendment.

Mr. MORGAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 236, nays 157, not voting 39, as follows:

[Roll No. 235]

YEAS—236

Abbitt
Abernethy
Adams
Anderson, Ill.
Andrews, Ala.
Arends
Ashbrook
Ashmore
Aspinall
Baring
Bates
Battin
Belcher
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blatnik
Bow
Brademas
Bray
Brock
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burleson
Burton, Calif.
Burton, Utah
Bush
Byrnes, Wis.
Cahill
Carter
Cederberg
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Devine
Dickinson
Dole
Dorn
Dowdy
Duncan
Dwyer
Eckhardt
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Esch
Eshleman
Findley
Fino
Flynt
Foley
Ford, Gerald R.
Fountain
Fraser
Gardner
Gathings
Gettys
Green, Oreg.
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Harrison
Harsha
Harvey
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Horton
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Karth
Kastenmeier
Keith
King, N.Y.
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McMillan
MacGregor
Machen
Marsh
Martin
May
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mink
Minshall
Montgomery
Moore
Morton
Mosher
Myers
Natcher
Nelsen
O'Hara, Ill.
O'Konski
Ottinger
Passman
Pelly
Pettis
Poff
Pollock
Price, Tex.
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Riegle
Robison
Rogers, Fla.
Roth
Roush
Rumsfeld
Ruppe
Ryan
Sandman
Satterfield
Schadeberg
Scherle
Scheuer
Schneebeli
Scott
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Talcott
Taylor
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Udall
Utt
Van Deerlin
Vander Jagt
Waggonner
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitten
Widnall
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Winn
Wyatt
Wydler
Wylie
Wyman
Yates
Zion
Zwach

NAYS—157

Adair
Addabbo
Albert
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Barrett
Bennett
Boggs
Boland
Bolton
Brasco
Brinkley
Brooks
Broomfield
Buchanan
Burke, Mass.
Button
Carey
Casey
Celler
Corman
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Derwinski
Diggs
Dingell
Donohue
Dow
Downing
Dulski
Edmondson
Eilberg
Evans, Colo.
Farbstein
Fascell
Feighan
Flood
Ford, William D.
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gibbons
Gilbert
Gonzalez
Gray
Green, Pa.
Halpern
Hanna
Hardy
Hathaway
Henderson
Hicks
Holifield
Hosmer
Howard
Irwin
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Kazen
Kelly
King, Calif.
Kirwan
Kluczynski
Kyros
Landrum
McFall
Madden
Mahon
Mailliard
Mathias, Md.
Matsunaga
Miller, Calif.
Mills
Minish
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nichols
Nix
O'Hara, Mich.
Olsen
O'Neal, Ga.
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Pool
Price, Ill.
Pryor
Rees
Reid, N.Y.
Resnick
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
St Germain
St. Onge
Schweiker
Selden
Shipley
Shriver
Sikes
Sisk
Smith, Iowa
Staggers
Steed
Stephens
Stratton
Stuckey
Sullivan
Taft
Teague, Calif.
Tenzer
Tiernan
Tunney
Ullman
Vanik
Vigorito
Waldie
Whitener
Wiggins
Wolff
Wright
Young
Zablocki

NOT VOTING—39

Ayres
Bell
Blanton
Bolling
Brown, Ohio
Byrne, Pa.
Cabell
Chamberlain
Clark
Erlenborn
Everett
Evins, Tenn.
Fallon
Fisher
Giaimo
Goodell
Goodling
Hawkins
Hays
Herlong
Holland
Kee
McEwen
Macdonald, Mass.
Mathias, Calif.
Mize
Moss
O'Neill, Mass.
Patman
Poage
Pucinski
Purcell
Roudebush
Saylor
Schwengel
Slack
Thompson, N.J.
Williams, Miss.
Willis

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Blanton for, with Mr. O'Neill of Massachusetts against.

Mr. Evins of Tennessee for, with Mr. Thompson of New Jersey against.

Mr. Everett for, with Mr. Giaimo against.

Mr. Williams of Mississippi for, with Mr. Holland against.

Mr. Cabell for, with Mr. Byrne of Pennsylvania against.

Mr. Willis for, with Mr. Fallon against.

Mr. Fisher for, with Mr. Hawkins against.

Until further notice:

Mr. Kee with Mr. Ayres.
Mr. Clark with Mr. Erlenborn.
Mr. Hays with Mr. Goodell.
Mr. Herlong with Mr. Bell.
Mr. Patman with Mr. Goodling.
Mr. Pucinski with Mr. Brown of Ohio.
Mr. Purcell with Mr. Chamberlain.
Mr. Slack with Mr. Saylor.

Messrs. MOORHEAD and POOL changed their votes from "yea" to "nay."

Messrs. LONG of Louisiana and BLATNIK changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The **SPEAKER.** The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. ADAIR. Mr. Speaker, I offer a motion to recommit.

The **SPEAKER.** Is the gentleman opposed to the bill?

Mr. ADAIR. I am, Mr. Speaker.

The **SPEAKER.** The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. ADAIR moves to recommit the bill H.R. 12048 to the Committee on Foreign Affairs with instructions to report the same back to the House forthwith with the following amendment: Page 11, line 24, and page 12, line 1, strike out "$243,000,000 for the fiscal year 1968 and $260,000,000 for the fiscal year 1969" and insert in lieu thereof the following: "$210,000,000 for the fiscal year 1968."

The **SPEAKER.** Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The **SPEAKER.** The question is on the motion to recommit.

The question was taken, and on a division (demanded by Mr. MORGAN) there were—ayes 184, noes 140.

Mr. MORGAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 234, nays 163, not voting 35, as follows:

[Roll No. 236]

YEAS—234

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Bow
Bray
Brinkley
Brock
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Bush
Button
Byrnes, Wis.
Cahill
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
Denney
Derwinski
Devine
Dickinson
Diggs
Dole
Dorn
Dowdy
Downing
Duncan
Dwyer
Edwards, Ala.
Edwards, La.
Esch
Eshleman
Findley
Fino
Flynt
Ford, Gerald R.
Fountain
Fuqua
Galifianakis
Gardner
Gathings
Gettys
Gross
Grover
Gubser
Gurney
Hagan
Haley
Hall
Halleck
Hamilton
Hammerschmidt
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hébert
Henderson
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McMillan
Machen
Marsh
Martin
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Montgomery
Moore
Morris, N. Mex.
Morton
Mosher
Myers
Natcher
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Passman
Pelly
Pettis
Pickle
Poff
Pollock
Pool
Price, Tex.
Pryor
Quie
Quillen
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Rivers
Roberts
Rogers, Colo.
Rogers, Fla.
Roth
Roush
Rumsfeld
Ruppe
Sandman
Satterfield
Schadeberg
Scherle
Schneebeli
Schweiker
Scott
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Stephens
Stubblefield
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Winn
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—163

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Barrett
Bingham
Blatnik
Boggs
Boland
Bolton
Brademas
Brasco
Brooks
Broomfield
Burke, Mass.
Burton, Calif.
Carey
Celler
Cohelan
Conable
Conte
Conyers
Corman
Culver
Daddario
Daniels
Dawson
de la Garza
Delaney
Dellenback
Dent
Dingell
Donohue
Dow
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Evans, Colo.
Farbstein
Fascell
Feighan
Flood
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halpern
Hanley
Hanna
Hansen, Wash.
Hathaway
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Howard
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kazen
Kelly
King, Calif.
Kirwan
Kluczynski
Kupferman
Kyros
Leggett
McCarthy
McFall
MacGregor
Madden
Mahon
Mailliard
Mathias, Md.
Matsunaga
Meeds
Miller, Calif.
Minish
Mink
Monagan
Moorhead
Morgan
Morse, Mass.
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
Ottinger
Patten
Pepper
Perkins
Philbin
Pike
Pirnie
Price, Ill.
Railsback
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Robison
Rodino
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Selden
Sisk
Smith, Iowa
Smith, N.Y.
Staggers
Steiger, Wis.
Stratton
Sullivan
Tenzer
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Wolff
Wright
Yates
Young
Zablocki

NOT VOTING—35

Ayres
Blanton
Bolling
Brown, Ohio
Byrne, Pa.
Cabell
Clark
Erlenborn
Everett
Evins, Tenn.
Fallon
Fisher
Giaimo
Goodling
Hawkins
Hays
Herlong
Holland
Kee
McEwen
Macdonald, Mass.
Mathias, Calif.
Mize
Moss
O'Neill, Mass.
Patman
Poage
Pucinski
Purcell
Roudebush
Saylor
Schwengel
Thompson, N.J.
Williams, Miss.
Willis

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Blanton for, with Mr. O'Neill of Massachusetts against.

Mr. Evins of Tennessee for, with Mr. Thompson of New Jersey against.

Mr. Everett for, with Mr. Giaimo against.

Mr. Williams of Mississippi for, with Mr. Holland against.

Mr. Cabell for, with Mr. Fallon against.

Mr. Willis for, with Mr. Hawkins against.

Mr. Brown of Ohio for, with Mr. Moss against.

Mr. Saylor for, with Mr. Byrne of Pennsylvania against.

Mr. Fisher for, with Mr. Macdonald of Massachusetts against.

Until further notice:

Mr. Clark with Mr. Erlenborn.
Mr. Patman with Mr. Schwengel.
Mr. Pucinski with Mr. Ayres.
Mr. Hays with Mr. McEwen.
Mr. Purcell with Mr. Mathias of California.
Mr. Kee with Mr. Roudebush.
Mr. Herlong with Mr. Goodling.

The result of the vote was announced as above recorded.

Mr. MORGAN. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report back the bill H.R. 12048 with an amendment.

The **SPEAKER.** The Clerk will report the amendment.

The Clerk read as follows:

> On page 11, line 24, and page 12, line 1, strike out "$243,000,000 for the fiscal year 1968 and $260,000,000 for the fiscal year 1969" and insert in lieu thereof the following: "$210,000,000 for the fiscal year 1968."

The **SPEAKER.** The question is on the amendment.

The amendment was agreed to.

The **SPEAKER.** The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The **SPEAKER.** The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 202, nays 194, answered "present" 1, not voting 35, as follows:

[Roll No. 237]

YEAS—202

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Arends
Ashley
Aspinall
Barrett
Bates
Bell
Biester
Bingham
Blatnik
Boggs
Boland
Bolton
Brademas
Brasco
Brooks
Broomfield
Brotzman
Burke, Mass.
Burton, Calif.
Button
Cahill
Carey
Celler
Cleveland
Cohelan
Conte
Conyers
Corbett
Corman
Culver
Daddario
Daniels
Dawson
Delaney
Dellenback
Dent
Diggs
Dingell
Donohue
Dow
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Farbstein
Fascell
Feighan
Findley
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halleck
Halpern
Hamilton
Hanley
Hansen, Wash.
Hardy
Hathaway
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton

Hosmer
Howard
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kazen
Keith
Kelly
King, Calif.
Kirwan
Kluczynski
Kupferman
Kyros
Leggett
Lloyd
McCarthy
McDade
McFall
MacGregor
Machen
Madden
Mahon
Mailliard
Mathias, Md.
Matsunaga
Mayne
Meeds
Miller, Calif.
Minish
Mink
Monagan
Moorhead
Morgan
Morse, Mass.
Morton
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
Ottinger
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Pollock
Price, Ill.
Quie
Railsback
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schweiker
Selden
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stratton
Sullivan
Taft
Teague, Calif.
Teague, Tex.
Tenzer
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Whalen
White
Widnall
Wolff
Wright
Wydler
Yates
Young
Zablocki

NAYS—194

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Ashbrook
Ashmore
Baring
Battin
Belcher
Bennett
Berry
Betts
Bevill
Blackburn
Bow
Bray
Brinkley
Brock
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Bush
Byrnes, Wis.
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Collier
Colmer
Conable
Cowger
Cramer
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Denney
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Duncan
Edwards, Ala.
Edwards, La.
Eshleman
Fino
Flynt
Fountain
Fuqua
Galifianakis
Gardner
Gathings
Gettys
Gross
Grover
Gubser
Gurney
Hagan
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Harvey
Hébert
Henderson
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
Long, Md.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McMillan
Marsh
Martin
May
Meskill
Michel
Miller, Ohio
Mills
Minshall
Montgomery
Moore
Morris, N. Mex.
Mosher
Myers
Natcher
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Passman
Pettis
Poff
Pool
Price, Tex.
Pryor
Quillen
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Rivers
Roberts
Rogers, Fla.
Roth
Roush
Rumsfeld
Ruppe
Sandman
Satterfield
Schadeberg
Scherle
Schneebeli
Scott
Shipley
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Talcott
Taylor
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vander Jagt
Waggonner
Walker
Wampler
Watkins
Watson
Watts
Whalley
Whitener
Whitten
Wiggins
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Winn
Wyatt
Wylie
Wyman
Zion
Zwach

ANSWERED "PRESENT"—1

Hanna

NOT VOTING—35

Ayres
Blanton
Bolling
Brown, Ohio
Byrne, Pa.
Cabell
Clark
Erlenborn
Everett
Evins, Tenn.
Fallon
Fisher
Giaimo
Goodling
Hawkins
Hays
Herlong
Holland
Kee
McEwen
Macdonald, Mass.
Mathias, Calif.
Mize
Moss
O'Neill, Mass.
Patman
Poage
Pucinski
Purcell
Roudebush
Saylor
Schwengel
Thompson, N.J.
Williams, Miss.
Willis

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. O'Neill of Massachusetts for, with Mr. Blanton against.

Mr. Thompson of New Jersey for, with Mr. Evins of Tennessee against.

Mr. Giaimo for, with Mr. Everett against.

Mr. Holland for, with Mr. Williams of Mississippi against.

Mr. Fallon for, with Mr. Cabell against.

Mr. Hawkins for, with Mr. Willis against.

Mr. Moss for, with Mr. Hanna against.

Mr. Byrne of Pennsylvania for, with Mr. Fisher against.

Mr. Erlenborn for, with Mr. Brown of Ohio against.

Mr. Purcell for, with Mr. Saylor against.

Until further notice:

Mr. Macdonald of Massachusetts with Mr. Ayres.

Mr. Kee with Mr. Roudebush.

Mr. Clark with Mr. Mize.

Mr. Patman with McEwen.

Mr. Pucinski with Mr. Schwengel.

Mr. Hays with Mr. Mathias of California.

Mr. Herlong with Mr. Goodling.

Mr. **DICKINSON** changed his vote from "yea" to "nay."

Mr. **HANNA**. Mr. Speaker, I have a live pair with the gentleman from California [Mr. Moss]. If he had been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. **MORGAN**. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1872

An act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Assistance Act of 1967".

PART I

CHAPTER 1—POLICY

SEC. 101. Section 102 of the Foreign Assistance Act of 1961, as amended, which relates to the statement of policy, is hereby repealed.

CHAPTER 2—DEVELOPMENT ASSISTANCE

TITLE I—DEVELOPMENT LOAN FUND

SEC. 102. Title I of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Development Loan Fund, is amended as follows:

(a) Section 201(b), which relates to general authority, is amended by striking out the last sentence and inserting in lieu thereof: "Funds made available under this title, except funds made available pursuant to section 205, shall not be used to make loans in more than fifteen countries in any fiscal year, except that such loans may be made in any additional country if, following submission of a report by the President to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives detailing the justification for the making of loans in such additional country during such fiscal year, the Congress agrees to a concurrent resolution stating in effect its approval of the making of such loans in such country."

(b) Section 201(d), which relates to rates of interest, is amended by striking out "1 per centum" and substituting "2 per centum".

(c) Section 202(a), which relates to authorization, is amended (1) by striking out "and $750,000,000 for each of the fiscal years 1968 and 1969" and substituting "and $500,000,000 for the fiscal year 1968", and (2) by striking out "June 30, 1969", and substituting "June 30, 1968".

(d) Section 205, which relates to international lending institutions, is amended by striking out "or the International Finance Corporation" and substituting "the International Finance Corporation, or the Asian Development Bank".

TITLE II—TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 103. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to technical cooperation and development grants, is amended as follows:

(a) Section 211(a), which relates to general authority, is amended by striking out all after the word "country" where it first appears in the last sentence and substituting the following: "if, following submission of a report by the President to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives detailing the justification for such additional assistance, the Congress shall agree to a concurrent resolution stating in effect its approval of the furnishing of assistance to such additional country during such fiscal year.".

(b) Section 212, which relates to authorization, is amended by striking out "1967" and substituting "1968".

(c) Section 214, which relates to American schools and hospitals abroad, is amended as follows:

(1) In subsection (c) strike out "1967, $10,989,000" and substitute "1968, $14,000,000".

(2) In subsection (d) strike out "1967, $1,000,000" and substitute "1968, $2,986,000".

(d) At the end of such title II, add the following new section:

"SEC. 218. FISH PROTEIN CONCENTRATE.—(a) The President is authorized to conduct a program designed to demonstrate the potential and to encourage the use of fish protein concentrate as a practical means of reducing nutritional deficiencies in less developed countries and areas. This program shall include—

"(1) studies and activities relating to food technology;

"(2) development of suitable marketing techniques;

"(3) development of consumer acceptance programs; and

"(4) feeding programs designed to demonstrate the nutritional value of fish protein concentrate as a diet supplement.

In carrying out his functions under this section, the President shall consult with the National Council on Marine Resources and Engineering Development.

"(b) The President is authorized to use funds made available under this part for the purposes of this section, and is urged to use at least $2,500,000 of such funds for such purposes."

TITLE III—INVESTMENT GUARANTIES

Sec. 104. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to investment guaranties, is amended as follows:

(a) Section 221(b)(2), which relates to general authority for extended risk investment guaranties, is amended by striking out "1969" and substituting "1970".

(b) Section 222, which relates to general provisions for investment guaranties, is amended as follows:

(1) In subsection (b), after the words "shall be available for meeting" insert the following: "necessary administrative and operating expenses of carrying out the provisions of sections 221, 224, and 231 (including, but not limited to, expenses pertaining to personnel, supplies, and printing) subject to such limitations as may be imposed in annual appropriation Acts, for meeting".

(2) In subsection (d), after the words "in section 222(b)" insert the following: "(excluding fees required for purposes other than the discharge of liabilities under guaranties)".

(c) Section 223(a), which relates to definitions, is amended by inserting, immediately after the words "services pursuant to a", the words "lease or".

(d) Section 224(c), which relates to housing projects in Latin American countries, is amended by striking out "1969" and substituting "1971".

TITLE IV—SURVEYS OF INVESTMENT OPPORTUNITIES

Sec. 105. Section 232 of the Foreign Assistance Act of 1961, as amended, which relates to authorization, is amended by striking out "1965" and substituting "1968".

TITLE VI—ALLIANCE FOR PROGRESS

Sec. 106. Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to Alliance for Progress, is amended as follows:

(a) Section 251(h), which relates to transfers to international lending institutions, is amended by inserting after "named in section 205" the following: "(other than the Asian Development Bank)".

(b) Section 252, which relates to authorization, is amended as follows:

(1) In the first sentence strike out "and for each of the fiscal years 1968 and 1969, $750,000,000" and substitute "and for the fiscal year 1968, $578,000,000".

(2) The second sentence is hereby repealed.

(3) In the third sentence strike out "June 30, 1969" and substitute "June 30, 1968".

TITLE VIII—SOUTHEAST ASIA MULTILATERAL AND REGIONAL PROGRAMS

Sec. 107. Title VIII of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to Southeast Asia multilaterial and regional programs, is amended by striking out section 273.

TITLE X—PROGRAMS RELATING TO POPULATION GROWTH

Sec. 108. Chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, is amended by adding at the end thereof a new title as follows:

"TITLE X—PROGRAMS RELATING TO POPULATION GROWTH

"Sec. 291. General Provisions.—(a) It is the sense of the Congress that, while every nation is and should be free to determine its own policies and procedures with respect to problems of population growth and family planning within its own boundaries, nevertheless, voluntary family planning programs to provide individual couples with the knowledge and medical facilities to plan their family size in accordance with their own moral convictions and the latest medical information, can make a substantial contribution to improve health, family stability, greater individual opportunity, economic development, a sufficiency of food, and a higher standard of living.

"(b) To carry out the intent of Congress as expressed in subsection (a), the President is authorized to provide assistance for programs relating to population growth in friendly foreign countries and areas, on such terms and conditions as he shall determine, to foreign governments, the United Nations, its specialized agencies, and other international organizations and programs, United States and foreign nonprofit organizations, universities, hospitals, accredited health institutions, and voluntary health or other qualified organizations.

"(c) In carrying out programs authorized in this title, the President shall establish reasonable procedures to insure, whenever family-planning assistance from the United States is involved, that no individual will be coerced to practice methods of family planning inconsistent with his or her moral, philosophical, or religious beliefs.

"(d) As used in this title, the term 'programs relating to population growth' includes but is not limited to demographic studies, medical, psychological, and sociological research, and voluntary family planning programs, including personnel training, the construction and staffing of clinics and rural health centers, specialized training of doctors and paramedical personnel, the manufacture of medical supplies, and the dissemination of family-planning information, and provision of medical assistance and supplies to individuals who desire such assistance.

"Sec. 292. Authorization.—For the purposes of this title and pursuant to its provisions, the President is authorized to use up to $50,000,000 in any fiscal year of the funds made available for part I of this Act and notwithstanding any other provision of this Act, funds used for such purposes may be used on a loan or grant basis.

"Sec. 293. Advisory Council on Population Growth.—(a) There is hereby established an Advisory Council on Programs Relating to Population Growth to be composed of such authorities in the fields of population, family planning, government, and other areas pertinent to the purposes of this title, as may be selected from time to time by the President. The Advisory Council shall carry out studies and make recommendations for achieving medically, socially, and economically effective voluntary family planning programs in foreign countries. The Advisory Council shall consist of not more than nine members, and one of the members shall be designated as Chairman by the President.

"(b) The members of the Advisory Council shall receive no compensation for their services but shall be entitled to reimbursement in accordance with section 5703 of title 5, United States Code, for travel and other expenses incurred by them in the performance of their functions under this section.

"(c) The expenses of the Advisory Council shall be paid by the head of the agency charged with administering this title from funds otherwise available under this Act."

CHAPTER 3—INTERNATIONAL ORGANIZATIONS AND PROGRAMS

Sec. 109. Section 302 of the Foreign Assistance Act of 1961, as amended, which relates to authorization of appropriations for assistance to international organizations and programs, is amended as follows:

(a) In subsection (a) strike out "for the fiscal year 1967 not to exceed $140,433,000" and substitute "for each of the fiscal years 1968 and 1969, $140,483,000".

(b) Subsection (b) is amended to read as follows:

"(b) There is authorized to be appropriated to the President for loans for Indus Basin Development to carry out the purposes of this section, in addition to funds available under this or any other Act for such purposes, for use beginning in the fiscal year 1969, $51,220,000. Such amounts are authorized to remain available until expended."

CHAPTER 4—SUPPORTING ASSISTANCE

Sec. 110. Chapter 4 of part I of the Foreign Assistance Act of 1961, as amended, which relates to supporting assistance, is amended as follows:

(a) Section 401, which relates to general authority, is amended (1) by striking out all after "political stability" and substituting a period, and (2) by adding at the end thereof a new sentence as follows: "The authority of this chapter shall not be used to furnish assistance to more than ten countries in any fiscal year, except that such assistance may be furnished to any additional country if, following submission of a report by the President to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate detailing the justification for the furnishing of assistance to such additional country during such fiscal year, the Congress agrees to a concurrent resolution stating in effect its approval of the furnishing of such assistance to such country."

(b) Section 402, which relates to authorization, is amended (1) by striking out "1967" and substituting "1968", and (2) by striking out $715,000,000" and substituting "$600,000,000".

CHAPTER 5—CONTINGENCY FUND

Sec. 111. Section 451 of the Foreign Assistance Act of 1961, as amended, which relates to the contingency fund, is amended by striking out "1967" and "$110,000,000" and substituting "1968" and "$50,000,000", respectively.

PART II

MILITARY ASSISTANCE AND SALES

Sec. 201. Part II of the Foreign Assistance Act of 1961, as amended, which relates to military assistance and sales, is amended as follows:

(a) Section 502, which relates to statement of policy, is hereby repealed.

(b) Section 503, which relates to general authority, is amended as follows:

(1) Clause (a) is amended by striking out ", lease, sale, exchange, grant, or any other means" and substituting "or grant."

(2) Clause (c) is amended by inserting "and" at the end thereof.

(3) Clause (d) is amended by striking out "; and" and substituting a period.

(4) Clause (e) is hereby repealed.

(c) Section 504(a), which relates to authorizations, is amended as follows:

(1) Strike out all of the first sentence up to, but excluding, the colon and the proviso, and substitute "There is authorized to be apppropriated to the President to carry out the purposes of this part not to exceed $475,100,000 for the fiscal year 1966".

(2) After the first sentence insert the following: "Of the amounts appropriated pursuant to this section for the fiscal year 1968, $84,100,000 shall be available solely for cost-sharing expenses of United States participation in the international military headquarters and related agencies program and in the North Atlantic Treaty Organization infrastructure program. No part of any funds made available under any other provision of law shall be used for the cost-sharing expense referred to in the preceding sentence.".

(d) Section 505(a), which relates to utilization of assistance, is amended as follows:

(1) Subsection (a) is redesignated as section 501.

(2) At the beginning of such new section 501, strike out "Utilization of Assistance.—(a) Military assistance" and substitute "Utilization of Defense Articles and Defense Services.—Defense articles and defense services".

(e) Section 506, which relates to conditions of eligibility, is redesignated as section 505.

(f) Section 507(a), which relates to sales, is amended as follows:

(1) Subsection (a) is redesignated as section 522.

(2) In such new section 522, strike out "Sales" as the section caption and substitute "Sales From Stock".

(3) In such new section 522, strike out "subsection" each place it appears and substitute in each such place "section".

(g) Section 507(b), which relates to sales, is amended as follows:

(1) Subsection (b) is redesignated as section 523.

(2) In such new section 523, insert Procurement for Sales.—" as the section caption.

(3) In the third sentence of such new section 523, strike out "credited to the account established under section 508" and substitute "transferred to the general fund of the Treasury".

(4) Strikeout "subsection" in the last sentence and substitute "section".

(h) Section 508, which relates to reimbursements, is amended as follows:

(1) Section 508 is redesignated as section 524.

(2) In such new section 524, insert "(a)" immediately after "Reimbursements.—".

(3) Insert the following new subsection at the end of such new section 524:

"(b)(1) The special fund account established under subsection (a) of this section shall terminate as of the end of December 31, 1967, or on such earlier date as may be selected by the President.

"(2) Until the termination of such fund account the President is authorized to continue to utilize any moneys in such fund account to discharge any outstanding liabilities and obligations of the United States arising out of any guaranties, insurance, coinsurance, or reinsurance issued in connection with the financing of any sales of defense articles or defense services to any foreign country or international organization, under any provision of law repealed by the Foreign Assistance Act of 1967. After the termination of such fund account, any such liabilities and obligations of the United States remaining outstanding shall be discharged from such amounts, which are hereby authorized, as are specified from time to time in appropriation Acts.

"(3) Upon the termination of such fund account pursuant to paragraph (1), any amounts remaining in such fund account, including foreign currencies, shall be transferred to the general fund of the Treasury. All amounts received by the United States, after the termination of such fund account, in repayment of obligations remaining outstanding under credit sales agreements entered into prior to the date of enactment of the Foreign Assistance Act of 1967 shall be transferred to the general fund of the Treasury."

(i) Section 509, which relates to exchanges and guaranties, is hereby repealed.

(j) Section 510, which relates to special authority, is amended as follows:

(1) Section 510 is redesignated as section 506.

(2) Strike out "1967" each place it appears and substitute in each such place "1968".

(k) Section 511, which relates to restrictions on military aid to Latin America, is amended as follows:

(1) Section 511 is redesignated as section 507.

(2) Subsection (a) is hereby repealed.

(l)(1) Section 505(b), which relates to utilization of assistance, is redesignated as subsection (c) of such new section 507.

(2) Insert the following new subsection (d) in such new section 507:

"(d) The Congress welcomes the initiative of the Central American Republics in establishing the Central American Defense Council. In order to further encourage the development of collective self-defense arrangements among the Central American Republics, all military assistance and sales programs under this part for the Central American Republics, in excess of a total value of $1,500,000 in any fiscal year, shall be limited to programs which support the regional integration of Central American military forces."

(m) Section 512, which relates to restrictions on military aid to Africa, is amended as follows:

(1) Section 512 is redesignated as section 508.

(2) Strike out "shall be furnished on a grant basis" in the first sentence and substitute "or sales shall be furnished under this Act".

(3) Strike out "The value of grant programs of defense articles" in the second sentence and substitute "The total value of military assistance and sales".

(4) Strike out "other than section 507" in the second sentence.

(n) Section 513, which relates to the certification of recipient's capability, is amended as follows:

(1) Section 513 is redesignated as section 509.

(2) In subsection (a), strike out "section 507" and substitute "chapter 3".

(o) Section 514, which relates to administration of sales and exchange programs involving defense articles and services, is amended as follows:

(1) Section 514 is redesignated as section 521.

(2) Insert the following new chapter heading before such new section 521:

"Chapter 3—Foreign Military Sales".

(3) In the section caption strike out "and Exchange".

(4) In subsection (a), strike out "or exchange".

(5) Subsection (b) is amended as follows:

(A) Subsection (b) is redesignated as subsection (a) of the new section 507.

(B) Strike out "notwithstanding the provisions of section 511(a) of this Act,".

(C) Strike out "$85,000,000" and substitute "$50,000,000".

(D) Strike out the colon and the proviso.

(6) Add the following new subsection:

"(b) No defense article or defense service shall be furnished under this chapter to any country or international organization unless (1) the President finds that the furnishing of defense articles and defense services to such country or international organization will strengthen the security of the United States and promote world peace, (2) the country or international organization shall have agreed not to transfer title to, or possession of, any defense article so furnished to it to any other person, organization, or government, unless the consent of the President has first been obtained, and (3) the country or international organization is otherwise eligible to receive defense articles or defense services. The President shall promptly submit a report to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate on the implement of each agreement entered into pursuant to clause (2) of this subsection."

PART III

CHAPTER 1—GENERAL PROVISIONS

Sec. 301. Chapter 1 of part III of the Foreign Assistance Act of 1961, as amended, which relates to general provisions, is amended as follows:

(a) Section 601(c)(3), which relates to an International Private Investment Advisory Council on Foreign Aid, is amended by striking out "5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2)" and substituting "5703 of title 5 of the United States Code".

(b) Section 608(a), which relates to acquisition and use of excess property, is amended by inserting immediately before the first sentence the following: "It is the sense of the Congress that in furnishing assistance under part I excess personal property shall be utilized wherever practicable in lieu of the procurement of new items for United States-assisted projects and programs."

(c) Section 610(b), which relates to transfers between accounts, is amended (1) by striking out "510" and substituting "506", and (2) by striking out "$5,000,000" and substituting "$7,000,000".

(d) Section 614(a), which relates to special authorities, is amended by striking out "510" and substituting "506".

(e) Section 620, which relates to prohibitions against furnishing assistance, is amended as follows:

(1) Subsection (j) is amended to read as follows:

"(j) The President shall consider terminating assistance under this or any other Act to any country which permits, or fails to take adequate measures to prevent, the damage or destruction by mob action of United States property within such country, and fails to take appropriate measures to prevent a recurrence thereof and to provide adequate compensation for such damage or destruction."

(2) Subsection (k) is amended by striking out "510" and substituting "506".

(3) The following new subsections are added at the end thereof:

"(s) In furnishing assistance under this Act, and in making sales under the Agricultural Trade Development and Assistance Act of 1954, as amended, the President shall take into account (1) the percentage of the recipient or purchasing country's budget which is devoted to military purposes, and (2) the degree to which the recipient or purchasing country is using its foreign exchange resources to acquire military equipment. When assistance under this Act, or sales under the Agricultural Trade Development and Assistance Act of 1954, as amended, are being diverted to military expenditures, or are permitting the diversion of other resources to military expenditures, to a degree which interferes with economic deveolpment, or which is likely to cause an increase in the arms race, the President shall suspend such assistance and sales. Such suspension shall continued until the President reports to the Congress that such military expenditures are no longer interfering with economic development or contributing to the arms race, and the Congress passes a concurrent resolution, or amends this Act, authorizing a resumption of assistance and sales. No other provision of this Act shall be construed to authorize the President to waive the provisions of this subsection.

"(t) No assistance shall be furnished under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, in or to any country which has severed or hereafter severs diplomatic relations with the United States or with which the United States has severed or hereafter severs diplomatic relations, unless (1) diplomatic relations have been resumed with such country and (2) agreements for the furnishing of such assistance or the making of such sales, as the case may be, have been negotiated and entered into after the resumption of diplomatic relations with such country.

"(u) In any decision to provide or continue to provide any program of assistance to any country under the Foreign Assistance Act of 1961, as amended, there shall be taken into account the status of the country with respect to its dues, assessments, and other obligations to the United Nations; and where such country is delinquent with respect to any such obligations, the Administrator shall furnish the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report setting forth the assurance given by the government of the country concerned of paying all of its arrearages and of placing its payments of such obligations on a current basis, or a full explanation of the unusual or exceptional circumstances which render it economically incapable of giving such assurance."

CHAPTER 2—ADMINISTRATIVE PROVISIONS

Sec. 302. Chapter 2 of part III of the Foreign Assistance Act of 1961, as amended, which relates to administrative provisions, is amended as follows:

(a) Section 624(d)(2)(B), which relates to statutory officers, is amended by striking out "of assistance" each place it appears.

(b) Section 625, which relates to employment of personnel, is amended as follows:

(1) Subsection (b) is amended as follows:

(A) Strike out "the Classification Act of 1949, as amended (5 U.S.C. 1071 et seq.)" and substitute "section 5332 of title 5 of the United States Code".

(B) Strike out "505 of the Classification Act of 1949, as amended" and substitute "5108 of title 5 of the United States Code".

(2) Subsection (c) is amended as follows:

(A) Strike out "the Classification Act of 1949, as amended," and substitute "section 5332 of title 5 of the United States Code".

(B) Strike out "505 of the Classification Act of 1949, as amended" and substitute "5108 of title 5 of the United States Code".

(3) Subsection (d)(2) is amended by striking out "forty" in the third proviso and substituting "fifty".

(c) Section 626, which relates to employment of experts, consultants, and retired officers, is amended as follows:

(1) In subsection (a), strike out "15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a)" and substitute "3109 of title 5 of the United States Code".

(2) In subsection (b)—

(A) strike out "section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263)" and substitute "sections 3323(a) and 8344 of title 5 of the United States Code"; and

(B) strike out "201 of the Dual Compensation Act" and substitute "5532 of title 5 of the United States Code".

(d) Section 629(b), which relates to status of personnel detailed to foreign governments or international organizations, is amended by striking out "1765 of the Revised Statutes (5 U.S.C. 70)" and substituting "5536 of title 5 of the United States Code".

(e) Section 632(d), which relates to allocation and reimbursement among agencies, is amended by striking out "507 and 510" and substituting "506, 522, and 523".

(f) Section 634, which relates to reports and information, is amended as follows:

(1) In subsection (a) strike out all after "guaranty program" and substitute a period.

(2) Subsection (d) is amended as follows:

(A) Immediately preceding the first sentence insert the following: "When requests are presented to the Congress for appropriations for fiscal year 1969 to carry out programs under this Act, the programs to be carried out with the funds appropriated for that fiscal year shall also be presented to the Committee on Foreign Relations of the Senate, if requested by the chairman of that committee, and to the Committee on Foreign Affairs of the House of Representatives, if requested by the chairman of that committee.

(B) Immediately preceding the last sentence insert the following: "Any such presentation material shall also include (1) a chart showing on a country-by-country basis the full extent of all United States assistance planned or expected for each such country for the next fiscal year, including economic assistance and military grants and sales under this Act and sales under the Agricultural Trade Development and Assistance Act of 1954, as amended, (2) details of proposed contributions by the United States to multilateral financial agencies, for the next fiscal year, and (3) a statement of economic development projects for the next fiscal year, on a country-by-country basis, for which financing can reasonably be expected to be supplied through the Export-Import Bank."

(C) In the last sentence, immediately preceding the period, insert the following: "and of any finding, including his reasons therefor, under section 503 or 521 (b)".

(D) At the end thereof insert the following new sentence: "Also, the President shall promptly notify the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate of each case when he consents, under section 505(a)(4), to the disposition by any country, other than by return to the United States, of any defense article furnished to such country on a grant basis which is no longer needed for the purposes for which furnished, and in his notification the President shall state the manner of disposition to which he has given his consent."

(3) Add the following new subsections at the end thereof:

"(g) The Secretary of State shall transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate semiannual reports of all exports during the preceding six months of significant defense articles on the United States Munitions List to any foreign government, international organization, or other foreign recipient or purchaser, by the United States Government under this Act or any other authority, or by any individual, corporation, partnership, or other association doing business in the United States. Such reports shall include, but not be limited to, full information as to the particular defense articles so exported, the particular recipient or purchaser, the terms of the export, including its selling price, if any, and such other information as may be appropriate to enable the Congress to evaluate the distribution of United States defense articles abroad. In preparing such reports the Secretary of State is authorized to utilize the latest statistics and information available in the various departments and agencies of the Government.

"(h) The background documents transmitted to Congress in each fiscal year supporting requests for new authorizations and appropriations to carry out the programs under part II of this Act shall contain information concerning the proposed funding levels for military assistance and .sales to South Vietnam, Thailand, and Laos."

(g) Section 635, which relates to general authorities, is amended as follows:

(1) Subsection (e) is amended (A) by inserting, immediately preceding the first word, a paragraph designation "(1)", and (B) by adding at the end the following new paragraph:

"(2) Any agency of the United States Government is authorized to pay the cost of health and accident insurance for foreign employees of that agency while those employees are absent from their place of employment abroad for purposes of training or other official duties."

(2) Subsection (g) is amended by striking out "and sales".

(h) Section 636, which relates to provisions on uses of funds, is amended as follows:

(1) Subsection (a)(5) is amended (A) by striking out "(5 U.S.C. 78(c)(2)" and substituting "(31 U.S.C. 638a(c)(2)", and (B) by striking out "(5 U.S.C. 78a–1)" and substituting "(31 U.S.C. 638c)".

(2) Subsection (d) is amended by striking out "$1,500,000" and substituting "$2,500,000".

(3) Subsection (e) is amended by striking out "301 of the Dual Compensation Act (5 U.S.C. 3105)" and substituting "5533 of title 5 of the United States Code".

(4) Subsection (g) is amended by striking out "3 of the Travel Expense Act of 1949, as amended (5 U.S.C. 836)," and substituting "5702(c) of title 5 of the United States Code".

(i) Section 637(a), which relates to administrative expenses, is amended by striking out "1967" and substituting "1968".

(j) Section 640, which relates to military sales, is amended (1) by striking out ", exchange, or the guaranty of a sale,", (2) by striking out "503" and substituting "521", and (3) by striking out "assisting of" and substituting "furnishing of defense articles and defense services".

CHAPTER 3—MISCELLANEOUS PROVISIONS

Sec. 303. Chapter 3 of part III of the Foreign Assistance Act of 1961, as amended, which relates to miscellaneous provisions, is amended as follows:

(a) Section 644, which relates to definitions, is amended as follows:

(1) In subsection (d), insert "production facilities, utilization facilities," between "special nuclear material," and "or atomic weapons", and add "on articles involving Restricted Data" before the period at the end of the subsection.

(2) In subsection (e), strike out "and formerly Restricted Data" and immediately before the period at the end thereof insert the following: ", and data removed from the Restricted Data category under section 142d of that Act".

(3) Subsection (f) is amended as follows:

(A) Strike out "including orientation, training aid" and "including the transfer of limited quantities of defense articles for test, evaluation, or standardization purposes,".

(B) Add the following new second sentence: "'Training' includes formal or informal instruction of foreign students in the United States or overseas by officers or employees of the United States, contract technicians, contractors (including instruction at civilian institutions), or by correspondence courses, technical, educational, or information publications and media of all kinds training aid, orientation, training exercise, and military advice to foreign military units and forces."

(b) At the end of such chapter insert a new section as follows:

"Sec. 650. Use of United States Armed Forces.—The furnishing of economic, military, or other assistance under this Act shall not be construed as creating a new commitment or as affecting any existing commitment to use Armed Forces of the United States for the defense of any foreign country."

PART IV

AMENDMENTS TO OTHER ACTS

Sec. 401. Title 5 of the United States Code is amended as follows:

(a) Section 3343(b), which relates to detail of personnel to international organizations, and sections 3581(5), 3582(b)(1), and 3582(c), which relate to rights of personnel who transfer to international organizations, each are amended by striking out "3" and substituting "5".

(b) Section 3582(a)(1), which relates to retirement benefits for personnel who transfer to international organizations, is amended by striking out "and agency contributions".

(c) Section 3582(a)(2), which relates to insurance benefits for personnel who transfer to international organizations, is amended to read as follows:

"(2) to retain coverage, rights, and benefits under chapters 87, and 89 of this title, if necessary employee deductions in payment for the coverage, rights, and benefits for the period of employment with the international organization are currently deposited in the Employees' Life Insurance Fund and the Employees Health Benefits Fund, as applicable; and the period during which coverage, rights, and benefits are retained under this paragraph is deemed service as an employee under chapters 87 and 89 of this title;".

(d) Section 3582(b), which relates to reemployment rights for personnel who transfer to international organizations, is amended—

(1) by striking out ", except a congressional employee," in the first sentence; and

(2) by inserting at the end thereof the following new sentences: "On reemployment, he is entitled to be paid, under such regulations as the President may prescribe and from appropriations or funds of the agency from which transferred, an amount equal to the difference between the pay, allowances, post differential, and other monetary benefits paid by the international organization and the pay, allowances, post differential, and other monetary benefits that would have been paid by the agency had he been detailed to the international organization under section 3343 of this title. Such a payment shall be made to an employee who is unable to exercise his reemployment right because of disability incurred while on transfer to an international organization under this subchapter and, in the case of an employee who dies while on such a transfer or during the period after separation from the international organization in which he is properly exercising or could exercise his reemployment right, in accordance with subchapter VIII of chapter 55 of this title. This subsection does not apply to a congressional employee nor may any payment provided for in the preceding two sentences of this subsection be based on a period of employment with an international organization occurring before the first day of the first pay period which begins on or after the date of enactment of the Foreign Assistance Act of 1967."

(e) Section 3582(d), which relates to agency contributions to retirement and insurance programs for personnel who transfer to international organizations, is amended by striking out "may" and substituting "shall".

SEC. 402. The first section of the Act entitled "An Act to authorize participation by the United States in the Interparliamentary Union", approved June 28, 1935 (22 U.S.C. 276), is amended by striking out "$50,000" and "$23,100", respectively, and substituting "$53,550" and "$26,650", respectively.

AMENDMENT OFFERED BY MR. MORGAN

Mr. MORGAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MORGAN: Strike out all after the enacting clause of S. 1872 and insert in lieu thereof the provisions of the bill, H.R. 12048, as passed, as follows:

"That this Act may be cited as the 'Foreign Assistance Act of 1967'."

"SEC. 2. The Foreign Assistance Act of 1961, as amended, is amended by inserting immediately after the first section thereof the following new section:

" 'SEC. 2. LIMITATION ON FISCAL YEAR AUTHORIZATIONS.—Notwithstanding any other provision of this Act, nothing in this Act authorizes appropriations for this fiscal year 1969.'

"PART I

"CHAPTER 1—POLICY

"SEC. 101. Section 102 of the Foreign Assistance Act of 1961, as amended, which relates to the statement of policy, is amended to read as follows:

" 'SEC. 102. STATEMENT OF POLICY.—The Congress declares that the freedom, security, and prosperity of the United States are best sustained in a community of free, secure, and prospering nations. In particular, the Congress recognizes the threat to world peace posed by aggression and subversion wherever they occur, and that ignorance, want, and despair breed the extremism and violence which lead to aggression and subversion. The Congress declares therefore that it is not only expressive of our sense of freedom, justice, and compassion but also important to our national security that the United States, through private as well as public efforts, assist the people of less developed countries in their efforts to acquire the knowledge and resources essential for development and to build the economic, political, and social institutions which will meet their aspirations for a better life, with freedom, and in peace.

" 'In addition, the Congress declares that it is the policy of the United States to support the principles of increased economic cooperation and trade among countries, freedom of the press, information, and religion, freedom of navigation in international waterways, and recognition of the right of all private persons to travel and pursue their lawful activities without discrimination as to race or religion. The Congress further declares that any distinction made by foreign nations between American citizens because of race, color, or religion in the granting of, or the exercise of, personal or other rights available to American citizens is repugnant to our principles. In the administration of all parts of this Act these principles shall be supported in such a way in our relations with countries friendly to the United States which are in controversy with each other as to promote an adjudication of the issues involved by means of international law procedures available to the parties.

" 'The Congress further declares that to achieve the objectives of this Act, programs authorized by this Act should be carried out in accordance with the following principles:

" 'First, development is primarily the responsibility of the people of the less developed countries themselves. Assistance from the United States shall be used in support of, rather than substitution for, the self-help efforts that are essential to successful development programs, and shall be concentrated in those countries that take positive steps to help themselves. Maximum effort shall be made, in the administration of this Act, to stimulate the involvement of the people in the development process through the encouragement of democratic participation in private and local governmental activities and institution-building appropriate to the requirements of the recipient nations.

" 'Second, the tasks of successful development in some instances require the active involvement and cooperation of many countries on a multilateral basis. Therefore, to the maximum extent practicable, other countries shall be encouraged to increase their contributions to development programs and projects so that the cost of such common undertakings, which are for the benefit of all, may be shared equitably by all.

" 'Third, assistance shall be utilized to encourage regional cooperation by less developed countries in the solution of common problems and the development of shared resources.

" 'Fourth, the first objects of assistance shall be to support the efforts of less developed countries to meet the fundamental needs of their peoples for sufficient food, good health, home ownership and decent housing, and the opportunity to gain the basic knowledge and skills required to make their own way forward to a brighter future. In supporting these objectives, particular emphasis shall be placed on utilization of resources for food production and voluntary family planning.

" 'Fifth, assistance shall wherever practicable be constituted of United States commodities and services furnished in a manner consistent with other efforts of the United States to improve its balance of payments position.

" 'Sixth, assistance shall be furnished in such a manner as to promote efficiency and economy in operations so that the United States obtains maximum possible effectiveness for each dollar spent.

" 'Seventh, to the maximum extent practicable, the furnishing of agricultural commodities, disposal of excess property, and United States payments to international lending institutions, undertaken pursuant to this or any other Act, shall complement and be coordinated with assistance provided under this part.

" 'It is the sense of the Congress that every effort must be made to obtain a permanent peace in the Middle East. To help promote that objective, the United States should encourage, as part of pacific settlement, direct talks among the parties concerned, using such third party or United Nations assistance as they may wish. To this end the President should undertake immediately (1) a thorough review of the needs of the several countries of that area, and (2) a reevaluation of United States policies aimed at helping meet those needs and securing a permanent peace in the area.

" 'It is further the sense of the Congress that in any case in which any foreign country has severed diplomatic relations with the United States, the President should suspend assistance to such country under this or any other Act, including any program designed to complement assistance under this Act (such as sales of agricultural commodities under the Agricultural Trade Development and Assistance Act of 1954). When diplomatic relations are resumed, a further study should be made on a country-by-country basis to determine whether United States foreign policy objectives would be served by extending assistance under this or any other Act, including any program designed to complement such assistance.'

"CHAPTER 2—DEVELOPMENT ASSISTANCE

"TITLE I—DEVELOPMENT LOAN FUND

"SEC. 102. Title I of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Development Loan Fund, is amended as follows:

"(a) Section 201(b), which relates to general authority, is amended by striking out the last sentence.

"(b) Section 201(d), which relates to rates of interest, is amended by striking out '1 per centum' and substituting '2 per centum'.

"(c) Section 202(a), which relates to authorization, is amended by striking out 'and $750,000,000 for each of the fiscal years 1968 and 1969' and substituting ', $450,000,000 for the fiscal year 1968'.

"(d) Section 205, which relates to transfers to international lending institutions, is amended as follows:

"(1) Strike out 'only'.

"(2) Strike out 'or the International Finance Corporation' and substitute 'the International Finance Corporation, or the Asian Development Bank'.

"(e) At the end of such title I, add the following new sections:

" 'Sec. 207. Purposes of Development Assistance.—In furnishing development assistance under this chapter the President shall place appropriate emphasis on—

" '(a) assuring maximum participation in the task of economic development by the people of less developed countries through the encouragement of strong economic, political, and social institutions needed for a progressive democratic society;

" '(b) programs directed at enabling a country to meet the food needs of its people from its own resources, including the furnishing of technical knowledge and of resources necessary to increase agricultural productivity; assistance for improved storage, transportation, marketing, and credit facilities (including provision for foreign currency loans to small farmers), cooperatives, water conservation programs, and adaptive research programs; and technological advice: *Provided*, That relief from the immediate threat of famine, hunger, and malnutrition may be provided by the United States and other countries, and that assistance provided under the Agricultural Trade Development and Assistance Act of 1954, as amended, should complement assistance furnished under this Act;

" '(c) assisting recipient countries in their efforts to meet increasing needs for trained manpower in their development efforts by improving education planning and research, training teachers and administrators, developing and constructing educational institutions, and using modern educational technology;

" '(d) developing programs to combat malnutrition, to control and eradicate disease, to clear slums, and to provide adequate and safe drinking water, adequate sewage disposal systems, overall health education, maternal and child care, and voluntary family planning services which shall, where feasible, be included as part of programs of maternal and child care, and other public health assistance; and

" '(e) other important development activities including assistance for programs to assist industrial development; the growth of free labor unions, cooperatives, and voluntary agencies; improvement of transportation and communication systems; development of capabilities for sound economic planning and public administration; urban development; and modernization of existing laws to facilitate economic development.

" 'Sec. 208. Self-Help Criteria.—In determining whether and to what extent the United States should furnish development assistance to a country under this chapter the President shall take into account—

" '(a) the extent to which the country is taking such measures as may be appropriate to its needs and capabilities to increase food production and improve the means for storage and distribution of food;

" '(b) the extent to which the country is creating a favorable climate for private enterprise and investment, both domestic and foreign;

" '(c) the extent to which the government of the country is increasing the role of the people in the developmental process;

" '(d) the extent to which the country's governmental expenditures are allocated to key developmental areas, including agriculture, health, and education, and not diverted for unnecessary military purposes or to intervention in the affairs of other free and independent nations;

" '(e) the extent to which the country is willing to make contributions of its own to the projects and programs for which the assistance is provided;

" '(f) the extent to which the country is making economic, social, and political reforms, such as tax collection improvements and changes in land tenure arrangements, that will enable it to achieve developmental objectives more efficiently and justly; and

" '(g) the extent to which the country is otherwise showing a responsiveness to the vital economic, political, and social concerns of its people, and demonstrating a clear determination to take effective self-help measures.

" 'Sec. 209. Multilateral and Regional Programs.—(a) Multilateral Programs.—The Congress recognizes that planning and administration of development assistance by, or under the sponsorship of, multilateral lending institutions and other international organizations may, in some instances, contribute to the efficiency and effectiveness of that assistance through participation of other donors in the development effort, improved coordination of policies and programs, pooling of knowledge, avoidance of duplication of facilities and manpower, and greater encouragement of self-help performance.

" '(b) Regional Programs.—It is further the sense of the Congress (1) that where problems or opportunities are common to two or more countries in a region, in such fields as agriculture, education, transportation, communications, power, watershed development, disease control, and establishment of development banks, these countries often can more effectively resolve such problems and exploit such opportunities by joining together in regional organizations or working together on regional programs, (2) that assistance often can be utilized more efficiently in regional programs than in separate country programs, and (3) that to the maximum extent practicable consistent with the purposes of this Act assistance under this Act should be furnished so as to encourage less developed countries to cooperate with each other in regional development programs.'

"TITLE II—TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

"Sec. 103. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to technical cooperation and development grants, is amended as follows:

"(a) Section 211(a), which relates to general authority, is amended by striking out the last sentence.

"(b) Section 211(d), which relates to a ceiling on assistance to United States research and educational institutions, is amended as follows:

"(1) Strike out '$10,000,000' and substitute '$20,000,000'.

"(2) After the words 'may be used' insert the words 'during fiscal years 1968 and 1969'.

"(c) Section 212, which relates to authorization, is amended to read as follows:

" 'Sec. 212. Authorization.—To carry out the purposes of section 211, there is authorized to be appropriated to the President $210,000,000 for the fiscal year 1968, which amounts are authorized to remain available until expended.'

"(d) Section 214(c), which relates to authorization for American schools and hospitals abroad, is amended to read as follows:

" '(c) There is authorized to be appropriated to the President for the purposes of this section $14,000,000 for the fiscal year 1968 and $14,000,000 for the fiscal year 1969, which amounts are authorized to remain available until expended.'

"(e) Section 214(d), which relates to special foreign currency authorization for fiscal year 1967, is amended to read as follows:

" '(d) There is authorized to be appropriated to the President for assistance to the Girl's College of Israel, for the fiscal year 1968, $1,000,000 in foreign currencies which the Secretary of the Treasury determines to be excess to the normal requirements of the United States.'

"(f) At the end of such title II of chapter 2, add the following new section:

" 'Sec. 218. Fish and Other Protein Concentrates.—(a) The President is authorized to conduct a program designed to demonstrate the potential and to encourage the use of fish and other protein concentrates as a practical means of reducing nutritional deficiencies in less developed countries and areas. This program shall include—

" '(1) studies and activities relating to food technology;

" '(2) development of suitable marketing techniques;

" '(3) development of consumer acceptance programs; and

" '(4) feeding programs designed to demonstrate the nutritional value of fish and other protein concentrates as a diet supplement.

" 'In carrying out his functions under this section, the President shall consult with the National Council on Marine Resources and Engineering Development, appropriate government agencies and other such technical groups or agencies as may be helpful with such activities. In accordance with section 601(b) of this Act, the President shall encourage full participation in such program by United States private enterprise.

" '(b) The President is authorized to use funds made available under this part for the purposes of this section, and is urged to use at least $2.5 million of such funds for such purposes.'

TITLE III—INVESTMENT GUARANTIES

"Sec. 104. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to investment guaranties, is amended as follows:

"(a) Section 221(b), which relates to general authority for investment guaranties, is amended as follows:

"(1) In paragraph (1) (B), strike out 'and'.

"(2) In paragraph (1) (C), strike out the colon and substitute ', and'.

"(3) After paragraph (1) (C) add the following new subparagraph:

" '(D) loss of equity investment from such risks as the President may determine, other than loss arising from fraud or misconduct for which the investor is responsible: *Provided*, That compensation under this subparagraph shall not exceed fifty per centum of the investor's loss:'.

"(4) In paragraph (1), amend the proviso to read as follows:

'*Provided*, That the face amount of the guaranties issued under this paragraph (1) outstanding at any one time shall not exceed $9,000,000,000, of which not more than $125,000,000 shall be outstanding at any one time under subparagraph (D) of this paragraph (1), and'.

"(5) Paragraph (2) is amended to read as follows:

" '(2) where the President determines such action to be important in the furtherance of the purposes of this title, assuring against loss, due to such risks and upon such terms and conditions as the President may determine, of—

" '(A) any loan investment for housing projects with appropriate participation by the private investor in the loan risk,

" '(B) any loan investment for credit unions, or

" '(C) any other investment in an amount not to exceed 75 per centum of the aggregate approved in the project:

Provided, That guaranties issued under this paragraph (2) shall emphasize economic development projects furthering social progress and the development of small independent business enterprises: *Provided further*, That no payment may be made under this paragraph (2) for any loss of equity investment arising out of fraud or misconduct for which the investor is responsible, or for any loss of loan investment arising out of fraud or misrepresentation for which the investor is responsible: *Provided further*, That the total face amount of the guaranties issued under this paragraph (2) outstanding at any one time shall not exceed $575,000,000, guaranties issued under this paragraph (2) for other than housing projects similar to those insured by the Department of Housing and Urban Development, shall not exceed $415,000,000, and guaranties issued under this paragraph (2) for credit unions shall not exceed $1,000,000: *Provided further*, That this authority shall continue until June 30, 1971."

"(b) Section 222, which relates to general provisions for investment guaranties, is amended as follows:

"(1) In subsection (b), after the words 'shall be available for meeting' insert the words 'necessary administrative and operating expenses of carrying out the provisions of sections 221, 224, and 231 (including, but not limited to, expenses pertaining to personnel, supplies, and printing) subject to such limitations as may be imposed in annual appropriation Acts, for meeting'.

"(2) In subsection (d), after the words 'in section 222(b)' insert the following: '(excluding fees required for purposes other than the discharge of liabilities under guaranties)'.

"(3) At the end of subsection (h) add the following new sentence: 'The allowable rate of interest under this subsection shall be prescribed by the Administrator as of the date the project covered by the investment is officially authorized by him and prior to the execution of the contract, he may amend such rate at his discretion, consistent with the provisions of this subsection.'

"(c) Section 223, which relates to definitions, is amended as follows:

"(1) In paragraph (a), after the words 'services pursuant to a' insert the words 'lease or'.

"(2) Paragraph (c) is amended as follows:

"(A) Immediately after 'owned by United States citizens,' insert the following: 'or nonprofit associations and voluntary agencies created under the laws of the United States or any State or territory,'.

"(B) Strike out the period at the end thereof and insert a colon and the following: '*Provided further*, That in the case of any loan investment a final determination of eligibility may be made at the time the guarantee is issued; in all other cases, the investor must be eligible at the time a claim arises as well as at the time the guarantee is issued.'

"(d) Section 224(c), which relates to housing projects in Latin American countries, is amended (1) by striking out '$450,000,000' and '$300,000,000' and substituting '$600,000,000' and '$350,000,000', respectively, (2) by striking out 'misconduct' and substituting 'misrepresentation', and (3) by striking out '1969' and substituting '1971'.

"TITLE IV—SURVEYS OF INVESTMENT OPPORTUNITIES

"Sec. 105. Title IV of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to surveys of investment opportunities, is amended as follows:

"(a) Section 232 is amended by striking out '1965' and substituting '1968' and by striking out '$2,100,000' and substituting '$4,880,000'.

"(b) Section 233 is amended by striking out in paragraph (a) 'substantially beneficially owned by United States citizens' and substituting 'of which at least 33⅓ per centum of the beneficial ownership is held by United States citizens'.

"TITLE VI—ALLIANCE FOR PROGRESS

"Sec. 106. Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Alliance for Progress, is amended as follows:

"(a) Section 251(h) of the Foreign Assistance Act of 1961, as amended, which relates to transfers to international lending institutions, is amended as follows:

"(1) Immediately after 'named in section 205' insert '(other than the Asian Development Bank)'.

"(2) Immediately after 'for use' insert 'in Latin America'.

"(b) Section 252, which relates to authorization, is amended as follows:

"(1) Strike out 'and for each of the fiscal years 1968 and 1969, $750,000,000' and substitute 'for the fiscal year 1968, $578,000,000'.

"(2) Insert '(a)' immediately after 'Sec. 252. Authorization.—' and at the end thereof add the following new subsection:

"'(b) There is hereby authorized to be appropriated to the President for the fiscal year 1968, $714,000 for grants to carry out programs and activities of the Partners of the Alliance in accordance with the purposes of this title.'

"TITLE VIII—SOUTHEAST ASIA MULTILATERAL AND REGIONAL PROGRAMS

"Sec. 107. Title VIII of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to Southeast Asia Multilateral and Regional Programs, is amended by striking out section 273.

"TITLE IX—UTILIZATION OF DEMOCRATIC INSTITUTIONS IN DEVELOPMENT

"Sec. 108. Section 281 of title IX of the Foreign Assistance Act of 1961, as amended, which relates to utilization of democratic institutions in development, is amended by inserting '(a)' immediately after 'Sec. 281.' and by adding at the end thereof the following new subsections:

"'(b) In order to carry out the purposes of this title, programs under this chapter shall—

"'(1) recognize the differing needs, desires, and capacities of the people of the respective developing countries and areas;

"'(2) use the intellectual resources of such countries and areas in conjunction with assistance provided under this Act so as to encourage the development of indigenous institutions that meet their particular requirements for sustained economic and social progress; and

"'(3) support civic education and training in skills required for effective participation in governmental and political processes essential to self-government.

"'(c) In the allocation of funds for research under this chapter, emphasis shall be given to research designed to examine the political, social, and related obstacles to development in countries receiving assistance under part I of this Act.

"'(d) Emphasis shall also be given to the evaluation of relevant past and current programs under part I of this Act and to applying this experience so as to strengthen their effectiveness in implementing the objectives of this title.'

"'TITLE X—VOLUNTARY FAMILY PLANNING PROGRAMS

"Sec. 109. Chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to development assistance, is amended by adding at the end thereof the following new titles:

"'TITLE X—VOLUNTARY FAMILY PLANNING PROGRAMS

"'Sec. 291. General Authority.—(a) In order to aid countries where population growth is outpacing food production and where, as a consequence, there is danger of deterioration in their nutrition level with harmful effects on both health and economic growth, the President is authorized to provide assistance for voluntary family-planning programs in friendly foreign countries and areas, on such terms and conditions as he shall determine, to foreign governments, United Nations specialized agencies, United States and foreign nonprofit organizations, universities, hospitals, accredited health institutions, and voluntary health or other qualified organizations.

"'(b) In carrying out programs authorized in this title, the President shall establish reasonable procedures to insure, whenever family-planning assistance from the United States is involved, that no individual will be coerced to practice methods of family planning inconsistent with his or her moral, philosophical, or religious beliefs.

"'(c) As used in this title, the term "voluntary family-planning programs" includes but is not limited to demographic studies, medical and psychological research, personnel training, the construction and staffing of clinics and rural health centers, specialized training of doctors and paramedical personnel, the manufacture of medical supplies, the dissemination of family-planning information, and provision of medical assistance and supplies.

"'Sec. 292. Authorization.—Of the funds provided to carry out the provisions of part I of this Act for the fiscal year 1968, $20,000,000 shall be available only to carry out the purposes of this title, together with excess foreign currencies made available under section 612(c). None of the funds made available for the purposes of this title shall be expended in connection with any family-planning program involving the use of abortion, sterilization, or euthanasia as a method of population control.

"'TITLE XI—FOOD PRODUCTION TARGETS AND REPORTS

"'Sec. 295. Food Production Targets and Reports.—In making his recommendations to the Congress for programs for the fiscal year 1969 and each fiscal year thereafter, wherever appropriate, the President shall, for each country receiving assistance under this Act which he finds has a substantial food deficit, include—

"'(1) descriptions of proposed programs, if any, in the areas of food production, storage, and distribution, and voluntary family planning;

"'(2) information on achievement targets in food production, storage, and distribution, and their relationship to expected changes in total population; and

"'(3) a detailed report on progress with respect to food production, storage, and distribution, and the relationship of this progress to population.'

"CHAPTER 3—INTERNATIONAL ORGANIZATIONS AND PROGRAMS

"Sec. 110. Chapter 3 of part I of the Foreign Assistance Act of 1961, as amended, which relates to international organizations and programs, is amended as follows:

"(a) Section 301, which relates to general authority, is amended by adding at the end thereof the following new subsection:

"'(d) In any case in which a fund established solely by United States contributions under this or any other Act is administered by an international organization under the terms of an agreement between the United States and such international organization, such agreement shall provide that the Comptroller General of the United States shall conduct such audits as are necessary to assure that such fund is administered in accordance with such agreement. The President shall take such steps as may be necessary to modify any existing agreement entered into before the date of enactment of this subsection to conform to the requirements of the preceding sentence.'

"(b) Section 302, which relates to authorization, is amended as follows:

"(1) In subsection (a) strike out all after "for such purposes," and substitute "for the fiscal year 1968, $141,000,000, and for the fiscal year 1969, $158,000,000. Such amounts are authorized to remain available until expended."

"(2) Subsection (b) is amended to read as follows:

"'(b) There is authorized to be appropriated to the President for loans for Indus Basin Development to carry out the purposes of this section, in addition to funds available under this or any other Act for such purposes, for use beginning in the fiscal year 1969, $51,220,000. Such amounts are authorized to remain available until expended.'

"(c) Immediately after section 303, add the following new section:

"'Sec. 304. United Nations Peacekeeping.—It is the sense of the Congress that the cause of international order and peace can be enhanced by the establishment, within the United Nations Organization, of improved arrangements for standby forces being maintained by United Nations members for United Nations peacekeeping purposes in accordance with the United Nations Charter. The President is therefore requested to explore through the United States Representative to the United Nations, and in cooperation with other members of the United Nations and the United Nations Secretariat, both the means and the prospects of establishing such peacekeeping arrangements. The President shall submit to the Congress, not later than March 31, 1968, a report upon the outcome of his initiatives, together with such recommendations as he may deem appropriate.'

"CHAPTER 4—SUPPORTING ASSISTANCE

"Sec. 111. Chapter 4 of part I of the Foreign Assistance Act of 1961, as amended, which relates to supporting assistance, is amended as follows:

"(a) Section 401, which relates to general authority, is amended by striking out all after 'political stability' and substituting a period.

"(b) Section 402, which relates to authorization, is amended by striking out 'for the fiscal year 1967 not to exceed $715,000,000: *Provided*, That where' and substituting '$170,000,000 for the fiscal year 1968 and $170,000,000 for the fiscal year 1969. In addition to funds otherwise available to carry out the purposes of this chapter, there is authorized to be appropriated to the President for use in Vietnam $550,000,000 for the fiscal year 1968 and $550,000,000 for the fiscal year 1969. Amounts appropriated under this section are authorized to remain available until expended. Where'.

"(c) At the end of chapter 4 add the following new section:

"'Sec. 403. United States Refund Claims.—It is the sense of the Congress that the President should seek the agreement of the Government of Vietnam to the establishment and maintenance of a separate special account of United States dollars, which account shall be available solely for withdrawals by the United States, at such times and in such amounts as the President may determine, in satisfaction of United States dollar refund claims against the Government arising out of operations conducted under this Act. Such account should be established in an amount not less than $10,000,000 and maintained thereafter at a level sufficient to cover United States refund claims as they arise.'

"CHAPTER 5—CONTINGENCY FUND

"Sec. 112. Section 451 of the Foreign Assistance Act of 1961, as amended, which relates to the contingency fund, is amended by striking out 'for the fiscal year 1967 not to exceed $110,000,000' and substituting '$50,000,000 for the fiscal year 1968'.

"CHAPTER 6—ASSISTANCE TO COUNTRIES HAVING AGRARIAN ECONOMIES

"Sec. 113. Section 461 of chapter 6 of the Foreign Assistance Act of 1961, as amended, which relates to assistance to countries having agrarian economies, is amended by inserting '(a)' immediately before 'Wherever' and by adding at the end thereof the following new subsection:

"'(b) In presenting proposals to the Congress for fiscal year 1969 the President shall include recommendations for improving and establishing agricultural research and training facilities in tropical and subtropical regions of Latin America, Africa, and Asia. These recommendations shall be developed after consultation with the Department of Agriculture, land-grant colleges of agriculture, and other appropriate institutions and organizations, including those in the regions concerned.'

"PART II

"MILITARY ASSISTANCE AND SALES

"Sec. 201. Part II of the Foreign Assistance Act of 1961, as amended, which relates to military assistance and sales, is amended as follows:

"(a) Section 502, which relates to statement of policy, is amended as follows:

"(1) Section 502 is redesignated as section 501.

"(2) In such new section 501, immediately before the last paragraph insert the following new paragraph:

"'It is the sense of the Congress that in the administration of this part priority shall be given to the needs of those countries in danger of becoming victims of active Communist or Communist-supported aggression or those countries in which the internal security is threatened by Communist-inspired or Communist-supported internal subversion.'

"(b) Section 503, which relates to general authority, is amended as follows:

"(1) Subsection (a) is amended by striking out 'lease, sale, exchange,'.

"(2) Subsection (d) is amended by striking out '; and' and substituting a period.

"(3) Subsection (e) is amended as follows:

"(A) Subsection (e) is redesignated as section 525.

"(B) In such new section 525, strike out 'guarantying, insuring, coinsuring, and reinsuring' and substitute 'Guaranties.—(a) The President may guarantee, insure, coinsure, and reinsure'.

"(C) In such new section 525(a), strike out 'such' the second place it appears and substitute 'any'.

"(c) Section 504(a), which relates to authorizations, is amended by striking out the first sentence (including the proviso) and substituting 'There is authorized to be appropriated to the President to carry out the purposes of this part not to exceed $590,000,000 for the fiscal year 1968, and not to exceed $654,000,000 for the fiscal year 1969. Of the amount appropriated pursuant to this subsection for each of the fiscal years 1968 and 1969, $24,100,000 shall be available each fiscal year solely for cost-sharing expenses of United States participation in the international military headquarters and related agencies program. No part of any funds made available under any other provision of law shall be used for the cost-sharing expenses referred to in the preceding sentence.'.

"(d) Section 505(a), which relates to utilization of assistance, is amended as follows:

"(1) Subsection (a) is redesignated as section 502.

"(2) At the beginning of such new section 502, strike out 'Utilization of Assistance.—(a) Military assistance' and substitute 'Utilization of Defense Articles and Defense Services.—Defense articles and defense services'.

"(e) Section 506, which relates to conditions of eligibility, is redesignated as section 505.

"(f) Section 507(a), which relates to sales, is amended as follows:

"(1) Subsection (a) is redesignated as section 522.

"(2) In such new section 522, strike out 'Sales' as the section caption and substitute 'Sales From Stock'.

"(3) In such new section 522, strike out 'subsection' each place it appears and substitute in each such place 'section'.

"(g) Section 507(b), which relates to sales, is amended as follows:

"(1) Subsection (b) is redesignated as section 523.

"(2) In such new section 523, insert 'Procurement for Sales.—' as the section caption.

"(3) Strike out 'section 508' in the third sentence and substitute 'section 526'.

"(4) Strike out 'subsection' in the sixth sentence and substitute 'section'.

"(h) Section 508, which relates to reimbursements, is amended as follows:

"(1) Section 508 is redesignated as section 526.

"(2) Strike out 'furnish military assistance on cash or credit terms' and substitute 'finance sales'.

"(i) Section 509, which relates to exchanges and guaranties, is amended as follows:

"(1) Strike out the section caption.

"(2) Subsection (a) is redesignated as section 527(b).

"(3) In such new section 527(b), strike out 'as payment for assistance furnished under this part' and substitute 'in exchange for defense articles and defense services bartered by the United States Government under subsection (a)'.

"(4)(A) Insert the following new subsection (a) in such new section 527:

"'Sec. 527. Exchanges.—(a) The President may, subject to the provisions of section 632(d), use funds available to carry out this part to acquire defense articles and defense services from any source and barter such defense articles and defense services with any friendly country or international organization in exchange for other defense articles and defense services.'

"(B) Insert the following new subsection (c) in such new section 527:

"'(c) The President may, without reimbursement from funds available for use under this part, barter defense articles, which are in the stocks of the Department of Defense or which the Department of Defense is authorized to procure under other provisions of law, and defense services with any friendly country or international organization in exchange for other defense articles and defense services of approximately equal or equivalent value which are required for the use of the Armed Forces of the United States.'

"(5) Subsection (b) is redesignated as section 525(b).

"(j) Section 510, which relates to special authority, is amended as follows:

"(1) Section 510 is redesignated as section 506.

"(2) Strike out 'the fiscal year 1967' each place it appears and substitute in each such place 'each of the fiscal years 1968 and 1969'.

"(k) Section 511, which relates to restrictions on military aid to Latin America, is amended as follows:

"(1) Section 511 is redesignated as section 507.

"(2) In subsection (a), strike out 'section 507' and substitute 'chapter 3'; and strike out the colon and the proviso.

"(l) Section 505(b), which relates to utilization of assistance, is redesignated as subsection (c) of such new section 507.

"(m) Section 512, which relates to restrictions on military aid to Africa, is amended as follows:

"(1) Section 512 is redesignated as section 508.

"(2) Strike out 'section 507' and substitute 'chapter 3'.

"(n) Section 513, which relates to the certification of recipient's capability, is amended as follows:

"(1) Section 513 is redesignated as section 509.

"(2) In subsection (a), strike out 'section 507' and substitute 'chapter 3'.

"(o) Immediately after the new section 509, add the following new section:

" 'Sec. 510. Restriction on Training of Certain Foreign Nationals.—In any case in which diplomatic relations between the United States and any foreign country are severed, no national of such foreign country shall be eligible to receive or continue training under this Act (as defined in section 644(f)) until such time as diplomatic relations between the United States and such foreign country are resumed.'

"(p) The program under which nationals of Iraq and Sudan are currently engaged in military training shall cease immediately upon passage of this Act.

"(q) Section 514, which relates to administration of sales and exchange programs involving defense articles and services, is amended as follows:

"(1) Section 514 is redesignated as section 521.

"(2) Insert the following new chapter heading before such new section 521:

" 'Chapter 3—Foreign Military Sales'.

"(3) At the end of subsection (a), add the following: 'It is the purpose of this chapter to authorize measures consonant with that objective to enable allied and other friendly foreign countries, having sufficient wealth to develop and maintain their defense capacities without undue burden to their economics, to acquire defense articles and defense services on a reimbursable basis. In carrying out this chapter, special emphasis shall be placed on procurement in the United States, but consideration shall also be given to co-production or licensed production outside the United States of defense articles of United States origin when such production best serves the foreign policy, national security, and economy of the United States. In evaluating any sale proposed to be made or guaranteed or financed by the United States Government pursuant to this chapter, there shall be taken into consideration (1) the extent to which the proposed sale damages or infringes upon licensing arrangements whereby United States entities have granted licenses for the manufacture of the defense articles selected by the purchasing country to entities located in friendly foreign countries, which licenses result in financial returns to the United States, and (2) the portion of the defense articles so manufactured which is of United States origin. Recognizing the economic interdependence of the free and independent countries of the world and the adverse effects which large-scale purchases of defense articles and defense services of United States origin may have on the net position of a purchasing country's balance of payments with the United States, it is the sense of the Congress that the United States Government should give consideration to procuring from countries making such large-scale purchases, for use by the Armed Forces of the United States or to carry out chapter 2 of this part, selected defense articles and defense services under competitive arrangements, open to United States suppliers, which assure quality, cost, delivery, and support terms at least equal to those obtainable from United States suppliers.'

"(4) Subsection (b) is amended as follows:

"(A) Strike out 'section 511(a)' and substitute 'section 507 (a)'.

"(B) Strike out '$85,000,000' and substitute '$100,000,000'.

"(C) Strike out the colon and the proviso.

"(5) Add the following new subsection:

" '(c) No defense article or defense service shall be furnished under this chapter to any country or international organization unless (1) the President finds that the furnishing of defense articles and defense services to such country or international organization will strengthen the security of the United States and promote world peace, and (2) the country or international organization is otherwise eligible to receive defense articles or defense services.'

"(r) Add the following new section at the end of the new chapter 3:

" 'Sec. 528. Leases.—(a) The President may, subject to section 632(d), use funds available to carry out this part to acquire defense articles from any source and lease such defense articles, on such terms and conditions of payment as he may determine, to any friendly country or international organization.

" '(b) Payments received under this section shall be credited to the appropriation, fund, or account funding the cost of the defense articles leased, or to any appropriation, fund, or account currently available for the same general purpose.'

"PART III

"CHAPTER 1—GENERAL PROVISIONS

"Sec. 301. Chapter 1 of part III of the Foreign Assistance Act of 1961, as amended, which relates to general provisions, is amended as follows:

"(a) Section 601(c)(3), which relates to an International Private Investment Advisory Council on Foreign Aid, is amended by striking out '5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2)' and substituting '5703 of title 5 of the United States Code'.

"(b) Section 608(a), which relates to acquisition and use of excess property, is amended by inserting immediately before the first sentence the following: 'It is the sense of the Congress that in furnishing assistance under part I excess personal property shall be utilized wherever practicable in lieu of the procurement of new items for United States-assisted projects and programs.'

"(c) Section 610(b), which relates to transfers between accounts, is amended (1) by striking out '510' and substituting '506', and (2) by striking out '$5,000,000' and substituting '$11,000,000'.

"(d) Section 611, which relates to completion of plans and cost estimates, is amended by adding to the end thereof the following new subsection:

" '(e) In addition to any other requirements of this section, no assistance authorized under title I, II, and VI of chapter 2 and chapter 4 of part I of this Act shall be furnished with respect to any capital assistance project estimated to cost in excess of $1,000,000 until the head of the agency primarily responsible for administering part I of the Act has received and taken into consideration—

" '(1) a report on the review of the proposed capital assistance project, conducted by Controller of such agency with such assistance from other divisions of such agency as he may request, which shall set forth his views, comments and such recommendations as he may deem appropriate with respect to the adequacy of the justification, feasibility studies and prospect for effective utilization of such projects; and

" '(2) a certification from the principal officer of such agency in the country in which the project is located as to the capability of the country (both financial and human resources) to effectively maintain and utilize the project taking into account among other things the maintenance and utilization of projects in such country previously financed or assisted by the United States.'

"(e) Section 612, which relates to the use of foreign currencies, is amended by adding at end thereof the following new subsection:

"(f) Section 614(a), which relates to special authorities, is amended by striking out '510' and substituting '506'.

"(g) Section 620, which relates to prohibitions against furnishing assistance, is amended as follows:

"(1) Subsection (f) is amended by inserting 'and no defense articles or defense services shall be provided,' immediately before 'to any Communist country'.

"(2) Subsection (j) is amended to read as follows:

" '(j) The President shall consider terminating assistance under this or any other Act to any country which permits, or fails to take adequate measures to prevent, the damage or destruction by mob action of United States property within such country, and fails to take appropriate measures to prevent a recurrence thereof and to provide adequate compensation for such damage or destruction.'

"(3) Subsection (k) is amended by striking out '510' and substituting '506'.

"(4) Subsection (n) is amended to read as follows:

" '(n) No loans, credits, guaranties, or grants or other assistance shall be furnished under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which sells or furnishes to North Vietnam, or which permits ships or aircraft under its registry to transport to or from North Vietnam, any equipment, materials, or commodities, so long as North Vietnam is governed by a Communist regime. Notwithstanding section 640 of this Act, no defense articles or defense services shall be acquired from, or provided to, any such country by any means under this or any other Act. Nothing in this or any other Act shall be construed to authorize the President to waive the provisions of this subsection.'

"(5) At the end of section 620, add the following new subsection:

" '(s) No assistance shall be furnished under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, in or to any country which has severed or hereafter severs diplomatic relations with the United States or with which the United States has severed or hereafter severs diplomatic relations, unless (1) diplomatic relations have been resumed with such country and (2) agreements for the furnishing of such assistance or the making of such sales, as the case may be, have been negotiated and entered into after the resumption of diplomatic relations with such country.'

"(6) No ship which has transported any goods or personnel to or from North Viet Nam or Cuba so long as either of such countries is governed by a Communist regime, shall be admitted to any port of the United States or any of its territories, commonwealths or possessions.

"No captain who has taken any ship as captain into North Viet Nam or Cuba so long as either shall be governed by a Communist regime shall be permitted to enter any port of the United States or any of its territories, commonwealths or possessions as captain of any ship.

"(7) At the end of section 620 add the following new subsection:

" '(s) In any decision to provide or continue to provide any program of assistance to any country under the Foreign Assistance Act of 1961, as amended, there shall be taken into account the status of the country with respect to its dues, assessments, and other obligations to the United Nations; and where such country is delinquent with respect to any such obligations, the President shall furnish the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives a report setting forth the assurance given by the government of the country concerned of paying all of its arrearages and of placing its payments of such obligations on a current basis, or a full explanation of the unusual or exceptional circumstances which render it economically incapable of giving such assurance.'

"CHAPTER 2—ADMINISTRATIVE PROVISIONS

"SEC. 302. Chapter 2 of part III of the Foreign Assistance Act of 1961, as amended, which relates to administrative provisions, is amended as follows:

"(a) Immediately after section 621, insert the following new section:

" 'SEC. 621A. STRENGHTHENED MANAGEMENT PRACTICES.—(a) The Congress believes that United States foreign aid funds could be utilized more effectively by the application of advanced management decisionmaking, information and analysis techniques such as systems analysis, automatic data processing, benefit-cost studies, and information retrieval.

" '(b) To meet this need, the President shall establish a management system that includes: the definition of objectives and programs for United States foreign assistance; the development of quantitative indicators of progress toward these objectives; the orderly consideration of alternative means for accomplishing such objectives; and the adoption of methods for comparing actual results of programs and projects with those anticipated when they were undertaken. The system should provide information to the agency and to Congress that relates agency resources, expenditures, and budget projections to such objectives and results in order to assist in the evaluation of program performance, the review of budgetary requests, and the setting of program priorities.

" '(c) The President shall report to the Congress annually on the specific steps that have been taken, including an evaluation of the progress that has been made toward the implementation of this section.'

"(b) Section 624(d)(2)(B), which relates to statutory officers, is amended by striking out 'of assistance' each place it appears.

"(c) Section 625 (b), which relates to employment of personnel, is amended as follows:

"(1) Strike out 'the Classification Act of 1949, as amended (5 U.S.C. 1071 et seq.)' and substitute 'section 5332 of title 5 of the United States Code'.

"(2) Strike out '505 of the Classification Act of 1949, as amended' and substitute '5108 of title 5 of the United States Code'.

"(d) Section 625 (c), which relates to compensation of personel, is amended as follows:

"(1) Strike out 'the Classification Act of 1949, as amended,' and substitute 'section 5332 of title 5 of the United States Code'.

"(2) Strike out '505 of the Classification Act of 1949, as amended' and substitute '5108 of title 5 of the United States Code'.

"(e) Section 625(d)(2), third proviso, which relates to initial assignment in the United States of Foreign Service Reserve officers, is amended by striking out 'forty' and substituting 'fifty'.

"(f) Section 626, which relates to employment of experts, consultants, and retired officers, is amended as follows:

"(1) In subsection (a), strike out '15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a)' and substitute '3109 of title 5 of the United States Code'.

"(2) In subsection (b)—

"(A) strike out 'section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263)' and substitute 'sections 3323(a) and 8344 of title 5 of the United States Code'; and

"(B) strike out '201 of the Dual Compensation Act' and substitute '5532 of title 5 of the United States Code'.

"(g) Section 629(b), which relates to personnel detailed to foreign governments or international organizations, is amended by striking out '1765 of the Revised Statutes (5 U.S.C. 70)' and substituting '5536 of title 5 of the United States Code'.

"(h) Section 632(d), which relates to allocation and reimbursement among agencies, is amended by striking out '507 and 510' and substituting '506, 522, and 523'.

"(i) Section 634(d), which relates to reports and presentations to the Congress, is amended by inserting immediately preceding the first sentence the following: 'When requests are presented to the Congress for appropriations for fiscal year 1969 to carry out programs under this Act, the programs to be carried out with the funds appropriated for that fiscal year shall also be presented to the Committee on Foreign Relations of the Senate, if requested by the Chairman of that Committee, and to the Committee on Foreign Affairs of the House of Representatives, if requested by the Chairman of that Committee.'

"(j) Section 635(e), which relates to health and accident insurance for foreign participants in technical assistance programs, is amended by inserting immediately preceding the first word a paragraph designation '(1)' and adding at the end the following new paragraph:

" '(2) Any agency of the United States Government is authorized to pay the cost of health and accident insurance for foreign employees of that agency while those employees are absent from their place of employment abroad for purposes of training or other official duties.'

"(k) Section 636(a)(5), which relates to purchase and hire of motor vehicles, is amended as follows:

"(1) Strike out '(5 U.S.C. 78(c)(2))' and substitute '(31 U.S.C. 638a(c)(2)),".

"(2) Strike out '(5 U.S.C. 78a–1)' and substitute '(31 U.S.C. 638c)'.

"(l) Section 636(a)(16), which relates to services of certain commissioned officers, is amended by striking out 'Coast and Geodetic Survey' each place it appears and substituting 'Environmental Science Services Administration' in each such place.

"(m) Section 636(d), which relates to assistance for dependents' schools abroad, is amended by striking out '$1,500,000' and substituting '$2,500,000'.

"(n) Section 636(e), which relates to training of Foreign Service personnel, is amended by striking out '301 of the Dual Compensation Act (5 U.S.C. 3105)' and substituting '5533 of title 5 of the United States Code'.

"(o) Section 636(g), which relates to expenditures of military assistance funds, is amended by striking out '3 of the Travel Expense Act of 1949, as amended (5 U.S.C. 836),' and substituting '5702(c) of title 5 of the United States Code'.

"(p) Section 636, which relates to provisions on uses of funds, is amended by adding at the end thereof the following new subsection:

" '(i) Notwithstanding section 640 or any other provision of this Act, none of the funds made available to carry out this Act shall be used to finance the purchase, sale, long-term lease, exchange, or guaranty of a sale of motor vehicles unless such motor vehicles are manufactured (1) in the United States, or (2) in the recipient foreign country by a company owned and operated by nationals of such. For the purposes of this subsection, a company shall be deemed to be owned and operated by nationals of the recipient foreign country only if the President determines that—

" '(A) a majority of the officers of such company are nationals of such country;

" '(B) not less than 90 per centum of the employees of such company are nationals of such country;

" '(C) such company is engaged primarily in manufacturing motor vehicles in such country.

Provided, That where special circumstances exist wherein the purpose of this Act could not be carried out by a strict construction of this section, the President is authorized to waive the provisions of this section in order to carry out the purposes of this Act.'

"(q) Section 637(a), which authorizes appropriations for administrative expenses of the agency administering part I, is amended by striking out '1967 not to exceed $55,813,500' and submitting '1968, $55,814,000,'.

"(r) Section 640, which relates to military sales, is amended by striking out '503' and substituting '521', and by striking out 'assisting of' and submitting 'furnishing of defense articles and defense services to'.

"CHAPTER 3—MISCELLANEOUS PROVISIONS

"SEC. 303. Section 644 of chapter 3 of part III of the Foreign Assistance Act of 1961, as amended, which relates to definitions, is amended as follows:

"(1) In subsection (d), insert 'production facilities, utilization facilities,' between 'special nuclear material,' and 'or atomic weapons', and add 'or articles involving Restricted Data' before the period at the end of the subsection.

"(2) In subsection (e), strike out 'and formerly Restricted Data' and, immediately before the period at the end thereof insert the following: ', and data removed from the Restricted Data category under section 142d of that Act'.

"(3) Subsection (f) is amended as follows:

"(A) Strike out 'including orientation, training aid' and 'including the transfer of limited quantities of defense articles for test, evaluation, or standardization purposes,'.

"(B) Add the following new second sentence: 'Training' includes formal or informal instruction of foreign students in the United States or overseas by officers or employees of the United States, contract technicians, contractors (including instruction at civilian institutions), or by correspondence courses, technical, educational, or information publications and media of all kinds, training aid, orientation, training exercise, and military advice to foreign military units and forces.'

"SEC. 304. Section 402 of the Foreign Assistance Act of 1963 is amended by adding at the end thereof the following new subsection:

" '(a) The application of section 231(b) of the Trade Expansion Act of 1962, as added by subsection (b) of this section, is hereby suspended with respect to the products of Poland imported after the date of enactment of this subsection. Such suspension shall continue—

" '(1) until the date designated by the President by executive order (for the purposes of section 112 of the Internal Revenue Code of 1954) as the date of the termination of combatant activities in Vietnam and waters adjacent thereto; or

" '(2) until the President determines that Poland is no longer supplying to North Vietnam any items which are, for the purposes of title I of the Mutual Defense Assistance Control Act of 1951, as amended, arms, ammunition, or implements of war, and he reports to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives that he has received assurances satisfactory to him that the supplying of such items to North Vietnam will not be renewed by Poland;

whichever first occurs.'

"PART IV

"AMENDMENTS TO OTHER ACTS

"SEC. 401. (a) The Joint Resolution entitled 'Joint Resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization', approved July 11, 1956 (22 U.S.C. 1928a—1928d, inclusive), is amended as follows:

"(1) Section 2 of such Joint Resolution (22 U.S.C. 1928b) is amended by striking out 'North Atlantic Treaty Organization Parliamentary Conference' and substituting 'North Atlantic Assembly.'

"(2) Sections 2, 3, and 4 of such Joint Resolution (22 U.S.C. 1928b, 1928c, and 1928d) are amended by striking out 'North Atlantic Treaty Parliamentary Conference' each place it appears and substituting in each such place 'North Atlantic Assembly.'

"(3) Section 2 of such Joint Resolution (22 U.S.C. 1928b) is further amended by striking out 'such Conference' each place it appears and substituting in each such place 'such Assembly'.

"(b) Section 105(b) of the Legislative Branch Appropriation Act, 1961 (22 U.S.C. 276c—1), is amended by striking out 'the NATO parliamentarian's Conference' and substituting 'the North Atlantic Assembly'.

"SEC. 402. The first section of the Act entitled 'an Act to authorize participation by the United States in the Interparliamentary Union', approved June 28, 1935 (22 U.S.C. 276), is amended by striking out '$50,000' and '$23,100' and substituting '$53,350' and '$26,650', respectively.

"SEC. 403. The second sentence of subsection (b) of section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), which relates to munitions control, is amended by inserting immediately after 'the United States and its allies' the following: 'or for any State or local law enforcement agency or law enforcement official'.

"PART V

"ELIGIBILITY OF CERTAIN PARTICIPANTS IN FUTURE FOREIGN AID PROGRAMS

"SEC. 502. Notwithstanding any other provision of law, whenever any individual, firm, or entity (including authorized agents of such firm or entity) participating in any aid transaction financed with funds made available under the Foreign Assistance Act of 1961 as amended, has been found by the Inspector General, Foreign Assistance, to have attempted, aided, assisted, or engaged in bribery or other illegal or fraudulent payments or credits in connection with such transaction such individual, firm, or entity shall not be permitted to participate in any program or operation financed under such Act."

The SPEAKER. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the Senate bill.

The Senate bill was passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 12048) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION FOR COMMITTEE ON THE DISTRICT OF COLUMBIA TO FILE CERTAIN REPORTS UNTIL MIDNIGHT SATURDAY, AUGUST 26

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight Saturday, August 26, to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO FILE CERTAIN REPORTS UNTIL MIDNIGHT AUGUST 25

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight, August 25, to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for the remainder of this week and the program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the distinguished majority leader.

Mr. ALBERT. In response to the inquiry of the gentleman, we have finished the legislative business for the week.

The business for Monday and the balance of the week is as follows:

Monday is District day. There are six bills to be considered.

H.R. 5709, relating to accumulation of teachers' sick leave.

H.R. 12505, regarding teachers' retirement in the District of Columbia.

H.R. 6727, amending the Alcoholic Beverage Control Act to delegate to the Commissioners authority to regulate hours of sale.

H.R. 8715, amending the Alcoholic Beverage Control Act to restrict importation of alcoholic beverages into the District of Columbia.

H.R. 8965, increasing the Government's contribution to cost of the Dulles-Potomac intercepter sewer.

H.R. 10939, providing for the registration and preservation of historic landmarks in the District of Columbia.

There also will be considered the House concurrent resolution providing for adjournment of the two Houses of Congress until September 11, 1967.

This announcement, of course, is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later; but I might advise the Members we do not expect any additional program.

We plan to have for consideration the conference report on the Department of Defense appropriation bill on Tuesday, September 12. We do expect important business on that Monday.

We will need a quorum present for the transaction of business up until the time we have been able to pass the adjournment resolution, we hope early next week.

Mr. GERALD R. FORD. Would the distinguished majority leader indicate whether the program for the week of September 11 will be announced later?

Mr. ALBERT. That will be announced next week. We will have for consideration, as I have indicated, the conference report on that Tuesday, and there will be business on that Monday. We will have business the balance of that week.

HAPPY BIRTHDAY, MR. PRESIDENT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I take this opportunity in the wee hours of the morning, after an arduous and grinding session, to remind the House that our Chief Executive, President Lyndon B. Johnson, will mark his 59th birthday, God willing, this coming Sunday, August 27.

I am sure all my colleagues join me in sincerely wishing happy returns on this auspicious day to the President and offering a prayer to the Almighty for his guidance, health, and sustained energies in the discharge of his heavy and awesome responsibilities.

Mr. Speaker, those of us who know well of President Johnson's greatness and magnanimity deserve nothing better then the blessings of continued good health and happiness and success in all his endeavors.

To those who harbor hate, or who in the blind passion of partisan feeling lash out at our great President, I ask they conduct an inward examination of their consciences and hearts and do all in their power to purge themselves of these corrosive and destructive sentiments and join me in saying: Happy birthday, Mr. President.

TRIBUTE TO THE LATE HAL LEYSHON

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, on the 10th day of July 1967, in the passing of Hal Leyshon of Hal Leyshon Associates, Inc., of New York, Washington, and Miami—a great institution of international scope which he organized—America lost an eminent, dedicated citizen, the American Federation of Musicians lost an invaluable friend and counselor, and I, a longtime cherished and devoted friend.

Hal Leyshon, an Air Force officer in

World War II, a Pulitzer Prize-winning editor, a public relations consultant and adviser, a political counsel and advocate, was a man of outstanding and distinguished ability. He served his country in war and peace with dedication and exceptional excellence. He personally assisted his important clients with rare devotion and success. As a political counselor and adviser, he immeasurably aided Democratic Presidents, the Democratic National Committee, the government of the Virgin Islands, many Governors, Senators, and Representatives in the Congress. With all, Hal Leyshon was a gracious, charming gentleman, the warmth of whose personality reflected the compassion and the consideration for others ever uppermost in his heart. For one-third of a century, Hal Leyshon was my cherished friend.

Only a few days before he died, I had the privilege of being with him as I addressed the international convention of American Federation of Musicians in Miami Beach. I shall never forget the warm words of kindness and friendship which he uttered to me after I spoke that shall echo in my memory as long as I shall live.

I wish to record my profound admiration and my devoted friendship to Hal Leyshon. He shall ever be green in the fields of my memory.

Mr. Speaker, I incorporate the following in my remarks:

A testimonial to Hal Leyshon by his devoted friend, the Honorable Herman Kenin, president of the American Federation of Musicians.

I also include a letter to me by Mr. Kenin, of August 3, in tribute to Hal Leyshon.

Also, I include, Mr. Speaker, the statement of Gov. Ralph M. Paiewonsky, of the Virgin Islands, in tribute to Hal Leyshon.

I also include a testimonial to Hal Leyshon by his longtime and distinguished friend, Jack Kofoed, of the Miami Herald.

Also, Mr. Speaker, I include the obituary notice on Hal Leyshon in the New York Times of Monday, July 10, 1967.

TESTIMONIAL TO HAL LEYSHON

(By Herman Kenin)

The American Federation of Musicians has lost a great friend and wise counsellor.

Hal Leyshon, our public relations and legislative consultant for twenty years, died Sunday, July 9, following surgery performed only a few days after he gave his last full measure of time, energy, and skill to the affairs of our Seventieth Annual Convention in Miami Beach.

I, and all who work in the cause of music and for the advancement and security of the performing artist, have suffered a deep personal loss. But the Federation and its members will continue to benefit from the results of his labors in the promotion of beneficial legislation and in broadening public understanding and appreciation of the value and needs of musicians everywhere.

Hal spent long days and nights on Capitol Hill, fighting for our interest. He spent long hours at his typewriter weaving words to tell our story. He worked tirelessly to defeat the job-destroying federal "cabaret tax", a victory finally and completely won on December 31, 1965, after years of struggle. He was active in the development of the permanent Federal Council on the Arts, in the promotion of federal grants in aid for music and the performing arts, and in the support of all legislation favorable to the Federation and its membership. Most recently he was engaged in the continuing effort for revision of the copyright laws.

In all areas of activity of importance to the Federation—political, legislative, educational, and promotional—Hal Leyshon was the strong right arm of two of its presidents, James C. Petrillo and lastly, myself. His support went beyond professional concern and became a personal involvement.

A man of great integrity, his dedication to what he believed right and just was complete. And with all of his accomplishments, Hal was a modest man. A distinguished editor, I can imagine him saying of this tribute—"Cut it, Herman, it's too long."

There are many other things that could be written here, but let it suffice to say:

We—all of us—have lost a friend.

AMERICAN FEDERATION OF MUSICIANS,
New York, N.Y., August 3, 1967.

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR SENATOR PEPPER: I have just returned to my office after an absence of several days to find your letter of July 21st.

We have not yet gotten over the shock of Hal's passing. He did not indicate to me in Miami that he intended to enter the hospital upon his return to New York, so the news of his death was doubly shocking.

I share your views of Hal's qualities. It was twenty years ago that President Petrillo appointed a committee, with myself as Chairman, to look into the question of engaging public relations counsel, and Hal was selected by our committee upon the recommendation of one of the world's great public relations experts, Carl Byoir.

Hal served this organization with complete dedication and his contributions to our cause are too numerous to relate. I know of his great affection for you, and we have both suffered a real personal loss.

I shall look forward to seeing you one of these days when I am in Washington. With all good wishes, I am,

Sincerely,

HERMAN KENIN.

STATEMENT BY GOV. RALPH M. PAIEWONSKY ON THE DEATH OF HAL LEYSHON, PUBLIC RELATIONS CONSULTANT TO THE GOVERNMENT OF THE VIRGIN ISLANDS

The untimely death of Hal Leyshon, a close personal friend and loyal adopted son of the Virgin Islands, leaves us with a deep sense of loss.

Inexhaustible efforts and boundless energy, through the years, characterized his undertakings on behalf of these Islands. His knowledge, his expertise, his counsel and advice, were invaluable to this government and to its people whom he staunchly served.

A highly respected peer in the field of journalism and public relations, Mr. Leyshon today is mourned by his colleagues, by his many friends in the Congress, in the Administrative Halls of Washington, in the Diplomatic Corps., and in his dearly beloved Musician Union of America, an organization to which he devoted years of dedicated service.

We in the Virgin Islands humbly join this illustrious list of friends in extending our heartfelt sympathies to Mrs. Leyshon and to Hal, Jr. on the passing of this noble man. His efforts, here and throughout the mainland, will live on in the good that has come from the lasting and valuable deeds of this honorable person.

SOME CHURCH HOLDINGS DESERVE TO BE TAXED

(By Jack Kofoed)

I've campaigned in my small way for many issues. A few have been successful . . . others, like the Status of Forces treaty, have failed. Winning or losing hasn't dampened my enthusiasm in fighting for what I believe in. I tried for 10 years to get the treaties revoked, but flopped. Perhaps something will be done about it, but even if there isn't I'll keep throwing punches. At least there's some satisfaction in trying.

One item that has churned combative instincts is the exemption from taxation for church properties not used exclusively for worship. It is estimated that religious bodies of one denomination or another hold nearly $80 billion worth of business interests that operate in direct competition with individual enterprise.

When churches own office buildings, hotels, oil companies, even girdle manufacturing plants, without being assessed taxes imposed on those in direct competition with them, it's a distortion of the constitutional edict concerning the separation of church and state.

And, if $80 billion worth of church holdings were placed on the tax rolls where they belong, the fiscal imbalance of the U.S. would be corrected.

Like the Status of Forces, I've argued this point for years. Now, a dilatory Congress is beginning to look into the situation. The time for action is long past due, as even some church people are willing to admit.

Hal Leyshon died Sunday. He was one of the best friends I've ever had, and but for him I might not have settled in Miami. It was in 1938, and I had become fed up with the New York rat race. I'd had a sneaking love affair with this town since I covered the Sharkey-Stribling fight in 1929. I didn't know Leyshon personally then, but knew of him as the Pulitzer prize-winning managing editor of The News. So, I wrote, asking what chance there might be of writing a column for his paper. He liked the idea, so Miami became the Kofoed home.

We were both commissioned in the Air Force during World War II. Hal became executive officer for Col. Jock Whitney, who was in charge of public relations for the Eighth Air Force in London. He had Whitney request me, and I flew over to become news and communique officer of the Eighth. We always worked together beautifully, so much so that we even collaborated on a novel, "Front Page Deadline."

Hal departed the newspaper business and Miami to set up one of the more successful public relations businesses in Manhattan, but he never got printer's ink out of his blood or the sand out of his shoes. I'll miss the man more than I can say, because the real friends you make in a lifetime are not many. He was a top hand with newspapers, PR or anything to which he put his hand, but more important he was a man . . . a man of sincerity, integrity and strength. May he sleep well, and may his fine memory comfort his widow, Marion, and son, Rick. I am proud to have been his friend.

Another friend of many years, golf pro Ross Sobel, will appear on Wednesday's "Today" show and teach Hugh Downs the fundamentals of the great Scotch game. Ross gives lessons and holds clinics on the SS Ariadne.

When civilian Deputy Secretary of Defense Cyrus Vance retired, he had several medals pinned on his chest, though Vance hadn't been in battle or done a heroic deed. Notice a general with his chest covered with "fruit salad." Most that hardware came from foreign countries, and was for being a general.

In some states the probate of wills has turned into a racket that has milked many an estate dry. Norman Dacey wrote a book called "How to Avoid Probate" designed to keep little people from being rooked. So a judge decided the book was an improper practice of law and banned its sale. Hitler burned any publication that exposed wrong doing in the Third Reich. The Supreme Court should decide if "book burning" techniques by judges is legal.

It probably would be asking the impossible, but has Stokely Carmichael ever considered that Negroes have become a senator, a Supreme Court judge and an astronaut, and that some of the highest paid people in sports and entertainment are black? Has he ever given thought that many at the bottom of the economic pile are there because they are lazy, lack ambition and won't even take the trouble to improve themselves? That goes for both black and white.

Some baseball fans seem to think the New York Mets the worst team the National League has ever known. They don't know the half of it. In 1883 the Philadephia Phillies won 17 games and lost 81. They added a special touch, too. The Providence team shut them out 28-0. Those records have not been beaten, or even equalled in 84 years. So maybe the Mets aren't really as bad as they have seemed the past few years.

[From the New York Times, July 10, 1967]

Hal Leyshon 66, Publicity Man—Accounts Included Florida, Truman and Petrillo

Hal I. Leyshon, a public-relations consultant who helped develop the images of Florida as a resort, President Harry S. Truman as a choice for election in 1948 and James Caesar Petrillo as "Friendly Jimmy" rather than as the "Czar of Music," died of a heart attack yesterday in Doctors Hospital. He was 66 years old and lived at 45 East 85th Street.

Hal Leyshon & Associates, the public-relations and legislative consultant firm he founded here in 1941, has for the last six years represented the Virgin Islands.

Mr. Leyshon, as editor of The Miami Daily News, directed that newspaper's Pulitzer Prize-winning exposé of venal Miami politics in 1938.

Mr. Leyshon entered public relations on two fronts when the United States declared war in 1941. He established his firm in Rockefeller Center and operated it, in absentia, while serving as a public information officer overseas and in Washington for the Army Air Forces.

He joined the service as a captain and later, as a major, was assigned to Supreme Headquarters shortly before the Normandy invasion. He was released as a lieutenant colonel and resumed active direction of his organization here after V-E Day.

Mr. Leyshon conducted for the Air Power League the national campaign that preceded Congressional adoption of equal status among the services for the Air Force.

He was a consultant to the Democratic National Committee in the 1948 campaign in which President Truman defeated Gov. Thomas E. Dewey. At that time the Leyshorn concern was also in the early stages of its long promotional program in behalf of tourism for the State of Florida.

Also in 1948, Mr. Leyshon became public-relations consultant to the American Federation of Musicians and its president, Mr. Petrillo, whose belligerent attitude had made him unpopular with the press and public.

In 1948, the musicians' union gave 15,000 free performances, ranging from symphonies to jazz duets, and Mr. Petrillo became music chairman of President Truman's inaugural.

Concerning his efforts in behalf of the union and its boss, Mr. Leyshon said:

"If you can make a man and his works available to the press of this country on a factual and timely basis, he is certain to get an even break. If newspapermen get the brushoff, they're going to give the brushoff."

BEGAN IN JOURNALISM

Mr. Leyshon was born in Mountain Ash, Ky., and attended Maryville (Tenn.) College.

During the Florida boom of the early nineteen-twenties he became Sunday editor of The Miami News and in 1925 directed publication of what was said to be the world's largest single issue: 604 pages.

Mr. Leyshon was successively the paper's news editor, managing editor and, from 1935 to 1941, editor. In 1938 he directed publication of the series of news stories, covering political malfeasance in Miami, that won for The News a Pulitzer Prize the following year.

During his years in Miami, Mr. Leyshon covered the development of Florida as a burgeoning resort area in many stories published by The New York Times.

Mr. Leyshon and John M. Redding were authors of "Skyways to Berlin," a book of Air Force exploits published in 1943. In 1950, he and Jack Kofoed wrote "Front Page Deadline," the story of a Pulitzer Prize-winning newspaper crusade in the South.

In recent years, Mr. Leyshon's firm continued its work for the Democratic National Committee and was a consultant to the American Red Cross, Trans World Airlines and other clients.

Mr. Leyshon was a member of the Overseas Press Club, the Miami Club, National Press Club and the Welsh Society of St. David's.

Surviving are his widow, the former Marion Pollard, and a son, Hal Richards Leyshon.

A funeral service will be held at 1 P.M. Wednesday at Frank E. Campbell's, Madison Avenue at 81st Street.

ADJOURNMENT TO MONDAY, AUGUST 28, 1967

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, first of all I would like to ask the distinguished majority leader if the reports on the District bills will be available before next Monday. I understand that the gentleman from Oklahoma asked for permission that they have until Saturday night to file reports.

Mr. ALBERT. The gentleman is correct. All I can say is, I hope they will be available. I am sure that the committee will make an effort to have them available to Members. They did not put down the most important bill on the agenda, so I assume that it will not be too difficult to have these reports ready.

Mr. GROSS. I am one of those who expect to be here, and I would like to have the reports and all the information that it is possible to obtain on those bills on Monday.

Mr. ALBERT. I trust and hope and believe that the gentleman will have them before we meet.

Mr. GROSS. Are any of those bills of an emergency nature?

Mr. ALBERT. I do not consider them to be of an emergency nature, but the committee has reported them and asked that we put them down. We do have other business that we have to take care of next week. I think it is the better part of wisdom to finish these bills next week.

Mr. GROSS. What other business? I heard the gentleman say that two or three times. I wonder what the other business is.

Mr. ALBERT. The adjournment resolution.

Mr. GROSS. Yes.

Mr. ALBERT. We must have a quorum here for the purpose of enacting that.

Mr. GROSS. On what date does the gentleman anticipate he will call up the adjournment resolution?

Mr. ALBERT. I hope we can do it Monday, but we have to deal with another body on that matter. If possible, I would like to do it on Monday.

Mr. GROSS. The point I am trying to arrive at is why, if there is to be no serious business next week other than the conference report, which might well have been taken care of tomorrow, and then have an adjournment for a 2-week period rather than 10 days. Are we going through some sort of a gesture as far as holding sessions next week is concerned other than the conference report?

Mr. ALBERT. The conference report will not be brought up next week. The conference report will be brought up on the 12th of September.

Mr. GROSS. Then, all we have is the District bills on Monday, plus the adjournment resolution?

Mr. ALBERT. And the adjournment resolution. That is correct.

Mr. GROSS. And we are going to stay in session next week for this purpose?

Mr. ALBERT. I would advise the gentleman that it is absolutely necessary to stay in session for the purpose of getting the adjournment resolution passed. This is a matter with which we must deal with the other body.

Mr. GROSS. What period of time will the adjournment resolution be for? For 10 days?

Mr. ALBERT. Approximately, yes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. FULTON of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to join in wishing the President the best for his birthday, and hope that he has a fine time with his family on that day. We are very proud of him in these difficult times. He is a former Member of this House who has been selected for the highest office in the land. We often disagree and we sometimes agree. Nevertheless, we know he is President of the United States, and he has our best wishes on this happy day.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no question.

REMARKS BY CONGRESSMAN JOHN BRADEMAS ON THE PRESENT POLITICAL SITUATION IN GREECE

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I had the opportunity a few days ago, together with my distinguished colleague, the gentleman from Maine [Mr. KYROS], to visit Greece, and because that country has experienced a significant change in government in recent months, I take this time to make a brief report on my impressions, after a week's stay.

I do not pretend that these comments represent a thorough or exhaustive survey of the present political picture in Greece, for such a survey was not possible. Congressman KYROS and I were in Athens at the invitation of His Eminence Archbishop Iakovos, of the Greek Orthodox Church of North and South America, for the purpose of attending meetings held there of the Archdiocesan Council of the Greek Orthodox Church of North and South America. I might say, parenthetically, that during our visit we also had the high privilege of talking in Istanbul to His All Holiness Patriarch Athenagoras I, Ecumenical Patriarch of Constantinople and spiritual leader of Eastern Orthodoxy.

Although I did not undertake an exhaustive survey of the political scene in Greece, I nonetheless had an opportunity to talk to a number of persons representing a wide spectrum of political opinion in Greece, including both persons of the highest level of the present Government and persons very strongly opposed to that Government. Naturally, I talked to members of the American Embassy staff in Athens and I also had the opportunity to meet briefly King Constantine, who is expected to visit the United States shortly.

Mr. Speaker, on May 3, 1967, I addressed the House concerning the military coup which took place on April 21, 1967, and which resulted in the overthrow of the Government of Greece shortly before the elections that were scheduled for late May. I said then that I was deeply distressed by the military coup and that as an American of Greek origin, I was particularly saddened to see the legitimate Government of the birthplace of democracy scrapped by a group of Army officers. I went on to express certain reservations about the political situation in Greece.

FOR EARLIEST POSSIBLE RETURN OF CONSTITUTIONAL DEMOCRACY

I said that I hoped that at the earliest possible moment there would be a return to the processes of constitutional, parliamentary democracy in Greece. I noted the April 26, 1967, statement of King Constantine in which the King declared:

> My ardent wish is also for the earliest possible return to the country to parliamentary government.

On April 28, 1967, Secretary of State Dean Rusk also made clear that the U.S. Government officially supports the earliest return of democratic institutions in Greece. As Secretary Rusk said then:

> We are now awaiting concrete evidence that the new Greek government will make every effort to reestablish democratic institutions which have been an integral part of Greek political life.

Now I should here note, Mr. Speaker, that there has been established by the new Greek Government a constitutional commission composed of persons eminent in Greek professional and public life who have been charged with the responsibility of revising the present Constitution of Greece. This commission is scheduled to complete its work by November 30, 1967.

The revised constitution is then to be submitted to the present Government for its review and recommendations following which, the Government has stated, a plebiscite will be conducted in the country on the revised constitution.

THE CONSTITUTIONAL COMMISSION

Obviously, one of the key factors in any consideration of the political future of Greece is the work of this constitutional commission and the implementation of its work. Differing people with whom I spoke in Greece expressed differing views on such questions as whether, in fact, the present military government will allow the constitutional commission to complete its mission. A related question is whether or not, if the commission is permitted to write a revised constitution, the government will allow it to be put into effect within a reasonable period of time and with the free election which have come to be regarded as at least one of the hallmarks of a genuinely free and democratic and constitutional government.

Mr. Speaker, I believe it here important for me to note that leaders at the highest level of the present Government of Greece assured me, in response to my questions, that it should be possible for the constitutional commission to present the Government the revised constitution within the period of time which has been set by the Government for that purpose, that is, 6 months. This would mean that the date for termination of the commission's work would be November 30, 1967.

I was also assured by people of the highest authority in the present Government that all members of the Government are anxious to see the work of the commission progress as rapidly as possible to the point that Greece can return to constitutional rule as soon as possible.

Mr. Speaker, I made clear in these conversations that I was most encouraged to hear this pledge because I was confident that most Members of Congress, most Americans, and most of the people of the free world would like to see Greece return as soon as possible to constitutional forms of government since one of the principal purposes of the Western alliance, of which Greece is a part, is the protection of free and constitutional government.

Mr. Speaker, I feel sure that Members of Congress as well as the President and all those in the executive branch charged with the responsibility for the conduct of our foreign policy will follow with great interest the efforts of the present government of Greece to carry out this stated intention of seeing a new constitution prepared and put into effect as soon as possible. The progress made on this matter will certainly be a key to the political future of Greece as a member of the alliance of Western democracies.

CONCRETE EVIDENCE

I should here note, Mr. Speaker, that one of the concerns I heard expressed by a number of Greeks of moderate opinion is that, in Secretary Rusk's phrase, if there is no "concrete evidence that the new Greek Government will make every effort to reestablish democratic institutions," there is a serious danger that opposition to the present regime will be built up in such fashion as to lead to violence and a situation which could be of advantage chiefly to the Communists.

Although I was gratified to hear leaders of the present government of Greece assure me of their earnest intention to return the country to constitutional rule, I nonetheless believe it wise for the U.S. Goverment, which presently has a military aid agreement with Greece, to continue our present suspension of major shipments under this agreement pending a review of this assistance to determine if it is any longer justifiable. In this connection, I note that Secretary of Defense Robert S. McNamara made the following statement in May of this year to the Greek Minister of Defense, Lt. Gen. Gregory Spandidakis:

> I told General Spandidakis that it would be very difficult for us to proceed with our military aid program unless there was an indication that his government did intend to preserve the constitutional guarantees.

Mr. Speaker, I am aware of the important role that Greece plays in NATO and while I believe that our Government should continue to be concerned with the place of Greece in our security arrangements through NATO, I see no compelling reason, at least at this time, to change the policy voiced by Secretary McNamara.

RESTRICTIONS ON FREEDOMS

There is, it should be here stated, considerable difference among the several observers of and participants in Greek politics with whom I talked about the earnestness of intention of the government to return to constitutional democracy. Censorship of the press now prevails and although the new official in charge of press affairs, himself a longtime newspaper columnist with a distinguished reputation, assured me that there would soon be full press freedom, I saw no signs of this development while I was in Greece and I therefore expressed to this press official a frank skepticism about his prediction.

It is perhaps not surprising that a number of my own conversations with persons formerly active in politics—and I here include people who in the United States would be described as holding moderate to conservative views—were conducted, at their request, behind closed doors.

Mr. Speaker, the present government requires anyone planning to invite more than five persons to his home to secure permission from the police. In this connection, I am sure that most Members of Congress were astonished at the severity of the prison sentence—5 years—imposed a few days ago on a former Foreign Minister of Greece, Evangelos

Averoff, for holding a social gathering without a police permit. The fact that the present Prime Minister of Greece, Constantine Kollias, said that his government would recommend a pardon for the former Foreign Minister does not diminish the significance of such an action. I might here note that Mr. Averoff was the Foreign Minister of Greece during the conservative administration of Prime Minister Constantine Karamanlis.

Probably the most disconcerting evidence that there is still a considerable degree of what most people would regard as a characteristic of a police state rather than a democracy is the fact that there are still many political figures under arrest in Greece, either in prison or under house surveillance. This includes some former members of the Greek Parliament of different political parties. I understand that about half of the political prisoners have now been released, but my point still holds true.

If I may summarize my observations, then, Mr. Speaker, the present military regime in Greece has pledged to return the country to constitutional government. My own judgment, on the basis of my observations, is that there is so far little evidence that the Government has taken what Secretary Rusk, to repeat, calls "concrete steps" in this direction or that it intends to do so. I believe that it should be the continuing policy of the U.S. Government to encourage the present regime in Greece to make good on its own stated intentions.

I realize, Mr. Speaker, that Greek politics in the months prior to the military coup had been plagued by instability, and I realize as well that there are no easy alternatives to the present situation in Greece. I am confident, however, that most Members of Congress and most of the American people would agree that the presence of a military dictatorship in Greece for any lengthy period of time would be disastrous for the cradle of democracy and would make a mockery of what is after all the principal purpose of the Western alliance—freedom.

PROPOSED NONPROLIFERATION TREATY

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, at 10 a.m., this morning, eastern standard time, Ambassador William C. Foster, on behalf of the United States, officially introduced a proposed treaty on the nonproliferation of nuclear weapons at the Eighteen Nation Disarmament Conference in Geneva. At the same time the representative of the U.S.S.R., Ambassador Alexei Roshchin, introduced a similar treaty on behalf of his country. I have used the word similar because until we have had an opportunity to review the Soviet proposed treaty in detail, we of course cannot be certain that it is identical in all respects to the U.S. proposal.

The proposed treaties introduced this morning represent the culmination of 3½ years of conscientious and difficult negotiations by Ambassador Foster and his able associates in the Arms Control and Disarmament Agency with representatives of our allies, the so-called neutral nations of the world, and representatives from behind the Iron Curtain. Ambassador Foster and his associates are to be commended for their work. Our Nation as well as all nations of the world owes a debt of gratitude to the representatives of the United States, the representatives of the U.S.S.R., and the representatives of the other nations who have been and are now engaged in the difficult and demanding responsibility of negotiating an acceptable and effective treaty to help prevent further proliferation of nuclear weapons in this dangerous world in which we live.

There is, I believe, a new sense of urgency recognized by both the United States and the U.S.S.R. that any additional entries into the nuclear weapons club must be discouraged. The unexpectedly fast technological accomplishments of the Chinese Communists in developing and testing nuclear and thermonuclear devices, coupled with their rapid development of IRBM and ICBM delivery systems, give greater emphasis to the importance of bringing nuclear weapons under international control. Although there is very little possibility at this time that Communist China will be a signatory to any nonproliferation treaty, it is imperative that we make every effort to bring as many nations as possible into agreement not to further any additional proliferation of nuclear weapons. We must also work toward the day when the people of China can be brought within the family of all nations.

Mr. Speaker, I ask unanimous consent to place in the RECORD at the conclusion of my remarks the proposed treaty tabled this morning in Geneva. You will note that it contains eight separate articles. One article—article III—has been left blank. The reason is that, whereas the United States and the U.S.S.R. both recognize the necessity for some type of international inspection system, we have not as yet reached agreement as to how this may best be accomplished. During the upcoming sessions of the conference, we will hopefully negotiate accepted language. The remaining articles are expected to be identical with the proposed treaty tabled by the U.S.S.R. I believe it is most significant that, in these troublesome days when there is such a strong difference of opinion between our country and the U.S.S.R. over Vietnam and other matters, both nations recognize the importance of a nonproliferation agreement and that such a major step is possible between the two.

AUGUST 24, 1967.

DRAFT TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The States concluding this Treaty, hereinafter referred to as the "Parties to the Treaty,"

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to cooperate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points.

Affirming the principle that the benefits or peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear-weapon States,

Convinced that in furtherance of this principle, all Parties to this Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in cooperation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention that potential benefits from any peaceful applications of nuclear explosions should be available through appropriate international procedures to non-nuclear-weapon States Party to this Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used should be as low as possible and exclude any charge for research and development,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race,

Urging the cooperation of all States in the attainment of this objective,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a treaty on general and complete disarmament under strict and effective international control,

Noting that nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories,

Have agreed as follows:

ARTICLE I

Each nuclear-weapon State Party to this Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

ARTICLE II

Each non-nuclear-weapon State Party to this Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

ARTICLE III

(International control)

ARTICLE IV

Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty, as well as the right of the Parties to participate in the fullest possible exchange of information for, and to contribute alone or in cooperation with the States to, the further development of the applications of nuclear energy for peaceful purposes.

ARTICLE V

1. Any Party to this Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Government which shall circulate it to all Parties to the Treaty. Tnereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to this Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for all Parties upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to this Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes and provisions of the Treaty are being realized.

ARTICLE VI

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. The Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of———, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by all nuclear-weapon States signatory to this Treaty, and ——— other States signatory to this Treaty, and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

ARTICLE VII

This Treaty shall be of unlimited duration.

Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

ARTICLE VIII

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Treaty.

Done in ——— at —— this —— day of ——, ——.

Backgrounder on Draft Nonproliferation Treaty, August 24, 1967

The draft nuclear non-proliferation treaty tabled at Geneva today is comprised of a preamble and eight articles.

The draft was worked out between the co-chairmen of the Eighteen Nation Disarmament Conference, the United States and the Soviet Union, in consultation with their allies. It has been recommended by the U.S. and the Soviet co-chairmen for discussion and negotiation in the ENDC and for the consideration of all governments. Its tabling allows the other participants in the conference, including eight non-aligned nations, to join in working out a final treaty draft which can then be put before other governments, probably at the coming UN General Assembly.

The central core of the draft lies in Articles I and II. Essentially, they would bind nuclear weapon powers not to transfer nuclear weapons to non-nuclear-weapon powers, and the latter not to manufacture or otherwise acquire nuclear weapons. These undertakings also apply to "other nuclear explosive devices", which would be prohibited because they and the technology of their development are essentially indistinguishable from nuclear weapons.

The treaty deals with what is prohibited, not what is permitted. Thus Articles I and II prohibit any arrangement involving transfer of nuclear weapons, directly or indirectly. But the treaty does not, for example, prevent NATO consultation and planning for its nuclear defense or the permanent NATO committee established for this purpose since no transfer of nuclear weapons or devices is involved.

The preamble declares the intent of signatories to work for other measures to halt a nuclear arms race, supports the principle of regional nuclear free zones, and expresses the intention to share potential benefits of peaceful explosions without discrimination and to seek reduction of the intrusiveness of physical inspection through development of automated safeguards.

Article III, on safeguards, is left blank in the draft, because all the points at issue have not been resolved in the past several months of discussions. However, the area of agreement on the treaty as a whole is so great that the United States and the Soviet Union believe the present draft should be brought to the consideration of the whole conference, while the co-chairmen continue to seek an acceptable formulation on safeguards.

Presently there are two international systems of safeguards, those of the International Atomic Energy Agency (IAEA) and of the European Atomic Energy Community (EURATOM). While the United States has followed a policy of seeking a worldwide safeguards system, it realizes that EURATOM countries wish to maintain the safeguards system they have already established, which they view as an important element of progress towards European unity. The United States, therefore, believes the treaty should include effective, mandatory safeguards administered on a worldwide basis in a way that takes existing EURATOM safeguards into account.

The Soviet Union holds that the treaty should include mandatory safeguards, administered by the IAEA, on all non-nuclear parties. For treaty purposes the Soviets consider administration of safeguards by EURATOM to be "self-inspection", i.e. allies checking on allies.

Article IV would assure non-nuclear-weapon states that the treaty would not impede peaceful nuclear developments, recognizing the right of participants to exchange information and contribute, alone or in cooperation with others, to further development of peaceful applications. Such national development and international cooperation applies to research, production and use as well as to information equipment and materials.

Article V prescribes the procedure for amendments, which would require a majority vote, including those of all parties having nuclear weapons and of parties who are members of the IAEA Board of Governors at the time the amendment is considered. This clause is designed to ensure that amendments desired by the majority have a fair chance of adoption while at the same time preventing amendments lacking wide support among countries having advanced peaceful nuclear programs.

Article V also provides for a review of the operation of the treaty after five years, providing non-weapon states a forum to express any dissatisfaction they feel with progress toward disarmament.

Article VI deals with signatures and entry into force, in language comparable to that of the existing limited test ban treaty. The number of signatures to be required to bring the treaty into force has not been decided. The United States has no specific view on this matter, but believes the number should be large enough to allow the treaty to start achieving its purpose as soon as it enters into force.

Article VI defines nuclear-weapon powers as those possessing such weapons on January 1, 1967. This date was chosen to freeze the number at the present five, by preventing other states from achieving the status of a nuclear-weapon state under the treaty before they sign it.

Article VII stipulates that the duration of the treaty shall be unlimited in order to inspire confidence and establish a firm basis for other arms control measures. A treaty limited to a specific number of years, as some have advocated, would tend to create a "countdown" atmosphere, leading to pressures for conducting clandestine preparations for a weapons program when the treaty expired.

Article VIII provides simply that the official languages of the United Nations, English, Russian, French, Spanish and Chinese shall be the languages of the treaty, and all language versions shall be equally authentic.

The reason Articles I and II prohibit the transfer of "nuclear explosive devices" as well as weapons is that these devices are technically indistinguishable from nuclear weapons; hence, to permit them would leave a loophole as large as the treaty itself. Actually, research on such nuclear explosions, which could in theory be used for earthmoving, mining, etc., is still in an early stage, and the feasibility of such applications has not yet been established. On March 21, 1967, U.S. Delegate William C. Foster at Geneva proposed that, if and when such explosions become feasible and are consistent with test ban limitations, they be made available to all states by those states which possess nuclear weapons.

No concrete plan has yet been worked out for the provision of such a "detonation service" for peaceful nuclear explosions. The U.S. position on such an arrangement, set forth in Geneva statements of March 21 and June 8 is (1) that the detonation should be under appropriate international observation, with the nuclear device remaining under the custody of the performing state, (2) that there should be an international body to which non-nuclear states could direct their requests for such service, and (3) that the cost should be kept as low as possible, and should exclude the cost of research and development.

The United States believes that the treaty would promote the security of all states by reducing the possibility of nuclear war. The problem of additional security assurances, which is of concern to some non-aligned countries, remains to be considered. This is a matter which, because of its complexity and the divergent interests of the countries concerned, cannot be dealt with in the treaty itself. The U.S. and Soviet co-chairmen will explore this problem further, including the possibility of action that can be taken in the United Nations. They are expected to present recommendations to the Eighteen Nation Disarmament Committee on this matter in the course of the Committee's consideration of the draft treaty.

STATEMENT BY WILLIAM C. FOSTER, U.S. REPRESENTATIVE TO THE 18 NATION DISARMAMENT CONFERENCE (ENDC), AT THE 325TH PLENARY MEETING IN GENEVA, THURSDAY, AUGUST 24, 1967

Mr. Chairman: A major milestone on the path toward achievement of a non-proliferation treaty is marked today.

An important initial milestone was the unanimous adoption of the Irish Resolution in 1961 (UNGA Res. 1665). Public debate, here and in New York, private negotiations and additional action by the General Assembly and the UN Disarmament Commission followed in the succeeding years.

1965 was marked by the public presentation of concrete treaty texts, by the submission of an eight-nation joint memorandum on non-proliferation, and by the adoption of General Assembly Resolution 2028. As a result, multilateral negotiations in this committee and in the General Assembly took on new meaning.

Given this new direction and impetus, the 1966 negotiations in this Committee succeeded in identifying with greater clarity the major obstacles to agreement. At the end of the ENDC session that year the eight-nation joint memorandum made the following comment:

"The eight delegations regret that it has not so far been possible to arrive at an agreement on a treaty acceptable to all concerned. They are deeply conscious of the danger inherent in a situation without an agreement that prevents proliferation of nuclear weapons. They view with apprehension the possibility that such a situation may lead not only to an increase of nuclear arsenals and to a spread of nuclear weapons over the world, but also to an increase in the number of nuclear weapons Powers, thus aggravating the tensions between States and the risk of nuclear war.

"The eight delegations are aware that a main obstacle to an agreement has so far been constituted by differences concerning nuclear armaments within alliances, a problem mainly discussed between the major Powers and their allies."

Today, for the first time, conclusion of a non-proliferation treaty is within reach. The members of this Committee, all of whom helped bring the negotiations to this point, share in the achievement we mark today. As will be seen from a careful examination of the draft, it is based upon the principles enunciated in the joint memoranda and Resolution 2028.

The draft non-proliferation treaty we are presenting today is a recommendation for discussion and negotiation in the ENDC and for the consideration of all governments. We have worked long and hard over it. We have sought to take into account the interests of all potential adherents. This draft reflects constructive suggestions made by other delegations here and by other governments. We could not, of course, expect governments to be committed to this draft at this point since all governments would want to be able to consider improvements which might be suggested here.

We recognize the interest of governments not represented on this Committee to have their views on the non-proliferation treaty draft made known during this next and crucial stage in the elaboration of the treaty. A procedure already exists for the circulation within the Committee of the views of non-members.

Let me now present a brief explanation of the provisions of the draft.

Article I deals with the obligations of nuclear-weapon states. First, they cannot transfer nuclear weapons, or control over them, to any recipient whatsoever. Second, they cannot assist non-nuclear-weapon states to manufacture or otherwise acquire nuclear weapons. Third, these prohibitions are applicable not only to nuclear weapons but also to other nuclear explosive devices.

Article II deals with the obligations of non-nuclear-weapon states and is the obverse of Article I. First, such states cannot receive the transfer of nuclear weapons, or control over them, from any transferor whatsoever. Second, they cannot manufacture or otherwise acquire nuclear weapons, or seek or receive assistance for such manufacture. Third, these prohibitions are applicable not only to nuclear weapons but also to other nuclear explosive devices.

We have already made clear the reasons for including such devices in the prohibitions of the treaty. These devices could be used as nuclear weapons and the technology for making them is essentially indistinguishable from that of nuclear weapons.

The United States recognizes that the benefits which may some day be realized from nuclear explosions for peaceful purposes should be available to the non-nuclear states. In his message of February 21 to the ENDC, President Johnson stated, and I quote, "The United States is prepared to make available nuclear explosive services for peaceful purposes on a non-discriminatory basis under appropriate international safeguards. We are prepared to join other nuclear states in a commitment to do this." My delegation has elaborated on this proposal in interventions at our 295th and 303rd meetings.

We are pleased that the Preamble of the draft non-proliferation treaty contains a forthright provision on peaceful nuclear explosions. It states, and I quote, "Potential benefits from any peaceful applications of nuclear explosions should be available through appropriate international procedures to non-nuclear-weapon parties on a nondiscriminatory basis and the charge to such parties for the explosive devices used should be as low as possible and exclude any charge for research and development."

Article III, the safeguards article, has been left blank although there are several references to safeguards in the Preamble. The Article is blank because the Co-chairmen have not yet been able to work out a formula which would be acceptable to all states which wish to support this treaty. The Co-chairmen are continuing their consultations with a view to drafting an agreed text for this Article. In the meantime, I hope that ENDC plenary discussion will focus on the provisions which have been submitted today with the safeguards discussion being deferred for the time being while the Co-chairmen work on the problem.

Article IV results from many suggestions by non-nuclear-weapon countries that the treaty contain an article on peaceful uses of atomic energy. Indeed, the idea for such an article was originally derived from the treaty of Tlatelolco, Mexico. The article describes two recognized rights of parties with respect to peaceful uses. First, it makes clear that nothing in the treaty draft interferes with the right of the parties to develop their research, production and use of nuclear energy for peaceful purposes in compliance with Articles I and II, which, of course, include provisions on peaceful nuclear explosive devices. Second, it recognizes the right of the parties to participate in the fullest possible exchange of information for, and to contribute alone or in cooperation with other states to, the further development of the applications of nuclear energy for peaceful purposes. These two rights are specific elaborations of the principle, stated in the Preamble, "That the benefits of peaceful applications of nuclear technology . . . should be available for peaceful purposes to all parties, whether nuclear-weapon or non-nuclear-weapon states." As the Preamble also makes clear, this principle includes not only modern reactor technology and the like, but "any technological by-products which may be derived by nuclear-weapon states from the development of nuclear explosive devices."

These provisions make clear that the treaty would promote, not discourage, national development and international cooperation with respect to peaceful applications of atomic energy. This applies to research, production and use as well as to information equipment and materials.

Article V deals with amendments and review. Paragraph 1 states how amendments may be initiated and is derived from the Test Ban Treaty. Paragraph 2 describes how amendments enter into force.

It provides that an amendment must be approved by a majority of the parties who are members of the IAEA Board of Governors.

The last paragraph of Article V provides for a conference after five years to review the treaty's operation with a view to assuring that its purposes and provisions are being realized. This will provide an opportunity for non-nuclear and nuclear-weapon states alike to assess whether the treaty is accomplishing its primary purpose of preventing the spread of nuclear weapons and also its purposes of easing international tensions and facilitating agreement on cessation of the nuclear arms race and on disarmament. The review conference is thus relevant to the question of further measures of disarmament, a question which has been of such interest to many members of this Committee.

The draft also contains preambular provisions on arms control and disarmament, including a declaration of intention to achieve a cessation of the nuclear arms race at the earliest possible date. The "declaration of intention" form was of course suggested in the eight-nation joint memorandum on non-proliferation of last August. In a similar vein, a later preambular paragraph calls for the cessation of production of nuclear weapons, and the elimination of nuclear weapons and delivery vehicles from national arsenals, pursuant to a treaty on general and complete disarmament under strict and effective international control.

These preambular provisions state the purposes of the treaty. Steps toward achievement of these purposes would be reviewed by the review conference to which I have referred. Thus, while no specific obligation for nuclear disarmament would appear, the preambular provisions combined with the review paragraph in Article V would provide the most realistic approach to this problem.

We share the general desire for early progress to halt the nuclear arms race and to begin the process of reducing and ultimately eliminating nuclear weapons from national arsenals. The United States has proposed, and will continue to pursue, various measures to achieve these objectives. But we all know why it would not be feasible to incorporate specific obligations to this end in the treaty itself. The differences that have prevented agreement on these measures have not as yet been resolved. Any attempt to incorporate specific nuclear arms limitation obligations in the treaty would inevitably also inject these differences into the consideration of the treaty itself and could only jeopardize its prospects.

Let us therefore agree to pursue these nuclear arms limitations measures with a greater sense of urgency and, I would hope, in a spirit of greater cooperation. Let us also all agree that this treaty must be regarded as a step toward the achievement of these other necessary measures. We are convinced that the treaty will create a more favorable environment for agreement on them. That is why we believe we must concentrate now on ways to expedite and facilitate the conclusion of this treaty and avoid actions which would delay or jeopardize it. The situation requires that our efforts be focused on achieving a realistic agreement as soon as possible.

Article VI contains signature and entry into force provisions derived from those of the Test Ban Treaty. It would require that a certain number of non-nuclear-weapon states in addition to the nuclear-weapon signatories would have to ratify before the treaty would enter into force. We have not expressed a view on the precise number. The United States believes it should be sufficiently large so that the treaty will begin to achieve its purposes when it enters into force.

Article VII states that the treaty shall be of unlimited duration. It contains a withdrawal clause similar to that of the Test Ban Treaty with one significant improvement. The notice of withdrawal, together with a statement of reasons therefor, would be submitted to the UN Security Council as well as to the parties. The withdrawal provision is central to this treaty. States will adhere to the treaty if they believe it is consistent with their security interests. Under the proposed clause, a party can cease to be bound by the treaty if it decides that its supreme interests have been jeopardized by extraordinary events related to the subject matter of the treaty.

Article VIII provides depository procedures for the treaty text. It also states that the treaty will be equally authentic in each of the five official languages of the United Nations.

We recognize that the problem of security assurances, which is of concern to some nonaligned countries, remains to be considered. The United States maintains the view that this is a matter which, because of its complexity and the divergent interests involved, cannot be dealt with in the treaty itself. We are, however, exploring various possible solutions, including action which could be taken in the context of the United Nations, whose primary purpose is the maintenance of peace and security. We expect that the Co-chairmen will be exploring this problem further with a view to presenting recommendations to this Committee in the course of our consideration of the treaty.

Mr. Chairman, if the draft presented today leads to a generally accepted treaty, our generation will pass on a gift to future generations. Such a treaty will lessen the danger of nuclear war. It will stimulate widespread, peaceful development of nuclear energy. It will improve the chance for nuclear disarmament. It will help reduce tensions. Like the test ban and outer space treaties, it will constitute a major step toward a more peaceful world. It will be a treaty for all of us—but most of all for our children and our grandchildren.

Mr. Chairman, the future safety of mankind requires prompt action to halt the spread of nuclear weapons. An unprecedented opportunity to do so now awaits us. Let us seize this opportunity while we can.

NONPROLIFERATION TREATY WILL ENDANGER NATIONAL SECURITY

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, I must respectfully disagree positively with my colleague from California who just spoke. I believe the nonproliferation treaty draft announced today is a minus, not a plus, to U.S. national security. This is for two reasons:

First, President Johnson and Secretaries Rusk and McNamara are promising nonnuclear countries who sign the treaty that they can expect U.S. assistance against nuclear blackmail and aggression. With the United States rushing hither and thither to the rescue of all and sundry it is obvious just how dangerous this nuclear Sir Gallahad role can come to be.

Second, the NPT will deny us the valuable option selectively to turn over nuclear warheads to hard-pressed allies if it becomes vital to U.S. security to do so. Selective proliferation of this kind can be limited strictly to defensive purposes by integrating into the warheads control devices which allow them to fire in a defensive environment, positively prohibit firing them offensively against another country, and will destroy them in the event of tampering.

Neither of these handicaps have serious application to Soviet national security. Therefore the treaty proposal affords lopsided advantage to the U.S.S.R.

The cardinal criterion for evaluating arms control treaties is: Will your country be safer after the treaty is signed than before? This treaty fails that test. Although the limited amount of proliferation which might occur without a treaty might be troublesome, the difficulties which would beset us if the NPT is signed obviously are of even greater magnitude. To exchange one set of risky circumstances for another set even more risky is a foolish step backward.

U.S. nonproliferation policy logically began at the dawn of the atomic era when we had a valuable nuclear monopoly to protect. The policy failed as to the U.S.S.R. It failed as to Great Britain; it failed as to France. It failed as to Red China. At this late date and after this string of failures to seek to freeze it permanently into national policy is the height of folly.

A LEGACY OF BITTERNESS

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, last week the Committee of Returned Volunteers issued a Position Paper on Vietnam. The New York City-based group is composed of young Americans who have served, under the auspices of many different organizations, as volunteers in developing nations throughout the world.

Nearly 850 have signed the statement which is being circulated for further signatures.

In their own words:

> We chose to work in programs like the Peace Corps because we thought that through such channels we could support the forces of constructive change.

Often, however, their efforts are thwarted by contradictory policies of their own country which they find "increasingly prone to respond with military force to efforts by the poor of Asia, Africa, and Latin America to better their conditions. . . . Our government is devoting an increasing amount of our national budget to defense rather than to development."

The statement points out that U.S. responses to those seeking a new way of life is based upon an analysis of an earlier day—an analysis "irrelevant to our relations with developing nonindustrialized nations."

In view of America's internal crisis, manifested by the condition of those in her ghettos, and the continuing escalation of the Vietnam war, I recommend to my colleagues this timely and perceptive paper presenting the views of those whose experience has given them a unique opportunity to observe the results of American policies from a perspective much different than many of those now responsible for shaping those policies—policies which "leave us with a legacy of bitterness, the burden of which we must carry into the future."

The position paper follows:

COMMITTEE OF RETURNED VOLUNTEERS—POSITION PAPER ON VIETNAM

OUR EXPERIENCE AS VOLUNTEERS

We are United States citizens who have lived and worked abroad. We went to the countries of Asia, Africa, and Latin America because we wanted to offer the insights and techniques at our disposal to those whose societies are just beginning to industrialize. We chose to work in programs like the Peace Corps because we thought that through such channels we could support the forces of constructive change, rather than those which maintain the *status quo* of wealth and privilege for the few, and poverty, hunger, and disease for the many. As citizens of the United States we had been taught that all men should be free to shape their own future, and we tried to act upon and transmit that understanding.

Although in most instances, we went in order to serve, we found that we had more to learn than to teach, more to receive than to give. We affluent Americans were exposed to the realities of poverty, with its underlying apathy, violence, and chaos. We were caught up in the tension between modernization and tradition. We began to understand the difficulties—economic, social, political, and emotional—which people face in building a nation in the twentieth century. We felt the aspirations and frustrations of people caught up in the process of development. We saw the potential of people as they break out of the apathy imposed by centuries of poverty and serfdom and rise to the task of development. We saw the different emphases of various kinds of assistance programs. Unilateral programs were too often bound to narrowly conceived national interests, while multilateral programs more frequently took the needs and desires of the recipients as their point of departure. We became increasingly aware of the irrelevance of Cold War ideology to the problems of the developing, non-Western world.

As we learned to understand the societies of those different from us, we began to be able to view our own society from the perspective of others. We came to see the inadequacies in the actions and goals of our own government. As a part of this process we began to realize that there are ambiguities inherent in United States-sponsored programs like the Peace Corps. Although its name indicates a goal of serving the forces of peaceful change, we wonder whether the Peace Corps' effect has not at times been to impede rather than accelerate the movement into a future of greater abundance and full political participation. We have returned to the United States committed to working towards changing those policies and actions of our government which we think serve only a narrowly-defined national interest and ideology. We have resolved to strengthen those policies and actions which serve the world as a whole.

WHY WE OPPOSE THE WAR

We now find our nation increasingly involved in a conflict which threatens to make impossible the attainment of those goals towards which we worked overseas. Not only do we see the destructive effects of this involvement in Vietnam; we also see a growing tendency for our government to act in similar ways all around the world. We find the United States increasingly prone to respond with military force to efforts by the poor of Asia, Africa, and Latin America to better their condition. An example is United States intervention in the Dominican Republic in 1965. Our government is devoting an increasing amount of our national budget to defense rather than to development. Instead of supporting desperately needed changes, our great wealth and power is used to stifle change and maintain the established order—thereby creating "other Vietnams".

It has often been said that those who serve abroad will make their most important contribution when they return, by helping the United States understand other nations. It is on the basis of our experience overseas, our perceptions about the lives and aspirations of other peoples, our hopes for the future of the world and our nation's place in it, that we now speak. To keep silent at this point would be to betray all those goals for which we worked, and indeed all those goals we understand to be inherent in the fabric of this nation. Therefore, we now declare our opposition to the war in Vietnam, for the following reasons:

1) *We oppose the war in Vietnam because it destroys in one developing country what we have worked to build in so many other developing countries.*

The increasing destruction wrought by United States forces in Vietnam reveals a basic contradiction in our nation's policies overseas, a contradiction between that which builds up and that which destroys. For those of us who worked to build a school or dispensary, for those of us who saw dysentery decrease because we helped the people dig a well, for those of us who helped a village realize its ambition to have a bridge to get its goods to market, for those of us who helped a child discover the meaning of electricity, each bomb in Vietnam that destroys a school, a well, a bridge, or a child destroys the very kinds of things which we considered most important in our service as volunteers. We are therefore led to question whether the United States really values the goals towards which we worked while overseas.

We who served overseas did so in part because we wanted to construct, not only schools and roads and sanitation systems, but also dialogue among men of differing cultures. Each bomb that we drop, each villager whom we kill, increases the hatred of Asians for the American intruders. Rather than opening up communication, our actions in Vietnam leave us with a legacy of bitterness, the burden of which we must carry into the future.

2) *We oppose the war in Vietnam because it prevents the development of indigenous leadership responsive to the needs and desires of the people.*

Those of us who have worked in community development have learned that for a project to succeed the people themselves must feel a need for something and must organize themselves to get it. Projects do not work if outsiders impose their values on the people, or if outsiders organize the effort. People can respond favorably to ideas that are in their best interests—but they are the ones who must determine what their best interests are. The outsider can unobtrusively make suggestions, but if his ideas are not accepted there is nothing he can do.

In South Vietnam military personnel have come to have major responsibilities in development programs. Lacking any commitment to basic community development principles, they persist in trying to manipulate villagers from some central decision-making place, or in herding them into "internment" camps. Such an approach contributes little to creative change within the society or to the development of local leadership.

Through its presence in Vietnam the United States government maintains in power those who, rather than being responsive to the needs and desires of their people, are primarily committed to retaining their own privileged position. There need be little surprise that such leaders seek to continue and extend United States involvement in their country. Thus, neither in the national leadership supported, nor in the ways people are dealt with on a local level, does our government move towards the goal of indigenous responsibility for development.

3) *We oppose the war in Vietnam because we believe it undercuts the democratic ideals for which we worked abroad, and which we uphold within the United States.*

While we worked abroad, among our hopes and goals was the emergence of more just and democratic societies. We learned that the obstacles that impede the development of democratic traditions and institutions within these societies can be surmounted only by continuous indigenous pressure for change. These obstacles become insurmountable when coupled with outside support for those who resist such change.

In Vietnam the United States identifies itself with the interests of a small power elite of military leaders and landlords who refuse to allow other segments of Vietnamese society to participate in political decision-making and in the benefits of economic growth. As a result, our policy contributes far more to oppression than to liberation and the growth of democracy.

The war also undermines democratic traditions within the United States. There is a growing tendency to consider dissent unpatriotic and, from some corners, even to call it treason. We are concerned that, as the war continues, dissent will be more overtly suppressed, either by intimidating those who speak in open opposition, or by attempting to discredit them.

Moreover, the distance between official proclamations and what is actually happening steadily widens. As we escalate further, it becomes more and more evident that our goal is military victory, and that our professed interest in peace talks is merely perfunctory. Thus as our government masks the truth and at the same time works to discredit its opponents, our traditional ideals become only empty words.

4) *We oppose the war in Vietnam because we believe that the anti-communist rhetoric used to justify our actions there obscures the fact that the basic division in the world today is between rich and poor.*

We discovered during our time abroad that the issues in developing countries center on the struggle against injustice, hunger, ignorance, and disease, whether these stem from a colonial heritage or from an indigenous feudal tradition. The assumptions about a worldwide communist conspiracy which marked our responses to eastern Europe two decades ago are irrelevant to our relations with developing, non-industrialized nations. The movements for rapid change in these areas, whether revolutionary or peaceful, are essentially nationalistic. Although often branded "communist" by their opponents, most of these movements seek to bring into being rights and conditions similar to those that have long been integral to life in the United States.

When efforts to secure basic human rights in developing countries begin to have some effect, however, the United States responds far too often in terms of military aid and intervention to block these efforts, rather than with technical aid to assist them. Reflecting this tendency is the fact that the United States presently spends on war-related costs in Vietnam more than eight times the total budgeted for economic assistance for the whole world.[1] Every two days the equivalent of the annual Peace Corps budget is spent for the war in Vietnam.[2] Yet for these developing countries the issue is not one of the military containment of communism. That the problem is not primarily a military one is starkly illustrated by estimates that in Vietnam anywhere from two to ten civilians are killed for every combatant.[3] The dominant question, both in Vietnam and in the rest of the developing world, is not containment of communism, but rather whether the poor and subservient will always be poor and subservient, or whether they will find ways to become full participants in their societies.

5) *We oppose the war in Vietnam because it renders difficult, if not impossible, domestic efforts to eliminate poverty and to assure the civil rights of all United States citizens.*

The existence of injustice within the United States, especially racial discrimination, was perhaps our greatest burden while we were outside the country. People constantly asked about the racial situation here, and until the mid-sixties we could respond that things were changing, that progress was being made. However, the priority once given to the struggle for civil rights now seems to have been forgotten, as national attention and energies are increasingly consumed by the war in Vietnam.

While we worked abroad we felt that we were contributing to building up other societies. We returned with the desire to help build up our own, particularly by participating in the efforts to eliminate poverty in the United States. We are now finding, however, that there are fewer and fewer resources available for this struggle. The bombs which fall on homes and schools and bridges in Vietnam are bought with money that could be spent for education, housing, health facilities, and countless other needs of the people who live in the sub-strata of this society.

Thus we find ourselves re-evaluating some of the anti-American charges we faced while we were abroad. The growing priority within the United States for military expenditures leads us to wonder whether these charges were perhaps not correct—that the government of the United States is not only committed to imposing its values and will on people around the globe, but it also makes little effort to put into practice at home the ideals it upholds in its rhetoric abroad.

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[1] *New York Times*, April 12, 1967.

[2] Oberderfer, *Washington Free Press*, February 1967.

[3] *London Observer*, January 7, 1967; *New Republic*, January 7, 1967; Associated Press, October 24, 1966.

6) *We oppose the war in Vietnam because, in spite of assurances to the coutrary, our actions daily bring us closer to an all-out war with China or Russia or both.*

Therefore, as we become aware of the factors which underlie this war, and the reasons for our opposition to it, it becomes increasingly clear to us that the United States intervention in Vietnam cannot be justified. It becomes more and more obvious every day that there will be no lasting solution to the problems of Vietnam so long as American troops are fighting there. *Therefore we call for their withdrawal.*

To admit that we have made a tragic mistake will require great courage. Nevertheless, we believe that U.S. withdrawal at this point, rather than undermining the honour of this nation, on the contrary will be a sign of its strength and health. Other nations—the Russians in Cuba, the French in Algeria—have also made such difficult choices—and they are more respected in the world community as a result. Continuance of the war on the grounds of "commitments" or "our country right or wrong" can only increase the rapid decline of U.S. prestige in the eyes of the world.

In all probability withdrawal will mean the collapse of those whom the United States supports in power in South Vietnam. However, even if this should be the case, we are convinced that a more viable Vietnam will emerge. As we have discovered from our experience in community development, the only effective leadership is that which is indigenous, and which does not depend on outside props to maintain in it power.

Withdrawal may well also mean that the Viet Cong will become the dominant element in Vietnamese political life after the departure of American troops. We wish to say several things about this possibility. First, by aiding Diem's rise to power and by supporting his unrepresentative and suppressive government, the United States contributed much to the rise of the NLF. Second, it seems clear that the NLF is authentically representative of a broad segment of South Vietnamese society. Third, should communist members of the NLF become inordinately powerful in any successor government in South Vietnam, it is for the South Vietnamese to decide when that point has been reached and how to deal with it. This cannot be decided by non-Vietnamese, no matter how well intentioned. Fourth, should the successor government decide to reunify with North Vietnam, that is their decision—as are the terms on which reunification might take place. Fifth, should violence occur in Vietnam after our withdrawal, let us not be hypocritical about it: it is unimaginable that it could equal the violence we now bring to that nation under the rationale of a commitment to a minority which knowingly gambled on our protection of their interests.

Inasmuch as the policy assumptions underlying the U.S. presence in Vietnam appear to apply to our actions elsewhere, withdrawal of American troops from Vietnam at this time will require the United States to re-evaluate its priorities throughout the world. It seems to us that a Cold War mentality which catagorizes nations as "communist" or "free" completely ignores the most urgent and fundamental division of rich and poor. Rather than pursuing a policy of military intervention which perpetuates this cleavage, the United States must work to make its resources available to the world community. This should be done primarily through international agencies rather than through unilateral channels.

We have tried to serve the cause of peace in the world by working in developing countries. We believe that our nation can show its true greatness by responding to the appeals for peace which come from all around the world. Therefore we call for the United States to withdraw its troops from Vietnam, to lower its worldwide military involvements, and to give wholehearted support to international efforts to place the technical resources of the industrial world at the service of those who desperately need them. We appeal to our government to make *these* the new set of national priorities.

AFGHANISTAN

Elizabeth Lebenson, Jack L. Nelson.

ALGERIA

Glenda Powell (CIMADE), George A. Reagan (AFSC & PC).

BOLIVIA

Willard N. Brownell, Nancy Butler, James W. Kee, Carol Weintraub.

BRAZIL

Ella M. Brooks, Katherine Jane Buchholtz (YMCA), Kenneth J. Dunn, James Cowperthwaite (SCM), Barbara Hall (UPUSA), Stephen Kurtz, Robert E. Lix (ICYE), Pamela K. Lopes, Donald L. Macalady (YMCA), Esther K. Macalady (YMCA) James E. Pearson (YMCA), Nancy Marie Scheper, Karen Lee Seufert, Solveig M. Warming (YMCA).

CAMEROON

Joyce Aasen, Babette André, Thomas E. Duston, Evelyn K. Duston, Stephen P. Johnson, J. Kellenberger, Eleanor F. Kramer, Martin H. Kramer, Darlene G. Larson, Gerald A. Larson, Virginia H. Lundstrom, Mary C. Matro, Freeman T. Pollard, Judith Ann Rager, Myron Rosenbaum, Margo Tyrolt.

CEYLON

F. Leon Howell (FI).

CHILE

Janet C. Boegli, Patricia Davis, J. Pat Donahue, Cynthia Donahue, Nancy Gannaway Kendall, Kathleen S. Ludwig, Kathleen O'Connor, Connee Shrawder, Gary H. Wright.

COLOMBIA

Suzanne M. Adam, Charles R. Akin, Mary C. Allen, Barry L. Bem, Joyce Christensen, Carolyn R. Cocke, Kenneth D. Cocke, Robert Crespi, John H. Crossman, H. Christopher Day, Susan C. Donahue, Marcia Espinal, Steven Florsheim, Charles Marden Fitch, Laraine Fletcher, M. Elaine Fuller, Dorothy Neb Gamble, Sue Garofalo (Ind.), Jeffrey Golden, Elizabeth Jeanne Grace, Janice N. Greenfield, Emma R. Gross.

Gloria L. Klein, Philip Walter Klein, Anthony J. Lella, Phillip M. Lopes, Robert McCaa, Wanda J. Daniels McCaa, Susan Martin, Judith E. Mejia, John G. Neyenesch, Judith Vivell Neyenesch, William Nieves, Elena Radley, John T. Riess, Bruce B. Scott, Rodger Kent Scott, Janet Mary Klein Sheehan, Margery Sorock (UCA).

CONGO (KINSHASA)

Anne L. Crane (PCUS), Walter T. Davis, Jr. (PCUS).

COSTA RICA

Katharine Gibson, Kevin Marks, Thomas Siracuse, Anna Celia Zentella.

DOMINICAN REPUBLIC

Corinne Rieder, Robyn Stockton, Philip E. Wheaton (EM).

ECUADOR

Bruce Allen Cohen, Joseph H. Enright, James B. Galloway, Jr., Richard Walter Knight, E. Suzanne Lake, David Ridenour, Martha J. Seymour, Douglas Strauss.

ETHIOPIA

Robert R. Albritton, William P. Aldrich, Doris Allen, Burr Angle, Patricia Bailey, Sheila C. Brinkley, Jack Caraco, Faye L. Carson, Richard B. T. Cowan, Paulette S. Damon, Philip Damon, Peggy Jo Drury, Lloyd S. Ellingson, Irene J. Embrey, Robert D. Embrey, Ernest H. Fox, Mary M. Fritz, Warren R. Fritz, Sylvia Forte, Glen L. Gish, Maxine Goldberg, Michael Goldberg, Ash Hartwell, Barry Hillenbrand, Sara Hobart, Gerard Hoffman, Grover Hudson, Freda Kellams, John J. Kulczycki, Ronald Demos Lee, Peter Leofanti, Philip Littman.

Harris G. Mirkin, Lois Sue Mirkin, Michael George Morris, Herman Nibbelink, Judith Nordblom, John F. O'Connor, Genevieve G. Ott, Virginia Hope Painter, Francis B. Peckham Jr., Michael W. Price, Patricia V. Renner, Paul A. Renner, Knut S. Royce John C. Rude, Robert L. Savage, John C. Schafer, David R. Scribner, Herbert L. Siegel, Mary Suzanne Siegel, Marsha S. Tecklin, Sally J. Timmel, Haskell G. Ward, James A. Wilson, Peter A. Winkel.

GABON

Stephen E. Bean, Henry H. Bucher Jr. (FI), Mary Pat Carlen, George R. Gamble, Howard S. Naiman, Henry G. Schmald.

GHANA

Donna M. Ahlert, Janice E. Anderson, Thomas R. Anderson, Howard R. Ballwanz, Susan K. Bird, Dorothy Eppel Brown, Barbara A. Bunce, Sandra Burridge, Diane Dwyer, Peter Dybwad, Newell Flather, Carolyn Garlich (AAI), Thomas M. Harris.

Sally Werner Hauser, Helen Herron, David Hutchinson, Thomas K. Jager, Ernest W. Kendall, Charles Bruce Lentz, Deborah LeVeen, E. Phillip LeVeen, John Lord, Wilbur H. Loyet, Georgianna S. McGuire, Georgyn Melinkovich, Edward A. Oshiro, Eugene Kevin O'Reilly, Thomas H. Peterson, Maureen R. Pyne, Melvin W. Siegel, Barbara Straub, Dorothy Dee Vellenga, Laurence Wolff, Ruth M. Yarrow.

GUATEMALA

Leonard K. Cadwallader (AFSC), Gary Lisman (AFSC).

GUINEA

Francis Bidinger, Robert Taylor.

GUYANA

Elaine Zingg (FI), Otto M. Zingg (FI).

HONDURAS

Frances M. Ryan, Carole A. Snee.

HONG KONG

Ann L. Allen (IRC), Edwin J. Allen Jr. (YIC), Charles H. Blatchford (YIC), Judith G. Blatchford (W-Y), Allan Brown (YIC), Tim Christoffersen (WUS), John R. Hanson (LWF), Frost W. Hubbard (YIC), Frank Kehl (DPA), Timothy Light (YIC), Jon L. Saari (YIC), Edmund H. Worthy Jr. (YIC).

INDIA

Gregor M. Beading, Marshall M. Bouton, (AFSC). David L. Camp (AFSC), Warren J. Day (UPUSA), Lawrence Dobson, Glenn Elkins, Walter J. Haan, Cornelia A. Hankins, Cedron Jones, Helen Jones, John E. Kangas, Gary Lefkowitz, Dan McDougall, James McGrew, Michael J. Mazer (FF), L. John Meyers, Robert S. Newman, Betty Pagett (JYA), Margaret Roberts (AFSC), Frederick Todd, Susan Todd, Sheldon G. Weeks (WCC & SCI).

INDONESIA

Deobrah A. McKean (FI), Rev. Philip F. McKean (FI).

IRAN

Edward J. Harris, Eleanor Keelen (UPUSA), James H. Reed, Susan Schevers.

IVORY COAST

Roger B. Chaffee, Marlyn H. Dalsimer, William R. Dalsimer, Lauraine Effress, Janet N. Hansen, Elizabeth Lapidus, A. Keith Lesar, William K. Mygdal, Alonzo N. Smith, Theodore F. Smyth, Richard G. Young.

JAPAN

Susan Blumenberg (EIL), Carolyn M. Clapp (PT), Mary Davis (PT), Margaret Flory (UPUSA), Ronnie Friedland (EIL), Sonja Hedlund (MM), Juliana Thacher (MM), Charlotte Bunch Weeks (YMCA).

KENYA

Anna H. Bedford (FI), Jerry L. Bedford (FI), Iris Berger (IND.), Ronald Berger (TEA), Ellen Franklin (TEA), Laurence E. Miller Jr. (FI).

KOREA

Marian McCaa Thomas (FI).

LAOS

Brook A. Greene (IVS), William Leonard Roberts (US-AID).

LIBERIA

Jerry Adams, Joan Atwood, Ronald G. Atwood, John R. Bachert, Marjorie Ellen Bachert, Kathleen M. Brandes, Mary Bray, William L. Coleman, Sally Gosline, Andrew M. Hanson, William G. Hess, William J. Holland, Patricia A. Johnson, Victor C. Johnson, Craig D. Leffler, Irene M. Leffler, Alfonse K. Miksis, Lauren Miller, Rhoda Miller, Sandra Neese, Sandra L. Phillips, Francis J. Stokes III, George T. Tresnak, Natalie M. Vogt, James Gordon Woodward, Kathryn Roen Wodward.

MALAWI

Frederick W. Burnett Jr., Jo Ann Cannon, John H. Case, Lawrence J. Gross, James Heaton, Ruth R. Kent, Howard Walter Mielke, Edwin Philip Morgan, Iris Nagler, Stephen M. Nagler, Grace M. Orenstein, Morton H. Orenstein, Vernon Oley Roningen, Dorothy L. Schindler (OCA), Carroll L. White, Lawrence E. Wyman.

MALAYSIA

Arnold Deutchman, Jean M. Eisenhart, Karol A. Kalvin, Brian R. Percival, Jeanne C. Peterson, Philip Peterson, Ann V. Schmidt, Frederick F. Schmidt, Carole Varnum, Neil J. Weintraub.

MEXICO

Joseph Bousquet (AA), Byron D. Cannon (SW), Mary Helen O'Leary (AA), Susanna Reid (AA), Peter M. Schantz (NIH-study), Ann Carolyn Smith (AA), Jane Stringer (AA).

MOROCCO

Ann H. Brubaker, William Lloyd Campbell, Marilyn L. Charles, Kenneth V. Dethman, Alan Engelberg, Paul E. M. Fine, Louisa P. Lyman, Ann Lynn, Dennis F. Mullen, Barbara J. Sims, Virginia E. Wolfe.

NEPAL

Stephen Adams Cole, Terry J. Deklotz, Richard E. Diener, Zachary M. Hahn, Jeff Romm, Mrs. Jeff Romm.

NIGER

Linda Ewing, Barbara Hoffman (OCA), Laurence K. Koff, Stephen C. Lieberman, Edward A. Porter, Michael Tell, James T. Thompson, Sharon M. Tullberg, Steven M. Tullberg.

NIGERIA

David E. Allyn, Judy L. Allyn, Nancy Amidet, Henry Lester Ariail, Jr., Merle R. Beckwith, Howard Kent Benson, Edward H. Berman (AAAP), Paul Bestock, Wyland L. Blanchard, Nancy Bowles (AAI), Samuel Banks (AAI), Jerry Brand (TWAP), Peter A. Brigham, Charles J. Briody III, Aubrey Brown, James P. Brown, Carol Tower Burke.

William M. Burke, Jules Burstein, Ellen Butterfield (AAI), Margot Butterfield, Barbara Callaway (OCA), Enid R. Coel, Clifton E. Corzatt, William D. Craven, Alan Crew, Bruce A. Cronnell, Sarah Cullen, James G. Cunningham, Matthias C. Drake, Harry S. Drexler, Maurice E. Edwards, Barry Eisenberg, Harvey K. Flad, Stanley Field, Whitney P. Foster, Murray W. Frank, Mary Louise Frederick, V. James Garofalo, Arlene H. Goodyear, Donald R. Goodyear, Melaine Grant, James Gross, Neal K. Grossman, Edward R. Gruberg, Clarence S. Hall, Byrnee L. Haines, Daniel W. Haines, Agnes Lake Herriott.

Ann DeSimone Helsa, John Timothy Helsa, Harlan Davis Hibbard, M.D., Anne E. Higgins, Judith B. Hikes, J. Anthony Hunt, Susan C. Hunt, Donald A. Johnson, Charles R. Larson, Roger M. Leed, Kaye Levy, John Levy, Audrey Williams Lile, Robert C. Lile, Janet E. Lott, Gary Knamiller, John J. McCaffrey, John L. McClure, Phyllis McClure, Suzy McKee, Janet I. MacLaughlin, (OCA & NDFL).

Thomas C. Marinkovich, B. Rodney Marriott, Joyce Martin, Julian W. Martin, Francis J. Method, Myra Moeller, Judith S. Moore, Mary Jo Moore, Robert W. Moulthrop, Joseph John Nevadomsky, Paul Newman, David A. Northarup, Barbara Osakwe (OCA), Mary-Ann Palmieri, Mary Panikian, Chandler B. Parker, Phil Peek, Charles Polcyn, Derrill D. Quaschnick, Nancy H. Quaschnick, Thomas L. Russell, Robert H. Scheppler (ST.), Vincenette S. Scheppler, Gerald Allan Schwinn, Bill Shurtleff, Ruth E. Spaulding, Ruth Steward, Mills Tandy, Robert Teller, Earl L. Welker, Leonard H. West III.

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PANAMA

D. Todd Cook, Carl F. Herbold, Jr., Bryrna Herbold, Rosalyn Kobrin, Pauline Maloni, Robert Pilgrim, Vivian Saggese.

PERU

Roxane Joyce Alpher, Ronald F. Arias, Charlene Gregg Bolton, Ralph Bolton, David J. Boyd, Sally K. Carlson, Margaret L. Cooper, William Evensen, Thea Evensen, Abbot Gelerter, Jeanne Hanna.

Susan Hecker, (ST), Margaret Heit, George Irvin, Robert DeG. Jacobi, Elmer Richard King, Jr., Charlotte Lipson, John F. McAuliff, Jr. (PC & APSC), Robert L. Moxley, H. Allan Oliver (FI), Stephanie K. Oliver (FI), D. Scott Palmer, David C. Parman, Robert Pearlman, Charles Wayne Thompson, Beverly M. Westacott, George H. Westacott.

PHILIPPINES

Brian C. Aldrich (FI), Ruth Anne Aldrich (FI), Frank Anastasio, Alfred B. Bennett, Jr., (FI), Susan M. Bennett, (FI), Elaine Bosak, Daniel Botkin, Ellen C. Botkin, Donald S. Chauls, Donald J. Checki, Virginia Frew Cochran, Linda Creamer, Marjorie Donnelly, Mary Garland Hayden.

Sigrid A. Hess, Becky Johnston, Brian D. Johnston, John C. Kennedy, Miriam P. Kennedy, Owen C. Maher, Leonard Mirin, Dennis O'Brien, Raymond B. Olsen, Allen J. Pastryk, Kathleen M. Patsryk, Leslie Ann Reingold, Saundra L. Silverman, Anne Sonntag, Mara Taub, Mary Jane Thompson (JYA), Geraldine Traina, Carol M. Valentine, Francis Carl Valentine, Joan M. Waymon, Richard Witty, Susan Witty, J. Gordon Zaloom.

PUERTO RICO

Robert B. Joyce (IND.), Eric Moss (IND.).

RHODESIA

Francine S. Stein (OCA).

SENEGAL

Ralph Arlyck, Judy Graham, John T. Hand, Julianna Free Hand, Judith Geckeler, Geoffrey Howard, M. Tamara Lieberman, Michael Popkin, David W. Robinson, Jr. (FI), Garrett M. Schenck, Patrick A. Thomas, Rita Wald.

SIERRA LEONE

Anne V. Burdick, Joan F. Byrd, George DeWan, Mary R. DeWan, Elizabeth K. Ehmann, Bruce R. Gilbert, Beryl Goldberg (OCA), Cecelia Gross, James F. Hanser, George C. Lavelle, Frans Koning, M.D., Harriet Jane Koning, Philip Mahle, Wilbur Mellema, Roberta Rabinoff, Meg Plaxton.

SOMALIA

John A. Bayer, Boris Sojka, Carole Sojka.

SYRIA

Shirley Worchester (USIA).

TAIWAN

David H. Barnes (FI).

TANZANIA

Henry J. Antkiewicz, Marvin Berkowitz (TEA), Stephen M. Borish (OCA), T. G. Bouffard (TEA), Ethel M. Brown, Kimberly Bush, Jr. (AFSC), Susan Carey (VTA), Judith Cowan (TEA), Sally Davenport, Lockwood Dennis, M. Corwin Drake (AFSC), Kay Drake (AFSC), Thomas D. Elkinton (AFSC), Mary T. Emeny (AFSC), Judith B. Ennes, Peter B. Evans (VTA), Jeffrey A. Fadiman (TEA), Regine M. Fadiman (TEA).

Lita L. Fries, George R. Fries, David Giltrow (AFSC), Susan J. Hall (TEA), Anita Johnson, George A. Johnson, Mary L. Jorgensen (AFSC), Russell F. Jorgensen (AFSC), Joseph Willard Julian, Gordon Randall Kehler (VTA), Natalie Pierce Kent (AFSC), Jennifer Leaning (VTA), L. Lloyd Morgan, Paul Parkinson (AFSC), Georgianna Rattan, Roger Rattan, Ronald O. Rieder, Burton A. Segall, Mary E. Segall, Ruth E. Dygert Shiers, Barbara Slemmer (AFSC), LeRoy O. Smith (TEA), Sheila Spears (UNA), Thomas T. Spear, David Wendt (VTA), Mary Wilgress (AFSC), Oliver Wilgress (AFSC), Matilde Zimmerman (VTA).

THAILAND

Stephen P. Andors, Dean Brodkey, Mary M. Flad, Mark Hawthorne, Betty Lee Hawthorne, Susan Littlefield, Samuel Alexander Morrison, Clarence M. Nagao, Clark D. Neher, Craig J. Reynolds.

TOGO

Wallis Reid, Peggy Roark.

TUNISIA

Stephen Barndollar, David C. Hanchette, Kenneth Knoll, Nancy L. Lynn, Joel McClellan (FI), Jean Storrs, Timothy Storrs, Wayne Wedell, Caroline M. Whitney (AFSC).

TURKEY

Michael J. Buckley, Robert Dankoff, Joyce Davis, Edward De Antoni, Colleen Doherty, David L. Edgerley, Dorien Grunbaum, Sydney Robert Lines, Jr., Albert Nekimken, Bonnie Packer, Leslie P. Peirce, Janet K. Schipper, Jerry Schipper, Joseph A. Stork, Mae A. Turner, Su-San Amadon Wilt.

UGANDA

Sarah H. Crary (OCA).

VENEZUELA

Marjorie Gans, Karen L. Lindberg, Anthony Marino, Donald Wright Patterson Jr. (ACCION & HMJCUS), Jane Griswold Patterson (HMJCUS), Scott S. Robinson (ACCION).

VIETNAM

Clyde Eastman (IVS), William A. Myers (AID–SI), Walter G. Stephan (AID–SI), Alan Williams (IVS).

ZAMBIA

Dorothy M. Bristol (AFSC), James E. Bristol (AFSC), Christina Bristol (AFSC).

ADDITIONAL SIGNERS

William J. Davis, S.J. (Jesuit Missions), Carol Gaebler (AFSC & IVS), Alice Hageman (FI & UNESCO), Val C. Hart (IVS–SCI), Diana Jackson (FI), Uta D. Kohl (IVS–SCI), Mary Ann Rasmussen (NSCF Study Seminar).

Signatories served abroad with the following agencies:

ACCION.
African-American Institute (AAI).
Afro-Anglo-American Program (AAAP).
American Friends Service Committee (AFSC).

Amigos Anonymous (AA) Comité Inter-Mouvement Auprès des Evacues (CIMADE).

Dartmouth Project Asia (DPA).

Episcopal Mission (EM).

Exchange Student (ES).

Experiment in International Living (EIL).

Ford Foundation (FF).

Frontier (FI).

Harvard-MIT Joint Center for Urban Studies (HMJCUS).

International Christian Youth Exchange (ICYE).

International Rescue Committee (IRC).

International Voluntary Services (IVS).

Independent (IND.).

Junior Year Abroad (JYA).

Lutheran World Federation (LWF).

Methodist Mission (MM).

National Institute of Health (NIH).

National Defense Foreign Language Program (NDFL).

Operation Crossroads Africa (OCA).

Presbyterian Church in the United States (PCUS).

Private Teachers (PT).

Service Civile Internationale (SCI).

Study (ST.)

Student Christian Movement in New England Exchange (SCM).

Teachers for East Africa (TEA).

Teachers for West Africa Program.

United States Agency for International Development (USAID) and Summer Interns (SI).

United States Information Service (USIS).

United Nations Associations (UNA).

Urban Community Action (UCA).

University of Nigeria (UN).

United Presbyterian Church in the USA (UPUSA).

Volunteer Teachers for Africa (VTA).

Wellesley-Yenching (W–Y).

World Council of Churches (WCC).

World University Service (WUS).

Yale in China (YIC).

Young Men's Christian Association (YMCA).

Persons whose programs are not specified served with the Peace Corps.

EMPHASIS, PLAIN TALK

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, yesterday on NBC radio, Chet Huntley commented on the economic opportunity program. The title of Mr. Huntley's program was "Emphasis, Plain Talk," and I think this title aptly describes his comments.

He pointed out that some people are "all too ready to indict OEO on the grounds that it may have had something to do with the riots." Yet there is no evidence which shows that OEO personnel have been involved in these disorders. I hope the record will be made clear on this point.

Mr. Huntley also paid tribute to the fine job Sargent Shriver has done in defending his agency against widely exaggerated rumors. I think Mr. Shriver has made a tremendous effort to present the truth.

Under unanimous consent, I ask that the full text of Mr. Huntley's comments be included at this point in the Record.

Chet Huntley, emphasis, plain talk. It's possible that the most dedicated foe of the "war on poverty" in the entire Congress, would concede that there has rarely been a "tiger" the likes of Sargent Shriver, Administrator of the Office of Economic Opportunity. He may have set some new records in the hours of testimony he has given the committees of Congress, fighting in defense of his organization and the concept of his program.

The hearings before the House committee on education and labor lasted for 7 weeks, taking up 130 hours of the committee's time, requiring testimony from 138 witnesses, filling more than 4500 pages of testimony. Mr. Shriver's personal statistical record with the Congress is no less staggering. He has spent almost 41 hours in front of the House committee and the Senate subcommittee on employment, manpower, and poverty. Not only that, but at the same time, Mr. Shriver was carrying on a crash investigation of his own agency, knocking down the rumors and charges that some people employed by the OEO had taken part in the rioting in the cities where there was both violence and an OEO program.

Some figures have just come to light which demonstrate the hard row Shriver has to undertake in his efforts to convince the Congress of the efficiency and the value of his agency. There were two cities which had been called model cities on the grounds that they had managed to get the local or community people involved and, in some cases excited about the OEO program. These two cities were Detroit and New Haven, Connecticut. In both there have been riots, featuring all the violence and ugliness associated with those phenomena. But now we learn that the name "model city" was too carelessly applied. In Detroit, the OEO finally emerged with but 6 percent of what it had recommended in terms of money to turn in a creditable job. In New Haven, the OEO did better, but still it had only about 18 percent of what it had requested.

There are Senators and Congressmen all too ready to indict the OEO on the grounds that it may have had something to do with the riots. . . . Perhaps it has unwarranted rise to expectations. But with these paltry figures, the OEO might say, in response, that the riots were partially the product of the tight-fistedness of the Congress and the local agencies.

Shriver has come out of his investigation of his own agency with some startling data. There is no evidence of any merit to point to OEO people being involved in the violence. The most interesting item is that OEO offices in virtually every community were singularly spared from fire or other damage.

It is a kind of cliche to declare that the OEO has not solved poverty. It might be a more apt cliche to assert that it got a lot of action out of its limited budget.

HEARING RECORD ON MONDAY HOLIDAY BILLS TO CLOSE

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, Subcommittee No. 4 of the Committee on the Judiciary has held several days of hearings on H.R. 1292 and H.R. 11679 and similar measures which provide for the uniform observance of certain holidays on designated Mondays. I wish to announce that the hearing record on these bills will close on Thursday, August 31, 1967.

FOREIGN AID

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I rise in opposition to final passage of H.R. 12048, and I shall cast my vote against the measure for several reasons, although one statement by our President is really sufficient to explain my position.

On Monday of this week, President Johnson in discussing the 1968 NASA budget again told the Nation that we face increased expenditures and reduced revenues, and said:

> Some hard choices must be made to distinguish between the necessary and the desirable.
>
> We need not and dare not eliminate the necessary. Our task is to pare the desirable.

It is my opinion, Mr. Speaker, that the Foreign Assistance Act of 1967 is not absolutely necessary in this time of national emergency, and the program is not desirable when the people here in the United States are being asked to sacrifice further so that our Government may attempt to control inflation and win a war.

CONGRESSIONAL REFORM: ACTION NOW

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the action taken by the House on Monday to increase the travel allowances of Members should be recorded with three black marks against it.

That an increase was overdue is not the issue. In this age of jet travel and chronically extended sessions of Congress, most of us are fast becoming commuter legislators.

Our House Republican task force on congressional reform recommended an increase in travel allowances for Members. See page 293 of chapter by Representative Rumsfeld, "We Propose: A Modern Congress."

The authorization of three additional paid trips was one of the recommendations of the Joint Committee on the Organization of the Congress. For the Record, I would like to include that recommendation and the supporting language from the committee's final report, filed with the Congress July 28, 1966.

[Final report of the Joint Committee on the Organization of Congress]

4. In addition to the annual session trip of one roundtrip at the rate of 20 cents per mile, each Senator shall be entitled to one additional roundtrip annually (making a total of seven) and each Member of the House of

Representatives to three additional round-trips annually (making a total of seven) between Washington, D.C., and their destinations in the State or district. The additional trips shall be at the actual cost of transportation if travel is by public carrier or at the current mileage rate allowable in the executive branch for Government-authorized travel if by automobile. Proper representation of a constituency requires continuous contact with constituents. In this age of jet air travel, no State or district is more than a few hours from Washington. This places increasing demands on Members to return frequently to the State or district to discuss current problems or attend major functions. This responsibility does not cease during nonelection years.

Employees of private industry travel on company business at no personal expense. Members of the executive branch of the Federal Government travel on Government business at no personal expense. Congress, recognizing that such travel involves personal political as well as representative connotations, limits its Members to a specified number of trips. Almost every Member of Congress travels to his district far in excess of the travel allowance, and pays the difference from his own pocket. Travel allowances cannot be unlimited and Members will still bear considerable personal expense. However, a small annual increase is justified. The allowance for staff travel should also be increased in order that the Member may have a practical means of dealing with matters arising in his district when he cannot personally attend.

My objections to the bill were and remain that, first, it was presented separately from the reorganization bill. Monday's action was yet another in the distressing string of actions this summer to extract only the "sweet" parts of the Legislative Reorganization Act of 1967 and bury the rest of the bill in that historical graveyard reigned over by the House Rules Committee.

Second, I think that economywise, the timing for this kind of measure was bad, even if there had been no pending reorganization bill.

Third, it was a sad piece of business to rush this bill through on a voice vote. I would like to call the attention of my colleagues to one of the amendments made by the Senate to the reorganization bill—amendment No. 88, offered by Senator Byrd of Virginia, accepted by the Joint Committee on the Organization of Congress, and passed by the Senate on February 21. The amendment adds a new section to the bill providing that no bill or joint resolution containing a provision increasing or decreasing the rate of compensation of Members of Congress shall be passed by the Senate or House unless such increase or decrease is set forth as a separate proposition from any other provision in the bill or joint resolution and unless such proposition shall have been approved by a rollcall vote.

I am glad to have this new section in the bill and am sorry that its lesson seems to have been lost on a majority of the Members of this body when a group of us stood up to be counted on the issue of increasing House travel allowances.

As a part of my remarks and for the Record, I include the following news stories from the UPI, the AP, the Washington Post, and the Washington Evening Star. I am grateful to the Star for noting that all but one of the 38 Congressmen who stood to be counted were Republicans. I am sorry that more Members from both sides of the aisle were not present and standing on this issue.

[From UPI]

Congress Travel

Washington.—The House shouted approval today of legislation giving them up to 13 Government-paid round trips home a year.

The bill passed on a voice vote after several Republicans failed to muster enough members to "stand up and be counted" for a roll call.

Debate on the measure lasted about 15 minutes and was accompanied by warnings that a vote for this bill meant that Congressmen could not justify a vote against higher taxes. The bill goes to the Senate.

The legislation, sponsored by Rep. Wayne Hays, D-Ohio, allows members to make one round trip a month to their districts and get reimbursed as long as Congress is in session. Or, if they prefer they can get $750 instead of getting repaid. They would also be entitled to one extra trip for a possible grand total of 13.

Presently, the members are entitled to reimbursement of five trips a year, or $3,000.

Leading the legislation to victory was Rep. Samuel N. Friedel, D-Md. He lives 35 miles from the Capital, in Baltimore.

"The timing for this is just atrocious," said Rep. Samuel L. Devine, R-Ohio, who said he goes back and forth to his district about once a month at personal cost.

Devine pointed to President Johnson's call for austerity and a 10 per cent tax hike. "We are in an untenable position," Devine said. How, he asked, could Congress oppose the tax hike and vote for the added expense account?

Rep. Otto Passman, D-La., who often is on record for lower domestic spending, told the House to cheers and laughter:

"I rise in opposition to the bill . . . But I certainly hope it passes."

[From AP]

House Travel

Washington.—The House voted today to give its Members more expense-paid trips home each year, but avoided going on record with a roll-call vote.

It sent the Senate by voice vote a bill that could give the Representatives a maximum of 13 paid round-trips back home each year instead of the five now provided for.

Only 38 Members stood to demand a roll-call count. That wasn't enough, as the rules require a roll-call only when one-fifth or more of those present demand it.

House Members now are allowed actual transportation costs for four business trips home and back each session, plus one trip for which they receive 20 cents per mile. Instead of putting in for the actual costs, they can take a lump sum of $300 for the four trips.

Senators, now allowed a total of seven trips, are not affected by the House measure but could include themselves in if they wish.

The new plan would provide, in addition to the 20-cents-per-mile trip, for one extra trip for each month Congress is in session, or a maximum of 13. The cash payment for the monthly trips would be a total of $750 per session if actual transportation costs weren't charged.

Most Members now actually go home more times than they are entitled to travel at taxpayers' expenses. They foot the difference out of their own funds.

[From the Washington Post, Aug. 22, 1967]

House Doubles Its Trip Allowance

(By Richard L. Lyons)

House members stopped preaching economy long enough yesterday to vote themselves roughly double the number of free trips they get home each year.

Such votes always make members nervous, so they arranged to pass it by anonymous voice vote. Rep. Otto E. Passman (D-La.) summed it up pretty well when he said: "Mr. Speaker, I rise in opposition to the bill and I certainly hope it passes."

Members now get five free round trips. The bill would give them one for each month Congress is in session—or 10 by recent experience. Cost figures were hard to come by, but it might add $200,000 a year—not much, but a campaign opponent could make use of it.

Members could either be reimbursed for the actual travel cost or take a lump-sum payment of $750 a year, which would be a bonanza for congressmen from districts near Washington. The present lump-sum payment is limited to $300.

If approved by the Senate, the bill would be retroactive to last January.

Until eight years ago, House members got only one free round trip a year, to and from the annual session. The number has crept up in three separate bills.

Opponents called the proposal proper but the timing atrocious, with a big deficit and tax increase coming on. But Rep. Charles E. Chamberlain (R-Mich.) said every trip home is a working session. "If someone was going on a lark, he wouldn't go back to his district," he said.

"This bill speaks for itself," said its floor manager, Rep. Samuel N. Friedel (D-Md.). And so it did. Supporters avoided a roll call by keeping a quorum on the floor and sitting tight when a record vote was requested. The roll is called only when one-fifth of those present request it or when no quorum is present.

The action also hammered another nail in the coffin of the congressional reorganization bill that reposes in the House Rules Committee. This was a part of it, and every sweetener that is taken out and passed separately reduces chances of reviving the reorganization bill.

[From the Washington (D.C.) Evening Star, Aug. 22, 1967]

House Members Vote Increase in Paid Trips Home

House members have voted overwhelmingly—but without a roll call—to allow themselves a paid round trip to their home districts each month Congress stays in session.

Under present procedure each of the 435 House members can obtain reimbursement for a trip to and from his district at the start and end of each legislative session and for four other trips during the entire session.

Sponsors of the bill—approved by the House yesterday and sent to the Senate—provided no estimate of the additional cost of the monthly trips.

Although debated less than half an hour, the bill aroused protests by several Republicans, who called the timing of the bill "atrocious" in view of a proposed tax increase and widespread criticism of Congress.

An attempt to obtain a roll call failed when only 38 members, including only one Democrat, Rep. Joe Pool, D–Tex., favored putting the individual members on record.

CONGRESSIONAL REFORM: ACTION NOW

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, on

page 1 of last Monday's New York Times appeared a most unusual story by Nan Robertson entitled "House Hearing: Its Ritual and Reality."

The subject of the story—OEO and the so-called war on poverty—is a daily commonplace, as we are sometimes wearily aware. But the treatment here is really refreshing. I am not going to suggest that it is unique, because reporters occasionally make this kind of effort; but I am going to call it a rare attempt to describe some of the problems and circumstances of a controversial Government agency and its programs in the context of the congressional committee hearing process.

The usual practice seems to be to avoid getting a story entangled in the intricacies of internal committee procedure. I have some sympathy for anybody who tries to make complete sense out of the present-day operation of House committees. Even such rules as are provided by the Rules of the House and, in most cases, in additional rules adopted by the committee, not always bear relevance to the way a particular committee in fact conducts its business.

Differences between committees in size, jurisdiction, workload, and so forth suggest that there should be a good deal of flexibility in the rules of the House covering committee procedure. But there is a compelling need for several reforms in this area, including the need to insure that a committee will call witnesses who may not be favorable to the matter under consideration as well as those who the committee knows are going to present favorable testimony.

I call particular attention to the following excerpts from Miss Robertson's story. The committee referred to is the House Education and Labor Committee, and the agency is Mr. Shriver's Office of Economic Opportunity. At the conclusion of my remarks, I will place in the Record as a part of my remarks the entire text of the story. Miss Robertson says:

> Meanwhile, in May, the committee was beginning to pick up and schedule witnesses, a process over which the Democratic majority staff has absolute control. On May 12, the Republicans sent their list of 36 proposed witnesses to the Democrats. Earlier, the agency had submitted its list of 13 groups and 44 individuals that it would like to have testify.
>
> The Republican list was passed on to the agency's inspector-general, who compiled a dossier on each person, indicating who might be troublesome.
>
> Mr. Perkins then told the Republicans that he thought 15 of their witnesses would be a "reasonable" number. The opposition was grateful. Last year they asked for 67 witnesses; not one was called before the hearing. When a reporter asked why, Adam Clayton Powell answered: "Because I am the chairman."

Mr. Speaker, section 103(e) of the Legislative Reorganization Act of 1967 provides that—

> Whenever any hearing is conducted by any such committee upon any measure or matter, the minority of the committee shall be entitled, upon request made by a majority of the minority members to the chairman before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

This is the most minimal reform that it was possible to make in this area. This reform, small as it is, is important. The assurance that opposing points of view will be heard, in open hearings, under cross-examination, is absolutely vital to the health of our democracy.

I would like to keep my remarks brief, so I will reserve comment on other provisions in the reorganization bill that have a bearing on this matter until a later time.

Mr. Speaker, under unanimous consent I include the full text of Miss Robertson's story as a part of my remarks, and I again urge the leadership to prevail upon the House Rules Committee to report S. 355 to the House floor for consideration.

The story follows:

House Hearing: Its Ritual and Reality

(By Nan Robertson)

WASHINGTON, August 20.—It all began—on the surface—with a bone-dry announcement in the June 9 Congressional Record:

"House Committee on Education and Labor: June 12, full committee, to hold a hearing on H.R. 8311, to provide an improved charter for Economic Opportunity Act programs."

Those who read on learned that on Monday, June 12, 1967, the committee would begin to decide the fate of the war on poverty for yet another year.

Sargent Shriver, handsome, married to a Kennedy and a guaranteed box-office draw, was to be the first witness in Room 2175 of the Rayburn House Office Building.

The hearings lasted seven * * * pages of testimony from 138 witnesses were taken, occupying 130 hours and 36 minutes of the committee's time. The cost, by the most conservative estimate, totaled $46,000.

Yet when it was over, key committee members frankly conceded that their minds had not been changed significantly, that the long process served primarily to buttress opinions they had previously formed.

This is the anatomy of that hearing—the chronology, logistics, tactics, strategy and psychology of a ritual that is as old as Congress but little understood.

It was only the public beginning of the legislative process. Still ahead are the committee's private "mark-up," or line-by-line revision of the Economic Opportunity Act; floor debate and votes in the House and Senate; and then two more hearings and floor action in both Houses to decide how much money Mr. Shriver's agency will get for the year.

Mr. Shriver has already spent 40 hours and 52 minutes on the witness stand before the House committee and the Senate subcommittee on Employment, Manpower, and Poverty, simultaneously investigating his agency (that hearing cost $165,000, involving field trips and extra staff).

In preparing for both, the poverty agency amassed 100 charts and a five-foot shelf of texts to justify its dozen antipoverty programs and their continuance for another year.

The report of the embattled Job Corps alone weighed four and one-half pounds—an example of the correlation between anxiety over a program and the amount of documentation for Congress.

The Economic Opportunity Act of 1964 created a number of experimental programs such as the Job Corps, Community Action, the Volunteers in Service to America and the Neighborhood Youth Corps.

THE COMMAND POST

It also brought into being the command post for these and other antipoverty projects; the Office of Economic Opportunity. Each year, Congress must authorize the agency to continue or it will go out of business. That's what these hearings were all about.

The agency's preparation began with an internal memorandum last Jan. 9, one day before the 90th Congress convened.

It consumed, from then on, thousands of man-hours in research, lobbying, cram sessions, role-playing, strategy meetings, visits by program directors to Congressmen and intensive entertaining of politicians by Sargent and Eunice Kennedy Shriver at their Maryland estate, Timberlawn, known as Runnymede or Disneyland East to some employes of the poverty agency.

Yet, only four of the committee's 32 members had good attendance records at the hearings. They were:

Carl D. Perkins, the chairman, ever-smiling country lawyer from east Kentucky—courteous, patient and, some said, too tolerant of opposition, a startling contrast to his flamboyant and autocratic predecesssor, Adam Clayton Powell, who for six years conducted his hearings sometimes in the manner of Caesar, sometimes like Sportin' Life.

The tiny ranking Democrat from Oregon, Edith Green—articulate, acerbic and well informed, a former school teacher who baffles and fascinates every other member of the committee and everybody at the poverty agency and enjoys doing so. Some agency officers occasionally speak of her as if she were as blood-thirsty as Dickens' Madam Defarge or as cryptic as the Oracle at Delphi. ("She's a bloody enigma," said one. "What's Edith Green going to do?" They continually ask each other at the poverty office. "Who knows?" is always the answer. "She's out to get me," one high official muttered.)

Albert H. Quie, the second ranking Republican on the committee—apple-cheeked, open-faced and mild of manner, a farmer who called Shriver "the best salesman in Washington" but a "lousy administrator."

Charles E. Goodell of New York, who, with Mr. Quie, forms the aggressive Republican leadership on the committee—Phi Beta Kappa in his junior year at Williams College, cum laude and shows it, knows the poverty legislation well, a trial lawyer who is instinctively partisan and loves the cut-and-thrust of sharp debate between himself and witnesses.

SOME ATTENDANCE LIGHT

The roles of the other members of the committee ranged from supporting players to walk-on parts. The attendance of some totaled only minutes over the seven weeks.

The Washington press was little more attentive. Coverage of the hearings, which occupied 23 scattered days, fell off to zero after only a few days.

It was Don I. Wortman, a high official in planning and research at the agency who made the first move to prepare for the 1967 poverty hearings. On Jan. 9, in a memorandum to the agency headed "Readying the Old Battleship for the Congressional Wars," he summoned 11 of Mr. Shriver's key aides to a strategy session three days later.

On Feb. 1, Mr. Shriver held the first of his 9 A. M. daily briefings, questioning nine assistants for 90 minutes.

On Feb. 27, the legal services division of the poverty agency went in force to a lunch on Capitol Hill with members of the American Bar Association. It was arranged by Mr. Goodell and Representative Lloyd Meeds of Washington, also a lawyer and a Democratic member of the committee. The bar association paid for the luncheon.

The discussion brought out the objections of some Roman Catholic committee members that the legal services division was helping the poor get divorces they could not otherwise afford. The agency managed to calm their fears and gain the association support. This was the first of many meetings between officials of the poverty agency members of Congress and private interest groups.

Starting in April and continuing through May and June, Mr. Shriver began intensive entertaining of Congressmen at his big country house in suburban Maryland. Interlaced with dinner parties was the Sunday staple: fun and games around the pool and on the lawn.

But Mrs. Green did not go to Timberlawn. She repeatedly refused invitations until finally Mrs. Shriver told her husband she had been snubbed enough. That was the end of the overtures.

Mr. Shriver feels that Mrs. Green does not trust him, and he is right. She campaigned enthusiastically for President Kennedy, his brother-in-law, in 1960, and was impressed by Mr. Shriver then, but she says she has since become disillusioned with him.

She and others say they feel that Mr. Shriver is more interested in his own and his agency's image than in the substance of the programs he runs.

On April 10, the agency sent the Administration's 1967 poverty bill to Congress. It asked for slightly more than $2-billion to fight the poverty war this year with a dozen programs.

The same day, Mr. Goodell, Mr. Quie and eight other Republicans on the Perkins committee announced that they would submit their own "Opportunity Crusade" bill. Its purpose was to dismantle the agency and parcel out its projects to more established Government departments, such as Health, Education and Welfare.

CONFERENCE IN CAPITAL

On May 8, some 400 delegates from 109 of the most powerful women's groups in the United States held an antipoverty agency-arranged conference in Washington. Government agencies are forbidden to lobby or mobilize campaigns to support their bills—but there are ways to get around this.

The conference was ostensibly called to get more private volunteers into the war on poverty. But with agency inspiration, delegate after delegate stood up to urge the women to write their Congressman and save the poverty agency from abolition.

It ended with a White House reception and a speech by President Johnson, who said, "the United States is not backing off" from its commitment to fight poverty.

Then came an avalanche of resolutions, telegrams, letters and statements to Congress that gained force during June and July: from councils of Negro women, Catholic women, Jewish women, church women united, the Conference of Mayors, the National Urban League, National Jaycees, bar association, the National Association for the Advancement of Colored People, community chests, parent-teacher associations, the American Federation of Labor and Congress of Industrial Organizations and an interminable list of other groups.

WITNESSES SCHEDULED

Meanwhile, in May, the committee was beginning to pick up and schedule witnesses, a process over which the Democratic majority staff has absolute control. On May 12, the Republicans sent their list of 36 proposed witnesses to the Democrats. Earlier, the agency had submitted its list of 13 groups and 44 individuals that it would like to have testify.

The Republican list was passed on to the agency's inspector-general, who compiled a dossier on each person, indicating who might be troublesome.

Mr. Perkins then told the Republicans that he thought 15 of their witnesses would be a "reasonable" number. The opposition was grateful. Last year they asked for 67 witnesses; not one was called before the hearing. When a reporter asked why, Adam Clayton Powell answered: "Because I am the chairman."

The strategy of calling witnesses almost always works for the majority. Press coverage in the afternoon falls off because of deadline pressures, so a potentially damaging witness is scheduled late in the day.

COMMITTEE STRATEGY

Or the committee majority brackets him with big-name witnesses who will get press exposure because of their position more than for what they say. Or the majority pits a Walter P. Reuther, president of the United Automobile Workers, who is favorable to the poverty program, against a Daniel P. Moynihan, possibly unfavorable, and both sides will present their arguments.

On May 31, three members of the committee's Democratic staff went to the poverty agency and put its chief program directors through a dry-run in a stiff question-and-answer session.

On June 11, the eve of the hearings, Mr. Shriver summoned his deputies to Timberlawn for another dress rehearsal that lasted until 11 P.M. and left the participants wrung out.

There was standing room only in the huge, lofty hearing room in the Rayburn Building, with its double-decker mahogany dais for the committee. Mr. Shriver arrived in a flying wedge of two dozen aides, all burdened with attaché cases and bulging black notebooks of "back-up" material. Big charts were stacked on easels flanking the witness table.

The agency's director read a prepared statement aloud—a hallowed tradition among all seasoned Congressional witnesses, which takes up a good deal of time and delays committee questioning.

SHRIVER PRAISED PANEL

Mr. Shriver praised the committee for its wisdom in creating his agency three years ago. He begged them not to destroy "the command post of the war on poverty." He asked them to contemplate the "unparalleled national consensus" of groups solidly behind him. "We can't quit now," he concluded.

Representative Perkins complimented the lead-off witness on his statement and the interrogators opened up.

This hearing became the first systematic, program-by-program presentation that the agency had made before the House in its three years of life. Mr. Powell scheduled witnesses quixotically and ended the hearings abruptly; in 1966 there were eight days of hearings; in 1965, six days. Mr. Perkins was determined to let the agency have its say.

Moreover, his liberality in calling Republican witnesses also seemed certain to pay off later in votes—and the chairman needed them. There are 18 Democrats and 14 Republicans on the committee this year. In 1966, it was an over-whelming 21 Democrats to 10 Republicans.

The special interests and the quirks of committee members soon emerged through their questions. The Democrats, from Mr. Perkins down, were not really interested in examining the program in depth—except for Mrs. Green.

However, Mrs. Green is a supporter of the educational establishment as represented by the public schools. She was a teacher and did public relations work for the Oregon Education Association. Her older son, James, is a teacher.

During the hearings, she stressed the expensiveness of Job Corps education and training and kept insisting that Upward Bound, an agency program designed to motivate poor high school youths to go to college, was the same as Talent Search, created by another piece of legislation she had shaped. The two should be merged, Mrs. Green argued.

The witnesses attempted to show Mrs. Green that the antipoverty agency's program contained educational training and the other was simply a recruiting project. Mrs. Green did not accept the argument.

James H. Scheuer, Democrat of New York, asked questions about manpower programs, which he helped write into last year's bill. Dominick V. Daniels, Democrat of New Jersey and John H. Dent, Democrat of Pennsylvania, worried aloud about the agency's birth control programs. Both are Roman Catholic.

Roman C. Pucinski, Democrat of Illinois, whose district contains Chicago, and Mayor Richard Daley, argued for more centralized city control of projects.

On the Republican side, Mr. Quie and Mr. Goodell plumped for the Opportunity Crusade bill.

James C. Gardner of North Carolina accused the agency of using its funds to help certain political candidates in Durham, N. C. John R. Dellenback of Oregon, a freshman Representative, played the role of an earnest learner.

William J. Scherle of Iowa, another freshman, peppered agency witnesses with such loaded questions as:

"Is it still the policy of the O. E. O. to use Gestapo methods in bludgeoning members of the medical profession into your neighborhood health centers?"

Meantime, away from the committee hearing room, the big guns were being rolled up. At a Capitol Hill luncheon with Mr. Shriver on June 14, the Rev. Billy Graham told 106 Representatives and 48 business leaders on poverty agency advisory council that the war on poverty was "morally motivated."

"I've been before different Congressional committees on 17 occasions," he said. "But I tell you today that I have never testified for anything like I do for this poverty program. I was critical of it when it started. Now I'm a convert. It's not a giveaway program."

REPUBLICANS BACK OWN BILL BLANKET INVITATION

The Representatives present had responded to a blanket invitation from Speaker of the House John W. McCormick, who did not mention the reason for the lunch.

Mrs. Green, like others, was offended by Mr. Graham's appearance. "If you criticize the war on poverty, you're sacriligious" she grumbled.

The drumfire of resolutions asking Congress not to shred the poverty agency continued. Among them, one from the prestigious Interreligious Committee Against Poverty, composed of leaders of Protestant, Jewish, Catholic and Greek Orthodox faiths, which held a press conference at the Mayflower Hotel, June 20.

Did they time their resolution to coincide with the poverty hearings? "A providential coincidence," said the bishop leading the conference.

On July 11, the day after Congress re-assembled from its July 4 recess, the stream of public witnesses began: welfare administrators, social workers, economists, sociologists, educators, mayors, labor lobbyists, religious leaders, business executives with Government contracts, Women's groups, writers about the poor.

FARM TURKEY PRICES

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANGEN. Mr. Speaker, in view of depressed prices received by turkey growers, I have today written the U.S. Department of Agriculture urging the Department to increase its purchases of domestic turkeys for the school lunch program.

Depressed farm turkey prices have

caused great financial strain on turkey growers in Minnesota and across the Nation. It costs turkey growers more to raise their birds today than ever before, but the market price is sagging badly. In fact, farm turkey prices today are about 20 percent lower than the price average in 1960.

The market is glutted with an excess supply of turkeys, as shown by increased turkey slaughter figures. Therefore, every effort should be made to bolster the low prices received by our growers.

If the Department would step up its turkey purchases for the school lunch program, it would be welcome news to our hard-pressed turkey growers. With production costs rising continuously, and market prices being held down, such action by the Department is needed immediately.

THE ROLE OF AUTOMATIC DATA PROCESSING IN IMPROVING JUDICIAL ADMINISTRATION

Mr. **PETTIS**. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. McClory] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **McCLORY**. Mr. Speaker, no single development has been more responsible for America's entrance into the age of technology than the electronic computer. Originally a tool of science and industry, its application to the work of Government has expanded to the point where the executive branch of the Federal Government is now the Nation's largest user of automatic data processing—ADP—equipment and services. Significantly, ADP is now beginning to be utilized as an aid to the legislative process and to judicial administration on a Federal, State, and local level.

Much of the effort to bring ADP to the legislative and judicial branches of the Federal Government has been undertaken in this session of Congress. I am proud to say that on the forefront of this effort has been Mr. Robert L. Chartrand, information sciences specialist for the Legislative Reference Service of the Library of Congress, who has worked closely with me in the development of two bills—H.R. 21 and H.R. 7091—to provide the Congress and the Federal courts with greater information handling capabilities.

Last week Bob addressed the National College of State Trial Judges meeting at the University of Nevada, in Reno. In his speech entitled, "The Role of Automatic Data Processing in Improving Judicial Administration," he underscored the vast potential which exists in our Federal and State courts for the use of data processing. At the same time he called attention to the fact that the machine is only as good as the man who controls it.

I commend his remarks to my colleagues for their edification and information in the hope of securing for the Federal courts the benefits of ADP through the enactment of appropriate legislation.

The address follows:

The Role of Automatic Data Processing in Improving Judicial Administration

(An address before the National College of State Trial Judges at the University of Nevada, Reno, Nev., August 15, 1967, by Robert L. Chartrand, information sciences specialist, Science Policy Research Division, Legislative Reference Service, Library of Congress, Washington, D.C.)

(Note.—The views expressed in this paper are those of the author and are not necessarily those of the Legislative Reference Service nor the Library of Congress.)

PREFACE

"It is up to us, judges and bar, to meet our responsibilities in making our courts efficient and effective institutions. To do this we must together find better ways of disposing of judicial business. The need for new tools is a familiar theme."[1]—Chief Justice Earl Warren.

Dean Hyde, gentlemen of the faculty, members of the 1967 session of the National College of State Trial Judges at the University of Nevada, the contemporary American scene is one of unceasing change and increasing complexity. Every institution is feeling the impact caused by a population that is expanding in size and which is highly mobile. Traditional methods of coping with community and individual problems often are ineffectual in the 1960 decade. The responsibility for addressing many of the recurring problems of the Nation and its elements falls upon the trial and appellate jurisdictions across the United States.

No one present needs a reminder that the performance of our courts of law affects the lives, the property, and the security of all citizens.[2] Where traditional tools and techniques for handling court business no longer suffice, it is imperative that cognizant jurists, educators, and court administrators consider realistic means of improving the *modus operandi* of our courts of law.

The decisions reached and the innovative measures adopted will stand as a tribute to those who recognized that congestion and delay in the American courts were stifling the due process of justice which is a cornerstone of the Republic.

INTRODUCTION

How often, during the past decades, have voices of discontent been raised regarding the procedures followed by judicial administrators at all levels of court activity throughout the United States? As the times have changed, and utilitarian technological advancements—such as automatic data processing (ADP)—have been registered, the realization has grown among decision-makers at the bench, and the administrative cadre which support them, that tried and true ways of doing things must be scrutinized dispassionately.

Judicial administration, in the age of swift change and unprecedented pressures on the human being, must be able to respond in an expeditious fashion. Decisions necessarily must be based on information that is complete, accurate, timely, and relevant. Information essential to the jurist, the lawyer, and the citizen clients must be acquired, indexed, correlated, stored, and retrieved according to meticulously established criteria and implementing guidelines.

The problem of handling large volumes of narrative information and statistics is not limited to the judiciary. In all sectors of our society the dilemma of how to maintain responsive information handling systems is a very real problem. In many instances, at least partial relief has been found in the utilization of automatic data processing equipment and techniques.

Since the question inevitably is raised as to how much electronic wizardry is to be employed, a statement by the late Dr. Mortimer Taube, a pioneer in the development of *information* handling technology, is in order:

"If automation can never be total, then the 'where,' 'how much,' and 'when' of human interposition must be understood as questions of degree. Further, there should be discoverable principles in terms of which the degree of human interposition and the degree of automation for maximizing the result and minimizing the investment in any specific system can be determined."[3]

The role of the human decision-maker never will be removed. It is essential, however, that the time of those who dispense justice—based on the best possible narrative and statistical data—be expended in a judicious fashion.

MODERN MANAGEMENT AND TRADITIONAL COURT ADMINISTRATION

Those involved in judicial administration have not lacked for prophets to show them the way nor illuminate their shortcomings. During his distinguished career, Dean Roscoe Pound admonished the judicial overseers to institute reforms. Commencing with his epic "The Causes of Popular Dissatisfaction with the Administration of Justice,"[4] he scored the entrenched methodologies and the lack of idea exchange between jurisprudence and other disciplines.

Today, there is widening recognition that the electronic computer and its associated "software" may assist the judge or the often harassed court administrator. In order that a common frame of reference exists, a definition of automatic (or electronic) data processing is cited at this juncture. Automatic data processing is the concept:

"Whereby a machine or computer can accept information or 'input data', process the data according to a predetermined 'program', and provide the results in a useable form. In an automatic data processing system, the electronic computer is the heart or focal point of the system. An ADP system consists of a number of components including the input, processing, storage, and output devices."[5]

The vast majority of computers in use today is termed "general purpose," and may be employed in a variety of applications. Design flexibility permits equipment users to vary components, thus allowing greater storage capacity or "on-line" access to the central memory of the computer, if desired.

Automatic data processing requires a key human functionary at each stage of operation. When an application—for example, the scheduling of cases—is identified and the possibility of machine support considered, each step of the ADP operation has to be delineated in painstaking detail. The key to good programming is to prepare a set of instructions—called the process of "coding"—that will result in the computer doing precisely as its operators direct. The non-equipment aspect of an ADP system, often called "software," includes programs and requisite system documentation.

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[1] Warren, Earl. Address delivered at the annual meeting of the American Law Institute, Washington, D.C., May 18, 1966. p. 5.

[2] McCloy, Robert. Additional views of Representative Robert McCloy. Report No. 351 to accompany H.R. 6111. Federal judicial center (90th Cong., 1st sess., June 12, 1967). p. 24.

[3] Taube, Mortimer. Computers and common sense. New York, McGraw-Hill, 1963. p. 83.

[4] Pound, Roscoe. The causes of popular dissatisfaction with the administration of justice. *In* Reports of the American bar association, v. 29, 1906. p. 395.

[5] U.S. Congress. Senate. Committee on Government Operations. Report. Senate Report No. 938 (89th Cong., 1st sess., 1965). p. 6.

Perceptive judges and administrators are spending a great deal of time and money today in determining how ADP can help them. Several state and local court systems already are experimenting with various facets of computer support, while others have advanced beyond the "pilot system" stage and are using computers or punched card devices in an operational mode.

Among the applications where ADP has proven useful are the preparation and maintenance of indices to and inventories of cases, chronologies of cases, periodical tabulations of court and selected law firms' backlogs, caseloads by lawyer and trial firm, and reports of cases filed, pending, or terminated. Yet another significant area for computer support involves jury information: jurist selection, composition of the jury, payroll and management data.

In many court systems, judicial administrators are only commencing to grasp fully the powerful tools which have been developed through the ingenuity of American industry. Microform, disc, and magnetic tape storage units, remote user terminals affording "real time" use of a central computer, and the advantages of computerized simulation (such as the "modeling" of a court system) are not panaceas of the distant future. In the study prepared by The Institute for Defense Analyses in support of The President's Commission on Law Enforcement and Administration of Justice, it was opined that—

"The techniques of modern management technology can help to achieve the most efficient use of the available resources, within the limits of procedures designed to ensure the due administration of justice."[6]

It is recognized that a fine balance must be struck and sustained between due process and justice on the one hand, and scientific innovation and applications on the other. The Honorable Richard F. C. Hayden, Judge of the County of Los Angeles Superior Court, underscores the importance of not destroying this balance when he states that—

"There are special values of *due process* and *justice* which we must retain in our part of the total system which will limit the applications of some scientific insights even though we have conceded that the scientifically developed procedure is capable of improving the overall system effectiveness."[7]

The search, then, for a system of modern justice responsive to the kaleidoscopic needs of the Nation and its citizenry, continues and increases in intensity. The fabric of America is changing. New problems have arisen for which no ready solutions are at hand. Pollution control, urban renewal and expansion, civil rights, protection of privacy—all of these and many more must be faced and solved. Judge Thomas Craven has reflected the collision between technological innovation and patterns in society, in these words:

"As a result of scientific developments and the present technological revolution, with their effects upon society, people are seeking and demanding and obtaining more individual freedom and rights . . . As new rights and opportunities are created, they are correspondingly ignored and violated with resulting litigation in the courts."[8]

ANTIDOTAL ACTIONS MULTIPLY

Over the span of recent years, concerned individuals and groups within the Executive and Legislative Branches of the Federal Government, at the state and local governmental levels, in industry, and within the academic world have begun to take positive action to ensure eventual improvement in the operation of the court systems of the United States.

The President's Commission on Law Enforcement and Administration of Justice carried out a serious study, with meaningful recommendations for both short- and long-range improvement of judicial administrative practices. One recommendation featured the simulation of a court system in the District of Columbia. The three steps involved in testing the feasibility of such a court system were:

(1) describing in detail the organization and structure of the court system for processing felony defendants;

(2) analyzing the available data on felony defendants to determine whether delay occurs and to identify when and where it occurs;

(3) developing a computer simulation of the processing system that could be used to study possible modifications of the system.[9]

The United States Congress has taken action during the current (90th Congress) session to provide for the establishment of a Federal Judicial Center. Senator John L. McClellan, in referring to S. 915 on the floor of the Senate, asserted that:

"The proposed Judicial Center is intended to enable the courts to embark on a program of self-analysis, of research and planning, such as is being undertaken by all forward-moving institutions, both public and private."[10]

Representative William M. McCulloch, convinced that automatic data processing could be useful in improving judicial administration, forwarded a letter on August 5, 1966 to the Chairman of the Committee on the Judiciary, Representative Emanuel Celler. In the text of this missive, Representative McCulloch pointed out that:

"Computers are today performing work that heretofore has involved innumerable man-hours. My State of Ohio early recognized the potential of computers as a means of saving man-hours in judicial administration. Your State of New York, Mr. Chairman, is another excellent example. In New York County, IBM machines are used to process thousands of jury cards, select over 1,300 jurors and count off a certain number of jurors for the supreme, city, municipal, and general sessions courts; then list the names of those drawn for each court; and then type, address, stuff, seal and stamp the appropriate summonses—all in less than 25 minutes."[11]

In order to more positively identify the role of ADP in judicial administration, Representative Robert McClory introduced on March 13, 1967—in amplification of H. R. 5385—a similar bill (H. R. 7091) to establish a Federal Judicial Center but featuring provisions "calling for examination of the application of automatic processing and systems procedures to the Federal courts."[12] On June 19, 1967, the House of Representatives passed H. R. 6111; final action on the proposed Federal Judicial Center is pending in the Senate.

Also taking steps to utilize modern management techniques (including ADP) in various facets of judicial administration has been the Senate Subcommittee on Improvements in Judicial Machinery, under the leadership of Senator Joseph D. Tydings. During the 89th and 90th Congresses, Senator Tydings has urged "a planned efficiency study of Washington's [District of Columbia] courts . . . that could improve justice here and 'provide an example of self-evaluation' for judges of congested courts throughout the Nation."[13] A $400,000 study of the District of Columbia court system is planned for late in 1967, and will be funded from Government grants and private foundation awards.[14] Among the bills being considered by the Senate Committee on the Judiciary is S. 1318 which provides "judicial machinery for the selection of juries,"[15] an area where ADP-aided procedures can be helpful in improving judicial administration.

A number of projects designed to improve the performance of the courts has been undertaken by private groups. The Arthur D. Little study of the Common Pleas Court System of Philadelphia emphasized that "mathematical methods can be used to define congestion and delay, and to measure causes of delay and methods of relief."[16] This report, published in 1961, advances a theory that is intended to achieve enhanced system-wide efficiency. The interrelationship between the three key elements of the judicial process is stressed:

(1) size of court facilities (e.g., number of judges and courtrooms);

(2) average waiting time between stages of the judicial process; and

(3) variation in time spent in a given stage.[17]

The value of mathematical analysis of court operations and loads also was examined by the Institute for Defense Analysis (IDA) in the study entitled "Date Analyses and Simulation of Court System in the District of Columbia for the Processing of Felony Defendants," in which the principle was stated that "simulated pretesting provides a first estimate of the effects of proposed changes on resources, work-loads, and delays."[18] The IDA study, published in June of 1967, and initially prepared as part of the report of the Science and Technology Task Force of the President's Commission on Law Enforcement and Administration of Justice, featured the actual development of a computer simulation of court processing activity. This allowed experimentation with court operating procedures with no disruption to the actual court operation. An existing simulation language, the IBM General Purpose Systems Simulator (GPSS), was used, and a model called courtsim was created.[19]

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[6] Navarro, Joseph A. *and* Jean G. Taylor. Data analyses and simulation of a court system for the processing of criminal cases. Reproduced from the Task Force Report: Science and Technology, a report to The President's Commission on Law Enforcement and Administration of Justice. Prepared by The Institute for Defense Analyses, Arlington, Va., June 1967. p. 37.

[7] Hayden, Richard F. C. Problems in the management of the criminal courts for which science may offer solutions. *In* National Symposium on Science & Criminal Justice, Washington, June 22–23, 1966. p. 98.

[8] Craven, Thomas O. The future of judicial education. A presentation before the Nevada Judicial Seminar, Glenbrook, Lake Tahoe, Nevada, September 16–19, 1964. p. 5.

[9] The challenge of crime in a free society. A report by the President's Commission on Law Enforcement and Administration of Justice, Washington, U.S. Govt. Print. Off., February 1967. p. 257–258.

[10] McClellan, John L. Federal judicial center. Remarks in the Senate. Congressional Record. (Washington), v. 113, February 8, 1967. p. 2900.

[11] McCulloch, William M. Additional views of Representative Robert McClory. Report No. 351 to accompany H.R. 6111. Federal judicial center (90th Cong., 1st sess., June 12, 1967). p. 23.

[12] McClory, Robert. Additional views of Representative Robert McClory, *op. cit.*, p. 24.

[13] Downie, Leonard, Jr. Court study plan lauded by Tydings. *In* The Washington Post, January 4, 1967. p. B1.

[14] Downie, Leonard, Jr. Bar group proposes program to reform Washington courts—committee cites delays, lack of personnel. *In* Extension of remarks of Honorable Wayne Morse. Congressional Record. (Washington), v. 113, May 8, 1967. p. 11868.

[15] Tydings, Joseph D. Improved judicial machinery for the selection of juries. Remarks in the Senate. Congressional Record. (Washington), v. 113, March 16, 1967. p. 7072.

[16] Arthur D. Little, Inc. Congestion and delay in the court. Preliminary report to the Greater Philadelphia Movement, July 1961. p. 2.

[17] *Ibid.*

[18] Navarro and Taylor, *op. cit.*, Appendix I, p. 199.

A court system, it has long been recognized, is complex and possesses critical relationships between its components. No improvement can be registered until the scope and nature of the *status quo* are fully understood. In the study of "Congestion and Delay in the Court" in Philadelphia, four principles essential to the projected improvement of the judicial process were set forth:

(1) Accurate statistics must be kept;

(2) The system's functioning must be constantly reviewed and updated;

(3) Good scheduling principles must be used; and

(4) Good information flow must be observed.[20]

The lack of these controlling functions in most jurisdictions is a decided deterrent to improving court administration.

It should be noted that many types of "models" may be used in undertaking to better understand and eventually improve a given operation.

Three types of models were described by Arnold D. Berkeley at the "Law and Computers in the Mid-Sixties" Course of Study; these included:

(1) Forecasting model—here the question will be raised regarding the soundness of assumptions and theories, and "whether or not the computer results are indicative of the real world."

(2) Econometric model—in this instance, emphasis is placed on optimizing the choice of the given variable.

(3) "What-if" model—this type of model will present the consequences of one decision versus another.[21]

Thus, judicial practitioners, academicians, and industrial consultants are examining the tools and techniques which may lead to improved court administration. At Columbia University, .a law school project has been undertaken to perform a quantitative analysis of court procedures.[22] The working group (Group VI) concerned with "Analysis and Research for Courts and Corrections Management Decision-Making" at the 1966 National Symposium on Science and Criminal Justice joined the chorus of those urging that "we develop certain models of courts through systems analysis and explore by simulation the optimum allocation of resources, particularly judges, witnesses, and lawyers."[23]

In yet another realm of activity, this assembled group of trial and appellate judges has been provided an opportunity to become acquainted with techniques of trial procedure and court administration as they are practiced across the Nation. Justice Tom C. Clark has stated that the National College of State Trial Judges "is now recognized as the most potent force in the improvement of judicial administration in the country."[24] The imagination and willingness to cope with changing conditions are virtual prerequisites for the judicial candidate of today.

We have shown that the jurist or judicial administrator must communicate with his industrial, government, or academic counterpart, as when a powerful school such as the University of California at Los Angeles establishes a Law-Science Research Center,[25] or an eminent leader in the legal profession such as Charles S. Rhyne, President of the World Peace Through Law Center, is instrumental in creating a World Association of Judges. Among the objectives of this international organism will be the encouragement of the "use of modern techniques like computerized records."[26]

The stage is set for meaningful developmental work to be initiated, tested, evaluated, and implemented on an operational basis. The work that is going on is a valuable prologue to that which inevitably will follow.

STATE AND LOCAL PROJECTS IN BEING

Several judicial systems throughout the United States have been employing systems analysis or automatic data processing—both punched card- and computer-oriented—for a period of years. Knowledgeable students of judicial administration problems long ago recognized that "backlog" is not the sole problem. Eldridge Adams has asserted that "uniform justice and knowing how cases of a certain type are being decided, are just as vital."[27] In the past decade and a half, a number of management and information handling systems using ADP has been established. In many instances, such basic punched card equipments as collators, sorters, and reproducers have been the only mechanical elements of these systems.

Among the sources of information regarding extant machine-supported judicial systems is the 1965 questionnaire prepared by the Secretariat of the National Conference of Court Administrators.[28] States, counties, municipalities, and territories known to be employing any form of automatic data processing equipment and techniques in court administration include: Alaska, California (Los Angeles County), California (San Diego County), California (Santa Clara County), Colorado, Connecticut, District of Columbia, Georgia, Hawaii, Illinois, Missouri (Clayton County), New Jersey, New York, Ohio, Oregon (Multnomah County), Pennsylvania (Allegheny County), Puerto Rico, U.S. Courts.

Among the court systems using ADP where significant resources have been expended is the Los Angeles County Superior Court; another is the Court of Common Pleas of Allegheny County, Pennsylvania. A brief description of these two development projects will illustrate some of the ways in which the systems approach can be useful to judge, lawyer, judicial administrator, and citizen alike.

The Los Angeles County Superior Court, with its eight branches, is "the largest of its kind in the United States—A $10 million-a-year operation with jurisdiction over all of the mammoth county's felony cases, plus probate, domestic relations and civil suits involving claims exceeding $5,000."[29]

The volume of cases increases about 10,000 cases per year and in 1965 approximately 180,000 cases were listed.[30] The Superior Court is one of original jurisdiction rather than an appellate court, and has about 150 judges and commissioners sitting in nineteen courthouses. The Central District civil files "which are separately numbered and in their third series, now total over 800,000."[31]

Late in 1960 the System Development Corporation (SDC) commenced an investigation of possible ADP applications to legal problems, and Phase I of the study of the Los Angeles County Superior Court was begun in the Spring of 1961. Three areas were identified for initial treatment:

(1) processing of the civil files;

(2) preparation of statistical reports; and

(3) analysis of records in the Conciliation Court.[32]

Analysis of the Superior Court activities gave evidence that "even minimal addition of machine data-processing techniques . . . could provide improved indexing and would assist in making statistical reports."[33] Other findings included the fact that ADP utilization probably would "yield data not otherwise economically obtainable."[34] Finally, it appeared that "improved analysis of the contents of a myriad of documents was a primary need of the Court."[35] Throughout the Phase I study, the problems relevant to document origin, flow, content, and effect upon the system were a dominant theme.

The reaction to the Phase I study was positive enough that a Phase II study, this time of the entire Court, was scheduled, and undertaken on a no-cost (to the Court) basis by Eldridge Adams, working in consultation with Judge Richard F. C. Hayden, Chairman of the Special Committee on Data Processing, and Professor Edgar A. Jones, Director of the UCLA Law-Science Research Center.

Studies such as this characteristically are multiphased: analysis of existing procedures and operations, scrutiny of current documentation (regulations, manuals, evaluation memoranda), and the creation of an operational concept for the immediate future and for long-range needs. This latter activity phase usually involves observation of on-going practices and interviews with key court personnel.

Judge Hayden, in his monograph "Problems in the Management of the Criminal Courts for Which Science May Offer Solutions," offers the opinion that:

"If we were to take advantage of existing technology, we could not only improve the quality and rationality of our record keeping, but could improve the management of our court calendars."[36]

According to a summary of equipment use prepared by Allen Harris of the Institute of Judicial Administration, the Los Angeles County punched card equipment used in support of judicial administration indexes all cases, prints a register of action pages, compiles statistics, processes criminal cases, provides a daily case list, stores and tabulates statistics for the Conciliation Court, and processes special studies.[37]

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[19] *Ibid.*, p. 39.

[20] Arthur D. Little, Inc., *op. cit.*, p. 8.

[21] Joint Committee on Continuing Legal Education. Law and computers in the mid-sixties. Course of study transcript. Philadelphia, The American Law Institute, 1966. p. 134.

[22] Weinstein, Jack B. Problems in using science in the management of the courts. *In* National Symposium on Science & Criminal Justice, Washington, June 22–23, 1966. p. 116.

[23] Analysis and research for courts and corrections management decision-making. Group VI report, Ezra Glaser, chairman. *In* National Symposium on Science & Criminal Justice, Washington, June 22–23, 1966. p. 179.

[24] National College of State Trial Judges, 1966–1967. Prospectus prepared at the University of Nevada. Introduction.

[25] Jones, Edgar A., Jr. Some observations on the computerization of the legal system of the State of California. Paper prepared for the Law-Science Research Center Seminar on Automated Storage and Retrieval of Legal Information, Sacramento, California, November 13, 1964, p. 9.

[26] Rhyne, Charles S. Law for all. *In* Extension of remarks of Honorable Claude D. Pepper. Congressional record. [Daily ed.] (Washington), v. 112, July 11, 1966. p. 14385.

[27] Adams, Eldridge. EDP aid to the courts. *In* Proceedings of the Conference on EDP Systems for State and Local Governments, New York City, September 30-October 2, 1964. p. 18.

[28] National Conference of Court Administrative Officers. Questionnaire on Automatic Data Processing in the Courts, Chicago, March 1965. 5 p.

[29] Courts—computerized docket. *In* Time, July 29, 1966. p. 38.

[30] *Ibid.*

[31] Adams, Eldridge. A study of data processing in the Los Angeles Superior Court. Conducted for the Court's Special Committee on Data Processing. Santa Monica, System Development Corporation, November 1, 1963. p. I–5.

[32] *Ibid.*, p. I–3.

[33] *Ibid.*

[34] *Ibid.*

[35] *Ibid.*, p. I–3, I–4.

[36] Hayden, *op. cit.*, p. 97.

The approach, then, in the Los Angeles' project, was to engage in "a pervasive study of the entire Court," [38] thereby avoiding the pitfalls of the fragmented, *ad hoc* approach. In this way, the benefits and disadvantages of incorporating machine support to each major facet of court administration may be viewed as identifiable alternatives . . . alternatives to be weighed in terms of court performance, cost-effectiveness, and service to the community.

In Allegheny County, Pittsburgh, Pennsylvania, the Court of Common Pleas ranks as the eighth largest metropolitan court.[39] With unlimited civil, equity, admiralty, and criminal jurisdiction, a backlog of nearly 8,000 triable civil damage suits had accrued; these were the responsibility of nineteen judges. In March of 1963 Henry Ellenbogen was elevated to the office of President Judge, and became determined to apply technological skills to eliminate court delay.

The backlog of cases was caused by a large number of trespass cases, of which 80 to 85 per cent were personal injury and property damage cases resulting from truck and automobile accidents.[40] Judge Ellenbogen realized that while legislative action might eventually provide relief through improved laws and additional judicial manpower, this would take a long time. He then embarked on a program of internal, administrative reforms, which could be applied expeditiously since they were exclusively under the aegis of the judiciary.

As the possible applications of ADP were analyzed, the responsible parties became aware that computers and punched card devices could do much more than merely provide statistics. In the words of Judge Ellenbogen, ADP could: ". . . help us improve and strengthen our control of the flow of litigation to a degree never before attempted or even envisioned by any court.[41]

With the support of industry, in this case the International Business Machines (IBM) Corporation, three types of electronic data cards were designed: a filing card for each complaint, an appearance or issue card, and a trial record card.

An Order of Court, adopted on October 2, 1963, provided that "each case must be placed at issue . . . within thirty days after the pleadings are closed." [42] In this type of scheduling and machine analysis of structured data, the electronic computer is a nonpareil tool. Yet another function where the computer proved of aid to Allegheny County Court of Common Pleas' personnel was in determining which lawyers were handling which jury trial cases. It was discovered, through ADP analysis, that although Allegheny County has about 2,400 lawyers, only 3 per cent of the lawyers handle most jury cases.[43] More equitable distribution of cases was possible by examining the ADP-generated lists and making sure that no trial firm had more than it can cope with during a given time period.

The systematic, carefully planned use of automatic data processing by Judge Ellenbogen and his associates resulted in a reduction of the 8,000-case backlog to 5,559 cases one year later. In addition, the Court disposed of an impressive total of 3,703 jury cases during the same period; of these, 2,414 had been part of the inherited backlog.[44]

The preponderance of attention in professional writings and the public press has been turned toward the metropolitan courts which serve approximately 70% of the population and usually have large backlogs. The problems concomitant with ensuring civil and criminal justice are not limited to these jurisdictions, however, and experience has proved that many of the court systems located in rural areas have profited by the adaptation of systems technology.

SUMMARY

When responsible decision-makers in the judiciary turn their attention to the achievements of science and technology which might benefit their court operations, they should seek objective, experienced counsel. All too often, "blue sky" solutions to commonplace problems are attractive, but under close examination may prove to be either too expensive or not truly responsive to the needs of the system users. With the advent of "third generation" computer equipment and its more flexible software, a wider range of applications in the analysis and research of budgetary, case, appropriations and expenditures data may now be addressed using man-machine programs and techniques.

You who are judges are the director . . . the coordinator of the court operations. One professional group recently likened the court to a conductor of a symphony, "in that the judge tries to mesh together time for defense preparation, availability time of the witnesses and the time for the prosecution to prepare its case." [45]

All of us have felt the "information explosion." Not only has the impact of this technological happening touched the lives of millions of citizens working and playing today, but it will have an increasingly powerful effect upon the American way of life in the years ahead. Man must remain master of technology. In the counting rooms, factories, universities, and courtrooms, the products of science must be understood, applied wisely, and controlled completely. Resources such as the mathematical model, the cathode ray tube user console, or the machine-accessible microform storage device must function as man's *tool*, just as the telephone or mimeograph machine.

The judiciary of the contemporary scene, in viewing the proper role of ADP in judicial administration, now can reconcile the merging of science and law. The essence of this necessary integration is found in these words:

"Mechanical devices and electronic wizardry will handle the routine procedures of the court very nicely but justice will always be dependent upon the decisions of conscientious and dedicated students of the law. The wisdom and compassion displayed by our trained judiciary can never be duplicated by any machine.[46]

The common objective, then, is the enhancement of judicial administration throughout these United States. This can be attained only by the combined efforts of the judges, the court administrators, the information systems specialists, and the educators. The sustained determination and application of all relevant resources will result in measurable benefits and a meaningful restatement of the underlying guaranty of equal justice which is the heritage of every American.

EVEN RIOTS FAIL TO SHAKE CONGRESS

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HARVEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HARVEY. Mr. Speaker, shortly after the riots in Detroit, Mich., which occurred in July of this year, I mulled over in my own mind what Congress could best do immediately to better focus attention on the problems faced by our cities. I thought back to a resolution creating a Standing Committee on Urban Affairs in the House of Representatives, introduced in 1961 by my distinguished colleague from Massachusetts, the Honorable F. BRADFORD MORSE. On August 1, 1967, I reintroduced Congressman MORSE's resolution, and since then 29 other Members of the House have also introduced this resolution.

Richard F. Stewart, writing in the Boston Globe on August 19, discusses the merits of Congressman MORSE's resolution. I wholeheartedly agree that to assemble the problems faced by the cities together "under one roof," in one committee of the House would be very advantageous, and I include herewith Mr. Stewart's article for the attention of my colleagues:

EVEN RIOTS FAIL TO SHAKE CONGRESS

(By Richard H. Stewart)

WASHINGTON.—When Russia launched the first satellite in 1957, Congress immediately launched a series of investigations to reappraise the United States' satellite and missile programs.

Four Senate and House subcommittees undertook separate studies. From these inquiries there developed an apparent need for a separate space agency and thus was born the National Aeronautics and Space Administration (NASA).

Then Congress dropped the other shoe. The Senate established a permanent committee on aeronautical and space science comprised of 16 members.

The House set up the committee on science and astronautics consisting of 30 members and five subcommittees.

These actions gave Congress—which depends heavily on the committee system—a window to developments in the space age.

On Sept. 9, 1965, President Johnson signed the legislation to create the new department of Housing and Urban Development (HUD).

At the signing ceremony, Mr. Johnson remarked:

"Today we are taking the first step toward organizing our system for a more rational response to the pressing challenge of urban life."

Rep. Bradford Morse (R–Lowell) has since 1961 been trying to get Congress to reorganize its system for dealing with urban problems, but Congress has not reacted with the sense of urgency that sparked it in 1957 when the Russian satellite went aloft.

Urban problems are not as romantic as space walks.

Morse has again filed resolutions calling for the establishment of either a permanent or temporary committee on urban affairs. He has been joined in support of the resolve by 29 other House Republicans.

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[37] Harris, Allen. Data processing and court administration. *In* M. U. L. L., December 1965. p. 175.

[38] Adams, Eldridge. A study of data processing in the Los Angeles Superior Court, *op. cit.*, p. I–4.

[39] Ellenbogen, Henry. Automation in the courts. *In* American bar association journal, v. 50, July 1964. p. 655.

[40] *Ibid.*

[41] *Ibid.*, p. 656.

[42] Ellenbogen, Henry. EDP: last hope for the jury system. *In* Proceedings of the Conference on EDP Systems for State and Local Governments, New York City, September 30–October 2, 1964. p. 27.

[43] *Ibid.*

[44] *Ibid.*, p. 28.

[45] Analysis and research for courts and corrections management decision-making. Group VI report, *op. cit.*, p. 178.

[46] Ellenbogen, Henry. EDP: last hope for the jury system, *op. cit.*, p. 28.

There are nine separate House committees that currently deal with some facet of urban affairs.

"This makes it virtually impossible for the Congress to consider the city as a comprehensive whole, much less the inter-relationships between housing and education, transportation and pollution, highways and open space," says Morse.

Joining Morse in support of the proposal are two other Massachusetts Republicans, Silvio Conte of Pittsfield and William Bates of Salem.

Under the resolution filed this year, a 13-member committee would be established and would have jurisdiction over housing, urban renewal, slum clearance, prevention and elimination of urban blight, air and water pollution, water supply, sewage facilities, transportation and other urban problems.

The nine committees involved in urban affairs are Agriculture, Banking and Currency, District of Columbia, Education and Labor, Government Operations, Judiciary, Interstate and Foreign Commerce, Interior and Public Works.

Confusion created by this system often creates conflicts between committee intentions.

For example, as Morse points out:

"While the Public Works Committee is considering legislation to build more highways to bring cars into the central city, the Housing Subcommittee of the House Banking and Currency Committee may be working on mass transit legislation to keep the cars out."

In a bureaucracy fraught with red tape and confusion, an emphasis on simplifying and coordinating the work of the Congress should delight most legislators.

But since the proposal was first filed in 1961, it has failed to get action by the House Rules Committee.

There are two reasons:

—The committees now having some jurisdiction over urban problems do not want to lose that jurisdiction.

—Any committee that controls urban affairs would soon become the most powerful committee in the Congress.

But the riots in the nation this year may provide some new impetus for the Congress to support such a measure.

If that pressure can be brought to bear on the Rules Committee in sufficient quantity to offset opposing pressure from committee chairmen who fear a dilution of their authority, the proposal might have a chance to reach the floor for debate.

The Rules Committee is more responsive to Congressional pressure than public pressure and likes to protect the members of its own club.

That is the main reason why a Congressional reorganization bill has been stalled in the Rules Committee since March 9. Chief complaint comes from committee chairmen, who, under the bill, would lose some of their autonomy.

AN EXTENSION SERVICE FOR THE DISTRICT OF COLUMBIA

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NELSEN. Mr. Speaker, a 4–H program for the District of Columbia would represent a unique new, wholesome and inexpensive effort to get at a basic problem found in many crowded cities—lack of family direction and responsibility.

As the ranking minority member on the House District Committee, I am concerned that there is no Federal Extension Service to operate 4–H and home economics programs in the District as there is in each of the 50 States.

Therefore, I wish to urge support for a bill to bring 4–H to Washington, introduced by Congressman JOHN ZWACH, of Minnesota, and cosponsored by myself. This program has proved its worth again and again. For many years, the 4–H program has been directed toward character-building, instruction in practical home skills, and leadership training. Many thousands of youngsters and adults have benefited themselves and their country through learning cooking, family care, carpentry, home repairs and improvements, sound budgeting and other useful skills.

It is very plain that the lack of such knowledge in poor city neighborhoods has contributed to the wave of urban unrest plaguing the United States. Bringing such time-tested training courses into deprived homes in Washington will help assure a more wholesome home life for families almost unreachable through present programs.

Many of the poor themselves feel the tired, wornout welfare system is of little value, for it robs them of pride. They seek practical ways of getting back on their feet, and programs which place emphasis on individual accomplishment, on self-help. A 4–H program in Washington would be a bold, fresh approach in this direction. There is no reason why many phases of 4–H, a largely rural program, cannot be adapted to fit city conditions.

Under terms of the Zwach-Nelsen bill, the Secretary of Agriculture would be authorized to establish and maintain cooperative extension services, with emphasis on youth development and home economics programs for women. The programs would be conducted in cooperation with Howard University. They would be aimed at reaching some 93,000 boys and girls and 95,000 families living in conditions of abject poverty in Washington.

While primary emphasis would be on home demonstrations, such as instruction in the preparation of tasty low-budget meals, some vacant buildings and garages would be turned into demonstration kitchens and auto-appliance-home repair shops for group instruction.

GARNISHMENT OF FEDERAL EMPLOYEES' SALARIES

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the curious byproducts of the concept of national sovereignty embodied in the doctrine of "sovereign immunity" is the immunity enjoyed by some employees of the Federal Government from the normal processes by which creditors satisfy their debts out of the assets of defaulting debtors. The processes of garnishment, execution, and trustee process which can be used against the wages or salary of a private employee cannot be used against a Federal employee because the Government refuses to permit itself to be a party in an action of this kind, and without its consent it cannot be made a party.

Removing the immunity of Federal employees will benefit the honest Federal employee who pays his bills, the various governmental agencies, and even the defaulting employee.

Knowledge of the difficulty which faces creditors in getting satisfaction from recalcitrant Federal employees leads them, in self-defense, to make credit rules tighter for all Federal employees. The honest Federal worker who would not avoid his obligations is placed in the same light, for purposes of extending credit, as his less desirable coworker. It is harder for the Federal employee to obtain credit than a private employee because of this immunity. All Federal employees, honest as well as dishonest, must pay the price in the form of more extensive credit checks, higher interest rates, and more redtape. The effect of this bill would be the extension of consumer credit to Federal employees on the same terms as it is presently extended to employees in the private sector.

For the agencies, the advantage lies in the lessened administrative burden which they must carry. Executive opposition to permitting enforcement of valid obligations of Federal employees through State procedures applicable to private employees has in the past centered on the administrative burden it is alleged that this would impose upon Federal agencies. There are two answers to this argument. First, the burden cannot be that overwhelming if some Government corporations—and all private businesses—manage to continue in operation even though their employees' compensation is subject to State debt collection processes. Second, the proposal would actually lessen the administrative burden on the Federal agencies in this way. At present, mail to the agencies on the subject of unmet obligations is voluminous. Correspondence, personal interviews with the employees involved and, as a last resort, dismissal proceedings all needlessly complicate personnel relations in Federal agencies. How much better it would be to let the courts of the State decide the merits of the creditor's claim and how the claim should be enforced. I can see no justification for imposing the independent judgment of a Federal official between the obtaining of a judgment against a Federal employee and the levy upon that judgment.

Even more important, however, than the lessening of the administrative burden on governmental agencies which would result from this proposal would be the self-restraint which the existence of these proceedings would impose on those Federal employees who now abuse their immunity and scorn payment of their debts. Knowledge that their obligations may be enforced against them will be an effective deterrent to such activities.

Finally, the enactment of this proposal will be of benefit to the defaulting employees themselves. Presently such acts on the part of a Federal employee are met by only one sanction—dismissal from Federal service. Unable to enforce payment, the agency can only use dismissal to curb a continuous offender. In the short run the debtor may have a few more dollars in his pocket by avoiding his debts; in the long run he stands a good chance of losing his job.

At first impression, this problem would seem to be confined to the consumer credit industry, especially surrounding the District of Columbia. Certainly, local merchants are interested in it, and I have had numerous offers of assistance in the form of stacks of worthless judgments against Federal employees, worthless because they are unenforceable. The problem is more than a regional one, however. I do not see any reason from the employees' standpoint why they should be given immunity from the normal processes of debt enforcement. There seems to be little sense in the idea that, because one works for the Federal Government in any capacity, his wages or salary cannot be taken to pay off his just obligations. Indeed, Congress in setting up certain independent governmental corporations has allowed the corporation to sue and be sued, thus subjecting the wages and salaries of the corporation's employees to the processes of garnishment, execution, and trustee process.

I think it is high time that the Congress removed this superfluous and costly mantle of protection from Federal employees—costly to the Federal employees themselves—and made them liable to collection for their debts by the same procedures which can and are being used against private employees. I look forward to a full discussion of the merits of this proposal and hope for action on it before the adjournment sine die of the 90th Congress.

THE BERKSHIRES VISITED AGAIN

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CONTE. Mr. Speaker, as you recall, on July 13, I invited the Members of this august body to "come to the Berkshires."

On that occasion, I placed in the RECORD an article from the New York Post extolling the many fine enjoyments of the Berkshires, which I am proud to represent in this body.

Recently I mentioned in the RECORD the fact that "Berkshire Festival Day" was being celebrated throughout the Bay State on August 17, the same evening a 2-hour concert by Erich Leinsdorf and the Boston Symphony Orchestra appeared on live coast-to-coast television on NBC.

As if there were a need to prove that western Massachusetts is the summer cultural center of the United States, I call to my colleagues' attention an excellent article about the Berkshire Boy Choir of Stockbridge. Entitled "After Bruckner, Root Beer Popsicles," this August 20, New York Times article by Raymond Ericson gives a glimpse of this choir in its first year of operation.

The choir is under the direction of the well-known English organist and master of choristers of St. John's College in Cambridge, England, George Guest. John Hoyt Stookey is head of the sponsor seeking financial assistance to make the choir a continuing one.

The article follows:

AFTER BRUCKNER, ROOT BEER POPSICLES

(By Raymond Ericson)

Put 35 boys in a gym and normally they'll turn the place into bedlam. When the teenagers in the Berkshire Boy Choir meet on the basketball court of the Stockbridge School they sit in silence or sing such unsportsmanlike works as Bruckner's "Christus factus est."

This was the situation on a recent Saturday morning at the Massachusetts campus. The boys, backed by some 15 young men, sat relaxed and attentive, under the patient, friendly gaze of their leader, George Guest. They stood—some slouched—to sing, fidgeted only a bit when asked to repeat a phrase several times to correct an off-pitch passing note.

The choir, an experimental creation modeled after English boy choirs, was well into its first summer of existence and was busy polishing music for appearances in New York City. At the end of the hour rehearsal the members were off to the dining hall for a substantial lunch (dessert: Good Humor bars and root beer Popsicles). One dawdled on the way to finish a comic book. Another gathered up the music—he had been made librarian because his voice changed after he arrived at the school and couldn't sing in the choir.

Guest, who was brought from England, is organist and master of choristers of St. John's College, Cambridge, a leader in his field. "American boys are not as disciplined as English boys," the soft-spoken director said. "And they tend to respond more mechanically. That is, they don't seem to have any intuition about how a piece should go, about anticipating what the director will want. On the other hand, they read music very well. They remember what they're told."

The director did not think he had created a perfect choir in the weeks it had been working at Stockbridge (it disbands tomorrow) nor one that would seem outstanding by international standards. Among American choirs having both men and boys he thought it superior. "Some day," he said, "we ought to be able to take the choir into Vienna and have it sing for an audience with the Vienna Choir Boys sitting in the front row."

Continuity is the problem for the Berkshire ensemble. Its sponsors, headed by president John Hoyt Stookey, have assured its existence next summer. The hope is to get as many of this year's group back as possible. Guest envisages a system where there will be two choirs, one of 24 boys in the 11-to-13 age bracket, one of 16 in the 9-to-10 bracket. Each would have its own quota of men. The larger group would give concerts, the smaller sing at sacred services. One assistant conductor for the two choirs would provide a certain amount of continuity as the younger boys moved up from one choir to the other.

GENOCIDE, THE UNITED NATIONS AND THE ARMENIANS

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the first genocide of the 20th century was the atrocity suffered by the peoples of Armenia. The world and history have yet to rectify that tragedy. Armenia, as you know, is now suffering under the yoke of the Soviet Union. Areas of Turkey which were once the Armenian homeland have been deprived of Armenian people.

I deem it necessary that we recall this tragedy so that when the time comes to move in a positive way to help the Armenian people return to their homes we will be equipped to do so. For this reason I insert in the RECORD at this point the following article by Mr. James H. Tashjian regarding this subject:

GENOCIDE, THE UNITED NATIONS AND THE ARMENIANS

(By James H. Tashjian)

The international crime of *genocide*, a neologism only lately coined to connote the destruction "in whole or in part (of) a national, ethnic, racial or religious group",[1] is as old as mankind itself yet, tragically, its prevention or punishment has only in our day become the purpose of the peoples of the world.

In the words of Begum Ikramullah, of Pakistan, at the United Nations General Assembly in 1948:

"Genocide has been committed through the ages. While it has always shocked the conscience of mankind, nothing has been done to punish the crime . . ."[2]

Because the history of genocide is the history of man's inhumanity to man, it is a considerable history. Said Lemkin:

"Genocide has repeated itself with the regularity of a biological law."[3]

It seems that whether as initiators or as the victims of the crime of mass annihilation, mankind has been powerless either to stay its own phylogenic passion to kill or to destroy, or to prevent others from the wholesale extirpation of those who stand in the path of their ambitions.

A cursory glance through the pages of history is sufficient to uncover evidence *ad nauseam* that genocide has been practiced almost traditionally as a weapon of international or domestic political warfare. There is scarce the nation today with a centuries-old history (and a few of more latterly vintage) which can aver that its escutcheon is unstained by the blood of genocidal events.

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[1] The definition is that found in Article II of the United Nations *Convention on the Prevention and Punishment of Genocide*. All quotations or references to the Convention are based on the text of that document as found in the release of the United Nations Economic and Social Council, Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities: E–CN.4–Sub. 2–259–Rev.1; 14 Feb. 1966.—The relatively contemporary nature of man's understanding of genocide and of his desire to place the apocalyptic forces under restraint is illustrated by a war-time remark attributed to Winston Churchill as he was told of the Nazi-made starvation which took the lives of 30,000 Greeks: "We are in the presence of a crime without a name." (See Robert Merrill Bartlett: *They Stand Alone*. N.Y. (Crowell). 1959. p. 100.)

[2] *The Crime of Genocide, a United Nations Convention*. United Nations, N.Y. 1956; p. 1.

[3] *Ibid*. On Prof. Raphael Lemkin, see later in this work.

The Pharoahs of early Egypt conquered, slew or enslaved as national policy, and the "wolflike" Assyrians threw up their mounds of bones to memorialize the awful scenes of their aggressions and of their conquests.

Alexander, sublimated astonishingly as "The Great", butchered the Persians to impress on them the real design of his suzerainty, while Xerxes the Persian systematically slaughtered and destroyed to extend his empire. He boasted that the sea alone dared disobedience to his power—and he had the waters flailed for it. Herod's "Massacre of the Innocents", portrayed graphically by the genius of Delacroix, was calculated to do away with the male offspring of his realm—simply because it had been soothsaid that one among those children would challenge his royalty and his madnesses.

It remained for Rome however to perfect the art of genocide in its diverse forms. A hundred European and Asian nations and cultures were ground to memories under the relentless blows of the Legions and of Rome's civil administrators; the philosophers and poets of Greece were scotched, the scholars and prophets of Israel were eliminated; once mighty Egypt's architects and scientists vanished, the craftsmen of Carthage fell with their city and their civilization in answer to the summons, "Delanda est Carthago"; and the *Pax Romana* proclaimed by the "benevolent" Octavianus did not pacify but reduced the world to the service of Rome and, indeed, made the world Rome alone. Children were impressed into servitude, the young "barbarian" manhood were trained to amuse the people of Rome as gladiators in the arena, while the Christians were fed to the lions. *Dea Roma!*

But Attila the Hun came to Italy and sacked and murdered, and the abominations of Alaric and his Goths shamed the world. While unfurling the banners of Christ, the Crusaders entered the Holy City and consigned the Arabs to the sword and the other non-Christians to the torch. The unlettered Charlemagne employed religion as the pretext of his unsatiable appetite for lands and for riches. Ferdinand of Aragon lived out a bloody career of genocide, the Inquisition erased the sect of the Albigenses, and thousands of others and their ideas. 50,000 Huguenots were destroyed in France, victims of the *Chambre ardente* and of the *White Terror,* to prove finally that Louis XIV had all the right in the world to boast, "L'etat est moi".

Tarter and Mongol incursions eastward, southeast and westward of those Asiatic reaches terrorized the world. Genghis Khan blotted out the city of Kiev and Timurlane threw up his grim monument of Armenian skulls in the precincts of Erzerum. In their career of conquest, the Mongols alone slew, as state policy, 10,000 human beings.

Cortes and Pizzaro took the word of civilization to the New World. The smoke of the hecatombs of the Aztecs filled the sky, and the conquistadores pulled down the ancient monuments of the Incas in their search for the gold of those who would not abnegate their gods.

The Scots were reduced at Rathlin, the Elizabethan conquest of Ireland, emphasised finally by the draconian laws of Cromwell, reduced the population of that island. The Boers were sent on their trek.

The military adventures of the prophet Mohammed were followed by the genocidal tyranny of the Caliphs. The Osmanli Turk came into Asia Minor and seized the Seljuk throne, turned on the ancient nationalities of that area and made of them "giavours" and "pariahs". Sultan Abdul Hamid slew 300,000 Armenians because they dared to hope for reforms—that is internationally-administered measures to halt the genocidal policies of Turkey. Hamid was deposed by the Ittihad Party which promptly produced such figures as Talaat and Enver, who proceeded to deport and massacre in coldest blood 1,500,000 Armenians.

Kemal Ataturk arose and continued where his predecessors had left off. He put 300,000 Greeks and Armenians to death under the pretext that he was fighting "imperialism"; and he decreed a "Westernized" state in which the nationalities and religions still continue to exist under the damoclean blade of genocide.

The awesome carnage of man and his cultures wrought by the Turks over a period alone extending from 1822 to 1922 is best reflected by the fact that over that period of 100 years, extending into our century, the Turks consigned to genocide more than 2,500,000 Greeks, Nestorians, Maronites, Syrians, Bulgarians, Yezidis, Jacobites and Armenians. This figure does not include 500,000 Kurds murdered, deported or displaced.[4]

The royalty of Ivan, Peter and Catharine was followed by the "proletarianism" of Lenin and Stalin, but little else was changed. The great purges and induced famines of the Bolsheviks wiped out millions of Ukrainians, and others, or else banished into oblivion such nations as the Chechens, the Inguish, the Kalmucks, the Karachians, the Balkarians, the Volga Germans as "necessities of war" and "traitors to the fatherland".

The policy of the Soviet Russian leadership today continues to be that of the formation of a "one nation, one culture, one fatherland" Russian state which will result on the successful "russification" of its non-Russian peoples. In its consequent destruction of the political, economic and cultural identities of the nationalities—the contemptible "inorodtsy"—Soviet Russian goals are genocidal in nature.[5]

In noting that those who had committed genocide had gotten away scot free, Adolf Hitler was encouraged to embark on his mad career.

Addressing his Commanders-in-chief, gathered September 1939 at Obersalzburg, a few days before the Nazi invasion of Poland, Hitler said:

"I have decided to go with Stalin . . . Within a few weeks I shall shake hands with him on the German-Russian frontier and undertake with him a new distribution of the world. Our strength is in our quickness and our brutality. Genghis Khan had millions of women killed by his own will and with a gay heart. History sees him only a great state-builder . . . For the time being I have sent to the east only my Death's Heads units, with the order to kill without pity or mercy all men, women and children of the Polish race or language. Who still talks nowadays of the extermination of the Armenians?"[6]

Before he was brought to his end, Hitler slaughtered 6,000,000 European Jews, among whom were an estimated 800,000 children under twelve years of age—shades of the Khans, Hamid and Talaat!

THE CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE: A DISCUSSION

The story of genocide is indeed an appalling story; and precisely because the charge of genocide can be levelled at many nations flourishing in our day, the United Nations, the newly-founded consortium of those and other nations, finds itself faced with a doubly complex and perplexing problem in its effort to devise the means and the methods of preventing and punishing genocide.

Because of its context of States both guilty and innocent of the crime of genocide, the society of nations in effect has cast itself in the role of both judge and defendant; and while most members of the United Nations are displaying a generally honest passion to outlaw genocide, each nation is anxious to keep its ugly genie tightly capped and out of sight in its own bottle.

Despite these and other difficulties, there are some hopeful signs on the horizon that man is genuinely stirring to eradicate mass annihilation.

The first of these was the parallel military tribunals held following World War II which tried, indicted, imprisoned or executed the Nazi and Japanese war criminals responsible for the fearful carnage of peoples before and during that war. The proceedings of the International Military Tribunal at Nuremberg and of the International Military Tribunal for the Far East constituted in nature a condemnation of genocide *in toto,* and set significant precedents in international morality.

The second of these was the passage of legislation against genocide by the United Nations.

In 1921, a Polish law student, Raphael Lemkin, who was later to teach at Duke, Yale and Rutgers, was "profoundly upset" by reports that a young Armenian, Soghomon Tehlirian, had found himself called upon to assassinate Talaat, a prime author of the Turkish genocide of the Armenians, in lieu of international default of responsibility. Discovering that international law bore no provisions for the trial and the punishment of those accused of mass murder and prodded later by the scene of the Nazi pogroms, Lemkin waged a life-long career to outlaw the crime, which he called "genocide".

With the organization of the United Nations, Lemkin took his proposals to that body of nations and, following intensive debate, on December 11, 1946 the General Assembly passed unanimously an agreement which was later to be introduced into the formal Convention as Article I:

"The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish."

In the same year, the General Assembly requested the Economic and Social Council to undertake studies with a view to drawing up a draft Convention on genocide. In 1947 the Secretary General, at the direction of the Council, prepared that first draft and, in 1948, an *ad hoc* committee submitted a revised draft.

On August 26, 1948 the finalized draft was presented to the General Assembly, which adopted it in its present basic form on December 9, 1948, with a vote of 55-0. The *Convention on the Prevention and Punishment of the Crime of Genocide* went into force on January 21, 1951 ninety days after the twenty States had ratified or acceded to it.

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[4] For a discussion of Turkey and genocide, see: James H. Tashjian: *Turkey, Author of Genocide—the Centenary Record of Turkey* 1822–1922. A Publication of the Commemorative Committee on the 50th Anniversary of the Turkish Massacres of the Armenians, 212 Stuart Street, Boston, Mass. 02116. (Copies on request.)

[5] Richard Pipes, Assoc. Prof. of History and Assoc. Dir. of the Russian Research Center, Harvard University, has traced the course of Soviet Russian policy in terms of the nationalities of the Soviet Union. The new Communist programme, he says, "leaves no doubt that the Stalinist nationality policy will be continued and carried to its logical conclusion . . ." which he interprets as "the indispensible minimum of lip service . . . to the rights of the national minorities." See his paper, "Nationalism and Nationality", in Leonard Shapiro (Editor) *The USSR and the Future,* Praeger Paperbacks, New York-London. 1962. The Pipes quotations are found on page 81 of the latter work.

For further discussion of the problem, see: *The Soviet Empire: Prison House of Nations and Races, a Study in Genocide, Discrimination, and Abuse of Power.* Internal Security Subcommittee (U.S. Senate), 85th Congress, 2d Session. Washington (U.S. Government Printing Office). 1958. Doc. 122.

[6] *London Times,* Nov. 24, 1945; p. 4. The Nov. 23, 1945 proceedings of the Nuremberg tribunals also records this quotation.

Business pertaining to the Convention on genocide is the immediate responsibility of the UN's Economic and Social Council, which in turn has delegated responsibility to its Commission on Human Rights. Of late, Convention affairs have been handled by the Commission's Sub-Commission on the Prevention of Discrimination and Protection of Minorities.

Article II provides the Convention's definition of genocide:

"In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such:

"(a) Killing members of that group;

"(b) Causing serious bodily or mental harm to members of the group;

"(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

"(d) Imposing measures intended to prevent births within the group;

"(e) Forcibly transferring children of the group to another group."

Article III enumerates five punishable acts, and *Articles IV* and *V* prescribe punishment for "responsible rulers, public officials and private individuals" guilty of the crime of genocide through legislation "to give effect to the provisions of the present Convention", while *Article VI*, which we shall discuss later, calls for those charged with the crime of genocide to be "tried by a competent tribunal of the state in the territory of which the act was committed, or by (an) international penal tribunal . . ."

Article VII pledges the Contracting Parties "to grant extradition in accordance with their laws and treaties in force." Other articles not referred to in this paper are administrative in nature and of little interest to our present purpose.

As of March, 1967 seventy member states had "acceded to or ratified" the Convention. Data in this regard is interesting. First to accede was Ethiopia (July 1, 1949) fresh out of its experience with Italy. Australia, almost blameless of the taint of genocide, acceded July 8, 1949 and Norway, the victim of Nazi excesses in World War II, followed just two weeks later.

Two of the prime predators in the United Nations, Turkey and the Soviet Union, have acceded under interesting circumstances. Turkey acceded and ratified on July 31, 1950 *but its instrument of signature has not been received*, which is a sort of exercise in closing a door but keeping the latch unfastened for a quick exit.[7]

The Soviet Union has both acceded and ratified (May 3, 1954), and signed Dec. 16, 1949), but has recorded two reservations.

The first of these is aimed at *Article IX* of the Convention which directs that disputes on the subject of the Convention "shall be submitted to the International Court of Justice at the request of any of the parties to the dispute." This simply means that the USSR is anxious to enjoy the privilege of prolonging and ultimately thus killing disputes arising on the Convention in which it is a participant by simply preventing a dispute from going to a competent party for adjudication. The importance with which the Soviet Union regards its reservation is manifested in that of the ten reservations cast by UN members against *Article IX*, nine emanate from nations of the Soviet bloc.

The Soviet's second reservation is homed in on *Article XII*, which gives the right to any Contracting Party (i.e. member of the United Nations subscribing to the Convention) to "extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible."

The Soviet's concern in this matter is quite transparent and portentous. It neither wishes to be put in a position of defending itself against the charge that it is undesirous as an example of extending to Armenia, the conduct of the foreign affairs of which sovietized republic is the concern alone of Moscow, the right to ask United Nations action under the provisions of the Convention, nor does the Soviet want Soviet Armenia to enjoy such a privilege, which may turn out to be a two edged sword directed against Turkey, which the Soviet is presently wooing, and against the Soviet itself.[8]

The United States of America, on the other hand, is one among six United Nations States which have not ratified or acceded, although its signature endorsing the Convention was filed December 11, 1948.

There has been widespread interpretation of the failure of the United States to ratify the genocide convention as bearing with America's "sense of guilt" of its negro problem, but a careful study of the subject reveals that Washington's concern is not directed unilaterally at the genocide agreement, but generally at the delicate matter of the conflict between the many United Nations Human Rights decisions and the traditional American concept of non-interference in the internal affairs of a constituted nation.

As an example of the problem faced by the United States Government on the subject of the genocide convention itself:

On August 14, 1946 then President Harry Truman affixed his signature to a document formalizing "Acceptance by the United States of the Compulsory Jurisdiction of the International Court of Justice",[9] the United Nations agency referred to in *Article IX* of the Convention as the final arbitrator of all disputes between member States.

This *Acceptance* however was tempered by the provision that the declaration "shall not apply to (b) disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America as determined by the United States of America", which graphically reveals the questions facing the United States in its approach to United Nations work in a number of areas.

In March, 1967 the Senate of the United States postponed once again, this time for a period of a year, a proposal that the genocide convention be ratified. Apparently the knotty question of United States vs. United Nations jurisdiction still remains unresolved in Washington. It can be said for the United States however that it has acted with exemplary honesty in this issue. By joining the other members of the United Nations in the unanimous adoption of Article I of the Convention (December 11, 1946), the United States accepted genocide as a crime legally and in principle; but rather than subscribing to the Convention with reservations, as others have done, which would make its accession technically meaningless, it has foregone a decision on the matter pending efforts to compensate its views on jurisdiction with those of the various United Nations instruments. Predictably, because of the mood of America favorable as it is to effecting further progress in the field of civil and human rights, and most especially because United Nations human rights documents simply echo provisions long found in the United States Constitution, American acceptance of the genocide Convention will follow in the near future.

If that Convention was composed to formularize a principle and a theory, and nothing else, that is, as an exercise in expressing man's newly-found morality, it is a beautiful, expressive and effective piece of prosology—a homily—and we suppose valuable for it. But the Convention was meant to be more than that; and because it has been proved that the document lacks the teeth to put into the bite, it is not more than that.

Recurring debates on the Convention, most recently in the Sub-Commission for the Prevention of Discrimination and Protection of Minorities, have brought to surface the following flaws:

(a) The Commission on Human Rights, under the jurisdiction of which the Convention rests, is still without an administrative fountainhead. Late in March, 1967 the Commission endorsed establishment of the position of a High Commissioner for Human Rights without which the work of the Commission, including efforts in the genocide field, would remain administratively unmoored. The subject of such a Commissioner has long been debated in the United Nations and a meeting of the United Nations Economic and Social Council in May of 1967 was to entertain the proposal made by the Commission and adopted by it 20 to 7. It is significant to note that the USSR, and other members of the Soviet bloc, voted against the proposal to create the Commissioner's post. The United States voted favorably.

(b) Since the membership of the United Nations, on the basis of its unanimous acceptance of *Article I* of the Genocide convention, has accepted genocide as an international crime, it is important that legal machinery be established and perfected for the punishment of that crime.

The authors of the Convention of course were well aware of this need, and *Article VI* of the present Convention, as shown, specifies trial of those accused of genocide "by a competent tribunal of the State in the territory of which the crime is committed, or by such international tribunal as may have jurisdiction . . . " In other words, the Convention calls for the formation of an international tribunal to try cases of genocide—but this has not been done.

The first difficulty arising from *Article VI* is that its proposition that a tribunal selected by a State to try those guilty of genocidal acts within the territory of that State is at best a naive proposition simply because of the circumstances which surround a genocidal act. Waiting for Poland, as an example, to try the Soviet officials responsible for the Katyn massacres would be a futile wait indeed, as would be Turkey's readiness and competence to try the Turkish authors of the Armenian massacres.

On the other hand, the allied proposition, the establishment of an international tribunal, has been severely contested by various nations. As an example, early in the debates on the Convention, the USSR opposed provisions for an international tribunal, arguing that such a body would "weaken national responsibility". The Soviet Union also said that "the establishment of international jurisdiction was . . . unacceptable in principle because it violated sovereignty".[10] The entire Soviet-bloc is in tune with Moscow in this regard.

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[7] Information in this section is based on material found in the text of the Convention on Genocide and allied papers as of footnote (one), above. Normally, a nation first signs an international Convention, after which its Government, either through act of parliament, presidential decree or other constitutional action, ratifies the Convention. Following this, the nation's ratification will be acceded, as in this case, to the United Nations' legal department.

[8] The reader is cautioned against succumbing to a grave typographical mishap in *The Crime of Genocide* (op. cit.), page 9, where the Soviet's second reservation is carried as *Article XIII*. *Article XII* is intended. As in the case of *Article IX*, every other nation in the Soviet bloc has joined the Soviet in reservation.

[9] See text in Ruhl J. Bartlett (Editor): *The Record of American Diplomacy*. N.Y. (Knopf). 1947; pp 698–699.

Briefly, then, everyone says that there is an international crime to be punished, but important United Nations forces do not desire the establishment of a competent tribunal to try those accused of that crime. The Convention thus will remain ineffective until such an international body is formed to put purpose into the law.

(c) Consideration of Article VI has been rendered difficult by the inability of the United Nations to agree on a definition of what constitutes "aggression". Since the connotation of *genocide* predicts the existence of an aggressor—that is, the genocidist—and of a victim, it is important that there be a clear understanding of what is *aggression*. The debate apparently colors a number of considerations before the United Nations, and has been long and futily debated. Reports a United Nation document:

"*. . . the General Assembly, in resolution 1187 (XII), adopted at its 727th plenary meeting on December 11, 1957, decided to defer consideration of the question of an internal criminal jurisdiction until such time as it takes up again the question of defining aggression and the question of a draft Code of Offenses Against the Peace and Security of Mankind.*" [11]

Briefly, again, the institution of an international tribunal specifically in terms of the crime of genocide seems now to have bowed to the broader question of the establishment of an "international criminal jurisdiction" which would try not only the genocidist, but other crimes "against peace and security of mankind". This of course compounds the problem of establishing a tribunal meant solely to try cases of genocide. The Convention meanwhile remains without its vitally needed enforcement agency.

An April 1967 meeting of the United Nations was to discuss the problem of "aggression" once again. Sources close to the United Nations continued to point out that unless a definition of aggression were accepted, the international juridical committee could not make a study of the creation of a tribunal on genocide. Again, the problem of *aggression* is an onerous problem because of the records of many of those who are called upon to render a consensus meaning of the term.

Still another weakness of the Convention is found in the compacted nature of the United Nations itself.

The Charter of that body excludes the right of a nation which is not a member of the United Nations to present a case for consideration either before the Assembly or before its allied organs.

Thus, a nation such as the Armenians, whose ancient patrimony today suffers the sovereignty of Turkey and of the Soviet Union, a nation victimized by a classic example of the act of genocide which the Convention seeks to punish and prevent, cannot appeal as a nation to the United Nations for redress! Unless a majority of United Nations member States petition for a hearing before the UN on the Armenian Case, the Armenians have no right to have their Case heard!

This is an arrogation of privilege by the standing nations of the world. It means that a nation decimated by genocide, its lands preempted by larger nations, its sovereign government destroyed by the act of genocide, cannot accuse the malefactor before the United Nations, where sits the criminal himself in the full protection of the law of United Nations, which he himself helped establish!

The very character of genocide means that a nation subjected to genocide will more than likely be so weakened by the experience as to be unable to preserve its character of effective nationhood and thus be eligible for United Nations membership, where it can demand attention to its problem.

The United Nations has provisions for the participation of "non-governmental organizations" in advisory capacities with the social and cultural agencies of the United Nations, but these societies cannot propose consideration of "political" matters.

To be effective, the Charter and the genocide Convention must be altered to allow any "national, ethnical, racial or religious group" harboring a complaint of genocide freely to approach the United Nations—and at least be heard.

THE CONVENTION AND THE ARMENIAN PROBLEM

The case of the Armenians indeed represents the acid test of the efficacy of the Genocide convention and of the honest intentions of the United Nations to punish that crime and to do away with it.

While the Jews had their Nuremberg and the Asiatic nations had their Tokyo, where is the international tribunal that will hear, at long last, the Armenian complaint against Turkey for the "mother" genocide of 1915–1921?

The Turkish genocide of the Armenians qualifies in every instance for United Nations action under the definition of genocide as found in the Convention.

(*Article I*)*:* Turkey's pretext that the deportations and massacres of the Armenians in 1915 were a "wartime" measure becomes meaningless in face of the Genocide Convention's assertion that genocide *"whether committed in time of peace or in time of war is a crime under international law". Article I* clearly states it *doesn't matter when or why genocide was committed; it still is a crime for it.*[12]

(*Article II*)*:* The Turkish Genocide was in fact a composite of "acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group". The Armenians *are* a nation; they *are* part of a distinct ethnical body; most *are* members of a National Church and *all* are Christians by religion; they *are* a branch of the Caucasian race.

(*Article II, Section a*)*:* Since *genocide* has been accepted to mean "Killing members of the group", then Armenians were certainly murdered—1,500,000 of them; (*Article II, Section b*)*:* If *genocide* comprehends "causing serious bodily or mental harm to members of the group" then certainly such harm was done the Armenians—and the evidence is still at hand in the shattered families, the maimed bodies and troubled minds of the survivors; (*Article II, Section c*)*:* If *genocide* connotes "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part", one has but to read the enormous literature on the subject to see just how calculated was the Turkish effort physically to destroy the Armenian nation; (*Article II, Section 6*): If "imposing measures intended to prevent births within the group" constitutes an act of genocide, then the Armenians were subjected to that practice. Older or less comely women were deported and murdered, others were forcibly introduced to Turkish households, where they begat not the children of their murdered Armenian husbands, but of Turks. At the same time, the able manhood of the nation were arrested as a prelude to the grim events, marched off from their homes, and executed, thus rendering births impossible; (*Article II, Section e*)*:* If "forcibly transferring children of one group to another group" is genocide, then what of the hundreds of thousands of Armenian children 5 to 13 years of age orphaned by the Turks and made parts of Turkish families, where they lost their sense of national or cultural identity or, if below the age of 5, on governmental orders, murdered?

Although faced with the above evidence, although a participant of the Genocide convention as a member of the United Nations, the Turk rather than asking the United Nations to activate the Convention in terms of its crime against the Armenians, has simply used the United Nations as a forum of denials that an "Armenian massacre" ever took place.[13]

When confronted by Turkish disavowals of genocidal events in Armenia in 1915–21, members of the United Nations ought to ask the Turkish delegation:

"At a moderate estimate, there were 2,500,000 Armenians in Turkey on the eve of World War I. At the most, there are now in Turkey as estimated 85,000 of those people. What happened to the 2,415,000 souls unaccounted for? How come there are today in the Armenian provinces of Turkey only about 15,000 Armenians?"

History in fact shows that anti-Armenianism in Turkey became a national political concept, a philosophical entity and, as such, predicted the Nazi German "weltanschaung". It is a "compleat" state police of genocide, arising from a suffusing animal instinct to eliminate a proprietor nation in order to ensure retention of the territory of that nation.

The continuing debate in the United Nations on the Genocide convention has placed further emphasis on the virtue of the Armenian Case. For instance, there has been through the years a good deal of support for inclusion in the Convention of a clause recognizing genocide to mean also "cultural annihilation", the deliberate destruction of the language and broadly the culture of any national, racial or religious group.

In these terms, it is known that the Turkish Government of 1915 summoned its "holy war" on the Armenians on the knowledge that the Turkish people would support the geopolitical bases of the genocide by participating in a national effort to extirpate the language, religion and culture of the Armenian nation, kicking those glories into the grave being dug for the corpse of the doomed nation—a complete entombment of man and his civilization!

In Turkey, Armenian cultural monuments have been torn down or else adopted by the Turks as symbols of "Turkic" culture. The great early church edifices of a nation, first to recognize Christianity as a State religion, have either been razed, defaced, or converted into military warehouses or governmental office housing. Armenian schools and libraries in the interior have been all but erased, vestiges of the patrimonial civilization have been systematically obliterated in the Armenian districts, for the unchallenged possession of which the Turks massacred the Armenians in the first place.

Although the concept of "cultural genocide" has been recognized as generic to the act of genocide, most members of the United Nations have felt that the *protection* of a nation's right to retain its own unique cultural heritage was better the province directly of the Commission on Human Rights.[14] "Cultural genocide" remains however inherently implied in the Convention.

Because they have been the first modern victims of the crime of genocide, because the crime practiced against them has been defined minutely by the Convention on genocide, and because they yet have been stymied in their desire to place their case at the disposal of the United Nations as expounded in the present paper, Armenians have been led to take the following vicarious measures:

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[10] *The Crime of Genocide,* (op. cit.); pp 6–7.

[11] See UN publication cited in footnote (one), above; p. 3.

[12] Deportation falls within the connotation of "genocide". See an able discussion in Bela Varga (Forwardist): *Genocide by Deportation.* Publication of the Hungarian National Council. New York. 1951. It may be noted that the 1895 massacres of the Armenians took place in a time of peace.

[13] As an example, on Jan. 26, 1965 in a speech before the UN General Assembly, Turkish representative Eralp, in referring to the Armenian massacres, spoke of "certain massacres alleged to have been committed by the Turks in the past".

[14] *The Crime of Genocide* (op. cit.); p. 7.

On March 16, 1966 representatives of the Delegation of the Armenian Republic (1918–1920) deposited with the Secretariat of the United Nations a "Memorandum on the Armenian Cause" asking that the consort of nations study the Armenian Case and take action thereon.

On January 5, 1967 in connection with sessions of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities called to examine the proposal to set up an international tribunal on cases of genocide, the Delegation distributed among members of that sub-body a missive asserting the support of the far-flung Armenian nation in the effort to establish an international tribunal as called for under Article VI of the Convention.[15]

On January 16, 1967 the Delegation again approached members of the Sub-Commission with a second Memorandum. Citing the Turkish genocide of the Armenians and the consequent destruction of lives and property, the dispersal of the nation, the obliteration of the culture of the nation by Turkey, this instrument called vigorously for quick and universal acceptance of the need to establish a machinery of trial and punishment of those found guilty of genocide. It also urged all nations to ratify, accede to and sign the genocide Convention.[16]

During Sub-Commission sessions of January 18–21, 1967, a demonstration of Armenians before the United Nations facility asked for passage by the United Nations of provisions to establish the needed tribunal.

On April 8, 1967 consonant with the sessions of the sub-commission to define aggression, a second Armenian demonstration took place before the United Nations urging immediate action on the definition of "aggression" as a step towards the establishment of an international penal tribunal as called for by Article VI of the Convention.

Armenian insistence that it is not enough simply to talk about the need to eradicate the crime of genocide and to compose and to pass basic statements which recognize the act of physical, cultural and spiritual murder as an international malefaction will continue until the United Nations takes action to bring before the bar of justice those who have been in our time guilty of the crime of genocide, just as was done at Nuremberg and Tokyo, in order that by these examples the tragic folly of genocide, "the destruction in whole or in part of a national, ethnical, racial or religious group", will be discouraged and finally expunged from man's mind.

Until those who have been victimized by the violence of genocide are given the fullest redress for the wrongs done them in exact conformity with the purposes and considerations which led the genocidist to his unconscionable crime against mankind, the *Convention on the Prevention and Punishment of the Act of Geocide* will remain an ineffective document, and millions more will face the threat of animal extinction.

A SPECIAL BILL FOR THE CITY OF NOME

Mr. PETTIS. Mr Speaker, I ask unanimous consent that the gentleman from Alaska [Mr. Pollock] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. POLLOCK. Mr. Speaker, today I am introducing a bill which would transfer some land owned by the Air Force to the city of Nome, Alaska.

In 1943 the city of Nome sold some urban lots to the Federal Government for defense purposes. The price of all this land was just $1.

This land has remained virtually vacant for the past 24 years. The Air Force is currently conducting a study to determine if they will ever make use of the property. It is almost certain that the vacant land will be declared to be excess to the needs of the Air Force.

The city of Nome, which has woefully inadequate housing and only the barest of public services, would like to use this land.

Once property is declared to be excess, Mr. Speaker, it is generally disposed of by General Services Administration. The GSA, by law, must dispose of the property for full value, with certain exceptions. My bill would dispose of the property for $1. I feel that this nominal price is warranted because:

First, it was the amount of the original transfer;

Second, the people of Nome have received no benefit from the Government's holding the land. No facilities were ever built, no residents of Nome were ever employed there, and the property has not earned any tax revenue for 24 years;

Third, the city could develop the property soon; and,

Fourth, Nome is a poor village that could not, and equitably should not, pay the full value of the property it sold for $1.

The bill does not work to any financial disadvantage of the Federal Government. It does not impair our defense effort at all. But the bill does effect a great benefit to the impoverished natives on our Bering seacoast.

Mr. Speaker, I would hope that this bill will receive deliberate, but swift, action in the House.

PERSONAL EXPLANATION

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. McCulloch] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, the National Advisory Commission on Civil Disorders was in session approximately 10 hours on Tuesday, August 22, 1967. The longtime, able former Chairman of the Atomic Energy Commission and Director of the Central Intelligence Agency, John A. McCone; the Honorable Hugh J. Addonizio, mayor of Newark, N.J.; the Honorable W. Willard Wirtz, Secretary of Labor; and more than a dozen other witnesses appeared before the Commission.

I returned to the House of Representatives to vote for H.R. 12474, making appropriations for the National Aeronautics and Space Administration.

Thereafter, I immediately returned to the meeting of the National Advisory Commission on Civil Disorders. I, therefore, was not present for rollcalls Nos. 228 and 230.

ESTABLISHMENT OF THE COMMISSION ON THE ORGANIZATION OF THE EXECUTIVE AND LEGISLATIVE BRANCHES OF THE GOVERNMENT

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Shriver] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SHRIVER. Mr. Speaker, today I have introduced a bill calling for the establishment of a bipartisan Commission To Study and Appraise the Organization and Operation of the Executive and Legislative Branches of the Government.

We are all well aware of the tremendous growth of the Federal Government in recent years. In dollar terms alone the Federal budget has grown from $64 billion in fiscal year 1955 to $135 billion proposed for the 1968 fiscal year. The choice of 1955 for comparison is not accidental. That was the year in which the Second Hoover Commission presented over 100 major recommendations to improve efficiency and economy in the Federal system, which was considered unwieldy even at that time. In addition to the doubled budget there has been an increase in civilian employees in the executive branch of 596,000, or 25 percent since 1955. Federal programs and resulting agencies have proliferated as is evident in the budget figures. Types of programs have changed and overlapping of responsibilities has occurred.

The legislative branch has not escaped this burgeoning growth as one can plainly see by looking at the calendar and noting the workload of legislation still facing us this year. Also, the proliferation of Federal programs has brought a corresponding increase in the volume of requests, claims, and inquiries from our constituents who are affected by the new programs. This Nation has, for good or otherwise, become much more Washington oriented, and a Member of Congress only has to look at his own desk every morning for proof of this. Congress has 10,000 employees to handle the business of nearly 200 million Americans, thus efficient service is indeed a necessity.

Mr. Speaker, this bill declares as an official policy of Congress the promotion of economy, efficiency, and improved service in the transaction of the public business by the executive and legislative branches by eliminating waste and duplication of effort within those branches.

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[15] The text of this *Memorandum* may be consulted in "The Armenian Review". Boston, Mass. Vol. XIX, No. 3–75 (Autumn, 1966); pp. 3–16.

[16] Ibid., Vol. XX, No. 1–77 (Spring, 1967); pp. 41–43.

The Commission to be established by this bill would carefully define the responsibilities of the various components of the two branches. It would recommend ways of reducing expenditures to the lowest possible amounts consistent with the efficient performance of essential services. It would eliminate duplication and overlapping of activities by consolidating functions of a similar nature wherever possible. Any unnecessary services would be abolished. The Commission would provide for the coordination of efforts in such pressing areas as urban affairs, natural resources, and transportation, but would not be limited to these areas. And it would promote more effective liaison and information sharing between the executive and legislative branches of the Federal Government, and between the Federal Government and State and local governments and agencies.

As prescribed by my bill, the commission would be composed of 12 members as follows:

Four appointed by the President of the United States; two from the executive branch and two from private life;

Four appointed by the President pro tempore of the Senate, two from the Senate and two from private life;

Four appointed by the Speaker of the House of Representatives, two from the House of Representatives and two from private life.

Both major political parties would be equally represented on the Commission as befits such nonpartisan studies. The commission shall elect its own chairman and vice chairman, and shall appoint such staff as it deems necessary to accomplish the purposes of this legislation.

The Commission will submit regular interim reports of its findings followed by a final report with recommendations not later than 2 years after enactment of this bill. The recommendations may include any constitutional amendments, legislation, and administrative actions as judged necessary. The reports are to be submitted to Congress, with copies going directly to the Appropriations Committees of both Houses so that appropriation reductions might be made immediately if deemed advisable.

Mr. Speaker, as a member of the House Appropriations Committee, I am familiar with the problem involved in seeking ing out and eliminating wasteful expenditures. The specialized Commission which I am proposing will be able to make a penetrating analysis of the confusing and indeed confused bureaucracy which has multiplied indiscriminately in recent years.

We are now faced with the possibility of a Federal budget deficit of nearly $30 billion this year. It is more obvious than ever that we must reevaluate the scope and intent of Federal expenditures. Not only must we consider curtailing or limiting certain programs, but we should also evaluate the possibility of eliminating duplication and promoting efficiency within the Federal system itself.

Congress has the obvious responsibility to pursue this study. I urge prompt consideration for the establishment of this Commission.

THE GREAT WASHINGTON FUMBLING MATCH

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Reinecke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REINECKE. Mr. Speaker, all of us are familiar with the scholarly work of Dr. Charles Zinn entitled "How Our Laws Are Made." In an article published in the August issue of Television magazine, Leonard Zeidenberg gives us a rather graphic illustration of "How Our Laws Are Enforced." For those who might be interested, I would like to insert Mr. Zeidenberg's article "The Great Washington Fumbling Match" in the Record at this point, to be followed by a related editorial which appeared in the same magazine:

The Great Washington Fumbling Match

(By Leonard Zeidenberg)

(Note.—How did the proposed ABC–ITT merger, after twice receiving FCC approval, end up in the courts? A hearing-by-hearing study of an often less-than-heroic public proceeding.)

The ABC-International Telephone & Telegraph Corp. merger—whose fate at this writing is still not quite settled—is unquestionably a matter of heroic proportions. It represents the largest transfer case ever to come before the FCC (17 AM, FM and TV stations are involved). It would result in a $2.7 billion conglomerate, which would be larger than the parents of either of ABC's two competitors, CBS and NBC.

The companies scoured Wall Street and Washington for the best legal talent they could find to represent them before the FCC. The case engaged the personal attention of commissioners as have few cases in years. The Justice Department's antitrust chief, Donald F. Turner, found his personal prestige involved. The proposal was attacked by members of Congress and it attracted the attention of news media throughout the country.

Yet, the actual product of so much talent, energy, time and money was frequently less than heroic. And in the thrust and counterthrust of the contending parties, there was often an air of unreality, as though they were caught in the grip of some devilish green giant that was, in truth, bigger than all of them and too strong, at times, for them to overcome. Else, why would so many patently wrong moves have been made—moves that have led to the unseemly juncture of the Justice Department accusing the FCC of failing to do its job properly.

That accusation was explicit in the department's action last month in appealing to the U.S. Court of Appeals in Washington the commission's decision to approve ITT's acquisition of ABC. The commission's decision in June affirmed the order it had handed down in the case six months earlier, and by the same 4-to-3 vote. That decision, the department told the court, is "likely to result in substantial detriment to the public interest in the absence of countervailing benefits."

But on the way to that extraordinary climax, no one involved in the case has looked particularly good. The department itself, which one might think of as filled with hard-eyed investigators ready to spring into action at the slightest provocation, was revealed as a reluctant, if not a paper tiger. The commission at a crucial point in the proceedings appeared to give way to panic. Members of Congress ostensibly concerned with the public interest showed a willingness to attempt with questionable propriety, and with little grace, to bend the commission to their will. The applicants themselves, or their representatives, carried on in a manner that made it easy for the public to identify them as the villains of the piece. And the press was at best an uncertain watchdog.

How could it have happened that way?

Looking back, it appears that what helped set the stage for such bizarre performances was the supreme indifference with which the proposed merger was viewed initially. Incredible as it seems today, in view of the bitterness of the controversy that has surrounded the proposal for almost a year, ITT's plans to acquire ABC gave rise to no concern, other perhaps than that expressed by Commissioners Robert T. Bartley and Kenneth A. Cox, from the time the boards of directors of both companies approved the merger on Dec. 7, 1965 until the unique oral hearing that the commission held on the applications the following September.

To the press the proposed merger was about as sexy a story as that of one large bank acquiring a somewhat smaller one, although not quite as significant. Business-page reporters covered developments—board approvals, stockholders' votes and the like. But the alleged potential dangers implicit in the proposed merger—the power that the somewhat sinister ITT, with its extensive foreign interests and connections, would have for influencing ABC's news and public affairs reporting, for instance—didn't occur to the editorial writers and liberals at large until after members of Congress began raising alarms. And *they* didn't enter the picture until after the oral hearing.

What of the Justice Department? Its antitrust division had dutifully plunged into an investigation of the proposed merger almost as soon as it was approved by the two boards, issuing the first of what was to be several requests for filing cabinets full of information from the companies; possible antitrust violations were the department's concern. The mountain of material that was accumulated apparently was too much for the department to handle with any speed. For in response to two requests from the commission in June for its views on the case, Justice could do no more than say, in effect: "The case is complex; we're still studying it."

Accordingly, the commission was in an odd situation last summer. Pending before it was a case in which a giant communications and manufacturing company, with scores of subsidiaries in this country and abroad, was seeking acquisition of a company that not only owns 17 broadcasting stations but is affiliated with hundreds of radio and television stations across the country—yet, no one was objecting or even raising questions. There was, furthermore, no dispute as to the facts in the case, as far as an intensive staff investigation could find.

An uproar in Congress or in the press probably, certainly a staff conclusion that representations in the record could not be relied upon, would have persuaded the FCC to order a hearing—and in the process to have headed off the criticism and other problems that were generated by the decision not to hold one.

But legally, the commission could have approved the proposal (technically all that was before the commission were the 17 applications for station transfers) on the basis of the pleadings alone. As a practical matter, though, there was a large question as to whether it should.

The applicants, naturally delighted with the lack of attention being paid the merger, were eager for prompt commission action—ABC because of its asserted need for the financial help that ITT had said it would provide, ITT because it had other acquisitions in mind that it couldn't proceed with until the ABC matter was completed. And there was some sentiment within the commission for disposing of the case without a hearing. After all, hadn't the commission for years been considering various proposals for strengthening the competitive position of ABC, traditionally the "½" in the nation's "2½ network" system? Wouldn't a stronger ABC, one that could provide more news and public affairs programing and be capable of absorbing losses in efforts to provide imaginative entertainment be in the public interest? Weren't both ABC and ITT long-time licensees?

But before any decision was reached, Commissioner Bartley, who habitually calls for hearings on applications involving station sales to multiple-station owners, had become aroused. On July 20, 1966, when the commission wrote ABC and ITT requesting additional information, he dissented and, with Commissioner Cox concurring, said it wasn't correspondence with the applicants that the commission needed, but a full-dress hearing.

This unclublike outburst was still only a ripple on the pond of indifference surrounding the proposed merger. But it was enough to persuade the commission, if additional persuasion were needed, that it would have to go beyond the paper pleadings. And so the unique oral hearing was conceived. The drawnout procedure of a conventional hearing—in which an examiner takes testimony over a period of weeks and then writes an initial decision for commission review—would be bypassed. Instead, the commissioners themselves would preside over a one-day hearing in which the principals and their representatives would appear. Time would be saved, but not at the expense of information that the commission needed from the applicants—or so said the commission.

At the time it seemed like a great idea; indeed, six commissioners voted for it. Chairman Rosel H. Hyde, who because of his age (67) and length of service in government (43 years) is sometimes referred to by critics as hopelessly behind the times, was particularly proud of it. The oral hearing was modern, streamlined, tailored to a specific requirement; it was the traditional hearing, at least as it applied to ABC–ITT, that would be an anachronism. That was how it looked to him. But to critics, once they found their voices, it was nothing but a subterfuge to mask the commission's preconceived decision to approve the proposed merger.

It should be noted, however, that when the commission, on Aug. 18, 1966, announced the oral hearing, to be held on Sept. 19, on issues "of law, policy and fact," it invited "interested parties" wishing to offer additional testimony to do so—and none came forward. The Justice Department was specifically notified of the hearing in the hope it would participate—a hope that proved a vain one; its lawyers, still working their way through the data they had accumulated, neither protested the procedure to be followed nor asked for a postponement.

A PUBLIC BORE

The oral hearing itself, although it enabled Commissioners Cox and Nicholas Johnson, as well as Commissioner Bartley, to express publicly their misgivings about the proposed merger (they were concerned about ABC New's integrity and were skeptical about ABC's needs for financial help), provided further evidence that the proceeding was a big bore to the public. The only unfriendly party in the hearing (and he wasn't terribly unfriendly) was the counsel for Hubbard Broadcasting Co. He was there to protect his client's rights in connection with a dispute over the use of 770 kc in which Hubbard and ABC's WABC New York have been engaged for a quarter of a century. The press table was occupied almost exclusively by the trade press. Laurence Laurent, TV editor of the *Washington Post*, who, unlike most critics, likes covering news events, was the only representative of the consumer press.

The commission majority, at least, felt that the hearing, which spilled over into a second day, had served a useful purpose. The principals, Harold S. Geneen, chairman and president of ITT, and Leonard H. Goldenson, president of ABC, had been put on record with respect to the public-interest benefits the merger would provide—more news and public-affairs programs, better programing generally, a bolstering of UHF. In fact, Commissioner Johnson even managed to pin Geneen down to a commitment as to how much ITT would make available to ABC—$50 million over a three-year period.

But the hearing served another function too; that of an alarm clock. News of the hearing finally penetrated the consciousness of persons on Capitol Hill who needed only to be advised of the merger to feel it should be blocked.

It wouldn't be correct to suggest that senators and congressmen, though they had failed to keep abreast of developments prior to the oral hearing, responded swiftly and indignantly after reading of it in the morning newspapers. The indifference surrounding the entire proceeding was thicker than that.

The prime mover in arousing the Hill was Ben Gordon, a member of the staff of the Monopoly Subcommittee of the Senate Small Business Committee. Mr. Gordon, an economist who has been on the Hill for some 10 years, is an aggressive, liberally oriented member of the Hill fraternity who relishes taking on tough opponents. In 1962, when the Communications Satellite Act was under consideration, he was one of a small group of Senate staffers who supported the vain effort of a liberal band of senators to filibuster the administration bill to death and replace it with one providing for government ownership of the satellite system. The administration bill, which was adopted after the filibuster was shut off, and which provided for a satellite corporation half owned by the common carriers and half by the public was branded a giveaway by Gordon and other liberal opponents.

THE ALARM BELL

But it wasn't Gordon, either, who first reacted to news of the oral hearing. Like almost everyone else who later took up arms against the merger, he apparently was thinking of other matters that September; he had assumed the FCC could protect the public interest without his help. Then who did hear the alarm? Gordon says it was three staff members of two other Senate committees (he declines to identify the staffers or the committees) who put him on to the case.

As he tells it: "They came to me and said: 'Ben, you gotta do something.' They said it (the manner in which the commission was dealing with the proposed merger) was terrible."

They had searched out Gordon because they felt they lacked the influence with their senators that Gordon was presumed to have with his—Senator Gaylord Nelson (D-Wis.), a liberal, recently come to the chairmanship of the Monopoly Subcommittee. "So I looked into it, read the transcript, talked to Senator Nelson, and tried to convince him to get involved." He succeeded. He also succeeded with another member of the subcommittee, Wayne Morse (D-Ore.).

So it was that the pressure from the Hill began. Senator Nelson was first, with a letter a few days after the oral hearing urging the commission to hold a full-dress hearing on the proposed merger and take no action without first hearing from the Justice Department. Later there were letters from Morse and Philip A. Hart (D–Mich.), chairman of the Senate Antimonopoly Subcommittee and Representative Silvio Conte (R-Mass.). Nelson and Morse, who felt the case was particularly delicate because of the danger that ABC's news integrity would be compromised, wrote several more letters to the commission, and in addition peppered Turner with letters requesting his views in the case.

EX PARTE CONTACTS?

Regardless of what Gordon said about having read the record—and despite an effort on the part of commission staff members to brief Nelson on the procedural steps the commission had taken—Nelson's letters as well as others from the Hill reflected an ignorance of the fact that the commission had made a number of efforts to obtain Justice's views.

There was one other thing the letters had in common. Along with those following the Justice Department's petition for reconsideration—those that urged the commission to grant the department's petition and those, inspired by ABC affiliates, that urged the commission to deny it—raised a question as to whether the commission's rules barring ex parte contacts were being violated. The letters were treated in accordance with the procedures provided for dealing with such contacts—the executive director's office answered them with a stock answer noting that commission consideration must be limited to the record in the case and the pleadings filed by the parties.

Senator Morse was particularly rough in his efforts to block the merger. In one letter, prompted by a newspaper story that eight members of the ABC–ITT team are members of the President's Club, that happy, well-heeled group of partisans willing to contribute $1,000 to the Democratic Party, said only a full evidentiary hearing on the part of the commission could "avert a conclusion" that special treatment is being given heavy contributors to the Democratic Party among ABC-ITT ranks. Had the senator asked, he would have learned there are a number of large contributors to the Republican Party among the ABC-ITT ranks.

In another letter he revived a two-year-old charge that ITT might have violated the Corrupt Practices Act in connection with donations that company officials had made to Lyndon Johnson's vice presidential campaign in 1960. (Increasing the charge's titillation quotient was the information that the contributions were turned over to ex-Senate aide Bobby Baker, who at the time of the Morse letter, in November 1966, was awaiting trial on a host of charges, including fraud, on which he was later convicted.) The senator said the charge had led to a Justice Department investigation but that he did not know what the investigation revealed. Reporters covering the case had no trouble determining that the department had found nothing on which to base a case.

Gordon cheerfully takes credit for causing all the turmoil, not only in generating congressional mail to the commission but in pressuring Justice to petition the commission to reopen the case. Besides Senator Nelson's letters to Justice, Gordon says he talked a number of times to members of the antitrust division staff about the case expressing the senator's concern.

LITTLE STAFF GUY

In discussing the case over lunch at a Capitol Hill restaurant recently, he looked pleased with himself, as well he might. "One little staff guy, opposing those two giant corporations," he said, smiling over his coffee.

With Gordon's help, then, Congress had awakened. Now it was the turn of the press. Editorials blossomed criticizing the commission for the procedure it was following, and newspapers ran long articles attempting to explain to their readers the significance of what it was that the editors had finally stumbled upon (*The Washington Star* was to give the commission and the applicants what comfort they were to get from the local press, with editorials supporting the merger.)

But in its belated eagerness to alert the public, the press occasionally misstated the facts—and always, as it happened, in a way to put the commission and the proposed merger in a bad light. *The New York Times*, for instance, in a long piece on Nov. 1, 1966, backgrounding the case, said that in contrast to the two-day oral hearing that it held on the merger applications, the commission "routinely assigns an examiner to take voluminous testimony before transferring the ownership of a single station." Actually, it's the unusual transfer or assignment case, the one in which facts are in dispute, that goes to a hearing; the majority are decided on the basis of paper pleadings. But the *Washington Post* picked up the misinformation from the *Times* and included it in a long story on the case the next day.

The *Post* managed to make things worse in a subsequent editorial in which it said that the commission had "limited its investigation to two days of hearings in which adversaries had no opportunity to state their views." It apparently was too much for the *Post* to imagine—as it almost is now—that there was no one who would accept an invitation from the commission to oppose the proposed merger.

The *Post* caught up with some of the facts on Jan. 22, in an editorial in which it urged the commission to grant the petition for reconsideration that the Justice Department had filed a few days earlier, "In holding oral hearings, the FCC majority was within the letter of the law," the *Post* conceded, before going on to say that adherence to legal technicalities doesn't absolve the commission from the need to weigh all aspects of the issue.

The UPI, in one story, said that the vote to hold the oral hearing was 4-to-3, instead of 6-to-1, and the *Post*, on Nov. 24, 1966, headlined a story on a letter of Bartley, Cox and Johnson requesting more information from the applicants, "FCC Seeks More Data on ITT-ABC," which was particularly ironic in view of those three commissioners' annoyance with their colleagues for flatly refusing to sign the letter.

But what provoked Justice to attempt to upset the merger after the commission approved it on Dec. 21, 1966? Antitrust Chief Turner indignantly describes as "nonsense" Gordon's assertion that it was pressure from the Hill. "This is the Department of Justice," he told a reporter who asked him. "We don't listen to pressure. We did exactly what we thought we should." He has also said that he "always planned to do something."

RELUCTANT TO ACT

Mr. Turner may have always intended to do something. But a case can be made for the proposition that Justice acted only after it, like the commission, became seized by something bigger than both of them. For the department seemed no more anxious to commit itself in the case than did the commission want to hold a full-dress hearing.

"The FCC will be reviewing the proposed acquisition under its broad 'public interest' standard," "Turner wrote in response to a letter from Senator Nelson shortly after the oral hearing. "It might well be, therefore, that the commission would consider it appropriate to disapprove the acquisition even though it did not constitute a violation of the antitrust laws."

Turner, a highly respected economist and lawyer who taught at Harvard Law School—and who is periodically rumored as being on his way back there—has his share of critics and supporters. And both agree on one point—he is no crusader. To critics his lack of zeal for attacking mergers or for breaking up conglomerates is a weakness growing out of a too-cautious nature. To supporters, it results from a fine appreciation of the limits that the laws impose on the antitrust division's authority.

Whether out of caution or a keen knowledge of the law, it's apparent Turner almost a year ago felt he would not have an antitrust case that he could win, and that he was hoping the commission would save him the embarrassment of saying so.

DELAY SUGGESTED

But he was in no hurry to give the commission the antitrust division's assistance. It wasn't until after the commission, in October 1966, notified him it expected to reach a decision shortly, and asked that he provide an indication of his thinking, that he unburdened himself to any extent. In a letter on Nov. 3, he said there was a "possibility of significant and anticompetitive effects" flowing from the merger, and suggested that the commission delay its decision until the department had arrived at a "final decision on the antitrust aspects of the case."

With that letter, the pressure on everyone concerned began to build. The commission repeatedly asked the department for its "final decision," and repeatedly the department promised its answer would be coming soon, but, just as repeatedly, the commission was disappointed.

Finally, the commission forced the issue by informing Justice that a decision was to be made on Dec. 21.

The department submitted its "final decision" in a letter on Dec. 20, in which Turner said that the possibilities of the merger having anticompetitive consequences "seem sufficiently speculative that we are not presently contemplating action under the antitrust laws to enjoin consummation of the merger."

However, he also went on to list the possible anticompetitive consequences, which he urged the commission to consider before making a decision—that, but for the merger, ITT might become a competitor of existing networks either as the operator of a fourth network or as the developer of a nationwide network of CATV systems; that, as the parent of ABC, ITT would have no incentive to develop technology that might open broadcasting to new entrants; that ABC, as a subsidiary of ITT, would not be likely to attempt to bargain down the cost of equipment ITT produces and, thus, help lower the barriers to entry for other potential networks. He also said there were indications that ITT, rather than strengthening ABC with financial transfusions, intended to take money out of it.

These speculations, which the commission was asked to consider, were the result of the department's lengthy investigation. Further, Turner's staff was to say later, the evidence they had accumulated appeared to contradict the representations ABC and ITT had made at the oral hearing. But, oddly, the department never made any of its information available until the commission asked for it as a preliminary to an order reopening the case.

CONCLUSION CONFUSION

The department was later to claim that "the only conclusion which one could draw from [the Dec. 20 letter] was that the commission needed to conduct further proceedings and receive additional evidence." This is obviously incorrect, since the only conclusion a majority of the commission *did* draw from the letter was that the department was giving its clearance to the merger—which the commission proceeded to approve the next day, as scheduled. (Even the *Washington Post*, in an editorial urging the commission to grant the department's subsequent petition to reopen the case, described the letter as "so vague and cautious as to conjure the image of an antelope approaching a lion.")

Why did the commission act so swiftly? There appear to be several interrelated reasons. One was that the majority had made up its mind that, barring a strongly adverse opinion from Justice, it would approve the proposal. Another was that the year-end holidays were approaching and any meaningful delay would result in a postponement of several weeks, since commission members were ready to scatter on leave. Most important, there was a continuing congressional chorus counseling delay or urging denial of the merger—a chorus that would only increase once Congress returned after the new year.

The result was something approaching panic. One member of the majority, who later acknowledged that the swift action was a mistake, said: "Some senators were bothering us. We wanted to get the matter behind us. If they wanted to investigate later, let them."

Accordingly, the majority, with its opinion already drafted, merely added a few paragraphs to dispose of the points raised by Turner—and in a rather waspish tone, at that: "We appreciate the effort the antitrust division has made to assist the commission, although we are bound to note that its comments would have been more appropriate and helpful if they had been submitted before or at the time of the hearing in this matter. All of the facts and considerations discussed in the letter from the antitrust division are and have been the subject of careful consideration under the principles and standards applicable to our field of specialized jurisdiction, experience and expertise."

The antitrust chief said later that he was "dumbfounded" by the commission's action.

There is no way of knowing whether or not Turner would have moved to seek reopening of the case if the commission had waited, say, a few weeks, and then had issued an opinion that thoughtfully, and respectfully, treated with each of the points in the Dec. 20 letter. But there are those in Washington who say the commission gave Turner no choice. Like the commission, he was under pressure from the Hill. Now, here was the commission affronting him and disposing of the results of his division's lengthy investigation with blinding speed. The result was his conclusion that the commission had not done a proper job and that the duty of obliging it to do the job over had fallen to him.

A NEW PRECEDENT

The depth of the department's feeling about the case is evident in the fact that the action it took is believed unprecedented. Never before, according to department officials, had Justice appeared before an administrative agency when the option of filing an antitrust suit was open to it. (That option is not open to it in mergers presented for approval to the Civil Aeronautics Board and the Interstate Commerce Commission.) Indeed, department policy precludes such appearances. However, Turner had decided that the department probably could not win an antitrust case, so the department took the only course open—that of appearing before the commission as a self-appointed counsel that would demonstrate that the commission had failed to weigh all the factors in the case, especially those relating to anticompetitive matters.

So, on Jan. 18, two days before the commission order approving the merger was to become effective, Turner filed a petition asking the commission to reconsider its decision, to reopen the case and hold a full-dress hearing, and to permit the department to participate as a party. The commission squirmed and fretted, but then, as it always knew it must, it agreed on March 16 to reopen the case.

By now, the department, the commission, Congress and the press had lost some lustre in the handling of the merger. Now it was the applicants' turn. And it came during the hearing, which was getting extensive coverage in the press.

First, there was the matter of the Justice Department charge, during a prehearing session, that an ITT lawyer had attempted to persuade a Justice Department witness in a two-hour, long-distance telephone call to change the testimony he intended to give.

The *Washington Post* did the sleuthing to uncover the witness's name—Dr. Albert G. Hill, of the Massachusetts Institute of Technology—and gave the story prominent play.

ANOTHER SHOCK

The ABC–ITT officials were consoling themselves as best they could with the knowledge that the lawyer involved was a junior member of the legal team and that his actions, if improper, which they denied, were no doubt due to overzealousness. They had reason to hope that there would be no more such gaffs committed by their side.

The shock must have been doubly great, then, on the first day of the hearing, when Chief Hearing Examiner James Cunningham, who was presiding, verbally rapped an important ITT official for "improper" conduct. Cunningham, at the department's request, had ordered the sequestering of all prospective witnesses. Midway through the afternoon session, a department lawyer, who had been out of the hearing room, returned to report that an ITT official had been reporting on hearing developments to the excluded witnesses.

Who was it? ITT lawyers demanded to know. Almost as if on cue, the hearing-room door opened, and Raymond L. Brittenham, senior vice president, general counsel and director of ITT, walked in. The department lawyer fingered him as the offending party. ITT issued a statement later saying it was "shocked and amazed" that Justice would "attempt to deprive corporate officials of their right to counsel during a public hearing."

But by now ITT personnel were in something of a blue funk. They had made themselves as one of them put it, "the guys in the black hats." What made it worse, one suggested, was that it was solid, respectable ITT, rather than ABC with its show-biz background, that was getting into all the trouble. Things, they felt, couldn't be worse.

Wrong again. On the first day of the second week of the reopened hearing, ITT and ABC people in New York and Washington had trouble keeping their breakfasts down after reading the *Wall Street Journal*. That supposedly pro-business organ had carried a story reporting in considerable detail on alleged efforts of ITT and ABC officials to influence press coverage of the hearing. As the story pointed out, such efforts to protect ITT's image, if true, were of considerable pertinence to the hearing, in which a key issue was whether ITT would use ABC News to advance the corporation's business interests.

Justice originally had not been prepared to develop evidence on that point; it had suggested that the commission's Broadcast Bureau attorneys, whose role was to assure that a full and factual record was developed, take that responsibility on. But when the *Wall Street Journal* broke its story, Justice changed its mind, and in one of the more dramatic moments of the hearing, subpoenaed three reporters at the press table in the hearing room as witnesses.

CORRECTIONS SOUGHT

Two of the reporters, Steve Aug of the Associated Press and Jed Stout of UPI, testified principally about what appeared to be efforts on the part of ABC and ITT public relations personnel to correct what they regarded as errors in several of the reporters' stories. The public relations departments were no doubt appalled at the incredibly bad press their side was getting, on the facts, and were determined to prevent the press from making things worse through inexact reporting. But in the context in which the wire service reporters testified, their stories emerged as additional examples of arm twisting on the part of ABC and ITT. The aggressiveness of the public relations personnel contributed to the image. Aug, for instance, testified that while he was still dictating a story on an FCC order in the case to the Washington AP bureau, the deskman informed him that ABC had complained about the lead paragraph, which had just cleared the company's AP news ticker.

But the testimony of the third reporter, Eileen Shanahan, of the *New York Times*, was different. Miss Shanahan, who said that ITT officials had contacted her about five or six times, told of an incident in which Edward J. Gerrity, ITT vice president for public relations, and another ITT official visited her at the *Times's* Washington office on Feb. 1 to deliver a company statement on a commission order issued that day. As she put it, Gerrity "badgered" her to recommend to her editors that the *Times* run the text of the commission order, in which the parties in the proceeding were directed to turn over the evidence they would present in a hearing; it was sharply critical of the Justice Department. Miss Shanahan said the order didn't merit full-text treatment.

She also testified that Gerrity had suggested that before the *Times* carried more stories about Commissioner Johnson the paper's top management should be informed that the commissioner and Senator Nelson were working on legislation that would prohibit newspapers from owning radio stations. Since the *Times* owns WQXR–AM–FM New York, the inference, obviously, was that Gerrity believed the *Times* would consider its own economic interests in deciding what to publish—hardly the kind of an attitude one would like to associate with an official of a company seeking to take over a nationwide news organization. Nor was ITT's image helped any when the commission, on behalf of Johnson, and Nelson flatly denied the report attributed to Gerrity.

Gerrity himself has since disputed Miss Shanahan's account of the meeting. He says he did not "badger" her to recommend publication of the order in full. "I asked her *if* the *Times* was going to print it," he says, "and she said, 'you know the *Times*, they only print the text of earth-shattering events.' " He says he then *asked* if she would recommend to her editors that the order be printed—he recalled saying that ITT lawyers had informed him it was important that she said no, and that was the end of the matter.

A DENIAL

He also denies ever linking Johnson and Nelson in an effort to bar newspaper ownership of radio stations. He says that, in the course of the conversation, he mentioned Johnson's then just-released opinion expressing concern over newspaper ownership of radio stations and that he also said: "I wonder what the *Milwaukee Journal* [in Nelson's home state] would say about that." The *Journal* owns WTMJ–AM–FM–TV Milwaukee.

Gerrity concedes that the reference to the *Milwaukee Journal* was intended as a "shot" at Senator Nelson, who had been such a burr under ITT's saddle. But he says he didn't mention Nelson's name.

"I didn't even know whether Johnson and Nelson knew each other, and I never said they did. Whatever conclusions Miss Shanahan came to about the conversation," he said, "she came to in her own mind."

Why did ITT and ABC permit the reporters' testimony to go unchallenged, as they did? They apparently felt the wire service reporters' remarks hadn't hurt them. As for Miss Shanahan, as one official said, the feeling was: "How can you get into a fight with the *New York Times?*"

Miss Shanahan had a one-word comment on the ITT officials' version: "Baloney."

John V. Horner, who is in charge of ITT public relations in Washington, was another official who figured in Miss Shanahan's testimony. She said he accused her of being unfair in her coverage (which she regards as an insult not only to her but to the *Times*), that he had demanded that a hearing development he regarded as harmful to Justice be given headline treatment and that he had been "insistent and nasty" in dealing with her.

Horner, a rotund, soft-voiced, southern-accented ex-newspaperman—his reporting days spanned 34 years, 17 of them with the *Washington Star*, and he was president of the National Press Club in 1958—is hardly the type, say his colleagues, to raise his voice. Indeed, Miss Shanahan's testimony is said to have plunged him into a state of depression from which he emerged later that day only after walking into the Press Club's men's bar and receiving a round of applause from his colleagues. (No one thought to take a poll at the time, but it's a known fact that the Press Club is heavily infiltrated with PR types; that could explain the applause.)

While the applicants were having their difficulties during the reopened hearing, Justice and the commission used it to recover some of their lost glory. Lionel Kestenbaum, Justice's chief attorney on the case, was brilliant in his oral argument before the full commission and in the manner in which he conducted himself under some two hours of polite but persistent questioning by Commissioner Lee Loevinger, himself a former chief of the department's antitrust division and a firm supporter of the merger. The commission order approving the merger was more cogent than the one issued in the case in December—though not, obviously sufficiently cogent for Turner, nor for the three-member commission minority, which said the majority ignored the record in reaching its decision.

Assuming that neither of the applicants tires of the grind to which Justice is subjecting them, and drops out, it will be up to the courts, possibly the Supreme Court, to decide whether or not the commission failed in its responsibility to protect the public interests. Thus far, however, the case has provided fresh evidence that government institutions, no matter how august, and corporations, no matter how large, are driven not by computers, but by individuals with workaday emotions and human faults. If Justice couldn't move faster than it did in expressing an opinion on the proposed merger, it needn't have kept to itself as long as it did the evidence it was to say contradicted the findings on which the commission was basing its decision. The commission might have been more patient with and less hostile to the department; and it would have looked better had it not lost its cool under congressional pressure. ABC and ITT certainly might have behaved with more of what could be termed class. And the press needn't have over-looked one of the year's more important stories as long as it did; no one was trying to hide it.

Such a lack of perfection is, in a sense, reassuring. But it is also disturbing.

BETTER NAME: THE DEPARTMENT OF INJUSTICE

As the title of the article in this issue puts it, the handling of the ABC–ITT merger case has indeed been a fumbling match of incredible awkwardness on all sides. But in its later stages it has degenerated into a game of dirty pool being played by the U.S. Department of Justice.

Admitting that the merger presents no violation of the antitrust laws, Justice tried to bully the FCC into denying it through an invocation of the vaguer standard of the public interest. When the FCC refused to go along, Justice asked the appellate court to declare the FCC in error. A principal point in the department's arguments before the FCC and in the court is that the merger would be anticompetitive—too anticompetitive enough to be judged illegal under the antitrust statutes but enough to harm the public interest, whatever that may be. From this reasoning, if it were to prevail, could come a new antitrust policy of appalling destructiveness in the broadcasting field.

The basic rationale of antitrust regulation, to prevent corruption of the market by conspiratorial restraints of trade, has long been forgotten in the formulation of government rules restricting ownerships of broadcast stations. For years the FCC has placed limits on the number of stations that may be held in common ownership (only one station of the same kind, AM, FM or TV, in the same market; no more than seven stations of a kind in the U.S., with the additional restriction, for television, that no more than five of the seven may be VHF's). The choice of seven as the magic number is just that—magic. The absence of any economic justification is made amply clear by the indiscriminate application of the seven-station maximum to ownerships in the seven smallest markets of the country or the seven largest.

Two years ago, by a narrow 4–3 majority, the FCC proposed to tighten its multiple-ownership rules for television by prohibiting the acquisition of more than three stations, no more than two of them V's, in the 50 biggest markets. At the same time it adopted an interim policy purporting to apply the three-station standard in the top-50 markets to any trading that took place pending final consideration of the proposed rule.

Since the commission issued its notice of proposed rulemaking and interim policy, its majority obviously lost confidence in the miracle it had set out to perform. So far nobody who tried has failed to get a waiver of the interim policy.

(The transfer of ABC's licenses to the ABC–ITT conglomerate would be the biggest waiver of all.) The best intelligence is that the commission is looking for a graceful way to forget it ever made its proposal.

But what would happen if by one means or another the Department of Justice prevailed in its determined assault on the ABC–ITT merger? Surely the precedent would be a new obstacle to station acquisitions by diversified companies and a strong sign of encouragement to the members of the FCC minority and staff who think that the best of all possible broadcasting worlds would be peopled by moms and pops owning one station each at the most.

It is interesting to note that neither in the Justice Department's pleadings in the ABC–ITT case nor in anything said by the most militant FCC trust buster does there seem to be a disposition to break up existing ownerships that exceed the standards being proposed. Probably that is because no one can make a good case for divestiture. RCA's ownership of NBC and its profitable string of owned stations would be untouched by a rejection of the ABC–ITT merger. A score or more companies now owning three or more V's in the top-50 markets would retain their portfolios if the FCC adopted its rule to prevent acquisitions of more than two V's in those desirable locations. Here is another example of Alice-in-Wonderland policymaking.

If antitrust theory is intended to foster competition, it is being put to poor use by the protection of companies that now occupy favorable positions of ownership and the exclusion of others seeking to expand to comparable size. At Justice and among the minority at the FCC there is a need for a cram course in contemporary economics.

THE STATUS OF OUR MILITARY FORCES

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, the status of our military forces, particularly our reserve strength has become a subject of most serious import to many of us in the Congress.

The recent riots in Detroit pointed up the fact that the troops used there came from America's only complete home based division. Just recently, President Johnson has committed our Nation to supplying 45,000 more troops in Vietnam. Wire service reports indicate that we are raiding our Atlantic defense area forces for Navy pilots to serve in Vietnam.

At the same time, the draft call for August was the smallest in 13 months. Are we weakening ourselves at home and in other areas of the world to get the experienced men necessary to wage the war in Vietnam? In these perilous times, this would, indeed, be a gamble, for we do not know where we will need our forces next—even at home to restore order in our riot-torn cities, or perhaps to douse a military conflagration abroad.

As a member of the Armed Services Committee, I am becoming increasingly concerned over the posture of our manpower forces. Calling up our Reserves at home would be politically unpopular. But, it appears, the Johnson administration is thinning out the ranks of our forces at the officer and enlisted man level to supply the war front.

If military forces are necessary, Mr. Speaker, and I believe we are agreed they are, can they be giving us the protection we need if they are being systematically depleted? Our commitment to a large-scale land war in Asia is putting a strain on our manpower capability, and perhaps weakening our Reserve strength needed for emergencies. It is time for this Congress to investigate whether or not political expediency is being substituted for sound military judgment in the deployment of our military manpower around the world.

THE 1967 CAPTIVE NATIONS WEEK—NEED FOR A SPECIAL COMMITTEE ON CAPTIVE NATIONS

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BRAY. Mr. Speaker, the results of the 1967 Captive Nations Week observances, the ninth held since 1959, indicate these were the best yet. In cities all over the country, the turnouts for the rallies were the largest ever. This means millions of Americans have not forgotten, and will not forget, the captivity of 1 billion people and some 27 nations.

NEED FOR A SPECIAL COMMITTEE

Once again, the need for a special House committee on the captive nations was emphasized at these rallies. The Congress should assert itself on this matter of national and international interest and importance by concentrating on the captive nations. The measure to create the committee was brought up in the Rules Committee recently, but consideration of it was suspended until other business had been cleared. I hope the Committee on Rules will be able to schedule action on this legislation at the earliest possible opportunity.

To indicate the scope of and interest in 1967 Captive Nations Week, I enclose the following articles:

[From the Wanderer, July 13, 1967]

CAPTIVE NATIONS WEEK

(By Robert Morris)

In the early 1950s when it was not popular to be a Communist or to support Communist causes in the United States, I was often impressed by the firm convictions expressed by individual Communists who moved into the spotlight of the Congressional Committees or other definitive pedestals of political import. They stood up for their beliefs with courage.

Now, of course, the tide has turned and these people are prospering, economically and politically, and the anti-Communist, instead of the Communist, is more and more assuming the role of the politically unfashionable personage. One glance at the political stance of our political figures who have changed their ideological wearing apparel, dramatically in some cases, bears this out.

The story is not written yet, but it seems to me this same steadfast determination is not being reflected by the anti-Communists as their ranks dwindle.

A good litmus test of this political phenomenon is the reaction to "Captive Nations Week."

Eight years ago Congress unanimously passed a resolution setting aside the third week of July to recommit the Nation to the cause of freedom in the twenty-one captive nations. The purpose was good and even lyrical. The ideal of liberty for struggling people with all its exciting religious and political ingredients was an ideal aspiration for a politician. He could express his real feelings and yet suffer no effective political opposition.

With the passing years the billion or more people of the twenty-one nations are still in bondage. In fact, Cuba has been added. The cause is still as glittering, in the moral firmament, as it was then. But I am afraid the interest is waning in this high purpose.

Ted Lewis, the New York *Daily News* columnist, has done a column on this issue and he tells how Presidential implementation of the resolution has become increasingly pale in the passage of time. Mr. Lewis writes:

"President Eisenhower's follow-up proclamation in 1959 simply called on all citizens 'to study the plight of the Soviet-dominated nations' and to recommit themselves to the support of 'the just aspirations of all people for national independence in freedom.'

"John F. Kennedy followed an even softer verbiage line in his proclamations, such as that in 1963 'inviting the people of the United States to observe such a week with appropriate ceremonies and activities.'

"Last year President Johnson similarly used the soft pedal, with four whereases citing how the United States since its founding 'has firmly subscribed to the principles of national independence and human liberty.' "

This need not be. I write this column to support Captive Nations Week. Professor Lev E. Dobriansky of Georgetown University in Washington, D.C., who is the chairman of the National Captive Nations Committee and is persevering in his effort to keep the cause of liberty uppermost in people's minds during the third week in July, needs support.

It should not be embarrassing for good

men and women to do something during that week to show their political leaders that they do care for the freedom of their brothers groaning in bondage.

Dr. Dobriansky further makes the point that this year the observance will spotlight the "plight of the seventeen million captive North Vietnamese." He says: "It is strange indeed that few of our leaders even discuss this troublesome subject. Yet, it is crucial to our winning the war in South Vietnam."

[From the Indianapolis Star, July 23, 1967]

Captive Nations Week 1967

The Indiana Committee for
Captive Nations, Inc.,
Indianapolis, Ind.

To the Editor of the Indianapolis Star:

This is the ninth Captive Nations Week which we observe and the fiftieth anniversary of the Soviet hell.

Captive Nations observances have gained such a potential that communist leaders are no longer calm. These observances have and will continue to expose Soviet imperialism and colonialism, even though many appeasers who do not like to irritate the enemy try to subjugate our efforts in this psychological war. Probably they prefer to give the enemy a chance to concentrate more on their military problems.

Millions of people all over the world are puzzled by this country policy of diplomatic silence on the question of liberation for the Captive Nations.

It was very difficult for Captive Nations to understand why they were sold in Yalta, Tehran and Potsdam, why their homelands have been betrayed into the communist empire? Today when they see how high ranking Americans are selling their own country, just for bigger profit, the Captive Nations understand better, and do not wonder any more.

Although the term co-existence is of communist making, it is the Free World which is making naive attempt at dealing with the enemy through Consulate Treaty, trade, tourism etc. The discouraging thing is that some of our policy makers appear to be brainwashed by Soviet propaganda. If some of them claim that Soviets do not have satellites any more, we wonder are they brainwashed or uninformed.

The Indiana Committee for Captive Nations will hold its annual banquet on Saturday, July 22, 1967 at 7:30 PM at ISTA Building, second floor. The Mayor, Hon. John J. Barton, the U.S. Congressman, Hon. William G. Bray, and Hon. Ray J. Madden will be our guests and speakers. They will be recognized with special awards for their services in the cause of Captive Nations. Please make reservations by calling Peoples Bank, office of F. T. McWhirter 632-1301.

Ivan Jakovljevich, *President.*

[From the Catholic News, July 20, 1967]

Fiftieth Anniversary of Communist Revolution—Year of Mourning in Free World

"This year, 1967, is the 50th anniversary of the Communist Revolution—1917 to 1967. It may be a golden jubilee to the Soviets, but it is a year of special mourning for the free world, and especially for those who constitute the captive nations," decared the Rev. Morton A. Hill, S.J., in observance of Captive Nations Week.

His statement came from the pulpit of St. Patrick's Cathedral, where the Rt. Rev. Msgr. Bella Varga, chairman of the Hungarian Committee, offered a Mass last Sunday presided over by His Eminence Francis Cardinal Spellman.

Father Hill told the representatives of the 29 nations enslaved by Communist domination that men who know communism "hope that the day of liberation will come, the day when Soviet neo-Colonialism will end. They hope that in place of Captive Nations Week there will be a Free Nations Week as a permanent, lasting reminder that Soviet tyranny is no more. Yes, Captive Nations Week is a name that rings with truth."

What is Moscow's reaction to the commemoration of Captive Nations Week, when the free world mourns its enslaved brethren? When former Vice-President Richard Nixon went to the Soviet Union, explained Fr. Hill, "He reported that Captive Nations Week was the major Soviet irritant that he encountered on his tour. This proves that Captive Nations Week has a great measure of effectiveness."

As the annual observance bites sharply into the power complex of world communism, it also spotlights four main points; Soviet colonialism, the liberation policies of free nations, the psycho-political in every captive nation and most important, the fact that neither military arms nor economic aid is the answer to Soviet colonialism.

Today's challenge to all free men who do enjoy the blessings of self-rule is to love. "For only through love can come the final, lasting liberation of the captive nations."

This year is not the first time that so many of the world's people have been denied their inalienable rights. 2,000 years ago areas now behind the Iron Curtain suffered under the yoke of Roman imperialism.

"But into the restless world of the Roman Empire, there came a man whose name was Saul. He was chosen by the Holy Spirit who said: 'Set apart for me Saul for the work to which I have called him.' The Spirit changed his name to Paul. This penniless Jew with a Roman name transformed the Roman Empire. His weapon was divine love. He brought the Holy Spirit to all mankind, first to the Hebrews who spoke Hebrew, then to the Hebrews who spoke Greek, then to gentiles who practiced Judaism, then to the gentiles of three continents. He saw no distinction between Jew and gentile, slave and free."

The Acts of the Apostles and Paul's 14 epistles offer clear insight into the great mind and loving heart of this Apostle. But they also reveal the secret of his success—the secret lies in the world "slave." Paul was one of the great intellectuals in human history, yet he repeatedly calls himself slave, and in his own mind he was a slave—a slave of those he served in love.

According to Fr. Hill, this is the first step in the challenge of today: to strengthen this great, free nation in love.

Besides St. Paul there is another to whom the world must listen, Pope John XXIII. Just as Paul termed himself a "slave" Pope John considered himself a "servant," a word with the same Greek origin. The "servant of the servants of God," this "little old man in Rome showed the world how to live, showed the world how to die, and most importantly, showed the world how to love."

The second Vatican Council, called by Pope John, has published 16 documents which, Fr. Hill maintained, bring Paul up to date. These teach one lesson—that only divine love can restructure the world. Explaining that love must never overlook or bypass justice, he referred to the Christmas message of Pope Pius XII in 1939: "A fundamental postulate of any just and honorable peace is an assurance for all nations great or small, powerful or weak, of their right to life and independence. The will of one nation to live must never mean the sentence of death passed on another."

And so, by prayer and an active, unifying love "You can bring the Holy Spirit to your country, for he is the only source of love, freedom and human rights."

One by one Father Hill listed the nations now ruled from the Kremlin, which enslaves over one billion people:

Cuba-1960; North Vietnam-1954; Tibet-1951; China-1949; Germany-1949; Hungary-1959; North Korea-1948; Czechia and Slovakia-1948; Rumania-1947; Poland-1947; Serbia, Croatia, Slovenia-1946; Bulgaria-1946; Albania-1946; Lithuania-1940; Latvia-1924; Mongolia-1924; Estonia-1924; Turkestan-1922; Far Eastern Republic-1922; Ukraine-1920; North Caucasia-1920; Idel-Ural-1920; Georgia-1920; Cossackia-1920; Byelorussia-1920; Azerbaijan-1920; Armenia-1920.

[From the New York Daily News,
July 17, 1967]

Captive Nations Week

—the observance of which began yesterday. It was decreed by Congress in 1959, lest we forget the slave empire the Communists have overrun in the past 50 years.

It is supposed to be accompanied by a ringing proclamation from our Chief Executive. But as our Washington columnist, Ted Lewis, pointed out recently, this has been toned down to almost a behind-the-hand whisper by successive Presidents.

Instead we talk of thaws, detentes, rapprochements and building bridges to these tyrants who have sworn to bury us. With wishful thinking and weasel words we try to transform the Communist Ogre into a Jolly Red Giant.

Whenever we are tempted to take such pipe dreams seriously we should think of the millions of victims of our let's-get-along-with-the-Russians agreements at Yalta, Tehran and Potsdam.

We talk of "peaceful coexistence." What of their right to peaceful existence? And will the foundations for our "bridges" be the crushed spirits and broken hopes of those "huddled masses yearning to breathe free"?

[From the New York Daily News,
July 20, 1967]

Captive Nations Week

Mayor Lindsay has proclaimed this week Captive Nations week. Lindsay presented the official proclamation to Stefan Corbonski, chairman of the Assembly of Captive European Nations, in a City Hall ceremony yesterday. Corbonski said the annual observance serves to "remind and reassure the peoples behind the Iron Curtain" of our hopes of seeing them free again.

[From the National Review, Aug. 8, 1967]

Focus on Washington

It was Captive Nations Week (July 16–23), though to read the Presidential notice of same, you wouldn't have known it unless you already knew it. Which, in any event or reluctant proclamation thereof, was pretty much where the Johnson State Dept. wanted the matter to rest. Since the early Sixties, the busy-busy bridge-builders at State, between periodic sappings by their irrepressible partners in détente, have longed to scrap the whole pejorative concept of "Captive Nations" as a rather socially embarrassing semantic hangover from the unsophisticated Cold War era (remember the unsophisticated Cold War?). Unable to accomplish this, in light of a congressional mandate on the subject, canny State draftsmen have done the next best thing, emasculating the Presidential Captive Nations proclamation so that this year, to all verbal intent and purpose, it might easily have been submitted and found mutually acceptable as a joint Johnson-Kosygin draft statement following the invocation of the spirit of Glassboro. Eliminated from the 1967 proclamation was any mention of C-------m or S----t imperialism, along with any other specific reference to the historical circumstances which led to the original commemorative resolution in 1959 (remember Lithuania? Latvia? Estonia?). Rep. John Ashbrook (R., Ohio) does remember such things, however. Recalling the Eisenhower proclamation of eight years ago, he noted its concern for the right to independence of those nations "made captive by the imperialistic and aggressive policies of Soviet Communism." By comparison, this year's proclamation, rendered in the melted oral rhetoric of the thaw, makes bold to assert that "freedom and justice are basic human rights" which have been "circumscribed or denied in many areas of the world." Period. Meanwhile, says Rep. Ashbrook, despite such diplomatic delicacy, "over 11,000 American servicemen have lost their lives" in Vietnam, all because, as the Secretary of State himself told newsmen July 19, "the basic objective of the Soviet Union continues to be to support world revolution." Obviously, it's all right to spell it out every now and then. Just so nobody puts it in writing.

[From the Evening Star, July 17, 1967]

LETTERS TO THE EDITOR:

Once again we usher in Captive Nations Week (July 16–22) and as in previous years, nationally and internationally, men of conscience remember the captive non-Russian peoples by special religious services and observances.

The commemorative ceremonies of the Week have been a constant thorn in Moscow's side from Khrushchev down to Kosygin who, at the Glassboro meeting just last month, asked President Johnson whether a Proclamation would be forthcoming since to his way of manipulation this would be a deterrent to "detente" and "peaceful coexistence." The "'piece'-seeking" Russians fear their captives' recognition. They fear the identity of the once independent nations of Ukraine, Byelorussia, Georgia, Armenia, Idel-Ural, Cossackia, the first victims in the empire-state of the Soviet Union. They fear exposure as the determinate power and the fact that the Communist World is the result of an intertwined cumulative development; that only because of Russia as the determinate power is there a captive Hungary, a captive Rumania, a captive Czechoslovakia, a captive Poland and a captive Yugoslavia. Because of Russia, mainland China is Red; because of Russia, 17 million North Vietnamese are captives; because of Russia, North Korea is a captive segment of the Republic of Korea; because of Russia, Cuba, in the Western Hemisphere, is a captive nation. By this time their fear is undoubtedly mixed with further insecurity since the Proclamation was issued on July 12.

As long as freedom-loving nations continue to be bastions for the oppressed, no matter on what continent, the God-given rights of man will be fought for because although Captive Nations Week is observed the third week in July, it is not limited to one week. Love for freedom and defense of it is an every-day concern.

VERA A. DOWHAN.

[From the Taipei (Taiwan) Free China Weekly, July 23, 1967]

PRESIDENT CHIANG URGES FREE WORLD TO STEP UP ANTI-RED STRUGGLE

President Chiang Kai-shek on July 22 called on the free world to respond to the Captive Nations Week and increase the tempo of the anti-Communist struggle so as to extricate the enslaved peoples from the abyss of blood and suffering.

President Chiang made the call in a message to the Taipei Convocation in observance of Captive Nations Week.

Full text of the message follows:

"People of the Republic of China are responding enthusiastically to the Captive Nations Week movement that had its inception in the United States. The observance of Captive Nations Week comes at a moment when perfidious international Communism is faltering and close to collapse. The Mao Tse-tung regime on the Chinese mainland is a slave system that has viciously persecuted the people. Now the fierce Chinese Communist struggle for power has plunged the Mao regime into unprecedented confusion. Attempting to save themselves, the Maoists are cruelly depriving the people of their means of livelihood in order to develop hydrogen bombs for aggressive purposes. This is certain to result in widespread anti-Communist uprisings on the mainland and will bring the Mao regime into worldwide disrepute.

"Humankind must always struggle for freedom and against enslavement. In the end, freedom will always prevail. The Mao regime has doomed itself to extinction by its oppressions of the last decade and more. The whole world has become the antagonist of the Maoists. Chinese Communist chaos of today is a result of the Republic of China's political offensive of the last few years. Conditions are becoming increasingly advantageous for our counterattack and national recovery.

"On the centennial of our Founding Father, Dr. Sun Yat-sen, I called for a Chinese cultural renaissance movement. In my Youth Day message this year, I urged the establishment of a united front for the overthrow of a Mao regime and the attainment of national salvation. These are two vital tasks in our ideological march forward and in our political return to the mainland. Our struggle must be continued along these lines. Our confidence in the triumph of the benevolence of our mainland compatriots over the evil violence of the Communists must be unshakeable. When the benevolent forces of the mainland unite with our counterattacking elements, the Mao regime will be crushed. Politics will serve as the spearhead and military action as the decisive factor in delivering our people from their sufferings and consummating our great endeavor of national recovery.

"All the world knows that Communism is the root of aggression and that the Mao regime is the wicked core of the Communist system. The eradication of the Mao regime is the key to the elimination of all Communists everywhere. We express sincere hope that the free world will respond to this Captive Nations Week. If it is clearly understood that slavery cannot coexist with freedom, we shall be able to unite and consolidate all anti-Communist forces. At that moment we can increase the tempo of the anti-Communist struggle and raise up the enslaved peoples from the abyss of blood and suffering that engulfs them. Thus, they will enter upon a new epoch of equality, justice, and freedom."

[From the Taipei (Taiwan) Free China Weekly, July 23, 1967]

AID TO CAPTIVE NATIONS WEEK NOW UNDER WAY IN TAIWAN

A week starting July 16 has been proclaimed as "China's Support to Captive Nations Week."

The proclamation was made July 16 by Ku Cheng-kang, president of the Chinese National Committee for the Freedom of the People Behind the Iron Curtain and the China Chapter of the Asian Peoples' Anti-Communist League.

Both organizations and other civic bodies on Taiwan responded warmly to the call by the United Nations for activities to observe the "Captive Nations Week of 1967." Activities carried out on Taiwan during the week included:

—Response to the call of President Chiang Kai-shek for the establishment of the Anti-Mao and National Salvation United Front to support the anti-Communist struggle of the people on the Chinese mainland accelerate the downfall of the Peiping regime.

—Cooperation with the United States and other international forces of justice to give active support to the people shut behind the Iron Curtain in their struggle for freedom.

—Appeal to the free world for closing the anti-Communist ranks and rendering moral support and material aid to those Asian nations under Communist aggression, particularly South Vietnam, to carry on their struggle until final victory is attained.

—Appeal to the U.S. government to maintain its anti-Communist policy and take up its responsibility as the leader of the free world in the struggle against the Communists.

—Appeal to the United States and the free world to make a new assessment of the situation in the Chinese mainland.

[From the Taipei (Taiwan) Free China Weekly, July 23, 1967]

U.S. CONGRESSMAN ARRIVES HERE

U.S. Congressman Basil L. Whitener (Democrat-North Carolina) arrived in Taipei July 18 from Tokyo to participate in Captive Nations Week.

Congressman Whitener was the guest of the Committee of Civic Organizations of the Republic of China in Support of the Struggle for Freedom Behind the Bamboo Curtain.

During his one-week stay in the Republic of China, Congressman Whitener addressed the Captive Nations Rally on July 22, and the annual meeting of the China Chapter, Asian People's Anti-Communist League on July 20. He also met with ranking Chinese officials and visited Sun Moon Lake, as well as the Taiwan Provincial Government.

The Congressman was accompanied by Charles F. Harry, Jr., Mayor of Grover, North Carolina, and a leading industrialist there.

[From the Observe Captive Nations Week Committee of New York, July 21, 1967]

Today, Friday 21 July, at this public meeting here at the Hotel Commodore in New York City, which is the closing ceremony of Captive Nations Week in the Year 1967: After hearing and reviewing the Proclamation of President Lyndon Johnson and the Proclamation of Governor Nelson Rockefeller, and having heard our distinguished Public Speakers express their sentiments in behalf of Our Cause . . . . the Delegates and Representatives of American Citizens, who have their national backgrounds in the Captive Nations, and who are working in sympathy with the Cause of the Captive Nations, do hereby unanimously adopt the following resolution:

"Whereas Public Law 86–90, passed by Act of the United States Congress on 17 July 1959, states that:

"1. The enslavement of a substantial part of the World's population by Communist Imperialism makes a mockery of the idea of peaceful co-existence between the United States and Communist Russia, as between other Free Nations and Communist Russia;

"2. The Russian Communist Empire, with its aggressive policies, poses a dire threat to the security of the United States and of all the Free Peoples of the World;

"3. The submerged Nations of Central and Eastern Europe (and now, of other hemispheres) look to the United States as the citadel of Human Freedom, for leadership in bringing about their liberation and independence, and in restoring to them their religious freedom and individual liberties;

"and 4. It is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations be steadfastly kept alive; *and*

"Whereas the Communist Party in Moscow, as the instrument of Russian Imperialism, still remains the captor of all the following once free and independent nations: Albania, Armenia, Azerbaijan, Byelorussia, Bulgaria, China, Cossackia, Croatia, Cuba, East Germany, Estonia, Georgia, Hungary, Idel-Ural, Latvia, Lithuania, North Caucasus, North Korea, North Vietnam, Outer Mongolia, Poland, Rumania, Serbia, Slovakia, Slovenia, Tibet, Turkestan, Ukraine—all these nations having come under the domination of the Communist Party in Moscow, gradually and remorselessly, over the past 50 years, in the Russian Communist Regime's uninterrupted march in the direction of conquest of the entire World; *and*

"Whereas with the Communist Party in Moscow, and its Departments in Peking and Havana, making remorseless advances through the process of Subversion and Agitational Propaganda here in the United States—and, now, Violence and Bloodshed in so many American Cities—it must now surely be recognizable to the American People that the United States is the Immediate and Prime Target of this Communist Party; *and*

"Whereas Therefore, the American People have, in fact, a *true common cause* with the more than 30 Captive Nations of the World; a *common cause* now fully implemented by the Communist Party of Moscow's openly announced, all-out, attack against American Soldiers in Vietnam, who are there, fighting to establish True Freedom and a Just Peace;

"Now, therefore, be it resolved by the Delegates and Representatives of the various Organizations of American Citizens assembled here, tonight:

"1. That the President of the United States be called upon to exercise his Executive Power to re-constitute the Presidential Position on Public Law 86–90, and to establish a new and stronger Presidential Policy behind the Principles and Human Rights contained in this Law, both in the interests of the Large Body of American People who have special sympathies toward the Captive Nations, and in the interest of the American Policy of International Humanitarianism for which the United States has become so universally well-known;

"2. That the President of the United States be called upon to instruct his Ambassador to the United Nations, to establish a new and strong United States Policy toward the Freedom and Self-Determination of the Nations living under the Domination and Oppression of the Communist Party in Moscow—the same Freedom and Self-Determination which, thus far, has been extended in the United Nations, to every Nation of the World, *with the sole and notable exception of the Captive Nations;*

"3. That the President of the United States be called upon to exercise his Special Powers to make Treaties—bestowed upon him by the Constitution of the United States—*to act personally* in the initiation and establishment of a new policy, on the part of the United States towards the Communist Party in Moscow, to bring the great diplomatic and economic capabilities, belonging to the People of the United States, to bear against the Communist Party Regime, to whatever extent is necessary to secure the Human Rights and Justice for which the People of the Captive Nations have been so long waiting—a new policy which will necessitate a complete revision of the President's present Policy, not only in the interests of American Fighting Men being annihilated by Soviet Weapons in Vietnam, but in the deepest interests of All the People of the United States;

"4. That the President of the United States be called upon, in this 50th Year of Communist Party Tyranny, to review the record of these 50 years of work, on the part of the Communist Party in Moscow, and its Agencies: the Communist Party in all the States of the American Union; and then to advise Both Houses of Congress to engage themselves in special Committee Work which will precipitate the concerted Legislative Action which will ultimately wipe out Communism in the United States, and which will inspire an all-out American Policy, *from the Chief Executive on down,* directed towards the ultimate Liberation of our good Friends and Allies, the Peoples of the Captive Nations.

"Dr. IVAN DOCHEFF,
"Chairman of the Meeting.
"Hon. MATTHEW J. TROY,
"Chairman of the Committee.
"T. P. JENNINGS,
"Secretary."

[From the Ukrainian National Word, Aug. 3, 1967]

SPEECH OF VINCENT C. MUROWICH, JR., DELIVERED AT THE ANNUAL UKRAINIAN DAY, JULY 16, 1967, AT WEST VIEW PARK IN PITTSBURGH, PA.

Mr. Chairman, President Masur, Reverend Clergy, distinguished officers, former officers and members of the Ukrainian National Aid Association of America and the Ukrainian Congress Committee of America, Ladies and Gentlemen.

Slava Isusu Christu!

I am honored to be here and to have this opportunity to join you and to participate in the commemoration of such noble events as the inauguration of Captive Nations Week, the 50th Anniversary of Ukrainian Independence, and the 25th Anniversary of the founding of the Ukrainian Insurgent Army.

The opportunity to offer a few brief remarks on the importance of Captive Nations Week is indeed gratifying to me.

While this observance is called Captive Nations Week, it is more than just a week, it is a lifetime. We use this week merely to remind ourselves of what we should be working for every day of the year. Naturally, the purpose of Captive Nations Week is to focus attention on the Communistic domination of countries which have been classified as Captive Nations.

Before we can help Ukraine and other captive nations, we must first solicit and maintain the continued support of the United States and the other free nations of the world. And it is through this opportunity—the observance of Captive Nations Week—that we can strive to acquaint Americans and all of the free world with the plight of the people in the captive nations.

The meaning of this observance can best be served by all of us acting as ambassadors of freedom and independence and by working hard to breathe life and meaning into Captive Nations Week. We must not permit Captive Nations Week to become merely an annual observance. We must labor unstintingly to perpetuate the concept embodied in Captive Nations Week so that ultimately its goal will be reached, and the captive world will be converted into a free world.

Let each of us reflect the indefinable joy of freedom and independence and be a living example of its righteousness so that we can encourage others to follow our lead. We who have enjoyed the fruits of freedom and independence are the most logical choice to lead the way and to tear the blanket of disguise that Communism has clumsily thrown over the Ukraine and the other captive nations.

It is only through our joint and individual efforts that Ukraine and other captive nations will have the occasion to join us in the enjoyment of freedom and independence.

The lamp of our freedom and our independence must be held high for all to see so that those less fortunate people who live in the dark existence of captivity will never lose their glimmer of hope to be free.

THE WARREN REPORT

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, this is the third installment of the transcript from the CBS television documentary entitled, "CBS News Inquiry: The Warren Report":

CRONKITE. Last night, in the first of this series of four broadcasts about the Warren Report, CBS News considered and tried to give reasonable answers to some major questions about the Report.

Did Lee Harvey Oswald take a rifle to the Book Depository Building? Our answer was yes.

Where was Oswald on the day President Kennedy was shot? In the building on the sixth floor.

Was Oswald's rifle fired from the building? Yes.

How many shots were fired? Most likely three.

How fast could Oswald's rifle be fired? Fast enough.

What was the time span of the shots? At least as large as the Warren Commission reported? Most likely the assassin had more time, not less.

These, CBS News concluded, added up to the answer to last night's central question: Did Lee Harvey Oswald shoot President Kennedy? Our conclusion was that he did. Beyond reasonable doubt, the chronic misfit and malcontent was at least one of the men who fired on President Kennedy. But was he the killer or a killer? A lone madman or the agent to the monstrous and successful conspiracy? Tonight's central question: Was there a conspiracy to assassinate President Kennedy?

ANNOUNCER. This is a CBS News Inquiry: "The Warren Report." Here is Walter Cronkite.

CRONKITE. In the 888 pages of the Warren Commission Report on the assassination, these are certainly among the most significant words: "The Commission has found no evidence that either Lee Harvey Oswald or Jack Ruby was part of any conspiracy, domestic or foreign, to assassinate President Kennedy." And the Report also states: "The Commission has found no evidence that anyone assisted Oswald in planning or carrying out the assassination."

Let's stop a moment to examine just what that says and, more important, what it does not say. Note that, contrary to the popular impression, the Commission, by these words, left the door open on the question of conspiracy just a crack. The words do not preclude the possibility of a conspiracy. They don't say that the Commission concluded that there was no conspiracy, or that Oswald was the sole assassin. They only say that the Commission could find no evidence that others were involved, no evidence that there was a conspiracy.

If there was a conspiracy, it could have taken one of two forms: either Oswald was a sole triggerman for behind-the-scenes manipulators, or there were one or more additional gunmen firing at the President. Most of the critics of the Report insist there were other gunmen.

Within the broad matter of conspiracy, our basic questions for tonight are: Where did the shots come from? If the shots did not all come from the Book Depository window, then there was most likely some form of conspiracy. Could a single bullet have wounded both President Kennedy and Governor Connally? The single bullet theory has become perhaps the most controversial aspect of the Report. The Commission said it was not essential to its conclusions. But, to make those conclusions square with the facts, either three groups of wounds were caused by two bullets, which is the single bullet theory, or all three bullets from Oswald's rifle struck President Kennedy and Governor Connally, which the Commission rejected in the belief that one bullet missed completely.

The only other alternative is a second assassin. Let's look first at the scene of the assassination in Dealey Plaza, Dallas, Texas. Correspondent Dan Rather.

RATHER. First, here's the part of the story that is not in dispute, and that any theory of the assassination must explain. The Presidential motorcade entered the plaza in a sharp right turn off Main and onto Houston. It ran slowly along the eastern edge of Dealey Plaza. Then the motorcade slowed even more, for the extremely sharp left, more than 90 degrees, onto Elm Street, which runs directly under the windows of the Texas Schoolbook Depository. It's a perfect place for an ambush. And as the limousine drifted into the odd S curve, shots began to rain on it.

Cronkite. Here is our first basic question for tonight: Where did the shots come from?

Rather. We decided on last night's program that some of the shots came from up here, Lee Harvey Oswald's nest in the sixth floor window. But, there are persistent reports of other virtually simultaneous shots, which would admit more than one assassin and therefore a conspiracy. Most often the other shots are reported from over there, the famous grassy knoll, ahead of, to the right of, and slightly above the President's car. The witnesses for both sets of shots are generally positive and persuasive.

This photograph, taken only seconds after the assassination, shows one group of those witnesses, Oswald's co-workers, who perched themselves in fifth floor windows to watch a parade and instead saw a murder.

Bonnie Ray Williams. So, when the President came around, we remember seeing him standing up and waving. And as he's turning to go down Elm Street, we heard a shot, and we saw the President slump. Well, be—prior to that, though, we decided there was some fireworks and everything, you know? And then after we saw him slump, we said—I think one guy, I don't remember which one he was, say that I believe they're shooting at the President, and I believe it came from right up over us.

Harold D. Norman. Then I think, about that time, well, Jarman says, somebody's shooting at the President. And I told Jarman, I said, I said, I know it is because I could hear—they are above me, and I could hear the shots and everything, and I could even hear the empty cartridges hitting the floor. I mean, after the shots had been fired.

And so, after the shots were fired, well, all the officers and everyone else seemed to think they came from by the track over by the underpass, because that's where everyone ran, over that-a-way. But, I—just like I said, I've been hunting enough to know the sound of a rifle from—from a backfire or a firecracker or anything like—especially that close to me.

Rather. The witnesses in the fifth floor windows say they heard the shots right overhead. But other observers below thought they heard firing from other directions. This is the view of Elm Street from the grassy knoll, up behind the picket fence where some critics claim another gunman lay concealed. We're looking through the trees at the spot where the final shot took effect, the shot that killed the President.

At this point, the President would have presented as good a target from here as from the Schoolbook Depository. Some think that right here is where the fatal shot came from.

Eddie Barker. Now, railroad man, S. M. Holland, was up on this overpass when the firing started. From here, you can see the Book Depository and the grassy knoll. Mr. Holland came back up here with us a short while ago, and his is perhaps the most telling account in favor of the grassy knoll theory, not only because of what he saw and heard during the assassination, but what he says he found on that grassy knoll immediately afterward.

S. M. Holland. Just about the time that the parade turned on Elm Street, about where that truck is—that bus is now, there was a shot came from up—the upper end of the street. I couldn't say then, at that time, that it came from the Book Depository book store. But I knew that it came from the other end of the street, and the President slumped over forward like that and tried to raise his hand up. And Governor Connally, sitting in front of him on the right side of the car, tried to turn to his right and he was sitting so close to the door that he couldn't make it that-a-way, and he turned back like that with his arm out to the left. And about that time, the second shot was fired and it knocked him over forward and he slumped to the right, and I guess his wife pulled him over in her lap because he fell over in her lap.

And about that time, there was a third report that wasn't nearly as loud as the two previous reports. It came from that picket fence, and then there was a fourth report. The third and the fourth reports was almost simultaneously. But, the third report wasn't nearly as loud as the two previous reports or the fourth report. And I glanced over underneath that green tree and you see a—a little puff of smoke. It looked like a puff of steam or cigarette smoke. And the smoke was about—oh, 8 or 10 feet off the ground, and about 15 feet this side of that tree.

And I immediately ran around to the spot that this shot came from. Of course, there was no one there because it took us quite a little while to thread our way through the cars—there's so many parked there—and they parked at every angle, that when I got over there I did find where a man had been standing and walking from one end of the bumper to the other, and I guess if you could have counted the footsteps there'd a been 200 or more on the muddy spots—footprints. And there were two mud spots on the bumper of this station wagon.

Barker. Would you take me over there and show me this place you're talking about?

Holland. Yes, I will.

Barker. All right, let's go. Well now, Mr. Holland, where would the person have to be standing to have fired that shot that you heard that came from up here?

Holland. From the footprints and all indications, he was standing right here.

Barker. Were they fresh footprints?

Holland. They were fresh. It had been raining that morning. There was footprints—mud on these two-by-fours—there was mud on the bumper of the station wagon, and they was only two sets of footprints that I could find that left this station wagon and they went behind a white Chevrolet car that was settin' over there.

Barker. Abraham Zapruder, whose film of the assassination was studied at length on last night's program, was standing up on this little wall right at the edge of the grassy knoll. Now, shots from behind that picket fence over there would have almost had to whistle by his ear.

Mr. Zapruder, when we interviewed him here, tended to agree that the knoll was not involved.

Abraham Zapruder. I'm not a ballistics expert, but I believe that if there were shots that come from my right ear, I would hear a different sound. I heard shots coming from—I wouldn't know which direction to say—but they was driven from the Texas Book Depository and they all sounded alike. There was no difference in sound at all.

Barker. Associated Press Photographer James Altgens was actually looking toward the Book Depository.

James Altgens. As I was getting ready to make some pictures, why, I heard this noise. I thought it was a firecracker explosion. So, I just went ahead and made the picture, which shows the President right after he was struck by a bullet, struck in the neck, the first shot. And this was a picture that the Warren Report later fixed as being made two seconds after the shot was fired. And as they got in close to me, and I was prepared to make the picture, I had my camera almost at eye level; that's when the President was shot in the head. And I do know that the President was still in an upright position, tilted, favoring Mrs. Kennedy. And at the time that he was struck by this blow to the head, it was so obvious that it came from behind. It had to come from behind because it caused him to bolt forward, dislodging him from this depression in the seat cushion, and already favoring Mrs. Kennedy, he automatically fell in that direction.

The one thing that did seem to be a little bit strange, immediately after the car proceeded on to Parkland Hospital, men with drawn guns ran up the terrace of this plaza, up into what is considered to be and referred to as the knoll area. And, thinking that they had the assassin cornered up in this knoll area—and it seemed rather strange, as I say, because knowing that the shot came from behind, this fellow had to really move in order to get over into the knoll area.

Barker. You had no thoughts about another assassin behind the fence or on the knoll?

Altgens. I've had a lot of people to contact me in that they felt there was another person involved, and trying to get me to verify either photographs they had or to work out some information they felt they had come across to substantiate the evidence of—substantiate the fact that there was another assassin. But at no time has any of this evidence proved to me beyond a shadow of a doubt that there was another assassin.

Officer Jacks. The car in which I was driving, which occupied the Vice President, was—had just completed its turn, and I felt a blast which appeared to be a rifle shot come from behind me. I turned and looked up to the School Book Depository.

Barker. Well now, what about these people who say shots came from this fence area up here? Would you agree with that at all, or not?

Jacks. No, sir. I—I—I don't think there was. I heard three shots and I could feel the concussion from all three.

Cronkite. Eddie Barker went to Austin to ask the same question of Governor and Mrs. Connally, who were in the best possible position to know the direction from which the shots came.

Governor **Connally.** All of the shots came from the same place, from back over my right shoulder. They weren't in front of us, or they weren't at the side of us. There were no sounds like that emanating from those directions.

Barker. Was there any doubt in your mind, the direction that those shots came from?

Mrs. **Connally.** No. They all came from the same direction.

Barker. Which was?

Mrs. **Connally.** It was behind us, over my right shoulder. You see, the first one—the first sound, the first shot, I heard and turned and looked right into the President's face. So, the sound drew me to that direction and had a definite reaction.

Cronkite. In Abraham Zapruder's film of the assassination, the fatal shot appears to move the President's head back. The critics contend this can only mean the shot came not from the Book Depository, but from somewhere in front. Not for the first time, nor for the last in these reports, we find equally qualified experts in disagreement.

We put the question of the President's head movement to an experienced photo analyst and two expert pathologists.

Rather. From a physicist's point of view, from a photographic analysis point of view, what can you tell about the direction of the bullet?

Charles Wyckoff. Well, the—in frame 313, the—there was an apparent explosion at this point, which would be on the front side of—of—the head. Now, characteristically, this would indicate to me that the bullet came from behind, and this is what's called spalling. It's a minor explosion where pieces of material have—have left and go generally in the direction of the bullet.

Rather. But now, the explosion, this minor explosion, occurs forward of the President. Now, wouldn't that indicate the bullet coming from the front?

Wyckoff. No, quite contrary. It does indicate that the bullet was coming from behind.

Rather. Well, you're aware that some critics say that by the very fact that in the picture you can clearly see the explosion of the bullet on the front side of the President, that that certainly indicates the bullet came from the front.

Wyckoff. Well, I don't believe any physicist has ever said that. This picture might explain the principle that we've been talking about just a little bit more clearly. It's a picture taken in a millionth of a second, of a .30 calibre bullet being shot through an electric lightbulb. The bullet was traveling from this direction, entered the lightbulb here, passed through and caused a rather violent explosion to occur on the exiting side, and it's very similar to the situation in the Zapruder-Kennedy assassination films.

Cronkite. That is one explanation from a physicist as to how a head could move backward after being struck from behind, which seems to many laymen not possible. Forensic pathologists are experts in the examination of victims of violent death, both medically and legally qualified. Dan Rather put the matter to one of them, Dr. Cyril W. Wecht, professor at Duquense University.

Cyril W. Wecht. I have seen too many biological and physical variations occur in forensic pathology to say that it would have been impossible. I say that it is quite unlikely. I say that it is difficult for me to accept, but I would have to admit that it is a possibility that his body could have moved in that direction after having been struck by a bullet that hit him in the back of the head.

Cronkite. Eyewitnesses, and even film analysts often produce as many problems as they solve. In this case, the physical evidence would seem to be more reliable, and that evidence came first to the attention of the doctors at Parkland Hospital, who were the first to look closely at both the massive head wound and the less critical neck wound.

At Parkland, Dr. Malcolm Perry, attending surgeon, tried desperately to keep the President alive. But the very urgency of that problem prevented him from examining the two wounds, as he now explains in his first public statement since the Report was published.

Dr. **Malcolm Perry.** I noted a wound when I came into the room, which was of the right posterior portion of the head. Of course, I did not examine it. Again, there was no time for cursory examination. And if a patent airway cannot be secured, and the bleeding cannot be controlled—it really made very little difference. Some things must take precedence and priority, and in this instance the airway and the bleeding must be controlled initially.

Barker. What about this wound that you observed in the—in the front of the President's neck? Would you tell me about that?

Perry. Yes, of course. It was a very cursory examination. The emergency proceedings at hand necessitated immediate action. There was not time to do more than an extremely light examination.

Barker. There's been a lot said and written about was this an exit wound, or an entry wound? Would you discuss that with me, sir?

Perry. Well, this is a difficult problem. The determination of entrance or exit frequently requires the ascertation of trajectory. And, of course, this I did not do. None of us did at the time. There was no time for such things.

The differentiation between an entrance and exit wound is often made on a disparity in sizes, the exit wound generally being larger, in the case of an expanding bullet. If, however, the bullet does not expand—if it is a full-jacketed bullet, for example, such as used commonly in the military, the caliber of the bullet on entrance and exit will frequently be the same. And without deformation of the bullet, and without tumbling, the wounds would be very similar—and in many instances, even a trained observer could not distinguish between the two.

Barker. Did it occur to you at the time, or did you think, was this an entry wound, or was this an exit wound?

Perry. Actually, I didn't really give it much thought. And I realize that perhaps it would have been better had I done so. But I actually applied my energies, and those of us there all did, to the problem at hand, and I didn't really concern myself too much with how it happened, or why. And for that reason, of course, I didn't think about cutting through the wound—which, of course, rendered it inviolate as regards further examination and inspection. But it didn't even occur to me. I did what was expedient and what was necessary, and I didn't think much about it.

Barker. You did not turn the President over?

Perry. No, there was no reason to. There was not time at that problem, and there was really no reason to. It made very little difference to me, since my immediate concern was with an attempted resuscitation.

Cronkite. The nature of the throat wound can no longer be verified, for no records were made and no pictures taken before Dr. Perry cut through it in an attempt to relieve his patient's breathing. The doctors at Parkland were engaged in a desperate struggle to keep the President alive; all else was secondary. But their task was impossible. One of the shots had virtually destroyed the President's head. Even as the doctors worked, the President died.

At the hospital the scene was turbulent and disordered. The press and public were clamoring for news. Dr. Perry was rushed from the emergency room to a news conference, where he was badgered into giving a description of the wounds.

The neck wound, he told the press, looked like an entry wound, and he pointed to the front of his neck. In the transcript of that news conference there's no doubt that Dr. Perry made it sound as if he had a firm opinion. Well, the reporters flashed the news, and in that moment of confusion and misunderstanding established once and for all in the minds of a great many people a conviction that at least one bullet had been fired from the front of the motorcade.

Legally, the dead President was now just another part of the evidence in a Texas homicide case. The murder had been committed in that state, and there were no laws which gave the federal government jurisdiction.

In his book, "The Death of a President," William Manchester describes a scene of almost horrifying confusion, in which the Dallas County Medical Examiner tried to prevent the removal of the President, and Kennedy aides almost literally bulldozed his coffin out of Parkland Hospital.

During the flight to Washington it was agreed that an autopsy had to be performed, and Manchester writes Mrs. Kennedy chose Bethesda Naval Hospital because her husband had been a naval officer.

The autopsy was performed by the Chief of Pathology, Commander—now Captain James J. Humes; Dr. J. Thornton Boswell; and Army Lt. Colonel, Pierre Finck, a forensic pathologist. They reported in a document reproduced in the supplementary volumes of the Warren Report that the President's wounds were inflicted from the rear. As part of standard procedure, they had photographs and X-rays taken as they proceeded.

Confusion continued at Bethesda, as it had reigned at Parkland. F.B.I. agents submitted a report, later disclosed in Edward J. Epstein's book, "Inquest," which said they had heard one pathologist state that he had found a wound in the President's back, and could not find an exit.

The Warren Report version was explicit, that there was no wound in the back, but one in the neck. However, details of these published sketches tended to indicate that there was a wound below what could be described as the neck.

The photographs and X-rays which might clear up the issue were in possession of the Kennedy family, and only officially turned over to the Archives on October 31st, 1966—with the provision that they not be made public for five years. Now, there the matter has rested until now. But Captain Humes, the Senior Pathologist at the autopsy, has since gone to the Archives and re-examined the X-rays and photographs. His conclusions we will hear later in an exclusive interview, the only one he's granted since that fateful night.

But first, the observations of Dr. Wecht, whom we heard earlier.

Wecht. This sketch that was made by Dr. Boswell, Mr. Rather, is a very important sketch. It shows the bullet hole which he diagrammed in at a point approximately several inches below the collar level, although he does give other measurements to the side—which would place it at a higher level.

Rather. Now, the Commission Report accepted that the bullet entered very near the neck, did it not?

Wecht. Yes. Take a look at this sketch, if you would, please. This was made by a medical illustrator at Bethesda Naval Hospital. This sketch shows the one that was accepted by the Warren Commission. It shows the point of entrance in the back at a much higher level, and it shows the point of exit again at approximately the level of the knot of the tie. You can then see why it was very important to accurately determine whether or not the bullet wound in the back was at this point, or whether it was five and a half inches below the collar level.

Cronkite. Since the X-rays and films were turned over to the Archives, Captain Humes has re-examined them. And tonight, for the first time, he discusses with Dan Rather what is contained in them.

Rather. Commander—now Captain Humes, have you had a look at the pictures and X-rays from the autopsy since the time that you submitted them to the Warren Commission?

Humes. Yes, Mr. Rather, we have.

Rather. And do you have any different conclusion, any different ideas, any different thoughts now, after seeing them again, than you had at that time?

Humes. No, we think they bear up very well, and very closely, our testimony before the Warren Commission.

Rather. How many wounds in the President's body?

Humes. There were two wounds of entrance, and two of exit.

Rather. And the two wounds of entry were where?

Humes. Posteriorly, one low in the right posterior scalp, and one in the base of the neck, on the right.

Rather. Let's talk about those two wounds, Captain. Both of these are blowups from the Warren Commission Report, these sets of drawings. Now, there are people who think they see discrepancies in these two drawings from the Warren Commission Report, in that this drawing shows the—what you called an entry wound at the base of the neck of the President—shows it to be, or seems to show it to be, in the upper back, near the shoulder blade—considerably below the base of the neck. Whereas, this drawing does show the entry wound to be at the base of the neck. Now could you talk about these, and reconcile that?

Humes. Yes, sir. This first drawing is a sketch that—in which the outlines of the figure are already prepared. These are on sheets of paper present in the room in which the examination is conducted, and are routinely used to mark in general where certain marks or scars or wounds may be in conducting a post mortem examination. They are never meant to be accurate or precisely to scale.

Rather. This is a routine in—in preparing autopsy reports, to use this kind of drawing, and at this stage for them not to be prepared precisely?

Humes. No. No precise measurements are made. They are used as an aide memoire, if you will, to the pathologist as he later writes his report.

More importantly, we feel, that the measurements which are noted here at the margins of the drawing are the precise measurements which we took. One states that—we draw two lines, points of reference—from bony points of reference. We note that there were—the wound was fourteen centimeters from the tip of the right acromion, and fourteen centimeters below the tip of the right mastoid. Now the acromion is the extreme outermost portion of the shoulder. The tip of the mastoid is the bony prominence just behind the ear. And where these two lines intersect was, in actuality, where this wound was situated. And if we would try and draw that to scale, which we weren't trying to do as this mark was made, this, I think, would appear a little bit higher.

Rather. Now, you examined this whole area of the back?

Humes. Yes, sir.

Rather. Were there any other wounds except one at the base of the neck, and one up in the skull?

Humes. No, sir, there were not. Now the second drawing, which you mentioned, was prepared as we were preparing to testify before the Warren Commission, to rather schematically and as accurately as we possibly could depict the story for the members of the Warren Commission.

Rather. In this drawing you were trying to be precise?

Humes. Yes, sir, we were. We were trying to be precise, and refer back to our measurements that we had made and noted in the margins of the other drawing.

Also, of course, since this time we have had opportunity to review the photographs which we made at that time. And these photographs show very clearly that the wound was exactly where we stated it to be in our testimony before the Warren Commission, and as it is shown in this drawing.

Rather. Your re-examination of the photographs verify that the wounds were as shown here?

Humes. Yes, sir, they do.

Rather. About the—the head wound . . .

Humes. Yes, sir.

Rather. . . . there was only one?

Humes. There was only one entrance wound in the head, yes, sir.

Rather. And that was where?

Humes. That was posterior, about two and a half centimers to the right of the midline, posteriorly.

Rather. And the exit wound?

Humes. And the exit wound was a large irregular wound to the front and side—right side of the President's head.

Rather. Now, can you be absolutely certain that the wound you described as the entry wound was, in fact, that?

Humes. Yes, indeed, we can—very precisely and incontrovertibly. The missile traversed the skin, and then traversed the bony skull. And as it passed through the skull it produced a characteristic coning, or beveling effect on the inner aspect of the skull—which is scientific evidence that the wound was made from behind and passed forward through the President's skull.

Rather. This is very important. You say the scientific evidence—is it conclusive scientific evidence?

Humes. Yes, sir, it is.

Rather. How many autopsies have you performed?

Humes. I—I would estimate approximately one thousand.

Rather. Is there any doubt that the wound at the back of the President's head was the entry wound?

Humes. There is absolutely no doubt, sir.

Cronkite. So the Chief Pathologist at the Kennedy autopsy, after re-examining the X-rays and photographs, states without the slightest qualification that the shots which killed the President came from the rear.

BILL TO PROVIDE NATIONAL COMMISSION ON URBAN LIVING

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Goodell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GOODELL. Mr. Speaker, I rise to call the attention of the House to H.R. 3155, introduced by the gentleman from Minnesota [Mr. Quie] on January 19 and referred to the Committee on Government Operations. This bill, had it moved promptly through the Congress and on to the President, would have provided our country with a National Commission on Urban Living, organized and functioning before this long, hot summer began.

This legislation is well conceived for the purpose of studying in depth the problems following in the wake of the far-reaching economic and social changes which have so profoundly affected life in our cities, as indeed we have seen this summer.

As we all know, of course, this commission has not been established. According to the calendar of the committee, the matter was referred immediately to the Subcommittee on Executive and Legislative Organization. There it rests. No action has been taken, nor, at this date, is any reportedly planned.

Mr. Speaker, I ask that H.R. 3155 be given immediate favorable consideration by our Committee on Government Operations. I have joined in sponsoring this bill because the need is so urgent.

We have only to look back historically to the major contributions which flowed from the Country Life Commission established in 1909, to see the great benefits which can derive from intelligent comprehensive evaluation of social change.

NATIONAL COMMISSION ON URBAN LIVING

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Kuykendall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, on January 19, the gentleman from Minnesota [Mr. Quie] introduced a bill, H.R. 3155, to establish a National Commission on Urban Living. The bill has since been tabled in committee.

If we are really so concerned about expenditures and the national debt as we tell our constituents, we would be far better off to establish the Commission Mr. Quie proposes than to continue to reduplicate tasks and goals through myriads of uncoordinated bureaucratic organs and organisms.

Under the circumstances, I can do nothing but follow the dictates of my conscience, join with those now sponsoring the bill, and enjoin the members of the Committee on Government Operations to act quickly to expedite this bill.

POLICEMEN AND FIREMEN SHOULD BE DEFERRED FROM DRAFT

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Cramer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CRAMER. Mr. Speaker, yesterday I introduced, along with a number of cosponsors, a joint resolution which calls for deferring policemen and firemen from the draft. In view of the urban warfare America is experiencing, the increased instances of arson, as well as the unsafe streets caused by an overall increase in the crime rate, I believe this bill deserves serious consideration.

According to the President's Commission on Law Enforcement and Administration of Justice, there will be 50,000 vacancies in police departments throughout the Nation this year. There is a considerable shortage of firemen as well. Many men engaged in law enforcement or firefighting, or who would consider entering these fields, are being inducted into the armed services to serve in Vietnam.

Urban warfare, unsafe streets, and threats to the safety of persons and property in America pose as serious a threat to the preservation of law and order in this Nation as does guerrilla warfare in South Vietnam to the preservation of the security of the people of that nation.

The men needed to maintain order in America, because of their age and good health, are in many instances the very same men who are being drafted into the armed services. Our commitments to fight in Vietnam or anywhere else in the world cannot be allowed to overshadow the first duty of government, which is to preserve safety in the home and on the streets.

The bill, in addition to firemen, would defer policemen, State highway patrolmen, sheriffs, deputy sheriffs, wardens and guards of State and Federal prisons, and jailkeepers. The deferment would be effective only while they are employed in such positions on a regular full-time basis, or while pursuing a course of education or training in law enforcement or firefighting conducted by the Federal or a State government or a subdivision thereof.

Following is the complete text of the resolution:

H.J. Res 803

Joint resolution to amend the Universal military Training and Service Act, as amended, in order to provide for the deferment of law enforcement officers and firemen from training and service under such Act

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

Whereas the maintenance of safety in the home and on the streets of civil order and domestic tranquility is one of the principal duties of any government; and

Whereas the ever-increasing crime rate and the increased occurrence of violence and arson in America's cities demand full strengthened police and fire departments; and

Whereas there presently exists a shortage of 50,000 police officers in police departments throughout the Nation and a considerable shortage of firemen; and

Whereas many American citizens engaged in law enforcement and firefighting are being inducted or considered for induction into the armed services to serve in Vietnam; and

Whereas urban warfare, unsafe streets, and threats to safety of person and property in America pose serious threat to the preservation of law and order in this Nation as does guerrilla warfare in South Vietnam to the security of the people of that nation: Now, therefore, be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That, the Universal Military Training and Service Act, as amended, shall be amended in order to provide for the deferment of firemen and law enforcement personnel including policemen, State highway patrolmen, sheriffs, deputy sheriffs, wardens and guards of State and Federal prisons, and jailkeepers.

That subsection (f) of section 6 of the Universal Military Training and Service Act, as amended (50 App. 456(f)), is amended by striking out "The Vice President" at the beginning of such subsection and inserting in lieu thereof "(1) The Vice President"; and by adding at the end thereof a new paragraph as follows:

"(2) Police officers and firemen of the States, territories, possessions, and the District of Columbia, and the subdivisions of the States, shall, while employed in such positions on a regular full-time basis, or while pursuing a course of education or training in law enforcement or firefighting conducted by the United States or by a State, territory, possession, or the District of Columbia, or a subdivision of a State, be deferred from training and service under this title in the Armed Forces of the United States."

FEDERAL DATA BANK CLOSER TO A REALITY

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Betts] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BETTS. Mr. Speaker, the Joint Economic Committee released a report this week recommending the coordination and integration of Government statistical programs. This is technical terminology for urging creation of a Federal Data Bank which will have the authority to compile information on every aspect of our society, its businesses, and citizens. By applying the broadest definition to the term "economic," every census questionnaire, Government survey, internal revenue report, FBI and other security reviews, FHA loan applications, Veterans' Administration and social security benefit case histories, and, yes, even drivers' license numbers, will be computerized in this Federal Data Bank. Our personal histories would be available at the whim of a bureaucrat.

Now, of course, this is not the intention of those who conceive the integration of data under the Department of Commerce. But, I contend, such an eerie result cannot be eliminated. At the pedestal of consolidation, coordination, standardization, and efficiency, our Government plans to develop a dossier on all its citizens and economic enterprises. Too often, Mr. Speaker, the Congress delays expressing its will until a bad project has begun operation. Let us exercise extreme caution before permitting any Federal Data Bank to be created.

For the benefit of my colleagues, here is a summary of some important aspects of the Joint Economic Committee report. It focuses on several questions:

> (1) To what extent is there coordination and integration of our statistical programs?
>
> The statistical programs of the Federal and State Governments, although good by historical or relative standards, are not sufficiently integrated or coordinated. Indeed, we do not have a "national statistical system" but rather several subsystems and some rather unrelated pieces.
>
> (2) What are the implications on the efficiency of our statistical system?
>
> Current statistical information is totally inadequate to meet the changing policy needs of our times. The information contained in the statistical publications cannot be easily manipulated or related. Improved integration would provide valuable information on productivity prices and incomes. A more integrated system of data might significantly improve economic policy. Further integration would help to improve the design and administration of government programs. There is an unnecessary duplication of effort by government agencies and duplicative reporting by respondents.
>
> (3) What proposals are there for a more integrated statistical system?
>
> The most complex and potentially far reaching of the proposals . . . would include the following:
>
> A. To establish and maintain an index of all sets of data available within the Federal system and usable for statistical purposes.
>
> B. To assemble the data from selected sources, integrate them to the maximum feasible extent, and preserve the data in usable and highly accessible form by use of large scale automatic data processing equipment. (With modern technology, it may be unnecessary to physically locate the data in the center, in view of computer hookups and computer consoles.)
>
> C. To function under uniform disclosure standards, which should also apply to other Federal statistical agencies, in order to insure maximum protection of personal privacy.
>
> D. In cooperation with users in and out of government and with the collecting agencies, to formulate standards for further collection efforts in order to promote maximum integration and minimum duplication without undue sacrifice in terms of specific functions of the agencies.
>
> E. To define the accessibility and cost of various sets of data to potential users inside and outside of government. Special tabulations could also be performed by the center, with due consideration for disclosure restrictions and with costs assessed against the users.
>
> (4) Would further integration and particularly a national data center present a threat to personal privacy?
>
> A. The proposed national data center differs fundamentally in design and purpose from central files designed to hold information about individual people or individual firms.
>
> B. Although the purpose of the center necessitates that the identity of the statistical observations be maintained for matching operations, the identities of individuals and firms could be carefully safeguarded by strict legal and technical measures.
>
> C. Work should go forward at a pace that is slow enough to allow reasonable assurance that the disclosure problems can be and are being controlled.
>
> (5) Is the present administrative machinery adequate for the tasks at hand?
>
> The present legal and administrative machinery is generally adequate for the problems of coordination and integration.

This Joint Economic Committee report contained the following recommendations and conclusions. Again I have included only the major statements:

> (1) Work should proceed toward the establishment of a national statistical servicing center.
>
> (2) Steps to further integration should be taken now by the Office of Statistical Standards.
>
> (3) The Bureau of the Budget should prepare a detailed report of the problems involved, of specific ways in which the Federal Government can be of significant assistance, and of the costs of various alternatives.
>
> (4) Additional resources for the Federal statistical system will be needed to carry out the recommendations outlined above.

I take issue with this report, Mr. Speaker, on several counts. There is inadequate justification for a coordinated statistical system such as is proposed. Many of my colleagues have challenged the statistics and economic data developed by the executive, but few would suggest our present capacity is "totally inadequate to meet the changing policy needs of our time." I believe an indexing of all sets of data available as a Federal Data Bank would undertake is, on its face, proof of the threat to personal privacy of our citizens. Legal safeguards would not, in the final analysis, prevent an overzealous bureaucrat or autocratic government from using a national data center to persecute or prosecute its detractors.

I share the views of my able colleague from New Jersey, Congressman Gallagher, who has done much to alert the House to the perils of a Federal Data Bank. Addressing the American Bar Association convention on August 8, 1967, Congressman Gallagher said:

> What the National Data Bank may propose is to let loose an Army of researchers into the files of the International Revenue Service, the Social Security Administration, the military complex, birth, education and death records; virtually every activity in which a functioning human engages. Our nation might gain from such an inundation of graph makers and statistic collectors. Once armed with this knowledge, however, even the most dedicated academician could sense and be corrupted by the power he had in his hands. If information is power, then real power and its inherent threat to the Republic will rest not in some elected official or Army generals, but in a few overzealous members of a bureaucratic elite.

This subject is too important to go unattended. I hope the House will restrict the development of any such data collection agency until all facets are fully explored and protective measures established.

TO DECREASE THE PERMISSIBLE MINIMUM DOWNPAYMENT WITH RESPECT TO FEDERAL SHIP MORTGAGE INSURANCE AND LOANS

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. PELLY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PELLY. Mr. Speaker, I take this opportunity to call to the attention of the Members of the House my bill H.R. 12566, a bill to decrease the permissible minimum downpayment with respect to Federal ship mortgage insurance and loans.

The U.S. fishing industry is facing a very severe problem in replacing obsolete fishing vessels. This serves as a decided limiting factor upon the ability of the industry to meet the rising demand for fish products in the United States. The very sad fact is that, because of our fleet limitations, we are now the world's largest importer of fishery products.

Between 1948 and 1964, the per capita use of fishery products in the United States increased almost 70 percent. In 1965, our domestic requirements for fishery products were in excess of 10 billion pounds. Of this total requirement, 55 percent was met by imports as compared with only 40 percent in 1960. In terms of dollars, the heavy importation of fish products amounted to $564 million in 1964 as compared with $307 million landed by our fishermen.

Mr. Speaker, the cause is readily apparent. The size and capabilities of our fishing fleet do not permit us to effectively challenge foreign fleets which are reaping the benefits of the ocean off our very own shores.

In 1965, we had in operation approximately 13,000 fishing vessels. Of this number, more than 600 are 80 feet or more in length, but of these vessels almost 63 percent were more than 21 years of age. To replace all our fishing vessels of 80 feet or more in length reaching an age of 20 years or more would require the construction of approximately 75 new vessels each year for the next 7 years. The availability of capital to construct new fishing vessels seriously impedes meeting these replacement needs.

Federal assistance available to meet these needs consists of a fisheries loan program, a fishing vessel mortgage and loan insurance program, and a fishing vessel construction-differential subsidy program. The last—the construction-differential subsidy program—is authorized by the U.S. Fishing Fleet Improvement Act of 1964. Its ability to meet rising vessel replacement needs is in direct relation to the availability of Federal funds. Since enactment, six vessels have been delivered under this program. Eleven are under construction, five are awaiting contract signing, and 12 have been approved for construction but have been delayed pending availability of Federal funds. The average total contract price of these vessels has ranged from $200,000 to $400,000 with the Government's share averaging about 48 percent.

The availability of Federal funds under the construction-differential subsidy program has been limited further by the award in past months of two large stern ramp trawlers valued in excess of $5 million each. These two giant subsidy awards amounting to $2,614,976.50 each have depleted $5,229,953 of the available funds for the construction-differential subsidy program.

The immediate funding needs for the subsidy program as of March this year was approximately $11 million if all approved vessels were to be constructed. Clearly, sufficient Federal funds will not be available in the foreseeable future, especially when considering that the budget request and appropriation for fiscal year 1968 was only $6 million or a little more than one-half the amount required to meet approved application needs.

It is for this reason, Mr. Speaker, that I have introduced legislation liberalizing the downpayment requirement of the Federal ship mortgage provisions of the Merchant Marine Act, 1936, which are administered by the Department of the Interior with respect to fishing vessels. In addition, I have today written to the Secretary of Interior, requesting reconsideration of the existing limitation on satisfactory maturity dates established pursuant to regulations to be found in 46 C.F.R. 255.

It is my sincere hope that both the legislation I have introduced and my letter to the Secretary of the Interior will receive early and favorable consideration, so as to restore the American fishing fleet to the preeminence it once enjoyed.

Mr. Speaker, in the past I have opposed fish boat construction subsidy legislation. This is because it seemed to me it upgraded the fishing vessels of a very few fishermen at the expense of the many.

My new bill is to help the many and upgrade the entire fleet, if desired, and not just to allocate construction aid to a favored few.

I hope the administration will lend its support to this new proposal to liberalize the program of replacing our obsolete fishing vessels.

OUR FOREIGN TRADE POLICY

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, as a member of the Foreign Economic Policy Subcommittee of the Joint Economic Committee, I have recently been involved in studying "The Future of U.S. Foreign Trade Policy." We spent much of our time reviewing the results of the Kennedy round and weighing the new directions U.S. trade policy may take in the next several years.

An editorial in the New York Times on July 4, 1967, briefly, but accurately, depicts where our foreign trade policy now stands. It notes that tariffs were cut an average of 35 percent during the Kennedy negotiations and that "these sizable reductions will prove a sharp spur to trade." The Times recognizes, however, that the successful completion of the Kennedy round is only the beginning, and that we must now push forward in new directions.

The Times editorial mentions the important contribution the gentlemen from Missouri, Representative THOMAS B. CURTIS, a colleague of mine on the Joint Economic Committee, has made to our understanding of the Kennedy round. His reports to Congress and his statement before the Foreign Policy Subcommittee reflect the interest he has shown in his role as congressional delegate to the trade negotiations.

The Times editorial concludes with three suggestions for future U.S. trade policy. It calls for a reduction of nontariff barriers, special trade concessions to developing nations, and a continuation of the administration's Office for Trade Negotiations. These are substantially the same recommendations we made in the minority views of the Joint Economic Committee's annual report and that Congressman CURTIS made in his statement before our subcommittee. They deserve careful study.

I include this editorial in the RECORD at this point:

AFTER THE KENNEDY ROUND

A good deal of American industry is up in arms over the tariff reductions made by the United States in the Kennedy Round of trade negotiations. Such a reaction was to be expected. The object of the entire exercise was to do away with the tariffs that protect domestic industries. The protests of chemical, textile and other business executives are therefore a measure of the success of the new agreement.

Originally the Administration had hoped to reduce tariffs on industrial and agricultural goods by 50 per cent. While it does not meet this ambitious target, the agreement calls for tariff cuts averaging 35 per cent on almost $8 billion in imports. Since foreign countries are making reciprocal concessions, there is no doubt that these sizable reductions will prove a sharp spur to trade.

In his series of reports on the Kennedy Round, Representative Thomas B. Curtis of Missouri, who served as Congressional delegate for trade negotiations, made clear what the bargaining was all about. American industry, he said, must choose between "getting a bigger economic pie or maintaining some historical division of the economy in which industries retain their dominant or less dominant places."

The Kennedy Round clearly offers industry a chance to get a bigger pie. It has all but eliminated tariff barriers as an obstacle to trade in a wide variety of manufactured products. This is especially true for many consumer goods, including automobiles, television sets and sewing machines.

The Administration admits that foreign concesions in some other areas—steel, aluminum, pulp and paper—are less sweeping, but it insists that "useful if limited progress" was made. Similarly, it looks for the agricultural results to "improve export opportunities" for many American farmers. Unfortunately, the Department of Agriculture's post-Kennedy Round action in cutting back on milk product imports is hardly consistent with the spirit of the latest agreement and invites retaliation abroad. The inconsistency between seeking greater foreign sales for American farmers while tightening protectionist measures against agricultural imports is all too evident.

It will take considerable time for the United States and its trading partners to get the full benefit of the reductions they negotiated. The plan is to cut duties over a four-year period, beginning next January, in four equal steps. These phased reductions will help cushion disruptions to domestic industry. Nevertheless, the gradual withdrawal of protectionism among the major trading countries is sure to have a substantial, economic impact.

Whether it does or not, there will be new appeals for relief from foreign competition. But relief is unwarranted for inefficient and noncompetitive producers who want to keep what they have. Industries anxious to expand will not seek protection. On the contrary, they will seize the opportunity offered by the Kennedy Round to compete effectively, giving consumers the benefit of tariff reductions at home and abroad.

The full promise of the Kennedy Round will not be realized, however, unless the trading countries do more than they have done to reduce the nontariff barriers to trade. At the same time, the rich industrialized nations should provide special trade concessions for the poor. These unfinished tasks argue that the Administration's Office for Trade Negotiations should be kept on the job to assure a bigger trade pie for all nations.

NATIONAL COMMISSION ON URBAN LIVING

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Rumsfeld] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, I rise to associate myself with the remarks of the gentleman from New York and to join in his call for prompt favorable consideration of H.R. 3155.

This bill establishes a commission of 25 chosen jointly by the President of the Senate and the Speaker. Its stated purpose is to establish the necessary facts, and advise and recommend to the President and the Congress appropriate means to, and I quote the bill, "help this Nation to act wisely and intelligently in this time of unprecedented change in urban living."

There is in those words an implication of tragic prophecy for, indeed, it is clear that we have not acted wisely in meeting those problems. Unfortunately, there is still grave need to explore and to find a wise and intelligent course for the solutions of the problems of the cities. It is for these reasons that I too have joined the gentleman from New York as a sponsor of this legislation to create a National Commission on Urban Living and to call for immediate consideration of it by our Committee on Government Operations.

Mr. Speaker, this bill was introduced on January 19, 1967—long before the recent riots. It was referred to the Committee on Government Operations. One cannot help but wonder how much longer the majority will refuse to even consider this important measure.

A NATIONAL COMMISSION ON URBAN LIVING

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Quie] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. QUIE. Mr. Speaker, our cities are assailed with a host of problems, including traffic congestion, water and air pollution, rising crime rates, the cancerous growth of slums, and inadequate schools.

The riots of this summer have only added urgency to my call to create a National Commission on Urban Living. If we had acted sooner, perhaps we could have been spared some of the violence which marred the summer of 1967. In any event, it is imperative that the National Commission on Urban Living become a reality before another year passes.

I am gratified that a number of my colleagues today have called for action on my urban living bill. Urban problems are now symptoms of America's most obvious domestic dangers.

I would like to place in the Record at this point a statement I have made on my bill to extablish a National Commission on Urban Living, which I introduced in January—the first bill I introduced this year.

The statement follows:

A Proposal for a National Commission on Urban Living

(By Congressman Albert H. Quie, First District, Minnesota)

Aristotle said "Men come together in cities in order to live; they remain together in order to live the good life." Many observers of the contemporary American urban scene would take exception to this statement. Although man has come and continues to come to urbia, it might well be argued that it is virtually impossible for him to live the "good life" in the milieu that we equate with the typical, modern American metropolis. While we are recording the highest degree of urbanization of any national population, we are simultaneously witnessing the impact of a number of distressing factors—factors that depress the quality of life that is enjoyed and will be enjoyed by the swelling multitudes that flock to our metropolitan areas.

Daily we are given disturbing accounts of the adverse forces working toward the destruction and diminution of those advantages that made our urban environs so attractive to the vast majority of the American people. Demands for adequate and decent housing accommodations far exceed the available supplies—with the result that millions of Americans are forced to live in overcrowded, sub-standard, but nonetheless costly, dwellings. The personal safety of man, woman, and child suffers at the hands of a spiraling crime rate and an ever-increasing incidence of juvenile delinquency. Individual health is jeopardized by a host of agents that contaminate the air we breathe and pollute our limited water resources. Hospital and medical facilities fall behind in meeting the needs of the sick and suffering. The full creative energies of our greatest national resource, our youth, are untapped. Too many of our young people in urban school systems are unable to develop their full intellectual potential because understaffed faculties and poorly-equipped classrooms and laboratories mean a denial of meaningful and rewarding educational experiences.

These are urban problems. These are national problems. Statistics tell us that more than 70 per cent of our people not live in urban areas. Populations projections forecast that by 1980 more than 80 per cent of our growing populace will reside in our urban communities. Urban problems, therefore, must be viewed as national problems having a direct and vital influence on the general welfare of this Nation.

What has been the response to the challenges that these problems have posed? The urgency of our needs has evoked a flurry of activity at all levels of government. We have only to cast a cursory glance at the Federal sphere of governmental operations to find ample evidence of this activity and to arrive at some idea of the types of responses that are being made to the perplexing questions raised by our rapid urbanization. The recent creation of two Cabinet-level Departments—Housing and Urban Development and Transportation—introduces some of the principal problems of metropolitan living into the highest echelons of the Executive Branch. To these new Departments and to many of the other Executive departments and agencies, Congressional and Executive action has produced a revamping and expansion of operations to deal with public works and economic development, air and water pollution abatement and prevention, urban renewal, urban planning, urban mass transportation, airport development, low-rent housing, improved employment opportunities as well as the betterment of sewer and water facilities. This is not an exhaustive list of urban-oriented activities and programs—but serves merely to highlight some of the primary concerns of those within the Federal sphere of government who are charged with the responsibilities of formulating policy and translating that policy into effective action.

Government cannot, however, lay claim to a monopoly of the innovations that have been advanced. More and more colleges and universities, business and industrial enterprises, civic and religious organizations, and research and development institutions have taken a new and vigorous interest in the declining state of our urban affairs. From this recognition and interest flows a stream of valuable contributions that not only increases our store of knowledge but also our capability to better direct our efforts and better utilize our resources to elevate the quality of life that can and should be enjoyed in urban America.

In a word, the problems of improved metropolitan living now draw on the expertise and enlist the efforts of men and women from a widening circle of varied disciplines. Clearly, the nature of the challenge demands this type of a response. But I think that we must make certain that this multifaceted approach that characterizes the present surge of national activity is guided by a singleness of purpose that will lead ultimately to a full realization of our expectations. Unfortunately, there is a growing accumulation of evidence that suggests that conflicting goals, mutually exclusive policy recommendations, duplication of efforts and expenditures in one area, total lack of action in a second area—all of these troublesome elements are coming to cloud the urban affairs picture. It seems to me that it is not too late to avert the dangers to which I have made reference. Now is the time to take whatever action may be necessary to avoid these stumbling blocks to success and, with this purpose in mind, I am introducing legislation that would establish a National Commission on Urban Living.

Let me make it clear at the outset that I do not view the role of this proposed Commission to be one that would make a competitor of those already in the vanguard of the national effort to improve urban living conditions. Nor do I envision a Commission that would assume the role of a superagency. On the contrary, I would like to see a bipartisan National Commission on Urban Living that would serve as a coordinating body—working in cooperation with the representatives of local, State, and Federal government agencies and departments as well as with the representatives of the numerous non-governmental parties alike—in a concerted effort to understand the total picture—the panorama, if you will, of urban affairs. I would like to see the creation of a National Commission on Urban Living that would work toward that singleness of purpose and direction that is requisite to the success of our efforts.

My proposal would bring into being a twenty-five member Commission, fifteen of whom would be appointed by the President of the United States. No more than nine of the fifteen Presidential appointees would be of the same political party. Of the remaining ten members, five would be appointed by the President of the Senate with three from the majority party and two from the minority party. The Speaker of the House of Representatives would appoint the last five members, selecting three from the majority party and two from the minority party. The members of the Commission would select a Chairman and a Vice Chairman from the membership.

Over a period of two years, commencing with the appointment of the twenty-fifth member, the Commission would be required to submit to the President and to the Congress a report of its activities, studies, and analyses together with any recommendations for future Executive and Congressional action. At any time within this two-year period, the Commission could submit appropriate interim reports to the President and to the Congress.

Let me briefly outline some of the duties that I would like to see this national commission perform: (1) serve as a national clearinghouse for the acquisition and dissemination of data necessary for a clear and comprehensive overview and understanding of the major problems that affect urban living in the United States; (2) identify those problem areas that demand immediate action; (3) evaluate operative programs designed to remedy these acute or critical problems; (4) make recommendations for changes in operative programs; (5) make recommendations for the initiation of programs designed to alleviate acute or critical problems; (6) identify overlapping in operative programs and make recommendations for the elimination of duplication of efforts and expenditures; (7) study trends that will influence the future quality and character of urban life; (8) assess the likely impact of these trends and identify probable trouble spots; (9) make recommendations for ways and means of dealing with these future problem areas that would be useful for future Executive and Congressional action; (10) promote greater public understanding of the programs that have been adopted to resolve these problems; (11) promote greater public understanding of the overall problems of urban living; (12) conduct a continuing reevaluation of the national policies, goals, and standards that we have set for urban living.

Somehow the words "national commission" suggest a roster of prestige names offering lofty, ivory tower recommendations of doubtful value to those who must make policy and to those who must carry out that policy once established. I hesitate to subscribe to this pessimistic though popular notion for it underestimates the valuable appraisals, policy suggestions, and public and private efforts that have been generated or stimulated by that instrumentality that we know as the national commission. In short, it overlooks or blithely dismisses the illustrious service—nationwide in scope and impact—that has been rendered by previous commissions.

The studies carried out by both Commissions on Organization of the Executive Branch, more popularly referred to as the Hoover Commissions, are excellent examples of the hard-hitting and practical products that the labors of national commissions can yield.

Recall if you will that the recommendations of the first Hoover Commission contributed to the achievement of a measure of unification within our Department of Defense, the creation of an efficient "housekeeping" agency for the Federal government in the General Services Administration, the internal reorganization of the Department of State—with an eye to clarifying official responsibilities, expediting communications operations, and a breakdown of the numerous artificial barriers that existed among staff members. What is more, the proposal for the creation of a Department of Health, Education and Welfare can be traced back to the studies and reports of that first Commission.

To the second Hoover Commission we owe much credit for measures that effected the reinforcement of civilian control over the military within the Department of Defense, and the overall increased effectiveness of the Joint Chiefs of Staff as a defense planning unit. This Commission's work was a major stepping stone to the adoption and implementation of annual accrued expenditures budgeting procedures. Finally, the careful study conducted by the Commission was largely responsible for a major reduction in the competition that heretofore existed between government and private enterprise for the supply of goods and services.

But perhaps there is a precedent or illustration that is more analogous to the situation that now confronts us. Shortly after the turn of the present century, President Theodore Roosevelt appointed the Country Life Commission to study and analyze the problems of farming and country living. Issued in 1909, the final report of that commission has been referred to as a "bible for students of agriculture, rural sociologists, agricultural economists, farm leaders, and Secretaries and staffs of the Department of Agriculture from that time down to the present."

The work of Roosevelt's Country Life Commission culminated in an unprecedented number of concrete recommendations that were subsequently incorporated in legislative proposals, and finally signed into law. Focusing much of its attention on the educational curriculums of the rural school systems, the Commission recommended that education in the rural classroom be redirected or reoriented so as to have a "relation to living" and in such a way as to guarantee that "the schools would express daily life" and educate by means of "agriculture and country life subjects." The Commission further urged the establishment of a national extension service as an effective means of "arousing the people as to what must be accomplished in terms of their daily lives and welfare." The Commission's report and the proposals contained therein served as an impetus to the enactment of the Smith-Lever Act of 1914—establishing the U.S. Department of Agriculture's Agricultural Extension Service as well as the Smith-Hughes Act of 1917—providing for vocational argicultural instruction.

A direct and immediate relationship exists between the Commission's findings and recommendations and the boon that came to rural communities thanks to the introduction of parcel post service, rural delivery, postal savings plans, the Federal Farm Loan Act, soil conservation, rural road construction and improvement programs, the 4-H movement, and the growth of agricultural cooperative associations. Although widely enjoyed and today accepted as rather ordinary, the changes wrought by these progressive measures transformed the character of country living and were indeed extraordinary. The myriad of benefits that have accrued to rural dwellers defies accurate tally or evaluation.

Not to belabor my point, let me say in conclusion that there are ample precedents for the establishment and creation of a National Commission on Urban Living that will come to grips with the seemingly insurmountable task of improving the quality of urban living. Neither of the Hoover Commissions offered panaceas. Nor did the Roosevelt Country Life Commission offer a quick and painless cure-all. Each did offer, however, sound insights and invaluable guidance in the search for viable answers to the respective problems with which each was faced. If established, a National Commission on Urban Living would be no panacea to the ailments that plague our metropolitan areas and consequently the entire Nation. This Commission could serve as a dynamic mechanism through which the best minds from the broad spectrum of interested disciplines could merge and work as one to achieve that singleness of purpose and clarity of direction that are necessary for any substantial improvement and strengthening of urban living—of national living. Hopefully, the National Commission on Urban Living, that I have proposed here today, would, in the years to come, be viewed as a creative and esteemed instrumentality whose efforts marked the advent of a new urban atmosphere in which men would come together to live and remain there in order to live a good life.

ART BUCHWALD RIDES AGAIN—ON THE EDSEL?

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Whalen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WHALEN. Mr. Speaker, I suspect that Secretary of Defense Robert S. McNamara may have encountered some difficulty in digesting his breakfast this morning due either to outrage or laughter if he happened to read today's edition of the Washington Post.

Contained in the paper was what some might term another classic by one of America's great journalistic assets, Art Buchwald, whose recently concluded vacation apparently yielded dividends.

Whether we—or Mr. McNamara for that matter—agree with the analogy depicted in Mr. Buchwald's inimitable style, I think it certainly is worth reading.

For the edification, therefore, of my colleagues who may have missed the column, I hereby insert it in the Record:

If Vietnam Escalator Works Why Did the Edsel Go Down?

(By Art Buchwald)

We were sitting around discussing the war in Vietnam the other night when somebody remembered that our Secretary of Defense, Robert McNamara, used to work for the Ford Company.

Then somebody else said, "I wonder what would have happened if Ford continued making the Edsel motor car?"

This is what we decided could have happened:

The year the Edsel came out a high-level conference was called. The vice president in charge of sales made his report. "Sir, we might as well face it. The Edsel is a bomb. We can't sell enough of them to pay for one advertising spot on the Ed Sullivan show. I think we ought to take our losses and get out."

"Wait a minute," a board member said, "If the Edsel falls, the Ford might fall, then the Mercury, and then finally the Continental. Psychologically this would be the greatest victory General Motors could possibly achieve, and our prestige in the motor industry would be impaired forever. We've got too much at stake for us to stop the Edsel now."

"I disagree with you, sir. I think we made a mistake and should admit it."

"Balderdash. The solution is to pour in more men and money. Surely, with all our resources we can make the Edsel a big success, and we will show General Motors once and for all that if Ford makes a commitment to a car it will keep it."

"What's your plan, sir?"

"Let's send in our top engineers and develop the best car money can buy."

A year later the high-level group stared glumly at the sales figures. "Sir, as you can see, we only sold 43 cars this year. The people just won't buy the Edsel. It's not their kind of car. Let's get out before it's too late."

"We can't just get out. We've got 50,000 workers committed to making a successful car and we'd be the laughing stock of the world if we quit now. The problem seems to be with the Edsel management team. Let's change the management, send in another 75,000 workers, add an additional $30 million, and we're bound to have a winner on our hands."

A year later the same group met to hear the news that only 23 Edsels had been sold. But one of the top-flight executives, who had just returned from a visit to the Edsel factory, was optimistic.

"It may take more time than we thought," he said, "but progress is being made. We have to concentrate harder on the customers to win them over before we'll see any results on the sales charts. Our industrial intelligence divison says that General Motors is hurting badly and that with each new Edsel coming off the production line, their morale is sinking to a new low. This is no time to let up. I propose we pour in another 125,000 workers and $50 million additional funds. GM must be made to realize that their hard-sell tactics won't pay off."

Three years later, with 550,000 workers on the production line and a billion dollars invested in the car, only one Edsel was sold—to the Smithsonian Institution.

"What do we do now?" someone asked.

"I think we should stop making Fords, Mercurys, Thunderbirds and Continentals and put all our resources into the Edsel. Our engineers say that all they need is 250,000 more workers and another billion dollars, and they'll have General Motors on their knees."

OBSERVERS WHO WILL TRAVEL TO VIETNAM

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I noticed with some alarm this morning that the President had picked a group of "observers" who will travel to Vietnam next month to assure one and all that a free election will take place there.

I certainly have no argument with the President on his selections. The men named are respected and capable, although I wonder how many of them are able to speak or understand the language of the South Vietnamese so they can carry out their duties in an efficient manner.

It is my opinion that we have no more business in attempting to police an election in Vietnam than the Vietnamese would have in sending a team of observers to the United States to assure an "honest count" in our presidential race in 1968.

As long as the administration is sending observers, I would suggest that they include a team from Cook County, Ill. If there was ever a group of politicians more capable of knowing every nuance of election fraud, they have yet to surface in the United States.

Another possibility might be to add to the group of observers a sprinkling of election officials from Alabama and Texas, in conjunction with the most skilled ward leaders in Chicago. They would certainly be able to detect any cheating which may occur, or any switching of ballot totals after the polls are closed.

If the South Vietnamese desire observers for their election, it would more properly be in the province of the United Nations. Our intervention will certainly be construed by the world as an attempt by our Government to control the internal operations of a foreign nation.

If we have sufficient faith in the South Vietnamese Government to fight beside them in war, we must have a similar faith in their conducting an election. If we have no faith in their government's being able to hold an honest election, we had better take a close look at our military commitment to that nation.

FAIRPLAY FOR OTEPKA—PART IV

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, on many occasions, Members of Congress have commented on the strange case of the man who tried to do his job "too well"—Otto Otepka. I have personally, and on numerous occasions, called for full disclosure of the facts of the Otepka case by the State Department and most recently for the State Department's hearings to be opened and the transcript made available to the public. I reaffirm this request.

As far as is known the facts of this case and the similar case of Stephen A. Koczak, indicate that the State Department would rather maintain its "personal security," than the national security; that there is a clique of persons interested more in their own professional safety than in the good of the Nation; and that the Otepka and Koczak cases are, to date, elaborate coverups which are about to be torn to shreds.

The latest development is contained in an article from the Government Employees Exchange, the one paper which has consistently championed men like Otepka and Koczak who seek their day in court against the massed power of the Department of State. This article indicates that Mr. Otepka has decided to appeal to the Civil Service Commission, regardless of the outcome of the State Department hearing.

For those who are interested in a just outcome, this appears to be a valid move and one which might head off attempts to whitewash the present hearings. Let us hope that Mr. Otepka will not be satisfied until he gets a public hearing of all the facts—a hearing that will see the chips fall as they may, and one that will satisfy Members of Congress and the American people.

I include the article from the Exchange at this point in the RECORD.

UNSATISFACTORY RATING CHALLENGED IN APPEAL

On August 16, Otto F. Otepka, the State Department's top Security Evaluator already in mid-course in the State Department hearings of his appeal against his "dismissal", submitted a second, independent appeal directly to the Civil Service Commission against the State Department's continued denial of his regular within-grade salary step increase. Mr. Otepka's appeal of the Board of Appeals and Review of the Commission was under Section 531.407(e) of the Federal Personnel Manual.

On Aug. 17, The Exchange learned that in his appeal, Mr. Otepka claimed that the department "has not furnished me with any annual performance rating since October 1960, a period of nearly seven years, contrary to a Federal statute and in violation of Department and Civil Service regulations which provide that supervisors are obligated to prepare annual ratings on subordinates." Mr. Otepka added that "Department officers have testified under oath that such ratings are intentionally being withheld and will not be furnished to me."

Mr. Opteka continued that "in lieu of providing me with an annual efficiency rating, the Department has improperly if not illegally stigmatized me in another document as an 'unsatisfactory employee' without considering my overall performance, as required by law and Civil Service regulations." Mr. Otepka continued: "I refer to a statement made by my alleged temporary supervisor, Mr. George W. French, Jr., in a memorandum dated July 17, 1967, addressed to Mr. Rimestad. In reference to me, Mr. French declared, 'I have no recourse but to categorize him as an unsatisfactory employee.'"

In commenting on Mr. French's calling him an "unsatisfactory employee", Mr. Otepka wrote: "I desire to point out that I may not be termed an unsatisfactory employee by any supervisor except in a formal annual performance rating report duly executed by a responsible supervisor and then only on ninety days advance notice to me. I have received neither such a rating nor a notice that it is intended. I hold that Mr. French's responsibilities toward me have not been fulfilled in the manner required for a knowledgeable and just superior."

The Otepka August 16 appeal directly to the Civil Service Commission exploded like a "bombshell" there, *The Exchange* was informed on August 17. Especially painful to the Commission, *The Exchange* learned, was the fact that Mr. French, who had described Mr. Otepka as an "unsatisfactory employee", is himself a "domestic" Foreign Service Reserve Officer, just recently promoted to "domestic" FSRO–2 by Idar Rimestad, the Deputy Under Secretary of State for Administration. Like Mr. Rimestad, Mr. French is also a member of the "Macy-Crockett Camp", as is James Falcon, a "domestic FSRO–2" who works with Mr. Macy on personnel selections and assignments at the White House. As readers of *The Exchange* will recall, the "Macy-Crockett Camp" recently defeated the "Henderson-Princeton Pack" for power at the State Department.

Also as reported previously, in defeating the "Henderson-Princeton Pack, of old-line Foreign Service Officers, Mr. Crockett relied on the power of the "domestic" Foreign Service Reserve Officer Corps which Mr. Crockett had created and developed with Mr. Macy's support. The newly-created "domestic" Foreign Service Reserve Officer Corps has been repeatedly attacked by employee groups, especially the American Federation of Government Employees, as not only "illegal but also unconstitutional". Although employee groups have written Mr. Macy about their fears, Mr. Macy has not responded to their letters. *The Exchange* was informed.

Besides Mr. Falcon, who functions at the White House, other "domestic" FSROs who perform no duties for the Foreign Service are John Rielly, in Vice President Hubert H. Humphrey's office on Capitol Hill, and Betty South, Mrs. Hubert Humphrey's personal secretary. Both Mr. Rielly and Miss South were recently promoted by the State Department this year, the former to "domestic" FSRO–2 at a salary of $19,333 and the latter to "domestic" FSRO–3 at a salary of $15,841.

The Exchange was again informed on August 17 that the problems created on Capitol Hill for Mr. Macy as a result of his role as "talent scout" for the White House and his membership in the "Macy-Crockett Camp" have strengthened his determination to give up in the "practicable future" one, and perhaps both, of his positions with the Federal government. In this connection, *The Exchange* prints hereunder portions from its June 14 edition describing the background of Mr. Macy's "determination".

On June 14, *The Exchange* wrote:

On June 1, 1967 Congressman H. R. Gross of Iowa inserted the entire *Exchange* article into the Congressional Record, pages 14510–14511. Congressman Gross described the State Department's proposed action a "foul injustice piled on the many injustices that have been a part of this case from the outset."

Congressman Gross also attacked the Civil Service Commission, which has jurisdiction over protecting Mr. Otepka's rights as a civil service employee with veterans' preference. He said, "The inaction of the Civil Service Commission is shocking. It is an abdication to the political expediency of the State Department."

At the White House, the May 31 *Exchange* article and the June 1 and June 7 statements of Congressmen Gross and Ashbrook have "generated concern", an informant closely identified with James C. Falcon revealed. Mr. Falcon is listed at the White House as the Special Assistant there to John C. Macy, Chairman of the Civil Service Commission.

This source indicated that Mr. Macy has become "extremely irritable" about news reports of an early change in his own status at the White House and of rumors of the possibility of a congressional investigation into Mr. Macy's own role in the Otepka case. (In response to an inquiry, Mr. Macy had "no comment" to say about his changing status.—The Editor). According to the informant, the prospects of such a congressional investigation have been increased by the circulation of reports of the continued existence of the "Macy-Crockett" Camp, involving Marvin Watson, the Appointments Secretary of the President, Idar Rimstad, the successor to William J. Crockett as Deputy Undersecretary of State for Administration, and Mr. Falcon who is carried on the Federal payroll as a "domestic" Foreign Service Reserve Officer, Maximum U.S. Duty.

In anticipation of a possible congressional investigation, a special study has been undertaken at the State Department of Volume 17, pages 1325 through 1480, of the Hearings on State Department Security, *The Exchange* has learned. Within the Civil Service Commission, the Bureau of Inspections, it was stated, may be most vulnerable because of repeated allegations addressed to it in the past by State Department civil service personnel of discrimination in assignments, "make-work" jobs with false job descriptions; the failure of desk audits of positions; and the use of repeated "details," with Civil Service Commission consent, to perform meaningless tasks so as to punish civil service employees. In this connection, Mr. Macy's ardent espousal of the Hays Bill in 1966, which would have destroyed the civil service in the State Department is cited as relevant.

Also cited against Mr. Macy for failing to uphold the rights of civil service personnel are the actions of the office of the Chief, Appeals Examining Office, of the Civil Service Commission which has invariably turned a "deaf ear" to complaints of State Department employees. Volume 17 systematically records and documents a series of cases of civil service employees who complained that they did "nothing" or merely "read newspapers and books and magazines" all day. Yet, in every instance, Mr. Macy replied that, in justification of its own inaction to protect civil service personnel, the Appeals Examining Office of the Civil Service Commission had decided it had been "unable to find any basis for holding that the Commission has jurisdiction for the appellate review." Thus, no hearing at all was granted the employees.

RESPECT FOR LAW AND ORDER

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, in this day and age when civil disobedience ultimatums are being issued by those in prominent positions, it is reassuring that emphasis is being placed on the necessity to obey the laws of our land despite any aversion we might have to any given law. It cannot be repeated too often that we cannot appoint ourselves as the final judge concerning which laws to obey and which to ignore. It is readily apparent that those statutes which serve as our protection are based on infirm ground if an individual can judge for himself which he will observe.

A basic presentation of the necessity for individual responsibility in our everyday affairs was recently offered by former Judge Clarence J. Crossland, of the common pleas court of Muskingum County, Ohio. Judge Crossland, in 20 years of public service as prosecuting attorney and as judge, speaks with the experience and authority seldom matched in everyday life. For this reason I include his speech, entitled "Patriotic and Religious Responsibilities as a Citizen," delivered on August 13, 1967, at the fairgrounds in Muskingum County, in the Record at this point:

Patriotic and Religious Responsibilities as a Citizen

(Address by Clarence J. Crossland)

Fellow Citizens of Zanesville and Muskingum County: As you may note from this script before me I have rather carefully prepared and timed my evening's remarks. Perhaps an explanation is in order.

Years ago I was asked to speak at a banquet here in the county honoring the retiring president of a ladies' auxiliary organization. It was held in a church basement on a hot and humid summer night. Husbands had accompanied wives from various parts of the state. Many women were asked to speak before I was called upon. The hour was already late. I talked too long, as usual. My sister-in-law had gone along with us to visit a friend. Late in the evening she came to the church to meet us for the return home. Seeing a man sitting on a stoop outside mopping his sweating brow she asked, "Is Mr. Crossland through speaking yet?" His answer: "My God, no! and I don't think he ever will be!"

While the first amendment to the Constitution of the United States provides:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;" basis for the doctrine of separation of church and state, what is principally significant to each of us as individual citizens is that we are not admonished or required to exclude religion from our daily lives, including performance of either private or public duties and responsibilities. In other words, we are free to live and to work in conformity to biblical teachings in performing our daily tasks, whether public or private. Unquestionably we would greatly enhance the quality of our purpose and performance if we should do so. Also thereby our rapport with others and better understanding and increased opportunity for true brotherhood would undoubtedly follow. Significantly, Christian understanding and brotherhood is individual rather than collective; personal within and not a facade without. In essence, our particular need in this country today is for more rather than less religion, yes, in officials of government as well as in privately employed persons, with respect both to objectives and direction.

"And if you forget the Lord your God and go after other gods and worship them, I solemnly warn you this day that you shall surely perish."

So said Moses to the people of Israel. So may each of us here this evening speak to each other.

In our beloved nation today we are sorely divided, locked in bitter and recriminatory controversy and dissension upon many issues vital to our internal and external security. The eventual outcome and final determination of these matters may possibly involve our ultimate, if not early, survival of extinction as a free and independent republic. We must put our stoutest hearts and strongest minds to the imperative task of essaying priorities and undertaking a spiritual, moral and ethical renas'cence.

One of the most bitterly controversial issues troubling and disrupting us is the question of Viet Nam. I shall not undertake to explore or elaborate that question on our subject here. But I do wish to submit to your thoughtful consideration a brief excerpt from the voice of an American soldier there, engaged in the solemn and frightening performance of his military duty:

"Our policy has been determined by the voice of the majority. Certainly it is the responsibility of those in the minority to *constructively* examine this policy and criticize anything detrimental to the interest of all. But to withhold support of those of us called upon to serve in the military conflict, and to imply brutality in our actions, is despicable.

From those who would oppose our actions, I ask for alternative solutions. From those who cry "Peace" but refuse to work for a just and lasting peace, I ask for understanding. From those who would support our enemy, I ask for nothing, as they have nothing I desire."

Adverting to the United States Constitution, I now quote a portion of its preamble:

"We the people of the United States, in order to form a more perfect Union,—*insure domestic tranquility*—do ordain and establish this Constitution for the United States of America."

"Insure domestic tranquility"—one of the basic purposes and motivations of that nearly two hundred years old document! What are we doing or failing to do today, as individuals, to insure domestic tranquility?

Patriotism takes many forms and means many different things to different people. But I say today—at this time, what we most need is the *substance* rather than any *form* of patriotism. We need it badly, at the local level—everywhere in the nation. We must combine and assist to insure domestic tranquility. It cannot be done in platitudes or any kind or magic of words. There is only one solid and lasting way—personal and individual dedication. Integrity of purpose, honesty of approach and forthrightness of application, with effective substitution of selflessness for selfishness, generosity for greed, compassion for hatred, and to remember the Lord your God and to worship Him only—these are basic tenets for domestic tranquility.

This nation, with modern comforts and conveniences for more people than any other nation in the entire world, was not built in a day any more than today's population of nearly two hundred million people sprang up overnight. But it can be destroyed and perish in far less time—in 200 months, weeks, days or possibly even hours. Subversive self-destruction can act like the catalyst of an atomic or hydrogen bomb—just as quickly and just as disastrously—without any one left around to pick up the pieces for another start.

On the contrary, some of the most vexatious problems of many of our inner cities arose rapidly and were submerged and obscured from ordinary view. It should be apparent to impartial and thoughtful observers that the vast magnitude of such cities' tasks makes effective remedial steps necessarily slow—a process of careful planning and soundly constructed action that cannot be undertaken or done precipitously without inordinate waste, flimsy performance and meager and basically inadequate results.

It is important and necessary to remember and take account of the basic fact that slums, both white and black, were not intentionally designed or contemplated. They are an inevitable by-product of relatively recent large migrations from the south to our big cities, abetted by terrific population explosions in such greatly augmented migration centers. Admittedly, city slums, *not* ghettos, (ghettos originating in foreign nation areas of *prescribed* restriction)—admittedly problems arising from the emergence of these slums have been in considerable part swept under the rug as something often too perplexing and overwhelming for most big cities to handle or solve with any adequate program. That we now know. There is no quick or easy solution. Any one who pretends or promises that there is is either a fool or a demagogue but hardly a friend to persons involved or affected.

So what is preferable—violent rebellion, insurrection, anarchy, chaos and national suicide? Or willingness to plan and work together constructively for improved outlook, steady progress that can really move ahead and thereby increased opportunity that is thus labored and brought about under established and existing democratic processes, not faked under a catch name or slogan—meantime reasoning rationally and in doing so also realizing that the United States of America today, and certainly before some recent senseless destruction, affords and contains outlook, promise and opportunity far exceeding and excelling anything of the sort available to limited or unlimited talents anywhere else in the entire world.

Individual and family obligations and responsibilities are always basic to any human betterment and are indispensable accompaniments of community, state and national concern and assistance, inextricably intertwined therewith. There are no magic carpets to the stars in sudden flight from reality, in this all be so told plainly and clearly by appropriate persons in authority, if any of us do not already so know. Creation of false hopes and promises, however well intentioned, simply brings disillusion, distrust and despair. This we can no longer afford or tolerate.

Those relatively few persons who choose to stay and live in a land they reject, villify and condemn, yes, even try to destroy, have no conception of democracy, whose name they falsely invoke in acts to subversion and sabotage, and no conception of its rule of law. Their thoughts and deeds are alien to everything other men fought and died for. Whether it is arson, larceny, mayhem or murder by those who pillage and loot for material values of small consequence and brief use, under the false guise of civil rights, wholly unrelated in cause or justification, but unfortunately possibly in effect as an aftermath; whether it is violence aroused in and by mass picketing in the guise of a labor dispute or strike, or whether it is same small artful concealment or denial of some one's else right or property in an individual transaction, law and order suffer and erode. Intimidation and stealth are part of the arsenal of major lawlessness.

First there is law, for without law there can be no order. Without law and respect for law there is only anarchy, chaos and eventual destruction or the alternative or repressive and ruthless dictatorship.

Respect for and obedience to law is far more than a slogan of belief and profession. It must be lived in order to be real and viable. And it must be practiced even when disagreeable and disagreed with. There are legal recourses for undesired or undesirable laws, modification, amendment, repeal or constitutional appeal. A genuinely responsible citizen acknowledges and acquiesces in submission to repugnant or distasteful law while pursuing constitutional or legal processes for change or repeal. But the widely advocated and practiced theme of obeying and adhering only to laws or court decrees, (which also have the force and effect of law), that one considers for himself as just and disobeying and flouting laws or decrees deemed unjust, seriously undermines and is ultimately destructive of all law and order. It is the dressed over theme that the end justifies the means. It is the excuse of arsonists, looters and murderers, the alleged right to possess some one's else property or privilege, by whatever means necessary. It is much more plausible and appears more credible when advanced by eminent churchmen or intellectually elite scholars. BUT it is also much more insidiously dangerous because of such very prominent and prestigious preachment and precept. A worthy cause is never well served by unworthy means, especially when it deludes less capable minds who justify their own unlawful acts by such examples.

Calling a law one disagrees with unjust and therefore breakable by that one is never —in any case—or by anyone—a defense. It is one thing only, blatant and defiant contempt for and direct assault upon organized and existing government, striking at its very foundation. Instead of being applauded and condoned such misbehavior should be criticized and condemned for what it is—deliberate and purposeful disregard of and thereby disrespect for law, thus directly conducing to public disorder, the prelude to other and greater crime.

Respect for law means also respect for the law's representatives, not only courts in their decisions and conclusions on issues and controversies but the enforcement arm of the law, which for the average citizen is the policeman. He is the symbol of enforcement authority, for our own lawful protection and equally that of others. He must be expected to be faithful to his trust and to exact compliance with his requests and commands, using whatever force is reasonably needed in accordance with the facts and circumstances of each case.

City and village policemen, sheriffs, deputies and village and township marshals are not clairvoyants or automatons and they are not or intended to be scholastic geniuses. They are seriously handicapped by court imposed restrictions and almost required to have the equivalent of a criminal law degree. The least most of us can do is to try to help them by our own law obedience and to expect them to act upon any such failure on our part, according to circumstances, but firmly and impartially. In any event, it is my own candid opinion that the expression of so-called "Police brutality" is usually a smear and a myth, invented and designed to take the heat and attention off law violators, as witness the fact that it invariably is used in the context of wanton and purposeful law violation on the part of such complainers or their cronies or sympathizers.

In my twenty years of public service in Muskingum County as prosecuting attorney and common pleas judge I have had occasion to know, see, observe and hear from and about city, village and county enforcement officers. I have often marveled at the restraint shown, often to personally assist a violator in his resultant difficulties, in the face of taunts, slurs, profanity and assaults thrown at them. They have earned and are entitled to our confidence and trust, and I am glad to offer personal testimony in that respect and in their behalf. In a very literal sense they are the front line of local defense for all our law abiding citizens, from criminals and criminal activities.

None of us is entirely without fault in the importance of implementing and fortifying our constitutional concept of insuring domestic tranquility. The recently released report of the president's crime commission, and exhaustive study by eminently qualified persons, concludes among other things that crime is an aggregate category of series of categories of deviant behavior that is manifested and of concern in all elements of the community. For example, there is a white-collar crime wave-embezzlement, fraud, etc.—which seems to be rising on a curve sharper than that of crime of the street corner variety, but which goes publicly unnoticed because polite society shrinks from prosecuting it. Moreover, the impulse to crime is not a disease transmitted by vapors in the wind, but is an integral part of the behavior pattern of everyone. Indeed, the most salient feature of crime reported by the commission is the huge volume of crime of all kinds everywhere in the country. And this report was completed and made before the worst lawlessness in the nation's history in our cities.

I repeat and reiterate that each one of us needs to do his and her own full part in our own local community with compliance with and respect for law and to encourage and urge others to do like-wise, acknowledging occasional human error but always seeking to avoid knowledgeable, conscious or deliberate violations either of commission or omission. Then, too and also equally important but frequently overlooked or neglected, trying earnestly and studiously to avoid or correct the latent potentialities of crime or criminal outbreak and disorder, some deep seated and more far reaching than often thought or known, by alleviating causes where reasonably possible as early as possible, with respect to all our fellow citizens of this entire community, most of whom in my own observation and judgment have consistently fulfilled the concept of decent, law abiding people, whether poor or rich, white or black, or any other circumstance of birth or origin. Recent weeks have particularly confirmed us in our appreciation of life in this, our own community, but we should never become complacent or self satisfied. Definitely, we should and must seek constant improvement and betterment for all the lives among us, especially our less fortunate fellow citizens, who do deserve our understanding and cooperation at all times.

Returning to our main theme, as a citizen, lawyer, former judge and war veteran, everywhere throughout our land I can conceive of nothing less than insistence first, last and always that law must be observed and obeyed, even if respect for it cannot always be taught or learned and that effective order must and shall prevail, as a primary function of any viable government.

The heritage of early pilgrim hardship, starvation and fortitude, Bunker Hill and Valley Forge, the heart-ache and suffering of civil war, Chateau-Thierry and the Meuse-Argonne, Corregidor, Guadalcanal, Suribachi and Anzio Beach, Korea and Viet Nam, and the millions of American patriots who offered and the tens and hundreds of thousands who gave their lives in the past 200 years that freedom and liberty might live and flourish in a tranquil United States of America entitles and obligates present day citizens to expect and accept nothing less. There can be no compromise with evil as exemplified in the pursuit and worship of gods other than the Lord.

In the words of Abraham Lincoln, "Let every American, every lover of liberty, every well-wisher to his prosperity, swear by the blood of the Revolution, never to violate in the least particular, the laws of the country * * *. Let every man remember that to violate the law is to trample on the blood of his father and to tear the character of his own and his children's liberty. Let reverence for the laws be breathed by every American mother, to the lisping babe that prattles on her lap—let it be taught in schools, in seminaries and in colleges; let it be written in primers, spelling books, and in Almanacs; let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the *political religion* of the nation; and let the old and young, rich and poor, the grave and gay, of all sexes, tongues and colors and conditions, sacrifice unceasingly upon its altars."

CONGRESS MUST WAIT ON TAXES

The **SPEAKER**. Under previous order of the House the gentleman from Wisconsin [Mr. Laird] is recognized for 60 minutes.

Mr. LAIRD. Mr. Speaker, on August 2, I addressed the House concerning Congress' need for budget data which provide a current and complete picture of the impact of the Federal budget on the economy. As I said at the time, a Presidential request for a tax increase seemed imminent. The next day, a Presidential request for a tax increase which would take effect during the current fiscal year was sent to the Congress.

We have been asked to impose a surcharge of 10 percent on individuals and corporations. The President insists that these additional taxes are necessary because we face an incredible $29 billion deficit in this fiscal year—1968.

Mr. Speaker, I do not see how the Congress could possibly act on this request in a responsible manner with the information that is available to us.

Stated simply, Congress cannot enact a tax increase responsibly until proper figures are made available to the Congress by the Johnson administration.

Those figures have not been forthcoming even though a so-called summer review of the 1968 budget was transmitted to the Congress on August 17.

This "midsummer review" is certainly a step forward, Mr. Speaker, inasmuch as we were not given the benefit of such a review in midsummer 1965 or 1966.

But such a review is incomplete since it omits any disclosure of what obligations have been incurred by the Federal Government in the past several months.

How important a disclosure of obligations is for proper analysis of fiscal requirements cannot be overstated.

You will recall, Mr. Speaker, that original budget estimates for fiscal year 1966, 1967, and 1968 were useless for determining fiscal policy in a responsible manner in light of the incredible mistakes they contained.

If an economic impact budget had been made available to the Congress as a supplementary tool for determining proper fiscal policy in January 1966, it is unlikely that we would find ourselves in the economic "fix" that faces us today.

As you know, Mr. Speaker, an economic impact budget would provide a picture of obligations incurred and accrued receipts and thus would provide a useful tool for measuring more precisely the impact Government spending policies have on the economy.

Briefly, this economic impact budget measures obligations incurred—orders and contracts placed—by the Federal Government, and enables the analyst to detect the initial impact of Government outlays. Expenditures may not occur for months after the Government places its orders, but the order itself usually causes immediate pressure on the private economy.

This pressure cannot be seen in the regular cash budget, which measures cash expenditures.

Mr. Speaker, if the economic impact budget had been used in January 1966, it would have given Congress a far different picture of the budget than was available from the cash budget.

You will recall that the cash budget in January of 1966 showed a revised deficit of $6.9 billion, up $3 billion from the previous January's estimate.

If an economic impact budget had been used, however, it would have shown a revised deficit of $24.6 billion, up $10.6 billion from January 1965.

These figures tell a vital story, Mr. Speaker. In terms of impact on the resources of the private sector, the midyear version of the fiscal 1966 budget hit the economy like a ton of bricks. This impact was not evident in the regular cash budget.

Had it been evident to the Congress, we more likely would have taken measures at that time that would have prevented or lessened the economic disruptions that have marked our economy since.

One would think, Mr. Speaker, that we would have learned from the bitter experience of the past 18 months that an economic impact budget would shed some additional much-needed light on the situation that faces us.

Yet, Congress continues to be denied up-to-date figures from the executive branch on obligations incurred, a vital ingredient of an economic impact budget.

Certainly, we should demand such information before proceeding to act on the President's request for a tax increase.

For purposes of further illustration, Mr. Speaker, let us look at the major discrepancies—2-year totals—between the original and midyear estimates for the fiscal 1966 and 1967 budgets. Complete figures are set forth in a table at the conclusion of my remarks.

Cash budget: defense expenditures were underestimated by $14.8 billion; nondefense expenditures were understated by $8.7 billion; total cash budget expenditures were low by $23.5 billion; receipts were understated by $13.8 billion; and the cash budget deficits were underestimated by $9.7 billion.

Economic impact budget—obligations incurred and accrued receipts—defense outlays were underestimated by $27.1 billion; nondefense outlays were understated by $5 billion; total outlays were low by $32.1 billion; receipts were understated by $15.3 billion; and the economic impact budget deficits were underestimated by $16.8 billion.

In short, Mr. Speaker, the original estimates for the fiscal 1966 and 1967 budgets were worthless.

Mr. Speaker, we are now being asked to raise taxes on the basis of revised expenditure and receipt estimates with no provision for obtaining current obligations incurred.

A decision on such evidence clearly could not be a responsible one. Congress must, before it takes action on the President's proposed tax increase, demand and obtain up-to-date budget data so it may judge whether the original 1968 budget estimates and the midsummer revisions are as useless for responsible decisionmaking as were the 1966 and 1967 estimates.

Congress, if it is to discharge its solemn obligations in the field of tax policy, can settle for no less.

The table referred to above follows:

ORIGINAL AND MIDYEAR BUDGET ESTIMATES, FISCAL YEARS 1966 AND 1967

[In billions of dollars]

	Fiscal 1966			Fiscal 1967			Fiscal 1968		
	Original estimate, January 1965	Midyear January 1966	Estimated change	Original estimate, January 1966	Midyear January 1966	Estimated change	Original estimate, January 1967	Next estimate	Estimated change
Consolidated cash statement:									
Expenditures:									
Defense	52.5	57.4	+4.9	61.4	71.3	+9.9	76.8	------------	------------
Nondefense	74.9	77.6	+2.8	83.6	89.5	+5.9	95.6	------------	------------
Total	127.4	135.0	+7.7	145.0	160.9	+15.8	172.4	------------	------------
Receipts	123.5	128.2	+4.7	145.5	154.7	+9.1	168.1	------------	------------
Deficit (−)	−3.9	−6.9	+3.0	+.5	−6.2	+6.7	−4.3	------------	------------
Economic impact budget:									
Expenditures (obligations incurred):									
Defense	52.7	67.5	+14.7	65.9	78.3	+12.3	79.3	------------	------------
Nondefense	83.0	86.3	+3.3	90.0	91.8	+1.7	101.4	------------	------------
Total	135.7	153.7	+18.0	156.0	170.0	+14.0	180.7	------------	------------
Receipts (accrued)	121.7	129.2	+7.5	142.9	150.8	+7.8	168.5	------------	------------
Deficit (−)	−14.0	−24.6	+10.6	−13.0	−19.2	+6.2	−12.2	------------	------------

CARDINAL JOSEPH MINDSZENTY CELEBRATED HIS 75TH BIRTHDAY AT THE U.S. EMBASSY IN BUDAPEST

The SPEAKER. Under previous order of the House the gentleman from New Jersey [Mr. PATTEN] is recognized for 30 minutes.

Mr. PATTEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, recently, Cardinal Joseph Mindszenty, one of the most outstanding and courageous Catholic prelates, celebrated his 75th birthday in the friendly, but isolated environment of the U.S. Embassy in Budapest. He lives there as a refugee in his own country ever since the repression of the Hungarian fight for freedom by the Soviet Union.

Cardinal Mindszenty has become a symbol to all men of good will in the world, not only because of his lonely exile, but because of his courageous and uncompromising struggle for human rights, church liberties, and national dignity, despite overwhelming Communist pressures.

His integration of faith and action in opposing the engulfing tide of economic, psychological, and police pressures against the Catholic and Protestant Churches have made his an unforgettable witness for Christ and his teachings. His frequent and outspoken warnings against the totalitarian encroachment on human rights—both in the cases of Nazism and communism—demonstrated the effect of the concept of freedom of conscience of the individual, a true accomplishment of Christian philosophy. In addition, he was not only a leader of the church, but also of his people.

Cardinal Mindszenty exercised his influence in retaining the teachings and moral precepts of the church in the social and educational life of the country by urging land reform, a system of social justice and reform and a democratization of the governmental system in Hungary. However, he opposed the Communist police state; he opposed the end of parochial schools; he decried the clumsy attempts to force parents to withdraw their sons and daughters from religious instruction classes; he expressed his opposition to the growing police terror. He protested the use of economic retribution and retaliation to break the resistance to the rule of the Communist Party. While protesting and criticizing, he remained a freedom-loving, but not disloyal Hungarian citizen.

However, in answer to his protests, the Communist-controlled government arrested Mindszenty and charged him with treason. Although there was never any evidence to substantiate the crime, the Communist-dominated court sentenced the cardinal to life imprisonment. As the last obstacle to complete communization of Hungary, the cardinal was to disappear from public life.

During the heroic Hungarian fight for freedom, Cardinal Mindszenty was liberated from his prison and returned to Budapest. His speech of November 2, 1956 was a call for national unity, forgiveness, and a start of national regeneration and reconstruction. The Hungarian people looked to him for guidance and advice from the moment he had arrived in Budapest. When the short life of freedom in Hungary ended 2 days later, the cardinal fortunately succeeded in getting to the American legation before the Russian tanks occupied the inner city of Budapest.

More than 10 years have passed since that fateful day, but Hungarian undercovermen and police are still waiting outside the Embassy building to rearrest the cardinal should he try to return to Esztergom, his see, or even leave the diplomatic asylum.

Some of the old evils of Stalinism have disappeared from Hungary in the early 1960's and there was some hope that the government would realize the impossibility of upholding the sentence. Although many of the lesser political prisoners received amnesty in 1963, the cardinal remains "imprisoned" in the Embassy.

With the church still in shackles even though churches are open, the case of Cardinal Mindszenty remains important to men of good will everywhere. The cardinal-archbishop must be restored to his civil rights, the sentence must be quashed and he must resume his position as cardinal-archbishop. Before any further advances can be made, this wrong must be remedied.

Today, Mr. Speaker, I want to send our heartfelt greetings to the cardinal, who, to quote his own famous words, stands there "for God, church, and fatherland."

I know that our Government will take advantage of every opportunity to help solve the case of the cardinal, a great world citizen of the 20th century.

Mr. Speaker, I ask unanimous consent that the following Members be permitted to extend their remarks at this point in the RECORD: Messrs. BUCHANAN, CUNNINGHAM, DANIELS, HELSTOSKI, and HALPERN.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, today my distinguished colleague, the gentleman from New Jersey [Mr. PATTEN] has explained in detail the case of Cardinal Joseph Mindszenty, who is still compelled to stay within the confines of the U.S. Embassy in Budapest lest he be rearrested by the Communist Hungarian Government on the basis of an unjust and illegal sentence dating back to the Stalinist days of 1949.

Today one hears much of bridge building with East Central Europe, despite the fact that these countries, or rather their Moscow-imposed leaders, are actively aiding North Vietnam with war materiel that helps to kill our GI's in Vietnam. We are told, especially in the case of Hungary, that a liberalization of the regime has occurred that some of the goals of the suppressed Revolution of 1956 are being realized. Unfortunately, this is a pipedream belonging to the category of "good Uncle Joe" in the days of F. D. R. While certain minor concessions were granted, mostly to improve the very low work morale and the inefficiency of state capitalist management, the Communists are still masters in Hungary. How can there be any degree of freedom when the patently illegal sentence of Cardinal Mindszenty, which is illegal even according to the standard of that empty euphemism: "socialist legality" cannot be quashed despite the discreet pressures which were exerted from outside to do so? How can we think of giving most-favored-nations treatment, loans to a government that remains deaf even to the most elementary humanitarian and legal considerations? Let us first apply ourselves to the unsolved cases at hand before any further steps of concessions are offered on our part unless we want to build up our enemies and create contempt and confusion among our friends in the Hungarian nation.

Mr. CUNNINGHAM. Mr. Speaker, today we are recalling the status of the heroic Catholic cardinal of Hungary, Joseph Mindszenty, who is forced to live as a voluntary prisoner in the American Embassy compound in Budapest ever since Russian treachery and aggression overthrew the Nagy government on November 4, 1956.

The accomplishments and courage of the cardinal in his unrelenting and uncompromising fight against atheistic communism and totalitarianism is well known to us from his pastoral letters before 1949, his trial on illegal charges and his martyrdom during the 10 years in a Communist Hungarian prison.

Today, the cardinal, too, hears the voices of "reasonable compromise" sometimes even from the well-meaning, but naive dignitaries visiting him in his isolation. For it is a fact that his continued presence in Hungary remains a thorn in the flesh of the Communist regime. It reminds the Hungarian people that the shepherd of the flock has not left them, for the cardinal has become not only a symbol of Catholicism, but of all Christianity in Hungary. It also reminds the West that bridgebuilding must remain a farce until the religious and human freedoms are returned to Hungary.

The cardinal's sentence, a prime example of Stalinist mock justice, is still upheld by the present Communist regime. I hope that our Government will work for the reinstatement of the valiant cardinal and will find the opportunity to demonstrate its thoughts to the present rulers of Hungary.

Mr. DANIELS. Mr. Speaker, I am happy to join with my distinguished colleague and very good friend, the able gentleman from New Jersey [Mr. PATTEN], and to associate myself with his presentation today.

I hope that all Americans will heed the words of the gentleman from New Jersey and never forget the saintly cardinal-primate of the Hungarian people, Joseph Mindszenty.

Mr. Speaker, the cardinal has remained in the American Embassy in Budapest for 11 years and his presence reminds of the brief flickering moment when freedom was reborn in Hungary only to be crushed by Soviet armor.

In Cardinal Mindszenty we are admiring the qualities of utmost faith, loyalty and human compassion. Faith because he never ceased to believe even in the hours of greatest trial during his interrogation that atheistic communism must be an insignificant episode of history as compared with God's will that leads man's fate and history, loyalty to his church and country, for he was never willing to compromise the basic church rights and freedom of conscience for temporary modus vivendis with the Communist regime that would have undermined the divine character of the church and eroded the faith of the faithful. Human compassion for he had always fought for those persecuted—the Jews during World War II, the unjustly accused and persecuted in the Hungarian middle class and in the church after World War II. His charitable work and his pastoral work showed him to be a fighter for human rights and dignity.

Today this man still languishes in the American Embassy building, prevented by the customary terms of asylum from outside contact, almost entirely cut off from his flock, but remaining an unassailable pillar of faith and hope to this people, ever since he had to find asylum in the American Embassy after the 1956 revolution.

Today our administration is trying to build bridges to the Communist countries, including Hungary. Let us remind ourselves and the administration that such a policy will only become possible and useful if at least the most elementary rights of religious freedoms are restored, and to these definitely belongs the quashing of the sentence against the cardinal and his reinstatement as Archbishop of Esztergom and primate of Hungary's Roman Catholic Church. This is not an impossible dream, as his collaborators who were also sentenced, were included into the 1963 amnesty, and even under Communist law, the charges of 1949 under the Stalinist Rakosi regime were never proven in court and they should fall under the revision of sentences even under "socialist legality."

I hope that our Government will exploit every opportunity to find an equitable solution to the unfortunate case of the Hungarian cardinal who remains the beacon of hope to his Hungarian compatriots and a memento to us that the days of religious persecution have not yet ended despite some apparent concessions in Eastern Europe.

Mr. HELSTOSKI. Mr. Speaker, in the American Embassy in Budapest, Hungary, where he has had sanctuary since the Hungarian revolution of a decade ago, one of the leading figures of the Catholic world, Joseph Cardinal Mindszenty, celebrated his 75th birthday.

I think that we should pay our respects to the courage of this man who has defied all forms of totalitarianism in his nation, both Fascist and Communist.

Cardinal Mindszenty represents the spirit of freedom in Hungary today. Despite hints that he could leave the country if he wished the cardinal would not desert his people to the Communists; the same Communists who imprisoned him for 7 years after a mock trial.

He has celebrated, if we can properly use the word, his birthday in the twilight of his worldly career. Cardinal Mindszenty is half prisoner and half free. If he leaves the Embassy, where he sought refuge after the Russians crushed the Hungarian revolt 10 years ago, the cardinal is probably doomed, although many of the political prisoners of those days have received amnesty in 1963.

Life and living have been harder on Cardinal Mindszenty even than on his unfortunate countrymen. He is the prince primate of Hungary, which also endows him with great political influence over his country should be choose to exercise it.

In times of crisis, Cardinal Mindszenty spoke out. He openly defied established political regimes: first the Nazis, then the Communists. He also spent 7 years in Communist detainment and prisons.

Cardinal Mindszenty is more than a name and influence in Hungary. He is a living symbol of life in Hungary. Moreover, he spans three generations of history so important in making the country what it is today.

In this day we have an aging man who intones his prayers in a small room at the Embassy. In his declining years all he can do is pray, work on his memoirs and take his daily stroll in the Embassy courtyard. This is a far cry from his ambitious activities of a few years ago. In those times of his active life he was very influential in retaining the concepts of the Catholic Church, protesting and criticizing the rules of the Communist Party—yet remaining a freedom-loving, but not a disloyal Hungarian.

All Hungarians, spread into all the lands of the world, are a proud people with a history of many centuries of independence. They are proud of the cardinal who has fought for this independence through sermons and personal endeavor. They still look to Cardinal Mindszenty to lead them away from the oppression a "foreign government."

We do not know when the cardinal will be guaranteed full freedom and it will be possible for him to leave the American Embassy. But it appears that his life will ebb away in this self-exile because of the uncertainty of the promises of those who forced him into this exile within his own country.

At this time it is fitting and proper to use the cardinal's own words when he took leave of his mother before going to jail. These words fit now as they did then. He said to his mother:

> No need to worry, everything will be all right. All we need to do is pray.

Mr. HALPERN. Mr. Speaker, today my distinguished colleague, the gentleman from New Jersey [Mr. PATTEN] ably explained to us the standing of the case of Cardinal Joseph Mindszenty who still has not regained his freedom within Hungary despite the so-called liberalization measures of the Communist government and the amnesty of 1963.

Cardinal Mindszenty is the highest official of the Roman Catholic Church in Hungary and, as primate of Hungary, he is the chairman of the bench of bishops. He has been illegally and unjustly convicted on flimsy evidence in 1949 primarily for "offenses" which were not illegal according to prevailing law in Hungary at that time. His trial and pretrial investigation aroused the entire civilized world at that time and it was hoped that in the 1960's such a justizmord would not be maintained by any government, but would be looked upon as a proof for the dark ages of Stalinism. However, the present Communist government does not believe in religious freedoms either despite the very limited 1964 agreement with the Vatican.

Cardinal Mindszenty is still deprived of his freedom of movement and of the fulfillment of his ecclesiastical duties in Hungary. To the Communist government he still remains a fugitive to be rearrested on sight on the basis of the 1949 sentence.

Today when efforts are made to improve relations with Eastern Europe one has to remember that such an improvement must include the legal liberation of the cardinal in the isolated Embassy building by a quashing of the illegal sentence by the present government and a return of the cardinal to his ecclesiastical position. Only after that may one negotiate for more trade, or for personnel changes and replacements in the Hungarian churches.

Mr. **KUPFERMAN**. Mr. Speaker, will the gentleman yield?

Mr. **PATTEN**. I am happy to yield to my distinguished colleague, the gentleman from New York [Mr. KUPFERMAN].

Mr. **KUPFERMAN**. Mr. Speaker, I want to commend the gentleman from New Jersey, in view of the early hour—it is 3:45 in the morning—for his devotion to this cause and for his fortitude in remaining with us in order to bring before the House the fact that Cardinal Mindszenty is still incarcerated under circumstances beyond his control.

Mr. Speaker, I join my distinguished colleague from New Jersey [Mr. PATTEN] in calling to mind the continued and unresolved case of the Hungarian Cardinal-Archbishop Joseph Mindszenty, who is forced to live as a refugee in the American Embassy in Budapest.

The struggles of Cardinal Mindszenty against totalitarianism and for the rights of the individual against state terror and abuse are known throughout the world and are not restricted to those of his own faith. His brave behavior during the Hungarian Nazi regime, his steadfast opposition to Communist tyranny, and his courageous pastoral letters condemning Communist actions in opposition to the pledges of human rights are an inspiring example for us to work for individual freedom and social justice regardless of ideological distortions.

Today, when efforts are made to improve our relations with the countries of east-central Europe, the continued inability of the Hungarian Government to solve the case of Cardinal Mindszenty by granting a review of the matter and quashing the unjust and also illegal sentence passed by a Stalinist court under Rakosi's regime remains a serious obstacle.

However, because he has become a symbol, without a restoration of the rights of the cardinal-archbishop, neither the state-church relationship in Hungary nor American-Hungarian relations can attain any degree of normalcy and improvement. I hope that the voice of reason and justice, and not the voice of hatred and political injustice will be listened to in this case, and that there may be a proper moral and legal conclusion for the cardinal.

Mr. **LUKENS**. Mr. Speaker, our distinguished colleague from New Jersey [Mr. PATTEN] related to us the fact of the unsolved status of the heroic churchman and fighter for human freedom, Cardinal-Primate of Hungary, Archbishop Joseph Mindszenty of Esztergom.

For more than 10 years, the cardinal has been forced to take refuge in the American Embassy building in Budapest, which he had entered just before Russian tanks arrived in downtown Budapest in open aggression against the Hungarian Government in November 1956.

The cardinal was, in 1949, sentenced upon unfounded charges to life imprisonment. His crime was, basically, to have informed the American envoy, representative of one of the four powers charged with the supervision of Hungary's compliance with the provisions of the 1947 peace treaty on observance of human rights, of the Communist dictatorship and its methods in Hungary during 1947 and 1948.

Instead of quashing the sentence, which was illegal even by Communist standards, the Hungarian Communists tried to reach an understanding with the Vatican at the expense of the cardinal. These efforts have failed, though in 1964 a modus vivendi was signed between Hungary and the Vatican on filling the empty sees. However, the modus vivendi is not even kept by the state which now uses its financial hold over the priests and bishop to reward the "peace priests" and to prevent any truly Christian to occupy important church positions. The Pope has recently asked the old and sick bishops of Hungary to stay on their jobs, as the Communist government does not want to grant the church the right to propose the names of bishops, but wants to present the list to the Pope itself, including only reliable collaborators of the Government.

With the church still in shackles even though the churches are open, the case of Cardinal Mindszenty remains important to men of good will everywhere. Bridgebuilding has become a popular slogan today. But what kind of bridges can be built with the Hungarian Government, when the leader of the Roman Catholic Church of Hungary has to remain a fugitive, having been convicted under law provisions which never applied to his actions? Our Government must insist that the stain of injustice be removed and the cardinal reinstated into his ecclesiastical position before any steps may be taken to improve relations. We must also let the cardinal know that people in the West have not forgotten the valiant fight which he is leading from his isolated room against the forces of atheistic communism, and that we would like to continue in the same spirit which he had expressed so movingly: "Here I stand, for God, church, and fatherland."

Mr. **FINDLEY**. Mr. Speaker, today we were reminded by several of our colleagues, ably led by the distinguished gentleman from New Jersey [Mr. PATTEN], on the present complications in the case of Cardinal Joseph Mindszenty.

The cardinal has always been a courageous fighter for individual freedom, human rights, and religious and church freedom. His stand against anti-Semitism during the war led to his temporary arrest at the end of the war; his stand in favor of religious instruction, against arbitrary arrests, police terror, unjust sentences, and the depriving of the voters of a choice, were milestones in the fight of the church against totalitarianism and for social justice and human rights and dignity.

The cardinal suffered heavily for his valiant stand. Sentenced to life imprisonment on charges, the criminal intent of which he had never fulfilled, not even according to Communist law, he had spent 10 years in Communist prisons. Liberated by the heroic freedomfighters, he only had time for one speech calling for peace and national reconciliation before Russian tanks crushed the new Hungarian Government and forced him to seek refuge in the American Embassy building.

Today when the administration is conducting a bridgebuilding policy toward the East European countries, it is important to remind us, and remind the Hungarian Government as well, that no improvement is possible until this thorny question is removed by the quashing of the unjust sentence and the reinstatement of the cardinal into his episcopal functions. This should not be unattainable, as most of the other figures in the Mindszenty process were amnestied in 1963, and even under Socialist legality the old process could be easily construed illegal.

Mr. **DERWINSKI**. Mr. Speaker, our distinguished colleague from New Jersey [Mr. PATTEN] has given us a clear example of what is wrong in forgetting the realities in east-central Europe. The present administration, in its efforts to build bridges to governments whose aims are contrary to ours, is conveniently forgetting that religious freedom is still an extremely scarce commodity in the Communist states, despite so-called liberalization.

Take the case of Hungary. The Cardinal Primate Joseph Mindszenty, is under a life sentence which was imposed upon him in 1949 on charges which were never proven. Old and sick bishops are asked by the Pope to continue in their office because the Government insists upon naming their successors. Religious leaders, who cannot countenance in silence the growth of atheism and the lack of church rights, are either deprived of their salary by the Communist state or transferred to small villages. Religious education is nonexistent in Hungary, where the church has been banned for many years. Yet, we continue to talk of relaxation and limited freedom of the church. Let us rather insist upon an end to the persecution of the churches in Hungary and work for reinstatement of the courageous cardinal rather than suggest that he depart from the country in order to serve the cause of bridgebuilding.

The freedom of the United States and all parts of the free world remain threatened as long as the Communists maintain their imperial policy and their aggressive designs aimed at world control. Unfortunately, the Johnson administration is stubbornly pursuing coexistence with Eastern European Communist dictatorships despite their involvement against us in Vietnam. We should organize a free world economic offensive against Communist governments rather than subsidize them.

Mr. CONTE. Mr. Speaker, my distinguished colleague the gentleman from New Jersey [Mr. PATTEN] has told us today about the present status of the courageous Hungarian Roman Catholic cardinal, Archbishop Joseph Mindszenty.

The valiant prelate has always been a spokesman for individual freedoms and the right to religious freedom. He raised his voice against the anti-Semitic excesses of the Germans and Hungarian Nazis in the late fall of 1944 in Hungary, and he scored in no uncertain terms the rape, looting, and deportation of the Red army and the tyrannical measures of the Communist-dominated coalition government in 1947–48. His reward was a show trial where he was convicted illegally on charges which he did not commit in the sense of the prevalent laws and spent 10 years in Communist prisons before being liberated by the heroic freedom fighters in November 1965.

Unfortunately, the cardinal, though living at the American Embassy since November 4, 1956, is prevented by the normal conditions for political asylum from exercising his episcopal responsibilities. He cannot receive visitors regularly, and has been cut off from almost all direct contact with the outside world.

It would be of utmost importance for a further development of Western-Hungarian relations that the cardinal's sentence be quashed by the Hungarian Government and that he be reinstated into his episcopal functions. The first should not be a difficult step as the 1963 amnesty has included most of his collaborators, except the cardinal himself, and this alone shows that the Hungarian Government is aware of the unjust character of the sentence imposed upon him during the Rakosi regime. Such a step would necessarily pave the way for a new church-state relationship and improve American-Hungarian governmental relations as well. It is impossible to build bridges until the partner also removes the barriers politically and ideologically, at least in part. Religious freedom is the basic part of human rights which were pledged by the Hungarian Government in the 1947 peace treaty and I hope that the efforts of our Government are aiming upon securing compliance with them not only from a political, but a humanitarian viewpoint as well.

Mr. DELANEY. Mr. Speaker, I am pleased to have this opportunity to join my colleagues in paying tribute to Joseph Cardinal Mindszenty, the heroic Hungarian martyr to the cause of religious liberty.

As one of history's great religious leaders, the cardinal always has been outspoken in defense of individual freedom. He opposed the anti-Semitic excesses of the Nazis and fought valiantly against the tyrannical measures of the Communist puppet regime of his own country. For his devotion to justice and liberty, this man of God was ignominiously arrested, tried on unfounded charges, and sentenced to prison for life. There he remained in torment for 7 years until rescued by the heroic Hungarian freedom fighters in 1956. He was immediately given asylum by the American legation where he has remained ever since, and just recently celebrated his 75th birthday.

Cardinal Mindszenty is not only revered and honored by the Hungarian people, but symbolizes the world man's resolute belief in the ultimate supremacy of the spiritual life over gross materialism. He is an inspiration to all of us and will continue to be to generations not yet born.

I share the hope of people throughout the world that the Communist regime of Hungary will soon find the courage to set this holy man free, so that he may once again walk in dignity among his people.

GENERAL LEAVE TO EXTEND

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the subject of this special order.

The **SPEAKER.** Is there objection to the request of the gentleman from New Jersey?

There was no objection.

A GREAT NEGRO PUBLISHER VIEWS OUR RACIAL TURMOIL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. CASEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CASEY. Mr. Speaker, much has been said and written about the causes of and cures for the racial unrest sweeping our country.

But I have read no greater words of wisdom on this subject than those that appeared in the August 5, 1967, Houston Forward Times ediorial. I have known Mr. Julius Carter, the editor and publisher of the Forward Times, for many years, and have always known him to be a man of logic and understanding. We, in Houston, are proud to have a man of his stature, and his wisdom, as one of our community leaders, and the calm and authoritative voice with which he speaks will appeal to all men of reason.

It is my privilege to bring to the attention of my colleagues the editorial from his recent edition:

Slap the Lid on or Create a Cure

No one at this moment can be sure of just what the Congress of The United States will do in the weeks and months to come about enacting legislation to stop the continuous outbreak of riots that keep exploding with tremendous fury throughout the country. Frankly, everyone in Congress is too stunned and puzzled to say now exactly what they plan to do.

The President has asked for several measures that he believes will help, such as the Rat Control Bill and The Rent Supplement Measure. He has also asked that there be no cutback in the Poverty Program funds.

Some Congressmen have in recent weeks prior to the outbreak of the riots, expressed leanings towards the idea of drastic cutbacks in the Poverty Program funds. Congress has already ignored the rat control bill with expressions about it that bordered on the extreme. Some Congressmen referred to the bill as the Civil Rats Bill.

The President, on the other hand, has asked Congress to take another look in light of the recent developments. He has also asked that special training be given to special "Riot Control Units" that can be flown hurriedly to trouble spots on a moments notice.

It is a well known and accepted fact that Congressmen take most of the cues from the voters back home in their respective districts. These voters haven't had time to fully formulate and transmit their opinions at this early date. It may take weeks before the opinions begin to work through the various channels up to the Congressmen.

While all of this is going on, however, many people in important places have started advancing their own pet theories about how to cope with the problem. Some of it is well thought out and some of it is as emotional as the riots themselves.

The concern, then, of this newspaper is whether the vocal storm of suggestions coming in from all sorts of sources might not just add to the confusion and the dilemma.

We are wondering rather fearfully that some of those who want the problem solved might not, in haste, seal the lid or cover down upon it so that it doesn't boil over in public and at the same time installing no cures to prevent the problem from continuing to boil on the inside. If this happens, true we will end up with no street riots but sure as shooting we will end up with some other kind of erratic expressions where the absolute worst in the boiling individual comes to the forefront.

If the riots taught us nothing else they should have shown us clearly that the end product before us is violence, destruction and looting. If we start at the end and work backwards in our search for a solution we might see this whole thing in a new light. Here-to-fore we have always tried to review the problem by starting at the beginning and make the end, no matter how distasteful it might be, fit into what has gone on before.

If we start at the end—Violence, Destruction and Looting—we cannot escape the fact that this is the one point that absolutely nobody but each individual involved is the main point of concern. At the very instance when the man in the window walking off with the box of looted goods that belong to someone else stops long enough to examine himself, he cannot, to save his hide, come up with one single justifiable reason why he is right. And absolutely nobody else can. This man has trespassed against himself first and secondly, trespassed against and has embarrassed the entire Negro race. There is no law that Congress can pass that will take the shame off a man when the man, himself, doesn't realize that he is in shame.

The cure to the riots is not in the Congress of The United States. The Cure rests in the mind, heart and conscience of the Negro himself. The responsible Negro community must manifest itself as the dominating force and kick the looters, the burners and the destroyers out.

Basically, what has happened is that many otherwise responsible Negroes have remained quiet while the vocal and misguided extremists made noises that were mistaken for Civil-Rights expressions.

The daily press, the news commentators on TV and the national white publications reported in unproportioned ratio every scrap and bit of information that the way-out screwballs wanted distributed about. The end result was that more and more recruits joined the ranks of the way-outs and the responsible Negro got quieter and quieter.

The irony of the whole thing is that, at first, the responsible Negro kept quiet to avoid being called an 'Uncle Tom' and now he finds much to his disguest that the way-outs are calling him an 'Uncle Tom' anyhow because he happens to have a change in shirts and an extra pair of pants. He is in the disheartening position of facing a charge for having been industrious, thrifty and studious.

The Congress of The United States can slap the lid on the riot with the passage of several punitive laws. However, this newspaper believes that the problem will still be there, only worse and more deep rooted. Our suggestion is that the responsible Negro leadership bring to the forefront measures that will create a cure.

THE OEO SHOULD NOT BE SCUTTLED

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ASHLEY. Mr. Speaker, as a recent editorial from the Toledo, Ohio, Blade concludes:

> The OEO should not be prematurely scuttled.

And yet that is exactly what some shortsighted individuals would have us do. While retreating from an original plan which would have abolished OEO entirely, the opponents of the war on poverty now apparently want to surrender some of the most successful OEO projects to the old-line Federal agencies.

The fact remains, however, as the editorial states, that one strong argument against abandoning OEO and turning its programs over to the long-established departments is that:

> The OEO under Mr. Shriver's direction has contributed freshness and uniqueness to the over-all search for ways to wipe out poverty.

The editorial very forcefully points out that it was the failure of the old-line agencies to deal effectively with the causes and consequences of poverty that created the need for OEO in the first place. A creative and flexible new agency was needed. The Departments of HEW and Agriculture were not totally negligent with respect to the poor, but in meeting their other responsibilities they failed to recognize until the problem reached crisis proportions that the poor lacked a voice in the government and, therefore, lacked a program tailored to their special needs.

I commend this thoughtful editorial to the notice of my colleagues, and I call attention to its title, "The OEO Fights On." The war on poverty cannot be won by the OEO fighting alone. I salute Mr. Shriver's dogged determination to see this effort succeed, but I think it is about time we in the Congress gave him some very strong support.

The article follows:

The OEO Fights On

Anti-poverty warrior Sargent Shriver is engaged once again in the battle with Congress for survival of his office and its program, a fight that gets tougher every year.

There are many reasons that the war on poverty ran into trouble almost as soon as it was formally launched and that it has sunk deeper into trouble the longer it has managed to keep going. But nearly all the reasons can be traced back to the original concept of involving the poor in the solution of their own problems. First broached in the form of the ill-fated Community Action Program, this sounded fine to congressmen and their partisans back home until they began to realize how such a notion put zealously into practice could threaten to upset the political status quo.

This suspicion among politicians of what the OEO was up to is reflected most pointedly in the Republican proposal—quietly sanctioned by no small number of Democrats—to dismantle the OEO entirely and give all its assorted programs to the traditional cabinet departments. These old-line agencies would be happy with such a development, since they have resented the OEO's intrusion on their bailiwicks from the beginning—in fact, almost strangled it in a bitter bureaucratic battle before it even was born.

One factor in the departmental jealousy was the obvious implication that the traditional agencies had failed in their traditional programs of welfare, employment, education, and the like. If they had not failed, why did widespread poverty still exist to inspire proposals that an entirely new attack was needed?

The element of truth in that implication is one of the stronger arguments against abandoning the OEO and turning its programs over to the long-established departments. Valid as their conventional programs undoubtedly are so far as they go, the OEO under Mr. Shriver's direction has contributed freshness and uniqueness to the over-all search for ways to wipe out poverty.

Furthermore, the controversial idea of involving the poor in the planning and implementation of the anti-poverty campaign has substantial merit, however the politicians may suspect it. It is interesting to note, for instance, that a presidential task force of businessmen is expected to propose soon a new strategy to deal with hard-core unemployment in urban ghettos. A key item in the plan will be to use neighborhood residents of poor areas as "block captains" in recruitment.

More and more, public officials and policymakers and managers of programs in civil rights and poverty are discovering they cannot effectively plan and work toward their goals without seeking the thinking and help of those whom the programs are intended to benefit. The lack of such communication with the poor was a significant reason that many old-line departmental programs failed to accomplish what they set out to do; they simply were not in touch with the people they were supposed to serve.

It was because the OEO recognized this that it based much of its rationale on involvement of the poor in its work. This was what created its political troubles in large measure, but it is in large measure the reason the OEO should not be prematurely scuttled.

REPORTORIAL RESPONSIBILITY—COMMONSENSE BROADCASTING

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Macdonald] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MACDONALD of Massachusetts. Mr. Speaker, there has been a great deal of concern among various Members of the Congress over the part our communications media has played in recent civil disturbances.

I, for one, am very concerned whether or not spot coverage of riots tends to foment further rioting. There is some question as to whether those intent on criminal actions use the news media to ascertain where police are—or are not.

Various charges have been hurled and various answers, or excuses, given.

Joseph McCaffrey, of Washington's WMAL–TV and radio, who I consider to be one of the brighter stars in the broadcasting firmament, hit the nail on the head, I believe, in his commentary of August 2.

For the benefit of any of my colleagues who may have missed Mr. McCaffrey's report that evening, I recommend its reading.

Commentary of Joseph McCaffrey, WMAL–TV, August 2, 1967

How much has the news media contributed to the riot fires which have been sweeping the country? Some members, including Congressman Durward Hall of Missouri, and Senator Hugh Scott of Pennsylvania believe much of the gasoline hitting the flames have been thrown, indirectly, by the handling of the stories.

Congressman Hall, for example, feels that if Stokely Carmichael had been left on his soap box out in the park, he'd still be there. But television put him in the big leagues. He has been transformed by TV, says Hall from an oddball to a national figure—albeit still an oddball.

Senator Scott is worried because the news media doesn't have what he calls a code of emergency procedure that would insure civil disturbances being reported in ways that are not inflammatory.

The Senator's worry is probably justified. However, there is such a code. It is, or at least it should be, a reporters sense of responsibility.

It is, or should be, present in the way he handles every story, and not just stories dealing with riots.

Unfortunately, perhaps, it hasn't always worked out that way. Recently a local radio station gave some prominence to a racial disturbance which set off the phones here at this station. The report turned out to be a mistake. There had been no disturbance.

If basic reportorial responsibility had been the rule, the story would have been checked out first, the way any story is supposed to be checked out.

The warnings from both the Senator and the Congressman won't do any harm, although and unfortunately, neither radio nor television started the riots, and even if they kept silent about them, there would still probably be other riots. But it might be that the media has to plead guilty for transmitting the fever from one city to another by reporting on each one as it occurs. Yet, certainly, no one would say that these happenings should be ignored and not reported.

WAR ON RATS IN OUR SLUMS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, along with many of my colleagues in this body, I deplore the rejection of a simple piece of legislation that would have enlisted the Federal Government in the war on rats in our slums.

The editorial reaction of the AFL–CIO News to that vote is unfortunately well merited. So that all of us may have an opportunity to read and consider this editorial, Mr. Speaker, I am inserting it in the RECORD.

The editorial follows:

GHETTO OF THE MIND

Members of the conservative coalition in the House who laughed and joked at the idea of using federal funds to protect children from rats have demonstrated a new shocking callousness and blindness on the crisis in the cities.

The government, they contend, should cut back sharply on its efforts to salvage the cities and relieve poverty so as not to reward the rioters and rioting.

Police, troops and curfews may be needed to keep the peace when violence erupts. But the festering decay that has gone neglected for so long cannot be contained behind barricades. It must be rooted out without delay.

The needed programs are barely under way, but the conservative coalition is hacking away to cut them back to the point of complete ineffectualness.

The tragedy is that many of the congressmen who vote against the programs to save the cities appear to be sincerely convinced that they are reflecting the sentiments of their constituents. We cannot believe that this is so, that Americans will turn away from the battle against poverty.

But there is a real problem. In the words of Sargent Shriver there is a "terrible isolation" of the affluent in the nation, those who live in relative comfort and security, from the poor in the cities. This isolation, says Shriver, breeds "distrust and hatred."

And, he continues, along with the physical ghetto of the city slum "there is another kind of ghetto—an interior ghetto of the mind where we seal off parts of democracy that don't suit us, where we box off our obligations to justice and shut out our commitments to fairness."

This "ghetto of the mind" must not and cannot be allowed to go unchallenged. And the first place to mount that challenge is in Congress where the solutions to many of the ills of the cities must be fashioned.

EQUAL TIME

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. OTTINGER. Mr. Speaker, last month, I read into the RECORD a very perceptive and thoughtful article from Atlantic magazine by Elizabeth Drew which asked—and many believe answered—the question, "Is the FCC Dead?"

There is at least one group of people in the country who remain unconvinced by Miss Drew's argument and who believe they detect some vital signs within the FCC—the commissioners and staff of the FCC itself. Simple fairness dictates that this agency should benefit from its own doctrine of "equal time." For that reason, I am today inserting in the RECORD a rebuttal by FCC Commissioner Kenneth A. Cox, which appeared in the spring issue of the Journal of Broadcasting:

DOES THE FCC REALLY DO ANYTHING?

(NOTE.—It is difficult to get a perspective on the many activities of the Federal Communications Commission merely by reading the weekly trade press. It takes a compilation such as the following listing and discussion of FCC activities since 1961 to truly illustrate the huge number of complex legal and technological questions that the Commission has worked on in recent years.

(Commissioner Cox joined the FCC Staff in 1961, having previously served as Special Counsel to the Senate Committee on Interstate and Foreign Commerce during the Television Inquiry of the middle 1950's. He was appointed to the Commission in March, 1963. Although an earlier version was presented to the NAB Fall Regional Conference in San Francisco in October, 1966, the following article was prepared and documented by Commissioner Cox and his legal assistant, Mr. Allen Cordon, specially for the Journal of Broadcasting.)

(By Kenneth A. Cox)

Several months ago I read a magazine article which quoted someone who had told an industry meeting that the FCC made a lot of noise, but never really did anything. The source of the allegation is now vague in my mind, but the point claimed in the statement remained clear—and irritating. I requested my legal assistant [1] to undertake a review to see just exactly *what* the Commission had been doing since April of 1961, the time when I first joined the Commission's staff. This is not intended to claim, or admit, responsibility for the actions I have listed herein; many of them I had nothing to do with, and some of them were taken over my vigorous protests.

The resulting 39 pages of single-spaced summary of the more significant actions of the Commission during this period were culled from our Annual Reports and the monthly reports submitted to the White House. Having that information at hand, fresh fuel was added to the fire when the October 1966 issue of *Television* magazine appeared, with the provocative question "Is The FCC Obsolete?" emblazoned across its cover. While the editorial on the last page of the magazine concludes that the Commission, in much its present form, is likely to be around for some time to come, the general drift of the discussion was that the FCC is sort of bumbling along, out of its depth, struggling with issues too large for it. Although I concede the validity of some of the critical comments in the article, I would like to reply herein to the charges of ineffectiveness.[2] Here are some of the more significant actions of the FCC from April 1961 to mid-1966.

ALLOCATIONS

In the basic field of allocations, and the broad outlines of the services we oversee, the Commission has been quite busy.

(a) In July 1961 the Commission renewed its efforts to foster the development of UHF television. It called on Congress to require that all sets be capable of receiving UHF. At the same time it proposed to deintermix 7 communities by deleting single VHF channels allocated there and to drop in short-spaced VHF channels in 7 2–V markets, both actions being designed to provide equally competitive facilities and extend 3 network service into areas where full program choice was constricted by the lack of adequate outlets.

(b) The following year Congress enacted the all-channel law, and the Commission adopted rules fixing April 30, 1964 as the cut-off date for distribution of VHF-only sets. In the process of getting the legislation, the Commission agreed to drop its deintermixture proposals, and later abandoned most of the drop-ins—both of which actions I protested bitterly.

(c) Over the whole period, the Commission has been involved in revising its UHF allocation table, including a still pending proposal for a new class of low power community stations. We've prodded the holders of inactive UHF permits to get on the air or surrender their channels—writing them letters, holding oral proceedings to determine their plans, and actually deleting a number of construction permits. We considered a request at MPATI (the Midwest Program for Airborne Television Instruction) that we regularize its service and allocate 6 UHF channels for its use in serving schools and colleges in Illinois, Indiana, Ohio, Kentucky, Michigan, and Wisconsin—but eventually rejected the proposal as imposing too great a demand on the UHF spectrum. We similarly rejected petitions of the land mobile radio interests for Channels 14 and 15—though this proposition is certainly far from dead and gone. In January 1962 we instituted an inquiry as to frequencies for radio astronomy. Later we found the astronomers ensconded on Channel 37, and eventualy authorized such use for 10 years.

(d) We spent nearly $2,000,000 on the New York UHF Experiment, which Commissioner Lee tells me proved that UHF is just as good as VHF, and set up an Advisory Committee on the Full Development of UHF which he has headed very ably for 3 years. I think all of this activity has materially improved the chances of developing UHF as a major element in our television system.

(e) In July 1962 we curbed the development of licensee owned or supported VHF translators designed to extend signals beyond the parent station's Grade B contour and into areas served by other stations. More recently we have withdrawn somewhat from this position by authorizing high powered translators on allocated channels, and are now considering further revision of our translator policies.

(f) The Commission has been busy in AM allocations as well. In September 1961 I was given the honor of erasing from the blackboard in the Commission's Meeting Room the Docket number of the Clear Channel Proceeding which then-Chairman Doerfer had vowed in 1959 to leave there until the matter was concluded. The Commission closed out this 16-year old rulemaking by authorizing one duplicating station on each of 13 clear channels, reserving judgment as to the possibility of higher power on the remaining 12. We deferred processing of applications for the authorized Class II–A stations at the request of the House Commerce Committee, but have now authorized at least one and have several more in hearing.

(g) In May 1962 we imposed a freeze on the processing of AM applications—an action which was challenged in Court, but sustained. In January 1963 we held a 3-day industry conference on AM growth problems, and in May of that year proposed new, tightened allocation rules—our so-called "go-no-go" rules. These were finalized, in modified form, in July, 1964, and processing was resumed. While applicants have demonstrated great ingenuity in devising proposals to meet our new requirements, and my colleagues, in my judgment, are too lenient in waiving the rules, I think we have slowed the rush to further over-population in AM and have, in some measure, channeled interest into FM and preserved AM for future needs in sparsely populated areas.

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[1] I wish to express my gratitude to my legal assistant, Allen Cordon, for his considerable efforts in researching the basic material relied on for this article.

[2] The substance of this article was originally presented in my address before the NAB Regional Meeting in San Francisco, California, on October 18, 1966.

(h) In December 1961 we proposed to modify our handling of pre-sunrise operation by daytimers and by certain full time stations using their daytime power in the early morning hours. This really stirred up a hornet's nest, and we undertook, in December 1962, to regularize operation beginning at 6 a.m. for stations in communities having no full time station. Since then, the proposal has been broadened and is still under consideration. Much of the time this has taken is due to the necessity for negotiating arrangement with Canada. We are—again—hopeful that this can be resolved in the near future.

(i) We have revised our FM allocation policies, returning to a Table of Assignments based on minimum mileage separations and providing 3 classes of stations. In the process, we had to impose a freeze here, too—though this one lasted only some 7 months. While not strictly an allocation action, we have tried to develop an integrated *aural* broadcast service by requiring AM–FM operators in markets with population more than 100,000 to program their FM stations independently 50% of the time. We have suggested that ultimately such joint operation may be questioned further.

(j) In April 1961 we authorized a new dimension in broadcasting by adopting rules for FM stereo service. We have rejected a proposal for AM stereo, but are considering stereo for TV. We ordered an end to FM simplexing and revised the rules for multiplex operation.

(k) In any event, whether we've improved the situation or not, we've been actively engaged in adjusting our allocations policies—a final footnote having been added in January 1966 when we announced new policies to be applied to applications for new stations or major changes for suburban communities, where the facilities sought would provide a substantial signal to a nearby, larger city.[3] This is a part of our continuing effort to apply Section 307(b)'s requirement of equitable distribution of radio service.

GENERAL BROADCASTING REGULATION

I'd like to turn now to the area of general broadcasting regulation—leaving certain portions for separate treatment later.

(a) In November 1961, we sent a notice to all licensees reminding them of their responsibility to guard against fraudulent and deceptive advertising material and advising them of a new joint program with the Federal Trade Commission to help broadcasters avoid such advertising. This program is still in effect, and while we get some complaints they are rather minor in character.

(b) That same month we reminded licensees that broadcast of horseracing information which could be of substantial use in illegal gambling operations is not in the public interest. In April 1963, after consultation with the Department of Justice, we proposed rules to restrict broadcast of certain types of horseracing information. The following year we modified this proposal, but announced that anyone regularly broadcasting last minute information on official times, odds, scratches, etc., would place his license in jeopardy. In April 1965 we formed an Industry Advisory Committee for the horseracing industry to continue to study the problem of maintaining a balance between the broadcast of legitimate racing information and the need to avoid aiding off-track gambling.

(c) In March 1962 we notified all licensees that participation by broadcasters in double billing practices is contrary to the public interest. In March 1964, because some broadcasters continued the practice, we proposed rules to regulate it, finalizing them in the fall of 1965.

(d) Also in March 1962 we adopted a rule specifying that transfers of stations held for less than three years would—except in hardship cases—be set for hearing. I think this rule has been pretty consistently adhered to, with due allowance for financial and health problems.

(e) Also in March 1962 we authorized our first interim television operation (in Syracuse, N.Y.). This has become a precedent followed both in television and radio—to bring prompt service, or maintain service where a license has been revoked or not renewed. While such interim operations are not the equivalent of a regularly licensed station, I think this policy serves the public interest.

(f) In May 1962 we issued a general warning on the broadcast of "teaser" announcements. Despite this, we still find evidence of the practice and have imposed a number of forfeitures.

(g) In September 1962, we formally authorized the use of automatic logging devices. We recognize that they can provide an easier—and often more accurate—method of recording station operations. Our new logging rules adopted since then spell out the way in which such logging can be handled.

(h) In December 1962 we instituted an inquiry as to loud commercials. Two and one-half years later we concluded the matter—we did not adopt rules because of the difficulty of precise measurement, but issued a policy statement pinpointing certain problem areas and calling on the industry to improve its performance in this regard.

(i) In January 1963 we issued a notice on combination advertising rates, declaring their use by independent stations serving the same area to be contrary to the public interest. I don't think there is any doubt about this as a general proposition, though we've encountered some pretty difficult factual patterns in applying the policy.

(j) In May 1963 we adopted new rules as to sponsorship identification carrying out the 1960 amendments to the Act adopted in the wake of the payola-plugola hearings. I think these substantially clarified policy in the area, and we don't have much difficulty with it now, although we still occasionally impose forfeitures for total failure to give any sponsor identification.

(k) That same month we adopted a schedule of fees to be paid for the filing of specified applications. Since then we have modified the fees in certain ways to make them fairer and more consistent—including increasing the fees for broadcast applications. This brings in \$3½ to \$4,000,000 a year—which goes into the Treasury instead of to us. The great bulk of this money comes not from broadcasters but from the safety and special radio services.

(l) In June 1963 we and the Federal Trade Commission issued Notices warning against improper use of broadcast ratings. We reminded broadcasters of the need to take reasonable precautions to insure that surveys used in their advertising campaigns were valid and to use the results candidly and fairly.

(m) In January 1964 we wound up our late lamented proposal to adopt rules based on the commercial time standards of the NAB Codes. However, we announced that we would step up our case-by-case consideration of commercial practices and have done so, on a rather intermittent basis. We have adopted new Program Forms for radio—and finally for television—which require statements of commercial policy and logging of performance in minutes rather than number of spots. We have sent a special questionnaire to all licensees asking them to update their commercial policies in those terms—and to indicate, if their policy contemplates more than 18 minutes per hour in radio or more than 16 minutes per hour in television, the basis for the determination that this is consistent with the public interest.[4]

(n) In March 1964 we proposed a change in call letter assignment procedures by requiring public notice of request for calls, letter notice to broadcast stations within a 35 mile radius, and a 30 days waiting period. This has been finalized and is working well.

(o) In November 1964, we instituted a formal, non-public inquiry as to payola and plugola, because of continued reports of such practices. In 1966, we moved into record oral hearings in Los Angeles, New York City and perhaps other communities. I know these practices die hard, but they are a black mark against broadcasting and broadcasters must be extremely vigilant.

(p) In March 1965 we adopted rules requiring the keeping of local files of broadcast applications, to be available to the public.

(q) In May 1965 we proposed the establishment of antenna farms for broadcast towers in excess of 1000′ and adopted a policy statement indicating that applications for towers higher than 2000′ above the ground would be presumed to be inconsistent with the public interest. The rulemaking is still pending but I hope it will be concluded shortly.

(r) In 1965 we tightened our financial qualification tests, requiring greater precision as to costs and estimates of revenues where the latter must be relied upon.

(s) Throughout this period we've pursued a policy of imposing forfeitures—from \$50 to \$10,000—for a wide variety of violations of the statute and our rules. Two such efforts were challenged in Court—both successfully at the trial level. We are appealing the WHAS case.[5]

(t) We have also granted 1 year (short term) renewals, denied renewals, and revoked licenses for a variety of reasons: (1) misrepresentations to the public in connection with contests (KWK, KRLA)—the latter being the first denial of renewal since 1936 for non-technical reasons;[6] (2) a pattern of borderline obscenity (WDKD);[7] (3) false logging (WMOZ);[8] (4) unauthorized transfer (KSHO–TV) etc.[9]

All of these cases, I think you will agree, involved aggravated misconduct which could not be tolerated.[10]

PROGRAMMING IN GENERAL

Programming is certainly one of our most controversial areas of interest, and I'm sure broadcasters think our rather faltering efforts here have been much too extensive. Let's take a look.

(a) In June 1961, in the *KORD* Case,[11] the Commission revitalized the concept of promise vs. performance, which is one we still pursue from time to time, with varying degrees of success.

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[3] Federal Communications Commission. *Policy Statement on Section 307(b) Considerations for Standard Broadcast Facilities Involving Suburban Communities.* 2 F.C.C. 2d 190; 6 R.R. 2d 1901.

[4] See Public Notice FCC 66–923, October 24, 1966.

[5] *U.S.* v. *WHAS, Inc.*, 253 F. Supp. 603 (W. D. Ky. 1966).

[6] *KWK Radio, Inc.* v. *Federal Communications Commission*, 337 F. 2d 540. *Eleven Ten Broadcasting Corporation* v. *Federal Communications Commission*, 320 F. 2d 795, *cert. den.*, 375 U.S. 904.

[7] *Palmetto Broadcasting Co.* v. *Federal Communications Commission*, 334 F. 2d 534.

[8] *WMOZ, Inc.*, 1 R.R. 2d 801.

[9] *Television Co. of America, Inc.*, 5 R.R. 2d 491.

[10] See also, Earl R. Stanley, "Revocation, Renewal of License, and Fines and Forfeiture Cases before the Federal Communications Commission," JOURNAL OF BROADCASTING, VIII, 4 (Fall, 1964), 371–382.

[11] *KORD, Inc.*, 21 R.R. 781.

(b) The next month we issued our second proposed revision of the program form, beginning a long and involved process which resulted in a new radio form in July 1965, and a new TV form in October 1966. I think the forms are much better than the old ones they replace, reflecting greater awareness on our part of how broadcasting functions. At the same time I think they have flaws, both of omission and inclusion—but I'm afraid that's hard to avoid with seven men of differing views involved in the drafting process. I think the new logging rules will be a great help. And if anyone wants to challenge our authority to seek this kind of information, that avenue is now open.

(c) We've held two local program hearings—one in Chicago in 1962 and one in Omaha in 1963. I think these were very useful, and would favor further use of the device—though I think it is somewhat less popular at the Commission than it once was.

(d) In January 1964 we got better ratings in the trade press than we usually do, when we renewed the licenses of the Pacifica stations in the face of criticism of some of their programming.[12] We there stressed the broadcaster's freedom to be unconventional, to experiment, and occasionally to fall flat on his face. I don't think Pacifica found itself constrained by our forms and policies, though it found some people in its area much more eager to censor it than we were.

POLITICAL BROADCASTING AND THE FAIRNESS DOCTRINE

Political broadcasting and the Fairness Doctrine are just as controversial as our other programming interests, though our policies here are more specific and seem to some to have clearer basis in the statute.

(a) During this period we have issued a completely revised "Primer on the Use of Broadcast Facilities by Candidates for Public Office," and for the first time put out a counterpart setting forth some of the basic principles and leading rulings on the Fairness Doctrine.

(b) In 1962, 1964, and 1966 we circulated questionnaires to broadcasters as to the donation and sale of time to political candidates.

(c) In July 1963 we issued a little 2-page notice to reaffirm the obligation of all licensees to afford reasonable opportunity for the presentation of contrasting views as to controversial issues which they chose to cover, giving particular attention to three then-currently important situations: (1) personal attacks on groups of individuals; (2) partisan positions on candidates and ballot issues; and (3) handling of the issue of racial integration. While the Notice was simply intended to restate established position, it created some stir—and led Doug Anello of the NAB to write us a couple of rather critical letters. Somewhat as an outgrowth of the concerns we had expressed then, we instituted an investigation of the compliance of certain Mississippi stations (3 TV and 5 radio) with the Fairness Doctrine. Although the Commission imposed four conditions to the renewal of WLBT in Jackson, the station's critics were not satisfied and appealed to the Court of Appeals. The latter ordered us to hold a hearing on the renewal to further consider the charges against the station—and in so doing announced the doctrine that organizations representing the public are entitled to challenge broadcast renewals, and to seek Court review of Commission action they consider improper.[13]

(d) Earlier in 1966 we proposed to put our policies as to personal attacks into rule form. As the NAB booklet on 1966 Major Issues and Projects says, "NAB challenged the proposal in the strongest terms as an abridgement of freedom of speech." If the Commission finalizes this proposal, another opportunity to challenge our authority in this area will be presented.

(e) Throughout this period we've issued dozens of rulings under § 315, making policy in this important area more specific, such as in the Mapoles, Billings, Times-Mirror, Fadell, and McLendon cases.[14] Another of our rulings was appealed to the courts—this was the one issued in October 1964 in which we held [15] that a nationwide radio and television address by President Johnson (in which he reported to the Nation on the change in leadership in the Soviet Union and on the explosion of a nuclear device by Communist China) would not give rise to an obligation to afford equal opportunities to other candidates for the Presidency. The Court of Appeals sustained this result by an evenly divided Court, and the Supreme Court denied review with two Justices dissenting.[16]

(f) Similarly, we have decided a number of cases involving complaints under the Fairness Doctrine—such as the Carlton Fredericks, Cullman, Red Lion, and KTYM cases.[17] Reverend Norris appealed the *Red Lion* case, and the Court of Appeals for the District of Columbia recently held that the Commission's letter to Red Lion was not an order from which an appeal could be taken or judicial review sought, and that the Court had no jurisdiction to entertain the petition.[18] The Commission is seeking reconsideration of this decision.

NETWORK REGULATION

Activity with respect to the networks has been intermittent, and generally inconclusive. In January 1962 the Commission sat for 8 days of *en banc* hearings on network program procurement policies. This brought to a close our Programming Inquiry, which had grown out of the Barrow investigation of the networks.[19] It led, in March 1965, to proposals to limit network ownership of the programs in the nighttime schedules to 50% and to restrict their program syndication activities.[20] This highly controversial suggestion is still pending. The A. D. Little Co. has sought to reassure us that there is no ground for concern in the network program area [21]—although the networks have now reached a point where they are the sole market for nearly 95% of the new television programming produced each year.

(a) In May 1962 we held a new Compensation Plan that CBS was then presenting to its affiliates was violative of our rules prohibiting agreements which hinder affiliates from broadcasting programs of other networks or program suppliers. A year later we abolished option time. The dire consequences predicted by the networks have not occurred—nor has the hoped for opening up of competitive opportunities for independent program sources.

(b) That same month (May 1963) Commissioner Lee and I, representing the Commission, held a conference with the television networks to explore the possibilities of making programs available for new UHF stations in intermixed market. Very little came of this, and in June 1965, the Commission proposed rules to make network programming not cleared by a primary affiliate available to independent stations in the market. This is still pending, as is a three-year old proposal to make affiliation contracts public.

CONCENTRATION OF CONTROL

The Commission has continued to express concern over concentration of control of the media of mass communications.

(a) In May 1964 we tightened our rules prohibiting overlap between commonly owned stations (barring 1 millivolt per meter overlap for radio and Grade B for television).

(b) In December 1964 we announced an interim policy against acquisition of a VHF station in the Top 50 Markets by interests already having one or more such stations. In June 1965 we proposed rules to limit common ownership of television stations in the Top 50 Markets to 3, no more than 2 of which could be VHF. This is still pending, and United Research Incorporated has recently filed a study [22] purporting to show that we should not only abandon the proposal, but perhaps relax the existing 7 station limit. We have waived our interim policy in three cases—only one of which was justified in my opinion.

EDUCATIONAL AND PAY TELEVISION

In educational television, the Commission has made substantial additional provision for UHF educational channels, has established the Instructional Television Fixed Service in the 2500 Mc/s band to provide multichannel multiple point-to-point facilities for school systems, and has authorized a statewide educational translator system in Utah to provide service to communities which are unlikely soon to be able to support stations of their own.

In March 1962 we won Court affirmance of our authorization of the Hartford Pay TV test.[23] That test has proceeded and much data has been filed with the FCC. In October 1962 we authorized a second test in Denver, but due to difficulty in getting programming and other problems, this operation never got underway. Pat Weaver's wired system in California rose and fell—leaving litigation in its wake. The Commission established a Pay TV

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[12] *Pacifica Foundation*, 1 R.R. 2d 747; Federal Communications Commission, text of "The 'Pacifica' Decision: Broadcasting and Free Expression," JOURNAL OF BROADCASTING, IX, 2 (Spring, 1965), 177–182.

[13] *Office of the United Church of Christ* v. *Federal Communications Commission*, 359 F. 2d 994 (D.C. Cir. 1966).

[14] *Clayton W. Mapoles*, 23 R.R. 586; *Billings Broadcasting Company*, 23 R.R. 951; *Times-Mirror Broadcasting Co.*, 24 R.R. 404; *Letter to Thomas R. Fadell*, April 10, 1963 (FCC 63–331), affirmed by order entered April 23, 1963, *Thomas R. Fadell* v. *U.S., F.C.C. and WWCA Radio Station*, Case No. 14, 142 (USCA, 7th); *Letter to Hon. Ralph W. Yarborough*, April 22, 1964 (FCC 64–312), 2 R.R. 2d 163.

[15] *Letter to Republican National Committee*, October 21, 1964 (FCC 64–955) 3 R.R. 2d 647.

[16] *Goldwater* v. *Federal Communications Commission*, 379 U.S. 893 (1964).

[17] *Report on "Living Should Be Fun" Inquiry* (FCC 62–800), 23 R.R. 1599; *Cullman Broadcasting Co. Inc.*, 25 R.R. 895; *Red Lion Broadcasting Co. Inc.*, 5 R.R. 2d 503; *Station KTYM*, 7 R.R. 2d 565.

[18] *Red Lions Broadcasting Co. Inc.* v. *Federal Communications Commission, and United States of America*, Case No. 19,938 (CADC, 1966).

[19] "Network Broadcasting," H. R. Rep. No. 1297, 85th Cong., 2d Sess. (1958). And see Roscoe L. Barrow, "Multiple Ownership and Television," JOURNAL OF BROADCASTING, I, 3 (Summer, 1957), 250–265.

[20] Ashbrook P. Bryant, "The FCC's '50–50 Requirement,'" JOURNAL OF BROADCASTING, X, 3 (Summer, 1966), 213–227.

[21] Arthur D. Little, Inc., "Television Program Production, Procurement and Syndication, and Economic Analysis Relating to the Federal Communication Commission's Proposed Rule in Docket No. 12782" (Feb. 18, 1966).

[22] United Research Incorporated, "The Implications of Limiting Multiple Ownership of Television Stations," prepared for The Council for Television Development (September 1966).

[23] Report and Decision, Docket No. 13814, adopted Feb. 23, 1961, 30 F.C.C. 301, 20 R.R. 754. Affirmed in *Connecticut Committee Against Pay TV* v. *Federal Communications Commission*, 301 F. 2d 835 (D.C. Cir.), *cert. den.*, 371 U.S. 816, 20 R.R. 2001 (1962).

Committee in November 1963, and in March 1966 accepted its suggestion of proposed rules authorizing regular over-the-air Pay Service under safeguards to be determined in the proceedings. Comments are now in.

CATV

During this 5½ year period the Commission has moved into a new area—the regulation of CATV.

(a) In January 1962 the Commission took its first significant regulatory step in the *Carter Mountain* case,[24] denying microwave applications to improve CATV service in a number of Western Wyoming towns because of probable serious impact on the continued viability of the local television station.

(b) In December 1962 we proposed rules to govern microwave grants in the business radio service intended to serve CATV systems. To minimize the impact on local television service, it was proposed that such facilities be authorized on condition that the CATV system carry the local station or stations, without degrading their signals, and without duplicating their programs for a period of 30 days before and after local broadcast.

(c) A year later (after affirmation of the *Carter Mountain* case), we proposed similar rules for common carrier grants to serve CATV, cutting the non-duplication protection to 15 days.

(d) In April 1965 we adopted rules to regulate microwave-fed CATV systems and tentatively asserted jurisdiction over off-the-air systems as well. In February 1966 we adopted rules regulating all CATV operations in certain limited respects. These reduced non-duplication protection to the same day and imposed restrictions on the importation of distant signals into the top 100 markets. However, the Commission has granted a number of waivers of the rules—most of them being unjustified in my opinion. Pressure is being brought to authorize origination of programs by CATV systems, and the critical issue of copyright regulation for CATV operations is still to be resolved. Congress did not act on the House Commerce Committee's proposal for amending the Act to confirm our jurisdiction—so there is much yet to be done.

(e) Meanwhile we considered—and abandoned—proposed restrictions on joint ownership of CATV systems and broadcast stations, and proposed a new Community Antenna Relay Service to provide private microwave service for CATV operators, as well as changes in frequencies and relevant rules for common carriers serving CATV systems.

OTHER COMMISSION ACTIVITIES

While broadcasting has, as always, occupied the major part of our time, other problems are requiring more and more attention.

(a) In the common carrier field we have supervised a great expansion in overseas cable service, with the initiation of service to Japan and the laying of our first two cables directly to Europe.[25] These are highly sophisticated new cables with ever increasing capacity—and we have imposed a new policy requiring A.T.&T. to grant joint ownership in these facilities to the competing record carriers.

(b) We have also presided over the development of a whole new technology, with tremendous potential for the future—communication by space satellite. We initiated the first proceeding to consider the use of satellite relays, had an important part in shaping the Satellite Communications Act, and have discharged an important role in regulating the domestic aspects of COMSAT's operations. This has involved regulating the issuance of its stock, authorizing its early, interim financing, specifying rules for the procurement of its materiel, granting permits for the creation first of experimental and then of operational satellite systems and the ground stations to service them, and will eventually include regulation of the United States half of the rates to be charged. All of this is quite difficult and challenging, involving dealings with the Department of State, the Director of Telecommunications Management, and the Department of Defense as well as COMSAT. We have adopted an interim policy on ownership of ground stations and have a proceeding underway to develop long range policy on this point.[26] We have been considering the problem of who may be authorized as direct users of COMSAT's facilities—that is, should it be only a carrier's carrier, or should networks and others be allowed to deal directly with it. Communication satellites have come a long way, and much is still ahead—including the question of domestic satellite service and the challenging proposal of the Ford Foundation that the savings of such a system be used to support educational television. The Commission has played, and will continue to play, a central role in this explosive field.

(c) In the area of domestic common carrier service, we have greatly stepped up our activities. We have concluded the long pending private lines case and considered and adjusted rates for new Bell services such as WADS, WATS and TELPAK. We have twice adjusted separations of telephone plant as between interstate and intrastate operations, permitting the states to make substantial reductions in the rates they regulate. Through our continuing surveillance of interstate rates we have twice effected substantial cuts in those rates, leading, for example, to institution of the now widely used "after 8" rates. We have conducted an extensive investigation into the domestic telegraph industry, considering charges by Western Union that A.T.&T. has designed rate structures which impair the telegraph company's ability to compete. We have given Western Union interim relief by authorizing an increase in its rates. And most importantly, we have begun, and are moving rapidly ahead with, our first overall formal proceeding considering A.T.&T.'s rate of return, the structure of its rates, its relations with Western Electric, and future policy with respect to separation procedures. And just recently we suspended a tariff filed by a Southern California independent telephone company for the furnishing of facilities to CATV operators—opening up a whole new problem area.

In the same way we have been giving increasing attention to the Safety and Special Radio Services. We've established new services and changed the eligibility rules for others. We've struggled with the staggering enforcement problems posed by the Citizens Radio Service, which has more licensees in it than practically all our other services put together. We've tried to deal with the interference problem posed by garage door openers, and are seeking statutory authority to regulate the manufacturing of devices capable of creating radio interference. But most of all, we've been trying to find answers for the problems of land mobile radio. We established the Advisory Committee for the Land Mobile Radio Services in the spring of 1964 to study ways of making more effective use of present allocations and hope to wind it up by spring of 1967. We have established a committee to test the feasibility of sharing VHF TV channels, and we are studying all other possible steps to alleviate the serious congestion which now exists in our largest cities. We haven't found the answers, but we must—and because of suggestions for sharing or reallocation of television frequencies, broadcasters have a big stake in this.

In addition to all this we've been trying to streamline our own organization and procedures—the Booz-Allen and Hamilton Study, establishment of our very successful Review Board, reorganization of several of our Bureaus, the adoption of new and tighter standards on conflict of interest, the development of criteria for comparative cases, and our pending proposal of discovery rules for our hearing cases. We've decided hundreds of cases, we've granted thousands of broadcast authorizations and hundreds of thousands of non-broadcast licenses. We've attended international conferences and testified before Congressional Committees—and we've made many, many speeches to industry meetings.

In word, the FCC has been busy. I don't expect anyone to agree with all that we've done—I don't approve of all of it myself. I can't speak for earlier periods in the FCC's history, but I hope I've made a convincing case that in the last 5½ years we've handled an amazing array of problems—some of them of transcendent importance—and that for an allegedly obsolete agency we've managed to get quite a bit done. However, I think the next 5½ years may be even busier.

PROPOSED APOSTLE ISLANDS NATIONAL LAKESHORE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, a bill to establish an Apostle Islands National Lakeshore recently passed the Senate. Although about 52 million people live in the Great Lakes region, a glance at a Department of the Interior National Park Service map will show that this area is sadly lacking in national park facilities.

I would like to inform those of my colleagues who are interested in conservation and, in particular, the Apostle Islands proposal, that it is my intention to introduce a bill similar to that which obtained Senate approval. Under the new House rule for joint sponsorship, I shall be happy to welcome cosponsors.

Mr. Speaker, I include herein a copy of the proposed Apostle Islands National Lakeshore bill and an explanation of the purposes of this proposed bill:

H.R. —

A proposed bill to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) (1) for the purpose of conserving and developing for the benefit, inspiration, and use of the public certain islands, shorelines, beaches, sandspits, and other natural and historical features within Ashland and Bayfield Counties, Wisconsin, which make up a significant portion of the diminishing shoreline and archipelago environments of the Great Lakes region and which possess high values to the Nation as examples of unspoiled areas of great natural beauty; and

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[24] *Carter Mountain Transmission Corporation* v. *Federal Communications Commission,* 116 U.S. App. D.C. 93, 321 F. 2d 359 (1963), *cert. den.,* 375 U.S. 951.

[25] Since these remarks were prepared we have also authorized even higher capacity cable service to Puerto Rico.

[26] We have since finalized our policy on ownership of ground stations, Second Report and Order, Docket No. 15735, FCC 66–1133, holding in essence that under the revised policy, which is to remain in effect until the end of 1969, COMSAT will be a 50% owner of each station and the remaining 50% will be distributed among the international carriers in proportion to their expected use of each station. COMSAT is to serve as manager of the stations, subject to over-all policies established by a committee of the joint earth station owners.

(2) For the purposes of encouraging and enhancing the development and utilization of this region as an important center of public recreation activities, and particularly to encourage participation in the accomplishment of such purposes by the Bad River Band and the Red Cliff Band of the Lake Superior Chippewa Indians of Wisconsin (hereinafter referred to as the "Bad River Band" and the "Red Cliff Band"), the Secretary of the Interior is authorized to establish and administer the Apostle Islands National Lakeshore (hereinafter referred to as the "lakeshore").

(b) The lakeshore shall comprise those islands, waters, and portions of mainland within Ashland and Bayfield Counties, Wisconsin, as generally depicted on a map identified as "Boundary Maps—Proposed Apostle Islands National Lakeshore, NL–AL–7100B, sheets 1, 2, and 3," dated May 1965, revised February 1967. Said map shall be on file and available for public inspection in the offices of the Department of the Interior.

(c) As soon as practicable after acquisition by the Secretary of the Interior of an acreage within the boundaries of the lakeshore which in his opinion can be administered efficiently for the purposes of this Act, he shall establish the Apostle Islands National Lakeshore by publication of notice thereof in the Federal Register.

SEC. 2. (a) Within the boundaries of the lakeshore, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, or any interest therein by donation, purchase with donated or appropriated funds, or exchange. Any property or interests therein owned by the State of Wisconsin, or any political subdivision thereof, may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within the boundaries of the lakeshore may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the lakeshore.

(b) In exercising his authority to acquire property within the boundaries of the lakeshore by exchange, the Secretary may accept title to any non-Federal property therein, and in exchange therefore he may convey to the grantor of such property any federally owned property under his jurisdiction in the State of Wisconsin which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

SEC. 3. (a) With the exception of not more than eighty acres of land in the Red Cliff Creek area that the Secretary determines are necessary for an administrative site, visitor center, and related facilities, any owner or owners, including beneficial owners (hereinafter in this section referred to as "owner") of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial reidential purposes for a definite term not to exceed twenty-five years, or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, or the death of either of them. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(b) A right of use and occupancy retained pursuant to this section shall be subject to termination by the Secretary upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act, and upon tender to the holder of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(c) The term "improved property", as used in this section, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1967 (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 4. The authorities granted by this Act shall be subject to the following exceptions and qualifications:

(a) Lands or interests therein within the boundaries of the lakeshore that are held by the United States in trust for the Bad River Band or the Red Cliff Band may be acquired by the Secretary only with the concurrence of the beneficial owner. The Secretary may agree to pay the purchase price either in a lump sum or in installments which in the aggregate equal the purchase price plus interest on unpaid balances.

(b) In order to facilitate the acquisition by exchange of the lands within the boundaries of the lakeshore that are held by the United States in trust for the Bad River Band or the Red Cliff Band or held in trust or in a restricted status for individual Indians of said bands, the Secretary may acquire by negotiated purchase, any lands, or interests therein, outside of the lakeshore boundaries. Lands so acquired may be exchanged for such Indian lands. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

(c) In order to provide substitute lands for the Bad River Band and the Red Cliff Band or for individual Indians of said bands in cases where their lands are acquired for the lakeshore, the Secretary may, from funds made available to him by such band of Indian, acquire by negotiated purchase any lands or interests therein outside of the boundaries of the lakeshore: *Provided*, That title to such lands shall be held by the United States in trust for the band or the individual Indians involved.

(d) In exercising his authority to acquire by negotiated purchase any land within the boundaries of the lakeshore that is held in trust or in a restricted status for individual Indians, the Secretary may, in cases where a particular tract of land is so held for more than one Indian, acquire such land without the consent of all of the beneficial owners if the acquisition is agreed to by the owners of not less than a 50 per centum interest in any land where ten or fewer persons own undivided interests or by the owners of not less than a 25 per centum interest in any land where eleven or more persons own undivided interests. The Secretary may represent for the purpose of this subsection any Indian owner who is a minor or who is non compos mentis, and, after giving such notice of the proposed acquisition as he deems sufficient to inform interested parties, the Secretary may represent any Indian owner who cannot be located, and he may execute any title documents necessary to convey a marketable and recordable title to the land.

SEC. 5. Within the portions of the Bad River and Red Cliff Indian Reservations that are included in the lakeshore, recognized members of the Bad River and Red Cliff Bands shall be—

(a) permitted to traverse such areas in order to hunt, fish, boat, or gather wild rice or to obtain access to their homes or businesses: *Provided*, That in order to preserve and interpret the historic, scenic, cultural, and other outdoor features and attractions within the lakeshore the Secretary may prescribe regulations under which the area can be traversed;

(b) granted the first right of refusal to purchase any timber at fair market value if the Secretary determines that the harvesting or removal of timber is necessary or desirable;

(c) granted, to the extent practicable, a preferential privilege of providing such visitor accommodations and services, including guide services, as the Secretary deems are desirable: *Provided*, That such preferential privilege will not be granted unless the visitor accommodations and services meet such standards as the Secretary may prescribe;

(d) granted employment preference for construction or maintenance work or for other work in connection with the lakeshore for which they are qualified; and

(e) encouraged to produce and sell handicraft objects under the supervision of the Secretary.

SEC. 6. The Secretary shall, to the extent that appropriated funds and personnel are available, provide consultative or advisory assistance to the Bad River and Red Cliff Bands with respect to planning facilities or developments upon their tribal lands which are outside of the boundaries of the lakeshore.

SEC. 7. Subject to such regulations as the Secretary may prescribe, the recognized members of the Bad River and Red Cliff Bands may use without charge any docking facilities within the lakeshore that are operated directly by the Secretary.

SEC. 8. (a) The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the lakeshore in accordance with the appropriate laws of Wisconsin to the extent applicable, except that he may designate zones where, and establish periods when, no hunting, trapping or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting, trapping and fishing activities.

(b) Except for such regulations as the Secretary may issue under authority of this Act, nothing in this Act shall affect the existing rights of members of the Bad River Band or Red Cliff Band to hunt, fish, trap, or to gather wild rice, and the Secretary may grant to such Indians the same rights with respect to lands acquired by him within the portions of the lakeshore that are within the Bad River and Red Cliff Indian Reservations.

SEC. 9. The lakeshore shall be administered, protected, and developed in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of the Act.

SEC. 10. (a) In the administration, protection, and development of the lakeshore, the Secretary shall adopt and implement, and may from time to time revise, a land and water use management plan which shall include specific provision for—

(1) protection of scenic, scientific, historic, geological, and archeological features contributing to public education, inspiration, and enjoyment;

(2) development of facilities to provide the benefits of public recreation and a scenic shoreline drive on the Bayfield Peninsula;

(3) preservation of the unique flora and fauna and the physiographic and geologic conditions now prevailing on the Apostle Islands within the lakeshore: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, scientific, and archeological features of the Apostle Islands through the establishment of such trails, observation points, exhibits, and services as he may deem desirable; and

(4) preservation and enhancement of the unique characteristics of the Kakagon River and Bad River Sloughs.

(b) With respect to the portion of the lakeshore located within the boundaries of the Bad River Indian Reservation such land and water use management plan shall provide for—

(1) public enjoyment and understanding of the unique natural, historic, and scientific features through the establishment of such roads, trails, observation points, exhibits, and services as the Secretary may deem desirable; and

(2) public use and enjoyment areas that the Secretary considers especially adaptable for viewing wildlife: *Provided*, That no development or plan for the convenience of visitors shall be undertaken in such portion of the lakeshore if it would be incompatible with the preservation of the unique flora and fauna or the present physiographic conditions.

Sec. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Background

The Apostle Islands archipelago consists of 22 islands situated in Lake Superior off the Bayfield Peninsula of Wisconsin. The islands are heavily forested and range from 50 to 500 feet above the lake's surface. Their shorelines are characterized by intricately and grotesquely carved cliffs, arches, pillars, and grottos, punctuated by sandy or stony beaches.

The islands are rich historically, both as the initial midwestern home of the Ojibway (now the Chippewa) Indians and as a center for French and English commerce during the fur-trade bonanza of the 17th and 18th centuries.

The coastline of the northern tip of the Bayfield Peninsula, hereafter referred to as the Red Cliff unit, is also famed for its wave-sculptured sandstone cliffs and grottos and the magnificent beaches in its bays.

Southeast of the Bayfield Peninsula, across the Chequamegon Bay, is the area known as the Kakagon-Bad River Sloughs unit. This unique marshland, with its abundance of furred, feathered, and finned wildlife, formed behind the sand spit which is now known as Chequamegon Point. The name Kakagon means "home for the walleyed pike," and the sloughs have been a perpetual wild rice source over which the Chippewas often had to wage war.

S. 778 would create an Apostle Islands National Lakeshore of three units. The Apostle Islands unit would include 21 islands, excluding only Madeline Island with its permanent year round community, summer colony, and network of permanent roads. The Red Cliff unit would consist of a coastal strip some 30 miles long by ¼ to ½ mile wide around the tip of Bayfield Peninsula. The Kakagon-Bad River Sloughs unit would consist of the heart of the marshland and its guardian sand spit.

The 71st Congress, in 1930, directed the Secretary of the Interior to investigate the potential for an Apostle Islands National Park. This bill is the culmination of that initial directive, and would provide the 52 million people of the Midwest with an accessible lakeshore on the world's largest—and unpolluted—fresh water body.

SECTION-BY-SECTION EXPLANATION

Section 1.—Declares the dual purposes of providing an unspoiled recreation area and enhancing the well-being of the Red Cliff and Bad River Bands of Chippewa Indians. Designates the lakeshore boundaries by map reference and sets the procedure for establishment of the Apostle Islands National Lakeshore.

Section 2.—Grants the authority for acquisition of lands and waters by the Secretary of the Interior by donation, purchase, or exchange. Non-Federal public lands may be acquired only with the concurrence of the owner.

Section 3.—Except on not more than 80 acres for administrative and visitor center use, near Red Cliff Creek, owners of improved property may retain a 25-year or lifetime occupancy and use for noncommercial residential purposes.

Section 4.—Sets forth exceptions and qualifications on the Secretary's authority to purchase Indian lands within the Red Cliff and Bad River Reservations. The purpose of these restrictions and qualifications is to protect and enhance the economic well-being of these Indian owners while still allowing orderly development for lakeshore purposes.

Section 5.—Grants to the Red Cliff and Bad River Indians certain considerations, such as preferential consideration for certain construction, maintenance, and guide service employment for which they are qualified, first refusal to purchase timber at fair market value if timber removal is necessary or desirable, rights to traverse lakeshore lands within the reservations to hunt, fish, trap or gather wild rice, and encourages production and sale of handicraft objects.

Section 6.—Provides consultative assistance to the Red Cliff and Bad River Indians to plan or develop facilities on tribal lands outside the lakeshore.

Section 7.—Permits these Indians free use of docking facilities operated directly by the Secretary.

Section 8.—Permits hunting, fishing, and trapping on lakeshore lands in accordance with State laws when and where public use, administration, and certain other considerations permit. Grants to the Indians the same rights to hunt, fish, trap, or gather wild rice on lakeshore lands within the reservations as they now have on their own lands.

Section 9.—Allows the Secretary to employ the provisions of the act of August 25, 1916, for lakeshore administration. Also permits use of the act of April 9, 1924, which allows the designation of a road traversing at least 90-percent Federal land and carrying primarily park visitor traffic as a national park approach road.

Section 10.—Requires the Secretary to develop a land and water use plan with certain specific provisions for protection, enhancement, and development. This will, among other things, facilitate the Secretary in fulfilling the committee's desire that the scenic drive planned for the Red Cliff unit not unduly disrupt the beauty of the shoreline. In this regard, the committee recommends that this scenic road be a two-part, one-way drive closely following the topographic features. The eastern part should have a counterclockwise traffic flow to an exit near the midpoint of the Red Cliff unit. The western part should have a clockwise traffic flow to the same exit.

There is no intention on the committee's part that commercial fishing operations in the Apostle Islands unit be restricted in any manner by this act except as the Secretary determines advisable for reasons of public safety, administration, or access to the islands.

Section 11.—Authorizes to be appropriated such sums as may be necessary for land acquisition and development.

A SALUTE TO BENDIX FOR HER FINE EXHIBIT AT THE PARIS AIRSHOW

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Charles H. Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, during the last several weeks I have discussed the various exhibits I toured at the Paris Air Show. Today I would like to say a few words about the Bendix Corp.'s exhibit.

The radar altimeters and aerospace hydraulic equipment displayed by the Bendix Corp. at the recent Paris Air Show were only part of the interesting Bendix exhibit. They do, however, reflect the wide range of capabilities of Bendix' Electrodynamics Division which has its headquarters in North Hollywood, Calif., and additional plants in nearby Sylmar and Chatsworth.

Electrodynamics employs more than 3,000 people, a major share of whom are engineers, scientists and skilled technicians. They all have helped make this Bendix division one of the Nation's leaders in the development of hydraulic, electro/mechanical, acoustic and electronic systems, and components for areospace and oceanic use.

Electrodynamics is now engaged in producing the titanium hydraulic actuators that perform major control functions in the Air Force's and Navy's F–111 fighter-bomber aircraft. The titanium actuators are an example of Bendix' ability to push the "state-of-the-art" in the use of new materials. Hydraulic actuators for Boeing's new 747 superjet will also be manufactured by Electrodynamics. They bear a direct relationship to the experience gained in such military programs as the F–111, and are an example of technical fallout from the military to civilian use.

Another area where the Bendix division has made major progress is the development and production of aircraft skid-control systems such as that for the Air Force C–141 transport.

In aircraft avionics, Electrodynamics had developed a family of radar altimeters. One model, the AN/APN–141, is now being used in Navy fighter aircraft around the world. Another has been adapted to missile use. An extremely small and lightweight version using the new technology of microelectronics has been developed.

In still another area, this versatile Bendix division has developed and produced the prelaunch test equipment which will help assure the reliability of the instruments the Apollo astronauts will carry and set up on the moon as part of the Apollo lunar surface experiments—ALSEP.

Turning to the new and broad field of oceanics, Electrodynamics and other Bendix facilities in California are playing an increasingly important role. The division, along with United Geophysical Corp., Pasadena, and Marine Advisers, Inc., La Jolla, both wholly owned subsidiaries, is actively engaged in oceanic activities—from anti-submarine-warfare systems and equipment to exploring and mapping unknown regions of the marine depths.

It is now producing much needed navigational aids as acoustic transponders that are positioned on the ocean bottom and which help ships and submarines navigate precisely, underwater communication systems and sonar systems. Electrodynamics is furnishing the U.S. Navy and navies of seven friendly nations with the AN/AQS–13 airborne sonar system that allows helicopters to pinpoint the location of undersea vessels. Also in production for the Navy is the technically advanced acoustic guidance system for the Mark–46 torpedo. New and advanced acoustic transducers are key elements to the division leadership in this field.

Many of these anti-submarine-warfare and underwater systems are first tested in the free world's largest indoor tank, holding some 690,000 gallons of water. Other systems are tested in their actual ocean environment using the division's instrumented research and test vessel.

Bendix's United Geophysical Corp. has long been a pioneer in seismic and geophysical research and instrumentation both on land and in the sea, and the subsidiary operates three large oceangoing work boats that carry on studies and research throughout the world—particularly in seeking out areas for new oil and gas development.

Marine Advisers, Inc., is carrying out major studies in such areas as acquisition, measurement, and analysis of ocean conditions, surveying, beach planning, and pollution control. The subsidiary develops and manufactures such instrumentation as wave and current meters.

All three of the Bendix units form the major part of the firm's oceanics group, and are an important part of the 78 Bendix divisions, subsidiaries and affiliates located in 22 States, and employing more than 69,000 people—many of whom are engaged in aerospace, avionics, and ocean programs of vital U.S. interest.

Mr. Speaker, the Bendix exhibit at the Paris Air Show was impressive evidence of the technical expertise and human dedication that have made the United States a world leader in aerospace. I am sure that my colleagues and fellow Americans join me in saluting Bendix for her outstanding contributions to our technology and our national defense.

INCOME TAX EXEMPTIONS FOR THE DISABLED

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Daniels] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. DANIELS. Mr. Speaker, today, I have introduced a bill which I consider essential not only to those disabled Americans whom it affects directly, but to the millions of other members of our national community. This legislation, if passed, would provide a needed reduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work to the extent that such expenses do not exceed $600, plus an additional exemption of $600 for any disabled individual. It also provides an additional exemption for income tax purposes for a spouse who is disabled. For the purpose of this bill, the term "disabled individual" means an individual who is blind or who has lost the use of one or more of his extremities to such an extent that he is unable during his entire taxable year to use, without undue hardship or danger, a streetcar, bus, subway, train, or similar form of public transportation, as a means of traveling to and from work.

It is not only a right but an obligation of this esteemed House to alleviate the double burden placed on our disabled Americans. Their initial disability should not be compounded by the additional weight of providing personal funds for transportation to and from their jobs. Mr. Speaker, this bill offers these unfortunate Americans an opportunity to live and earn equally with those citizens who suffer from no physical disability. It is a giant step toward the moral rehabilitation of these physically disabled individuals. I urge my distinguished colleagues in the House to support this proposal.

CRISIS IN THE WORLD STRATEGY: SEQUEL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Rarick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. RARICK. Mr. Speaker, in a statement in the Congressional Record on April 18, 1967, on "Crisis in World Strategy: An Appraisal" and another to the House on May 15 on "Southern Africa and World Strategy," I emphasized the four focal points in the struggle for world domination as the Suez Canal-Red Sea route to the Indian Ocean and Far East, Southeast Asia, the Panama Canal, and southern Africa.

One of the conclusions predicted in the first statement was that Soviet domination over the Suez Canal-Red Sea route would confront Europe with the same situation it faced in 1453 when the Eastern Roman Empire fell to the Turks, thereby forcing European nations to seek a new trade route to India. The recent Israel-Arab war resulted in the blockage of the Suez Canal, thereby bringing about the very situation clearly foreseen by any able student of world strategy.

Forced to go via the Cape of Good Hope, 921 European vessels were serviced in Cape Town, South Africa, in June alone, emphasizing the vital importance of the security of southern Africa in the defense of Western civilization.

The closure of the Suez Canal forced the high officials of Great Britain and the United States to a reality as regards southern Africa. Since then we have heard little about sanctions against Rhodesia and South Africa in regard to their domestic policies that have been so violently attacked by the egalitarian socialists in our Government and press. This performance by them invites the query of why could they not foresee what was obvious to any thoughtful person—not blinded by reverse racism.

An informative editorial from one of our country's greatest newspapers follows as part of my remarks:

[From the Chicago Tribune, Aug. 24, 1967]

South Africa Feeds the Hand That Bit It

Yesterday's problems always have to make way for today's problems, and this alone does a good deal to explain why we've heard so little about oil sanctions against South Africa since the Arab-Israeli war. Faced with newer and more explosive issues in the middle east, nobody wants to listen to old and tedious arguments about extending the formal sanctions which have proved so useless against Rhodesia.

But fate, in its mischief, has given Britain another reason to forget about the whole matter—and there are not going to be any new sanctions without British support. By closing the Suez canal indefinitely, Egypt has forced all of the shipping between Europe and the far east to go around Africa. The only docking and fueling facilities capable of handling the largest vessels en route are in South Africa—at Cape Town, Durban, Port Elizabeth, and East London. New records were established in June for the volume of shipping handled at South African ports—921 vessels at Cape Town alone. Subsequent figures may be higher still.

It happens that a good many of the ships that formerly used Suez and must now refuel at South African ports are British. They have included the 45,000 ton Canberra, the largest British passenger liner next to the two Queens. Fortunately, Britain's earlier efforts to deprive southern Africa of oil have been ignored by enough countries, including France and Iran, so that South Africa is well supplied. It has enough oil on hand not only to satisfy the expected Rhodesian demand but to satisfy the unexpected British and other foreign demand as well. Even without new deliveries, South Africa says, it will be able to handle all comers at least thru August.

With erstwhile friends like Egypt and France doing so much to cause trouble, Britain is lucky that its erstwhile whipping boy, South Africa, is still willing to do business as usual.

BRAINWASHING SUBSIDIZED BY TAXPAYERS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Rarick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. RARICK. Mr. Speaker, many taxpayers are becoming more vocal against "big brother" government take-a-way programs, especially in view of the administration's noises to take a bigger chunk from the workman's paycheck.

Yet, few have been able to analyze the Federal programs and be made aware that they, the taxpayers, are paying to educate themselves to accept socialism at a propaganda cost in excess of $400 billion a year plus printing costs. The people not only have to pay the quiet revolutionists to overthrow our country, they are forced to pay to be told what a wonderful job the bureaucrats are doing against the people.

An interesting article entitled "Uncle Sam's Brainwashing Machine" appeared in the July issue of Nation's Business.

I include this revealing article emphasizing the five P's—propaganda, publicity, public affairs, promotion, and public information—in the RECORD at this point:

UNCLE SAM'S BRAINWASHING MACHINE

There is no Madison Avenue in Washington, D.C. But when it comes to selling a cause, advertising a campaign, propagandizing a program or peddling public affairs, the men along New York City's Madison Avenue have nothing on the men and women along Pennsylvania, Constitution and Independence Avenues, in the Pentagon or in the double-winged, majestically domed Capitol.

In the realm of what can be termed the Five P's—Propaganda, Publicity, Public Affairs, Promotion and Public Information—those on Uncle Sam's payroll (on your payroll, actually) have few peers. They have become experts at the hard, soft and medium sell, often using the defense, excuse and rationalization of "the public interest."

Their huckstering activities are increasing every year.

Indeed, the widening government efforts in the world of the Five P's remind one of a phrase from Mark Twain's "Roughing It":

"Information appears to stew out of me naturally, like the precious attar of roses out of the otter."

An investigation by Nation's Business yields the inescapable conclusion that the government's promotion and propaganda activities are, at the minimum, keeping pace with the continued growth of overall federal business.

The exact number of dollars and personnel involved, to be sure, is hard to pinpoint. For one thing, the federal budget doesn't break down spending by the Five P's, and individual budget officials and public affairs spokesmen are reluctant to evaluate exact expenditures in these areas.

Then the exact dividing line between legitimate promotion, public affairs and information and outright propaganda and extracurricular sell is often unclear. Nonetheless, discussions with more than a score of government officers, a look at statistics available and evaluations by private publishing and public relations spokesmen clearly indicate Uncle Sam's voice is getting louder and his efforts to sell federal ideas, philosophies and programs are swelling.

The most evident indication of this is found in the upward trend of printing production and costs and visible promotional material being distributed by many agencies.

THE PAPER BLIZZARD

In 1966, the Government Printing Office (GPO) supervised the printing of 1.17 billion copies of Government documents—everything from the *Congressional Record* (cost: $16.9 million), Defense Department materials (cost: around $55 million) and Commerce Department reports and publications (cost: $9.89 million) to papers of the Health, Education and Welfare Department ($8.7 million), Agriculture Department documents, publications and books ($5.7 million) and the annual reports of the Battle of New Orleans Sesquecentennial Committee ($6,000).

The 10-year growth of this paper blizzard, in short, was 116 per cent.

All in all, during 1966 GPO billed executive branch agencies and the legislative branch for $167.2 million worth of printing.

This year government documents, books, reports, pamphlets and digests will be published on everything from the President's Economic Report to Agriculture Department booklets on alfalfa, apples, avocados and weed control.

Many of these, of course, are necessary and valuable to a variety of citizens and businessmen.

Thousands will be of dubious value and questionable motive—including, for instance, the Housing and Home Finance Agency's 53-page booklet on "Technique of House Nailing" (20 cents), and the Public Health Service's "How Safe Are Motel Pools?" (a "limited number of copies are available upon request" without charge).

Occasional outcries apparently don't stop the swelling rush to publish by federal agencies. One of the more celebrated protests came during the 1952 Presidential political campaign.

Candidate Dwight Eisenhower lambasted a pamphlet called "Tools for Food Preparation and Dishwashing." He particularly cited a section which suggested that "dishpans should be large enough to hold the dishes but not too large for the sink."

The publication was discontinued, but shortly afterwards the Government came out with such productions as "Shrimp Tips from New Orleans" and "Seminole Indian Music."

FLOSSY AS THE SLICKS

Not only is the total number of government publications increasing but so is their quality and costs. Some rival in color, layout and eye appeal even the slick women's magazines.

The Interior Department's latest annual conservation yearbook (called "The Third Wave") is an example. It sells for $2 and, according to one spokesman, is "a smash."

Obviously, such government publications are direct competitors for private authors and publishers. The latter are free, by the way, to reprint and possibly profit on any government publication, which—once issued—is in the public domain.

The fact remains that Uncle Sam today operates one of the largest publishing businesses in the country.

Not only is the volume of federal publishing and promotion moving ever upwards but its retail sales department is expanding, too. GPO long has operated a government bookstore in Washington. Now it has others in the capital, in Commerce Department and U.S. Information Agency, is dickering to open one in the Pentagon and other Federal buildings in Washington and has opened similar sales offices in Chicago and Kansas City.

Indeed, it appears GPO plans to run a bookstore in every new Federal building across the country, and operate it in conjunction with "government information centers." They will include data and advice on civil service and guidance on programs, facilities and operations of most major executive departments and agencies.

Even today, more than 500 federal employees work in GPO bookstores, selling more than 67 million copies of documents annually and distributing 90 million more copies to libraries and to persons receiving 320 periodicals and other publications on a regular basis.

On the surface, government publications are priced to recover costs.

Printing and publishing totals are a matter of public record. But largely untraceable and unmeasurable is the over-all cost of government efforts in the Five P's area.

A federal public information officer, for example, might during part of a day be engaged in direct, straight-out dissemination of information to news media and even to the public.

Another portion of the day he might spend in supervising other workers engaged in gathering a strictly promotional program aimed at helping the agency ballyhoo some new and untested idea.

MORE AND MORE DRUM-BEATERS

Signs are clear that the number of federal employees in promotion, publicity and public affairs is increasing. A portion of this increase is defendable, on the grounds that the public (mostly through news media) has a right to the facts and operations of the increasing number of federal agencies, departments and offices.

Yet government's use of the hard and the soft sell runs through the spectrum of the executive branch: From the President and his Cabinet to their special public affairs assistants and press men—political and career.

President Johnson, more than any of his predecessors save, perhaps John F. Kennedy, makes a practice of summoning various groups to special White House dinners, luncheons and briefings so all can "reason" together. Usually, the reasoning consists of an earnest talk by the President and chart talks by his aides. One White House observer unofficially counts more than three dozen such events during the past two years.

"Backgrounders," unique Washington affairs, are held by officials from the President on down.

An Administration official calls in newsmen and provides inside thinking or "background" on policy or future programs—certain or tentative. The source of much information, if it can be called that, is never divulged.

The executive branch "plants" its idea, or the seed of one, and can always deny being the original source if the idea backfires or doesn't catch on. These backgrounders, too, are increasing—particularly because Lyndon Johnson doesn't like his staff to talk on the record; LBJ likes the fount of hard news to be LBJ.

Recent White House special sessions and backgrounders, for businessmen, labor leaders as well as communications media, have centered on balance of payments, the budget, Viet Nam, interest rates and even beautification.

Meanwhile, a growing number of agencies are sponsoring special briefings and indoctrination sessions for outsiders—a good way to sell hard in soft fashion.

BRAINWASHING THE PRESS

The State Department, for example, has "institutionalized" (the word is used by one department official) biannual editors' foreign policy briefings.

Supposedly, the visitors get the latest inside information on policy. These briefings, almost without exception, are rehashes of information already published and discussed.

Yet the State Department gets a chance to propagandize its viewpoint.

Last year, the Office of Economic Opportunity—the antipoverty operation—sponsored three seminars for 100 newsmen to outline agency policies and enable the visitors "to get a better perspective of what we're all about and a better perspective of the local programs back home," to use the words of one Shriver aide.

This year, OEO has sponsored a similar meeting.

OEO also has found a relatively new technique to advertise its programs; it has made available some of Mr. Shriver's statements on tape recordings which anyone can hear by dialing a special phone number.

Robert Weaver, Secretary of the new Department of Housing and Urban Development also uses this telephone technique.

THE L. B. J. TREATMENT

One of the greatest sell programs of recent years in the business area took place just before, and after, President Johnson announced his new measures to help correct the international balance of payments account.

One of the major sections was a "voluntary" program to limit overseas lending and investment by banks and industrial corporations. This was something new in American policy and new for American business.

So the White House, with the help of former Commerce Secretary John T. Connor, Treasury Secretary Henry H. Fowler, Economic Adviser Gardner Ackley and even members of the Federal Reserve Board began a massive speaking, letter-writing, background briefing and private consultation effort. One source estimates more than 1,000 businessmen and bankers were called to Washington for "the treatment." Thousands more got letters from high level Administration officers, and members of the news media were urged to write on the subject. The program was, and still is, "voluntary," but that philosophy sometimes got lost in the Five P's shuffle.

Today, it's estimated that more than 6,500 Federal employees are involved full or part-time in the Five P's area. In a sense, they are only the tip of an iceberg. Within the Agriculture Department, for example, the fruits of experimentation and research frequently are publicized and printed in booklet form.

Therefore, it can be argued that the research people themselves are spending at least a part of their time in promotion and publicity. The military has about 2,500 persons (at the Pentagon and in the field) working in the Five P's—and, one might add, at suppression of developments which might or might not help the enemy.

FOUR HUNDRED MILLION DOLLARS, PLUS PRINTING COSTS

All told, Uncle Sam's spending in the Five P's totals between $375 million and $400 million a year, apart from printing costs. The total within the Agriculture Department is thought to be more than $8 million. For the National Aeronautics and Space Administration (NASA), the figure runs around $10.5 million and for Health, Education and Welfare, $7.6 million.

Government officials assert their activities in the Five P's are "rooted in the public interest."

"Everything you put out, everything you publish, somebody is interested in it," says one officer within the Budget Bureau. Other Federal spokesmen argue that the basic legislation creating their departments or agencies specifically included orders to "disseminate information."

Federal agencies offer, in competition to private publishing houses, such publications as "The Why and What of Bookkeeping" ($1.50), "Starting and Managing a Small Retail Hardware Store" (30 cents) and "Cash Planning in Small Manufacturing Companies" ($1.25).

"Employe Conduct" (30 cents), "Maintaining Work Flow" (25 cents) and "Planning and Organizing Work" (20 cents).

In addition to its colorful (and expensive) conservation series, Interior offers an eye-catching 561-page hard cover book called "Birds in Our Lives." Price: $9.

Government spokesmen also contend some publications actually save money. Booklets, distributed in response to incoming letters, cost less than answering "the hundreds and thousands of letters we get asking for information," says one official.

INFORMATION OR PROPAGANDA

Several recent developments indicate the government's promotional activities smack more of propaganda than simple response to public demand or legislative directive.

More and more agencies, for example, are offering official magazines that include not only descriptions of programs but blown-up pictures and layouts of Secretaries, officials and President Johnson. Interwoven with results of projects are Great Society philosophies and criticism of critics.

Among the newest of these magazines is that of the Food and Drug Administration (FDA). The first edition drew this comment from Robert A. Saltzstein, general counsel of the American Business Press, an organization of 450 business and technical magazines:

"The FDA is covered widely by newspapers and magazines of all kinds. We fail to see the necessity of publishing this magazine at taxpayer's expense." He labeled as "government propaganda" two articles in the FDA magazine—one on the agency's stand on pharmaceutical advertising and the other defending FDA's own organizational setup.

The Public Health Service recently began distributing 100,000 copies of a colorful report describing progress achieved in health research and medical care during Lyndon Johnson's Presidency.

Critics immediately denounced it as political propaganda and promotion.

The agency, as might be expected, defended it as necessary to keep the public informed.

The report cost $17,000 to print.

Using a similar "keeping the people informed" argument, the Office of Education distributed almost 100,000 copies of its "Report to the People on Education." The 64-page publication, which cost $25,000 to print, was complete with pictures of President Johnson signing an education bill, shaking hands with children and even holding a baby.

COMMERCE DEPARTMENT SERIES

Of particular interest to businessmen is the series offered by the Commerce Department on the theme: "Do You Know Your Economic ABC's?"

There now are seven booklets in this field. The first was distributed in 1963. It covered the "Gross National Product."

Other topics include the "U.S. Balance of Payments," "Science and Technology for Mankind's Progress," "Patents: Spur to American Progress," "Profits and the American Economy" and "Your Economic ABC's."

In a sense, this series competes with other series, books and publications issued by universities and private organizations and publishing firms.

James G. Morton, former special assistant to the Secretary of Commerce in the public affairs area, was largely responsible for publication and distribution of the series and for other promotional distributions made within the Commerce institutions. Mr. Morton was one of the most articulate government spokesmen in explaining and defending the government's swelling activity in the Five P's area.

He argues that dissemination of economic knowledge "strengthens the free enterprise system. . . . How is the businessman going to become acquainted with the surveys, policies and statements of our department and the government unless we distribute the information to appropriate businesses and through appropriate channels? I think businessmen want to know about these things."

One might answer, of course, the private news media—newspapers, magazines, technical publications, radio and television—all presently print and disseminate government information.

Of course, it is not the dissemination of "facts, data and news" which is at issue. The public requires this service, and depends on Washington to assemble the economic and statistical facts and trends upon which the private sector relies.

Rather, the issue is that in the rising zeal for promotion and publicity, the government is resorting in a greater and greater degree to propaganda.

LIFE MAGAZINE SUPPORTS PRESIDENT'S TAX PROPOSALS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. King] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. KING of California. Mr. Speaker, a most sensible editorial in favor of the President's tax surcharge appeared recently in Life magazine. Life's editorial judgment is that the President's tax proposal is the right action at the right time and for the right reasons. And they did a magnificent job of placing the case for a tax increase in a perspective that everyone can understand.

I congratulate Life for the wisdom of its views. And I have asked unanimous consent to insert in the Record this important and timely editorial:

THE TAX: PAINFUL BUT NECESSARY

The case for a tax increase, as argued by President Johnson in his proposal for a 10% surcharge on corporate and personal income taxes, is a persuasive one.

The U.S. is heading toward its largest federal budget deficit since World War II, by the President's reckoning a whopping $29 billion shortfall. Deficits are no longer regarded as necessarily immoral (the U.S., in fact, has run one for nine of the last 10 years), but the sheer size of the one now confronting the nation is fearsome.

With no tax increase, the deficit will have to be financed through very large issues of government securities that would drive already high interest rates to perilous peaks. In that event there would almost surely be a credit crisis of the type that hit the economy a year ago when interest rates rose to a 40-year high, drying up the mortgage market and pressing the resources of even the largest banks.

A tax increase is the most practical way to avert a repetition of that nearly disastrous credit crisis. Theoretically, a cut in government spending would achieve the same result, but even if Congress were willing to make the necessary cuts, which it isn't, the reductions would not take effect fast enough to deal with this year's budget problem. Higher taxes will trim the deficit and relieve the government of the need to overstrain the money market and thus drive interest rates to levels that would depress the economy.

The proposed tax increase will help the economy in another important way. For the past year consumer prices have risen 3%, a particularly disturbing fact in view of the nation's balance-of-payments problem. A tax increase will not stop inflation, but it will help to restrain it.

Only one truly substantial argument has been raised against the surtax, and that is that it might prolong or accentuate the "mini-recession" the country has been experiencing this year. Fear of this caused President Johnson, who originally proposed a 6% surtax last January, to hold off until August before submitting his formal request. But now most of the economic indicators are promising renewed growth, and the economy seems to have a great deal of underlying strength.

In any case, the eventual size of the tax increase is not likely to be as large as the President's request. Congress has been reluctant to enact any tax hike at all, and Johnson has almost surely asked for 10% in the hope of getting 6% or so.

That, in fact, would seem to be about the right amount. Along with some fiscal juggling the President has proposed, it would mean the budget deficit would be held to about $20 billion. Still a very large deficit, to be sure, but a more vigorous attempt to close the gap might be counterproductive since it could dampen business activity and reduce tax receipts.

If, as seems likely, a surtax is enacted, most Americans will have a bit less money to spend. Nobody will cheer about that, but there is a higher, if less immediately obvious, price to pay for not adopting a tax increase.

DR. HSIANG-HSI K'UNG

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Whitener] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. WHITENER. Mr. Speaker, the Republic of China and the free world suffered a great loss August 15 in the passing of Dr. Hsiang-hsi K'ung in New York City. Dr. H. H. Kung was 87 years of age at the time of his death and was a 75th generation lineal descendent of Confucius, the great Chinese philosopher.

Most Americans will remember Dr. Kung as China's World War II premier. Throughout his life he and the members of his family have had close and affectionate ties with the American people. Dr. Kung was a brother-in-law of Madam Chiang Kai-shek.

He was born September 11, 1880, in Shansi Province. He received his early education in China and earned his B.A. degree from Oberlin in 1906 and his M.A. degree from Yale in 1907. He held honorary doctoral degrees from both Oberlin and Yale.

A devout Christian gentlemen, he was keenly interested throughout his life in promoting the great work on the Young Men's Christian Association. He also gave unselfishly of his time and resources in the promotion of education in China.

Dr. Kung was responsible for setting up the Republic of China's financial and banking system. In 1933 he became the Minister of Finance and Governor of the Central Bank of China. He held both of these posts until the end of World War II. In 1935 he established the Central Trust of China. He was chairman of the Farmers Bank of China from 1935 to 1945 and chairman of the Bank of China from 1945 to 1948.

Anthony Eden said of Dr. Kung:

> He is the man who united China's finances, reorganized its tax system, reformed its currency, restored its credit, and last but not least, balanced its budget—all in a hurry.

Dr. Kung's ceaseless efforts to strengthen the economic life of his country and to support the U.S. search for peace in the Far East have given him a unique place in history. His life and work did much to cement the bonds of friendship and understanding which exist today between the Chinese and American people. A great friend of freedom-loving people everywhere has passed from the scene.

UNION MEMBERS STUDY CITY PROBLEMS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rooney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, a new program involving cooperation between labor unions, the Ford Foundation, the Government, and the New York State School of Industrial and Labor Relations of Cornell University has been launched in New York City. Hopefully, in the next 3 years it will, through education, provide a better understanding of what can be done to help alleviate the awesome problems faced by our cities. The New York City program is planned as a prototype for others in urban areas across the country and I think, therefore, Mr. Speaker, that my colleagues may well wish to read a statement from Cornell University that spells out the plan. The statement follows:

New York City.—The Ford Foundation and the Federal government have provided more than $200,000 for a program designed to give union members an inside look at the problems of urban growth facing metropolitan New York.

The three-year pilot program to be conducted by the metropolitan office of the New York State School of Industrial and Labor Relations at Cornell University and over 30 unions in the metropolitan area was announced today at the school's Metropolitan District Office at 7 East 43rd Street.

The program, expected to be the prototype for similar projects in urban areas across the country, will include seminars and courses with union members in such problem areas as air and water pollution, transportation, housing, education, recreation and civil rights.

In addition, selected union members will work for a period of time in public and private agencies in the city so that they may glean first hand experience about what has been done, can be done, and should be done in meeting the problems of urban growth.

The program will enable an Urban Affairs Coordinator to serve full-time with the participating unions so that the unions may be kept better informed of the various decisions and activities that come before governmental bodies in the city and so that action by an individual union or groups of unions on urban problems may be facilitated.

Betty Goetz Lall, Field Director of the program, explained that it approaches the solving of urban problems on two fronts.

"In the first place," she said, "financing of urban programs requires citizen support and obviously the public wants to know how its taxes are being used to improve urban conditions. Secondly, the public not only has to support the programs but in the long run must also express its needs in the designing of programs."

Mrs. Lall said: "One of the most important groups in our cities is organized labor. Since union members are concentrated in cities, they have a vital stake in urban life. Union members and their families are often the victims of city deterioration, poor housing conditions, inadequate public transportation to jobs and lack of space for recreation."

The program is supported by a three year $175,000 grant from the Ford Foundation and a one year $40,000 grant from the Federal Government under Title I of the Higher Education Act. In addition to allocation of funds by the ILR School, contributions of several thousand dollars have been pledged by those unions deciding to participate in the program.

The Urban Affairs Program will include special courses on government, city politics, finances, special urban problems and programs of the Federal and State Government operating in the city.

Educational materials in the form of pamphlets and articles will also be produced and, finally, there will be a training program to enable union members to become more familiar with where to go and whom to see when specific urban problems arise among their members.

The program is one of a number of services performed by the New York State School of Industrial and Labor Relations, which was founded in 1944 to promote better relations among labor, business and community groups.

The Union-Cornell Urban Affairs Program will be guided by a council composed of union leaders and members of Cornell University's faculty. The following is a list of the persons and their affiliations who compose the Council. Several other unions and their leaders are expected to be added in the near future. The program has been developed with the cooperation of the New York City Central Labor Council.

MEMBERS OF THE CORNELL-UNION URBAN AFFAIRS COUNCIL

Leaders from participating unions

Betty Bentz, Secretary-Treasurer, Hotel, Motel and Club Employees Union, Local 6.

Morris Biller, President, Manhattan-Bronx Postal Union.

Peter Brennan, President, Building and Construction Trades Council.

Herschel Chanin, Co-Manager, Cap Makers Union, Local 2.

William Colavito, President, International Association of Bridge Structural and Ornamental Iron Workers, Local 455.

Leon Davis, President, Drug and Hospital Employees Union, Local 1199.

Thomas DeLorenzo, Assistant Regional Director, International Union, United Automobile, Aerospace, Agricultural and Implement Workers of America, Region 9A.

Fileno DeNovellis, Manager, United Shoe Workers of America, Joint Council No. 13.

Al DeProspo, President, Amalgamated Meatcutters, Local 400.

Charles Fay, President, International Union of Electrical Workers, Local 485.

Barry Feinstein, President, International Brotherhood of Teamsters, Local 237.

Charles Feinstein, Director, Health & Welfare Fund, International Leather Workers.

Thomas Flavell, Manager, Amalgamated Clothing Workers of America, Local 169.

Charles J. Garrahan, Manager, Amalgamated Clothing Workers of America, NY Joint Board of Skirt, Leisurewear, Robe, Glove and Rainwear Workers.

Patrick Gleeson, President, Retail Food Clerks, Local 1500.

Victor Gotbaum, Executive Director, American Federation of State County and Municipal Employees, District 37.

Louis Hollander, Amalgamated Clothing Workers of America, N.Y. Joint Board.

Sam Kovenetsky, President, Retail, Wholesale Department Store Workers Union, Local 1–S.

Sam Meyers, President, United Automobile Workers, Local 259.

William Michelson, Executive Vice-President, Retail, Wholesale Department Store Workers Union, District 65.

George Miller, Vice-President, Communication Workers of America.

Edward Panarello, Regional Director, Retail Clerks, Council 20.

Albert Perry, President, Building Services Employees International Union, Local 32–J.

Bertram Powers, President, International Typographical Union, Local 6.

Harold Pryor, Chairman, Brotherhood of Railroad Trainmen, LIRR.

Michael Sampson, Business Manager, Utility Workers Union of America, Local 1–2.

Howard D. Samuel, Vice-President, Amalgamated Clothing Workers of America.

Anthony Scotto, President, International Longshoreman's Association, Local 1814.

Al Shanker, President, United Federation of Teachers, Local 2.

Thomas Shortman, President, Building Services Employees International Union, Local 32–B.

Irving Stern, Organization Director, Meatcutters & Retail Food Stores, Local 342.

Edward Swayduck, President, International Typographical Union, Amalgamated Lithographers Local 1.

Gus Tyler, Assistant President, International Ladies Garment Workers Union.

Ellis Van Riper, Secretary-Treasurer, Transport Workers Union, Local 100.

Members from the faculty of the New York State School of Industrial and Labor Relations, Cornell University

Alice Cook, Professor of Industrial and Labor Relations.

Lois Gray, Director of the Metropolitan Office.

Betty Goetz Lall, Field Director of the Urban Affairs Program.

Al Nash, Labor Program Coordinator.

Eric Polisar, Associate Professor of Industrial and Labor Relations.

Robert Risley, Dean of Extension.

Barbara Wertheimer, Labor Program Specialist.

COOPERATIVE DEVELOPMENT ABROAD

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. IRWIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. IRWIN. Mr. Speaker, many Americans want to be reassured that our foreign assistance dollars are actually reaching the needy people of less developed nations, not being shunted off into government or other narrow channels where they will not have the broad effect which we desire. In checking the record, one finds that while all our foreign programs are carefully planned to achieve this far-reaching goal, there are a number of specific projects which are achieving dramatic results in this direction. One such is cooperative development, which we are assisting with contract teams from private organizations, such as the National Rural Electrification Cooperative Association—or NRECA—the Cooperative League of the U.S.A., and the Credit Union National Association.

Here is one representative example of how the U.S. aid program has changed the lives of a small farming family in Ecuador. It is one of the many stories about the way in which our aid is reaching the people themselves through the development of cooperatives abroad.

Jose Dominguez was one of several hundred Ecuadoreans living in the vicinity of Santo Domingo de los Colorados who joined together to organize an electric cooperative, with the help of a $650,000 loan from the Agency for International Development and technical assistance from the NRECA.

The AID loan financed the construction of a new powerplant. With our advice, the villagers did the rest. Although their earnings from picking bananas averaged less than $30 a month per person, they opened a community savings account to extend the powerlines beyond the village limits.

When the lights went on in the hills in the spring of 1966, the glow of the first light bulb literally illuminated their expectations overnight.

To begin with, a banana-packaging plant went into operation, and Jose Dominguez got a full-time job, paying considerably more than he had earned picking bananas. As a result of his increased income, his wife was able to buy an electric iron. With the money she earned from taking in ironing, it was no longer necessary for their five children to labor in the fields, and the two oldest were sent to school for the first time.

Educational horizons at the children's vocational training school are expanding, as power tools and other electrical equipment go into operation. Steps have been taken to improve the health of the community following the hospital's purchase of an X-ray machine.

These are the kinds of projects—reaching the people of the underdeveloped countries—that make the most sense.

Drawing on the experience of the cooperative movement in the United States which helped our own economy to grow and prosper, hundreds of thousands of people like the Dominguez family are now organizing co-ops with AID assistance, to lift themselves from the darkness of economic despair into the light of progress.

In Brazil, they are helping to clear, control, and colonize the jungles. In the Dominican Republic, they are building cooperative housing. In Peru, they are marketing the handicrafts of primitive Indian communities. Vietnam is using cooperatives to distribute new breeds of pigs to its farmers. Korea has organized a modern marketing center to market its fish, while Uganda is expanding an educational program to improve the performance of its farmer co-ops.

With loans and with contract and direct hire technical advisers, the U.S. aid program has helped more than 40,000 cooperatives serving 16 million family members.

Can we who know the achievements of the cooperative movement in the United States now do other than support the cooperative movement in Latin America, in Africa, and Asia? I say we must continue to help those who have demonstrated that they are willing to help themselves. The Dominguez families of the underdeveloped world desperately need our assistance—they have proven that they will put it to good use.

AMERICANS TO WITNESS THE FORMATION OF A NEW DEMOCRACY IN SOUTH VIETNAM

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. PATTEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. PATTEN. Mr. Speaker, I rise to applaud the determination of the South Vietnamese Government to demonstrate to the world its sincerity in holding free and open elections. Bitterly stung by charges that their elections have been rigged, this valiant nation has given assurance that foreign observers are welcome to travel freely in all secure areas.

Saigon has extended invitations to the United Nations to send observers, the foreign press, and to all countries with which it has diplomatic relations and six have already accepted—Belgium, New Zealand, Greece, Japan, Laos, and the Philippines. President Johnson's acceptance on August 23 makes the United States the seventh nation to favorably respond.

President Johnson wisely accepted South Vietnam's invitation and is to be congratulated on his choice of an excellent cross section of America's public and private leaders. The American group is composed of men from both political parties, and of leaders in a wide variety of professions and organizations, and is truly representative of all interests in our country.

These Americans chosen by the President will not come to supervise or direct that country's elections, as we have no more right to do so than do observers from the other nations. However, they will be able to provide first hand information to the citizens of this country of the nature of the campaign and election.

President Johnson's patience and perseverence have demonstrated results once again as South Vietnam on its own initiative asks the world to witness the formation of a new democracy. America should and will be witness to this historic event.

DESIGN FOR ACTION IN OUR CITIES

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. ALBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ALBERT. Mr. Speaker, I rise to summon the attention of the House to a historic opportunity before us. We have been presented by the President with 23 proposals for action to lighten the daily tragedy that today darkens our cities.

Taken together, these 23 proposals constitute a design for action in our cities. It is a clear blueprint that we can and must follow now. These proposals, dealing entirely or significantly with our cities, have been before us for several months. We must give the full and affirmative response that our times so clearly demand.

This is a challenge to every Member of the 90th Congress, to each of us as an American and as an elected representative of our people.

The history of our times promises us a swift—and a harsh—judgment for what we in this Congress do—or fail to do—in the weeks ahead.

All of us stand today in danger of this judgment—for failing to equip our cities with the means to preserve law and order in the streets; for failing to prepare our cities for their predictable growth, and to meet the needs of the 150 million Americans who call these cities their home; for failing to see—and act upon—the fact that time can change a home into a slum, an avenue into a bottleneck, a neighborhood into a ghetto, and a student into a dropout.

We still have the opportunity to create for ourselves and for the American people a record of achievement and concerned response that will enable us to begin the solution of the problems of the American city. What we do in the next few months will determine whether we are going to take advantage of the opportunity and to measure up to the responsibility which it presents.

The President has pointed the way in the proposals he has put before us. These are not ill-considered reactions to crisis or hastily devised ideas of a moment. They are well-reasoned, soundly conceived solutions to the problems. They are not a reward for riots—they are a remedy for riots. They do not deal just with the problems of the ghettos but are designed to benefit all who live in a city, and all who depend on the well-being of the city for their livelihood, and all Americans wherever they live. They are the best answers that the best minds in America have yet devised. They are a call to action which we can ignore only at our peril.

I would like to review these proposals. I have grouped them in six broad categories according to whether their intention is for: First, law and order; second, living conditions; third, civil rights; fourth, opportunities; fifth, education; and, sixth, health.

First. For law and order in the cities, the President has proposed the Safe Streets and Crime Control Act, to assist the cities' urgent work of law enforcement and criminal justice. This vital measure was substantially revised in its passage through the House. Now it awaits action in the Senate.

The President has also proposed the Fire Arms Control Act to keep guns out of the hands of criminals and would-be criminals.

Second. For living conditions in the cities, the President has proposed full funding for model cities; rent supplements; urban renewal, including home rehabilitation and family relocation assistance; mass transit; urban research; and neighborhood facilities.

The President asked for over $1.7 billion for these programs. These requests included $425 million for model cities and $40 million for rent supplements. Both of these programs are vital. These requests in my judgment are modest, and I hope in the end the Congress will approve them.

The President also asked for an urgently needed Rat Extermination Act.

Third. For the rights of the people, the President has proposed another Civil Rights Act. Two items in this bill have passed the House. We have still to consider the fair housing provision, the purpose of which is to eliminate the ghetto itself.

Fourth. For greater opportunities for the people, the President has asked for appropriations for the Manpower Development and Training Act, which is now in conference.

He has also asked to strengthen and extend the historic Economic Opportunity Act. He asked for $2.06 billion in fiscal year 1968, a 25-percent increase over last year's appropriation. This bill will be programed in the Congress within the near future.

Fifth. To educate the children of our country, the President has asked for $1.6 billion for the Elementary and Secondary Education Act. This bill is in conference. The President has also recommended funds for the Teacher Corps, a program very important to the poor children of America. I sincerely hope the Congress implements this program.

The President has proposed the Juvenile Delinquency Prevention Act. This has been ordered reported by the House Education and Labor Committee. We must take prompt action on this vital measure of importance to every American community.

Sixth. For the health of the people, the President has asked for legislation and appropriations for the child nutrition and school lunch program, for mental health and retardation, for the food stamp program, for hospital modernization, for maternal and infant care and for community health services. The Mental Health Act has been signed into law, and the Congress has a great opportunity to help improve the health of our people by enacting all of these important measures.

I have faith in the American capacity to make our cities what we as a people will them to be. But if this is to happen, the Congress must give the President's call the response it deserves, make his design for the cities the law of the land.

There are few of us who can say we have done all we could for the people of our cities. We must now—before it is too late—dedicate ourselves to the President's program. If we act with energy and courage, we can convert the problems that beset our cities into the opportunity to build, not only better cities, but a better life for all who live and work there. As one who represents a rural district I feel that the improvement of our cities is important to all of us, to all Americans everywhere.

We can be confident that the judgment of history will condemn us if—in these days of crisis—we fail to act. But we know, too, that if we do rise to the challenge, we need fear neither the verdict of history nor the judgment of our own conscience.

THE SOCIAL SECURITY AMENDMENTS OF 1967

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. PEPPER. Mr. Speaker, I would like to preface my remarks on the bill by quoting Thomas Macaulay:

> His imagination resembled the wings of an ostrich. It enabled him to run, though not to soar.

I think that we can draw a parallel here, and say that, if we allow ourselves to be creatively imaginative in the legislation at hand, we can soar, and we can help others to soar, rather than merely letting them be content to run.

First I would like to state that I was happy to support and vote for H.R. 12080, the Social Security Amendment of 1967 bill because it is relevant to the needs of the people. However, in my support of the bill, I want to make it clear that while the bill fills many of the heretofore gaps in social security protection, I do not think it goes far enough in providing a greatly needed increase in social security benefits.

Social security was enacted over 30 years ago to help assure a decent, dignified retirement to our Nation's elderly. Since 1935, we have relied on this system of contributory insurance to provide a measure of economic protection against the loss of wages that retirement brings. It is the primary source of support for many millions of older Americans.

But it is no longer adequate. Social security benefits have not kept pace with the times, and the result is that more and more of our elderly simply cannot make ends meet on their pension checks. We have amended the original 1935 act to broaden coverage and to create new kinds of benefits. But we have failed up to now to undertake the basic overhaul of our benefit structure that is needed to lift millions of older Americans out of poverty and into a retirement of dignity and self-respect.

The paradox of abject poverty amidst our Nation's unparalleled affluence is nowhere more clearly observable than among our elderly. The aged constitute between one-fifth and one-fourth of all the poor in the United States.

For these elderly people, social security has still not lived up to its original promise to avert economic insecurity in retirement. We have a duty to keep that promise by providing adequate benefits, and we can do so while keeping the program fiscally sound. We must explore the full potential of the social security system to serve as a guarantor of the retired years of people.

The present level of social security benefits has much to do with the widespread poverty among retired Americans. Social security is virtually the sole source of income for about half of its beneficiaries and the major source for just about all. The adequacy of benefits, therefore, is critical in determining how well people will be able to get along in retirement. But in 1966, the benefits paid to retired single individuals averaged $84 a month—just $1,000 a year. Benefits for aged couples averaged $142 monthly—$1,704 annually. Those millions who depend on social security for their entire support live in poverty.

In fact, the increases in benefits provided by past amendments have barely kept up with increases in the cost of living. For example, the 7-percent increase in cash benefits enacted in 1965 actually fell short of restoring the 1954 purchasing power of benefits. In terms of real purchasing power, the 1965 recipient was therefore less well off than his counterpart 11 years earlier. And a 12½-percent increase for all beneficiaries this year would be in good part taken up by making up for ground lost to price increases since 1954. A 12½-percent increase now on top of the two 7-percent increases in 1958 and 1965 would give beneficiaries only a 7-percent real increase in benefits over the 1954 level of benefits. Wages, by contrast, have risen about 50 percent since 1954. And I am sure I need not add that not only have social security beneficiaries failed to share in the increased wealth of our society, but benefits were already inadequate in 1954.

In my judgment, these figures compel a thorough reevaluation by Congress of the benefit structure of the social security system. H.R. 12080 is a beginning—a good beginning—a fiscally sound proposal which can serve as the focal point for congressional discussion of the entire problem. It provides what are in my judgment the minimum improvements in social security benefits that are necessary now to respond to the needs of our elderly. But, Mr. Speaker, when we cast our votes for enactment of this desirable measure let us all be mindful that we are doing no more than making a good start.

In addition to increasing social security benefits, greater encouragement should be given to beneficiaries to supplement their earnings derived from work on a part-time basis. Again I urge that the elderly American who is able and desires to work be accorded the right and privilege to work and earn more income than is proposed in the bill, without making him feel that he is being penalized for his industriousness. Changing the present retirement test requirements will enable some beneficiaries to live somewhat more comfortably, and at the same time retain the sense of accomplishment in their work.

I am greatly concerned about the gap that exists in the survivorship, disability, and retirement protection of many Federal employees and their families. Where workers who have Federal service under the civil service or foreign service retirement systems are not protected under either system upon their retirement, disablement, or death, social security protection should be provided these individuals by transferring Federal employment credits to social security. This approach has been recommended in reports resulting from several recent comprehensive studies of the problem, most recently by President Johnson's Cabinet Committee on Federal Staff Retirement Systems.

Mr. Speaker, the distinguished Committee on Ways and Means and its eminent chairman, the highly esteemed gentleman from Arkansas, are to be commmended for this outstanding bill. The intensive study that has gone into H.R. 12080 has produced a bill which is both prudent and humane.

The bill will make much needed improvements in the protection afforded by the social security program by increasing the benefits that are payable. Social security benefits, while virtually the sole reliance of half of the aged beneficiaries and the major reliance of just about all of them, are woefully inadequate.

If the social security program is to continue to be effective as the primary means of assuring that American workers and their families will have an income, and will not be forced into poverty, when the family breadwinner's earnings are cut off because of his retirement, or disability, or death, then benefit amounts must remain responsive to the changing economic needs of beneficiaries.

Mr. Speaker, I am particularly pleased with the improvements in the medicare program that have been included in the bill. These improvements will help to make the medicare program even more successful than it is today. H.R. 12080 includes provisions which would extend the protection of health insurance and simplify the administration of the program by providing: First, coverage of additional days of hospital care; second, elimination of the physician certification requirement for the admission to general hospitals; third, an alternative method of billing for physicians' services under the medical insurance program; and fourth, a simplification of the billing procedures for hospitals with respect to inpatient radiological and pathological services and services to outpatients that would bring medicare procedures much more nearly into line with hospital billing practices and voluntary health insurance payment procedures.

Mr. Speaker, in the past year the medicare program has demonstrated that our Nation's social insurance program, working in partnership with the hospitals and physicians of our land, can effectively protect older Americans against the threat of high health costs during their retirement years. Medicare has demonstrated the capacity for providing comprehensive, high-quality health care when and where it is needed.

First and foremost, the program has provided the financial means to help older persons pay a major portion of their large bills for hospital and medical care. Those who incurred heavy medical expenses escaped some of the severe financial strains that so often plagued the aged in the past, depleted their savings, and required them to seek help from relatives or to demonstrate need to a public agency. Knowing that the protection is there when needed has added to the quality of life by alleviating the fear so many felt when contemplating the financial consequences of serious illness. Many who might have received care on a charity basis in the absence of the program have received it as insured patients with the dignity that goes with the ability to pay.

A second major accomplishment is the availability to the elderly of a wider variety of health services, again on an insured basis. Previously, insurance covering hospital outpatient services, extended-care services, home health services, and physicians' home and office visits could rarely be purchased by the aged. Insuring alternatives to inpatient hospital care clearly has a beneficial effect on the use of institutional facilities because it permits consideration of different levels of care with less concern for the financial cost to the patient. And since it enables the physician to select from a wider variety of services in prescribing care, it will tend to make medical care more responsive to the actual needs of the patient.

The program has already produced improvements in the quality of care in hospitals and related facilities through the upgrading of their physical plant, personnel, and services in order to meet the conditions for participation—a third significant accomplishment. In addition, because semiprivate accommodations are paid for by the program, and physicians' services for many of the elderly are more fully covered than in the past, many more now receive hospital care as private patients.

Fourth, the health insurance program has already provided needed hospital and medical care to many aged persons who might otherwise have postponed seeking medical care. More older people are getting care in hospitals—care some would otherwise not have received—and the quality of their lives, to the extent that their health problems have been taken care of, is better because of this program. For many, early treatment of illness and disease may mean postponement of disability and extended illness and a more useful and productive life.

The health insurance program for the aged has already succeeded in breaking down past racial barriers by requiring that participating hospitals and related health facilities be made available to all patients, as a basis of equality, regardless of race. In many communities, because of this program, minority group members for the first time have access to the best care available.

Mr. Speaker, we should commend the new patterns of cooperation and coordination that have been developed between various Federal departments and agencies, betwen Federal, State, and local government agencies, and between the public and private sectors. The various participants in this vast program with its complex relationships have performed their parts in a spirit of cooperation and understanding.

Mr. Speaker, the successful performance of the medicare program in its first year of operation should be a source of pride to this body. H.R. 12080 will build on this success by making medicare even more responsive to the needs of the elderly and those who furnish health services.

Regrettably, H.R. 12080 fails to provide health insurance for the disabled. Yet it is daily becoming increasingly clear that the disabled are exposed to the same precipitous drop in income and to at least as great an increase in the cost of health care as retired workers. Moreover, most workers who become totally disabled are less prepared to face the financial shock of such circumstances than are the retired workers. Most disabled workers have extraordinary difficulty in getting health insurance coverage. Considerations which led us to provide health insurance for the aged in 1965 are just as appropriate in the case of the totally disabled, and I trust that favorable consideration will be given by the other body to including this important provision in the bill.

Finally, Mr. Speaker, let me take this opportunity to commend the members of the Committee on Ways and Means, and particularly the committee's extremely able chairman, the Honorable WILBUR D. MILLS, on the generally fine bill that they have developed for consideration by the Congress.

REPUBLICAN POLICY STATEMENTS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. RESNICK. Mr. Speaker, I have just read the latest proposals of the Republican Party's coordinating committee and I would strongly suggest that the first job the coordinating committee should undertake is to coordinate its own high-flown, progressive-sounding public statements with the unbelievably negative and reactionary voting record of its Members in Congress on the very same issues. I think it is about time that the Republican Party change its mascot from the elephant to the double-headed eagle of the Holy Roman Empire. One head of the eagle looks to the left, the other looks to the right. Just as the policy statements of the Republican Party today look to the left while their actions and votes look to the right. The only trouble with this is that the American people cannot be made to forget that it is the votes that eventually count, not the eloquent policy statements issued in press releases.

Even progressive policy statements, however, do serve a constructive purpose, provided they represent new thought and original ideas. Unfortunately, the recent statements of the Republican Party's coordinating committee do not even possess these virtues.

I cannot describe the strange feeling which came over me when I picked up this morning's newspaper and read that the Republicans had proposed a five-point program to help reduce the rate of migration from our rural areas to our cities. The Republican proposals had a familiar ring. And no wonder. They were the same proposals I myself made over a year ago when introducing a piece of original legislation I termed the rural opportunities bill. There were two main ideas in my bill:

First. Capital and credit on long-term, low-interest basis should be made available to encourage industry to locate in rural areas.

Second. The same kind of liberal capital and credit should be made available to encourage vigorous development of recreational enterprises in rural areas.

In introducing this bill 18 months ago, I emphasized the urgent necessity of revitalizing our rural areas and of establishing programs that would attract capital and industry. This would in turn provide the tax base for improving schools, roads, hospitals, and all of the other essential services and amenities that are providing the impetus for the mass migration to the cities. This, then, was the Republicans' dramatic new proposal—an out and out plagiarism of a program they expressed no support for when it was first introduced a year and a half ago.

The Republicans motive, however, is quite clear. It is as if Count Dracula has taken over the Republican Party. Just as Dracula gave himself life each night by sucking the blood from unsuspecting victims, the Republican Party is trying to bring color to its cheeks with the blood of progressive democratic programs.

However, even this kind of plagiarism might be justified if it actually resulted in Republican support for such programs. Unfortunately, however, on the floor of Congress—the only place it really counts—the Republicans have consistently demonstrated their unremitting opposition to legislation of this kind.

The Republican coordinating committee now claims to be concerned with rural development. And yet, let me cite some examples of how they have voted on legislation concerning rural development in the last 2 years alone.

In 1966, 85 percent of House Republicans voted to recommit the conference report on the Fair Labor Standards Amendments of 1966 which brought agricultural workers under the minimum wage laws for the first time. Ninety-six percent of House Republicans voted to recommit the Economic Opportunity Amendments of 1966 which authorized millions of dollars for rural poverty programs. Eighty-eight percent voted against final passage. In 1965, 92 percent of House Republicans voted to recommit the Public Works and Economic Development Act which includes aid for building vocational schools in rural areas as well as loans to build and equip new factories, and grants for the public facilities needed to serve them. Seventy-five percent of House Republicans voted against final passage. The most significant rural aid bill of all in 1965 was the Appalachian Regional Development Act. Eighty-one percent of House Republicans voted against final passage. Eighty-two percent of House Republicans voted against final passage of the Economic Opportunity Amendments of 1965.

In view of these facts, I sincerely hope that the publicity mailing list of the Republican coordinating committee includes the names of Republican Members of Congress so that perhaps, for a change, Republican words and Republican deeds may match each other.

NONPROLIFERATION TREATY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the terrifying power and potential of atomic energy has long been the subject of extended debate and comment among the nations of the world. Today, the United States and the Union of Soviet Socialist Republics joined together to take some of the terror from the dark shadow of nuclear war. Today, in Geneva, Switzerland, our two countries have submitted a Draft Treaty on the Nonproliferation of Nuclear Weapons.

Mr. Speaker, we have taken a significant step away from the brink of nuclear holocaust.

For the last 4 years I have been privileged to serve as congressional adviser to the U.S. Arms Control and Disarmament Agency. During that time I have had the honor of working closely with our distinguished and able Director and chief negotiator at the disarmament talks, Hon. William C. Foster.

One phrase in the preamble of the draft treaty well sums up the firm and sincere intention of our two countries; that is "desiring to further the easing of international tension and the strengthening of trust between States."

The draft treaty has as its heart a prohibition against any transfer of nuclear weapons, directly or indirectly. The obvious aim of the treaty is to halt the spread of nuclear devices and through this cessation lessen the chances—and temptations—of resort to nuclear confrontation. Through this treaty, it is our hope, the security of all nations can be enhanced by reducing the possibility of atomic war.

Mr. Speaker, we have not come to the end of the road. The Nuclear Nonproliferation Treaty is not a reality. But we have come to the end of a crucial step—a step that brings us within sight of the end goal. There remains before the negotiators at Geneva many issues requiring the highest caliber of statesmanship, compassion, understanding, and patience. The question of safeguards alone is formidable.

Mr. Foster, Mr. Roshchin and the negotiators from the other 16 nations have shown the full capacity to undertake their delicate mission. It is my sincere hope that the same spirit that has brought us this far will continue until the fruition of a signed and binding Nuclear Nonproliferation Treaty.

The dispair of mankind lies in our ability to desecrate our world and transform it into a slowly revolving cinder moving through a silent and lifeless eternity. In a sense, the hopes of mankind rest in Geneva.

PRAISE FOR THE PRESIDENT'S DECISION TO SEND OBSERVERS TO VIETNAM.

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. McFALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. McFALL. Mr. Speaker, the President is to be applauded for accepting the invitation of the South Vietnam Government to send observers to witness its forthcoming election. With U.S. acceptance, seven nations have now replied affirmatively to this invitation—Belgium, New Zealand, Greece, Japan, Laos, the Philippines, and the United States.

President Johnson has wisely chosen the U.S. delegation which reflect a wide variety of leadership of both political parties plus Negro, religious, industrial, and labor leaders.

These Americans will have the opportunity to report to a watching and anxious Nation their firsthand impressions of the Vietnam campaign and electoral process. They will spend several days in Vietnam both prior to and after the election, during which time they may travel unimpeded to all secure areas.

We in this great and mature democracy can only admire the determination of a small, young wartorn nation to make its elections an open showcase to the world. Americans look forward with much anticipation to hearing the firsthand accounts from the members of the President's Commission and to welcoming a new democracy into the fold of the free world.

DEVELOPMENT LOAN PROGRAM AIDS INDIA, PAKISTAN, TURKEY, AND KOREA

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FRASER. Mr. Speaker, the struggle against world hunger, disease, and ignorance is again the subject of consideration in the House. We are being called upon once more to weigh our responsibilities in aiding our less fortunate neighbors to achieve the basic necessities of life.

A crucial tool in this struggle is the development loan program. This program accounts for some 85 percent of the war on hunger outside of Latin America which is covered by the Alliance for Progress. A cut in development loans means a smaller infusion of U.S. skill, of pesticides, tools, and improved seed. It means fewer fertilizer plants, irrigation projects, and food storage facilities. Worse, it means a cutback in our ability to stimulate self-help efforts, to encourage such things as increased allocation of domestic resources to agriculture, better credit policies, and land reform.

The greatest impact of a cut in this appropriation would fall on India, Pakistan, Turkey, and Korea which together are scheduled to receive 84 percent of the development loans. In the first three of these countries, U.S. aid is coordinated with other countries and multilateral agencies such as the World Bank. The coordination is designed to encourage a sharing of the burden of development loans—the amount of aid from other nations is frequently tied to the amount of U.S. aid.

The committee cut of $150 million from the administration request is already a severe blow following the 25-percent cut in development loans of last year, a year when AID literally ran out of development loan funds. These funds are a vital tool in our foreign assistance program. Justice and compassion demand that we continue. Our national interest requires no less.

EXAGGERATED STATEMENTS ON THE SIZE OF U.S. FOREIGN AID DO NOT MAKE FOR SENSIBLE DEBATE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FRASER. Mr. Speaker, I would like to address myself to one of the objections to our foreign aid program that appears in a letter circulated by the gentleman from Louisiana [Mr. PASSMAN] and inserted in yesterday's RECORD by the gentleman from Iowa [Mr. GROSS].

There is the claim that there are 15 or 16 different foreign aid programs carried out by the United States and that the President is requesting about $10 billion to carry out these programs. There is no basis in fact for this charge.

We do have various forms of foreign aid programs. There is, of course, the Foreign Assistance Act which we are now considering. There is also the food-for-peace program, the Peace Corps and contributions that we make to various multilateral institutions, such as the Inter-American Development Bank and the International Development Association. The total appropriations required by the President for these foreign aid programs for fiscal year 1968 is about $5½ billion.

It is worth looking for a moment at some of the programs that are included in the list of 15 or 16 foreign aid programs. One item is military construction overseas. These are funds required for the construction and maintenance of U.S. bases in foreign countries. These bases are used for U.S. military forces and are part of our strategic defenses. To call this request for funds foreign aid is completely misleading. We might as well charge to foreign aid all the costs of maintaining any troops or ships that are not stationed in the United States.

Another so-called foreign aid program is the Euratom program, which provides for research and development under a joint program with the European atomic energy program. The joint program is conducted in Europe with European funds and in the United States with U.S. funds. To date the European countries have provided more money than the United States for these joint programs, and the U.S. nuclear industry has gained access to the important European market. Consequently, this is not a foreign aid program.

Other items included in the list of 15 or 16 so-called foreign aid requests are such fund requests as money needed to meet needs in the Ryuku Islands where we maintain large military bases and which we are administering pursuant to a treaty with Japan—again, not a foreign aid program.

It is, obviously, very important for the Congress to examine very carefully all the foreign aid requests and, in fact, all the requests are enumerated in the President's budget, considered by the relevant committees of the Congress, and approved, modified or disapproved by the House and the Senate.

The goal of sensible debate of these programs is defeated by attempts to distort what is involved in our foreign aid programs.

INCREASE OF INTEREST RATE ON DEVELOPMENT LOANS DANGEROUS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FRASER. Mr. Speaker, amendments to the Foreign Assistance Act have been proposed which would increase the interest rates on development loans. Harder loan terms are incompatible with the purpose of our foreign aid program and are, in effect self-defeating. The amendments should be rejected.

A 1965 executive branch study of loan terms concluded that "AID minimum loans are already hard enough—if they are not already too hard. They should not be hardened further."

This conclusion was given additional support last year by the president of the World Bank, Mr. George Wood. In an article appearing in Foreign Affairs, he discussed the adverse effect of the rapid rise in total debt service charges of the developing countries. Mr. Wood stated:

> These levels of debt service are dangerously high. They mean that a good part of the countries' foreign exchange resources must be devoted to servicing previous obligations rather than to produce new development.

Foreign exchange is critical in the early years of a country's development. It is essential to the U.S. goal of helping developing countries achieve self-sustaining growth in the shortest possible time with the least amount of aid. But at current program levels, each increase of one-half percent in post-grace period interest rates or 1 percent in grace period interest rates would require the recipient nations to pay $100 million more in interest costs. This loss of $100 million in foreign exchange will result in the need for additional borrowing or, more likely, in the curtailment of essential development programs.

The United States ranks sixth among the members of the Development Assistance Committee in softness of loan terms. In comparison the United Kingdom in 1966 furnished 90 percent of its total loans interest free; Canada, 58 percent; and Netherlands, 47 percent. Denmark furnished all of its loans interest free. Australia and Norway furnished all of their assistance on a grant basis.

Because of U.S. membership on the Development Assistance Committee and other multilateral assistance agreements, an increase in U.S. interest rates would contribute to a dangerous worldwide trend. An article in the Organization for Economic Cooperation and Development's Observer by Richard Benedick, defines the nature of this trend. I insert a portion of his article in the RECORD at this point:

> The financial terms of foreign economic assistance are becoming a subject of increasing timeliness and importance. It is now recognised that the indebtedness burden accumulating in many developing nations carries with it dangers of disrupting the economic growth process as well as upsetting their commercial and financial relationships with the industrialised countries. The seriousness of the problem has been revealed by recent analyses of indebtedness by IBRD and OECD, which indicate that the rate of growth of debt servicing obligations of developing nations has continued to increase at an accelerating rate and is likely to increase still further in the future. The United Nations Conference on Trade and Development has expressed its concern over this issue, and has specifically recommended as a solution softer financial terms on aid to developing countries.
>
> The expression "softer aid" can refer either to the proportion of grant assistance, which is, of course, not repayable by the recipient country, or to the terms at which loan assistance must be repaid. Questions as to the effects and implications of specific financial terms of foreign aid arise only when that aid takes the form of loans as opposed to outright gifts. For, when the assistance must be paid back to the donor country, the level of interest charges attached to the credit, the duration of the repayment period, and the extent of the grace period assume a critical importance in the overall balance of payments picture of the recipient nation and on its ability to mobilise a sufficient continuing flow of foreign resources to advance its development process.
>
> From the standpoint of the indebtedness situation, naturally no problem would arise if all foreign aid were in the form of grants. The trend in recent years, however, has been for a declining portion of the total aid effort to be given in the form of outright gifts: the grant proportion of total aid commitments by DAC Member countries has declined at a steady pace from a level of 63 per cent in 1961 to 56 per cent in 1964. Most of this was in the form of technical co-operation grants and surplus commodity assistance; if the proposed United States transition of the latter category to a dollar loan basis is approved, the overall DAC grant proportion may decline still further over the next five years, to perhaps 40 per cent.
>
> For two fundamental reasons, there is little indication that this trend will be reversed. Firstly, the political connotations of large-scale gifts to sovereign states, with an accompanying concern for optimal internal allocation of aid funds, have led governments to prefer the more businesslike arrangement of a repayable credit, particularly for capital assistance; this is exemplified by the steady increase of the dollar loan proportion in the United States foreign aid programme over recent years. A second factor is the gradual expansion by European nations in the geographical scope of their aid operations from colonial and newly-independent areas—which tended to receive considerable aid in the form of grants—to other parts of the developing world.

GUYANA NOW QUIET, BUT NEXT ELECTIONS MAY REVIVE FEUDS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GIBBONS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GIBBONS. Mr. Speaker, the legislation that we are debating today has played an important, even though sometimes futile, part in the development of a system of freedom throughout the world.

When I first came to Congress I took an interest in the tiny area of British Guiana in South America because it seemed to me at that time that while this country was in the process of gaining its independence, it was about to fall into a Castro-type of perverted revolution.

Our British allies have skillfully led Guyana along the path toward freedom and Forbes Burnham, its Prime Minister, has done a good job during these first painful years of self-government.

But all has not been solved, and a recent article that appeared in the Washington Post today, written by Francis B. Kent of the Los Angeles Times, should be read by all Members of Congress, and should serve to remind us that there is much more to be done.

I include the article at this point:

GUYANA NOW QUIET, BUT NEXT ELECTIONS MAY REVIVE FEUDS

(By Francis B. Kent)

GEORGETOWN, GUYANA, August 19.—A little more than a year after gaining independence from Britain, Guyana appears to be moving confidently if slowly toward national maturity.

This, though, is a one-dimensional view. Many of the flammable elements that turned this former British colony into a battlefield in 1964 are still present, needing only a spark to touch them off. Next year's elections could provide that spark, with profound consequences for the United States.

Despite a tendency by Guyanese officials and U.S. diplomats to brush aside the possibility of a blowup, nothing has occurred to cure or control the festering sore in Guyana's national body: the bitter feud between its two principal leaders. These are Prime Minister Forbes Burnham, 44, head of the predominantly Negro People's National Congress (PNC), and former Premier Cheddi Jagan, 49, head of the predominantly East Indian People's Progressive Party (PPP).

Although Burnham and Jagan once worked side by side in the cause of independence, they are dedicated enemies today. Reconciliation is unthinkable. Jagan, a self-described Marxist-Socialist who makes no secret of his admiration for Fidel Castro, told an interviewer this week that Burnham's PNC can only hope to win next year through rigged elections, and that illegal steps to insure PNC victory already are being taken.

IF BURNHAM WINS?

Asked what course he and his followers would take in the event of such a PNC victory, Jagan replied: "There are elements beyond my control. The people are not satisfied with empty promises while seeing corruption at every hand."

Burnham dismisses as scurrilous the charge that he is by-passing constitutional election procedures and adds that the voting laws will be honored in spirit and to the letter.

It is doubtful that the PNC can muster a majority of the votes. East Indians account for more than half of Guyana's 650,000 population and gave Jagan's PPP more than 45 per cent of the votes cast in December, 1964. The PNC total was 40 per cent. Through coalition with the small United Front (UF), Burnham has governed with only nominal opposition. But a recurring rumor has it that UF leader Peter Daguiar will pull out of the coalition at election time.

No one expects the East Indians to rise up massively in revolt, even in the face of a legally questionable defeat. Indian and Negro alike are overwhelmingly opposed to a repetition of the racial and ideological warfare that plagued the colony of British Guiana from 1962 to 1964.

EXTREMISTS WITH WEAPONS

But both sides harbor extremists trained in the manufacture and use of weapons, and PPP sources hint guardedly at supplies of handguns, rifles and machine guns hidden in the interior.

Renewal of the troubles would pose a serious problem for both Britain and the United States. In light of Britain's current financial worries and her diminishing military strength, use of her troops to restore peace might be more than she would care to undertake, even though Guyana remains part of the Commonwealth. The United States might find itself forced to act in much the same way it did in the Dominican Republic in 1965 to prevent the possible delivery of a Latin nation into the hands of Communists.

Guyana's security today lies with an admittedly inadequate, British-trained defense force, about equally Negro and East Indian, and its effectiveness in a racially charged situation is yet to be tested.

JAGAN'S DOMESTIC CONCERNS

Although Jagan's Freedom House headquarters is plastered with posters urging the United States to get out of Vietnam, denouncing the military government of Greece and supporting the Arab world against aggression, his public speeches are devoted mainly to Guyanese issues.

To Burnham's credit, his government has sought actively to reduce Negro-Indian tensions. Public jobs are filled on the basis of relative parity, and public funds are allocated for the benefit of the community as a whole. Burnham is also seeking to redress the Negro dominance of the 1900-man national police force.

THE WORLD'S FOOD SUPPLY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. SCHEUER. Mr. Speaker, so much rhetoric has been expended, so many alarms raised about the population explosion and its implications of mass starvation, that it is easy to lose our perspective and oversimplify—not the problem, but its solution.

The problem is indeed terrifyingly simple: the world is swiftly losing its capability to feed itself, and unless the rates of food production and population growth are brought into alinement and held there, within a few years we will inevitably be faced with widespread famine throughout the less developed countries.

In view of the staggering rates of death and debility right now due to malnutrition and undernutrition, an all out effort must be mounted to build up the world's food supply, both in bulk and in quality, and this effort must intensify as the people of the world increase.

There are two elements in the ratio: FAO Director Binay Sen has described them graphically:

> Population stabilization and accelerating the rate of increase of food production in the developing countries are like two blades of a pair of scissors. Neither can be effective without the other.

The tremendous strides made by modern medical research have been in large part responsible for the alarming population bulge in the underdeveloped areas of the world, together with long periods of comparative peace.

Although the 20th century has witnessed the two greatest wars of history, few reverberations reached the great slumbering regions of Africa or Latin America; and even the death toll in Asia during World War II made hardly a dent in the teeming population. No longer can the world depend on such events to control its growth as the Norman invasion, which very nearly wiped out the entire people of Britain in a systematic drive to subjugate the conquered tribes. No longer can it depend on pestilences like the black plague to reduce the population of Europe by almost three quarters. Without these natural regulators, the world community has expanded without ceasing, until it has reached the danger point of overpopulation, fulfilling Malthusian predictions at least in part.

While every technological skill and resource known to man can be brought to bear on the problem of food, while we who are rich can share to the utmost of our ability with those who are poor, we will still lose the struggle unless a strict control is exercised over the multiplying race of man. This has been proven beyond the possibility of doubt: since World War II, the less developed countries have increased their food production as much as have the developed nations—yet their production per capita has gone down as their populations have grown steadily. In Latin America, for example, while absolute food production rose markedly, per capita production was 7 percent lower in 1965 than in 1961, since during the same period the population had grown by 2.9 percent each year.

"Either the birth rate of the world must come down or the death rate must go back up." These are the alternative solutions to the population explosion, in the judgment of the National Academy of Sciences.

An uncomplicated problem should have an uncomplicated solution, and if these are the alternatives, we should investigate suggested means of implementation in order to discover which is really more efficient. In 1727, the economic case of Ireland was almost a miniature of our present world situation: poverty and misery, widespread famine, perpetual unemployment was the lot of the ever increasing Irish poor, in the classic combination of too many people and too little food. Numerous proposals were introduced for the relief of the people, some of them panaceas, a few of them serious considerations, but all characterized by a lack of understanding of the ramifications of the problem, together with an airy offhandedness which earned for them the description, "high flying."

Finally, "A Modest Proposal," remarked in its simplicity, was submitted as a practical solution. If all the children in Ireland under the age of 1 year were sold as comestibles by their parents, in one act the population crisis could be eased, the food shortage ended, and the economy strengthened by this added source of income for the poor.

The author of the proposal, the Reverend Jonathan Swift, Dean of St. Patrick's Cathedral in Dublin, was neither a madman nor a fool—rather he was one of the most brilliant and humane men of his time, who felt deeply the intense suffering of the poor and at the same time a great outrage at too facile solutions to their problem. In one satiric thrust, he highlighted the urgency of the need for relief and the fatuity of oversimplified suggestions.

Swift made his point, and we can still feel the stabbing reproof. Yet when we talk about the problem of population in the 1960's, we are too apt to indulge ourselves as armchair experts, providing smooth answers no less "high-flying" than Swift's, 200 years ago.

Either the birth rate must come down or the death rate come back up—but how? One frequently voiced argument is that we should get tough and suspend all our health programs—and all our economic aid—until the recipient countries reduce their birth rates. This would be most effective immediately in raising the death toll, and would presumably act as a good lever to encourage population control measures.

Yet it is clearly unthinkable that the death rate should be allowed to go back up, negating every technological and scientific advance of the 20th century, repudiating every social and human responsibility which the advanced nations have assumed with their positions of leadership in the world community. Even to slacken our pace in the fight to secure and prolong the lives of millions of people would be tantamount to genocide. We do not have the right, nor happily, do we have the conscience. If knowledge is power, in this case it is indeed responsibility as well, a treaty with humanity which cannot be abrogated.

We know that there is no real "either-or" in terms of death control and birth control. The birth rate must come down. The governments and people of the less developed countries producing the population crisis, must institute national programs to reduce drastically their birth rates. But we cannot strong arm them into it; we cannot demand overnight results—or else. They need our help in a delicate and complex process, not our threats. There is a need for advanced technology and resources, not ultimatums.

If we in the advanced countries accept our responsibility to protect the right of people to live, to grow, to bear children, we must also protect their right not to bear children.

Therefore, our job is to make this choice a reality, instead of a meaningless gesture. Our technology, our skills and knowledge, and our resources can be directed toward insuring that each choice is an informed one. Each person must know the arguments for and against limiting his family, the implications for his own future, for his country and his world, and the responsibilities which he must consider in each case. Second, we can help by giving each individual the means to implement his decision, should he desire to limit his family—through information and education, and through the provision of technical services and commodities.

The intricacies of this sensitive program, the only possible solution to the population explosion, can be readily seen. Matters dealing with the human mind—decisions, belief, understanding, pride and fear—are even more involved than matters of the human body.

These are the complexities which too often we forget or dismiss as unimportant when we become impatient with current efforts to institute widespread birth control programs. The mistake we commonly make, in this country especially but to a lesser degree in the other developed countries as well, is to equate the attitudes and behavior of other people too readily with our own. This is true in virtually every field of endeavor, and there is a great need to keep reminding ourselves, time and again, that the people of whom we speak have entirely different beliefs, values, and backgrounds from our own. "We can do it—why cannot they?" is not a valid argument, it is a precursor to frustration and disillusion.

When we do become disillusioned by what appears to be a lack of initiative, drive, efficiency, or plain good sense in some projects, it is because we are using our own past successes as a yardstick. When we are disappointed by the apparently inexplicable failure of another project, despite careful planning and supervision, it is usually because we based our expectations on the wrong assumptions. In this respect, we are like the Victorian Englishman who was convinced that any foreigner could understand him if he just shouted loudly enough.

Population growth in the advanced world is not yet a pressing problem. We become distressed by crowded cities and universities, but these are temporary problems which can be solved by urban planning and increased educational facilities. Certainly we do not regard each new birth as a threat to our national economic well being.

While it is true that we have numerous

biases, outworn beliefs, and superstitions of our own, an unrealistic attitude toward the growth of our own population is not one of them. On the national as well as the domestic level, we are aware of the factors involved and the necessity for wise population planning.

This is the primary area of need in the less-developed world: understanding of the situation and the means to alleviate it. Understanding must begin at the national governmental level, since the difficulties facing family planning programs in the poor countries are the same as those facing any large innovation in traditional societies, and the national government structure is best equipped to deal effectively here on the broadest scale.

The leaders of these countries must become aware that their excessively swift population growth cripples national development, capital accumulation, and improvement in the food supplies and living levels of their people. The real question must be emphasized, and misconceptions must be cleared up first of all at the policymaking level.

In our realization of the urgency of the problem, we in the United States may find it difficult to believe that anyone should not share our views, and yet repeatedly we encounter attitudes which absolutely contradict the problems we face.

One of the fundamental confusions is between the actual size of a population and its rate of growth: "We need more people—for our vacant land, our labor force, as a market for large-scale production, to be a power in the world." While the total resources of a nation may supply the needs of a maximum of 10 million people, for example, it does not follow that the same resources can be stretched to supply the 13, 15, or 20 million people who will require them in a few years. The available food, schools, housing, capital will be spread more and more thinly every year. Worst of all, every step forward on the road to economic development can only be a step to stay in the same place, as demand exceeds supply, and retrogression to a state of deprivation and misery must be the end result.

Even when this basic misunderstanding is corrected, however, there are numerous traditional attitudes which must change in the process of enlightenment—the idea that high incomes somehow miraculously make birth rates fall; that family planning is so intimately a "family affair" that it is wrong for governments to become involved; that the people are categorically uninterested in birth control, instead of being simply ignorant of the options available; that religious and social restrictions are unsurmountable.

Once a government does decide upon a large-scale family planning program, however, the complexities to be considered on the popular level become apparent. Historical family factors create stumbling blocks. Traditions of early marriage and the servile status of women combine with various ideas of the value of children: as domestic labor force, as old age support, as prestige or wealth, as symbols of manhood.

Problems of communication become important. Low literacy rates, especially among women, impede the dissemination of information and make it difficult to change long held beliefs and fears. These combine in many cases with a total ignorance of even the possibility of contraception. To a society like our own, in which "the pill" is such a catchword that it needs no further identification, it is remarkable that people should exist who are unaware of the most primitive means of contraception, who are helpless to escape the prospect of a baby a year under hardship conditions as long as their period of fertility lasts.

Other attitudes make the success of a national family planning program still more difficult: religious or other objections to fertility control; peasant inertia, apathy, or resistance to change of any kind; strength or weakness of individual motivation.

And finally, the economic factors are many times the hardest to adjust—finding the cheapest and most efficient way to implement the program, pricing commodities favorably to make them available to low income families, providing free services wherever possible, promoting local manufacture as a substitute for expensive importation, and instituting research studies as background referents for planning and programing.

These, then, are some of the different aspects to be considered in population control. The process of information and education is a long and a hard one, but as long as we are committed to the belief that individual choice is a national prerequisite for any acceptable program, we must undertake the effort. We cannot impress our own will upon the poor countries simply on the conviction that it is "good for them." What we can do most effectively, with the funds at our disposal and the invaluable technology and research talent which we can command, is to offer them the chance to make an educated choice, based on facts instead of belief, and the opportunity to implement that choice.

When they understand their own needs, when they desire and request our help in their programs, then we can respond in the right way. Twenty-six countries of the world have already asked for and received our help through the Agency for International Development. We have provided training for local demographers, statisticians, and medical personnel, which includes AID assistance to selected U.S. universities for expanding their training in the field. We have provided technical assistance in program planning, research, and information and education. We have provided materials such as equipment for family planning programs, medical instruments, educational documents, and vehicles for use in health clinics and family planning centers.

This year, in accordance with our new policy, we are making it clear to all concerned that if a country asks us for assistance in purchasing or manufacturing contraceptives, we will do so. We will also make loans to companies that want to build manufacturing plants, and provide guaranties for investment as well as part of the costs of feasibility surveys. AID has increased its budget for population planning tremendously. In fiscal year 1965, we obligated $2.8 million. For the current fiscal year, $50 million is requested.

It is true that the world has moved too slowly in the past, and our inattention has made the job ahead harder. We will have to pick up momentum and work steadily towards a goal which must and can be reached, if we have the patience, the understanding, and the endurance to last the course. This is man's greatest challenge. It will be met.

TRUTH IN LENDING

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. SCHEUER. Mr. Speaker, last month, the Senate passed S. 5, the Truth in Lending Act which brought to fruition a proposal first advanced by Senator Paul Douglas in 1960. For years, Mr. Douglas maintained interest in and actively worked toward gaining support for this proposal. We now are the beneficiaries of his labor. The concept of truth in lending grew from an awareness of a need to enlighten consumers about the cost of their credit transactions.

The volume of consumer credit increases yearly and yet the individual consumer does not understand just how much it costs him. There have been instances where individuals have paid up to 289-percent interest on used automobiles or 285 percent on television sets. When rates are expressed on a monthly payment basis, the average person does not know the mathematics involved in arriving at a realistic figure for their total interest. Full credit disclosure would enable the consumer to compare prices and effective interest rates in order to decide how best to spend his money. S. 5 is not a regulatory measure but an informational one.

I have serious doubts about whether this bill effectively regulates the total range of problems. For this reason, I am a cosponsor of a bill introduced by Representative MULTER, H.R. 11806, which is identical to H.R. 11601 introduced by Mrs. SULLIVAN. The bill I support provides for credit disclosure and more. A creditor must alert a buyer as to price, finance charges incident to credit extension and the annual interest rate on credit transactions. This includes advertisements of such transactions as well. The bill also fixes a maximum finance charge of 18 percent a year or the rate prescribed by State law, whichever is less. It is splendid to put consumers in a position of choice but where the choice is for the lesser of two evils, the effect of the legislation diminishes in value.

The only exemption to the disclosure provisions of H.R. 11806 is with regard to commercial transactions. Disclosure thus applies to all home mortgages. While first mortgage laws contain some disclosure requirements, there is still abuse in this area. Therefore it is advisable for the bill to include first mortgages as well as second and third mortgages.

There has been a great deal of controversy over the question of revolving credit. There seems to be no persuasive reasons for exempting ordinary revolving credit accounts from the provisions of the bill. The same explanation used to justify an exemption to the disclosure proposal can be utilized to bring revolving credit within the bill. The annual rate of interest can be determined from the time the credit charges begin and thus be exact and meaningful, as opposed to the attempt to state it from the time of purchase where the free-ride period is brought into play. To differentiate between simple revolving credit and the installment type, will lead to drawing very fine lines and will encourage the converting of the latter type to the former in order to avoid disclosure. The safeguards incorporated by the Senate bill might mitigate, but would not eliminate, this problem.

The basic purpose behind the legislation is to aid and protect the consumer from one particular pitfall in his complex environment. There is no justification any exception to full disclosure, regardless of amount or type of credit.

Aside from disclosure, the bill has additional provisions to protect the individual debtor. Use by creditors of judgment confessions is prohibited as is garnishment of wages. The Federal Reserve Board is also given regulatory powers to limit credit extension in emergency situations.

I fully support H.R. 11806. After 7 years of struggle, Mr. Douglas' truth-inlending concept passed the Senate in compromised form and the bill now appears before this body for approval or for restoration to its original form. Disclosure could give the public a realistic awareness of price and interest rates. The other provisions of H.R. 11806 would greatly enhance the effect of disclosure and give to it a more practical value.

The dilemma of the America consumer caused by the sophisticated techniques of the credit world in which he deals demands our sympathetic concern and best efforts. We cannot afford to compromise where the consumer is involved.

A TRIBUTE TO J. WAYNE FREDERICKS, FORMER DEPUTY ASSISTANT SECRETARY OF STATE FOR AFRICAN AFFAIRS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, one of the most dedicated and able public servants whom I have had the fortune to know while serving in Congress is J. Wayne Fredericks, who served over 6 years as Deputy Assistant Secretary of State for African Affairs.

Mr. Fredericks resigned his position recently in order to accept a position as an adviser to the international affairs program of the Ford Foundation.

I know of no person who has done more to encourage Members of the House of Representatives and the Senate to take a greater interest in African affairs than Mr. Fredericks. That there are Senators and Congressmen, both Democrats and Republicans, who maintain a keen interest in developments in Africa, is in large measure due to Mr. Fredericks continuing stimulation.

I think it fair to say, moreover, that few American public officials have enjoyed such widespread respect and admiration on the part of the leaders of Africa as Mr. Fredericks. I, for one, hope very much that Mr. Fredericks will in years to come again be called upon to serve our Government in the field of African affairs, particularly, and foreign affairs more generally. He is a man of devotion, integrity, and ability.

Mr. Speaker, I take particular pride in the fact that J. Wayne Fredericks was born in Wakarusa, Ind., which was once part of the congressional district I represent.

Mr. Speaker, I ask unanimous consent to include at this point in the RECORD the text of the citation of the distinguished honor award that was presented to Mr. Fredericks by Secretary of State Dean Rusk last month. This citation aptly summarizes Mr. Fredericks' outstanding contributions to the United States in the field of African affairs.

DEPARTMENT OF STATE, UNITED STATES OF AMERICA, DISTINGUISHED HONOR AWARD PRESENTED TO J. WAYNE FREDERICKS

As Deputy Assistant Secretary for African Affairs from May 1961 to August 1967, he has played a vital role in the formulation and implementation of United States policy toward that continent.

Representing the highest principles for which this country stands, J. Wayne Fredericks has worked unremittingly to support human dignity, national advancement, and continental cooperation within Africa, and to strengthen the bonds of friendship and mutual interest between the United States and Africa.

DEAN RUSK,
Secretary of State.

JULY 1967.

TITLE VI COMPLIANCE IN HIGHER EDUCATION PROGRAMS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I think that every Member of this body, would agree with me when I say that, more than any other single factor, education is the key to progress and opportunity in this land. And I think that each would agree there must be no artificial barrier placed between a young person's inherent abilities and the completion of all the education which he or she may productively use. For, as wealthy as this Nation is, we can ill afford the loss of even one single individual who may be prevented from making his or her maximum contribution to our society, simply because of the denial of a proper education.

Recognizing these truths, Mr. Speaker, the Congress of the United States enacted the Civil Rights Act of 1964, after many months of probing and highly informative debate. Section 601 of title VI of that act wisely provides:

> No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Until now, the Department of Health, Education, and Welfare in administering title VI, has concentrated on hospitals and elementary and secondary schools. I was, therefore, gratified to learn that the Department is now starting a major compliance program in higher education.

The first step in the program is obtaining compliance data from about 2,900 institutions which participate in federally aided higher education programs. The report forms for obtaining the information have just been mailed to the institutions.

The report asks for information in three areas:

First, are admissions and recruiting activities free of bias?

Second, what is the number of white, Negro, and other minority group students who are enrolled, who live in college-owned housing, and who receive financial aid?

Third, are minority group students free to participate without discrimination in college supported services and activities?

The institutions are asked to return the data to HEW by November 15. After the data is returned, it will be carefully analyzed by HEW staff to determine whether students, or prospective students, who are members of minority groups are subject to discriminatory treatment.

If the possibility of discrimination exists, I am told that HEW staff plans to visit the institution to obtain firsthand information on the institution's practices. If there is discrimination, the staff will discuss with the institution's officials the steps which the institution could take to overcome it. One would hope that, if there is any discrimination in higher education, the institutions will correct their practices voluntarily.

I commend the Department for taking this overdue step. And I urge each institution of higher education, as it completes its report, to review thoroughly all its practices, not just to be sure that it meets the legal requirements of title VI, but to determine whether it is doing all it can to help the young men and women from minority groups overcome the disadvantages which many of them have suffered in the early part of their lives.

THE FUTURE OF LATIN AMERICA: RURAL MODERNIZATION OR FAMINE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. **BRADEMAS**. Mr. Speaker, when the Alliance for Progress was born nearly 6 years ago, the framers of its charter wisely placed rural modernization and inceased agricultural production high on the list of priorities for Latin America's social and economic development. For if the goals they set are not met, there may be widespread starvation in a few years in that part of our hemisphere.

This is no exaggeration. The region's annual population growth of nearly 3 percent—the highest rate in the world—obliterates most of the benefits that increased food production might provide.

While urgently seeking funds to finance development programs, Alliance nations are forced to spend $600 million each year of much needed foreign exchange to import basic foods. If we add natural disasters such as the current drought and frosts in Chile, the overall picture becomes more ominous and bleak.

Neither our country nor other advanced nations can miraculously solve this problem. As Vice President Humphrey has pointed out:

> If we are really to get to the problem, the developing countries will have to produce more of their own food.

But this is only half of the solution—the developing nations will also need to cope with their expanding population.

In this dual effort, our assistance can only be supplementary. It can never be a substitute. But there is need and justification for wisely applied financial and technical assistance. And help we must—for both practical and humanitarian reasons.

During the 6 years of the Alliance there have been many concrete achievements to demonstrate that Latin Americans are aware of their plight and willing to do something about it. Much of the progress to date can be traced to financial and technical assistance from the United States.

Through AID, for example, we have helped irrigate 1.1 million acres of land and to reclaim over 100,000 acres. AID agricultural loans, benefitting 3.5 million people, have played a major role in bolstering initiative and in permitting individual farmers to modernize their operations.

Fifteen million miles of new or improved roads—many of them farm-to-market roads—are now serving Latin American farmers thanks to AID financial backing.

Tiny El Salvador met its human consumption needs in corn for the first time in 1966. This startling breakthrough was attributable largely to U.S. agricultural scientists working alongside Salvadorean research technicians.

Coffee-glutted, food-scarce Brazil is receiving assistance from the United States to expand research and education programs, farm credits, extension services and marketing facilities. AID is helping this country diversify its crops and produce fertilizers. A soil survey in western Brazil by U.S. soil scientists and Brazilian technicians may result in opening 75 million acres of land suitable for farm settlement.

Chile has doubled corn production during the Alliance period. AID, the Rockefeller Foundation, and the University of Minnesota have assisted in this notable achievement.

Colombia doubled Federal agricultural investment in 1966 and will triple it this year compared with 1963. Private Colombian investors are collaborating with the government to step up meat exports through an AID-assisted livestock bank. In the first half of 1966 these exports were three times larger in dollar value than for the same period of 1964.

In the past 10 years an AID-Department of Agriculture program in cooperation with U.S. universities has trained nearly 4,000 professional Latin American agronomists. AID-contracted university teams are actively advising and supervising the reorganization and expansion of Latin America's agrarian education facilities.

Mr. Speaker, clearly a good start has been made to increase Latin American food output. But it is equally clear that much more remains to be done. The framers of the Charter of the Alliance accompanied their pledge for better land utilization with recommendations for the improvement and strengthening of democratic institutions, elimination of illiteracy, improvement of health and sanitation, tax reform, protection of purchasing power, stabilization of the prices of basic exports, and economic integration—to mention only the more obvious goals.

Recently, the Latin Americans have also begun to attack the problem of food deficits with family planning programs.

These laudable objectives are all linked directly or indirectly with the ever growing need to feed the exploding population of the area.

The development of Latin America's agricultural sector—which involves 50 percent of the economically active population—is the major concern of Alliance planners today.

It is for this reason that AID plans to allocate a third of its fiscal year 1968 assistance to Latin America in the crucial area of agriculture. It is for this reason that President Johnson requested an additional $100 million for our AID program in Latin America, a major portion of which would be dedicated to rural modernization.

Mr. Speaker, increased assistance in this field, judiciously applied, will reap rich yields in the form of social tranquillity and political and economic stability. Most importantly, it may stave off famine.

Mr. Speaker, I hope that we in Congress, as we consider the Foreign Assistance Act, will act with both wisdom and charity so that future generations of Americans may proudly state that we of this generation helped forge a true Alliance for Progress with our fellow Americans to the south.

PUBLIC BROADCASTING ACT OF 1967

Mr. **PRYOR**. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. KORNEGAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. **KORNEGAY**. Mr. Speaker, recently the Interstate and Foreign Commerce Committee favorably reported a very important piece of legislation: the Public Broadcasting Act of 1967. More than 80 witnesses appeared before the committee, on which I am proud to serve. It is my hope the House will now see the value of this measure as we did in committee, and pass this legislation without delay.

The Public Broadcasting Act is good legislation. It allows this Nation to move ahead in this vital area. At the same time, it leaves the way open for further discussion and examination of some extremely interesting, important and difficult points. We will gain additional knowledge as we begin to act in public television with the Public Television Corporation. This knowledge will help us to steer the course of further progress in this field.

In North Carolina we have had long and good experience with educational television. We have stations in Chapel Hill, Columbia, and Charlotte, with more soon to come in Concord, Asheville, and Linville. The Public Broadcasting Act of 1967 will allow our people to continue to develop this vital medium for all of the people of North Carolina, and for the Nation.

I would like to cite the report of the Carnegie Commission on Educational Television, which stated:

> We seek for the citizen freedom to view, to see programs that the present system by its incompleteness denies him. Because this freedom is its principal burden, we submit our report with confidence. To rally the American people in the name of freedom, is to ask no more of them than they have always been willing to provide.

CALIFORNIA ASSEMBLY COMMITTEE RECOMMENDS REDWOOD CREEK

The **SPEAKER**. Under a previous order of the House, the gentleman from California [Mr. COHELAN] is recognized for 5 minutes.

Mr. **COHELAN**. Mr. Speaker, I first introduced a bill to establish a Redwood National Park in the Redwood Creek area of California because I was confident it was the best posible site for a Redwood National Park. My confidence stemmed from the professional reports published on this question by the National Park Service in 1964. In subsequent years, additional technical evaluations of timber quality and economic factors have confirmed this judgment.

In light of these reports, it is especially heartening now to note that another responsible study has joined in my conclusion regarding Redwood Creek. Throughout 1966, the Committee on Natural Resources, Planning, and Public Works of the lower house of California's Legislature has studied the redwood situation intensely. The committee has just released a report of its findings.

Without qualification, it finds Redwood Creek to be the best site for a Redwood National Park. It recommends prompt establishment of such a park. In view of conflicting estimates of the future of the timber industry, it also recommends a long-term study of the economy of California's north coast region.

Mr. Speaker, I am delighted that the only committee of California's Legislature that has studied current prospects for a Redwood National Park has concurred in the judgment which I and 60 other Members of Congress have made on this issue. I would like to congratulate the committee's chairman, Assemblyman Edwin L. Z'Berg, and all of the members of the committee, for the thoroughness and objectivity of the study. So that the Members of Congress may have the benefit of its most significant conclusions, I am appending them to these remarks:

[From "Conflict in the Redwoods," Assembly Committee on Natural Resources, Planning, and Public Works, by Edwin L. Z'Berg, chairman, Aug. 15, 1967, p. 34 & p. 38–40]

The justification for establishing a Redwoods National Park in the Redwood Creek-Prairie Creek area is found in the following considerations:

1. The significance of the redwoods as a part of our national natural heritage justifying preservation under national park status is accepted, and has received the nearly unanimous support of every major interest including the general public, with one exception—the redwood lumber industry, and a portion of the economic community related thereto.

2. The redwoods meet fully the tests of national significance, suitability, and feasibility applied to natural areas evaluated for inclusion within the national park system.

3. Because of continuing attrition and encroachments on the preserved old growth stands, a continuing depletion of privately owned stands of old growth park quality trees, and the need to provide maximum possible ecological integrity for watershed protection and maximum visitor experiences and interpretation, there is an urgent need now to preserve additional acreage of virgin old growth in a major redwoods park.

4. Because the legal protection afforded the preserved old growth redwoods under state park jurisdiction is uncertain and subject to change, the best possible example of this preserved national heritage deserves the fullest possible measure of protection under federal laws.

5. The Redwood Creek-Prairie Creek location provides a large variety of options for both the preservation and continued commercial utilization of various portions of the watersheds.

6. The Redwood Creek-Prairie Creek drainages provide the largest remaining uncut block of virgin growth not preserved, and in the opinion of the National Park Service the most significant large block in terms of park values.

7. The Redwood Creek-Prairie Creek area provides by far the greatest variety of ecological and natural features and consequent opportunities for the varied recreational experiences to be expected in a national park.

8. The geography and varied attractions of a park in the Redwood Creek-Prairie Creek area provide ample opportunities for visitor dispersal throughout the area.

9. While the extent of impact on commercial operations is subject to the final plan for a park, it can be much better absorbed within the broader economy of the Humboldt County area, especially with the provisions for mitigating the interim tax loss and any increased unemployment which would be included in the enabling legislation.

* * * * *

Where It Should Be Located. In view of the strong justification for creation of a Redwoods National Park, and the growing likelihood that the broad base of support it has received will result in its establishment in the near future, the people of the United States are entitled to the best possible park—not one adding merely size, but the highest posible quality old growth forest, ". . . where, so far as possible, they can be preserved, interpreted, and made available to the public as outstanding examples in an outstanding manner."

* * * * *

As the result of its review of the various alternatives which have been proposed, and bearing in mind the foregoing considerations, it is the feeling of the committee that the best possible federal reserve—and the least long range disruption of the local economy and private operations—would result from creation of a national park in the Redwood Creek-Prairie Creek drainages.

The conclusion that this area is the best remaining opportunity for the creation of a national park was made by the National Park Service in its 1964 study, in which it recommended three possible alternatives. It has since been supported by the Sierra Club in enlarged size, and has been introduced into the Congress with substantial support in both Houses. It also has the overwhelming support of conservation organizations and news medial throughout the state and nation. Subsequent to the publication of its report, the federal government disregarded its own recommendations and proposed a national park in the Mill Creek area of Del Norte County. This proposal is also currently before the Congress.

As outlined previously, a number of other proposals have been advanced for recreational uses of the redwoods, but with the exception of the Regional Redwoods Park Plan, no other alternative proposes the additional acreage of high-quality old growth trees in an ecological unit deserving of national park status. Therefore, the final choice would seem to be between the Mill Creek and Redwood Creek-Prairie Creek areas, and although the committee feels that the determination of the specific acreages necessary and desirable for both recreational and commercial purposes in the area finally agreed upon as a park site is the proper responsibility of the federal government and landowner, it would appear that the following points should receive major consideration in the final decision.

The proposal of the administration envisions the creation of a national park by the joining of Jedediah Smith and Del Norte Coast Redwoods State Parks with a corridor of old and young growth redwoods in the Mill Creek drainage area. While this plan would create a national park of some 44,000 acres, of which some 18,400 acres would be old growth—including the acquisition of 7,800 acres of new virgin trees—no record displays are included, and as cutting proceeds in the remaining virgin watershed, the quality of the proposed acquisition deteriorates as well as posing an increasing flood threat to the preserved trees, especially from the Smith River. In addition, the ecological and natural features are relatively limited in scope, and the geography of the area would tend to concentrate visitors in groves along the highway and lower Mill Creek instead of providing an opportunity for dispersal throughout the area. A final consideration is the admittedly severe impact on the local economy which would be produced by putting a major lumber firm out of business in an area in which it is the principal employer. Although the consequences have been thoroughly studied and adequate provisions appear to be included to provide for the interim tax losses and unemployment, the fact remains that creation of the park would be a serious blow to the sparse population and limited economy of an area less able to absorb its impact than other areas within the region.

The Redwood Creek-Prairie Creek area, by contrast, provides far greater opportunities for the creation of a Redwoods National Park which meets fully the expectations of the American people, and the economic impact of which can be much better provided for and absorbed. First of all, it provides a large variety of options for both the preservation and continued commercial utilization of various portions of the watersheds. The National Park Service recommended alternatives, for example, ranging from 53,600 acres total (10,330 acre Prairie Creek Redwoods State Park plus 22,580 acres of old growth and 20,690 acres of young growth) to 31,750 acres total (10,330 acre Prairie Creek Redwoods State Park plus 11,970 acres of old growth and 9,450 acres of young growth) (See Appendix page 48). The Sierra Club proposal extends the total to some 90,000 acres, and includes some 30,000 acres of new virgin growth.

Therefore, it is clear from the large number of alternatives which have been advanced that there should be ample opportunity to develop a compromise which will both preserve adequate old growth redwoods and also permit commercial operations on a reduced scale. Because of the virgin or relatively well-managed state of much of the watershed, the final plan should be well able to provide protection of downstream areas from erosion and flooding.

Second, the drainages provide the largest remaining uncut block of virgin growth not preserved, and in the opinion of the Park Service certainly the most significant large block in terms of park values. Lower Redwood Creek, for example, is essentially uncut from ridge to ridge, and presents an outstanding redwood valley picture, much still unaccessible except by foot.

Third, the area provides by far the greatest variety of ecological and natural features and consequent opportunities for the varied recreational experiences to be expected in a national park. It contains, for example, the world's tallest livings things in the superlative redwoods growing along Redwood Creek, and because of the primitive character of much of the forest, it holds the most likely possibilities for the discovery of even taller record trees; the world's best example of redwood slope-type trees and associated species up to an elevation of 2,000 feet; the world's largest mountain covered with redwoods; exceptional views of Redwood Creek Valley from Bald Hills Road, of the Gold Bluffs and Gold Bluffs Beach, and of Elk Prairie; 18 miles of coastline—much remaining in a wild state; 22 miles of river frontage along Redwood Creek—usable for float trips during part of the year; herds of wild elk; Fern Canyon; waterfalls; waterfowl areas; Klamath River fishing; and Indian artifact areas.

Fourth, the geography and varied attractions of the park provide ample opportunities for visitor dispersal throughout the area.

Fifth, while the extent of impact on commercial operations is subject to the final plan for a park, it can be much better absorbed within the broader economy of the area, especially with the provisions for mitigating the interim tax loss and any increased unemployment which would be included in the enabling legislation. Under this plan, the holdings of three major companies will be affected to a greater or lesser extent, but could result in the possible suspension of future operations by only one of them. Full cash compensation will of course be paid for the lands acquired, and therefore neither the company or its stockholders should suffer actual financial losses. On the assumption that the total operation of only one company is ultimately affected, one estimate is that a total of 600 persons would be directly or indirectly displaced, which would amount to only 1.5 percent of the Humboldt County work force—a percentage well within the normal fluctuating unemployment rate. In the long run, however, there seems to be a little doubt that the economic cost in terms of capital investment and temporary unemployment will be more than offset by the increase in economic activity accompanying the national park visitation.

Finally, as in the Mill Creek area, there is an urgency that the final decision be made as soon as possible. It is not economically feasible to restrict indefinitely the logging of areas under consideration, and the more they are logged in the absence of an overall plan related to recreational uses, the less will be the value of the park ultimately created.

In summary, the committee feels that the best location for a Redwoods National Park is in the Redwood Creek-Prairie Creek area; that efforts should be made to achieve a balance in cooperative watershed management and public acquisitions which will maximize both the recreational and commercial uses of the area, consistent, however, with the purposes of a national park; and that appropriate provisions be made to offset the impact of the establishment of a park on the local economy.

TAX DEDUCTIONS FOR TEACHERS

The SPEAKER. Under a previous order of the House, the gentleman from Ohio [Mr. Feighan] is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, I have introduced H.R. 554, which would amend the Internal Revenue Code of 1954 to allow teachers to deduct the expenses incurred in pursuing further education and the necessary travel expenses to do so. The teacher would be allowed to deduct these expenses from gross income for the purpose of determining "adjusted gross income," so that the teacher who elects the "standard deduction" will not be deprived of the beneficial value of the education expense deduction.

The deduction would include the ordinary and necessary expenses paid or incurred by the teacher during the taxable year for tuition and fees for courses for academic credit, for necessary books, supplies, and materials, and for traveling expenses while away from home attending such institution.

Legislation of this type is long overdue. Teachers constitute a dedicated group of highly trained individuals who traditionally work long hours for low pay. Aside from their classroom duties, teachers expend much time in extracurricular activities for the students, class preparation, and continued education. Their contribution to our society is indeed impressive. They mold the minds that in the future will be the productive citizens and, in this manner, they play a paramount role in perpetuating the Amercan way of life.

Because of the growing demands on the teacher to keep abreast of the developments in his profession and to pursue advanced degrees, many of them spend a great deal of time as well as money in the continuation of their studies.

Even though the Treasury Department in May 1967, modified the restrictive regulations concerning deductions for educational expenses incurred by teachers, further legislation is needed, since this modification was not sufficient. Under the May 2, 1967, liberalizing provision, the teacher is entitled to deduct expenses incurred in obtaining education beyond the minimum State requirement for teaching. This probably would not be changed by my proposed legislation. However, H.R. 554 makes two significant changes in existing law. First, it places the educational deduction in statutory form and, thus, subject to alteration only through legislative action. Secondly, and most significantly, H.R. 554 would allow the deduction from gross income, whereas the present law allows the deduction only as an ordinary and necessary business expense—that is, the expenses must be itemized and deducted from adjusted gross income. Thus, now the teacher must elect whether to take the standard deduction or whether to take an itemized deduction which would include the educational expenses. Under the present system, the itemized deduction, particularly when the teacher only takes one or two courses, is usually less than the standard deduction. However, under H.R. 554, the deduction would be from gross income and, consequently, could be utilized by all. The standard deduction could still be taken.

A brief example will serve to clarify the situation. Under the present law, if a teacher had an income of $5,000 and educational expenses of $200, the gross income would be $5,000, the adjusted gross income $5,000 and the teacher could take the standard 10 percent deduction or the itemized deduction which would include the $200. Obviously, the 10 percent of $5,000 would be greater. The taxable income would be $4,500. Under my bill, the $200 could be subtracted from the $5,000 thus giving an "adjusted gross income" of $4,800. The 10-percent deduction then could be taken or the itemized deduction. If the 10 percent were taken, the taxable income would be $4,320. In this manner, the deduction of education expenses would become meaningful for the vast majority of our teachers who now can derive no benefit from it.

I feel that this legislation is necessary since I firmly believe that assistance must be given by the Government to encourage the good, qualified teachers to stay in the profession, and to attract new teachers. Without such assistance, we will jeopardize the rising standards of education in the United States. With the current shortage of teachers, it is essential that we grant such a deduction to adequately compensate teachers and to serve as an incentive for them to better themselves to the advantage of our children.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Hicks, beginning Monday, August 28, and continuing for the balance of the week, on account of business in his district.

Mr. Blanton, for Wednesday, August 23, 1967, until August 29, 1967, on account of official business in the Seventh District of Tennessee.

Mrs. Hansen of Washington, from August 25 to September 11, 1967, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Pryor) to revise and extend their remarks and include extraneous matter:)

Mr. Cohelan, for 5 minutes, today.

Mr. Feighan, for 10 minutes, today.

Mr. Selden, for 30 minutes, on August 28.

Mr. Marsh, for 30 minutes, on August 29.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. O'Hara of Illinois to include an article from Time with his remarks made today in the Committee of the Whole.

Mr. Schweiker during debate on H.R. 12048 and to include tables.

(The following Member (at the request of Mr. Pettis) and to include extraneous matter:)

Mr. Dellenback.

(The following Members (at the request of Mr. Pryor) and to include extraneous matter:)

Mr. Hanna.

Mr. Hechler of West Virginia.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 282. An act to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 485. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes; to the committee on Interior and Insular Affairs.

S. 814. An act to establish the National Park Foundation; to the Committee on Interior and Insular Affairs.

S. 1972. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Emigrant New York Indians in Indian Claims Commission Docket No. 75, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 158. An act to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 16. An act to amend title 38 of the United States Code in order to increase the rates of pension payable to certain veterans and their widows, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes.

S. 281. An act to increase the amount of real and personal property which may be held by the American Academy in Rome.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 10566. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes.

ADJOURNMENT

Mr. PRYOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 51 minutes a.m., Friday, August 25, 1967), under its previous order, the House adjourned until Monday, August 28, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1016. A letter from the Clerk, House of Representatives, transmitting the required report for the period January 1 to June 30, 1967, pursuant to the provisions of Public Law 88–454; to the Committee on House Administration.

1017. A letter from the Commander, Naval Facilities Engineering Command, Department of the Navy, transmitting a report covering military construction awarded without competition during the 6-month period January 1 through June 30, 1967, pursuant to the provisions of Public Law 89–568; to the Committee on Armed Services.

1018. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAHON. Committee on Appropriations. House Joint Resolution 804. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes (Rept. No. 596). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. Report entitled "Relationship of Toll Facilities to the Federal-Aid Highway Program" (Rept. No. 597). Referred to the Committee of the Whole House on the State of the Union.

Mr. HENDERSON: Committee on Post Office and Civil Service. H.R. 3810. A bill to provide training opportunities for persons employed in the legislative branch of the Government; with amendment (Rept. No. 598). Referred to the Committee of the Whole House on the State of the Union.

Mr. TENZER: Committee on the Judiciary. H.R. 206. A bill to amend section 2733 of title 10 of the United States Code, to include authority for the settlement of claims incident to the noncombat activity of the Coast Guard while it is operating as a service in the Department of the Treasury, to increase the authority which may be delegated to an officer or civilian attorney under subsection (g) of section 2733 from $1,000 to $2,500, and for other purposes; with amendment (Rept. No. 602). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. H.R. 8654. A bill to amend section 3731 of title 18, United States Code, to permit an appeal by the United States in certain instances from an order made before trial granting a motion for return of seized property and to suppress evidence; with amendment (Rept. No. 603). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1948. A bill for the relief of Lim Ai Ran and Lim Soo Ran (Rept. No. 599). Referred to the Committee of the Whole House

Mr. RODINO: Committee on the Judiciary. H.R. 1960. A bill for the relief of Angelique Kousoulas; with amendment (Rept. No. 600). Referred to the Committee of the Whole House.

Mr. MOORE. Committee on the Judiciary. H.R. 3430. A bill for the relief of Yim Mei Lam; with amendment (Rept. No. 601). Referred to the Committee of the Whole House.

Under clause 2 of rule XIII, pursuant to the order of the House of August 25 (legislative day, August 24), 1967, the following bills were reported on August 25, 1967:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 5709. A bill to amend the District of Columbia Teachers' Leave Act of 1949 to remove certain limitations, and for other purposes (Rept. No. 604). Referred to the Commitee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 12505. A bill to provide that a District of Columbia public school teacher may retire on a full annuity at age 55 after 30 years of service or at age 60 after 20 years of service, and for other purposes (Rept. No. 605). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 8715. A bill to amend the District of Columbia Alcoholic Beverage Control Act to limit the amount of wines, spirits, and beer that may be brought into the District of Columbia; with amendment (Rept. No. 606). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 6727. A bill to amend the District of Columbia Alcoholic Beverage Control Act; with amendment (Rept. No. 607). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 8965. A bill to amend the act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer; with amendment (Rept. No. 608). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Report entitled "Illicit Practices Affecting the U.S. Economic Program in Vietnam (Followup Investigation)" (fourth report by the committee) (Rept. No. 609). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Report entitled "The Commercial (Commodity) Import Program for Vietnam (Followup Investigation)" (fifth report by the committee) (Rept. No. 610). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Report entitled "The Port Situation in Vietnam (Followup Investigation)" (sixth report by the committee) (Rept. No. 611). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 10939. A bill to amend the act of June 6, 1924, establishing the National Capital Planning Commission in order to provide for the preservation of the remaining historic landmarks in the District of Columbia; with amendment (Rept. No. 612). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 12584. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 12585. A bill to amend title 38 of the United States Code to prevent loss of veteran pension benefits as a result of increases in social security benefit payments resulting from enactment of the Social Security Amendments Act of 1967; to the Committee on Veterans' Affairs.

By Mr. CORMAN:

H.R. 12586. A bill to impose a minimum income tax on certain individuals and corporations with substantial incomes; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 12587. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work, and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

By Mr. EVINS of Tennessee:

H.R. 12588. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. FEIGHAN:

H.R. 12589. A bill to amend title 37 of the United States Code to provide that the pay and allowances of members of the Armed Forces who are killed in action shall be continued through the end of the month in which their death occurs; to the Committee on Armed Forces.

By Mr. GARMATZ:

H.R. 12590. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

H.R. 12591. A bill to require a radiotelephone on certain vessels while navigating upon specified waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. GIBBONS:

H.R. 12592. A bill to provide more effectively for the regulation of the use of, and for the preservation of safety and order within the U.S. Capitol Buildings and the U.S. Capitol Grounds; to the Committee on Public Works.

By Mr. GILBERT:

H.R. 12593. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mrs. HANSEN of Washington:

H.R. 12594. A bill to repeal percentage depletion; to the Committee on Ways and Means.

By Mr. MICHEL (for himself and Mr. Collier):

H.R. 12595. A bill to amend the Economic Opportunity Act of 1964 to further limit political activity on the part of workers in poverty programs; to the Committee on Education and Labor.

By Mr. POLLOCK:

H.R. 12596. A bill to authorize the Secretary of Defense to dispose of certain real property in the city of Nome, Alaska, and for other purposes; to the Committee on Armed Services.

By Mr. REUSS:

H.R. 12597. A bill to amend the U.S. Housing Act of 1937 to facilitate the purchase of dwelling units by tenant families, to encourage the formation of resident councils in public housing projects, to assist in the rehabilitation and modernization of such projects and in the provision of needed social services, and for other purposes; to the Committee on Banking and Currency.

By Mr. TEAGUE of California:

H.R. 12598. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. ST GERMAIN:

H.R. 12599. A bill to remove the authority of the Secretary of the Treasury to prohibit, curtail, or regulate the melting or treating of coins of the United States; to the Committee on Banking and Currency.

By Mr. WHITE:

H.R. 12600. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIS (for himself, Mr. Abernethy, Mr. Abbitt, Mr. Ashmore, Mr. Boggs, Mr. Burleson, Mr. Colmer, Mr. Dorn, Mr. Downing, Mr. Edwards of Louisiana, Mr. Fascell, Mr. Hébert, Mr. Ichord, Mr. Landrum, Mr. Lennon, Mr. Long of Louisiana, Mr. Pool, Mr. Rarick, Mr. Rivers, Mr. Rogers of Florida, Mr. Selden, Mr. Stephens, Mr. Tuck, Mr. Waggonner, and Mr. Williams of Mississippi):

H.R. 12601. A bill to amend certain provisions of the Internal Security Act of 1950 relating to the registration of Communist organizations, and for other purposes; to the Committee on Un-American Activities.

By Mr. FULTON of Pennsylvania:

H.R. 12602. A bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAY:

H.R. 12603. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a National Visitor Center, and for other purposes; to the Committee on Public Works.

By Mr. KING of New York:

H.R. 12604. A bill to amend the Economic Opportunity Act of 1964 to further limit political activity on the part of workers in poverty programs; to the Committee on Education and Labor.

By Mr. NELSEN:

H.R. 12605. A bill relating to the prohibition of riots and incitement to riot in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ROONEY of Pennsylvania:

H.R. 12606. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. THOMPSON of Georgia:

H.R. 12607. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 12608. A bill to encourage and assist private enterprise to provide adequate housing in urban poverty areas for low income and lower middle income persons; to the Committee on Ways and Means.

H.R. 12609. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 12610. A bill to allow a credit against Federal income tax to small business concerns which received non-interest-bearing awards under the War Claims Act in cases where their business properties, released from enemy confiscation, were again irrevocably lost without compensation at the end of World War II by reason of treaties made between the United States and the Soviet Union; to the Committee on Ways and Means.

By Mr. BEVILL:

H.R. 12611. A bill to amend the Immigration and Nationality Act to prohibit travel under a U.S. passport in violation of certain passport restrictions; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 12612. A bill to amend title IV of the Economic Opportunity Act of 1964 to create a program to develop job opportunities in rural and urban areas of high unemployment and to raise levels of managerial skills and business ownership in those areas, and to strengthen the existing program of loans to small business concerns; to the Committee on Banking and Currency.

By Mr. CURTIS:

H.R. 12613. A bill to provide for the garnishment, execution, or trustee process of wages and salaries of civil officers and employees of the United States; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 12614. A bill to amend the joint resolution of October 23, 1965, relating to National Parkinson Week; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 12615. A bill for the establishment of a commission to study and appraise the organization and operation of the executive and legislative branches of the Government; to the Committee on Government Operations.

By Mr. SMITH of Iowa:

H.R. 12616. A bill to promote interest and training in international agricultural assistance; to the Committee on Agriculture.

By Mr. DOLE:

H.R. 12617. A bill to promote interest and training in international agricultural assistance; to the Committee on Agriculture.

By Mr. PETTIS:

H.R. 12618. A bill to amend the Economic Opportunity Act of 1964 to further limit political activity on the part of workers in poverty programs; to the Committee on Education and Labor.

By Mr. THOMSON of Wisconsin:

H.R. 12619. A bill to extend for 3 years the special milk programs for the Armed Forces and veterans' hospitals; to the Committee on Agriculture.

By Mr. WHALLEY:

H.R. 12620. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 12621. A bill to amend section 4 of the Anadromous Fish Conservation Act of October 30, 1965; to the Committee on Merchant Marine and Fisheries.

By Mr. ROUSH:

H.R. 12622. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. MAHON:

H.J. Res. 804. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes; to the Committee on Appropriations.

By Mr. CAREY (for himself and Mr. Aspinall) (by request):

H.J. Res. 805. Joint resolution regarding the status of the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

By Mr. DERWINSKI:

H.J. Res. 806. Joint resolution to call upon the President of the United States to promote voluntary neighborhood action crusades by communities to rally law-abiding urban slum dwellers in preventing riots; to the Committee on Banking and Currency.

By Mr. McCULLOCH:

H.J. Res. 807. Joint resolution to call upon the President of the United States to promote voluntary neighborhood action crusades by communities to rally law-abiding urban dwellers in preventing riots; to the Committee on Banking and Currency.

By Mr. WATSON.

H.J. Res. 808. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BUSH:

H. Res. 916. Resolution amending the Rules of the House of Representatives to establish requirements for disclosure of assets and liabilities and relationships with certain businesses, firms, lobbyists, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FINO:

H.R. 12623. A bill for the relief of Giuseppe Aiello; to the Committee on the Judiciary.

H.R. 12624. A bill for the relief of Miss Delia Itro; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 12625. A bill for the relief of Giuseppina de Magistris; to the Committee on the Judiciary.

H.R. 12626. A bill for the relief of Marie Denise Paul; to the Committee on the Judiciary.

By Mr. STEPHENS:

H.R. 12627. A bill for the relief of Dr. Francisco A. Madrid; to the Committee on the Judiciary.

REGULATION OF LOBBYING ACT

In compliance with **Public Law 601**, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

> (b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORTS

The following reports for the first calendar quarter of 1967 were received too late to be included in the published reports for that quarter:

A. Actors' Equity Association, 226 West 47th Street, New York, N.Y.
D. (6) $2,500. E. (9) $2,500.

A. Clarence G. Adamy, 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $500.

A. Nicholas E. Allen & Merrill Armour, 806 15th Street NW., Washington, D.C.
B. Music Operators of America, Inc., 228 North LaSalle Street, Chicago, Ill.
D. (6) $2,580. E. (9) $565.38.

A. American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y.
D. (6) $4,585.80. E. (9) $4,585.80.

A. American College of Radiology, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,134.87. E. (9) $1,134.87.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $14,298.48. E. (9) $14,298.48.

A. American Insurance Association, 85 John Street, New York, N.Y.
D. (6) $6,927. E. (9) $6,927.

A. American Merchant Marine Institute Inc., 11 Broadway, New York, N.Y.
E. (9) $1,380.

A. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $56,355.90. E. (9) $5,684.97.

A. American Textile Machinery Association, in care of E. C. Connor, 224 Ellington Road, Longmeadow, Mass.
D. (6) $311.39.

A. American Vocational Association, Inc., 1025 15th Street NW., Washington, D.C.
D. (6) $154,113. E. (9) $500.

A. Robert E. Ansheles, 1028 Connecticut Avenue NW., Washington, D.C.
B. Consolidated International Trading Corp., 180 Madison Avenue, New York, N.Y.
D. (6) $187.50. E. (9) $46.34.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Commissioner of Baseball, 680 Fifth Avenue, New York, N.Y.
E. (9) $482.07.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.
D. (6) $12,499.98. E. (9) $2,169.07.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Rockwell-Standard Corp., 300 Sixth Avenue, Pittsburgh, Pa.
D. (6) $10,333.75.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Margaret Lee Weil, 33 West 67th Street, New York, N.Y.
D. (6) $3,000. E. (9) $.40.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Joel D. Blackmon, 910 17th Street NW., Washington, D.C.
B. International Mailers Union, 2240 Bell Court, Denver, Colo.
D. (6) $503.85.

A. J. Wiley Bowers, 325 Pioneer Building, Chattanooga, Tenn.
B. Tennessee Valley Public Power Association, Room 325, Pioneer Building, Chattanooga, Tenn.

A. Melvin J. Boyle, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D.C.
D. (6) $4,687.25.

A. Florence I. Broadwell, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $3,701.95.

A. Joseph P. Brosnan, 3922 Suitland Road, Suitland, Md.
B. Air Force Sergeants Association, 906 15th Street SE., Washington, D.C.
D. (6) $100. E. (9) $1,010.

A. James E. Bryan, 2000 P Street NW., Washington, D.C.
B. National Association of Blue Shield Plans, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $1,000. E. (9) $1,621.07.

A. Lowell A. Burkett, 1025 15th Street NW., Washington, D.C.
B. American Vocational Association, Inc., 1025 15th Street NW., Washington, D.C.

A. George B. Burnham, 132 Third Street SE., Washington, D.C.
B. Numerous Stockholders of the Burnham Chemical Co., 132 Third Street SE., Washington, D.C.
D. (6) $175. E. (9) $175.

A. Charles S. Burns, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $584.50. E. (9) $536.88.

A. Dan L. Butler, 400 Walker Building, Washington, D.C.
B. Harold K. Howe, on behalf of the American Institute of Laundering, 400 Walker Building, Washington, D.C.
D. (6) $262.50.

A. Dan L. Butler, 400 Walker Building, Washington, D.C.
B. Harold K. Howe, on behalf of the National Automatic Merchandising Association, 400 Walker Building, Washington, D.C.

A. Dan L. Butler, 400 Walker Building, Washington, D.C.
B. Harold K. Howe, on behalf of the Outdoor Power Equipment Institute, Inc., 400 Walker Building, Washington, D.C.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $2,000. E. (9) $711.

A. *Casey, Lane & Mittendorf, 26 Broadway*, New York, N.Y.
B. South African Sugar Association, Post Office Box 507, Durban, South Africa.
E. (9) $623.62.

A. Chamber of Commerce of the U.S.A., 1615 H Street NW., Washington, D.C.

A. Donald E. Channell, 1705 DeSales Street NW., Washington, D.C.
B. American Bar Association, 1705 DeSales Street NW., Washington, D.C.
D. (6) $500. E. (9) $45.50.

A. Citizens Committee on Natural Resources, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $9,254.25. E. (9) $8,969.45.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
B. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.
D. (6) $2,500. E. (9) $82.05.

A. Collier, Shannon & Rill, 1625 I Street NW., Washington, D.C.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C.
E. (9) $64.50.

A. Collier, Shannon & Rill, 1625 I Street NW., Washington, D.C.
B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
D. (6) $750. E. (9) $275.

A. Collier, Shannon & Rill, 1625 I Street NW., Washington, D.C.
B. Tool and Stainless Steel Industry Committee, care of The Carpenter Steel Co., Reading, Pa.
D. (6) $1,250. E. (9) $650.

A. Nicholas S. Collins, 1155 15th Street NW., Washington, D.C.
B. Committee of American Steamship Lines, 1155 15th Street NW., Washington, D.C.
D. (6) $278. E. (9) $26.36.

A. Committee for Time Uniformity, 1101 17th Street NW., Washington, D.C.

A. The Council for Exceptional Children (a department of the National Educational Association), 1201 16th Street NW., Washington, D.C.
E. (9) $861.10.

A. Council of State Chambers of Commerce, 1028 Connecticut Avenue, Washington, D.C.
D. (6) $1,164.26. E. (9) $1,164.26.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.

B. American Corn Millers Federation, 1030 15th Street NW., Washington, D.C.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.
B. Bicycle Manufacturers Association, 122 East 42d Street, New York, N.Y.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.
B. Linen Supply Association of America, Inc., 975 Arthur Godfrey Road, Miami Beach, Fla.

A. Cox, Langford & Brown, 1521 New Hampshire Avenue NW., Washington, D.C.
B. The National Collegiate Athletic Association, Midland Building, Kansas City, Mo.

A. J. A. Crowder, 1200 17th Street NW., Washington, D.C.
B. National Association of Wool Manufacturers, 386 Park Avenue South, New York, N.Y.
D. (6) $1,500.

A. Debevoise, Plimpton, Lyons & Gates, 320 Park Avenue, New York, N.Y.
B. Sparrow Pacific Corp., care of Mrs. Edward G. Sparrow, 1 East 66th Street, New York, N.Y.

A. William H. Dodds, 1126 16th Street NW., Washington, D.C.
D. (6) $750. E. (9) $750.

A. Harry J. Donohue, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,908. E. (9) $86.05.

A. J. Dewey Dorsett, American Insurance Association, 85 John Street, New York, N.Y.
D. (6) $150.

A. Henry I. Dworshak, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $553.14.

A. George V. Egge, Jr., 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Lawrence E. Ernst, 324 East Capitol Street, Washington, D.C.
B. National Star Route Mail Carriers Association, 324 East Capitol Street, Washington, D.C.
E. (9) $985.37.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.
B. Joint Committee of Printing and Publishing Industries of Canada, 4th Floor, 117 Eglinton Avenue East, Toronto 12, Canada.
E. (9) $65.

A. Forest Farmers Association Cooperative, Post Office Box 7278, Station C, Atlanta, Ga.
D. (6) $249.30. E. (9) $249.30.

A. R. Frank Frazier, 1155 15th Street NW., Washington, D.C.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $250.

A. Milton Fricke, Papillion, Nebr.
B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Henry E. Gardiner, 1511 K Street NW., Washington, D.C.
B. The Anaconda Co., 25 Broadway, New York, N.Y.
D. (6) $1,050. E. (9) $643.95.

A. William C. Geer.
B. The Council for Exceptional Children (a department of National Education Association), 1201 16th Street NW., Washington, D.C.
D. (6) $500.

A. Jay W. Glasmann and Richard B. Barker, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Employee Relocation Real Estate Advisory Committee, Inc., 209 North Michigan Avenue, Chicago, Ill.
D. (6) $7,500. E. (9) $10.64.

A. Jack Golodner, 286 N. Street SW., Washington, D.C.
B. Actors' Equity Association, 226 West 47th Street, New York, N.Y.
D. (6) $2,500. E. (9) $310.

A. W. S. Gookin, 112 North Central Avenue, Phoenix, Ariz.

A. John A. Gosnell, 1225 19th Street NW., Washington, D.C.
D. (6) $1,833.34.

A. Wilfred H. Hall, 1791 K Street NW., Washington, D.C.
B. National Oil Jobbers Council, 1701 K. Street NW., Washington, D.C.
D. (6) $1,562.51.

A. Charles C. Hartman, 1701 E Street NW., Washington, D.C.
B. National Oil Jobbers Council, 1701 K. Street NW., Washington, D.C.

A. Clifford J. Harvison, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Christopher O. Henderson, 1341 G Street NW., Washington, D.C.
B. Organization of Professional Employees of the U.S. Department of Agriculture, 1314 G Street NW., Washington, D.C.
D. (6) $550. E. (9) $25.

A. Maurice G. Herndon, 801 Warner Building, Washington, D.C.
B. National Association of Insurance Agents, 96 Fulton Street, New York, N.Y. and 801 Warner Building, Washington, D.C.
E. (9) $436.58.

A. M. F. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.
B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.

A. Harold A. Hosier, 2240 Bell Court, Denver, Colo.
B. International Mailers Union, 2240 Bell Court, Denver, Colo.
E. (9) $309.19.

A. Harold K. Howe, 400 Walker Building, Washington, D.C.
B. American Institute of Laundering, Joliet, Ill.
D. (6) $1,500.

A. Harold K. Howe, 400 Walker Building, Washington, D.C.
B. National Automatic Merchandising Association, 400 Walker Building, Washington, D.C.

A. Harold K. Howe, 400 Walker Building, Washington, D.C.
B. Outdoor Power Equipment Institute, Inc., 400 Walker Building, Washington, D.C.

A. Institute of Appliance Manufacturers, 2000 K Street NW., Washington, D.C.

A. International Mailers Union, 2240 Bell Court, Denver, Colo.
E. (9) $1,012.30.

A. Chas. E. Jackson, 715 Ring Building, Washington, D.C.
E. (9) $405.27.

A. Walter K. Jaenicke.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $700. E. (9) $240.

A. Ralph K. James, 1155 15th Street NW., Washington, D.C.
B. Committee of American Steamship Lines, 1155 15th Street NW., Washington, D.C.
D. (6) $440. E. (9) $44.39.

A. Gene Johnson, 720 Fleming Building, Des Moines, Iowa.
B. International Mailers Union, 2240 Bell Court, Denver, Colo.
E. (9) $199.26.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Thomas L. Jones, 1701 K Street NW., Washington, D.C.
B. National Oil Jobbers Council, 1701 K Street NW., Washington, D.C.

A. Mrs. Fritz R. Kahn, 9202 Ponce Place, Fairfax, Va.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.
E. (9) $21.52.

A. Mr. and Mrs. Harry L. Kingman.
D. (6) $1,970. E. (9) $1,970.

A. John D. Knodell, Jr., 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $1,523.19.

A. Richard M. Lauzier, 1701 K Street NW., Washington, D.C.
B. National Oil Jobbers Council, 1701 K Street NW., Washington, D.C.
D. (6) $12.75.

A. Leonard F. Lee, 402 Solar Building, Washington, D.C.
B. Tenneco Inc., Post Office Box 2511, Houston, Tex.
E. (9) $65.40.

A. G. E. Leighty, 400 First Street NW., Washington, D.C.

A. Basil R. Littin, 30 Rockefeller Plaza, New York, N.Y.
B. Continental Oil Co., 30 Rockefeller Plaza, New York, N.Y.

A. R. C. Longmire, Pauls Valley, Okla.
B. National Association of Soil and Water Conservation Districts, League City, Tex.

A. Joseph B. McGrath, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $3,437.49. E. (9) $242.73.

A. Clarence M. McMillan, 1343 L Street NW., Washington, D.C.
B. National Candy Wholesalers Association, Inc., 1343 L Street NW., Washington, D.C.
E. (9) Less than $10.

A. C. W. McMillan, 801 East 17th Avenue, Denver, Colo.

B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $5,250.00 E. (9) $434.97.

A. Shane MacCarthy, 20 Chevy Chase Circle NW., Washington, D.C.
B. Printing Industries of America, 20 Chevy Chase Circle NW., Washington, D.C.
D. (6) $475. E. (9) $850.

A. Edwin E. Marsh, 600 Crandall Building, Salt Lake City, Utah.
B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $3,255. E. (9) $249.62.

A. Albert E. May, 1155 15th Street NW., Washington, D.C.
B. Committee of American Steamship Lines, 1155 15th Street NW., Washington, D.C.
D. (6) $382. E. (9) $59.38.

A. Anthony Mazzocchi, 1126 16th Street NW., Washington, D.C.
B. Oil, Chemical and Atomic Workers International Union, 1840 California Street, Denver, Colo.
D. (6) $1,437.50. E. (9) $227.50.

A. Joseph L. Miller, 815 17th Street NW., Washington, D.C.
B. Northern Textile Association, National Parking Association, and The Maytag Co.

A. Robert H. Miller, 402 Solar Building, Washington, D.C.
B. Tenneco, Inc., Post Office Box 2511, Houston, Tex.
E. (9) $57.23.

A. Stephen A. Mitchell, Post Office Box 486, Taos, N. Mex.
E. (9) $17.37.

A. Joseph E. Moody, 1000 16th Street NW., Washington, D.C.
D. (6) $625.

A. Mrs. Jennelle Moorhead, 1250 Emerald, University Campus, Eugene, Oreg.

A. Murden & Co., Inc., 1616 H. Street NW., Washington, D.C.
B. Ad Hoc Committee of Foreign Passenger Lines, 25 Broadway, New York, N.Y.
D. (6) $10,500. E. (9) $1,882,34.

A. Murden & Co., Inc., 1616 H Street NW., Washington, D.C.
B. Norwegian Shipowners Association, Post Office Box 1452, Oslo, Norway.
D. (6) $292. E. (9) $18.

A. John J. Murphy, Jr., 815 15th Street NW., Washington, D.C.
B. Bricklayers, Masons & Plasterers International Union of America, 815 15th Street NW., Washington, D.C.
D. (6) $2,925. E. (9) $304.91.

A. J. Walter Myers, Jr., Station C, Atlanta, Ga.
B. Forest Farmers Association Cooperative, Post Office Box 7278, Station C, Atlanta, Ga.
D. (6) $90. E. (9) $159.30.

A. National Association of Blue Shield Plans, 211 East Chicago Avenue, Chicago, Ill.
E. (9) $1,621.07.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $500. E. (9) $500.

A. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $10,692.18. E. (9) $14,437.20.

A. National Association of Insurance Agents, Inc., 96 Fulton Street, New York, N.Y.
E. (9) $436.58.

A. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill., and 1300 Connecticut Avenue, Washington, D.C.
D. (6) $1,350. E. (9) $9,389.91.

A. National Association of Social Workers, Inc., 2 Park Avenue, New York, N.Y., and 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,828. E. (9) $2,828.

A. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $250. E. (9) $250.

A. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
E. (9) $4,942.13.

A. National Committee for Research in Neurological Disorders, care of Dr. A. B. Baker, Division of Neurology, University of Minnesota Hospital, Minneapolis, Minn.
E. (9) $2,000.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Council of Naval Air Stations Employee Organizations, 239 Beach Road, Alameda, Calif.

A. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.
D. (6) $28,694.55. E. (9) $4,781.84.

A. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $138,782.08. E. (9) $12,283.15.

A. National Livestock Feeders Association, 309 Livestock Exchange Building, Omaha, Nebr.
D. (6) $6,804.70. E. (9) $6,804.70.

A. National Oil Jobbers Council, 1701 K Street NW., Washington, D.C.
D. (6) $21,339. E. (9) $2,239.42.

A. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
E. (9) $2,833.

A. National Small Business Association, 1225 19th Street NW., Washington, D.C.
D. (6) $5,000. E. (9) $2,562.52.

A. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $2,576.20. E. (9) $1,598.35.

A. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $22,306. E. (9) $3,809.38.

A. Robert Oliver, 400 First Street NW., Washington, D.C.
B. The Sperry & Hutchinson Co., 330 Madison Avenue, New York, N.Y.

A. Charles T. O'Neill, Jr., 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $1,000. E. (9) $99.76.

A. Order of Railway Conductors and Brakemen, O.R.C. & B. Building, Cedar Rapids, Iowa.
E. (9) $6,034.09.

A. Organization of Professional Employees of the U.S. Department of Agriculture, Post Office Box 381, Washington, D.C.
D. (6) $992.42. E. (9) $1,143.51.

A. John A. Overholt, 10400 Connecticut Avenue, Kensington, Md., and 1106 Munsey Building, Washington, D.C.
B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.
D. (6) $2,125.

A. J. Allen Overton, Jr., 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,200.

A. Geo. F. Parrish, Post Office Box 7, Charleston, W. Va.
B. West Virginia Railroad Association.

A. Perry S. Patterson, 800 World Center Building, Washington, D.C.
B. Automatic Phonograph Manufacturers.

A. Andrew A. Pettis, 100 Indiana Avenue, Washington, D.C.
B. Ithica Q.B.D., 534 Cooper Street, Camden, N.J.
D. (6) $4,038. E. (9) $3,145.60.

A. James K. Polk, 522 Fifth Avenue, New York, N.Y.
B. Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, N.Y.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. Sea-Land Service, Inc., Post Office Box 105, Elizabeth, N.J.
D. (6) $900. E. (9) $3.75.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. South Atlantic & Caribbean Line, Inc., 250 Park Avenue, New York, N.Y.
D. (6) $200.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. Stimson Lumber Co., Post Office Box 68, Forest Grove, Oreg.
D. (6) $1,000. E. (9) $791.40

A. Carl R. Ramsey, 239 Beach Road, Alameda, Calif.
B. National Council of Naval Air Stations Employee Organizations, 239 Beach Road, Alameda, Calif.

A. Sydney C. Reagan, 6815 Prestonshire, Dallas, Tex.
B. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex.
D. (6) $150.

A. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.
E. (9) $25,992.39.

A. Robert E. Redding, 1101 17th Street NW., Washington, D.C.
B. Committee for Time Uniformity, 1101 17th Street NW., Washington, D.C.

A. Robert E. Redding, 1101 17th Street NW., Washington, D.C.
B. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

A. John J. Riley, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $600. E. (9) $28.40.

A. Rockwell-Standard Corp., 300 Sixth Avenue, Pittsburgh, Pa.
E. (9) $10,395.67.

A. Nathaniel H. Rogg, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $1,500. E. (9) $78.57.

A. Royall, Koegel, Rogers & Wells, 1730 K Street NW., Washington, D.C.
B. Ad Hoc Committee of Publishing Companies, 60–62 Fifth Avenue, New York, N.Y.

A. Royall, Koegel, Rogers & Wells, 1730 K Street NW., Washington, D.C.
B. Pinkerton's, Inc., 154 Nassau Street, New York, N.Y.

A. Mrs. Edward F. Ryan, 110 Bridge Street, Manchester, Mass.
B. National Congress of Parents & Teachers, 700 North Rush Street, Chicago, Ill.
E. (9) $314.69.

A. Robert A. Saltzstein, 1300 Wyatt Building, Washington, D.C.
B. American Business Press, 205 East 42d Street, New York, N.Y.
D. (6) $5,625. E. (9) $1,413.42.

A. C. Herschel Schooley, 815 15th Street NW., Washington, D.C.
B. Independent Bankers Association of America, Sauk Centre, Minn.
D. (6) $4,250. E. (9) $3,017.21.

A. Stanley W. Schroeder, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $300.

A. Carroll M. Shaw, 6326 Southcrest Drive, Shreveport, La.
B. Amalgamated Transit Union, 5025 Wisconsin Avenue, Washington, D.C.

A. Laurence P. Sherfy, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $575.

A. Richard L. Shook, 1701 K Street NW., Washington, D.C.
B. N. C. Miller, 5601 Courtney Avenue, Alexandria, Va.
E (9) $10.

A. A. Z. Shows, 1800 Connecticut Avenue NW., Washington, D.C.
B. Custer Channel Wing Aircraft Corp., Hagerstown, Md.
E. (9) $471.92.

A. Single Persons Tax Reform Lobby, 1692A Green Street, San Francisco, Calif.
D. (6) $427.25. E. (9) $151.04.

A. Harold S Skinner, 30 Rockefeller Plaza, New York, N.Y.
B. Continental Oil Co.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.
B. Citizens Committee on Natural Resources, 712 Dupont Circle Building, Washington, D.C.
D. (6) $2,366.90. E. (9) $2,737.61.

A. Carl A. Soderblom, 1 East First Street, Reno, Nev.
B. Nevada Railroad Association, 1 East First Street, Reno, Nev.
E. (9) $399.02.

A. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex.
D. (6) $150. E. (9) $150.

A. Mrs. Alexander Stewart (Annalee), 120 Maryland Avenue NE., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.
D. (6) $42,350.59. E. (9) $10,017.91.

A. Sterling F. Stoudenmire, Jr., 61 St. Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.

A. Philip W. Stroupe, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $450.

A. Sam S. Studebaker, Tipp City, Ohio.
B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Richard L. Studley, 1400 20th Street NW., Washington, D.C.
B. Machinery Dealers National Association, 1400 20th Street NW., Washington, D.C.

A. C. Austin Sutherland, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. William A. Sutherland, 1200 Farragut Building, Washington, D.C.
B. World Airways, Inc., Oakland International Airport, Oakland, Calif.
E. (9) $96.55.

A. Noble J. Swearingen, 224 East Capitol Street, Washington, D.C.
B. National Tuberculosis Association, 1740 Broadway, New York, N.Y.
D. (6) $400. E. (9) $11.35.

A. J. Woodrow Thomas, 1000 16th Street NW, Washington, D.C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.

A. Dwight D. Townsend, 1012 14th Street NW., Washington, D.C.
B. Cooperative League of USA, 59 East Van Buren Street, Chicago, Ill.
E. (9) $2,060.

A. Richard S. Tribbe, 1000 16th Street NW., Washington, D.C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.

A. Paul T. Truitt, 1700 K Street NW., Washington, D.C.
B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.

A. C. Braxton Valentine, Jr., 1309 State-Planters Bank Building, Richmond, Va.
B. Theodore A. Mangelsdorf, Cumberland Farm, New Kent County, Va.
D. (6) $1,000.

A. Charles R. Van Horn, 17th and H Streets NW., Washington, D.C.
B. Baltimore & Ohio Railroad Co. and Chesapeake & Ohio Railway Co., Charles and Baltimore Streets, Baltimore, Md.

A. John M. Vansant, Jr., 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Claude C. Wild, Jr., 1120 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corp., Pittsburgh, Pa.
D. (6) $1,000. E. (9) $250.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Blackfeet Tribe, Browning, Mont., et al.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. National Congress of American Indians, 1346 Connecticut Avenue NW., Washington, D.C.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. The Three Affiliated Tribes of the Fort Berthold Reservation, New Town, N. Dak.

A. Robert P. Will, 487 National Press Building, Washington, D.C.
B. Metropolitan Water District of Southern California, 1111 Sunset Boulevard, Los Angeles, Calif.
D. (6) $3,600. E. (9) $816.64.

A. Kenneth Williamson, 1 Farragut Square South, Washington, D.C.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $2,681.88. E. (9) $585.46.

A. Clark L. Wilson, 1145 19th Street NW., Washington, D.C.
B. Lead-Zinc Producers Committee.
D. (6) $900. E. (9) $487.60.

A. Edmund N. Wise, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. National Association of Home Builders, 1625 L Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $1,186.42.

A. Nathan T. Wolkomir, 1737 H Street NW., Washington, D.C.
D. (6) $4,846.17. E. (9) $1,420.21.

A. Robert C. Zimmer, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

QUARTERLY REPORTS

The following quarterly reports were submitted for the second calendar quarter 1967:

(NOTE.—The form used for report is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

NOTE ON ITEM "D."—(*a*) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(*c*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $________Dues and assessments
2. $________Gifts of money or anything of value
3. $________Printed or duplicated matter received as a gift
4. $________Receipts from sale of printed or duplicated matter
5. $________Received for services (e.g., salary, fee, etc.)

6. $________TOTAL for this Quarter (Add items "1" through "5")
7. $________Received during previous Quarters of calendar year

8. $________TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $________TOTAL now owed to others on account of loans
10. $________Borrowed from others during this Quarter
11. $________Repaid to others during this Quarter

12. $________"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": ________

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	("*Period*" from Jan. 1 through __________________, 19____)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(*a*) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $________Public relations and advertising services
2. $________Wages, salaries, fees, commissions (other than item "1")
3. $________Gifts or contributions made during Quarter
4. $________Printed or duplicated matter, including distribution cost
5. $________Office overhead (rent, supplies, utilities, etc.)
6. $________Telephone and telegraph
7. $________Travel, food, lodging, and entertainment
8. $________All other expenditures

9. $________TOTAL for this Quarter (Add "1" through "8")
10. $________Expended during previous Quarters of calendar year

11. $________TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $________TOTAL now owed to person filing
13. $________Lent to others during this Quarter
14. $________Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 8127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

A. Charles D. Ablard, 1629 K Street NW., Washington, D.C.
B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y.
D. (6) $2,500. E. (9) $357.23.

A. Actors' Equity Association, 226 West 47th Street, New York, N.Y.
D. (6) $2,500. E. (9) $2,500.

A. Ad Hoc Committee of the Construction Industry Advancement Funds, 1016 20th Street NW., Washington, D.C.

A. Ad Hoc Committee on Paper Industries Machinery Tariffs, 404 Commerce Building, 1700 K Street NW., Washington, D.C.
E. (9) $38.86.

A. Clarence G. Adamy, 1725 I Street NW, Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $500.

A. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.
D. (6) $5,485.10. E. (9) $5,485.10.

A. Air Traffic Control Association, Inc., Suite 409, ARBA Building, 525 School Street SW., Washington, D.C.

A. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $7,109.82. E. (9) $7,109.82.

A. Aircraft Owners and Pilots Association, Post Office Box 5800, Washington, D.C.

A. William N. Albus, 1922 F Street NW., Washington, D.C.
B. The National Association of Life Underwriters, 1922 F Street NW., Washington, D.C.

A. Mrs. Donna Allen, 3306 Ross Place NW., Washington, D.C.
B. National Committee to Abolish the House Un-American Activities Committee, 555 North Western Avenue, Room 3, Los Angeles, Calif.
D. (6) $1,040. E. (9) $1,535.65.

A. Kenneth D. Allen, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $50.75. E. (9) $16.75.

A. Louis J. Allen, Tennessee Railroad Association, 916 Nashville Trust Building, Nashville, Tenn.
B. Class I Railroads.

A. Nicholas E. Allen & Merrill Armour, 806 15th Street NW., Washington, D.C.
B. Music Operators of America, Inc., 228 North LaSalle Street, Chicago, Ill.
E. (9) $355.28.

A. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Amalgamated Transit Union, National Capital Division 689, 100 Indiana Avenue NW., Washington, D.C.

A. American Aniline Products, Inc., 25 McLean Boulevard, Paterson, N.J.
E. (9) $7,939.61.

A. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. American Cancer Society, 219 East 42d Street, New York, N.Y.
E. (9) $8,418.89.

A. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill., and 425 13th Street NW., Washington, D.C.
E. (9) $36,192.

A. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
E. (9) $43,956.43.

A. AFL–CIO Maritime Committee, 100 Indiana Avenue, Washington, D.C.
D. (6) $4,129. E. (9) $4,170.10.

A. American Federation of Musicians, 641 Lexington Avenue, New York, N.Y.
D. (6) $335,989.71. E. (9) $5,335.78.

A. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

A. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $1,950. E. (9) $1,950.

A. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C.
D. (6) $5,405.88. E. (9) $3,535.96.

A. American Justice Association, Inc., Defense Highway, Gambrills, Md.
D. (6) $45. E. (9) $45.

A. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $10,842.66. E. (9) $31,356.32.

A. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $841.96. E. (9) $49.47.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
E. (9) $14,309.32.

A. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicaog, Ill.

A. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $67,375. E. (9) $7,209.

A. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $11,274.69. E. (9) $11,274.69.

A. American Optometric Association, Inc., care of J. C. Tumblin, 4836 Broadway Northeast, Knoxville, Tenn.
D. (6) $7,647.28. E. (9) $7,647.28.

A. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
E. (9) $846.90.

A. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.
E. (9) $101.80.

A. American Parents Committee, Inc., 20 E Street NW., Washington, D.C. and the subcommittee Bipartisan Citizens Committee for Federal Aid for Public Elementary and Secondary Education, 2107 Davenport Street NW., Washington, D.C.
D. (6) $1,326.50. E. (9) $534.01.

A. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $2,192. E. (9) $7,446.

A. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
E. (9) $2,335.85.

A. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $1,288.83. E. (9) $1,288.83.

A. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $1,350. E. (9) $900.

A. American Textile Machinery Association, care of E. C. Connor, 224 Ellington Road, Longmeadow, Mass.
D. (6) $39.96.

A. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $13,673.44. E. (9) $13,673.44.

A. American Transit Association, 815 Connecticut Avenue NW., Washington, D.C.
D. (6) $650. E. (9) $8,332.

A. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $10,290.06. E. (9) $15,636.02.

A. American Veterinary Medical Association, 1522 K Street NW., Washington, D.C.
E. (9) $415.

A. American Warehousemen's Association, 222 West Adams Street, Chicago, Ill.

A. The American Waterways Operators, Inc., 1250 Connecticut Avenue, Washington, D.C.
D. (6) $3,272.24. E. (9) $3,272.24.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. The National Football League, 1 Rockefeller Plaza, New York, N.Y.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. Spiegel, Inc., 2511 West 23d Street, Chicago, Ill.

A. Jerry L. Anderson, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $150.

A. Walter M. Anderson, Jr., Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $96. E. (9) $182.12.

A. William C. Anderson, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,562.50. E. (9) $42.75.

A. Mrs. Erma Angevine, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. George W. Apperson, 100 Indiana Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, National Capital Division 689, 100 Indiana Avenue NW., Washington, D.C.

A. Arkansas Railroad Association, 1100 Boyle Building, Little Rock, Ark.
B. Class one railroads operating in the State of Arkansas.
D. (6) $373.67. E. (9) $1,123.93.

A. Carl F. Arnold, 1101 17th Street NW., Washington, D.C.

B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $3,000. E. (9) $2,047.08.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Electronic Industries Association, 2001 I Street NW., Washington, D.C.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.
D. (6) $12,499.98. E. (9) $4,704.61.

A. The Arthritis Foundation, 1212 Avenue of the Americas, New York, N.Y.
E. (9) $1,344.99.

A. The Associated General Contractors, Inc., 1957 E Street NW., Washington, D.C.

A. Associated Third Class Mail Users, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,728.41. E. (9) $2,728.41.

A. Associated Railroads of New Jersey, Pennsylvania Station, Raymond Plaza, Newark, N.J.

A. Association of American Physicians and Surgeons, Inc., 230 North Michigan Avenue, Chicago, Ill.
D. (6) $525. E. (9) $525.

A. Association of American Railroads, 929 Transportation Building, Washington, D.C.
D. (6) $10,763.39. E. (9) $10,763.39.

A. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.
D. (6) $33.72. E. (9) $116.84.

A. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.
E. (9) $230.

A. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. A. V. Atkinson, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $3,661.58.

A. Atlanta Committee for Democratic Republican Independent Voter Education, 2540 Lakewood Avenue SW., Atlanta, Ga.
D. (6) $9,214.74. E. (9) $8,290.92.

A. The Atlantic Richfield Co., 260 South Broad Street, Philadelphia, Pa.
E. (9) $300.

A. Robert L. Augenblick, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Richard W. Averill, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America.

A. Michael H. Bader, 1735 DeSales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Harry S. Baer, 1725 DeSales Street NW., Washington, D.C.
B. National AeroSpace Services Association, 1725 DeSales Street NW., Washington, D.C.
E. (9) $135.50.

A. Charles B. Bailey, Sr., 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway and Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $2,362.50. E. (9) $1,372.90.

A. Donald Baldwin, 1625 I Street NW., Washington, D.C.
B. Northern Pacific Railway Co., St. Paul, Minn.; Great Northern Railway Co., St. Paul, Minn.; and Chicago, Burlington & Quincy Railroad Co., Chicago, Ill.
E. (9) $465.17.

A. Ernest L. Barcella, Washington, D.C.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. John Barnard, Jr., 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
E. (9) $3.63.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Arthur R. Barnett, 1140 Connecticut Avenue NW., Washington, D.C.
B. National Association of Electric Co.'s, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $250.00. E. (9) $11.40.

A. A. Wesley Barthelmes, 2133 Wisconsin Avenue NW., Washington, D.C.
B. Insurance Co. of North America and Life Insurance Co. of North America, 1600 Arch Street, Philadelphia, Pa.
D. (6) $467.75. E. (9) $212.16.

A. Eugene T. Bartkowiak, 3829 W Street SE., Washington, D.C.
B. The National Association of Polish Americans, Inc., 3829 W Street SE., Washington, D.C.

A. James P. Bass, 1101 17th Street NW., Washington, D.C.
B. American Airlines, Inc., 1101 17th Street NW., Washington, D.C.

A. Ross Bass Associates, 1120 Connecticut Avenue NW., Washington, D.C.
B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.
D. (6) $6,250.

A. Roy Battles, 917 Cafritz Building, Washington, D.C.
B. Clear Channel Broadcasting Service (CCBS), 917 Cafritz Building, Washington, D.C.

A. Mrs. Dita Davis Beard, 1707 L Street NW., Washington, D.C.
B. International Telephone & Telegraph Corp., 1707 L Street NW., Washington, D.C.
D. (6) $2,600. E. (9) $3,616.

A. Donald S. Beattie, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $1,350.

A. John H. Beidler.
B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $4,751.50. E. (9) $787.63.

A. James F. Bell, 1001 Connecticut Avenue NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 17th Street NW., Washington, D.C.
D. (6) $750. E. (9) $46.01.

A. Ernest H. Benson, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $6,000.

A. Reed A. Benson, 1028 Connecticut Avenue NW., Washington, D.C.
B. The John Birch Society, Inc., 395 Concord Avenue, Belmont, Mass.

A. Helen Berthelot, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $3,417.28.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $5,525. E. (9) $385.85.

A. Walter J. Bierwagen, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.

A. John H. Bivins, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $670.

A. Joel D. Blackmon, 910 17th Street NW., Washington, D.C.
B. International Mailers Union, 2240 Bell Court, Denver, Colo.
D. (6) $100.

A. Robert W. Blair.
B. New Process Co., Warren, Pa.
E. (9) $523.

A. Wm. Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $57.69. E. (9) $43.76.

A. William Blum, Jr., 1815 H Street NW., Washington, D.C.
B. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
D. (6) $4,220. E. (9) $388.16.

A. Blumberg, Singer, Ross, Diamond & Gordon, 245 Park Avenue, New York, N.Y.
B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $6,250.

A. Eugene F. Bogan, 1000 16th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Book Manufacturers' Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Lyle H. Boren, Seminole, Okla.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $1,500.

A. Robert T. Borth, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $1,800. E. (9) $297.24.

A. G. Stewart Boswell, 1120 Connecticut Avenue NW., Washington, D.C.
B. Textile Manufacturers Institute, 1501 Johnston Building, Charlotte, N.C.
D. (6) $787.50. E. (9) $27.30.

A. Chas. B. Bowling, 1616 H Street NW., Washington, D.C.
B. National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $600.

A. Melvin J. Boyle, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D.C.
D. (6) $4,687.25.

A. Samuel E. Boyle, 428 South Avenue, Pittsburgh, Pa.
B. The Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $1,581.95. E. (9) $214.54.

A. Col. A. A. Brackett, 333 Pennsylvania Avenue SE., Washington, D.C.
B. Reserve Officers Association of the United States, 333 Pennsylvania Avenue SE., Washington, D.C.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Joseph E. Brady, 122 Sheraton Gibson Hotel, Cincinnati, Ohio.
B. National Coordinating Committee of the Beverage Industry.
E. (9) $465.50.

A. A. Marvin Braverman, 1001 Connecticut Avenue NW., Washington, D.C.
B. American Motors Corp., 14250 Plymouth Road, Detroit, Mich.
E. (9) $43.85.

A. Thomas C. Brickle, 302 Ring Building, Washington, D.C.
B. National Lumber & Building Material Dealers Association, 302 Ring Building, Washington, D.C.
D. (6) $700.

A. Parke C. Brinkley, 1155 15th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association.

A. David A. Brody, 1640 Rhode Island Avenue NW., Washington, D.C.
B. Anti-Defamation League of B'nai B'rith, 315 Lexington Avenue, New York, N.Y.

A. W. S. Bromley, 605 Third Avenue, New York, N.Y.
B. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. Milton E. Brooding, 215 Fremont Street, San Francisco, Calif.
B. Del Monte Corp., 215 Fremont Street, San Francisco, Calif.
D. (6) $750. E. (9) $70.

A. Joseph P. Brosnan, 906 15th Street SE., Washington, D.C.
B. Air Force Sergeants Association, 906 15th Street SE., Washington, D.C.
D. (6) $100.

A. Brotherhood of Railway Clerks, Freight Handlers, Express and Station Employes, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $8,763.52. E. (9) $8,763.52.

A. E. Fontaine Broun, 350 Fifth Avenue, New York, N.Y.
B. Man-Made Fiber Producers Association, Inc., 350 Fifth Avenue, New York, N.Y.
E. (9) $101.75.

A. J. D. Brown, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $200.

A. Brown, Lund & Levin, 1625 I Street NW., Washington, D.C.
B. American & Foreign Power Co., Inc., 2 Rector Street, New York, N.Y.
D. (6) $1,625.

A. Brown, Lund & Levin, 1625 I Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $1,000 E. (9) $1,020.10.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C.
B. American Institute of Certified Public Accountants, 666 Fifth Avenue, New York, N.Y.

A. Robert W. Bruce, 140 New Montgomery Street, San Francisco, Calif.
B. The Pacific Telephone & Telegraph Co., 140 New Montgomery Street, San Francisco, Calif.
D. (6) $476. E. (9) $669.

A. George S. Buck, Jr., Post Office Box 12285, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $207. E. (9) $6.62.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. The Canal Authority of the State of Florida, 803 Rosselle Street, Jacksonville, Fla.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. Florida Inland Navigation District, 2725 Avenue E, Riviera Beach, Fla.

A. Bulgarian Claims Committee, care of Chaco Chace, 2 Broadway, New York, N.Y.
D. (6) $50. E. (9) $139.76.

A. George S. Bullen.
B. National Federation of Independent Business, 921 Washington Building, 15th Street and New York Avenue NW., Washington, D.C.

A. Norman D. Burch, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $123.23.

A. George J. Burger, 250 West 57th Street, New York, N.Y.
B. Burger Tire Consultant Service, 250 West 57th Street, New York, N.Y.

A. George J. Burger, 921 Washington Building, Washington, D.C.
B. National Federation of Independent Business, 921 Washington Building, Washington, D.C.

A. John J. Burke, Finlen Hotel, Butte, Mont.
B. Pacific Northwest Power Co., Post Office Drawer 1445, Spokane, Wash.
E. (9) $330.

A. C. P. Burks, 2000 Massachusetts Avenue NW., Washington, D.C.
B. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $600.

A. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $7,150.55. E. (9) $961.56.

A. George B. Burnham, 132 Third Street SE., Washington, D.C.
B. Numerous stockholders of the Burnham Chemical Co., 132 Third Street, Washington, D.C.
D. (6) $150. E. (9) $150.

A. David Burpee, Fordhook Farms, Doylestown, Pa.

A. Hollis W. Burt, 1101 17th Street NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 17th Street NW., Washington, D.C.
D. (6) $67.50.

A. Dan L. Butler, 400 Walker Building, Washington, D.C.
B. Harold K. Howe, on behalf of the American Institute of Laundering, 400 Walker Building, Washington, D.C.

A. Dan L. Butler, 400 Walker Building, Washington, D.C.
B. Harold K. Howe, on behalf of the National Automatic Merchandising Association, 400 Walker Building, Washington, D.C.

A. Dan L. Butler, 400 Walker Building, 734 15th Street NW., Washington, D.C.
B. Harold K. Howe, on behalf of the Outdoor Power Equipment Institute, Inc., 400 Walker Building, Washington, D.C.

A. Herbert H. Butler, 438 Pennsylvania Building, Washington, D.C.
B. United States Independent Telephone Association, 438 Pennsylvania Building, Washington, D.C.
D. (6) $195. E. (9) $450.

A. C. G. Caffrey, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $760.20. E. (9) $72.50.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $2,000. E. (9) $1,550.

A. Donald L. Calvin, 11 Wall Street, New York, N.Y.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. Carl Campbell, Ring Building, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $166.16.

A. The Canal Authority of the State of Florida, 803 Rosselle Street, Jacksonville, Fla.

A. Marvin Caplan, 815 16th Street NW., Washington, D.C.
B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $1,839.50. E. (9) $152.92.

A. Ronald A. Capone, Kirlin, Campbell & Keating, Room 505, The Farragut Building, Washington, D.C.
B. Committee of European Shipowners, 30–32 St. Mary Axe, London, E.C. 3, England.
E. (9) $421.13.

A. Michael H. Cardozo, Washington, D.C.
B. Association of American Law Schools, 1521 New Hampshire Avenue NW., Washington, D.C.

A. Philip Carlip, 650 Fourth Avenue, Brooklyn, N.Y.
B. District 2 MEBA, AFL–CIO.
D. (6) $1,000. E. (9) $105.50.

A. Philip Carlip, 675 Fourth Avenue, Brooklyn, N.Y.
B. Seafarers International Union.
D. (6) $2,500. E. (9) $1,200.

A. Col. John T. Carlton, 333 Pennsylvania Avenue SE., Washington, D.C.
B. Reserve Officers Association of the United States, 333 Pennsylvania Avenue SE., Washington, D.C.

A. James R. Carnes, 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,950.

A. Braxton B. Carr, 1250 Connecticut Avenue, Washington, D.C.
B. The American Waterways Operators, Inc., 1250 Connecticut Avenue, Washington, D.C.
D. (6) $2,750. E. (9) $158.65.

A. Richard M. Carrigan, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $1,816.88. E. (9) $150.09.

A. Blue Allan Carstenson.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo. and 1012 14th Street NW., Washington, D.C.
D. (6) $1,616.39. E. (9) $244.66.

A. Eugene C. Carusi, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Ralph E. Casey, 919 18th Street NW., Washington, D.C.
B. American Merchant Marine Institute, Inc., 919 18th Street NW., Washington, D.C. and 11 Broadway, New York, N.Y.
D. (6) $2,760. E. (9) $288.28.

A. E. Michael Cassady, 225 South Meramec, St. Louis, Mo.
B. Mississippi Valley Association, 225 South Meramec, St. Louis, Mo.

A. Francis R. Cawley, Room 1015, Shoreham Building, 15th & H Streets NW., Washington, D.C.
B. Label Manufacturers National Association, Inc., Agricultural Publishers Association, Room 1015, Shoreham Building, 15th & H Streets NW., Washington, D.C.
D. (6) $120. E. (9) $198.37.

A. Central Arizona Project Association, 1124 Arizona Title Building, Phoenix, Ariz.
D. (6) $14,690.50. E. (9) $29,921.95.

A. Col. Joseph L. Chabot, 333 Pennsylvania Avenue SE., Washington, D.C.
B. Reserve Officers Association of the United States, 333 Pennsylvania Avenue SE., Washington, D.C.

A. James W. Chapman, 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $3,125.

A. Chapman, DiSalle & Friedman, 425 13th Street NW., Washington, D.C.
B. Alaska Pipeline Co., Post Office Box 6554, Houston, Tex.
D. (6) $1,500. E. (9) $75.86.

A. Chapman, DiSalle & Friedman, 425 13th Street NW., Washington, D.C.
B. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.
E. (9) $2,791.38.

A. Chapman, DiSalle & Friedman, 425 13th Street NW., Washington, D.C.
B. Strohmeyer & Arpe Co., 139–141 Franklin Street, New York, N.Y.
D. (6) $25. E. (9) $9.90.

A. A. H. Chesser, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Trainmen.
E. (9) $100.

A. The Christian Amendment Movement, 804 Pennsylvania Avenue, Pittsburgh, Pa.
D. (6) $2,813.15. E. (9) $5,416.56.

A. Edwin Christianson.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo. and 1012 14th Street NW., Washington, D.C.

A. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $25,161.12.

A. Citizens Foreign Aid Committee, 1001 Connecticut Avenue NW., Washington, D.C.

A. William F. Claire, 1101 17th Street NW., Washington, D.C.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.

A. Allen C. K. Clark, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Earl W. Clark.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,294. E. (9) $57.

A. James E. Clark, Jr., 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. Robert M. Clark, 1710 H Street NW., Washington, D.C.
B. The Atchison, Topeka & Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Clay Pipe Industry Depletion Committee, Post Office Box 13125, Kansas City, Mo.
D. (6) $189.84. E. (9) $2,653.83.

A. Clear Channel Broadcasting Service (CCBS), 917 Cafritz Building, Washington, D.C.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
B. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.
D. (6) $3,500. E. (9) $142.04.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. The American Tobacco Co.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. Brown & Williamson Tobacco Corp.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. Liggett & Myers Tobacco Co.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. Philip Morris, Inc.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. R. J. Reynolds Tobacco Co.

Washington, D.C.
A. Earle C. Clements, 1735 K Street NW.,
B. The Tobacco Institute.

A. David Cohen, 815 16th Street NW., Washington, D.C.
B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $1,703. E. (9) $277.78.

A. Edwin S. Cohen, 26 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Tanker Owners, Inc., 1 Chase Manhattan Plaza, New York, N.Y.

A. J. I. Collier, Jr., 2000 Massachusetts Avenue NW., Washington, D.C.
B. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $231.24.

A. Collier, Shannon & Rill, 1625 I Street NW., Washington, D.C.
B. National Broiler Council, 1155 15th Street, Washington, D.C.

A. Collier, Shannon & Rill, 1625 I Street NW., Washington, D.C.
B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
D. (6) $500. E. (9) $225.

A. Collier, Shannon & Rill, 1625 I Street NW., Washington, D.C.
B. Tool and Stainless Steel Industry Committee, care of The Carpenter Steel Co., Reading, Pa.
D. (6) $1,250. E. (9) $1,125.

A. Paul G. Collins, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $125.

A. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.
D. (6) $900. E. (9) $2,473.64.

A. Harrison Combs, Jr., 1427 I Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $3,295.98.

A. Committee for Automobile Excise Tax Repeal, 900 17th Street NW., Washington, D.C.
E. (9) $211.07.

A. The Committee for Broadening Commercial Bank Participation in Public Financing, 50 South LaSalle Street, Chicago, Ill.
D. (6) $9,875.

A. Committee for an Interstate Taxation Act, 1209 Ring Building, Washington, D.C.
B. New Process Co., Warren, Pa., and Columbia Broadcasting Co., 51 West 52d Street, New York, N.Y.

A. Ralph T. Compton, 918 16th Street NW., Washington, D.C.

A. Raymond F. Conkling, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y.
D. (6) $240. E. (9) $83.70.

A. Howard M. Conner, 1725 K Street NW., Washington, D.C.

B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $625.50. E. (9) $502.60.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Robert J. Conner, Jr., 1700 K Street NW., Washington, D.C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $260. E. (9) $110.

A. Paul Conrad, 491 National Press Building, Washington, D.C.
B. National Newspaper Association, 491 National Press Building, Washington, D.C.
E. (9) $117.49.

A. Harry N. Cook, 1130 17th Street NW., Washington, D.C.
B. The National Waterways Conference.

A. Edward Cooper.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C.

A. J. Milton Cooper, 1000 Vermont Avenue, Washington, D.C.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. J. Milton Cooper, 1000 Vermont Avenue, Washington, D.C.
B. R. J. Reynolds Tobacco Co., Winston-Salem, N.C.

A. Joshua W. Cooper, Post Office Box 1123, Portsmouth, N.H.
B. Portsmouth-Kittery Armed Services Committee, Inc., Post Office Box 1123, Portsmouth, N.H.
D. (6) $3,750. E. (9) $1,552.30.

A. Mitchell J. Cooper, 1001 Connecticut Avenue, Washington, D.C.
B. Council of Forest Industries, 1477 West Pender Street, Vancouver, B.C., Canada.
D. (6) $3,000. E. (9) $1.50.

A. Mitchell J. Cooper, 1001 Connecticut Avenue NW., Washington, D.C.
B. Footwear Division, Rubber Manufacturers Association, Inc., 444 Madison Avenue, New York, N.Y.
D. (6) $5,250. E. (9) $14.25.

A. Darrell Coover, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,500. E. (9) $321.39.

A. Thomas L. Copas, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.

A. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $25,458.95. E. (9) $13,215.14.

A. Council of Mechanical Specialty Contracting Industries, Inc., 1825 Connecticut Avenue NW., Washington, D.C.

A. Council of Mutual Savings Institutions, 60 East 42d Street, New York, N.Y.
E. (9) $129.15.

A. Council of Profit Sharing Industries, 29 North Wacker Drive, Chicago, Ill.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. American Machine Tool Distributors' Association, 1500 Massachusetts Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Eugene Meyer III, Katharine Graham, Frederick S. Beebe, and American Security & Trust Co., as trustees under an agreement, dated April 25, 1963, between them and Agnes E. Meyer.
E. (9) $6.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. A. P. Moller, 8 Kongens Nytorv, Copenhagen, Denmark.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Association of Mortgage Insurance Cos., in care of William A. Granberry, Post Office Box 2976, Raleigh, N.C.
D. (6) $600. E. (9) $41.32.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. The Wisconsin Corp., 500 Union Street, Seattle, Wash.
E. (9) $144.25.

A. Cox, Langford & Brown, 1521 New Hampshire Avenue NW., Washington, D.C.
B. The National Collegiate Athletic Association, Midland Building, Kansas City, Mo.

A. H. C. Crotty.
B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.

A. Michael B. Crowson, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. J. Steele Culbertson, 1614 20th Street NW., Washington, D.C.
B. National Fish Meal & Oil Association, 1614 20th Street NW., Washington, D.C.
D. (6) $150. E. (9) $32.15.

A. John T. Curran, 905 16th Street NW., Washington, D.C.
B. Laborers' International Union of North America, 905 16th Street NW., Washington, D.C.
D. (6) $5,450. E. (9) $1,829.98.

A. John R. Dalton, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. Charles A. Darnell, 3129 Brereton Court, Huntington, W. Va.
B. Sheet Metal Workers International Association, 1000 Connecticut Avenue, Washington, D.C.
D. (6) $1,500.

A. F. Gibson Darrison, Jr., 1010 Pennsylvania Building, Washington, D.C.
B. New York Central Railroad Co., 466 Lexington Avenue, New York, N.Y.

A. John C. Datt, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,000. E. (9) $33.53.

A. Larry C. Davenport, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.

A. Aled P. Davies, 59 East Van Buren Street, Chicago, Ill.
B. American Meat Institute, 59 East Van Buren Street, Chicago, Ill.
D. (6) $695.83. E. (9) $391.82.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Chicago Bridge & Iron Co., 901 West 22d Street, Oak Brook, Ill.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Chicago & North Western Railway Co., 400 West Madison Street, Chicago, Ill.
E. (9) $95.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Inland Steel Co., 30 West Monroe Street, Chicago, Ill.
E. (9) $30.07.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.
E. (9) $141.55.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Union Tank Car Co., 111 West Jackson Boulevard, Chicago, Ill.
E. (9) $26.10.

A. Lowell Davis, Box 45682, Houston, Tex.
D. (6) $171.70. E. (9) $171.70.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C.
B. D.C. Transit System, Inc., Washington, D.C.
D. (6) $1,100.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C.
B. Guild of Prescription Opticians, 1250 Connecticut Avenue NW., Washington, D.C.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C.
B. Oceanic Properties, Inc., Post Office Box 2780, Honolulu, Hawaii.

A. Dawson, Griffin, Pickens & Riddell, 723 Washington Building, Washington, D.C.
B. Air Transport Association, 1000 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 723 Washington Building, Washington, D.C.
B. American Nursing Home Association, 1101 17th Street NW., Washington, D.C.
D. (6) $750.

A. Dawson, Griffin, Pickens & Riddell, 723 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Dawson, Griffin, Pickens & Riddell, 723 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Export Agency Division, Calcutta, India.

A. Charles W. Day, 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $600. E. (9) $224.10.

A. Michael B. Deane, 1707 L Street NW., Washington, D.C.
B. Responsive Environments Corp., 1707 L Street NW., Washington, D.C.

A. Debevoise, Plimpton, Lyons & Gates, 320 Park Avenue, New York, N.Y.

B. Sparrow Pacific Corp., care of Mrs. Edward G. Sparrow, 1 East 66th Street, New York, N.Y.

A. Tony T. Dechant.

B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.

D. (6) $1,875. E. (9) $112.03.

A. L. E. Deilke, 163–165 Center Street, Winona, Minn.

B. The Interstate Manufacturers Association, 163–165 Center Street, Winona, Minn.

D. (6) $1,500.

A. L. E. Deilke, 163–165 Center Street, Winona, Minn.

B. National Association of Direct Selling Cos., 163–165 Center Street, Winona, Minn.

D. (6) $3,000.

A. John deLaittre, 1707 H Street NW., Washington, D.C.

B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.

D. (6) $8,600. E. (9) $4,828.

A. James J. Delaney, Jr., 1003 Lancaster Drive, Anchorage, Alaska.

B. Association of American Railroads, Transportation Building, Washington, D.C.

D. (6) $300. E. (9) $371.06.

A. Richard A. Dell, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $150.

A. Franklin W. Denius, Post Office Box 1148, Austin, Tex.

B. Texas Electric Service Co., Post Office Box 970, Fort Worth, Tex.; Dallas Power & Light Co., Dallas, Tex., and Texas Power & Light Co., Post Office Box 6331, Dallas, Tex.

E. (9) $1,377.55.

A. Max A. Denney, 1629 K Street NW., Washington, D.C.

B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.

D. (6) $900.

A. Roland E. Derby, Jr., 49 Blanchard Street, Lawrence, Mass.

B. Nyanza, Inc., 49 Blanchard Street, Lawrence, Mass.

E. (9) $78.

A. Lloyd J. Derrickson, 888 17th Street NW., Washington, D.C.

B. National Association of Securities Dealers, Inc.

A. Cecil B. Dickson, 1 Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $900. E. (9) $128.21.

A. John M. Dickerman, 900 17th Street NW., Washington, D.C.

B. National Lumber & Building Materials Dealers Association, 302 Ring Building, Washington, D.C.

D. (6) $6,000.

A. George S. Dietrich, 1741 DeSales Street NW., Washington, D.C.

B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

D. (6) $66.66. E. (9) $10.50.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.

B. Department of Water Resources, State of California, Post Office Box 388, Sacramento, Calif.

D. (6) $2,205.78. E. (9) $108.79.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.,

B. Sacramento Municipal Utility District, Post Office Box 15830, Sacramento, Calif.

D. (6) $1,326.84. E. (9) $76.84.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.

B. Yuba County Water Agency, Marysville, Calif.

D. (6) $1,237.15. E. (9) $37.15.

A. Disabled American Veterans, National Service Headquarters, 1701 18th Street NW., Washington, D.C.

B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.

D. (6) $11,375. E. (9) $8,236.64.

A. Robert H. Distelhorst, Jr., 812 Pennsylvania Building, Washington, D.C.

B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $462.50. E. (9) $6.

A. William H. Dodds, 1126 16th Street NW., Washington, D.C.

D. (6) $750. E. (9) $80.46.

A. James F. Doherty, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $3,913. E. (9) $694.99.

A. Paul R. M. Donelan, 1 Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $250.

A. Harry J. Donohue, 200 Maryland Avenue NE., Washington, D.C.

B. Veterans of Foreign Wars of the U.S.

D. (6) $1,908. E. (9) $71.43.

A. Jasper N. Dorsey, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.

B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.

D. (6) $276.80.

A. C. L. Dorson, 501 13th Street NW., Washington, D.C.

B. Retirement Federation of Civil Service Employees of the U.S. Government, 501 13th Street NW., Washington, D.C.

D. (6) $2,483.22. E. (9) $138.

A. Leonard K. Dowiak, 777 14th Street NW., Washington, D.C.

B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

D. (6) $150.

A. Franklin B. Dryden, 1735 K Street NW., Washington, D.C.

B. The Tobacco Institute.

A. Evelyn Dubrow, 1710 Broadway, New York, N.Y.

B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.

D. (6) $2,715.44. E. (9) $2,208.46.

A. William DuChessi, 1126 16th Street NW., Washington, D.C.

B. Textile Workers Union of America, 99 University Place, New York., N.Y.

D. (6) $1,642. E. (9) $160.

A. C. Jordan Dulin, Post Office Box 10098, Charlotte, N.C.

B. Southern Dyestuff Co., Post Office Box 10098, Charlotte, N.C.

E. (9) $120.

A. William E. Dunn, 1957 E Street NW., Washington, D.C.

B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. J. D. Durand, 1725 W Street NW., Washington, D.C.

E. (9) $230.

A. Robert G. Dwyer, 1511 K Street NW., Washington, D.C.

B. The Anaconda Co., 25 Broadway, New York, N.Y.

D. (6) $250.

A. Walter A. Edwards, 1700 K Street NW., Washington, D.C.

B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.

D. (6) $250. E. (9) $100.

A. George V. Egge, Jr., 1250 Connecticut Avenue NW., Washington, D.C.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. J. C. B. Ehringhaus, Jr., Post Office Box 1776, Raleigh, N.C.

B. Southern Railway System, Post Office Box 1808, Washington, D.C.

D. (6) $5,512.50. E. (9) $2,018.66.

A. James B. Ehrlich, 1000 Connecticut Avenue, Washington, D.C.

B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $516.25. E. (9) $350.95.

A. John Doyle Elliott, 5500 Quincy Street, Hyattsville, Md.

D. (6) $3,417.50. E. (9) $3,175.42.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D.C.

B. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Warren G. Elliott, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $671.03. E. (9) $31.10.

A. Clyde T. Ellis, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $65.

A. Perry R. Ellsworth, 1025 Vermont Avenue NW., Washington, D.C.

B. Retail Jewelers of America, Inc., 1025 Vermont Avenue NW., Washington, D.C.

D. (6) $125. E. (9) $171.94.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. American Public Power Association, 919 18th Street NW., Washington, D.C.

D. (6) $2,100.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. Coachella Valley County Water District, Coachella, Calif.

D. (6) $1,200.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. Department of Water and Power of the City of Los Angeles, 111 North Hope Street, Los Angeles, Calif.
D. (6) $2,400.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.
D. (6) $800.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. Imperial Irrigation District, El Centro, Calif.
D. (6) $2,100.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $6,345.

A. Myles W. English, 202 National Press Building, Washington, D.C.
B. National Highway Users Conference, Inc., 202 National Press Building, Washington, D.C.

A. Grover W. Ensley, 200 Park Avenue, New York, N.Y.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $336. E. (9) $103.80.

A. Lawrence E. Ernst, 324 East Capitol Street, Washington, D.C.
B. National Star Route Mail Carriers' Association, 324 East Capitol Street, Washington, D.C.
E. (9) $1,952.94.

A. John D. Fagan, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $2,174. E. (9) $23.

A. William J. Fannin, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America.

A. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo. and 1012 14th Street NW., Washington, D.C.
D. (6) $88,348.92. E. (9) $24,397.35.

A. Joseph G. Feeney, 1101 17th Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $1,200. E. (9) $600.

A. Arthur S. Fefferman, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

A. Bonner Fellers, 1001 Connecticut Avenue NW., Washington, D.C.
B. Citizens Foreign Aid Committee.

A. Edward L. Felton, Holland, Va.
B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Maxwell Field, 210 Lincoln Street, Boston, Mass.
B. New England Footwear Association, Inc., 210 Lincoln Street, Boston, Mass.
D. (6) $400. E. (9) $21.78.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.
B. Council of Forest Industries of British Columbia, 1477 West Pender Street, Vancouver 5, B.C., Canada.
D. (6) $7,125. E. (9) $105.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.
B. Joint Committee of Printing and Publishing Industries of Canada, 117 Eglinton Avenue, East, Toronto 12, Canada.
D. (6) $5,900. E. (9) $88.

A. Mello G. Fish, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $2,835. E. (9) $892.13.

A. William J. Flaherty, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $3,375. E. (9) $414.75.

A. Roger Fleming, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,375. E. (9) $3.64.

A. Floyd O. Flom, 260 Madison Avenue, New York, N.Y.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.
E. (9) $101.80.

A. Florida Citrus Mutual, Lakeland, Fla.
E. (9) $1,200.

A. Florida Inland Navigation District, 2725 Avenue E, Riviera Beach, Fla.

A. Gordon Forbes, 207 Union Depot Building, St. Paul, Minn.
D. (6) $500. E. (9) $421.24.

A. James W. Foristel, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,650. E. (9) $185.81.

A. Charles E. Foster, 900 17th Street NW., Washington, D.C.
B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.
D. (6) $200. E. (9) $313.86.

A. Ronald J. Foulis, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $120.

A. John G. Fox, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $318.72.

A. Morley E. Fox, 300 New Jersey Avenue SE., Washington, D.C.
B. Central Arizona Project Association, 1124 Arizona Title Building, Phoenix, Ariz.
D. (6) $124.55. E. (9) $47.25.

A. Charles A. Francik, 1629 K Street NW., Washington, D.C.
B. Corning Glass Works, Corning, N.Y.
D. (6) $420.

A. Walter L. Frankland, Jr., 1625 I Street NW., Washington, D.C.
B. Silver Users Association, 1625 I Street NW., Washington, D.C.
D. (6) $187.50. E. (9) $19.61.

A. R. Frank Frazier, 1155 15th Street NW., Washington, D.C.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $500.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Joseph Freni, Jr., 1619 K Street NW., Washington, D.C.
B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $450.

A. Milton Fricke, Papillion, Nebr.
B. National Association of Soil & Water Conservation Districts, League City, Tex.
D. (6) $145. E. (9) $145.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C.
B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $55,898. E. (9) $11,908.

A. Frank W. Frisk, Jr., 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $320.

A. Garrett Fuller, 836 Wyatt Building, Washington, D.C.
B. United Medical Laboratories, Inc., 6060 Northeast 112th Avenue, Portland, Oreg.
D. (6) $4,500. E. (9) $656.78.

A. John Baxter Funderburk, National Press Building, Washington, D.C.
B. The National Association of Retail Druggists, 1 East Wacker Drive, Chicago, Ill.
D. (6) $500.

A. Gadsby, Maguire & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.
E. (9) $58.12.

A. Henry E. Gardiner, 1511 K Street NW., Washington, D.C.
B. The Anaconda Co., 25 Broadway, New York, N.Y.
D. (6) $725. E. (9) $195.90.

A. William B. Gardiner, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $3,000. E. (9) $175.

A. Marion R. Garstang, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $200.

A. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C.
D. (6) $50,050.

A. Aubrey D. Gates, 525 North Dearborn Street, Chicago, Ill.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $170.

A. Mary Condon Gereau, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $2,243.28. E. (9) $207.15.

A. Arthur P. Gildea, 2347 Vine Street, Cincinnati, Ohio.
B. International Union of United Brewery, Flour, Cereal, Soft Drink, and Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.

B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.

D. (6) $1,375. E. (9) $331.96.

A. Jay W. Glassmann, Richard B. Barker, 1700 Pennsylvania Avenue NW., Washington, D.C.

B. Employee Relocation Real Estate Advisory Committee, Inc., 209 North Michigan Avenue, Chicago, Ill.

E. (9) $157.23.

A. Glass Container Manufacturers Institute, Inc., 330 Madison Avenue, New York, N.Y.

A. Glassie & Molloy, 1819 H Street NW., Washington, D.C.

B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.

D. (6) $5. E. (9) $3.62.

A. Glassie & Molloy, 1819 H Street NW., Washington, D.C.

B. The National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.

D. (6) $225. E. (9) $18.54.

A. Glenn F. Glezen, 1303 New Hampshire Avenue NW., Washington, D.C.

B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. Julius Goldman, 12th and Bern Streets, Reading, Pa.

B. Berkshire Color & Chemical Division, Tenneco Chemicals, Inc., 12th and Bern Streets, Reading, Pa.

E. (9) $207.88.

A. John Goldsum, Post Office Box 1148, Austin, Tex.

B. Texas Electric Service Co., Post Office Box 970, Fort Worth, Tex.; Dallas Power & Light Co., Dallas, Tex.; and Texas Power & Light Co., Post Office Box 6331, Dallas, Tex.

E. (9) $2,130.49.

A. Jack Golodner, 284 N Street SW., Washington, D.C.

B. Actors' Equity Association, 226 West 47th Street, New York, N.Y.

D. (6) $2,500. E. (9) $310.

A. Don A. Goodall, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the United States of America.

A. W. S. Gookin, 112 North Central Avenue, Phoenix, Ariz.

A. Harrison M. Gorton, Post Office Box 3063, Paterson, N.J.

B. American Aniline Products, Inc., Post Office Box 3063, Paterson, N.J.

E. (9) $154.89.

A. John A. Gosnell, National Small Business Association, 1225 19th Street NW., Washington, D.C.

D. (6) $1,833.34.

A. Edward Gottlieb & Associates, Ltd., 485 Madison Avenue, New York, N.Y.

B. Florists' Transworld Delivery Association, 900 West Lafayette Boulevard, Detroit, Mich.

A. Lawrence L. Gourley, 1625 I Street NW., Washington, D.C.

B. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.

D. (6) $500.

A. Government Employes' Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $10,809.90. E. (9) $3,406.51.

A. Harry L. Graham, 1616 H Street NW., Washington, D.C.

B. National Grange, 1616 H Street NW., Washington, D.C.

D. (6) $4,375.

A. Grain & Feed Dealers National Association, 500 Folger Building, Washington, D.C.

E. (9) $39.

A. Grand Lodge of the Brotherhood of Locomotive Firemen & Enginemen, 15401 Detroit Avenue, Lakewood, Cleveland, Ohio.

D. (6) $17,689.81. E. (9) $17,689.81.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. George O. Gray, 1625 I Street NW., Washington, D.C.

B. Legislative Committee, International Economic Policy Association, 1625 I Street NW., Washington, D.C.

E. (9) $3,591.51.

A. James A. Gray, 2139 Wisconsin Avenue NW., Washington, D.C.

B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D.C.

B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.

D. (6) $126.25. E. (9) $116.50.

A. Samuel A. Grayson, 611 Idaho Building, Boise, Idaho.

B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.

E. (9) $2,037.51.

A. J. S. Grigsby, Jr., 1103 Stahlman Building, Nashville, Tenn.

B. Southern States Industrial Council.

D. (6) $2,450.

A. Ben H. Guill, 2000 K Street NW., Washington, D.C.

B. National Automobile Dealers Association and American Zinc Co.

D. (6) $4,100. E. (9) $1,800.

A. Jerome R. Gulan.

B. National Federation of Independent Business, 921 Washington Building, Washington, D.C.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.

B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $600. E. (9) $196.05.

A. Hoyt S. Haddock.

B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $1,294. E. (9) $105.

A. Harlan V. Hadley, 1619 Massachusetts Avenue NW., Washington D.C.

B. Taxation Committee, Automobile Manufacturers Association, 320 New Center Building, Detroit, Mich.

D. (6) $625.

A. E. J. Haesaert, 400 First Street NW., Washington, D.C.

B. Sheet Metal Workers International Association, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,025.

A. John R. Haire, 61 Broadway, New York, N.Y.

B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Hal H. Hale, 421 Transportation Building, Washington, D.C.

B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Randolph M. Hale, 1200 18th Street, NW., Washington, D.C.

B. National Electrical Contractors Association, 1200 18th Street NW., Washington, D.C.

A. Harold T. Halfpenny, 111 West Washington Street, Chicago, Ill.

A. J. G. Hall, Detroit, Mich.

B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. E. C. Hallbeck, 817 14th Street NW., Washington, D.C.

B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.

D. (6) $7,403.83.

A. Norman S. Halliday, 1140 Connecticut Avenue NW., Washington, D.C.

B. National Association of Electric Cos., 1140 Connecticut Avenue NW., Washington, D.C.

D. (6) $500. E. (9) $155.92.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. National School Supply & Equipment Association, 79 West Monroe Street, Chicago, Ill.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. Tejon Ranch Co., Post Office Box 1560, Bakersfield, Calif.

D. (6) $900.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. United Student Aid Funds, Inc., 845 Third Avenue, New York, N.Y.

D. (6) $250. E. (9) $5.

A. Harold F. Hammond, 1101 17th Street NW., Washington, D.C.

A. Robert N. Hampton, 1200 17th Street NW., Washington, D.C.

B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.

D. (6) $4,249.98. E. (9) $99.40.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,000. E. (9) $82.07.

A. William E. Hardman, 1411 K Street NW., Washington, D.C.

B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D.C.

A. Bryce N. Harlow, 1730 K Street NW., Washington, D.C.

B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio.

A. Mildred B. Harman, 13th and B Streets NW., Washington, D.C.

B. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.

D. (6) $725.00. E. (9) $464.65.

A. William B. Harman, Jr., 1701 K Street NW., Washington, D.C.

B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

D. (6) $110.66.

A. L. James Harmanson, Jr., 1200 17th Street NW., Washington, D.C.

B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.

D. (6) $6,300. E. (9) $186.85.

A. Herbert E. Harris II, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $2,000. E. (9) $110.63.

A. Burr P. Harrison, Graichen Building, Winchester, Va.

B. Savage Arms, Westfield, Mass., et al.

D. (6) $1,050. E. (9) $3.03.

A. F. Donald Hart, 605 Third Avenue, New York, N.Y.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Clifford J. Harvison, 1616 P Street NW., Washington, D.C.

B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. John T. Haughey, 1909 Q Street NW., Washington, D.C.

B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.

D. (6) $2,307.60. E. (9) $4.80.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.

B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

D. (6) $80. E. (9) $17.34.

A. J. G. Hayes, 400 First Street NW., Washington, D.C.

B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.

D. (6) $1,736.

A. Kit H. Haynes, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,230.75. E. (9) $26.70.

A. Joseph H. Hays, 280 Union Station Building, Chicago, Ill.

B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Hays & Hays, Warner Building, Washington, D.C.

B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.

D. (6) $300. E. (9) $1.

A. John C. Hazen, 1317 F Street NW., Washington, D.C.

B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

E. (9) $141.87.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

D. (6) $1,057.25. E. (9) $1,057.25.

A. Robert W. Healy, 1101 17th Street NW., Washington, D.C.

B. Smith, Pepper, Shack & L'Heureux, 1101 17th Street NW., Washington, D.C.

A. Patrick B. Healy, 30 F Street NW., Washington, D.C.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

D. (6) $300. E. (9) $49.50.

A. George J. Hecht, 52 Vanderbilt Avenue, New York, N.Y. and 20 E Street NW., Washington, D.C.

B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C., and the Bipartisan Citizens Committee for Federal Aid for Public Elementary and Secondary Education, 2107 Davenport Street NW., Washington, D.C.

A. Kenneth G. Heisler, 1200 17th Street NW., Washington, D.C.

B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.

D. (6) $700.

A. Phil D. Helmig, 1001 Connecticut Avenue NW., Washington, D.C.

B. The Atlantic Richfield Co., 260 South Broad Street, Philadelphia, Pa.

D. (6) $150. E. (9) $150.

A. C. O. Henderson, Box 381, Washington, D.C.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N.Y.

B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.

D. (6) $1,125.00. E. (9) $519.40.

A. John K. Herbert, 575 Lexington Avenue, New York, N.Y.

B. Magazine Publishers Association, 575 Lexington Avenue, New York, N.Y.

D. (6) $4,789.25.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.

B. National Football League, 1 Rockefeller Plaza, New York, N.Y.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.

B. Savage Arms, Westfield, Mass., et al.

E. (9) $126.74.

A. Hester & Stone, 432 Shoreham Building, Washington, D.C.

B. United States Brewers Association, 535 Fifth Avenue, New York, N.Y.

D. (6) $5,000. E. (9) $48.28.

A. M. F. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.

B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.

E. (9) $1,907.43.

A. John W. Hight, 1028 Connecticut Avenue NW., Washington, D.C.

B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.

D. (6) $100.

A. Hill & Knowlton, Inc., 150 East 42d Street, New York, N.Y.

A. Lawrence S. Hobart, 919 18th Street NW., Washington, D.C.

B. American Public Power Association, 919 18th Street NW., Washington, D.C.

D. (6) $475.

A. Claude E. Hobbs, 1625 K Street NW., Washington, D.C.

B. Westinghouse Electric Corp., 3 Gateway Center, Pittsburgh, Pa.

D. (6) $900. E. (9) $120.

A. Ralph D. Hodges, Jr.

B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.

A. Irvin A. Hoff, 1001 Connecticut Avenue, Washington, D.C.

B. United States Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C.

E. (9) $92.35.

A. Frank N. Hoffmann, 1001 Connecticut Avenue NW., Washington, D.C.

B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.

D. (6) $4,250. E. (9) $3,000.37.

A. Lee B. Holmes, 829 Pennsylvania Building, Washington, D.C.

B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

A. John W. Holton, 815 Connecticut Avenue NW., Washington, D.C.

B. The American Bankers Association, 90 Park Avenue, New York, N.Y.

D. (6) $1,500. E. (9) 22.50.

A. Edwin M. Hood, 1730 K Street NW., Washington, D.C.

B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Donald E. Horton, 222 West Adams Street, Chicago, Ill.

A. Harold A. Hosier, 2240 Bell Court, Denver, Colo.

B. International Mailers Union, 2240 Bell Court, Denver, Colo.

A. Thomas B. House.

B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

D. (6) $100.

A. Harold K. Howe, 400 Walker Building, Washington, D.C.

B. American Institute of Laundering, Joliet, Ill.

D. (6) $1,500.

A. Harold K. Howe, 400 Walker Building, Washington, D.C.

B. National Automatic Merchandising Association, 400 Walker Building, Washington, D.C.

A. Harold K. Howe, 400 Walker Building, Washington, D.C.

B. Outdoor Power Equipment Institute, Inc., 400 Walker Building, Washington, D.C.

A. Charles L. Huber, 1701 18th Street NW., Washington, D.C.

B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.

D. (6) $5,000. E. (9) $2,401.25.

A. W. T. Huff, 918 16th Street NW., Washington, D.C.

B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

D. (6) $352.50.

A. Robert R. Humphreys, 1000 Connecticut Avenue NW., Washington, D.C.

B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $320. E. (9) $101.95.

A. Philip A. Hutchinson, Jr., 1735 New York Avenue NW., Washington, D.C.

B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.

D. (6) $1,000. E. (9) $125.

A. Meryle V. Hutchison, 1030 15th Street NW., Washington, D.C.

B. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.

D. (6) $2,424.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
B. Miss Alice M. Hebing, Rochester, N.Y., et al.
E. (9) $388.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
D. (6) $5.

A. Frank N. Ikard, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. Bernard J. Immings, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Institute of Appliance Manufacturers, 2000 K Street NW., Washington, D.C.

A. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $1,227.50.

A. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $9,807.33. E. (9) $9,807.33.

A. International Armament Corp., 10 Prince Street, Alexandria, Va.
E. (9) $1,500.

A. International Association of Machinist & Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C.
E. (9) $6,979.75.

A. International Mailers Union, 2240 Bell Court, Denver, Colo.
E. (9) $100.

A. International Union of District 50, United Mine Workers of America, 1435 K Street NW., Washington, D.C.
E. (9) $3,489.98.

A. The Interstate Manufacturers Association, 163–165 Center Street, Winona, Minn.
D. (6) $2,975. E. (9) $4.87.

A. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.
D. (6) $300. E. (9) $242.12.

A. Investment Company Institute, 61 Broadway, New York, N.Y.
E. (9) $9,493.89.

A. Iron Ore Lessors Association, Inc., 1000 First National Bank Building, St. Paul, Minn.
D. (6) $7,118.34. E. (9) $9,848.68.

A. Ives, Whitehead & Co., Inc., 1737 H Street NW., Washington, D.C.
E. (9) $475.

A. Rear Adm. Alexander Jackson, Jr., 333 Pennsylvania Avenue SE., Washington, D.C.
B. Reserve Officers Association of the United States, 333 Pennsylvania Avenue SE., Washington, D.C.

A. Chas. E. Jackson, 715 Ring Building, Washington, D.C.
E. (9) $499.17.

A. Robert C. Jackson, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, 1501 Johnston Building, Charlotte, N.C.
D. (6) $1,970. E. (9) $150.60.

A. Walter K. Jaenicke.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $700. E. (9) $240.

A. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.

A. Daniel Jaspan, Post Office Box 1924, Washington, D.C.
B. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $4,500.51. E. (9) $56.25.

A. Chas. B. Jennings, 1712 I Street NW., Washington, D.C.
B. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $400.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Gene Johnson, 720 Fleming Building, Des Moines, Iowa.
B. International Mailers Union, 2240 Bell Court, Denver, Colo.

A. Glendon E. Johnson, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $614.80. E. (9) $23.27.

A. Reuben L. Johnson.
B. The Farmers' Educational and Co-Operative Union of American (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $4,038.27. E. (9) $343.82.

A. Spencer A. Johnson, 1615 H Street NW., Washington, D.C.

A. Spencer A. Johnson, 1025 Vermont Avenue NW., Washington, D.C.
B. National Retail Furniture Association, 1150 Merchandise Mart, Chicago, Ill.
D. (6) $200.

A. Stuart H. Johnson, Jr., King, St. George & Friedman, 910 17th Street NW., Washington, D.C.
B. League of Americans Residing Abroad, 910 17th Street NW., Washington, D.C.
D. (6) $475. E. (9) $36.20.

A. Ned Johnston, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Mrs. Aristy V. Joiner, 2704 Dumbarton Avenue, Washington, D.C.
B. National Association of Mutual Insurance Agents, 520 Investment Building, Washington, D.C.
E. (9) $33.53.

A. Charlie W. Jones, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Carpet Institute, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $320. E. (9) $64.

A. Geo. Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $440. E. (9) $794.37.

A. L. Dan Jones, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $34.50.

A. Francis M. Judge, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A.

A. Jerome J. Keating, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $3,125.

A. William J. Keating, 500 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 500 Folger Building, Washington, D.C.
D. (6) $50.

A. W. M. Keck, Jr., 1801 Avenue of the Stars, Los Angeles, Calif.
E. (9) $275.

A. Robert H. Kellen, 25 East Chestnut Street, Chicago, Ill.
B. Mayonnaise & Salad Dressings Institute, 25 East Chestnut Street, Chicago, Ill.

A. Robert H. Kellen, 25 East Chestnut Street, Chicago, Ill.
B. National Preservers Association, 25 East Chestnut, Chicago, Ill.

A. James C. Kelley, 1500 Massachusetts Avenue NW., Washington, D.C.
B. American Machine Tool Distributors' Association, 1500 Massachusetts Avenue NW., Washington, D.C.

A. John T. Kelly, 1155 15th Street NW., Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. Thomas A. Kelly, 1625 I Street NW., Washington, D.C.
B. Retiree Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $2,200.

A. I. L. Kenen, 1341 G Street NW., Washington, D.C.
B. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C.
D. (6) $900.

A. Harold L. Kennedy, 420 Cafritz Building, Washington, D.C.
B. Marathon Oil Co., Findlay, Ohio.

A. James J. Kennedy, Jr., 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $765.51.

A. William F. Kenney, New York, N.Y.
B. Shell Oil Co., 50 West 50th Street, New York, N.Y.

A. Kennon, White & Odom, 210 Court House Office Building, Baton Rouge, La.
B. Jefferson Standard Life Insurance Co., Post Office Box 21008, Greensboro, N.C.

A. Edward W. Kent, 540 Pear Street, Reading, Pa.
B. Althouse Division, Chemicals Group, Crompton & Knowles Corp., 540 Pear Street, Reading, Pa.
E. (9) $177.79.

A. Thomas P. Kerester, 1120 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corp., Pittsburgh, Pa.
D. (6) $5,500. E. (9) $550.

A. J. Don Kerlin, 100 Indiana Avenue NW., Washington, D.C.
B. The Reuben H. Donnelley Corp., 235 East 42d Street, New York, N.Y.
D. (6) $200. E. (9) $110.

A. J. Don Kerlin, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $150. E. (9) $100.

A. J. Don Kerlin, 100 Indiana Avenue NW., Washington, D.C.

B. Time, Inc., Rockefeller Center, New York, N.Y.
D. (6) $300. E. (9) $100.

A. William J. Kerwin, 1200 17th Street NW., Washington, D.C.
B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.
D. (6) $500.

A. Edward W. Kiley, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $633.65. E. (9) $15.34.

A. Joseph T. King, 1028 Connecticut Avenue NW., Washington, D.C.
B. Associated Equipment Distributors, and Sprinkler Irrigation Association.
D. (6) $15,000–$20,000 per year. E. (9) $1,378.08.

A. T. Bert King, 812 Pennsylvania Building, Washington, D.C.
B. U.S. Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $750.

A. Mr. and Mrs. Harry L. Kingman.
D. (6) $2,215. E. (9) $2,215.

A. John M. Kinnaird, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $186.74.

A. Ben H. Kirby, Post Office Box 3063, Paterson, N.J.
B. American Aniline Products, Inc., Post Office Box 3063, Paterson, N.J.

A. Clifton Kirkpatrick, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $690. E. (9) $81.02.

A. Ernest A. Kistler, 901 Hamilton Street, Allentown, Pa.
B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.
D. (6) $270.90. E. (9) $213.60.

A. Robert E. Kline, Jr., Mayer, Kline & Rigby, 430 Wyatt Building, Washington, D.C.
B. American Fishing Tackle Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,200. E. (9) $118.83.

A. Robert E. Kline, Jr., Mayer, Kline & Rigby, 430 Wyatt Building, Washington, D.C.
B. Bowling Proprietors Association of America Inc., West Higgins Road, Hoffman Estates, Ill.
D. (6) $1,250. E. (9) $107.30.

A. James F. Kmetz, 1427 I Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $4,796.

A. John D. Knodell, Jr., 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co. (A Delaware Corp.), Post Office Box 2180, Houston, Tex.
E. (9) $1,709.87.

A. George W. Koch, 205 East 42d Street, New York, N.Y.
B. Grocery Manufacturers of America, Inc., 205 East 42d Street, New York, N.Y.

A. Robert M. Koch, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
E. (9) $25.15.

A. William L. Kohler, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $406.70.

A. Germaine Krettek, 200 C Street SE., Washington, D.C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
E. (9) $5,218.45.

A. Lloyd R. Kuhn, 1725 DeSales Street NW., Washington, D.C.
B. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.
D. (6) $4,872. E. (9) $634.25.

A. June Kysilko Kraeft, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Labor Bureau of Middle West, 1155 15th Street NW., Washington, D.C., and 11 South LaSalle Street, Chicago, Ill.

A. Laborers' International Union of North America, 905 16th Street NW., Washington, D.C.
E. (9) $9,657.73.

A. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $8,292. E. (9) $7,277.

A. Laborers' Political Action League, 905 16th Street NW., Washington, D.C.
D. (6) $8,216.79. E. (9) $1,175.

A. Julian J. Landau, 1341 G Street NW., Washington, D.C.
B. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C.
D. (6) $1,200.

A. Richard H Lane, 1511 K Street NW., Washington, D.C.
B. The Committee for Broadening Commercial Bank Participation in Public Financing.

A. Morton Langstaff, 1317 F Street NW., Washington, D.C.
B. National Retail Merchant Association, 100 West 31st Street, New York, N.Y.
E. (9) $161.90.

A. Glenn T. Lashley, 1712 G Street NW., Washington, D.C.
B. D. C. Division, American Automobile Association, 1712 G Street NW., Washington, D.C.

A. L. Edward Lashma, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, Federation of Trades and Labor Unions.
D. (6) $3,913. E. (9) $742.39.

A. Dillard B. Lasseter, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $525.

A. George H. Lawrence, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $312.50. E. (9) $129.16.

A. John V. Lawrence, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $34.40.

A. League of Americans Residing Abroad, 910 17th Street NW., Washington, D.C.
E. (9) $511.20.

A. Robert F. Lederez, 835 Southern Building, Washington, D.C.
B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.
D. (6) $36.25. E. (9) $108.

A. Leonard F. Lee, 402 Solar Building, Washington, D.C.
B. Tenneco Inc., Post Office Box 2511, Houston, Tex.
E. (9) $78.

A. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,421. E. (9) $133.

A. Legislative Committee, International Economic Policy Association, 1625 I Street NW., Washington, D.C.
E. (9) $3,501.51.

A. G. E. Leighty, 400 First Street NW., Washington, D.C.

A. Nils A. Lennartson, 38 South Dearborn Street, Chicago, Ill.
B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $9,249.96.

A. Donald Lerch & Co., Inc., 1522 K Street NW., Washington, D.C.
B. Shell Chemical Co., 110 West 31st Street, New York, N.Y.

A. Roy T. Lester, M.D., 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $437.50. E. (9) $13.79.

A. Mrs. Alfred Letzler, 237 North Galveston Street, Arlington, Va.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. Morris J. Levin, 910 17th Street NW., Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $2,500.

A. Morris J. Levin, 910 17th Street NW., Washington, D.C.
B. The Pennsylvania Railroad Co., Penn Center Plaza, Philadelphia, Pa.

A. Hal Leyshon, 122 East 42d Street, New York, N.Y.
B. American Federation of Musicians, 641 Lexington Avenue, New York, N.Y.
D. (6) $4,999.98. E. (9) $921.74.

A. Liberty Lobby, Inc., 132 3d Street SE., Washington, D.C.
D. (6) $7,493. E. (9) $15,353.

A. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $7,109.90. E. (9) $7,190.90.

A. Lightweight Aggregate Percentage Depletion Committee, care of John W. Roberts, Post Office Box 938, Richmond, Va.
E. (9) $12,500.

A. Donald O. Lincoln, 1001 Connecticut Avenue, Washington, D.C.

B. American Aniline Products, Inc., 25 McLean Boulevard, Paterson, N.J.

D. (6) $1,100. E. (9) $4.

A. Lester W. Lindow, Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C.

D. (6) $39.

A. Charles B. Lipsen, 1741 DeSales Street NW., Washington D.C.

B. Retail Clerks International Association, AFL–CIO, 1741 DeSales Street NW., Washington, D.C.

D. (6) $5,000. E. (9) $1,638.10.

A. Zel E. Lipsen, 1925 K Street NW., Washington, D.C.

B. Brotherhood of Painters, Decorators & Paperhangers of America, AFL–CIO, 1925 K Street NW., Washington, D.C.

D. (6) $3,575.

A. Robert G. Litschert, 1140 Connecticut Avenue NW., Washington, D.C.

B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.

D. (6) $375. E. (9) $25.74.

A. Basil R. Littin, Continental Oil Co., 30 Rockefeller Plaza, New York, N.Y.

B. Continental Oil Co., 30 Rockefeller Plaza, New York, N.Y.

A. John J. Long, 711 14th Street NW., Washington, D.C.

B. International Printing Pressmen and Assistants' Union of North America, Pressmen's Home, Tenn.

D. (6) $1,950. E. (9) $85.

A. Paul H. Long, 1612 K Street NW., Washington, D.C.

B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.

E. (9) $206.53.

A. R. C. Longmire, Paule Valley, Okla.

B. National Association of Soil & Water Conservation Districts, League City, Tex.

D. (6) $180. E. (9) $180.

A. Harold O. Lovre, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200. E. (9) $196.

A. Otto Lowe, Cape Charles, Va.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $1,500.

A. Otto Lowe, Cape Charles, Va.

B. Norfolk & Western Railway Co., Roanoke, Va.

D. (6) $600.

A. Scott W. Lucas, 1028 Connecticut Avenue NW., Washington, D.C.

B. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.

D. (6) $1,000.

A. Scott W. Lucas, 1028 Connecticut Avenue NW., Washington, D.C.

B. Western Medical Corp., 415–423 West Pershing Road, Chicago, Ill.

D. (6) $1,000.

A. William R. Lucas, Post Office Box 2268, San Antonio, Tex.

B. Non-Commissioned Officers Association of the U.S.A, Post Office Box 2268, San Antonio, Tex.

A. Dr. John M. Lumley, 1201 16th Street NW., Washington, D.C.

B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.

D. (6) $2,388.10. E. (9) $787.38.

A. Milton F. Lunch, 2029 K Street NW., Washington, D.C.

B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.

D. (6) $750.

A. John C. Lynn, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $2,687.50. E. (9) $40.55.

A. John M. Lynham, 888 17th Street NW., Washington, D.C.

B. Charles and Katrushka J. Parsons, 310 Park Avenue, Pasay City, Manila, Philippines.

E. (9) $313.

A. Breck P. McAllister, 25 Broadway, New York, N.Y.

B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. John A. McCart, 100 Indiana Avenue NW., Washington, D.C.

B. Government Employes' Council, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $1,730.76.

A. McClure & Trotter, 1710 H Street NW., Washington, D.C.

B. The Coca-Cola Co., Post Office Drawer 1734, Atlanta, Ga.

A. McClure & Trotter, 1710 H Street NW., Washington, D.C.

B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.

A. McClure & Trotter, 1710 H Street NW., Washington, D.C.

B. Estate of Lenora B. Hopkins, Security Trust Building, Security Trust Co., Miami, Fla.

A. McClure & Trotter, 1710 H Street NW., Washington, D.C.

B. International Packers, Limited, 410 North Michigan Avenue, Chicago, Ill.

E. (9) $43.02.

A. E. L. McCulloch, 400 First Street NW., Washington, D.C.

B. Brotherhood of Locomotive Engineers, B. of L.E. Building, Cleveland, Ohio.

D. (6) $284.60. E. (9) $81.50.

A. Albert L. McDermott, 777 14th Street NW., Washington, D.C.

B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

D. (6) $150.

A. Angus H. McDonald.

B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.

D. (6) $3,823.23. E. (9) $187.91.

A. Joseph J. McDonald, 1001 Connecticut Avenue NW., Washington, D.C.

B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.

D. (6) $3,625. E. (9) $710.50.

A. Joseph A. McElwain, 40 East Broadway, Butte, Mont.

B. The Montana Power Co., Butte, Mont.

E. (9) $107.75.

A. Stanley J. McFarland, 1201 16th Street NW., Washington, D.C.

B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.

D. (6) $2,308.48. E. (9) $528.68.

A. Mrs. Barbara D. McGarry, 20 E Street NW., Washington, D.C.

B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C., and the subcommittee Bipartisan Citizens Committee for Federal Aid for Public Elementary and Secondary Education, 2107 Davenport Street NW., Washington, D.C.

A. Paul J. McGowan, 777 14th Street, Washington, D.C.

B. Virgin Islands Legislature, Charlotte Amalie, St. Thomas, Virgin Islands.

D. (6) $3,750. E. (9) $869.57.

A. Marshall C. McGrath.

B. International Paper Co., 220 East 42d Street, New York, N.Y.

D. (6) $360. E. (9) $201.71.

A. F. Howard McGuigan, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $4,049.50. E. (9) $421.01.

A. Clarence M. McIntosh, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railway & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.

D. (6) $2,361.50. E. (9) $782.49.

A. William F. McKenna, 1200 17th Street NW., Washington, D.C.

B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.

D. (6) $150.

A. Marvin L. McLain, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $2,387.50. E. (9) $53.95.

A. John S. McLees, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the U.S.A.

A. William H. McLin, 1201 16th Street NW., Washington, D.C.

B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.

D. (6) $2,375.55. E. (9) $418.21.

A. William F. McManus, 777 14th Street NW., Washington, D.C.

B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

D. (6) $750. E. (9) $287.50.

A. C. W. McMillan, 801 East 17th Avenue, Denver, Colo.

B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.

D. (6) $5,250. E. (9) $135.

A. Ralph J. McNair, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $413.08. E. (9) $4.72.

A. Charles R. McNeill, 815 Connecticut Avenue NW., Washington, D.C.

B. The American Bankers Association, 90 Park Avenue, New York, N.Y.

D. (6) $1,200. E. (9) $12.30.

A. Shane MacCarthy, 20 Chevy Chase Circle NW., Washington, D.C.

B. Printing Industries of America, 20 Chevy Chase Circle NW., Washington, D.C.

D. (6) $475. E. (9) $850.

A. John G. Macfarlan, 1101 17th Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $1,290. E. (9) $315.50.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, Inc., care of J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.
D. (6) $2,500.

A. James E. Mack, 1225 19th Street NW., Washington, D.C.
B. Rolled Zinc Manufacturers Association, 1225 19th Street NW., Washington, D.C.

A. Macklin, Hanan & McKernan, 99 John Street, New York, N.Y.
B. Fred Alger & Co., Inc., and Falco Associates, Inc., 120 Broadway, New York, N.Y.
E. (9) $363.53.

A. H. E. Mahlman, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, Inc., care of J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.
D. (6) $968.75. E. (9) $101.09.

A. Don Mahon, 1127 Warner Building, Washington, D.C.
E. (9) $1,464.52.

A. Robert L. Maier, 900 17th Street NW., Washington, D.C.
B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.
D. (6) $37.50. E. (9) $4.

A. Man-Made Fiber Producers Association, Inc., 350 Fifth Avenue, New York, N.Y.
E. (9) $1,259.03.

A. Carter Manasco, 5932 Chesterbrook Road, McLean, Va.
B. National Coal Association, Coal Building, Washington, D.C.
D. (6) $5,400. E. (9) $146.60.

A. Rufus W. Manderson, 1200 18th Street NW., Washington, D.C.
B. National Electrical Contractors Association, 1200 18th Street NW., Washington, D.C.

A. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000. E. (9) $3,000.

A. Olya Margolin (Mrs.), 924 Dupont Circle Building, Washington, D.C.
B. National Council of Jewish Women, Inc., 1 West 47th Street, New York, N.Y.
D. (6) $2,296.20. E. (9) $143.12.

A. James Mark, Jr., 1427 I Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $4,796.

A. Rodney W. Markley, Jr., 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.

A. Raymond E. Marks, 65 Market Street, San Francisco, Calif.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif.

A. David M. Marsh, 1725 E Street NW., Washington, D.C.
B. American Insurance Association, 85 John Street, New York, N.Y.
D. (6) $500. E. (9) $32.38.

A. Edwin E. Marsh, 600 Crandall Building, Salt Lake City, Utah.
B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $3,255. E. (9) $415.74.

A. Michael Marsh, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $1,774.46.

A. Winston W. Marsh, 1343 L Street NW., Washington, D.C.
B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.

A. J. Paull Marshall, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $185.25. E. (9) $155.05.

A. Thomas A. Martin, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.
D. (6) $500. E. (9) $90.

A. Mike M. Masaoka, 919 18 Street NW., Washington, D.C.

A. Mike M. Masaoka, 919 18 Street NW., Washington, D.C.
B. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. Mike M. Masaoka, 919 18 Street NW., Washington, D.C.
B. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.

A. Walter J. Mason, 815 16th Street NW., Washington, D.C.
B. Building & Construction Trades Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $5,499.91. E. (9) $935.

A. J. M. Massey, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $970.17.

A. P. H. Mathews, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $700.19. E. (9) $839.42.

A. Charles D. Matthews, 1140 Connecticut Avenue NW., Washington, D.C.
B. National Association of Electric Cos., 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $787.50. E. (9) $155.01.

A. Charles E. Mattingly, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,820. E. (9) $74.15.

A. C. V. and R. V. Maudlin, 1111 E Street NW., Washington, D.C.
B. Georgia Power Co., 270 Peachtree Street, Atlanta, Ga.

A. Mayonnaise & Salad Dressings Institute, 25 East Chestnut Street, Chicago, Ill.

A. Anthony Mazzocchi, 1126 16th Street NW., Washington, D.C.
B. Oil, Chemical and Atomic Workers International Union, 1840 California Street, Denver, Colo.
D. (6) $1,437.50. E. (9) $227.50.

A. Robert A. Means, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. John S. Mears, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,291. E. (9) $39.75.

A. Medical-Surgical Manufacturers Association, 342 Madison Avenue, New York, N.Y.
B. Medical-Surgical Manufacturers Association, 342 Madison Avenue, New York, N.Y.
D. (6) $3,000. E. (9) $3,473.61.

A. Carl J. Megel, 1343 H Street NW., Washington, D.C.
B. American Federation of Teachers, AFL–CIO, 716 North Rush Street, Chicago, Ill.
E. (9) $8,800.

A. Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,141. E. (9) $576.34.

A. Lawrence C. Merthan, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y.
D. (6) $1,000. E. (9) $165.

A. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

A. Mid-America CATV Association, 11 North Lee, Post Office Box 1334, Oklahoma City, Okla.
E. (9) $4,593.65.

A. Midland Cooperative Dairy Association, Shawano, Wis., Branch office: Box 128, Cazenovia, N.Y.

A. Miller Associates, Inc., 1705 DeSales Street NW., Washington, D.C.
B. Associated Telephone Answering Exchange, Inc., 777 14th Street NW., Washington, D.C.
D. (6) $937.50. E. (9) $90.

A. Miller Associates, Inc., 1705 DeSales Street NW., Washington, D.C.
B. National Music Publishers' Association, Inc., 460 Park Avenue, New York, N.Y.
D. (6) $3,000. E. (9) $295.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Dallas, Tex., Chamber of Commerce.
D. (6) $1,650.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Gulf Intracoastal Canal Association, 2211 South Coast Building, Houston, Tex.
D. (6) $2,625.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N.Y.
D. (6) $2,250.

A. Edwin Reid Miller, 1815 Capitol Avenue, Omaha, Nebr.
B. Nebraska Railroads Legislative Committee, 1815 Capitol Avenue, Omaha, Nebr.
D. (6) $3,900. E. (9) $1,653.23.

A. Herbert J. Miller, Jr., 1701 K Street NW., Washington, D.C.
B. Automatic Phonograph Manufacturers.

A. Lloyd S. Miller, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $317.44.

A. Luman G. Miller, 912 Failing Building, Portland, Oreg.
B. Oregon Railroad Association, 912 Failing Building, Portland, Oreg.
E. (9) $915.85.

A. Luther L. Miller, 1909 Q Street NW., Washington, D.C.
B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.
D. (6) $2,307.60. E. (9) $17.50.

A. Robert H. Miller, 402 Solar Building, Washington, D.C.
B. Tenneco Inc., Post Office Box 2511, Houston, Tex.
E. (9) $54.23.

A. Capt. A. Stanley Miller, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Jim M. Milligan, 402 Barclay Building, Bala-Cynwyd, Pa.
B. National Water Co. Conference, 402 Barclay Building, Bala-Cynwyd, Pa.

A. Jack Mills, 1735 K Street NW., Washington, D.C.
B. The Tobacco Institute.

A. Marion Daniel Minchew, Room 502, Ring Building, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $165. E. (9) $9.22.

A. Othmer J. Mischo, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Missouri Railroad Committee, in care of W. W. Dalton, 906 Olive Street, St. Louis, Mo.
E. (9) $653.65.

A. Thomas F. Mitchell, 1725 I Street NW., Washington, D.C.
B. Georgia-Pacific Corp. (Forest Products), Post Office Box 311, Portland, Oreg.

A. Mobilehome Dealers National Association, 39 South LaSalle Street, Chicago, Ill.
E. (9) $2,159.85.

A. Carl A. Modecki, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Willis C. Moffatt, 525 First Security Building, Boise, Idaho.

A. Michael Monroney.
B. Communications Satellite Corp., 1900 L Street NW., Washington, D.C.
D. (6) $850.

A. G. Merrill Moody, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $14.45. E. (9) $5.25.

A. Joseph E. Moody, 1000 16th Street NW., Washington, D.C.
D. (6) $6.25.

A. Morison, Clapp, Abrams & Haddock, The Pennsylvania Building, Washington, D.C.
B. The Sperry & Hutchinson Co., 330 Madison Avenue, New York, N.Y.
D. (6) $690. E. (9) $1.50.

A. Curtis Morris, 1725 I Street NW., Washington, D.C.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $650. E. (9) $377.

A. T. H. Mullen, 4301 Columbia Pike, Arlington, Va.
B. Union Camp Corp., 233 Broadway, New York, N.Y.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Kenneth D. Naden, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.

A. Augustus Nasmith, Pennsylvania Station, Raymond Plaza, Newark, N.J.
B. Associated Railroads of New Jersey, Pennsylvania Station, Raymond Plaza, Newark, N.J.

A. National Agricultural Chemical Association, 1155 15th Street NW., Washington, D.C.

A. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D. (6) $15,000. E. (9) $14.33.

A. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,885.85. E. (9) $14,079.08.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $500. E. (9) $500.

A. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.
D. (6) $56,390.22. E. (9) $1,165.38.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,041,762.35. E. (9) $87,877.58.

A. The National Association of Life Underwriters, 1922 F Street NW., Washington, D.C.
D. (6) $511.60. E. (9) $511.60.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D.C.

A. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $1,820.10. E. (9) $1,820.10.

A. The National Association of Polish Americans, Inc., 3829 W Street SE., Washington, D.C.

A. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $30,000. E. (9) $10,313.32.

A. National Association of Soil & Water Conservation Districts, League City, Tex.
D. (6) $1,056.75. E. (9) $1,187.33.

A. National Association of Travel Organizations, 900 17th Street NW., Washington, D.C.
D. (6) $25,026.21. E. (9) $682.50.

A. National Audio-Visual Association, Inc., 3150 Spring Street, Fairfax, Va.
E. (9) $887.20.

A. National Automobile Dealers Association (NADA), 2000 K Street NW., Washington, D.C.
D. (6) $13,407.80. E. (9) $13,407.80.

A. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $1,148.84. E. (9) $1,148.84.

A. National Coal Association, Coal Building, Washington, D.C.

A. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
E. (9) $6,717.72.

A. National Committee for Research in Neurological Disorders, care of Dr. A. B. Baker, Division of Neurology, University of Minnesota Hospital, Minneapolis, Minn.

A. National Conference of Non-Profit Shipping Associations, Inc., 26 Auburn Avenue, Atlanta, Ga.
D. (6) $2,575.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Box 23, Memphis, Tenn.

A. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $5,467.27. E. (9) $5,467.27.

A. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $2,330. E. (9) $5,851.91.

A. National Council Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
E. (9) $150.

A. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.
B. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.
D. (6) $538.66. E. (9) $609.65.

A. National Cystic Fibrosis Research Foundation, 202 East 44th Street, New York, N.Y.
E. (9) $1,250.

A. National Education Association, Federal Relations Division, 1201 16th Street NW., Washington, D.C.
E. (9) $18,284.89.

A. National Electrical Contractors Association, Inc., 1200 18th Street NW., Washington, D.C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.

A. National Farmers Organization, 720 Davis Avenue, Corning, Iowa.
E. (9) $3,580.97.

A. National Federation of Independent Business, Inc., 920 Washington Building, Washington, D.C.
D. (6) $23,266.83. E. (9) $23,266.83.

A. National Federation of Professional Organizations, Box 38, Washington, D.C.
B. Organization of Professional Employees of WSDA, Box 381, Washington, D.C.
D. (6) $100. E. (9) $300.

A. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $623.89. E. (9) $748.23.

A. National Grange, 1616 H Street NW., Washington, D.C.
E. (9) $13,350.

A. National Housing Conference, Inc., 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $11,155.04. E. (9) $29,145.29.

A. National Independent Dairies Association, 1735 K Street NW., Washington, D.C.
E. (9) $127.40.

A. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.
D. (6) $1,084.37. E. (9) $1,473.50.

A. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
D. (6) $1,555.65. E. (9) $1,555.65.

A. National Livestock Feeders Association, 309 Livestock Exchange Building, Omaha, Nebr.
D. (6) $6,804.70. E. (9) $6,804.70.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $8,820.95. E. (9) $8,820.95.

A. National Multiple Sclerosis Society, 257 Park Avenue South, New York, N.Y.
E. (9) $1,189.45.

A. National Parking Association, 1101 17th Street NW., Washington, D.C.
E. (9) $825.

A. National Preservers Association, 25 East Chestnut Street, Chicago, Ill.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
D. (6) $7,000. E. (9) $11,144.83.

A. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
E. (9) $2,682.31.

A. National Small Business Association, 1225 19th Street NW., Washington, D.C.
D. (6) $5,000. E. (9) $2,562.52.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $162,632. E. (9) $2,615.

A. National Tire Dealers & Retreaders Association, 1343 L Street NW, Washington, D.C.

A. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $13,055. E. (9) $4,765.05.

A. Robert R. Neal, 1701 K Street NW, Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW, Washington, D.C.
D. (6) $278.75. E. (9) $32.58.

A. Alan M. Nedry, 888 17th Street NW., Washington, D.C.
B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.
D. (6) $2,500. E. (9) $1,972.27.

A. Samuel E. Neel, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $3,750. E. (9) $3,085.

A. George R. Nelson, 1300 Connecticut Avenue NW., Washington, D.C.
B. International Association of Machinists & Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $1,019.75.

A. New England Footwear Association, Inc., 210 Lincoln Street, Boston, Mass.
D. (6) $421.78. E. (9) $421.78.

A. Sarah H. Newman, 1029 Vermont Avenue NW., Washington, D.C.
B. National Consumers League, 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $1,650.

A. Herschel D. Newsom, 1616 H Street NW., Washington, D.C.
B. National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $5,000.

A. Miss Judith E. Nies, 120 Maryland Avenue NE., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.
D. (6) $33,359.81. E. (9) $10,642.52.

A. Patrick J. Nilan, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, Washington, D.C.
D. (6) $5,384.61. E. (9) $923.80.

A. Stanley D. Noble, 29 North Wacker Drive, Chicago, Ill.
B. Council of Profit Sharing Industries, 29 North Wacker Drive, Chicago, Ill.

A. Robert W. Nolan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.
D. (6) $100.

A. Non-Commissioned Officers Association of the U.S.A., Post Office Box 2268, San Antonio, Tex.

A. Charles M. Noone, 410 Ring Building, Washington, D.C.
B. National Association of Small Business Investment Cos., 537 Washington Building, Washington, D.C.
D. (6) $1,500. E. (9) $435.63.

A. Joseph A. Noone, 1155 15th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C.

A. O. L. Norman, 1140 Connecticut Avenue NW., Washington, D.C.
B. National Association of Electric Cos., 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $525. E. (9) $17.49.

A. Robert H. North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.
E. (9) $57.16.

A. North Carolina Railroad Association, Post Office Box 2635, Raleigh, N.C.
D. (6) $129.18. E. (9) $11.75.

A. Harry E. Northam, 230 North Michigan Avenue, Chicago, Ill.
B. Association of American Physicians and Surgeons, Inc., 230 North Michigan Avenue, Chicago, Ill.

A. Graham T. Northup, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $5,450. E. (9) $4,356.

A. Michael J. Norton, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $200. E. (9) $720.20.

A. Seward P. Nyman, 3301 16th Street NW., Washington, D.C.
B. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
D. (6) $650.

A. Leo O'Brien, 99 Hawthorne Avenue, Albany, N.Y.
B. Virgin Islands Home Rule Committee, Virgin Islands Legislature, Charlotte Amalie, St. Thomas, V.I.
D. (6) $1,875. E. (9) $340.80.

A. Richard T. O'Connell, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $4,650. E. (9) $137.20.

A. Robert E. O'Connor, 260 Madison Avenue, New York, N.Y.
B. American Paper Institute, Inc., 122 East 42d Street, New York, N.Y.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. American Transit Association, 815 Connecticut Avenue NW., Washington, D.C.
D. (6) $8,332. E. (9) $47.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. El Paso Natural Gas Co., 1 Chase Manhattan Plaza, New York, N.Y.
D. (6) $5,000. E. (9) $565.

A. O'Connor, Green, Thomas, Walters, & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Upper Mississippi Towing Corp., 7703 Normandale Road, Minneapolis, Minn.
D. (6) $2,500. E. (9) $63.

A. John A. O'Donnell, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. Jane O'Grady, 815 16th Street NW., Washington, D.C.
B. Amalgamated Clothing Workers of America, AFL–CIO, 15 Union Square, New York, N.Y.
D. (6) $2,080. E. (9) $404.33.

A. Richard C. O'Hare, 1120 Investment Building, Washington, D.C.
B. Harness Tracks of America, 333 North Michigan Avenue, Chicago, Ill.

A. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
E. (9) $1,942.99.

A. Alvin E. Oliver, 501 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 500 Folger Building, Washington, D.C.
D. (6) $22.14.

A. Robert Oliver, 400 First Street NW., Washington, D.C.
B. The Sperry & Hutchinson Co., 330 Madison Avenue, New York, N.Y.

A. Samuel Omasta, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
E. (9) $15.50.

A. Jerry H. Opack, 815 Connecticut Avenue NW., Washington, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Order of Railway Conductors & Brakemen, O.R.C. & B. Building, Cedar Rapids, Iowa.
E. (9) $5,897.24.

A. Susanne Lois Orrin, care of UAW, 1126 16th Street NW., Washington, D.C.
B. American Committee on Africa, 211 East 43d Street, New York, N.Y.
E. (9) $341.20.

A. Morris E. Osburn, Central Trust Building, Jefferson City, Mo.
B. Missouri Railroad Committee.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $185.

A. John A. Overholt, 10400 Connecticut Avenue, Kensington, Md., and 1106 Munsey Building, Washington, D.C.
B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.
D. (6) $2,125.

A. Raymond S. Page, Jr., Mill Creek Terrace, Gladwyne, Pa.
B. Campbell Soup Co., 375 Memorial Avenue, Camden, N.J.

A. Walter Page, Shawano, Wis., and Box 128, Cazenovia, N.Y.
B. Midland Cooperative Dairy Association, Shawano, Wis.

A. Norman Paige, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. Charles Palmer, Post Office Box 10098, Charlotte, N.C.
B. Southern Dyestuff Co., Post Office Box 10098, Charlotte, N.C.
E. (9) $120.

A. Lew M. Paramore, Post Office Box 1310, Kansas City, Kans.
B. Mississippi Valley Association, 225 South Meramec Street, St. Louis, Mo.

A. J. D. Parel, 244 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $296.13. E. (9) $159.

A. James D. Parriott, Jr., 539 South Main Street, Findlay, Ohio.
B. Marathon Oil Co., 539 South Main Street, Findlay, Ohio.

A. Robert D. Partridge, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $95.75.

A. Michael Pasternak, 1435 K Street NW., Washington, D.C.
B. International Union of District 50, United Mine Workers of America, 1435 K Street NW., Washington, D.C.
D. (6) $3,489.98.

A. Perry S. Patterson, 800 World Center Building, Washington, D.C.
B. Automatic Phonograph Manufacturers.

A. David J. Pattison, 1922 F Street NW., Washington, D.C.
B. The National Association of Life Underwriters, 1922 F Street NW., Washington, D.C.
D. (6) $178.90. E. (9) $72.70.

A. Lynn C. Paulson, 1735 K Street NW., Washington, D.C.
B. National Independent Dairies Association, 1735 K Street NW., Washington, D.C.
E. (9) $129.

A. E. George Pazianos, 1725 K Street NW., Washington, D.C.
B. Brotherhood of Railway, Steamship & Airline Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $3,750. E. (9) $2,687.53.

A. D. V. Pensabene, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.
D. (6) $50. E. (9) $25.

A. J. Carter Perkins, 1700 K Street NW., Washington, D.C.
B. Shell Oil Co., 50 West 50th Street, New York, N.Y.

A. Brig. Gen. John L. Person, USA (Ret.), 1028 Connecticut Avenue NW., Washington, D.C.
B. National Rivers and Harbors Congress, 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $6,249.99.

A. A. Harold Peterson,715 Cargill Building, Minneapolis, Minn.
B. National R.E.A. Telephone Association, 715 Cargill Building, Minneapolis, Minn.
D. (6) $7,500. E. (9) $3,800.39.

A. J. Hardin Peterson, Drawer BS, Lakeland, Fla.
B. Florida Citrus Mutual, Lakeland, Fla.
D. (6) $1,200. E. (9) $43.50.

A. Kenneth T. Peterson, 400 First Street NW., Washington, D.C.
B. District of Columbia Psychological Association, Post Office Box 8227, Southwest Station, Washington, D.C.
D. (6) $4,000.

A. Kenneth T. Peterson, 400 First Street NW., Washington, D.C.
B. Hotel and Restaurant Employees and Bartenders International Union, 6 East Fourth Street, Cincinnati, Ohio.
D. (6) $2,499.99.

A. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C.

A. John P. Philbin, 510 Shoreham Building, Washington, D.C.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.
D. (6) $1,125. E. (9) $177.42.

A. Richard N. Philleo, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,462.50. E. (9) $76.42.

A. A. Lloyd Phillips, Mount Vernon Street, Lock Haven, Pa.
B. American Aniline Products, Inc., Mount Vernon Street, Lock Haven, Pa.
E. (9) $165.09.

A. Tom Pickett, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $36.33.

A. Albert Pike, 277 Park Avenue, N.Y.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. Bruce O. Pike, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $570.

A. James F. Pinkney, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $177.23.

A. T. E. Pinkston, 101 East High Street, Lexington, Ky.
E. (9) $803.46.

A. James H. Pipkin, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco Inc., 135 East 42d Street, New York, N.Y.
D. (6) $700. E. (9) $1,360.

A. Plains Cotton Growers, Inc., 1720 Avenue M, Lubbock, Tex.
D. (6) $19,041.03. E. (9) $1,350.

A. Joseph M. Pollard, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. County of Los Angeles, State of California, Hall of Administration, 500 West Temple Street, Los Angeles, Calif.
D. (6) $2,250. E. (9) $1,500.

A. John W. Pompelli, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,462.50. E. (9) $378.17.

A. Robert R. Poston, 908 Colorado Building, Washington, D.C.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $900. E. (9) $347.59.

A. William J. Potts, Jr., 1735 DeSales Street, NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Richard M. Powell, 1210 Tower Building, Washington, D.C.
B. National Association of Refrigerated Warehouses, 1210 Tower Building, Washington, D.C.

A. Wililam I. Powell, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $7.90.

A. Graydon R. Powers, Jr., 1735 DeSales Street NW., Washington, D.C.
D. (6) $1.35.

A. William C. Prather, 221 North LaSalle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $400.

A. William H. Press, 1616 K Street NW., Washington, D.C.
B. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.
D. (6) $7,000.

A. Forrest J. Prettyman, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Cos., 730 15th Street NW., Washington, D.C.
D. (6) $187.50.

A. Earle W. Putnam, 5025 Wisconsin Avenue, NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Luke C. Quinn, Jr., 1001 Connecticut Avenue NW., Washington, D.C.
D. (6) $18,449.96. E. (9) $9,643.96.

A. William A. Quinlan, 1317 F Street NW., Washington, D.C.
D. (6) $780.90. E. (9) $390.45.

A. James H. Rademacher, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,500.

A. Alex Radin, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $202.

A. Chris J. Radovan, 400 First Street NW., Washington, D.C.
B. Sheet Metal Workers International Association, 1000 Connecticut Avenue, Washington, D.C.
D. (6) $1,025.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.
B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
E. (9) $25.

A. Alan T. Rains, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. William A. Raleigh, Jr., 1000 16th Street NW., Washington, D.C.
B. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
D. (6) $4,125.

A. Donald J. Ramsey, 1625 I Street NW., Washington, D.C.
B. Silver Users Association, 1625 I Street NW., Washington, D.C.
D. (6) $500. E. (9) $39.61.

A. James A. Ransford, 1701 Pennsylvania Avenue NW., Washington, D.C.
B. Tidewater Oil Co.

A. Edward M. Raymond, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $4,075.02. E. (9) $277.95.

A. Campbell L. Reed, 302 Ring Building, Washington, D.C.
B. National Lumber & Building Material Dealers Association, 302 Ring Building, Washington, D.C.
D. (6) $750. E. (9) $74.75.

A. W. O. Reed, 6254 Woodland Drive, Dallas, Tex.
B. Texas railroads.
D. (6) $620.

A. George L. Reid, Jr., 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $799.98. E. (9) $104.32.

A. Robert E. Reiser, 6649 Holland Street, McLean, Va.
B. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C.

A. Dr. Edgar E. Renfrew, Mount Vernon Street, Lock Haven, Pa.
B. American Aniline Products, Inc., Mount Vernon Street, Lock Haven, Pa.
E. (9) $132.

A. Research to Prevent Blindness, Inc., 598 Madison Avenue, New York, N.Y.
E. (9) $3,750.

A. Reserve Officers Association of U.S., 333 Pennsylvania Avenue SE., Washington, D.C.

A. Retirement Federation of Civil Service Employees of the U.S. Government, 13th and E Streets NW., Washington, D.C.
D. (6) $11,427.14. E. (9) $10,961.63.

A. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $128,654.87.

A. William A. Reynolds, 1210 Kermac Building, Oklahoma City, Okla.
B. Mid-America CATV Association, 11 North Lee, Oklahoma City, Okla.
D. (6) $3,333.33. E. (9) $1,260.32.

A. William A. Reynolds, 1210 Kermac Building, Oklahoma City, Okla.
B. Outdoor Advertising Association of Oklahoma, Inc., 6702 East 11th Street, Tulsa, Okla.
D. (6) $1,500. E. (9) $156.98.

A. James W. Richards, 1000 16th Street NW., Washington, D.C.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,138.46. E. (9) $11.62.

A. Dorsey Richardson, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Harry H. Richardson, 335 Austin Street, Bogalusa, La.
B. Louisiana railroads.
D. (6) $40.50. E. (9) $145.34.

A. Lloyd C. Richardson, Jr., Box 489, Aberdeen, S. Dak.
E. (9) $838.

A. Siert F. Riepma, Munsey Building, Washington, D.C.

A. William Neale Roach, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. William Neale Roach, 1700 K Street NW., Washington, D.C.
B. International Armament Corp. (Interarmco), 10 Prince Street, Alexandria, Va.
D. (6) $1,500.

A. Paul H. Robbins, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $250.

A. Austin L. Roberts, Jr., 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $875.

A. Clyde F. Roberts, Jr., 918 16th Street NW., Washington, D.C.

A. Kenneth A. Roberts, 423 Washington Building, Washington, D.C.
B. American Optometric Association, Inc., care of Dr. Melvin D. Wolfberg, 100 West Pine Street, Selinsgrove, Pa.
D. (6) $1,000.

A. Kenneth A. Roberts, 423 Washington Building, Washington, D.C.
B. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
D. (6) $1,200.

A. Kenneth A. Roberts, 423 Washington Building, Washington, D.C.
B. Animal Health Institute, care of Robert Brouse, 1030 15th Street NW., Washington, D.C.
D. (6) $3,000.

A. Kenneth A. Roberts, 423 Washington Building, Washington, D.C.
B. College of American Pathologists, 230 North Michigan Avenue, Chicago, Ill.
D. (6) $500. E. (9) $500.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $185.

A. Howard O. Robinson, Jr., 905 16th Street NW., Washington, D.C.
B. Laborers' International Union of North America, 905 16th Street NW., Washington, D.C.
E. (9) $502.75.

A. James A. Rock, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $155. E. (9) $3.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Cos., 730 15th Street NW., Washington, D.C.
D. (6) $562.50.

A. Frank W. Rogers, 1700 K Street NW., Washington, D.C.
B. Western Oil & Gas Association, 609 South Grand Avenue, Los Angeles, Calif.
D. (6) $526.

A. Dr. Bernard Rottschaefer, 12th and Bern Streets, Reading, Pa.
B. Berkshire Color Division of Tenneco Chemicals, Inc., 12th and Bern Streets, Reading, Pa.

A. Royall, Koegel, Rogers & Wells, 200 Park Avenue, New York, N.Y., and 1730 K Street NW., Washington, D.C.
B. American Realty and Petroleum Corp., 16 West 61st Street, New York, N.Y.
E. (9) $615.87.

A. Royall, Koegel, Rogers & Wells, 200 Park Avenue, New York, N.Y., and 1730 K Street NW., Washington, D.C.
B. Power Authority of the State of New York, 10 Columbus Circle, New York, N.Y.
D. (6) $2,000. E. (9) $206.46.

A. John Forney Rudy, 902 Ring Building, Washington, D.C.
B. The Goodyear Tire & Rubber Co., Akron, Ohio.

A. Harland J. Rue.
B. New Process Co., Warren, Pa.
E. (9) $658.55.

A. Albert R. Russell, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. J. T. Rutherford & Associates, Inc., 1555 Connecticut Avenue NW., Washington, D.C.
B. The American College of Radiology, 20 North Wacker Drive, Chicago, Ill.
D. (6) $750. E. (9) $606.36.

A. J. T. Rutherford, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $533.09.

A. Mrs. Edward F. Ryan, 110 Bridge Street, Manchester, Mass.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.
E. (9) $298.28.

A. William H. Ryan, Machinists Building, Washington, D.C.
B. International Association of Machinists and Aerospace Workers, Machinists Building, Washington, D.C.
D. (6) $1,875. E. (9) $480.

A. Francis J. Ryley, 519 Title and Trust Building, Phoenix, Ariz.
B. Standard Oil Co. of California, San Francisco, et al.

A. William H. Sheick, 1735 New York Avenue NW., Washington, D.C.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $200.

A. Leslie J. Schmidt Associates, 1341 G Street NW., Washington, D.C.
B. National Beer Wholesalers' Association of America, 6310 North Cicero Avenue, Chicago, Ill.
D. (6) $200. E. (9) $4.20.

A. Hilliard Schulberg, 1900 L Street NW., Washington, D.C.
B. Washington (D.C.) Retail Liquor Dealers Association, Inc., 1900 L Street NW., Washington, D.C.
E. (9) $89.84.

A. Scribner, Hall & Casey, 1200 18th Street NW., Washington, D.C.
B. Committee for an Interstate Taxation Act, 1209 Ring Building, Washington, D.C.

A. Scribner, Hall & Casey, 1209 Ring Building, Washington, D.C.
B. Jefferson Standard Life Insurance Co., Post Office Box 21008, Greensboro, N.C.

A. Durward Seals, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Hollis M. Seavey, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. Clayton A. Seeber, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $2,308.48. E. (9) $394.26.

A. W. O. Senter, 1725 DeSales Street NW., Washington, D.C.
B. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C.

A. Theodore A. Serrill, National Press Building, Washington, D.C.

B. National Newspaper Association, National Press Building, Washington, D.C.
E. (9) $123.72.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,125. E. (9) $299.60.

A. Robert L. Shafer, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y.
D. (6) $400. E. (9) $135.

A. David C. Sharman, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, Inc., care of J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.
D. (6) $1,187.50. E. (9) $715.91.

A. A. Manning Shaw, 1625 I Street NW., Washington, D.C.
B. Brown, Lund & Levin, 1625 I Street NW., Washington, D.C., and National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $835.

A. Arnold F. Shaw, 503 D Street NW., Washington, D.C.
B. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.

A. Kenneth D. Shaw, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $474.99.

A. Shaw, Pittman, Potts, Trowbridge & Madden, 910 17th Street NW, Washington, D.C.
B. League of Americans Residing Abroad, 910 17th Street NW., Washington, D.C.

A. John J. Sheehan, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
E. (9) $1,876.82.

A. Ira Shesser, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $50.

A. Max Shine, 1126 16th Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 1126 16th Street NW., Washington, D.C.
D. (6) $992.50. E. (9) $20.

A. Alvin V. Shoemaker, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $500. E. (9) $485.

A. Robert L. Shortle, 1147 International Trade Mart Tower, New Orleans, La.
B. Mississippi Valley Association, 225 South Meramec, St. Louis, Mo.

A. George Shuff, 916 Nashville Trust Building, Nashville, Tenn.
B. Class I railroads in Tennessee.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago, Ill.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $875.

A. Silver Users Association, 1625 I Street NW., Washington, D.C.
D. (6) $1,390. E. (9) $2,058.98.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $6,460. E. (9) $5,456.30.

A. Harold S. Skinner, 30 Rockefeller Plaza, New York, N.Y.
B. Continental Oil Co.

A. Carstens Slack, 1625 I Street NW., Washington, D.C.
B. Phillips Petroleum Co., Bartlesville, Okla.

A. Harold Slater, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $900. E. (9) $20.69.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $3,125. E. (9) $18.

A. Jonathan W. Sloat, 1632 K Street NW., Washington, D.C.
B. Grocery Manufacturers of America, Inc., 205 East 42d Street, New York, N.Y.

A. W. A. Smallwood, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.

A. Donald E. Smiley, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $743.31.

A. E. Stratford Smith, 1101 17th Street NW., Washington, D.C.
B. Smith, Pepper, Shack & L'Heureux, 1101 17th Street NW, Washington, D.C.

A. Gordon L. Smith, 1145 19th Street NW., Washington, D.C.
B. Edward Gottlieb & Associates, Ltd., 485 Madison Avenue, New York, N.Y.
E. (9) $25.13.

A. Irvin A. Smith, 418 East Rosser Avenue, Box 938, Bismarck, N. Dak.
E. (9) $898.01.

A. Robert B. Smith, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW, Washington, D.C.
D. (6) $150.

A. Robert Wm. Smith, 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $1,975. E. (9) $450.

A. Wallace M. Smith, 839 Pennsylvania Building, Washington, D.C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

A. Smith, Pepper, Shack & L'Heureux, 1101 17th Street NW., Washington, D.C.

A. Wayne H. Smithey, 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $2,145. E. (9) $720.

A. Lyle O. Snader, 244 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $312.40. E. (9) $122.

A. Frank B. Snodgrass, 1726 M Street NW., Washington, D.C.
B. Burley and Dark Leaf Tobacco Export Association, Inc., Post Office Box 860, Lexington, Ky.
D. (6) $375. E. (9) $586.56.

A. Edward F. Snyder, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $3,340.

A. J. R. Snyder, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Trainmen.

A. Society for Animal Protective Legislation, Post Office Box 3719, Georgetown Station, Washington, D.C.
D. (6) $2,922.66. E. (9) $2,101.48.

A. Carl A. Soderblom, 1 East First Street, Reno, Nev.
B. Nevada Railroad Association, 1 East First Street, Reno, Nev.
D. (6) $100. E. (9) $800.69.

A. Stanley L. Sommer, 1700 K Street NW., Washington, D.C.
B. Ad Hoc Committee on Paper Industries Machinery Tariffs, 1700 K Street NW., Washington, D.C.
E. (9) $38.86.

A. Stanley L. Sommer, 1700 K Street NW., Washington, D.C.
B. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.
D. (6) $2,500. E. (9) $17.32.

A. Marvin J. Sonosky, 1225 19th Street NW., Washington, D.C.

A. J. Taylor Soop, 400 First Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.
D. (6) $2,750.

A. W. Byron Sorrell, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Mobilhome Dealers National Association, 39 South LaSalle Street, Chicago, Ill.
D. (6) $2025. E. (9) $134.85.

A. Southern States Industrial Council, 1103–1111 Stahlman Building, Nashville, Tenn.
D. (6) $36,538.52. E. (9) $6,230.89.

A. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex.
D. (6) $150. E. (9) $150.

A. William W. Spear, 214 Fremont National Bank Building, Fremont, Nebr.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,030.77. E. (9) $3.61.

A. John F. Speer, Jr., 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Lawrence Speiser, 1424 16th Street NW., Washington, D.C.
B. American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y.

A. Chester S. Stackpole, 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Lynn E. Stalbaum, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $1,250.

A. Melvin L. Stark, 1725 K Street NW., Washington, D.C.
B. American Insurance Association, 85 John Street, New York, N.Y.

A. Newton I. Steers, Jr., 10400 Connecticut Avenue, Kensington, Md.

A. Mrs. Nell May F. Stephens, Post Office Box 6234, Northwest Station, Washington, D.C.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. International Telephone & Telegraph Corp., 320 Park Avenue, New York, N.Y.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.
B. American Aniline Products, Inc., 25 McLean Boulevard, Paterson, N.J.
D. (6) $2,925. E. (9) $3,387.47.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.
B. Glass Container Manufacturers Institute, Inc., 330 Madison Avenue, New York, N.Y.
E. (9) $24.22.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.
B. Man-Made Fiber Producers Association, Inc., 300 Fifth Avenue, New York, N.Y.
D. (6) $1,093.75. E. (9) $34.50.

A. Sterling F. Stoudenmire, Jr., 61 St. Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.

A. Francis W. Stover, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the U.S.
D. (6) $4,350. E. (9) $237.90.

A. O. R. Strackbein, 815 15th Street NW., Washington, D.C.
D. (6) $625.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Federation of American Scientists, 1700 K Street NW., Washington, D.C.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Hualapai Tribe of the Hualapai Reservation, Box 168, Peach Springs, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Laguna Pueblo of New Mexico, Laguna, N. Mex.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Metlakatla Indian Community, Box 142, Metlakatla, Alaska.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Nez Perce Tribe, Lapwai, Idaho.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Oglala Sioux Tribe of the Pine Ridge Reservation, Pine Ridge, S. Dak.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Salt River Pima-Maricopa Indian Community, Box 907–X, Route 1, Scottsdale, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. San Carlos Apache Tribe, San Carlos, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Seneca Nation of Indians, Box 231, Haley Community Building, Salamanca, N.Y.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Tuscarora Nation of Indians, Tuscarora Reservation, Lewiston, N.Y.

A. Ronnie J. Straw, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Herald E. Stringer, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $4,675.98. E. (9) $389.89.

A. William A. Stringfellow, 6004 Roosevelt Street, Bethesda, Md.
B. National Association of Mutual Insurance Agents, 520 Investment Building, Washington, D.C.

A. Norman Strunk, 221 North LaSalle Street, Chicago, Ill.
B. United States Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $1,875.

A. Sam S. Studebaker, Tipp City, Ohio.
B. National Association of Soil & Water Conservation Districts, League City, Tex.
D. (6) $125. E. (9) $125.

A. Richard L. Studley, 1400 20th Street NW., Post Office Box 19128, Washington, D.C.
B. Machinery Dealers National Association, 1400 20th Street NW., Post Office Box 19128, Washington, D.C.

A. Walter B. Stults, 537 Washington Building, Washington, D.C.
B. National Association of Small Business Investment Cos., 537 Washington Building, Washington, D.C.
D. (6) $600.

A. Barry Sullivan, 536 Washington Building, Washington, D.C.
B. National Association of River & Harbor Contractors, 3900 North Charles Street, Baltimore, Md.
D. (6) $750.

A. Frank L. Sundstrom, 1290 Avenue of the Americas, New York, N.Y.
B. Schenley Industries, Inc., 1290 Avenue of the Americas, New York, N.Y.

A. C. Austin Sutherland, 1616 P Street, NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. William A. Sutherland, et al., 1200 Farragut Building, Washington, D.C.
B. World Airways, Inc., Oakland International Airport, Oakland, Calif.
D. (6) $15,000. E. (9) $61.90.

A. Monroe Sweetland, 1705 Murchison Drive, Burlingame, Calif.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $335. E. (9) $50.

A. Gary Tabak, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $150.

A. Ralph L. Tabor, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Charles P. Taft, 1028 Connecticut Avenue NW., Washington, D.C.

B. Legislative Committee, Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.

A. Clarence M. Tarr, 1909 Q Street NW., Washington, D.C.

B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.

D. (6) $2,884.80. E. (9) $206.75.

A. Warren G. Taylor, 604–605 Central Trust Building, Jefferson City, Mo.

B. Missouri Railroad Committee, 604–605 Central Trust Building, Jefferson City, Mo.

A. Craig L. Thomas, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,837.50. E. (9) $40.99.

A. George F. Thomas, 400 First Street NW., Washington, D.C.

B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.

D. (6) $1,965.

A. J. Woodrow Thomas, 1000 16th Street NW., Washington, D.C.

B. Trans World Airlines, 10 Richards Road, Kansas City, Mo.

A. Clark W. Thompson, 1625 I Street NW, Washington, D.C.

B. Retained by the National Board of Fur Farm Organizations, Inc., 152 West Wisconsin Avenue, Milwaukee, Wis.

D. (6) $300.

A. Clark W. Thompson, 1625 I Street NW., Washington, D.C.

B. U.S. Independent Telephone Association.

D. (6) $300.

A. Julia C. Thompson, 1030 15th Street, NW., Washington, D.C.

B. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.

D. (6) $2,846.52.

A. William B. Thompson, Jr., Room 244, Transportation Building, Washington, D.C.

B. Association of American Railroads, Transportation Building, Washington, D.C.

D. (6) $393.35. E. (9) $233.

A. Eugene M. Thoré, 277 Park Avenue, New York, N.Y.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. William H. Tinney, 1223 Pennsylvania Building, Washington, D.C.

B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. E. Linwood Tipton, 1105 Barr Building, Washington, D.C.

B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Tobacco Associates, Inc., 1101 17th Street NW., Washington, D.C.

E. (9) $1,420.

A. H. Willis Tobler, 30 F Street NW., Washington, D.C.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

D. (6) $3,125. E. (9) $171.37.

A. John H. Todd, Post Office Box 23, 1085 Shrine Building, Memphis, Tenn.

B. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Box 23, Memphis, Tenn.

A. David R. Toll, 1140 Connecticut Avenue NW., Washington, D.C.

B. National Association of Electric Cos., 1140 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,687.50. E. (9) $548.19.

A. Dwight D. Townsend, 1012 14th Street NW., Washington, D.C.

B. Cooperative League of USA, 59 East Van Buren Street, Chicago, Ill.

D. (6) $3,200. E. (9) $4,120.

A. F. Gerald Toye, 777 14th Street NW., Washington, D.C.

B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

D. (6) $750. E. (9) $106.05.

A. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

E. (9) $567.17.

A. Richard S. Tribbe, 1000 16th Street NW., Washington, D.C.

B. Trans World Airlines, 10 Richards Road, Kansas City, Mo.

A. Matt Triggs, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $2,062.50. E. (9) $31.78.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D.C.

B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $4,375. E. (9) $116.75.

A. Paul T. Truitt, 1700 K Street NW., Washington, D.C.

B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.

A. Galen Douglas Trussell, 918 16th Street NW., Washington, D.C.

A. Dick Tullis, 307 Maple Terrace, Dallas, Tex.

B. Superior Oil Co., Houston, Tex. and Los Angeles, Calif.

D. (6) $150. E. (9) $150.

A. A. O. Turek, 815 Connecticut Avenue NW., Washington, D.C.

B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. William S. Tyson, 821 15th Street NW., Washington, D.C.

B. Western Range Association, 375 North Fulton Street, Fresno, Calif.

E. (9) $117.85.

A. David G. Unger, Washington, D.C.

B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Union Producing Co., 1525 Fairfield Avenue, Shreveport, La., and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.

E. (9) $921.80.

A. United Cerebral Palsy Associations, Inc., 321 West 44th Street, New York, N.Y.

E. (9) $2,533.73.

A. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.

D. (6) $574,140.45. E. (9) $108,674.49.

A. United States Cane Sugar Refiners' Association, 1001 Connecticut Avenue NW., Washington, D.C.

E. (9) $198.09.

A. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.

E. (9) $23,550.31.

A. C. Braxton Valentine, Jr., 1309 State-Planters Bank Building, Richmond, Va.

B. Theodore A. Mangelsdorf, Cumberland Farm, New Kent County, Va.

A. Charles R. Van Horn, 17th and H Streets NW., Washington, D.C.

B. Baltimore & Ohio Railroad Co., and Chesapeake & Ohio Railway Co., Charles and Baltimore Streets, Baltimore, Md.

A. Mrs. Lois W. Van Vallenburgh, 1673 Preston Road, Alexandria, Va.

B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.

D. (6) $113.50.

A. Theodore A. Vanderzyde, Machinists Building, Washington, D.C.

B. International Association of Machinists & Aerospace Workers, AFL–CIO, Machinists Building, Washington, D.C.

D. (6) $1,625. E. (9) $480.

A. John M. Vansant, Jr., 1250 Connecticut Avenue NW., Washington, D.C.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. G. W. Vaughan, 233 Broadway, New York, N.Y.

A. Richard E. Vernor, 1701 K Street NW., Washington, D.C.

B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

D. (6) $116.50. E. (9) $26.20.

A. L. T. Vice, 1700 K Street NW., Washington, D.C.

B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.

E. (9) $140.

A. The Voice of the People in Action (The Society of the People, Inc.), 621 Sheridan Street, Chillum, Md.

B. Dr. Russell Forrest Egner, 621 Sheridan Street, Chillum, Md.

E. (9) $481.98.

A. Volume Footwear Retailers Association, Inc., 51 East 42d Street, New York, N.Y.

D. (6) $42,600. E. (9) $32,895.24.

A. E. R. Wagner, 888 17th Street NW., Washington, D.C.

B. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.

D. (6) $188.48. E. (9) $16.64.

A. Harold S. Walker, Jr., 605 Third Avenue, New York, N.Y.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Paul H. Walker, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $791.83. E. (9) $10.27.

A. Franklin Wallick, 1126 16th Street NW., Washington, D.C.

B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, Solidarity House, 8000 East Jefferson Avenue, Detroit, Mich.

D. (6) $3,265.86. E. (9) $833.88.

A. Thomas G. Walters, 400 First Street NW., Washington, D.C.

B. American Federation of Government Employees, 400 First Street NW., Washington, D.C.

D. (6) $3,322.76. E. (9) $6,254.28.

A. William A. Walton, Garlinghouse Building, 820 Quincy Street, Topeka, Kans.

B. Kansas Railroad Committee, Garlinghouse Building, 820 Quincy Street, Topeka, Kans.

A. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D.C.

D. (6) $963. E. (9) $1,834.39.

A. Jeremiah C. Waterman, 1250 Connecticut Avenue NW., Washington, D.C.

B. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.

D. (6) $700.

A. Waterways Bulk Transportation Council, Inc., 1750 Brentwood Boulevard, St. Louis, Mo.

A. Herman Webb, 400 First Street NW., Washington, D.C.

B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.

D. (6) $1,809.

A. E. E. Webster, 400 First Street NW., Washington, D.C.

B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.

D. (6) $3,451.88.

A. E. Jerome Webster, Jr.

B. National Association of Frozen Food Packers, 919 17th Street NW., Washington, D.C.

D. (6) $100.

A. Clarence M. Weiner, 350 Fifth Avenue, New York, N.Y.

B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.

D. (6) $8,000.

A. Dr. Frank J. Welch, 3724 Manor Road, Chevy Chase, Md.

B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Joseph E. Welch, 1630 Locust Street, Philadelphia, Pa.

B. Wellington Management Co., 1630 Locust Street, Philadelphia, Pa.

E. (9) $12.33.

A. Wenchel, Schulman & Manning, 1625 K Street NW., Washington, D.C.

B. American Motors Corp., 14250 Plymouth Road, Detroit, Mich.

E. (9) $365.24.

A. Don White, 3150 Spring Street, Fairfax, Va.

B. National Audio-Visual Association, Inc., 3150 Spring Street, Fairfax, Va.

D. (6) $956.25. E. (9) $99.65.

A. John C. White, 1140 Connecticut Avenue NW., Washington, D.C.

D. (6) $750. E. (9) $610.95.

A. John C. White, 1317 F Street NW., Washington, D.C.

B. Truck Council of America, Inc., 1317 F Street NW., Washington, D.C.

A. Donald S. Whyte, 1629 K Street NW., Washington, D.C.

B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.

D. (6) $600.

A. Louis E. Whyte, 918 16th Street NW., Washington, D.C.

B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. Claude C. Wild, Jr., 1120 Connecticut Avenue NW., Washington, D.C.

B. Gulf Oil Corp., Pittsburgh, Pa.

D. (6) $1,000. E. (9) $250.

A. John Wilder, Somerville, Tenn.

B. National Association of Soil & Water Conservation Districts, League City, Tex.

D. (6) $140. E. (9) $140.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y.

E. (9) $11.35.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. Arapahoe Indian Tribe, Fort Washakie, Wyo.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. Blackfeet Tribe, Browning, Mont., et al.

E. (9) $27.60.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. Confederated Salish & Kootenai Tribes of the Flathead Reservation, Mont.

E. (9) $11.69.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. KSL, Inc., 145 Social Hall Avenue, Salt Lake City, Utah.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. National Congress of American Indians, 1346 Connecticut Avenue NW., Washington, D.C.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. Quinaielt Tribe of Indians, Taholah, Wash.

E. (9) $2.35.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. The Three Affiliated Tribes of the Fort Berthold Reservation, New Town, N. Dak.

E. (9) $1.40.

A. John Willard, Box 1172, Helena, Mont.

B. Montana Railroad Association, Helena, Mont.

D. (6) $150. E. (9) $557.78.

A. Harding deC. Williams, Washington, D.C.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D.C.

B. National Association of Real Estate Boards, 155 East Superior, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D.C.

D. (6) $4.500. E. (9) $168.20.

A. Clark L. Wilson, 1145 19th Street NW., Washington, D.C.

B. Lead-Zinc Producers Committee.

D. (6) $1,350. E. (9) $15.06.

A. E. Raymond Wilson, 245 Second Street NE., Washington, D.C.

B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $1,680.

A. W. E. Wilson, 1525 Fairfield Avenue, Shreveport, La.

B. Union Producing Co., 1525 Fairfield Avenue, Shreveport, La., and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.

D. (6) $600. E. (9) $321.80.

A. Robert Winter-Berger, 123 East 75th Street, New York, N.Y.

D. (6) $3,000. E. (9) $1,850.

A. Richard F. Witherall, 702 Majestic Building, Denver, Colo.

B. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.

D. (6) $900. E. (9) $2,473.64.

A. Venlo Wolfsohn, 1729 H Street NW., Washington, D.C.

B. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.

D. (6) $300. E. (9) $60.50.

A. Russell J. Woodman, 400 First Street NW., Washington, D.C.

B. Transportation-Communication Employees Union, 3680 Lindell Boulevard, St. Louis, Mo.

A. James Woodside, 1126 16th Street NW., Washington, D.C.

B. American Federation of Technical Engineers, 1126 16th Street NW., Washington, D.C.

D. (6) $240. E. (9) $20.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.

B. Signal Oil & Gas Co., 1010 Wilshire Boulevard, Los Angeles, Calif.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washintgon, D.C.

B. The Flying Tiger Line, Inc., Los Angeles International Airport, Los Angeles, Calif.

A. Hal J. Wright, 1612 K Street NW., Washington, D.C.

B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.

B. American Football League, 280 Park Avenue, New York, N.Y.

D. (6) $500. E. (9) $10.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.

B. Holly Corp., 1111 West Foothill Boulevard, Azusa, Calif.; General Development Corp., 2828 Coral Way, Miami, Fla.; and Cherokee Village Development Corp., Cherokee Village, Ark.

D. (6) $250. E. (9) $35.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.

B. National Association of Business Development Corp., 45 Milk Street, Boston, Mass.

E. (9) $10.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.

B. Savings Associates, 315 East Colorado Boulevard, Pasadena, Calif.

D. (6) $500. E. (9) $150.

A. J. Banks Young, 1200 18th Street NW., Washington, D.C.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

D. (6) $675.

A. Kenneth Young, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $4,049.50. E. (9) $697.30.

A. Robert C. Zimmer, 1250 Connecticut Avenue NW., Washington, D.C.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Gordon K. Zimmerman, Washington, D.C.

B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Zimring, Gromfine & Sternstein, 1155 15th Street NW., Washington, D.C., and 11 South LaSalle Street, Chicago, Ill.

REGISTRATIONS

The following registrations were submitted for the second calendar quarter 1967:

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by ther respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

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B. Norwegian Shipowners Association, Post Office Box 1452, Oslo, Norway.

A. American Aniline Products, Inc., 25 McLean Boulevard, Paterson, N.J.

A. Appalachian Corp., 1089 National Press Building, Washington, D.C.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Electronic Industries Association, 2001 I Street NW., Washington, D.C.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Floor Covering Committee Affiliated with the National Council of American Importers, 295 Fifth Avenue, New York, N.Y.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. The Lawyers Co-operative Publishing Co., Rochester, N.Y.

A. John Barnard, Jr., 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Thomas D. Blake, 1108 16th Street NW., Washington, D.C.
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A. Mary Ann Boukalis, 1616 H Street NW., Washington, D.C.
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A. Noah M. Brinson, 919 18th Street NW., Washington, D.C.
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A. Chapman, DiSalle & Friedman, 425 13th Street NW., Washington, D.C.
B. Newspaper Committee for a Free and Competitive Press, 33 North Dearborn Street, Chicago, Ill.

A. Clark & Nevius, 1000 Vermont Avenue NW., Washington, D.C.
B. Association of Mutual Fund Plan Sponsors, Inc., 50 East 42d Street, New York, N.Y.

A. Classic Car Club of America, Inc., 114 Liberty Street, New York, N.Y.

A. Council of Savings & Loan Stock Cos., 1330 Massachusetts Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
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A. Charles W. Day, 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.

A. Michael B. Deane, 1707 L Street NW., Washington, D.C.
B. Washington Fact Finders, Inc., National Press Building, Washington, D.C.

A. V. M. Delisi, Ridgefield, N.J.
B. Pfister Chemical Works, Inc., Ridgefield, N.J.

A. Vincent A. Demo, 25 Broadway, New York, N.Y.
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B. Eaton & Howard, Inc., 24 Federal Street, Boston, Mass.

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A. Gadsby, Maguire & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.
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B. Mid-America CATV Association, 11 North Lee, Oklahoma City, Okla.

A. William A. Reynolds, 1210 Kermac Building, Oklahoma City, Okla.

B. Oklahoma Outdoor Advertising Association, 6702 East 11th Street, Tulsa, Okla.

A. Lloyd C. Richardson, Jr., Box 489, Aberdeen, S. Dak.

B. South Dakota Railroads Association.

A. Donald L. Roegner, 2315 East Ridgewood Drive, Cedar Falls, Iowa.

A. Walter E. Rogers, 1701 Pennsylvania Avenue NW., Washington, D.C.

B. Algonquin Gas Transmission Co., Boston, Mass.

A. Walter E. Rogers, 1701 Pennsylvania Avenue NW., Washington, D.C.

B. Cities Service Gas Co., Oklahoma City, Okla.

A. Walter E. Rogers, 1701 Pennsylvania Avenue NW., Washington, D.C.

B. El Paso Natural Gas Co., El Paso, Tex.

A. Walter E. Rogers, 1701 Pennsylvania Avenue NW., Washington, D.C.

B. Mississippi River Transmission Corp., 9900 Clayton Road, St. Louis, Mo.

A. Walter E. Rogers, 1701 Pennsylvania Avenue NW., Washington, D.C.

B. Natural Gas Pipeline Co. of America, 122 South Michigan Avenue, Chicago, Ill.

A. Walter E. Rogers, 1701 Pennsylvania Avenue NW., Washington, D.C.

B. Northern Natural Gas Co., 2223 Dodge Street, Omaha, Nebr.

A. Walter E. Rogers, 1701 Pennsylvania Avenue NW., Washington, D.C.

B. Panhandle Eastern Pipeline Co., New York, N.Y.

A. Walter E. Rogers, 1701 Pennsylvania Avenue NW., Washington, D.C.

B. Southern Natural Gas Co., Box 2563, Birmingham, Ala.

A. Walter E. Rogers, 1701 Pennsylvania Avenue NW., Washington, D.C.

B. Texas Eastern Transmission Corp., Houston, Tex.

A. Walter E. Rogers, 1701 Pennsylvania Avenue NW., Washington, D.C.

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A. Walter E. Rogers, 1701 Pennsylvania Avenue NW., Washington, D.C.

B. Transcontinental Gas Pipeline Corp., Houston, Tex.

A. Walter E. Rogers, 1701 Pennsylvania Avenue NW., Washington, D.C.

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A. Dr. Bernard Rottschaefer, 12th and Bern Streets, Reading, Pa.

B. Berkshire Color Division of Tenneco Chemicals, Inc., 12th and Bern Streets, Reading, Pa.

A. Scribner, Hall & Casey, 1209 Ring Building, Washington, D.C.

B. Jefferson Standard Life Insurance Co., Post Office Box 21008, Greensboro, N.C.

A. Shipley, Akerman & Pickett, 1204 National Press Building, Washington, D.C.

B. Bluejay Oil Co., Inc., 1066 National Press Building, Washington, D.C.

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A. Shipley, Akerman & Pickett, 1204 National Press Building, Washington, D.C.

B. Fiduciary Counsel, Inc., 40 Wall Street, New York, N.Y.

A. Shipley, Akerman & Pickett, 1204 National Press Building, Washington, D.C.

B. Forrestal Village, Inc., 1204 National Press Building, Washington, D.C.

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A. Shipley, Akerman & Pickett, 1204 National Press Building, Washington, D.C.

B. Horse Case Manufacturing Co., Inc., 2408 Douglass Boulevard, Louisville, Ky.

A. Shipley, Akerman & Pickett, 1204 National Press Building, Washington, D.C.

B. Insurance Securities Inc., 100 California Street, San Francisco, Calif.

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B. Investment Management Co., Westminster at Parker, Elizabeth, N.J.

A. Shipley, Akerman & Pickett, 1204 National Press Building, Washington, D.C.

B. Kane Manufacturing Co., Inc., 2408 Douglas Boulevard, Louisville, Ky.

A. Shipley, Akerman & Pickett, 1204 National Press Building, Washington, D.C.

B. Leitchfield Manufacturing Co., 2408 Douglass Boulevard, Louisville, Ky.

A. Shipley, Akerman & Pickett, 1204 National Press Building, Washington, D.C.

B. Middendorf, Colgate & Co., 80 Broad Street, New York, N.Y.

A. Shipley, Akerman & Pickett, 1204 National Press Building, Washington, D.C.

B. National FHA Apartment Owners Association, 1206 National Press Building, Washington, D.C.

A. Shipley, Akerman & Pickett, 1204 National Press Building, Washington, D.C.

B. National Realty Corp., 69 Hickory Drive, Waltham, Mass.

A. Shipley, Akerman & Pickett, 1204 National Press Building, Washington, D.C.

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B. International Telephone & Telegraph Corp., 320 Park Avenue, New York, N.Y.

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B. Costruzioni Aeronautiche Giovoni Agusta S.P.A., Cascina Costa, Italy.

A. Surrey, Karasik, Gould & Greene, 1116 Woodward Building, Washington, D.C.

B. Union des Producteurs, Cooperatives et Industriels Laitiers, 400 Rue St. Honore, Paris, France.

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B. American Bar Association, 1705 DeSales Street NW., Washington, D.C.

A. Anton O. Turek, 815 Connecticut Avenue NW., Washington, D.C.

B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

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B. Pacific American Steamship Association, 635 Sacramento Street, San Francisco, Calif.

A. John Wilder, Somerville, Tenn.

B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. Blackfeet Tribe, Browning, Mont., et al.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. Boat Owners Association of the United States (BOAT/U.S.), 1612 K Street NW., Washington, D.C.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. National Congress of American Indians, 1346 Connecticut Avenue NW., Washington, D.C.

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B. The Three Affiliated Tribes of the Fort Berthold Reservation, New Town, N. Dak.

A. Francis S. Williams, 61 Broadway, New York, N.Y.

B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Harding deC. Williams, 918 16th Street NW., Washington, D.C.

A. R. J. Winchester, 900 Southwest Tower, Houston, Tex.

B. Pennzoil Co., 900 Southwest Tower, Houston, Tex.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.

B. Savings Associates, 315 East Colorado Boulevard, Pasadena, Calif.

EXTENSIONS OF REMARKS

Tribute to the Holt Adoption Agency

EXTENSION OF REMARKS
OF
HON. JOHN R. DELLENBACK
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 24, 1967

Mr. DELLENBACK. Mr. Speaker, as we all know, the Korean conflict had many far-reaching results. There were a number of marriages between American servicemen and Korean women which resulted, and America has been strengthened by the resulting infusion of this blood from a hearty and courageous people.

Another lesser known, or at least lesser talked about, result was the unfortunate fact that a number of children were born of unwed Korean mothers, fathered by members of our American Armed Forces. Shortly after the cessation of hostilities in Korea, two citizens of my State of Oregon, Harry and Bertha Holt, deeply troubled about these children, began a campaign almost singlehandedly to seek the adoption of as many as possible of these children by American parents. The redtape that needed to be cut was voluminous and the road was long, but Harry and Bertha Holt struggled and persuaded and cajoled and fought their way through the problems and succeeded in a remarkable degree.

Today some 3,900 of these children have been adopted; 3,481 have been adopted in U.S. homes, five in other countries, 301 by U.S. military personnel and 193 in Korean homes as a direct result of the self-sacrificing work of Harry and Bertha Holt. Afflicted with heart trouble, Harry Holt literally gave his life in this work. Upon his death, Bertha Holt picked up the load, and, gathering around her a group of interested and concerned and dedicated individuals, has gone forward with the work of the Holt Adoption Agency. This work is at present headed up by Rev. Jack Adams, himself the son of former Presbyterian missionaries to Korea and a tremendously able and dedicated man.

I rise today, Mr. Speaker, to call the attention of the Congress to this one additional problem which faces America. It is a problem of particular heartbreak because in many Asian countries the child belongs to the father, not the mother, and lacking a father, has no family, no one authorized to register his birth. Such a child is, therefore, often denied the rights of schooling and later of access to normal employment. Such an Amerasian child often becomes in many ways a stateles person, a special kind of orphan, condemned to anger and bitterness at his lot and prey to the temptation to run in the company of others like him, anything but a productive member of society. Often these children are individuals of real ability and talent, with potential for at least normal and wholesome personality development and with the possibility of making real contributions to society.

I commend today, Mr. Speaker, the work of Harry and Bertha Holt—the same Bertha Holt, incidentally, who was last year chosen as the American Mother of the Year—of the Reverend Adams and those who have gone before him, and of others like these individuals who are deeply concerned about this basic problem and who have given so much of themselves in the little publicized but critically important task.

Medal of Honor for West Virginian

EXTENSION OF REMARKS
OF
HON. KEN HECHLER
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 24, 1967

Mr. HECHLER of West Virginia. Mr. Speaker, I am proud to join with my colleagues in honoring a native son of West Virginia, who has brought great honor to his Nation by his gallantary in action. Born on Christmas Day 25 years ago, in West Columbia, W. Va., Staff Sergeant Stewart grew up in Mason County and spent most of his life in the bustling Ohio River Valley where his surviving relatives still live. He was killed in action in Vietnam on May 18. The Medal of Honor was awarded to him posthumously.

The sons of West Virginia have always been in the forefront of every conflict in defense of their Nation. Staff Sergeant Stewart has won the highest award for valor which the nation can present, and he typifies the heroism which has always characterized men in combat from our Mountain State.

It was a particular honor for me to join with U.S. Senators JENNINGS RANDOLPH, of West Virginia, and FRANK LAUSCHE, of Ohio, as well as my colleagues in the House, Hon. JACK BRINKLEY, of Georgia, and CLARENCE MILLER, of Ohio, at the ceremony honoring the late Staff Sergeant Stewart.

Public Broadcasting Act: A Choice for the Public

EXTENSION OF REMARKS
OF
HON. DANIEL J. RONAN
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 24, 1967

Mr. RONAN. Mr. Speaker, whether the television viewer elects to watch a baseball game on a commercial channel or listen to a Russian language expert on a noncommercial channel is a personal choice. But every viewer should have the opportunity to make a choice.

One in every three Americans lives outside the range of a noncommercial or educational TV station. Hampered by personnel and equipment shortages, few educational stations can offer the variety of creative programing they would like.

For these reasons I suport the Public Broadcasting Act about to come before the House.

The bill provides Federal grants to help educational TV stations build or enlarge their broadcast capability. This program, first authorized by the Congress in 1962, has been responsible for new stations or stronger stations in many communities. The bill expands the program slightly and includes, for the first time, equipment grants to educational radio.

To help local educational TV and radio stations offer a greater variety of cultural and public affairs programs, the bill provides support for additional staff and program production, for a national broadcasting library and for an interconnection system that will enable national distribution to local stations.

This legislation is needed. It has public support. It is endorsed by the major commercial networks. I urge my colleagues to give it favorable consideration.

The Law and the Land Under the Sea

EXTENSION OF REMARKS
OF

HON. RICHARD T. HANNA

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 24, 1967

Mr. HANNA. Mr. Speaker, the enthusiastic romance with the promise and potentials of the "wet frontier" of the world's oceans has continued through the last few years, unabated. On a more practical plane, Government agencies have cautiously extended their activities, sensing a possible explosion of funding for mission-oriented projects. Most impressively, private industry has committed substantial resources toward engineering and scientific projects for meaningful intrusions into the underseas environments. All this has appropriately engendered rising concern over the status of the law of the sea and how, given the underdeveloped condition of this facet of jurisprudence, orderly and effective development and exploitation of the envisioned potentials can be realized.

Viewpoints of concern include our own early observations before the Oceanography Subcommittee over a year ago, when we likened the prevailing lawless conditions in the "wet frontier" to the situation in the early "west frontier." The rule of the six-gun prevailed. The violence of possession gained, being nine points of the law, we were provided with a bloody chapter in our development. To reconstruct that history in the sea in an international scramble for possession and protection would not be appealing. However, to see in this dilemma the necessity for cooperation and mutual assent to some developing rules does not in our judgment dictate an immediate turning to the United Nations, as some have suggested, as the sole forum for an answer. Our attention, as has that of other thoughtful and concerned persons has been drawn to the proposal, most recently expounded by the able Senator from Idaho, Senator CHURCH. We choose to look upon the Senator's suggestion as an invitation for a broad dialog on the problem.

In the hopes of encouraging a continuance of investigation and suggestion, we have set down some thoughts which, in our judgment, question the wisdom of a hasty turn to the United Nations at this juncture in the emerging situation under seas. This is not to say that some role cannot in the early stages be assumed by the United Nations. Nor is it to deny that ultimately, that role may wisely be expanded.

Pragmatically, it strikes us that the more productive approach would be in limited stages, closely associated with practical problems as they occur, and the gradual working out of problems of cooperation within a framework of internationally binding law.

During the period in which modern international law evolved, the bed of the sea and its subsoil were technologically inaccessible. As a result, no specific doctrine was developed as to ownership and exploitation of submerged areas. Whether the exercise of sovereignty over the territorial seas and contiguous zones included a like or lesser control of the subsoil and seabed was not a matter of practical or legal importance.

Unilateral action regarding sponges and pearls—in areas called fisheries—represented the initial attempt to control areas of seabed. In English jurisprudence, the isolated incidents of litigation and subsoil rights were brought by the Crown as a result of the extension of mine shafts beneath territorial seas.

Nonetheless, two general principles have evolved which could be applied. One is the Roman doctrine of res communis, or common to all. This has provided the basis for the generally accepted doctrine of freedom of the seas. Institution of this doctrine would prevent any establishment of national sovereignty. The second doctrine, is that of res nullius, or belonging to none. Such a doctrine would permit the acquisition and extension of sovereignty into such areas as were not already occupied. The two doctrines, of course, are incompatible.

It has been only recently, when modern technology has made it feasible and profitable to drill oil wells into the subsoil, and when projections of future interrelated demands for energy, water, and minerals from the sea have been established, that the importance of ownership of the seabed and subsoil has become fully recognized.

In 1945, President Harry Truman issued a landmark proclamation in which he expressed the view that—

> The exercise of jurisdiction over the natural resources of the subsoil and seabed of the Continental Shelf by the contiguous Nation is reasonable and just.

And proclaimed further:

> The Government of the United States regards the natural resources of the subsoil and seabed of the Continental Shelf beneath the high seas but contiguous to the coasts of the United States as appertaining to the United States (and) subject to its jurisdiction and control.

This, however, could be explained as a domestic matter in the historic sense. Soon, however, in light of the new technological capabilities, it became necessary to extend the width of territorial waters and the establish contiguous zones, formerly regarded as high seas areas.

As a result, the Convention on the Continental Shelf attempted to establish a method for national control over the seabed and subsoil of the Continental Shelf, so that sovereignty over the superjacent waters would not be extended. Unfortunately, the Convention adopted a double standard for establishing the limits within which the coastal state may exercise "sovereign rights for the purpose of exploring and exploiting" the Continental Shelf. The first article of the Convention provides that—

> The term "continental shelf" is used as referring (a) to the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to a depth of 200 meters or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the said areas; (b) to the seabed and subsoil of similar submarine areas adjacent to the coasts of islands.

And the second article then declares that—

> 1. The coastal State exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources.
>
> 2. The rights referred to in paragraph one of this article are exclusive in the sense that if the coastal State does not explore the continental shelf or exploit its natural resources, no one may undertake these activities, or make a claim to the continental shelf, without the express consent of the coastal State.
>
> 3. The rights of the coastal State over the continental shelf do not depend on occupation, effective or national or on any express proclamation.

The implications of this doctrine present numerous problems in international law of the sea. What remains unclear is the outer boundary of this exclusive area. What if the seabed has deep trenches in it? Does the coastal jurisdiction revive farther at sea? Under part (a) of article I, cannot one state just keep going, out into the sea up to the point where another state makes a similar claim? And then, where are we left? Furthermore, what about the area beyond the coastal state's jurisdiction, what regime rules here? Does res nullius or res communis apply? It would seem that in reality, the only limit is that which is measured by the criterion of exploitability.

There is a growing concern that somewhere in the near future a few oceanographic powers will be able to occupy and thus appropriate all the deep ocean mineral areas that could be developed for some time.

Recently, President Johnson called attention to these dangers in his remarks at the commissioning of the new research ship *Oceanographer*:

> Under no circumstances, must we ever allow the prospect of rich harvest and mineral wealth to create a new form of colonial competition among the maritime nations. We must be careful to avoid a race to grab and to hold the lands under the high seas. We must ensure that the deep and the ocean bottoms are, and remain, the legacy of all human beings.

Clearly, we are now faced with some fundamental decisions about rights and uses of the lands beneath the sea. Pressures for making the decisions are mounting daily.

In a paper prepared for the American Bar Association National Institute on Maritime Resources, Mr. Francis T. Christy, Jr., outlined the criteria for the establishment of a useful regime over the sea. In part, he stated:

> In considering the alternative regimes, the basic objective is to arrive at that regime that

> will be viable over the long-run and that will encourage the economically efficient, peaceful, and orderly exploitation of the minerals of the sea floor. Its success will be measured against three criteria. First, it must permit economically efficient operations. Second it must be acceptable to a sufficient number of nations both in the long and the short run. And third, it must be feasible.

In the United States, the Commission to Study the Organization of Peace, in its 17th report, dated May 1966, presented its arguments for the proposal that—

> With respect to the bed of the high seas beyond the continental shelf and to outer space, which are outside the jurisdiction of any state, we urge the General Assembly to declare the title of the international community and to establish appropriate administrative arrangements.

With the United Nations owning and licensing for exploitation the sea floor minerals, the income would naturally flow into the U.N.

And, on February 15, 1967, Senator Frank Church proposed that—

> By conferring title on the United Nations to mineral resources on the ocean floor beyond the Continental Shelf, under an international agreement regulating their development, we might not only remove a coming cause of international friction, but also endow the United Nations with a source for substantial revenue in the future.

On the surface, we suppose, this may seem to be a most logical, necessary, and simple proposition. But a more than cursory look at the implications of such a move would reveal some of the numerous problems which arise.

The U.N. would have to acquire jurisdiction over resources on and under the sea floor in order to permit it to grant and protect exclusive rights of entrepreneurship and to withhold areas from exploration and development perhaps for the use of missile ranges and such. Would allocations be made to nations or to individual developers? In addition it would have to have the power to tax or extract rent or royalty payments for the use of the resources. It would also have to be granted the ability to utilize or distribute these revenues in an acceptable manner and boundaries for its own jurisdiction would have to be established. Probably some scheme would have to be enforced whereby the interest of the adjacent coastal states would be recognized and perhaps they would split royalties with the U.N. Some equitable method for doing so would have to be found. Perhaps the closer the exploitation to the shore of the state, the greater its share of the royalties. Some form of a bidding mechanism would be necessary to insure efficient and fair allocation of the rights of exploitability.

Many other controls would have to be established. Definite time limits for performance of the required exploration and exploitation would be necessary, as would some form of inspection to insure that the requirements of the lease were being upheld, that maximum care was being taken to insure that the marine environment was not being damaged, and that the resources were being used efficiently.

Administratively, the placing of jurisdiction over the sea in the hands of a group such as the United Nations poses numerous other problems. Initially, we must ask where a qualified staff would be found. How could they determine the size of a possible lease, the duration or terms of renewal, the royalties or taxes which should be applied, the method of awarding concessions to competing groups, the amount and nature of control of production and prices, and effectively establish and enforce the controls and requirements previously enumerated as well as those yet unnamed, except on an extremely arbitrary basis? With a questionable degree of urgency, should we not be sure that we are on solid ground before committing ourselves to a position we might later regret?

It has been pointed out that a great deal of money is required for deep sea mineral exploration, but even more will be necessary for production. Only a few very large companies, and a few national governments have the necessary risk capital readily available. Of the 135 national states in the world, 109 border on the sea, but the governments likely to be involved in undersea operations of this nature number no more than a dozen if we take into consideration the factors of financial capacity, maritime experience and undersea technology. But, these are the very same nations with important military and strategic interests in the sea. In the past they have not found it necessary or expedient to ask permission from the United Nations to carry out their undersea operations. In the future, it is doubtful that they are going to find it necessary or desirable to ask the U.N. for permission to carry out their mineral explorations.

Furthermore, these are the very same nations which have veto powers in the Security Council and extraordinary bargaining powers in the General Assembly.

Then again, it is rather inconceivable that nations large or small would concede taxes and royalty rights, previously under their own jurisdiction to a nonsovereign agency for the granting of a right which it only obtained power to grant because these nations elected to create such a device. The United Nations' primary function is that of a mediator, not a sovereign. Nor would many nations be ready to accept a proposal which would permit emplacement of foreign controlled structures near their coasts. Many coastal nations would undoubtedly have to yield rights previously asserted. The United States, for example, has granted a phosphate lease some 40 miles from the coast of California in 240 to 4,000 feet of water.

Furthermore, even despite inspection controls, many states would naturally be apprehensive about positioning structures, under foreign control, near their shores, because of potential interference with navigation, fishing, recreation, submarine pipelines and cables, and military exercises. Such structures would be potential bases for covert espionage and military purposes, as well as potential producers of pollutants which would eventually reach the adjacent shores.

We readily doubt that we are at an appropriate stage in ocean development for the establishment of detailed rules and principles for allocating and regulating the use of the ocean. Our view of the future is rather dimly perceived. There are an infinite number of varied possibilities in the field of adapting the ocean to human benefit. While we can hope to prepare for dealing with a variety of possibilities, and attempt to make extremely flexible, tentative resolutions for anticipated problems, we cannot be nearly as optimistic if we seek to definitively resolve problems now which are hard to define except in the most general of terms. Can we effectively formulate rules for the exploration and exploitation of resources before we know what and where these resources are? Thus allocation of sovereignty to an international community should be considered a bit premature at this time.

Our present knowledge of the future of drilling and production technology is similarly limited. We really have very little knowledge of what the state of such machinery, and the problems they could conceivably present in the near future are or what their course of development would be. Due to this unpredictable technological timetable and in the name of efficiency, and to avoid unnecessary restraints on efficient equipment, should we not wait until we are more familiar with technology before adopting treaty principles?

As far as the need for providing a source of income for the United Nations is concerned, a number of points should be made. If the world powers, whose assent would be a prerequisite to a plan to turn the ocean floor over to the U.N., desired to support that organization wholeheartedly, they certainly could do so without resorting to the sea at this stage in time. Certainly a restructuring of the General Assembly would be a necessary requirement before the major powers would agree to permit it to dispose of large amounts of money obtained independent of their control, but in reality, at their expense. Current political realities make this a necessity.

Certainly, the U.N. presently has enough administrative problems with which to deal. It can ill afford additional burdens at this point. It has recently become all too evident that the U.N. has a long way to go in its maturation process. Doubts must be raised to the U.N. plan with respect to two of the three listed criteria: acceptability and feasibility.

The rather dramatic and immediate demonstration of how more effective international and regional programs can play in the exploitation of the ocean bed can be seen in the arrangements now being worked out for the extrication of gas from under the North Sea.

By the multilateral determination of the interested countries along general principles offshore ownership of the gas and other mineral deposits under the North Sea have been extended along a median in that body of water. The median lies between two masses of land and is supplemented by unilateral agreements on the actual division line of arc segments coming from sovereign coasts. Because of this, understandings are emerging which make a peaceful, productive and equitable solution to the North Sea problem appear imminent.

The thrust of our argument questioned whether having this matter within the jurisdiction of the United Nations would have unscrambled this situation in anywhere near the time frame than this more practical handling was able to, nor could we predict that United Nations handling would have provided any more equity than that which was worked out on a regional basis.

There are broad ramifications that can make a very definite contribution to the emerging patterns of the body of law relating to the resources of the sea where competing national interests impinge one upon the other. The North Sea experience suggests positive ramifications.

A large portion of the law will have to come into being based upon practical experiences similar to that resulting from the North Sea situation where the benefits of cooperation easily outweigh the benefits which may accrue from an antagonistic and aggressive posture.

The world's existing mineral laws, operating above the sea have evolved in an orderly manner from centuries of struggle with problems far less complex than these. Together with a maturation of the U.N., we ought to look toward a maturation of the law of the sea, before burdening it with additional, and perhaps naive codes. It would be wise to let the scientists precede the lawyers in this field. Case law seems far more practical than codes prefabricated in an unknowledgeable vacuum.

The issues are highly complex, the political dangers great, and the economic consequences potentially enormous. A great degree of caution is vitally necessary.

SENATE

Friday, August 25, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, we are grateful for the sweet time of prayer, that calls us from a world of care, and bids us at our Father's throne make all our wants and wishes known.

At this altar of devotion we would be sure of Thy presence ere pressing duty leads us back to a noisy, crowded way.

Kindle on the altar of our hearts a flame of devotion to freedom's cause in all the world that, in its white heat, shall consume every grosser passion.

Heal the divisions which shorten the arm of our national might as we stand at this crossroads of history.

As here we face the questions which confront us, and almost confound us, give us to know clearly the things that belong to our peace, and to the peace of the world, in righteousness and justice.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, August 24, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Lawrence A. Whipple, of New Jersey, to be U.S. district judge for the district of New Jersey, which was referred to the Committee on the Judiciary.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 158) to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration, and it was signed by the Vice President.

PENALTIES FOR CERTAIN ACTS OF VIOLENCE OR INTIMIDATON

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House on H.R. 2516.

The PRESIDING OFFICER laid before the Senate H.R. 2516, to prescribe penalties for certain acts of violence or intimidation, and for other purposes, which was read twice by its title.

Mr. MANSFIELD. Mr. President, I send to the desk a motion on behalf of the minority leader and myself.

The PRESIDING OFFICER. The motion will be stated.

The Legislative Clerk. Motion offered by the Senator from Montana [Mr. Mansfield], as follows:

Ordered, That the bill H.R. 2516 be referred to the Committee on the Judiciary and that said committee be instructed by the Senate to report the bill to the Senate within 60 days from today.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

A TRIBUTE TO SENATOR MANSFIELD

Mr. DIRKSEN. Mr. President, last night some 1,500 or more people gathered at the Sheraton Park Hotel in Washington to honor our distinguished majority leader, Mike Mansfield, and Mrs. Mansfield.

The occasion actually was a dinner not only to honor the majority leader but also to observe what is underway at the University of Montana, through their foundation, in setting up what are known as the Mike Mansfield lectures.

I am delighted that the drive to make this possible has been an outstanding success and that the goal of the foundation has been achieved.

On the occasion last night, our distinguished majority leader delivered what I thought was a very impressive speech, and it is my delight and my pleasure to submit it as a part of my remarks, and I ask unanimous consent that it be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

In a Montana Mood

(Remarks of Senator Mike Mansfield, Democrat, of Montana, at the University of Montana Foundation Washington Dinner, Sheraton-Park Hotel, Washington, D.C., August 24, 1967)

It has been said that the two great loves of my life are the University and the study of foreign affairs. I readily acknowledge a lasting liaison with the first and a deep absorption in the second.

The University and foreign affairs are indeed great loves. But, there is another which is greater and comes before both. That is the State of Montana—the Land of the Shining Mountains and the High Plains—and its people.

For a quarter of a century, Montanans have trusted me, as one of them, to represent their concerns, first in the House and then in the Senate of the United States. I have tried to sustain that trust by following the basic principle: If I do not forget the people of Montana, they will not forget me.

So for a quarter of a century, Montana's people, regardless of politics, position, power or profession, have come first with me. That is as it always has been. That is as it always will be.

That bond that ties me to Montana is woven of many strands. But before all else, it involves my personal feelings, as a citizen of the State, for its beauty, history, and people. For you who are not of Montana, let me try to tell you why the bond is inseparable, insofar as I am concerned. Let me try to explain to you why Montanans who are outside of Montana are always homesick for Montana.

To me, Montana is a symphony.

It is a symphony of color. It is painted by a thousand different plants and shrubs which set the hills ablaze—each with its own kind of inner fire—during spring and summer. Montana is the intense blue of the Big Sky reflected in the deep blue of mountain lakes and the ice-blue of tumbling streams. It is the solid white of billowing clouds and the haze-white of snow on a hundred mountain peaks. It is the infinite themes of green in mile after mile of farm-rich valleys and in millions of acres of forests.

We, who are of Montana, know the color-harmony of a springtime of millions of wild flowers—the orange poppies, purple heather, yellow columbines, red Indian paintbrush, beargrass, and purple asters in the mountains; the tiger lilies, dogtooth violets, Mariposa lilies, bitterroot and kinnikinnick in the foothills; the shooting stars, daisies, larkspur, yellow bells, and sand lilies in the plains.

And in the long winter, we know the muted music of the snows which blanket the State. A theme of hope runs through these snows because they are the principal storehouse of the State's great natural resource of water. In one year the amount which will flow out of the mountains and rush down the hills is enough to fill Montana from boundary to boundary to a depth of six inches. And bear in mind that Montana's 94 million acres make the State as large as the entire nation of Japan with its 100 million people.

Montana is a symphony. It is a symphony of color and it is a symphony of sounds. Listen to them for a moment, in the names of places. There are mountain ranges called the Beaverhead, the Sapphire, the Ruby, the Bear Paws, the Highwoods, the Snowies, the Beartooths, the Judiths, the Crazies, and the Big Belts. And, incidentally, there are also the Little Belts as well.

There are streams whose names sing: The Silver Bow, the Flathead, the Kootenai, and the Sun; the Jefferson, the Madison, the Gallatin and the Musselshell; the Milk, the Yellowstone, the Tongue, the Powder, the Blackfoot, and the Boulder.

And when the roll of Montana's cities and towns is called, you hear: Eureka, Chinook, Whitefish, Cut Bank; Circle, Hungry Horse, Absarokee, Butte, Wolf Point, and Great Falls. And you hear Lodge Grass, Lame Deer, Deer Lodge, Crow Agency, Big Fork, and Twodot.

These and a hundred others like them are strains in the history of the State. Each has a story and, together, they sing the story of Montana.

It began in a mist of time, with Indians—with the Crows, the Blackfeet, the Assiniboine, the Flatheads, the Chippewa-Crees, the Sioux, and the Northern Cheyennes. Then came Lewis and Clark and the great fur trading companies. When the boom in pelts died, the gold rush began. At Grasshopper Creek in 1862, the find was so rich, it was said that miners could pull up sage brush and shake a dollar's worth of dust out of the roots. The town of Confederate Gulch grew on gold. In six years, the population jumped from zero to ten thousand people. In the seventh, the gold was gone and only 64 lonely souls remained.

Indians, fur and gold echo in the overture to Montana's history and throughout, runs the beat of the famous and infamous, the hunted, the haunted, the violent and the pacific and the politic. There was, for example, the notorious Henry Plummer who, as Sheriff of Bannack, engineered the bushwhacking murders of 102 of the citizens he was supposed to protect before he was hung by the Vigilantes. But there was also the Methodist minister Wesley Van Orsdel—Brother Van—who got off a steamer at Fort Benton in 1872 and went directly to the Four Deuces saloon to preach his first sermon; the saloon closed, respectfully, for one hour for the service. And there is Jeanette Rankin, a distinguished lady of Montana, the first woman member of Congress whose abhorrence of violence in every form was so deeply felt that she was compelled to vote her conscience against the nation's entry into World War I and World War II. And there were such political "greats" as our first Territorial Governor, Thomas Frances Meagher, one of the Republics truly great Senators Thomas J. Walsh, Burton K. Wheeler, James Murray, Joe Dixon, and others in the Congress.

Silver came after gold. It was struck rich in places like Argenta, Butte, Granite, Castle, Elkhorn, Monarch, and Neihart. But, when Congress dicontinued the purchase of silver in 1892, the silver camps were added to the ghost towns which dotted the lonely gold trails.

Then it was copper's turn, at Butte and Anaconda in Western Montana. The struggle for copper was of such proportions that it set off political and economic reverberations which are felt even today not only in the State, but in the nation, and throughout the world.

While some dug into Montana's earth for wealth, others sought it from what grew out of the earth. Stockmen filled the rolling grass-covered high plains of Central and Eastern Montana with cattle and sheep. In scarcely ten years, the cattle population *rose from a few thousand to over a million.* Then the cruel winter of 1886–87 froze 90 percent of them into grotesque ice sculptures on the plains and another Montana "boom" went "bust."

Beginning in the 19th century, railroads run through the symphony of Montana. Sledges in the gnarled hands of a hundred thousand immigrants pounded down the parallel steel ribbons, mile-upon-mile. The iron horses came rushing out across a continent. The Great Northern advertised free government land in a region of "milk and honey" to lure settlers to its line. They came in eager droves from Scandinavia, Germany, Mexico, Poland, Yugoslavia, France, Italy, Spain, the United Kingdom, Ireland and a score of other countries. They made agriculture, mining and lumbering the State's chief industries. But the great drought of 1917 took away the milk and honey and left only a parched and stricken land and a hurt and wiser people.

Montanans drove, tumbled and stumbled into the 20th century. The State has picked itself up and started over again many times. Its history is of a people drawn from many sources, headed toward the glowing promise of the Western frontier. It is of a people who have known the collapse of hope and the renewal of hope. It is of a people who have lived in intimacy with fear as well as courage and with cruelty as well as compassion. It is of a people who have known not only the favor but the fury of a bountiful and brooding Nature. The history of Montana is the song of a people who, repeatedly shattered, have held together, persevered and, at last, taken enduring root.

Now the 20th century moves on toward the 21st and the ups and downs of the past yield to the more stable present. The State has grown out of a dependency upon a single extractive industry. The old threat of spring flooding and summer drought grows dimmer as Yellowtail, Canyon Ferry, Hungry Horse and other dams—great and small, public and private—have risen to discipline the rushing waters. The cold temperatures—a reading of 70° below zero has been recorded at Rogers Pass—have yielded to modern heating. And the hot temperatures—it once reached 117° above in Glendive—are tempered in Montana as elsewhere by air conditioning to match its cool nights. Plane travel cuts the huge distances and the immense isolation. Indeed, the virtues of Montana's space, clean air, and clean water, scenery and unparalleled recreation opportunities are becoming better known and look ever more inviting to the rest of the nation.

Modern transition notwithstanding, something remains in the State that is durably unique and uniquely durable. It is to be found in the character of the people. Montanans are formed by the vastness of a State whose mountains rise to 12,000 feet in granite massives, piled one upon another as though by some giant hand. To drive across the State is to journey, in distance, from Washington, D.C. north to Toronto, or south to Florida. In area, we can accommodate Virginia, Maryland, Delaware, Pennsylvania and New York, and still have room for the District of Columbia.

Yet, in all this vastness, we are far less than a million people. In short, Montanans have room to live, to breathe and, above all, to *think*—to think with a breadth of view which goes to the far horizon and beyond. Vast and empty space and high mountains may isolate a population, but they open the minds of a people. The minds of Montanans dwell not only upon community and State, but upon the nation and the world and on the essential unity of all. And this sense of unity is buttressed by the harsh uncertainties of an all powerful environment which has taught us to draw together in a mutual concern for one another and to be hospitable to all who come from afar.

So in a sense, a lecture series on international *relations which is proposed to be initiated* at the University of Montana will be doing what comes naturally to Montanans, because it promises to open up new channels of understanding between us and our unseen neighbors on this globe. The series will stimulate, I am sure, deeper insights and greater comprehension of the nation's relationships with the people who live on all of its horizons.

I need not tell you that the realization that this process will be taking place under the aegis of my name fills my heart to the full. It is far more than I ever expected when I came to Washington to represent Montana in the Congress a quarter of a century ago. It is far, far more than I deserve.

Indeed, I should like this honor to go where it is most due—to the woman who set out with me from Butte so long ago and who has remained a wise counsellor and steadfast inspiration through all these years. Without her, I would not be in the Congress of the United States. Indeed, I should not have reached the University of Montana or for that matter even received a high school certificate. A more appropriate title for the lecture series, therefore, would be "The Maureen and Mike Mansfield Lectures."

May I suggest, too, that if the response to the effort on which you have embarked is a good one, a modest maximum should be established for the capital of the Fund for the lectures on international affairs. If any additional monies should become available beyond that maximum, I should like to see the excess go into scholarships for the children of Montanans—and the nation's—first Americans who have not always had benefit in equal measure with the rest of us from Montana's development and the nation's progress. I refer to my friends and brothers—the Northern Cheyennes, the Crows, the Flatheads, the Assiniboines, the Blackfeet, the Chippewa-Crees, the Landless and all the others who live with us in Montana.

I suggest this procedure because the Lecture series by its very nature turns our attention to the world beyond our borders and to the promise of a fruitful future for Montanans and all Americans. It is good that our attention is so directed *provided* we are also prepared to look inward and backward and so, remember what it is that we are building upon; and so, try to fill the gaps and to heal the hurts which may have been opened in the process of arriving at where we are. In that way, we shall better tie the past into the present and open wider the horizons of the future. In that way, we shall better bind together, into a greater nation, all who live in a great State and in a blessed land.

I wish that, tonight, I could have more adequately conveyed to you the thoughts on my mind and the feelings—the deep feelings in my heart. But words are inadequate when the mind and heart are too full.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees of the Senate except the Committee on Finance be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER (Mr. Spong in the chair). Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 507, H.R. 3717, and Calendar No. 523, S. 222.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the first bill.

MRS. M. M. RICHWINE

The bill (H.R. 3717) for the relief of Mrs. M. M. Richwine was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 522), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to pay Mrs. M. M. Richwine, of Chevy Chase, Md., $100 in full settlement of her claim against the United States for payment based on a $100 U.S. postal money order held by her numbered 18706, dated July 13, 1944.

STATEMENT

The facts of this case are contained in House Report No. 138, and are as follows:

"As is indicated in the report of the Post Office Department to this committee, the bill would authorize the payment of $100 to Mrs. M. M. Richwine on a postal money order which was issued on July 13, 1944. The money order in question was sent to Mrs. Richwine by her husband when he was serving overseas in the Pacific theater of operations during World War II. At that time, he would on occasions enclose money orders in his letters to his wife. The money order which is the subject of this legislation remained in one of the letters that Mrs. Richwine's husband sent her during the war. She kept these letters because of their personal significance to her and several years ago while reading them over, she discovered the uncashed money order. When she presented the money order to the Post Office Department, she found that the statutory period for the payment of the money order had expired by the time the money order itself had come to life. This point is raised in the departmental report and is taken by the Post Office Department as the reason for questioning relief in this instance.

"However, the committee feels that the strict application of the law in this particular case is unfair and results in a failure by the Government to meet the obligation of paying the amount of the money order purchased by Mrs. Richwine's husband while he was serving his country overseas."

The Post Office Department is opposed to the enactment of this legislation, and states it is prohibited by law from paying a money order after 20 years from the last day of the month of original issue. Also, that claims for unpaid money orders are forever barred unless received by the Department within that period (title 39, United States Code, sec. 5103(d)).

The committee, however, concurs with the House committee in that the strict application of the law in this particular case is unfair and because of the circumstances of the case, recommends favorable consideration of this legislation.

ACCESSIBILITY OF FEDERALLY FINANCED BUILDINGS TO THE PHYSICALLY HANDICAPPED

The Senate proceeded to consider the bill (S. 222) to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped which had been reported from the Committee on Public Works, with amendments, on page 1, line 4, after the word "any", *to insert "nonresidential"*; in line 6, after the word "by", to insert "or on behalf of"; on page 2, line 1, after the word "Government", to strike out the comma and "or any department or agency thereof,"; in line 5, after the word "Government", to strike out the comma and "or any department or agency thereof,"; in line 11, after the word "Administrator", to insert "in consultation with the Secretary of Health, Education, and Welfare"; in line 15, after the word "be", to strike out "reasonably"; in line 16, after the word "to", to insert "and usable by"; after line 16, to strike out:

> Sec. 3. (a) All contracts for the construction of public buildings entered into by or on behalf of the Federal Government, or any department or agency thereof shall contain express provisions requiring compliance with the regulations prescribed under section 2.

And, in lieu thereof, to insert:

> Sec. 3. (a) Plans and specifications for the construction of public buildings by or on behalf of the Federal Government shall be drawn in compliance with the regulations prescribed under section 2, and shall be incorporated in the construction contract.

On page 3, line 4, after the word "Government", to strike out the comma and "or any department or agency thereof,"; and, after line 8, to insert a new section, as follows:

> Sec. 4. The Administrator may grant modifications or waivers of the regulations prescribed under section 2 in specific cases where such regulations are clearly not necessary, upon request of the head of any department or agency of the Federal Government.

So as to make the bill read:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That as used in this Act—
>
> (1) The term "public building" means any nonresidential building—
>
> (A) constructed by or on behalf of the Federal Government after the date of enactment of this Act, or
>
> (B) financed in whole or in part with funds provided by a grant or loan made by the Federal Government after the date of enactment of this Act,
>
> if the use for which such building is intended will require that it be accessible to the public.
>
> (2) The term "Administrator" means the Administrator of General Services.
>
> Sec. 2. The Administrator in consultation with the Secretary of Health, Education, and Welfare is authorized to prescribe regulations establishing such standards for design and construction of public buildings as may be necessary to insure that all public buildings will be accessible to and usable by persons who are physically handicapped.
>
> Sec. 3. (a) Plans and specifications for the construction of public buildings by or on behalf of the Federal Government shall be drawn in compliance with the regulations prescribed under section 2, and shall be incorporated in the construction contract.
>
> (b) All grants or loans made by the Federal Government for the purpose of financing the construction of public buildings shall be made upon the condition that the design and construction of such buildings shall comply with the regulations prescribed under section 2.
>
> Sec. 4. The Administrator may grant modifications or waivers of the regulations prescribed under section 2 in specific cases where such regulations are clearly not necessary, upon request of the head of any department *or agency of the Federal Government.*

Mr. BARTLETT. Mr. President, the Senate now has before it for consideration a bill which I introduced to eliminate the artificial restraints on one of our most overlooked minority groups—the physically handicapped. S. 222 insures that all nonresidential buildings constructed with Federal funds would have to be accessible to the physically handicapped, as determined and prescribed by the Administrator of General Services and the Secretary of Health, Education, and Welfare.

The Committee on Public Works has done an admirable job in conducting hearings and marking up and reporting out a fine bill. The changes they have made are minor and should be acceptable to everyone. Section 4, added by the committee, provides that—

> The Administrator may grant modifications or waivers of the regulations prescribed under section 2 in specific cases where regulations are clearly not necessary, upon request of the head of any department or agency of the Federal Government.

It is my understanding that the committee had in mind "special-use" buildings only when it wrote this amendment, and that waivers would not be granted to any "general-use" building or to any building which could reasonably be expected to be used by the handicapped. Seen in this light, the addition of section 4 does not sacrifice the principal purposes of the bill and is acceptable to me, as the bill's author.

As I said in my testimony before the Subcommittee on Public Buildings and Grounds:

> The physically handicapped are citizens of this country—just as others of us are; they pay taxes and contribute to the economy of the country—just as others of us do; and they deserve access to their public buildings on an equal basis with the rest of us. This is all they ask—and it is all I ask.

Without spending any appreciable sum of money and without any long and complex studies but with just a little bit of thought and consideration, we can take steps to open up our public buildings and a more normal life to all the people.

I urge swift passage of S. 222; we have delayed longer than we should have.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 538), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SUMMARY OF THE BILL

S. 222, as amended will—

1. Define the term "public building" as any nonresidential building constructed by or on behalf of the Federal Government or financed in whole or in part with funds provided by a grant or loan made by the Federal Government, the use of which will require that it be accessible to the public.

2. Authorize the Administrator of General Services, in consultation with the Secretary of Health, Education, and Welfare, to prescribe regulations establishing such standards for design and construction of public buildings as may be necessary to insure that they will be accessible to and usable by physically handicapped persons.

3. Require that the plans and specifications for the construction of public buildings by or on behalf of the Federal Government be drawn in compliance with the regulations issued by the Administrator, and further require that grants or loans made by the Federal Government for the purpose of financing the construction of public buildings be made upon the condition that the design and construction of such buildings shall comply with the regulations.

4. Authorize the Administrator of General Services to grant modifications or waivers of the regulations in specific cases where it can be clearly shown that such regulations are not necessary, upon the request of the head of any department or agency of the Federal Government.

THE NEED

The Federal Government for many years has been promoting the employment and rehabilitation of the physically handicapped. In pursuit of this goal the President has appointed a Committee on Employment of the Handicapped, and the Vocational Rehabilitation Act Amendments of 1965 established the National Commission on Architectural Barriers to Rehabilitation of the Handicapped within the Department of Health, Education, and Welfare. However, there is no statutory requirement that public buildings constructed with Federal funds be constructed in such a way that they are accessible to and usable by people who have physical impairments. It is of little use to find employment for an individual confined to a wheelchair if he cannot get up to, or through the door of, the building, or if he cannot get a drink of water or go to the toilet after he is inside the building.

While the General Services Administration has adopted a policy to plan and construct new Federal buildings under its jurisdiction in such a way that they are accessible to, and usable by, the physically handicapped, there is nothing to keep this policy from being changed by a new Administrator. Also, many agencies of the Federal Government, with authorization to construct buildings which will be used by the general public, or to make loans and grants for the construction of such buildings, have no requirement that these buildings be designed and constructed in such a manner that they will be accessible to and usable by the physically handicapped.

This legislation is necessary to insure that all public buildings constructed in the future by or on behalf of the Federal Government or with loans or grants from the Federal Government are designed and constructed in such a way that they will be accessible to and usable by the physically handicapped.

Such legislation is also needed to set an example which would, hopefully, be followed by State and local governments, as well as private industry in constructing buildings that must be used by the public.

HEARINGS

On July 17, 1967, the Subcommittee on Public Buildings and Grounds conducted hearings on this legislation, receiving testimony from Senator E. L. Bartlett, Alaska; Senator Ernest Gruening, Alaska; Senator Daniel K. Inouye, Hawaii; Congressman Charles E. Bennett, Florida; and Congressman James C. Cleveland, New Hampshire; officials of various departments, agencies, and boards of the Federal Government; and officials of numerous organizations representing the physically handicapped.

GENERAL STATEMENT

There are approximately 22 million people in the United States who, because of some form of physical handicap are restricted in their ability to move from place to place. It should be the concern of all that these people are afforded every opportunity to obtain gainful employment and otherwise enter into the mainstream of American life. The Federal government, in the past, has literally locked out millions of its citizens from the public buildings which it has constructed or otherwise financed by not requiring that these buildings be designed and constructed so that people with physical impairments could readily enter and use the facilities of such buildings. While this neglect or oversight was surely not intentional, nevertheless it denied the use of these buildings to many of the people whose tax dollars supported their construction.

The Federal Government has recognized for years the need to rehabilitate and employ as many of the physically handicapped as possible. These people constitute a tremendous asset of our country which is not being fully utilized. In furtherance of this effort, the President has appointed a Special Committee on Employment of the Handicapped, and there has been established under the provisions of the Vocational Rehabilitation Act of 1965 the National Commission on Architectural Barriers to Rehabilitation of the Handicapped within the Department of Health, Education, and Welfare to study and assist with this problem. Some States have already taken the lead in passing legislation to eliminate architectural barriers in State and local government buildings. While some agencies of the Federal Government, such as the General Services Administration, have policies to eliminate architectural barriers in the construction of new public buildings, many others have no such policy. The Congress should take action to pass legislation which would not only prevent the construction of public buildings by or on behalf of the Federal Government that are inaccessible to the physically handicapped, but would also set an example and guide to encourage State governments and private industry to construct buildings which will be used by the public in such a way that they are readily accessible to all people.

COMMITTEE VIEWS

It is the opinion of the committee that it is incumbent upon the Federal Government to insure that all public buildings constructed with Federal funds or constructed on behalf of the Federal Government be constructed in such a way that they are accessible to all people. If people who are physically handicapped are to rehabilitate themselves and seek gainful employment it is vitally necessary that they have access to and are able to use public buildings in which they must work or visit in carrying on a normal life.

It is the intent of the committee that the word "building" as used in this bill be given the broadest possible interpretation and include any structure which must be used by the general public, whether it be a small rest station at a public park or a multimillion-dollar Federal office building. The committee also wants it clearly understood that section 4 of this bill is not intended to be used as a loophole for indiscriminate modifications or waivers of the regulations but it intended to apply to those relatively few special purpose buildings which may not require access to the physically handicapped.

The committee, after carefully analyzing all facets of the problem believes that S. 222, as amended, provides the best possible solution to the elimination of architectural barriers in public buildings and urges its enactment.

COST

Enactment of this legislation will not result in any additional cost to the Federal Government.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Location and Projects for Air National Guard

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), Department of Defense, reporting, pursuant to law, the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Air National Guard; to the Committee on Armed Services.

Report on Location and Projects for the Army National Guard

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), Department of Defense, reporting, pursuant to law, the location, nature, and estimated cost of certain facilities projects to be undertaken for the Army National Guard; to the Committee on Armed Services.

Report of Federal Home Loan Bank Board

A letter from the Chairman, Federal Home Loan Bank Board, Washington, D.C., transmitting, pursuant to law, a report of that Board for the year 1966 (with an accompanying report); to the Committee on Banking and Currency.

Report on Survey of the Agency for International Development's Management and Operation of Commercial Import Program for Vietnam

A letter from the Comptroller General of the United States, Washington, D.C., transmitting, pursuant to law, a report on a survey of the Agency for International Development's management and operation of the commercial import program for Vietnam, Department of State, Agency for International

Development, Department of Defense, dated August 1967 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF ACT PROVIDING FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF THE MICHAUD FLATS IRRIGATION PROJECT

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of August 31, 1954 (68 Stat. 1026), providing for the construction, maintenance, and operation of the Michaud Flats irrigation project (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT ON GRADED EMPLOYEES IN NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on graded employees in that Administration, as of June 30, 1967; to the Committee on Post Office and Civil Service.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954

A letter from the Chairman, U.S. Atomic Energy Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, and for other purposes (with accompanying papers); to the Joint Committee on Atomic Energy.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Two resolutions of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Commerce:

"RESOLUTIONS MEMORIALIZING CONGRESS TO LAUNCH AN INVESTIGATION OF THE SERIOUS PROBLEM OF HARMFUL NOISE FROM THE OPERATION OF JET AIRCRAFT AT THE GEN. EDWARD LAWRENCE LOGAN INTERNATIONAL AIRPORT

"*Whereas,* The health and safety of the residents of the Greater Metropolitan Boston Area are being seriously menaced by the harmful and nerve-shattering noise caused by the increased schedule of flights of bigger and more powerful jet aircraft at the General Edward Lawrence Logan International Airport; and

"*Whereas,* No serious study has been made of the possible adverse effects of the incessant and unbearable noise and vibration upon the health and well-being of thousands of citizens living in a neighborhood which was in existence many years before the construction and expansion of the Airport; and

"*Whereas,* Such a study and investigation would benefit not only the people of Massachusetts but people of the United States living in metropolitan areas and similarly affected; therefore be it

"*Resolved,* That the Massachusetts House of Representatives respectfully request the Congress of the United States to launch an immediate investigation and study into the acute problem of unreasonable and harmful noise and vibration cause by jet aircraft at the General Edward Lawrence Logan International Airport and elsewhere in the country, the feasibility of installing sound barriers at hangars and other installations and of requiring the manufacturers to install mufflers or other noise reducing devices on jet aircraft for the purpose of eliminating such noise and vibration in order to eradicate what has become a most serious hazard in almost every large metropolitan area; and be it further

"*Resolved,* That copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the presiding officer of each branch of Congress and to each member thereof from this Commonwealth."

"RESOLUTIONS MEMORIALIZING CONGRESS TO REQUEST THE CIVIL AERONAUTICS BOARD AND THE FEDERAL AVIATION AGENCY TO MAKE AN INVESTIGATION RELATIVE TO THE PROBLEM OF EVER INCREASING NOISE OF LOW FLYING AIRCRAFT IN THE CITY OF BOSTON

"*Whereas,* The volume of traffic at the Logan International Airport is steadily increasing and all indications point to an ever-expanding volume; and

"*Whereas,* The noise of numerous low flying aircraft arriving at and departing from said airport is alarmingly disturbing the peace and quiet of the neighborhood and of the city of Boston to which they are entitled to and subjecting the citizens of said city to undue and unreasonable hardship; therefore be it

"*Resolved,* That the Massachusetts House of Representatives respectfully urges the Congress of the United States to request the Civil Aeronautics Board and the Federal Aviation Agency to make an investigation of the problem of ever increasing noise of low flying aircraft in the city of Boston with a view toward eliminating or reducing said noise; and be it further

"*Resolved,* That copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the presiding officer of each branch of Congress and to each member thereof from this Commonwealth."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORSE, from the Committee on Labor and Public Welfare, without amendment:

H.R. 11945. An act to amend the college work-study program with respect to institutional matching and permissible hours of work (Rept. No. 539); considered, by unanimous consent, and passed.

(See reference to the above bill when reported by Mr. MORSE, which appears under a separate heading.)

By Mr. AIKEN, from the Committee on Agriculture and Forestry, with amendments:

S. 1504. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans to supplement farm income, authorize loans and grants for community centers, remove the annual ceiling on insured loans, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, establish a flexible loan interest rate, and for other purposes (Rept. No. 540).

By Mr. SPARKMAN, from the Committee on Banking and Currency, with an amendment:

S.J. Res. 93. Joint resolution to provide for the issuance of a gold medal to the widow of the late Walt Disney and for the issuance of bronze medals to the California Institute of the Arts in recognition of the distinguished public service and the outstanding contributions of Walt Disney to the United States and to the world (Rept. No. 541).

JOINT SUPPLEMENTAL VIEWS ON REPORT RELATING TO ELECTION REFORM ACT OF 1967

Mr. CLARK. Mr. President, on behalf of myself and the distinguished junior Senator from Pennsylvania [Mr. SCOTT], I submit joint supplemental views to accompany S. 1880, the Election Reform Act of 1967. I ask unanimous consent that they be printed as part 2 of the report by the Committee on Rules and Administration thereon—Senate Report No. 515.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FONG:

S. 2347. A bill for the relief of Renato Geliza Ramil; to the Committee on the Judiciary.

By Mr. McGOVERN (for himself, Mr. MUNDT, and Mr. YOUNG of North Dakota):

S. 2348. A bill to provide for a Great Prairie Lakes Parkway in the States of South Dakota and North Dakota; to the Committee on Public Works.

(See the remarks of Mr. MCGOVERN when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself and Mr. HAYDEN):

S. 2349. A bill to provide for the appointment of additional circuit judges; to the Committee on the Judiciary.

(See the remarks of Mr. TYDINGS when he introduced the above bill, which appear under a separate heading.)

GREAT PRAIRIE LAKES PARKWAY

Mr. McGOVERN. Mr. President, I introduce, for myself and for my senior colleague [Mr. MUNDT], and the Senator from North Dakota [Mr. YOUNG], a bill to authorize construction of the Great Prairie Lakes Parkway along the Missouri River reservoirs in North and South Dakota.

The purpose of the measure is to provide access to the many recreational sites, scenic areas, and areas of great historical interest that can be found along the Missouri, through Federal assistance to the States in construction of a perimeter road system. Funds would be advanced by the Secretary of Transportation after he approves, with the advice of the Secretary of the Interior, a construction plan submitted by North and South Dakota. The new parkway, constructed along both sides of the river, would not be a commercial highway, but would be expressly designed for recreational travel.

Mr. President, as a result of construction of five main stem dams under the Flood Control Acts of 1944 and 1946, the entire stretch of the Missouri River, from the North Dakota-Montana border down through the center of South Dakota and east to the southeast corner of the State, has been transformed into America's largest chain of inland lakes. In combination, I believe these clear, blue bodies of water comprise one of our greatest opportunities to improve and enjoy the quality of our environment.

During the westward expansion of the United States the river itself was a major avenue of transportation. Consequently the region abounds in historic sites. There are fur trading posts, forts, replicas, museums, and numerous other genuine reminders from the exciting frontier era.

The Lewis and Clark Expedition of more than 160 years ago is but one of many parts of the Missouri's rich heritage, and it exemplifies the kind of understanding of our past that could be stimulated and enjoyed through construction of a perimeter road system. The Lewis and Clark Trail Commission established by the 88th Congress has already made significant progress toward public awareness and recognition of the assets along that famous route. My bill provides expressly for cooperation with its recommendations.

With smooth, rolling hills, graceful prairie lands, tree lined valleys and sparkling waters, the "Great Prairie Lakes Parkway" would be a majestic scenic drive. A carefully planned route as called for in this legislation could include virtually every visual attribute to be found in the Great Plains.

The parkway would also provide and promote development of new access routes to the lakes themselves, which make up the Nation's newest center for literally every water sport: swimming, power cruising, skin diving, excursion boat trips, races, regattas, and fishing to mention just a few. Dock facilities are ample, beaches are wide, and valuable areas have already been set aside for restful relaxation.

Existing values are, in my view, reason enough to justify Federal assistance in construction of the parkway, but there is also promise of much more. The perimeter road would pave the way for many future developments by both public and private parties, which are being held in abeyance now only because of the need for access.

Mr. President, beyond its benefits to the Dakotas, I am convinced that the parkway we propose would fulfill a pressing national need. A combination of longer vacations, increased affluence, greater mobility and population growth are already straining our outdoor recreation facilities, yet these same factors are expected to bring about a threefold increase in these activities in the short span before the end of this century. Visits to my State will be made by more than 9 million people a year.

Moreover, driving for pleasure tops the list of our leisure preferences, accounting for some 42 percent of all outdoor recreation. Scenic routes such as the one proposed here are thus of great inherent importance—for driving alone—in addition to their value in providing access to other opportunities.

On March 1 of this year, then acting Commerce Secretary Trowbridge released a proposed national program of scenic roads and parkways prepared for the President's Council on Recreation and Natural Beauty. The report declares that—

> Such a program . . . will result in many benefits to national defense, safety, health, conservation, and the economic well-being of the Nation. The magnitude of these benefits suggests that public investments in such a program will pay rich dividends.

I heartily concur with that conclusion. Significantly, a Missouri River perimeter route in North and South Dakota is included in the report, and we have drafted this legislation to conform to the standards recommended by the Council.

State and local officials in North and South Dakota have already declared their interest in early development of a Missouri River scenic road and, along with many private groups and individuals, are looking forward to realizing the new opportunities it will provide for recreational development. I am most hopeful that our bill will receive favorable consideration by the 90th Congress, as a highly appropriate beginning on a national program of scenic, historic, and recreational roads.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2348) to provide for a Great Prairie Lakes Parkway in the States of South Dakota and North Dakota, introduced by Mr. McGovern (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

APPOINTMENT OF ADDITIONAL CIRCUIT JUDGES

Mr. TYDINGS. Mr. President, I introduce today, for myself and the senior Senator from Arizona [Mr. Hayden], a bill for the appointment of additional judges to several of the U.S. courts of appeals. The measure will add one additional circuit judge in each of the third and 10th circuits, four additional judges in the ninth circuit, and two additional judges in the fifth circuit. In addition, the bill will make permanent the four temporary judgeships created in the fifth circuit by the Omnibus Judgeship Act of 1966.

This measure embodies the recommendations of the Judicial Conference of the United States, which, at its March 1967 meeting, approved reports from its Committees on Judicial Statistics and Court Administration emphasizing the need for the additional judicial manpower. The report of the Committee on Judicial Statistics is particularly valuable, for it was prepared in conjunction with a survey of the U.S. court of appeals conducted by Will Shafroth, former Deputy Director of the Administrative Office of the U.S. Courts. The report and Mr. Shafroth's survey document the rapid expansion of judicial business before the courts of appeals, and point out that steps must be taken now to deal with this problem if we are to preserve the capacity of the Federal appellate courts to deal effectively with the business before them.

Mr. President, I ask unanimous consent that the March 1967 report of the Judicial Conference's Committee on Judicial Statistics, together with Mr. Shafroth's survey, and the text of the bill to create additional court of appeals judgeships, be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, report, and survey will be printed in the Record.

The bill (S. 2349) to provide for the appointment of additional circuit judges, introduced by Mr. Tydings (for himself and Mr. Hayden), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 2349

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President shall appoint, by and with the advice and consent of the Senate, one additional circuit judge for the third circuit, two additional circuit judges for the fifth circuit, four additional circuit judges for the ninth circuit, and one additional circuit judge for the tenth circuit.

SEC. 2. Section 1(c) of the Act of March 18, 1966, 80 Stat. 75, pertaining to the appointment of four additional circuit judges for the fifth circuit is hereby amended in part by deleting the final sentence, providing, "The first four vacancies occurring in the office of circuit judge in said circuit shall not be filled." These judgeships are hereby made permanent and the present incumbents of such judgeships shall henceforth hold their offices under section 44 of title 28, United States Code, as amended by this Act.

SEC. 3. In order that the table contained in section 44(a) of title 28 of the United States Code will reflect the changes made by sections 1 and 2 in the number of circuit judges for said circuits, such table is amended to read as follows with respect to said circuits:

"Circuits	*Number of judges*
* * * * *	
Third	Nine.
* * * * *	
Fifth	Fifteen.
* * * * *	
Ninth	Thirteen.
Tenth	Seven."

The report and survey, presented by Mr. Tydings, are as follows:

SUMMARY OF REPORT OF THE COMMITTEE ON JUDICIAL STATISTICS

I. JUDGESHIPS FOR THE COURTS OF APPEALS

The Committee recommends (a) the creation of one additional circuit judgeship for the Third Circuit; (b) making the four temporary judgeships previously created for the Fifth Circuit permanent, and creating two additional permanent judgeships; (c) creating four additional permanent judgeships for the Ninth Circuit; and (d) creating one additional permanent judgeship for the Tenth Circuit.

II. JUDGESHIPS FOR THE DISTRICT COURTS

The Committee does not recommend the creation of any additional district judgeships at the present time beyond those approved by the Conference in 1965 but feels that any further district-judgeship action should await the making of an over-all survey which the Committee intends to commence in 1968.

REPORT OF THE COMMITTEE ON JUDICIAL STATISTICS

To the Chief Justice, Chairman, and the Members of the Judicial Conference of the United States:

A meeting of the Committee was held on February 2 and 3, 1967, at Washington, D.C., with attendance by all members except Judge Edwin A. Robson, who was ill, and with the presence also of Warren Olney III, Director of the Administrative Office; William E. Foley, Deputy Director; Joseph F. Spaniol, Jr., Chief of the Division of Procedural Studies and Statistics; and James A. McCafferty of that Division; and of Will Shafroth, Former Deputy Director, as Consultant on a special survey which had been made by him of the Courts of Appeals for all the Circuits.

I. THE COURTS OF APPEALS

(*a*) *In general*

Most of the time at the two-day meeting was given over to a review and analysis of the judgeship situation and needs of the Courts of Appeals, in both their system and their circuit aspects. The Conference at its September 1965 session had authorized and directed the Committee on Judicial Statistics and the Committee on Court Administration "to undertake a comprehensive study of the workload of the United States courts of appeals in light of the additional district judgeship positions created in 1961 and the proposals for additional district judgeships presently recommended [these judgeships were subsequently created by the Omnibus Judgeship Act of 1966] and on the basis of its study and evaluation, to recommend to the Conference any additional judgeships which are required". (Conf. Rept. p. 47)

The Committees, in the responsibility thus imposed upon them, deemed it desirable to obtain information as to the variances in practice among the eleven courts in the handling of their administrative and judicial loads, for purposes of the indication which this might contain of the comparative methods used to make their operations efficient and of the relationship which this could properly have to their realistic need for additional judgepower. Will Shafroth, former Deputy Director of the Administrative Office, and precedingly for many years Chief of the Division of Procedural Studies and Statistics, graciously undertook the task of making a field survey of all the Courts of Appeals for this purpose, and a copy of his excellent and penetrative report has been distributed to the members of the Conference in connection with this report of the Committee.

In its approach to and its conclusions on appellate-judgeship needs, the Statistics Committee has given due consideration to Mr. Shafroth's comprehensive survey and his experienced analysis; to the other general statistical data as regularly compiled by the Administratice Office; and to the evaluative opinions of the individual members of the Committee.

The situation in general as to the Courts of Appeals is that, from 1960 on, a marked and progressive increase has been occurring in filings (see graphs following pp. 10 and 23 of the Shafroth survey), and, of more significant import, the number of cases pending or the backlog at the end of each fiscal year has percentagewise been mounting even more substantially. Thus, as pointed out in the most recent report of the Director, the number of appeals has in the last five years increased almost 70 percent. Counterpartly, however, while the number of terminations per judgeship has also materially risen during the period from fiscal 1960 to fiscal 1966 (55 per judgeship in 1960; 76 per judgeship in 1966) there has been no time from fiscal 1960 on when the number of terminations has succeeded in keeping pace with the number of filings.

The result is that the number of pending cases has risen from a backlog of 2,220 in 1960 to one of 5,387 in 1966, or an increase of 140 percent. And on December 31, 1966, the end of the first half of fiscal 1967, this backlog had further risen to an all-time high of 5,714, with the virtual certainty of a still further substantial addition by June 30, 1967, the end of the present fiscal year.

To emphasize the situation in another manner—while the number of docketings per judgeship was 44 in fiscal 1950, in fiscal 1960 it was 57, and in fiscal 1966 it was 84. Again, while the number of cases pending or the backlog at the end of the fiscal year was 26 per judgeship in 1950, in 1960 it was 32, and in 1966 it was 69. Thus the 78 judgeships as functionally existing for fiscal 1966 were left with a backlog of what alone would represent, on the basis of the termination rate for that year, almost a whole year's work. But any attempt to measure the accumulation problem on such a time basis is, of course, without reality so long as each year's filings continue to progressively enlarge the backlog, as they have been doing ever since fiscal 1960 (e.g. the 1,773 addition to backlog in fiscal 1966, and the several-hundred addition which has already occurred in the first half of fiscal 1967).

Normally, of course, the 10 additional circuit judgeships created by the Omnibus Act of 1966 (making the total 88) could be expected to increase the general terminations in 1967 over those made in 1966 by approximately 13 percent. The fact, however, is that in four of the five circuits where judgeships were added by the 1966 Act, the terminations made in fiscal 1966 had been effected only through the use of outside judgepower (primarily district judges, together with some senior judges, and also some active circuit judges from other circuits) in an amount equal to or approaching the circuit judgepower which they received under the 1966 Act. (For example, in the Fifth Circuit there had been a use of such outside judgepower to the extent of 36 percent of the court's hearing load, which was more than the circuit judgepower given it by the 1966 Act. Thus, while the effect of the 1966 Act should be to increase the number of terminations in 1967 somewhat over those of 1966, the 10 judgeships created are not likely to give rise to any substantial increase in total terminations over the 1966 figure if they become merely supercessive of the outside judgepower which was used in 1966.

In any event, unless resort to a substantial use of district judgepower is continued, the 10 circuit judgeships of the 1966 Act will not be able to keep the general backlog from materially mounting. To illustrate—even if these 10 judgeships had been operative and contributive in fiscal 1966, along with the outside judgepower which was being employed, they would, on the basis of the terminations which occurred per judgeship in that year, have effected a disposition of some 760 more cases, which would still have left an addition to the pending backlog of 1,000 cases for that year.

(b) *Additional circuit judgeships recommended*

On its attempted general and full consideration, the Committee believes that there is a current sound need for, and recommends that the Conference approve, the following additional circuit judgeships:

1. *Third Circuit:* That one permanent judgeship be added to the Court of Appeals for the Third Circuit, so as to make the number of judges for that Court nine. Such action has also been requested by the Judicial Council of the Circuit.
2. *Fifth Circuit:* That the four temporary judgeships created for the Court of Appeals for the Fifth Circuit by the 1966 Act be made permanent and that there be added thereto two more permanent judgeships, so as to make the number of judges for that Court fifteen. Such action has also been requested by the Judicial Council of the Circuit.
3. *Ninth Circuit:* That four permanent judgeships be added to the Court of Appeals for the Ninth Circuit so as to make the number of judges for that Court thirteen. Such action has also been requested by the Judicial Council of the Circuit.
4. *Tenth Circuit:* That one permanent judgeship be added to the Court of Appeals for the Tenth Circuit so as to make the number of judges for that Court seven. Such action has also been requested by the Judicial Council of the Circuit.

(c) *Considerations underlying the recommendations*

Statistical data relating to each of the foregoing Circuit are set out in the Shafroth survey, pages 29–35, and will not here be repeated, except in emphasis of some particular aspect. The Committee has engaged in its own evaluative judgment as to each situation on all the elements to which reference has been made above. Also, while it has had due regard for the recommendations of the Judicial Councils, it has not permitted its actions to be induced or swayed on this basis.

As to the Third Circuit, it should be observed that on the general statistics this Court could be regarded as in no greater need of an additional judgeship than some other Circuits for which none is being recommended. Its caseload per judgeship is less than the national average (60 as against 74), but its backlog has been increasing (144 cases in 1960; 372 cases in 1966 despite the judgeship given it by the 1961 Act), and a congestion, though not yet alarming, would seem to be commencing progressively to develop. Also, with the district judgeships added in the Circuit by the 1966 Act, as well as on other factors, an increase in the number of appeals should occur. Thus, with some seeming portent, the number of appeals filed during the first half of fiscal 1967 has been 29 percent greater than those filed during the corresponding period of fiscal 1966. Furthermore, the Court has used outside judgepower (district, senior and foreign circuit judges) to carry 20 percent of its hearing load in fiscal 1966, which in equivalence is more than the one judgeship which the Committee is recommending.

As to the Fifth Circuit, the filings have progressively increased from 577 in fiscal 1960 to 1,041 in fiscal 1966 (and with 546 for the first half of fiscal 1967), while the pending cases or backlog has mounted from 279 in 1960 to 1,004 in 1966. It is obvious that the 4 temporary judgeships created by the 1966 Act are necessary as a part of the permanent structure of the Court. The Committee is further convinced that there is a sound need to add at the same time at least two more permanent judgeships to the Court. The Court has done a splendid job in marshalling and utilizing outside help through the past three years, but this outside help can hardly be expected to be repeatingly obtainable or even to be judicially available. Thus, in fiscal 1966, 36 percent of the Court's hearing load was carried by outside help. This is more than the 4 new judgeships created by the 1966 Act will be able to take care of in fiscal 1967 or thereafter. In fact it amounts to assistance mathematically exceeding that of 5 circuit judgeships. And it should be borne in mind that even with help amounting to more than 5 such judgeships, the Court has not been able to keep its terminations up to the volume of its filings, so that it seems manifest that 13 permanent judgeships will not enable it to keep up with its filings, to say nothing of making some progress toward reduction of its backlog. Fifteen judgeships, with the addition of such auxiliary help as it can perhaps get from senior judges of the Court, and possibly from some district judges of the Circuit, should make it possible for the Court to get at least a start on its uphill climb, although it is faced with the factor, among others, as to further volume of business that the 1966 Act created 14 additional district judgeships for the Circuit, the appellate impact of whose functioning should commence to be felt during fiscal 1967.

As to the Ninth Circuit, this Court has had no increase in judgeships since 1954, but it has been resorting for a number of years to the use of substantial outside judgepower to help carry its hearing load. The amount of this judgepower during the past two years has been between 19 and 20 percent of the Court's hearing load. In other words, in carrying on its hearing work it has already been using judgepower equal to between 11 and 12 judgeships. Its filings have increased from around 450 in 1960 to around 800 in 1966, and at the same time its volume of pending cases or backlog has mounted from 399 to 807, or doubled. On a statistician's trend line, based on the filings from 1960 to 1966, as discussed in the Shafroth survey, the Court can be expected to have a filing load by 1970 corresponding to that of the Fifth Circuit for the past fiscal year. The enormous growth of this geographical area, industrially as well as generally, which need not be analyzed here, could cause that level to be reached even sooner. In any event, there ought not to be permitted to occur such a situation as unforseeingly developed in the Fifth Circuit, and four additional judgeships should in the Committee's judgment be created as a matter of sound operational and protective need.

As to the Tenth Circuit, which presently has six judgeships, more than 10 percent of the hearing load of that Circuit has since 1961 been carried by outside judgepower (here primarily senior circuit judges). While the Court, as pointed out in the Shafroth survey (p. 34), has added to its hearing load a large number of prisoner-attack cases which in most other circuits would have been screened through the Miscellaneous Record instead of being placed on the regular docket, even with deduction made of a majority of these cases, the filings per judgeship are substantially more than the national average. And as the Court's records presently stand, while its terminations after hearing and submission have increased from 179 in 1960 to 359 in 1966, its pending cases or backlog has during that same period mounted from 135 to 400 in number.

Also, it would appear that its filings will continue to increase—they have progressively risen from 229 in 1960 to 543 in 1966 (although the latter figure includes 161 prisoner cases, of which, as commented above, it would seem that a substantial percentage could have been handled on the Miscellaneous Record and not docketed). On its evaluation of the situation, with account taken of all the factors involved, the Committee is of the view that a seventh judgeship should be created for this Circuit.

(d) Consideration given the other circuits

The Committee went over the situation of all the other Circuits, and while there are aspects which portend some probable difficulties as to some of them not too far ahead, it determined that it should not at this time make recommendation for additional judgeships as to any of them.

The Fourth and Sixth Circuits each requested two additional judgeships at the time of the Conference's consideration in relation to the last Omnibus Act and received such judgeships. The Seventh Circuit similarly requested, had approved, and obtained one additional judgeship under the Act. The District of Columbia Circuit and the Second Circuit did not request, nor did the Committee make any recommendation of additional judgeships for them in relation to the last Omnibus Act. There exists in both of these Courts a substantial number of pending cases or backlog which has been progressively increasing, but each of them is commendably resorting to expedients which they feel will enable them to cope with their backlogs. Furthermore, their experimentations may provide some administrative light and precedent as considerations for the other Circuits.

As noted in the Shafroth survey, the one "pro se" or staff law clerk which was recently provided by Congress for each Circuit should enable the Courts to save some judicial time in the screening of prisoner petitions and cases. The Committee is of the view that a further such staff law clerk (and in some Circuits perhaps a third) would enable the Courts to increase their terminations through a screening of other cases, such as the criminal appeals, many of which are apparently without substance, but which, as could naturally be expected, have shown a marked increase since the Criminal Justice Act, as referred to in the Shafroth survey at p. 49. These are matters, however, which are outside the province of the Committee on Statistics, and hence only this passing comment is made.

II. JUDGESHIPS FOR THE DISTRICT COURTS

(a) Additional judgeships

At the time of its recommendations for judgeships in 1965, which became a part of the 1966 Act, the Committee, in line with the expressions which had been made in the Conference, was attempting to break the precedent which Congress appeared to have established in relation to Omnibus Judgeship Bills, of not acting on judgeship requests or other needs oftener than approximately every seven years. This practice did not enable the Courts to obtain judgepower in accordance with their sound needs, since at the end of such a lengthy period the number of requests made had necessarily become sizable in their total, although many of the requests as they had cumulatively been given approval had become inadequate and unrealistic at the time that the Omnibus Bill in which they were included was ultimately acted upon.

In hoping to get Congress to take current action on the recommendations which it made in 1965, the Committee was seeking to get the door opened for making request and obtaining action from Congress on judgeship requests approximately every four instead of every seven years. Because of the large number of accumulated and congressionally added district judgeships which were created by the 1961 Act, the Committee felt that, as a basis for seeking a more frequent consideration of judgeship requests than every seven years, its 1965 recommendations should be predicated on absolute demonstrable present need, with elimination of such situations as were marginal or would involve a measure of projection, even though there could be no doubt as to an ultimate future need. Although its recommendations were arrived at on this basis, the Committee had, however, made a canvass of the condition of all the districts in appraising the various marginal situations and came to the conclusion that the districts as to which it made no recommendation were not faced with an emergency situation and should be able to carry on until the Committee's next over-all survey was made, with resort to a temporary call for outside district-judge help if any distress situation arose.

On these considerations and in furtherance of the purpose of the policy referred to, the Committee concluded that, except as some request received by it could be said to represent a present emergency situation, it should not make any recommendation for judgeships at the present time beyond those of the last Omnibus Act.

The Committee gave consideration on this basis to the requests received by it for recommendations of additional judgeships, which requests were as follows:

Southern District of California, one judgeship.

Southern District of Georgia, one judgeship.

Eastern District of Kentucky, one judgeship.

Eastern District of Michigan, one judgeship.

Northern District of New York, one judgeship.

Western District of North Carolina, one judgeship.

Western District of Pennsylvania, two judgeships.

As to the Southern District of Georgia, the Committee had made recommendation of one additional judgeship in its 1965 report, which was approved by the Conference and which was included in the Omnibus Bill, but which was removed from the Bill by the Congress. As to the other present requests above set out, the Committee is of the opinion that there has been no such change in condition as to amount to an emergency situation and to call for action upon that basis. Accordingly, as previously indicated, the Committee makes no recommendation for any additional district judgeships at the present time. In this connection it may be added that it is the Committee's intention to commence another general district-court survey in 1968, so that such actual need as may be found to soundly exist at that time can be pointed out to the Conference in time for an Omnibus Judgeship Bill to be introduced at the opening session of the new Congress in 1969.

(b) Situation as to the temporary judgeships created for the Eastern District of Pennsylvania by the 1966 Omnibus Act

Of the three temporary judgeships created for the Eastern District of Pennsylvania by the 1966 Omnibus Act, one has since expired or will soon expire, without any appointment ever having been made thereto, as a result of the recent elevation of Judge Van Dusen from the District Court of that District to the Court of Appeals for the Third Circuit. The Committee was advised that an attempt will probably be made by one of the Senators or Congressmen from Pennsylvania to have this judgeship position restored or reconstituted, which the Committee feels ought to be done. In view of the Conference's previous approval of the position and of the fact that it has lapsed without the District ever having had the benefit thereof, no further action would seem to be necessary on the part of the Conference, unless Chief Judge Staley of the Circuit and Chief Judge Clary of the District have some special reason for desiring the Conference to voice re-expression of its previous approval. The Committee is of the opinion that the matter can perhaps most effectively be handled by a special bill, as has been suggested, in view of the unique situation involved, so that it does not become the subject simply of general inclusion in any omnibus bill which may be requested of the Congress.

III. COMMENTS ON THE SHAFROTH SURVEY

The Shafroth survey contains various aspects other than those which have been referred to herein, some within the province of the Statistics Committee and some within the province of other Committees, particularly the Committee on Court Administration and the Committee on Supporting Personnel. Some of those within the province of the Statistics Committee, which there has been no opportunity to consider and deal with in this report, will perhaps be made the subject of special comment in the Committee's next report. As to the aspects within the province of the two other Committees, mention is merely made here of the fact so that they can be gone over by the Chairmen of these Committees, if they so see fit.

IV. JS–10 REPORT

At the last session of the Conference, the Committee was directed to give consideration to the possibility of revising Form JS–10, covering the matter of trial time in the District Courts. There was not time at the two-day meeting of the Committee to fully explore all the aspects of this question and the problems involved. The Committee therefore was obliged to continue its consideration until the next session, and report to the Conference can accordingly not be made until the September 1967 session thereof.

Respectfully submitted.

John Biggs, Jr.,
Richard H. Chambers,
G. Harrold Carswell,
Leonard P. Walsh,
Harry C. Westover,
Harvey M. Johnsen,
Chairman.

SURVEY OF THE U.S. COURTS OF APPEALS

(A report by Will Shafroth, consultant, Administrative Office of the U.S. Courts, Jan. 22, 1967)

[Charts and graphs referred to not printed in Record]

Part I

At the request of Honorable Warren Olney III, Director of the Administrative Office of the United States Courts, under the direction of the Statistics Committee of the Judicial Conference of the United States, and of the Chairman of the Committee, Judge Harvey M. Johnsen, I have completed a survey of the courts of appeals and herewith submit my report. I have visited all the courts, talked with all of the Chief Judges but one (Judge Vogel was not available at the time I had planned for visiting the Eighth Circuit), with all of the clerks, and, in conference or singly, with about 50 associate judges of the courts. I found everywhere a very active interest in the subject of the survey and wish to express my genuine thanks to all of those judges with whom I discussed the work of their courts and the general subject of court administration for their courtesy and their willingness to give me their time and attention. I am also grateful to the clerks, who in spite of the pressure of their work—and most of them are hard-pressed—gave me full access to their records, the help of their staffs and a great deal of their valuable time. Most of all, I appreciate the generosity of the Chief Judges who have heavy burdens to carry but who talked with me at length and gave me many worthwhile ideas and suggestions. My twenty-five years of experience in the Administrative Office of the United States Courts had given me a vivid appreciation of the high quality of the federal judiciary and now that I have retired from that office, I hope I can say, without being accused of flattery, that the hard-working, conscientious and thoughtful judges with whom I have talked in the course of my survey fully justify the high esteem in which the federal judiciary is held.

Introduction

The scheme of this report is to first discuss the courts of appeals as a group, the condition of their judicial business and their needs for help. This is followed by a short summary for certain circuits. After this, I have undertaken to canvass the general subject of what can be done to increase the production of the courts by other means than an increase in the number of judges, and also, as a corollary, the possibility of decreasing the number of cases coming to the appellate courts by limiting their jurisdiction. Following this, I have discussed such topics as the need for more law clerks, the desirability of a survey of the clerk's offices, the handling of prisoner applications, the time taken away from hearing and deciding cases by outside activities and a number of suggestions arising out of the way things are now being handled in individual courts. This is followed by a few general recommendations. Others are scattered through the report. Part II of the report, which is in the nature of an appendix, gives a separate report on each circuit which is intended to give in more detail the statistics of each court, the factors bearing on its need, if any, for more judicial help and a brief account of its method of doing business.

A word about the statistics

Judges are notably allergic to statistics. Nevertheless, they have been the basis on which the need for judges and personnel for the courts has been assessed by Congress for a great many years and are the necessary tools of judicial administration. Six tables have been prepared for each circuit and are annexed to the individual reports in Part II. A compilation of the circuit tables has been prepared showing the totals for all circuits and these tables are attached to Part I.

The tables are as follows:

S–1. The flow of cases. Cases filed, terminated and pending and terminated after hearing or submission, 1950–1966.

S–2. Cases per judgeship and median time from filing to disposition, giving a comparison of national and circuit figures.

S–3. Types of cases filed—same years.

S–4. Types of cases filed per judgeship. Circuit figures and national figures compared in the tables for the individual circuits.

S–5. Prisoner petitions in the district courts and prisoner appeals in the courts of appeals. A comparison of circuit totals and six year trends from 1960 to 1966 with national totals and trends.

S–6. Trials in the districts courts and appeals from the district courts to the courts of appeals 1961–1966.

Three notations must be added at this point:

1. Years referred to are fiscal years unless otherwise stated.

2. Cases listed as filed or terminated in this report do not coincide with the numbers reported as filed and terminated in the Annual Reports of the Administrative Office for the year 1962 and subsequent years for the reason that, beginning in that year, consolidated cases and cross appeals have been separately docketed even though requiring only a single decision, in accordance with the directions of the Statistics Committee (Table B–1 of the Annual Reports of the Administrative Office). Therefore, it has been necessary to subtract from cases filed and cases terminated the number of cases listed in the B–1 table of the Annual Report of the Administrative Office under the heading: "Cases disposed of by consolidation". This includes cross appeals. It applies only to 1962 and subsequent years. The purpose of this was to make the figures for 1962 and subsequent years comparable to the figures for previous years.

In 1966 cases disposed of by consolidation including separately docketed cross appeals, were 635 or almost 10 percent of the number filed.

3. In reading the tables giving the caseload per judgeship, it is important to know to which fiscal year an increase in the number of judgeships should be applied. Three omnibus judgeship bills were passed during the period from 1950 through 1966, to wit, the bill of February 10, 1954, creating three circuit judgeships; the bill of May 19, 1961, creating 10 circuit judgeships; and the bill of March 18, 1966, creating another 10 positions, four of which were temporary. Since these judgeships were created in the second half of the fiscal year, it has been customary to first count them in the fiscal year following the year of passage of the bill.

Previous studies

Since the creation of the Administrative Office of the United States Courts in 1939 and the establishment of a new system of statistical tables for the federal courts, there have been numerous studies of the business of the United States courts of appeals. However, these have been mainly focused on the courts where additional judgeships were needed. A Committee of the Judicial Conference on Judicial Statistics was appointed by Chief Justice Hughes in 1943 and its first Chairman was Judge Learned Hand.

He was succeeded in 1944 by Judge Charles E. Clark of the Court of Appeals for the Second Circuit, who served for 15 years and was, in turn, succeeded in 1959 by Judge Harvey Johnsen of the Court of Appeals of the Eighth Circuit, the present chairman. Throughout the existence of this Committee, and with the aid of the Division of Procedural Studies and Statistics, there has been a continuous study of the condition of the courts, both district and circuit, and in each annual report of the Office, there has been a detailed report and tables showing the condition of these courts.

With the omnibus judgeship bill of 1949, detailed reports were presented to the House and Senate Judiciary Committees concerning the condition of the District of Columbia, Third, Seventh and Tenth Circuits and six circuit judgeships were created that year, three in the District and one in each of the other three circuits. Again in 1954 three judgeships were recommended by the Conference for the courts of appeals and two positions were created in the Ninth Circuit and one in the Fifth and the business of each of those courts was described in detail. In 1961, when 63 district judges were created by Congress, it was realized that substantial help must be given to the courts of appeals and ten new circuit judgeships were provided, after a full consideration of their business.

Five years later, on March 18, 1966, another judgeship bill was passed after a realization by the Judicial Conference that the courts were still unable to cope with the increasing litigation. This provided for 35 district judgeships and ten circuit judges and full reports were made in connection with it. The following table shows the increases since 1941, in the number of circuit judgeships:

INCREASE IN THE NUMBER OF JUDGESHIPS, 1941 TO 1966, INCLUSIVE

Circuits	Number of judgeships, 1941	New judgeships created 1942	1944	1949	1954	1961	1966	Number of judgeships, Jan. 1, 1967
Total	57	1	1	6	3	10	10	88
District of Columbia	6	--------	--------	3	--------	--------	--------	9
1st	3	--------	--------	--------	--------	--------	--------	3
2d	6	--------	--------	--------	--------	3	--------	9
3d	5	--------	1	1	--------	1	--------	8
4th	3	--------	--------	--------	--------	2	2	7
5th	5	1	--------	--------	1	2	[1]4	[2]13
6th	6	--------	--------	--------	--------	--------	2	8
7th	5	--------	--------	1	--------	1	1	8
8th	7	--------	--------	--------	--------	--------	1	8
9th	7	--------	--------	--------	2	--------	--------	9
10th	4	--------	--------	1	--------	1	--------	6

[1] Temporary.

[2] 4 temporary judgeships.

In 1964, the Conference Committee on the Geographical Organization of the Courts made intensive studies of the Fifth and Ninth Circuit Courts of Appeals. It will be noted that the studies above referred to came about as a result of the need of the various courts of appeals for additional judgeships which were requested by the Chief Judge of the circuit, after discussion with his circuit council. This was a natural development because each chief judge is charged with the administration of his own circuit, and knows, better than anyone else, its needs.

The abrupt rise in the amount of business in all the courts of appeals since 1961 caused concern to both the Statistics Committee and Committee on Court Administration and a realization that, if the business of the courts of appeals continued to increase, some measures would be required to save them from disastrous docket congestion and delays. Therefore, Judge Biggs, at the Judicial Conference session of September 1965, made a motion, approved by the Conference, authorizing the Committees "to undertake a comprehensive study of the workload of the United States courts of appeals in light of the additional district judgeship positions created in 1961 and the proposals for additional district judgeships presently recommended and, on the basis of its study and evaluation, to recommend to the Conference any additional appellate judgeships which are required."

At the September 1966 session, the Conference was informed as follows:

"Judge Johnsen reported that the Committee has succeeded in obtaining the services of Mr. Will Shafroth, former Deputy Director of the Administrative Office of the U.S. Courts, to undertake the necessary field work aimed at studying the varying practices among the courts of appeals in the handling of their administrative and judicial loads. Judge Johnsen advised that his Committee would report further to the Conference at its next meeting."

The present survey is the result of the Conference action.

General condition of the business of the courts of appeals

The present situation of the courts of appeals and the need for a full dress review of the condition of its business arises from the new sharp up-trend in the number of cases being filed annually during the last six years. The total increase in annual appeals only amounted to one-fifth from the year 1941 to 1960, that is, from 3,213 to 3,899. In the same two decades, the number of civil cases filed annually in the district courts had almost doubled. The number of cases commenced per judgeship in the courts of appeals was only one more in 1960 than in 1941, 57 as compared with 56. The number of circuit judgeships increased by 11 from 57 to 68 in the 20-year period.

But in the next six years, from 1960 to 1966, the increasing trend rose very sharply, from 3,899 to 6,548 cases commenced, or by two-thirds. Had it not been for the addition of ten judgeships in 1961, the situation would now have been very bad. The flow of cases for the years 1950 to 1966 are given in Table S-1. For the years 1960 to 1966, which was a critical period, cases filed, terminated and pending are given below:

APPEALS FILED, TERMINATED AND PENDING FISCAL YEARS 1960 THROUGH 1966

Fiscal year	Number of judgeships	Filed	Terminated	Pending	Terminated after hearing or submission
1960	68	3,899	3,713	2,220	2,681
1961	68	4,204	4,049	2,375	2,806
1962	78	4,587	3,931	3,031	2,895
1963	78	5,039	4,613	3,457	3,172
1964	78	5,412	5,089	3,780	3,552
1965	78	6,221	5,226	4,775	3,546
1966	78	6,548	5,936	5,387	4,087

Again in 1966, another omnibus judgeship bill was passed, and again ten more circuit judgeships were added. It had then become evident that the number of judges could not be increased indefinitely, and while one of my purposes has been to find out what the present condition of the business was and what new judgeships were needed, only a year after the passage of the last bill, I was equally concerned with investigating ways by which an increase in appellate cases could be handled without a continuous and parallel increase in the number of judges, which, of course, also has a direct bearing on judgeship needs.

The nature and effect of this increase is shown by the caseload per judgeship table which follows:

U.S. COURTS OF APPEALS—ALL CIRCUITS CASELOAD PER JUDGESHIP,[1] FISCAL YEARS 1950 THROUGH 1966

Fiscal year	All circuits	District of Columbia	1st	2d	3d	4th	5th	6th	7th	8th	9th	10th
1950	44	48	22	53	34	65	68	40	46	26	45	32
1951	46	44	27	60	39	58	70	38	39	32	58	39
1952	47	48	27	58	40	58	75	38	34	34	63	38
1953	50	47	28	59	42	56	80	51	43	33	64	38
1954	54	52	35	61	36	70	85	51	50	33	74	42
1955	54	49	51	97	44	67	75	53	48	37	43	48
1956	53	60	42	77	39	70	73	52	49	34	43	48
1957	54	55	38	89	39	73	85	61	44	29	47	44
1958	54	53	37	84	47	75	76	53	48	29	51	50
1959	55	60	47	87	42	74	79	45	50	33	50	46
1960	57	56	51	97	42	75	82	51	55	34	51	47
1961	62	59	49	112	48	83	90	57	55	35	49	57
1962	59	67	51	62	51	58	78	66	53	40	62	44
1963	65	80	44	74	44	70	95	62	54	36	76	45
1964	69	69	60	76	46	90	112	86	57	44	56	63
1965	80	63	64	86	56	114	115	106	67	43	90	69
1966	84	78	57	88	60	114	116	101	68	53	88	91
1966 (on basis of additional judgeships created in 1966)	74	78	57	88	60	81	80	75	59	47	88	91

[1] 3 omnibus judgeship bills were passed during the period from 1950 to 1966. In each instance the bill was passed in the 2d half of the fiscal year. Therefore, the additional judgeships are first counted in the fiscal year following the year of passage of the bill.

Note: Beginning in 1962, number of cases filed per judgeship are reduced by subtracting cases disposed of by consolidation, before dividing by number of judgeships.

From 1940 to 1960, the number of cases commenced annually increased 21 percent and the number of judges by 19 percent. Three new circuit positions were created in 1954 and from that time to 1960, the caseload per judge ranged from 54 to 57. By 1961, it had reached 62 per judge, and by 1966, even with the creation of ten positions, 84 per judge. With ten more new judgeships on March 18, 1966, the total number of judges was raised to 88 and by dividing this into the 1966 cases filed, we have a current load of 74 per judge, which is about one-third higher than the burden before the present sharply increasing trend had gotten underway. In other words, the present caseload, viewed as a whole, would appear to be too high, from a numercial standard, based on past history.

However, there are some additional factors to be taken into consideration. One of these was the great number of prisoner appeals in the Sixties from denials of habeas corpus petitions and motions to vacate sentence by district judges which rose from 290 in 1960 to 1,106 in 1966. In most circuits, these were screened by a panel or sometimes by a judge, and were only docketed if it appeared that there was some contention deserving of consideration by the court. But in the Fourth Circuit, the regular procedure was for the application to be screened by a panel of three judges and then to be docketed, even if, by the same order, it was dismissed. And in the Tenth Circuit, the docketing and hearing of these petitions without screening were virtually automatic. A relative comparison of the reported caseloads of the circuits thereby became unrealistic to the extent that it included cases of the same kind which were docketed in one circuit but not in another. Therefore the following caseload per judge table was prepared, eliminating prisoner applications. Since the Fourth Circuit is not in need of additional judges and since the Tenth Circuit is still above the national average, with prisoner cases not included, the difference may not be vital for our present purposes but is of a certain interest in demonstrating the effect the sudden rise in a particular class of appeals may have on the total.

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CASELOAD PER JUDGESHIP, NOT INCLUDING PRISONER APPLICATIONS FOR POSTCONVICTION RELIEF[1]

Circuit	Caseload per judgeship			
	Fiscal year 1960	Fiscal year 1965	Fiscal year 1966	Fiscal year 1966 (with new judgeships)
All circuits	53	67	70	62
District of Columbia	(2)	57	69	69
1st	49	58	52	52
2d	89	77	82	82
3d	40	49	54	54
4th	63	70	65	46
5th	78	98	99	69
6th	46	88	80	60
7th	54	61	62	54
8th	31	37	48	42
9th	47	80	72	72
10th	39	42	64	64

[1] 3 omnibus judgeship bills were passed during the period from 1950 to 1966. In each instance the bill was passed in the 2d half of the fiscal year. Therefore, the additional judgeships are first counted in the fiscal year following the passage of the bill.

[2] Not available.

(Note: Beginning in 1962, number of cases filed per judgeship are reduced by subtracting cases disposed of by consolidation, before dividing by number of judgeships.)

Another factor is the increase in production per judge in the last 25 years. The best reflection of this is shown in the number of cases terminated after hearing or submission rather than total terminations, which include dismissals. The figures are given in Table S-1 attached. The cases so terminated per judge were as follows:

CASES TERMINATED AFTER HEARING OR SUBMISSION, PER JUDGESHIP, FISCAL YEARS 1950-66

Fiscal year	Number of judgeships	Cases terminated per judge	Fiscal year	Number of judgeships	Cases terminated per judge
1950	65	36	1959	68	40
1951	65	33	1960	68	39
1952	65	36	1961	68	41
1953	65	37	1962	78	37
1954	65	37	1963	78	41
1955	68	41	1964	78	46
1956	68	44	1965	78	45
1957	68	40	1966	78	52
1958	68	42			

Only in the last three years has there been a radical increase in the number of terminations per judgeship. In this period, there have been notable increases in the cases heard by the active judges of the court in the Third, Fourth, Sixth, Seventh, Eighth and Ninth Circuits, accompanied in some cases by a large increase in the use of retired judges of the circuit and also by a notable increase in the use of district judges in the Fifth Circuit. The point is that the courts have responded to increased pressure by a greater output per judge, in some cases by more use of their retired judges and also, in the Fifth Circuit, by a considerably greater use of the district judges of the circuit. For the courts as a whole there is a case statistically for some reduction in the caseload per judge by the creation of more judgeships.

Docket congestion

There is no doubt that the dockets have been falling behind in some circuits, and that immediate measures are necessary to restore a reasonable condition of currency to them. This will be considered, by circuit, below and in greater detail in Part II of this report, but an over-all review of the situation is warranted. Docket congestion means that a backlog of cases has accumulated which prevents current cases from being disposed of without unreasonable delay. It is caused by more cases being filed over a period than can be disposed of, and is usually accompanied by a constantly growing list of pending cases. Discussion of the business of the courts of appeals logically divides itself into two parts; first, the period from 1950 to 1960 and then the years from 1960 to the present. It is not necessary to go behind 1950, as during the previous decade war conditions affected the courts and the trend of decreasing caseloads in the courts of appeals hardly seems likely to be repeated. From 1950 to 1960 we have a period of slow but continued growth, while in the Sixties, we appear to have entered a new era which calls for close study, and, with its possibility of continuance, the threat of greater delay in the hearing and disposition of cases.

Increase in pending cases

Increase in pending cases in the courts of appeals, as shown in Table S–1, has been almost continuous since 1950, but from 1950 to 1960 only amounted to one-third, from 1,675 to 2,220. With the advent of the new decade, the pace increased very decidedly and the numbers had doubled in five years. By June 30, 1966, it had reached 5,387, which was 143 percent above the 2,220 of 1960. This was an increase from 33 cases pending per judgeship on June 30, 1960 to 61 pending as of the same date in 1966. Phrasing this another way, while the pending cases at the end of 1960 amounted to 57 percent of the number of cases filed the preceding year, at the end of 1966, the percentage had risen to 82 percent. At the current rate of disposition it would take nine and one-half months to dispose of pending cases, if no new ones were filed. A comparison of the increase in the decade from 1950 to 1960 with the increase since that date shows the seriousness of the present situation.

The time from filing to disposition

A further indication of the docket conditions is found in the statistics on median time from filing of the complete record to final disposition. This interval is a useful barometer of court delay. In 1950 it was 7.1 months and by 1960 it had dropped to 6.8 months. By 1966 it had gone up by steady degrees to a new high record of 8.3 months. (Table S–2). The 1965 and 1966 record for each circuit was as follows:

MEDIAN TIME INTERVAL FROM FILING TO DISPOSITION OF CASES DISPOSED OF AFTER HEARING OR SUBMISSION IN THE UNITED STATES COURTS OF APPEALS DURING THE FISCAL YEARS 1965 AND 1966

Circuit	Fiscal year 1965		Fiscal year 1966	
	Cases	Interval (months)	Cases	Interval (months)
All circuits	3,546	8.0	4,087	8.3
District of Columbia	426	7.9	448	7.0
1st	115	5.8	158	5.2
2d	427	6.3	428	6.3
3d	243	7.5	321	7.8
4th	266	5.7	277	6.8
5th	621	10.0	703	12.0
6th	300	11.2	325	13.1
7th	283	7.6	329	7.9
8th	198	5.6	243	6.3
9th	398	8.2	496	9.2
10th	269	6.6	359	5.5

One more sign of delay is found in the quarterly reports of cases held under submission more than three months. The last published report, as of September 30, 1966 is compared below with a similar report for the first quarter of fiscal year 1960 in the following table:

CASES UNDER SUBMISSION MORE THAN 3 MONTHS, AS OF SEPT. 30, 1966, AND SEPT. 30, 1959

	Total		More than 3 months but less than 6 months		More than 6 months but less than 9 months		More than 9 months but less than 1 year		More than 1 year	
	1966	1959	1966	1959	1966	1959	1966	1959	1966	1959
Total	223	40	109	28	61	10	33	2	20	------
District of Columbia	12	4	8	4	4	------	------	------	------	------
2d	4	16	2	10	2	5	------	1	------	------
3d	15	1	9	1	5	------	------	------	1	------
4th	48	------	19	------	13	------	8	------	8	------
5th	50	------	20	------	8	------	14	------	8	------
6th	25	------	18	------	3	------	4	------	------	------
8th	16	1	7	------	9	1	------	------	------	------
9th	51	17	24	12	17	4	7	1	3	------
10th	2	1	2	1	------	------	------	------	------	------

The increase from 40 cases in 1959 to 223 in 1966 is shocking. These reports were made after the summer vacation and every case listed had been heard or submitted before June 30. In 1966 there were 20 cases which had been under submission *over a year*. Only two circuits, the First and Seventh, had no cases to report, either in 1959 or 1966.

Flow of cases—First half of 1967

As shown by the following figures, the upward trend of appeals filed in the first half of the fiscal year 1967, from July 1 to December 31, 1966, continued. The rate of increase over the similar period of last year was about five percent, the same proportion as in the fiscal year 1966, but considerably less than the 11 percent increase of the year before. Although the cases terminated in the latest half-year period were 350 more than during the first half of fiscal year 1966, cases pending on December 31, 1966 were 219 more than a year previous. Substantial increases in the number of appeals filed occurred in the Third and Fourth Circuits.

The trend

In calculating the estimated business of the courts of appeals for the future, the best basis is the past, but there still remains the vital decision of how many years back it is necessary to go. Statisticians recommend a straight line trend, computed by the method of least squares, and this method has been used in preparing the accompanying table and chart, showing estimated projections to 1975, based on cases filed in each circuit from 1960 to 1966. The results obtained are close to what they would be if the increase in cases filed between 1960 and 1966 had been added to the number commenced in 1966, to obtain projection of the number to be filed in 1972. This is simply a less sophisticated method of calculation.

The chart shows that, by using the six-year base, 1960–1966 inclusive, the projected filings in 1972 would be 9,246. The "less sophisticated" method used above would produce an estimate of 9,197 for 1972. But the picture is radically changed if, instead of using a six-year base, which contains the period of greatest acceleration of the rate of increase, we use a 12-year period, that is, from 1954–1966, inclusive. The increase in 12 years has been 3,067. Half of that increase, 1,534, added to the number of cases commenced in 1966, or 6,548, produces an estimated 8,082 cases in 1972.

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CASES COMMENCED AND TERMINATED DURING THE 1ST HALF OF FISCAL YEAR 1967 (JULY 1 THROUGH DEC. 31, 1966), BY CIRCUIT (PRELIMINARY FIGURES)

Circuit	Pending July 1, 1966	Commenced		Terminated	Pending Dec. 31, 1966
		1st half 1967	Comparison with 1st half 1966		
Total	5,387	3,704	+163	3,386	5,705
District of Columbia	461	385	−3	295	551
1st	63	89	−13	71	81
2d	617	421	+24	435	603
3d	372	371	+84	276	467
4th	405	369	+84	319	455
5th	1,004	546	+8	514	1,036
6th	656	337	−4	296	697
7th	359	242	−35	253	348
8th	243	231	+30	214	260
9th	807	435	+11	434	808
10th	400	278	−23	279	399

U.S. COURT OF APPEALS

TOTAL CASELOAD PROJECTIONS FOR 1967–75 BASED ON ACTUAL CASELOAD OF FILINGS FOR FISCAL YEARS 1960–66, BY CIRCUIT

Fiscal year	Total	District of Columbia	1st	2d	3d	4th	5th	6th	7th	8th	9th	10th
	Caseload of Appeals Commenced, 1960–66[1]											
1960	3,899	505	154	582	296	224	577	306	329	237	455	234
1961	4,204	527	146	674	334	250	630	340	328	246	443	286
1962	4,587	601	154	555	408	292	703	394	374	282	560	264
1963	5,039	718	133	667	354	352	852	374	381	254	687	267
1964	5,412	624	179	680	368	450	1,010	513	396	305	507	380
1965	6,221	568	193	778	444	568	1,037	638	469	302	809	415
1966	6,548	702	170	793	482	569	1,041	603	475	374	796	543

[1] From 1962 to 1966 the number of cases commenced has been reduced by cases disposed of by consolidation.

U.S. COURT OF APPEALS—Continued

TOTAL CASELOAD PROJECTIONS FOR 1967–75 BASED ON ACTUAL CASELOAD OF FILINGS FOR FISCAL YEARS 1960–66, BY CIRCUIT—Continued

Fiscal year	Total	District of Columbia	1st	2d	3d	4th	5th	6th	7th	8th	9th	10th
	Projections of Caseloads, 1967–75 [3]											
1967	6,959	706	185	814	489	648	1,195	682	499	364	851	527
1968	7,417	731	191	848	515	713	1,285	739	526	383	912	574
1969	7,874	756	197	883	542	778	1,374	797	525	403	973	620
1970	8,332	780	203	917	568	844	1,464	854	579	422	1,034	667
1971	8,789	805	209	952	595	909	1,554	911	605	442	1,094	713
1972	9,246	830	215	986	621	974	1,643	699	632	461	1,155	760
1973	9,704	855	221	1,021	647	1,040	1,733	1,026	658	481	1,216	806
1974	10,161	880	227	1,055	674	1,105	1,823	1,083	685	500	1,277	852
1975	10,618	905	233	1,090	700	1,170	1,913	1,141	711	520	1,338	899

[3] The projected 1967–75 filings represent a mathematically straight line trend based on the "method of least squares" using the data base of filings for fiscal years 1960–66. Because of rounding of separate circuits, totals for all circuits may be slightly different.

Between the two estimates we have a bracket of about twelve hundred cases. On the basis of the present number of judgeships this gives us between 92 and 105 cases per judgeship in 1972, on the basis of the present number of judgeships. While these figures were exceeded by three circuits, the Fourth, Fifth and Sixth, in 1966, they were recognized as being too high, and the Congress gave two additional judgeships to the Fourth, four to the Fifth and two to the Sixth.

An additional projection was made of appeals filed, omitting prisoner petitions, thereby permitting a valid comparison of the caseload per judge with other circuits and the national average without the distortion arising from the difference in the method of docketing these cases in the several circuits. The caseload per judge now and as projected in 1972, with prisoner cases omitted, on the basis of 1960 to 1966 filings would be as follows:

CASELOAD PER JUDGE IN 1966, AND 1972 PROJECTION' OMITTING ALL PRISONER APPLICATIONS, BASED ON 88 JUDGESHIPS, INCLUDING NEW POSITIONS

Circuit	1966 (actual)	1972 (projected)
Total	62	82
District of Columbia	69	77
1st	52	61
2d	82	97
3d	54	66
4th	46	71
5th	69	103
6th	60	94
7th	54	68
8th	42	50
9th	72	103
10th	64	80

Factors indicating further increases in the caseload in future years include an increasing federalism in our Government, an increasing population, an increasing number of district judges and an inevitable increase in criminal appeals.

The tendency towards increase of cases under the federal question jurisdiction and an increase of administrative agency cases is marked. Some examples of recent statutes containing either judicial review of enforcement provisions are given in Exhibit A.

The population of the United States is increasing about one and one-half percent a year, but in some populous states, Florida and California, by twice that proportion. Population estimates for the United States and projections by the Census Bureau for the years 1966, 1970, 1975, 1980 and 1985 are as follows:

PROJECTION OF THE POPULATION OF THE UNITED STATES, 1970 TO 1985

[Numbers in millions]

	1960	1966	1970	1975	1980	1985
Population*	[1] 179	[2] 196	[2] 208	[2] 225	[2] 245	[2] 266
Percentage increase over 1960	----	----	16.2	25.7	36.9	48.6

*From Population Estimates, U.S. Bureau, Series P-25, No. 326, Feb. 7, 1966; and No. 348, Sept. 16, 1966.

[1] Actual.

[2] Estimated.

Criminal appeals begun annually have doubled since 1960 and the rate of growth increased in 1966. With the passage of the Criminal Justice Act, insuring every indigent criminal defendant in the federal courts an appeal without cost and with representation by counsel paid by the Government, it cannot be doubted that criminal appeals will continue to increase in number. Habeas corpus cases and other prisoner petitions are also still on the rise.

Summary of the business of circuits where new judgeships are requested

The need for additional judgeships must be determined by a consideration of the needs of the individual circuits. A full discussion of each circuit is contained in Part II of the report, to which reference is made. Here, it is only necessary to give a short summary of the docket condition of a few circuits where additional judgeships are being sought or where, as in the Fifth Circuit, a request has been voted by the circuit council to make temporary judgeships permanent.

Third circuit

The number of judgeships of the Court of Appeals of the Third Circuit was increased from seven to eight in 1961, but an increase of 44 percent in cases filed annually since that year has persuaded Chief Judge Staley to request an additional judgeship for the court. He is supported by the Judicial Council of the Circuit in this request, and by Senior Judge Biggs who served as Chief Judge of the circuit for more than 25 years.

There are some persuasive arguments to support this view, in spite of the fact that the caseload per judge is well below the national average, 60 in comparison with 74. Indications of congestion include a more than doubling of the pending cases from 1961 to 1966, an increase in the median time for disposition from 5.9 months to 7.8 months in five years, and a total of 15 cases held under advisement more than three months on September 30, 1966, one of which had been under submission over a year on that date. Efforts to increase the number of terminations have included the writing of a very substantial number of per curiam opinions, 144 in 1966 out of a total of 321 cases decided after hearing or submission, and an even larger number of per curiams in 1965.

However, the chief argument for increasing the number of judgeships in this court is that the steady increase in population and industry, which has resulted in an increase of almost half in the number of cases filed per year since 1961 is continuing and the caseload can be expected to increase with it. The straight line trend according to the approved method of least squares, predicts a caseload of over 600 cases by 1972.

Fifth circuit

A constantly increasing caseload of cases filed annually in this court which rose by 40 percent in the decade from 1950 to 1960 and by another 80 percent between 1960 and 1966 has kept this court in a condition of crisis, although the number of judgeships was increased from six to seven in 1954, from seven to nine in 1961 and from nine to thirteen in 1966, the four judgeships created in 1966 being temporary. Further increases in the caseload are to be expected with many unsettled controversies in the fields of integration, civil rights and apportionment to be passed on, and with a large increase of trials expected as the result of the creation of 14 district judgeships in the circuit in 1966. The court docket is badly congested, the median interval from filing to disposition is up to 12 months, compared to the national average of 8.3 months, with 50 cases under submission more than three months on September 30, 1966, of which number 30 had been under submission more than six months, and an incredible 223 cases in all under submission and awaiting decision on December 2, 1966.

With the four additional judgeships in 1966, three of which have been filled, and a continued heavy use of district judges, retired judges of the circuit and visiting judges, Judge Brown, in charge of assignments, is appointing panels for 45 weeks of court, or practically twice as many weekly panels as in 1960. Thus the situation is fully realized and is being coped with by this well administered and hard-working court. This is keeping the court on an emergency basis, and not only are more "outside" judges, that is not present or former active judges of the court, being used than anywhere else, but the active judges of the court are continuing to hear or take under submission from a third to a half more cases per judge than the average of the other circuits.

With a present caseload per judge of 80 (dividing the number of cases filed in 1966 by the present number of judgeships, 13) compared with a national average of 74, a good case can be made for the creation of additional positions, but Chief Judge Tuttle prefers at this time to request that his present four temporary judgeships be made permanent and has filed an official request of his Circuit Council that the Committee and the Judicial Conference support this resolution.

Ninth circuit

Since the increase in the number of judgeships in this court from seven to nine in 1954, the number of cases filed has increased by more than half and the number pending, by 40 percent. The caseload per judge in 1966 was 88 which compares with a national caseload of 74, if the new judgeships created in 1966 are included in calculating the 1966 national caseload per judge. Two senior judges of the court are continuing to render substantial service, valuable help is being received from a retired judge of the Court of Claims, who is resident in California, and continuous assistance is being given by district judges of the circuit. But evidence of congestion is seen in recent increases in the pending caseload from 452 in 1964 to 807 in 1966, in the excessively long median of 9.2 months from filing to disposition, compared with the national median of 8.3 months, and in the 51 cases reported as being held under submission over three months on September 30, 1966, more than in any other circuit. Of these 51 cases, three had been held over one year; seven, for more than nine months but less than a year; 17, for more than six months but less than 9 months and 24, for more than three months but less than six.

Chief Judge Chambers is requesting four additional judgeships to cover the need at this time and to meet what he considers the inevitable future expansion of the court business. The tremendous growth of population and the projected future trend by Census estimates, particularly in California, Arizona, and Nevada is shown by the table in the Ninth Circuit report in Part II of this report. The straight line trend of estimated caseloads of the future predicts that 1,034 cases will be filed in 1970, 1,155, in 1972 and 1,338, in 1975.

Tenth circuit

Appeals filed in this court increased 50 percent between 1950 and 1960 and 100 percent between 1960 and 1966. The caseload per judgeship of cases filed has gone from 32 in 1950 to 91 in 1966, the latter figure comparing with a national caseload per judge of 74, including the 10 circuit judgeships created by the omnibus bill of March 18, 1966.

Chief Judge Murrah attributes the ability of the Court to keep the docket in a current condition not only to the increased output of the active judges but also to the great service rendered by the retired judges and most particularly to the work of former Chief Judge Orie L. Phillips who has been in retired status for 10 years. In 1966, 13 percent of the number of sittings of individual judges on cases heard were by retired circuit judges of the circuit compared with a similar national percentage of 9 percent; for the 6 years from 1961 to 1966, the Tenth Circuit had an average for the retired circuit judges of the circuit of 10½ percent of all sittings compared with the national percentage of 6 percent.

The increasing burden on the court in the last five years is shown by the fact that since 1962 when the court first had a regular complement of six active circuit judges the average number of cases in which these judges sat per year has doubled.

But in interpreting the figures and comparing them with the caseloads of other circuits, it must be taken into account that the Tenth Circuit Court of Appeals has been the only one which has automatically granted permission for prisoner petitioners to proceed in forma pauperis and docketed all appeals filed without first entering them on the miscellaneous record and screening them. Many of the 167 prisoner applications filed in the Tenth Circuit Court of Appeals in 1966 would never have gotten on the dockets of most the other circuits.

But even without these prisoner appeals, which have had such a prodigious growth, the civil and criminal appeals from the district courts in all courts of appeals have increased 70 percent since 1966 and in the Tenth Circuit Court of Appeals by 100 percent. The method of handling prisoner applications used in this court has resulted in a greater percentage of the prisoner cases being docketed on the court's docket than in most other circuits. However, in view of the very heavy caseload in the Court of Appeals, the point need not be stressed because the planned revision of this procedure in the Tenth Circuit is not likely to reduce the caseload per judge to the national level.

Although appeals from administrative agencies follow the national average per judge, some very onerous cases in this category have been filed during the last year in this circuit and are now before the court.

Chief Judge Murrah and Judge Phillips before him have been firm believers in the necessity for providing the necessary judgeships in the court of appeals and the district courts of the circuit in advance of the time when they are desperately needed. The excellent record of the trial and appellate courts of the circuit is partly the result of this policy. Now Judge Murrah again applies the principle in asking for another judgeship for his court. The statistics support his request.

Possibilities for additional production

Many judges with whom I talked were concerned about the future of the Courts of Appeals in view of the constantly increasing work load. They agreed that the prime need was the discovery of means of increasing production without increasing the number of judges and without diminishing the quality of the work. The Chief Justice has emphasized this repeatedly and expressed it eloquently in his address to the American Law Institute in 1965 from which the following excerpt is quoted:

"The time has now come when we must probe more deeply than we have in the past and with a much higher degree of inventiveness into the diagnosis of the problems of judicial administration to assure that our system is responsive to the demands of the age in which we live. We must utilize the aids, devices and techniques which this generation has developed, as do the other professions, so that we can assure to our people the prompt and effective administration of justice to which they are entitled. This is the responsibility of the entire legal profession—professor, practitioner and judge. The need for action is immediate and urgent. I hope and urge that the bar associations of the country and the learned societies will devote their talents and efforts to seeking a solution to this critical problem. We cannot afford to go on pyramiding judgeships periodically without making our judicial system responsive to and part of the times in which we live."

There is no doubt that much can be done in this direction but it requires the careful attention of each Chief Judge, as conditions differ in different circuits, and the cooperation of Congress in providing ways and means and necessary appropriations. The following excerpts from a letter of November 18, 1966, to me from Chief Judge Lumbard are of interest in this connection:

"As I tried to tell you, I think our first job is to find ways in which we can handle our caseload more expeditiously and yet find enough time to give adequate study to the more important and difficult cases. I am convinced that we can do a great deal more than we have been doing. The most obvious means at hand is to increase the supporting personnel. This can be done by furnishing each circuit judge with an additional law clerk, if he wishes one, and by adequately staffing the clerks' offices so that the clerk and his principal deputy will have enough time to assist the court in those procedures which will help to spot and weed out frivolous appeals at an early date.

"If the court has sufficient supporting personnel, it is in the position to give adequate study to each case prior to hearing the argument and consequently it is in a position to dispose summarily of many appeals. This process takes a little time to develop because many of our older judges are simply not accustomed to doing things this way and they are reluctant to embarrass members of the bar by deciding cases in open court. In the course of time when the bar becomes more accustomed to this procedure and sees the value in it I am sure that judges will be more ready to follow this procedure. The fact is that at least one-third of our appeals can be determined to be in the frivolous category and this can be done without too much work prior to the argument.

"I thought you would be interested in the summaries that I was in the course of making when you were here and I enclose a summary[1] of our decisions disposed of by written opinion or summary disposition from October 1, 1965 to September 30, 1966. You will see from this that our summary dispositions ran a bit over 14% of 63 out of 438. Also enclosed is an analysis[1] of the cases disposed of summarily, of which I may have already given you a copy. I believe you took with you a list of the 105 per curiam cases.

"I cannot emphasize too strongly the importance of operating with courts of appeals which have not more than nine active circuit judges. As each year goes by our circuit councils consisting of the active judges are called upon to do more supervisory work and to undertake additional responsibilities, such as the operation of the machinery under the Criminal Justice Act. The delicate problems which arise in supervising the district courts can best be handled in most instances by informal action. This means that there must be constant communication between the chief judge and the other circuit judges. Things are much better and more smoothly handled by informal procedures and there is a limit to the number of meetings which can be held, especially where the judges are geographically dispersed. It is even difficult to arrange these meetings in our circuit where six of the nine judges are located in New York City.

"The difficulties of supervision and administration are compounded geometrically as the court increases in size. Therefore if any one court finds that it cannot operate with nine active circuit judges even with all the supporting personnel and other help which is available, I think the better solution is to create more circuits.

"Sterry Waterman tells me that you and he discussed the matter of an administrative aide to the chief judge of each circuit. I think this would be most helpful. There are many matters which the chief judge must follow and must deal with and I have found it very difficult to keep track of these things and to follow through as our court is now organized."

The output per judge

Judges differ, cases differ and methods of administration differ, but over a period of years it is possible to compare circuits as to their relative output per judge and the relation of individual circuits to a national average. Administrative Office statistics are based on the number of sittings—one case heard by one judge is a sitting—and the average number of sittings per judge are actually sittings per judgeship, that is the number of sittings divided by the number of judgeships, because actual figures concerning the number of judges available for sitting at all times during a year are not kept. Therefore, a vacancy such as that in the case of the late Shackelford Miller in the Sixth Circuit, which has lasted for 18 months, or the vacancy in the position of the fourth additional judgeship in the Fifth Circuit Court of Appeals, which has continued since the passage of the Omnibus bill of March 18, 1966 or in the First Circuit, where for a time Chief Judge Aldrich was the only judge of the court available for duty, are not taken into account. Nor are periods of sickness of active judges of the court, which takes them out of circulation, considered in the calculations of sittings per judge. Nevertheless, over a period of years, these factors tend to iron out, at least they are not sufficiently important to invalidate the results. Therefore, the following table of the number of sittings per active judgeship (the judgeships being counted as of the year following their creation) are of interest, and worthy of study.

NUMBER OF SITTINGS PER JUDGESHIP OF ACTIVE CIRCUIT JUDGES OF THE CIRCUIT, 1961-66

[1 judge hearing 1 case is 1 sitting]

Fiscal year	All circuits	District of Columbia	1st	2d	3d	4th	5th	6th	7th	8th	9th	10th
1961	109	111	88	128	89	141	181	126	87	49	108	98
1962	103	116	98	106	81	111	169	107	96	52	96	83
1963	107	124	79	117	71	123	166	96	99	58	98	113
1964	121	131	123	130	87	137	174	130	108	75	112	106
1965	125	137	68	148	98	156	145	142	110	91	114	139
1966	129	104	131	129	109	167	167	126	126	70	137	162

Note: Derived from J.S. 32 monthly reports to the Administrative Office. Additional judgeships created in 1961 are first counted in 1962. Judgeships created in 1966 are not counted.

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[1] Attached as Exhibit B.

If we leave out of consideration the First Circuit and the Eighth where the caseload has been small, the national average per judge for the six years for each year has been as follows:

Average sittings per active judgeship for nine circuits

1961	118
1962	109
1963	113
1964	126
1965	131
1966	135

It will be observed that the sittings per judgeship in the Fifth Circuit were from one-third to one-half more than the national average. The reasons for this may lie in the number of weeks of court during which each active judge was called to sit, the number of days a week, and the number of cases per day. This is a matter of custom and habit in each court and no two work in quite the same way. In the Fifth Circuit, a panel sits five days a week and hears four cases per day and sometimes ten prisoner petitions which have reached the docket after screening are added to the Thursday calendar. They are usually submitted without argument and are substituted for the regular four cases ordinarily heard on Friday. In the Third Circuit there is a four day week, no cases being heard on Wednesday. In the Sixth Circuit, during the term, court is regularly held on Saturday morning and no holidays are observed during term time (which does not include Christmas and New Year).

By a schedule which provides approximately 180 sittings a year per active judge, the Fifth Circuit has been able to secure what it believes to be the maximum production from the active members of its court. It has done this by calendaring four cases a day for five days a week for one week in every month from September to June. The problem of increasing production, per judge, is one which is deserving of study by each chief judge and each circuit council. Is the over-all goal of 180 sittings per judge necessary and feasible for the circuit and if so, is this better achieved by hearing four cases a day for five days a week by increasing the number of days of sitting in a month or in a term, or in some other way?

Output depends on many factors, not the least of which is the number of opinions. It is here where the per curiam opinions are important. The Fifth Circuit with its crowded calendars is resorting freely to per curiams. In 1966, 310 opinions out of 703 cases heard and decided after hearing and submission were per curiam. Also there is an important possibility of deciding cases from the bench, either without opinion or with an oral opinion. As stated in Chief Judge Lumbard's letter, quoted above, about one-seventh of all the Second Circuit cases are decided in that way. There is a rather noticeable discrepancy in the extent to which per curiams are being used in the various circuits. The following table from the Annual Report of the Administrative Office for 1966 shows this and also the number of cases decided after hearing and submission, with opinion:

OPINIONS IN CASES DECIDED AFTER HEARING OR SUBMISSION IN THE U.S. COURTS OF APPEALS, FISCAL YEAR 1966

Circuit	Cases decided after hearing or submission			
	Total	No written opinion	Signed opinion	Per curiam opinion
All circuits	4,087	575	2,428	1,084
District of Columbia	448	198	179	71
1st	158	28	108	22
2d	428	75	263	90
3d	321	40	137	144
4th	277	16	166	95
5th	703	45	348	310
6th	325	52	171	102
7th	329	30	283	16
8th	243	11	200	32
9th	496	55	336	105
10th	359	25	237	97

Some judges object to what they consider too great a use of per curiams.

Time for hearing argument varies with the circuits but most frequently there is a general limitation of half an hour for each side. This seems to work out well, and circuits giving a greater allowance of time should consider whether a shorter period would not serve equally well, particularly if the court will entertain motions for a longer time if good reason is shown.

The District of Columbia Court has decided to set up a summary calendar in which only 15 minutes on a side would be permitted for argument.[2] (Cf. Supreme Court Rule 44, par. 3.) It is obvious that there are many cases which could be argued in this time. In the Second Circuit, while the time allowed in its rules for argument is 45 minutes on a side, the clerk regularly sends out a notice to attorneys in advance of calendaring, asking how much time counsel wants for argument, and, if more than 20 minutes, why more time is necessary.

A tendency not to permit argument of motions except by special order of the court was observed. Several circuits have adopted the rule recently. This can avoid an unnecessary waste of time. The motions calendar can then be handled by judges in conference, and the time to hear it need not be subtracted from the time necessary for hearing the regular calendar. This can be done without strain if each motion is accompanied by a short memorandum like that prepared by the motions commissioner in the District of Columbia. The District of Columbia procedure was especially commended to me by a Fourth Circuit judge who had observed it during an assignment as visiting judge.

One of the reasons for the large number of sittings per judge in the Fifth Circuit is the constant pressure under which that court has been operating. No court wants this kind of pressure, and that is the reason that it is essential that the Chief Judge and the council should take all possible steps to prevent it before it happens.

Additional law clerks

In looking for ways to increase the output of the courts of appeals, the most widely suggested remedy is an increase in the number of law clerks furnished to the judges. The use of messengers as law clerks has been employed as a substitute for a second law clerk in the Second Circuit (seven law clerk messengers) in the District of Columbia and in the Fifth Circuit, (four law clerk messengers), and in the Third and Fourth Circuits, one each, but when the Budget Committee a year ago asked for 36 additional messengers for the courts of appeals from the House Appropriations Committee, it had no success in securing a single additional position of this type. As a result, judges who have long been seeking such help, such as Judge Bryan of the Fourth Circuit, continue to be discriminated against when new judges of junior status in another circuit are given the advantage of such assistance by virtue of a pre-existing position in that circuit. Since the messenger position only carries a JSP-2 classification, there are considerable difficulties in getting satisfactory law clerks at that grade. There is a general opinion that additional law clerks can improve production, and this is a sufficient reason for providing them where they are needed. All judges, however, do not want them. The great help which Senator Tydings, Chairman of the Senate Committee on Improvements in Judicial Machinery has given in the past can continue to be counted on in the future, and it is my conclusion that a substantial improvement in output can result from providing each judge who can demonstrate his need with two permanent law clerks, as originally advocated by Senator Tydings last year. There is one further value in such a provision. A system of promotion, where desired, can result in keeping a law clerk for two years and there seems to be little doubt that he can be more useful in his second year than in his first.

The Judicial Conference in January 1964 recommended "that each court of appeals be authorized to employ not to exceed three law clerks to be assigned from time to time by the Chief Judge to cases or judges as he may deem desirable." Thereafter, a provision for 33 law clerks was included in the 1966 budget requests. This was unsuccessful but was renewed in the 1967 estimates. It was rejected by the House, but the Senate Committee, after hearing Senator Tydings in support of the recommendation, voted for two law clerks per circuit. Senator Tydings again supported full acceptance of the Conference proposal on the Senate floor and the Senate raised the number to three per circuit. In conference, the addition of only one per circuit was agreed upon and the bill passed in September of last year with that provision.

The Judicial Conference, at its September 1966 session, approved the recomendation of its Committee on Supporting Personnel to defer the request of the Court of Appeals of the Second Circuit to recommend the creation of a combination position of messenger-law clerk until Congress takes action on the current appropriation request to raise the number of staff law clerks per circuit to three.

Screening the appeals

The idea of using more law clerk assistance does not mean that their efforts will be devoted wholly to research in cases heard or submitted. The keynote of more production in the courts of appeals may well be in a better screening of the cases on the docket in advance of argument as suggested by Judge Lumbard, so that more time will be available for the more difficult cases and there may be a more summary disposition of frivolous appeals. I am not suggesting that the decision as to whether or not an appeal is frivolous should be left to law clerks. However, a careful analysis of the briefs and record by a competent law clerk, summarized in a memorandum furnished to the Chief Judge or a judge designated by him can be used in putting a case on a Summary Docket, with limited time for argument, as the District of Columbia court has just decided to do, or in alerting the panel to which it is assigned that it is a possible candidate for a decision from the bench or for a per curiam opinion.

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[2] Rule 4(e) of the court's rules, as amended, reads as follows:

"(e) *Summary Calendar.*

"Whenever the court, *sua sponte* or on suggestion of a party, concludes that a case is of such character as not to justify extended oral argument, the case may be placed on the summary calendar.

"In all such cases, except on special order, each side will be permitted only fifteen minutes for the argument, and only one counsel will be heard on the same side. No separate summary calendar will be maintained. Cases will be placed on the summary calendar by the Clerk, pursuant to directions from the court, and such cases may or may not be heard on days set for oral argument of cases not on the summary calendar."

The present practice of bench memoranda for the judges, used by some judges in some circuits does not fill this need. There should be a screening *before* the case goes on the calendar or very shortly thereafter. This need not be by a staff law clerk but a certain number of cases can be assigned to each judge of the panel whose law clerks could fulfill this assignment. The mechanics are not important. The point is that time of the judge can be saved if means can be found to discover frivolous appeals and to dispose of them with a smaller expenditure of the limited and priceless time which the individual judge has for hearing and deciding cases and writing opinions.

If the quality of criminal appeals can be judged by the percentage of reversals of those which are argued or submitted, it is evident that it has deteriorated substantialy in recent years. From the B–1 Table of the Annual reports of the Administrative Office, the following figures are quoted:

NUMBER OF CRIMINAL CASES HEARD OR SUBMITTED IN ALL CIRCUITS AND PERCENTAGE OF REVERSALS (FROM B–1 TABLE OF ANNUAL REPORTS OF THE DIRECTOR)

Fiscal year	Number of criminal appeals	Percent reversed or denied
1960	441	17.7
1961	448	21.4
1962	450	20.9
1963	454	20.3
1964	644	18.2
1965	688	16.9
1966	801	14.4

It is apparent that there has been a very great increase in these appeals, in the sixties and a decided decrease in the percentage of reversals. With free appeals provided by the Criminal Justice Act, effective in August, 1965, the number of appeals has continued to increase while the percentage of reversals was decreasing. If a large number of these appeals are frivolous and without merit, then law clerks can be of substantial assistance in separating these cases, without in any way depriving any defendant of his constitutional right to a fair hearing.

The effectiveness of a screening, by staff law clerks, of prisoner applications for postconviction relief has been demonstrated with great success and is now used in all circuits where these petitions are being filed in volume.

There may be some categories of civil cases where a screening process may also be useful and more information concerning the disposition of various types of civil appeals could be helpful in pointing out possibilities.

Retirement

Senior judges in the circuits furnished nine percent of the total judgepower of the courts of appeals in 1966. Since there were 78 judgeships in that year, this was equivalent to the work of seven active judges. Since retirement in the federal judiciary is entirely voluntary, and work after retirement is optional, it may be inquired what can be done about this. The answer can best be found by consulting the chief judges of those circuits where a custom has been established in the court of appeals of taking senior status at the age of 70 or shortly thereafter. The appellate record on this is excellent and, no doubt, comes about through a liberal treatment of senior judges as to accommodations, staff and facilities. Probably, the retirement provisions for the federal judiciary are the best in the world and if properly administered through established custom in the circuits, can obviate the need for compulsory retirement, which has been proposed as a means for increasing efficiency.

The number of active circuit judges above the age of 70 years as of January 1, 1967 was as follows:

Number of active judges over 70

Circuit:	
Third	2
Fourth	1
Seventh	2
District of Columbia	1

Whenever a judge over the age of 70, who is still able and willing to work, retires, he creates an additional judgeship for the circuit, to the extent that he is willing to continue his full activity. Because of his long service with the court, his usefulness to it is much greater than a mathematical computation of the number of cases heard by him shows.

Vacancies

There are at the present time three vacancies in the courts of appeals as follows: Third, 1 existing since August 15, 1966; Fifth, 1 existing since March 18, 1966; and Sixth, 1 existing since November 1, 1965.

Vacancies allowed to continue over 60 days are a disservice to the litigants of the circuits involved. The responsibility for filling them rests directly on the President and the Attorney General. Full deference to the right of the Senate to "advise and consent" does not require an indefinite delay in sending up an appointment. I suggest that the Committee on Judicial Statistics regularly append to its report to the Judicial Conference a list of judicial vacancies, both district and circuit, including the date on which they occurred.

Service by district judges within the circuit and by visiting judges

A survey of the use of judges other than active judges of the individual courts shows that senior judges of the court on the average (1961–1966) are responsible for 6.0 percent of the total sittings, district judges of the circuit for 8.6 percent and visiting judges, mostly circuit judges, for 2.3 percent. There are two things which can be said about the service of district judges. Some circuits make a regular practice of inviting district judges to sit on the court of appeals soon after they are appointed to give them personal experience with how cases are processed and decided in the higher court. This practice is generally considered helpful. The second thing to be said is that, the calling of a district judge to sit on the court of appeals is an interruption to his work and, if he has an opinion to write, a considerable task which, in some cases has resulted in delays in deciding cases.

If the district court from which the judge is drawn has a congested docket, an assignment to the court of appeals may add to the congestion in his court. The use of this device thus requires a balancing of considerations by the Chief Judge, but except in times of crisis should not be regarded as a satisfactory substitute for additional needed judgepower.

The largest use of district judges of the circuit in the courts of appeals has occurred in the Fifth Circuit where, in 1966, 17 district judges sat, for a total of 464 sittings, hearing 155 cases. This was 20 percent of the total number of sittings for the year. The critical condition of the docket of that court necessitated this heavy draft on the district judges of the circuit.

Prisoner applications for postconviction relief

The largest single factor in the increase of business in the federal courts in the last six years has been the prodigious growth in prisoner petitions. The increase in this business in the district courts is shown by the accompanying chart.

In the Courts of Appeals, the number of prisoner petitions docketed on the main dockets of the courts, increased from 290 in 1960 to 1,106 in 1966. In addition there were 2,005 proceedings reported on the miscellaneous records of the courts of appeals in 1966, most of which were prisoner petitions which were disposed of without ever reaching the regular dockets.

The following table shows the number of these petitions entered on the Miscellaneous Record of the Court of Appeals in 1966, by circuit.

U.S. COURTS OF APPEALS

MISCELLANEOUS PROCEEDINGS FILED DURING THE FISCAL YEAR 1966

Circuit	Total filed	From denials of habeas corpus petitions by State and local prisoners [1]	From denials of habeas corpus petitions by Federal prisoners [1]	From motions to vacate sentence [1]	Direct applications for writs of habeas corpus, 28 U.S.C. 2241(a)	Other
Total	2,005	803	134	132	59	877
District of Columbia	238	--------	60	50	2	126
1st	28	8	--------	--------	--------	20
2d	343	199	19	--------	--------	125
3d	233	101	5	9	5	113
4th	157	69	18	24	15	31
5th	250	107	10	23	14	96
6th	95	4	--------	2	15	74
7th	158	54	12	19	7	66
8th	36	11	6	3	1	15
9th	447	244	3	2	--------	198
10th	20	6	1	--------	--------	13

[1] In forma pauperis applications.

The last column of the table, headed "Other", contains many prisoner applications for all types of relief, including applications for bail, mandamus against the warden, petitions for transfer to another institution, and many other prayers for redress of alleged grievances, and it also contains other requests and motions bearing on civil and criminal cases which have not been regularly docketed in the court of appeals.

The table includes only petitions, motions and applications in cases in which no appeal has been docketed on the court's docket, because the formal requirements of docketing, such as the payment of a docketing fee or the granting of a motion to proceed in forma pauperis, have not been met. A substantial number of these proceedings entered on the miscellaneous record of the court, after being considered by a panel of the court, or sometimes by one judge, as in the case of certain motions, are ordered to be docketed and placed on the calendar, for hearing or submission.

In analyzing the caseloads of the courts, it has been important to consider separately these prisoner cases, which reach the docket and are therefore counted as cases filed, for the reason that in two circuits, they receive different treatment. In the Fourth Circuit many prisoner proceedings on the Miscellaneous Record, after being screened by a law clerk and passed on by a panel of three judges to whom the papers are sent, are dismissed but are docketed on the docket of the court of appeals by the same order. In other circuits, applications which are dismissed after consideration by the court are never entered on the court's docket. In the Tenth Circuit prisoner applications are normally entered directly on the docket of the court, as the application to proceed on appeal in forma pauperis or for a certificate of probable cause has usually been granted automatically. The ordinary procedure is then to appoint counsel and to put the case on the calendar for hearing in regular order. The circuit now has a staff law clerk to screen the case, and write a memorandum in each case which will be referred to a panel of judges which will determine whether it should be docketed for hearing or dismissed without hearing.

Since prisoner appeals docketed in 1966 amounted to almost one-fifth of the total cases filed, it is obvious that, in view of the different procedures for docketing them they must be considered separately. It is for this reason that a separate table, S-5, has been prepared for each circuit and for all circuits, and separate accounts of the methods of handling them in each circuit is included in Part II.

The effect of these applications, on the percentage of increase of cases filed between 1960 and 1966 is shown in the following table:

CIVIL AND CRIMINAL APPEALS FROM THE DISTRICT COURTS FOR FISCAL YEARS 1960 AND 1966 COMPARED WITH PRISONER PETITIONS IN THE COURTS OF APPEALS

	All circuits			
	1960	1966	Amount of increase	Percent of increase
(1) Total civil and criminal appeals	2,945	5,605	2,660	90.0
Criminal appeals	623	1,458	835	134.0
Civil appeals	2,322	4,157	1,825	79.0
(2) Total prisoner petitions	290	1,104	814	281.0
Federal	179	396	213	119.0
State	111	712	601	541.0
Civil and criminal appeals minus prisoner petitions	2,655	4,501	1,846	70.0

The best description of the problem of prisoner applications which I have read is contained in an article in the American Bar Association Journal by Professor Charles Wright, entitled, "The Federal Courts—a Century after Appomattox"[3] in which he says:

"*Stemming the Flood of Prisoners' Applications:* One of the places where procedural reform does offer promise is in the handling of petitions for habeas corpus and motions to vacate sentences. Even without the population explosion, these threaten to engulf the courts. In fiscal 1962, there were 1,523 such petitions and motions filed in the federal courts. Three years later, there were 5,786. Add to these the other petitions from prisoners complaining of maltreatment by prison authorities and similar things and prisoner applications of all types now represent 12 per cent of all the civil cases in the district courts.

"If there is anything absolutely certain, it is that the number of these applications will continue to increase. It is equally certain that the overwhelming bulk of them are utterly without merit. The filing of such applications has a beneficial effect on the prisoner, since it gives him hope and a sense of purpose, but the federal courts are too busy deciding cases to be used as a form of occupational therapy for those in penitentiaries.

"With this flood of unjustified applications, it is easy to say, as Justice Jackson did, that 'he who must search a haystack for a needle is likely to end up with the attitude that the needle is not worth the search'. (Brown v. Allen, 344, U.S. 443, 537 (1953), concurring opinion). To that attitude, Justice Walter V. Schaefer of the Illinois Supreme Court had the classic answer when he said 'it is not a needle we are looking for in these stacks of paper, but the rights of a human being'. (Schaefer, Federalism and State Criminal Procedure, 70 Harv. L.Rev. 1, 25; 1956). In the rare case in which such a petition is successful, the result is a vindication of our belief in government under law and equal treatment for even the most lowly. But we must devise better methods to screen these applications, so that our judges are not overwhelmed by them."

I am happy to report that the better methods referred to by Professor Wright are being found for the courts of appeals. Two staff law clerks are screening these petitions before they are submitted to a panel in the Second and Fifth Circuits, the Motions Commissioner and his assistant law clerks are performing this function in the District of Columbia Court of Appeals, one law clerk and the law clerk and messenger of the Chief Judge are doing it in the Fourth Circuit, one "Motions clerk" is doing it in the Ninth Circuit, and newly authorized staff law clerks for the Third, Sixth and Tenth Circuits are now or soon will be performing this function. In the First, Seventh and Eighth Circuits, the volume of habeas corpus and 2,255 appeals has not been sufficient to create a problem calling for the appointment of a staff law clerk for this purpose. The staff law clerks provided by the Congress as a part of the 1967 appropriations have proved a god-send in making it possible to take advantage of more efficient methods of processing prisoner appeals in the courts of appeals, which have been demonstrated, by experience, to save the time of judges. It is suggested that some training of these staff law clerks, by exchange of experience and perhaps some inter-circuit exchange of memoranda, is worthy of consideration. I have been impressed with the high quality and devotion of the six whom I have interviewed.

One further feature of the handling of prisoner applications may be mentioned. In most of the circuits, prisoner petitions asking for permission to proceed on appeal in forma pauperis, or for a certificate of probable cause, or both, where this has not been granted in the district court are referred to a panel of three judges. In the Fourth Circuit, a memorandum opinion is written by the Chief Judge, or by a judge designated by him, in practically every case. On the other hand, in the Sixth and Seventh and sometimes in the Ninth Circuit, the petitions are treated as motions, are passed to a single judge, sometimes referred to as the "administrative judge" and may be decided by him, or may be referred by him to a panel for decision as to whether to docket or dismiss. For example, the Sixth Circuit provides by rule for such procedure, and Chief Judge Weick expressed himself as having no doubt of its validity. The Seventh Circuit has a similar rule. In the Eighth Circuit, petitions are regularly passed on by two judges. A staff law clerk has recently been appointed, with an office at the headquarters of the court, part of whose duties will be to screen prisoner petitions before they go to the two-judge panel. A careful screening of the petitions by a staff law clerk before submission to an "administrative judge" or motions judge such as is now possible in those circuits having staff law clerks provides an additional safeguard, where the rules or the local practice provide that one judge shall have the authority, for the court, to dismiss or refer to a panel.

The circuit clerks

The clerks of the United States Courts of Appeals have always been officers of high caliber and devotion to duty. I was impressed that this standard is being maintained. But I was also concerned to find that in eight or nine circuits, they were hard pressed and were in need of additional staff. I did not consider it a part of my duty to make a survey of the clerks' offices, but I know that in a number of offices it has been impossible for the Administrative Office to provide enough deputies to keep up with the great increase of the work since 1960. I recommend that a survey of the offices be made as soon as possible and that it include not only the needs of the offices for more personnel but also a review of their methods of doing business.

Prisoner correspondence and the procuring of records from the lower courts takes much of the clerk's time in a number of circuits, and in others the duplication of records or arrangement for duplication may be burdensome. A survey of the working of the office of the pro se law clerks, and their need for stenographic assistance, should be included.

A meeting of the circuit clerks was held in the Supreme Court building in Washington five or six years ago at the call of the former clerk of the Supreme Court, James R. Browning, now a circuit judge of the Ninth Circuit. This meeting which lasted about a week, went into the procedures in each circuit in minute detail and was tape recorded. I recommend that a similar meeting should be called by the Administrative Office, that its proceedings be recorded and that an edited and abridged transcript of the meeting be published.

Many of the clerks have developed time saving forms for use in answering prisoners' petitions, writing for lower court records, inquiring of counsel the time they desire for argument, and the like. I suggest the Administrative Office ask the clerks' offices for a copy of such forms in use in their offices with a view to supplying those which appear most useful.

Time of the judges not available for hearing and deciding cases

An inquiry of many judges convinced me that there is little time wasted by appellate judges or spent in non-judicial tasks. The Chief Judges all have heavy administrative duties on which they spend from one-third to one-half their time. Administration of the large courts takes more time than of the small courts. In a number of circuits the problems of the district judges take much of the time of the Chief Judge. Personal attention to these problems by the Chief Judge inevitably results in better relations between the Court of Appeals and the District Courts. The Circuit Conference involves a great deal of work for someone to do, and usually it is passed around to various judges in turn. The Chief Judge as a member of the Judicial Conference of the United States has home work to do and a certain amount of travel twice a year. As a member of Conference Committees, a very considerable amount of time may be involved. General supervision of the work of the clerk and his staff and personnel matters require additional time. He is a busy man with a heavy burden of responsibility, yet in spite of this a good share of the Chief Judges are able to carry a full load of court work. This requires night work and week-end work, but no Chief Judge to whom I talked complained of being over worked.

The associate judges to whom I talked appeared less burdened with activities not directly connected with their caseloads. Thirteen circuit judges are members of Judicial Conference Rules Committees and 31 judges are members of other Conference Committees. One or two judges and one or two clerks teach a course in law school, three judges are on the council of the American Law Institute and some others are on committees of the American Bar Association or members of the councils of a section of the Association, like the Section of Judicial Administration.

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[3] 52 American Bar Journal 742, 747 (August, 1966).

Some Chief Judges, like Chief Judge Bazelon of the District of Columbia appoint separate members of their courts to be responsible for particular phases of the administrative work of the court, such as the clerk's office, and the follow up of delays in cases held under advisement. This has seemed to work well. Judge Sterry Waterman was President of the American Judicature Society and Chief Judge Lumbard is now on his second year as Chairman as a very important committee of the American Bar Association on Minimum Standards of Criminal Law Administration. These activities all appear to me to be broadening and helpful and come under the general heading of public service. It is only when they become of such a nature that they prevent a judge from doing his full duty to his court that they should be curtailed, and the judge himself must be the best judge of that.

One factor in the life of a circuit judge which uses up time and energy is the travel to the place of holding court. In a number of circuits this requires a judge to leave home as often as nine or ten times a year for a week or more. It can only be obviated by establishing a single place for holding court and by providing that all judges of the court shall reside at that place. It is my opinion that a great deal of strength is added to those courts where a substantial majority of the judges live at the seat of the court and sit there, but long custom has made it possible for circuit judges to maintain their residences in the state from which they are appointed, and it seems doubtful that a suggestion to change this, meritorious as it may seem from the standpoint of judicial administration, would seem to the Congress to be advisable.

Additional stenographic help for the courts

Some judges with whom I spoke were in need of additional stenographic help. Two of these judges who came to the bench from large offices felt that a lack of an adequate supporting staff was a reflection of a failure of Congress to appreciate the importance of judicial work. Another, who had been a member of Congress, stated that he was surprised when he became a judge to find that the judges were not furnished with the staff which they badly needed, and another pointed out that district judges, with a law clerk and a crier-law clerk were better taken care of than a circuit judge even if he was one of the fortunate few who had a messenger in addition to his law clerk, but whose pay was only two-thirds of that of a crier-law clerk. The arrangements for additional or emergency stenographic personnel should be made where necessary at the request of the Chief Judge, and the problem can be solved provided that Congress is made to understand the problems of the courts and is willing to provide them with adequate help.

The judges, themselves, who are feeling these shortages, realize the need for finding ways of cutting down their paper work, and the Administrative Office, at the request of Judge Friendly of the Second Circuit, is printing as an experiment, two copies of forms of orders with reference to motions, copies of which are attached, marked Exhibit C–(1) and (2) which require only a check mark and the judge's signature. The orders are printed with interleaved carbons so will require a minimum of secretarial time. A number of other time saving forms can be devised, and this should be done by the Administrative Office on suggestion of circuit judges, even though it may be advisable to have these forms printed or duplicated locally.

Three-judge courts

The number of three-judge courts has been increasing sharply. In 1966, there were 15 more cases heard by three-judge courts than in 1965. In the last three years, the numbers have increased from 119 to 162. The increases in 1966 were in ICC cases which went up from 60 to 72 and in reapportionment cases, which rose from 17 to 28. The following table shows the cases heard in 1966 by circuit and by type of case:

3-JUDGE COURT CASES HEARD DURING THE FISCAL YEAR 1966, BY CIRCUIT AND NATURE OF SUIT

Circuit	Total	Review of ICC orders	Civil rights	Suits involving State or local laws or regulations	
				Reapportionment	Other actions
Total	162	72	40	28	22
District of Columbia	3	2	1	------	------
1st	6	4	------	------	2
2d	12	4	4	1	3
3d	5	3	------	2	------
4th	14	4	5	4	1
5th	45	15	21	4	5
6th	17	8	4	3	2
7th	8	3	------	3	2
8th	19	12	1	5	1
9th	16	10	1	3	2
10th	17	7	3	3	4

A number of judges spoke to me of the interruptions which these cases caused them, and the considerable amount of work involved in them. Often the circuit judge is the one who writes the opinion of the court. Several times it was suggested to me that it would be advisable to amend the statute to provide that ICC cases should not be included in the cases over which a three-judge court is given jurisdiction. I recommend that the subject be called to the attention of the Judicial Conference Committee on Revision of the Laws, in view of the opinion expressed that this would be of some assistance in lightening the burden of the courts of appeals.

The printing of opinions of the courts of appeals

In every circuit but the Tenth, the opinions of the court of appeals are printed, distributed to a certain official list, without cost and other copies are sold in accordance with a schedule of prices fixed by the court. In the Tenth, the secretaries of the judges stencil the opinions and have their own mimeograph machines on which they run the stencils. Duplication by the clerk has been tried in one or more circuits and offset printing has been suggested. I am informed that the cost of printing the opinions of the courts of appeals last year was $138,000, but I have no information as to how much money was received from the sale of opinions. I recommend the subject as one for further investigation in connection with the proposed comprehensive study of the offices of the clerks which I am suggesting.

Effect of increase of district judgeships on appeals docketed

Table S–6 showing the number of circuit and district judgeships, number of trials and number of appeals, for each circuit is attached to the report on each circuit in Part II of this report, and a similar table for all circuits is attached to Part I. This covers the period from 1961 to 1966 and shows the effect of the 63 district judgeships, two of which were temporary, which were created by the Act of May 19, 1961. Total trials in all circuits in 1961, before the new judges began serving, were 9,594 and increased year by year to 12,193, in 1966, 27 percent. The increase in trials was roughly equivalent to the 25 percent increase in district judgeships. In the same period civil trials increased 26 percent and criminal trials 28 percent. Meanwhile, civil appeals from the district courts to the courts of appeals increased 53 percent and criminal appeals, 115 percent. The evident conclusion is that although the creation of district judges results in a roughly similar increase in trials, and also in an increase in appeals, there are too many other factors involved in the increase in appeals to enable us to trace a definite relationship between them. The normal result of more trials is more appeals, and the creation of 35 more district judgeships in 1966 will tend to result in more trials, but other factors which have caused the large increase in appeals in the last five years were a more important factor in that result than the rise in the number of trials. About all that can be stated definitely is that we can expect an increase in trials at least equivalent to the 11 percent increase in judgeships provided by the 1966 bill in the next few years and this will have a tendency to increase the number of appeals from the district courts.

Clerks' fees and court libraries

Two other subjects of importance should be mentioned. It would appear to be timely to examine carefully present fees in the courts of appeals, promulgated by the Judicial Conference of the United States. I have not done this.

Secondly, a survey of the court libraries and their personnel is in order. In many, perhaps most circuits, a member of the court has been appointed to give special thought to the content and management of the court library, and the advice of these judges should be sought. This subject as well as the libraries of the individual judges should have the advantage of a special study with the help of the Administrative Office, under the direction of the Special Committee, the appointment of which I am recommending below.

Recommendations

The architect of the Chicago World's Fair, the great Daniel H. Burnham, was asked how he dared present such an ambitious program for the exposition, and he replied: "Make no little plans. They have no power to stir men's hearts." It is time for big plans for the courts of appeals. We face an expanding economy, a rapidly growing population and increasing caseloads in the appellate courts. Our Chief Justice has sounded a call for a new approach. It is now the duty of our judges to realize we are in an era which demands a new outlook on our growing problems and new solutions to the handling of our court business. Primarily, this involves a consideration of the work of our courts as big business and a scientific study of improved methods of meeting the problems of the future. I recommend:

1. The creation by the Judicial Conference of a special committee of judges and lawyers for a study of improved methods of the administration of the courts of appeals, and to act as a policy planning board for them. It will not suffice to turn this study over to the Committees on Judicial Statistics and Court Administration, which already have a large scope and a full agenda. Its importance calls for the creation of a new committee, and the vital interest of the bar makes it advisable to include lawyers in its membership. A close liaison with the Committee of the American Bar Foundation now working on this subject can be established with representation on the Judicial Conference Committee from the ABA group. Appointment of a secretary, with stenographic assistance from the Administrative Office would be appropriate.

2. The appointment of two administrative assistants to the Chief Judge of the Circuit, one in the Second Circuit and one in the

Fifth. These circuits were selected because I believe they would furnish the best proving ground for the usefulness of such an office in the larger circuits, and because I found, in both of them, support for the idea. The salary should not exceed that of the clerk, and a secretary should be provided. The main function of such an official should be a careful analysis of the methods of court administration in the circuit, the development of improved methods of screening the cases, the study of ways of saving time of the judges for hearing and deciding cases, and, to the extent the Chief Judge desires, the assuming of some of the administrative burden now carried by him. In the Fifth Circuit, it could include a large part of the work of securing and arranging for the assignment of 25 or 30 "outside" judges who are being asked to sit on the court. To what extent the idea should be extended to other circuits will depend on how it works out in the Second and Fifth.

3. Cooperation with the American Law Institute in a study of a system of Optional Jurisdiction for the courts of appeals in certain areas. Chief Judge Hastings has recommended that it be tried out in appeals from negligence cases under the diversity jurisdiction.

4. The recommendation by the Judicial Conference of the creation of such additional judgeships in the courts of appeals as are found necessary by the Committees of Judicial Statistics and Court Administration at the present time and provision for a biennial review and report by these committees at the beginning of each Congress, of further needs.

5. A provision by the Congress of additional law clerks so that each circuit judge who desires two law clerks and can demonstrate his need can have them.

6. A survey of the offices of the clerks of the courts of appeals so that an adequate staff can be provided for them. It is evident that, at the present time, most of the clerks' offices are understaffed. The survey should include the method of operation of the offices, the saving of time by the use of forms, the duties of the clerk as to the motions calendar, and the organization and operation of the pro se law clerks' work, now generally under the supervision of the chief judge, the docketing of cases, the keeping of the miscellaneous records and other types of work done by the office.

Three thoughtful and provocative letters regarding the need for additional law clerks and other matters covered in this report, one from Judge John R. Brown of the Fifth Circuit, one from Judge Carl McGowan of the District of Columbia Circuit, and one from Judge Albert V. Bryan of the Fourth Circuit, are attached as Exhibits (1), (2) and (3) respectively.

In closing this report, which has grown to such large proportions, I must add one final word of appreciation to the people who have helped me: To Judge Johnsen and Judge Biggs, whose advice and counsel have been invaluable, to Director Olney, who appointed me and has given me complete cooperation, to Joe Spaniol, Chief of the Division of Procedural Studies and Statistics of the Administrative Office, whose constant assistance has been a major factor in my work, to Jim McCafferty, his assistant, to Helen Blake, Mr. Spaniol's able secretary, and her assistants, Noreen Wildman and Dorothy Epps. These girls have typed seventy odd statistical tables in addition to the too long text of the report. I am also indebted to Helen Brown, who supplied valuable information and to Phyllis Storey, who drew the charts, and in fact to all members of the Division and of the Administrative Office who helped in preparing and processing the report. This was done cheerfully and efficiently in addition to the regular and continuing work of the Office.

U.S. COURTS OF APPEALS

TABLE B-7.—NATURE OF SUIT OR OFFENSE OF APPEALS FROM THE U.S. DISTRICT COURTS FILED IN THE U.S. COURTS OF APPEALS DURING THE FISCAL YEAR ENDED JUNE 30, 1966

Nature of suit or offense	Total	Circuit										
		District of Columbia	1st	2d	3d	4th	5th	6th	7th	8th	9th	10th
Total cases	5,605	599	148	584	419	531	900	536	401	333	683	471
Total criminal cases	1,458	252	39	170	82	88	214	131	113	88	191	90
Total civil cases	4,147	347	109	414	337	443	686	405	288	245	492	381
U.S. cases	1,338	147	33	105	82	118	221	149	83	97	179	124
U.S. plaintiff	307	5	7	36	28	20	54	23	20	33	51	30
Negotiable instruments	8	1			1		2	1			2	1
Other contract actions	34	1		9	3	1	5	1	1	5	4	4
Condemnation of land	86		1	5	4	9	10	9	7	13	17	11
Other real property actions	22		1	1	2	1	2	1	2	1	10	1
Personal property tort actions	11			1	2	1	2		2	2	1	
Civil rights	3						3					
Interstate commerce	4			1	2		1					
Fair Labor Standards Act	28			1	1	2	12	3		3	3	3
Labor Management Relations Act	10				2		2	2		1	3	
Securities, commodities and exchanges	8			3					4		1	
Tax suits	42	1	4	7	4		8	4	2	3	4	5
All other	51	2	1	8	7	6	7	2	2	5	6	5
U.S. defendant	1,031	142	26	69	54	98	167	126	63	64	128	94
Contract actions	58	16	5	8	3	4	7	3	2	2	6	2
Real property actions	25	5	1			1	2	1		1	10	4
Tort actions	130	6	6	12	5	12	27	5	8	4	43	2
Motions to vacate sentence	248	33	4	10	10	32	49	32	17	16	20	25
Habeas corpus	104	29	1	2	2	4	13	7	3	9	7	27
Other prisoner petitions	30	8			1	2	3	5	3	4		4
Patent	12	12										
Social security laws	136	1	2	7	10	30	16	39	9	9	6	7
Tax suits	173	2	5	15	13	11	43	18	14	14	22	16
All other	115	30	2	15	10	2	7	16	7	5	14	7
Private cases	2,809	200	76	309	255	325	465	256	205	148	313	257
Federal question	1,666	35	46	189	135	256	272	158	126	58	240	151
Miller Act—subcontractors to United States	37		2	5		1	3	2	1	6	7	10
Other contract actions	46	1	2	16	3	4	9		2		7	2
Employers' Liability Act	22		1	4	2	3	1	3	5	1	1	1
Tort actions	119	1	4	18	28	6	33	6	1	3	19	
Civil rights	186	1	3	11	13	15	66	13	28	4	24	8
Antitrust	61	1	2	8	5	3	8	3	[illegible]	4	8	10
Habeas corpus	668		9	44	30	188	82	77	17	7	113	101
Other prisoner petitions	44		2		5	21	3	4	1		4	4
Labor Management Relations Act	84	3	7	14	12	2	6	14	5	6	13	2
Labor Management Reporting and Disclosure Act	16		1	3	4		1	4	1	1		1
Railway Labor Act	49	20		2	2		10	4	2	5	2	2
Patent	113	4	2	9	10	4	9	8	37	12	16	2
Trademark	19	2	3	3	5		3	1			2	
All other	202	2	8	52	16	9	38	19	17	9	24	8
Diversity of citizenship	939		30	120	95	69	192	98	79	90	60	106
Insurance	195		2	19	15	14	44	28	19	24	16	14
Other contract actions	260		9	43	19	12	49	25	23	17	25	38
Real property actions	47		1	1	1	9	8	5	3	4	4	11
Personal injury—Motor vehicle	184		4	19	14	15	42	23	17	24	6	20
Personal injury—Other negligence	213		13	34	42	18	46	15	9	18	8	10
Other tort actions	34		1	3	3	1	3		7	3	1	12
All other	6			1	1			2	1			1

U.S. COURTS OF APPEALS—Continued

TABLE B-7.—NATURE OF SUIT OR OFFENSE OF APPEALS FROM THE U.S. DISTRICT COURTS FILED IN THE U.S. COURTS OF APPEALS DURING THE FISCAL YEAR ENDED JUNE 30, 1966—Con.

Nature of suit or offense	Total	Circuit										
		District of Columbia	1st	2d	3d	4th	5th	6th	7th	8th	9th	10th
General local jurisdiction	204	165	-----	-----	25	-----	1	-----	-----	-----	13	-----
Contract actions	62	48	-----	-----	8	-----	1	-----	-----	-----	5	-----
Real property actions	35	28	-----	-----	7	-----	-----	-----	-----	-----	-----	-----
Tort actions	41	36	-----	-----	2	-----	-----	-----	-----	-----	3	-----
Habeas corpus	12	12	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
All other	54	41	-----	-----	8	-----	-----	-----	-----	-----	5	-----
Total criminal cases	1,458	252	39	170	82	88	214	131	113	88	191	90
General offenses	1,219	245	32	144	67	54	142	96	112	70	175	82
Homicide, total	35	27	-----	-----	2	2	-----	-----	-----	2	-----	2
Murder, first degree	12	8	-----	-----	2	-----	-----	-----	-----	1	-----	1
Other homicide	23	19	-----	-----	-----	2	-----	-----	-----	1	-----	1
Robbery, total	176	84	3	6	6	4	8	15	16	5	20	9
Bank	94	5	3	6	6	4	8	12	16	5	20	9
Other robbery	82	79	-----	-----	-----	-----	-----	3	-----	-----	-----	-----
Assault	37	21	1	5	2	1	-----	-----	3	1	2	1
Burglary	50	35	-----	1	-----	-----	4	2	-----	5	-----	3
Larceny and theft, total	78	8	3	18	6	4	7	6	8	4	11	3
Interstate shipment	34	-----	2	13	2	3	1	-----	5	4	4	-----
Transportation, etc., of stolen property	9	-----	1	3	1	-----	2	-----	2	-----	-----	-----
Other	35	8	-----	2	3	1	4	6	1	-----	7	3
Embezzlement	16	-----	4	-----	2	-----	1	1	4	2	1	1
Fraud, total	177	3	7	30	13	6	31	20	20	14	20	13
Income tax	41	-----	1	11	-----	3	10	3	5	2	5	1
Postal and interstate wire, radio, etc.	53	-----	-----	3	5	1	11	2	10	6	8	7
Other	83	3	6	16	8	2	10	15	5	6	7	5
Auto theft	122	11	-----	3	4	20	28	6	5	11	15	19
Transportation of forged securities	39	-----	-----	2	6	2	8	7	3	3	4	4
Forgery	43	3	-----	5	3	4	9	6	3	2	3	5
Counterfeiting	39	-----	3	7	6	2	3	5	3	3	5	2
Sex offenses, total	34	16	-----	-----	-----	-----	5	4	-----	1	6	2
Rape	19	16	-----	-----	-----	-----	1	-----	-----	-----	1	1
White slave traffic	15	-----	-----	-----	-----	-----	4	4	-----	1	5	1
Other sex offenses	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Narcotics, total	246	22	6	56	1	2	23	12	30	8	78	8
Marihuana Tax Act	48	1	1	3	-----	-----	6	1	1	2	30	3
Other	198	21	5	53	1	2	17	11	29	6	48	5
Miscellaneous general offenses, total	127	15	5	11	16	7	15	12	17	9	10	10
Bribery	8	-----	1	7	-----	-----	-----	-----	-----	-----	-----	-----
Extortion, racketeering, and threats	15	-----	-----	-----	1	1	1	-----	5	1	2	4
Gambling, lottery	46	4	3	2	13	5	3	5	-----	5	3	3
Kidnaping	5	-----	-----	-----	1	-----	1	1	1	-----	1	-----
Perjury	11	-----	1	1	-----	-----	3	3	-----	-----	2	1
Other	42	11	-----	1	1	1	7	3	11	3	2	2
Special offenses	239	7	7	26	15	34	72	35	1	18	16	8
Immigration laws	2	-----	-----	-----	-----	-----	-----	-----	-----	-----	2	-----
Liquor, internal revenue	74	-----	4	1	2	21	22	19	-----	1	-----	4
Federal statutes, total	163	7	3	25	13	13	50	16	1	17	14	4
National defense laws	36	2	-----	10	1	4	5	1	-----	1	10	2
Other	127	5	3	15	12	9	45	15	1	16	4	2

TABLE S-1.—APPEALS FILED, TERMINATED, AND PENDING, FISCAL YEARS 1950 THROUGH 1966

Fiscal year	Number of judgeships	Filed	Terminated	Pending	Terminated after hearing or submission
1950	65	2,830	3,064	1,675	2,355
1951	65	2,982	2,829	1,828	2,136
1952	65	3,079	3,048	1,859	2,308
1953	65	3,226	3,043	[1] 1,845	2,436
1954	65	3,481	3,192	2,134	2,427
1955	68	3,695	3,654	2,175	2,809
1956	68	3,588	3,734	2,029	2,973
1957	68	3,701	3,687	2,043	2,709
1958	68	3,694	3,704	2,033	2,831
1959	68	3,754	3,753	2,034	2,705
1960	68	3,899	3,713	2,220	2,681
1961	68	4,204	4,049	2,375	2,806
1962	78	4,587	3,931	3,031	2,895
1963	78	5,039	4,613	3,457	3,172
1964	78	5,412	5,089	3,780	3,552
1965	78	6,221	5,226	4,775	3,546
1966	78	6,548	5,936	5,387	4,087

[1] Adjusted figure.

Note: Beginning in 1962, number of cases filed and terminated are reduced by cases disposed of by consolidation.

Additional judgeships are first counted in the fiscal year following the year of passage of the judgeship bill.

TABLE S-2.—CASES FILED PER JUDGESHIP AND MEDIAN TIME FROM FILING OF RECORD TO DISPOSITION

[From Tables B-1 and B-4]

Fiscal year	Number of judgeships*	Cases filed		Median time interval (in months) from filing of complete record to disposition
		Total	Per judgeship	
1950	65	2,830	44	7.1
1951	65	2,982	46	6.7
1952	65	3,079	47	7.3
1953	65	3,226	50	7.0
1954	65	3,481	54	7.1
1955	68	3,695	54	7.3
1956	68	3,588	53	7.4
1957	68	3,701	54	7.1
1958	68	3,694	54	7.0
1959	68	3,754	55	6.7
1960	68	3,899	57	6.8
1961	68	4,204	62	6.8
1962	78	4,587	59	7.1
1963	78	5,039	65	7.3
1964	78	5,412	69	7.4
1965	78	6,221	80	8.0
1966	78	6,548	84	8.3
1966 on basis of additional judgeships created in 1966	88	-----	74	-----

*Three omnibus judgeship bills were passed during the period from 1950 to 1966. In each instance the bill was passed in the second half of the fiscal year. Therefore, the additional judgeships are first counted in the fiscal year following the year of passage of the bill.

Note: Beginning in 1962, number of cases filed per judgeship are reduced by subtracting cases disposed of by consolidation, before dividing by number of judgeships.

TABLE S-3.—TYPES OF CASES FILED, FISCAL YEARS 1950-66

Fiscal year	Total appeals	Appeals from district courts						Administrative appeals	Other
		Total	Criminal	U.S. civil	Private civil	Bankruptcy			
1950	2,830	2,252	308	708	1,114	122		485	93
1955	3,695	3,004	677	811	1,363	153		576	115
1960	3,899	3,077	623	788	1,534	132		737	85
1961	4,204	3,251	616	903	1,617	115		846	107
1962	4,587	3,490	731	1,016	1,612	131		968	129
1963	5,039	3,915	891	985	1,902	137		1,029	95
1964	5,412	4,433	959	1,188	2,069	217		827	152
1965	6,221	5,103	1,103	1,305	2,491	204		968	150
1966	6,548	5,324	1,322	1,262	2,582	158		1,084	140

Note: Beginning in 1962, the number of appeals on each line is reduced by the number disposed of by consolidation in the year. Consolidated cases were eliminated from the filings prior to 1962.

TABLE S-4.—TYPES OF CASES FILED PER JUDGESHIP FISCAL YEARS 1950 THROUGH 1966

[From table B-1]

Fiscal year	Number of judgeships	Cases filed per judgeship			
		Total appeals	Appeals from district courts	Administrative appeals	All other
1950	65	44	35	7	1
1955	68	54	44	8	2
1960	68	57	45	11	1
1961	68	62	48	12	2
1962	78	59	45	12	2
1963	78	65	50	13	1
1964	78	69	57	11	2
1965	78	80	65	12	2
1966	78	84	68	14	2

Note: Beginning in 1962, the number of cases in each column is reduced by the number disposed of by consolidation.

TABLE S-5.—PRISONER PETITIONS IN THE DISTRICT COURTS AND PRISONER PETITION APPEALS

Fiscal year	Prisoner petitions					
	District courts			Courts of appeals		
	Total	U.S. cases	Private	Total	U.S. cases	Private
1960	2,177	1,305	872	290	179	111
1961	2,609	1,589	1,020	315	209	106
1962	2,948	1,496	1,452	379	255	124
1963	4,254	1,630	2,624	568	279	289
1964	6,240	2,098	4,142	809	383	426
1965	7,888	2,559	5,329	1,027	422	605
1966	8,540	2,292	6,248	1,106	382	724

TABLE S-6.—TRIALS IN THE DISTRICT COURTS AND CIVIL AND CRIMINAL APPEALS TO THE COURT OF APPEALS, FISCAL YEARS 1961 THROUGH 1966

Fiscal year	Number of judgeships		Total trials	Total civil and criminal appeals filed	Civil trials	Civil appeals	Criminal trials	Criminal appeals
	Circuit	District						
1961	68	245	9,594	3,136	6,156	2,520	3,438	616
1962	78	307	10,048	3,359	6,260	2,628	3,788	731
1963	78	307	10,960	3,778	7,095	2,887	3,865	891
1964	78	307	11,079	4,216	7,155	3,257	3,924	959
1965	78	306	11,485	4,899	7,613	3,796	3,872	1,103
1966	78	306	12,193	5,166	7,783	3,844	4,410	1,322
Percent increase [1]	15	25	27	65	26	53	28	115

[1] From 1961 through 1966.

Note: Beginning with 1962 the number of appeals in each year under each category have been reduced by the number disposed of by consolidation.

EXHIBIT A

U.S. GOVERNMENT MEMORANDUM

DECEMBER 21, 1966.

To: Will Shafroth, Consultant.
From: Carl H. Imlay, Administrative Attorney.

Reference is made to our recent conversation concerning a flood of new regulatory statutes which call for judicial review or enforcement. It would take considerable time to compile an accurate list of these since in many cases it is necessary to check cross references to older statutes to find such provisions. Some examples of very recent statutes containing either judicial review or enforcement provisions are:

1. Sections 701–706 of Title 5 as amended by P.L. 89–554 (judicial review of agency action).

2. Federal Water Pollution Control Act Amendments and Clean Rivers Restoration Act of 1966, P.L. 89–755 (civil and criminal sanctions).

3. Fair Packaging and Labeling Act, P.L. 89–755 (Section 6 provides for judicial review in courts of appeals of regulations promulgated by Secretary; Sec. 7 provides for enforcement).

4. Small Business Investment Act of 1966, P.L. 89–779 (Sec. 313(f) review of removal or suspension order by Court of Appeals; Sec. 314–316, criminal and civil penalties, suits to enforce or enjoin).

5. Research or Experimentation—Cats and Dogs, P.L. 89–544 (Sec. 19 and 20, review of order of Secretary of Agriculture in district court, civil penalty).

6. Oil Pollution of the Sea, P.L. 89–551 (criminal sanctions).

7. Traffic Safety Act P.L. 89–563 (Sec. 105, review in court of appeals; Sec. 109, civil penalties; Sec. 110, injunctive relief in district courts; other civil and criminal penalties provided in subsequent sections).

8. Mines Safety Act, P.L. 89–577 (Sec. 12, Judicial Review in Court of Appeals, Sec. 14, civil actions for preventative relief, criminal penalty).

9. Public Lands—Canals—Compensation, P.L. 89–624 (Sec. 2 extends condemnation jurisdiction of district courts).

10. Atomic Energy—Extraordinary Nuclear Occurrences, P.L. 89–645 (Enforcement proceedings in district courts, removal of cases from State and Federal courts on motion).

11. Fish and Wildlife—Conservation, P.L. 89–669 (Sec. 4(c) and (e), criminal sanctions).

12. Department of Transportation Act, P.L. 89–670 (Sec. 4(c), judicial review).

13. Financial Institutions Supervisory Act of 1966, P.L. 89–695 (Sec. 101(d) (3) (c), injunction by district court to enforce temporary cease and desist order; Sec. 101(d) (4) (E), application to district court for stay of suspension of officer; director, etc.; Sec. 101 (d) (6) (A), action in district court for order requiring the Board (Fed. Home Loan Bank Board) to remove a conservator or receiver, which proceedings "shall be given precedence over cases pending in such courts . . . ."; Sec. 101(d) (7), review of certain orders by courts of appeals, Sec. 101(d) (8) and (9) for enforcement of orders and process to district courts), and other applications to district courts to enjoin enforcement or to enforce administrative orders, and to issue and enforce subpoenas, etc.

14. Fur Seal Act of 1966, P.L. 89–702, (Sec. 402, seizures and forfeitures in admiralty, criminal sanctions).

15. Vessels—Financial Responsibility, P.L. 89–777 (civil penalties).

EXHIBIT B(1)

SECOND CIRCUIT DECISIONS OCT. 1, 1965, TO SEPT. 30, 1966

[By written opinion or summary disposition in court]

	Cases	Average time in days, hearing to decision
Decided in banc	9	[1] 154
Decided by:		
Signed opinions	261	75
Per curiam (excluding 10 cases announced from bench)	105	[2] 26
Summary dispositions (including 10 cases where per curiam opinions were also filed)	63	0
Total	438	---

[1] From date of in banc order.

[2] Excluding NLRB v. General Electric, where elapse of 364 days from date of first motion was due to special reasons.

EXHIBIT B(2)

ANALYSIS OF CASES DECIDED SUMMARILY OCT. 1, 1965, to SEPT. 30, 1966

[The following table breaks down the 63 appeals decided from the bench, with or without opinion, by the subject matter of appeals.]

Subject matter	Number of cases	Percentage
Criminal	32	50.7
Appeals from conviction	22	34.9
Narcotics	9	14.3
Robbery and theft	4	6.3
Other	9	14.3
Postconviction relief	10	15.9
Habeas corpus	8	12.7
Section 2255	2	3.2
Civil	31	49.1
Admiralty	6	9.5
Diversity	5	7.9
Federal regulation	5	7.9
Bankruptcy	4	6.3
Tort litigation under FELA and other Federal statutes	4	6.3
Tax	3	4.8
Deportation	2	3.2
Arbitration	1	1.6
Copyright	1	1.6
Total	63	100.0

EXHIBIT C–1

U.S. COURT OF APPEALS, SECOND CIRCUIT

At a Stated Term of the United Court of Appeals, in and for the Second Circuit, held at the United States Court House, in the City of New York, on the ____________ day of ____________, one thousand nine hundred and ____________.

A motion having been made herein by relator pro se for a certificate of probable cause, for leave to proceed in forma pauperis, for transcription of the minutes at the expense of the United States, for the assignment of counsel and for

Upon consideration thereof, it is Ordered that said motion be and it hereby is

______ ______,
______ ______,
______ ______,
Circuit Judges.

EXHIBIT C–2

U.S. COURT OF APPEALS, SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals, in and for the Second Circuit, held at the United States Court House, in the City of New York, on the ------------ day of ------------, one thousand nine hundred and ------------.

It is hereby ordered that the motion made herein by counsel for the appellant appellee petitioner respondent by notice of motion dated -------------------------- be and it hereby is granted denied ------------------.

It is further ordered that --------------.

———— ————,
———— ————,
———— ————,
Circuit Judges.

EXHIBIT 1

U.S. COURT OF APPEALS,
FIFTH JUDICIAL CIRCUIT,
December 21, 1966.

Hon. JOSEPH D. TYDINGS,
Chairman, Subcommittee on Improvements in Judicial Machinery, U.S. Senate, Washington, D.C.

MY DEAR SENATOR TYDINGS: My delay in answering your letter of November 3 concerning two law clerks for each active Circuit Judge is in no sense due to my disinterest in that subject. I have purposely taken this time to make certain that my reply reflect my very considered views.

For the reasons which I indicate, I am in wholehearted agreement with the position you have taken and which you summarize so well in your letter: "Circuit Judges can make good use of additional law clerks." Indeed, I had read with enthusiasm your extended discussion of this on the floor of the Senate. I am hopeful that you and others will meet with success. We definitely need them.

You and others—including the Chief Justice in his annual reports to the American Law Institute—have forcibly sounded the note that we must find ways to make the Judges more productive. This problem is faced now. It is faced for the immediate future. And more important, it is faced as the long-short range problem of the next ten to twenty-five years. Although I am on a Court—now the largest constitutional Court in the country—which has received four additional new but "temporary" Judges for which we are all grateful, I definitely believe that we cannot count on merely adding more and more Judges. But with an ever-expanding population that soon reaches almost astronomical heights in contrast to that of 1950, if more Judges is not the answer, then we have two principal ways to turn. The one is to reduce markedly jurisdiction. This is hardly an answer at a time when each session of the Congress produces more and more federal regulatory legislation with both civil and criminal sanctions. The second is to make the Judges more efficient in the creative work of judging.

It is in this second—and the only real—solution that law clerks cut such a big figure. From my experience the past 2½ years with the so-called messengers furnished to some of our Judges on an emergency basis, I know a Judge can turn out more and better work with added competent, professional staff. My experience with the messenger, who for me has been a mid-year law student serving for two years, convinces me that I can do added work if I were to have two regularly assigned, full-time, graduate law clerks with the scholarly capabilities of the one now permitted by statute.

It is difficult to estimate in terms of the number of opinions or the added days or weeks of court sittings that would result from the second full-time law clerk. I am, however, convinced from my own rich experience of nearly twelve years that it would be substantial. I would reckon it in the neighborhood of 20 to 25 per cent. But even if this figure turned out to be over optimistic, I am positive that just to keep even, it is necessary to have more than one full time law clerk.

I have had an interesting experience in this connection which I think has been shared by many others. During my first year on the bench (1955–1956), I wrote in the neighborhood of 75 full scale opinions with only a few per curiams. More than that, I sat for the equivalent of 2½ weeks more than I have been able to do each of the last three years. In contrast to this, the last three years I have written fewer and fewer full dress opinions (approximately 30 to 40) with a great many more per curiams and have sat 10 to 15 days less.

Unfortunately, I have been falling farther and farther behind. Each year I have found it necessary to carry over one to three opinions into the second year. And, at the same time, I have worked harder than at any time in my whole adult life either on or off the bench. I am sure one explanation for this is that more and more we are having to deal—as we certainly should—with the current critical, highly complex problems of federal law, constitutional and statutory. We write fewer opinions. We sit for fewer weeks. We hear fewer cases. But the cases become more and more difficult, more and more important. We work harder, but statistically we turn out less.

What happens as this occurs? We can drop farther and farther back. We can keep abreast through more hurried and therefore inferior opinions or can run the risk of overusing per curiam opinions. This is a valuable tool, if properly used, which disposes of the individual case. But since it leaves no marks as a precedent in the continuous growth of the law, we must take care that per curiams are not used where a full opinion is really called for. All in all, just to hold our head up, we need added professional assistance.

This in no sense delegates the delicate, highly judge-centered judicial responsibility to a young lawyer holding a temporary position. On the contrary, these young lawyers, just as their counterparts do in a modern well-run, efficient law office, are capable of doing so much of the groundwork to enable the Judge to bring to bear his accumulated wisdom and experience in the creative function of judging. They are used for research since more and more we find briefs of counsel inadequate. They are used in a thorough canvass and checking of the record to help the Judge be certain that he is accurate. And, more important, to me at least, they perform a vital function in the preliminary drafting of substantial segments of a proposed opinion. As with brief-writing and most other legal composition, the task is the painstaking one of accurately setting forth the factual setting, the contentions of the parties, the legal theories pro and con. On most opinion-writing, this is the time-consuming factor. The judgmental—or what I like to call the creative part of adjudication and which under our system must be reserved for the Judge or Judges alone—takes much less, both in terms of time and in terms of the volume of writing. With skilled young law clerks drafting the basic ingredients of a proposed opinion, the Judge can work almost simultaneously on a number of matters. He can increase his efficiency. He can increase his output. And he certainly increases the quality of it.

Added law clerks will serve another and much needed function. With this increased volume of appealed cases reflecting a like growth in activity in the trial courts and administrative agencies, we see, unfortunately, more and more cases of practically no merit. The trouble, however, is that in a system that accords an appeal as a matter of right, this does not come to light as soon as it should. Much of this is due to the fact that we have not had an adequate opportunity to study in advance the intrinsic merits of the cases. With added law clerks, a closer pre-submission study could be made. Through the objective reading of the briefs and the careful preparation of objective pre-argument memoranda with the aid of law clerks, the Court will be able, either by changes in rules or practices, to make a pre-submission judicial appraisal of the case to determine whether, and to what extent, oral argument is warranted. Additionally, it will enable the Court to dispose summarily of cases immediately upon submission—a practice which is followed more in some Circuits than in others, and which is certainly one to be considered for the future.

I have the very firm conviction, therefore, that two law clerks are needed and needed now. Based on my own experience in this Circuit, I am convinced also that they should be available to every active Circuit Judge in all of the Circuits. The most recent statistics from the Administrative Office are very revealing. After taking into account the new judgeships afforded under the Omnibus Judgeship Bill (and also the four to the Fifth Circuit), the average caseload per Judge for 3 out of the 11 Circuits is already higher than it was when the Fifth Circuit, some years ago, began to feel the overpowering impact of the ever-growing docket. (See schedule 1 attached.) Moreover, for the two or so Circuits in which the present burden does not approach that point, those Judges could effectively use added law clerks to enable them to offer their assistance to other Circuits as visiting Judges. Our own experience illustrates the continuing necessity for this. Despite the allowance of 13 active Judges (12 now appointed and qualified) and three Senior Judges, we have found it necessary for the current year (1966–1967) to obtain the services of 20 visiting Judges (Senior and active Circuit Judges from without the Fifth Circuit and District Judges within the Fifth Circuit). And this is merely to break even, and will make no substantial inroad on the backlog that has accumulated. It is clear that for the immediate years ahead, we will need similar visiting Judge help.

The more we lift our sights above the immediate present to that of the short-range future and the short-long range future of 10 to 25 years, the more pressing the need for additional professional staff becomes. As you are so acutely aware from the Annual Report of the Director, Administrative Office of the United States Courts (1966), the caseload since 1957 has grown from 3700 filings for 68 Judges (an average of 54 per Judge) to a total of 7183 in 1966 for just 20 more Judges (88) to make an average load of 81 cases per Judge (P. II–1). In less than six years I have seen our filings jump from 582 (year 1959–1960) to 1093 (year 1965–1966). And we know this is not the end. Within the past two years, there has been a 40% increase in the number of criminal appeals. Undoubtedly much of this is due to the Criminal Justice Act. All are aware, too, of the acute increase in habeas corpus and § 2255 matters in the District Courts with the inevitable appeal. Against a total of a few hundred with the advent of *Gideon* these grew in 1960 to approximately 2,000. And this past year saw a total of 7,693 (P. II–34). Since many of these are filed without counsel and the appeal is "free" in the sense that it can be done without any real cost, there is almost invariablly an effort to appeal. Whether the effort succeeds or gets beyond the application for a certificate of probable cause or allowance of appeal in forma pauperis, requests for appointment of appellate counsel, etc., each of the cases occupies the judicial time of the Court at least once and oftentimes three or four times.

But the problem doesn't end here. We know that it is bound to get worse. Against a population of 150 million in 1950 and a present population in excess of 194 million, the conservative estimates of reputable agencies, such as the Population Reference Bureau, working with official figures of the Census Bureau, demonstrate that our population is expanding markedly. In less than 20 years (1985), the increase over today will be in the neighborhood of 144 million making a nationwide population of 266 million. In the rapidly growing sections of the West and the Southwest, the rate will be even more spectacular. Texas with approximately 10 million now will have 14.7 million, an increase of nearly one-third. California with some 17 million now will have close to 35 million. What this could mean is readily illustrated. This past year Texas cases (285) comprised 26% of the filings. An increase of ⅓ would send the filings up another 95 per year without regard to the other states including Florida with its spectacular growth. Nor does this take into account the certainty that within 18 to 24 months, the recently added 14 District Judgeships will generate an almost proportional increase in our current business. California indicates other related problems. A population of 35 million would roughly equal that of the present population of the six states of the 5th Circuit (29.6 million) plus, say Michigan (8 million). Considering that the 5th Circuit now has 13 Circuit Judges authorized and 59 District Judgeships including 14 under the Omnibus Bill, the active Federal judicial establishment to service a single state (California) will exceed 72 Judges. Will there be a Court of Appeals for California? Two Courts of Appeals for California? And what of other growth areas?

Granted that this is not the immediate problem upon which you have sought out views, it seems to me that now is the time that the nation should be concerned as to the shape and nature of the judicial establishment needed to serve this society—a society having inevitable, predictable increase in business which means increase in law business, and hence judicial business. Will not the structure be top-heavy if the sole solution is thought to be more and more Judges and a proliferation of more and more courts? Faced as we are with a present situation that demands more than our resources can presently meet with quality, I think that the minimum we should plan for and do is to gain the practical benefit of the opportunity to experiment with various ways to make the Judge more and more productive. Law clerks, added law clerks, offer a tangible opportunity for that sort of learning by experience.

There are several examples of such experimentation. One is the use in selected Districts of staff pre-trial Examiners. Another, in our own Court, is the use of staff law clerks assigned to the Court. A few years back we were allocated on a temporary basis an additional position to be filled by one doing the work of a staff law clerk. Within the past year we have had a second temporary such position. These staff law clerks are attached to the Court as a whole and devote practically all of their time to assisting the Judges in connection with appeals from state habeas corpus cases and federal 2255's and similar proceedings. Had we not had these staff law clerks, it is certain that we could not have stayed abreast of this increasing docket, or, perhaps more accurately, giving them the statutory priority required, the remainder of the Court's docket would have been further delayed.

I have written at this great length for several reasons. First, as you will recall from our conversations both during and before the May 1966 Judicial Conference of the Fifth Circuit at San Antonio, where we were honored to have you on our program, I am concerned about the inevitable increase of judicial business as the population and the business of that population expands. To this I now have a direct personal but official responsibility. Next July (1967) it will fall to my lot to succeed Chief Judge Elbert Tuttle. I am therefore immediately concerned with our Judges having adequate tools with which to do a creditable but constantly increasing job.

The awareness of you and your Committee to these pressing problems and your determination to find solutions is heartening to the Judges.

Sincerely yours,

JOHN R. BROWN.

SCHEDULE 1

AVERAGE CASES PER CIRCUIT JUDGE

Circuit	Total filings	Number of judges	Average per judge
District of Columbia	797	9	88
1st	199	3	66
2d	876	9	97
3d	559	8	69
4th	612	[1] 7	87
5th	1,093	[2] 13	84
6th	651	[1] 8	81
7th	545	[1] 8	68
8th	403	[1] 8	50
9th	877	9	97
10th	571	6	99

[1] Omnibus bill.

[2] 4 temporary.

Note: Based on annual report of the Director (1966), Administrative Office of the U.S. Courts, p. II–3, table B–1.

EXHIBIT 2

U.S. COURT OF APPEALS,
Washington, D.C., July 15, 1966.

PAUL D. CARRINGTON, Esq.
The University of Michigan Law School,
Ann Arbor, Mich.

MY DEAR PROFESSOR CARRINGTON: My failure to write you before now does not mean that I have been uninterested in the communications which you have heretofore sent to the advisory committee. I look forward to seeing you in Montreal, although I am afraid that our meeting in the frenetic atmosphere of the impending ABA Convention will limit our opportunities for extended discussion. In my own case, for example, I am (or hope I am) assured of a hotel room only for Wednesday evening, and must, in order to get to my next shelter, take the 3:15 plane on Thursday for Boston. Since the meeting is now rescheduled to start at eleven, my own participation in it will necessarily be limited. If there are others arriving the evening before, as am I, we might have at least some informal discussions before eleven o'clock. Even that, however, is not too satisfactory a mode of proceeding and, accordingly, I have thought it desirable to write to you some of my thoughts on the problems we confront. This should save time in the meeting itself, and it is for this reason that I am inflicting copies of this letter upon the other members of the committee.

I do not stop to emphasize the seriousness of the problem, although the nature of my work may make it more immediately visible to me than to some of the others on the committee. In our circuit, for example, the new cases filed during the fiscal year just ended were just over 800—a 15 percent increase over the prior year. All of the fuss down in the Fifth Circuit started when they were approaching 1,000; and, if our district court steps up the disposition of its backlog, we could easily have that number of cases filed in our court during the fiscal year just starting, as could some of the other circuits. This latter figure would mean an average of 125 cases per active judge, as compared with the 80 which Professor Wright in his article about the Fifth Circuit believed to be the maximum bearable load.

These figures appear certain to get worse rather than better, and in all circuits. Accordingly, no idea, however bizarre, is to be excluded from consideration. I firmly believe that if we could now see how we will be handling cases ten years from now—and possibly even five—we would not believe our eyes. This means that both the bench and the bar must inevitably accept some startling transformations in the old ways of doing things. The question essentially is: How may those transformations be effected with the least adverse impact on the process of deciding the important law suits in a careful and responsible way?

I do not think that much relief is to be anticipated from restrictions upon the jurisdiction of the District Courts. Laying aside the question of whether that is a desirable way of tackling the problems of the Courts of Appeals, I see no reason to think that there will shortly be any large scale relinquishment by the federal courts of the jurisdiction they now possess. What Congress may take away will doubtlessly be matched roughly by what Congress and the Supreme Court add—and always the population grows.

We in the District of Columbia are perhaps in a somewhat different situation in this matter of allocation of jurisdiction. Our Judicial Council has recently appointed an excellent committee under the chairmanship of Gerhard Gesell, of the District of Columbia Bar, to examine all aspects of the judicial system of the District of Columbia. There is a growing feeling that the time may have come to take a further step in the so-called federalization of the United States Courts in the District of Columbia, and the concomitant entrusting of a larger number of matters to the D.C. Court of General Sessions, from which appeals go to the D.C. Court of Appeals, over which latter court we presently have a certiorari-like discretionary review. There is no reason, for example, why D.C. Code crimes such as housebreaking and robbery should have to be tried in the U.S. District Court with an appeal to the U.S. Court of Appeals for the District of Columbia Circuit. If this criminal jurisdiction alone were transferred to an enlarged and strengthened D.C. Court of General Sessions, our immediate problem would be materially eased. It might even mean that we could take some of the pressure off of the other circuits by handling more agency review cases and other litigations involving the federal government. We presently have exclusive review jurisdiction over the highly important radio and television licensing functions of the Federal Communications Commission; and it may be that, short of adopting the expedient of the administrative court which some propose, review of at least some other agencies could appropriately be committed solely or largely to us.

The work of our local committee has obvious relevance to the ABA Foundation inquiry, and you will presumably wish at some point to be in touch with Mr. Gesell about what his committee is doing. I have informed him of the Foundation project.

Absent any significant reduction in the scope of the jurisdiction of the federal courts, the load must be handled somehow. The problem is one of how to bring the greatest number of judicial man-hours to bear upon the cases flooding in to be disposed of. Although the Fifth Circuit controversy occurred against a special back drop which distorts some of the generalizations about it, there remains apparently a considerable division of opinion between those who think the only answer for the circuits generally is more judges (which may or may not include some rearrangement and enlargement of the number of circuits), and those who shrink from the progressive enlargement of the Courts of Appeals in point of numbers and their fragmentation in terms of area. I do not myself have any firm feelings as yet on this question. There is certainly no magic about the number "nine," and I detect a certain amount of *amour propre* involved in the feeling of some judges that their status is somehow cheapened by additions to their ranks. On the other hand, my own experience thus far with *en banc* hearings does not encourage me to believe that a larger bench will contribute to expeditious handling. I do know that, if the answer is not to be more judges, then there will have to be serious and substantial innovations in the present way of doing things. But before I get into that, I would like to say a word about things which could be done to increase judicial manpower short of resolution of the major question of the necessity for more judges.

There are two or three matters which may perhaps be thought to lie outside the proper range of our inquiry, but it seems to me that we can and should take cognizance of anything which bears upon the problem committed to our charge. I have also a certain reluctance to speculate about new and untried expedients when there are some obvious things readily at hand. The first of these is the question of supporting personnel. When a practicing lawyer gets too busy, his firm provides him with additional help. This is something which, in my judgment, should be done immediately in the case of the Courts of Appeals. When I first came on the court, I was certain that I would have no need for a second law clerk. Beginning next month I will, for the first time, have two law clerks, although one of them (the editor-in-chief of the law review at one of our leading law schools) will be classified as a messenger and will be paid just half the salary of the other one. It is only because this boy is so situated that he can afford this sacrifice that I am able to have this second law clerk. I cannot be sure that in the year succeeding I will be so fortunate; and, in any event, the arrangement is grossly unfair to him. I think that any circuit judge in the country should be authorized to have a second law clerk if he wants one. The amount of money involved is negligible, but the contribution made can be very great. I can get the opinions written myself if I can be sure that all the bases have been touched that should be. With the volume we now have, a second clerk is essential for this purpose.

A second need is for capable people to help with the administration of the court's work. A court like mine needs someone like the managing partner of a law firm to administer its work. This should be a lawyer who is paid a salary as high as any of the judges, and who can handle many of the matters which must now be committed to individual judges or subcommittees of the Judicial Council. I have, for example, spent many hours during the last year on the problems of the Criminal Justice Act. A court administrator of the kind I have in mind could have done all of this. This man could conceivably be the Clerk of the Court. But, in order to get the kind of talent I am talking about, the salary of the Clerk would have to be raised very greatly indeed, and he would have to be given additional resources so that he could run his office in an efficient manner. There is very much to be done in this field of improving the administrative services within the existing framework of the Courts of Appeals. And, if it is done right, there is a large potential of judicial man-hours to be released for the primary job of hearing and deciding cases.

The most readily available source of judicial manpower is in the form of the senior judges. Our court at the moment is current in its work, despite the fact that it has been faced with a tremendous volume of cases. This has been done without the help of any outside judges, but it has been done because of the fact that we presently have four senior judges who have been continuing to do some work. The proportions of the avalanche of litigation we face are such that the time has perhaps come to face up to the problem of compulsory retirement. There is, of course, an ABA committee concerned with the creation of machinery by which incompetent and incapacitated judges can be forced out. Most would agree, however, that the major aspects of this problem would be solved if retirement were compulsory. In any event, compulsory retirement should be looked upon as a means of adding to judicial manpower, and not as simply a means of eliminating the unfit. The more healthy and vigorous a man is when he attains retirement qualifications, the bigger contribution he can make to the volume problem by retirement right at that point.

That contribution would largely be assured if the law were that whenever a man is qualified to retire, his retirement is automatic. It would also appear desirable to add a new category of retirement qualifications in the form of a provision that anyone who has served fifteen or twenty years should be eligible for retirement whatever his age. Most judges who retire—and this is particularly true of the younger and more vigorous—will wish to continue to perform judicial services. Compulsory retirement can be more appealingly justified for the affirmative reason of utilizing the services of the retired judges in handling the volume problem than it can for the negative reason of getting rid of those who refuse to recognize their alleged incapacitation. The Supreme Court can, of course, logically be excepted under this approach, as compulsory retirement there means no addition to the manpower resources available for the dispatch of the Court's business. The sentiment within the judiciary for this kind of compulsory retirement is, I suspect, steadily growing under the impact of the volume problem. In short, it seems timely to me to reexamine our existing scheme of retirement and to redesign it with the objective of producing the maximum amount of judicial manpower.

The matter of judicial manpower cannot honestly be discussed without some mention of the wastage inherent in the present tradition of appointments. Our court is a busy one, and we need every bit of help we can get. Yet there is a vacancy which has gone unfilled for eight months, and the end is not yet. This is not an isolated instance, as we all know; and it occurs in an area where the usual pains of trying to recruit good men for the public service are at a minimum. It is hard to convince the lay public that there is any crisis necessitating new positions when so many man-hours are lost in respect of the existing jobs, both by delay in Presidential action and in Senate consideration. I know all the practical arguments about the formidability of doing anything in this area, but it may well be that the litigation explosion is creating some stronger pressures for change in the system than we have yet realized. It is not too early to take thought as to how they may be exploited in the cause of a more efficient appointment tradition. And I have always been convinced that greater efficiency in this area will bring out better men.

The figures show that all of the circuits are getting busier, and this suggests that the time is fast approaching when help in the form of visiting judges from other circuits cannot be counted upon. The earlier enthusiasm for these assignments away is already waning under the impact of the load at home. One device to avoid increasing the members of particular courts would be to create a number of floating judgeships, subject to assignment by the Chief Justice to any court in the country which needs help. If fifteen or twenty posts of this character were created tomorrow, the Chief Justice could put them all to work to good purpose around the country. When the ill-fated Commerce Court was abolished in 1913, its members were, as I understand it, made floating federal judges for the rest of their lives; and it was in this capacity that Judge Julian Mack made a number of fine contributions to the functioning of the federal system in places as widely separated as New York and San Francisco. The judges I have in mind should perhaps be able to handle either trial or appellate court assignments; and this would serve the purpose of integrating our judicial system somewhat more on the British model, which I think is desirable in itself, and also of making these floating judges an elite corps which should attract the very best talent.

The problem remains of more judges per court versus something else. You have circulated with your letter of June 7 a suggestion with respect to a national panel which would serve in some degree as an adjunct to the Supreme Court. As I get it, your thought is that, by eliminating the need for *en banc* hearings to resolve intra-circuit conflicts, the major objection to adding more judges to each circuit would be met.

Assuming for the moment that more judgeships is the only answer, I am sympathetic to your suggestion for the reason that, as I have indicated above, I shudder somewhat at the prospect of *en banc* hearings with twelve or fifteen sitting judges. Our own experience in getting out decisions and opinions in our *en banc* cases discourages me from thinking that the situation would do other than deteriorate further if we had more judges sitting *en banc*. Thus, it would be very helpful if the *en banc* problem could be eliminated coincidentally with the acceptance of the necessity of the addition of more judges. My reservation about this proposal is that it would seem to encourage irresponsibility within the circuit in terms of going against the decisions of other panels. Your proposed national panel might well have a very great deal of work indeed with reference to intra-circuit conflicts. Professor Mishkin's suggestion that *en banc* authority be vested in the seven active judges with the greatest seniority is another way of meeting this same objection; and it leaves each court with the responsibility for making its law reasonably uniform. There are, of course, other difficulties with it, although these may more readily suggest themselves to a relatively junior judge like myself than to others.

I throw out the idea that another way of keeping the Courts of Appeals at their present levels while still imposing responsibility on each of them for some orderliness in its own dispositions would be to reduce the size of the panels that hear and decide the cases in the first instance. The impending prospect of overwhelming increases in volume suggests that we may have to go to one-man panels. This may seem like a very advanced suggestion at first blush but, as I watch the performance of my own court, I do not think it would work out too badly. A single judge could certainly control oral argument more effectively than three, and there is a rich mine of judicial man-hours to be tapped in this respect. Nine judges hearing appeals individually could handle a tremendous volume of cases. The shadow of the luck of the draw may be somewhat more ominous, but not too much more so than in the case of the present three-man panels which in our court change every day. We are now getting petitions for rehearing *en banc* in the great majority of our cases. Going to a one-man panel might well increase the number of these petitions, but the difference from what they are now would not be too great in absolute numbers even if they went to 100 per cent. The court as a whole would still have a string on the decisions, and where five members were outraged by the single judge's decision, the case could be put in *en banc*. This would unquestionably mean more *en banc* decisions, but the net gain would be very great. Needless to say, this approach would put a premium on high-quality appointments. But this would provide a real impetus to the bar's refusal to tolerate a mediocre appointment—and we need more of that.

A variant of this approach would, of course, be to have two-man panels, with a third judge to be added in the event of disagreement. This would add considerably to our existing judicial manpower because a large number of cases would certainly be disposed of without the need of the intervention of a third judge.

The dangers of increasing volume are that all cases tend to be treated alike. If one stops long enough to give the important case the time and attention it deserves, he is promptly engulfed by the flood of unimportant cases pushing along behind it. The effort is, thus, simply to keep the whole stream moving along. I could argue that the Courts of Appeals should be having more *en bancs* rather than less, in order to consider and settle the really important issues. But they cannot do that if they are swamped in the hearing and decision of a whole host of other direct appeals on a docket over which they have no control. If we are not to have a lot more judges on our courts, then we must move emphatically in the direction of separating the chaff and treating each accordingly.

Sincerely,

CARL MCGOWAN.

EXHIBIT 3

ALEXANDRIA, VA.,
January 19, 1967.

WILL SHAFORTH, *Esq.*,
Administrative Office of the U.S. Courts of Washington

DEAR WILL SHAFORTH: In my talk with you and Mr. Spaniol I am afraid I ignored the beatitude of it is more blessed to give than to receive. Hoping for redemption, I submit a more formal expression of my thoughts.

1. I am opposed to the periodical request for enlargements of the Federal judiciary, trial and appellate, for I think it is a confession of incompetency in our own housekeeping. Every time the problem of congestion appears we rush to the legislature and executive departments for more judges. It is an undue subordination of the judiciary to those branches of government, and at the same time a dilution of the judiciary by the multiplication of judges. Pretty soon the other departments will take over our regulation for our manifestation of an inability or unwillingness to keep our house in working order.

2. To sustain my contention, I regularly advert to the Supreme Court for emulation. No matter its load, it does not call upon Congress for more judge-power. There is no answer in saying that the Court can control its load by winnowing the cases when awarding certiorari. The immediate rejoinder is that the courts of appeal may accomplish the same result, without denial of deserved hearings, by a just, preargument sifting of the appeals.

This will require, however, more personnel on the staff of the circuit judge, but in return a sharp financial economy may be achieved. Instead of many new judgeships, at a price of not less than $80,000 each per year, an additional law clerk, salaried from $7000 to $9000 annually, given to each of a large number of the circuit judges would provide the needed machinery at least for several years.

3. Statistics will disclose, as you know, that the dockets are cluttered with appeals, both civil and criminal, which have been noted just to be appealing. I do not propose that they be neglected. On the contrary, I urge they be studied along with all other cases filed for review, to put first causes first. Many appeals melt when the records are opened to the light of day. These could be exposed through a pre-argument reading by a qualified law clerk or two, with a final appraisal by their respective judges.

In the Fourth Circuit this laborious task is unselfishly assumed and conscientiously done by our Chief Judge, with the help of his law clerk and the Clerk of the Court. Thereafter his findings are submitted to two more circuit judges for confirmation or rejection. Even this limited canvass has had a noticeably favorable effect in the elimination of docket dross. Apart from relieving this unfair overtasking of the Chief Judge, alleviation of hearing-time in court could be augmented several fold if facilities for the work were furnished the other judges. Then it could be apportioned among the judges in pairs, subject always to an approval of each disposition by a full statutory panel of three judges.

An order of affirmance or a brief per curiam would suffice to give notice of the decision. A full-dress opinion is not justified in such instances, and the time thus saved could be devoted to deserving litigation.

4. Reviews of orders of Government agencies, such as the Social Security Administration, the National Labor Relations Board, and the Federal Trade Commission, could be expedited by the same means. Usually, decision there depends upon a close reading of the evidence and the facts found. A painstaking survey is called for, and accuracy requires there be a preliminary perusal of the record by the law clerk followed by a discussion with his judge. This done separately by two judges and their clerks would provide early resolution of controversies which because of their nature should be speeded.

5. Finally, in an effort to meet the increasing demands on the courts of appeal without adding judges, I advocate the greater use of orders or memoranda of affirmance, in lieu of detailed opinions in those cases found, after argument at the bar, to be (1) without merit or (2) to embrace nothing novel justifying a dissertation.

What I have said applies to civil as well as to criminal cases, and especially to the myriad habeas corpus petitions of State convicts. In fine, my hope is for the judiciary to respond to its responsibilities with promptness but without precipitateness, and to keep its Constitutional independence as one of the three great divisions of government.

Yours faithfully,

ALBERT V. BRYAN.

PENALTIES FOR CERTAIN ACTS OF VIOLENCE OR INTIMIDATION—AMENDMENTS

AMENDMENT NO. 290

Mr. EASTLAND submitted amendments, intended to be proposed by him, to the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes, which were referred to the Committee on the Judiciary and ordered to be printed.

REVISION OF FEDERAL ELECTION LAWS—AMENDMENTS

AMENDMENT NO. 291

Mr. CLARK submitted amendments, intended to be proposed by him, to the bill (S. 1880) to revise the Federal election laws, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 292

Mr. CLARK (for himself and Mr. SCOTT) submitted amendments, intended to be proposed by them, jointly, to Senate bill 1880, supra, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF BILL

Mr. MORSE. Mr. President, I ask unanimous consent that, at its next printing, the name of my colleague from Oregon [Mr. HATFIELD] be added. This is my bill restricting the advertising of alcoholic beverages on radio and television between certain hours.

The PRESIDING OFFICER. Without objection, it is so ordered.

HENRY J. KAISER—AN AMERICAN GIANT IS GONE

Mr. KUCHEL. Mr. President, the stunning death of Henry J. Kaiser, a foremost resident of my State and a truly towering figure of our century, is a grievous loss for the Nation and, indeed, for civilization.

The accomplishments, contributions, and benefactions of Henry J. Kaiser constitute an array of imperishable monuments. His efforts and influences will be visible to, and felt by, generations to come, not only in our country, but veritably around the globe.

Words are almost impossible to find which truly would describe the remarkable career—in truth, several separately distinguishable careers—of this imposing and conspicuously unselfish character.

From humble beginnings, Henry J. Kaiser was a unique constructor and builder, a tireless innovator, a versatile organizer, an inspired and ceaseless humanitarian, and a remarkable environment developer. He boldly pioneered in social and labor relations fields as he did in earthmoving, shipbuilding, industrial organization, and health care. His vision was endless, and his energy was characteristic of the powerhouses his firms erected.

The boundless confidence this awe-inspiring figure displayed in mankind will be an inspiration to all who associated with him or benefited from his imagination, his dynamic drive, and his compassion.

The passing of the modest, genial, determined being known affectionately to tremendous numbers as "H. J." or "Henry J." will be mourned in every stratum of society and throughout the world. An American giant is gone.

I ask unanimous consent that an article from the New York Times of this morning, entitled "Henry J. Kaiser Dead at 85; Built $2 Billion Industrial Giant," which delineates much of the illustrious career of this remarkable man, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HENRY J. KAISER IS DEAD AT 85; BUILT $2 BILLION INDUSTRIAL GIANT—HEAD OF MULTIFACETED EMPIRE STARTED HIS CAREER AT 13 IN DRY GOODS STORE

HONOLULU, August 24.—Henry J. Kaiser, the industrialist who built dams, ships, automobiles and hospitals, died in his sleep this morning at his home here. He was 85 years old.

Mr. Kaiser, who had been suffering from a circulatory ailment, became ill on a recent trip to the mainland. He returned to Honolulu on June 25.

At his side were his wife, Alyce, a nurse Mr.

Kaiser married after the death of his first wife in 1951, and his son Edgar Kaiser, and his wife.

A school dropout at the age of 13 who went on to become an industrial giant, Henry John Kaiser once declared in his blunt fashion: "Problems are only opportunities in work clothes."

No stranger to work clothes, a man who some said subsisted on three hours of sleep a night, Mr. Kaiser spent a rich, restless, widely diverse lifetime taking on problems and converting them into opportunities.

He built roads, pipelines, dams, factories, ships, cars, bridges, homes, resorts, hospitals and, ultimately, the many-faceted, billion-dollar Kaiser Industries Corporation.

The robust industrialist perpetually aimed high—and generally made it.

"I always have to dream up against the stars," he observed. "If I don't dream I'll make it, I won't even get close."

Mr. Kaiser habitually seemed to find a way to get close. He attained nationwide fame with his performance as a shipbuilder during World War II, then went on to build a giant industrial empire that included steel, cement, aluminum and, for a hectic period, automobiles.

He took on the latter through the Kaiser-Frazer Corporation, which failed. But he kept his hand in the business through the familiar Jeep, produced by Willys Motors, which became a Kaiser subsidiary, and through two South American auto-producing plants.

Constantly expanding, most recently in Hawaii real estate development, his businesses achieved annual sales of $1.8 billion and has assets of $2.4 billion.

Mr. Kaiser, one of four children of German immigrant parents, was born May 9, 1882, in Sprout Brook, N.Y. His business career began at 13, when he left school to help support his family. He took a $1.50-a-week job as a cash boy for a Utica, N.Y., dry goods store and supplemented his income by taking photographs after working hours.

He subsequently took to the road as a photographic salesman in upstate New York and, at the age of 22, became a junior partner in the photographic concern of Brownell & Kaiser at Lake Placid.

Within a year, having husbanded his resources, he purchased the business and hung out a billboard-size sign over his door reading "Meet the Man With a Smile."

OPENED OTHER STORES

He branched out, following free-spending vacationers to other resort areas, and opened stores in Daytona Beach and several other Florida cities as well as in Nassau in the Bahamas.

It was during this time that he met Miss Bessie Hannah Fosburgh of Norfolk, Va. Her guardian, a wealthy Virginia lumberman, objected to Mr. Kaiser's suit for her hand, feeling he was unable to provide adequate support. Mr. Kaiser promptly headed west, to Spokane, Wash., in 1906, to prove himself a worthy suitor.

There were no immediate jobs, but the industrious young Easterner pitched in as a helper in a large hardware store and shortly was taken on the payroll at $7 a week. Within a year he was made city sales manager. He returned east to marry Miss Fosburgh in April, 1907, and headed back to Spokane.

In 1912 he joined a construction company as a salesman and manager of paving contracts in Washington and British Columbia, getting his first taste of what was to become a career in building. "Find a need, and fill it," he once declared.

He established his first company, the Henry J. Kaiser Company, Ltd., in 1914 in Vancouver B.C., at the age of 32, borrowing money from a bank to buy secondhand equipment. His innate knack for improvisation and inventiveness quickly showed itself and the company prospered.

SEVENTY-FIVE THOUSAND MILES A YEAR

At one point needing water for a highway project near Seattle, he was reluctant to buy an expensive gasoline pump to obtain it. A stream near the project gave him an idea and in short order he anchored a barge in the stream, rigged it up with a paddlewheel from a river steamer and put the stream to work turning the wheel, which operated a pump.

"We don't need power," Mr. Kaiser told his foreman. "The Lord does it for us."

During the next dozen years the hustling, bustling young businessman—"There's only one time to do anything and that's today," he was fond of saying—concentrated on highway construction in the Pacific Northwest and in California, in addition to erecting several sand and gravel plants of his own and two earth-fill dams.

By 1921 his headquarters had been established in Oakland, Calif., which remained the center of his far-flung operations despite his own heavy personal travel schedule. He logged as many as 75,000 miles annually during much of his career and was reported to have run up telephone bills on the order of $300,000 a year.

In his own view, the breakthrough point in his business life came in 1927 when, as a $20-million subcontractor on a Cuban road-building project, the Kaiser company built 200 miles of highway and 500 bridges into the interior of the island. The venture meant recruiting and organizing 6,000 workers, largely unskilled, but the job, which took four and a half years, was completed well ahead of schedule.

"The biggest headache of all," Mr. Kaiser once recalled to an interviewer "was to muster able management and supervision.

"We learned you can't just pay high salaries and import the finest talents into your organization. You and the men who work with you have to build yourselves up to the capacity to tackle bigger and bigger jobs."

Bigger and bigger jobs were in the offing. While still in Cuba, Mr. Kaiser learned of the plans to build Hoover (Boulder) Dam on the Colorado River. At that point it was one of the largest structures contemplated by man.

"I lay awake nights in a sweltering tent in Cuba," he recalled, "dreaming of this great day and thinking it over and over."

POOLING KNOW-HOW

His dreaming and thinking led Mr. Kaiser to the conclusion "that no single company was alone." "Why not," he reasoned "get a group of contractors together as partners and pool their individual know-how?"

Out of this concept came the formation, in 1931, of Six Companies, Inc., which received the contract to build the giant dam. Mr. Kaiser became chairman of the group's executive committee.

Along with some of his associates from this successful four-year project, Mr. Kaiser, in 1934, formed and became president of the Columbia Construction Company, which participated in the building of the Bonneville Dam, and, later, through Consolidated Builders, he constructed Grand Coulee Dam on the Columbia River.

In addition to these activities, Mr. Kaiser undertook such other heavy construction projects as the piers of the San Francisco-Oakland Bay Bridge; levees on the Mississippi River; pipelines in the Northwest, Southwest and Mexico; naval defenses on Wake, Guam and Hawaii, and a 30-mile aqueduct for the New York City water system.

Up to the start of World War II, Mr. Kaiser and companies associated with him had built about 1,000 projects totaling $383-million.

SHIPBUILDING RECORDS

He also participated in the construction of the Shasta Dam in Northern California, winning a bid in 1939 to supply 6 million barrels of cement and 11 million tons of aggregates.

"They tell me," he remarked at one point, "I often go out on a limb. Well, that's where I like to be." On the Shasta Dam project, for example, he demonstrated one of the techniques for large-scale operations that virtually became his trademark.

He built a 9.6-mile conveyor belt to carry sand and gravel from Redding, Calif., to the dam site. He also built a mammoth cement plant at Permanente, Calif., confounding his competitors for the cement contract on the Shasta Dam. At the time he submitted his bid he didn't even have a site for the cement plant.

Upon the outbreak of World War II, Mr. Kaiser rose to international prominence through the speed, breadth and quality of his war construction program. Although new to shipbuilding, the Kaiser organization entered the ship-repair and shipbuilding business on a colossal scale.

It was soon setting records for speed in the launching of cargo ships. The use of prefabrication techniques and his by now familiar innovations culminated in the completion of a 10,500-ton freighter at a Richmond, Calif., yard in 4 days and 15 hours from keeling to launching.

Averaging a ship a day, Mr. Kaiser went on to build a total of 1,490 vessels, including nearly one-third of the entire American production of merchant shipping and 50 small aircraft carriers, on his 58 shipways. He wound up operating a chain of six shipyards on the Pacific Coast and one on the Atlantic.

Just as he needed cement for the Shasta Dam project, and proceeded to build his own plant, so he found he needed steel for his shipbuilding activities.

He proceeded to build, at Fontana, Calif., the Pacific Coast's first completely integrated iron and steel plant—containing, in one facility, all the equipment necessary for producing both metals. He financed this venture with a $112-million loan from the Reconstruction Finance Corporation.

To equip ships with engines built by his yards, he bought and expanded an ironworks at Sunnyvale, Calif. At Permanente he constructed and put into operation a magnesium plant to supply that metal for airplane construction.

Before the war ended, Mr. Kaiser was also in the aircraft and aircraft-parts business and was managing the largest artillery shell operations in the country.

ALUMINUM ENTERPRISE

Characteristically, he entered the postwar period with all the drive he had displayed before and during the war, and soon added an aluminum facility to his steelmaking operations. By 1947 his aluminum enterprise, in business less than a year, showed sales of $41.7-million and earnings of $5.3-million.

He boldly entered the automobile business with the formation, in 1945, of the Kaiser-Frazer Corporation, which leased the huge Willow Run plant near Detroit. Initially, both a Kaiser and a Frazer car were produced.

Mr. Kaiser once said, "In the Frazer there is the heart of Joe Frazer and in the Kaiser you will find the soul of Henry Kaiser." His partner was Joseph W. Frazer, who had had 30 years in the sales and financial aspects of the automobile business.

The Frazer and Kaiser passenger cars were eagerly awaited by a car-hungry public after the war. But by 1955 the three main models, the Kaiser, the Frazer and the compact Henry J., had joined a long list of also-rans in the highly competitive automobile business. Mr. Kaiser attributed the failure of the venture to undercapitalization.

Today the affiliated Kaiser companies turn out 300 products from 180 plants and projects in 32 states and 40 foreign countries.

They employ more than 90,000 people and have 130,000 stockholders.

In recent years, Mr. Kaiser concentrated his energies on the development of extensive resort and community facilities, including a $4-million Kaiser Foundation hospital in Hawaii.

A hulking, bald, bull-shouldered figure, Mr. Kaiser packed his 6-foot, 240-pound frame off to Hawaii and the island of Oahu for a rest in 1954. Impressed with the potential he sighted there, he soon was casting about for some land and in short order built the Hawaiian Village hotel.

This was, typically, merely the first step in what was to become a 6,000-acre, $350-million housing and resort development known as Hawaii-Kai.

Just as he had made his presence felt wherever he turned up, Mr. Kaiser soon became a familiar figure on the island, sporting, among other things, pink décor for his hotel, a pink Lincoln Continental of his own, a profusion of pink Jeeps, pink bulldozers and road-grading equipment. "Pink," he told an inquiring reporter, "is a happy color."

Most happy himself when working full tilt, Mr. Kaiser never took the time to pursue such standard executive pursuits as golf. He was active in hydroplane racing for a time, sometimes piloting his own cup-winning Scotter II and Hawaii-Kai at speeds of 100 miles an hour. He left the competitive driving to professionals, however.

Generally up at 5:30 A.M. every day, Mr. Kaiser switched on his television and radio sets for the news, ate a quick steak breakfast and was off and running for what generally consisted of 16-hour working days. He was a nonsmoker and relaxed occasionally with a pre-dinner drink.

He sported two watches, one bearing West Coast time, the other showing the time where he happened to be, in recent years mostly Hawaiian time.

A registered Republican, Mr. Kaiser was an independent voter who, during the immediate postwar years, was the object of a brief Presidential boom. It was reported that President Franklin D. Roosevelt considered him as a possible running mate in the 1944 campaign. But Mr. Kaiser regarded himself as a builder, not a politician.

MEDICAL CARE PROGRAM

Mr. Kaiser's continuing interest in health and medical care led to the development of the Kaiser Foundation Medical Care Program. The program includes the building of self-sustaining hospitals and medical centers where medical care is provided by independent partnerships of doctors under a prepayment health plan. More than 1.25 million people in California, Oregon, Washington and Hawaii are members of the plan.

Among many honors and citations, Mr. Kaiser received in 1965 the Murray-Green Award from the A.F.L.–C.I.O. Executive Council for outstanding service to the labor movement. He was the first industrialist to be given this highest honor bestowed by organized labor.

His lifelong theme, said Joseph A. Beirne, chairman of the A.F.L.–C.I.O. Community Services Committee, in presenting the award, has been: "The worker is a human being."

Mr. Kaiser was unable to attend the award dinner in Washington. His surviving son, Edgar Fosburgh Kaiser, read his remarks for him, which said in part:

"I have often been asked, 'What is it, Mr. Kaiser, in your organization that enables you to make impossible projects become possible?' I appreciate the compliment and answer that our real job is not the building of dams, ships, factories and hospitals, our job is to build and develop people, to bring out their courage, their talents, their zeal and their will to work."

Mr. Kaiser's first wife, Mrs. Bessie Fosburgh Kaiser, died March 14, 1951, in Oakland, Calif. The couple had another son, Henry J. Jr., who died in 1961.

On April 10, 1951, Mr. Kaiser married his wife's former nurse Alyce Chester.

INFORMATION LEAK ON BOND ISSUE

Mr. WILLIAMS of Delaware. Mr. President, once again questions have been raised that there was a leak of advance information concerning the interest rates, maturity date, and so forth, of a new $2.5 billion bond issue which the Treasury Department released to the public yesterday.

The Treasury Department has confirmed that this information was leaked, and transactions on the exchange clearly indicate that inside speculators were able to take advantage of it.

This is the third time in the past few months that vital information has been leaked from the Treasury Department. First, in May of this year there was a premature leak of information concerning the administration's change in policy on silver. Second, earlier this month there was a leak of the President's message on the 10-percent surtax, and now once again there was a leak on the advance terms of a $2.5 billion bond issue.

As a result of these leaks, speculators with the inside information have been able to reap profits of millions.

When we stop to consider that these leaks all developed through one agency of the Government, it is time that we get more than a milktoast promise from the Secretary of the Treasury that he will investigate.

At a time when the administration has asked the American taxpayers to pay an additional 10-percent surtax, certainly the very least this Department can do is to stop handing out advance information to those with inside contacts.

The Senator from Indiana [Mr. HARTKE] and I, under date of August 9, directed a letter to the chairman of the Senate Finance Committee asking for an investigation of the two previous leaks from this Department. We are today requesting the chairman to place the question of a full-scale investigation on the agenda for the consideration of the Finance Committee at its next executive session.

It is essential that this investigation be conducted to determine first, the source of the leak, and second, who profited therefrom. The Treasury Department is one of the most sensitive Federal agencies, and this challenge to its integrity cannot be left unanswered.

At this point I ask unanimous consent to have placed in the RECORD two articles concerning these leaks—the first, an article by Lee M. Cohen as appearing in the Washington Star of August 20; and the second, an article appearing in today's issue of the Wall Street Journal.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Star, Aug. 20, 1967]

BOND NEWS "LEAK" PROMPTS TREASURY PROBE

(By Lee M. Cohn)

The Treasury is looking into an apparent "leak" to the bond market of information on a $2.5 billion borrowing operation last week, a debt-management official said yesterday.

Such advance knowledge could be worth a lot of money to a bond dealer or investor.

The Treasury officially announced at 3:00 p.m. Thursday, the closing hour for normal trading, that it will borrow $2.5 billion through the sale of 3½-year notes.

Subscriptions will be received Tuesday for the notes, which will pay 5.375 percent interest and will be priced at a discount from face value to make the effective interest yield 5.40 percent.

PECULIAR SHIFT NOTED

About a half-hour before the official announcement, market prices shifted peculiarly—in a manner similar to what would be expected if the terms of the financing were known.

Prices declined on already outstanding Treasury securities maturing between November 1970 and May 1972. The new notes will mature in February 1971, increasing the supply of securities in that general sector.

Increased supplies of securities relative to demand in any maturity sector tend to push prices down.

At the same time, prices rose on outstanding securities maturing around August 1973.

The market had conjectured for weeks that the Treasury might sell notes maturing in about seven years, at an interest rate of about 5.5 percent.

SUPPLY KEPT DOWN

An increased supply of seven-year securities probably would have depressed prices. The Treasury's decision against selling seven-year notes kept the supply down and normally would stabilize or raise prices.

When prices shifted Thursday before the Treasury's official announcement, word spread quickly through the market that the terms had leaked.

A Treasury debt-management official said yesterday he had heard the reports of a leak and was "concerned about it."

No "formal investigation" is being conducted, he said, but "I would like to get to the bottom of it and we are going to make efforts to track it down."

He said he had not heard directly from anyone claiming advance knowledge.

PROFIT POSSIBLE

A dealer or investor with advance information Thursday could have profited by selling securities maturing in around three and a half years or buying in the seven-year sector.

The official said he knew of no one who had made money on the leak, if there was one.

Officials said they were not sure about any laws penalizing premature disclosure of such sensitive information. There are many possible ways the terms could have leaked, they continued.

Terms of a financing are not decided finally until the day of the announcement, after the debt managers check market conditions.

SENT BY WIRE

The terms are sent by government wire to the 12 regional Federal Reserve Banks, which distribute them to their branches. The Federal Reserve handles subscriptions for Treasury securities sales.

Officials said they were not sure what time the wires were dispatched Thursday. They said normal practice is to send the wires some time after noon, but more than an hour before the public announcement.

The wires carry warnings against premature disclosure.

The text of a press release detailing the terms normally is processed by Treasury employees before the announcement time.

Treasury information officers read the announcement by phone to financial reporters a few minutes before the release time Thursday, with warnings not to disseminate the information until 3:30 p.m.

[From the Wall Street Journal, Aug. 25, 1967]

Treasury's Notes of $2.5 Billion Sell Fairly Well—But Suspicions of "Leaking" of Advance Information on Terms Cloud Auction—Most Allotments Are 38 Percent

Washington.—The Treasury's $2.5 billion note offer sold reasonably well, but the operation is being clouded by suspicions that advance information was "leaked" to speculators.

The offering drew a response strong enough to require rationing most investors to 38% of the amount they sought. The allotment reflected somewhat less demand than originally anticipated in the financial community but a bit stronger demand than generally expected later, a Treasury analyst said.

Altogether, the Treasury accepted orders for $2,498,000,000 of the 3½ year notes, of a total $5,990,000,000 received. The notes carry a 5⅜% interest coupon but were priced at a discount of 99.92 per $100 of face value to yield about 5.4%.

BANKS ORDER MOST NOTES

Banks accounted for the bulk of the orders submitted requesting $4,603,000,000 for their own portfolios. This was expected, officials said, since the maturity was scaled to banks' likely desires and since they were permitted to pay for them through credits to their Treasury tax and loan accounts, thus avoiding immediate cash drains. All other investors sought $1,387,000,000 of the notes.

Tips that advance information on the offering was "leaked" to some market participants are under investigation, an official said, expressing hope that the inquiry will be completed soon. While details of Treasury offerings are a closely guarded secret, some transactions just prior to the public announcement on Aug. 17 were suspicious enough that several dealers phoned the New York Federal Reserve Bank's trading desk that day to express concern.

Authorities expressed doubt that advance disclosure of financing terms could lead to criminal prosecution, but said they "could and would" fire any Treasury employee found to have violated department regulations in such a manner.

INVESTOR DEMAND "REASONABLE"

As to the offering's final results, a Treasury analyst called the investor demand "reasonable," considering the continuing uncertainty in capital markets over the fate of President Johnson's proposed 10% income tax surcharge.

In another development, Budget Director Charles L. Schultze testified that assurance that the proposed tax rise will be enacted would have a favorable "psychological impact" on the financial community even if most of the Treasury's borrowing is done before it takes effect. At a Joint Economic Committee hearing, he told Rep. Reuss (D., Wis.), that "the money markets are watching as carefully as we are what the Congress might do," as enactment would mean relatively less of the Treasury's borrowing will have to be a long-term addition to the public debt.

If the surcharge is passed according to the President's plan and the administrative budget deficit is held to his lowest estimate of $14 billion, Mr. Schultze said, the net market borrowing by the Treasury and other Federal agencies would be about $10 billion to $12 billion. This estimate, he said allows for several billion dollars of purchases of Treasury securities by Government trust funds and Federal Reserve Banks.

SHARP CONTRAST TO LAST YEAR

While the demands on the financial markets would thus be less than the deficit figure alone indicates, Mr. Schultze stressed that this is a sharp contrast to the last fiscal year, when trust funds and reserve banks bought so much Treasury debt that the total of all Government securities owned by private investors was reduced. And without the surcharge, he said, the Government's needs for credit from the private economy would be "well up into the 20s" of billions of dollars.

The Treasury itself, another official said later, hasn't made any change so far in its projection that it will have to borrow about $6.5 billion to $7 billion more by the end of December, which would bring its July-December new-cash financing to about $15 billion. Some of this borrowing is in securities that mature next spring, so the figure isn't directly comparable to those used by Mr. Schultze. Also the Treasury figures don't allow for any offsetting purchases by other Government accounts, and they don't encompass new borrowing that other agencies might do.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there further morning business?

DEATH OF HENRY J. KAISER

Mr. RANDOLPH. Mr. President, a truly remarkable man has died in recent hours, Henry J. Kaiser. At the age of 85, this industrialist and humanitarian passed from an active life while living, as he had been for several years, in the State of Hawaii.

Mr. President, in the State of West Virginia we have many important industries. One of the most successful is the Kaiser Aluminum installation near Ravenswood. This plant was located in West Virginia through the personal and direct decision of Henry J. Kaiser.

I very well recall the occasion of the dinner meeting in the high school gymnasium at Ravenswood, when Henry J. Kaiser was honored for the selection of the West Virginia site for the construction of a plant.

In essence, Mr. Kaiser said:

> We did not locate this plant in this valley, because it is a wide valley. There are other valleys just as wide throughout the country. We did not locate this plant here because the Ohio River is a deep body of water. There are other rivers just as deep in this Nation. We came to West Virginia because the people wanted us to come.

Mr. Kaiser said that he and the officials of the company had been assured by our citizens that they would work to make the plant a success.

This was in 1955. That plant has been a success. There are more laborers in that one installation today, I am told, than in any other single installation of the great Kaiser empire. As my distinguished colleague [Mr. Byrd], who now sits in the Chamber, well knows, approximately 3,500 men and women are employed in a modern facility.

The people of West Virginia have cooperated. The laborers have been worthy of their hire. The productivity of the plant has been very high.

Mr. President, on March 25 of this year, I visited Mr. Kaiser in his home on the outskirts of Honolulu in the State of Hawaii.

The PRESIDING OFFICER (Mr. Mondale in the chair). The time of the Senator from West Virginia has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that my colleague, Mr. Randolph, be permitted to proceed for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. As I sat talking with Mr. Kaiser, I noted that he was not physically strong, as he had once been, but he was mentally alert.

I shall cherish not only the memory of that night in the gymnasium at Ravenswood, when I presented Mr. Kaiser for his speech, but I shall ever remember Mr. Kaiser on the occasion of the conference a few months ago.

Mr. President, I have stated in essence what Mr. Kaiser said about the location of the plant in West Virginia. He was interested in products, but he was intensely interested in the contribution of people in the making of products. As I was privileged to shake his hand on leaving his home, he remarked:

> Tell our young people that there is so much yet to be done. We have only scratched the surface.

What a wonderful way for a man to think at the age of 85.

Now Henry J. Kaiser has died. But he has left a legacy to the men and women of this country who believe in cooperative effort between management and labor, which is the secret of the great productivity of our American enterprise system.

Mr. President, I have used these moments to speak in the Chamber today, because in the continuing discussion of complex issues which are before us, hour by hour, it is appropriate that we pause and express our genuine debt of gratitude for such leaders as Henry J. Kaiser.

Mr. BYRD of West Virginia. Mr. President, will my colleague yield to me?

Mr. RANDOLPH. I am happy to yield.

Mr. BYRD of West Virginia. I shall not attempt to add to what my colleague has already said, except to state that the expressions of my senior colleague today exemplify thoroughly and well the solemn thoughts of myself and fellow West Virginians.

My State and its people mourn the passing of this great industrial leader, a man whose work has benefited so many Americans, not only in West Virginia, but also elsewhere.

My State and its people extend their sympathy to the family and the host of friends who mourn the passing of Henry J. Kaiser.

Mr. RANDOLPH. Mr. President, the remarks of my able colleague express for both of us the feeling that not only we but literally thousands and thousands of West Virginians also have for this man, whom many of us knew.

Our people today come down from the highlands of West Virginia and travel as much as 150 miles a day round trip to work in this plant in the valley. They are good workers. As I have indicated they are worthy of their hire and we are grateful that Mr. Kaiser and other executives within his industrial empire determined to locate the installation in West Virginia. Our economy has benefited. Products are manufactured. Workers have gainful jobs. Behind these gains there was a guiding genius—a dreamer who was dynamic during his life of success and service. This man was Henry J. Kaiser.

Mr. FONG. Mr. President, it was with deep regret that I learned of the death of Henry John Kaiser, a great industrialist, builder, hospital founder, and humanitarian, who passed away yesterday in Honolulu at the age of 85.

His name and fame was international; his vast interests spread over many States of our Nation and in 40 countries overseas. During a fabulous lifetime of service to his country and his fellow man, Henry Kaiser gave fully of his prodigious energy, drive, and creative imagination. He became what few men achieve—a legend in his own lifetime.

Because his achievements were so numerous and dispersed far and wide, many communities identify themselves with the life and good works of Henry Kaiser. Hawaii is especially proud to claim him as one of her own. We are proud that he chose Hawaii for his home.

He came to Hawaii in 1955, at a time when his vision and business acumen helped to open vistas of what the future Hawaii could be. In his own words, he found a need and filled it.

He directly supervised the building of the Hawaiian Village Hotel, the Kaiser Foundation Medical Center, a large cement plant, and radio and television broadcasting facilities.

His brightest island dream—the building of a new community of Hawaii-Kai in Honolulu for an ultimate population of 60,000 residents—is well on its way to fulfillment.

In launching his projects, Henry Kaiser often encountered obstacles which would have dismayed lesser men. "All my life," he once remarked, "I've been going against the wind"—and succeeding.

The high esteem and affection in which he was held in his adopted State of Hawaii are reflected in the varied honors conferred on him, among them Hawaii Salesman of the Year Award; Order of the Splintered Paddle Award; Honolulu Realty Board honorary membership; Hawaii Father of the Year; resolutions by three Hawaii Legislatures hailing his contributions to Hawaii's development; Hawaii's Native-Born Citizen of the Year; and Brotherhood Award as "Distinguished Builder of Society."

They are symbolic of the gratitude of the community where he spent the last, busy 12 years of his life. They were added to the host of other awards and honors presented him elsewhere, including seven honorary doctorate degrees, Degree of Chevalier, Legion of Honor, from France; and honors from international, national, and local organizations.

In his passing, Hawaii and the Nation lost a distinguished citizen who will be sorely missed.

Mrs. Fong and I extend our heartfelt sympathy and sorrowful aloha to his survivors—his wife, Alyce, of Honolulu; his son, Edgar F., who has long held top executive positions in his father's enterprises; two sisters, Elizabeth Cummings of Los Angeles, and Augusta Le Sesne of Daytona Beach, Fla.; and nine grandchildren.

On his 85th birthday, May 9, 1967, the Honolulu Star-Bulletin published an interview with Henry Kaiser, in which his colorful and dynamic personality is revealed by the writer, Cobey Black. I ask unanimous consent to have the article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A GIANT LEAVES HIS FOOTPRINTS ON THE SANDS OF TIME

(By Cobey Black)

Have you fulfilled your dream, Mr. Kaiser? I asked.

"Which dream?" came the answer, followed by a soft chuckle. The voice at the other end of the long distance phone was clear and alert.

"Our fellows used to joke about my having a new sunrise idea each day," continued Henry J. Kaiser from his main office atop the Kaiser Center in Oakland, California, where he is celebrating his 85th birthday today by working as usual.

"And I'm looking forward to the next 85." Again the chuckle came over the line. "I think when one stops dreaming new dreams, it must be a sign of getting old. But if you can dream and then work to make those dreams come true, it keeps you young and puts real zest into life. Wasn't it the poet Robert Browning who said your reach should exceed your grasp, or what's a heaven for?"

Perhaps it was prophetic that when Browning said these words, a young boy in Sprout Brook, New York, was just beginning to dream.

Henry J. Kaiser was born on May 9, 1885, seven years before his favorite poet's death, in the frame farmhouse of his German immigrant parents. His father was a shoemaker, his mother a practical nurse. Young Henry left school at 13 to take a job at $1.50 a week in a drygoods store. Today from the eyrie of his international headquarters, he scans an industrial empire with assets exceeding $2.7 billion in 33 states and more than 40 countries.

In his golden years he can look back on a life predicated on the golden rule of helping his fellow man. Kaiser is not a man to look back, however.

"A builder's job is never done," he told me. "Before you finish the current work, you should be thinking of the next job.

"The fact is that as a young man and up through almost the first 30 years of my life, I had to search my mind and soul hard trying to find a great dream of my life—to discover just what I most wanted to do—to achieve a great motivating purpose in my career. Then I found that more than anything else I wanted to be a builder.

"So when you ask me whether my dream has been fulfilled, I have to say that I never want to feel satisfied that I've done all I could and should. The dream of hospitals and medical care for people can never be completely fulfilled," said the master builder who resolved at the age of 16, when his mother died in his arms for lack of medical care, that he would help others protect their health.

In a lifetime of good works, the project closest to Kaiser's heart has been the founding of the world's largest private initiative system of hospitals and pre-paid medical care, with 18 Kaiser Foundation Hospitals, 40 clinics, and a health plan that provides care by 1,500 doctors for 1,500,000 members.

"That dream, I hope, can go on and on forever, with more and more persons giving of themselves to bring better health to more people. The dream of fulfilling human needs should go on and on, with more willing hands taking it up."

To whom do you credit your success? I asked.

"My first thought is of my mother. She taught me the simple truths, yet the greatest lessons of my life. She tried to inculcate in her son and daughters a love of people, the aim of serving others—just as she gave her services as a nurse to her neighbors. She said 'Henry, if I give you nothing else but the joy of work, it will be a great thing.' She taught me faith.

"I walked the streets of New York City for three weeks hunting a job and being turned down. I pitched hay from morn till night. I walked four miles from my home to the drygoods store until I made a deal with the operator of the horsedrawn streetcar that I would hitch up the horse at 5 a.m. and drive the car to his house. That way I earned the nickel fare.

"When I moved West, I had to apply 13 times for a job in a hardware store in Spokane before the owner hired me. Things didn't come easy, and the struggles probably are the making of a fellow."

Kaiser kept the faith through a series of struggles that inevitably ended in success:

While still in the drygoods store he made extra money by selling photographs on the side, eventually offering the owner of a photographic shop to work for nothing if he could double the business in a year and receive half an interest. He trebled the business and bought it out. The sign outside his first store read: "Meet the Man with a Smile."

With stores in New York, Florida and Nassau, the young man went West. He became a road builder, opening his first company in Vancouver at the age of 32.

He jumped off a moving train to get his first job in California, a road contract in Redding. The train didn't stop in this small town, but when it slowed down to dump off the mail, it also dumped off Henry Kaiser. He won the contract and established his headquarters in Oakland. Today the 28-story Kaiser Center stands on the site.

The same ingenuity and extra effort that enabled him to pave roads at double the previous speed, Kaiser also applied to building dams. Chairman of the executive committee of the combined companies that built Hoover Dam, he completed the job two years ahead of schedule.

During World War II, Kaiser's 58 shipways produced 30 percent of merchant shipping, plus 50 small carriers, averaging a new ship a day and a carrier a week. The Robert E. Peary was launched four days and 15 hours after the keel was laid—and the ship was complete with bath towels and sharpened pencils in the chart room.

It was during these expedited days that Henry Kaiser assumed the stride of the industrial giant. Among the Kaiser companies that thrived: Kaiser Sand & Gravel, now one of the largest producers of aggregates in California; Kaiser Cement & Gypsum Corporation, largest cement company in the West with 43 plants and $99 million in annual sales; Kaiser Steel Corporation, ninth largest in the country with more than a third billion dollars in sales a year. Kaiser Aluminum today has assets in excess of $1 billion and is the fourth largest producer in the world. Kaiser Jeep sales totaled $333 million in 1966, and his Jeeps are manufactured in 33 countries.

In 1955 the giant made his first footprint on the sands of Waikiki. This step marked the start of Hawaii's building boom and kicked off the explosion of tourism.

I remember an early morning in June of that year when bulldozers broke ground for Kaiser's Hawaiian dream, a rush-order hotel which many reactionaries predicted would become a nightmare. Although in his seventies, Henry J. Kaiser himself worked 16 hours a day, directing construction. He inaugurated the unprecedented practice of hiring labor crews around the clock. Exactly three months later, the doors of the Hawaiian Village opened as scheduled. Within a year, the village had mushroomed into a 1,146-room high-rise hotel.

One day, while I was following Mr. Kaiser through rooms that went up around us, a distraught foreman took me aside and said, "The boss had a dream last night of a waterfall and he wants it reconstructed in the lobby by tomorrow."

Another sunrise idea was the aluminum dome. "How do you like it, Cobey?" Mr. Kaiser asked me. "Practical," I said, "but hardly Hawaiian." Undaunted, Mr. Kaiser replied, "It looks just like a pineapple."

And then there was the evening he invited Maestro George Barati to conduct the Honolulu Symphony in the dome and Alfred Apaka to sing, so the press could appreciate the acoustics. All went well, until a reporter asked the boss how it would sound if it rained. Kaiser paused and just then a sudden tropical shower hit the aluminum roof. "Like that," said Mr. Kaiser calmly. We all knew then we had a superman to reckon with.

I was with Mr. Kaiser and Conrad Hilton on another occasion, during their first meeting, when the worldwide builder began to quote Tennyson's "Locksley Hall" to the worldwide hotel man. The expression on Mr. Hilton's face clearly indicated that he'd met his match.

It was in those early days that I paraphrased a bit of prophetic poesie of my own:

"At Waikiki did Kaiser Khan
An aluminum pleasure dome decree
Where Alf the sacred singer sang
Through pink rooms measureless to man
Down to the sunlit sea."

But none of us guessed that Kaiser's building dream would go to even greater heights—or lengths, and that a whole community would spring from his fertile imagination—Hawaii-Kai, with an ultimate population of 60,000.

On the occasion of his 75th birthday, I asked Henry Kaiser when he intended to retire. "When I grow old," he told me.

Yesterday I asked him the same question. "Never," said the firm voice. "Once I remarked that I expected to be living and working beyond the age of 100. And one of my company presidents said, 'I don't doubt you'll be working at 100, Mr. Kaiser. But you'll be surrounded with a lot of strange faces.' I'd be lost if I couldn't have the fun of working every day."

If there is a secret to your success, I then asked, would you confide it to me?

"You must want with all your heart to succeed—to make the most out of your life. Call it motivation. Find a purpose in life—a goal. How can you follow your natural bent and best use your individual talents? Know yourself.

"I am reminded of the Andrew Carnegie epitaph, 'He succeeded because he surrounded himself with people who knew more than I did.' I have always felt that keenly: great accomplishments come from great teamwork. We have an expression that there are 'thousands of sons and daughters' working together, building together and creating the ceaseless achievements of our family of industries," continued the father who has 90,000 "sons and daughters" on his payroll.

"Have faith in yourself," continued Mr. Kaiser, "and your highest aspirations. For as Jesus said, 'All things are possible to him that believeth.' Find a need and fill it."

It was appropriate that a poem then came to mind:

"Emily Dickinson gave us 'Aspiration'—

'We never know how high we are
Till we are called to rise;
And then if we are true to plan,
Our statures reach the skies.' "

There was a pause at the end of the line, and I asked Henry J. Kaiser if he felt the world which he helped build was a better place to live in.

"Absolutely," he said. "The horizons ahead are limitless. It's been forecast that in the year 2000 the average family will be earning close to $15,000 a year, the national income will reach $2,000 billion—think of it, two trillion. We can realize abundance for all and achievements in the finest values.

"My words of advise to all young people," concluded the man whom the Hawaiian Legislature commended in a resolution for youthfulness and enthusiasm enough to inspire men half his age, "are 'Make up your mind to achieve the best within you. With a goal you can realize your greatest joy in working. And above all, pursue your dream!' "

Mr. INOUYE. Mr. President, Henry J. Kaiser, one of the great industrial giants of our time, is dead at 85. Mr. Kaiser died yesterday in Honolulu in the Island State that he had come to love since he first assumed residency there in 1955.

Like the ancient pharoahs, Henry Kaiser build enduring monuments to his name—great dams, bridges, tunnels, and roads. His vast industrial complexes—steel, aluminum, cement, electronics, chemicals, and automobiles—provided gainful employment for some 90,000 workers here and abroad.

The Kaiser Foundation Health Plan has more than 1.5 million members served by 18 hospitals and more than 40 medical clinics.

Henry Kaiser earned the Nation's gratitude in World War II when he built 1,490 ships, roughly 30 percent of the American production of merchant shipping in this period, plus 50 small aircraft carriers.

When he came to Hawaii little more than a decade ago, in the sunset of his years, many believed the great man had at last chosen the retirement that was certainly his due.

But it was only the beginning of yet another fabulous era in his career. He personally supervised the building of the 1,146-room Hawaiian Village Hotel, founded a $13.5 million cement plant, developed a major radio and television station in Honolulu, and opened the Kaiser Foundation Medical Center.

His last great effort was the development of Hawaii Kai, a self-contained community designed for an ultimate population of some 60,000 residents.

To the end of his days in Honolulu, Henry Kaiser manned his communications desk, an electronic complex which could take him to the farthest reaches of the Kaiser empire in a matter of minutes.

Many a Kaiser executive here or abroad knew what it was to be awakened in the early morning hours with a call from the "old man" who wanted to discuss a new idea or a fresh approach to an old problem.

When he once ran into unexpectedly high dredging prices in Honolulu, he simply picked up the telephone and ordered a complete dredging company. In a matter of weeks, more than 50 flatcars were rolling toward California ports with his equipment.

Henry Kaiser was a success in virtually every undertaking because he did not know when to quit. As he once said:

I always have to dream up there against the stars. If I don't dream I'll make it, I won't even get close.

THE NEED FOR CONGRESSIONAL RESPONSE TO THE URBAN COALITION

Mr. JAVITS. Mr. President, I wish to say a word about the meeting here in Washington yesterday of the organization known as the Urban Coalition.

Eight hundred leaders from all sectors of life in the United States met to organize private and municipal efforts in what is, without any doubt, the area of primary importance in the United States today—what I call the agony of the cities. I was glad to hear Mayor Lindsay use that expression yesterday.

Mr. President, this is a very influential group, united in a declaration which is especially significant to me, and must be especially significant to Congress, namely that we are not doing nearly enough, that the crisis is not being recognized in Congress and throughout the country except insofar as riots and violence have actually broken out and the country, as always, is determined that violence and riots must be suppressed.

But, then what?

I remind the Senate that the urban coalition is a private organization. Indeed, Federal officials were disinvited, so to speak, though it was not unkindly done.

I think it was quite right that we should be, because they were seeking to bring some pressure to bear upon us. Indeed, it was not necesary for us to join them, as they were not looking for a consensus, but they were looking for action.

Mr. President, the fact is that the administration, the President, despite his repeated statements that pending bills are what he wants, is not reacting adequately to this crisis, because new programs are needed in the areas of emergency employment, and especially in incentives to private business, both profit and nonprofit, to train and hire the hardcore unemployed; incentives to the private sector to stimulate economic development in ghetto areas; and incentives to increase materially private and public investment in ghetto housing, rehabilitation, and construction.

The common idea that all this takes tons of money is completely erroneous. It may take great facilitation, but in most cases it does not take any money at all.

For one, the President of the United States is yet to express his favor for some kind of tax incentive to locate businesses in or near ghettos or slum areas or to train and hire the unemployed.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may continue for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. It is also noteworthy that in spite of all this alleged interest in the ghettos and slums, the President has yet to call together a White House meeting of U.S. private business leaders in order to get them to assume their obligations and their responsibilities in regard to dealing with the problems of the slums and ghettos.

In my judgment, if the President approached the problem on that high a level, it would result in two things. It would result, first, in an enormous increase in private developments, which have sprung up in many places—not necessarily with presidential inspiration—and, second, in the establishment of a national entity, for which I have called, a so-called economic opportunity enterprise, to bring about an effective war on poverty. In addition, we would have recommendations as to what are most effective to bring it about—tax incentives, meshing the poverty program into the industrial system of the country and many other matters.

Finally, there are enormous possibilities in the rehabilitation of ghetto housing, which is infinitely quicker in its applicability than the bulldozing down and building of new housing—though that is essential, too, in many areas of the country. In order to deal with mass rehabilitation of ghetto housing we must involve the private enterprise system. There are already a good many provisions on the books, including the leasing program for housing for low-income families, the so-called 221(d)3 program, the program which I have suggested for guaranteeing an interest rate on loans for the rehabilitation of housing and guaranteeing bonds issued for the purpose, which will inevitably be repayed. Our experience with that has been excellent.

In short, the leaders of the Urban Coalition have shown us the way; and if the President will not, the Congress must, pick up the challenge and react with courage and imagination.

I call for the formation of a congressional coalition in response to the Urban Coalition's recommendations and principles, and for which I shall support needed legislation and needed appropriations.

I hope the country will not be blinded to the realities by the seeming enthusiasm in the Congress for antiriot measures, and that the country will not be too dismayed—because I think it is going to be reversed—by the derisive treatment in our sister body of the so-called rat control bill. My feeling is—and I say this advisedly—that it is the mood of the Congress and the mood of the country, as I read it, not to punish the ghettos and slums for the riots which have erupted in some areas, but to do our utmost to repair the basic causes which have bred these riots and disorder. I do not condone them, and join in measures to put them down. But this has nothing to do with the governance which requires that justice be done.

So I see a mood here to do justice, and not to punish the ghettos and the slums themselves for the excesses of the few, deplorable as that is. I have seen this attitude. I am a member of the Appropriations Committee, and I am the ranking minority member of the Committee on Labor and Public Welfare, which is marking up the poverty bill. I have been very active in the housing field. I see an attitude—certainly in this body—to be responsive to the situation.

What is lacking is imagination and dedication on the part of the administration to find ways in which this job can be done without enormous expenditures in addition to those we are already undertaking, although additional expenditures will be required and are warranted by the situation, which are equal to the lofty words uttered in the name of this cause.

I think it is well known that in the civil rights struggle in the Congress, we have always had a bipartisan coalition fighting that struggle, and, on the whole, with considerable success. I think the time now has come for a congressional coalition to match the Urban Coalition which was signalized in its formation yesterday, in order to bring about a congressional response which will be apportioned and adequate to the degree of this crisis.

I deeply feel the American people want that. I feel I am right that that is the attitude in the country, though in many quarters there is deep resentment and a backlash, so-called. I think it is the deep feeling that essentially this is the result of the smoldering grievances, not only of lack of jobs, inadequate housing, and deficient educational opportunity, but also the denial of human dignity, which is equally important in this area.

Responsiveness to these basic causes is required as the exercise of the responsibility of government in a great crisis.

I hope that this note will be sounded in response to the action taken by the Urban Coalition yesterday, which I admire, endorse, and approve, and which, as one Senator, I will do my utmost to implement.

I ask unanimous consent that news reports bearing on this subject may be printed in the RECORD as a part of my remarks at this time, and I yield the floor.

There being no objection, the news articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post,
Aug. 25, 1967]

AID TO CITIES PRESSED: URBAN COALITION FINDS LEADERS OF CONGRESS COOL TO PROPOSAL FOR A MASSIVE FEDERAL JOB PROGRAM

(By Jean M. White)

A potentially powerful urban lobby held its first meeting here yesterday and took its demands for urgent action on city problems directly to Congress.

Among the demands was one for a massive Federal program to provide jobs for one million unemployed.

The urban leaders came away from their meeting with Democratic congressional leaders without much encouragement, a spokesman reported.

Detroit Mayor Jerome P. Cavanagh said he didn't find any "sense of urgency" and called for a "massive political action program to move Congress off dead center." He added that some "urban power" also should be channeled to the White House.

Cavanagh reported back to an emergency convocation of more than 1000 delegates of the newly formed Urban Coalition. It bands together leaders of city government, business, labor, religion, and civil rights.

Among the coalition leaders who went to the Hill were Mayors John V. Lindsay of New York, Richard J. Daley of Chicago, James H. J. Tate of Philadelphia, Joseph M. Barr of Pittsburgh, and Ivan Allen Jr. of Atlanta; businessmen Henry Ford II and David Rockefeller; union leader Walter Reuther, and Negro leaders Roy Wilkins and Whitney Young Jr.

The statement adopted by the group clearly implied that President Johnson's urban programs aren't enough to attack massive city problems. There have been reports that the White House has taken a cool view toward the new Urban Coalition, certain to demand stepped-up spending on urban programs.

CRITICIZES PROGRAMS

Cavanagh, whose city was torn by the summer's worst riot, called present programs "too small, too harrow, too pedestrian to really turn our country on."

About 25 coalition leaders had lunch with House Speaker John W. McCormack (D-Mass.), House Majority Whip Majority Leader Carl Albert (D-Okla.), and Sen. Democratic Whip Russell Long (D-La.). None of the Republican leaders was present, although several on both sides had been invited.

"They were presenting to us a program which was more ambitious than the President's program." Boggs later told newsmen. "What we were saying was, 'heck, we had better work on that first.'"

Clarence Mitchell, Washington lobbyist for the NAACP, said McCormack told the urban group that he liked their statement of objectives but that they had to round up votes to get the job done. Mitchell, disagreeing with Cavanagh, said he didn't think the Speaker lacked urgent concern over urban problems.

The new coalition, if it can pull together, could have much influence with the combined strength of big-city mayors and big names in business, labor, civil rights, and the church.

Its support of a Federal emergency work program yesterday heartened supporters of Sen. Joseph S. Clark's effort to attack a $3-billion slum job program to the antipoverty bill. Congressional sources had accused the White House of trying to undermine Clark.

Several other bills have been introduced in the House to provide jobs for hard-core unemployed. Rep. James G. O'Hara (D-Mich.) and Hugh L. Carey (D-N.Y.) are authors of two of the bills.

They call for a $4-billion-a-year program of "public service" works to provide one million jobs in needed community services in the fields of health, education, recreation, and urban improvement. An active co-sponsor has been Rep. James H. Scheuer (D-N.Y.).

Lindsay said the O'Hara bill was "exactly the same" idea that the coalition had in mind for a Federal job program.

The Republican Mayor of New York delivered the keynote address at the emergency convocation and got his biggest applause when he said the Nation's priorities should be shifted to meet the needs of cities even if this means a reassessment of defense and space commitments.

Lindsay told the more than 1000 delegates in a Shoreham Hotel ballroom:

"We are the beginnings of a national coalition of those with a stake in the city and its people."

Coalitions, he stressed, must be organized in local communities to push for action on goals.

The first goals drawn up in the statement adopted yesterday focused on job programs.

The statement called on private industry to help train and hire the hard-core unemployed but added:

"When the private sector is unable to provide employment to those who are both able and willing to work, then in a free society the government must of necessity assume the responsibility and act as the employer of last resort or must assure adequate income levels for those who are unable to work."

The statement was approved unanimously by the steering committee, including Ford, Rockefeller, and several other corporation executives and businessmen.

Ford told the group: "That business must help is no longer in question."

Rockefeller added that central cities "are crucial to the economic health of our Nation, and we must press aggressively" on urban problems.

Coalition Co-Chairmen Andrew Heiskell and A. Philip Randolph announced that five emergency task forces will be appointed to come up with action recommendations in the areas of public service employment, private employment, educational disparities, reconstruction and urban development, and equal housing opportunities.

The coalition is an outgrowth of two meetings. One was held last January by a group of mayors to discuss long-range urban problems. The other was held on July 31 after riots hit Newark and Detroit.

DISSENSION FOUND

The catalytic action to pull together the urban coalition came from Urban America, a nonprofit organization, with the United States Conference of Mayors and the National League of Cities.

The new coalition found some dissension in its ranks yesterday.

Dr. Nathan Wright Jr., chairman of last month's Newark Black Power conference, issued a statement calling for "black insights and black definitions and leadership" in solving urban problems.

He said the coalition-approved statement should include these principles and had been drawn up by "the leaders of our cities while they were going to pot."

At the closing session, several complaints came that the voice of the poor wasn't being heard.

Rufus (Catfish) Mayfield, who identified himself as head of Pride, Inc., the District's summer job program for teen-agers, said he was "hurt by not being invited here."

"But the problem should be here," he said, pointing out that a lot of "important men" were sitting at the long table" but no one like him.

Coalition Urges U.S. Act To Spur Jobs in the Cities—Conference of 800 Leaders Calls for New Priorities—Housing Drive Backed—Private Role Stressed—Remarks and Statement Hint Delegates' Dissatisfaction With Johnson Programs

(By Robert B. Semple Jr.)

Washington, August 24.—A convocation of more than 800 mayors and business, labor, church and civil rights leaders called on the Government today to "reorder national priorities" and develop "an emergency work program" to provide jobs in the nation's riot-torn cities.

The group, which calls itself the Urban Coalition, held a one-day meeting at the Shoreham Hotel here. It sought solutions to the urban crisis and, in the words of its keynote speaker, Mayor Lindsay of New York, to forge "a national coalition of those with a stake in the city and its people."

In a statement of "principles, goals, and commitments," which was adopted by a rousing voice vote shortly before noon, the coalition pledged itself to work for better urban conditions on a variety of fronts.

AN APPEAL TO WASHINGTON

The statement also urged Congress and the Administration to do the following:

Provide at least one million "meaningful" and "socially useful" jobs immediately, concentrating on "the huge backlog of employment needs in parks, streets, slums, countryside, schools, colleges, libraries and hospitals."

Develop a closer-working relationship with the private sector and, through incentives, encourage industry to create vast new programs of job training.

Undertake "bold and immediate steps" to provide a decent home for every American, "including the goal of at least a million housing units for lower-income families annually."

Although neither the statement nor the speakers mentioned President Johnson by name the tone of the remarks and the substance of the document strongly suggested that the delegates believed the Administration's response to the urban crisis had been insufficient.

The President has indicated several times in recent days that he plans no major new programs this year, arguing instead that his primary mission is to persuade a reluctant Congress to provide money for programs enacted last year.

But the coalition and its leaders clearly felt that additional measures were necessary now, even if it meant a reassessment of the nation's other commitments.

Mr. Lindsay won the day's biggest applause when he stated that the American commitment abroad "should not be allowed to weaken our resolve at home." Later he added:

"If our defense commitment, our commitment to space, or any other commitment made before our urban areas were beset by agony is blocking a vigorous effort to end those agonies, those commitments should be reassessed."

The statement of principles adopted this morning declared:

"We believe the American people and the Congress must reorder national priorities, with a commitment of resources equal to the magnitude of the problems we face," the statement said. "The crisis requires a new dimension of effort in both the public and private sectors, working together to provide jobs, housing, education and the other needs of the cities."

The coalition grew out of a yearlong effort by the big-city mayors to overcome what they felt was "citizen indifference" to city problems. But it did not become a reality until July 31, when, in response to the riots in Newark and Detroit, a decision to call today's meeting was made by the National League of Cities, the National Conference of Mayors, and Urban America, Inc., a nonprofit group.

The participants at the meeting today included well-known leaders from nearly every major field.

There were some notable absentees—no governors, no members of the Federal Government, and, with the exception of a small group from Rochester, N. Y., very few of the poor.

"DEAL WITH ALL SEGMENTS"

The absence of the poor themselves was not a matter of public comment until the closing moments of the session when Andrew Heiskell, board chairman of Time, Inc., who was co-chairman of the meeting, invited final comments from the delegates.

The last to speak was Marion Barry, former leader of the Student Nonviolent Coordinating Committee in the capital, who is now active in other civil rights groups here. Dressed in a green T-shirt and wearing sunglasses, Mr. Barry, who said he had not been invited, moved to the rostrum and warned the coalition not to overlook the poor.

"You've got to deal with all segments," he said, including those "not accustomed to coming to the Shoreham Hotel and fussing round. They don't understand all this hifalutin talk.

"And when you hold these meetings, please don't have them out here at the Shoreham. Hold them down where the people are, get down there and try to get to the nitty-gritty. When that time comes we'll begin to scratch the surface of the urban problem."

RANDOLPH IS COCHAIRMAN

The other co-chairman of the meeting was A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters. Both he and Mr. Heiskell were members of a 32-man steering committee that hammered out the statement of principles in a three-and-a-half-hour session last night.

Other members of the steering committee included Henry Ford 2d, chairman of the Ford Motor Company; David Rockefeller, president of the Chase Manhattan Bank; George Meany, president of the American Federation of Labor and Congress of Industrial Organizations; Walter P. Reuther, president of the United Auto Workers.

Also, Whitney M. Young, Jr., executive director of the National Urban League; Roy Wilkins, executive director of the National Association for the Advancement of Colored People; the Most Rev. John F. Dearden, Roman Catholic Archbishop of Detroit; Rabbi Jacob P. Rudin, president of the Synagogue Council of America, and the mayors of several major cities.

"A LOT OF PLAIN TALKING"

In the opinion of many of the participants, the meeting served several useful purposes apart from the fundamental objective of dramatizing the crisis in the cities.

In the steering committee sessions last night and the panel sessions this afternoon, "a lot of plain talking was done and a lot of problems were finally brought out on the table," one participant told a reporter.

Sources reported, for example, that in last night's meeting, which was closed to the press, Mr. Meany and Joseph D. Keenan, secretary of the International Brotherhood of Electrical Workers, agreed to make a serious, sustained effort to end restrictive admission practices in the building trades unions and cooperate in promoting new and perhaps quicker methods of construction.

COLLEGE WORK-STUDY PROGRAM

Mr. MORSE. Mr. President, will the Senator from New York remain on the floor to be of assistance to me as representing the Republican side with reference to a request I am about to make?

Mr. President, I call up H.R. 11945 and ask for its immediate consideration. May I say that I have cleared this with the majority and minority leaders.

Mr. JAVITS. Mr. President, reserving the right to object—and I shall not object—I would like to state that the Senator from Oregon [Mr. Morse], in a very gifted way, brought out that this is a very urgent matter in the executive meeting of the Committee on Labor and Public Welfare this morning. The action taken with respect to this bill was unanimous. I realize that we are moving very fast—unusually fast—in this matter, but I state to the Senate, in all fairness, that there were two members of the minority present, both of whom agreed with what was done. I know of no objection to the action that was taken.

I wish to present to the Senate that I consider this a meritorious and worthwhile measure. The Senator from Oregon [Mr. Morse] properly represents that, implicit in seeking unanimous consent to act upon this measure, it is urgent because of the imminent reopening of the colleges and the universities of America.

Mr. President, I withdraw my reservation.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 11945) to amend the college work-study program with respect to institutional matching and permissible hours of work.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. **MORSE.** Mr. President, we held this morning a hearing before the Education Subcommittee of the Committee on Labor and Public Welfare on S. 2151 and H.R. 11945, measures to amend the college work-study program with respect to institutional matching and permissible hours of work.

In the ordinary course of events the subject matter of this bill would have been incorporated as an amendment to the Higher Education Amendments of 1967. However, as we heard from the witnesses, and as indicated in the correspondence we have received, there is great concern in the educational community about the numbers of students who can be given work-study opportunities under the terms of the existing statute. Unless speedy action is taken upon a separate measure the Office of Education is required under the statute, now in effect, as of August 20, to require that the funding of the work-study program be made upon a 75-percent Federal share and a 25-percent matching institutional share. Heretofore, the matching requirements have been 90 percent Federal and 10 percent institutional.

The proposed legislation would for fiscal year 1968 require an 85-percent Federal and a 15-percent institutional contribution.

As a Senator from Oregon who has for years been working for the enactment of sound legislation in the student financial assistance area, even though I am the author on the Senate side of S. 2151, the companion bill, I feel free to say that in our further work during this session I shall urge upon my colleagues that in the Higher Education Amendments of 1967, amendments be taken which will fix the matching provisions for the future at a 90–10 level.

However, I am also a political realist. I recognize the urgency of the need for effective action to allay concern and I therefore hope the bill will pass.

Mr. President, I ask unanimous consent that the section by section analysis of the bill be printed at this point in my remarks.

There being no objection, the section-by-section analysis of H.R. 11945 was ordered to be printed in the Record, as follows:

Section-by-Section Analysis

AMENDMENTS TO SECTION 124 OF TITLE I OF THE ECONOMIC OPPORTUNITY ACT OF 1964

The existing paragraph (d) of section 124, which limits the number of hours a student may be employed to 15 in any week in which classes in which he is enrolled are held, would be deleted and in its place a new paragraph (d) would provide that the hours of work be averaged over a semester or such other term used by the institution and that this semester average may not exceed 15 per week.

Under existing paragraph (f) of section 124, the share of the compensation of students in the work-study program paid by the Federal Government would drop from a maximum of 90 percent to a maximum of 75 percent on August 20, 1967. The amendment would reduce the Federal share by 5 percent a year beginning August 20, 1967, until 75 percent was reached. The maximum share of 75 percent would be maintained thereafter.

Mr. **MORSE.** Mr. President, this matter is brought before the Senate at this time as an emergency measure. I thank the Senator from New York for his great help this morning in both the Education Subcommittee and in the full committee, I thank as well every other member of the Senate Committee on Labor and Public Welfare for once again giving their complete cooperation to the chairman of the subcommittee in the handling of the matter in this fashion; and particularly I wish to express my appreciation to the chairman of the full committee, the Senator from Alabama [Mr. Hill].

As I have stated, what we have here is an emergency that has arisen in connection with the work-study program. The work-study program is of inestimable help to young men and women who without it simply cannot enter college this fall. Many otherwise able students cannot go to college at all, unless they have the financial assistance benefits of a work-study program.

It will be recalled that the work-study program, originally under the Office of Economic Opportunity, was transferred to the Commissioner of Education. The formula of support from the Federal Government was 90 percent of the funds for fiscal year 1967 with the institutions committing the remaining 10 percent of the funds from their own resources. The fiscal year 1968 formula provided, however, that the Federal Government contribute 75 percent of the funds, and the college must, therefore, unless the act is modified as is proposed, produce and contribute 25 percent of the funds.

The record before our committee is that there are many small colleges in this Nation which will simply be shut out of the program or must curtail student participation, because they cannot raise the 25 percent; they do not have the revenues nor the endowments which would be needed to raise their contribution. I fear that, unless we act, many young men and women will be cut out of their chance to go to college.

If this formula is to be changed, we should change it before the Labor Day recess, because the colleges will be in operation after Labor Day, and they will not be able to go ahead with their plans to participate fully in the work-study program. So this bill, as an emergency bill, provides for a change of the formula, so that for this fiscal year, fiscal year 1968, the Federal Government will contribute 85 percent of the funds and the college will contribute 15 percent of the funds. I want the Record to show that there is support in the House committee for a 90 to 10 matching formula in the future. I shall enthusiastically support such a proposal when we consider the higher education amendments this year in connection with S. 1126, on which further hearings will start after the Labor Day recess; for, in my judgment, we have learned from experience that what we thought might have been a feasible change has proved to be threatening for the work-study program in a number of colleges.

The bill now before the Senate is H.R. 11945, already passed by the House of Representatives. Our committee report is unanimously in favor of its passage, and I now submit the bill to the Senate for consideration, and urge its passage.

Mr. President, I ask unanimous consent that there appear at this point in my remarks the departmental report on H.R. 11945 as well as the text of two of the statements presented to the Education Subcommittee by witnesses who supported the enactment of this legislation. These statements demonstrate, in my judgment, the need for our action on this matter at this time.

There being no objection, the report and the statements were ordered to be printed in the Record, as follows:

Department of Health,
Education, and Welfare.

Hon. Lister Hill,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: This is in response to your request for reports on S. 2151 and H.R. 11945, bills "To amend the college work-study program with respect to institutional matching and permissible hours of work."

The first section of the bill would amend section 124(d) of the Economic Opportunity Act of 1964 to permit a student under the work-study program to be employed for an average of fifteen hours per week. The existing law provides that no student shall be employed under the work-study program for more than fifteen hours in any week.

Section 2 of the bill amends section 124(f), which provides a decrease in the maximum Federal share of the compensation paid to students under the work-study program from 90 to 75 percent beginning with fiscal year 1968. The proposed legislation would provide for a stepped-down Federal share of 85 percent for fiscal year 1968, 80 percent for fiscal 1969, and 75 percent thereafter.

The Administration's recommendations contained in the proposed Higher Education Amendments of 1967 (S. 1126) provided for an amendment to section 124(d) which would authorize the Commissioner of Education to issue regulations under which students who are attending classes during vacation periods or comparable periods of additional or nonregular employment may be employed under the program for up to 40 hours per week during such periods.

The amendment contained in S. 2151 and H.R. 11945 authorizing some variation in the hours of work per week permitted students under the work-study program provides a reasonable degree of flexibility while retaining the essential safeguard that students devote the major portion of their time to studies during periods when classes in which the student is enrolled are in session.

Under the Administration proposal the Federal share of compensation for work-study students would be fixed at 80 percent for fiscal years beginning with fiscal year 1968. It is the Department's belief that under the 20 percent institutional matching requirement the funds available for the work-study program could cover more students than the higher Federal share, without imposing an undue burden upon the institutions. In view of the fact that the 1967–68 academic year is upon us and institutions must be able to make commitments to students who wish to participate in the work-study program, we would not object to the enactment of the proposed legislation. We do, however, hope that when the proposed Higher Education Amendments of 1967 are acted upon the legislation will fix an 80 percent Federal share for future fiscal years, rather than allowing the share to drop to 75 percent. We are advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the Administration's program, but the Bureau points out that under the Federal share provided by S. 2151 and H.R. 11945 fewer sudents would be assisted with the Federal funds available for fiscal year 1968 than under the Federal share proposed in the Administration bill, S. 1126.

Sincerely,

SAMUEL HALPERIN,
Acting Assistant Secretary.

AMENDMENTS TO THE COLLEGE WORK STUDY PROGRAM (S. 2151)

(Statement of John F. Morse, Director, Commission on Federal Relations, American Council on Education before the Subcommittee on Education, Committee on Labor and Public Welfare, August 25, 1967)

Mr. Chairman and members of the subcommittee, I am John F. Morse, director of the Commission on Federal Relations of the American Council on Education. The Council is, as you know, an association with a membership of 1500 accredited institutions of higher education and other educational associations.

I should like to discuss with you S. 2151, a bill to amend the provision respecting matching requirements for the college work study program and to commend the chairman of this committee for introducing it. Very briefly, we support the bill and would urge its speedy enactment, so that its provisions may be in effect at the beginning of the new college year.

Unless this bill is enacted, the required non-Federal matching share for the work study program will rise from its previous level of 10 per cent to 25 per cent. Technically, in fact, the 25 per cent requirement has been in effect for a week, but its impact will not be felt until classes resume.

Actually, Mr. Chairman, the position of the American Council on Education is that the non-Federal matching requirement should be retained at 10 per cent. I should like to call your attention to several factors that have led us to that position.

1. The law requires, quite properly, that institutions maintain, and pay 100 per cent of the cost of, their own basic work program at a level equal to the average amount expended in the previous three years.

2. The law prohibits, quite properly, the replacement of employed workers by students employed under work study.

3. The result is that the work study program is superimposed on institutions' normal employment pattern. There can be no doubt that a great deal of important work has been accomplished under the program, but the prime purpose has been to provide financial aid to needy students. As we see it, there is little more reason to require an increased non-Federal share in this program than there would be in the NDEA loan program.

One new consideration, which has considerable bearing on your deliberations, has arisen since the original work study act was passed. Since February 1, 1967, colleges and universities have been included as enterprises covered by the Fair Labor Standards Act. So far the impact of this coverage has not been severe, except in the matter of greatly increased expense for recordkeeping. As a newly covered enterprise, the minimum wage at the present time is $1.00 per hour, and many, possibly a majority of institutions, were paying this already.

However, the minimum wage will go to $1.15 on February 1, 1968, and will increase an additional 15 cents annually until it reaches $1.60. The institutions must, of course, meet this increase for their permanent work force and for students employed in their regular employment program. They will be hard put to it to meet the double escalation of minimum wage and an increase in the matching percentage for their work study program. As I pointed out to you in a recent letter, Mr. Chairman, at present, institutions can provide financial aid work opportunities at a cost to themselves of ten cents an hour. But if non-Federal matching remains at 25 per cent, this figure will rise to 33 cents an hour by 1969.

We hope, therefore, that you will regard the provisions of S. 2151 as a means of providing immediate relief to our institutions, that you will take the long-range problem under further careful consideration.

The bill before you calls for an increase of required matching to 20 per cent in FY 1969 and presumably to 25 per cent in FY 1970. At the present time, however, there are no authorizations for the program in either 1969 or 1970. It seems clear, therefore, that this committee must continue to weigh the merits of the program, probably as you consider the more comprehensive bill of proposed amendments to various higher education programs contained in S. 1126. If we are given an opportunity to testify on that bill, we shall urge a return to the 10–90 per cent ratio of non-Federal to Federal funding of the work study program.

I am grateful for this opportunity to appear before you and shall be happy to answer any questions.

Attachments:

ASSOCIATION OF AMERICAN COLLEGES,
Washington, D.C., August 22, 1967.

Hon. WAYNE L. MORSE,
Chairman, Subcommittee on Education, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: I am writing to you at this time regarding S. 2151 concerning matching requirements for the college work study program. Mr. John F. Morse of the American Council on Education has shown me a copy of his statement, which he expects to present to your Subcommittee on Education on August 25. His statement is an excellent one, and I am fully in support of it.

With kindest regards,

Sincerely yours,

RICHARD H. SULLIVAN,
President.

NATIONAL ASSOCIATION OF STATE UNIVERSITIES AND LAND-GRANT COLLEGES,
Washington, D.C., August 23, 1967.

Hon. WAYNE MORSE,
Chairman, Subcommittee on Education, Senate Committee on Labor and Public Welfare, New Senate Office Building, Washington, D.C.

DEAR SENATOR MORSE: This is to say that I have read the testimony of John F. Morse of the American Council on Education, on S. 2151, as prepared for delivery on August 25, and that it reflects the position of the National Association of State Universities and Land-Grant Colleges.

I have also been in touch with Mr. Allan Ostar, Executive Director of the Association of State Colleges and Universities, who is out of the city at present, and he has authorized me to say that Mr. Morse's statement reflects the views of the Association of State Colleges and Universities as well.

Correspondence with and personal discussions with individuals from a wide range of our member institutions strongly indicates that to let the statutory increase in institutional matching from 10 to 25 per cent remain in effect will have a substantial adverse effect on accomplishment of the purposes of the Act.

Sincerely,

RUSSELL I. THACKREY,
Executive Director.

STATEMENT IN BEHALF OF THE NATIONAL EDUCATION ASSOCIATION PRESENTED BY MRS. MARY CONDON GEREAU, AUGUST 25, 1967

Mr. Chairman and members of the committee, the National Education Association appreciates this opportunity to present the Association's views on S. 2151 to amend the College Work-Study Program.

In the interest of time we urge that the Senate concur with the House bill, HR 11945, so that this very worthwhile student aid program can be continued during the coming school year. Institutions of higher education need action now so that they can be prepared to assist students at the time of registration for the fall term beginning in mid-September.

We are pleased that the House has reduced the institutions' matching requirement to 15%, rather than maintaining the 25% as provided in the present law. We urge, however, that when the Higher Education Amendments, of which the work-study program is a part, are considered, that the initial matching formula of 90–10 be made permanent.

Experience indicates that this type of student aid is extremely valuable, not only to the student but to the institution and to the community. Those who participate would be unable to enroll in college without this program. The work performed is of benefit to the student as well as to the institution or community he serves.

It is also of benefit to the nation because it serves to increase the supply of brainpower by making it possible for economically disadvantaged young people to become competent, professional, constructive members of society.

The 90–10 matching formula is not unreasonable. It is in line with the 90–10 matching formula for federal highway funds, for example. Certainly it is of equal, if not greater importance, to provide assistance to the development of the nation's skilled manpower.

The increase in the percentage of funds to be provided by the institution will serve only to curtail the program, thus depriving many deserving young people of the opportunity, through self-help, to achieve a college education. The compensation the students receive must be in keeping with the prevailing minimum wage laws—a sound policy we agree. However, with the increase in the minimum wage the colleges, especially those operating under biennial appropriations from the State legislatures, have more demand on their funds which are earmarked for labor costs. This fact, coupled with the increased percentage of matching funds required in the present law, can only result in reducing the number of students who can be aided. Private non-profit institutions are caught in a similar financial bind. The victims are the disadvantaged students.

We urge, therefore, that the 90–10 matching formula be established in place of the graduate scale provided in the present law.

S. 2151 also provides that the students' obligation be adjusted to provide for an *average* of 15 hours work per week during a school term rather than limiting them to 15 hours each week. This is a practical proposal in the interest of the student—and the institution. It provides flexibility and permits the student, in cooperation with the employer, to adjust his work schedule for the maximum benefit to his program of study. As we all know, some weeks are tougher than others in college.

Again, Mr. Chairman and Members of the Committee, we appreciate this opportunity to make these brief comments in support of further strengthening one of the best student aid programs ever enacted by the Congress.

Mr. RANDOLPH. Mr. President, the situation with reference to the work-study program has been clearly set forth by our distinguished chairman of the Education Subcommittee of the Committee on Labor and Public Welfare. I shall not detain Senators on this matter, except to say that of the approximately 2,200 colleges and universities in the country, more than 1,700 of those institutions are today participating in these work-study programs. The continuity of the program must not be broken; and the matter of the time element has well been set forth by the Senator from Oregon.

Of particular interest to me is the acceptance of this program, in the State of West Virginia, by some 20 universities and colleges. We know the value of the program, the participation of the students, and the benefits accruing to the institutions themselves. This legislation is in the best tradition of the overall program, such as that sponsored by the Senator from Oregon and others who have joined with him in the Committee on Labor and Public Welfare.

Mr. President, I ask unanimous consent that a table setting forth these institutions of higher education in West Virginia be printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

WEST VIRGINIA INSTITUTIONS PARTICIPATING IN THE COLLEGE WORK-STUDY PROGRAM

Alderson-Broaddus College, Philippi.
Beckley College, Beckley.
Bethany College, Bethany.
Bluefield State College, Bluefield.
Concord College, Athens.
Davis and Elkins College, Elkins.
Fairmont State College, Fairmont.
Glenville State College, Glenville.
Marshall University.
Mountain State College.
Ohio Valley College, Parkersburg.
Potomac State College of West Virginia University, Keyser.
St. Mary's Hospital School of Nursing, Huntington.
Shepherd College, Sheperdstown.
West Liberty State College, West Liberty.
West Virginia Institute of Technology, Montgomery.
West Virginia State College, Institute.
West Virginia University.
West Virginia Wesleyan College, Buckhannon.
Wheeling College, Wheeling.

Mr. RANDOLPH. Mr. President, I support this act, which is intended to help our colleges and universities to continue making it possible for needy students to have the jobs they must have to stay in school. For example, in West Virginia, 20 colleges—both public and private, large and small—and I may add that one of these is a hospital school of nursing—have been given enough funds to be able to employ nearly 2,500 needy students, if they can provide the necessary matching money.

But it would create a serious burden on the financial resources of these colleges and universities, particularly the more needy ones, to come up with an amount of matching money which is more than twice the amount they have had to contribute before. Many of them will not be able to find that much extra matching money and this would mean that many needy students would lose their jobs, because their colleges cannot increase their matching amounts as much as would be necessary.

Under this act, the matching funds which the colleges would have to provide would be only 50 percent more, instead of 150 percent more.

I think it vital that we take this necessary action in order to make it possible for this important and useful program to continue at an undiminished level. The assistance to these needy students enables them to do work which is of benefit to their colleges, their communities, and themselves.

As an example, I would like to point out that students at West Virginia University are working in four different community action programs, two YMCA's, three libraries, three city governments, and a rural hospital in West Virginia, as well as providing assistance to the professors and the administration of West Virginia University. Students at other institutions in West Virginia are engaged in similar worthwhile projects.

This act will make it possible for work of this type to be continued.

Mr. JAVITS. Mr. President, I ask unanimous consent that all members of the committee may have leave to file statements of individual views in connection with the bill now before us.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I join the Senator from Oregon in his statement on the pending bill. I hope and urge that it be acted upon favorably. It must be approved, if the work-study program is to survive.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendments to be proposed, the question is on the third reading of the bill.

The bill (H.R. 11954) was ordered to a third reading, was read the third time, and passed.

Mr. MORSE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. RANDOLPH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MARRINER S. ECCLES SPEAKS ON VIETNAM

Mr. FULBRIGHT. Mr. President, recently the distinguished former chairman of the Board of Governors of the Federal Reserve Board, Hon. Marriner S. Eccles, spoke to the Commonwealth Club of California, on August 11, 1967, in San Francisco.

His remarks regarding our involvement in Southeast Asia are very thoughtful and profound. I think they warrant being printed in the RECORD, and I commend them to the attention of my fellow Senators.

I ask unanimous consent that the address of Marriner S. Eccles before the Commonwealth Club of California at the Sheraton Palace Hotel, San Francisco, Calif., on August 11, 1967, entitled "Vietnam—Its Effect on the Nation," be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

VIETNAM—ITS EFFECT ON THE NATION

(By Marriner S. Eccles at the Commonwealth Club of California, San Francisco, Calif., Aug. 11, 1967)

The Kosygin visit to this country has given us all cause to seriously think about the Soviet Union, our relationship to it, and the relationship of both of us to the greater and more compelling world problems. Upon the solution of these problems hangs the survival of both the United States and Russia, and perhaps the world. As Senator Fulbright so aptly stated: "America is showing signs of that arrogance of power which has afflicted, weakened, and in some cases destroyed great nations in the past." Never before has there been such valid reason for the fears that beset us. Never before has there been reason to feel that the human race was speeding along the road to possible oblivion.

The most important issue before the country today is our involvement in Vietnam. It affects every facet of our lives and our relationship to the rest of the world. Are the sacrifices imposed justified by the stakes of war? What are the reasons and justification, if any, for our involvement in Vietnam?

For the past twenty years our government has believed that communism intends to conquer the world—by force, if persuasion does not succeed—and that it is the duty of the United States to save the world from that fate. The American picture of aggressive communism is unreal.

The President believes that aggressive monolithic groups are making war in South Vietnam. Under the Truman Doctrine of Containment, communism has continued to spread. It has advanced through revolutions rather than by military aggression. But while communism has been advancing, the power of Russia over the communist world has been waning. It is evident that communism is not a monolithic world power. Russia has its differences with the Yugoslavs. The Chinese and Russians have conflicts of national interest which override communism. The threat of a united communist world does not exist. National rivalries divide the communist states as well as democracies.

It is apparent that communist countries are as intensely nationalist as others. They crave independence and resent interference. They will fight against domination—from whatever source: either capitalist or other communist country.

The Administration believes that the war in Vietnam is being made solely by communist intervention from without. This does not explain the tenacity of the Viet Cong. They are not Russians, Chinese or North Vietnamese communists; they are South Vietnamese. They are fighting for national liberation and unity of South Vietnam: the causes for which others, including Americans, have fought.

We see every rebellion as the result of a deep plot out of Moscow or Peking, when it usually is the result of crushing poverty, hunger and intolerable living conditions. The aim of revolution, no matter what ideology, is to achieve the values of self-determination, economic security, racial equality and freedom. Let us not forget that while our road was not via communism, we did, as a nation, emerge from revolution.

We might as well face it: there may be more communist countries in the world. But we need not panic at this. Communist nations vary widely; each has a different version of communist theory to fit its own problems. The more of these countries there are, the greater their diversity.

Communism is only part of a broad movement: the rising of desperate people in Asia, Africa, and Latin America. We crush insurrection in one place, only to find a revolution—whether communist, socialist or nationalist—springing up somewhere else. With military bases around the world and ships in every ocean, a revolution takes place in Cuba, 90 miles off our shore.

How can we reconcile what we are doing to the South Vietnamese under the guise of saving them from communism? We have destroyed vast areas of their country. We have killed, wounded or burned more than one million children, as well as countless parents, brothers, husbands and sons. The family has been smashed. We can only guess at the terrible long-range social effects that will result from our actions. No wonder the great majority of the people do not consider us their savior, but hate us and want us to get out of their country.

Despite this, the United States military has increasingly taken over the war. In 1965 one American was killed for eight South Vietnamese; in 1966, one for two; and to date in 1967, one for one. U.S. casualties through 1966 were over 8,000 killed and almost 38,000 wounded. Projected for 1967 alone, based on actual figures for the first six months: 11,190 killed; 64,264 wounded, making a projected total to the end of this year of 19,344 killed and 102,002 wounded. We have lost 832 planes as well as hundreds of helicopters.

Based on the following reports by McNamara it is apparent we are making little progress after three years of fighting and cannot win a decisive victory:

1964—"McNamara told Congress that the U.S. hopes to withdraw most of its troops from Vietnam before the end of 1965."

In 1965—He said, "It will be a long war."

In October, 1966—He said, "I see no reason to expect any significant increase in the level of the tempo of operations in South Vietnam."

Communist strength in South Vietnam has increased from 120,000 in January, 1965, to an estimated 298,000 at present. However, North Vietnam has committed only one-fifth of their regular army. Based on the estimate that guerrillas must be outnumbered four to one, the communists have more than matched the American buildup to 476,000 now. It is no wonder that General Westmoreland claims he needs five additional U.S. divisions, more than 200,000 men.

Tuesday the press reported General Van Thieu said: "We have not enough Allied soldiers which we need to win the war. We need a big amount of troops to be everywhere, to do many jobs at the same time." At this time the President might reconsider his September, 1964, statement: "We don't want our American boys to do the fighting for Asian boys. We don't want to get involved . . . and get tied down in a land war in Asia."

During the past two years Russia has added to the enemy arsenal in South Vietnam rockets, artillery, heavy mortars, automatic infantry weapons and flame throwers, while in North Vietnam she has supplied fighter planes and antiaircraft guns. She is reported to be supplying 75% of all military supplies and has said she will continue to furnish all military aid necessary. The Chinese are furnishing part of the small arms, clothing and food, and have said they will assist North Vietnam with troops whenever requested to do so. Both countries have indicated they would enter the war, if necessary, to keep the North Vietnamese and the Viet Cong from being defeated. It is quite apparent that neither Russia or China is willing for the United States to achieve a victory over the communists and to establish a powerful military base on the mainland of Asia.

If Russia were conducting daily bombing raids against an American ally, as we are doing against a Russian ally, it is inconceivable that we would limit ourselves to providing only military equipment, as they are doing.

What is the effect of our Vietnam policy on the nation? It is responsible for the most serious economic, financial and political problems in this country. It is causing the huge federal deficit which, without a tax increase, could run to more than $25 billion. In order to curb the resulting inflationary pressures the government has proposed a 10% surtax on individuals and corporations which, if enacted, would reduce the deficit, on an annual basis, between $9 and $10 billion.

This war is directly causing a substantial increase in the deficiency in our international balance of payments, which is already serious as we are by far the world's largest short-term debtor, now owing nearly $26 billion. It is reducing our free gold to meet these obligations to less than $2 billion.

It is creating inflationary pressures in nearly every field—increased costs of living, going up at about 3% per year—a great shortage of skilled workers—increasing strikes and exhorbitant demands by union labor—and higher interest rates, in all categories, due to the heavy demand for credit.

The costs of war do not end with the cessation of hostilities. Excluding the Vietnam War, at the end of 1965 we had approximately 20,600,000 veterans. Total veterans' benefits paid to the end of 1965 were $134 billion; by the end of this year it is estimated they will be $147 billion. In 1966 we were spending in excess of $6 billion per year for veterans' benefits, and the Korean War alone is costing more than $700 million a year. The annual operating expense of the Veterans' Administration hospitals has now passed the billion mark. In addition, during 1965 the land and construction costs of medical facilities was $1.418 billion. Veterans costs will grow rapidly as long as the war lasts, and will continue for decades. The ultimate astronomical expense is difficult to conceive. In the financial sense, a war is never over.

The real tragedy is not financial, it is the useless suffering of the millions of our people whose sons, husbands and brothers are drawn into this useless conflict unwillingly and are killed and maimed for life—*not* in defense of their country—but because of our incompetent and ill-advised leadership.

I believe Russia is glad to see us bogged down in Vietnam, diverting multi-billions of our resources and millions of our manpower, while she is rapidly gaining in the nuclear arms race. While the U.S. lags in its nuclear defense, the Soviets are rushing ahead. It is believed today's nuclear balance has already shifted to Russia.

At a time when defense against missile attack is still in the talking stage in this country, the Soviet Union is racing ahead with unprecedented speed.

Of even greater concern to us at this time is China's rapid growth in the development of nuclear weapons. It is now estimated that between 1972 and 1975 China will be a first-class nuclear power with a full arsenal of H-bombs and war heads. ICBM will be in production with an intercontinental range of 6,000 miles. This would hit most of the world; the northern stretches of the U.S., Los Angeles, San Francisco, Chicago and Detroit would be particularly vulnerable. Meanwhile, we are spending over $2 billion a month on Vietnam instead of being prepared to cope with the rapidly growing atomic strength of Russia and China.

Our foreign aid since World War II has been $128 billion—$91 billion in economic aid and $37 billion in military aid—with dubious results in many instances. The United States is pledged to defend 43 countries under specific treaties and agreements. In addition, a commitment to stop aggression covers all the countries in the Middle East, and any country where the U.S. has a military base is promised support.

While we've been spending tens of billions abroad, our cities are exploding in violent protest as a result of our injustice, and neglect, and failure to meet unfilled promises of the "Great Society." Our total estimated Vietnam and foreign aid budget this year is $30 billion; whereas, the Great Society budget is approximately 40% of that amount —$12.5 billion—which is half of what we spend in Vietnam alone.

Senator Percy says: "If we continue to spend $66 million a day trying to save the 16 million people of South Vietnam while leaving the plight of 20 million urban poor in our own country unresolved—then I think we have our priorities terribly confused."

Public and Congressional reaction relative to our world-wide involvement, especially in Vietnam, is forcing the Administration to reconsider its role as world policeman.

The horrible Vietnam debacle, tragic as it is, may yet be a blessing in disguise if it forces us to recognize our staggering failures at home. Runaway crime, delinquency, the riots in our cities, loss of respect for law and order, and the rebellion of frustrated youth—all spring in part from this. No wonder Russia had this to say about the U.S.: "Only in mockery can the word 'free' be applied to a society which cannot provide tolerable living conditions and democratic rights to a considerable part of its population."

It is tragic that the most powerful country in the world, with 6% of its population and producing 40% of its wealth, should have lost the respect of most of the world. The world, with few exceptions, would like us to leave Vietnam. The continued confidence and good relation with Japan, our greatest asset in Asia, is dependent upon our getting out of Vietnam. The same is true with all the Western European governments and our friends in Latin America. We cannot survive, no matter how powerful we are, in a world without friends.

With these disastrous effects on the nation to continue our ruthless pursuit in Vietnam is madness. To withdraw is sanity. The consequences of withdrawing cannot possibly be as disastrous for this nation as pursuing our present course. The greatest service we could render the Vietnamese is to withdraw from their country, leaving them to negotiate a conclusion to the war, which is their right.

There is something intrinsically wrong with the idea that the United States should participate in negotiations to decide the future of Vietnam. We are an outside power, which is true also of China and the Soviet Union. To have the future of Vietnam decided by outside powers is a violation of self-determination. Whatever negotiations go on should be among the Vietnamese themselves—each group negotiating from its own position of strength, uninfluenced by outside powers.

If the U.S. insists on negotiating, it should be with Russia and China, as the sinews of war are being furnished by these countries, without which the war would collapse. In any case, the United States cannot negotiate strength for any future segment of government in South Vietnam. The presence of the United States can only distort the true balance of forces, and only a settlement which represents this balance can bring about a stable government.

No one seems to be able to show in what way a communist Vietnam would be bad. Under Ho Chi Minh, Vietnam would be quite as likely to enforce its independence as has Tito in Yugoslavia, Rumania, and other Russian satellites. Ho Chi Minh is unquestionably the choice of the Vietnamese people, both North and South. Both President Kennedy and Eisenhower have stated that had the election called for under the Geneva Treaty been held in 1956, Ho Chi Minh was so popular he would have won by a large majority. While Ho Chi Minh is a communist, he is not Russian, he is not Chinese, he is Vietnamese—and Russian, Chinese and Vietnamese communism may differ widely. It is even possible that our best interests would be served by having Ho Chi Minh's communist regime as a buffer against the Chinese communists.

History does not show that a nation that liquidates a bad venture suffers from loss or prestige. Proud, powerful England surrendered to the thirteen American colonies and did not suffer for it. More recently, France moved out voluntarily from Algeria and Indochina. Today she has more world prestige than ever before. Russia pulled her missiles out of Cuba; her prestige has not suffered.

Hans Morgenthau has written: "Is it really a boon to the prestige of the most powerful nation on earth to be bogged down in a war which it is neither able to win nor can afford to lose? This is the real issue which is presented by the argument of prestige." We should be less interested in saving face and more interested in saving lives. It is possibly not easy for a proud nation to admit it has blundered, but throughout history great men and nations have gained stature by so doing.

Getting out of Vietnam will enable us to re-establish a friendly relationship with Russia and thereby bring about a balance of power in the world, which would tend to deter any aggressive policy on the part of China. So long as we are in Vietnam, Russia and China consider us their enemy. Kosygin made this crystal clear in his statement before the United Nations and in his conference with Johnson at Glassboro.

We should also recognize China diplomatically and open our doors to trade and travel and help bring her into the United Nations. We should no longer ignore one-fourth of the world's population as though it did not exist.

In conclusion: What can we expect from the stricken Vietnamese nation but hatred, deep and abiding? Their farms and villages have been laid waste, their families scattered to the winds. Their husbands and sons are dead, maimed or missing. And children, orphaned and grotesquely burned, have been seen running through the rubble in packs.

We can never blot out the deed which stands as a testimony of man's inhumanity to man. Nor can we really make amends for the enormity of our crime against these people, who know us not, but whom we have chosen to save from communism.

But we can try. We can make a beginning. And, in conscience, how can that beginning be less than immediate withdrawal of our evil presence, because that is what it has proved to be in the lives of the Vietnamese. And we can humbly, with vigor, and never ceasing, do everything in the power of a rich and repentant nation to heal, and rebuild, and reassure.

The Vietnamese will never forget us, and it is to be hoped that we will never forget the Vietnamese. Because it is this Vietnam tragedy which has shown us ourselves as others see us: a nation to be feared instead of loved, flushed with pride and sure of omnipotence. An arrogant nation, not qualified to handle power wisely.

While the hour is late, it is not yet impossible to turn the page. Men and nations have made new beginnings before. And out of defeat, there has often come victory—and what a victory it could be for this nation, so bountifully endowed—to reverse its image, make itself loved and admired and revered, so that it could stand forth before the emerging peoples around the globe, as an example of what they might wish to become.

But the road is long—and we must win much forgiveness. So let us begin.

(I am indebted to Arnold Toynbee and Howard Zinn for the assistance I received from reading their excellent articles.)

QUO VADIS, AMERICA?

Mr. FULBRIGHT. Mr. President, I have in my hand an article written by Mr. J. J. Singh, with whom many of the Members of this body are acquainted, who lived in the United States for many years, but is a citizen of India, and one of the leading citizens of that country.

In this recently written article, he has expressed his views about conditions in Asia, and I ask unanimous consent to have printed in the RECORD the article entitled "Quo Vadis, America?" written by J. J. Singh.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

QUO VADIS, AMERICA?

(By J. J. Singh)

I lived for 33 years in the United States. I loved the country and more so, I loved the people. I loved the people because my experience was that they were God fearing people and, by and large, decent and upright and far from being colonialist-minded as were some of the Europeans, such as the British, French, Dutch, Spanish, Portuguese, Germans, and so on. As a matter of fact, a very large section of Americans wanted to be left alone and did not want to enter either the First World War or the Second. I was in America during the Second World War and I recall how strong the "America First" movement was, whose symbol was the famous Colonel Charles A. Lindbergh. I remember attending meetings at Madison Square Garden in New York which used to be packed to the rafters by thousands of enthusiastic crowds whose sole ambition was not to be involved in European wars.

Americans having won their freedom from a colonial power were congenitally anticolonialists. It was because of this basic anticolonial attitude of the vast majority of Americans that a few Indians living in America were able to win the support of a powerful segment of American society for India's freedom from British colonial rule. It was easy to persuade Americans about the justness of India's cause by simply reminding them that they, too, once were subject people and they, too, fought against the British and that all we, Indians, wanted to do was to throw off the foreign yoke and be free like the Americans. We told them that American revolutionary cries like Patrick Henry's "Give me liberty or give me death" sustained and encouraged Indian freedom fighters.

The natural abhorence of Americans for one people to rule over another made the task of the few Indians fighting for India's freedom somewhat easy and we scored rather well notwithstanding the well-oiled and well-organized propaganda machinery of the British spread all over the United States.

Besides this, I found the average American a good citizen, a good parent, and a person who wanted to mind his own business. For a long, long time, a wrong picture of Americans has been portrayed abroad—through their extravagant movies, fashion and other slick magazines, and the over-bearing postures of many travelling Americans.

It is true that there are fast living sets in the major cities of America and some of the suburbs of these cities are well-known for the week-ends of "booze and illicit sex." But go away a few miles from these centres, and you will find the average American family living in quiet surroundings, taking care of their back gardens, playing with their children, and keenly interested in their bringing-up, and loving their pet animals.

This was the pleasant, friendly and true America which I saw and knew for so many years.

Therefore, the America that seems to be unravelling now—through its acts of bestiality, virtual genocide, cruelty and immorality in Viet Nam—has given me a deep shock.

What are the Americans doing in Viet Nam? What is their objective? Only a moron would accept the oft-repeated arguments that the Americans are in Viet Nam to stop world communism from spreading not only in South-East Asia but from there to the rest of the world. This is just nonsense. The "domino theory" of one country falling after another could have been easily checked by helping the neighboring countries economically—something that would have cost the American tax-payer less than five percent of the colossal cost of the war in Viet Nam.

There might have been some justification for the fear of world communism in the Stalin era, but where is this monolithic structure of world communism today? The two major communist powers are at each other's throat. And one of them is torn by internal rivalries and strife. Who any more listens to the cry, "Workers of the world, unite!"? This might have had some significance and meaning decades ago, but not today. Where is this "revolution of the proletariat" in evidence any where?

In Viet Nam, particularly, there was no danger of world communism. It is asinine to think that an independent Viet Nam under President Ho Chi Minh would have allowed the Chinese to take over the country. Everybody knows that Viet Nam, like all small countries near a colossus, was distrustful of China, and especially resentful of the Hans with their "superior human species" theory and unbearable arrogance. But for American interference, Ho Chi Minh would have been an Asian Tito and Viet Nam an Asian Yugoslavia. What would have been wrong with that? Have we forgotten that the first blow given to Stalinism was by Marshal Tito, a communist? No true democrat should object to a nationalist communist regime. Real belief in democracy means that you give freedom to others to think the way they do. As Voltaire said, "I disapprove of what you say but I will defend to the death your right to say it." That is the meaning of democracy. If democracy begins to deny freedom to others to think differently then that is not democracy.

There are all kinds of regimes today—dictators, imperialists, communists, socialists, and so on. But so long as these regimes want to practice their particular form of ideology or want to practice special forms of socio-economic theories within their national boundaries and do not indulge in proselytization by force, why should any big or small power interfere in their internal affairs?

Here is India, we are 500 million people. Suppose some day, we decide to go communist. What are the Americans going to do—send over 50 million marines to save us from going Communist? And if they were to do this, would they succeed? Of course not.

Communism or any other ideology cannot be stopped by bullets. It has to be stopped by superior ideas; and not only ideas but by living up to and fervently practicing the ideas enunciated and believed in. I am a great believer in the principles of democracy. But that belief encourages me to let others have the freedom of believing and practicing in what they believe, including communism. I am not afraid of communists because of my intense faith in democracy. It is those who lack faith in their own professed beliefs who think that every communist is eight feet tall and is to be dreaded.

The tragedy of Viet Nam is that the ranks of democrats all over the world have received a rude shock. The display of this naked, brute American power in Viet Nam has begun to create doubts whether American professions in democracy are sincere; and whether they are not turning out to be wolves in sheep's clothing. Because of American actions in Viet Nam people are asking if America is building up a new empire. They feel that power rests in different hands in America today, that the decent peace-loving Americans are being fooled by the high-powered medias of information into the belief that the fight in Viet Nam is against world communism and to protect "their way of life." And yet most of the world believes that the Vietnamese who are fighting against the Americans are freedom fighters and are laying down their lives for the freedom of their country—just what the Americans did in 1776.

Is America setting out for the conquest of the world in the name of democracy? If that is the case, then let America beware that like all other aspirants of world conquest, it, too, will eat the dust and in this day and age very quickly too.

There is something else that the Americans have done in Viet Nam which is endangering the future of the world. By their acts and behaviour in Viet Nam, the Americans have let loose a spirit of violence and immorality all over the world. Have the Americans won the affection and respect of even the South Vietnamese whom they are supposedly protecting from the horrors of a communist regime? Far from it. The South Vietnamese collaborators may not have the courage to say so to the Americans but how can any South Vietnamese have respect for the Americans when to quote an American newspaperman, "Saigon is nothing but a big American brothel." When the Vietnamese girl sells her body to the American soldier, either for the lure of American dollars or because the presence of the American army of occupation has raised prices to such an extent that she has to prostitute her body to be able to give enough food to those who depend upon her, she must deep down in her heart loathe the marauders of her modesty and decency. And what about the brother, the father, the mother and sisters of the girl? Their hatred of the American debaucher must be even greater than the debauched girl herself.

I recall that in the Second World War, and even though the behaviour of American soldiers in England was far better, most Englishmen hated the presence of the Americans in England and referring to the Americans, they used to say, "They are over-fed, over-sexed, and are over here."

Talking of the spirit of violence unleashed by the brutal killings of men, women and children in Viet Nam, I can see this spirit spreading all over. And I feel that the vehemence and extremism that is being today evidenced in the racial riots in America is due to Viet Nam.

We, in India, have also been affected. The other day, when the news came of the ambush of our army men by hostile Nagas, an important and normally civilised member of Parliament said, "We should crush the Nagas. We should bomb their homes and finish them off." A listener said, "How can you do this. What will the world say?" The member of Parliament replied, "Who cares about the world? Are the Americans paying any heed to the world? If they can napalm bomb thousands and thousands of Vietnamese, why can't we do the same to the Nagas?" This is what American action in Viet Nam is doing to the rest of the world.

Even if the Americans win militarily in Viet Nam and some day the sledge hammer will get the gnat, in the eyes of the world, they will have become moral lepers.

As a sincere friend of America, all I can say to them at this stage is, "My friends, I cry for you. And I cry for myself too, because I have loved you in the past."

THE POVERTY PROGRAM

Mr. MORSE. Mr. President, I rise as a self-appointed witness for the administration and for the Senator from Pennsylvania [Mr. CLARK], as well as for Mr. Califano, of the White House staff, a close aide of the President, in regard to such matters as the subject matter I shall now discuss, and for Mr. Shriver, the Director of the poverty program.

I refer, Mr. President, to the controversy which has been raging in the newspapers over an alleged disagreement among the Senator from Pennsylvania and members of the Committee on Labor and Public Welfare, and the administration. These stories have referred specifically to the President of the United States, to Mr. Califano, to Mr. Shriver, and to Senator CLARK.

Mr. President, certain facts in this matter have not been reported accurately in the press. In the first place, the President of the United States needs no statement on my part calling attention to the great record of statesmanship he has manifested time and time again, right up to the present moment, in regard to a poverty program. The President seeks a strong poverty program. He has recommended a comprehensive poverty program, and one would think that the inaccuracy of newspaper stories alleging that the President of the United States does not desire poverty legislation, or that Mr. Shriver or Mr. Califano does not desire it, would be obvious to everyone.

What the administration did was to send up a poverty bill, and the poverty bill was referred to the appropriate committees of the two Houses of Congress. We have been considering the measure on the Senate side.

Some amendments have been suggested. The fact that questions have been asked in regard to some of those amendments from the White House level does not mean that the White House will be opposed to whatever poverty bill is finally passed by Congress.

Apparently the cause for the controversy is that some suggestions have been made from administrative officers both in the poverty administration and in the White House. True, Mr. Califano raised some question as to whether the adoption of any of those amendments might jeopardize the bill.

That is the responsibility and obligation of the administration, to raise such questions when they come to the conclusion that some amendment might result in jeopardizing the bill. That is all that was done in the conference that was held in Mr. Califano's office.

I have worked closely with Mr. Califano on a good many emergency matters. I do not know of anyone more dedicated to the legislative program of this administration or that is more dedicated to the President of the United States than is Mr. Califano. I want to testify here this afternoon in the statement that I make that it is unfair to Mr. Califano to give the impression that he is following any course of action that would be inimical to the passage of a poverty bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I ask unanimous consent that I may have such time as I need to finish my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I can testify that Mr. Califano is as strong an advocate of a poverty bill as is the senior Senator from Oregon. If a stronger advocate of a poverty bill than the senior Senator from Oregon can be found, please name him.

That does not mean that Mr. Califano would recommend every amendment I might support, because he has different obligations than I have. He has the obligation of seeking to help the administration obtain the passage of a poverty bill. It takes one vote more than 50 percent of the membership in each House to get such a bill passed.

I want to express on the floor of the Senate my complete confidence in the services of Mr. Califano and his dedication to the President on any program of this administration. Furthermore, Mr. Shriver is not in any way a party to or responsible for any misunderstandings that may have developed in connection with the alleged controversy that has been reported in the press over poverty legislation.

Certainly, Mr. Shriver needs no testimony from me or from anybody else by way of seeking to supply opinion proof as to his dedication to a poverty legislative program.

The only discussions that took place were discussions as to what provisions in a poverty bill had the best chance of enabling the bill to be passed when it comes to a final vote in both houses.

There has been some newspaper comment about a document that was circulated among some members of the Senate Committee on Labor and Public Welfare. Mr. Califano did not write the document. Mr. Shriver did not write the document. It just happens to be one of the documents that sometimes contains unfortunate error.

It was written at the staff level in the poverty program. And I would be the first to say that unfortunate language was used in the document, which, in effect, raised the question as to the effect of the legislative program on the next election.

That document did not speak for the President, I can assure the Senate. It did not speak for Mr. Califano. It did not speak for Mr. Shriver.

Therefore, it would be most unfortunate if this unusual document as far as the President, Mr. Califano, and Mr. Shriver are concerned, should be blown up out of proportion and given partisan consideration.

May I say a word about the Senator from Pennsylvania. I had hoped that the distinguished Senator from Pennsylvania [Mr. CLARK] would be present, because I had a conference with him earlier this morning. I am sure the statements I make would be shared by him if he were present on the floor of the Senate.

There is no conflict between the Senator from Pennsylvania and the President of the United States or Mr. Califano or Mr. Shriver in regard to the poverty program, as one would judge after reading newspaper accounts of it.

There was some break—I think this would best describe it—in the line of communication. The fact that the Senator from Pennsylvania did not receive a communication which some other members of the committee received, or did not receive it at the same time, did not mean that he was not to receive the communication. It was simply a question of failure of the communication to be delivered, as it should have been delivered, at the same time it was delivered to the other members.

Mr. Califano had nothing to do with that. Mr. Shriver had nothing to do with that. And, for that matter, the President at no time had anything to do with it in any way whatsoever.

A close relationship exists among the President, Mr. Califano, Mr. Shriver, and the Senator from Pennsylvania in regard to working out a poverty bill for consideration next Tuesday by the Senate committee. And I wanted to say this because I think it is due the President, Mr. Califano, Mr. Shriver, and the Senator from Pennsylvania.

I have also taken a very active part in an advisory capacity in connection with poverty legislation, and I feel that I owe it to my President, to Mr. Califano, and to Mr. Shriver to make the statement.

Mr. CLARK subsequently said: I wish to thank the Senator from Oregon for the kind words he said about me in this connection, and to make it crystal clear for the record that there is no—I repeat, no—controversy between the administration, Mr. Califano, Mr. Shriver, or anybody else and me about the pending amendments to the Office of Economic Opportunity Act, or as to what the progress of that bill should be on the floor. The administration is as anxious as I am to get the bill to the floor promptly, and to get it acted upon.

In the vast, wide spectrum of a very important act, involving a good many amendments to the present legislation, we are in accord, I would say, with respect to 90 percent of the matters under consideration. When I say "we," I mean the administration and myself. There is a hard core of disagreement involving particularly the problem of the extent to which an Emergency Employment Act should be attached to the poverty bill. I feel it should; the administration feels it should not.

There are various other matters, most of them more or less technical, upon which we are in disagreement. But this is only the normal difference of opinion between the Executive and the legislature with respect to any important bill. If there are any who think the Senator from Pennsylvania is in bitter conflict with the administration with respect to the poverty program, let him be disabused, for I am not.

Mr. MORSE subsequently said: Mr. President, at the very beginning of my remarks I said that I had hoped to have the Senator from Pennsylvania present when I made my remarks. I had tried to reach the Senator, but because we are going to have a quick adjournment, I assumed that was the reason the Senator was not present.

What I did, in effect, was say that the Senator and I had talked this morning.

I said that I had had a prior conversation with the Senator from Pennsylvania. And I pointed out that it was not true, as the newspaper accounts would indicate, that there was any conflict between the Senator from Pennsylvania and the President, Mr. Califano, or Mr. Shriver, but that the Senator from Pennsylvania was anxious to get the bill reported and was working to that end.

I thought in fairness to the Senator from Pennsylvania and the President and Mr. Califano and Mr. Shriver that the statement should be made.

Mr. CLARK. Mr. President, I thank my friend, the Senator from Oregon.

Mr. JAVITS. I am not challenging anything that the Senator just said, which dealt pretty much with the problem intra the Democratic majority of the committee.

I know the Senator from Oregon is a thoughtful, courageous, and independent man. I would appreciate it if the Senator would make a comment on this matter.

I complained about the size of the effort which we are undertaking and the fact that it does not match the size and the urgency of the problem.

I took my text from yesterday's meeting of the urban coalition here in Washington.

In addition to all of the programs which are on the books and are to be implemented by way of appropriations that the President is urging us to approve, some broader and more conceptual effort is needed to really meet the issue.

I pointed out, for example, the enormous opportunities—with which the Senator knows I have been identified for so long here—to utilize the American business system in a deliberate way.

It is really somewhat sad that we had to ask an ad hoc coalition to stir itself up and lay before the White House the enormous power of companies and the intensity, experience, and employment opportunities in all of the fields concerning the responsibility for engaging in a massive way in the antipoverty effort.

I think the response would be immediate on not only the local, but also the national level.

As the Senator knows, I have been interested in such efforts for a very long time. It is that about which I complain.

I am not questioning the sincerity of the President, but I think he is so obsessed with the Vietnamese war that he overlooks some other matters. I hope the Senator will—and I know that he will do so—separate himself in his answer from his own deep feelings about the Vietnamese war.

But I believe the people in the cities have the feeling that the President is so obsessed with the Vietnamese struggle, so desirous of fitting everything into it, that there is a failure to give at least equal priority to this agony of the cities, as I and others have called it. That is what I complained about strongly. I hope the Senator, in what he says—which I honor, and I am not disputing it—will bear in mind that that is really the complaint, not that anybody gets too excited about the intraplay within the majority party with respect to the problem of Presidential responsibility and congressional responsibility.

I really believe, in all honesty—and I have been accused in my own party of supporting the administration to excess, so I do not have to protest my feeling of partisanship on that score—that there is a legitimate complaint about the questions of priority and, beyond that, and more important, the question of the size, the conceptual size, of what is being undertaken as compared with what needs to be undertaken.

Mr. MORSE. I welcome the opportunity to reply to the Senator from New York. I did not hear the Senator's remarks earlier today. That was my loss.

I do not recall whether the Senator from New York was in the Chamber last week when I made some comments on the poverty program. But if the Senator will check the RECORD, he will find further proof that he and I are not apart at all with respect to what we believe our objectives and our obligations are, as Congress, to meet the crisis that has developed with respect to urban problems.

The remarks I made a few minutes ago in regard to this matter do deal with what the Senator has described as an intraparty problem that I believe has been ballooned out of all proportion by the press, and that the very honest reporters wrote what they thought the situation was, but did not get all the facts. I sought to supply some of the additional facts in my comment this afternoon.

When the administration's poverty program came up—it came up quite some time ago, so far as its recommendations are concerned—it did not deal then with the emergency that existed in fact.

It is true that the Senator from New York, the Senator from Oregon, the Senator from Connecticut [Mr. RIBICOFF], the Senator from Pennsylvania [Mr. CLARK], and many other Senators have held the view for quite some time that we will have to inaugurate a much larger program in connection with meeting a whole series of domestic crises than legislation contemplated. The Senator has heard me say that we have to do that in the field of education, in the field of employment, and in the field of coming to the assistance, to a greater degree, of the poverty-stricken people in our country. That is why I have been advocating the rent supplement payments.

I believe the RECORD will show that I was among the first to propose a Federal make-work program for the functionally illiterate in this country, defining the functionally illiterate as the individual who does not have sufficient training so that he is employable in most instances. A make-work program would also have to be a work-training program; many of the people who participate in it will not be able to earn, in the sense of service performed, the value of the dollars that they may be paid.

Senator JAVITS and I discussed this morning in committee, one aspect of that matter, when I took the position that the statutory minimum wage should be paid the people who are presently unemployable, in the sense that they are not trained for employment carrying with it the requirement of a skill, where they can earn the money that is being paid them.

They are a national problem; they are the problem that confronts all of us; and we cannot permit this crisis to continue, with increasing thousands of these human beings faced with no employment because they have no skill which would make them employable for most of the job opportunities that are waiting for workers.

The Senator from New York has made the same observations that the Senator from Oregon has made about the migration from the South, into the ghettos of the North, of increasing thousands of Negroes who, because of automation in the South, because of great changes in their agricultural economy in the South, have no jobs; and, having no jobs, they have little food. They have become a serious problem for all the people of the country. They are migrating into the ghettos of the North, including Newark, New York, Washington, D.C., Detroit, Pittsburgh, Philadelphia, and other places—but particularly such cities as Newark, New York, and Washington, D.C.

In fact, the Senator from New York knows that certain information that has been adduced concerning the problem in Newark, prior to the riots, dealt with the thousands of Negroes who had come into Newark from the South—not only unemployed but also unemployable.

I say to the Senator from New York that he and I do not differ at all with respect to the need for a massive program. But in fairness to the President and his advisers, I point out that what they have been dealing with is a poverty program that they sent up months ago to provide substantial funds to try to do something about what we all knew was a developing, serious, critical problem in the ghettos of the cities and the rural slums of the countryside. Since then, of course, there has been a serious economic, social, and political eruption in the ghettos of America.

I happen to believe that we are quite right in our committee, as we are considering amendments to this bill. Those bills will come to the floor of the Senate and House, and I have no doubt that the administration will make clear its position in regard to any parts of the bill to which it may not give its approval. But I think we are all going to be surprised—in light of the new evidence that has been made available to the administration since it submitted its poverty bill in the first instance—with respect to the idea that the administration will take the position that it wants its original bill or nothing.

I will put it this way: I do not speak for anybody but myself. I just cannot imagine a poverty bill passed by both Houses of Congress, after it is handled in conference, being vetoed by the President of the United States. The impression seems to be that if Congress works its will and wisdom upon a poverty bill, the President is not going to approve it. There is no basis in fact for that, though I have not the slightest idea what his final judgment will be. But I know what my confidence is in him in regard to his knowledge of the serious domestic problems that confront us, and I am satisfied that wherever it can be shown that a given proposal is essential to meet a domestic crisis, the President of the United States will not say that we cannot meet it or that we should not meet it. That is all I wish to say to the Senator from New York.

The council meeting to which the Senator referred was held just yesterday, with the recommendations and the evidence in support of those recommendations being made available to the administration. I do not think we should prejudge—and I am not implying that the Senator from New York is prejudging—what the administration is going to recommend in regard to a final program, growing out of such excellent conferences as were held in Washington yesterday, to meet the crises in the ghettos and rural slums.

The Senator from New York endorses the recommendations of that council. I think they are unanswerable. Those recommendations are not new to the Senator from New York or the Senator from Oregon. We have been holding to that point of view for many months. I made the statement I did on what the Senator calls the "intra-administration problem." I make the statement now in reply to him concerning the problem confronting the country as a whole and the Government of the country as a whole.

I shall continue as a member of the committee to work, with the Senator from Pennsylvania [Mr. CLARK] and the Senator from New York [Mr. JAVITS] to try to hammer out the type poverty bill that should be passed, when we have our final markup meeting on the bill next Tuesday. My confidence in the administration is such that if we set out in the report the justification for our bill, I do not have any concern on my part that the administration will oppose a program our facts support.

I am sorry that I took so long in answering the Senator, but the Senator from New York knows that I am speaking about a delicate subject matter. It is important that I make myself crystal clear, and I hope I have.

Mr. JAVITS. The Senator from Oregon has made himself crystal clear, and I am grateful to him for this colloquy.

ORDER OF BUSINESS

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. JAVITS. I wish to propound an inquiry to the Senator from West Virginia and ask the Senator whether he would like to have morning business concluded or whether the Senate should continue in morning hour. I have another speech that will take about 10 minutes. The Senator from Virginia [Mr. BYRD] wishes to be recognized, as well as the Senator from Nebraska [Mr. CURTIS].

Mr. BYRD of West Virginia. I think we should proceed with morning business and Senators can be recognized for as much time as they desire.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. I am willing to accommodate the Senator in any way he wishes. I have three or four items for morning hour. I shall be glad to follow any procedure the Senator suggests.

Mr. JAVITS. Mr. President, I yield the floor momentarily.

EXPORT-IMPORT BANK RESTRICTIONS

Mr. BYRD of Virginia. Mr. President, I wish to call to the attention of the Senate an interesting news dispatch from the Associated Press on yesterday. Incidentally, the Associated Press is the world's largest news-gathering organization. This dispach was datelined Washington, and the lead paragraph reads:

> Some key House Democrats are planning a strategic retreat to try to ease restrictions clamped by the Senate on the Export-Import Bank.

Mr. President, at the appropriate time I shall ask that the entire article to which I have referred be published in the RECORD.

The latter part of the article contains a statement attributed to the chairman of the House Committee on Banking and Currency, Representative WRIGHT PATMAN, of Texas, in regard to the amendment the Senate added to the Export-Import Bank bill 2 weeks ago. This was agreed to by the Senate by a vote of 56 to 26.

The amendment to which I refer would deny the use of Export-Import Bank funds—namely, funds from the American taxpayers—to finance business transactions with nations which are supplying the American enemy in Vietnam.

Now, there will be a determined effort in the House of Representatives to take off this Senate amendment. The chairman of the House Banking Committee is reported to have told the Associated Press and other news services day before yesterday:

> I think things would be tough if we had a vote in the House now.

When the chairman of the House Banking Committee refers to "things would be tough" he means he would find it difficult to get the House to take off the Senate amendment.

Then, he is reported to have added this very interesting statement:

> But I think after a cooling off period of 3 weeks—

The Representatives—

> will start hearing from some of their fat cat constituents who don't want this trade cut off.

I do not know who the "fat cats" are, who are being referred to, but apparently the Members of the House of Representatives, and I imagine Senators, during the next 3 weeks will be subjected to a great deal of pressure, according to Representative PATMAN, to eliminate from the Export-Import Bank bill the restriction added by the Senate by a vote of 56 to 26.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the distinguished senior Senator from Virginia be allowed to proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. I thank the Senator from West Virginia.

Mr. President, I wish to make clear that the amendment which the Senate added to the Export-Import Bank bill does not restrict trade. Any of the nations anywhere can trade with North Vietnam if they so desire. What the amendment provides is that funds of the taxpayers of the United States shall not be used to finance such transactions.

Where does our Government get its money? Our Government gets its money from the pocket of the wage earner; our Government gets its money from the pockets of citizens in our Nation, many of whom have sons or brothers or other members of their families fighting a war on behalf of the United States in that faraway Asian nation of Vietnam.

Incidentally, only this morning the U.S. casualty totals for last week in Vietnam were made public. When one adds the wounded and the dead, the American people suffered casualties to the extent of approximately 1,000 during the past week in Vietnam. The total U.S. casualties for the first 7 months of 1967 were 43,000.

I submit, Mr. President, that this country needs to decide whether it is serious or whether it is not serious about this war in Vietnam. Certainly it is serious to those men who are over there fighting.

What the Senate did 2 weeks ago in agreeing to this amendment to the Export-Import Bank bill was to simply say that money will not be taken out of the pockets of American taxpayers and used to finance trade with those nations which are supplying and sending cargo to our enemy in North Vietnam.

Specifically, too, it will not permit American taxpayers' funds to be used to finance an automobile plant for the Soviet Union.

As the chairman of the House Banking and Currency Committee, Representative PATMAN states—and these are his words, not mine:

> Fat cats will be descending on Congressmen and descending on Senators to try to have this amendment eliminated.

Mr. President, as to what success the "fat cats" will have, I am frank to say I do not know.

I think the amendment is logical and appropriate. I believe that taxpayers' funds should not be used to finance trade with nations who supply our enemy in Vietnam.

Mr. President, I ask unanimous consent to have printed in the RECORD an Associated Press article of August 24, published in the Roanoke Times, entitled "Byrd's Ban Faces Fight in House."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BYRD'S BAN FACES FIGHT IN HOUSE

WASHINGTON.—Some key House Democrats are planning a strategic retreat to try to ease restrictions clamped by the Senate on the Export-Import Bank.

The Senate voted on Aug. 10 a ban on bank assistance to exports destined for countries that deal with North Vietnam.

Opponents said it is so broadly worded it would deny use of the bank's facilities for large segments of U.S. trade with friendly countries—to say nothing of scuttling President Johnson's plan for enlarged trade with eastern Europe.

The House Banking Committee Wednesday announced postponement of renewed hearings on a bill to extend the bank's charter and enlarge its operating capacity, shortly before they were to begin.

The decision to let the bill lie for a cooling-off period of at least three weeks was the principal one reached at a closed-door caucus of Democratic members of the committee late Tuesday.

Work has also begun on drafting of a compromise amendment, it was learned.

The "Ex-Im" is a government agency that provides insurance, guarantees and loans for U.S. trade abroad. The amendment adopted by the Senate on motion of Sen. Harry F. Byrd Jr., D-Va., would deny such services "in connection with the purchase of any product by any nation, (or agency or national thereof) the government of which is furnishing goods or supplies" to a country engaged in armed conflict with the United States.

Opponents contend the ban would go beyond cases in which governments directly aid North Vietnam because, as one put it, "You cannot export anything from any country without some government action."

A similar amendment was offered in the House Banking Committee May 3 and defeated, 18 to 15, on a largely party-line vote. But leaders, knowing the effort would be renewed on the House floor, have hesitated to call up the bill. "I think things would be tough if we had a vote in the House now," Chairman Wright Patman, D-Tex., said in an interview Wednesday. "But I think after a cooling-off period Republicans will start hearing from some of their fat-cat constituents who don't want this trade cut off."

The amendment under consideration—to be sponsored by the committee itself despite its previous action—would give the President discretion to permit Export-Import Bank assistance for trade with countries covered by the Byrd ban.

Mr. BYRD of Virginia. Mr. President, there is also a United Press International article, dated today, published in the New York Times, entitled "Costly Purchase Laid to Pentagon—Representative PIKE Charges $210 Item Was Bought for $33,398." The article states that Representative PIKE, Democrat, of New York, charged that the Defense Department paid $33,398 for gadgets which were worth $210, and that the Defense Department had called it a bargain.

Mr. President, I ask unanimous consent to insert the entire New York Times article in the RECORD, at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COSTLY PURCHASE LAID TO PENTAGON—REPRESENTATIVE PIKE CHARGES $210 ITEM WAS BOUGHT FOR $33,398

WASHINGTON, Aug. 24 (UPI).—Representative Otis G. Pike, Democrat of New York charged today that the Defense Department had ordered $33,398 worth of gadgets worth $210 and had called it a bargain.

He told a news conference that the Pentagon had ordered 130 knobs used on generators in Vietnam from Sterling Instruments Division of Designatronics Inc., of Mineola, N.Y. Mr. Pike, a member of a House Armed Services subcommittee investigating the purchase, said that the same knobs were sold by Federal Pacific Electric Company of Newark, N.J., for $1.62 each—or $210.60 for 130.

The apparent reason for the $33,398 order, Representative Pike said, was that Sterling Instruments was the only manufacturer to respond to an advertisement for bids.

Because it was technically a competitive bid, the Defense Department considered it a bargain, Mr. Pike said, crediting its "cost reduction program" with an automatic 25 per cent saving, or $8,349.

Mr. Pike said that every time the Pentagon buys something through competitive bidding, it throws the purchase into a computer that figures an automatic 25 per cent saving.

When informed of the overcharge, Mr. Pike said, the Defense Department canceled 50 knobs that it had ordered for $13,362.

The transactions, Mr. Pike said, is under investigation by his subcommittee, the General Accounting Office and the Defense Department.

The Defense Department promised prompt action on Representative Pike's charges. "With the heavy volume of individual procurement actions, mistakes can and do occur," the Pentagon said. It added that "overpricing, however rare, will not be tolerated."

Mr. BYRD of Virginia. Mr. President, these two separate incidents, it seems to me, tie in together.

I am concerned that some of the Nation's businessmen seem to be too much interested in making profits out of the Nation's difficulty in Southeast Asia. Therefore, I think it is worthwhile that the American people should have knowledge of the facts.

According to the article, the Defense Department has promised prompt action on the charges made by Representative PIKE. What is significant, too, is that the Defense Department considered this to be a bargain, crediting its cost reduction program with an automatic 25-percent saving of $8,359—that is what it claims to have saved on items they paid $33,398 for when the original cost of the items was only $210.

Mr. President, I am deeply concerned over the events of the war in Vietnam. It is therefore tragic when the Government is taken advantage of to the extent it has been taken advantage of, according to the charges made by Representative PIKE.

In that connection, I should like to congratulate and commend the Armed Services Committee of the House of Representatives for the work which that committee is doing in investigating some of the problems created by the Defense Department.

THE TFX AND ITS ADAPTABILITY FOR NAVY USE

Mr. CURTIS. Mr. President, there has been a great deal of discussion in recent days about the TFX airplane and its adaptability for Navy uses.

We have heard and read the pros and cons advanced by such distinguished experts in our midst as the Senator from Arkansas [Mr. MCCLELLAN] and the Senator from Texas [Mr. TOWER].

Just 2 days ago the Defense Appropriations Conference Committee reached a compromise adding $32.9 million to the Senate-approved appropriation figure for continued research and development of the Navy version of the plane, known as the F–111B. This raised the total amount in the current appropriations bill for development of the Navy version to $147.9 million, sufficient to procure eight aircraft instead of the six approved earlier this week by the Senate, the 12 approved initially by the House of Representatives and the 20 sought initially by the Department of Defense.

It is significant that under the terms of the conference agreement none of these funds could be used for the production of advanced aircraft or components except engines. In other words, the Congress is approving the manufacture of F–111B aircraft only for test purposes, with primary emphasis on efforts to prove that the plane can be made to land on carrier decks.

Meanwhile, the Congress has given the go-ahead for production and assignment to tactical units of Air Force versions of the TFX. Through fiscal 1968, funds have been or are being provided to produce and deliver to the Air Force a total of 331 aircraft of the tactical fighter-bomber version, the F–111A, and 64 aircraft of the strategic bomber version, known as the FB–111.

It is on this subject of adaptability and production of the Air Force versions that I wish to address some remarks of concern and caution today.

I do not want to be an alarmist, Mr. President, but I do want to alert the Senate and the Nation to the fact that the military planners and research scientists are not out of the woods yet on either the tactical fighter-bombers or the strategic bombers being procured by the Air Force.

And the people of this Nation should not be misled into believing these aircraft, developed and being built at costs far exceeding original estimates, will provide security from attack in the 1970's comparable to the protection they have enjoyed at far less cost in the past.

There are simply too many bugs still to be worked out, even in the Air Force versions, for any of us to feel secure in the decisions we have made in the Congress appropriating funds for production of these planes.

This is evident from testimony both classified and unclassified that has been taken by committees of Congress. In fact, a line of questioning pursued by the distinguished Senator from South Dakota [Mr. Mundt] at hearings before the Appropriations Committee on July 14 showed up so many unsolved research and development problems being built into the Air Force planes coming off the production lines right now that a strong case can be made for halting production to allow another year of research and development on the Air Force versions.

The record is clear on this point.

However, I wish to make one additional point, Mr. President.

The point I want to make is this: There is growing discontent in the Air Force with the adaptability of the Air Force versions of the TFX to the practical problem of developing airplanes to do the jobs that need to be done by the Air Force.

This information has come to me from totally reliable sources within the Government. It is available to the committees of Congress which deal with this problem. It does not come from the top echelons, but from the lower echelons of Air Force officers who are charged with the responsibility of applying to tactical situations the decisions that are made at the top echelons. Basically, the TFX airplane is an excellent aircraft for development as a small nuclear attack bomber but its effectiveness ends there. It has no versatility for other uses including strategic bombing and tactical fighting. It is a poor strategic bomber and an even poorer tactical fighter. The main problem is that it is overweight and underpowered.

Air Force tactical units will begin receiving these planes next month for training purposes.

By November, or 2 months after tactical units receive these planes, the Congress of the United States will begin receiving accurate reports from the people who will operate these planes on their use and flexibility. We will have more information then than we have now, and the information we receive then will be more complete than the information we are receiving now from generals who are directly responsible to the civilians who are running the Pentagon.

The Permanent Investigations Subcommittee on which I serve may find it necessary to continue the TFX hearings at any time. I think these hearings should be opened in November or December, after the Air Force personnel who will operate the planes have had an opportunity to use the production models for training purposes. I for one will recommend that the pilots in addition to the generals will be called to testify.

I am not trying to undermine the top brass in the Pentagon. I feel, however, that the testimony we have received to date is not entirely candid. I want to hear from the pilots.

The B-52's which we now have are going to wear out in the early 1970's and the United States will be without an adequate replacement unless the Air Force versions of the TFX are suitable.

For this reason, Mr. President, I hope that the TFX is successful. But I have serious doubts.

The decision to try this plane and to push ahead with the production of this plane for tactical uses by the Air Force is largely the decision of one man, Robert Strange McNamara.

The costs and other problems which have developed indicate this was a multibillion-dollar blunder. If we are able to bail the United States out of this blunder, the only reason we will be able to do so is that we are able to plow additional billions of dollars into it to correct the problems.

This plane is supposed to be a fighter plane, and yet it cannot be. The Air Force is trying to develop and build it as both a fighter-bomber and a strategic bomber, and yet it cannot be either. I think it is time to take Mr. McNamara's overblown press releases with the same grain of salt with which we have taken his assessments of the progress of the war in Vietnam. I feel very strongly that the security and peace of the Nation demand a closer look at the TFX decision than we have had to date, and I am convinced that the Congress in the next few months will have an opportunity to take that look.

ORDER OF BUSINESS

Mr. MORSE. Mr. President, I should like to say to the acting majority leader that there are three or four items I wish to place in the Record, with a brief statement or two or three. I shall not take very long but I think in the interests of orderly procedure that I should ask unanimous consent for such time as I may need to present this material.

Mr. BYRD of West Virginia. Mr. President, reserving the right to object—and the Senator from Oregon knows that I shall not object—I want him to have all the time he wishes, but I wonder whether he would mind placing a time limit on his request; say, 10, 15, or 20 minutes?

Mr. MORSE. I need only 15 minutes.

Mr. JAVITS. Mr. President, reserving the right to object—and I shall not object—will the Senator from Oregon make it as close to the 15 minutes as possible, because I need 10 minutes also?

Mr. MORSE. I have to preside over a Senate hearing at 2 o'clock, and I have not had any lunch, so I shall be brief.

Mr. JAVITS. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN AID VERSUS DOMESTIC NEEDS

Mr. MORSE. Mr. President, in this morning's New York Times there is a letter to the editor written by the Senator from Alaska [Mr. Gruening] entitled "U.S. Foreign Aid Versus Domestic Needs."

He states at the beginning:

> I take exception to your Aug. 18 editorial characterizing those of us in the Senate who voted for reductions in the Administration's request for the foreign-aid program as "aid irresponsibles." You completely overlook the fact that the amount finally approved was no less than that approved last year.

Mr. President, I associate myself completely with the Senator from Alaska in his letter to the editor of the New York Times, and I ask unanimous consent that it be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Foreign Aid Versus Domestic Needs

To the Editor, New York Times: I take exception to your Aug. 18 editorial characterizing those of us in the Senate who voted for reductions in the Administration's request for the foreign-aid program as "aid irresponsibles." You completely overlook the fact that the amount finally approved was no less than that approved last year.

The reductions voted by the Senate did not affect the level of on-going programs. It gave recognition to the feeling, strongly held by a majority of Senators, that no new foreign-aid programs involving substantially higher levels of expenditures should be approved at a time when this country is beset by a domestic crisis requiring the massive infusion of resources, when the demands on our economy of the deplorable Vietnam conflict are increasing, when vitally needed domestic programs are being curtailed because of budgetary pressures, and when the taxpayers are being threatened with a new tax increase.

The evidence available to the Senate does not support your contention that the Alliance for Progress is regaining impressive momentum. As chairman of the Senate Subcommittee on Foreign Aid Expenditures, I made an intensive study of the economic aid program to Chile, selected because of its favorable predisposition for success.

RECORD OF WASTE

Yet the record shows that a large part of our economic assistance was wasted and that an excessive amount of aid has been provided that country in terms of what it could effectively manage and absorb.

In the April 1967 issue of Foreign Affairs, Chile's President Frei, one of the most progressive leaders in Latin America, reported on the discouraging lack of progress in the Alliance. Nowhere did he report that the Alliance had "regained impressive momentum," or that the basic difficulty with the Alliance was a lack of assistance from the United States. On the contrary, he wrote that "Many Latin-American governments have used the Alliance as a bargaining lever to obtain increases in United States aid precisely so as to avoid changing their domestic situation."

President Frei concluded that the problem of the Alliance is not financial, but rather political, requiring the expression of the will to undertake basic structural changes.

The reduction voted by the Senate is recognition that foreign-aid programs should not be increased when slashes are being made in all the fine domestic programs enacted by the 89th Congress—such programs as aid to education, health programs, slum clearance, resource development, war on poverty, war on crime, flood control and others.

ERNEST GRUENING,
U.S. Senator from Alaska.

WASHINGTON, *August 21, 1967.*

CAPITOL INTERNS PLAN BOYCOTT OF L. B. J. TALK

Mr. MORSE. Mr. President, in this morning's Washington Post is published an article entitled "Capitol Interns Plan Boycott of L. B. J. Talk."

The first paragraph reads,

> Some students working this summer on Capitol Hill are organizing fellow interns to boycott a reception and speech usually given by the President this time of year. And the President, never over-eager to play host to his critics, is taking the hint.

Later on in the article it states:

> The interns, led by John Ungar and Lee Bollinger of Sen. Wayne Morse's office (D–Ore.), also plan a token picket line, consisting of about five to ten persons to dramatize their opposition.
>
> MORSE NOT INVOLVED
>
> They hope to avoid implicating the Congressmen, and Ungar and Bollinger insist that neither Morse nor any other legislator knows of their plans.
>
> The President, they concede, might have some reason for regarding the interns as somewhat hostile.

They go on to suggest that they might have a token picket line—I believe in front of the White House.

I ask unanimous consent that the entire article be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAPITOL INTERNS PLAN BOYCOTT OF L. B. J. TALK

Some students working this summer on Capitol Hill are organizing fellow interns to boycott a reception and speech usually given by the President this time of year. And the President, never over-eager to play host to his critics, is taking the hint.

Although House Speaker John W. McCormack (D-Mass.) wrote the interns earlier this summer that they would be treated to a presidential speech at the end of August—as interns have been every year in the past—the White House says Johnson has "no plans" for such an engagement.

The interns in the boycott group believe that the President will decline to address them as a reprisal for several letters they have written criticizing his Vietnam policies, and also because of the threat of a possible boycott.

ONE THOUSAND THREE HUNDRED LETTERS SENT

In case he surprises them with a spur-of-the-moment invitation, they have sent letters to the 1300 summer interns at the Capitol urging them to resist the temptation to attend "another presidential charade that seeks to represent distortion as dialogue."

Unless the President is "willing to reverse his policy and behavior," the letter says, "we refuse to help legitimize by our attendance what has become a meaningless ritual."

The interns, led by John Ungar and Lee Bollinger of Sen. Wayne Morse's office (D-Ore.), also plan a token picket line, consisting of about five to ten persons to dramatize their opposition.

MORSE NOT INVOLVED

They hope to avoid implicating the Congressmen, and Ungar and Bollinger insist that neither Morse nor any other legislator knows of their plans.

The President, they concede, might have some reason for regarding the interns as somewhat hostile. Earlier in the summer, over 200 of the students signed a letter urging him to reverse his "destructive" policy in Vietnam, end the bombing and negotiate a solution.

The boycott, says Bollinger, a 21-year-old senior at the University of Oregon, is a "more meaningful type of protest" than the letter which, after all was "only a piece of paper."

He said that he and Ungar have been working "in conjunction" with Vietnam Summer, a national anti-war program with headquarters in Cambridge, Mass., and a local branch in St. Stephan's Church.

Mr. MORSE. Mr. President, not only did I not know of the plans these interns had for carrying out the project the story describes, but those interns have no inkling of what I am about to say, either.

Interns, as every Senator knows, are made available to Senators to assist in their offices. There are various programs for interns. The Political Science Association has an intern program. Other academic associations have intern programs. Individual universities have intern programs. They are exceedingly beneficial to the interns and to the Members of Congress they serve.

This intern program also applies to various departments of the executive branch—the Defense Department, the State Department, the Labor Department, the Agriculture Department. In fact, I think most of the departments that come under the jurisdiction of a Cabinet officer also have an internship arrangement.

No one could be a more enthusiastic supporter of the intern program than the senior Senator from Oregon.

Now, in regard to this particular incident, may I also say that the senior Senator from Oregon would be the last to seek to impose any restriction on the independence of interns or the exercise of the independent judgment of interns, no matter how I might disagree with their conclusions. If I had been consulted in regard to the advisability of such a program, I would have strongly advised against it, because of a deep philosophical tenet of mine. I just believe in the full exchange of ideas. That includes listening, as well as expressing oneself.

I believe in untrammeled free speech in this Republic. I am against any attempt to restrict it or any attempt to censor it; and attempts to restrict or censor it can take a variety of forms. Even the program that is referred to in this article, when one stops to analyze it, is, in part, an attempt to follow a behavior manifestation that would express in advance disapproval of even the President of the United States seeking to talk to interns.

I want to say respectfully that I just cannot reconcile that with the basic purpose of the American educational system, of which interns are the beneficiaries; but I also know a great deal about the learning process and how the attitudes of students change as they are subjected to more and more of the learning process. After all, they have the right to make mistakes as rest of us have, if we decide that, in our personal judgment, a program such as that would be a mistake. I happen to believe that it would be a mistake. In fact, I think no young person in this country, or old person, for that matter—any person in our Republic—ought not to welcome the opportunity to hear any President of the United States, at any time, on any subject even though he may know, or surmise, when he goes to hear him, he is going to disagree with him.

One of the precious rights of our democratic form of government—and really one of the basic safeguards of our freedoms—is the availability of a President of the United States to commune with the people of the United States and groups in the United States. And so I would welcome an opportunity to hear my President, at any time, on any subject, and then reserve to myself the right to be the judge of whether or not the views he expressed were, in my opinion, sound views. That is the way democracy is kept strong and vital in this Republic.

Mr. President, I wanted the RECORD to show that, although the interns made clear that they were following a course of action without any knowledge of Members of Congress as to what they purported to do, it is their right to do it as long as they conduct themselves in an orderly and decorous manner. I do not question their right. I would be the last to question the right of dissent in this country, although the major speech I made on the floor of the Senate on dissent some weeks ago emphasized responsibility of dissent.

Also, I do not question the right of orderly demonstrations in protest, so long as they are conducted in the framework of law and order. After all, the right to protest is a form of the right to petition under our Constitution. The right to demonstrate, so long as it is an orderly and lawful demonstration, is one of the guarantees of a form of freedom of speech, for one speaks with actions as well as with words.

I do want the RECORD to show this afternoon, and I want to thank the interns for making clear to the press, that I knew naught of their program, nor was it outlined to any other Senator or legislator, what the view of the senior Senator from Oregon is on the subject matter.

With respect to the interns, those whom I know and those whom I do not know, I want to say I am not in any way taking a disciplinary attitude of a professor. I would not interfere with the right of the independence of students to pursue a course of action which their judgment dictated they should pursue. But I want the RECORD to show that I would not share their judgment in regard to the program which they have outlined.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BYRD of West Virginia. I wish to take a moment to say that I appreciate the fact that the Senator from Oregon has made this statement concerning the proposed action by the interns. I think it was proper that he make it. I think it was good that he made it. I would only add that, in my view, the interns owed it to the Senators—and, of course, the Senator, I assume, will not agree with me on this—to whose offices they were attached to alert those Senators as to their intention.

I feel that if an intern were attached to my office and had planned to participate in an activity which certainly could prove to be of some embarrassment to the President of the United States, certainly, in my judgment, the intern would owe it to me, and to other Senators to whose offices those interns were attached, to at least advise us of their plans.

If an intern in my office had been involved, I would have expected that, and I would have advised against it. Of course, the intern could then do whatever he wished. He could go ahead, if he wished, but he would no longer be attached to my office if he proceeded in an activity of this kind.

That is my view. I do not ask others to agree with me. I do feel these interns owe it to Senators to whose offices they are attached to advise the Senators of what they intend to do in such regard. Then the Senator can use his own judgment. If he wants to approve it, or disapprove it, or disassociate himself not only from the activities of the intern but the intern also, he can do it.

I certainly do think the Senator from Oregon has been right in bringing this matter to the attention of the Senate and in indicating that he himself does not sympathize with the purpose of the activity that the interns planned to engage in.

Mr. MORSE. Mr. President, I would like to make two comments to my friend from West Virginia. First, this morning representatives of various TV stations and the press sought to use my office for interviews with the interns, and I refused to permit my Senate office to be used for that purpose. I said:

> You have a perfect right to interview the interns, and they have a perfect right to be interviewed by you, but you should take them to your studios or somewhere else than my office for interviews.

As the Senator knows, TV stations or radio stations must obtain permission to make use of the precincts of the Senate Office Building for an interview on a matter connected with a Senator's office, directly or indirectly, and I refused that as well. I thought that that was only fair to the interns, as well as fair to my office. After all, each Senator owes a responsibility to his office.

As to the other comment that my friend from West Virginia made, I understand his point of view, but may I say——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD of West Virginia. I ask unanimous consent that the Senator from Oregon may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. The Senator is very gracious.

As a former dean, Mr. President, I followed the same course of action in handling student affairs and student problems. I did not expect students to advise me in advance in regard to any course of conduct that might subsequently involve law school policy. But I had a responsibility also to carry out law school policy.

There is always the responsibility to carry out law school policy; but I rarely seek to interfere with what I consider to be the constitutional right of an individual—and the interns have a constitutional right—to follow the course of action they took. My disagreement with them is not over their right, but their judgment in doing so.

Mr. BYRD of West Virginia. Mr. President will the Senator yield?

Mr. MORSE. I yield.

Mr. BYRD of West Virginia. I would not want the RECORD to imply that I would wish to interfere with the constitutional rights of interns.

Mr. MORSE. No. Our views are different in regard to what I think my authority over the interns is. That is the only reason why I have mentioned this. I do not think I have the right, having accepted the assignment of interns who come from academic associations and institutions, to set myself up as their disciplinarian.

Mr. BYRD of West Virginia. Mr. President, will the Senator further yield?

Mr. MORSE. After one more sentence. In some instances we are told that interns who are coming into our offices completely disagree with us on major positions we have taken on some issues. I have had interns come into my office in the last 2 years of whom I had been advised in advance that they completely disagreed with my position on foreign policy, but that they wanted to work in my office to see if they could get a better understanding of my position or to see what made me "tick," as one college dean told me when a student asked to work in my office.

So I have brought interns into my office without any intention whatsoever to exercise any disciplinary action upon them or censuring their opinions. Of course, if they got into a position of committing illegal conduct, that would be something different. But when it is a question of a disagreement with me as to how to express a viewpoint on foreign policy, I do not think I should say to them, "If you take that position, you can no longer be a part of my office."

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BYRD of West Virginia. I would not want the RECORD to imply that I would attempt to set myself up as a disciplinarian. I simply meant that, in my view, the interns at least owed it to Senators to inform them of whatever action they planned; then it would be up to the individual Senator to decide whether he wanted to approve or disapprove it. I think a Senator has a right to dissociate himself from such activity. He has a right also to terminate any contact that an intern has with his office. That is not an interference with the constitutional rights of an intern.

But when an intern is about to do something that might embarrass a Senator or that might be an embarrassment to the President, I think the intern owes it to the Senator to advise with him. The Senator can then do what he wishes. I know what I would do in such case.

Mr. MORSE. I do not attribute to the Senator from West Virginia one iota of my subjective views in regard to the problem. I do not mean to so imply.

Mr. BYRD of West Virginia. I understand completely. The senior Senator from Oregon is, as always, thoughtful and considerate.

WELCOME ANNOUNCEMENT OF UNITED STATES–U.S.S.R. AGREED DRAFT TREATY ON NONPROLIFERATION OF NUCLEAR WEAPONS

Mr. CLARK. Mr. President, as a longtime proponent of a treaty to halt the spread of nuclear weapons, I was deeply gratified by the announcement yesterday that the United States and the Soviet Union have jointly submitted the text of an agreed draft treaty on the nonproliferation of nuclear weapons to the 17-Nation Disarmament Conference in Geneva.

I am proud to join with President Johnson in hailing this "cardinal contribution to man's safety and peace." What is particularly gratifying is the adoption, by both this country and the Soviets, of compromise language on the issue of the transfer of nuclear control which closely parallels a proposal which I made on May 22, 1966, in a report to the Committee on Foreign Relations following a visit to the Geneva Disarmament Conference. In my report I made it clear that the matter could only be resolved if the United States were prepared to junk such nuclear sharing schemes as the "MLF" and "ANF" and if the Soviets were prepared to yield on their objections to the stationing of U.S. nuclear weapons on German soil.

Both of these conditions have now apparently been met. As I said in that report more than a year ago:

> Our problem is to choose between agreement with the Russians to join in a major effort to prevent the further spread of national nuclear capability or to continue to flirt with schemes such as MLF, ANF, and the actual sharing of nuclear weapons with West Germany.

I am delighted that we have chosen the path of cooperation and not the path of intensified conflict.

It is also gratifying to me to note that this agreement has taken place in spite of the exacerbation of Soviet-American relations attributable to the war in Vietnam. More than a year ago I stated my firm belief, on the basis of my conversations with Ambassador Roshchin of the Soviet Union, that Vietnam did not pose an insuperable obstacle to the negotiation of a nonproliferation treaty. That was distinctly a minority point of view at that time. All the anonymous "informed sources" in the State Department were then taking their habitual negative point of view and saying that there was no hope for a treaty. It is always sweet when events prove one right, but it is sweeter still when they also prove the "informed sources" wrong.

Mr. President, for the sake of the historical record, I ask unanimous consent that an excerpt from my report of May 22, 1966, and the text of my statement of June 15, 1966, on the nonproliferation treaty be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CLARK SAYS RUSSIANS DO NOT CONSIDER VIETNAM OBSTACLE TO TREATY TO STOP SPREAD OF NUCLEAR WEAPONS

Senator Joseph S. Clark (D., Pa.) today told the Senate that despite their recent strong words, the Russians are not insisting on United States withdrawal from Vietnam as a condition for signing a treaty to stop the spread of nuclear weapons.

The text of Senator Clark's statement follows:

"It is gratifying to learn that despite the strong words used by Ambassador Roshchin at Geneva yesterday, the Soviet Union does not view the involvement of the United States in Vietnam as an insuperable obstacle to the successful negotiation of arms control and disarmament agreements.

"An erroneous report carried on the wires yesterday indicated that Ambassador Roshchin had said that there can be no treaty to stop the spread of nuclear weapons as long as the United States continues its military operations in Vietnam. As I observed yesterday, in commenting on this report, when I was at Geneva a month ago, Russia made it quite clear that it did not consider Vietnam an insuperable obstacle to a nuclear disarmament understanding. If in fact the Russians had adopted the line attributed to them in the report, it would have been a most unfortunate change of mind.

"It now appears on the basis of information supplied by the U.S. Arms Control and Disarmament Agency, supported by reports printed in this morning's New York Times and Washington Post, that despite their stronger language the Russians have not in fact altered their position, and are not insisting upon the removal of United States troops from Vietnam as a precondition to a treaty. The principal obstacle to a treaty to halt the spread of nuclear weapons continues to be what it has been all along—this country's shortsighted insistence on keeping open the option of cutting West Germany in on some nuclear sharing arrangement. If the State Department will permit our negotiators in Geneva to agree with the Russians to keep the West German finger off the nuclear trigger, I am convinced that a treaty to stop the spread of nuclear weapons remains a live possibility."

III. NONPROLIFERATION TREATY

There are only a few significant differences between the very short American and Russian draft treaties on nonproliferation. They are:

1. The American treaty contains language which would permit a NATO force including West Germany to have control of nuclear weapons. This might be an MLF, ANF, or any variant thereof. The United States insists that before such a force could actually fire a nuclear warhead the consent of the United States would have to be given, and, accordingly, this provision does not result in the proliferation of nations having a nuclear capability.

The Russians consider this provision totally inacceptable. They are aware that nuclear warheads are presently mounted on German aircraft deployed at German airfields intended to be flown by German pilots. They are not satisfied with the explanation that the aircraft are physically guarded by American troops and that the nuclear weapons are under electromechanical lock which can only be opened by American custodians acting on Presidential authority.

While the American draft provides that "control" of nuclear weapons shall not pass to a nonnuclear nation (except as noted above) "control" is defined as the right or ability to fire. It should be noted, however, that the U.S. draft also prohibits the "ownership or possession" of nuclear weapons by a nonnuclear power. It does nonetheless contemplate the training of NATO forces, including those of West Germany, in all of the procedures for installing and firing nuclear warheads. The only prohibited activity is the actual firing and, there again, the moment the United States remove its veto the Germans would have a complete nuclear capability limited only by the number of warheads to which they were given access.

The Russians contend that these arrangements, in addition to being objectionable on other grounds, violate the Potsdam agreements.

2. The Russian draft treaty, on the other hand, obligates the parties not to transfer nuclear weapons "directly or indirectly, through third states or group of states, to the ownership or control of states or groups of states not possessing nuclear weapons and not to accord to such states or groups of states the right to participate in the ownership, control, or use of nuclear weapons." The Russians definition of "control" is considerably broader than the American.

There is also a prohibition against a nonnuclear state controlling the "emplacement" of nuclear weapons which might well eliminate from West German control any determination as to where on its soil nuclear weapons, delivery vehicles, or warheads might be located.

In a talk I had with Ambassador Roshchin of the Soviet Union, also attended by Mr. Foster, the Soviet representative indicated that the Russians were prepared to discuss amendments to their draft and were flexible with respect to its provisions. This comment came in response to my remark that surely any sovereign nation had a right to decide where nuclear weapons would be "emplaced" by an ally on its territory. The fundamental and, in my opinion, unchangeable objection of the Russians to a nuclear nonproliferation treaty is the U.S. desire to maintain an option under which nuclear sharing with West Germany would be permitted through the NATO alliance. If we were prepared to agree that West Germany should be denied, both individually and through NATO, the "ownership, control, and use" of nuclear weapons, and if their "access" to such weapons were no greater than at present, a treaty in which Russia would join might well become feasible.

3. In this connection I do not believe Russia would, in the end, balk at the McNamara proposal for a NATO group to include West Germany which would meet periodically to consider nuclear tactics and strategy. This view is shared by a number of the representatives of other countries at Geneva.

In short, our problem is to choose between agreement with the Russians to join in a major effort to prevent the further spread of national nuclear capability or to continue to flirt with schemes such as MLF, ANF, and the actual sharing of nuclear weapons with West Germany.

I have no doubt that both world peace and our own national security interests strongly impel us to the former course.

4. Neither the United States nor the U.S.S.R. draft treaties call for any contribution by the two nuclear giants toward stopping or reversing the arms race. The emphasis is all on prohibiting nonnuclear countries from achieving a nuclear capability and pledging the nuclear countries to refrain from assisting them to acquire it.

Several of the more advanced nonnuclear countries are insisting that Russia and the United States agree to a comprehensive test ban treaty, agree to a freeze or cutoff in the production of fissionable material and nuclear delivery vehicles, and arrange to turn over an undetermined amount of nuclear materials for peaceful purposes. The United States has made a definite proposal along these lines but it has received a cold reception from Russia on the ground that the verification required would constitute "espionage." Actually, this contention is largely untenable since we know, through intelligence sources, where the Russian plants and reactors used to provide material for nuclear warheads are located and the techniques for assuring that no cheating would result are quite simple and require a minimum of surveillance and on-site inspection. An excellent speech outlining our proposal, made by Mr. Foster on April 14, 1966, is attached to this report.

Technically, it would not be necessary to incorporate the freeze or cutoff in the language of the nonproliferation treaty. The undertaking could be set forth in a separate document signed by the United States, the U.S.S.R., the United Kingdom, and, hopefully but not likely, France.

5. The vexed question of "guarantees" against nuclear attack to be extended to the nonnuclear powers by the nuclear powers as part of a nonproliferation treaty has also come in for considerable discussion. Some of the "nonalined" countries do not wish such a guarantee, as it might be construed as putting them under the protection of the two great nuclear powers. However, the Western group on the one hand, and the Soviet bloc on the other, would be interested in having such a guarantee. As I understand it, no consensus has developed as yet on this question.

There is a general feeling in Geneva that France, Great Britain, and China are such relatively unimportant factors in the nuclear field that their accession to a nonproliferation treaty would not be essential to its feasibility. And, of course, in any event Great Britain would no doubt join. The nuclear capability of both the United States and the U.S.S.R. is of a different order of magnitude to that of the other nuclear powers.

I conclude that a certain amount of flexibility on the part of the United States with respect to our relations with West Germany could well make a nonnuclear proliferation treaty possible. Similar flexibility on the part of the U.S.S.R., including a willingness to permit the IAEA to conduct inspections to verify an agreed cutoff and the transfer of nuclear material for peaceful purposes would insure the adherence of most, if not all, of the nonnuclear nations to such an agreement.

Neither of these conditions, in my opinion, is impossible to meet if we persevere and if we create an informed opinion on the subject among both the peoples and the leaders in the countries concerned.

Mr. JAVITS. Mr. President, I ask unanimous consent that I be recognized for 6 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 6 minutes.

THE BASIC DEFICIENCY OF THE VIETNAMESE ELECTIONS

Mr. JAVITS. Mr. President, I feel compelled to speak out again as one parliamentarian to fellow parliamentarians in Vietnam on the Vietnamese elections. In my judgment the public debate on this question seems to have missed the main point and to have centered on procedural questions concerning the mechanics of campaigning and ballot casting. The basic policy questions have been largely ignored.

In my judgment, the basic, glaring, and continuing deficiency of these elections is the apparent absence of a deep feeling of national involvement and decision-making on the part of the Vietnamese candidates and voters alike. The momentum of history demands that these elections be conducted as a crucial act of self-determination—as a testing time for the South Vietnamese to debate and decide their own future. Yet, the reports we receive indicate widespread voter apathy, small crowds passively viewing trite, set-piece debates, yards of rhetoric devoted to ad hominum attacks and counterattacks, and a considerable silence—indeed, a thundering silence—on the basic issues concerning the national will and future of South Vietnam.

The agony of Vietnam is great. Its people have been stifled by oppression, in varying garbs, for centuries. The crucible of war has brutalized its national life. There is now a hiatus and a chance for self-expression and self-determination. The whole world—and none more anxiously than the American people—is watching and listening for the Vietnamese people to speak out.

The historic importance of the occasion calls for a deep and passionate national referendum. The apparent failure of the Vietnamese to be stirred by this challenge and to rise to this occasion is a cause for deep regret in my view.

In diverting attention in this country to procedural questions concerning the mechanics of the campaign, and in implying that we should not expect too much—indeed, implying that we should be happy with whatever we get—I think the administration does itself and the issue a real disservice.

I, for one, have never demanded perfection, nor am I particularly interested in rating mechanical aspects of the campaign against the scale of what happens in advanced Western democracies such as our own.

I would be very encouraged by a rough and tumble campaign of the sort we have had during critical periods of our own history. All the niceties were not observed in those days, but there was a passionate national debate which revitalized our Nation.

It is for this reason that I am also distressed by any labeling of the elections as a fraud or a farce, much as I can understand the exasperation which has produced those words.

Getting down to cases, the conditions under which the Vietnamese elections will be held are now fixed. The decision has been made to hold to the September 3 polling date notwithstanding my own judgment that it would have been better to defer the polling for a period of time to permit a more extensive and meaningful campaign.

The President of the United States has designated 20 observers, hopefully now to be led by a truly outstanding national leader as chairman—whose name has not yet been announced—to observe the elections on the ground in Vietnam. It is therefore essential to put the situation in focus.

I regret the decision of the authorities in Saigon not to defer the polling date to permit a more intensive campaign and a better informed electorate. But, that is now water over the dam. So, too, are the inequities and unfairnesses which have tarnished various aspects of the whole election process. Although the U.S. observers appointed by the President do not constitute the blue ribbon commission which I urged in a speech in the Senate on July 13, they represent at least a belated effort in that direction, and they should help to avoid glaring and obvious abuses in the balloting itself.

Certainly those who are serving on the President's Commission are Americans of real distinction and are entitled to the appreciation of the Nation. Their distinction lends the added likelihood of usefulness in their work, although, as I have pointed out, they will not deal with the gravest deficiencies of this election.

Notwithstanding the deficiencies in the election, and the claims on the one hand that we ought to be satisfied with what we get, and the claims on the other hand that the whole thing is a fraud and a farce, we must take the campaign for what it is, and try to make the best of it. The American observers will not be members of a blue ribbon commission. They will be appointed observers, and they will do the best job that they can do.

The key question which must be flagged to the Vietnamese people—and, even more importantly, to the American people—is that whatever may be the imperfections, this election is still going to be important for the future of America and Vietnam.

The key question—and I state this very, very advisedly, because it is very important in my judgment—is that what happens in the elections and the ensuing 6 months to a year will vitally affect American policy, and determine what options we are going to take in respect to Vietnam.

Mr. President, there is no reason for writing off these elections. There is still the encouraging precedent of the elections held in September of 1966 for the Vietnamese Constituent Assembly. There was a large and meaningful turnout of voters at that time. This gives us the hope that the silent, stifled voice of Vietnam will still be recorded at the ballot box come September 3.

Mr. President, it is necessary again to emphasize to the American people the critical nature of this opportunity for self-determination, as I am convinced it represents a turning point in the whole Vietnamese war. It is important that this be recognized on both sides of the Pacific.

For the United States, the elections represent the first opportunity since we began to take a major military part in the struggle in 1965 to regain the options which we mortgaged in that period—and the mortgage was sealed at the Honolulu conference in February 1966, between President Johnson and Premier Ky.

These options are to determine the size and scale of our military operations in Vietnam and to condition them upon the standards set by President Eisenhower 13 years ago in his letter offering assistance to the South Vietnamese government.

Mr. President, I repeat that the options we might regain as a result of this election are to determine the size and scale of our military operations in Vietnam and to condition them upon the standards set by President Eisenhower 13 years ago in his letter offering assistance to the South Vietnamese government.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may have an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. The reason that we regain these options is because our commitment has been to give the people help in establishing an opportunity for self-determination. They now have it and we now have a chance to reclaim option, if we avail ourselves of it.

In that famous letter of President Eisenhower, he said that the U.S. assistance was explicitly conditioned upon the Government of Vietnam's assurances as to the standards of performance it would be able to maintain.

President Eisenhower also described the kind of government we expected to see in Vietnam as a result of our assistance. He used these words:

> Such a government would, I hope, be so responsive to the nationalist aspirations of its people, so enlightened in purpose and effective in performance, that it will be respected at home and abroad and discourage any who might wish to impose a foreign ideology on your people.

For the Vietnamese people this election represents the opportunity to legitimatize their government and then to exercise their national option as to whether or not to admit the dissident elements in the country, including the NLF, on a negotiated basis to end the war and set a new course for the future. It represents their opportunity to shake up their civilian administration, to implement land reform in the country, and to satisfy other demands of their people. It represents also the opportunity to shake up the army, to make it a real fighting force, capable of effective action in pacification and in combat with the enemy regular forces. This latter burden has fallen too heavily on our shoulders.

For these reasons I have called these elections—and I repeat the phrase—"the beginning of an end in Vietnam." Potentially, they represent the opportunity through which the present stalemate can begin to be broken. After these elections, the United States will have open to it three paths: first, a political settlement based on a strong Saigon government, which I hope, pray, and urge will be the result; second, all-out war, and that certainly will put us in the position of a colonial power in Asia, and I am against it and I believe most of the country is; third, seeking the best terms we can negotiate for our disengagement—that would certainly be a deplorable and unhappy prospect for us.

Mr. President, which path we will take will be the most portentous national decision since our own elections in 1952, which brought an end of the Korean war. Our choice may well determine the position of the United States in the world for a generation, yet it will be heavily based upon how the government which is elected on September 3 operates.

That is what I believe needs to be impressed upon the Vietnamese people, so that they understand the historic seriousness of the election; and it certainly needs to be impressed upon the American people, so that they understand the options that they have at that time, so that they determine that they will have them and will exercise them, so that we may truly mark a beginning of the end of our venture in South Vietnam.

SENATOR MANSFIELD UNIQUELY HONORED

Mr. **BYRD** of West Virginia. Mr. President, the Evening Star, of Washington, D.C., this afternoon carried a moving account of the richly deserved tribute paid to our Senate majority leader, MIKE MANSFIELD, last evening in recognition of his 25 years of congressional service.

Those of us who serve with him daily here in the Senate know full well that the worth of his labors in behalf of our Nation and its people cannot be accurately assessed. But it is a source of gratification for all of us who admire and respect him for his tremendous abilities and complete selflessness to see measures of recognition accorded to him.

Much that Senator MANSFIELD accomplishes, and much that he means to the progress of the work of the Senate, is visible to the eye. Much that he represents and that he unstintingly gives in service to our country is known to but a few. It is good, then, to see that his worth will receive a measure of recognition in the future, in a manner which I feel sure he will most appreciate—the offering of future opportunities to other Americans to broaden their capacities.

The establishment of the Mansfield lectures in international relations, by the University of Montana Foundation, is a unique manner in which to honor Senator MANSFIELD. It is a conception which I believe to be personally compatible to Senator MANSFIELD's nature as a public leader.

I consider it a great privilege to have been his associate in the work of the Senate. I am happy to have future opportunity to hear his reasoned approaches toward discharging our legislative responsibilities and to witness the spirit in which he faces the problems and, all too often, the burdens of his position.

His speech of acceptance of this citation of honor, noting the establishment of this new program in the University of Montana, is typical of the tremendous breadth of his capacities.

I am pleased to be able to add my congratulations to those of the hundreds of thousands of well wishers throughout our United States, in testimony to Senator MANSFIELD's effective service in the Congress. It is my hope that this will be a source of inspiration to all those who will in the future, be privileged to participate in the lectures to be given in his honor. As discussed in the article, "VIP's and Tears for MANSFIELD," reported by Betty Beale, in the Evening Star, MIKE MANSFIELD, of Montana, is man of great courage and conscience.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the newspaper article was ordered to be printed in the RECORD, as follows:

VIP'S AND TEARS FOR MANSFIELD: A TRIBUTE TO MRS. MANSFIELD

(By Betty Beale)

Mike Mansfield—Montanan, majority leader of the Senate, man of courage and conscience—brought tears to the eyes of some of his colleagues last night.

It was his deep sincerity and humility, so well known and respected, that touched them at the huge dinner in his honor at the Sheraton Park.

"I wish I could have conveyed to you the thoughts of my mind and the deep feelings in my heart," he said in the wind-up of his own remarks. "But words are inadequate when the mind and heart are too full."

Mrs. Lyndon Johnson, Vice President Humphrey, Secretary of State Rusk, most of the Senate and scores of friends who came from Montana for the occasion were at the testimonial staged by the University of Montana Foundation commemorating his 25 years of service in the Congress and the establishment of "The Mansfield Lectures in International Relations."

Before the speeches were over, toastmaster Chet Huntley read a telegram from Sen. Robert Kennedy announcing the contribution of $10,000 from Mrs. John F. Kennedy, Sen. Edward Kennedy and himself, to the Mansfield Endowment that will provide for the lectures and other educational projects.

Mrs. Johnson, Mrs. John Kennedy and Hubert Humphrey are all founding members of the endowment.

Although there was no intimation that President Johnson would attend, many guests suspected he would make one of his unscheduled appearances. But if the late House session over the foreign assistance bill could keep Rep. Carl Albert, co-chairman of the dinner, from getting there, it probably also kept L. B. J. close to the telephone on his White House desk.

A glowing letter from the President was printed in the dinner program.

If the President had come there is no telling where he would have been seated. Mansfield, for whom the thousand or so in the big ballroom had turned out, was so close to one end of the head table that the spotlight on the center missed him by 10 or 15 feet.

"I think there was some confusion about the protocol," admitted Rusk when asked about the seating.

The First Lady added: "I had to look all around to find him."

As for Mrs. Mansfield, she was seated toward the opposite end from her husband, below two private citizens without official rank, Jim Rowe and Tippy Huntley. And the five foreign ambassadors present were grouped together with no women and no Americans between them.

When the president of Montana University, Robert Pantzer, who as host, sat between the First Lady and the toastmaster, was finally introduced he acknowledged the introduction then walked down to where Mansfield was seated and made him change places with him. Only then did the spotlight fall on the guest of honor.

Senate Minority Leader Everett Dirksen (who also was seated above the majority leader) led off the speeches in his mellifluous bass, combining wit, drama, poetry and affection in an off-the-cuff tribute.

Said Dirksen: "Montana is the treasure state. That's what they call it, and it has at least four treasures—antelopes, copper, dude ranches and Mike Mansfield."

He revealed that after he was elected minority leader, Mansfield had come to him and said: "If you hadn't been, I doubt if I would have accepted the majority leadership."

"Could there be any better proof of friendship?" asked the Illinois solon, who said of Mansfield:

"He puts Horatio Alger to shame. . . . A mule boy in a copper mine in the Butte community. Enlisted in the Navy at 14." Afterwards he enlisted in the Army, then in the Marine Corps.

"That should have frightened the kaiser out of his wits."

After that he was copper miner, a professor, then a congressman and a senator.

He listed Mike's greatest qualities as superb patience—"I have never seen him out of sorts or irritated"—unfailing courtesy and humility.

"People have said on occasion: 'He is at odds with his President.' No, he is not. Deep within him there is a compelling passion, and his soul has to respond to it."

Vice President Humphrey brought instant laughter when he spoke next.

"Being vice president alone gives you a sense of humility," he said. "To follow Ev Dirksen just underlines it."

Before dinner, he continued, he had been talking with Secretary Rusk, and Rusk asked him what the lectures were to be called.

"I told him 'The Mansfield Lectures on International Relations.' The secretary looked at me gravely and asked: 'Hubert, you mean there are more to come?' "

Mansfield's disagreements with Rusk on foreign policies are well known.

HH said Mike has asked him to give the first lectures. "He thought I was the only man he knew who could actually stand up and lecture for two weeks."

"We honor one who understands the meaning of quiet power that is used sparingly; a man who is gentle but is firm and can be tough; wise but can be forgiving of others' mistakes true to himself, his conscience and everything he believes in."

University President Pantzer said the very use of Mansfield's name had assured the success of the program.

"Never before in the great Northwest have we had the opportunity to bring to the campus the outstanding figures this program will allow."

He presented the senator with a plaque of great taste and simplicity. The citation was engraved on a metal plate that looked like unpolished silver, below a cutout of his state in the same metal with a Montana sapphire spotting the location of Missoula, home of the university.

Mike's speech was a poetic, inspiring picture of what Montana meant to him. It began: "To me Montana is a symphony."

And it went on to say why—in its colors, its wild flowers such as dogtooth violets, Mariposa lilies, bitterroot and kinnikinnick; in its sounds and names—the Bear Paws, the Crazies, the Kootenai, Hungry Horse and Absarokee.

He gave the history of Montana with the kind of feeling that no chamber of commerce could emulate. He took his friends' breath away when he told them the distance across his state is the same as from here to Florida.

"In area we can accommodate Virginia, Maryland, Delaware, Pennsylvania and New York and still have room for the District of Columbia."

With only a million people in all that space, Montanans have room to think, he said, and to dwell on the nation and the world.

Then he paid a moving tribute to his wife. Other men try the same sort of thing in public speeches, but with Mike Mansfield there was the ring of sincerity.

"I should like this honor to go where it is most due—to the woman who set out with me from Butte so long ago and who has remained a wise counselor and steadfast inspiration through all these years. Without her, I would not be in the Congress of the United States. Indeed, I should not have reached the University of Montana or, for that matter, even received a high school certificate. A more appropriate title for the lecture series, therefore, would be 'The Maureen and Mike Mansfield Lectures.' "

Any excess monies, he suggested, should go to scholarships for Montanans and to the first Americans of the state, "my friends and brothers, the Northern Cheyennes, the Crows, the Flatheads, the Assiniboines, the Blackfeet, the Chippewa-Crees, the Landless."

The romance of the West was in his every word.

MICHAEL J. SCHOONJANS—FOREMOST LEADER

Mrs. **SMITH**. Mr. President, one of the truly great leaders of the labor movement is retiring. He is Michael J. Schoonjans, manager of the Biddeford-Saco Joint Board of the Textile Workers Union of America and international vice president of the Textile Workers Union of America, AFL–CIO.

As he is very respectfully, admiringly, and fondly known, Mike Schoonjans has been a great leader not only for the members of his union but for the people of Maine and for the textile industry as well.

It was Mike Schoonjans who spearheaded the drive for an economic comeback for the Biddeford-Saco area of Maine when he led a very impressive and powerful delegation of union leaders, industry leaders, and civic leaders from Maine to my office in 1958 for an intensive conference of many hours with top Federal Government leaders on getting business for that area.

Out of that meeting in 1958 came an unbroken series of Government procurement contracts for the Biddeford-Saco area that swelled and stabilized the payrolls there.

One of the great strengths of Mike Schoonjans is that he called the issues as he saw them. He was never a blind tool and puppet to a labor political policy of supporting only one political party and only the nominees of that one political party. Instead he supported the friends of labor regardless of their political affiliation.

Another great strength of Mike Schoonjans is his personal warmth and his dedication to his fellow men and to making their lives happier and more healthy. His qualities of leadership and humanitarianism have endeared him to thousands of people in, and outside, the labor movement.

He is irreplaceable. Both the labor movement and our country desperately need more leaders like Mike Schoonjans. His retirement will be a great loss to everyone.

An excellent article has been written about this great leader by Maxwell Wiesenthal. It appeared in the May 21, 1967, issue of the Portland, Maine, Sunday Telegram. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNION LEADER SAYS IT'S TIME FAMILY SAW MORE OF HIM

(By Maxwell Wiesenthal)

BIDDEFORD.—Mike Schoonjans, the peppery textile union leader who'll retire Sept. 1 after three decades of battling for his members, intends to spend all of his leisure time with his family.

"I owe them that much," said Schoonjans. "For 30 years they haven't seen much of me."

The blue-eyed, blond haired, medium built manager of the Biddeford-Saco Joint Board of the Textile Workers Union of America, AFL–CIO, has carved his niche not only in the state labor movement but in the national textile field as well.

He was a field representative for the international for 10 years before being assigned to the Biddeford unions.

"I've had my share of scuffles, battles and talkfests," he said.

Reflecting on his two decades as textile labor chieftain for southern Maine, he termed the first 10 years stormy and the last 10 years peaceful.

During the stormy years—1940 to 1950—Schoonjans led the workers of the Pepperell Manufacturing Co. and The Edwards Division of the Bates Manufacturing Co. on a strike to prevent a wage cut.

The Bates strike lasted two weeks, the Pepperell strike 13 weeks. In each instance the employer agreed to rescind the wage cut. That was in 1955.

During Schoonjans regime he saw the area union membership drop from a high of 6,000 to a low of 1,600. About 3,300 now are affiliated with the TWUA.

There are locals now at Pepperell, Saco-Lowell Shops, Eastern Plastics Corp., Sanford, and the Ed Delorge Baking Co.

The workers of the baking company had petitioned the union to represent them, Schoonjans explained. "That's why they're part of us even though they're not textile workers. It's good industrial union policy."

The union suffered its biggest blow in 1957 when the Bates mill closed in Biddeford. Fourteen hundred lost their jobs.

Schoonjans fought hard to retain the mill. He worked closely with U.S. Sen. Margaret Chase Smith to have Congress enact a law which would have permitted domestic mills to buy cotton eight cents a pound off the prevailing price, which was the concession given to foreign mills.

Schoonjans was the only Mainer to testify in behalf of the measure before a Senate committee. Mrs. Smith worked hard for the bill and it received Senate approval. It died in the House.

As a result Bates closed the mill, Schoonjans said, because it could not compete with foreign imports.

The second blow was when the Saco-Lowell Shops moved its textile machinery division to South Carolina. Some 3,000 members were lost as a result.

But Saco-Lowell is back "full blast" in Saco and the union is as strong as ever at the plant.

"You know," Schoonjans said, "that's why our union and I personally have supported Mrs. Smith. We believe in supporting our friends and Mrs. Smith has been our friend."

Schoonjans, a registered Democrat, said he's supported other Republicans like Stanley R. Tupper. In fact, he said, he changed his registration to Republican to work against Owen Brewster in his primary fight with Frederick G. Payne for the GOP Senate nomination.

After the primary Schoonjans re-registered Democratic.

In addition to heading the Biddeford-Saco joint board, Schoonjans is a vice president of the international union and has done some "ticklish" jobs for the international.

Included were investigations of locals and the personnel heading them.

For eight years he served on the State Board of Conciliation and Arbitration, and he presently is a member of the Apprenticeship Council.

Come Sept. 1 and Schoonjans said he'll "play it day by day."

"I have a home in a good workingman's neighborhood in Old Orchard Beach and a summer camp in a good workingman's section of Kennebunk Lake," he said. "How can I not be happy being among friends."

He said he owes his wife and daughter Geraldine "a few years because I've devoted most of my life to other people, now they're entitled to something."

MICHIGAN NATIONAL GUARD

Mr. **GRIFFIN**. Mr. President, on Tuesday, Gov. George Romney released the texts of three letters dealing with the organization, strength, and training of the Michigan National Guard.

Mr. President, I ask unanimous consent that the text of the three letters be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

AUGUST 22, 1937.

Maj. Gen. WINSTON P. WILSON,
Chief, National Guard Bureau,
Washington, D.C.

DEAR GENERAL WILSON: I have studied the Army National Guard Allotment of Troop Units to the State of Michigan, dated August 10, 1967, along with my Adjutant General, and find it to be totally unacceptable for each of the following reasons:

1. *Strength:* The new allotment gives Michigan nine per cent or 717 less strength in committable units on the same maximum basis as recent Detroit commitments. It also forces the loss of 90 well-qualified officers at a time when recent experience dictates even greater numbers are required. Experience in Watts, Newark and Detroit convinces me that a force of 12,000 Army National Guard with the command, control and support elements required to conduct sustained operations in two urban areas is the minimum requirement for the State of Michigan. In view of Michigan's relative contribution to defense production, the Federal Government should support this requirement in its own interest and in order to preclude certain commitment of strategic defense forces.

2. *Command and Control*

a. Planning must envision commitment of the entire Michigan Army and Air National Guard. Employment of such a force is beyond the capability of any staff available in the proposed troop allotment—State Headquarters and Headquarters Detachment with augmentation, brigade, or group. It was found that each general and special staff officer and his section were fully engaged in Detroit during the five-day period of intense activity, and during the five-day cooling period and the four-day phase-out period as well. In most cases, they now face a mountain of post-mobilization work and planning for future employment.

It must be noted that we plan not only for a most complex employment over a sustained period, but also for possible federal service with the attendant flood of administrative and legal requirements involving all of the special staff. It seems clear to me that a jerry-built staff will not suffice and that nothing less than a headquarters with a division staff capability is adequate in this state.

b. Similarly, with three brigades employed and with four other command and support locales, it is evident that the division signal battalion capabilities most properly fill the needs of the tactical headquarters for controlling its operating forces.

c. The critique comments of the Commander and Deputy Commander of Task Force Detroit, and the staff structure they provided for themselves, are eloquent testimony to the inadequacy of the command and control elements provided by the August 10 troop allotment to Michigan.

3. *Support:* During the normal Annual Field Training and during the Detroit operation, the Division Support Command (Supply and Transportation Battalion, Maintenance Battalion, Administrative Company), was fully committed and fully engaged in sustaining the continuous operations. The support structure in the August 10 allotment is inadequate to the diversity of units and strength to be supported, it is inappropriately lacking in forward support units for brigade and groups, it lacks medical support, it lacks administrative and finance support, and it lacks the command and staff direction provided by the Division Support Command.

The State of Michigan is ranked seventh in population in the United States. The nine per cent of the population which is non-white is concentrated largely in cities, giving a city like Detroit, for example, 29 per cent non-white population. We have nineteen cities with a population over 45,000. We are sixth in the nation in manufacturing employment. Our defense product ranks high and is basically vital. Yet our proposed troop strength is only fifteenth nationally, and we are to be deprived of adequate command, control and support means for our forces while sister states with less requirement retain these means.

I have no alternative but to reject your proposals under the circumstances which now face us. We must accept the realities of the wholly new situation facing our metropolitan and manufacturing areas. We cannot accept less than retention of a division-type headquarters and the necessary combat and combat support battalions required by this new concept.

I feel this requirement is as justifiable for the proper management of the normal training mission as it is for emergency employment.

Sincerely,

GEORGE ROMNEY.

AUGUST 22, 1967.

Hon. F. EDWARD HÉBERT,
Chairman, Special Subcommittee of the Committee on Armed Services, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I have just forwarded a letter (copy attached) addressed to Major General Winston P. Wilson, Chief, National Guard Bureau, wherein I outlined my objections to the recent proposal to reorganize the National Guard. In this letter I informed General Wilson that the troop allocation and structure of forces proposed for the State of Michigan was totally unacceptable.

My reasons for refusing the proposed allocation refer not to the capability of the Michigan National Guard to cope with civil disturbances, but rather to the resources of the National Guard. In my estimation the Michigan National Guard performed with honor and distinction during the recent civil disturbances in Detroit. They were handicapped by late commitment, lack of equipment, and a type of riot duty never before encountered. I refer, of course, to the unprecedented sniping, looting and arson that was prevalent in this crisis. I consider that the 46th Division showed itself to be capably staffed, that they conducted their operation well, and that the men responded with the skill required to do the job.

With direct reference to the questions posed in your letter and enclosure, my views and comments are as follows:

1. I find the number of troops allocated the State of Michigan inadequate in number. In Detroit we were totally committed with all *available* ARNG, a strength of approximately 8,200. With the chance of disturbances happening simultaneously in several cities, I feel the minimum strength required in Michigan will be not less than 12,000 Army National Guardsmen.

2. The physical location of militia within the state must be determined by the population in the prospective area. It is felt in conjunction with this question that 75–80 per cent strength units would be more flexible as to location than would 90–100 per cent strength units.

3. The Unit Structure proposed for our state is also inadequate in that no command and control elements are available for a force structure commitment greater than *one* brigade (Strength 3363). The August 14 allotment of Troop Units gives Michigan a Divisional Brigade, an Engineer Group with two battalions, field Artillery Group with two battalions, and four separate battalions and two separate companies and detachments, but no means to command or control these organizations were they committed in a force larger than a brigade or group. Another deficiency in this allocation is a lack of tactical communications support, administrative support and logistical support. In our present troop structure the 46th Infantry Division, its Headquarters and its organic administrative and logistical units provide for this support.

4. I believe it is quite well known that the Department of Defense has not been able to fulfill its promises of equipment, even for the Selected Reserve Force. This lack is centered in communications, electronics, obsolete tactical transportation and obsolete weaponry.

5. As to training, and any deficiencies along this line, I can only point with pride to the accomplishments of the Michigan National Guard on all missions assigned, whether US Army evaluated training exercises or natural disasters or civil disturbances. They have always conducted themselves like professionals.

6. The National Guard is immediately available and responsive to the Govornor legally and physically for any state emergency. In my letter to General Wilson I pointed out the responsibility of the Executive Office to maintain law and order and to quell riots. For a strong, responsive force to back up local law enforcement, the National Guard of the several states must be kept at such strength as to assure the capability of each governor to fulfill his constitutional responsibility of the protection of his state.

7. We have had for some time within our state, plans and procedures to utilize the National Guard in one city, or in several cities at one time, if necessary. Also we have a plan to split law enforcement and National Guard into many points of unrest or together, utilizing the State Police in one area and having the National Guard responsible for another area. At no time have we planned on the use of Federal military assistance, nor shall we.

8. Purposely I have stayed away from comments with regard to Federal Troops. I know that they are available and somewhat responsive, realizing the fact that upon commitment of Federal Troops, the governor loses all control of the situation and that a representative of the President then becomes, in fact, the commander of the area. I should point out, though, that I feel the call for Federal assistance should be made less complicated and the circumstances under which Federal military assistance may be made available and utilized should be clearly and explicitly written.

I would like to take this opportunity to commend you, your sub-committee members, and the Chairman of the House Committee on Armed Services, Congressmen L. Mendel Rivers, for the prompt, vigorous action he and your sub-committee have taken in this matter of effectiveness, training, equipment and strength of our National Guard.

Sincerely,

GEORGE ROMNEY.

AUGUST 21, 1967.

Hon. JEROME P. CAVANAGH,
Mayor, City of Detroit,
Detroit, Mich.

DEAR MAYOR CAVANAGH: I have been informed that the Michigan National Guard has received the information concerning the training referred to by the President. All units of the National Guard are undertaking 32 hours of training in Riot Control measures, including the new areas of concern brought about by the Detroit Riot. This training is scheduled and will be completed by October 1, 1967.

Your recommendation of a simultaneous test of mobilization deployment and command procedure is excellent. I know that there are 16 hours of Staff Training along with the 32 hours of general training scheduled. I am sure that just such an exercise is planned with the Detroit City Police, Michigan State Police and National Guard in joint attendance.

Commissioner Girardin will be informed shortly, I am sure, of the above mentioned exercise.

Sincerely,

GEORGE ROMNEY.

DISSENT OR DESTRUCTION?

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an article by Eric Sevareid, entitled "Dissent or Destruction?" which appeared in the September 5, 1967, issue of Look magazine.

There being no objection the article was ordered to be printed in the RECORD as follows:

DISSENT OR DESTRUCTION?

(By Eric Sevareid)

These are odd times. Tens of thousands of Americans of every age, color, sex, and economic and intellectual condition are daily and hotly invoking every right and privilege mentioned in the Constitution, the Bible and Bartlett's *Familiar Quotations*. Others are busy invoking self-serving "higher laws" to supersede the national rulebook. None of them seems familiar with the words "duty" or "obligation."

The production curve on putative saints and martyrs has been rising rapidly possibly in direct proportion to the availability of press and TV cameras. The country bears the aspect of one vast wailing wall, washed down daily with tears of the self-pitying.

The general import of their varying messages, taken as a whole, seems to be that: all American policemen have joyfully renounced their days off in order to bludgeon Negroes as a wholesome exercise; the armed services of the United States, drunk with bloodlust, eagerly notch their guns for every Vietnamese civilian they kill; administrators burn the midnight oil in order to conceive new ways to coerce, threaten, silence and otherwise "alienate" that oppressed *lumpenproletariat,* American college students.

And all the while, a mysterious group known as the "Power Elite" or the "Establishment" sits in Washington, New York, Chicago and Los Angeles, fat cigars in one hand, telephones in the other, engaged in a round-robin conversation featured by chortling remarks, such as "Hi, fella, how many of the downtrodden did you trod on today?"

As a result of all this, the familiar quotation that comes first to mind for an increasing number of other Americans is one of the opening lines of *The Man Who Came to Dinner.*—"I may vomit."

Still others who believe firmly in free speech can no longer find the strength even to murmur Voltaire's celebrated remark that while he disapproved of what you say, he would defend to the death your right to say it, because they are already half-dead—with boredom.

When we reach the point, which we have, where an organization is formed, called "Proxy Pickets," to rent out picketers for any cause at so much an hour, then we know that the fine, careless rapture of this era of protest is all over and that the corruption of faddism has begun to set in. Every movement becomes an organization sooner or later, then a kind of business, often a racket. This is becoming the age of the cause Cause. Kids will soon be hanging around back lots trading causes the way they used to trade aggies.

One of the oddest things about the period, no doubt, is that anyone like me should feel moved to say these things. I have always believed in the Negro "revolution," if that's the right word. I have not believed, for some time now, in the Vietnamese war because to me the official rationale for it simply does not add up, and as a college kid in the thirties, I was a hollering "activist" and even voted for that Oxford oath—"I will not fight for flag or country" (though I couldn't sleep that night for doubts about it, which will merely prove to today's hip set that I had the seeds of squaredom in me at an early age).

But it seems clear to me now that a high percentage of today's protests, in these three areas of civil rights, the Vietnam war and college life—all of which commingle at various points—have gone so far as to be senselessly harming the causes themselves, corroding the reputations of the most active leaders and loosening some of the cement that holds this American society together. There never was any real danger that this country would find itself groaning under Fascist oppression, but there is a measure of real danger that freedom can turn into nationwide license until the national spirit is truly darkened and freedom endangered.

The notion is abroad that if dissent is good, as it is, then the more dissent the better, a most dubious proposition. The notion has taken hold of many that the manner and content of their dissent are sacred, whereas it is only the *right* of dissent that is sacred. Reactions of many dissenters reveal a touch of paranoia. When strong exception is taken to what they say by the President or by a General Westmoreland, the dissenters cry out immedately that free speech is about to be suppressed, and a reign of enforced silence is beginning.

What is more disturbing is that a considerable number of liberal Left activists, including educated ones, are exhibiting exactly the spirit of the right-wing McCarthyites 15 years ago, which the liberal Left fought so passionately against in the name of our liberties. For the life of me, I cannot see the difference in morality between the right-wing woman in Texas who struck Ambassador Adlai Stevenson and the left-wing students and off-campus characters at Dartmouth College who howled down ex-Governor Wallace of Alabama and tried to smash his car.

The use of force to express a conviction, even if it takes so relatively mild a form as a college sit-in that blocks an administration building, is intolerable. When Dr. Martin Luther King, who may well be one of the noblest Americans of the century, deliberately defies a court order, then he ought to go to jail. Laws and ordinances can be changed, and are constantly being changed, but they cannot be rewritten in the streets where other citizens also have their rights.

I must say that, kooky as we may have been in that first real American student movement in the thirties, we never, to my memory even dreamed of using force. We thought of the university, much as we often hated its official guts, as the one sanctuary where persuasion by reason must rule alone and supreme, if the university itself were to be preserved from the outside hands of force and unreason. What makes today's college activists think they can take the campus forcibly into national politics without national politics—in the form of police or legislature or troops—forcibly coming onto the campus? (Some of the activists, of course, are pure nihilists and *want* this to happen, but that's another story.)

The wild riots that have exploded in the Negro areas of American cities the last few summers should not be confused with protest movements. Most of them do not even deserve the designation of race riot. We had genuine race riots in Chicago, Detroit and Tulsa nearly half a century ago, whites against Negroes, and mass murders, occurred. Nearly all the recent summer-night riots have chiefly involved Negro kids smashing and looting the nearest property, most of which was owned by other Negroes. This is sheer hoodlumism, involved as its psychological and sociological origins may be. It is a problem for sociologists, psychologists and economists only in the second instance. In the first instance, it is a police problem, as are the episodes of mass vandalism staged by prosperous white kids on 'the beaches of New Hampshire or Florida. Majorities have a right to protection quite as much as minorities, heretical as this may sound.

If there were no protests at all about the Vietnamese war, the American society would really be in sad shape. We were in this war very deeply almost before the average busy citizen grasped what had happened, and there was no serious congressional debate on the issue until the winter of 1966. The present national disunion, including the disaffection of so much of the "intellectual community," is just what happened in the War of 1812, the Mexican War of 1846–1848, the Spanish-American War and the war in the Philippines that followed. As historian Henry Steele Commager has pointed out, the only wars during which the President had all but universal support were the two world wars, and both were debated and discussed all over the nation for many long months before we got into action.

So the present protests about Vietnam are entirely within the American tradition. Even so, the law, public necessity and human reason must impose certain limitations.

It is outrageous and insupportable for anyone to desecrate the flag, the one symbol of nationhood that reminds all citizens of the country's meaning. It is disgusting for paraders to chant, "Hey, hey, LBJ, how many kids did you kill today?" These deaths in battle are eating at his soul, too, and vulgarities can help no high-minded cause.

It is a crime for rioters to terrorize cities as they did in the disgraceful upheavals in Newark and Detroit.

It is silly for a group of American artists to ask Pablo Picasso to withdraw his famous Spanish Civil War painting, *Guernica,* from the Museum of Modern Art in protest against our bombings in Vietnam.

It is unreasonable to become indignant about the civilian casualties our forces accidentally cause in Vietnam while remaining silent about the thousands of assassinations of civilian leaders by the Vietcong's "murder committees." The President rightly calls this "moral double bookkeeping."

It is unfair to say that some members of Congress don't mind the war because it helps defense industries in their districts, as Senator Fulbright did say—and then apologized.

It is damaging to the national awareness of reality, and to his own name and cause, for Dr. King to declare that the U.S. "is the greatest purveyor of violence in the world," and that "we may have killed a million [Vietnamese civilians]—mostly children." These statements are untrue. The first is a subjective generalization. The second bears no relationship to what civilian casualty figures we have been able to gather.

It is unreasonable to maintain that President Johnson does not *want* a negotiated peace and is intent on a military victory, because to say that is to say he has deliberately and repeatedly lied to the people, and for that, there is no convincing evidence.

If some of the war protesters go out-of-bounds, so do some of the war supporters and counterprotesters:

It is unfair for them to charge that the protesters are "letting the boys down." Serious protesters want to save the boys entirely by getting the war ended, and in the meantime will insist they have every bullet and article of use they require.

For the same kind of reason, it is unfair for the President to imply, as he did, that a Medal of Honor winner died by an enemy weapon shipped down during one of the bombing pauses. Rightly or wrongly, those calling for a pause in the bombing believe it may lead to an armistice saving the lives of *all* our heroes in Vietnam, and while they can only ask for the pause, it is the President who decides it.

It is grossly self-serving for Administration spokesmen to imply repeatedly that our domestic disunion over Vietnam keeps Hanoi fighting on in expectation that we will quit the war. Of course, Ho Chi Minh's regime *hopes* our will is going to break; but the overwhelming American reality they see before their eyes and that surely governs their reactions is our ever-increasing land force and our continuous bombing of the North. I am persuaded that were there no debate whatsoever in this country, Ho's regime and the Vietcong would be fighting just as relentlessly as they are today.

It was pettifogging, and indeed illegal, for General Hershey to support the drafting of young protesters by deliberately reclassifying them 1–A. The draft is not a punitive instrument.

It was pettifogging for state boxing commissions to strip Cassius Clay of his title—even before his conviction—because he refused to accept the draft. If he can lick any man in the world, he's still champion of the world. These silly irrelevancies are counterproductive.

It is wrongheaded for any maritime union to refuse to load or unload a foreign ship because they disapprove of that nation's philosophy or actions. It is hard enough for the Government to conduct foreign policy, without such presumptuous handicaps.

I happen to feel that the experience of American Negroes these many generations is the one deep stain in the American national soul. I cannot help a greater readiness to condone their excesses than those of prosperous white college students (though the law cannot be morally choosy). But there are some basic misconceptions about both.

One is that youths of both colors have been driven to action because their conditions of oppression were becoming intolerably miserable. The reverse is the truth. The barriers to Negro equality were beginning to fall before the period of mass physical action set in; this, in fact, is *why* mass action swept the nation. It is a commonplace now among social historians that change produces revolution before revolutions add to and institutionalize change. Basically, it has not been the street orators and marchers who have been bringing desegregation; for example, the marchers were set in motion by the fundamental changes of principle and law won in the courts by the quiet work of leaders like Roy Wilkins and Thurgood Marshall.

Totally oppressed people, here or in Africa or Asia, do not go into action. It is when the chains have been loosened, when they see some light at the end of the tunnel, that is, when *hope* is aroused, that the people arouse themselves.

In a certain sense, this pattern also applies to white college students protesting their "alienation" and the "establishments" they feel oppress them. Youth in any generation feels alienated because youth is the precarious, emotionally uprooted stage between childhood and maturity. But while individual youths of any generation are self-conscious because of this biochemical transition, today's collective self-consciousness of the young was not generated by them. The great American "youth cult" was generated by older people concerned with youth, from popular psychalogists to advertising writers who realized that youth for the first time had sizable spending money, to publishers of girlie magazines who realized old moral barriers were giving way—and not, incidentally, from pressure by the young.

It is easy to sympathize with students in the massive institutions who feel they are treated as index-card numbers, not as individual souls, and various forms of decentralization must come about. But these youths will never persuade the graduating classes of the thirties, who faced the quiet desperations of the jobless Depression *and* the unmistakable imminence of a vast world war, that their lot is a tragic one. From my own life experience and travels, I would happily hazard the conjecture that to be young and to be a student in the United States of today is to enjoy the most favored condition that exists for any large, identifiable group anywhere in this world.

But experience, as every parent knows, is scarcely transferable. That hilarious slogan—"you can't trust anybody over thirty"—is, indeed, the explicit denial of the validity of experience.

When I listen to the young vigorously suggesting that if *they* had the governing influence, peace, love, beauty and sweet reason would spread o'er the world, I am tempted to remind them of the barbarities of the Hitler *Jugend*, the Mussolini Youth, the Chinese Red Guards, the Simbas of the Congo—but perhaps that would be overegging the pudding, as the English say.

When I hear the passionate arrogances of a Mario Savio (the Berkeley fellow) or read about hundreds of University of Wisconsin students smashing windows and stopping traffic because they're sore about a bus-route schedule (or was it the price of textbooks?), I mutter to myself a private remark of Winston Churchill's: "I admire a manly man and a womanly woman, but I cannot abide a boyly boy."

If youth were complacent, devoid of the spirit of innovation and challenge, we would be in a bad way because some of the source springs of the American genius would dry up. Yet I think the "generational gap" in viewpoint will always be with us, for this reason: Youth can measure society only in one direction—forward, from things as they are, to their ideals. Older people, by the imperatives of experience, must add two other equally valid directions—backward, to things as they used to be, and sideways, to the other societies in the world they know.

Older people know something else: that the Savios, the Adam Clayton Powells and the Stokely Carmichaels are not, despite appearances, genuine leaders. Because they are not the strong men but the weak ones. They have not the moral stamina for the long haul, with its inevitable routines and periods of boredom. Eloquence, brilliance and perhaps even physical bravery are not what counts in the end. What counts is the quality the Romans defined and respected above all others—*gravitas*, meaning patience, solidity, weight of judgment. As Eric Hoffer puts it, "people in a hurry can neither grow nor decay; they are preserved in a state of perpetual puerility."

Furthermore, it is usually true that the habitual protester, the man with a vested emotional interest in protest, unconsciously does not *want* his goals to be realized. Success would leave him physically bereft. Many successful revolutionaries in other lands had to be replaced as leaders when the new order of life was installed, partly because of their practical incompetence, partly because they continued in one way or another as protesters, as their nature obliged them to do.

There is a great deal wrong with American society of mid-twentieth century. There are some very ugly areas in our life; but never have they been so thoroughly exposed, researched and organized against. Never in our history have we seen an assault on these evils mounted on the level of Federal action to compare with the legislation and programs started under the Kennedy and Johnson Administrations, particularly the latter. Were it not for the creeping calamity of the Vietnam war, Mr. Johnson would, I think, stand revealed to everyone as one of the most vigorously humanitarian Presidents America has had, in spite of those personal crudities that upset the fastidious.

America has never been a frozen, rigid society, caught in conformity. At times we may seem becalmed, but as the Frenchman Jacques Maritain wrote, "Wait a moment, another current will appear and bring the first one to naught. A great country, with as many windshifts as the sea." We are not repeating the experience of Europe, whatever the Marxists and other doctrinists may think. America has eloped with history and run away with it, says Eric Hoffer.

Conformity, mass-mindedness? Go to the totalitarian or to the primitive societies if you wish to see them. Not here. If we live in a web of conforming laws and regulations, it is *because* we are so individualistic, so infinitely varied in our ideas, desires, ambitions and fears, and so very free to express them and to act upon them. Those who despair of getting public action on, let's say, our fearful urban problems, are wrong in thinking this is because "people don't take enough interest in public affairs." It is for the opposite reason; it is because so many groups, interests, points of view conflict. Ask any mayor. Ask any congressman whose desk is daily heaped with windrows of petitions, complaints, suggestions or denunciations.

It is not our freedom that is in peril, in the first instance. We have never had more freedom to speak out, to organize, to read what we choose, to question authority, whether political or cultural, to write, to film, to stage what would have been impermissible years ago. Never has the police authority been more restricted, never have defendants been so girded with legal protections.

Our freedom will be imperiled only if it turns into license, seriously imperiling order. There can be no freedom in the absence of order. There can be no personal or collective life worth living in the absence of moderation. Repeatedly, since the ancient Greeks, people have had to relearn this. Aristotle expressed it no better than Edmund Burke, the Anglo-Irish statesman, who said:

"Men are qualified for civil liberties in exact proportion to their disposition to put moral chains upon their own appetites . . . society cannot exist unless a controlling power upon will and appetite be placed somewhere, and the less of it there is within, the more there must be without. It is ordained in the eternal constitution of things that men of intemperate minds cannot be free. Their passions forge their fetters."

SENATOR BROOKE MAKES STRONG ARGUMENT FOR U.S. RATIFICATION OF GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, in the September issue of the American Legion Magazine, the distinguished junior Senator from Massachusetts [Mr. Brooke] has presented a persuasive and penetrating case for U.S. ratification of the Genocide Convention as well as the Human Rights Conventions on Forced Labor, Freedom of Association, Political Rights of Women, and Slavery.

Senator Brooke effectively dispels the fears of those who are reluctant to have the United States join the 70 other nations which have already ratified this first great United Nations convention by writing:

> We need not fear this treaty will represent an infringement of our national sovereignty—it embodies ideals to which we already subscribe in our Constitution and in our laws. Our ratification of this treaty—and all human rights—treaties—would lend further support to the validity of the ideals which they contain as guiding principles in our modern world.

As one who has urged positive Senate action on these conventions 128 times during the 90th Congress, I welcome and appreciate the support of Senator Brooke. I hope that his compelling arguments will be heeded by the members of the Committee on Foreign Relations and all other Members of the Senate.

I commend the article "Yes the U.S. Should Ratify the Genocide Convention" by Senator Edward W. Brooke to the Senate and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Should the United States Ratify the Genocide Convention?

The Genocide Treaty should definitely be supported by the United States.

This United Nations Treaty is designed to prevent by international law the mass annihilation of any group of human beings and to prevent the mass destruction of entire populations. The Genocide Treaty, which was transmitted to the Senate by President Truman in 1949, has already been ratified by 69 other countries, with the United Kingdom soon to join. It has not been ratified by the United States.

Our nation is regarded as a leader of the free world. We desire to share our way of life, our ideals of democracy and individual freedom, with the nations of the world. We believe that moral example and international cooperation are more effective than force of arms in achieving these goals. But we tend to assume that the principles for which we stand are self-evident to the peoples of the world.

This is most decidedly not so. Other nations are strongly critical, and justly so, of our refusal to ratify this treaty. The Soviet Union and its allies point to our position as "proof" that we are not genuinely interested in individual freedom and self-determination.

It is more than our image abroad which is damaged by these charges. Nations which are allowed to doubt our own commitment to the principles which we espouse find further justification in our failures for their own violations of these rights. If we wish to encourage to the fullest the development of democratic societies, then our own commitment to democratic principles must be unequivocal.

We must begin now to consider the Genocide Treaty in committee, to discuss it on the floor of Congress, to promote discussion and encourage support among the American people.

Next year, 1968, has been designated by the General Assembly of the UN as International Human Rights Year. Twenty years of effort by the UN in the field of human rights will be commemorated at that time. I strongly urge that the Government of the United States begin to think now about what can be done to make that year a landmark in the recognition of universal human values and the promotion of the rights of men.

I sincerely urge my colleagues in the Senate to ratify the Genocide Treaty.

We need not fear that this treaty will represent an infringement of our national sovereignty—it embodies ideals to which we already subscribe in our Constitution and in our laws. Our ratification of this treaty—and all human rights' treaties—would lend further support to the validity of the ideals which they contain as guiding principles in our modern world.

In conclusion, as an indication of our good faith and dedication to the principles of justice and freedom, we should encourage the Soviet Union to join with us in stating a mutual commitment to the achievement of those ends.

EDWARD W. BROOKE.

HEADSTART FROM THE TEACHER'S PERSPECTIVE

Mr. MONDALE. Mr. President, I have frequently said in the past that the best way to assess the achievements realized by the various Economic Opportunity Act programs is to listen directly to those who have been personally assisted. By its very nature, however, Project Headstart is not amenable to this sort of analysis. Measuring the self-confidence, social adjustment, and educational advance gained by a Headstart youngster may be feasible only after several years have passed. But it is possible and, I think, most interesting to listen for a moment to the reactions of those teachers who make the nationwide Headstart effort the tremendous success it is.

Recently, Mr. Ray Walton, program director for the Lakes and Pines Community Action Council in east-central Minnesota, called to my attention two evaluatory letters he had received from project teachers. These letters are revealing. They warrant the attention and consideration of every Senator and reader of the RECORD with an interest in the success being realized in our efforts to reach the many young Americans who have heretofore approached education and adult life with remediable disadvantages.

I ask unanimous consent that the letters from Mrs. Gretchen Nell and Mr. Oscar Peterson be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

PINE CITY, MINN.,
August 1, 1967.

Mr. RAY WALTON,
Lakes and Pines C.A.C., Inc.,
Braham, Minn.

DEAR MR. WALTON: Even though I have met and talked with you I feel it is necessary to write you about how I feel about Head Start. I am proud to have been chosen as an instructor in the Head Start Program. The opportunity presented a challenge to me which I met with many doubts. Those doubts were quickly disbursed after a few days of working with my 20 children.

Being of German descent and methodical thinking, I feel I must list the tangible and intangible values my children gained from being a part of the Head Start Program.

1. Love and sense of being a person in their own right.
2. Learning to get along with other children.
3. Love.
4. Learning that society demands a certain amount of conformity.
5. Learning to meet a schedule.
6. Love.
7. Learning to achieve and have that achievement acclaimed.
8. Learning that wholesome food, proper eating habits and manners are important to a better future.
9. Love.
10. Learning to behave in a group.

I could go on and list 100 gains which are attained in Head Start. Many people give two arguments against Head Start. One is that we are nothing but baby sitters. This is not true. Life is made up of experiences and my 20 children had numerous, meaningful experiences which they would not have accrued in the presence of a baby sitter.

Another is that we are taking these children out of the home and away from mother too early. Let's face it—we are living in an accelerated, competitive society—the sooner we begin on our preparation to live in that society the better.

After visiting the homes of the children in my group, I am more than confident to state that Head Start gave them immeasurable learning which they otherwise would not have received—Learning to live and Learning to learn.

My only regret is that I could not have been instrumental in convincing some other 60 communities in this area to set up a Head Start Program for their children.

Did a little child smile at you today? If not you missed a chance to enrich your life.

Sincerely,

MRS. GRETCHEN NELL.

AUGUST 2, 1967.

To: Mr. Ray Walton, Project Director, Lakes and Pines CAC, Inc., Braham, Minn.

From: Oscar Peterson, Teacher Director, Braham Center, Head Start.

Subject: Evaluation.

The Braham Center Head Start program has been a very rewarding experience to the staff of the center. It is our hope that it has been equally rewarding to the participating children and parents.

To the degree that six weeks enables one to accomplish certain goals, we feel that we had a measure of success in the following areas:

1. Rechanneled some asocial behavior into more acceptable activity.
2. Encouraged the children's feelings of themselves.
3. Provided activities in which the children could be successful.
4. Attempted to instill the idea of good social living.
5. Enlarged the children's circle of friends.
6. Provided opportunities for responsibility.
7. Provided many first hand experiences that were new to the children.
8. Had some of the parents actively working in the program.

The lack of more parent participation in the program was a problem. Perhaps the parents are not fully aware of the goals of the program. I think that if the program is to be carried out another year that this should be stressed to the parents and the general public before the programs begin.

In the Braham Center we actually had three levels of attainment in one classroom. Next year I think an effort should be made to separate those who have had school experiences from those who have not.

We took four field trips out of the area this year. Two of them would be of questionable value to the children, but the parent contacts made on these trips were of great value.

I would think that the social and medical information gained this summer would be very valuable to the school. I would hope that these areas be followed up and that this information be made available to the school faculty.

Regardless of the shortcomings encountered this year I think the experiences gained should encourage us for another year. My only regret of the program is that it is now over for this year.

Respectfully,

OSCAR W. PETERSON, Jr.

RIOT PROBING SHOULD BE OPEN

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a column by Mr. Austin V. Wood, entitled "Riot Probing Should Be Open," which appeared in the August 22, 1967, edition of the Martinsburg, W. Va., Journal.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

RIOT PROBING SHOULD BE OPEN

(By Austin V. Wood)

It is well the Senate is to probe racial rioting and has rejected a movement that the probe cover the so-called economic and social aspects through which our politicians, liberals, and social workers endeavor to justify arson, theft and murder. Let the investigation be thorough and open to the public from first to last. It is the only probe which may give us a true picture of the situation. Certainly we may expect little from the Advisory Commission on Racial Disorders appointed by the President in an attempt to head off any other probe which might expose his expressed racial theories to public scrutiny and objective analysis. The very make-up of the Commission proclaims its political inspiration. Let's have a look.

The Chairman is Illinois Governor Otto Kerner. Governor Kerner is a close friend of the President. In fact, the other day he chairmaned a committee which presented Mr. Johnson with a bust of Lincoln. The President, in accepting the gift, compared our present difficulties with the trials and tribulations of President Lincoln. (I make no comment.) Of course, Governor Kerner, in his deliberations, will not be influenced by the fact that the Negro vote in Chicago is second only to the Negro vote in New York.

Vice-Chairman is Mayor John V. Lindsay of New York. Mayor Lindsay, from the day he was inducted into office, has demonstrated a remarkable agility in dodging issues injurious to the public whether arising from labor disputes or racial disorders.

With the exception of Senator Brooke of Massachusetts, who, although a Negro, is probably the most open-minded member of the Commission, the Senators and Congressmen are little known to the public.

Next comes I. W. Abel, President of the United Steelworker's Union, and Roy Wilkins, Executive Director of the National Association for the Advancement of Colored People, Charles B. Thornton, President of Litton Industries, Inc., one Graham Peden, and oh yes, Herbert Jenkins, police chief of Atlanta.

To make doubly sure, the President appointed as Executive Director of the Commission, one Charles David Ginsburg. Mr. Ginsburg is described by the New York Times as a highly cultured gentleman. After graduating from Harvard Law School, he joined the Securities and Exchange Commission and was Law Secretary to Supreme Court Justice, William O. Douglas. He then became general counsel for the price control agency during the war. He now practices law in Washington. He has served on two other of President Johnson's commissions. You may judge for yourself as to his objectivity. Mr. Ginsburg's assistant is one Theodore Jones, a Negro who is Director of the Illinois Department of Revenue under Governor Kerner.

I could not care less who compose the Commission or what their findings may be. No doubt their report will impress the American people about as effectively as did the report of the President's Crime Commission, which someone has said contained too many sociologists and not enough policemen. The point is that both Commissions illustrate the unwillingness of the President to face up to his problems. He apparently has an absolute compulsion to play politics with the most vital situations. Thus, typically, he "passed the buck" to Congress in the railroad strike emergency and sent Clark Clifford and General Taylor to the Far East in order that he might have their report to hide behind in escalating the war and continuing the bombing in Vietnam.

If the President were conscientious in his poverty program, aimed almost exclusively at the Negro population we all may applaud his determination even though we did not agree. But his voting record in Congress belies any serious conviction and definitely labels the whole program political. Mr. Johnson's overwhelming solicitude for the poor and the downtrodden began only when the Presidential bee began to buzz. He was elected to Congress in 1937 and from that date on he voted no on every Civil Rights bill which was introduced. He voted no on the antilynching bill in 1940; he voted no in a bill forbidding segregation in the armed services, also in 1940; in 1942, 1943 and 1945 he voted no on various anti-poll tax bills; in 1946 he voted no on a bill barring discrimination in the Federal School Lunch Program; in 1949 he supported an anti-Negro amendment in the District of Columbia Home Rule bill. And so on and on. May a man with such fixed convictions so suddenly do such a direct about face? May the Vice Presidency, in itself, so decidedly alter a man's thinking? Again, I have no comment. Each of you must judge for himself.

FEDERAL-STATE-LOCAL RELATIONSHIP

Mr. FANNIN. Mr. President, it should surprise no one that many Americans are concerned about the growing imbalance of power between the Federal Government and State and local governments. Many thoughtful proposals, including a bill to share a portion of Federal revenues with the States, have been introduced in Congress to correct this situation, and most of them have my complete support. There is no question in my mind that Congress must provide State and local governments with the financial wherewithal whereby they can solve their own problems—social, environmental, economic, and educational.

But limited financial resources is only one reason why State and local governments have not done as well as they might have done. Many are shackled by outmoded State constitutions and laws, as Allan Shivers, president of the Chamber of Commerce of the United States, noted last month. Speaking at the 32d annual convention of the National Association of Counties, which met in Chicago, Mr. Shivers warned delegates that the situation must be corrected, lest local government be tolerated "more like a necessary nuisance than a means for better living."

His talk contains some of the most thoughtful comments on the Federal-State-local relationship it has been my privilege to read. Furthermore, he offered many sound suggestions on what can be done to make State and local governments a dynamic force in America.

I recommend his talk to every American. I ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Local Government To Grow By

(By Allan Shivers, president, Chamber of Commerce of the United States, before the National Association of Counties, Detroit, Mich., July 31, 1967)

I am glad to be with you for a number of reasons. For one thing, your meeting is timely. Urbanization is one of our exciting new trends, and county governments are in the thick of it.

Also, it's good to find myself on somewhat familiar ground in my first full-blown talk as president of the Chamber of Commerce of the United States. My years of public service as a State Senator and Lieutenant Governor and then Governor, gave me an insight into the intimate workings of local government that was as rare as it was rewarding. And since the State of Texas has 254 county governments, all of which kept me constantly reminded of their needs and problems for as long as I held public office, how can I help but feel that I'm on familiar ground here today as we meet to discuss some matters of mutual interest and concern?

These are serious times for all men in public office in America. You would agree, I am sure, that there never has been a time when government in the United States, at the county and every other level, was saddled with greater undertakings, worse frustrations and harsher critics than it has today.

There is much concern about the growth, and the pervasiveness, and the rising cost of a national government, and there is good reason to be concerned.

There are complaints about the weakness of local government, and the antiquity of state government, and these objections, too, are often justified. Our metropolitan areas, especially, are in such a sorry plight that even the Reader's Digest recently raised the question: "Can Local Government Be Saved?"

But I have an answer to that question which may surprise you. Without minimizing what is wrong, it is possible to look very broadly at what is going on and find encouragement. What I see happening today are the first stirrings of a revolutionary new movement—a resurgence of community government!

The signs are visible in many places. You can't have failed to observe some of them in your own counties. Even though nothing much has changed yet a central idea is catching on. It's government modernization. You can catch the fever by visiting any of a hundred or more state or local chamber of commerce offices in various parts of the country. That is where most of the action forces are centered. National Chamber staff specialists have met with government and business leaders in more than 45 states to get the movement rolling. There is a ring of reform in the air; the appearance of an idea whose time has come. Results seem inevitable.

Pausing to see where we are at the moment and to consider how we got this way, we find a confusing state of affairs from which to move ahead.

The whole structure of our society has changed. Lines between rural and urban living are no longer distinct. The cores of our great cities swarm with under-educated, unskilled migrants from mechanized farms. Middle and upper income leadership has gone to the suburbs or to once rural areas. As we have grown in population and industry we have sprawled our homes and factories across the landscape, overrunning one established community after another without connecting them, leaving isolated pockets of jurisdiction to complicate the people's lives.

Overall planning is stymied, as you know so well. There is great waste of money and motion on partial purpose projects.

The federal government, sensing a crisis, has moved in with almost 200 grants-in-aid programs which are budgeted this fiscal year for a total of $17 billion. Washington now provides one-fifth of all state and local funds.

There has been a strong tendency to relax and enjoy this outside help. Federal money is used to cover up conditions that need correcting at the source.

State and local officials are judged more by their success in bringing in federal money than by the way they improve their own governmental machinery. The political roads are strewn with the carcasses of candidates who wanted to reorganize the governmental structure and provide improvements at local expense. When Washington does the financing, the costs are obscured. Local benefits are scrambled in with national needs so that they don't have to be faced up to explicitly by local voters.

How many local projects have you seen that would have been rated economically unjustifiable if they had required a local bond issue, but were found to be quite worthy when a federal subsidy became available?

Some of the federal programs lack validity; some are badly managed, and it is difficult to understand why the less essential ones are not cut back in a time of war and heavy deficit spending like the present.

Nevertheless, I think it is only fair to say that our federal government has made an earnest attempt to respond to the growing needs confronting our states and their local subdivisions—needs that our city halls and state capitals have seemed unduly slow to recognize or act upon.

Nor do I entirely condemn state and local governments for their past slowness of action. There have been understandable reasons for it. The postwar population explosion, the increased mobility of people and goods, and the enormous growth of industry have combined to impose unprecedented demands upon our state and local governments. Most of our state constitutions were drafted to meet the needs of a rural society, when metropolitan centers were few and far between. Moreover, those constitutions were conceived in an atmosphere of caution, marked by fears of the possible consequences of too big, too powerful government—fears justified, in part at least by the colonial experiences of the original states and by the abuses suffered by the Southern states in the Reconstruction years. Unfortunately these documents, which are slow to undergo basic change, have now made it increasingly difficult for the states to adapt themselves as readily as they should to the radically changing conditions confronting them.

Communities, struggling to cope with the problems of congestion, decay and social unrest that the new urban living has produced, are hampered by state restrictions at every turn. Many cities and counties lack adequate power to borrow, annex, consolidate, contract for services, engage in joint operations or transfer functions to each other. Most need state enabling legislation to reform their property tax, the source of seven-eighths of all locally raised tax revenues.

So far during our great upsurges of progress and population we have treated local government more like a necessary nuisance than a means for better living.

Now we come to a new turning point. The drama of the world of tomorrow, based on great strides in science and technology, is being unfolded for us in an urban setting. We are fascinated by planners' and artists' concepts of our Cities of the Future—imaginatively neat, beautiful and convenient places—some of which are already starting to rise in the midst of the present jumble. So the tendency is to push ahead, dragging our present community problems along to solve as we go, instead of letting them hold us back.

Your organization and mine, along with state and municipal government groups and others, are working together at the national level and also down in the action areas, helping to make the dream of tomorrow come true.

Here is a review of some recent events:

The Governor of Colorado appointed 100 leading citizens to a commission on governmental reform. When its recommendations were not accepted by the legislature, the state chamber teamed up with economic, political and social groups to build public support for modernization.

In Oklahoma, 100 businessmen pledged $70,000, plus manpower, to back up the Governor's Blue Ribbon committee on modernization.

In Pennsylvania, where there are 5,000 separate taxing agencies and government fragmentation is hampering economic growth, the Governor is pushing a modernization program.

The Oregon Legislature, moving carefully but firmly, created a study commission in 1963 and gave it until March 1969 to report. But the commission was empowered to recommend a complete overhaul of local government and to put its recommendations directly onto local or county ballots without referring them back to the Legislature or to the initiative petition route.

And speaking for the federation I represent here today, I would add that in all the states mentioned, state and local chambers of commerce are actively supporting the official studies and improvements, and sometimes, as in the case of Oklahoma, are supplementing them with voluntary research.

In my own state of Texas, the business-supported Texas Research League, in its first report in a three-year local government study requested by Governor John Connally, made seven proposals for state action to upgrade county and municipal government in the State's 23 metropolitan areas. The proposals placed great emphasis on county government as the one best suited to deal with problems of an areawide nature.

As you know, there have been those in times past who have argued that county governments were an anachronism and therefore must eventually disappear. You don't hear that so much any more. To be sure, Connecticut has abolished its counties in favor of another structural arrangement, but we all know that the county government picture in Connecticut was different than what it is elsewhere. I believe that county government today has an historic opportunity to prove its worth as the keystone of a durable nationwide local government structure geared to serve an ever-changing, ever-expanding urban society. But this opportunity will be forfeited if outmoded state constitutions and state laws are allowed to continue their stranglehold on efforts to modernize and strengthen county governmental structures. Probably our rural counties can continue as now constituted for many years to come; but the moment of truth is at hand, it seems to me, for county governments in the nation's growing metropolitan areas. They can—as has been proven in many areas—rise to the occasion and become that keystone I spoke of, or they will, in time, wither away on the political vine.

Federal officials argue that local governments must be more efficient to administer federally financed programs properly, and this gives modernization a boost.

The main thrust though, comes from local business leadership—the traditional, typically American force behind most of our civic spirit. At the National Chamber's recent annual meeting, 66 percent of the delegates taking part in a poll reported that they were personally involved in efforts to modernize local government.

There is an urgency behind the reform which rises from the competition among communities for economic growth—orderly growth being virtually impossible without efficient local government—and here is the basis for much of the businessman's involvement.

Communities have always vied with each other in seeking new and bigger industries. The rule is, the more jobs, the more prosperity. Now, as urban areas struggle with their rising tide of population, the need for more jobs is greater everywhere. And at the same time the nature of the competition has changed. What changes it is the shortage of skilled workers brought about by our advancing technology

Being able to find a job practically anywhere—and this is especially true of the scientists and engineers required by the new glamour industries—the sought-after employee has become choosy about where he lives. He demands a bright environment in which to work and raise his family, and his choices are being taken into account by corporation heads when they select their new plant locations. The modern, well-run community has a decided edge in this competition.

And so, communities have learned to dress up flirtatiously and pool their charms on an areawide basis, for industrial growth. Upgrading of schools and libraries, new cultural and recreational centers, urban renewal, traffic improvements, pollution control—these are high priority items in area development programs. Communities must exert themselves as never before to stay in the competition, and sooner or later their programs begin to stumble over any local and state government inadequacies.

That's what is happening in hundreds, possibly thousands, of places today. Even if it were in the nature of Americans to tolerate old ways when better ones come along—which it isn't—better government will become a general necessity as soon as the areas which are moving ahead begin to gain bigger advantages over those which lag.

We can be even more hopeful about the outcome by recalling what Emerson said in one of his essays: "Necessity does everything well."

There is also a moral side to governmental reform which stands in favor of the up-and-coming community. It was perhaps best expressed by Edmond Burke when he said: "Government is a contrivance of human wisdom to provide for human wants. Men have a right that these wants should be provided for by this wisdom."

This is the real challenge facing the governments within America, and in fact around the whole world, today. You and I have our parts to do. Let's do them as well as we possibly can.

I thank you.

LEO W. O'BRIEN DAY AT THE ALASKA EXPOSITION

Mr. BARTLETT. Mr. President, in 1958 when the question of statehood for Alaska was pending before Congress, the then chairman of the House Committee on Territories, the Honorable Leo W. O'Brien, of Albany, N.Y., established himself as a friend of all Alaskans. As the man who steered the statehood bill through the House, his dedication to the cause of Alaska never swerved, and until his retirement in 1966, Representative O'Brien served with distinction as a leader in the House.

August 16 was to have been "Leo W. O'Brien Day" at the Alaska 1967 exposition in Fairbanks, a small sort of tribute to a man Alaska owes a lot, and one which I know the people of Fairbanks and the recipient were looking forward to with equal anticipation. On August 16, however, the exposition grounds happened to be under several feet of water, totally wiped out by the disastrous flood.

Representative O'Brien took shelter with his wife, children, and grandchildren at the University of Alaska campus with about 6,000 residents of the city. He describes the situation there in a moving article, published in the Anchorage Daily News, which tells of the patience and unspectacular heroism which Alaskans demonstrated during the entire crisis.

As a most illuminating narrative of what the people in Fairbanks are doing to help themselves and the attitude they have toward the rebuilding of their city, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IT WAS SOME DAY FOR LEO O'BRIEN

(EDITOR'S NOTE.—The author of this account of the Fairbanks flood disaster is the man who steered the Alaska Statehood Bill through the U.S. House of Representatives in 1958. As floor leader of the statehood bill, his dedication to the cause of Alaska never swerved—and his contribution to the creation of the 49th State is almost beyond measure. A resident of Albany, N.Y., and a newspaperman and columnist since 1922, Leo W. O'Brien served in Congress from 1952 until his retirement in 1966.)

(By Leo W. O'Brien)

Last Wednesday, Aug. 16, was to have been "Leo W. O'Brien Day" at the Alaska '67 Exposition in Fairbanks.

Everyone knows what happened to the "Day," with the Exposition grounds under several feet of water, but there has been a minor mystery about what happened to Leo O'Brien.

The O'Briens, all seven of us, tried our best to keep the engagement, and we did manage to reach the University of Alaska campus at 1:30 a.m., Aug. 15, just as the heavy flood waters were sweeping through the streets of Fairbanks and thousands of people were being evacuated by boat, truck and helicopter to the university and elsewhere.

We spent 48 unforgettable hours at the university, amid tragedy, selflessness and, at one stage, near disaster.

It wasn't much of a hardship for those of us who hadn't lost our homes or who hadn't been assisted from our rooftops.

So many stories already have been told and printed about the personal tragedies of those with whom we dwelt for 48 hours that I'd like to jot down broad impressions.

I can think of no better words to summarize what we saw and heard than the simple comment of my 12-year-old grandson, Tommy. He looked about the lobby of Moore Hall, crowded with old men and young men, old women and young women and babies, some sleeping on the floor, but most, in spite of their own shock, seeking out ways to be helpful to others.

"Gramps," said Tommy, "Alaskans don't panic, do they?"

No, they do not. They didn't panic when a comparative handful of them dared to meet the challenges of statehood eight years ago; they didn't panic when an earthquake seized Anchorage by the throat in 1964 and they didn't panic when floods swept Fairbanks into an economic tailspin.

I came to Alaska 12 years ago with the House Committee on Territories, of which I was chairman, and I decided then to put all my legislative chips, as far as statehood was concerned, not on gold, or oil, or gas or copper, but on the spirit of a people.

My hunch was right. Alaskans are a people who bend but never break.

I had a speech prepared for "Leo W. O'Brien Day," a speech I'll never deliver.

But, after what I saw I have a new speech which I'll deliver many times back home in Albany, N.Y., and as often as they'll listen, to my old friends in Congress.

I'll tell them about the terrible patience of those refugees on the campus, reduced to what they wore on their backs, standing for an hour at a time to receive a small bowl of chili at the college cafeteria.

I'll tell about a people, with most of what they had gone, already talking about tomorrow.

And I'll boast about the staff at the university, inundated overnight by 8,000 tired, hungry people and rising to the occasion without becoming once impatient with the very young or the very old.

And I'll speak with pride of the 300 men and women, some in bare feet, shoveling frantically for hours in the mud and water to save the university powerhouse from flooding.

I'm happy that my son had one of those shovels and proud that my wife steered food and drink toward the trembling lips of bewildered old ladies evacuated from the invalid home in Fairbanks.

We were evacuated to the Fairbanks airport by helicopter late Wednesday. We felt guilty as we left, but there were more important mouths to feed and bodies to lodge than ours.

It's my earnest hope that Congress and the President will provide every assistance possible, without delay or quibbling. If the Lord helps those who help themselves, the government should do no less.

We didn't have our "Day" at Fairbanks, but we had much more. We discovered the true depth of Alaska courage and a people who, in the words of little Tommy, "don't panic."

On Friday next we'll be going home, my wife, my son Robert and his wife, Pat, and the three grandchildren, Terry, Tommy and Timmy. Before leaving, we'll stand by a roadside near Haines and look, for the first time, at Mt. Terrence, named by the people of Alaska for my oldest grandson.

Terry will be proud that "his" mountain is in such a courageous land.

SLUM DWELLERS DIDN'T ALWAYS RIOT

Mr. BYRD of West Virginia. Mr. President, I wish to call attention to a column by John Chamberlain, which appeared in the Wheeling, W. Va., Intelligencer on August 17, 1967. The column was entitled "Self-Help Best Road Out: Slum Dwellers Didn't Always Riot." I ask unanimous consent that the column be inserted in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD as follows:

SELF-HELP BEST ROAD OUT: SLUM DWELLERS DIDN'T ALWAYS RIOT

(By John Chamberlain)

It's hard to think back through the mists of time, which may play tricks with memory. Nevertheless, some one should try to compare the slums—and the slum dwellers—of yesteryear with those of the present, if only to get some perspective on the claim of the extremists that riots and arson are justified today when there was no need for them a generation ago.

One has to go through an old literature to find out how the "other half" lived in the late Nineteenth and early Twentieth centuries. Things weren't good then, as one can discover by reading such reporters-turned-sociologist as Jacob Riis, or by consulting such autobiographies as the one written by the socialist lawyer and political leader, Morris Hillquit. But if the East Side streets in the New York of Hillquit's day were a disgrace, there was hope in hearts and minds. Hillquit's memories of the soaring discussions that took place far above the street level on "the roofs of Cherry Street" differ from what is being done today on the roof tops, where like as not snipers are busy studying the lay of the land in preparation for the next riot.

The difference between past and present is a state of mind. Self-help is out; the cultivation of demonstrations designed to extort something comparable to ransom from Congress is in. We would not be against paying the ransom if we thought it would work. But nobody can make a way of life forever on exacting retribution from a community because of what happened to one's ancestors. Retribution money turns out to be fools' gold; it vanishes and leaves no skills, no muscles, no mother-wit, to carry people on.

Here and there enlightenment is at work in the slums to get off the dead-end give-us-retribution kick. This column has written about the Mangement Council for Merit Employment Training and Research in the Watts area of Los Angeles which has found jobs for thousands. It has said something from time to time about Cleo Blackburn's adventure in the cultivation of "sweat equity" in Indianapolis, where slum dwellers have worked together to rebuild a whole area. And it has had a lot to say about the work of the Negro neurosurgeon Dr. Thomas Matthew of the New York City borough of Queens, who has built a hospital and branched out into a number of endeavors which give employment to slum dwellers who were close to losing hope.

The latest Matthew adventure—and the ingenious doctor seems to come up with a new one every month or two—is about to get under way in the slum area of the South Bronx in New York. There, on Fox Street, Dr. Matthew's Negro-operated Spartacus Construction Company will shortly go to work rehabilitating two six-story walk-up buildings which now have 116 apartments, eighty-eight of which are empty because not even the lowest dregs have wanted them. The buildings have the hopeless look of poverty anywhere, but they are basically sound. Dr. Matthew's Spartacus workers will cut the 116 apartments down to one hundred, and when the conversion work is through there will be room for large families running up to a total of 600 people.

But won't it be just another slum when the reconstruction is a few years in the past? No, says Dr. Matthew. For the Brox adventure is to combine several new features. There will be a family day care center on the premises. There will be a health clinic, a resident social service worker, and a dietary consultant to assist with the planning of meals and the management of food budgets. The backyard of the two apartments will be converted into a playground. And, finally, Dr. Matthew promises a job to every family, either in his construction company, or in his hospital and its several related services.

Dr. Matthew says he can carry off his slum rehabilitation venture because (a) he got the apartments on a miniscule down-payment basis from a discouraged landlord who was tired of losing money and (b) he needs only nine per cent profit on his rents, six-and-a-half per cent for the amortization and the rest for administration. The doctor claims this could be done all over New York City's slum areas if only a few enterprising people would stop waiting for Washington ransom money and get busy on their own.

BREAKTHROUGH IN EFFORTS TO EXPAND AMERICAN PLYWOOD EXPORTS

Mr. MORSE. Mr. President, I am pleased to learn of the announcement by the Department of Agriculture that a cooperator agreement is being concluded between the Foreign Agricultural Service and the American Plywood Association.

The association appeared in May at the Pacific Northwest hearings on export expansion of the Committee on Small Business, at which I was privileged to preside. The testimony of Mr. Bronson J. Lewis, secretary of the association, on that occasion made clear the importance of exports to the softwood-plywood industry. By 1966, the United States was sending 9.5 million square feet to Europe and 37.5 million square feet to Japan. It is now being used for light construction in roof and wall building, sheathing and siding, and in heavy construction for concrete forming, containers, pallets, and other manufactured items.

It is particularly important that this industry is characterized by relatively small businesses, in that the 12 largest producers account for less than one-half of American plywood production. Furthermore, the largest use for these products in the United States is for residential construction. Sixty-five percent of our output goes into homes, apartments, schools, churches, offices and warehouses. Involvement in this kind of service underscores the contribution which the industry of our region and our country can make in serving humanity's basic needs for shelter, for growing commerce, and for a better life for our trading partners overseas.

At the time of the hearings, discussions were in progress between the Department and the association about the possibility of utilizing counterpart funds to further these worthy objectives.

The association has already established and funded an enviable export development program on behalf of all of its members. It has been soundly conceived to extend over 10 years, has oversea offices in Germany and Japan and is so structured that, as the committee was informed, even a two-man operation in Oregon can participate in the growth of these markets. Its operations over the past 4 years earned the President's "E" award for excellence in exporting.

However, this program was imperiled by the conditions in the domestic money market on which I commented to this body in detail on July 25 of last year and February 3 of this year, and brought to the attention of the President and Secretary Weaver during last autumn.

In the words of Mr. Lewis:

> (W)e could not anticipate the 1966 tight money crisis, nor the disastrous slump in residential construction it caused. Since housing is plywood's major market, the plywood industry experienced major problems last year, and expects to experience them for some time to come . . . even the most promising long-term programs can fall victim to short-term necessity.

Thus is was agreed in the testimony that the classification of plywood as eligible for a counterpart funds program would be a "major breakthrough" and a "major solution" in building a stable ongoing export expansion in this promising area.

The discussions were long, but the association persevered with its typical initiative. Now an article in the Foreign

Agriculture magazine of August 21 reports that an arrangement is being successfully concluded.

According to Mr. John D. Ritchie, regional vice president of the American Plywood Association here in Washington, D.C., consummation of the cooperators' agreement will allow the APA to broaden its existing efforts in such fields as hiring additional full-time staff abroad, staging exhibits and displays, taking part in historical documentation, advertising, organizing educational seminars, and publishing foreign language technical and promotional literature.

It is my feeling that this agreement represents a notable step forward for our Pacific Northwest regional industries. I would like to congratulate the American Plywood Association, and wish it well in its expanded endeavors. In the meantime, the Small Business Committee will be reviewing the excellent testimony which was presented in Portland, Oreg., and we here in Congress will be doing all that we can to build a firm foundation for growth in plywood markets at home and abroad.

I ask unanimous consent that the article to which I referred be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

FAS Contracts To Help Promote U.S. Plywood

FAS's market development program will be broadened in coming months as a result of a recent agreement to help promote U.S. plywood overseas. Partner in this new project is the American Plywood Association, which is the first FAS cooperator to represent American forest products.

With its entry into the program, the Plywood Association brings an impressive record as a promoter of softwood plywood. Organized in 1936, the Association today is one of the largest trade groups in the country, boasting a staff of 315 employees and representing 85–90 percent of the softwood plywood industry. Its product—which brings in about $1.0 billion yearly from sales at home and abroad—is used in light construction for roof decking, wall sheathing, and siding; in heavy construction for concrete forming; and in industry for containers, pallets, and manufactured items.

As an FAS cooperator, the Association will be participating in the big U.S. agricultural show in Japan next spring and other appropriate trade fairs, will be staging exhibits of its own, and will be bringing overseas teams to the United States to study the domestic industry. In addition, funds provided by FAS will allow the Association to increase the scope of already active export programs.

These programs were begun some 4 years ago by the Association in response to a drop in U.S. housing starts and recognition of the tremendous untapped demand overseas. Following an initial market survey, which showed the European Continent ready for U.S. plywood, the Association set up an overseas office in West Germany; from there, representatives reached out to Belgium, the Netherlands, and Denmark. And a special consultant was sent to Japan.

These representatives took plywood products to the specialists—the architects, engineers, contractors—showing them how it should be used and why. The reasoning was that the specialists—once sold on the merits of U.S. plywood—would get the word across to the general public. At the same time, Association representatives were looking into the building codes of different cities to make sure they were not prohibitive to use of U.S. plywood.

As a result of such techniques—which included distribution of foreign language brochures and participation in overseas trade fairs—the Association in 1966 won a Presidential "E" Award for export expansion. By then, sales of U.S. plywood to Europe had zoomed to 9.5 million square feet from 1.2 million in 1962, and those to Japan had jumped to 3.0 million from practically nothing. And this year, with sales to Japan alone forecast at 37.5 million square feet, the Association has an even better start toward a healthy partnership with the Department of Agriculture in market development abroad.

OUTSTANDING ACCOMPLISHMENTS OF ECONOMIC DEVELOPMENT ADMINISTRATION

Mr. STENNIS. Mr. President, Saturday, August 26, will mark the end of the second year since the President approved the Public Works and Economic Development Act of 1965, creating the Economic Development Administration in the Department of Commerce. I strongly supported this legislation because it was based on sound principle. After only 2 years, the Economic Development Administration has proved to be sound in practice and I am proud to have been one of its earliest and warmest supporters. This is the kind of Federal-State-local government programs that I think is proper, sound, and profitable to all when competently managed.

Many communities throughout the country are familiar with the outstanding accomplishments of the EDA in this brief period. Others, however, who have not witnessed its work firsthand, may be unaware of the EDA's remarkable accomplishments in its short existence. The work of the EDA is not spectacular in terms of publicity, but its contributions are many and enduring.

During the past 2 years, in Mississippi alone, the Economic Development Administration has assisted more than 40 towns and communities to acquire new industry or to improve their water and sewage systems so that industries can build and expand there. Loans totaling almost $4 million have been made to Mississippi industries and 33 towns and communities have received assistance for providing better public facilities.

These improvements have meant much to these communities. They have brought new jobs, a higher standard of living, and a better place to live to the people of these areas. Moreover, they have been carried out under community leadership in an excellent spirit of cooperation between Federal and local officials. All in all the Economic Development Administration has been a sound and successful program, worthy of the utmost support. I commend the officials of this agency for their fine record during the past 2 years and wish to encourage them to continue their good work.

PRESIDENT JOHNSON'S VIETNAM POLICY SHOWS ENCOURAGING RESULTS

Mr. BYRD of West Virginia. Mr. President, I commend to my colleagues an excellent article by Roscoe Drummond in the August 23, 1967, Washington Post which effectively refutes the notion that the conflict in Vietnam is stalemated.

Mr. Drummond, one of Washington's most able, thorough, and respected columnist, quotes impressive statistics which make it evident that the allies are making significant progress. North Vietnamese defections have leaped to 40,000 a year, its loss rate to 12,800 men per month, 40 percent of the enemy's bases in the south have been neutralized, and the North Vietnamese economy is badly damaged.

Contrary to what many would have us believe, we are not isolated from all of our allies, as free world troop strength has increased from 500 in 1965 to 54,000 today and "37 countries are providing some degree of aid to South Vietnam and are backing United States policy."

Mr. Drummond's figures vividly point out that despite the fact that 50,000 South Vietnamese men have given their lives in defense of their homeland, the nation continues its fight against aggression with renewed vigor. Drummond says that South Vietnam's troop strength has increased from 274,000 in 1961 to "735,000 and 65,000 are being added this fall," and that "defections are down two-thirds over a year ago and missing-in-action has been reduced by half."

The lesson to be culled from Mr. Drummond's quotations is that our country must unite behind President Johnson in his goal to bring peace to a war-ravaged land fighting for its independence. To turn our backs on the President now because of a belief that the war is a hopeless stalemate is to make a critical mistake of judgment. As Drummond mentions, "significant and encouraging progress is being made."

I ask unanimous consent that Roscoe Drummond's article be inserted in the Record.

There being no objection the article was ordered to be printed in the Record as follows:

Vietnam Report—Stalemate Talk Refuted

(By Roscoe Drummond)

Is everything going badly in Vietnam, are we mired in a hopeless mess?

Or is the fighting of the past two years about to pay off, is Hanoi likely to capitulate soon?

On the basis of the most reliable facts and judgments I can put my hands on the candid answers are:

1—There is absolutely no way to judge how long the war will last, how long it will take to bring the aggression to a halt, and a forecast of ten years can be as wrong as a forecast of ten months.

2—It is untrue that the fighting is stalemated. The war is not at a stalemate; significant and encouraging progress is being made.

Here are statistics which bear most directly on this assessment. They are undoubtedly not precise. But they reflect the real trend.

Q.—Is South Vietnam doing its share? A.—In 1961 the total ground forces of South Vietnam was 274,000. It is now up to 735,000 and 65,000 are being added this fall.

Q.—What of South Vietnamese morale? A.—Defections are down two-thirds over a year ago and missing-in-action has been reduced by half. Two years ago the South Vietnamese were losing three weapons to the enemy for every one captured. Today they are capturing more than three for every weapon lost.

Q.—Do the South Vietnamese have the staying power to persevere? A.—Since 1960 South Vietnam has lost 50,000 killed in action, 26,200 during the past two years; that's the equivalent of our losing 800,000. They are fighting on.

Q.—Are South Vietnam and the United States fighting alone? A.—In 1965 there were 500 Free World troops in Vietnam. Today there are 54,000. There are 37 countries providing some degree of aid to South Vietnam and are backing United States policy.

Q.—What of enemy reverses? A.—The North Vietnamese and Vietcong have not had a single tactical victory in two years. About 40 per cent of enemy bases in South Vietnam has been neutralized. Enemy defection went up from 10,000 in 1965 to 20,000 in 1966 and is now running at a 40,000 yearly rate. The enemy loss rate in 1966 was 8400 per month and is now running at 12,800 per month.

Q.—What is happening to North Vietnam? A.—Its electric power production is crippled (perhaps as much as 85 per cent), 30 per cent of its rail system knocked out, and much of its railway repair facilities, plus steel and cement factories immobilized. Hanoi has lost half of its Mig jets and in the last ten months 3500 of its trucks and 4000 water craft have been destroyed.

The effect of the bombing is now being openly admitted by the Hanoi press which is exhorting its people to work harder and longer at war production because about 500,000 workers are constantly engaged in repairing bomb damage.

As to the South Vietnamese elections, the Vietcong seem as worried that they will go well as some in the United States seem certain they will go badly.

None of these statistics say when it will be over, but they are evidence that the war is not stalemated. The need is to keep our eye on the goal, not on the clock.

AIR ATTACK CRITICISMS

Mr. SYMINGTON. Mr. President, on August 17 the Kansas City Star published an editorial entitled "For Full Light on Criticism of the Navy Bombing," and on August 22 the St. Louis Globe Democrat published an editorial entitled "Navy in Muddled Waters?"

I have visited with many Navy pilots on their carriers off the coast of Vietnam and have never known a more dedicated group of men.

Inasmuch as these charges have been made, however, I agree with these two newspapers of my State that the matter should be investigated in the public interest, therefore am turning said editorials in question over to the chairman of the Senate Military Preparedness Subcommittee, requesting that he have the matter looked into.

I ask unanimous consent that the two editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Kansas City Star, Aug. 17, 1967]

FOR FULL LIGHT ON CRITICISM OF THE NAVY BOMBING

The charge of wasted, dangerous efforts by Navy fliers against inconsequential targets in the Vietnam war is too serious to be brushed off. It demands fuller explanation than the Navy and the Defense Department have provided so far.

Alex Waier of Midland, Mich., a former pilot on the carrier Ticonderoga, has claimed that he and his squadron mates scuttled their bombs in the seas off North Vietnam on useless missions ordered by commanders who were vying for combat records. If this has occurred, surely other Navy fliers who have returned to civilian life will come forward to substantiate the statement by Waier. Until there is such verifying evidence, care is required in assessing the judgment of one individual. His own experiences may or may not justify the disturbing generalization he has made.

A rear admiral, speaking for the Navy, has denied the allegation. His version is that orders are out banning competition between aircraft carriers involving numbers of sorties flown. We would hope that this is the case. The business of war is much too deadly to permit rivalry, either within a particular service or between services, to take over in any fashion.

The admiral has cited some extenuating circumstances that the Michigan man is not known to have mentioned in his indictment. Commenting on the statement that "about a third of our ordnance was dumped in the water," the Navy representative pointed out that some bombs were dropped in the ocean as a safety procedure.

It is dangerous to make carrier landings with full bombloads aboard at the end of aborted missions. Changing weather conditions—or unexpectedly heavy concentrations of antiaircraft fire—can make it impractical to complete bomb runs as planned.

In raids on North Vietnam alternative targets are not always available. Thus a pilot cannot routinely unload his bombs on another target as was done regularly in World War II. It's not that kind of a war. In this conflict of limited objectives, bombing is tightly controlled. Many pilots complain of frustrations. But this does not necessarily mean that the policy ban on unrestricted bombing is unreasonable.

The American people are also frustrated about the course of the stalemated war in general and, in particular, the questionable effects of bombing North Vietnam. In the light of the public's interest, it would seem that investigation of the former flier's criticism is warranted, and that a fuller disclosure of the facts is in order.

[From the St. Louis Globe Democrat, Aug. 22, 1967]

NAVY IN MUDDLED WATERS?

Just as one cloud does not make a storm, the charge of a single ex-pilot does not make a case against the Navy.

But the allegations of Alex Waier, an A-1 Skyraider pilot aboard the carrier Ticonderoga until his discharge in February, should not be dismissed without a full investigation.

Waier, who is now an assistant analyst at Dow Chemical Co. in Midland, Mich., has charged that lives and planes are being lost on "useless missions" pressed by Navy commanders trying to amass combat records in an intense intra-service rivalry.

If what he says is true—that some Naval officers are so callous as to endanger human life and waste millions of dollars in war materiel in sortie races rigged for false glory—no efforts should be spared in replacing the guilty officers responsible for such an intolerable situation.

If the former Navy airman's charges are unfounded, this also should be determined immediately.

These accusations against a branch of the service are of such a serious nature they should be either fully documented or completely disproved.

These muddled waters are badly in need of clearing up.

FEDERAL CHARTERS FOR MUTUAL SAVINGS BANKS

Mr. PROXMIRE. Mr. President, the House Committee on Banking and Currency has been considering the advisability of providing Federal charters for mutual savings banks. This idea has been pending before the House committee for the last 10 years.

Recently the Senate Housing Subcommittee held extensive hearings on the mortgage credit situation. The committee was searching for ways and means of avoiding the tight money crisis which we experienced in 1966. Tight money had a particularly harmful effect upon the housing and homebuilding industry. Because of the shortage of funds, it was not possible to provide an adequate flow of capital into the homebuilding industry.

During these hearings a number of witnesses recommended that Federal charters be provided for mutual savings banks and that the investment powers of savings and loan associations be broadened, in order to insure a more stable flow of funds to the housing industry. I believe this proposal makes substantial economic sense. It is supported by the administration and by the Council of Economic Advisers. I am hopeful that the House will be able to act upon this measure soon.

Mr. President, in the July–August issue of Challenge, two economists from the National Association of Mutual Savings Banks have written an excellent article on this subject. I ask unanimous consent that it be printed in the RECORD.

There being no objection the article was ordered to be printed in the RECORD, as follows:

FOR SAVINGS BANKS AND SAVINGS AND LOANS—THE CHOICE IS CHANGE, OR ELSE

(By Saul B. Klaman and
Donald E. Lawson)

Although things have apparently returned to normal, the year 1966 continues to haunt the managers of the nation's thrift institutions. And little wonder! Savings and loan associations sustained a 57 per cent drop in net saving flows between 1965 and 1966. Their 1966 inflow, the smallest in 14 years, was less than the amount of dividends credited to savings accounts. At mutual savings banks, 1966 net deposit flows were down 29 per cent from 1965, with practically all of the gain reflecting interest dividends.

In marked contrast, consumer saving flows into commercial banks held up quite well last year, falling only about 13 per cent from the high 1965 level. Soaring sales of savings certificates and other consumer-type time deposits substantially offset reduced gains in regular passbook savings. Indeed, were it not for the regulatory rollback of consumer CD rates in September, commercial bank saving flows would undoubtedly have been higher.

All three major deposit-type institutions were, of course, locked in competitive battle with high-flying capital market instruments. As open-market interest rates soared to 40-year highs and over—under the impact of heavy credit demands, severe monetary restraint and deteriorating investor expectations—consumers channeled a record $11 billion into all type of securities, more than four times the 1965 volume. Consumers directly supplied almost one-sixth of the nation's total credit demands in 1966, the highest share since 1957, compared with less than four per cent in 1965. Conversely, as total savings account flows dropped from $26 billion to $19 billion between 1965 and 1966, deposit-type financial intermediaries were able to supply only one-third of 1966 credit flows, compared with more than one-half in each of the preceding six years.

For savings institutions—savings banks and savings and loans—the 1966 lesson is painfully clear; they are under a severe competitive disadvantage vis-à-vis commercial banks and open-market instruments in periods of high and rising interest rates. This is not an entirely new lesson for savings banks. They learned it in part in 1959, the year of the "magic 5's," when the Treasury competed with five per cent "short-term" notes of less than five years' maturity. But in that year, the impact of credit stringency on the savings bank industry was not as pervasive, nor as long-lasting, as in 1966. In the intervening years of financial ease, moreover, the major problem was to find quality investment outlets for an unprecedented volume of saving.

For savings and loan associations particularly, 1966 was, in fact, an altogether new and frightening experience. Unlike savings banks, they came through the 1959 financial squeeze unscathed, attracting a then record flow of new saving. But as the years passed and commercial bank competition for savings intensified, their traditional interest rate advantage over other intermediaries diminished, and in some areas disappeared entirely. When the 1966 credit crisis hit, savings and loans suddenly found themselves in a new financial ball game, unable to raise earnings sufficiently to compete effectively in the battle for savings.

In the wake of this experience, how can the specialized thrift institutions compete in the new, dynamic environment of financial and savings markets? This question has long-run relevance whether or not one assumes the 1966 situation to have been especially unique. For the 1966 experience not only reflected severe financial stringency, but also the emergence during the preceding decade of commercial banks as vigorous and important competitors for individuals' savings. This trend is sure to continue and, indeed, to intensify.

Moreover, while we may not soon again confront such a dramatic brand of financial squeeze as in 1966, the return of tight money and rapidly rising interest rates can hardly be ruled out. Indeed, long-term interest rates in securities markets, after falling sharply early in 1967, rose steadily during April and May to levels not too far below the highs reached in 1966, although short-term rates continued to decline and monetary policy remained expansionary. There is, in fact, a widely held view that the years ahead will generally be characterized by capital shortages and high interest rates, as overall economic activity is maintained at relatively high levels and worldwide credit demands press hard against limited saving flows.

Thus, even as savings are once again piling up at tellers' windows in savings banks and savings and loan associations, realistic long-range planning must allow for the return of financial stringency, the continuation of rapid and unpredictable financial change, and the intensification of severe competition for savings from "one-stop" commercial banks.

Some financial observers have already concluded that specialized savings institutions will not long be able to compete under these circumstances. In their view, specialized savings banks and savings and loans are the inevitably fated victims of a sort of financial Darwinism, already marked for extinction as their basic role in economic life becomes increasingly ill-suited to the rapidly changing environment in which they must function.

This pessimistic appraisal fails to recognize the true economic role of savings institutions. Savings banks and savings and loans have always been *consumer* financial specialists. The former, organized originally to promote thrift, and the latter to promote home ownership, can continue their traditional consumer orientation and useful economic role by evolving from their narrow functional specialization of the past to a broader specialization based on meeting *all* of the changing financial needs of consumers and families in a dynamic society. This would hardly be a revolutionary departure from basic purpose, but rather a natural response to a changing environment.

What is needed here is more than a broadening of lending and investment powers. For savings institutions must also meet head on the problems arising from their promise to depositors of "instant liquidity" from a basically il-liquid asset structure. The need exists, therefore, for some restructuring of the liabilities side as well as the assets side of the balance sheet.

In particular savings institutions must reduce their reliance on the standard passbook savings account to attract funds. They need to supplement these accounts with a variety of higher yielding saving plans which will (1) limit depositor liquidity; (2) space out depositor claims; and (3) offer higher rates only for *new* savings. Such plans will result in greater flexibility, better control over withdrawals, reduced pressures on earnings and increased ability to attract savings.

There is no secret about the nature of these plans. Several have been developed in recent years and are already in use, but on a too limited basis. Savings institutions must greatly expand the use, and innovate in the development, of such supplementary saving plans as: (1) investment-type savings accounts, including savings certificates; (2) limited withdrawal accounts, requiring 60 or 90 days or more notice; (3) split-rate plans with higher rates for long-term accounts; (4) systematic savings plans, with bonuses for regular saving over a period of years; and (5) annuity-type plans pointing toward regular payouts in retirement years.

In addition, the individual institution must determine the savings market it wishes to cultivate—the more stable market of small, local savers, or the more volatile national arena of large, interest-sensitive savers. The 1966 experience clearly demonstrated that savings markets are segmented and that interest rate sensitivity is limited mainly to the large, sophisticated savers. Tellers were not flooded with an unusually large number of withdrawal slips in 1966. Rather, each slip had an unusually large average dollar sign on it. Thus, even as dollar withdrawals were exceptionally heavy, a near-record volume of new accounts was attracted by both savings banks and savings and loan associations in 1966. The savings institution that cultivates large accounts must expect a volatile deposit experience, and its liquidity and loan and investment pattern must be geared accordingly.

But regardless of the nature of their savings account business, broadened and more flexible lending and investment powers will be essential if savings institutions are to modernize their role and functions. Realization of a broadened and more flexible asset structure would provide significant advantages not only for the thrift industry, but also for the national economy. The advantages may be briefly summarized.

For savings institutions:

Long-run earning power would be strengthened because funds could be channeled more flexibly among alternative outlets in accordance with changes in demand and fundamental investment criteria of yield, safety and liquidity.

Short-run competitive ability would be improved because increased holdings of short-term assets would permit a quicker adjustment of earnings in periods of rapid interest rate advances.

Investment risks and liquidity strains would be lessened by a better balanced portfolio because saving flows and mortgage repayments in excess of sound mortgage outlets could be channeled into alternative outlets, reinforcing the results of better control over deposit liability mentioned above.

Ability to promote thrift continuously would be strengthened by increased long-run earning power, strengthened short-run competitive ability, and the attractiveness to savers of a wider range of modern family financial services.

For the economy as a whole:

There would be a more stable and adequate flow of mortgage credit over the entire business cycle because excessive expansion would be avoided in periods of relatively low housing demand or rapid savings growth, while, in periods of relatively slack savings growth or rising mortgage demand, short-term loans or other assets in portfolio could be converted into mortgage loans.

There would be a better allocation of economic and financial resources, as saving flows were meshed more evenly with credit demands through a more flexible and fluid system of financial intermediation.

Individuals and families would have a wider range of choice among financial services, which is not only desirable in itself but often leads to increased savings and accelerated economic growth in local areas.

The need for continuous protective federal interest rate regulation would be reduced because savings institutions would be better able to adjust to rapid financial change in competition with open-market instruments and commercial banks.

It is in growing recognition of these advantages that both the leadership of the thrift industry and many public interest groups have, over the years, come out strongly in support of broadened financial powers for savings institutions so that they can better serve the needs of individuals and families.

The mutual savings bank industry has been on record in this regard for some time. For example, in his 1962 Annual Report, Dr. Grover W. Ensley, the Executive Vice President of the National Association of Mutual Savings Banks, pointed out that "In the long run, continuation of an intensively competitive savings era calls for the development of a new broad-based thrift industry . . . (having) wider and more flexible savings facilities and investment powers than either the mutual savings bank or savings and loan industries have today." He called for a ". . . full range of financial services to the individual . . ." that can ". . . respond readily to changes in individuals' financial needs and shifts in capital market demands." And this position has been repeatedly endorsed by the industry.

More recently, as commercial banks have steadily invaded the savings area, the savings and loan business has also moved in this direction. The *Preliminary Report on the Needs of Savings and Loan Business,* prepared in 1966 by a "blue ribbon" committee of the United States Savings and Loan League, concluded that "With the emphasis on the family and the community that our home finance tradition has developed, our base may logically be broadened to that of a 'people-oriented' business which will provide full service for all the 'family and home' credit needs of savings and mortgage customers in contrast to commercial banking serving business.

"Nor is this view limited to the thrift industry. Both the privately sponsored Commission on Money and Credit and President Kennedy's Committee on Financial Institutions recommended broadened loan and investment powers for savings institutions. Most recently, the Council of Economic Advisers, in its 1967 Annual Report, endorsed broadened powers through federally chartered savings banks on the specific grounds that such action ". . . would improve the efficiency of thrift institutions, strengthen them in competition with banks, and thereby ultimately benefit the mortgage market."

While savings banks have considerably broader powers than savings and loans, which are limited essentially to home mortgage loans, they too are quite limited in several areas, particularly in comparison with commercial banks. Thus, many savings banks are still denied the right to make consumer loans, while consumer loan powers available to savings banks in some states are clearly inadequate.

Other services should include provision of a modern, flexible, money transfer facility, the extension of savings bank life insurance to other states besides New York, Massachusetts and Connecticut, and, perhaps, a mutual fund for depositors. Together with traditional mortgage loan powers, broadened savings account services, and full-scale family financial counseling, these would form the basic ingredients of a comprehensive consumer financial service center. In short, what is needed is the development of a full service family banking system to supplement and complement the commercial banking system.

This is not to say that there will not continue to be some overlap between "family banks" and "business banks"; this is a healthy competitive arrangement from which the public will benefit. But the main thrust and orientation of each system will be basically different—the one consumer-oriented, the other basically business-oriented. Again, this new alignment does not deny a place in our financial system for those savings institutions which wish to remain specialized along traditional, functional lines. These will differ clearly, however, from the new full-purpose family banking institutions.

To achieve a synthesis of the best aspects of the savings bank and savings and loan systems into one strengthened mutual family banking system will require the enactment of legislation. Such proposals already exist in the Federal Savings Bank bill, sponsored by the Administration, and in a new federal charter measure, sponsored by the United States Savings and Loan League. The Federal Savings Bank bill has already been twice endorsed by President Johnson, and by his Council of Economic Advisers. Federal savings bank charters have won the endorsement, as well, of the Commission on Money and Credit, President Kennedy's Committee on Financial Institutions, academic study groups and many private industry groups, including the National Association of Home Builders, The National Association of Real Estate Boards, the Mortgage Bankers Association of America, the Cooperative League of the U.S.A., the Council of Mutual Savings institutions and the National Association of Mutual Savings Banks.

The differences between the Administration's Federal Savings Bank bill and the U.S. Savings and Loan League's new federal charter proposal—not yet before the Congress—are not great. Both provide for a broader range of financial services to individuals and families that would strengthen the competitive ability of thrift institutions converting into the new broadened federal charter. Differences center mainly on nomenclature, fiduciary powers and rights of conversion. Among reasonable men, these differences would appear to be resolvable.

The stakes are so high for both industries—and for the public as well—that their resolution ought to be assigned a high priority in the affairs of each. Savings bank and savings and loan leadership might well sit down together under the auspices of mutually respected federal officials or private citizens to agree on a broadly acceptable proposal for unification.

Success in such a venture would, indeed, brighten the future for specialized savings institutions. It would set the stage for evolution into a full family banking system specializing in a comprehensive package of consumer-oriented thrift—lending, investment, insurance, counseling and money-transfer services—an evolution that will secure a strong and expanding place for savings institutions in a rapidly changing financial structure.

The future for savings institutions in our economy, then, *can* be exciting—but only if they are willing to adapt creatively to change. Without fundamental structural change, they will continue to face tough sledding whenever financial stringency hits. As Governor Brimmer of the Federal Reserve put it recently " . . . the 1966 experience stands as a haunting reminder that under existing institutional arrangements, S&L's (and, to a lesser extent, savings banks) do not have the capability to compete freely for savings with commercial banks and market instruments when interest rates rise sharply." Moreover, without basic structural change, savings institutions will become increasingly vulnerable to long-run developments, as commercial banks intensify their competition for savings and introduce electronic "no-stop" banking in the years ahead.

Both savings banks and savings and loans agree that existing institutional arrangements require change. And change effected through the unification of savings banks and savings and loans seems a logical evolutionary development in the dynamic financial process. It is a reasonable expectation that the resulting family banking system will have all of the vigor and growth characteristic of the hybrid, and that the process of financial Darwinism, therefore, will lead not to the disappearance of the savings institution species, but to its evolution to a higher stage.

SPEECH BY SENATOR ROBERT C. BYRD BEFORE THE WASHINGTON, D.C., ROTARY CLUB, AUGUST 16, 1967

Mr. BYRD of West Virginia. Mr. President, I was recently invited, by Mr. Stephen F. Dunn, president, National Coal Association, to address the Washington, D.C., Rotary Club at the Hotel Washington on August 16, 1967.

I ask unanimous consent that the remarks which I had prepared for that occasion be inserted in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD as follows:

SPEECH BY SENATOR ROBERT C. BYRD, WASHINGTON ROTARY CLUB, HOTEL WASHINGTON, WASHINGTON, D.C., AUGUST 16, 1967

Edwin Markham, in his poem, "The Fear for Thee, My Country," apparently bespoke his fears for the future of the Republic. Today, we see things happening which future historians may very well mark as having been the early symptoms of the decline of this Republic. Many Americans, including myself, view these phenomena with increasing concern.

For example, the Nation, over the past few years, has experienced a virtual epidemic of crime. The Uniform Crime Reports just published last week by the FBI indicated that over 3¼ million crimes were reported last year. Of course, there is no way of knowing exactly how many crimes were actually committed inasmuch as many crimes are never reported.

This represented an 11-percent increase over the previous year.

There was an increase, over the previous year of 14 percent in the number of robberies.

Auto thefts increased 13 percent.

Larcenies increased 13 percent.

Murders increased 11 percent.

There was an increase in forcible rapes amounting to 10 percent. (You may be interested to know that since 1960 the number of rapes has increased 50 percent.)

Burglaries increase 10 percent.

Aggravated assaults increased 9 percent.

While the population was increasing 1.1 percent, the number of crimes committed was increasing 10 times as fast.

The timetable of crime for 1966 was as follows:

A serious crime was committed every 10 seconds, as compared with a serious crime every 12 seconds the year before;

a murder was committed every 48 minutes, as compared with a murder every 53 minutes the year before;

a forcible rape was committed every 21 minutes, as compared with a forcible rape every 23 minutes the year before;

a burglary was committed every 23 seconds, as compared with a burglary every 27 seconds the year before;

a robbery was committed every 3½ minutes, as compared with a robbery every 4½ minutes the year before;

an aggravated assault was committed every 2 minutes, as compared with an aggravated assault every 2½ minutes the year before;

an auto theft was committed every 57 seconds, as compared with an auto theft every 60 seconds the year before; and

a larceny of $50 or over was committed every 35 seconds.

To be more specific, there were 153,400 robberies committed last year; there were 1,370,000 burglaries committed; there were 2,790,000 larcenies committed; there were 557,000 auto thefts committed; there were 10,920 murders committed; and there were 25,330 forcible rapes committed last year.

Crimes against property accounted for losses amounting to $1.2 billion, although recoveries by the police reduced this by 55 percent.

Your chances, as a national citizen, of becoming the victim of crime have increased 48 percent over what your chancs were in 1960.

Here in your own National Capital, crime is increasing at a faster rate than it is nationwide. The District of Columbia, which was in 12th place among 16 cities of comparable size in 1957, has, as a result of its soaring crime rate, been catapulted into 2nd place. I predict that the day is not far off when the Nation's Capital will stand in first place unless the trend is reversed.

Last year, 57 policemen were murdered while acting in the performance of duty, making a total of 335 policemen who have died in the line of duty since 1960.

It is interesting to note that 76 percent of those persons who were involved in the murder of these policemen had been previously charged with the commission of a serious crime, and over one-half of these had committed the assaultive-type crimes, such as murder, forcible rape, assault with intent to kill, assault with a deadly weapon, etc.

Among the 442 persons involved in the killings, 67 percent had prior convictions on criminal charges, and 69 percent of this group had received leniency in the form of probation or parole on at least one of these prior convictions.

As a matter of fact, 11 of the police murderers had previously been charged with an offense of murder, and 9 of these 11 murderers had been paroled on the murder charge.

Two of the 11 were escapees, one of whom had fled confinement while serving a murder sentence, and the other of whom had escaped from prison while awaiting trial for murder. Three of every 10 of the murderers were on parole or probation when they murdered a police officer.

Incidentally, more law enforcement officers were murdered on Friday than on any other day of the week, while fewer officers lost their lives on Tuesday.

Police clearances, by the way, dropped from 26.3 percent in 1965 to 24.3 percent in 1966.

Another disturbing phenomenon in recent years has been the steadily increasing trend toward more and more welfare expenditures. In the conventional categories alone, such as aid-to-dependent-children, general public assistance, aid-to-the-permanently-and-totally-disabled, etc., the price tag annually, is now up to something like $8 billion.

This staggering expense can be more readily comprehended if one will but remember that only 1 billion minutes have passed since Jesus Christ was born, and that, consequently, our welfare costs in the conventional programs alone amount annually to an expenditure of $8 for every minute since Jesus of Nazareth admonished us that the poor will always be with us.

I am for welfare programs as long as they are properly and efficiently administered, and as long as they do not encourage dependency and are geared to the assistance of these persons who are in real need of assistance.

No one could more ardently support the giving of assistance to the physically and mentally incapacitated, those who are too old and those who are too young to help themselves, than do I.

But it is shocking to study the trend of growing welfare dependency in this country. There are those who now advocate welfare payments as a matter of legal right. There are those who are inciting welfare recipients to take direct action leading toward higher welfare payments. There are those who would organize welfare recipients into unions and who would swell the ranks of demonstrators with welfare recipients.

It is also disconcerting to note the forces which stand in the way of adequate and effective policing of the welfare programs so as to rid them of ineligibles. (Results of D.C. investigations.)

Another malignant and corruptive factor which is already having a disturbing and destructive impact upon our society today is the spiraling rate of illegitimacy. This is a factor which, sooner or later, and whether we like it or not, we are going to have to candidly face up to.

This Nation simply cannot afford to continue to close its eyes to the burgeoning birthrate among low-income families in America, and the Nation cannot eschew the poisonous element of illegitimacy which is becoming alarmingly prevalent.

Another symptom of societal decline in this country, and one which is closely interrelated with the general subject of crime, has been the emerging riots which have swept over scores of major American cities during the last two years.

These riots—a natural outgrowth of the rash of demonstrations and acts of so-called disobedience which have captured the headlines during the past five years—have left destruction and death in their wake. Estimates of damage in the city of Detroit alone have reached the billion dollar mark.

Hundreds of business establishments were gutted by fires, while the firemen were attacked with bricks and bottles as they attempted to extinguish the fires set by arsonists.

Automobiles were overturned and burned, while their occupants were set upon and beaten by savage mobs.

Policemen in city after city were unable to cope with those who looted, assaulted, and destroyed.

A decade ago, one would not have believed that the National Guard and Federal troops would be necessary to subdue the raging mobs in America's cities.

Another ill omen can be seen in the decline of a strong spiritual awareness which marked the early history of this Republic. We are living in an era of permissiveness and increasing materialism. Religion seems to be becoming more and more a matter of form rather than a sincere dedication to a belief in the Creator and a respect for God's immutable laws.

A small minority of clergymen advocate the thesis that God is dead, and there is, increasingly, an indication that this philosophy permeates more and more of the whole of our society.

This is not only disconcerting; it is also alarming, because a belief in God constitutes the basis of every moral code.

More and more, the Nation seems to be getting away from the fundamental, basic, principles upon which it was founded:

Belief in God;
a strong patriotism;
respect for law and order;
a willingness to work for one's daily bread;
a rugged individualism.

How will we grapple with the disturbing phenomena of spiraling crime, growing welfare caseloads, destructive riots, and the enervating permissiveness and spiritual decay that threaten to destroy the very foundations of the Republic?

First of all, permit me to say that, I have worked for years to improve the lot of the poor and to better their condition. I have supported most housing programs, most of the social welfare and economic programs designed to help people, and I want to see all of our people enjoy a better life if they will work for it and if they will shoulder the responsibilities that are a part of living in a free society.

But I also believe that people have to do a few things for themselves. The Government cannot do everything for them.

And pouring more and more money into more and more programs is not going to stop people from rioting, because those who are doing the rioting are not the solid Negro citizens. It is the criminal element—the hoodlums, the hooligans, the anti-social misfits, and the unstable.

There is no easy or simple or single solution to the street violence and the riots. But we must try to find the answers. And there are some things which imperatively demand attention and action.

For example, and first of all, we all most insist upon the proper respect for the laws of the land and we must take a firm stand for the maintenance of good order. Alexander Pope said, "Order is Heaven's first law." I believe that the maintenance of order is one of the first duties of government, and I also believe that one of the first duties of every law-abiding citizen in this country is to support the police who must enforce the laws and maintain order.

If the police of this Nation are not supported now, the law will perish and this Republic cannot endure long thereafter.

Moreover, every effort must be put forth to stamp out illiteracy, and the emphasis, for every individual, should be upon education. Education for the sake of education, rather than integration for integration's sake—this is the important thing.

Education will light the paths to mutual respect, cooperation, and better understanding.

Education is the cornerstone for amicable race relations.

Booker T. Washington, one of the greatest of American Negroes, lived as a boy in Malden, West Virginia, where he toiled in the salt works and in the mines. In later years, when he had become a great educator, he made a statement, the wisdom of which can benefit not only the Negro boy or girl, but also the white youth who is desirous of making a success in life:

"When a Negro girl learns to cook, to wash dishes, to sew, to write a book, or a Negro boy learns to groom horses, or to grow sweet potatoes, or to produce butter, or to build a house, or to be able to practice medicine, as well or better than someone else, they will be rewarded regardless of race or color."

Also, family planning *is* imperative, and civil rights organizations should make intensive efforts to promote such.

The high birth rate among low-income Negro families simply cannot be overlooked.

For, whatever importance may be assigned to unemployment as a factor in riots and other developments which have racial overtones, the fact is that, in this age of automation, cybernation, and advancing technology, the problem of unemployment will always be with us.

No amount of Government largess and costly poverty programs will constitute a panacea therefor as long as the birth rate is permitted to soar, unchecked and uncontrolled, among those families least prepared and least able to provide for large numbers of children who, in later years, will be unprepared candidates for jobs which no longer exist.

Additionally, the problem of illegitimacy, which I have mentioned, must be dealt with. Illegitimacy is, more and more, becoming a frightening factor in this whole equation.

How the Nation can continue to close its eyes to this disturbing fact is beyond comprehension.

Something will have to be done about it, or the burden of crime, riots, and the dole will ultimately become unbearable.

Militant civil rights groups should stop blaming the white power structure for all of the ills that are visited upon the Negro community.

Negroes must themselves take the lead in doing something constructive for themselves; and they can do this by waging war upon the evils of illegitimacy as one important beginning.

The Negro's lot can be infinitely better in the future if something is done now to encourage and promote planned parenthood and parental responsibility.

This is not to say that illegitimacy is nonexistent among the white population, but the statistics show clearly where the problem is greatest, and it should there be attacked most intensely.

No amount of Government paternalism can take the place of drive and ambition when it comes to developing the substantial and upright citizen.

Hard work, perseverance, and self-accomplishment breed independence and strength, courage and resourcefulness in the man or woman.

Somehow the glory of honest toil must be restored if this Nation is going to survive the domestic dangers that confront it.

Easy money, easy living, laziness, shiftlessness—all these go hand in hand with irresponsibility, a disordered society, and ultimate decay.

There is no question but that the Central Government has a responsibility to assist, a responsibility to provide certain services, but if that Government is to endure, the people must not be encouraged more and more to depend upon the Government for the supplying of every want and every need.

A nation on the dole can never hope to maintain the moral fiber, the spiritual strength, and the rugged resourcefulness to keep her people free.

LAWYERS CALL FOR U.N. JURISDICTION OVER SEA RESOURCES

Mr. CHURCH. Mr. President, on July 31, 1967, more than 2,500 lawyers and jurists representing more than 100 countries at the World Peace Through Law Conference in Geneva adopted a resolution recommending that the United Nations proclaim its jurisdiction and control over the resources of the high seas.

I am pleased that this distinguished group of jurists have endorsed the concept of United Nations jurisdiction over the resources of the deep ocean. In my report to the Committee on Foreign Relations, following my service as a delegate to the United Nations, I said:

> The greatest untapped reservoir of the world's wealth lies, beyond national jurisdiction and under title to no nation, at the bottom of the seas. Mineral riches on the ocean floor may seem of little economic value today. But a generation from now the world's population will have doubled, greatly multiplying the demands on present known

deposits of mineral resources. History is replete with incidents of waters bloodied by conflict over the ocean's bounty. Sovereign rights over coastal waters have been a constant source of international controversy. As the population vise tightens, national rivalries for the exploitation of the deep ocean's resources could easily become a new threat to peace.

By conferring title on the United Nations to mineral resources on the ocean floor beyond the Continental Shelf, under an international agreement regulating their development, we might not only remove a coming cause of international friction, but also endow the United Nations with a source for substantial revenue in the future. It should be remembered that the Federal Government of the United States financed much of its operation, for more than a century, through the sale and management of its public lands.

I hope that the United Nations will begin exploration of this subject at the next meeting of the General Assembly. I ask unanimous consent to have printed in the Record the text of the 1967 report of the United Nations Charter Committee of the World Peace Through Law Center and the text of the resolution on Resources of the High Seas adopted by the Conference.

There being no objection, the material was ordered to be printed in the Record, as follows:

Resolution 15—Resources of the High Seas

(Adopted July 13, 1967, by Geneva World Peace Through Law Conference)

Whereas, new technology and oceanography have revealed the possibility of exploitation of untold resources of the high seas and the bed thereof beyond the continental shelf and more than half of mankind finds itself underprivileged, underfed, and underdeveloped, and the high seas are the common heritage of all mankin.

Resolved, that the World Peace Through Law Center

(1) Recommend to the General Assembly of the United Nations the issuance of a proclamation declaring that the non-fishery resources of the high seas, outside the territorial waters of any State, and the bed of the sea beyond the continental shelf, appertain to the United Nations and are subject to its jurisdiction and control.

(2) Refer to its Committee on Fisheries Law the question of conservation and regulation of the international fishery resources of the high seas.

1967 Report—United Nations Charter Committee, World Peace Through Law Center

PART I

It is the feeling of the Committee that the United Nations Charter is essentially a document which will either grow or atrophy depending upon the creativity or apathy of the members of the organization. Since it is the embryo of a law above the law of each of the members, the Committee urges each of the members to use the greatest ingenuity in establishing the instrument as a powerful document and calls particular attention to the impediment of veto which acts as a brake upon substantial advances in moving the document forward into as yet uncharted fields. The Committee, however, must be realistic and face the fact that any amendments which would theoretically strengthen the organization are not viable at the present time because of the inability to obtain unanimity among the permanent members whose consent is required to any such amendment. It is for this reason that the Committee at the present time does not recommend any specific amendments to the Charter.

PART II

On the other hand, it is the opinion of the Committee that certain action can be taken at this time which will, if not in the immediate future, certainly in the long term, make the United Nations self-supporting and not dependent upon its members for contributions. An attribute of the suggested course of action is that the consent of the permanent members is not required for its accomplishment.

The Committee recommends that the United Nations issue a proclamation similar in structure and legal form to the Truman Proclamation of 1945 declaring that the United Nations regards the resources of the high seas as "appertaining to" the United Nations "and subject to its jurisdiction and control."

The riches of the seabed are apparently almost limitless.

The sea apparently acts as a great chemical retort which separates and concentrates the various elements, washed down by the continental rivers into extraordinarily high grade ore. This ore is found in the form of nodules which are deposited on the floor of the sea. Not only are these nodules deemed to be exploitable, but it has been estimated that they exist in sufficient amounts to supply the world with many minerals for thousands of years at the present rate of consumption. In his testimony before the House Subcommittee on Oceanography, John L. Mero, president of Ocean Resources, Inc., stated that:

" 'While it is a well-known fact that the sea can serve as a source of all mankind's protein requirements, it is a much less known fact that the sea can also provide the earth's population with its total consumption of many industrially important mineral commodities. What is even more remarkable is the observation that the sea can provide these mineral commodities at a cost of human labor and resources that is a fraction of that required to win these materials from land sources.' [1]

"Testimony before the U.S. Senate Committee on Commerce, in 1965, disclosed that the nodules containing these metals occur at depths between 3,000 to 17,000 feet. Deep-ocean photography reveals that five to ten pounds of these nodules per square foot lie in many areas of the oceans." [2]

(The foregoing quotation is from an article which appeared on January 23, 24 and 25, 1967, in the New York Law Journal which was adapted from a thesis presented to the Judge Advocate General's School, U.S. Army, Charlottesville, Virginia, while the author was a member of the 14th Career Course. It is entitled "Acquisition of Resources of Bottom of the Sea: A New Frontier of International Law" by Lt. Commander Richard J. Grunawalt. The Grunawalt thesis was also published in the October issue of the Military Law Review (Vol. 34).)

It is to be noted with interest that the Truman Proclamation invoked no recognized sources of international law in support of the Proclamation, but as Lt. Cmdr. Grunawalt states in his article referred to above:

The invocation of such sources would have been not only unnecessary, but would have been unwise as well, since the proclamation purports to fill a vacuum in the law rather than to displace existing doctrine. *The proclamation constituted a new and fresh approach to an area of great importance for which the established principles of international law held no clear solution.* (Emphasis added.)

The Truman Proclamation sought only to appropriate to the United States control over its own continental shelf. It was followed, however, by a plethora of proclamations by various countries who sought to appropriate for themselves equivalent benefits from continental shelves contiguous to their own territory. This, in turn, because of the inconsistency in the nature of the claims made, led to the 1958 Convention of the Continental Shelf, which in turn was a product of the work of the International Law Commission of the United Nations and the Geneva Conference on the Law of the Sea.

The Convention defines the continental shelf as follows:

(Article 1): "For the purpose of these Articles, the term 'continental shelf' is used as referring a) to the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to a depth of 200 meters or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the said areas; b) to the seabed and subsoil of similar submarine areas adjacent to the coasts of islands."

The difficulty with the definition lies in the fact that it may be interpreted to be open-ended in that it permits assertion of authority over an area to the extent that the same is capable of commercial exploitation. For instance, one authority has stated: "Every coastal State would seem entitled to assert rights off its shore out to the maximum depths for exploitation reached anywhere in the world, regardless of its own capabilities or of local conditions, other than depth which might prevent exploitation. . . . It is not difficult to envisage the confusion and controversy which must arise in the course of ascertaining, verifying and publishing the latest data on such a maximum depth." (Young, The Geneva Convention on the Continental Shelf: A First Impression, 52 Am. J. Intl. L. 7333, 735 (1958).)

At the time the Convention was adopted the possibility of exploiting the shelf at a depth in excess of 200 meters was considered to be extremely remote at best. (Grunawalt, op cit.) But new developments would indicate that scientific exploitation of petroleum is currently possible at depths below 4,000 meters (Garrett, Issues in International Law Created by Scientific Development of the Ocean Floor, 19 Sw. L. J. 97 (1965)).

In early March 1967 the United States announced a vast new program for exploration of the world's seabeds.

Accordingly, there is a present and urgent need to act before submarine colonialism leads to a race among the nations of the world to appropriate the seabed, which in turn may lead to conflict with other States that are deprived of what they deemed to be their fair share. There is, of course, an inherent danger that any portion of the seabed appropriated by a particular nation will be used predominantly for its own purposes and not for the benefit of mankind.

Accordingly, your Committee recommends that the General Assembly adopt the proclamation above described.

It should be noted that it has heretofore been adjudicated that the United Nations is a legal entity with a right to sue and be sued and to hold property rights.

Therefore, this Committee recommends

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[1] Statement of John L. Mero, 18 August 1965, Hearings Before the Subcommittee on Oceanography of the House Committee on Merchant Marine and Fisheries, 89th Cong., 1st Sess., ser. 8–13, at 599 (1965). In this statement, Mero further observed that: "The presently available mineral disposits (sic) of the sea could easily supply the population of the earth with its total consumption of manganese, nickel, cobalt, cooper, phosphorus, limestone, common salt, magnesium, bromine, fluorine, potassium, boron, sulfur, aluminum and various other less important minerals, as well as supplying substantial portions of its consumption of iron ore, lead, zinc, titanium, molybdenum, uranium, zirconium, and so on." Id at 600.

[2] S. Rep. No. 526 at 13.

that the 1967 Conference of the World Peace Through Law Center adopt the following resolution:

"Resolved, that this Conference recommends to the General Assembly of the United Nations the issuance of a proclamation declaring that the high seas appertain to the United Nations and are subject to its jurisdiction and control."

Respectfully submitted,
U.N. CHARTER COMMITTEE,
By AARON L. DANZIG, *Cochairman*.

PITTSBURGH SHOWS WAY IN WAR ON POVERTY

Mr. BYRD of West Virginia. Mr. President, the Washington Evening Star of August 24, 1967, carried a column by Charles Bartlett, entitled "Pittsburgh Shows Way in War on Poverty." Speaking as one Senator, I believe that the column calls attention to a misuse of the taxpayers' money in the so-called war on poverty.

I ask unanimous consent to insert the column in the RECORD.

There being no objection the column was ordered to be printed in the RECORD, as follow:

PITTSBURGH SHOWS WAY IN WAR ON POVERTY

(By Charles Bartlett)

PITTSBURGH, PA.—The lively pace of the attack on poverty in this city is a persuasive answer to complaints in Congress that federal money is being spent to stimulate militancy in the slums.

The crucial aim of Pittsburgh's highly successful community action program is to encourage the slum poor to make their complaints audible. Federal money is used to channel the aggressiveness of the black militants into constructive, effective protests that stop short of violence.

Thus the Mayor's Committee on Human Resources furnished experts who guide and advise protests that lead in some cases to marches on City Hall. Neighborhood branches of the Mayor's Committee give summer employment to young black power advocates with police records and encourage them to march at the head of protest parades.

This is not a restful way to wage the war against poverty. Thus encouraged, the spirit of protest runs high and Mayor Joseph Barr has to move fast to stay ahead of it. Militants employed for the summer with OEO funds talked of burning down the city's slums during one recent visit to his office. He has even been faced with a new political challenge against the Democratic city organization.

If Pittsburgh should erupt into riots, the men who run its poverty programs will have much to explain to critics like Senator John McClellan, D-Ark., who finds it hard to understand why militants should partake of the fruits of the anti-poverty war chest.

But the crucial task, as David Hill, director of the Mayor's Committee, sees it, is to focus public attention on slum complaints so that the whole city will be aroused by them. By giving support and direction and hope to the militants, Pittsburgh intends to avoid paying the price of their frustrations. So far it has worked.

Hill, himself a Negro who emerged from the slums, plays a uniquely free hand because the Mayor's Committee is dominated by 12 board members who vote as representatives of the poor. The mayor is a member but he is frequently outvoted.

However there is one thing Hill knows he cannot do and that is to act as a restraint upon the slum protests. Attempts in this direction will cause the poor to dismiss him as another "necktie nigger" and the Committee as a part of "whitey's" establishment. He and his staff can guide and sharpen the protests but they can't tell the poor to stop pushing.

In hiring militants, Hill considers a reasonable risk to be a man with some sense of values and an understanding of the larger problems. He does not harbor any illusions that he is buying their loyalty or changing their point of view. He is merely offering jobs and a legitimate challenge for their grievances.

A major gamble by the Northside branch of the Mayor's Committee has paid off this summer. Hiring 150 youngsters with highly dubious backgrounds, the directors found that those with the longest police records and most aggressive attitudes have tended in the clutch to show the most leadership and responsibility.

A group of these "troublemakers" led an adamant demonstration against the City Health Department in July. Many, including the mayor, were apprehensive that it would explode into serious trouble. But the group walked 20 blocks on a hot day without even a surly outcry.

A more significant instance of backing militant protest with community action funds has been the assistance furnished by the Mayor's Committee to a crusade against slum housing that is widely known in Pittsburgh as CASH.

This is a "war" on slum lords and the activity by CASH, including preparations for a citywide rent strike, have wrung impressive concessions from the Board of Realtors and confronted the Pittsburgh public with the issue of slum housing.

The Mayor's Committee allocates funds to pay the staff that guides CASH. It is actually run by the slum residents themselves and they have inspired some of Pittsburgh's finest clergymen to take aggressive roles in their behalf.

Agitation for social change is unquestionably being stirred in Pittsburgh with federal money. The agitation supplies the people in the slums with what every human being requires, a chance to be hopeful about the future. If this be treason, Congress can make the most of it.

PRESIDENT JOHNSON TAKES THE VIETNAMESE ELECTIONS OUT OF AMERICAN POLITICS

Mr. INOUYE. Mr. President, by accepting the invitation of the Government of South Vietnam to send a team of American observers to witness coming elections, President Johnson has effectively taken the South Vietnamese elections out of American politics.

And that is where they belong.

The Vietnamese election should not have become an American political issue since it is the internal affair of another country in a most fundamental sense.

President Johnson has asked a distinguished group of Americans to travel to Vietnam and stay for the period of the campaign and the election. The group represents all political parties, local government, business, labor, veterans, the church and synagogue—in short, an excellent cross section of the American population.

I understand that the Government of Vietnam has also invited observers from other allied nations. This demonstrates that the South Vietnamese Government is not afraid of world opinion unlike its Communist neighbors to the north. The Government of South Vietnam weeks ago invited United Nation observers for the elections. The foreign press has also been invited without restrictions.

In short, the Government of South Vietnam is demonstrating that it welcomes an open election and observers from all over the world.

This is much more than many other countries might do while in the middle of a hot war.

I applaud President Johnson for this endeavor, which effectively takes the South Vietnamese elections out of American domestic politics, and places them in the spotlight of world opinion.

TYLER, TEX., COURIER-TIMES SUPPORTS SCENIC RIVERS BILL

Mr. YARBOROUGH. Mr. President, for the many people who are deeply concerned for the fate of our natural resources, the recent passage by the Senate of the scenic and wild rivers bill, S. 119, was an occasion for great rejoicing. The recognition of the necessity of preserving certain segments of our waterways against exploitation and for recreational purposes marks an important step in the recent history of conservation in our country. The bill promises to enforce a sensible balance between industrial uses of the rivers and their appreciation as valuable scenic attractions in their untouched states.

Naturalists in the vicinities of the 28 rivers under study as "scenic rivers" are enthusiastic about the benefits to be gained from the protection of these rivers established by this bill. The Tyler Courier-Times of Tyler, Tex., in a fine editorial, has endorsed the Senate Wild and Scenic Rivers Act and has suggested that it should serve as an example of sensible and constructive efforts in the area of conservation.

I ask unanimous consent that the editorial published in the August 17 Tyler Courier-Times be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SCENIC RIVERS ACT WOULD HALT ABUSIVE EXPLOITATION

Good planning is in evidence in the Wild and Scenic Rivers Act introduced in the U.S. Senate as bill S. 119 by Senator Frank Church, D-Idaho.

The bill establishes a national wild river system to be administered by the Secretaries of Agriculture and Interior, jointly with the states, for studies to preserve key natural river areas for water conservation, scenic, fishing, wildlife and outdoor development.

Senator Ralph W. Yarborough of Texas is a co-sponsor of the bill. He also offered an amendment, which was approved, to include a portion of the Rio Grande River bordering Texas under the Act.

In offering the amendment, he quoted from a Texas Explorers Club resolution which said:

"The hasty and inadequately considered damming of our few remaining flowing streams and the criminal abuse of our few remaining spots of wilderness and natural beauty constitute a stain upon the honor of the United States and must be corrected with all haste."

The Yarborough amendment adds the section of the Rio Grande from Presidio to Langtry to the list of 27 other rivers to be studied for possible protection from damming and extensive industrialization under the act.

The Guadalupe River of Texas is also included.

Again we endorse this Act as good planning on a national level, and it is good to see Texas areas included.

This also could serve as a good example

for Texas Legislators to follow in regulations for shell dredging along the Texas coast.

Shell dredging operations have in the past been carried out in an indiscriminate manner along coastal areas of Texas.

Such unregulated procedure not only spoils scenic beauty, it also upsets fishing operations by removing the natural bedding of much sea life.

It would be well for Texas legislators to observe and remember that conservation also can be carried out at home.

VIEWS ON OVERPROTECTION OF CRIMINALS

Mr. BYRD of West Virginia. Mr. President, this morning's issue of the Washington, D.C., Post, August 25, provided some excellent food for thought with regard to the problems of overprotection of criminals in our present-day courts.

The column, "Potomac Watch," prepared by William Raspberry, under the titling, "Jurist Cites Problems in Overprotection of Criminals," points out a thought that has lain obscured for too long in the United States. It quoted Judge Warren E. Burger of the U.S. Court of Appeals for the District of Columbia as saying:

> But governments exist chiefly to foster the rights and interests of its citizens—to protect their homes and property, their persons and their lives.
>
> If a government fails in this basic duty, it is not redeemed by providing even the most perfect system for the protection of the rights of defendants in the criminal courts.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the newspaper article was ordered to be printed in the RECORD, as follows:

JURIST CITES PROBLEMS IN OVERPROTECTION OF CRIMINALS

(By William Raspberry)

When people start to talk about the causes of the Nation's spiraling crime rate, the U.S. Courts of Appeals are often singled out as major culprits.

The appellate courts, the critics complain, have become so preoccupied with protecting the rights of the accused that they have quite forgotten the rights of the law-abiding citizenry.

Now the critics have been joined by a member of a "culprit" court—Judge Warren E. Burger of the U.S. Court of Appeals in the District of Columbia.

Speaking recently at Ripon (Wis.) College, Judge Burger recounted the development in our legal system of protection for the accused. In general, he considers the legal safeguards valid and just.

"But governments exist chiefly to foster the rights and interests of its citizens—to protect their homes and property, their persons and their lives," he said.

"If a government fails in this basic duty, it is not redeemed by providing even the most perfect system for the protection of the rights of defendants in the criminal courts."

Our legal protections, that is to say, may be too much of a good thing.

Says Judge Burger, generally considered a "responsible moderate":

"Our system of criminal justice, like our entire political structure, was based on the idea of striking a fair balance between the needs of society and the rights of the individual."

To implement this idea, we have instituted a system of checks and reviews of individual acts and decisions, and taken steps to reduce the risk that an innocent person will be convicted.

These, Judge Burger acknowledges, are pluses.

But our system also contains serious negatives, he insists. Among them:

Our criminal trials are delayed longer after arrest than in almost any other system.

Our trials, after they begin, are dragged on longer than in almost any other system.

Accused persons are afforded more appeals and retrials than under any other system.

We afford the accused more procedural protections—exclusion and suppression of evidence and dismissals for irregularities in the arrests or searches—than under any other system.

The long delays and the uncertainty of punishment, Judge Burger says, create two serious problems: The lawabiding become enraged, embittered and frustrated; the criminals are encouraged in the belief that they can get by with anything. The whole system suffers as a result.

And all the talk that criminals don't read the opinions of appellate courts is beside the point, he insists.

"Of course they don't" he said. "But is the real issue whether people read the opinion, or is it whether the actions of courts, which are widely publicized, have an effect on public attitudes?"

And while we go to great lengths to furnish protections for the accused before and during the trial, we do virtually nothing to rehabilitate him after he is convicted, he said.

Judge Burger compares our system with that of Northern European countries like Norway, Sweden, Denmark and Holland.

He notes, first, that the crime rate in those countries is significantly lower than ours. (Sweden, with 8 million inhabitants, has about 20 murders a year; Washington, with one-tenth Sweden's population, has eight times as many murders.)

Why the difference? He suggests that part of the answer may lie in the differences between the legal systems. He lists these as some of the important ones:

Northern Europe has significantly shorter trials, fewer delays and no lay juries. Criminal trials generally are held before three professional judges.

There is no counterpart to our Fifth Amendment.

They go swiftly, efficiently and directly to the question of whether the accused is guilty.

This last point is most important. One of the reasons why people have come to mistrust our courts is that too many people who are patently guilty—and may even have freely offered confessions to crimes—are let go.

Some of Judge Burger's criticisms can be met by the simple expedient of increasing the number of judges to reduce court dockets. But others go to long-held fundamentals and may even require constitutional amendments.

Judge Burger clearly considers it time to do whatever must be done to ensure swift and certain justice.

"VIETNAM: ITS EFFECT ON THE NATION"—ADDRESS BY MARRINER S. ECCLES

Mr. MORSE. Mr. President, on August 11, Marriner S. Eccles,, chairman of the board of the Utah Construction & Mining Co., and former Chairman of the Federal Reserve Board under Presidents Roosevelt and Truman, spoke before the Commonwealth Club of California on the subject of "Vietnam: Its Effect on the Nation," in San Francisco.

The Commonwealth Club of California is one of the most important opinion forum discussion groups in our country. Its members consist of outstanding leaders in the fields of business, industry, and all the professions.

Mr. Eccles' speech received such an enthusiastic reception from this powerful audience that I believe it should receive a permanent place in the CONGRESSIONAL RECORD for future historic reference.

Therefore, I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD at the close of my remarks.

In my opinion, the speech is a logical, penetrating, unanswerable rebuttal to many of the rationalizations that the administration advances in justification of its foreign policy in Southeast Asia.

I hope every Member of the Senate will read it.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

VIETNAM: ITS EFFECT ON THE NATION

(By Marriner S. Eccles, at the Commonwealth Club of California, San Francisco, Calif., August 11, 1967)

The Kosygin visit to this country has given us all cause to seriously think about the Soviet Union, our relationship to it, and the relationship of both of us to the greater and more compelling world problems. Upon the solution of these problems hangs the survival of both the United States and Russia, and perhaps the world. As Senator Fulbright so aptly stated: "America is showing signs of that arrogance of power which has afflicted, weakened, and in some cases destroyed great nations in the past." Never before has there been such valid reason for the fears that beset us. Never before has there been reason to feel that the human race was speeding along the road to possible oblivion.

The most important issue before the country today is our involvement in Vietnam. It affects every facet of our lives and our relationship to the rest of the world. Are the sacrifices imposed justified by the stakes of war? What are the reasons and justification, if any, for our involvement in Vietnam?

For the past twenty years our government has believed that communism intends to conquer the world—by force, if persuasion does not succeed—and that it is the duty of the United States to save the world from that fate. The American picture of aggressive communism is unreal.

The President believes that aggressive monolithic groups are making war in South Vietnam. Under the Truman Doctrine of Containment, communism has continued to spread. It has advanced through revolutions rather than by military aggression. But while communism has been advancing, the power of Russia over the communist world has been waning. It is evident that communism is not a monolithic world power. Russia has its differences with the Yugoslavs. The Chinese and Russians have conflicts of national interest which override communism. The threat of a united communist world does not exist. National rivalries divide the communist states as well as democracies.

It is apparent that communist countries are as intensely nationalist as others. They crave independence and resent interference. They will fight against domination—from whatever source: either capitalist or other communist country.

The Administration believes that the war in Vietnam is being made solely by communist intervention from without. This does not explain the tenacity of the Viet Cong. They are not Russians, Chinese or North Vietnamese communists; they are South Vietnamese. They are fighting for national liberation and unity of South Vietnam: the causes for which others, including Americans, have fought.

We see every rebellion as the result of a deep plot out of Moscow or Peking, when it usually is the result of crushing poverty, hunger and intolerable living conditions. The aim of revolution, no matter what ideology, is to achieve the values of self-determination, economic security, racial equality and freedom. Let us not forget that while our road was not via communism, we did, as a nation, emerge from revolution.

We might as well face it: there may be more communist countries in the world. But we need not panic at this. Communist nations vary widely; each has a different version of communist theory to fit its own problems. The more of these countries there are, the greater their diversity.

Communism is only part of a broad movement: the rising of desperate people in Asia, Africa, and Latin America. We crush insurrection in one place, only to find a revolution—whether communist, socialist or nationalist—springing up somewhere else. With military bases around the world and ships in every ocean, a revolution takes place in Cuba, 90 miles off our shore.

How can we reconcile what we are doing to the South Vietnamese under the guise of saving them from communism? We have destroyed vast areas of their country. We have killed, wounded or burned more than one million children, as well as countless parents, brothers, husbands and sons. The family has been smashed. We can only guess at the terrible long-range social effects that will result from our actions. No wonder the great majority of the people do not consider us their savior, but hate us and want us to get out of their country.

Despite this, the United States military has increasingly taken over the war. In 1965 one American was killed for eight South Vietnamese; in 1966, one for two; and to date in 1967, one for one. U.S. casualties through 1966 were over 8,000 killed and almost 38,000 wounded. Projected for 1967 alone, based on actual figures for the first six months: 11,190 killed; 64,264 wounded, making a projected total to the end of this year of 19,344 killed and 102,002 wounded. We have lost 832 planes as well as hundreds of helicopters.

Based on the following reports by McNamara it is apparent we are making little progress after three years of fighting and cannot win a decisive victory:

In 1964: "McNamara told Congress that the U.S. hopes to withdraw most of its troops from Vietnam before the end of 1965."

In 1965, he said: "It will be a long war."

In October 1966, he said: "I see no reason to expect any significant increase in the level of the tempo of operations in South Vietnam."

Communist strength in South Vietnam has increased from 120,000 in January, 1965, to an estimated 298,000 at present. However, North Vietnam has committed only one-fifth of their regular army. Based on the estimate that guerrillas must be outnumbered four to one, the communists have more than matched the American buildup to 476,000 now. It is no wonder that General Westmoreland claims he needs five additional U.S. divisions: more than 200,000 men.

Tuesday the press reported General Van Thieu said: "We have not enough Allied soldiers which we need to win the war. We need a big amount of troops to be everywhere, to do many jobs at the same time." At this time the President might reconsider his September, 1964, statement: "We don't want our American boys to do the fighting for Asian boys. We don't want to get involved . . . and get tied down in a land of war in Asia."

During the past two years Russia has added to the enemy arsenal in South Vietnam rockets, artillery, heavy mortars, automatic infantry weapons and flame throwers, while in North Vietnam she has supplied fighter planes and antiaircraft guns. She is reported to be supplying 75% of all military supplies and has said she will continue to furnish all military aid necessary. The Chinese are furnishing part of the small arms, clothing and food, and have said they will assist North Vietnam with troops whenever requested to do so. Both countries have indicated they would enter the war, if necessary, to keep the North Vietnamese and the Viet Cong from being defeated. It is quite apparent that neither Russia nor China are willing for the United States to achieve a victory over the communists and to establish a powerful military base on the mainland of Asia.

If Russia were conducting daily bombing raids against an American ally, as we are doing against a Russian ally, it is inconceivable that we would limit ourselves to providing only military equipment, as they are doing.

What is the effect of our Vietnam policy on the nation? It is responsible for the most serious economic, financial and political problems in this country. It is causing the huge federal deficit which, without a tax increase, could run to more than $25 billion. In order to curb the resulting inflationary pressures the government has proposed a 10% surtax on individuals and corporations, which, if enacted, would reduce the deficit, on an annual basis, between $9 and $10 billion.

This war is directly causing a substantial increase in the deficiency in our international balance of payments, which is already serious, as we are by far the world's largest short-term debtor, now owing nearly $26 billion. It is reducing our free gold to meet these obligations to less than $2 billion.

It is creating inflationary pressures in nearly every field—increased costs of living, going up at about 3% per year—a great shortage of skilled workers—increasing strikes and exorbitant demands by union labor—and higher interest rates, in all categories, due to the heavy demand for credit.

The costs of war do not end with the cessation of hostilities. Excluding the Vietnam War, at the end of 1965 we had approximately 20,600,000 veterans. Total veterans' benefits paid to the end of 1965 were $134 billion; by the end of this year it is estimated they will be $147 billion. In 1966 we were spending in excess of $6 billion per year for veterans' benefits, and the Korean War alone is costing more than $700 million a year. The annual operating expense of the Veterans' Administration hospitals has now passed the billion mark. In addition, during 1965 the land and construction costs of medical facilities was $1,418,000. Veterans costs will grow rapidly as long as the war lasts, and will continue for decades. The ultimate astronomical expense is difficult to conceive. In the financial sense, a war is never over.

The real tragedy is not financial, it is the useless suffering of the millions of our people whose sons, husbands and brothers are drawn into this useless conflict unwillingly and are killed and maimed for life—*not* in defense of their country—but because of our incompetent and ill-advised leadership.

I believe Russia is glad to see us bogged down in Vietnam, diverting multi-billions of our resources and millions of our manpower, while she is rapidly gaining in the nuclear arms race. While the U.S. lags in its nuclear defense, the Soviets are rushing ahead. It is believed today's nuclear balance has already shifted to Russia.

At a time when defense against missile attack is still in the talking stage in this country, the Soviet Union is racing ahead with unprecedented speed.

Of even greater concern to us at this time is China's rapid growth in the development of nuclear weapons. It is now estimated that between 1972 and 1975 China will be a first-class nuclear power with a full arsenal of H-bombs and war heads. ICBM will be in production with an intercontinental range of 6,000 miles. This would hit most of the world; the northern stretches of the U.S., Los Angeles, San Francisco, Chicago and Detroit would be particularly vulnerable. Meanwhile, we are spending over $2 billion a month on Vietnam instead of being prepared to cope with the rapidly growing atomic strength of Russia and China.

Our foreign aid since World War II has been $128 billion—$91 billion in economic aid and $37 billion in military aid—with dubious results in many instances. The United States is pledged to defend 43 countries under specific treaties and agreements. In addition, a commitment to stop aggression covers all the countries in the Middle East, and any country where the U.S. has a military base is promised support.

While we've been spending tens of billions abroad, our cities are exploding in violent protest as a result of our injustice, and neglect, and failure to meet unfulfilled promises of the "Great Society." Our total estimated Vietnam and foreign aid budget this year is $30 billion; whereas, the Great Society budget is approximately 40% of that amount—$12.5 billion—which is half of what we spend in Vietnam alone.

Senator Percy says: "If we continue to spend $66 million a day trying to save the 16 million people of South Vietnam while leaving the plight of 20 million urban poor in our own country unresolved—then I think we have our priorities terribly confused."

Public and Congressional reaction relative to our world-wide involvement, especially in Vietnam, is forcing the Administration to reconsider its role as world policeman.

The horrible Vietnam debacle, tragic as it is, may yet be a blessing in disguise if it forces us to recognize our staggering failures at home. Runaway crime, delinquency, the riots in our cities, loss of respect for law and order, and the rebellion of frustrated youth—all spring in part from this. No wonder Russia had this to say about the U.S.: "Only in mockery can the word 'free' be applied to a society which cannot provide tolerable living conditions and democratic rights to a considerable part of its population."

It is tragic that the most powerful country in the world, with 6% of its population and producing 40% of its wealth, should have lost the respect of most of the world. The world, with few exceptions, would like us to leave Vietnam. The continued confidence and good relation with Japan, our greatest asset in Asia, is dependent upon our getting out of Vietnam. The same is true with all the Western European governments and our friends in Latin America. We cannot survive, no matter how powerful we are, in a world without friends.

With these disastrous effects on the nation to continue our ruthless pursuit in Vietnam is madness. To withdraw is sanity. The consequences of withdrawing cannot possibly be as disastrous for this nation as pursuing our present course. The greatest service we could render the Vietnamese is to withdraw from their country, leaving them to negotiate a conclusion to the war, which is their right.

There is something intrinsically wrong with the idea that the United States should participate in negotiations to decide the future of Vietnam. We are an outside power, which is true also of China and the Soviet Union. To have the future of Vietnam decided by outside powers is a violation of self-determination. Whatever negotiations go on should be among the Vietnamese themselves—each group negotiating from its own position of strength, uninfluenced by outside powers.

If the U.S. insists on negotiating, it should be with Russia and China, as the sinews of war are being furnished by these countries, without which the war would collapse. In any case, the United States cannot negotiate strength for any future segment of government in South Vietnam. The presence of the United States can only distort the true balance of forces, and only a settlement which represents this balance can bring about a stable government.

No one seems to be able to show in what way a communist Vietnam would be bad. Under Ho Chi Minh, Vietnam would be quite as likely to enforce its independence as has Tito in Yugoslavia, Rumania, and other Russian satellites. Ho Chi Minh is unquestionably the choice of the Vietnamese people, both North and South. Both President Kennedy and Eisenhower have stated that had the election called for under the Geneva Treaty been held in 1956, Ho Chi Minh was so popular he would have won by a large majority. While Ho Chi Minh is a communist, he is not Russian, he is not Chinese, he is Vietnamese—and Russian, Chinese and Vietnamese communism may differ widely. It is even possible that our best interests would be served by having Ho Chi Minh's communist regime as a buffer against the Chinese communists.

History does not show that a nation that liquidates a bad venture suffers from loss of prestige. Proud, powerful England surrendered to the thirteen American colonies and did not suffer for it. More recently, France moved out voluntarily from Algeria and Indochina. Today she has more world prestige than ever before. Russia pulled her missiles out of Cuba; her prestige has not suffered.

Hans Morgenthau has written: "Is it really a boon to the prestige of the most powerful nation on earth to be bogged down in a war which it is neither able to win nor can afford to lose? This is the real issue which is presented by the argument of prestige." We should be less interested in saving face and more interested in saving lives. It is possibly not easy for a proud nation to admit it has blundered, but throughout history great men and nations have gained stature by so doing.

Getting out of Vietnam will enable us to re-establish a friendly relationship with Russia and thereby bring about a balance of power in the world, which would tend to deter any aggressive policy on the part of China. So long as we are in Vietnam, Russia and China consider us their enemy. Kosygin made this crystal clear in his statement before the United Nations and in his conference with Johnson at Glassboro.

We should also recognize China diplomatically and open our doors to trade and travel and help bring her into the United Nations. We should no longer ignore one-fourth of the world's population as though it did not exist.

In conclusion: What can we expect from the stricken Vietnamese nation but hatred, deep and abiding? Their farms and villages have been laid waste, their families scattered to the winds. Their husbands and sons are dead, maimed or missing. And children, orphaned and grotesquely burned, have been seen running through the rubble in packs.

We can never blot out the deed which stands as a testimony of man's inhumanity to man. Nor can we really make amends for the enormity of our crime against these people, who know us not, but whom we have chosen to save from communism.

But we can try. We can make a beginning. And, in conscience, how can that beginning be less than immediate withdrawal of our evil presence, because that is what it has proved to be in the lives of the Vietnamese. And we can humbly, with vigor, and never ceasing, do everything in the power of a rich and repentant nation to heal, and rebuild, and reassure.

The Vietnamese will never forget us, and it is to be hoped that we will never forget the Vietnamese. Because it is this Vietnam tragedy which has shown us ourselves as others see us: a nation to be feared instead of loved, flushed with pride and sure of omnipotence. An arrogant nation, not qualified to handle power wisely.

While the hour is late, it is not yet impossible to turn the page. Men and nations have made new beginnings before. And out of defeat, there has often come victory—and what a victory it could be for this nation, so bountifully endowed—to reverse its image, make itself loved and admired and revered, so that it could stand forth before the emerging peoples around the globe, as an example of what they might wish to become.

But the road is long—and we must win much forgiveness. So let us begin.

PRESIDENT JOHNSON AND VIETNAM

Mr. SMATHERS. Mr. President, while visiting in Canada the other day I read in the Montreal Gazette, one of Canada's leading newspapers, an editorial which I commend to my Senate colleagues. The editorial, entitled "President Johnson and Vietnam," points up a seldom brought out fact; namely, that U.S. presence in Vietnam has stabilized Asia, permitting many nations in that area of the world to concentrate their resources and energies on solving their own economic and social problems. The editorial further, and I think correctly, suggests that our troops in Vietnam have been an influencing factor in the present internal struggle which is taking place in China, deterring the hard-line Maoists from embarking on a course of unbridled aggression against China's neighboring countries.

At a time when President Johnson is being criticized by both sides for his conduct of the war, this thoughtful editorial very convincingly presents the merits of the "middle way" in approaching and hopefully bringing an end to the war in Vietnam.

I ask unanimous consent that this editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

President Johnson and Vietnam

Another round in the Vietnam debate was heard this past week in Washington and all the principal participants took the rostrum again, joined by some new faces. The reason for the latest round was President Johnson's announcement of an increase of 45,000 troops for Vietnam, plus a 10 per cent surtax to help defray the huge budget deficit.

The old debaters, including Senator William Fulbright, reviewed their arguments against the American presence in Vietnam, and the futility of it. They say the war is not being won, and there is little prospect of it ending in a year or even a decade. Vietnam is a black mark on the American record and the best approach for the American administration would be to cut its losses and pull out.

On the other side, where criticism did not follow a consistent line, a new consensus seems to be emerging. One of the chief spokesmen of this group is House Republican leader Gerald Ford. He accused the President and the Administration of prolonging the war by putting nearly one-half of the Air Force's top priority targets off limits. Until these restrictions are lifted, he said, there is no justification for sending one more American to Vietnam.

The critics approach the problem differently, but they are playing one common theme—fear of the future. It is a war seemingly without an end. The future is unknown, and fear of the unknown, politically, is a potent weapon. Both sides are using it against the administration, with great effect, as the latest public opinion polls show.

But Senator Fulbright, on the one side, and Representative Ford, on the other, have failed to bring up the past. What effect has the Vietnam war had on world peace and order, particularly stability in Asia? Is there not an argument to be made that if the Americans had not stepped into the Vietnam breach 30 months ago with huge supplies of troops and material, Asia would be in a different position today?

There is no way of knowing for certain what Asia would have experienced if the Americans had not responded in Vietnam, as there is no way of knowing what the future holds for Asia. The only certainty is that Asia is relatively stable at the present time and the stability is allowing such countries as India, Indonesia and Malaysia to concentrate their energies on more meaningful and fundamental problems of existence.

One of the reasons why there is stability is that Communist China, the largest and most powerful country in Asia, is preoccupied with an internal debate about its own future. It could be argued that the presence of the U.S. in Vietnam helped to start the debate within China. At least one of the issues in the debate apparently is whether China will choose to deal with the United States in the future—whether it will turn inward or outward.

This debate (or revolution) is the most important single event in Asia. The Vietnam war has taken second place. Any significant change in the American position there, as long as the Chinese internal struggle remains unresolved, could tip the balance of that struggle.

A pull-out by the United States probably would give heart to the hard-line Maoists in China. On the other hand, if the United States unleashes all its destructive power on North Vietnam, these same reactionary, insane elements in China might over-react.

President Johnson cannot afford to take the advice of either of the two opposition groups, especially at the present time. He must be cautious in applying the pressure, in displaying determination, while showing restraint.

He has chosen the middle way, and it is the most difficult course at the moment, when on the one side he is being accused of using his power arrogantly and on the other side of using it timidly.

DANGER FACING NATION'S SCHOOLS?

Mr. BYRD of West Virginia. Mr. President, the magazine U.S. News & World Report recently printed an interview with Dr. Carl F. Hansen, former Superintendent of Schools of the District of Columbia.

Dr. Hansen spoke of the danger presented by "social activists" on our courts and of the threat they pose to free public education.

That this article may be more generally read, I ask unanimous consent that it be inserted into the Record.

There being no objection, the article was ordered to be printed in the Record.

Danger Facing Nation's Schools?

(Interview with superintendent of schools in Nation's Capital)

(Note.—Federal control of local schools is the danger a prominent educator sees in U.S. court orders and the agitation of "social activists."

(It is time, he says, to "get off the racist binge" and return the schools to their basic job of teaching children.

(Dr. Carl F. Hansen won praise for desegregating Washington schools 13 years ago. Now he is retiring in protest against a court ruling that orders still more changes in the school system.

(In this interview, held in the conference room of "U.S. News & World Report," Dr. Hansen tells why Washington's school problems raise basic issues of importance to the entire nation.)

Q. Dr. Hansen, you have had 13 years of experience with integration in Washington schools. Out of that experience, what is the major conclusion that you have drawn?

A. I think the main conclusion is that integration is a possibility if we forget about race in relation to it. What we have to deal with, I think, is people—people having different degrees of development and capacity to improve themselves. And I think we should get off the racist binge that we've gotten into the last few years.

Q. What has stimulated this "racist binge," as you call it—the Government?

A. It seems to me that Government is involved to some extent in apparently encouraging—particularly through the antipoverty activities—a response that is based pretty much on economic status and race. So, in this respect, the Federal Government may be quite heavily responsible for what is going on.

A possible outcome in this situation, I think, is class warfare—class in terms of money, status, economics—the idea that I've got more money than you, therefore I should share some of it—and race.

The most unwholesome part of the current racist emphasis is that it discourages the process of integration.

Q. What is integration?

A. In my judgment, integration is simply defined as the capacity of people to be together without being conscious of race—the appreciation of each other regardless of race or economic status or religion.

Q. Are Washington schools integrated?

A. I would maintain they are, in that no child is ever denied a place or any activity because of race or creed or any other external condition. The children are all subject to the same rules and regulations in respect to where they attend school. And there is actually some degree of biracial membership in most of our schools. As many as 85 per cent of Washington children attend schools in which there are some children of the other race.

Now, of course, in some cases there may be only three or four white children in a school that's otherwise Negro. The integration factor there is not very strong if you think of integration as requiring some kind of arbitrary balance—for example, 50 per cent white and 50 per cent Negro.

Q. What do you think of this idea of seeking an arbitrary racial balance?

A. In my judgment, this is a ridiculous concept. And it's foolhardy, too, because you can never achieve it. You can't by edict declare that "you white folks are going to have to send your children to this school and you Negro parents are going to have to send your children to that school to get a racial balance."

Q. What do you see as wrong in this idea of moving children around for racial balance?

A. The basic flaw in this particular practice—I was about to call it philosophy, but I don't think it justifies that kind of term—is that the sociologist or whoever it is who conjures up such grandiose schemes is exploiting the children to accomplish what the adults are not willing to accomplish themselves.

In so-called ghetto areas, for example, parents often say, "Don't move us; move the children."

Q. In city after city, you find complaints about schools, and demands being made for changes in schools. Why is this?

A. The public schools are being made scapegoats, not only in Washington, but in New York, Chicago, Kansas City, Detroit, Cleveland. You can't escape the very clear evidence that the social and economic problems of the poor in the larger cities are being transferred to the systems of public education in those cities.

Schools are being asked to do what they cannot do.

Schools cannot remake a family, except, perhaps, by affecting the next generation. It's almost impossible for any sociologist, really, to reconstruct a family that has deteriorated.

Now, I have another belief which I can't really document, but which I think is fundamental and important:

It seems to me there is very close evidence that the concerted attack upon public education around the country may be motivated by the desire of people in high political office in Washington to set the pattern from which they would like to have education cut throughout the country.

Q. Do you mean their aim is for federal control over the local schools?

A. I think it is very clearly that—to break down regional or local control, to take the schools out of the hands of the people and centralize their management on a national scale.

Q. Who are the people who want to do this?

A. There are people who sit in the offices of the Office of Economic Opportunity and in the Office of Education who believe that they have a kind of omniscience—that they can see and do what ought to be done for the good of the whole country. They have said that to me, in conferences at the Office of Economic Opportunity where I protested certain requirements which intruded upon the rights of boards of education to make appointments and to conduct the operation of the Head Start program.

These men—well-intentioned, I am sure—say to me: "We can't be sure that boards of education will do these things right." So in the quiet of their offices they make patterns for education around the country.

The intention may be good, but I think the objective is tremendously dangerous to the very essence of our freedom, which is that schools be decentralized and locally operated.

Q. These people sitting in their quiet offices who, you say, are planning these things—what kind of people are they?

A. In my contacts with people from the Office of Education and HEW [Department of Health, Education and Welfare] I am impressed by the—let me put it in the most pleasant term—by the innovative aspect of their approach to education. For them, the old ways won't do. Just simply to have a teacher to teach youngsters to read in a direct manner—that's not acceptable.

They want change. These men are brought into these offices because they've got some kind of reputations for being innovators, for being imaginative. Put that label on any school man, and he can go any place he wants in the Office of Education.

In addition to that, it seems to me that we are seeing the social activists rising to dominance. Some of my severest critics here in Washington are social activists who are employed by HEW.

Q. What are social activists?

A. These are people, in my judgment, who first seem to make it their business to create disturbance—not physical violence, but disturbance; to be constantly critical of the establishment, the school system; to be involved in all kinds of group activities in stimulating very small numbers of parents to participate in the social revolution.

Now, I don't know what the people propose to do in terms of social revolution, but they seem to be bent on accomplishing change without, sometimes, being too much concerned about what that change is going to be.

Q. Is it only from appointed officials that these attacks on our educational system come?

A. Antagonisms sometimes come from very prominent Senators—whom I won't name—who give me the impression that their attitude toward free public education in the American style is so negative that they never miss a chance to deride it, to speak of it as a failure.

ABUSE OF EDUCATION

Q. What could be the end result of all this?

A. There is no one party in power nationally that can now use the schools to perpetuate itself in power. So you ask: Why this attack on public education?

I think there's a definite motive to disturb confidence in public education and in boards of education so that there can be an accumulation of controls in Washington. This may be a kind of benign despotism to start with, but I think ultimately it could be misused for such purposes as Hitler used education in Germany. You may remember that the first thing he did was to take over education of the young. Mussolini did this [in Italy]. The Russians have done it. The totalitarians perpetuate themselves in control through the use of the education of the child.

I have anxiety about this. It seems to me that these things ought to be thought about.

Q. Is federal money being used to break down local control over education?

A. Of course. The money from the poverty program—I'm talking here about Operation Head Start—has to be spent in accordance with guidelines laid down by the Economic Opportunity Office.

There is some flexibility in the Office of Education funds right now because I think that office is running a little bit scared at this time—they're frightened. But there are guidelines set down there, too—and I'm not talking here about desegregation.

I think schools ought to be completely desegregated in terms of *de jure* segregation [segregation by law or official policy]. But, even in this case, it seems to me that the guidelines for local people to follow are being set down by people who are a long way from the battlefield.

Rules such as U.S. Judge J. Skelly Wright has set down for the schools of the District of Columbia [on June 19] are actually a demonstration of judicial control over education.

Q. What do you think is going to be the effect of Judge Wright's ruling on the Washington schools?

A. The immediate effect is going to be inconsequential, because most of the things he ordered were already in the process of being done.

Judge Wright ordered abandonment of the track system of assigning pupils to courses of study according to their learning abilities. The school board obviously was going to abandon the track system anyway. Judge Wright did not have to tell them to do it.

The judge ordered busing of children from Negro neighborhoods into schools of the Northwest part of the city [a predominantly white area]. The board is already busing children into Northwest schools to relieve overcrowding.

The judge ordered the elimination of optional zones [in which pupils have a choice of schools to attend]. The board already had received proposals to eliminate the optional zones—not because we regarded them as racist in nature, but just because we don't need them now.

So, in terms of the court's decrees, the board was on the way to enacting them. But the long-term effect of the Wright decision is the hazard—the effect of every school-board decision being checked by the court, of the school board having to go to Judge Wright to get clearance on major policy questions allegedly involving desegregation. This is the hazard.

Whether the board can function effectively this way in the long run is a question. You don't know how many years this court control might last. It may last as long as Judge

Wright is on the bench here, because there is no apparent end to this control.

So, in my judgment, it is inevitable that the Washington schools will suffer uncertainty and chaos. I'm sure the principals must be wondering what is going to happen this autumn. They must be wondering how to organize.

Q. Do you think that one effect of all this might be an increase in the movement of white children out of the Washington public schools?

A. It is already accelerated. The private schools are being swamped by applications. There's a panic in those areas of the city affected, particularly in the Northwest sections—also among teachers who wonder what is going to happen to them.

Q. Are teachers thinking of quitting?

A. Yes—because, you see, under the judge's order to get more integration of faculties there may be an arbitrary transfer of many teachers. In a predominantly white school such as Eaton, for example, they may take 50 per cent of the white teachers out of that school and say to them, arbitrarily, "You go to this school or that school" which has mostly Negro pupils. And there would be the moving of a similar number of Negro teachers into mostly white schools.

This is the most unbelievable employment practice I could imagine.

Whether teachers will quit or not—well, some cannot afford to quit, because they have too much at stake in retirement benefits. But many will quit. Those who can retire will retire. Some are doing it now.

So, by this measure, it's going to be quite a different school system, even in September, than it was in June.

Q. Is all this going to make integration even more difficult in schools that are already 91 per cent Negro?

A. It destroys any possibility of integration, obviously.

VIOLENCE AMONG STUDENTS

Q. Enrollment records show that there are 31,317 fewer white pupils in Washington public schools now than there were 13 years ago, when the schools were first desegregated. What is the reason? Why are so many white families leaving Washington?

A. The main reason is that a school is the children in it, more than anything else. This is a concept that is hard to make clear.

Woodrow Wilson High in Washington is a great school because it has fine, middle-class, intelligent, concerned, well-motivated youngsters in it.

Now, the tendency of a parent is to regard this as a good context for the education of his child. This is not necessarily snobbishness or racism. It is a feeling that, first of all, the child will be fairly safe. He's not likely to be beaten or robbed—that sort of thing.

Q. Do such things go on in some Washington schools?

A. There is a great deal of that, yes. Not in the classrooms, actually. They are generally under good order. It is when children leave the classrooms that they get into these troubles—occasionally in the hallways or the playgrounds, but generally while going to and from school. Groups of children will waylay an individual child on the route to school. One of the Southwest schools had four or five incidents of that within a week's time.

Q. What causes this lawless behavior?

A. It tends to become a way of life, where even survival requires the capacity to fight back. I've had reports that mothers who go off to work tell their children to "hit back, fight back." Sometimes these children carry small weapons in order to protect themselves. It's a defensive kind of thing.

Then, apparently, when people live in great congested units, such as in public-housing units, feuds develop. Children are fighting battles in the halls, going into each other's apartments and committing acts of vandalism. They become hostile toward each other.

This is not a racial thing, you see. It's a condition of intense hostility, bitterness and anger which permeates the relationships of many children, particularly in congested housing—real slum dwellings, where there is nothing but anger surrounding them.

Q. How can you isolate pupils from this element?

A. Parents whose children are not capable of survival in this kind of situation want them in a school setting where they will be challenged mentally—not by the threat of physical violence. They want schools where they will be stimulated by others who are anxious to work and make good, by children who are motivated. They want schools where their children will not be held back by other children whose parents have not inspired them to perform.

Both Negroes and whites want that kind of school—and not solely the affluent or middle class, but also often the poor Negro and the poor white. A great majority of the poor want a school that is orderly and safe for children and where they will have a chance to learn.

Q. If Washington schools deteriorate, what is going to be the effect on the Negro middle class? Are they going to be squeezed out of the Washington schools, too?

A. They're already leaving as fast as they can—for the same reasons that the white middle class is leaving.

Q. If both white and Negro middle-class people are going to be fleeing these schools in even greater numbers, are we going to wind up here in Washington with schools attended exclusively by lawless elements, leaving the schools a "blackboard jungle"?

A. I want to avoid any impression that the schools are blackboard jungles. If you visit schools you'll find the classes are in good order. Occasionally you may find a teacher having some trouble with the pupils. But the school itself is not a dangerous environment.

What is dangerous is that so many of the children are unmotivated, with poor attitudes toward work or learning, so that middle-class Negroes and middle-class whites who want a more stimulating environment for their children spend every effort to get their children into private schools or go out into the suburbs of Maryland or Virginia.

DIFFERENCES OF ABILITY

Q. Are there important differences of ability among children?

A. I suspect that even going back to very earliest history this has been recognized as a fact.

There have always been generals and there have always been privates. Some people are capable of developing constitutions. Others are best able to build dams or repair machines. Ability differentials are taken for granted. We have very bright Negro children; we have very bright white children. We have very slow Negro children; we have very slow white children.

Let me give you an illustration: A white mother came to me about a year ago and said:

"I'm grateful to you for the track system. I'll tell you why. I have a very bright child, and this youngster is in the honors curriculum. I have a very slow child, and he is in the basic curriculum. The track system is supplying the needs of my entire family."

She was saying, in effect, what everyone knows: that the differential can occur within a family, by nature, by accident. There can be a child who needs special attention in terms of his limited intellectual capacity, and another child who needs special attention because he is very bright.

So the existence of differential in ability is extremely important in education.

Q. Is your so-called track system an attempt to deal with these differences?

A. Yes.

Q. Has it worked?

A. I think it has, but few now in control of schools seem to believe me.

Q. What is the track system? How does it work?

A. Actually, it's a very simple system based upon one primary principle, which is that every youngster needs to be taught strongly in the fundamental skills, whether he is intellectually gifted or whether he is intellectually handicapped.

In a class, you have to reduce the range of differences so the teacher can teach a narrower target—teach the child who has a handicap in reading some of the simplest reading techniques, but teach the child who can read 750 words a minute not just how to read but how to improve the quality of his thinking in terms of getting the meaning out of what he reads. This is the difference.

So we have four tracks—four sequences of study:

There is a program for children with severe retardation which we call the basic program. It stresses the basic skills.

The regular, or general program—where really the bulk of the children are—offers the usual variety of school subjects, but again the stress is on the academics, or fundamentals, which I think every child must have if he's going to be competent as a citizen.

For children who are planning to go on to college, there is the college-preparatory program.

Then there's the honors curriculum. If the child is gifted, willing to work, we offer him especially challenging courses, such as three years of mathematics—the top-quality math, not the easy stuff—four years of a foreign language, and so on.

Q. Can a child move from one track to another?

A. Of course. Many do. About 7 or 8 per cent a year made a significant improvement and moved up from the basic to the regular curriculum.

Q. Then why have some Negroes charged that the track system was used to freeze segregation?

A. That charge is one of the patently demagogic elements in the attack charging resegregation on the basis of race. In a school system which is 91 per cent Negro, how can you do that? What we were actually doing was to try to find means by which to improve the quality of learning.

Q. Why do Negroes say this system is unfair to Negroes?

A. We want to make this clear: It is chiefly the civil-rights leaders who say this. I think, actually, if the rank and file of the Negro parents really knew what the track system is, they would vote to keep it. But now the track system has been so belabored—it's made a scapegoat for every problem a child has—that I think the track system is useless in Washington.

Q. Is the criticism based on the idea that more Negroes than whites are in the basic track?

A. The contention has been that a principal would predetermine what a youngster was capable of doing by placing him in a certain slot—like mail. But this is not how it operates. There is a continuous guidance program. We have more guidance than ever before, more testing, more evaluation of pupils—and we are learning more about how to teach slow learners than ever before. Incidentally, there are special problems in learning how to teach gifted youngsters.

I would say that all of this is going to go by the board when the track system is eliminated.

Q. Is there some other form of grouping that might work and be accepted?

A. There probably will still be some form of ability grouping, but I'm not able to imagine what it will be. I'm going to have to leave that to the bright minds that are now guiding the board of education. I don't know what they are going to propose.

There are those, apparently, who dream of putting children together completely heterogeneously.

Q. Isn't there some form of ability grouping in nearly every American school?

A. Even within the elementary schools there is ability grouping. I think that people who believe that it is possible to avoid knowledge of the level at which school work is being done by dropping titles are naive.

ENCOURAGING MEDIOCRITY

Q. What is likely to be the effect of eliminating the track system?

A. The sad part about the loss of the honors curriculum is that this system identifies and stimulates high-level scholarship. I used the word "honors" deliberately when I introduced the program in 1955. Education had gone through a period when scholarship was rather unfashionable. The bright child was afraid to be too smart. Scholarship was not honored. The "honors" systems put the spotlight on scholarship—gave it distinction. I think it's been a good thing, because our honors students have performed very well on the basis of every standardized test given them.

Now all of this is to be submerged in mediocrity, where a bright child doesn't dare to be too bright, and where a slow youngster is pacified into believing that he's doing well.

When we took over the integrated schools in 1955, I found chemistry classes in the high schools that were offering no more than the simplest general science. The subject was called chemistry, and everybody was happy. But the pupils were living in a fool's paradise. As soon as they knocked on a college door, they were disillusioned.

So here is the dilemma: I don't believe that you can, in the long run, safely submerge the importance of scholarship. And I am sure you cannot submerge in anonymity the hazard of retardation. If you do, you let the children slip by and get a high-school diploma unchallenged by the fact that they really have not moved along, educationally.

Q. Why is it that some children just can't be brought up to advanced levels in school?

A. You're asking me a question that gets to the problem of nature, and how nature makes people.

Genetically, there are always people who have intellectual limitations. This is not a racial thing. We are talking here about a group of people—perhaps no more than 10 per cent of the total school population—who never actually are going to be able to do abstract mathematics, for example. I have taught youngsters like this. I have taught slow high-school students who were wholly unable, for example, to get the concept of agreement between subject and verb. The only way you could teach them would be to say, repetitively, "You were" not "You was"; and "They are," not "They is."

There is a point of view that asks: "Why can't you develop all youngsters into the genius class? Why can't you get them all ready for college?"

The answer is that you can't. This is simply the way things are. So the schools must develop a program which is geared to the way children actually learn.

Q. Is this a problem of home environment?

A. Some of this may be environmental. But we have tried to separate the child who has a cultural, environmental handicap from the child who has apparently a genetic, intellectual handicap. The child who has the environmental handicap can respond to more abstract instruction, and he is placed in the regular programs but given special assistance and special enrichment courses.

Q. What happens if you try to teach these slow learners in the same classes with fast learners?

A. The teacher has to make a choice. If she gives the kind of attention to the slow learner that he needs to make progress, then she's going to neglect the faster learner.

In this kind of heterogeneous class, what the teacher really does is teach the middle group—the average. She believes "the bright child will learn anyway"—and the very slow, she can't do much with—just lets them drag along.

Some people dream that if the slow child sits beside the bright one that some kind of osmosis will take place and he will become able to learn.

Q. What about the idea that Negroes will do better in school if they sit beside white pupils?

A. I think that is racist nonsense. It presupposes that the Negro is by nature inferior to the white man.

The so-called Coleman report [on a federally financed survey of educational opportunity] has been cited by the Office of Education as justifying the conclusion that a Negro child in a middle-class white school does better than a Negro child in a Negro school. The report does not justify such a conclusion at all. There is not sufficient evidence to do that.

Q. Then you don't think that just mixing the races in the classroom is the answer to Negroes' educational problems.

A. No, not arbitrary mixing. The color of children's skin should not be a factor in deciding what children go to school together.

REAL NEED: BETTER SCHOOLS

Q. Would it be more effective to pour more money and more teaching skills into the schools as they are, rather than trying to change the complexion of the schools?

A. This is exactly the only solution—improving the quality of schools in the poverty areas.

This is something we have been trying to do for the last 20 years in Washington. And we have succeeded to some extent, despite the common assumption that every school in downtown Washington is a rotten school. We have been putting in more teachers, giving children greater opportunities than they have ever had before. The idea that a child is being isolated in so-called ghetto schools is stupid.

Q. Where did Judge Wright get the idea he expressed in his decision—that Negro children and children in the low economic group have been discriminated against in terms of educational expenditures in Washington?

A. He misused statistics. Let me explain this:

We have a very limited number of schools in the far Northwest section of Washington where the pupil-teacher ratio is low because the enrollment is small. These are small schools.

Q. Are these predominantly white schools?

A. Yes. But some of the so-called white schools actually have a majority of Negroes, because the Negroes have come in on the open-school basis. For example, one small school with a $600-per-capita expenditure is predominantly Negro.

The point is that the cost of operating a building and supplying the principalship direction, the administrative cost, is measured against the number of pupils.

Apparently the judge took a half dozen of the small schools of the type that I have mentioned that were predominantly white and computed the per capita expenditure in those schools. Then he computed the per capita expenditure in other schools, larger schools, that are predominantly Negro. And he found a differential of, I think, $100 in per capita spending.

Now, statistically, this sounds overwhelming, and editorial writers have said: "Look, you are discriminating against Negro children in favor of whites."

But these few schools are statistically insignificant in relation to the total 85,000 youngsters in our elementary schools. And there is a really more accurate measure of school resources. That is: What are you doing for the schools in terms of adjunct services?

Most of the schools in the so-called poverty areas are receiving additional administrative aid in terms of assistant principals, counselors, librarians, and so forth. They get special reading instruction, other free services, and food—free lunches—none of which is computed in the per capita cost.

So we see here statistical analysis being misused to form a conclusion which is utterly unsound. The judge failed to point out that there are certain schools in Negro sections where the per capita costs exceed anything in any school in the most affluent section of the city. He also failed to point out that Woodrow Wilson, a high school in our most affluent area, is receiving less in terms of dollars and services than many high schools which are predominantly Negro.

Q. Does it cost more to educate children from poor, predominantly Negro areas than it does to educate children from more-affluent white neighborhoods?

A. There has to be what everybody calls compensatory education. A youngster with a handicap has to receive more attention. I'd like to point out that this is not a new concept in American education. For example, it is always more expensive to educate a blind child or a physically handicapped child.

The same, I think, can be said of the child who is handicapped by lack of proper food and clothing, or by a poorly structured home, or by situations in which he has not been properly developed or stimulated or motivated.

We have argued and worked—in Congress and every other source—for more money for the children with these special needs.

GENEROSITY OF CONGRESS

Q. Congress appropriates the money for Washington schools. Has Congress been responsive to your pleas?

A. Extremely responsive. The average annual increase for operating costs for the past five years was three times higher than for the five years before I became superintendent. In terms of construction, the capital outlay in the last three years has been about 18 million dollars. In the three years before I became superintendent the average was about 3 million dollars. You would think that people who were really working for the Negro and the poor would say: "This kind of support is pretty good. Let's be careful we don't lose it."

Q. What about the charge that Southern Congressmen are holding the purse strings and cutting down on the D.C. school budget?

A. This is a name-calling device which demeans the civil-rights movement and the people who use it. I reject the concept that the Southerner is automatically opposed to good education. It is pretty clear that the Congress has given an extraordinary amount of concentration and energy on improvement of education in Washington.

Q. How do Washington expenditures for schools compare with those in other major cities?

A. We are next to New York in per capita expenditure. We are above all the other major cities. This year the estimated expenditure per capita here will be $750. In 1957–58 it was something over $300. Spending has more than doubled.

Q. One of the things that Judge Wright questioned in his decision was the system of neighborhood schools. He suggested that, as presently administered at least, they result in harm to Negro children that cannot constitutionally be fully justified. Do you think neighborhood schools should be broken up to get more racial integration?

A. They should not be broken up, because a neighborhood school is the best educational device yet developed, just from the educational point of view. To break them up in order to get integration is a will-o'-the-wisp operation.

When you put Negro children in a forced mixture with white children whose parents are fearful, don't want them there, those parents are going to move their children out—even if they have to build private schools of their own to do it. Enforced integration of this kind does not work.

IF SCHOOLS GET TOO BIG

Q. What about the idea of such integrational devices as educational parks, making them community centers?

A. You are talking about contradictory terms. I am strongly in favor of the community-centered school, and we have moved in this direction, with five of them partially organized. I have talked for 10 years about the 7-to-11 type of school—open at 7 in the morning until 11 at night. That is a community-centered school, where the community actually can come in and use it.

An educational park is the exact opposite. When you put a lot of children—as many as 15,000 of them—in a big school cluster, you separate them from their community. I'm utterly opposed to this.

Q. Another idea suggested by Judge Wright was that D.C. school officials explore the possibility of co-operation with the suburbs—a sort of merger of city and suburban schools to bring together Negroes from the city and whites from the suburbs. Would this really help?

A. I doubt that it would. We might get better racial statistics out of it. Instead of a school system 91 per cent Negro, it might be 50 per cent Negro and would look better on paper.

But I'm beginning to think that bigness is not a virtue, that it is a good thing to have smaller jurisdictions running their own schools. And I certainly cannot conceive of a totalitarian system of artificially moving children around by race, forgetting everything else that should be considered.

Q. In the light of recent federal court decisions, do you see the time coming when such changes might be forced upon the schools of this country?

A. Unless there is a reawakening of public responsibility with respect to what is going on. The inertia is terrific.

Even my desire to appeal this ruling of Judge Wright's is causing me great anxiety. Should I or shouldn't I appeal? With my announced retirement as superintendent, will I be accepted as an appellant? Many people have said they would like to appeal, but don't quite know how to do it.

Many people in all walks of life think that Judge Wright's decision is a disgrace to the bench, but they don't know what to do about it.

So unless there is some way that people can express their attitudes on these problems, it is very possible that courts will be running public schools around the country.

Q. One nationally known Negro leader said recently that the idea of improving schools is gaining priority among Negroes over integrating schools. Do you see any evidence of that trend of thinking?

A. Yes. There seems to be a definite trend in the direction of building quality schools where the children are. I see a great deal of evidence of that here in Washington.

For example, I have had an association with a group of Negro ministers who have been visiting with me periodically. These are ministers of local churches—not the civil-rights type of minister, such as you often find in Washington. They are completely opposed to busing for racial mixing. They want the type of school where children will be taught in a disciplined, structured way. They don't want this innovation nonsense, as they call it. They just want the children to be taught. And I believe they speak the mind of the bulk of Negro parents in saying: "Teach our children where they are, and teach them in the basic style."

Q. Yet this idea seems to be rejected by many Negroes—

A. You are listening to the voices of a few who have maneuvered themselves into control. They represent an extremely limited number of people.

Q. How did they get in control?

A. Through manipulation and behind-the-scenes activity. There is no question about it. I think other cities have not seen the change in the quality of their boards of education that has occurred here in the last two years.

ACTS OF INTIMIDATION

Q. Where do the average Negroes fit into this picture?

A. The good Negro, like the good white, is being tyrannized by fear. We have an atmosphere of intimidation in Washington such that the Negro who believes in holding to a line of strong, structured education is afraid to speak up.

I have received letters—anonymous letters from purportedly Negro teachers—who say that they are very sorry to see me and my methods leave the school system, but are afraid to say anything about it.

There is a level of intimidation now among some members of our own school board that is almost unbelievable.

I know of a principal who has been called late at night and castigated for an alleged error in administration.

Q. Called by whom?

A. By a member of the board of education.

I have seen letters written by an individual member of the board to principals and other school staff in which the school-staff members were severely taken to task for some action of which that board member disapproved.

At a recent board meeting, I am told that one of the new board members said to members of the school staff—highly respected educators:

"When we want you to talk, we will call on you. All you are to do is to carry out our orders."

Q. What kinds of organizations are involved in this intimidation?

A. Well, the only Negro rights group—and I'm not sure that it deserves this kind name—is the so-called ACT group headed by a man named Julius Hobson, who has a coterie of extraordinary personalities around him—many of them white. [Mr. Hobson brought the suit that produced Judge Wright's ruling.] For example, after a Negro board member voted for my reappointment, members of this group approached him in a threatening manner and called him an "Uncle Tom." Recently a Negro minister who spoke in my behalf before the board was surrounded and followed, with the group booing and yelling epithets at him.

Now this is a small group. But rational people are being silenced by a very small group of people.

Q. If their numbers are so small, why aren't they the ones who are being hooted down?

A. Because there is nobody there to hoot them down. It is coming to the point where the only people who come to board of education meetings are those in this little group of activists.

Q. Why is there so much question about the possibility of appealing Judge Wright's ruling?

A. The board of education has ordered me not to appeal. It said in effect, "If you appeal you will have to leave our employ—we will fire you." So I have submitted my resignation, which the board seemed happy to receive.

Q. Why are you so anxious to appeal the Wright ruling?

A. Because it is my deepest conviction that there are basic issues involved which should be tested in the highest court in the land. I have put my job on the line to back this conviction.

Q. What are the issues you think should be tested?

A. First, there is the court's challenge to the authority of the local board of education to run the local schools. For example, the order to abandon the track system is an invasion of the board's authority to decide how to organize the teaching system.

Judge Wright has now become, in fact, the board of education and the superintendent of schools. And I believe that the principle involved here is so deep that it has to be tested out—whether our local board has to run to Judge Wright with hat in hand with every proposal it is considering.

Unless this trend is checked, local management of schools is out.

Q. Do you mean that judges will become the rulers of the schools in this country?

A. Yes, by this means. I am sure the Wright decision will be a landmark decision for other court decisions.

I also want a higher court to check on Judge Wright's misuse of facts and the misconclusions he has drawn.

Then there is the question of *de facto* segregation. Without explicitly saying *de facto* segregation is unconstitutional, the decision so treats the question as to require the board of education to come to Judge Wright with plans for increasing racial integration.

The question of whether there is such a thing as unconstitutional segregation by economic class is also left vaguely handled in the decision. But the question is there. This could be the most far-reaching kind of determination that one could imagine. Will children have to be moved around for an economic mix as well as a racial mix?

These are questions of fundamental importance that one judge should not be allowed to settle alone.

OVERLOOKING THE STUDENT

Q. Dr. Hansen, in this country we are spending more money than ever on education. Do you think we are getting better education for our money?

A. I don't think we are now, because we are not getting adjusted to using the additional resources. I think Washington schools are a case in point. We have tripled our supervisory and administrative staff and our adjunct-service groups because we have the money to do it now. But we have robbed the classrooms of our best teachers. This has been a loss, though I think, a temporary loss.

But what we are suffering from is a de-emphasis on the importance of the individual in the learning process.

We have lost sight of this very simple fact: When all is said and done, it is the learner himself who must do the learning, must supply the energy. You cannot supply that motivation by external social change.

PURCHASE OF WOOD PRODUCTS BY DEPARTMENT OF DEFENSE

Mr. MORSE. Mr. President, recently I received a letter from the president of the North Pacific Lumber Co., in Oregon. In his letter, Mr. David discusses the need for a provision in the Department of Defense appropriation bill that would restrict the purchase of wood products to industries in the United States. Mr. David's letter presents a clear and penetrating argument that I wish to share with all Senators.

Mr. President, I ask unanimous consent that Mr. David's letter of August 7, 1967, be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

North Pacific Lumber Co.,
Portland, Oreg., August 7, 1967.

Hon. Wayne L. Morse,
U.S. Senate,
Washington, D.C.

My Dear Senator Morse: Several of our customers have alerted us to a problem, and we want to be sure that you are aware of it.

Briefly, we understand that the U.S. Defense Supply Agency is advertising for bids on non-magnetic mine sweepers (Class of boat: MS 0523–538, bid No. IFB–N–00024–67–B–1040). The quantity we believe is in the area of 200 of these boats which would have to be built of wood to be non-magnetic.

It is reported that the Secretary of Defense would like to have England bid on these craft on an equal basis with United States' suppliers, but there is presently a rider on the 1968 Defense Appropriation bill restricting the use of funds to purchases in the United States; in other words, a "Buy America" provision.

Considering the desperate straits of our forest products industry, it is our opinion that the rider on the defense bill should be retained, assuming it is as described to us. Certainly the forest products industry in this country needs all the support and encouragement possible if it is to survive in a condition that will permit it to undertake the massive job of building new housing and rehabilitating existing housing that the economists predict will be mandatory in the next few years. For our own Government to look to foreign suppliers when domestic suppliers are in a depressed condition is really a low blow.

Since we have not actually seen any of the material cited above, all we can ask is that you exercise your best judgment in light of our comments.

Very truly yours,

Douglas David,
President.

THE TESTIMONY OF SECRETARY McNAMARA BEFORE THE MILITARY PREPAREDNESS SUBCOMMITTEE

Mr. SYMINGTON. Mr. President, I have great respect for Secretary McNamara, but if his testimony this morning before the Preparedness Subcommittee is right, then it would appear that the sworn testimony of every military leader that this committee and the Senate Armed Services Committee—Army, Navy, Air Force, and Marine Corps—have listened to is wrong.

If Secretary McNamara's present analysis and interpretation of the JCS target list is right, then the detailed military testimony we have received on this subject would also appear wrong.

These differences can be cleared up provided the testimony in these executive hearings is not too heavily censored. That testimony, and the subsequent report of this subcommittee based thereon, will then be given out to the people for their decision.

In any case, if the position as presented by the Secretary this morning is right, I believe the United States should get out of Vietnam at the earliest possible time, and on the best possible basis; because with his premises, there would appear no chance for any true "success" in this long war.

The gigantic price of this war, already running at a cost to the taxpayer of over $70 million a day, is badly needed to finance our other international and domestic problems and programs.

CHIPPEWA HERALD MAKES PERSUASIVE CASE AGAINST TAX INCREASE

Mr. PROXMIRE. Mr. President, the case against the President's proposed 10-percent surtax is as concisely summed up in an editorial from the Chippewa Herald-Telegram as I have seen it anywhere.

I ask unanimous consent that this remarkably perceptive editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

L. B. J. Out of Line

President Johnson has asked the Congress for a surcharge tax increase of 10%, effective for the last quarter of 1967. While the Herald-Telegram understands what motivates the President to make this request, we agree with the chairman of the Joint Senate-House Economic Committee, Senator William Proxmire, that the President's request is out of line at this time. And we think that the Administration should reevaluate its request, in light of the points that Senator Proxmire makes in defense of his case for no tax increase.

President Johnson has used inflation as his number one argument for his tax increase. He has also noted that we must pay for the war in Vietnam and for the goals of the Great Society, and we must prevent "tight money" and must reduce the budget deficit.

We agree wholeheartedly with the points that Mr. Johnson makes. All of these things must be done. However, as Senator Proxmire has pointed out, "It will not only be wrong, but foolhardy, to let rising prices panic the Congress into raising taxes."

Proxmire noted that if we raise taxes, prices will go up in any case. Furthermore, the Senator said that the economy has been "under paced" this year, and that it is possible, "that higher tax rates would depress, (the economy) even further."

In building his argument, Senator Proxmire noted that "excessive demand"—the classic cause for inflation—has not been the reason why the cost of living has risen thus far in '67. As measured by Gross National Product, GNP, figures, consumers, businessmen and government together grew by only $4.5 billion dollars in the first quarter of this year and only $9 million in the second quarter of '67—as compared by a quarterly growth average of $13.5 billion in 1966.

Senator Proxmire noted that the rise in the cost of living this year, unlike other years, has been basically centered in areas of food and medical care and services. And he pointed out that food prices fluctuate quite independent of consumer demand. He also noted that medical care charges have been rising sharply for a number of years because of the acute shortage of hospital space and doctors, and that other services have gone up as wage rates have risen.

Senator Proxmire sums up by noting, "Removing dollars from the hands of consumers and businessmen, by means of a tax increase, is not going to stop this kind of inflation."

Now, the Administration's economists do not dispute Senator Proxmire's analysis of what has happened so far this year, nor do they contend that a tax increase would stop food and service prices in their tracks.

Rather, as they gaze into their crystal ball, the administration see forces at work which, in their opinion, if they remain unchecked would push total demand up by $15 billion by the fourth quarter of this year. And since the United States' economy capacity to produce goods and services is growing at the rate of $12.5 billion a quarter, LBJ argues that $2.5 billion of the $15 billion achieved by the fourth quarter of the year would represent price increases, rather than more real goods and services.

Senator Proxmire refuses to buy this argument. He points out that there is no evidence yet that the GNP of the United States will grow 15 billion by the fourth quarter.

Moreover, the Senator concludes his argument by noting that the nation has a 4% unemployment ratio, and 15% of the national machinery is idle. Hence, Proxmire says, higher taxes could turn our already sluggish economy into a recession.

And all we can say, after hearing both sides of the argument, is that until the Administration can get more evidence to support its claims, Senator Proxmire certainly seems to have the best argument.

Taxes should not be raised.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, during the adjournment of the Senate following today's session, all committees of the Senate be authorized to file their reports, including minority, individual, additional, and supplemental views thereon, until midnight tomorrow, August 26.

The PRESIDING OFFICER. Without objection, it is so ordered.

HIGHWAY BEAUTIFICATION ACT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, when it is reported, S. 1467, the highway beautification measure, be made the pending business of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 2 o'clock and 3 minutes p.m.) the Senate adjourned until Monday, August 28, 1967, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate August 25, 1967:

U.S. District Judge

Lawrence A. Whipple, of New Jersey, to be U.S. district judge for the district of New Jersey, vice Thomas F. Meaney, retired.

HOUSE OF REPRESENTATIVES

Monday, August 28, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord shall preserve thy going out and thy coming in from this time forth and even forevermore.—Psalm 121: 8

Eternal Father of our spirits, at the beginning of another week we pause a moment in Thy presence seeking guidance at Thy hand, strength for the day, and wisdom for the decisions we have to make.

May Thy blessing rest upon these Representatives of our people and may Thy spirit move within their hearts as they seek to promote justice in our land, good will between our people, and cooperation among the nations of the world. As a result of their endeavors may obedience to law and the rights of the individual and loyalty to our country be firmly established among us. God bless America, keep her true to Thee and do Thou keep her free now and forever. In the Master's name we pray. Amen.

THE JOURNAL

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, August 24, 1967.

The Clerk began the reading of the Journal.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair would inquire of the gentleman from Iowa, does the gentleman make the point of order before the reading and approval of the Journal?

Mr. GROSS. Yes, Mr. Speaker, I think the Members ought to hear a review of the marathon of last week.

The SPEAKER. The gentleman from Iowa [Mr. Gross] makes the point of order that a quorum is not present.

Evidently, a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 238]

Abbitt
Abernethy
Adair
Adams
Addabbo
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashbrook
Ashley
Ashmore
Barrett
Battin
Berry
Betts
Bevill
Bingham
Blanton
Bolling
Bolton
Brinkley
Brock
Brooks
Brotzman
Broyhill, N.C.
Burke, Fla.
Burleson
Burton, Utah
Cabell
Carey
Casey
Celler
Clancy
Clark
Clausen, Don H.
Cohelan
Colmer
Conte
Conyers
Corbett
Corman
Cowger
Culver
Curtis
Daddario
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Derwinski
Diggs
Donohue
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Erlenborn
Esch
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fino
Flood
Fountain
Fraser
Frelinghuysen
Galifianakis
Gallagher
Gardner
Gathings
Giaimo
Gibbons
Gray
Griffiths
Grover
Gurney
Hall
Halleck
Halpern
Hamilton
Hansen, Wash.
Hardy
Harsha
Harvey
Hawkins
Hays
Heckler, Mass.
Hicks
Holifield
Holland
Howard
Irwin
Jarman
Johnson, Calif.
Jonas
Jones, Mo.
Karsten
Karth
Keith
Kelly
King, Calif.
Kluczynski
Kornegay
Kupferman
Kyl
Kyros
Landrum
Latta
Leggett
Lloyd
Long, La.
Lukens
McCarthy
McCulloch
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Martin
May
Meeds
Meskill
Miller, Calif.
Minish
Minshall
Mize
Monagan
Moorhead
Morgan
Morris, N. Mex.
Moss
Multer
Murphy, N.Y.
O'Konski
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Pelly
Pepper
Philbin
Pirnie
Poage
Poff
Pollock
Pucinski
Purcell
Quie
Quillen
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers
Robison
Rodino
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Sandman
Satterfield
St Germain
Saylor
Schadeberg
Scheuer
Schneebeli
Shipley
Sikes
Smith, Calif.
Smith, Iowa
Stanton
Steed
Steiger, Ariz.
Stephens
Stratton
Stuckey
Taft
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Tiernan
Tuck
Tunney
Udall
Watkins
Watson
Whalen
Whitten
Wiggins
Williams, Miss.
Willis
Wilson, Bob
Wolff
Wright
Yates
Young
Zion

The SPEAKER. On this rollcall 219 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

The SPEAKER. The Clerk will proceed with the reading of the Journal.

The Clerk concluded the reading of the Journal of the proceedings of Thursday, August 24, 1967, which was approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 3717. An act for the relief of Mrs. M. M. Richwine;

H.R. 11945. An act to amend the college work-study program with respect to institutional matching and permissible hours of work; and

H.J. Res. 804. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

The message also announced that the Senate had passed with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 9547. An act to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Fulbright, Mr. Sparkman, Mr. Mansfield, Mr. Hickenlooper, and Mr. Aiken to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 222. An act to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped.

ORDERLY TRADE IN TEXTILE ARTICLES

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, may I commend the distinguished chairman of the Ways and Means Committee, the Honorable Wilbur Mills, for his understanding and earnest consideration of our textile problem.

We are grateful to the gentleman from Arkansas [Mr. Mills] for introducing H.R. 11578 which would provide for orderly trade in wool, cotton, manmade fibers, and textiles in general. The textile industry is vital to the defense of our country and to the economy of our Nation. Our textile apparel and garment employees cannot compete directly with goods manufactured in such areas as Hong Kong where employees earn only 25 cents an hour.

Mr. Speaker, we will soon report to the House from my Committee on Public Works a bill authorizing additional millions for Appalachia. Textile jobs in Appalachia amount to 453,000 jobs, 26 percent of all industrial employment in the Appalachia region. We cannot justify before the American people the expenditure of $1 billion or more in Appalachia while permitting the jobs of our textile employees to be sacrificed to low wage imports coming into our country unfairly. Recently a garment plant closed in Appalachia—in North Carolina—for this specific reason.

Mr. Speaker, I am pleased today to announce to the House that as of this moment 135 of our colleagues have joined the gentleman from Arkansas [Mr. Mills] in introducing H.R. 11578. My colleague and distinguished chairman of the informal textile committee, the Honorable Phil Landrum, is a member of the Ways and Means Committee and has joined the gentleman from Arkansas [Mr. Mills] in introducing this timely legislation. As secretary of the informal textile group, I am today respectfully urging the gentleman from Arkansas [Mr. Mills] to conduct open hearings on his bill following Labor Day. I am sure open hearings before the great Committee on Ways and Means will demonstrate beyond any doubt the need for orderly, fair trade in textiles. I believe these hearings will prove the need for a long-term agreement covering wool and manmade staple fiber, filaments, and filament yarn in addition to the long-term agreement covering cotton textiles.

PERSONAL ANNOUNCEMENT

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I

was unavoidably absent from the House Chamber when the final vote was taken on the Foreign Assistance Act of 1967 early Friday morning. Although I had been present to vote on most of the amendments to the legislation, at that time I was in my home State of Ohio to honor a longstanding speaking commitment. If I had been present, I would have voted "nay" on final passage.

SCHEDULING OF LEGISLATIVE BUSINESS AND THE 5-DAY WORKWEEK FOR THE CONGRESS

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, while I would join my colleagues in urging the leadership to schedule legislative business on Monday through Friday of each week, I do not feel that the record ought to stand that when this is not the case, Members do not have a 5-day workweek. Most of us have full-time district offices, staffed, at home, and when we go home, we spend most of the weekend engaged in the transaction of congressional business. It seems to me that the average Member of Congress usually has a great deal to do even when Congress is not in session and he always does when the Congress is in session. Mr. Speaker, I do not know of a single Member of this body who has a mere 5-day workweek.

ADJOURNMENT FROM THURSDAY, AUGUST 31, TO MONDAY, SEPTEMBER 11, 1967

Mr. ALBERT. Mr. Speaker, I call up House Concurrent Resolution 497 and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 497

Resolved by the House of Representatives (the Senate concurring), That the two Houses shall adjourn on Thursday, August 31, 1967, and that when they adjourn on said day they stand adjourned until 12 o'clock noon on Monday, September 11, 1967.

Mr. GROSS. Mr. Speaker, I move to strike the last word.

The SPEAKER. The Chair will state that this is not a debatable resolution.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Iowa for the purpose of making a brief statement.

Mr. GROSS. Mr. Speaker, I should like to ask the distinguished majority leader why the adjournment resolution was not made effective as of the first of this week, and why the recess was not planned to take in this week as well as next week?

Mr. ALBERT. We have discussed this matter with the leadership on both sides, and it was determined it would be impractical to do so.

Mr. GROSS. What is practicable, if I may ask, and if the gentleman will yield further, about meeting under the circumstances in which we are meeting here today, with scarcely a quorum present, and no urgent legislation before the House today or for the rest of the week? What is practical about this?

Mr. ALBERT. We do have a sufficient number of Members present to transact business.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZATION FOR THE SPEAKER OF THE HOUSE AND THE PRESIDENT OF THE SENATE, NOTWITHSTANDING ADJOURNMENT, TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS FOUND TRULY ENROLLED

Mr. ALBERT. Mr. Speaker, I call up House Concurrent Resolution 498 and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 498

Resolved by the House of Representatives (the Senate concurring), That notwithstanding any adjournment of the two Houses until September 11, 1967, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZATION FOR THE CLERK TO RECEIVE MESSAGES FROM THE SENATE, NOTWITHSTANDING ADJOURNMENT TO SEPTEMBER 11

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until September 11, 1967, the Clerk be authorized to receive messages from the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia day.

The Chair recognizes the gentleman from South Carolina [Mr. MCMILLAN].

Mr. McMILLAN. Mr. Speaker, I yield to the gentleman from Texas [Mr. DOWDY], to call up the business reported from his subcommittee.

AMEND DISTRICT OF COLUMBIA TEACHERS' LEAVE ACT

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 5709) to amend the District of Columbia Teachers' Leave Act of 1949 to remove certain limitations, and for other purposes, and ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill and that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 5709

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the District of Columbia Teachers' Leave Act of 1949 (D.C. Code, sec. 31-691) is amended by striking out the third sentence thereof.

(b) The last sentence of section 2 of the District of Columbia Teachers' Leave Act of 1949 (D.C. Code, sec. 31-692) is amended to read as follows: "No attendance officer shall be entitled to annual or sick leave with pay under the provisions of any other Act."

(c) Section 4 of the District of Columbia Teachers' Leave Act of 1949 (D.C. Code, sec. 31-694) is amended by striking out "twenty-five" and inserting in lieu thereof "thirty".

Mr. DOWDY. Mr. Speaker, I move to strike out the last word.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

I would like to ask, in regard to these two bills, this one and the teacher retirement bill to follow, if in both cases the same consideration is given to teachers holding temporary certificates?

I ask this particularly with reference to the retirement law. Are teachers who hold temporary certificates—and I understand some 40 percent of the teaching force in the District of Columbia do hold temporary certificates—to be covered by the same retirement benefits as those who hold permanent certificates?

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. DOWDY. Mr. Speaker, it is my understanding, in reply to the inquiry of the gentleman from Iowa, that they are under a separate system. However, I yield to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Speaker, I would say in reply to the question asked by the gentleman from Iowa, that teachers who have a temporary certificate are not covered under the District of Columbia Teacher Retirement Act. We have a bill coming up that will allow their years of temporary service to be applied to their years of service in the teaching system when they become permanent. But under the present law they are on civil service retirement, but not under teacher retirement.

Mr. GROSS. If the gentleman will yield further, let me ask this question: If those holding temporary certificates are given the same leave benefits as those who permanent certificates?

Mr. BROYHILL of Virginia. They have the same leave benefits as the permanent teachers, the same as temporary Federal employees have the same leave benefits as permanent Federal employees.

Mr. DOWDY. Under a bill passed by the last Congress, provision was made that teachers holding temporary certificates would have to qualify the same as the regular teachers or else they would be out.

Mr. GROSS. Will the gentleman yield for one further question?

Mr. DOWDY. I yield to the gentleman.

Mr. GROSS. This does not pertain precisely to either of these bills, but has the committee done anything to eliminate the situation whereby some 40 percent of the teachers of the District of Columbia are holders of temporary certificates? Has there been any move made by the Committee on the District of Columbia or any other committee of the Congress to change this situation?

Mr. DOWDY. In the last Congress a bill was passed which sets a certain period, I believe it is 5 years, within which they have to meet the requirements for a permanent certificate or else they are out. That was passed in the last Congress.

Mr. GROSS. I thank the gentleman.

Mr. DOWDY. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the purpose of H.R. 5709 is to amend the District of Columbia Teachers' Leave Act of 1949 in two particulars, as follows:

First. Provide an unlimited number of days of earned sick leave for all teachers; and

Second. Increase the number of days of sick leave which may be borrowed from 25 days to 30 days.

Under present law, probationary and permanent teachers and attendance officers in the District of Columbia public school system are allowed to accumulate not more than 75 days of sick and emergency leave, and temporary teachers and attendance officers may accumulate not more than 20 days of sick leave.

Also, under existing law teachers and attendance officers in the District of Columbia system may be advanced not more than 25 days of sick leave or emergency leave, in the event of a situation of medical emergency.

These existing restrictions pertaining to sick and emergency leave for District of Columbia teachers and attendance officers are no longer in keeping with the trend in other large city school systems nor in other jurisdictions in the Washington metropolitan area.

The May 1966 edition of Educational and Research Service, published by the American Association of School Administrators and the Research Division of the National Education Association, states in part as follows:

> It appears that during the past four years provisions for accumulating unused sick leave have been liberalized in a number of the larger school systems. Comparison of the current study with the 1961–62 survey shows an increase of 6.3 in the percentage of policies permitting unlimited accumulation at full pay. There is also a notable increase (from 19.8 to 34.1) in the percentage allowing 100 to 200 days' accumulation. Combining these data, we find an increase of 20.6 in the percentage of policies providing a potential accumulation of 100 days or more at full salary.

Among the larger cities listed in this study, those which allow unlimited accumulation of sick leave are Denver, Los Angeles, New Orleans, San Francisco, San Diego, Philadelphia, and Jersey City. Cities which allow an accumulation of 200 days of leave are New York City, St. Louis, and Detroit.

Even more pertinent, however, are the sick leave policies in the area surrounding Washington. Teachers in Montgomery County in Maryland and in Arlington and Fairfax Counties in Virginia are allowed and unlimited accumulation of sick leave. In Prince Georges County, Md., teachers may accumulate 200 days.

As for the present limit of 25 days or the amount of sick or emergency leave which the District of Columbia Superintendent of Schools may advance to probationary or permanent teachers and attendance officers in cases where serious medical emergencies justify such an advance, this also is not as liberal as is the case in most other comparable public school systems.

These facts show clearly that sick leave and emergency leave policies for teachers in the surrounding area and in other large U.S. cities are considerably more liberal than those which presently apply to District teachers. In view of the present nationwide scarcity of qualified teachers, this situation contributes toward a lessening of the bargaining position of the District of Columbia in the vital matter of recruitment and retention of proficient teacher personnel.

A public hearing on this bill was conducted by Subcommittee No. 1 on April 27, 1967. At this time, approval of this measure was expressed by spokesmen for the Board of Commissioners of the District of Columbia, the District of Columbia Public School Administration, the District of Columbia Education Association, and the Washington Teachers' Union. There was no objection to the bill from any source.

The District of Columbia Teachers' Leave Act has not been amended since 1953, and it is the opinion of your committee that the reevaluation and liberalization of sick leave and emergency leave policies represented in H.R. 5709 are fully justified at this time.

The following is the letter from the President of the District of Columbia Board of Commissioners, expressing the Board's endorsement of this proposed legislation:

GOVERNMENT OF THE DISTRICT OF
COLUMBIA, EXECUTIVE OFFICE,
Washington, March 29, 1967.

The Honorable JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

DEAR MR. MCMILLAN: The Commissioners of the District of Columbia have for report H.R. 5709, 90th Congress, a bill "To amend the District of Columbia Teachers' Leave Act of 1949 to remove certain limitations, and for other purposes."

The bill amends the Act in the following respects:

(1) It eliminates reference in the Act to the seventy-five-day limitation on accumulation of sick and emergency leave for probationary and permanent teachers and to the twenty-day limitation on such leave for temporary teachers and attendance officers.

(2) It increases from twenty-five to thirty the number of days of such leave which may be advanced to a teacher or attendance officer.

The Commissioners believe that the bill, by conforming the Teachers' Leave Act more closely to the Annual and Sick Leave Act of 1951, eliminates some inequities in the leave system for teachers as compared to leave of other District of Columbia employees and Federal employees. Accordingly, they recommend its enactment.

The Commissioners have been advised by the Bureau of the Budget that, from the standpoint of the Administration's program, there is no objection to the submission of this report to the Congress.

Sincerely yours,
WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia.

Mr. BROYHILL of Virginia. Mr. Speaker, I move to strike the requisite number of words.

I was pleased to introduce the bill H.R. 5709, at the request of the District of Columbia Education Association, for the purpose of amending the District of Columbia Teachers' Leave Act with respect to sick leave.

The present law with respect to sick leave—District of Columbia Code, 31–691 and the following—provides that all teachers and attendance officers employed by the District of Columbia Board of Education shall be granted cumulative leave with pay for personal illness, presence of contagious disease or death in the home, or pressing emergency, at the rate of 1 day for each month from September through June of each year. This leave with pay, amounting to 10 days per school year, may accumulate to a total not to exceed 75 days for probationary or permanent teachers, nor 20 days for temporary teachers. Also, a teacher may use 3 days of such cumulative leave with pay in any school year for any purpose, under rules and regulations prescribed by the Board of Education, upon giving timely notice of such intended absence. It is further provided, that a probationary or permanent teacher may "borrow" as much as 25 days of such leave with pay during any school year.

The administration of this policy of leave with pay is governed, of course, by such rules and regulations as the Board of Education may prescribe. In order to prevent abuse of this sick leave, a teacher must request such leave of her supervisor or principal, and in the case of sick leave extending over more than 3 days, a physician's certificate is required.

The bill H.R. 5709 will amend this present law in two respects. First, it will remove the present limitation of 75 days on the amount of sick leave which a teacher may accumulate; and second, it will increase from 25 days to 30 days the amount of such leave which a teacher may "borrow" during any school year in the event of a medical emergency.

The District of Columbia Teachers' Leave Act has not been amended in any way since 1953. During this period of 14 years policies concerning sick leave have been liberalized in many other jurisdictions, with the result that the provisions for sick leave for teachers in the District are no longer in keeping with prevailing practice.

For example, accumulation of sick leave without limitation is presently permitted for teachers in such larger cities as Denver, Los Angeles, New Orleans, San Francisco, San Diego, Philadelphia, and Jersey City. In addition, accumulation up to 200 days is permitted in New York City, St. Louis, and Detroit.

Even more significant, however, are the sick leave policies for teachers in the other jurisdictions of the Washington metropolitan area. In nearby Virginia, the cities of Alexandria, Fairfax, and Falls Church, and the counties of Fairfax and Arlington, permit the accumulation of sick leave without limit. In suburban Maryland, Montgomery County also permits teachers to accumulate sick leave without limit, while in Prince Georges County, the limit is 200 days.

Further, under present civil service law, most employees of the Federal and District of Columbia Governments, including the administrative and clerical personnel of the District of Columbia public school system, enjoy unlimited accumulation of sick leave.

As for the provision of H.R. 5709 which will increase from 25 days to 30 days the amount of sick leave which a District of Columbia teacher may "borrow," I am reliably informed that this is in line with the prevailing policy in most large urban school jurisdictions.

In view of these facts, it is obvious that the present provisions of the District of Columbia Teachers' Leave Act with respect to sick leave are no longer adequate to provide District teachers with benefits comparable to those prevailing elsewhere. For this reason, I earnestly solicit the support of my colleagues for the enactment of this proposed legislation to correct this inequity.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table

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AMENDING DISTRICT OF COLUMBIA TEACHERS' RETIREMENT ACT

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R 12505) to provide that a District of Columbia public school teacher may retire on a full annuity at age 55 after 30 years of service or at age 60 after 20 years of service, and for other purposes, and ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill and that it be considered in the House as in the Committee of the Whole

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 12505

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946, is amended as follows:

(1) The proviso in the second sentence of the first paragraph of the first section of such Act (D.C. Code, sec. 31–721) is amended by striking out "teaching service" and inserting in lieu thereof "eligible service".

(2) Section 3 of such Act (D.C. Code, sec. 31–723) is amended to read as follows:

"Sec. 3. (a) Any teacher who completes five years of eligible service and who is separated from the service—

"(1) after becoming fifty-five years of age and completing thirty years of service,

"(2) after becoming sixty years of age and completing twenty years of service, or

"(3) after becoming sixty-two years of age, is entitled to an annuity.

"(b) Any teacher who completes five years of eligible service and who is involuntarily separated from the service, except by removal for cause on charges of misconduct or delinquency, after (1) completing twenty-five years of service, or (2) becoming fifty years of age and completing twenty years of service, is entitled to an annuity reduced by one-sixth of 1 per centum for each full month such teacher is under the age of fifty-five years at the date of his separation from the service.

"(c) Any teacher who completes five years of eligible service and who becomes sixty-two years of age may be separated from the service by the Board of Education upon the written recommendation of the Superintendent of Schools. Any teacher who becomes seventy years of age shall be separated from the service unless upon the written recommendation of the Superintendent of Schools two-thirds of the members of the Board of Education vote to retain such teacher in the public schools for the good of the service.

"(d)(1) The length of a teacher's service shall be computed in accordance with section 8 of this Act.

"(2) The amount of an annuity authorized by this section shall be computed in accordance with section 5 of this Act.

"(3) Each annuity authorized by this section shall commence on the day after the teacher is separated from the service and shall terminate on the date the teacher dies."

(3) Section 4 of such Act (D.C. Code, sec. 31–724) is amended—

(A) by striking out in the first paragraph "Any teacher to whom this Act applies who shall have served on active duty in the public schools of the District of Columbia for a total period of not less than five years" and inserting in lieu thereof "Any teacher who completes five years of eligible service"; and

(B) by striking out in the first paragraph "sections 5 and 6 hereof: *Provided,* That proof" and inserting in lieu thereof "sections 5 and 6 of this Act and beginning on the day after his pay ceases and he meets the service and disability requirements for title to annuity. Proof".

(4) Section 5 of such Act (D.C. Code, sec. 31–725) is amended—

(A) by amending the second sentence of subsection (a) to read as follows: "Each annuity is stated as an annual amount, one-twelfth of which, fixed at the nearest dollar, constitutes the monthly rate payable on the first business day of the month after the month or other period for which it has accrued.";

(B) by striking out the last sentence of paragraph (1) of subsection (b) and inserting in lieu thereof the following new sentence: "The annuity of such widow or widower shall begin on the day after the retired teacher dies. Such annuity and any right thereto shall terminate on the last day of the month before (A) the widow or widower dies, or (B) the widow or widower remarries before becoming sixty years of age. In the case of a surviving widow or widower whose annuity under this paragraph is terminated because of remarriage before becoming sixty years of age, annuity at the same rate shall be restored commencing on the day the remarriage is dissolved by death, annulment, or divorce, if—

"(i) the surviving widow or widower elects to receive the annuity which was terminated instead of a survivor benefit to which the surviving widow or widower may be entitled under this Act or another retirement system for employees of the Federal or District Government, by reason of the remarriage; and

"(ii) any lump sum paid on termination of the annuity is returned to the teachers' retirement and annuity fund established under section 2 of this Act."; and

(C) by striking out in the first sentence of paragraph (2) of subsection (b) "and upon the death of each survivor annuitant all payments shall cease and no further annuity shall be due and payable" and by adding after such sentence the following new sentence: "The annuity of the survivor annuitant shall commence on the day after the retired teacher dies, and such annuity and any right thereto shall terminate on the last day of the month before the death of the survivor annuitant."

(5) The second sentence of the first paragraph of section 8 of such Act (D.C. Code, sec. 31–728) is amended by striking out "Act of June 12, 1940 (54 Stat. 349): *Provided further*" and all that follows down through "nothing contained herein shall be construed" in the last proviso in that sentence and inserting in lieu thereof "Act of June 12, 1940 (54 Stat. 349). If the teacher so elects he may deposit the required sum in the teacher's retirement and annuity fund in monthly installments with interest at 3 per centum per annum compounded annually, upon making a claim with the Commissioners of the District of Columbia, or their designated agent. This section shall not be construed".

(6) Section 9 of such Act (D.C. Code, sec. 31–729) is amended—

(A) by striking out in subsection (a) "after having served in the public schools of the District of Columbia for a total period of not less than five years" and inserting in lieu thereof "after completing five years of eligible service";

(B) by striking out in subsection (a) "beginning at the age of sixty-two years computed as provided in section 5 of this Act" and inserting in lieu thereof ", computed as provided in section 5 of this Act, beginning at the age of sixty-two years and terminating on the date of his death";

(C) by striking out in paragraph (1) of subsection (b) "after having rendered at least five years of service in the public schools of the District of Columbia" and inserting in lieu thereof "after completing five years of eligible service";

(D)(i) by striking out in paragraph (1) of subsection (b) "first day of the month following the death of the teacher" and inserting in lieu thereof "day after the teacher dies";

(ii) by striking out in such paragraph "teacher: *Provided,* That such payments or any right thereto shall cease upon the death or remarriage of the widow, or dependent widower, or upon the widower's becoming capable of self-support." and inserting the following: "teacher. Such annuity and any right thereto shall terminate on the last day of the month before (A) the widow or dependent widower dies, (B) the widow or dependent widower remarries before becoming sixty years of age, or (C) the dependent widower becomes capable of self-support. In the case of a widow or dependent widower whose annuity under this paragraph is terminated because of remarriage before becoming sixty years of age, annuity at the same rate shall be restored commencing on the day the remarriage is dissolved by death, annulment, or divorce, if—

"(i) the widow or dependent widower elects to receive the annuity which was terminated instead of a survivor benefit to which the widow or dependent widower may be entitled, under this Act or another retirement system for employees of the Federal or District Government, by reason of the remarriage; and

"(ii) any lump sum paid on termination of the annuity is returned to the teachers' retirement and annuity fund established under section 2 of this Act.";

(E) by striking out paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(F)(i) by striking out in the first sentence of paragraph (2) of subsection (b) (as so redesignated by subparagraph (E) of this paragraph) "five years of service in the public schools of the District of Columbia" and inserting in lieu thereof "five years of eligible service";

(ii) by striking out the third sentence of such paragraph and inserting in lieu thereof the following:

"The child's annuity shall commence on the first day after the teacher dies. Such annuity and the right thereto terminate on the last day of the month before the child—

"(A) becomes eighteen years of age unless he is then a student as described or incapable of self-support;

"(B) becomes capable of self-support after becoming eighteen years of age unless he is then such a student;

"(C) becomes twenty-two years of age if he is then such a student and capable of self-support;

"(D) ceases to be such a student after becoming eighteen years of age unless he is then incapable of self-support; or

"(E) dies or marries;

whichever first occurs."

(G) by striking out in the first sentence of paragraph (3) of subsection (b) (as so redesignated by subparagraph (E) of this paragraph) "After having rendered at least five years of service in the public schools of the District of Columbia" and inserting in lieu thereof "after completing five years of eligible service";

(H) paragraph (2) of subsection (c) is amended to read as follows:

"(2) The term 'child' means—

"(A) an unmarried child under eighteen years of age, including (i) an adopted child, and (ii) a stepchild or recognized natural child who lived with the teacher in a regular parent-child relationship;

"(B) such unmarried child regardless of age who is incapable of self-support because of mental or physical disability incurred before age eighteen; or

"(C) such unmarried child between eighteen and twenty-two years of age who is a student regularly pursuing a full-time course of study or training in residence in a high school, trade school, technical or vocational institute, junior college, college, university, or comparable recognized educational institution.

For the purpose of this paragraph and paragraph (2) of subsection (b) of this section, a child whose twenty-second birthday occurs before July 1 or after August 31 of a calendar year, and while he is regularly pursuing such a course of study or training, is deemed to have become twenty-two years of age on the first day of July after that birthday. A child who is a student is deemed not to have ceased to be a student during an interim between school years if the interim is not more than five months and if he shows to the satisfaction of the Commissioners of the District of Columbia that he has a bona fide intention of continuing to pursue a course of study or training in the same or different school during the school semester (or other period into which the school year is divided) immediately after the interim."

(7) Section 10 of such Act (D.C. Code, sec. 31–730) is amended to read as follows:

"SEC. 10. (a) Under regulations prescribed by the Commissioners of the District of Columbia, a present or former teacher may designate a beneficiary or beneficiaries for the purpose of this Act.

"(b) Lump-sum benefits authorized by subsections (c), (d), and (e) of this section shall be paid in the following order of precedence, to the person or persons surviving the teacher and alive at the date title to the payment arises, and the payment bars recovery by any other person:

"First, to the beneficiary or beneficiaries designated by the teacher in a signed and witnessed writing received by the Commissioners of the District of Columbia before his death.

"Second, if there is no designated beneficiary to the widow or widower of the teacher.

"Third, if none of the above, to the child or children of the teacher and descendents of deceased children by representation.

"Fourth, if none of the above, to the parents of the teacher or the survivor of them.

"Fifth, if none of the above, to the duly appointed executor or administrator of the estate of the teacher.

"Sixth, if none of the above, to such other next of kin of the teacher, as the Commissioners of the District of Columbia determine to be entitled under the laws of the domicile of the teacher at the date of his death.

For the purpose of this subsection, the term 'child' includes a natural child and an adopted child, but does not include a stepchild.

"(c) If—

"(1) a teacher dies—

"(A) without a survivor, or

"(B) with a survivor or survivors and the right of all survivors terminates before a claim for survivor annuity is filed; or

"(2) a former teacher not retired dies,

the lump sum credit shall be paid.

"(d) If all annuity rights under this Act based on the service of a deceased teacher terminate before the total annuity paid equals the lump-sum credit, the difference shall be paid.

"(e) If an annuitant dies, any annuity accrued and unpaid shall be paid.

"(f) For purposes of this section, the term 'lump-sum credit' means the unrefunded amount consisting of—

"(1) retirement deductions made under this Act from the salary of a teacher;

"(2) amounts deposited into the teachers' retirement and annuity fund by a teacher covering earlier service; and

"(3) interest on the deductions and deposits made with respect to service which aggregates more than one year but excluding interest for the fractional part of a month in the total service."

(8) Section 13 of such Act (D.C. Code, sec. 31–733) is amended—

(A) by striking out "creditable service" and inserting in lieu thereof "eligible service"; and

(B) by adding at the end the following new paragraph:

"For purposes of this Act, the term 'eligible service' means service in the public schools of the District of Columbia under a temporary, probationary, or permanent appointment to a position, the rate of compensation of which is prescribed in the salary schedule contained in section 1 of the District of Columbia Teachers' Salary Act of 1955 (D.C. Code, sec. 31–1501)."

(9) The first sentence of section 21 of such Act (D.C. Code, sec. 31–739a) is amended by striking out "December 30, 1965" and inserting in lieu thereof "January 1, 1966".

Mr. DOWDY. Mr. Speaker, I move to to strike the last word.

PURPOSE OF THE BILL

The purpose of the bill H.R. 12505 is to amend the District of Columbia Teachers' Retirement Act so as to bring it into conformity with the Civil Service Retirement Act as presently amended.

H.R. 12505 amends the District of Columbia Teachers' Retirement Act in the following respects, all of which conform *to provisions presently existing in* the Civil Service Retirement Act:

First. Permits teachers to retire at age 55 with 30 years' service.

Second. Permits teachers to retire at age 60 with 20 years' service.

Third. Establishes the starting date for annuities as the day following separation from the teaching service; except that for disability retirement, annuity shall start on the day after the teacher's salary ceases and he meets the disability requirements.

Fourth. Permits time spent in temporary teaching status to count toward eligibility for benefits under the Teachers' Retirement Act if the teacher attains probationary and permanent status.

Fifth. Provides that the annuity of a teacher's surviving widow or widower shall be terminated by the survivor's remarriage only if such remarriage occurs prior to the survivor's attaining the age of 60. Also, if a survivor's annuity is terminated for this reason, the annuity may be renewed if the remarriage is terminated by divorce, death, or annulment, provided that the survivor gives up any other survivor benefits derived as a result of the remarriage, if the spouse in the remarriage was employed by the government or by another school system; and, the survivor pays back any lump sum received as the result of the termination of her original annuity from the District of Columbia teachers' retirement fund by reason of her remarriage.

Sixth. Provides that a teacher entering the District of Columbia system after having deposited retirement fund payments elsewhere in connection with prior teaching or Government employment, may redeposit such funds into the District of Columbia Teachers' Retirement Fund at any time. Such payments may be made in monthly installments at 3 percent interest compounded annually.

Seventh. Corrects an oversight in Public Law 89–494, whereby teachers who retired from the District of Columbia system during the month of December 1965 were denied a "bonus" of 6.1 percent in their annuities. This "bonus" was enjoyed by all civil service retirees of that month, and it was intended that the nine District of Columbia teachers who retired at that time should receive it also. This provision does not affect any other teacher retirees in any way.

Eighth. Provides that survivor annuities shall terminate on the last day of the month before the death of the survivor annuitant.

Ninth. Provides that the annuity of a teacher involuntarily separated from service, not for cause of misconduct or delinquency, shall be reduced by one-sixth of 1 percent for each month the teacher is below the age of 55 at the time of separation.

Tenth. Redefines the term "child" so as to afford child survivor benefits similar to those presently provided under the Civil Service Retirement Act.

Eleventh. Rewrites the section of the act providing for the payment of a teacher's unfunded retirement deductions to a beneficiary in the event of the teacher's death, to conform with provisions presently existing in the Civil *Service Retirement Act.*

COST ESTIMATE

It is extremely difficult to project the additional cost to the District of Columbia which will result from the earlier retirement ages authorized for teachers under the provisions of this bill. This is true because it is impossible to predict the number of teachers each year who will avail themselves of the opportunity for earlier retirement. In order to get the best possible estimate of this cost figure, your committee requested an opinion from an actuary in the U.S. Treasury Department. This actuary's report, in pertinent part, is as follows:

> Based on a sample, the distribution of teachers who are eligible for immediate retirement at ages 55 through 61 is approximately as shown below. (Ages 62 through 70 have been excluded.) An additional column showing the number normally expected to retire at each of these ages under existing law has been added.

Age	Total number	Eligible under H.R. 7737	Annual retirements expected under existing law
55	93	50	5
56	93	56	5
57	107	64	5
58	78	45	5
59	85	49	8
60	69	[1] 62	9
61	37	[1] 33	5
Total	562	359	42

[1] It is estimated that about 40 percent of these cases are not yet eligible for retirement under existing law.

The points at which the incentive for accelerated retirement is greatest are probably ages 55, 60, and 61. If, for example, retirements at these ages were to double in the first year, it would mean 19 extra retirements at about $5,000 each or a total extra cost of about $95,000 per year in the first year.

COMMITTEE'S CONCLUSIONS

It is the view of your committee that the enactment of H.R. 12505, which will simply afford for the teachers and other professional employees of the District of Columbia public school system the same retirement benefits which are already in effect, through the Civil Service Retirement Act as presently amended, for nearly all the other employees of the District of Columbia government, is entirely justified. It is our hope that this legislation may serve to alleviate to some degree the serious problems of recruitment and retention of capable, qualified teachers for the public school system of the Nation's capital.

HEARING

A public hearing on H.R. 7737, the original form in which this bill was introduced, was conducted on April 27, 1967, by Subcommittee No. 1. Approval of the measure was expressed by spokesmen for the Board of Commissioners of the District of Columbia, the District of Columbia Board of Education, the District of Columbia Education Association, and the Washington Teachers' Union. No opposition was expressed from any source.

The District of Columbia Board of Commissioners recommended several amendments designed to conform the bill more closely to the present provisions of the Civil Service Retirement Act. These suggested amendments are incorporated in the bill H.R. 12505, as reported by your *committee.*

Mr. BROYHILL of Virginia. Mr. Speaker, I move to strike the requisite number of words.

I feel privileged to sponsor the bill H.R. 12505, which is designed to update the District of Columbia Teachers' Retirement Act so as to bring its provisions into conformity with the present provisions of the Civil Service Retirement Act.

Traditionally, the retirement benefits for teachers and other professional employees of the District of Columbia public school system have been kept parallel to those provided for retirees under the civil service system. This is as it should be, since most of the other employees of the District of Columbia government, as well as the classified employees in the Federal Government, enjoy the benefits of the Civil Service Retirement Act. At present, however, largely because of more liberal retirement benefits provided for civil service retirees in 1966, the District of Columbia Teachers' Retirement Act does not offer equal benefits. I introduced the bill H.R. 12505, at the request of the District of Columbia Education Association, in order to correct these inequities.

The most important provision of this bill will permit District of Columbia teachers to retire with full annuity at age 55 with 30 years of service, or at age 60 with 20 years' service. At present, a teacher may not retire with full annuity after 30 years of service until reaching the age of 60, though she may retire at age 55 with 30 years of service with a reduced annuity. I feel strongly that this liberalized formula should be afforded the teachers in the District of Columbia school system, inasmuch as it is presently enjoyed by all the classified employees in the District of Columbia and the Federal Governments.

The bill also will provide for the first time when a temporary teacher in the District system becomes probationary as a requisite for permanent status, the years she spent in temporary status may count toward her benefits under the District of Columbia Teachers' Retirement Act. A temporary teacher in the District of Columbia schools is covered under the civil service retirement system, but probationary and permanent teachers are, of course, under the District of Columbia Teachers' Retirement Act. Hence, at present when a temporary teacher acquires probationary status, she must work 5 years beyond that time before she can be eligible for any retirement benefits whatever. This has been a difficulty which has hampered efforts to encourage temporary teachers to become fully qualified. Inasmuch as approximately 34 percent of the teachers in the District of Columbia school system are presently on temporary status, I feel that this and all other feasible steps to encourage them to become probationary and permanent should be taken.

It is provided further in H.R. 12505 that the annuity left by a deceased retired teacher to a surviving widow or widower may be terminated by the survivor's remarriage only if such remarriage occurs before the survivor reaches the age of 60. Further, in this event the annuity may be renewed if the remarriage is terminated by death, divorce, or annulment. At present, such an annuity is terminated upon the survivor's remarriage at any age whatever, and cannot be renewed.

Another important provision of the bill is to correct an oversight in previous legislation, as a result of which teachers who retired during the month of December 1965 were denied an extra 6.1 percent in their annuities. This "bonus" was enjoyed by all civil service employees who retired during that month, and Congress intended that the District teachers in that category should receive it also. H.R. 12505 will provide this increase in the annuities of the nine teachers who retired during that particular month, on a retroactive basis. This provision, of course, does not affect any other retirees.

In addition to these major provisions, this bill also updates and improves the District of Columbia Teachers' Retirement Act in a number of other ways. For example, all annuities will commence on the day after the teacher's separation from the service, rather than on the first day of the month following such separation. Also, the definition of the term "child" is changed so that child survivors under the Act will receive benefits similar to those provided for child survivors under the Civil Service Retirement Act; and the provisions for the payment of a teacher's unrefunded retirement deduction to a beneficiary in the event of the teacher's death are modified also into conformity with those in the Civil Service Act.

This bill provides no benefits for the teachers and other professional employees of the District of Columbia Board of Education which have not been in effect for all the Federal and District of Columbia Government employees under civil service for more than a year. For this reason, it is my conviction that the enactment of this proposed legislation is thoroughly justified at this time, in fairness to these dedicated public servants.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DULLES-POTOMAC INTERCEPTOR SEWER

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 8965) to amend the act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer, with a committee amendment, and ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from the further consideration of the bill and that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill as follows:

H.R. 8965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of June 12, 1960 (D.C. Code, sec. 43-1624), is amended—

(1) by inserting "(a)" immediately after "SEC. 4.",

(2) by striking out in the second sentence "and shall be repaid" and inserting in lieu thereof "and 50 per centum of the total amount of loans made under this section shall be repaid", and

(3) by adding at the end thereof the following new subsection:

"(b) The amount of loans which were made under subsection (a) of this section, and which do not have to be repaid—

"(1) shall be considered as an additional Federal contribution toward the cost of planning, acquiring rights-of-way for, and constructing, the Potomac interceptor sewer, and

"(2) for purposes of section 2(b) of this Act, shall be treated as having been appropriated pursuant to section 3 of this Act."

The **SPEAKER**. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, strike out lines 3 and 4 and insert in lieu thereof the following:

"That subsection (b) of section 2 of the Act of June 12, 1960 (D.C. Code, sec. 43–1621), is amended by inserting immediately after the first sentence the following: 'In the event any agency or local authority shall make lump sum payment of its entire portion of the cost, or one or more lump sum payments of the whole or any part of the remainder thereof, of all planning and construction (including acquisition of rights-of-way) of the interceptor, the agreement between the Commissioners and such agency or local authority shall provide or shall be modified to provide, as the case may be, that the charges to such local authority or agency for the use of the Potomac interceptor shall take into consideration such payment by the local authority or agency of its portion of the cost of such planning and construction: *Provided*, That any lump sum payment by an agency or local authority toward its portion of the cost of all planning and construction (including acquisition of rights-of-way), if not of the whole amount thereof or of the remaining balance at the time of payment, shall be in an amount of not less than one-fourth of the agency's or local authority's original entire portion of the planning and construction cost.'

"Sec. 2. Section 4 of the Act of June 12, 1960 (D.C. Code, sec. 43–1623), is amended"—

Mr. **DOWDY**. Mr. Speaker, I move to strike the last word.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 8965 is to increase the amount of the Federal contribution to the cost of the Potomac interceptor sewer from Dulles Airport, so that the users thereof shall repay the United States only 50 percent of the total amount of loans made under authority of the act of June 12, 1960—Public Law 86–515, 74 Stat. 210—which authorized the construction of the sewer.

In view of the paramount Federal interest in protecting the water supply of the District of Columbia from pollution, the purpose of this bill is to establish the Federal contribution toward the cost of the interceptor at a level more commensurate with the Federal Government's special stake in the water resources of the Potomac River.

PROVISIONS OF PRESENT LAW

Public Law 86–515—the act of June 12, 1960, 74 Stat. 210—provided for—first, disposal of sewage from Dulles International Airport through the District of Columbia sewerage system and sewage treatment plant at Blue Plains; and second, collection and treatment of sewage from those areas of Maryland and Virginia tributary to the region through which the sewer will pass.

To accomplish this, Congress in the 1960 act authorized construction of the Potomac interceptor sewer to connect federally owned Dulles International Airport and communities in suburban Virginia and Maryland with the District of Columbia sewer system. The purpose was to provide sewer service for Dulles Airport and to protect the water sources of the Nation's Capital from pollution caused by the dumping of sewage into the Potomac River above Washington.

The District of Columbia Commissioners, by the 1960 act, were designated as the agency to plan, construct, operate, and maintain the sewer in cooperation with the other jurisdictions.

As to financing, the 1960 act authorized the project at a total cost of $28 million, provided as follows:

(1) A Federal grant of $3 million for planning, rights-of-way acquisition, and construction of the interceptor; and

(2) Treasury loan authorization of $25 million to complete the construction, amortized over 40 years from rates to be collected by the user jurisdictions. The $25 million loan made available by the 1960 act was made payable to the Metropolitan Area Sanitary Sewage Works Fund.

The loan is repayable within 40 years in substantially equal annual payments, including principal and interest at prevailing rates. The act requires that interest and principal payments be deferred whenever the Secretary of the Treasury finds that the income received from charges for sewage services is inadequate to cover these and other expenses properly chargeable to these receipts. The fiscal 1958 budget indicates that repayment of $714,000 of principal and $3.5 million of interest is being deferred under this provision. Interest is not required to be paid to the Treasury on such deferrals.

EFFECT OF PRESENT BILL

Under the 1960 Dulles Potomac Interceptor Sewer Act, the Federal Government has contributed $3 million, or 11 percent of the construction cost, while the two States and subdivisions of Maryland and Virginia are to repay $25 million, or 89 percent plus interest.

Under the proposed legislation, the Federal Government would increase its contribution from $3 million to $15.5 million, or from 11 percent to 55 percent of the construction cost. The loan repayable by the States of Maryland and Virginia and user jurisdictions would be reduced from $25 million to $12.5 million.

In effect, this makes retroactive—insofar as the Potomac sewer is concerned—a 50-percent reduction in the cost to Maryland and Virginia communities for use of the Potomac Interceptor sewer referred to.

Your committee believes that H.R. 8965 recognizes that the Federal interest in protecting the Nation's water resources applies with special force to the water resources of the Nation's Capital. The bill will increase the Federal contribution to the cost of a project to prevent pollution of the water supplies of the Capital City, that was built for a Federal establishment pursuant to congressional authorization, but which must be paid for almost exclusively by residents of the Washington metropolitan area in the jurisdictions served.

PRECEDENTS FOR THE LEGISLATION

Since the 1960 Potomac Interceptor Act, Congress, by amendments, has liberalized the provisions of the Federal Water Pollution Control Act—33 United States Code 466—to control water pollution on a national basis, as follows:

First. By the Water Quality Act of 1965—Public Law 89–234, approved October 2, 1965, 79 Statute 903.

Second. By the Clean Water Restoration Act of 1966—Public Law 89, approved November 3, 1966, 80 Statute 1246.

Under these recent enactments, Federal grants of up to 55 percent of construction costs have been made available to States and local jurisdictions for sewer construction projects and treatment plants, to alleviate or prevent water pollution.

In some cases, these Federal grants, with additional State grants, may require only a 20-percent local contribution to the cost of pollution control systems.

In view of the congressional enactments in 1965 and 1966 referred to, providing Federal aid for water pollution control projects, the prospect now exists that local authorities, including those in the Maryland and Virginia areas which could be served by the Potomac interceptor, might seek and receive Federal and State grants for sewage treatment plants and other projects to control water pollution. It therefore becomes a distinct possibility that local authorities would find it economically advantageous to forgo utilizing the interceptor and to apply for Federal and State construction grants for local sewage facilities. The results of this would be that the plans envisioned by the Federal Government for protecting the Potomac above Washington from additional pollution would be destroyed. The Potomac interceptor, already in existence and serving a relatively few users, would continue to be underutilized, and the cost burden on users would be prohibitive.

CURRENT STATUS

The main line of the interceptor was completed in December 1963. Other units were completed during 1964, with the exception of unit 14, to serve the Muddy Branch and Seneca Creek watersheds in Maryland. Plans for this unit have been completed, but bids have not yet been solicited.

The current population of the area served by the Potomac interceptor is about 70,000 and the projected population for 1980 is 260,000. Presently, the interceptor is serving approximately 29,500 persons, with 18,800 in Fairfax County and the town of Vienna, 5,200 in Loudoun County, 5,200 at Dulles Airport and environs, all in Virginia, and 200 in Maryland—Navy Department and National Park Service. Potentially, the system has a capability of serving 500,000 persons.

Indicative of present use of the Potomac interceptor is the tabulation of receipts paid to the Metropolitan Area Sanitary Sewage Works fund for the fiscal year 1967 with Fairfax County paying $17,418.74; Loudoun County paying $9,381.46; U.S. Navy Department paying $1,077.01; U.S. Federal Aviation Agency paying $2,491.55; National Park Service paying $133.52; and Vienna paying $25,867.10; totaling $56,369.38.

COSTS

Completed construction contracts total about $22,709,000; other actual and estimated costs bring the total to more than

$25,200,000. Another $2,229,000 has been reserved for the construction of unit 14 in Maryland.

HEARINGS

Hearings were conducted by Subcommittee No. 3 on July 11, 1967, at which testimony was heard from representatives of the Federal and District Governments, suburban communities, and sanitary commissions that are now or in the future may use the Potomac interceptor. The record from these hearings shows clearly that the Potomac interceptor was conceived and planned primarily by the Federal Government to serve the airport, a Federal facility, and to protect the water sources of Washington, the Federal Capital. Local communities were expected to make use of the Potomac interceptor and approved the concept of an interceptor to protect the Potomac River. However, projected high charges for its use did not become clear until 2 years later. During hearings on H.R. 8965, the subcommittee received testimony that actual growth of the area served by the interceptor has been far less than anticipated. In some instances, projected increases in the already high sewer taxes and fees in the area—which may be twice as high as those in areas not using the interceptor—have actually hindered the development of the region, and have caused some communities to hesitate in connecting to the interceptor.

Sewer charges in the local areas now vary from approximately 20 cents per thousand gallons of water to as high as 80 cents per thousand gallons, according to testimony presented. While the variations are due to several factors, including amortization of capital assets, the higher sewage charges are primarily in those communities which now use or are expected to use the Potomac interceptor. It is clear that because the debt repayment requirements for the interceptor will have to be added to other disposal costs, sewage rates in those communities making use of the interceptor will necessarily be proportionately higher than rates in areas that do not have this added cost. For example, the Washington Suburban Sanitary Commission, which supplies water and sewer services to the Maryland suburbs of Washington, has calculated that the planned connection of its system to the Potomac interceptor will, under the existing law, require a rise in rates from the present 22 cents a thousand gallons to approximately 45 cents a thousand gallons.

SUPPORT FOR THE BILL

H.R. 8965 has received the support of the Federal Bureau of the Budget and the Department of Transportation, which presented the views of the administration; Congressmen representing constituencies in the areas served by the interceptor; the Maryland State Department of Health, representing the views of that State; members of the Virginia Legislature; the Metropolitan Washington Council of Governments; the Washington Suburban Sanitary Commission; the Board of Commissioners of the District of Columbia; and spokesmen for the local and county governments in Virginia and Maryland affected by the interceptor. No opposition was expressed to the bill.

LETTER FROM THE BUREAU OF THE BUDGET

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., July 11, 1967.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This refers to your letters of June 2 and June 30, 1967, requesting a report from the Bureau of the Budget on H.R. 9407 and H.R. 8965, respectively. These bills, along with H.R. 10759, are identical to S. 1633 "To amend the Act of June 12, 1960, relating to the Potomac interceptor sewer to increase the amount of the Federal contribution to the cost of that sewer."

Mr. Alan L. Dean, an Assistant Secretary of Transportation, testified for the Administration on S. 1633 before the Subcommittee on Fiscal Affairs of the Senate Committee on the District of Columbia on June 27, 1967. A copy of the statement is attached and concludes that:

"In view of these unique conditions surrounding the Dulles interceptor project, particularly the fact that the project was advanced primarily to meet a specific Federal need, I am pleased to advise you that the Administration favors the enactment of S. 1633."

For the reasons outlined in Mr. Dean's statement to the Senate, the Bureau of the Budget favors enactment of either H.R. 9407, H.R. 8965 or H.R. 10759.

Sincerely yours,
WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

CONCLUSION

The Potomac interceptor is unique. It was built to handle the flows from a population that was almost entirely nonexistent at that time and is not expected to develop in its entirety for several decades. Time will undoubtedly prove this foresight to be a great benefit for the area around the Nation's Capital. If the interceptor were constructed at that future date when the need develops, the communities that would use the system would be in a position to seek Federal and State construction grants and would not be so heavily burdened with the cost of such a tremendous undertaking. However, the decision to build the interceptor when and where it was built was primarily a decision of the Federal Government to serve a Federal installation and to protect the purity of the water for the Capital, although it is the local communities that are presently burdened with virtually the entire cost of it.

The committee is convinced that it is grossly unfair to put the full burden of a project conceived, proposed, and so vital to the Federal Government on the shoulders of a relatively small number of citizens in the communities surrounding Washington. It becomes even more inequitable in light of the Federal water pollution control legislation to encourage the construction of sewers and treatment plants to protect water supplies with the assistance of Federal grants that has been enacted in the few years since the Potomac interceptor was authorized.

Your committee believes the Congress never intended to penalize the nearby communities in passing the Potomac Interceptor Act, yet that is the result of its past actions requiring almost completely local financing of this particular project. This contrasts with congressional action on water pollution legislation nationally whereby the Federal Government contributes the largest portion of construction costs.

BACKGROUND OF DULLES-POTOMAC INTERCEPTOR SEWER

In 1959, President Eisenhower's budget requests to the Congress included $27.5 million to complete construction of the new federally owned and operated Dulles International Airport at Chantilly, Va.; $3.2 million of this amount, which was budgeted to construct a sewage line between the airport and the District of Columbia sewage system, was not approved by the House Appropriations Committee. Instead, the House appropriated $750,000, an amount then sufficient to provide a local sewage treatment facility at the airport site. Senate efforts to restore the sewer line funds in conference were unsuccessful, as was a later Senate effort to include the item as a rider to a mutual aid appropriation bill.

Sewer planning for Dulles Airport recognized that waste disposal from such a major facility, unless handled properly, would constitute a threat to the water resources of the Nation's Capital. It also recognized that the new Federal airport would stimulate growth in neighboring communities, and that this presented a similar problem. The alternative solutions included a multiplication of local treatment plants and possible impairment of the river or protection of the Capital's water supply above Washington through the creation of an interceptor sewer connected to the District of Columbia system.

Since Dulles Airport was scheduled to open in 1961, the administration requested legislation on May 4, 1960, authorizing construction of the Potomac interceptor. In his letter forwarding the administration's draft bill to the Senate, the Acting Director of the Bureau of the Budget stated, in part:

> On September 1, 1959, in order to avoid, if possible, discharging treated effluent from the Dulles International Airport into the Potomac River above the District of Columbia water intakes, the President asked the Administrator of the Federal Aviation Agency to defer action on a proposed waste treatment plant at the Dulles International Airport until a study could be made to determine the feasibility of an alternative method of waste disposal.
>
> On March 9, 1960, the Administrator submitted a "Report on Sewage Disposal Methods: Dulles International Airport." The President shared in the Administrator's conviction that the Federal Government has a degree of responsibility along with the local jurisdictions in assuring a comprehensive solution of the National Capital water problem. He considered it essential, moreover, that the solution of the airport problem coincide with, rather than impinge upon, orderly community and regional development. Similarly, it is his belief that as local communities continue to expand, they will wish to provide for disposal facilities in a manner which will assure achievement of the longer range objectives sought for the Potomac River.

Joint hearings by the Senate and House District Committees were held on May 19, 1960. The House approved the bill on June 1, 1960, and the Senate on June 8. The bill was signed by President Eisenhower on June 12, 1960.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, this is a bill that in my opinion needs some attention, and particularly so in light of what transpired on June 1, 1960. Just to keep the record straight, I would like to read into the RECORD of today, and in the consideration of this bill, something of what happened back on that fateful day, June 1, 1960. Having obtained the floor then I said:

> Mr. Chairman, as I understand this bill, it provides for a loan from the Federal Government of $25 million; and a grant of $3 million, or a total of $28 million.
>
> The question I would like to ask is where is the money coming from to pay off the $25 million? Where is the revenue coming from to pay for this obligation?
>
> Mr. McMILLAN. As I understand it, the cost will be charged to different industries and facilities for the use of this sewer system. The cost with interest will be repaid by private enterprise.

I repeat, by private enterprise.

Continuing to read—

> Mr. GROSS. What private enterprise is the gentleman talking about?
>
> Mr. McMILLAN. Hotel facilities and all the different business establishments. It will be necessary to have different facilities in connection with this air base.

I assume he meant airport.

> Mr. GROSS. Is the gentleman saying that the airlines are going to pay fees for the use of the airport sufficient to make a substantial contribution to the retirement of this obligation?
>
> Mr. McMILLAN. I do not know that. But I understand there will be a charge for the sewage.

Again I said—

> Mr. GROSS. We have here $3 million that is to be given as a grant to the airport to take care of that; and from some other source, of which we have no information, they are going to pay off the $25 million?
>
> Mr. McMILLAN. They are supposed to pay off the $25 million with interest.
>
> Mr. GROSS. But who is going to pay it?
>
> Mr. BROYHILL. Mr. Chairman, will the gentleman yield?
>
> Mr. GROSS. I yield to the gentleman from Virginia.
>
> Mr. BROYHILL. The $3 million represents Federal payment. Fees will be charged against the use of this sewage system. This is not an unusual program. Any industry that patronizes the trunkline will pay a normal fee for the use of these facilities.
>
> Mr. GROSS. I understand that, but what community is going to tie into the system? Where and what are the sources of revenue?
>
> Mr. BROYHILL. The counties of Fairfax and Loudon in Viriginia, as well as various developments and subdivisions therein. Also installations in Montgomery County in the State of Maryland. Fairfax County is already connecting with the Blue Plains treatment plant for serving the new CIA building in Langley, Virginia.
>
> Mr. GROSS. What other sources?
>
> Mr. BROYHILL. I am trying to explain. The various subdevelopments; industries that have to discharge sewage, that normally discharges into the Potomac River, will now discharge into this interceptor.
>
> Mr. GROSS. Let me ask the gentleman a simple question. Are there industries there now to meet the payments?
>
> Mr. BROYHILL. Not at Chantilly; no.
>
> Mr. GROSS. No. Is there any prospective industry?
>
> Mr. BROYHILL. Why, certainly. This is a huge development.

And so forth.

> Mr. GROSS. That is exactly what I am trying to get at. You have no industry there now, and you have no subdivisions. So this is all cast into the future. I am predicting that if this bill is passed you will be back here in a few years asking the Federal Government to take over this $25 million obligation, or a substantial part of it.
>
> You have no industry there today and you have no community sufficient to make a reasonable payment on this money that you are allegedly borrowing from the Federal Government.

Then the gentleman from Ohio [Mr. Bow] got into the situation in defense of this appropriation and I asked the gentleman from Ohio [Mr. Bow] the following question:

> Mr. GROSS. Does the gentleman have any information on the rate of interest to be paid on the $25 million?
>
> Mr. BOW. My understanding is that it will pay the same rate of interest being paid by the Government on its borrowings.
>
> Mr. GROSS. I sincerely hope the gentleman is right; that over a period of years the taxpayers of all the country will be reimbursed.
>
> Mr. BOW. I believe it sincerely. I would not favor it if I did not believe it.
>
> Mr. GROSS. I will say to the gentleman that I will not be at all surprised if within 5 or 10 years we are presented with a bill for more money from the Federal Government.

This is 7 years later so I did not miss it very far. I am sorry to say that my prophecy was correct. I am no authority and no prophet, but anyone could see and smell this one as far off as Chantilly, Va. The taxpayers are going to be hit with this. The chickens are coming home to roost for all the taxpayers of the Nation for the benefit of Virginia and Maryland.

I will be glad to yield to the gentleman from Ohio.

Mr. BOW. I am afraid, Mr. Speaker, the gentleman does not have enough time. I will have to get some time.

Mr. GROSS. No, I am afraid my time is about to expire. On June 1, 1960, we were assured the Federal taxpayers were not going to get hit right between the eyes on this, but if this bill is passed that is exactly what is going to happen.

Mr. BROYHILL of Virginia. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I rise in support of H.R. 8965, to amend the Dulles Interceptor Sewer Act. This legislation provides that the remaining indebtedness of the suburban communities in Maryland and Virginia to the Federal Government as reimbursement for the cost of the Dulles sewer shall be reduced by 50 percent.

When Congress passed the Dulles Interceptor Sewer Act 6 years ago, other communities throughout the Nation did not have the 30 to 55 percent Federal contribution to local sewer construction projects since made available to them under the provisions of Public Law 89-753, the Clean Water Restoration Act of 1966.

The Dulles interceptor sewer was built to prevent effluent from the Dulles Airport, and the large population increase which was anticipated near the airport, from posing a threat to the water supply of the District of Columbia. The Congress felt the Federal financing of the sewer trunkline was necessary to avert pollution from a small treatment plant above the water supply.

Six years have intervened since construction of the sewer. However, neither the Dulles Airport itself nor the community surrounding it have grown as rapidly as was anticipated. The loan is presently scheduled to be repaid over a 40-year period through user's fees, and because of the fact that they are fewer in number than anticipated, users will be forced to pay fees far in excess of those charged for use of other facilities in the area and throughout the Nation.

Each of the communities now serviced by the Dulles sewer could, under provisions of the Clean Water Restoration Act, build its own treatment plant and receive 30 percent of the cost from the Federal Government; and the Federal contribution could be increased to as much as 55 percent if they were, as we are, part of a basin plan and part of a metropolitan area participating in a joint venture with neighboring communities.

Thus, unless this legislation is enacted, users of the Potomac interceptor sewer will be penalized for the fact that the Federal Government, to serve its own needs, built a sewer for them long before it was needed by the area population, and intends to charge the few users for the full construction cost, with the exception of the initial grant made in behalf of the Dulles Airport, on a prorated basis over a 40-year period. While this may have appeared equitable 6 years ago, it appears most inequitable today that users should be forced to pay rates greatly in excess of sewage rates elsewhere in the metropolitan area as a result of legislation designed to alleviate an areawide pollution problem.

This legislation will place nearby Virginia and Maryland suburbs on an equal basis with communities throughout the Nation who are now eligible for Federal participation in their water pollution projects. I urge favorable action on this legislation.

Mr. MATHIAS of Maryland. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I believe objections to this bill, as the gentleman from Virginia just pointed out, will prove to be penny wise and pound foolish. All this bill will do is to put this particular sewer construction project, which is of great importance to the National Capital, on the same basis as the sewer projects presently being constructed in Iowa, in California, and in all other States of the Union. There is nothing special or privileged about this, so far as the National Capital area is concerned.

If we do not pass this legislation we will be inviting a proliferation of applications for individual Federal grants under general law, which will mean that the Federal Government's initial investment in the Dulles interceptor sewer will be largely wasted.

I urge the House today to give its speedy approval to this legislation.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS of Maryland. I am glad to yield to my colleague from Virginia.

Mr. SCOTT. Is not the gentleman saying circumstances have changed since

1960 when this legislation was originally considered? This bill would merely give Virginia and Maryland the same sort of treatment being afforded to other States of this country?

Mr. MATHIAS of Maryland. The gentleman is correct. It would bring this project up to date with existing legislation which applies to the entire Union.

Mr. SCOTT. Mr. Speaker, as a sponsor of legislation identical to that before the House, I urge its passage.

The construction of the Potomac interceptor sewer was a pioneer move by Congress to safeguard one of the major rivers of the country against pollution within the greatest reasonable distance above the Washington metropolitan region's water supply intakes. The "interception" implied in the name of the facility is the interception of wastes discharged from waterways tributary to the Potomac.

Like later legislation, the law authorizing this project made it financially feasible for communities to participate in pollution control. However, unlike communities affected by later legislation, the jurisdictions of Virginia and Maryland which use the Potomac interceptor were not recipients of any grant for pollution control. The funds for construction of the Potomac interceptor sewer were made available in the form of loans to be repaid at Treasury rates amortized over a period of 40 years.

Since the development of Washington's International Airport by the Federal Government, a greater nationwide recognition of the need for water pollution controls has occurred. Congress has awarded increasingly generous grants for the construction of facilities which help eliminate the pollution of our waterways. One of the latest steps taken was the Clean Water Restoration Act of 1966, which makes it possible in some circumstances for local jurisdictions to receive Federal grants of 55 percent and State grants of 25 percent. By comparison, the jurisdictions which use the Potomac interceptor sewer received no grants, and are expected to pay 100 percent of the cost plus interest. Simple justice requires the enactment of this legislation.

The legislation before you will place the Virginia and Maryland jurisdictions on a nearly equal basis with other communities in the United States which are making efforts to restore the clarity of our waters. It will relieve them of 50 percent of the cost of using this modern facility, or, as the committee report states, on page 3, the Federal Government would increase its contribution from $3 million to $15.5 million or from 11 to 55 percent of the construction cost.

Passage of this legislation will insure that the Potomac interceptor sewer will be used in years ahead by the fast-growing communities of the northern Virginia and Maryland suburbs of Washington whose burgeoning populations have only begun to reach anticipated levels. It is likely that unless the inequity is removed, communities with future expansion needs will build separate smaller facilities in order to obtain the advantages available under the Clean Water Restoration Act.

I urge passage of this legislation, Mr. Speaker, as an immediate and practical step toward control of pollution in one of our Nation's most historic streams.

Mr. MACHEN. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I rise in support of this legislation, for the reasons given by the gentleman from Virginia [Mr. BROYHILL] and my colleague from Maryland [Mr. MATHIAS].

The situation has changed since the date of enactment of the initial legislation in 1960, with the Clean Water Restoration Act of 1966 and earlier programs.

I believe this was touched on by my colleague from Maryland, but with existing Federal statutes failure to pass the bill would encourage the political subdivisions bordering on the Potomac River to apply for substantial grants of their own for sewer construction in lieu of the Dulles interceptor sewer.

Under the original legislation the Federal Government is still primarily responsible for the payment of this obligation, and it will continue to pay until such time as the users' fees become sufficient to pay the other costs of the project.

Failure to pass the bill would be compounding the error that was made in connection with the concept of the building of Dulles Airport.

Mr. Speaker, in speaking on behalf of passage of H.R. 8965, my bill to increase the Federal payment toward construction of the Potomac interceptor sewer, I want to say that I introduced this legislation on April 20 at the request of Maryland Governor Agnew, who supports its enactment.

Mr. Speaker, until today I did not know of any opposition to enactment of my bill. It has the support of the Maryland State government, the Montgomery County Council, the District Commissioners, representatives of northern Virginia, and the Federal Government, and the Washington Suburban Sanitary Commission which serves both Montgomery and Prince Georges Counties, Md.

As of today, the Potomac or Dulles interceptor sewer is threatened by the same fate that is affecting the Dulles International Airport: underuse. Construction of this sewer was authorized by the Congress in 1960 as an antipollution program to protect our Potomac River water supply above Washington from pollution flowing out of the Dulles Airport. The $28 million estimated construction cost was to have been financed by a $3 million Federal grant, with the $25 million balance paid off by Maryland and Virginia as a loan over a 40-year period. Under the original financial arrangement, the Federal Government would pay for approximately 11 percent of the construction cost; the two States the remaining 89 percent out of user fees from private hookups to the sewer system.

Then, in 1966 with enactment of the Clean Water Restoration Act, the Federal Government was authorized to make grants as high as 55 percent under certain circumstances for construction of antipollution projects, including sewers and treatment plants. With the possibility of 55 percent Federal construction grants being available to a State, the inequity to Maryland and Virginia of the 11 percent Federal financing for construction of the Dulles sewer becomes readily apparent. To compound the situation, development of the areas in Northern Virginia and Montgomery County to be serviced by this sewer has not occurred as rapidly as estimated, although there is little doubt that eventually this sewer will serve about a half-million Maryland and Virginia residents. Thus, the sewer, in its present stages, will not be used to the extent originally planned. With underuse, user fees would be higher, placing a serious financial burden on users.

Now we can see two major problems that are crying for remedy: One, the existence of a Federal program that could conceivably finance at the State level up to 55 percent of construction, rather than 11 percent; two, slower-than-expected development of proposed service areas, placing a heavy burden on users' fees, the same fees which the States would use to repay the 40-year loan on their 89 percent share of the construction cost.

In order to remedy these problems, my bill would increase the Federal share of construction costs from 11 percent to 55 percent, that is, from $3 million to $15.5 million. At the same time, the State share would decrease from $25 million to $12.5 million. Enactment of the legislation would relieve a massive burden both from the shoulders of the two States and the prospective users in the service areas. I feel that this is entirely justifiable and warranted, and I urge enactment of my bill.

Mr. Speaker, I wish to thank the gentleman from South Carolina [Mr. McMILLAN] for his leadership and support on behalf of this legislation in his committee. A large number of Maryland residents will be indebted to him for his support of this legislation because it will make certain that they may have the benefits of sewer service at a reasonable cost.

Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FALLON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FALLON. Mr. Speaker, I rise in support of the bill, H.R. 8965, which increases the amount of the Federal contribution to the cost of the construction and financing of the Dulles-Potomac interceptor sewer, from $3 million to $15.5 million, or from 11 percent to 55 percent of the construction cost; and also at the same time makes retroactive, insofar as the Potomac sewer is concerned, a 50-percent reduction in the cost to the Maryland and Virginia communities for use of the Potomac sewer, a reduction from $25 million to $12.5 million of the loan repayable by the States of Maryland and Virginia.

Construction of the Dulles-Potomac interceptor sewer was authorized in 1960 by Public Law 86-515, which provided for disposal of sewage from Dulles International Airport through the D.C. sewerage system and sewage treatment plant at Blue Plains; and collection and treatment of sewage from those areas of Maryland and Virginia tributary to the region through which the sewer would pass. This 1960 act authorized financing by a Federal grant of $3 million for planning, rights-of-way acquisition and construction of the interceptor, and a Treasury loan of $25 million, amortized over 40 years from rates to be collected by the user jurisdictions, Maryland and Virginia.

Since the 1960 Dulles-Potomac Interceptor Act, Congress has liberalized the provisions of the Federal Water Pollution Control Act by the Water Quality Act of 1965 (Public Law 89–234) and the Clean Water Restoration Act of 1966 (Public Law 89–753), under which acts Federal grants of up to 55 percent of construction costs have been made available to States and local jurisdictions for sewer construction projects. Therefore, under the 1960 act the Federal Government is contributing, in effect, only 11 percent of the construction cost, while the two States, Maryland and Virginia, are required to repay 89 percent plus interest.

Under this legislation, H.R. 8965, the Federal Government would increase its contribution as previously outlined which would accomplish the purpose of allowing the Federal Government to participate in the cost of the Dulles-Potomac interceptor sewer in accordance with the provisions of existing law.

This project was originally advanced primarily to meet a specific Federal need for providing adequate service for the major international airport at Dulles serving the Nation's Capital, and was wholly funded by Federal loans and appropriations, all in anticipation of a very rapid growth in suburban development in the vicinity of the airport; however, this development in the areas served by the interceptor has not proceeded at anywhere near the pace the original planners of the facility anticipated. Thus, the repayment requirements on the construction loans in accordance with the 1960 act places an undue and unjustifiable burden on the communities in Maryland and Virginia that use and will use the facility.

I commend my colleague [Mr. MACHEN] for his efforts in connection with this legislation, and in view of the fact that this bill would correct existing inequities and provide for participation on the part of the Federal Government and the States of Maryland and Virginia in accordance with existing laws, I strongly urge approval of H.R. 8965.

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that this particular bill be withdrawn from consideration and passed over until the next District of Columbia day.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, I will have to object to that.

The SPEAKER. Does the gentleman from Iowa object?

Mr. GROSS. Yes, sir; I do object, Mr. Speaker.

The SPEAKER. Objection is heard.

Mr. BOW. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, the gentleman from Iowa has made a reference to the debate when the original bill on this matter was passed. I felt it had been worked out and this would be repaid in time. At that time the Federal contribution was to be $3 million. There is a little history that goes even further back than that. When this question first came up it was to be a sewer for Dulles Airport. A request came in for $27 million to build it. This was during the Eisenhower administration. I was then on the Committee on Appropriations and I objected to it and fought it rather hard against a $27-million sewer for Dulles Airport that these other people could hook onto. I felt I had saved $27 million there. What we actually did at that time was to appropriate $750,000 for a sewer system at Dulles Airport and we eliminated some of these lines coming in that could have been hooked onto, which would have been a gift for Maryland and Virginia.

I remember at the time some rather critical editorials about the gentleman from Ohio. The people of Virginia and Maryland did not like me very much. The editorial writers took off on me for having done this. It seemed to me, though, that the people of Iowa and Ohio should not be called upon to pay for a sewage system in Maryland and Virginia. Then they came up with this new idea. They consulted with me very kindly, and I agreed that it looked like a feasible way to do it. The Federal Government would pay $3 million and would make a loan of funds which would be paid back with interest. I supported it on the floor, as the gentleman from Iowa said. He did say then that they would be back in 5 or 10 years, but in my enthusiasm to help Virginia and Maryland I said, "Well, I do not think so." I said, "I think this will work out." I am a little astounded today, because the gentleman from Iowa again is right. When I thought I was saving $27 million, I find now that we are back here asking for $12.5 million more to bring it up to around $15 million total instead of the original $3 million.

Things are different today, as the gentlemen from Virginia and Maryland say. Yes. Things are a great deal different. We now have a national debt of over $300 billion. There is some difference between what the debt was in those days and what it is now. We have an estimated deficit of $30 billion this year. When you say you are just coming up to what other parts of the United States are having, I submit to you I wish I could get a deal of this kind back in Ohio in the 16th Congressional District. This is not a general thing all over the country that sewers are being paid for in this way. I just wonder how many Members on this floor have had this kind of favorable treatment in getting sewers built in their districts. I guess there have been some where they have, but this is not a change. The real change here is the fiscal situation of the country. I think we can ill afford to bring in these bills after we are sold a bill of goods and later on, as the gentleman from Iowa said, within 5 or 10 years—and he is right in the middle of it—they are back here now asking for $12.5 million.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. BOW. I will be glad to yield to my friend from Virginia.

Mr. BROYHILL of Virginia. The gentleman is absolutely correct in that he made a major contribution to the solution of this problem in 1959 when it was proposed to build a cross-country sewerline to serve Dulles Airport and not much of anything else. It would have cost, I believe, the same as this particular project if they did get approval.

As a result of the gentleman's opposition and constructive suggestions, we were able to work out this particular program that would protect our water supply system and, hopefully, provide for the full payment of the construction cost, other than the amount that should have been the Federal contribution, anyway.

And as I said before, the development has not been as great.

Another thing that has prevented the excessive use or increased use of it, is the National Federal Water Control Act, which the gentleman's constituents can benefit from, up to 55 percent, of their contribution.

Mr. BOW. They can, but they just do not, and the constituencies of a great number of other congressional districts do not receive this kind of treatment on sewers. I just wish that we were able to take the impacted school areas benefits that accrue to the rich counties of northern Virginia and Maryland, and transfer some of those benefits over to the problem of the construction of sewers.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Ohio has expired.

(On a request of Mr. GROSS, and by unanimous consent, Mr. BOW was allowed to proceed for 2 additional minutes.)

Mr. GROSS. Mr. Speaker, will the gentleman yield to me?

Mr. BOW. I would be delighted to yield to my distinguished colleague, the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I wish to commend the gentleman from Ohio for the statement he is making here today. The thing that hurts, and really hurts, is the fact that 7 years ago the proponents of this scheme would come in and say that there would be no further gouging of all the taxpayers. I thought the Federal Government was being pretty extravagant at that time, to underwrite $3 million of the cost. But now it is proposed to triple that cost figure. This is the unacceptable part of this business—to come in one year and make a deal on the basis that the Federal Government's contribution is going to be so much, and then find a few years later that it has ballooned all out of shape. I cannot buy it. Therefore, I want to serve notice that insofar as I am concerned there will be a rollcall vote on this bill. And again I commend my friend from Ohio [Mr. BOW] for the statement he has made here today in behalf of the taxpayers of this country.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. Is the gentleman from Ohio stating that the State of Ohio and his congressional district cannot benefit under the Federal Water Control Act?

Mr. BOW. They could benefit, but they do not to the extent of the great States of Virginia and Maryland, under this particular bill.

Mr. BROYHILL of Virginia. Mr. Speaker, if the gentleman will yield further, under the Federal Water Control Act metropolitan areas can receive up to 55 percent in the form of a contribution toward the construction of these facilities.

Mr. BOW They can, but they do not.

Mr. BROYHILL of Virginia. But, why is this any basis——

Mr. BOW. They do not, and a number of other congressional districts throughout this country do not receive these benefits such as are received by the richer States of Virginia and Maryland.

Mr. BROYHILL of Virginia. Mr. Speaker, if the gentleman will yield further, if the gentleman wants to discriminate against the States of Virginia and Maryland, that is another matter.

Mr. BOW. Mr. Speaker, I cannot yield further to the gentleman from Virginia.

The gentleman from Virginia has done such a magnificent job over the years for the great State of Virginia and if he talks about discrimination against the State of Virginia, the job you have done has been magnificent, particularly insofar as the great State of Virginia is concerned. I do not feel that anyone in this Congress can say that they have been able to discriminate against the great State of Virginia in so long as the stalwart gentleman from Virginia has been here in the Halls of Congress defending that great State.

Mr. GUDE. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I feel that it should be pointed out that the Potomac interceptor sewer is an enormous facility constructed to serve Dulles International Airport. When the interceptor sewer was devised to serve Dulles Airport, it was assumed that there would be a more rapid population and economic growth in the area to support the system. This has not come about, and, as a result, the financing of this Federal project places an undue burden on those currently using the facilities.

Failure to pass the interceptor sewer bill would mean a rather costly and extravagant use of both Federal and private funds. Without the Federal participation provided in this bill, future sewer development in the area would undoubtedly parallel the Dulles facilities. Since the original Dulles sewer was authorized, there have been other Government assistance programs passed which would make it more practical for developers to install sewer systems with Government help and avoid tying in with the Dulles system. This duplication and waste will be avoided by the passage of this bill.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. GUDE. I am glad to yield to my colleague, the gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, I would like to call the attention of the House to the staff memorandum that is on page 2 of the report of the subcommittee hearings. In effect, this memorandum indicates that the proposed legislation would simply put Virginia and Maryland on the same basis as the rest of the country, the Potomac interceptor sewer bill having been passed before general legislation which assists communities with financing the water pollution control projects. I am sure the gentleman from Maryland would agree with the staff memorandum.

Mr. GUDE. I thank the gentleman for pointing that out.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 118, nays 109, not voting 205, as follows:

[Roll No. 239]

YEAS—118

Addabbo
Albert
Anderson, Tenn.
Annunzio
Aspinall
Bates
Boggs
Boland
Brademas
Brasco
Brown, Calif.
Broyhill, Va.
Burke, Mass.
Burton, Calif.
Bush
Button
Byrne, Pa.
Clark
Cleveland
Collier
Conable
Daniels
Dorn
Dow
Dowdy
Eilberg
Fascell
Feighan
Fisher
Ford, Gerald R.
Ford, William D.
Friedel
Fuqua
Galifianakis
Garmatz
Gettys
Gilbert
Gonzalez
Green, Oreg.
Green, Pa.
Gude
Hagan
Hammerschmidt
Hanna
Hathaway
Hechler, W. Va.
Helstoski
Henderson
Horton
Hungate
Ichord
Jacobs
Jones, N.C.
Kastenmeier
Kazen
Kee
King, Calif.
Kirwan
Kleppe
Kuykendall
Leggett
Lennon
Long, Md.
McClory
McClure
McMillan
Machen
Madden
Mahon
Mailliard
Marsh
Mathias, Calif.
Mathias, Md.
Matsunaga
Miller, Calif.
Mills
Minish
Mink
Morse, Mass.
Morton
Murphy, Ill.
Myers
Nedzi
Nelsen
Nix
O'Hara, Ill.
O'Hara, Mich.
Patten
Pickle
Price, Ill.
Pryor
Railsback
Reid, N.Y.
Resnick
Rodino
Rogers, Colo.
Rooney, N.Y.
Roush
Roybal
Ruppe
Ryan
St. Onge
Schweiker
Schwengel
Scott
Sisk
Smith, N.Y.
Stafford
Sullivan
Ullman
Van Deerlin
Waggonner
Walker
Wampler
White
Whitener
Wyman
Zwach

NAYS—109

Andrews, Ala.
Arends
Baring
Belcher
Bennett
Biester
Blackburn
Blatnik
Bow
Bray
Broomfield
Brown, Mich.
Brown, Ohio
Buchanan
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clawson, Del
Cramer
Cunningham
Davis, Wis.
Dellenback
Denney
Devine
Dickinson
Dingell
Dole
Dulski
Duncan
Edwards, Ala.
Eshleman
Findley
Flynt
Foley
Fulton, Pa.
Fulton, Tenn.
Goodell
Goodling
Gross
Gubser
Haley
Hanley
Hansen, Idaho
Harrison
Hébert
Hosmer
Hull
Hunt
Hutchinson
Joelson
Johnson, Pa.
Jones, Ala.
King, N.Y.
Laird
Langen
Lipscomb
Lukens
McDade
Mayne
Michel
Miller, Ohio
Montgomery
Moore
Mosher
Natcher
Nichols
Olsen
Perkins
Pettis
Pike
Pool
Price, Tex.
Riegle
Roberts
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Scherle
Selden
Shriver
Skubitz
Slack
Smith, Okla.
Snyder
Springer
Steiger, Wis.
Stubblefield
Talcott
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Utt
Vander Jagt
Vanik
Vigorito
Waldie
Watts
Whalley
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Winn
Wyatt
Wydler
Wylie
Zablocki

NOT VOTING—205

Abbitt
Abernethy
Adair
Adams
Anderson, Ill.
Andrews, N. Dak.
Ashbrook
Ashley
Ashmore
Ayres
Barrett
Battin
Bell
Berry
Betts
Bevill
Bingham
Blanton
Bolling
Bolton
Brinkley
Brock
Brooks
Brotzman
Broyhill, N.C.
Burke, Fla.
Burleson
Burton, Utah
Cabell
Carey
Casey
Celler
Clancy
Clausen, Don H.
Cohelan
Colmer
Conte
Conyers
Corbett
Corman
Cowger
Culver
Curtis
Daddario
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Derwinski
Diggs
Donohue
Downing
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Erlenborn
Esch
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fino
Flood
Fountain
Fraser
Frelinghuysen
Gallagher
Gardner
Gathings
Giaimo
Gibbons
Gray
Griffiths
Grover
Gurney
Hall
Halleck
Halpern
Hamilton
Hansen, Wash.
Hardy
Harsha
Harvey
Hawkins
Hays
Heckler, Mass.
Herlong
Hicks
Holifield
Holland
Howard
Irwin
Jarman
Johnson, Calif.
Jonas
Jones, Mo.
Karsten
Karth
Keith
Kelly
Kluczynski
Kornegay
Kupferman
Kyl
Kyros
Landrum
Latta
Lloyd
Long, La.
McCarthy
McCulloch
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Martin
May
Meeds
Meskill
Minshall
Mize
Monagan
Moorhead
Morgan
Morris, N. Mex.
Moss
Multer
Murphy, N.Y.
O'Konski
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Pelly
Pepper
Philbin
Pirnie
Poage
Poff
Pollock
Pucinski
Purcell
Quie
Quillen
Randall
Rarick
Rees
Reid, Ill.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers
Robison
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Sandman
Satterfield
St Germain
Saylor
Schadeberg
Scheuer
Schneebeli
Shipley
Sikes
Smith, Calif.
Smith, Iowa
Staggers
Stanton
Steed
Steiger, Ariz.
Stephens
Stratton
Stuckey
Taft
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Tiernan
Tuck
Tunney
Udall
Watkins
Watson
Whalen
Whitten
Widnall
Wiggins
Williams, Miss.
Willis
Wolff
Wright
Yates
Young
Zion

So the bill was passed.

The Clerk announced the following pairs:

Mr. Monagan with Mr. Martin.
Mr. Patman with Mr. Pirnie.
Mr. Reuss with Mr. Robison.
Mrs. Griffiths with Mr. Quie.
Mr. Hamilton with Mr. Broyhill of North Carolina.
Mr. Hardy with Mr. Andrews of North Dakota.
Mr. Hays with Mrs. Reid of Illinois.
Mr. Howard with Mr. Stanton.
Mr. Rooney of Pennsylvania with Mr. Watkins.
Mr. St Germain with Mr. Grover.
Mr. Stephens with Mr. Hall.
Mr. Steed with Mr. Brotzman.
Mr. Satterfield with Mr. Mize.
Mr. Purcell with Mrs. May.
Mr. Macdonald of Massachusetts with Mr. McEwen.
Mr. Long of Louisiana with Mr. Kyl.
Mr. Karth with Mrs. Heckler of Massachusetts.
Mr. Karsten with Mr. Pollock.
Mr. Johnson of California with Mr. Schneebeli.
Mr. Barrett with Mr. Taft.
Mr. Jarman with Mr. Whalen.
Mr. Brooks with Mr. Zion.
Mr. Cohelan with Mr. McDonald of Michigan.
Mr. Culver with Mr. Lloyd.
Mr. Downing with Mr. Kupferman.
Mr. Edwards of Louisiana with Mr. Battin.
Mr. Evans of Colorado with Mr. Curtis.
Mr. Gallagher with Mr. Erlenborn.
Mr. Randall with Mr. Wiggins.
Mr. Pepper with Mr. Reinecke.
Mr. Passman with Mr. Latta.
Mr. Wright with Mr. Brock.
Mr. Yates with Mr. Schadeberg.
Mr. Udall with Mr. Burton of Utah.
Mr. Tiernan with Mr. Conyers.
Mr. Thompson of New Jersey with Mr. Steiger of Arizona.
Mr. Tuck with Mr. Burke of Florida.
Mr. Abbitt with Mr. Esch.
Mr. Cabell with Mr. Watson.
Mr. Corman with Mr. Gardner.
Mr. Adams with Mr. Meskill.
Mr. Tunney with Mr. Sandman.
Mr. Farbstein with Mr. Diggs.
Mr. Murphy of New York with Mr. Cowger.
Mr. Davis of Georgia with Mr. de la Garza.
Mr. Delaney with Mr. Hawkins.
Mr. Rosenthal with Mr. Brinkley.
Mr. Scheuer with Mr. Dawson.
Mr. Celler with Mr. Eckhardt.
Mr. Carey with Mr. Edwards of California.
Mrs. Kelly with Mr. Everett.
Mr. McCarthy with Mr. Fallon.
Mr. Multer with Mr. Moorhead.
Mr. Ottinger with Mr. Rees.
Mr. Wolff with Mr. Rhodes of Pennsylvania.
Mr. Fraser with Mrs. Hansen of Washington.
Mr. Herlong with Mr. Holland.
Mr. Smith of Iowa with Mr. Gathings.
Mr. Willis with Mr. Irwin.
Mr. Meeds with Mr. Morris of New Mexico.
Mr. Hicks with Mr. Gibbons.
Mr. Bingham with Mr. Ashley.
Mr. Bevill with Mr. Rarick.
Mr. Stratton with Mr. Shipley.
Mr. Tenzer with Mr. Landrum.
Mr. O'Neill of Massachusetts with Mr. Stuckey.
Mr. Kluczynski with Mr. Conte.
Mr. Ashmore with Mr. Saylor.
Mr. Philbin with Mr. Rhodes of Arizona.
Mr. Donohue with Mr. Widnall.
Mr. Evins of Tennessee with Mr. Frelinghuysen.
Mr. Flood with Mr. Halleck.
Mr. Giaimo with Mr. Halpern.
Mr. Daddario with Mr. Corbett.
Mr. McFall with Mrs. Bolton.
Mr. Kornegay with Mr. Betts.
Mr. Morgan with Mrs. Dwyer.
Mr. Taylor with Mr. Minshall.
Mr. Teague of Texas with Mr. McCulloch.
Mr. Young with Mr. Jonas.
Mr. Moss with Mr. Harvey.
Mr. O'Neal of Georgia with Mr. Adair.
Mr. Pucinski with Mr. Ayres.
Mr. Rivers with Mr. Reifel.
Mr. Ronan with Mr. Poff.
Mr. Rostenkowski with Mr. Smith of California.
Mr. Sikes with Mr. O'Konski.
Mr. Staggers with Mr. Pelly.
Mr. Holifield with Mr. Clancy.
Mr. Gray with Mr. Bell.
Mr. Fountain with Mr. Berry.
Mr. Edmondson with Mr. Keith.
Mr. Dent with Mr. Harsha.
Mr. Casey with Mr. Quillen.
Mr. Burleson with Mr. Gurney.
Mr. Kyros with Mr. Fino.
Mr. Williams of Mississippi with Mr. Derwinski.
Mr. Blanton with Mr. Don H. Clausen.
Mr. Abernethy with Mr. Ashbrook.
Mr. Colmer with Mr. Anderson of Illinois.
Mr. Whitten with Mr. MacGregor.

Mr. McDADE changed his vote from "yea" to "nay."

Mr. WYMAN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. DOWDY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1633) to amend the act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill as follows:

S. 1633

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 2 of the Act of June 12, 1960 (D.C. Code, sec. 43–1621), is amended by inserting immediately after the first sentence the following:

"In the event any agency or local authority shall make lump sum payment of its entire portion of the cost, or one or more lump sum payments of the whole or any part of the remainder thereof, of all planning and construction (including acquisition of rights-of-way) of the interceptor, the agreement between the Commissioners and such agency or local authority shall provide or shall be modified to provide, as the case may be, that the charges to such local authority or agency for the use of the Potomac interceptor shall take into consideration such payment by the local authority or agency of its portion of the cost of such planning and construction: *Provided,* That any lump sum payment by an agency or local authority toward its portion of the cost of all planning and construction (including acquisition of rights-of-way), if not of the whole amount thereof or of the remaining balance at the time of payment, shall be in an amount of not less than one-fourth of the agency's or local authority's original entire portion of the planning and construction cost."

SEC. 2. Section 4 of the Act of June 12, 1960 (D.C. Code, sec. 43–1623), is amended—

(1) by inserting "(a)" immediately after "SEC. 4.",

(2) by striking out in the second sentence "and shall be repaid" and inserting in lieu thereof "and 50 per centum of the total amount of loans made under this section shall be repaid", and

(3) by adding at the end thereof the following new subsection:

"(b) The amount of loans which were made under subsection (a) of this section, and which do not have to be repaid—

"(1) shall be considered as an additional Federal contribution toward the cost of planning, acquiring rights-of-way for, and constructing, the Potomac interceptor sewer, and

"(2) for purposes of section 2(b) of this Act, shall be treated as having been appropriated pursuant to section 3 of this Act."

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill, H.R. 8965, was laid on the table.

Mr. McMILLAN. Mr. Speaker, that concludes the business of the District of Columbia Committee for today.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate disagrees to the amendments of the House to the bill (S. 1872) entitled "An act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Fulbright, Mr. Sparkman, Mr. Mansfield, Mr. Morse, Mr. Gore, Mr. Lausche, Mr. Church, Mr. Hickenlooper, Mr. Aiken, Mr. Carlson, and Mr. Williams of Delaware to be the conferees on the part of the Senate.

CONGRESSMAN JOHN BRADEMAS AWARDED HONORARY DOCTOR OF LAWS DEGREE BY MIDDLEBURY COLLEGE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, I am pleased to call to the attention of our colleagues an honor recently conferred upon a member of the Committee on Education and Labor, of which I am privileged to be chairman.

I refer to the bestowing of the honorary degree of doctor of laws on Congressman John Brademas, of Indiana, by Middlebury College, Middlebury, Vt., on August 15, 1967.

Congressman Brademas delivered the commencement address for students graduating from the Middlebury Language Schools. Middlebury College has for over a half a century been a pioneer in modern language teaching in the United States and Congressman Brademas has shown a particular interest in our committee in higher education generally and especially in international education. He served as chairman of the task force on international education of the committee in 1966 and was the sponsor in the House of the International Education Act of 1966, which authorizes grants to colleges and universities here in the United States for international studies and research.

Mr. Speaker, I might also take this opportunity to note that Congressman Brademas has received two other honorary degrees this year in recognition of his work in the field of education. On June 11, 1967, he was awarded the degree of honorary doctor of humane letters by Brandeis University, Waltham, Mass., on June 6, 1967, the degree of honorary doctor of laws by St. Mary's College, Notre Dame, Ind.

MIDDLEBURY COLLEGE CITATION

Mr. Speaker, I include in the Record the text of the citation from Middlebury College:

> John Brademas, we salute in you the example of a man who has accepted the duty of leadership as a matter of conscience. After a brief but brilliant apprenticeship, you have found yourself representing the American people as a leader in the crucial task of raising the quality of American education at all levels and for all the people. Middlebury College honors you especially for your position that in education lies the essential solution of most of the world's problems; and that a sympathetic understanding of other countries is the only sound basis for America's leadership in a close-knit world. Well-informed head of task forces and committees on international education, eloquent sponsor of much important legislation on that subject, energetic and dedicated public servant, you represent so well the ideals of Middlebury College and its Language Schools that we are proud to call you one of our honorary alumni. By virtue of the authority vested in me, I am happy to confer upon you the degree of Doctor of Laws, *honoris cause,* and admit you to all the rights, honors, and privileges which here and everywhere appertain to this degree.

BRANDEIS UNIVERSITY CITATION

Mr. Speaker, the text of the Brandeis University citation reads:

> The Trustees of Brandeis University upon the recommendation of the faculty have conferred on Stephen John Brademas, political scientist, legislator whose Indiana constituency has five times returned him to the House of Representatives. From his mentor, Adlai Stevenson, whom he served as an executive assistant, he learned the concept of service which shapes his political life: That the highest mission of statesmanship is to recognize the significance of an idea whose time has not yet come and then to hasten its day. . . . His meticulous study of widely divergent educational systems in emerging countries became the drafting discipline for the epochal International Education Act of 1966. Awarded the highest honor the Greek Orthodox Church bestows upon a layman, he has followed the ideal of his forebears, to dream of a great society and then to mount the courage to fulfill it. The Honorary Degree of Doctor of Humane Letters and all the rights and privileges thereto appertaining.
>
> June 11, 1967.
>
> Brandeis University,
> *Waltham, Mass.*

A 5-DAY WORKWEEK

Mr. **PICKLE**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **PICKLE**. Mr. Speaker, these remarks may be somewhat timely. With the date for the Labor Day adjournment rapidly approaching, I wish to raise a point that I have brought to the attention of some of my colleagues concerning congressional absenteeism.

The bulk of this body's work is done Tuesdays, Wednesdays, and Thursdays simply because many Members prefer to spend 4-day weekends in their hometowns on personal and political business rather than on public business in Washington.

Several times this year debate has been interrupted on Thursday and rescheduled for the following Tuesday because it was apparent to the leadership that many Members did not intend to be in town on either Friday or Monday.

I firmly believe that the Tuesday-to-Thursday group of lawmakers have brought legislative activities to a snail's pace in recent months.

I noticed in yesterday's newspaper the gentleman from California, the Honorable John Moss, suggests that the salary of lawmakers be docked if absent during the 5-day workweek, unless the absence was excused. I can understand his concern. I have objected to this Tuesday-to-Thursday practice in my weekly newsletters, some of which have appeared as editorials in Texas newspapers, and reprints of which appeared in the Congressional Record last week.

However, Mr. Speaker, I do not think this fining process would be a very practical approach or even enforceable or constitutional, but I do think that the leadership on both sides of the aisle should take immediate steps to see that this practice is not continued.

And, I would hope that members of the Tuesday-to-Thursday club would recognize their responsibilities that the public's business comes first.

Monday-Friday absenteeism has reached a point that most committees would have more success getting a flock of dodo birds together than getting a quorum on the first and last day of the week.

I do not believe a 5-day workweek is asking too much and I further realize that the tenor of these remarks is not aimed at winning any popularity contest with my colleagues. There would and should be exceptions to the 5-day workweek, but they should be the exception and not the rule.

WHY VIETNAM?

Mr. **RYAN**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **RYAN**. Mr. Speaker, why is the United States involved in Vietnam? One with the temerity to ask this audacious question can find a neatly packaged answer in the form of a half-hour film, produced, packaged, and distributed by the U.S. Government, entitled "Why Vietnam?"

"Why Vietnam?" not only fails to answer the initial question, but Prof. Henry Steele Commanger, in his article "On the Way to 1984," in the Saturday Review of April 15, 1967, finds that it distorts history. This piece of indoctrination raises fundamental questions concerning the Government's dissemination of information and the effect not only on members of the Armed Forces but on high school students—young people who at that age are generally highly impressionable.

Were the purpose education in some objective sense of the word, a minimum requirement of the Government—which has a disproportionate influence over the dissemination of information to the public—would be that it make available, on the same basis, a film the title of which could be "Why Not Vietnam?"

But to show the why not? to those who see the why? might induce the young viewer to ask additional questions.

For the benefit of my colleagues, I recommend that they consider the film script of "Why Vietnam?"; an article by Richard Dudman, "Troop Movie Is Being Used To Tell Nation About Vietnam," St. Louis Post Dispatch, November 6, 1966; and Prof. Henry Steele Commanger's article "On the Way to 1984," the Saturday Review, April 15, 1967:

[Film script of "Why Vietnam?" obtained
from the Department of Defense]

Why Vietnam?

1. Johnson on camera.	My fellow Americans. Not long ago, I received a letter from a woman in the Midwest. She wrote: "Dear Mr. President: In my humble way I am writing to you about the crisis in Vietnam. I have a son who is now in Vietnam. My husband served in World War II. Our country was at war. But now, this time, it's just something that I don't understand. Why?"
1B. Main Title.	Munich—1938. (*Narrator*)
2. Hitler and Mussolini in Munich.	
3. Chamberlain arrives goes into conference building; Hitler and Mussolini on balcony after conference then live sound Chamberlain. As he finishes with statement that England and Germany will never go to war again we freeze frame and narrator picks up.	Narrator. Peace in our time. A short cut to disaster. But even then, this was no new lesson. It had stared us in the face with Mussolini, in Ethiopia. And nothing was done.
4. Mussolini, CU: then flame thrown against horses in Ethiopia.	
5. Haille Selassi protests at Geneva, leaves podium alone.	

WHY VIETNAM?—Continued

6. Nazi swastika, then Hitler on balcony, then sad old man giving salute.	We'd seen the Anschluss in Austria; and nothing was done.
7. Japanese fight Chinese in Manchuria.	And on the other side of the earth, we'd watched Japanese aggression swallow Manchuria.
8. Burning buildings in China, 1938.	In all these, there was a lesson we had to learn. President Johnson has phrased it well: "Aggression Unchallenged . . . is aggression unleashed."
9. LBJ on camera.	Why must young Americans, born into a land exultant with hope and with golden promise, toil and suffer and sometimes dies in such a remote and distant place? The answer, like the war itself, is not an easy one. But it echoes clearly from the painful lessons of half a century.
10. Johnson on camera.	Three times in my lifetime—in two world wars and in Korea—Americans have gone to far lands to fight for freedom. We have learned at a terrible and a brutal cost that retreat does not bring safety, and weakness does not bring peace. And it is this lesson that has brought us to Viet-Nam.
11. Hanoi in 1954, old people in streets, French leaving, Red Flag on pole, Red troops marching in.	NARRATOR. In 1954, the streets of Hanoi reflect the ravages of long and bitter warfare. But now the fighting is over in Hanoi . . . and the victorious communist forces are moving in.
12. Geneva meeting: Mendes France is seen; Chou En Lai, Molotov. The document is signed.	In Geneva, an agreement is reached which turns over North Viet-Nam to the Communists and ensures the withdrawal of the French. In theory, at least, the document signed here also provides the means of bringing true peace to all of Viet-Nam. But it is not to work out that way.
13. After signing, Molotov and Chou shake hands and beam at one another; then shots of ragged refugees on their way South.	It is a bright victory for the Communist world, and broad smiles are to be seen . . . but not on the faces of the more than one million Vietnamese who desert their homes and flee southward rather than live under a Communist regime.
14. Animated map, showing 17th Parallel; then Aerials of Viet-Nam mountain terrain.	Divided at the 17th Parallel, as Korea was divided at the 38th—with the north firmly under Communist domination—Viet-Nam in 1954 faces the future: An imaginary line runs from border to border: Symbol of a separation which is far from imaginary.
15. Ho Chi Minh comes down steps of big building, plays with children.	In Hanoi, for the propaganda camera, Ho Chi Minh plays the kindly, smiling old grandfather.
16. Ho gives mob of children candy, smiles as they stroke his beard.	But the unforgiving record of history shows that behind the smile is the mastermind of a reign of terror in which children like this are killed in their sleep, or as they scream in the dark of night.
17. Building new thatched huts, in south.	Now, in the South, there is a fresh beginning. The people set about building new homes—new hopes.
18. Rice fields, and harvesting shots.	Land reforms redistribute farmlands so that peasants own their own fields and reap, themselves, the benefit of their toil.
19. Men bringing in sheaves of rice, then peaceful shots of small fishing boats to Saigon harbor.	In these years, the land is bountiful . . . and the hopes of the people of South Vietnam are for peace.
20. Shadow of machine gun on water, then shots of men running through brush.	*But* . . . when the South does not collapse, as Hanoi expects, a furtive and remorseless "war against people" begins.
21. Night shots of burning villages. Also, shots of bodies in a ruined village; civilians and children.	In the words of Secretary of State Dean Rusk (Rusk Voice Over). The root of the trouble in Vietnam is today just what it has been at least since 1960—a cruel and sustained attack by North Vietnam upon the people of South Vietnam, marked by terror and sneak attack, and by the killing of women and children in the night. More than 2,000 local officials and civilians have been murdered. When an official is not found at home, often his wife and children are slain in his place. It is as if in our own country some 35,000 civic leaders or their families were to be killed at night by stealth and terror. These are the methods of the Viet Cong.
22. CU, poster of Ho Chi Minh . . . pan down to red star, CU. This plays alone, with music.	Music.

WHY VIETAM?

23. Rice harvesting and milling in South.

24. Shots of mining, in the south.

25. Man taps rubber tree.

26. Latex processing plant, then shots of modern textile mill machinery, in operation.

27. Guards load onto armored train.

28. Silhouette shots, at dusk, as tired Viet soldiers climb a hill.

29. Jet taxis in Saigon airport. United States of America lettered on it.

30. Maxwell Taylor talks to people at planeside. Then type aircraft are being delivered.

31. Advisors (Air Force) and Jet pilots. Plane takes off.

32. Special Forces men teach small arms to Viets.

33. Advisors show map to Viets. Viet soldiers move out on patrol.

34. Shots of combat in the field.

35. Viet Cong prisoners.

36. Aerial view of very numerous copters revving on airstrip. Shot of U.S. pilots conferring before take-off.

37. Copters take off, we see Viet troops inside, and we zoom on toward the objective.

38. Copter approaches isolated men in jungle. We see them below.

39. Copter pilot and Special Forces officer, shouting over noise of rotors. (CU)

40. Loading Viet and U. S. wounded into the copter. Then it takes off.

—Continued

This is the prize the Communists are after: South Vietnam . . . Rich in rice . . . and standing at the gateway to the rice-rich nations of Burma; Thailand; Cambodia; East Pakistan. And the Asian communists have said: "A grain of rice is worth a drop of blood."

There are also natural resources: coal . . . phosphate . . . zinc . . . tin . . . manganese. The raw materials on which to base industrialization—or feed a war machine.

Natural rubber: South Viet-Nam has this, too.

. . . and latex processing facilities which make of raw rubber the vitally important material it is, in today's world. This then, is another aspect of the South Viet-Nam which the north covets. A nation moving toward greater industralization . . . a rich prize indeed, in the eyes of communist strategists.

NARRATOR. And so, *every* area of life in the south becomes a combat zone: (train tracks blow up)

(*LBJ: Voice over*): This is a different kind of war. There are no marching armies or solemn declarations.

But, this is really war. It is guided by North Viet-Nam and it is spurred by Communist China. Its goal is to conquer the South, and to extend the Asiatic dominion of Communism.

And there are great stakes in the balance.

No people see this more clearly than the embattled South Vietnamese; and there comes a time when they send out a call for help.

The answer is prompt in arriving.

America promises technical aid and military assistance: the machines and equipment needed to resist aggression. . . . .

. . . and trained men to teach Vietnamese fighting forces how to put them into effective use.

Instructors and advisors, willing and able to teach, find men whose freedom is at stake eager and quick to learn.

At this stage, however, the advisors are here to do only that. They have no combat role as such. It is the men they train, and encourage, and some to admire who must go into the hiding place of the enemy and seek him out.

Before Viet-Nam, open conventional attack in Korea has fallen short of its goals. A global "Trade and Aid Offensive" did not bring the hoped-for results. Now, Viet-Nam becomes a testing ground for the guerrilla "war of liberation"—the latest communist gambit in the quest for world domination.

As months go by the Viet Cong lose a great many people. But a great many more are ready to replace those losses, as they move down into South Viet-Nam from the North.

As the scale of aggression grows, the flow of weapons, equipment, and advisors is increased. It is the only means of meeting the flooding tide of infiltration and attack from the North.

Superior equipment and mobility are used to full advantage, to carry the flight to the enemy, swiftly, wherever his presence becomes known.

Even *with* superior equipment, however, this is a difficult war to prosecute. There are no front lines, here. The war is everywhere. . . . against an enemy that is seldom clearly seen.

In the scenes of casualty evacuation, the enemy is not far away . . . certainly within shouting distance.

The enemy is not seen . . . but American and Vietnamese fighting men bear on their bodies the painful evidence that he is still here . . . still determined . . . still deadly.

WHY VIETNAM?—Continued

41. Viet Marines land on beach, go on inland, fighting as they go.

42. Viet regulars fighting in brush and hills.

43. Presidential seal, then LBJ live on camera, 1964.

44. Jets striking targets with rockets. Then Sec. of Def. McNamara on camera, live, as he says, "We seek no wider war". . .

45. Shots showing large cache of Viet Cong armament; ammunition and weapons; Chinese markings on them.

46. End of coverage of the arms cache, and beginning of shots showing Ho Chi Minh in conference.

47. Ho Chi Minh in conference.

48. LBJ on camera.

49. Shots of demolished helicopters on airfield and of barracks hit by high explosives. End on picture of little blond girl, in a broken frame; visually symbolizes the whole thing.

50. Shots of damage and of injured Americans at the American Embassy when it was bombed by terrorists.

51. Shots of American troops as they evacuate from a downed helicopter, under small arms fire as they dodge across a rice paddy.

52. Shots of American wounded in hospital shed.

53. Shots of American flag-draped coffins, loaded into aircraft by a four-service honor guard.

During this time, the combat capability of South Viet-Nam's *conventional* forces is also growing . . . and American advisors work to bring the level of training and combat readiness of these forces as high as possible. They train hard, and they fight well.

But despite the bolstering of conventional forces, there remains the growing need for still greater strength . . . the losses suffered by the Vietnamese in combat are cruelly heavy, for a nation with a population no larger than that of New York State. As Secretary of State Dean Rusk pointed out in June of 1965: (Rusk: Voice over) End R–2.

Then, in August of 1964 (LBJ: Live, Gulf of Tonkin).

For the first time, American fighting men and machines strike directly into North Viet-Nam; and Defense Secretary McNamara sets the record straight (McNamara: "We seek no wider war").

It is clear the Communists wish no lessening of hostilities. From the North, arms continue to flow southward. In this one captured shipment are a million rounds of small arms ammunition. . . . 35 hundred rifles and submarine guns . . . some four thousand rounds of anti-tank and mortar ammunition . . . no doubt about the source: the Chinese markings are unmistakable.

In meeting the aggression so unmistakably evidenced here, we have consistently sent strength to meet strength. But we have also, repeatedly, sent word that we are willing to talk.

(LBJ: Voice Over). Fifteen efforts have been made to start these discussions, with the help of 40 nations throughout the world. But there has been no answer.

"We do not seek the destruction of any government nor do we covet a foot of any territory. But we insist and we will always insist that the people of South Viet-Nam shall have the right of choice, the right to shape their own destiny in free elections in the South or throughout all Viet-Nam under international supervision, and they shall not have any government imposed upon them by force and terror so long as we can prevent it. We do not want an expanding struggle with consequences that no one can foresee, *nor will we bluster or bully or flaunt our power. But we will not surrender, and we will not retreat.*

The answer to American offers to move from the battlefield to the conference table continue to come in the form of high explosives aimed at American Air Bases and other troop installations in South Viet-Nam . . . including the barracks of American servicemen.

But in this war against people, the high explosives are not only aimed at the men who bear arms. (PAUSE) The American Embassy, in Saigon itself, becomes a grim battlefield scene, as Viet Cong terrorists single it out for a bomb attack. It is all a part of the carefully calculated and continuing campaign of terror.

Increasingly, Americans function directly in the fight for freedom in this far, foreign corner of the earth. They know what they are doing. And they do it willingly, accepting the risks involved because they understand the necessities involved.

Those risks are real, just as the stakes for which the risks are taken are real. People get hurt in Viet Nam . . .

Why do Americans risk—and sometimes give—all that they have, half a world away from home? To keep an American promise? Yes, there's that. But also in self defense. Self defense, because half-a-world-away has now become our front door. Freedom in Southeast Asia becomes personally vital to Americans because if freedom is to endure in their home town. . . . It must be preserved in such places as South Viet-Nam. And the fact is . . . *it is up to us.*

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WHY VIETNAM?—Continued

54. Shots of faces of Asian types.	(LBJ: Voice Over) Most of the non-Communist nations of Asia cannot, by themselves and alone, resist the growing might and the grasping ambition of Asian Communism.
55. LBJ: on camera.	We did not choose to be the guardians at the gate, but there is no one else. Nor would surrender in Viet-Nam bring peace, because we learned from Hitler at Munich that success only feeds the appetite of aggression. The battle would be renewed in one country, and then another country, bringing with it perhaps even larger and crueler conflict, as we have learned from the lessons of history. Moreover, we are in Viet-Nam to fulfill one of the most solemn pledges of the American nation. *Three Presidents—President Eisenhower, President Kennedy and your present President—over 11 years have committed themselves and have promised to help defend this small and valiant nation.* Strengthened by that promise, the people of South Viet-Nam have fought for many long years. Thousands of them have died. Thousands more have been crippled and scarred by war. And we just cannot now dishonor our word, or abandon our commitment, or leave those who believed us and who trusted us to the terror and repression and murder that would follow. This, then, my fellow Americans, is why we are in Viet-Nam.
56. Shots of jet aircraft dropping napalm.	(LBJ: Voice Over) We intend to convince the Communists that we cannot be defeated by force of arms or by superior power.
57. Shots as 101st airborne begins unloading in South Viet-Nam.	(LBJ: Voice Over) I have asked the commanding general, General Westmoreland, what more he needs to meet this mounting aggression. He has told me. And we will meet his needs.
58. Shots as men of 101st move off in trucks.	The needs of the fight for freedom in Viet-Nam *are* being met, and will continue to be met in the future. In the words of Secretary Rusk:
59. Shots of U.S. Marines landing in South Viet-Nam.	(Rusk: Voice Over) American forces so committed will carry with them the determined support of our people. These men know, as all our people know, that what they do is done for freedom and peace, in Viet-Nam, in other continents, and here at home.
60. American advisers at a tactical map.	Meanwhile, the war goes on. The communists have made that choice.
61. Shots of terrified women and children awaiting copter evacuation.	And, as always, the innocent suffer.
62. Series of shots of appealing Viet children, in a nursery school setting; narration takes the first part of the sequence, then there is a segment of Voice Over by the President, then back to Narrator's voice.	For the children of South Viet-Nam—and of all Southeast Asia—the future is in the balance. *They* will pay, if we do not now think . . . decide . . . act . . . rightly, in these problems which are not of their making. (LBJ: Voice Over.) It is an ancient but still terrible irony that while many leaders of men create division in pursuit of grand ambitions, the children of men are really united in the simple, elusive desire for a life of fruitful and rewarding toil. NARRATOR. "A life of fruitful and rewarding toil"—It is a legitimate aspiration: But if they are to be free to realize it, there are, for us, hard realities to be faced.
63. LBJ: On camera	I do not find it easy to send the flower of our youth, our finest young men into battle.
64. Shots of young Americans working, laughing, etc.	(LBJ: Voice over.) I have seen them in a thousand streets of a hundred towns in every state in this Union—working and laughing and building and filled with hope and life.
65. Shots of Kosygin, Mao, and Ho Chi Minh.	(LBJ: Voice over.) But as long as there are men who hate and destroy, we must have the courage to resist. . . .
66. LBJ: on camera	(LBJ: On camera.) or we'll see it all—all that we have built, all that we hope to build, all of our dreams for freedom, all, all—will be swept away on the flood of conquest. So, too, this shall not happen. We *will* stand in Viet-Nam.

[From the St. Louis (Mo.) Post-Disptach, Nov. 6, 1966]

TROOP MOVIE IS BEING USED TO TELL NATION ABOUT VIETNAM

(By Richard Dudman)

WASHINGTON, November 5.—The Johnson Administration is using a troop orientation movie to tell the American people its involvement in the Viet Nam war.

Department of State officials report a brisk demand for 100 prints of the motion picture "Why Viet Nam?" borrowed from the Department of Defense Directorate for Armed Forces Information and Education.

The 32-minute movie was released last December by the directorate, primarily for orientation of troops going to Viet Nam and secondarily for American troops stationed around the world.

The State Department's Bureau of Public Affairs, office of media services, obtained prints last March for free circulation to interested organizations and institutions.

Officials reported this week that the movie had been shown to 446 college and high school classes, 19 nongovernmental organizations and 12 government agencies. It has been shown on 13 commercial television stations.

SOME COMPLAINTS MADE

Some opponents of the Administration's policy in Viet Nam have complained about the showing of the movie to high school students. The complaints reached congressional staff aids, who viewed the picture recently and concluded privately that public funds were being used to indoctrinate the American public. Their Congressmen had not yet seen it and were not prepared to commit.

Although the United States Information Agency is prohibited by law from propagandizing or indoctrinating the American people, there is no such restriction on the State Department, which frequently issues leaflets and brochures advocating current policies.

The picture opens with a shot of President Lyndon B. Johnson reading a letter from a woman who said she could understand World War II but not the war in Viet Nam, where her son was fighting.

The scene shifts to Adolf Htiler and Neville Chamberlain at Munich in 1938. The picture freezes with Chamberlain staring confidently into the camera as he says England and France will never go to war again.

The narrator says: "Peace in our time—a short cut to disaster. But even then, this was no new lesson."

OTHER WAR SCENES

Flashbacks show Mussolini's troops in Ethiopia and Nazi troops taking over Austria. A sequence showing Japanese troops fighting Chinese in Manchuria has been cut out, in each case, says the narrator, "Nothing was done."

Mr. Johnson returns to the screen and says America has learned that "retreat does not bring safety, and weakness does not bring peace—and it is this lesson that has brought us to Viet Nam."

Tracing the historical background, the movie shows the French defeat at Dien Bien Phu and the Geneva conference that divided Viet Nam into North and South in 1954. The narrator says the agreement provided peace—"If the Communists were in good faith." From then to now, he goes on, the Communists have exerted steady pressure against the South, where there were free elections, land reform and other signs of progress.

Eventually, says the narrator, North Viet Nam turned from terrorism to open warfare in an effort to seize South Viet Nam's rice, minerals and natural rubber.

U.S. RESPONSE TO CALL

President Dwight D. Eisenhower, he says, pledged economic aid, and America responded in 1961 to an urgent call for help with additional aid and military advisers.

The current war is depicted by shots of combat teams helping relieve suffering among Viet Namese civilians, planes striking military targets, evacuation of American wounded and rows of flag-draped American caskets.

After a recital of peace efforts by the United States, nonaligned countries, and U Thant, the United Nations secretary general, Secretary of State Dean Rusk reports that Hanoi consistently has refused to talk.

The narrator says that the Communists "seek the domination of southeast Asia and, if we believe what they say, the domination of the great world beyond."

The congressional aids noted that the movie mentioned President John F. Kennedy once, in a line about the commitment by three Presidents, and did not mention the late South Viet Namese President Ngo Dinh Diem, whose repressive regime was a major target of Viet Cong political action. The current Premier, Ngyen Cao Ky, also goes unmentioned.

CASUALTIES MENTIONED

Civilian casualties are mentioned, but only those caused by the enemy. There is no mention of napalm.

Asked about these omissions, a State Department official said:

"This is not a discussion of the rights and wrongs. It is a presentation of the U.S. point of view."

An armed forces information guide that accompanies the movie when it goes to troop units says to stress these points:

"(1) Aggression and terror called 'liberation' by the Viet Cong.

"(2) We gave aid and advice at Viet Nam's request.

"(3) Increased Communist pressure brings increase U.S. support.

"(4) Air strikes on North Viet Nam reply to attack on U.S. ships.

"(5) Communists consistently reject U.S. efforts at negotiations.

"(6) Our goal in Viet Nam is to prove Communist aggression profitless."

[From Saturday Review, Apr. 15, 1967]

On the Way to 1984

(By Henry Steele Commager, professor of history, Amherst College)

George Orwell's Oceania had a vast and efficient information agency; its name was the Ministry of Truth and its purpose was to make every citizen of Oceania think the right thoughts. "The past is whatever the records agree upon," was its motto and it wrote, or rewrote, the records. Now the information agencies of our own State and Defense Departments, the USIA, and the CIA, seem bent on creating an American Ministry of Truth and imposing upon the American people a record of the past which they themselves write.

It is the CIA whose activities have been most insidious and are most notorious, but the CIA has no monopoly on brainwashing. Consider, for example, the film *Why Vietnam?* It is "one of our most popular films"; it is distributed free to high schools and colleges throughout the country, and to other groups who ask for it—as hundreds doubtless do. Its credentials are beyond reproach; it was produced by the Defense Department and sponsored by the State Department, and President Johnson, Secretary Rusk, and Secretary McNamara all pitch in to give it authenticity.

The USIA is not permitted to carry on propaganda within the United States, and the reason it is not is that the American people do not choose to give government authority to indoctrinate them. Government, they believe, already has every method of communication with the people that it can properly use. The President, members of the cabinet, the armed services—these can command attention for whatever they have to say, at any time. There is therefore no necessity, and no excuse, for government propaganda, no need for government to resort to subterfuge in its dealings with the people.

What we have always held objectionable is not overt publicity by government, but covert indoctrination. *Why Vietnam?* is, in fact, both. It is overt enough, but while it is clear to the sophisticated that it is a government production and therefore an official argument, the film is presented not as an argument, but as history. Needless to say it is not history. It is not even journalism. It is propaganda, naked and unashamed. As the "fact sheet" which accompanies it states, it makes "four basic points," and makes them with the immense authority of the President: that the United States is in Vietnam "to fulfill a solemn pledge," that "appeasement is an invitation to aggression," that "the United States will not surrender or retreat," and that we—but alas not the other side—are always "ready to negotiate a settlement."

Government, which represents all the people and presumably all points of view, should have higher standards than private enterprise in the presentation of news or history. But *Why Vietnam?* is well below the standards of objectivity, accuracy, and impartiality which we are accustomed to in newspapers and on television; needless to say, as scholarship it is absurd. In simple, uncritical, and one-dimensional terms it presents the official view of the war in Vietnam with never a suggestion that there is or could be any other view. When Communists sponsor such propaganda, we call it "brainwashing."

Let us look briefly at this film, for it is doubtless a kind of dry run of what we will get increasingly in the future. It begins—we might have anticipated this—with a view of Hitler and Chamberlain at Munich, thus establishing at the very outset that "appeasement" is "a short cut to disaster." Because the free nations of the world failed to stop aggression in the Thirties, they almost lost their freedom and had to fight a gigantic war to survive; if we fail to stop "aggression" now we, too, may lose our freedom. For "we have learned at terrible cost that retreat does not bring safety and that weakness does not bring peace, and it is this lesson that has brought us to Vietnam."

Here, then, is the first distortion of history and it is a preview of what is to come throughout the film. The aggression of the great totalitarian powers in the Thirties in fact bears little analogy to the civil war in Vietnam, nor is the Geneva Agreement of 1954 to be equated with appeasement. The fact is almost precisely the opposite of that implied by *Why Vietnam?* One of President Roosevelt's objectives in the Second World War was to get the French out of Indochina; the Eisenhower objective of the Fifties was to keep them there. The French are out now and we are in, playing the role that the French played before Dienbienphu—and still fighting Ho Chi Minh.

But now the scene shifts to Vietnam. In 1954, says our narrator, "the long war is over, and the victorious Communists are moving in." It is a statement which has only the most fortuitous relation to reality. The long war was indeed over—the war between the Vietnamese and the French. But to label the Vietnamese who fought against the French "Communists" and to assume that somehow they "moved in" (they were already there) is a distortion of history. Yet there is worse to come. For next the camera is turned on to the Geneva Conference. It was, so we learn, "a victory for the Communist world," and there is no hint that we ourselves accepted the results of the Conference. Vietnam, we are told, was "divided at the 17th parallel" and there is no suggestion that the division was to be a purely temporary one. Nor is there any reminder that the Geneva Agreement called for an election, that President Eisenhower himself said that in such an election 80 per cent of the vote would have gone to Ho Chi Minh, and that we were chiefly responsible for putting off the election. No, what school children and students are given here is a one-dimensional story of a Communist conspiracy to destroy the peace of 1954. Worse yet, they are presented with the spectacle of a "reign of terror" in which "children are killed in their sleep." Clearly only Communists kill children; we don't kill children.

Now we are bemused by a scene of peace and plenty, liberty and reform, in South Vietnam. It is Eden before the fall. But staggered by the success of the South, the Communists launch "a furtive and remorseless war against the people," and Secretary Rusk is dragged in to denounce this "cruel and sustained attack." Attack by whom? Presumably by Ho Chi Minh, though this is left, safely enough, to the imagination. Nowhere is there any mention of the Vietcong, nowhere any suggestion of a civil war, and nowhere any hint that until we began a substantial military buildup in Vietnam—in violation of the Geneva Agreement—there was no invasion from the North. And, as part of that corruption of the vocabulary familiar to students of Newspeak, words like North Vietnamese and Vietcong give way to the generic word, "Communist."

But still worse is to come. What is it the "Communists" want? Shadowy hints conjure up terrors that even the narrator is reluctant to name, "The prize the Communists are after . . . South Vietnam . . . standing at the gateway to Burma, Thailand, Cambodia, East Pakistan." The imagination reels as it is, of course, meant to. For here, looming up before us, is the menace of China. Says our narrator, "Spurred by Communist China, North Vietnam's goal is to extend the Asiatic dominion of Communists." No wonder that in this phantasmogoric scene American "advisers" somehow become "fighting men," helping the outnumbered South Vietnamese resist Communist aggression. And if there are still any lingering doubts about the justice and the necessity of American participation, here are both President Johnson and Secretary McNamara to set the record straight.

Now, we have a new theme: peace. "Fifteen times," no less (it is doubtless thirty by now), we have tried to open negotiations and each time we have been rebuffed. All we want—there is a note of plaintiveness here—is free elections; curiously enough, just what the Geneva Agreements called for back in 1954. All we want is to limit the war. And how do the recalcitrant Communists meet our appeals? They attack us with "high explosives aimed at American air bases." They kill little girls (picture of little girl cruelly destroyed). They even attack the United States Embassy, clearly the crowning infamy. There is a kind of inarticulate assumption that we don't do anything as unsporting as using "high explosives."

Now we are invited to take a more philosophical view of the war. Why are Americans risking life and limb in this distant jungle? That is easy. To keep American promises—indeed, "to fulfill one of the most solemn pledges" in our history, a pledge made by three Presidents, no less. Needless to say, this is nonsense, President Eisenhower refused to make such a pledge; President Kennedy insisted that the Vietnamese should fight their own war. It is President Johnson who made the pledge (though not, it might be remembered, in the campaign of 1964), and who is now busy conferring retroactive solemnity upon it.

But there is still another reason why we are in Vietnam—self-defense. For if freedom is to endure in Chicago, Birmingham, and Dallas it must be vindicated in South Vietnam. What is more it must be vindicated by us, for the non-Communist countries of Asia cannot, by themselves, resist the grasping ambitions of the Communists. What we have here is pretty clearly a rationalization of intervention against Communism everywhere, for Communism is, by definition, "grasping and ambitious." And the reason we must take on this heavy responsibility is because "there is no one else." How does it happen that there is no one else? How does it happen that except for Thailand the other members of SEATO are not taking on any responsibilities? Deponent saith not.

There is one final reason for fighting in Vietnam and it is given us, again, by President Johnson. "We intend to convince the

Communists that we cannot be defeated." This has, at least, the merit of frankness; we are fighting a war to prove that we can't be defeated. It is all a bit like William James' Italian woman who stood on a street corner passing out cards saying that she had come over to America to raise money to pay her passage back to Italy, but not nearly so amusing.

We are almost through with *Why Vietnam?* Once again the audience is assured that we long for peace, once again that "as long as there are men who hate and destroy" we must keep on fighting. Perhaps even high school children are mature enough to wonder who it is who is doing the destroying. But are they mature enough to resist hate?

The dissemination of *Why Vietnam?* in high schools and colleges is no isolated episode in the manipulation of public opinion by government, but part of a larger pattern. We must view it in connection with the publication program of the USIA, the clandestine activities of the CIA, and the vendetta of the Passport Office against travel to unpopular countries, or by unpopular people, as part of an almost instinctive attempt (we cannot call it anything so formal as a program) to control American thinking about foreign relations. We had supposed, in our innocence, that this sort of thing was the special prerogative of totalitarian governments, but it is clear that we were mistaken.

Forbidden by law from carrying on propaganda in the United States, the USIA has managed to circumvent this prohibition. Not only does it sponsor books that give a benign view of American policies, it cooks up the books, finds the authors, provides the materials, and subsidizes the publication. "We control the things from the very idea down to the final edited manuscript," said Reed Harris of the USIA, his contempt showing through by the use of the term "things." The CIA—it, too, is forbidden by law from operating as an intelligence agency at home—engages in much the same kind of hanky-panky; thus the article in the distinguished journal *Foreign Affairs* defending the American role in Vietnam, by George Carver—an employee of the CIA who did not bother to make that connection known to the editors of the journal or to the public. How many other articles of this nature have been planted or insinuated in American magazines we do not know. One of the worst features of this clandestine activity is that it exposes the entire publishing and scholarly enterprise to suspicion.

It is, needless to say, not the sponsorship but the secrecy that is the pervasive and irremediable vice. If books and articles sponsored by government agencies were openly acknowledged for what they are, they could be judged on their merits, which are often substantial. In the absence of such acknowledgement they are a fraud upon the public. What is needed is a Truth in Packaging Act for the United States Government.

What is perhaps most surprising is that many of those involved in these subterranean activities seem unable to understand what is wrong about them. They defend them on the ground that, after all, the Communists use deception, too, and we must fight fire with fire. They seem, many of them, wholly unable to grasp the essential point: the corruption of the democratic process. All of these attempts to control the minds of the American people in order to win the cold war violate the two great Kantian moral imperatives: to conduct yourself so that your every act can be generalized into a universal principle, and to regard every human being as an end in himself, never as merely a means to an end.

Consider the first imperative. We can generalize the particular policies which the CIA, USIA, and Defense Department have adopted into three principles.

First, and most elementary, if government can indoctrinate schoolchildren, and their parents, about foreign policy it may, with equal logic, indoctrinate them about domestic policy. If the USIA and the CIA can sponsor books and finance organizations to fight Communism they may, with equal justification, sponsor books and finance organizations to fight "socialism" or the "welfare state" or anything else that they think odious. Congress has quite deliberately withheld such powers from these and other organizations; if they circumvent these prohibitions will we not have an end to genuine freedom of choice in American politics?

Second, if government can carry war propaganda into the classroom—even without a formal war—may it not with equal logic carry any other propaganda into the classroom? And if it has this power, what will happen to the American principle that the national government has no control over the substance of what is taught in the schools? If the principle of indoctrination of schoolchildren is once firmly established, may we not end up with the Napoleonic philosophy of public education—that the overarching purpose of schools is to produce loyal patriots?

Third, if government can control the thinking of its citizens it can control everything else. Americans pride themselves on their tradition of "free enterprise," and some of them go so far as to equate free enterprise with "the American system." But the only free enterprise that counts, in the long run, is intellectual enterprise, for if that dries up all individual enterprise dries up. A government that can control the thinking of its citizens can silence criticism and destroy initiative, and a government that is exempt from the pressures of criticism and of political initiative is one that is in training for tyranny.

Governmental malpractices of thought control violate, just as clearly, the second categorical imperative: to treat all men as ends, never as means. For to exploit the integrity of school and university, science and scholarship, to the dubious ends of ideological conflict, is to subvert the very foundations of civilization and our moral order.

The reason we are trying to win the contest with Communism, and indeed with all forms of injustice and oppression, is because we believe in the virtue of freedom, of the open mind, of the unimpeded search for truth. These are not only our ultimate ends; they are, equally, the indispensable means whereby we hope to achieve these ends. If we corrupt all of this at the very source we may indeed win the immediate contest with "Communism" and lose the cause for which we are fighting. If we triumph over the enemy with the weapons of deceit and subversion we employ his weapons, embrace his standards, and absorb his principles.

Without intellectual freedom—uncontaminated, unimpeachable, and categorical—we cannot achieve the ends to which our society is dedicated. This is ultimately why we cannot tolerate activities of governmental agencies which, whatever their alleged justification, repudiate and paralyze the principles of freedom.

NASA'S NEW GAP: THE "OPTION" GAP—DO THE TAXPAYERS HAVE AN OPTION?

Mr. **RYAN**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **RYAN**. Mr. Speaker, on August 24, William Hines, in an article in the Washington Evening Star, added an interesting postscript to the appropriation proceedings which were concluded in the House on August 22 and included a cut of approximately 10 percent in NASA's monumental $5 billion plus budget. Mr. Hines' article, entitled "NASA Telegraphs Next Punch," includes several points worthy of interest.

Mr. Hines—referring to testimony taken by the Committee on Appropriations on August 15—points out first that NASA has no intention or expectation that the cost of the space program will decrease after the expensive lunar landing program is completed. On the contrary, Administrator Webb envisions, as scrutiny of the hearings does indeed show, a program which will spend as much, if not more, money than before, even though the means to do this have not yet been fully devised, nor the value of such spending demonstrated. It is clear only that program titles—such as the Apollo applications program—have been assigned under which advanced spending missions may be arranged and carried out, and that past investments are cited to justify future expenditures.

Mr. Hines also points out that Mr. Webb, lacking more positive suggestions to make at this time for continuing the space program at its current funding level, once again resorts to the main argument which has motivated NASA's space program from the beginning—the threat of a space gap with the Russians. Does Mr. Webb mean that the present budget emphasis on space is not supportable on its own merits? Perhaps without this basis for the space program, we would be able to find more positive reasons for the program and perhaps, thereby, achieve more positive benefits from our investigations in space.

In quoting the hearings, Mr. Hines includes this comment by Mr. Webb:

> They (the Russians) are developing a very large number of options and maintaining the ability to select those that are most useful to them at a particular time and move rapidly with it and create the image that they are out in front with respect to all these modern technologies.

Thus we see that Mr. Webb, lest the traditional space-gap threat is wearing thin in face of a growing congressional and public skepticism, has introduced a new gap with which to alarm Congress—the option-gap.

In the conclusion of his article, Mr. Hines comments:

> This is not merely a race, Kennedy said in an important message to Congress. "Space is open to us now; and our eagerness to share its meaning is not governed by the efforts of others."
>
> It has become apparent in the ensuing six years that "the efforts of others"—and very little else—have governed the progress of the United States in space.

Congress could benefit, in regard to its future deliberations, from appreciating the implications of Mr. Hines' perceptive commentary.

Mr. Hines has used certain judicious quotes from the Appropriations Committee hearings in support of his views. I include here a fuller selection of quotations bearing on his article than Mr. Hines was able to include, after which follows the text of Mr. Hines' article. I commend his article to the attention of my colleagues in the House and to the Members of the Senate who will soon have the matter of NASA's appropriations before them.

Mr. Speaker, the following quotations are from the "Additional Hearings" before the Subcommittee on Independent Offices and Department of Housing and Urban Development of the House Committee on Appropriations of August 15, 1967, entitled "National Aeronautics and Space Administration Appropriations for 1968":

(Page 8)

Mr. Webb. Mr. Chairman, I would hope that this committee would support the full funding of the authorization as approved by the Congress. We are now at the point where, in our manned space flight program, we have invested $4,834 million in the Apollo spacecraft and associated equipment. We have invested about $940 million in the uprated Saturn system. We have invested about $4,390 million in the Saturn V large booster system. We have spent about $830 million in research and development effort with respect to all kinds of engines for use in space. We have developed a worldwide tracking and data acquisition network, an investment of over $300 million.

We developed the operational capability, the systems engineering capability, and we have the facilities in place to proceed to do a job with this kind of equipment, *determining what men can do in space*. All of us associated with this program believe this will be an important factor in the future position of the United States in the world, both with respect to the kind of internal economic capability it has, its power to operate in the economic and any other field required beyond its borders. (Emphasis added.)

(Page 8–9).

We could spend the $347 million, authorized for Apollo applications to begin to prepare the payloads and to buy the long leadtime items *to keep thoses (sic) big booster systems in operation*. (Emphasis added.)

(Page 9).

The cost to complete these systems after fiscal year 1968 is not large. To move forward to do the lunar landing would require in future years in the Apollo spacecraft system only something like $1.2 billion, with the Saturn V about $1.5 billion. *The operational capability of the network, and so forth, is there, and must be supported*. (Emphasis added.)

To delay the program for financial reasons at this time when we could go forward under the amount authorized would not be wise. Nor do I think it wise to refuse to go forward with the payload systems that we may use on boosters which either will come from the Apollo program because they may not be required if we have full success, or *to extend the long leadtime purchasing commitments necessary to keep these booster lines in production*. (Emphasis added.)

(Page 10).

Mr. Evins. The lunar landing is the goal we have been working on. The Apollo applications are extensions beyond this and you feel that they should be funded in part at this time so you can plan ahead.

Mr. Webb. *And so we can buy the long leadtime items* (emphasis added) . . . The Apollo applications is to develop payloads to fly on the uprated Saturn I's that we are producing for the Apollo program and for additional ones which we——

Mr. Evins. Are the Apollo applications a part of the Apollo program?

Mr. Webb. No, sir; *it is the follow-on to the Apollo program, the production of hardware*. (Emphasis added.)

(Page 11).

Dr. Mueller. *Apollo applications are a program for using the Apollo hardware*. . . . It does, in fact, use the hardware that may be left over from the manned lunar landing . . . it has to go foward at this time or else you need a new program quite different. (Emphasis added.)

(Page 12).

Mr. Jonas. While you are on the subject of Apollo applications, I think it would be helpful to put in the record . . . what you expect to spend this $347 million for . . .

Dr. Mueller. We expect to spend $23 million for the definition of experiments. These are the experiments that will be incorporated and carried out. . . . To define the experiments that will be flown on the Apollo applications program.

Mr. Jonas. I thought we already had those defined.

Dr. Mueller. We do have some defined . . .

(Page 15).

Dr. Mueller. The next item is for production of the uprated Saturn and that is about $62 million. This is for the long leadtime items and actually the purchase in 1968 of the four Saturn I's, four follow-on Saturn I's to the basic Apollo production. That is the $62 million for 1968.

Mr. Jonas. Four uprated Saturns?

Dr. Mueller. That is right. *That keeps the Chrysler portion of the Michoud plant open during 1968*. If we cut off the production of the uprated Saturn I's, we are building the last one right now, and it is in final assembly. (Emphasis added.)

Mr. Jonas. Are you telling us you want to spend this money to keep some plant operating?

Dr. Mueller. No, sir. I am telling you that in order to have the benefit of the money we have invested in the Saturn I, we are going to have to keep that production line going. *If you do not spend the money then we will shut down the production line* and you will have lost that billion dollars you have invested in the Saturn I. (Emphasis added.)

(Page 19).

Mr. Cortright. It simply is not the most convenient year to make an adjustment to this program. It is very hard to do it efficiently.

Mr. Giaimo. What you are saying is that you have some of these items near completion and ready to go and it would be a waste not to continue? . . . How badly would the damage be if a budget-conscious Congress were to cut?

Mr. Cortright. I feel not having the orbiting geophysical observatory and not providing the solar maximum coverage would seriously decrease the value of many millions of dollars we have invested in studying the magnetosphere for the past 7 years.

(Page 20).

Mr. Talcott. There is one thing that has not been explained well to me. Here is a program—physics and astronomy program—that is increasing $20 million in a year with no new programs starting. It seems we are always increasing the amount of these programs, but adding nothing new. We seem to have to keep going because we have it started and we will lose some value from the projects we have started. They are continuously increasing enormously but whenever we ask questions there is nothing new.

Mr. Evins. There are some new programs.

Mr. Talcott. Sunblazer was the only new project you mentioned.

Mr. Cortright. Yes, sir. I tried to talk to that by pointing out the orbiting solar observatory has increased in capacity very greatly from the initial design. That is the second item there. The orbiting astronomical observatory has a failure recovery plan in effect in order that the second mission will be successful. [In reality it is the fourth mission that is now planned—the first three having failed. It is these failures and the poor prognosis for future success that occasioned the House Committee on Science and Astronautics recommendation—in its report accompanying the authorizing legislation for the NASA FY 1968 budget—that the plans for a fourth attempt be dropped this year.] In addition the sounding rockets have become more complex in order to do astronomical work from them. (Comment in parentheses added).

Mr. Talcott. How much of this $147 million you have requested is for new projects?

Mr. Cortright. Only the $2 million.

Mr. Webb. Only $2 million for Sunblazer.

Mr. Talcott. And yet it is $20 million more than last year?

Mr. Cortright. Yes, sir. Your point is well taken. I have tried to explain it by the three items.

(Page 33).

Mr. Webb. We are moving toward a point when large integrated systems are going to be the major capabilities that nations seek, plus propulsion power. There are very real grounds for saying that they (the Russians) wish to maintain the position of having bigger boosters than we have, and they are developing the capability to make that wish come true.

There is evidence they intend to use it as the image of the nation that will command in this new area in the future and apply the technologies developed back into many areas. There is evidence now, for instance, in a country like Brazil, where you don't build roads or railroads; instead, you have a radio and call for an airplane to come and get you when you want to go 600 to 700 miles. They are developing this kind of capability for their country and are beginning to indicate they would like to have the first worldwide systems and the image of doing it.

(Page 34).

Mr. Webb. In the period after we have made the lunar landing we believe it would be wise to keep the budget approximately level, approximately at where it is now or even going up a half billion dollars a year, and use this capability for some further landings on the moon, for ability to move around, for synchronous orbital work with large stations using men for a multiplicity of other purposes related to the earth, and further studies in space, *and more or less take up the reductions in increased use of systems where every dollar is worth more than the previous dollars because you are building on the base, and select from the options available to use those things that are of the greatest value to us. This is very much what the Russians are doing. They are developing a very large number of options* and maintaining the ability to select those that are most useful to them at a particular time and move rapidly with it and create the image that they are out in front with respect to all these modern technologies. (Emphasis added.)

[From the Washington (D.C.) Evening Star, Aug. 24, 1967]

NASA TELEGRAPHS NEXT PUNCH

(By William Hines)

Anyone who believes that the space effort will be reduced to a sensible funding level after the Apollo moon landing is living in a fool's paradise. This is apparent from testimony given last week at a closed-door session of a House Appropriations subcommittee dealing with NASA's budget for the new fiscal year.

James E. Webb, the space administrator, was asked about post-Apollo plans; that is, the agency's intentions for carrying on manned operations in space after the initial lunar touchdown. Webb's answer was a clear telegraphing of the NASA punch cocked at the taxpayer's solar plexus:

"In the period after we have made the lunar landing," he said, "we believe it would be wise to keep the budget approximately level at where it is now or going up a half billion dollars a year. . . ."

Thus it is clear that NASA has no intention of tapering off from the high level of expenditure required for the build-up to the moon program so hastily conceived after the 1961 embarrassments of the Bay of Pigs and Vostok 1. Rather, NASA would like to raise the ante 10 percent above the current spending level of approximately $5 billion a year. And for what?

". . . (To) use this capability for some further landings on the moon," Webb continued, "for ability to move around, for synchronous orbital work with large stations using men for a multiplicity of other purposes related to the earth, and further studies in space. . . ."

A $5.5 billion budget level for the post-Apollo years would hardly be supportable on its own dubious merits; this Webb must realize. An external stimulus or justification is needed. In his testimony last week Webb freely used the anicent cry, "The Russians Are Coming! The Russians Are Coming!"

"This (diversification in space) is very much what the Russians are doing," Webb told the subcommittee. "They are developing a very large number of options and maintaining the ability to select those that are most useful to them at a particular time and move rapidly with it and create the image that they are out in front with respect to all these modern technologies."

In assessing Russian plans and intentions in space, Webb is one-up on both Congress and the taxpayer in an important respect: No one outside the inner circle can possibly evaluate the validity of his testimony when he says—as earlier in the same hearing:

"There were four (Soviet) launches in the last 30 days of large spacecraft, larger in many ways that those that we have . . . I believe they are preparations for manned flights shortly to come. I believe they are flights to work out the difficulties that resulted in the death of their cosmonaut."

No one can successfully analyze his judgment because no one can examine his source material. For some reason undoubtedly related to the central government's unending war of nerves against the taxpayer, official U.S. knowledge of Soviet space accomplishments is a closely guarded secret.

Since Russian leaders obviously know what they are up to, and since our own officials supposedly do too, the only people left in the dark are those who pay the most and count the least—the ordinary citizens of the two great powers.

When Webb, or any other space official, states that the Soviet Union is about to do this or that, two questions immediately arise that are rarely asked aloud on Capitol Hill. The first is: "Is it true?" The second is: "So what?"

"We find ourselves," Webb told the subcommittee, "in the position where even with the Saturn 5 booster, with the rough equivalent power in the first stage of 6,000 Boeing 707 airplanes"—a gross exaggeration, incidentally—"the U.S.S.R. is building a larger booster and will shortly, I believe, in calendar year 1968, be flying (it). . . ."

This information is interesting if true, but even if true, more interesting than vital to this country's well being. By pitching his remarks to the dominant note of a space race, Webb cheapens the endeavor that the late President Kennedy set in motion on May 25, 1961.

"This is not merely a race," Kennedy said in an important message to Congress. "Space is open to us now, and our eagerness to share its meaning is not governed by the efforts of others."

It has become apparent in the ensuing six years that "the efforts of others"—and very little else—have governed the progress of the United States in space. That the space effort is still so governed is implicit in Webb's testimony, given in a high-tax time of war abroad and civil unrest at home.

HENRY J. KAISER: A GIANT AMONG MEN

Mr. HECHLER of West Virginia. I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, many of our colleagues, notably West Virginia's Senators RANDOLPH and BYRD, have reviewed the manifold achievements of a great man who died last week, Henry J. Kaiser. His was a life which packed in it enough accomplishments for a thousand ordinary men, and with it all he remained a deeply religious, unselfish and humble man.

In West Virginia's booming Ohio Valley, Henry J. Kaiser decided to locate an aluminum plant. The Ravenswood Works of the Kaiser Alumimum & Chemical Corp. are located in my congressional district at Ravenswood, W. Va. One of West Virginia's largest employers, the Ravenswood Works has expanded to meet the dream which Henry Kaiser had for it.

The Nation owes many debts to Henry Kaiser. He has left many enduring monuments which America will never forget or overlook.

Under unanimous consent, I include an editorial which appeared in the August 26 issue of the Huntington Advertiser:

KAISER INDUSTRIAL GENIUS BUT MODEST MAN OF PEOPLE

The versatile industrial genius of Henry J. Kaiser, who died in Honolulu Thursday at the age of 85, served millions of people and scores of nations around the world.

Although he helped build the giant Hoover, Bonnevile, Shasta and Grand Coulee dams, he became best known for his contribution to victory in World War II by producing 1,500 ships to carry men and supplies to the fighting fronts.

From these activities he turned after the war to numerous fields of industry, including the production and fabrication of aluminum.

In 1965 there were said to be 170 major Kaiser plants operating in 30 states and 40 foreign countries. Among his important industries is the aluminum plant at Ravenswood.

This operation has spurred the economy of a large agricultural area of West Virginia. It has also offered opportunities, now largely unexploited, for industrial development of other areas through the establishment of aluminum fabricating plants.

Mr. Kaiser's driving energy continued to advanced age, partly no doubt because he always looked forward to possible new achievements.

Even after he handed the reins of his giant $2.7-billion empire to his son Edgar and moved to Hawaii in 1954, his lively imagination soon found an outlet there for his urge for progress.

He cleared the Waikiki slum for a plush hotel resort, put up a hospital, started a radio and television station, organized a company to distribute Hawaiian records and characteristically supplied a public need by providing a drive-it-yourself jeep service.

At the time of the beginning of his illness he was happily engaged in building the model community of Hawaii-Kai.

This was characteristic of actions demonstrating his concern for the public welfare, as was the building of a dozen hospitals to serve thousands of subscribers to the Kaiser plan for health care.

In spite of all his tremendous success, Mr. Kasier remained a plain, unassuming genius who understood the thinking and the feelings of the common man.

Those who remember him on his visit to Ravenswood soon after locating his aluminum operation there will recall his modesty, his geniality and his frank and friendly responses to questions at his press conference.

His own character and disposition were typified by the lines with which he closed his address at a dinner there a dozen years or so ago:

"I sought to hear the voice of God—And climbed the highest steeple.—But then He said, 'Come down again.—I dwell among the people'."

PEACE CORPS VOLUNTEER PHYSICIAN REPORTS ON HEALTH CENTER IN ETHIOPIA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the African Subcommittee of the Committee on Foreign Affairs, I am happy to report on the successful operation of the Gondar Public Health College and Training Center in Ethiopia.

I am extending my remarks to include the following letter from Thomas A. Dine of the Peace Corps with a report on the work in Ethiopia by Dr. William B. Mitchell, a Peace Corps volunteer physician:

PEACE CORPS,
Washington, D.C., July 26, 1967.

Hon. BARRATT O'HARA,
Chairman, Subcommittee on Africa, Committee on Foreign Affairs, House of Representatives.

DEAR MR. CHAIRMAN: You will recall that on February 23, 1967, I accompanied Mr. David Berlew, Director of the Peace Corps program in Ethiopia, to your office to discuss recent progress in African developments.

At that time you requested information dealing with the Gondar Public Health College and Training Center in Gondar, Ethiopia. I am pleased to report to you that the program is a success, and that the college is a first-rate institution for training health workers who will in many ways be better adapted than medical graduates for the rural health services of this important region in Africa.

Teams composed of a health officer, a community nurse, and a sanitarian are being prepared to staff rural health centers. Their training emphasizes simple management of prevalent diseases and common medical emergencies, the approaches and techniques of preventive medicine, mass methods, control of environmental hazards, skills necessary to obtain community cooperation, and health education of the public.

The following information and attached article, supplied to me by Mr. Berlew, and Dr. William B. Mitchell, Peace Corps physician at the College, are for your perusal, which you, perhaps, could insert in the CONGRESSIONAL RECORD.

With every best wish,
Sincerely,

THOMAS A. DINE,
Congressional Liaison.

REPORT FROM DR. WILLIAM B. MITCHELL, PEACE CORPS VOLUNTEER PHYSICIAN, GONDAR PUBLIC HEALTH COLLEGE, GONDAR, ETHIOPIA

The Gondar Public Health College and Training Center was begun in 1954, under joint AID IEG/WHO sponsorship with the goal of training definitive health workers for the provincial needs of Ethiopia. The realistic evaluation of the problems show that: 1. basic health services are practically non-existent; 2. physicians, as such, are not only expensive, and time consuming to train, but are unwilling to work in the field; 3. the major job to be done—more than 90% of the medical and public health needs—did not require the skills of a fully-trained physician. It was decided that in order to train personnel for this intermediate position as specifically to work in the field, a training facility must be developed which did not expose the rurally oriented Ethiopian to the embellishments of city life. Thus the semi-rural and relatively crude physical setting of the Gondar Public Health College in the calculated privation of the associated training health centers.

The personnel which would make up the health team to approach this need were:

Health Officers: "leaders" of the health team requires knowledge of public health, preventive medicine, health education, clinical diagnosis and treatment—geared to an atmosphere of practically no supervision, advice, or material support other than necessary drugs. This is a 12th grade graduate and the course is 4 years—a BS degree. The first two years are basic arts & sciences with the exception of a course in physical diagnosis during the scond year. Beginning in the summer between the 2nd and 3rd year, the student begins clinical training in the hospital wards, out-patient department, and the field. It reserves about ⅓ of his time for lectures, both clinical and basic.

The 4th year is spent as a "intern" with about ⅔ of his time in the field under able public health advisors and the remaining ⅓ in the hospital taking moderate responsibility for patients under intensive clinical supervision. There is no training in major surgical technique.

When these students graduate they are well qualified to go to a "health center" which may or may not to be on a passable road, has no electricity or telephone, and may or may not have other health workers in the same area. His responsibilities are to census and map the village indicating occupation, sex, latrines, water supply, etc., run a daily clinic—where he will see diseases ranging from typhus to gunshot wounds and burns in a number of patients ranging from 50 to 75 per day. He must make correct diagnosis and institute proper treatment. Further diseases of epidemologic importance he must be prepared to recognize without delay and program and institute an appropriate plan of epidemic control. Whether it be mass DDT dusting, mass vaccination, or careful control of water supply and excreted disposal.

For those preventable diseases which are encountered so frequently—he must be prepared to recognize both cause and disease and direct measures to alleviate both—including intensive levels of health education. The level of his clinical ability have been carefully tailored to the conditions under which he must work. And those diagnoses that do not require elaborate laboratory or X-ray facilities, he is intensely trained—and probably has much more skill in using his senses than the average physician.

In summary, he is trained to do about 75% of the clinical and diagnosis work of the physician sacrificing unusual or difficult to diagnose diseases which have no epidemiological importance and usually no cure, and is also highly adapted to the specific diseases epidemological and public health needs of an underdeveloped provincial center.

Community nurses: The community nurse is trained to be an assistant to the health officer to do home visits on recently sick persons or on those with long-term treatment programs. They do basic midwifery, and most importantly, health education in preventive medicine, prenatal and maternal and child care. She is also a great help in the health center assisting in patient care and conducting classes on health education.

The training begins at the 10th grade and lasts three years. The training begins with basic college type courses in arts & sciences as well as basic professional courses in the first year. She also begins her first year on the hospital ward in general cleaning and basic nursing care. Her second year is about ½ time in clinical and field experience with emphasis on a complete range of nursing responsibilities in field work in course supervision. The remaining ½ of the time in class lectures and general arts and on professional subjects. The third year she is "intern" spending ½ of her year in the training health centers taking responsibility for her field in health center tasks, with periodic (1 to 2 times per week) supervision. The other ½ of the time she is in the hospital responsible for the ward and midwifery situations. With still moderately intense supervision.

In the course of her training the community nurse develops the ability to carry off most of the hospital and health center nursing tasks while still retaining a remarkable ease of relationship with the women of the community. She accepts this relationship without much question, and soon develops a strong sense of dedication with the community. Without which her job would be largely teaching without much tangible sign of progress over a short period of time.

Sanitarians: The sanitarian is trained to be an engineer. He will be expected to build brick buildings, develop water supplies, and disposal facilities ranging from single buildings to large buildings in provinces. He is a 10th grade graduate and his course is 3 years. The first year is a combination of basic arts & sciences along with other exercises to help develop manual dexterity. This latter aspect is a tremendous breakthru here in Ethiopia. For the average person has very poor ability and no desire to produce quality work with his hands. This training consists of assembling and disassembling of pumps, faucets, latrines, mechanisms, as well as cutting and threading pipes, making stone and cheka walls, etc.

During his second year his time is spent in the field under fairly close supervision. He continues to carry an academic load, however, both in professional and general subjects.

During the third year, most of his time is spent in the field—mostly at the training health centers—where he works with one to two other students on projects on community support. Then he must plan his project submitting it to a board of supervisors for criticism. Following which, he will carry out the project to completion with periodic supervision. This latter step may include procuring materials, supervision of daily labor, and many other practical day-to-day problems. Upon graduation, this same list of tasks will be his responsibility.

This approach to problems of Ethiopia's basic health services should appropriate but the Health College suffers from the same high percentage of poorly motivated students and students who are changing goals, as in other colleges. This stems in part from the tendency of any student in a struggling economy to take advantage of any training opportunity before considering at length the moral and legal obligations they are assuming. But also with anticipation of spending their lives in isolated areas with impossible work loads. The latter problem should improve as the general economy of the country improves.

Many of the health officers want to go to medical school. But the percentage of those who ultimately complete the course will be small enough to not deplete the ranks of the health officers severely. If they do finish, they should make a good qualified provincial medical officer. Many of the community nurses marry and have families. But the attraction of good wages seem to prevail in most of their work. In general, the majority seem to marry health officers and lead a health center life.

The long range problems for all classes will conceivably be greatest with respect with relationships to their counterparts who have a more advanced degree of education to do essentially the same job. These will be M.D.s with Public Health degrees, Public Health nurses, and sanitary engineers. I don't think that anyone can accurately project the way in which the transition will occur, but we do know that there are going to be many years of pushing back the frontiers of medicine and that the highly trained persons are going to be unwilling enough to work in the bush that the bulk of the responsibility in these areas will still be carried by our presently trained workers.

RED CHINA STEPS IN WHERE UNCLE SAM MISSED THE BOAT IN AFRICA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, rail transportation, if not completely transcontinental at least serving large areas and a number of countries, will contribute very much to the growth of Africa as it did to the Western States of our own country. As is well known to my colleagues interested in Africa, I long have advocated the construction of a railroad linking Zambia and Tanzania.

Unfortunately, a World Bank study was unfavorable to the project, which on the other hand was declared definitely viable by an Anglo-Canadian team. All this has led to another situation where our country may be missing the boat as far as Africa is concerned.

The article from the August 12, 1967, issue of the Economist, of London, would indicate that Red China is seeking to take full advantage of what would seem to me the unpardonable procrastination if not blindness of the United States.

The article from the Economist, of London, follows:

China's Gold-Tipped Wand Hovers Over Eastern Africa

It is almost ten years since the proposal to build a railway linking the Rhodesian and east African systems was test mooted; the passing of time has produced little more than vast increases in the envisaged capital expenditure. Now, at long last, there are indications that the expensive dream may be granted with China as fairy godmother.

Last year Tanzania's then minister of commerce, Sheikh Abdulrahman Babu, uncharacteristically observed that Rhodesia's unilateral declaration of independence had not been without its silver lining for Tanzania. As Zambia severed its links to the south, it has turned more and more to Tanzania in the north for its trade outlets. Already a £16 million oil pipeline is under construction and some thousand trucks are operating on the Great North Road, better known as the "Hell Run," carrying fuel south and copper north. And the arguments in favour of a rail link have become stronger and stronger.

When Zambia's president, Mr. Kenneth Kaunda, returned from a state visit to China in June he announced that Peking had offered to construct the rail link and finance it to the extent of £100 million. While this offer went little further than a previous one to President Nyerere in 1965, the attitude of both Zambia and Tanzania towards the idea of China doing the job has changed. Both originally favoured a western consortium and tentative feelers were put out to Britain, America and West Germany. But all three countries fell back on the 1964 World Bank report which condemned the project as unviable and urged Mr. Kaunda and Mr. Nyerere to concentrate on improved road links. Russia was also approached before the matter was finally put to Peking.

China, which specializes in long-term interest-free loans to "revolutionary" African countries, leapt at the chance. A survey team swiftly followed although their report, in Swahili and Chinese, turned out to be little help. Simultaneously, an Anglo-Canadian team was carrying out a study. This, contrary to the World Bank report, concluded that the project was indeed viable.

The Anglo-Canadian report is officially still secret but apparently it places the total capital cost at £126.3 million, plus a further £11.6 million for 10 more deepwater berths at Dar es Salaam to cope with an estimated additional two and a half million tons of cargo if the rail link is built by the early 1970s. Using this tonnage figure, the report predicts a surplus over operating costs of £11.4 million in 1971, and £18.5 million in 1981. This estimate is based on the belief that operational costs on the rail link in 1971 will be .83d per ton mile against 1.14d on the Rhodesian railway system. The team rejected the labour intensive construction method that the Chinese are thought to favour, stating it would put three years on the estimated construction period of four to five years.

With Peking in the field, the western attitude has shown a cautious change but there remain two distinct schools of thought. The first says that China cannot be allowed to win such a prestigious project; the second, which appears to have the most support, believes that China should be allowed to go ahead for it would tie up a great amount of its foreign aid budget in a single project. Apparently the two African governments are themselves somewhat in the dark about the Chinese offer and a team headed by the Tanzanian finance minister, Mr. Amir Jamal, and his Zambian counterpart, Mr. Arthur Wina, are expected to fly to Peking later this month.

The sort of questions they will want answered (for apparently the Chinese offer is not a detailed one) is whether the loan is interest-free, when the first repayments fall due, over what period will they be spread and in what form the loan will be made. They will also want to know what the Chinese proposals on the labour force are and how many experts they themselves would bring in, what the source of material and equipment would be and what construction period is envisaged.

For China the railway would be a valuable if expensive prize. It is the third biggest project in independent Africa (beaten only by the Aswan and Volta River dams) and would greatly strengthen the Chinese position in Tanzania—probably their most important one in Africa—while giving them a foothold in Zambia. President Kaunda until recently was definitely cool towards Peking's overtures and is even reported to have refused to allow the Chinese survey team to cross into Zambia. Certainly its report dealt only with the Tanzanian side of the link and was made at the invitation of the Tanzanian government only. Mr. Nyerere sees the rail link as the key that will unlock considerable agricultural and mineral wealth in the southern part of his country. This at present cannot be tapped because of poor communications. A survey has ascertained there is at least 300 million tons of coal to the south of the area through which the railways would pass as well as 45 million tons of iron ore.

Britain and America are currently complaining that they had not been formally asked to undertake the project. But this is a red herring; any interest today is in large part attributable to China's offer. The point is that both the Tanzanian and Zambian governments are determined to see the railways built and there is a growing feeling that China will get the job. The next stage is the design and the Tanzanians would like to see this started by the end of the year.

ZAMBIA PLAGUED BY COMPUTER'S ERROR

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, when the foreign aid bill was under discussion in Committee of the Whole, I suggested that a study of the feasibility of the computer system in the operation of AID's activities should precede the positive instruction to the President to install such a system. This, it seemed to me, would have been the course of prudence, both because of the high cost of a computer, the rent of which runs as high as $160,000 a month, and the questioned infallibility of the computer system.

I am extending my remarks to include a special dispatch to the reliable New York Times that relates the unhappy experience of that African country with a breakdown in computer programing which left that nation completely without official trade figures and the data required to check her balance-of-payments position.

The dispatch follows:

ZAMBIA COMPUTER PROGRAM COMES UP WITH AN ERROR

LUSAKA, ZAMBIA, August 12.—A breakdown in computer programing has left Zambia without any official trade figures this year with which to gauge the progress of her sanctions campaign against Rhodesia or check her balance-of-payments position.

Informed sources here say the mistakes, which resulted in two sets of figures being added instead of subtracted, have resulted in figures for 1967 being scrapped and doubt being thrown on last year's figures.

A new staff has now been recruited and the whole import-export statistical program has been restarted.

No figures are expected to be available before the end of the year.

Zambia normally publishes import-export figures monthly to enable Government departments to arrange administrative controls in the program to cut off Rhodesian trade and also as a guide to the balance-of-payments position.

In a recent report, Zambia's Auditor General said he was "extremely perturbed" by the situation prevailing in the data-processing unit at the core of the Government's accounting system.

CONSTANT VIGILANCE REQUIRED

Mr. HAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HAGAN. Mr. Speaker, the responsible members of our society are learning that constant vigilance is required if we are to preserve our American way of life. Responsible Americans will not tolerate mob violence, be it a riot mob or a lynch mob.

Mr. Pete Clark, editor of the Liberty County, Ga., Herald, in a recent issue, presented some very thought-provoking ideas on the problem and the solution in connection with recent disgraceful activities in some of our cities.

Those responsible for investigating the antics of Stokely Carmichael and Rap Brown might do well to read this editorial:

NOTES FROM THE EDITOR

(By Pete Clark)

It looks as though Uncle Sam is going to be in for it again when Fidel Castro comes to the United States next month to address the United Nations General Assembly. It is generally known in U.S. intelligence circles that Castro plans several meetings with Black Power militants including his new friend Stokely Carmichael.

Secret Service officials presently are studying remarks made by Carmichael during recent speeches for threats that he has made in public against the president of the United States. All we can do is hope that the Secret Service will delve into this matter with the utmost diligence and come about with a possible solution to stopping Mr. Carmichael from spreading his hate campaign throughout our country and the world.

If Mr. Carmichael doesn't like the way things are going here, he can always move.

We would like to see the United States make an example of Carmichael and do something besides spank his hand and tell him that he will have to rephrase some of his speech writing.

Our country explains to us that we are fighting in Viet Nam to stop the communist organization from taking over that part of the world. Yet, right here in the United States we allow persons like Carmichael and Castro say what they want to about the United States, her officials and use any type of language that happens to pass through their simple minds.

One sometimes thinks that the freedom of speech is carried a bit too far. Certainly the freedom of speech is one of our basic constitutional rights, but when some communistic nut advocates the overthrow of our government and our way of life, it's time for some sort of action that will throw water on their ideas.

Responsible citizens know that it will take a generation or so before any real progress is made in the civil rights legislation. By progress we mean the kind of peaceful progress that can be realized from the main intent of civil rights legislation.

It is our firm opinion and conviction that a house could be built from here to Savannah, filled with the most modern of furniture, and made elegant with the most elaborate of architecture and design, and you would still have certain families who threw their garbage out of the windows or emptied refuse on the stairs.

We are desperately in need of responsible leadership from the White House down to the local level. The American people are becoming most disturbed and concerned with the number of problems that face our nation, both internally and externally. Most of us have learned from experience that you cannot spend your self out of debt. The American public is vastly concerned with the tremendous amount of money being spent in Viet Nam, on domestic problems, on foreign aid (especially to communist countries), and now we are faced with a possible tax increase.

The American people are not going to stand for this type of governing very much longer. Americans believe in our constitution and everything it stands for. We don't mind if you talk about us, but don't say things that are too malicious. Let's see if Fidel Castro and his little buddies urge guerrilla type warfare in our country. If these things are known now, then it's time for responsible action NOW. There's no need to turn on the water after the house has burned down.

POST OFFICE DEPARTMENT AUTHORITY SHOULD BE BROADENED

Mr. **THOMPSON** of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. **THOMPSON** of Georgia. Mr. Speaker, self-preservation is the first law of nature and, of course, it must also be made a law of nations who desire to survive.

I was appalled to hear press reports over the weekend stating that a fugitive from the United States by the name of Robert F. Williams is publishing in Peking a propaganda pamphlet calling for the violent murder of American soldiers by other American soldiers, and for the violent disruption of our internal affairs.

Communist China, of course, does not have a free enterprise system; therefore, it is apparent that these publications were printed at the expense of the Chinese Government.

The most distressing fact is that according to the officials of our Post Office Department they must deliver this mail printed by a foreign alien government with the intent to cause murder of American citizens and soldiers and to bring about the disruption of our system of government.

According to the officials in the Post Office Department, they can only refuse to handle mail even from foreign governments if it advocates the murder of the President or the violent overthrow of the Government. Their reasons as stated are that the recent rulings of the Supreme Court, as related to freedom of speech, protects the right of such persons as the Chinese Communists or, in this instance, the fugitive from American justice, Williams, to flood our Nation with such hate propaganda calling for the murder of our citizens.

Mr. Speaker, I am today sending a letter to the Postmaster General urging him to refuse to accept this mail, for surely as he has the authority to refuse to handle mail calling for the murder of the President, he can likewise refuse to handle mail calling for the murder of any other American citizen.

Mr. Speaker, the right of free speech is one of the most precious rights which we enjoy. It is a right which must be preserved, maintained and protected. However, this right does not grant a license to advocate murder, and the right of free speech must be exercised in light of other valid laws in the interest of our Government.

Certainly the most overwhelming right, though possibly not expressly proclaimed in print, granted to the American people by our Constitution and Bill of Rights is that right of the Republic of the United States to continue an existence, the right of self-preservation, and in the interest of preserving the domestic tranquillity and providing for the future welfare of our Nation, we have every right and indeed a duty to the American people to refuse to allow our mails to be used for the purpose of bringing about our destruction and setting one citizen against another for the purpose of murder. I deem this to be one of the inalienable rights granted to us by our forefathers and framers of our Constitution.

BYPASSING CONGRESS IN FIAT LOAN

Mr. **LIPSCOMB**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **LIPSCOMB**. Mr. Speaker, it is shocking to learn that the administration apparently is moving brazenly ahead with its intentions to render assistance to the U.S.S.R. in the building of the Fiat automotive factory.

In spite of the fact that legislation which bears on the Fiat plant proposal is under active consideration in Congress at this very time, the Department of Commerce has given clearance to reexport American technical data from Italy to the Soviet Union for use in the manufacture of parts for Fiat automobiles. Information about this reexportation has just been released by the Department of Commerce in its list of "Export Licenses Approved and Reexportations Authorized for August 22, 1967."

As many Members of the House will recall, on May 4, 1967 I discussed in detail the reasons why in my opinion the United States should not render assistance on the Soviet-Fiat automotive factory. My statement appears on pages 11705–11707 of the May 4 CONGRESSIONAL RECORD. To this date to my knowledge none of those reasons have become invalid and, in fact, today the reasons for denying any and all assistance related to the Soviet warmaking potential are even more imperative. Obviously vehicles of all kinds constitute warmaking potential.

As I pointed out in that statement, by early this year we had "destroyed or damaged over 9,000 trucks in North Vietnam," and that "thousands more remain." Those words seem to have been confirmed in the statement by the Secretary of Defense just last week when on August 25 he told of the large number of air strikes from January through July against the enemy. Among the targets reported destroyed he said were "over 4,100 vehicles." To date therefore our airmen have risked their lives, and in some cases given their lives, to destroy or damage more than 13,000 enemy vehicles.

Can it be possible that the administration is ignoring Soviet involvement not only in Southeast Asia but elsewhere? Has it already brushed aside the events of last May and early June in the Middle East? The following headline appeared in the Los Angeles Times on May 22: "Egypt Orders Military Reservists Mobilized—Russian-Built Trucks Rumble Continuously Over Cairo Streets."

On May 4 I also stated that:

> If the Soviets were required to design and build machine tools and equipment which closely approximate those they seek from abroad in the Fiat deal then they would probably have to use engineers, technicians and capital goods which otherwise could be employed in programs related to Soviet military and space endeavors.

That point of requiring the Soviets to design and engineer their own tools and equipment seems to directly relate to the action just taken by the Department of Commerce in authorizing reexportation of technical data for the Fiat plant that I would like here to reprint a statement from a letter written by the Director of the Defense Intelligence Agency, Lt. Gen. John F. Carroll. General Carroll's April 25, 1967 letter to me states:

> It is true that, if engineering and production resources were allocated to the design and fabrication of such machine tools and equipment, the resources would have to be taken from other programs, either military or civilian. In the past the Soviet Union has given priority to military programs over civil programs, and it is believed that—barring a major change in Soviet policy—this practice will continue.

The Department of Commerce certainly must be fully aware that the general issue of U.S. assistance to help construct a Fiat automobile plant in the U.S.S.R. is under active discussion at the present time in the Congress in connection with H.R. 6649 and S. 1155, relating to extending the life of the Export-Import Bank and increasing its lending authority.

The Department must also be aware that in acting on S. 1155, the Senate approved an amendment to prohibit the Bank from providing assistance to the Soviet Union or to any intermediary nations for the purchase of products which would aid the Soviet Union in constructing automobile manufacturing plants. While this legislation of course relates to Export-Import Bank financing and does not relate directly to the matter of issuance of export licenses or reexportation authorizations as such, obviously these are but two different aspects of the larger issue of assisting in the construction of an automotive manufacturing plant in the U.S.S.R.

In my opinion it is a matter of serious concern that the Department would go ahead and issue this reexportation authority at this time and I have today called on the Department of Commerce to rescind its action in this case in the interest of our national security and welfare.

PRESIDENT JOHNSON'S TOTAL APPROACH TO THE CITIES—CONGRESS MUST ENACT THE PRESIDENT'S PROGRAMS FOR URBAN AMERICA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, 3 years ago, speaking not far from the scene of this summer's Detroit riots, President Johnson reminded us of an important responsibility to the majority of Americans now living in urban America. Most important, he told America that the approach to the cities could no longer be piecemeal—only a total attack would solve the problems of our Nation's cities.

The violence and tragic events of this summer dramatically emphasize these responsibilities.

While there is no place in our society for lawlessness and anarchy, there is also no place for slums and human misery.

The President said in Ann Arbor, 3 years ago:

> It is harder and harder to live the good life in American cities today. The catalogue of ills is long. . . . Our society will never be great until our cities are great.

In his first state of the Union message, just 6 weeks after taking office, President Johnson sounded the keynote of his urban policy:

> The first step is to break old patterns—to begin to think and work and plan for the development of entire metropolitan areas.

President Johnson from the start cast aside the old view of urban affairs which concentrated only on housing. He saw the need to deal effectively with such problems as schooling, employment, transportation, pollution as well as urban renewal.

This total commitment to urban needs was reflected in Lyndon Johnson's first housing and community development message to Congress. He warned:

> By 1970, we shall have to build at least two million new homes a year to keep up with the growth of our population. We will need many new classrooms, uncounted miles of new streets and utility lines, and an unprecedented volume of water and sewerage facilities. We will need stores and churches and libraries, distribution systems for goods, transportation systems for people and communications systems for ideas.

In each of the four messages on cities he has submitted to Congress during the past 4 years, President Johnson has warned that we cannot become two people—the suburban rich and the urban poor.

He urged us to begin planning and building today to keep pace with an urban population that will double in the next 40 years; and he emphasized that while we do not possess all of the answers to urban problems, we must move quickly to "make right what has taken generations to make wrong."

In his 1965 message on the cities, the President declared:

> This modern city can be the most ruthless enemy of the good life, or it can be its servant. The choice is up to this generation of Americans. For this is truly the time of decision for the American city.

In his 1966 message on the cities, the President asked:

> Shall we make our cities livable for ourselves and our posterity? Or shall we by timidity and neglect damn them to fester and decay?

And this year, in his message on urban and rural poverty, the President said:

> Many of our early efforts have revealed the dimensions of the work that remains to be done. For some, this has inspired a pessimism that challenges both the value of what has been accomplished and the capacity of our Federal democracy to complete the task. For others, it has inspired a sober determination to carry through with programs that show great promise, to improve their administration and to seek still more effective instruments of change.

Who are the doubters and who are the doers for urban America?

The record shows that the 36th President and the 89th Congress provided a new charter of hope for the American city.

This leadership created a Department of Housing and Urban Development to focus the needs of the cities in the highest council of government.

And 93 percent of House Republicans voted against this bill.

This leadership created the model cities program of 1966 and the rent supplement program of 1965—two pioneering concepts to speed new housing for the urban poor.

And 84 percent of the House Republicans voted against model cities, while 93 percent voted against rent supplements.

This leadership created a home rehabilitation program to assist low-income homeowners; an Urban Mass Transit Act to modernize transportation facilities in urban centers; and a relocation assistance program to help urban poor displaced by urban renewal.

Again, these programs passed against overwhelming Republican opposition.

This is the record. And those Republicans seeking political advantage from the tragic events of this summer cannot be allowed to bury the bones of their voting record on the cities in the Democratic backyard.

At this very moment, Congress has under consideration 14 pieces of major legislation to help our cities in the months and years ahead.

These proposals were submitted by President Johnson long before the riots, which have made the need for these programs even more compelling than they were even a few months ago.

The great tragedy growing out of the summer riots are the thousands of innocent victims who watched helplessly as their homes and businesses were destroyed. We cannot turn our backs on those who suffered the most at the hands of a few.

And we know, too, that the sins committed by a few cannot be charged against an overwhelming majority who are innocent.

The task of this Congress is clear. We must move forward from yesterday's destruction to tomorrow's rebuilding. We cannot abandon programs that have just begun; and we cannot ignore the President's requests for further remedial action to reconstruct our cities so that they become the Nation's pride and not its tragedy.

Let me say to those who wish to help our cities: We already have an unfinished agenda of urban programs that, together with legislation already passed, comprises an unprecedented program of urban aid.

Those searching for new ways to combat old urban problems will find what they are looking for clogged in the congressional pipeline.

They will find it in the $662 million President Johnson has requested for the model cities program this year.

They will find it in the $40 million he has requested for the rent supplement program.

They will find it in the $20 million he has requested for rat control.

They will find it in the requests for the poverty bill, the Teacher Corps, the crime control bill, the 20-percent increase proposed in the social security bill, and an $80 million request for housing for the elderly.

These new programs focus on the problems of urban blight and social inequities that cause unrest and despair in city slums.

The city is the foundation upon which rests America's future greatness as a people and as a nation. Our metropolitan areas must provide attractive, wholesome, and safe environments for all Americans, no matter their race, creed, or economic status, for those who live, work, and visit in them.

As President Johnson said 2 years ago:

> The problems of the city are problems of housing and education. They involve increasing employment and ending poverty. . . . They are, in large measure, the problems of American society itself. They call for a generosity of vision, a breadth of approach, a magnitude of effort which we have not yet brought to bear on the American city.

We know that city slums are symbols of a nation's indifference and neglect. But we also know there are no overnight miracles to right past wrongs and replace blight with progress.

Today, we are neither indifferent nor complacent. We cannot allow the voices or actions of a few extremists to embitter us or to close our minds and hearts to the plight of others.

America in the 1960's is at the turning point in its quest to develop the most enlightened and humane society the world has ever known. We possess the wealth and technology to succeed. And the only question remaining is: Do we possess the will to succeed?

I think that by its actions on the Nation's unfinished agenda, this Congress will take a long step toward answering this vital question.

And I hope and believe the answer shall be "Yes."

The dates of the major Presidential messages, speeches and statements on urban problems are as follows:

MAJOR PRESIDENTIAL MESSAGES, SPEECHES, AND STATEMENTS ON URBAN PROBLEMS

January 27, 1964: Special Message to the Congress on Housing and Community Development (Mass Transit program, and numerous housing and poverty programs).

May 22, 1964: Remarks at the University of Michigan.

July 9, 1964: Remarks upon Signing the Urban Mass Transportation Act.

September 2, 1964: Remarks upon Signing the Housing Act.

September 26, 1964: Statement by the President upon Making Public an FBI Report on the Recent Urban Riots.

January 4, 1965: State of the Union Message ("The first step is to break old patterns—to begin to think and work and plan for the development of entire metropolitan areas").

February 8, 1965: Special Message to the Congress on Conservation and Restoration of Natural Beauty (Urban Beautification Program).

March 2, 1965: Special Message to the Congress on the Nation's Cities (HUD, rent supplements, metropolitan development).

March 4, 1965: Letter to the President of the Senate and to the Speaker of the House of Representatives on High-Speed Interurban Ground Transportation.

June 15, 1965: Remarks to a Delegation from the American Institute of Architects and the Pan American Congress of Architects.

June 30, 1965: Statement by the President Following Passage of the Housing Bill by the House of Representatives.

August 10, 1965: Remarks at the Signing of the Housing and Urban Development Act.

September 9, 1965: Remarks at the Signing of Bill Establishing a Department of Housing and Urban Development.

October 23, 1965: Message to the Congress Transmitting 18th Annual Report of the Housing and Home Finance Agency.

January 26, 1966: Message to the Congress on the Demonstration Cities Program.

August 11, 1966: Statement by the President Upon Signing Executive Order 11297 (Enabling the Secretary of HUD to coordinate urban programs).

August 19, 1966: Speech at Syracuse.

September 8, 1966: Remarks at the Signing of the Urban Mass Transportation Act.

November 3, 1966: Advance Text of the President's Remarks upon Signing Demonstration Cities and Clean Water Restoration Bills.

November 3, 1966: Text of the President's Remarks at the Signing Ceremony for the Demonstration Cities and Clean Water Restoration Bills.

Januray 12, 1967: Statement by the President on the Commission on Codes, Zoning, Taxation and Development Standards.

March 14, 1967: Special Message to the Congress: America's Unfinished Business: Urban and Rural Poverty.

April 17, 1967: President's Message to the Congress Transmitting the First Annual Report of the Department of Housing and Urban Development.

June 2, 1967: Statement by the President upon Appointing Members to the Committee to Rebuild America's Slums.

July 20, 1967: Statement by the President on Failure of the House to Act on the Rat Extermination Act.

August 16, 1967: Letter on the American City to Senate Majority Leader Mike Mansfield.

August 19, 1967: Statement by the President on Signing S. 1702, Extending the Urban Fellowship Program.

THE POAU ATTEMPTS TO TAKE CHRIST OUT OF THE CHRISTMAS STAMP

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I am deeply concerned by the recently publicized attempt by a small but vocal group to prevent the Post Office Department from again issuing a Christmas stamp which portrays the true meaning of our most important national holiday.

An organization called the Protestants and Other Americans United for Separation of Church and State—POAU—has filed a nuisance suit in the U.S. courts to prevent Postmaster General O'Brien from issuing a Christmas stamp which produces a portion of Hans Memling's portrait of the "Madonna and Child With Angels."

Last year the Department printed 1.2 billion stamps from this 15th-century masterpiece which now hangs in the National Gallery.

The keen demand for this stamp during the 1966 holiday season illustrates how well it conveyed the true meaning of Christmas to millions of American families.

I was among those who had been critical of the Department for the design of Christmas stamps prior to 1966. As you will remember, Mr. Speaker, they depicted fir trees, holly branches, and other items which are extraneous to the real significance of Christmas.

Beginning with the 1965 stamp which depicted a heralding angel and the 1966 stamp which was taken from the Memling painting, the Department has met the requests of our citizens that the Christmas stamp be truly representative of Christmas.

Now the POAU charges that a constitutional question is involved. They allege that the Post Office is attempting to establish a religion in the United States by issuing a stamp that depicts one of the most famous paintings in the Western World.

I am confident that this organization does not speak for the vast majority of American Protestants. Churchgoing people of all denominations have backed the effort to restore the spiritual significance to our national celebration of the nativity.

The arguments which the POAU has put forward to support its case are patently specious ones.

They charge that a book which is shown in the Memling picture is of a type used by only one denomination. The book in question is, in truth, so noncommittal in appearance that the POAU must have employed extrasensory perception to discern its sectarian character.

Further, they have alleged that although no one is being forced to buy the stamp, taxpayers indirectly pay for it because the Post Office Department annually loses money and must be subsidized from general revenues. They have, therefore, set themselves up as aggrieved taxpayers in conducting their suit.

Their tortured reasoning ignores the point that regardless of what a stamp depicts, the cost of issuance is about the same.

Mr. Speaker, it is clear that the 1967 Christmas stamp is no more an attempt by the Post Office Department to establish a religion than was the issuance of stamps some years ago depicting Greek and Roman goddesses an attempt to promote ancient forms of polytheism on the American scene.

This is not the first postage stamp which has been related to religious events. A stamp commemorating the Gutenberg Bible was issued in 1952. In 1948 the United States honored the four spiritual leaders giving space on liferafts during World War II with the four chaplains stamp.

I wonder if those who are opposed to this stamp realize that Christmas is an official Federal holiday? Perhaps they will soon be challenging our legal recognition of a holiday which commemorates the birth of Christ.

PROBLEMS OF THE CITY—PART II

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, now that we are able to appraise the urban renewal programs of America, and their effect upon city life, we can see their relationship to the critical problems of the central city. Far too many urban renewal programs have been directed to nonresidential use. Homes were torn down—citizens were displaced and replacement housing was not provided.

The programs of Ohio are typical. Since the beginning of the urban renewal program, $338,612,000 has been spent in Ohio to revitalize urban life. When we study the utilization of these resources, we find a cruel and disproportionate spending for land clearances and redevelopment for nonresidential reuse. For example, of the 67 urban renewal projects involving $338,612,000 as of June 30, 1967, 44 projects for $238,360,000, or 70.4 percent of the money spent was spent for predominantly nonresidential reuse.

The city of Cincinnati, which has had a very active urban renewal program and spent $85,362,386 in six projects, has spent 100 percent of its urban renewal funds on redevelopment for predominantly nonresidential reuse. Cleveland has an urban renewal program involving $49,388,799, of which $17,690,521 or 36 percent has been spent on predominantly nonresidential reuse. Toledo and Columbus have 38.3 and 21.6 percent of their urban renewal resources allotted to nonresidential reuse.

These ratios in Ohio and in Ohio's major cities are typical of the national residential and nonresidential reuse ratios. The orientation of the urban renewal program to buildings and not to people is a national problem. The responsibility for failure to provide adequately for the residential reuse of urban renewal lands to meet critical housing needs rests equally upon local communities which so designed their plans and the Federal Government which approved them and provided the money.

This distortion of public purpose compounded with the inhumane shifting of ill-housed people from poor homes to worse homes or no homes help bring the displaced citizens into the streets in anger.

TESTIMONY BY U.S. REPRESENTATIVE WILLIAM C. CRAMER, AUTHOR OF H.R. 421, BEFORE SENATE JUDICIARY COMMITTEE IN SUPPORT OF THE ANTIRIOT BILL

Mr. **CRAMER**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **CRAMER**. Mr. Speaker, as the author of H.R. 421, the antiriot bill, I was privileged to testify before the Senate Judiciary Committee and I include my remarks in the RECORD for the consideration of my colleagues.

TESTIMONY BY U.S. REPRESENTATIVE WILLIAM C. CRAMER, AUTHOR OF H.R. 421, BEFORE SENATE JUDICIARY COMMITTEE IN SUPPORT OF THE ANTIRIOT BILL

Mr. **CRAMER**. Mr. Chairman, this Congress has the responsibility to take whatever steps are reasonable and necessary to provide a deterrent against further outbreaks of the type of guerrilla urban warfare that this nation has experienced in recent summers. The Congress has the duty to enact laws to deal forcefully and quickly with those who would attempt to challenge our social order or our domestic tranquility by force and with arms. The bill before this committee, H.R. 421, would, in my judgment, be a positive step—and in fact is a necessary step—towards restoring the rule of law in America.

CONGRESSIONAL POWER

Mr. Chairman, I believe H.R. 421, which I authored, and which passed the House by a vote of 347 to 70, is a necessary and proper exercise of Congressional power under the Commerce Clause of the Constitution. Its purpose is to give federal authorities power to investigate and apprehend, as well as prosecute, those professional agitators and the members of their organizations who are using interstate commerce and interstate facilities to promote and carry on guerrilla warfare in many of the cities of America.

I emphasize at the outset that law abiding citizens who wish to exercise their constitutionally protected right of free speech, to peaceably assemble, and to petition the Government for a redress of grievances need have no fear that this legislation will diminish that right.

The bill has been carefully drafted to safeguard the precious first amendment guarantees. The bill specifically provides that the term "to incite a riot, or to organizate, promote, encourage, or carry on a 'riot' shall not mean 'the mere advocacy of ideas or the mere expression of belief.' " The bill requires the government to demonstrate the accused harbored a specific intent to incite a riot.

CONSTITUTIONAL ISSUE

I would like to begin my testimony by discussing the objections, which I believe to be unfounded, that have been raised to the bill.

There have been a number of statements made to the effect that the legislation is unconstitutional. The principal constitutional objection raised centers around the First Amendment, guarantee of free speech.

The specific first amendment objection raised is that the bill punishes speech. This objection erroneously assumes, apparently, that inciting to riot is a form of speech protected by the Constitution. In *Chaplinsky v. New Hampshire,* 315 U.S. 568, 571–72 (1942), the Supreme Court said:

"There are certain well-defined and narrowly limited classes of speech, the prevention and punishment of which have never been thought to raise any constitutional problem. These include . . . insulting or 'fighting' words—*those which by their very utterance inflict injury or tend to incite an immediate breach of the peace.* It has been well observed that such utterances are no essential part of any exposition of ideas, and are of such slight value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interests in order and morality."

These very principles were reiterated in *Beauharnais* v. *Illinois* 343 U.S. 250, 255–57 (1952).

The classic test to determine whether speech is outside the shield of the First Amendment is to ascertain in the language of *Schenck v. United States,* 249 U.S. 47, 52 (1919), "whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent."

The language of H.R. 421 accurately mirrors those principles. Section 2102 (b) defines a riot as follows: "A riot is a public disturbance, involving acts of violence by assemblages of three or more persons which poses *an immediate danger* of damage or injury to property or persons." Damage and injury to property and persons are "substantive evils that Congress has a right to prevent." And one who incites a riot, as the term is defined in the bill, must pose an "immediate danger" that the evil will occur.

Incidentally, "acts of violence by assemblages of three or more persons" is the Common Law definition of a "riot" and is the term used in many state statutes on the subject.

On this issue of the bill's constitutionality, I would like to mention that another Member of Congress made an inquiry to the American Law Division of the Library of Congress in which he requested an opinion of the constitutionality of the Anti-Riot Amendment which I introduced to the 1966 Civil Rights Bill, the bill which later died in this body. The American Law Division concluded that "although the Cramer Amendment may be made more definite (and therefore more invulnerable to challenges) in accordance with suggestions advanced by Mr. Doar, Assistant Attorney General, on October 5, 1966 it appears sufficiently definite in its present posture to successfully withstand a challenge on the First and Fifth Amendments grounds."

The bill presently before this Committee substantially incorporated Mr. Doar's suggestions which were submitted in 1966 to the House Judiciary Subcommittee and which is referred to in this Library of Congress brief. The incorporation of the substances of these suggestions surely makes the bill "more invulnerable to challenges." I am herewith submitting a copy of the Library of Congress report for the record of this Committee, as well as a copy of Mr. Doar's suggested draft.

There have also been suggestions to the effect that the bill usurps state and local law enforcement authority.

The bill specifically provides that Congress has no intention of preempting local riot prevention and control. Rather, the bill is intended to make it clear that rioting will not be condoned in America, to fill the gap that now exists in apprehending parties who incite or participate in riots and then behind the protective shield of state borders as well as to give the FBI authority to investigate the riots.

On the House floor a non-preemption of state statutes amendment was added to further guarantee against improper federal encroachment on state law enforcement functions.

AUTHORITY TO INVESTIGATE BY FEDERAL AUTHORITIES IS PRESENTLY LIMITED

At the present time, the investigatory power of the Federal Bureau of Investigation is limited to determining if any existing federal laws are being violated. Because there is no Federal law outlawing interstate travel or the use of interstate facilities to incite a riot, the Justice Department has consistently maintained that the FBI has no existing authority to investigate the riots that are inflaming many of America's cities.

In President Johnson's announcement of the formation of a Commission to investigate these riots, he said that the Commission will have access to facts gathered by the FBI and that that agency "will continue to exercise its full authority to investigate these riots, in accordance with my standing instructions, and to continue to search for evidence of a conspiracy."

In commenting on this statement, the Washington Star of July 30th observed that "This is a somewhat ambiguous statement. As far as we know there has not been a full scale investigation of the riots, and, since the authority of the FBI is supposed to extend only to violations of Federal law, what did the President mean when he said the agency 'will continue to investigate the riots'?"

I share the Star's perplexity over the President's statement, for, until his television address on this subject in which he announced the formation of the Commission, the Justice Department had repeatedly denied the FBI has any authority to investigate this matter and further that the matter has not been made the subject of an FBI investigation.

In addition, the President's Commission on Law Enforcement and Administration of Justice has also admitted that it didn't make a study of these riots although the *Task Force on Crime and Its Impact* did have one chapter entitled "Riots and Crime." The report stated, however, that: "The Task Force did not attempt to gather data of its own about the riots." The Report also said that: ". . . existing data do not come close to providing a complete description or explanation of the riots . . ."

I emphasize these examples of Federal abstention in answer to those who claim that the outside "agitator" is a "myth" partially because no investigative Federal authority has so found. In fact, it is my contention that there is no solid evidence that riots have ever been the subject of needed Federal investigation.

RIOTS ARE PLANNED AND ORGANIZED

On the other hand, the information which lends credence to the position that riots in many instances are well planned, highly organized undertakings by certain groups or individuals who are using interstate travel and interstate facilities to carry on the business of inciting urban warfare is overwhelming.

One man who should know is the man most often associated with the riots, Stokely Carmichael. His presence has directly preceded riots in numerous cities and he has been blamed by many city officials with inciting people in these cities to riot. It now turns out that Carmichael's heroes are Fidel Castro and Che Guevara. Carmichael and George Washington Ware, one of Carmichael's disciples, who recently reappeared in Nashville, Tennessee, attended a Latin

American Communist Conference held in Cuba recently.

Carmichael's statements reveal that the accusations that he helped instigate riots in many American cities are clearly warranted.

In reviewing the Cleveland riots of last year, with which he was associated, Carmichael said

"I understand the people in Cleveland are now replacing those windows *we* broke with Molotov cocktails with brick walls. *We* are coming back next time with dynamite."

Speaking before a large Negro crowd in Washington on May 16th, Carmichael was quoted as saying

"We are going to shoot the cops who are shooting our black brothers in the back in this country. That's where we're going."

According to a member of the staff of the *U.S. News & World Report* who watched Carmichael speak in Houston,

"Carmichael is extremely capable of inciting his audience to riot. There is no doubt in my mind that he (Carmichael) could have sent several hundreds of his listeners charging out of the auditorium to riot if he wanted to."

Mr. Avon Williams, a civil rights leader and a lawyer in the City of Nashville is quoted as saying

"Stokely Carmichael did not have to be present in this town when this started (referring to the Nashville riots). His bully boys were here and knew what he wanted."

Carmichael was in Nashville only days before the riot there.

Mr. Jack Nelson of the Washington Post and the Los Angeles Times newspapers wrote on June 14, 1967, that:

"It would seem a strange coincidence to say that Carmichael just happened to speak in all but one of the cities in the six southern cities before violence broke out."

I concur in Mr. Nelson's conclusion. It would be the height of naivete to suggest that Carmichael's presence and for that matter the presence of H. Rap Brown in a city preceding a riot is a mere coincidence.

Carmichael is certainly not the only one with whom we should be concerned . . . he is merely a symptom of the cancer which is spreading throughout our cities. On May 16th in Madison, Wisconsin, for example, a man by the name of Forthune Humphrey, Jr., President of the Milwaukee Youth Council for the National Association for the Advancement of Colored People, picked up the Carmichael line. He threatened that unless their demands are met, violence would result.

"We will give you one month to do something about this. We have a little organization outside the Youth Council called the Black Revengers. If something is not done we're taking over Milwaukee. I mean that, man."

Three months after this statement was made, Milwaukee had a 3 day riot which required quelling by the National Guard (Newsweek, August 14, 1967).

One of Carmichael's disciples is H. Rap Brown, present Chairman of the so-called Student Non-Violent Coordinating Committee. Brown's activities have been as seditious as Carmichael's if not more so.

In the Washington Post of July 7, 1967, Brown is quoted as telling a Cambridge, Maryland crowd who he is now charged with inciting to riot that:

"You better get some guns, brother. The only thing the honky respects is a gun. You give me a gun and tell me to shoot my enemy, I might shoot Lady Bird."

Brown has also been quoted as saying:

"We're not rioting—we're rebelling. That's what's going on." (Star, July 25, 1967)

Brown, like Carmichael, is an inveterate traveller who manages to be in cities before or during riots. According to reports he was in Newark a day before the riot broke out there.

While my testimony has thus far been directed to the Carmichaels and the H. Rap Browns, I hasten to add that this bill would apply equally to the Ku Klux Klan and the American Nazi Party. Indeed, the bill applies to anyone who travels in or uses a facility of interstate commerce with the intent of inciting a riot.

In addition to these men who have gained notoriety because of their open leadership in this area, there is a wealth of information which supports the theory that less prominent outsiders are playing a large part in stirring up civil disobedience.

As reported by columnist David Lawrence in the Washington Evening Star of July 27th:

"The theory that the riots in Detroit are local was criticized by Sandra A. West, a UPI reporter who happens to be a Negro living in the neighborhood where violence occurred. She said: 'Many Negroes in the Detroit area now believe the riot was instigated by out-of-town forces. Some said that if the outstaters did not actually start the riots, they kept it going and have now returned to their home towns loaded with riches from Detroit, leaving us with destruction.' A great many of the cars I saw cruising the area during the height of the looting Sunday had Ohio and Illinois plates."

Numerous city officials have also blamed the riots in their respective cities on outside agitators. Mayor Frank A. Sedita of Buffalo, N.Y., as quoted in the July 10, 1967 issue of the *U.S. News & World Report*, said:

"Buffalo's trouble was fomented by outside agitators. People are paying youngsters for every window they break."

Mayor Daly of Chicago was quoted as saying on July 16th, 1966 that:

"Outsiders are responsible for fomenting the unrest that has led to violence and looting on Chicago's West Side."

Atlanta Mayor Ivan Allen, Jr. placed the blame for the riots in that city on the Student Non-Violent Coordinating Committee, and the organization's then Chairman, Stokely Carmichael, who was in Atlanta during the riots.

The Mayor of Plainfield, N.J., Mayor Hetfield, charged the 1967 riot was the work of organized professionals.

"At first I thought it was spontaneous, but this seems too organized. There was some advance planning."

Dr. J. H. Jackson, president of the Baptist Convention, the largest body of organized Negroes in the Nation, was quoted on July 16, 1966 as saying of the Chicago riots:

"I believe our young people are not vicious enough to attack a whole city. Some other forces are using our young people."

Dr. Jackson went on to blame outside interference.

In Cleveland, the safety director, John N. McCormick also blamed outside influences for the riots in that city last year. In a July 21, 1966 article in the Cleveland Plain Dealer, he was quoted as saying:

"We are worried about outside influence from other parts of the country that may be playing a role in this disturbance."

It should be noted that a special Cleveland Grand Jury found that outside influences were responsible for perpetrating the riots in that city last year.

The Grand Jury Report on the Cleveland riots said the following:

"It was established before the jury that the leaders of the W.E.B. DuBois Club and the Communist Youth Party, with interchangeable officers and virtually identical concepts, arrived in Cleveland only a few days before the Hough area disorders. They took up residence at 1844 East 81st Street, only a short distance from the central point of origin of the Hough area troubles.

"These men, who came from Chicago, New York and Brooklyn, were Mike Bayer, otherwise known as Mike Davidow, Daniel Mack, Ronald Lucas and Steve Shreeter. They were seen constantly together. They made swift contact with the JFK (Jomo Freedom Kenyata House, headquarters for the rioters) House leadership, and with Phil Bart of Middlehurst Road, Cleveland Heights, Ohio, and his wife, Connie, who, the evidence showed, are the leaders of the Communist Party throughout the Ohio Valley district, including Cleveland."

The Mayor of Erie, Pa., was reported as attributing the disturbances in that city to "outside agitators" from Detroit, Cleveland, and Buffalo. (Tampa Tribune, July 20, 1967)

In a story by Margaret Josten which appeared in the June 15, 1967 issue of the Cincinnati Inquirer, the following statements appeared.

"Among those who feel 'outsiders' are responsible is a respected Negro leader who is known to have detailed his fears to businessmen Wednesday. Neither he nor the businessmen wish to be identified.

"Another who feels this way is Clinton Evans, president of the Pendleton Street Block Club and a longtime worker for peace as well as better conditions in Negro neighborhoods.

" 'We know this thing has got to have outsiders in it because we have no people who believe in this kind of business,' he said.

"Several others mentioned the 'strange presence' of expensive automobiles at some of the scenes of violence Monday and Tuesday.

"Others said many of the persons gathered at Rockdale Ave. and Reading Rd. Tuesday night were not recognized by the local Negro community. It was understood that a number of them came from Louisville, Hamilton, Dayton and Middletown.

"Mrs. Marjorie Parham, editor and publisher of the Cincinnati Herald, a newspaper headquartered in Avondale, said she had been given the names of some people who have come here from out of town to take part in the violence sweeping the city.

" 'I was told the element came here from Dayton,' she asserted, adding, 'If they did I'm sure they didn't come here for fun.' "

Mr. Milt Campbell, a 1958 Olympic Champion from Plainfield, New Jersey, flew back to his city to walk the streets talking peace. Campbell told newsmen "I believe this thing was agitated from the outside. These people had no organization whatsoever of their own."

Newark Mayor Hugh Addonizio contended that long standing problems of housing, education and jobs were pressed to riot proportions by "a rash of wild and extremists statements." He contended the statements came from outside agitators who were conspicuously absent once the trouble started (Evening Star, July 19, 1967)

The July 31, 1967 edition of *U.S. News & World Report* quoted Howard University officials as saying:

"We have definite information that students were sent here to stir up trouble. We cannot identify all of them but there is information that they were assigned to come here and other campuses. This is organized."

In House debate on the bill before this Committee, our distinguished colleague, Representative Charles W. Sandman, Jr. of New Jersey who was in Newark immediately following the riots stated—

"Many of those who were arrested were armed, many were instructed how to make and use Molotov cocktails, and 100 of those arrested were residents of the State of New York."

I submit, Mr. Chairman, that this is the clearest proof that outside agitators are using interstate commerce to incite or encourage riots and apparently on a planned, premeditated basis. It also indicates that the Browns, Wares, and Carmichaels are symbols of the revolution and rebellion that many others are preaching and practicing.

As an aside, Molotov cocktails seem to be a popular urban warfare weapon and according to the New York Times of July 18, 1967, "A Molotov cocktail factory" was discovered in a vacant building in the Brownsville section of Brooklyn yesterday by two fire marshals cruising the area in search of arsonists.

"Fire Department officials said the fire bombs being manufactured in the vacant building at 238 Amboy Street were "very professional" and capable of exploding on impact "like napalm."

Writing in the Washington Post of August 7, 1967, columnist John Chamberlain brought out that the Grand Jury Report on the Cleveland riots of 1966 found that "instructions were given at the Jomo Freedom Kenyata House in the use of Molotov cocktails and how and when to throw them to obtain maximum effect."

Men who are using interstate facilities to incite riots should be put out of business by making such travel or other use of interstate facilities a federal offense. That is what the bill before this Committee will accomplish.

BILL GIVES FBI INVESTIGATORY POWER

There is, however, another aspect to this legislation. It is the power to investigate these riots it implicity grants to the FBI.

I began my testimony by repeating the Justice Department's statement to me that the investigatory power of the FBI is limited to determining if any existing Federal laws are being violated. I pointed out that in President Johnson's announcement of the formation of a Commission to investigate these riots, he said that the Commission will have access to facts gathered by the FBI and that the FBI "Will continue to exercise its full authority to investigate these riots . . ." I suggest, Mr. Chairman, that because there presently exists no Federal law outlawing interstate travel to incite a riot, the FBI's full authority" to investigate these riots is limited and that the President's assurance that the Commission will have access to the FBI's findings borders on being an empty gesture. This Congress gave the Commission the power to subpoena witnesses. This Congress should complete the job by giving the FBI authority to investigate these riots so that information necessary to fully comply with the President's purpose in establishing the Commission may be furnished to it and to law enforcement authorities by the FBI.

ANTIRIOT BILL A NEEDED WEAPON IN U.S. "SAFE STREETS" ARSENAL

Despite the overwhelming evidence of outside influences in many of these riots, including statements by mayors, journalists who observed the riots, and others, it appears that some continue to adhere to the belief that the riots are parochial, and spontaneous, and that a Federal law making it an offense to travel in or use a facility of interstate commerce to incite a riot would be unnecessary, ineffective and an usurpation of state and local police powers.

Such an attitude ignores the two weapons available only to the Federal government in fighting this insurrection. It assumes, I believe falsely, that individuals who make it their business to travel from state to state for the purpose of stirring up urban warfare will be persuaded to halt their nefarious activities by stepped-up anti-poverty efforts or by effectuating long range, massive Federal-aid efforts, which if done would take time to get results, assuming they would be effective. While it is true that one weapon of the Federal arsenal should be directed towards responsible social programs, the other weapon must be the enactment of strong criminal penalties to get at the professional agitator whose goal is rebellion, insurrection and civil strife, not civil rights or social progress. These people are criminals, are a menace to our society, and must be dealt with as such.

That the measure is necessary has been best evidenced by the testimony before this Committee from police officials to the effect that they are unable to deal with individuals who travel in and out of their cities inciting people to violence.

In this connection, it is interesting to observe that Attorney General Ramsey Clark joined the District Commissioners in asking Congress to enact an anti-riot law in the District of Columbia. I say interesting because there has previously been widespread circulation by some of erroneous information that the District of Columbia already has an anti-riot law which, of course, it does not. Interesting also because the Administration has been opposed to the House-passed anti-riot bill presently before this Committee which, as a result of an amendment to the bill accepted by the House, specifically includes riots or inciting to riot in the District of Columbia.

Mr. Chairman, the states are pleading for Federal assistance in this area and Congress has a duty to respond.

ANTIRIOT BILL WOULD BE EFFECTIVE

To those who suggest the bill would be ineffective in preventing riots, I point out that that objection could be equally argued relating to many criminal statutes. Would anyone suggest that premeditated murder with malice aforethought should not be a crime because the murderer cannot be tried until after he commits the offense? Would anyone suggest he should not be punished because of deprivations he suffered—say as a resident of a ghetto—or because society did not provide him with the habilitation needed to direct his energies into noncriminal channels? I submit that had this legislation been in effect, Carmichael, Brown and others who are traveling from one state to another to incite riots would have been tried and convicted long before Prattsville, Cambridge, Atlanta and Nashville, as examples, became blotches on the complexion of America.

This bill is modeled after the anti-racketeering act of 1962, which I also co-sponsored. That Act makes it a Federal offense to travel in or use facilities of interstate commerce with the intent of aiding organized criminal activities. Under that Act, 199 convictions have been secured by the Justice Department according to information provided to me by the Justice Department and which I make available to this Committee. Neither the difficulty of proving intent nor the difficulty in demonstrating a violation of the proscribed offense has presented an insurmountable obstable to enforcing this law. I believe such would be the case with this anti-riot law as well.

To this I add that the Attorney General has publicly stated that if the bill is passed, he will "vigorously enforce" it.

BILL REMOVES RIOTS FROM ARENA OF LEGITIMATE PROTEST

One more point should be made. In the recent past, even some of our nation's most respected leaders have suggested that violent revolution or "massive disobedience" in violation of the law is acceptable behavior and a legitimate weapon of protest. I would hope that such intemperate statements were made only in the heat of emotion and without careful thought. Nevertheless, the statements were made and well publicized. It is now up to Congress to say "No, Riots and violence are not legitimate forms of lawful protest!" It is up to Congress to take rioting out of the arena of accepted or condoned activity—no matter how noble the cause or the ends to which this rebellion is used as a means. The enactment of this bill will unequivocally express this to the entire nation. It will also provide a much needed deterrent to future Browns and Carmichaels, as well as to the Nazi Party and the Ku Klux Klan.

Congress has a duty to make the streets of America truly safe and the homes of all Americans secure. To accomplish this, legislation must be enacted to put the agitators, the hate mongers, and exploiters of unrest out of business. The bill before this Committee would be of invaluable assistance in accomplishing this goal.

ARE SOME PART OF RIOTS A NATIONWIDE REPORT?

Evidence that these riots are part of a national effort to completely disrupt the tranquility of this country continues to come to light. The statements made by some of those involved strongly suggest this is the case. John Dotson of Newsweek Magazine reported in the August 7 issue of Newsweek that one of the rioters told him:

"Man, it took them three days in Watts to do as much damage as we did here (Detroit) in eight hours. We're as organized as the Viet Cong, baby."

Dotson went on to report:

"Indeed, I saw one group of cops sucked into an ambush as neatly as any Viet Cong guerrilla team could manage."

Further evidence of this are statements made by Carmichael who, speaking from Havana, was quoted as follows:

"In Newark we are applying the tactics of guerrilla warfare. We are preparing groups of urban guerrillas for our defense in the cities. This struggle is not going to be a mere street meeting. It is going to be a struggle to the death."

You will note that Carmichael used the term "we" and "groups" indicating that he has an undetermined number of comrades carrying on these odious offenses against America. You will also notice that he used the term "urban guerrilla."

COMMUNIST CUBA—WHAT PART DOES IT PLAY IN U.S. RIOTS?

Guerrilla warfare is the philosophy of the Guevara, one of Carmichael's Communist heroes. Carmichael was recently in Cuba attending a Latin American Communist meeting in which guerrilla warfare was the principal topic of discussion. An insight into what is taking place in the United States may be gained by examining resolutions adopted at last January's Tri-Continental Conference also held in Cuba.

That Conference, attended by 82 National Communist Party Delegations, including 34 delegates from Red China and 40 from the Soviet Union, resolved, among other things, to create a central headquarters for subversion and infiltration, and for the training of Communist agitators and guerrilla fighters. The Conference logically enough selected Cuba as the headquarters for this program. Another resolution was adopted calling for the creation of a continuing Latin American Solidarity Organization to "combat North American imperialism."

URBAN GUERRILLA WARFARE

In writing on the Warsaw Uprising of 1944, in his book entitled "Guerrilla," Charles W. Thayer pointed out that:

"Unconventional urban warfare operations are by no means impossible . . . as the Polish Army discovered, a great city too can provide hidden paths through alleys and cellars, attics and rooftops, just as inaccessible to strangers as hidden jungle trail. . . ."

"To ignore the possibility of future guerrilla operations in thickly populated areas and to fail to provide adequate training and preparation to—counteract it would seem to be almost as shortsighted as Hitler's dismissal of the guerrilla problem in Russia with the order to 'liquidate them ruthlessly in combat or while trying to escape.' "

I believe that refusing to recognize the problem and passing this or a similar bill would be shortsighted on the part of this Congress. Numerous other books have been written on guerrilla warfare. The subject is not a new one. Writing in the "Annals of the American Academy of Political and Social Science," published in 1962, in an issue entitled "Unconventional Warfare," Dr. J. K. Zawodny of Stanford stated that:

"Undergrounds, obviously, are organized not by frustrated mobs but by leaders, who build a network of communications, initiate interaction, assign responsibilities, and define awards. Recruitment begins within that segment of society which feels most oppressed by the status quo; and in order to secure an influx of the rank and file, operational ideas must be kept broad enough to accommodate highly diversified latent aspirations."

An interesting statistic in this article is that according to Lawrence of Arabia, a great practitioner of guerrilla warfare, 2 percent of the population is sufficient to organize a revolution, as long as the rest of the population remains sympathetic. "Whether this numerical ratio would apply in all cultural settings is questionable," writes Zawodny, "but the validity of the thesis is beyond dispute."

A similar figure has been used to describe the percentage of Negroes actively involved in the riots in America.

I am not suggesting, Mr. Chairman, that urban guerrilla warfare would meet with ultimate success in the United States. On the contrary, because the vast majority of American citizens are opposed to any armed revolution, any attempt to take over this country by guerrilla warfare is doomed to failure. But, unless this government recognizes the very real possibility that subversive elements are active in at least exploiting some of the riots, if not instigating them, and that a pattern has been set and a blueprint being followed, we can expect many more years of violence and bloodshed in the streets of America. We cannot close our eyes to the clear evidence or organization in these riots, nor can we close our eyes to the philosophy of some of the riot leaders such as Carmichael and Brown.

Writing from Detroit, journalist Victor Riesel in an article which appeared in the August 5, 1967 Tampa Tribune, said that:

"The hard core of rioters are a new breed. This kind of warfare doesn't take manpower. It takes tightly knit disciplined cells. They're all over the big cities.

"Certainly few of the citizenry, white or Negro, have heard of tough little bands such as the Black Flag Anarchists, the Black Guard of the Revolutionary Action Movement, the Black United Action Front, the Black Liberation Commission or the Progressive Labor Party.

"They have a network of Maoist, Viet Cong literature. They distribute not only National Liberation Front motion pictures, but films of the Cuban Tri Continental Conference, especially on the Cuban militia and revolutionary struggles.

"There is even a publishing house in New York City which issues Robert Williams' 'Negroes With Guns.' Williams was Castro's favorite 'American Desk' broadcaster and now is lending his cataclysmic culture to Peking's transmitters.

"It doesn't take a national network to set such flying squads rolling towards inflamed cities. The cells roll on their own—by car, by train, even by air. The neo-revolutionists have money, plenty of it.

"If the President and his civil disorders committee seek an answer, they will have to concentrate on the new revolutionists and cage them before the cells coalesce and crush those who want to see the open blue sky as they reach upward—not the terrorists, snipers and clouds of smoke."

The Missile Crisis of 1962 demonstrated to the American people that Cuba could pose a military threat to the United States. Another dangerous threat to our existence is posed by long range subversion and infiltration, and by the training of guerrillas who can easily disrupt and destroy large segments of this country. The tactics used in these riots as well as the statements made by Carmichael in Cuba make it clear that we cannot discount the possibility that the workings of Che Guevara have been embraced by the misguided revolutionary leaders of the racial disorders that we are experiencing in this country.

In this connection, I invite the attention of this Committee to an article which appeared in the August 14th issue of U.S. News and World Report. Entitled: "Is Castro Behind Guerrilla War in U.S. Cities?", the article is a compilation of statements made by highly respected journalists, public officials, and a former communist leader and implies strongly that America may be on the threshold of insurrection. The article discusses the workings of one Robert Williams, among others. Williams is organizer of the Revolutionary Action Movement, a communist organization whose field director, Max Stanford, has been in frequent contact with Stokely Carmichael according to testimony by J. Edgar Hoover before a House Appropriations Subcommittee. Williams went to Cuba after fleeing the United States some years ago in order to evade prosecution on kidnapping charges and has been exhorting U.S. Negroes to violence through radio broadcasts beamed into the United States ever since. The latest information is that Williams is now in Red China.

According to U.S. News and World Report, Williams sent from Cuba to the U.S., for distribution through RAM and other channels, many thousands of leaflets calling upon U.S. Negroes to resort to violence. These leaflets, following Che Guevara's handbook in guerrilla tactics, give detailed instructions for the manufacture of homemade weapons.

According to an article which appeared in the August 24, 1967 Washington Post, Williams is telling U.S. Negroes through a 12-page folder how to clog sewer lines and highways, how to burn public facilities, and how to smash windows without getting caught.

Mr. Chairman, if this seditious information is allowed to flow through the U.S. Mails after it reaches the United States, or is being distributed in interstate commerce through other channels, and has its desired effect upon its recipients, Detroit and Newark will be minor incidents as compared to what could become a full blown war of sabotage and terrorism in America.

The specter of dozens of Detroits igniting simultaneously makes one realize how vulnerable America could be to terrorist tactics. This legislation is essential to attack the problem now, before it gets so far out of hand as to make all laws meaningless and order unattainable. While I feel there is more than ample justification to enact this law today, it is a precautionary measure as well. If all that we hear and read about outside agitators travelling from state to state helping to incite riots is false, this bill will harm no one. If in fact what is being reported is true, this bill is absolutely essential to give federal authorities power to quash this movement in its inception. When one considers that Detroit, with a laudable anti-poverty program and a minimum of unemployment as well as a $1.8 million rat extermination program that has virtually eliminated the incidents of rat bites and rat transmitted diseases—when one considers that that city could fall victim to a riot of such incredible proportions, it is incomprehensible to me how anyone could suggest that the cure to these riots is merely more money.

PERSONAL EXPLANATION

Mr. SCHWENGEL. Mr. Speaker, as everyone knows, we have had a good deal of rain here in Washington during the past week. Last Thursday night an especially hard downpour hit part of Virginia. At about 9 p.m. that evening I began to worry about water in our basement, which has been a problem. I went home to find that it was coming in by the bucketfuls. Mrs. Schwengel and I were barely able to keep it under control.

At the time I left the House Chamber, the situation regarding adjournment was uncertain. I left word with the cloakroom that should the House stay in session and voting occur, I was to be called at once.

Through a mixup in the cloakroom, I was not called and, therefore, missed the three rollcall votes on the foreign aid authorization bill. I would like to state now how I would have voted.

On the Widnall amendment I would have voted "aye."

On the motion to recommit the bill I would have voted "nay."

On final passage I would have voted "aye."

Thank you, Mr. Speaker.

HENRY J. KAISER IS DEAD

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, Henry J. Kaiser is dead. A giant has gone forth from amongst us.

The country has lost one of its most astute and colorful industrialists—a man whose rise to power and wealth exemplified the American tradition of "rags to riches."

Henry J. Kaiser started life at $1.50 a week as cashboy in a dry goods store in Utica, N.Y. The assets of the affiliated Kaiser companies that he founded and directed exceeded $2.7 billion and were in operation in 33 States and more than 40 foreign countries.

The seedling operation of the Kaiser Co. was the Kaiser Sand & Gravel Co.—still the largest producer of aggregates in California and located in Livermore Valley.

Kaiser went on to become one of the biggest contractors in the West. He had the facility for putting together consortia that built some of the outstanding dams, bridges, and other physical features that helped develop the West.

When we got into World War II, Henry J. Kaiser turned to shipbuilding and although stylized shipbuilders of the era were critical of his methods because he broke with the past, that was his wont. He built ships on the west coast faster and cheaper than any other builder. Needing a vast supply of steel in this highly competitive market, he entered the steel business and at the end of the war used the profits from his shipbuilding operations to pay the Reconstruction Finance Corporation dollar for dollar on the loan advanced him to construct Fontana steel plant.

His company produced cement, gypsum, aluminum, magnesim, electronics, and above all, the know-how to put these materials to work or to assist those whom he supplied with them through the organization of Kaiser Engineers, one of the largest and most sophisticated engineering firms in the United States.

With all of his business astuteness, he was a humanitarian. Early in World War II, he established the Henry J. Kaiser Hospital Plan to serve those who needed it and had the foresight to accept it. The plan serves over 1½ million people. It is a nonprofit organization and has led the way in prepaid medical care in this country.

The Kaiser Steel Co. pioneered in a profit-sharing plan for its employees that set new standards in the steel industry.

Some years ago he turned the operations of Kaiser Enterprises over to his son, Edgar F. Kaiser, and retired to Hawaii. Although he was past the age when most men lead active lives, he developed land, built hospitals and hotels, and sponsored a $350 million housing project in the islands.

Henry Kaiser once said:

> Labor relations are no more than human relations. Man wants to be treated like a human being. He is jealous of his dignity and self respect. He resents either being exploited or neglected. He wants to be heard on issues that affect his well being. He wants to earn his way and to enjoy the fruits of labor. He wants some say as to the conditions and terms under which we may live and work.

He was not a miracle man nor was he a mystery man—he was just a man who tried to do a good job for the benefit of humanity. He knew men and once said:

> I've got one employee who in 50 years has never agreed with me on anything. He's invaluable.

The loss of Henry Kaiser will be felt in this country but he built and turned his enterprises over to his efficient son who will carry on the work of a great father—not for the personal aggrandizement but for the benefit of all of us.

Under leave to extend my remarks, I include herewith an editorial that occurred in the Washington Post of August 26, 1967, and a clipping from that paper of August 25, 1967:

Henry J. Kaiser

Henry Kaiser possessed in extraordinary abundance that kind of exuberant vitality and zest for achievement which seems to be a secret of industrial pre-eminence. Robust and hearty in nature and physique, he went to work when he was 13 at $1.50 a week and built out of that beginning an industrial empire reputed to have assets of more than $2.7 billion with aggregate annual sales exceeding $2.1 billion and with 190 plants and facilities scattered in 33 American cities and 40 foreign countries. This is a conspicuous success story in an old and honored American tradition.

There are numerous monuments to Henry Kaiser's creative and ebulient genius—the Hoover Dam, the San Francisco-Oakland Bay Bridge, levees, pipelines, cement, gypsum, steel and aluminum plants, shipbuilding yards, automobile factories. But perhaps the most striking, unusual and significant of his accomplishments was the founding of the world's largest private initiative system of hospitals and prepaid medical care. The nonprofit Kaiser Foundation Health Plan, emphasizing preventive medicine and comprehensive health care, has a membership today of 1.5 million served by 18 hospitals, with 3200 beds, and by more than 40 medical clinics. It is a felicitous irony that so independent a private enterpriser should have showed the way to making socially supported, prepaid medical and hospital care feasible.

American strength and greatness have often been attributed to that curious, elusive quality called "know-how." Henry Kaiser was a contemporary practitioner and exemplar of it. "All my life I've been going against the wind," he said. It seems to have been what made him go.

Industrialist Henry J. Kaiser Is Dead at 85

Henry John Kaiser, 85, who commanded an industrial empire worth more than $2 billion, died of a circulatory ailment yesterday in his Honolulu home.

Mr. Kaiser, who left school at 13 to help support his family by working for $1.50 a week as a cash boy in a dry goods store in Utica, N.Y., eventually oversaw 32 corporations and more than 50 active affiliated companies and subsidiaries.

He perhaps was best known to the public as a miracle-working shipbuilder during World War II, but his businesses also embraced steel, cement, aluminum, construction and hospitals.

A robust man of dynamic energy, Mr. Kaiser bulldozed his way to dazzling success with boundless drive, ambition, imagination and a tremendous capacity for work.

"IGNORANCE" ASSET

No building job was too big for him and a competitor once said of him that his greatest asset was his "ignorance . . . He never knew what he couldn't do."

Mr. Kaiser said of his various businesses, "I started each one of them because I needed it or the country needed it."

Thus, in 1939, having undertaken to supply 24 million bags of cement for a dam and having no cement plant of his own, he founded the Permanente Cement Co.

Born of German immigrant parents on May 9, 1882, at Sprout Brook, N.Y., he was one of four children. His father was a factory mechanic, his mother a practical nurse.

One of Mr. Kaiser's early business ventures was in photographic supplies in Upstate New York and he also worked for hardware and construction companies in the Pacific Northwest.

He established his first construction enterprise in 1914 and, in the next dozen years, handled millions of dollars worth of highway construction in British Columbia, Washington, Idaho and California. In 1921 he moved his company headquarters to Oakland, Calif., which is still the hub of Kaiser activities.

MASS PRODUCTION

From 1927 to 1933 Mr. Kaiser was engaged in mammoth building projects in Cuba, Mississippi and the Southwestern states and in 1931 was chairman of the executive committee that built the Hoover Dam.

He entered the shipbuilding industry in 1940. Using mass-production techniques, his men were able to assemble a prefabricated Liberty ship in less than five days.

In addition to accounting for nearly one-third of the entire American wartime production of merchant shipping, the Kaiser yards also built 50 aircraft carriers of 18,000 tons.

In response to another war need, Mr. Kaiser borrowed money from the Reconstruction Finance Corp. to build a magnesium plant that produced more than 20 million pounds of ultralight metal and more than 80 million pounds of incendiary material. With another RFC loan, he built at Fontana the first complete steel mill in California.

After expansion programs that made him the biggest steel producer west of the Mississippi, Mr. Kaiser bought an aircraft company which, after the war, was renamed Kaiser Metal Products Inc. Under the joint ownership of Kaiser and Sears, Roebuck & Co., it manufactured kitchen and bathroom ware and aircraft and missile components.

Shortly after V–E Day in 1945, Mr. Kaiser met John W. Frazer, formed a corporation and, by January, 1946, was exhibiting the first Kaiser-Frazer automobiles in New York. By the end of 1948 the company was the fourth largest producer of autos in the United States. For various reasons, however, the operation became unprofitable and Kaiser-Frazer stopped making passenger cars in 1953.

Two of Mr. Kaiser's more recent ventures were a $50 million complex of houses, hotels, hospitals and plants in Hawaii and a $350 million resort-residential city on Oahu Island.

Mr. Kaiser, a holder of honorary degrees from seven American colleges, was the founder of a medical care program in the western United States. He established the Kaiser Foundation Health Plan, which has more than a million members for self-sustaining hospitals and medical centers in California, Oregon, Washington and Hawaii.

In a pioneering innovation in human relations, Kaiser Steel and the United States Steelworkers of America developed a plan of sharing savings in production that has paid participating employees $10.9 million in cash bonuses and set aside $8.6 million in a wage and benefit reserve.

"It seems to me," Mr. Kaiser said in a lay sermon in 1949 at the Marble Collegiate Church in New York, "there are four simple, provable and practical secrets of capturing the greatest values out of life.

"They are: (1) Decide what you want most of all out of life; then write down your goals and a plan to reach them. (2) Use the great powers that you can tap through faith in God and the hidden energies of your soul. (3) Love people and serve them. (4) Work."

Mr. Kaiser is survived by his wife, Alyce, a nurse he married after the death of his first wife in 1951; his son, Edgar F., who has long held top executive positions in his father's enterprises; two sisters, Elizabeth Cummings of Los Angeles and Augusta Le Sesne of Daytona Beach, Fla., and nine grandchildren.

HENRY J. KAISER—BUILDER AND BENEFACTOR

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. PELLY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. PELLY. Mr. Speaker, one of the greatest examples of opportunity in America was Henry J. Kaiser. However, his was more than a career of rags to riches; he was not alone a builder, an industrialist with worldwide interests but also a person whose success was dedicated to seeing that others be assured hospital and medical care that as a poor family his mother was unable to receive.

Mr. Speaker, during my first term in Congress I became a member of the House Committee on Interstate and Foreign Commerce. This committee made an intensive study of low-cost medical plans and as such, Mr. Kaiser was a prominent witness. His testimony impressed me greatly and ever since that time, when I first came to know him, I have greatly admired Henry Kaiser.

It was especially of interest to me that Mr. Kaiser first entered the construction and roadbuilding business in the Pacific

Northwest and my own State of Washington. But the sage of his success steadily expanded until he became a world figure.

Mr. Speaker, those of us who are members of the Merchant Marine and Fisheries Committee and presently concerning ourselves with shortage and obsolesence of our maritime fleet need a Henry J. Kaiser to meet the problems of shipbuilding as Mr. Kaiser did in the 1940's when he and his associates operated 58 slipways at seven yards, built 1,490 badly needed ships during World War II, and some 50 aircraft carriers. The Kaiser shipyards averaged one new ship a day and an aircraft carrier a week. This record made Mr. Kaiser world famous.

Another of his feats was his establishing an aluminum business by leasing surplus plants after the war.

But when I think of his huge business empire and achievements of that nature too numerous to mention, I always come back in my mind to his favorite project which was his founding of the world's largest private initiative system of hospitals and prepaid medical care plans. As with his own mother in his youth, there was a need of the workers and their families for health protection and care of the nonprofit Kaiser Foundation Health Plan emphasizing preventative as well as medical care. This to me typifies the real measure of Mr. Kaiser's character and achievement. The membership and facilities include a million and a half members and 18 hospitals and 40 clinics.

Mr. Speaker, the honors and public recognition of Henry J. Kaiser are legion but, as I say, to me Mr. Kaiser's own accomplishments in pioneer voluntary medical care, are the greatest tribute to his life and service. I will always think back to that experience of mine on hearing Mr. Kaiser tell the members of my congressional committee about his health plan and the way in which he was able to see that working people and their families were assured of hospital and medical services.

Mr. Speaker, it was a great privilege to know Mr. Kaiser and it is with real regret I recently learned that his useful life came to an end at the advanced age of 85 years. Feeling the admiration for him that I do, I wanted today to convey my feeling to other Members of Congress and to the American people.

A great builder and creator of a vast business empire has left this world a better place for his sojourn here. Meanwhile, many of us who met him will remember the kindly smile and bright ways of friendship which passed our way.

TOTAL CONTRIBUTION OF OUR 37 ALLIES IN SOUTH VIETNAM

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MICHEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MICHEL. Mr. Speaker, some critics of the administration's Vietnam policy argue that the war is becoming increasingly unpopular among the other nations of the world and for this reason is inimical to our best interests. The State Department in refuting this charge proudly proclaims that 37 nations have come to our assistance since 1964. However, this figure loses a good bit of its gloss upon close examination.

In an August 10 letter signed by Mr. Phillip H. Chadbourn, Jr., Special Assistant for East Asian and Pacific Affairs for the State Department, I was advised that these 37 countries have contributed a grand total of $50,886,000 toward South Vietnam, which by way of comparison is no more than what our contribution is in any given 8-hour period of any single day.

It is interesting to note further the individual contributions of these 37 nations that the State Department continues to make reference to, and I should like to place into the RECORD the comparison of those contributions from December 1965 to August 1967, the figures and the explanation being in the State Department's own words, furnished to me upon request.

Assistance provided to Vietnam by nations other than the United States as of December 15, 1965:

ARGENTINA

The Argentines have sent two observers to Viet-Nam to examine the possibilities for Argentine assistance.

AUSTRALIA

Australia is providing a wide and substantial range of aid to Viet-Nam under the Colombo Plan by direct bilateral assistance. Australia has provided approximately $8 million in technical and economic aid.

1. 1 infantry battalion
2. 100 combat advisors (primarily specialists in jungle warfare)
3. A 73-man airforce unit at Vung Tau with six Australian caribou planes which fly daily logistical transport missions in support of Vietnamese military forces.
4. An 8-man surgical team. This surgical team in addition to performing major operations has established a blood bank and is giving lessons in nursing.
5. A group of civil engineers are in Viet-Nam. These engineers are scheduled to work on water supply and road construction projects in Bien Hoa, and will survey the possibility of other projects such as building two canal bridges in the Port of Saigon.
6. Three experts in dairy and crop practices and radio techniques.
7. Training of 110 Vietnamese in Australia.
8. In goods and materials: 1,000,000 textbooks in Vietnamese for rural schools; 3,300 tons of corrugated roofing for Vietnamese military dependents, housing; 6 large community windmills; 15,750 sets of hand tools; 400 radio sets and 2,400 loudspeakers, 16,000 blankets and 14,000 cases of condensed milk.
9. A 50 kilowatt broadcasting station at Ban Me Thout (construction is well underway).

BELGIUM

Belgium has provided medicines.

BRAZIL

Brazil has provided coffee and medical supplies.

CANADA

Canada is providing

1. Personnel in Viet-Nam: A professor of orthopedics at Saigon University section of Cho Ray Hospital, Saigon.

Assistance provided to Vietnam by nations other than the United States as of July 1, 1967:

ARGENTINA

Argentina has contributed 5,000 tons of wheat.

AUSTRALIA

Australia is providing a wide and substantial range of aid to Viet-Nam under the Colombo Plan and by direct bilateral assistance.

Military aid consists of:

1. Approximately 6,300 combat troops including a brigade and support, a guided missile destroyer, and a squadron of 8 Canberra bombers.
2. 100 combat advisors (primarily specialists in jungle warfare).
3. A 73-man air force unit at Vung Tau with six Australian caribou planes which fly daily logistical transport missions in support of Vietnamese military forces.

Economic and technical assistance has totalled nearly $10 million including:

1. Three surgical teams, totalling 37 personnel, in 3 provincial hospitals. These teams, in addition to performing major operations, have established a blood bank and are giving lessons in nursing.
2. A group of civil engineers working on water supply and road construction projects.
3. Three experts in dairy and crop practices and radio techniques.
4. Training of 130 Vietnamese in Australia.
5. In goods and materials: 1,250,000 textbooks in Vietnamese for rural schools; 3,300 tons of corrugated roofing for Vietnamese military dependents' housing; 6 large community windmills; 15,750 sets of hand tools; 400 radio sets and 2,400 loud-speakers; 16,000 blankets and 14,000 cases of condensed milk.
6. A 55 kilowatt broadcasting station at Ban Me Thout.

The Australian Government decided on February 1 to increase its non-military aid to Viet-Nam during FY 1967 to $2 million. This will permit substantial enlargement of current medical and civic action programs and the undertaking of new projects such as providing equipment for refugee resettlement centers.

BELGIUM

Belgium has provided medicines and an ambulance and has given scholarships for 15 Vietnamese to study in Belgium.

BRAZIL

Brazil has sent a substantial quantity of medical supplies which was carried to Viet-Nam by a Brazilian Air Force plane and has also provided coffee.

CANADA

Almost $6 million of development assistance to Viet-Nam has been provided by Canada.

1. Personnel in Viet-Nam: A Canadian

CANADA—continued

2. Vietnamese in Canada: About 130 on scholarships both academic and technical, most of them for about four to five years of training, many in engineering. About 65 more students will go this year.

3. $150,000 worth of flour. Funds generated by sales are used for capital construction projects in Viet-Nam. Since 1958, Canada has provided $850,000 worth of flour and butter for Viet-Nam.

4. A new science building for the medical faculty at the University of Hue, costing 17,000,000 piastres. Construction has passed the half-way mark, with completion expected this year.

They have agreed to construct an auditorium for the Faculty of Sciences at Hue University, scheduled to begin soon, costing 7,500,000 piastres.

REPUBLIC OF CHINA

The Republic of China has provided
1. An 80-odd-man agricultural team
2. An 18-man military psychological warfare team
3. An 8-man electrical power mission under the leadership of Taipower.
4. A 10-man surgical team.

China is also providing training for more than 200 Vietnamese in Taiwan. In the way of goods and materials, they have provided 26 aluminum prefabricated warehouses, agricultural tools, seeds and fertilizers, 500,000 copies of mathematics textbooks and electrical power substations.

COSTA RICA

No aid reported.

DENMARK

Denmark has provided medical supplies and is willing to train Vietnamese nurses in Denmark.

ECUADOR

Ecuador has sent medical supplies to Viet-Nam.

WEST GERMANY

Personnel in Viet-Nam: Provided 12, agreed 14 more; total: 26.

Provided: Six Germans, a director and five instructors, in the German-taught vocational section at Cao Thang Technical High School in Saigon.

Agreed: In September, to transform the above section into the New Vietnamese-German Technical High School, under construction at Thu Duc near Saigon.

Provided: At Hue University, five experts: Three physicians in the Medical School, a professor of music, a professor of German language.

CANADA—continued

Supervisor has been at Quang Ngai supervising construction of a small TB Clinic which the Canadians are funding. The Canadians have sent two doctors and four nurses to staff the clinic. A professor of orthopedics is working at Cho Ray Hospital, Saigon, and there is a Canadian teacher at the University of Hue.

2. Vietnamese in Canada: 380 Colombo Plan trainees and a total of 463 trainees under all programs, including those sponsored by other agencies and third countries (as well as Colombo Plan), have been trained in Canada. There are currently 231 Vietnamese students in Canada.

3. Since 1958, Canada has provided $850,000 worth of food aid for Viet-Nam. Funds generated by sales are used for capital construction projects in Viet-Nam.

4. A new science building for the medical faculty at the University of Hue is being built costing about $333,000, drawn from counterpart funds generated by sales of food supplied by Canada. Construction has passed the half-way mark.

5. The Canadians have also agreed to construct an auditorium for the Faculty of Sciences at Hue University which will cost about $125,000.

6. Canada has increased its aid to South Viet-Nam allocating $1 million for medical assistance this fiscal year including providing ten 200-bed emergency hospital units. The first two units have arrived and have been installed at Phan Tiet and at Phu Tho near Saigon. A Canadian doctor and technician visited Viet-Nam in the fall to inspect potential sites. Canada has sent 650,000 doses of polio vaccine for Vietnamese school children and offered additional vaccines against polio, TB and smallpox. Consideration is being given to establishment of a children's rehabilitation center in Viet-Nam.

7. Canada is printing half a million copies of a social sciences textbook for Vietnamese grade school children.

REPUBLIC OF CHINA

The Republic of China has provided:
1. An 80-man agricultural team.
2. An 18-man military psychological warfare team.
3. A 34-man electrical power mission under the leadership of Taipower.
4. A 16-man surgical team.

China has also provided training for more than 200 Vietnamese in Taiwan. In the way of goods and materials, they have provided 26 aluminum prefabricated warehouses, agricultural tools, seeds and fertilizers, 500,000 copies of mathematics textbooks and an electrical power substation.

COSTA RICA

Costa Rica is contributing an ambulance for use in Viet-Nam.

DENMARK

Denmark has provided medical supplies and has offered to train 12 Vietnamese nurses in Denmark.

ECUADOR

Ecuador has sent medical supplies to Viet-Nam.

WEST GERMANY

Personnel in Viet-Nam: Seven Germans, a director and six instructors, are teaching at the new Vietnamese-German Technical High School at Thu Duc near Saigon. At Hue University there are five Germans: three physicians in the Medical School, a professor of music, a professor of German language, and one expert in forestry is working at the Department of Rural Affairs, Saigon.

A 3,000-ton hospital ship, the "Helgoland" with 8 doctors, 30 other medical personnel and 145 beds is on duty in Viet-Nam.

Vietnamese in Germany: Forty Vietnam-

WEST GERMANY—continued

Agreed: Addition of about nine more experts for Hue Medical School.

Provided: An expert in forestry at the Department of Rural Affairs, Saigon.

Agreed: Two experts, in planning and in exportation.

Vietnamese in Germany: 40 provided, agreed 30 more, total: 70.

Provided: 40.

Agreed: 20 for 22 months training as future instructors in the technical high school. A considerable number have previously been trained.

Agreed: 10 for technical training for the An Hoa-Nong Son coal and chemical complex south of Danang.

Goods and materials:

Provided: 30 ambulances for Ministry of Health.

Provided: A commodity credit of DM 15 million for import of German products such as machine tools, fertilizer, etc. The piastre funds generated go to the National Office of Agricultural Credit to aid farmers, particularly with loans.

Provided: A credit of DM 50 million for development of the major industrial complex at An Hoa-Nong Son.

Provided: A credit of DM 20 million for construction of an abattoir at Saigon-Cholon, and for construction of three merchant ships.

Provided: A credit of DM 500,000 for construction of the Vietnamese-German Technical High School at Thu Duc.

Provided: A grant with a value of DM 1,000,000 to purchase batteries for receiver-transmitter radios for the Ministry of Information and Psychological Warfare, and of gasoline pumps for the Department of Rural Affairs.

GREECE

Greece has contributed medical supplies.

GUATEMALA

Guatemala has sent 15,000 doses of typhoid-paratyphoid serum for use in Viet-Nam.

HONDURAS

No aid reported.

IRAN

Iran has contributed 1,000 tons of petroleum products to Viet-Nam.

ITALY

Italy. The Italians have provided a 9-man surgical team and are providing science scholarships for the next several years.

JAPAN

Japan has provided over $55 million worth of economic assistance to Viet-Nam, chiefly through reparations. Of the 90 Japanese personnel now in Viet-Nam, over 70 are connected with the construction of a large power dam across the Danhim River. Japan has also provided a 6-man medical team, considerable amounts of medical goods (4,544 cases), 20,000 transistor radios and 25 ambulances, an electrical transmission line and agreed to the construction of a bridge over the Mekong River near Vinh Long.

KOREA

Korea has provided:
1. 1 Combat Division Force
2. A 130-man Mobile Army Surgical Hospital (MASH)
3. 10 military instructors in Korean karate for training Vietnamese military in hand-to-hand combat
4. A 2,200-man Task Force Unit composed of the following elements:
1 Army engineer battalion.
1 Headquarters group.

WEST GERMANY—continued

ese are studying in Germany and the Germans have agreed to accept 30 more primarily for training as future instructors in the technical high school. A considerable number have previously been trained.

Goods and materials: The Germans have provided the following credits:

1) DM 15 million ($3.75 million) for import of German products such as machine tools, fertilizer, etc. The piastre funds generated go to the National Office of Agricultural Credit to aid farmers, particularly with loans;

2) a credit of DM 50 million ($12.5 million) for development of the major industrial complex at An Hoa-Nong Son;

3) a credit for DM 20 million ($5 million) for construction of an abattoir at Saigon-Cholon, and three coastal vessels;

4) a credit of DM 500,000 ($125,000) for equipment at the Vietnamese-German Technical High School at Thu Duc.

In April 1966, the Germans announced a gift of DM 17.5 million ($4.4 million) worth of pharmaceuticals, the first shipments of which have arrived. Also in the medical field, they have provided two mobile dental clinics and 30 ambulances for the Ministry of Health.

In June 1966, the Cabinet voted DM 25 million (US $6.25 million) for new aid to Viet-Nam including: 1) sending 25 experts to establish a refugee center; 2) building a home for wayward youths; 3) expansion of 8 social centers and construction of a ninth; 4) establishment of a training center for social workers, and 5) the gift of 100 buses and a maintenance and repair facility in Saigon. The Germans have also donated 260 tons of rice for refugee programs.

GREECE

Greece has contributed $15,000 worth of medical supplies.

GUATEMALA

Guatemala has sent 15,000 doses of typhoid-paratyphoid serum for use in Viet-Nam.

HONDURAS

Honduras has contributed drugs and dry goods for refugees in Viet-Nam, flown there on a Honduras Air Force plane.

IRAN

Iran has contributed 1,000 tons of petroleum products to Viet-Nam and has dispatched a 20-man medical team to Viet-Nam.

ITALY

The Italians provided a 10-man surgical team and have offered science scholarships to 10 Vietnamese to study in Italy.

JAPAN

Japan has provided over $55 million worth of economic assistance to Viet-Nam, chiefly through reparations. Japan has sent two medical teams, considerable amounts of medical goods (4,544 cases), 20,000 transistor radios and 25 ambulances. It has provided technical personnel and funds for the construction of a large power dam across the Da Nhim River and electrical transmission line and agreed to participate in the construction of a bridge over the Mekong River near Vinh Long.

KOREA

Korea has sent approximately 45,000 troops including:

1. 2 combat divisions.
2. A 130-man Mobile Army Surgical Hospital (MASH).
3. 10 military instructors in Korean karate for training Vietnamese military in hand-to-hand combat.
4. A 2,200-man Task Force Unit composed of the following elements:

1 Army engineer battalion.

KOREA—continued

1 Army Transportation company.

1 Marine Corps Engineer company.

1 Infantry battalion.

1 LST and 2 LSM's.

1 Composite Support unit (communications, medical supplies, etc.).

LAOS

One million *kip* ($4,167) for flood relief as of February, 1965.

LIBERIA

No aid reported in 1965.

LUXEMBOURG

Luxembourg has provided plasma and blood transfusion equipment.

MALAYSIA

Since 1962, Malaysia has trained about 2,000 Vietnamese military officers. Groups of 30–60 are regularly sent for about a month's training in counterinsurgency with Malaysian Police Special Constabularly. Malaysia plans to continue the program in 1965. Malaysia has previously provided substantial amounts of counterinsurgency materials, primarily military and police transport such as armored vehicles.

THE NETHERLANDS

The Netherlands: The Dutch have given antibiotics worth 200,000 piastres (November 1, 1964). They have sent two medical/surgical teams to Viet-Nam. Also one dredge now in Saigon.

NEW ZEALAND

New Zealand decided to send an artillery battery. It also has provided a 25-man army engineer detachment, and a 6-man surgical team and a professor in English language for the University of Saigon. They are presently training 62 Vietnamese in New Zealand and have provided 7,500£ for equipment for a technical high school. They are also assisting by providing approximately $200,000 for a science building at the University of Saigon.

PHILIPPINES

At present, the Philippines has 70 personnel in Viet-Nam. These consist of military and civilian medical teams and a military psychological warfare detachment.

SPAIN

Spain has provided 800 pounds of medicines, medical equipment and blankets.

THAILAND

The Thais have a 17-man military air detachment with 7 C–47 pilots, 1 navigator, and 9 maintenance men on duty flying operational transport missions for the Vietnamese forces. In addition, they have provided cement and zinc roofing materials.

KOREA—continued

1 Headquarters group.

1 Army Transportation company.

1 Marine Corps Engineer company.

1 Infantry battalion.

1 LST and 2 LSMs.

1 Composite Support unit (communications, medical supplies, etc.).

Korean military medical personnel are providing some medical care to the local population in areas where ROK troops are stationed. In addition, 7 civilian medical teams totalling 118 doctors, nurses and support personnel are working in provincial health programs.

LAOS

One million *kip* ($4,167) for flood relief in 1965 and a small cash donation for refugees in 1966.

LIBERIA

A contribution of $50,000 has been made by Liberia for the purchase of hospital equipment and other medical supplies for Viet-Nam.

LUXEMBOURG

Luxembourg has provided plasma and blood transfusion equipment.

MALAYSIA

Since 1963, Malaysia has trained over 2,000 Vietnamese military and police officers. Groups of 30–60 are regularly sent for about a month's training in counterinsurgency with Malaysian Police Special Constabularly. Malaysia has previously provided substantial amounts of counterinsurgency materials, primarily military and police transport such as armored vehicles. Medicines and relief supplies have also been donated.

THE NETHERLANDS

The Dutch have undertaken to build 5 tuberculosis centers in Saigon; sites for 3 have been selected. In August, the Netherlands announced a contribution of $355,000 for a 4-year UN project in social welfare, part of the $1 million they have earmarked for UN projects in Viet-Nam. In 1964, the Dutch gave antibiotics and 4 scholarships for Vietnamese. They previously provided a dredge.

NEW ZEALAND

New Zealand has sent an artillery battery and an infantry company (approximately 360 men) and provided a 25-man army engineer detachment.

In *non-military aid*, New Zealand has sent a 15-man surgical team, and a professor in English language for the University of Saigon. A second 16-man medical team will be sent to Binh Dinh province. They are presently training 83 Vietnamese in New Zealand and have provided 7,500£ ($21,000) for equipment for a technical high school. They are also assisting by providing approximately $600,000 for a science building at the University of Saigon.

PHILIPPINES

The Philippine Government has sent a 2,000-man military engineering unit with security support personnel, a station hospital, and rural health and civic action teams.

In *non-military aid*, approximately 60 Philippine civic action personnel including military and civilian medical teams have been working in Viet-Nam for several years.

SPAIN

Spain has provided 800 pounds of medicines, medical equipment and blankets and has sent a 12-man medical team to Viet-Nam.

THAILAND

The Thai Government announced in January 1967 that it would send a ground force combat unit to Viet-Nam. It is expected that this will total 2,000-2,500 men. A 200-man Thai naval group manning an LST and PGM patron craft arrived in Viet-nam in Decem-

TUNISIA

No aid reported in 1965.

TURKEY

Turkey has provided medicines and also offered to provide a substantial amount of cement.

UNITED KINGDOM

The United Kingdom has provided six civilians for the British Advisory Mission and a Professor of English at Hue University. With eight Vietnamese already in training in the United Kingdom, Britain has agreed to provide for 12 more this year.

In 1963–64 the United Kingdom provided the following goods and materials:

Laboratory equipment for Saigon University; a typesetting machine for the Government Printing Office; a cobalt deep-ray therapy unit for the National Cancer Institute; various equipment for the Faculties of Medicine, Science and Pharmacy at Saigon University, the Meteorological Service and the Agricultural School at Saigon, and Atomic Research Establishment at Dalat and the Faculty of Education at Hue. The United Kingdom also agreed to provide 50,000 British pounds worth of roadbuilding equipment and 6,000 pounds worth of diesel fishing boat engines.

URUGUAY

Uruguay has promised to send foodstuffs and medicines to Viet-Nam.

VENEZUELA

No aid reported.

FRANCE

Since 1956, France has contributed $111 million in assistance to South Viet-Nam.

France has nearly 500 persons serving in South Viet-Nam. Among them are 65 experts under France's program of economic and technical assistance, including 32 physicians, professors and other medical personnel. Under its cultural programs, France sent 417 professors to teach in Vietnamese universities and schools. There are 168 Vietnamese in France, 88 under fellowships for technical training and 80 academic fellowships.

France has provided low-interest credits of 100 million francs (20 million dollars) for financing imports of French equipment for Vietnamese industry, and a grant of 500,000 francs for equipment for L'Ecole Nationale d'Ingenieurs des Arts Industriels.

In 1960 France extended a low-interest credit of 70 million francs to aid construction of the major coal and chemical complex at An Hoa-Nong Son south Da Nang which is now well underway. It also provided a low-interest, five-year credit of 60 million francs for construction of Viet-Nam's largest cement-producing complex with plants at Hatien and Thu Duc. In 1964, France provided a 930,000 franc grant for the installation of a training center for electrical technicians.

THAILAND—continued

ber 1966. A 35-man air force contingent has been flying operational transport missions for the Vietnamese forces. The Thais have also been providing jet training for Vietnamese pilots in Thailand.

In *non-military aid*, the Thais have provided rice for refugees and cement and zinc roofing materials. At the Manila Conference, the Thais offered the Vietnamese a $20 million rice credit. The Thais have also announced they will send a medical unit to Viet-Nam.

TUNISIA

Tunisia has made available 15 to 20 scholarships for Vietnamese.

TURKEY

Turkey has provided medicines and also offered to provide a substantial amount of cement.

UNITED KINGDOM

The United Kingdom has provided six civilians for the British Advisory Mission and a Professor of English at Hue University. Twenty-one Vietnamese are receiving training in the United Kingdom. A pediatric team of four British doctors and six nurses went to Viet-Nam in August, 1966.

In 1963–64, the United Kingdom provided the following goods and materials: Laboratory equipment for Saigon University; a typesetting machine for the Government Printing Office, a cobalt deep-ray therapy unit for the National Cancer Institute; various equipment for the faculties of Medicine, Science and Pharmacy at Saigon University, the Meteorological Service and the Agricultural School at Saigon, and Atomic Research Establishment at Dalat and the Faculty of Education at Hue. In 1965–66, British economic aid totalled £81,000 ($226,800) for road-building equipment, diesel fishing boat engines, and portable anesthetic machines. Total aid in British FY 1967 was £184,000 and it is estimated £238,000 will be expended in FY 1968.

URUGUAY

Uruguay has contributed $21,500 for relief supplies and medicines for Viet-Nam.

VENEZUELA

Venezuela has provided 500 tons of rice for refugee relief, and two civilian doctors are working in Viet-Nam.

FRANCE

Since 1956, France has contributed about $115 million in assistance to South Viet-Nam. Present aid is running at a rate of about $4 million per year, largely in the cultural field.

In 1965 France had nearly 500 persons serving in South Viet-Nam. Among them were 65 experts under France's program of economic and technical assistance, including 32 physicians, professors and other medical personnel. Under its cultural programs, 471 professors (350 French and 121 Vietnamese) were teaching at 9 French-teaching institutions, and 30 French professors are at Vietnamese institutions. France provided in 1965 for Vietnamese to study in France, 55 fellowships for technical training and 85 academic fellowships. These programs are continuing on a somewhat reduced scale.

France has provided low-interest credits of 100 million francs (20 million dollars) for financing imports of French equipment for Vietnamese industry, a grant of 500,000 francs ($100,000) for equipment for L'Ecole Nationale d'Ingenieurs des Arts Industriels.

In 1960 France extended a low-interest credit of 70 million francs ($14 million) to aid construction of the major coal and chemical complex at An Hoa Nong Son south of Da Nang which is underway. It also provides a low-interest, five-year credit of 60 million francs ($12 million) for construction of Viet-Nam's largest cement-producing complex with plans at Hatien and Thu Duc. In 1964,

IRELAND

The Irish people have contributed £1,000 to Viet-Nam through their Red Cross.

ISRAEL

Israel made a gift of pharmaceutical supplies and has offered to train Vietnamese in Israel in various fields.

NORWAY

No aid reported by State Dept. in 1965.

PAKISTAN

Pakistan has contributed financial relief assistance for flood victims and has also donated clothing.

SWITZERLAND

The Swiss have provided microscopes for the University of Saigon.

INDIA

India has provided cloth for flood relief and has under study the creation in Viet-Nam of a factory for the preparation of tea and another for sugar, within the framework of a program of technical assistance and economic cooperation. India is also considering the provision of equipment necessary for a blood transfusion center.

DOMINICAN REPUBLIC

Dominican Republic has offered cement for use in Vietnam.

AUSTRIA

Austria has agreed to supply medical supplies, blankets, tents, through the Austrian Red Cross.

U.N. AID TO VIETNAM

No aid reported by State Department.

FRANCE—continued

France provided a 930,000 francs ($186,000) grant for the installation of a training center for electrical technicians and in 1965 a gift of 1.25 million francs ($250,000) for teaching equipment, primarily in the medical field.

IRELAND

The Irish people have contributed £1,000 ($2,800) for Vietnamese flood victims through their Red Cross.

ISRAEL

Israel made a gift of pharmaceutical supplies for flood victims and will train this year five Vietnamese in irrigation and animal husbandry.

NORWAY

Norway sent a contribution through the International Red Cross for flood victims in February 1965.

PAKISTAN

Pakistan made a financial contribution for assistance to flood victims and donated clothing for them.

SWITZERLAND

The Swiss have provided microscopes for the University of Saigon. The Swiss Red Cross has sent an 11-man medical team through the International Committee of the Red Cross to work in a provincial hospital in the Central Highlands of South Viet-Nam.

INDIA

No aid reported by State Department.

DOMINICAN REPUBLIC

Cement has been offered by the Dominican Republic for use in Viet-Nam.

AUSTRIA

Austria has offered to supply medical supplies, blankets, tents, through the Austrian Red Cross.

U.N. AID TO VIETNAM

The United Nations and its specialized agencies are also making a significant contribution to the social and economic development of Viet-Nam. Under the Expanded Program of Technical Assistance of the UN Development Program, 15 technical assistance projects are scheduled for 1967 and 1968 at a cost of $724,475. These projects range across such varied fields as maternal and child health, labor administration, educational planning, telecommunications, meteorology and civil aviation. Among the participating agencies are ILO, FAO, UNESCO, WHO, ICAO, ITU, WMO, and the Department of Economic and Social Affairs of the UN. In addition UNICEF has substantially expanded its health and child care programs with the 1967 program totaling $562,000, an increase over the 1966 level of $226,000.

Several major projects financed by the Special Fund of the UN Development Program are about to get underway. A National Technical Center (total international contribution approximately $1.5 million), with UNESCO is becoming operational. The Special Fund in January approved a Fisheries Development Project including exploratory and experimental fishing in the waters of the South China Sea, to be executed by FAO at a cost of $1.3 million. Also being negotiated is a Social Welfare Training Center to be executed by the Bureau of Social Affairs of the UN. ECAFE is pressing ahead with regional projects of benefit to the nations of the Mekong Basin and has undertaken surveys of irrigation, hydroelectric facilities and bridge construction projects in Viet-Nam.

LEGISLATION TO REMOVE TRAFFIC HAZARDS FROM OUR HIGHWAYS

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CRAMER. Mr. Speaker, a few weeks ago, the Special Subcommittee on the Federal-Aid Highway Program of the Committee on Public Works concluded the first phase of public hearings on highway safety, design, and operational efficiency. The opening phase was principally concerned with the problem of roadside hazards. The evidence heard by the subcommittee was explicit, far-reaching and disturbing.

The subcommittee learned that even on most modern highways—highways on the Interstate System open to traffic for only a few months—there are road sides which are cluttered with unnecessary obstacles and obstructions which can and do kill motorists when they are struck by a vehicle which leaves the paved portion of the highway. Some of these hazards include: guardrails that constitute hazards themselves because of improper location or installation; guardrails that protect highway structures from damage rather than motorists from death; culverts and bridge piers so located as to kill people who, perhaps momentarily, lose control of their car and leave the paved traveled way; ditches and cut and fill banks so steep and so close to the highway as to make it virtually impossible for a driver to avoid overturning if he leaves the traveled lanes; unnecessary signs—such as "no hitchhiking" signs—which can kill motorists who run into them; and, certain highway beautification "improvements," such as the planting of trees, and the erection of "motorist service signs" inside the highway right of way.

The Bureau of Public Roads and the American Association of State Highway Officials have finally awakened to the problem of these unnecessary hazards and are attempting to find some solution to the problem. The American Association of State Highway Officials has published a report entitled, "Highway Design and Operational Practices Related to Highway Safety," which identifies some of those aspects of highway design and operation which could be improved to increase safety and the quality of traffic service. The Bureau of Public Roads has adopted this American Association of State Highway Officials' report as a policy and is urging all of the State highway departments to follow its recommendations for the improvement of existing highways, as well as for the construction of new highways.

I am confident that on highways to be constructed in the future these unnecessary hazards will be avoided to the greatest possible degree. The problem remains, however, as to how to eliminate these hazards on highways constructed in the past. Removal of these hazards will be an expensive proposition. Mr. Francis C. Turner, Director, Bureau of Public Roads, testified pursuant to my interrogation that preliminary estimates indicated a probable cost in excess of $1 billion. Under the present Federal-aid highway program, the money used to remove hazardous obstructions from existing highways must be taken from funds which otherwise could be used to construct badly needed new highways. What we must have in order to undertake the vitally necessary program of removing unnecessary roadside hazards from existing highways is: first, a source of funds; and second, an incentive to the State highway departments to prosecute this work.

Mr. Speaker, today I am introducing a bill which, in my opinion, will provide at least a partial solution to the problem.

This bill, if enacted into law, would accomplish the following: Federal-aid highway funds would be available to pay 100 percent of the cost of projects for eliminating or minimizing roadside hazards on highways open to public use prior to January 1, 1968. Not more than 10 percent of the total Federal-aid highway funds apportioned to each State for any fiscal year could be used for such 100-percent-financed highway projects, but Federal funds could not participate in the cost of acquiring rights of way for such projects. It is my feeling that these funds should not participate in the costs of right of way because I think the funds should be utilized for actual corrective action on existing highways, rather than for major highway improvements which should be financed at the regular Federal-State matching ratio.

This bill is patterned after section 130 of title 23, United States Code, originally enacted in 1944, which provides for 100 percent Federal-financing of projects for the elimination of hazards for railway-highway crossings.

Mr. Speaker, enactment of this bill would solve one additional problem which I believe is very serious. The Bureau of Public Roads has ruled that funds authorized for the Interstate System may be used to pay the cost of eliminating or minimizing roadside hazards on highways completed in the past and now open to traffic. While I agree that funds should be made available for this purpose, I believe a serious legal problem exists as to whether the Bureau's ruling was correct under the existing law.

In January of 1961, the Comptroller General ruled that—

> An Interstate highway once improved to Interstate System standards with the aid of Federal Interstate funds is not eligible for reconstruction with Federal Interstate funds.

It is true that this opinion was in response to a question regarding the use of Interstate funds for the reconstruction of a section of an Interstate highway which had been completed and was subsequently destroyed by a flood. Nevertheless, the principle seems equally applicable to the reconstruction or improvement of Interstate highways to eliminate hazards built into them under design standards then in effect.

As was pointed out in the opinion of the Comptroller General, the Federal-aid Highway Act of 1956 introduced a new concept into the Federal-aid highway program—that of providing for a completed highway system. The Comptroller General stated:

> Therefore, the use of Interstate funds to rebuild a portion of Interstate highway in which Federal funds had previously participated would not accord with the basis upon which Interstate funds were provided.

Mr. Speaker, my bill would make it clear that Federal-aid highway funds—Interstate funds as well as regular Federal-aid funds—can be lawfully used to undertake projects for the elimination or minimizing of roadside hazards on highways completed in the past. I think my colleagues will agree with me that undertaking such projects is urgently and vitally important. I urge my colleagues to support my bill and to support my efforts to have early hearings and early enactment of the bill.

I insert the text of my bill to be printed at the close of my remarks:

H.R. 12633

A bill to amend title 23, United States Code, to provide for eliminating or minimizing roadside hazards

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 1 of title 23, United States Code is amended by adding at the end thereof the following new section:

"Sec. 135. Roadside Hazards.—Except as provided in subsection (h) of section 120 of this title, sums apportioned under section 104 of this title may be used to pay the entire cost of projects for eliminating or minimizing roadside hazards caused by highway appurtenances, design features, or other objects within the right of way of Federal-aid highways which were opened to public use prior to January 1, 1968."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"135. Roadside hazards."

Sec. 2. Section 120 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(h) The Federal share payable on account of any project for eliminating or minimizing roadside hazards authorized by section 135 of this title may amount to 100 per centum of the cost thereof, except that (1) Federal funds shall not participate in the cost of acquiring rights-of-way for such project, and (2) not more than 10 per centum of all the sums apportioned for all the Federal-aid systems for any fiscal year in accordance with section 104 of this title shall be used under this subsection."

GOP WARNINGS OF INFLATION GO UNHEEDED

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Cramer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CRAMER. Mr. Speaker, on August 30, 1965, the Republican coordinating committee of which I am a member, in its report entitled "The Balance of Payments, the Gold Drain and Your Dollar," warned on page 21:

> The Administration's easy money policies have expanded credit twice as fast as the rise in real production . . . sooner or later credit inflation brings price inflation . . . Further credit inflation could involve the heavy risk of a boom and bust pattern . . . .

The accuracy of this forecast of a rapidly rising cost of living due to administration policies is now apparent to all.

In April 1966 the Republican coordinating committee reiterated this warning.

In October 1966 it again reiterated the warning.

The committee made an extensive report on the matter in April 1967 and issued a further statement on July 24, 1967.

These predictions are borne out by an article in the New York Times of August 26, 1967. The July 24 statement of the coordinating committee is made a part of the Record for the information of my colleagues:

THE JOHNSON-HUMPHREY ADMINISTRATION AND YOU: HIGHER PRICES, MORE TAXES, GREATER DEFICITS

Spokesmen for the Democratic Administration have confirmed our prediction of April 3rd that the Federal Government's deficit for fiscal 1968 could run "from $25 billion to $30 billion or more." We repeat that "present fiscal policies are creating a time-bomb that can lead to serious economic trouble for the nation."

The central cause of the troubles is the massive annual increases in Federal Government spending. Although we are today engaged in the third largest war in the nation's history, thus increasing a defense expenditures by 68 percent since 1960, nondefense spending is up by 97 percent over the same period, and is, therefore, a major reason for the ballooning of the Federal budget. Non-defense spending has risen more than defense spending, and constitutes a larger proportion of the whole.

This spending has not achieved the results intended in terms of reducing poverty and unemployment and in fact has, through high costs of living, contributed further to the hardship of many of our citizens. Comparison of the Democratic record since 1961 with the Republican record of 1953–1960 shows that the number of families living in poverty has been decreasing at the same rate, average annual unemployment is higher and the average annual increase in the Consumer Price Index is greater.*

In so doing, they have been creating and stockpiling economic problems, the consequences of which are just beginning to be apparent.

As a by-product of the massive spending increases, the Government has run a budget deficit every year since 1961.

By July 1st, 1968, these deficits will have totalled over $60 billion. Actual developments have already shown the projected deficits have been underestimated; worse is to be expected. They have required the ceiling on the National Debt to be raised 14 times in this period and increased the interest costs of the Government from $9.2 billion to $14.2 billion, an increase of 50 percent over the period, and an increase of 20 percent in just the last three years. Interest on the debt is the second largest category of Government expense, after Defense, and accounts for ten cents out of every dollar of government expenditures.

The deficit of $1.8 billion originally projected for 1967 now is some $10 billion, the second largest since World War II.

The 1968 deficit, originally estimated at $8.1 billion, it now appears will definitely be over $20 billion. Treasury Secretary Fowler had admitted it may go as high as $24 billion; House Ways and Means Committee Chairman Wilbur Mills estimates it could exceed $29 billion. In its latest request for lifting of the debt ceiling, the Administration asked for a $29 billion increase, thereby revealing its considered judgment as to how much leeway is needed.

And these deficits do matter. To go into debt means to borrow. When the government borrows by selling debt paper to the Federal Reserve and commercial banks it adds to the money supply, inflating it and causing pressure to increase prices. When it borrows in the private financial markets, it competes with business for investment funds, decreasing the amount of risk capital available for economic growth and job creation. At the same time this competition for funds drives up interest rates.

Also, savings eroded at the rapid rate of between 3% and 4% last year.

As a result, under the Johnson Administration, the American people can look forward with dismay and apprehension to:

Renewed inflationary pressures

Higher interest rates and tight money

A record budget deficit

A tax increase substantial enough to reduce people's ability to pay higher prices, but not effective in preventing a monumental deficit, or in stemming inflation

A gold crisis requiring further reduction, if not complete withdrawal, of the gold backing of our currency

A period of profitless prosperity risking a recession severe in proportion to the extent of the impending inflation

Further deterioration of our position of world leadership as the economic base on which our diplomatic and military strength depend is increasingly eroded

The alarming prospects may not be obvious to the citizen who is hard put trying to make ends meet. But it is the role of political leadership to exercise vision in the conduct of public affairs and to shape policy to avoid the pitfalls ahead rather than offer glib explanations for failure afterward.

The course clearly called for, and repeatedly urged by the Republican Party, is one of restraining the growth of government spending to a sustainable level. This is the course of prudent progress. The record shows it produces better results at less risk for the individual and the nation.

THE REPUBLICAN REMEDIES

Our Task Force on Federal Fiscal and Monetary Policies has clearly set forth the Republican Recommendations for a safe and sane set of economic policies designed to achieve all the valid goals of economic policy at a sustainable rate with minimum risk. They are available in these publications:

The Balance of Payments, The Gold Drain and Your Dollar, August 1965. *The Rising Costs of Living,* April 1966. *A Call for New Fiscal Policies,* April 1967.

What the recommendations add up to is that America must live within its means. It must hold government spending in check. Even the richest nation cannot reach all its goals all at once without courting economic, social and political disaster.

We, therefore, call on the administration to submit a new budget for 1968 which reflects a new policy of postponing and restraining the growth of nondefense expenditures, in preference to raising taxes or allowing the hidden tax of inflation to finance its expenditures.

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*See Appendix 3.

We believe moderation and restraint are a small price to pay to avoid such an awful risk.

APPENDIX 1.—FACTS ON GOVERNMENT SPENDING

GOVERNMENT SPENDING INCREASES

The following table is from our April Report "A Call for New Fiscal Policies." A fourth column estimating 1968 expenditures based on current estimates has been added.

EXPENDITURES OF THE FEDERAL GOVERNMENT FOR 1960, 1965, AND 1968 SHOWING PERCENTAGE INCREASES

[Dollar amounts in billions]

	1960, actual	1965, actual	1968, budget	1968, current estimates
Administrative budget	$76.5	$96.5	$135.0	$142.0
Increase over 1960		$20.0	$58.5	$65.6
Percent increase over 1960		26.1	76.5	85.6
Increase over 1965			$38.5	$45.5
Percent increase over 1965			39.9	47.2
Cash budget	$94.3	$122.4	$172.4	$179.4
Increase over 1960		$28.1	$78.1	$85.1
Percent increase over 1960		28.9	82.8	90.2
Increase over 1965			$50.0	$57.0
Percent increase over 1965			40.8	46.6

Source: Calculated from figures in the "Budget of the United States Government." Current 1968 estimates from National Industrial Conference Board figures.

It should be noted that the average annual increases in government spending since 1965 have been more than three times the average annual increase of the preceding ten years.

APPENDIX 2.—DEDENSE VERSUS NONDEFENSE SPENDING

The following table shows clearly that non-defense spending has risen more than defense spending, and constitutes a larger proportion of the whole:

DEFENSE VERSUS NONDEFENSE SPENDING AS PROPORTIONS OF TOTAL FEDERAL GOVERNMENT SPENDING, 1960–68

[Dollars in billions]

Fiscal year	Defense [1]	Nondefense [2]	Total [3]	Percent, defense	Percent, nondefense
1960	$45.7	$48.6	$94.3	48.5	51.5
1961	47.5	52.0	99.5	47.7	52.3
1962	51.4	56.3	107.7	47.7	52.3
1963	53.4	60.4	113.8	46.9	53.1
1964	54.5	65.8	120.3	45.3	54.7
1965	53.4	69.0	122.4	43.6	56.4
1966	58.5	79.3	137.8	42.5	57.5
1967 (estimate)	71.3	89.6	160.9	44.3	55.7
1968 (estimate)	76.8	95.6	172.4	44.5	55.5

[1] Percent increase, 1960–68, 68; 1965–68, 44.
[2] Percent increase, 1960–68, 97; 1965–68, 39.
[3] Percent increase, 1960–68, 83; 1965–68, 41.

Source: The Budget of the United States Government.

APPENDIX 3.—DECLINING PROPORTION OF FAMILIES LIVING ON $3,000 PER YEAR OR LESS

1953–60: Average annual reduction: .75 percentage points.

1961–1965 *: Average annual reduction: .76 percentage points.

Annual increase in living costs as measured by the Consumer Price Index (1957–59—100):

1953–1960: Average annual increase: 1.4%.

1961–1966: Average annual increase: 1.9%.

Average annual unemployment as a percent of the work force:

1953–1960: 4.9%.

1961–1966: 5.3%.

Source: Economic Report of The President, 1967.

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* Latest figures available.

[From the New York Times, Aug. 26, 1967]

INFLATION TREND FEARED AS PRICES RISE IN TWO SECTORS—WHOLESALE INDUSTRIAL INDEX CLIMBS AFTER A RECORD 5 MONTHS OF STABILITY—CONSUMER COSTS SPURT—ECONOMIC TREND EXPECTED TO STRENGTHEN JOHNSON'S CASE FOR TAX INCREASE

(By Edwin L. Dale, Jr.)

WASHINGTON, August 25.—Consumer prices rose substantially in July, a normal experience for the month, the Labor Department reported today.

More worrisome to Government economists was a companion report that industrial wholesale prices rose in August after a record-breaking five months of stability. This indicator is probably the most closely watched as a signal of inflation.

Both increases will help the Administration's case for an anti-inflation tax increase, now pending before Congress.

The consumer price increase for the month was four-tenths of 1 per cent. While this was the largest for a month this year, it was in line with the average experience for July during the last 20 years.

For various seasonal reasons, the Consumer Price Index always goes up in July, according to Arnold Chase, Assistant Commissioner of Labor Statistics.

The Consumer Price Index for July was 116.5, with average prices in the 1957–59 period taken as a base of 100. The June index was 116.0. Thus the index rose five-tenths of a point or four-tenths of 1 per cent in July.

The pace of price increases so far this year indicates a rise from the beginning to the end of the year of about 2.5 per cent or possibly slightly more, Mr. Chase said.

This is less than 3.3 per cent of last year, but is well above the gentle rise in prices that prevailed from 1958 through 1965.

FOOD PRICES CLIMB

Higher food prices accounted for about half the July increase, today's report said. In the food area the chief culprit was fresh fruits and vegetables, whose prices have been affected this year by short supplies because of bad weather in some parts of the country.

There were sizable July increases in apples, oranges, grapefruit, tomatoes, potatoes and lettuce.

Medical care costs rose sharply again, with hospital services up 20 per cent from a year ago. Other increases were recorded for used cars, cigarettes, some appliances, property taxes and transit fares in several cities. Mortgage interest rates rose slightly after drifting downward since the beginning of the year.

The rise in industrial wholesale prices in August, based on preliminary evidence, was three-tenths of 1 per cent to 106.3 on the index. This was still only 1 per cent above a year ago, however.

The farm and food part of the wholesale prices index declined sharply in August, however, resulting in an over-all decline to 106.1 from 106.5 in July.

The wholesale index had drifted up from 105.8 in May to 106.5 in July before the August decline. The dip in the farm and food sector may herald a drop in some retail food prices later this year, Mr. Case said, particularly fruits and vegetables.

Industrial prices that rose in August included machinery and equipment, refined petroleum and building materials.

The rise in the Consumer Price Index for July brought wage increases ranging up to 3 cents an hour to 335,000 workers whose wages are tied to the index. The main beneficiaries were in the automobile and aerospace industries.

The rise in prices, together with some increase in Social Security taxes, has meant that "real" take-home pay of the average worker has not risen over the last year and remains below its peak of October, 1965.

However, this average picture is made up of a sizable decline in "real" earnings of factory workers and a continued rise for other workers. Factory workers' weekly pay has been reduced this year by a sharp cut in overtime.

CONSUMER PRICE INDEX

UNITED STATES

[Bureau of Labor Statistics (1957–59=100)]

	Index for July 1967	Percentage change from—		Point change from June 1967
		June 1967	July 1966	
All items	116.5	+0.4	+2.8	+0.5
Food [1]	116.0	+.8	+1.5	+.9
Housing [2]	114.5	+.4	+2.9	+.4
Apparel and upkeep [3]	113.7	−.2	+4.1	−.2
Transportation	116.2	+.4	+2.4	+.5
Health and recreation	123.9	+.4	+7.2	+.6
Medical care	136.9	+.4	+7.2	+.6
Personal care	115.5	+.2	+2.7	+.2
Reading, recreation	119.8	+.1	+2.2	+.1
Other goods and services	117.8	+.8	+2.2	+.9
NEW YORK AREA				
All items	119.1	+0.3	+2.4	+0.4
Food [1]	116.5	+.9	+1.2	+1.0
Housing [2]	117.6	−.3	+1.8	−.4
Apparel and upkeep [3]	117.9	−.1	+5.7	−.1
Transportation	117.2	+.5	+2.2	+.6
Health and recreation	128.5	+.5	+3.0	+.6
Medical care	138.8	+.4	+6.0	+.6
Personal care	112.0	−.4	+.9	−.5
Reading, recreation	128.8	+.3	+1.5	+.4
Other goods and services	126.4	+1.2	+2.4	+1.5

[1] Includes restaurant meals.
[2] Includes hotel and motel rates, home purchase and other homeowner costs not shown separately.
[3] Includes infants' wear, sewing materials, jewelry and apparel upkeep not shown separately.

NEW YORK PRICES UP 0.3 PERCENT

Prices for food, new and used cars and health and recreation rose in the New York area from June to July and were the chief factors in a 0.3 per cent increase in consumer prices here.

The regional office of the United States Department of Labor reported yesterday that prices in the metropolitan area were 2.4 per cent higher last month than in July, 1966. During the first seven months, consumer prices rose 1.3 per cent, compared with 2.5 per cent in the corresponding 1966 period.

The average housewife paid 4.6 per cent more in July than in June for fruits and vegetables and 0.4 per cent more for meats, poultry and fish.

Over the last 10 years, consumer prices in the New York area have risen nine times between June and July and declined one.

FOREIGN ASSISTANCE PROGRAM

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. WINN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WINN. Mr. Speaker, the greatest humanitarian venture ever attempted by any nation on earth is now 20 years old. This Nation's foreign assistance program has probably helped more people than any other governmental action in the history of any nation.

My vote against the Foreign Assistance Act of 1967 was not against the concept of this program, but against its current administration and the ill-conceived manner in which recipients of foreign aid are selected.

Time and again Republicans have supported positive foreign aid programs which rendered assistance to less developed nations and nations facing crises. The relief program to Europe after World War I was led by Herbert Hoover. The point IV and Marshall plan were approved by the Republican, 80th Congress. The food-for-peace program was merely a new name tacked on to the Republican Public Law 480. The fact of the matter is that Republicans are very interested in foreign aid, but they want to see that the programs serve the purposes for which they were intended.

The foreign aid program, which began as an experiment, today involves a major expenditure of funds. In fiscal year 1966, foreign assistance expenditures totaled $3.4 billion. This amounts to about 3.1 percent of the total Federal budget. If you include our agricultural surpluses distributed abroad, loans by the Export-Import Bank, and the U.S. portion of funds loaned to various multilateral agencies, the figure becomes much higher—closer to $9 billion.

We are at one of the great, but subtle, turning points of history. Old conditions are changing—new and strange conditions are developing. These changing world realities require major changes in our foreign policy. These changes must also be reflected in our foreign aid programs.

Disenchantment with foreign aid has come about, not initially because of disagreement with its purposes, but because of mounting evidence of waste, misuse, and failure to recognize the realities of international politics. The point is that the foreign aid program was, and is, a great experiment. Based on past failures of the program, it must be improved. Those failures should not be expanded by pouring more of our taxpayers dollars into programs while hoping those dollars will serve as a cure.

It must be recognized that the concepts of economic development are entirely different than the economics of reconstruction. Adjustments have to be made, within foreign aid agencies, to account for these differences. The expectation of vast societal improvement, without the knowledge that generations will be needed for that change to occur, can be explosive to the fragile social structure of developing nations.

Congress, too, must share part of the blame. Each year, when the Foreign Assistance Act comes before Congress, it is studied in toto by the Foreign Affairs Committee and then come to the House floor for a vote. It does not have the careful, area by area or project by project, study devoted to public works bills, for example. It would not be unfeasible for the House to undertake extensive studies of each foreign aid proposal. Such a large segment of our budget deserves much more than cursory observation.

I think that if we look at the nations in the Middle East that have received aid from the United States, we might well have an argument for regional studies of aid authorization. In the last 20 years, we have supplied $3,972 million to eight Arab Nations. Then the Middle East crisis came along, and, suddenly, we did not have relations with a good number of these Arab Nations. You wonder if that four billion served any positive purpose.

What should be the thrust of American foreign aid programs?

Aid from the United States should be something more than just a gift or handout. The "no strings attached" sort of aid carries with it the remnants of a master-slave relationship. Psychologically, this sort of relationship blocks the ability of a nation to make any great social or technical gains. With this, the United States should extend help on a gratis basis only in rare cases.

In other instances, emphasis should be given to those nations which have established self-help programs. This sort of self-help could include anything from a national community development program to a family planning service.

We should rely more on private enterprise to encourage development abroad. The Watson report, several years ago, proposed a greater use of private enterprise in our foreign assistance program. Several specific proposals were made. Few were carried out. We must encourage our industry to impart their skills and techniques abroad in such a manner that it will stimulate indigenous investment capable of competing in the world market. Puerto Rico's progress under Operation Bootstrap is an outstanding example of what can be accomplished when a liberal, private investment climate is created in a developing area.

Finally, we should greatly expand our programs of technical assistance. When aid to underdeveloped nations was first proposed, experts stressed the need for technical aid, as opposed to large scale capital investments. Then, as now, the absorptive capacity of developing countries was definitely limited by a lack of administrative and technical skills.

I would like to present one further reason for voting against the foreign aid authorization. As all of my colleagues know, the Nation is facing the possibility of almost a $30 billion deficit. The war in Vietnam continues. We are spending about $2 billion a month on it. Unfortunately, there is no evidence or any prospect of its diminishing in scope in the foreseeable future. At a time when the economy is being placed under such a strain, it is necessary that we exercise restraint in the allocation of public funds.

I want to quote from a letter from my distinguished colleague, the Honorable OTTO E. PASSMAN, chairman of the Foreign Operations Subcommittee of the Appropriations Committee:

> New funds requested for foreign aid, all categories, first seven months of 1967: nine billion, 206 million, one hundred fifty-four thousand dollars. This does not include one billion, four hundred million dollars previously carried in mutual security now in the Defense Department appropriation. Neither does it include a request for four billion dollars to pay the interest on what we have already borrowed to give away.
>
> Unliquidated funds on hand on June 30, 1967, from prior years' authorizations: sixteen billion, three hundred ninety-six million, seven hundred eighty-one thousand dollars. If the Congress approves all new funds requested by the President this year, there will be, on hand to be spent or obligated during the current fiscal year, the staggering total of twenty-five billion, six hundred two million, nine hundred thirty-five thousand dollars.

Certainly we cannot afford the waste indicated by these figures while we face this grave financial crisis. When the administration moves to end the waste in this program and make it more cost-effective, I will be the first to reevaluate my position in terms of the improved program.

MISCALCULATION, UNDERESTIMATION, IRRESPONSIBILITY: THE PRELUDE TO THE TAX INCREASE PROPOSAL

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LANGEN. Mr. Speaker, how would the average American family feel to open the mail some morning and find a bill for $500 that they did not even know they owed? That is exactly what these families are getting this year as their share of the anticipated $29 billion deficit. And they will have to pay $138 of it in cash if the President's tax proposal is passed.

The trouble with the President's proposal is that he wants the tax increase now, apparently to at least temporarily bail himself out of his sinking fiscal ship. But it should be obvious that it will not come even close to that objective. The administration is ignoring the only true solution to the problem. We ought to decide first where we can make spending cuts, and by what amounts. Then we can take a look at what additional revenues we might need. Only then can an increase in taxes be considered intelligently.

We must recognize just how we arrived at the point where a $29 billion deficit can be anticipated. We need to know why such a deficit now threatens the economy, and why the money market has become critically strained, threatening another round of higher interest rates and tight money with which to operate the private sector of the economy.

We have only to look at the performance of the administration in the sixties to see what has happened and why. Our Government has experienced year after year unconscionably high deficits, which automatically dip into the available money supply as the Government borrows more and more in order to pay its bills. These continuing deficits have increased the amount of interest the Government has had to pay on the national debt. The resulting tightening of the money supply has raised interest rates, that in turn have cost both the Government and the private money borrowers more in interest payments. It has been a vicious and unending cycle.

A succession of yearly deficits have turned out far greater than predicted, which also influences the money market and interest rates. This last year alone saw the anticipated deficit grow from $1.8 billion to almost $10 billion, and it would have been even larger except for a number of bookkeeping gimmicks that covered up part of the debt. In January of this year, the President's budget message anticipated a deficit for fiscal 1968 of $8.1 billion. In a few short months, the estimate grew to $29 billion.

When you study the succession of deficits since fiscal 1960, and the interest payments this Nation has made on the national debt, it becomes obvious that the Government has become the victim of its own folly.

For instance, the Budget Director was recently questioned by members of the Ways and Means Committee about the contributing factors that led to increased domestic spending. The Budget Director used two isolated fiscal years for comparison, 1965 and the projected budget for 1968, which began July 1. He mentioned that we will spend $1.6 billion more for the antipoverty program than we did in fiscal 1965. He noted that public assistance will cost $1.4 billion more this year than in 1965, and $1.4 billion more for secondary and elementary education, just to name a few. But the one item that represented the largest increase of all in the domestic budget was the amount we pay in interest on the national debt. He said we will pay $2.7 billion more for interest this year than we paid in fiscal 1965. That interest payment has now risen to over $14 billion a year, compared to $9 billion as recently as fiscal 1961. If you total the extra interest we have paid each year since 1961, the added burden on the budget comes to $17.5 billion. But we are faced with a $29 billion deficit instead, thanks to the spending policies of past years that resulted in the amassing of $40.3 billion in deficits in the sixties. This is the price we pay for failing to balance our budgets. It is this constantly increasing Government borrowing that has caused interest rates to increase. The tax increase requested by the administration would still leave a deficit this year of over $20 billion, which would still be the highest since World War II.

The Government is caught in its own web. It continues to borrow huge sums of money. The drain on the available money market causes interest rates to rise, and the Government ends up paying ever-increasing interest on its debts.

Mr. Speaker, faulty planning and a series of massive miscalculations have put us at today's crossroads. All of us are familiar with the supplemental appropriations bills we receive each January, when we arrive back in Washington from our home districts. These are billion-dollar supplementals, to finance the miscalculated budgets of the year before and keep the Government operating. The costs of the war in Vietnam have been consistently underestimated. The costs of the administration's new programs have grown like Topsy under the questionable theory that throwing money at a problem will automatically eliminate it.

This has been the story of the sixties—miscalculation, underestimation, and complete fiscal irresponsiblity. It seems strange to now hear the President talk about "fiscal responsibility." His current proposals would merely perpetuate the mistakes of the past.

The President's message ignored his past performance, and instead was filled with glowing promises of fiscal restraint at the Executive level. But nowhere were there any concrete recommendations for reducing his budget or of even supplying the Congress with any priorities. He says that as the Congress "completes each appropriations bill for fiscal 1968 expenditures, we will examine at once very, very carefully, the results of those actions and determine where, how, and by how much expenditures under these appropriations can be reduced." What the President forgets is that it is his budget that is being considered and that it is his political majority that is approving his requests. How much better it would be if the President gave Congress his priorities before the appropriations are made, as we suggested earlier this year, and in a number of years prior to this one. He could take his budget, item by item, and establish priorities. Or, he could join those of us who have attempted to slice a minimum of 5 percent from every departmental appropriation bill without impairing the operation of the Departments or the programs they administer. But he does not, has not in the past, and apparently never will. How much better if he had used fiscal restraint since taking office. The present problem would never have materialized.

Instead, he covers up past miscalculations and uses his professed economy statements as a political football. We have had enough promises. What the Federal budget needs now is a careful going over—small and large items alike—to see what can be delayed until our growing war commitments are no longer necessary.

Unfortunately, unless Congress stems the tide, the gigantic spending of the Great Society will continue unchecked, and uncontrolled. This becomes readily apparent from the President's tax message. All in one paragraph he did the complete about-face of contradiction by saying:

> All actions we take to reduce Federal spending must, and will be carefully and compassionately weighed. For we cannot turn our backs on the great programs that have been begun, with such promise, in the past 3½ years.

Other sections of the presidential message also make puzzling reading. For instance, he says:

> Failure to act promptly on these tax proposals and to restrain unnecessary spending could have the most serious consequences: The Nation could face a return of strong inflationary pressures and an intensified wage-price spiral which could rob the poor, the elderly, the millions with fixed incomes.

Mr. Speaker, administration policies over the past 6 years have already given us inflation, which is forcing Congress to again increase social security benefits this year to keep our elder citizens from being swept out to sea by the tides of inflation. "Return" of inflation? We have had it all along, brought on by the ever-rising deficits of the sixties. It is strange to hear this administration talk about restraining unnecessary spending. This is the same administration that has been assuring the Nation that the gross national product was so great that we need not worry about deficit spending. Apparently these new economists arrived at the wrong conclusion. It should be obvious that the theory of unlimited deficit spending has now been completely discredited.

The President also says:

> Spiraling interest rates and severely tight money would return.

Return? It is already here, caused by the administration's faulty calculations.

He also says:

> What the Government does not raise through taxes the Government must borrow.

Do not tell me this fact of life has just suddenly dawned on the administration. Until now, they have tried to tell us that the rising gross national product would take care of it. But it has not, because the deficits have continued to grow.

Mr. Speaker, the strained financial markets would experience further strain even if the income tax is increased. The President says that the deficit would still range between $14 and $18 billion if we provide these added revenues and "control expenditures" which he fails to identify. Even that would be twice as large a deficit as he predicted in January and would be greater than any deficit registered since he took office. It is obvious that the tax increase will not bail him out. We would still be going down the same ruinous road.

Earlier this year the administration's fiscal spokesmen were on Capitol Hill, asking for a $29 billion hike in the national debt limit. It seems they do everything in units of $29 billion these days. These spokesmen refused to even discuss either the proposed income tax increase or the priorities in spending many of us have repeatedly requested. Apparently it was "one thing at a time." Get the debt increase first to permit uncontrolled spending, then worry about paying the bill. Now, they are back on the Hill again, with long faces and moans about inflation and the need for increased taxes. But there is one glaring similarity about these appearances. They still refuse to discuss priorities in spending. Nor have they revealed the areas where the administration will cut spending. Apparently the same theory applies: Ignore the subject of cutting expenditures as much as you can and perhaps the problem will go away. But it will not.

The President said last September that he was asking each Department to cut nonessential costs. Whatever happened to that headline-getter? After the big announcement, he quietly reauthorized or released the funds. It appears that the whole endeavor has been forgotten, which gives us a clue to what will happen to his latest economy pronouncements.

I am intrigued, Mr. Speaker, by the Presidential reference to the 1964 tax reductions. He claims his proposed 10 percent increase would amount to less than half of the previous reduction. What he fails to mention is that inflation has already eaten up the gains from 1964. It is also interesting to recall the objectives of that reduction—to stimulate the economy, with the expectant stimulation to result in eventual increases in revenue to be used to balance the budget and reduce the national debt. Revenues have increased, but uncontrolled spending by this administration has increased even faster, leading to the present chickens-come-home-to-roost situation. The unrealized benefits of the 1964 tax reduction are on a par with the President's promise that the latest proposed tax increase would be "temporary." There is no such animal.

If we expect the administration to produce realistic spending reductions, we in the Congress will have to force their hand. It is obvious from past experience that they will not do it on their own. It is time to tell this administration that there will be no increase in taxes until the administration submits concrete recommendations for budget cutting instead of euphemous pronouncements about "responsibility," a word they should have mastered 6 years ago. Unless spending is cut first, we might well find that the income tax increase would encourage increased Federal spending rather than reduce expenditures.

I recall a talk by former Budget Director Maurice Stans, who saw Government spending doubling in the seventies if the present forces are not checked. He said:

> There are some possible antidotes. One is for government to abandon the "crash" approach to all the country's problems—the attitude that money in unlimited quantities will solve everything overnight. The maximum future of our country and its people will require the slow processes of education, training, research, and development of men and resources. There is no such thing as an instant tomorrow."

Mr. Speaker, it is time for Congress to let the executive branch in on the secret. There really is no instant tomorrow. If we cannot convince them of this fact, perhaps we can at least force them to reconsider by refusing to increase income taxes until they set realistic priorities.

First, we raised the debt limit. Now, we are asked to increase income taxes. Then, perhaps, someone will talk about holding down spending.

But, let us reverse the process.

THE CASE OF CARDINAL MINDSZENTY

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LANGEN. Mr. Speaker, it is with pleasure that I am joining my distinguished colleague, the gentleman from New Jersey [Mr. PATTEN] in discussing the case of Cardinal Mindszenty.

Cardinal Mindszenty, through his valiant struggles against totalitarian atheism has become a symbol not only for Roman Catholics, but all Christians defending their faith against the onslaught of atheism, and defending their human and civil freedoms against the all-pervading and controlling Communist state. His fight between 1945-48 against the encroachments of the Communist Party and the Soviet occupiers in Hungary, his tragic pretrial investigation, his mock trial before a court that had made up its mind beforehand and could not even explain its sentence on the basis of prevailing law, his 10 years imprisonment, his liberation by the heroic freedom fighters of 1956, and his sad exile at the U.S. Embassy building since November 4, 1956, are history, and the story of a hero in God's as well as men's eyes.

Today, his presence at the Embassy is embarrassing to the Communist regime. Bridgebuilding has become the Communist slogan, parroted in the United States as well, and the memento of the cardinal who cannot exercise his ecclesiastical functions and is still under a life imprisonment sentence is painful to the propagandists of communism.

Unfortunately some of our news media seem also to believe that if only the cardinal would disappear to Rome all the unpleasantness would be over and the Hungarian churches and Government, the Hungarian and the American Governments could then "actively coexist." For his presence in Hungary is also demonstrating the undemocratic, totalitarian character of the regime.

Mr. Speaker, it is my opinion that the cardinal is serving the cause of free and religious men everywhere by staying on in Hungary at the U.S. Embassy building and that he should be given the opportunity to do so until the Hungarian Communist Government will finally quash his sentence and permit him to resume his ecclesiastical functions.

RUNAWAY SPENDING—ANOTHER VIEW

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LANGEN. Mr. Speaker, more and more Americans are becoming concerned over the fiscal condition of this Nation. I receive many letters every week on this subject from individuals and organizations expressing concern over an income tax increase at a time when the Federal Government is showing little concern over wise and prudent spending.

Dr. C. G. Sheppard, of Le Sueur, Minn., has called to my attention a recent statement by the Minnesota Taxpayers Association. The statement is pertinent and to the point, and is recommended reading for all of us. I include it at this point in the RECORD:

FIRST-THINGS-FIRST POLICY URGED TO SLOW FEDERAL SPENDING

"Runaway spending" by the federal government is generating deep concern among citizen-taxpayer groups throughout the nation, according to Charles P. Stone, Executive Director of the Minnesota Taxpayers Association.

Stone returned recently from a conference in Chicago of taxpayer association executives from the middle states of Michigan, Wisconsin, Minnesota, Illinois, Tennessee, Missouri, Nebraska, Oklahoma, Louisiana and Texas. He cited the following policy statement adopted by the conference:

"We, the executives of the independent state taxpayer organizations in the Middle States area, concur in the following observations:

"1. The fiscal condition of the Federal government continues to deteriorate, with huge and troublesome budget deficits in prospect. This situation is due in large measure to the insistence upon pursuing expenditure policies which pile increases in domestic-civilian spending on top of Vietnam war costs which are becoming increasingly burdensome and tend to be consistently underestimated.

"2. Further, many recently enacted Federal programs, while launched with relatively modest outlays, seem certain to generate continued spending pressures in the period ahead.

"3. These problems are further complicated by the apparent inability of either the legislative or executive branches to exercise firm and continuing control over Federal spending; as a result we are now confronted with the prospect of a major tax increase. We are not convinced that such a tax increase can be justified, at least until more vigorous attempts have been made to reduce nonessential Federal spending.

"4. At the same time, employees and employers are also confronted with probable increases in the already burdensome social security taxes, to finance further increases in benefits and to meet the rising costs of the new medicare program. A cautious approach in this area seems clearly indicated.

"5. Under these circumstances it is particularly distressing to note that the Federal fiscal outlook tends to be more and more obscured and confused by the great complexity of the Federal budget and the growing use of a variety of complicated budget concepts and practices—all of which make it more difficult for citizens to ascertain and comprehend the true condition of Federal finances.

"6. A comprehensive and critical evaluation of the activities, programs, and functions of the Federal Government with a view to establishing some priorities which could aid in controlling expenditures is obviously badly needed. We urge that prompt consideration be given to establishment of a special commission of qualified experts from private life to make such an evaluation.

"7. A corollary necessity is for citizens and State-local officials to move vigorously and promptly to revitalize State and local governments and to accept responsibility for their own self-government and for its operation and financing."

DON H. CLAUSEN AND THE 4-H CLUBS

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LANGEN. Mr. Speaker, there are many organizations in this country that concentrate their activities on serving the youth of the Nation, but none has contributed more to the young people in rural America than our 4-H clubs. Mrs. Langen and I have spent many years in 4-H work back in Minnesota and know firsthand of the value this organization has to the development of young leadership. That is why I was particularly pleased to note a recent speech by our colleague, from California, Representative Don H. Clausen, before the 4–H convention at the University of California at Davis. Mr. Don H. Clausen displays a rare insight into the concerns of rural America and the young people who are growing up there. I commend his remarks to my colleagues, and include his remarks at this point in the Record:

Remarks of Congressman Don H. Clausen to the 4–H Convention at University of California at Davis, August 22, 1967

No doubt you are wondering what a Congressman from Washington could possibly have to say at a 4–H Convention? First, let me say, as a statement of my qualifications to speak to you, that I was born and raised on a farm and that I am a product of the 4–H system. In Humboldt and Del Norte Counties, where I have spent the better part of my life, and where I have served in both business and public service, I have literally grown up with the farmer and his problems. My first elective office was to that of President of the Ferndale 4–H Club in Humboldt County.

Many of the concepts and principles on which my philosophy of government and life are based, were forged on my Father's dairy farm and in the rural atmosphere of Humboldt. And as a former County Supervisor in Del Norte County, I became intimately familiar with every phase of agriculture from beginning to end—or, you might say—from manure to marketing and that, I think, covers quite a broad spectrum.

This experience has been invaluable to me in Washington. As a Congressman representing the First Congressional District of California, it has been my great privilege to represent one of California's and, indeed, one of America's truly great agricultural areas. In Congress, I have worked closely with the agencies concerned, in an attempt to develop plentiful supplies of low-price agricultural water for our North Coastal counties. In addition, I have worked consistently to correct inequitable quotas on imports of foreign beef, poultry, dairy products, sugar, wines, lamb, wool and lumber. Mainly, however, I have devoted my efforts toward strengthening agricultural production in America which I have many times described as "The Backbone of Our Nation."

But, enough about me. What I really want to talk about today is agriculture and what I believe its role will be in the future—not only in California and throughout the Nation—but throughout the world.

In case you don't know it, many non-Californians are quite confused as to exactly what we do out here in the "Golden State". Many think our economy is based on making movies, or entertaining tourists, or in defense contracts. In fact many "out-of-staters" are, frankly, quite surprised to learn that our major industry in California is agriculture. For those of you who have not traveled far beyond our borders, I can tell you that, back East, we do not have an agriculture image here in California. But, what are the facts?

California agriculture, over the years, has set a record of productivity that is the envy of the world. This is so, mainly, because we have been able to operate units of sufficient size to make farm mechanization and farm technology feasible. We are proud of that record and we have every right to be proud. I regret to say, however, and I trust you will note this fact well—there is an effort underway at present to break up the very system which has made California's agricultural output the best in the world. I refer to the attempt by some misguided social planners in Washington to impose acreage limitations in large areas of California where Congress never intended them to be. To this end, a federal suit has been filed in the U.S. District Court in San Diego to impose acreage limitations in the vast 500,000 acre Imperial Irrigation District. And similar actions are reported to be in the making in the one-million-acre area of the Kings River and in the 350,000 Kern River basin.

If successful, these court actions would have the effect of destroying some of the world's most productive farms by breaking up our highly efficient and highly successful units into small, subsistence size farms. Such "land reform myths", in light of progress made and the tremendous challenge of the future, just don't make sense! This type of thinking, moreover, represents a dangerous trend in American agriculture which we have been developing for some years.

Agriculture is still the major industry in California, in spite of the tremendous decrease in American farms in the past ten years. In fact, it appears obvious to me that soon we will need to develop a term to replace agriculture, such as "Urbiculture", for instance. Your own organization is, perhaps, the best example of this trend.

Of the 40,268 young people now enrolled in 4–H projects in California, only 12,547 actually live on farms—less than a third! As a matter of fact, more are listed as "urban" than "suburban". This means, quite simply, that the majority of you who are engaged in 4–H projects, actually live in towns and cities. I hasten to add, that this in no way is detrimental to 4–H; it merely points up the fact that there has, indeed, been a vast shift in our geographical distribution in America. In contrast to this, nearly 75% of those involved with 4–H work lived on farms when I was a youth. So, we see vividly what is happening to the farm picture in general in this country.

What does all this mean—this apparent "phasing out" of the Amerisan farmer and our capacity to produce agricultural products? This brings us to the crux of the problem in terms of your future, America's role in that future, and which way the world is going to go in the next 15 years.

As you well know, the world has many problems today. We bounce from one crisis to another—each seemingly threatening to "blow the lid off" any hope for peace we ever expected or dreamed of. And, like people in crisis, we have a problem of being "too close to the forest to see the trees"—as we say in the Redwood Empire. What I mean is, that we have become so accustomed to viewing everything with alarm—such as Vietnam and the riots—that we have completely overlooked an impending crisis more critical than Vietnam and more imminent than the dangerous threat of nuclear holocaust.

I submit to you today that, of all the world's problems, the awesome prospects of a world population explosion and the potential it holds for the year 1980, is, by far, the most critical.

What is at stake, quite frankly, is the fact that by 1980, the world is going to have five times more mouths to feed than it does now in 1967. With present world food problems and the curtailments which have predominated American agriculture in recent years—think for a moment what this means. In terms of escalating hunger, I see the world developing in three significant stages. The first is critical shortages of food in certain underdeveloped countries beginning in 1968. Unless this food crisis can be quickly met and resolved, the next stage will be widespread famine in about 1975. And, if we are not able to stem the initial stages, there will follow large scale hunger throughout the world accompanied by acute malnutrition and starvation of such magnitude as to stagger the imagination.

At this point, I want to say that I do not tell you this to frighten you but to "spur you on" to greater heights in 4–H work. What I am telling you is the best judgment of experts in the field of population growth and world food resources. Two such experts are William and Paul Paddock who have written an excellent and authoritative book entitled "Famine 1975", which I commend to your reading. Last year, the Congress made extensive studies on the potentials of world hunger. The House Committee on Agriculture made its findings known in a 704-page report which they called "World War on Hunger—1966". From that title, I need not tell you what their specific findings were.

In view of these facts, what has been done to meet the awesome challenge that lies ahead? The President, several years ago, appeared concerned when he talked about "Food for Peace". In fact, he even appointed an Assistant Secretary of State for Food-for-Peace. Unfortunately, however, this man retired seven months ago and no successor has ever been named. In addition, the Administration has failed to make public its 1966 report on "Food-for-Peace", which it was supposed to do last April. This is tragic because President Eisenhower's "Food for Peace" program has been one of our most successful, in the field of foreign affairs.

The next logical question which arises, is, can we meet this challenge, based on our present capability and efforts in this regard? On July 29th, a House Task Force on Agriculture reported (and I quote): "... Unless the United States remains able to meet its own food needs without fear of scarcity, our Government will never be in a position to provide even token assistance to the hungry nations of the world." And, in "Famine 1975", the authors predict that by 1975, the United States, even with its huge productive capacity, will be unable to produce enough food to stave off famine in the underdeveloped nations.

At the present time, the underdeveloped nations of the world are capable of producing only about 650 million tons of food each year. To meet the population increase of those already born, these underdeveloped nations are going to require, by 1980, an additional 400 million tons each year—or more than half of what they are now capable of producing. To meet these minimum tonnage and nutritional requirements would require a capital investment of $80 billion. That, in statistical terms, is the "long and short" of the problem.

Must America, however, in the face of such evidence try to pretend the problem doesn't exist? Should we, because of these findings, give up? When I think of a starving world pleading at America's doorstep for food to survive—my mind conjures up all of the challenges we have had to face in the past. The answer, my friends, is no—we must not give up in the face of this crisis and, indeed, we cannot unless we are prepared to fall victim to it ourselves. If you share that feeling with me, let us, then, examine ways to overcome it.

As farm-oriented people, you know that food cannot be grown or produced over night. Crops take time and, like any other industry, agriculture has to be "geared up" before mass production can be realized. We tried this in WW II when our farm industry was operating at peak capacity and, I would remind you, we encountered serious problems. To meet the needs of the 1940's we had to revert to food rationing and food substitutes on a National scale.

Today, although we have made great strides in food production techniques, we nevertheless have fewer farms and fewer farmers, and the potential food demand of the 1970's makes the needs of WW II seem like "chicken feed." The question then, is, "where *is* the food going to come from, to feed five times more people?" In search of that answer, it is first necessary to examine the nature of the problem.

In some respects, the picture is not all black. Population growth need not continue to explode indefinitely even though those who will be 35 in the year 2000 are already born. Advancements of biomedical science *have made family planning feasible and both* the United States and the United Nations have made significant progress in the field of birth control. Decreasing the birth rate of the world is not the answer, nor the solution to this problem, alone, but it is a vital adjunct.

Quite honestly, I have long felt the need to completely overhaul our agricultural policies—it's time we "took the bit out of the mouth" of American agricultural production.

In the field of foreign assistance alone, we would be much better off to cut loose American agriculture and send our grain surpluses to hungry countries of the world rather than propping up some corrupt governments with U.S. funds—look what this would do to help our balance-of-payments problem.

All this money would be paid to American farmers—the dollars would remain in this country to re-circulate for the benefit of everyone.

We could then establish a phase-out of subsidies in this country and offset this unrealistic funding by permitting increased production.

As I've said many times, American agricultural genius and the food it produces can be the most effective weapon in our arsenal as we seek ways and means of beating the Communists in the Cold War.

The most critical aspect of this problem is the fact that a liveable world cannot long exist where two-thirds don't get enough to eat while the remaining third is overfed. It goes without saying, I think, that the future of all mankind is now being ground out in India. If man fails to solve this problem, all the world will live like India, where, today, people die in the streets from starvation.

From what we have said, thus far, it is obvious that the United States just is not capable of feeding the world. The key is helping them produce their own food, concentrating first on the underdeveloped countries. To this end, we can furnish assistance but with a lesser emphasis on dollars. If our foreign aid programs of the past have taught us anything at all, *it is that people can't eat money*. Together—helping them produce their own food coupled with technical assistance from us—we can rise to the challenge with some assurance of minimizing its devastating effects. That, realistically, is the best we can hope for, but it is a goal.

In spite of the Administration's neglect in facing the reality of tomorrow, there are some concerned members of Congress who are aware of the problem. Last month, for example, I had the pleasure of cosponsoring a bill in the House calling for establishing of a "World Food Study and Coordinating Commission". This group of experts—the best minds we can find in this field—would examine every facet of an impending world food shortage and develop concrete plans to meet it, along the lines I have mentioned.

I have deliberately left for last, why it is so important that America rise to meet this challenge. If you remember anything I say here today—remember this: "Whoever controls the world's food supply will direct the destiny of man!"

For more than 20 years, man has been forced to accept a very inadequate substitute for peace. "Cold War" has been that substitute while man desperately ponders how to achieve true peace. During that period, we, in this country, have had some widely varying views on just where we "lost peace" and how to regain it. The fact that we have yet to find the answer is indicative of the means we have employed to achieve peace and, tragically, we are now "paying the price" in Vietnam. Some have said that the "Cold War" is a battle to see whether Communism or Democracy can win the "hearts and minds of people everywhere". The "Cold War" in actuality is ideological warfare between free *nations and the Communist states.*

In the first instance, I would remind you that Communism has advanced only (and I stress only) in areas where people are truly hungry. As evidence of this, we need only recall the peasants of Cuba or the masses of China.

In the second instance, I submit that the "minds and hearts of men" can most effectively be won for freedom only after the pangs of hunger in his stomach have been stilled. The security that man seeks, begins with such basic needs as security from hunger and freedom from want. A hungry man cares very little about political idealism and the more hungry he becomes—the less he cares. Hitler proved this simple doctrine in "selling" Nazism to a hungry Germany after WWI and Communism has exploited this problem wherever they could. To me, it is inconceivable that we have failed to recognize this basic human factor and to employ it in the struggle against Communism.

In the final analysis, in my judgment, the country that can respond by 1980—not with promises but with food—for the general uplift of mankind everywhere, will truly win the hearts and minds of the people of the world. If America *is* that country and meets that challenge, Communism will fade like a "leaf in the Fall" and be exposed as the farce that it is. And that experience, in my view, will negate any need for guns and bombs being used to halt aggression.

This, then, is the challenge we face. No—on second thought, this is the challenge *you* face. Each of you here today, is in, an extremely unique position, to make a meaningful and previously undreamed of, contribution to American agriculture and to world peace. As you emerge from 4–H projects into the world of "human projects", I challenge you—based on what you have heard today—to "think big." As we enter the 1970's (and that's only three years away), we can no longer afford to think in terms of food supply and demand as we have previously known them. The fact of the matter is, the supply is low, the source is limited—and the demand defies our present capabilities.

What I am saying, really, is that in the future, you cannot be satisfied with just being a good farmer—or home economist—or agricultural specialist—or farm management analyst. To extend the genius of American Agriculture to a hungry world, you must be willing and able to go out into that world and communicate with the hungry and those who can do something about that hunger.

This requires us to tap another promise of the future—America's aviation genius. If we are to do the job for which we are being called—we must literally "Put Wings on American Agriculture." In a word—what we really need are "Flying Farmers", men and women with a bilingual capability who can go into the hungry corners of the world to work and talk with the people. This is the kind of an America I think we are capable of becoming.

It is true that we have our problems. Trying to do what's right in the face of insurmountable odds—always creates problems and that has been America's plight for too long. But make no mistake about it—America is a great country and great countries produce great people. Contrary to popular opinion in some circles, America has great faith in you—the youth of our Nation. This is a big order and a great challenge but I know you have what it takes to do the job that lies ahead.

In the long run, America has never "dropped the ball" and, so long as our freedoms remain intact, America *will* meet the challenge, and grow greater than ever before. *You,* the 4–H Clubber, can contribute to this worthy goal today by "thinking big" about tomorrow and then setting your *course to make the "best of America even* better."

MEMORIAL HOSPITAL OF LONG BEACH PIONEERS BETTER PATIENT CARE AND MORE EFFECTIVE COST CONTROLS

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOSMER. Mr. Speaker, it is of great concern to the American people and their representatives in Congress that the Nation's hospitals are confronted by critical, complex problems posed by inflation.

To some, these problems ominously loom as the horns of a dilemma: either we sit by wringing our hands in despair as the costs of hospitalization spiral ever upward and the quality of care drops or we ask government to step in and take over.

But there is no dilemma. There is a third alternative, an alternative in fitting with the best traditions of our free enterprise system.

And that alternative is for the hospitals, through independent and joint action and with imagination, innovation, and dedication to resolve many of the problems themselves at the State and local level.

This is not mere rhetoric. Nor is it wishful thinking. For there are within our Nation hospitals making signal progress in coping with inflation.

I would like to call to the attention of my colleagues the laudatory example of one of these hospitals.

California's Memorial Hospital, of Long Beach, now the largest single non-Government hospital on the west coast, is showing us what can and must be done.

This is the medical center commended by the California State Senate for developing "an unexcelled system of patient care." This is the hospital cited in the American Medical Association's Today's Health magazine as "a hospital of tomorrow." This is a hospital that will observe its 60th anniversary in November.

At age 50, this was a good hospital but disease was setting in. At age 53, 7 years ago, a cure in the form of community subscriptions and donations helped build a completely new hospital. And at 60, an age sometimes considered old, Memorial Hospital of Long Beach stands as one of the most vital and modern hospitals in the country.

I am greatly impressed by what Memorial Hospital has done and is doing to fight inflation.

By giving leadership to efforts to promote cooperation among hospitals, Memorial Hospital, of Long Beach, has been promoting lower costs and elimination of needless duplication.

Memorial and 20 other hospitals around the country have joined together in the research and development institute *which works with major industrial* corporations in promoting development of low-cost modern hospital supplies, equipment, and services. This includes such firms as Automatic Retailers of America, Baxter Laboratories, Brunswick, Motorola, Johnson and Johnson, Eli Lilly, and Borg-Warner.

Memorial and three other Long Beach hospitals just recently established a cooperative program for utilization of their pathology laboratory facilities and equipment. This agreement is slashing costs of a number of important clinical laboratory tests by 50 to 75 percent while making available to doctors and their patients the full benefits of recent advances in technology. Savings are achieved in elimination of duplication of equipment and in performing the tests on a volume basis.

Memorial and four other hospitals from the Long Beach area are setting up a joint collection agency to reduce the cost of collecting overdue accounts and to achieve savings by eliminating duplication of efforts among the group.

And Memorial currently is engaged in a major campaign to provide a much-needed Children's Hospital Medical Center for the Long Beach area. Rather than just going ahead on its own, Memorial is seeking and securing the cooperation and participation of doctors, the hospitals, and children's clinics in the community. Under one roof will be many children's health services, sharing expensive equipment and ancillary services rather than duplicating them and providing convenience and improved care for the children. Another benefit to be gained from the program is the freeing of children's beds in the hospitals for desperately needed adult facilities. The cost of building the adult facilities would run many hundreds of thousands of dollars.

On another front, Memorial Hospital of Long Beach has saved well over $300,000 over the past 6 years in work simplification programs. The program takes a leaf out of industry's book and ties into the hospital's unique retirement/savings sharing plan for employees. The sharing of cost savings is the incentive part of the retirement program. Employees understand, in essence: "You help us cut costs and we will share the savings in your retirement program." Since the hospital initiated the program 6 years ago, more than 150 work simplification projects have been performed.

Again following industry's example, Memorial makes use of the services of professional industrial engineers, including CASH—the Commission for Administrative Services in Hospitals. Funded in part by the Kellogg Foundation and in part by dues from member hospitals, such as Memorial, CASH has given the hospital a considerable amount of assistance in establishing the most effective nursing staffing pattern and providing for more efficient utilization of personnel.

It is significant to note that while administrative costs of operating hospitals have been rising throughout the Nation, the work simplification program and method improvement coupled with efficient management have enabled Memorial to lower the administration's share of *total costs from 14 to 10 percent in the* past 7 years.

To deploy the latest weapons of technology against inflation, Memorial Hospital of Long Beach this year purchased a recently developed Control Data Corp. computer system with several firsts for American hospitals. With wages and salaries accounting for approximately 70 percent of hospital costs and increased demands for hospital services requiring more and more manpower, Memorial looks to the computer to free personnel from routine paperwork and to help meet the demands of a larger hospital without corresponding increases in the number of employees. Not only will the computer system help hold down costs, it also will be used to speed hospital admissions, reduce waiting time of patients for test results, provide substantial savings in time for physicians, and aid in medical research.

In yet another frontal attack on costs, Memorial has been a pacesetter in using larger nursing units with central nursing corps stations. The hospital achieved a lump sum savings of $160,000 on space and equipment in this manner and annual savings in clerical costs is running $75,000 and in the time of nursing and other professional personnel, $50,000. Memorial's nursing units of 100-plus beds off central nursing corps stations are credited with assuring optimal care for patients and making better use of scarce registered nurses. In addition, it saves time for physicians visiting their patients in the hospital or checking with nurses.

Another savings of $50,000 per year is being made as Memorial handles its own workmen's compensation insurance program on a self-insurance basis.

Memorial, one of the innovators among American hospitals in utilizing life income and annuity programs so successfully employed by colleges over the years, has raised more than $1.5 million in contributions since 1960 to pay for needed equipment and facilities. This reduces the necessity of raising patient charges to pay for these needs.

A 25-percent reduction in charges for advanced-care patients was among the savings effected when Memorial last year built a special new unit to speed the recovery of those not acutely ill so that they can return to normal activities with a shorter period of hospitalization. The 86-bed unit also freed that many acute care beds in the main hospital. This was not false economy: even though the accommodations in the new unit are like those in a fine hotel—carpets, cultured marble sinks, bright decor, landscaped courtyard with heated walks, tiled private showers, lounge with color TV, in-room coffee—the hospital is able to charge 25 percent less because the patients are encouraged to be self-sufficient which speeds their rehabilitation.

Shorter stays in the hospital both save money for patients and free beds for people who require acute care. The physicians on the Memorial Hospital medical staff have been concerned that patients who no longer need hospitalization are discharged. And the committee of physicians that reviews bed utilization in the hospital has been effective in discouraging *needless short-term stays for* diagnostic purposes.

The costs of providing services at Memorial Hospital of Long Beach, as a direct result of such efforts and programs as I have described, run 15 to 20 percent lower than the norm for the Long Beach-Los Angeles metropolitan area. Much of these savings helps the hospital buy the newest medical equipment and provides for new facilities to meet public demand. The savings also pay the costs of an extensive medical education program—more than $600,000 per year.

The savings and contributions have gone into $5 million worth of capital expenditures over the past 7 years. And just to provide for new and expanded services, not including pay raises, the hospital has had to increase its payroll by $2.5 million and its supply orders by $1 million since 1960.

During the same period, wages and salaries, particularly for nursing personnel, have increased drastically. The range for nurses 7 years ago was $330 to $390. Today it is $570 to $693.

Costs of supplies, equipment, and construction have also climbed and placed increasing pressure on hospitals.

Memorial and other hospitals are having to replace equipment which becomes obsolete before it has a chance to wear out. Memorial and other hospitals have to rebuild facilities to comply with safety standards and because they are old.

One of the greatest sources of pressure on hospital costs these days is the need to expand and meet increased public demand for hospitalization. It is not just normal population increases but also increased usage of hospitals by the public generally and sharply rising usage of hospitals by medicare and other Government aid recipients.

It is ironic that Memorial and other efficient and economic hospitals are hardest hit by the medicare formula which instead of fostering efficiency and economy tend to reward those facilities that operate less economically and have relatively higher costs. Medicare's reimbursement formula, providing what medicare considers the costs of hospitals plus 2 percent—often less than actual costs—does not provide for keeping up with technological advances, providing new and additional services as they are developed, replacing inadequate facilities or establishing new ones. As a result, if the formula is not revised to the realistic and accepted basis of paying billed charges, medicare threatens to contribute heavily to inflation in the costs of hospitalization and possibly to the deterioration of the quality of care given the public.

Another governmental contribution to rising costs at hospitals is the paperwork necessitated by medicare's complex and detailed rules. Memorial Hospital of Long Beach informs me that the average medicare bill takes 2½ times more work and time to process than that of the average insurance-covered patient and since medicare went into effect they have had to add five extra employees to the billing department alone.

Yet, despite these pressures, Memorial continues to do an excellent job of holding the line against inflation.

I credit the board of directors for sound policy decisions leading to lowered costs. The business and medical leaders who serve on this board have given ample testimony through their actions to the progress that can only be made under local control.

I credit the physicians of the Long Beach community who have given the hospital's cost savings efforts their support and cooperation and who have done so much to make Memorial one of the finest community medical centers in the country.

I credit the forward-looking and able management of the hospital for the implementation of programs to keep costs down while improving quality of care.

I credit the employees of Memorial Hospital who have been on the firing line in helping bring these goals to fruition.

And I hold the efforts of these men and women up as a model of the best being accomplished by our hospitals and as a prototype of what we should look for in the hospitals of today and tomorrow.

I think that Mr. Harry C. Hachmeister, the chairman of the board of directors of Memorial Hospital of Long Beach, spoke for all hospitals when he recently said:

> The chief responsibility of this hospital's board of directors is to assure the best quality of hospital care to the citizens of the area and to keep fully abreast of developments in medical science while conserving every possible penny.

COMPELLING ARGUMENTS FOR THE ABM

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hosmer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOSMER. Mr. Speaker, with precise and powerful logic the American Security Council's Washington Report for August 21 raises new and restates familiar arguments in favor of deploying a U.S. antiballistic missile defense. The report, written by the highly respected strategy analyst, Dr. James D. Atkinson, follows:

Counter-Deterrence and the ABM

(By Dr. James D. Atkinson)

That trenchant observer of the American scene, Will Rogers, once observed that in the field of disarmament Americans had a tendency to scrap battleships while their opponents tore up blueprints. Something of this American tendency of an almost extremist goodwill is in evidence today with reference to the question of anti-ballistic missile defense. We talk and talk in the hope that we can persuade the Soviet Union to dismantle its present anti-ballistic missile system and to refrain from going ahead with further missile defenses. The Soviets stall in the negotiations while continuing to build and deploy their ABMs.

SOVIET CAPABILITIES AND INTENTIONS

The recent study prepared by a special subcommittee of the National Strategy Committee of the American Security Council entitled The Changing Strategic Military Balance: U.S.A. vs. U.S.S.R. has stated that "the preponderance of evidence points to the conclusion that the Soviet Union is succeeding in its massive drive toward strategic military superiority . . . (and that) the year 1967 falls in a crossover period with the U.S.S.R. estimates ranging between 16,000 and 37,000 (deliverable) megatons, to equal or exceed the U.S. estimated range of between 8,000 and 29,000 (deliverable) megatons." This study, with its graphic documentation of the Soviet thrust for military-technological superiority, has received, and continues to receive, widespread attention from leading editors and authorities in both the daily and the periodical press. The New York Times, for example, in a front page story on July 12, 1967, stated that ". . . the Defense Department did not directly contradict the study's findings, but argued that deliverable megatonnage was not an accurate indicator of 'true military capability'."

It has been argued in some quarters in the West, however, that Soviet capabilities as illustrated by the Soviet deployment of an ABM system need not be a cause for alarm since Soviet intentions are peaceful and the Cold War is, in fact, over.

But are the Soviet leaders mellowing? Unfortunately, the most recent evidence would appear to indicate that storm flags are flying in the Kremlin. Some storm signals are:

(1) The official pronouncement of the Communist Party of the Soviet Union issued June 25, 1967, in a summary of 50 years of Bolshevism. It stated that, "The domination of imperialism on the world scene has ended" because of the growth of Soviet military power. The statement also singled out the United States as the "main enemy" of the national liberation warfare movement and charged the state of Israel with aggression.

(2) Appointing (for the first time since Beria's execution in 1953) the Soviet secret police chief a member of the ruling Politburo. This is Yuri Andropov, whose promotion was announced June 22, 1967. Since the KGB (the Soviet secret police) have vast responsibilities for waging unconventional warfare around the world, it would appear that giving Andropov such power indicates stepped-up Cold War operations.

(3) Writing in the official Soviet Armed Forces newspaper, Red Star, on June 3, 1967, Bulgarian Minister of Defense, General of the Army Dobri Dzhurov said: "The Soviet Union has always been and will continue to be the main political and material base of the world revolutionary process." The general also went on to say that "The Soviet Union constitutes the main support of fighting Vietnam."

(4) Soviet escalation of the Vietnam war is another example of the Soviet's true intentions. Soviet shipping going into North Vietnamese ports has shown a marked increase this year over 1966. As of June 1967 the rate was eighteen per month with an additional 2 to 5 Soviet satellite ships per month. Indicative of this escalation is the Moscow Radio broadcast of July 28 which stated that Soviet ships "leave Odessa practically every day with cargoes for Vietnam."

(5) The recent hard-line in the Soviet press which continually attacks Israel, "Zionism," and the United States. In reporting this trend from Moscow, the Washington Post of August 8, 1967 stated that the press campaign was one which "to some senior diplomats here recall the worst days of the Cold War."

These indicators of increasingly "stormy cold war weather" indicate that Soviet strategists understand quite well that revolutionary agitation and propaganda, "peace marchers" in London and New York, guerrillas in Africa and Latin America are techniques of conflict on a par with guided missiles and nuclear submarines. But does it follow that these same Soviet strategists are unaware of the possibilities for nuclear blackmail of the West in the event that they attain strategic military-technological superiority? Indeed, one may well ask whether the present U.S. limitation on air strikes against military targets in North Viet Nam result from the steady accretion of Soviet military-technological power?

CHINESE COMMUNIST NUCLEAR WEAPONS DEVELOPMENT

Even if it were possible to disregard the evidence of the Soviet deployment of an ABM system or systems and the counter-deterrence which this poses to the announced U.S. policy of deterrence, it would be still more difficult to close our minds to the ominous developments in China.

The Chinese Communists exploded their first H-bomb on June 17, 1967. It was apparently a sophisticated implosion type in the two-to-seven megaton range. The complicated electronic triggering and measuring devices that would appear to have been required, in this and other nuclear tests, would be of great assistance to the Chinese in this and other nuclear tests, would be of great assistance to the Chinese in building an intercontinental missile. Since the Chinese progress in nuclear weapons development has been faster and more effective than had been anticipated by Western sources, it may be that they will also develop a nuclear ICBM delivery capability sooner than the mid-1970's, which is the time phase previously estimated by Western sources. Moreover, the Chinese now possess the design capability for a multi-megaton thermonuclear weapon which can be delivered by aircraft.

The possibilities of the Chinese Communists exercising nuclear blackmail against Southeast Asian countries, Japan, or, indeed, against the United States are underscored in a report released August 3, 1967, by the Joint Congressional Committee on Atomic Energy. The Committee said: "We believe that the Chinese will continue to place a high priority on thermonuclear weapons development. With continued testing we believe they will be able to develop a thermonuclear warhead in the ICBM weight class with a yield in the megaton range by about 1970. We believe that the Chinese can have an ICBM system ready for deployment in the early 1970's. On the basis of our present knowledge, we believe that the Chinese probably will achieve an operational ICBM capability before 1972. Conceivably, it could be ready as early as 1970–1971."

The Joint Committee then went on to sound a warning about the direct threat to U.S. national security posed by Chinese Communist nuclear weapons developments by pointing out that "Most significant for the United States is the fact that a low order of magnitude attack could possibly be launched by the Chinese Communists against the United States by the early 1970's. At present we do not have an effective anti-ballistic-missile system which could repel such a suicidal (for the Chinese) but nevertheless possible strike."

THE STABILIZING VALUE OF A U.S. ABM SYSTEM

In the final analysis, the value of a system of deterrence is that which the enemy believes about it. If the Soviets believe that the U.S. deterrent offensive force can be neutralized by their ABM systems to a point at which the Soviet war-making capability will sustain only an acceptable level of damage (and, of course, their acceptable level may be much higher than ours), then they have achieved a counter-deterrence posture which may lead them to risk—at a given crisis in international relations—a nuclear war.

Equally, if at some future point the Chinese Communists should believe (in the absence of a U.S. ABM system) that there is somewhat more of a "suicidal" element for the United States than for them in a nuclear war, they might, in a given confrontation, launch a surprise nuclear attack on America.

The evidence of the post-World War II period suggests that it has been the stabilizing factor of U.S. military-technological power which has prevented a general war. Today, under the impact of both the Soviet and Chinese Communist military-technological thrust, that stability appears to be threatened. Would the production and deployment of a U.S. ABM system—perhaps even on a crash basis as a clear demonstration of credibility—have a definite stabilizing value on world politics? That it might well do so is indicated by the thoughtful and carefully measured words of the Senate Appropriations Committee. In reporting on the Defense Department Appropriation Bill for fiscal 1968 (August 4, 1967), the Committee said: "It is the view of the Committee that the deployment of the NIKE-X antiballistic missile system should be initiated immediately, and the Committee urges the executive branch of the Government to take action accordingly."

DEVELOPING THE C. & O. CANAL

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Mathias] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, an increasing number of families and individuals are discovering the attractions of the Chesapeake and Ohio Canal. This historic waterway, which stretches along the Potomac from Georgetown to Cumberland, 185 miles upstream, is not in entirely good repair, but still offers unlimited opportunities for hikers, bikers, riders, fishermen and campers. A trip along the C. & O. Canal is a journey through some of the most striking scenery in the East, and through a very vital segment of American history.

One of the latest discoverers of the canal is Mr. David Bird, who recently cycled the entire length of the canal from Cumberland to Washington. Mr. Bird summarized his trip, and the many and varied features of the canal, in an interesting article in the travel section of the New York Times on August 27.

The current pleasures of canal exploration, as outlined by Mr. Bird, can only hint to us the joys which will be available when the canal has been fully developed and extensively restored. A relatively small investment, as recommended in my bill (H.R. 7201), could make the canal not only a tremendous recreational asset in its own right, but also the backbone of future development and conservation of the Potomac River. Restoration of the Paw Paw Tunnel has shown us what can be done, and I deeply regret that the Interior Department has let another summer slip away without making a more extensive commitment to canal development.

I include in the Record, for the information of my colleagues, Mr. Bird's article, and two discussions of the canal's potential, an editorial from the Hagerstown Morning Herald of July 8, and an article by Mr. Nelson I. Willingham, Jr., from the Howard County Times of August 4.

The material referred to follows:

[From the New York Times, Aug. 27, 1967]

Retracing the Towpath Along the Old C. & O.

(By David Bird)

Cumberland, Md.—"It starts down there someplace," the railroad crossing guard said as he pointed toward a maze of crisscrossing tracks not far ahead. He was indicating a spot where we might find the towpath of the old Chesapeake & Ohio Canal.

A companion and I were about to begin a bicycle trip retracing the route of the abandoned canal, 184.5 twisting miles from here to Washington. The old C. & O. is a relic of the great canal-building era of the early 1800's. Its bed now is mostly dry, but the route is preserved as a national monument and the towpath is a challenge to the hiker or bicycle rider.

An earlier visit to a short restored section of the canal near Washington had stirred my interest. In that area, the towpath is carefully maintained, with a solid surface of fine crushed stone. I was told that the towpath was not necessarily this good all the way, but visions of going the full distance gripped me.

I had been gripped the same way about a dozen years before, when the last link was completed in the continuous turnpike system between New York and Chicago. That, too, was a trip I just had to make, and I did—in one day of driving from 6 A.M. to 9 P.M.

THIRTY MILES A DAY

The Chesapeake & Ohio towpath would be more leisurely, of course. This was an area steeped in nature and history, and there would be plenty of stopping to take it all in—as well as to rest middle-aged muscles. My bicycling had been limited to an hour or two at a time on the streets of lower Manhattan; yet, there we were, scheduled to pump more than 30 miles a day for six days.

We had rented lightweight English bicycles in Washington, loaded each of them with about 30 pounds of clothing and camping gear, and shipped them and ourselves by train to Cumberland.

The Cumberland end of the canal is unrestored and far different from the Washington end. We could find no marker indicating the start of the towpath. Moreover, the first mile of the canal had been filled in during a highway-building program, making pathfinding even more difficult.

We followed the directions of the train-crossing guard, pushing our laden bicycles over tracks and ties. Finally, a fisherman on a bank of the Potomac River, which parallels the canal, confirmed that we were, indeed, on the beginning of the towpath.

One towpath is all this canal ever had. Two paths had been contemplated—one on each bank—but it became evident during construction that the railroads were going to get much of the business the canal had expected. So the sponsors settled for a system of single locks and a single towpath.

The canal barges were equipped with tillers. When two barges met in midchannel, one got the right of way. The other would drop her towline and maneuver to one side while the favored barge passed.

INTO THE WOODS

Soon after we got onto the towpath, it plunged into woods. Trees grew on either side and arched together over the top of the path. Sturdy trees had grown up in the bed of the canal, which has not been used for water traffic since 1924.

At one point, two men on small motorcycles entered the towpath from a side road. (Officially, all motor vehicles are barred from the path, but there are no signs and few patrols on this far end of the canal.)

The motorcyclists whizzed past us, but we caught up with them when they stopped to check on a large turtle that was struggling across the path.

The motorcyclists soon left the path and we were left with the quiet of the woods unbroken, except for the singing of birds—and then the sound of thunder.

Then the rain came. At first, it was pleasant and the trees provided shelter. But gradually, the water began to soak through and we had to break out our ponchos.

Ten miles down the towpath, we came to the first of a series of "Hiker-Biker Overnighters." These have been established at about 10-mile intervals along the 120-mile leg of the towpath from Cumberland to Harpers Ferry.

NO SHELTER

These are merely cleared places at the side of the path, with a hand-pump for water, an outhouse, a small fireplace and a garbage pail. But no shelter.

So we pushed on until we came to a lock—there are 75 along the canal—and took cover there on the porch of the lockkeeper's abandoned house. When the rain let up, we set out for Paw Paw, W. Va., where we put up in a tourist home for the night.

The Paw Paw Tunnel, a 3,000-foot unlighted hole that carries the canal and towpath under a mountain, was a change of pace the next day. The small light we had on one of the bicycles hardly pierced the dark, and we skinned our arms in brushes against the tunnel walls.

But we felt we were maintaining our pace, and that lifted our spirits considerably—until a boy strolling along the towpath asked us how far we had come and when we had left.

We told him, and he replied: "Taking it easy, huh?"

I suddenly felt tired, and pressed on. Although my muscles never really adjusted to the strain of pedaling at least 30 miles a day, the pain at least became bearable.

FEW HIKERS

Most of the time, we had the towpath completely to ourselves. During the six days, the only others we met who were "doing" the canal were a group of hiking Boy Scouts and a young man on a bicycle.

More often, we encountered local residents out for a short walk. In an automobile, we would have passed them by, but on bicycles it was easy to stop and chat—and rest. Some were slightly incredulous that we would attempt the entire canal, but all wished us good luck and one volunteered that the black snakes we might see were harmless.

There were also side attractions like the Antietam battlefield, where the bloodiest battle of the Civil War was fought, and Harpers Ferry, where John Brown staged his raid. Both had generous crowds of tourists, but we were the only ones who came by bicycle.

Near Harpers Ferry, we encountered one of the more spectacular washouts, where the water at one time broke through the canal's banks and carried the towpath away. A stream at this point was running rapidly in the canal bed, through the washout and into the Potomac River.

We had to maneuver our bicycles down a 10-foot embankment, through rocks and mud in the stream bed and then up the other side of the washout. There were also other washouts, but considerably less difficult.

By Harpers Ferry, we had completed two-thirds of our journey. The path started getting smoother and the going easier. We began stopping for leisurely admiration of the several stone aqueducts that carry the canal and its towpath over streams and rivers feeding into the Potomac.

At Seneca, Md., 22 miles from Washington, we entered the last leg, where the canal is almost fully restored and filled with water. We passed a group of day-campers on a canoe trip. And we felt like hard-bitten veterans when we came to a group of bicyclists out for a short spin on the well-cared-for section of towpath.

JOURNEY'S END

Just outside of Washington, a barrier across the towpath warned us that it was officially closed because of a washout. But we ignored the sign because we were not about to abandon our journey so close to completion.

The washout turned out to be minor. The towpath and canal ended a little farther on, amid factories and warehouses in the Georgetown section of the District of Columbia.

We completed our journey and I got off my bicycle at the small sign that said Lock No. 1.

We pedaled the few blocks to the bicycle rental agency. The owner looked up as we rode in. He seemed surprised. I think he had expected to see us return the bicycles on the back of an automobile.

[From the Hagerstown (Md.) Morning Herald, July 8, 1967]

Move Over, Venice

Congressman Charles Mathias thinks the old Chesapeake and Ohio Canal can be developed into a waterway to equal the canals of Europe.

Mr. Mathias has a point, and his suggestion should be followed through although what he has in mind may take years to develop.

First of all, the 180-mile waterway from Georgetown to Cumberland would need water after the canal bed and the many locks have been restored to their original condition.

And of course the canal will need boats.

Instead of countless Americans discovering the delights of inland waterway travel in Europe, here's an opportunity to reverse the trend.

While a more modern means of boat propulsion than mules may be necessary in the future, what would be more relaxing than a boat trip from Williamsport to Washington, even if it takes two days!

[From the Howard County (Md.) Times, Aug. 4, 1967]

Maryland's Outdoors

(By Nelson L. Willingham, Jr.)

This past week-end was spent touring the Western part of Maryland with a fellow member of the Maryland Wildlife Federation, Donald R. Frush of Hagerstown acting as guide and host.

That Western Maryland abounds in historical landmarks is a well known fact, and though we were concerned with the part each one must play in the overall program of outdoor recreation, our primary interest was centered on the C. & O. Canal.

The C. & O. Canal is presently controlled by the Federal Park System and is maintained as a National Monument. As such, it has become a dormant piece of real estate that not only is unkept and unrecognizable, but will eventually be far past any stage of salvaging. To the people who live with this condition from year to year, anything that could be done to help would be a welcome relief from its present condition and until recently all efforts to enact an effective program have been like a cry in the wilderness.

Congressman Charles Mathias recently submitted H.R. 7201 which, if enacted, would place the C.&O. Canal in a National Park status, under which this historic site would be given a face lifting, restored to a presentable condition and most important, could be used and enjoyed by everyone. The Bill provides for recreational areas, hunting and fishing, camping and other forms of outdoor recreation as a part of the complete program. Mr. Mathias' reasoning, and the original purpose of the Bill, was to help provide these facilities for the people while restoring one of Maryland's most historic sites from an eyesore to something that we need not be ashamed to have tourists from other states visit.

It seems almost ridiculous to have our state agencies embark on a land acquisition program so that future generations might be assured a fair share of our natural resources, while we sit idly by and let the C.&O. Canal slowly waste away. Now we have an opportunity to help our own cause by supporting H.R. 7201. At last report this Bill was bogged down in Committee and inquiry has revealed that unless public support is forthcoming, will remain in Committee indefinitely.

You can do your part as interested citizens by writing to Congressman Wayne Aspinall, Chairman Interior and Insular Affairs Committee, Washington, D.C.

H.R. 7201 has the support of many organized citizens groups, the Maryland Wildlife Federation, Maryland Historical Society, Civic groups, local and state agencies and many other interested individuals, but even with all this support the Bill still remains in Committee.

We know from past experience the impact that letters and cards from interested individuals has on a situation of this kind and there is no question that if and when H.R. 7201 comes out of Committee, It will have been through the efforts of those interested enough to take the time to write to the Chairman of the Committee expressing their concern about the future of the C.&O. Canal.

AIR NATIONAL GUARD CONTRIBUTION TO NATIONAL WELFARE

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Lipscomb] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, recently, Gen. J. P. McConnell, Chief of Staff of the U.S. Air Force, wrote to the adjutant general of California, Maj. Gen. Glenn C. Ames, concerning the outstanding contribution of the California Air National Guard in airlifting men and supplies to Southeast Asia.

I bring this message to the attention of the Congress so that the membership may be fully aware of how the California Air National Guard, and other Reserve components, have responded willingly and capably to the call for assistance in the interest of our national security and welfare.

Under leave to extend my remarks, I submit the communication by General McConnell for inclusion in the Record:

Department of the Air Force,
Washington, D.C., July 24, 1967.

Maj. Gen. Glenn C. Ames,
TAG California,
Sacramento, Calif.

Dear General Ames: I wish to extend my appreciation to all members of your airlift units who have so unselfishly given of their time and effort to alleviate the many problems encountered as a result of accelerated airlift requirements generated by events in Southeast Asia.

The Air Force is especially proud of the manner in which the Air National Guard airlift units have responded to the many exceptional demands which have been placed upon them. Without mobilization of the Air National Guard, airlift units have made available aircraft, active duty aircrews and support personnel for deployment to Vietnam and for many other tasks.

The overall contribution made by these units is unprecedented. I cannot overemphasize the importance of this ready force of volunteer personnel who continue to serve the Air Force and our Nation in time of need. When the airlift units of the Air National Guard are again called upon to assist the Active Establishment, I am fully confident that they will be as "ready and able" as they have always been.

Sincerely,

J. P. McConnell,
General, USAF Chief of Staff.

THE JOHNSON TAX INCREASE

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Edwards] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, over these past months when I have joined with others in predicting great increases in the Federal budget deficit due to vast Government spending, some folks have been skeptical and unbelieving. Some have said, "Now, Congressman, be realistic with us and don't spin us some partisan false alarms."

Well, early last month President Johnson had to face some facts. He said that his January estimate of the 1968 budget deficit would have to be revised upward from $8 billion. He said the new estimate for the deficit was $23.6 billion and that it "could exceed $28 billion."

And as L. B. J. himself said, high budget deficits mean serious problems to the Nation as a whole and to individuals: Ruinous inflation which hurts the lower-income people most of all, brutally high interest rates crippling the homebuyer, the homebuilder and others, and a worsening balance-of-payments problem.

The following table gives a picture of what has happened. It shows how the budget deficit has grown since the last year of surplus, 1960. Note also that total Government spending has virtually doubled since then. And keep in mind that the estimate for 1968 spending may well be low, just as all spending estimates in the past 4 years have proven to be low.

[In billions of dollars]

Fiscal year	Income	Spending	Surplus (+) or deficit (−)
1960	77.8	76.5	+1.2
1961	77.7	81.5	−3.9
1962	81.4	87.8	−6.4
1963	86.3	92.6	−6.3
1964	89.5	97.7	−8.2
1965	93.1	96.5	−3.4
1966	104.7	107.0	−2.3
1967	117.0	126.7	−9.7
1968 (estimated)	120.0	143.6	−23.6

To meet this critical situation the President proposes that individuals and corporations pay more Federal income taxes. In effect he is admitting that the administration has got the country into a financial mess, and now he is asking the taxpayers to bail him out.

Specifically, he is asking three moves that together would mean about $7.4 billion in added revenue to the Government in fiscal year 1968: a 10-percent surtax on the income tax we would otherwise pay, a speedup in collections of corporation taxes—the third such speedup since 1962—and postponement of the reductions he had earlier requested in the Federal excise taxes on telephone service and auto sales.

Of course the Treasury needs extra revenue, and a budget deficit of huge size presents grave problems to the entire economy. But there is no use pretending that L. B. J.'s tax increase by itself will do any more than chip at the problems. Obviously it will not balance the budget, but can only reduce the deficit by about one-fourth. It will pay for less than four months cost of the Vietnam war. It will not stop inflation and may well actually increase costs of living even faster. It will not reduce interest rates and will not ease the balance-of-payments problem.

The truth is that the compulsive domestic spending habits of the Johnson administration, continuing right along with the costs of war, are at the heart of the issue. If the L. B. J. administration had been prudent in its handling of the taxpayers money, then no tax increase would be required.

With all of this in mind many of us in Congress are demanding, just as we have been demanding, that the administration change its ways. All we ask is that L. B. J. cut back on wasteful domestic spending and give the public full and reliable information on where the money is going. Then and only then should we consider the L. B. J. request for added taxes.

BARBARIANS WITHIN THE CITY GATES

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the August 14 issue of U.S. News & World Report stated:

> More than 100 (109) cities of the U.S. have been hit by Negro violence this year. At least 117 persons have been killed, thousands injured. Property damage has approached 1 billion dollars.
>
> National Guardsmen have been called out more than 20 times to help police, and once, in Detroit, U.S. Army troops were used in addition to the National Guard.

This same edition gave the gruesome box score of riots by States which indicated that only 18 of the 50 States have avoided racial violence. New Jersey, Michigan, California, New York, Ohio, Illinois, and Florida have each had five or more riots—14, 11, 11, 11, 10, nine and five respectively.

Each riot, in proportion to the degree of damage, has violated a basic principle of the American system of law and the very foundation of a capitalist economy, and done it on gigantic scale. This is the right to life and property.

A short but interesting treatment of the subject of "Barbarians Within the City Gates," was recently contained in the selection bulletin of the Conservative Book Club. There are alternatives to the present approaches which obviously have not worked. I submit this statement to show firm alternatives which could defend civilization.

The statement follows:

> Speaking of civil rights, it has always been our oldfashioned notion that the basic one is the right to the protection of life and property. This has historically been the position of Anglo-Saxon justice, which used to provide the ultimate penalty for any number of crimes against person or property, whether committed on the sands of Arizona or the streets of London. The reasoning was simple enough. The civilized—those who respect the rights of others—are always at a disadvantage against planned or random violence. So society tried to restore the balance. Society saw, moreover, that every crime unpunished was an attack on *every* innocent person, was an invitation for the jungle to come back and again smother the cleared land, was a sin that cried to heaven for vengeance. Today society faces a new menace, without precedent in the history of civilized man.
>
> The barbarians are *within* the city gates—and the elders of the city speak out not for the victims (including the Negro victims), but for the barbarians. The city guardians, spewing an acid called Liberalism that eats away at every edifice in the city, watch their walls crumbling—and can only call for urban renewal. More ominous still, our traditional political give-and-take seems all but paralyzed. Has lawlessness gone so far we are now traumatized? We think not, though it could reach that point. But society's organs are enfeebled by the Liberal poison. Political and opinion leaders, even those in the conservative opposition, are slow to identify the gravest domestic crisis in our country's history. The Liberals still jabber away, like senile idiots, or carnival con men, about more federal money to cool our ever-longer, ever-hotter summers.
>
> Meanwhile, in the Newark riot, a neatly dressed couple were seen busily loading boxes of shoes into their 1967 Cadillac. How long before conservative leaders dare to tell the emperor that he has no clothes on? For openers, we commend these measures to federal and state legislators: 1) For anyone guilty of riots or burning or looting, the death penalty. (If this seems harsh, blame the Liberals who let things go so far. You don't cure smallpox with aspirin.) 2) Riot victims to be compensated for personal injury and property damage by having first claim on all personal property of any rioter or looter. 3) If victims are still owed more after this, further compensation to come out of welfare and poverty funds allocated to the riot area. 4) State police, local police and national guard units to be bolstered everywhere, paid better (they deserve it, and it's cheaper than Watts and Detroit and Newark and, God forbid, maybe your own town), trained intensively in crime prevention and, especially, in anti-riot tactics.
>
> Beyond the legislative area, we urge political and citizen groups to spend their efforts in research and publicity to let voters know which politicians and judges are the bleeding hearts, which the defenders of civilization. Finally, Gresham's Law works in sociology as in money. We hear so few responsible Negroes speak out not because they don't exist, but because whites have shrunk from defending orderly society. Decent Negroes, remember, are on the front lines, and they can hardly be blamed for wondering whether we'll defend them, when we don't even defend ourselves. When we can give evidence that riots do not pay, a different kind of Negro leader is likely to emerge. The lesson of foreign affairs applies to our cities; be firm, and barbarians will retreat.

THE MEGATONNAGE GAP

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, from time to time I have inserted in the RECORD material concerning this Nation's hesitancy to proceed with the construction of antiballistic missile systems here in the United States. As anyone knows who has been following this issue, the Soviet Union has deployed ABM systems in the Moscow and Leningrad areas.

In July of this year the House Armed Services Committee released a report compiled by the American Security Council, a highly respected research and educational organization in the area of national security, entitled "The Changing Strategic Military Balance—United States Versus U.S.S.R." This report has received wide coverage by newspapers here in the United States. For a small sampling of editorial comment on the report I wish to insert in the RECORD at this point editorials from the Evening Tribune of San Diego, Calif., dated July 21, 1967; the Elgin Courier News of Elgin, Ill., dated July 20, 1967; and the Youngstown, Ohio, Vindicator, of July 12, 1967.

The material referred to follows:

[From the San Diego (Calif.) Evening Tribune, July 21, 1967]

UNITED STATES CANNOT AFFORD MEGATONNAGE GAP

There is great concern, and with good reason, that in the nuclear race with Russia, the Soviets are running and the United States is walking.

This means that despite the advantages of an early lead, the United States is being passed in the drive for strategic military superiority.

What the United States may be facing soon, if not already, is a serious megatonnage gap. Megatonnage is a summation of a nation's nuclear force, the total atomic power that can be delivered by strategic weapons.

When we are on the short side of a megatonnage gap, it means the Soviets can hit the United States with a larger nuclear destructive force than we can hit them.

At present there is a slight megatonnage gap. But not too long ago, we had the scales tilted heavily in our favor. It will not be long before the scales are weighted by some degree on the other side.

A group of 17 military experts, most of them retired high ranking officers of the armed forces, recently made a study of the changing strategic military balance between the United States and Russia.

The men compiling the report worked as a special subcommittee of the American Security Council, a non-profit association engaged in national security research and education. The report was made at the request of the House Armed Services Committee and was based on unclassified information.

The report warns that "the United States has exchanged its goal of a war-winning strategic superiority for a strategy of mutual deterrence," whereas Russia "is driving hard toward a goal of overwhelming superiority in the decisive field of nuclear weaponry."

A contributing factor to the present situation, the committee found, was an inclination of officials in this country to discount Russian advances. There was the same inclination in regard to Russian space achievements until the Russians proved time and time again their advanced technology in a space program.

The report said, "the available evidence indicates that the Soviet Union has a goal of strategic superiority designed to win a nuclear war rather than merely deter one."

The report says that in this year the United States does not appear to have a superior position in deliverable strategic weapons.

The present situation need not be permanent. "There is still time to regain superiority," the report says, "but time is on the side of the one which uses it."

While there is still time, the United States must be the one to make full use of it.

[From the Youngstown (Ohio) Vindicator, July 12, 1967]

Russia Gains Ground

The proponents of developing an antiballistic missile defense for this country will gain strong support from the study made public today by the American Security Council. The report was prepared for the House Armed Services Committee by a special subcommittee of the council. The committee is one to command respect, for it is headed by Gen. Bernard A. Schriever, and includes such men as Vice Admiral Elton W. Grenfell, Gen. Albert C. Wedemeyer, Gen. Curtis E. LeMay, Dr. Edward Teller, and Admiral Ben Moreell.

The study is entitled, "The Changing Strategic Balance U.S.A. vs. U.S.S.R." It emphasizes repeatedly that the Soviet Union is moving toward "overwhelming superiority in the decisive field of nuclear weaponry," while the American aim is for "a strategy of mutual deterrence."

The report estimates (all its information is from unclassified sources) that in 1962, the United States could have delivered between 25,000 and 50,000 megatons of nuclear destruction, while the Soviet Union's capability was between 6,000 and 12,000 megatons. By 1971, the experts believe, this country's capability will be between 6,000 and 15,000 megatons, while Russia will have between 30,000 and 50,000 megatons.

At several points, the study recalls that Russian leaders have said repeatedly that "Communism's ultimate goal is world domination." It indicates that American policymakers prefer not to listen, and it quotes Defense Secretary Robert S. McNamara as saying "it will become increasingly probable that either side could destroy a sufficiently large portion of the other's strategic force . . . to preclude a devastating retaliatory load."

The committee shows concern over the growth of Soviet capacity which would warrant Moscow in trying for a "knockout nuclear first strike." Nuclear blackmail, with the threat of a rain of ICBMs or attack from orbiting space weapons (forbidden by treaty, of course) could leave the United States only the choice of firing its own nuclear weapons first, or of surrendering.

No one wants to add unnecessary expense to the heavy financial burden that war and defense already have laid on the country. On the other hand, a warning from a committee of this caliber must get careful consideration.

[From the Elgin (Ill.) Courier News, July 20, 1967]

Weapons Race: A Cause for Alarm

The administration of Lyndon B. Johnson is frequently said to be politically astute because it keeps its "options" open.

It would be more astute if it followed the same policy in defense.

Comparing the strategic nuclear capability of the United States today with that of the Soviet Union, an expert panel of 18 defense specialists associated with the American Security Council reports:

". . . Placing our sole reliance for deterrence on . . . missiles and the remaining manned bomber force, the United States places itself in the dangerous position of having only one option left if it is faced with a Soviet ultimatum to surrender."

It would be encouraging if the option we have were of such superior power that the Soviet Union would not think of challenging it.

Unfortunately, the Security Council experts found the opposite to be true. "The United States," it reported, "has exchanged its goals of a war-winning strategic superiority for a strategy of mutual deterrence," whereas the Soviet Union "is driving hard toward a goal of overwhelming superiority in the decisive field of nuclear weaponry."

The council's contention that the Soviet Union will have an unquestioned superiority in the tons of destruction it can rain on us is a matter for national alarm. The fact that our equality of strategic response is under question even today is fearsome.

When the Administration embarks on a policy of so-called "mutual deterrence" it must remember that it is a principle that takes the participation of two. So far it has been practiced by only one—the United States of America. While the cult of cost computers has been theorizing and disarming the United States since 1962, the Russians have been building up their vast complex of offensive weapons, still making clear that intention of world domination.

Unfortunately, we cannot retrieve time. Equally, it is important that we do not lose any more. As the Security Council points out, there still is time for the United States to regain strategic superority—"but time is on the side of the one which uses it."

This is the critical year. To regain superiority by 1971; the United States must begin construction and deployment of its strategic forces build-up today.

High on the list of these is the anti-ballistic missile system, which the Soviet Union already has deployed around key cties. As Security Council experts point out, this system at least in the final analysis could "strengthen the hand of the President if he is confronted (with a Soviet ultimatum to surrender) and it might stay the hand of an enemy at a critical moment in history."

That critical moment in history is not in the future when missiles begin raining, but today. If the United States makes the wrong decision again in defense, the whole world might face slavery.

PIRATES ON THE BARBARY COAST

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the events surrounding the kidnaping of Moise Tshombe are still vague and it is doubtful that the $200,000 documentary, "Tshombe in Algeria," offered for sale by the Algerian Government will provide much substantiation. But it does tend to indicate that Algeria had some prior notice of events which brought the former Congolese Premier to capture there.

An editorial in the August 22, edition of the Chicago Tribune details the base "diplomacy" which has surrounded the imprisonment of Tshombe from the start.

It would appear that Tshombe is still being held, Algeria and Mobotu are still bickering over his diplomatic worth and hopefully, the President of the United States and Department of State officials are attempting to have justice prevail from behind the scenes, as was announced. With such acts as are outlined in the editorial, possibly the cause of justice would be advanced if the actions of our Government were made public along with their successes and failures. Public opinion should have the chance to be heard in the case of this friend of the United States and of worldwide freedom.

The editorial follows:

Pirates on the Barbary Coast

In one of the most impudent acts of diplomatic history, the Algerian government offered to sell for $200,000 a half-hour film entitled "Tshombe in Algeria"—a film which begins, astonishingly enough, with the moment Tshombe landed in Algeria with his kidnapers. The British plane which the former Congolese premier had chartered to fly between two Spanish islands in the Mediterranean was hijacked and flown to Algiers.

Algeria has denied being a party to the kidnaping, yet a film crew seems to have been on hand at the airport to record the arrival of the hijacked plane. Was there time to make these unusual preparations after the pilot had notified the Algiers control tower of his predicament and asked permission to land? (He was told to land instead at a military airport 25 miles out of the city.)

Or did Algerian officials know all along what was afoot? This possibility cannot be dismissed, because Algeria's bias against Tshombe has been conspicuous thruout the incident and its behavior has been disgraceful.

It refused a visa to Mrs. Tshombe, who wanted to be with her husband. It refused to allow representatives of the Belgian government to see the Belgian citizens who were aboard Tshombe's plane. It held secret hearings on the matter of Tshombe's extradition to the Congo, where he has been sentenced in absentia to death for treason. It has been accused of using Tshombe as bait to win the Congo's vote in favor of a pro-Arab resolution against Israel in the United Nations. The Congo lent credence to this charge by voting as Algeria wanted it to, even tho its sympathies have normally been with Israel. The Congo's request for extradition was granted even tho the two countries have no diplomatic relations and even tho, under international usage, extradition is not applicable in political crimes.

Now comes the crowning insolence—Algeria's effort to pick up a few extra dollars on the side as a result of Tshombe's misfortune. This is reducing diplomacy to a mercenary level which makes the television quiz scandals look like Sunday school. It is a revival of the piracy which plagued American shipping on the Barbary coast more than a century ago. We trust that nobody in this country will show any interest in Algeria's offer unless Tshombe himself comes with the film—and even that would amount to ransom.

BILLS INTRODUCED TO ASSIST RAILROADS

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Reid] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today two bills to provide assistance to railroads, and specifically, to the New Haven Railroad.

The first bill would extend the authority of the Interstate Commerce Commission to guarantee loans to certain rail carriers to finance or refinance additions and betterments or other capital expenditures made after January 1, 1957, or to finance or refinance expenditures made for maintenance of property. The ICC's authority to guarantee such loans under a previous program expired in 1963.

The second bill would give the Department of Transportation authority to provide financial assistance to passenger railroads to aid them in preserving and improving essential passenger services and facilities. Assistance would be based upon an application indicating that a plan of action had been formulated by the State or States involved, and that those units, as well as local governments, were also prepared to support the railroad's essential services. Under the formula, Federal aid could not exceed whatever financial assistance is available from the States, including tax forgiveness.

Mr. Speaker, the problems of the New Haven are clear and immediate. The shortage of cash to meet operating expenses, continued pressure by creditors, and the uncertain status of the Penn-Central merger that would include the New Haven, point unmistakably to the need for prompt Federal action to assist the States of New York, Connecticut, Rhode Island, and Massachusetts in continuing the passenger service of the New Haven.

Following his meeting with the New England Governors last May, President Johnson asked Secretary of Transportation Alan Boyd to coordinate Federal efforts that might be of help to the New Haven. As the Senator from Connecticut [Mr. Ribicoff], the principal sponsor of these measures in the other body, said:

> That coordinating effort has now been underway for almost 3 months. It has produced a number of meetings, several ideas, many papers—and no action.

Prompt consideration of these bills would be one constructive way to demonstrate the administration's interest in the survival of the New Haven and the welfare of its passengers.

However, these bills would not meet the New Haven's immediate need for cash resources. Senator Javits and I met recently with representatives of several executive departments in an effort to establish a coordinated Federal program of emergency financing—on the order of $5 to $10 million—to carry the New Haven through until final court approval of the Penn-Central merger.

THE WARREN REPORT—IV

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, this is the fourth installment of the transcript from the CBS television documentary entitled, "CBS News Inquiry: The Warren Report."

Announcer. A CBS News inquiry: "The Warren Report" continues. Here again is Walter Cronkite.

Cronkite. In answer to our major question as to whether shots came from a direction other than the Book Depository Building, indicating other gunmen and a conspiracy, we have eye—or ear witnesses inside the building saying the shots came from there. Now, Mr. Holland who was on the railroad overpass, here, insists that he heard a shot from here. And in Mark Lane's book, "Rush to Judgment," he writes that 58 out of 90 people who were asked about the shots thought they came from the grassy knoll.

Now, expert opinions differ. All the experts agree that the shots could have come from the rear. But where some experts, such as Dr. Humes, say bluntly that they did, others—such as Dr. Wecht—find it highly unlikely.

CBS News concludes that the most reasonable answer is that the shots came from the Book Depository Building, behind the President and Governor Connally. But if the shots came from the rear, and if there were only three of them, can all the wounds be accounted for? The President was struck at least twice. Governor Connally was wounded in the chest, the wrist, and the thigh. One bullet was recovered intact, as well as two large fragments. The Warren Commission concluded that of the three bullets fired, one missed entirely, one struck the President's skull and fragmented, and the third—this one—passed through the President's neck and went on to inflict all the Governor's wounds. This is the single bullet theory. And so we must ask: Could a single bullet have wounded both President Kennedy and Governor Connally?

Now, this is what the Report says: "Although it is not necessary to any essential findings of the Commission to determine just which shot hit Governor Connally, there is very persuasive evidence from the experts to indicate that the same bullet which pierced the President's throat, also caused Governor Connally's wounds. However, Governor Connally's testimony and certain other factors have given rise to some difference of opinion as to this probability but there is no question in the minds of any member of the Commission that all the shots which caused the President's and Governor Connally's wounds were fired from the sixth floor of the Texas School Book Depository."

Well, through the tortured English of that paragraph, a sentence that begins with "however," and has "but" in the middle, we can make out the Commission's struggling to paper over internal dissension. It's unfruitful to try to puzzle out the meaning of the statement.

Instead, we asked Arlen Specter, Assistant Counsel to the Commission, and now District Attorney of Philadelphia, and the author of the single bullet theory.

Specter. The possibility of one bullet having inflicted the wounds on both the President's neck and the Governor's body came in a very gradual way. For example, the first insight was given when Dr. Humes testified, based on his autopsy findings. And at that time it was made clear for the first time that the bullet that went through the President's neck hit no bone, hit no solid muscle. And, according to Dr. Humes, came out with great velocity.

Now, it was at that juncture that we wondered for the first time what happened to the bullet. Where did the bullet go? The probability is that it went into Governor Connally, because it struck nothing else in the car. That is the single most convincing piece of evidence, that the one bullet hit both men, because looking down the trajectory, as I did through Oswald's own rifle, and others did too, the trajectory was such that it was almost certain that the bullet which came out of the President's neck with great velocity would have had to have hit either the car or someone in the car.

Rather. It stated in the Warren Commission Report that belief in the single bullet theory is, quote, "not essential"—end of quotation—to support in the conclusion of the Warren Commission Report.

Now, can you describe for us any other theory, besides the single bullet theory, that would support the conclusions in the Report?

Specter. The Commission concluded that it was probable that one bullet inflicted the wound on the President's neck, and all of the wounds on Governor Connally. But you could have three separate bullets striking under the sequence as we know them. For example, the President could have been struck at frame 186 of the Zapruder film, which is a number given to the Zapruder film. Then Governor Connally could have been struck some 42 frames later, which would be a little over two and a quarter seconds at about frame 228 or 229; and then the third shot could have hit President Kennedy's head at frame 313, which was pretty clearly established. So that it is not indispensable to have the single bullet conclusion in order to come to the basic finding that Oswald was the sole assassin.

Cronkite. The Commission's dilemma lay in the fact that it had to choose between two unpalatable alternatives in order to make its case stand up. Having decided that three shots were fired, and having three sets of wounds to explain, the Commission could only find either that all three shots hit their marks, or that one of the three bullets hit two men.

But, if all three shots hit, then one of them would have had to pass through the President's neck, emerge at 1800 feet per second, headed on a downward path toward the midst of the Presidential car and the six people in it, and vanish in mid air, hitting nothing and leaving no mark. Well, this was more than the Commission could stomach. Despite its own words, the single bullet theory is essential to its findings.

The bullet was found after it rolled off a stretcher at Parkland Hospital during the tumult that followed the arrival of the two wounded men. The man who found it was Darrell C. Tomlinson, senior engineer at Parkland.

Darrell C. Tomlinson. There was a doctor that went into the Doctors' Lounge and he had to pull this stretcher out, the one I'd taken off the elevator, and whenever he came out he failed to push it back up against the wall, so I just stepped over and gave it a little kick to get it back in line, and then I turned to walk away and I heard a rattle, and I turned around and looked. I didn't see anything at that time, but I walked back over to the stretcher and there was this bullet was layin' there. So, I picked it up, looked at it, put it in my pocket.

Barker. Do you recall, was there any blood on the bullet, or was it—how did the bullet look?

Tomlinson. Well, it was copper colored bullet and I couldn't tell whether it had blood on it or not. I—I really didn't look for it.

Barker. It was a spent shell?

Tomlinson. Yes.

Barker. Well, now, as you think back, is there any doubt in your mind today that the stretcher on which you found that bullet was the stretcher that came off of the the elevator?

Tomlinson. Well, I know that. That I know. I just don't know who was on that stretcher.

Barker. But, the stretcher was on the elevator?

Tomlinson. Right.

Barker. And this was the elevator that Governor Connally would have taken, or would have been placed on to go to the operating room, is that right?

Tomlinson. Yes, sir, that's—that's the one he went up on.

Cronkite. Critics have claimed that in fact the bullet came from the President's stretcher, which would rule out the single bullet theory. But the President's stretcher was never in that elevator and consequently Mr. Tomlinson's recollection disposes of that particular dispute. It does not dispose of another claim, however, the claim that the bullet was planted on the Governor's stretcher as part of a plot to link Oswald to the assassination. And that claim can never be disproved.

The bullet is almost intact, only slightly flattened, with a little cone of lead missing from the rear end. Could such a bullet have penetrated successively, a human neck, a human torso, a wrist and a thigh, and emerged in this condition? The Commission used animal carcasses and blocks of gelatin to test the bullet's penetrating power, firing repeated shots from Oswald's rifle. Now, this is standard technique. But, because of the difficulty of lining up such a shot, the Commission experts fired their bullets separately through the various simulators. Each time they measured how much speed the bullet had lost from its initial 2,000 feet per second, and in the end, concluded that the bullet would have retained enough velocity to penetrate the Governor's thigh.

But, it seemed to us that the only completely valid test would be a single shot directly through a series of objects with the same thickness and density as the two bodies. We decided to make that shot.

Rather. Dr. Alfred G. Olivier, Chief of Wound Ballistics at Edgewood Arsenal, who conducted the tests for the Warren Commission, served as consultant to CBS News in these experiments at the H. P. White Ballistics Laboratory, Dr. Olivier suggested using gelatin blocks to simulate human tissue. The main object was to line up targets simulating the President's neck and the Governor's chest, wrist and thigh, spaced as far apart as Mr. Zapruder's film indicated they were in the limousine, and then to see how far a 6.5 Mannlicher-Carcano bullet would penetrate.

Extensive research at Edgewood Arsenal has shown that gelatin, in a 20 percent concentration, gives a good simulation of human tissue. The first gelatin block was made five and a half inches thick to simulate the President's neck, with cloth added to represent his coat and shirt. Set two feet or so away was a 12 inch block representing the Governor's chest, also with appropriate clothing. This high speed sequence, taken at 22,000 frames a second, shows the chest simulation block and how the bullet, slightly unstable after passing through neck simulation, begins to turn off course as it tears through the gelatin, exiting in an attitude pointing down.

The wrist block was two and a half inches thick, inset with masonite to represent bone. Beyond was a fourth gelatin target representing the Governor's thigh. Dr. Olivier told reporter Walter Lister about the tests.

Olivier. When the bullet struck the simulated neck, it was perfectly stable, passed through making a small track in the gelatin. This—this very closely simulates the wound received by the President. It was a small entrance and a small exit, as described on the autopsy report.

Walter Lister. This is about the way it would look through human muscle tissue?

Olivier. Yes. After the bullet left this simulated neck, and passed from this dense medium into any, which is less dense, then it had a chance to start to tip and by the time it struck this block it was tipped, and you can see the difference: a much larger track in the gelatin block, which represents a more serious wound, as the Governor received. In his case, the bullet passed along the rib, fractured the rib, throwing fragments into the lung. Of course, we have no rib here, but it still simulates passing through the flesh.

By the time it had passed through here, it had lost considerable velocity, and entered the simulated wrist. In some cases, it passed through the wrist; in other cases, it lodged in the wrist. Behind this wrist, we had another gelatin block, representing the Governor's thigh. In none of the cases did this thing actually penetrate that, but it would have taken very little more velocity to have caused a similar wound.

Lister. What do you think that these tests have indicated here?

Olivier. Well, that they—I think they very strongly show that this one bullet could have caused all the wounds.

Lister. Did someone outline these experiments for you?

Olivier. No, I'm afraid I'm guilty of the whole business.

Cronkite. Our tests confirm that a single bullet could indeed have wounded both men. But conceding that it is possible, we must also ask if it is probable. We asked two distinguished pathologists, both experienced in the study of wounds, to give us their best judgment. They are Dr. William F. Enos of Northern Virginia Doctors Hospital, who has studied wounds both as a military and civilian pathologist; and Dr. Cyril Wecht, from whom we heard earlier. First, Dr. Enos with Dan Rather:

Enos. I have had cases in which the missiles have gone through relatively heavy bone and very little deformity. The fact that it went through two men is perfectly acceptable because of its velocity.

Rather. Now, most of us have an idea that the minute a bullet hits a bone that it shatters that bullet.

Enos. No, not necessarily. Again, it depends on the construction of the missile, of the bullet. If it's a full-jacketed bullet it can remain intact with very little or no deformity.

Rather. Is it impossible that the bullet would have gone through President Kennedy, gone through Governor Connally and not suffered any more damage than is shown in this photograph?

Enos. No, without hedging. In medicine we always fall back upon the trite expression; we never like to say that something is impossible. I—I would say that it is highly improbable. I—I—I would hesitate, really, to say that it's absolutely 100 percent impossible, but it is highly improbable. Another one, you see, another one of the very many highly improbables that we are asked to accept by the Warren Commission, if we are to accept the validity of their full Report.

Cronkite. The most persuasive critic of the single bullet theory is the man who might be expected to know best, the victim himself, Texas Governor John Connally. Although he accepts the Warren Report's conclusion, that Oswald did all the shooting, he has never believed that the first bullet could have hit both the President and himself.

Connally. The only way that I could ever reconcile my memory of what happened and what occurred, with respect to the one bullet theory, is that it had to be the second bullet that might have hit us both.

Barker. Do you believe, Governor Connally, that the first bullet could have missed, the second one hit both of you, and the third one hit President Kennedy?

Connally. That's possible. That's possible. Now, the best witness I know doesn't believe that.

Barker. Who is the best witness you know?

Connally. Nellie was there, and she saw it. She believes the first bullet hit him, because she saw him after he was hit. She thinks the second bullet hit me, and the third bullet hit him.

Mrs. Connally. The first sound, the first shot. I heard, and turned and looked right into the President's face. He was clutching his throat, and just slumped down. He just had a—a look of nothingness on his face. He—he didn't say anything. But that was the first shot.

The second shot, that hit John—well, of course, I could see him covered with—with blood, and his—his reaction to a second shot. The third shot, even though I didn't see the President, I felt the matter all over me, and I could see it all over the car.

So I'll just have to say that I think there were three shots, and that I had a reaction to three shots. And—that's just what I believe.

Connally. Beyond any question, and I'll never change my opinion, the first bullet did not hit me. The second bullet did hit me. The third bullet did not hit me.

Now, so far as I'm concerned, all I can say with any finality is that if there is—if the single bullet theory is correct, then it had to be the second bullet that hit President Kennedy and me.

Cronkite. The Governor insists that he heard a shot before he was struck, and that therefore he could not have been struck by the first bullet, as the Warren Commission supposes.

Those of you who were with us last night remember that we cited indications in the Zapruder film that it was Oswald's first shot, fired earlier than the Commission believed, which missed. Now if that is so, then the Governor could indeed have heard a shot and begun reacting to it before he himself was hit. We have, in fact, three theories to explain the same facts—the single bullet theory, the second assassin theory, the theory that all three bullets that were fired found their targets.

Our own view, on the evidence, is that it is difficult to believe the single bullet theory. But, to believe the other theories is even more difficult. If the Governor's wounds were caused by a separate bullet, then we must believe that a bullet passed through the President's neck, emerged at high velocity on a course that was taking it directly into the middle of the automobile, and then vanished without a trace.

Or, we can complicate matters even further, as some do, by adding a second assassin, who fires almost simultaneously with Oswald, and whose bullet travels miraculously a trajectory identical with Oswald's, and that second assassin, too, vanishes without a trace. Difficult to believe as the single bullet theory may be, it seems to be the least difficult of all those that are available. In the end, like the Commission, we are persuaded that a single bullet wounded both President Kennedy and Governor Connally.

The Warren Report's contention that there was only one assassin rests on the conviction that all the wounds suffered by both men were inflicted by no more than three shots, fired from behind and above them. We have heard Captain Humes, as well as other doctors and experts. We have looked hard at the single bullet theory. The case is a strong one.

There is not a single item of hard evidence for a second assassin. No wound that can be attributed to him. No one who saw him, although he would have been firing in full view of a crowded plaza. No bullets. No cartridge cases. Nothing tangible.

If the demands for certainty that are made upon the Commission were applied to its critics, the theory of a second assassin would vanish before it was spoken.

As for the Governor, he now concedes he might have been struck by the bullet that pierced that President's throat. And our own investigation makes it likely that the bullet was the second, and not the first, that Oswald fired. The Governor's objections, which were the most troubling of all, now disappear. CBS News concludes, therefore, that Oswald was the sole assassin.

But was he truly alone? Or were there others in dark shadows behind him, coauthors of a plot in which Oswald was cast as a triggerman? Tomorrow we will look into those charges, and concern ourselves with Officer Tippit, with Jack Ruby, and the murky accounts and strange personages introduced into the case by District Attorney Jim Garrison in New Orleans.

GARRISON. He did not touch a gun on that day. He was a decoy at first, and then he was a patsy, and then he was a victim.

CRONKITE. We will hear Garrison, and some of those whom he has involved. And we will try to answer the third of our major questions: Was Lee Harvey Oswald part of a conspiracy?

HON. PATSY MINK SPEECH

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOGGS. Mr. Speaker, one of our ablest—and certainly one of our most attractive—colleagues, the gentlewoman from Hawaii, Mrs. PATSY MINK, delivered a stirring address to members of the Ladies Auxiliary of the Veterans of Foreign Wars, meeting with their husbands in my home city of New Orleans last week.

In her inspirational speech to the ladies on August 22, Mrs. MINK said the women of America should join together in a massive volunteer effort "dedicated to the eradication of poverty, crime, dope addiction, juvenile delinquency, prejudice, and hate. That these remain in our country as unsolved problems is an enigma totally incompatible with our wealth, our intelligence, and our image."

Our lovely colleague pointed out to the VFW ladies that their good works can be particularly helpful and fruitful for the young people who are shackled by the bonds of poverty. She listed the many productive national programs now underway to improve the education, the health and the opportunities of so many young citizens whose parents and families have been ground down by the weight of poverty.

Said Mrs. MINK:

> It may not be possible for us to save the poverty entrapped adults, but for the youth there is still time, and it is to them that the government's efforts are primarily directed: headstart pre-school education, job training centers for the teenagers, neighborhood youth programs to keep the children from becoming school dropouts, halfway houses to help the young people overcome temptations to delinquency, school lunch programs to feed the hungry, housing programs, medical and dental services for the poor, part-time jobs during the school year, loans to go to college so that none need be denied the fullest opportunity to be educated, and many other deeply child-oriented national programs. All of these need your help and support.

Mrs. MINK's call for a nationwide Women's Corps to work for these goals is most noble and constructive, and I am proud to salute our colleague for her inspirational message to this national organization.

I would say, Mr. Speaker, that we in Congress have a duty and responsibility to assure the women of our country that these programs we have launched are sustained and expanded in the years ahead. In the past 4 years, we have taken herculean steps to provide the productive avenues through which our young people can enjoy to the fullness of their capabilities the abundant opportunities of this great land of ours. We must do our utmost to spread the opportunities of our Nation to more and more of our people—we must open the way to the youthful poor of our country so that they can emerge from their invisible station to partake of all the joys and benefits of the United States.

PATSY MINK, Mr. Speaker, has rendered a signal service by her address to the ladies auxiliary of the VFW, and I am pleased to call it to the attention of my colleagues. Her address follows:

SPEECH BY REPRESENTATIVE PATSY T. MINK BEFORE THE NATIONAL CONVENTION OF THE LADIES AUXILIARY OF THE VETERANS OF FOREIGN WARS IN NEW ORLEANS, AUGUST 22, 1967

Madam President, delegates and members of the Ladies Auxiliary of the Veterans of Foreign Wars, it is a real pleasure and privilege for me to be able to participate in your 1967 National Convention here in New Orleans. I welcomed this opportunity to join you this morning to extend to you the special greetings of the people of my State of Hawaii who share with you your vital concerns for the future of our great country. We are at a particularly critical period in our nation's history, and the stage is set for a renewed effort and dedication by the women across this land to help towards the goals of a strengthened moral and spiritual fiber and fabric of our society towards which we, as women, are especially endowed with the gift of love and understanding.

We are a nation at war, and our husbands and sons are being asked once again to make the supreme sacrifice of family and of life itself. 15,000 young men have already given their lives in Vietnam over the years and if there is one shining symbol that stands as justification for their sacrifice for this nation, it is to preserve our way of life that those who will live on may enjoy the blessings of true liberty. Here is where we at home must not fail them. We have been asked and implored by our nation's leaders and by our President to help build a truly great America. We are daily being urged to understand and support the pursuits of the nation, to commit each citizen to programs which will help improve the conditions of life for Americans who have yet to enjoy either happiness or security. In a sense there are two wars being waged, one international, 10,000 miles away in a distant Vietnam, and the other right here in our home communities, in our states and in our large cities. It is to the latter that I wish to address my few comments this morning, because it is the one to which each of us, you and I, can and must dedicate our fullest attention and energies, else we shall have consumed before our very eyes the values and virtues of a free nation.

I am confident that we are not unwilling as a people to make the necessary sacrifices to improve the conditions under which all free and equal men, women and children are entitled to live. I know that there are many in this audience today who in their own communities are leaders of various civic-minded efforts predicated upon the constant urgency for all to give freely and willingly of themselves to help those within our society who lack the basic necessities of life, an adequate education, a self-sustaining job, health facilities and services, and decent housing. For many millions today, these treasured goals are largely unattainable without our help and assistance. Those of us in the Congress who are working towards these ends through national legislation, realize that the larger effort must still come from the citizens themselves, and that government can only serve as a stimulus for local action if we are to meet the more urgent needs of these distressed and unfortunate, whose very presence is hard to contemplate.

In a generally affluent nation, it is difficult to discuss the questions of public sacrifice that is still required for greatness. Too many of us have forgotten the lessons of our own country's history, and the sacrifices that were made by our forefathers that this nation might be born. Patriotism is too often regarded only superficially, as reverence for the flag, in the songs sung about America, in our words of respect for our fighting men overseas, when the true meaning of patriotism and love of country is imbedded in the struggles and sacrifices of the great men who sought to create a land of the free and who established for us the code of liberty which is the true and shining glory of this republic.

Let me remind you about some of the great heroes of yesterday who sacrificed so much for the sake of an idea which has become today the essence of our democracy. Who were these signers of the Declaration of Independence and what sacrifices did they make?

First, do you remember *Samuel Adams* of Massachusetts? He was a leader of the Revolutionary Sons of Liberty whose words and actions led to the Boston Tea Party. He was hunted for treason, and in the end died in poverty.

Do you remember *Charles Carroll* of Maryland? He was then one of the three wealthiest men in America, who gladly risked his life and all of his property for the sake of freedom and independence. When he signed the Declaration, he knew that with the stroke of his pen he had surrendered his entire wealth and all his earthly possessions.

And did you know that *John Hancock* was one of the richest men in New England who also risked his entire fortune!

History records that *William Ellery* of Rhode Island acknowledged at the time of the signing of the Declaration that it was well accepted that each could well be signing his own death warrant!

Georgia's *Lyman Hall* saw his plantation home sacked and burned; *William Floyd* of New York had his home also burned to the ground; *Benjamin Harrison,* Speaker of the Virginia Legislature, fled from town to town to keep from being captured; *Thomas Heyward, Jr.,* of South Carolina, was held a prisoner by the British for over a year, as was *Arthur Middleton,* also of South Carolina and many others. *Robert Morris* of Pennsylvania, whose immense wealth was given to George Washington's army, died in debtors' prison years later.

These are but a few of the men whose lives and sufferings have made the spirit of America so rich and so full! In our hurried lives today, we forget that the homage we pay to our country largely belongs to these men who built it with their irrevocable and total dedication to the noblest principles of mankind.

Nearly two hundred years later we are being called upon to give with that same fervor our utmost to achieve the goals which have yet to be attained for many of our fellow Americans. I join this call today in urging that for the women of America this is a special mission for which we are uniquely qualified.

Let us join together to bolster the family life of America, to help give our troubled youth today that deserving promise of a brighter future. Let us work to infuse in them that spirit of America which we take so much for granted and urge them to see that our heritage is truly still the most important single ideal around which the young people can seek the attainment of individual goals.

Let us not close our eyes, ever so warm and sympathetic to the cries and heartbreaks of our own children, to the outcries and despair of the countless other children who need our courageous voices to sustain them and to uplift them from their lonely and miserable existence.

Yes, inexplicably it does take courage today to express our concerns for our neighbor. And thousands of women today have demonstrated their capacity to love their neighbors. They have volunteered from all walks of life—they have started day care centers for the underprivileged—they have responded to the call for help in a great variety of neighborhood centers—they are serving in legal aid offices, in hospitals, in schools, in recreation centers, and in innumerable other service agencies in their home communities.

The women of America have accepted the responsibility and challenge for nurturing in their own children the moral character and integrity to become proud citizens of this great democracy. As we have not failed in our individual efforts with our own flesh, let us not fail as a group. Ours is the task to ply our patience and endurance to the work of this Nation in building human dignity through the meeting of the needs of the body and the mind and the spirit.

There is no better way I know that we can help than through our efforts as volunteers. We can serve as a massive Women's Corps dedicated to the eradication of poverty, crime, dope addiction, juvenile delinquency, prejudice and hate. That these remain in our country as unsolved problems is an enigma totally incompatible with our wealth, our intelligences and our image.

Have you ever stopped to consider that women are among the most severely hit by poverty and by unemployment? It is estimated that there are about 14 million women in this plight today. All too often we think only of the rich widow and the fact that a great part of the wealth of this country is in the hands of the women. But what of these others, who have just barely enough to feed their children, who must witness the deteriorating of their children's bodies from lack of proper food and medical attention, and who through their own lack of education, cannot appreciate the even greater stunting of their children's minds because they cannot give to them the offerings of music, the sound of a poem, or the mysteries of the storybook? Many of these women try, they go out to work for the lowest wages paid anyone, and leave their young children unattended or ill-cared for to play on the streets alone.

It may not be possible for us to save the poverty entrapped adults, but for the youth there is still time, and it is to them that the government's efforts are primarily directed; headstart pre-school education, job training centers for the teenagers, neighborhood youth programs to keep the children from becoming school dropouts, halfway houses to help the young people overcome temptations to delinquency, school lunch programs to feed the hungry, housing programs, medical and dental services for the poor, part-time jobs during the school year, loans to go to college so that none need to be denied the fullest opportunity to be educated, and many other deeply child-oriented national programs. All of these need your help and support. I know that we can count on you to do your part to keep this effort meaningful and productive of a way of life rich and full of potential for our precious American youth!

President Johnson has time and again cited the women of America for their capacity to serve, for their perseverance, and for their compassion and understanding of human suffering. Let us respond to his call by giving of our hearts tenfold more than that required of us by duty alone.

I am confident that in this mission we will be enriching our own lives mindful of the fact that our efforts mean a better life for someone else. As a simple citizen of America, I humbly offer you this significant challenge and ask that you consider what you can give in the name of and for the sake of a fellow American.

THE PASSING OF A GREAT AMERICAN INDUSTRIALIST—HENRY J. KAISER

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOGGS. Mr. Speaker, Cecil Rhodes, the great empire builder in Africa, once said, "So little done, so much to do."

These words were the philosophy not only of Mr. Rhodes, but also of the eminent American industrialist who passed away last week—Henry J. Kaiser. Mr. Kaiser's driving spirit and his activist life are to be found not only in the industrial empire which he left in our country, but also in the philosophy of a man who exemplified the very best of the American dream.

From the man who built Kaiser Industries and affiliated Kaiser companies into an organization with assets of more than $2.7 billion and aggregate annual sales of over $2.1 billion, and plants in 33 States and 40 other nations, we have many comments of his boundless energy and drive, such as:

> Let's keep on being the kind of organization that's never satisfied with itself. I certainly haven't been a bit satisfied with myself. I ought to get more done when there's so much to do. Let's not stifle ideas by inaction. We can, if we will, keep forever building the tomorrow that is better than yesterday. We face stupendous changes, but we've never feared change. We've always relished the challenges.

These words are the hallmark of the imagination, intelligence, and spirit that was Henry Kaiser. I had the distinct honor and privilege, Mr. Speaker, to know this man, and his character was in the mold of the foremost Americans who have forged a great country out of a wilderness—who have built the United States into the greatest Nation in the history of the world.

In the same manner as the forefathers of our Nation, Henry J. Kaiser built his industrial empire on the highest principles. He did not foresake the principles of honesty, integrity, and hard work. These traits were an integral part of his makeup, his nature. As he once said:

> I have never felt it means much to earn money for money's sake.

Part and parcel of his personality, too, was his eternal optimism, and his consistant vision of the future. In the spirit of Robert Browning, who said:

> A man's reach should exceed his grasp, or what's a heaven for.

Mr. Kaiser said:

> I always have to dream up there against the stars. If I don't dream I'll make it, I won't even get close.

But Mr. Kaiser always put his vision to work. As he also said:

> It is always good to get on high ground and see the vision. But I can never escape the urge to do something about it.

And do something about it he did. In forging a great industrial empire with assets of more than $2.7 billion in the United States and abroad, Mr. Kaiser contributed significantly to the economic development and prosperity of our country and its people.

From my own observation, Mr. Speaker, Mr. Kaiser's contributions have been particularly significant in my home State of Louisiana. In the past 20 years since Kaiser industries began operations in Louisiana, more than $450 million has been invested in the construction and expansion of five plants in my State. The total employment at these plants is about 4,200, and the total annual payroll exceeds $42 million.

Today, Louisiana is third ranking among the Nation's 13 aluminum producing States, and the largest aluminum reduction plant in our country is located at Chalmette near New Orleans. In fact, 40 percent of our Nation's domestic aluminum is produced at the Chalmette plant—that is, 260,000 tons annually.

As a further note of the economic contribution which Kaiser works make to my State, Mr. Speaker, more than $70 million is spent by the companies each year for the purchase of needed materials and services to keep the five plants in full operation. In the years 1964–67, Kaiser industries will spend a total of $77 million for expansion and capital improvements to its Louisiana facilities. The largest of these investments for expansion and improvement—a total of $25 million—was spent to triple the capacity of the alumina works plant at Gramercy, which produces about 620,000 tons of alumina annually.

Mr. Speaker, Kaiser Aluminum & Chemical Corp., started operations in Louisiana in 1946 with the purchase of an alumina-producing plant at Baton Rouge. Today, that plant produces more than $950,000 tons of alumina annually, and $6.1 million is being spent to improve the facilities, including the construction of a new dock.

The opening of Kaiser operations at the Baton Rouge plant was followed in 1951 by the completion of the Chalmette works, America's largest aluminum reduction plant.

The Gramercy works, the company's second alumina producing plant, were opened in 1959. Two years later, the Kaiser chemicals plant at Gramercy was completed as the first industrial chemical works for Kaiser Industries in the United States. In 1965, a Kaiser calcined coke plant was opened at Norco, where 150,000 tons of calcined coke are produced each year.

As the industrial might of Louisiana continues to grow, the Kaiser Industries' contribution to the economy and prosperity of my State will march forward with Louisiana. There is no doubt that my State is indebted to the development of Kaiser Industries in Louisiana, and I am pleased to salute this great corporation and its affiliated companies, and their departed leader, Henry J. Kaiser.

In closing, Mr. Speaker, I would like to comment on a project which was dearest to Mr. Kaiser's heart. I refer to the world's largest private systems of hospitals and prepaid medical care. This comprehensive medical care program, which Mr. Kaiser organized and developed, was begun to provide his workers and their families with proper health care in the remote areas of the West. During World War II, the plan was extended to shipyard workers, and later, by public demand, it was opened up to other groups, industries, and individuals. Today, this program is serving a cross-section of citizens in California, Oregon, and Hawaii. Today this fine medical care program has a membership of some 1.8 million, of which only 5 percent are employees of Kaiser Industries and its affiliated companies. The system is growing at the rate of 10 percent a year, and its facilities include 18 hospitals, with 3,200 beds and more than 40 medical clinics in the three Western States. Professional services are provided by some 1,500 doctors who conduct their own partnerships.

This program is a splendid example of the humanitarian aspects of Mr. Kaiser's personality—and he is to be commended for establishing this fine medical care program.

Mr. Speaker, I ask unanimous consent to insert in the Record a recent biographical sketch of the eventful and active life of Henry J. Kaiser, and four worthy editorials on the good works of this man from the Washington Post of August 26, 1967; the Washington Daily News; the Baltimore Sun, and the New York Times, all appearing on last Saturday, August 26, 1967. The biographical sketch and the editorials follow:

Henry J. Kaiser: 1967 Biography

Henry J. (John) Kaiser is an industrialist with world-wide interests, a builder, and a founder of hospitals and a medical care program.

As an industrialist Henry Kaiser is chairman of the board of Kaiser Industries Corporation and head of the affiliated Kaiser Companies that have assets exceeding $2.7-billion in 33 states and more than 40 countries overesas.

As a builder he has constructed roads, dams, tunnels, ships and a dozen industries in a half-century.

As the founder of a medical care program in the western United States, he has worked with partnerships of physicians, built hospitals and clinics, established a nursing school and contributed to medical education.

Henry J. Kaiser was born on May 9, 1882 in a white frame farmhouse at Sprout Brook, New York, one of four children of Francis J. Kaiser, a shoemaker, and Mary Yops Kaiser, a practical nurse, both immigrants from Germany.

YOUNG KAISER BUILDS PHOTOGRAPHY BUSINESS

He left school at 13 to take a job at $1.50 a week as a cash boy in a drygoods store at Utica in upstate New York, and boosted his income by taking photographs after working hours. Despite lack of formal education, he always was learning. His restless, driving spirit was constantly seeking new ways of doing things. Later, the same drive challenged his managers, engineers, and other employees in daring projects and new ventures.

Young Henry Kaiser traveled as a photographic salesman in upper New York. At Lake Placid, New York, he offered a Mr. Brownell, owner of a photographic shop, to work for nothing on condition that if he doubled the business in a year, he would receive a half interest. He trebled the business, became a junior partner at 22, bought out the business a year later and added new stores at Daytona Beach and Miami, Florida, and Nassau. Outside his first store he placed a prophetic sign: "Meet the Man With a Smile".

BUILDING CAREER STARTS IN WEST

Deciding to stake his future with the West, he moved to Spokane, Washington, in 1906 and was hired by a hardware company, later becoming sales manager. He went into construction in 1912 as a salesman and manager of road paving contracts in Washington and British Columbia.

It was in 1914 that he established his first company—Henry J. Kaiser Company, Ltd.—at Vancouver, B.C., and the first job was to pave a road two miles long in the Canadian city. He was then 32.

During the next seven years, he continued road paving work in Washington, Idaho and British Columbia and created a new way of doing the job by replacing mules with machinery. Doing jobs in better and faster new ways became a Kaiser trademark, and he saved his men many back-breaking hours by putting pneumatic tires on wheelbarrows and diesel engines in bulldozers.

He won his first job in California by jumping off a moving train. He wanted to bid on the job of building a 30-mile road between Red Bluff and Redding in northern California, but the train didn't stop at Redding. When it slowed down to drop off the mail, Henry Kaiser jumped off. He won the contract and in 1921 established his headquarters in Oakland, where it continues today in the 28-story Kaiser Center.

It was on this first California job that Henry Kaiser demonstrated another of his trademarks—speed. At that time the average progress for paving a road was two miles a month. Henry Kaiser tied five scrapers to a tractor, instead of one to a team of horses, and completed one mile every week.

He moved into the sand and gravel business in 1923 while he was paving a road between Livermore and Pleasanton in California. The aggregate plant developed into Kaiser Sand & Gravel, now one of the largest producers of aggregates in northern California. It was also Henry Kaiser's start in the business of mining and processing raw materials, a basic strength of the Kaiser companies today.

A CUBAN HIGHWAY LED TO WESTERN DAMS

The year 1927 was a turning point in Henry Kaiser's career when he went to Cuba to build a 200-mile, 500-bridge highway. It was a huge project for the young contractor, and the principle of teamwork learned on this job guided his future work. He conceived the joint venture concept that led to partnerships and associations of contractors for cooperative construction of projects too large for a single builder.

It was in Cuba also that Henry Kaiser realized that a growing organization must develop its management from within itself. He went into the business of hiring young talent and training his future leaders—"building people" as he described it.

The Thirties was the era of the big dams—first Hoover, 726 feet high, then Bonneville and Grand Coulee on the Columbia River. Hoover Dam was constructed by a joint venture combine called Six Companies, Inc., of which Henry Kaiser was elected chairman of the executive committee. The dam was built in four years—two years ahead of schedule.

While the dams were being built, Kaiser's men were building piers for the world's longest bridge—the San Francisco-Oakland Bay Bridge, levees on the Mississippi River and pipelines in Kansas, Texas, Oklahoma, Arizona and Montana. Up to the start of World War II, Kaiser and associated firms built some 1,000 projects totaling $383-million.

Another dam started Henry Kaiser in his industrial era. Although he had no cement plant, he successfully bid to supply six-million barrels of cement to build Shasta Dam in northern California at a savings of $1,683,866 under the next lowest bid. With the contract in hand, he built a cement plant at Permanente, California, in only seven months from start of construction to production. He also supplied 11-million tons of aggregates for the dam, and built a nine and one-half mile conveyor belt—then the world's longest—to transport the material through the mountains.

Today, Kaiser Cement & Gypsum Corporation is the largest cement company in the West with annual sales of $99-million, 43 plants and facilities and assets of $150 million.

SHIPBUILDING WINS WORLDWIDE RECOGNITION

In 1940 when the Allies desperately needed ships, Britain called on the Kaiser "know-how" at marshalling men and materials and contracted for Kaiser to build shipyards and 30 cargo ships—thus began the shipbuilding program that won world-wide recognition.

At the peak of the shipbuilding era, Henry Kaiser and his associates operated 58 shipways at seven yards that built 1,490 ships during World War II—roughly 30 per cent of the American production of mechant shipping in this period—plus 50 small aircraft carriers. The Kaiser shipyards established a reputation for speed, averaging one new ship a day and an aircraft carrier per week.

On November 15, 1942, the Robert E. Peary was launched—4 days and 15 hours after the keel was laid. The ship was complete with bath towels and sharpened pencils in the chart room. The Kaiser streamlined, mass production of ships was based on prefabrication of major units and assembly line fitting of the parts into the whole.

Today, a Kaiser company, National Steel and Shipbuilding in San Diego, California, continues the shipbuilding heritage and has a $300-million backlog of work.

During World War II, Henry Kaiser also managed the largest artillery shell operation in the U.S. He built and operated two magnesium plants for the production of the light metal and "goop," the magnesium incendiary. He supplied all the bulk cement used by the United States to construct Pacific fortifications. He operated an aircraft and aircraft parts manufacturing plant.

One acute problem of the World War II shipbuilder was the availability of steel ship plate in the West, so Henry Kaiser built his own steel plant at Fontana in southern California—the first integrated steel plant in the

Western United States. Today, Kaiser Steel Corporation is the ninth largest in the United States with sales of $365-million annually.

POSTWAR PERIOD LAUNCHES KAISER'S GREATEST GROWTH

During the war, Henry Kaiser looked to the future and studied the postwar needs. He was convinced that four essentials would be in great demand—metals, building materials, homes and automobiles. He anticipated a growth period needing steel, cement and sand and gravel, and he also saw promise in another material—aluminum.

In 1946, Henry Kaiser entered the aluminum business by leasing surplus plants from the War Assets Administration. Industry sources claimed that "aluminum will be running out of our ears"—so great had been the war-time expansion of capacity. One "expert" report listed 16 reasons why Kaiser's entry into aluminum was doomed to failure.

Within five years, Henry Kaiser and his team of energetic young managers were producing and marketing more aluminum than the entire U.S. annual output up to 1937, and in its first 20 years Kaiser Aluminum was destined to expand its capacity to approximately five times that pre-war level. How it was accomplished has been called one of America's greatest industrial success stories. Kaiser's constant search for new ideas anticipated the need for this light metal that would jump to 47 pounds per capita and 1966 from only 10 pounds in 1946. The four reduction plants in Louisiana, West Virginia and Washington have an annual capacity of 670,000 tons. Fabricating plants and rolling mills around the country serve the nation with literally thousands of aluminum products.

Also, the company is a substantial producer of industrial chemicals, refractories and agriculture fertilizers, operating nationwide. Recently, it has entered the nickel business. Its world-wide operations include primary aluminum plants in Africa and Australia, and fabricating plants in Europe, Japan, India, Australia, South America and Africa.

Kaiser Aluminum & Chemical Corporation today has assets in excess of $1.1-billion and annual sales exceeding $781-million. The fourth largest aluminum producer in the world, it has 88 plants and 27,500 employees.

MANUFACTURE OF AUTOMOBILES BECOMES WORLDWIDE

Believing his men, who produced ships faster and at lower cost than ever before, could make a contribution in the postwar production of automobiles, Henry Kaiser formed the Kaiser-Frazer Corporation in 1945. Starting from scratch, the auto manufacturing plant at Willow Run, Michigan, led the industry in producing the first all-new car since 1941. Pioneering the postwar styling, the new company overcame terrific shortages of materials in its first full year of operations. It produced its own engines, its own bodies, its own steering gears; it built a new dealer organization, and broke all records in the history of the industry for number of new cars produced by a starting company in a new plant.

Automobile manufacturing in the postwar period was an exceedingly competitive business. After 10 years of passenger car production in which 750,000 Kaiser cars rolled off the assembly line, Henry Kaiser withdrew from the passenger car market in the United States and concentrated on the production of the famous four-wheel-drive 'Jeep' utility vehicles in this country and overseas. In the early Fifties, he started complete manufacturing facilities of motor vehicles in South America, establishing Willys-Overland do Brasil and Industrias Kaiser Argentina.

Today, Kaiser Jeep Corporation manufactures a wide variety of sports and compact cars, station wagons and 'Jeep' utility vehicles in the United States and in 32 foreign countries, as well as producing numerous military vehicles. Kaiser 'Jeep' sales totalled $333-million in 1966, and the two South American companies produced 121,000 vehicles, not counting other 'Jeep' affiliates in more than 30 countries.

KAISER STEEL BUILDS THE WEST

In his life-long quest to "find a need and fill it," Henry Kaiser knew that the Western United States could not reach industrial maturity and provide jobs and products for vast population growth without having its own steel industry—"Steel, the Mother of Industries." Skeptics said the West Coast had neither the raw materials nor sufficient markets to gain its independence from the Eastern steel sources.

Mobilizing private capital and the Kaiser management team, Henry Kaiser founded the West's first and only fully integrated iron and steel industry in southern California at Fontana in 1941. Its iron ore deposits are mined only 164 miles away at Eagle Mountain, and coking coal mines are in the neighboring states of Utah and New Mexico.

In its first quarter of a century, Kaiser Steel has invested $713 million in plants, equipment and other fixed assets, expanding steadily with each peace-time year. It has reached a capacity of three million ingot tons a year, and its multiple rolling mills and fabrication facilities produce the array of products required by the industrialization of the West. In its 25-year history, Kaiser Steel has produced 35-million tons of steel, sold products exceeding $5-billion and paid its employees $1.5-billion in wages.

In a pioneering innovation in human relations, Kaiser Steel and the United Steelworkers of America have developed a plan of sharing cost savings that has paid participating employees $10.9-million in cash bonuses and set aside $8.6-million more in a wage and benefit reserve. At the same time, employees are protected against technological displacement.

Kaiser Steel is 36 per cent owner of the Hamersley Iron project in western Australia, one of the world's greatest iron ore developments. This company has contracts approaching $1 billion for sales of ore over a 16 year period to steel companies in Japan and Europe. The rich iron ore deposits of Mt. Tom Price, named for a life-time associate of Henry Kaiser, started shipments in August, 1966. Ore is hauled to the Coast on its own 182-mile railroad and bulk-shipped in 65,000-ton ore ships.

OTHER COMPANIES GROW UNDER HENRY KAISER

Kaiser Cement & Gypsum Company has grown to the ninth largest cement manufacturing company in the United States with an annual capacity to 19.7-million barrels. Its subsidiary, Kaiser Gypsum, distributes insulating and gypsum board products in 29 states and the Pacific Basin.

Kaiser Community Homes, formed in 1945 to meet the postwar housing shortage, has built 10,000 homes in California and led to other real estate development activities.

In Hawaii since 1955, Henry Kaiser directly supervised the building of the 1,146-room Hawaiian Village Hotel (sold to Hilton); the Kaiser Foundation Medical Center; a $13½ million cement plant; and radio and television broadcasting facilities (also sold). Kaiser is now building the new community of Hawaii-Kai at Honolulu for an ultimate population of 60,000 residents.

Kaiser Broadcasting Corporation, which grew out of the Hawaiian facilities, is now developing UHF television stations in Detroit, Philadelphia, Boston, southern California, San Francisco and Cleveland, and FM radio stations in San Francisco and Boston.

The engineers and managers who have "grown up" with Henry Kaiser and accomplished the so-called "impossible" projects operate Kaiser Engineers Division. A worldwide engineering and construction firm, it has a backlog of $800-million of uncompleted work this year.

Kaiser Aerospace & Electronics Corporation develops and manufactures aircraft and missile components and electronic equipment. Its new Kaiser Flite-Path and radar converter systems promise improved safety concepts for the aviation industry.

HEALTH PLAN KAISER'S FAVORITE PROJECT

Closest to Henry Kaiser's heart has been the founding of the world's largest private initiative system of hospitals and pre-paid medical care. When he was 16 years old, his mother died in his arms for lack of medical care. He resolved, if he ever could, to help others protect and maintain their health.

Kaiser's opportunity to pioneer in meeting this great need came three decades ago when he was building pipelines and dams far removed from hospitals and doctors. The medical care program evolved from the need to provide workers and their families with health care in remote areas of the west. The plan was extended to the shipyard workers during the war, and, by public demand, was subsequently opened to other groups, industries and individuals. The program is now serving a cross-section of the public in California, Oregon and Hawaii.

The non-profit Kaiser Foundation Health Plan, emphasizing preventive medicine and comprehensive care, now has a membership of more than 1.5-million and is growing at the rate of 10 per cent a year. Facilities now include 18 hospitals, with 3,200 beds, and more than 40 medical clinics in the three western states. Professional services are provided by 1,500 doctors who conduct their own partnerships.

AWARDS ACCLAIM HENRY KAISER'S ACHIEVEMENTS

Honorary doctorate degrees conferred upon Henry Kaiser include: Hobart College, Washington State College, Montana College of Mineral Science and Technology, University of Nevada, Marshall College, St. Mary's College and University of California.

He has been decorated with France's Legion of Honor, Chevalier. Awards include the New Orleans' Cunningham Award for contributions to advancement of Latin America; International Broadcast Free Enterprise Award, as "distinguished citizen exemplifying that free enterprise is the true foundation of a free world"; Humanitarian Distinguished Community Service Award of International Association of Machinists; Success Unlimited Philosophy of American Achievement Award; Jewish War Veterans of the U.S.A. Medal of Merit for "contribution to human relations in industry"; American Society of Travel Agents Award; and City of Oakland and Alameda County, California, Kaiser Day and Award for "inspiring contribution to community progress and growth."

Partly because of his pioneering in medical care for all, in 1965 Henry Kaiser received the Murray-Green Humanitarian Award, "in recognition of notable accomplishments in voluntary medical care, housing and labor-management relations"—together with citation from President Lyndon B. Johnson stating this was "the first occasion on which the AFL–CIO selected an outstanding industrialist to receive their highest honor . . . Henry Kaiser epitomizes a departure from the past . . . a pioneer of the new breed of responsible businessmen . . ."

He was elected by students of U.S. colleges as favorite industrialist for 1963 Robbins Award of America for Inspiration to Youth; and recognized by Fortune magazine as a "Grand Old Man of Business," and that no man in the history of private enterprise had established as many varied industries.

In Hawaii during recent years, Henry Kaiser has been honored with Hawaii's Salesman of the Year Award; Order of the Splintered Paddle Award . . . "More than any American of this era a legend in his own lifetime—for contributions . . . through his vision, leadership, beliefs and his deep and abiding understanding of the need for good human relations"; Honolulu Realty Board Honorary Membership; Hawaii's Father of the Year; Resolutions by three Hawaii legislatures hailing Kaiser contributions to Hawaiian Islands' development; Hawaii's Native-Born Citizen of the Year; Brotherhood Award as "Distinguished Builder of Society."

Still the pioneer in his 85th year, Henry J. Kaiser makes his home in Hawaii—a legend in his own lifetime—not only for his many accomplishments, but also for the way he has done them. The family of companies which he founded now exceeds the hundred mark. Their combined assets are more than $2.7-billion. Aggregate annual sales exceed $2.1 billion. Plants and facilities total 190 in 33 states and 40 countries overseas. The annual payroll for 90,000 employees exceeds $630-million. Shareholders in the publicly-held companies total 140,000 investors.

Henry J. Kaiser Honors and Memberships

Doctor of Science (1943): Hobart College, Geneva, New York.

Doctor of Laws (1943): Washington State College, Pullman, Wash.

Doctor of Engineering (1944): Montana School of Mines, Butte, Montana.

Doctor of Laws (1948): University of Nevada, Reno, Nevada.

Doctor of Humane Letters (1955): Marshall College, Huntington, W. Virginia.

Doctor of Laws (1956): St. Mary's College, St. Mary's, Calif.

Doctor of Laws (1961): University of California, Berkeley, Calif.

The LaSalle Medal (1944): LaSalle University, Philadelphia, Penn.

Cunningham Award (1957): International House, New Orleans, La.

Robbins Award of America (1963): Utah State University, Logan, Utah.

Degree of Chevalier, Legion of Honor (1952): Republic of France.

The Murray-Green Award (1965): The AFL–CIO Executive Council.

Order of the Splintered Paddle (1966): Honolulu Chamber of Commerce.

Member: Beta Gamma Sigma, national honorary business fraternity; The Beavers, Los Angeles, construction industry organization; Elks Club, Everett, Washington; Waialae Country Club, Honolulu, Hawaii; San Francisco Press Club, San Francisco, California (Honorary); Automobile Old Timers Club, New York; and Newcomen Society of North America.

[From the Washington Post, Aug. 26, 1967]

Henry J. Kaiser

Henry Kaiser possessed in extraordinary abundance that kind of exuberant vitality and zest for achievement which seems to be a secret of industrial pre-eminence. Robust and hearty in nature and physique, he went to work when he was 13 at $1.50 a week and built out of that beginning an industrial empire reputed to have assets of more than $2.7 billion with aggregate annual sales exceeding $2.1 billion and with 190 plants and facilities scattered in 33 American cities and 40 foreign countries. This is a conspicuous success story in an old and honored American tradition.

There are numerous monuments to Henry Kaiser's creative and ebullient genius—the Hoover Dam, the San Francisco-Oakland Bay Bridge, levees, pipelines, cement, gypsum, steel and aluminum plants, shipbuilding yards, automobile factories. But perhaps the most striking, unusual and significant of his accomplishments was the founding of the world's largest private initiative system of hospitals and prepaid medical care. The nonprofit Kaiser Foundation Health Plan, emphasizing preventive medicine and comprehensive health care, has a membership today of 1.5 million served by 18 hospitals, with 3,200 beds, and by more than 40 medical clinics. It is a felicitous irony that so independent a private enterpriser should have showed the way to making socially supported, prepaid medical and hospital care feasible.

American strength and greatness have often been attributed to that curious, elusive quality called "know-how." Henry Kaiser was a contemporary practitioner and exemplar of it. "All my life I've been going against the wind," he said. It seems to have been what made him go.

[From the Washington Daily News, Aug. 26, 1967]

Henry J. Kaiser, Dreamer

Henry J. Kaiser was truly cast in the epic American mold: from school dropout at age 13 to fabulously successful industrialist.

"I always have to dream up against the stars," he once said ambiguously.

It was the kind of thing that one likes to hear from a successful dreamer.

Paradoxically, the man who performed shipbuilding feats during World War II, and went on to greater industrial glories—steel, aluminum, cement and even urban renewal (Honolulu)—may be remembered by most people for his one great failure: Automobile.

After World War II he joined Joseph Frazer to manufacture the Kaiser, the Frazer and the Henry J., and failed. The compact Henry J. was just a few years ahead of its time.

Henry Kaiser died in Honolulu Thursday at age 85 with most of his American dreams having come true. It was this country's good fortune, as well as his own, that they did.

[From the Baltimore Sun, Aug. 26, 1967]

Henry J. Kaiser

Henry J. Kaiser's telephone bills would run to some $300,000 a year, and the telephone company was merely a minor beneficiary of all that talk. For it was business talk, and every word sprouted employment for people, which in turn fructified in dams for the community at large, in steel mills and aluminum plants and levees on the Mississippi and ships—one third of all the American merchant ships built to win World War II—and, at the end, in a happy blaze of pink decor, hotels, hospitals and resort facilities wholesale on the flamboyant and storied isles of Hawaii.

This was the out-size performance of one of the very great tycoons, all but inconceivable beyond the United States of America, and yet a tycoon with a difference. When the old rigid Republican entrepreneuriat was still resisting Government encroachment—often with pretty good reason—Henry J. Kaiser was learning to go along. The ultimate test of the business genius, after all, is surmounting all difficulties, the easy ones imposed by simple things like topography and weather, the really tough ones created by the hopes, dreams and multiple cantankerousnesses of political man. Mr. Kaiser was equally good in both departments.

That may make him the first full-blown type of the new private enterpriser who deals on intimate terms with new big government and knows how to retain within the encircling tentacles of political solicitude and surveillance, the punch and daring and imagination which still get big things done. What would the Soviets, what would New Delhi, what would the old native home of industrialism, England herself, give for more men like Kaiser? We have been warned, to be sure, by those who know from experience, like Mr. Eisenhower, and those who conceptualize out of analysis, like Professor Galbraith, of the new age when big business and big government intertwine, and of the perils involved in the process. Henry J. Kaiser illustrated the process and exemplified the humane virtues which can at least temper and perhaps minimize the perils.

[From the New York Times, Aug. 26, 1967]

Individualist: New Style

Henry J. Kaiser was an industrial empire builder in a new mold. His companies built dams, ships, cars, factories, resorts and hospitals. When the United States was at war it was the Kaiser shipyards that set records building everything afloat rapidly, from landing craft to aircraft carriers. He turned his hand to automobiles after the war, one of his few ventures that failed.

But Mr. Kaiser made a phenomenal recovery by building even firmer foundations for his good name. He helped to revolutionize medical care by setting up the Kaiser Foundation and a self-sufficient health plan. He turned a Wakiki slum into a resort and, at 85, he was developing a model community, Hawaii-Kai.

Unlike the industrial barons of old, his credo—in the words of an award bestowed on him by the A.F.L.–C.I.O.—was: "The worker is a human being." His own humane projects will outlive the monuments of cement and steel.

"THE NINTH CIRCLE," BY KIP SHAW

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I am extremely proud of the work that some of my interns and fellows have done under my auspices during the summer months.

This year, I was indeed privileged to have with me Mr. Charles Clifford "Kip" Shaw, Jr., as a fellow from Columbia University on my staff. Mr. Shaw is majoring in the field of government at Columbia and is slated for graduation in 1969. He maintains a B+ average and holds membership in the Blue Key Society and Alpha Epsilon Pi Fraternity. Mr. Shaw has worked on a part-time basis in the summer as an entertainer and as a reporter and photographer.

On my suggestion, asking him to study the question of the much publicized disturbances in such cities as Newark and Detroit, he made a study which I consider to be very valuable. There are some areas in which I am not completely in agreement, but, nevertheless, young Mr. Shaw has done a remarkable job, and I wish to share this with you.

Mr. Speaker, under unanimous consent I place Mr. Shaw's study "The Ninth Circle: A Study of the Urban Negro Underclass," in the Record at this point in my remarks:

The Ninth Circle: A Study of the Urban Negro Underclass

(By Charles C. Shaw, Jr., for the Honorable Henry B. Gonzalez, August 18, 1967)

PREFACE

Urban Negroes rioted.

This is what history will see when it looks back at the summer of 1967. But will it tell us why?

The scapegoat-hunters of today tell us that the whole problem stems from the existence of agitators wise to the methods of mob psychology. They argue that if only these agitators were jailed, the whole problem would go away.

This analysis implies that the urban Negro is in a similar, or at least similar enough, situation as many of the other social stratums of our society; it implies this because of its foundation on the importance of mob psychology—arguing that everybody has problems and all you need is someone to blow them out of proportion and you've got a riot.

The "outside agitator" school is not really worth discussing. Just as history has forgotten the petty individuals who somehow accused Eleanor Roosevelt for the Detroit race riot of 1943, so shall history diminish the importance of the "outside agitator" in the summer of 1967.

And history will most likely also dismiss the "bad physical conditions" school of thought—those who say that unemployment, poor housing, and poor education are the root problems. These are also only symptoms. To solve the situation permanently, the malady must be found and cured.

This study is an attempt to discover the reasons why the two factors of an urban environment and a Negro underclass, when found together, form a volatile situation.

The Negro underclass does not riot in the rural areas, as did some members of society during the depression, nor does the white underclass riot in the city. We must determine what unique factors of the Negro underclass and of the urban environment produce a riot.

There will be three parts to this study. The first, an attempt to ascertain some of the factors which have placed the Negro in a unique position in American society today. The second part is a study into some of the unique factors which affect the urban underclass. The third part is an attempt to determine why the combination of the first two unique groups of factors produced the urban Negro riots of 1967.

PART 1—WHY CAN'T THE NEGRO?—SOME REASONS FOR THE NEGRO'S UNIQUE SITUATION IN THE UNITED STATES TODAY

I

It is a shame that riots are seemingly necessary to make us realize the plight of the Negro. What was only recently a void of apathy is now filled with myriad committees delving into the motivations behind civil disorder.

But if we are critical of the previous lack of concern, we can now be excited in knowing that meaningful conclusions will most likely be arrived at by all these committees.

I cannot keep from predicting that the basis of these conclusions will be answers which have already been realized for many years; once again we will be told that the tangible "eternal triangle" of poor housing, poor education and unemployment and the intangible evil of discrimination are all reasons for the Negro's plight and the consequent civil disorder.

We hear these conclusions today. Over and over again. These are very real problems and one does not have to be very perceptive to realize that they exist.

Why these problems exist is the question that must be answered. *Why* is the Negro in such a seemingly impossible situation? *Why* can't he get himself out of it? *Why* must the white man help him get jobs, houses and education? *Why* has the Negro failed in his fight for equality while other minority groups all around him have succeeded? These are the questions that we must answer.

We must answer them because the white middle-class citizen is not going to be truly concerned with the Negro's situation until these questions are answered. Lurking in the back of even the "liberal" white mind is often the thought, "Maybe the Negro *is* inferior." This thought is manifested in statements such as: "But the Negroes don't seem to want better housing. You give them new houses and they're slums in a few years." Or "I don't see why they can't help themselves. I don't see why they need all this welfare. Look at the Irish, or the Jews. They were discriminated against. Still are. And they bettered themselves. Why can't the Negro?"

The average citizen is not going to be truly sympathetic toward the Negro's plight until he is told why that plight exists and why the Negro can't get out of it by himself—until he is told why the Negro is in a unique situation never before experienced by an ethnic minority in this country. Only when these answers are known and understood by every American citizen will a truly effective process of assimilation begin. And this process must begin, for this country cannot afford to wrestle with the forces of black separatism any longer. The toll is already too high.

Why is the Negro's situation unique? I would now like to offer some answers to that question. There are other answers. And the public must hear all of them if we are ever to achieve true unity in this country.

II

The Negro American has endured over 300 years of injustices with only three years of something approaching legal equality. This one fact alone is more than enough to prove the Negro's plight is indeed unique in American history. But there are other contributing factors. In fact, when viewed as a whole, it is truly amazing that the Negro has done as well as he has. As Daniel Patrick Moynihan has said: "That the Negro American has survived at all is extraordinary—a lesser people might simply have died out, as indeed others have."

To properly understand the Negro's unique situation today, it is necessary to realize what effects 200 years of slavery has had on the Negro American.

The only human beings ever to be commodities in the United States have been Negro. In fact, very few societies in world history have inflicted such an oppressive, lengthy system of slavery on an ethnic minority. The ramifications of that system not only affect the Negro American today, but will affect him for a long time to come.

Contrary to any other minority group, society forced the Negro to this country. When he arrived, society rudely split up his family, bought and sold him, deprived him of the right of religious observance unless given permission by his master; did not allow him to be taught to read or write; and often, as the many mulatto skins will attribute, not only bought and sold his women, but also violated them. The sociologist C. Eric Lincoln summarized the slavery system in America quite well:

"Slavery was not a unique experience. Still, although it existed for centuries in Africa as well as elsewhere, nowhere but in America was it accompanied by such devastation of personality. It was not the slavery *per se,* but the pitiless obliteration of the history and the culture of a people, the deliberate distortion of that history and culture."

It is amazing to think that the people of this country, after fighting a bloody civil war over states rights and slavery, were content to merely to set the Negro "free" and do nothing whatsoever, until 1954, to even begin to remedy the tremendous ills brought on by slavery. As we will see later, this lapse of 100 years has produced pathological subcultural characteristics in the Negro American which today are so ingrained that a tremendous amount of effort will be necessary to alleviate the situation.

The consequences of slavery upon the Negro were obviously all-pervading, but two effects stand above the others. The first we can call "dependence"; the second, the "deterioration of the family structure."

Dependence was the obvious concomitant of the Emancipation. Merely setting the Negro "free" in an alien world would be similar to society forcibly taking white men and their families to the jungles of Africa; keeping them and their offspring in a nonfamily system of bondage for two hundred years, and then setting them "free" in the jungle. Dependence upon the black man would obviously remain, not only phyiscal dependence but psychological dependence. Thomas Pettigrew has said:

"Psychologists point out that slavery in all its forms sharply lowered the need for achievement in slaves . . . Negroes in bondage, stripped of their African heritage, were placed in a completely dependent role. All of their rewards came, not from individual initiative and enterprise, but from absolute obedience—a situation that everly depresses the need for achievement among all peoples."

C. Eric Lincoln put this idea in sociological terms:

"The Negro in his yearnings to be free and equal, and everywhere observing that blacks were in servitude and whites were free, mistakenly equated whiteness as a necessary corollary to freedom, and blackness as the inevitable concomitant to bondage. Even the experience of emancipation, a rather qualified freedom, did not significantly change the black man's awe of the mystery of whiteness."

The white man was not sympathetic toward this dependence. He exploited it and developed it into an extension of the slavery system and nicknamed it "Jim Crow." The white man might have "loved" the Negro more after the Emancipation, but only if the Negro was a "Tom," only if he was subservient. The opposite of the "Tom" was the "uppity nigger" and the white man treated him with the little respect that is symbolized in the nickname he was given. This definitely was not equality and it is even difficult to argue that it was freedom.

Obviously, 200 years of slavery brought on a deeply ingrained dependence. But dependence is a characteristic of all ethnic minorities, and, if one wanted, it might be possible to argue that dependence, even as severe as that of the Negro American, was not a unique characteristic of that minority.

But the slave system's destruction of the Negro family is definitely a unique factor. Its ramifications not only still exist, but they have become so ingrained that we can now see them as seeming sub-cultural characteristics. (By "sub-cultural" I obviously do not mean "below culture," but instead, "culture within a culture.") If any one factor has kept the Negro from advancing, it is definitely the deterioration of his family structure. Pettigrew said:

"Most importantly of all, slavery vitiated family life . . . Since many slaveowners neither fostered Christian marriage among their slave couples nor hesitated to separate them on the auction block, the slave household often developed a fatherless matrifocal (mother-centered) pattern."

The Emancipation did little to remedy this situation. Jim Crow made the Negro male an inferior individual who looked small in the eyes of his wife and children. The years of forced separation had a much stronger, more ingrained effect upon the Negro family than any freedom brought on by the Emancipation.

The effect of a forced matrifocal pattern upon Negro society has been extremely pathogenic. Daniel Patrick Moynihan, in his classic study *The Negro Family,* said:

"At the heart of the deterioration of the fabric of Negro Society is the deterioration of the Negro family . . . There is probably no single fact of Negro American life so little understood by whites. The Negro situation is commonly perceived by whites in terms of the visible manifestation of discrimination and poverty, in part because Negro protest is directed against such obstacles . . . It is more difficult, however, for whites to perceive the effect that three centuries of exploitation have had on the fabric of Negro society itself . . . Here is where the true injury has occurred."

We will see later that the matriarchal pattern has not only disrupted the fabric of Negro Society, but has become a self-perpetuating, ever-expanding system.

III

The slave system's deteriorating effect upon Negro society is indeed pervading. But even if the white man had not forced the Negro into bondage for 200 years, unique problems would still confront the Negro as an ethnic minority.

The Negro minority constitutes a race, not a nationality. This one extremely important fact has tremendous ramifications. Even on the most superficial level it is important: the Negro looks different. Not only does he look different, he is, in a way, a physical antithesis: the *gemeinschaft* is white and he is black. None of the other minority races stand out so plainly from the majority in this country. All have fairer skin and more similar physical characteristics.

This difference between race and nationality is very important to remember when faced with the argument: "The Negro is inferior because he is unable to better himself as have the other ethnic minorities." Often, a comparison is drawn between the Negro and the Irishman, or the Negro and the Jew. Disregarding the factor of a history of slavery, a factor hard to disregard, this comparison is still very shoddy. Firstly, the majority of immigrant groups came from a European society—a society similar to ours. But more importantly, they were Caucasian. If the *gemeinschaft* did not accept them, it would at least accept their children or their children's children. An O'Brien or a Ginsberg daughter could marry a Harrison or a Smith and instant assimilation would take place. The Jew, if he wished, could have his nose bobbed and become a Quaker; the Italian could become an Episcopalian.

But what of the Negro? Could he marry a Caucasian? Hardly. And if he did, his child would not be white. He could change his name, or his religion, or anything he liked, but his skin would remain the same. Arnold Toynbee's observation of thirty years is still valid:

"The . . . (Negro) may have found spiritual salvation in the white man's faith; he may have acquired the white man's culture and learnt to speak his language with the tongue of an angel; he may have become adept in the white man's economic technique, and yet it profits him nothing if he has not changed his skin."

But the difference between a race and a nationality is more than skin deep. A tightly knit nationality group has much more in its favor when combatting discrimination and alientation than does an entire race. A nationality group has much more of a sense of identity than do members of an entire race. German immigrants would have much more affinity for each other than for Welsh immigrants, for example. And yet, both groups are Caucasian. The Negro, on the other hand, cannot form an identity with any nationality group. White America separated him from his culture and forced him to become part of a dehumanizing slave system; obviously, the Negro, under those conditions could not form any identity with a particular nationality group among his racial brothers. C. Eric Lincoln said:

"There has been little unanimity in the Negro's search for his identity. The Negro slaves came from many tribes and many cultures. Even though the experience of slavery reduced them all to a common denominator, it did not fuse them into an ideological unit. Only attractive ideas and persuasive leadership could do that; the nature of slavery in America left little room for the development of either."

This sense of identity is not merely a luxury item; it is necessary for the process of assimilation. Cohesion can be instilled via different media—family, religion, politics, economics and so forth. Nevertheless, cohesion is a necessary step *before* assimilation, because without it, the aspiring group will be in too disadvantaged a position to find social or economic opportunities—as is the case of the Negro.

Society has deprived the Negro of his family, of his religion, of his politics, and of his economics. Society has, in fact, deprived him of his culture. He has no basis for unity except the color of his skin. This is one reason for the Black Power movement; it is an attempt to unite the Negro and give him some kind of identity.

The problem of identity is indeed a unique phenomenon in American ethnic minority history. Every European immigrant group has a nationality, a culture, a religion to unite it—to give it identity. And so did even the Asian groups—members of another race. There was never one idiomatic term used in reference to all Asians, as there is with the term "nigger." The closest thing to an all-encompassing term for Asians was "little yellow bastards" but this always referred to one particular enemy in one particular war. The white American was always cognizant of Asian nationalities as his nicknames "Gook" and "Jap" will verify.

This absence of a nationality identify is specifically a hindrance to progress in a democratic system where the majority rules. In a democracy, a minority group always has a rough time of it, but the majority will usually listen to the minority group if it is united. As John Dewey said: "The minority is represented in the policy which it forces the majority to accept in order to be a majority."

But Dewey's observation is only true if that minority has one voice. If it is unorganized, which the Negro has been forced to be, it will remain unheard.

IV

I have briefly traced the historical and sociological reasons behind the Negro's unique situation in the United States today.

But what of the present? Have the recent legal advances and the War on Poverty been adequate in coping with the Negro's plight? Apparently not. After tracing the breakdown of the Negro family, Moynihan concludes: "The most difficult fact for white Americans to understand is that . . . the circumstances of the Negro American community in recent years has probably been getting *worse, not better.*"

The reason for this backward trend is that the Negro's unique situation not only perpetuates itself, it augments itself. Moynihan pointed out the following facts in *The Negro Family:* (1) nearly one-quarter of urban Negro marriages are dissolved; (2) nearly one-quarter of Negro births are now illegitimate; (3) almost one-quarter of Negro families are headed by females.

With the above facts in mind, consider the following factors, also pointed out by Moynihan, which not only perpetuate the pattern but augment it: "A fundamental insight of psychoanalytic theory . . . is that the child learns a way of looking at life in his early years through which all later experience is viewed and which profoundly shapes his adult conduct," historically, in the matriarchal Negro society, mothers made sure that if one of their children had a chance for higher education the daughter was the one to pursue it;" "the IQ's of children with fathers in the home are always higher than those who have no father in the home."

Also, the welfare system, in a way, perpetuates the matrifocal society. The AFDC federal welfare program, which benefits the majority of Negro children at one point or another in their childhood, benefits all children who are deprived of parental support because one of their parents is absent.

But the forced breakdown of the Negro family is only one of the factors which is plaguing the Negro today.

The construction of the huge, white, suburb complex has further isolated the Negro from American society. As the white moves to the suburb, the Negro acquires the left-over city. Today, the so-called "liberal" white American daily drives his car around the ghetto—not through it. And as he drives, the radio in his car tells him that everything is getting better in the ghetto. And he drives on. White America sees a Civil Rights Act and a War on Poverty and it thinks that things are getting better.

There is now a feeling among the white middle class that the Negro should be able to "go it alone" now that he has attained his so-called legal rights. So, in a way, the legal advances in civil rights have hurt the Negro's situation; no longer is there the tremendous public concern of the early 60's. America is now consumed with Vietnam. The Negro has been left to fend for himself. The Reverend James Bevel said in August of 1965: "There is no more civil rights movement; President Johnson signed it out of existence when he signed the voting-rights bill." At that time, this statement was construed as being optimistic toward the future. But in light of what has happened since that statement was made, it takes on an extremely pessimistic tone.

What concerns today remains for the Negro's plight is often criticized as action without understanding. There is the whole intricate problem facing us of attempting to help the Negro without forcing him to sublimate his subcultural characteristics and thereby force him to accept the cultural characteristics of the *gemeinschaft*. The program of "busing" children has often been used as an example of this type of forced assimilation.

Another example often cited for action without understanding is the formulation of an unconcerned bureaucracy to cope with the Negro's plight. C. Eric Lincoln has said:

"By day the black ghetto is resplendent with sleek, fat professionals—Negro and white—striving mightily to re-mold the people in images they reject and despise; by night—the people gather on the street corners to contemplate the probabilities of black power, or the ecstasy of long, hot summers. Despite the ministrations of the professionals, the people are as hungry, as unemployed, and as hostile as before."

The civil rights movements do no good, the lack of real concern, discrimination, action without understanding all have produced in the Negro a tremendous feeling of despair—indeed almost a form of nihilism. Integration, or what passes for it, seems as repugnant as Jim Crow. More and more Negroes are agreeing with what Stokely Carmichael has said over and over again:

"Integration . . . speaks to the problem of blackness in a despicable way. As a goal it has been passed on complete acceptance of the fact that in order to have a decent house or education, blacks must move into a white neighborhood or send their children to a white school . . . This is why integration is a subterfuge for the maintenance of white supremacy."

The Negro today is perplexed. He has won a legal battle, but certainly not the war; we have supposedly solved his problems, but actually things are getting worse. So where does the Negro turn? Where does he begin?

V

I have tried to show in this article that the Negro indeed occupies a unique position among minorities—an untenable situation.

I have not discussed the usual topics of discrimination, or education, poor housing, and unemployment, because these problems have beset all ethnic minorities in one degree or another. Instead, I have tried to answer the question, "Why can't the Negro?"

But there is one thing I would like to make clear; by arguing that the Negro is in a unique situation, I am not implying that he is inferior. The many Negroes that have succeeded against the amazing odds are proof to that. But in a competitive system such as ours, it is a fact that it is impossible to compete unless you have something close to an equal chance. The Negro has been denied this equal chance.

I have offered some reasons for his unique situation; I have given historical and sociological proof and I have shown that the problem is self-perpetuating and self-reproducing.

Only one thing remains to be discussed—the present environment.

There exists today two areas of concern: (1) the specific Negro situation and, relatedly, (2) the society in which that situation exists.

Kenneth Clark refers to this specific Negro plight as a "tangle of pathology." This description is quite correct, for the plight of the Negro is not merely a neat vicious circle which can be snipped anywhere and thereby clear up the whole situation. The problem must be tackled *en toto,* for if it isn't, the remaining part of the tangle will overwhelm the cleansed area. For example, poor housing can overwhelm the effects of a decent education; unemployment will remain if there is not prior training; good houses will soon be a slum if jobs and education are not available.

It is a tangle indeed. It is a tangle which only all-consuming public concern can unravel.

Is this public concern likely to appear? I doubt it. As C. Eric Lincoln has said: "An integrated society in which the common values of that society will be freely accessible to the general population regardless of color has not been realized, nor does it seem to be rapidly approaching." If anything, the reaction to the riots will be a violent backlash on the part of the white community.

We have produced, as did the ancient Greeks, a democratic state, but not a democratic society. From the founding of this country until 1865, citizens and leaders alike followed a blatant policy of racism. Even after World War II, while we condemned Hitler's racist policy, we let racism continue in this country for almost 10 years. Not until 1954 was the policy of "separate but equal" upset.

The sad fact is that even with our lofty mottoes, the United States for the vast part of its history—that is, all but thirteen years of it—followed a racist policy. And now we wonder why the Negro is discontent.

We have, in effect, today exchanged a universal system of *apartheid* for a selective system of *apartheid*. This is not progress and we cannot try to pass it off as such. We can no longer allow ourselves to believe in our rhetoric of equality when equality does not exist. We can no longer attempt to promise the Negro equality without producing results. We can no longer afford to be unconcerned with the pattern of action and despair which Claude Brown tells us of in *Manchild in the Promised Land:*

"Before the soreness of the cotton fields had left Mama's back, her knees were getting sore from scrubbing "Goldberg's" floor. Nevertheless, she was better off; she had gone from the fire into the frying pan.

"The children of these disillusioned colored pioneers inherited the total lot of their parents—the disappointments, the anger. To add to their misery, they had little hope of deliverance. For where does one run to when he's already in the promised land?"

PART 2—THE UNDERCLASS MAN IN THE URBAN ENVIRONMENT

I

Just as it said that the Negro has problems, so it is said of cities. But, as in the case of the Negro, there has been a proportionally small amount of meaningful discussion on *why* urban problems exist.

The previous section attempted to outline the uniqueness of the Negro's plight. This section is concerned with the plight of the city and its consequent effect on the urban population.

It is difficult today to talk in terms of the "city." Suburbia has welded country and town together so that there no longer exists a sharp demarcation between urban and rural environments. Population maps are now various shades of grey, blended together to produce anything but a black and white situation. Indeed, analysts inform us of the vast "megalopolis" stretching unbroken from Boston to Washington. This present situation forces us to find a new definition for the "city." Throughout this paper, therefore, the term "city" will refer to the "central-core" city, the area of the greatest population density, which conceived and gave birth to megalopolis.

Of course, this paper is not merely concerned with the Eastern seaboard phenomenon, but with central-core cities throughout the United States.

The central-core city obviously affects all of its inhabitants. However, a good portion of the urban ranks cope effectively with the city's influence; some even prosper by it. These fortunate individuals are not of interest here; we only recognize their existence and wish them well. The hapless individuals are with whom we should be concerned—those unable to effectively combat the city's pathological influences. Gunnar Myrdal has termed these unfortunates the "underclass"—a group which cannot even enter the class structure and begin Horatio Alger's famed upward climb. To the underclass, cause and effect become hopelessly indistinguishable.

Unfortunately, all too often the term "underclass" will be synonymous with "Negro." Through 300 years of oppression, white America has forced the Negro to accept this miserable position.

Even though there is an unfortunate correlation between the terms "underclass" and "Negro," this section is not concerned with the Negro *per se;* but, instead, with any individual who is unfortunate enough to be born into the underclass of urban America.

II

"Oh beautiful for spacious skies,
For amber waves of grain;
For purple mountains' majesty . . ."

Some patriots have argued that the song which includes these lyrics should be decreed our National Anthem. The song would certainly not reflect the current American scene, but it certainly would typify the historical attitude toward the city. The true America, in the minds of many, is the rolling prairie, the ever-present frontier; the city is a tumor which just won't go away.

This is not merely an American attitude. We can trace its roots back through European culture to the ancient Greeks:

"A distaste for the 'mob' and the 'masses' has long been firmly entrenched in European thought. The precedent for such distaste can be found in Greek thought, especially in Plato."

Our American forefathers, aware of the unavoidable existence of the city, still hoped that somehow America could minimize its existence. "Jefferson despised the manners and morals of the urban crowd and prayed that they would not be imported to America, the home of the free and innocent farmer."

Emerson, often labeled the "American philosopher," grasped the contemporary anti-urban mumblings and formulated them into a more specific concept:

"The Understanding, according to Emerson, 'toils all the time, compares, contrives, adds, argues,' . . . while the Reason, which was for him the highest faculty of the soul 'never reasons, never proves; it simply perceives; it is vision.' . . . Reason, Emerson asserted, is characteristically exercised in the country, while the Understanding is an urban faculty."

The result of a century of anti-urbanism was Frederick Jackson Turner's "frontier thesis" which argued that the American trend was away from the highly populated areas and onward to the open frontier. Horace Greeley reflected this thesis in his much quoted advice of "Go West, young man."

The effect of all this has been the development of an American attitude which speaks mainly of the city's liabilities. Very rarely does one hear of assets.

Only with Carl Sandburg, himself also a lover of the prairies, has this American attitude been popularly altered. The American Bard has said:

"For the City where the people ask bread and want letters;
In the night the city lives too—the day is not all.
In the night there are dancers dancing and singers singing,
And the sailors and soldiers look for numbers on doors.
In the night the sea-winds take the city in their arms."

Sandburg may have popularly altered the attitude toward the city somewhat, however, the idea remains of that "dirty, crowded place"—fit only for the very rich or the very poor.

This attitude is now founded in truth, for America has often ignored the city's assets and allowed its liabilities to reproduce.

III

But Turner's frontier could not last forever. As the frontier faded into homesteads, the people looked back to the city.

When Turner postulated his thesis near the turn of the century, about 65% of the population was rural. But after World War I, the United States had 52% of its inhabitants living in the cities. Of course, European migrants during World War I caused in part this rapid population shift. Nevertheless, much was due to a massive domestic migration.

And this movement toward the urban frontier has gone steadily onward; in 1960, 70% of all Americans were living in the cities. The Negro migration pattern is even more startling: "In the last generation more than 4 million Negroes migrated out of the South (into the Northern cities). If this migration occurred from outside the country it would have been considered a federal problem." In 1900, only 17% of the Negro population was urban; by 1950, the figure had jumped to 48%.

But why, in a country whose whole culture boasts of "amber waves of grain and purple mountains' majesty," did the city become the new frontier? Because the city had jobs; the city had money. Not for everybody, but it was worth taking a chance, they said.

For the Negro, in particular, the Northern city was the "promised land." But why did the Negro wait until 1915 to begin his massive migration northward? "One factor, during the summers of 1915 and 1916 the cotton boll weevil so greatly damaged the cotton crop throughout large areas in Louisiana, Mississippi, Alabama, and Georgia and Florida as to virtually ruin thousands of farmers." Also, prospects of the war economy induced the Negro northward. Of course, the Negro also had dreams that equality would greet him at the gates of the Northern city, but he needed an economic impetus to seek out that dream.

This economic opportunity is indeed a very important factor; it brings out the central thesis of this section; when we speak of the city today, we are referring to an industrial complex. We are speaking of an environment which emphasizes technology rather than residency. "The modern city differs from the ancient in one important respect. The ancient city grew up around a fortress; the modern city has grown up around a market."

The word "market" is important. It implies that the original population inhabited the city in search of employment opportunities, not primarily in search for a better community. This legacy remains with us. The migration of minority groups to the city today might be affected by the prospect of less discrimination but it is primarily an economic motivation—a search for employment equality, rather than social equality, although in most cases the hope is that the one will bring on the other.

The city today is a workshop, not a community; much of it is vacant at night. Air pollution and congested traffic indicate who are the favored ones in the city.

And modern transportation has greatly added to this workshop environment; those who work in the city do not have to live in it. The city is more and more becoming a mecca for the wealthy and a trap for those that cannot escape. The city is drowning the human factor in a sea of industrial waste.

IV

This individualness, this rationality, of the city indeed makes for a unique environment. To be composed of nothing but man-made structures sharply distinguishes it from all other environments. "God made the country and man made the town." This unique situation makes unique demands and has unique consequences on the urban dweller, often causing the urbanite to seem strange to the outsider:

"The outsider doesn't understand why the city man will rush across the street in front of speeding traffic, darting here and there as though his life depended upon getting somewhere, and on the next block wait an hour to see a parade pass."

But rapidity of movement is only one characteristic of the urbanite. Nels Anderson, in his study, *Urban Sociology,* lists several more:

"(Along with the city's demands for) more rapid movements on the part of its inhabitants, it (also) increases the number and variety of contacts or physical stimulations with a corresponding increase of secondary social contacts; it calls for a varying quality in social relationships; the struggle for status intensifies competition; the city uses more of the learned and fewer of the native capacities; aggregate life necessitates changing standards and values."

In short, the city demands much; the city is a pulsating, quickly changing, often impersonal environment.

Perhaps its most significant demand is the last one Anderson cites: "aggregate life necessitates changing standards and values." This specific demand is the primary concern of the sociological theory of "functionalism." Lee Nelkin Robins has summarized this theory quite well and it is worthwhile to quote him at length:

"The most popular current image of society among sociologists grows out of a theory called functionalism that sees society as a set of interlocking social subsystems (the family, religion, the economy, the power structure), which intermesh more or less perfectly, so that one can predict the nature of one subsystem if one knows that nature of the others . . . In the long run, according to this theory, one subsystem tends to accommodate to the others until all function smoothly together. When there is a major change in one of these subsystems, a whole chain of readjustments is required, and the temporary poorness of fit between subsystems results in what we have chosen to call social problems. Since the most striking change in our society over the last century has been in the direction of industrialization and resultant urbanization, it is not surprising that the occurrence of social problems has been frequently laid at the doors of urban society and industrialization."

We must remember that the social change and population increase in our cities has been largely due to migration and not merely to an excess of births over deaths. This implies that social change is of necessity even more rapid and more profound.

We must also be aware that the effects of urbanization and industrialization will be largely felt by migrants and, specifically, the underclass because they are the ones who are neither accustomed to the city nor able to cope effectively with its damaging consequences.

But the American city is more than just a man-made environment; it is also a piecemeal affair. Indeed, the whole United States shares this quality. We are the only major country whose inhabitants are overwhelmingly migrants; you could almost argue that we are a synthetic nation. America has yet to form one culture; the melting pot still exists only in the future. This fact is reflected in our class structure—an ethnic class structure rather than an economic one.

Many critics have likened the American city to a tumor and in many respects, the analogy holds. America has allowed its urban areas to expand haphazardly, planning them with no where near the amount of attention with which a farmer lays out his land. With its specific ethnic areas and its conglomeration of architecture, the American city is symbolic of our piecemeal culture.

With this man-made, rapid, competitive, industrial, piecemeal environment constantly challenging one's standards and values, city life certainly becomes a harrowing experience for the underclass especially, which is unable to rise above the city's liabilities and enjoy its assets. We can divide the specific consequences of this experience into two areas: (1) the effect of the crowd and (2) the effect of the man-made environment.

V

Aristole said "Man is a political animal." Since "city" in Greek is *polis,* Aristotle's observation usually is interpreted to mean "Man is a social animal." But Aristotle was of course also much concerned with the "Golden Mean", so I am sure that he would agree that man desires a social environment but also desires to maintain his identity. The contemporary city disregards this "Golden Mean." The city crowd does not allow the individual his privacy in conventional spatial concepts. The urban dweller has therefore unconsciously developed the phenomena of "social distance." An example of social distance can be found any weekday on the subway at about 5:15.

"The paradoxical fact of the subway crowd (now becoming symbolic of urban drive) is that very little communication takes place between its units. People ride so closely as to render individual movement impossible, but they do not speak."

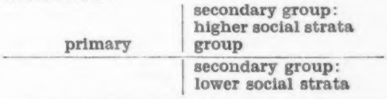
The crowd denies you spatial privacy and so you replace it with social privacy. "Physical nearness coupled with social distance makes it necessary for urbanites to cultivate reserve and to disguise inner feelings. 'Sophistication' is the common term applied to people who acquire facility in this regard."

This "sophistication" however, is not prevalent in the urban dwellers' attitude toward all individuals. Intimate friends exist in the city just as they do in the country; therefore, it is necessary, when speaking of urban relationships, to draw the distinction between primary and secondary group relationships, and define the primary group as close acquaintances and the secondary group as those with whom you occasionally come in contact. The urban environment affects both, but in different ways. First, the primary group:

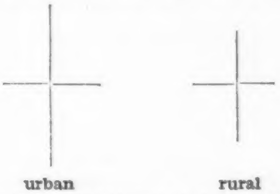
"This primary groups life differs in two important aspects from the similar contacts of his rural brother. It is to a large extent a social environment of (the urban dweller's) own choosing, and it requires a more conscious participation. In the village even the social environment of the adult is largely a predetermined environment. In the city the individual has a great many circles from which to choose, but he must win his right to membership. His acceptance will more often depend on what he does than on what he is."

It is refreshing to note that in the city you are accepted for what you do, but this observation seems less significant when one realizes how difficult it is for the urbanite to have someone even notice him.

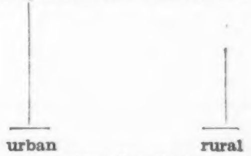
If we look at the urban dweller's primary and secondary relationships as a schematic drawing, it reveals certain interesting factors. Let us assume that a horizontal line signifies the primary-group relationships. The length of this line is insignificant. A vertical line bisects the horizontal and it signifies the secondary relationships. That segment of the vertical below the horizontal symbolizes secondary relationships with those of a lower social strata, and, therefore, the vertical segment above the horizontal symbolizes secondary relationships with those of a higher social strata:



If we now schematically compare the urban and rural environments, an interesting difference develops. Since the city has a broader social strata spectrum than does any specific rural area, we can say that the vertical line in the urban schematic drawing will be longer than that of the rural vertical:



The difference becomes even more startling when we speak in terms of the underclass:



When we consider the city's phenomena of "social distance" and how difficult it is to even form primary group relationships, the urban vertical line, if it does not become longer, it at least becomes more difficult to climb. The extreme distance of the underclass from the upper social strata becomes even more significant when one considers the process of "socialization"—by which one conforms to those around himself. The underclass in the city is not only blocked off from the upper social strata by his position in society, but also by the factor of social distance. It becomes almost impossible for those of the underclass to do anything but socialize to their specific surroundings, which only increases their plight.

So we can see that "social distance," when applied to the underclass, is merely a euphemism for "alienation."

"The cleavages between city-bred children and their parents, between city-influenced children and their rural-trained elders, are increasing. The existence of boys' predatory gangs, of high juvenile delinquency rates, and of crime waves in cities is an index of social distance. *Race riots are chiefly urban phenomena revealing social distance.* Descriptions of the large city as the 'lonesomest spot anywhere' or as 'the most unsocial place in the world' are expressions of social distance."

This alienation implies a lack of awareness of the habits, desires, motivations—indeed, the whole way of life—of those removed from you. This, of course, breeds misunderstanding. In terms of the Negro underclass, the "soul-brother syndrome" in part symbolizes this alienation and misunderstanding, (the practice of putting "soul brother" in the window of a Negro-owned store in times of rioting). The Negroes of course loot the white-owned store because of a hatred for the white system; but it is more than that. They also loot the store because a stranger owns it. One wonders what would happen to a white-owned store if the merchant lived in the community proper and was a member of various primary-group relationships in that community.

But what is more damaging is a misunderstanding on the part of the upperclass toward the underclass, for it is only the upper social classes that are in a position to change the situation.

So we can readily see that alienation feeds misunderstanding and misunderstanding in turn supplements alienation. The whole business becomes a vicious circle.

This vicious circle of social relationships caused by the crowd does not merely have to supplement itself; the effect of the man-made environment augments this pathological situation. To begin with, "An urban man feels and is insignificant because of the very size of the community in which he lives." The underclass man becomes relegated to part of the overwhelming rational system.

This system causes the underclass man to be less and less a member of the community and more and more merely a cog in a great machine:

> "Witness how the tall apartment building has made the city man into a person marked by his disassociation from property ownership, his acquaintance with his 'neighbors' is meager because his identification with his apartment is chiefly in terms of sleeping and perhaps one or two meals. Most other activities and interests are localized in other physical establishments. That is, there is a tendency for the individual to be released from a place in the community."

In effect man's relationship to his environment is so cruelly upset that time and space become sometimes synonymous:

> "The underlying feeling is one of marching with time, and, in its intensity and power to determine the way of life, it equals the feeling of belonging to and being rooted in a place. That is, the city substitutes time for place as the basis for social relationships."

The result of the effect of the crowd, of the rational environment, and of a historical lack of concern on the part of America towards its cities is horrifying, especially in terms of the Negro underclass who have been stripped of all weapons with which to fight the city. The result is massive anomie—massive social disorganization:

> "Among American sociologists, social disorganization is used to describe the city in general, urban lower classes, more specifically. . . . Social disorganization is assumed to exist in an urban area and then bits and parts of urban life are listed as consequences of it—crime rates, suicide rates, alcoholic consumption rates, mental-disease rates, and so on. But these rates are themselves the defining characteristics of social disorganization, thus a circularity is introduced: disorganization is inferred from its consequences, but then these consequences are imputed to disorganization."

This is our situation today.

PART 3—THE PRESENT AND THE FUTURE

I

White America wrenched the Negro from his home and culture, tore his family apart, and then set him "free"; Jim Crow made the Negro bow low to the white God and kept him from forming any unity amongst his brethren; in search of the "promised land," the Negro migrated to the Northern cities during the last 50 years only to find himself a cog in a huge, impersonal, competitive world where discrimination still existed—only in a subtler form.

And now Congress says the Negro should respect law and order, while it debates whether prosecution of "outside agitators" or strengthening the National Guard is the best way to check riots.

It seems as though we've reached an impasse. But to recognize it as such and move on to the next topic is hardly a sufficient solution. For the problem will not go away; indeed, it is going to get worse. As was shown in the previous sections of this study, the plight of the Negro urban underclass is a vicious circle—more than that—a pathological tangle. It is a self-perpetuating affair.

Modern America is replacing many unskilled workers with machinery; since a large number of Negroes hold these jobs, the effect is obvious:

> "According to the national technology commission, the unemployment rate among the non-white population, now twice the white rate, could become *five times* the white rate by 1975, if the occupational distribution of nonwhite jobs does not change."

What jobs the Negro now occupies are largely wage-earner or salaried professional forms of employment; relatively few Negro business enterprises exist. The effect of this is self-perpetuating discrimination: the few Negro businesses means that the Negro is unable to hire other Negroes to build up the Negro economy. Consequently, he must rely on the white man for help, a very dubious prospect.

In fact, even the Congress of the United States doesn't know what to do. It is now paying the penalty for ignoring the problems of the city. It is now caught up in what sociologists term a "cultural lag," a phenomenon which occurs when:

> ". . . our political knowledge and our common sense do not keep up with the actual changes that are taking place in our common life. The result is, perhaps, that as the public feels itself drifting, legislative enactments are multiplied, but actual control is decreased. Then as the public realizes the futility of legislative enactments, there is a demand for more drastic action, which expresses itself in ill-defined mass movements and, often, in mere mob violence.

The city, which causes the individual to be alienated from his surroundings, is an ideal spawning ground for the violent manifestations of the cultural lag:

> "The community of which the city man belongs has become so large that it is ceased to be an immediate experience. This receding of the community from the actual daily life of the individual means a weakening of the immediate and spontaneous social restraints and a new form of social control by means of law."

Control by law is merely a stop-gap measure. We must attempt to cure the city of its impersonality if we truly want the volatile situation to disappear.

"But why violence in the city?" some ask. "Why don't those Negroes down in Mississippi riot—they're the ones who are supposed to be starving." This question brings up an unusual phenomena; it seems that despair does not breed violence; hope brings violence. The Negro sees a better life on television; his son comes back from the Army and talks of equality, and he begins to have hope. And hope is a powerful force:

> "What seems to count more than possession of instruments of power is faith in the future . . . it does not seem to make any difference who it is that is seized with a wild hope . . . they all proceed recklessly with the present, wreck it if necessary, and create a new world."

It might seem strange that this irrationality, spawned by hope, would be prevalent in the city—an environment which is totally rational. But this overwhelming rationality has a tendency to set off the opposite reaction in people.

> "Depressions, wars, or any other threat to individual security create situations that can trigger large segments of the urban population into stampeding toward anyone who gives them a message of hope."

But we don't have a war today—at least not in this country. And we don't have a depression—at least not an economic one. But could we have a social depression?

II

A social depression would be a curious thing; we've never had one in this country, so we wouldn't know what to look for. The economic depression of 1929 was easy enough to spot: the stock market crashed.

But what would be the first manifestation of a social depression? Could it be that the most vulnerable class—the urban Negro underclass—would be the first to react under the weight of the depression?

Whether we care to label the present situation a social depression or not is really only a matter of semantics. What is important to realize is that the urban Negro underclass is in an untenable situation and no one seems to have a solution for it. We accuse those who argue that civil rights gains in the early 60's and outside agitators caused the riots as looking for scapegoats. And those that accuse them offer unemployment, poor housing, and poor education as the causes of riots. But these "liberals" that accuse the so-called scapegoaters have done nothing more than find a subtler, more sophisticated scapegoat.

It is hard to isolate the symptoms from the malady. Are unemployment, bad education, and poor housing the symptoms of the malady? I think they are the symptoms. There is a form of nihilism developing in this country today—among the youth of black and white—a feeling of despair and loss of identity. We should not consider this merely a curious social phenomena, but a manifestation of something going on below the surface.

It seems that we just don't know where to turn for solutions. The mood of the country seems reflected in the words of Herbert Hoover on the last day of his Presidency: "We are at the end of our rope. There is nothing more we can do." But there must be something more we can do.

III

It might seem as if this study is implying that America has completely ignored its urban problems. This is not so; there definitely has been much time and much money spent in an attempt to cure urban blight; this paper only contends that the attempt has been made often in the wrong direction.

Our whole cultural heritage has stood in the way of urban renewal. City planners have too often believed that merely "ruralizing" the city would solve urban blight. Ebenezer Howard, the father of the "Garden Cities" school which has had profound influence upon contemporary city planners, has said:

> "Yes . . . the key to the problem how to restore the people to the land—that beautiful land of ours, with its canopy of sky, the air that blows upon it, the sun that warms it, the rain and dew that moisten it."

To completely disregard the rational industrial nature of a city, as Howard did, is certainly the wrong approach. Jane Jacobs, author of the enlightening work, *The Death and Life of American Cities,* answers Howard quite well:

> "Reformers have long observed city people loitering on busy corners, hanging around in candy stores and bars and drinking soda pop on stoops and have passed a judgment, the gist of which is: "This is deplorable! If these people had decent homes and a more private or bosky outdoor place, they wouldn't be on the street!
>
> "This judgement represents a profound misunderstanding of cities. It makes no more

sense than to drop in at a testimonial banquet in a hotel and conclude that if these people had wives who could cook, they would give their parties at home."

That people want to live in small communities and want to get back to nature is by no means an established fact, yet the visionary frequently assumes it to be so.

American cities have grown and the government has in turn given them some more money. Money is supposed to solve the problem. The whole idea behind helping the city dweller these days is meeting expansion with expansion—adding on a new bureaucracy, a new community group or a new committee. It all seems to be an outgrowth of the turkey for the poor at Thanksgiving which itself is an outgrowth of the missionary practice—relatively uninvolved, enlightened self-interest. Granted, money is needed, but it by itself should not be looked on as a cure-all. A whole new approach is necessary.

IV

Certain specific suggestions are obvious. We should alter our AFDC welfare system so money doesn't only go to families with one parent missing. This system obviously perpetuates the matriarchal pattern.

Businesses should be integrated into the ghetto so as to develop it into a community, rather than a shoddy hotel.

The "high-rise" urban sacrilege, which stores everyone away in neat cubicles, should be stopped.

But this paper is not primarily concerned with specific programs that should be enacted. Its purpose has been to point out the unique factors affecting the Negro urban underclass today, and to also offer suggestions concerning a different approach to the situation.

We can no longer deal with urban blight in a detached fashion. Setting up protective committees and talking with the "responsible Negro leadership" (which is often just as out of touch) will no longer do any good by itself. Dr. John P. Spiegal, Director of the Lemberg Center for the Study of Violence at Brandeis has said in order to solve the present crisis, we must get in touch with the street leaders, yes—even the "outside agitators."

Congress can no longer bicker about guns and butter; it is time to get our priorities straight. When we are spending 40 billion dollars to get a man to the moon and 2 million dollars an hour in Vietnam, the antiriot bill is a sorry excuse for a solution to urban blight.

The problem is that America has drowned the human factor under a sea of technology. Indeed, Congress is confronted with such a mass of statistical trivia that it cannot perceive the personal circumstances of a situation. Robert Weaver said in 1960:

"The very semantics of our approach is unrealistic . . . emphasis is placed upon the buildings in the slums and little attention is paid to the people who inhabit them or the reaction of the rest of the population to these people."

If we really want the riots to end permanently, we must allow the human factor to guide our programs. Perhaps this is what Ebenezer Howard was after in his Garden Cities concept. However, we cannot simply introduce a rural human factor into the city. We must recognize the city's uniqueness and deal with it in its own way. Perhaps John Dewey best summarized this much-needed approach:

"The revolution that had brought Bangkok and New York closer together had turned New York into a vast hotel in which neighbors did not communicate with each other in spite of having telephones in each room. And so *the* problem of America in 1927, according to Dewey, was that of converting the Great Society into a Great Community."

This observation seems even more applicable today.

SANDS POINT FETSCH COLLEGE FOR GIFTED STUDENTS, SANDS POINT, LONG ISLAND, N.Y.

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MULTER. Mr. Speaker, it is my privilege to bring to the attention of our colleagues the remarkable program now underway at the Sands Point Academy and Country Day School, Sands Point, Long Island, N.Y. With little or no outside financial assistance, this school has emerged as one of the Nation's most important centers for the education of gifted children. It has received worldwide acclaim, and has attracted visitors from many States and foreign countries, to see how our talented young boys and girls can best be served.

Started in 1954 as a summer program, the school opened its doors in 1960 to a handful of elementary school pupils. Within 7 years, it has grown to be a full-scale academy, with an enrollment of 300 students and a faculty of 35 devoted and dedicated teachers. Although the emphasis is upon a well-rounded liberal arts education, many of its students are specializing in the natural sciences and mathematics—two fields of vital importance to our Nation's future welfare.

The seed has been planted for an educational center that will go far beyond Long Island, N.Y., far beyond the great State of New York, and even beyond the borders of our Nation. Plans are now underway to create a 4-year liberal arts college with emphasis on the gifted students, and with greater stress on the preparation of inspired teachers to work with talented pupils.

On January 31, 1967, Dr. Marie L. Fetsch, president and founder of the Sands Point Country Day School Academy, for Gifted Children, applied to the board of regents of the State of New York for a provisional charter for the purpose of establishing this proposed college. Dr. Fetsch also applied on May 26, 1967, to the office of the Assistant Secretary of Defense, Washington, D.C.—Installations and Logistics—for a lease from the Department of the Navy. On June 22, 1967, the Honorable Edward J. Sheridan, Deputy Assistant Secretary of Defense—Properties and Installations—submitted the recommendation of the Secretary of the Navy to authorize the leasing of the U.S. Naval Device Center, Sands Point, Long Island, N.Y., to the Sands Point Country Day School Academy. Dr. Fetsch is confident that both of the above-mentioned requests will be honored so that the Sands Point College will open its doors to gifted students for the semester of February 1968, as presently planned.

The sparkplug behind this extraordinary program is a pioneer woman, who with single-minded devotion and persistent effort has brought about a near miracle. Without any public funds and with no help from private foundations or individuals. Dr. Fetsch has poured forth her strength, energy, and personal financial support to make this center possible.

May I respectfully invite the attention of our colleagues to the fact that I am a member of the Educational Council of the Sands Point Fetsch College for Gifted Students along with 40 distinguished educators and dedicated public-spirited citizens, including the great jurist, the Honorable Albert Conway, former Chief Judge of the Court of Appeals of the State of New York, the Honorable Daniel Gutman, Dean of New York Law School, Col. Paul A. Akst, New York City Director of Selective Service, Dr. William Willner, Chief of the Office of University Affairs, National Aeronautics and Space Administration, Washington, D.C., Dr. E. Paul Torrance, Chairman of the Department of Educational Psychology, University of Georgia, the Honorable Theodore Fred Kuper, renowned educator and founder of the Fashion Institute of Technology and the famous Fannie Hurst.

You may recall that President Lyndon Johnson sent a special message to Congress on February 28, 1967, on health and education. The President emphasized, "that future historians, when they point to the extraordinary changes which have marked the 1960's, will identify a major movement forward in American education." The President went on to say that:

> We cannot yet fully measure the results of this great movement in American Education. Our progress can be traced partially by listing some of the extraordinary bills I have signed into law;
>
> (1) The Higher Education Act of 1965,
>
> (2) The Elementary and Secondary Education Act of 1964,
>
> (3) The Higher Education Facilities Act of 1963,
>
> (4) The Vocational Education Act of 1963.
>
> The new Federal role in education, is in alliance with America's states and local communities. In this alliance, the Federal Government continues to be a junior partner.
>
> State and community education leaders have shouldered heavy new burdens as a result of recent increases in Federal programs. If these officials are to develop wise and long range plans for education, they must have more help.
>
> The Elementary and Secondary Education Act has provided funds to strengthen State Departments of Education. But additional funds are needed—money to improve community, state and regional education plans. Nothing can do more to insure the effective use of Federal dollars.
>
> Our work to enrich education finds its focus in a single person; the classroom teacher, who inspires each student to achieve his best.
>
> In 1968, more than 170,000 new teachers will be needed to replace uncertified teachers, to fill vacancies and to meet rising student enrollments. Moreover,
>
> (1) There are severe shortages of English, mathematics, sciences and elementary school teachers.
>
> (2) More teachers are needed for our colleges and junior colleges.
>
> (3) Well trained administrators at all levels are critically needed.
>
> (4) New kinds of school personnel, such as teachers aides—are needed to help in the schools.
>
> (5) By 1975 the nation's schools will need nearly 2 million more teachers.

> I also recommend the Education Professions Act of 1967 which would (1) combine and expand many of the statutory authorities for teacher training assistance, (2) Provide new authority for training of school administrators, teacher aids and other education workers for schools and colleges.
>
> For many years, America's colleges and universities have prepared men and women for careers involving travel, trade and service abroad. Today, when our world responsibilities are greater than ever before our institutions of higher learning need more support for international studies.
>
> The 89th Congress, in its closing days, passed the International Education Act—an historic bill recognizing this nation's enduring belief that learning must transcend geographic boundaries. Through a program of grants under this Act, America's schools, colleges and universities can add a world dimension to their students' learning experience.

Dr. Marie L. Fetsch received her great inspiration for the creation of the Sands Point College for Gifted Students from a former schoolteacher, President Lyndon B. Johnson. It will be noted that throughout the years that he has been President he has done more in the field of education than most of his predecessors. In view of his dedication and inspiring leadership in the education of our students he has truly become the champion of education in our beloved country.

On June 17, 1966, the first graduating class of the Sands Point Academy and Country Day School heard an inspiring address by Dr. William Willner, Chief, Office of University Affairs, National Aeronautics and Space Administration. On June 17, 1967, the second graduating class of the Sands Point Academy and Country Day School heard Dr. E. Paul Torrance, Chairman, Department of Educational Psychology, University of Georgia.

Routine education has no place in this school. Only those children whose intelligence is markedly superior are considered eligible for admission. From the educational standpoint the gifted child requires an environment which recognizes his exceptional capacity for intellectual growth and allows him to move at a pace commensurate with his abilities.

The gifted child requires special understanding of the emotional factors which play a part in his total development as a human being. In philosophy and in practice the Sands Point institution is committed to these sound objectives.

Dr. Fetsch is now taking the next logical step in her educational program. The Sands Point Academy and Country Day School, has shown that the gifted and talented child needs a special type of education. Every one of its graduates has entered or been admitted to an accredited college or university. The students are going to such schools as the University of Pennsylvania, Cornell University, Connecticut College for Women, Franklin and Marshall College, Duke University, Brandeis University, Queens College of the City of New York, Dickinson University, and many other highly qualified institutions of higher learning. However, many of the students who graduate from the Sands Point and Country Day School are young—several are only 15 years old. Some future students may complete their high school program at the age of 14. Many are too young to be accepted by the technical colleges or universities. What is needed is a college that will carry on the tradition of the Sands Point Academy and Country Day School.

Accordingly, Dr. Fetsch has made plans to establish the Sands Point Fetsch College for Gifted Students. This is to be a four year liberal arts college, with a major objective to train talented young men and women to be good citizens. Many will go into the physical sciences—chemistry, physics, mathematics, and other sciences. Others will enter the liberal arts field. Still others will embark on a teachers training program which is to be the heart of the new Fetsch College.

The Nation suffers from an overwhelming shortage of qualified teachers as clearly indicated by President Johnson in his special message to Congress on February 28, 1967 Last fall, school superintendents throughout the Nation sought desperately to fill their school needs with competent teachers. They were not available. New York City, for example, instituted a crash program, whereby persons who wanted to become teachers would take a special 6-week summer course and then be licensed to teach. It is difficult to see how a crash course of 6 weeks or even 6 months could qualify a person to embark upon the most exacting profession in the world—that of being a good teacher.

The need for more colleges is apparent. During the last 15 years the total college and university enrollment has more than doubled, increasing from 3 to 6 million. It will double again by 1980, according to all available statistics. Fifteen years ago 14 percent of all Americans between the ages of 18 and 21 years of age, were enrolled in our colleges and universities. It has reached 40 percent today and will increase to 60 percent by 1980. The rapid growth of college enrollment is continuing unabated. In the fall of 1966 1,500,000 freshmen entered our colleges. Within a decade, the number will increase to 3 million.

The need for higher educational facilities is evident both in New York State and in the Nation at large. High school enrollment has grown in the last 15 years, from 9 million to 16 million. The number of high school graduates has increased from 1,500,000 to 2,500,000. The pressures upon colleges and universities become greater each year.

Thousands of qualified high school graduates are turned away each year because of lack of facilities. Many colleges report from 5 to 10 applicants for each opening. This is true in all parts of the country. Because of the expense involved, the private colleges are not expanding; this leaves the public universities to bear the load. As a result, 65 percent of all students now attend public colleges. Within 10 years it is estimated that the private universities will enroll a bare 25 percent of all college students. It would be tragic if our private colleges became appendixes to our public institutions.

Few private colleges have been founded in our country in the last decade. Here is an opportunity to prove to all Americans and to the world that private initiative is still alive, that the old pioneering spirit that has made our Nation great is still with us. Dr. Fetsch does not seek any glory. Indeed, she is modest and retiring, and prefers to work in the background. But she feels strongly that the Nation needs colleges where our brightest and most talented young minds can find a place to study and mature.

Unfortunately, something has gone wrong with higher education. We read of strikes, demonstrations, and riots. In too many institutions the close student-teacher relationship is missing. In others, teachers are not available. The new Fetsch College is seeking to remedy both of these omissions.

The U.S. Office of Education estimates that out of the total number of youngsters who will probably go to college this year, about 1 in 5 is likely to stay long enough to earn a degree. This is the way the Office of Education reads the future of the 3,800,000 young people now in the ninth grade:

About 2,900,000 or 77 percent may graduate from high school.

Approximately 1,700,000, or 44 percent will probably enter college.

Approximately 780,000 or 21 percent, may win a 4-year bachelor degree.

This means that of the 1,700,000 who will enter college, only 780,000 will remain to graduate—a dropout of 920,000; many of the dropouts are bright, talented, superior young men and women. Why do they not remain to graduate? Why is our Nation losing so much talent, when we are so desperately short of doctors, dentists, engineers, scientists, and mathematicians?

A study recently undertaken for the National Science Foundation indicated that of the top 30 percent of high school graduates, 75 percent of the boys and 70 percent of the girls do not complete college. The actual number of young persons in the top 10 percent of the population who did not complete college is a serious waste of talent. Even more serious is the fact that half of those in the top 10 percent are unable to prepare themselves for the high level pursuits that would otherwise be available to them.

What has gone wrong with our college training? A recent report by Dr. Hans Rosenhaupt, national director of the Woodrow Wilson National Fellowship Foundation points out, that "the academic idols of the hour are "pay, prestige, and freedom from teaching." College teachers today seem to be caught in the treadmill of higher education, indifferently supplying knowledge, "to bored or even rebellious students," he notes.

Dr. Rosenhaupt criticizes student preoccupation with quantifiable aspects of education. He observes:

> Today, too many students value not what they learn but the credits they assemble.

He blames the indifference of students and teachers alike on the "pervasive propaganda that the college is the indispensable passport to the good life—the good life being defined as material abundance."

The publish or perish thesis, so prevalent in colleges today, will not be acceptable at the Sands Point College. Here the goal will be to assemble a group of talented students, together with a corps of talented teachers. Together, they will make college a meaningful experience. Unrest will be eliminated. The students will receive the best possible education under optimum conditions. Emphasis will be placed upon moral, spiritual and ethical values, as well as intellectual attainment. The Fetsch College teachers will be interested in the development of all their students.

Sands Point Fetsch College will be equated with sound instruction, intellectual growth, superior standards of scholarship, moral values, and the maturity of the student in ideals and ideas.

A major objective of the Sands Point Fetsch College will be to promote outstanding classroom teaching at the undergraduate level. It will stress at all times, the student-teacher relationship. It will attempt to utilize the resources of the faculty and the community to improve and strengthen the character, moral, spiritual, and ethical standards of the student body.

Since the college will admit only the superior, talented, gifted student, it will have the enormous opportunity of achieving excellence in education. The college will emphasize the liberal arts, as well as the importance of teaching as a profession.

The Sands Point Fetsch College will stress excellence in education. It will have as its major objectives the development of its students and the ability to acquire academic skills. A high degree of integrity, moral, spiritual, and ethical values will be stressed at all times.

The major objectives of the admission policy will be to attract young men and women, who have the capacity for intellectual growth and who have the ability and motivation to achieve.

In order to equip the student with a knowledge of the world and of our Nation's relationship with the rest of the world, Fetsch College plans to introduce two features in its program:

First, as a requirement for graduation, each student will be required to spend one summer at a foreign university. Negotiations are presently proceeding to insure that this time will be of substantial benefit to the student.

Second, equipping its students to participate effectively in our democratic institutions. A survey is presently being made to catalog an opportunity for summer participation on such programs as NASA, the National Science Foundation, the National Institutes of Health, the Office of Education and other Federal agencies. A similar comprehensive survey will be carried out among State and local government agencies.

The Fetsch department of education will help alleviate the teacher shortage, and at the same time, develop teachers with the highest ability to work with superior children.

The Fetsch College is designed to be small, in the sense that the student-teacher ratio will be low. It plans to limit enrollment to 150 to 200 students each year, until the full complement of 1,000 to 1,200 students is reached. It will of course, be an independent, nonprofit, nonsectarian coeducational institution.

Dr. Fetsch says:

> The teacher shortage has reached alarming proportions. It is especially difficult to get good teachers who are able to work with gifted young boys and girls. We hope to fill that void.

Mr. Speaker, in view of the aforementioned facts, I urge all of our colleagues in the Congress to get behind the program so ably set forth by Dr. Fetsch and her associates. The opportunities available through the phasing out of the facilities of the U.S. Naval Device Center at Sands Point, Long Island, N.Y., come once in a lifetime. It is only fitting that a part of this land, 65 acres, including the existing administration and engineering buildings, be dedicated to the development of this new Sands Point Fetsch College for Gifted Students.

"THE INTERNATIONAL EDUCATION ACT: THE PROMISE AND THE PROSPECT," AN ADDRESS BY CONGRESSMAN JOHN BRADEMAS, AT NATIONAL CONVENTION OF THE INTERNATIONAL STUDIES ASSOCIATION, NEW YORK, N.Y., APRIL 14, 1967

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, earlier this year I had the pleasure of addressing the national convention of the International Studies Association meeting in New York City. This association is composed primarily of college and university teachers of international affairs and of deans of schools of international studies at colleges and universities.

I insert the text of my address at this point in the Record:

The International Education Act: The Promise and the Prospect

I am deeply honored to be here at the eighth annual convention of the International Studies Association.

I want to speak to you this evening about three related topics: the International Education Act and its prospects; government support of private overseas and domestic educational activity; and the formulation of American foreign policy.

Let me begin with a status report on the International Education Act.

I have recently heard the Act described, admittedly by someone less dedicated to it than I, as the teeny-bopper of education. It is, he said, relatively pristine and intact, if not entirely virginal and pure. Full of potential and appeal, one is not quite sure how it will end up if someone doesn't hurry and send it to college!

In my judgment, few Federal programs hold greater promise than the International Education Act for helping American colleges and universities adapt to new conditions and responsibilities. We are familiar with the Morrill Act, which marshalled the resources of higher education with far-reaching effects on the American economy. Legislation creating the National Science Foundation helped bring American science, through government-university cooperation, to the position of pioneering leadership it occupies today. In like fashion, the International Education Act can help colleges and universities transform the international dimension of American higher education and adapt it to the new realities of the latter third of the Twentieth Century.

But we have a long road to travel before we can provide a truly international education for all Americans.

As you know, Congress last year passed the enabling legislation but failed to provide any money to carry out its mandate. The 90th Congress is now three months old and it has yet to provide a single penny of direct support for either planning or grants under the IEA.

I must warn you that my colleagues on the House and Senate Appropriations Committees might just decide not to provide any funds for this fiscal year—or the next fiscal year either. The Viet Nam budget squeeze coupled with the more conservative complexion of this Congress may leave the Act an empty shell.

Dr. Paul Miller, Assistant Secretary of Health, Education, and Welfare—the Department with responsibility for administering the IEA—recently testified before the House Appropriations Committee, where he ably argued the case for the $350,000 supplemental appropriation for this fiscal year for planning purposes. These funds are requested for the operation of the National Advisory Council on International Studies and the establishment of the Center for Educational Cooperation in HEW. He also testified before the Senate Appropriations Committee on the fiscal 1968 request of $36.5 million. This amount would provide almost 19 million dollars for grants to colleges and universities to establish graduate centers of excellence and for the development of comprehensive programs of international studies at the undergraduate level.

DANGER OF LACK OF FUNDS

In the best of all possible worlds, the case for the IEA would stand or fall—and I firmly believe it would stand—on the persuasive arguments developed by Dr. Miller in his testimony and on the force of the hearings, reports and floor debates over the Act itself. But the likelihood is that without increased support from the academic community all the effort to date will have been wasted for lack of funds. In short, the success or failure of the Act is in large measure up to men and women like you.

Although HEW is without funds for a fully staffed planning effort, some persons drawn from the academic community and private educational organizations are making a significant effort to work with Paul Miller and his colleagues to determine the wisest pattern of investing what will clearly be limited grant monies. I understand that some 25 or 30 special papers are being written and discussed within the academic community, a process which should give this planning a genuine push forward.

The International Education Act, as you may recall, specifies that the Secretary of Health, Education, and Welfare must report to Congress on plans and recommendations for implementation of the program prior to full funding. Failure to win an appropriation last year has caused postponement of the report from the original April 30 deadline, but I am told that we can expect to have it in hand before the end of this fiscal year. The report will be an important milestone in bringing the full force of the program into play and I, for one, look forward eagerly to reading its recommendations.

Let me make a comment on the present situation from the vantage point of a practicing politician deeply concerned about the development of this program.

CAREFUL PLANNING WISE

The IEA holds forth great promise for all American colleges and universities.

At the same time, its immediate potential is far more limited. First, as I have already indicated, money is tight in Washington as well as on Wall Street. Even if funds were more abundant than they are, the need for rational, careful planning and the development of a national strategy for international education would dictate a moderate beginning and a more rapid build-up after the strategy emerges, is tested and modified by experience. This cautious pace, forced upon us by circumstance, can provide us with valuable time.

Limited funds will of course mean that many deserving institutions will miss out on the first round.

There are two points I want to stress in this connection. First, I believe that in the early years of the IEA program, it would be desirable to concentrate a healthy portion of the available funds on support to institutions which have taken at least the preliminary steps toward adding a significant international dimension to their faculty, curriculum and research. By this I do not mean "making the rich richer", or concentrating the funds available on a handful of prestigious universities and showcase liberal arts colleges. I cannot help feeling that those colleges and universities which have already demonstrated a sound commitment to developing their own international dimension, through the concentration of *their own resources* and leadership, may have some right to stand near the head of the line. And I hasten to point out that the record of some small and relatively poor independent colleges in this respect puts to shame a few of our biggest universities.

Second, I believe the limited funds available under the IEA make it all the more important that the institutions receiving grants in the early years of the Act make a systematic effort to evaluate their experience, both before and during the period when they receive support under the IEA. The ideas and insights derived from their experience may provide guidance both for their fellow institutions and for the administrators of the Act.

The modest beginning—and the potentially rich future—call for foresight and statesmanship on the part of *all* institutions of higher education. Cooperative ventures, clearly encouraged by the legislation, can maximize the value of limited funds.

INTERNATIONAL EDUCATION ACT A DOMESTIC MEASURE

I now want to consider with you the related area of government support for private educational and other activity overseas. We must keep clearly in mind, however, that the International Education Act as conceived and enacted is a domestic measure, designed to strengthen American colleges and universities. It was not intended to support substantial overseas activity that was not part of a graduate or undergraduate program in international studies at an American institution of higher education.

Let me here take note of *Ramparts* magazine and its gadfly effort to track down the CIA, wherever the agency may venture. The recent disclosures of the farflung covert support by the CIA of a wide variety of private organizations, some of them educational, raise in a sharp relief a series of issues for higher education, particularly in international studies and research.

Before turning to specifics, let me make clear that I do not for a moment think that more than a miniscule number of educational institutions have participated in covert activities similar to the CIA-NSA relationship. My criticisms, warnings and recommendations must be understood in the light of that perception.

RUSK AND KATZENBACH COMMITTEES

I want to speak briefly, first of the two Presidential committees, the Katzenbach and Rusk groups, appointed to deal with the problem raised by the CIA issue, and then of the challenge faced by the Rusk Committee, and what all this means for the International Education Act.

As you know, the Katzenbach Committee—composed of the former Attorney General, the Secretary of HEW and the Director of the CIA—made two recommendations:

First, that the Federal government should no longer "provide any covert assistance or support, either direct or indirect, to any of the nation's educational or private voluntary organizations." President Johnson has accepted this recommendation, which is tantamount to an Executive Order to discontinue such activity.

Second, that President Johnson appoint a committee to "establish a public-private mechanism to provide funds for overseas activities which are judged deserving, in the national interest, of public support."

It is difficult to take serious issue with these recommendations as far as they go. One must assume in good faith that their careful wording is not designed to create technical loopholes for future hidden support or persuasion. In this regard, I share the sentiment expressed editorially by the *Washington Post* that the recommendation by the Katzenbach Committee of an exception for cases where the national security is involved is indeed "disquieting." The precise genesis of the present controversy, after all, is that one man's definition of "national security" is another man's view of unwarranted government intrusion and influence in the private sector.

To meet the second recommendation, President Johnson has appointed a committee, chaired by Secretary of State Rusk, members of the Executive, Members of Congress and men from various walks of private life. The education sector outside government is well represented by such men as Herman Wells from my own state of Indiana. Yet the obvious lack of a representative from either the Senate or House education committees is puzzling in view of the close relationship among the education committee, government policy and the health and integrity of our own educational institutions.

The Katzenbach report made only a brief, though plausible, argument for the need of continuing support with public funds of some overseas activities of private groups. The report did not shed much light on the general nature of the subsidized activities nor upon their relevance to American foreign policy. Many Congressmen, in my judgment, would feel considerably more confidence in their ability to legislate effectively in this area if we had a good deal more information on what has been the substance of the activities carried on by the organizations subsidized by the CIA. I am not talking about lurid exposes nor minutely detailed accounts that would compromise individuals or organizations.

For example, a covertly CIA subsidized program for training Latin American journalists might not seem to Congress a wise instrument of anti-communist foreign policy but might be justifiable as an open facet of what we now comprehend as the "human resource development" component of our effort to help developing nations. Maybe so, maybe not. I fail to see however how I—and other Members of Congress—can make up our minds if we do not know with greater precision what has been going on. The Rusk Committee could render a substantial service by reporting the facts more fully.

In addition, the newspapers and magazines, which gave such extensive disclosures to when they were front page news, could help fill a gap in the knowledge of legislators and the public at large by following their excellent reporting with some analysis of the kinds of activities which received support.

Previous disclosures of CIA activity have, of course, already had an effect on Congressional attitudes toward the International Education Act. The law and its legislative history contain, in large measure due to the wise insistence of Senator Wayne Morse, both strong prohibitious against government interference with the scholarly programs it supports. Also included in the law is a specific requirement that any cooperative arrangement which involves a governmental agency other than the Department of Health, Education, and Welfare must be fully published in advance in the Federal Register. Although this approach is not without problems, the provision serves as clear notice that IEA programs are off limits to any agency seeking to channel covert support to or through institutions of higher education.

INTERNATIONAL EDUCATION ACT ADMINISTERED BY DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Indeed, the Act serves as a strong barrier to possible encroachments on the academic freedoms of open inquiry, debate and publication. Congress insisted that the IEA be administered by the Department of Health, Education, and Welfare—the Cabinet Department with primary responsibility for education. Congress did not assign responsibility for administration of this act to the Department of State, the Department of Defense, and certainly not to the CIA!

As the Senate Committee report on the bill stated: ". . . the primary goal of this legislation is building, in this country, a strong base of international studies at the graduate level and, on the undergraduate level, giving a wide segment of our students a chance to learn more about the world and the customs and values of other countries."

I note that several Members of Congress and Senators have expressed an interest in or actually introduced legislation designed to make the IEA a vehicle for supporting the overseas educational activities of private groups. I would oppose these well-intentioned amendments for several reasons.

I have already alluded to the political difficulties which we face in obtaining an appropriation. By diluting the domestic focus of the Act, the difficulties would only be compounded. It is fair to say that some Members of Congress oppose the measure because they still mistakenly believe it to be a new source of educational foreign aid, and they therefore would certainly not condone such a program at a time when established and popular domestic legislation faces severe financial difficulties. Furthermore, the problems of administering this program are difficult enough without the complications attendant on financing the overseas activities of private groups.

The Fascell subcommittee of the Foreign Affairs Committee, in fact, will begin hearings on one measure to create a private-public corporation next week. This measure does not tie the new mechanism to the IEA.

I hope I have made it very clear that I regard the work of the Rusk Committee as vitally important. I have followed closely the public discussion of possible ways in which we may deal with the basic issues spotlighted by the CIA-NSA and related revelations.

SOME RECOMMENDATIONS

My attention, like yours I am sure, has been drawn particularly to the question of how we as a nation can proceed in establishing new mechanisms, or expanding existing ones, to serve the required purposes. Tonight I would like, as a working congressman and as a citizen deeply concerned about the integrity of our educational institutions, to offer a few thoughts on this important issue.

I have no specific recommendations to offer at this point on the instrumentality or instrumentalities which we might develop. I do believe that in large measure "form must follow function", and that the crucial function served by an entity which evolves or is created is that of administering appropriated Federal funds under *both substantial* and *apparent* private control. Private control must be substantial for the plan to work. It must be apparent in order to convince.

From the perspective of a congressman, that is, I see the basic dilemma as that of private control versus public accountability and legislative oversight. Many people both inside and outside government, for instance, have suggested as useful parallels the National Science Foundation or the National Institutes of Health. They point out that these are actual agencies of government. The NSF is an independent agency whose Director reports to the President of the United States; the NIH is an integral part of the Department of Health, Education, and Welfare. The grant-making activities of both NSF and NIH are carried out under very substantial private oversight or control through the mechanism of advisory panels. These panels are composed entirely or predominantly of private citizens, whose recommendations both on broad policy questions and on the merits of individual grant applications are accorded the heaviest possible weight by the agency.

The NSF and NIH present appealing analogues, and I might say parenthetically that I hope their experience in utilizing expertise from the private academic and intellectual community will be drawn upon heavily by HEW and the Center for Educational Cooperation in the administration of the International Education Act. Yet the analogies are not exact for both NSF and NIH possess built-in advantages which we cannot assume will be inherent in our present area of interest, that is the role played by the United States in the world community of educational intellectual and cultural endeavor. First, the activities supported by NIH and NSF are clearly important to every Congressman and to his constituents. Second, the activities supported are generally those which the great majority of Congressmen have decided are too complex for them to master in terms of significant detailed understanding. They are areas in which Congress has long since accepted the necessity of relying heavily on the counsel of experts, many of whom are in private life.

We are faced, therefore, with the prospect of considerable difficulty in achieving the degree of private control which exists at NSF and NIH. I would suggest further that the functions we are speaking of might best not be carried on within a government agency at all, for the simple reason that the more directly any proposed entity is connected with the formal structure of our government, the less acceptable will be its activities or indirect presence overseas. To use my earlier phrase, the private control might be *substantial*—but to a foreigner, at least, I doubt that it would be *apparent*.

A NEW MECHANISM?

How, then, do we proceed? First, I think it fair to assume that there is a genuine desire to carry on a number of facets of our intellectual and educational interaction with the rest of the world under truly private auspices and control and that this sense is shared by responsible leadership in both parties and both Houses of the Congress.

Second, if this awareness does exist—and I believe it does—we ought to be able to design an instrumentality under both genuine and apparent private control which will operate in such a way that our national legislators will believe themselves justified, in terms both of their personal convictions and of their relationship with their constituencies, in committing reasonable amounts of public funds to activities some of which may be controversial and all of which will be carried on somewhat outside the usual structures of Congressional control.

But there are other aspects of this problem I want to discuss. First, I doubt the suitability of any existing organization, public or private, to carry on the full spectrum of activities which might be carried out by a new institution. Whatever the mechanism, it should probably be able to make grants to private organizations concerned with a much broader range of activities than those related to what we might call the CIA legacy. The new mechanism ought also to be able itself to carry on certain overseas activities where appropriate. More important, the new entity should be authorized and equipped to examine and assess the ways in which our own society and its institutions can participate in international activities with their foreign counterparts.

My own feeling, as of now, is that we are faced with the necessity of creating something new under the sun. The private control versus public accountability dilemma might best be solved by having a basically private organization with a Federal charter; some of the obvious analogues here are the Smithsonian Institution, the American National Red Cross, and the National Academy of Sciences. We should consider the possibility that the basic legislation for this institution would contain a permanent authorization for the appropriation of Federal funds, much as NSF now enjoys.

Yet legal structure alone will not suffice to resolve the public-private dilemma, either as viewed by Congress or from abroad. The crucial factor, in my mind, is the selection of a highly distinguished Board of Regents or Trustees—numbering among its membership representatives from the Executive Branch and from both houses of Congress, perhaps, but with private citizens in the clear majority, and with policy control effectively in their hands. If membership on this Board could involve a sufficiently challenging intellectual experience, quite aside from any honorific aspects, the very best men in our society would be eager to serve on it and to become committed to its work and to guiding its operations. We might then have taken a long step toward resolving the public-private dilemma.

SOME AREAS OF POTENTIAL CONDUCT

Assuming for the moment that the new entity were formed along the lines I have tentatively suggested, there are at least three major areas of potential jurisdictional conflicts with other agencies. I think first of the Center for Educational Cooperation within HEW, with its dual responsibilities for administering grant programs relating to U.S. colleges and universities and carrying on direct program activities. I cite second, existing grant-making and other activities related to international educational and cultural cooperation now lodged within the Department of State, AID and USIA.

I list third, the whole area of research in or on foreign areas and international affairs, particularly where government support is involved. Each of these areas of existing activity presents problems and opportunities for any new organization.

With regard to its relation to the Center of Educational Cooperation and the IEA, I have indicated that I think the Act should not be turned into a vehicle either for educational foreign aid overseas or for the kinds of activities formerly supported covertly by the CIA. A new entity, however, would be more concerned with the overseas operations of private American institutions and organizations than with strengthening American colleges and universities.

On the second point, it might be useful to consider the new institution as an eventual home for some of our existing government international education or cultural activities, precisely because the agencies presently involved are inevitably instruments of our government's foreign policy. Yet such an approach is by no means central to the immediate concerns of the Rusk Committee.

The third area is research. Some consideration may well be given to lodging substantial research funding capacity in a new organization in order to remove any stigma attached to government support of research in foreign countries. In my judgment, such a role should be assigned only with great caution. An artificial dissociation of foreign area research activities from domestic research in general, or from the process of foreign policy formulation or—in the overseas setting—from the problems of strengthening the resources and institutions of other nations might well produce more harm than good.

I have given the briefest attention to each of these areas, not merely because time presses, but because I believe they are complex, important and largely unsolved issues. I hope that they are very much on the minds of the Rusk Committee and its staff.

GOVERNMENT AND EDUCATION

Before closing this evening, I want to touch briefly upon two areas of general and far-reaching concern. They encompass several crucial issues broached by the CIA–NSA disclosures, although by no means all of them, and they are fundamental to understanding the long-term importance of the International Education Act.

Coming not long after the Michigan State and Project Camelot disclosures, the most recent revelations of covert government involvement in educational activities have tarnished the reputation for integrity of an unfortunately wide range of institutions. James Reston wrote earlier this year that the opening weeks of 1967 "have been hard on the capital of the United States because they have shaken its confidence in itself." They have "produced", he accurately reported, "not only policy doubt but moral doubt, and even self-doubt."

Or, as one NSA member who was not "witting", that is did not know of the CIA subsidy, remarked to me: "I'll believe anything now. It's all done with mirrors."

Justified or unjustified, the activities of the nation's intelligence gathering agencies have led to a sometimes quiet, sometimes not so quiet, crisis of confidence in the degree to which the free flow of ideas among students, educational institutions and other organizations have been tainted by undisclosed interests. At worst, there is deep cynicism and speculation that the government is intentionally exercising considerable and undue influence upon educational organizations, including colleges and universities. And, I might add, the cynics condemn the institutions for being willing partners in the subterfuge.

I am sympathetic to what Senator J. William Fulbright wrote recently on the relationship of government and the universities. He wrote:

"Whatever the circumstances of the moment, whatever the demands of government and industry on the universities—and whatever the rewards for meeting those demands—the highest function of higher education is what might be called the teachings of things in perspective, toward the purpose of enriching the life of the individual, cultivating the free and inquiring mind, and advancing the effort to bring reason, justice, and humanity into the relations of men and nations—Only insofar as the university is a place where ideas are valued above their practical application, in which there is a greater interest in contributing to the sum of human knowledge than in helping a government agency to resolve some practical problem, is the university meeting its academic responsibility to the students and its patriotic responsibility to the country."

I do not mean, of course, that universities cannot or should not help societies in general and government in particular solve problems. Indeed, most of our colleges and universities receive from Federal and State governments a good part of the financial resources they must have to operate. Education makes substantial claims upon our limited resources and it too must stand the tests of priority with other public endeavors. Yet to say that education must make its claim along with other institutions for a share of limited funds gives no government agency—State, local or Federal—any mandate to twist or distort the process of education.

In the critical field of international studies, scholarship lies perilously close to immediate, practical and pivotal policy concerns. The potential advantages to be gained from manipulation may often appear great. The opportunity to mobilize forces of intelligence and persuasion behind the shield of apparently legitimate, disinterested study and exchange of ideas has evidently proved difficult to resist.

Yet it is equally clear that in the vital fields of international affairs, where the stakes are so high and the temptations so alluring, we must erase even the slightest cause for suspicion that education and research in international studies are not what they seem.

FORMULATION OF FOREIGN POLICY IN A FREE SOCIETY

The International Education Act, as I have already suggested, can play an important role in providing the needed assurance.

The International Education Act also has important long-term implications for the formulation of foreign policy in a free and open society such as ours.

Foreign policy is no longer conducted simply from government to government. Rather it is a continuing day-to-day process carried on by hundreds of institutions, public and private, and thousands of individuals scattered all over the globe. American students in Paris, large corporations in Latin America, voluntary associations working in underdeveloped countries—all are daily shaping the contours of our relationship to the rest of the world.

This wide variety of activity is likely to expand as communications and transportation become faster and cheaper.

This proliferation of active players in the drama of foreign policy requires a significant degree of sophistication and knowledge about the other countries of the world, particularly the non-Western world. There is, of course, no substitute for actual experience with foreign cultures, but education from the earliest years—and particularly at the college and university level—must prepare Americans for their new roles in world affairs.

In addition to this new dimension of foreign policy, in a democratic society such as ours the formulation of foreign policy—the development and comprehension of purposes and alternatives—demands special attention.

The recent revelations about the clandestine activities of the CIA, for example, are disturbing partly because they have cast a shadow on the integrity of respected educational and other institutions. But the covert support is also disturbing because it is an unfortunate chapter in a long history of inadequate dialogue between the government and the informed, interested citizen on foreign policy matters. The reluctance of the CIA and other top officials to make a case for supporting the overseas activities of private groups is indicative of a feeling of wariness on the part of appointed officials—sometimes quite justified, I admit—of the ability and desire of elected officials and interested segments of the population to appreciate the complexities and necessities of foreign affairs. From this point of view, at least, the acquiescence of top government officials outside the CIA in the covert subsidies is not a defense of the practice. It is rather an admission of the pervasive feeling of wariness to which I refer.

POPULAR CONTROL OF FOREIGN POLICY

We are all familiar with the defects that Walter Lippmann has found in the popular control of foreign policy. They are fully set forth in *The Public Philosophy*. Yet Lippmann has also written in *The Phantom Public:* "The private citizen", he said, "has come to feel rather like a deaf spectator in the back row, who ought to keep his mind on the mystery out there, but cannot quite manage to keep awake. He knows he is somehow affected by what is going on . . . Yet these public affairs are in no convincing way *his* affairs. They are for the most part invisible. They are managed, if at all, at distant centers, from behind the scenes, by unnamed powers. As a private person, he does not know for certain what is going on, or who is doing it, or where he is being carried. No newspaper reports his environment so he can grasp it; no school has taught him how to imagine it; his ideals, often, do not fit with it; listening to speeches, uttering opinions, and voting do not, he finds, enable him to govern it. He lives in a world he cannot see, does not understand, and is unable to direct."

James Reston, who quotes Mr. Lippmann, has written more recently and most persuasively on the same theme in his book, The Artillery of the Press. "The basis of our governments," Mr. Reston begins his book by quoting Thomas Jefferson as saying, "being the opinion of the people, the very first objective should be to keep that right . . ." Mr. Reston later calls for an increased flow of information and analysis, a richer dialogue, if you will, in order to reach what Lord Bryce terms the "educated remnant" of society—the men and women who concern themselves with the intricacies of public affairs.

I think Mr. Reston is right and I also think that the International Education Act can help to enrich that dialogue.

Foreign policy is perhaps the most difficult area of government to submit to popular, democratic control. More than most areas of decision-making, foreign policy depends upon an educated electorate, sensitive to a wide array of complex considerations. The International Education Act will, over the long run, help to develop a solid base of educated men and women, attuned to the complexities of the world beyond our borders. It is to these people, the "educated remnant", that we must ultimately turn in the effort to establish a wide dialogue between government officials and the public in the development of American foreign policy.

This work, as John F. Kennedy said, will not be done in a hundred days or even a thousand. But let us begin.

REPLY TO UNTRUE ALLEGATIONS ABOUT THE SOCIAL SECURITY AMENDMENTS OF 1967

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, recent correspondence from some of my constituents in the Third Indiana District has indicated that untrue allegations have been circulated concerning H.R. 12080, the Social Security Amendments of 1967, which was passed by the House of Representatives on August 17, 1967.

The provisions of H.R. 12080 do not in any way represent a serious departure from the present social security program. In fact, the basic principles underlying the program would be strengthened, not undermined, by this measure.

In particular, Mr. Speaker, H.R. 12080 would not by any means change social security into a "relief program," or a "war on poverty tool," as has been alleged. Social security would remain the basic income insurance program of the American people, that insures against the risk of loss of earned income due to a worker's retirement, disability, or death. The worker earns his right to benefits by his work in covered employment and he helps to pay for them by his social security contributions based on his earnings from that work. H.R. 12080 would not infringe or qualify these earned rights in any manner. Under the bill, the worker's right to benefits and the amount of his benefits would be paid as a matter of earned right, as they always have been, and without any test of need—that is, regardless of a person's nonwork income, resources, or any other assets.

Some people have asserted that an 8-percent benefit increase, which would equal the rise in the cost of living since the last benefit increase, is all that should be enacted this year or in fact, is all that is needed. Just restoring the erosion of the value of the benefits due to the higher cost of living is certainly not enough. We must improve the protection provided by the program. While I would have liked to have seen an even larger benefit increase than the 12½-percent increase provided for in H.R. 12080, this bill would be a much needed move in the right direction and certainly more realistic than an 8-percent increase in view of the pressing needs of beneficiaries.

Mr. Speaker, social security benefits are now virtually the sole income of half the beneficiaries and the major income of almost all beneficiaries. In fact, 5.7 million aged social security beneficiaries would fall below the line of poverty if they did not have social security benefits.

Yet the average benefit for all retired workers is $84 a month; the average benefit for aged widows is $74 a month; for aged couples, $143 a month. These benefit amounts are obviously too low to assure satisfactory continuing income for those who must rely on them for support.

Mr. Speaker, I believe that H.R. 12080 will be a significant step forward in helping us fulfill our responsibility toward those who are no longer able to support themselves by working.

THE TAX SURCHARGE AND THE MONEY MARKETS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Moorhead] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection

to the request of the gentleman from California?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, the state of the Nation's money and credit markets provide an overriding reason for the tax surcharge and other tax actions proposed by the President. This is simply a matter of the size of credit demands and the size of credit supplies. What the Treasury does not take in through taxes it must borrow from the money markets, and it must compete there for supplies of credit which are large in the aggregate but are not—and should not be—unlimited.

First, let us dispose of one tempting but quite erroneous approach—the suggestion that whatever the Federal Government needs in the way of additional credit should simply be provided by an acquiescent, supine credit market. After all, the argument runs, did we not finance World War II with very heavy borrowing at 2½ percent? And even in the Korean war period, interest rates came nowhere near as high as they are now.

But look again at World War II. There was heavy borrowing at low rates by the Federal Government. There was also a complex network of centralized direct controls that blanketed the entire economy, suppressing demands on the economy's resources that were not directly essential for the war effort. And even with those direct controls, and very high tax rates, there was a considerable inflation. The military effort then was, of course, far greater in proportion to the size of the economy than it is now, but the point still holds that there is no simple alternative to a tax increase to be found in the prescription of those who would say "just expand credit some more"—because the certain result of that course would be a bad case of inflation.

As for Korea, while it is true that interest rates did not rise sharply then, it is also true that there were substantial tax increases; the Korean military effort was not financed on a big deficit, and in fact if the administration were asking now for a tax rise comparable to that imposed in the Korean period we would be talking about a 30-percent tax surcharge rather than a moderate 10-percent surcharge. Also, let us not forget the direct credit controls and allocation procedures set up during the Korean period. In addition to allocations of strategic raw materials, and limited wage controls, there were regulations limiting the use of mortgage credit and consumer installment credit.

We have managed to avoid cumbersome bureaucratic controls in the present situation, and it is certainly preferable to continue avoiding them just as long as we can. But our ability to do so will depend on how well and wisely we can use the broad general influence of fiscal and monetary policy to keep a healthy balance in the economy.

There is no getting around the fact that the Federal Government is going to have a big deficit this year. The administration says so, its critics say so, and that is also the uniform view of professional economic and financial analysts. The question is "how big" and "what effect will the financing of that deficit have on the Nation's credit markets and all the other areas of the economy that depend on those markets?"

The President has estimated that if his tax proposals are promptly enacted, and if expenditures are rigorously controlled, the administrative budget deficit can be brought down to a range of $14 billion to $18 billion. That is still a big deficit. Let us not lull ourselves into any sense of complacency on that point. And if we add in the sales of participation certificates in federally owned financial assets which are assumed in reaching that deficit range, and also allow for some increase in Federal agency securities outstanding, we are talking about a financing job of some $20 billion to $25 billion. And that is with the tax increase recommended by the Administration.

Fortunately, not all of that amount needs to be financed in the private sector of the economy. The Government trust funds and other Government investment accounts can be counted on to take up some of that, and the Federal Reserve can be counted on to take some. The amount remaining for the private sector might be brought down to $10 to $15 billion in that way. That is still a lot, but it is an amount that can be reasonably handled in the market provided there is a continuing good supply of credit. In turn, the prospects for that supply of credit depend on the savings generated by business and consumers, and most especially on the growth of bank credit. Bank credit has in fact grown quite rapidly since late in 1966, and it should continue to grow at a fairly good rate as long as pressures of total demand in the economy do not threaten to become excessive. If those excesses do become a threat, it is only reasonable to expect that the monetary authorities would want to slow down a bit in the creation of new bank credit.

Indeed, they would not be doing a responsible job of financial management and economic stabilization policy if they failed to slow down bank credit growth in those circumstances.

Of course, you have to look not just at Federal Government demands on the credit market, but at private demands, too. If we were in a particularly slack period for private demands, there would be more room for the credit markets to accommodate an extra large volume of Federal borrowing. The fact is that private demands have been large and show no particular sign of letting up, in the aggregate.

Last year, corporate bond offerings set a new alltime record—over $17 billion of new issues. So far this year the pace is even heavier—$13.5 billion in the first 7 months of this year, or 23 percent over the year ago level in these same months. One reason for the heavy borrowing seems to be the deep concern in the financial community that if the Federal Government's deficit is excessively big then the market could be heading for another period of great credit stringency—similar to that of last summer and perhaps much worse. With that in mind, corporate borrowers have been willing to pay very high rates—equal to the highest paid a year ago—just to make sure they can get hold of the money they need or expect to need. Last year, even some of the biggest corporate borrowers learned the hard war that bank credit might not always be available when they want it, and that experience left a deep impression.

States and municipalities have also been into the capital markets in record volume this year, for pretty much the same reasons. Their borrowing in the first 7 months this year is up 28 percent from the same period in 1966, and that was a record year.

Once corporations and State and local governments are reassured that the Federal deficit will be held to manageable proportions, their own demands may be moderated. That will make it easier for the Federal deficit to be financed. It will also make it easier to finance a recovery in the flow of credit to the mortgage market, which has been relatively low in the first half of this year but should pick up as the year goes along and homebuilding continues to recover from last year's slump.

Now, that is a picture of how things could develop in the financial markets with a program of restraint on Federal spending and a tax increase to hold the deficit in the $14 to $18 billion range. And let me just say parenthetically that the expenditure restraint part of this program is an essential component, but not a sufficient component to do the whole job of holding the deficit to manageable size; we need both the expenditure restraint and the tax surcharge. Given Vietnam, there just is not room for making sufficient cuts in spending without a senseless butchering of needed domestic programs; but again, that is not to say that tax increases should do the whole job either.

This is not necessarily an ideal picture. A deficit of $14 to $18 billion is still pretty big. Hopefully it would be down near the lower end of that range. Even more hopefully it would come out below the lower end of that range. But we should not generate false optimism here. The $14 to $18 billion range is a feasible objective and would leave us with a deficit which, while not exactly desirable, would be tolerable. At the midpoint of that range, a $16 billion deficit would amount to about 2 percent of the gross national product. Back in fiscal year 1959, the $12.4 billion deficit was 2.6 percent of the GNP at that time.

Nor should we build up false hopes about a big decline in interest rates, if the deficit is held down close to $14 billion. It would be reasonable to look for some decline, because the markets have already been anticipating a deficit at least that large. But there would still be a lot of borrowing to do, by the Federal Government and by the private sectors of the economy—so we need not expect miracles when it comes to interest rates.

Suppose we imagine now how the credit markets might look without the tax measures recommended by the President. The administrative budget deficit would not be in a $14 to $18 billion range, but in a $21 to $25 billion range—and it could run as high as $29 billion if the recommended expenditure restraints were not implemented. The demands of the Federal sector on the private credit markets—allowing for the sales of participation issues and agency securities, but also allowing for the mitigating effect of trust fund and Federal Reserve purchases, would far exceed the $10 to $15 billion range of net demands we spoke about before. Just adding back the $7 billion that would have been raised by the tax measures puts the net demand up around $17 to $22 billion. If on top of that, expenditure restraint is ineffective and if, as would be likely, there would be greater demands for assistance from Federal credit agencies such as the Federal Home Loan Banks, then it is easy to envisage a net Federal sector demand on the private credit markets somewhere around $20 billion to $25 billion.

Is there really so much difference between Federal Government credit demands of $10 to $15 billion, and Federal credit demands of $20 to $25 billion—especially since that net demand was zero or even negative in the year that ended last June 30? The answer is emphatically "Yes." The smaller range of figures, which presupposes a tax increase, is within the market's capabilities. It will not be an easy financing job, but with a good sized rise in bank credit it could be managed. Bank credit was up only $15 billion in the year that ended last June 30. It is certainly in the realm of reasonable possibility and probability that it would grow by $25 billion or even $30 billion in the current year. That would make the crucial difference in being able to accommodate in the financial markets a net demand of $10 or $15 billion from the Federal Government.

But a net Federal credit demand of $20 or $25 billion is another matter altogether. To meet that kind of demand, unless other demands were shouldered aside, would take a mammoth-sized growth in bank credit of something like $40 billion in a year. That just is not in the cards. It would mean that the monetary authorities would be supplying reserves more liberally in the absence of a tax increase than if the tax increase was in effect—and that is simply not a reasonable expectation. If it did happen it would be at the expense of a terrible inflation, a printing press type of inflation that has no place at all in our economy. The more reasonable expectation is that bank credit would grow somewhat less in the absence of a tax increase.

In that case, the extra-large Federal credit demands would be only at the expense of shouldering aside a substantial part of the private credit demands. Many of those demands would go unmet. And the ones that were met would be at substantially higher interest rates than we see around us today.

How high the rates might go is anybody's guess. They would have to go high enough so that sufficient demands would be shut out for supplies and demands to be in balance. One way this works is through the outflow of savings deposits from thrift institutions, which are the main source of funds for the mortgage market. If it needs the money badly enough, for example, the Treasury would have to pay 6 percent or more on its short-term borrowings. That would attract a good deal of the money held in savings and loan associations and savings banks, leaving those institutions unable to put funds to work in the mortgage market. It would be 1966 all over again, but maybe worse. From the high point to the low point last year, the rate of new housing starts fell by one-half. That is a punishing decline any way you look at it.

Small business would suffer, too. Banks would be offered such irresistibly high yields on Government securities that they would have less money available for loans, and when it came to rationing between big and small customers there would inevitably be some favoring of the large well-established firm over the smaller, newer ones. Even if the banks were perfectly evenhanded in applying restraints, the big firms would have an edge because they would have some alternative sources of raising funds—the bond market and commercial paper market.

Farmers would also find credit very hard to get, and costly when it was available at all. Banks and other farm lenders would face insistent demands from other borrowers who would often be in a better position to pay more than the farmer could afford for interest.

Even the tax-exempt State and local government borrowers would see their source of credit supply shrink, for Federal demands would use up more of the available room in bank portfolios—at a costly price—and leave less room for the state and local government obligations—again, unless a much higher rate was paid.

Who would get the credit that is available? The Federal Government would take a big share, and so would big businesses. It would be costly, but these are the borrowers who have the market power to get their demands satisfied while others wait in line. And of course there would be different degrees of deprivation within the broad groups of borrowers. Within the tax-exempt group, for example, stronger state and city borrowers would stand a better chance of having their needs filled than would smaller cities and towns—but all would pay a lot more for whatever money they got.

Disagreeable as this description is, it cannot convey the sense of disorder, and possibly of crisis, that would envelop malfunctioning credit markets. Adjustments of the size and scope that would have to take place, in the process of sorting out the weaker and stronger demands, do not run smoothly. There are lumps and bumps, abortive rallies, and losses sustained in the process of distributing securities that perhaps put some firms out of business and impair the Nation's credit market machinery for a long time to come.

Our credit markets, which mobilize savings efficiently and, relative to other countries, quite cheaply, are an important national asset—not to be thoughtlessly squandered in a vain attempt to have our cake and eat it, too. Rebuilding these markets, to serve again the major economic sectors that depend on them, could take years. The moderate, knowable cost of a tax increase is surely preferable to this destructive and largely unknown alternative of chaotic credit markets.

ECONOMIC DEVELOPMENT ADMINISTRATION

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. YOUNG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNG. Mr. Speaker, during my tenure in the House there have been few times when I felt that the marking of an anniversary of a governmental agency was a moment of particular merit.

Today, I am pleased to say, I have an exception. It was just 2 years ago that President Johnson signed into law the Public Works and Economic Development Act which created the Economic Development Administration.

I know of no other agency whose accomplishments have been done more smoothly—or with so little public fanfare as the Economic Development Administration.

Yet here is an agency which is charged with the task of—

Taking unskilled and unemployable individuals and making them productive members of society;

Providing loans and grants for public works and developmental facilities in areas where there is sore public need;

Assisting business with loans and technical aid when such aid will help a community that is crying to provide a living wage for its citizens;

Using the talents and skills of its remarkable staff of experts to plan, develop and instigate projects—wanted and needed—by a local community.

In the course of less than 2 years the Economic Development Administration has handled more than 1,856 applications and has utilized the power of more than $600 million to meet the age-old problems of chronic underemployed and unemployment.

Further, it plans for the future with such projects as the Coastal Bend Economic Development District in my 14th Congressional District in Texas.

I have been notably impressed by the professional attitude and skills of the Southwestern Area Office of the Economic Development Administration located in Austin, Tex. Under the direction of Mr. Richard R. Morrison, it is a credit to the overall operation of the whole Economic Development Administration under Assistant Secretary of Commerce, Ross D. Davis.

I am particularly proud of the cooperation and foresight shown by the Economic Development Administration in the grant of public works funds to an area which has problems unique to its location. My district is located in the great gulf coast area of south Texas and as such there is much interest in the development of our natural asset, the gulf shoreline. Three projects are doing just that and providing much needed employment and experience to our citizens in the process. One project aims at the development of a deep sea oil terminal, another at a water industrial park and the third at an ocean science engineering research facility. This facility alone will be an outstanding contribution to a growing field of investigation which may point the way to our most unlimited natural resource—the ocean.

The Ocean Science-Engineering-Research Facility in Corpus Christi, which will enable the important scientific and research development of sea food farming, undersea exploration, mineral extraction, ocean and geological science and many other activities. The findings brought about by this Facility will provide vital information not only to the immediate area, but to the Nation and the world as well.

The deep sea oil tanker terminal will operate for the export of crude and related petrochemicals to the rest of the world and will inject a huge amount of new dollars into a 20-country area.

The third project, a marine industrial park, will service the big, growing offshore drilling industry and related industries. Two hundred and fifty immediate jobs, 500 spin-off jobs, and 500 potential jobs will be the fruits of this endeavor.

It may seem strange that what was once thought of as public works—usually meaning men with pick and shovels doing very little and doing it for very little reason—could change to something as academically oriented as Ocean Science Engineering Research.

To me that is the strength of the Economic Development Administration. It has a modern approach to helping Americans who need help by enabling them to help themselves, then help the common good as well.

The Economic Development Administration represents not a public dole, but a public trust that with its creative and professional staff can help develop solutions that are far reaching as well as practical to the immediate need.

In passing the Public Works and Economic Development Act in 1965, I feel that what the House envisioned then is what the Economic Development Administration is doing so well today. To the Economic Development Administration I can but say—happy anniversary and keep up the good work.

BANKING AND CURRENCY COMMITTEE CHAIRMAN WRIGHT PATMAN INTRODUCES BILL TO STOP WHOLESALE DISTRIBUTION OF UNSOLICITED CREDIT CARDS BY FEDERALLY INSURED BANKS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PATMAN. Mr. Speaker, I am introducing today a bill which would prohibit a dangerously unsafe and unsound banking practice, the large-scale issuance of unsolicited, open-end credit cards by numerous banks.

This abusive gimmick, which is an insult to the intelligence and the thrift of our citizens, also threatens the Federal Deposit Insurance Fund. The FDIC insurance fund consists of about 85 cents of insurance reserves for each $100 of bank deposits. So when federally insured banks, even State-chartered banks, engage in practices inimical to sound banking and to the insurance fund itself, it is clearly time for Congress to step into the picture.

Credit cards are of doubtful legality for national banks to issue. But the irresponsible manner in which they are being distributed makes the credit card device a dangerous instrument—not just for national banks, but for all our banks. The reasons behind their illegality are the same reasons rendering them so inherently unsafe. Deposit institutions with a great portion of their liabilities payable on demand or in 30 days should not incur additional liabilities via the credit card or otherwise, which are not definitely known and in an amount certain. There is a fundamental difference between lending money and lending credit. As opposed to the latter, when you lend your credit, you never know until if and when called upon what your total obligations may be. This means that a bank which issues credit cards does not know what its liquidity and reserve position is at any given time, including whether it is sufficiently liquid to pay off its depositors. You just cannot conduct a sound banking business in the dark; that is all there is to it. In fact, several insured banks went broke recently for this very reason.

Despite repeated pronouncements of grave concern, the Federal Reserve Board states that if it does anything at all about the bank card craze, it will be some time next year. And, of course, the supervisory philosophy of the Comptroller of the Currency, who is charged with maintaining the soundness of our national banks, continues to be "anything goes."

As I have mentioned earlier, the questionable legality of the credit cards raises the possibility that bank directors may be personally liable for any losses to their institutions due to loan losses or to stolen or fraudently used credit cards. This practice also raises a question of liability for the holder of the credit card in cases where the liquidity of the banks might be affected.

The bill I am introducing today, which prohibits the issuance of unsolicited cards and cards without a specific credit limit, should in no way be construed to add legitimacy to any otherwise illegal activity for national banks in connection with credit cards.

The bill would prohibit any bank insured by the FDIC from issuing an unsolicited credit card. My bill would also prohibit the issuance of any cards without a specific written agreement as to the dollar amount of credit that could be granted through the use of the card.

The text of my bill follows:

H.R. 12646

A bill to prohibit federally insured banks from making unsolicited commitments to extend credit, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. The Federal Deposit Insurance Act is amended by adding the following new section at the end:

"Sec. 22. (a) No insured bank may issue any credit card unless—

"(1) the person to whom the card is issued has requested that it be issued to him; and

"(2) the amount of credit which may be outstanding at any time as a result of transactions involving the card is limited to a maximum dollar amount specified in a written agreement between the issuing bank and the person to whom the card is issued."

HENRY J. KAISER—THE MAGNIFICENT AMERICAN

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PATMAN. Mr. Speaker, a giant has walked among us. The passing of one of the greatest Americans in history, Henry J. Kaiser, has deprived America and the world of one of the most creative, imaginative, humanitarian industrialists who ever lived.

In attempting to describe the mark made upon our era by Henry Kaiser, one must think in terms larger than life—he is like a Paul Bunyan of the 20th century, doing things that are stupendous, that catch and enthrall the imagination. The record of his great deeds, his interests, his gigantic imagineering is the record of each day and hour of a tremendously productive life—even during periods of relaxation his brain was fertile with ideas, to build, to construct, to put things together and make them work for the benefit of mankind. The superlative skill of this inspired entrepreneur has given his Nation a significant advantage in times of grave crisis.

His achievements will live forever in the hearts and minds of mankind everywhere—the imprint of his giant steps will not be erased by the passage of time, for the world he served and sought to improve by his every thought, word, and deed will be always in his debt and thankful that he lived. For this I honor him by standing humbly before the literally massive inventory of his immense works for freedom and progress. As final services are held today, Mr. Speaker, we all bow our heads in deference, in respect, and in profound and affectionate acknowledgment.

Mr. Speaker, on May 20, 1963, I was privileged and honored to pay personal tribute to my friend, Henry Kaiser, in a speech on the floor of the House on the

the Federal sector on the private credit markets—allowing for the sales of participation issues and agency securities, but also allowing for the mitigating effect of trust fund and Federal Reserve purchases, would far exceed the $10 to $15 billion range of net demands we spoke about before. Just adding back the $7 billion that would have been raised by the tax measures puts the net demand up around $17 to $22 billion. If on top of that, expenditure restraint is ineffective and if, as would be likely, there would be greater demands for assistance from Federal credit agencies such as the Federal Home Loan Banks, then it is easy to envisage a net Federal sector demand on the private credit markets somewhere around $20 billion to $25 billion.

Is there really so much difference between Federal Government credit demands of $10 to $15 billion, and Federal credit demands of $20 to $25 billion—especially since that net demand was zero or even negative in the year that ended last June 30? The answer is emphatically "Yes." The smaller range of figures, which presupposes a tax increase, is within the market's capabilities. It will not be an easy financing job, but with a good sized rise in bank credit it could be managed. Bank credit was up only $15 billion in the year that ended last June 30. It is certainly in the realm of reasonable possibility and probability that it would grow by $25 billion or even $30 billion in the current year. That would make the crucial difference in being able to accommodate in the financial markets a net demand of $10 or $15 billion from the Federal Government.

But a net Federal credit demand of $20 or $25 billion is another matter altogether. To meet that kind of demand, unless other demands were shouldered aside, would take a mammoth-sized growth in bank credit of something like $40 billion in a year. That just is not in the cards. It would mean that the monetary authorities would be supplying reserves more liberally in the absence of a tax increase than if the tax increase was in effect—and that is simply not a reasonable expectation. If it did happen it would be at the expense of a terrible inflation, a printing press type of inflation that has no place at all in our economy. The more reasonable expectation is that bank credit would grow somewhat less in the absence of a tax increase.

In that case, the extra-large Federal credit demands would be only at the expense of shouldering aside a substantial part of the private credit demands. Many of those demands would go unmet. And the ones that were met would be at substantially higher interest rates than we see around us today.

How high the rates might go is anybody's guess. They would have to go high enough so that sufficient demands would be shut out for supplies and demands to be in balance. One way this works is through the outflow of savings deposits from thrift institutions, which are the main source of funds for the mortgage market. If it needs the money badly enough, for example, the Treasury would have to pay 6 percent or more on its short-term borrowings. That would attract a good deal of the money held in savings and loan associations and savings banks, leaving those institutions unable to put funds to work in the mortgage market. It would be 1966 all over again, but maybe worse. From the high point to the low point last year, the rate of new housing starts fell by one-half. That is a punishing decline any way you look at it.

Small business would suffer, too. Banks would be offered such irresistibly high yields on Government securities that they would have less money available for loans, and when it came to rationing between big and small customers there would inevitably be some favoring of the large well-established firm over the smaller, newer ones. Even if the banks were perfectly evenhanded in applying restraints, the big firms would have an edge because they would have some alternative sources of raising funds—the bond market and commercial paper market.

Farmers would also find credit very hard to get, and costly when it was available at all. Banks and other farm lenders would face insistent demands from other borrowers who would often be in a better position to pay more than the farmer could afford for interest.

Even the tax-exempt State and local government borrowers would see their source of credit supply shrink, for Federal demands would use up more of the available room in bank portfolios—at a costly price—and leave less room for the state and local government obligations—again, unless a much higher rate was paid.

Who would get the credit that is available? The Federal Government would take a big share, and so would big businesses. It would be costly, but these are the borrowers who have the market power to get their demands satisfied while others wait in line. And of course there would be different degrees of deprivation within the broad groups of borrowers. Within the tax-exempt group, for example, stronger state and city borrowers would stand a better chance of having their needs filled than would smaller cities and towns—but all would pay a lot more for whatever money they got.

Disagreeable as this description is, it cannot convey the sense of disorder, and possibly of crisis, that would envelop malfunctioning credit markets. Adjustments of the size and scope that would have to take place, in the process of sorting out the weaker and stronger demands, do not run smoothly. There are lumps and bumps, abortive rallies, and losses sustained in the process of distributing securities that perhaps put some firms out of business and impair the Nation's credit market machinery for a long time to come.

Our credit markets, which mobilize savings efficiently and, relative to other countries, quite cheaply, are an important national asset—not to be thoughtlessly squandered in a vain attempt to have our cake and eat it, too. Rebuilding these markets, to serve again the major economic sectors that depend on them, could take years. The moderate, knowable cost of a tax increase is surely preferable to this destructive and largely unknown alternative of chaotic credit markets.

ECONOMIC DEVELOPMENT ADMINISTRATION

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. YOUNG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNG. Mr. Speaker, during my tenure in the House there have been few times when I felt that the marking of an anniversary of a governmental agency was a moment of particular merit.

Today, I am pleased to say, I have an exception. It was just 2 years ago that President Johnson signed into law the Public Works and Economic Development Act which created the Economic Development Administration.

I know of no other agency whose accomplishments have been done more smoothly—or with so little public fanfare as the Economic Development Administration.

Yet here is an agency which is charged with the task of—

Taking unskilled and unemployable individuals and making them productive members of society;

Providing loans and grants for public works and developmental facilities in areas where there is sore public need;

Assisting business with loans and technical aid when such aid will help a community that is crying to provide a living wage for its citizens;

Using the talents and skills of its remarkable staff of experts to plan, develop and instigate projects—wanted and needed—by a local community.

In the course of less than 2 years the Economic Development Administration has handled more than 1,856 applications and has utilized the power of more than $600 million to meet the age-old problems of chronic underemployed and unemployment.

Further, it plans for the future with such projects as the Coastal Bend Economic Development District in my 14th Congressional District in Texas.

I have been notably impressed by the professional attitude and skills of the Southwestern Area Office of the Economic Development Administration located in Austin, Tex. Under the direction of Mr. Richard R. Morrison, it is a credit to the overall operation of the whole Economic Development Administration under Assistant Secretary of Commerce, Ross D. Davis.

I am particularly proud of the cooperation and foresight shown by the Economic Development Administration in the grant of public works funds to an area which has problems unique to its location. My district is located in the great gulf coast area of south Texas and as such there is much interest in the development of our natural asset, the gulf shoreline. Three projects are doing just that and providing much needed employment and experience to our citizens in the process. One project aims at the development of a deep sea oil terminal, another at a water industrial park and the third at an ocean science engineering research facility. This facility alone will be an outstanding contribution to a growing field of investigation which may point the way to our most unlimited natural resource—the ocean.

The Ocean Science-Engineering-Research Facility in Corpus Christi, which will enable the important scientific and research development of sea food farming, undersea exploration, mineral extraction, ocean and geological science and many other activities. The findings brought about by this Facility will provide vital information not only to the immediate area, but to the Nation and the world as well.

The deep sea oil tanker terminal will operate for the export of crude and related petrochemicals to the rest of the world and will inject a huge amount of new dollars into a 20-country area.

The third project, a marine industrial park, will service the big, growing offshore drilling industry and related industries. Two hundred and fifty immediate jobs, 500 spin-off jobs, and 500 potential jobs will be the fruits of this endeavor.

It may seem strange that what was once thought of as public works—usually meaning men with pick and shovels doing very little and doing it for very little reason—could change to something as academically oriented as Ocean Science Engineering Research.

To me that is the strength of the Economic Development Administration. It has a modern approach to helping Americans who need help by enabling them to help themselves, then help the common good as well.

The Economic Development Administration represents not a public dole, but a public trust that with its creative and professional staff can help develop solutions that are far reaching as well as practical to the immediate need.

In passing the Public Works and Economic Development Act in 1965, I feel that what the House envisioned then is what the Economic Development Administration is doing so well today. To the Economic Development Administration I can but say—happy anniversary and keep up the good work.

BANKING AND CURRENCY COMMITTEE CHAIRMAN WRIGHT PATMAN INTRODUCES BILL TO STOP WHOLESALE DISTRIBUTION OF UNSOLICITED CREDIT CARDS BY FEDERALLY INSURED BANKS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PATMAN. Mr. Speaker, I am introducing today a bill which would prohibit a dangerously unsafe and unsound banking practice, the large-scale issuance of unsolicited, open-end credit cards by numerous banks.

This abusive gimmick, which is an insult to the intelligence and the thrift of our citizens, also threatens the Federal Deposit Insurance Fund. The FDIC insurance fund consists of about 85 cents of insurance reserves for each $100 of bank deposits. So when federally insured banks, even State-chartered banks, engage in practices inimical to sound banking and to the insurance fund itself, it is clearly time for Congress to step into the picture.

Credit cards are of doubtful legality for national banks to issue. But the irresponsible manner in which they are being distributed makes the credit card device a dangerous instrument—not just for national banks, but for all our banks. The reasons behind their illegality are the same reasons rendering them so inherently unsafe. Deposit institutions with a great portion of their liabilities payable on demand or in 30 days should not incur additional liabilities via the credit card or otherwise, which are not definitely known and in an amount certain. There is a fundamental difference between lending money and lending credit. As opposed to the latter, when you lend your credit, you never know until if and when called upon what your total obligations may be. This means that a bank which issues credit cards does not know what its liquidity and reserve position is at any given time, including whether it is sufficiently liquid to pay off its depositors. You just cannot conduct a sound banking business in the dark; that is all there is to it. In fact, several insured banks went broke recently for this very reason.

Despite repeated pronouncements of grave concern, the Federal Reserve Board states that if it does anything at all about the bank card craze, it will be some time next year. And, of course, the supervisory philosophy of the Comptroller of the Currency, who is charged with maintaining the soundness of our national banks, continues to be "anything goes."

As I have mentioned earlier, the questionable legality of the credit cards raises the possibility that bank directors may be personally liable for any losses to their institutions due to loan losses or to stolen or fraudently used credit cards. This practice also raises a question of liability for the holder of the credit card in cases where the liquidity of the banks might be affected.

The bill I am introducing today, which prohibits the issuance of unsolicited cards and cards without a specific credit limit, should in no way be construed to add legitimacy to any otherwise illegal activity for national banks in connection with credit cards.

The bill would prohibit any bank insured by the FDIC from issuing an unsolicited credit card. My bill would also prohibit the issuance of any cards without a specific written agreement as to the dollar amount of credit that could be granted through the use of the card.

The text of my bill follows:

H.R. 12646

A bill to prohibit federally insured banks from making unsolicited commitments to extend credit, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The Federal Deposit Insurance Act is amended by adding the following new section at the end:

"SEC. 22. (a) No insured bank may issue any credit card unless—

"(1) the person to whom the card is issued has requested that it be issued to him; and

"(2) the amount of credit which may be outstanding at any time as a result of transactions involving the card is limited to a maximum dollar amount specified in a written agreement between the issuing bank and the person to whom the card is issued."

HENRY J. KAISER—THE MAGNIFICENT AMERICAN

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PATMAN. Mr. Speaker, a giant has walked among us. The passing of one of the greatest Americans in history, Henry J. Kaiser, has deprived America and the world of one of the most creative, imaginative, humanitarian industrialists who ever lived.

In attempting to describe the mark made upon our era by Henry Kaiser, one must think in terms larger than life—he is like a Paul Bunyan of the 20th century, doing things that are stupendous, that catch and enthrall the imagination. The record of his great deeds, his interests, his gigantic imagineering is the record of each day and hour of a tremendously productive life—even during periods of relaxation his brain was fertile with ideas, to build, to construct, to put things together and make them work for the benefit of mankind. The superlative skill of this inspired entrepreneur has given his Nation a significant advantage in times of grave crisis.

His achievements will live forever in the hearts and minds of mankind everywhere—the imprint of his giant steps will not be erased by the passage of time, for the world he served and sought to improve by his every thought, word, and deed will be always in his debt and thankful that he lived. For this I honor him by standing humbly before the literally massive inventory of his immense works for freedom and progress. As final services are held today, Mr. Speaker, we all bow our heads in deference, in respect, and in profound and affectionate acknowledgment.

Mr. Speaker, on May 20, 1963, I was privileged and honored to pay personal tribute to my friend, Henry Kaiser, in a speech on the floor of the House on the occasion of his 81st birthday. Later he wrote to me in part as follows:

> I am non-plussed to know where your research dug up some of the little known facts . . . some of which even were a reminder to me, since I haven't yet gotten old enough to look back much on the past . . . Too much to do today and tomorrow, and I like to quote this from 'Music Man':
>
> " 'You pile up enough tomorrows—
> and you'll find you have collected nothing but a lot of empty yesterdays.
>
> " 'I don't know about you—
> but I'd like to make today worth remembering.' "

Yes, Mr. Speaker, there were no "yesterdays" in the life of Henry Kaiser—only "todays" and dreams of "tomorrows."

That the spirit of Henry J. Kaiser and his remarkable family of industries lives on is apparent from the words of his gifted son, Edgar F. Kaiser, president, Kaiser Industries Corp., who described his father as follows:

> His zest for the future made him impatient with those who dwell upon the past. However, I think Henry Kaiser would understand if the people of his organization broke stride for a moment and devoted their thoughts to him.
>
> He was a man larger than life who crammed many worthwhile lifetimes into his allotted years. Yet he had a singleness of purpose that enabled him to concentrate unswervingly on each of his hundreds of projects in his relentless drive to fill mankind's needs.
>
> He was not a complicated man—far from it. He brought the same motivation to every one of the dramatic, difficult and sometimes controversial enterprises he conceived and achieved.
>
> The legend of Henry Kaiser—and it is not given to many men to be a legend in their own lifetime—is based not so much on his strength, although he was a strong man. More, it is based on his faith in the decency and strength of others.
>
> It is not based so much on the great things he built, though he was a builder, first, last and always. More, it is based on his moral courage to do the right thing, no matter what the obstacles or criticisms.
>
> The legend is based not so much on his giving leadership to his thousands of sons—this one included—although he was a great teacher. More, it is based on his confidence that the future would be as bright as people dared dream it to be—and dared, in turn, to meet the challenge of their dreams.
>
> Henry Kaiser leaves us many things, and as we mourn his passing, let us pay our respects in the only way he would want.
>
> Let us rededicate ourselves to the achievement of his goals—through the companies which bear his name, in his honor, because he loved hard work.
>
> Let us rededicate ourselves to building human beings, because to him people were more important than dollars and metals, and bricks and mortar which are their tools.
>
> And, most importantly, let us remember him by rededicating ourselves to the service of our fellowmen around the world, because in service to mankind, Henry Kaiser found his mission, and lived his life.

In closing, Mr. Speaker, it can accurately be said of this man—his life has been, and will be through the foreseeable future, a calculable part of the strength and prestige of the world's most powerful nation. His true epitaph is the greatness of America, with all humility and trust in God, now and forever.

CONGRESSMAN GONZALEZ SPEAKS ON SPANISH-SURNAMED AMERICANS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROWN of California. Mr. Speaker, few persons have written with the poignancy and clarity of my esteemed colleague from Texas, the Honorable HENRY B. GONZALEZ.

Moreover, I know of no one more or better versed on the subject of the conditions and attitudes of our Spanish-surnamed population than the Congressman from Texas. In this respect, I am hopeful that the entire membership of this body will avail themselves of the message which Congressman GONZALEZ sets forth in the June 1967 issue of the Federationist.

There is much to be learned from the article, entitled "Hope and Promise: Americans of Spanish Surname." I am confident that my colleagues will agree with me after reading the article which follows:

HOPE AND PROMISE: AMERICANS OF SPANISH SURNAME

(By Representative HENRY B. GONZALEZ)

If you are hungry, hope itself is a distant thing; and if you are defeated, promises of better things to come ring empty. If yours is a world of dirt floors and tin roofs, tomorrow holds no promises and your greatest ambition is to live through today. For 5 million Americans of Spanish surname, all too many live in such a world, far removed from the American dream.

Wherever there are people who are poor, there is tragic waste. The poor lead short lives and their hopes and dreams prove illusory. Society has never cared much about the poor because they have always been there, and there has never been much reason to believe that poverty could be or even should be eradicated. Somehow society decided, by and large, that a poor man is poor only because of his own failure and that he deserves his fate.

But in recent years there has been a happy change in this old attitude. We have realized that, in fact, the American dream is not open to everyone; we have been able to understand the terrible waste of poverty and that it can be ended. We have come to realize that some men are poor because society has denied them the chance to be anything else and that the poor should not and need not be despised and forgotten.

We have begun to try to find out why men are poor and what can be done about it. We have started to seek ways and means of giving poor men more in life besides a determination to survive against high odds.

One of the biggest and least known groups of poor people is concentrated in the Southwest. Only one-sixth of the population of this country lives in the five southwestern states, but one-fourth of America's poor live there. In Texas alone, there are 63 counties—a quarter of the state's total—where half the people live on incomes of less than $3,000 a year.

In Bexar County, which I represent in Congress, more than a fourth of the population is classified as poor; 115,000 people there live in substandard housing. The overwhelming number of these ill-housed, ill-clad, ill-fed people are of Spanish surname.

The official rate of unemployment in Bexar County is usually about 4 percent; but for the poor, for the Spanish-surnamed, it is twice that. The average educational attainment of the county population is 11 grades, but for the Spanish-surnamed it is half that.

In the poor areas of the city of San Antonio, where most of the Spanish-surnamed population lives, the Department of Labor estimates that half of the people who are employed earn less than $60 a week. Of those who work and who live in this poor part of the city, 20 percent work part-time only. The pattern in Bexar County is repeated again and again throughout the Southwest.

Seventy percent of the unemployed slum-dwellers of San Antonio in November of 1966 did not have a high school education. Forty-eight percent of them did not even have an eighth-grade education. And 6.5 percent of the unemployed in the slums never went to school at all.

These people know all too well what their handicaps are; they know that even when opportunity comes along they do not have the education or the skills to take advantage of it. They need help and they usually want it. They have not necessarily failed society; society may have failed them.

Despite our knowledge of all this, the schools are still turning out people who lack marketable skills or even a good education. All too often in the Southwest, children of Spanish surname emerge from school illiterate in English as well as Spanish, and whose time and talents have been squandered, whose ambitions have been blunted and shorn away and who see in the future only an unskilled job, a tiny paycheck if any at all, and blessed relief in the neighborhood tavern.

WHEREIN LIES THE FAULT?

What must or what can be done to arouse hopes, to build dreams and to bring into the realm of possible achievement the ambitions for tomorrow. Moreover, how are we to attack this problem which, in fact, we can understand only dimly? What should society set as its goals and what goals should the poor set for themselves? What should be the dream of the American of Spanish surname who finds himself trapped by discrimination, by poor education and by a poverty so abject that tomorrow is made too far away to see?

The Spanish-surnamed American has a unique problem and it demands unique action.

In the first place, there is the problem of definition. There is not even a generally accepted name for this minority group. Americans of Spanish surname are called Mexicans, Mexicanos, Latins, Latinos, Latin Americans, Mexican Americans and Hispanic Americans; not one of these labels is accepted everywhere. A name accepted in one place is enough to produce violence elsewhere.

I prefer to think of the group as Americans of Spanish surname because, after all, they are Americans and they all have Spanish surnames. Any other label would be inadequate because this group has such diverse origins. Some were born here and some have immigrated only recently. Some come from families that have lived in the Southwest for more than 200 years and are of Spanish descent. Others have origins in Mexico or parentage ranging from Indian tribes to English gentry. There is no term, perhaps even one so tentlike as Spanish-surnamed American, that adequately describes a group so conglomerate as this.

This group of people is so scattered about the land and so disparate in its origins that it has problems defining itself, just as the government has problems in defining it. No matter what you call this vast number of people, there is no doubt about one thing: they have common problems.

We can understand what the problems are, at least vaguely, by reciting the tragic statistics of poverty, unemployment, sickness and illiteracy, but these are only the tangible aspects of the matter and give us no real understanding of the political and psychic problems of the Spanish-surnamed American.

The Spanish-surnamed American group has problems in setting forth cogent goals, just as it does in finding an all-inclusive label. The group possesses no single program, no national goals and has not so far been able to coalesce into a single, meaningful whole capable of speaking with a united voice. There is no national organization of Spanish-surnamed Americans that could be considered comparable to the NAACP.

There are organizations that consider themselves national and which, indeed, have members in several states, but not one of these has a full-time paid executive or staff devoted to looking out for its interests, defining problems, setting goals and otherwise acting as an effective national spokesman. There is always the possibility that a truly national and effective organization will come about, but there is no such group now. There have been many attempts to create a national organization, but they have failed for one reason or another: the time has been wrong, the leadership ineffective or a combination of problems has barred the way, preventing effective political organization of this far-flung minority.

I think this situation is both cause and result. There is no national organization because there is no national goal; and there is no goal because there is no agreement on so elemental a thing as what this conglomeration of people should call itself. Lacking cohesiveness, the group cannot establish goals; and lacking goals, it cannot bind itself together.

The Spanish-surnamed American is unique from other minorities in still other ways. His is not a single origin. He has come from different places, at different times and for different reasons. He is different from other immigrant groups because his homeland, his mother country, is not across the sea. There is no ocean between his cultural home of Mexico and America; Mexico is but a short drive away.

There are everywhere Spanish language movies, television stations and radio stations and Spanish is spoken throughout the Southwest. Up until 1957, there was a Spanish language daily newspaper in San Antonio and even today the daily papers carry sections printed in Spanish. In the Southwest, even the dominant Anglo community strives to preserve the culture of Mexico and Spain because it gives the area a certain charm and a cosmopolitan air that cannot be found elsewhere.

The result is that we have in the Southwest a community that is distinctly foreign and yet American; we have a group that is cast aside and discriminated against because it is foreign and different; and yet it is a group whose culture the majority find powerfully attractive. It is a group that the dominant Anglos have taken from and whose culture they would preserve, but which they discriminate against because of its foreign nature.

Here is a minority drawn between the powerful forces of conflict, the one demanding a preservation of its art, music, culture, language, architecture and dress; and the other telling it to get Anglicized or lose out in the race of life.

For if a man stays within his cultural minority and retains its customs, he has little chance to succed in a world which expects him to adopt its ways. He cannot get a job with only Spanish as a language and he cannot expect anything but animosity if he fails to adopt the ways of the majority. So, caught between the powerful forces demanding assimilation and a tightly knit and kept minority status, assailed by demands to Anglicize and appeals for staying "foreign," the Spanish-surnamed American is attempting to find a modus vivendi—a way to live somewhere between the intolerable extremes.

The most crucial issue confronting any minority group is whether it should attempt to preserve itself as a cohesive and well-defined culture, or whether it should disband and its members assimilate into the majority, losing their cultural identity. Either a minority lives together, speaks its own language, maintains its own way of life, or it must break up and be absorbed into the community at large. In the case of the Spanish-surnamed American minority, there has been no decision.

In Africa, there has been considerable experience in decision-making of this kind. When the Europeans colonized Africa, they expected the Africans to adopt European languages and customs. Sometimes force would be used to break up traditional ways of life. For instance, to establish a mining operation in Katanga, the Belgians had to get Africans to change from hunters and farmers into industrial workers, a change which meant moving from a primitive life into the discipline of a complicated industrial order.

Changes like these are jarring and did not come easily, and the process was repeated time and again. New values were imposed on Africa, new languages, new governments and new boundaries. All of this meant hard choices for those who had to abandon their culture and among the Basuto people there is this proverb:

"If a man does away with his traditional way of living and throws away his good customs, he had first better be certain that he has something of value to replace them."

This is the dilemma every minority must face. Eric Hoffer, writing in his work, "The True Believer," put the problem in these words:

"A minority is in a precarious position, however protected it be by law or force. The frustration engendered by the unavoidable sense of insecurity is less intense in a minority intent on preserving its identity than in one bent on assimilating with the majority. A minority which preserves its identity is inevitably a compact whole which shelters the individual, gives him a sense of belonging and immunizes him against frustration. On the other hand, in a minority bent on assimilation, the individual stands alone, pitted against prejudice and discrimination. He is also burdened with a sense of guilt, however vague, of a renegade."

If the man with a Spanish surname elects to stay within his group, he can be sure that he has friends and he can be certain of having a place to go. But if he elects to compete with the majority on its own terms, then he must abandon all of this and he becomes an outsider both to his own group and to the majority. He has abandoned the one and is seeking to invade the other.

The choice facing the Spanish-surnamed American is not an easy one and it is only natural that he is seeking some middle way between maintaining a cultural entity that binds him to remaining outside the pale and rejecting everything in the hope of finding success in a hostile world. It is too much to expect that the group as a whole will make a decision on whether to take one part or the other, because the choices are so painful and radical that few men even care to contemplate them. The decisions must be made by individuals, alone and unaided, and it will take a long time to know the end result of their actions.

So the Spanish-surnamed minority, imbued with special circumstances, endowed with a rich and strong culture, and given a much to be desired and beautiful language, must decide, each and every one: is it best to keep what I have and love, and follow a way of life inherited from my father, or leave it all. It is a cruel choice and not one that many men will make willingly and most men will make no choice at all.

It is the responsibility of the majority to permit the minority to make its own decisions about what it will do. It is cruel and unthinkable to suppress or eradicate a culture in hopes of speedily eradicating the cruel dilemma of the Spanish-surnamed or other "alien" poor.

A culture is too precious a thing to destroy; it must be permitted to make its own contribution to society, especially one like ours. For Americans are many things and that is the secret of our strength. It would be a mistake to think that the diversity which the Spanish-surnamed people offer is anything other than a potential gift to our already rich heritage.

Educators especially must be aware of the problems facing the Spanish-surnamed. For it is the schools which are the first front in the war on poverty. It is the schools which turn out men and women who are either equipped for life or are not.

In the case of the Spanish-surnamed, the schools have been failing. Instead of leaving school well-equipped to face life, the Spanish-surnamed have been leaving school in droves because it offers nothing to meet their needs and these children have been finding that the dubious choice of no education at all is better than one which is meaningless.

Educators, happily, are beginning to understand this and do something about it. They realize that the child who enters school the first day represents a promise and their responsibility as teachers is to turn that promising child into a successful adult.

Up until now, though, the sad fact is that the schools have been losing the promise of the Spanish-surnamed child somewhere between the first grade and high school graduation; and all too many do not stay around long enough to finish high school because of it.

I do not believe that it is the place of the schools to force a choice of cultures on children or suppress their native heritage. Great injury is done whenever this is attempted and we know this all too well. In our history, the schools have ignored the achievements of the Negro and have presented him as a problem and a blight on society while ignoring his considerable achievements and contributions. Belatedly, this is changing. It is a mistake which should not be repeated with the Spanish-surnamed American, for he also has his heroes and he also has played a part in our history that cannot be overlooked. He lives and he exists and he knows it and the textbooks must recognize this fact; nothing left out of the books will eliminate what is real.

I believe the schools must make an effort to capitalize on the special talents and attributes of the Spanish-surnamed American. This will make his education meaningful and will do more than anything else to help him realize his full potential. His special educational problems need to be solved and his assets refined. After all of this is done, he will be ready to decide which way to go and what life to lead.

I believe that, more than anything else, improved educational opportunity will help the Spanish-surnamed American find his place in society and make his best contribution to it. From this will flow hope, ambition and the skill to realize it. Without better education, hopes kindled by the war on poverty will be shortlived and the promises made can never be turned into realities.

Everyone who knows about the Spanish-surnamed community knows that its condition is one of poverty, even abject poverty. They ask why, in the midst of all this misery, is there not more restlessness, more revolt? The answers are at once simple and complex. Simple because poverty and misery do not necessarily breed revolt; complex because this group is complex.

If a man is so poor that he must struggle to earn his daily bread, he probably does not have much time to conjure up visions of better things. His concern is whether he can eat today, not whether he can eat next week. His consuming passion is whether he can scrape up enough to pay the rent next week or the school fees to keep his child enrolled or keep the gas from being cut off.

His horizon is limited by the necessity of staying alive and his dreams, if he has any, will be of a good meal and a new pair of shoes. His future is so far away that he dares not think of it; it may be too grim.

Hoffer has written, "where people toil from sunrise to sunset for a bare living, they nurse no grievances and dream no dreams" and how right he is.

On the other hand, if a man lives in what you might call a state of bearable misery, he is free to see a little longer into the future and he can begin to think about a better way of life.

When a man's condition is improved to the point that he can see the ideal life ahead, he becomes restless with what he has and strives for tomorrow. For him, the present is not a happy time because the future, if he can but grasp it, is what will bring happiness.

Alexis deTocqueville observed: "a grievance is most poignant just before it is redressed." The taste of better things is what breeds discontent and fires ambition.

The Spanish-surnamed community has, by and large, been so submerged in misery that hope has been too far way to fire many dreams. This may be changing. I believe the campaign against poverty will, in fact, give large numbers of people that essential taste of better things and lead to rising expectations.

I do not view the future as hopeless. It may be that the Spanish-surnamed community today is filled with poor and even some hopeless people but, after all, it was just such people who came to this country and filled it up and just such people who have given our land its strength and wealth. It was not successful people who came to these shores, but people who had failed elsewhere. They were driven here and they made this a mighty land. They had nothing to lose and everything to gain. This is still true. These poor people who today suffer innumerable and complicated problems and ills, and whose burdens we cannot imagine, will one day rise up and build for themselves a new world and, for all of us, a new Southwest.

In numberless southwestern shacks with tin roofs and dirt floors, along forgotten streets without water lines, in a world without comfort, is a people who have hope for tomorrow and one day they will claim it. Then ours will be a new and better world because these folk will have given their splendid best.

RATS IN THE HOUSE

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MURPHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, in the 89th Congress more social legislation was passed than in any other Congress in history. This legislation touched on every major aspect of American life, and included:

Medicare;

Voting Rights Act of 1965;

Elementary and Secondary Education Act of 1965;

Housing and Urban Development Act of 1965;

Economic Opportunity Amendments of 1965;

Federal Water Pollution Control Act of 1965;

Clean Air and Solid Waste Disposal Acts;

Department of Transportation with a Secretary of Cabinet rank;

Demonstration Cities and Metropolitan Development Act of 1966;

Cold war GI bill; and

Narcotic Addict Rehabilitation Act of 1966.

The 89th Congress can be proud of its excellent record. But what is being done to secure those past accomplishments and what remains to be accomplished in the future?

Many of the programs of the 89th presented new approaches to problem solving. As is the case with any new program, it takes time to find the most effective methods of operation; there is a period of trial and error. Much of the work of this Congress will be to evaluate the last few years, to strengthen good programs and change or eliminate bad ones.

The danger, however, is that opponents to progress will use this evaluation period to inflate the errors that have been made and ignore the many successes. In particular, the Republicans are showing a strong inclination in this Congress to destroy entire programs under the guise of evaluation and constructive criticism.

The Republicans, of course, profess a desire to solve the problems of the 20th century—they will do anything to get elected; but the gap between their words and their votes in Congress is as wide as the gap between this century and the last. Let me be specific:

In their 1964 platform the Republicans pledged "(to) assist the individual in surmounting urgent problems beyond his own power and responsibility to control." In the 89th Congress 90 percent of the House Republicans voted to recommit the antipoverty bill—82 percent voted against final passage.

On education, the platform pledged "to establish realistic priorities for the concentration of Federal spending in the most productive and creative areas, such as education." Seventy-three percent of the House Republicans voted against the Elementary and Secondary Education Act.

The Republicans pledged "an especially determined effort to help strengthen the ability of State and local governments to meet the broad range of needs facing the Nation's urban and suburban communities." Ninety-three percent of the House Republicans voted against the Department of Housing and Urban Development bill.

They also stated:

> America must advance freedom throughout the world as a vital condition of orderly human progress, universal justice, and the security of the American people . . . America must assist young and underdeveloped nations.

Eighty-nine percent of the House Republicans voted to recommit the Foreign Assistance Act and 66 percent voted against final passage.

There are two lessons to be learned from this record of opposition to progress. One is that a party should not be judged on its words, but on its deeds. Regardless of what the Republicans might say in order to get votes, their own record is clearly one of opposition to social progress and constructive change.

The second lesson is that we can expect more opposition in the future. This second point is especially significant because of the present composition of the 90th Congress. In the 89th, the Democrats controlled the House 295 to 140; in the 90th, that margin has been reduced to 247 to 187. A loss of 47 seats means a change of 94 votes. Many of the programs passed over Republican opposition in the 89th are being threatened in the 90th.

In fact, the Republican hatchetmen have already dismembered some of our most successful social programs in this Congress. They have knocked out the rent supplement appropriations and greatly weakened other Housing and Urban Development programs, including the demonstration cities program. There were 52 Republican Members voting against this bill, even though they represented districts which had submitted applications for model cities funds.

On July 20 the House was voting to take up a bill to authorize a total of $40 million to be administered by the Department of Housing and Urban Development for the control of rats. The committee report clearly showed that over $1 billion worth of damage a year was caused by a rat population in the United States of some 80 million, principally centered in the urban areas.

The Republicans introduced levity to the debate by asking for assistance for the country rats as well as equal time for cat lovers. The smiles faded when it was pointed out that the rat is the greatest killer in the history of mankind, outdoing Ghengis Khan and Hitler. The smiles vanished when they looked at pictures of little children seriously bitten and, in many cases, killed by rats.

The smiles turned to frowns when it was pointed out that some of the restaurants in which the Members eat have rat-infested storerooms. The frowns deepened when it was pointed out that rats carry bubonic plague, amoebic dysentery, and some 30 other mass killers.

Yet, 148 Republicans voted against this piece of legislation.

There is no justification for such irresponsibility toward solving this country's problems. And let there be no mistake about it, these problems are growing. The recent ghetto riots will continue unless something is done to solve the problems of our urban slums. I am strongly opposed to such violence. We must maintain order because order is a necessary prerequisite for society. But let us be as concerned about solving the ghetto problems as we are about keeping order. Order without justice is a mockery of our system of government. The problems will not be solved by violence, but they can and must be solved by lawful means. If we do not have the vision and determination to solve them now, we and our children will pay the price of our failure and that price is rising steadily. There can be no partisan politics when the question is one of giving all of our children a decent education, or cleaning our air and water, or alleviating human misery and despair and restoring human dignity. We all have a stake in the health of this society, and the thoughtless, shortsighted, irresponsible action on behalf of the Republican Party is threatening that health.

In the final analysis, our Government and society are only as good as we make them. If we work now to strengthen the Democratic Party our success will be seen in a better America, a better place to live and raise our families.

IF POVERTY PROGRAM SLASHED, NATION'S CITIES WILL BE LOSERS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Fulton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, it sometimes seems that some of my colleagues react with joy whenever we hear a vague allegation or rumor that a nickel of antipoverty money may have been misused. Rather than enlisting in the war on poverty they seem content to sit on the sidelines and snipe away at those who are on the front lines fighting to bring the opportunity of a decent life to the 30 million economically deprived Americans.

They seem to think that this is simply OEO's fight, but they are wrong. It is America's fight. I would like to bring to the attention of my colleagues a column by Wayne Whitt which recently appeared in the Nashville Tennessean. Although directed to the people of Nashville, the column could have been for the Congress, and the American people. Mr. Whitt is only partially correct, however, when he says that if the poverty program is slashed the Nation's cities will be the losers. For it is the entire Nation, urban and rural areas alike, which will suffer if we do not speedily allow the Office of Economic Opportunity to continue with its efforts to fight poverty. The column follows:

[From the Nashville Tennessean, Aug. 13, 1967]

If Poverty Program Slashed, Nation's Cities Will Be Losers

Some people here—and in Washington—who have opposed the war on poverty all along have seized the "liberation school" controversy and are trying to use it as a springboard to junk the whole program.

If they are successful, this city and cities across the nation will be the losers. If all they can do is blunt the effort, there still will be a loss in direct ratio to how much they can weaken the program.

No city, and most certainly not Nashville with its financial programs, is able to underwrite the war to eliminate poverty on its own.

Assuredly there have been abuses, but this is no excuse for wrecking a program designed to help relieve frustrations and tensions in the nation's cities. Occasionally a policeman abuses his authority, but one does not do away with the police department because of this.

Rather than weakening the war on poverty, constructive steps to strengthen it are desperately needed.

This was recognized by the more than 2,000 municipal officials who attended the recent conference of the National League of Cities in Boston. Without any real opposition, the NLC, which speaks for 14,300 municipalities in all 50 states, went on record in favor of the full funding of programs of the Office of Economic Opportunity, the federal agency which directs the war on poverty.

The NLC also expressed strong opposition to efforts in Washington to take some of the responsibilities away from the OEO and assign them to other agencies.

OEO programs such as Head Start, on the job training and the neighborhood youth corps were endorsed by name at the Boston meeting.

Among those joining with the NLC in its endorsement of the war on poverty were a host of Tennesseans, including Mayor Beverly Briley of Nashville.

If the program here is damaged over the "liberation school" controversy, it could result in the increasing of frustrations in poverty-stricken sections of Nashville. Frustrations add to unrest.

Because of OEO programs, people who just a short time ago had no hope of escaping severe poverty now have hope. They have a little money in their pockets. If this is taken away, however, they will be more frustrated than before. What has been accomplished may well be overshadowed if worthwhile efforts are not to be pushed to conclusion.

A good example of helping people here is the on-the-job training of workers. About 1,800 persons have benefitted under this program. It is estimated that 90% of those 1,800 are still on the job, and many have been promoted to supervisory positions.

Some of the youths being helped through the war on poverty have spent 12 years in slums. They have been shown there is a different way of life.

If the lid is to be slammed on them now, they are going to feel betrayed. They aren't likely to trust anyone in the future. There will be more unrest than there is now, and there won't be any effective program underway for lessening the tensions.

Abuses of any program should be eliminated. By the same token, the community should build on that which is meaningful and worthwhile.

Rather than wrecking the OEO programs, ways should be found to strengthen them. The war on poverty cannot be won overnight. It will take years for final victory.

There is a need for the government to commit itself to long-term projects that will take the young people out of the slums.

MEDICARE GAINS WITH INDUSTRY

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, under leave to extend my remarks in the Record, I am including an article from the Denver Post, of August 14, 1967. I am delighted to see that the Federal Government and industry are developing mutually beneficial arrangements in the administration of medicare and other programs. The article follows:

[From the Denver Post, Aug. 14, 1967]

Medicare Gains With Industry

Nowhere is the ever-changing business-government relationship more evident than in the position that much of the insurance industry now takes toward Medicare, according to an Associated Press survey.

Ten years ago Medicare was considered a terrible threat. Now some of the country's largest insurers are using their administrative skills and computers to handle much of Medicare's paper work under government contract, AP reports.

To some extent this attitude is merely grudging recognition that Medicare is here to stay. But it also reflects new attitudes by insurers, and changes in American social and political customs.

Just a decade or so ago, insurance companies had two criteria for investing policyholders' money: (1) the soundness of the investment and (2) the yield, or return on the invested money.

Now a third has been added.

This new criterion, said James Oates, chairman of Equitable Life Assurance, means that "if you are going to be in business for the long term and be effective, then you must invest in the public interest."

This change in a corporation's view of itself is more recent than many people realize. "In 1948, when I was in the practice of law," said Oates in an interview, "nobody had a concern with corporate citizenship."

But the concept of corporate participation in local and national goals is gaining more acceptance. Companies that once thought their only obligation was to stockholders are now declaring that the stockholder is best served by aligning the corporate goal with social goals.

This concept is still only broadly defined. In some companies it means greater participation in community affairs: Spending money on education, cooperating on urban projects among deprived citizens and the like.

Increasingly, in the past two or three years, it is an awareness that profits can be made as well as social goals accomplished in areas such as pollution control, urban renewal, education and health often under government contract.

Reflecting on these changes, Oates said life and health insurance "while it had a good record of progress in covering the needs of old people was not so alert as we, in hindsight, might have been."

This record shows that very few health policies existed for those over 65 in the late 1950s. A few years later, as Medicare threatened, the number rose.

"But it was too late," Oates recalled. "Processes were in motion and Medicare passed." And Medicare took over most of the private "over 65" health insurance business.

"This was a definite entry of the government into subsidized insurance," Oates said, "so the question was, 'What should we do in view of this usurpation of our business?' "

In seeking an answer, three principles were developed:

—"No corporation, no citizen, has any right in the public interest to say 'no.' It (administering insurance programs) is our field of competence."

—"We've had great areas of experience—relationships with doctors, their associations, their reputations. We have something to offer."

—"Less tangible, but very real: We will gain by our relationship with government. We'll understand, observe and learn about other trends."

> As a result, reports the AP, Equitable now administers in four states Part B of Medicare, the plan which pays physicians' and certain other charges. It does so at cost.

FULFILLMENT OF A PROMISE

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. Albert] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ALBERT. Mr. Speaker, we will shortly bring to the floor for the consideration of the House, the Public Broadcasting Act of 1967. Among this bill's several excellent provisions is one which, I believe, will bring us considerably closer to realizing the potential of radio and television as media for the cultural and educational enrichment of our Nation.

The provision of which I speak is contained in title II of the proposed act. It would bring to reality a proposal of the Carnegie Commission that a nonprofit corporation, free of political or governmental control, be established to help develop and disseminate educational and cultural programs of high quality.

This corporation, using public funds, would assist noncommercial stations by contract and grant, by providing information on broadcasting, and by helping to establish networks to make possible wide dissemination of cultural and educational programs.

The provisions of the bill give ample assurance that the corporation would be free to act independently and free of political pressure, and that there would be no Government control of programing.

Mr. Speaker, I believe this proposal also will provide the artistic and financial climate needed to attract the talent which alone can insure excellence in cultural and educational offerings. And it offers us a way to overcome the limitations now imposed on development of public television by the increasing cost of technical facilities.

I am most happy to see that the wise and farseeing proposals of the Carnegie Corporation have been embodied in this pending legislation. For although we have helped public television considerably through the programs of the Educational Television Act, there still remains much to be done in this area.

I strongly urge all my colleagues to join in support of the Public Broadcasting Act of 1967.

HENRY J. KAISER: MASTER BUILDER

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Cohelan] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, the American dream has lost one of its greatest living proponents with the death of Henry J. Kaiser. This giant of industry, this humanitarian, this dreamer of dreams, this American led a life of such proportions that no single statement can encompass its variety.

Henry Kaiser truly represented the possibilities of this country. The son of immigrant parents, he went on to become the president of an industrial complex that produces 300 kinds of products in 180 plants in 41 countries. Were this his only accomplishment, Henry Kaiser would have won his place in the history of this century. This, however, is only part of his long and brilliant career. Henry Kaiser was chairman of the executive committee that built Hoover Dam; he worked in highway construction that spanned the Pacific Northwest; he worked in building projects in Mississippi, and the Southwestern States; he was a leader of the wartime shipbuilding industry—the list could go on. Perhaps the accomplishment that best demonstrates his compassion, his human warmth, was the establishment of the Kaiser Health Foundation that provides medical services through 18 hospitals and 40 clinics for 1,500,000 members on the west coast.

Henry Kaiser believed in this country and he believed in himself. He succeeded because he had a dream and he never tired of urging others to follow their dreams. As he said:

> My words of advice to all young people are "Make up your mind to achieve the best within you. With a goal you can realize your greatest joy in working. And above all pursue your dream."

This ability to dream characterized the man and his work.

Henry Kaiser never forgot that his parents were immigrants, that his education was uncompleted, and that his success was due to a willingness to work. Even when he gained national and international prominence as an industrial leader, he referred to himself simply as a builder. At one time, he was even considered as a presidential candidate, but Henry Kaiser would have none of that; he was a builder.

In his later years the command of Kaiser Industries passed to his son Edgar, but Henry Kaiser did not retire, or perhaps he retired in the only way he could and that was with more work, more building and more growing. He settled in Hawaii where he worked on developments that include a hotel, a $50-million complex of houses, hotels, hospitals, and plants and a $350-million resort-residential city on Oahu Island.

Henry Kaiser left a legacy of such vastness that none of us can begin to see its limits. And it is a legacy that will continue to grow. And yet for those of us who were privileged to know Henry Kaiser, the loss goes deeper than his industrial genius for it is the loss of a great and compassionate friend—a man whose kindness touched many and will not be forgotten. I speak for many when I remember his great and good heart, his compassion and warmth.

He said.

> Find a need and fill it.

And he did. We will be a long time filling his void, if we ever can.

TO SAVE AMERICA'S SMALL LAKES

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Hanley] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANLEY. Mr. Speaker, I want to take this opportunity to congratulate the Government Operations Committee on its recent report entitled "To Save America's Small Lakes." I believe that this report will have a great impact on efforts in my congressional district to stimulate a program for the rehabilitation of Onondaga Lake.

When I first came to the Congress in January of 1965, I considered the restoration of Onondago Lake one of the principal tasks I would work on. Prof. Daniel Jackson, of the Syracuse University's department of civil engineering, has expressed his belief many times that there are three basic reasons why efforts to clean up the lake have failed in the past: First, apathy and lack of belief that the lake can be clean; second, lack of technological knowledge and techniques to accomplish the task; and third, money.

I felt that the Federal Government was neither aware of nor concerned with the problems of Onondaga Lake, and so my first task was to bring our local situation to the attention of Federal officials. I was aware of the work of the Natural Resources and Power Subcommittee of the House Government Operations Committee in bringing to light various problems associated with water pollution control and abatement. I asked the chairman of this subcommittee to bring his group to Syracuse to make a firsthand investigation of Onondaga Lake. The Natural Resources Subcommittee spent 2 days in Syracuse in August of last year holding hearings and conducting an inspection trip on Onondaga Lake.

One of the ideas extensively discussed during the subcommittee's visit was the consideration that even the best application of existing water pollution control and abatement procedures would not substantially improve the water quality of the lake to the point where we could consider it restored. In other words, severely damaged lakes have special qualities and problems which would demand special techniques and solutions.

The department of civil engineering at Syracuse University went to work on putting together a number of proposed studies outlining needed areas of study and demonstration aimed at making Onondaga Lake a first-class natural resource. The Natural Resources Subcommittee issued a report last Friday, entitled, "To Save America's Small Lakes." The information obtained at the Syracuse hearings and the university's material playing a significant role in shaping the conclusions and recommendations of the subcommittee's report.

Earlier this year, I introduced a bill, H.R. 10751, to authorize the Secretary of the Interior to undertake a research and demonstration program for the improvement of the quality of the Nation's lake waters. The idea for this bill came directly from the information gathered at the Syracuse pollution hearings and also from the valuable advice and counsel of the professors at the department of civil engineering. My bill is pending before the House Public Works Committee, and I am pleased to report that the Department of the Interior has endorsed my proposal. This endorsement came as a result of meetings I held with the Secretary of the Interior and the chief officials of the Federal Water Pollution Control Administration.

I am also pleased to report that the Natural Resources Subcommittee has also endorsed my bill and recommended in its report on small lakes that amendments such as I have proposed be enacted into law in order to intensify the Federal effort to restore the Nation's lakes.

I believe that these developments are clear indications that the Federal Government, both the legislative and executive branches, is now aware of the existence of Onondaga Lake and the nature of its problems. In addition to this, I believe that the Federal Government wants to participate with local government in a program of restoration of Onondaga Lake. The committee report ends with the recommendation that the early rehabilitation of Onondaga Lake serve as a demonstration model for the restoration and safeguarding of all of America's small lakes.

As I see it, my next step will be to secure the enactment of the legislation I have proposed for research and demonstration projects for lakes. I am confident that our community is solidly and steadily moving in the direction of taking the steps necessary to restore Onondaga Lake. We must continue in our determination to want a clean lake we can use for swimming, fishing and boating, along with a pleasing and beautiful shoreline. These are attainable goals.

DISASTER ON FOREIGN AID

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Patten] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PATTEN. Mr. Speaker, an editorial in the New York Times of Saturday, August 26, 1967, called "Disaster on Foreign Aid," made several thought-provoking comments on the recent debate on foreign aid.

I agree with the editorial and insert it in the Congressional Record with the hope that it will help convince some skeptics of the importance of providing adequate foreign aid.

The New York Times editorial not only cited what inadequate foreign aid means to "hungry peoples and struggling new nations," but also pointed out that it would be "an even greater disaster for the stature, the good faith, and humanitarianism of the United States."

I hope this editorial will move some of my colleagues as it moved me.

The editorial follows:

Disaster on Foreign Aid

Not for a long time has the Congress of the United States behaved with the callous irresponsibility and indifference to the country's true interests that both houses displayed in the foreign-aid debate. Whatever happens now in Senate-House conference, the aid authorization for 1968 will be a disaster—a disaster for hungry peoples and struggling new nations; an even greater disaster for the stature, the good faith and humanitarianism of the United States.

The aid bill would be a disaster even if House and Senate Appropriations Committees were to vote every cent it authorizes, but this will not happen. Further slashes at that stage are inevitable, as every member of Congress is aware.

The sickening spectacle of Iowa's incredible H. R. Gross, riding high after earlier victories with meat-ax amendments to an already inadequate bill, mustering 98 votes for a move to abolish American foreign aid altogether, will stand as an apt commentary on the House attitude.

Every vital category except supporting assistance—economic aid linked to military use—was taken to the guillotine by the revived coalition of Republicans and Southern Democrats. The House outdid the Senate by cutting another $150 million from its own committee's recommendation for development loans. It matched Senate cuts in the Alliance for Progress and technical assistance, thereby freezing those inadequate sums for the conference committee deliberations.

In perhaps the most hurtful action of all, the House followed the Senate in boosting interest on development loans from 1 to 2 percent for the first ten-year grace period. This will insure that some of the neediest of of countries, already burdened with debt-carrying charges, cannot accept American loans.

No one emerges from this sordid debate with credit. Senators who have never shown any zeal for improving life in our ghettos suddenly cited the needs of our exploding cities as a reason for gutting a modest foreign-aid program. Congressmen demanded to know why other developed countries do not pick up a share of the aid burden, evidently ignorant of the fact that most of them are now making a greater proportional effort than the United States.

The Republicans seem determined to prove again, fifteen months before a national election, that all they stand for as a party in Congress is the obstructionist role they have played so long in company with Southern Democrats. The House Democratic leadership, routed monotonously by the coalition, demonstrates only how badly it needs to be overhauled.

BUSINESS LENDERS SUPPORT OEO

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Holland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLLAND. Mr. Speaker, as a liberal, as a Democrat, and as a Member who has always been sympathetic to the needs and aspirations of working people, I am not accustomed to reading full-page ads in the chamber of commerce national publication, Nation's Business, which take the same views I do. But I have never succumbed to the knee-jerk reaction that says that the business community is always wrong.

When this Nation is faced with fundamental crises, as in a time of war, or in times like today, when internal domestic problems are so grave as to call into question the very viability of the system, the business community is as likely as any segment of the Nation to look beyond its own immediate objectives and get to the heart of the matter. This is increasingly the case with the severe problem of poverty. While the ultraconservatives who think they are speaking for the business community use their time and talent to defend the views of William McKinley and his times, the businessmen themselves are speaking out for what the Nation truly needs.

I received a letter today from Walker L. Cisler, chairman of the board of Detroit Edison, of the Office of Economic Opportunity and in forthright opposition to the program of slicing up OEO and scattering its fragments to the wolves which is the major task taken by those who have a "no win" policy in the war on poverty. Mr. Cisler's letter also contained an advertisement from Nation's Business, signed by 30 top executives of major business firms. Before our conservative friends convince themselves they are speaking for the business community in their campaign to dismember OEO, they would do well to read Mr. Cisler's letter and the attached advertisement. Under unanimous consent I include both at this point in the Record.

The Detroit Edison Co.,
Detroit Mich., August 25, 1967.

Hon. Elmer J. Holland,
Member, House Education and Labor Committee, Washington, D.C.

Dear Congressman Holland: I am writing to you of my deep concern for the Economic Opportunity Act of 1967 and related appropriation requests now being considered in the Congress.

It has been my valued privilege to have served for the past two years as Chairman of the Business Leadership Advisory Council for the Office of Economic Opportunity. This group of key executives of many leading corporations for all sections of the United States consults with and advises the Director of the Office of Economic Opportunity, Sargent Shriver, and participates actively in the planning and evaluation of the programs of that office.

As business and community leaders deeply concerned with the causes and effects of poverty in our society and as citizens who have been privileged to assist those directly responsible for the work of O.E.O., we know full well of the many problems which must be faced and overcome if meaningful progress is to be made. I and other members of the Council have personally visited and seen firsthand the work of many of the organizations and establishments associated with the endeavors of the Office of Economic Opportunity.

Our approval of the beginning which has been made and our confidence in the organization and the leadership to which this great task has been assigned is well expressed in a resolution adopted at our recent meeting on May 10 in Washington, D.C., at which time we also met with President Johnson to tell him of our support for the Poverty Program.

Introduced by Mr. R. H. Carter, President of the Fostoria Corporation, the following resolution had the unanimous support of Council members.

"Whereas, the Business Leadership Advisory Council, which includes members of both political parties, reaffirms its support for the programs of the Office of Economic Opportunity, which the Council believes are being effectively administered in the interests of our country, and

"Whereas, the Council believes that the success of the O.E.O. programs has been made possible by its organization as a central command post in the War on Poverty which enables it to coordinate a broad spectrum of programs that represent many needs and touch many age levels with strong thrust of purpose, be it

"Resolved, that the Council be on record that it believes the Office of Economic Opportunity should remain as presently structured, retaining the overall administrative responsibility of the scope of the entire Poverty Program, and that dispersal of its programs with divided responsibility would seriously deter the impact of the total campaign that is now the charge and responsibility of the Office of Economic Opportunity."

This position has been further endorsed by a number of chief executives of major corporations in a statement which will appear in the September Nation's Business. A reprint is enclosed for your information.

As with all citizens, I have been deeply concerned with recent unfortunate events in many of our cities, including my own City of Detroit. Many of our Detroit Edison employes were closely involved in maintaining and restoring service in the riot areas, with support and protection of civil and military personnel. I have personally gone into these areas and have talked with many who are involved at all levels of our community. As a member of the Mayor's "New Detroit" Committee, I have a deep and continuing concern for those endeavors which will contribute to the well-being of our people and our community. It has been a significant part of my daily life.

During the riots and following, I find only good work being done by those involved in programs here developed and supported by the Office of Economic Opportunity. Many were working actively to contain the disorder and to keep others from participating. Considering the short time these programs have been under way, I believe the present and potential benefits are clearly evident. This good work must be continued and strengthened if we are to resolve the crucial matters facing us today. Time cannot be lost.

The recommendations made to the Congress by the Administration redefine and strengthen those areas of the War on Poverty which experience has proven most effective. It merits your full support and I commend it to you most highly.

With all good wishes.

Sincerely,

Walker Cisler.

[From Nation's Business, September 1967]

A Hand Up, Not a Hand Out: That's What the OEO Is All About

We believe that businessmen, legislators, indeed all citizens should understand and support the Office of Economic Opportunity. For what it does, as well as for how it does it.

What does the OEO do? As businessmen we look at it this way: The OEO and its programs give people a hand up, not a handout . . . get people off relief rolls and onto payrolls. Our payrolls. It helps people move up the economic ladder; equips them through education and training to become productive and constructive members of society. The way we see it, the OEO turns out workers and consumers.

Now, how does the OEO operate? It's set up and run like a big business should be. A central management governing and administering a variety of diverse programs in 1100 communities in all 50 states, plus 120 Job Corps Centers. The OEO runs tightly, cleanly, economically. And it does this largely because of the way it's organized.

Operationally, the OEO follows the proven management concept of *single responsibility*. As businessmen, we practice this principle within our own organizations. And therefore, it's only natural for us to believe that *the OEO must be preserved as the single responsible agency for the conduct and management of the many and diverse activities of the economic opportunity program*.

It is the best way to get a vital job done.

Robert S. Benjamin, chairman of the board, United Artists Corp.; Ralph M. Besse, chairman, the Cleveland Electric Illuminating Co.; Cabell Brand, president, Ortho-Vent Shoe Co.; George R. Brown, president, Brown & Root, Inc.; Carter Burgess, chairman of the board, American Machine Foundry; Donald S. Carmichael, attorney at law; Richard H. Carter, president Fostoria Corp.; Walker L. Cisler, chairman the Detroit Edison Co.; Donald C. Cook, president, American Electric Power Co., Inc.; Richard Cudahy, president, Patrick Cudahy, Inc.

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NEGLECT OF A CONGRESSIONAL FUNCTION: LEGISLATIVE OVERSIGHT ON ADMINISTRATION

The SPEAKER pro tempore (Mr. Albert). Under previous order of the House, the gentleman from Wisconsin [Mr. Laird] is recognized for 1 hour.

Mr. LAIRD. Mr. Speaker, on August 7, I called to the attention of this body the remarkable article by Daniel P. Moynihan entitled "White Blindness Lamented," which appeared in the Washington Post of August 6. In that article, Mr. Moynihan courageously evaluated Government programs, such as the poverty program, which he himself had a significant role in creating. Unlike some current and former administrators he is interested in results and in whether the Government's programs have in fact lived up to their advance billings or even achieved some of their stated objectives. Concerning domestic social welfare programs, "Pat" Moynihan said:

> In our desire to maintain public confidence in such programs, we have tended to avoid evidence of poor results, and in particular paid too little heed to the limited capacities of government to bring about social change.
>
> These failings have been accompanied, moreover, by a formidable capacity for explaining them away.

Mr. Speaker, Daniel Moynihan was speaking of the governmental system as a whole. But what about the Congress? Has this House "tended to avoid evidence of poor results?" Have we even sought evidence of good or poor results? Moreover, can we honestly say when voting on either authorizations or appropriations we really had the benefit of systematic analyses of how existing programs have actually functioned? And do we even know what the administrators downtown have done with what we fashion here in Congress? To these questions, I fear most Members must answer in the negative, Mr. Speaker.

In short, the Congress has not done the job of legislative oversight of administration that should have been done. The report of the Joint Committee on the Organization of Congress has pointed out quite clearly that this function is not being performed as it should be. The Joint Committee stated:

> The responsibilities of committees extend beyond the passage of new legislation. They are also charged with the duty of scrutinizing existing programs to determine whether they are being administered in accord with congressional intent, whether amendments are desirable, or whether any program has outlived its usefulness.
>
> *Legislative review is often neglected by the standing committees under the pressures of a session's agenda of proposed new legislation* (emphasis added).

My personal concern about the adequacy of Congress' performance in the oversight field has been heightened by reading Mr. Moynihan's article; by the terrible riots that have visited our great cities—including one in my own State—in spite of the large expenditures made by recent Congresses for the improvement of urban life, as the able chairman of the Appropriations Committee, the gentleman from Texas [Mr. Mahon] pointed out; and by the plethora of recent proposals for vast expenditures.

In addition, the President has asked the Congress for a 10-percent, retroactive, surtax on both individual and corporate incomes. At the same time, he has raised the threat of an unthinkable $29 billion deficit.

If we in the Congress had done the oversight job that was needed and had evaluated more thoroughly the actual operation of the programs we enacted, perhaps we would not today face the threat of a sizable tax increase and/or large deficits. We might also be further down the road toward solving basic problems.

All of this only points out the fact that Congress is going to have to face up to its responsibility to perform the oversight function and sharpen its tools of oversight, or we face the spectacle of massive failures in meeting the critical problems which face our people, while we spend their money at an ever-increasing pace and impose higher taxes.

Mr. Speaker, Congress' failure to perform its oversight role effectively involves even more basic considerations, however, than dealing with the immediate problems of urban life, the President's tax increase proposal, or large budget deficits. The future of the Congress, and therefore our governmental system, is involved.

Congress can be strong and viable only if it is in a position to exercise a continuing and systematic review of administrative activities and policies. Without the information that comes from such comprehensive oversight activity, Congress runs the risk of being cut off from the mainstream of relevant information and decisionmaking.

I do not want to see the role of Congress diminished. If this occurs, we will be on the road toward a bureaucratic state. Congress reflects the diversities of American life and enables almost every interest to find a spokesman in its behalf. Congress is the one institution capable of humanizing the governmental process and of correcting the often arbitrary nature of administrative decisions.

Prof. Alfred de Grazia of New York University has pointed out:

> Without a strong Congress, the basic structures of voluntary association, federalism, and autonomous enterprise will tend to dissolve into centralism . . . the problems of the country will be handled in ways that will become excessively majoritarian, often arbitrary, *usually collectivist*, and in the end suppressive of the American ideal of individuality.

I am concerned therefore about legislative oversight because first, I want to see us deal with current problems in a meaningful way and not continue to fund programs that have failed or are archaic; second, because I want to save every taxpayer's dollar possible; and third, because I want to see the Congress play an aggressive and positive role now, in the 1970's, and in the more distant future.

Mr. Speaker, I believe I sense a rising concern among Members on both sides of the aisle and in the Senate about this matter of legislative oversight, because all of us have been continually confronted with instances of unwise, arbitrary, and inefficient administrative decisionmaking. Evidence of this concern was reflected in a remarkable and, I believe, highly significant letter which the distinguished majority leader of the Senate, Mr. MANSFIELD, sent to all Senate committee chairman on December 27, 1966. His letter read in part:

> So much basic legislation was enacted in the 88th and 89th Congresses that I do not anticipate requests for sweeping new legislative approaches in this 90th Congress. That is not to say that all that confronts us in the session ahead will be the need to pass appropriation bills and then adjourn. It occurs to me that the next Congress will also see the convergence of a unique opportunity with a great need for a concentrated Senate exercise of the oversight function.
>
> I would hope to see, in the first session of the 90th Congress, the beginning of a major re-examination of what we have done in legislation during the past few years. Considering the vast scope of this work and the unprecedented nature of much of it, *it is to be expected that there exists a number of rough edges, over-extensions and overlaps and, perhaps, even significant gaps.* A thorough and dispassionate re-study of this legislation, therefore, could lead to desirable refinements (emphasis added).
>
> What applies to programs which we have set in motion in recent years, in my judgment, applies with equal emphasis to those of older vintage. There come to mind, in this connection, legislation on the military draft, agricultural subsidies of one kind or another, foreign aid, income and other taxes and many others. *Few if any of these older legislative structures have had a thoroughgoing, second-look for many years.* These, too, it seems to me, might profitably be subject to complete re-study by the Senate. That kind of study could provide not only a basis for adjustments of legislation, as necessary, to the current needs of the nation but also a check on the equity and efficacy of the administrative interpretations and practices which have developed (emphasis added).
>
> In short, what is suggested is that the Committee Chairmen consult with the members of their committees to determine with respect to matters within their committee jurisdiction what, in their judgment, might be most usefully subjected to a thoroughgoing oversight at this time. To put it another way, I am suggesting that committees initiate on behalf of the Senate a concentrated re-examination of major legislative structures by which the federal government is enabled to play its role in the current life and affairs of the nation and the world. I do not anticipate much more than a beginning during the coming session. But the time seems to me to be very ripe for such a beginning.

THE CURRENT STATE OF LEGISLATIVE OVERSIGHT IN THE HOUSE

Mr. Speaker, it would, of course, be presumptious of me to attempt to comment upon the extent to which Senator MANSFIELD's suggestion was implemented in the other body. I do know, however, that the record of the House in this area is not what it should be. I say this in spite of the comments of some very eminent students of the Congress who have said that oversight is now the principal function of the Congress. My conversations with colleagues on both sides of the aisle, plus a survey which I asked to be made of oversight activities point up the following facts:

With few exceptions, House committees do not undertake comprehensive, continuing, and systematic reviews of the policies and performances of administrative departments and agencies under their respective jurisdictions.

In a few instances, there is careful surveillance of a particular agency under a committee's jurisdiction while the performance of other agencies is largely ignored.

Such legislative oversight as exists tends to be sporadic, selective and episodic in response to the complaints of interest groups and constituents, and the information provided by newsmen and courageous administrators.

Too often congressional committees conduct their inquiries into administrative policies and activities in response to crises or tragedies; but these come after the fact and do little to prevent trouble.

Committees try at the time they consider new legislation proposed by the Executive or renewals of existing programs to evaluate administrative performance. The pressures and volume of legislative work, however, make it difficult for committees to adequately utilize these opportunities when Congress has maximum leverage over the Executive.

Committees depend heavily on the various agencies and departments under their respective jurisdictions for the information they have concerning administrative policies and performance. Unfortunately, the executive branch normally supplies only that information which it wants to divulge. Few committees have the resources to obtain information from reliable nonadministration sources.

Legislative oversight must rely heavily on conscientious staff work. Yet most House committees—particularly the minority members—do not have adequate staff to perform the oversight function which was prescribed in the Legislative Reorganization Act of 1946.

Too often reports of the General Accounting Office—GAO—are ignored or given only superficial attention by our standing committees. The GAO can be effective only if supported by the various committees. The existence of this excellent organization does not absolve this body of its responsibility.

Such facts as these disturb me deeply because they indicate that the House of Representatives and we as individual Members are missing opportunities to assert leadership and make the governmental system responsive to the needs of the Nation. Indeed, Mr. Speaker, it might be said that Congress must accept a part of the blame for ineffective Federal programs that fall far short of their promise and that, in their operation, fail adequately to respond to national needs.

When the Congress and its committees do aggressively assume their oversight responsibilities, the results have been beneficial for all. I call your attention, for example, to the fine work done by the Joint Committee on Atomic Energy in overseeing the Atomic Energy Commission and the surveillance given the highway programs by the Special Subcommittee on the Federal-Aid Highway Programs of the Public Works Committee.

I know each of the Members of the House has discovered examples of administrative decisionmaking that virtually cry out for a review by the Congress. May I call to your attention the following additional problems which my survey has revealed:

A major policy decision of the Department of Housing and Urban Development implementing a major amendment to the Demonstration Cities Act resulted in making the amendment virtually ineffective. The author of the amendment was not informed of this policy decision by HUD and had to learn of it through a letter from a lawyer in Detroit.

Four years of prodding were required to gain a committee investigation of what was generally regarded as a classic case of mismanagement of a major program.

Two billion dollars in arms sales were financed by Export-Import Bank credits without the knowledge of Members of the Bank's parent committee in the House.

Committee chairmen willing to expend great efforts and funds reviewing selected agencies or programs which happen to be of intense interest to them, while the rest of the committee's jurisdiction is largely ignored.

Reluctance on the part of the committee members to investigate programs which they have consistently supported for fear of political embarrassment.

Reluctance on the part of the committee members to engage in oversight activities which might prove disquieting to the administration. This reluctance is coupled with a fear of reprisal by the administration.

Minority requests for better and thorough oversight activities ignored by the majority leadership of committees.

Staff personnel at times become overly friendly with their counterparts downtown with the result that the committee staffs become reluctant to criticize.

Because committee members are often not sufficiently interested in oversight, they too frequently fail to support staff personnel when they do undertake oversight work. The net effect is to discourage the staffs.

A special oversight subcommittee inadequately staffed and not used for oversight purposes.

Reporting provisions in legislation designed to keep Congress well informed in actual practice result in the administrative branch providing only such information as they see fit to make known. Such reports as are made are frequently ignored because of inadequate committee staff.

Reliance on interest groups to be the "eyes and ears" of Congress in helping to determine how programs are functioning. Of course, such organizations should be encouraged to give their thinking on how effective programs have been, but interest groups cannot do Congress work for it.

Administrative attempts to influence the testimony of witnesses, who might testify at hearings in a critical manner concerning an existing program.

Lack of committee field investigations and hearings to provide firsthand knowledge of how well programs are functioning.

CONGRESS MUST BECOME CONCERNED ABOUT LEGISLATIVE OVERSIGHT

Mr. Speaker, let me make clear that I am advocating neither "fishing expeditions" nor political "hatchet jobs" in the name of legislative oversight of administration. But I do think that it is time that we started doing a positive job of reviewing the vast array of programs which we have enacted.

What we must do first of all is break down the all too prevalent notion that Congress is a mere "bill factory." Enactment of legislation is indeed our function, but it is only one of our duties. Whether we like it or not we all know that given the complex and interdependent world in which we live, the executive branch must be given considerable discretionary power in administering programs which we enact. The danger, of course, is that in delegating discretionary authority to the executive, too much power may be handed over to the so-called administrative experts, who are apt to be lacking in contact with the average citizen. So long as administrators are involved in making important decisions—and in our lifetime they will be so involved—there must be an agency prepared to check and control them. Indeed, it is precisely because it is necessary in modern times to vest extensive discretionary powers in administrative officials, that it is absolutely essential for Members of Congress to exercise regularized and continuing oversight of administrative activities, if uncontrolled and unaccountable power is to be avoided. The institution accountable to the people and capable of exercising that control is Congress. All of us would do well to recall the words of John Stuart Mill written a century ago. He wrote:

> The proper office of a representative assembly is to watch and control the government.

Oversight, as I envision it, must go beyond a concern for narrow economy and efficiency in government—though let me make it clear that I place a very high priority on such matters. But we in Congress must know more of the actual policymaking that is taking place in the executive branch. We must know what sorts of important policy matters concerning the implementation of legislative authority are pending in the agencies and departments. We must also know whether programs we authorize are having results.

Through the work of the GAO, supported by the Government Operations Committee and the various substantive committees, and the casework which each of our offices does, I think Congress can go a long way toward making the Government more efficient and economical. But real efficiencies and economies can be achieved only if we really have a comprehensive picture of what administrative policies are and how programs are actually functioning.

PROPOSALS FOR IMPROVING LEGISLATIVE OVERSIGHT

To make the House better able to watch and control the executive branch, I strongly recommend the following steps be taken.

First, each standing substantive committee should establish as a permanent part of its subcommittee structure, a Subcommittee on Legislative Oversight—or Review. These subcommittees would have no other functions than those directly related to their oversight responsibility. The subcommittees should have an equal number of majority and minority members regardless of the number of Republicans and Democrats in the Congress as a whole. After all, oversight is not a partisan matter—it is a congressional duty.

The staff of these subcommittees should be professional and nonpartisan, but they should be selected in equal parts by the majority and minority subcommittee members.

These subcommittees should be required to report on their previous year's activities to the Congress at the beginning of each session.

This proposal will provide the personnel and the organizational arrangements to handle the oversight function while not disrupting the traditional functions and jurisdictions of the standing committees. Indeed, the strength and expertise of each committee would be strengthened. In addition, by requiring that these subcommittees and their staffs be equally divided between the majority and the minority, we will be insuring against one-party domination of Government no matter what the partisan ratio in the Congress may be. We will also, I believe, provide some additional incentives to the carrying out of the oversight function. We must stop the erosion of this function which I think has become all too prevalent in the past two Congresses.

In this connection, Mr. Speaker, I might also cite my strong support for the proposal contained in our Republican state of the Union message last January delivered by the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD]. Under that proposal, whenever the same party controls both the White House and the Congress, then at least one investigating committee should be under the control of the minority party.

Second, to give appropriate recognition to the importance of the oversight function, it is suggested that a special Oversight Calendar be established that would have priority on at least 2 days each month. On these oversight calendar days, committee chairmen and ranking members could bring to the attention of the House oversight matters of importance as well as the reports of the oversight subcommittees.

In addition to giving formal recognition to the importance of legislative oversight, I think that this proposal would have the added advantage of encouraging Members to give oversight matters the attention they deserve. Furthermore, it would strengthen the hand of Congress in dealing with administrative departments and agencies if the personnel of the Executive knew that their activities would be subject to additional discussion and examination on the floor of the House.

Third, it is suggested that each committee's power to gain information concerning administrative activities be increased by requiring through statute that agencies and departments under a committee's jurisdiction keep their parent committees "fully and currently informed with respect to all matters" relating to the agency's or department's functions. The Joint Committee on Atomic Energy operates under such a statute as pertains to the AEC and the Department of Defense. This provision has tremendously strengthened the hand of the Joint Committee in dealing with agencies handling atomic energy matters. Obviously, such a provision in the statutes is not self-enforcing but a diligent committee armed with this statute should be in a stronger position to gain needed information concerning administrative policymaking. I think, for example, that we should be informed of policy matters while they are in the consideration and formulation stages and not always after the fact. A provision requiring the executive agencies to keep the congressional committees fully and currently informed might help toward this end.

Fourth, I think that the leaders of each party when conducting orientation sessions for freshmen Members of the House should make it a point to stress the importance of the oversight function. The Republican leadership has held what I think were highly successful orientation sessions for the 90th club. In the future I would recommend that oversight activities occupy a significant place on the agenda of such meetings. I think it would also be beneficial if the chairmen and ranking members of each committee stressed the importance of this function to each Member newly assigned to a committee.

None of these recommendations are going to work miracles and transform the House, I know. But I think they are a step in the right direction. Ultimately however, the success and viability of the Congress depends on each of us and I believe it depends in considerable part on whether we do our oversight job. I think Congress is at the crossroads in this matter. I sincerely hope we will take the necessary steps forward.

AMERICAN INVOLVEMENT IN VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the Chair recognizes the gentleman from Kentucky [Mr. Carter] for 30 minutes.

Mr. CARTER. Mr. Speaker, a strong sense of duty impels me to speak out against the war in Vietnam. The future of our country demands a drastic change of direction in that war.

For 6 long years we have been involved in a bloody conflict which threatens the very existence of our beloved country. As a combat medic with an infantry division in the South Pacific, I have been intimate with the horrors of war and feel that the lives of our men should only be risked in case our country is attacked. In that event, we know they would resist assault with all their spirit, stamina, and strength.

Our country is torn by dissension—troubled by traitorous rabblerousers and rioters who blatantly curse the beloved land which has nurtured and cared for them. And yet they are permitted to spout hate, incite arson, promote looting with impunity.

Yes, Mr. Speaker, ours is a troubled land. The war in Vietnam is causing great worry and anxiety. Among the people of my district and our whole country, sentiment is increasingly against the war.

Shortly after intervention in South Vietnam in 1961, we were told we were there: First, because of SEATO commitments; second, to permit the people of South Vietnam self-determination of the type of government they wanted; and third, to contain communism.

To answer these in order, we had no SEATO commitments. SEATO voted not to intervene in this civil war.

Second, in 1956 polls showed that had free elections been held, 70 percent of the citizens of South Vietnam would have voted to unify South Vietnam with North Vietnam.

Third, why should we attempt to contain China, when Communist Cuba, presently swarming with Russian instructors and missiles, lies only 90 miles off our shore. Again, how can a nation, even as powerful as ours, contain more than 700 million people 11,000 miles away, across the vast Pacific.

If SEATO had voted to intervene, militarily we would have been on stronger ground, but blindly we went in with only token aid from Australia, New Zealand, and the Philippines; and strong assistance from little South Korea. The thousands of millions we have given the countries of the world have availed us little.

While we are in this awful struggle, where are the friends we assisted in World War II?

England is now trading with North Vietnam. So is France and most of the other countries of Europe and Asia. We saved Russia from Hitler and she is North Vietnam's chief supplier of guns and bombs to maim, mangle, and cripple our boys.

France, on whose fields lie 250,000 of the flower of American manhood, and to whom we have given $8 billion in aid, and who refused to pay the $7 billion we loaned her during World War I, each year demands her pound of flesh in gold for our balance-of-payments deficit. Perfidious France, ruled by the world's supreme egotist. I demand that this $7 billion be repaid by this ungrateful group of money grabbers.

In November 1965, I visited South Vietnam and was told then that the war would not last too long. I was taken to so-called pacified villages—one called "Happy Valley" near An Khe.

In July 1966, as a member of the Speaker's committee, I returned to South Vietnam and An Khe. "Happy Valley" was off limits, and the 1st Cavalry Division was firing from its perimeter. The pacified areas had been retaken—ours for only as long as snow drops on the river—a moment white, then gone forever.

I visited marines in the Da Nang area, and General Larsen at Na Trang. In 1965 I had also visited the big red one across the river from Bien Hoa Air Base. I saw the finest, best trained, best equipped men in the world. I have voted for every measure to support and help them: GI insurance, the GI bill of rights, pay raises, military authorizations; and will continue to do so. I want every bomb dropped which will save an American life.

In 1967 it seems the conditions are much worse. The Vietcong fight fiercely and tenaciously, because it is their land and we are foreigners and intervening in their civil war. I opposed our entrance into this war in 1961. Our interests were not so threatened that the blood of our sons should be shed so wastefully; or that our wealth should be so wildly dissipated.

We are fighting the type of war Russia would have us do. Our supply line is 10,000 miles long. There is little, if any, patriotic fervor toward fighting this war. It has cost us 12,000 dead, 70,000 wounded, and billions and billions of dollars. After more involvement, more extension of our troops and supply lines, then will come a massive assault toward our homeland, the United States itself.

Let us now, while we are yet strong, bring our men home, every man jack of them. If we must fight, let us fight in defense of our homeland and our own hemisphere. Our sons lives are too precious to lose on foreign soil. If they must die, let it be in defense of America.

Russia is no longer a Marxist country. Communism evolves as does every form of life and government: As the end state of radium is lead, so is the end state of communism some form of democracy. Even China is no longer truly Marxist. This is what the Maoist or Red Guard movement is about now—to check the natural evolution of communism. But neither time nor tide can alter this. If we strengthen our own country and leave Russia and China alone, in years to come, they will realize the benefits and necessity of peaceful coexistence.

The $24 billion a year could be used to construct 48,000 $500,000 schools. Slums could be eradicated. Suburbanization of our cities could be effected, and our brave beloved young men could be returned to live as peacefully as the placid streams by which as youths they once sported.

Mr. WAMPLER. Mr. Speaker, will the gentleman yield?

Mr. CARTER. I yield to the distinguished gentleman from Virginia.

Mr. WAMPLER. I thank the gentleman for yielding.

According to press reports, over this past weekend U.S. Army units in Vietnam, since January 1, 1961, recorded 161,250 nonfatal casualties due to disease and accidents. The Pentagon said that 85 percent of the casualties occurred in the past 19 months.

By contrast, as of last Thursday, U.S. forces in Vietnam reported 12,605 battle deaths, 77,513 wounded in action, and 2,549 deaths from causes not the result of hostile operations.

These figures were provided by United Press International, after a dispute which erupted on the subject here in the Congress. Our colleague, the gentleman from California [Mr. Bob Wilson], charged on August 7 that the Pentagon was using deceptive bookkeeping by not including noncombat injuries in its weekly casualty summary.

I merely wanted to point this out to the gentleman from Kentucky, since he has so ably said that the war is growing in terms of the loss of precious American lives and in terms of the Treasury it is costing the American taxpayer. I want to commend the gentleman for again bringing this most important matter to the attention of the House.

Mr. CARTER. I thank the distinguished gentleman from Virginia for his excellent remarks.

THE NEED FOR A REVIEW OF OUR FEDERAL-AID HIGHWAY SYSTEM

The SPEAKER pro tempore (Mr. Albert). Under previous order of the House, the gentleman from New Jersey [Mr. Cahill] is recognized for 30 minutes.

Mr. CAHILL. Mr. Speaker, the time is rapidly approaching when the Congress will once again be faced with the task of formulating a new national highway program. In 1972 the 41,000-mile Interstate Highway System, set up by the Federal-Aid Highway Acts of 1944 and 1956, will be completed. Although that is still 4 years off, there are some compelling reasons which call for an immediate study of our Federal highway programs, with a view toward possible changes.

When, in 1944, the Federal-Aid Highway Act gave birth to the Interstate Highway and Defense System, it also set down a hard and fast series of criteria according to which the 41,000 miles were to be distributed to the several States. Under the newly established procedures, the States were asked in 1946 to submit proposals as to the amount of interstate mileage they regarded necessary for their particular needs. It was the task of the Federal Bureau of Public Roads to pass upon these proposals and, on the basis of the criteria established by the Congress, to make final allocations to the individual States.

Ninety-two percent of the available mileage was allocated in 1947, and by the end of 1957, all but about 1 percent of the 41,000 miles had been assigned. That remaining 1 percent dwindled rapidly, so that today all that remains is a very small reserve of about 25 miles. Yet, during the 10-year period that has elapsed since 1957, practically every State has made requests for new interstate highway routes. In fact, at the present time, the records of the Bureau of Public Roads reveal outstanding requests for about 21,000 miles of highway, none of which can be fulfilled due to the virtually complete allocation of the authorized mileage.

With population density and automobile traffic dramatically rising, the highway problems are rapidly becoming intolerable. We find ourselves laboring under a highway program, the structure of which remains the same as originally drawn in the early 1940's. Therefore, we find that a State, in order to qualify for interstate routes, must satisfy criteria established almost a quarter of a century ago. It would appear to me obvious, Mr. Speaker, that a cursory examination of highway conditions today as compared to highway conditions as they existed when the Federal-Aid Highway Act was initiated in 1944, will be persuasive of the need for the establishment of new criteria. What were the basic criteria established in 1944 and still in effect today? According to the Bureau of Public Roads, they number four. The first criterion is the degree of "importance to national defense," and the second is "system integration—the value of the route as a connector between numerous centers of population and industry, which generate interregional traffic." These first two criteria are given equal and greater weight than the second two, which include the "importance to industry" and the "importance to rural and urban population."

Undeniably, the Interstate System has played, and will continue to play, a vital role in serving the defense interests of our Nation. When it is completed 6 years from now, it will have connected a majority of our major cities. To that end, the highway network was well conceived. But today, in addition to serving the national defense, we must look beyond to the many changes which the past 25 years have wrought. We must look to the urban population explosion, and to the attendant heavy increase in motor vehicle traffic. We must confront and eliminate the traffic congestion which twice daily paralyzes our cities, and which causes a short trip to an airport to take longer than a flight to a distant city. These are problems largely of a postwar origin which in 1944 did not exist in the magnitude that they do today. And it is therefore imperative that we develop a Federal highway program that reflects these contemporary problems.

It also seems clear to me that some insistence by the Federal Government must be made on comprehensive State planning of intrastate highway systems. In many States today we find superhighways terminating at inadequate State facilities, with a result that four and sometimes six lanes of highspeed traffic are funneled into two or less lanes of antiquated and inadequate State highway systems. Not only the contemporary problems but the particular needs of State with emphasis on a correlated and interrelated system of State highways is, in my judgment, essential. I believe, too, Mr. Speaker, that our Federal Highway Act should, as far as possible, be related to, and place emphasis upon, the development of mass transportation systems within the individual States. The time is rapidly approaching when it will be not only impractical but impossible to drive a passenger automobile into a large urban area. The danger to our health and welfare by reason of some disaster such as fire, flood, and so forth, occurring in the urban areas is but a single example of the need for developing some form of rapid mass transit. In every large city today the use of an automobile in downtown areas of concentrated employment, shopping, entertainment, is becoming more and more impossible. Thus, again, in my judgment, the highway program should require some similar State planning. More importantly, it seems to me new criteria and their respective priorities, must be spelled out. Among those which should be considered are: First, density of motor vehicle ownership in a particular area or State; second, recognition of high traffic volume; third, a demonstrated need for routes which would encircle an urban area and distribute traffic out of a city; and fourth, interstate corridors of high traffic density.

In addition, new methods of financing must be considered. Presently, the 90 percent Federal share comes out of the Federal highway trust fund. This fund is comprised of the contributions from all excise taxes on commercial vehicles, tires, and gasoline. There are a number of States, however, of which New Jersey is a good example, which do not receive its just share under this system of financing. New Jersey has the most dense traffic in the Nation, and ranks eighth in amount of annual contribution to the highway trust fund. Yet, New Jersey has received proportionately fewer Federal interstate routes than other States contributing less to the fund. New Jersey, therefore, in effect is helping to subsidize the construction of highways in other States.

A new system of criteria, with a correlative shifting of priorities, would likewise permit Hawaii to qualify legitimately for Federal highway construction, rather than through the device of special legislation. Although that State is in no way qualified under the criteria set forth in the 1944 and 1956 acts, it was nevertheless, in 1960, granted 50 miles of interstate routes.

What then, Mr. Speaker, in view of the complexities of the problem, is the answer? Certainly it must be conceded in light of these various suggested considerations, that there can be no quick remedy. The answer does not lie with a simple extension of the Interstate Highway and Defense Act. This could bring no immediate results for a number of reasons. Of the 41,000 miles in the Interstate System, there are today only 23,755 miles open to traffic, and it will be at least another 6 or 7 years, I am told by the Bureau of Public Roads, before the system is completed. The yet to be built routes are now in various stages of planning and design, and the construction of these would, therefore, take priority over any future allocation of new highway miles.

We must recognize the seriousness of the problems which exist in our present Federal highway program and strive to meet the challenge of the future by intelligent planning in the present. In January of 1968, the Bureau of Public Roads will present to the Congress and to the President, a comprehensive report on some of the problems with which I have dealt today. Rather than now offer new legislation, I feel that more might be gained if we were to take advantage of the expertise and research of the Bureau's report. It is essential, however, Mr. Speaker, that the Bureau fortify itself by taking advantage of the greatest expertise and the most modern and complete research in this field that is available. If the Bureau continues "business as usual," we will literally have chaos where there is today only disorder and disruption. To fail to take into consideration the needs of our large cities, our most widely traveled States, and the overall movements of population, together with the particular needs of the various areas of our country, would be a tragedy that would be tantamount to criminal neglect. I cannot emphasize the problem too much. I cannot urge the attention it deserves too strongly. I cannot point out the results of the failure to plan adequately too forcefully. 1968 is just around the corner and 1972 is not far down the street. Traffic control and highway development is becoming, Mr. Speaker, in my judgment, one of the great domestic problems confronting our Nation. The problem cries out for a solution. I urge the Secretary of Transportation and indeed, the President of the United States, to make absolutely certain that intelligent, comprehensive, and farsighted planning will provide an answer to the highway and traffic problems of tomorrow. I urge the Congress to anticipate and carefully assess the report of the Bureau of Public Roads. Hopefully, we can implement a new program planned intelligently and constructed speedily, so that our citizens may have in the years ahead a workable, useful, and efficient national and State highway system.

Mr. HUNT. Mr. Speaker, will the gentleman yield?

Mr. CAHILL. I will be happy to yield to the gentleman from New Jersey.

Mr. HUNT. Mr. Speaker, I take this opportunity to compliment my colleague from New Jersey [Mr. CAHILL], on his very comprehensive remarks.

Mr. Speaker, this past weekend, notwithstanding the tremendous rainstorms that we have experienced, our traffic was bumper to bumper on our major highways, on the turnpikes, and on the parkways for a number of miles. In my opinion, a review of the value of the criteria has been needed for a long time. I say to the Members in all sincerity, that this is one of the prime factors that has delayed New Jersey from receiving their full return from the moneys we in New Jersey have invested in the highways and in petroleum products.

The State of New Jersey is, and has been, referred to as a sort of a jug, or a tap barrel on both ends. Everything passes through New Jersey on the highway system. We have long needed the exact overhauling the gentleman speaks of.

Further, Mr. Speaker, I want to say to the gentleman in the well that I will most enthusiastically support every move he makes. I believe this has been long overdue. I believe everything the gentleman has said today should be taken under serious consideration by every Member of this House, so that in January of the oncoming year we can do something for the interstate highway situation.

Only today I read where much of our highway construction interstatewide is being held up by petty squabbles within the States as to which way the road shall go. I believe it is high time we put down some rules and regulations and see if we cannot build roads for the benefit of our people, they are the ones who are paying for them.

Mr. CAHILL. Mr. Speaker, I thank the gentleman for his remarks. I am particularly pleased with his statements, because I know of the gentleman's outstanding work as a member of the New Jersey Legislature for the past several years, and I recognize the very real contribution the gentleman has made during his tenure in the New Jersey State Legislature.

I know that the gentleman, therefore, brings to the House of Representatives an expertise and experience that should contribute a great deal.

Having represented the congressional district that the gentleman now represents, I recognize, as does the gentleman, the tremendous problems that we are confronted with, being as we are a corridor State wherein traffic traveling from Philadelphia to New York and from Washington and Philadelphia to New York, and to all areas of the South and New England pass us. We are confronted with most serious traffic problems and we, indeed, have not received our just share of the contributions that we have made to the trust fund which is used to develop the highway system. While we recognize that and we are very happy to help other States, I think the gentleman has placed his finger on the problem when he agrees that the criteria must be changed and some recognition must be taken of the 1960's, and some new criteria, as differentiated from the criteria of the 1940's, must be established if we are to have not only the kind of changes that are necessary but an effective highway system.

I thank my colleague.

FREE SPEECH DOES NOT MEAN FREEDOM TO INCITE RIOTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Speaker, earlier today I had been granted a special order to address the House for 30 minutes. At the conclusion of the last vote I was unavoidably called to my office and thus was not on the floor when my name was called.

Mr. Speaker, I therefore ask unanimous consent to address the House for 10 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

FREE SPEECH DOES NOT MEAN FREEDOM TO INCITE RIOTS

Mr. PICKLE. Mr. Speaker, I believe it is time that we who are responsible for the orderly operation of our Government speak out against those who, by advocating violence and civil disorder, seek to destroy our system. The H. Rap Browns and the Stokely Carmichaels within our country, as well as other groups such as the Ku Klux Klan, have heretofore enjoyed the protections of our precious rights, while at the same time advocating the forceful overthrow of the very institutions which afford those rights.

Judging from the most recent reports I have heard, the words of Rap Brown and Stokely Carmichael, and others, have gone beyond those normally protected under our free speech liberty. It is my firm belief that phrases such as "Stop looting and start shooting," "Let's turn the United States into another Vietnam," and "I'm gonna get me a gun and start shooting my enemies—and one of my enemies may be Lady Bird," are calculated to fan the flames of unrest, build up animosities, and lead to actual violence. At this point, Mr. Speaker, the right of freedom of speech comes to a screeching halt and Government action becomes not only proper but essential.

Let us take a look at some of the doctrine which has governed free speech in the past. The classic rule, and the one which still prevails to the greatest extent in this country, is the so-called clear and present danger rule. Justice Oliver Wendell Holmes, in first stating the rule said:

> (T)he character of every act depends upon the circumstances in which it is done. . . . The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater and causing a panic. It does not even protect a man from an injunction against uttering words that have all the effect of force. . . . The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree. *Schenck* v. *United States,* 249 U.S. 47, (51–52), 1919.

In a later case, Gitlow against New York, the defendant was convicted under a New York statute making it criminal to advocate, advise or teach the duty, necessity, or propriety of overturning organized government by force or violence. In sustaining the conviction Justice Stanford, speaking for the court said:

> By enacting the present statute the State has determined, through its legislative body, that utterances advocating the overthrow of organized government by force, violence, and unlawful means, are so inimical to the general welfare, and involve such danger of substantive evil that they may be penalized in the exercise of its police power. That determination must be given great weight. . . . That utterances inciting to the overthrow of organized government by unlawful means, present a sufficient danger of substantive evil to bring their punishment within the range of legislative discretion is clear. Such utterances, by their very nature, involve danger to the public peace and to the security of the State. They threaten breaches of the peace and ultimate revolution. And the immediate danger is none the less and substantial because the effect of a given utterance cannot be accurately foreseen. The State cannot reasonably be required to measure the danger from every such utterance in the nice balance of a jeweler's scale. *Gitlow* v. *New York,* 268 U.S., 652, (668–669), (1925).

Mr. Speaker, we are not talking here of the kind of protection which must be granted to expound a political idea or a controversial point of view. I stand with the strongest supporters of the principle that whenever an extreme idea is expounded, the best recourse is to have more speech to illustrate the weakness of the expounded view, rather than less speech. In a democratic society, the widest possible discussion should always be encouraged, but when the talk centers not so much around ideas as around advocacy that the populace should take up arms, then I say the words constitute more then mere "speech."

Presently, we are all waiting to see what course the Departments of Justice and the Treasury—or the State involved take in the recent incidents involving advocacy of violence and threats on the First Family. I for one, and I believe I speak for the public sentiment as well, say that they should crack down just as hard as they can on these people. And in the event the Justice Department determines that our present laws do not allow punishment for the kind of conduct we have seen, then I would urge that we consider a Federal statute along the lines of the one successfully used in the Gitlow case I mentioned above, and would further urge that such a law be strictly and consistently enforced.

I am aware of the general rule that speech advocating violence is a matter for the States to enforce. But where States cannot or will not act, where the threat is made from foreign soil, or where the threat is knowingly injected into interstate communication, then I believe the Federal police power is broad enough to afford a remedy.

Of course, it goes without saying that my comments today are not directed toward any actual trial which may arise as to those I have mentioned or to whom I have alluded. I have cited these instances merely to show, by way of example, the kind of problem we are facing. If our present laws are not adequate, then the past actions I have cited will have to go unpunished. Still, we have got to protect our society for the future.

Crime and lawlessness are presently increasing at an alarming rate. Violence in the streets is becoming a way of life, not only in connection with individual crime, but also in relation to civil disturbances. I have recently had a letter from a very esteemed member of the Texas bar, an ex-justice of the Texas Supreme Court, urging that something be done to enable more comprehensive prosecution of criminals. It may well be, Mr. Speaker, that we give consideration to offering a constitutional amendment, amending the fifth amendment to the U.S. Constitution. Presently, some of our Federal rules of evidence, as well as the fourth and fifth amendment protections on self-incrimination and the use of confessions, seem to work to free known criminals. I think we should cover every facet—both in the origin and execution—of the problem of violence.

The utterances of Brown and others aimed at the disenchanted segments of our population are highly dangerous. They are not washed away by a simple rainstorm which may be timely enough to disperse a crowd. They do not vanish once the crowd disperses. They linger on, and serve as the germ for all disrespect of law and order. The call to arms and civil unrest is one which does not bring out the rational aspects of men, but rather the most irrational. I wish that remarks such as those we have heard recently would always be recognized as the worthless tripe that they are. But we cannot count on this. And since we cannot, I think we must see to it that the advocacy of violence against society is quelled.

People all over the United States are asking, "Why can't we do something about this wild talk urging riots and violence?" The people have a right to know. They have not been given an answer. It may be that it is a matter of State law. I think it is more than a local or State matter. I think there is a corresponding duty on the Federal Government, and that we should do something about it. Perhaps the best way to start is to make it plain that we do not intend to allow free speech to mean inciting riots, or violence, or murder. Let us toughen our own thinking first.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Speaker, I commend the gentleman from Texas [Mr. Pickle] for his timely remarks today. I certainly agree with the last paragraph mentioned by the gentleman from Mississippi, in which he stated the people of this country are tired of these loud mouths, such as Stokely Carmichael and Rap Brown, who run across the country threatening the public officials, the President and his wife, and urge the taking up of arms and the overthrow of the Government. The people are tired of this, and I believe the gentleman nailed the casket shut when he said the people want something done. What can we do? What should we do with this situation?

Mr. PICKLE. Mr. Speaker, I thank the gentleman.

Of course, we all know at this point that we will have to see what kind of action is taken in the States where these incidents have occurred, but they do cross the State lines, and we have to look for a broad answer, and I think we will find it.

Mr. MONTGOMERY. Mr. Speaker, I thank the gentleman for his timely and clear remarks on this important subject.

Mr. PICKLE. I thank the gentleman.

QUEENS COUNTY, N.Y., PROGRAM FOR BRAIN INJURED CHILDREN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. Halpern] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, throughout the Nation, groups of dedicated people are planning and carrying out more programs each year for the benefit of children with various handicaps.

The plight of the brain injured child is one of the most poignant to face us, and the job of guiding him and helping him to assume his place in society is difficult and demanding.

In my home County of Queens, N.Y., the Queens chapter of the New York Association for Brain Injured Children is carrying out an effective program which offers hope in place of despair, to brain injured boys and girls and their families.

I am sure that many of our colleagues are as concerned over the needs of the brain injured child as I and my Queens neighbors are. For its value in guiding local groups in other parts of the Nation, anxious to establish similar projects, I offer a recent statement issued by the Queens chapter outlining some of its achievements and its plans:

> Saul Spindel, President of the Queens Chapter of the New York Association for Brain Injured Children has announced a broad program for expanding the chapter's activities and educational classes during the coming fall and winter season.
>
> The Queens Chapter is located at 64–33 215 Street, Bayside, New York. It is an organization dedicated to meet the needs of the minimally brain injured child.
>
> In addition to advocating Public Educational, Medical and Social Programs for these children, the Queens Chapter also sponsors numerous service activities for them. These include the Pathfinder School, an early childhood center for the brain injured child; Play Therapy Programs, Teen Age Programs, Music Lessons, a Boy Scout and and Cub Scout Program and boys Athletic Groups.
>
> The chapter also sponsors parent and community education programs.
>
> These services have as their goal the encouragement of maximum self-sufficiency for the children so that some day they will be able to take their places in society.
>
> "Our Queens Chapter," Mr. Spindel said. "represents over 600 local families. One of our major present problems is the lack of adequate facilities to house these new programs. We urgently need space in which to conduct our Pathfinder School as well as space for our numerous service and community programs."
>
> The Pathfinder School, sponsored by the Queens Chapter, is an early childhood program for children aged 4 to 6. Classes meet weekday mornings and small groups of youngsters are taught in a preschool program specially designed to provide them with a foundation for their future educational needs. The program is fully licensed by the New York City Department of Health and served approximately 30 children last season.
>
> The Queens Chapter's Play Therapy Program is oriented to help boys and girls aged 6 to 12 in their social and academic adjustment. Last year the group, which meets Saturday mornings, serviced over 25 children.
>
> The teenage program is designed to provide a strong social relationship between young boys and girls aged 13 to 18. The program meets on Saturday afternoons. It serviced over 10 children last season.
>
> The boys' athletic group is pointed toward helping boys who need special assistance with motor activities. The aim of the program is to teach boys, aged 8 to 13, how to play the games their peers engage in so that these children will be able to play with other boys in their neighborhood. The groups meet on Saturdays and on weekday afternoons, after school.
>
> Music lessons are provided for over 30 children, in order to give them the opportunity to learn to play an instrument of their choice. The program, which employs special teaching methods designed to deal with the learning problems these children possess, also helps the children academically by improving their reading skills. Lessons are given at the teachers' studios.
>
> A Boy Scout and Cub Scout program has been initiated to give brain injured youngsters all the advantages scouting has to offer. The troops meet on Tuesday evenings and 25 boys are presently enrolled.
>
> Mr. Spindel also pointed out that the Queens Chapter of NYABIC, in addition to expanding all of its services this fall, plans to form a "Tween Age" program for boys and girls aged 12 to 13. A day camp program for the summer of 1968 will also be launched.

POTOMAC INTERCEPTOR SEWER

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, my distinguished colleague from the State of Maryland, the Honorable Hervey Machen, has introduced a bill to increase the Federal contribution to the payment of the cost of the Potomac interceptor sewer.

As you well know, the Potomac interceptor sewer was provided by the Government to serve Dulles International Airport, which, being constructed in a rural section of the Virginia countryside, was originally without proper waste disposal facilities. Consequently, we were forced to provide an extensive sewage system for the airport and for the community development which was likely to follow. For this purpose, the Congress appropriated a $25 million loan for the Potomac interceptor sewer construction.

It cannot be disputed that the need for such a sewage system was vital to the growth and maintenance of Dulles International Airport, and to attempts to stem the pollution of the Potomac River. However, the arrangements that were made for repayment of this loan were not as equitable as might be hoped. The users of this sewer line, under present law, are required to repay 100 percent of the $25 million loan. In contrast, under the Clean Water Restoration Act of 1966, residents of various communities around the Nation have to repay only 20 percent of the loan as a result of extensive Federal and State grants. More immediately, the 500,000 eventual users of the Potomac interceptor will be paying a rate of 45 cents per 1,000 gallons of water, in contrast to the 22 cents per 1,000 gallons of water Washington area residents must pay. This situation, in my mind, is grossly unfair to these residents of the Washington metropolitan area; it is inequitable to place 100 percent of the financial burden upon their shoulders, particularly when the Potomac interceptor system was developed primarily for a Government facility—namely, Dulles International Airport. I might add that Maryland and Virginia officials were not consulted before this legislation was enacted.

Under H.R. 8965, the Federal Government would share the burden with these suburban residents by paying 50 percent of the costs of the sewage system it originally constructed to serve the Government-owned Dulles Airport. This would cut in half the cost to these Washington metropolitan area taxpayers, many of whom might otherwise be forced to provide their own sewage system to avoid these very high costs. The passage of this bill would bring the Potomac interceptor sewer system financially in line with the latest water pollution control legislation, and would serve to rectify this blatently inequitable situation now forced upon a few residents by the unwise financial arrangements made by the Federal Government when the Potomac interceptor system was originally constructed.

If the Federal Government had not constructed this sewer to serve Dulles Airport, the State of Maryland could now construct its own facility at much less cost to the State. Therefore, I believe the residents of this area are entitled to the more favorable terms now in effect for the construction of such facilities and strongly urge my colleagues to support this measure.

PROHIBITING ACTS WHICH INCITE RACIAL HATRED

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. Abbitt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABBITT. Mr. Speaker, I am today introducing a bill to amend title 18 of the United States Code to prohibit certain acts which incite racial hatred.

All of us have been shocked and disturbed by the riots which have occurred recently in many of our major cities. These riots have been a disgrace and have brought irreparable harm to our national image in addition to having disturbed the minds and emotions of many of our people. The situation has gotten out of hand and there is no assurance that it will not be repeated any day.

Because of this I feel that it is vitally necessary that this Congress take action to assure freedom-loving and law-abiding citizens some protection from those who would disturb the peace and cause unrest among their neighbors.

The bill which I have introduced would make it a Federal crime to incite and create racial unrest. The bill is simple in that it would provide suitable penalties for those who act with intent to stir up hatred for any section of the public distinguished by color, race, or ethnic, or national origin. It would deal with such incitement whether caused by the printed word or by speech. Under its provisions, anyone who "publishes or distributes written matter which is threatening, abusive, or insulting, or uses in any public place or in any public meeting words which are threatening, abusive, or insulting" shall be fined not more than $1,000 or imprisoned not more than 1 year or both. If bodily injury results from such actions or words, those convicted under the law would be fined not more than $10,000 or imprisoned not more than 10 years, or both. If death results from such actions or words, the convicted shall be subject to imprisonment for any term of years or for life.

I realize that the law such as this would tend to place limitations upon free speech, but I do not believe that the first amendment guarantees were meant to give a blank check to rabble rousers and racial bigots who seek to incite riots and racial unrest. The sooner we realize that we have a major problem in this country in this regard, the sooner we will get some relief. These riots are not going to be stopped by high sounding pronouncements from Government officials nor from wishful thinking on the part of do-gooders. We need to deal with them forthrightly and to spell out chapter and verse if necessary what the penalties will be for inciting riots and unrest. This is the only language that some of these people understand and it is the obligation of this Congress to spell that language out in a way so that it cannot be misunderstood.

It is increditable to me that certain of our leaders are willing to stand by and passively hope that such conditions are going to correct themselves.

I am convinced that some positive approach must be found to deal with those who are going about and causing trouble among our people, the people with whom we are dealing, in the big city riots and elsewhere have publicly stated that they will burn down America if they do not get what they want. It is senseless and the height of folly to wait until tragedy compels us to do what we can do now.

If the Federal Government is going to assume responsibility for programs and means for replacing buildings that have been destroyed by arson and plunder and to render aid to those who have been made homeless, it only makes sense that we ward off the dangers before they occur. The Federal Government has the authority to replace private property destroyed and burned to the ground by rioters and looters, then it has the responsiblity to restrain those who would perpetrate such crimes within our midst.

Our constitutional system of government is supposed to guarantee for our citizens life, liberty, and the pursuit of happiness. It is not supposed to reward those who commit crimes at the expense of those upon whom the crimes have been perpetrated. It is high time that we wake up and realize that it is useless to fight destruction and disturbers of the peace abroad if we are going to allow such things to go unchecked in our own land.

In my opinion this is a bill which can be supported by every Member of this House, as I am sure that all of us are seeking a solution to the great problem of riots and organized disturbances which have rocked our cities.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Kyros (at the request of Mr. Boggs), for the remainder of the week, on account of official business.

Mr. Fountain (at the request of Mr. Boggs), for the remainder of the week, on account of official business.

Mr. McCulloch (at the request of Mr. Gerald R. Ford), for Monday, August 28, on account of official business—National Advisory Committee on Civil Disorders.

Mr. Corman, for today, on account of official business—Advisory Commission on Civil Disorders.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Pickle, for 30 minutes, today.

Mr. Daniels, for 30 minutes, August 29, 1967; and to revise and extend his remarks and include extraneous matter.

Mr. Nix, for 25 minutes, August 29; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Gross) to address the House, revise and extend their remarks and to include extraneous matter:)

Mr. Carter, for 30 minutes, today.

Mr. Scherle, for 30 minutes, on August 29, 1967.

Mr. Cahill, for 30 minutes, today.

Mr. Halpern (at the request of Mr. Gross), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Dorn and to include extraneous matter.

(The following Members (at the request of Mr. Gross) and to include extraneous matter:)

Mr. Rumsfeld.
Mr. Hosmer.
Mr. Wyman.
Mr. Berry.
Mr. Halpern.

(The following Members (at the request of Mr. Charles H. Wilson) and to include extraneous matter:)

Mr. St. Onge.
Mr. Donohue in two instances.
Mr. Patten.
Mr. Madden.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 222. An act to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped; to the Committee on Public Works.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3717. An act for the relief of Mrs. M. M. Richwine;

H.R. 11945. An act to amend the college work-study program with respect to institutional matching and permissible hours of work; and

H.J. Res. 804. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 25, 1967, present to the President, for his approval, a bill of the House of the following title:

H.R. 158. An act to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Tuesday, August 29, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1019. A communication from the President of the United States, transmitting the sixth semiannual report to the Congress, pursuant to the provisions of Public Law 88–451 (H. Doc. No. 162); to the Committee on Interior and Insular Affairs and ordered to be printed.

1020. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of beryl ore from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

1021. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of corundum from the national stockpile; to the Committee on Armed Services.

1022. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of castor oil from the national stockpile; to the Committee on Armed Services.

1023. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a notification of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Air National Guard, pursuant to the provisions of 10 U.S.C. 2233a(1), and to the authority delegated by the Secretary of Defense; to the Committee on Armed Services.

1024. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a notification of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Army National Guard, pursuant to the provisions of 10 U.S.C. 2233a(1), and to the authority delegated by the Secretary of Defense; to the Committee on Armed Services.

1025. A letter from the Comptroller General of the United States, transmitting a report of examination of financial statements of the Federal Home Loan Bank Board for the year ended December 31, 1966; to the Committee on Government Operations.

1026. A letter from the Comptroller General of the United States, transmitting a report of examination of financial statements of southeastern Federal power program, fiscal year 1966, Department of the Interior and Department of the Army; to the Committee on Government Operations.

1027. A letter from the Comptroller General of the United States, transmitting a report of survey of the Agency for International Development's management and operation of the commercial import program for Vietnam, Department of State, Agency for International Development, Department of Defense; to the Committee on Government Operations.

1028. A letter from the Comptroller General of the United States, transmitting a report of problems associated with location and design of segments of the Interstate Highway System in major metropolitan areas, Federal Highway Administration, Department of Transportation; to the Committee on Government Operations.

1029. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report showing the number of individuals in each general schedule grade, as of June 30, 1966, and June 30, 1967, pursuant to the provisions of 65 Stat. 736, 758; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. Report entitled "Government Use of Satellite Communications—1967" (seventh report by the committee) (Rept. No. 613). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Report entitled "Federal Research and Development Programs: The Decisionmaking Process—Comments by the National Academy of Sciences and the Bureau of the Budget" (eighth report by the committee) (Rept. No. 614). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 4739. A bill to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif., and for other purposes; with amendment (Rept. No. 615). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 5091. A bill to amend Public Law 87–752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States; with amendment (Rept. No. 616). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. H.R. 8775. A bill to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior; with amendment (Rept. No. 617). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CAHILL: Committee on the Judiciary. H.R. 2464. A bill for the relief of Yoo Young Hui; with amendment (Rept. No. 618). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 2978. A bill for the relief of Yong Ok Espantoso; with amendment (Rept. No. 619). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 3734. A bill for the relief of Giuseppe De Stefano; with amendment (Rept. No. 620). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 4534. A bill for the relief of Mary Bernadette Linehan (Rept. No. 621). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 12628. A bill to amend title 18, United States Code, to prohibit certain acts which incite racial hatred; to the Committee on the Judiciary.

H.R. 12629. A bill to amend title 18 of the United States Code to make it unlawful to injure, intimidate, or interfere with any fireman performing his duties during the course of any riot; to the Committee on the Judiciary.

By Mr. BLACKBURN:

H.R. 12630. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. BLATNIK (for himself, Mr. Holifield, Mr. Reuss, and Mr. Rosenthal):

H.R. 12631. A bill to provide temporary authority to expedite procedures for consideration and approval of projects drawing upon more than one Federal assistance program, to simplify requirements for the operation of those projects, and for other purposes; to the Committee on Government Operations.

By Mr. COLLIER:

H.R. 12632. A bill to amend title 18 of the United States Code to make it unlawful to injure, intimidate, or interfere with any fireman performing his duties during the course of any riot; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 12633. A bill to amend title 23, United States Code, to provide for eliminating or minimizing roadside hazards; to the Committee on Public Works.

By Mr. DERWINSKI:

H.R. 12634. A bill to amend the Economic Opportunity Act of 1964 to further limit political activity on the part of workers in poverty programs; to the Committee on Education and Labor.

H.R. 12635. A bill to enable citizens of the United States who change their residences to vote in presidential elections, and for other purposes; to the Committee on House Administration.

By Mr. EDWARDS of Alabama:

H.R. 12636. A bill to amend section 1871 of title 28 of the United States Code relating to the travel allowance of grand and petit jurors; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.R. 12637. A bill to amend section 48 of the Internal Revenue Code of 1954 to provide that the $50,000 limitation on the used property which may be used for investment credit purposes shall not apply in the case of machine tools; to the Committee on Ways and Means.

By Mr. GARMATZ (by request):

H.R. 12638. A bill to authorize the exchange of certain war-built vessels for conversion and operation in nonsubsidized service between the west coast of the United States and the territory of Guam; to the Committee on Merchant Marine and Fisheries.

H.R. 12639. A bill to remove certain limitations on ocean cruises; to the Committee on Merchant Marine and Fisheries.

By Mr. GILBERT:

H.R. 12640. A bill to amend the Internal Revenue Code of 1954 to impose a tax on the profits derived by local governmental units from the leasing or operation of industrial or commercial facilities where such activity is unrelated to their governmental purpose; to the Committee on Ways and Means.

Mrs. GREEN of Oregon:

H.R. 12641: A bill to amend section 27 of the Merchant Marine Act, 1920, authorizing coastwise movement of stevedoring equipment, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HECHLER of West Virginia:

H.R. 12642. A bill to amend the Labor-Management Reporting and Disclosure Act of 1959 to make such act applicable to Federal employee unions; to the Committee on Education and Labor.

H.R. 12643. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 12644. A bill to amend the Internal Revenue Code of 1954 to provide that the credit for foreign taxes shall not be allowed in the case of oil royalties paid in any form to a foreign government; to the Committee on Ways and Means.

By Mr. NIX:

H.R. 12645. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 12646. A bill to prohibit Federally insured banks from making unsolicited commitments to extend credit, and for other purposes; to the Committee on Banking and Currency.

By Mr. REID of New York:

H.R. 12647. A bill to amend part V of the Interstate Commerce Act in order to extend the termination date of authority for loan guaranties under such part; to the Committee on Interstate and Foreign Commerce.

H.R. 12648. A bill to amend the Interstate Commerce Act to authorize the Secretary of Transportation to assist common carriers of passengers by railroad in preserving and improving essential passenger train services and facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES of Pennsylvania:

H.R. 12649. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. SHRIVER (for himself, Mr. Skubitz and Mr. Winn):

H.R. 12650. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. ST. ONGE:

H.R. 12651: A bill to increase and strengthen Chinese language and area programs; to the Committee on Education and Labor.

By Mr. TEAGUE of Texas:

H.R. 12652. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 12653. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. DINGELL (for himself, Mr. Adams, and Mr. Moss):

H.R. 12654. A bill to establish the Federal Reinsurance Corporation to assure the availability of casualty insurance in areas which may present unusual risks of riots or civil disturbances; to the Committee on Banking and Currency.

By Mr. FULTON of Pennsylvania:

H.R. 12655. A bill to provide for retroactive awards of the Army's combat infantryman and medical badges; to the Committee on Armed Services.

By Mr. HOSMER:

H.R. 12656. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 12657. A bill to amend title 38, United States Code, to provide survivor benefits for military career personnel; to the Committee on Veterans' Affairs.

H.R. 12658. A bill to amend the Internal Revenue Code of 1954 to provide a credit against income tax to offset losses of retired pay sustained by certain individuals who retired from the Armed Forces before June 1, 1958; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 12659. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," and incorporate therein provisions relating to the U.S. Labor Court, and for other purposes; to the Committee on the Judiciary.

H.R. 12660. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas; to the Committee on Ways and Means.

H.R. 12661. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; to the Committee on Ways and Means.

By Mr. THOMPSON of Georgia:

H.R. 12662. A bill to cut off Federal benefits under certain programs for conviction of rioting, arson, attempted arson, or inciting to arson, or assault with intent to murder, or shooting at, any law enforcement officer or fireman, and prohibiting entitlement to such benefits thereafter; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 12663. A bill to impose a tax on unrelated debt-financed income of tax-exempt organizations; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 12664. A bill to impose a tax on unrelated debt-financed income of tax-exempt organizations; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.J. Res. 809. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. WYMAN:

H.J. Res. 810. Joint resolution on a neighborhood action crusade; to the Committee on Banking and Currency.

By Mr. RYAN:

H. Con. Res. 499. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. PEPPER:

H. Con. Res. 500. Concurrent resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. DENT:

H. Res. 917. Resolution concerning Rhodesia; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

284. By the SPEAKER: Memorial of the Legislature of the State of California, relative to election of Federal Judges and Justices of the Supreme Court; to the Committee on the Judiciary.

285. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to an investigation of the problem of harmful noise at the Gen. Edward Lawrence Logan International Airport; to the Committee on Interstate and Foreign Commerce.

286. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to an investigation of the problem of ever-increasing noise of low-flying aircraft in the city of Boston; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 12665. A bill for the relief of Vito Leone; to the Committee on the Judiciary.

By Mr. BLACKBURN:

H.R. 12666. A bill for the relief of Prof. Ramon G. Gamoneda; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 12667. A bill for the relief of Giuseppe Savona; to the Committee on the Judiciary.

H.R. 12668. A bill for the relief of Rita Vitale; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 12669. A bill for the relief of Mr. Grigor Zarookian; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 12670. A bill for the relief of Silverio Conte, his wife, Lucia Conte, their son, Aniello Conte, and their daughter Silvanna Conte; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 12671. A bill for the relief of Liborio Chiazzese, Concetta Chiazzese and their children Luciano and Emmanuela Chiazzese; to the Committee on the Judiciary.

H.R. 12672. A bill for the relief of Miss Amor P. Nazareno; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 12673. A bill for the relief of Dr. Grace Aquitania; to the Committee on the Judiciary.

By Mr. McCARTHY:

H.R. 12674. A bill for the relief of Salvatore Barba; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 12675. A bill for the relief of Lourdes and Allison Felarca; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 12676. A bill for the relief of Art Kit Wong (also known as Ark Kit Wong and Art Sheung Wong); to the Committee on the Judiciary.

H.R. 12677. A bill for the relief of Heon Lin Hee; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 12678. A bill for the relief of Giuseppe De Santis; to the Committee on the Judiciary.

By Mr. WALDIE:

H.R. 12679. A bill for the relief of Susan Edith Hubert; to the Committee on the Judiciary.

By Mr. YOUNG:

H.R. 12680. A bill for the relief of Nixon McNiel; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

148. The SPEAKER presented a petition of Henry Stoner, Avon Park, Fla., relative to the creation of a scrubdown corps, which was referred to the Committee on Banking and Currency.

SENATE

MONDAY, AUGUST 28, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Let us pray—O God, in whose almighty hand the future lies, give us understanding minds, patient hearts, and determined wills that through us Thou mayest be able to create among the nations and peoples of the earth Thy charter for freedom and justice.

Speak to us ever of our final reliance on those spiritual forces, faith and hope and love, which alone abide and on which our salvation in the end depends.

Give us ears to hear above the noise of crashing systems, Thy voice in and through the change and confusion of our day.

Endow Thy servants in this national body with wisdom and purity in the ministry of public affairs.

America, America—God mend thine every flaw.

We ask it in the dear Redeemer's name. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, August 25, 1967, be dispensed with.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATORS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a group of Senators may engage in a discussion for about 15 minutes, following the recognition of the distinguished Senator from North Carolina [Mr. ERVIN].

The PRESIDING OFFICER. Without objection, it is so ordered.

GOVERNMENT EMPLOYEES' FIGHT TO UPHOLD RIGHT OF PRIVACY

Mr. ERVIN. Mr. President, Allan C. Brownfeld is the author of an article entitled "Government Employees' Fight To Uphold Right of Privacy," which was published in the Washington Star of August 27, 1967. The article sets forth in illuminating fashion some of the reasons why Congress should pass S. 1035, a bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy, and thus end to a substantial degree the inexcusable tyrannies which have been practiced during the past several years upon supposedly free Americans employed in executive departments and agencies of the Federal Government.

In order that all Members of Congress may have the benefit of the disclosures contained in the article, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOVERNMENT EMPLOYEES' FIGHT TO UPHOLD RIGHT OF PRIVACY

(By Allan C. Brownfeld)

Whether you love your mother, go to church each week, or have a satisfactory sex life might be things considered intimate, private, and beyond the reach of any potential interrogator. But one employer desires to know all of this and more. That employer: the federal government.

Last week the Senate Judiciary Committee unanimously approved a bill, called a "Federal bill of rights for employees" by its 55 cosponsors, which is aimed at prohibiting such an invasion of privacy. This bill would eliminate questionnaires concerning race, religion and national origin as well as the frequently imposed requirement that employes take part in activities not directly within the scope of their employment. It would also forbid interrogations, examinations, psychological or polygraphic tests aimed at securing data about personal relations with relatives, religious beliefs and conduct with respect to sexual matters.

Discussing the scope of the government's invasion of privacy, Sen. Sam Ervin, D-N.C., the bill's prime mover, noted that "the invasion of privacy under threats and coercion and economic intimidation which are rampant today represent tyranny of the worst sort. In their affect on individuals, in their impact on our society, they surpass any privacy invasions and illegal searches and seizures to which arbitrary rulers and administrators attempt to subject our forefathers. They surpass the illegal searches and seizures against which murderers, robbers and rapists are protected.

BOND QUESTIONNAIRE

One example of what the Subcommittee on Constitutional Rights has investigated is a letter circulated among employees at Andrews Air Force Base Hospital. It urged workers to buy savings bonds and asked them to sign one of these three statements: (A) I am now supporting the President by adding to my allotment or by beginning an allotment; (B) I wish to show my support for the President by adding to my allotment or by beginning an allotment, and (C) I do not accept my responsibility to support the President in this U.S. Savings Bond campaign.

This kind of choice without a choice is similar to this question asked in a questionnaire used by the Federal Aviation Agency: "When telling a person a deliberate lie I have to look away, being ashamed to look him in the eye." (a) True, (b) Uncertain, (c) False. In this kind of "When did you stop beating your wife?" situation you find yourself in a difficult position no matter what your reply.

The Committee reports of a case in which an applicant for a non-sensitive job was strapped to a lie detector and asked such questions as: "How many times have you had sexual intercourse?," "When was the first time you had intercourse with your wife?," "Did you have intercourse with her before you were married?," "How many times?"

What are such tests trying to discover? Are they concerned with a potential employee's mental health and his ability to do his job or with some more abstract criteria such as his conformity to prevailing norms?

It was also found that under pain of prosecution federal personnel have had to fill out medical history questionnaires asking many questions such as: Has any blood relation or husband and wife ever had syphilis, cancer, asthma, hives, epilepsy? In such a situation not only the potential employee's right to privacy is being endangered but also the privacy of others.

TEAM PLAYERS

Inquiries into private and intimate matters are only one aspect of the government's attempt to totally influence the lives of its employees. Government workers are expected, if they want to advance in the Federal service, to be "team players." This, of course, means different things at different times.

One Marine was told that he would have no more passes until he bought at least one savings bond. Another was ordered to contribute to the local United Fund or lose some of his privileges. The Commandant of a Navy School ordered all men in the school to contribute according to their weight to the annual Federal campaign drive. He set this standard in order to encourage the men to reduce their weight.

At one Post Office the supervisor stood at the time clock with forms for all postal workers to fill out giving the amount of their contributions to the United Givers Fund. A soldier at Fort Hood, Tex., was told that if he could not afford to buy a bond, he was too poor to need a pass to town. A retired officer who was a civilian employe of the 15th Army Corps received from the commanding officer a pay roll deduction form, already filled out in his name and needing only his signature. He refused to sign and was immediately fired.

Governmental pressure has received official sanction on many occasions, and even cabinet officers cannot escape it. The following was included in a letter from Postmaster General O'Brien to Secretary of Agriculture Freeman: "You should (step up the bond drive) by calling in your key people again and emphasizing in terms beyond misunderstanding that the President personally is following the progress of this campaign, and he will accept nothing less than the minimum immediate goal of 75 percent . . . and will be satisfied with nothing less than achievement of the 100 percent record established by the White House."

TELLS OF PRESSURES

At the National Science Foundation employees were asked if they had been "prudent and intelligent" and signed up for the program, or "are you a rebel without a cause who wants a little attention?" A general sent Marines into Vietnam posts promoting bonds so that every individual had an opportunity to hear how he could invest his money in a worthwhile program.

John F. Griner, president of the 220,000 member American Federation of Government Employes, spent nearly three hours before Senator Ervin's committee telling of pressure, propagandizing, and intimidation, and of "secret dossiers" kept on government workers. In addition to the snooping, pressure to buy savings bonds, and similar coercion. Griner said that some federal installations have held sessions with employes to mold their attitudes on civil rights, the United Nations and other public issues.

He told of a case at a Defense Department field installation where groups of employes were assembled to hear a 30-minute recorded speech on the "Importance of Integration," and the "Greatness" of the United Nations. The AFL–CIO leader pointed out that if this continues an Administration with a different attitude might hold employe indoctrination sessions on the "Evils of the United Nations," or whether or not we should be involved in the Vietnam war.

In a manual on non-discrimination the Treasury Department proposed that government employes lobby in their communities for open-housing laws. An "equal employment officer" warned government workers that refusal to cooperate might get them blacklisted or, in terms of official policy, they might find their efficiency marks lowered for "undesirable work attitudes."

NEGRO JOB GOALS

Government questionnaires ask employes to identify themselves as "American Indian, Negro, Spanish American, none of these." George B. Autry, counsel to the Committee, noted that preliminary reports indicate "that there are an awful lot of American Indians in the State Department whom we didn't know about."

Employes have often refused to fill out such forms, believing that the government was meant to be "color blind" in its relationship with its employes, as with all citizens. This, however, is not the government's policy. The Federal Aviation Agency, for example, spent three pages of a directive for June, 1967 setting forth Negro employment goals for each of the Center's major units. The Office of the Director and Staff Division and Offices was told that it has 527 employes now, including 40 Negroes for 7.67 percent of its total. By next June 30, it was told, it must have 53 Negroes, an increase of 13, for a new percentage of 10. Even this was not sufficient. The unit was also told: "Of the increase of 13 Negroes, emphasis will be given to the placement of one or more in each of the following occupations: auditor accountant, employe development, personnel staffing specialist, position classification, management analyst, industrial engineer, budget analyst.

It seems a clear double standard to have a national Civil Rights Act barring discrimination in private employment and have a federal government policy of keeping employe records on the basis of race. Senator Ervin attacked the questionnaires which he said are supposed to be confidential but aren't on the racial backgrounds of employe and their outside financial interests. He said that he "saw no need" for the racial questionnaires "unless the government is interested in establishing a system of racial quotas." He said that more than 100,000 employes have been told on pain of dismissal to list property, assets and liabilities that they and their families may have.

PHONES BUGGED

Union leader Griner also accused the Internal Revenue Service of being especially hard on employes. He said it has bugged telephones and fired employes accused of, but not proven guilty of taking bribes. He said that the IRS is an "outstanding example of an agency that believes every one of its employes is dishonest until proven honest."

Under the proposed bill employes would be protected against interrogation without the presence of counsel or other person of the employe's choice. Employes would also be protected against the kind of experience suffered by an 18-year-old college student who had previously worked for the State Department and was being considered for summer employment.

The girl was interviewed alone by a young investigator who questioned her about her personal life, with particular attention to matters of sex. The girl was also questioned about a visit to a psychologist while in high school and, according to Senator Ervin, "This case illustrates a number of undesirable tendencies in government agencies today: one is the penalizing of the prospective employe whose parents may have taken advantage of the counseling services of psychologists and psychiatrists to assist in resolving the usual problems of their teen-age children."

In Huntsville, Ala., Army investigators were questioning a man about some alleged thefts from a candy machine. During the long grilling session, they repeatedly asked "if he knew his wife was running around with a fellow employe?" In another instance, a security investigator asked neighbors of a government employe whether or not he and his wife treated their adopted children in a proper manner. Until that time, no one in the community knew that the children had been adopted. Government prying led to this unfortunate circumstance.

The Founding Fathers did not specifically write a "right of privacy" into the constitution. They felt that this was understood by civilized men, but history has shown us that this was not the case. In fact, Justice Brandeis felt the need in Olmstead vs. United States in 1928 to clearly state that "The right to be alone—the most comprehensive of rights, and the right most valued by civilized men" was one guaranteed by our laws.

Justice William O. Douglas recently said that "We are rapidly entering the age of no privacy; where everyone is open to surveillance at all times; where there are no secrets from government. The aggressive breaches of privacy by the government increase with geometric proportion."

Far from creating a "welfare state" in which the good of each employe is considered of overriding importance, many government agencies seem to have created for their own employes a system which deprives them of much of their freedom and unfairly pries into their private lives. This new "Bill of Rights" may be the answer to much of the problem and federal employes are watching closely for its approval by the Senate. The unanimous action of the Judiciary Committee indicates that this may be coming soon.

THE UNITED NATIONS SECURITY COUNCIL SHOULD TURN ITS ATTENTION TO VIETNAM

Mr. MANSFIELD. Mr. President, it is cause for deep concern that the U.N. Security Council has not turned its attention to the situation in Vietnam. According to the United Nations Charter, the Security Council has "primary responsibility for the maintenance of international peace and security." Yet for many months now, while hostilities in Vietnam have steadily intensified, the Security Council has remained aloof from a conflict that is unquestionably the greatest threat to international peace and security today.

Mr. President, I fully agree with those distinguished Members who believe that Security Council action on Vietnam is long overdue, and that an initiative by the U.S. Government on this urgent matter would be highly desirable. A U.S. resolution on Vietnam has been on the agenda of the Security Council since early 1966. There is nothing to prevent a motion by the United States or any other Security Council member that this resolution be taken up; there is no obstacle to insistence by the United States that such a motion be voted; and there can be no looming veto if there should be a favorable vote, for such a motion would be procedural.

It is of utmost importance that we explore every possible means of bringing about an honorable settlement in Vietnam. It is equally essential that we not cease to make clear our willingness to exploit all available public and private forums to this end. In my judgment, we have not thus far adequately tapped the resources of the United Nations. An initiative by the United States to revive its resolution or by some other Security Council member to offer one of its own would hopefully lead the Security Council to assume its responsibilities in the vital matter of Vietnam.

Mr. President, I have had the privilege of serving as a member of the U.S. delegation to the United Nations. I have no illusions that the United Nations Security Council or any other organ of the United Nations can bring about a rapid settlement of the tangled issues in the tragic Vietnam conflict. I do know, however, that the Security Council with its small but varied membership, provides a good forum for the airing of issues, for the clarification of the positions of the parties, and for the mobilization of world concern. I know also, that there is no procedural obstacle to inviting all the parties to a conflict, whether they be U.N. members or not, whether they be belligerent groups of governments, to participate in Security Council deliberations.

Most important, I know on the basis of experience that only a small part of the deliberations and exchanges of view and searchings for compromise at the United Nations takes place in the glare of the television lights. When the Security Council becomes seized of a vital issue, the diplomatic community of the world is mobilized, not only in the Council chamber but also in the corridors and offices of the United Nations and of member missions to the United Nations.

Mr. President, it is time we took steps to mobilize the diplomatic community of the world on the subject of Vietnam. I am in full accord with the view that the United States should act now to bring a conflict fraught with dangers for all the nations of the world before the Security Council.

Mr. AIKEN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. AIKEN. The United States should insist that the Vietnam war situation be brought before the Security Council of the United Nations.

We should not hold back action because we fear that France or Russia might veto our efforts to bring this conflict to an end.

In fact, this is one overwhelming reason why the United States should insist on action by the United Nations in order to place responsibility where it belongs.

Communist nations, led by Red China and Russia, have so successfully propagandized the world that a large majority of the nations now believe that the United States and the United States alone is responsible for the heavy property destruction and loss of life now being wrought in both North and South Vietnam.

I have never condoned the heavy bombing of North Vietnam.

It seemed like an exercise in futility bound to defeat the purpose for which it was intended.

I strongly disapprove some of our operations in South Vietnam which have led to excessive profiteering and unparalleled corruption in that area.

I object strenously, however, to the charge that the United States alone is responsible for the holocaust of Vietnam.

Had Russia been willing to join with England in reconvening the Geneva Conference as approved by both sides to the conflict a few years ago, it is probable that North Vietnam would not have been bombed.

Had Russia not made every effort to intensify and continue the war, thereby intending to weaken the United States militarily, economically and politically, it is unlikely that Red China would have been spurred to the development of a nuclear weapons program which already excels that of France and which can, in a few years time, pose a threat to either Russia or the United States.

It is also a common charge that Russia, working through Cuba, is even now undertaking to create other Vietnams in Latin America.

It is also charged that the President of France, without the support of the French people, is promoting insurrection in North America.

It is time that France and Russia faced up to these charges.

By insisting upon action by the United Nations, the United States can force the issue.

If either or both of these nations vetoes any effort to bring the Vietnam war to an end, they will have admitted their guilt before the world.

If they agree to the responsibility of the U.N. as an organization dedicated to the preservation of world peace, then it will be possible to restore peace in Southeast Asia.

I earnestly trust that President Johnson will force this issue to a decision in the U.N.—one way or another—and that the United States will honor such decision.

Mr. FULBRIGHT. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield to the Senator from Arkansas, the chairman of the Committee on Foreign Relations.

Mr. FULBRIGHT. Mr. President, I wish to support the statement by the majority leader to Members of this body. The distinguished Senator from Montana [Mr. MANSFIELD] and the Senator from Oregon [Mr. MORSE], in particular, have urged that the United Nations endeavor to bring to an end the tragic fighting now going on in Vietnam.

The Secretary General, Mr. U Thant, has tried time after time in his personal capacity to bring about negotiations between hostile parties. Thus far his efforts have been without success. But it is my personal view that he deserves the gratitude of all mankind for his work for peace.

Reasonable men may differ about the best way of getting participants and interested parties to the Vietnam negotiating table. But I do not see how reasonable men can object to submitting the subject of the war in Vietnam to discussion in the United Nations, and specifically in the Security Council.

Almost overlooked because of our daily preoccupation with bombing missions, casualties, and the elections is the effort made by the United States in early 1966 to get the Security Council to consider the situation in Vietnam.

On January 31, 1966, Ambassador Goldberg, acting largely at the instigation of Members of the Senate, submitted a resolution to the Security Council calling for "immediate discussions without preconditions—among the appropriate interested governments to arrange a conference looking toward the application of the Geneva Accords of 1954 and 1962 and the establishment of a durable peace in Southeast Asia."

The effort came to naught for procedural reasons which I will not examine now. However, the point I wish to emphasize is that hostilities in Vietnam threaten world peace and for that reason there is no more important subject for consideration by the United Nations. Despite that fact, there is little evidence that either our Government or governments of other members of the United Nations are giving any high priority to promoting public, United Nations debate of the war in Vietnam. I can well imagine that if a dozen members of the United Nations were as persistent in their efforts to promote a United Nations-Vietnam settlement as some Members of this body we might get some action.

I urge our representative at the United Nations to take every step possible to raise this issue again. I also suggest that consideration be given to allowing representatives of the National Liberation Front to present their views for the consideration of the Council.

It is quite clear to me that the NLF is a very important element in this tragic struggle, and that the true relationship of the NLF to this struggle has been misunderstood very broadly. This has resulted from the erroneous view of administration spokesmen that the war in South Vietnam was not originally and primarily a civil war among rival factions in the south.

A full discussion of the matter in the Security Council might result in recommendations which could lead to a cease-fire and settlement of this tragic and disastrous conflict.

Mr. COOPER. Mr. President, would the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I rise to support the position of the majority leader of the Senate, a position he has taken for many years, and which he has emphasized more strongly in recent weeks.

The submission of the issue of the war in Vietnam to the United Nations and its acceptance of jurisdiction would be a blessing, a blessing to the people of Vietnam and to the people of the United States who have borne so long the responsibility of establishing the rule of law in Vietnam.

It is argued by some that the submission of the issue of Vietnam to the Security Council would be of no avail; that jurisdiction would not be accepted by the Security Council; or that its recommendations would be vetoed or that they would not be accepted. This argument of possible failure is no argument against the duty of our country to submit the issue or the responsibility of the members of the Security Council to work for a peaceful and just settlement of the war.

The war in Vietnam, which our country did not desire and which it has sought to settle by negotiation, has reached, in the terms of the charter, a stage, the continuance of which endangers international peace and security.

The United States has no interest in Vietnam that is not shared by all other members of the United Nations who genuinely seek peace and the rule of law.

If the United States will do its duty in submitting this issue to the Security Council, it will be the clear duty of the Security Council to accept jurisdiction and to proceed at once to propose and require peaceful procedures for the settlement of the war. It cannot shirk its plain duty under any threat.

If the Security Council will not act, the United States has recourse to the General Assembly under the charter, and the "Uniting for Peace" resolution which the United States sponsored, which the United Nations approved, and under which it has established peacekeeping operations in several critical situations.

The United States, more than any other great power, has supported the

United Nations with its resources and the sacrifice of its men in peacekeeping operations.

We recall in 1956 and 1957, conscious as it was of strong ties with Great Britain and Israel, and at that time with France, the United States stood against them in support of the United Nations and in opposition to the use of force in the settlement of disputes.

The situation on Vietnam is increasingly dangerous. The fragile system of international law and order is increasingly shaken.

It is in the interest of the United States, the United Nations, and the world for our county, to submit this issue to the Security Council of the United Nations.

Mr. MANSFIELD. I thank the Senator.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SPARKMAN. Mr. President, I wish to join in expressing the wish that the Security Council take under consideration the situation in Vietnam, as has been advanced by the majority leader and my colleagues in the Senate who have spoken to that point. I have expressed my views on this matter before. I have always felt that there should be some kind of international consideration, and that the Security Council is perhaps the best agency for that purpose. The entire framework of the United Nations, including the General Assembly and the Security Council, was set up with the idea of helping to maintain peace throughout the world. Certainly this agency should be called upon to help bring peace to Vietnam.

I agree with the statement of the Senator from Kentucky [Mr. COOPER] that the Vietnam situation is dangerous. Any war is dangerous, and it is for that purpose that the United Nations was organized. In order that there might be quick action when required, the Security Council was given a particularly definite and strong place in the keeping of the peace.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that this matter be permitted to proceed for another 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I have supported our policy in South Vietnam, and I still support it. Our objective has been to assist the South Vietnamese in their struggle against aggression to the end that they may be able to have a government of their choosing and that they may live in peace.

Our Government has all along shown a willingness to meet at the conference table. We have advocated negotiations to settle this war. We have shown a willingness to have the Security Council assume jurisdiction. We have requested that such be done.

I believe that the time is here for such action and I earnestly join with my colleagues in urging such action by either the Security Council or, if because of the veto there it cannot be done, then, in the General Assembly.

The Senator from Kentucky [Mr. COOPER] mentioned a proceeding under which the matter could be carried to the General Assembly under the resolution "Uniting for Peace." That resolution was first advanced in 1950. The Senator from Kentucky and I were members of the United Nations delegation that year. Certainly we should urge that action be taken and I believe it can be helpful and forceful.

Mr. MANSFIELD. I thank the Senator.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I join the distinguished majority leader in his concept that the United States should submit the Vietnam question to the Security Council of the United Nations. As the able Senator from Montana has pointed out, a U.S. resolution has been on the Security Council's agenda since early 1966. We should insist on some action regarding this resolution by the United Nations.

One of the aspects of this struggle which too many people seem to forget at the moment is that even before the Geneva accord was signed in 1954, the Vietcong was actively engaged, by means of force, cruelty, and terror, in trying physically to take over the area of South Vietnam.

As one who had the honor to serve as a representative of the U.S. Senate at the 17th General Assembly in 1962, I have been disappointed at the reaction of the United Nations toward this conflict, which can, we must admit, affect the peace and future of the world. I have also been extremely disappointed in the actions of the Secretary General. It seems to me that, too often, the words and actions of the Secretary General have been designed more to make the United States appear as an imperialistic nation rather than to make us appear for what we really are; namely, a nation desiring only to see that the physical security of South Vietnam is made whole, and that the people have a right and an opportunity to develop their economic and political viability.

Mr. President, article 1 of the Charter of the United Nations sets forth the purposes of this unique organization. Among those purposes is the maintenance of international peace and security. If the United Nations is ever to live up to this objective it seems to me that now is the time for the United Nations to do it.

Thus, I say that the challenge is clear. I think we should submit the question to the United Nations—to which we have contributed so much, not only in the quest for peace but also in our willingness to commit our dollars—with the idea that we would be submitting the question to the one organization in the world in which almost every major and minor country participates.

I think the words today of the distinguished majority leader in this respect are entirely correct. I hope that many others will agree with him.

Mr. CHURCH. Mr. President, the war in Vietnam has become a national tragedy.

Never in the history of the Republic has so much been sacrificed for so little.

If there is any possible way for the United Nations to expedite the settlement of this wretched war, then the Government of the United States should relentlessly pursue each avenue within the U.N. that holds out, however faintly, some promise of action for peace.

It has been said that recourse to the United Nations will prove futile, that a resolution in the Security Council, if followed up, will lead only to a Russian veto.

If this is so, I join in the sentiments expressed by the distinguished Senator from Vermont [Mr. AIKEN], we should let the onus fall upon the Soviet Union.

It has also been said that, inasmuch as neither the Government of North Vietnam nor China are members of the United Nations, and since they refuse to recognize or acknowledge the competency of the United Nations to deal with the war in Southeast Asia, it is pointless to pursue the matter further in the U.N.

But no one can know, for sure, what Ho Chi Minh would do if he were confronted with a U.N. resolution calling for a cease-fire and setting forth terms for the settlement of the war.

We should not be dissuaded by such arguments from carrying the matter, as far as we can, in the United Nations. For none of us has the capacity to foretell or accurately to predict the future actions of either the Government of North Vietnam or the Government of China.

Finally, it has been intimated that world opinion may have so settled against us in Vietnam that a resolution could emerge in the United Nations, if it were pressed for there, that would be unacceptable to the United States.

If this is so, then it is time for the American people to know it.

The PRESIDING OFFICER. The time of the Senator from Montana has expired.

Mr. MANSFIELD. Mr. President, if Senators will concur with me, I ask unanimous consent to proceed for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. Mr. President, we have an obligation to our fighting men in Vietnam to follow every path in the United Nations which could contribute to a peaceful settlement of the war. The possible paths are several:

There is the role played by the Secretary General, who has already tried, when occasions were opportune, to find the diplomatic doors which might lead to the negotiating table. There is the possibility for action in the Security Council, if we were to press for a vote on our resolution. Should a veto actually be cast, either by the Soviet Union or by France, then, of course, there is the resolution-for-peace procedure which might take the matter to the General Assembly.

In any case, I think we must not be remiss in exploring each of these paths. If they all lead to a dead end, how can we know it without going the distance?

I join the distinguished majority

leader and other Members of the Senate this morning who have urged this course of action—and I recommend it strongly to the President of the United States.

Mr. CARLSON. Mr. President, I wish to associate myself with the majority leader and other Senators who have spoken on bringing the Vietnam conflict to the Security Council.

The present greatest threat to world peace is the struggle in Vietnam. The greatest source of international criticism of the United States is the war it is conducting there. It is the most discouraging and frustrating war in which our Nation has been involved. Yet, the one forum where the entire question may be aired has not been utilized in the search for a way out. I refer, of course, to the Security Council of the United Nations.

The tragic irony of the situation is that more than a year ago, in late January of 1966, the United States managed to have the question of Vietnam placed on the agenda of the Security Council.

In my view, the time is ripe for a renewal of this initiative, and the Security Council is the appropriate site. For two of the permanent members of the Security Council are also cochairmen of the Geneva Conference, the United Kingdom, and the Soviet Union. Two current members of the Council, Canada and India, are members of the International Control Commission on Indochina, set up at Geneva. I believe it would be appropriate if the other member of that Commission, Poland, which is also a UN member, be invited to participate in the discussions, and I would think that every other party directly or indirectly concerned also be invited.

I do not believe that bringing the Vietnam conflict to the United Nations would be damaging to the United Nations or the United States. For the United Nations is hurt when it avoids its responsibilities, not when it attempts to grapple with them. The United States is hurt in the eyes of many people, as long as it does not appear to be utilizing the means most readily at hand for the maintenance of international peace and security, the United Nations. The United Nations is the arena where the nations put themselves on the record. Even if that record should be critical of this country, it is better to face that criticism openly, and to demonstrate that the United States is fully committed to exploring every feasible avenue in the search for peace. As a former U.S. delegate to the U.N., I urge this initiative.

Mr. MANSFIELD. I thank the Senator.

I yield now to the Senator from Michigan [Mr. HART].

Mr. HART. Mr. President, I consider it both a responsibility and a privilege to take part in this significant discussion here today, for I have been and am deeply convinced of the need to utilize the full potential of the United Nations Security Council in seeking an honorable way to peace in Vietnam. And I am proud to associate myself with the efforts of the distinguished majority leader [Mr. MANSFIELD], the senior Senator from Oregon [Mr. MORSE], and other Senators who have long championed this important initiative.

The Security Council under the U.N. Charter has more than adequate power and authority to aid a solution of the Vietnam problem. There are many approaches which the Council might follow, including direct actions by the Council or indirect approaches calling on other bodies to act. This is not the place to try to advocate a proper course of action for the Council to take, but it may be useful to suggest some of the many possibilities open to it. As the Security Council Resolution introduced on January 31, 1966, by Ambassador Goldberg states, the Council could call for "immediate discussions with preconditions to arrange a conference looking toward the application of the Geneva Accords of 1954 and 1962 and the establishment of a durable peace in Southeast Asia." As a first step, it might arrange for a cessation of hostilities under effective supervision, as the U.S. resolution states.

U.N. authorities, peacekeeping forces and observer groups, some authorized by the Security Council and others by the General Assembly, have successfully performed a number of peacemaking functions which could have application in Vietnam. These include the separation of opposing forces, facilitating their withdrawal, sealing off borders, observing and reporting on border violations, maintaining internal order, and supervising the conduct of elections. The many techniques of peaceful settlement mentioned in chapter VI of the charter include arbitration and mediation, both of which are specifically mentioned in the U.S. draft resolution of January 31, 1966.

If the Security Council should summon a meeting of all relevant parties to discuss the situation in Vietnam, there is of course no absolute assurance that the Council, with all it influence, would succeed in ending hostilities and restoring conditions of peace, where so many other major efforts have failed. But at least, Mr. President, a clearer understanding of the respective positions of the interested parties should emerge. Moreover, the organ of the United Nations with primary responsibility for the maintenance of international peace and security would at least have been an effort to carry out its grave responsibilities. On a matter so vital to hopes for a peaceful world, Mr. President, I believe our Government, following the elections in South Vietnam on September 3 and the establishment of a constitutional government, should press with utmost vigor in the Council for the fullest exploration of the Vietnam problem. This is necessary as a warranty of our own good faith in the United Nations as the international community's principal organ of peace, as well as a demonstration of our sincere hopes that the conflict in Vietnam can be honorably settled.

As the able senior Senator from Vermont [Mr. AIKEN] has just pointed out, there are many concerned Americans who do not realize our Government has even seriously suggested the Security Council move on the Vietnam problem. Small wonder if persons elsewhere in the world have no awareness of our effort to have the Security Council move.

When I returned in June from a visit to Vietnam and several other Asian nations, I recommended every effort be made to bring the United Nations actively into the resolution of the Vietnam conflict. It is a tragic war; its end must be had. There were those who replied, then and now, that the United Nations is too entangled with procedural and power conflicts to be a means of ending the war. That is no reason for not making an honest effort. It is the best instrument we have at hand. We must use it. As the distinguished Senator from Idaho [Mr. CHURCH] has just pointed out, we should and must do all that is possible in pursuit of this course.

Mr. MANSFIELD. Mr. President, before I yield to the Senator from Oregon [Mr. MORSE], I think it should be stated for the RECORD that he is the one man in the Senate who has been in the forefront of the proposal to take this matter to the Security Council of the United Nations. He has advanced many legal arguments in respect to his position, and it has taken time for some of those arguments to sink in and the validity of his proposals to be taken at their real value.

Before I yield to him, I think I should point out that of those Senators who have spoken this morning, nine of us have been former U.S. delegates to the United Nations, and I think that speaks well of those who have had the privilege and opportunity to represent this country in that body to make their feelings known on this particular occasion.

So I now yield to the distinguished senior Senator from Oregon.

Mr. MORSE. Mr. President, the majority leader honors me by yielding to me. I appreciate very much his comments, but he has been my leader from the very beginning.

With reference to our being members of the U.S. delegation to the United Nations, I want to say that I have been convinced for a long, long time that it is of the utmost importance that the signatories to the United Nations Charter should assume their obligations to the charter by themselves voting to take United Nations jurisdiction over the matter.

I quite agree with the Senator from Vermont [Mr. AIKEN] that the responsibility is not a responsibility of the United States alone. It is the responsibility of Russia and France, too, because it is frequently said they would veto such a resolution in the Security Council. But it is also the responsibility of Canada, of Great Britain, of Japan—yes, of India, of the Latin American countries.

It is the responsibility of each and every signatory to the charter, for their signatures carried a pledge that when there was a threat to the peace anywhere in the world, they would join in a united action to enforce the peace. That is the obligation which every signatory to the charter has, and each is derelict to its responsibility under its signature in not carrying out multilateral action in trying to bring to an end this threat to the peace of the world.

In my opinion, the United States cannot bring about peace to the world on a bilateral negotiated basis. I think it is hopeless. We can bring about a truce; we can kill and injure enough people to force a surrender. That will not bring peace. It only means that for decades to come we will continue to sacrifice hundreds of thousands of Americans in Vietnam.

I am sure I am not violating any confidence in saying that on May 1 and May 3 the Senator from Oregon and the Senator from Montana had conversations with the President and his foreign policy advisers as we pressed on that group to submit this matter for final determination. I want to make that comment because the President of the United States is being unfairly criticized in many quarters. The President of the United States has tried, and he has continued to try, to find an honorable way to settle this dispute. I do not mean to imply that the President agrees with my position or the position of the Senator from Montana, but he is openminded about it. That is why he asked to consult with us. He is openminded about it.

We ourselves need to press before the United Nations a different type of resolution than the United States has submitted, for we have yet to send a resolution that deals with the substantive issue. I have prepared legal memorandums with regard to our relations vis-a-vis Asia. In these memorandums I pointed out that we have to submit a resolution in which we propose a means of dealing with Vietnam. I have urged that we pledge to abide by whatever final resolution the U.N. may adopt. That we have not done. The only resolution we have sent to the United Nations is one in which we asked the Security Council to put it on its agenda. That is where it is going to stay until the United States fulfills its complete commitment—namely, asking the Security Council to take jurisdiction and pledging that we will abide by the result. That is what we mean by the substitution of internanational law for the law of the jungle. It means that if the Security Council takes jurisdiction and says we must cease the bombing, that we cease the bombing; or if it says we must draw lines we can defend, then we must draw lines we can defend; or if it says, "Take your troops home," that we take them home.

We are either going to be a party to the substitution of the law of the world as we find it in international law doctrines or we are going to continue to alienate and isolate ourselves from the world, because we are substituting the jungle law of military might. We are seeking to supplant the rule of law with American military domination.

So I think it is highly important that we submit such a resolution. I have said this so many times during the last 4 years, but I say it once again, because it needs to be said, because the people must understand that we are not going to be able to establish peace on any basis of a unilateral policeman's rule.

We have to do more than that. I think we wish to make perfectly clear that if the Security Council does veto such a resolution, then our President will appeal to the world through the General Assembly of the United Nations. Read the charter again. I have pleaded for years that we establish the precedent whereby we ask for a session of the General Assembly to enforce peace in Southeast Asia. I am sorry that precedent was established by Russia in connection with the Middle East. We should have established it 3 years ago in connection with Southeast Asia.

But, Mr. President, that power exists. Do you know what I think would happen if we went to the General Assembly, and offered to abide by the jurisdiction of the United Nations? I think we would get a minimum of 80 votes in the General Assembly.

One of the reasons we need to follow this course of action is that the nations of the world do not like to countervene the United States. We are the most powerful Nation on earth. In fact, we give foreign aid to more than 90 of them. It is a little difficult to get countries to go against us when they are also recipients of our aid.

But we owe just this to the next generation, and the next and the next, of American boys and girls. As public officers, we ought to think beyond the next election and in terms of the next century. If we are to lay a foundation for the peace of the world for centuries to come, then we must stop this unilateral course of action we are following in Southeast Asia, which, in my judgment, day by day moves us closer to the danger of the massive war involving Red China, and ultimately involving Russia.

So I plead again for support for the majority leader, and for support for the President, because I think if once it becomes understood by the American people that we no longer have the right, unilaterally, to tell Asia what its course of action shall be, then the American people will make clear that they want our Government to seek to bring a multilateral solution to this problem instead of a unilateral U.S. solution. We will then have some chance of substituting the rule of law for our military might.

Do not forget, Mr. President, the United Nations Charter does not exclude the possibility of bringing in, under either Security Council jurisdiction or General Assembly jurisdiction, an expanded membership for this specific purpose. That is why, more than 3 years ago, in one of the memorandums I prepared, I urged General Assembly jurisdiction, including the Geneva Accords members, with their membership expanded. That would bring in the Vietcong and the North Vietnamese, and provide the answer to the argument that because they are not members of the United Nations, therefore the United Nations is not the suitable body.

Read the United Nations Charter. It does not call for the enforcement of peace involving only members of the United Nations. The United Nations Charter calls for the enforcement of peace no matter what nations, members or nonmembers, are violating the peace of the world.

We can very well consider a United Nations jurisdiction expanded to include nations that are not members, making perfectly clear that whether they come in and cooperate or not, the peace will be enforced.

I shall not take the time to review again, for the consideration of the Senate, the number of instances in the life of the United Nations in which peace has been enforced. But do not forget it was the United Nations that prevented the outbreak of a war between Pakistan and India. Do not forget that it is the United Nations that mantains peace in Cyprus today. Do not forget it was the United Nations that moved into the Congo. Do not forget that besides its so-called troop enforcement policies, the United Nations, as has been pointed out in one of the speeches today, through the Secretary General, has intervened many times to seek to bring to an end a growing threat to the peace of the world.

I close, Mr. President, by saying that our Government and the people of our country, as well as the governments of all the other nations in the world and their people, including, for example, West Germany—which is not a member of the United Nations, but nevertheless a great power in Europe—ought to throw their moral influence on the side of peace in Southeast Asia. They should do that, intead of seeking, as Germany has done up until this moment, including during the recent visit of its Chancellor to the United States, to evade and avoid discussion of the threat to the peace of the world in Southeast Asia; for that threat involves the German people as well as the Russians, the British, the French, the Canadians and the people of the United States.

Mr. President, I believe that here is an opportunity to demonstrate to our President that we would back him up completely if he made the appeal that I think should be made to the United Nations to take over jurisdiction, to the end that this war might be settled by multilateral action.

The PRESIDING OFFICER. All time has expired. The Chair recognizes the Senator from Texas.

Mr. YARBOROUGH. Mr. President, first I wish to compliment our majority leader for the leadership he has taken in——

The PRESIDING OFFICER. The Chair informs the Senator from Texas that there is no time available, unless it be obtained by unanimous consent.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a brief period for the transaction of routine morning business, with statements limited to 3 minutes.

How much time does the Senator from Texas require?

Mr. YARBOROUGH. Mr. President, I want 1 minute on this matter.

Mr. MANSFIELD. I ask unanimous consent that the Senator from Texas be permitted to proceed for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I commend our majority leader for his efforts to establish avenues for the settlement of the war now going on in South Vietnam. I associate myself with his position in endeavoring to persuade the administration to call on the Security Council to take the lead in this effort.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

Mr. FULBRIGHT. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 1872.

The **PRESIDING OFFICER** (Mr. Montoya in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes which was to strike out all after the enacting clause and insert:

That this Act may be cited as the "Foreign Assistance Act of 1967".

Sec. 2. The Foreign Assistance Act of 1961, as amended, is amended by inserting immediately after the first section thereof the following new section:

"Sec. 2. Limitation on Fiscal Year Authorizations.—Notwithstanding any other provision of this Act, nothing in this Act authorizes appropriations for the fiscal year 1969."

PART I

Chapter 1—Policy

Sec. 101. Section 102 of the Foreign Assistance Act of 1961, as amended, which relates to the statement of policy, is amended to read as follows:

"Sec. 102. Statement of Policy.—The Congress declares that the freedom, security, and prosperity of the United States are best sustained in a community of free, secure, and prospering nations. In particular, the Congress recognizes the threat to world peace posed by aggression and subversion wherever they occur, and that ignorance, want, and despair breed the extremism and violence which lead to aggression and subversion. The Congress declares therefore that it is not only expressive of our sense of freedom, justice, and compassion but also important to our national security that the United States, through private as well as public efforts assist the people of less developed countries in their efforts to acquire the knowledge and resources essential for development and to build the economic, political, and social institutions which will meet their aspirations for a better life, with freedom, and in peace.

"In addition, the Congress declares that it is the policy of the United States to support the principles of increased economic cooperation and trade among countries, freedom of the press, information, and religion, freedom of navigation in international waterways, and recognition of the right of all private persons to travel and pursue their lawful activities without discrimination as to race or religion. The Congress further declares that any distinction made by foreign nations between American citizens of race, color, or religion in the granting of, or the exercise of, personal or other rights available to American citizens is repugnant to our principles. In the administration of all parts of this Act these principles shall be supported in such a way in our relations with countries friendly to the United States which are in controversy with each other as to promote an adjudication of the issues involved by means of international law procedures available to the parties.

"The Congress further declares that to achieve the objectives of this Act, programs authorized by this Act should be carried out in accordance with the following principles:

"First, development is primarily the responsibility of the people of the less developed countries themselves. Assistance from the United States shall be used in support of, rather than substitution for, the self-help efforts that are essential to successful development programs, and shall be concentrated in those countries that take positive steps to help themselves. Maximum effort shall be made, in the administration of this Act, to stimulate the involvement of the people in the development process through the encouragement of democratic participation in private and local governmental activities and institution-building appropriate to the requirements of the recipient nations.

"Second, the tasks of successful development in some instances require the active involvement and cooperation of many countries on a multilateral basis. Therefore, to the maximum extent practicable, other countries shall be encouraged to increase their contributions to development programs and projects so that the cost of such common undertakings, which are for the benefit of all, may be shared equitably by all.

"Third, assistance shall be utilized to encourage regional cooperation by less developed countries in the solution of common problems and the development of shared resources.

"Fourth, the first objects of assistance shall be to support the efforts of less developed countries to meet the fundamental needs of their peoples for sufficient food, good health, home ownership and decent housing, and the opportunity to gain the basic knowledge and skills required to make their own way forward to a brighter future. In supporting these objectives, particular emphasis shall be placed on utilization of resources for food production and voluntary family planning.

"Fifth, assistance shall wherever practicable be constituted of United States commodities and services furnished in a manner consistent with other efforts of the United States to improve its balance of payments position.

"Sixth, assistance shall be furnished in such a manner as to promote efficiency and economy in operations so that the United States obtains maximum possible effectiveness for each dollar spent.

"Seventh, to the maximum extent practicable, the furnishing of agricultural commodities, disposal of excess property, and United States payments to international lending institutions, undertaken pursuant to this or any other Act, shall complement and be coordinated with assistance provided under this part.

"It is the sense of the Congress that every effort must be made to obtain a permanent peace in the Middle East. To help promote that objective, the United States shall encourage, as part of pacific settlement, direct talks among the parties concerned, using such third party or United Nations assistance as they may wish. To this end, the President should undertake immediately (1) a thorough review of the needs of the several countries of that area, and (2) a reevaluation of United States policies aimed at helping meet those needs and securing a permanent peace in the area.

"It is further the sense of the Congress that in any case in which any foreign country has severed diplomatic relations with the United States, the President should suspend assistance to such country under this or any other Act, including any program designed to complement assistance under this Act (such as sales of agricultural commodities under the Agricultural Trade Development and Assistance Act of 1954). When diplomatic relations are resumed, a further study should be made on a country-by-country basis to determine whether United States foreign policy objectives would be served by extending assistance under this or any other Act, including any program designed to complement such assistance."

Chapter 2—Development Assistance

TITLE I—DEVELOPMENT LOAN FUND

Sec. 102. Title I of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Development Loan Fund, is amended as follows:

(a) Section 201(b), which relates to general authority, is amended by striking out the last sentence.

(b) Section 201(d), which relates to rates of interest, is amended by striking out "1 per centum" and substituting "2 per centum".

(c) Section 202(a), which relates to authorization, is amended by striking out "and $750,000,000 for each of the fiscal years 1968 and 1969" and substituting ", $450,000,000 for the fiscal year 1968".

(d) Section 205, which relates to transfers to international lending institutions, is amended as follows:

(1) Strike out "only".

(2) Strike out "or the International Finance Corporation" and substitute "the International Finance Corporation, or the Asian Development Bank".

(e) At the end of such title I, add the following new sections:

"Sec. 207. Purposes of Development Assistance.—In furnishing development assistance under this chapter the President shall place appropriate emphasis on—

"(a) assuring maximum participation in the task of economic development by the people of less developed countries through the encouragement of strong economic, political, and social institutions needed for a progressive democratic society;

"(b) programs directed at enabling a country to meet the food needs of its people from its own resources, including the furnishing of technical knowledge and of resources necessary to increase agricultural productivity; assistance for improved storage, transportation, marketing, and credit facilities (including provision for foreign currency loans to small farmers), cooperatives, water conservation programs, and adaptive research programs; and technological advice: *Provided,* That relief from the immediate threat of famine, hunger, and malnutrition may be provided by the United States and other countries, and that assistance provided under the Agricultural Trade Development and Assistance Act of 1954, as amended, should complement assistance furnished under this Act;

"(c) assisting recipient countries in their efforts to meet increasing needs for trained manpower in their development efforts by improving education planning and research, training teachers and administrators, developing and constructing educational institutions, and using modern educational technology;

"(d) developing programs to combat malnutrition, to control and eradicate disease, to clear slums, and to provide adequate and safe drinking water, adequate sewage disposal systems, overall health education, maternal and child care, and voluntary family planning services which shall, where feasible, be included as part of programs of material and child care, and other public health assistance; and

"(e) other important development activities including assistance for programs to assist industrial development; the growth of free labor unions, cooperatives, and voluntary agencies; improvement of transportation and communication systems; development of capabilities for sound economic planning and public administration; urban development; and modernization of existing laws to facilitate economic development.

"Sec. 208. Self-Help Criteria.—In determining whether and to what extent the United States should furnish development assistance to a country under this chapter the President shall take into account—

"(a) the extent to which the country is taking such measures as may be appropriate to its needs and capabilities to increase food production and improve the means for storage and distribution of food;

"(b) the extent to which the country is creating a favorable climate for private enterprise and investment, both domestic and foreign;

"(c) the extent to which the government of the country is increasing the role of the people in the developmental process;

"(d) the extent to which the country's governmental expenditures are allocated to key developmental areas, including agriculture, health, and education, and not diverted for unnecessary military purposes or to intervention in the affairs of other free and independent nations;

"(e) the extent to which the country is willing to make contributions of its own to the projects and programs for which the assistance is provided;

"(f) the extent to which the country is making economic, social, and political reforms, such as tax collection improvements and changes in land tenure arrangements, that will enable it to achieve developmental objectives more efficiently and justly; and

"(g) the extent to which the country is otherwise showing a responsiveness to the vital economic, political, and social concerns of its people, and demonstrating a clear determination to take effective self-help measures.

"SEC. 209. MULTILATERAL AND REGIONAL PROGRAMS.—(a) MULTILATERAL PROGRAMS.—The Congress recognizes that planning and administration of development assistance by, or under the sponsorship of, multilateral lending institutions and other international organizations may, in some instances, contribute to the efficiency and effectiveness of that assistance through participation of other donors in the development effort, improved coordination of policies and programs, pooling of knowledge, avoidance of duplication of facilities and manpower, and greater encouragement of self-help performance.

"(b) REGIONAL PROGRAMS.—It is further the sense of the Congress (1) that where problems or opportunities are common to two or more countries in a region, in such fields as agriculture, education, transportation, communications, power, watershed development, disease control, and establishment of development banks, these countries often can more effectively resolve such problems and exploit such opportunities by joining together in regional organizations or working together on regional programs, (2) that assistance often can be utilized more efficiently in regional programs than in separate country programs, and (3) that to the maximum extent practicable consistent with the purposes of this Act assistance under this Act should be furnished so as to encourage less developed countries to cooperate with each other in regional development programs."

TITLE II—TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 103. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to technical cooperation and development grants, is amended as follows:

(a) Section 211(a), which relates to general authority, is amended by striking out the last sentence.

(b) Section 211(d), which relates to a ceiling on assistance to United States research and educational institutions, is amended as follows:

(1) Strike out "$10,000,000" and substitute "$20,000,000".

(2) After the words "may be used" insert the words "during fiscal years 1968 and 1969".

(c) Section 212, which relates to authorization, is amended to read as follows:

"SEC. 221. AUTHORIZATION.—To carry out the purposes of section 211, there is authorized to be appropriated to the President $210,000,000 for the fiscal year 1968, which amounts are authorized to remain available until expended."

(d) Section 214(c), which relates to authorization for American schools and hospitals abroad, is amended to read as follows:

"(c) There is authorized to be appropriated to the President for the purposes of this section $14,000,000 for the fiscal year 1968 and $14,000,000 for the fiscal year 1969, which amounts are authorized to remain available until expended."

(e) Section 214(d), which relates to special foreign currency authorization for fiscal year 1967, is amended to read as follows:

"(d) There is authorized to be appropriated to the President for assistance to the Girl's College of Israel, for the fiscal year 1968, $1,000,000 in foreign currencies which the Secretary of the Treasury determines to be excess to the normal requirements of the United States."

(f) At the end of such title II of chapter 2, add the following new section:

"SEC. 218. FISH AND OTHER PROTEIN CONCENTRATES.—(a) The President is authorized to conduct a program designed to demonstrate the potential and to encourage the use of fish and other protein concentrates as a practical means of reducing nutritional deficiencies in less developed countries and areas. This program shall include—

"(1) studies and activities relating to food technology;

"(2) development of suitable marketing techniques;

"(3) development of consumer acceptance programs; and

"(4) feeding programs designed to demonstrate the nutritional value of fish and other protein concentrates as a diet supplement.

"In carrying out his functions under this section, the President shall consult with the National Council on Marine Resources and Engineering Development, appropriate Government agencies and other such technical groups or agencies as may be helpful with such activities. In accordance with section 601(b) of this Act, the President shall encourage full participation in such program by United States private enterprise.

"(b) The President is authorized to use funds made available under this part for the purposes of this section, and is urged to use at least $2,500,000 of such funds for such purposes."

TITLE III—INVESTMENT GUARANTIES

SEC. 104. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to investment guaranties, is amended as follows:

(a) Section 221(b), which relates to general authority for investment guaranties, is amended as follows:

(1) In paragraph (1)(B), strike out "and".

(2) In paragraph (1)(C), strike out the colon and substitute ", and".

(3) After paragraph (1)(C) add the following new subparagraph:

"(D) loss of equity investment from such risks as the President may determine, other than loss arising from fraud or misconduct for which the investor is responsible: *Provided*, That compensation under this subparagraph shall not exceed 50 per centum of the investor's loss:".

(4) In paragraph (1), amend the proviso to read as follows:

"*Provided*, That the face amount of the guaranties issued under this paragraph (1) outstanding at any one time shall not exceed $9,000,000,000, of which not more than $125,000,000 shall be outstanding at any one time under subparagraph (D) of this paragraph (1), and".

(5) Paragraph (2) is amended to read as follows:

"(2) where the President determines such action to be important in the furtherance of the purposes of this title, assuring against loss, due to such risks and upon such terms and conditions as the President may determine, of—

"(A) any loan investment for housing projects with appropriate participation by the private investor in the loan risk,

"(B) any loan investment for credit unions, or

"(C) any other investment in an amount not to exceed 75 per centum of the aggregate approved investment in the project: *Provided*, That guaranties issued under this paragraph (2) shall emphasize economic development projects furthering social progress and the development of small independent business enterprises: *Provided further*, That no payment may be made under this paragraph (2) for any loss of equity investment arising out of fraud or misconduct for which the investor is responsible, or for any loss of loan investment arising out of fraud or misrepresentation for which the investor is responsible: *Provided further*, That the total face amount of the guaranties issued under this paragraph (2) outstanding at any one time shall not exceed $575,000,000, guaranties issued under this paragraph (2) for other than housing projects similar to those insured by the Department of Housing and Urban Development, shall not exceed $415,000,000, and guaranties issued under this paragraph (2) for credit unions shall not exceed $1,000,000: *Provided further*, That this authority shall continue until June 30, 1971."

(b) Section 222, which relates to general provisions for investment guaranties, is amended as follows:

(1) In subsection (b), after the words "shall be available for meeting" insert the words "necessary administrative and operating expenses of carrying out the provisions of sections 221, 224, and 231 (including, but not limited to, expenses pertaining to personnel, supplies, and printing) subject to such limitations as may be imposed in annual appropriations Acts, for meeting".

(2) In subsection (d), after the words "in section 222(b)" insert the following: "(excluding fees required for purposes other than the discharge of liabilities under guaranties)".

(3) At the end of subsection (h) add the following new sentence: "The allowable rate of interest under this subsection shall be prescribed by the Administrator as of the date the project covered by the investment is officially authorized by him and, prior to the execution of the contract, he may amend such rate at his discretion, consistent with the provisions of this subsection."

(c) Section 223, which relates to definitions, is amended as follows:

(1) In paragraph (a), after the words "services pursuant to a" insert the words "lease or".

(2) Paragraph (c) is amended as follows:

(A) Immediately after "owned by the United States citizens, insert the following: "or nonprofit associations and voluntary agencies created under the laws of the United States or any State or territory,".

(B) Strike out the period at the end thereof and insert a colon and the following: "*Provided further*, That in the case of any loan investment a final determination of eligibility may be made at the time the guarantee is issued; in all other cases, the investor must be eligible at the time a claim arises as well as at the time the guarantee is issued."

(d) Section 224(c), which relates to housing projects in Latin American countries, is amended (1) by striking out "$450,000,000" and "$300,000,000" and substituting "$600,000,000" and "$350,000,000", respectively; (2) by striking out "misconduct" and substituting "misrepresentation", and (3) by striking out "1969" and substituting "1971".

TITLE IV—SURVEYS OF INVESTMENT OPPORTUNITIES

SEC. 15. Title IV of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to surveys of investment opportunities, is amended as follows:

(a) Section 232 is amended by striking out "1965" and substituting "1968" and by striking out "$2,100,000" and substituting "$4,880,000".

(b) Section 233 is amended by striking out in paragraph (a) "substantially beneficially owned by United States citizens" and substituting "of which at least 33⅓ per centum of the beneficial ownership is held by United States citizens".

TITLE VI—ALLIANCE FOR PROGRESS

Sec. 106. Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Alliance for Progress, is amended as follows:

(a) Section 251(h) of the Foreign Assistance Act of 1961, as amended, which relates to transfers to international lending institutions, is amended as follows:

(1) Immediately after "named in section 205" insert "(other than the Asian Development Bank)".

(2) Immediately after "for use" insert "in Latin America".

(b) Section 252, which relates to authorization, is amended as follows:

(1) Strike out "and for each of the fiscal years 1968 and 1969, $750,000,000" and substitute "for the fiscal year 1968, $578,000,000".

(2) Insert "(a)" immediately after "Sec. 252. Authorization.—or" and at the end thereof add the following new subsection:

"(b) There is hereby authorized to be appropriated to the President for the fiscal year 1968, $714,000 for grants to carry out programs and activities of the Partners of the Alliance in accordance with the purposes of this title."

TITLE VIII—SOUTHEAST ASIA MULTILATERAL AND REGIONAL PROGRAMS

Sec. 107. Title VIII of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to Southeast Asia Multilateral and Regional Programs, is amended by striking out section 273.

TITLE IX—UTILIZATION OF DEMOCRATIC INSTITUTIONS IN DEVELOPMENT

Sec. 108. Section 281 of title IX of the Foreign Assistance Act of 1961, as amended, which relates to utilization of democratic institutions in development, is amended by inserting "(a)" immediately after "Sec. 281." and by adding at the end thereof the following new subsections:

"(b) In order to carry out the purposes of this title, programs under this chapter shall—

"(1) recognize the differing needs, desires, and capacities of the people of the respective developing countries and areas;

"(2) use the intellectual resources of such countries and areas in conjunction with assistance provided under this Act so as to encourage the development of indignous institutions that meet their particular requirements for sustained economic and social progress; and

"(3) support civic education and training in skills required for effective participation in governmental and political processes essential to self-government.

"(c) In the allocation of funds for research under this chapter, emphasis shall be given to research designed to examine the political, social, and related obstacles to development in countries receiving assistance under part I of this Act.

"(d) Emphasis shall also be given to the evaluation of relevant past and current programs under part I of this Act and to applying this experience so as to strengthen their effectiveness in implementing the objectives of this title."

TITLE X—VOLUNTARY FAMILY PLANNING PROGRAMS

Sec. 109. Chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to development assistance, is amended by adding at the end thereof the following new titles:

"TITLE X—VOLUNTARY FAMILY PLANNING PROGRAMS

"Sec. 291. General Authority.—(a) In order to aid countries where population growth is outpacing food production and where, as a consequence, there is danger of deterioration in their nutrition level with harmful effects on both health and economic growth, the President is authorized to provide assistance for voluntary family-planning programs in friendly foreign countries and areas, on such terms and conditions as he shall determine, to foreign governments, United Nations specialized agencies, United States and foreign nonprofit organizations, universities, hospitals, accredited health institutions, and voluntary heatlh or other qualified organizations.

"(b) In carrying out programs authorized in this title, the President shall establish reasonable procedures to insure, whenever family-planning assistance from the United States is involved, that no individual will be coerced to practice methods of family planning inconsistent with his or her moral, philosophical, or religious beliefs.

"(c) As used in this title, the term 'voluntary family-planning programs' includes but is not limited to demographic studies, medical and psychological research, personnel training, the construction and staffing of clinics and rural health centers, specialized training of doctors and paramedical personnel, the manufacture of medical supplies, the dissemination of family-planning information, and provision of medical assistance and supplies.

"Sec. 292. Authorization.—Of the funds provided to carry out the provisions of part I of this Act for the fiscal year 1968, $20,000,000 shall be available only to carry out the purposes of this title, together with not in excess of $30,000,000 excess foreign currencies made available under section 612(c). None of the funds made available for the purposes of this title shall be expended in connection with any family-planning program involving the use of abortion, sterilization, or euthanasia as a method of population control.

"TITLE XI—FOOD PRODUCTION TARGETS AND REPORTS

"Sec. 295. Food Production Targets and Reports.—In making his recommendations to the Congress for programs for the fiscal year 1969 and each fiscal thereafter, wherever appropriate, the President shall, for each country receiving assistance under this Act which he finds has a substantial food deficit, include—

"(1) descriptions of proposed programs, if any, in the areas of food production, storage, and distribution, and voluntary family planning;

"(2) information on achievement targets in food production, storage, and distribution, and their relationship to expected changes in total population; and

"(3) a detailed report on progress with respect to food production, storage, and distribution, and the relationship of this progress to population."

CHAPTER 3—INTERNATIONAL ORGANIZATIONS AND PROGRAMS

Sec. 110. Chapter 3 of part I of the Foreign Assistance Act of 1961, as amended, which relates to international organizations and programs, is amended as follows:

(a) Section 301, which relates to general authority, is amended by adding at the end thereof the following new subsection:

"(d) In any case in which a fund established solely by United States contributions under this or any other Act is administered by an international organization under the terms of an agreement between the United States and such international organization, such agreement shall provide that the Comptroller General of the United States shall conduct such audits as are necessary to assure that such fund is administered in accordance with such agreement. The President shall take such steps as may be necessary to modify any existing agreement entered into before the date of enactment of this subsection to conform to the requirements of the preceding sentence."

(b) Section 302, which relates to authorization, is amended as follows:

(1) In subsection (a) strike out all after "for such purposes," and substitute "for fiscal year 1968, $141,000,000, and for the fiscal year 1969, $158,000,000. Such amounts are authorized to remain available until expended."

(2) Subsection (b) is amended to read as follows:

"(b) There is authorized to be appropriated to the President for loans for Indus Basin Development to carry out the purposes of this section, in addition to funds available under this or any other Act for such purposes, for use beginning in the fiscal year 1969, $51,220,000. Such amounts are authorized to remain available until expended."

(c) Immediately after section 303, add the following new section:

"Sec. 304. United Nations Peacekeeping.—It is the sense of the Congress that the cause of international order and peace can be enhanced by the establishment, within the United Nations Organization, of improved arrangements for standby forces being maintained by United Nations members for United Nations peacekeeping purposes in accordance with the United Nations Charter. The President is therefore requested to explore through the United States Representative to the United Nations, and in cooperation with other members of the United Nations and the United Nations Secretariat, both the means and the prospects of establishing such peacekeeping arrangements. The President shall submit to the Congress, not later than March 31, 1968, a report upon the outcome of his initiatives, together with such recommendations as he may deem appropriate."

CHAPTER 4—SUPPORTING ASSISTANCE

Sec. 111. Chapter 4 of part I of the Foreign Assistance Act of 1961, as amended, which relates to supporting assistance, is amended as follows:

(a) Section 401, which relates to general authority, is amended by striking out all after "political stability" and substituting a period.

(b) Section 402, which relates to authorization, is amended by striking out "for the fiscal year 1967 not to exceed $715,000,000: *Provided*, That where" and substituting "$170,000,000 for the fiscal year 1968 and $170,000,000 for the fiscal year 1969. In addition to funds otherwise available to carry out the purposes of this chapter, there is authorized to be appropriated to the President for use in Vietnam $550,000,000 for the fiscal year 1968 and $550,000,000 for the fiscal year 1969. Amounts appropriated under this section are authorized to remain available until expended. Where".

(c) At the end of such chapter 4 add the following new section:

"Sec. 403. United States Refund Claims.—It is the sense of the Congress that the President should seek the agreement of the Government of Vietnam to the establishment and maintenance of a separate special account of United States dollars, which account shall be available solely for withdrawals by the United States, at such times and in such amounts as the President may determine, in satisfaction of United States dollar refund claims against the Government arising out of operations conducted under this Act. Such account should be established in an amount not less than $10,000,000 and maintained thereafter at a level sufficient to cover United States refund claims as they arise."

CHAPTER 5—CONTINGENCY FUND

Sec. 112. Section 451 of the Foreign Assistance Act of 1961, as amended, which relates to the contingency fund, is amended by striking out "for the fiscal year 1967 not to exceed $110,000,000" and substituting "$50,000,000 for the fiscal year 1968".

CHAPTER 6—ASSISTANCE TO COUNTRIES HAVING AGRARIAN ECONOMIES

Sec. 113. Section 461 of chapter 6 of the Foreign Assistance Act of 1961, as amended, which relates to assistance to countries having agrarian economies, is amended by inserting "(a)" immediately before "Wherever" and by adding at the end thereof the following new subsection:

"(b) In presenting proposals to the Congress for fiscal year 1969 the President shall include recommendations for improving and establishing agricultural research and training facilities in tropical and subtropical regions of Latin America, Africa, and Asia. These recommendations shall be developed after consultation with the Department of Agriculture, land-grant colleges of agriculture, and other appropriate institutions and organizations, including those in the regions concerned."

PART II—MILITARY ASSISTANCE AND SALES

Sec. 201. Part II of the Foreign Assistance Act of 1961, as amended, which relates to military assistance and sales, is amended as follows:

(a) Section 502, which relates to statement of policy, is amended as follows:

(1) Section 502 is redesignated as section 501.

(2) In such new section 501, immediately before the last paragraph insert the following new paragraph:

"It is the sense of the Congress that in the administration of this part priority shall be given to the needs of those countries in danger of becoming victims of active Communist or Communist-supported aggression or those countries in which the internal security is threatened by Communist-inspired or Communist-supported internal subversion."

(b) Section 503, which relates to general authority, is amended as follows:

(1) Subsection (a) is amended by striking out "lease, sale, exchange,".

(2) Subsection (d) is amended by striking out "; and" and substituting a period.

(3) Subsection (e) is amended as follows:

(A) Subsection (e) is redesignated as section 525.

(B) In such new section 525, strike out "guarantying, insuring, coinsuring, and reinsuring" and substitute "Guaranties—(a) The President may guarantee, insure, coinsure, and reinsure".

(C) In such new section 525(a), strike out "such" the second place it appears and substitute "any".

(c) Section 504(a), which relates to authorizations, is amended by striking out the first sentence (including the proviso) and substituting "There is authorized to be appropriated to the President to carry out the purposes of this part not to exceed $590,000,000 for the fiscal year 1968, and not to exceed $654,000,000 for the fiscal year 1969. Of the amount appropriated pursuant to this subsection for each of the fiscal years 1968 and 1969, $24,100,000 shall be available each fiscal year solely for cost-sharing expenses of United States participation in the international military headquarters and related agencies program. No part of any funds made available under any other provision of law shall be used for the cost-sharing expenses referred to in the preceding sentence.".

(d) Section 505(a), which relates to utilization of assistance, is amended as follows:

(1) Subsection (a) is redesignated as section 502.

(2) At the beginning of such new section 502, strike out "Utilization of Assistance.—(a) Military assistance" and substitute "Utilization of Defense Articles and Defense Services.—Defense articles and defense services".

(e) Section 506, which relates to conditions of eligibility, is redesignated as section 505.

(f) Section 507(a), which relates to sales, is amended as follows:

(1) Subsection (a) is redesignated as section 522.

(2) In such new section 522, strike out "Sales" as the section caption and substitute "Sales From Stock".

(3) In such new section 522, strike out "subsection" each place it appears and substitute in each such place "section".

(g) Section 507(b), which relates to sales, is amended as follows:

(1) Subsection (b) is redesignated as section 523.

(2) In such new section 523, insert "Procurement for Sales.—" as the section caption.

(3) Strike out "section 508" in the third sentence and substitute "section 526".

(4) Strike out "subsection" in the sixth sentence and substitute "section".

(h) Section 508, which relates to reimbursements, is amended as follows:

(1) Section 508 is redesignated as section 526.

(2) Strike out "furnish military assistance on cash or credit terms" and substitute "finance sales".

(i) Section 509, which relates to exchanges and guaranties, is amended as follows:

(1) Strike out the section caption.

(2) Subsection (a) is redesignated as section 527(b).

(3) In such new section 527(b), strike out "as payment for assistance furnished under this part" and substitute "in exchange for defense articles and defense services bartered by the United States Government under subsection (a)".

(4)(A) Insert the following new subsection (a) in such new section 527:

"Sec. 527. Exchanges.—(a) The President may, subject to the provisions of section 632(d), use funds available to carry out this part to acquire defense articles and defense services from any source and barter such defense articles and defense services with any friendly country or international organization in exchange for other defense articles and defense services."

(B) Insert the following new subsection (c) in such new section 527:

"(c) The President may, without reimbursement from funds available for use under this part, barter defense articles, which are in the stocks of the Department of Defense or which the Department of Defense is authorized to procure under other provisions of law, and defense services with any friendly country or international organization in exchange for other defense articles and defense services of approximately equal or equivalent value which are required for the use of the Armed Forces of the United States."

(5) Subsection (b) is redesignated as section 525(b).

(j) Section 510, which relates to special authority, is amended as follows:

(1) Section 510 is redesignated as section 506.

(2) Strike out "the fiscal year 1967" each place it appears and substitute in each such place "each of the fiscal years 1968 and 1969".

(k) Section 511, which relates to restrictions on military aid to Latin America, is amended as follows:

(1) Section 511 is redesignated as section 507.

(2) In subsection (a), strike out "section 507" and substitute "chapter 3"; and strike out the colon and the proviso.

(l) Section 505(b), which relates to utilization of assistance, is redesignated as subsection (c) of such new section 507.

(m) Section 512, which relates to restrictions on military aid to Africa, is amended as follows:

(1) Section 512 is redesignated as section 508.

(2) Strike out "section 507" and substitute "chapter 3".

(n) Section 513, which relates to the certification of recipient's capability, is amended as follows:

(1) Section 513 is redesignated as section 509.

(2) In subsection (a), strike out "section 507" and substitute "chapter 3".

(o) Immediately after the new section 509, add the following new section:

"Sec. 510. Restriction of Training of Certain Foreign Nationals.—In any case in which diplomatic relations between the United States and any foreign country are severed, no national of such foreign country shall be eligible to receive or continue training under this Act (as defined in section 644(f) until such time as diplomatic relations between the United States and such foreign country are resumed."

(p) The program under which nationals of Iraq and Sudan are currently engaged in military training shall cease immediately upon passage of this Act.

(q) Section 514, which relates to administration of sales and exchange programs involving defense articles and services, is amended as follows:

(1) Section 514 is redesignated as section 521.

(2) Insert the following new chapter heading before such new section 521:

"Chapter 3—Foreign Military Sales"

(3) At the end of subsection (a), add the following: "It is the purpose of this chapter to authorize measures consonant with that objective to enable allied and other friendly foreign countries, having sufficient wealth to develop and maintain their defense capacities without undue burden to their economies, to acquire defense articles and defense services on a reimbursable basis. In carrying out this chapter, special emphasis shall be placed on procurement in the United States, but consideration shall also be given to co-production or licensed production outside the United States of defense articles of United States origin when such production best serves the foreign policy, national security, and economy of the United States. In evaluating any sale proposed to be made or guaranteed or financed by the United States Government pursuant to this chapter, there shall be taken into consideration (1) the extent to which the proposed sale damages or infringes upon licensing arrangements whereby United States entities have granted licenses for the manufacture of the defense articles selected by the purchasing country to entities located in friendly foreign countries, which licenses result in financial returns to the United States, and (2) the portion of the defense articles so manufactured which is of United States origin. Recognizing the economy interdependence of the free and independent countries of the world and the adverse effects which large-scale purchases of defense articles and defense services of United States origin may have on the net position of a purchasing country's balance of payments with the United States, it is the sense of the Congress that the United States Government should give consideration to procuring from countries making such large-scale purchases, for use by the Armed Forces of the United States or to carry out chapter 2 of this part, selected defense articles and defense services under competitive arrangements, open to United States suppliers, which assure quality, cost, delivery, and support terms at least equal to those obtainable from United States suppliers."

(4) Subsection (b) is amended as follows:

(A) Strike out "section 511(a)" and substitute "section 507(a)".

(B) Strike out "$85,000,000" and substitute "$100,000,000".

(C) Strike out the colon and the provisio.

(5) Add the following new subsection:

"(c) No defense article or defense service shall be furnished under this chapter to any country or international organization unless (1) the President finds that the furnishing of defense articles and defense services to such country or international organization will strengthen the security of the United States and promote world peace, and (2) the country or international organization is otherwise eligible to receive defense articles or defense services."

(r) Add the following new section at the end of the new chapter 3:

"Sec. 528. Leases.—(a) The President may, subject to section 632(d), use funds available to carry out this part to acquire defense articles from any source and lease such defense articles, on such terms and conditions of payment as he may determine, to any friendly country or international organization.

"(b) Payments received under this section shall be credited to the appropriation, fund, or account funding the cost of the defense articles leased, or to any appropriation, fund, or account currently available for the same general purpose."

PART III

Chapter 1—General Provisions

Sec. 301. Chapter 1 of part III of the Foreign Assistance Act of 1961, as amended, which relates to general provisions, is amended as follows:

(a) Section 601(c)(3), which relates to an International Private Investment Advisory Council on Foreign Aid, is amended by striking out "5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2)" and substituting "5703 of title 5 of the United States Code".

(b) Section 608(a), which relates to acquisition and use of excess property, is amended by inserting immediately before the first sentence the following: "It is the sense of the Congress that in furnishing assistance under part I excess personal property shall be utilized wherever practicable in lieu of the procurement of new items for United States-assisted projects and programs."

(c) Section 610(b), which relates to transfers between accounts, is amended (1) by striking out "510" and substituting "506", and (2) by striking out "$5,000,000" and substituting "$11,000,000".

(d) Section 611, which relates to completion of plans and cost estimates, is amended by adding to the end thereof the following new subsection:

"(e) In addition to any other requirements of this section, no assistance authorized under Title I, II, and VI of Chapter 2 and Chapter 4 of part I of this Act shall be furnished with respect to any capital assistance project estimated to cost in excess of $1,000,000 until the head of the agency primarily responsible for administering part I of the Act has received and taken into consideration—

"(1) a report on the review of the proposed capital assistance project, conducted by Controller of such agency with such assistance from other divisions of such agency as he may request, which shall set forth his views, comments and such recommendations as he may deem appropriate with respect to the adequacy of the justification, feasibility studies and prospect for effective utilization of such projects, and

"(2) a certification from the principal officer of such agency in the country in which the project is located as to the capability of the country (both financial and human resources) to effectively maintain and utilize the project taking into account among other things the maintenance and utilization of projects in such country previously financed or assisted by the United States."

(e) Section 612, which relates to the use of foreign currencies, is amended by adding at end thereof the following new subsection:

(f) Section 614(a), which relates to special authorities, is amended by striking out "510" and substituting "506".

(g) Section 620, which relates to prohibitions against furnishing assistance, is amended as follows:

(1) Subsection (f) is amended by inserting "and no defense articles or defense services shall be provided," immediately before "to any Communist country".

(2) Subsection (j) is amended to read as follows:

"(j) The President shall consider terminating assistance under this or any other Act to any country which permits, or fails to take adequate measures to prevent, the damage or destruction by mob action of United States property within such country, and fails to take appropriate measures to prevent a recurrence thereof and to provide adequate compensation for such damage or destruction."

(3) Subsection (k) is amended by striking out "510" and substituting "506".

(4) Subsection (n) is amended to read as follows:

"(n) No loans, credits, guaranties, or grants or other assistance shall be furnished under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistant Act of 1954, to any country which sells or furnishes to North Vietnam, or which permits ships or aircraft under its registry to transport to or from North Vietnam, any equipment, materials, or commodities, so long as North Vietnam is governed by a Communist regime. Notwithstanding section 640 of this Act, no defense articles or defense services shall be acquired from, or provided to, any such country by any means under this or any other Act. Nothing in this or any other Act shall be construed to authorize the President to waive the provisions of this subsection."

(5) At the end of section 620, add the following new subsection:

"(s) No assistance shall be furnished under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, in or to any country which has severed or hereafter severs diplomatic relations with the United States or with which the United States has severed or hereafter severs diplomatic relations, unless (1) diplomatic relations have been resumed with such country and (2) agreements for the furnishing of such assistance or the making of such sales as the case may be, have been negotiated and entered into after the resumption of diplomatic relations with such country."

(6) No ship which has transported any goods or personnel to or from North Vietnam or Cuba so long as either of such countries is governed by a Communist regime shall be admitted to any port of the United States or any of its territories, Commonwealths, or possessions.

No captain who has taken any ship as captain into North Vietnam or Cuba so long as either shall be governed by a Communist regime shall be permitted to enter any port of the United States or any of its territories, Commonwealths, or possessions as captain of any ship.

(7) At the end of section 620 add the following new subsection:

"(s) In any decision to provide or continue to provide any program of assistance to any country under the Foreign Assistance Act of 1961, as amended, there shall be taken into account the status of the country with respect to its dues, assessments, and other obligations to the United Nations; and where such country is delinquent with respect to any such obligations, the President shall furnish the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives a report setting forth the assurance given by the government of the country concerned of paying all of its arrearages and of placing its payments of such obligations on a current basis, or a full explanation of the unusual or exceptional circumstances which render it economically incapable of giving such assurance."

Chapter 2—Administrative Provisions

Sec. 302. Chapter 2 of part III of the Foreign Assistance Act of 1961, as amended, which relates to administrative provisions, is amended as follows:

(a) Immediately after section 621, insert the following new section:

"Sec. 621A. Strengthened Management Practices.—**(a) The Congress believes that United States foreign aid funds could be utilized more effectively by the application of advanced management decisionmaking, information and analysis techniques such as systems analysis, automatic data processing, benefit-cost studies, and information retrieval.**

"(b) To meet this need, the President shall establish a management system that includes: the definition of objectives and programs for United States foreign assistance; the development of quantitative indicators of progress toward these objectives; the orderly consideration of alternative means for accomplishing such objectives; and the adoption of methods for comparing actual results of programs and projects with those anticipated when they were undertaken. The system should provide information to the agency and to Congress that relates agency resources, expenditures, and budget projections to such objectives and results in order to assist in the evaluation of program performance, the review of budgetary requests, and the setting of program priorities.

"(c) The President shall report to the Congress annually on the specific steps that have been taken, including an evaluation of the progress that has been made toward the implementation of this section."

(b) Section 624(d)(2)(B), which relates to statutory officers, is amended by striking out "of assistance" each place it appears.

(c) Section 625(b), which relates to employment of personnel, is amended as follows:

(1) Strike out "the Classification Act of 1949, as amended (5 U.S.C. 1071 et seq.)" and substitute "section 5332 of title 5 of the United States Code".

(2) Strike out "505 of the Classification Act of 1949, as amended" and substitute "5108 of title 5 of the United States Code".

(d) Section 625(c), which relates to compensation of personnel, is amended as follows:

(1) Strike out "the Classification Act of 1949, as amended," and substitute "section 5332 of title 5 of the United States Code".

(2) Strike out "505 of the Classification Act of 1949, as amended" and substitute "5108 of title 5 of the United States Code".

(e) Section 625(d)(2), third proviso, which relates to initial assignment in the United States of Foreign Service Reserve officers, is amended by striking out "forty" and substituting "fifty".

(f) Section 626, which relates to employment of experts, consultants, and retired officers, is amended as follows:

(1) In subsection (a), strike out "15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a)" and substitute "3109 of title 5 of the United States Code".

(2) In subsection (b)—

(A) strike out "section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263)" and substitute "sections 3323(a) and 8344 of title 5 of the United States Code"; and

(B) strike out "201 of the Dual Compensation Act" and substitute "5532 of title 5 of the United States Code".

(g) Section 629(b), which relates to personnel detailed to foreign governments or international organizations, is amended by striking out "1765 of the Revised Statutes (5 U.S.C. 70)" and substituting "5536 of title 5 of the United States Code".

(h) Section 632(d), which relates to allocation and reimbursement among agencies, is amended by striking out "507 and 510" and substituting "506, 522, and 523".

(i) Section 634(d), which relates to reports and presentations to the Congress, is amended by inserting immediately preceding the first sentence the following: "When requests are presented to the Congress for appropriations for fiscal year 1969 to carry out programs under this Act, the programs to be carried out with the funds appropriated for that fiscal year shall also be presented to the Committee on Foreign Relations of the Senate, if requested by the Chairman of that Committee, and to the Committee on Foreign Affairs of the House of Representatives, if requested by the Chairman of that Committee."

(j) Section 635(e), which relates to health and accident insurance for foreign participants in technical assistance programs, is amended by inserting immediately preceding the first word a paragraph designation "(1)" and adding at the end the following new paragraph:

"(2) Any agency of the United States Government is authorized to pay the cost of health and accident insurance for foreign employees of that agency while those employees are absent from their place of employment abroad for purposes of training or other official duties."

(k) Section 636(a)(5), which relates to purchase and hire of motor vehicles, is amended as follows:

(1) Strike out "(5 U.S.C. 78(c)(2))" and substitute "(31 U.S.C. 638a(c)(2),".

(2) Strike out "(5 U.S.C. 78a–1)" and substitute "(31 U.S.C. 638c)".

(l) Section 636(a)(16), which relates to services of certain commissioned officers, is amended by striking out "Coast and Geodetic Survey" each place it appears and sustituting "Environmental Science Services Administration" in each such place.

(m) Section 636(d), which relates to assistance for dependents' schools abroad, is amended by striking out "$1,500,000" and substituting "$2,500,000".

(n) Section 636(e), which relates to training of Foreign Service personnel, is amended by striking out "301 of the Dual Compensation Act (5 U.S.C. 3105)" and substituting "5533 of title 5 of the United States Code".

(o) Section 636(g), which relates to expenditures of military assistance funds, is amended by striking out "3 of the Travel Expense Act of 1949, as amended (5 U.S.C. 836)," and substituting "5702(c) of title 5 of the United States Code".

(p) Section 636, which relates to provisions on uses of funds, is amended by adding at the end thereof the following new subsection:

"(i) Notwithstanding section 640 or any other provision of this Act, none of the funds made available to carry out this Act shall be used to finance the purchase, sale, long term lease, exchange, or guaranty of a sale of motor vehicles unless such motor vehicles are manufactured (1) in the United States, or (2) in the recipient foreign country by a company owned and operated by nationals of such country. For the purposes of this subsection, a company shall be deemed to be owned and operated by nationals of the recipient foreign country only if the President determines that—

"(A) a majority of the officers of such company are nationals of such country;

"(B) not less than 90 per centum of the employees of such company are nationals of such country;

"(C) such company is engaged primarily in manufacturing motor vehicles in such country:

Provided, That where special circumstances exist wherein the purpose of this Act could not be carried out by a strict construction of this section the President is authorized to waive the provisions of this section in order to carry out the purposes of this Act."

(q) Section 637(a), which authorizes appropriations for administrative expenses of the agency administering part I, is amended by striking out "1967 not to exceed $55,813,500" and substituting "1968, $55,814,000,".

(r) Section 640, which relates to military sales, is amended by striking out "503" and substituting "521", and by striking out "assisting of" and substituting "furnishing of defense articles and defense services to".

Chapter 3—Miscellaneous Provisions

Sec. 303. Section 644 of chapter 3 of part III of the Foreign Assistance Act of 1961, as amended, which relates to definitions, is amended as follows:

(1) In subsection (d), insert "production facilities, utilization facilities," between "special nuclear material," and "or atomic weapons", and add "or articles involving Restricted Data" before the period at the end of the subsection.

(2) In subsection (e), strike out "and formerly Restricted Data" and, immediately before the period at the end thereof insert the following: ", and data removed from the Restricted Data category under section 142d of that Act".

(3) Subsection (f) is amended as follows:

(A) Strike out "including orientation, training aid" and "including the transfer of limited quantities of defense articles for test, evaluation, or standardization purposes,".

(B) Add the following new second sentence: "'Training' includes formal or informal instruction of foreign students in the United States or overseas by officers or employees of the United States, contract technicians, contractors (including instruction at civilian institutions), or by correspondence courses, technical, educational, or information publications and media of all kinds, training aid, orientation, training exercise, and military advice to foreign military units and forces."

Sec. 304. Section 402 of the Foreign Assistance Act of 1963 is amended by adding at the end thereof the following new subsection:

"(c) The application of section 231(b) of the Trade Expansion Act of 1962, as added by subsection (b) of this section, is hereby suspended with respect to the products of Poland imported after the date of enactment of this subsection. Such suspension shall continue—

"(1) until the date designated by the President by Executive order (for the purposes of section 112 of the Internal Revenue Code of 1954) as the date of the termination of combatant activities in Vietnam and waters adjacent thereto; or

"(2) until the President determines that Poland is no longer supplying to North Vietnam any items which are, for the purposes of title I of the Mutual Defense Assistance Control Act of 1951, as amended, arms, ammunition, or implements of war, and he reports to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives that he has received assurances satisfactory to him that the supplying of such items to North Vietnam will not be renewed by Poland;

whichever first occurs."

PART IV—AMENDMENTS TO OTHER ACTS

Sec. 401. (a) The Joint Resolution entitled "Joint Resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization", approved July 11, 1956 (22 U.S.C. 1928a—1928d, inclusive), is amended as follows:

(1) Section 2 of such Joint Resolution (22 U.S.C. 1928b) is amended by striking out "North Atlantic Treaty Organization Parliamentary Conference" and substituting "North Atlantic Assembly".

(2) Sections 2, 3, and 4 of such Joint Resolution (22 U.S.C. 1928b, 1928c, and 1928d) are amended by striking out "North Atlantic Treaty Parliamentary Conference" each place it appears and substituting in each such place "North Atlantic Assembly".

(3) Section 2 of such Joint Resolution (22 U.S.C. 1928b) is further amended by striking out "such Conference" each place it appears and substituting in each such place "such Assembly".

(b) Section 105(b) of the Legislative Branch Appropriation Act, 1961 (22 U.S.C. 276c–1), is amended by striking out "the NATO parliamentarian's Conference" and substituting "the North Atlantic Assembly".

Sec. 402. The first section of the Act entitled "An Act to authorize participation by the United States in the Interparliamentary Union", approved June 28, 1935 (22 U.S.C. 276), is amended by striking out "$50,000" and "$23,100" and substituting "$53,550" and "$26,650", respectively.

Sec. 403. The second sentence of subsection (b) of section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), which relates to munitions control, is amended by inserting immediately after "the United States and its allies" the following: "or for any State or local law enforcement agency or law enforcement official".

PART V—ELIGIBILITY OF CERTAIN PARTICIPANTS IN FUTURE FOREIGN AID PROGRAMS

Sec. 502. Notwithstanding any other provision of law, whenever any individual, firm, or entity (including authorized agents of such firm or entity) participating in any aid transaction financed with funds made available under the Foreign Assistance Act of 1961, as amended, has been found by the Inspector General, Foreign Assistance, to have attempted, aided, assisted, or engaged in bribery or other illegal or fraudulent payments or credits in connection with such transaction, such individual, firm, or entity shall not be permitted to participate in any program or operation financed under such Act.

Mr. FULBRIGHT. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives and ask for a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Fulbright, Mr. Sparkman, Mr. Mansfield, Mr. Morse, Mr. Gore, Mr. Lausche, Mr. Church, Mr. Hickenlooper, Mr. Aiken, Mr. Carlson, and Mr. Williams of Delaware conferees on the part of the Senate.

EXECUTIVE REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of August 25, 1967,

Mr. FULBRIGHT, from the Committee on Foreign Relations, to which was referred the Treaty of Amity and Economic Relations between the United States and the Kingdom of Thailand, together with two exchanges of notes relating thereto, signed at Bangkok on May 29, 1966 (Ex. P, 89th Cong., second session), reported it favorably on August 26, 1967, and submitted a report thereon (Ex. Rept. No. 14), which was printed.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

Report on Assistance to Alaska

A communication from the President of the United States, transmitting, pursuant to law, a report on Federal assistance to Alaska, to recover from the earthquake suffered in 1964, for the 6-month period ended June 30, 1967 (with an accompanying report); to the Committee on Interior and Insulanr Affairs.

REPORT OF ARCHITECT OF THE CAPITOL (S. Doc. No. 46)

A letter from the Architect of the Capitol, transmitting, pursuant to law, his report, for the 6-month period ended June 30, 1967; ordered to be published.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements of Southeastern Federal Power program, fiscal year 1966. Department of the Interior and Department of the Army, dated August 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on problems associated with location and design of segments of the Interstate Highway System in major metropolitan areas, Federal Highway Administration, Department of Transportation, dated August 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements of the Federal Home Loan Bank Board for the year ended December 31, 1966, dated August, 1967 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., where laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the House of Representatives of the State of Michigan; to the Committee on Appropriations:

"HOUSE RESOLUTION 234

(Offered by Representatives Swallow, Prescott, Robert W. Davis, Jowett, Rohlfs, Hoffman, Varnum, O'Neill and Suski)

"Resolution memorializing Congress to reinstate the money deleted from the appropriation for the Lamprey control program

"Whereas, The reestablishment of lake trout in Lake Superior, the increase in abundance of whitefish in Lake Michigan, the recovery of the steelhead, and the exciting success of our coho salmon introduction can all be attributed to the progress made in sea lamprey control in Lake Michigan, Superior and Huron; and

"Whereas, A cut of $100,000.00 in the United States contribution to the Great Lakes Fishery Commission has been recommended by the House Sub-Committee on Appropriations, which, if approved, means a reduction of $45,000.00 in the Canadian contribution, making a total reduction of $145,000.00; and

"Whereas, Last year, extension of the control program to Lake Huron which both countries share was welcomed by Canada and brought immediate support from the Canadian Government after a 1963 reduction in the United States appropriation required concentration in Lake Superior and Lake Michigan and places an obligation upon the United States Section to continue operations on Lake Huron and make whatever reduction are necessary to meet the cut in the United States Program; now therefore be it

"Resolved by the House of Representatives, That its members by these presents respectfully urges the United States Congress to restore the money that was deleted from the appropriation for the Lamprey control program so that this program so essential to a large segment of both Canada and United States may be continued in all its vigor; and be it further

"Resolved, That copies of this resolution be forwarded to the President of the United States, the presiding officers of the United States Senate and the House of Representatives and to each member of the Michigan delegation to Congress.

"Adopted by the House July 11, 1967.

"T. THOS. THATCHER,

"Clerk of the House of Representatives."

A resolution, adopted by the American Bar Association, at Chicago, Ill., relating to the Human Rights Conventions now being considered by the Senate; to the Committee on Foreign Relations.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, without amendment:

S. 1477. A bill to amend section 301 of title III of the act of August 14, 1946, relating to the establishment by the Secretary of Agriculture of a national advisory committee, to provide for annual meetings of such committee (Rept. No. 543);

S. 1564. A bill to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (Rept. No. 544); and

H.R. 547. An act to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes (Rept. No. 545).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, with amendments:

S. 974. A bill to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz. (Rept. No. 546); and

S. 1568. A bill to amend the sixth paragraph of section 12 of the Federal Farm Loan Act, as amended, relating to restrictions on eligibility for loans by Federal Land Banks (Rept. No. 547).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RANDOLPH (for himself, Mr. BYRD of West Virginia, Mr. LAUSCHE, and Mr. YOUNG of Ohio):

S. 2350. A bill granting the consent and approval of Congress to the West Virginia-Ohio Air Pollution Control Compact; to the Committee on the Judiciary.

(See the remarks of Mr. RANDOLPH when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 2351. A bill for the relief of Lt. Comdr. Anthony A. Mitchell, U.S. Navy; to the Committee on Armed Services.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY:

S. 2352. A bill to amend the Internal Revenue Code of 1954 to grant additional income tax personal exemptions to taxpayers supporting mentally retarded dependents under certain circumstances; to the Committee on Finance.

(See the remarks of Mr. MCCARTHY when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS:

S. 2353. A bill to amend the Internal Revenue Code of 1954 to provide a $100 deduction for the landowner for each producing oil and gas well where the mineral rights are reserved to the United States and the landowner does not receive income from the production of the well; to the Committee on Finance.

(See the remarks of Mr. HARRIS when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S.J. Res. 107. Joint resolution to authorize the President to proclaim October 15 of each year as National Poetry Day; to the Committee on the Judiciary.

(See the remarks of Mr. TOWER when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HILL:

S.J. Res. 108. Joint resolution to remove the present limitation on the amount authorized to be appropriated for the work of the President's Committee on Employment of the Handicapped, and for other purposes; to the Committee on Labor and Public Welfare.

CONCURRENT RESOLUTIONS

WORLDWIDE CONSERVATION OF WILDLIFE

Mr. YARBOROUGH submitted a concurrent resolution (S. Con. Res. 41) expressing the sense of the Congress with respect to the worldwide conservation of wildlife and the convening of an International Conference on the Conservation of Wildlife, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. YARBOROUGH, which appears under a separate heading.)

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON HOUSING LEGISLATION

Mr. SPARKMAN submitted the following concurrent resolution (S. Con. Res. 42); which was referred to the Committee on Rules and Administration:

S. CON. RES. 42

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Banking and Currency one thousand five hundred additional copies each of parts 1 and 2 of the hearings before its Subcommittee on Housing and Urban Affairs during the Ninetieth Congress, first session, entitled "Housing Legislation of 1967."

RESOLUTION

URGING THE PRESIDENT TO INVOKE THE EMERGENCY PROVISIONS OF THE TAFT-HARTLEY ACT IN COPPER STRIKE

Mr. BENNETT (for himself, Mr. ALLOTT, Mr. JORDAN of Idaho, Mr. FANNIN, Mr. DOMINICK, and Mr. HANSEN) submitted a resolution (S. Res. 161) urging the President to invoke the emergency provisions of the Taft-Hartley Act in copper strike, which was referred to the Committee on Labor and Public Welfare.

(See the above resolution printed in full when submitted by Mr. BENNETT, which appears under a separate heading.)

WEST VIRGINIA-OHIO AIR POLLUTION CONTROL COMPACT

Mr. RANDOLPH. Mr. President, I introduce, for appropriate reference, a bill to grant the consent of the Congress to an interstate compact on the control of air pollution between the States of West Virginia and Ohio.

I have been intensely concerned with this measure since the initial stages of its drafting and presentation to the West Virginia Legislature earlier this year. The compact was enacted this month by the general assembly of Ohio and sent to the Congress on August 25. This compact is an illustration of what can be achieved when industry and State governments cooperate, for this measure was largely initiated by the Ohio-West Virginia Industry Committee on Air Pollution Abatement, under the leadership of Chairman Fred E. Tucker of the National Steel Corp., Weirton, W. Va., and Vice Chairman E. E. Fournace of the Ohio Power Co., Canton, Ohio. Without giving prior approval to every feature of the compact, I commend these gentlemen and the Ohio-West Virginia Industry Committee for their progressive and constructive approach to the problems of air pollution in the Ohio Valley.

Earlier this month, on August 8, I joined with Senator Edmund S. Muskie, chairman of the Subcommittee on Air and Water Pollution of the Committee on Public Works, in a letter to the chairman of the Senate Judiciary Committee drawing attention to this compact among other interstate compacts on air pollution abatement which are pending before that committee. The Judiciary Committee is primarily concerned with the legal aspects of such compacts and the granting of the consent of the Congress. It is my hope that the Committee on Public Works, which has reported all the major legislation on air and water pollution abatement, will have the opportunity to work closely with the Judiciary Committee on the substance of the pending interstate compacts.

I would hope that the activities of these two committees in this matter could be completed in time for Senate consideration of the pending measures in this session.

I also ask unanimous consent to have the bill printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred and without objection, the bill will be printed in full in the Record.

The bill (S. 2350) granting the consent and approval of Congress to the West Virginia-Ohio Air Pollution Control Compact, introduced by Mr. Randolph, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 2350

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent and approval of Congress is hereby given to the West Virginia-Ohio Air Pollution Control Compact between the States of West Virginia and Ohio. Such compact reads as follows:

"Interstate Compact on Air Pollution

"The contracting states solemnly agree that:

"ARTICLE I

"The party states to this compact hereby provide for the control of the interstate movement of air pollutants through the establishment of an interstate agency with powers to prevent, abate, and control interstate air pollution.

"Each of the party states pledges to the other faithful cooperation in the control of air pollution which originates in one state and is injurious to human health or welfare, animal or plant life, or property, or which interferes with the enjoyment of life and property, in the other state.

"The party states recognize that no single standard for outdoor atmosphere is applicable to all areas within the two party states due to such variables as population densities, topographic and climatic characteristics, and existing or projected land use and economic development. The guiding principle of this compact is that air pollution originating within a party state shall not be injurious to human health or welfare, animal or plant life, or property, or interfere with the enjoyment of life or property, in the other party state.

"ARTICLE II

"As used in this compact 'air pollution' means and shall be limited to the discharge into the air by the act of man of substances (liquid, solid, gaseous, organic or inorganic) in a locality, manner and amount as to be injurious to human health or welfare, animal or plant life, or property, or which would interfere with the enjoyment of life or property.

"ARTICLE III

"The party states hereby create the Ohio-West Virginia interstate air pollution control commission, hereafter called 'the commission.'

"The commission shall consist of five commissioners from each party state, each of whom shall be a citizen of the state he represents. The commissioners from each party state shall be chosen by the governor of such state in accordance with the laws of such state, as follows:

"Two of the members from each state shall be chosen from appropriate state agencies, one of whom is the officer responsible for air pollution control, and one of whom is the director of health. Three other members shall be chosen, one of whom is experienced in the field of municipal government, one of whom is experienced in the field of industrial activities, and one of whom represents the public.

"Except for the commissioners who shall be appointed by virtue of the offices which they hold and who may be commissioners during their continuance in office, the term of each commissioner shall be five years. However, the commissioner experienced in the field of municipal government, the commissioner experienced in the field of industrial activities, and the commissioner appointed to represent the public shall be appointed, one for an initial term of one year, one for an initial term of two years, and one for an initial term of three years. As the term of each such initial appointee expires, the successor to fill the vacancy created by such expired term shall be appointed for a term of five years.

"Vacancies on the commission shall be filled for the unexpired term in the same manner as appointments to full terms.

"Each commissioner of each party state shall be entitled to one vote in the commission. No action of the commission shall be binding unless taken at a meeting in which a majority of the commissioners from each party state are present and unless a majority of those present at the meeting from each party state concur, but any action not binding for such a reason may be ratified within thirty days by the concurrence of a majority of the commissioners of each party state. In the absence of any commissioner, his vote may be cast by another commissioner of his state if such commissioner casting the vote shall have a written proxy in such form as may be required by the commission. Any tie or stalemate resulting from the above voting shall be decided by a majority vote of the commissioners from each separate state voting as a unit and the vote of a representative selected by the secretary of the United States department health, education, and welfare, who shall cast the deciding vote.

"The commission may sue and be sued, and shall have a seal.

"The commission shall elect annually, from among its members, a chairman and vice chairman. The commission shall appoint an executive director who shall act as secretary, and who, together with such other commission personnel as the commission may determine, shall be bonded in such amount or amounts as the commission may require.

"Notwithstanding the civil service, personnel, or other merit systems laws of any of the party states, the commission shall appoint, remove or discharge, and fix the compensation of such personnel as may be necessary for the performance of the commission's functions. To the extent practicable, terms and conditions of employment for members of the staff of the commission shall be similar to those pertaining to comparable employees of the individual party states.

"The commission may establish and maintain, independently or in conjunction with one or more of the party states, a suitable retirement system for its employees. Employees of the commission shall be eligible for social security coverage in respect to old-age and survivors insurance, provided that the commission takes such steps as may be necessary pursuant to federal law to participate in such program of insurance as a governmental agency or unit. The commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate to afford employees of the commission terms and conditions of employment similar to those enjoyed by employees of the party states generally.

"The commission may accept or contract for the services of personnel and other services or materials from any state, the United States or any subdivision or agency of either, from any interstate agency, or from any institution, person, firm, or corporation.

"The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services conditional or otherwise, from the United States, or any agency thereof, from any state or any subdivision or agency thereof, or from any institution, person, firm, or corporation, and may receive, utilize, and dispose of the same. The identity of any donor, the amount and character of any assistance, and the conditions, if any, attached thereto shall be set forth in the annual report of the commission.

"The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein.

"The commission shall have power to formulate and adopt rules and regulations and perform any act which it may find necessary to carry out the provisions of this compact, and to amend such rules and regulations. All such rules and regulations shall be filed in the office of the commission for public inspection and copies of such rules and regulations shall be filed in the office in each party state in which rules and regulations of state agencies are filed and shall thereafter be made available to interested persons upon request.

"The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year, and embodying such recommendations as may have been adopted by the commission. The commission may issue such additional reports as it may deem desirable. These reports shall be available for public examination.

"The commission shall have the authority to collect and disseminate information relating to its functions under, and the purpose of, this compact.

"ARTICLE IV

"The commission may, whenever it finds air pollution which originates in one of the party states and has an adverse effect in the other party state, make a report recommending measures for the prevention, abatement, or control of any such air pollution. Copies of such report shall be furnished to all existing state and local air pollution control agencies with jurisdiction over the source or sources of air pollution identified in the report. In preparing any such report, the commission may confer with any appropriate national, regional, or local planning body, and any governmental agency authorized to deal with matters relating to air pollution problems and may conduct such hearings and investigations as it may deem appropriate. The commission may consult with and advise the States and local governments, corporations, persons, or other entities with regard to the adoption of programs and the installation of equipment and works for the prevention, abatement, or control of air pollution. For the enforcement of this compact the commission may also establish standards consistent with the provisions of this compact and any standards which may be adopted by the party States.

"Before any report of the commission which specifically identifies a particular industrial or other installation, structure, or facility as a source of air pollution becomes final, the commission shall give the owner or operator of such installation, structure, or facility notice by certified mail of the anticipated adoption of such report and shall afford the owner or operator of the installation, structure, or facility not less than ten days after the mailing of such notice to file with the commission its written objections thereto. If no such objections are filed with the commission within such specified period, the report shall become final. If such objections are filed with the commission within such specified period, the commission shall afford such owner or operator not less than ten days from its receipt of such objections to discuss with the commission the findings, conclusions, and recommendations of the report before it is finally adopted by the commission.

"Within a reasonable time after the commission furnishes a report to the appropriate existing state and local air pollution control agencies pursuant to this Article and, if the recommendations made in such report for the prevention, abatement, or control of air pollution from a specific source or sources have not been implemented, or if the appropriate state or local air pollution control agencies have not taken sufficient action to prevent, abate, or control the air pollution, the commission may, after a duly conducted and constituted hearing, on due notice issue an order or orders upon any municipality, corporation, person, or other entity causing or contributing to interstate air pollution. At any such hearing evidence may be received and a finding made on whether, in fact, interstate air pollution exists and on the sources of such pollution. Any such order or orders may prescribe a time-table for the abatement or control of the air pollution involved. Any such order shall become final and binding unless a petition for review of the same shall be filed and prosecuted pursuant to the provisions of Article V of this compact.

"In a party state, any court of general jurisdiction in any county in which the air pollution originates or any United States district court for the district in which such pollution originates shall entertain and determine any action or proceeding brought by the commission to enforce an order against any municipality, corporation, person, or other entity domiciled or located within such state and whose discharge of air pollution takes place within or adjoining such state, or against any employee, department, or subdivision of such municipality, corporation, person, or other entity, and shall entertain and determine any petition for review pursuant to the provisions of Article V of this compact.

"ARTICLE V

"All hearings held by the commission shall be open to the public. At any hearing held pursuant to Article IV of this compact the party states, any agencies thereof, and any affected person, corporation, municipality, or other entity shall be entitled to appear in person or by representative, with or without counsel, and may make oral or written argument, offer testimony, or take any combination of such actions. All testimony taken before the commission shall be under oath and recorded in a written transcript. The transcript so recorded shall be made available to any member of the public or to any participant in such hearing upon payment of reasonable charges as fixed by the commission. No information relating to secret processes or methods of manufacture or production shall be disclosed at any public hearing or otherwise and all such information shall be kept confidential.

"All hearings shall be had before one or more members of the commission, or before an officer or employee of the commission expressly designated to act as a hearing officer.

"Any party state or person aggrieved by any order made by the commission shall be entitled to a judicial review thereof. Such review may be had by filing a verified petition in any of the appropriate courts referred to in article IV, setting out such order and alleging specifically that said order is:

"(a) Arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; or

"(b) Contrary to constitutional right, power, privilege, or immunity; or

"(c) In excess of authority or jurisdiction conferred by this compact or statutes in implementation hereof; or

"(d) Without observance of procedure required by law; or

"(e) Not within the purposes of this compact; or

"(f) Unsupported by the weight of the evidence.

"The petition for review shall be filed within thirty-five days after receipt of written notice that such order has been issued. Written notice of the filing of a petition for review and a copy of said petition shall be personally served upon the commission. Any party or person filing a petition for review shall, within fifteen days thereafter, secure from the commission a certified copy of the transcript of any hearing or hearings held in connection with the issuance of the order, review of which is sought, and shall file the same with the clerk of the court in which the action or proceeding for review is pending. An extension of time in which to file a transcript shall be granted by said court in which such action or proceeding for review is pending for good cause shown. Inability to obtain a transcript within the specified time shall be good cause. Failure to file a transcript within the period of fifteen days, or to secure an extension of time therefor, shall be cause for the dismissal of the petition for review by the court or on petition of any party of record to the original action or proceeding. Where more than one person may be aggrieved by the order, only one proceeding for review may be had and the court in which a petition for review is first properly filed shall have jurisdiction.

"The court may, for good cause shown, admit and consider additional evidence bearing upon the issue or issues before it.

"No review of a commission order shall be had except in accordance with the provisions of this compact.

"ARTICLE VI

"The commission may establish one or more advisory and technical committees composed of such as the following: private citizens, expert and lay personnel, representatives of industry, labor, commerce, agriculture, civic associations, and officials of local, state, and federal government, as it may determine, and may cooperate with and use the services of any such committee and the organizations which they represent in furthering any of its activities under this compact.

"ARTICLE VII

"Nothing in this compact shall be construed to:

"(a) Limit or otherwise affect the powers of either party state or any of their subdivisions to enact and enforce laws or ordinances for the prevention, abatement, or control of air pollution within their respective borders.

"(b) Limit or otherwise affect the powers of either party state to enter into a compact or compacts with other states for the prevention abatement, or control of interstate air pollution.

"(c) Prevent or restrict either party state or any subdivision thereof in requiring or prescribing measures of air pollution prevention, abatement, or control in addition to those which may be required by either party, state or the commission acting pursuant to this compact.

"ARTICLE VIII

"The commission shall submit to the governor or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that state for presentation to the legislature thereof.

"Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. Aside from such support as may be available to the commission pursuant to Article III, the cost of operating and maintaining the commission shall be borne equally by the party states.

"The commission may meet any of its obligations in whole or in part with funds available to it under Article III of this compact, provided that the commission takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the commission makes use of funds available to it under Article III, the commission shall not incur any obligations prior to the allotment of funds by the party states adequate to meet the same.

"The expenses and any other costs for each member of the commission shall be met by the commission in accordance with such standards and procedures as it may establish in its rules and regulations.

"The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its rules and regulations. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become a part of the annual report of the commission.

"The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any persons authorized by the commission.

"Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

"ARTICLE IX

"This compact shall become effective when enacted into law by the states of Ohio and West Virginia and approved by the congress of the United States. The compact shall continue in force and remain binding upon each party state until expressly repealed by either party state, but no such repeal shall take effect until one year after the enactment of the statute repealing this compact.

"Any order of the commission issued prior to the termination of this compact shall be enforceable thereafter by either party state in the same manner as though this compact were still in force except that any appropriate office or agency of the enforcing party state may act in the place and stead of the commission.

"ARTICLE X

"The provisions of this compact shall be reasonably and liberally construed. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision is declared to be contrary to the constitution of either state or of the United States, or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected."

INTRODUCTION OF A BILL TO AUTHORIZE THE PROMOTION OF LIEUTENANT COMMANDER MITCHELL

Mr. SCOTT. Mr. President, I introduce for appropriate reference, a bill to authorize the promotion of Lt. Comdr. Anthony A. Mitchell to the rank of commander. Lieutenant Commander Mitchell is the capable and distinguished leader of the U.S. Navy Band.

Lieutenant Commander Mitchell enlisted in the Navy in 1936 and became third leader of the band in 1956. He was commissioned a lieutenant and appointed assistant leader in 1960 and in 1962 was promoted to lieutenant commander and made band leader. His commendable leadership has resulted in an excellent band. His long list of other accomplishments, including the inauguration of various children's educational music programs and the composition of a number of official marches, are a real tribute to the Navy and Navy music.

Current restrictions as to rank and retention have prevented Lieutenant Commander Mitchell's consideration for promotion to the same grade held by the leaders of the other service bands. Although he has served as lieutenant commander under a Presidential appointment for almost 4 years, he was only last year promoted to the permanent rank of lieutenant commander and is not therefore eligible for consideration for promotion to commander until 1970. Lieutenant Commander Mitchell's promotion is clearly deserved in view of his extraordinary professional and administrative qualities and is in the best interests of the Navy.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2351) for the relief of Lt. Comdr. Anthony A. Mitchell, U.S. Navy, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Armed Services.

ADDITIONAL INCOME TAX PERSONAL EXEMPTIONS TO CERTAIN TAXPAYERS

Mr. McCARTHY. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code to grant additional income tax personal exemptions to taxpayers supporting mentally retarded dependents under certain circumstances.

One of the most difficult problems facing many parents is that of prolonged care for a severely mentally retarded child. The personal sacrifices these parents make and the care they extend cannot be compensated for, but it is possible to give tax recognition for the special costs they incur.

This bill is designed to provide an extra tax deduction for parents who must care, from school age onward, for a child who by reason of mental retardation is permanently and totally incapacitated for normal remunerative employment or work. It provides that an additional $600 exemption will be available for each dependent who because of mental retardation will never become self-supporting, who lives in the taxpayer's household, and who is 6 years of age or older.

All children depend almost totally on their parents or guardians for basic care in the first few years of life. For parents of the severely retarded the costs of providing special care, and sometimes of a special diet, continue indefinitely. They have no prospect of seeing the child develop normally to adulthood and to an independent status where he can become self-supporting.

In addition age 6 is the time when a child normally begins regular schoolwork. The school authorities will have made a determination as to whether the child can be assisted by the schools and be able to attend regular classes and make progress. It is expected that in determining eligibility the Internal Revenue Service will use the determination of school authorities as the best evidence for allowing the extra exemption. In the case of adults who have become mentally retarded because of illness or injury, similiar determinations will likely have been made by the Social Security Administration, insurance companies, trustees of pension plans, or some medical authority.

The definition of mental retardation is not at present altogether precise. The degree of mental retardation varies from those who are mildly retarded to those who are severely retarded. Some who are mildly retarded can become self-supporting, and increasingly school programs are being designed for their benefit. At the other end of the scale are those who are so severely retarded that they are almost always institutionalized. Where the retarded person is institutionalized or requires specific medical expenditures, his parents are currently entitled to certain income tax deductions for costs they incur.

There remains one group for whom little or nothing is done: those who are not so severely retarded as to be institutionalized and who are cared for at home, but who have no prospect of ever being able to support themselves and will continue to be a financial burden on their parents. This bill is intended to ease some of the economic burden imposed on the parents of children in this group.

Since no wholly satisfactory statistics are available, it is difficult to estimate how many would be eligible under terms of this bill.

These are estimates that about 300,000 of all ages are so severely retarded that they cannot adapt to community living unless constantly cared for and sheltered. Another 360,000 are estimated to be moderately retarded; they can assist in their own care but need a protected environment and cannot be expected to be self-supporting. Statistics on how many of these two groups are under 6 years of age or how many are now among the 200,000 who are institutionalized—and thus not included under the bill—are not available. There is a much larger group who are mildly retarded; many of these can make limited progress in school; some are able to become self-supporting even though handicapped.

The estimates I have been able to obtain range from a low of 250,000 parents who would benefit from the terms of the bill to a high of 1 million. Parents who care for a retarded child at home, and where the child is permanently incapacitated for remunerative work, have a special financial problem which should be recognized by the tax laws and this bill will provide at least some limited assistance for the sacrifices they make.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2352) to amend the Internal Revenue Code of 1954 to grant additional income tax personal exemptions to taxpayers supporting mentally retarded dependents under certain circumstances, introduced by Mr. McCARTHY, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF INTERNAL REVENUE CODE RELATING TO DEDUCTION FOR CERTAIN LANDOWNERS

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to provide a $100 tax deduction for landowners in Osage County, Okla., for each producing oil and gas well on property on which the mineral interests are reserved to the United States and where the landowner does not receive income from the production of the well. Mr. President, this legislation is needed because landowners in Osage County own only the surface rights to their property, while the Osage Indian Tribe owns the mineral rights to the land. Thus, the U.S. Government and the Osage Indian Tribe have continually benefited from proceeds derived through the production of the oil and gas operations on the property, while the landowner has suffered the damages. The $100 income tax deduction called for in this legislation is justified in order to partially compensate the landowners for damages resulting from drilling and servicing of oil and gas wells on their property.

Mr. President, I am hopeful that appropriate action will be taken on this legislation at the earliest possible date. I ask unanimous consent that the bill and supporting correspondence and a petition be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, and petition will be printed in the RECORD.

The bill (S. 2353) to amend the Internal Revenue Code of 1954 to provide a $100 deduction for the landowner for each producing oil and gas well where the mineral rights are reserved to the United States and the landowner does not receive income from the production of the well, introduced by Mr. HARRIS, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2353

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by redesignating section 218 as 219 and by inserting after section 217 the following new section:

"SEC. 218. Deduction for certain producing oil and gas wells in which landowner has no interest.

"(a) ALLOWANCE OF DEDUCTION.—In the case of an individual who owns land the mineral interests in which are reserved to the United States (either in trust for Indians or otherwise), there shall be allowed as a deduction $100 for each oil or gas well on such land which produces oil or gas during the taxable year.

"(b) LIMITATION.—Subsection (a) shall apply with respect to any oil or gas well only if the individual does not receive or accrue any income from the production of such well."

(b) The table of sections for such part VII is amended by striking out

"Sec. 218. Cross references."

and inserting in lieu thereof

"Sec. 218. Deduction for certain producing oil and gas wells in which landowner has no interest.

"Sec. 219. Cross references."

SEC. 2. The amendments made by the first section of this Act shall apply with respect to taxable years beginning after the date of the enactment of this Act.

The letter and petition, presented by Mr. HARRIS, are as follows:

PAWHUSKA, OKLA.,
June 7, 1967.

Hon. FRED R. HARRIS,
U.S. Senate,
Washington, D.C.

DEAR MR. HARRIS: This letter is written to you on behalf of an organization known as "The Osage County Land-Owners Association."

This association was formed for the express purpose of representing persons owning land in Osage County, Oklahoma. As you are no doubt aware, the minerals in this County are owned by the Osage Tribe.

We have long since realized that, for many years at least, the ownership of minerals in Osage County will not revert to the holders of surface rights. We have, thus, decided to present to you our problem in the hope that you, as our elected Senator, will introduce legislation, and foster its passage, giving us tax relief which is sorely needed in view of the losses we have suffered as land owners.

May we point out that we are inadequately reimbursed for continuing losses to our land and herds resulting from the operation of oil wells and servicing crews on our land. We are powerless to help ourselves, unless you can act for us.

Enclosed is a petition which has been signed by practically every land owner in this County. Many years of hard work and heartache is represented in almost every signature. The petition is directed to you and asks for a simple amendment to the tax laws granting a $100.00 yearly income tax deduction for each oil well. May we respectfully ask that you read the petition closely so that you may see that this is a common-sense solution to a very knotty problem.

Thank you very much Mr. Harris, and may we commend you for your service to us. May we also request that you inform us as soon as possible what your thoughts and intentions are in this matter.

Sincerely yours,
E. C. MULLENDORE, III.

PETITION

We, the undersigned land owners of Osage County, Oklahoma, conscious of the many common problems raised by the peculiar status of the land ownership in said county, and in a serious attempt to solve the many problems relative thereto, and relying upon the good offices of our United States Representative, the Honorable E. Edmonson and our United States Senators, the Honorable Mike Monroney, and the Honorable Fred R. Harris,

Do hereby petition our Representative and Senators as follows:

We state:

1. That our Petition should be received and that we should be recognized as "The Osage County Land-Owners Association".

2. That is should be recognized by our Representatives in Congress that the land owners in Osage County, Oklahoma, through no fault of their own, have been unable to receive adequate remuneration for damages committed upon their lands as a result of oil operations.

3. That the tribal ownership in the Osage Tribe of Indians over the oil, gas and other minerals under said lands has been, by the Government of the United States extended many times in the past, and will apparently be extended yet again in the future.

4. That adequate damages should be paid to the undersigned land owners for the irreparable injury to their land.

5. That, since the United States Government has seen fit to deny said land owners from the ownership of the minerals under their land, that said government should, in just return, allow a tax benefit to the owners of said land in order to recompense them for the continued denial of mineral ownership from them, and for the damage done to their land by forces and persons beyond their control.

We the undersigned, therefore petition our elected representatives in the Congress of the United States to sponsor and enact legislation whereby each land owner in the County of Osage, State of Oklahoma, be granted a One Hundred Dollars ($100.00) yearly income tax deduction, for each well drilled or already having been drilled upon the lands of each individual land owner; that in the event of divided ownership, each owner shall be able to deduct his or her proportionate part of such deductible amount, under the terms of such legislation.

We most sincerely petition our representatives to hear our plea in this matter.

(No. of Acres taken from Osage County Tax Record.)

E. C. Mullendore, 36,828 Acres, Box 1049, Pawhuska, Oklahoma.

Don Codding, 2,829 Acres, Foraker, Oklahoma.

Charles H. Codding, Jr., Foraker, Oklahoma.

John T. Oxley, 9,510 Acres. Route 1, Pawhuska, Oklahoma.

John S. Zink (Foundation, Non-taxable) 1,667 Acres, Box 7388, Tulsa, Oklahoma.

(Each signature represents 160 acres to 90,000 acres of taxable land in Osage County; oil and gas mineral rights goes to Osage Indian tribe indefinitely.)

K. S. (Boots) Adams, 23,885 Acres, Bartlesville, Oklahoma.

John S. Blanton, 5,865 Acres, Pawhuska, Oklahoma.

F. Royal Barton, 3,560 Acres, Pawhuska, Oklahoma.

Donald Stuart, 41,513 Acres, Pawhuska, Oklahoma.

W. T. Manning, 480 Acres, Pawhuska, Oklahoma.

Mrs. George J. McKinley, 5,128 Acres, R.E.R., Pawhuska, Oklahoma.

Lewis Rainey, 478 Acres, Ralston, Oklahoma.

Leonard W. Buxbaum, 196 Acres, Ralston, Oklahoma.

Frank Hicks, 200 Acres, Ralston, Oklahoma.

Martha Bledsoe, 160 Acres, Ralston, Oklahoma.

Forrest Goad, 455 Acres, Ralston, Oklahoma, R.R. 1.

Leo Rainey, Ralston, Oklahoma, R.R. 1.

Glen Anson, 684 Acres, Route 1, Ralston, Oklahoma.

Fred Wittaker, 160 Acres, Fairfax, Oklahoma.

Harry Tate, 413 Acres, Fairfax, Oklahoma.

Floyd Kelley, 3,371 Acres, Ralston, Oklahoma.

Harriet Mathis, 7,779 Acres, Fairfax, Oklahoma.

Ernest Eaton, 320 Acres, Grainola, Oklahoma.

Lee Kelley, 1,430 Acres, Grainola, Oklahoma.

Larry Olson, R.R., Maple City, Kansas.

Clyde Jackson, 294 Acres.

Francis L. Eaton, 480 Acres, Grainola, Oklahoma.

Mrs. T. C. Head, 600 Acres, Grainola, Oklahoma.

Jimmy C. Olson, 2,341 Acres, Grainola, Oklahoma.

Floyd Hobbs, 3,497 A., Grainola, Oklahoma.

B. R. Aupperle, 660 Acres, R.R. 1, Kaw, Oklahoma.

Otis C. Goad, 200 Acres, R.R. 1, Ralston, Oklahoma.

Virgil Rice, 446 Acres, R.R. 1, Ralston, Oklahoma.

Mrs. E. E. Rice, 240 Acres, R.R. 1, Ralston, Oklahoma.

Arthur R. Wulf, 440 Acres, R.R. 1, Fairfax, Oklahoma.

Joe R. Edgington, 4,235 Acres, Drawer FF, Barnsdall, Oklahoma.

Emmett S. Smith, 835 Acres, Barnsdall, Oklahoma.

Roy Glasco, 2,030 Acres, R. 1, Skiatook, Oklahoma.

Fred Auschwitz, 235 Acres, R.R. 1, Barnsdall, Oklahoma.

C. W. Clymer, 1,627 Acres, Pawhuska, Oklahoma.

W. E. Wann, 180 Acres, Fairfax, Oklahoma.

J. Berry Harrison, Ponca City, Oklahoma.

Fred R. Speakman, 240 Acres, Burbank, Oklahoma.

C. W. Sherrill, 456 Acres, Burbank, Oklahoma.

Clearbourne Bennett, 240 Acres, Barnsdall, Oklahoma.

Ray Swan, 438 Acres, Pawhuska, Oklahoma.

E. B. Fields, 560 Acres, Wynona, Oklahoma.

James H. Bower, Jr., 1,230 Acres, Burbank, Oklahoma.

R. L. Donelson, 4,516 Acres, Burbank, Oklahoma.

John Weiser, 720 Acres, Box 818, Pawhuska, Oklahoma.

Irene Rupard, Box 1078, Pawhuska, Oklahoma.

Bud Frank, 1,305 Acres, Grainola, Oklahoma.

C. C. Pearson, 898 Acres, Pawhuska, Oklahoma.

W. F. Friend, Jr., 7,992 Acres, Bowring, Oklahoma.

Allen G. Oliphant, 3,548 Acres, Tulsa, Oklahoma.

L. R. Goyne, 2,141 Acres, Barnsdall, Oklahoma.

Mrs. John H. Dunin, 6,182 Acres, Tulsa, Oklahoma.

Henry Q. Stoabs, 1,327 Acres, Barnsdall, Oklahoma.

Mrs. Doyle Swan, 5 Acres, Pawhuska, Oklahoma.

N. E. Maloy, 570 Acres, Avant, Oklahoma.

NATIONAL POETRY DAY

Mr. TOWER. Mr. President, it is increasingly recognized by thoughtful observers of American culture that we have a tendency to stress the practical achievements of the human intellect, such as the triumphs of science and technology, the power of business and finance, and the might of military and political leadership. Though this emphasis is good in itself, there is a need for a counterbalancing emphasis on the arts and humanities—those pursuits that lift the mind and heart of man through the contemplation of beauty. Poetry stands high among the studies called the humanities, and is one of the noblest and most ancient of the arts. It is appropriate, therefore, highly desirable that Congress and the President, by official action, proclaim October 15 of each year as National Poetry Day.

This date has been observed in the past in as many as 42 of the States: in some officially, by act of legislature or proclamation of Governor; and in others by the State poetry societies. In my own State of Texas, as well as in Arkansas, Ohio, and Pennsylvania, the observance of Poetry Day on October 15 is officially proclaimed each year. It is my hope that the Congress, this year, in response to a public demand evidenced by four bills currently under consideration in the House, House Joint Resolutions 200, 361, 398, and 489, will place the seal of its approval on this proposal, and make October 15 henceforward National Poetry Day.

Mr. President, I introduce, for appropriate reference, a joint resolution to authorize the President to proclaim October 15 of each year as National Poetry Day.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 107) to authorize the President to proclaim October 15 of each year as National Poetry Day, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on the Judiciary.

WORLDWIDE CONSERVATION OF WILDLIFE

Mr. YARBOROUGH. Mr. President, I submit, for appropriate reference, a concurrent resolution calling for a U.S. initiative to convene a worldwide conference for the preservation of endangered species of wildlife.

There are 250 species of wild animals whose continued existence on earth is currently in doubt. Many of these are among the most unique and valuable species we know: the blue whale, the giant panda, the orangutang, the leopard, the polar bear, the trumpeter swan, the bighorn sheep, the California condor, the Indian rhinoceros, the whooping crane, and hundreds of others. Man has already exterminated 250 species of wildlife. Should we not make an effort to stop him from destroying 200 more?

Some of these endangered animals, such as the rhinoceros and the American alligator, are living chapters in the history of evolution. Others are essential links in the balance of nature or valuable sources of food and clothing. This Congress has acted to prevent many sorts of crimes, but how few criminal acts compare in scope with the eradication of an entire species of life? It would surely be negligent of this body of lawmakers, with the sure knowledge that this crime against nature, against life, against this earth and the creatures which inhabit it, is about to be committed, to take no action to prevent it.

One action which we can take is that indicated in this resolution. The problem of wildlife conservation is worldwide, and many of the threats to animals are connected with international trade. An international conference, preferably under the sponsorship of the United Nations, is the only way to make a comprehensive assault on man's destruction of his own heritage. No single nation can solve the problem, but all nations, by working together, can bring the situation under control. It is only fitting that the United States, which has finally realized the importance of conserving its own wildlife, should take the lead in saving the animals of the world from extinction.

The threat facing wildlife today takes two main forms. Poaching of species whose fur or other parts is in sudden demand by the world of fashion, or which, like the rhinoceros horn, can find a constant market, is rapidly depleting the unfortunate animals in demand. Thus the fashion fad for "fun furs" has almost exterminated the leopard, the third largest cat in the Eastern Hemisphere. Furriers who can get over a thousand dollars for a pelt in New York are not usually scrupulous in determining whether the animal was a victim of poachers or taken legally. With demand rising, the chances are that it is poached. For the leopard, this meant either slowly bleeding to death with a trap wire cutting into his foot, slow impalement in a spiked pit, or if he is lucky a quick bullet. For the poacher, the man who hires the natives to kill, it can mean an income of $50,000 a year. To mankind, it means the gradual disappearance of a unique, beautiful, and valuable form of life. So great is the concern over this problem that the Secretary of State has directed overseas posts to gather information on and maintain a surveillance over the trade in spotted cats. The so-called legal killings of leopards, to satisfy the vanity of a few people for a leopard skin, added to poaching killings, is eliminating leopards from the earth.

The other form taken by the threat to animal life is the progress of man himself, as he expands his agricultural and pastoral range into what previously was wilderness. This is particularly true in Africa, which harbors most of the threatened species. Conditions become intolerable for wildlife living there, their range contracts, and their numbers dwindle. The tragedy of this attack upon wildlife is that it is frequently unnecessary and wasteful. Often wildlife can be more productive than cattle, and wilderness less subject to erosion than cleared areas. What seems like progress is often its opposite. We do not have to halt the advance of civilization to preserve wildlife, but we do have to teach man how most productively to progress.

There are no immediate answers to the threats facing wildlife, but it is my hope that a conference such as that called for by this resolution could begin to find them. The resolution proposes that the conference consider measures in three principal categories:

First, international trade in wild animals and wildlife products must be brought under control. Much of the illicit exploitations of endangered species would be drastically reduced if the line between the poacher and the wholesaler could be pinched off. The demand for horn, ivory, skins, pelts, and other products far exceed the legal limits on taking them, and this provides an incentive to poachers which ought to be eliminated. It would do no good, however, to put import or export restrictions in only one country. These have to be worldwide, and to be enforced, for them to be effective in ending this terrible slaughter of wildlife.

Second, the vital economic importance and use of wild animals can be explored by this conference. Even more than poaching, man's expansion into wildlife habitats threatens their continued existence. The new settlers regard the wild animals of Africa as a threat to themselves and their crops. Wildlife is seen as an obstacle to progress in Africa.

In reality, this is not so. In a continent starved for protein, game animals can provide the major source of meat. The carcasses of animals such as antelopes contain more meat than most common range cattle, they mature faster, and a given range can support more of them. Experiments in South Africa indicate that it is more profitable to promote the growth of wild herds and cropping of the resulting surplus than to raise cattle. One square mile of east African savannah can support 16,000 pounds of cattle. The same area can support 66,000 to 90,000 pounds of wildlife, because the different species of wildlife graze grass, shrubs, or tree leaves, at different levels above the ground. A program of education is necessary, not only to teach the techniques of game ranching, but to overcome a social system, prevalent in east Africa, which counts wealth and social prestige in terms of numbers of cattle, however little meat is on their bones. The problem is large and complex, but the return potential is enormous, once a conference begins to determine what specific steps are needed.

The economic uses of wildlife are not exclusively agricultural however. The legitimate export of such articles as hides can be a major source of income as long as steps are taken to insure that the supply is safeguarded. And in countries where tourism is a major source of income, animals which attract visits by tourists should not be wantonly destroyed.

Third, the conference should explore ways of helping developing countries to undertake conservation programs of their own. The conference should consider both conservation programs which might profitably be undertaken by the developing countries, and forms of increasing assistance from the United Nations and the developed countries to them for this purpose. It will be fruitless to cut off trade in illegally obtained wildlife if the countries from which it comes cannot conserve it adequately to keep it alive. These programs might take the form of game reserves, stricter game laws and better enforcement of them, wildlife conservation specialists.

The Interior Department is now engaged in preliminary planning for a conference of this nature which they hope will be held in 1970. The Department considers that favorable action by the Senate on this resolution would materially help them in arranging the conference.

This is no recent or new-found interest for me. I have introduced similar resolutions in the 88th Congress, Senate Concurrent Resolution 60 on October 3, 1963, and in the 89th Congress, Senate Concurrent Resolution 52 on August 23, 1965. Congressman Henry Reuss of Wisconsin has sponsored similar legislation in the House of Representatives. In the last Congress, the proposal was endorsed by Secretary Udall and was supported by the Fish and Wildlife Commission and by the Department of State. The problem has not abated in these years of delay, and it will only grow more serious in the future. Another species, or several, will perhaps have been irretrievably lost in the delay.

Mr. President, action by the Senate is urgent. This is no mere sentimental question; there are hard economic reasons for conservation. There are even more pressing moral ones. The wildlife which remains to us is not ours. We hold it in trust for the future. We can make or repeal a law, but we cannot bring back an extinct species. We cannot by act of Congress retrieve and restore the passenger pigeon in the skies, the Carolina parakeet to the Southern forests, or the great auk to our eastern seashores. They are gone forever. Let us not be the exterminators of additional species of nature's heritage to the earth.

Man has, and has shown, an infinite capacity for destruction. Let us make this one effort to show that he is also capable of preservation.

I ask unanimous consent that the concurrent resolution be printed in full at this point in the Record.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the Record.

The concurrent resolution (S. Con. Res. 41) was referred to the Committee on Foreign Relations, as follows:

S. Con. Res. 41

Resolved by the Senate (the House of Representatives concurring),

Whereas it is in the common interest of mankind to preserve the world's wildlife;

Whereas the United States and other countries have an obligation, pursuant to international agreements, such as the Migratory Bird Treaties and the Inter-American Treaty on Nature Protection and Wildlife Preservation, 1940, to conserve and protect the species of wildlife;

Whereas more effective international measures for the protection of wildlife are urgently needed;

Whereas nearly two hundred and fifty species of wildlife are in danger of becoming extinct;

Whereas many other species of wildlife are being dangerously reduced in numbers: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the United States shall promote the worldwide conservation of wildlife, particularly of species that are rare or threatened with extinction, and that the United States, through the Secretary of State, in consultation with the Secretary of the Interior, shall take all necessary steps to convene an international conference on the conservation of wildlife after consultation with the United Nations and its specialized agencies.

Sec. 2. The Secretary of State and the Secretary of the Interior should cooperate with such United Nations agencies and other international organizations as may be interested in developing an agenda which includes:

(a) Action by each country to control international trade in wildlife and its products, especially rare and endangered species;

(b) Studies by the developed and developing countries to determine how wildlife conservation and management in the latter can increase their production of food, make optimum use of marginal lands, and increase tourist revenues, and

(c) Assistance by developed countries to developing countries, either unilaterally or multilaterally through the United Nations or other international agencies, to establish or improve training schools for wildlife and conservation specialists, to establish conservation departments in the developing countries, to prepare wildlife conservation laws and regulations, and to carry out needed world conservation programs.

Sec. 3. As used herein, the term "wildlife" means wild mammals, wild birds, reptiles, amphibians, fish, mollusks, crustacea, and all other classes of wild animals, excluding oceanic animals.

Sec. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this resolution.

Mr. YARBOROUGH. Mr. President, I also ask unanimous consent to have an article from the New Yorker magazine on this subject printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New Yorker, May 20, 1967]

Fun Furs

In the early nineteen-hundreds, the gracefully curving white plumes of the egret frequently ornamented ladies' hats. Then, after a tense struggle, conservationists won a now famous victory, and the practice was outlawed just in time to save egrets from extermination. At the same time, it seemed that a principle had been established, making it unlikely that a future fashion would extinguish a species of creature because of its ill luck in being beautiful. We were unhappy to learn the other day that the principle appears void and that the process of extermination in the interests of fashion is being repeated, this time not with just one species but with a whole gamut of related animals—the spotted cats. The spotted cats are, of course, the wild members of the cat family, or Felidae, whose smartly marked fur is currently being worn by women everywhere. As a trade term, "spotted cat" includes the tiger and about fourteen other species, ranging in size from the leopard and the jaguar down to the little wildcats of South America, which are not much bigger than domestic tabbies. News that all these cats are endangered by the fur trade was brought to us by an official of the National Audubon Society, who told us that the vogue has been noted, with more or less helpless concern, by scientists all over the world. A resolution passed in 1964 by the International Union for the Conservation of Nature and Natural Resources—which is something like a United Nations of conservation—called on all governments to halt the trade, but the call has had no discernible effect. The problem is complicated by the fact that the cats live in more than a dozen countries in South America, Africa, and Asia. The most effective remedy proposed by conservationists is a complete ban on the importation of rare furs into the United States or Europe, just as there has been a ban on the plumes of several species of wildfowl threatened by extinction, but no one sees any hope that this will come about immediately.

Curious as to why fashion has selected cats for such fatal popularity at this particular time, we consulted various people in the local fur business. Our first stop was at the office of the Fur Information and Fashion Council, a trade-promotion organization. There we found a spokesman named Jess Chernak, who told us that the cats are only a small part of a much larger vogue for something called "fun furs." Ten years ago, he explained, the fur business took stock of itself and decided it was in bad shape. A motivational-research man, hired to diagnose its ills, discovered that three-quarters of the business was in mink, that young women thought their mothers' fur coats were "square," and that few of them desired fur coats anyway. The remedy was to persuade sportswear designers whose clothes were principally worn by the young to use mink and various diverse and exotic furs in their designs, thus expanding the market to include youthful consumers. The new furs were labelled "fun furs," and after five or six years of assiduous promotion they caught on in an important way. Most fun furs are fairly cheap and come from mass-produced animals, such as rabbit and lamb, but on the fringes of the fun-fur vogue are such wild creatures as wolf, skunk, raccoon, lynx, and the more expensive and beautiful spotted cats. Thus the onslaught on the Felidae began.

We moved on to talks with fur brokers, dealers, and manufacturers, who all confirmed that each year the spotted furs grow scarcer and the prices higher. At Independent Fur Brokers, Inc., Mr. Hans Classen, a tall, lean old man who has been an international fur broker for forty years, told us that he had dropped Somali leopards, the most desirable of all the spotted furs, because the price had become "fantastic." He showed us a storeroom in which a thousand skins of Bolivian ocelot were stacked in heaps. These handsome black-and-gold cats are most plentiful in Brazil, but they are also found in Mexico and South American countries. Today, Mr. Classen sells the skins for fifty dollars, but twenty years ago the price was fifteen dollars or less. He showed us the skin of a smaller cat, with paler coloring, and identified it as an Argentine wildcat—the cheapest and most plentiful of the cat furs—and remarked that in the old days, thirty years ago, he handled such skins in unbelievable quantities. Every fortnight, a steamer arrived with a shipment of five thousand skins, but, he added, he had seen nothing like that in a long time.

At the Mechutan Fur Corporation, which is a leading dealer in spotted furs, we asked Mr. Jay Mechutan about Somali leopards. Last year, he told us, his firm had pulled off a gratifying coup when it bought four hundred and sixty-four leopard skins from the Somali government for a quarter of a million dollars. In addition, he handled about a thousand less choice leopards from other parts of Africa and Asia. Surveying the market, he guessed that, in all, the skins of seven thousand leopards reached New York last year, at a cost of some two and a half million dollars. This year, he predicted, there will be fewer leopards and higher prices.

At Ben Ritter, Inc., specialists in exotic furs, Robert Ritter, the son of the founder, showed us a snow leopard from the Himalayas worth two hundred and fifty dollars as a rug. Its deep, creamy fur, we found, is irresistible to the touch. Near it, a tiger skin dangled from a hook. Tigers, Mr. Ritter said, have more than doubled in price in the last two years. Three years ago, he bought two dozen skins at a hundred and thirty-five dollars each. This year, he has been able to get only sixteen skins at three hundred and twenty-five dollars each. With the supply of tigers drying up, he is attempting to promote puma from Brazil and Mexico. He sold about two hundred of them this past year.

A customer entered and told Mr. Ritter that he was interested in leopards. "Good leopards start at five hundred dollars," Mr. Ritter replied, displaying a skin plucked from a bundle on the counter.

"Five hundred dollars with holes?" the customer inquired, pointing at bullet holes in the neck region of the skin.

"Yes. Five hundred dollars with holes," Mr. Ritter said firmly. "Leopards don't die in bed."

At Schwartz & Klein, Mr. Sam Schwartz, a small, spare old man wearing a cutter's smock over his shirt sleeves, told us that his primary business is making coats out of the smaller spotted cats. He uses jaguars and leopards, too, but high prices make it impossible to produce them in quantity. It takes as many as eight Somali leopards to make a coat. As many as twenty-five of the smaller cats go into a coat. Last year, he paid two hundreds and fifty thousand dollars for spotted-cat skins, which he made into nine hundred coats. "They must be killing these animals off very fast," he said sadly. "I wouldn't be surprised if they disappear entirely. They are so beautiful, it's a crime to kill them just for this!" He pointed to a rack that held a dozen spotted coats. "I handle the skins of animals that were in the jungle three days before. They are flown in here with the blood still on the fur. To look at these beautiful things makes me want to cry. I would get out of the business if it would change things, but someone would take my place."

Mr. Graf, a spokesman for Ben Kahn, a well-known furrier, was equally candid, though less emotional. "Last year, we had a good supply of skins, but I'm told the Somali leopard won't last ten years unless the government can control the killing," he said. "The demand is unlimited. Even the price doesn't matter. The finest skin is worth twenty-four hundred dollars. At that rate, a coat could cost twenty thousand dollars. Last year, we sold ten leopard coats at sixteen thousand dollars each. I expect the price to be higher this year. The demand has risen ever since we sold a leopard coat to Mrs. John F. Kennedy in 1962. We have created our own Frankenstein's monster—a demand that destroys the raw material. We compete with Europe for skins. Paris wants leopards and jaguars. Dior and Revillon have customers who will pay any price. There are still very rich people in this world. The Italians, Swiss, and Scandinavians are all mad for spotted cats. Next to leopard in desirability is jaguar and cheetah. Cheetah doesn't wear as well, but we sold seventy-five cheetah coats last season. Cheetah is a rare animal, but it is not hard to get at the moment. We consider it more sporty than leopard. Tiger is an interesting fur. Five years ago, we were the first to make it into a coat. It is rare, but not as expensive as leopard. We sold six tigers last year at about six thousand dollars each. Tiger is hard to wear. It takes a certain kind of woman—skinny, tall, and feline. We also make mountain-lion coats, but strictly for sport. The finest mountain lions come from Mexico, and a coat retails at fifteen hundred dollars. They are attractive, but mountain lion is a hard color for most women. The reddish brown is difficult. The creamy yellow beige of the leopard is more becoming."

For a final call, we stopped at the American Museum of National History, where we saw Dr. Richard G. Van Gelder, associate curator of mammals. "When I was in the Amazon two years ago, the price of a jaguar was seventy-five dollars," he said. "That was three months' pay for a hunter, and made it well worth his while. We assume that there are jaguars in unexplored regions of Brazil, but no one really knows. No one really knows much about any of these cats, of which there are at least seven species. Nobody knows how long they can stand this kind of hunting pressure, but we fear it is depleting the animals badly. Some species of tiger are almost gone. A recent estimate indicates that there are possibly four thousand left in all India. In Africa, leopards are pressed by the loss of game and territory as well as by poaching for the fur trade. Four years ago, the Fauna Preservation Society of London estimated that fifty thousand leopards were killed annually in East Africa. Speaking of leopards, the museum received a curious letter from a woman whose husband had shot six leopards. She had the skins made into a coat, but she prudently kept all the scraps. Now she was tired of the coat and wanted to know if we could transform it back into a leopard again. Stuffed, I presume. It was hard to be polite as I wrote back that the answer was 'No!' Needless to say, her question haunts me. Someday we may want to transform the last zoo leopard back into a wild leopard and find we can't."

THE TIME HAS COME TO END THE CRIPPLING COPPER STRIKE IN THE WEST

Mr. BENNETT. Mr. President, the time has come to end the crippling copper strike in the West.

Forty-five days ago, the copper industry in the United States was struck by the International Union of Mine, Mill & Smelter Workers and the United Steel Workers over wages and certain other differences. No one will dispute the important labor right to strike, which is guaranteed to the workingmen of America by numerous acts of Congress. However, the strike has now gone on for 6 weeks, and I am informed that negotiators for both labor and management are and have continually been in a state of deadlock and that the prospects for a solution are very dim indeed. I cannot forget that one recent copper strike in my State of Utah lasted 6 months.

The prospect of another such situation in the present circumstances is very serious.

I am impressed by the fact that the Governors of Utah, New Mexico, Arizona, Nevada, and Montana, our five western copper producing States, have worked very diligently on a nonpartisan basis to try to find a solution. They have also requested President Johnson to invoke the emergency provisions of the Taft-Hartley law which would, of course, entail the appointing of a board and the eventual imposition of an 80-day cooling off period.

So far the President has failed to act on the grounds that the strike has not yet reached a point of crisis. In this assessment, it may be said that the President is partially right. The impact of the strike has not reached the proportions of recent strikes in the transportation industries. However, this does not mean that economic crises do not exist in the five States where the strike is taking a very heavy toll and in the surrounding States who are so closely tied together on an economic basis.

Mr. President, I learned today that the State of Connecticut, where much of the industry is involved in refining and processing copper products, is beginning to feel the pinch of the strike.

This is not only a copper industry matter now. Welfare roles in the Western States are bulging as a result of new applications of strikers; there already has been closure of smelters; the lead-zinc industry is beginning to suffer; fertilizer production is beginning to feel the effects of the strike because of a shortage of sulfuric acid, a copper smelter byproduct; freight and truck hauling is being curtailed; the various States are losing taxes, a good share of which go into our school systems, at a time when they can least afford it. Consequently, the various States involved are having to reconsider the tax situation with a distinct possibility that various types of State taxes will have to be increased unless the strike is terminated. The last thing the people of Utah need is an additional State tax burden.

I do not have available the economic impact of the strike on any of the other States in the West, but in Utah the total losses are in the $16,785,000 range. This total was reached from losses of salaries; wages; material and supplies; new facilities and improvements; treatment charges; freight; commissions; services; payroll; State and local taxes; the losses are now $373,000 per day.

Per-person wages lost to date, based on a 5-day workweek with an average wage of $3.16 per hour, plus the average wage increase of 25 cents an hour in the original company offer, now totals $847 per person.

The time required for each striking employee to make up his lost wages under the possible average settlement of an additional 5 cents per hour is 8.4 years. If one uses a 10 cents an hour average settlement figure the time required for each employee to make up his lost wages would be 4.2 years.

Mr. President, as I said earlier, this matter is now beyond a simple copper industry labor-versus-management problem. It is a regional problem which could spread nationally in a time of crisis and war for our Nation.

I do not see why we have to wait until we are completely out of copper before we take any action on this matter. The Business and Defense Service Administration of the Commerce Department has advised me today that it estimates that the total supply of copper in the United States, not including Government stockpile, but all copper in the hands of other holders of the metal, will run out about the middle of September, which is only two and a half weeks away. When the strike began it was estimated there was about a 60-day supply of raw metal on hand. Therefore, on September 15, or so, the Defense Department will get negative answers when it attempts to secure copper to manufacture its needed supplies. The Department of Defense takes 26 percent of domestic production and 12 percent of total copper consumption that comes into the United States, including copper from overseas.

Some persons might think we could go to the stockpile to take care of our defense copper needs. However, the 775,000 tons which should be in the stockpile are running a deficit of about half a million tons. We now have only 259,000 tons of copper in the stockpile and we must not deplete these any further at this time. In other words, that supply is only one-third of what it should be, and the Government has decided apparently it cannot be reduced any further with safety. They took 150,000 tons out of there last December, of which the last 9,000 tons will be used up in September.

Mr. President, I do not speak today on behalf of management or on behalf of labor. Both the adversaries in this contest, I think, would rather the Government stay out so that they could continue their present position, which seems to me to be impracticable. I am interested in the welfare of the people of my State of Utah and the citizens in the other States who are bearing the economic burden of this prolonged walkout, and I am interested in the risk our boys in Vietnam are facing unless the matter is handled soon.

I am convinced, and I hope that the Senate will be, that there is a serious crisis in the West which is fast spreading to related industries in many other States.

In an effort to nudge both sides into some meaningful negotiations and also to persuade the President to take some action on this matter under the provisions of the Taft-Hartley Act available to him, on behalf of myself and Senators **FANNIN**, **ALLOTT**, **JORDAN** of Idaho, **DOMINICK**, and **HANSEN**, I introduce a Senate resolution expressing and advising the President of the will of the Senate in this labor dispute and urging him to take prompt action in the manner provided by title II of the Labor Management Relations Act of 1947. The resolution requests the President to name a board to study the situation and eventually to impose an 80-day cooling off period.

I also should say, Mr. President, that I invited all Senators from both sides of the aisle from the States involved as well as Senators from surrounding States in the West to join me in sponsoring this resolution. Of course, I do not question the right of any Member to join or not to join in sponsoring a proposal, however, I regret that only Members of the minority chose to join with me in this effort to bring to an end this strike and its accompanying economic woes.

It is my feeling that the Congress passed the Taft-Hartley Act for the very purpose which we are here advocating—that is, to bring to an end the type of stalemate confronting the country today. I am told that this provision of the act has been invoked 28 times since its inception, so this is not a drastic and unusual step.

I hope the resolution will receive early consideration and I also hope that this crippling strike comes to a quick and equitable end.

Mr. President, I request that the resolution be printed in its entirety at the conclusion of my remarks.

The **PRESIDING OFFICER**. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD.

The resolution (S. Res. 161) was referred to the Committee on Labor and Public Welfare, as follows:

S. RES. 161

Resolved, To advise the President of the United States concerning the will of the Senate respecting the labor dispute in the basic copper producing industry.

Whereas the now pending labor dispute between the International Union of Mine, Mill, and Smelter Workers, the United Steelworkers of America and certain other employee organizations and certain copper producing corporations, concerning the wages and other conditions of employment of persons employed in the copper industry, has caused or threatened to cause strikes or work stoppages in that and other industries; and

Whereas the occurrence or continuance of such strikes or work stoppages, and the resulting curtailment or suspension of the manufacture and supply of copper and other related commodities have threatened and now threaten grave prejudice to the safety of the United States and the success of its military operations in Vietnam; and

Whereas the continuance of such strikes has had a severe economic impact upon the economies of Utah, Arizona, Montana, Nevada and New Mexico and other States, causing losses of tax revenue, wages and purchasing power thus raising the probability of new State tax increases in those States; and

Whereas public school revenues are greatly reduced as a result of the strike, at a critical time of the year; and

Whereas the negotiators for the unions and the copper industry are hopelessly deadlocked thus raising the very real prospect that a continued and prolonged strike may adversely affect other States and industries; and

Whereas the Senate feels that this strike should not be allowed to develop into a national crisis before available legal remedies are effected: Now, therefore, be it

Resolved by the Senate of the United States of America, That the President of the United States should take, and is now urged to take, prompt action pursuant to, and in the manner provided by, title II of the Labor Management Relations Act of 1947, to prevent the occurrence or continuance of any strike or work stoppage now pending or threatened, which would curtail or suspend, or threaten to curtail or suspend, the supply of copper or any related commodity and thereby cause or threaten any prejudice to the safety and military security of the United States of America and the economies of a number of States; and be it further

Resolved, That a copy of this resolution shall be transmitted to the President of the United States.

AMENDMENTS TO THE SOCIAL SECURITY BILL, H.R. 12080

AMENDMENTS NOS. 293 AND 294

Mr. **MOSS**. Mr. President, while the social security bill, H.R. 12080, just passed by the House of Representatives, is a comprehensive bill, there are several provisions that do not go far enough in making the improvements in the program that I believe are essential. I am today submitting two amendments, intended to be proposed by me, to H.R. 12080 which reflect the changes that I believe should be made. I send these amendments to the desk and ask that they be printed.

My first amendment would provide an across-the-board benefit increase of 15 percent with a $60 minimum benefit, rather than the 12½-percent increase with a $50 minimum provided in the House bill, and would make two additional changes, a three-step increase in the amount of annual earnings counted for contribution and benefit purposes: to $7,800 in 1968, to $9,000 in 1971, and to $10,800 in 1974, rather than a single increase to $7,600 recommended by the House, and a change in the retirement test that would permit a beneficiary to earn up to $1,800 in a year, instead of $1,680, and still get his full benefits.

Social security benefits are not adequate; they have not kept up with the increases in prices and wages that have occurred in the past 12 years. For example, the 7-percent increase in 1965 fell slightly short of restoring the 1958 purchasing power of the benefits and the 1958 increase of about 7½ percent also fell slightly short of restoring the 1954 level. This means that those who are getting benefits throughout this period not only have not shared in the rising level of income of the rest of us but have even seen the value of their benefits decline. While the 12½-percent benefit increase provided in the House bill does go further than merely restoring the purchasing power that the benefits have lost since the last increase, I believe an even higher benefit increase should be provided to give our older citizens, the disabled, widows, and orphans a few more dollars with which to build a better life.

I do not mean to imply that I feel anyone can live under the minimum benefit this amendment would provide—$60 a month—but at least it would give people at the bottom of the benefit scale an additional $10 a month—and that is a couple of extra bags of groceries.

The benefit increase and the change in the retirement test that I propose would be financed by the three-step increase to $10,800 in the amount of earnings that count toward a person's benefit protection. H.R. 5710, the bill containing President Johnson's recommendations for improvements in the social security program, included this proposal.

In considering how best to raise additional funds for needed benefit improvements, it is important to remember that increases in the base, when compared with increases in the contribution rate, have the advantage that the people who pay more are the ones who get more in protection. And since the matching employer contributions are more than sufficient to pay for the improved protection when combined with the new employee contributions, they are available to improve benefits throughout the system.

In the absence of an increase in the earnings base the cost of improvements in the program would have to be met in some other way, perhaps by a greater increase in the contribution rates paid by all workers, including the lowest paid. Thus, an increase in the earnings base makes the financial basis of the program more progressive.

The fact is that, in spite of the fact that the base has been increased from time to time over the years, it has not been increased enough to keep up with rising earnings levels. When increases in the amount of annual earnings that can be counted toward a worker's social security benefit protection do not keep pace with the increases in earnings levels, more and more workers have earnings above the creditable amount and these workers have insurance protection related to a smaller and smaller part of their earnings.

When the social security program began, the $3,000 base in effect then covered the full earnings of 94 percent of regularly employed men, who then, as now, are the principal support of the family. As earnings levels rose the number of workers who had earnings above the $3,000 base increased until by 1950, only 43 percent of regularly employed men had their full earnings covered under the base. Even at the present time, with a base of $6,600, only a little over one-half of the regularly employed men get social security credit for their full earnings. Under my amendment, a much larger percentage would be provided full protection. It is estimated that the $7,800 base in 1968 would cover the full earnings of 68 percent of regularly employed men, the $9,000 base in 1971 would cover the full earnings of 78 percent of regularly employed men, and the $10,800 base in 1974 would cover the full earnings of 82 percent of this same group. In contrast the $7,600 base under the House bill, would cover the full earnings of about 64 percent of regularly employed men when it would become effective in 1968, and this proportion can only be expected to decline from year to year as earnings rise. The projection is that by 1974 only about half of the regularly employed men would have their full earnings covered under a $7,600 base. The increase I recommended of course would not restore the basic idea of the original Social Security Act, which was to cover the full earnings of all but the highest earners, but it would be a significant step in this direction.

The three-step increase in the base would—and in the long run this is the most important aspect of it—improve social security protection for people who have earnings somewhat about the average. These people would pay higher dollar amounts of contributions as a result of the increased base but would, at the same time, earn substantially greater benefit protection. For example, where a worker aged 35 in 1967 with annual earnings of $10,800 dies in 1977, his widow and child would get a monthly benefit of $310.60—$78 more than is provided now, and $33.80 more than would be provided under the House bill. His widow at age 62 would get a monthly benefit of $170.80—$42.90 a month more than under present law; $18.50 more than under the House bill. If the worker became disabled in 1977, he would get a monthly disability benefit of $207, an increase of $52 a month over the amount he would get under present law and $22.50 more than under H.R. 12080.

I am also recommending a greater liberalization in the amount of annual earnings which a beneficiary may have and still get full retirement benefits—generally referred to as the retirement test. The House bill would increase this amount from $1,500 to $1,680, but my amendment would allow a person to earn as much as $1,800 in a year before any benefits would be withheld. This is, in my opinion, an important and significant change.

We encourage our elderly to be self-sufficient, and then we limit the amount they can earn to contribute to pitifully small retirement benefits. And we do this at a time when the cost of living is spiraling, and when many of them are having a very difficult time to make ends meet.

The provision in my amendment would reduce somewhat more than the provision in H.R. 12080, the adverse effect that the retirement test has on incentives to work. For example, a worker reaching age 65 and retiring in January 1968 who has had maximum earnings in all years would be eligible for a monthly benefit of $158.70—$1,904.40 for the year; he could earn $4,000 a year, and under my amendment, still get $304.40 in social benefits for the year. If he were married, he and his wife would get monthly benefits of $238.10—$2,857.20 for the year; he could earn $4,000 a year and they, as a couple, would get over $1,200—$1,257.20—in benefits for the year. This provision will enable our older citizens to increase their income without having any social security benefits withheld and thus have a more comfortable life.

Mr. President, the second amendment which I submit at this time is an amendment to H.R. 12080 dealing with long-term care, particularly nursing home care, provided to the aged under title XIX of the Social Security Act. I shall not discuss the amendment at this time except to say that it is substantially the same as my bill S. 1661, which I introduced on May 2 of this year. I hope that during the hearings now in progress before the Committee on Finance this proposed amendment will receive the attention of the committee.

The PRESIDING OFFICER. The amendments will be received, printed, and appropriately referred.

The amendments (Nos. 293 and 294) were referred to the Committee on Finance.

ADDITIONAL COSPONSORS OF BILL AND CONCURRENT RESOLUTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 1796) to impose quotas on the importation of certain textile articles, the names of the Senator from New York [Mr. KENNEDY], and the Senator from Texas [Mr. YARBOROUGH] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I ask unanimous consent that at the next printing of Senate Concurrent Resolution 25, to express the sense of Congress with respect to an investigation and study to determine the potential of railroad passenger and mail transportation in the United States, the name of the Senator from Connecticut [Mr. RIBICOFF] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

GEN. WALTER KRUEGER'S DEATH IS LOSS TO NATION

Mr. YARBOROUGH. Mr. President, I was greatly saddened to learn of the death of a great general and a friend whom I knew before World War II when he commanded the famed 2d Infantry Division, Gen. Walter Krueger. His qualities of command and responsible leadership made him outstanding among American leaders.

General Krueger was a military man who had known the military life at all levels, rising from a private in the Spanish-American War to a four-star general and commander of the 6th Army in the Second World War. Born in Prussia, he entered the United States at the age of 8. He was for many years a resident of San Antonio, Tex., but for all his life he was a citizen of the whole United States which he defended. San Antonio, and Texas, knew and honored him.

General Krueger was a brilliant military strategist, admired by the officers as well as by the men in the ranks. General MacArthur once said of his leadership:

> No army in military history ever had a greater leader than General Krueger.

The death of General Krueger is a loss to all of us.

Mr. President, I ask unanimous consent that the articles from last Monday's Washington Post, New York Times, Richmond Times-Dispatch, and San Antonio Express, noting the death of General Krueger and giving some accounts of his life, be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 21, 1967]

General Krueger, 86, Dies, Led 6th Army in Pacific

Valley Forge, Pa.—"No army in military history ever had a greater leader than Gen. Krueger." That is what General of the Army Douglas MacArthur said of Gen. Walter Krueger, commander of the U.S. 6th Army in World War II, who died yesterday.

It was Gen. Krueger's 6th Army that led MacArthur's spearhead against the Japanese all the way from the Southwest Pacific to the Philippines.

Gen. Krueger died in Valley Forge General Hospital at the age of 86. He had been a patient there since Sept. 14, 1965, and doctors attributed his death to "old age."

Gen. Krueger, a master of military tactics, remained a doughboy at heart during a half century of soldiering in the Spanish-American War, the Philippine insurrection and two world wars.

ALWAYS PRAISED INFANTRY

His highest praise always went to the infantrymen. He himself was a 17-year-old engineering student at Cincinnati Tech when he decided to enlist in the Army.

Three years later, 1901, he was in the Philippines when he was commissioned from the ranks as first lieutenant. He returned to the Philippines 44 years later as commander of the 6th Army.

Son of a Prussian colonel who died before Gen. Krueger's mother brought him to America, he was graduated from the Infantry and Cavalry School with distinction in 1906, and from the General Staff College the following year.

At the end of World War I, he had been promoted three grades temporarily—from captain to colonel—and was head of the tank corps for the Army's European force. By 1932, he had regained colonel's rank permanently. He became a full general in 1945.

The American public became aware of his skill in tactical maneuvers before Gen. Krueger's forces went to Europe during World War II.

At the last of a series of command posts before the war, he organized the war games in Louisiana in 1941. He was head of the 3rd Army and the Southern Defense Command at the time.

These field exercises developed into all-out battles in which everything up to bursting shells and droning bullets was used.

A newsman who covered the maneuvers said the general used motor vehicle transportation as little as possible, "to harden the troops to the realities of war."

During the war games the general himself got caught in a trap set up to capture a convoy of 1,000 men. It netted the general's limousine, and a maneuver umpire had to arrange for his release.

While head of the 3rd Army, Gen. Krueger oversaw a junior officers' training center at Camp Bullis, Tex., where many of the officers of World War II were trained.

RETIRED IN 1946

Gen. Krueger retired in 1946 after staying in the South Pacific for the postwar occupation. He was awarded the Distinguished Service Cross by Gen. MacArthur.

In 1943, after the United States had been in the war two years, Gen. MacArthur asked that Gen. Krueger be assigned to the Pacific Theater.

Gen. Krueger headed an advance echelon to plan the first * * *.

The 6th Army started out from Brisbane, Australia, with inadequate supplies and shipping, and within 18 months had covered the 4,500 miles to the north tip of Luzon in the Philippines.

Early in New Guinea, he conceived the idea, organized and trained the "Alamo Scouts," who completed nearly 100 successful intelligence missions behind enemy lines—without a single casualty.

Between the wars, he served two tours in Washington, as a student at the War College and then on the war plans staff from 1921 to 1925, and as assistant chief of staff of war plans division from 1936 to 1938.

Gen. Krueger's wife Grace died in 1956. He leaves a son, retired Army Col. Walter Krueger Jr. of Philadelphia, and a daughter, Mrs. Dorothy K. Smith of San Antonio, Tex.

Services will be at 1 p.m. Thursday at Ft. Myer Chapel, with burial in Arlington Cemetery.

[From the New York Times, Aug. 21, 1967]

Walter Krueger, Led 6th Army—General in Pacific, Noted as Strategist, Is Dead at 86

Valley Forge, Pa., Aug. 20.—Gen. Walter Krueger, commander of the United States Sixth Army in World War II, died today at Valley Forge General Hospital. He was 86 years old.

His survivors include a son, Col. Walter Krueger, U.S.A., retired, and a daughter, Mrs. Dorothy K. Smith.

A funeral service will be held 1 p.m. Thursday at Arlington National Cemetery.

A SOLDIER'S SOLDIER

General Krueger was often called "a soldier's soldier." He began as a private at 17 in the Spanish-American War and rose to four-star general in a 48-year career that included action in the Philippine Insurrection and the two World Wars.

Although he began his Army career with little formal education, his deep reading in military science caused him to be regarded later in life as a master of strategy and tactics.

His basic precept was: "Seize the initiative and hold it."

"I don't try to direct my tactics toward thwarting the enemy's intentions," he once explained. "I try to hit him hard and keep him off balance so that he will be worrying about what I intend to do."

General Krueger was a stern disciplinarian, and sometimes his rather grim sense of command fell just short of martinetism. But with his strictness, he believed that it was an officer's "cardinal duty to look after his men before he looks after himself." He once said that "every officer should know every corn and bunion" in his command.

PRAISED INFANTRYMEN

The general always reserved his highest praise for the infantryman. "I was a private for a long time myself," he said during World War II. "To root out and destroy the enemy, it takes the infantryman who fights through mud and muck."

General Krueger received his World War II assignment at the request of General of the Army Douglas MacArthur.

When the Sixth Army was about to be formed in the Pacific, General MacArthur sent this radiogram for General Krueger:

"I have just recommended to the Chief of Staff that you and the Third Army headquarters be transferred to this [the Pacific] area. I am particularly anxious to have you with me at this critical time."

General Krueger led the Sixth Army from its training and staging areas in and near Australia through some of the toughest fighting in the Pacific.

The Sixth Army was deactivated in 1946 after fighting in 21 major engagements and making a record as the most seagoing army in American history.

PRAISED BY MAC ARTHUR

General MacArthur said, "No army ever had a record of accomplishment greater than that of the Sixth Army."

While presenting the Distinguished Service Cross and an Oak Leaf Cluster to General Krueger, General MacArthur said, "No army in military history ever had a greater leader than General Krueger."

General Krueger was retired as a full general in July, 1946.

His many talents included the ability to recognize military merit when he saw it. When he was placed in command of the Third Army in 1941 he asked that a colonel named Dwight D. Eisenhower be assigned to him as chief of staff.

"Upon my recommendation Colonel Eisenhower was promoted to brigadier general," General Krueger later wrote.

General Krueger ranked next to Gen. Lesley J. McNair as a specialist in training and, with General McNair, he had a considerable influence over the quality of the hastily raised forces the United States sent abroad in World War II.

BORN IN WEST PRUSSIA

Walter Krueger was born in Flatow, a town in West Prussia. Flatow was later included in Polish territory and became Zlotow. He was a son of Julius and Anna Hasse Krueger, who brought him to the United States at the age of 8.

In the Spanish-American War he served in Cuba as a sergeant of volunteers.

In June, 1899, he enlisted in the regular Army as a private. The Spanish-American War had developed few heroes and promotion was slow.

Sent to the Philippines, then in insurrection, Private Krueger received what would have been called at a later date a battlefield commission. Back in the United States, Lieutenant Krueger started the long climb up the promotion ladder.

He attended the Infantry Cavalry School at Fort Leavenworth, Kan., and made such an impression that he was asked to remain as a student officer at the Staff College, from which he had been graduated in 1907.

After more duty in the Philippines, where he supervised the mapping of a large part of the archipelago, he returned to Fort Leavenworth, as a language instructor.

General Krueger, as colonel, served in France during World War I.

Few officers had the variety of service to which Colonel Krueger was assigned between wars. He taught at Army schools, was in charge of them and commanded infantry regiments. He also spent a year at the Army Air Corps Primary Flying School in Texas.

[From the Richmond Times-Dispatch, Aug. 21, 1967]

Gen. Walter Krueger Dies; Commanded U.S. 6th Army

Valley Forge, Pa.—Gen. Walter Krueger, one of America's masters of military tactics and commander of the U.S. 6th Army in World War II, died Sunday at Valley Forge General Hospital. He was 86.

Krueger had been a patient at the hospital since Sept. 14, 1965.

Krueger was given his World War II assignment at the special request of General of the Army Douglas MacArthur. His 6th Army led MacArthur's spearhead all the way from the Southwest Pacific to the Philippines.

He once described his service with the 6th Army as the "most precious recollection" of his military career.

Krueger became a doughboy at 17 and remained a doughboy at heart during a half century of soldiering in the Spanish-American War, the Philippine Insurrection and two world conflicts.

The four-star general always reserved his highest tribute for the infantryman.

STARTED AS PRIVATE

"I was a private for a long time myself," he said during World War II, in speaking of "my incomparable troops."

While not minimizing the importance of other branches, he said that "to root out and destroy the enemy, it takes the infantryman who fights through mud and muck."

It was in 1901 while serving under MacArthur's father, Lt. Gen. Arthur MacArthur, during the Philippine Insurrection that Krueger was commissioned from the ranks as a second lieutenant.

Krueger returned to the Philippines 44 years later as a lieutenant general in command of a powerful army. He became a full general in 1945.

During the drive toward Manila he made a sentimental visit to the spot where he first became an officer.

Krueger's fundamental military precept was to seize the initiative and hold it.

BORN IN GERMANY

"I don't try to direct my tactics toward thwarting the enemy's intentions," he once said. "I try to hit him hard and keep him off balance so he will be worrying about what I intend to do."

In pinning the Distinguished Service Cross and an Oak Leaf Cluster on Krueger in 1946, MacArthur said: "No army in military history ever had a greater leader than Gen. Krueger."

MacArthur decorated Krueger as the 6th Army was being inactivated after its career of 21 major engagements and a record as the most seagoing in American history. MacArthur said that "no army ever had a record of accomplishment greater than that of the 6th Army."

Krueger was born Jan. 26, 1881, in Flatow, Germany, the son of a Prussian colonel. His widowed mother brought him to this country at the age of 8. He quit high school in Cincinnati when he was 17 to enlist at the outbreak of war in 1898.

A funeral service will be at 1 p.m. Thursday at Arlington National Cemetery.

[From the San Antonio Express,
Aug. 21, 1967]

GENERAL KRUEGER DEAD AT 86

VALLEY FORGE, PA.—Gen. Walter Krueger, one of America's masters of military tactics and commander of the U.S. 6th Army in World War II, died Sunday at Valley Forge General Hospital. He was 86.

Krueger had been a patient at the hospital since Sept. 14, 1965. He died at 8:15 a.m.

Krueger was given his World War II assignment at the special request of General of the Army Douglas MacArthur. His 6th Army led MacArthur's spearhead all the way from the Southwest Pacific to the Philippines.

Krueger once described his service with the Sixth as the "most precious recollection" of his military career. Krueger became a doughboy at 17 and remained a doughboy at heart during a half century of soldiering in the Spanish-American War, the Philippine Insurrection and two world conflicts. The four-star general always reserved his highest tribute for the infantryman.

"I was a private for a long time myself," he said during World War II in speaking of "my incomparable troops."

While not minimizing the importance of other branches, he said that "to root out and destroy the enemy, it takes the infantryman who fights through mud and muck."

It was in 1901 while serving under MacArthur's father, Lt. Gen. Arthur MacArthur, during the Philippine Insurrection that Krueger was commissioned from the ranks as a second lieutenant. Krueger returned to the Philippines 44 years later as a lieutenant general in command of a powerful army. He became a full general in 1945.

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Krueger was born Jan. 26, 1881, in Flatow, Germany, the son of a Prussian colonel. His widowed mother brought him to this country at the age of 8. He quit high school in Cincinnati when he was 17 to enlist at the outbreak of war in 1898.

His survivors include a son, retired Army Col. Walter Krueger, of Philadelphia, and a daughter, Mrs. Dorothy K. Smith of San Antonio.

Funeral services will be at 1 p.m. Thursday at Arlington National Cemetery, Washington, D.C.

GENERAL KRUEGER WAS A GREAT SOLDIER

General Walter Krueger died Sunday, having lived through three wars as a foot-soldier and a foot-soldier's leader. He was a tough commander with a professional soldier's appreciation of good soldiers. He demanded good shoes and good food for his troops and he kept his quartermasters alert to that fact. He once dumped big pots of fried potatoes cooked too early for breakfast for his troops during maneuvers to make his point.

He was also a sentimental soldier, but he was always a soldier. He was the commander given the then Lt. Col. Dwight Eisenhower as a chief of staff just prior to America's massive entry into the European war. He was the commander of any army that counted, at the outset of the build-up for World War II, only one combat division and he used that division—the Second—to spin off cadres for other armies.

At one junior officers' training camp here, General Krueger told them he had made their training as hard as he could make it because the work ahead would be far harder. He reaffirmed the fact that war is hell and there is no easy way to fight it.

San Antonio knew General Krueger as the ranking officer here when World War II broke dramatically over us in 1941. He retired here after the war to think back over a career and to do some writing. Whatever he left, it will be the notes of a soldier born and bred, who strove for perfection in the profession he followed.

DISAGREEMENT WITH PRESIDENT'S CONCLUSIONS ON THE NEED FOR TAX INCREASE

Mr. PROXMIRE. Mr. President, I disagree with the President's conclusions on the need for a tax hike in view of the present state of the economy.

But if Congress concurs with the desirability of tightening the budget by cutting spending by $2 billion and increasing taxes by $7 billion, it should accomplish exactly the same economic effect by cutting spending by $9 billion.

Exclusive reliance on reduction in spending has these advantages:

First. It can be put into effect at once by the President and can be timed precisely to meet the economy's needs. The tax hike on the other hand is unlikely to be made effective before January 1, 1968, and then for a 2-year period. The economic outlook for 2 years beginning January 1, cannot be clearly foreseen by economists with the clearest crystal ball.

Second. Federal spending reductions will have none of the burden on the taxpayer that a personal income tax increase will have and none of the inflationary effect that a corporation income tax increase—much of which will be passed on to consumers—is bound to have.

Third. With Presidential leadership it is well within the reach of the Congress to achieve. In both 1958 and 1964 the Congress cut the President's budget requests by a substantially higher percentage than I am suggesting. It did so without the pressure of a threatened tax increase.

But in my judgment none of this substantial reduction in spending is possible this year without Presidential concurrence. It is difficult or impossible for any congressional coalition to resist the great pressures for increased spending unless the President leads the way.

What chance would any Member of Congress have to cut public works spending—the pork-barrel, the give-and-take heart of achievement for so many Members of Congress if the President's Budget Bureau is going to say yes to the record billions of nondefense public works expenditures it has approved this year.

Very large cuts well below the President's requests can and should be made in public works and the space program. We should withdraw four of our six divisions from Europe. We should postpone certainly for this year the spending on the supersonic transport.

We should cut this spending. But as long as the President requests huge expenditures, overwhelming economic and political pressures will make resistance by individual Members of the Congress futile.

With Presidential support these spending reductions would be swiftly acceded to by the Congress. Indeed if necessary the President can use his ultimate power simply not to spend. He is not compelled to spend a penny in any of these postponable programs, even if the Congress does appropriate the money.

As chairman of the Joint Economic Committee, I was deeply disappointed by the administration's response to the committee's request for a mid-year economic review.

The review took place Thursday, August 24. It was requested because of the gross error in January 1966 in estimating the cost of the Vietnam war, a $10 billion, 100-percent error that resulted in unwise fiscal policy and soaring interest rates in 1966.

The committee felt that a July or August review of the situation for the benefit of the Congress in 1967 would be useful. But the administration tells us that although they expect to have 45,000 additional troops in Vietnam, it can make no estimate of how much this additional cost might be.

A $4 billion contingency for Vietnam spending is suggested but only as a contingency.

The administration says that it may be able to cut spending by $2 billion but fails to say where.

There is no program-by-program report on prospective spending. There is no explicit recommendation for spending cuts. The administration can and must do much better than this if the Congress is to have the economic and fiscal intelligence on which to act sensibly.

SENATOR MOSS STRONG SUPPORTER OF RATIFICATION OF HUMAN RIGHTS CONVENTIONS—CXXIX

Mr. PROXMIRE. Mr. President, my good friend and distinguished colleague who so ably represents the State of Utah [Senator Moss] has spoken out forcefully for U.S. ratification of the Human Rights Conventions on Forced Labor, Political Rights of Women, and Slavery.

In the statement which he submitted to the Senate Foreign Relations Committee's Subcommittee on Human Rights Conventions, Senator Moss makes a most convincing argument for ratification, stating that ratification is not only vital to the prestige and influence of the United Nations, but also very much in our national interest when he wrote:

> I have on more than one occasion called the attention of my colleagues to the importance of the United Nations in achieving peace and stability in the world. I still feel that a strong and vital U.N. is essential to the foreign policy of this country. But on the issue of ratifying these Conventions our record is among the very worst of the members of the U.N.

Mr. President, as one who has spoken 129 times during the 90th Congress, urging the Senate to ratify the Human Rights Conventions, I welcome and appreciate the vigorous support of Senator Moss.

I ask unanimous consent that Senator Moss' statement in support of U.S. ratification of the Human Rights Conventions be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Frank E. Moss, Senate Foreign Relations Committee, Subcommittee on Human Rights Conventions

Mr. Chairman, the late President John F. Kennedy, in one of his most perceptive speeches, reminded us that peace is "in the last analysis, basically a matter of human rights." This century has seen more than its share of the disruption of peace. But there has also been growing acceptance of the importance of the individual and his fundamental human rights.

Since the days of the Declaration of Independence, and its reaffirmation of those "certain inalienable rights", the United States has pioneered in the protection of human rights under the rule of law. Why, then, have we been so long in reaffirming these same human rights on the international scale?

I wish I knew. Surely none of my colleagues in the Senate favors slavery, forced labor, or opposes political rights for women. But since 1963, we have hesitated giving our assent to the ratification of these three conventions of the United Nations.

I have on more than one occasion called the attention of my colleagues to the importance of the United Nations in achieving peace and stability in the world. I still feel that a vital and strong U.N. is essential to the foreign policy of this country. But on the issue of ratifying these conventions our record is among the very worst of the members of the U.N.

Only four charter members of United Nation have failed to ratify at least one of these treaties: Bolivia, Uruguay, the Union of South Africa, and the United States. I think this is a shameful mark on our record in the U.N.

We have never equivocated in our stand that certain rights were above the tyranny of a despot or a majority of the people. Surely slavery and forced labor are among those rights. We must pledge in the United Nations what we have long practiced.

Let us without further delay join this worldwide system for the protection of human rights. Let us recommend the early ratification of the Conventions on Slavery, Forced Labor, and the Political Rights of Women. The United States was meant to lead, not to follow, in the assertion of the dignity of man.

A $3 BILLION OIL SUBSIDY

Mr. PROXMIRE. Mr. President I have just received the latest figures showing the amount of taxes paid by the 22 largest oil companies. In 1966, the 22 companies earned a total of $6,809 million before taxes and yet paid only $585 million or only 8.5 percent, while all other companies were paying 50 percent and while most taxpayers were paying 20 or 30 percent or higher. The giant oil companies have been getting by at the ridiculously low rate of 8.5 percent. At a time when the war in Vietnam is exerting continuing pressures on our economy and when we are calling upon every citizen to make substantial sacrifices and when the administration is calling for a 10-percent surtax charge, it seems to me we also ought to look at the loopholes which permit the giant oil companies to escape their fair share of taxes.

There are some companies on the list which paid no taxes at all for the last 5 years. For example, the Atlantic Oil Co. during the last 5 years has earned a total of $410 million but has paid not 1 penny of taxes. Even the poverty stricken man or woman making less than $3,000 a year is required to pay taxes to support our Government, and yet the giant Atlantic Oil Co. making $410 million in the last 5 years has not paid a cent.

Mr. President, if the oil companies paid taxes like other corporations, the Treasury would gain an additional $3 billion in revenue. I strongly suggest the Department of the Treasury consider repealing the various tax loopholes such as the oil depletion allowance as an alternative to the 10-percent surtax charge. Mr. President, I ask unanimous consent that the figures showing the amount of taxes paid by the 22 largest oil companies over the last 5 years be inserted in the Record.

There being no objection, the tabulation was ordered to be printed in the Record, as follows:

	Net income before tax	Federal tax	Percent	Foreign, some State tax	Percent	Profit after tax
Standard (New Jersey):						
1962	$1,271,903,000	$8,000,000	0.6	$423,000,000	33	$840,903,000
1963	1,584,469,000	69,000,000	4.3	496,000,000	31	1,019,469,000
1964	1,628,555,000	29,000,000	1.7	549,000,000	33	1,050,555,000
1965	1,679,675,000	82,000,000	4.9	562,000,000	33	1,035,675,000
1966	1,830,944,000	116,000,000	6.3	624,000,000	34	1,090,944,000
Texaco:						
1962	546,371,000	13,000,000	2.3	51,700,000	9	481,671,000
1963	615,768,000	10,250,000	1.6	58,850,000	12	545,668,000
1964	660,761,000	5,500,000	.8	77,900,000	11	577,361,000
1965	726,198,000	10,000,000	1.3	79,500,000	11	636,698,000
1966	845,466,000	32,500,000	3.8	103,100,000	12.1	709,966,000
Gulf:						
1962	488,351,000	19,389,000	3.9	128,871,000	26	340,091,000
1963	540,065,000	30,870,000	5.7	137,842,000	25	371,353,000
1964	607,343,000	52,443,000	8.6	159,782,000	26	395,118,000
1965	655,727,000	53,559,000	8.1	174,935,000	26	427,233,000
1966	813,868,000	90,008,000	11.0	219,089,000	26.9	504,762,000
Mobil:						
1962	379,339,000	8,300,000	2.1	128,700,000	33	242,339,000
1963	437,352,000	23,000,000	5.2	142,500,000	32	271,852,000
1964	464,660,000	27,700,000	5.9	142,800,000	30	294,160,000
1965	508,016,000	33,900,000	6.6	154,000,000	30	320,116,000
1966	555,412,000	23,200,000	4.4	176,100,000	31.7	356,112,000
Standard (California):						
1962	348,181,000	5,800,000	1.6	28,600,000	8	313,781,000
1963	356,568,000	2,900,000	.8	31,600,000	8	322,068,000
1964	393,188,000	8,300,000	2.1	39,600,000	10	345,288,000
1965	455,425,000	9,000,000	1.9	55,200,000	12	391,225,000
1966	515,118,000	29,800,000	5.7	61,300,000	11.9	424,018,000
Shell:						
1962	173,555,000	7,200,000	4.1	8,680,000	5	157,675,000
1963	211,575,000	19,100,000	9.0	12,623,000	5	179,852,000
1964	213,575,000	2,800,000	1.3	12,585,000	5	198,190,000
1965	274,507,000	26,600,000	9.6	13,876,000	5	234,031,000
1966	313,085,000	46,100,000	14.7	11,785,000	3.7	255,200,000
Standard (Indiana):						
1962	$168,843,000	$3,105,000	1.8	$3,381,000	2	$162,420,000
1963	208,022,000	22,182,000	10.6	2,748,000	1	183,092,000
1964	204,817,000	8,486,000	4.1	1,480,000	.7	194,851,000
1965	263,098,000	39,578,000	15.0	4,248,000	2	219,272,000
1966	300,531,000	(1)	----	49,672,000	----	255,869,000
Phillips:						
1962	158,320,000	48,000,000	30.3	3,365,000	2	106,955,000
1963	160,954,000	52,000,000	26.2	3,491,000	2	105,463,000
1964	152,197,000	32,229,000	22.2	4,950,000	3	115,018,000
1965	165,876,000	31,745,000	19.1	6,415,000	4	127,716,000
1966	218,382,000	59,163,000	27.0	7,595,000	3.4	151,624,000
Conoco:						
1962	73,477,000	1,065,000	1.4	3,335,000	5	69,077,000
1963	99,665,000	9,143,000	9.2	3,157,000	3	87,365,000
1964	112,009,000	8,725,000	7.7	3,175,000	2	100,109,000
1965	142,051,000	6,865,000	4.8	39,035,000	27	96,151,000
1966	204,632,000	24,670,000	12.0	64,330,000	31.4	45,632,000
Cities Service:						
1962	84,143,000	20,773,000	24.7	3,185,000	3	60,185,000
1963	101,976,000	20,188,000	21.4	4,283,000	4	77,505,000
1964	113,405,000	27,925,000	24.7	967,000	.8	84,513,000
1965	137,118,000	33,000,000	24.0	976,000	.7	104,118,000
1966	195,328,000	52,663,000	38.4	901,000	.4	141,794,000
Union:						
1962	59,421,000	8,000,000	13.5	5,500,000	9	45,921,000
1963	73,028,000	13,100,000	17.7	6,000,000	8	53,928,000
1964	87,564,000	13,300,000	15.2	7,200,000	8	67,060,000
1965	119,214,000	15,604,000	13.2	8,840,000	7	94,770,000
1966	120,782,000	18,398,000	10.7	10,144,000	5.9	142,260,000
Sun:						
1962	66,395,000	[2] 200,000	0	13,400,000	20	53,195,000
1963	79,976,000	1,300,000	1.9	17,460,000	22	61,216,000
1964	88,577,000	2,400,000	2.7	17,670,000	20	68,507,000
1965	113,405,000	10,300,000	9.0	18,220,000	16	84,835,000
1966	131,544,000	16,600,000	12.6	14,320,000	10.9	100,574,000

See footnotes at end of table.

	Net income before tax	Federal tax	Percent	Foreign, some State tax	Percent	Profit after tax
Marathon:						
1962	$36,064,000	[2] $2,200,000	0	$205,000	0.5	$37,889,000
1963	50,058,000	(3)	0	933,000	2	49,125,000
1964	63,220,000	(3)	0	2,844,000	4	60,376,000
1965	97,416,000	(3)	0	[4] 37,345,000	38	60,071,000
1966	130,927,000	2,400,000	1.8	59,700,000	45.9	68,826,000
Atlantic:						
1962	61,110,000	0	0	14,844,000	24	46,266,000
1963	56,747,000	0	0	12,734,000	22	44,013,000
1964	61,081,000	0	0	14,005,000	22	47,076,000
1965	105,299,000	0	0	15,188,000	14	90,111,000
1966	127,384,000	----------	----	13,900,000	12.7	113,484,000
Sinclair:						
1962	57,936,000	----------	----	10,586,000	18	47,350,000
1963	85,731,000	[2] 1,200,000	0	10,201,000	12	75,230,000
1964	66,444,000	[2] 3,119,000	0	10,827,000	15	58,736,000
1965	96,072,000	4,100,000	4.4	15,299,000	15.9	76,673,000
1966	123,232,000	13,996,000	11.3	14,892,000	12	94,344,000
Standard (Ohio):						
1962	37,235,000	9,275,000	25.0	3,738,000	10	24,222,000
1963	54,008,000	15,225,000	28.1	4,896,000	9	33,887,000
1964	70,252,000	21,150,000	30.2	5,334,000	7	43,768,000
1965	82,848,000	26,300,000	31.7	6,836,000	8.3	49,712,000
1966	84,481,000	21,200,000	25.0	6,345,000	7.5	56,936,000
Tidewater:						
1962	35,191,000	228,000	.6	2,387,000	6	32,576,000
1963	42,795,000	[2] 63,000	0	3,384,000	8	39,474,000
1964	40,508,000	377,000	13.7	4,426,000	11	35,705,000
1965	60,397,000	58,000	.9	3,783,000	6	56,556,000
1966	80,542,000	3,350,000	4.1	5,301,000	6.5	71,891,000
Ashland:						
1962	$24,324,000	$6,201,000	25.8	$2,799,000	11	$15,324,000
1963	28,769,000	10,556,000	37.7	104,000	.3	18,109,000
1964	36,385,000	9,672,000	26.8	2,977,000	8	23,735,000
1965	50,594,000	15,500,000	30.6	2,440,000	5	31,594,000
1966	69,324,000	20,830,000	30.0	5,570,000	8	42,924,000
Sunray DX:						
1962	41,203,000	3,850,000	9.3	1,152,000	3	36,201,000
1963	49,727,000	6,533,000	13.3	1,328,000	3	41,866,000
1964	29,357,000	[2] 7,115,000	0	1,290,000	4	35,182,000
1965	43,367,000	353,000	.8	1,572,000	4	38,592,000
1966	55,367,000	8,847,000	15.9	1,710,000	3	44,810,000
Skelly:						
1962	22,674,000	1,260,000	5.7	250,000	1	21,164,000
1963	27,479,000	3,025,000	7.7	275,000	4	24,179,000
1964	26,601,000	785,000	1.2	275,000	2	25,551,000
1965	39,995,000	5,625,000	14.0	375,000	.9	33,995,000
1966	42,762,000	5,300,000	12.3	[5] 500,000	1.1	36,962,000
Pure:						
1962	27,680,000	[2] 2,546,000	0	1,276,000	4	28,950,000
1963	28,582,000	[2] 1,212,000	0	27,000	.01	29,767,000
1964	32,282,000	[2] 600,000	0	164,000	.5	31,518,000
Richfield:						
1962	36,615,000	6,000,000	16.6	0	0	30,615,000
1963	29,767,000	1,300,000	4.4	773,000	3	27,894,000
1964	26,255,000	[2] 629,000	0	5,429,000	21	21,455,000
Total:						
1962	4,198,161,000	164,500,000	4	838,891,000	20	3,194,770,000
1963	4,923,081,000	246,660,000	5	950,540,000	19	3,662,375,000
1964	5,179,036,000	240,529,000	4	1,064,383,000	20	3,873,836,000
1965	5,816,298,000	404,087,000	6.9	1,200,083,000	20.5	4,209,144,000
1966	6,809,111,000	585,115,000	8.5	1,445,313,000	21.2	4,778,802,000

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[1] Standard (Indiana) didn't show its foreign taxes in the 10–K filing for 1966, but SEC Secretary Orval duBois said SEC staff will contact Standard about the omission.

[2] Credit.

[3] Marathon has not shown in its SEC folder the breakdown for foreign and U.S. taxes for these years as yet.

[4] About $22,000,000 went to Libya, but beyond that, the record doesn't show U.S.-foreign split.

[5] State income taxes.

SUPPORT FOR SOUTH VIETNAMESE ELECTION

Mr. McINTYRE. Mr. President, I have commented before about the shrill cries of "Fraud!" directed at the election soon to be held in South Vietnam. From latest reports, the campaign is going well despite intensified Vietcong terror tactics with their mounting toll of civilian casualties. One seldom hears mention of these atrocities from those who recoil in horror from the bombing of military installations.

In their speeches, the various candidates have openly criticized the government—something unheard of in Russia or East Germany, to say nothing of Cambodia or North Vietnam. Citizens have been allowed to ask pointed questions of speakers. The incumbent military leaders have now appeared on the same platforms with their civilian opponents who, presently, are complaining less.

In addition, a group of prominent and representative American citizens is on its way to Asia to observe—not to "police" as one Congressman put it—the election, itself. Although little notice has been made of it, the group has merely accepted the invitation long ago extended by the South Vietnamese Government to all nations with whom it has diplomatic relations to the United Nations and to members of the international press. Such an invitation would scarcely have been extended by a government intending to conduct a dishonest election. On a prima facie basis, the charge of fraud must be considered premature.

It is not the election of September 3, in which the South Vietnamese will select their President and Vice President as well as the 60 Members of their Government's upper House that needs to concern us. Nor is it the later election on October 22 in which the Members of the lower House will be chosen. If there is to be any concern at all, it must be for what comes afterward. The test of the democratic process is not so much in the election, itself, as it is in the capacity of the defeated candidates to accept the result—to form a loyal opposition.

It is this more sophisticated political problem that faces a young nation embracing a democratic form of government. In South Vietnam the problem is magnified by the fact that the country is at war against an alien external enemy as well as with a segment of its internal population. If, perchance, the incumbent military leadership is defeated by the voters, obviously the situation will become critical. It will take a high sense of statesmanship for Premier Ky and General Thieu to continue the war effort under the guidance of a civilian President, although they have pledged to do so. It will also take statesmanship for the defeated civilian candidates to accept defeat at the polls as a legitimate expression of the voters' will.

Pre-election opinion by members of the press—no formal polls have been taken—indicate the present leaders will be elected, although a clear-cut majority is doubtful with twelve different choices available. Too, there are hints of friction between the two leading candidates, themselves.

The people of South Vietnam are about to create for themselves a new form of government—an "instant democracy," so to speak. At the moment, Mr. President, we must not allow our hopes for it to go beyond the preçarious period of its infancy.

INCREASED MARITIME THREAT OF SOVIET UNION

Mr. McINTYRE. Mr. President, until a few years ago, the Soviet Union had never been considered a significant threat on the high seas. All of us on the New England coast have become familiar with Soviet trawlers that fish off the Georges Banks—and try to pick up radio signals from our military installations nearby—but no one has seriously considered the dangers of a growing commercial and military fleet to compete with the large maritime powers of the free world.

It has now become obvious that the Soviet Union is working hard to build her fleet and is fast becoming a power to be reckoned with on the high seas.

Her submarine fleet is growing by leaps and bounds. She has developed nuclear submarines—submarines that are capable of firing both surface and submarine ballistic missiles. Her surface fleet is growing; and the U.S. Navy, in recent months, has had many occasions to witness the harassment of Soviet cruisers and destroyers on the high seas.

Adm. Emory S. Land, the former Chairman of the U.S. Maritime Commission, has effectively called attention to the growing Soviet fleet and has urged President Johnson to seek ways to counter this potential menace to the free world.

This morning's New York Times contained an interesting and informative article on Admiral Land's views, and I ask unanimous consent that it be inserted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Soviet Is Called Maritime Threat—Land, in Letter to Johnson Asks Study of Challenge

Emory S. Land, retired Navy vice admiral and former chairman of the United States Maritime Commission, has written to President Johnson urging attention to expanding Soviet maritime activity. He called it a "vigorous, increasing challenge to the best interests of our nation."

An evaluation of the situation was outlined in an article, "Soviet Maritime Threat," that was published in a recent issue of the

United States Naval Institute Proceedings. Admiral Land included a copy of the report for the President's perusal. He expressed the hope that "the demand of your office will yet permit the opportunity for the expression of your own valued opinion."

"The economic and military implications are self-evident," Admiral Land wrote. "Having been at Quebec, Malta, Yalta and Potsdam, I think my alarm is justified."

The article, written by Major Verner R. Carlson, United States Army, says that since 1960 the Soviet merchant fleet has doubled in size and will double again by 1970 under a massive growth program that is continuing at the rate of a million deadweight tons of shipping each year.

United States shipping, meanwhile, is declining in every category, the author wrote. He predicted that the size of the Soviet fleet in terms of deadweight tonnage would exceed that of the United States by 1972.

In the number of ships, the fleet of Soviet Russia already exceeds that of the United States, Major Carlson says.

A TRADE WAR WEAPON

The article poses the possibility that the Soviet merchant fleet might be used as a powerful weapon in a trade war against the Western powers.

Similar warnings, documented with the same statistical comparisons that were used in detail by Major Carlson, also have been voiced by other American experts and by members of Congress in the current debate on Federal martime policy.

Major Carlson has served in both the Army and the Navy. He was graduated from the Naval Academy in 1955.

SCIENTIFIC COMMUNITY SUPPORTS CREATION OF SENATE SELECT COMMITTEE ON TECHNOLOGY AND THE HUMAN ENVIRONMENT—SENATE RESOLUTION 68

Mr. BAKER. Mr. President, one of the most exciting, far-reaching, and critically needed pieces of legislation now before the Senate is Senate Resolution 68, "to establish a Select Senate Committee on Technology and the Human Environment."

Every day brings fresh evidence of the difficulty our society is experiencing in adapting to fundamental changes brought about by technological developments. We are living in a technological revolution that is fast transforming our way of life, for better or for worse. Both the potential benefits and hazards of technological change are great, real, and far too little understood.

There is a lack of coordination between the scientists, who are improving our technology, and the U.S. Senate, whose Members must decide what action the Central Government will take to solve the problems of this and future generations.

It was to fill this need that Senate Resolution 68 was introduced last January by the distinguished junior Senator from Maine [Mr. Muskie], who has demonstrated great prescience in initiating this measure and great skill and effectiveness in making a solid case supporting its passage.

I am among 21 Members from both sides of the aisle who are cosponsoring this resolution and who are firmly committed to its purposes.

Nothing has fascinated me more during my brief tenure as U.S. Senator than my participation in hearings this spring by the Intergovernmental Relations Subcommittee considering Senate Resolution 68.

The hearings afforded a glimmer of insight into the extent to which technological advancement can help to solve growing social problems—such as poverty, transportation, air, and water pollution, decaying cities and a burgeoning population. Our discussions with the many distinguished witnesses brought out the fact that virtually all the most challenging social problems of today and tomorrow have both social and technological aspects, and that, in most instances, a blend of technology, and social engineering will produce the most effective means of attacking the problems.

The hearings elicited strong support for Senate Resolution 68 from scientists, educators, Government officials, and spokesmen for the public interest. The testimony given was marked by a sense of urgency that this opportunity not be lost to provide the means for enlightening us all on the relationship of technology to the problems we will face as a society in the years to come.

Never before in our Nation's history has it been quite so critical that we shorten the 10- to 20-year gap between basic research discoveries and their practical applications. Never has it been quite so critical that Congress legislate intelligently so that taxpayers impatient to achieve effective solutions to a myriad of social problems get their money's worth from each dollar spent.

The Senator from Maine and I joined recently in informing a number of the country's leading scientists about the purposes of Senate Resolution 68. The response to our communication demonstrated that the proposal to create a Select Senate Committee on Technology and Human Environment has strong support throughout the scientific community. A careful reading of the response indicates the variety and utility of information about technology which the select committee could disseminate to legislative committees of the Senate.

Because of the caliber of the replies and because of the current interest within the Senate in Senate Resolution 68, I ask unanimous consent that the text of the letter which the Senator from Maine and I jointly addressed to scientists and the replies received so far be printed in the Record at this point.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., August 12, 1967.

Re: Senate Resolution 68 "To establish a Select Senate Committee on Technology and the Human Environment."

Senate Resolution 68 which was introduced earlier this year in the Senate, would establish a Select Senate Committee on Technology and the Human Environment. The purpose of this legislation would be to provide the Senate with a special committee for inquiring into the broad impact of science and technology on man's thinking, health, work, living habits, and individual security over the next fifty years.

The Select Committee would be—and this is to be emphasized—a study committee concerned with obtaining information about man's future, and evaluating that information in the light of technological benefits to be derived, and hazards to be encountered. It would be a forum where scientists and legislators can come together and discuss the critical environmental problems to be faced in the years ahead, and what science and government working together must do to meet these problems.

Hearings were completed on the resolution in April, and the Subcommittee on Intergovernmental Relations, to which the resolution was referred, recently reported it favorably to the full Committee on Government Operations of the Senate.

We feel that the establishment of such a Select Committee would make an immeasurable contribution by developing a closer relationship between the Senate and the scientific and technological community in a joint effort to solve critical environmental problems. In addition, we feel that a study group of this nature would provide a very useful source of information and recommendations for Congress as a whole, for the Executive Branch, for academic institutions and scholars, and for the public at large, as we face the twenty-first century.

Because of your special interest in science and technology, we thought you would be interested in learning that the resolution is now moving toward a very important stage in its Senate consideration. A number of scientists have made comments on the proposal and have helped us in shaping the legislation.

We would appreciate any comments or suggestions which you may wish to express in connection with this legislation.

Sincerely,

Edmund S. Muskie,
Howard H. Baker, Jr.,
U.S. Senators.

National Aeronautics and Space Administration,
Washington, D.C., August 18, 1967.

Hon. Edward S. Muskie,
Chairman, Subcommittee on Intergovernmental Relations, Committee on Government Operations, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: This responds to the memorandum signed by you and by Senator Howard H. Baker, Jr., on the subject of S. Res. 68, "To establish a Senate Select Committee on Technology and Human Environment."

You have indicated that you would appreciate any comments or suggestions the National Aeronautics and Space Administration may have on the resolution. We note that it has been favorably reported to the full Committee on Government Operations.

NASA has no additional comment to make on S. Res. 68 at this time. It, as you know, filed a report on the resolution in April of this year with the Subcommittee on Intergovernmental Relations. In that report we commented on the proposal and indicated that we had no objection to its adoption by the Senate.

If we can be of further assistance, please do not hesitate to call on us.

Sincerely yours,

Robert F. Allnutt,
Assistant Administrator for Legislative Affairs.

University of Hawaii,
Honolulu, Hawaii, August 18, 1967.

Hon. Howard Baker,
Hon. Edmund Muskie,
Senators of the United States, Committee on Government Operations, Subcommittee on Intergovernmental Relations, Washington, D.C.

Dear Senators Baker and Muskie: Thank you for your letter of August 12 concerning S. Res. 68. I think the establishment of a Select Senate Committee on Technology and the Human Environment is a very important step forward to use our brain performances in such a way that they are useful for humanity. I am convinced that a program developed in that direction will avoid the unpleasant impact that science and technology can do.

My feeling is that we can separate the population into three categories—basic scientists, applied scientists and technologists, and the general population. The requirements and impacts of science on these three groups are, as far as I can see, quite different. Therefore, I suggest that there should be three separate subcommittees for the three different groups.

I, personally, was always interested in the impact of the development of science on the scientist himself, since, to a certain degree, he seems to be the man responsible for the whole confusion. It is his behavior and his productivity which is of interest. Unfortunately, I found very little literature on this subject, in spite of the fact that most of the basic scientists have the feeling that the large development of the scientific output can be hardly handled and critically evaluated by the scientists themselves. Therefore, many of them have the feeling that they lost control of their own productivity and behavior.

Therefore, my impression is that if the scientists themselves cannot develop a program for their own field, it would be difficult to develop a program for the whole community. This is the reason why a subcommittee for the scientists could be useful for the other groups also.

Sincerely yours,
Georg von Bekesy,
Professor of Sensory Sciences.

Massachusetts Institute of Technology, Department of Nuclear Engineering,
Cambridge, Mass., August 15, 1967.
Senator Edmund S. Muskie,
Senator Howard H. Baker, Jr.,
Committee on Government Operations,
U.S. Senate,
Washington, D.C.

Gentlemen: Thank you for the opportunity to comment on the proposed formation of a Select Senate Committee on Technology and the Human Environment. This is a most constructive development and one which is bound to be in the overall national interest.

I would hope that such a Committee would work two ways, both in providing the Senate with the best possible technical advice on environmental problems, and in informing U.S. scientists and engineers with the difficulties legislators face in dealing with environmental problems.

Yours sincerely,
Manson Benedict,
Department Head.

Executive Office of the President, Office of Science and Technology,
Washington, D.C., August 15, 1967.
Hon. Edmund S. Muskie,
U.S. Senate,
Washington, D.C.

Dear Senator Muskie: Thank you for your memorandum of August 12th, jointly with Senator Baker, calling attention to the progress of S. Res. 68. I have followed this proposal with keen interest and have only recently reviewed the excellent hearings of the Subcommittee.

I heartily support the creation of the Select Committee. It has become abundantly clear that a forum is needed where a comprehensive and objective examination of the incredibly broad expanse of problems of man's environment can be carried out. The proposed Committee could do this without the pressures engendered by specific legislative proposals and plans for action based upon an inadequate view of overall implications.

It would be my hope that the studies of the Committee might form the basis for new thinking and more effective action both in *preventing* new problems as well as repairing the damage already done.

I very much appreciate this opportunity to express my views on this important Resolution.

Sincerely,
Ivan L. Bennett, Jr.,
Deputy Director.

Bryn Mawr College,
Bryn Mawr, Pa., August 15, 1967.
Hon. Howard H. Baker, Jr.,
Committee on Government Operations,
U.S. Senate, Washington, D.C.

Dear Senator Baker: I am pleased to respond to your letter of the 12th regarding Senate Resolution 68, "to establish a Select Senate Committee on Technology and the Human Environment".

This impresses me as a wise proposal since science and technology are advancing so rapidly in this area. Modern society is also raising new problems which must be solved if man is to continue a fruitful and happy life on this planet. The water we must have and the air we must breathe are being threatened today by intolerable pollution. Natural food sources are also being threatened and it is only through strong Government action that steps can be taken to avoid the hazards.

I would be glad to serve in any capacity that my qualifications make me eligible for. I appreciate the opportunity to comment.

Sincerely yours,
L. Joe Berry, Ph. D.,
Professor and Chairman.

The University of Rochester,
College of Arts and Science,
Rochester, N.Y., August 19, 1967.
Senator Howard H. Baker, Jr.,
Subcommittee on Intergovernmental Relations, Committee on Government Operations, U.S. Senate, Washington, D.C.

Dear Senator Baker: This is in response to your circular of August 12, 1967 regarding a Senate resolution to establish a Select Committee to study the impact of technology on man's future. I would feel that the establishment of such a committee would be extremely helpful, both to the Senate and to the scientific community. It is obvious that our environment will be profoundly modified by science, and a continuing study of this matter by the Executive Branch of the national government and scientists is certainly highly desirable and necessary.

As you may know, the American Chemical Society, which is the professional society with a membership of slightly over 100,000 chemists, has a committee which is carrying out studies along the lines indicated in your memorandum. Furthermore, the National Academy of Sciences, of which I am a member, has active studies going forward in many areas where social needs and scientific work interact. Personally I strongly endorse the resolution described in your memorandum, although I have not seen a copy of the resolution itself.

Starting September 1, 1967, I will be a constituent of yours because I am accepting an appointment as Distinguished Professor of Chemistry at Vanderbilt University. I am very much looking forward to the association with Vanderbilt and Nashville.

Yours very sincerely,
D. S. Tarbell,
Houghton Professor of Chemistry.

Department of the Navy,
Naval Weapons Center,
China Lake, Calif., August 25, 1967.
Hon. Edmund S. Muskie,
Hon. Howard H. Baker, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senators Muskie and Baker: The idea of understanding the effect of technology on future human relations is a very worthwhile subject for consideration.

The California Institute of Technology seems to be actively pursuing such a program as evidenced by their symposia held in 1957 and again in 1967 entitled "The Next Hundred Years" and "The Next Ninety Years" respectively.

My only comment on your proposed program would be that it is extremely worthwhile and the same time very difficult because the technical implications quite often upset existing moral values.

Sincerely,
Wm. B. McLean,
Technical Director,
Naval Undersea Warfare Center.

The University of Kansas,
Lawrence, Kans., August 25, 1967.
Senator Howard H. Baker, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senator Baker: I am writing with reference to your letter of August 12 (Re: S. Res. 68 "To Establish a Select Senate Committee on Technology and the Human Environment"). It is obvious that man is spoiling his environment to such an extent that the time may come when he destroys himself or at least our current way of life. I therefore favor efforts to solve critical environmental problems, and even those that are not *yet* critical, and would encourage favorable action on the proposed legislation.

Yours sincerely,
Charles D. Michener,
Watkins Professor of Entomology.

E. I. du Pont de Nemours & Co., Inc.,
Wilmington, Del., August 22, 1967.
Hon. Howard H. Baker, Jr.,
U.S. Senate, Washington, D.C.

Dear Senator Baker: I appreciate very much having your letter of August 12 reporting on the status of Senate Resolution 68 to establish a Select Senate Committee on Technology and the Human Environment. I will follow with much interest the progress of this legislation and, particularly, the considerations of the Select Committee when it is organized. Certainly a study of this subject is most timely.

Very truly yours,
T. L. Cairns,
Assistant Director.

The University of Wisconsin,
Department of Biochemistry,
Madison, Wis., August 18, 1967.
Hon. Edmund S. Muskie,
Chairman, U.S. Senate Committee on Government Operations,
Hon. Howard H. Baker, Jr.,
U.S. Senate, Washington, D.C.

Dear Senator Muskie and Senator Baker: Your recent letter describes a bill to establish a Select Senate Committee on Technology and the Human Environment. This letter is to indicate that I applaud your initiative in starting such a committee.

The country has suddenly come to the realization that it is despoiling its environment at an appalling rate. No one has chosen to accept the responsibility for reversing this trend in the past. The problems have now become of such magnitude that they must be approached on a national scale. Solutions will take careful thought by a group of highly capable people. Your move to establish a Select Senate Committee is an effort in the proper direction. We all hope that it will be properly manned and will be given freedom to make decisions with a minimum of outside pressure. Our hope also is that these decisions can be implemented promptly by legislative action by the Congress.

The scientific community will strongly support your efforts to get new program on technology and the human environment under way. I am sure that they will cooperate in every way to make the program effective.

Sincerely yours,

R. H. BURRIS,
Chairman, Department of Biochemistry.

UNIVERSITY OF CALIFORNIA,
Berkeley, Calif., August 18, 1967.
Hon. EDMUND S. MUSKIE,
Chairman, Subcommittee on Intergovernmental Relations, Committee on Government Operations, U.S. Senate, Washington, D.C.

DEAR SENATOR MUSKIE: I have just received your note of August 12th describing the status of Senate Resolution 68. While I have, of course, heard about it in general terms and have been very much interested in this very problem, I haven't actually seen a copy of the resolution in its present form and would very much appreciate having it.

You are no doubt aware that a variety of activities addressed to this problem are underway, both in the National Academy of Sciences and in the PSAC. However, the forum-type of discussion in which the scientific community and the public service community, as represented by the legislative branch, interact directly, and perhaps publicly, under carefully defined conditions, may have great possibilities for the general education of the American public as well as for the formulation of specific public policies in regard to the matters under their purview.

Very truly yours,

MELVIN CALVIN,
Director.

HOSPITAL OF THE UNIVERSITY OF PENNSYLVANIA, DEPARTMENT OF RADIOLOGY,
Philadelphia, August 17, 1967.
Senator EDMUND S. MUSKIE,
Senator HOWARD H. BAKER, Jr.,
U.S. Senate,
Committee on Government Operations,
Washington, D.C.

DEAR SENATORS MUSKIE AND BAKER: I appreciate your letter of August 12 with the encouraging news of the progress of the Select Senate Committee on Technology and the Human Environment. It would seem to me that this Select Committee could perform effective and important functions. So many of the potential hazards in our environment, including radiation, seem commonly treated out of context with the larger picture of the balance of benefit vs. hazard. This leads to episodes of undue emphasis on some specific hazard or some portion of a hazard which is then "viewed with alarm" and treated with a sensationalistic manner. While this may at times be good in awakening interest in problems that are not otherwise appreciated, it is my opinion that it generally impedes rather than assists in wise evaluation of hazards and thoughtful plans for their control.

It has been my impression that all branches of the government have given good reception to the opinions and advice of the scientific and technological community. This seems to be especially true when scientists express these opinions not only with clarity but also with a breadth of viewpoint beyond individual interest. I also believe that the scientific and tecnhological community is anxious and willing to provide this advice to the best of its ability. The need for the interplay is urgent.

For a long time I have been wrestling, without effective solution, with many aspects of the problems of ionizing radiation as one of the agents in modern civilization and in the human environment, capable of tremendous benefit, but with inescapable concurrent potential hazards.

At the international level, this has been true in my position as Delegate for the United States to the United Nations Scientific Committee on the Effects of Atomic Radiation, as a member of the International Commission of Radiological Units and Measurements, and as a consultant and lecturer for the World Health Organization. At the National level I am familiar with the problem in the course of acting as special consultant and committee chairman to various branches of the Atomic Energy Commission, The U.S. Public Health Service, the National Council on Radiation Protection, and several medical organizations. I'm also confronted with problems of this balance in my personal practice of radiology with human patients and in acting as chairman of the Department of Radiology in this major American University.

I sincerely hope that the Select Committee will be a successful venture and that it will be able to avoid the distortions inherent in reacting to individual crises as they occur. If it can look at the totality of human environment and both the present status and trends of the impact of science and technology on it in the broadest context, it can achieve a great public service.

Sincerely yours,

RICHARD H. CHAMBERLAIN, M.D.

INDIANA UNIVERSITY,
Bloomington, Ind., August 16, 1967.
Hon. HOWARD H. BAKER, Jr.,
U.S. Senate,
Washington, D.C.

DEAR MR. BAKER: This is in response to your letter of August 12, relative to S. Res. 68 "to establish a Select Senate Committee on Technology and the Human Environment."

I should like to endorse this resolution since I believe that a study committee in this area is greatly needed. It is needed, in the first place, because so few members of Congress are scientists, and in the second place because the growth of our population and the expansion of our technology threatens to bring about a serious deterioration in the environment in which we must continue to live. The problem is a most complex one, and must be approached along a broad front, for it is possible, in attempting to solve one problem, to create new ones. How to achieve all the goals that are desirable without one interfering with another is a most important immediate objective which can best be achieved by such a confrontation of legislators and experts as will be provided in the creation of this Select Committee.

With best wishes,

Sincerely yours,

RALPH E. CLELAND,
Distinguished Service Professor Emeritus.

THE UNIVERSITY OF WISCONSIN,
UNIVERSITY HOSPITALS,
Madison, Wis., August 15, 1967.
Senator EDMUND S. MUSKIE,
U.S. Senate Committee on Government Operations, Subcommittee on Intergovernmental Relations, Washington, D.C.

DEAR SENATOR MUSKIE: In view of the tremendous explosion in scientific knowledge and its impact upon society, I believe it would be pertinent and urgent that a select Senate Committee on technology and human environment be establishd at the earliest moment. If we are to meet the demands of the future, a special committee advising the Senate will be essential in order that they may act upon the questions in an intelligent manner. Moreover, I believe that the suggestion of S. Res. 68 of permitting such a committee to be a forum for scientists and legislators would be a step forward in governmental operation and development.

I strongly endorse Senate Resolution 68.

Sincerely,

A. R. CURRERI, M.D.,
Director, Division of Clinical Oncology, Professor of Surgery.

SLOAN-KETTERING INSTITUTE FOR CANCER RESEARCH,
Rye, N.Y., August 15, 1967.
Senator EDMUND S. MUSKIE,
U.S. Senate,
Committee on Government Operations,
Washington, D.C.

DEAR SENATOR MUSKIE: I have the joint letter you and Senator Baker have sent me regarding the proposed select committee on technology and our environment. It is a subject very close to my heart.

It is obviously most important. You would know better than I how useful such a senate committee might be. What is in my mind is the necessity of organizing the effort wisely. I would think, for example, that the NAS (which is already deeply involved) would be the place to turn for advice and that really good staff would be hard to come by these days without such an affiliation. The kind of staff available to the committee would of course be a critical factor. You want to hear from the right experts.

Sincerely,

GILBERT DALLDORF.

P.S.—One environmental factor that probably corrodes the national character is wanton governmental expenditure and budget deficits. This correspondent would recommend a straight across the board 5% cut in operating expenses. Those federal agencies with which I am acquainted could absorb a 5% cut and be better off without the fat.

THE UNIVERSITY OF CHICAGO,
Chicago, Ill., August 15, 1967.
Hon. EDMUND S. MUSKIE,
Hon. HOWARD H. BAKER, Jr.,
U.S. Senate.

DEAR SENATORS: I have your letter of August 12, 1967 with regard to the Select Committee to attempt the solution of some critical environmental problems. I feel confident that such a committee is of great importance and can perform an essential public service, so I heartily support the proposal with the hope that it will bear fruit of a practical nature and not merely be a discussion series.

Environmental resources and problems cover a number of scientific disciplines, but a major field is that of Ecology, and it is very unfortunate that the proportion of Ecologists in the National Academy of Sciences is far below what it should be, partly because the relatively new fields are poorly represented for various reasons. I am a member of the National Academy and have considered this matter with little power to do much about it. So my first suggestion is that you search for committee advisors among the special scientific associations and institutions rather than to confine your search to the National Academy of Sciences or even to their associated organizations such as the National Research Council, although the latter is a better source of expertise than the Academy.

Secondly, there is a great need for a soundly established principle that gives direction and meaning to such an investigation. In my humble opinion, such a principle is known by numerous scientists in both natural and social science, but has not received general recognition. The concept was vaguely known in the nineteenth century, but was given the term "homeostasis" by Walter Cannon, the great Harvard physiologist. It is the self regulation of optimum conditions for maintenance and perpetuation at all levels of organization from the individual organism to the ecosystem. Quantities of data are available for comparative measurement and in my opinion properly organized can provide the essential philosophy and direction of application that the Select Committee might use to integrate their deliberations.

In a brief letter, it is inappropriate to deal with details of such a far reaching principle, but I enclose a short chapter from a book of Social Change in Developing Areas that was published in 1965. For the interested person, the published article may assist in finding the integrative principle around which your discussions may become meaningful, oriented, and a base for practical solutions.

Wishing you success in this most important problem facing modern society, I am

ALFRED E. EMERSON,
Professor Emeritus.

HULETTS LANDING, N.Y.

THE UNIVERSITY OF ROCHESTER
SCHOOL OF MEDICINE AND DENTISTRY AND STRONG MEMORIAL HOSPITAL,
Rochester, N.Y., August 15, 1967.

Hon. EDMUND S. MUSKIE,
Chairman, U.S. Senate Committee on Government Operations, Washington, D.C.

DEAR SENATOR MUSKIE: I believe that a Senate Committee on Technology and the Human Environment might serve a very useful purpose unless the subject is already covered indirectly by other Senate Committees. If such a committee is formed, I believe that it should work in close liaison with the International Biological Program which is just getting started. The representative in this country of the IBP is the National Academy of Sciences. The IBP was set up to consider Biological Productivity and Human Welfare. This includes a consideration of the impact on human affairs of the drastic changes in the environment which are being produced in modern times because of our rapid technological developments. Perhaps the Senate Committee could help the IBP as well as vice versa.

Sincerely yours,

WALLACE O. FENN,
Distinguished University Professor of Physiology.

THE UNIVERSITY OF MICHIGAN,
SCHOOL OF PUBLIC HEALTH,
Ann Arbor, Mich., August 14, 1967.

Hon. HOWARD H. BAKER,
U.S. Senator, Subcommittee on Intergovernmental Relations, Committee on Government Operations, U.S. Senate, Washington, D.C.

DEAR SENATOR BAKER: I have received the letter from Senator Muskie and you regarding Senate Resolution 68 which deals with the establishment of a Select Senate Committee on Technology and the Human Environment. The Resolution was not known to me, but the contents of your letter immediately strike a favorable chord. The need for consideration of this problem for the immediate and continuing future is acute, and an effort to develop a proper body in the Senate which could cross-react with scientists and humanists cannot come too soon. We are in an age dominated by rapid scientific development and great physical change, while man's spiritual and physiological adaptability to the changing environment is much slower. For this reason, much of the planning for the future should be in preventive measures rather than in treatment. The whole matter of city development and integration of the human population into or out of that environment is a major consideration. Waste disposal and pollution become increasingly greater as we exhaust the waterways for fluid sewage, and burden the land with synthetic indestructible by-products of our marketing.

It is essential to consider how people can live together in the harmony of health and security. As crowding increases, the problems of respiratory diseases will inevitably become more difficult. We are still constantly suffering from the effects of contamination as seen in the numerous outbreaks of diarrheal diseases and the high frequency of infectious hepatitis. The risks of harmful effects from the procedures used to meet our increasing need for foodstuffs are a mounting concern.

There are many scientists who are very seriously concerned as to how one can prepare and project preventive measures for these menaces. In our own field of epidemiology, environmental factors as causative influences of disease and disorder are under constant consideration and study. They have to be. I would warmly urge Senator Muskie and your Committee to proceed in these directions.

Sincerely,

THOMAS FRANCIS, Jr., M.D.,
Professor and Chairman.

P.S.—I am addressing this to you since the letter to me came from your office. I am also enclosing a reprint which may be of some interest to you.

SOUTHWEST RESEARCH INSTITUTE,
San Antonio, Tex., August 16, 1967.

Hon. EDMUND S. MUSKIE,
Committee on Government Operations,
U.S. Senate, Washington, D.C.

DEAR SENATOR MUSKIE: This is in answer to the letter of August 12, from you and Senator Baker, regarding Senate Resolution 68 "To Establish a Select Senate Committee on Technology and the Human Environment." You ask for comments which I am most pleased to be able to offer.

May I say, Senator, that I am aware of your continuing efforts to establish a Committee which can aid the Members of the Senate to achieve a perspective of the significance of science and technology in our social evolution. My personal experience with this kind of problem is a result of my activities with the House Committee on Science and Astronautics, and particularly the Subcommittee on Science, Research and Development, headed by Congressman Daddario. I have the pleasure of being a member of the Scientific Advisory Panel to Congressman Daddario's Subcommittee.

As you know, the Daddario Subcommittee is attempting to shape the internal affairs of the House along much the same lines that you and Senator Baker are attempting for the Senate. Recognizing that many of the Committees in both the Senate and the House have scientific and technological jurisdictions, and agreeing that this is both desirable and necessary, there is nevertheless the need for a forum which can provide an overview of the meaning of scientific and technological trends for our nation. Hopefully, in addition, such a group could serve as the hub, on either a formal or informal basis, for coordinating and exchanging information and ideas among the various Committees which have overlapping interests.

I am taking the liberty of sending you a copy of a talk I delivered recently, because it appeals to bear rather directly on some of the questions you are considering. This talk is of a somewhat academic nature, and attempts to trace the directions in which government science and technology is moving. My own conclusion is that a centralized Department of Science and Technology within the operating branches of the government is undesirable, as is a centralization of the scientific and technological deliberations within the Senate and the House. Nevertheless, since science and technology are no respecters of jurisdictional boundaries, and their findings have the characteristic of applying over broad areas of human experience, an active and effective coordination among the various governmental elements is essential. This lends weight to what you are trying to do.

I would be most happy to supply further comments and observations as your needs dictate. This is a matter of considerable personal interest, and please call on me for whatever further help I can offer.

Very truly yours,

MARTIN GOLAND,
President.

CALIFORNIA INSTITUTE OF TECHNOLOGY,
Pasadena, Calif., August 21, 1967.

Re Senate Resolution 68.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: I was delighted to receive the letter by yourself and Senator Baker concerning the proposed Select Senate Committee on Technology and the Human Environment. Although my own science, astronomy, is as remote as possible from human applications, it has always held an important place in the growth of science, and of course most recently, in the national effort in space. Nevertheless, I, and all pure scientists, are human beings first, and the quality of the human environment in our country is and must be our first concern. For several years I was active with the National Academy of Sciences Committee on Science and Public Policy, with which you may have had some contact. This has sponsored a set of reports, some of which you are familiar with, not only on the progress of science and technology, but on the applications of science for society, on urban renewal, on pollution etc. I am sure your Subcommittee will be in touch with the Academy's Committee on Science and Public Policy, as well as with the new Committee on Engineering and Public Policy of the new National Academy of Engineering.

The enormous population growth, the problems of industrial wastes, the problem of air and water pollution are undoubtedly necessary accompaniments of the successful technology in which we live. But this technology can be applied to correct the defects of our environment, not only physically as in the problem of pollution, but spiritually as in the problem of urban renewal and transportation. The inevitable expansion of the population, in the overcrowding not only of our cities but of our recreation areas, will change the character of the United States. It has already become an urban rather than a rural country, and yet cities have grown without thought to their fundamental needs, not only of resources, but of viability for their inhabitants. May I wish you and Senator Baker the very best in your proposal, and assure you that the scientific community is deeply interested in it.

Sincerely,

JESSE L. GREENSTEIN.

THE RAND CORP.,
Santa Monica, Calif., August 16, 1967.

Hon. E. S. MUSKIE,
Hon. H. H. BAKER,
U.S. Senate, Committee on Governmental Operations, Subcommittee on Intergovernmental Relations, Washington, D.C.

GENTLEMEN: It is my personal feeling that the formation of the proposed Select Senate Committee on Technology and the Human Environment is extremely worthwhile and of great potential value. We are all aware that the explosive growth of technology has, in recent years, provided man with the growing potential ability to modifying his environment either deliberately or inadvertently. For the first time we have acquired the energy harnessing ability that makes it possible to, for example, create significant new free water surfaces (the NAWAPA proposal), and to pollute the atmosphere in a biologically and physically significant manner.

People talk about damming the Bering Straits and/or removing the ice from the Arctic. A decade or two ago these were subjects for the "Sunday Supplements," today they are within the realm of possibility. Despite these advances in technical ability, we are still unable to fully describe the physical results of such attempts. There is certainly the possibility that most of these attempts will, at most, produce only the desired planned effect. However, there is also the distinct possibility that some of these attempts could produce deleterious, irreversible, side effects completely overwhelming the original desired and desirable purposes. (An example of this might be the removal of the Arctic ice for the purpose of improving the climate in the northern regions, which then results in the triggering of a new ice age, a distinct possibility which would certainly be a deleterious, irreversible effect.) The point is, that we are rapidly approaching or have arrived at a period in man's development in which he is capable of seriously affecting his total environment (physical, biological, etc.), and in most cases has not acquired the ability to determine the full consequences of these acts. Unfortunately, man has rarely been deterred by such an unbalance in knowledge. One can, therefore, almost predict that if the ability is acquired, and a beneficial result indicated, the pressures to try these potentially dangerous experiments or modifications, in the absence of our ability to full evaluate the result, will be very great. Additionally, inadvertent effects on our environment are very difficult to stop particularly if they grow from an economically or politically desirable event.

Some group must bring reason and sober thought to such problems, and I fully believe, that such a group must consist of a combination of scientists and law makers. I therefore feel that your proposed select committee is very badly needed, and I commend you for your attempt to bring such a group into being. If I can be of any help to this select committee please do not hesitate to call on me.

Sincerely yours,
S. M. GREENFIELD.

UNIVERSITY OF CALIFORNIA, SAN DIEGO,
La Jolla, Calif., August 16, 1967.
Senators EDMUND S. MUSKIE and HOWARD H. BAKER,
U.S. Senate, Committee on Government Operations, Subcommittee on Intergovernmental Relations, Washington, D.C.

DEAR SENATORS MUSKIE AND BAKER: I should like to endorse the concept of S. Res. 68 "To Establish a Select Senate Committee on Technology and the Human Environment". Among the many problems that face us none is of more profound long-range significance than the impact of scientific technology on human welfare. Approaches to the problem can come from no single group. Nonetheless, there could be no more hopeful source than a seriously interacting group of legislators and scientists.

I very much hope that the Senate will see fit to provide such a forum.

Sincerely yours,
CLIFFORD GROBSTEIN, Ph. D.,
Vice Chancellor for Medicine and the Biological Sciences, Dean, School of Medicine.

THE UNIVERSITY OF NORTH CAROLINA,
Chapel Hill, August 17, 1967.
Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: I was very pleased to receive your communication of August 12th regarding the establishment of a Select Senate Committee on Technology and Human Environment. I feel that the foresight that has been shown in the establishment of this Committee and the aspirations for its operation are very commendable and fully justified by present circumstances and future predictions that would be based upon them. The rate of progress in science and technology, increasing as it is every day, fully justify a concern for the direction of that progress and its probable impact on human environment in the years that lie ahead.

Again, I am very pleased to have the information contained in your communication.

Very sincerely yours,
GEORGE P. HAGER,
Dean.

CALIFORNIA INSTITUTE OF TECHNOLOGY,
Pasadena, Calif., August 18, 1967.
Hon. EDMUND S. MUSKIE,
Hon. HOWARD H. BAKER, Jr.
U.S. Senate, Committee on Government Operations, Washington, D.C.

GENTLEMEN: Thank you for the announcement contained in the memorandum of August 12 regarding Senate Resolution 68.

I feel that the establishment of a Senate Committee on Technology and the Human Environment is a very meaningful move and one which may have results that will be interesting, and perhaps highly significant. Whether or not the Committee will be significant probably depends upon the extent to which it can include within the scope of its considerations not only the "news" from the technological community, but also the "thought" from scientific minds.

It seems to me that scientific thinking is a matter that is rarely understood outside of the scientific community, and not often well-defined within that group. It is, of course, only one manifestation of the intellectual complexity that is characteristic of our total society. As such, it may provide an interesting sort of index to trends in the thought of the society as a whole.

Very truly yours,
GEORGE S. HAMMOND,
ARTHUR AMOS NOYES,
Professors of Chemistry.

DUKE UNIVERSITY MEDICAL CENTER,
Durham, N.C., August 15, 1967.
Senator EDMUND S. MUSKIE,
Committee on Government Operations, U.S. Senate, Washington, D.C.

DEAR SENATOR MUSKIE: I am in receipt of a copy of your general letter dated 12 August 1967 concerning Senate Resolution 68 "to establish a select Senate committee on technology and the human environment."

I am aware of the tenor of much of the testimony which your committee has heard in this regard and consider that I have relatively little to add. The problems which have been posed are vital and pressing. They fully warrant a study group of the United States Senate which will, periodically, take a broad brush view of changes in the human environment and, particularly, remain alert to the consequences of the introduction of new technology into American society. Accordingly, I warmly support the aims of this resolution.

Sincerely yours,
PHILIP HANDLER,
James B. Duke Professor,
Chairman, Department of Biochemistry.

NORDEN LABORATORIES,
August 17, 1967.
Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: Thank you for your letter of August 12, 1967 regarding Senate Resolution 68 "To Establish a Select Senate Committee on Technology and the Human Environment." I have not had an opportunity to study this resolution. (Could your office arrange to send a copy?)

I am deeply concerned about the broad impact of science and technology on man's thinking, health, work and individual security during the coming years. In this connection, I am particularly disturbed about the current attitude of many Food & Drug Administration and U.S. Department of Agriculture officials. There is an organized effort on the part of some officials to deprive the public of many drug and agricultural chemicals which are essential if we are to maintain and expand the field of public health, and if we are to provide adequate food supplies for our citizens, as well as the people throughout the world.

There has been a great tendency to ignore the "risk-benefit" ratio which must be taken into consideration in connection with each new scientific development. Currently, both the Food & Drug Administration and U.S. Department of Agriculture are adopting policies which either prevent or greatly delay valuable drugs or agricultural chemicals reaching the market. I believe your Select Committee could provide a great service by investigating this area which has such a tremendous impact on the future of our country and its citizens.

The above comments relate to only one area of concern. Equally important is the problem of air and stream pollution which has not only reached serious proportions, but shows very little sign of reduction. This is probably a more important area than any other insofar as man's future is concerned. There are many comments which I have in this connection; however, I would prefer to discuss this in more detail after I have had an opportunity to study Senate Resolution 68.

Cordially yours,
LEWIS E. HARRIS,
President.

THE UNIVERSITY OF WISCONSIN, THEORETICAL CHEMISTRY INSTITUTE,
Madison, Wis., August 16, 1967.
Re S. Res. 68 "To Establish a Select Senate Committee on Technology and the Human Environment."

DEAR SENATORS MUSKIE and BAKER: I am glad to hear that S. Res. 68 is making good progress. It is very important to establish a closer liaison between the scientists and the congressmen. This will help to shorten the 10 to 20 year gap between basic research discoveries and their practical applications. It will also help Congress to decide intelligently on the merits of spending large amounts of money on particular research projects.

Congress and the taxpayers are anxious to get their money's worth out of the money which they spend for research. They may have specific objectives, like the cure for cancer. However, it is very seldom that the Edisonian type of research is successful, that is the direct frontal approach where you try thousands of drugs until you find one which does the job. Usually it is necessary to make a broad exploration of the disease, and all of the related diseases, the life cycle of the organisms, and dozens of other seemingly irrelevant factors. Then one starts to notice with interest little trivia, and gradually through a series of hundreds of insignificant little discoveries one learns how to tackle the big problem and achieve the big objective. Only the scientists working in this particular field are qualified to say whether a particular research proposal looks promising and merits support, or whether it is poorly conceived and should be rejected.

Thus, I feel strongly that a committee of top-flite scientists should work closely with Congress and help to lay out a long range program for developing the basic research required in order to make this world a better place for us and our children to live.

The large numbers of dollars (or millions of dollars) required to finance scientific research, makes it imperative that Congress be wisely and impartially informed. The proposed Select Senate Committee on Technology and the Human Environment should be very useful in performing this function.

Please let me know if I can be of any assistance.

Sincerely,
JOSEPH O. HIRSCHFELDER,
The Homer Adkins Professor of Chemistry and Director of the University of Wisconsin Theoretical Chemistry Institute.

WOODS HOLE OCEANOGRAPHIC INSTITUTION,
Woods Hole, Mass., August 17, 1967.
Mr. EDMUND S. MUSKIE,
Mr. HOWARD H. BAKER, JR.
Subcommittee on Intergovernmental Relations, U.S. Senate, Washington, D.C.

DEAR SIRS: Many thanks for informing me about the establishment of a Select Senate Committee on Technology and the Human Environment.

If and when the time comes, I would be very glad to state my views on this important subject.

Sincerely yours,
C. O'D. ISELIN.

THE ROCKEFELLER UNIVERSITY,
New York, N.Y., August 16, 1967.
Hon. EDMUND S. MUSKIE,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MUSKIE: This is in reply to your memorandum of August 12, 1967, concerning Senate Resolution 68 to establish a Select Senate Committee on Technology and Human Environment. I am writing to express my wholehearted support of the resolution and my hope that the Senate will pass it with an impressive majority.

Apart from the obvious importance of the task which this new Committee has set for itself, it will serve also as a forum in which scientists and engineers of our nation can come in contact with the legislative branch of our government.

Until now it has been mainly the executive branch that has called on the talents and opinions of the scientific and technological community. With the establishment of your Committee an important new channel will be open which will enable a much freer and hence a much more constructive diffusion of the views of the intellectual community in general and of scientists and engineers in particular. You and Senator Baker ought to be congratulated for having taken the initiative in this important matter, and I am sure that you will have the support of most of the scientific and technological community in your endeavor.

Sincerely yours,
MARK KAC.

CORNELL UNIVERSITY,
Ithaca, N.Y., August 23, 1967.
Hon. EDMUND S. MUSKIE,
Subcommittee on Intergovernmental Relations, U.S. Senate, Washington, D.C.

DEAR SENATOR MUSKIE: Cornell University has noted with very great interest the proposal which I gather has originated with you and Senator Baker to establish a Select Committee of the Senate on Technology and the Human Environment. The establishment of such a Committee could be exceedingly helpful to universities like Cornell and I am writing to endorse your proposal formally.

A number of groups within Cornell University are already involved in programs of advanced training and research on areas which relate to the human environment. The public health activities of the Cornell Medical College represent an obvious case in point, but there is almost equal interest within the University at Ithaca. Specifically, we have very recently established a new Center, the Center for Environmental Quality Management, which is set up to permit us more effectively to integrate our interdisciplinary strengths. We hope this effort will expand greatly in the coming few years.

Studies on the environment represent to Cornell both a very interesting opportunity and something of a problem. Faculty members who work in applied fields, for example those in engineering and agriculture, always wish to work on problems which relate closely to the important problems of the outside world and to them the enormous problems of the environment are of great attraction as areas to study. Cornell's systems analysts find this area of study particularly exciting since it so clearly involves numerous variables and interactions.

Along with this great interest there are two sorts of difficulties. A first is that the environment is a research area where the linkage with action programs is likely to be particularly close and universities need always to approach commitments to outside public service programs with some mixture of interest and caution. It is good for universities to participate some in public service activities; it is bad for them if their participation overwhelms the normal programs of teaching and research. Studies of the environment have an added complexity since to be effective, they must be interdisciplinary, i.e. they must involve contributions from engineers, sociologists, lawyers, biologists and doctors. Interdisciplinary research is attractive to most university faculty but it often requires new instruments and this really is the point of our new Center for Environmental Quality Management.

In this important and complex area, a forum within which the universities could discuss their problems as well as their results with legislators and through them with members of the federal agencies, could be most helpful. This could help us insure that in our public service activities we were concentrating on the problems of greatest significance. Equally it could give us a place where we could early bring to your attention any problems of organization or support which universities may be encountering. We very much hope that your proposed Senate Select Committee is established.

Sincerely yours,
F. A. LONG.

HARVARD COLLEGE OBSERVATORY,
Cambridge, Mass., August 21, 1967.
Senator EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: Thank you very much for your letter of August 12, with reference to S. Res. 68 "To Establish a Select Senate Committee on Technology and the Human Environment." I am very much interested in the problems you have mentioned, not only in the United States, but especially in Latin America, where as State Department Specialist I have several times given many lectures in Spanish, with the aim of interpreting science and technology to the world at large. I speak frequently throughout the United States as well. Unfortunately, there is a widespread misunderstanding about science and scientists, resulting in part from the failure of scientists themselves to communicate to the world at large. As a result, ignorant and often malicious writers misinterpret science and convey a large amount of misinformation concerning science and its objectives. Movies and television have publicized the mad scientist in his laboratory, seeking to take over the world.

I hope I can be of some service.

Sincerely yours,
DONALD H. MENZEL.

CHICAGO, ILL.,
August 16, 1967.

DEAR SENATOR MUSKIE: Thank you for your letter of the 12th inviting comments or suggestions for your Committee on Technology and Human Development.

I have none to offer at the moment, but my interest in the subject prompts me to request that I be kept informed of your deliberations.

Would you, therefore, be kind enough to have my name put upon the list to receive any memoranda or other publications issued by your Committee?

Respectfully yours,
C. PHILLIP MILLER.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY,
Cambridge, Mass., August 15, 1967.
Hon. EDMUND S. MUSKIE,
U.S. Senate, Committee on Government Operations, Washington, D.C.

DEAR SENATOR MUSKIE: Thank you for your interesting letter outlining the intent of Senate Resolutions 68. This Committee on Technology and Human Environment should indeed fulfill a very useful function in providing more effective communication between the Scientific Community and the Senate. The concept of coupling technology with the environmental problem is, I believe, a particularly valuable and timely concept since I am convinced that technology, if properly directed and guided by legislation, has a great deal to offer in the handling of problems which appear on the surface to be only remotely connected with scientific disciplines and techniques. This is particularly noticeable in my own field of Systems Engineering where the analytical techniques are well adapted to defining more clearly, if not necessarily solving, many of our pressing human problems.

Yours sincerely,
R. H. MILLER,
Slater Professor of Flight Transportation.

THE ROCKEFELLER UNIVERSITY,
New York, N.Y., August 15, 1967.
Mr. EDMUND S. MUSKIE,
U.S. Senate, Committee on Government Operations, Washington, D.C.

DEAR SENATOR MUSKIE: Your proposal to establish a Select Senate Committee on Technology and the Human Environment will appeal to scientists because many of us are aware of two facts concerning the human environment:

(1) That it is rapidly changing

(2) That there have recently been great advances in our understanding of how the environment affects the nature of man and his welfare.

I would be glad to be of assistance to you in proceeding with your resolution.

Yours sincerely,
ALFRED E. MIRSKY,
Member and Professor.

POLYTECHNIC INSTITUTE OF BROOKLYN,
Brooklyn, N.Y., August 18, 1967.
Hon. EDMUND S. MUSKIE, *Chairman,*
Hon. HOWARD H. BAKER, JR.,
Subcommittee on Intergovernmental Relations, U.S. Senate, Washington, D.C.

DEAR SENATORS: I have taken the liberty, in the absence of President Weber, of responding to your important letter of August 12, 1967 concerning Senate Resolution 68 "To Establish a Select Senate Committee on Technology and the Human Environment."

To implement the several sound, relevant, and persuasive points pou have made in your letter, I could recount a long and significant list of instances where the faculty and staff of the Polytechnic Institute of Brooklyn are working in a most dedicated fashion, particularly with students, on a multitude of urban technological and social problems that are perhaps the bane of the cities but in truth the hope of mankind.

At the present time the City Council of New York City is deliberating the adoption of a new Building Code for the City which should serve to stimulate the growth of safe, imaginative, and economical construction. This million dollar project, conceived in 1961, has been under the continuing direction and management of the Polytechnic and its Civil Engineering staff. A number of other major cities have been so impressed with this modern approach that they have sounded the Institute out on undertaking like projects.

Currently we are involved in close cooperation with the City of New York on urban transportation planning, and are the only school in the Metropolitan Area granting a Master's degree in this field. In concert with our close involvement with traffic problems in the City and its environs, we are also currently involved in a computer simulation and study having to do with the more effective utilization of Police Department equipment in combating crime. You may be interested in knowing that this Fall the former Commissioner for Urban Planning for the City of Chicago, Mr. John Duba, will join the Polytechnic as Professor and Head of our Civil Engineering Department, and as one of the Directors of our Center for Urban Environmental Studies (CUES).

Forgive my citing a few specifics. My reasons, obviously, were to establish a posture of competence, experience, and concern between the Polytechnic as a technological university and the community with its sociological problems.

In summary, I can assure you of the Institute's full support of the establishment of this Select Committee. Further, I would urge you to consider our President, Dr. Ernst Weber, as a member of such a group. As a member of both the National Academy of Sciences and the National Academy of Engineering, and as a past President of the Institute of Radio Engineers and the first President of the Institute of Electrical and Electronic Engineers, Dr. Weber is without peer.

Be assured that you have the wholehearted cooperation of us all.

Sincerely,

G. E. Moore,
Vice President.

Columbia University
in the City of New York,
August 17, 1967.

Hon. Edmund S. Muskie,
U.S. Senate Subcommittee on Intergovernmental Relations, Washington, D.C.

Sir: Thank you for your letter of August 12, advising me of the new Select Committee of the Senate "Committee on Technology and the Human Environment."

It is difficult to conceive of a committee with a more important mandate. The problems to be considered are surely among the most important and the most difficult facing mankind today. No doubt, science and technology are responsible for many of the problems and one must also turn to them for partial solutions.

A vigorous committee should not only be of tremendous help to the Congress and to the Executive branch of the government but could serve as a responsible forum for the public discussion of these questions.

Sincerely yours,

John A. Moore,
Chairman, Department of Biological Sciences.

The Institute for Advanced Study,
Princeton, N.J., August 22, 1967.

Hon. Edmund S. Muskie,
U.S. Senate,
Washington, D.C.

Dear Senator Muskie: I have just received your letter dated August 12, 1967, which concerns Senate Resolution 68 "To Establish a Select Senate Committee on Technology and the Human Environment". I am very much interested.

Before I comment on this resolution may I say that I was born and bred, like yourself, in Waterville, Maine, and went to Colburn and Colby. I saw you a year ago in the Catholic chapel between China and South China. Although I spent five weeks there this summer, I did not see you.

My interest in the above resolution comes from a life time devoted to mathematics. I was a member of the first Board of Directors of the National Science Foundation, and served as technical aide to the Chief of Ordnance during the last war, in the Pentagon. If you are interested you can find other data in standard books of reference. Right now I am working on my own research and writing two books under a government grant from the Army.

The problems which will come before the select Senate committee, if appointed, will be very important. The understanding of science is not very great today, even though the publicizing of science was never greater. One of the limitations of this understanding has to do with the cultural implications of science. At the request of the National Academy of Sciences I have just written an essay *On Mathematics in Our Culture* which will be published under the auspices of the Mathematicians headed by Jochim Weyl of the National Academy and his Committee on Scientific and Technical Communication. I could send you a copy in advance, if you would like one. Otherwise I can send you a reprint when it comes out.

If you see Margaret Chase Smith remember me to her. She and I studied the piano under Miss Morrison when we were young. She has perhaps forgotten.

Cordially yours,

Marston Morse.

The Ohio State University,
Columbus, Ohio, August 15, 1967.

Senator Howard H. Baker, Jr.,
U.S. Senate, Committee on Government Operations, Subcommittee on Intergovernmental Relations, Washington, D.C.

Dear Senators Muskie and Baker: In answer to your letter of August 12 concerning Senate Resolution 68, I can say that although I am not familiar with the details of this resolution and hence cannot comment specifically, I am in favor of any intelligent attempt to better the contacts between legislators and scientists. In general such contacts are too few and too brief to result in real understanding of either group for the problems of the other group.

Sincerely yours,

Melvin S. Newman,
Regents Professor of Chemistry.

University of California, Berkeley,
Berkeley, Calif., August 18, 1967.

Re S. Res. 68 "To Establish a Select Committee on Technology and the Human Environment."

Hon. Edmund S. Muskie,
Chairman,
Hon. Howard H. Baker, Jr.,
Subcommittee on Intergovernmental Relations, U.S. Senate, Washington, D.C.

Gentlemen: With reference to your circular letter of August 12, this is to applaud the idea underlying Senate Resolution 68, which your Subcommittee reported favorably to the full Committee on Government Operations of the Senate. A forum for contacts between legislators on the one hand and scientists concerned with environmental and technological problems, on the other, is sorely needed. Also, the idea that the proposed Select Committee be a study group, concerned with the accumulation and evaluation of the relevant information, is most important.

My own experience in environmental problems is limited to problems of weather modification. However, going back to 1950, this experience indicates an urgent need for creating an independent information gathering unit, very much like the Select Committee you visualize.

Each important environmental problem, whether of human, animal or plant ecology, or of weather modification or of air and water pollution, etc., involves a complicated knot of diverse interests, in addition to questions of science. The enclosed manuscript, now in print, gives an outline of such a knot referring to rainmaking. Contrary to what one might read in various publications, frequently inspired, the problem of rainmaking is far from being solved and, quite frequently, efforts to increase rain lead to its decrease. The basic scientific problem is to establish the different conditions in which these contrary effects occur. Ultimately, this will require new experiments. However, because a reasonable weather modification experiment must take perhaps five to ten years, and because the cost of such an experiment runs into millions of dollars, it is essential to use the data of the experiments already performed particularly with reference to questions which were not asked when the given experiment was set up and, even more particularly, for a simultaneous analysis, in order to assess the general situation as reflected in all the completed experiments combined. This is needed for progress in science. Also this is needed to provide legislators with an authoritative answer to the obvious question: what is the present state of knowledge about the possibility of rainmaking?

As things stand now, the situation is not satisfactory. The data of some experiments performed in the United States are irretrievably lost. The data on some others are, in principle, available in various files. However, experience shows that, for various reasons, the data are inaccessible. With this in mind, I took the liberty of addressing a letter to Senator Warren G. Magnuson which is printed on pp. 307–309 of the volume "Hearings before the Committee on Commerce, United States Senate." Part I Serial No. 89–58, Washington, 1966. This letter, photocopy enclosed, urges the establishment of an independent unit especially designed to collect, to organize and to preserve information on whether modification experiments, at least on those that are publicly financed. As I see it, this proposed unit would be in line with the ideas underlying the proposed Select Committee and, in fact, might serve as a source of reference to the Select Committee.

Yours respectfully,

J. Neyman,
Director, Statistical Laboratory.

California Institute of Technology,
Pasadena, Calif., August 17, 1967.

Hon. Edmund S. Muskie,
U.S. Senate, Washington, D.C.

Dear Senator Muskie: Thank you for your letter of August 12, received recently relative to committee deliberations on the establishment of a Select Senate Committee on Technology and the Human Environment. I have not seen a copy of Senate Resolution No. 68, but from your description I feel confident that the establishment of a study committee of the sort indicated could and indeed would be a very desirable, forward-looking, and significant step. It has become almost a truism these days, but is a matter of no particularly recent recognition, that we need to give the most serious attention to the present and prospective impacts of science and technology, and their derivatives, on humanity and the human condition. One of my favorite statements in this regard is taken from Max Otto's book *Science and the Moral Life* published in 1949: "Francis Bacon and the early scientists aimed 'to extend more widely the limits of the power and the greatness of man'. They were thinking primarily of mechanical power, which they lacked and which we have in abundance. If we, too, need to extend more widely the power and greatness of man, it is in order that the very success of their venture shall not contribute to our ruin". Otto, as a philosopher, was very much aware of the broad and compelling questions with which your Select Committee will need to deal, and surely in the interval since 1949 the problems have become increasingly critical.

From your thoughtful letter, I assume that the committee will consider "technology and the human environment" in a broad context.

It is true, I think, that among our most compelling questions are those that relate to our physical environment—that problems of pollution, food, disease, and the many factors involved in achieving the most desirable possible environments for human existence under conditions pressing from all sides toward deterioration of what we have known and valued in the past. But, as you are undoubtedly aware, there are also many technological developments present or in prospect that may press even more directly on man as an organism—for example, developments in molecular biology and behavioral science that promise (or threaten?) techniques for the control of human heredity, development, and behavior.

I feel very strongly that a study committee that brought Senators and the scientific and technological community into more effective interaction would be of the greatest importance. I wish you the best of success in guiding the Senate toward such a development.

I am sending an identical letter to Senator Baker.

Sincerely,

Ray D. Owen,
Chairman.

Yale University, School of Medicine,
August 18, 1967.
Senator Edmund S. Muskie,
Subcommittee on Governmental Relations,
U.S. Senate, Washington, D.C.

Dear Senator Muskie: I have your letter of August 12, 1967 which deals with your interest in establishing a Select Committee on "Technology and Human Environment." This committee, I should imagine could have far-reaching responsibility along a number of lines which I for one, could not readily predict. My immediate thoughts and comments would deal with how man's mid-20th century ecology can be preserved along conservational lines; of how the urban environment can be improved; how the population explosion can be kept within reasonable bonds, etc. But as for what will be the technical advances in the last third of this century I can only imagine.

On the theoretical side I would like to call the attention of your research staff to a couple of volumes that might be useful:

(1) "Toward the Year 2000," being the Proceedings of a Conference of economists, government experts, historians and sociologists, issued as Volume 96 of *Daedalus*—The Journal of the American Academy, Arts and Sciences (Summer 1967), pp. 640–944. Issued by the Academy, 280 Newton Street, Brookline Station, Boston, Mass. 02146.

(2) "Man and His Future." A Ciba Foundation Volume. Edited by G. Wolstenholme. Little, Brown & Co., Boston, Mass., 1963, pp. 1–410. Being a Symposium which brought together distinguished international scientists.

Finally, if you desire a name which I could recommend for your Committee, I would suggest: Dr. Colin M. McLeod, Medical Director of Commonwealth Fund, 1 East 75th Street, New York, New York 10021.

He is well acquainted with Washington Committees and Washington, having been until recently: Deputy Director, Office of Science and Technology, Executive Office of the President, Washington, D.C.

Respectfully submitted:

John R. Paul, M.D.,
Emeritus Professor of Preventive Medicine.

Bell Telephone Laboratories, Inc.,
Murray Hill, N.J., August 23, 1967.
Hon. Edmund S. Muskie,
Hon. Howard H. Baker, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senators Muskie and Baker: Thank you very much for sending me the letter Re: S. Res. 68 "To Establish a Select Senate Committee on Technology and the Human Environment".

You speak of the purpose of the Committee as "inquiring into the broad impact of science and technology on man's thinking, health, work, living habits, and individual security over the next 50 years".

My observation is that the future is the child of the present, and if we wish a healthy future we must lovingly nurture what is now in the present.

We can sensibly ask what unexploited potentialities lie at hand—what we could do economically today, and what we believe we can do economically tomorrow, on the basis of today's knowledge.

We can sensibly ask what present or proposed laws hinder or prevent the use in bettering our lives of what we now know.

We can sensibly ask how we can inspire industries, universities, cities and states to exercise initiative and leadership in pursuing the opportunities technology has opened to them.

We can sensibly ask whether the federal funds now lavished on science really produce beneficial comparable effects on our well-being and our economy, and whether they could be spent so as to better our lot more directly.

We can even sensibly ask whether certain social drifts, if they persist, will result in disaster.

But I *don't* think that we can sensibly ask where technology will take us in 50 years. The life of science and technology is change: the discovery or invention of the new, and its prompt exploitation. The crisis of today is the difficulty that legal, governmental and social institutions have in catching up with the present, and in adapting themselves to the scarcely predictable changes that technology brings continually. What we need is flexibility, not a 50-year plan.

Sincerely yours,

J. R. Pierce.

University of California, Berkeley,
Berkeley, Calif., August 21, 1967.
Senator Edmund S. Muskie,
Senator Howard H. Baker, Jr.,
U.S. Senate,
Washington, D.C.

Gentlemen: Thank you for informing me of the progress on Senate Resolution 68. I certainly endorse and support legislation with the timely and crucial aims of this proposal. There are, of course, many details that will determine or limit its effectiveness about which I am uninformed.

1. How will its membership be fixed?

I would suggest that its members be appointed by the National Academy and that the President's Scientific Advisor be an ex officio member as well as, perhaps, the Director of the National Bureau of Standards.

2. Will the Select Committee have staff and funds?

The membership of the Select Committee must be highly prestigious and broadly representative. Its recommendations will require the assembly of ad hoc study committees of specialists commissioned by the Select Committee to produce working papers. The Select Committee must be able to take initiative in assembling such specialist study committees and in properly distributing the working papers and their own recommendations.

3. How does the Select Committee relate to the Senate?

There should be a clear, two-way avenue of communication between the Senate and the Select Committee. A problem of concern to a significant number of Senators should be readily brought to the attention of the Select Committee. Also, any studies and recommendations made by the Select Committee should be assured of receiving attention and interest appropriately in the Senate. Possibly each of four or five relevant Senate Committees should have an ex officio member on the Select Committee.

Furthermore, the Select Committee should be commissioned *both* to respond to inquiries and requests for studies originated within the Senate and *also* to initiate its own studies when it feels the Senate will be aided thereby.

In conclusion, let me reiterate my enthusiasm for this type of legislation. I hope it foreshadows realization in the Executive Branch that there should be a Secretarial Cabinet Member of Science and Technology.

Sincerely,

George C. Pimentel,
Chairman, Department of Chemistry.

Harvard University,
The Biological Laboratories,
Cambridge, Mass., August 15, 1967.
Senator Edmund S. Muskie,
U.S. Senate, Washington, D.C.

Dear Senator Muskie: I would like to congratulate you sir on your support of Senate Resolution 68. Such an avenue of communication between scientists and Congress has been needed for a long time and becomes more and more essential as the products of science and industry further affect man's natural environment. I hope with you that the Senate approves your resolution and that your Committee may soon get to work.

With best wishes.

Sincerely,

Keith R. Porter,
Professor of Biology.

University of California, College of Agriculture, Agricultural Experiment Station,
Davis, Calif., August 18, 1967.
Senator Edmund S. Muskie,
Committee on Government Operations,
U.S. Senate, Washington, D.C.

Dear Senator Muskie: In reply to your letter of August 12 Re: Senate Resolution 68, please let me state that I am highly in favor of the proposed action. My reaction is negative only in the respect that the proposed scope of this committee's inquiry might be so broad that it would be virtually impossible to advise the Senate in any helpful way. Certainly I am heartily in favor of the appointment of this committee if it will improve the relationships between the Senate and the scientific community.

My areas of interest are primarily agricultural and biological but in a specified area that does not have a strong primary impact on human welfare. Nevertheless, as indicated above, my broader interests render me sympathetic with your resolution and I would be glad to assist in an advisory capacity to the extent that my capacities might allow.

Sincerely yours,

Charles M. Rick,
Professor and Geneticist.

American Cyanamid Co.,
Wayne, N.J., August 16, 1967.
Hon. Edmund S. Muskie,
Hon. Howard H. Baker, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senators: This is to acknowledge and thank you for your letter of August 12th relating to Senate Resolution 68 to establish a select Senate Committee on Technology and the Human Environment. Just recently there crossed my desk a volume "A Strategy for a Livable Environment" by a distinguished Committee appointed by Secretary Gardner of the Department of Health, Education, and Welfare. I am sure you are familiar with this excellent and realistic report and I can only urge that the proposed Senate Committee not repeat the same studies.

A continuing special committee to which the Senate could turn for advice and suggestions relating to any legislation impinging on a broad area of technology and the human environment would undoubtedly serve as a useful purpose. Since many industrial organizations, such as American Cyanamid Company, are devoting their own research and development funds to specific current problems in environmental control, I would urge that industrial scientists be included as members of your proposed committee. The problems caused by industrial development and increasing population concentrations will be with us indefinitely. Consequently, many industrial organizations are making every effort to handle that part for which they bear primary responsibility. I believe a number of major advances will result from the increasing efforts to devise methods for improving the quality of all types of plant effluents.

With all good wishes for the success of your Committee.

Sincerely yours,

Richard O. Roblin.

Urbana, Ill.,
August 21, 1967.

Hon. Edmund S. Muskie,
Hon. Howard H. Baker, Jr.
U.S. Senate,
Washington, D.C.

Dear Senators: This is to acknowledge with thanks receipt of your letter of August 12, 1967 regarding Senate Resolution 68.

It seems to me that the creation of a Select Senate Committee on Technology and the Human Environment is a highly desirable proposal, in order that plans may be made in advance for critical contingencies which are likely to arise in the future. I have no specific comments at this time, but certainly the world is almost sure to be confronted with a food shortage in the not too distant future, unless suitable plans can be devised to increase the amount of available food, and limit population growth before the emergency actually arises. I sincerely hope the Committee can be formed, and begin its work at the earliest possible moment.

Sincerely yours,

Wm. C. Rose,
Research professor of Biochemistry, Emeritus, University of Illinois.

Tufts University School of Medicine,
Boston, Mass., August 17, 1967.

Senator Edmund S. Muskie,
Committee on Government Operations, Subcommittee on Intergovernmental Relations, U.S. Senate, Washington, D.C.

Dear Senator Muskie: I appreciate your calling to my attention the Bill which establishes a select Senate Committee on Technology and the Human Environment. The goals as you outline them are clearly of primary importance and I am delighted at the opportunity that will be provided for a continuous and meaningful dialogue between the scientific community and the Congress. Clearly something more is necessary than our traditional piecemeal approach to each crisis which arises from the interaction between man and technology, and the proposed committee would represent a potentially important step in this direction. If I can be of help by further comments or action, I would certainly be happy to do so.

Sincerely yours,

William B. Schwartz, M.D.,
Professor of Medicine.

University of California, Santa Cruz,
Santa Cruz, Calif., August 18, 1967.

Senator Edmund S. Muskie,
Committee on Government Operations, U.S. Senate, Washington, D.C.

My Dear Senator Muskie: As you indicated in your letter of August 12, the proposed Select Committee on Technology and the Human Environment would play a most valuable part in developing closer relationship between the Senate and the scientific and technological community. From the Senate's point of view I could foresee such a Committee's playing a part comparable to that which the President's Science Advisory Committee plays for the White House. I have been interested to note that in Great Britain the House of Commons (I am not informed about the House of Lords) maintains a Parliamentary Science Committee which presumably has a comparable function. Naturally, I am most interested in learning that this Resolution is moving along well, and I wish it all success. There are so many problems which call for interrelations between the scientific community and the national legislative body. Pollution, which has had much publicity recently, is only one of them. Many aspects of conservation, the impact of urban spread and of suburbs upon agriculture and on recreational facilities is another. Indeed, so many problems concern an interrelation between agriculture and recreational facilities that I imagine that either representation of, or interaction with, the Departments of Interior and of Agriculture may need to be developed.

I trust that you will continue to keep persons such as myself informed of developments in this area.

With many thanks.

Yours sincerely,

Kenneth V. Thimann,
Professor of Biology and Provost.

Rice University,
Department of Chemistry,
Houston, Tex., August 16, 1967.

Senator Edmund S. Muskie,
Subcommittee on Intergovernmental Relations of the Committee on Government Operations, Senate Office Building, Washington, D.C.

Dear Senator Muskie: Thank you so much for your informational letter relative to Senate Resolution 68. I am very much in favor of the proposed legislation.

It is clear that science and technology are playing an ever increasing role in the public domain, and that a closer relationship between legislators and the scientific community at large would be a most desirable move. It is also evident that the extensive involvement of government in science and education is currently in the hands of a relatively small group of people who sit athwart the lines of communication between the legislative and scientific-technological groups. Although I have no serious criticism of the present functioning of this arrangement, it does involve certain potential hazards which would be minimized by addition of the more direct contacts implied in Resolution 68.

Sincerely yours,

Richard B. Turner.

The Rand Corp.,
Santa Monica, Calif., August 16, 1967.

Hon. E. S. Muskie,
Hon. H. H. Baker,
Committee on Governmental Operations, Subcommittee on Intergovernmental Relations, U.S. Senate, Washington, D.C.

Gentlemen: Thanks for sending me a copy of the S. Res. 68 "To Establish a Select Senate Committee on Technology and Human Environment" which I have read with much interest.

It is most gratifying to learn that the gravity of these critical environmental problems is being recognized. The Select Committee appears to provide a most constructive approach to the solution of these problems. I am convinced that those skilled in science and technology will be very happy to participate in a suitable joint cooperative effort with the Senate. We can no longer afford to postpone attention to the cleansing of our environment, presently worsening almost every day.

Sincerely yours,

E. H. Vestine,
Department of Geophysics and Astronomy.

Cancer Research Institute,
New England Deaconess Hospital,
Boston, Mass., August 15, 1967.

Senator Edmund S. Muskie,
Old Senate Office Building,
Washington, D.C.

Dear Senator Muskie: I appreciate your calling my attention to Senate Resolution 68 that you and Senator Baker are sponsoring. This would be a very important Special Committee to consider the broad impact of Science and Technology on man for the future. I trust that this Select Senate Committee will be established. I would be very happy to have an opportunity to discuss my thoughts on the subject with the Staff of the Committee or with the Committee itself.

I am concerned as to how best to meet the challenge posed by two key attributes of our rapidly advancing civilization:

(1) the necessity for a large share of the population to have some understanding of modern technology, how it functions, how it advances

(2) how best to meet properly the intense interpersonal relations forced by our rapid urbanization and rapid population growth.

Sincerely yours,

Shields Warren.

The University of Rochester School of Medicine and Dentistry,
Rochester, N.Y., August 16, 1967.

Senator Edmund S. Muskie,
Senator Howard H. Baker, Jr.,
Committee on Government Operations, Subcommitee on Intergovernmental Relations, U.S. Senate, Washington, D.C.

Dear Sirs: I have your letter of August 12 relative to the Senate Resolution 68—"To Establish a Select Senate Committee on Technology and the Human Environment." I would certainly be greatly interested in this committee and I am sure it would be in a position to accomplish a great deal for the benefit of scientific work in medicine, biology, and so on. I hope it will be established as you indicate and I am sure it would be accepted with enthusiasm by the science group in general, as it will touch on research in science and associated teaching and the training of important people to carry on this work.

Very truly yours,

George H. Whipple, M.D.,
Professor of Pathology Emeritus.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

H.R. 3717. An act for the relief of Mrs. M. M. Richwine;

H.R. 11945. An act to amend the college work-study program with respect to institutional matching and permissible hours of work; and

H.J. Res. 804. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

RHODESIA AND VIETNAM

Mr. BYRD of Virginia. Mr. President, there was an interesting discussion this morning on the floor of the Senate regarding the lack of activity on the part of the United Nations so far as Vietnam is concerned.

It seems to me that that discussion was entirely justified, and I, too, feel that the United Nations should concern itself in the matter of bringing the Vietnam war to a conclusion.

I believe that our country must find it difficult to justify the activity of the American Ambassador to the United Nations, when he took the leadership in bringing about an embargo on trade with Rhodesia. As a result of the activity of the American Ambassador to the United Nations, followed up by a proclamation by the American President, trading with Rhodesia is prohibited. But not one word has been said officially in the United Nations, by the American Ambassador, with respect to bringing about an embargo on trade with North Vietnam.

Yet, North Vietnam is where the war is.

There is no war in Rhodesia. Rhodesia is at peace with the world. The only thing that Rhodesia is trying to do is the same thing the United States did 200 years ago—seeking to get her independence from Great Britain.

I say the United States cannot justify asking the United Nations to embargo trade with Rhodesia—yet refuse to seek such an embargo against North Vietnam, a nation with which we are at war.

So I believe that in considering the matter of United Nations' lack of activity with respect to Vietnam, the part that the American Ambassador played in bringing about an embargo on Rhodesia should be emphasized and brought in relationship to the fact that he has made no request, and our Government has made no official request, that trade through the enemy port at Haiphong be embargoed by United Nations members.

In that connection, Mr. President, I ask unanimous consent to have printed in the RECORD, as part of my remarks, a speech I made on the floor of the Senate on January 23, 1967, dealing with this subject.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Now, let us consider the attitude of the United Nations toward American involvement in Vietnam.

The Senator from Virginia recently put this question to Ambassador Goldberg:

"Is the war in Viet Nam a United Nations war, or is it a United States war only?"

Ambassador Goldberg's reply said this:

"The war in Viet Nam is neither a United Nations war nor a 'United States only' war."

And then he added:

"While we are making the major contribution, substantial contributions have been made by a number of South Viet Nam's closest neighbors who are most directly concerned with the conflict. Some 50,000 men are in the field from five of these nations."

Let us analyze the 50,000 troops of "Vietnam's closest neighbors who are most directly concerned with the conflict."

The total figure, other than Americans, as of January 19, 1967, is 52,450. Of these, 45,440 come from Korea.

The other troops involved in Vietnam are as follows: Australian, 4,700; Philippines, 4,000; and New Zealand, 150.

According to the President of the United States in his message to the Congress, the United States has 500,000 men involved in Vietnam. Four other nations have a total of 52,450, of which 45,440 are Korean. I do not belittle the efforts of the four nations; I praise them for taking a stand alongside the United States.

A second question I put to Ambassador Goldberg is this:

"Does the United Nations consider North Vietnam an aggressor nation?"

He replied that the United Nations "has taken no formal position on the Vietnamese war."

My next question to Ambassador Goldberg:

"Has the delegation of the United States to the United Nations officially sought United Nations military help in Vietnam?"

Ambassador Goldberg replied thusly:

"Because of the sharply divided opinions of United Nations members, it is not realistic to seek a United Nations military role."

So the U.S. Government, while committing hundreds of thousands of troops to Vietnam, and while paying 31 percent of the cost of the United Nations, has not persisted in efforts to brand North Vietnam an aggressor nation saying: It is not realistic to seek military help from the United Nations.

Our representative does not even ask for United Nations help. He does not take to the floor of the U.N. Assembly or stand in the councils of the United Nations Security Council and officially demand that this world organization, which was designed to keep the peace, give some help to the United States.

The next question the Senator from Virginia asked Ambassador Goldberg was this:

"Has the United States delegation advocated economic sanctions against North Vietnam?"

His answer amounted to "No."

The U.S. representative to the United Nations has, however, demanded economic sanctions against Rhodesia.

Our Government has not sought sanctions against North Vietnam through whose ports flow many of the war materials killing Americans in South Vietnam. No, we have not done that.

But our representative in the United Nations has demanded sanctions against the peaceful little country of Rhodesia. The Socialist Government of Great Britain cracked the whip and the representative of the U.S. Government at the United Nations jumped to his feet and demanded that sanctions be applied against Rhodesia, whose crime is that she is seeking independence from Great Britain, the crime that the United States itself committed in 1775.

In discussing this, Ambassador Goldberg said:

"The United Kingdom, which has primary responsibility for this problem, has turned to the United Nations for assistance."

I ask this question Mr. President: Why does not the United States seek United Nations assistance in Vietnam?

Because, Mr. Goldberg says, of "sharply divided opinions of United Nations members" concerning Vietnam.

So, because of "sharply divided opinions of United Nations members" our representative remains officially silent about economic sanctions against North Vietnam, yet speaks out for economic sanctions against a country that is threatening no other nation.

Is it logical to demand sanctions against a country at peace while being unwilling to demand the same sanctions against a country at whose hands the American people have suffered 44,000 casualties and whose sons' very lives are involved?

While a worldwide embargo has been put on the flow of oil to Rhodesia, the oil for war continues to flow freely to North Vietnam.

Perhaps this makes sense, but the Senator from Virginia is finding it difficult to reach that conclusion.

Another question I put to Ambassador Goldberg was this:

"Does the United States delegation to the United Nations think the United Nations should adopt sanctions against North Viet Nam?"

Ambassador Goldberg said, "We would naturally welcome" such a decision, "but as a practical matter we know that this cannot be done."

I say, Mr. President, that whether or not this objective can be accomplished, Mr. Goldberg has an obligation to strive constantly for it.

But why does not he stand up in council and demand a rollcall vote. Let us see where Great Britain stands. Let us see if Great Britain is willing to vote sanctions against North Vietnam after demanding that we vote sanctions against Rhodesia. British ships, as I mentioned earlier, carried on a brisk trade with North Vietnam during the year 1966.

Why should not the other U.N. members be called on to cast a vote of "yea" or "nay" on a proposal to adopt sanctions against North Vietnam.

Maybe Mr. Goldberg can not accomplish this objective in the United Nations, but I am inclined to think that if he would spend half the time trying to help the American military effort in Vietnam that he did in seeking sanctions against Rhodesia, then the American people and their sons would be better off.

In arguing the case in favor of sanctions against Rhodesia, Ambassador Goldberg said this:

"What is happening in Rhodesia now is an effort to perpetuate the control of 6% of the population over the other 94%. . . ."

Is it not a fact that in the Soviet Union the members of the Communist Party, comprising about 1 percent of the population and acting through a few leaders, control the other 99 percent of the people of that nation of nearly 200 million?

Is it not a fact that a handful of men control the destinies of all the people of Albania?

Is it not a fact that a handful of men control all the people in Bulgaria and in Rumania and in Yugoslavia?

Is it not a fact that Fidel Castro almost singlehanded, operating through a small Communist cadre, controls the lives and fortunes of near 7 million Cubans?

Is it not a fact that in the world's largest nation, China, the lives of nearly 700 million persons are controlled by a small Communist dictatorship?

Does Mr. Goldberg plan to advocate economic sanctions against any of these Communist countries?

I think the American people should be aware of this fact: That during 1966, 240 ships flying the flags of members of the United Nations carried cargo to and from the North Vietnamese port of Haiphong.

When I returned from Okinawa to San Francisco on that day in May in 1945 on which the United Nations was born, I had in my heart a hope that such a world organization would make it unnecessary for another generation of Americans to risk their lives overseas.

Yet, today, 22 years later, we find the United Nations concerning itself not with the aggressions of a nation killing Americans, but rather confining its activities to a nation at peace.

I speak not as one who is unfriendly to the British people. They have, in ages past and in the 20th century, given the world a full measure of the lesson of real democracy.

But I am alarmed over events in Vietnam. I am deeply concerned because every day more and more Americans die there. And while that conflict increasingly becomes an American war, the rest of the world, our friends included, are indifferent or even hostile.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the

Legislative Calendar, under rule VIII, be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 524, S. 1504, which has been cleared on both sides of the aisle.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 1504) to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans to supplement farm income, authorize loans and grants for community centers, remove the annual ceiling on insured loans, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, establish a flexible loan interest rate, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry, with an amendment, to strike out all after the enacting clause and insert:

That the Consolidated Farmers Home Administration Act of 1961, as amended, is further amended as follows:

The first sentence of section 303 is amended to read as follows: "Loans may be made or insured under this subtitle for (1) acquiring, enlarging, or improving farms, including farm buildings, land and water development, use and conservation, (2) recreational uses and facilities, (3) enterprises needed to supplement farm income, (4) refinancing existing indebtedness, and (5) loan closing costs."

Sec. 2. Section 304 is amended by inserting after the word "subtitle" in section 304 the letter "(a)", by inserting a comma in lieu of the period at the end of the section and adding the following: "not including recreational uses and facilities and (b) without regard to the requirements of section 302 (2) and (3), to individual farmowners or tenants to finance outdoor recreational enterprises or to convert to recreational uses their farming or ranching operations, including those heretofore financed under this title."

Sec. 3. Section 306(a)(2) is amended by changing $50,000,000" to "$150,000,000".

Sec. 4. Section 306(a)(6) is amended by changing "$5,000,000" to "$25,000,000".

Sec. 5. Section 306 is further amended by adding at the end thereof the following:

"(d) An applicant for a loan under this section for a water or sewer project to serve any area in any city or town shall, together with the Secretary, make all reasonable efforts to obtain private or cooperative financing of the project; and where such efforts are unsuccessful, the Administrator of the Farmers Home Administration shall personally so determine and furnish a report thereon prior to the approval of the loan to the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House of Representatives. Whenever in the judgment of the Secretary a sewer or water project can be financed through a grant under this section and a loan from private or cooperative sources as advantageously to the applicant and as economically to the Government as through financing by the Government under this section (taking an allowance to cover current administrative costs into account), the Secretary shall require the applicant to obtain such loan from private or cooperative sources.

"(e) Each department or agency of the Federal Government which is authorized to furnish financial assistance for any of the purposes for which financial assistance may be furnished under this section shall carefully review each application for such assistance received by it, determine whether the needs of the applicant may be better served by another department or agency, and, if so, advise the applicant and such other department or agency of such determination. The President shall issue such rules and regulations as he deems necessary or desirable to assure (1) the coordination of the program authorized by this Act with related programs of other agencies, including the Department of Housing and Urban Development, the Department of Commerce, and the Department of the Interior; and (2) the availability to prospective applicants of information on the alternative programs available to them."

Sec. 6. Section 307(a) is amended by striking the second sentence and inserting in lieu thereof: "Loans made or insured under this subtitle, except loans to public bodies whose obligations bear interest not subject to Federal income tax, shall bear interest at a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, plus not to exceed 1 per centum per annum as determined by the Secretary. Such loans to such public bodies shall bear interest at a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of such loans, adjusted to the nearest one-eighth of 1 per centum, less not to exceed one-half of 1 per centum per annum as determined by the Secretary in areas qualified under section 103 or 401(a) of the Public Works and Economic Development Act of 1965. In no event shall the rate determined in the foregoing sentence be greater than that applicable to loans contemporaneously made or insured by, or available from, any other agency of the United States for similar purposes."

Sec. 7. Section 308 is amended by striking out the phrase ", aggregating not more than $450,000,000 in any one year," and by inserting in lieu thereof, "until October 1, 1969".

Sec. 8. Section 309(f) is amended by changing the figure "$50,000,000" to "$100,000,000".

Sec. 9. Section 312 is amended by (a) revising subsection (4) to read as follows: "(4) financing land and water development, use, and conservation,"; (b) inserting new items (5) and (6) to read as follows: "(5) without regard to the requirements of section 311 (2) and (3), to individual farmers or ranchers to finance outdoor recreational enterprises or to convert to recreational uses their farming or ranching operations, including those heretofore financed under this title, (6) enterprises needed to supplement farm income,"; and (c) by renumbering the present items "(5), (6), and (7)" to "(7), (8), and (9)".

Sec. 10. Section 316 is amended by (a) striking from the first sentence "at an interest rate not to exceed 5 per centum per annum," and (b) adding at the end of the section the following: "Loans made under this subtitle shall bear interest at a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 per centum, plus not to exceed 1 per centum per annum as determined by the Secretary."

Sec. 11. Section 333(b) is amended by striking the word "farming".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, is this a bill to provide additional services to farm homes?

Mr. AIKEN. It is.

Mr. LONG of Louisiana. Is it a bill that provides for helping farmers to get water for their homes in small communities?

Mr AIKEN. That is correct. And also to provide for sewage facilities. The bill is sponsored by 93 Members of the Senate, of which the distinguished Senator from Louisiana is one.

Mr. LONG of Louisiana. I am proud to be a sponsor of the bill.

There was discussion about amending the bill to make it broad enough to provide additional services, such as gas, and perhaps others. Have such amendments been agreed to?

Mr. AIKEN. No. If the Senator means broadening it to include gas installations, and so forth, it was decided not to broaden it; because, after all, we do have to leave something for the House to do, as we did 2 years ago, when we passed the water bill in the Senate and the House added the provision relating to sewage.

I do not say that this is a perfect bill. It could be improved by the House.

Mr. LONG of Louisiana. Would the Senator feel that he would be required to oppose an amendment that would include gas?

May I say to the Senator that, so far as I am concerned, it is perfectly all right with me for private concerns to provide the gas service, if they will; but in some instances it is difficult to get it done. I would even be willing to go along with a provision that it could be put in, and at any time a private company wanted to provide the service, they could take it over. When you dig a ditch and put down a water distribution line, you might just as well put a gasline alongside it, and it seems to me that that would be a good time to do so.

Mr. AIKEN. Various amendments were considered. All witnesses testified in favor of the bill. The Bureau of the Budget did not oppose it, as it did the original bill 2 years ago, and they were finally turned in the right direction by the President himself. We felt that we would not tempt fate too far. I realize that other facilities are required by the rural areas. In fact, at the request of the administration, we eliminated the financing of community centers because they felt the program of the Department of Housing and Urban Development should be given a chance to meet this need.

I do think it is very essential that we

continue with programs to build up the rural areas, not that we should neglect the cities, because we should not do that, but cities and rural areas must come along together if we are going to make this the great country we think it should be in the future.

Mr. LONG of Louisiana. Does the Senator feel at this time that he would be obliged to oppose an amendment that would include gas distribution facilities in the bill?

Mr. AIKEN. Inasmuch as this bill was reported by the Committee on Agriculture and Forestry with a unanimous vote, I think that I would not favor any additional amendments to it unless they were approved by at least a majority of the committee.

Mr. LONG of Louisiana. I shall not press for such an amendment at this time, but I hope in the future we may achieve that result of expanding the purposes of this bill, which have been so nobly advanced by the distinguished Senator from Vermont, to include some additional services. The bill which the Senator pioneered in this area has done wonderful things all over the country. I am aware of what it has done for my native State of Louisiana.

I am grateful to the Senator for the leadership he has provided.

Mr. AIKEN. Mr. President, there is much more that can be done to make our country more attractive and a more remunerative place in which to live. Much can be done to improve the conditions of our cities and suburbs, as well as our rural areas, and I believe we can always work toward that end.

I hope the Senate will pass the bill as it is now. I am satisfied that the House of Representatives may have some improvements to add to the bill, and possibly the suggestion of the Senator from Louisiana may be one of them. However, we did not want to go too far, and so we included what we were pretty sure would merit approval or receive the approval of the administration.

Mr. LONG of Louisiana. I thank the Senator.

Mr. RANDOLPH. Mr. President, will the Senator yield for an observation?

Mr. AIKEN. I yield.

Mr. RANDOLPH. Mr. President, there are not many Senators in the Chamber at this time, but if more Senators were present I am sure they would join, as the Senator from Louisiana and the Senator from West Virginia join, in a sincere compliment to the distinguished Senator from Vermont for his leadership in this field.

I know that in West Virginia there is no program which is more popular than FHA, nor is there any other program that comes closer to helping our rural population than the program sponsored and guided so effectively by the Senator from Vermont.

Literally tens of thousands of people in West Virginia now have running water through this program. It is estimated that over 70,000 persons in the State are benefiting in some way through the activities of FHA.

In noting the program of FHA in West Virginia, I call attention to the dedicated leadership and service of our State director, his staff, and his field personnel. The State director, A. James Manchin, has developed an organization which serves people.

Mr. President, this program has strengthened the sinews of our rural population in our State and through that strengthening we believe we make a meaningful contribution to a strong America.

Mr. AIKEN. I thank the Senator who from the start has been a strong supporter of this program. I have been interested in following the reports received from the State of West Virginia, and from my observation there is hardly any State in the Union which cooperated more fully per capita and per acre with this program than the State of West Virginia. I am glad to hear of the great benefits they have received.

Mr. RANDOLPH. I thank the Senator.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. CARLSON. Mr. President, I did not want the distinguished Senators to think that this is a program only for Vermont and West Virginia. This program is very valuable in the Middle West. We have been using it. I have visited many areas in our State where we have these new water facilities and the services that have been rendered through the program which has been sponsored by the Senator from Vermont.

Mr. President, I want the Record to show that we appreciate the leadership of the Senator from Vermont in this matter.

Mr. AIKEN. Let me say that the Senator from Kansas has been a real power in getting this program underway. In that regard let me say that all Senators west of the Mississippi are sponsors of S. 1504.

Mr. President, in 1965 we passed Public Law 89–240 to provide grants and other assistance to rural areas in obtaining water and sewer facilities. That law was approved October 7, 1965, and has already been of tremendous assistance to rural communities. In fiscal 1966, 4,205 applications for water and sewer development assistance were received. As of May 27, 1967, there were 4,238 inquiries and applications pending for loans and grants totaling $1,145,483,664. The need for this type of assistance is tremendous, and the grant and loan insurance authority authorized by Public Law 89–240 has proved insufficient to meet the demand.

The pending bill, S. 1504, would therefore authorize increased grants and increased loan insurance authority to meet this demand. The annual authority for development grants would be increased $100 million to permit grants of up to $150 million a year. Annual planning grant authority would be increased $20 million to provide for grants of up to $25 million a year. The limit of $450 million on the amount of loans which may be insured would be removed. There is no limit on the amount of direct loans which may be made, except that fixed annually by appropriation acts.

These changes should contribute greatly to the development of rural America as a better place to work and live.

The bill would also authorize loans to farmers to enable them to undertake enterprises needed to supplement farm income or to convert their farms to recreation. Such loans would enable them to use their time and resources more fully, provide needed services for the community, and obtain additional, needed income.

The bill provides for flexible interest rates based on the cost of the funds to the Government. The new formula was recommended by the Department of Agriculture, and the committee was advised that the executive policy is to establish uniform interest rates for similar Government programs. In order to be sure that rural areas would never have to pay a rate higher than urban areas, the committee included a provision specifically requiring that the rate to small towns under the bill should in no event be greater than that provided under any other similar Government program.

The bill has been sponsored by most of the Senate and was approved by all witnesses.

The bill also provides additional assurance to that now in the law that the Farmers Home Administration will restrict itself to borrowers who are unable to obtain credit elsewhere on reasonable terms to meet their actual needs. The bill provides that in the case of a municipal sewer or water loan the applicant and the Secretary shall make all reasonable efforts to obtain credit elsewhere, and the Farmers Home Administration is required to report to the Committees on Agriculture whenever such efforts are unsuccessful. Whenever a sewer or water project can be financed in part through a loan from private sources and the financing will be as advantageous to the applicant and the Government as financing by the Government alone, the bill requires such partial private financing. It is not intended that the Government would subsidize the private lenders in any way. If the Government is required to participate in the financing to any extent, then it should do so in the most economical way possible; and it should permit private lenders to participate only where such participation adds nothing to the Government cost and does not lessen the benefit to the applicant in any way.

Mr. President, I would like to point out that there is a typographical error in the committee report on this bill. On page 7, the figure at the end of line 2 should be 4⅛ rather than 4⅝.

Mr. MANSFIELD. Mr. President, this bill was sponsored by 93 Senators, was reported unanimously by the Committee on Agriculture and Forestry, and represents another testament to the integrity, devotion, and the great care demonstrated by the distinguished senior Senator from Vermont in tending to the needs of his constituents and the needs of the Nation as well. In my opinion, judging from my years in Congress, no man of either party has shown such an undeviating dedication to, such a great, and sincere interest in the welfare of those living in our rural communities than has the Senator from Vermont. As a Senator from a rural State, I appreciate his achievements—I salute him for his many outstanding contributions and his tireless efforts for the betterment of all of the people of the Republic.

Mr. AIKEN. I thank the Senator from Montana, whose early encouragement and influence made it possible to get the rural water and water disposal program off to such a fine start. No Member of this body has done more to promote rural development in America than has the Senator from Montana [Mr. MANSFIELD].

Mr. President, I wish to make clear that the few Senators who were not sponsors of the bill did not fail to sponsor the bill because they were opposed to the program, but, rather, because they had a policy of not cosponsoring bills.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 540—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SHORT EXPLANATION

This bill would amend the Consolidated Farmers Home Administration Act of 1961 to—

(1) include (I) enterprises needed to supplement farm income and (II) conversion of farms to recreation among the purposes for which loans may be made under subtitles A (real estate) and B (operating);

(2) increase the annual development grant authority under section 306 to $150 million (from $50 million);

(3) increase the annual grant authority for comprehensive planning of water or sewer systems to $25 million (from $5 million);

(4) require (I) all reasonable efforts to be made to obtain a loan from private or cooperative sources in the case of a loan for a sewer or water project to serve a city or town, (II) a report to the Committees on Agriculture whenever such efforts are unsuccessful, and (III) the use of credit from such sources when available on terms as advantageous to the applicant and as economical to the Government as financing under the bill;

(5) provide for coordination of Federal programs of assistance for sewer and water projects;

(6) provide for interest rates determined after consideration of the cost of funds to the United States, and in no event exceeding (in the case of tax-exempt obligors) that charged by other Federal agencies on future subtitle A and B loans; (instead of rates fixed by the Secretary of Agriculture at not exceeding 5 percent.);

(7) remove the $450 million limit on annual insured loan authority and terminate such authority October 1, 1969; and

(8) increase the amount of direct loans made from the insurance fund for resale which can be outstanding at any time to $100 million (from $50 million).

COMMITTEE CONSIDERATION

The committee's Subcommittee on Agricultural Credit and Rural Electrification held hearings on this bill on July 12 and 13, 1967, and heard all witnesses who desired to be heard. All witnesses favored the objectives of the bill, but many amendments were proposed. The subcommittee and the committee gave careful consideration to all proposals and developed the amendment in the nature of a substitute recommended in this report. The committee has further recommended amendment of the title of the bill to conform to the recommended text.

SECTION-BY-SECTION EXPLANATION

Section 1. Loans for enterprises to supplement farm income

The first section of the bill, as recommended by the committee, provides for amendment of the Consolidated Farmers Home Administration Act of 1961 "as follows", so that all subsequent sections should be read as amending that act.

The first section amends section 303 of the act to include "enterprises needed to supplement farm income" among the purposes for which loans may be made under that section. (Sec. 303 authorizes real estate loans to owner-operators of not larger than family farms who are unable to obtain sufficient credit elsewhere. The loan purposes now authorized by sec. 303 are "acquiring, enlarging, or improving farms, including farm buildings, land and water development, use and conservation, including recreational uses and facilities, refinancing existing indebtedness, and for loan closing costs".) The purpose of section 303 is to provide farmers who are unable to obtain credit elsewhere with sufficient credit to engage in farming. Often the income from the farm is insufficient to enable the farmer to support himself and his family and he must look elsewhere for supplemental income. This section would provide him with that opportunity.

Section 2. Loans to convert farms to recreation

This section authorizes loans for the conversion of farms to recreational use. It would not have any effect on the present policies of the Farmers Home Administration with respect to loans for nonfarm recreational purposes. Under section 2(b)(2)(A) of the Participation Sales Act of 1966 such loans are not pooled for the purpose of issuing participation sales certificates. Hence, most nonfarm recreational loans (other than to public bodies) are insured loans. It is also not intended to provide for loans to persons who have not been regularly engaged in farming, but acquire a farm for the purpose of establishing a recreational enterprise. It is intended that the Secretary will restrict loans under this provision to persons who have been regularly engaged in farming for at least 2 years prior to their application for an initial loan for recreational purposes.

This section, which was inserted by the committee, is the same as subsection (a) of S. 1479, which was requested by the Department of Agriculture and was one of the bills covered by the committee's hearings. There was no objection to this provision at the hearings. The Department explained this section as follows:

"The addition to section 304 will authorize loans to individual farm or ranch owners or tenants to establish or further develop outdoor recreational enterprises. That section will authorize the use of funds for acquiring the additional essential resources for income-producing recreational activities. The amount of each loan to an individual will be subject to the $60,000 and normal value limitation in section 305(a).

"The applicant will be required to be a farm or ranch owner or tenant when he receives the initial recreation loan. Subsequent loans can be made for the recreational enterprise originally financed under this subtitle. The applicant may, but will not be required to, continue to farm after the loan is made. The labor requirements for a recreational enterprise may exceed the equivalent of those for a family farming operation.

"Recreation loans under this section may be made or insured for (1) acquisition of additional land and land development, (2) construction, improvement, and operation of outdoor recreational facilities, equipment, and related buildings, (3) refinancing of debts, and (4) loan closing costs."

Section 3. Water and sewer development grants

This section increases the annual limit on development grants under section 306(a)(2) to $150 million (from $50 million). These grants for rural water and sewer project development costs were authorized by amendment of section 306 by Public Law 89–240, approved October 7, 1965. Before that date only loans were authorized. The Department advises that the increase in applications for water and sewer projects demonstrates that the present authorization of $50 million annually is not sufficient to meet even the most critical need. In fiscal year 1966, 4,205 applications for assistance were received from rural communities as compared with 1,422 received in fiscal year 1965. On May 31, 1967, the Farmers Home Administration had on hand 2,392 applications from rural communities for assistance in the installation of domestic water systems and about 1,118 applications for assistance in the installation of community waste disposal systems. Over 700 applications were from communities seeking assistance for both water and waste disposal systems. Until recently, there has been no place for many rural communities to obtain assistance in developing public water and waste facilities.

Section 4. Planning grants

This section increases the annual limit on planning grants under section 306(a)(6) to $25 million (from $5 million). These grants were authorized by Public Law 89–240 to be made to public bodies or other agencies having authority to prepare official comprehensive plans for the development of rural water or sewer systems. Until the passage of Public Law 89–240 in 1965, most rural public agencies were unable to finance the basic comprehensive planning essential to the orderly and economical development of these necessary utility services. The funds authorized by existing law for this purpose cannot meet the critical needs. As of May 31, 1967, there were 596 applications on hand and they were being received at the rate of approximately 65 per month. There is a particular need to provide all the assistance possible before October 1, 1968. After that date, development grants under Public Law 89–240 may not be made unless a comprehensive plan for the area is available and the proposed project is consistent with that plan.

Section 5. Credit elsewhere and coordination of Government programs

This section would add two new subsections to section 306 of the Consolidated Farmers Home Administration Act of 1961 as follows:

New section 306(a). Credit elsewhere. The proposed section 306(d) would require (i) all reasonable efforts to be made to obtain a loan from private or cooperative sources in the case of a loan for a sewer or water project to serve a city or town, (ii) a report to the Committee on Agriculture whenever such efforts are unsuccessful, and (iii) the use of such credit, when available on terms as advantageous to the applicant and as economical to the Government as financing under the bill.

At the hearings the Investment Bankers Association and a group of municipal bond underwriters proposed a number of amendments relative to interest rates, limitations on insurance authority, efforts to obtain credit elsewhere, the backlog of applications, and other matters.

The committee hopes that the problem of the large backlog of applications for sewer and water loans and grants can be taken care of administratively. The witnesses pointed out that other agencies with similar backlog problems have initiated programs to reduce the backlog. The committee was advised informally by the Department of Housing and Urban Development that its backlog reduction program has been successful and well received. Where there is no possibility that an application can be approved and funded within a reasonable time, the applicant should be so advised. The Director of the Bureau of the Budget wrote to the Secretary of Agriculture on April 19, 1967, urging the application of priority-setting criteria to meet this problem; and the Department of Agriculture has advised the committee informally that it is "preparing for the early issue of an instruction which will establish significant and pertinent consideration to permit (1) processing of those applications which will result in serving the greatest existing need, (2) estimation in advance of the volume of Federal assistance which is likely to be available, (3) rejecting for current consideration applications in excess of such estimated available funds, and (4) committing and obligating available funds among applications entertained in accordance with the community's appraised immediate need." The committee felt that this problem could be solved better administratively than through legislation, and therefore did not adopt any amendment to accomplish this end.

The Department advised that it planned using direct, rather than insured, loan authority in the future in the case of applicants whose obligations bear interest not subject to Federal income tax. Since the underwriters were concerned with obligations of this type of applicant, the committee felt the amendments proposed by them to limit the loan insurance authority would not have the effect they sought, and the committee did not recommend adoption of their amendments on this subject.

The new section 306(d) is designed to meet the objections of these witnesses with respect to credit elsewhere and interest rates insofar as they can be met without increasing the cost to the Government or lessening the benefits to borrowers.

One amendment proposed by the investment bankers and underwriters would have required the furnishing of three letters from usual sources of municipal credit showing that credit was not available from such sources. The subcommittee gave serious consideration to this amendment, but decided that the Administrator should be able to base his determination that all reasonable efforts had been made to obtain credit elsewhere on all available information. Such letters could, of course, serve as the basis for that determination. The first part of the proposed section 306(d) therefore requires the applicant for a municpal water or sewer project loan and the Secretary to make all reasonable efforts to obtain private or cooperative financing of the project. The Administrator of the Farmers Home Administration is required to report to the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House of Representatives before making the loan when such efforts have been unsuccessful.

The second part of proposed section 306(d) provides that whenever a sewer or water project can be financed through a grant under section 306 and a loan from private or cooperative sources as advantageously to the applicant and as economically to the Government as through financing by the Government under section 306, the Secretary shall require the applicant to obtain the loan from private or cooperative sources. The committee felt that municipal underwriters and investment bankers perform a valuable service in providing funds for the development of municipal projects; and that the Government should not take any action to interfere with or obstruct the performance of those services. Section 333(a) of the Consolidated Farmers Home Administration Act of 1961 now requires applicants to certify that they are unable to obtain credit elsewhere to meet their actual needs at rates and terms determined reasonable by the Secretary.

On the other hand the objectives of the program are to enable rural areas, including small towns, to obtain water and sewer facilities which they cannot obtain without Government assistance. To the extent that the underwriters' services can be used to accomplish this without additional cost to the applicant or the Government, the committee felt those services should be utilized. The committee did not feel, however, that their services should be used where a Government subsidy was involved and use of their services would require an increase in the Government subsidy. The language recommended by the committee is based on these considerations. If the Farmers Home Administration were to make the loan, there would be a certain subsidy given to the borrower in the form of low interest. If this subsidy can be given in the form of a grant, without additional cost to the Government, and if such action will make it possible for private lenders to make the loan, and if the financing is then as advantageous to the borrower, then the Secretary shall require the applicant to obtain the loan from private sources. There is absolutely nothing in this provision which requires the making or increasing of a grant if that action will increase the cost to the Government above what its cost would be if it made both the loan and the grant. This provision is simply not operative if it would result in increasing the Government cost by a single penny, or if it would decrease the benefits to the applicant by that amount. There is no desire to subsidize private lenders.

The committee considered a proposal to change the word "grant" in the second sentence of new section 306(d) to "an increase in the amount of a grant." This was suggested as a clarifying amendment, but the committee felt that the language was already clear, and covers either the making of a grant where no grant would otherwise be made, or the increasing of a grant which would be made in the absence of this provision. In either case the provision contemplates a transferring of the subsidy from the loan part of the financing to the grant part of the financing where that will accomplish the desired effect without any increase in Government cost.

Whether private credit could be used as advantageously to the borrowed and as economically to the Government as Government financing would be a matter in the sole judgment of the Secretary. He would take an "allowance" to cover current administrative costs into account in making this judgment. This would not require a statistical computation or determination.

New section 306(e). Coordination of government programs. Proposed section 306(e) requires the various agencies furnishing assistance of the kind provided under section 306 to coordinate their efforts so that applicants may be better served and better informed as to the alternatives available to them. Its provisions are in accord with what the various agencies are now doing.

Section 6. Interest rates on farm ownership and sewer and water loans

This section amends the existing provision for interest rates on loans made under subtitle A of the act. At present the rates for loans for the various purposes under that subtitle are established by the Secretary of Agriculture at not in excess of 5 percent per annum. Section 5 would provide instead for a rate determined by the Secretary of the Treasury, taking into consideration the cost of funds to the Government (based on yields for comparable maturities and rounded to the nearest one-eighth of 1 percent)—

(i) plus up to 1 percent (except in the case of loans to public bodies whose obligations bear interest not subject to Federal income tax);

(ii) minus up to one-half percent in the case of loans to such public bodies in so-called EDA areas; and

(iii) without addition or subtraction in the case of loans to such public bodies not in EDA areas.

The formulas just described were proposed by the Department of Agriculture, which advised the committee that on the basis of May 1967 data, the rate for loans to others than such public bodies would be at least 4⅝ percent but not more than 5⅝ percent; the rate for loans to such public bodies in EDA areas would be not less than 4⅛ percent nor more than 4⅝ percent; and the rate for loans to such public bodies in non-EDA areas would be 4⅝ percent.

This section further provides that in no event shall the rate to such public bodies exceed that applicable to loans for similar purposes available from any other agency of the United States. The committee felt that rural areas under this program should receive as advantageous interest rates as are available to urban or other areas under any similar Federal program.

Section 7. Insured loan authority

This section would remove the $450 million limit on the amount of loans which may be insured under subtitle A in any one year. Upon the recommendation of the Department of Agriculture, the committee has recommended inclusion in this section of a provision terminating the loan insurance authority on October 1, 1969. This will give Congress an opportunity to review the operations of this program prior to that time.

Section 8. Loans held for sale as insured loans

This section increases the amount of direct loans made from the insurance fund for resale as insured loans which may be outstanding at any one time to $100 million (from $50 million).

Section 9. Operating loans for supplemental and recreation enterprises

This section expands the purposes for which operating loans can be made under subtitle B of the act to include (i) enterprises needed to supplement farm income and (ii) conversion of farms to recreation. The latter purpose, which was added by the committee, is taken from S. 1479, a bill proposed by the Department of Agriculture.

The Department explained this provision taken from S. 1479 as follows:

"The new item 312(5) is a companion authorization to that contained in the revision of section 304 and will authorize loans to individual farmers and ranchers to convert part or all of their farming operations to outdoor recreational enterprises. Loans will be made to establish new enterprises or to expand existing enterprises. These funds will be used for equipment and facilities, animals, birds, fish, supplies, payment of operating expenses and cash rent, refinancing of indebtedness, and loan closing costs. Operating loans for farming operations and recreational enterprises will be subject to the $35,000 limitation in section 313. These loans will assist farm families to convert their farming operations so that their resources will be put to the best use in order to produce a profitable return on their investments or to otherwise improve their incomes. The applicant may, but will not be required to, continue to farm after the loan is made. The labor requirements for a recreational enterprise may exceed the equivalent of those for a family farming operation. The applicant will be required to be a farmer or a rancher when he receives the initial recreation loan. Additional loans can be made with respect to any recreational enterprise qualifying for an initial recreation loan."

Section 10. Interest rates on operating loans

This section amends the provision of the Consolidated Farmers Home Administration Act of 1961, dealing with the interest rate on loans under subtitle B (operating loans). The current rate for subtitle B loans is 5 percent; but the law permits the Secretary to fix the rate at any rate up to 5 percent. The bill provides for an interest rate determined by the Secretary of the Treasury, taking into consideration the cost of funds to the Government. The formula was recommended by the Department of Agriculture and is the same as that provided by the bill for subtitle A loans to borrowers, other than tax-exempt public bodies. However, the rate would differ from that for subtitle A loans because it would be based on yields on Government obligations with shorter remaining maturities, subtitle B loans being for 7 to 12 years. Based on May 1967 data, this rate would be at least 4¾ percent and not more than 5¾ percent.

Section 11. County committee certification

This section, which is the same as subsection (d) of S. 1479, would strike "farming" from the requirement that the county committee certify the applicant's ability to carry out the proposed "farming" operations. This supplements the proposed amendment to authorize loans for conversion to recreation and the provision of the bill authorizing loans for nonfarm enterprises needed to supplement farm income.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. AIKEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The title was amended, so as to read: "A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans for enterprises to supplement farm income and for farm conversion to recreation, remove the annual ceiling on insured loans, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, establish a flexible loan interest rate, and for other purposes."

Mr. YARBOROUGH. Mr. President, the bill to amend the Consolidated Farmers Home Administration Act that the Senate has just approved is one of great importance in the imperative effort to curb the evils of rural poverty. The provisions of S. 1504 that amend the 1961 Farmers Home Administration Act and the Aiken Act of the last Congress show a recognition of the new problems faced by American farmers and attempt with the able advice of the Department of Agriculture to remedy these specialized disabilities.

The new bill encourages poor family farmers to supplement their insufficient incomes through loans for additional farm machinery and for the institution of moneymaking recreational facilities. The changes in the annual ceilings of loans available under the Consolidated Farmers Home Administration for improvements in water and sewerage facilities, as well as the new administrative procedures, will lead to the greater flexibility and efficiency required to achieve the most productive farming techniques possible. More farmers, now eligible for loans under the 1961 act, will be able to realize the opportunities hoped for by the loan provisions of this act as a result of the easing of the annual insured loan ceilings.

S. 1504, besides extending and facilitating financial help for individual farmers, also furthers the objectives of financial stability for the whole rural community by providing funds for the institution of community centers to deal with the health, recreation, and educational needs of rural environments. The bill will aid in improving the utilities of rural communities by making more readily available Federal loans and planning grants for this purpose. With the passage of this bill we have taken a vital step in the war against rural poverty by locating the specific causes of low agricultural incomes and by attempting through efficient and decisive action to remedy them.

CAPT. VERNA M. LORETTE, VIETNAM HEROINE

Mrs. SMITH. Mr. President, a young woman has brought great honor to the State of Maine. She is Capt. Verna M. Lorette, of Limestone, Maine, who has been chosen as the "unsung heroine" by the Ladies Auxiliary of the Veterans of Foreign Wars for its 1967 award.

Captain Lorette is the daughter of Mrs. Ida Lorette, of 82 Van Buren Road, Limestone, Maine. An Air Force flight nurse veteran of 22 months' duty in Vietnam and the Far East and 226 air medical evacuation missions, 74 of which were moving patients within and out of Vietnam, she was instrumental in the great success of these operations.

It was my privilege and pleasure to talk with her at length in my Senate office recently. I cannot adequately express the deep impression that she made on me. I only wish that more Americans could talk with her and learn considerably more about what our service personnel are going through in Vietnam and of their high morale, despite some of the demonstrations back here at home, such as the disgraceful draft card burning exhibitionism by young men for whom service personnel in Vietnam are fighting and dying in order that even the draft card burners may keep their freedom and security at home in the comfortable luxuries that we enjoy.

I ask unanimous consent to have printed in the Record an article published in the August 23, 1967, issue of the Bangor Daily News.

There being no objection, the article was ordered to be printed in the Record as follows:

Army Nurse From Limestone Wins Unsung Heroine Award

New Orleans, La.—An Air Force flight nurse from Limestone, Maine, has been awarded the "unsung heroine" award by the Ladies' Auxiliary to the Veteran of Foreign Wars.

Capt. Verna M. Lorette, daughter of Mrs. Ida Lorette of 82 Van Buren Road, Limestone, was presented the award Wednesday night. Mrs. Glenn C. White of South Bend, Ind., Auxiliary national president, awarded the citation and $500 check during the group's national convention at the Jung Hotel.

Captain Lorette, who is on leave after 22 months' duty in Vietnam, and the Far East, was given the award for her heroism during 226 air medical evacuation missions, 74 of which were moving patients within and out of Vietnam.

Maj. Louis H. Architect, USAF, Captain Lorette's commanding officer, said she was instrumental in the aeromedical evacuation of large numbers of patients, including combat casualties from Vietnam. "All missions were conducted in an outstanding manner that displayed a high degree of professionalism and devotion to duty," he said.

Frequently volunteering for around-the-clock duty, Captain Lorette on one recent evacuation mission—with complete disregard for her own welfare—administered mouth-to-mouth resuscitation to a patient who had developed acute respiratory distress.

Captain Lorette is cited as maintaining a "patient, unruffled professional composure even under long mercy missions."

First established three years ago, the "unsung heroine" award attracts interest in all the overseas commands of the United States forces. Entries are sent by the commanding officers, through the cooperation of the directorate for community relations, Office of the Assistant Secretary of Defense for Public Affairs, The Pentagon.

Judges of the 1967 "Unsung Heroine" Contest were Peter Lind Hayes, New Rochelle, N.Y., TV and radio star; Mrs. John S. Foster, Jr., Washington, D.C., wife of head of Department of Defense Research and Engineering; and Miss Anita Diamant, New York City, president of Theta Sigma Phi, New York chapter.

STATEMENT OF MELINA MERCOURI

Mr. FULBRIGHT. Mr. President, in this dreary era of cynicism and pretense, a genuine expression of grief about one's country revives one's jaded spirits. The statement of Miss Melina Mercouri, published in Look magazine, is worthy of the attention of the Members of this body. I ask unanimous consent that it be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Melina Mercouri: The Birth of a Heroine

(By Oriana Fallaci)

There was a moment when this woman whom we had known only as an intelligent character, a sexy actress, proved to be much more than that and to deserve the unbelieveable role she is now living: a national heroine in exile. The moment came on Friday, the 7th of July, when the American Committee for Democracy and Freedom in Greece invited eight hundred people to a party where some would speak, and she would sing the songs banned by Stylianos Patakos. Melina would be there at eleven thirty, soon after her performance in the show Jules Dassin has produced on Broadway: *Illya Darling*. That same day, the Committee received word that she couldn't come, because of a sudden mourning. Probably, she could not even perform that evening; after the news, she had collapsed. But she did perform. And at eleven thirty, when everyone was about to leave the party, she arrived.

She entered without a word. Without a word she went to the platform from which the orators had spoken, without a word she offered herself to the astonished audience. She was dressed in black, her face was pale, drawn, melted. Deep wrinkles marked her eyes. Her mouth was bent in a grimace. Only her pupils seemed alive, they shone like lighted matches. Over the silence of the crowd, she raised her voice firmly: "My father would have been happy to be with you tonight, to work with you. He died a few hours ago. In the name of my father, I ask you not to give up. Democracy will win." Then, as silently as she had come, her head proudly erect, she left the platform and went away. Five days later, Patakos took away her citizenship, confiscated all her properties.

Destiny sometimes offers unexpected proof that we fail because we are not worthy, or because we have not a sufficient burden of sufferings, difficulties. One cannot say that Melina Mercouri had previously borne heavy burdens. Her biography is an example of dazzling, irritating fortune. The good Lord gave her all: richness and beauty and success and love. She never knew what it means to be hungry; she always lived surrounded by servants and chauffeurs and secretaries, and was always dressed by Balenciaga or Dior. She never knew what it means to be unliked; she was always applauded by an audience which forgave even her impertinence, her aggression. She never knew what it means to be alone; men were always around her; and for eleven years, she has loved, and has been loved by, one of the most fascinating men anyone could ask for: the director Dassin. Finally, she never knew what it means to be ugly. At forty-one, she still can afford the luxury of appearing on the screen or the stage almost naked. Happiness, laughter always were her charm, her religion.

Yet when the colonels stole Greece from her, this queen of Epicureanism blossomed into a virile creature, proving her worthiness. Her gesture on the 7th of July was not a casual one. While striking out against Patakos, Melina knew very well what she was doing and risking. Not without reason, she is now afraid of being killed, and there is something alert in her eyes, the watchful look of an animal that waits for a shot but intends to die fighting, not as a coward or a lamb. It is a very beautiful story. It always is very beautiful to be witness of the birth of a soul, of a conscience. And we know that being born is so gloriously painful, facing the light costs screams and tears.

Here is the confession of that birth of a soul. It takes place somewhere in Manhattan, after the memorial service Melina had arranged for her father Stamatis Mercouris in the Greek Orthodox Cathedral of New York, at the same time the memorial service was arranged by Spyros, her brother, and by the widow in London. Stamatis Mercouris died in London, and his body will not be returned to Greece as long as the colonels sit on the throne. Melina wears her black mourning dress and is alone. A record is playing, just sent by an admirer in Minneapolis, Minn. It speaks of freedom, sorrow. I tell Melina that when my country was under the heel of the Fascists, we used to sing a song like this to find courage when fear was deep, when hope was lost. Melina listens and says: "Yes, yes." Then she begins to talk in a funny mixture of French, English, Italian. Her way of saying that her language is Greek, she is Greek.

First there were those twenty days and nights of uncertainty. After the junta took power, I lived twenty days and nights of agony. I couldn't sleep, I perspired like one who has the typhus. Every five minutes, I had to bathe and change, even my body vomited agony. I choked with thirst, I filled my stomach with water. I do not remember ever being so ill in my life. I swear it on democracy. And I say to myself: Should I speak, shouldn't I? I never was a heroine. And they had the most atrocious weapon to use against me: They could forbid me permission to see Greece again. The thought itself doubled my sweat. It still does right at this moment. Shall I resist? There are people who don't feel any love for their country at all, and they can settle down anywhere, and die in the new place, and never go back where they belonged. I can't. I am imbued with that love, since my birth. I love all that makes up Greece: our madness, and our humor, and our jealousy, and our bravery, and our hate, and our mountains that never have any trees, and our sea that cries, and our smell of tomatoes and cheese, and our history, our past! And I said to myself: If they should steal this from me, I would lose my mind. Then, on the twentieth day, something happened.

I remembered that I belong to an anti-Fascist family, well-known in Greece for being anti-Fascist, and I remembered my grandfather who had been mayor of Athens for thirty years and had been jailed, and I remembered my father who had been exiled four years because of the Metaxas dictatorship and who had fought against the Fascists and the Nazis as a real hero, and I remembered a sense of guilt. I always had a guilt or a regret for having done nothing when my country was occupied by the Fascists and the Nazis. All I did for Greece at that time was to quarrel with a Nazi. I was in a bar, with friends. Some Nazis arrived, drunk. They said: "Come and drink with us." My friends followed them. I didn't. Then the drunkest came to me and said, "You too." I answered, "No." "If you don't, I'll shoot you," he said. I answered, "No." "I will count to three and then shoot you," he repeated. I answered, "No." He shot. He missed me.

That's all, and it is too little. I can't forgive myself. My brother was only fourteen years old when he fought with the underground. Maybe I was too young, too much in love with the theater, too busy with the dramatic school. Yet I don't forgive myself. I don't reproach myself for anything else I have done in my whole life—not for the lovers I have loved, not for the mistakes I have made—but I do reproach myself for having been so blind when I was young. When the twentieth day arrived, I understood that this was the moment to redeem my shame. And suddenly my sweat stopped, my thirst stopped, and I felt very well.

My first step was to go and talk on NBC News. I called the Greek Consul in New York, Mr. George Gavas, I called the First Secretary of the Greek Embassy in Washington, Mr. George D. Vranopoulos, and I said to them: "I want you to know that I am going to talk." Then I went and said that Greece is no longer a country you should visit as a tourist. "Since the 21st of April, Greece is a country of slaves. The sun and the sea and the moon are not enough to make you forget that those slaves are in chains because of a dictatorship. If you go to Greece to enjoy the sun and the sea and the moon, your conscience cannot feel clean because there is nothing clean in sailing a yacht around an island which is a prison." I said this. And I cried while saying it. It isn't easy to say: "Don't go to my country, please." For fifteen years, I have been considered a sort of Greek attraction. Greek authorities even sent me to Scandinavia to attract the tourists. And I gave parties in Paris, in London, because of this, and I invited artists and authors. I made films with American money in Greece, and I used to be called the "unofficial ambassador of Greece." And this made me proud, and it's hard to give up the pride.

My second step was on *The Tonight Show*, one day after the junta had banished Mikis Theodorakis's songs—*Zorba the Greek* among others. I went and I sang *Zorba the Greek*. Then I read a statement signed by Edward Albee, Leonard Bernstein, Irene Papas, Jules Dassin. I said: "The lights have gone out in Greece. Greece, the birthplace of the democratic concept is presently under the heel of a military dictatorship. Constitutional government and the rights of the people and the press thereunder have been repressed." And then I went to *The Merv Griffin Show*. And again I spoke, though I don't remember what I said. My mouth is large, it is even larger when it's opened to tell the truth. I kept it opened for God knows how many programs. I think I visited every TV channel and every radio station in New York. They got so angry in Washington, Vranopoulos from the embassy came to tell me: "Stop it." My answer was to show him a newspaper with the report of Dora Stratou's arrest. Dora is the head of the famous Folklore Dance School. Vranopoulos's answer was: "Stop screaming and I'll free her." My voice became ice: "And the others?" Vranopoulos left the theater with these words: "You want to force us to be nasty with you."

Some people say that the loss of my citizenship wouldn't be a surprise for me. It was. I didn't believe they would indict themselves in such a stupid way. I rather thought that they would kill me instead of exposing themselves to international scorn. I did not suspect that even when I had problems with my passport. One day I noticed that my passport would have to be renewed soon. I called the Greek Consul and told him I had to renew my passport, since I had no intention to ask for an American passport. Mr. Gavas seemed really frightened. He said he would inform me whether he could renew it or not. Then my father died. He died in London where he was under treatment for cancer, and he died of a heart attack while he was doing such a good job for democracy. I heard the news over the telephone, from my brother Spyros. I was alone, without Jules. The man who had been near me for eleven years, the man who had taught me to breathe, without whom I couldn't breathe, was far away the first time I needed him. The telephone call from Mr. Gavas reached me when I was so alone. He offered me his condolences. I said good, very well, thanks, when may I come and renew my passport? He said: "I can't renew your passport." I said: "Is it official?" He said: "Wait until Friday."

On Wednesday, I heard about the loss of my citizenship and all my properties in Greece. At seven o'clock in the morning, a call from London woke me up. A voice said: "Here, the *Evening Standard* of London, you have lost your citizenship, and your properties have been confiscated, what is your comment?" I had no comment right away. I was speechless. I asked him to repeat what he had said. He repeated it. And my answer came like water from a fountain: "I was born Greek, I will die Greek; Patakos was born Fascist, he will die Fascist; if he wants to make a Joan of Arc out of me, it's quite his business." I didn't cry. Only when I was on the stage of *Illya Darling* and I sang *Piraeus, My Love,* I started crying. I still do when I think: You'll never see your Greece again, Melina. Patakos announces that I'll see Greece again if I ask to be forgiven, if I prove my Hellenism. Patakos makes me laugh. What does he know about my Hellenism? How does he prove his Hellenism? With machine guns? Patakos also says that I don't deserve my Greek citizenship because I did not live in Greece. What a ridiculous lie. The last time I left Greece was in September. I had been in Greece eight months with Jules Dassin. I usually lived in Greece six months each year, the rest of the year abroad because of my work. My house was in Athens, a beautiful house looking over the Acropolis. Jules chose it, and it had just been finished when Patakos stole it. But I don't mind that.

I never cared for property. I ignore what I possess or I possessed, all I can remember about my properties in Greece is a penthouse, and some land on which I built five apartments, and some money in the bank. Are those important? Other things are really important. My mother, for example. She is all alone on the top of a mountain, which doubles her desperation, and I cannot even call her. The only news I had from her was brought to me by a good American. I don't even know if she is in danger. I don't dare to think about that. If they should arrest her, too, I would collapse. One can tolerate a certain number of tragedies, not more. Besides, there is not only my mother, also my people are my mother. When I was a child, my house was always open to the people. They came, and ate, and talked with us, and there was a phrase I used to hear from my grandfather: "Action and People." Or: "Action for People." I have never forgotten it, though I never was poor as my people are.

Between the people who are never hungry because they eat too much, and the people who are always hungry because they eat too little, I prefer the latter. After all, they are the ones who suffer more. They always did.

Not like today, it's true. There was not an ideal situation in Greece before Patakos, but the terror did not exist before Patakos. Many people had been released from prison when the center was in power, and Constantine gave us hope. People trusted him after his marriage with Anne-Marie of Denmark, and they were right. I know the girl, she has good blood. You look at her and you understand at once that she had a democratic education. Poor king. All was so useless, though. He had had the opportunity of his life and he has lost it. If he had only gone into exile after Patakos came to power. The fact is that it takes much courage or much intelligence for those decisions. Or perhaps he is too badly advised by those around him. I always thought that his mother Frederika did not do much good for Greece; I don't see intelligence in her, only dark ambition, and a Germanic side which irritates me very much. But Frederika does not represent Greece. Nothing in her remembers Greece. She is not Greek.

"And now what will happen, Melina?" I am asked. Now there will be a trial at some court-martial, with the same old accusation of my being a Communist. Simply grotesque. Nobody will believe it. Everybody knows how much I hate extremism, all extremisms, including communism. But I will be condemned, as all the others have been. And who cares if those who make the charges are often rightwing, deeply attached to the conservatism? Who cares if they belong to some party off center? Those who do not like Patakos are Communists to Patakos. "Tell us, Melina, are you really afraid to be killed?" I am also asked. I am not afraid of being killed. But I think of it, as do the others. It is obvious. They are capable of anything. When they forbid you to wear a mini-skirt, to have a beard, to hear the songs you like. . . . They arrested a girl, 23 years old, because she was listening to a song by Theodorakis. You go straight to a court-martial if you listen to a song by Theodorakis, or if you possess it, steal it, buy it, play it. Theodorakis is in hiding to avoid arrest. They have arrested a man who was smashing crockery while dancing in a Piraeus *taverna*. We used to smash crockery during a party, now it is forbidden. It is also forbidden to say the word "elections." A teacher was arrested because she said to a boy at school: "No, we do not have elections, but we will very soon." They have closed a number of bookstores, and you can't find *Who's Who in Greece* because the book contains biographies of antigovernment personalities. Yannis Kordato's *New Introduction to Homer* is no longer on sale.

I tell only what I know. God knows how many other shames I ignore. But I do not ignore the fact that Emmanuel Baklatzis, the editor of *Athinaiki*, is in jail with the mice. And I do not ignore that Christos Lambrakis, the owner of *To Vima*, has been arrested along with Dora Stratou. I do not ignore the fact that around one hundred journalists have been thrown out of their syndicate, that at least ten of them are prisoners on the island of Yioura, that many newspapers are no longer printed, that thirty-eight nonpolitical organizations have been closed down in Piraeus alone. The Piraeus-Keratsini Child Love Association, the Piraeus Mother Love Association, the Athens-Piraeus Taxi Drivers' League. I do not ignore the fact that John Chrysikos, 66-year-old former rector of the University of Athens, has been arrested, along with the pathologist Eugenios Phocas, 64. During the night, without any explanation. Like Alexandros Sakellarpoulos, president of the Bar Council of Athens. Like Anastasios Peponis, director of the Greek radio during the government of Papandreou. Often there is not even an explanation. Sometimes there is never an accusation either. There is only the condemnation. The society filled with terror that George Orwell described in *1984* has already begun in Greece.

This is why I must not take, I cannot take, an American passport. As the wife of Jules Dassin, an American citizen, I could ask for an American passport. But it would be like giving up, even like betraying Greece. I love America. I love it because America gave me love, and I am sensitive to love, I need love; and when I receive love, I always give it back. The way they applauded me when they understood I was crying while singing *Piraeus, My Love*. The way they smile at me, those cabdrivers, when they say: "You'll go back, will you?" The way they send me gifts—one dollar, five dollars, twenty-five dollars, because they think I am starving. I am not a political person. I do not have universal ideas. I understand only those things that touch my heart. Good or bad. The colonels of Athens behaved badly and so I hate them. The Americans behaved well and so I love them. But I don't want their passport. I am Greek, and I will go on traveling with my Greek passport, which is not valid, and I will let myself be expelled from all the airports, all the frontiers. And Patakos will bathe in the ridicule. There is no other alternative for me or for him. I know I'll have to suffer because this is what I chose when I chose to speak.

I shall have that passport back. All my life I have been pessimistic: in regard to love, to my career, to my beauty. Yet today I wave the flag of optimism. Even if it is not logical, I cannot afford the luxury of logic. I must have hope. I am another woman now. I have learned to say no. Before, I couldn't. The first tear, the first caress, made me answer: Yes. And so I changed color every five minutes. Now I have a very definite color, the color of No. Because I happened to receive a gift; that is, to understand injustice, to discover dignity. From now on, nobody will smile with me for my being frivolous and crazy and paradoxical as I used to be when I thought: Who cares, I am only an actress, they want me like this. I am going to study, to find the answers and know the words to use when I'm asked: "What is democracy? What does freedom mean?" Answering with my feelings only is not enough. Because I no longer am Melina Mercouri, actress. I am a woman who represents a Cause. I did not look for such a flag, but Patakos has put it into my hands and now I hold it tight.

PROPOSED CHANGES IN THE SOCIAL SECURITY LAWS

Mr. BYRD of West Virginia. Mr. President, Senate hearings have already begun on proposed changes in the social security laws.

As I am sure we are all aware, these proposals are numerous. The following are just a few of the most important included in the House-approved version of the bill:

An across-the-board benefit increase of 12.5 percent for all persons on the social security rolls, with a minimum monthly benefit of $50.

An increase in the taxable base from $6,600 to $7,600 with the retirement benefit of a man 65 and his wife at least equal to 50 percent of his average earnings under the social security program.

An increase from $35 to $40 per month in special payments now provided for certain persons, age 72 or older, who have not worked long enough to qualify for regular cash benefits.

An increase in the amount a person may earn and still get full benefits.

New guidelines for determining when a disabled worker cannot engage in substantial gainful employment.

Additional wage credits for persons in military service.

Additional days of hospital care for those under medicare.

Simplification of some medicare billing procedures.

Other changes have been proposed by this body and by the administration. I do not think it is necessary here to go into detail on all of these. However, I do think it wise to reflect upon the wisdom, and the necessity, that went into these proposals, and to dwell upon some other suggested changes—changes which I believe should be written into the law.

There is no question in my mind that the social security legislation is among the most important bills with which we will deal during this session of Congress.

Its provisions bear on almost every American. According to HEW Secretary John Gardner:

> The social security program is our basic method for replacing the income a worker or his family loses when he retires, becomes disabled, or dies. Twenty-three million Americans now rely on it for their major source of income.

I have been informed that more than 90 percent of all those who are presently employed are earning future social security retirement protection. Of those persons reaching age 65, 92 percent are eligible for cash benefits. Eight-seven percent of all Americans between ages 24 and 65 are eligible for protection in the event of long term disability, and 95 percent of all children under 18 and their mothers are eligible for survivorship protection.

According to the Social Security Administration, social security benefits are virtually the sole reliance of about half the beneficiaries and the major reliance of most of them.

Yet, according to Secretary Gardner:

> Under the present benefit levels, more than 5 million aged beneficiaries still live in poverty.

In my own State of West Virginia, as of December 1966, there were 278,904 recipients of social security benefits in all categories. In that month they were paid a total of $18,446,237, or about $66.30 per person.

It would seem there is no question that benefits should be increased so as to keep pace with the rising cost of living.

Inflation is an insidious thief. Stealthily, without notice, it makes every hard-earned dollar worth a little bit less every month. If we do not keep careful watch, our social security benefits will eventually shrivel in value and with them the security of millions of Americans whose only income comes from these monthly checks.

Therefore, I believe it is imperative that cost-of-living adjustments be made when necessary, and this is why I feel that increased benefits are vitally necessary.

The only question is: How much?

The administration has requested a 15-percent across-the-board benefit increase with a minimum monthly benefit of $70—up $26 from the present $44 minimum.

The House-passed bill calls for a 12.5-percent increase with a minimum monthly benefit of $50.

The administration bill would increase the outgo of benefits from $22.3 billion per year where it now stands to $26.8 billion—up $4.5 billion the first year alone.

The House-passed version would increase benefits by $3.24 billion per year.

There are other alternatives, as well. For instance, if the administration's 15-percent increase were retained, but if the minimum benefit were upped only 15 percent, bringing it to around $50, then the increased cost overall would be only $3.73 billion—more than the House version but less than the amount originally requested by the administration.

I believe the Senate should give careful study to all these various proposals and should decide upon that one which permits the maximum benefits consonant with keeping the entire social security system on an actuarially sound basis.

This fact is imperative. Benefits cannot be raised without someone having to pay for the increase.

In addition to old-age benefits, numerous other important changes have been suggested—by this body, by the House, and by the administration. Some of them deserve explanation.

Health insurance benefits are being revised. One key section increases the number of days of hospitalization which could be covered in a spell of illness. The increase is from 90 to 120 days.

This additional amount of coverage the patient would, however, pay a co-insurance amount equal to $20 per day for those additional days. This would safeguard against any possible excessive use of the provisions.

Another important provision would simplify billing for outpatient hospital services.

In testimony before the House Ways and Means Committee, Mr. John C. McCabe, president of the Michigan Blue Shield service, told of the need for simplification of this type. Mr. McCabe said:

> Beneficiaries are not happy with the bookkeeping required of them, and they tell us. Others just send us a stack of receipts or bills and let us sort out those which are appropriate to medicare. Sometimes we get taxi bills. We have also had bills from their plumber.

There is another section of the social security amendments which I feel deserves attention. This grants additional wage credits for persons in the Armed Forces.

Under present law, servicemen are covered on a contributory basis similar to anyone else. However, the serviceman's coverage is limited to his basic pay and does not include certain other cash increments which he may receive, nor does it include the value of pay in kind—items such as food, shelter, medical services, and so on. Therefore, the social security protection a soldier ultimately will receive may be impaired during the period he is in service because of the relatively low earnings covered.

The amendments provide that when the social security benefits of a serviceman or veteran, or his family, are computed, there will be included an additional wage credit of $100 for each $100 of active duty pay up to $100 per month.

I think this amendment is worth considering if we are to continue to keep faith with our young men who are called into the service of their country. Military service should not be a passport to low wages and consequent low social security benefits on retirement.

These, then, are some of the items within the comprehensive social security legislation now before the Senate. But, comprehensive as the bill is, it does not include one provision which I believe ought to be written into the law.

This is an amendment which I have submitted on several occasions to lower from age 62 to age 60 the age at which benefits may be paid, with appropriate actuarial reduction in the amount of those benefits.

The amendment has been favorably voted upon at least three times in the Senate. However, it has always been rejected in conference with the House of Representatives.

The need for this amendment is more pressing today than ever before. Automation is eliminating old jobs almost as fast as new ones are created. Many older men and women are being forced into retirement many years before they are able to collect their retirement benefits which they have rightfully earned by their social security payments through the years.

My amendment is a modest effort to recognize, in our social security laws, the problems faced by persons in this category and to assist them in as practical a way as possible.

I am convinced that reducing the retirement age to 60 is not at all inconsistent with the economic realities of our day.

I know that the Committee on Finance will give careful consideration to this amendment.

Social security has been good for millions of Americans. We must work that it ever remains so.

GOVERNOR ROMNEY CANCELS TRIP

Mr. GRIFFIN. Mr. President, Governor Romney has announced that he is delaying a planned trip to visit several European capitals.

I ask unanimous consent that a statement explaining his reasons be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Governor George Romney of Michigan issued the following statement in Missouri today, August 28, 1967, before the beginning of the Midwestern Governors Conference:
>
> "Because I share with a growing number of Americans a deep concern for the unfinished search for social justice and human progress I am delaying my intended September trip to Europe to look at the heart of this nation's cities.
>
> "Before I look at other parts of the world again, I want to take a fresh look across the nation at the domestic problems in housing, jobs, education, law enforcement, health and human relations. This will be helpful in shaping programs for Michigan and in reappraising national, state, and local priorities in the use of our resources.
>
> "I know that within America herself there can be found imaginative ideas for the solving of these problems and reconstructing our national policy.
>
> "There are some communities in which significant steps are being taken to meet the problems head on and provide new opportunities for our people.
>
> "I want to see these projects first hand both in the private and governmental sectors. I want to talk with those who have constructive ideas not yet implemented.
>
> "I think it is important for public officials—and through their eyes all citizens—to see as well the horrible conditions which breed frustration, hatred and revolt.
>
> "I do not think the revolt I sense is brewing is limited to the hot summer months. Respect for law and order is at an all time low in some quarters.
>
> "Unless citizens of this nation comprehend the nature and magnitude of the problems they will not respond adequately to a call for action no matter how well conceived.
>
> "To the extent we deteriorate within we aid the communist cause.
>
> "To the extent we permit law and order to disintegrate we invite anarchy.
>
> "To the extent we dissipate governmental funds ineffectively we raise hope beyond reality and waste our precious human and fiscal resources.
>
> "It is my hope to visit Europe sometime in November following the special session of the Michigan Legislature and spend the Christmas holidays with our men in uniform in Asia.
>
> "Domestic tranquility, true social justice and greater human progress are indispensable in fulfilling our world role."

LIBERTY AND LAW

Mr. TALMADGE. Mr. President, one of Georgia's most distinguished attorneys, Charles J. Bloch, of Macon, Ga., has written for the current newsletter of the Jewish Society of Americanists an excellent article entitled "Liberty and Law."

Mr. Bloch took a verse from the Book of Leviticus for his text:

> Proclaim liberty throughout the land unto all the inhabitants thereof.

He very eloquently discussed the meaning of liberty in America. As Mr. Bloch so correctly pointed out, real liberty can exist and be preserved only in a lawful society.

I find Mr. Bloch's article very timely in view of many of the things we are witnessing in recent weeks. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LIBERTY AND LAW

(By Charles J. Bloch)

> "Proclaim liberty throughout the land unto all the inhabitants thereof."
>
> Leviticus 25:10
>
> This command is among the laws given by The Lord to Moses on Mount Sinai.
>
> "And you shall hallow the fiftieth year, and proclaim liberty throughout the land to its inhabitants; it shall be a jubilee for you, when each of you shall return to his property and each of you shall return to his family . . ."
>
> There follows shortly thereafter the eighteenth verse which is:

"Therefore you shall do my statutes, and keep my ordinances and perform them; so you will dwell in the land securely."

Thus The Lord laid down the law. He was not content merely to prescribe the law; He made it clear what would happen if His laws were obeyed. He made it clear what would happen if they were disobeyed.

"If you walk in my statutes and observe my commandments and do them, then I will give you your rains in their season, and the land shall yield its increase, and the trees of the field shall yield their fruit. . . . And I will give peace in the land, and you shall lie down, and none shall make you afraid; and I will remove evil beasts from the land, and the sword shall not go through your land. And you shall chase your enemies, and they shall fall before you by the sword."

Ibid. 26: 3, 4–6, 7

"But if you will not hearken to me, and will not do these commandments, if you spurn my statutes, and if your soul abhors my ordinances, so that you will not do all my commandments, but break my covenants, I will do this to you: . . . I will set my face against you, and you shall be smitten before your enemies; those who hate you shall rule over you, and you shall flee when none pursues you . . ."

Ibid, 26: 14, 17

So, centuries ago, did the Lord through Moses, tell the people of Israel that there could be no liberty, no peace, no security, no prosperity, no happiness, unless they did his ordinances, kept his statutes and walked in them.

Centuries later but less than 200 years ago, the thirteen original American States adopted and ratified a Constitution and formed the partnership to which they gave the name of United States of America.

Their purpose was expressed in the preamble to the Constitution. Even as The Lord had on Mount Sinai told Moses how the people of Israel could prosper and thrive, so in the spring and summer of 1787, the Founding Fathers handed to the States of the Union a compact under which their people might prosper and thrive. These framers expressed their purpose that for the people of the states which were to comprise the United States of America Justice should be established, a more perfect Union formed, domestic Tranquillity insured, the common Defense provided for, the general Welfare promoted, and thus, the Blessings of Liberty secured to them, their posterity, to those of us who are not their descendants, but who, directly or indirectly, have been permitted by that great compact to come to this land of America, and participate in the Blessings of Liberty.

Those who framed that Constitution, those who for many years administered the government pursuant to it, those who for many years construed it and adjudicated its meaning, knew that the Constitution was "a kind of political symphony of compromises on all major points. Power was checked by countervailing power. Authority was balanced by counteracting authority. The whole tripartite structure was so delicately harmonized that each of the three was made independent of the other two, yet at the same time dependent on them in a number of subtle ways."

(The quotation is from that great work by Saul K. Padover entitled "To Secure These Blessings.")

The tripartite structure of which he wrote was a constitutional government composed of three departments whose powers and authorities were independent but intertwined.

The power to make laws was vested in a Congress, composed of the Senate and the House. Each State had equal representation in the Senate. There was representation in the House according to population. So the less populous States could restrain the more populous, and all the States together, so represented, enact laws.

The power to execute the laws so made was delegated by the States to a President of the United States. There was no thought that he should be elected by a direct vote of the people of the States. No such "democracy" was contemplated or established. The statesmen of that day probably knew that such a provision would not enable the United States to "guarantee to every State in this Union a Republican Form of Government," (Constitution Art. IV, § 4). Such a provision would not establish even a Democracy but a demagoguery. So the executive power was vested, and is now vested, in a President who is chosen by electors appointed by each State in such manner as the legislatures of the various States may direct. No citizen of the United States has any constitutional right to vote for any person as President or Vice President of the United States. Citizens of the United States have the right to vote for electors for President when and only when the legislatures of the States direct popular election as the manner of appointment of electors. The founding fathers never heard of or considered any such theory as "one man, one vote" when they debated various alternatives for the selection of the President of the government they were founding.

The judicial power, the power to construe the Constitution and laws enacted by Congress pursuant thereto, was "vested in one Supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish." These inferior courts have only such jurisdiction as Congress bestows upon them. Congress establishes them. Congress prescribes their jurisdiction. Congress can abolish them. Congress cannot abolish the Supreme Court. But, Congress determines the number of Justices who shall compose it. Congress fixes their salaries. Congress passes the law which permits these justices and other court officials to be compensated. Congress has perhaps even a greater power over the court for Congress determines the appellate jurisdiction which may be exercised by the court. And Congress has the right of impeachment of all Justices and Judges as well as executive officers.

While no one of these founding fathers in 1787 ever dreamed of jet planes, or nuclear power, or television, or radio, or many other of the countless mechanical and scientific miracles of today, they doubtless knew that the conditions existent in 1787 would not remain static. They provided, therefore, for changes in the Constitution by which changes in conditions could, under the Supreme Law of the Land, be reflected in amendments to the Constitution which could be adopted "without doing violence to the whole fabric of society."

They inserted in the Constitution an article which provides:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the application of the Legislatures of two thirds of the several states, shall call a convention for proposing Amendments, which, in either case, shall be valid to all intents and purposes, as Part of the Constitution, when ratified by the Legislature of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: Provided . . . that no State, without its consent, shall be deprived of its equal Suffrage in the Senate." (Article V)

This constitutional method of constitutional change has been utilized twenty-five times since the adoption of the Constitution. Ten of those amendments have come in the last half century or so. But, the constitutional method of change is not sufficiently speedy for some who do not mind "doing violence to the whole fabric of society." So another method of change has arisen—change by judicial construction. The character and extent of change of that nature depends entirely upon the composition and disposition of the Supreme Court at a given time.

It is that method of change which ought to be discouraged, detested and abhorred by every adherent of government by law under a written constitution.

Most especially ought that method of change be detested, discouraged and abhorred by people of minority groups, religious or racial. For they and their constitutional rights are in the greatest jeopardy when the language of the Constitution is stretched, or distorted. If the Constitution can be stretched or distorted so as to favor minorities today, different men sitting as Justices and Judges tomorrow can tomorrow stretch it so as to destroy those same minorities.

The only real freedom and liberty depends upon law, proper construction of that law, proper and enforced obedience to that law.

Without law, we have anarchy.

Even with law, unless that law be construed according to the Constitution, and be enforced promptly and without favor or affection for any one or any groups, we will have anarchy.

The Lord made it clear to the people of Israel what would happen to them if they disobeyed His commandments and ordinances. The liberty which He proclaimed depended upon obedience to His laws.

The Constitution of the United States does not, in terms, tell the people of the United States what will happen to them if that Constitution is not constantly followed, applied, and obeyed. But it becomes more clear every day that encouraged or permitted disobedience to the Constitution will be destructive of those blessings of liberty which that Constitution was designed to secure.

A Justice of the Supreme Court of the United States who sits as a member of the Court as I write these words has quoted approvingly language which he ascribes to Abraham Lincoln before Lincoln became President.

He quotes Lincoln as having said:

"Belief in the principle of revolution is deep in our traditions. The Declaration of Independence proclaims it . . ."

"This right of revolution has been and is a part of the fabric of our institutions."

The Justice seems to have ignored or overlooked the fact that, after the Declaration of Independence, the thirteen original states adopted a Constitution which defines treason against the constitutional government, and guarantees to every State in the Union a Republican form of government.

He continued:

"On January 12, 1848, Lincoln in an address before the United States House of Representatives stated: 'Any people anywhere being inclined and having the power, have the right to rise up, and shake off the existing government and form a new one that suits them better. This is a most valuable—a most sacred right—a right which we hope and believe is to liberate the world."

If the expressions of this Justice represent principles of Constitutional Law, I wonder why we have in the Constitution a definition of treason, and why Congress has made sedition a federal crime.

Is it any wonder, though, that Communists who may be in our midst with such words before them act as they do?

Such words ought to be of the greatest concern to minority groups. If they are a true statement of law, or, if they ever become a true statement of the law, the Constitution is meaningless, minorities will have no rights except those which majorities may permit them to have, and at any time, a Hitler or Mussolini may "rise up and shake off the existing government," and rising and shaking, destroy the Constitution which I had thought to be the "Supreme Law of the Land."

Let us, indeed, "proclaim liberty throughout the land unto all the inhabitants thereof," but let us with even stronger voice teach all the inhabitants that liberty—real liberty—can only coexist with law, the law as it is enacted, obedience to the law, or, in the absence of obedience, prompt, universal, impartial and vigorous enforcement of the law.

SENATOR FULBRIGHT COMPLIMENTED BY MEXICAN NEWSPAPER

Mr. CARLSON. Mr. President, my attention was recently called to an article published in the August 14 issue of a prominent Mexican newspaper, El Dia.

The article was prepared by one of its distinguished reporters, Mario G. Galarza and is entitled "Fulbright and the Defeat on Both Fronts."

I have had the article translated and ask unanimous consent that it be printed in the Record.

The tenure of the article is well indicated by its first sentence which reads as follows:

> Senator J. William Fulbright is one of those men who speaks plainly and who does not find it necessary to tone down his true sentiments.

There being no objection, the article was ordered to be printed in the Record, as follows:

Fulbright and the Defeat on Both Fronts

(Translation of article from El Dia (Aug. 14, 1967) by Mario G. Galarza)

Senator J. William Fulbright is one of those men who speaks plainly and who does not find it necessary to tone down his true sentiments. He suffers very little from congenital inhibitions which afflict so many North Americans. It is possible not to be in agreement with the political thinking of the Senator from Arkansas, because even the members of the Congress of the United States find it difficult to escape from the dense snare of "Manifest Destiny," but at the same time one cannot ignore and keep from admiring the courage, the sense of self-criticism and the humanism of the only one in Washington who has been capable of giving notice that the war in Vietnam "poisons and brutalizes the national soul."

The foregoing should not induce us to think that the spirited Senator Fulbright may be a partisan of the revolutionary road for the liberation of the masses. Such an interpretation would be incorrect. The Chairman of the Senate Foreign Relations Committee disagrees with the methods and procedures which the Government of his country imposes to affirm its political authority and military might. He calls for a change in foreign policy in order that the United States may fulfill its role by setting an example as the civilized leader of the world. In his book "The Arrogance of Power" Fulbright, in selected paragraphs, states the following: ". . . America is now at that historical point at which a great nation is in danger of losing its perspective on what exactly is within the realm of its power and what is beyond it. Other great nations, reaching this critical juncture, have aspired to too much, and by overextension of effort have declined and then fallen. Gradually but unmistakably America is showing signs of that arrogance of power which has afflicted, weakened, and in some cases destroyed great nations in the past. In so doing we are not living up to our capacity and promise as a civilized example of the world. The measure of our falling short is the measure of the patriot's duty of dissent.

Many of Senator Fulbright's colleagues certainly do not share his criteria, particularly those suicidal war-hawks who have declared themselves in favor of the use of nuclear weapons to end once and for all the war in Vietnam. These supermen ignore the fact that this would be the final war. In any case, what is evident is that the veteran specialist on foreign relations put his finger on the sore with the statements he made at the ABA convention in Honolulu on August 7. Fulbright observed that two wars were involved: One involving a "policy of power" in the jungles of Southeast Asia and the other, a conflicting search for "the North American soul" in the streets of Newark and Detroit. He pointed out that neither is being won and that "each war feeds the other."

No one with any common sense can accuse Fulbright of "defeatism". His courage as expressed by his statements against the mistaken foreign policy of his country proves the contrary. One is dealing with a militant man who struggles for the triumph of peace. Francis O. Wilcox, Dean of "The John Hopkins School of Advanced International Studies," wrote in the preface to Fulbright's book: "It is not often that the Chairman of the Foreign Relations Committee has openly and vigorously opposed his President on a really important foreign policy question. Indeed, if my memory serves me right, with the exception of Senator Fulbright, it has not been done since the end of World War II. But the fact that it can be done constitutes the best possible guarantee that what the Senator fears might happen to our country will never take place."

And what is it that frightens Fulbright? The answer is found in his books as follows: that the great North American society with all its powers and riches may wither away, the fault of the arrogance of power. Upon dramatically pointing that the war in Vietnam "poisons and brutalizes our national life", he observed that one of the results was "the Great Society has been converted into a sick society." The words of the Senator from Arkansas travel around the world and encounter an echo in the new generations, especially in the United States. Senator Fulbright's severe criticism may not modify the bellicose policy of President Johnson, particularly now, in the circumstances in which the government in Washington is attempting to impose new taxes on the citizens of the United States, with a view to increasing the resources destined for the war, when the military chieftains are requesting an increase in the number of soldiers for Vietnam and the arms industrialists advise that a stoppage of this industry would provoke a grave economic contradition of unforeseeable consequences; it could be that Fulbright lectures in a dessert. It does not matter. The important thing is that the Senator's frankness signifies a change in mentality and attitude as noted by foreign affairs specialists. Fulbright now represents the voice of the conscience of the common man of the United States, of that which repudiates war, interventionism and preponderance.

There is no doubt that Senator J. William Fulbright has to his credit the mèrit of having advised on time that defeat on both fronts is inevitable if the government does not modify its present policy. Colored people, discriminated against and abandoned to misfortune, as well as all others who desire to live in peace, with justice and liberty, wherever they may be, surely will support Fulbright in his battle against the arrogance of power.

RESOLUTIONS OF THE NORTH CAROLINA STATE COUNCIL, JUNIOR ORDER UNITED AMERICAN MECHANICS

Mr. ERVIN. Mr. President, on August 12, 1967, the North Carolina State Council of the Junior Order United American Mechanics adopted certain resolutions relating to the desecration of our flag, and crime. Since these resolutions deal with matters of national importance, I ask unanimous consent that they be printed in the body of the Record.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

A Flag Law

Be it resolved by the State Council of North Carolina, Junior Order United American Mechanics, that

Whereas, fifty states have laws against the desecration of the flag, but fail to enforce them; and

Whereas, at various places and times in recent years the flag was desecrated; and

Whereas, a demonstration occurred last April in Central Park, New York City, as 100,000 viewed the burning of the Flag, but no arrests were made; and

Whereas, many bills have been introduced in the Congress which would make it a Federal offense, punishable by fine or imprisonment, to burn or desecrate the flag, but are bottled up in the Committee on the Judiciary; now therefore

Be it Resolved, by the State Council of North Carolina, Junior Order United American Mechanics, in session this 12th day of August, 1967, in High Point, N.C. that we advocate speedy action by the Congress on legislation which would make it a Federal offense to burn or desecrate the flag, and to provide a severe penalty therefore; and

Be it further Resolved that this resolution be given wide publicity among our membership and that the members be requested to write their Senators and Representatives.

James E. Mosteller.
J. A. Pritchett.
L. T. Keever.

Approved:

L. T. Keever,
Robert Bruton,
Ernest D. Strickland,
Good of the Order Committee.

The Control of Crime

Be it Resolved by the State Council of North Carolina, Junior Order United American Mechanics; that

Whereas, we are advocates of Law and Order, and view with grave concern the soaring increases in crime, especially among our youth; and

Whereas, we believe that the best deterrent to crime is punishment; and

Whereas, it is essential to the enforcement of law that our police forces are adequately well trained in modern techniques of detection, apprehension and prevention of crime; and

Whereas, it is essential that our police forces possess adequate knowledge of the suspects' right under our Constitution and Laws pertaining to his right to counsel, a speedy trial and rehabilitation; and

Whereas, it is essential that there be a united effort on the part of the police departments, law enforcement officials and communities to achieve such ends; and

Whereas, we believe that this primary purpose of law enforcement is the protection of the society against the criminal, and not the criminal against society; now therefore

Be it Resolved by the State Council of North Carolina, Junior Order United American Mechanics, in session assembled this 12th day of August, 1967, at High Point, N.C., that all our members be requested to lend their cooperation to all law-enforcing agencies to combat crime, guide youth and educate youth in the arts of good citizenship; and

Be it further resolved that wide-spread publicity be given to this Resolution.

J. A. PRITCHETT.
JAMES E. MOSTELLER,
L. T. KEEVER.

Approved:

ROBERT BRUTON,
ERNEST D. STRICKLAND,
L. T. KEEVER,
Good of the Order Committee.

Attest.

FORREST G. SHEARIN,
State Secretary.

PREMATURE CRITICISM OF ELECTIONS IN SOUTH VIETNAM

Mr. McINTYRE. Mr. President, 10 days ago I commented on the premature criticism leveled at the elections in South Vietnam. I pointed out that for the first time in their history, the people of that small country would be free to go to the polls and cast their ballots in secret. Not only will they be choosing a President and a Vice President, they will also be selecting the 60 members of their new Government's Senate.

I also pointed out that in our own United States, we have been enjoying free elections for more than 150 years; and that, even here, our elections have not been above criticism. It scarcely seemed fair that we should condemn the South Vietnamese while we, ourselves, were far from perfect.

An interesting column on this subject, written by the highly respected editor, Ralph McGill, was published in last Saturday's Washington Evening Star. I wish to bring it to the attention of the Senate. I ask unanimous consent that Mr. McGill's column, entitled "Not a Very Wholesome Display," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NOT A VERY WHOLESOME DISPLAY

(By Ralph McGill)

At least some of the United States senators and congressmen bemoaning the almost certain "shenanigans" in the South Vietnamese election got into Congress on campaigns that were far short of the hound's tooth traditional cleanliness.

Nothing more clearly illustrates the excesses of critical approaches to the entire problem of Vietnam, with its many ancient and corroded complexities, than the hypocritical demands of some of the critics, including those in our own Congress, that the elections be "pure democracy." They won't be. This is the first one in a country wholly unused, by history, tradition or custom, to representative elections.

The South Vietnamese are a people in 40 provinces set up by the French to make colonial administration easier. The provinces had chiefs to whom village chiefs reported with taxes and with corrupted cutbacks and graft. Saigon was hated as a city that "took but never gave." The French colonial government made the provinces semi-autonomous and encouraged them to suspect and feel hostility toward each other. This made Saigon's rule easier.

Nor does this historic division make any easier the slow road to learning democratic processes. That congressman in Washington should be demanding "clean" elections in a country which in past generations developed a reputation for crooked, stolen, maneuvered elections is not a very wholesome performance.

Andrew Jackson almost came to the point of loading his pistol and going out after those who thefted the presidency from him in 1825. John Quincy Adams bought it—the House then being the arbiter. Adams won by a margin of one state. On his death bed, when a minister asked Jackson if he had any regrets to reveal, he said there were two. The minister bent low to hear the repentant words. Old Hickory said he regretted he hadn't shot Henry Clay and hung John C. Calhoun. (Calhoun had sought to divide the union, but had backed down before Jackson's stern eye and decisions.)

A nation that gave the world of democracy the steal and smell of the Hayes-Tilden election of 1876 can hardly be raising pious hands in protest to the first election in Vietnam. There will be corruption and sharp practices in the election. Common sense should let us know it will be just splendid if there is a minimum of such practices.

We should keep in mind the days when the railroad lobbies literally ran the country and the Congress—electing senators, governors, and presidents. Has Saigon asked about the historic smoke-filled room whose occupants came up with Warren G. Harding?

Turn to the chapter in Samuel Eliot Morison's "History of the American People," titled "The Gilded Age," and read as follows: Until Amendment XVII . . . United States senators were chosen by state legislatures, and it was much cheaper to "buy" members than to cultivate the whole electorate. Consequently, few members reached the Senate without financial support from one or more of the leading "interests" such as railroading, oil, textiles, iron and steel, mining and sugar refining. There was a known identified power group that "ran America." They made and unmade presidents. All became rich, some were gentlemen, some were not.

Our political history is filled with the names of bosses and corruption. The corrupt manipulation of President U. S. Grant was one of the major examples.

Against such a background, to have the Vietnam peace cult lobby and the senators and congressmen holding up pious hands and demanding that Vietnam give us pure, clean democracy in its first election is enough to make a buzzard gag.

SUPPORT GROWS FOR MIDEAST WATER PLAN

Mr. BAKER. Mr. President, on August 14, 1967, I submitted Senate Resolution 155, a resolution to express the sense of the Senate in support of the Eisenhower plan for achieving a stable and durable peace in the Middle East.

This bold and imaginative plan, developed originally by Adm. Lewis L. Strauss, envisions the construction of three tremendous nuclear reactors which will transform sea water to fresh water. The availability of large amounts of fresh water in the Middle East will thereby relieve the chronic shortages of food and jobs which exist both in Arab and Israeli lands.

During the past week a number of newspapers and columnists have joined in recommending bipartisan support for this project. I ask unanimous consent to have printed in the RECORD recent articles published in the Christian Science Monitor, the Philadelphia Inquirer, and the Washington Sunday Star.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Sunday Star, Aug. 27, 1967]

A BOLD, IMAGINATIVE DESALINIZATION PROJECT

(By James J. Kilpatrick)

Senator Everett Dirksen wandered upstairs to the Press Gallery a few days ago, took his regular perch on a battered old table, spun off a couple of jokes, and then got down to serious business. He had just come from the weekly Republican Policy Luncheon, where the chief topic of discussion was the Strauss-Eisenhower proposal for desalinization plants in the Middle East. The Senate Minority Leader was completely sold.

"This idea," he said emphatically, "is not going to die."

Once he gets his teeth in a proposition, Dirksen is a bulldog. His enthusiastic support for this bold and imaginative proposal could be just what is needed to capture the attention of a preoccupied White House. The plan may not be technologically feasible—a number of massive engineering questions remain to be answered—but it contains so many attractive elements that it surely deserves prompt consideration at the highest levels.

The idea had its genesis more than ten years ago, when Eisenhower reacted with shock and dismay to the terrible sickness he came to recognize in the Mideast. The hostility of Arab for Israeli, rooted in ancient antagonisms, was flowering in bitter problems of water, food, and economic dislocation. Through the United Nations, in the post-Suez period, Eisenhower urged an international attack on these needs.

Nothing came of it. The idea of enormous desalinization plants stayed alive, however, and meanwhile technology of nuclear power moved rapidly ahead. Following the June blow-up between Israel and the Arab nations, Eisenhower got together with his old friend Lewis Strauss, former chairman of the Atomic Energy Commission. Admiral Strauss, now 71, ultimately will be recognized as one of the greatest Americans of this generation—a man of vision, wisdom, kindness, and immense executive ability. He came up with the proposal that has captivated not only Senator Dirksen but also many others.

The proposition, in brief, is to bring into being a corporation fashioned along the lines of Comsat. Its original capitalization of perhaps $200 million would be derived half from the United States Government, half from other governments and from private capital. The corporation would undertake to build three dual purpose plants in the Mideast. These nuclear generating facilities would produce immense blocs of electric power; more significantly, they would convert sea water into fresh water in volumes never before contemplated. The first of them would produce as much as 450 million gallons a day, more than the combined flow of the three main tributaries of the Jordan River.

Under the Strauss-Eisenhower plan, the International Atomic Energy Agency would operate the plants in the corporation's behalf. This would provide a neutral, third-party supervision, aloof from Arab-Israeli hostility. Such an arrangement also would tend to disarm critics of American "exploitation" in the area.

To be sure, as Admiral Strauss acknowledges, the construction and operation of these plants would not settle boundary disputes or resolve other acute issues. At the same time, the project would provide useful work for thousands of refugees; it could create vast opportunities for industrial development; most important, the desalinated water could produce food on hundreds of square miles of arid land.

Is it all feasible? Maybe yes; maybe no.

The United States is just now embarking in California upon the first such dual purpose plant ever designed for a significant volume of pure water. No one can say positively what its costs of operation will be—probably much too high for purposes of irrigation—but experience with nuclear power suggests that the costs will come down fast. By the time a Mideast corporation could get organized, many of the engineering questions may be answered.

These reservations to one side, the proposal has great merit. Senator Howard Baker, R-Tenn., anticipating the support of his eminent father-in-law, on August 14 offered a resolution backing the plan. It deserves the Senate's early and earnest consideration.

[From the Philadelphia Inquirer, Aug. 26, 1967]

Watering Mideast To Produce Peace

(By Joseph C. Goulden)

Washington, August 25.—Admiral Lewis Strauss' Mideast peace plan, keyed to joint Arab-Israeli work on a water project, is suddenly picking up strong support on both sides of the Senate.

Sens. Mike Mansfield and Everett Dirksen, the Democratic and Republican leaders, are supporting a "Sense of the Senate" resolution requesting President Johnson to pursue the plan.

The White House, in turn, has written Sen. Howard Baker (R., Tenn.), sponsor of the resolution, that it thinks highly of the Strauss proposal and hopes it can do something concrete in the near future.

The Senate Republican Policy Committee has seized upon the idea as a mechanism through which stable and durable peace could be found in the Mideast. The chairman, Senator Dirksen, intends to do some missionary work on its behalf with the President.

Admiral Strauss, former chairman of the Atomic Energy Commission, proposes the construction of three nuclear-powered desalinization plants in the Mideast—one in Israel, the other two in Arab nations.

Fresh water produced by the plants would irrigate now-arid desert lands and make fertile an area the size of California. Arab refugees would furnish the labor for the project, then work in industrial plants which would be built in the reclaimed territory.

Strauss proposes that the project be run by an international corporation similar in structure to that which operates the U.S. communications satellite system. Now in the investment business here, Strauss foresees no difficulty in marketing bonds and debentures to finance construction of the plants, and says the corporation ultimately would be self-supporting.

Arabs and Israelis would be expected to curb their hatreds and share control of the water. Who knows? ask Strauss. They might even become friends.

Senator Baker's office says response to his resolution, was surprisingly swift, favorable and bipartisan. As of last count, 15 Republican Senators and a handful of Democrats had asked to be co-sponsors.

If Mr. Johnson does decide to go ahead with the plan—even if in modified form and with different attribution—it would help him politically on two counts:

1. Former President Eisenhower is perhaps even more enthusiastic about the plan than its author; indeed, it was at his suggestion that Strauss took it to the White House. And the President does what he can to keep the former President happy.

2. Senator Dirksen would like (A) the Senate to show initiative in foreign policy; and (B) the Republicans to have credit for a constructive solution of a situation that in some ways is more complex than Vietnam. (Senator Baker, incidentally, is Dirksen's son-in-law.) The President also likes to keep Senator Dirksen happy.

Mr. Johnson has been water-happy since his early Congressional days—his ad lib speech on the wonders of the Colorado River dam system in central Texas runs one hour and 13 minutes, and is the most lyrical in his repertoire.

Additionally, Mr. Johnson had a visitor this week—the Shah of Iran—who had telling testimony on what water can mean to the Mideast.

In 1956 Iran hired David Lilienthal, also a former AEC chairman, to help develop its Illinois-sized Khuzestan region—once a granary, then a sun-seared Appalachia. Through one dam Iran increased agricultural productivity 2½ times; 2000 farmers are settled on 50,000 newly irrigated acres, and more is to come.

Significantly, David Lilienthal was at the White House at least twice this week.

[From the Christian Science Monitor, Aug. 25, 1967]

Eisenhower Proposal: Desalting Pushed as Mideast Peace Key

(by Godfrey Sperling Jr.)

Washington.—The Eisenhower plan for cooling Middle East tensions is—behind the scenes—making impressive headway.

The plan, roughly, calls for the building of three very large nuclear desalting plants in the Middle East as a means of providing tremendous quantities of water to both Israel and the Arab countries.

President Johnson has been conferring by telephone with former President Eisenhower on the plan, conceived by Mr. Eisenhower and worked out in detail by Admiral Lewis L. Strauss, former chairman of the Atomic Energy Commission.

Thus, the presidential initiative required to carry the plan forward seems to be in the making.

MATTER OF TIMING

Further, presidential interest in the plan has been conveyed to Sen. Howard H. Baker Jr. (R) of Tennessee who, in turn, is initiating legislation to get the project moving.

Senator Baker has written President Johnson about his intention to push legislation for the plants in the Senate. He made the point that the bill would be bipartisan in sponsorship.

On Aug. 23 the Senator received a reply from the President saying that he "was considering" the plan and that it now was a "matter of timing" in terms of the diplomatic steps that the administration would have to initiate.

The desalting plants, as envisioned, would result in:

1. New jobs for many refugees.
2. An enormous increase in the agricultural productivity of existing wastelands.
3. A broad base for cooperation between the Israeli and Arab governments.

The plan is based on the finding that if sufficient quantities of fresh water can be furnished to the arid lands of the Middle East, chronic food shortages can be ended and meaningful work for residents and refugees can be made available.

LURE TO INDUSTRY

Admiral Strauss' vast experience with the Atomic Energy Commission has led him to conclude that three very large desalting plants are both technically feasible and economically attractive as the means to provide the great quantities of fresh water the plan envisions.

Two of the installations would be located at appropriate points on the Mediterranean coast of Israel and a smaller one at the northern end of the Gulf of Aqaba in either Jordan or Israel.

The first plant would be designed to produce daily the equivalent of some 450 million gallons of fresh water—more than the combined flow of the three main tributaries which make up the Jordan River.

This plant would also produce an amount of power which, though in excess of the present needs of the area, would attract industry and would be used to pump the fresh water into the water-starved areas of Israel, Jordan, and other Arab countries—perhaps even including part of Egypt east of the Nile Valley.

Operation of the plants would be made the responsibility of the International Atomic Energy Agency, of which each of the major belligerents, fortunately, is a member.

To finance the project, Admiral Strauss proposes that a corporation be formed with a charter resembling that of Comsat, with the government subscribing to half of the stock, the balance to be offered for public subscription in the security markets of the world.

HEW GRAPPLES WITH PPBS

Mr. MONDALE. Mr. President, on August 25, 1965, President Johnson initiated a planning programing-budgeting system—PPBS—throughout the executive branch similar to that introduced in the Department of Defense in 1961. At its core, PPBS is an effort to lend a new degree of sophistication to governmental decisionmaking.

It is—

In the words of William Gorham, the policymaker most directly responsible for introducing PPBS into the Department of Health, Education, and Welfare:

> a framework for planning—a way of organizing information and analysis in a systematic fashion so that the consequences of particular choices can be seen as clearly as possible.

From its inception as a tool of analysis, PPBS has been highly controversial. Its critics have depicted it as a radical departure in our decisionmaking process, resulting from the influx of a new breed of government planners committed to the virtues of computerized cost-benefit analysis. Many proponents have voiced an equally overblown evaluation of the system, misreading the institutional and historical context in which it must operate and overjudging its inherent efficacy.

Somewhere between these extremes lies the emerging truth about PPBS. Elizabeth B. Drew, in an article entitled "HEW Grapples With PPBS," published in the current edition of the Public Interest, makes an excellent and significant contribution to the growing effort to evaluate and understand PPBS. Mrs. Drew has examined the four PPB studies completed by HEW last year, and her lucid precis of their conclusions and the resultant budgetary and program recommendations of HEW planners is fascinating. Of equal importance, I think, are Mrs. Drew's instructive observations about the internal revision of original estimates of what PPBS can accomplish engendered by the HEW experiences of recent months.

In Mrs. Drew's words:

> The generally inadequate information on which to base a program-planning study is one of the factors that has led to revised estimates of what PPB can accomplish, at least in the near term. Program planners now also have a heightened appreciation of the unmeasurable, and of the limitations on their ability to establish honest measures of

commensurability between programs. And any illusions—sophisticated program planners were less susceptible to these than were outsiders—that PPB would sweep before it defensive bureaucracies or powerful client groups or cynical politics should be fairly given up by now.

Mr. President, I have frequently indicated my own interest in the question of systematic program evaluation and the problems of priorities based on such judgments. Earlier this year, I introduced the **Full Opportunity and Social Accounting Act, S. 843,** in an effort to highlight these efforts, to facilitate them and to give them greater visibility, and to encourage the participation of the Congress and the public in the attempt to give greater sophistication to program planning.

I commend Elizabeth Drew for the contribution her article will make to this effort, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HEW GRAPPLES WITH PPBS

(By Elizabeth B. Drew)

As interesting as watching what happens to government when confronted with program planning is observing what happens to program planning when confronted with government. In August 1965, President Johnson called a breakfast meeting of his Cabinet officers and informed them that he was ordering a **Planning-Programing-Budgeting System (PPBS)**, which had shown promising results in the Pentagon, installed throughout the rest of the Executive Branch. Inquiring reporters were told by government officials that shortly we could establish the relative pay-offs of, say, building a dam in Florida, or improving Indian schools, or eradicating syphilis. Henry Rowen, formerly of the Pentagon and now president of the Rand Corporation, was installed as Assistant Director of the Budget Bureau, whence he dispatched skilled program planners throughout the nervous and dubious government agencies. Two years and several attempts at PPBS studies later, the most thoughtful practitioners of the art are arriving at a considerably narrower—though probably no less significant—definition of the possible, and of where PPB's most valuable contributions might lie.

How well PPB has worked, agency by agency, has depended more than anything on how seriously the man at the top has taken it, how hard he worked to attract good people to do the job, how much he lent his authority to the adoption of a system of hard analysis. Impartial and informed judges give the Department of Health, Education, and Welfare the highest marks. This makes HEW's experience with program planning all the more illuminating. *The Public Interest* has been given an opportunity to examine HEW's first PPB studies. They provide the best and most interesting indicators around of the state of the art.

HEW last year completed four PPB studies: (1) of selected disease control programs—motor vehicle and passenger injury prevention programs, cancer, arthritis, syphilis, and tuberculosis; (2) of "human investment" programs—vocational rehabilitation, adult basic education, work-experience and training, vocational education, and Title I of the Elementary and Secondary Education Act; (3) of possible programs for improving maternal and child health care; and (4) of potentials for improving income maintenance—through social security increases, larger welfare programs, or a negative income tax. These subjects were chosen for the first studies simply because they seemed to be important, and they appeared at the outset to be amenable to some kind of analysis; and these rather arbitrary criteria had to be settled for because of the pressures of time.

Serious discussion between the agencies and the Budget Bureau on the following year's budget begins in the late summer; therefore any agency analysis of its own programs and proposals must be well in hand by then; therefore sophisticated and complicated analysis such as PPB should probably begin late in the preceding year. Yet HEW's program planning operation, under Assistant Secretary William Gorham, was not fully staffed and ready to plunge in until May of 1966. Gorham's staff was forced to select. In fact it selected five areas of study, but the fifth, comparing programs to aid higher education, foundered on an astonishing lack of basic information.

The generally inadequate information on which to base a program planning study is one of the factors that has led to revised estimates of what PPB can accomplish, at least in the near term. Program planners now also have a heightened appreciation of the unmeasurable, and of the limitations on their ability to establish honest measures of commensurability between programs. And any illusions—sophisticated program planners were less susceptible to these than were outsiders—that PPB would sweep before it defensive bureaucracies or powerful client groups or cynical politics should be fairly given up by now. Finally, hosts of civil servants will not think better just because a few people think it would be nice if they would. But gearing tighter thinking—which is essentially all PPB is—into the budget system helps, because the budget is power.

A LACK OF INFORMATION

Those who picture Washington as one mass of files and computers containing more information than they would like will be comforted by the experiences of program-planners in attempting to evaluate ongoing programs. Whatever the files and computers do contain, there is precious little in them about how many and whom the programs are reaching, and whether they are doing what they are supposed to do. If the purpose of an adult basic education program is to teach people how to read and write, the Office of Education might reasonably be expected to know how many people thereby actually learned how to read and write, but it does not. The higher education study was delayed because there simply was too little information about who was receiving federal scholarships, or what happened to all those who had been receiving National Defense Education Act loans since 1958. Did they finish college? Did it affect their subsequent careers? No answers. The Public Health Service might be expected to know whether its various health services are in fact making people healthier, but it does not. The study of disease control was to have encompassed more diseases, but so little was known about the effective treatment of alcoholism and heart disease that these components had to be dropped. Those working on the income maintenance study found that the Welfare Administration could not tell them very much about the public assistance caseload—who was on welfare, where did they come from, why were they on it, what they needed in order to get off.

These simple statistical gaps are inexplicable, and in time they should be filled. More difficult to cope with are the quantitative and behavioral factors which must be part of many PPB formulations, yet for which there is no informational basis. The authors of the study on income maintenance, for example, pointed out that they could find no "supportable answers" to the following questions:

"What will be the labor force participation of recipients with an earned income exemption under Public Assistance?

"How will the poor react to negative income tax plans? How will the near-poor react?

"What type of expenditures will the poor make with increased income?

"How will improvements in income affect the educational attainment of children of the poor?

"Although answers to these questions will always contain a speculative element, they can hardly be raised without better data." Obviously, the lack of such data limits the usefulness of any study of proposals for raising the income level of the poor.

The study of disease control was similarly, but somewhat more surprisingly, beset by quandaries about what assumptions could be made. There is not even material, as William Gorham points out, to make a documentable argument that people who receive regular medical attention are healthier than those who do not! It is known that the wealthier are healthier than the poor, but how much this has to do with doctors, and how much with characteristics of the entire environment, no one can honestly say. There are those who argue that the medical input is a relatively small one. Moreover, doctors do not think quantitatively; the program planners found that their frame of reference of "prevalence" and "probabilities" and "pay-offs" was alien to the medical experts. The disease control paper is, therefore, heavily dependent upon what are at best educated guesses.

Finally, the limits on the information available to the program planners restricted the ability of the studies to shed light on the most effective route to even narrowly defined goals. Having given up on the idea of comparing the relative pay-offs involved in helping the elderly or drop-outs, in curing cancer or improving the teaching of math, HEW's program planners directed their first studies to "subobjectives" simply defined: saving lives, raising future earnings, improving the health of children. Yet the disease control study can only discuss the relative effectiveness in saving lives of five disease control programs on which there was sufficient information, omitting such prevalent or lethal illnesses as heart and kidney disease, or emphysema. The human investment study is informative so far as it goes, but it goes only as far as HEW's outer walls, excluding information on such relevant programs as Manpower Development and Training, run by the Labor Department, or the Job Corps, run by the Office of Economic Opportunity. (Even if there were inter-departmental PPB, Labor and OEO have not yet gathered data entirely comparable to HEW's.)

Some of the studies are more conscientious than are others about pointing out assumptions which are only guesses. There are, in fact, wide variations in the styles of HEW's PPB papers. To be sure, they are not entries in any literary competition, though their general style level is higher than that of many, many government documents. The paper on human investment is well organized and clearly stated. But others at times reach levels of near-unintelligibility:

"The basis for estimating economic benefits is a comparison of the program alternatives to syphilis in an uncontrolled situation, this provides an analyses [sic] of the basic program. This is not a very real alternative since it is unlikely that syphilis will ever become an uncontrolled disease, until it is erradicated [sic] world-wide. (Disease Control)"

Some belabor the obvious, are super-repetitive (we shall discuss . . . we are discussing . . we have just discussed), are littered with references to arcane studies, leave the reader to find the page which explains the chart, and serve up those vague euphemisms at which bureaucrats specialize. My favorite is in a section on family planning, which refers to "teen-age girls and low-income women with 3 or more children" as "high-risk groups." Finally, and most disconcertingly, some of the figures in the charts on benefit-cost ratios have been afflicted with typographical errors. (HEW has supplied corrected figures for the purpose of this article.)

THE ECONOMICS OF DISEASE CONTROL

Despite its weaknesses, the disease control study is an interesting example of simple cost-effectiveness techniques applied to a set of programs, resulting in better information about the pay-offs of current programs and of selected alternatives, about which programs are ready for broader application and which need more controlled experimentation, and about the relative pay-offs of programs involving different kinds of diseases—i.e., their commensurability. Thus the relative priority of spending money as between the diseases could be established. For all of its gaps, the study, say its authors, provides "a basis for choice and decision that was unavailable previously."

The first step is to define the objectives of the programs. The purposes of HEW's disease control programs "are aimed at assisting state and community organizations in the development, operation and improvement of activities to prevent disease and injury or to minimize the health effects through better diagnosis and care."

"Programs may achieve objectives the following ways: (a) demonstrate and test the application of scientific advances to patient care, (b) provide for additional case finding personnel, (c) provide training for health personnel in patient care, and technical procedures, (d) improve the quality and coverage of medical practice."

Because of the limitations of the available data, however, for the purposes of the study the objective was held to be simply the reduction of the number of deaths as a result of the disease or a reduction of its morbidity. The five disease areas included in the study—injury from motor vehicle accidents, cancer, arthritis, syphilis, tuberculosis—are all either diseases that still are health problems although technology exists for effective control, or where technology is in early developmental stages or non-existent.

The technology for effectively controlling tuberculosis and syphilis is available. The technology for effective control of specific cancer sites "has only recently become available and in most cases is still under development." "Arthritis," quoting the study again, "includes a number of specific diseases where knowledge does not exist to permit prevention, control or even effective amelioration of crippling and/or disabling symptoms in a large number of patients. The limited knowledge that is available is not widely disseminated and only a small portion of the estimated 10 to 13 million people suffering from arthritis have access to good quality diagnosis and care. The federal concern here is to assure that more people receive better care," through demonstration projects, training of physicians and technicians, and developing methods of diagnosis and treatment. The Public Health Service has only begun to concern itself with the problem of motor vehicle injuries. "The magnitude of this problem," the study points out, "would indicate a major interest for all health agencies."

Having established the objectives, the next step is to establish criteria for judging alternative methods of reaching the objectives. The disease control study used two criteria: the cost per death averted, and the benefit-cost ratio.

The cost per death averted is the cost of the program over five years, divided by the number of deaths averted as a result of the program. The cost is an average cost figure. The cost of averting a death from, for example, cervical cancer, could be from under $2,000 to over $7,000; the average cost used for this study was $3,470 arrived at as follows: "Of the 34,000 lives expected to be saved due to the programs through 1972, 30,000 of these have an average cost of about $2,000; 2,300 have an average cost of over $3,500 and 400 have an average cost of over $7,000. While it is possible to add additional lives saved at the lower figure, any significant investment of funds in this program would probably be oriented toward the more expensive cases thus averaging over $7,000."

The second criterion, the benefit-cost ratio, was also used because of the limitations of using the cost per death averted as the sole criterion: it makes no distinction regarding the ages at which the various deaths are averted, and there is no way to rank those diseases which are not primarily killers (arthritis). The benefit-cost ratio is, simply, the amount of dollars invested divided into the dollars saved. The dollars saved are estimated on the basis of dollars "that would have been spent on medical care—doctor's fees, hospital services, drugs, etc.—and indirect savings such as the earnings saved because the patient did not die or was not incapacitated due to illness or injury. The average lifetime earnings for different age groups is related to the age at which death occurs and a calculation of the present value of lost lifetime earnings. For example, if a twenty-seven year old man died this year of one of the diseases, his aggregate earnings would have been estimated at $245,000 had he lived a full life. However, discounting this at 4 percent to the current year, the economic loss is actually closer to $125,000. Included in this analysis are economic losses based on future earnings discounted to present value."

Obviously, this is a rather crude measure of productivity lost, but it is, as the program planners point out, "better than nothing." They also realize that economic loss and death do not encompass all of the damage caused by disease. "Pain and the impact on family relationships are among the more obvious additional items. We do not know how to bring such items into this kind of analysis as yet, but it seems likely that these additional considerations argue in the same direction as the other benefits. . . . We have no reason at this moment to believe that such considerations would have changed the relative preferences among programs."

AUTO INJURIES

To take a specific example, the study examined eight alternative methods for reducing motor vehicle injury:

1. Driver Licensing—establishing a medical screening program for licensing;
2. Reduce Driver Drinking—to educate people not to drink before driving;
3. Pedestrian Injury—to educate "accident prone" pedestrians how to cross the street;
4. Seat Belt Use—to encourage people to use seat belts;
5. Restraint Devices—to educate people to obtain and use additional safety restraining devices;
6. Motorcycle Injury—to encourage motorcyclists to use helmets and eye shields to avoid fatal injury;
7. Driver Skill Improvement—establishing a nation-wide driver training program;
8. Emergency Medical Services—providing grants to communities to aid in upgrading the quality of training and facilities available to accident victims from the general public, ambulance attendants, and in hospital emergency rooms.

Following is the computation of the benefit-cost ratio and the cost per death averted of these eight programs:

MOTOR VEHICLE INJURY CONTROL ALTERNATIVES 1968–72[1]

Program	PHS[2] Cost[3] (millions)	Savings[2] (millions)	Benefit cost ratio	Deaths averted	Cost per death averted
Seat belt use	$2.0	$2,728	1,351.4	22,930	$87
Restraint devices	.6	681	1,117.1	5,811	100
Pedestrian injury	1.1	153	144.3	1,650	600
Motorcyclist helmets	7.4	413	55.6	2,398	3,000
Reduce driver drinking	$28.5	$613	21.5	5,340	$5,300
Improve driver license	6.1	23	3.8	442	13,800
Emergency medical services	[4]721.5	1,726	2.4	16,000	45,000
Driver skills	750.5	1,287	1.7	8,515	88,000

[1] Numbers have been rounded to a single decimal point from 3 decimal points; therefore ratio may not be exact result of dividing col. 1 into col. 2 as they appear here.

[2] Public Health Service.

[3] Discounted

[4] Includes $300,000,000 State matching funds.

Obviously, the driver skills improvement and the emergency medical services programs have the poorest pay-offs in terms of both cost-effectiveness—for each dollar invested they yield $2.4 and $1.7 respectively—and in cost per death averted. Yet the policymakers took into account that the benefits of the emergency medical services program could eventually reach more than just victims of auto accidents, and therefore deemed it worthy of support despite its low cost-effectiveness ratio.

A major limitation of the findings was that very little is known about the true effectiveness of a program of trying to persuade people to use seat belts, not to drive while drunk, to use other restraining devices. "Although this level of confidence would make one wary about promoting these programs," the study says, "their low cost and high potential benefits would warrant support." These studies also do not take into account possible improvements in the safety features of the cars themselves, if there are any in the next few years. And while we are on the subject of the automobile companies, this study is an interesting contribution to the argument over whether the best route to improved auto safety is through improving drivers or cars.

CANCER

Four cancers site programs of early detection and treatment were studied for their relative effectiveness: uterine cervix, breast, head and neck, and colon-rectum. All four programs were studied at two alternative program levels, A and B.

CANCER CONTROL ALTERNATIVES 1968-72

	PHS costs (millions) [1]	Total costs (millions) [2]	Savings (millions) [2]	Benefit cost ratio	Deaths averted	Cost per death averted
Program A:						
Uterine cervix	$97.8	$155.2	$1,380.0	8.9	44,084	$3,520
Breast	17.7	22.5	101.0	4.5	2,936	7,663
Head and neck	13.2	12.6	10.1	.8	303	41,584
Colon-rectum	13.3	12.6	6.4	.5	288	43,750
Program B:						
Uterine cervix	$73.7	$118.7	$1,071.0	9.0	34,206	$3,470
Breast	8.1	10.1	43.7	4.3	1,284	7,866
Head and neck	8.1	7.8	8.9	1.1	268	29,104
Colon-rectum	7.7	7.3	3.7	.5	170	42,941

[1] Grant awards.

[2] Discounted.

From this, the program planners concluded that, in the case of cervical cancer, program B, with a slightly higher benefit cost ratio, should be supported over A (containing higher-cost screening elements), with A recommended as an alternative should more funds become available. The breast cancer program, on the other hand, shows a slightly higher cost-benefit ratio and lower cost per death averted with the more expensive program. "This indicates," say the program planners, "that the higher cost breast cancer control program would have a somewhat higher priority than certain elements of the uterine cervix program." This study also led them to conclude that improved technology for detection of head and neck and colon-rectum cancers should be further developed before their detection program is expanded.

In contrast to these four cancer detection programs, HEW's lung cancer program is a prevention program, trying to persuade people not to smoke, using mass media, school programs, special demonstrations, education of physicians and dentists.

ARTHRITIS

Three alternative arthritis programs, with different emphases, were compared:

1. The establishment of 45 centers, and 1,125 clinics; the training of 9,000 physicians and serving 1,287,000 patients in order to make improved diagnostic and care facilities available to more people.

LUNG CANCER ALTERNATIVES (SMOKING CURB) (1968-72)

Program	Program costs (millions)	Savings (millions)	Benefit-cost ratio	Deaths averted	Cost per death averted
A. Current program	$46.9	$268	5.7	7,000	$6,700
B. Current program plus professional education	84.9	635	7.5	16,000	5,306
C. Current program plus mass/media	76.9	531	6.9	13,500	5,696
D. All programs	$114.9	$875	7.6	22,000	$5,222
E. Professional education alone	38.0	367	9.6	9,000	4,222
F. Mass/media alone	30.0	263	8.8	6,500	4,615

2. The establishment of 9 centers and 180 clinics; the training of 1,800 physicians and serving 243,360 patients in order to demonstrate and evaluate the feasibility of expanding the program.

3. A program involving the establishment of 1,000 clinics, training 1,000 physicians, and serving 936,000 patients to improve the quality of arthritis diagnosis and care.

Since arthritis is not primarily a killer, the benefit-cost ratio is the most pertinent measure. The study showed the following:

ARTHRITIS PROGRAM ALTERNATIVES, 1968-72

Program	HEW costs (millions)	Savings [1] (millions)	Benefit-cost	Number patients	HEW cost per patient seen
45 centers, 1,125 clinics (12 years)	$225	$10,510	46.7	1,287,000	$1,759
1,000 clinics (13 years)	138	7,645	55.4	936,000	1,479
centers, 180 clinics (7 years)	$47	$1,965	42.2	243,360	$193
centers, 180 clinics (5 years 1968-72)	37.6	[2] 1,489	37.5	229,320	168

[1] Not discounted, indirect savings only.

[2] Discounted.

From this, the study concluded "that before undertaking a major long term program, a pilot program (alternative 2) should be undertaken to demonstrate and evaluate the program components."

SYPHILIS AND TUBERCULOSIS

Three alternative syphilis programs were examined:

1. The current program, which includes research, a control grant program to States to help provide for epidemiologists to follow up cases. A significant element—a blood screening program—is paid for privately and is associated with pre-marital medical check, blood bank operations, military service medicals, etc. These costs are included in total program costs since they are directly related to control objectives.

2. An intensified epidemiology program which increases program grants but holds research and blood screening at current levels.

3. An eradication program—a research effort, expanded program grants and extension of blood screening to a larger population base and its inclusion in all hospital preadmission procedures.

The analysis showed:

SYPHILIS CONTROL ALTERNATIVES, 1968-72

Program	PHS costs (millions)	Total [1] (millions)	Savings [2] (millions)	Benefit-cost ratio	Prevalence [3] 1972	Deaths averted [4]	Cost per death averted
Current	$55.0	$179.3	$2,993	16.7	239,850	11,590	$22,252
Epidemiology	58.5	182.8	3,006	16.4	218,569	12,509	20,880
Eradication	80.3	261.6	3,063	11.7	14,890	15,071	22,938

[1] Adds private insurance costs for serologic screening.

[2] Discounted.

[3] 1965—prevalence 600,000.

[4] Based on uncontrolled syphilis.

From this it was concluded that "there does not seem to be a significant difference between the current program and that of intensified epidemiology. An increase of $3.5 million PHS costs over the five-year period (6 percent) would lead to a reduction in deaths of 919 (11 percent) and a reduction in prevalence of 21,000 (9 percent) . . . A 45 percent increase in funds results in a reduction in prevalence of better than 85 percent and a similar reduction in annual deaths. The benefits of this five-year effort beyond 1972 can be expected to yield an increasing benefit-cost ratio. Despite the attractiveness of a five-year eradication program, the current program is recommended with selected reinstatement of hospital serological screening and an objective of moving toward syphilis eradication in ten years. The productivity of the current program would be improved—perhaps significantly—with the additional serological screenings. The effect of this component will be tested before an early build-up to an eradication program is supported."

For the last disease covered in the study, tuberculosis, five alternatives were examined:

1. Current program—research, state control program grants, epidemiology support;

2. Accelerated program—research and additional control program grants;

3. Concentrated program—research and a control program targeted for specific geographic areas of population groups with high tuberculosis rates;

4. Prevention program—involving adding isoniazid to bread and flour products.

There are currently about 100,000 active cases of tuberculosis, with an annual death rate of 8,000. The estimated current annual losses from tuberculosis are about $1.1 billion.

The PPB analysis showed the following:

TUBERCULOSIS ALTERNATIVES, 1968–72

Program	PHS control program (millions)	Savings [1] (millions)	Benefit-cost ratio	Deaths averted	Cost per death averted	Prevalence 1972 [2]
Current	$130	$573	4.4	5,700	$22,800	80,000
Accelerated	201	1,598	8.0	7,170	28,000	30,000
Concentrated	170	1,093	6.4	7,085	24,000	55,000
Prevention	432	2,214	5.1	7,945	54,000	10,000

[1] Discounted.

[2] 1965; prevalence, 100,000.

Obviously, the most efficient program is the accelerated one, with a payoff of 8, as opposed to 4.4 for the current program, and 6.4 for a concentrated one. Yet "from the standpoint of deaths averted," the analysts concluded, "the accelerated and concentrated programs have no advantage over the current program. However, the accelerated program obviously would be attractive from the standpoint of the possible 70 percent reduction in the prevalence of tuberculosis." The problem with the fourth program is that it is dependent upon acceptance of a program of placing isoniazid in flour products. "The history of fluoridation," the study says, "does not make one sanguine about the prospects for acceptance of a proposal to add a drug to food products." (How much *this* assumption has been studied is not said.) The analysts ended by suggesting that "A reoriented current program—concentration on areas with high tuberculosis incidence—can be expected to improve the benefit projections. Additional analysis and experience should show how productive this program might be and would indicate if additional modifications are warranted."

SOME CONCLUSIONS

Having thus examined alternatives within programs, the final step of the disease control study was to measure the impact of all of the disease control programs by their commensurable data components: program costs, savings due to programs, benefit-cost ratio number of deaths averted, program cost per death averted.

This analysis showed the following relationships:

BENEFIT-COST DATA, SELECTED DISEASE CONTROL PROGRAMS

[Dollar amounts in millions] [1]

Program	1968–72 HEW costs [2] (millions) 1	1968–72 HEW and other direct costs [2] (millions) 2	1968–72 savings, direct and indirect [3] (millions) 3	Benefit-ratio cost [4] 4
Seatbelt use	$2.2	$2.0	$2,728	1,351.4
Restraint devices	.7	.6	681	1,117.1
Pedestrian injury	1.1	1.1	153	144.3
Motorcyclist helmets	8.0	7.4	413	55.6
Arthritis	37.6	35.0	1,489	42.5
Reduce driver drinking	31.1	28.5	613	21.5
Syphilis	55.0	[2] 179.3	2,993	16.7

Program	1968–72 HEW costs [2] (millions) 1	1968–72 HEW and other direct costs [3] (millions) 2	1968–72 savings, direct and indirect [3] (millions) 3	Benefit-ratio cost [4] 4
Uterine cervix cancer	$73.7	$118.7	$1,071	9.0
Lung cancer	47.0	[2] 47.0	268	5.7
Breast cancer	17.7	22.5	101	4.5
Tuberculosis	130.0	130.0	573	4.4
Driver licensing	6.6	6.1	23	3.8
Head and neck cancer	8.1	7.8	9	1.1
Colon-rectum cancer	7.7	7.3	4	.5

[1] Discounted.

[2] Numbers have been rounded to a single decimal point from 3 decimal points; therefore ratio may not be exact result of dividing col. 2 into col. 3 as they appear here.

[3] Not discounted.

[4] Funding shown used as basis for analysis not necessarily funding to be supported by administration.

Based on the over-all study, the analysts concluded that "an investment of 20 percent additional funds for 1968–1972 would support those programs which show very favorable benefit-cost ratios and which have good prospects for significant reductions in annual deaths and morbidity from the selected diseases." From the analysis, they then offered a priority ranking for use of the new funds, as follows:

1. Motor vehicle accident and injury prevention programs.
2. Arthritis. ("This disease cripples rather than kills and it may thus appear as less significant a health problem than syphilis or uterine cervix cancer. However, the potential of adding an additional one to five productive years to 13,000,000 arthritics gives strong support to this program.")
3. Uterine cervix cancer control.
4. Lung cancer prevention.
   Breast cancer.
5. Syphilis.
6. Tuberculosis.
7. A further build-up of uterine cervix cancer program, extending the program to additional population groups where the cost of screening and case identification is higher.
8. Syphilis eradication.
9. Further reduction in the prevalence of tuberculosis.

HUMAN INVESTMENT

Not all of the studies were so categorical in their conclusions, so willing to travel so far on the fuel of such indefinite data. The experience in attempting to apply PPB to "human investment" programs—programs designed to raise a person's capacity for self-support through education and training, as opposed to simple money transfers—led the program planners to sharply different views of what PPB could and should do. For one thing, the information available was too paltry for definitive statements about the effectiveness of the programs; for another, proceeding even with utmost caution, the program planners arrived at the conclusion that only one of the five programs studied—vocational rehabilitation—is "demonstrably effective."

Benefits were defined to be the increase in earnings which resulted from each of the programs. The vocational rehabilitation program was estimated to have a benefit-cost ratio of 12 or 13 to 1—i.e., every dollar spent on special training for an otherwise unemployable, physically or mentally handicapped person, is likely to produce $12 or $13 in earnings. In the adult basic education program, actual data about earnings were not available; based on the expected increase in the educational level, however, a benefit-cost ratio of 11 to 1 was estimated. Similarly, there were no data on earnings available to arrive at a reliable benefit-cost ratio for the work-experience and training program connected with the welfare program. Instead, a "break-even" analysis was made, which found that a very small increase in earnings would make the program pay for itself. While the program planners concluded that the work-experience program was therefore potentially effective, they also concluded that this would be possible only if the emphasis of the program is shifted more heavily to training. Vocational education programs (funded under *thirteen* separate legislative authorities), with a benefit-cost ratio of from 1.6 to 1, to 2.9 to 1, it was concluded, have to be thoroughly restructured if they are to be effective. So little was known about Title I of the Elementary and Secondary Education Act that no benefit-cost ratio was computed, but from what evidence there was the program planners concluded that modest increases in school expenditures using conventional methods in the conventional school setting produced little improvement in student performance.

Some of this of course is not news. The basic idea behind Title I was to insert money into schools with high proportions of poor children, with insistence that the funds be used for other than "conventional methods." Anyone dimly familiar with education programs had to know that vocational education, with its emphasis on agricultural and home economics training, had fallen behind the times. Anyone who looked closely saw that work-experience, to the extent it was busy-work, could not make much serious difference in income-producing capacities. What the PPB process did was simply to fortify these perceptions, and to transmit some important signals to the policy makers.

Because of the political and social commitments inherent in these programs, and the power of some related groups, such as the vocational educators, a finding that only one could clearly be supported as effective does not lead to the conclusion that four should be jettisoned. And because the clientele of the separate programs, particularly in the short-run, are scarcely interchangeable, little can be concluded about the commensurability of the programs. What can be and was concluded was that in the prevailing tight budget situation the only programs that deserved expansion were vocational rehabilitation and adult basic education, and that meanwhile the human investment programs must be improved. Moreover, the knowledge that the *average* pay-off from a widespread vocational education program is low is only marginally helpful; what should be known is which vocational education approaches yield the best results, and which the poorest. This is where the PPB process will turn next—to *intra-program* studies of the most effective methods. There will, for example, be a closer examination of various uses of Title I money, in an effort to determine which appear to provide the highest pay-offs.

Another signal the program planners received from this study was that they had to look beyond program-by-program analysis to find the most effective combination of approaches. An unemployed person, for example, might need certain components of both literacy and training programs. A given school child might be best served by a combination of certain Title I and certain vocational education projects.

Finally, more attention will be turned to gathering data which will lead to more telling evaluations. "The process of analyzing and comparing these programs," said the study, "revealed that the information available about their effectiveness was shockingly inadequate. Only very rough judgments about their relative effectiveness could be reached. Information on costs per participant was often unavailable and had to be estimated. Data on the characteristics of participants (even, in some cases, their age and sex) were inadequate. Information on what happened to the participants during and after the program—gains in educational attainment, employment experience, earnings history, and so forth—was extremely limited. Estimates had to be pieced together from a variety of sources. Information about control groups—for example equivalent members of the workforce who did and did not receive vocational education—was virtually non-existent."

CHILD HEALTH

Yet while the reevaluations and searches for better information about current programs go on, decisions must be made about new programs. Two of the studies, concerning child health and income maintenance, were addressed to improving the decision-making about proposed new departures.

The problem before the program planners on child health was simply this: President Johnson is interested in doing more to improve the health of children, particularly poor children; what should the new program look like? There was a good deal of evidence that there was room for improvement. The United States in 1964 ranked 15th in infant mortality, with a rate of 24.8 (Sweden had the lowest rate—14.2), and within the United States there were wide disparities: 19.8 in Massachusetts, 39.4 in Mississippi; 21.6 for white infants, 41.1 for non-white infants. Less than 50 percent of low-income women receive care in maternity clinics, and in most major cities one-third to one-half of the women delivered at city hospitals had no pre-natal care. Approximately 61 percent of handicapping conditions—congenital malformations, vision or hearing defects, psychiatric problems, and others—could be prevented if the children received comprehensive care until they were 18; about 30 percent of these could be prevented or corrected through case-finding and treatment at an early age. It is estimated that more than 60 percent of the children in the South, more than 65 percent of children from low-come families, more than 70 percent of non-white children, receive inadequate or no dental care.

The program planners set up five objectives:

1. Making needed maternal and child health services available and accessible to all, in particular to all expectant mothers and children in low-income areas;
2. Reduce the number of chronic handicapping conditions;
3. Reduce infant mortality rates;
4. Reduce unmet dental needs (an objective set by President Johnson);
5. Through directed research, experimentation and improved evaluation, determine the effectiveness of various forms of health care in attaining the preceding objectives.

In deciding which specific types of programs to consider, the program planners had before them proposals set forth by a task force. They then measured 14 alternative child health care programs, in seven major categories: (1) comprehensive maternal and child health care centers; (2) programs to provide early case-finding and treatment of congenital and other chronic disorders; (3) a program to provide early case-finding and treatment of vision and hearing defects; (4) programs to reduce unmet dental needs; (5) intensive care for "high risk" premature and other infants; (6) a program to provide treatment for those rejected from the Selective Service because of health defects; (7) support for improved family planning services. Some of the program alternatives were cast aside because of their obvious low payoffs or because they simply were not feasible. For example, the shortage of traditional health personnel militated against planning for any large-scale child health care using only this type of medical personnel. It is estimated, for instance, that comprehensive health care for 15 million poor children would require the services of 14,600 pediatricians, or half that many if pediatric assistants were used; as of now there are 14,000 full-time non-Federal pediatricans in the entire country. Therefore programs using only traditional health personnel were rejected in favor of experimenting with those using new types of health workers.

A measure of each of the remaining programs, in terms of yield for every $10 million spent, is provided by the accompanying table.

CHRONIC HANDICAPPING CONDITIONS PREVENTED OR CORRECTED BY AGE 18

Program	Number served	Births prevented	Maternal deaths prevented	Premature births prevented	Infant deaths prevented	Mental retardation prevented	Vision problems	Hearing loss	Other physical handicaps	Unmet dental needs [1]
Comprehensive health care (up to age 18).	3,500 mothers.	[2] 0	1.6	98–247	42–60	4.5–7	345	86	200	2,240
	63,000 children.					(Infants)				
Comprehensive health care (up to age 5).	6,880 mothers.	[2] 0	3	196–483	84–119	7–14	196	70	63	0
	34,400 children.									
Casefinding and treatment (newborns).	337,000 screened.				(3)	(3)			(3)	
Casefinding and treatment (ages 0, 1, 3, 5, and 9).	334,000 screened.									
	(39,000 treated).				(3)	(3)	3,610	1,000	1,470	
Vision and hearing casefinding and treatment.	1,458,000 screened.									
	(63,000 treated).						26,250	4,370		
Fluoridation	[4] 14,112,000 (Aged 0–12)									[5] 294,000
Comprehensive dental care (without fluoridation).	333,000 (Aged 6–18)									18,000
Comprehensive dental care and fluoridation.	1,200,000 (Aged 0–18)									44,000
Intensive care units for high-risk newborns.	[4] 10,710				367	(3)				
Expanded family planning services	500,000	[6] 49,000	[7] 44	(3)	[8] 2,000	[9] 1,000				

[1] Reduction in number of 18-year-olds with decayed and unfilled teeth.

[2] Does not include effects of family planning programs.

[3] Some effects are anticipated; no quantitative estimates were made.

[4] This program would serve children in all areas, not only in low-income areas.

[5] Fluoridation would prevent cavities (completely) in approximately 25 percent of 18-year-olds (431,000 each year). In addition, fluoridation would reduce cavities in the remaining 18-year-olds by more than 50 percent.

[6] Assumes a reduction of the fertility rate from 141.5 per 1,000 to only 30 percent of that figure among the women using family planning services.

[7] Assumes that the maternal mortality rate would have been 0.9 per 1,000 live births.

[8] Assumes that the infant mortality rate would have been at least 41 per 1,000.

[9] Assumes that the incidence of mental retardation would have been at least 21 per 1,000.

Clearly one of the most promising programs, and that for which the analysts recommended the highest budget request, was for early case-finding and treatment, to detect and assure treatment of handicapping conditions in children at various stages of their lives. It was also concluded from this that experimentation should be made with comprehensive health care centers, mainly in urban areas, under the auspices of university pediatric and obstetric departments, group of physicians, or local health departments, to test the feasibility, costs and effectiveness of comprehensive maternal and child health care with maximum use of community aides and new types of health personnel. Another clear signal provided by this study, but which was *not* followed in the Administration's requests to Congress, is that a dental program containing fluoridation has a far higher payoff than one that does not. Dread of the anti-fluoridites prevailed (whether they are numerous or just noisy is questionable), and instead the program contained funds for a more expensive and less effective "pilot program" of comprehensive dental care.

INCOME MAINTENANCE

Although not all of these programs were officially proposed, the program planners are rather pleased with the mark that they did leave on the new child-care program. The analysts who examined alternative income maintenance programs had a lesser impact, at least in the short term. The three general direct approaches for raising the income of the poor which were weighed were through social security, through increases in public assistance programs, and through a negative income tax. The study is a long and detailed one, and covers much of the same ground that has been covered in earlier discussions of income maintenance in this magazine. Therefore, I shall list simply the highlights of the study's conclusions about the relative efficiency of various approaches towards reducing the "poverty deficit"—the amount by which the total income of the poor falls below the total they would have to have if their incomes fell at exactly the poverty line. Assuming a poverty deficit of $10 billion:

A program aimed at filling the entire deficit of $10 billion through public assistance would probably cost about $19 billion. This program would cost $2 for every $1 that went towards filling the income deficit because of allowances for exemptions in order to maintain work incentives. (As noted earlier, the analysts concede that very little is known about the effects of more money on work incentives.)

A low rate negative income tax does not help the poor very much; a negative income tax which does effectively help the poor would be costly.

Some public assistance programs and a form of negative income tax could reduce the poverty deficit by 30 percent and would be "efficient." These programs would cost from $3 billion to $6 billion.

Social security programs, which are not primarily designed to aid the poor, "are very inefficient in reducing the poverty income deficit."

The legislative program which the White House sent to Congress eschewed the negative income tax or other new systems of income maintenance, made slight increases in public assistance, and made large increases in social security. While the social security requests were weighted towards low-income recipients (thus reducing social security' insurance aspects for middle-income beneficiaries), the legislative package simply reflected an Administration decision that the times were not propitious for substantially more help for the poor. Increases in social security, since they are provided through an insurance system, do not require a raid on the Federal budget. Moreover, much as Congress may dislike fiddling with social security's insurance aspects, it likes straightforward aid to the poor even less.

A NEW SOPHISTICATION

The only fair way to judge the planning-programming-budgeting process at this point is in its historical context. There is no question that it is primitive, and this is due in some part to the fact that it is new. Defense Secretary McNamara is said to believe that the process itself did not yield great pay-offs for him until it had been underway for at least four years; the more thoughtful observers have always believed that in such areas as health and education it might take still longer. The program planners now know that their information base is feeble, but how soon the bureaucracies will be able to strengthen it is questionable. They now know that intra-program studies and studies of combinations of programs may not only be more useful, but also more essential to meeting their own objectives. The second round of studies, now underway, shows a new sophistication:

The probable educational impact of increasing aid to education: What would be the educational impact of reducing class size? Raising teachers' salaries? Reducing segregation? Increasing the use of sub-professionals?

A more detailed and updated study of self-support and income-support programs that would enable individuals to overcome poverty.

How can the poor be provided with adequate medical care, and what effect would this have on their health status?

What is the impact of various federal programs providing financial support to higher education? Which groups of students do they aid, in what ways? What impact do present programs have on the quality of higher education? What impacts would alternative new programs—using loans, tax changes, or other aids—have?

How can the education of deprived children be improved? How is Title I money actually being spent, and how can it be made more effective? To what extent have federal expenditures merely substituted for state and local support? What are the conditions of success? How important is follow-through? Is a certain minimum expenditure necessary before any results are seen?

An expanded, updated, and more detailed study of various disease programs.

What are the needs for trained nursing care personnel in the 1970's, and how might they be filled? What are the consequences of not meeting current and projected needs for nursing personnel? What are the differences in the labor force participation rates of nurses who graduate from different types of nurse training programs?

What are the real relationships between activities of the Food and Drug Administration and industrial, medical, and pharmaceutical practices and consumer risks?

What pattern or patterns of health care facilities would make the largest contribution to health?

How can a significant reduction of air pollution be brought about? What are the ramifications of the current federal standards for communities and industries? As the country becomes increasingly urban, will these standards become increasingly hard to meet without major technological and social innovations? What are the social costs and benefits of reducing first the rate of increase of pollution and then the absolute amount?

These are some of the questions being asked right now. The answers will not be unassailable, statistically or politically. But judged against the traditional bureaucratic responses—that spending money makes good things happen and spending more money makes better things happen—they are a giant stride forward.

DEATH OF FATHER JOHN COURTNEY MURRAY, S.J.

Mr. PERCY. Mr. President, in the death 10 days ago of Father John Courtney Murray, S.J., the Catholic Church, the Christian community, and all men of good faith have lost a dedicated and able spokesman for religious freedom and ecumenical dialog. I have lost a friend.

Considered by many to be America's most eminent theologian, Father Murray represented the best of the liberal American Catholic tradition. He sought to delineate a viable "American concensus," whereby Americans of all religious beliefs and traditions could unite in a common moral purpose and spiritual faith transcending doctrinal and denominational differences.

Father Murray's career as scholar, theologian, professor, and author is a testament to the comprehensiveness of his insight into the nature of the problems which confront the contemporary church. Having joined the Society of Jesus at 16, he was twice a visiting professor of philosophy at Yale University, a participant in the Second Vatican Council as an expert on church-state affairs, a consultant to the Vatican's secretariat for promoting Christian unity, and an associate editor of America, a national Catholic weekly. He was a former member of the President's Advisory Commission on Selective Service, and at the time of his death was professor of moral theology at the Jesuit Seminary in Woodstock, Md. In 1966 he became director of the John LaFarge Institute in New York, a center for interreligious discussion of vital public issues—the kind of place where one could logically expect to find John Courtney Murray.

Father Murray was both scholar and humanist. Characteristic of his dual concern for individual souls and the common good was his call for a new national moral act of purpose beyond the small-souled purpose of mere survival—a moral and spiritual regeneration predicated upon the belief that only a virtuous people can be free, that freedom can survive only if the people are inwardly governed by the moral law.

His humanitarian compassion for all men led him to concern himself actively with the important social issues of our time. The breadth of his influence is indicated by his recent appointment to a special committee of the Episcopal Church to consider the nature of contemporary theology and the particular issue of heresy.

If his thinking sometimes anteceded that of other spokesmen for his church, he often had the satisfaction, as the National Catholic Reporter observes, "of seeing the consensus of Catholic thought move up, eventually, to join him."

His dynamic and searching intellect, his graceful manner, and easy humor will be sorely missed by men of all faiths. For John Courtney Murray was one of those rare men who leave an indelible imprint on their society; and the world is surely a better place for his having lived.

A few days before his death, I spent a weekend in Maine with Father Murray. He said at the time that he had had some physical difficulties, but that if he were to die then, he felt his life perhaps had been productive enough to justify his existence. It was a masterpiece of understatement from a rare and magnificent man.

TELEVISION EDITORIAL NOTES NEW JERSEY SNIPERS USED OUT-OF-STATE GUNS: DEMANDS SUPPORT FOR STRONGER FEDERAL FIREARMS CONTROL BILL

Mr. DODD. Mr. President, in a recent editorial message in a current series entitled "The Hand on the Trigger," WABC-television, channel 7, in New York City, observes that 690 New Jersey residents were able to acquire guns in neighboring States just a few weeks before the devastating riots.

Thus, despite the fact that the Garden State has an extremely rigid gun law policy that restricts criminals, addicts, alcoholics, and people with mental disorders from purchasing firearms, unreliable Jersey residents can still easily obtain guns in other States.

WABC-TV's editorial director urges viewers to support stronger gun control legislation in Congress so that the State will not have an impossible task in keeping guns out of the hands of irresponsible people.

The administration gun bill, which I introduced, is the strongest, most effective, and the legislation offered to achieve the goal of keeping guns—handguns, rifles, and shotguns—out of the hands of those immature and irresponsible individuals who should not be allowed to have lethal weapons in the first place. Prevention, not punishment, is the only effective remedy for reducing the injury and death from guns in the wrong hands.

Mr. President, for the consideration of the other Members of the Senate who must respond to the public's demand for adequate protection from the unlimited access to firearms by juveniles, criminals, and mental incompetents, I ask unanimous consent that the WABC-TV editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE HAND ON THE TRIGGER—II

New Jersey has the kind of firearms law Channel 7 would like to see adopted in every state. Before a dealer can sell a gun there, the state checks to make sure the buyer isn't a criminal, a drug addict, a drunkard or a mental case. Yet Senator Dodd of Connecticut says his investigators discovered that more than half of the people arrested with guns during the riots in Newark had previous criminal records. The Senate investigators also found out how this could happen. A spot check of 50 gun dealers revealed that at least 690 New Jersey residents had bought guns in four other states within a few weeks of the riots. This is why state laws alone can't control gun sales. Channel 7 urges you to support the strong firearms control legislation now before Congress. It won't stop riots, but it should help make them less deadly.

PEACE AT HOME AND ABROAD

Mr. TOWER. Mr. President, on August 20, Houston and the State of Texas had the honor to be host to the 29th biennial national convention of the Chinese American Citizens Alliance. Texas was further honored by the presence of one of the distinguished Members of the Senate, my colleague and good friend, Senator HIRAM L. FONG, of Hawaii. Senator FONG was the guest of honor and principal speaker at the grand ball and banquet of the convention.

On that occasion, Senator FONG delivered a most impressive speech in regard to the two vital issues facing the Nation—the Vietnam war and the race riots. He discussed these subjects with the forthrightness and judicious reflection characteristic of his utterances in this Chamber. With keen incisiveness, he has analyzed the situation at home and abroad. I commend his address to the Senate.

I ask unanimous consent that the speech of the distinguished senior Senator from Hawaii be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

PEACE AT HOME AND ABROAD

It is a high honor for me once again to address the Chinese American Citizens Alliance.

I last had this privilege six years ago this month, August 12, 1961, to be exact.

Our Nation faced many dangerous situations then. Yet our Nation was not at war *overseas—and we were at peace here at home.*

Today, we are in a difficult, exasperating, costly war in a distant land, where so far we have been unable either to win the war or to bring peace. Here at home, from coast to coast and border to border, our cities are rocked by violence and rioting—the most serious internal upheavals in our history, except for the Civil War.

I believe the overriding concern of all Americans is peace.

And this is what I want to talk about tonight—Peace at home and Peace abroad.

I would not be so presumptuous as to claim to know all the causes or all the cures *for Vietnam or for the riots.*

Yet out of all the complexities, out of all the furor, out of all the contradictions in both situations, some elementary facts seem plain to me.

Let us consider first the riots.

With riots in more than 100 cities—marked by wholesale looting, widespread arson, murderous sniping—there is no question that this is a national emergency.

This year alone, the toll stands: 86 dead, 2,056 injured, 11,094 arrested. In Detroit alone, property damage exceeded 250 million dollars.

Senseless lawlessness infected large segments of our citizens. And innocent citizens—both black and white—have been victims.

I say to you my friends:

America cannot tolerate lawlessness.

I say: No matter how great the injustice, no matter how bad the economic and social conditions, there is no injustice and there are no conditions which justify the wanton destruction of our cities.

The demand for justice, dignity, and equality does not in the slightest degree excuse violence and riots.

"Burn, Baby, Burn" . . . "Shoot, Loot" . . . this is not the way to racial equality.

The first imperative is to restore law and order.

This means at least—a strong Federal antiriot law to provide penalties for crossing State lines to incite, organize, or promote a riot.

It means a strong Federal anti-crime law to give State and local law enforcement officials better tools to fight crime and riots.

It means a strong Federal gun law to stem the sale of firearms to irresponsible persons.

It means action against militant extremists and revolutionaries who are organizing violence and plotting the overthrow of our Government.

The next imperative is to tackle all the causes of riots.

This means accelerated programs to provide decent housing.

This means accelerated efforts to provide more jobs and more job training.

This means better schools and more opportunities for young people.

This means continued efforts to extend equal rights and equal justice to all Americans.

In the eight years I have been in the United States Senate, I have witnessed, and worked for, tremendous advances toward the fulfillment of our ideals of dignity, freedom, and brotherhood secured by our Constitution.

A great deal more, however, remains to be done.

Many of our citizens are still systematically excluded from serving on many Federal and State juries.

Many are still denied employment by reason of their color alone.

Many are still denied the right to live where they want.

Many are subjected to violence and intimidation, and in many instances denied redress because of weak and ineffective laws.

The United States Congress has once again been called upon to pass on legislation to achieve what we all believe: that this Nation is dedicated to the proposition that discrimi*nation and prejudice are morally wrong,* wherever and whenever they are practiced.

I am confident that Congress will soon enact laws to correct each of these areas of injustice. And I am firmly committed to this end.

But riots imperil civil rights legislation.

Civil wrongs will not bring civil rights.

I denounce the riots as disgraceful, shameful, and self-defeating.

I denounce the latest proposals for massive disobedience—massive school boycotts, massive factory sit-ins, and massive camp-ins in the Nation's Capital. These also are self-defeating.

What is more, riots and massive disobedience strike a foul and dastardly blow against our Nation's efforts toward peace in Vietnam.

It is indeed sad and tragic at this critical time—when we should be devoting our wholehearted energies to support the three million men and women in the military service and the five-hundred-thousand troops committed to the war in Vietnam—that violence and turmoil at home should so interfere with the war effort.

There is no question that in spite of the riots and other threatened disturbances, our primary consideration is to bring the Vietnam war to a successful conclusion—by negotiations if possible, by victory if necessary.

Our Government is pledged to defend South Vietnam against armed aggression from North Vietnam. To this end our country has committed nearly 500,000 men, and in the next few months, 45,000 more will be sent. We are spending more than two billion dollars each month.

However costly and trying our position in Vietnam, there is a critical need at this time to make clear to Hanoi the temper of the American people, and to re-emphasize the vital American commitment in Vietnam.

I hope that my remarks will come to the direct attention of President Ho Chi Minh of North Vietnam, to the end that Hanoi will be encouraged to join soon with the United States in seeking a peaceful solution to the Vietnam war.

My deepest concern is that President Ho may not give full and necessary credence to the American resolve to fight to uphold our commitment in Vietnam.

The American will to sustain our commitment is clear, strong, and firm. This resolve will persevere, riots and other difficulties notwithstanding.

At the same time, Americans will continue to support our Government's efforts to seek a peaceful settlement—unproductive as these efforts have been so far. The American people will not relent in their determination to defend South Vietnam against Viet Cong and North Vietnamese forces.

Even some of my colleagues in the U.S. Senate who have strongly criticized our presence in Vietnam now say we cannot withdraw unilaterally in the absence of an honorable peace.

Of all the speeches made in the United States Senate on the Vietnam War, I believe I am correct when I say that only two of the 100 Senators have urged complete withdrawal. One of the two later publicly declared that he is now "steadfastly opposed to any unilateral withdrawal of American troops from South Vietnam."

Not a single Senator of the remaining 99 has advocated that we "throw in the sponge," that we quit the war.

Although a dozen or so Senators say, "Stop the bombing"—hoping to induce Hanoi to come to the conference table, as far as I can determine, only a handful—perhaps 5—has suggested an indefinite pause in the bombing.

Although a few Senators talk about "honorable disengagement" of American forces from South Vietnam, actually, what these few propose has always been the desire of all Senators and all Americans—to negotiate an *honorable end to the war.*

Call it what you will—honorable disengagement, honorable termination, fair and just negotiations—they all seek the same goal: peace through negotiations.

For our part, we are open for negotiations—at any time—at any place.

But where is Hanoi?

We cannot negotiate alone.

The United States has made some 18 major efforts to negotiate a settlement of the war during the past two and a half years. In this same period, other countries and prominent world leaders have also tried to bring Hanoi to the conference table.

All these efforts have failed. They have failed because Hanoi has taken an adamant inflexible position—because Hanoi has set up unreasonable and impossible preconditions for talks.

Since Hanoi refuses to meet us at the conference table and since Hanoi refuses to stop her aggression, she leaves us no alternative but to fulfill our pledge to defend South Vietnam, even with the risks involved.

President Truman had to risk war with Russia to demonstrate that we meant what we said about Berlin. President Kennedy had to risk war to convince Russia that we meant what we said about missile bases in Cuba.

Now, in Vietnam, we are taking a risk in repelling the aggressor, behind whom stand Red China and Russia. Great as the risks may be in Vietnam, most Americans firmly believe as I do, that we must not—and we cannot—back down.

Failure to grasp the American temper can only lead eventually to more war, more bloodshed, and more devastation.

And in the end, Hanoi's forces will not prevail.

The longer the war lasts, the more Hanoi hopes we will lose our resolve.

Hanoi hopes in vain.

She misreads the American will and determination.

Hanoi also hopes that the American people will vote in 1968 for a less resolute President.

No likely candidate for the presidency is known to favor reneging on America's commitment to South Vietnam. Differences involve only how best to attain a just and honorable peace. There is no question among the likely candidates—Republican and Democrat—that our commitment must be fulfilled.

Again, Hanoi hopes in vain.

President Ho—the sooner you come to the conference table, the better.

As long as you refuse to negotiate, you leave President Johnson with no choice but to press the war even harder.

Realizing only too well the consequences of a stalemate in the war, all logic impels the President to step up the pace of the war. This is exactly what he is doing. For the first time he has allowed the bombing of the Doumer Highway Rail Bridge. He has allowed air-strikes within ten miles of the Communist Chinese border. And he has authorized 45,000 additional troops for Vietnam.

President Johnson is fully cognizant of the political consequences of a stalemate. I say that the American people will probably turn him out of office if he does not bring the Vietnam war to an honorable and just conclusion before the election.

Without a doubt, the President is faced with an extremely critical turning point in the war.

He must either withdraw—and the President has said he would not withdraw until peace is assured.

Or—he must continue the war.

Hanoi has given him no alternative but to continue fighting.

In this grave situation, all Americans must face the fact that we are deeply involved in the Vietnam war.

Republicans, Democrats, and people of every persuasion—should rally to support our troops and the Commander-in-Chief of our Armed Forces.

National unity will hasten the day of peace.

Under our Constitution, the President is the principal formulator of American foreign policy. Congress advises on treaties, passes foreign policy legislation, and has the power to declare war.

As our foreign policy leader and as Commander-in-Chief of the Armed Forces, the President has enormous powers.

Although Congress has the power to declare war, the President under his broad powers has committed us to war in Vietnam.

It is the President who sends troops into battle, who issues the governing orders to military commanders, who assigns the targets they may attack, and who determines the boundaries of combat operations.

The President, and he alone, makes these decisions. We pray he makes the right ones.

Nevertheless, Congress, as the elected voice of Americans everywhere, has vital responsibilities too—to review and analyze policies and performance. Whenever necessary, it is the duty of Members of Congress to offer constructive proposals.

In addition, Congress appropriates the necessary funds. All appropriations for Vietnam have been approved by decisive margins in both Houses of Congress.

I know that as long as Americans are on the battlefield, Congress will continue to give them everything they need.

Our gallant fighting men deserve nothing less than our total support.

We Americans abhor war. We much prefer an honorable and just peace to the waste and tragedy of war. But as long as Hanoi refuses to negotiate, then America must continue the war.

We will be forced to stop temporizing. We will be forced to pay more attention to our military leaders in the conduct of the war.

For America will not tolerate a long, drawn-out war of attrition.

Hanoi is put on notice: Do not miscalculate our intentions. Do not underestimate our strength. Do not misread our resolve.

And so I say again, President Ho—the sooner you negotiate, the better for your people, the better for the people of South Vietnam, and the better for all of us.

Twentieth Century history proves America has been most generous and forgiving to nations in the aftermath of war. We have an unparalleled record of assisting both friend and former foe.

Our timely aid to Greece and Turkey; our Marshall Plan for war-ravaged Europe; our concern with the economic revival and democratic orientation of Japan and Germany, both our former enemies; our economic aid to developing countries all around the globe—these are evidences of a generous and noble people.

U.S. aid to nations abroad since World War II totals more than $120 billion. This is indisputable proof that we mean what we say when we promise to help build a better world of peace and progress.

Last September, in an address to a joint session of Congress, President Marcos of the Republic of the Philippines, paid tribute to America:

"Out of the bounty of your human and material resources, this great country has already given more generously to the common funds of human welfare than any other single nation in history.

"In the lifetime of this generation alone, America has contributed more to the security and well-being of the free world than could ever be repaid by its beneficiaries."

Why, President Ho, do you not agree to begin peace negotiations?

Some day, some time, some where, you and others involved in the Vietnam conflict must sit down at a conference table. The sooner both sides do this, the sooner the scourge of war can be banished from all Vietnam, North and South—the sooner the weapons of war can be replaced with the tools of peace—the sooner Southeast Asia can move forward toward progress and prosperity.

Other aggressors who miscalculated America's resolve were forced in the end to the conference table.

The Kaiser with his dreaded legions of Huns, his powerful Juggernauts and his U-boats, in the end had to negotiate.

Hitler and his Nazi chiefs, with their mighty Panzer divisions, their Messerschmidts, and devastating V–bombs, in the end, had to negotiate.

Even Japan with her kamikazes, her powerful naval fleet and millions of well-trained, devoted troops, in the end too, had to negotiate.

And when finally, the Kaiser and the Nazis and Japan came to negotiate, they came, not to bargain, but to surrender.

At this stage, we do not ask Hanoi to surrender. Negotiations would involve peace with honor for both sides, and peace with hope for economic cooperation in the postwar period.

We do not seek vengeance or retribution. We seek no territory, no domination, no control in Vietnam.

We seek only to restore peace, freedom, and security under honorable terms.

And so, to Hanoi, we say: Persevere we shall until honorable negotiations or victory.

My friends, the road to peace is difficult and hazardous.

But I am convinced that with perseverance, with unity, with hard work, with respect and good will, the American people will succeed.

More than a century ago, after our Nation was torn asunder by bloody civil war, a great man—a blessed peacemaker named Abraham Lincoln—counseled his countrymen to go, live in peace, and rebuild their war-shattered land.

"With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle, and for his widow and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

Thank you, good night, and Aloha.

HEADSTART AT WORLAND, WYO.

Mr. McGEE. Mr. President, schooltime is hard upon us, and across America in the next week or so many thousands of children will be beginning their formal education with a greater chance for real learning and ultimate success in life because of Headstart programs.

Mrs. S. H. Fehlberg of Worland, Wyo., who has been a teacher in her local Headstart program, points up the importance of the project in a letter which I should like to share with Senators. Not only have the enrolled children benefited, she says, but so have their parents and the volunteers who aided the project. Their classmates, too, stand to gain by having the opportunity to advance in their studies at a more rapid rate, since the teacher will not have to concentrate to uplifting a minority of her charges. In the end, the entire community benefits, says Mrs. Fehlberg.

I ask unanimous consent that Mrs. Fehlberg's letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

WORLAND, WYO.,
August 21, 1967.

Senator GALE McGEE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR McGEE: I would like to recommend that the Head Start programs be continued. I sincerely believe that the widespread good the program does far outweighs any expenditure needed to keep the program in progress. Dropping the program now would certainly be a step backwards in our fight to improve the sub-culture of poverty in our country.

I am speaking as a teacher of the Head Start program for eight months, as a former teacher in the public school system, as a volunteer social worker with the boys from the Wyoming State Industrial Institute, and as the wife of a teacher in the public school system.

The program was invaluable to the children who participated. They can, for the most part, start in the first grade with an *even start* with other children and thus will not be potential first grade drop-outs as has been the case with many brothers and sisters from the same families. They were not drop-outs because of low mentality but rather due to their lack of vocabulary, either no or a limited knowledge of the English language, iron deficiency, lack of experiences in everyday living which would provide stimuli for observation and question asking, a lack of understanding of how to cope with and adapt to their own environment, lack of social skills with their peers, and a lack of physical skills for their own age group. It was a real thrill to see the progress made in these areas by these deserving little Americans.

The program not only helped the children but also helped the parents who acquired an awareness of the value of education. They took on a new hope by the teachers visiting them not as officials but as friends (and we were being accepted as friends at the end of the program). They began to participate actively in the program as volunteers and, in many instances, began to assume roles of responsible community citizenship.

The aides went back to their sub-culture with a new perspective. They saw that many went on to college with very limited finances and that many had gained their college education by hard work and sacrifice. Thus they saw hope of higher education for their families. They took pride in attending classes in college for the in-service training and in socializing with the other workers.

The community has gained by having healthy attitudes planted in the many homes which were reached. All the first-graders in town will benefit as the first grade teachers can take the whole class forward at a more rapid pace by not having to spend time to bring these Head Start children up with the rest of the class. If these children have a happy, successful experience in the first grade they will be much less likely to become candidates for the Wyoming State Industrial School.

The Head Start program is not a cure-all, but it will surely go a long way in overcoming the many ills caused by poverty. The program will be far more effective if the eight months program can be started in the fall rather than the first of January. Therefore, I surely hope something can be done to get the grant through and the funds available to begin the program for this next year at least by the first of October.

Sincerely,

MARY TULLY FEHLBERG.

IVORY BILL WOODPECKER'S APPEARANCE IN BIG THICKET OF TEXAS; S. 4 PASSAGE NEEDED

Mr. YARBOROUGH. Mr. President, I was glad to note that the New York Times and Washington Post this Sunday had picked up the announcement of the discovery of the Ivory Bill Woodpecker's existence in Texas' Big Thicket. This has been exciting news for Texans, to whom the Ivory Bill has long been a subject of speculation and even of legend.

This discovery of a bird long feared extinct in the Big Thicket points up to the Nation the unique character of this area in Texas, which contains many rare and seldom-seen species of wildlife and vegetation. It becomes especially significant in view of the appearance last week of an article in the Kountze News of Hardin County, lying in the thicket area, which describes the kind of despoilation which is occurring in the area, as in this case of the Neches River flowing through the Big Thicket. The article written by Gordon Baxter pleads for an end of the emptying of wastes into the river, on economic grounds as well as those of public concern.

Time after time, pleas for its preservation have been made by the residents and the devoted visitors of this area, including in their number Justice William O. Douglas who made his plea in the recently published book, "Farewell to Texas." Yet the danger remains that the voluntary cooperation of the many landowners and timber owners of the area will not forever keep this valuable forest and its inhabitants from destruction. I have introduced S. 4, the Big Thicket National Park bill, to preserve the diminishing forests of the Big Thicket, which contain such disappearing species as the endangered Ivory Bill Woodpecker. I urge the passage of this bill which would save the natural growth and the inhabitants of the Big Thicket for future generations of Americans to enjoy, and to study.

Mr. President, I ask unanimous consent that the articles from the Sunday, August 27, New York Times, "Ivory-Billed Woodpecker, Feared Extinct, Sighted," and the Sunday, August 27, Washington Post, "'Ivory' Woodpecker Is Spotted in Texas," and the column from the Kountze, Tex., News, by Gordon Baxter, "They Have Ruined Our River," be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 27, 1967]

"IVORY" WOODPECKER IS SPOTTED IN TEXAS

Discovery of the ivory-billed woodpecker, considered extinct by most ornithologists, in the big thicket country of East Texas was announced yesterday by Interior Secretary Stewart L. Udall.

Reports of ivory-bills in five other states will be investigated, Udall said. The hunts will be concentrated along the Congaree River in South Carolina, the Apalachicola River in Florida, the Tombigbee River in Alabama and Mississippi and the Altamaha River in Georgia.

The ivory-bill is America's largest woodpecker, larger than a crow, with shiny black and white plummage, scarlet crest and long ivory bill.

Sighting in the big thicket area were traced down by John V. Dennis, an ornithologist working under contract for the Bureau of Sport Fisheries and Wildlife.

[From the New York Times, Aug 27, 1967]

IVORY-BILLED WOODPECKER, FEARED EXTINCT, SIGHTED

(By Robert H. Phelps)

WASHINGTON, Aug. 26.—Ivory-billed woodpeckers—spectacular red, white and black birds of the Southern swamplands that ornithologists had long feared extinct—have been found in Texas.

Three pairs of the 20-inch birds—as big as crows—have been sighted in the Neches River Valley in the Big Thicket country of eastern Texas by John V. Dennis of Leesburg, Va., America's leading expert on woodpeckers.

Mr. Dennis, who searched for the woodpeckers under a contract with the Interior Department, estimated on the basis of his study and reports from amateurs that there are five to 10 pairs of the birds in the Big Thicket.

The last previous confirmed sighting of an ivory bill, America's largest woodpecker, was of one bird on the Chipola River in Florida in 1950.

Since then there have been occasional reports of ivory bills, but ornithologists have dismissed the sightings as misidentifications of pileated woodpeckers, somewhat similar birds quite common in the woodlands.

Now, Mr. Dennis said, the reports of the amateur birdwatchers cannot be so easily brushed aside as "phony."

Secretary of the Interior Stewart L. Udall said that reports of ivory bill's survival would be investigated along the Congaree River in South Carolina, along the Apalachicola River in Florida, along the Tombigbee River in Alabama and Mississippi and along the Altamaha River in Georgia.

Mr. Dennis saw his first ivory bill in the Big Thicket early last December, about a week after his field study began. He was alone, walking through a cypress swamp, when he spotted the bird on a tree only 50 or 60 feet away.

Mr. Dennis was carrying his seven-power binoculars, so he had no difficulty in identifying the bird as an ivory bill, with its shiny black and white plumage and long ivory bill. Male birds wear a brilliant scarlet crest.

The Interior Department expressed the hope that curious persons would not try to find the ivory bill, and for that reason the exact spot of the sightings was not disclosed.

Mr. Dennis said, however, that the chance of an average person seeing the birds was "almost zero" even if he were given specific directions. The birds live in the deep swamp, he explained, are wary and are "nomadic—they don't stay put."

With all his expertise Mr. Dennis saw no nests. Nor did he take any pictures.

Mr. Dennis would not speculate on the possibility of preventing the ivory bill from becoming extinct. He said it would be a mistake to believe that there were fewer ivory bills than the approximately 40 whooping cranes known to exist.

SURVIVAL HOPES RAISED

One of Mr. Dennis' findings raised hopes that the ivory bill would survive. Ornithologists have long attributed the species' decline to the disappearance of hardwood forests, where the ivory bill fed on the larva of wood-boring beatles.

Mr. Dennis, however, discovered that the ivory bill also fed on insects in pine slashings, indicating that the bird might be adapting to the changed environment.

Harry Goodwin, chief of the office of endangered species of the Bureau of Sports Fisheries and Wildlife, has asked timberland owners in the Big Thicket to help preserve the ivory bill.

Although there has been a campaign to make the Big Thicket a national park, Mr. Goodwin said that he was not asking that the Government acquire the land.

Mr. Goodwin is, however, asking timberland owners to rotate their cuttings of pines so there always will be a supply of branches to feed on. The lumbermen are also being asked to leave pockets of cypress in deep swamp, which are uneconomical to cut anyway, and to leave some of the older trees standing in other areas for nesting.

In addition, Mr. Goodwin said, the East Texas Wildlife Federation has promised to patrol 100,000 acres it controls in the Big Thicket to prevent shooting of the ivory bills. Federal law provides for a maximum penalty of $500 in fine, 60 days in jail or both for injurying an ivory bill.

[From the Kountze (Tex.) News, Aug. 24, 1967]

THEY HAVE RUINED OUR RIVER

(By Gordon Baxter)

The river stinks, and the river is black, and the river is vile, and is polluted. The paper mill can furnish you with chemical evidence that the water it is discharging back into the river after using it in its plant is actually more pure than the river itself. There is absolutely nothing harmful in the water, nothing toxic.

This may be true. It may be chemically pure, but it is nasty for recreation and for families who go there to swim, to ski, to camp, and come home sick from the river. Where the fishermen used to spend their quiet hours there is the stench of chemically polluted waters and the white bellies of floating dead fish.

It is obvious that the paper mill, which has been known to furnish airplane transportation for successful political candidates, is callous about what they are doing to the river, and up to now they seem to be immune to any sort of action to make them stop what they are doing to the Neches river.

They also deny that they are harming the river.

So let me not accuse the paper mill, or attack them, for they've weathered many accusations and attacks in the past. They can wait out the periodic flurries of protests, pay minor fines, they have time, money and influence on their side; they can outlast any do-gooder.

So let me make a different kind of an appeal to those men who are responsible. I know these men to the responsible and decent fellows, intelligent plant managers, but they may be doing a reckless and irresponsible and permanently damaging thing to their community.

May I ask you to take a long, second, serious look at the damage you may be doing to the community of the people you are living with? Think back to the example of the big lumber companies a generation ago. They moved into the virgin forest of yellow pine and stripped it. Recklessly laid the countryside bare until one day they realized they had literally cut off their own sawmills at the roots. Then the lumber people took a reverse attitude about the resources they once despoiled. They are now the greatest advocates of reforestation and preventing forest fires. Now the lumber barons are doing the most to keep green the same lands that their forefathers laid bare with reckless cutting.

Now a day of reckoning is bound to come when the water users will be economically forced to take a responsible attitude toward the river and streams that they are ruining. That is what I now ask you to do, for I do not think anything else will move you.

In the name of every kid flashing by in the sun on water skis, in the name of every old gentleman spending his peaceful days fishing in the shade of a willow, of every family whose picnic you have driven from the banks, of every cell of your community life who respects and enjoys the magazines printed on your paper, please take up your obligation, spend the necessary money, to correct this ever increasing pollution of the streams.

Don't just read this and be aggravated with me, offer some new alibi, or hunt for some way to "get Baxter." I know you have outlasted all campaigns to stop the river pollution. I feel like a small neighborhood dog barking at the wheels of a big truck. I know, and the truck knows, that I wouldn't know what to do with it if I caught it. Think instead of the Boy Scouts, those clean kids who used to canoe from Dam B down to Beaumont each summer. This year they came out at the Evadale bridge on the Neches river. We all know why. And that's such a needless shame.

CRITICISM OF SENATE ACTION ON EXPORT-IMPORT BILL

Mr. McGEE. Mr. President, the Des Moines Tribune, in an editorial published on August 16, observed that action born of frustration is frequently senseless and self-defeating. The Iowa newspaper made this observation in commenting upon the Senate's recent amendments to the Export-Import Bank measure. The editorial is a criticism well pointed at our action. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MYOPIA ON TRADE

The U.S. Senate gave a classic demonstration of cutting off the nose to spite the face last week in its action on the bill to extend the life of the Export-Import Bank. The U.S. could lose millions—and, possibly billions—of dollars worth of trade as a result of restrictions written into the measure.

The Export-Import Bank provides loans and credit guarantees to promote trade with the U.S. Under one of the Senate-approved amendments, the Export-Import Bank would be barred from guaranteeing or participating in the extension of credit to any country "the government of which is furnishing goods or supplies" to North Vietnam. A separate amendment, aimed specifically at the proposal of the Fiat Co. to build an automobile plant in the Soviet Union, prohibits the bank from providing a $50 million credit for the planned purchase of U.S. machine tools for the project.

The amendment barring loans to countries trading with North Vietnam covers trade of any kind, including non-strategic materials. At least 20 free-world nations conducted some trade with North Vietnam last year, including Denmark, France, West Germany, Italy, Norway, Great Britain, Japan and India. This trade totalled only $12 million, much of it of non-military character.

The Senate amendment makes this minuscule trade with North Vietnam mandatory grounds for the Export-Import Bank to deny financing for the purchase of hundreds of millions of dollars of U.S. products by the 20 free-world countries involved. The amendment could also prevent the U.S. from extending credits to a number of Communist countries, even when such credits would advance this country's interests by encouraging independence from Moscow.

The amendment, introduced by Senator Harry Byrd, Jr., (Dem., Va.), is so vaguely worded no one is sure whether it applies only to countries where the government itself sells the product to North Vietnam or to countries having non-government trade with North Vietnam as well. Repeated efforts to get Byrd to explain his amendment showed he was as confused as other members of the Senate about its meaning.

There is no doubt, however, that the amendment aimed at the Fiat Co. project would effectively prevent the U.S. from participating in the Soviet auto deal. This would not mean the end of the plan to build the Soviet automobile factory. The Fiat Co. is expected to make its machine tool purchase elsewhere; Great Britain, France, West Germany and Japan are among countries that can supply the tools. The effect of the Senate amendment would be solely to deny U.S. business the chance to make a substantial sale abroad.

The Senate vote on the Export-Import Bank restrictions are a reflection of the frustrations growing out of the Vietnam war. Action born of frustration is frequently senseless and self-defeating, and the Senate action on the Export-Import Bank bill is a good example of this. The Administration already has ample discretionary authority to control credit to Communist countries to safeguard U.S. interests. It already has demonstrated the effectiveness of diplomatic pressure in cutting free-world trade to North Vietnam to a trickle.

The U.S. should be encouraging efforts of the Communist world to plow resources into peaceful development. As Defense Secretary Robert McNamara told a Senate committee, "I cannot imagine anything I would rather have Russia apply its resources to than the production of automobiles. . . . Initially the Russians will have several hundred millions of their own resources tied up in it, and, within five or ten years, they will have tied up several billion dollars, that is several billion dollars of Soviet resources that will not be facing us in military equipment some place in the world."

The House should refuse to go along with the Senate's irresponsible amendments to the Export-Import Bank bill that will do more harm to this country than to the Communist countries.

WHO IS WILFRED BURCHETT?

Mr. DODD. Mr. President, many American newspapers have in recent months published articles originating in North Vietnam by Australian journalist Wilfred Burchett.

Some newspapers have made it clear that Mr. Burchett represents a Communist viewpoint, that he is regular correspondent for the far-left weekly, the National Guardian, and that he is unwelcome in his native country.

Other newspapers, however, give their readers no information about Mr. Burchett, leading them to believe that he is, in fact, a reasonable and responsible reporter and commentator.

At last a detailed analysis of the career of Wilfred Burchett has been prepared by a man who has known him over a period of many years, a fellow Australian, and the distinguished correspondent for the Reporter magazine, Mr. Denis Warner.

In his article, Mr. Warner points out that Burchett was appointed by the Soviet Ambassador to Great Britain to open the London Intourist office in 1936 and that the Hungarian Government invited him as the single Western correspondent to cover the trial of Cardinal Mindszenty. Burchett, according to Warner, is "a clever, calculating Communist."

The article points out that:

> Stripped of his Australian passport by Canberra in 1955 and denied Australian citizenship for his three children by a second marriage—one born in Hanoi, one in Peking, and one in Moscow—Burchett is regarded by those responsible for Australian security as a Communist and a traitor who ought to stand trial for his role in the Korean War.

In 1953 the British Ministry of Defense accused Burchett of having "actively engaged in brainwashing procedures" in prisoner-of-war camps. Prisoners who had "confessed" to using bacteriological warfare subsequently named Burchett as one of their interrogators.

Burchett played an active role during the Korean war:

> Burchett was one of the first correspondents to report that the United States was using germ warfare in Korea. In his report of an interview with a North Korean soldier who had seen a long brown stream emerging from an American plane, Burchett wrote indignantly about the hideous epidemic the Americans had brought to North Korea. When it became apparent that there was no epidemic,

he joined with five other Communist newspapermen to issue a joint statement to the effect that there was no epidemic because of efficient Chinese and North Korean medical precautions.

In his article, Mr. Denis Warner further reports that:

> In 1953, the British Ministry of Defense accused Burchett of having "actively engaged in brain-washing procedures" in prisoner-of-war camps. Prisoners who had "confessed" to using bacteriological warfare subsequently named him as one of their interrogators. The "confessions", with their seeming documentation, were masterly jobs that could not be read without the lingering suspicion that there must have been something to them.

Americans should not be misled about conditions in Vietnam by dispatches in their hometown newspapers written by Wilfred Burchett. The news wire services and newspaper editors have a responsibility to clearly identify anything written by this man, and Denis Warner has performed an important service in making this material available.

I ask unanimous consent to have printed in the RECORD the text of the article entitled "Who Is Wilfred Burchett," which was published in the Reporter for June 1, 1966.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHO IS WILFRED BURCHETT?

(By Denis Warner)

MELBOURNE.—When General Douglas MacArthur's forces landed in Japan in August, 1945, most of the accompanying correspondents stuck close to Tokyo. But Wilfred Burchett, a thirty-four-year-old Australian, bypassed the peace-signing ceremonies and took a southbound train for the last real beat of the war. His dispatch, datelined Hiroshima and telephoned to a colleague waiting in Tokyo, was splashed across the front page of his newspaper, the London *Daily Express*, and won worldwide attention. It was not only the first report but also the best until John Hersey, many months later, produced the definitive account of what happened when the bomb went off.

Nearly twenty-two years later, Burchett again had a clear lead on all official and unofficial reporting on another matter of major world importance. Encouraged by reports from London this winter that Soviet Premier Alexei N. Kosygin wanted peace, Washington learned from Burchett's dispatches out of Hanoi that the Democratic Republic of Vietnam was interested in talks, but only after "the unconditional halt of the bombing and all warlike acts." Washington officials had difficulty reading the signals. "Burchett has had this capital on the hook for a month," one said at the time. "Can you believe the guy? Can you trust what he writes? Can he be of any use in this mess?"

His countrymen knew a good deal more about him. Stripped of his Australian passport by Canberra in 1955 and denied Australian citizenship for his three children by a second marriage—one born in Hanoi, one in Peking, and one in Moscow—Burchett is regarded by those responsible for Australian security as a Communist and a traitor who ought to stand trial for his role in the Korean War. But other Australian officials scoff at this. "Traitor? Communist? Rubbish!" said one Australian official to whom Washington sometimes turns for information and advice. "He's a woolly-minded idealist. He's too muddle-headed to be a Communist."

Which is the real Wilfred Burchett?

THE EARLY YEARS

He was born in Melbourne in 1911, the son of a Methodist lay preacher who enjoyed a minor reputation as a debater and lecturer and later as an active member of the world peace movement. According to one close friend of the family, "The father was a strong character and his own far-to-the-Left views had a tremendous impact on Wilfred."

The depression also helped. Although Burchett was a bright student with a gift for languages, his family's poverty caused him to leave high school before graduating. He drifted for some years from farm to farm as a seasonal laborer. Later, he worked as a truck driver, vacuum-cleaner salesman, vegetable grower and hawker, and carpenter.

By 1936 he had saved enough money to go to London, where a knowledge of some French got him a job with Thomas Cook & Sons, the travel agents. His interest in the languages and left-wing politics led him to the Linguists' Club and eventually into contact with Ivan Maisky, the Soviet ambassador, who selected him to open the London office of Intourist. At the Linguists' Club he also met his first wife, Erna Hamer, a Jewish refugee from Nazi Germany.

The Intourist office soon folded because of restrictions on tourist exchanges between the Soviet Union and England, and Burchett went to work for Palestine Orient Lloyd, an agency set up to rescue Jews from Germany. The Burchett family's unity and idealism became apparent at this time. In Australia, Burchett's father mobilized the members of a small discussion club he had formed in the village of Poowong in the state of Victoria. Poowong residents offered the refugees guarantees of employment on farms and in a butter factory, and Burchett's brothers worked on the Australian Immigration Department to grant visas.

Back in Australia before the outbreak of the Second World War, Burchett joined the official Australian news and information service. Then in 1940 he set off as a free-lance journalist for New Caledonia, a French colony a thousand miles off the coast of Australia, where the opposition forces had just overthrown the local Vichy régime. His coverage of this revolt helped to establish him as a journalist and to get him accreditation as a foreign correspondent in China. He joined the *Daily Express* in Chungking, Chiang Kai-shek's wartime capital.

When the Japanese invaded Burma early in 1942, Burchett was in the thick of the fighting. Stranded in Rangoon without transport, he accepted a ride in a jeep driven by a young (and now distinguished) British official. To make room for Burchett, the official tossed out some personal belongings, flour, and hard rations. Yet when Burchett subsequently wrote a book about the Burma campaign and the Japanese, he gave the English hell for looting and cowardice, and said that the official had been escaping in a jeep loaded with liquor and stolen goods. The official wanted to sue for libel, but the Foreign Office pressured him not to do so.

My own first meeting with Burchett took place in the Central Pacific. As the only non-American correspondents working in Admiral Chester Nimitz's command, we were often thrown together and even shared a cabin for some weeks before and during the Battle of the Philippine Sea.

Though thin almost to the point of emaciation and scarred by thirteen bullets, Burchett was a prodigious worker. He wrote not only for the *Express* but also for the Toronto *Star* and numerous other publications. He used to sit sweating over his typewriter in a pair of shorts while other correspondents played gin rummy.

He worked even harder on plans to get his stories on the wire. Instead of going ashore with the troops to cover the island invasions, he usually preferred to operate from an aircraft carrier. A dive-bomber man's eyewitness account that would arrive in London within a day or so of the beginning of a battle was worth ten stories filed from the beachhead and delivered two weeks later. He watched officer promotion lists with great care. The captain promoted to rear admiral and the colonel who advanced to general could be sure of a Burchett cable of congratulations. Such thoughtfulness paid off time and again in the speedy movement of his copy.

For a long time after the war our paths did not cross. Burchett worked for the *Daily Express* in Trieste, Greece, and Berlin and later for the London *Times* in Hungary and Bulgaria, after refusing (by his own unverifiable account) an appointment with the British Foreign Office. I stayed on in Asia.

Burchett has never been long out of the news, and he was back in it again with the trial of Cardinal Mindszenty in Budapest in 1949. He handled the report of the trial skillfully. By casting doubt on the nature of Hungarian justice, he established his objectivity in the minds of his readers and then proceeded to make the point that the Cardinal was guilty. In a letter, he said of his report: "It completely knocked out the rubbish about tortures, drugs and extracted confessions and showed the Cardinal for the miserable, intriguing, ambitious little man he was." Burchett's further view was that the American minister and his aides should have been put in the box along with Mindszenty.

One book written while he was in Eastern Europe, *Cold War in Germany*, was an entry for the 1951 Stalin Prize.

SPECIAL COVERAGE

The Korean War provided the next test of Burchett's allegiance to the Communist cause. By 1951, he and his second wife—a highly literate Bulgarian party member, Vessa Ossikowska—had settled in Communist China. Late that year, he appeared at the Korean front with the Chinese Liberation Army, this time as the correspondent for *L'Humanité* and *Ce Soir* of Paris and other Communist newspapers around the globe. Even so, many of Burchett's old friends felt he deserved the right of suspended judgment: if he was honest, it was conceivable that his work could help to remove misunderstandings in Asia.

What, then, did he have to say? On December 5, 1951, he had General James Van Fleet "rubbing his blood-stained hands together" in Korea. On December 28, 1951, he reported on the "extraordinary antics of the Americans ranging from colossal bungling to criminal negligence sparked by master race arrogance." On January 17, 1952, he accused the United States of cynically bombing one of the prisoner-of-war camps in North Korea. Next day he reported that the attack was aimed "not, so much to destroy the hamlet containing the camp but to restart the war."

Burchett was one of the first correspondents to report that the United States was using germ warfare in Korea. In his report, an interview with a North Korean soldier who had seen a long brown stream emerging from an American plane, Burchette wrote indignantly about the hideous epidemic the Americans had brought to North Korea. When it became apparent that there was no epidemic, he joined with five other Communist newspapermen to issue a joint statement to the effect that there was no epidemic because of efficient Chinese and North Korean medical precautions.

Early in 1952, Burchett turned his attention seriously to the Communist prison camps and their inmates. The first of a series of reports began: "This camp looks like a holiday resort in Switzerland. The atmosphere is also nearer that of a luxury holiday resort than a P.O.W. camp." The British "loved" their conditions, but among the Americans there were a lot of frightened men. "They are not frightened of Koreans or Chinese. They are frightened of their own government and what is in store for them after their release." There was a reason, he wrote, for serious doubt whether the U.S. authorities were interested in having their prisoners of war back. "It seems they even fear to have them back. . . . They may be a source of 'infection.' It has been made plain that this applies to all prisoners-of-war, including General [William] Dean," the 24th Division commander who was captured at Taejon.

Dean himself has some affectionate memories of Burchett. After Burchett visited him, bringing a bottle of gin, the general's treatment in the prison improved greatly. Burchett also gave him the first real news of the war he had heard since his capture—and it was news, not propaganda. "He didn't try to brainwash me, unless you can say that giving me Stalin Prize novels to read is a form of brainwashing," Dean told me in San Francisco recently. Other prisoners had very different experiences. Corporal George Smith of Florida said Burchett stood outside a prison camp and shouted insults at hungry Americans.

In 1953, the British Ministry of Defence accused Burchett of having "actively engaged in brainwashing procedures" in prisoner-of-war camps. Prisoners who had "confessed" to using bacteriological warfare subsequently named him as one of their interrogators. The "confessions," with their seeming documentation, were masterly jobs that could not be read without the lingering suspicion that there must have been something to them.

A team of Australian investigators subsequently obtained affidavits from prisoners who had been interrogated by Burchett. But whether they would hold up to justify a charge of treason against Burchett in a court of law is doubtful. Australia was not involved in an old-fashioned "declared" war in Korea. And although the Menzies government subsequently revised the Crimes Act with the Burchett case in mind, it seems improbable that he has committed any acts since then that could send him to prison.

Whatever success Burchett's propaganda had among the Americans, he himself seemed to have been taken in by it. Ian Stewart, now writing for the New York *Times* in Hong Kong and at that time working for Reuters, was with Burchett at Panmunjom on the day the interrogation of Chinese prisoners began. "Now you'll see," Burchett told him. "Now you'll see what a load of propaganda the Americans have been feeding everybody." Stewart asked him if he meant that all the Chinese would ask for repatriation. "Of course," Burchett replied. The Americans had lied when they claimed that these prisoners had refused to be repatriated.

The prisoners were given a choice of two exits from the interviewing room. One led to North Korea and China, the other to South Korea and Taiwan. As soon as the first prisoner heard his choice, he headed for the exit leading to South Korea and had to be brought back to listen to the appeal of the Peking representative. He listened impassively to a long harangue about the great welcome awaiting the returning warriors and subtle insinuations that he was endangering his family by refusing repatriation. Then he calmly walked out—to South Korea. The second prisoner refused repatriation. And the third. And the fourth. Some cursed the Communist representative. One spat in his face. Only ten of the five hundred interviewed that day accepted repatriation. Stewart turned to see how Burchett was reacting to the scene and found that he had quietly slipped out. He never saw him again.

In Peking Burchett wrote a five-act play, three books on Korea, and a book on China. The titles are a fair guide to the contents—*Plain Perfidy, This Monstrous War, The Changing Tide,* and *China's Feet Unbound.*

THE HAZARDS OF TRAVEL

Foreign correspondents covering the Asian beat found that Burchett was more than just another old colleague now working on the other side of the fence. Burchett sat in judgment for the Chinese Foreign Office when it came to visa applications from correspondents. Friendships unbroken by his performance in prisoner-of-war interrogations and the germ-warfare campaign nonsense were rewarded with the chance to see the new China, with the help of conducting officer Burchett.

He transferred his activities to the Indo-China area in 1954 and began to perform a similar function for the Vietminh. An Indian correspondent visiting Peking just before the battle of Dien Bien Phu wanted to see the Vietminh in action. Ho Chi Minh's representative in Peking referred him to Burchett. "We're putting on a big show there," said Burchett. "I'd like you to go, but I just couldn't recommend that an outsider should see things at the moment." The rebuffed Indian subsequently got a visa from the French and turned up in Hanoi just before the end of the Indo-China War.

When Ho established himself in Hanoi, Burchett moved there. A visit to North Vietnam by Tillman Durdin of the New York *Times* in 1955 was one of Burchett's propaganda failures. Durdin did not care for what he saw and said so.

While there were rewards for continued friendship with Burchett, there were also penalties for criticism. As long ago as 1953, during the Panmunjom talks, I received a message from him to the effect that an article I had written about his activities had been filed for future reference and future action. Thereafter my repeated efforts to visit China were not simply rebuffed by Peking; they were ignored.

In 1965 I was still encountering the same roadblock. Just after the U.S. bombing of North Vietnam had begun, the North Vietnamese embassy in Laos reacted favorably to my suggestion that I should visit the bombed areas. My application was forwarded together with a recommendation from the North Vietnamese ambassador and I was asked to stand by. Two days later an urgent call took me back to the consulate. Did I by any chance know an Australian journalist named Wilfred Burchett? "Of course." The consul beamed. "Then there will be no trouble about your visa," he said. "Hanoi has referred your application to Mr. Burchett." It is perhaps unnecessary to add that the visa was not forthcoming.

My last encounter with Burchett took place in 1955, when we found ourselves standing together at the opening of the Afro-Asian Conference in Bandung. Burchett, then using a British passport, traveled aboard a short-range twin-engine North Vietnamese aircraft that touched down at Rangoon, Penang, and Singapore. Afraid that he would be arrested, Burchett refused to leave the plane when it refueled in Singapore, thereby directing attention to interesting possibilities for the return journey. The decision was made to arrest him when he reached Singapore. But one of the handful of people privy to the plan warned him against returning to Hanoi by way of either Singapore or Hong Kong, and his aircraft proceeded to Rangoon after refueling at Medan in northern Sumatra.

Although interested agencies appear at a loss to understand how it happened, Burchett's British passport disappeared at this time. On instructions from Canberra, it has not been replaced and today he travels on North Vietnamese papers.

While in Hanoi, Burchett completed two more books. About 1956, he moved to Moscow, where he became a resident correspondent of the *Daily Express* and a contributor to the *Financial Times* and non-Communist newspapers in Australia. He also began an association with the Moscow publication *New Times,* which is now defunct.

IMPROVING THE PRODUCT

In 1962 the Vietnam war took Burchett back first to Hanoi and subsequently to Phnom Penh, where his clients have included the Associated Press. Although he has grown old and heavy and suffers badly from rheumatoid arthritis, he is still a most remarkable operator. He is not merely the trusted confidant of the Hanoi regime and the National Liberation Front but also of Prince Norodom Sihanouk, some of whose speeches he is reported to have ghosted. While he goes off on his own forays into Vietcong areas in South Vietnam, he has also from time to time arranged for western correspondents to visit Cambodian border areas—for the specific purpose of establishing that there are no Vietcong there. As usual, correspondents on Burchett's black list do not often find their way to Phnom-Penh.

His books about life with the Vietcong are heavy on propaganda but are interesting nevertheless. One seemingly improbable account of a week he claimed to have spent in Gia Dinh Province immediately outside Saigon was subsequently confirmed in detail by a senior Vietcong defector. His still and moving pictures taken in the field with the Vietcong sell at high prices in many countries, including the United States; CBS bought one of his early and not highly professional films. To improve the quality of his wares, he hired a French professional photographer, Roger Pic, whose two-hour film purporting to show U.S. soldiers torturing Vietnamese prisoners was one feature of Bertrand Russell's recent "war-crimes tribunal" in Stockholm. Early in May Burchett was on his way to Paris, by way of Peking and North Korea, to edit his most recent footage.

His newspaper articles have become more sophisticated and more professional than they were sixteen years ago when he had General Van Fleet wringing blood-stained hands. But essentially he remains the propagandist, an invaluable channel of communication from the National Liberation Front and Hanoi into the columns of newspapers in countries throughout the world. According to Burchett, he accompanied Harrison Salisbury of the New York *Times* on a Christmas Day tour of bombed towns around Hanoi which Salisbury described in his controversial dispatches without mentioning Burchett. The *Times* has published several Burchett dispatches since the Associated Press began distributing some of them in 1964. As recently as last fall the *Times* identified him simply as "an Australian newspaperman" or "leftist newsman." At other times it has followed the Associated Press usage, appending the information that Burchett has "close connections with Communists," or is "Communist-oriented." Other papers, including the Washington *Post* and the *Christian Science Monitor,* call him "an Australian Communist" writer.

What motivates Burchett? Despite the occassional inconsistency of word and action, the answer is not hard to discern. The idea that the Soviet ambassador would have appointed him to open the London Intourist office in 1936 just because he liked his looks is as absurd as the proposition that the Hungarian government invited him to cover the Mindszenty trial because he happened to be the most objective correspondent in Europe. He could be friends with the British official who rescued him from Rangoon and then denounce him because this was what was required by his calling. Far from being muddle-headed, Burchett is a clever, calculating Communist. He has probably been embarrassed by the Sino-Soviet rift, for he has friends on both sides.

Through the years, he has persisted in his efforts to return to Australia. At one period, he was a welcome visitor at the Australian embassy in Moscow, but his pleas for a passport, the registration of his children as Australian citizens, and an assurance of immunity from prosecution did not move the government in Canberra. When Harold Holt, the Australian Prime Minister, visited Cambodia in April, Burchett sent him a letter repeating his requests. His case is under review.

THE F-111B

Mr. TOWER. Mr. President, I have received from Deputy Secretary of Defense Nitze a letter clarifying his views on the suitability of the F-111B aircraft. Since this applies to matters discussed in the Senate and published in the August 22 and 23 issues of the RECORD, I ask unanimous consent that the Secretary's letter to me be printed in the RECORD for the information of all Members of the Senate.

Because some other recent remarks in the Senate have involved thoughts about the views of the pilots actually flying the F-111, I ask unanimous consent that there also be printed in the RECORD an article published in the Fort Worth Star-Telegram of August 15, quoting at length the words of such pilots and revealing clearly, I think, their enthusiasm for the aircraft's combat potential.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., August 25, 1967.

Hon. JOHN G. TOWER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TOWER: This is in response to your request for my views on whether the F-111B is suitable for service use. The early planes #1, #2, #3 and #5 have not been found by Navy test pilots to be suitable for service use. However, the improved version, beginning with F-111B #8, production of which is now going forward, will in my best judgment and the best judgment of those who advise me be suitable for service use. Of course, until F-111B #8 has in fact flown this cannot be demonstrated, but I hasten to point out that this opinion is based on a substantial number of flight test hours by the R&D aircraft. R&D aircraft have been shown to have shortcomings, but full remedial actions are being taken. I know of no defect which would render the plane unfit for service use that should not be satisfactorily corrected beginning with F-111B #8 scheduled for delivery in November 1968.

I have seen your and Senator McClellan's exchange in the Congressional Record for 22 August 1967. The confusion in the record appears to arise from a misunderstanding as to whether "presently" refers to planes presently flying or presently being produced.

Sincerely,

PAUL H. NITZE.

SUPERBIRD GOING TO WAR SOON—AF PILOTS EAGER TO TEST F111 IN BATTLE

(By Jerry Flemmons)

NELLIS AIR FORCE BASE, NEV.—The F111 is a super battle bird, the greatest thing with wings since angels.

It is the "Cadillac of the Air."

It flies high and low, fast and slow, throws a power punch tougher than five World War II heavy bombers and sniffs out targets like a thirsty vampire.

The F111 and its internal organs are a "radical effective departure" from any contemporary aircraft. The supersonic plane is "the shape of things to come."

Air Force pilots—who should have been asked earlier—are saying these things about the Fort Worth-built F111. They like the plane. It exceeds expectations, they agree.

All of which causes one to ponder the last five exhausting, often infuriating, years in which the swing-wing aircraft was treated like a sweatshop orphan, flogged with angry words and pushed around like a shuffleboard puck from political whim to political fancy.

The doers, pilots who will use the plane, have the F111 here, hardly a silver dollar's throw from Las Vegas' gaudy neon-nylon gambling and entertainment strip.

In the words of one pilot, the F111 is "having its legs flown off."

"We're flying in the morning, flying in the afternoon and sitting in the cockpit when its on the ground. We want to learn about this aircraft," he added.

Nellis Air Force Base is a Tactical Air Command headquarters, home of TAC Command Center—"Central authoritative agency for deployment of fighters worldwide." It is the only such center in the continental United States.

The base's principal runway stretches north and south before a bare, red-clay mountain. Fronting the runway is a wooden-building, out of which operates the 4520th Combat Crew Training Unit.

Presently the unit incorporates the capabilities of about 20 students and seven instructor pilots.

This is Harvest Reaper.

The code name, or project designation, will carry the F111 to war, which means Vietnam since Vietnam is the only war the United States has at the moment.

"Of course, it will be used in Southeast Asia," one 4520th member said. "You don't build a $5 million aircraft to fly over the Nevada desert."

Harvest Reaper, however, officially is a closed subject. Ask, and the reactions are uniformly similar. Officers assume a bland military expression, toe the ground in abstract gesture.

Eyes turn to the blue Nevada sky or to the reptilian-backed scraggy mountains which ring the Las Vegas basin. The officer searches for the right words. Eventually, he finds them: "No comment."

"No comment" is a fine, standardized, all-purpose retort full of security preservation and non-information. Military officialdom is no-commenting itself into hoarseness.

What it means, though, is that the F111 is going to war. Soon. Probably within six months.

One clue to the Air Force's anxiety to place the new aircraft in battle is the fact that the pilot training program was scheduled to begin in September when first production models of the F111A—Air Force version of the plane—emerge from General Dynamics-Forth Worth.

Instead, pilots began the familiarization procedure last month, leaving General Dynamics to rush through replacement parts and ground support equipment.

When plane No. 31—the first assembly line model—is delivered to Nellis in September, Harvest Reaper will become the 4480th Tactical Fighter Wing, a 250-man unit whose ultimate strength will be as many as 72 F111's.

And, by Jan. 1, 1968, or thereabouts, the F111 will be flying in Vietnam.

The first F111 arrived here July 17, without prior public announcement or fanfare. Still, word moved around the base that the already-famous plane was due in. Children, wives and off-duty airmen swarmed to the field to see the aircraft.

"It wasn't an arrival, it was a welcoming."

That was George Davis, a General Dynamics-Fort Worth executive, speaking. He and a GD crew are watching the training with a cautious eye.

Davis, who shoulders the heavy title of executive assistant to the vice president in charge of the General Dynamics F-111 program, admits his company is maintaining a special vigil over the swing-wing aircraft ("closer than normal"), presumably because of the controversy that still rages around the plane.

Davis, a test pilot for 12 years, has flown his pet plane and knows the project from blueprint to finished product.

"The F111 is a highly versatile plane—this is an overworked word—but it really is readily adaptable," he said. "It has a good fuel and good load capacity, high speed, good systems, can navigate well plus deliver a heavy weapons load.

"One F111 can put more bombs on target than any other contemporary airplane," he added.

The F111 is a needle-nosed, crew-of-two with cockpit-loaded mysterious black boxes capable of directing the fighter anywhere in the world in one day, carrying nuclear or conventional weapons.

Its terrain radar scanning devices and automatic pilot capabilities lock in on any target in any kind of weather. Sweptback wings ("Like the ears of a racing greyhound") allow speeds up to Mach 2.5—about 1,750 miles per hour.

The Air Force doesn't think of it as an airplane: It is a weapon system.

The Department of Defense has ordered 493 of the planes, 331 of which are for TAC. Remainder will go to the Navy, Strategic Air Command, the Royal Australian Air Force and the British Royal Air Force.

Pilots are undergoing the transition from conventional jet to the super F111. ("We take off and land and fly in between.") Here, there is no bombing—yet—nor is there an attempt to reach the maximum flight speed.

TAC pilots work within a "tight envelope" of the plane's capability. Still, they test and suggest improvements within the restrictions imposed upon them.

What they think is important, perhaps more so than the political and high brass faction which has warred over the F111 since its conception—five years ago.

Capt. John D. Phillips is an experienced pilot. He first flew the F111 at Edwards Air Force Base in California, later came to Fort Worth to continue training. He was one of four pilots who flew two F111's to Paris in June for an air show.

"The weapons system is the most advanced I have ever seen," he says. "Unbelievable."

"It is far advanced over anything else we have got. It is no longer necessary for a pilot even to see the terrain or the target. He can make a hit by using the terrain following radar.

"This (the F111) is the forerunner of all other aircraft to come," he added.

Gen. R. G. Taylor is commander of the USAF Tactical Weapon Center. He has flown the F111. "It's a great airplane, a smooth airplane," he claims.

He particularly likes the plane's slow approach speeds and landing techniques.

Col. James. E. P. Randall, an 18-year Air Force veteran, is director of operations for the F111 project. He flew P51s in Korea and the F105 in Vietnam. He has 109½ hours in the F111.

"It is an easy airplane, a smooth airplane. The plane is more than I expected, particularly the radar systems. The radar systems exceeded all expectations," he said.

The auto-pilot-radar-scanning system is a little unnerving at first, he said. "Its hard enough for a pilot to trust himself to fly a plane, let alone a little black box."

Col. Charles Reed, director of the F111 project at Nellis, called the plane "real new and different, a complete challenge to pilots."

Capt. John Shatz, the project maintenance officer, praised the plane's easy maintenance capabilities. "It is engineered and designed well. Maintenance was well thought out. The craft is easier to work with than the F105. Everything on the F111 is tailored to fit."

Col. Bobby Mead is the wing commander. He is a Vietnam combat veteran.

"It's easy to fly," he says.

"There are a lot of gauges which make it look hard but the gauges are easy to go through and control. A pilot can go in blind and still do a good job, good or bad weather. "One of the biggest problems is to get used to that guy in the seat next to you."

(The F111 has lateral seating with the aircraft commander on the left; the second man is navigator, systems operator and back-up pilot.)

For those who will fly it in battle, this is the picture of the F111.

The super battle bird is going to war, to put the claims of its maker and its fliers to the ultimate test, despite the no-commenting of officials.

Painted a natty two-tone green and tan camouflage, packed with computerized innards and holding the confidence of the men who will fly it, the F111 is going to war.

That's war by Jan. 1, 1968.

Happy New Year, F111.

RURAL JOB DEVELOPMENT

Mr. HARRIS. Mr. President, the distinguished Senator from Kansas [Mr. PEARSON] and I, jointly, together with some 23 other Members of the Senate, introduced on July 21, 1967, S. 2134, the Rural Job Development Act of 1967.

As we pointed out then, 43 percent of America's poor live in the rural areas and small towns of our country. As elsewhere, the twin needs are new private jobs and the training to do the jobs. S. 2134, through tax incentives to private industries, would provide both. But, more than that, it would also seek to slow down the rural-to-urban shift of people from the rural areas and small towns to the larger cities, where their problems are often infinitely greater.

Until recently, it was not quite respectable to discuss the possibility of slowing down or halting the rural-to-urban shift; this movement of more and more of our population into less and less space was thought by many to be inevitable. The sponsors of S. 2134 do not think it is inevitable, and they feel it is high time we attack this problem head-on.

Since the introduction of S. 2134, I have been much pleased to note the increasing number of voices being heard in support of the general principles involved in that bill. On Sunday, August 27, 1967, the Washington Post published an excellent editorial on this general subject, entitled "Urban-Rural Imbalance."

On the same day the New York Times carried an advertisement by the National Rural Electric Cooperative Association, headed "Crisis in Our Cities; What Rural America Can Do About It." Both the editorial and the advertisement make the same arguments for action in helping rural areas that Senator PEARSON and I made when we introduced S. 2134. Both, also, quite rightly, call attention to the good influence in this direction being exerted by Secretary of Agriculture Orville L. Freeman.

Mr. President, I ask unanimous consent that the editorial and the advertisement be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

URBAN-RURAL IMBALANCE

Both the major parties are now seeking a better balance between urban and rural poplation. Last week the Republican Coordinating Committee, composed of the top leaders of the GOP, came out for a five-point effort to revitalize rural areas. Its statement follows a very similar warning by Secretary of Agriculture Freeman that the rush of people into overcrowded central cities is creating a grave imbalance.

The main burden of the Republican complaint is that little has been done to create job opportunties, in the rural areas, for people who have been displaced by the agricultural revolution. Two decades ago 18 percent of our people were required to produce food and fiber. Now the same tasks are performed by 6 percent of the population, and most of the workers no longer useful on the farm have flocked into big cities where some of them are very poorly prepared to cope with the problems of urban life.

The cost of this brain and brawn drain from the countryside is enormous. Most of the migrants leave in their teens and early twenties, at the beginning of their productive years, after heavy investments have been made in their upbringing and education. Don Paarlberg, chairman of the Coordinating Committee's Task Force on Job Opportunities, estimates that "this human investment is a contribution from the rural areas that runs about $12 billion a year, several times the total of all subsidies to agriculture."

Rural America is in no position to make such a contribution to the economic prosperity of the remainder of the country. The disadvantaged position of the rural areas stands out in every test that is made. The President's manpower report of 1967 shows a farm unemployment rate last year of 6.5 per cent compared to the 3.4 per cent urban rate. The farm population has 33.1 per cent of its families below the poverty level compared to 14.4 for urban families. Schooling for farm youths averaged 8.7 years compared to 12.2 years in the cities. These figures doubtless explain a very large part of the "urban crush" which has created such grave problems for the big cities.

No progress toward righting the urban-rural imbalance can be expected until these inequalities are corrected. Families who wish to live in the country should at least have job opportunities, health and education services and some of the amenities of life that are available to urban residents. Nothing can be said for policies which tend to drive people into congested and smogbound ghettos for want of equal public services and economic opportunities in a more congenial environment.

The GOP policy-makers call for more educational aid, vocational training, economic incentives for the establishment of rural industries and the channeling of defense and supply contracts into such areas when feasible. One specific recommendation is aimed at great expansion of the Economic Development Administration which seeks to utilize local resources and provide part- or full-time employment in rural communities. Another aim is to give rural workers employment services equal to those provided in the cities.

Much remains to be done by way of shaping programs and policies, but the objective is highly commendable. The forecast that 80 per cent of our people will live in "five super strip-cities" by the year 2000 is frightening to everyone concerned. Reversal of that trend has become one of our urgent national necessities.

CRISIS IN OUR CITIES: WHAT RURAL AMERICA CAN DO ABOUT IT

Since its early days, our nation has periodically faced a crisis in its cities.

And, since the early days, the root cause has been the same . . . people flocking to the cities in search of something better . . . people leaving areas of little opportunity in search of fulfillment for themselves and their children.

In earlier times, the people came from overseas. Nearly all of them came from the land which no longer provided them with a living.

Today the people who fill our cities in search of a better life . . . nearly 600,000 of them a year . . . come from our own countryside, nearly all of them from the land which no longer offers them a living.

The fact is, as Secretary of Agriculture Orville L. Freeman and other informed government officials have noted, that 70% of our nation's population is crowded into one percent of our land . . . many of them crowded into space covered by brick and mortar and macadam, over-laden with smog-filled air . . . treeless, flowerless, hopeless.

They are the victims of a quiet revolution in agriculture which no longer needs the labor of large numbers of human beings to produce the vast quantities of food and fiber we provide for the world. They are today's landless immigrants who formed our city ghettoes and slums of generations past.

The people of rural America, and America's rural electrics, believe this view of the past and of the present contains the seeds of our future . . . a brighter, more productive future for the people of the cities and the people in the rural areas.

We believe it is time we use one of our nations' greatest assets . . . our uncrowded countryside . . . to help solve the problem which concerns us all.

Rural America boasts more than space. It has fresh air and sun and sky and water. It has room for kids to run barefoot through grass covered with early morning dew, hills covered with clean snow for sleds and skis, fields for people and dogs to romp in.

And it has more.

In the towns and villages of rural America there are uncrowded streets and sidewalks. There is electric power and transportation. There are good roads to bring the products of hard-working people to the great market places.

What rural America lacks are job opportunities. Of the nearly 14 million new jobs created in our country in the past 15 years, few were created in rural areas. Yet polls say half our population would like to live and work in rural areas.

We believe that unless we bend our efforts to the development of rural America, we will fail to solve the problems of our cities. Unless we stem the tide of migration from the country to the city that puts more and more people into less and less space, we will have ignored our greatest asset in meeting one of our gravest problems.

We must start now to develop job opportunities, adequate hospitals and medical facilities, better schools and theaters and libraries, better water and sewer systems, and improved public services and facilities for industry in our rural areas. With them, rural America *can* meet the job hunger of its own people. It *can* provide the space and living room city people so desperately seek.

The nation's rural electrics view with optimism the efforts of our nation's leaders to restore the balance between rural and urban America. We pledge our support and the continuation of our unstinting effort. We invite the participation and cooperation of all people concerned about the future of our country, regardless of where they live.

There is, after all, only one nation, and we are all part of it.

FIREARMS CONTROL: A TOOTHLESS PLACEBO OR AN EFFECTIVE LAW?

Mr. DODD. Mr. President, it is not enough to pass legislation merely to quiet the fears of an aroused citizenry. It is the duty of lawmakers to enact legislation that accomplishes its stated purpose and is capable of enforcement.

To the credit of public news media, several journalists have discerned the chasm between what has been called a toothless placebo and a strong, effective firearms control bill.

The commerce across State lines in rifles and shotguns should be as carefully regulated as that in concealable weapons if firearms control is to be just that—control of all firearms which can terrorize cities from a sniper's rooftop hideout or from a criminal's arm's length.

I offer for thoughtful study by the Members of the Senate some of these articles which have appeared recently in a number of the major newspapers of our Nation's cities. They express succinctly the growing need for enlightened legislation to cut off at the source one of the greatest dangers to the safety of our cities' citizens. They call for passage of strict Federal controls on interstate firearms traffic which will assist the cities and States to enforce their own statutes and ordinances.

Mr. President, I ask unanimous consent that the articles published in the Sacramento Bee, the Chicago Daily News, the New York Post, and the Philadelphia Inquirer, be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Sacramento Bee, July 28, 1967]

Riots Demand Passage of Gun-Curb Legislation

One must wonder if the National Rifle Association, which has successfully blocked all meaningful federal legislation to control the sale of firearms, wants to defend the sale of rifles to the snipers in the torrent of racial riots.

In cleanups of some riot-torn areas the authorities have found arsenals of weapons of every description.

The association may argue it finally is backing a limited arms-control bill. But the bill it favors is a device to head off really effective gun-control legislation.

Undoubtedly some of the snipers came by their weapons clandestinely. No legislation could have halted that. But many of the weapons that killed or wounded innocent citizens, policemen and firemen probably were obtained as easily as a pumpernickel sandwich in a delicatessen store.

Half measures are not enough. Congress may be tempted merely to outlaw certain kinds of weapons shipped in interstate commerce. Yet this would dodge the real problem. The law should require a waiting period on every gun sale so that the authorities could check on the character and record of the applicant.

Those who plan only proper use of guns will be subject to no real inconvenience. Those planning an improper use of firearms should be ferreted out and denied permits for guns.

Such requirements could not be 100 per cent effective. But they could be obstacles in the path of those with criminal intent and a basis for effective punitive action against those who use guns illegally.

In the case of riots such a law would have a very special value.

The nation is paying a far too great a price for the unrestricted sale of firearms. Nor can it be argued intelligently that the riots make it more desirable for peace-loving citizens to obtain guns for self-defense. Stopping riots is the job of the authorities. Untrained civilians, panicked by fear of a riot, easily could precipitate one.

The conservative Time magazine put second on its corrective steps to stop riots the need for legislation to end the "dangerous, unfettered sale of firearms."

[From the Chicago Daily News, Aug. 1, 1967]

New Jersey Shows Stiff Gun Law's Need

(By William McGaffin)

Washington.—New Jersey's experience should be an object lesson to those members of Congress who remain indifferent to the pressing need for a strong, federal gun-control law.

For the last 11 months, New Jersey has had a law making it more difficult for unqualified persons to buy firearms legally in the state. To obtain the official approval necessary for a purchase, the gun customer must submit to fingerprinting. This has resulted in nearly 800 persons being refused permits, many of them with records of criminal arrest.

The law, however, has been easily circumvented. Some customers simply get their firearms through the mails. This is illegal for a New Jersey resident unless he first obtains a permit. But the state has found it virtually impossible to detect such illegal purchases.

Other residents travel to a dealer in one of the neighboring states that take an indulgent view of the gun traffic, and smuggle the illegal weapon into New Jersey when they return. New Jersey gun dealers located close to the borders report that sales of rifles and shotguns have dropped off sharply. Dealers across the borders acknowledge a sharp increase in sales.

These facts are contained in an impressive argument for a tough federal law that New Jersey Atty. Gen. Arthur J. Sills sent to Sen. Edward M. Kennedy (D-Mass.). The senator, an aggressive backer of the administration bill to ban the mail-order sales of handguns and long guns, hopes this letter may wake up the Senate to the dangers of the present situation.

"The devastation wreaked upon the city of Newark in recent days is conclusive testimony to the ineffectiveness of our law in preventing the importation of firearms into New Jersey by persons with criminal intent," Sills wrote. "We know that many of the weapons used by snipers and rioters during these catastrophic days could not have been purchased legally in New Jersey."

A rival bill, introduced by Sen. Roman Hruska (R-Nebr.) and backed by the National Rifle Assn. (NRA), would limit only the interstate traffic in handguns. The weakness of this bill was pointed up by Sills, who commented that it is not handguns but rifles and shotguns that have been the primary weapons in Newark and elsewhere "of those who perpetrate and feed the flames of mass disorder."

The NRA has a record in the current debate over gun controls that is nothing to be proud of. It has irresponsibly suggested, as Sills recalled, that Americans "should arm themselves for self-defense in case of racial violence."

During the Newark riots, he disclosed, six rifles (one equipped with a telescopic sight) were found along with shotguns and ammunition in a car belonging to a member of the NRA.

One of Sills' major fears is the "spiraling effect of citizen armament" if Congress continues to dally over passage of a meaningful law.

[From the New York Post, Aug. 2, 1967]

The Gun Business

A survey of local sporting goods stores by the Associated Press has turned up what seems to be something of an arms race on rifles and shotguns since last month's outbreak of rioting in Newark. The implications for this city are, to put it mildly, explosive.

Several stores have voluntarily taken the responsible step of withdrawing guns from window displays and sale. But the brisk trade continues at others, as, of course, it does across the nation both over-the-counter and through the mail.

Congress' hangfire performance on gun-control legislation has been a disgrace for years. How can it continue to temporize in the face of so grim a warning as the events of this summer present?

[From the Philadelphia Inquirer, Aug. 3, 1967]

Weapons Control and Riot Prevention

Outbreaks of civil disorder in American cities have focused urgent attention on inadequacies of existing laws—local, State and Federal—relative to the possession, transportation and sale of firearms and other deadly weapons.

A number of proposals are to be presented to the Philadelphia City Council Thursday that deserve early consideration. They include tighter restrictions on the storage of dynamite at construction sites, a ban on the manufacture or possession of so-called Molotov cocktails and other types of firebombs, stronger and clearer regulations on carrying unconcealed as well as concealed weapons, and more effective security measures in stores selling firearms, to make make it more difficult to steal them.

Although there may be legitimate grounds for controversy over some of the detailed provisions suggested by proponents of these ordinances, there ought to be no doubts about the desirability of enacting such laws to assist police in their efforts to maintain order and quell disorder. Police Commissioner Rizzo and District Attorney Specter both are seeking new legislation, and with good reason. When it comes to arresting and prosecuting persons on weapons charges, law-enforcement authorities need to have the backing of statutes that will stand up in court.

A CALL FOR ACTION BY FORMER COMMANDER McKNEALLY

Mr. MUNDT. Mr. President, last month, in Buffalo, N.Y., the forthright former national commander of the American Legion, Martin B. McKneally, delivered a remarkable address before the American Legion Department Convention of New York State. In it, he called upon America's veterans to face up to America's problems at home as courageously and as effectively as they have always faced up to America's wartime problems abroad.

For the information of Congress and of the country, I ask unanimous consent that Commander McKneally's hard-hitting address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address of Martin B. McKneally, Former National Commander of the American Legion, Delivered Before the American Legion Department Convention, July 28, 1967, Buffalo, N.Y.

Fellow Legionnaires: Two years ago when I was privileged to speak to this audience from this platform, I devoted my remarks to the subject of the need to maintain Law and Order in a time of social change. It was clear at that time that the police function was being subjected to the severest attack from elements in the press and other communications media from opinion makers and certain so-called intellectual demagogic politicians. One did not need to be clairvoyant to know that the country was headed for a period of upheaval; that the domestic tranquility referred to in the preamble of the United States Constitution to insure which the Government of the United States was established and ordained, was dangerously threatened. There were few men with any common sense who did not see what was coming. The precedents of history were all there for anyone to read.

Violence has been a way of life for some since Cain killed Abel. And there have always been those who though non-violent themselves provoke it and generate it in others. They are the perpetual malcontents and misfits who despise the existing order and talk and write against it. Diana Trilling touched upon this type a few years ago when she wrote "The Idealist Finds Virtue Only Where He Is Not—In The Nation Which Is Not His Nation, In The Class Which Is Not His Class, In The Races And Religions Which Are Not His Race And Religion. His Own He Disowns For The Others, Even If The Other Will In The End Mean The End Of His Beginnings."

She called them idealists I suppose for the reason that it is in the current mode of referring to things by a term which is exactly opposite to the one needed property to describe them. For instance, one who opposes centralized Governmental Authority and the diminution of State sovereignty is a conservative; one favoring Governmental regulation of your lives, with the resultant delimiting effect upon your liberties is a liberal; one who spawns and instigates violence calls himself non-violent. Under this system a person who commits himself to an ideal, bigger than himself and is proud of his commitment to his country's ideals is an extreme nationalist. (It is stylish today to be committed solely to self.)

The term police brutality is a rallying cry. It has been used by all revolutionaries who were set upon by the keepers of order. Surely policemen must meet violence with violence or the police function is superfluous. Perhaps radio and TV commentators, editorial writers, the shower of crackpots constantly calling for the disarmament of the police could do the job by peaceful persuasion and save a great deal of money that goes into the public purse for the salaries of the cops. Wouldn't it be great to see Eric Severeid with his solemn mien or Howard K. Smith with his blue velvet voice and airs of omniscience, in the middle of the chaos of Detroit explaining to the looters and the vandals that we are all to blame because they are unhappy and that all would soon come well by the passing of more laws, by the loosening of the restraints that are upon us all—or by beating our breasts because of the unfairness that is the inevitable companion of human existence.

In Russia, uprisings happened during the time the Czarist Government failed the people and the winter palace in St. Petersburg was burned. And they happened again in Budapest in 1919, and again in Munich, in Paris, and in Madrid in the years following. It has been the classical method used by the revolutionary who has attempted to seize political power.

Peter Tkacho, a theoretician of revolution who profoundly affected Lenin and who called for a small, secret conspiracy of professional revolutionaries—wrote as follows:

"On the banner of the Revolutionary Party, a party of action rather than of reasoning may be inscribed only the following words: Struggle against the Government, struggle against the existing order of things, struggle to the last drop of blood—to the last breath . . ."

Lenin was more specific. He wrote:

"Go to the youth, organize at once and everywhere fighting brigades among students and particularly among workers. Let them arm themselves immediately with whatever weapons they can obtain: rifles, revolvers, bombs, knives, brass knuckles, clubs, rags soaked in kerosene to start fires with, rope or rope ladders, shovels, for building barricades, dynamite cartridges, barbed wire, tacks against the cavalry. Some can undertake to assassinate a spy or blow up a police station; others can attack a bank to expropriate funds for an insurrection. Let every squad learn, if only by beating up the policeman."

So much for the classical pattern of revolution in European cities.

Why and how has it happened here in the land of the free and the home of the brave? Here, in this country at a time when Congressional machinery was virtually stalled to everything else in the zeal of Congress to prepare for the enactment of a plethora of laws enlarging the Right of due process and for the appropriation of money to relieve poverty—at a time when certain of the Congressional Officeholders vied with one another in long speeches in which they disembosomed themselves of their shame for their country and why has it happened here where a series of sweeping decisions of the Supreme Court altered the laws and guaranteed protection even against so elusive a thing as prejudice. Why has it happened here, where the police have stood by and done nothing in order to avoid the charge of brutality. Why has it happened here where churches have virtually emptied themselves of the story of God's suffering in order to promote the new sociology regarded as more relevant to the times than the passion of Christ and have joined with schools and all kinds of organizations in an effort to avoid the threats of a long, hot summer. Why, I ask you, are American cities aflame?

Why are thousands of negroes running wild, burning, destroying, killing, looting on a scale that staggers the imagination, boggles the mind and seems somehow to paralyze the will. Certain politicians and the pretentious editorialists resort to the same tired old phrases about poverty and frustration as if the rest of us were all sitting around on tuffets eating curds and whey. There is not a man or woman in this room whose forebears did not face a poverty when they came here with nothing in their pockets and despised by those who preceded them to this land which makes the present poverty seem like paradise. We all know something of poverty. This kind of explanation just does not explain. All of this has happened here because there is a breakdown in internal order, and without order there can be no interracial justice, no economic justice, no society.

Internal order is always a precarious thing. It is preserved not because men are tame and harmless. It is preserved by force—the force of the police and the army. Oliver Wendell Holmes wrote in one of his essays, "The essence of law is force" and the law ultimately has to be enforced against those who will violate it. Prior to the employment of force to maintain and to restore order when it is destroyed there is custom and respect for authority. The internal order of the United States has broken down because irresponsible parties have contempt for custom and no respect for authority. They are both intellectual and non-intellectual, both white and black, both Democrat and Republican, both those of low estate and high degree. The best example that comes to mind is Dr. Martin Luther King who with an assortment of reckless negro leaders, who has led so many of his people down the primrose path in the name of non-violence. By means of rabble rousing demagoguery; by the employment of the doctrine of civil disobedience, by teaching the young that it is perfectly all right to break the law and to defy those who are employed by the properly constituted authority to sustain it. That is, if you are a negro with a grievance or one in protest against poverty or injustice. They have taught "non-violence," guerrilla warfare has resulted. They have sowed the wind and now the nation and most especially the great overwhelming percentage of the negroes who love their country, who have fought and are fighting today gloriously to defend it, who want nothing more than to live peacefully with their neighbors and to bring up their children as good citizens, must reap the whirlwind. Their hopes have been defeated because the young have been taught hatred and violence and the practice of lawlessness in the spirit of the carnival. A large part of a generation has been corrupted and ruined. How shall they be reclaimed? Shall they be punished for doing what these leaders incited them to do? Shall their leaders continue to be granted respect when by evil deeds they have set back the cause to which so many of us have given so much of our energies, our time and our heart, the cause of the negroes betterment and his rescue from an inferior economic and social status. Shall these men, these malcontents, these idealists, if you will, go free of the opprobrium and in some cases the imprisonment properly due them who seized upon the plight of the negro and made of it a vehicle through which to indict the existing order, condemn our institutions, dramatize the cause of proletarian socialism, scrape away at the puritan ethic of right and wrong, tear and wrench the nation and cause it to bleed across the pages of history. And now they seize the opportunity to stand horrified at the rioting and violence and lay further blame on the society that the so-called liberals have dominated for 30 years.

They do this now, at this moment when this nation is at war, absorbing more casualties than it can either afford or justify, a war which these leaders bitterly oppose, except insofar as it gives them a further chance to incite defiance of the law—in the name of conscience mind you. *These men, I submit to you, are the guilty ones.* Martin Luther King who stood in the shadow of the UN in New York City and evoked a chorus of hatred for his country for all the world to hear. Martin Luther King who in the profession of a clergyman gave and gives aid and comfort to the enemies of this country; enemies who stand against everything which allowed King to achieve a place in the sun.

The effect of their campaign is to blow sky high the whole edifice of self-government so carefully constructed with diligence, hard work and decent respect for all men. And if this self-government goes, and it could go, it will carry with it a reaction, a backlash if you will, that is too ominous to contemplate. Human feelings run deep and judgment yields to passion when men are aroused as we, in this desolate age ought to know. The great majority of Americans have had enough of violent apostles of non-violence, of violations of their safety and security, of destruction of their property, of newspapers like the New York Times which condemned Governor Hughes of New Jersey for using force to put an end to anarchy and Governor Romney for failing to do so. They shall call to an account at the polls those elected leaders who hold back from the performance of their duties in order not to offend any considerable number of voters. They had enough of college campuses which have been turned from places of intelligent public debate into hotbeds of political unrest. If these so-called leaders including the Bourbons of the New York Times who cannot learn, want a monument to themselves, they have it in the rubble of Detroit, which should be allowed to remain as that pathetic bell tower to an ancient bombed out church remains in West Berlin as a monument to Hitler.

You have, as men and women devoted to your country and its ideals been urged over the years to participate as individuals in the struggle to keep America free and strong. Today, that exhortation is a command. The triumphant spirit of Liberalism has arrogantly held sway in this nation and the world for 30 years. If there needs to be a test of its dramatic failure look at Detroit and weep. They promised Utopia and brought forth rubble and ashes.

Legionnaires—Bestir yourselves and be not dissuaded from your ideals because of the opposition to you, of the Liberal Left—who will call you Fascists and non-intellectual and other foul names. Take part in your community programs to reclaim the territory that has been lost and to reconstitute a generation of youth who have been lost to your ideal of freedom under law and to exhalt the concept of justice to all men black and white alike to preserve your neighborhoods where men can live in peace and in the spirit of true democracy based upon the dignity and the worth of human personality simply because every man is a creature of God.

This latter is the heart of the matter—it is your creed that is under attack.

I propose Mr. Commander that a special temporary committee of the Department of New York be appointed to study the history of the present breakdown and to recommend new programs, which will take into account the long suffering of the negroes, their inner yearning for acceptance, their need to be treated as human beings acutely sensitive to the trials and tribulations of this life—their need not to be fed, sheltered and trained like animals. The negro of the immense compassion needs compassion; he of the enormous mirth needs to learn to laugh again. Such help will not come from the assortment of planners, programmers and patronizing bureaucrats which the Government sends to the Ghetto—it will come from the private resources of America, those organizations which still have faith in the American way and have goals beyond day to day existence—The American Legion, the Service Clubs, the YMCA, YWCA and all the others. Programs which will rescue the youth from their aimlessness, programs which will deal with the present upheaval and which are based upon the ancient values of our country and that such committee report back to the Department, with all convenient speed with programs based not in the secular Liberalism that is responsible for our decay as a nation but which are based upon a reassertion of our beliefs as Christians and our dedication as patriots.

If you believe as you should believe you will defend your faith as Legionnaires, as Americans, as members of the human family and as inheritors and beneficiaries of the best land on earth—Theodore Roosevelt once said—"The World has set its face hopefully toward our Democracy, and, Oh my fellow citizens, each of you carries on your shoulders the burden of doing well for the sake of your own country and of seeing that this nation does well for the sake of mankind."

God Bless You.

PROGRESS ON THE NORTHEAST CORRIDOR PROJECT—QUESTIONS SUBMITTED TO THE DEPARTMENT OF TRANSPORTATION, BY SENATOR GORDON ALLOTT

Mr. ALLOTT. Mr. President, although I could not be present for the August 3 hearing of the Transportation Appropriations Subcommittee, due to certain commitments which demanded my presence on the Senate floor, I did submit questions to the Department of Transportation relative to the progress of the promotional program on the Northeast corridor project. I now have received the answers from the Department, and I ask unanimous consent that the questions and answers be printed in the Record.

There being no objection, the questions and answers were ordered to be printed in the Record, as follows:

Tuesday, August 3, 1967—Questions on Northeast Corridor Project

RAIL TRANSPORTATION

Marketing

Question. In what stage is the marketing program at this time?

Answer. The Pennsylvania Railroad has completed its basic market research, established an advertising campaign theme and selected a graphic symbol for the new service. It also has tentatively allocated $2,000,000 for the campaign using a fairly complete mix of the various media such as television, radio and newspapers. It additionally has tentative plans for a Sunday supplement magazine to be distributed the day the service starts in New York, Philadelphia, Baltimore and Washington. Its program is divided into three phases: a pre-service period; a flexible period during the life of the demonstration to reflect experimental changes in service; and a sustaining campaign to follow the demonstration. The railroad's Public Relations Department also is exploring special event promotions in various key markets but no specific programs have been scheduled at this writing.

Question. Has a public relations firm been hired to handle the marketing . . .?

Answer. No public relations firm has been hired.

Both the railroad's headquarters and field public relations staff, and the Department's information staff will work with news media which have expressed sustained interest in the project from the outset. Purchased advertising will be handled by the railroad's advertising firm, which has already established specific audience targets through in-depth interviews of a cross section of the public. Copy, techniques, and media selection are subject to Department approval.

Question. What kind of agreement do you have with the Pennsylvania Railroad for marketing this service?

Answer. The contract with the Pennsylvania provides that the railroad will, at its own expense:

"Plan and carry out, in cooperation with the Department, a thorough and comprehensive promotional, advertising and informational program to assure public familiarity with the Demonstration service. The program shall include an intensive promotional and advertising campaign:

a. During the latter part of the Base Period (i.e. preliminary to the demonstration) to familiarize the public with the purposes and outstanding features of the Demonstration and

b. During the entire Test Period to provide specific information relative to successive experimental changes in service to assure that the public is timely and adequately informed of changes."

Question. How do the proposed techniques for the promotion and marketing of this service compare with established programs now utilized by other modes of transportation?

Answer. Promotion and advertising will be designed specifically for the purposes of the demonstrations rather than adaptations of programs utilized by other forms of intercity passenger transportation. Emphasis will be placed, for example, upon copy which will inform the public of service factors in the demonstrations, and of significant changes in the service mix during the demonstrations, as an essential basis for measurement of public reactions. Consideration of corporate image and intercompany rivalry will not be emphasized.

Fares

Question. How will the rates on the high speed service compare with those of presently operating trains? How will the rates compare with airlines? buses? and travel by private automobile?

Answer. A premium fare will be charged for coach passengers using new demonstration equipment. At peak hours the Washington to New York fare will be $14, while at other times it will be $2 above fares now in effect. The present coach fare is $10.85. This rate compares with $15 to $18 on Eastern Airlines' New York to Washington shuttle. The present bus fare from Washington to New York is $8. Private automobile costs are hard to estimate but at 10¢ a mile the 225-mile trip from Washington to New York would cost $22.50. In addition, the most direct route would include turnpike and bridge toll of $4.55 for a total per car cost of $27.05.

Question. Are promotional fares contemplated such as family plan, youth or student rates, reduced rates for the aged, reduced rates for regular commuters, vacation rates and others?

Answer. Yes; this has not as yet been worked out, however. Present special fares offered by the Pennsylvania Railroad would remain in effect on conventional trains in New York-Washington service.

Service

Question. What headway frequency is anticipated during rush hours? During off peak hours?

Answer. Service offered between New York and Washington during the demonstration period will be one train every half hour between New York and Philadelphia and one train every hour between New York and Washington, between 6 a.m. and 9 p.m. About half of this service will be provided by the new high speed cars. During rush hours New York-Philadelphia service will be expanded beyond this frequency.

Question. What efforts are being made to effectively coordinate the arrivals and departures of the high speed trains with other forms of local transportation in the cities served?

Answer. High-frequency rail rapid transit presently makes a direct convenient transfer at rail stations at New York and Philadelphia. Local buses serve rail depots at all other points, with frequency proportionate to public demand. There may be bus service tapping the new suburban stations.

Question. What provision has been made for simple transfer to other passenger vehicles?

Answer. New stations in the New York-New Jersey and Maryland suburban areas will be provided to provide high capacity parking strategically located with relation to high speed highway networks.

Question. Will a policy of reserved seats be inaugurated? What policy will be in force regarding standees? In cases of bad weather or other emergencies will standees be permitted? Will additional high speed equipment be available to operate extra trains in the event of emergencies?

Answer. Seats in parlor cars will be reserved, as presently. Studies of present and potential techniques indicate that reservations for coach passengers are both expensive and cumbersome and would limit the convenience afforded by hourly and half-hourly schedule frequency. Heavy intermediate station loadings intensify the problem.

Since the new high speed cars will be utilized fully on regular schedules, extra equipment can be added only to conventional trains. Every effort will be made to limit loadings of demonstration trains to their capacity, through the fare differential and other means so that there will be no standees.

Question. What sort of personnel training is anticipated? Are hostesses contemplated? Will tipping be prohibited throughout the operation of the service?

Answer. The Pennsylvania is retraining 4000 employees at a cost of $1.7 million, of which more than $800,000 is being provided by the U.S. Department of Labor.

Public contact employees will receive intensive training in customer relations.

Among the experiments planned is the use of coach attendants during one or more of the four phases of the demonstration.

Hostesses of the type utilized on airlines will not be used. The tipping policy will be unchanged from present Pennsylvania procedure.

Question. What innovations such as pre-preparation of meals and service at your seat will be tried?

Answer. In parlor cars meals will be served by attendants at seat. In coaches modern snack bars will serve meals for cash during initial phases of the demonstration. During a later phase, the cost and effectiveness of coach attendants will be tested, during which experiment coach snacks and meals will be served to patrons at their seats on selected trains.

Question. Will passengers have to wait in line for long periods of time to purchase tickets or has consideration been given to automatic fare collection systems?

Answer. To improve convenience of ticket purchase some consideration is being given to automatic ticket vending machines. Ticket selling staffs will be increased.

Question. How will train information be dispensed? Has consideration been given to the possible use of automatic equipment to assist in dispensing of train information? How will timetables be distributed?

Answer. Train information facilities will be expanded. The Department has worked closely with the railroad to expand telephone information services, including taped announcements of schedules, fares and service conditions.

The railroads will be encouraged to use direct mail in addition to present channels for distribution of timetables.

Question. Will anything be done to modernize or fix up station facilities to make them attractive and provide adequate and reasonable priced facilities?

Answer. Pennsylvania Station, New York, is being completely rebuilt and modernized by the railroad. The Trenton station is being rebuilt under sponsorship of the State of New Jersey, with financial assistance from the Federal Government and the railroad. New high level platforms will improve appearance, as well as convenience, at Wilmington, Baltimore and Washington. For the Union Station at the latter point the Department is contributing $37,000 for improved decor.

Question. What provisions are being made for swift baggage handling? Will there be any limitations on the size of the baggage which can be carried by the passenger aboard the train?

Answer. At Baltimore an experimental baggage escalator to transport passengers and self-service baggage carts is being installed; experiments in improved red cap service will be made at all terminals.

Hand baggage will be permitted as long as it does not interfere with other passengers' comfort. There are no fixed weight limits.

The experiment

Question. Subsequent to the conclusion of this experiment, what plans do you have with respect to the dissemination of technical advice and assistance to interested parties?

Answer. As they become available during and after the demonstration, reports of findings and experimental data will be distributed through the Clearinghouse for Federal Scientific and Technical Information.

Question. Are analyses being contemplated for the application of test results and technology gained by this experiment to other high density areas of the United States both present and future?

Answer. The basic purpose of the demonstrations program is to compile and evaluate results of the service and equipment experiments, especially public reaction, as input for studies of required transportation facilities and public investment policies in the Northeast Corridor and other high density areas of the country.

Question. What other steps are being taken in this experiment to fundamentally change the public image of rail passenger service in the United States?

Answer. The character and purpose of advertising and promotion for the Washington-New York demonstration were discussed under "Marketing" above.

Although this market has the highest potential intercity traffic in the country, proportionate to area served, and will enjoy high visibility, this demonstration of itself cannot change the realities of railroad passenger service generally, upon which "public image" is based. The experiment will, nevertheless, show clearly the relationship of public response to such service factors as on-time performance, cleanliness of cars and schedule frequency required by the Government's contract with the railroad. These findings should provide new incentives for railroad managements elsewhere.

Auto-train

Question. If the auto-train is a profitable idea, why then doesn't the Seaboard Coast Line Railroad invest in the necessary equipment and operate such a service itself with Federal participation?

Answer. Although extensive market research and technical development studies show favorable prospects for auto-train service in the Northeast-Florida market, there is, nevertheless, considerable risk involved in investment in an untried service requiring equipment of completely new design. It is probably for this reason that no railroad or railroad equipment supplier has been willing to take the risk.

The primary objective of the auto-train project is to test the attractiveness of what is actually a new mode of transport. Thus the project bears a strong relationship to Federal transport investment planning. The information obtained by Government about public demand will be useful in determining the attractiveness of combining highway transportation with a high speed mode. Government participation is required to assure that experimental and data-gathering objectives are met.

Question. *The service between Washington* and Jacksonville is largely seasonal in nature, isn't it?

Answer. Travel surveys show a surprisingly stable flow of automobile travelers between the northern states and Florida points throughout the year. Obviously a peak occurs *in winter months, but price differentials* and other inducements have smoothed out fluctuations in recent years.

Question. How much would the Government have to spend to terminate this project, should the Senate go along with the House in disallowing funds for the auto-train? Do you consider this a wise economy move?

Answer. Approximately $1.2 million has been spent so far in non-recoverable funds on the auto-train project.

Additional funds required for the service are:

	Million
Locomotives	$0.9
Cars	4.2
Terminals	1.2
Total	6.3
Fiscal year 1967 commitment	2.8
Fiscal year 1968 request	3.5

If the project is successful, Government would receive $1.2 million as its share of net operating income over the 18-month demonstration period. It could expect to realize about $5 million from the sale of equipment and terminals at the close of the demonstration. Thus, out of a total expenditure of about $7.3 million, Government would get back $6.2 million, leaving a net cost of $1.1 million, or $0.1 million less than it will incur if the project were abandoned.

Question. If this service proves to be profitable, don't you feel the next consideration for operation of an auto-train should be given to a Chicago-Denver route?

Answer. If the service proves to be profitable on the Northeast-Florida route it seems reasonable to expect that it might be profitable on Chicago-Denver routes. There are a number of city pairs over the country 500 to 1,000 miles apart which have a strong affinity for each other. The auto-train might well be profitable in each of them. Chicago-Denver has particularly good prospects because of the heavy recreational travel.

New proposed service would of course have detailed data about demand and cost from the Washington, D.C.-Jacksonville experience. Also the design and engineering of the equipment would be available.

FIREARMS CONTROL

Mr. DODD. Mr. President, I ask unanimous consent to have printed in the Record, at the conclusion of my remarks, the views of some newspaper publishers who agree that more effective Federal controls are needed to keep firearms out of the hands of known criminals and others who are likely to use firearms for a criminal purpose.

As Senators consider the purposed legislation pending before the 90th Congress—S. 1, amendment 90, and other proposals—the editorial judgment of the following publishers may, I hope, be of *some value to them:*

Norristown (Pa.) Times-Herald; Scranton (Pa.) Times; Hutchinson (Kans.) News; Greensburg (Pa.) Tribune-Review; Boston (Mass.) Christian Science Monitor; New Brunswick (N.J.) Home News, in two editorials; Perth Amboy (N.J.) News; Minneapolis (Minn.) Star; and the Winston-Salem (N.C.) Journal.

There being no objection, the editorials were ordered to be printed in the Record, *as follows:*

[From the Morristown (Pa.) Times-Herald, July 25, 1967]

MAIL ORDER GUNS AGAIN

The administration's federal gun control proposal is not a cure-all which will automatically keep weapons out *of the hands of* persons who should not have them. But it would, competent law enforcement agencies attest, make it more difficult for those without legitimate use of a gun to secure one. The Administration bill would do that by outlawing interstate mail order sales of firearms to individuals and by tightening controls over dealer sales. The proposal sounds reasonable. In view of the tragic events in Newark and other communities in past weeks, Congress would be acting with wisdom if it passed the bill.

According to investigators for the U.S. Senate, most of the arms confiscated by police in the Newark area riots and in the Watts disorders last year were purchased from mail order houses. Attorney General Ramsey Clark has stated that some 2,000,000 weapons were bought in this country last year. This in itself means nothing. The important question is, how many were secured through the mails by people who should not have them. Although an accurate total is unknown, there is considerable evidence that many weapons have been sold through the mails to, among other people, criminals, drug addicts and even children. Local laws are ineffective where mail order guns are concerned. More realistic ones are needed. The present legislation would provide much better protection to the public than it is now getting, while providing little inconvenience to the legitimate gun user.—J. P. Feeley.

[From the Scranton (Pa.) Times. July 14, 1967]

HIT MAIL-ORDER GUN SALES

Across the nation in recent weeks there have been some rather frightening predictions that the "long hot Summer" could be expected to bring violence in racial demonstrations. The owner of a Yonkers, N.Y., mail-order house specializing in the traffic in guns recently took up the cry for his own selfish purpose. "Long Hot Summer Special" was the caption on a full-page advertisement which the firm placed in The Shotgun News and which offered for sale a "45-caliber 30-shot semiautomatic completely legal Eagle carbine," along with riot guns and rifles.

Secretary of the Treasury Barr displayed the advertisement in support of his testimony before a Senate subcommittee in which he urged passage of the administration bill which would prohibit mail-order sales of firearms. "The situation is clearly intolerable," Secretary Barr told the committee. "Any person can now acquire firearms with ease—criminals, juveniles without the knowledge of their parents, narcotic addicts, mental defectives, armed groups who would supplant duly constituted public authorities." He said that the ease with which guns may be obtained is one of the principal causes of "the spreading cancer of crime and juvenile delinquency."

Agitation for an effective federal law regulating the sale of firearms and particularly banning mail-order purchases has been strong since the assassination of President Kennedy in 1963, but the National Rifle Association's lobby has been powerful enough to keep Congress from adopting such legislation. Secretary Barr's testimony, designed to help the administration-sponsored bill, was given to a committee considering a measure introduced by Sen. Roman L. Hruska, Nebraska Republican, with the backing of the rifle association. Not surprisingly, it would not ban mail-order sales, but would set up a system requiring the posting of affidavits when hand guns are sold across state lines.

It is about time for Congress to recognize public sentiment on this question—a recent poll showed 75 percent of those responding favoring the outlawing of mail-order sales—and approve a gun control measure which would reflect that sentiment.

[From the Hutchinson (Kans.) News, July 24, 1967]

Guns for Riots by Mail

Congress is trying, probably in vain, to prevent rioters or riot-instigators from crossing state lines.

And now, dear Congressman, what about the weapons they use?

Most of the weapons confiscated from race rioters in Newark were purchased through mail order houses. So were many of the guns seized from participants in the 1965 Watts riots in Los Angeles.

That testimony was offered by staff investigators for a Senate committee conducting hearings on a gun control bill.

The explanation for the Newark finding is obvious. New Jersey has a tough control law on weapons. Guns are difficult to come by within the state. So those who want them simply clip a coupon and have them mailed in.

In Watts, the incidence of mail-order guns was not so high, partly because California has no rigid control. But the weapons were there because they were cheaper, and people who engage in riots don't have much cash to throw around—even on guns.

A gun control law, aimed in part at this mail-order traffic, won't stop riots.

But it would be one more bit of sanity in the crazy business of making guns easily available to anybody—regardless of his intent, record, personality, or stability.

[From the Greensburg (Pa.) Tribune-Review, July 12, 1967]

NRA's Tired Old Song

The National Rifle Association is still thrumming away relentlessly at its favorite tune: Congress has no business enacting the administration-backed gun control law because it would curb sportsmen's and other legitimate gun users' ready access to the guns they want. Though the tune is monotonous in the extreme, it continues to have a magic effect in Congress.

There are variations on the central theme, notably that shooting is a great organized sport (which hardly anyone denies) and that the NRA's program has done wonders for national defense (which is open to serious question). But for the most part the National Rifle Association's lobbyists against gun control laws spend their time plinking out that favorite tune over and over again.

With good effect from its standpoint, unfortunately. Recently Senator Tydings of Maryland challenged the NRA to stop blocking the gun control bill with "wild, inaccurate and irresponsible misrepresentation." But on the same occasion he acknowledged that the bill which has "languished in Congress for two years is hardly closer to passage now than on the day it was introduced."

President Harold W. Clausen of the NRA responded with variations on the familiar theme, and intimated that the availability of guns has no bearing on the crime rate. The National Rifle Association may do itself serious harm if it does not temper its stubborn reasonable gun control. Public sentiment for such legislation is rising. Congress should bend a more attentive ear to the public will, and spend less time listening to the NRA's tired old theme song.

[From the Boston (Mass.) Christian Science Monitor, Aug. 11, 1967]

The Gun Business

A man shot. A family bereaved. All because someone who should never have had a gun in his hand pulled a trigger.

Should it be necessary for Congress to debate for two years, as it has, the question of controlling the sale of such lethal weapons? In spite of fatal snipings in recent riots and threats of further violent use of guns, the mild control bill now before the Senate S1 is still given only a 50–50 chance of passage.

For lack of national or local government regulation of weapon sales, some mail-order houses have engaged in self-regulation during the recent riots. In their stores in several cities, Sears, Roebuck & Co. and J. C. Penney Co. suspended sales during tension periods. Montgomery Ward asked its staff to cooperate with police in the matter.

This was commendable but it does nothing to handle the continuing problem. There was no riot in progress when a sniper's bullet assassinated President Kennedy.

The issue is quite simple. Shall the public permit its representatives in Congress to heed a spokesman for the gun lobby who wants no legislation and who calls it "a healthy sign" that members of the National Rifle Association "protest loud and long when their sport is threatened"? Or shall the public demand simple, effective controls to save lives?

This is an issue all can understand. The people must make themselves heard.

[From the New Brunswick (N.J.) Home News, July 23, 1967]

Firearms in Newark

The seriousness of the tragedy of Newark was aggravated greatly by the easy availability of firearms.

The gun lobby repeats like a wornout phonograph record, "The criminal will always be able to steal firearms."

It's true. Criminals do steal firearms. Some criminals stole carbines from a Middlesex Borough factory. (Incidentally, when the excitement has all died down, some more careful housekeeping standards should be imposed on firearms makers and firearms dealers.)

But many of the weapons which made the tragedies of both Newark and Plainfield so serious were not stolen.

Investigators for the Senate Subcommittee on Juvenile Delinquency were in Newark during the trouble and reported back that most of the guns confiscated in Newark came from mail order gun houses, and that most of them were cheap handguns of foreign manufacture.

The tragedy of Newark has awakened the citizenry as never before to the menace of firearms. And to the way lack of effective federal legislation permits mail order houses, and dealers in nearby states, to counteract the benefits of our own very good law.

The Evening Times of Trenton, for instance, is calling for the state to require the registration of all handguns, rifles and shotguns. It cites, as we have done previously, the President's Crime Commission which said, "Prevention of crime and apprehension of criminals would be enhanced if each firearm were registered with a governmental jurisdiction. A record of ownership would aid the police in tracing and locating those who have committed or who threaten to commit a violent crime. Law enforcement officers should know where each gun is and who owns it."

This is an essentially logical position. What law abiding person could object to firearm registration?

Every motor vehicle is registered. And the registration has to be renewed each year. And a substantial fee is charged each year. Yet we accept this registration without complaint, and live comfortably with it.

[From the Perth Amboy (N.J.) News, July 27, 1967]

More Terror but No Gun Law

Among the alarming statistics of the rioting in Newark was the fact that more than half of the persons arrested with pistols had criminal records.

It can probably never be determined where the snipers who escaped arrest obtained their guns.

Under existing New Jersey law, most of the rioters could not obtain guns in this state.

However, as Newark police indicated, it is a simple matter to obtain firearms from out of state. Newark police said that in recent years more than 80 per cent of confiscated firearms in that city have been traced to out of state sources.

This is an added reason for concern over the lack of adequate gun control legislation. It does little good for New Jersey or any other state to attempt to control gun sales within its borders if there is no matching federal legislation to impose similar controls over the mail order sales of guns and ammunition.

Senator Thomas Dodd of Connecticut, who has campaigned long and hard for such legislation, has cited the Newark riot to reinforce his contention that federal gun control legislation is an imperative need.

It is difficult to comprehend how anyone could disagree or why Congress has failed to act.

The delay appears to be centered on the extremely strong gun lobby which apparently is more concerned about its own interests than the protection of an average American.

The hideous examples are frequent. Rampages by individuals with series of murders left in their wake as well as the sniper fire of rioters carry all the testimony that should be needed.

Meanwhile, Americans must live under the threatening fact that more than two million firearms are sold in this country every year, more than half of them by mail order firms. There is now no way of knowing how many purchasers are dangerous criminals, mental defectives, children, alcoholics or drug addicts.

These details usually are developed at the inquests conducted for their victims.

[From the New Brunswick (N.J.) Home News, July 27, 1967]

A New Look at Firearms

It has been long the custom in this country to make a major distinction between handguns and shoulder weapons, which are rifles and shotguns.

The distinction has been made largely on the basis of the relative concealability of the types of firearms. That is why special legal treatment has been given, for instance, to the sawed-off shotgun. This is a weapon less accurate and effective than an unmutilated shotgun, but is easy to conceal, and is therefore outlawed.

Some distinction is made between handguns and shoulder weapons, too, because of the nature of their most common uses. The handgun is of little normal use to the sportsman and hunter, while the rifle and the shotgun are traditional and popular hunting weapons. Sports use of handguns is pretty well limited to target shooting.

Thus, when we have instituted controls over firearms, we have tended to place much more emphasis on the concealable handgun than on the shoulder gun. We assume that the handgun is the prevalent preference of the criminal and that the shoulder weapon is of little utility to him.

Over the years, these have seemed to be generally valid assumptions.

Events of recent days, and even of recent years, indicate clearly that we must reassess the validity of those assumptions. It was a shoulder weapon that killed President Kennedy. Some of the wild shooting sprees of recent years have involved men with rifles.

And in the terrible sniping in the ghettos, which has made the repulse of the forces of law and order possible, which has permitted looting and arson to continue for chaotic days, the shoulder weapon has been a common and unfortunately very effective weapon in the hands of criminals.

We have thus far seen no clear evidence of the defensive value of firearms of any kind in the hands and homes of the non-rioting civilian population of the disturbed areas.

We think thus that a new hard look has to be taken at the whole broad question of the relationship between easy accessibility of firearms, all firearms, and the public's interest in law and order in our cities.

[From the Minneapolis (Minn.) Star, July 13, 1967]

Subsidized Rifle Matches

An exchange has been going on between Sen. Edward Kennedy and Defense Secretary Robert McNamara concerning gun contral legislation in general and the national rifle matches in particular.

The senator thinks the Defense Department shouldn't underwrite the rifle matches, which go on for a month at Camp Perry, Ohio. He says it costs the government $3 million annually, and he has serious reservations about continuing the Pentagon's civilian marksmanship program "in this nuclear age, and especially about the privileged position given the National Rifle Association under that program."

We share Sen. Kennedy's serious reservations and much of his reasoning. Furthermore, the fact that the event is open only to association members suggests too close a tie between the government and a special interest organization which has lobbied long—and effectively—against gun control legislation which has broad public support.

McNamara didn't answer Kennedy directly on the firearms control matter, contenting himself with saying that Congress has the central responsibility. It most certainly does, and its record of three years of failure even to get gun control proposals out of committee is a discouraging indication of how it can be expected to measure up to its responsibility.

[From the Winston-Salem (N.C.) Journal, July 25, 1967]

Strictly Personal

(By Sydney J. Harris)

Chicago.—People who don't live in big cities find it hard to understand the need for gun control. I was in Montana last month, giving a talk, and during the question period many in the audience were resentful that I have come out for stricter gun laws.

"No laws will stop criminals from getting hold of guns," they keep repeating—and, of course, they are right. Criminals will always get guns, just as addicts will always get narcotics and prostitutes will always get customers.

What they fail to recognize however—since they live in areas where guns are used largely for killing animals, not people—is that most violence in the city is not committed by criminals. The professional criminals, in fact, shoot only one another; and even the smalltime crook is not statistically a great menace with firearms.

I returned from Montana on a Saturday and picked up that night's paper in Chicago. Five separate shootings had been reported—three of them ending in deaths, including one "innocent bystander" to a quarrel. In none of these five separate shootings was a criminal involved.

This is the pattern of gun killings in the big cities. Most homicides are not professional jobs, in felonious pursuits, but are committed by relatives, friends or neighbors, in the home or nearby. They are sparked by liquor, by lust, by jealousy, or greed, or a burning sense of injustice. And most are committed by people with no previous record of violence.

It is these who will be restrained by stricter gun laws, who will find it much harder to go home, pick up a gun, and shoot an adversary. The liquor will pass, the lust will die, reflection will replace passion if the instrument of death is not so readily available.

No one suggests that tougher gun control will reduce organized crime, or will inhibit the crooks. But the majority of fatal shootings in a metropolis are more emotional than criminal in intent, more impulsive than premeditated. And if the gun isn't there, the impulse to shoot cannot be so hastily gratified.

AN ANALYSIS OF GERRY FORD'S "SOUTHERN STRATEGY"

Mr. MUNDT. Mr. President, the August 29 issue of National Review contains an interesting and informative analysis by Mr. Stanton Evans on the political strategy behind a recent public statement made by Republican House leader, Gerald Ford, of Michigan.

As one who for more than 20 years has devoted continuing attention to the political structures of the so-called Old South and who one time helped call a weekend conference in Washington to try to work out a practical formula to enable "those who think alike to vote alike in presidential elections regardless of where they live geographically or how they are registered politically," I was vastly interested in the Evans report.

Our conference failed in its objective of developing a realinement of political parties in this country largely because of the problems involved by the opposition of "the courthouse crowd" in many States who for so long looked to party registration and to party loyalty as the sure formula for success in State and local campaigns for offices below the rank of Governor or Congressman. It did, however, plant the seeds for the organization of Americans for Constitutional Action—ACA—and other movements designed to provide "a meeting place and a working formula" whereby voters of differing political registrations could successfully unite their support behind candidates whose philosophies of Government they vigorously approved.

As Mr. Evans points out, the era when simply running as a Democrat in the Old South assured election is completely gone. All recent elections in the South verify the facts of change, and Representative Ford demonstrates that he is aware of the new conditions. Whether his proposed strategy is the best formula for harnessing and implementing the new political forces at work in the South is yet to be proved.

However, I am convinced that the South will never again return to the futile position in which it chained itself for far too long whereby through habit, prejudice, or social custom in election after election it voted for Democratic Presidents and for Democratic platforms whose political, economic, and social policies it thoroughly detested and despised.

From now on, by one device or another, I predict the "new South" will increasingly play a significant and determinative part in the formation and implementation of our national policies and in the selection and election of Presidents, Senators, Congressmen, and Governors whose principles, platforms, and policies are compatible with its own convictions, ideals, and desires. It may well become the pivoted area which will determine America's destiny and direction for the next two or three decades.

I ask unanimous consent that the Evans report be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

(By M. Stanton Evans)

The announced determination of House Republican leader Gerald Ford of Michigan to forgo renewal of the old "conservative coalition" with Southern Democrats has stirred murmurings of alarm along the purlieus of the Right. Whether the alarm is justified, however, remains to be seen.

Analysis of Ford's stategy shows that it is not what early reports made it seem—a repudiation of the South and of conservatism. On the contrary, it can plausibly be argued that the Ford approach is in fact a recognition of the key political importance of the South, and a crucial forward step toward both a Republican House majority and a measurably more conservative GOP. The outcome depends on a large number of variables; but recent political history suggests that both the majority and the conservatism are realistic possibilities.

Following the '66 elections, some quick arithmetic revealed that the newly strengthened Republicans, in combination with conservative Democrats, could put the "coalition" back in business, defeating Great Society bills and acting favorably on conservative legislation. Ford rejected this course. His purpose, he said, was "to drive the Southern Democrats in the House into the arms of the

Administration, where they belong, on votes that will hurt them in their home districts."

The point of this exercise, Ford said, was to replace these Democrats with Southern Republicans. "We won't win as many legislative fights as we could if we resorted to the old coalition tactics," he stated, "but it's the big prize that counts"—e.g. winning the next congressional election. According to the New York Times, the GOP will go into Southern congressional districts in '68 "and try to tie the Democratic incumbents to President Johnson on as many votes as they can . . ."

If one examines the figures on party strength in the House over the past several years, the reasoning behind this strategy becomes apparent. In previous elections, the lopsided contours of the American political system have imposed an almost impossible burden on the Republicans. Because the GOP was in effect conceding one hundred or so "safe" seats to the Democrats in the one-party South, it had to pull off an almost superhuman victory in the rest of the nation in order to achieve a congressional majority.

As Dr. Gallup put the matter last year, "the real congressional battlefield lies in the 37 states outside the South . . . nearly one hundred of the 119 [Southern] congressional seats are safely Democratic—many of them not even contested . . . the Republican Party must win nearly two-thirds of the seats outside the South to take control of the House." Result: Since 1932, the GOP has had a House majority in only two Congresses—the 80th and the 83rd.

The Ford strategy seeks to even up this unbalanced equation. Instead of winning nothing in the South and having to take almost everything else, why not try the more reasonable approach of seeking a majority in the South and a majority elsewhere? That is the logic of Ford's position—and it is very logical indeed. Why *not* transform the GOP into a truly national party, with representation in the South as in the rest of the country?

That the quest for Republican seats in Dixie can have important national results may be seen in a comparison of the congressional by-elections of 1962 and 1966. In the earlier balloting, the GOP emerged with 177 seats; in the latter, with 187. The ten extra seats, bringing the party within striking distance of a House majority (218), came entirely from the South. The party made additional Southern inroads while barely holding its own in the traditionally more hospitable North.

A regional breakdown of the statistics shows the 1962 election netted the GOP 165 House seats outside the South, while the '66 balloting was actually one seat short of this. The improved performance was owing to a net gain of eleven seats in Dixie. As Richard M. Scammon puts it: "Outside the Old Confederacy, the 1966 House vote was a return to 1962's 'normalcy' but in the South Republican representation doubled."

It is undoubtedly an analysis of these results which has led the GOP House leadership to conclude that the key to future Republican success lies in the South, and that an effort to embarrass Southern Democrats is in order. But it should be obvious that, to get the job done, the House Republicans cannot embark on a liberal course. Their hope of winning more Southern seats will be dependent, with some minor exceptions, on painting the Southern Democrats as liberals, in opposition to the authentic conservatism of the GOP.

The strategy must therefore place the party consistently to the right of the Democrats, not to the left. The GOP must have a conservative record to show Southern voters, or the strategy cannot possibly work. A conservative stance by the House Republican leadership becomes almost obligatory; the GOP must take its stand for free enterprise, anti-Communism, and limited government, then let the Southern Democrats decide whether or not they want to come aboard.

When Representative Ford first announced his "no coalition" strategy it was darkly hinted that he might be going liberal. But there are second thoughts about his strategy now.

As recent roll calls in Congress indicate, many of these have decided that they do indeed want to come aboard—the rat, riot, and anti-crime bills providing the most prominent examples. When they do, the "coalition" will exist *de facto* and be able to defeat Great Society legislation. When they do not, the GOP will score points toward further congressional victories in the South. Either way, conservatism stands to make some impressive gains.

THE PROBLEM OF URBAN UNREST

Mr. PERCY. Mr. President, in the wake of the turmoil in our cities over recent weeks has come a time of analysis and self-evaluation for the Nation. We have seen a reawakened interest in the capabilities of the private sector to provide solutions to social problems which—unhappily—too many of our citizens have become accustomed to look solely to the Federal Government to solve.

I have devoted a good deal of time since coming to the Senate in exploring ways the partnership between the private sector and the Federal Government can be enhanced to the benefit of the underprivileged and the taxpayer alike. Accordingly, I was gratified to read an excellent address by L. W. Moore, president of American Oil Co., at the commencement on August 25, of the Institute for Management, Northwestern University School of Business.

On the problems of the inner city, Mr. Moore forthrightly points out:

> No segment of society, and no individual in it, can afford to sit placidly by while a horribly costly and utterly inhumane condition—one that involves millions of our people—goes from bad to worse.

I am anxious to underscore Mr. Moore's penetrating conclusion, with which I completely agree:

> Without the conscientious involvement of business and industry, the activities that are undertaken [to solve the economic ills of the inner city] are rather apt to be palliatives instead of cures.

I commend to Senators a thoughtful and moving expression of concern—and hope—by an outstanding American businessman, and ask unanimous consent that Mr. Moore's remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

URBAN UNREST: WHOSE PROBLEM IS IT?

(Commencement address by L. W. Moore, Institute for Management, Northwestern University School of Business, Evanston, Ill., August 25, 1967)

They tell the story around our company about a regional manager who was solicited for a donation by a rather scholarly educator who said that he and some of his associates were planning a symposium and needed $200.

Our manager was quite perplexed by the request. For one thing, while he was somewhat awed by them, he regarded the professor and his friends as a bunch of stuffed shirts. To make matters worse, although he was too proud to admit it, he didn't have the vaguest notion what a symposium was.

The manager responded as any resourceful executive would under similar circumstances. He told the visitor that he would take the matter under advisement. As you know, in business jargon this means "I don't know the answer but maybe I'll think of one after you leave."

After the caller had departed, our manager summoned his secretary and asked her what a symposium was. She was the kind of girl who lives with a dictionary at her elbow, so she gave him Webster's primary definition.

"A symposium," she said, "is a a drinking party conducted by ancient Greeks."

Her boss spent a few hours digesting this astonishing bit of intelligence and then got the old professor on the phone.

"I've thought over your request," he said, "and we'll be happy to contribute 200 bucks. Frankly, I never knew a bunch of guys who needed a symposium worse."

This story came to mind when I began thinking about what I might say to you this afternoon. In all candor, I was having misgivings about coming here. After all, you are bright, creative, experienced and thoughtful executives, or your companies wouldn't have enrolled you in this course. Certainly those who planned your curriculum responded to this challenge by providing you with a stimulating program, conducted by a talented and well-informed staff.

It seemed clear, in view of these circumstances, that you don't really need to hear another speech. You probably need a symposium worse.

Obviously, I couldn't turn this into a Bacchanalian orgy, so it wasn't possible to escape my responsibility that easily. It was at this juncture that I consulted Ken Johnston in the hope that he might help me select a theme that would not be insipid, at worst, or redundant, at best.

I learned that you have devoted a great deal of time and thought this summer to discussions of the external environment in which business operates today. You have, so to speak, looked out of the world of business into the social universe that surrounds it.

Some of the things you have seen through this intellectual telescope have looked exceedingly grim. They have also raised some knotty questions. For example, and I might as well throw out a big one:

Does management, in the exercise of its responsibility to its stockholders, have the right to invest time, effort, and money to help solve broad social problems?

If it does have that right, what is its proper role in attacking the incredibly complex and often confusing problems that afflict the dynamic and chaotic society in which we work and live?

More specifically—to touch on what is perhaps the most critical problem of all—what can and should business be doing about the fact that millions of Americans remain in the midst of an economic depression while the rest of the Nation enjoys unprecedented affluence?

As all of you have discovered, these are not easy questions to answer—nor are you going to get pat answers from me. However, I do have some notions about them that might be worth your consideration.

Let's go back to that first question, one that apparently still disturbs many executives: Does management, in the exercise of its responsibility to its stockholders, have the right to invest time, effort, and money to help solve broad social problems?

I don't lose much sleep over this one, nor should any other executive if he will really think through what it's all about.

For while we are in business to make a profit, and profit motivation is a tremendous social force, we cannot abdicate our responsibility to help create and maintain a continuing society that will enable us to operate pofitably. We neglect our obligation to our stockholders if we take refuge in the cliche that our duty ends with today's production and sale of competitive commodities.

But the thoughtful executive can do more than simply philosophize on this point. If he is paying attention he must know that the business sector cannot tolerate the continued drag that is imposed on the national economy by more than 10.5 million households with incomes below $3,000 dollars a year and many others whose circumstances are very little better than that. The cost of maintaining a great mass of unproductive people is already enormous. Unless cures are found, particularly to the ills that exist in the urban ghettoes, these costs will be even greater tomorrow and will increase geometrically as long as widespread poverty, immorality, crime, and violence continue to exist.

No segment of society, and no individual in it, can afford to sit placidly by while a horribly costly and utterly inhumane condition—one that involves millions of our people—goes from bad to worse.

But this is only the negative side of the question. On the positive side we have—as businessmen and as responsible citizens—the obligation to help these people into the mainstream of American life because they represent what is perhaps the greatest untapped resource left to this nation.

Every one of us, in carrying out our corporate responsibilities, is concerned with the development of new markets, and the attendant economic progress and growth. We need to consider the benefits to be had if we could elevate to the level of the more affluent average those in our society who are poor because of environmental, cultural and social factors that they alone cannot improve. It could create one of the greatest single new markets this nation has ever known.

If, in 1960, Negro expenditures for current consumption had equaled those of the white population, the added direct purchases by Negroes would have been nearly $7.5 billion. Because of multiplier effects, of course, the total impact on the economy would have been much greater than that. And because of population growth the figure would also be larger today.

We all know that business and industry, in the normal conduct of their affairs, have long occupied a prominent role in the achievement of social progress. Our economic system, in fact, has created the abundance that has made most social progress possible and also has enabled us to assume the political and economic leadership of the world.

But business, in turn has benefited from the progress that has been made, and some of its own progress has been based on technological advances that are contributing to the problems that society faces today. It seems eminently sensible to me—and completely responsible—to suggest that we need to sustain and enlarge the nation's economic progress, and our own, by involving ourselves with society and its problems in new and imaginative ways.

But if, as David Rockefeller has suggested, "the business community has a critical stake in economic progress and an inescapable responsibility to contribute to it," what should the nature of that contribution be?

This is a question that has sorely troubled me and, I suspect, most other executives who want to become involved, and who have thought seriously about their company's role. Given the structure and traditional goals of the corporate organization, how can business participate properly and effectively with other elements of society, using its resources in technology and manpower in ways that are practical, meaningful, and constructive?

Let's examine this question in the context of the one specific social problem I mentioned a moment ago—the economic plight of a large segment of our inner city populations, and the desperate response of some of them to the circumstances in which they live. This problem involves other races and nationalities, but let us consider the problem of Negroes alone.

Two out of three Negro families earn less than $4,000 a year. While Negroes constitute only 10 per cent of our population, they make up 20 per cent of our unemployed. And even these depressing statistics do not tell the whole story, for they do not reflect the fact that some 10 million Negroes—nearly half the non-white population and 60 per cent of non-white children—lived in 1964 below what the government considers the poverty line.

The mere numbers make the solution of the problem a staggering thing to contemplate and the difficulty is magnified when you consider the conditions that have caused these numbers to exist. Some of the problems in the Negro community go back more than 300 years. They had their roots in slavery, were nurtured by prejudice and discrimination, and have been reinforced, in some instances, by well-meaning but ineffective palliatives that have stifled initiative and fostered despair.

There are deficiencies in education and training that it will take generations fully to overcome. There is an absence of motivation that is the inevitable consequence of inadequate opportunity and dependence on relief. There are other motivational problems associated with a matriarchal system that dates back to slavery but has been compounded by the arbitrary and often senseless regulations of the welfare state. The disruption of family life in many states by the aid to dependent children regulations is an example of this.

Worst of all, each of these elements is compounded by widespread misunderstanding, indifference, ignorance, fear, and an incredible lack of communication among the elements of society that are involved.

For the executive who feels a sense of responsibility, and is looking for ways to help, the picture is pretty grim. It is so appalling, in fact, that he may very well be tempted, as I am sure many executives have been, to put the problem aside because he can see no way in which he or his company can do anything that will even cause a ripple in what appears to be a sea of despair.

I told you earlier that I had no pat answers to this problem, and I don't. I think, however, that I may be able to suggest a way in which business can help find some answers.

At the outset, it should be said that I believe that the solution of the economic ills of a substantial segment of our population will be achieved only through the combined efforts of business and industry, government, social welfare organizations, churches, schools, and the responsible leadership in the Negro community itself. I also believe, however, that without the conscientious involvement of business and industry the activities that are undertaken are rather apt to be palliatives instead of cures.

This is not said critically, but simply because the only real long-term solution to the problem is employment; productive employment that will enable men who are now unskilled, unschooled, and unemployed to achieve a sense of dignity. Employment that will enable them to set for their children an example on which hopes and aspirations can be based. Secure, rewarding, long-term employment that will lead to stable family situations, adequate diets, and some measure of fulfillment of material, social, and cultural desires.

Business must become involved because it is the ultimate source of these jobs, and the process of preparing the unskilled to assume them is one in which it must have a role. In the vernacular of the inner city streets, we're the cats with the bread, and because jobs are the answer we must help government, the schools, and the social agencies find ways to prepare people for the kind of work that we will be able to provide.

I think there is no question that the problem of unrest may be compounded, for the moment, because the rather significant progress that skilled and educated Negroes have made in recent years has increased the expectations of other unskilled and uneducated people beyond what they can reasonably hope to achieve in a short period of time. Without preparation, some inner city residents are simply unemployable, except in jobs of which there are not enough to go around. This problem will not be overcome in this generation, but every element of society must attack it with the resources at its command.

Business and industry also have knowledge, skills and technology that could be a powerful force in the solution of related urban problems—in housing, transportation and other areas that impinge on urban economic problems as a whole. All of which brings me to the point that I really want to make.

I think you will agree that corporate concern with broad and long-range social problems is a relatively recent thing. It has arisen because environmental changes have compelled business to look beyond its traditional areas of interest and concern.

It is also true, however, that because this concern is of relatively recent origin, it has not yet been integrated into the structure of company operations. For the most part, consideration of external social and economic factors is something that is left largely to senior executives—with the occasional involvement of long-range planners and public relations men.

Those levels of company management that hold the responsibility for actually managing the work—who operate where the action is—have not really become involved in the search for solutions to social ills. We have in business and industry a large, talented, creative group of people who are the normal source of ideas, who have the skill and knowledge to turn ideas into innovations, and who have the ability and determination to carry them out. There is not the slightest doubt that this group could make a significant contribution to the solution of our socio-economic ills if they knew it was expected of them.

If business is to contribute to the solution of urban economic problem—in its own interests as well as those of society as a whole—these people must become involved. And if their responsibilities are broadened to make this part of their job we will have achieved something beyond the application of their imagination and skills; we will have opened some new lines of communication that the nation urgently needs. We will have generated some new dialogues between business and government, between business and the responsible Negro leadership—hopefully between business and those whose future is at stake.

What I am really saying is simply this: The fact that a great many senior executives of the nation's greatest corporations are talking and thinking about the need for business involvement in social problems is a healthy thing. But the structure of our industrial society is such that executives at this level think about these problems on too grand a scale, and inevitably, because of the enormity of the problems, they become troubled by their inability to devise techniques that will solve the whole of society's economic ills all at once.

What we really need is a climate in which more people in middle management consider it a part of their normal responsibilities to study the ways in which their particular skills and talents can be used to attack the many elements of the problem a piece at a time. With such involvement the answers to the question, "What can business do?" will begin to appear, and we can begin to nibble away at the elements of the problem with which business resources are uniquely qualified to deal. Meanwhile, other segments of society, including the Negro community itself, can apply their talents and energies in ways appropriate to them.

Many companies, including my own, have begun to do this, but I do not think any of us has done nearly enough. Business and industry have not begun to utilize the intellectual and technological resources that could be applied to the problem if they were strongly motivated to do so.

Yet some of the efforts that have been undertaken are yielding promising results. The U.S. Gypsum program in New York, where private enterprise has successfully demonstrated the competence, value and profitability of business involvement in urban renewal, is an outstanding example. Others exist in education, in training, and other fields.

In our own company we have discovered that we can serve our own needs, as well as those of society, through training programs that upgrade Negroes in skills that are needed in our own operations. We have found work-study programs, in cooperation with Chicago high schools, to be rewarding undertakings. We have worked with the Negro business community to seek out suppliers and service skills among Negro-owned businesses in an effort to alleviate the balance of payments deficit that exists in the inner city, as compared with the business and industrial sector as a whole.

You may be interested in one unusual example of the sort of thing that can happen when a business organization accepts its responsibility and begins to devote creative effort to the search for things it can do.

About four years ago our company was approached, as were many others, with the suggestion that we make a contribution to the observance of the Emancipation Proclamation. We agreed to do so, but the suggestion also caused some of our people to begin thinking about how we might launch some added contribution that would be useful—and—also uniquely ours.

As many people have recently become aware, there has been a regrettable neglect in our history books of the constructive role that the Negro has played in the progress of our country. It has been very difficult for a Negro child, reading the books he is given in school, to identify his race with anything beyond the deprived circumstances he has known since birth.

Pursuing this line of thought, one of our people suggested that we publish and distribute, in the Negro community and elsewhere, a pictorial travel guide that would identify monuments throughout the country related to Negro achievement. Perhaps such a book would help Negroes identify with constructive and dignified roles and encourage their emulation. The idea seemed sound and constructive, so we put a research team to work and published the book. We expected, at the time, that 100,000 copies would meet the demand and, in fact, there was doubt on the part of some that we would dispose of all of those.

The book appeared a little over three years ago, and the initial printing disappeared almost overnight. It has now gone through three revisions and innumerable reprintings. We have done absolutely nothing to publicize it for more than two years, but we are still distributing copies in response to direct requests, at the rate of more than 7,500 a week.

The most gratifying thing about this experience, however, is the origin of these requests. Almost all of them come from educators, and I must confess that even a hard-shelled businessman can derive an unaccustomed reward from some of the mail we get from teachers in inner city schools. It is gratifying to know that you have had a part in stimulating what they often describe as "the look of wonder on the face of a Negro child" when he first discovers that his ancestors answered the call of Paul Revere, were at the Alamo, and died in Custer's last stand.

Our little book didn't solve the problems in the ghetto, but I think it may well have stimulated in some Negro children the desire to solve their own.

Now, gentlemen, let me conclude by saying that I have no apologies to make for the contributions that business and industry are making, by employing their resources in traditional ways, to the solution of economic ills. The fact is that our economic system has yielded the highest standard of living in the world, and even the impoverished among us are more fortunate than a majority of the people in a majority of the nations around the globe.

But it is no comfort to a discouraged, frustrated, even desperate Negro in Detroit, or on Chicago's south side, to know that he'd be worse off in Nairobi. And because the industrial sector of our country has demonstrated the capability to bring the nation to the position of unprecedented affluence it now enjoys, I think we must assume the obligation to use our unique capabilities, in cooperation with other segments of society, to help eliminate the remaining inequities that exist.

I think we can do it if we really decide we want to, and get the right people in our companies involved. The question, "What can business do?," baffles us only because we haven't yet asked the right people. We should ask them, and help light more fires of hope in the inner city before the disillusioned Americans who live there touch off more costly fires of frustration and despair.

COMMUNIST PERSECUTION OF JEWS

Mr. DODD. Mr. President, while much is said about the alleged changes which are taking place within the Soviet Union, little information has been made available which would show that men and women have achieved any more freedom to worship in the churches, synagogues, and mosques which have for so long been targets of Communist attack.

The Communists have treated Protestants, Catholics, Orthodox, Moslems, Buddhists, and Jews in a brutal and inhuman manner. Yet the Jews of the Soviet Union have been singled out for attack on two separate levels. Not only has their religion been condemned, but their cultural life has also been stifled.

In 1948, all Jewish cultural institutions were forcibly closed. These included newspapers, publishing houses, literary journals, professional repertory theaters, dramatic schools, literary and cultural research institutes, and schools.

In an important article in the Intercollegiate Review, Frank Coakley points out that as early as 2 years before this massive shutdown, Jewish intellectuals had been arrested, tortured, tried, and executed for "cosmopolitanism." He writes:

> The Cosmopolite persecutions culminated January 13, 1953 with the expose by Pravda of the now infamous "Doctors' Plot."
>
> Accused of plotting the wholesale murder of the leaders of the Soviet Union, nine doctors, six of them Jews, were arrested.
>
> They were alleged to have already murdered two of the leaders, Zhdanov and Scherbakov, and to have made plans to do away with the others. Stalin died two months after the "crime" was first publicized and within a month, Pravda declared the Doctors' Plot to have been a lie invented by "enemies of the state."

Yet things did not change in the Soviet Union, they became worse. Available statistics indicate that in the 2-year period beginning in July 1961 and ending in August 1963, 163 persons were sentenced to death for economic offenses. Of this total, 88 were definitely Jews and eight more may have been Jewish. As Mr. Coakley notes:

> Though Jews represented less than 2% of the population, at least 55% of the condemned economic offenders in that period were Jewish, and there is no telling how many more may have met a similar fate.

Under this guise of fighting "cosmopolitanism," the Communists instituted a ban against the printing of any book in Hebrew. This ban has not been lifted since the Revolution of 1917 and the Communists have never permitted even the publication of a Hebrew Bible or prayerbook in the Soviet Union.

Mr. Coakley notes that—

> All of the rabbis now serving in the U.S.S.R. are in their seventies and eighties—

And that—

> precious little provision is being made for the preservation of the Jewish clergy. In April of 1962, all but four of the students were forced to leave the yeshivah because they lacked the residence permits necessary to live in Moscow.

In 1956 the Soviet authorities reported to the United Nations that 450 synagogues were flourishing in the U.S.S.R. A similar report issued in 1959 indicated that the number had dropped to 150. And the chief rabbi, in a 1963 interview, reported that only 96 synagogues remained active in the whole of the country.

In addition to all of this, there have been spread in the Soviet Union stories of the Jewish murder of Christian children in order to use the blood in Jewish rituals, and the publication of anti-Semitic texts, such as "Judaism Without Embellishment" in 1963. Such attacks are reminiscent of the anti-Semitic campaign of the Nazis at the height of their power.

It is important that the world understand the real nature of the government which today rules the Soviet Union, and which today expresses its desire for peace.

I ask unanimous consent to have printed in the RECORD the full text of the article entitled "The Persecution of the Jews in the Soviet Union."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PERSECUTION OF JEWS IN THE SOVIET UNION

(By Frank Coakley)

(NOTE.—This article is intended as a realistic appraisal of a situation that too often receives inadequate emphasis in the Western press. For the reader interested in pursuing the subject, Walter Kolarz's Religion In The Soviet Union (New York, 1961) presents an accurate frame of reference from which the overall religious atmosphere of contemporary Russia may be viewed. The historical background of anti-Semitism in the U.S.S.R. is treated extensively by S. M. Dubnow in his History of The Jews in Russia and Poland (Philadelphia, 1916). Dubnow supplies an interesting perspective from earliest times to the eve of the Revolution. Also of value for the pre-Soviet period is the first volume of Louis Greenberg's The Jews In Russia (New Haven, 1944). The most accurate and up-to-date commentary on the plight of the Soviet Jew today can be found in Jews In Eastern Europe, a newsletter published by Jewish Minorities Research in New York City. A scholarly description of the partial destruction of Soviet Jewry by the Communist regime is contained in Genocide In The U.S.S.R. (New York, 1958), one of the many excellent studies prepared by The Institute For the Study Of the U.S.S.R. in Munich, Germany.)

"The Russian Jewish community has been reduced by 50 years of Soviet rule to a state of cultural and religious desiccation without parallel among religious and ethnic minorities of the Soviet Union"—New York Times, April 18, 1966.

For nearly half a century, the leaders of the Soviet Union and their apologists have devoted considerable time and effort to denying the many allegations of anti-Semitism that have been made against them.[1] But only ideological blindness can deny the overwhelming evidence for Soviet anti-Semitism, practiced throughout the U.S.S.R. and encouraged and even promoted by the government. The question no longer is whether anti-Semitism exists, but rather how extensive it is, and whether it is the official long-term policy of the Soviet government.

Although the Western world should have long ago been made aware of the Soviet threat to Jewish social existence, it was not until the recent appearance in Kiev, capital of the Soviet Ukraine, of a new anti-Semitic tract that the Western news media began to examine this subject. The publication of an anti-religious book in the Soviet Union was not in and of itself unusual.[2] But there are several features of this latest exercise in militant atheism that made it especially shocking and repugnant to Western society.

THE KICHKO AFFAIR

The book in question, *Judaism Without Embellishment* by Trofim Korneyevich Kichko, was published under the auspices of the Ukrainian Academy of Sciences in the latter part of 1963. When news of its publication reached the West in February 1964, an immediate shock wave of outrage and indignation swept through the non-Communist countries of the world. And not only did the Western press register its collective dismay at this latest example of Soviet anti-Semitism, but virtually every Communist Party organ outside the U.S.S.R. did the same. This almost universal reaction can be explained by a brief look at the contents of the book.

The portrait of Judaism that emerges from Kichko's work is at best a hideous caricature based on distortion, omission and outright prevarication. Perhaps the most startling feature of the book is the extensive use of crude and virulently anti-Semitic cartoons. Not since the days of Julius Streicher's *Der Stürmer* have cartoons such as these been widely broadcast anywhere. The cartoons, which consistently depict the religious Jew as an odious, crooked-nosed, money-hungry parasite and which distort and mock the basic tenets of the Jewish faith, are designed to serve as a vehicle for the reiteration of the alleged "alienness" of the Jew and to foster fear, mistrust, and hatred of the Jew among the people of the Ukraine.

The text of the book reflects the character of the cartoons by depicting the Jew as a swindler, cheat, debaser of women, practitioner of human sacrifice, liar, murderer, traitor and sadist, to mention but a few. Judaism as a religion is portrayed as an intrinsically evil institution that teaches and encourages the religious Jew to lie, steal, avoid work, bear false witness against non-Jews; in short, to perform any act, no matter how base it may be, that seems likely to increase his wealth or in any way secure his material well-being.

It is easy to imagine the extent of the protest that was generated by this singularly vicious and remorseless attack on Jews and Judaism. But during February and March 1964, as the furor over the book rose steadily to its climax in the Western countries, the Soviet government maintained an official silence that was complete and impenetrable. Finally, in the March 26th edition of *Radianska Kultura* (Soviet Culture), the Ukrainian-language organ of the Ukrainian Ministry of Culture, a review of the book appeared under the heading, "A Book About the Reactionary Nature of Judaism." The manner in which the reviewer handles his subject indicates clearly that he has no intention of treating the book objectively. Accusing Kichko of "insufficient exactingness," he bemoans the lack of an "historiographical preface;" and he asserts that the ". . . chief shortcoming of the work under review lies in that the question of the nature and forms of the manifestation of the survivals of Judaism in our times is not elaborated at all." Of the cartoons, he concludes only that they are ". . . pretentiously executed, slovenly, on a low artistic level and can only offend believers." The reviewer concludes: "And these shortcomings unquestionably reduce the value of the book under review, which, to reiterate, merits on the whole a positive evaluation as a thorough examination of the reactionary nature of the Judaic religion."[3]

Shortly after the publication of the review, the Ideological Commission of the Central Committee of the Communist Party Soviet Union (CPSU) adopted a resolution that led to the withdrawal of *Judaism Without Embellishment*. Ironically, however, the Commission took the opportunity to comment on the need for an increase in the level of atheistic literature. It recommended a number of "useful" publications, all of which are strongly anti-religious. Among the titles recommended were A. Osipov's *Catechism In Its True Colors* and *Light Conquers Darkness*. Both of Osipov's books include the following passage:

"Where Jews are concerned, the main and only blood-sucker turns out to be God himself. As the mighty one, he appropriates the lion's share of the catch, and first and foremost its 'strong' part—blood. Bloody victims were brought to him, altars sprinkled with blood . . . He nourished himself with it, became strong at the expense of earthly subjects, just like the Immortal Kaschei of the Russian Popular Tales. Yes, the Jewish God resembles Kaschei both in character and actions."[4]

On April 5, 1964, the day after the publication of the Commission's resolution in *Pravda*, an editorial appeared in *Izvestia* which stated:

"In itself the intention of this brochure cannot evoke any doubts. Judaism, like any other religion, can and should be subjected to scientific criticism. . . . T. Kichko analyzes the reactionary essence of Judaism as one of the forms of religious ideology, and uses some new materials for this. However, along with the correct propositions in his brochure there are historical and factual errors, inaccuracies and confused passages which can be interpreted in a spirit contradictory to the policy of our government in the field of religion and the church . . . But the initiators of the anti-Soviet propaganda campaign are exploiting the appearance of the brochure to try, as they say, to 'cast a shadow on a clear sky,' and to smear the policy of the Soviet state in the nationality question."[5]

It is manifestly clear that the editorial does not condemn the book any more than does the Commission. In ostensibly excoriating the book and its author, the Ideological Commission has given its approval to an entire genre of anti-Semitic literature, much of which is far more offensive than Kichko's book, and almost all of which enjoys a far wider circulation. And the editorial, to further exacerbate the already real problem of anti-Semitism, simply denies the existence of the problem.

But to deny the existence of a concerted campaign of anti-Semitism, a segment of which includes the widespread dissemination of anti-Semitic literature, is simply ludicrous. Lest the official Soviet protestation that the publication of the Kichko book (12,000 volumes) is an isolated phenomenon go unchallenged, the reader's attention is called to Osipov's *Catechism In Its True Colors*, printed in Russian in an edition of 105,000 copies by the State Publishing House for Political Literature in 1963, and the essays of the 18th century French freethinker, Baron Holbach, reprinted in an edition of 175,000 copies by the Political Department of the Soviet Ministry of Culture in 1962. Ironically, the most recent anti-Semitic work to appear in the Soviet Union, *Contemporary Judaism and Zionism* by F. Mayatsky, came to the notice of Western observers less than five months after the Kichko book was "condemned" by the Soviet authorities. Mayatsky's blatantly anti-Semitic treatise was published at the height of the Kichko controversy and has been given wide circulation in spite of the supposed censure of the Kichko book.[6]

These three examples of recently published anti-Semitic literature provide only a fragmentary view of the situation, but they suffice to demonstrate that Soviet talk about Kichko's book as an "isolated incident" is absurd. It is demonstrably *not* an isolated phenomenon, either in publishing or in other areas of Soviet life, but rather another volley in a profound, 50-year-old campaign of the persecution of Soviet Jews by the Communist government of the U.S.S.R.

THE GOVERNMENT'S PERSECUTION OF THE JEWS

With the possible exception of the Islamic and Turkic peoples, the Jews in the Soviet Union are officially regarded in a way altogether different from that of any other religious denomination. While it is true that the government pursues a policy of harassment toward Roman Catholics, Baptists, Lutherans, Calvinists, and other groups,[7] it nevertheless considers the active members of these sects to be capable of loyalty to the mother country. Such is not the attitude toward Jews. The reasons behind their unique position can best be seen in the light of Communist theory as it has been delineated and practiced by the leaders of the CPSU during the past 50 years.

COMMUNIST THEORY

The theory at the core of the Jewish problem in the U.S.S.R. is the theory by means of which the Communists have attempted to solve the nationalities problem. Even before the October revolution, Lenin realized that the creation of a truly unified socialistic state must have as its natural corollary the eradication of the national consciousness of the non-Russian nationalities in the U.S.S.R. Culture, customs, language, and religion all had to be eliminated as unifying elements among the bourgeoisie, and the desire for progress under socialism substituted in their stead. But while Lenin idealistically believed that most of the non-Russian masses would be more than willing to accept the changes in store for them (and also that if they did not accept them, it would be possible to superimpose the changes on them), he never believed that it would be possible to allow Jews the privileges extended to other nationalities.

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[1] Although the term "Semite" refers to the Arab people as well as the Jews, in this discussion it shall be taken to include only the Jews.

[2] When criticized about anti-religious literature, the Soviet government's standard reply is that the Constitution guarantees not only the freedom to practice one's chosen religion, but also the freedom to conduct atheistic and anti-religious propaganda programs. This ambiguous guarantee is contained in Article 123 of the Constitution of the U.S.S.R.

[3] *Jews In Eastern Europe* (*JIEE*), II, 5, 1964, 43.

[4] *The New Leader*, XLVII (No. 13, 1964), 12.

[5] *Midstream*, X, 2 (1964), 59–60.

[6] *JIEE*, III, 2, 1965, 34.

[7] For a scholarly account of the treatment of the various religious groups in the U.S.S.R., see Walter Kolarz, *Religion In The Soviet Union* (New York, 1961).

LENIN'S THEORY

In 1903 Lenin had argued the scientific invalidity and reactionary political nature of the idea of "a special Jewish nation." He then wrote that the political emancipation of the Jews, their abandonment of the Yiddish dialect commonly in use, particularly in the East-European countries, their transition to use of the language of the people among whom they were living, and their assimilation by the surrounding population would go hand in hand with the development of political freedom. Lenin asserted that the Jewish problem was a problem of assimilation or separatism, and that the idea of a Jewish nation was contrary to the interests of the Jewish proletariat.[8] Lenin's stand on the Jews may seem strange when it is compared to his stand on the other non-Russian nationalities. Unlike the Jews, they were to be allowed a certain amount of cultural autonomy and, even if they were not granted the much-vaunted freedom of secession, they at least were given national boundaries that were nominal if little else.

Why then the prohibition against Jewish autonomy? The answer to this question is complex.

First, the Jews are the only ethnic group in the U.S.S.R. whose religion and culture are inextricable parts of the same whole. One invariably complements the other. A member of any other national group might choose any one of a hundred religions and then might change from one religion to another with relative impunity. But many of the Jew's cultural characteristics are molded by his religion. Consequently, it is very difficult to eliminate a Jew's customs or language without first destroying his religion. And the reverse is also true.

Second, the legacy of the Czarist pogroms exists down to the present day. Jews are disliked and distrusted in many parts of the U.S.S.R., and this kind of illogical prejudice is by no means restricted to the lower echelons of society. The leaders of the Party are often thus affected, the many anti-Semitic utterances of Nikita Khruschev being a strong case in point.[9]

Third, the percentage of Jews in the Party in the early days was far out of proportion to the percentage of Jews in the population. Jews saw in Party membership an opportunity to rise above the oppressive conditions that had plagued them for so many centuries. Their strong motivation set them apart from other ethnic groups and their consequent success posed a potential threat to the other members of the Party. It made little difference that most of the high-ranking Jews in the Party were Jewish only by the accident of birth and that they were either atheists or had been long disassociated from Jewry.[10]

Finally, the Jews, by reason of their feeling of camaraderie with Jews in other parts of the world, have always been considered dangerously "cosmopolitan" by the Soviet authorities. The Soviets define Cosmopolitanism as a

"... reactionary bourgeois ideology rejecting national traditions and national sovereignty, propagating an attitude of indifference toward the homeland and its national culture, and demanding the establishment of a world state and world citizenship." [11]

In a word, the Jew accused of being cosmopolitan is tacitly accused of treason.

ZIONISM

The Jews most guilty of Cosmopolitanism, according to the Communists, are the Zionists, who from their inception dreamed of reviving the Hebrew language and culture and also of founding a Jewish national state in Palestine. The desire for such a state is, for the Communists, damning evidence of "... an attitude of indifference toward the homeland and its national culture." The Communist view of the Zionists as treasonous cosmopolitans goes far to explain why, from the very beginnings of the Soviet regime, no books of any kind have been printed in Hebrew.[12] It also explains why all known Zionists were mercilessly and systematically liquidated.[13]

STALIN

The man whose responsibility it was to suppress Zionism and the idea of a Jewish nation in Palestine was Joseph Stalin. Having held the post of People's Commissar for Nationalities for a number of years, Stalin was well-versed not only in the theory, but also in the practice of eradicating the national consciousness of the non-Russian nationalities. He enlarged upon the theory in 1930 when he addressed the Sixteenth Party Congress:

"The flourishing of national cultures and languages during the period of the dictatorship of the proletariat in a single country is permitted, but with the purpose of preparing conditions for the dying out of amalgamation of cultures and languages into a single socialistic culture and common language when socialism achieves a victory in the whole world." [14]

This pronouncement takes on meaning when we consider that Soviet nationalities policy had been unsuccessful in the thirteen years following the Revolution. A variety of practical considerations had combined to thwart the best efforts of the Communists: some national groups were economically and territorially dispersed and of these groups, a number spoke different languages. These factors, combined with the previously stated reasons for the prohibition against Jewish autonomy, rendered forced Jewish assimilation impossible. If the "... amalgamation of cultures and languages into a single socialistic culture" was to be anything more than theory, a new approach to the problem was clearly necessary.

JEWISH AUTONOMOUS PROVINCE

The new approach to the problem did not take form until 1934 when Birobidzhan, the "Jewish Autonomous Province," was founded. It is significant that the official Soviet proclamation of the founding of the province was not forthcoming until 1936. This was the year that marked the high point of the terrible purges of the 1930's in which the editors of Jewish newspapers, leaders of Jewish culture, and the heads of the Jewish Section of the Communist Party were deported or executed.[15] Since the percentage of Jewish defendants in the Purge trials was so clearly out of proportion to that of the other nationalities, the Communists clearly hoped, by means of the proclamation, to offset the bad publicity they had received as a result of this imbalance.

In making the special decree of August 29, 1936, President Kalinin said: "For the first time in its history, the Jewish people are realizing their ardent desire—a home, their own national state." [16]

The Communists hoped, in fact, to accomplish the settlement of 100,000 Jews in the region by the tenth anniversary of its founding. Thousands of personnel, including the Secret Police, were employed in the push to colonize Birobidzhan. The project ultimately ended in failure for a variety of reasons. The entire area was a wilderness, the weather severe, the conditions difficult. Very few Soviet Jews possessed the agricultural skills or training necessary for the settlement of the region. The Soviet authorities failed to provide adequate housing and, consequently, Jews left the province as soon as they arrived. Many, rather than return to their old homes, fled across the border to freedom. There is no way to know how many Jews actually went to the province or how many were forced to go, because no reliable figures have ever been published. The first ten years saw the settlement of only 18,000 Jews, or roughly one-fifth of the anticipated goal. So few Jews have settled in Birobidzhan that even today, the authorities refuse to publish the number living there.[17]

However we choose to view the establishment of Birobidzhan, the episode has implications far more subtle than are suggested by the words of Stalin. His declaration at the Sixteenth Party Congress is clearly a deviation, in terms of method, from the policy put forth by Lenin. Walter Kolarz suggests that the deviation was the result of growing Soviet concern over the undefended and sparsely populated frontier zone that bordered on Manchuria.[18] While this explanation seems legitimate, it fails to account for the emphasis placed upon Jewish colonists. An explanation that does account for this emphasis is that the Communists earnestly tried to solve the Jewish problem by granting the Jewish people a culturally autonomous region. But as we have seen such a solution would be in direct contradition to the ultimate aim and consistent practice of Russian Communism with regard to the Jewish people.

Actually, the real intention of the Communists will probably never be known with any degree of certainty. Birobidzhan never developed in a manner conducive to Jewish settlement; there are practically no manifestations of a Yiddish culture there today.[19] The only plausible explanation for the establishment of the province is that it was intended to be the final solution of the Jewish problem in the U.S.S.R. If a sufficient percentage of the Jewish population had migrated to Birobidzhan, the Communists may well have intended to murder all of them. Shocking though this idea may seem, it represents a solution to the problem that is by no means alien to the Russian Communists.[20]

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[8] *Genocide In The USSR* (New York, 1958), ed. Nikolai K. Deker and Andrei Lebed. (English translation ed. by Oliver J. Frederiksen), p. 97.

[9] *The Soviet Empire—A Study in Discrimination and Abuse of Power* (40–699 0, Washington: U.S. Government Printing Office,: 1965), 61–63.

[10] *Genocide*, p. 97.

[11] *Handbook On Communism* (New York, 1962), ed. Joseph M. Bochenski and Gerhart Niemeyer, p. 258. The definition is taken from "Kosmopolitizm," Bol'shaia Sovetskaia Entsiklopediia (2nd Ed.) XXIII, 113.

[12] *Handbook* p,. 280.

[13] *Genocide*, p. 98.

[14] Roman Smal-Stocki, *The Captive Nations* (New York, 1960), p. 57.

[15] *Genocide*, p. 96.

[16] Gregor Aronson, *Soviet Russia And The Jews* (New York, 1949), p. 5.

[17] *JIEE*, I, 1, 1959, 16.

[18] Walter Kolarz, *Russia And Her Colonies* (New York, 1952), p. 173.

[19] *JIEE*, I, 1, 1959, 18.

[20] See *Genocide In The USSR* for thorough case histories of genocide as practiced by the Russian Communists. The book includes the

The failure of the Birobidzhan experiment raises the question of what direction Soviet nationalities policy regarding Jews was to take. President Kalinin's declaration, together with the wealth of propaganda designed to illustrate official concern for Jewish welfare, would appear to indicate that Jewish social and cultural conditions were due to improve. But Jewish affairs have, from the failure of Birobidzhan to the present day, deteriorated in a manner that forecasts the eventual extinction of Jews as a national entity in the U.S.S.R.

THE COMING OF THE NAZIS

On June 22, 1941, Nazi Germany began its invasion of the U.S.S.R. Thus the largest concentration of European Jews was threatened with extermination. But this threat had really begun nearly two years before with the signing of the Hitler-Stalin Pact on August 23, 1939. Although they could not have known it at the time, over two million Soviet Jews would lose their lives as an indirect result of the signing of this Pact. The reason that the Pact had such a terrible effect on the Jews is that with its signing the Kremlin became favorably disposed toward the problems of the Third Reich. Consequently, the Nazi campaign against the Jews of Europe received no publicity in the U.S.S.R.; when the Nazi invaders struck, the Jews were not prepared for what was to come.[21]

What happened to Soviet Jewry as a result of the Nazi onslaught was summed up in the November 12, 1945 issue of *Das Neue Leben*, a Communist newspaper published in Lodz, Poland:

"According to the 1939 census there were 3,020,000 Jews in the U.S.S.R. This was increased to 5,000,000 at the outbreak of the war with Hitler Germany in 1941, by the addition of the Jews in the Baltic countries, Bessarabia and Soviet-occupied Poland. Now there are 2,500,000 Jews alive in the Soviet Union."[22]

There is, of course, no way of knowing exactly how many Jews survived the Nazi invasion, since the Communists have never published any statistics on the subject. The *Das Neue Leben* estimate conflicts seriously with the 1959 census figure of 2,268,000, especially when the factor of natural increase is considered. But even if Kolarz's unofficial estimate of 3,500,000 Jews living in the Soviet Union in 1961 is correct, then it is clear that *at least* 2,000,000 Soviet Jews perished at the hands of the Nazis.

What the Communists have said about the fate of the Jews during the war is another matter entirely. While the Communist propagandists studiously avoid mentioning comparative figures concerning pre- and post-war Soviet Jewry, they compensate for this lack of statistical evidence by extolling the meritorious and humanitarian "evacuations" supposedly carried out by the Soviet government to save the Jews from Hitler. Their claim is that Stalin ordered the evacuation of all Jews endangered by the invasion and that eighty percent of them were evacuated to safety. This would necessarily mean that less than one million Jews were killed by the Nazis. Aronson effectively explodes this myth of Communist humanitarianism:

"An accidental report from Vitebsk is the single thread upon which the whole fabric of the four-fifths evacuation of the Jews was woven. . . . Vitebsk had a population of 100,000 Jews but when the Germans took the city they only found 22,000."[23]

Since the report to which Aronson refers is the only official mention that has been made about the *exact* number of Jews saved from Hitler, it is clear that the propaganda accounts claiming that the Communists rescued eighty percent of the Jews from the Nazis have little basis in fact. In the many volumes published on the subject of the German occupation, Jewish suffering has been almost completely omitted. In cases where the victims were almost all Jewish, Soviet publications characterize them as "peaceful citizens," "Soviet citizens," "women, children, and old people." The reason that Jewish victims are never specified as such is the same reason that the Communists refuse to publish the number of Jews murdered by the Nazis. If the true story were made known to the citizens of the U.S.S.R., a great deal of sympathy would be felt for all of the Jews, survivors as well as victims. Such a development would seriously impair the Soviet effort to inculcate anti-Semitism in the masses and Jewish assimilation would be seriously retarded.

THE JEWISH MILITARY EFFORT

The Communist conspiracy of silence was not confined to the helpless victims of the Nazis. At the outbreak of hostilities, the Soviet government appealed to the patriotic and nationalistic feelings of the Jews and actively sought Jewish help, both military and domestic, in the war effort. Response to the appeal was immediate. Jews enlisted in the army in considerable numbers, and many gave their lives in battle in a fashion that was a credit to high military tradition. In fact, the Soviet Armed Forces boasted over one hundred Jewish generals while dozens of Jews were awarded the honor "Hero of the Soviet Union." But, strangely enough, public opinion ran high against Jews during the war. Soviet citizens asked constantly why there were no Jews in uniform or at the front. The reason for the public's anti-Jewish feeling in the face of the more than adequate Jewish military effort is that official government sources never commented on their participation. And, in spite of the Jewish contribution toward the defeat of the Nazis, all of the Jewish generals had been purged from the army by 1949.[24]

COSMOPOLITANISM AGAIN

The reason for the denial of the Jewish contribution to the Soviet military effort was that acknowledgment of it would have contradicted the cry of Jewish Cosmopolitanism that was about to be raised again. At the very least, such a contradiction would have thwarted the renewed Soviet drive to force Jews to submerge themselves in the surrounding population. In 1948, all Jewish cultural institutions were forcibly closed. These included newspapers, publishing houses, literary journals, professional repertory theaters, dramatic schools, literary and cultural research institutes, and schools.[25] But as early as two years before this massive shutdown, Jewish intellectuals had been arrested, tortured, tried, and executed for cosmopolitanism and for the murder of Jewish leaders.[26]

The Cosmopolite persecutions culminated January 13, 1953 with the exposé by *Pravda* of the now infamous "Doctors' Plot." Accused of plotting the wholesale murder of the leaders of the Soviet Union, nine doctors, six of them Jews, were arrested. They were alleged to have already murdered two of the leaders, Zhdanov and Scherbakov, and to have made plans to do away with the others. Stalin died two months after the "crime" was first publicized and within a month, *Pravda* declared the Doctors' Plot to have been a lie invented by "enemies of the state."[27]

The implications of the Doctors' Plot cannot be understated. While the tyrant's death prevents us from knowing his exact intentions, reasonable inferences can be drawn from the series of events for which the exposé served as a climax. At the very least, we can assume that Stalin intended a tremendous increase in the pressure on Jews to assimilate themselves into the surrounding population. At the worst, and this is a fear that was widely held at the time, he may have been setting the stage for the wholesale deportation and execution of all of Soviet Jewry. The latter seems especially plausible when we consider the national groups in the U.S.S.R. that have been exterminated in a fashion that bears a disturbing similarity to the pattern followed in the Cosmopolite persecutions of the Jews.[28]

ECONOMIC PERSECUTION

The end of the anti-Semitic persecutions under Stalin by no means indicated a basic change in official Soviet anti-Jewish policy. It meant simply that new tactics had to be employed so that Khrushchev's denunciations of the dead tyrant would not be contradicted by ongoing policy. The new approach, and it is one that has proven most effective in producing an atmosphere of insecurity and fear among the Jewish masses, has been the Economic Crimes campaign. It is probable that this campaign did not begin immediately after Stalin's death; at any rate, reliable reports of anti-Jewish bias in trials for economic offenses did not begin to filter through to the West until the latter part of the 1950's. Available statistics indicate that in the two-year period beginning in July 1961 and ending in August 1963, one hundred and sixty-three persons were sentenced to death for economic offenses. Of this total, eighty-eight were definitely Jews and eight more may have been Jewish.[29] In other words, though Jews represented less than 2% of the population, at least 55% of the condemned economic offenders in that period were Jewish, and there is no telling how many more may have met a similar fate. The Soviet press abounds with reports of trials in which neither the number of offenders nor their nationality is given.

One official explanation for the disproportionate number of Jews convicted of economic offenses is that the number of Jews in business and commercial occupations is very much out of proportion to their numbers in the overall population. But this explanation fails to mention that only about ten percent of the total employed in these areas are Jews; of the 5,010,000 persons employed in business and commerce, only about a half-million are Jews.[30]

The attention of the Western world was directed to this latest form of anti-Semitism in the summer of 1964, when the International Commission of Jurists published a forty-seven page report entitled *Economic Crimes In The Soviet Union:* In part, the report stated:

"It is . . . clear that there has been an insidious and sometimes subtle propaganda campaign directed against the Jewish people of the Soviet Union, specifically against those charged with economic crimes and also against the supposed general characteristics of Jews that have been reiterated for centuries. If the reports of trials for economic crimes are even reasonably complete, the number of Jews receiving death sentences

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histories of four national groups which met *complete* destruction at the hands of the Communists as well as nine national groups which suffered great partial destruction. For a summary discussion of this topic in the light of contemporary developments, see my article, "The Captive Nations *Inside* The U.S.S.R.", *Politeia*, I (Fall 1963), 9–27.

[21] Aronson, p. 30.

[22] Aronson, p. 19.

[23] Aronson, p. 19.

[24] Aronson, p. 35.

[25] Moshe Decter, "The Status of The Jews In The Soviet Union," *Foreign Affairs*, XLI, (January 1963), 422.

[26] Joseph L. Lichten, "The Jews In The Soviet Union," *Marquette University Slavic Institute Papers*—No. 13, p. 10.

[27] Lichten, pp. 10–11.

[28] See footnote 20.

[29] *JIEE*, III, 1, 1964, 84.

[30] *JIEE*, III, 1, 1964, 84.

and severe terms of imprisonment is greatly disproportionate to their number as a minority group."[31]

Commenting upon the cupidity rampant in the U.S.S.R., the report further stated:

"The real truth is a veritable cancer in the vitals of ideology—capitalistic corruption even within the Party and in local economic administration and a spectacle of amazing fortunes made quickly. That unpalatable fact explains the severity of the laws on economic crimes, even to the extent of reversing a highly-publicized trend in the new penal policy. It is a tragedy for the Soviet Jewish people that they have been made the scapegoat for the transgressions of those whose guilt it would be dangerous to make public. They are victims of the 'highest interest of State,' the need to bolster up belief that the Communist way is the right way and the successful way, and that capitalism is both evil and less successful."[32]

Although many Westerners received the Commission's report with some incredulity, Claude Harmel, writing in the French language newspaper, Est et Ouest, had elucidated the problem nearly a year before. Depicting the Soviet regime as one guilty of "scandalous waste" that robs Soviet citizens of "their every scruple," Harmel further characterized the regime as one

". . . which created shortage and which perpetuates it, and where thievery has lost some of its odious character from the necessity which impels man to obtain, where he can, things, often of the greatest necessity, that the State stores do not furnish him; from the fact also that the notion of private property has been practically abolished and that the property of the State inspires infinitely less respect, especially when its administration leaves much to be desired."[33]

Having thus laid the groundwork, the author goes on to analyze the position of the Jews in the economic crimes prosecutions for the eighteen months immediately following the special decree of May 5, 1961. The May 5th decree introduced the death penalty by shooting for a number of crimes, including theft of state and social property and counterfeiting. Harmel also deals with the judicial actions covered by the Decrees of May 24, 1961; February 15, 1962; and February 20, 1962. All of these decrees provided for more severe penalties for a variety of offenses, such as death for illegal currency transactions and also for officials accepting bribes. It is clear that by the passage of these special laws, the Communists accomplish a twofold purpose. Not only do they spread terror in the Jewish community thus forcing Jews to blend into Soviet society as completely as possible, but the trials occasioned by these "laws" cause the discontented populace to blame the Jews for shortages, empty stores, and the high cost of living.

OTHER FORMS OF TERROR

The present-day campaign against Soviet Jewry does not stop with the economic crimes campaign, however. A campaign of terror against Jews is carried on daily throughout the U.S.S.R., so much so that in many places Jews are afraid to walk the streets at night. Perhaps the most terrifying weapon in the contemporary anti-Semitic arsenal is the resurrection of the ancient suspicion that Jews use the blood of non-Jewish children in religious rituals.[34] The earliest recorded use of the "blood-libel" is that of the Romans against the early Christians. No further record of them can be found until the Middle Ages when they were first used as a means of promoting anti-Semitism. At that time, it was rumored that Jews were required to use Christian blood for religious purposes; but later, at the time of the Uzbekistan pogroms, Moslem blood was specified.[35]

Present-day blood-libels are usually publicized in provincial journals and consequently do not often come to the attention of Western journalists. On August 9, 1960, a blood-libel story was published in the Buinaksk *Kommunist*.[36] But it was not until three months later that copies of the newspaper finally reached the West. In January 1963 the president of B'nai B'rith, Label Katz, held a press conference in Washington. At the conference, he related the outbreak of two blood-libel disorders in cities of the Uzbek Republic of the Soviet Union.[37] The riots, which took place in the capital of Uzbekistan, Tashkent, and in the city of Margelan, had created an atmosphere of terror among the Jewish residents of both places. The most significant disclosure made by Mr. Katz at the conference, however, was the amount of time it had taken B'nai B'rith to verify the reports. Nearly a year had passed between the initial report of the outrages and final verification. The major Soviet Press never mentioned the blood-libels at any time in any context. Under the circumstances it seems reasonable to assume that many incidents of a similar nature never gain the attention of the Western world.

Another little-publicized method of instilling fear in the Jews is the desecration of Jewish graveyards, mass graves, and memorials. Scores of tombs and monuments have been destroyed in Kiev, Berdichev, Benderi, Baranovich, and Minsk. In Riga, where fifteen mass graves of Jews murdered by the Nazis during the war were unearthed in the late 1950's the authorities have refused permission to transfer the remains to Jewish cemeteries. The old Jewish cemetery in Tbilisi has been confiscated and converted into a public park while the ravine at Babi Yar, where many thousands of Jews were massacred and buried during the war, continues to be used as a grazing field for cows. Marble headstones from the Jewish graveyards in Odessa and Berdichev have been used for street paving and also have been sold by a municipal organization. And finally, the monument erected to the memory of the Jews killed by Hitler in Baranovich has been destroyed and a public latrine has been built in its place.[38] These examples are representative of what has been done to Jewish cemeteries in the U.S.S.R. but, owing to the nature of the news media there, they cannot be said to be comprehensive. Many more desecrations have undoubtedly escaped the notice of observers in the West.

CULTURAL PERSECUTION

Soviet anti-Semitic policy also takes subtle, less overt forms than those just described. Cultural genocide, a weapon which the Communists have used in dealing with many "troublesome" national groups, is used even more thoroughly in the case of the Jews. The reason is that the Soviet attack against Jewish culture must be directed against the Judaic religion as well as the ethnic and national characteristics of Jews.

Linguacide, the destruction of perversion of a language, is a weapon that the Communists have employed against the Jews since the October Revolution. Under the guise of fighting the "cosmopolitan" Zionists, the Bolshevik revolutionaries instituted a ban against the printing of any book in Hebrew. The ban has never been lifted; the Communists have never allowed the printing of a Hebrew bible or of a siddur (prayerbook) in the Soviet Union.[39] The prohibition against Hebrew, while it has symbolic meaning, was intended primarily to foreshadow the eventual attack on Yiddish, which is the language actually spoken and written by Soviet Jews.

The discontinuation of the language of a national group, according to Communist theoreticians, is prerequisite to the assimilation of that group into the overall Soviet population. Concomitantly, such a discontinuation can be taken to imply that the desired assimilation is an accomplished fact. It is of tremendous significance, therefore, that the latest edition of the *Large Soviet Encyclopedia* defines Yiddish as "the former language of the Russian Jews."[40] If we accept this definition at face value, then it would appear that Soviet Jews are beyond help. If, however, we regard the definition and much else of what is contained in this overgrown propaganda leaflet as being of dubious veracity, then a closer look at the Yiddish language is in order.

Attempts to alter the character of the Yiddish language were made as early as the late 1920's. A report published in Moscow in 1933 tells of the suggestion of a prominent Jewish Communist linquist that the word "God" be eliminated from the Yiddish vocabulary. The matter was given long and serious consideration, provoking many arguments for and against. It was finally decided that retention of the word was necessary in order to facilitate Jewish antireligious propaganda.[41]

The first Yiddish daily newspaper in the Soviet Union was published in 1903, with many Yiddish journals and newspapers of varying political opinions following thereafter. Ranging in circulation from thirty thousand to as high as eighty thousand, these publications flourished and grew until the time of the Bolshevik revolution. It may seem odd, therefore, that at the present time, there are only two Yiddish publications in the entire Soviet Union, *Birobidzhaner Shtern* and *Sovietish Heimland*. The former, published in Birobidzhan, has a circulation of one thousand and is not distributed outside of that region. The latter is a bimonthly literary review with a circulation of twenty-five thousand; the Jewish enthusiasm that followed the establishment of this review gives the lie to Communist contentions that there is no demand for Yiddish culture.

Another manifestation of Soviet anti-Yiddish policy is *the absence of even one Yiddish school* in all of the U.S.S.R.[42] The implications of the complete lack of a Yiddish school system can best be seen when we consider that immediately prior to the Second World War, there existed an extensive system of Yiddish schools. The November 1964 issue of *Jews in Eastern Europe* contains the following description of that school system:

"Before the last war the Soviet Union had the largest Yiddish school system in the world, including university departments, high schools and scientific establishments. In the 1930's the Ukraine alone had 765 Jewish schools, three teaching colleges, 16 technical schools, five agricultural schools, 50 rural cultural centres, 116 libraries and reading rooms, 47 reading clubs, three state theatres, one children's theatre, ten newspapers and periodicals and one scientific institute all conducted in the Yiddish language."[43]

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[31] "Economic Crimes In The Soviet Union," *Journal Of The International Commission of Jurists*, V (Summer 1964), 45–46.

[32] *Jurists*, p. 46.

[33] *Est et Ouest*, No. 306, 1–15 Octobre 1963, p. 22.

[34] *JIEE*, II, 5, 1964, 11.

[35] *JIEE*, II, 2, 1963, 34.

[36] *JIEE*, I, 6, 1960, 3. The New York *Herald Tribune* carried a special report on the incident, including photostats of the original article, in its November 4, 1960 edition.

[37] *JIEE*, II, 2, 1963, 34.

[38] *JIEE*, I, 1, 1959, 3–4.

[39] "The Status of The Jews In The Soviet Union," *Survey* B'nai B'rith International Council Special Report, Washington: August, 1964, p. 3.

[40] *Genocide*, p. 101.

[41] Kolarz, *Russia And Her Colonies*, p. 166.

[42] *Survey*, p. 3.

[43] *JIEE*, III, 1, 1964, 83.

Over ninety thousand students were enrolled in that school system. But since the war, not one of those schools had been reopened or re-established.[44]

A similar fate has befallen all of the pre-war Yiddish cultural institutions. Even though nearly twenty permanent Jewish theatrical companies existed in the 1930's, there is no permanent Yiddish theatre in the Soviet Union today.[45] During the last six years, five books in Yiddish have been authorized in editions of thirty thousand copies each. Not only are none of them by a living Jewish author, nearly all of them have been distributed *outside* the U.S.S.R. Compare this token gesture with the pre-war rate of publication and its real purpose is easily seen. From 1933 to 1937, one Yiddish publishing house published six and one-quarter million copies of eight hundred and fifty-two books. In 1939 alone, three hundred and thirty-nine books were published in Yiddish. Between 1948 and 1959, on the other hand, not one book appeared in Yiddish.[46] In a report on one of the five books, Sholem Aleichem's selected short stories, *Jews In Eastern Europe* points out that the book was unobtainable in the Soviet Union the day after it was published.[47] The publication of books such as this one is clearly not indicative of an "enlightened" attitude toward Soviet Jews. The books are, rather, gross symbols of Soviet propaganda.

What justification do the Communists offer for the widespread suppression of the Yiddish culture? They claim that the Jews are so widely dispersed that the expense of maintaining cultural facilities for them would be intolerable. Further, they assert, Soviet Jewry is a prime example of the occurrence of natural, historical assimilation and, consequently, that there is a diminished demand for cultural institutions and Yiddish paraphernalia. Communist arguments to the contrary, there does exist a very strong yearning for Yiddish cultural institutions in the Soviet Union today. In the 1959 census, despite the long-term attempts to eliminate Yiddish, 472,000 Jews listed Yiddish as their mother tongue. And although it was unnecessary to furnish proof of nationality, 2,268,000 Jews chose to list themselves as such. This Communist argument that the maintenance of Yiddish cultural institutions would impose an undue burden on the economy can only be regarded as a spurious evasion. The Tadzhik minority of the Uzbek Republic, the Poles of Byelorussia and Lithuania, and many others have all been supported in the retention of their cultural facilities. The assertion that there is no demand for papers and books in Yiddish is equally false. The existence of over seventy Jewish poets, playwrights and writers, the long waiting lists for threadbare Yiddish papers at Soviet libraries, the heavy black market in Yiddish prayer books and other religious articles, and the millions attending Yiddish concerts serve as eloquent refutation to the Communist arguments.[48]

RELIGIOUS PERSECUTION

We have already examined the extent to which anti-Semitic literature of all types is circulated throughout the U.S.S.R. with the full approval of the Soviet authorities. But it would be a mistake to think that the publication of books such as Kichko's, Osipov's and Mayatsky's is the full extent to which the government is involved in the fight to destroy the Jewish religion. The books are only tools with which to carry on the fight; the struggle itself is grim and diversified.

The years immediately following Stalin's death witnessed a general relaxation of Soviet anti-religious policy regarding the Jews. While it is true that his murderously anti-Semitic policies had resulted in wide-spread intimidation of religious Jewry, they also had the immediate result of reawakening religious interest among a large number of previously areligious Jews.[49] Thus did Stalin's successors face a problem that had long been considered dead, that of demands for religious freedom. As they had often done in the past, the Communists decided to grant token concessions to religious Jews. They obviously felt that the initial manifestations of Jewish religious interest would not grow, and that their overall plans would be undisturbed by this relatively meager display of "bourgeois nationalism."

The concessions included the opening of a small yeshivah in Moscow in 1956, the printing of 4,000 copies of a small Jewish prayerbook, the lifting of the ban on prayer meetings, and a loosening of restrictions on the sale of Kosher food. Such concessions were virtually meaningless for most Soviet Jews, however. Four thousand prayerbooks for a country with a Jewish population of over three million can hardly be considered and adequate supply.[50]

The establishment of the Moscow yeshivah likewise has little practical significance. Only two rabbis were ordained at the yeshivah in its first seven years of operation, and neither of them has assumed the duties of a synagogue leader. Until April of 1962, only thirteen students had been enrolled at the yeshivah, eleven of whom were over forty years of age. Considering that all of the rabbis now serving in the U.S.S.R. are in their seventies and eighties, it would appear that precious little provision is being made for the preservation of the Jewish clergy. In April of 1962, all but four of the students were forced to leave the yeshivah because they lacked the residence permits necessary to live in Moscow.[51]

The token concessions granted the Jews after the death of Stalin did not include the reconstruction or restoration of any of the innumerable synagogues which were destroyed or confiscated during the war.[52] Many of them are now used as warehouses or as clubhouses for Party functions. Consequently, many Jews had no house of prayer to attend even with the post-Stalin easing of restrictions on synagogue attendance.

Although there was little real improvement in the lot of the Jews during the first four years after Stalin's death, at least the government did not pursue an actively anti-Semitic policy. But in 1957 the Soviet authorities noted a marked increase in synagogue attendance as well as in general Jewish enthusiasm regarding religion. Fearing that a dangeorus trend toward the renewal of Jewish cultural aspirations was developing, they launched a new offsensive against the Jews, one which has persisted until the present day.

The clearest indication of the new policy toward the Jews can be seen in the statistics on the decline of the synagogues between 1956 and 1963. In 1956 the Soviet authorities reported to the United Nations that 450 synagogues were flourishing in the U.S.S.R. A similar report issued in 1959 indicated that the number had dropped to 150. And the chief Rabbi, in a 1963 interview, reported that only 96 synagogues remained active in the whole of the country.[53] In the light of such appalling statistics, Khrushchev's denunciations of Stalin seem hypocritical indeed.

After the initial change in strategy in 1957, the Soviet policy of anti-Semitism gained impetus and was broadened to cover all facets of Jewish existence. Recognizing that the Jewish community relied heavily upon the practice of Judaism, the Communists endeavored to make practice of the religion as difficult as possible. Synagogue attendance was a primary target; Communist propagandists have painted a black picture of what supposedly goes on within the walls of the synagogue. Characterized as "loathsome bugs," "Parasites," and "Obscurantists," rabbis and other synagogue officials are accused of "foul activities," "machinations," "currency speculation," "extortion," and a multitude of other transgressions which imply directly that the Jews' sole interest is money.[54]

THE MATZOH CAMPAIGN

Perhaps the most vicious and certainly the best-publicized instance has been the eight-year long anti-Matzoh campaign. Begun in 1957, four years *after* the death of Stalin, the ban on the baking and sale of matzoh spread from Kharkiv in the Ukraine to Byelorussia, Lithuania, and finally, in 1962, to the entire U.S.S.R. Non-Jewish acceptance and approval of this harshly repressive measure has been reinforced by the use of blood-libels. In Vilnius, the capital of Lithuania, a rumor was circulated that a six year-old girl was kidnapped and murdered by Jews; her blood, Christian on this occasion, was reported to have been used in the preparation of Matzoh.[55] And in the Georgian town of Tskhaltubo, at the time of Passover, 1962, a Jewish dentist was accused of drawing blood from the face and neck of a young boy who had come to his home to play with his son. The dentist was arrested and spent nearly four months in prison before the legal proceedings against him were dropped. His arrest, interment, and subsequent ruination had, by that time, served their purpose. The publicity attendant to the affair had given the word "matzoh" an extremely pejorative connotation. The fact that it took well over a year for details of the Tshaltubo affair to filter through to the Western press strongly suggests that many similar incidents never gain the attention of foreign reporters.

The matzoh situation appeared headed for a solution in 1964, however, when Soviet authorities relented on two phases of the restrictions. On March 7, 1964, the spiritual leader of Moscow's central synagogue, Rabbi Yehudah Levin, announced that matzoh would be baked for those members of the congregation who provided their own flour.[56] And the Soviet government informed the Jewish community of the United States that packages of matzoh could be sent to individuals in the U.S.S.R. Rabbi Levin's announcement must have seemed particularly ironic to Soviet Jews in view of the severe flour shortage occasioned by the disastrous wheat harvest of 1963. Flour is rarely sold either in the collective farm markets or in state stores. In addition, the Communists reneged on their promise to deliver packages of American matzoh to Soviet Jews. In spite of the guarantees given to American Jews, the Soviets "urged" their Jews to refuse to accept parcels from abroad and to return them to their senders.[57] As a result, only one twenty-two pound package out of approximately one to three hundred thousand pounds of matzoh was delivered. The single delivery was made to Chief Rabbi Levin.

Notwithstanding the bad faith they exhibited in 1964, the Soviets granted permission to bake matzoh to two Moscow synagogues in early 1965. Again, those persons wishing to obtain matzoh were required to supply their own flour. Although the flour shortage had eased somewhat since 1964, permission to bake matzoh was not granted throughout the entire U.S.S.R., but only in Moscow and Leningrad. Representatives of the two Moscow synagogues credited the unfavorable publicity attendant upon the previous year's shortages for the easing of the ban in Moscow proper. But the April 16, 1965 edition of the New York *Times* reported that "In many parts of the Soviet Union no matzoh at all is available, and Jews who want to observe the holiday will have to improvise, using beans and peas, as the eating of ordinary bread is forbidden during Passover. The propaganda motivation behind the token "easing" of restrictions can thus easily be discerned.

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[44] *Survey*, p. 3.

[45] *Survey*, p. 3.

[46] *Survey*, p. 3. See also *JIEE*, I, 1, 24.

[47] *JIEE*, I, 1, 1959, 24.

[48] *JIEE*, I, 1, 1959, 34–32. Citizens of the RSFSR have their own schools no matter where they live. The Tats, Udege, Chechen-Ingush and Kalmuks, all very small minorities, possess some cultural autonomy.

[49] Kolarz, *Religion*, p. 390.

[50] Decter, p. 424.

[51] Decter, p. 425.

[52] Lichten, pp. 11–12.

[53] *Survey*, p. 8.

[54] *JIEE*, I, 6, 1960, 6–8.

[55] *JIEE*, II, 3 1963, 37.

[56] New York *Times*, March 8, 1964.

[57] *Izvestia* and *Pravda Vostoka*, March 17, 1964.

THE SITUATION TODAY

The position of the Jews in the U.S.S.R. has steadily worsened since the October Revolution; the process of deterioration has accelerated during the last two decades and, in spite of Stalin's death, continues to undermine the tenuous Jewish hold on national existence with every passing year. As noted in the beginning of this discussion, pro-Soviet commentators as well as the Soviets themselves have for nearly half a century denied that anti-Semitism exists under the Communist regime. This contention, as we have seen, is an utter absurdity; the ever-increasing evidence to the contrary indicts the Soviet government of officially sponsoring and approving of anti-Semitism in much the same way that the German archives indicted the Nazis. The primary difference is that we have complete documentation regarding Nazi anti-Semitism, but only partial documentation of the Soviet campaign. But even partial documentation details the massive scope of the Communist attempt to obliterate the Jews as a national and cultural entity: the plethora of anti-Semitic literature published with governmental approval, the continuing application of the theories of Lenin and Stalin by their successors, the failure of Birobidzhan, the Communist silence concerning the Nazi threat to Jewish existence and the failure of Stalin to save the Jews from the reality of that threat, and the denigration of the Jewish military contribution during the second world war, the Cosmopolite persecutions, the Economic crimes campaign, the blood-libels, the desecration of Jewish graveyards and memorials, the anti-Yiddish campaign, the destruction of the world's largest Yiddish school system, the closing of the synagogues, the anti-matzoh campaign, and finally, the meaningless concessions granted to the Jews demonstrate unequivocally that the Russian Communists have, since the earliest days of the regime, been locked in a mortal struggle with the Jewish minority and that they are locked in that struggle still.

THE REACTION OF THE WEST

Thus far, the reaction of the United States to the persecution of the Jews in the Soviet Union has been less than serious—limited to an occasional speech by a member of Congress, an unpublicized (though sound) report by a Congressional subcommittee, an infrequent allusion to the problem by the President, an ineffectual parade or picket line in New York City which may elicit a compassionate but weak newspaper editorial. Lack of interest in helping the Jews of the U.S.S.R. is inexcusable in a government which purports to base its foreign policy partly on humanitarian grounds. Nor can this refusal to attempt to improve the lot of Soviet Jewry be excused on the ground of fear of intensifying the Cold War. The multidimensional struggle raging on six continents between communism and all noncommunist societies is rooted in communist ideology and resistance to communist expansion. The government should not hesitate to help keep the Jewish nation in the U.S.S.R. alive merely because of political expediency.

There are many things that might be done to prevent the ultimate destruction of Soviet Jewry: news of the state-enforced erosion of Jewish religious and cultural consciousness can be published throughout the world; concrete offers of material and spiritual aid can be made at every possible instance; commercial dealings with the U.S.S.R. by United States firms can and should have as their natural concomitant Soviet concessions oriented toward the relief of the Jews; the persecution of Soviet Jewry might be presented in detail to the United Nations and a debate on the matter initiated by the United States. Beyond question, then, there is no dearth of politically viable programs by which the West can offer succor to the long-suffering Jews. What remains an open question is whether or not there is sufficient moral concern among the armies of Western humanitarians for a truly oppressed minority that is in mortal danger of extinction.

Today, we in the West are still mourning our failure to do the utmost to aid the Jews suffering under National Socialism in the Thirties and Forties. Will we, twenty years hence, be engaged in yet anothoer debate about how moral sloth and political cowardice kept us from coming to the aid of the same suffering people? Let us keep in mind the remarks of Rabbi Israel Miller, made after he had attended services in Moscow's Central Synagogue, that "There still echoes in my ears the whispered plea, 'Do not forget us.' "[58] And let us lament with Evtushenko:

Over Babi Yar
there are no memorials.
The steep hillside like a rough inscription.
I am frightened.[59]

SECOND ANNIVERSARY OF PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT—SENATOR RANDOLPH STRESSES ACCOMPLISHMENTS OF EDA IN PARTNERSHIP WITH STATE AND LOCAL GOVERNMENTS AND PRIVATE INDUSTRY

Mr. RANDOLPH. Mr. President, it has been 2 years since President Johnson signed the Public Works and Economic Development Act.

It is appropriate that we recognize the substantial progress accomplished under the act in the last 2 years and through the economic Development Administration, the agency created in the Department of Commerce to administer the Federal economic development program.

President Johnson has long been a supporter of Federal aid for the people in economically underdeveloped areas. There have been many supporters in Congress, and I am happy to be included among them. It was my privilege to have cosponsored the Public Works and Economic Development Act, and to have assisted in managing the measure in 1965.

By the end of July of this year, the Economic Development Administration had approved projects benefiting 558 communities in all 50 States and four territories. To help establish the conditions and climate that will attract private industry and create jobs, the agency had approved more than $435 million for public works in 455 areas. Also, 125 loans totaling $94 million had been approved to establish or expand industrial or commercial enterprises.

To assist communities in solving the problem of insufficient economic growth, to provide feasibility studies for specific projects and to obtain management assistance and counseling for new industrial firms and small businesses in redevelopment areas, EDA had approved 370 technical assistance projects at a cost of almost $18 million.

These EDA investments are expected to result in at least 87,285 permanent new jobs in redevelopment areas. These include 52,900 direct or directly related jobs and 34,385 jobs in associated support industries.

The total public and private investment in EDA projects by August 18 of this year was nearing $1 billion. In round figures, $998 million is involved in these projects—$575 million in EDA funds and $423 million to be provided by private lenders, industry, State and local governments and other Federal agencies.

The goal of the economic development program is the creation of permanent, full-time jobs. Short-term construction jobs are not a consideration in the approval of projects. However, the communities realize the benefits of such jobs through the EDA program. At the end of this month there will be 10,930 workers employed on construction of EDA projects in 379 communities, and by the time projects approved thus far are completed, 25,000 persons will have worked an average of 5 months each on construction.

Much credit for the success of this agency is attributable to Ross D. Davis, the able Assistant Secretary of Commerce for Economic Development, who has directed EDA for the last year, and to the pioneering efforts of his predecessor, Eugene Foley. Both of these gentlemen have had the valuable assistance of Thomas Harvey, the Deputy Assistant Secretary.

In fiscal year 1967, with less money available than the previous fiscal year, EDA approved 30 percent more public works projects and was able to aid 18 percent more communities than in fiscal 1966. This was accomplished by reducing the average cost of approved projects. The Agency approved 472 public works projects, compared to 361 the previous year. This was accomplished with $199.7 million, compared to $232.1 million in fiscal 1966.

The Public Works and Economic Development Act recognizes that planning is a key element in economic development. A community must organize and plan for economic growth, assess its liabilities and resources, and establish priorities for actions that will bring about that growth.

To insure that the planning process is more effective and to deal with economic problems that cross political boundaries, the act provides for multicounty economic development districts and multistate economic development regions, patterned after the Appalachian region. The districts are organized by EDA in cooperation with the States and counties involved. The regions are designated by the Secretary of Commerce with the concurrence of the States, and through EDA the Federal Government pays their administrative costs.

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[58] New York *Times*, April 18, 1966.

[59] *Selected Poems of Evtushenko* (New York, 1962), ed. Robin Milner-Gulland and Peter Levi, S.J., p. 82.

At the end of EDA's second year of operation, 97 districts in 34 States were in various stages of organization. Of these, 24 had been designated and were in operation. Five regions, embracing all or parts of 19 States were designated. The regions are the Ozarks, upper Great Lakes, New England, Coastal Plains, and Four Corners.

Mr. President, the funds approved for projects through EDA are not merely expenditures—they are investments in the future of our Nation. These projects will return dividends to the Government in the form of jobs, taxes, and general economic growth, and in an indirect way a lessened expense for welfare and other social costs. This is in addition to the great personal benefit each job will have to the worker involved and his family.

I will continue to support the Federal economic development program. While recognizing that much remains to be done—there are still 860 areas in the Nation that qualify for assistance—it is my belief that the accomplishments of the Economic Development Administration have been constructive and meaningful. I am happy on the occasion of the second anniversary of the passage of the act to call attention to these accomplishments.

Mr. MUSKIE. Mr. President, 2 years ago this week, Congress passed and President Johnson signed into law, an imaginative program designed to combat the ravages of unemployment. Since then, the citizens of every State in the Nation have received assistance under the provisions of the Economic Development Administration Act.

The tools utilized by EDA are many but their purpose is the same, to provide job opportunities to put unemployed Americans back to work. They are as varied as public works grants to assist in opening new industrial plants to Regional Economic Development Commissions, such as the New England Commission, which plan for long-range economic objectives.

Over the past 2 years, EDA has helped bring new economic life to many communities in my State. There have been over 30 EDA projects in Maine. The total EDA investment of $11.4 million has been matched by approximately the same investment of local government and private capital. But of more importance, these funds have created hundreds of new jobs for people who need them, and they continue to create more as time passes.

Maine's projects similar to other EDA activity throughout the Nation are based on local needs and local initiative. They range from business loans for expanding and modernizing a potato processing plant in Washburn and establishing a new sugar refinery in Easton to a grant for the establishment of a York County Regional Planning Commission. They include a loan to build a new electronics plant in Lisbon Falls, and grants to construct sewer systems in Waldoboro and Thomaston.

EDA funds are financing a study of the extent and quality of copper, nickel, and cobalt reserves in Knox County and a detailed evaluation of the tourism and recreational potential in the Wiscasset area. These well-coordinated projects are having a beneficial impact on the Maine economy. Several counties have recovered economically to the point that they are no longer eligible for EDA aid.

Despite the accomplishments of EDA, the problems of poverty areas continue to remain a significant challenge to our society. While the total number of areas which require assistance have been reduced by some 500 in the 2 years EDA has been in existence, the recent urban riots point up the continuing need for intensive economic research.

As we examine the problems of economic growth, we can see that the role played by EDA has been a significant one. Although the challenges that remain are diverse, an excellent foundation has been laid. As time passes, EDA continues to build its knowledge and ability to deal with economic deprivation.

The problems we face are enormous, but EDA has shown the leadership and the imagination to get the job done. I congratulate the entire staff of the Administration on their past achievements and know that their progress will be even more significant in the future.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is closed.

AUTHORIZATIONS FOR THE HIGHWAY BEAUTIFICATION PROGRAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The **PRESIDING OFFICER.** Without objection, the Chair lays before the Senate the unfinished business, which the clerk will state.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1467) to provide authorizations from the highway safety and beauty trust fund to carry out the purposes of the highway safety and beautifications programs under title 23, United States Code.

The Senate proceeded to consider the bill, which had been reported from the Committee on Public Work, with an amendment, to strike out all after the enacting clause and insert:

CONTROL OF OUTDOOR ADVERTISING

SECTION 1. The first sentence of section 131(m) of title 23 of the United States Code is amended by adding after "section" the following: "including the administrative costs thereof," and by striking out "and" after "1966,", and by inserting before the period at the end thereof a comma and the following: "and not to exceed $5,000,000 for the fiscal year ending June 30, 1968."

CONTROL OF JUNKYARDS

SEC. 2. The first sentence of section 136 (m) of title 23 of the United States Code is amended by adding after "section" the following: "including the administrative costs thereof," and by striking out "and" after "1966,", and by inserting before the period at the end thereof a comma and the following: "and not to exceed $10,000,000 for the fiscal year ending June 30, 1968".

LANDSCAPING AND SCENIC ENHANCEMENT

SEC. 3. The fourth sentence of section 319(b) of title 23 of the United States Code is amended by adding after "subsection" the following: "including the administrative costs thereof," and by striking out "and" after "1966,", and by inserting before the period at the end thereof a comma and the following: "and not to exceed $70,000,000 for the fiscal year ending June 30, 1968."

Mr. RANDOLPH obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield without losing his right to the floor?

Mr. RANDOLPH. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, before I discuss the provisions of S. 1467, the authorization for the highway beautification program, I ask unanimous consent to have printed in the RECORD a statement which was inadvertently omitted from page 2 of the report which was filed on August 25, 1967, from the Committee on Public Works, which accompanied the bill. This statement should follow the paragraph ending:

> The Federal share of such compensation was set at 75 percent.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Public lands and reservations of the United States were made subject to the standards to be promulgated by the Secretary.

Informational centers at safety rest areas were authorized.

Bonus payments under the law existing prior to June 30, 1965, would be continued to be honored.

States were permitted to establish stricter limitations with respect to signs.

A procedure for appealing from the implementation of the 10 percent penalty was provided.

CONTROL OF JUNKYARDS

Congress provided under this portion of the Act that establishment, use and maintenance of junkyards in areas adjacent to the Interstate and primary systems should be controlled. Control subsequent to January 1, 1968, was conditioned under a penalty not to exceed 10 percent of the highway apportionment for any State which did not effectively control junkyards. Effective control was defined to mean screening or removal. The terms "junk," "automobile graveyard" were each defined. Junkyards within 1000 feet of the highways involved would be permitted in areas zoned industrial under State law or if not so zoned were used for industrial activities as determined by the several States subject to approval by the Secretary. Removal of those junkyards which could not be screened was not required until July 1, 1970.

The Federal share of landscaping such facilities was set at 75 percent. For those junkyards required to relocate, just compensation would be paid. The Federal share of such compensation was set at 75 percent.

Mr. RANDOLPH. Mr. President, the Committee on Public Works, through its Subcommittee on Roads, began hearings on the beautification program on June 28. The hearings, at the outset were clouded by misunderstanding and misinterpretation regarding the meaning, intent, and implementation of the Highway Beautification Act of 1965. One purpose of the hearings was to clarify and correct this situation.

Committee members felt that a failure of communication was largely responsible for the development and continuation of the situation which obtained at that time.

Testimony indicated that those concerned with outdoor advertising control, from conservation groups, to roadside business people, were dissatisfied either with the legislation or its implementation. The outdoor advertising industry and the roadside business industry were concerned that the present law was being implemented too harshly. Conservation and garden club groups were equally convinced that the statutory requirement of mandatory compensation was hindering expeditious application of advertising control.

Mr. President, advertising control represents only one-third of the program established by the Highway Beautification Act of 1965, but most of the controversy concerning the program has been concentrated on this section of the act. The committee members have given careful consideration to the administration of the act of 1965, and to the conditions which have generated rather widespread doubt and uncertainties regarding this program.

That portion of the Highway Beautification Act relating to advertising in zoned and unzoned industrial and commercial areas constituted an area of controversy. Administration officials in testimony and in subsequent discussions made it clear that with respect to agreements to control advertising in zoned and unzoned industrial and commercial areas that—

First. Initiative for such agreements must come from the States;

Second. Subject to supporting evidence State determination of customary use with respect to size, lighting, and spacing of signs in such areas will prevail;

Third. A single establishment will form the basis for an unzoned industrial or commercial zone;

Fourth. The distance from that establishment will be established in terms of customary use in the State and the needs of the area as determined by geographic, sociological, economic, and other factors;

Fifth. With regard to zoned areas, the requirements of the law will be met if the State provides certification by the Governor that local communities have and exercise zoning authority and have size, spacing and lighting requirements for outdoor advertising. Discussions with the administrators of the act provide clear indication that any size, any space, and any lighting requirements will meet this condition.

To facilitate the reaching of agreements in an atmosphere conducive to those agreements and devoid of external pressure, Secretary Boyd, in his appearance before the subcommittee, stated that the 10-percent penalty provision would not be invoked through calendar year 1968 and would probably not be invoked for a reasonable time into calendar year 1969. This will give those States which do not now have the authority to enter into agreements ample opportunity for the State legislature to meet and decide what approach it is they wish.

To date, 19 States have authority to enter into agreements with the Secretary. Of these, four have been signed—Rhode Island, Vermont, Hawaii, and Virginia. All of these States are bonus States and the agreements initiated by these States reflect their commitment in controlling outdoor advertising. These agreements, especially in Hawaii, Rhode Island, and Vermont, are particularly stringent and it is believed that they do not represent the general level of agreements which will be reached with other States.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. WILLIAMS of Delaware. Is the Senator discussing the billboard phase of this program at this moment?

Mr. RANDOLPH. At this time, yes, particularly the agreements with the States.

Mr. WILLIAMS of Delaware. To restrict the number of billboards to be placed along the highways. It is my understanding that one of the purposes of this program is to limit or curtail the use of such billboards. Is that correct?

Mr. RANDOLPH. Yes; over a period of years this legislation will result in the elimination of some outdoor advertising signs, primarily in noncommercial and nonindustrial areas.

In this respect I emphasize that the purpose of this legislation is the control, not the elimination of outdoor advertising. The committee, in this legislation, as in the Beautification Act of 1965, acknowledges that outdoor advertising is a legitimate form of enterprise and constitutes an important sector of the national economy. Consequently, the basic premise of the committee viewpoint—and one adopted by the administration also—is that the outdoor advertising industry should be allowed to operate—under controls—where other businesses and industries operate.

Mr. WILLIAMS of Delaware. I think there is some merit to the program, and I supported the proposal originally; but what disturbs me is that the greatest user of billboards is the U.S. Government. For example, I was advised by the Department of Transportation that in the past 5 years it has spent about $4,255,000 buying about 69,000 billboards to put up and down the highways. The General Services Administration has spent another quarter of a million dollars.

I wonder if a good step from the standpoint of the taxpayers would not be for the Government to set an example for industry and stop using billboards—in other words, for the Government to start practicing what it preaches.

I wonder if the Senator will agree with me that the Federal Government ought to lead the way instead of just telling industry to stop using billboards. Should it not lead the way and say, "We have stopped; now you stop"?

The Government's use of billboards in the last several years has been expanded, rather than restricted.

Mr. RANDOLPH. The question raised by the Senator from Delaware is one that I know concerned him at the time we brought the original legislation to the floor in 1965. I do not have his remarks before me, but I recall they were in the vein in which he is speaking today.

It is my feeling that, insofar as possible, there is an obligation on the part of our Federal Government to be, not a laggard, but a leader in the program.

It is my understanding—and I want to be very careful on this point—that the Federal Government must justify its expenditures in this regard, but such signs are used by the Federal Government in an effort to inform the American public where their tax dollars are being used. I am not saying that is always a satisfactory situation, but that is the intent.

Mr. WILLIAMS of Delaware. There is no question that the intent of the billboard advertising used by the Federal Government is to inform, but that is the intent of all advertisers—to inform. The bill itself was originally passed with the idea of eliminating what was described as unsightly billboards along the Nation's highways. I do not see how the highways are beautified by taking down one billboard and putting up another which says that Mr. X as President or Mr. Y as Administrator approved this program and telling the taxpayers how their money is being used.

After all, every taxpayer knows that every one of these programs is paid for with his tax dollars, or else it is borrowed and will have to be paid later.

At the time the bill was passed I offered an amendment which was adopted by the Senate, which would have restricted the use of billboards by the Government. The amendment was eliminated in conference on the premise that it would not be necessary because, surely, the U.S. Government, which was advocating this program and which was calling on all American industry to remove these billboards from the highways, would not need a restriction in the law to stop it, but that it would voluntarily lead the way.

I went along with that argument reluctantly because, based on my experience with the bureaucrats, they do not very often stop something once they have started it.

Now I find my fears were justified. One Government agency has bought 23,000 signs at a cost of $35 each for a total of $805,000. It has bought 46,000 signs at a cost of $75 each, from a total of $3,450,000, or a total of $4,255,000 paid under one agency. Another agency has bought 77,000 billboards at a cost of between $100 and $200 each a year. They have to paint these billboards occasionally. I do not think a billboard with the name of a politician or a public agency is any more beautiful than one which has a beautiful lady on it.

If we are going to remove billboards then let us clean up all the billboards. Why put $70 million into a program to remove commercial billboards on the Nation's highways and then turn around and spend $5 million for Government billboards. I do not think the taxpayers can afford to spend money in that way.

Will the Senator go along with an amendment to stop putting Government billboards on the Nation's highways since it is advocating that everybody else stop the practice? Surely the President would want to do that.

Another advantage arises from the fact that, after all, the President's wife is taking a great interest in the beautification program. We would not want to cause a domestic argument that might arise because she is trying to eliminate billboards while the President is seeking to spend $5 million to provide more billboards. Such an amendment would promote good family relations as well as good relations with the taxpayers.

Also, I am not unmindful of the fact that the administration appeared before the Committee on Finance, asking for an authorization of $2 million to buy billboards for political advertising. So far, the committee has resisted that request. The time has come when the Government should seriously start to practice what it is preaching. Why spend millions to remove billboards from the Nation's highways and then spend $5 billion to put them back?

Mr. RANDOLPH. I hope that the Senator from Kentucky [Mr. COOPER] will join with me in this colloquy.

Mr. WILLIAMS of Delaware. As I recall, the Senator from West Virginia supported this position.

Mr. RANDOLPH. I agreed to the amendment 2 years ago. However, the distinguished Senator from Delaware did not appear before the subcommittee during the hearings this year. I wish he might have been there to develop the subject again.

I do not desire to be critical; I am merely saying that the Senator's thoughts might have helped the members of the committee. I am not saying that we would have gone along with the Senator in committee.

I agree, certainly, that in the general concept of the program, the Federal Government must be a leader rather than a laggard. I have made that statement before; I renew it now. Signs which inform the public of the manner in which their funds are being expended will be subject to the same controls as are other official informational signs within the rights-of-way. I realize, though, that the Senator from Delaware goes to the point of the dollars that are being spent. I am sure that that is his primary concern in the matter.

Mr. WILLIAMS of Delaware. Yes. I appreciate the Senator's remarks. It is true that I did not appear before that committee, but frankly I did not think it would be necessary. I thought the administration would live up to its obligation.

I went along reluctantly, as I say, with the deletion of the amendment in conference. I did not oppose the conference report because I thought surely the Government, in good faith, would go along with it. It is only recently that I have found out that the Government is not going along, but rather is expanding its own use of billboards.

This was called to my attention rather sharply, as I say, when a representative of the administration testified before our committee and asked for an appropriation of $2 million a year just to buy billboards for political advertising. I was amazed that that request would be made by an administration which was saying so much about the unsightliness of billboards.

Mr. RANDOLPH. I do not wish to break the continuity of the Senator's presentation, but since the Senator used the words "political advertising," would he explain what he means by that term?

Mr. WILLIAMS of Delaware. Yes. This request dealt with the so-called campaign financing bill, upon which we were holding hearings. They were asking for x dollars to be appropriated to pay for radio and television advertising and x amount to pay for advertising in newspapers. Included in that item was $2 million for billboard advertising in the national political campaigns—for both parties, I might say. That bill is still in the committee. It is a different program, but the principle of billboards is involved.

Mr. RANDOLPH. Yes. That form of outdoor advertising, of course, would be subject to the rules. We would apply the same criteria on that type of advertising as on the advertising covered by the 1965 act. The Federal Government would be subject to all of the rules governing outdoor advertising.

Mr. WILLIAMS of Delaware. The Senator is correct; and this proposal I have made has no special relationship to this particular bill. It was a separate program. I merely point that out as an example of the lack of cooperation we are getting from the executive branch thus far. If the administration means to eliminate all billboards except those billboards on which its name appears let it say so.

The Senator is aware that many of these billboards are in fact semipolitical advertising. They are in my State; they are in the Senator's State. We recognize that the names of the Governor, the President, perhaps the Commissioner, or perhaps the head of the agency appear on the billboards. I was rather amused at a dispute which arose I believe in one of the universties in Ohio, where someone thought the President was insulted because on a certain billboard his name was in letters only 5 inches high instead of 8—an absurd idea, but let us face it, it goes to show, that these billboards are for political advertising.

I say if we are going to enact a bill such as this to spend millions of dollars to remove billboards from the Nation's highways, at the same time let us stop appropriating taxpayers' dollars to put them back in place again.

Mr. RANDOLPH. Mr. President, I respond with this statement, with which I am sure the Senator from Delaware will agree, because he is familiar with the legislation under consideration, the original legislation and this proposed legislation do not outlaw outdoor advertising; they provide for the regulation of outdoor advertising. Is that not correct?

Mr. WILLIAMS of Delaware. Yes, that is correct.

Mr. RANDOLPH. The Federal Government, in the use of this advertising medium, will have to comply with the standards as set forth. I do not feel that there is inconsistency. I would agree—I have said it twice—that I think the Government should carefully screen its requests and its expenditures for every form of advertising, whether it is outdoor advertising or advertising through television, radio, and newspapers. In other words, the so-called political advertising would be controlled by the same criteria and standards as commercial advertising.

Mr. WILLIAMS of Delaware. What concerns me is that the more the Federal Government screens it the more advertising and billboards we get; I am wondering if they have a hole in that screen.

Mr. RANDOLPH. Is the Senator suggesting that he thinks it is a sieve rather than a screen?

Mr. WILLIAMS of Delaware. A sieve rather than a screen.

Mr. RANDOLPH. I see.

Mr. WILLIAMS of Delaware. Why should we not include an amendment, just to remind the administration that we are not interested in appropriating taxpayers' dollars for a program to put Government billboards on the highways at the same time we are appropriating taxpayers' dollars to get other billboards off the highways. The administration ought to make up its mind which way it is going.

Mr. RANDOLPH. I think the matter really should come under each of the committees that have the control of those expenditures, rather than here. But let us talk about it a little later.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I think the subject has already been well considered, but I would like to join with my friend from West Virginia [Mr. RANDOLPH], the chairman of the Senate Committee on Public Works, in saying this: The Highway Beautification Act of 1965, for which this bill S. 1467 would authorize appropriations for fiscal 1968, simply deals with the regulation of the locations in which advertising signs may be placed, and the permissible sizes and spacing of signs.

I believe the Senator from Delaware is objecting to the use of public funds by the Government for signs upon the highways, which, as the Senator says, are chiefly advertising the Government's program and officials of a State.

Mr. WILLIAMS of Delaware. Certainly.

Mr. COOPER. Can the Senator from Delaware give us information as to the kind of signs placed upon the highways, and by what agencies of the Government.

Mr. WILLIAMS of Delaware. The Transportation Department or highway program is the one which pays for most of them right now.

Mr. COOPER. Are they the ones we see along highway construction projects reading, "Your highway tax dollars are being used," and so forth?

Mr. WILLIAMS of Delaware. That is correct.

Mr. RANDOLPH. That is required by law, I remind both Senators.

Mr. WILLIAMS of Delaware. It would be very easy to amend the law. They are expanding their use.

I do not think we need to tell the American taxpayers when they see a new highway being constructed or a new Government office building being built that the taxpayers' dollars are paying for it. They are well aware of that, and if they are not aware of it now they will be by the time they get the bill for the administration's 10-percent surtax that they plan to add to their burden to pay for the additional cost of running this Government. It is such duplications and unnecessary expenditures as this which are running the cost of Government up all out of proportion.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COOPER. I have thought there was one advantage to the present practice. The signs show the cost and mileage of the road under construction, and thus give our people an idea of their terrific cost.

Does the Senator think this information is of value?

Mr. WILLIAMS of Delaware. I doubt if it has any value. The best evidence that that is not the primary purpose is that in the particular furor in Ohio about whether the name of the President should be in 5-inch letters or in 8-inch letters nobody even mentioned the size of the numbers dealing with the cost of the program. Nobody mentioned the size of the letters that told what building it was. And they were all smaller than those that gave the name of the administration.

Let us face it, we all recognize that these billboards are political, as they have been under every administration.

Mr. RANDOLPH. I thank my colleague, the Senator from Delaware, for very properly bringing the matter to our attention in the debate on the pending bill. To continue with my presentation of S. 1467, as amended by the committee, the Virginia agreement, which is not as strict as the other State agreements which have been signed, incorporates the rules and regulations for advertising control developed by the Virginia Legislature during its 1966 session.

As a result of the hearings and subsequent conferences with administration officials, we feel that the Office of the Federal Highway Administrator and the Secretary of Transportation are attempting to administer the legislation with as much flexibility and reasonableness as the law permits.

Advertising control represents only one part of the program established by the 1965 act. Title II deals with junkyard control and title III with landscaping and scenic enhancement. Title III in the last analysis represents the heart of any beautification effort.

Under authorizations and appropriations for fiscal years 1966 and 1967, and the authorization contained in S. 1467 for fiscal year 1968, the major portion of the money will be spent in landscaping and scenic enhancement. As of the end of the fiscal year ending June 30, 1967, $128.5 million had been appropriated for that portion of the program and more than $123 million had been obligated. In addition to these authorizations for landscaping and scenic enhancement, outside the right-of-way, the States have obligated another $190 million of regular Federal-aid funds for such activities within the right-of-way.

S. 1467, as reported, would authorize $85 million for fiscal year 1968; $5 million of this would be authorized to carry out outdoor advertising control; $10 million authorized to carry out junkyard control; and $70 million authorized to be used for the landscaping and scenic enhancement portion of the program.

The Senate, in my opinion, will continue its commitment to the desirable program of highway beautification if it enacts this legislation.

Mr. HRUSKA. Mr. President, I suppose that anyone who takes a position which is critical of a bill "to provide authorizations to carry out the purposes of the beautification program under title 23 of the United States Code" would be considered opposed to beauty.

I assure the Senate that it is not the thinking, the attitude, nor the philosophy of the Senator from Nebraska to oppose beauty. I shall, however, make some remarks which are critical of the authorization bill, not on the basis that beauty is objectionable nor on the basis that beauty should not be a national policy, but on the basis of establishing and following priorities at this time in our political, military, and economic history.

The pending bill requests an authorization of $85 million. It is to the credit of the Congress that the $160 million highway beautification trust fund was rejected.

It is my understanding—and I ask the distinguished Senator from West Virginia to correct me if my understanding is inaccurate—that administration witnesses requested the following amounts, to be drawn from the beautification trust fund: Control of outdoor advertising, $4.2 million; junkyard control, $7.8 million; landscaping and scenic enhancement, $58 million. That makes a total of $72 million. Is that substantially correct?

Mr. RANDOLPH. The Senator is correct. That was the amount they hoped to get from the trust fund.

Mr. HRUSKA. The pending bill authorizes $85 million however. In this day and age, the Chief Executive sometimes turns to the legislative branch and says: "Shame on you for authorizing or appropriating more money than I have asked for." Perhaps this would be the place for a little self-restraint and self-discipline or, at least, a place for holding the amount within that requested in the budget estimate. The present situation, of course, is not so much a matter of the authorization itself as of priorities.

What about priorities? Here we have the President of the United States calling attention to the fact that without a 10-percent surtax and without a budget cut of $2 billion at least, which he declared he would make, the Nation would face a deficit of some $29 billion to $30 billion.

The President declared his intention to cut the budget $2 billion. It is my understanding and recollection—I will defer to the members of the Committee on Finance—that when administration witnesses were interrogated in the committee as to when and where there would be cuts that would contribute to the $2 billion reduction the replies were inconclusive and vague. They certainly were not persuasive and convincing.

Where does this authorization fall within the list of priorities? When the tax bill first came up and when other budgetary considerations were first discussed, there were repeated suggestions to the Executive and to the Bureau of the Budget that they fix a list of priorities of spending, on the theory that if we are spending too much and if the deficit is too great, spending will have to be reduced. Obviously, the way to go about it is to delete the least important programs. The request for a priority list has not been honored, and I do not know whether it ever will be. To the extent that it is not, I believe we can fault the Executive. There cannot be a consistent position in criticizing Congress for spending more money than the President asks and doing nothing about a bill such as this. In view of the national problems we have today, this bill obviously would fall very, very low on the list of priorities. We are fighting our third largest war which costs two to two and a half billion dollars a month.

Yet, in this bill, we are thinking in terms of sign control, junkyard control, landscaping, and enhancing beauty.

Again, I wish to say that I appreciate beauty. But in my household, in any citizen's household, in any of the governmental activities in America, there comes a time when things that we must have come first, and things we would merely like to have are deferred. This is such a time.

There is a curious commentary on priorities in this situation. Here we are asked to authorize the expenditure of $85 million for an act which is entitled "A bill to provide authorizations to carry out a beautification program." At the same time, the highway safety program, as authorized in Public Law 89–564, carries a House authorization for this fiscal year of $20 million—less than one-fourth of the appropriation provided in this bill. That is the authorization for the safety program in a situation when highway fatalities amount to some 52,000 per year. That is the current rate, and it is increasing all the time. A curious type of priority, one would think, in which beauty is valued above safety.

Highway safety, in my judgment, and I believe in the general judgment of the citizenry of this Nation, bears a relatively high rating, and properly so.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. RANDOLPH. The Senator from West Virginia and the Senator from Kentucky [Mr. Cooper] have appeared before the Committee on Appropriations of which the distinguished Senator from Nebraska is a member, and we argued for an increase in the appropriation for the safety program. The Senator will recall that the appropriation was cut by $81 million in the House.

We have said on the Senate floor that the program of safety on the highways of this country should be one of continuing attention and concern. Then the Senator from Kentucky and I followed up by going to the Committee on Appropriations itself, last Monday, and asking for the amount of $100 million.

So the Senator from West Virginia has been, I would say, "on the job" in reference to safety programs, which the Senator from Nebraska properly says is the concern of Congress and should have a priority.

The Senator from Nebraska speaks of beautification and scenic enhancement, and I wish to point out that incorporated in that program are projects to prevent soil erosion. Such projects protect the highway surface and subsurface from destruction by weather. Beautification is the natural result of antierosion efforts. Our report indicates that since March of 1965, the States have obligated $190 million of Federal aid funds as a part of the normal construction for such things as erosion control and the development of roadside rest areas. These add to safety as well as scenic easements.

Also, there is the screening of unsightly areas; and this, to a degree, is a safety feature, as well as one which falls within the concept of beautification.

I believe that on these two points, the Senator from Nebraska would agree with me, at least on the premise I have stated.

Mr. HRUSKA. If there is a relationship between erosion and the matter of safety, then I think erosion should properly be categorized in the higher priority of highway safety. But if the erosion control or the erosion eradication is done purely from the standpoint of enhancing the beauty of the place, then I believe it has no place in that higher category.

On the matter of screening unsightly junkyards, for example—it is a little difficult to reconcile that with safety, unless the junkyards are out on the right-of-way.

Mr. President, it should be stressed again that the objection to the passage of this authorization bill is not based upon any dispute as to its ultimate objectives, but on its priority in the list of programs for which the Congress is asked to authorize and appropriate funds. The administration has given us no guidelines for reducing the budget, notwithstanding repeated declarations that there will be a reduction in expenditures. They have given us no priorities among the many expenditures we are called upon to consider. So it is up to Congress to assert such discretion and such judgment as the circumstances surrounding these requests call for.

The other aspect to which the President has repeatedly called our attention is the matter of the high level Government spending, adding to inflation. Over the weekend, it has been reported that the increase in the consumer price index reached 116.5 in July. This is an increase of 0.4, the biggest rise since last October. The impact of increasing inflation is felt by everyone, including Uncle Sam, but it is particularly harsh and cruel to the low- and middle-income people who are being hurt by the administration's spending policies.

This is the time for fiscal restraint and self-discipline. Inasmuch as the bill would provide for a new program costing $85 million now and $1.3 billion eventually, it is one of low priority—very, very low priority.

This is the time to say that although it is a good program, and something which should be pursued, let us get to it in due time. Let us assign a priority which will not put it ahead of many other things for which spending is much more necessary.

(At this point, Mr. HOLLINGS took the chair as Presiding Officer.)

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I yield.

Mr. WILLIAMS of Delaware. I concur in what the distinguished Senator from Nebraska has said. We can suspend or hold in abeyance such projects as this until we have reached a solution to the Vietnamese war or at least have gotten the budget situation under better control. We are told in committee that even with the enactment of the proposed 10-percent tax increase it will still leave a deficit in fiscal 1968 of approximately $14 billion. That is a little over $1 billion a month.

Unquestionably, that is why we are experiencing such a rapid spiral of inflation.

In the best interests of controlling inflation and reducing the budget this bill should be postponed either until after the war in Vietnam is over or until we have our fiscal policies under better control.

I join the Senator from Nebraska in urging that the Senate reject the pending bill. I say that as one who would be in favor of the program at the proper time. I supported the project when it was originally enacted. I was in favor of the bill, but we are going to have to cut back on many projects in which both the Senator from Nebraska and I, as well as others, are in favor. If we are ever going to reduce the expenditures down to a realistic level we have got to start somewhere. This bill is still $13 million over the budget request.

I hope that the Senate will take this step toward economy at this time, in line with what the distinguished Senator from Nebraska has so ably stated.

Mr. HRUSKA. I thank the Senator from Delaware.

By way of summary, here we have a bill which is not objectionable on its face, nor in its ultimate objectives, but it is objectionable at this time.

The President is pressing for a tax increase. He has declared repeatedly that he intends to cut spending by $2 billion. We get lots of tall talk, but no action, no recommendations, and no list of priorities.

The President bemoans the fact that Congress has gone above some budget estimates. This is one of those instances.

Thus, Congress has not sought to meet its responsibility of asserting its own judgment as to the priorities themselves.

The pending bill is certainly not one of high priority. I direct particular attention to the landscaping and enhancement of the beauty of the rights-of-way—something which is pleasant to contemplate, but certainly is nothing vital or desirable in our present state of affairs.

Mr. CURTIS. Mr. President, will my colleague yield to me?

Mr. HRUSKA. I am very happy to yield.

Mr. CURTIS. I want to commend my distinguished colleague from Nebraska for his remarks.

In speaking of Government spending, it is often said that we need to establish priorities. Everyone agrees with this theory but seldom carries it out. The programs go on as usual.

Desirable as the beautification program might be, in time of war, in time of heavy spending, in time of increasing deficits, in time when there is pending the request for a 10-percent increase in taxes, certainly it is time to make the theory of priorities in spending a reality.

That time is now.

I congratulate my colleague for his able remarks.

Mr. HRUSKA. I thank my colleague, the very valued and distinguished Senator from Nebraska.

Mr. President, I yield the floor.

Mr. COOPER. Mr. President, as the ranking minority member of the Senate Committee on Public Works, I have the duty to speak of the committee's work in approaching its decision on this bill. In all fairness, I would like to report on the efforts of the committee to reduce the authorization to reasonable terms and yet make some progress toward the beautification of highways, which the Congress authorized in 1965.

When the Vietnam war is over, the debate on beautification will still go on, and there is no question about that. We will still be debating about billboards on the Federal-aid highways.

I have always supported the programs for beautification, but I agree wholeheartedly that we must consider the cost of the war and we must look at every bill to see if we can reduce authorizations or appropriations to meet the greatest priority of our time—that is, providing for our men who fight, and providing for the security of our country.

I can think of a great many programs about which we could make reductions in a much more substantial way. For example, great public building programs are going on, and I have no doubt that some could wait for 2 or 3 years. I do not believe, however, that we will get much support to do that, for there are so many post offices and public buildings which our citizens want constructed in our cities and communities.

We also have a large pay bill for all Federal employees coming before the Senate. I have no doubt that there will be some benefits in the bill for us. We could, perhaps, delay it for a year or so. I doubt, however, that we will. I could give other examples.

Now I would like to address myself to the beautification program. The Highway Beautification Act passed in 1965——

Mr. RANDOLPH. If I may interrupt at that point, the Senator, who has given very close attention to this legislation, is right in stating the premise that the committee did exercise a sense of priority. The reduction in the amount demonstrates that, as has also been indicated by the Senator from Nebraska.

I want the Record to reflect that the basic legislation passed in 1965 by a vote of 63 to 14, and, carries the stamp of approval of Congress upon it. We are now carrying out that commitment at a reduced rate. We are attempting to recognize the arguments which, very properly, have been raised here today.

Mr. COOPER. I, too, think they have been properly raised. But I would like to state what the committee did. The authorization for fiscal year 1967 was for $160 million.

The administration requested an authorization for fiscal 1968, the one we are now considering, of $160 million. For 1969, it requested $220 million.

The committee considered the amounts that had been appropriated under the Beautification Act, and it found that last year——

Mr. RANDOLPH. Mr. President, if the Senator will yield, those figures will be found beginning on page 13 of the report.

Mr. COOPER. For the fiscal year 1966, Congress appropriated $70 million. For fiscal year 1967, it appropriated $78.5 million. We did not accept the request for an authorization of $160 million. We fixed the figure at $85 million, a cut of $75 million, believing $85 million sufficient to maintain an orderly progression of the program.

Seventy million dollars having been appropriated in 1966, and $78.5 million in 1967, we provided a modest increase of $6.5 million for fiscal 1968, a total of $85 million, to support the program, to keep it alive and moving, and yet bearing its reduction with other programs to support the burden of war.

The committee did respond to priorities, and it responded modestly to what we believed was the desire of the Congress, and the desire of most of the American people, to continue the program of highway beautification, which also comprehends elements of safety.

We acted with restraint, and we acted with full consideration of the necessity for economy. This judgment was agreed to by all members of the committee who were present on both sides. I support the committee's good judgment.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. RANDOLPH. I commend the Senator from Kentucky for his explanation of the reduction which was made by the committee before it brought this legislation to the floor. The Senator from Kentucky will recall that this subject occupied most of our discussions in at least two meetings of the committee. We checked the amounts very carefully. We looked at the amounts which had been spent and at the minimum amounts which we felt could be spent without breaking the continuity of the program. We kept in mind the priorities which have been mentioned here.

The figure arrived at was not just drawn from the air. Every member of the committee, Democrat and Republican looked at the figures. There was no feeling of partisanship, as there seldom is in the Public Works Committee. We were attempting to carry out the intent of the Congress while at the same time we provided funds at a level that would make a contribution toward reduction of Federal expenditures.

Mr. COOPER. We considered in detail not only what had been requested, but what had been authorized in past years, what had been actually appropriated, obligated, and spent, under the bill.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. WILLIAMS of Delaware. As one who feels that we should delay this program in its entirety until we have the money, I concur in what the Senator from Kentucky and the Senator from West Virginia have said; namely, that the committee did report the bill in a substantially reduced form from what had been originally requested. To that extent they deserve our appreciation and thanks.

However, from the standpoint of priorities this is a program which could be held in abeyance. That is the point I make. The Senator from Kentucky pointed out there are other programs which could be held in abeyance; for example, many public works projects. I am glad he mentioned that. I agree with him.

I pointed out that when World War II began, the administration, first the President, later supported by the Congress, froze the construction of all public buildings and public works projects except those which were certified as being in our national interest or which from an economy standpoint would be too expensive to delay.

Shortly after the Korean war broke out President Truman issued an Executive order along the same procedures taken in World War II, under which construction on all projects was frozen automatically, even those which had been approved and for which appropriations had been made. He gave instructions that they were all to be held in abeyance until they could be reexamined and unless the board could certify that a continuation of the project was essential to our national welfare in time of war or that its postponement would cause great economic loss. Otherwise such projects were to be postponed and held in abeyance until the war was over.

That order affected some projects in my State. I am sure it affected projects in every State in the Union. I supported the President in that position.

I regret that President Johnson has not taken similar steps in recognition of the war in Vietnam, the third most expensive war we have been engaged in. He has failed to issue such an Executive order. In the face of his failure to issue such an Executive order Congress should act.

I have previously proposed that all public works projects be held in abeyance automatically until each one is resurveyed and is certified as essential. A similar amendment will be offered again when we get the public works appropriation bills this year.

I think the Senator from Kentucky has raised a valid point. Many post offices in towns in my State or in towns in his State can be postponed. Public works projects may be justified and they may be needed in his State and my State, but they certainly can be held in abeyance until after the conclusion of the war in South Vietnam. After we end that struggle we may need some of these public works projects to pick up the unemployment slack in this country.

I am glad the Senator has raised that point because I wanted to emphasize it again. It is not a part of this bill, but I think the point very properly should be raised in our discussion of this program.

Mr. COOPER. I agree with the Senator. If there were a nationwide policy that certain types of projects should be deferred, I would agree. But I do not think it would be proper for the Public Works Committee to select one program, and decide that it should be deferred. I think we made the proper judgment, saying in effect that it was not of the first priority, by cutting back its authorization almost 50 percent. In the past month, public works proposals have been before the Senate costing over $1 billion. I am sure they are needed or will be needed, but perhaps they could be deferred a year or so.

Mr. WILLIAMS of Delaware. Many of them could be.

Mr. COOPER. A proposal to defer the beautification program, or reduce it sharply can obtain wide support.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. COOPER. But to many people, and I am one of them, the word "beautification" is not a bad word.

The enhancement of the beauty of our highways has bearing upon their safety and their enjoyment. There ought to be more interest in esthetic values in our country—rather than the sole emphasis upon its material aspects, important as they are. For alone they will not bring the results we hope for our country.

I yield to my friend from Nebraska.

Mr. HRUSKA. Mr. President, I commend the Senator for having brought out the efforts by the committee to bring the authorization in this bill to a reasonable level.

But when it comes to likening this situation with the situation in a public works bill, or a pay raise bill, I see many bases for distinction between a public works project of the type frequently authorized and appropriated, where there is at stake the erection of flood control projects to protect lives and property and these esthetic values which all of us want and of which we think highly. We should not be entirely materialistic, but as between the saving of lives and property from destruction and a matter of pure esthetic enjoyment, I can see a distinction, particularly at a time in our Nation's history such as that with which we are confronted now—wartime, inflation, no sense of priority, no direction from the Executive—and I say we ought to assume some direction. Here is a measure calling at the outside for $1.3 billion, for beautification, landscaping, and scenic enhancement. I can see some distinction there.

It is not a new program when we deal with a flood control measure. It is not a new program when we try to meet the cost-of-living increases by giving pay raises to Government employees. But this is a new program, and should be considered in that category. On that basis, too, I would say there is an obvious distinction, and we should take note of the distinction.

Mr. COOPER. Mr. President, I appreciate the sincere and valuable views of the Senator, and I agree that there is a distinction between highway beautification and those programs which save lives and protect property against floods. We all understand that. But both have their values.

The beautification program has been in existence for 3 years. It took a long time to secure its approval. There is still opposition to it from some quarters. But the committee supports the program. We kept the highway beauty program alive, and that is about all this fiscal 1968 authorization bill amounts to.

Our committee, and evidently the Congress by its approval of the 1965 Highway Beautification Act, considered it to be a reasonable program, if we could ever realize the necessary appropriations for billboard removal, screening of junkyards, and landscaping and scenic enhancement of more than a billion dollars. If such an amount is finally appropriated—and assuming $70 million is appropriated each year, as it was last year—it would take 12 to 15 years or more to realize the program of beautification.

I want to see the highway beautification program kept alive. That was about all we were able to do, and that is about all we can do at this time.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. WILLIAMS of Delaware. I assure the Senator from Kentucky that I am not suggesting that we kill this program. I supported the program when it was originally enacted and would be in favor of it now if we had the money to pay for it. But, like many items in our own household budgets—sometimes items which may be very much needed in our homes—we simply do not have the money to pay for them, so we postpone the expenditure until some later date.

That is all I am suggesting in this case.

Mr. COOPER. I am afraid it would never be brought to life again.

Mr. WILLIAMS of Delaware. In line with earlier colloquy about the Government's use of billboards, I think we are pretty much in agreement with the chairman of the committee, the Senator from West Virginia, and the ranking minority member, the Senator from Kentucky, that the Government should set the example for industry by curtailing its own use of billboards.

Perhaps, instead of offering an amendment at this time—because I realize this is not the most appropriate vehicle to which to attach it—we could obtain the assurance of both the chairman and the ranking member that they will cooperate with some of us in pressing upon the Government the importance of its setting the example, by ceasing to spend so much money for these billboards, and by beginning to curtail their use.

For example, in this bill there is proposed $5 million to help the administration control the use of billboards when, as I have pointed out, the Government spends $4.5 million buying billboards for its own use. That does not make sense.

I realize that both the chairman of the committee and the Senator from Kentucky agree with me on this point, and with their assurance that they will go along to see if we cannot get the administration to support this proposal voluntarily I shall not offer the amendment at this time, with the understanding that if they do not cooperate, at the next convenient opportunity—and there will be a more convenient opportunity at a later date in this session—I would offer the amendment.

Mr. RANDOLPH. Mr. President, does the Senator from Delaware have the floor?

Mr. WILLIAMS of Delaware. I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, this matter, which is very properly before the Senate, has been discussed by the Senator from Delaware and other Senators earlier this afternoon. I wish to go back and indicate that an amendment embodying the proposal which is being discussed this afternoon, was accepted by the Senate in 1965. I took the matter to conference, and the House of Representatives was adamant in refusing to accept it. We yielded, and when we brought back the conference report, while I believe the Senator from Delaware at that time was disappointed, he did go along with the conferees, knowing that the Senate itself had made an effort in this regard.

I have indicated today that the Federal Government should be a leader, not a laggard, not only in connection with expenditures for outdoor advertising, but also for advertising in other media.

The Federal Government should limit the amount it spends for advertising in newspapers, in television and radio, and in publications of one type or another.

We do have an obligation to do as much as we can, in this forum, to indicate to the agencies of Government that there is a very appropriate limit to which expenditures should be subjected, under the umbrella of informational advertising, as to where the taxpayers' dollars are going, and as to the various programs of this country, including construction and development of highways.

I have talked with Senator COOPER informally this afternoon, and we feel that we can properly address a letter to the Secretary of Transportation, Alan S. Boyd, in reference to this matter, and that will be done. So I can assure the Senator from Delaware that it will be done. I am glad he brought the matter to the attention of the Senate this afternoon.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I will be pleased to join the chairman of the committee in communicating with the Department of Transportation.

The pending measure is an authorization bill. It does not deal with proposed amendments to the 1965 act. I see no need, however, for large signs on the public highways all over the country advertising the use of tax money and the names of the parties who share responsibility for building the roads—the names of public officials and that sort of information. It seems to me a little vulgar. However, it is proper that there be some moderate signs. Not big billboards, but modest signs located near the project to give information regarding the cost of the project, and the agency responsible.

I understand the point of the Senator from Delaware, and I agree with him.

Mr. RANDOLPH. Mr. President, adding to what the Senator from Kentucky has said, this should not only be appropriately done in connection with the informational signs adjacent to our highways, but the Federal Government should also take another look at its policy concerning signs in front of post offices and other public buildings, and alongside flood control dams and reservoirs.

I think that now would be a good time for the Federal agencies to review the matter of informational signs in all the areas where the use of Federal funds is involved.

I commend the Senator from Delaware for focusing attention on this matter.

Mr. WILLIAMS of Delaware. Mr. President, I thank both the Senator from West Virginia and the Senator from Kentucky for their cooperation. We are in agreement as to what should be done.

I certainly appreciate their cooperation today and on the previous occasion when they supported this same position.

I think that, with their cooperation, this would be the best line of approach to the solution—to see what we can do by way of communicating with the Department of Transportation.

I thank the Senators for their support.

Mr. HRUSKA. Mr. President, in line with the discussion initiated by the Senator from Kentucky indicating the efforts of the committee to reduce the amount requested, I call attention to the matter earlier commented upon, that the total of $85 million authorized by the pending bill is $13 million in excess of what the budget estimates would have assigned from the trust fund for the three categories covered.

Section 131(m) of title 23 of the Code deals with sign control. The authorization bill calls for $5 million for that purpose, but the budget estimates call for $4.2 million.

Section 136(m) of title 23 does provide for funds in relation to junkyards. The authorization bill contains a total of $10 million for that purpose, whereas the budget estimates contain a figure of $7.8 million.

Section 319(b) of title 23 of the Code has to do with landscaping and scenic enhancement. The authorization bill contains a total of $70 million, and the budget estimate was $58 million.

The authorization bill has a total of $85 million as compared with the recommendation of the President, through the budget estimate, of $72 million. There is an excess in the authorization bill of $13 million.

That should bear not only on the matter of priorities, but also on the matter of remaining somewhere within the amount called for by the executive branch.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. RANDOLPH. Mr. President, the figures are correct. The Senator from Nebraska has indicated the amount of $72 million. It is a fact that we provided for a degree of flexibility, recognizing that costs do increase.

The Senator understands that these costs are constantly rising.

The committee kept the program at a minimal level. Even though he disagrees, the Senator has commended the committee for its efforts in reducing the authorization by some 45 percent from the level originally requested.

I assure the Senator that we will review the program again when we look at all our highway programs next year.

This program will be carried forward within the limit of priorities and within the needs of America. This country is a nation on wheels. We have the responsibility to maintain the highest level of safety for our motorists. This program, which relates to the construction and beautification of the highways of this land, has a distinct bearing on safety.

President and Mrs. Johnson have quite appropriately focused the attention of the Nation on the challenge of improving the quality of American life. This program is one phase of that effort. And the great majority of American citizens have responded to the leadership of the First Family in this undertaking.

Mr. HRUSKA. The Senator has such a beautiful and very eloquent way of putting things. However, we have here a total estimate in the budget of $72 million. The bill then asks for $160 million, and we settle for $82 million.

We then heap self-praise on ourselves and say that it is wonderful. The bill has been reduced to the minimal level.

The President did not think so. The Bureau of the Budget did not say so. They said that $72 million was enough. I say that is too much, particularly at this hour. However, I do thank the chairman of the committee for the very fine fashion in which he states the case. He is always so gracious and courteous.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. BAKER. Mr. President, with the passage of the Highway Beautification Act, I think it is appropriate to address the Senate with the following remarks. The most controversial element of the act has been, and rightly so, that section dealing with the control of outdoor advertising. If we were dealing only with esthetics, there would be little basic disagreement with the objectives of these provisions. But, as we all know, there are other and equally fundamental issues involved.

Control of outdoor advertising by the Federal Government inevitably raises larger questions of Federal, State, and local interrelationships. The power of eminent domain and the issue of just compensation are intimately involved. And we are confronted with a further exercise of social regulation over private enterprise.

This is not to say that the goal of the legislation is undesirable—quite the reverse is true. It is not to say that the realization of this goal is so fraught with difficulties that they cannot be surmounted. I think that they can and should be.

But the fact that these fundamental issues are involved must alert us to the necessity for administering the legislation with caution and with clarity.

Clarity, Mr. President, has not been the hallmark of the administration of this law to date. Real and substantial confusion has unfortunately resulted from the initial efforts made in the execution of those provisions dealing with the control of outdoor advertising. State officials and private advertisers have been uncertain about the intent of the Congress and the intent of the Department of Transportation.

In January of last year, certain "draft standards" were published by the Bureau of Public Roads. Hearings were then held by the Congress on the matter, after which another set of "standards" labeled "suggested agreement criteria" emerged from the Bureau.

Then, on January 10 of this year, yet another set of "standards" was officially issued by the Bureau. This set of standards, labeled "draft standards," was contained in a report to the Congress—Senate Document 6—and was accorded widespread dissemination.

It was this document that has created the greatest confusion. The Secretary of Transportation and the Federal Highway Administrator have acknowledged this in recent testimony before subcommittees in both the House and the Senate.

On May 2, the Administrator said:

> I want to make it clear that we have not promulgated Federal standards for the control of billboards. In the first place, the Act does not call for or permit such Federal standards.

In later testimony before an appropriations subcommittee in the House, the Administrator spoke of the "set of standards which was published" in the report of January 10, and then said:

> These standards, we already know, will not go into effect.

On June 28, the Administrator put his finger on this persistent source of confusion in the program when he told the Senate Subcommittee on Roads:

> When these guideline-type standards were delivered to the States, I think perhaps many of them took them to mean, well, these are the same as a construction type specification which, of course is not intended.

I believe that the January 10, 1967, standards have confused the Federal highway beautification program and it is my understanding, based on the testimony by the Federal Highway Administrator which I have cited here today, that the January 10 "standards" are not Federal standards, and are devoid of force and effect.

Much has been done, I think, to clarify the situation and to lessen the degree of misunderstanding that has prevailed. The hearings in both the House and the Senate have served as a forum for both the administration and private interests to air their differences.

While endorsing the objectives of the act, I take this opportunity to emphasize the need for meticulous care in the administration of the programs embodied by it.

TRIBUTE TO MRS. LYNDON B. JOHNSON FOR HER EFFORTS IN BEHALF OF HIGHWAY BEAUTIFICATION

Mr. MANSFIELD. Mr. President, before the Senate votes on the pending measure, I wish to praise the First Lady, Mrs. Lyndon B. Johnson, for her strong and abiding devotion to the development of a highway beautification program. The foresight and initiative displayed by her in this endeavor has contributed immensely to the development of a viable and effective plan for the betterment of this Nation's roadways. She deserves a great deal of credit; her strong and able efforts have assured a successful beginning for a worthy and vast undertaking. So at this time I offer to Mrs. Johnson the sincere gratitude of the Senate for her leadership, her vision, and her dedication.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

So the bill (S. 1467) was passed.

The title was amended, so as to read: "A bill to provide authorizations to carry out the beautification program under title 23, United States Code."

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. COOPER. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, passage of the highway safety and beautification authorization represents another outstanding achievement for the senior Senator from West Virginia [Mr. RANDOLPH], the chairman of the Committee on Public Works. Providing the appropriate authority for more effective outdoor advertising and junkyard controls, and for enhancing the general scenic nature of our Nation's highways and adjacent land areas will prove of inestimable value not only to this generation but to all future generations of Americans. Senator RANDOLPH has joined the First Lady in contributing to the development of a sound and constructive program. His successful handling of this authorizing legislation has added a large step in the direction of obtaining a highway system free of distracting and often unesthetic ornamentation. The Senate and, indeed, the Nation is deeply in his debt.

The ranking minority member on the committee, the distinguished Senator from Kentucky [Mr. COOPER], likewise is to be commended for his strong and dedicated efforts to make possible this achievement. Both in committee and here in the Chamber today he backed the proposal with the same articulate advocacy that has characterized his support of all proposals that gain his endorsement.

The senior Senator from Delaware [Mr. WILLIAMS] deserves high praise for offering his own strong and deeply sincere views on the matter. I am confident that his constructive observations during the discussion will be of great assistance as this program develops. Also, the Senator from Nebraska [Mr. HRUSKA] must be singled out for his contribution to the discussion. His views are always appreciated. And finally, I wish to thank the entire Senate for the splendid cooperation exhibited concerning the disposition of this matter. Its success represents a fine achievement and a credit to us all.

Mr. RANDOLPH. Mr. President, I thank the distinguished majority leader for his gracious remarks.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 497. Concurrent resolution establishing that when the two Houses adjourn on Thursday, August 31, 1967, they stand adjourned until 12 o'clock noon on Monday, September 11, 1967; and

H. Con. Res. 498. Concurrent resolution authorizing the Speaker of the House and the President of the Senate to sign enrolled bills and joint resolutions notwithstanding any adjournment of the two Houses until September 11, 1967.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a treaty on the Executive Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

TREATY OF AMITY AND ECONOMIC RELATIONS WITH THAILAND

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Executive P (89th Cong., second session), the Treaty of Amity and Economic Relations With Thailand.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider Executive P (89th Cong., second session), the Treaty of Amity and Economic Relations between the United States of America and the Kingdom of Thailand, together with two exchanges of notes relating thereto, signed at Bangkok on May 29, 1966, which was read the second time, as follows:

TREATY OF AMITY AND ECONOMIC RELATIONS BETWEEN THE UNITED STATES OF AMERICA AND THE KINGDOM OF THAILAND

The United States of America and the Kingdom of Thailand, desirous of promoting friendly relations traditionally existing between them and of encouraging mutually beneficial trade and closer economic and cultural intercourse between their peoples, have resolved to conclude a Treaty of Amity and Economic Relations, and for that purpose have appointed as their Plenipotentiaries:

The President of the United States of America:
His Excellency Graham Martin,
Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Thailand; and
His Majesty the King of Thailand:
His Excellency Thanat Khoman,
Minister of Foreign Affairs of the Kingdom of Thailand;

Who, having communicated to each other their full powers found to be in due form, have agreed as follows:

ARTICLE I

1. Nationals of either Party shall, subject to the laws relating to the entry and sojourn of aliens, be permitted to enter the territories of the other Party, to travel therein freely, and to reside at places of their choice and in particular to enter the territories of the other Party and to remain therein for the purpose of: (a) carrying on trade between the territories of the two Parties and engaging in related commercial activities; or (b) developing and directing the operations of an enterprise in which they have invested or are actively in process of investing a substantial amount of capital. Each Party reserves the right to exclude, restrict the movement of, or expel aliens on grounds relating to public order, morals, health and safety. The provisions of (b) above shall be construed as extending to a national of either Party seeking to enter the territories of the other Party solely for the purpose of developing and directing the operations of an enterprise in the territories of such other Party in which his employer has invested or is actively in the process of investing a substantial amount of capital, provided that such employer is a national or company of the same nationality as the applicant and that the applicant is employed by such national or company in a responsible capacity.

2. Nationals of either Party within the territories of the other Party shall receive the most constant protection and security, in no case less than that required by international law. When any such national is in custody, he shall in every respect receive reasonable and humane treatment; and on his demand the diplomatic or consular representative of his country shall be immediately notified and accorded full opportunity to safeguard his interests. He shall be promptly informed of the accusations against him, and allowed ample facilities to defend himself.

3. Nationals of either Party shall enjoy in the territories of the other Party entire liberty of conscience, and, subject to applicable laws, ordinances and regulations, shall enjoy the right of private and public exercise of their worship.

ARTICLE II

1. Companies constituted under the applicable laws and regulations of either Party shall be deemed to have the nationality of that Party and shall have their juridical status recognized within the territories of the other Party. As used in the present Treaty, "companies" means:

(a) with reference to Thai companies: juristic persons under Thai laws, whether or not with limited liability and whether or not for pecuniary profit;

(b) with reference to United States companies: corporations, partnerships, companies, and other associations, whether or not with limited liability and whether or not for pecuniary profit.

2. Nationals and companies of either Party shall have free access to courts of justice and administrative agencies within the territories of the other Party, in all degrees of jurisdiction, both in the defense and in the pursuit of their rights. Such access shall be allowed upon terms no less favorable than those applicable to nationals and companies of such other Party or of any third country, including the terms applicable to requirements for deposit of security. It is understood that companies not engaged in activities within the country shall enjoy the right of such access without any requirement of registration or domestication.

3. Contracts entered into between nationals and companies of either Party and nationals and companies of the other Party, that provide for the settlement by arbitration of controversies, shall not be deemed unenforceable within the territories of such other Party merely on the grounds that the place designated for the arbitration proceedings is outside such territories or that the nationality of one or more of the arbitrators is not that of such other Party. No award duly rendered pursuant to any such contract, and final and enforceable under the laws of the place where rendered, shall be deemed invalid or denied effective means of enforcement within the territories of either Party merely on the grounds that the place where such award was rendered is outside such territories or that the nationality of one or more of the arbitrators is not that of such Party.

ARTICLE III

1. Each Party shall at all times accord fair and equitable treatment to nationals and companies of the other Party, and to their property and enterprises; shall refrain from applying unreasonable or discriminatory measures that would impair their legally acquired rights and interests; and shall assure that their lawful contractual rights are afforded effective means of enforcement, in conformity with the applicable laws.

2. Property of nationals and companies of either Party, including direct or indirect interests in property, shall receive the most constant protection and security within the territories of the other Party. Such property shall not be taken without due process of law or without payment of just compensation in accordance with the principles of international law.

3. The dwellings, offices, warehouses, factories, and other premises of nationals and companies of either Party located within the territories of the other Party shall not be subject to entry or molestation without just cause. Official searches and examinations of such premises and their contents shall be made only according to law and with careful regard for the convenience of the occupants and the conduct of business.

ARTICLE IV

1. Nationals and companies of either Party shall be accorded national treatment with respect to establishing, as well as acquiring interests in, enterprises of all types for engaging in commercial, industrial, financial and other business activities within the territories of the other Party.

2. Each Party reserves the right to prohibit aliens from establishing or acquiring interests, or to limit the extent to which aliens may establish or acquire interests, in enterprises engaged within its territories in communcations, transport, fiduciary functions, banking involving depository functions, the exploitation of land or other natural resources, or domestic trade in indigenous agricultural products, provided that it shall accord to nationals and companies of the other Party treatment no less favorable in this connection than that accorded nationals and companies of any third country.

3. The provisions of paragraph 1 do not

include the practice of professions, or callings reserved for the nationals of each Party.

4. Enterprises which are or may hereafter be established or acquired by nationals and companies of either Party within the territories of the other Party and which are owned or controlled by such nationals and companies, whether in the form of individual proprietorships, direct branches or companies constituted under the laws of such other Party, shall be permitted freely to conduct their activities therein upon terms no less favorable than like enterprises owned or controlled by nationals of such other Party or of any third country.

5. Nationals and companies of either Party shall enjoy the right to control and manage the enterprises which they have established or acquired within the territories of the other Party, and shall be permitted without discrimination to do all things normally found necessary and proper to the effective conduct of enterprises engaged in like activities.

6. Nationals and companies of either Party shall be permitted, in accordance with the applicable laws, to engage, within the territories of the other Party, accountants or other technical experts, executive personnel, attorneys, agents and other specialists of their choice. Moreover, such nationals and companies shall be permitted to engage accountants and other technical experts, regardless of the extent to which they may have qualified for the practice of a profession within the territories of such other Party, for the particular purpose of making examinations, audits and technical investigations for internal purposes exclusively for, and rendering reports to, such nationals and companies in connection with the planning and operation of their enterprises within such territories.

ARTICLE V

1. Nationals and companies of either Party shall be accorded national treatment within the territories of the other Party with respect to: (a) leasing immovable property needed for their residence or for the conduct of activities pursuant to the present Treaty; (b) purchasing and otherwise acquiring movable property of all kinds, subject to any limitations on acquisition of shares in enterprises that may be imposed consistently with Article IV; and (c) disposing of property of all kinds by sale, testament or otherwise.

2. Nationals and companies of either Party shall have within the territories of the other Party the same right as nationals and companies of that other Party in regard to patents for inventions, trade marks, trade names, designs and copyright in literary and artistic works, upon compliance with the applicable laws and regulations, if any.

ARTICLE VI

1. Nationals and companies of either Party shall not be subject to the payment of taxes, fees, or charges within the territories of the other Party, or the requirements with respect to the levy and collection thereof, more burdensome than those borne by nationals, residents and companies of any third country. In the case of nationals of either Party residing within the territories of the other Party, and of companies of either Party engaged in trade or other gainful pursuit or in non-profit activities therein, such taxes, fees, charges and requirements shall not be more burdensome than those borne by nationals and companies of such other Party.

2. Each Party, however, reserves the right to: (a) extend specific tax advantages only on the basis of reciprocity, or pursuant to agreements for the avoidance of double taxation or the mutual protection of revenue; and (b) apply special provisions in extending advantages to its nationals and residents in connection with joint returns by husband and wife, and as to the exemptions of a personal nature allowed to non-residents in connection with income and inheritance taxes.

3. Companies of either Party shall not be subject, within the territories of the other Party, to the payment of taxes upon income not attributable to sources within such territories, or upon transactions or capital not attributable to the operations and investments thereof within such territories.

4. The foregoing provisions shall not prevent the levying, in appropriate cases, of fees relating to the accomplishment of police and other formalities, if these fees are also levied on nationals of all third countries. The rates for such fees shall not exceed those charged such nationals of any third country.

ARTICLE VII

1. Neither Party shall apply restrictions on the making of payments, remittances, and other transfers of funds to or from the territories of the other Party, except (a) to the extent necessary to assure the availability of foreign exchange for payments for goods and services essential to the health and welfare of its people, or (b) in the case of a member of the International Monetary Fund, restrictions specifically requested or approved by the Fund.

2. If either Party applies exchange restrictions, it shall make reasonable provision for the withdrawal in foreign exchange in the currency of the other Party, of: (a) the compensation referred to in Article III, paragraph 2, of the present Treaty; (b) earnings, whether in the form of salaries, interest, dividends, commissions, royalties, payments for technical services, or otherwise; and (c) amounts for amortization of loans, depreciation of direct investments and capital transfers, giving consideration to special needs for other transactions. If more than one rate of exchange is in force, the rate applicable to such withdrawal shall be a rate which is specifically approved by the International Monetary Fund for such transactions.

3. Either Party applying exchange restrictions shall in general administer them in a manner not to influence disadvantageously the competitive position of the commerce, transport or investment of capital of the other Party in comparison with the commerce, transport or investments of any third country.

ARTICLE VIII

1. Each Party shall accord to products of the other Party, from whatever place and by whatever type of carrier arriving, and to products destined for exportation to the territories of such other Party, by whatever route and by whatever type of carrier, treatment no less favorable than that accorded like products of, or destined for exportation to, any third country, in all matters relating to: (a) customs duties, as well as any other charges, regulations and formalities levied upon or in connection with importation and exportation; and (b) internal taxation, sale, distribution, storage and use. The same rule shall apply with respect to the international transfer of payments for imports and exports.

2. Neither Party shall impose restrictions or prohibitions on the importation of any product of the other Party, or on the exportation of any product to the territories of the other Party, unless the importation of the like product of, or the exportation of the like product to, all third countries is similarly restricted or prohibited.

3. If either Party imposes quantitative restrictions on the importation or exportation of any product in which the other Party has an important interest:

(a) It shall, upon request, inform the other Party of the approximate total amount of the product, by quantity or value, that may be imported or exported during a specified period, and of any change in such amount or period; and

(b) If it makes allotments to any third country, it shall afford such other Party a share proportionate to the amount of the product, by quantity or value, supplied by or to it during a previous representative period, due consideration being given to any special factors affecting the trade in such product.

4. Either Party may impose prohibitions or restrictions on sanitary or other customary grounds of a non-commercial nature, or in the interest of preventing deceptive or unfair practices, provided such prohibitions or restrictions do not arbitrarily discriminate against the commerce of the other Party.

5. Either Party may adopt measures necessary to assure the utilization of accumulated inconvertible currencies or to deal with a stringency of foreign exchange. However, such measures shall deviate no more than necessary from a policy designed to promote the maximum development of non-discriminatory international trade and to expedite the attainment of a balance of payments position which will obviate the necessity of such measures.

6. Each Party reserves the right to accord special advantages: (a) to products of its national fisheries; (b) to adjacent countries in order to facilitate frontier traffic; or (c) by virtue of a customs union or a free trade area of which either Party may become a member, or of an interim agreement leading to the formation of a customs union or free trade area which either Party may enter into. Each Party, moreover, reserves rights and obligations it may have under the General Agreement on Tariffs and Trade, and special advantages it may accord pursuant thereto.

ARTICLE IX

1. In the administration of its customs regulations and procedures, each Party shall: (a) publish all requirements of general application affecting importation and exportation; (b) apply such requirements in a uniform, impartial and reasonable manner; (c) refrain, as a general practice, from enforcing new or more burdensome requirements until after public notice thereof; and (d) allow appeals to be taken from rulings of the customs authorities. Moreover, the customs authorities of each Party shall not impose greater than nominal penalties for infractions resulting from clerical errors or from mistakes made in good faith as deemed appropriate by the customs authorities.

2. Nationals and companies of either Party shall be accorded treatment no less favorable than that accorded nationals and companies of the other Party, or of any third country, with respect to all matters relating to importation and exportation.

3. Neither Party shall impose any measure of a discriminatory nature that hinders or prevents the importer or exporter of products of either Party from obtaining marine insurance on such products in companies of the other Party.

ARTICLE X

1. Between the territories of the two Parties there shall be freedom of commerce and navigation.

2. Vessels under the flag of either Party, and carrying the papers required by its law in proof of nationality, shall be deemed to be vessels of that Party both on the high seas and within the ports, places and waters of the other Party.

3. Vessels of either Party shall have liberty, on equal terms with vessels of the other Party and with vessels of any third country, to come with their cargoes to all ports, places and waters of such other Party open to foreign commerce and navigation. Such vessels and cargoes shall in all respects be accorded national treatment and most-favored-nation treatment within the ports, places and waters of such other Party, but each Party may reserve exclusive rights and privileges to its own vessels with respect to the coasting trade, inland navigation and national fisheries.

4. Vessels of either Party shall be accorded national treatment and most-favored-nation treatment by the other Party with respect to

the right to carry all products that may be carried by vessel to or from the territories of such other Party, and such products shall be accorded treatment no less favorable than that accorded like products carried in vessels of such other Party, with respect to: (a) duties and charges of all kinds; (b) the administration of the customs; and (c) bounties, drawbacks and other privileges of this nature.

5. Vessels of either Party that are in distress shall be permitted to take refuge in the nearest port or haven of the other Party, and shall receive friendly treatment and assistance.

6. The term "vessels", as used herein, means all types of vessels, whether privately or publicly owned or operated, but this term does not, except with reference to paragraphs 2 and 5 of the present Article, include fishing vessels or vessels of war.

ARTICLE XI

1. Each Party undertakes (a) that enterprises owned or controlled by its Government, and monopolies or agencies granted exclusive or special privileges within its territories, shall make their purchases and sales involving either imports or exports affecting the commerce of the other Party solely in accordance with commercial considerations, including price, quality, availability, marketability, transportation and other conditions of purchase or sale; and (b) that nationals, companies and commerce of such other Party shall be afforded adequate opportunity, in accordance with customary business practice, to compete for participation in such purchases and sales.

2. Each Party shall accord to nationals, companies and commerce of the other Party fair and equitable treatment, as compared with that accorded to nationals, companies and commerce of any third country, with respect to: (a) the governmental purchase of supplies; (b) the awarding of concessions and other government contracts; and (c) the sale of any service by the Government or by any monopoly or agency granted exclusive or special privileges.

ARTICLE XII

1. The present Treaty shall not preclude the application of measures:

(a) regulating the importation or exportation of gold or silver;

(b) relating to fissionable materials, their radio-active by-products, or the sources thereof;

(c) regulating the production of or traffic in arms, ammunition and implements of war, or traffic in other materials carried on directly or indirectly for the purpose of supplying a military establishment;

(d) regulating, on a non-discriminatory basis, military requisition of supplies and implements of war in time of emergency or in time of war;

(e) necessary to fulfill the obligations of either Party for the maintenance or restoration of international peace and security, or necessary to protect its essential security interests; or

(f) denying to any company in the ownership or direction of which nationals of any third country or countries have directly or indirectly the controlling interest, the advantages of the present Treaty, except with respect to recognition of juridical status and with respect to access to courts of justice and to administrative tribunals and agencies.

2. The present Treaty does not accord any right to engage in political activities.

3. The most-favored-nation provisions of the present Treaty relating to the treatment of goods shall not extend to advantages accorded by the United States of America or its territories and possessions, irrespective of any future change in their political status, to one another, to the Republic of Cuba, to the Republic of the Philippines, to the Trust Territory of the Pacific Islands or to the Panama Canal Zone.

4. The provisions of the present Treaty as regards the most-favored-nation treatment do not apply to—

(a) favors now granted or which may hereafter be granted to neighboring States with regard to navigation on or use of boundary waterways not navigable from the sea; or

(b) favors now granted or which may hereafter be granted in virtue of national legislation on the promotion of industrial investment.

ARTICLE XIII

1. Each Party shall accord sympathetic consideration to, and shall afford adequate opportunity for consultation regarding, such representations as the other Party may make with respect to any matter affecting the operation of the present Treaty.

2. Any dispute between the Parties as to the interpretation or application of the present Treaty, not satisfactorily adjusted by diplomacy or other pacific means, shall be submitted, at the request of either Party, to a panel of arbitrators for settlement in accordance with applicable principles of international law. The panel shall be composed of three members, one selected by each Party and the third chosen by the members selected by the Parties. In the event the members selected by the Parties are unable to agree upon the third member within one month, the third member shall be one who is designated by the Secretary-General of the United Nations at the request of either Party.

ARTICLE XIV

1. The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Washington, D.C. as soon as possible.

2. The present Treaty shall enter into force one month after the date of exchange of ratifications. Thereupon it shall replace and terminate the Treaty of Friendship, Commerce and Navigation signed at Bangkok on November 13, 1937.

3. The present Treaty shall remain in force for ten years and shall continue in force thereafter until terminated as provided herein.

4. Either Party may, by giving one year's written notice to the other Party, terminate the present Treaty at the end of the initial ten-year period or at any time thereafter.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have affixed hereunto their seals.

Done in duplicate, in the English and Thai languages, both equally authentic, at Bangkok, this twenty-ninth day of May in the one thousand nine hundred and sixty sixth year of the Christian Era, corresponding to the two thousand five hundred and ninth year of the Buddhist Era.

For the United States of America:
[SEAL] GRAHAM MARTIN.
For the Kingdom of Thailand:
[SEAL] TH. KHOMAN.

BANGKOK, *May 29, 1966.*
No. 896.
His Excellency THANAT KHOMAN,
Minister for Foreign Affairs, Bangkok.

EXCELLENCY: With reference to the Treaty of Amity and Economic Relations between the Government of Thailand and the Government of the United States of America, signed this day, I have the honour to confirm the understanding arrived at in regard to the interpretation of Article VII, paragraph 1, of the above-mentioned Treaty as follows:

It is the understanding of the Government of Thailand and the Government of the United States of America that the language of Article VII, paragraph 1(a) does not preclude the application by either Party of restrictions on the making of payments, remittances, and other transfers of funds to or from the territories of the other Party to the extent necessary to assure the financial stability and economic development of the country.

Accept, Excellency, the renewed assurance of my highest consideration.

GRAHAM MARTIN.

No. 0603/17817.
MINISTRY OF FOREIGN AFFAIRS,
Saranrom Palace, 29th May, B.E. 2509.
His Excellency Monsieur GRAHAM MARTIN,
Ambassador Extraordinary and Plenipotentiary of the United States of America, Bangkok.

EXCELLENCY: With reference to the Treaty of Amity and Economic Relations between the Government of Thailand and the Government of the United States of America, signed this day, I have the honour to confirm the understanding arrived at in regard to the interpretation of Article VII, paragraph 1, of the above-mentioned Treaty as follows:

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Accept, Excellency, the renewed assurance of my highest consideration.

TH. KHOMAN,
Minister of Foreign Affairs.

BANGKOK, *May 29, 1966.*
No. 897.
His Excellency THANAT KHOMAN,
Minister for Foreign Affairs, Bangkok.

EXCELLENCY: With reference to the Treaty of Amity and Economic Relations between the Government of Thailand and the Government of the United States of America, signed this day, I have the honour to confirm the understanding arrived at in regard to the interpretation of Article VII, paragraph 2, of the above-mentioned Treaty concerning multiple rates of exchange as follows:

It is the understanding of the Government of Thailand and the Government of the United States of America that in the event of more than one rate of exchange being in force, and in the absence of a rate approved by the International Monetary Fund, the rate applicable to withdrawals under this paragraph shall be the rate effective on the day the transfer is made. If, however, after having taken into consideration all relevant factors and circumstances, a Party is not satisfied that the effective rate is just and reasonable, the applicable rate of exchange shall be determined after consultation between the two Parties.

Accept, Excellency, the renewed assurance of my highest consideration.

GRAHAM MARTIN.

MINISTRY OF FOREIGN AFFAIRS,
Saranrom Palace, 29th May, B.E. 2509.
No. 0603/1F818.
His Excellency Monsieur GRAHAM MARTIN,
Ambassador Extraordinary and Plenipotentiary of the United States of America, Bangkok.

EXCELLENCY: With reference to the Treaty of Amity and Economic Relations between the Government of Thailand and the Government of the United States of America, signed this day, I have the honour to confirm the understanding arrived at in regard to the interpretation of Article VII, paragraph 2, of the above-mentioned Treaty concerning multiple rates of exchange as follows:

It is the understanding of the Government of Thailand and the Government of the United States of America that in the event of more than one rate of exchange being in force, and in the absence of a rate approved by the International Monetary Fund, the rate applicable to withdrawals under this paragraph shall be the rate effective on the day the transfer is made. If, however, after having taken into consideration all relevant factors and circumstances, a Party is not satisfied that the effective rate is just and reasonable, the applicable rate of exchange shall be determined after consultation between the two Parties.

Accept, Excellency, the renewed assurance of my highest consideration.

Th. Khoman,
Minister of Foreign Affairs.

No. 898. Bangkok, *May 29, 1966.*

His Excellency Thanat Khoman,
Minister for Foreign Affairs, Bangkok.

Excellency: I have the honour to refer to the Treaty of Amity and Economic Relations signed this day and to Articles 14 and 15 of the Treaty of Friendship, Commerce and Navigation signed at Bangkok on November 13, 1937, and to propose that our two Governments agree as follows:

1. Each of the Parties may appoint Consuls General, Consuls, Vice Consuls and other Consular Officers or Agents to reside in the towns and ports of the territories of the other where similar officers of any other Power are permitted to reside.

2. Such Consular Officers and Agents, however, shall not enter upon their functions until they shall have been approved and admitted by the Government to which they are sent.

3. They shall be entitled on condition of reciprocity to exercise all the powers and enjoy all the honours, privileges, exemptions and immunities of every kind which are, or may be, accorded to Consular Officers of the most favoured nation.

4. The Government of each Party shall have the right to acquire and own land and buildings required for diplomatic or consular premises in the territories of the other Party and also to erect buildings in such territories for the purposes stated, subject to local building regulations.

5. Lands and buildings situated in the territories of either Party of which the other Party is the rightful owner and which are used exclusively for governmental purposes by that owner shall be exempt from taxation of every kind, National, State, Provincial and Municipal, other than assessments levied for services or local public improvements by which the premises are benefited.

6. In case of the death of a national of either Party in the territory of the other without having in the locality of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest Consular Officer of the State of which the deceased was a national of the fact of his death, in order that necessary information may be forwarded to the parties interested.

7. In case of the death of a national of either of the Parties without will or testament, in the territory of the other Party, the Consular Officer of the State of which the deceased was a national and within whose district the deceased made his home at the time of death, shall, so far as the laws of the country permit and pending the appointment of an administrator and until letters of administration have been granted, be deemed qualified to take charge of the property left by the decedent for the preservation and protection of the same. Such Consular Officer shall have the right to be appointed as administrator within the discretion of a tribunal or other agency controlling the administration of estates provided the laws of the place where the estate is administered so permit.

8. In case of the death of a national of either of the Parties without will or testament and without any known heirs resident in the country of his decease, the Consular Officer of the country of which the deceased was a national shall be appointed administrator of the estate of the deceased, provided the regulations of his own Government permit such appointment and provided such appointment is not in conflict with local law and the tribunal having jurisdiction has no special reasons for appointing someone else.

9. Whenever a Consular Officer accepts the office of administrator of the estate of a deceased countryman, he subjects himself as such to the jurisdiction of the tribunal or other agency making the appointment for all necessary purposes to the same extent as a national of the country where he was appointed.

The provisions of this agreement shall terminate, except for numbered paragraphs 4 and 5, on entry into force, with respect to the two Parties, of the Vienna Convention on Consular Relations insofar as such provisions are covered by it. Either Party may terminate this agreement by giving to the other Party one year's written notice of termination.

If the foregoing meets with the approval of the Government of Thailand, I have the honour to propose that this note and Your Excellency's note agreeing thereto shall constitute an agreement between our two Governments which, after exchange of ratifications thereof, shall enter into force on the date upon which the Treaty of Amity and Economic Relations signed this day enters into force.

It is understood that, if the Vienna Convention on Consular Relations enters into force with respect to our two Governments before entry into force of the present agreement, only numbered paragraphs 4 and 5 of the present agreement, and such other provisions of this agreement as are not covered by that Convention, shall enter into force.

Accept, Excellency, the renewed assurance of my highest consideration.

Graham Martin.

No. 0603/17819.

Ministry of Foreign Affairs,
Saranrom Palace, 29th May, B.E. 2509.

His Excellency Monsieur Graham Martin,
Ambassador Extraordinary and Plenipotentiary of the United States of America, Bangkok.

Excellency: I have the honour to acknowledge the receipt of Your Excellency's Note No. 898 of today's date, which reads as follows:

"I have the honour to refer to the Treaty of Amity and Economic Relations signed this day and to Articles 14 and 15 of the Treaty of Friendship, Commerce and Navigation signed at Bangkok on November 13, 1937, and to propose that our two Governments agree as follows:

"1. Each of the Parties may appoint Consuls General, Consuls, Vice Consuls and other Consular Officers or Agents to reside in the towns and ports of the territories of the other where similar officers of any other Power are permitted to reside.

"2. Such Consular Officers and Agents, however, shall not enter upon their functions until they shall have been approved and admitted by the Government to which they are sent.

"3. They shall be entitled on condition of reciprocity to exercise all the powers and enjoy all the honours, privileges, exemptions and immunities of every kind which are, or may be, accorded to Consular Officers of the most favoured nation.

"4. The Government of each Party shall have the right to acquire and own land and buildings required for diplomatic or consular premises in the territories of the other Party and also to erect buildings in such territories for the purposes stated, subject to local building regulations.

"5. Lands and buildings situated in the territories of either Party of which the other Party is the rightful owner and which are used exclusively for governmental purposes by that owner shall be exempt from taxation of every kind, National, State, Provincial and Municipal, other than assessments levied for services or local public improvements by which the premises are benefitted.

"6. In case of the death of a national of either Party in the territory of the other without having in the locality of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest Consular Officer of the State of which the deceased was a national of the fact of his death, in order that necessary information may be forwarded to the parties interested.

"7. In case of death of a national of either of the Parties without will or testament, in the territory of the other Party, the Consular Officer of the State of which the deceased was a national and within whose district the deceased made his home at the time of death, shall, so far as the laws of the country permit and pending the appointment of an administrator and until letters of administration have been granted, be deemed qualified to take charge of the property left by the decedent for the preservation and protection of the same. Such Consular Officer shall have the right to be appointed as administrator within the discretion of a tribunal or other agency controlling the administration of estates provided the laws of the place where the estate is administered so permit.

"8. In case of the death of a national of either of the Parties without will or testament and without any known heirs resident in the country of his decease, the Consular Officer of the country of which the deceased was a national shall be appointed administrator of the estate of the deceased, provided the regulations of his own Government permit such appointment and provided such appointment is not in conflict with local law and the tribunal having jurisdiction has no special reasons for appointing someone else.

"9. Whenever a Consular Officer accepts the office of administrator of the estate of a deceased countryman, he subjects himself as such to the jurisdiction of the tribunal or other agency making the appointment for all necessary purposes to the same extent as a national the country where he was appointed.

"The provisions of this agreement shall terminate, except for numbered paragraphs 4 and 5, on entry into force, with respect to the two Parties, of the Vienna Convention on Consular Relations insofar as such provisions are covered by it. Either Party may terminate this agreement by giving to the other Party one year's written notice of termination.

"If the foregoing meets with the approval of the Government of Thailand, I have the honour to propose that this note and Your Excellency's note agreeing thereto shall constitute an agreement between our two Governments which, after exchange of ratifications thereof, shall enter into force on the date upon which the Treaty of Amity and Economic Relations signed this day enters into force. It is understood that, if the Vienna Convention on Consular Relations enters into force with respect to our two Governments before entry into force of the present agreement, only numbered paragraphs 4 and 5 of the present agreement, and such other provisions of this agreement as are not covered by that Convention, shall enter into force."

In reply, I have the honour to state that the foregoing understanding is acceptable to the Royal Thai Government and that the present Note and Your Excellency's Note under reply constitute an Agreement between the United States and the Royal Thai Governments.

Accept, Excellency, the renewed assurance of my highest consideration.

Th. Khoman,
Minister of Foreign Affairs.

Mr. MANSFIELD. Mr. President, this commercial treaty with Thailand came out of the committee unanimously, and it has for its background and purpose an exchange of notes which will require Senate advice and consent and ratification.

The treaty is the 21st in a series of commercial treaties which have been negotiated since 1946. It contains the usual provisions found in other commercial treaties to which the United States is a party. For example, with respect to nationals of each country, it deals with such matters as entry and sojourn, personal freedoms, access to courts, just compensation in the event of expropriation, rights with respect to carrying on business activities, property rights, taxation, exchange controls, treatment of imports and exports, and treatment of shipping.

Mr. President, I ask unanimous consent that an excerpt from the committee report dealing with background and purpose and other related matters, including the committee action and recommendation, be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> One of the two exchanges of notes requiring Senate advice and consent to ratification contains provisions dealing with rights and privileges of consular officers. These are identical with the provisions on the same subjects contained in the 1938 treaty. The other exchange of notes sets forth an understanding regarding the interpretation of article VII, paragraph 2, which governs withdrawals of currency in the event more than one rate of exchange is in force.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the treaty be considered as having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The resolution will be stated.

The assistant legislative clerk read as follows:

> *Resolved, (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of the Treaty of Amity and Economic Relations Between the United States of America and the Kingdom of Thailand, together with two exchanges of notes relating thereto, signed at Bangkok on May 29, 1966, (Executive P, 89th Congress, second session).

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent—this has been cleared with the minority leader—that the vote on the pending treaty take place at 2 p.m. on Monday, September 11, 1967.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

> *Ordered*, That the Senate proceed to vote on the resolution of ratification of Executive P (89th Congress, second session), Treaty of Amity and Economic Relations with Thailand, at 2:00 o'clock p.m. on Monday, September 11, 1967.

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will be a rollcall vote at that time on this treaty.

I ask for the yeas and nays on the treaty, when the vote occurs at 2 p.m. on Monday, September 11, 1967.

The yeas and nays were ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock a.m. tomorrow.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR BROOKE AND SENATOR FANNIN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the approval of the Journal tomorrow the distinguished junior Senator from Massachusetts [Mr. BROOKE] be recognized for up to 30 minutes.

I also ask unanimous consent that following the remarks of the distinguished Senator from Massachusetts, the distinguished Senator from Arizona [Mr. FANNIN] be recognized for up to 20 minutes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that following the remarks of the distinguished Senator from Arizona [Mr. FANNIN] on tomorrow, there be a brief period for the transaction of routine morning business, with statements limited to 3 minutes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

THE UNITED NATIONS SECURITY COUNCIL SHOULD TURN ITS ATTENTION TO VIETNAM

Mr. PASTORE. Mr. President, earlier today, several of my colleagues, led by the Senator from Montana [Mr. MANSFIELD], the majority leader, spoke out urging the United States to press for United Nations Security Council consideration of the Vietnamese question. I join in this view and lend my voice to that end.

In view of the ever-mounting cost of the war in Vietnam, especially in terms of the lives of American youth and the ever-rising danger of escalation which recently climaxed with bomb attacks near the Chinese border, I believe that this is a propitious time for the United States to press for action before the United Nations.

A resolution on Vietnam was placed on the Security Council agenda in early 1966 at the instance of the U.S. Government, but there was no substantive discussion, due largely to the opposition of the Soviet Union and France. But since then many months of wearing and costly conflict have gone by with little or no prospect that the many initiatives the President has taken for peace will bear fruit.

Mr. President, I have served on the U.S. delegation to the United Nations. I know that the Security Council provides the machinery for a proper international approach to the Vietnamese problem.

The Council was given primary responsibility for the maintenance of peace and security in the United Nations Charter. It is structured to reflect the political realities of the international community and has frequently, during its more than two decades of existence, proven its capability of contributing to the solution of difficult and complex issues. Many times the ventilation of vexing problems in the give and take of this forum under the gaze of the world community has provided the impetus for a peaceful settlement.

One of the recurring obstacles to peace negotiations over Vietnam has been that not all the contending parties are even states. Yet assurances have been made on the part of the United States that room would be made at the negotiating table for those parties it does not legally recognize. Applicable precedents exist in the United Nations for participation or attendance by organizations which are not states.

Even should invitations not be accepted by all the parties to the Vietnam conflict, the United Nations Security Council should delay no longer to undertake immediately attempts to achieve peace in Vietnam.

On September 3, South Vietnam will hold an election that will provide a new Government in Saigon. It is hoped that this new Government will be in a stronger position to act and speak on behalf of South Vietnam in international negotiations. But most important, this will be a propitious moment for the United States to press the Security Council to discuss the U.S. resolution—or, for that matter, any other appropriate resolution—that aims at a peaceful settlement in Vietnam.

I earnestly call upon the President to reaffirm the faith of the United States in the United Nations and to move at once for the Security Council to open a full and healthy discussion of the Vietnamese question.

It has been said that the President is seriously contemplating such a step. It is our responsibility to let him know that he has our encouragement and support for the effort I hope he will take to mobilize the influence of the international community for a resolution of the conflict in Vietnam.

Mr. MANSFIELD. Mr. President, I

commend the distinguished senior Senator from Rhode Island for the remarks he just made about the relationship of the situation in Vietnam to the United Nations Security Council.

He—as some 10 other Senators who have already spoken today—is a former U.S. delegate to the United Nations Organization. I believe that our statements should have some effect in indicating how those of us who comprise, after a fashion, an alumni association of U.S. delegates to the U.N., feel about this matter and feel, also, that the U.N., which has dodged this matter ever since the beginning, should face up to its responsibilities insofar as Vietnam is concerned.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader about the schedule for the remainder of the day and also for the remainder of the week.

ISSUANCE OF GOLD MEDAL TO THE WIDOW OF WALT DISNEY AND BRONZE MEDALS TO THE CALIFORNIA INSTITUTE OF THE ARTS

Mr. MANSFIELD. Mr. President, in response to the questions raised by my distinguished colleague, the minority leader, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 525, Senate Joint Resolution 93. I do this so that the joint resolution will become the pending business.

The **PRESIDING OFFICER.** The joint resolution will be stated by title.

The assistant legislative clerk read the joint resolution, as follows:

S.J. Res. 93

A joint resolution (S.J. Res. 93) to provide for the issuance of a gold medal to the widow of the late Walt Disney and for the issuance of bronze medals to the California Institute of the Arts in recognition of the distinguished public service and the outstanding contributions of Walt Disney to the United States and to the world.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to the consideration of the joint resolution, which had been reported from the Committee on Banking and Currency, with an amendment, on page 3, line 13, after the word "of", where it appears the first time, to strike out "$2,500" and insert "$3,000"; so as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the distinguished public service and outstanding contributions to the United States and to the world, the President of the United States is authorized to present in the name of the people of the United States and in the name of the Congress to the widow of the late Walt Disney a gold medal with suitable emblems, devices, and inscriptions to be determined by Walt Disney Productions with the approval of the Secretary of the Treasury. The Secretary shall cause such a medal to be struck and furnished to the President. There is hereby authorized to be appropriated the sum of $3,000 to carry out the purposes of this section.

Sec. 2. (a) The Secretary of the Treasury shall strike and furnish to the California Institute of the Arts not more than one hundred thousand duplicate copies of such medal in bronze. The medals shall be considered as national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

(b) The medals provided for in this section shall be made and delivered at such times as may be required by the California Institute of the Arts in quantities of not less than two thousand. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such costs.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, no action will be taken on the joint resolution today, but it is anticipated that following the disposal of the Disney resolution—though not necessarily in this order, but practically so—the Senate will then move to the consideration of Calendar No. 519, S. 1035, reported from the Committee on the Judiciary; then Calendar No. 498, S. 2171, a bill to amend the Subversive Activities Control Act of 1950, also reported from the Committee on the Judiciary; the nomination on the calendar; the independent offices appropriation bill; as well as any unobjected to bills which will come out of committees in the meantime.

That is about the best I can say at this moment, except that at 2 o'clock on Monday, September 11, 1967, the day we return from our brief recess, there will be a rollcall vote on the Treaty of Amity and Economic Relations with Thailand.

It is anticipated that on Tuesday the conference report on H.R. 10738, defense appropriations, will be before the Senate for consideration and possibly a vote. During that week it is also anticipated that the Senate will consider S. 1985, the National Flood Insurance Act; S. 510, corporate equity ownership to securities; H.R. 12257, vocational rehabilitation; and possibly, the omnibus housing bill, and military construction authorization.

LITTLE LEAGUE WORLD CHAMPIONSHIP WON BY JAPAN

Mr. MANSFIELD. Mr. President, I wish to add my congratulations to those already extended by many other Americans to the Little League team representing West Tokyo, Japan. This Little League team can truly be acclaimed the world champion, since the competition is genuinely worldwide. The team from West Tokyo won the championship this past weekend in Williamsport, Pa.

This group of outstanding youngsters, which traveled 6,000 or 7,000 miles to participate in this Little League World Series, demonstrated the sportsmanship, ability, and stamina to earn the title of "world champions." It is with great pleasure that I congratulate this group of outstanding young athletes on behalf of all American baseball fans for their success. They have joined two teams from Mexico which in previous years also have won the world championship.

It is games like this which I think bring about a better feeling among people and better relationships among nations.

Mr. President, I ask unanimous consent that there be printed in the Record in connection with this matter an article which was published in the Washington Star on August 27, 1967, and an article which was published in the Wall Street Journal on August 26, 1967.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Aug. 26, 1967]

Japanese Nine Wins Little League Title

Williamsport, Pa., August 26.—Japan won the Little League World Series for the first time in the 21-year history of the annual classic with a 4–1 victory today over North Roseland of Chicago.

Masahiro Miyahara, a 104-pound right-hander who had pitched a one-hit shutout in the first game of the series, won his second game. He allowed only three hits and an unearned run.

Miyahara retired the first 13 Chicago batters before Richard O'Leary singled to center in the fifth.

The team from West Tokyo scored its first run in the third off Chicago's Bob Stratta, who had pitched the eighth no-hit, no-run game in Series history Wednesday.

Kenichi Tsuchiya, an 87-pound outfielder, slammed a home run over the left field fence for the winners.

The Japanese wrapped up the game in the fifth as they scored three runs on two hits, a walk and an error.

North Roseland scored its run in the fifth when O'Leary singled and took second as Kevin Marich got a hit to left. With two out, Masahiro Fujita made an error at shortstop on a difficult play and O'Leary scored.

The Japanese were only the third foreign team to win the Little League title. Monterey, Mexico, won it in 1957 and 1958.

Newton-Edgmont, Pa., took third place by beating Linares, Mexico, 2–1, in a rain-shortened four-inning game. Dan Kelly hit a two-run homer for the winners.

West Tokyo	0 0 1	0 3 0—4
Chicago	0 0 0	0 1 0—1

Batteries—Miyahara and Takashi; Stratta and Marich.

[From the Washington (D.C.) Star, Aug. 27, 1967]

Japan Wins Little League World Title

Williamsport, Pa.—Japan won the Little League World Series for the first time in the 21-year history of the annual classic for small fry with a 4–1 victory Saturday over North Roseland of Chicago.

Masahiro Miyahara, a 104-pound right-hander who pitched a one-hit shutout in the first game of the series, won his second game, allowing only three hits and an unearned run.

He retired the first 13 Chicago batters before Richard O'Leary singled to center in the fifth.

The team from West Tokyo scored its first run in the third off Chicago's Bob Stratta, who pitched the eighth no-hit, no-run game in Series' history here Wednesday.

Kenichi Esuchiya, an 87-pound outfielder, slammed a home run over the left field fence for the winners.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and (at 3 o'clock and 11 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, August 29, 1967, at 11 o'clock a.m.

EXTENSIONS OF REMARKS

FAA Must Act To End Threat of Midair Collisions

EXTENSION OF REMARKS
OF
HON. SEYMOUR HALPERN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 28, 1967

Mr. HALPERN. Mr. Speaker, the airline crash on July 19, which claimed the lives of 82 persons, including John T. McNaughton, the newly designated Secretary of the Navy, is a sad reminder to all of us of the constant threat of midair collisions and the problem of air safety in general.

With the steady increase of air traffic, the threat of midair catastrophes looms increasingly over us. Last year alone the Federal Aviation Agency reported close to 500 near collisions in the air. We may assume that the number of near collisions was really much higher due to the reluctance of many pilots to report situations for which they might have been held responsible. Also last year, there were a total of 25 midair collisions. Thus far in 1967 there have been 14, three involving commercial carriers.

On the ground it is evident that airport congestion has reached crisis level. For instance, more than 300,000 takeoffs and landings occur every year at National Airport near Washington. This means that an average of 876 airplanes enter or leave the airport every day, which averages out at one every minute and one-half, 24 hours a day.

The situation in my home county of Queens, in New York City, is not much better. John F. Kennedy International and La Guardia Airports, both in Queens, handle a heavy volume of international, transcontinental, intermediate, and local commercial air traffic, as well as considerable general aviation and military traffic.

Low-flying aircraft in this residential area create the constant nuisance of ear-shattering noise for the thousands upon thousands of people on the ground. There is a persistent threat to the lives and property of residents and passengers. The midair collision of two commercial airplanes over Brooklyn in December 1960, in which 134 people died, 128 passengers and six people on the ground, was a tragic fulfillment of that threat.

Over the years the FAA has done an outstanding job in furthering air safety, but it has been evident for some time that we must review and redouble our commitment to safety in the skies and on the ground. We must do this at once, before the threat of disaster becomes a routine of tragedy.

I urge the FAA carefully to analyze approach patterns for our great metropolitan airports and to suggest alternates. I ask that ways of reducing air terminal congestion be found, and that the FAA pursue the speedy development and installation of anticollision devices on all aircraft, commercial and private.

I also urge the immediate installation of radar and control towers at airports now without such facilities.

Mr. Speaker, increased air safety must not wait any longer. The Federal Aviation Administration must pursue this goal assiduously. We must leave no stone unturned in our effort to assure the well-being of all our citizens.

Meat Inspection Standards Must Be Strengthened in the Public Interest

EXTENSION OF REMARKS
OF
HON. HAROLD D. DONOHUE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 28, 1967

Mr. DONOHUE. Mr. Speaker, the evidence developed during recent hearings by the House Agriculture Committee on H.R. 12144, to expand Federal meat inspection standards, emphasizes the urgency for stringent new safeguards for the protection of the public, and particularly for the protection of the poor and lower income families, against the sale and use of contaminated meat for human consumption.

While it appears, from the information available, that the committee's proposal does represent some strengthening of the Agriculture Department's authority to control processed meat producers, it also appears that the proposal leaves practically untouched the commercial animal slaughtering houses which sell meat within State borders.

It is authoritatively revealed that about 25 percent of the country's commercially processed meat producers and some 15 percent of the commercially slaughtered animals—19 million head a year—are not now covered by Federal inspection standards because they travel only in intrastate commerce. It is significant to note that only 25 of our 50 States presently require State meat inspection and Agriculture experts have testified that virtually none of the State regulations match the Federal standards of meat inspection to insure that the animals are not dead, dying or decayed before they are slaughtered.

Mr. Speaker, while no legislator has any desire to interfere with, or unduly intrude upon, the fair and legitimate service operations of any segment of industry in this country, we, nevertheless, do have the obligation to reasonably protect the health and safety of our citizens, and very especially the poorer citizens and families, against the poisonous selfishness of the unscrupulous few.

From all the authoritative information and testimony available, it quite clearly appears that, in the very serious public interest, the great majority of slaughterhouses must be subjected to Federal inspection standards and I would urge my colleagues to focus their most conscientious legislative attention upon this problem and its urgency when the subject comes before the House in the near future.

The Courageous Customs Bureau

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 28, 1967

Mr. HOSMER. Mr. Speaker, for over a century the twin ports of Long Beach and Los Angeles, in southern California, have not had a customshouse. During these years these two ports have grown to be amongst the highest density seaborne traffic centers of the entire globe.

Rightly and properly the U.S. Bureau of Customs decided it was time to put its customshouse there, instead of in congested downtown Los Angeles many miles away. It had a beautiful building constructed and was ready to move in this month. But it was beleaguered by a provincial group of Los Angeles downtowners who did not want the move to be made. This group enlisted the aid of several Congressmen. Together they badgered the Commissioner of Customs and his aids unmercifully. When all else failed the downtown group went to court seeking an injunction to prevent the move. They properly got thrown out of court as they should have been. Undoubtedly the judge, as have other fair minded people, concluded that a customs house belongs at a port, not many miles inland just because some selfish interests demand it.

The Bureau of Customs deserves great credit for standing up against this pressure and political heat and sticking to its decision to do the logical and sane thing—namely, to move to the new multi-million-dollar customshouse at the harbor. Powerful forces were brought to bear on Customs, but the dedicated public servants there had the courage to stand up against them. This does great credit to the Commissioner of Customs, his superiors in the Department, and those who work for him. The taxpayers can be reassured that in this instance their true interests were served by men of great strength and moral fortitude as well as wisdom.

The rightful move to the harbor is now being made. The public good is being served. Hats off to the Customs Bureau.

Congressman Wyman Reports to the People of the First District of New Hampshire on Our Dilemma in Vietnam

EXTENSION OF REMARKS
OF
HON. LOUIS C. WYMAN
OF NEW HAMPSHIRE
IN THE HOUSE OF REPRESENTATIVES
Monday, August 28, 1967

Mr. WYMAN. Mr. Speaker, uppermost in everyone's mind and heart these trying days is our dilemma in Vietnam. I seek to speak frankly to you about Vietnam.

Senator Fulbright told the American Bar Association in Honolulu:

> The United States lacks the moral and psychological capacity to fight both the Vietnamese war and its own urban ills.

He also commented:

> We are truly fighting a two-front war and doing badly in both.

The other night in the Cabinet Room of the White House, President Johnson met with a group of Congressmen, including myself, in a question-and-answer period on Vietnam. At this meeting, he said he would love to negotiate but there was just nobody who would negotiate.

This is true. Of course, the Communists will not negotiate. It is not to their advantage to negotiate. We are being bled white in Vietnam, and they know it. Until they are hurting real badly, the prospect of negotiation is remote.

Those who urge cessation of bombing and unilateral withdrawal are, for all practical purposes, urging outright surrender. Such a step without an agreement would be followed by horrible U.S. losses, wholesale murder of the South Vietnamese and a virtual reduction of U.S. international prestige—if there is any left—to absolute zero.

There are some hard realities of our dilemma in South Vietnam. These are—

First. We cannot pull out on the South Vietnamese, on our own soldiers, our dead and wounded, wholly aside from the domino theory argument.

Second. Even if we are successful and obtain a military victory so that South Vietnam is freed from aggression and left with merely a sporadic guerrilla mopup, the hard fact is that we cannot guarantee that peace will be maintained, even with a U.S. housekeeping force. Nor can we guarantee that there will ever be economic stability in this manifestly unstable oriental nation.

Third. A military victory appears to be impossible to attain in Vietnam without a vastly greater offensive commitment than has been made to date. This will cost more billions, would involve more men and planes and would risk or even invite military confrontations with Red China and perhaps the U.S.S.R.

Fourth. Should Red China get into the military situation in Vietnam and should it send hordes of Red Chinese across the border, the plight of American troops in Vietnam will be desperate, for ground warfare cannot avail against such offensive numbers. There are not enough bullets, nor in all probability can the supply train be maintained. This was proven in North Korea. Should this happen, the United States will be faced with the awful decision of whether to retreat ignominiously or use atomic weapons.

In the meantime, our losses in Vietnam are staggering, the cost is dangerously overheating the U.S. economy, and the raiding of our reserves in the United States has so gravely reduced our capability to defend against any other aggression that the national security is impaired to an extent that would shock and alarm all Americans if they were told the full truth. Into this tiny, faraway country we have poured essential elements of our best combat divisions, our best planes, our best pilots, and untold billions of money and property. The quicksand of Vietnam has absorbed all this and greedily seeks more.

We ought never to have engaged in a land war in this area. Every military man recommended against this, but the Johnson administration has us so deeply involved and committed without even a declaration of war that the levels now exceed Korea.

The man on the street wants us to win or get out. Unfortunately, winning is not all that easy, as can be seen from merely a review of the above realities. Getting out could be done, but before we got through without an agreement, it could look like Dunkirk. This would be tragic and, in the long run, would more certainly expose us to eventual wholesale nuclear attack than anything else we could do.

I hold personal convictions as to what ought to be done in Vietnam, but I am neither a military strategist nor an armchair general. My own son, now 16, will shortly be eligible to serve. Sons of friends throughout New Hampshire are having their turn facing death 10,000 miles away right now. The very least we owe to them, it seems to me, is to do everything of which we are capable to defend them against those who try to kill them in combat in Vietnam. This we are not doing, as a matter of Johnson administration policy in the current stalemate. In such a policy is found both tragedy and dilemma. While most of us try to be Americans ahead of political party in meeting such grave challenges, this becomes difficult when an administration policy of stalemate is so closely derived from political considerations. Civilian control over the military is constitutionally cherished, yet once we are in a military engagement, which is the situation in Vietnam, civilian control should not become civilian restraint of military victory, which is the case at this hour.

But one basic fact of life about Vietnam can safely be asserted at this writing. This is that we cannot afford to continue with a stalemate in Vietnam. If we do, there will be little left at home in the way of reserves or money. Such a gradual erosion of our national defensive and offensive capability is, of course, a common objective of the Communist bloc, whether the U.S.S.R. or Red China. In truth, the policy of stalemate in Vietnam seriously imperils every man, woman, and child in the United States of America, for every day it is allowed to continue there is less and less remaining to protect us in the United States.

I voted for the Tonkin resolution in August of 1964, but in so doing the thought never occurred to me that the executive branch would ever commit this Nation to any military engagement lacking a policy to win. I would not have voted for such a resolution had I known it would be used as a vehicle for justification for the dangerous situation of stalemate that prevails at this hour.

Adequate Funding for the Demonstration Cities Program Is Essential in the National Interest

EXTENSION OF REMARKS
OF
HON. HAROLD D. DONOHUE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 28, 1967

Mr. DONOHUE. Mr. Speaker, whatever varying reflections we may have upon and about the tragic violence and destruction that has recently been occurring in so many cities throughout the country, I think it is universally and unmistakeably clear that the underlying causes of such tragedy ought to be and must be corrected at the earliest possible moment.

Mr. Speaker, the vehicle through which this correction can be most surely and effectively carried out are the appropriation bills containing aid to the cities of this country that are now pending before the Congress.

In the past several weeks these appropriation bills have taken on increasingly vast significance to the unity of this country and our people and they further represent the measure of our response toward curing a disease that is tearing away the very foundations of our civilized society.

Very truly if these appropriation bills are reduced to the point of practical obliteration or elimination of urban programs, most of our cities will be left, as the poor feel themselves to be now, without any hope of help in a vital task that is obviously beyond their individual capacities.

If major reductions are made and permitted to stand, in these particular bills, it might well become one of the greatest imprudences of modern history because such action would undoubtedly generate new and higher despair and frustration.

That is why the appropriation bill for the model cities program is currently so vital to the needs of the poor and the welfare and security of all our people.

Let me remind you that when this Congress passed the original model cities bill, it was making practically an inherently binding promise not just to a comparatively few and restrictively selected cities, that might come to be afflicted with riots and property destruction, but to all those numerous cities qualified for assistance on the basic grounds of low-income population, adequate housing shortages, and associated standards.

At the present time, hundreds of such cities all over the country have invested much time and overtime of community officials and expert volunteers, together with community money, to apply for this assistance, and this includes my own home city of Worcester, Mass., which has a nationally recognized reputation for community cooperation, dedication, and efficiency and accomplishment in planning, projection, and fulfillment of development programs. If this Congress is now to refuse adequate appropriations and funding for the fundamentally qualified city applicants for this particular Federal help, it will be tantamount to a contradiction and betrayal of the words and promises that were enacted into law less than a year ago.

Mr. Speaker, it is my earnest hope and exhortation that promptly upon our return here from this coming holiday, the Congress will direct its most conscientious attention to the agonizing problems affecting our cities and approve appropriations to permit my community—and all other qualified communities—to participate in the demonstration cities program that is so wisely designed to grant all of our citizens, of whatever race or color or circumstance, the opportunity to rightfully share in our national heritage and to enable this country to truly fulfill its destiny of leadership in a world at peace.

Answer to Rebuttal on Minority Views Regarding U.S. Aid to India

EXTENSION OF REMARKS

OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 28, 1967

Mr. BERRY. Mr. Speaker, on August 21, the gentleman from Minnesota [Mr. FRASER] took issue with the minority views on the Foreign Assistance Act of 1967. His rebuttal centered around the group's views on the problems of India, particularly the issue of sacred animal life and agricultural production.

As a coauthor of those minority views, I feel it is necessary to correct several statements which the gentleman made regarding our section on U.S. aid to India.

The first issue is India's food production.

The point which our minority views made was a simple one—that there are enough calories in India today if she would only tap her resources at hand. India must reexamine her reverence for the life of animals or there is little hope for her to stave off starvation of untold millions of her people.

Recently, Indian scholars have said that the ancient writing have been misinterpreted and that present-day reverence is not based upon the scriptures, but upon custom and tradition. We believe that India should take a long, hard look at the historic sources of her current situation. That was the thrust of our main argument.

In particular reference to the gentleman's statements, however, there is much open to doubt. He states:

> Even though only 2 years has passed since the beginning of the agricultural revolution in India, significant progress has been accomplished.

Let us look at the facts. I do not know where the figure of 2 years was secured, but it is not easily reconciled with an article in the current issue of the Hindu Weekly Review, an Indian publication, dated August 21, 1967. The article quotes the President of India, Dr. Hussain, saying:

> We are, it seems to me, poised for a major breakthrough in the matter of agricultural production . . . In ten years or perhaps even in five, I am sure we shall see our country as the center of a great economic change.

It is very interesting that in the President's remarks, ostensibly aimed at revealing agricultural progress, President Hussain turns instead to a recitation of industrial progress. However, his phrases, despite the political optimism, seem to clearly refute the statement that great strides have been made over the past 2 years. We may well be on the brink of a breakthrough in India, we may be able to help with fertilizer and new seeds and water in the next decade, but these are not programs geared to the immediate problem of widespread starvation.

The second point is more important. Reference was made to the minority position on the problem of rat control and sacredness of cows and other animal life. The gentleman from Minnesota said the Government is aware of the problem and is conducting research and training centers. Again, this is an excellent example of where a thrilling announcement has been made, but there is little evidence of action. Let us look at the facts.

On January 4, 1967, the Washington Post carried an article which points up the seriousness of the problem. It is entitled "India's Revered Rat, Gobble U.S. Grain," and concludes that there are probably five rats for each of India's roughly 500 million inhabitants. Most of these rodents live out their lives unharmed in order to avoid offending the Hindu god of good luck, Ganesh, who reportedly rides on a rat's back. Further, the Food and Agriculture Organization of the United Nations, in its report of 1966 states:

> The losses in stored rice caused by rodents consist of losses in weight, losses in quality and other losses from gnawing on bags, structures, lead pipes, electrical wires, etc. If rat population equals human population, as has sometimes been suggested, and if one rat consumes about 9 kilograms of grains per year, the annual loss in quantity alone in a country with a human population of 50 million would be 450,000 tons.

This loss figure when applied to India, therefore, would be multiplied ten-fold, or a total of 4.5 million tons if we use FAO's conservative one-to-one ratio. If the Post's five-to-one ratio, as developed by a West German research team in India, is used, that figure escalates rapidly to an impressive 22.5 million tons consumed annually by rats.

The Washington Post article goes on to name other pests in India which live a good life, quite undisturbed for the most part. Among these are bandicoots, which resemble cat-sized rats, and do immense damage to crops at the same time that they are a threat to infants. Wild birds, crows, roaming dogs and monkeys add to the damage, and the national bird, the peacock, has become a major pest.

Pesticide control was also mentioned.

But what does the U.S. Department of Agriculture have to say about these programs in India. Their publication Agriculture in India says:

> The use of chemical insecticides and fungicides is retarded in India by economic and religious considerations. The low yields for most crops make the use of chemicals economically prohibitive and the vast majority of Indians are Hindu, part of whose philosophy, ahimsa, prohibits the killing of any animal life. Therefore, plant protection measures directed toward the destruction of insect and animal life have two formidable deterrents to overcome before widespread progress can be made.

Most importantly, however, were the statements which the gentleman made about the cows in India. The statement said the cattle were indispensable to the rural economy and are used for milking and draught purposes. Let us look at the facts.

A firsthand observer of the Indian cattle situation is Dr. O. R. Whyte, of the Asian regional office of the FAO. In a recent article published in the Far Eastern Economic Review, Dr. Whyte details all phases of the cattle issue. He explains:

> People use the pat phrase, "the cattle wealth of India." In reality, we are faced with the paradoxical situation in which, in a country with a quarter of the world's cattle population, there are not sufficient strong male animals to cultivate the land, nor sufficient productive females to produce the milk so urgently needed to correct chronic malnutrition in the vulnerable sections of the community—children and pregnant and nursing mothers."

Dr. Whyte goes on to say:

> The surplus cattle population is growing like the human population at the rate of 2% *per annum*, and its maintenance in an unproductive state is an important cause of rural indebtedness and consequent lack of progress.

He continues:

> The cattle poverty of India is revealed in the accompanying table—a deficiency of at least 25 million strong males to cultivate the land, and 55 million cows to produce milk more economically than is possible from the buffalo, which as present produces 80% or more of the milk in India. As the *Indian Dairyman* pointed out earlier this year, the buffalo has too many idle, unproductive years in its life cycle to give an

economic return on the investment in feeding. As soon as possible, it must be replaced by the cross-bred European-indigenous cow in those parts of India to which this superior animal is adapted.

The table which Dr. Whyte referred to gives a detailed analysis of the cattle population of India:

The Cattle Balance Sheet

	Million
Total bovine population, 1961 census	225
Buffaloes	45
Cattle, male and female	180
Males (50 percent, there being no slaughter)	90
Males, percentage strong enough for work (cultivation and draught), not more than 50 percent	45
Males required as bullocks to cultivate 350 million acres of land at one pair per 10 acres (excluding those needed for draught which are decreasing with the growth of motor transport)	70
Females, 50 percent of total	90
Females (cows) with a sufficient potential milk production for use in a dairy industry, not more than 10 percent	9
Females needed to provide 6 oz. (one-sixth of a litre) per head of human population per day (i.e. 80 million litres per day), from cows giving 2,000 litres per lactation (all-India average at present 250 litres per lactation)	64

Further information is obtained from the March 1967 issue of the magazine, Natural History:

> It must be admitted that the Indian dairy industry is among the least efficient in the world. In India, the average annual yield of whole milk per cow has been reported at 413 pounds, as compared with an average of over 5,000 pounds in Europe and the United States. Furthermore, of the 79.4 million cows maintained in 1961, only 20.1 million were milk producers. Among the 47.2 million cows over three years old, 27.2 million were dry and/or not calved. If we go on to accept the proposition that India can make no profit from the negligible slaughter of its enormous cattle supply, we have completed the case for the great cattle bungle. Hence the conclusion of a 1959 Ford Foundation report on India's food problem:
>
> "There is widespread recognition, not only among animal husbandry officials, but among citizens generally, that India's cattle population is far in excess of the available supplies of fodder and feed . . . At least one third, and probably as much as one half, of the Indian cattle population may be regarded as surplus in relation to feed supply."
>
> This view is endorsed by government agronomists, and the Indian Ministry of Information insists that "the large animal population is more a liability than an asset in view of our limited land resources."

Dr. Raymond Miller, a close observer of Indian affairs, in a detailed report, comments on the use of the cows for work:

> Also lumbering along through the streets were countless oxcarts carrying supplies from the docks to the city. These were propelled by bullock power, not by cow power as used in Germany, Austria and in other countries where the cow has become a beast of burden. I have never seen a cow in India being worked as a draft animal, nor have my associates who have been there . . . The bullocks that provide the power for the plows are strong. They are hungry, tired and often have open sores under their yokes. The cows, on the other hand, often lead a much easier life—at least they have more time to scrounge for food because they are not hooked to plows, water pumps nor carts.

These facts clearly refute the gentleman's statements.

What this means in terms of the American foreign aid program is that the United States is blindly continuing to aid a country which must make a more vigorous effort to help itself. India must reexamine her traditions and the sources of her present food problem. This is not the time for blind optimism and use of statistics which, in addition to being false, only mislead supporters of our present policy into believing progress is being made. We are talking about a tragedy affecting the largest democracy in the world. We are talking about the dire need for the United States to insist that the Indian Government make drastic changes. We must use our assistance to India as a lever for speeding these changes. That is the point of the minority views, and it is a view which is firmly established and supported by the best authorities in this matter. It is also supported by the facts, not wishful thinking, on what we hope the situation might be.

Another Forceful L. B. J. Educational Initiative

EXTENSION OF REMARKS
OF
HON. RAY J. MADDEN
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 28, 1967

Mr. MADDEN. Mr. Speaker, on August 25, President Johnson issued a proclamation urging all Americans to launch a "stay in school" campaign.

This is just one more in a long series of President Johnson's initiatives dedicated to the improvement of education and educational opportunity in this country.

We sometimes lose sight of the fact that it was the Johnson administration which brought to a fruitful conclusion the 20-year fight to begin Federal aid to primary and secondary schools.

We sometimes lose sight of the more than two dozen educational bills which have become law under the Johnson-Humphrey administration, and which have transformed education horizons in the United States.

We sometimes lose sight of the fact that millions of poor schoolchildren have gotten a new lease on education with Federal help; that thousands of students are now attending college because of the work-study program under the Economic Opportunity Act; that adults are getting basic literacy training; that colleges and universities have received millions in Federal aid for the building of new classrooms and laboratories and other structures.

That is why the President's "stay in school" campaign is not an isolated gesture. It is part of the continuing effort of the one man who has done more for American education than any President in American history.

I take pleasure in inserting into the RECORD the "stay in school" proclamation of the President issued on August 25.

It reminds us of where we have gone, and how much further we have to go. It is an eloquent testament to an administration which will go down in history as the education administration of all time.

STAY IN SCHOOL

(A proclamation by the President of the United States of America)

> Education through high school is now within the reach of every American boy and girl. It is essential to our nation's welfare—and to theirs—that they grasp it.
>
> This Nation could neither prosper nor endure without trained, productive men and women. For this reason, we have begun a massive campaign to extend the blessings of education to the children of the poor, to increase opportunities for vocational training, to help the physically handicapped, and to bring higher education within the grasp of more and more of our young people.
>
> A high school diploma is not a sure pass to a successful life, but it vastly increases a young adult's chances for employment and economic independence.
>
> Those who seek employment without training or preparation will knock upon many closed doors. This year, more than 900,000 of our youth will not return to their high school classrooms to complete their secondary education.
>
> For their sake and for ours, it is urgent that they, and others who are tempted to leave school, be persuaded to continue their education.
>
> Citizens in communities across the Nation can help to combat the high school dropout problem—and they are. We have succeeded in reducing the percentage of dropouts among high school age youngsters from 25 percent in 1960 to 18 percent last year. But we must do more.
>
> To emphasize the importance of this task, I, Lyndon B. Johnson, President of the United States of America, do proclaim a national "Stay in School" campaign.
>
> I call upon the American people to make this campaign successful. I ask the citizens of every community to take an active part in furthering the improvement of American education. I urge that the total resources of all communities be brought to bear upon the educational needs of every young person. I propose that we translate into reality our fond hope that, in this Nation, no young man or woman shall reject, or be rejected by, our most essential institution.
>
> In witness whereof, I have hereunto set my hand this twenty-fifth day of August in the year of our Lord nineteen hundred and sixty-seven, and of the Independence of the United States of America the one hundred and ninety-second.
>
> LYNDON B. JOHNSON.

Kilmer Job Corps Center

EXTENSION OF REMARKS
OF
HON. EDWARD J. PATTEN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, August 28, 1967

Mr. PATTEN. Mr. Speaker, a remarkable thing happened in the Kilmer Job Corps Center in my district during the recent wave of urban riots.

This Corps center with 1,700 enrollees at Edison, N.J., lies in the middle of an area which has had several serious disturbances within the last 6 weeks.

I checked to see what took place at Kilmer during the riots.

The worst that happened was that six boys without passes slipped across the road to buy ice cream cones.

Not one disturbance took place at Kilmer.

Not one of these men, themselves once steeped in the ways of the ghetto streets, slipped out of Kilmer to join the street warfare either in nearby cities or in any other city.

In fact, Mr. Speaker, during those tragic—and tragically tempting days to some—at least 20 more boys than otherwise normal returned from leave to take their stand in Kilmer on the side of law, order, decency, and self-fulfillment.

These boys are persons of standing and distinction and I congratulate them and their staff.

I also call your attention to the fact that this successful center is operated by the Federal Electric Corporation, the worldwide service affiliate of ITT, for the Office of Economic Opportunity.

I do not pretend to be smart enough or wise enough to offer a panacea for the recent upheavals which have marred our land. I am concerned about them, as is every other Member of this body.

But I do know that the experiences of the Kilmer Job Corps Center offer many valuable lessons for eradicating the effects of slum life on slum youth—and for giving them the opportunity for self-advancement, which is the gist of the American dream.

In my remarks to the House on February 9, 1967, I stated that what Kilmer has accomplished cannot be measured by training and job-placements alone.

The context in which I then equated Kilmer was that we are at war against the effects of the slum.

> We are at war—

I said—

> against the antisocial feelings of the slum, the scoffing of authority, the hatred of the police, the hostility toward society, the destruction of property, the contempt of educational institutions, the flaunting of life and limb.

The peacefulness at Kilmer during the riot period—a period 5 months after my remarks—demonstrates that on one flank at least we indeed are winning a major battle against the effects of the slum.

We have taken boys off the streets from all parts of American cities and made men of them, men who choose to side with the forces of decency.

In the midst of what seems a losing fight, we are winning a major battle.

Why do we always have to say, Learn from our failures? I say let us also learn from our successes such as the one we are experiencing at Kilmer.

Is not one key to take these boys, many of whom spent their lives running around corners from the police—to take these boys off the street and place them in a character building environment?

Let me point out some of the social adjustment programs at Kilmer which accounted for the constructive stance of the Corpsmen during the riots:

First, and perhaps most important, group living has replaced gang life. One out of every 10 Corpsmen is a member of a Lead Corpsman program—that is the name, "Lead Corpsman"—in which his status and prestige arise because he practices socially acceptable behavior—for which he has been trained. His positive behavior serves as a model for other Corpsmen. These Lead Corpsmen, "Big Brothers" to all arriving Corpsmen, also mean Courtesy Patrols—that is their name, "Courtesy Patrols"—which have had a marked effect in reducing community incidents, once high, to a minimum.

Kilmer is also the scene of one of the most unusual Explorer Boy Scout programs in the country. More than 350 Corpsmen have gone through this program, many to take Scout leadership posts in their home communities after they leave the Center. One unit, Post 402, is the only one in the Nation to have the designation, "Community Service." Under the sponsorship of the Salvation Army, this Post went into the public housing area of New Brunswick, told the boys there, "Follow in our footsteps," and organized a troop of boys 11 to 13 years old. "Be like us, not like them," they urged, contrasting their own behavior to that of existing street gangs and pool hall groups, this despite the fact that these boys, now matured by Kilmer, were once themselves members of street gangs and pool hall groups.

There are other boys at Kilmer who have organized a project to prevent school dropouts. The amazing thing about the members of this group is that they are all former dropouts themselves. Each regrets dropping out of school, but takes justifiable pride in his current achievements at Kilmer. The members of this group have been going to public schools to encourage potential dropouts to continue with their studies. Their message to those who would follow the way of the streets is "Shape up, man; you're facing trouble."

Mr. Speaker, if anyone in my district needs someone to donate blood, fix tops, solicit for a community drive, paint a church or rehabilitate a park, the chances are that a Kilmer corpsman will be the first to respond. In fact, few, if any, high school or college student bodies can match the outstanding record of Kilmer corpsmen in community help and activities.

These boys—and the manner in which they have responded to character-building programs—bear out the contention I also made on the floor here on February 9, 5 months prior to the July riots, that "there will be few Kilmer boys who will be found among the rioters of the future."

Mr. Speaker, my colleagues will also be pleased to know that more men have enlisted in the armed services from Kilmer than from any other single community in my congressional district. Almost 300 Kilmer boys are in our Armed Forces. Unfortunately, two already have died in Vietnam.

Why is this so?

Listen to the enthusiastic words of Sgt. Joseph Jandura, in charge of the U.S. Army recruitment office in New Brunswick, who alone has processed some 74 enlisted men from Kilmer.

> I am a great supporter of Kilmer. These fellows enlist to further their training and to fulfill their commitment to their country. When we get a recruit trained at Kilmer, we get a man.
>
> Kilmer has more than paid its way in terms of preparing men to serve their country. Ask me.

Mr. Speaker, we are talking of spending millions and millions of dollars for welfare and for rehabilitation of the slums. But here we have a wonderfully successful experience with the merits of taking people out of the slums for training, and qualifying them to take advantage of the wonderful opportunities that exist here.

I salute the men. I salute the staff. If ever there was a group which merits our deepest respect and appreciation; if ever we have funded a program that has proved its worth; and if ever there was a program on whose experience we can chart positive steps for the future, it is the Job Corps. It is the one program which offers the most hope to the youth in the ghetto.

Congressional Ethics

EXTENSION OF REMARKS

OF

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 28, 1967

Mr. DORN. Mr. Speaker, may I commend you for appointing such an outstanding Committee on Standards of Official Conduct. It was my honor to appear before this committee at its first public hearing. The following is my statement to the committee:

> It has been my privilege in hundreds of addresses throughout this Nation to defend the integrity, morality and ethics of the Congress. The conduct and ethical standards of Congress, as a whole, will compare favorably with any parliamentary body in the world or in the history of the world. No legislative body in the world or government officials anywhere are more generally respected or have higher moral and ethical standards than the United States Congress and the United States officials here in Washington. The only government officials and legislative bodies approaching the United States in moral and ethical conduct are those countries associated with England and the nations of northern Europe.
>
> The Congress has had an illustrious history. The history of Congress began with the Continental Congress. That Congress unanimously elected George Washington Commander-in-Chief and we eventually won our independence. Had it made any other decision, I do not believe this Nation would have won its independence. That Congress created an army, a navy and a marine corps. Congress called for a Constitutional Convention out of which emanated the greatest document in world history. Congress called for a Bill of Rights which was adopted.
>
> The Congress has made mistakes. The Congress has been both justly and unjustly criticized throughout the years, but it has remained the people's institution, directly responsible to the people, reflecting their hopes and aspirations. Congress has developed, both branches, into the greatest deliberative bodies in all the history of the world.

Recently Congress has come under severe attack largely because of the misconduct of a few of its members. This is an age of advertising and public relations when modern news media make news available almost instantly to almost every individual citizen throughout the country; therefore, a comparatively few and spectacular incidents have created for Congress an improper image. Reliable polls indicate that a majority of the American people believe the members of the Congress are lacking in ethical standards and that a large percentage of the American people believe that members of Congress are dishonest.

The United States is the leader of the free world. Should its Congress lose prestige—fairly or unfairly—it will affect the cause of freedom throughout the world. We are operating in a glass arena, with the world looking on.

Frankly, our image is not good. By the same means this bad image was created, we can create a good image, reassure the American people and reassure those who believe in parliamentary representation the world over. We can no longer delay reform.

The House of Representatives, elected every two years, is the most direct representation the American people have. Members of the House of Representatives are quite often the only real contact the sovereign American citizen has with the agencies and departments of the Federal Government. We have an obligation to represent those people "to the best of our ability." In order to best represent them and keep their confidence, the time has come for us to formulate and enforce high ethical standards for our own membership. Congress is already disciplined. We have many rules and regulations in existence now covering the conduct and activities of members of the Congress, but we need to discipline ourselves still further and adopt a code of ethics and conduct for both members and candidates.

I recommend that the Committee very seriously consider the creation of a permanent Committee on Ethics similar to those of the American Bar Association. This Committee could receive any complaint, under oath, of any American citizen or group of citizens against any Member of Congress or any employee. This is nothing radically new. Wild public charges can be made against Members of Congress now. This would merely be an orderly and regulated way to bring complaints against the Members. Already under the Constitution any citizen has the right to petition Congress on any grievance. I believe the time has now arrived when we should create a permanent standing Committee on Ethics to perform this duty.

All Members of Congress should be required to file a detailed financial statement annually with the Committee on Ethics. This statement should show all assets and liabilities of both the Member and his wife and should include all outside income, gifts and honorariums in excess of $100, including automobiles and receipts from testimonial dinners. It should also include payments from the Federal government such as soil bank payments, price supports, office rent, and reserve pay, etc.

I would urge the Committee to recommend that the same standards of conduct and ethics apply to candidates for the House as for Members of the House. A candidate for the House, who is not an incumbent, should be required to file with the Clerk of the House a complete financial statement for himself, his spouse and dependent children. This financial statement should include assets and liabilities, including all income, gifts, honorariums, etc., together with the names and addresses of the source, whether an individual or organization, for the one-year period prior to his becoming a candidate for the House.

We should consider regulations which would prohibit nepotism. I would recommend that the Committee carefully consider legislation that would prohibit any public official from employing or recommending for employment any member of his immediate family or any close relative for employment in the government in any department in which he is serving or over which he exercises jurisdiction or control. I make this recommendation realizing fully that some immediate members of the family have performed magnificently and rendered a great service to our Country. I can think of Mrs. John Nance Garner and Mrs. Harry S. Truman as examples of devoted, dedicated public servants. However, we have had members of the House who have flagrantly violated this privilege and employed members of their family who did not even reside in the United States and who did no work.

I have every confidence in the membership of this Committee. I commend and thank you for serving on this Committee in addition to your other committees and countless duties. The American people are grateful to you. Each of you in both parties is a warm personal friend with whom I have served for many years. It has been a privilege to serve with most of you for 19 years. I know you cherish, love and respect this House. I know that your only concern is to see this House preserved and its image protected. I commend you and pledge you my complete cooperation in restoring the image of this House as the people's very own institution.

I further pledge you my cooperation and support in your efforts to create a code of ethics and a standard of conduct for the membership of the House.

Rat Extermination Act

EXTENSION OF REMARKS

OF

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 28, 1967

Mr. RUMSFELD. Mr. Speaker, a great deal of press comment followed the refusal of the House of Representatives to take up the Rat Extermination Act. Regrettably, all aspects of the issue were not fully discussed. The comments of two of our colleagues on this bill merit the attention of all who are concerned with this problem.

Representative THOMAS B. CURTIS, of Missouri, commented on the issue in the following letter which was his response to inquiries on his vote:

> AUGUST 7, 1967.
>
> While I agree that the joking manner in which this bill was discussed on the Floor does the House of Representative no credit, I find that the press coverage and political demagoguery over this issue to be equally, if not more, deplorable. Leaving aside the less-than-responsible statements about this bill on the floor, there are very good reasons for the defeat of this bill. One of the best criticisms of this program is contained in the supplemental views of Representative Henry Reuss accompanying the Committee Report (a copy of which I have enclosed for your colleagues who seldom find the time to read committee reports).
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> Congressman Reuss can hardly be accused of being against helping cities or ghetto areas, and he finds the rat-control problem to be a serious one requiring active measures to combat the danger to our urban communities. Yet he points out in his views just how this bill will *hurt* the urban health effort, not improve it. Setting up a special program on rats would "fragment and askew the local public health agency's program for attacking all carriers of communicable diseases." Congessman Reuss, in testimony before the Committee, used the example of Milwaukee to illustrate this point effectively. Yet this received *no coverage whatsoever* by the press. Why is the press so willing to print the political baloney thrown out by the Administration, and ignore any rational, reflective arguments against this particular bill.
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> I thought that the rat problem is one which needs attention, but I refused to vote for a measure which had received such inadequate study and what study there was reveals it will hinder efforts to meet the problem. Also, there are presently at least four existing federal programs in rat control which spend at least $2,830,000 on eliminating rats. There may be good arguments for extending these programs or modifying them to make them work, but why do we need another program, with a different agency handling the matter? It seems to me, as it seemed to many of my colleagues on Banking and Currency, that this was merely a bill designed to get HUD some more authority at the expense of agencies already working in the area, most particularly at the expense of the Public Health Service. There have been no press mention of these other programs—the public has been given the impression that the Congress has ignored the rat problem competely. The facts show the contrary.
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> Then there is the matter of the cost-effectiveness of the proposed program. Secretary Weaver, in his testimony before the Committee (Hearings before Housing Subcommittee on H.R. 8068, page 39), estimated the cost of the program at $6 per capita. It appeared to me that we could get better results from working through existing programs and agencies rather than adding more bureaucratic overhead costs.
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> One way in which this could be done under existing authority is through the Code Enforcement Program. HUD is authorized at present to spend $750 million on urban renewal and code enforcement. Of that amount, HUD has allocated only $56 million for code enforcement—they could do a lot more, but they have made enforcement of building, safety and health codes a low-priority item. If they needed more money to step up code enforcement, they could have asked for it and probably could have gotten it. (Republicans on the Housing Subcommittee were responsible for getting health code enforcement in the urban renewal program—a Republican proposal to require 20% of renewal funds to go to code enforcement was defeated by the majority party in 1965.) The code enforcement approach utilizes existing agencies and standards (which are required under every city's "workable program" for urban renewal aid) and has the advantage of including low-interest loans to slum dwelling owners to eliminate health hazards (such as rats) and keep the building in a healthful state. This approach gives the "slumlord" a financial interest in maintaining a rat-free environment—such loans are unavailable in the Administration's rat bill. But nobody in the Administration and the press discusses this alternative—if you voted against the bill, it meant to the reporters that you supported the idea of rats biting children. What kind of mischief does this create in the ghettos already willing to believe the worst of their fellow human beings? And what further mischief does it create by distracting attention from designing programs carefully which might alleviate the problems, including rats.
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> * * * * *
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> The majority report of the Banking and Currency Committee contained another outstanding example of a "responsible ap-

proach," this time from a Democratic city administration. Note on page 5–6 of the Report the statistics on the Detroit rat extermination program. Last year, according to the figures presented at the Hearings (page 77), ratbite cases in Detroit were reduced from 123 in 1951 to 17 in 1965, rat infested buildings were reduced from 9.2% of the buildings checked to 0.4% in 1966. Milwaukee also has a strong rat control program—rat infestations have been reduced 90% in the last 15 years. And yet we have the sorry spectacle of the President equating on national television the failure of the rat bill with the Detroit riots—at the same time, Secretary Weaver is graphically showing that Detroit needs federal rat control money less than any other city. Routinely, these facts are never widely publicized—if the news reporting media will not read committee reports, they certainly won't take time to look at the printed hearings.

Governor Rockefeller's program provides "twice as much for rat-control in New York as the federal bill proposed." Thus, because the bill failed, New York will have a better program—on the other hand, if the federal government were handing out the anti-rat money, would New York even have developed this plan? Would other cities develop programs such as Detroit has had for years? No, they would limit their efforts to that which can be funded with federal money; they would, as Congressman Reuss pointed out, skew their anti-pest activities toward rats, even though rats may not be the major pest problem in a particular city.

The points I have tried to make here may not be irrefutable—I would never claim that there are not good arguments on both sides of any proposed legislation. But they are sound, sensible reasons to believe that the Administration's rat bill may not be the best approach to the problem, a problem which I am concerned about and which I think needs attention. Secretary Weaver was the only witness in the two weeks of hearings who testified on the rat provisions of the Administration's comprehensive bill—the director of the Public Health Service and other interested agencies did not appear. I believe that Congressman Reuss' approach or the code enforcement approach are eminently more sound than the bill which was defeated, and I—and I am sure many others who voted against H.R. 11000—would have supported wholeheartedly a reasonable attack on the rat problem based on these ideas.

I am sick and tired of this simplistic, naive demagoguery—this equation of voting against the rat bill with supporting suffering in the ghettos. I didn't think the issue was funny on the Floor, and I have little respect for those who thought this was a matter for laughing. But I don't think the reporting of these issues which has been confined to attacking the misplaced humor is funny either. I have equally little respect for those who have neither the time nor the energy to consider the Committee Report, the Hearings and the responsible views of those who voted against the bill, but who will scream to the heavens about Congress' lack of concern for the problem. Are we going to operate on the basis of a serious study and discussion of the problems and careful, reasonable selection of the best way to solve them, or are we reduced to either voting for whatever the Administration sends down or "voting for rats" or "voting against helping the poor"?

On August 9, 1967, WBBM-TV, Chicago, Ill., editorially criticized opposition to the bill. An opposing point of view of Representative EDWARD J. DERWINSKI, of Illinois, was broadcast on August 11, as follows:

The rat bill, which very properly was rejected by the House, has received extraordinary press attention; but, unfortunately, a minimum of effective review of its defects.

It is charged that Congress is completely indifferent to problems caused by rats and nothing is being done to control this menace.

There are existing federal programs under the comprehensive Public Health Services Act, established in November, 1966, which provides over 100 million dollars in grants to states and cities to control diseases such as carried by rats—and they have been implemented in seven states. All Illinois Republicans supported this bill.

Other federal departments or agencies have rat control programs, which means that this proposed rat control measure was unnecessary and actually would have hindered the administration of existing programs. Chicago has received over 2 million dollars for a pilot program under existing laws.

Congressman Reuss, a Milwaukee Democrat, proposed that we add 20 million dollars to that program instead of establishing an unnecessary, costly, conflicting new bureaucracy.

He charged that the proposed bill would have established a costly program which would have confused local health departments and would have interfered with the flexibility of the Milwaukee health program.

Incidentally, by admission of committee witnesses, the rat bill would have served only 2½ per cent of our population. Thus, it would have been a typical great society "pie in the sky" program with promises far exceeding results.

The House action accidentally coincided with the peak of summer rioting which produced the charge that defeat of this measure contributed to the riots.

Both Milwaukee and Detroit, which suffered from riots have effective rat control programs which clearly disproves the charge that the rejection of the rat bill had anything to do with riots in those cities.

A program to eradicate rats must involve cleaning up garbage in our cities, improving garbage disposal, and maintaining effective housing standards.

Extermination of rats can be accomplished at the community level in coordination with functioning agencies, coupled with improved housing and sanitary habits in neighborhoods, and a new bureaucratic program would have strangled existing progress.

The United States and Communist China

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, August 28, 1967

Mr. ST. ONGE. Mr. Speaker, I am today introducing a bill to further develop Chinese language and culture programs in our colleges and universities at both the undergraduate and graduate level, to initiate the study of Chinese at the secondary school level, and to increase the number and effectiveness of Chinese language and area centers in this country.

Historically, China has always been of great potential if not real importance. Its vast size, burgeoning population, and untapped resources, coupled with a propensity to retain the characteristics of a medieval state have justly earned China the title of the "sleeping giant." However, the giant is no longer sleeping, but is a force in being on the international scene which can no longer be ignored. This fact has been dramatically punctuated by the awareness that Communist China is not only building a nuclear bomb stockpile, but is also well on its way to completing a workable missile system for delivering these bombs. The time is long overdue for facing realistically the enormous significance of China as a major factor in world politics.

The emergence of Mainland China as a nuclear power and primary force in international affairs offers the United States, perhaps more than any other nation, a range of complex problems which will grow in magnitude over the coming years. However, these complexities can be reduced to their simplest terms in the rather obvious proposition that armed conflict, especially a nuclear exchange offers the least satisfactory solution to any conflicts of national interest. Correlatively, more satisfactory and stable alternatives must be sought and implemented, yet no one can predict at this moment with certainty what form these alternatives will take.

Certainly in the coming years the United States must reexamine in depth the questions of diplomatic recognition of Mainland China, and its membership in the United Nations. Closely bound to these problems are the possibilities of establishing trade relations, the development of tourism, cultural exchange, and, in fact, the whole spectrum of normal international relationships which, hopefully, will provide for the lessening of tensions and the peaceful solutions to the differences between the two nations.

The examination of these problems, and the possible eventual development of social, political, and economic relationships can best be achieved through the efforts of an informed citizenry, and specialists trained in the language, culture, history, and other academic disciplines of the Chinese people. This will not automatically guarantee satisfactory solutions to the many problems which we will face in our relationships with the Chinese in the future. However, in the absence of developing such understanding and expertise, it is hard to imagine how we can establish and implement those policy decisions which are in the best national interest.

One of the most effective means of interpreting and understanding the behavior of another ethnic group is through the comprehension of its language. This is true for cultures with common roots such as those of the Western World, but it is even more meaningful for cultures which do not spring from the same origin. In the case of Chinese the comprehension of the language provides an insight into the whole Chinese mentality, for in many ways that language mirrors Chinese thought.

This was brilliantly illustrated in a recent article by a British journalist, Dennis Bloodworth, writing in the New York Times. He points out that the Chinese language deals in concrete forms, which prevent the proper expression of abstract concepts. The ideograms are absorbed passively and spontaneously by the eye, as opposed to Western script where the reader is drawn along by a closely reasoned logical argument.

The Chinese language is thus considered as not a language of ideas or of rational debate.

One of the problems Bloodworth sees with Chinese is not so much its lack of preciseness, but its ambiguity. It is almost completely lacking the plural form, an active or passive voice, a definite article, or grammar as understood in English.

Even though ambiguous, written Chinese has the tremendous advantage that it can be read and understood by people who pronounce the names of the symbols entirely differently. Vietnamese was written with Chinese characters for centuries, the Japanese still use about 2,000 basic Chinese characters, and the Koreans some 1,200, even though when spoken neither of these languages resembles Chinese. All of the characters are recognizable throughout China, even though one dialect may be totally unintelligible to someone from another part of the country.

Bloodworth describes the Chinese mind as:

> Stereotyped as Chinese decor, clad as it is in stiff cliches of prejudice and tradition. The neat pun, the symbol, the apt classical quotation are all part of a mental system of push-button tuning that tempts a Chinese to avoid bothering with the finer adjustments of original thought. His language delights him with its economy of idiom, and he would rather be concisely ambiguous than long-windedly lucid.

He states that:

> Too often the responses of the Chinese are narrow and mechanical. For centuries they learned the classics by rote, repeated improving slogans parrot-fashion, memorized words rather than remembered their wisdom. More recently, Red Guards expressed their revolutionary Communist zeal by scribbling and shouting endlessly the same fag-end phrases from the "Thought of Mao Tse-Tung" and showed their atavistic obsession with symbolism by smothering their cities in red flags and red tags, by demanding that the red lights on traffic signals signify "go" and not "stop," and even by discussing how to rearrange the world so that East would always be to the left.

The British journalist concludes by saying that:

> The Chinese confuse by seeming to clarify, for the more we try to tidy nature up, the more we obscure it. They are, in their neat suburban fashion, the enemies of the windy and shapeless open spaces of free inquiry in which alone truths can sometimes be found, if not truth itself.

Before World War II, the study of Chinese history, culture, and politics was initiated in the United States at a few leading universities and encouraged by the support of organizations such as the American Council of Learned Societies. The impact of the war in the Pacific focused sudden attention in the United States on the strategic importance of the countries of Eastern Asia, and was a tremendous stimulus to the realization of the need for knowledge of that area. The Army specialized training programs set up at a number of universities and the special training schools for several branches of the military produced a group of young Americans who possessed an excellent knowledge of Chinese, Japanese, and other Asian languages. A large proportion of our current scholarship and Government expertise in this field is the result of this accelerated wartime education.

Since World War II, Asian studies have been maintained through foundation support and, most of all, through Government grants given under the National Defense Education Act for centers of Far Eastern studies, student fellowships, and the like. However, there are still only some 80 colleges in the country that have a Chinese program of any sort.

The development of the Chinese language and area approach has, unfortunately, not found universal acceptance in an academic system which does not always appreciate the interrelations of various disciplines. We are training specialists for immediate needs, but our broader understanding of the cultural diversity of human history has not yet been fully realized. It is vital that we look on our own tradition, not only from within but also from without, and deal with the problems of human development through a multicultural approach. The intellectual as well as the political tasks which fall upon the United States in its New World role demand a widening of our educational horizons that has to effect the education in middle and high schools, as well as those of the specialists. Some of the problems rest with the educators themselves, who, in many cases, still insist that Western civilization should be a predominant if not the sole factor in undergraduate education and who are opposed to programs on non-Western cultures.

The need for trained specialists and the support given to specialized training has enabled a very small number of institutions to move ahead. Fortunately, there has been the student interest itself that has pushed the development in some cases over the reluctance of professional educators. With the possible exception of some west coast institutions, it has been the continuing students interest which has maintained the initiative, but the obstacles are still significant. A large program of financial support that reaches beyond the few bigger name universities in the field will have a crucial impact on broadening our educational philosophy and will give the young Americans of today a further understanding of the world in which they live.

My bill is intended to remedy many of these shortcomings through the implementation of programs which may be summarized as follows:

First. In spite of the increased pressure and complexities of international events and the increased awareness of the roles of the universities and colleges, there still exists a deficiency in numbers and competence in U.S. personnel, although additional resources are available. There must be an enlargement in the number of persons with Chinese language and area competence. To accomplish this graduate level, fellowship programs need to be continued and expanded. There is also the need for more postdoctoral fellowship opportunities, and for more imaginative approaches to the training of able and committed undergraduates.

Second. Continued and expanded support of individual and group research projects by the Government is essential in order to keep abreast of all kinds of demands for new knowledge. This research should not be confined to projects geared only to problem solving or to increasing knowledge of contemporary society. There is valid reason for supporting long-range basic research of specific topics, for it is in this area that the most significant intellectual breakthroughs in our understanding of the Chinese mentality and culture will come.

Third. Continuing support must be given to existing Chinese graduate language and area programs until they have become accepted as a permanent and normal part of a university's total educational program. The universities must also do their part by matching the efforts of the Government, and showing greater evidence of their commitment. There has been some tendency on the part of foundations and those administering NDEA legislation to award fellowship grants to the select few large centers that are already well endowed. With the bigger centers getting bigger, the discrepancy grows and a situation exists where the alienation of the specialists from the broader educational development creates a serious gap that is hurting both the outlook of the specialists and that of the general public and has aggravated present tensions. A better distribution of advanced education among educational institutions in the United States would be wholesome for some of the larger centers as well as raising the national level of instruction.

Fourth. Interinstitutional cooperation is necessary to develop and share scarce resources. Government grants can help stimulate joint planning by universities and assist them in developing joint programs, such as the already established intensive summer Chinese language program, or the Interuniversity Language Center at Taipei. These grants will also aid in enlarging American university contacts with training and research institutions in the Chinese geographic area through faculty exchange and through arrangements for collaboration with scholars in this area on research projects.

Fifth. Many colleges are committing themselves fully to including Chinese studies as an integral part of their educational programs. However, they need assistance in strengthening faculty competence, and to make limited resources go further by cooperating when feasible with other institutions, sharing faculty and library resources, developing joint programs, such as oversea study, and by taking advantage of the experience and resources of nearby universities. Government grants can continue to seek to stimulate and assist various kinds of cooperative approaches to faculty development and curricular revision by groups of colleges; cooperation between universities and colleges, especially in mobilizing scarce resources for Chinese language and area studies; faculty development and curricular experimentation; and the preparation of teaching materials.

Sixth. The undergraduate field is regarded as the crucial area for development. Graduate interest has moved ahead of undergraduate development, and it has been discovered that many graduate students who want to specialize in the field lack the preparation for an advanced study program. It is, therefore, necessary not only to broaden the educational preparation of our college youth in all fields, but also to lay the foundation for the professional course work of studies leading to the M.A. and Ph. D. degrees in Chinese specialization. It has been the experience of some graduate and research institutes that while they have had considerable success in attracting a number of highly qualified graduate students who will make their contributions, they have also found it necessary to move into the undergraduate field in order to provide the necessary foundations for this graduate work. To overcome these difficulties, the institutes would be greatly aided in their efforts to improve and enlarge what are regarded as essential undergraduate development if Federal legislation and funds supported this cause.

Seventh. It is anticipated that on a selective and pilot project basis support will be given for the development of Chinese language teaching on the secondary school level. The earlier a student is exposed to a foreign language the more efficient the learning process becomes, and the opportunity for acquiring a pronunciation approaching that of the native speaker is greatly enhanced. By offering Chinese language instruction, the secondary school students with the interest, motivation, and aptitude for such instruction will be able to develop their skills without having to wait until they reach the undergraduate or graduate levels. These projects must be so constructed that they will reach the greatest possible number of students, including those attending the smaller or rural schools. In many instances this may be accomplished through imaginative and cooperative programs coordinated by State and local education authorities.

Eighth. One of the most promising new areas in which my bill will offer assistance is the provision for including the study of Chinese culture in the curriculums of secondary schools and at the undergraduate level in our colleges and universities. It is very important to the United States that as many as possible of our students, and as early as possible, come to appreciate and understand the position of China in the world today. Studying such a vastly different culture will also give them, by means of contrast, a valuable insight into the traditions of their own country. Understanding China and the Chinese mentality is probably best achieved through study of the language, however this requires students with special aptitude and motivation for learning a complex written and spoken language. The incorporation of Chinese studies, other than linguistics, into world history or other general education courses, or offering special courses which include Chinese history, geography, economics, philosophy, and civilization, at the high school and freshman-sophomore level, may achieve similar results for a great number of students.

It is not very encouraging to realize that our educational system is training the young men and women who will fall heir to the responsibility of creating and implementing national policies regarding China, with only the most meager knowledge of the vast and complex land. It is necessary not only to provide as many experts and specialists as possible in Chinese affairs, but also that our population as a whole is adequately aware of the size and nature of the Chinese nation and its enormous potential for both good and evil. As a Nation we can create and achieve those policies which will best serve our goals regarding China by developing an informed population from whom we may draw the necessary leadership and talent.

The support and encouragement of the establishment of general education courses in Chinese cultural studies will help eliminate the current inadequacy in the curriculums of our educational system. In addition, it is hoped that other disciplines will be encouraged to include consideration of China as an integral part of their programs. Thus, in such courses as comparative literature and government, the traditional purely Western orientation could be enlarged to include the study of corresponding Chinese endeavors.

An indication of our lack of knowledge and understanding of Chinese events, the rate at which conditions are changing, and the urgency for dealing with the expanding problems, may be seen in the current happenings in Hong Kong and the chaos within China itself. Seasoned China-watchers had expected the usual tough statements to continue but thought real belligerency would not come for years. This forecast has changed completely and the riots in Hong Kong and the near civil war conditions in China provide significant indications of the changes that are taking place.

Certainly, if Communist China is willing to sacrifice Hong Kong as an intelligence and banking center and as a source of significant amounts of foreign exchange, then it would be willing to engage in any mischief in the whole of Southeast Asia and beyond. It may be that Communist China has decided to stir up much more serious trouble in such areas as Burma, Malaysia, and Singapore. There is always the dreaded possibility that she may intervene with troops in the Vietnam conflict in order to direct the maximum attention away from the mushrooming internal strife and colossal failures of her domestic programs.

However, the spasms which many consider symptomatic of a "dynasty in decline," have in no way deterred the ultimate Chinese threat to our security, which is the development of China's nuclear arsenal and missile delivery system. Despite the withdrawal of Soviet technical assistance as early as 1960, the Communist Chinese have made tremendously rapid strides in the development of both weapons and rockets which have greatly surpassed previous strategic estimates. They have moved well ahead of the French in nuclear weapon development, and in 2½ years have successfully tested a multimegaton device. The French have held many more tests over a 7-year period and have not yet tested a true thermonuclear device or achieved a megaton-size yield.

Further evidence of the crucial need for facing the realities of Red China's existence, and developing workable policies regarding it, are seen in the recent report of the Joint Committee on Atomic Energy concerning the impact of Chinese Communist nuclear weapons development on our national security. It observes that Chinese progress has been "more rapid and surprisingly more effective than had been expected or indeed predicted." The committee's report states the belief that Red China will be able to develop a thermonuclear warhead in the ICBM weight class with a yield in the megaton range by about 1970, and can have an ICBM system ready for deployment in early 1970's. The report also claims that the Chinese are now able to design a low-yield fission warhead which could be adapted to a missile, and with a few tests they could probably design an improved fission weapon for medium-range ballistic missile or bomber delivery. At the present time the Chinese have a few hundred short-range jet bombers and a few longer range bombers. In addition, they are believed to be interested in the development of submarines equipped with suitable moderately long-range missiles. The committee concludes by noting that—

> Perhaps most significant for the United States is the fact that a low order of magnitude attack could possibly be launched by the Chinese Communists against the United States by the early 1970's, and that at present we do not have an effective anti-ballistic-missile system which could repel such a suicidal—for the Chinese—but nevertheless possible strike.

It was for these reasons that the joint committee felt that the assessment it had made should be brought before the American public in order to state clearly where we stand in relation to this emerging threat to our national security.

Mr. Speaker, it may be that the means to achieve national survival will be found in the construction of an antimissile defense system. However, such a system, at best, will only continue the present status quo in United States-Chinese relations, and still leaves unanswered the ultimate problem of creating a world in which a country of such far-reaching importance may enter into the community of nations. At worst, an antimissile defense will theoretically reduce by a certain percentage the great numbers who will die in a nuclear attack. But assuming survivors on both sides after such an exchange the question of international relationships will still remain unresolved. Building the intellectual background necessary for achieving the most desirable policies in our future relations with Communist China is a logical corollary of any military-defense approach to the problem. Hopefully, this might, in the long run, also produce international relationships and understandings which would eliminate the need for any future use of force.

I believe that the cost to accomplish the purposes of my bill is very modest in terms of our overall national expenditures, and yet the dividends which it may pay are in many ways, as great as those resulting from the billions spent in other programs which seek to insure our national survival. I do not presume, however, that this bill offers a panacea for the enormous problems which the Nation faces in its future relations with mainland China. Nevertheless, alternatives to nuclear holocaust must be found if the earth is to continue to support human life, and this legislation at least moves us down the path to finding these more desirable alternatives.

Our resources are finite and on the basis of priorities, Communist China with a 12,000-mile border, containing one-quarter of the world's population and rapidly becoming a nuclear power, commands our immediate attention. In future years other problems may become paramount, but for the moment we must establish some form of lasting rapport with Communist China which will permit the mutual existence of both countries.

SENATE

TUESDAY, AUGUST 29, 1967

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

Rev. Edward B. Lewis, minister, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear God, our Heavenly Father, we are aware of that from which we live and move and have our being. This moment of meditation and prayer reminds us of our insignificance when we consider that each of us is such a small part of a great universe. Yet, this moment also helps us to see how important we are as individuals in the chain of life's creation. We are a link as persons. We can weaken or strengthen the whole through our calling and fulfillment as we serve. Therefore, O God, wherein we may be weak apply Thy strength. Breathe into our beings calmness, faith, hope, and love, making spiritual strength within, thus making possible intelligent approaches to the demands and necessities of the day.

Be with the nations of the world in finding peace. Bless leaders of responsibility. Minister to those who suffer and die because of war. Give wisdom and guidance in the desire to end all conflict.

Bless the proceedings of this High Chamber of government. We pray in the Master's name. Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States requesting the withdrawal of the following treaties was communicated to the Senate by Mr. Jones, one of his secretaries:

Executive H, 86th Congress, first session, protocol dated at The Hague, September 28, 1955, to amend the Convention for the Unification of Certain Rules Relating to International Carriage by Air, signed at Warsaw on October 12, 1929; and

Executive L, 86th Congress, second session, convention (No. 109) concerning wages, hours of work on board ship, and manning, adopted by the International Labor Conference at its 41st (maritime) session, Geneva, May 14, 1958.

The message was referred to the Committee on Foreign Relations.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILL

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on August 27, 1967, the President had approved and signed the act (S. 1111) to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central Valley project, California, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1633) to amend the act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5709. An act to amend the District of Columbia Teachers' Leave Act of 1949 to remove certain limitations, and for other purposes; and

H.R. 12505. An act to provide that a District of Columbia public school teacher may retire on a full annuity at age 55 after 30 years of service or at age 60 after 20 years of service, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on the District of Columbia:

H.R. 5709. An act to amend the District of Columbia Teachers' Leave Act of 1949 to remove certain limitations, and for other purposes; and

H.R. 12505. An act to provide that a District of Columbia public school teacher may retire on a full annuity at age 55 after 30 years of service or at age 60 after 20 years of service, and for other purposes.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, August 28, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF SENATOR BROOKE

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Under the previous order, the Chair recognizes the Senator from Massachusetts [Mr. BROOKE].

Mr. MANSFIELD. Mr. President, will the Senator yield to me for 3 minutes?

Mr. BROOKE. I yield.

Mr. MANSFIELD. I thank the distinguished Senator from Massachusetts for yielding to me.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 527 and the succeeding measures in sequence.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE MARKETING QUOTA PROVISIONS OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938

The bill (S. 1564) to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1564

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 313(g) of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"Notwithstanding any other provision of this section, the Secretary may convert the national marketing quota into a national acreage allotment by dividing the national marketing quota by the national average yield for the five years immediately preceding the year in which the national marketing quota is proclaimed, and may apportion the national acreage allotment, less a reserve of not to exceed 1 per centum thereof for new farms, for making corrections in old farm acreage allotments, and for adjusting inequities in old farm acreage allotments, through the local committees among farms on the basis of the factors set forth in subsection (b), using past farm acreage and past farm acreage allotments for tobacco in lieu of past marketing of tobacco; and the Secretary on the basis of the factors set forth in subsection (c) and the past tobacco experience of the farm operator, shall through the local committees allot that portion of the national acreage allotment reserved for new farms among farms on which no tobacco was produced or considered produced during the last five years."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 544), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would facilitate the computation of tobacco acreage allotments by providing for conversion of the national marketing quota for tobacco into a national acreage allotment to be apportioned among farms.

At present the national quota is apportioned to States and then converted into State acreage allotments for apportionment among farms.

Apportionment of the national quota among States at present is based on past State production. In computing past State production, the Department makes separate computations for farms which under various programs are considered as having planted tobacco. The Department further deducts from the State production base the production from acres planted in excess of, or without, a farm allotment. By means of adjustments for weather and other factors, the Department reaches a uniform adjustment factor for all farms. The bill would achieve the same result without the various computations that have been heretofore made.

At present a reserve for new farms of up to 5 percent of the national quota is permitted, but the Department never exceeds a 1-percent reserve. The bill would provide for a maximum reserve of 1 percent.

CONVEYANCE OF CERTAIN LANDS TO THE CITY OF GLENDALE, ARIZ.

The Senate proceeded to consider the bill (S. 974) to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz., which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 1, line 3, after the word "That", to insert a comma and "should such land become surplus property pursuant to the Federal Property and Administrative Services Act of 1949, as amended,"; and, on page 2, after line 20, to strike out:

SEC. 3. The consideration to be paid by the city of Glendale, Arizona, for the lands conveyed under this Act shall be fixed by the Secretary of Agriculture in the same manner as the Secretary of the Interior fixes the price for lands sold under section 2(a) of the Act entitled An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes", approved June 14, 1926 (44 Stat. 741; 43 U.S.C. 869–1).

So as to make the bill read:

S. 974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, should such land become surplus property pursuant to the Federal Property and Administrative Services Act of 1949, as amended, the Secretary of Agriculture is authorized and directed to convey to the city of Glendale, Arizona, all right, title, and interest of the United States in and to those lands constituting the grounds of the Southwest Poultry Experiment Station, located in the city of Glendale, Arizona, which station has been scheduled for closing in the near future by the Department of Agriculture. The lands authorized to be conveyed by this Act, consisting of approximately twenty acres, the exact legal description of which shall be determined by the Secretary of Agriculture, shall be made only after a final determination has been made by the Secretary that such lands are no longer needed by the Department of Agriculture for poultry research purposes or for any other purpose. After such a determination has been made by the Secretary and before the conveyance of such lands is made, the Secretary shall make such disposition of improvements and facilities located on such lands as he deems to be in the best interest of the United States.

SEC. 2. The conveyance authorized by the first section of this Act shall provide that the lands so conveyed shall be used by the city of Glendale, Arizona, for public park or recreational purposes only, and if they shall ever cease to be used for such purposes the title to such lands shall revert to the United States which shall have the immediate right of reentry thereon. Such conveyance may be made subject to such other terms, conditions, and restrictions as the Secretary of Agriculture deems appropriate.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 546), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SHORT EXPLANATION

The bill directs the Secretary of Agriculture to convey to Glendale, Ariz., approximately 20 acres constituting the Southwest Poultry Experiment Station. The conveyance would be made only after the Secretary has determined that the lands are no longer needed by the Department and he has made such disposition of the improvements as he deems in the best interest of the United States. The land would be subject to a reverter if not used for park or recreational purposes only.

COMMITTEE AMENDMENTS

The committee amendments—

(1) Condition the conveyance upon a determination by the General Services Administration under the Federal Property and Administrative Services Act of 1949 that there is no further need of the property by any Federal agency,

(2) Make it clear that the property shall revert to the United States if it ceases to be used for "public" purposes, and

(3) Strikes out the provision for a nominal consideration.

The amendments relating to surplus determination and consideration were recommended by the Department of Agriculture, which pointed out that the consideration originally provided by the bill amounted to only about $2.50 per acre, and that a substantial part of the land had been donated to the Federal Government.

AMENDMENT OF THE FEDERAL FARM LOAN ACT

The Senate proceeded to consider the bill (S. 1568) to amend the sixth paragraph of section 12 of the Federal Farm Loan Act, as amended, relating to restrictions on eligibility for loans by Federal land banks which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 1, line 9, after "(A)", to strike out "the"; and, on page 2, line 4, after the word "adequate", to strike out "under rules and regulations prescribed by the board of directors of the Federal land bank concerned" and insert "without such personal liability under rules and regulations prescribed by the Farm Credit Administration"; so as to make the bill read:

S. 1568

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (2) of the fourth sentence of paragraph 6 of section 12 of the Federal Farm Loan Act, as amended (12 U.S.C. 771), is amended to read as follows: "(2) the term 'corporation' includes any incorporated association; but no such loan shall be made to a corporation unless the principal part of its income is derived from farming operations and unless (A) owners of stock in the corporation assume personal liability for the loan to the extent required under rules and regulations prescribed by the Farm Credit Administration, or (B) the security for the loan is determined to be adequate without such personal liability under rules and regulations prescribed by the Farm Credit Administration."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 547), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

At present a Federal land bank loan may be made to a corporation only if owners of its stock assume personal liability to the extent required by Farm Credit Administration rules. As introduced, this bill provides for waiving this requirement if the security for the loan is determined adequate under rules prescribed by the bank's board of directors. The committee amendments would (1) provide for the Farm Credit Administration, rather than the individual land banks, prescribing rules for determination of the adequacy of the security, and (2) strike out the word "the" to make it clear that the banks may require some of the stockholders to assume personal liability without requiring all of them to assume such liability. As amended by the committee amendments the bill is identical in effect to section 2(c) of S. 2822, as that bill passed the Senate last year.

ESTABLISHMENT OF A NATIONAL ADVISORY COMMITTEE

The bill (S. 1477) to amend section 301 of title III of the act of August 14, 1946, relating to the establishment by the Secretary of Agriculture of a national advisory committee, to provide for annual meetings of such committee was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1477

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fifth sentence of section 301 of title III of the Act to provide for further research into basic laws and principles relating to agriculture and to improve and facilitate the marketing and distribution of agricultural products, approved August 14, 1946 (60 Stat. 1091), is amended to read as follows: "The committee shall meet annually and at such other times as are deemed necessary."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 543), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would reduce the number of meetings required to be held by the Marketing Research Advisory Committee from quarterly to once each year. Additional meetings could still be held whenever necessary. Requiring meetings more often than necessary to accomplish the objective of the act results in (1) unnecessary costs for travel and subsistence, and (2) scheduling of meetings at the end of one quarter and the beginning of the next.

SALE AND REPLACEMENT OF PLEASANTON PLANT MATERIALS CENTER

The bill (H.R. 547) to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 545), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill authorizes sale of the Pleasanton Plant Materials Center to Alameda County, Calif., for not less than fair market value. The sales proceeds would be available until expended for costs of acquisition, construction, and removal to a replacement plant materials center. The Department of Agriculture favors enactment, because urbanization of the present site is making it increasingly difficult to maintain the genetic purity of plant materials being developed and improved, and is otherwise incompatible with the Center's objectives. The Department contemplates that under the terms of the proposed sale the Pleasanton Center would continue in operation until a new center could be acquired and in operation, a period of as long as 6 years. The Department advises that the proposed transfer and relocation would be of benefit both to the United States and the county.

ISSUANCE OF GOLD MEDAL TO THE WIDOW OF WALT DISNEY AND BRONZE MEDALS TO THE CALIFORNIA INSTITUTE OF THE ARTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 525, Senate Joint Resolution 93.

The **PRESIDING OFFICER.** The joint resolution will be stated by title.

The legislative clerk read the joint resolution, as follows:

S.J. RES. 93

A joint resolution (S.J. Res. 93) to provide for the issuance of a gold medal to the widow of the late Walt Disney and for the issuance of bronze medals to the California Institute of the Arts in recognition of the distinguished public service and the outstanding contributions of Walt Disney to the United States and to the world.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to the consideration of the joint resolution, which had been reported from the Committee on Banking and Currency, with an amendment, on page 3, line 13, after the word "of", where it appears the first time, to strike out "$2,500" and insert "$3,000"; so as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the distinguished public service and outstanding contributions to the United States and to the world, the President of the United States is authorized to present in the name of the people of the United States and in the name of the Congress to the widow of the late Walt Disney a gold medal with suitable emblems, devices, and inscriptions to be determined by Walt Disney Productions with the approval of the Secretary of the Treasury. The Secretary shall cause such a medal to be struck and furnished to the President. There is hereby authorized to be appropriated the sum of $3,000 to carry out the purposes of this section.

SEC. 2. (a) The Secretary of the Treasury shall strike and furnish to the California Institute of the Arts not more than one hundred thousand duplicate copies of such medal in bronze. The medals shall be considered as national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

(b) The medals provided for in this section shall be made and delivered at such times as may be required by the California Institute of the Arts in quantities of not less than two thousand. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such costs.

Mr. KUCHEL. Mr. President, in December of 1966, the world mourned the loss of a most unique and talented individual—Walt Disney. Imposing and heart-moving tributes poured out to this outstanding American from around the world.

His name is legendary not only in the United States but also throughout the world. His creations and characters have been able to leap the boundaries and barriers of nations, languages, and ideologies. The world always will respond warmly to the magic that is Disney's. For this "magic," Walt Disney received more than 950 honors and citations from all over the world including 31 Academy Awards, five Emmies, honorary degrees from many universities, and the Presidential Medal of Freedom.

Today, the U.S. Senate, by approving Senate Joint Resolution 93, will add yet another honor to the memory of Walt Disney. But we do so in a way which he would have preferred—by helping young people interested in the creative and performing arts.

The resolution before the Senate today will authorize not only a gold medal to be presented to Walt Disney's widow, but also will authorize the striking of not more than 100,000 bronze medals to be ordered and paid for by the California Institute of the Arts as a means of raising funds.

Walt Disney was instrumental in establishing the institute in 1961. He conceived of it as a place where all the performing and creative arts would be taught under one roof in a "community of the arts." Walt looked upon this school as his final contribution to a world that had given him riches, awards, and personal satisfaction. Of it, he said:

It's the principal thing I hope to leave when I move on to greener pastures. If I can help provide a place to develop the talent of the future, I think I will have accomplished something.

By approving Senate Joint Resolution 93, a proposal of which I am a cosponsor, the Senate will be helping Walt Disney fulfill his dream to develop the talent of the future.

Mr. President, my distinguished colleague from California [Mr. MURPHY], is the principal author of Senate Joint Resolution 93. As Senators know, he is on a special mission overseas in Vietnam and Southeast Asia. I ask unanimous consent that the excellent statement which he had prepared in connection with Senate action on the resolution be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MURPHY

On June 20, I introduced Senate Joint Resolution 93 which authorizes the President of the United States on behalf of the American people and the Congress to present to the widow of Walt Disney a gold medal in recognition of his outstanding contributions to the United States and to the world. The resolution also authorizes the striking of up to 100,000 duplicate bronze medals which will be ordered and paid for by the California Institute of the Arts, a college-level, professional school for the creative and performing arts. The resolution was co-sponsored by a majority of the full Senate, Senators Mansfield and Dirksen, Majority Leader and Minority Leader, the Chairman and ranking Republican of the Banking and Currency Committee, Senators Sparkman and Bennett, and the majority of the membership of that distinguished Committee. The 52 Senators co-sponsoring the resolution are:

Allott, Gordon
Baker, Howard H., Jr.
Bennett, Wallace F.
Bible, Alan
Brooke, Edward W.
Burdick, Quentin N.
Carlson, Frank
Church, Frank
Cotton, Norris
Curtis, Carl T.
Dirksen, Everett M.
Dominick, Peter H.
Eastland, James O.
Ervin, Sam J., Jr.
Fannin, Paul J.
Gruening, Ernest
Hartke, Vance
Hatfield, Mark O.
Hickenlooper, Bourke B.
Holland, Spessard L.
Hruska, Roman L.
Inouye, Daniel K.
Jackson, Henry M.
Javits, Jacob K.
Jordan, Len B.
Kennedy, Robert F.
Kuchel, Thomas H.
Long, Edward V.
McClellan, John L.
McGee, Gale W.
Miller, Jack
Morton, Thruston B.
Moss, Frank E.
Mundt, Karl
Muskie, Edmund S.
Nelson, Gaylord
Pearson, James B.
Pell, Claiborne
Percy, Charles H.
Prouty, Winston
Randolph, Jennings
Scott, Hugh
Smathers, George A.
Sparkman, John
Spong, William B., Jr.
Symington, Stuart
Thurmond, Strom
Tower, John G.
Tydings, Joseph D.
Williams, Harrison A., Jr.
Yarborough, Ralph

In introducing the resolution, I said on the Senate floor: "Walt Disney was a unique man. To the end of his days, Mr. Disney remained an idealist in a world of cynics. In an age where men live each day with the awesome knowledge that they have the nuclear power to turn this planet into radioactive dust, Walt Disney celebrated in his every creative act the innocence, joy, and optimism of childhood."

Walt Disney's name is not only legendary in the United States but throughout the world. His work is universally loved. His creations and characters have been able to leap the boundaries and barriers of nations, languages, and ideologies. The world over warmly responds to the magic that is Disney's. For this "magic" Walt Disney has received more than 950 honors and citations from all over the world including 31 Academy Awards, five Emmys, honorary degrees from many universities, and the Presidential Medal of Freedom.

While Senate Joint Resolution 93 may not be on the legislative priority list, perhaps this resolution, at a time when one cannot read or hear a report without being exposed to the troubles of the world, is just what is needed. It would seem most appropriate for this country and the Congress to pause and honor one whose eyes were always able to see through the immediate world storms and over the horizon to the rainbow leading to a better tomorrow. For Walt Disney was able to capture the brighter and better side of life. His success has been recorded countless times in the flashing smiles and laughter of children of all ages the world over. Walt Disney never lost faith in his belief that good would ultimately triumph over evil. It is the same faith which helped forge the young Nation in 1776. It is the same faith which has sustained and made our Nation prosper down through the years. It is the same faith that is so needed today if peace and freedom are to reign not only at home but throughout the world.

Walt believed it possible; our task is to make it a reality. In the meantime the world can be grateful to Walt Disney for his many "spoonfuls of medicine" which have made life in this imperfect world brighter and more enjoyable.

Mr. HOLLAND. Mr. President, Walt Disney was greatly admired by all Americans and by countless people of many other nations of the world for his gift to mankind of clean and wholesome recreation for our children and for grownups as well.

He worked unceasingly to provide the entertainment that would be acceptable to all people. Millions of persons, from far and near, have visited Disneyland in the golden State of California. Walt Disney rendered a great national service both at Disneyland and through the television medium. In his ambition to bring additional, imaginative entertainment and to further pictorialize the fantasies that live in the minds of many of our children; he purchased some 27,000 acres of land in Orange County, south of Orlando, in the Sunshine State of Florida, for the purpose of creating another Walt Disney enterprise, estimated to cost $500 million, in the eastern part of the Nation, for the enjoyment of millions of people, young and old.

The untimely passing of Walt Disney left this dream of his in the embryonic stage, but I understand that it will be completed under the able leadership he left behind. It will be another wonderful monument to a great artist.

Mr. President, I am most pleased to be a cosponsor of the pending resolution. It gives official recognition by our Government to the outstanding contributions and the distinguished public service of Walt Disney.

The amendment was agreed to.

The joint resolution, as amended, was agreed to.

Mr. DIRKSEN. Mr. President, in connection with Senate Joint Resolution 93, the report is quite informative, and I ask unanimous consent that various excerpts from the report be printed in the RECORD.

There being no objection, the excerpts from the report (No. 541) were ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

Senate Joint Resolution 93 was introduced by Senator Murphy for himself and other Senators on June 20, 1967. The joint resolution would authorize the President to present a gold medal to the widow of Walt Disney in the name of the people of the United States and the Congress. The gold medal's emblems, devices, and inscriptions are to be determined by the Walt Disney Productions with the approval of the Secretary of the Treasury. The gold medal will be struck and furnished to the President. The joint resolution contains an authorization for appropriation to cover the cost of the gold medal.

The joint resolution also directs the Secretary of the Treasury to strike and furnish to the California Institute of the Arts not more than 100,000 duplicate copies of the medal in bronze. These medals will be considered national medals within the meaning of section 3551 of the Revised Statutes. The medals will be struck at no cost to the United States since security to cover their costs shall be furnished to cover all cost of manufacture.

COMMITTEE AMENDMENT

In order to cover the increase in cost of the striking of the gold medal, the Department of the Treasury recommended that the amount authorized to be appropriated under this joint resolution be increased from $2,500 to $3,000. The committee agreed to this recommendation.

WALTER ELIAS DISNEY

During a 43-year Hollywood career, which spanned the development of the motion picture medium as a modern American art, Walt Disney, a modern Aesop, established himself and his product as a genuine part of Americana. David Low, the late British political cartoonist, called Disney "the most significant figure in graphic arts since Leonardo." A pioneer and innovator, and the possessor of one of the most fertile imaginations the world has ever known, Walt Disney received more than 950 honors and citations from every nation in the world, including 31 Academy Awards; five Emmys; honorary degrees from Harvard, Yale, the University of Southern California, and UCLA; the Presidential Medal of Freedom in 1964; decoration by the French Legion of Honor and Officer d'Academie, France; the Art Workers Guild of London; Brazil's Order of the Southern Cross; Mexico's Order of the Aztec Eagle; and the Showman of the World Award from the National Association of Theatre Owners in 1966.

The creator of Mickey Mouse and founder of Disneyland was born in Chicago, Ill., on December 5, 1901. His father, Elias Disney, was an Irish-Canadian. His mother, Flora Call Disney, was of German-American descent. Raised on a farm near Marceline, Mo., Walt early became interested in drawing, selling his first sketches to neighbors when he was only 7 years old.

At McKinley High School in Chicago, Disney divided his attention between drawing and photography, contributing to the school paper. At night he attended the Academy of Fine Arts.

During the fall of 1917, Disney attempted to enlist for military service in both the United States and Canada. Rejected because he was only 15 years of age, Disney joined the Red Cross and was sent overseas, where he spent a year driving an ambulance and chauffeuring Red Cross officials. His ambulance was covered from stem to stern, not with stock camouflage, but with Disney cartoons.

After the war, Walt did not complete his education, but began his career as an advertising cartoonist in Kansas City. Here, he perfected a new method for animation and, in 1920, created and marketed his first original animated cartoons.

In August of 1923, Walt Disney left Kansas City for Hollywood with nothing but a few drawing materials, $40 in a well-worn suit, and a completed animated fairy tale subject. Walt and his brother, Roy O. Disney, formed a partnership, sent the fairy tale to New York, received an order, and together produced the first "Alice" cartoon in the back of a Hollywood real estate office.

On July 13, 1925, Walt married Lillian Bounds in Lewiston, Idaho. They were blessed with two daughters, Diane and Sharon, and seven grandchildren.

Mickey Mouse was born in 1927, making his debut in a silent cartoon entitled "Plane Crazy." In 1928, Mickey starred in the world's first sound cartoon, "Steamboat Willie," Walt Disney's first contribution in his endless drive to perfect the art of animation. Full color was introduced to animation during the production of his "Silly Symphonies." In 1932, the production entitled "Flowers and Trees" won Walt the first of his 31 Academy Awards.

"Snow White and the Seven Dwarfs," the first full-length animated musical feature, was produced at the unheard of cost of $2 million during the depths of the depression. It is still accounted as one of the great feats and imperishable monuments of the motion picture industry. During the next 5 years, Disney completed such other full length animated classics as "Pinocchio," Fantasia," "The Reluctant Dragon," "Dumbo," and "Bambi."

During World War II, 94 percent of the Disney facilities were engaged in special Government work, including the production of training films for the armed services and pictures on health still used throughout the world by the U.S. State Department. The remainder of his efforts were devoted to the production of comedy short subjects, deemed highly essential to civilian and military morale.

Disney's first postwar feature, the musical "Make Mine Music," combined live action with the cartoon medium, a process he used successfully in such other features as "Song of the South" and the highly acclaimed "Mary Poppins."

His inquisitive mind and keen sense for education through entertainment resulted in the award-winning true-life adventure series. Through such films as "The Living Desert," "The Vanishing Prairie," "The African Lion," and "White Wilderness" Disney brought fascinating insights into the world of wild animals and taught the importance of conserving our Nation's outdoor heritage.

Disneyland, launched in 1955 as a fabulous $17 million magic kingdom, now represents an investment of more than $90 million and has been visited by more than 65 million people, including Presidents', Kings and Queens, and royalty from all over the globe. Disneyland represents Walt Disney's grandest adventure in public entertainment and the acme of his showmanly experience. It is a place where audiences, particularly family groups, may actually participate in the excitement, thrills, and fantasy to which Walt devoted a lifetime of work.

A pioneer in the field of television programing, Disney entered the field of television production in 1954, and was among the first to present full-color programing with his "Wonderful World of Color" in 1961.

But that was only the beginning. In 1965, Walt Disney turned his attention toward the problem of improving the quality of urban life in America. He personally directed the design of an experimental prototype community of tomorrow, planned as a living showcase for the creativity of American industry. Said Disney, "I don't believe there is a challenge anywhere in the world that is more important to people everywhere than finding the solutions to the problems of our cities. But where do we begin? Well, we're convinced we must start with the public need. And the need is not just for curing the old ills of old cities. We think the need is for starting from scratch on virgin land and building a community that will become a prototype for the future."

Thus, Disney directed the purchase of 43 square miles of Virgin land—twice the size of Manhattan Island—in the center of the State of Florida. Here, he master planned a whole new Disney World of entertainment, to include a new amusement theme park, motel-hotel resort vacation centers, an industrial complex, an airport of the future, and his Experimental Prototype Community of Tomorrow. His staff is now moving forward with the first phase of this development, scheduled to open to the public in early 1971. It will be a blueprint of the future, where people actually live a life they can't find anywhere else today.

During 1965, Disney's attention also turned to the public's increasing need for additional outdoor recreational facilities. After intensive competition, the U.S. Forest Service, a division of the Department of Interior, chose Walt Disney and his organization to develop an all-year outdoor recreational facility at Mineral King in the Sierra Nevada Mountain Range of California. Given the cooperation and support of the State of California, the U.S. Park Service and the U.S. Forest Service, Walt Disney's dream of providing a tasteful outdoor recreation area for the people of California will be a reality by October 1973.

The California Institute of the Arts is a college level, professional school of all the creative and performing arts in which Walt Disney had a great love and a great interest and was instrumental in establishing. Of California Arts, Walt once said: "It's the principal thing I hope to leave when I move on to greener pastures. If I can help provide a place to develop the talent of the future. I think I will have accomplished something."

California Institute of the Arts was founded in 1961 with the amalgamation of two schools, the Los Angeles Conservatory of Music and Chouinard Art Institute. The new 60-acre campus will be located in the new city of Valencia, 32 miles northeast of downtown Los Angeles. Walt Disney conceived of the new school as a place where all the performing and creative arts would be taught under one roof in a "community of the arts" as a completely new approach to professional arts training. In addition to the present schools of music and arts, the institute's new campus will have schools of theater, design and cinematographics. There also will be centers of sculpture, ceramics and fashion design. Ground breaking is expected to take place in March of 1968.

Walt Disney is a legend, a folk hero of the 20th century. His world-wide popularity was based upon the ideals which his name represents: imagination optimism, and self-made success in the American tradition. Walt Disney did more to touch the hearts, minds, and emotions of millions of Americans than any other man in the past century. Through his work he brought joy, happiness, and a universal means of communication to the people of the world. Certainly, our world shall know but one Walt Disney.

The preamble was agreed to.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. DIRKSEN. Mr. President, will the Senator from Massachusetts yield?

Mr. BROOKE. I yield to the distinguished minority leader.

Mr. DIRKSEN. I thank the Senator.

LEAVE OF ABSENCE

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Senator from Iowa [Mr. HICKENLOOPER] and the Senator from California [Mr. MURPHY] be excused from attending sessions of the Senate for the next 10 days, in view of the fact that they are part of the entourage that has gone to Vietnam to observe the elections.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I make the same request, and on the same basis, with respect to the distinguished Senator from Maine [Mr. MUSKIE].

The PRESIDING OFFICER. Without objection, it is so ordered.

PESTICIDES

Mr. DIRKSEN. Mr. President, quite often people ask, "Do chemical pesticides constitute a hazard to human beings?" In his Chicago Tribune copyrighted column "How To Keep Well," T. R. Van Dellen, M.D., presents some rather interesting facts which should dispel the fear of those who ask the question.

Dr. Van Dellen reports that of the approximate 190 deaths attributed to pesticides annually, about one-half result from accidental ingestion.

The classic story is a sad one. Pesticides are transferred from the original container to a milk or soda bottle and an innocent child tragically drinks it. Pesticides, like other potentially dangerous items, should be kept out of reach of children. The directions on the labels should be carefully followed.

No one can deny the necessity of pesticides—they protect our food crops and help provide us with an abundance of food. In some areas of the United States, we are able to utilize the land for agricultural purposes only because pesticide chemicals are available to control insects.

These pesticides also are an essential tool in protecting our public health.

I was happy to note that the market basket study conducted by the Food and Drug Administration shows that pesticide residues in our food supply are well within the acceptable daily intake established by the World Health Organization.

I ask unanimous consent that Dr. Van Dellen's article, which appeared in the Chicago Tribune of July 15, 1967, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW TO KEEP WELL—SAFETY OF PESTICIDES

(By T. R. Van Dellen, M.D.)

Do chemical pesticides constitute a hazard to human beings? A recent federal investigation balanced the great benefits against the risks and concluded that any dire health effects remain to be proved. Properly used insecticides are an integral part of modern civilization.

Approximately 190 deaths a year can be attributed to pesticides. According to W. M. Upholt and P. C. Kearney, writing in the New England Journal of Medicine, half of these result from accidental ingestion. They tell the story about the gardener who obtained parathion from a farmer. The substance was put into an old wine bottle and someone mistook it for a beverage with fatal results.

Carelessness is the next most common cause of death from insecticides. The worker does not clean his clothing after spraying or takes his own medicine as an antidote when symptoms develop.

Recent fish kills in Alabama were attributed to runoff from agricultural applications. The chemicals did not induce illness in man even tho the water and fish were consumed.

Many types of pesticides are used in various areas. Only a minute amount is used to kill the pest. The remainder undergoes chemical changes in the air, water, soil, or as a residue on plants. Contaminants in the earth are detoxified by soil bacteria, fungi, and other organisms. This explains why they do not show a progressive build-up. Some remain active on plants for 24 hours. Vegetables on which the 30-day type is applied are not harvested for a month.

To date pesticides have not been found in the 30,000 cubic miles of ground water that supplies three-quarters of our municipal water facilities. This vast reservoir lies under 85 per cent of the land area.

THE ADMINISTRATION OF LOW AND MODERATE INCOME HOUSING PROGRAMS

Mr. BROOKE. Mr. President, on August 7, 1967, I addressed the Senate on a problem which is of major importance and concern to millions of Americans who have been promised and desperately need better housing. I pointed out that the low and moderate income housing programs, specifically, the program under section 221(d)(3) of the National Housing Act which should be meeting that urgent need, is not operating with efficiency expedition, or, it seems, a genuine commitment to making progress, as it is presently administered by the Federal Housing Administration.

In response to my remarks, I received a letter from the Secretary of Housing and Urban Development, Dr. Robert Weaver, commenting on the 221(d)(3) project in Malden, Mass., which was the focus of my remarks, and which has been delayed by FHA processing and requirements for 27 months. The Secretary also commented on the requirements of the contractor obtaining a 100-percent performance bond which has held up the Malden project for the last 4 months; and he made comments on FHA policies, procedures and results in response to my criticisms.

Mr. President, I ask unanimous consent that the text of the Secretary's letter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BROOKE. Mr. President, before I comment on the Secretary's response, I want to make it clear that my remarks in regards to FHA's operation of the Nation's low-income housing programs are not simply criticism for the sake of criticism; nor are they the result of an "isolated case" in my own Commonwealth which has dimmed the prospect for better housing for the people of Malden, Mass. Nor are they an attempt to engage in endless and fruitless debate over personalities or particular administrative procedures. I am interested in results. We have the programs, including the 221(d)(3) below-market-interest-rate program, the rent supplement program and the leased housing program which, if adequately funded and properly administered and coordinated, could go a long way toward producing and making available the housing we need in this country for people who do not have decent, safe, livable housing available to them today.

I am not convinced that the Federal Housing Administration is committed to progress in this area and the Secretary's letter leaves me unconvinced.

The frustratingly slow progress which has been made toward the construction of 108 units of 221(d)(3) housing in Malden, Mass., is not an "isolated case."

The average time for FHA project processing is 18 months, and the FHA official responsible for the 221(d)(3) and rent supplement programs made the statement that 15 to 18 months was not unreasonable. An FHA official admitted recently that "it takes 3 months just to say 'No' to somebody." The Malden project has been in the works for 27 months.

The project is not complicated. If anything, because of the factors involved, it should have moved rapidly through FHA procedures. A similar project had been completed 3 years ago in the city. The builder had extensive experience with such projects, having successfully completed six 221(d)(3)'s including the one in Malden. The packager had extensive experience with the 221(d)(3) program and is responsible for assembling 5 percent—2,000 units—of the existing 221(d)(3) housing in the country. In fact, a number of his projects were used as examples in a recent HUD publication called "Nonprofit Sponsored Housing for Open Occupancy." In May of this year, the same packager was asked if he was available to work as an operations specialist for FHA.

The sponsor of this project, the Agudas Achim Congregation, is a responsible religious organization, committed to the production of this new housing. The site was an urban renewal site which meant reduced land costs and the Malden Redevelopment Authority and the mayor of Malden were actively cooperating to see that this project moved ahead.

The Malden project was exceptional only for the high degree of commitment and expertise among the participants in the project. The delays involved on the part of FHA were more than usual, but not unusual in FHA experience.

For example, the Secretary states:

> When FHA was ready to commit, the sponsor came in with an entirely new site plan rendering previous processing useless.

The fact is that the need for adjustment of the site plan arose when the city widened the street 10 feet. The statement that such a minor change "rendered previous processing useless" typifies the inflexible attitude often found in FHA and the unwillingness to do all that can be done so that necessary adjustments in costs or plans will not cause significant delays. There is no reason why an adjustment in the site plan should have rendered previous processing useless. If commercial housing developments, conventionally financed, suffered from the same attitude toward development of their plans, nothing would be built in this country.

To contrast the Malden situation with another case that shows FHA's ability to work with speed, the Secretary points to a project on 114th Street in New York City where "FHA processed 221(d)(3) applications for 37 buildings in 6 months."

The Secretary is quite right, in reference to this example, when he states, "Single cases are not always indicative of all our efforts." The 114th Street project was distinguished by an overriding commitment on the part of FHA, and the New York City Rent and Rehabilitation Agency to accomplish results quickly in that part of the city. The project was initiated by the rent and rehabilitation agency in New York, then headed by Hortense Gable, Dr. Weaver's successor to the New York position. A special task force was appointed by the Commissioner of FHA to work closely with the rent and rehabilitation agency which lined up the sponsors and did much of the preliminary processing for FHA. The project was an experimental program with a task force that had special authority.

Not only is it untypical of FHA efforts, but it is an example of the kind of effort that FHA knows must be made if things are to be done with expedition, rather than working through ordinary channels.

Unhappily, the Secretary could not report that the 36 buildings which were to be rehabilitated, not newly constructed, under this special project are now completed. The project began in October 1964; FHA issued its commitment 6 months later in April; construction began shortly thereafter, but unfortunately, more than 2 years later, there is still a year's work of construction before it will be completed.

It is not FHA's responsibility to construct the housing, but it is its responsibility to get housing projects to the point where construction can begin. This is not happening in FHA today without agonizing delay.

The Secretary state. that a new accelerated processing technique is now at work in various FHA offices around the country. He claims that 18 projects were processed in a total of 92 days. However, I am informed that this was not start to finish processing time. Commitments were issued on 18 projects in 90 days, but the projects had been in various stages of processing before the accelerated techniques were applied.

Even so, I applaud this recognition that FHA has moved far too slowly and must orient itself toward a faster operation.

But accelerated processing is still being treated as an experimental program and is not in operation nationally. This is true even though FHA now has years of experience behind it in this program and should be able to make judgments more rapidly than it did 6 years ago. But this is not the case.

An accelerated processing program does not depend so much on new techniques as it does on the willingness of FHA personnel in the local offices to exercise sound judgment and take responsibility for issuing a commitment within a reasonable period of time.

A good example of this responsible attitude is found in the Milwaukee FHA office. In a letter sent out by the director of the office, Mr. Lawrence Katz stated:

> We are prepared to process multi-family applications in 20 work days—any additional time will be the sponsors—the total time from idea to commitment should take no longer than 5 months.

Mr. Katz is assisting other offices in adopting this policy, but these offices must understand that the policy is not only Mr. Katz's policy but the overriding and enforced policy of FHA and in keeping with the wishes of the U.S. Congress.

These accelerated techniques must also be applied to the rent supplement program. Contrary to the Secretary's statement, the record there is not "very impressive." Although all the funds appropriated for the program have been earmarked for projects, in nearly a year and a half only 38 units of newly constructed housing have actually been produced. This cannot be explained by the fact that this is a new program.

The rent supplement program is new only to the extent that funds are now available to supplement the rentals to be paid by poorer tenants. The new housing is still nonprofit sponsored and follows the same FHA procedures for approval of 221(d)(3) mortgage commitments.

Though we are all hopeful that at some time in the future tens of thousands of new units will be produced, to date there have been only 38 and only an additional 104 units are on the verge of beginning construction. Even when the money is pumped in, the FHA has a long and tedious pipeline which only trickles out housing construction when it should be flowing to the thousands of people who need it.

"Comparisons between gross insurance amounts and completed units" are meaningful when administrative practices are the reason for housing proposals never been realized in brick and mortar. Other factors are involved, to be sure, but they do not explain the slowness with which the low-income housing programs are moving. The figures quoted by the Secretary to show that "the 221(d)(3) program has been far more successful than your speech indicates" do not contradict the figures I quoted in my speech.

In over 6 years, there have been only 40,000 units completed under the 221(d)(3) program. Commitments have been made on 74,000 units, but that commitment figure includes the Malden project, for example, and there is no assurance that those commitments actually represent housing that will be completed and available at all, or at best, within a short period of time.

The Secretary further states that other factors, such as "the state of the market, the number of qualified and interested sponsors, the availability of particular types of mortgage reserves, and, especially for low-cost housing, the state of technology and design" affect the volume of housing produced under these programs.

As I stated in my remarks on August 7,

the state of the market for low- and moderate-income housing in this country is an urgent need. The total of 40,000 units built under this 221(d)(3) program could be absorbed in a single major urban center. The volume of housing under this program does not begin to approach the needs of the low- and moderate-income housing market.

As for the availability of mortgage reserves as a controlling factor in the number of units produced, FHA now has $1,200 million in its reserve funds and I would need further explanation as to how that sum inhibits the volume of units produced.

FHA's attitude toward nonprofit sponsors is very curious.

On the one hand, civic and religious groups are publicly urged to take on the sponsorship of housing projects. In keeping with the availability of the 100-percent mortgage, the emphasis is on the need for coming forward. As it was simply stated by a HUD official in a recent speech to the Christian Methodist Episcopal Church conference—

> Churches can set up non-profit organizations to develop, own, and operate new rental housing for the elderly—for families of moderate income—and for low income families which need unit subsidy.

I am in agreement with the implication of this statement, that it should not be a very difficult or consuming operation for a church or other civic group, with little or no assets, to come forward out of an understanding of the need for such housing and to sponsor development of a project.

The FHA directive MF–107 which the Secretary points to as affirmation of a policy which does not require sponsors to assume financial responsibility for projects, seems to me strongly imply just the opposite. It states:

> Non-profit sponsors should understand, however, that owning and operating a housing project involves difficult and trying problems, including the possibility that some unforeseen circumstances could cause project funds to run short. They should understand that FHA would expect them to cope with these problems at the time of need by all means at their disposal, such as provisional help, contributive management or service, appeals to membership or affiliated organizations and *outright cash contributions.*

While the directive goes on to say "that FHA does not insist upon or require a pledge or guaranty," it seems to me that the effect of such a directive in the local offices would be not to approve a sponsor where the organization does not have substantial assets to assume the financial obligations which FHA wants sponsors to "understand" is their responsibility.

It would also have the effect, it seems to me, of discouraging nonprofit sponsors. If a sponsor is told by FHA, "We do not insist on a guaranty by you of the operation of this project, but we do expect that you will be able to meet any operational deficits," there would be a detrimental effect on the sponsor's willingness to proceed, even when it seems that the project will be a success.

The point is that the 221(d)(3) program was established with a 100-percent mortgage so that nonprofit groups would not need substantial assets of their own. It was thought, and it has been demonstrated, that the need for low- and moderate-income housing is so great that projects will "rent-up" quickly and stay rented so that when mortgage commitment and project income are coordinated, there is no reason to expect that funds will have to be made available by the nonprofit sponsor.

This is the risk of the program. But it is also the impetus for the program. FHA must determine that the project is feasible, that the market for the housing exists and that project income will equal cost. If these factors are present, then it should insure. It was not the intent of this program that FHA should turn to the sponsor and say "We think this is a good project, but if anything goes wrong, we expect you to take that risk, not FHA." Such an attitude contradicts the purpose of the program and significantly impedes its progress.

In the Malden project, the nonprofit sponsor, Agudas Achim Congregation was told that it would have to assume financial responsibility for the operation of the project. The Secretary states:

> In point of fact the Agudas Achim Congregation has not had to assume financial responsibility for project operations during the first 2 years.

But in point of fact, that requirement was only withdrawn after the Secretary had written his letter of response to me and the Boston FHA office has still not notified the Agudas Achim Congregation in writing that this requirement has been dropped. I hope that the requirement does not appear in a more subtle form in this, or any other 221(d)(3) project.

Another point at issue, especially in the Malden project, is the requirement of a 100-percent performance bond from the contractor.

The Secretary indicates that any responsible contractor can obtain a 100-percent performance bond. That runs directly contrary to the case in point. The contractor for the Malden project is a responsible contractor. As pointed out, he has successfully completed six 221(d)(3) projects. Two of these required no bond at all and one, already completed in Malden, a 10-percent bond. He has an excellent record and received a high recommendation from the director of the FHA office in Milwaukee, where his firm is based. The director stated that he would "recommend him highly, as very good, able, and proficient. He—the contractor—has brought in projects below cost."

The contractor has tried diligently since March to obtain the required bonding. The reasons given by insurance companies for not underwriting the bond do not coincide with the Secretary's explanation.

One broker, after trying to place the bond with such companies as Aetna Casualty & Surety Co., Maryland Casualty Co., Fidelity & Deposit Insurance Co., Travelers Insurance Co., and Seaboard Surety Co., reported:

> Although the companies have not specifically so indicated, their basic reasoning, as explained to me, is substantially the same in that they appear reluctant to bond FHA financed projects.

Another broker reported:

> The companies also questioned the fact that they had done so many of these projects without bond or a minimum bond that they could not understand why a bond was required for this particular project.

The Aetna Casualty & Surety Co., specifically stated:

> This declination is in no way a reflection on the contractor but is a decision arrived at by reviewing the situation in its entirety.

The Secretary states that the amount of the bond requirement over 10 percent is discretionary with the local insuring office. However, practice indicates that the 100-percent bond requirement is national policy, without room for discretion. If this is so, then a local director cannot exercise informed judgment when a situation arises where a contractor cannot obtain 100-percent bonding, even though he is a reliable and responsible contractor.

In the Malden case, the inability to exercise this discretion to lower the bond requirement, has resulted in a delay since March. Since that time costs have increased at least another $17,000. This in itself means further FHA adjustment, even if the 100-percent bond were obtained tomorrow.

The Secretary's understanding of the bonding policy which is in keeping with the law should be promulgated and enforced. It should be remembered that Congress has required a bond of only 10 percent. In the Malden case, an assessment of the risks in regard to this experienced contractor will show that the extraordinary bonding requirement is unnecessary. This requirement should be withdrawn immediately and the project should be allowed, finally, to move ahead.

FHA must begin to regain the confidence of owners, builders, and architects across the country who often find working with FHA to be a nightmarish experience. It is one of the reasons why FHA mortgage volume has declined significantly. As one builder stated recently before a congressional committee:

> In 1949 the FHA financed 242,000 units in rental housing; last year, 44,000. Any Federal program which is intended to be the backbone of housing by the Congress, which lost nearly 80% of its volume in units, is sick.

One of the reasons why the Secretary may be correct in saying that the 221(d)(3) program is not a program which will help the poor, but only families of moderate income, is because FHA processing takes so long that costs of a project increase significantly. In the Malden project, it will be remembered, rents jumped an average $20 per unit because of over 2 years of delay.

This trend must be reversed and FHA must become a willing partner in housing construction, especially in the low- and moderate-income housing programs where their willingness to cooperate, to see the program succeed and progress, is essential.

In 1962, in testimony before the Senate Subcommittee on Housing, the Commissioner of FHA stated that it was his expectation that the 221(d)(3) program could produce 60,000 units of housing a year. The program has not produced 60,000 units in 6 years.

Mr. President, I repeat, FHA must begin to live up to its expectations or the Congress should place the low- and moderate-income housing programs in an agency that will.

EXHIBIT 1

THE SECRETARY OF HOUSING AND
URBAN DEVELOPMENT,
Washington, D.C., August 14, 1967.
Senator EDWARD W. BROOKE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BROOKE: Your speech of August 7 in the Senate on the pressing need for more low- and moderate-income housing was gratifying in theme but your use of an isolated case as the basis for a general criticism of the FHA was unfortunate. I hope Under Secretary Wood and Assistant Secretary Brownstein have an opportunity to explore this situation with you directly and in depth. In the meantime, let me record the most salient characteristics of the situation.

The Malden case has a long history and we are quite familiar with the allegations contained in your remarks. They have been made in the course of many discussions among the FHA, the contractor, the packager and the sponsor, including visits between FHA and HUD staff and Mayor Kelliher. Mr. Frank, the packager, has a special record of difficulties with these programs. Indeed, for a long time FHA would not process any project in which he was involved.

As your remarks indicate, it is the director of the local insuring office who decides on the basis of local experience and the individual involved, how much above the FHA 10 percent minimum performance bond requirement will be necessary. We know that bonding above 10 percent will not preclude responsible contractors from participation since capability is not materially affected by a requirement in excess of 10 percent. The willingness of sureties to issue 100 percent bonds depends on the contractor's reliability and experience, his past performance, his present competence. In general, the amount does not determine whether or not the bond will be written but rather the contractor's overall capability. In the Boston area, this requirement was established two years ago at the request of the subcontractors association to protect against the problems of work stoppages and unpaid subcontractors. I might add also that a 100 percent bonding requirement is common with all conventional lenders and mandatory on most Government contracts.

However inapposite Malden is, the central issue you raise of the role of effective management in solving low-income housing difficulties is one to which I have devoted considerable effort over the years. The conception and construction of a decent, livable project involves the cooperation of many people as well as the interchange of necessary information and documents. For instance, of the time which you indicate it took the FHA to process the initial Malden application, seven months were consumed by activities on the part of the sponsors and their parties in interest. The fact is that when FHA was ready to commit, the sponsor came in with an entirely new site plan rendering previous processing useless.

Single cases are not always indicative of all our efforts. The Malden experience contrasts with the 114th Street project in New York City where the FHA processed 221(d)(3) applications for 37 buildings in six months. Nevertheless, we are constantly working for improved general performance.

For example, accelerated processing techniques in Milwaukee, Chicago, Phoenix and San Francisco were begun in early February, and were recently expanded to Boston, Atlanta and Kansas City as a part of our new AMP program. The installation of this program has resulted in a total processing time of 92 calendar days on eighteen projects for which there were 120 contacts. Actual FHA processing time averaged 9 days.

Moreover, a recent FHA directive, MF-107, states that nonprofit sponsors will not be required to assume financial responsibility for projects. In point of fact, in the Malden case the Aguda Achum Congregation has not had to assume financial responsibility for project operations during the first two years.

More important than the specific nature of administrative innovation are the results in terms of output achieved. In these terms the 221(d)(3) program has been far more successful than your speech indicates. It has assured housing for almost 74,000 families with mortgage commitments in excess of $950 million. An additional 33,000 units are covered by firm applications. Mortgage funds have been allocated to permit additional applications to bring the total number of units in processing to 143,000. FHA mortgages on multifamily structures since 1961 have been committed to predominantly low- or moderate-income housing.

In the area most directly concerned with housing for the poor, the record is even more impressive. Before the rent supplement programs was interrupted by the uncertainty of fiscal 1968 authorizations, the FHA had reserved virtually all of the supplement funds provided for fiscal years 1966 and 1967. In less than 12½ months from their first availability, FHA has reserved funds for supporting 47,000 units of housing in 422 projects, assisting over 33,000 households. We are concerned, as I am sure you are, that this momentum be continued into the actual production of housing units through speedy processing and construction. But the key to the production of low-income housing does not lie in the area of processing.

Comparisons between gross insurance amounts and completed units, and administrative practices are not very meaningful. For volume depends on a number of other factors—the state of market, the number of qualified and interested sponsors, the availability of particular types of mortgage reserves, and, especially for low-cost housing, the state of technology and design.

In final analysis, really effective solutions to the critical problem of housing the poor will not be found in organizational and administrative reform—important as they are. They will be found in the funding of the programs precisely designed to do these jobs: rent supplement and model cities. For as you know, the BMIR program your remarks emphasized responds principally to the housing needs of moderate-income families—not the poor.

I know you share my sense of urgency about providing decent housing for the people of our country. I appreciate your cooperation in support of our appropriations and I trust we can work together in the areas where truly genuine progress can be achieved.

Sincerely yours,

ROBERT C. WEAVER.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. BROOKE. I yield to the distinguished Senator from Minnesota.

Mr. MONDALE. I thank the Senator from Massachusetts for yielding to me. I congratulate him for his interest and concern about reaching our national goal of decent housing for every American, a goal that is still far from having been achieved, despite the number of years which have elapsed since Congress declared it in the Housing Act of 1949.

While I cannot share the Senator's criticisms of FHA to their fullest extent, nevertheless, I believe that this criticism will be helpful in strengthening the hand of FHA and individuals within FHA who seek to do a better job of making its facilities work for those in American society who cannot now afford decent housing without FHA cooperation.

I think there has been a conservative tendency within FHA. There has also been in parts of it a liberal tendency. Indeed, this conflict, this dichotomy, of attitude is reflected in the Congress as well as in FHA.

I am hopeful that the leadership of the Senator from Massachusetts and the leadership of others along with the current considerations in the Housing and Urban Affairs Subcommittee, we might develop not only a new sense of urgency in this field, but new tools and a new declaration of intention on the part of the Congress which supports and defends the FHA when it proceeds more liberally than it has in the past.

I think one of the problems of FHA producing more low-income housing has been in the field of our housing policy with relation to nonprofit organizations. The section 221(d)(3), below-the-market-interest-rate program, the section 221(d)(3) rent-supplement program, section 202 and section 231 elderly housing, section 515, rural housing, and section 221(h), which attempts to create homeownership for those who are in the public housing income categories all depend on the nonprofit organization. The legislation assumes that nonprofit sponsors, such as churches, labor unions, and other interested groups, can combine to develop such programs, and then either obtain loans from Federal agencies or obtain FHA insurance.

I think one of the big problems of these programs is that they have all assumed this is an easy thing to do for nonprofit organizations. As a matter of fact, it has been a difficult thing.

I have a most interesting letter from Mr. Oliver Brooks, president of the Cambridge Corp., located in Cambridge, Mass. I ask unanimous consent to have the letter printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE CAMBRIDGE CORP.,
Cambridge, Mass., July 26, 1967.
Hon. WALTER F. MONDALE,
U.S. Senate Office Building, Washington, D.C.

DEAR SENATOR MONDALE: I have just read with interest a News Release from your office summarizing the proposals of the Home Purchase Act and the Housing Expert and Loan Program. The basic thrust of this legislation certainly strikes a responsive chord because it goes to the heart of two difficult issues in the low and moderate income housing field and because of its emphasis upon making existing programs more workable rather than attempting any radical new departures.

One of the major areas of interest of The Cambridge Corporation—which is a recently established nonprofit community development corporation—is that of adding to the inventory of low and moderate income housing in this area. We have a keen interest in the production of new housing of this sort and, most particularly, in exploring new techniques to encourage home ownership on the part of moderate income families.

I was particularly pleased by the apparent recognition in the HELP program of the fact that the Section 221(d)(3) program administered by the F.H.A. has some severe gaps in terms of its viability for the nonprofit sponsor.

There have been a good many relatively successful Section 221(d)(3) programs developed in the Greater Boston area. But at the same time one cannot fail to recognize the fact that the ground rules are written in such a way as to invite a certain mediocrity of bargain basement approach to the whole problem of producing new housing, to wit—

The nonprofit sponsor must have in hand some 3–4% of the ultimate cost of the project to push the project along to the stage of mortgage issuance.

The largest single portion of this seed money requirement is represented in advances to the architectural design group, which after all must accrue substantial out-of-pocket costs substantially in advance of eventual mortgage issuance.

For the potential nonprofit sponsor with limited seed money, this tends to build in an incentive to seek out the architect who will do the job most cheaply rather than one who will do it with the most desirable environmental result.

It seems to me that HELP can make a measurable contribution in confronting a problem of this sort.

I am still troubled by the fact that there still remains insufficient flexibility within the 221(d)(3) program to encourage the development of supporting community facilities in connection with new housing developments. Four walls and a roof are in and of themselves important. But of almost equal importance, it seems to me, are supporting amenities that can help create an environment for living in such new developments. It would be my hope that your future interest in these problems might well project itself into this particular area.

Sincerely yours,

OLIVER BROOKS,
President.

Mr. MONDALE. Mr. President, this letter is in response to a measure that I offered, which I called Operation HELP to supply technical assistance and money for preconstruction costs to help nonprofit sponsors of housing in the low- and moderate-income field get over the first hurdle to which the Senator from Massachusetts referred.

I read from a part of that letter. Mr. Brooks points out that—

> There have been a good many relatively successful Section 221(d)(3) programs developed in the Greater Boston area. But at the same time one cannot fail to recognize the fact that the ground rules are written in such a way as to invite a certain mediocrity or bargain basement approach to the whole problem of producing new housing, to wit—
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>
> The largest single portion of this seed money requirement is represented in advances to the architectural design group, which after all must accrue substantial out-of-pocket costs substantially in advance of eventual mortgage issuance.
>
> For the potential nonprofit sponsor with limited seed money, this tends to build in an incentive to seek out the architect who will do the job most cheaply rather than one who will do it with the most desirable environmental result.

He makes this point, which I think is an exceedingly important one—that all these programs do is build buildings. There is nothing in it for community facilities or to help create an environment for those who live in those buildings which will be desirable and creative as well.

It is for those reasons that I have introduced an amendment to the omnibus housing bill which is now before the Housing Subcommittee. This amendment is a modification of Operation HELP.

I ask unanimous consent to have printed at this point in the RECORD a summary of this proposal.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

FEDERAL ASSISTANCE TO NONPROFIT SPONSORS OF LOW- AND MODERATE-INCOME HOUSING

At the present time much of our housing policy is geared to the use of the so-called nonprofit sponsor. The Section 221(d)(3) below the market interest rate program, the Section 221(d)(3) rent supplement program, Section 202 and Section 231 Elderly Housing, Section 515 Rural Housing, and Section 221(h) all encourage the use of the nonprofit corporation to increase the stock of housing. In addition, this year we are adding a program of home ownership that can use the nonprofit sponsor.

Yet nonprofit organizations face a twofold problem as project sponsors: they lack expertise in the housing field, and they often need seed money in order to take the preliminary steps toward developing projects. I am proposing an amendment to the omnibus housing bill which will address itself to both of these matters.

Technical assistance.—Few nonprofit organizations are experienced in sponsoring housing projects. Most sponsors are long on good intentions but short on knowledge about such things as site selection, applications for financing, and estimates of market potential. The HUD report on nonprofit notes that they suffer from "the lack of experience and technical capacity:" to develop housing. (See pp. 482–485 of subcommittee hearings.) Some nonprofits are able to draw upon the services of volunteers, but volunteers can devote only a limited amount of their time to nonprofit organizations. Frequently the nonprofit relies on a prospective contractor who has his own interests to pursue. In view of these circumstances the HUD report states that: "The ideal situation is one where the nonprofit housing sponsor receives technical assistance from a competent, disinterested individual or group which is working solely for the achievement of the nonprofit sponsor's objectives."

To make available the skills and expertise necessary to insure the success of projects, the first part of the amendment would instruct the Secretary to establish a technical assistance program to prospective nonprofit sponsors. FHA now has in its field offices specialists in appraising and site evaluation, in architecture (including such matters as land planning and even landscaping), and on mortgages and financing. HUD regional offices contain at present a branch that provides some technical services to nonprofit sponsors. In short, HUD has the trained personnel necessary for effective assistance and has made a start toward developing a technical assistance service. This effort should be strengthened; past experience should be built upon. We could provide HUD with a clear mandate to give nonprofit sponsors all the technical help they need.

Seed money—The other problem faced by nonprofit groups is the lack of money to cover the pre-construction costs of projects. Current practice requires the sponsor to pay for market surveys, architectural and engineering fees, land options and other costs before a financing commitment can be obtained. These must be paid in advance and create a hardship on the small nonprofit corporation.

Oliver Brooks, president of the Cambridge Corporation, a nonprofit in Cambridge, Massachusetts, estimates that a sponsor must have 3 to 4 percent of the total project cost *in hand* before the FHA can provide the insurance to start a project. To keep these preliminary costs to a minimum, corporations will use the cheapest methods available. The result, as described by Mr. Brooks, is a "certain mediocrity or bargain basement approach."

The second section of this amendment would deal with this problem. It would establish a revolving fund from which the Secretary could make loans, advances, or credits to the nonprofit sponsor to cover up to 80% of the pre-construction costs for these projects. Most of these costs can be included in the final mortgage and are returned to the nonprofit when the mortgage is obtained. Architects' fees, financing expenses, title fees, taxes during construction, and the like, are included in this category.

However, there are other costs such as land options on alternative sites, promotional work, and advertising, which cannot be included in the cost of the mortgage. Under this amendment the Secretary could make loans to cover up to 80% of these costs. But the majority of the expenses will be included in the mortgage, and this money will be recovered as soon as the mortgage is executed and will be returned to the revolving fund.

To avoid any pressure on the Department of Housing and Urban Development, the Secretary is to establish criteria to determine the financial stability of the nonprofit before a loan is made. The revolving fund will have an initial authorization of seven and a half million dollars.

Mr. MONDALE. Mr. President, it seems to me we must do some other things as well. There is before the Housing Subcommittee an amendment by the Senator from Wisconsin [Mr. PROXMIRE] that would, in vital areas, create new standards for FHA insurance and loans, and new standards of acceptability which would deal with housing for the poor. It would modify the standard of insurance from economic soundness to acceptable risk to permit the low-income family obtain housing in our center cities. Also, it would create an acceptable risk fund that can pick up the losses which private lenders, savings and loan associations, and so forth, might suffer by going into these areas.

Thus we will create a congressional declaration that we want a new sense of urgency; that we are willing to support the FHA. This means we have reduced the risk requirements; and that we will stand behind them to pick up the losses to encourage private lenders to get involved.

In the past, FHA and private lenders have—and they admit it—resorted to the practice of what is called red-lining. In other words, a certain area in a core city is of doubtful value; they do not know whether it will go up in value or down in value. So, in order to be safe, the private lenders red-line it, and the FHA supports them. This means the private lenders and FHA are not going to permit credit to flow into that area.

When that happens, almost automatically the area starts down. I think FHA admits they have been part of this process. I do not think they should have been. But now they have changed the rules to prevent this from occurring.

The Proxmire proposal may be the most important thing to come out of the Housing and Urban Affairs Subcommittee because it offers the hope of getting private capital back into these marginal areas around the ghettos. After these things have been accomplished, and we have created what I hope will be a new program to bring home ownership within the reach of low-income families, if we still have a record of conservatism, if we still have a record showing FHA to be unwilling to be broad and effective, then we shall have to think about the creation of an entirely new agency.

I frankly do not think this will be necessary, if we in Congress do our job. One of the big problems has been that the FHA gets hit from both sides. Those of us—and I agree with the Senator from Massachusetts—who want a more liberal approach by FHA are constantly criticizing it because it is not more liberal. If however, the Agency does take risk, and the program goes sour, FHA can be sure there will be a congressional investigation and it will be roundly criticized. The result is that the officials of FHA are "damned if they do and damned if they don't." Part of it is our fault, but I think part of it is their fault, and I believe that the Senator from Massachusetts is performing a service in underlining these objectives, and I join with him in urging FHA to move more effectively toward accomplishing them. I hope that our efforts will be successful; if not we will have to develop a new structure to accomplish those ends.

The PRESIDING OFFICER. The 30 minutes of the Senator from Massachusetts have expired.

Mr. BROOKE. I ask unanimous consent that I may have 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROOKE. I thank the Senator from Minnesota for his contribution to this discussion. I am especially grateful to him for injecting into the discussion the criticism of what has been done with respect to the costs which must be incurred by nonprofit sponsors in getting started on the program. I am very much in favor of the recommendations the Senator from Minnesota has proposed to the subcommittee, and I am also very much in favor of the proposal of the Senator from Wisconsin [Mr. PROXMIRE] which would change the rule from "economic" to "acceptable" risk.

Certainly, I have no ax to grind with FHA.

Mr. MONDALE. I think the Senator has made that abundantly clear, if I may say so.

Mr. BROOKE. I thank the Senator. However, I must point out that housing for low-income families and moderate-income families is one of the greatest needs in the country today. I think we are agreed on that point.

In 1949, when this legislation was passed, it was hoped that we would be building as many as 60,000 units per year. The same rule of economic risk as opposed to acceptable risk applied at that time. And it appears to me that it was the intent of Congress to make housing available for low-income and moderate-income families who, in the past had not been able to obtain money from the conventional banking institutions. These persons could, under the new law, go to FHA and have FHA guarantee repayment of the money, so that they could begin to have decent housing in which to live.

If Congress had not intended for FHA to assume some of the risk, it would have had no need to create and to pass this legislation. When FHA began to put the red lines around certain areas, as the distinguished Senator from Minnesota has so graphically described, it was red lining the very areas where the need was greatest, the very areas, in my opinion, where Congress intended FHA to be most effective, and where FHA has not been effective.

With this in mind, 6 years seems to be an unreasonable period of time in which to see the construction of only 40,000 units under this particular section 221 (d)(3) program. Forty thousand units in 6 years, in my judgment, is a pitifully poor performance. It seems to me that this number of units might have been constructed in New York City alone and not even been noticed, to say nothing about the other areas around the country.

I believe the Senator is correct that many factors have contributed to this situation. The attitude of FHA, has been described as conservative. I do not wish to get involved in a discussion of the conservative versus liberal attitudes of the Housing Authority; I only think FHA should have performed its task within the confines of the letter of the legislation that was passed by Congress.

Did they misinterpret the intent of Congress? Did they really feel they were not to assume the risk? Did they believe that it was necessary to erect barriers to nonprofit sponsors, such as the 100-percent bonding controls, which it is difficult, even impossible in many instances, to achieve?

The language which I have pointed out in my remarks today would certainly indicate that FHA was holding the nonprofit sponsors to an assumption of financial risk. Are these religious, civic, and labor organizations really in a position to assume such risk?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BROOKE. I ask unanimous consent that I may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROOKE. If they are not, does this, then, not mean that the program is going to fail? And if the program fails, does that not mean that millions of people will still have to live in poor, dilapidated, and deteriorating housing throughout the country?

I am hopeful that the optimism which the distinguished Senator from Minnesota has expressed this morning will be fulfilled, and that we will see an improvement in FHA. I do not like superstructuring. If this is the agency that is to do the job, let us clarify its authority and have it do the job it was intended to do. We cannot afford to wait any longer to build housing in this country for low- and moderate-income families. We have waited too long already. We are plagued by civil disturbances in the major cities across the Nation. I do not say that poor housing is totally responsible for the unrest, but I believe that housing is one of the causes. And I believe we should be getting on with the job of improving housing conditions, either with a corrected procedure through the FHA, or through a new agency.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. BROOKE. I yield.

Mr. MONDALE. I could not agree more heartily with the Senator from Massachusetts in his appraisal of the seriousness of the housing gap in this country today. Recently it was estimated that more than 11 million families in this country, in urban areas alone, are living in substandard, unsanitary, and unsafe housing—certainly a tragic comment upon a nation which is the wealthiest in the world.

I would agree with the Senator from Massachusetts that we could have hoped for a more liberal, aggressive approach on the part of FHA than we have seen. I cannot agree with the same intensity of criticism that we have heard from the Senator from Massachusetts, however helpful I believe that to be, because I believe part of the fault is ours. We have failed to declare congressional intent as clearly and unequivocally as we should have. I think the Senator from Massachusetts is well aware that there are many Members of this body who do not agree with our interpretation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BROOKE. Mr. President, I ask unanimous consent that I may be permitted to continue for an additional 2 minutes.

The PRESIDING OFFICER. The Senator is recognized for an additional 2 minutes.

Mr. MONDALE. Mr. President, I have heard many express doubts about nonprofit housing as a concept. Even though we have legislated measures that assume the existence of the nonprofit structure, many are opposed to nonprofits. I happen to be in favor of nonprofits as I think the distinguished junior Senator from Massachusetts is. I think that what we ought to be sure of is that during this session of Congress we do our job.

Let us create a revolving fund of technical assistance to help in the nonprofit field. Let us try to deal with the bonding problem that the distinguished Senator recently referred to. Let us deal with the Proxmire amendment and get an "accepted risk" provision written into the law with an accepted risk fund. Let us create a homeownership program that will enable the lower income family to own its own home. Let us put some more steam behind public housing and try to do something to get private initiative and capital back into the slums.

If the FHA then fails to respond, I would join the distinguished junior Senator from Massachusetts in creating a new structure.

I think the FHA will respond with proper leadership from Congress. I think the officials of the agency want to respond.

Let us give them a chance.

Mr. **BROOKE.** I hope that the distinguished Senator from Minnesota is correct.

I thank the distinguished Senator.

Mr. President, I yield the floor.

Mr. **FANNIN.** Mr. President, I commend the distinguished Senator from Massachusetts for his very forthright presentation of this problem today.

It is a very complicated and complex problem. It is a problem which we must settle. And I know that the leadership of the distinguished junior Senator from Massachusetts will add much in bringing about a solution to the problem and achieving this goal which is so necessary in our Nation today.

Mr. **BROOKE.** Mr. President, I thank the distinguished Senator from Arizona.

ORDER OF BUSINESS

The **PRESIDING OFFICER.** Under the order of yesterday, the Chair recognizes the junior Senator from Arizona for 20 minutes.

A GOLD POLICY FOR THE UNITED STATES

Mr. **FANNIN.** Mr. President, the 18th-century lexicographer and poet Samuel Johnson once said:

> It is observed of gold, by an old epigrammatist, "that to have it is to be in fear, and to want it, to be in sorrow."

It is an observation that is no less valid today. A decision on whether to have and to hold gold, or to not have and not hold it, is one that still concerns most economists and politicians.

At home, Congress is struggling with that fateful decision now, as is evidenced in part by a bill to repeal the 25-percent gold backing on Federal Reserve notes.

And the International Monetary Fund and the World Bank group will meet in Rio de Janeiro next month, September 17 to 29, to discuss the gold crisis and other financial matters.

Nevertheless, I am greatly distressed and gravely concerned over the fact there has been so little discussion relative to the sharply accentuated gold problem which confronts the Nation. Even the events of the last few days, during which time the 10 leading industrial nations of the non-Communist world announced agreement on a new international monetary system, have done little to alter the seriousness of our Nation's gold problem.

The future stability of the dollar, in fact our entire economic well-being, depends upon a wise and prompt solution of this problem. I am not a convert to the theory of modern-day alchemy sponsored by the U.S. Treasury that we can convert paper into gold through the legerdemain of creating a new international paper unit which will have the same discipline and acceptability by nations as gold itself.

Let me review a few salient facts which may have escaped your attention. During the past two administrations, we have lost over $6 billion from our national monetary gold stocks as foreign interests converted dollar claims into gold. Our national gold reserve now stands at slightly in excess of $13 billion of which over $10 billion is required by statute to be held as a 25-percent cover for Federal Reserve notes. Another $1 billion of the reserve is committed to the IMF. Thus, actually our free gold reserve is scarcely more than $2 billion, a perilous low level when faced with possible demands from foreign holders of dollars that now amount to $31.4 billion.

The increasing expansion of our paper currency on the domestic scene will increase the $10 billion figure needed to back the 25-percent cover on Federal notes.

Significantly, world gold production in 1966—exclusive of Russia—amounting to approximately $1.5 billion in value went into private hoarding, investment, or industrial consumption. Not 1 ounce went into the monetary stocks of any nation. In 1965, when the free world's supply of new gold was augmented by $500,000,000 from Russia, the record was actually as bad since only $250,000,000 of the available gold was added to world official gold stocks, the smallest such addition since 1952.

Foreign nations have been building up their gold stocks in relation to their foreign exchange reserves expressed in the following percentages:

Union of South Africa	90
France	85
Netherlands	84
Belgium	78
Italy	66
West Germany	64

Obviously, these nations believe it desirable to augment their gold holdings.

In the United States, the condition of our domestic gold mining industry is deplorable. This country is now producing gold at the approximate rate of 1.7 million ounces per year—1966—as against annual consumption of 6.9 million ounces for industrial, defense, and space needs, dental requirements, and use in the arts and crafts. This imbalance between production and consumption creates a substantial drain on our monetary gold stocks already under heavy pressure by foreign withdrawals.

I am alarmed at the prospect of the American citizen being forced to accept completely flat currency in the near future. Last month, Chairman William McChesney Martin, of the Federal Reserve Board, urged Congress to repeal the law which presently earmarks most of the Treasury's gold as backing for 25 percent of Federal Reserve note currency. Mr. Martin pointed out that the steady increase in currency outstanding cuts the free gold portion of Treasury reserve by about $500,000,000 a year and that sales to domestic industry would reduce the stock by a further $150,000,000 per year, and that even though there are no further demands for gold by foreign governments, it appears inevitable that the 25-percent cover must be ended eventually.

Despite a temporary check in gold outflow, the causes of foreign concern over the stability of the dollar not only still exist, but grow ever more ominous.

For instance, I refer to our inability to correct the deficit in our balance of international payments which, in 1966, had persisted for 9 years; also to the anxiety about the dollar arising from the prospects of an administration budget deficit for 1968 which has been variously estimated from $21 billion to a potential $29 billion.

Yes, and again I refer to the fact that liquid claims held by our foreign creditors are now $31,400,000,000, more than double our present gold stock. A large percentage of this amount is subject to immediate redeemability.

I refer to our failure to drastically cut out foreign economic aid which constantly pours more paper dollars into the hands of such potential creditors. We have made progress in this regard.

It is important to refer to the storm signals of an inflationary surge which could presage economic disaster. In 1966, consumer prices rose 3.3 percent, about three times as fast as in the previous 5 years, and this price increase means a loss at that rate of $16.5 billion in the annual buying power of the American citizen.

Consider the fact that, since 1960, our nondefense spending has gone up more than $47 billion, a fact which has not been overlooked by foreign central bankers already worried over the stability of the dollar.

We will agree that the issue of fiscal responsibility transcends partisan politics. I believe that unless we immediately take the courageous steps necessary to put our financial house in order, we will soon reach a point of no return when this Nation may be properly charged with triggering a worldwide economic depression and chaos in the international monetary system.

The essence of this national problem was stated very clearly by Dr. Arthur A. Smith, an economist for the First National Bank in Dallas. He said:

> It cannot be repeated too often that one of the principle arguments historically for using gold as a reserve is that governments cannot be trusted to manage money without some restraints on them—some mechanism that will warn the people when the money managers go too far.
>
> Our gold reserve acts as a thermometer and shows a feverish condition which means that there is an infection somewhere. Nobody, upon careful reflection, believes that a good doctor would expect to cure his patients by destroying the thermometer or by changing its calibration.

I must confess I am confused by the apparent inconsistency of Treasury in regard to gold. One moment its officials show a high regard for the metal as witnessed by testimony of Mr. Fred Smith, General Counsel of the Treasury, in opposition to the gold subsidy bills May 17, 1967, when, in a letter to the Honorable WAYNE ASPINALL, chairman of the House Interior and Insular Affairs Committee, he stated:

> Gold is not comparable to other commodities or metals. It is primarily important as a monetary standard of value. The dollar is linked to gold, and it is the firm policy of the Government to maintain the present dollar price of gold at $35 an ounce. This policy is the foundation for the international monetary system.

Yet, every indication points to the fact that the administration soon may be urging Congress to remove the 25-percent gold cover on Federal Reserve notes, thus creating out and out fiat currency. Thus, Treasury may soon be urging the demonetization of gold domestically, while at the same time Secretary Fowler is busily engaged in endeavoring to convince foreign nations that the international monetary system should be altered by the inclusion of a new paper unit not linked to gold as a further reserve asset for international exchange. Treasury has indicated they are worried over the outflow of gold, yet they have been strangely silent on aggressive advocacy of policies designed to reassure foreign nations that this Nation recognizes a sense of fiscal responsibility.

While Treasury desires gold, it sees phantoms in every piece of gold relief legislation presented to Congress, and opposes gold subsidy bills now before Congress, on the illogical ground that this might trigger a run on the dollar. I wonder what the Treasury officials think we have had for the past 7 years with $6 billion in gold going overseas.

No, if foreign central bankers are becoming nervous over the integrity of the dollar, it is because of some of the major ill-advised policies to which I have just made reference, not because of domestic legislation designed to correct a domestic problem by reactivating our gold mining industry to take care of our own domestic needs.

This is an appropriate place in my remarks to call attention to another Treasury attitude with respect to gold which needs to be brought into proper focus. I refer to their enchantment with the heavy metals program initiated by the Department of the Interior through the Bureau of Mines and the Geological Survey to explore for and develop new low-grade gold ore reserves as a solution to our current failure to produce enough gold for our own domestic needs. I will be brief. A careful reading of the testimony of Government witnesses who appeared in opposition to the gold subsidy bills on June 2, 1967, leads to the inescapable conclusion that, while this program may be commendable, it is a very long-term project.

By their own admissions, profitable operations of low-grade ore deposits with finely disseminated gold, at the $35 per ounce price, is dependent upon new techniques and methods of extraction and new metallurgical processes not yet known or proven. So extraction upon a profitable basis at the $35 price must await scientific research breakthroughs which may or may not occur within the next decade.

Then, as Dr. Pecora, head of the Geological Survey, pointed out in his testimony, we must add a further leadtime of 4 or 5 years after such discoveries for the necessary period of time to place mines on an operating basis on such deposits. I was particularly unimpressed by an answer given by Under Secretary Joe Barr of Treasury when he was under interrogation at the gold hearings. He was asked:

> If something is not done, Homestake will have to close and you will have to find a lot of mines to take its place?

To which he responded:

> Homestake is producing approximately 38 percent of annual production—

And replied further:

> If we are successful off the seacoast and in other parts of the country, as we think we can be, I would say that could be met.

This was an allusion to the heavy metals program to which I have just referred and in the face of testimony of other Government witnesses from the Bureau of Mines and Geological Survey that the project of extracting gold from low-grade reserves is years in the future. I am surprised the Treasury did not also suggest taking the gold out of sea water to solve our problem.

I think the work of these two Federal agencies, the Bureau of Mines and the Geological Survey, is important insofar as they seek to delineate and evaluate deposits of heavy metals with emphasis on gold and silver, low-grade occurrences or otherwise, and their search for economic and feasible methods of extraction and recovery from such deposits is desirable. I hope they will be successful over the long term and, in fact, I hope they find future workable deposits in my home State of Arizona; but I am getting a bit tired of the propaganda which I read emanating from these two agencies which has appeared with monotonous regularity in the press claiming or intimating that the heavy metals program will prove to be a prompt panacea to cure our lagging gold production.

The heavy metals program is a noble example of the operation of Parkinson's Law, as requests for appropriations for this project nearly doubled in 1967 over 1966 with an escalation from $8 to $15 million per annum. While obviously this indicates a vigorous search for gold ore reserves by the United States, I fail to detect any shudder amongst foreign central bankers because of any chill of apprehension over the stability of the dollar by reason of such official acknowledgment that we actually have a gold problem. This observation brings me to my next point.

Mr. President, I think it is high time that Congress took positive action to restore our all but moribund gold mining industry by passing legislation providing for Federal financial assistance payments to domestic operators. Such legislation should definitely provide that it is the express intent of Congress that the legislation shall have no effect upon the official monetary price of gold paid by the U.S. Treasury and that domestic gold producers must sell their product, when mined and refined, directly and solely to the Treasury at its official price.

Further, such legislation should provide modest payments to current producers to prevent a further decline in our domestic gold production but, in addition, should provide much more attractive and substantial incentives as a necessary inducement to reopen closed gold properties which would also lead to a more aggressive search for new gold ore deposits by private enterprise.

In order to be truly meaningful, such gold relief legislation should provide that Federal financial assistance payments should be made for a definite period of years sufficiently long to warrant the investment of capital for the reopening of old gold properties.

Finally, the gold relief bills pending before Congress provide for very modest relief payments considerably below the cost of aid payments being made by Canada to its gold producers and, therefore, in order for relief payments to be realistic under the proposed legislation before Congress, it is essential that the percentage rate of assistance be increased whenever there is an escalation in the Consumer Price Index, U.S. Department of Labor; otherwise, such minimal aid would soon be dissipated by further inflation in costs of production.

I recognize that such legislation is of interim nature, calculated to resuscitate and save our domestic gold mining industry and to increase domestic production of the metal until such time as the magnitude of the gold problem is resolved through the accord of the nations of the free world.

Since Treasury is so intent in new techniques, processes, and methods to develop new low-grade gold ore deposits is this country, I might suggest they vigorously explore new techniques of thinking related to gold in the international monetary system by departing from their stubborn position that the price of gold must be maintained at $35 per ounce in the face of the rapidly depreciating dollar.

There are respectable and growing numbers of monetary experts who question the wisdom of adherence to such a rigid policy. I believe a sound argument can be made for doubling the price of gold by multilateral action of the free nations of the world. Such action would be the initial step in regaining sound money effectively backed by gold. Properly handled, it should be neither inflationary nor deflationary, with the major currencies of the free nations retaining their relative present relationship of one to the other. The quantity of gold available for monetary stocks is currently insufficient to permit a gold standard to function at the $35 price in view of the rapidity with which trade and industry have been expanding throughout the world as well as the huge expansion of debts and commitments of many sorts expressed in dollars and other major currencies.

While overall gold production reached an alltime high in 1966 with South African mines producing approximately 75 percent of the supply, every indication points to the fact that annual production from this source will be flattening out and, within a decade, in sharp decline if the price remains at $35 per ounce. Since there is not enough gold available and since there is no prospect that a sufficient supply could be made available through increased production to support a volume of world currency sufficient to maintain trade, it seems obvious that an overhaul of the international monetary system demands prompt attention. Restoration of gold as a disciplinary yardstick for the proper functioning of world trade and to prevent lack of liquidity is quite essential. Some experts believe that even though the first desirable step may be revaluation of gold, consideration will still have to be given to a broadening of the type of reserves available for international exchange.

Those who advocate a higher price for gold envisage the eventual return to an effective and viable gold standard by discarding the present gold exchange standard which is now failing to meet the demands imposed by burgeoning world trade. The contention of opponents to this proposal, that there is an insufficient quantity of gold in the world to back up monetary stock to enable a gold standard to function, is valid only on the assumption that the gold content of major currencies is measured by a $35 per ounce price.

Some critics of revaluation are concerned over the fact that hoarders will receive a windfall with a higher price for gold but I regard this as specious reasoning. If people throughout the world have had the foresight to acquire gold motivated by their distrust of governmental policies which fuel fires of inflation, I see no reason why they should not reap the benefits of such wise investment. Nor am I particularly disturbed over the cry of the critics that a higher price for gold will benefit both the Union of South Africa and Russia. Russian reserves and annual production of gold have been downgraded by the CIA and other knowledgeable experts and it is doubtful if their supply is of any comparable magnitude to world gold stocks. Further, since the administration seems bent on expanding commercial transactions with the Soviets, the stabilization of world trade by strengthening the international monetary system should receive approbation of money managers at the Treasury. The mere fact South Africa would prosper as the greatest gold producing region in the world seems rather a dog in the manger attitude since the other free nations would be the beneficiaries resulting from an improved, more fluid, international monetary system.

Nor am I at all convinced of the probity of the argument that the United States has a moral obligation to maintain the gold content of the dollar at the $35 per ounce price. A higher price of gold would be merely a recognition of an adjustment of the value of depreciated currencies throughout the world to the stability of gold value.

The alternatives are precarious. Some few months ago the Chase Manhattan Bank and the Bank of America, two of our largest financial institutions, through their top officials made a suggestion that the time was rapidly approaching when the United States might have to embargo gold and refuse to recognize dollar claims for gold. In fact, such action might indeed have to be taken in a crisis, but it would be an admission that the existing claims were too great to be met in gold at the current rate. However, unless we change our fiscal policies by drastic curtailment of profligate spending, we will be confronted by the unpleasant sight of our gold reserves dwindling to the vanishing point so the only recourse in self-protection might well be the undesirable action suggested by the two banking institutions. In short, the issue may be characterized by the phrase—repudiation or revaluation.

The other alternative seems equally undesirable. I refer to the efforts of the Secretary of Treasury to convince other nations that the solution to international liquidity is to create a new paper unit not tied to gold, to be used in conjunction with the pound sterling, the dollar and gold, as reserves for international exchange purposes.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Arizona may be allowed to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FANNIN. Mr. President, supposedly this has been accomplished, although we must await confirmation until the International Monetary Fund meeting next month.

This simply means more paper credit. Further, it would involve the difficult task of securing approval of other nations as to the proportion of the new unit allocable to each nation. Further, in view of the reverence for gold held by foreign nations as demonstrated by their desire to acquire the metal, it is understandable that the United States is encountering great reluctance on the part of foreign central bankers to agree with our revisions of the monetary system.

Not content with our failure to stop inflation in this country, we now seem to be embarked on a program of exporting inflation overseas and it is little wonder that there has been no alacrity on the part of foreigners to accept our proposals.

Further, I am disturbed over the disagreement and disunity of the leading world monetary experts which has been apparent at every conference held over the last several years. One governmental official wryly commented:

> Any good economist ought to be able to write a plan for international monetary reform on the back of an envelope in 45 minutes. The only trouble is, they all have.

To be successful, any new scheme which eliminates a revaluation of gold must of necessity depend on the willingness of nations to operate in large measure, on a paper credit basis, be it in terms of dollars, pound sterling, or some new paper unit. I am far from convinced that the nations of the world have such confidence in each other that they will agree to accept paper I O U's to maintain the monetary system particularly when a large proportion of such paper credit emanates from the United States which is already plagued by excessive deficit financing and inflation.

In their search for a solution to the complex problems of international finance, I believe our monetary experts should give serious considerations to the desirability of a revaluation of gold as a first step in their reforms.

Again, I wish to suggest that it would be prudent to take immediate steps to increase our domestic gold production through the enactment of a realistic gold relief bill providing financial incentives adequate to reactivate the production of this precious metal in the United States. S. 615, introduced by Senator McGOVERN, of South Dakota, and cosponsored by myself and other western Senators from both major political parties, now reposes in the Senate Interior and Insular Affairs Committee where no action has been taken on the measure. Companion bills are now before the House Interior and Insular Affairs Committee.

We should not overlook the fact there is ample precedent for the efficacy of a bonus system in the mining industry. Despite pronouncements by competent geologists that the United States lacked substantial uranium reserves, once the Government provided a high enough pegged price and attractive financial incentives, our booming uranium industry evolved from the discovery of large reserves of uranium ore in the Western States. Likewise, in World War II and again in the Korean war, the Federal Government provided incentives for tungsten which resulted in a considerable increase in production of that strategic metal at a time when it was desperately needed. I say it is time to close the gold gap domestically to at least stop the substantial leak of our monetary gold national stocks brought about by the disparity between consumption and production.

In conclusion, permit me to say that more thought and effort should be directed by our Treasury officials to the desirability of a revaluation of gold and an eventual return to the gold standard in order to stabilize international trade relationships for the last third of this century.

Mr. President, I yield the floor.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Pursuant to the previous unanimous-consent agreement, the Senate will now proceed to the transaction of routine morning business, with statements limited to 3 minutes.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from North Carolina [Mr. ERVIN] may be recognized for up to one-half hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield to me without the time being taken from his time?

Mr. ERVIN. I yield.

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the transaction of routine morning business is concluded, that Calendar No. 498, S. 2171, be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2171) to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none and it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW—PROGRAM FOR TOMORROW

Mr. MANSFIELD. Mr. President, for the information of the Senate—and this is subject to change—it is the intention of the leadership, and at this time I ask unanimous consent, that when the Senate completes its business today it stands in adjournment until 10 o'clock a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. At that time the nomination on the calendar will become the pending business, to be followed by the independent offices appropriation bill if there are no objections to its consideration.

WHY THE CIA AND NSA SHOULD NOT BE EXCLUDED FROM THE PROVISIONS OF S. 1035, THE BILL TO PROTECT EMPLOYEE RIGHTS

Mr. ERVIN. Mr. President, I deeply regret that a last-minute request from the Central Intelligence Agency necessarily requires the leadership of the Senate to postpone consideration—until after the expiration of the Labor Day recess—of S. 1035, a bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy.

This is a bill which has been cosponsored by more than 50 Members of the Senate. It must be passed. It must become law, if the employees of the executive departments and agencies of the Federal Government are to be able to stand up in dignity and enjoy the same rights which belong as a matter of course to all other Americans.

The predecessor bill to S. 1035 was introduced approximately a year ago. The Subcommittee on Constitutional Rights of the Committee on the Judiciary conducted extensive hearings on the predecessor bill. It accorded both the CIA and the National Security Agency, which now ask to be exempted from the provisions of the bill, full opportunity to be heard before the subcommittee in opposition to it.

Representatives of both agencies advised me in person, and also advised members of the subcommittee staff, that they did not desire to be heard before the subcommittee with respect to the bill.

Notwithstanding that fact, I met with representatives of both agencies and listened to what they had to say concerning the bill.

The CIA filed with me a 10-page statement concerning objections it had to the bill. Like any CIA greeting of "good morning," however, the statement was marked "Secret." I cannot use it. I wish I could use it, because I could take it and lay it alongside the bill and make it clear that I have amended the present bill to meet every valid objection the CIA voiced to the original version.

I would welcome nothing with more delight than to have officials of the CIA come to an open hearing before a congressional committee. This is true because such action would afford me an opportunity to show how specious their objections are to the inclusion of the CIA in the bill.

Again this year, I held conferences with officials of both agencies and informed them that I would be glad to see that the subcommittee gave them a hearing on the bill, if they so desired. I was again informed by their representatives—that the agencies did not desire any hearing.

Representatives of the CIA have been in constant communication with members of the subcommittee staff and have kept abreast of all developments with respect to the bill. They have known that the bill was on the agenda of the Committee on the Judiciary for several weeks. Likewise, they have known that on the 21st day of this month, the full Committeee on the Judiciary, after adopting an amendment which gave some exemptions to the CIA and the National Security Agency—which, in my judgment, they should not have—reported the bill unanimously and favorably to the Senate.

Mr. President, the CIA waited until the end of last week and then for the first time undertook to demand that it be allowed a secret hearing before the Judiciary Committee in support of its wish to be totally excluded from the provisions of this bill.

I am going to make a suggestion to the CIA; namely, that some of its officials read title 18, section 1913 of the United States Code—especially those provisions which are in these words:

> No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service—

I now omit certain words which are not germane—

> intended or designed to influence in any manner a Member of Congress to favor or oppose by vote, or otherwise, any legislation . . . by Congress whether before or after the introduction of any bill or resolution proposing such legislation.

Mr. President, I am going to have the temerity to suggest that the CIA investigate to see whether or not any of its officers have been violating that statute—that is, if the CIA can lay aside its zeal to excercise unlimited powers of tyranny over their employees and those who apply to it for employment long enough to do so.

I would like to make this plain. I am opposed to the Judiciary Committee's holding any secret meeting to hear officers of the Central Intelligence Agency give reasons which cannot be divulged to the American people why their employees should be robbed of the dignity and the freedom which all other Americans enjoy. I do not believe that legislation affecting the rights of any Americans should be based on secret testimony. Such action is incompatible with a free society.

I see no practical or policy reasons for granting this request, and I find no constitutional grounds for it. It is neither necessary nor reasonable.

The men who drafted the Constitution envisioned a government of laws, not of men. They meant that wherever our national boundaries should reach, there the controls established in the Constitution should apply to the actions of government. The guarantees of the amendments hammered out in the State constitutional conventions and in the meetings of the First Congress had no limitations. They were meant to apply to all Americans; not to all Americans with the exception of those employed by the Central Intelligence Agency and the National Security Agency.

My research has revealed no language in our Constitution which envisions enclaves in Washington, Langley, or Fort Meade, where no law governs the rights of citizens except that of the director of an agency. Nor have I found any decision of the highest court in the land to support such a proposition.

Why, then, do these agencies want to be exempt from this bill?

Is it that, unbeknown to Congress, their mission is such that they must be able to order their employees to go out and lobby in their communities for open-housing legislation or take part in Great Society poverty programs—things which this bill would prohibit?

Must they order them to go out and support organizations, paint fences, and hand out grass seeds, and then to come back and tell their supervisors what they did in their spare time, and at their own expense, and on their weekends?

Do they have occasion to require their employees to go out and work for the nomination or election of candidates for public office? Must they order them to attend meetings and fundraising dinners for political parties in the United States?

Do they not know how to evaluate a secretary for employment without asking her how her bowels are, if she has diarrhea, if she loved her mother, if she goes to church every week, if she believes in God, if she believes in the second coming of Christ, if her sex life is satisfactory, if she has to urinate more often than other people, what she dreams about, and many other extraneous matters?

Documents in the files of the subcommittee show these particular agencies have been asking these questions of persons applying to them for employment.

Why do these two agencies want the license to coerce their employees to contribute to charity and to buy bonds? The subcommittee has received fearful telephone calls from employees stating that they were told their security clearances would be in jeopardy if they were not buying bonds, because it was an indication of their lack of patriotism.

Why should Congress grant these agencies the right to spend thousands of dollars to go around the country recruiting on college campuses, and the right to strap young applicants to machines and ask them questions about their family, and personal lives such as—

When was the first time you had sexual relations with a woman?

How many times have you had sexual intercourse?

Have you ever engaged in homosexual activities?

Have you ever engaged in sexual activities with an animal?

When was the first time you had intercourse with your wife?

Did you have intercourse with her before you were married?

How many times?

What an introduction to American Government for these young people.

The subcommittee has also received comments from a number of professors indicating the concern on their faculties that their students were being subjected to such practices.

That we are losing the talent of many qualified people who would otherwise choose to serve their Government is illustrated by the following letter:

> I am now a Foreign Service Officer with the State Department and have been most favorably impressed with the Department's security measures.
>
> However, some years ago I was considered for employment by the CIA and in this connection had to take a polygraph test. I have never experienced a more humiliating situation, nor one which so totally violated both the legal and moral rights of the individual. In particular, I objected to the manner in which the person administering the test posed questions, drew subjective inferences and put my own moral beliefs up for justification. Suffice it to say that after a short time I was not a "cooperative" subject, and the administrator said he couldn't make any sense from the polygraph and called in his superior, the "deputy chief."
>
> The deputy chief began in patronizing, reassuring tones to convince me that all he wanted was that I tell the truth. I then made a statement to the effect that I had gone to a Quaker school in Philadelphia, that I had been brought up at home and in school with certain moral beliefs and principles, that I had come to Washington from my university at the invitation of the CIA to apply for a position, not to have my statements of a personal and serious nature questioned not only as to their truth but by implication as to their correctness, and that I strongly objected to the way this test was being administered.
>
> The deputy chief gave me a wise smile and leaning forward said, "Would you prefer that we used the thumb screws?" (!) I was shocked at this type of reasoning, and responded that I hardly thought it was a question of either polygraph or the thumb screws.
>
> This incident almost ended the deep desire I had for service in the American Government, but fortunately I turned to the Foreign Service. But if it happened to me it must have happened and be happening to hundreds of other applicants for various Federal positions.

On the subject of polygraphs, the AFL-CIO in 1965 stated:

> The AFL-CIO Executive Council deplores the use of so-called "lie detectors" in public and private employment. We object to the use of these devices, not only because their claims to reliability are dubious but because they infringe on the fundamental rights of American citizens to personal privacy. Neither the government nor private employers should be permitted to engage in this sort of police state surveillance of the lives of individual citizens.

Legislatures in five States and several cities have already outlawed these devices, and many unions have forced their elimination through collective bargaining.

The Director of the Federal Bureau of Investigation has said they are unreliable for personnel purposes.

Why should Congress take a step backward by specifically authorizing their continued use on American citizens in these two agencies to ask about their sex lives, their religion, and their family relationships?

Bear in mind that, reprehensible as these lie detectors are, the bill only limits their use in certain areas, and the Director of each of these agencies, under the amendment, may still authorize their use if he thinks it necessary to protect the national security. Personally, I fear for the national security if its protection depends on the use of such devices.

Similarly, the question may be asked, why should these agencies force their employees to disclose all of their and their families' assets, creditors, personal and real property, unless they are responsible for handling money? Nevertheless, under the bill, the CIA and NSA have been granted the exemption they wished, to require their employees to disclose such information, if the director says it is necessary to protect the national security. What more do they want?

This bill, as amended, would give them this privilege.

Apparently, what they want is to stand above the law.

Taken all together, their arguments for complete exemption suggest only one conclusion—that they want the unmitigated right to kick Federal employees around, deny them respect for individual privacy and the basic rights which belong to every American regardless of the mission of his agency.

The idea that any Government agency is entitled to the "total man" and to knowledge and control of all the details of his personal and community life unrelated to his employment or to law enforcement is more appropriate for totalitarian countries than for a society of freemen. The basic premise of S. 1035 is that a man who works for the Federal Government, even if he works for the CIA or NSA, sells his services, and not his soul.

Mr. HRUSKA. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I am happy to yield to my friend the Senator from Nebraska.

Mr. HRUSKA. Mr. President, I listened with interest to the remarks of the author of the bill of rights for Government employees. It was my privilege to sit in and participate in many of the hearings concerning this bill. It was an admirable performance on the part of the Senator from North Carolina, because he was able to elicit much information under very difficult situations, sometimes in areas that are quite sensitive; and yet there has been a record compiled which, in my belief, will make it mandatory upon the Senate to approve the bill.

It has been my pleasure to be one of the cosponsors. Later in the day I expect to speak on the subject briefly, in an introductory way, to add to the information that will be available to our fellow Senators when this bill will actually come before this body.

It had been my understanding that the bill was set for debate and disposition today; and I ask the Senator from North Carolina, was there a change in the program?

Mr. ERVIN. My information is that the Central Intelligence Agency requested of the leadership, at the last moment, that the bill go over, and that the leadership, felt that under the circumstances it was necessary to accede to that request.

Mr. HRUSKA. What is the motivation for a body outside of Congress to ask for a delay in consideration of a bill?

Mr. ERVIN. The action of the CIA is without precedent during the 13 years I have been in the Senate. The bill had been reported to the Senate unanimously by the Committee on the Judiciary. The CIA had been kept constantly informed through the liaison between its representatives and the subcommittee staff of everything that had occurred in the progress of the bill.

Instead of coming before the committee or subcommittee during the last 12 months and asking for a hearing, the CIA, which does not want to have any restrictions upon its activities, which does not want to be called into account by its employees under any circumstances, and which wants to be exempted from the provisions of law that ought to apply to every other agency in this country, arbitrarily decided to come in at the last minute and make this request, notwithstanding it could have made it at any time during the previous 12 months.

Mr. HRUSKA. I would not think that the motivation of the CIA would be for the purpose of gaining time to contact individual Members of this body, hoping to persuade them to change their minds on the matter. After all, there is a statute which says no such lobbying, no such influencing, no such direct contact with a Senator shall be made by department or employee of the executive branch, except in response to questions which might be posed.

I do not think that possibly could be one of the reasons they would have asked for the delay in consideration of the bill. Has the Senator any thought on that subject?

Mr. ERVIN. I quoted the statute at the outset of my remarks, and I suggested that if the CIA could leave its polygraph machine long enough and abandon its psychological tests long enough, it might conduct an investigation to see whether any of its officials or representatives are violating the statute by lobbying with individual Senators.

Mr. HRUSKA. We normally should presume they would not do anything that is against the law, and I would favor them with that kind of presumption. It would be interesting to find out, though, in the course of the next couple of weeks, what actually may have transpired, if our colleagues will tell us whether they have been sought out.

Mr. ERVIN. Despite information reaching me about what has occurred in the immediate past, and my apprehension as to what will occur in the immediate future, I nevertheless hope that the presumption of innocence will continue to surround the CIA.

Mr. HRUSKA. The observation has been made that since their operation is somewhat unique, and secrecy is inherent, they should be granted an exemption from the provisions of the bill. But

I understand they have had ample opportunity to testify in the hearings. Has any showing been made in public, or has it all been in executive session?

Mr. ERVIN. I asked representatives of both these agencies last year, and again this year, if they wanted to have hearings before the subcommittee with respect to this bill. They informed me that they did not. They told me that they would like to come and present their views to me individually and privately; and I heard them in private both last year and this year at great length. Moreover, I assert that the bill in its present form takes care of every valid objection they made.

In addition to that, I am informed by members of the subcommittee staff that the CIA in particular, through its representatives, has been in constant communication with members of the subcommittee staff, and has been kept advised as to all of the developments with respect to this bill.

I wish to state here that so far as I know, the NSA has not participated in these last-minute maneuvers to postpone consideration of this bill, which ought to be passed as speedily as possible, in order that Federal employees in the executive departments and agencies of this Government might be able to stand erect in dignity, and enjoy the same rights which come as a matter of course to all other Americans.

Mr. HRUSKA. Mr. President, I wish to observe that I certainly am not hostile to the CIA. I have not been in sympathy with some of the efforts made in this body to open the CIA and the administration of its affairs to a so-called "watchdog" committee or committee of supervision. I have great faith in them, and I have great faith in their ability to accomplish their mission.

But at the same time, they cannot be permitted to use methods that will trample upon the constitutional rights of their employees or applicants for employment. The record shows they have used such employment practices in recent years.

In a nation which extends to those charged with crime, and even those convicted of crime, a great many constitutional rights without, apparently, any fear of jeopardizing our national security, then certainly citizens working for the CIA, or applying for employment there, should be accorded those fundamental constitutional rights. It would be derelict if this body and Congress generally did not take action to achieve that end.

Mr. ERVIN. Certainly the CIA was created by Congress to perform a most important service—namely, to protect the national security of the United States. Letters in the committee files and interviews with persons who, in times past, applied to CIA for employment, suggest to me that many of the brightest minds among the youth of this Nation, who wanted to work for the CIA, have refused to take jobs with them because of the very deplorable personnel practices they have, in subjecting their applicants for employment to insulting polygraph tests and insulting psychological tests. The CIA is driving away from Government employment some of the brightest minds of the youth of this Nation.

Mr. HRUSKA. I should like to propound this question to the distinguished Senator from North Carolina: Does this bill propose to prohibit the asking of certain questions either during polygraph tests or otherwise, as a part of hiring, placement, or employee evaluation practices?

Is there anything in the pending bill which would prevent those agencies, including the CIA, from asking a third person questions in the fields in which direct inquiry is prohibited?

Mr. ERVIN. Under the original bill, they can ask anybody out of all the earth's inhabitants any questions about their employees or applicants for employment except three sets of questions which the original bill forbid them to put to an employee or an applicant for employment.

They are prohibited by the original bill from asking employees or applicants about their personal relationships with members of their own families, about matters of religion, or about attitudes and practices in matters of sex.

I might state, as the Senator knows, that the full committee added an amendment to the original bill which allows the Director of the CIA and the Director of the NSA to put even these three sets of forbidden questions to an employee or applicant if the Director finds it necessary to do so in order to promote national security.

Mr. HRUSKA. I do recall that amendment, and I would have no objection to it. However, if there is an attempt to amend the pending bill to grant to the CIA a flat exemption from all its terms and provisions, I not only will oppose such an amendment, but will also look with great favor upon an effort to take from the bill the limited exemption which was agreed to in the full committee.

I just mention that to the Senator from North Carolina as a bit of gratuitous information.

Mr. ERVIN. Mr. President, that assurance gives great strength and encouragement to the Senator from North Carolina.

We have a record relating to this bill which consists of 966 pages, and it shows the necessity for passing the pending bill in its present form as to all executive departments and agencies of the Federal Government.

In addition, the subcommittee has literally thousands of letters in its files setting forth things such as the information set out in the record of the hearings.

I venture the assertion that if each Senator could find the time to read this voluminous record, there would not be a single dissenting vote on the final passage of the pending bill. And moreover, I predict that, in that event, there would not be a vote to exclude any Federal department or agency from the coverage of the bill.

Mr. HRUSKA. Mr. President, again I assert no hostility toward the CIA. That is not the reason some of us are opposed to completely exempting the CIA from the terms and provisions of the pending bill. It is because they have been the greatest transgressors in this regard, as shown by the record.

Mr. ERVIN. The information received by the subcommittee shows that the use of polygraph tests has been abandoned by virtually every department and agency except the CIA and the NSA, which agencies for some strange reason persist in using this machine which can only be described as a species of 20th-century witchcraft.

It is my understanding that no court in this land will permit a polygraph test to be admitted in evidence.

Mr. HRUSKA. What are the reasons for that exclusion?

Mr. ERVIN. The reason for the exclusion is that the machine is of the most dubious value. The machine cannot interpret itself. The results of the tests must be interpreted by an operator. The machine merely measures physiological reactions as blood pressure, the pumping of adrenalin by the adrenal glands into the blood stream, and the like as a result of excitement and stimulation.

I had occasion as a North Carolina superior court judge to study polygraph tests when the alleged result of a polygraph test was offered in evidence by the prosecution in a murder case.

I gave close study to the matter. I came to the conclusion—a conclusion that is shared by many others—that a brazen liar can pass a polygraph test without any difficulty, but that a nervous or excitable individual or an individual who resents being insulted, no matter how truthful he may be, is not likely to do so.

I am frank to confess, when I think about the information in the committee file concerning the conduct of the CIA in the administration of tests of this kind, that I could not pass a polygraph test because my blood pressure shoots up too high.

Mr. HRUSKA. As I understand the Senator from North Carolina, despite the exclusion of the results of the polygraph tests in courts, the CIA still resorts to the polygraph machine in its employment practices.

Mr. ERVIN. The Senator is correct. And they do this notwithstanding the fact that a number of States have absolutely outlawed it for employment purposes, as is set out in the record of hearings.

Pages 419 and 420 disclose the fact that the State of Massachusetts has a statute providing that—

> No employer shall require or subject any employee to any lie detector tests as a condition of employment or continued employment.

The State of Oregon has a statute providing that—

> No person, or agent, or representative of such person, shall require as a condition for employment or continuation of employment, any person or employee to take a polygraph test or any form of a so-called lie-detector test.

The State of Rhode Island has a statute providing that—

> No employer or agent of any employer shall require or subject any employee to any lie-detector test as a condition of employment or continued employment.

The State of Hawaii has a statute providing that—

> It shall be unlawful for a private employer or his agent, or an agent of a public employer to require an employee to submit to a polygraph or lie-detector test as a condition of employment or continued employment.

Yet, in the face of those statutes which reflect a strong public sentiment in those States, the CIA insists on subjecting employees and applicants to lie-detector tests as a condition of employment or continued employment. And the bill permits it to continue to use the test in all cases except it prohibits the operator from asking three categories of questions unless the Director finds that putting them to the employee or applicant is necessary for national security purposes. Polygraph tests ought to be outlawed. However, practical considerations have deterred the sponsors of the bill from attempting to do so at this time.

The Warren Commission had this to say, as set out on page 419 of the hearings:

> In evaluating the polygraph, due consideration must be given to the fact that a physiological response may be caused by factors other than deception, such as fear, anxiety, neurosis, dislike and other emotions. There are no valid statistics as to the reliability of the polygraph * * *

PROTECTION OF GOVERNMENT EMPLOYEES

Mr. HRUSKA. Mr. President, as a member of the Constitutional Rights Subcommittee, which has devoted extensive hearings to the question of the existing relationship between the Federal Government and Federal employees, I am pleased to be a cosponsor of S. 1035, and I am pleased to speak in its behalf.

Consideration of this bill also offers the opportunity for me to commend the subcommittee chairman, the Senator from North Carolina [Mr. ERVIN] for his perceptive work and tireless efforts. Senator ERVIN is a man who believes that a living constitution is one to be obeyed, not one to be redefined for the sake of expediency.

This bill is a tribute to his efforts to protect the individual from the good intentions of the Government.

Subcommittee hearings over the last three Congresses have documented the need to protect the employee. However well intentioned the Civil Service Commission, however voluntary the study, however beneficial the goal of surveys and fund drives, the fact remains that the individual has been coerced into revealing personal information, forced to account for his off-duty hours, and compelled to donate his time and money to projects and drives. His integrity has been questioned without reason and, in extreme cases, he has been stripped of his dignity. All of this has been done in the name of high ideals.

The number of Federal employees in June of this year rose to 2,980,156. To those who take pride in the growth of our Government, it is an impressive figure. To me, among other things, it means a growing number of citizens are coming under an unjust employment system. Most employees will submit to these injustices, not because they don't care, but because they do not feel they can fight the system.

The provisions of this bill cannot be considered startling. They reaffirm the simple truth that the Government employee, as much as any citizen, has the right to privacy in his thoughts and personal life and the right to privacy in his offduty activities. But, in view of the evils sought to be remedied, the provisions of this bill must be considered far-reaching and vital.

Many present practices in the Federal Government, and those that are possible, epitomize the concept of big brotherism. The employee's history is compiled, his personal beliefs are pried into, his off-duty activities are monitored and directed, his personal finances are explored, and his attendance is required at motivational meetings supporting programs and drives to which he then is requested to devote his time and money. Some employees have been subjected to more humiliation than a criminal defendant, and without the guarantees of due process. There can be no justification for such wholesale, indiscriminate invasion of privacy.

The bill prohibits oral and written questions on the subject of race, religion, national origin, personal beliefs, and off-duty conduct. It prohibits required donation of time and money to projects and fund drives.

Last year's report on S. 3779 indicated that one department, by regulation, requested employees to participate in specific community activities promoting antipoverty, beautification, and equal employment. They were told to make speeches on many subjects, to supply grass seed for beautification projects, and to paint other people's houses. Most commendable public-spirited activities. But what business does the Government have issuing regulations on such a subject? What business does the Government have asking whether you believe in God, whether you hate your mother, what your sexual relation is with your wife? These policies are indefensible. It is the time for this Congress to decide how much of his dignity a man must surrender to work for this democratic government.

S. 1035 does more than declare the sense of Congress. It contains effective, efficient enforcement provisions. It is designed to insure the employee an effective remedy for a wrong while still protecting the employer from unjustified charges. The employee may go either to the court or to the Employee Rights Board, as he deems best.

In court, an aggrieved person may not only prevent abuse of his rights, but where appropriate, may receive redress. The Attorney General is empowered to defend any such action when it appears that the defendant, himself, was subject to directives and regulation or where his action was not a willful violation of the law. Such a provision protects supervisors and directors from baseless suits or innocent error while granting effective rights to the employee.

The Employee Rights Board provides an impartial means to administratively review questioned actions. Management is not judging its own actions and the employee is removed from the pressures and fears inherent in fighting the system.

Adequate provision is made in S. 1035 to insure that the Government will have qualified employees. If there are reasonable grounds to believe an employee has violated the law, is unqualified for a specific assignment, or may endanger the national security, there may be inquiry consistent with the concepts of fairness and due process.

Mr. President, the April 8 issue of the Omaha World-Herald contains an article originating in its Washington bureau, which is pertinent to the discussion in which I have engaged. I ask unanimous consent that it be inserted in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Omaha World-Herald, Apr. 8, 1967]

U.S. EMPLOYEES SAY RIGHTS INVADED

The chairman of the Senate Constitutional Rights subcommittee has asked Defense Department opinion of a series of policy letters issued by an Omaha Army officer, which the Senator suggests are "misguided . . . paternalistic."

Senator Sam J. Ervin's (Dem., N.C.) letter to Secretary of Defense McNamara, which are tied to his long-continuing legislative battle to prevent unwarranted invasion into the private lives of military and civilian employes of the Government, deals with policy letters issued in January over the signature of Maj. Edward M. Corson, commander of the Armed Forces Examining and Entrance Station in Omaha.

Since the subcommittee began its investigation several years ago, it has received thousands of complaints from all the states from Federal employes contending that their rights have been invaded.

Mr. Ervin is the author of two pending bills, one relating to civilian employees and another to military personnel.

They are designed to prohibit coercion in solicitation of charitable contributions of the purchase of United States Savings Bonds—a frequent complaint—as well as requests for disclosure of race, religion and national origin, or pressure to attend functions, or reports on their outside activities unrelated to their work.

In one of his policy letters, Major Corson wrote that the President had urged Government personnel to buy Savings Bonds, and he said:

"All personnel of this station will aid this program by participation in the Army Savings Bond Program."

Of this, Senator Ervin told Secretary McNamara:

"Major Corson's enthusiasm on behalf of the savings bond drive appears to be misguided."

A memorandum issued by the Pentagon last December 21 says "The choice of whether to buy or not to buy a United States Savings Bond is one that is up to the individual concerned. He has a perfect right to refuse to buy and to offer no reason for that refusal."

In another policy letter, relating to military personnel, Major Corson wrote:

"Several functions and activities are planned and sponsored by this station during the course of the year. All personnel will attend such events unless excused by the commander because of extenuating circumstances, such as financial hardship, physical indisposure, leave, etc."

In another policy letter, the major said all personnel "are required to have at least two front seat belts in their privately owned vehicles." He said also that maximum travel in a privately owned vehicle on a two-day week end is 250 miles, for a three-day week end, 350 miles.

A number of Nebraska employes of the Federal Housing Administration protested

FHA practices, particularly what they said was a requirement that questionnaires regarding outside employment include information on an employe's family and outside jobs held by them.

There was criticism of a regulation said to require information on either the sale or purchase of a residence even when FHA is not involved.

MAJOR CORSON: NO STATEMENT

Contacted in Omaha Friday, Major Corson said he has no statement at this time.

Russell M. Bailey, director of the Nebraska FHA, was asked for comment. He said his office follows the regulations of the Civil Service Commission and the Federal Employment Manual.

These include rules to avoid conflict of interest, he said, which is why questions are asked about outside employment and property purchases.

Mr. HRUSKA. Mr. President, there is no need for this powerful Government, with its resources and resourcefulness, to strip its employees of their rights, either to protect itself or to guide them. This Senator urges support of S. 1035 which is simply necessary and right.

Mr. President, I thank the Senator from North Carolina for yielding to me.

ENROLLED JOINT RESOLUTION SIGNED

The PRESIDENT pro tempore announced that on today, August 29, 1967, he signed the enrolled joint resolution (H.J. Res. 804) making continuing appropriations for the fiscal year 1968, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATIONS, INC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON COMMISSARY ACTIVITIES OUTSIDE THE CONTINENTAL UNITED STATES

A letter from the Acting Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, a report on commissary activities outside the continental United States, for the fiscal year 1967 (with an accompanying report); to the Committee on Commerce.

AMENDMENT OF PART I OF FEDERAL POWER ACT

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting a draft of proposed legislation to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised (with an accompanying paper); to the Committee on Commerce.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on followup review of cotton inventory management by the Commodity Credit Corporation, Department of Agriculture, dated August 1967 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on the Judiciary:

"ASSEMBLY JOINT RESOLUTION 27

"Joint resolution relative to revision of the Federal judiciary

"WHEREAS, There is a significant trend toward making the judiciary more responsive to the will of the people; and

"WHEREAS, Our republic is made greater and more complete when the electorate can exercise some degree of control over the judiciary; and

"WHEREAS, A majority of states have already seen fit to organize their judicial systems so as to provide for some means of control by the voters; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Members respectfully memorialize the Congress of the United States to revise the laws relating to the federal judiciary so as to provide that all federal judges be elected by the people in their respective districts every eight years; and be it further

"Resolved, That each judge shall run for retention by the voters on his record as a judge, and that no judge be required to run until eight years following his initial selection; and be it further

"Resolved, That the Congress of the United States initiate an amendment to the United States Constitution so that justices of the Supreme Court would likewise come before all the people of the nation every eight years for retention or rejection, as would all other federal judges; and be it further

"Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A letter from the vice chairman, Ohio-West Virginia Industry Committee on Air Pollution Abatement, Canton, Ohio, transmitting a copy of an act adopted by the General Assembly of the State of Ohio, relating to an Ohio-West Virginia interstate compact to control air pollution; to the Committee on the Judiciary.

A letter from the associate city attorney, Atlanta, Ga., transmitting, for the information of the Senate, copies of petitions, answers, and demurrers in certain cases relating to waters being flooded into the system of drains in the city of Atlanta; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WILLIAMS of New Jersey, from the Committee on Banking and Currency, with an amendment:

S. 510. A bill providing for full disclosure of corporate equity ownership of securities under the Securities and Exchange Act of 1934 (Rept. No. 550); and

By Mr. WILLIAMS of New Jersey, from the Committee on Banking and Currency, with amendments:

S. 1985. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes (Rept. No. 549).

By Mr. BURDICK, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1763. A bill to promote the economic development of Guam (Rept. No. 551).

By Mr. MAGNUSON, from the Committee on Appropriations, with amendments:

H.R. 9960. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 548).

AUTHORIZATION TO PRINT ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "PLANNING-PROGRAMING-BUDGETING: OFFICIAL DOCUMENTS"—REPORT OF A COMMITTEE

Mr. JACKSON, from the Committee on Government Operations, reported the following original resolution (S. Res. 162); which was referred to the Committee on Rules and Administration:

S. RES. 162

Resolved, That there be printed for the use of the Committee on Government Operations 7,000 additional copies of the committee print entitled "Planning-Programing-Budgeting: Official Documents," issued by that committee during the 90th Congress, first session.

AUTHORIZATION TO PRINT ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "PLANNING-PROGRAMING-BUDGETING: SELECTED COMMENT"—REPORT OF A COMMITTEE

Mr. JACKSON, from the Committee on Government Operations, reported the following original resolution (S. Res. 163); which was referred to the Committee on Rules and Administration:

S. RES. 163

Resolved, That there be printed for the use of the Committee on Government Operations 7,000 additional copies of the committee print entitled "Planning-Programing-Budgeting: Selected Comment," issued by that committee during the 90th Congress, first session.

ADDITIONAL FUNDS FOR THE COMMITTEE ON LABOR AND PUBLIC WELFARE—REPORT OF A COMMITTEE

Mr. CLARK, from the Committee on Labor and Public Welfare, reported the following original resolution (S. Res. 164); which was referred to the Committee on Rules and Administration:

S. RES. 164

Resolved, That Senate Resolution 17, 90th Congress, first session, agreed to February 20, 1967, is amended by striking out "$165,000" in section 4, and inserting in lieu thereof "$185,000."

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Joseph W. Bartlett, of Massachusetts, to be General Counsel of the Department of Commerce.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JACKSON (by request):

S. 2354. A bill to amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL:

S. 2355. A bill to make certain technical amendments to the Library Services and Construction Act, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. GRIFFIN:

S. 2356. A bill to authorize the Secretary of Commerce to make a study in order to recommend an improved system of weights and measures, and standards in connection therewith, for United States and international use; to the Committee on Commerce.

(See the remarks of Mr. Griffin when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of Virginia (for himself and Mr. Spong):

S.J. Res. 109. Joint resolution to authorize and request the President to issue a proclamation commemorating 50 years of service to the Nation by the Langley Research Center; to the Committee on the Judiciary.

RESOLUTIONS

AUTHORIZATION TO PRINT ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "PLANNING-PROGRAMING-BUDGETING: OFFICIAL DOCUMENTS"

Mr. JACKSON, from the Committee on Government Operations, reported an original resolution (S. Res. 162) authorizing the printing of additional copies of the committee print entitled "Planning-Programing-Budgeting: Official Documents," which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Jackson, which appears under the heading "Reports of Committees.")

AUTHORIZATION TO PRINT ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "PLANNING-PROGRAMING-BUDGETING: SELECTED COMMENT"

Mr. JACKSON, from the Committee on Government Operations, reported an original resolution (S. Res. 163) authorizing the printing of additional copies of the committee print entitled "Planning-Programing-Budgeting: Selected Comment," which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Jackson, which appears under the heading "Reports of Committees.")

ADDITIONAL FUNDS FOR THE COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. CLARK, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 164) to provide additional funds for the Committee on Labor and Public Welfare, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Clark, which appears under the heading "Reports of Committees.")

AMENDMENT OF ACT RELATING TO THE PRESERVATION OF ADDITIONAL HISTORIC PROPERTIES

Mr. JACKSON. Mr. President, I introduce, by request, for appropriate reference, a bill to amend the act of October 15, 1966, establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes.

This bill has been submitted and recommended by the Chairman of the Advisory Council on Historic Preservation as an executive communication. I ask unanimous consent that the letter accompanying the legislation, and explaining it, be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 2354) to amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes, introduced by Mr. Jackson, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter, presented by Mr. Jackson, is as follows:

Advisory Council on
Historic Preservation,
Washington, D.C., August 22, 1967.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill "To amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes."

We recommend that the draft bill be referred to the appropriate Committee for consideration, and we recommend that it be enacted.

The Advisory Council on Historic Preservation was established in accordance with Title II of the act of October 15, 1966. Section 202 (b) requires that the Council submit annual reports to the President and the Congress and that it shall from time to time submit such additional and special reports as it deems advisable. Each report shall propose such legislative enactments and other actions as, in the judgment of the Council, are necessary and appropriate to carry out its recommendations.

At its meeting in Washington on July 20–21, 1967, the Advisory Council on Historic Preservation adopted resolutions favoring an expansion of its membership and participation by the United States as a member in the International Centre for the Study of the Preservation and the Restoration of Cultural Property (Rome Centre).

EXPANDED MEMBERSHIP OF THE COUNCIL

The Council recommends that the Secretary of Agriculture, the Secretary of Transportation, and the Secretary of the Smithsonian Institution be afforded membership on the Council. It also recommends that the Chairman of the National Trust for Historic Preservation, like other statutorily designated members, be afforded the privilege of designating an alternate. Section 1 of the enclosed draft of bill offers the amendments necessary to accomplish these recommendations.

The Secretary of Agriculture's responsibility in historic preservation stems from his administration of tremendous acreages of Federal land which may contain historic or prehistoric ruins, or objects of antiquity. The Department of Transportation Act of October 15, 1966 (80 Stat. 931), transferred to the Secretary of Transportation duties and responsibilities respecting the highway and road building program of the Federal Government. Subsection 2(b)(2) of the act declares it to be the national policy, in carrying out the provisions of the act, to make a special effort to preserve historic sites. Section 15(a) of the Federal-Aid Highway Act of 1966 (80 Stat. 766) declares a similar policy. By virtue of the National Museum Act of 1966, approved October 15, 1966, (80 Stat. 953), the Secretary of the Smithsonian Institution has responsibility for a program of national and international research, training, and publication to assist the museum profession in preserving the cultural heritage of the Nation. In addition, the Smithsonian is the custodian of national collections in history, art, and science.

Inclusion of the Secretaries of Agriculture, Transportation, and the Smithsonian Institution, in the membership of the Advisory Council on Historic Preservation will thus strengthen the Council and facilitate its coordination responsibility by providing membership to a broader spectrum of the Nation's involvement in historic preservation.

PARTICIPATION IN THE ROME CENTRE

The International Centre for the Study of the Preservation and the Restoration of Cultural Property (Rome Centre) was established by UNESCO, in 1958, as an independent intergovernmental organization of professional conservators, to:

Article 1, statutes of the Rome Centre

"(a) collect, study and circulate documentation concerned with the scientific and technical problems of the preservation and restoration of cultural property:

"(b) coordinate, stimulate or institute research in this domain, by means, in particular, of commissions to bodies or experts, international meetings, publications and exchanges of specialists;

"(c) give advice and recommendations on general or specific points connected with the preservation and restoration of cultural property;

"(d) assist in training research workers and technicians and raising the standard of restoration work."

Clearly the Rome Centre is engaged in a program which, if the opportunity were available, would enhance the national policy of preserving this Country's historical and cultural foundations. Beginning with the Antiquities Act of 1906 (34 Stat. 225), the Congress expressed its concern for the preservation of historic landmarks, historic and prehistoric structures and other objects of historic preservation situated upon lands owned or controlled by the Government of the United States and provided for the protection of these properties. The Historic Sites Act of August 21, 1935 (49 Stat. 666), declared a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States. Moreover, important implementing authority was provided in that act, including among others, the authority for the Secretary of the Interior to conduct a survey of properties possessing exceptional value as commemorating or illustrating the history of the United States.

In 1966, the Congress took cognizance of the ever-increasing threats to the preservation of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture. The Historic Preservation Act of October 15, 1966 (80 Stat. 915), broadened the national policy to encourage preservation by private individuals. It strengthened and expanded the work then being done under the Historic Site Act of 1935 by providing a grant program and encouraging the broadest participation at local, regional, state, and national levels, including the participation of the private sector. In establishing the Council, the act of 1966 charged it with the duty of advising the President and the Congress on matters relating to preservation of such properties, recommending measures to coordinate public and private preservation efforts, and reviewing plans for Federal undertakings and the undertakings of others involving Federal assistance.

In view of the very clear national policy of historic preservation and the advisory and coordinating responsibilities now assigned to it, the Council, at its meetings of July 21, adopted a resolution recommending legislation which would authorize United States participation in the Rome Centre and which would recognize the advisory and coordinating functions of the Council with respect to such participation.

It is in these circumstances that the Council transmits, as Section 2 of the enclosed draft of bill, language amending the Historic Preservation Act of 1966 so as to authorize United States participation in the Rome Centre.

Pursuant to Section 2 of the proposed bill, the Council will make recommendations to the Department of State as to the individuals who will be designated as the official delegates and alternates to take part in the activities of the Rome Centre on behalf of the United States. According to the statutes of the Rome Centre, these individuals "should be chosen from amongst the best qualified technical experts of specialized institutions concerned with the preservation and restoration of cultural property." In order to provide for the participation of the many public and private organizations concerned with the technical problems of preservation, the Smithsonian at the request of the Council will hold periodic meetings of qualified experts from such organizations to consider their professional problems and needs and to submit proposals to the Council and a list of specialists who might appropriately be designated as delegates or alternates to the Centre. The Council, pursuant to its existing authority, will make such recommendations as to delegates, policies, coordination, and other matters pertaining to the Rome Centre, as may be appropriate.

Through enactment of the enclosed draft of bill, the advisory and coordinating responsibilities of the Council will be utilized so as to obtain from United States participation in the Rome Centre the greatest possible benefit to the historic preservation programs of all agencies, public and private.

It is estimated that the United States contribution, for its first year of membership in the Rome Centre, will be approximately $50,000, and might increase during the next several years to approximately $80,000. Other expenses incident to United States participation in the activities and functions of the Centre are estimated at $7,500 in the years in which the Centre holds its biennial General Assembly, and at $3,500 in other years. On the basis of these estimates, enactment of this legislation would result in appropriation increases as follows: Fiscal Year 1969: $57,500; Fiscal Year 1970: $63,500; Fiscal Year 1971: $77,500; Fiscal Year 1972: $83,500; and Fiscal Year 1973: $87,500.

Attached to this letter is a statement containing additional details about the Rome Centre, its organization, programs and activities, and the estimated cost of the United States membership, together with an appendix thereto.

The Bureau of the Budget has advised that enactment of this legislation would be consistent with the objective of the Administration.

Sincerely yours,

S. K. Stevens,
Chairman, Advisory Council on Historical Preservation.

COMPREHENSIVE STUDY OF THE METRIC SYSTEM

Mr. GRIFFIN. Mr. President, I introduce, for appropriate reference, a bill which would authorize the Secretary of Commerce, in consultation with those segments of the U.S. economy principally affected, to conduct a comprehensive study to determine the advantages and disadvantages of the increased use of the metric system of measurement in the United States.

The objective of such a study would be to provide a basis for determining whether this Nation should change from its present system of weights and measures to the metric system. The study would bring out and evaluate all aspects of the problem of conversion.

An impartial and thorough study of the feasibility of converting to the metric system of measurement is needed and is long overdue.

Already, 82 of the 135 nations of the world have adopted the metric system. In addition, it should be noted that Great Britain is moving toward metric system use; Canada is now engaged in a study of the effects of a similar adoption; and Australia is inquiring into the practicability of early adoption of the metric system by that country.

As the world's major industrial nation, the United States cannot close its eyes to such developments.

Some people in the United States are firmly opposed to conversion by this Nation to the metric system; others are eagerly advocating complete and quick conversion. Arguments and assumptions on both sides are intermixed with facts. Reliable information to provide the basis for wise judgments and sound decisions is sorely needed.

Mr. President, this controversy has been before the Congress for a number of years. Various bills have been introduced to authorize a Commerce Department study of the feasibility of conversion to the metric system. In the 89th Congress, such a bill introduced by the Senator from Rhode Island [Mr. Pell] passed the Senate but died in the House of Representatives. A similar bill is currently stalled in the House Committee on Rules.

Mr. President, as the world grows smaller and international trade expands; it becomes increasingly important that we move toward resolution of differences that exist in the systems for weights and measures. The outcome—or the failure to make progress—of this matter can have a far-reaching effect on the people and economy of the State of Michigan and of every other State of the Union.

The bill I am introducing today specifically directs the Department of Commerce to look into the more difficult questions, as well as the easier ones, surrounding possible conversion to the metric system.

The bill I introduce emphasizes that there should be no prejudgment of the issue or the results of the study.

The bill expresses an intent on the part of Congress that the study should be impartial, and that it should seriously examine both the advantages and disadvantages of conversion to the metric system.

Mr. President, I have supported the previous efforts to get such a study underway. This bill is similar in many respects to earlier bills, and is completely consistent with them. It does, however, add several new points of emphasis, which I believe will bring increased support for the proposed study.

For example, the bill I introduced today would assure that those segments of the Nation's economy which would be principally affected by conversion should be included and made participants in the planning, the conduct and evaluation of such study.

The bill would require that means be recommended to meet the practical difficulties and the high costs which some areas of the economy could face if the United States should convert to the metric system; and the bill proposes that focus be pleased upon the possibility, and to the extent to which the United States might prefer to retain, and actively seek international acceptance of, the English system of weights and measures now in use in the United States.

In addition, the bill provides that the study shall include and provide a comparative analysis of the basic standards underlying the various systems of measurements.

As previously mentioned, under this bill, industries and interests most directly affected by possible conversion would be able to participate in the study. Representatives of U.S. industry, labor, education, and science would be called upon for information bearing on the question. To the extent necessary both our own and foreign governments would be consulted.

Many agencies and organizations are eager and willing to cooperate. There have been a number of such expressions, both recently and in previous years. Industry in my own State of Michigan, for example, has already undertaken certain studies and is ready to assist in the official study which would be authorized by this legislation.

In the spirit of fairness, Mr. President, I believe this bill deserves the support of both proponents and opponents of conversion to the metric system. More important than resolving any controversy, however, is the need for the Congress to fully recognize the urgency of determining—without further delay—the advantages and disadvantages of conversion to the metric system.

I believe my bill provides a needed vehicle, a first step, so that we can get off dead center and authorize this important study.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, in accordance with the request of the Senator from Michigan.

The bill (S. 2356) to authorize the Secretary of Commerce to make a study in order to recommend an improved system of weights and measures, and standards in connection therewith, for United States and international use, introduced by Mr. Griffin, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized to conduct a program of investigation, research, and survey to determine and make recommendations with respect to—

(1) any existing or proposed system of weights and measures, and various standards to be used in connection therewith, which could be recommended for international adoption;

(2) the extent to which it would be desirable and practicable to increase the use of the metric system of weights and measures, and various standards used in connection therewith, in the United States;

(3) the extent to which the United States should retain and promote international use of the system of weights and measures, and various standards used in connection therewith, currently in use in this country; and

(4) costs involved and benefits resulting from any such recommendations.

Sec. 2. In carrying out the program authorized in the first section of this Act, the Secretary, among other things, shall—

(1) investigate and appraise the advantages and disadvantages to the United States in international trade and commerce, and in military and other areas of international relations, of the increased use of an internationally standardized system of weights and measures;

(2) appraise economic and military advantages and disadvantages of the increased use of the metric system in the United States or of the increased use of such system in specific fields and the impact of such increased use upon those affected;

(3) conduct extensive comparative studies of the systems of weights and measures used in educational, engineering, manufacturing, commercial, public, and scientific areas, and the relative advantages and disadvantages, and degree of standardization of each in its respective field;

(4) investigate the extent to which uniform and accepted standards are in use in the metric system of weights and measures in each of the fields under study and compare the extent of such use and the utility of such metric standards with those in use in the United States;

(5) recommend specific means of meeting the practical difficulties and costs in those areas of the economy where any recommended change in the system of weights, measures, and standards would raise significant practical difficulties or entail significant costs of conversion; and

(6) delineate those areas, if any, in which it is recommended that the United States retain and promote international use of the system of weights and measures, and various standards used in connection therewith, currently in use in this country.

Sec. 3. In carrying out the program authorized in this Act, the Secretary shall also take appropriate steps to assure consultation with the segments of the United States economy which would be principally affected by any change in the system of weights, measures and standards in use in the United States, and specifically shall—

(1) permit appropriate participation by representatives of United States industry, science, engineering, and labor, and their associations, in planning and carrying out the program, and in the evaluation of the information secured under the program; and

(2) consult and cooperate with other government agencies, Federal, State, and local, and, to the extent practicable, with foreign governments and international organizations.

Sec. 4. The Secretary shall submit to the Congress such interim reports as he deems desirable, and within three years after the date of the enactment of this Act, a full and complete report of the findings made under the program authorized by this Act, together with such recommendations as required by this Act and such other recommendations as he considers to be appropriate and in the best interests of the United States.

Sec. 5. There are authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

Sec. 6. This Act shall expire thirty days after the submission of the final report pursuant to section 4.

ADDITIONAL COSPONSORS OF BILLS

Mr. MONTOYA. Mr. President, I ask unanimous consent that, at its next printing, the name of my colleague from Maryland [Mr. Tydings] be added as a cosponsor of my bill, S. 2147, the Wholesome Meat Act of 1967.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONTOYA. Mr. President, I also ask unanimous consent that, at its next printing, the name of my colleague from Wisconsin [Mr. Nelson], and my colleague from Maryland [Mr. Tydings] be added as cosponsors of my bill, S. 2263, to authorize the Secretary of Agriculture to cooperate with and furnish financial and other assistance to States and other public bodies and organizations in establishing a system for the prevention, control, and suppression of fires in rural areas.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Montana [Mr. Metcalf], I ask unanimous consent that, at its next printing, the name of the junior Senator from Maryland [Mr. Tydings] be added as a cosponsor of the following bills:

S. 1834. A bill to amend the Federal Power Act so as to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce; and

S. 1835. A bill to amend the Federal Power Act so as to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, I ask unanimous consent that at the next printing of S. 2061, a bill to amend the National Foundation on the Arts and the Humanities Act of 1965, the name of the Senator from Maryland [Mr. Tydings] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The PRESIDING OFFICER (Mr. Montoya in the chair). Without objection, it is so ordered.

THE SPIRIT OF SERRA

Mr. KUCHEL. Mr. President, I was most honored last Sunday to speak in Statuary Hall at the annual commemoration ceremonies marking the end of the life of the late Friar Junipero Serra. This "Apostle of California" died at his beloved Mission of San Carlos in Carmel, on August 28, 1784. This was before we had a State of California or a United States.

These annual ceremonies are under sponsorship of the Serra Clubs International. I ask unanimous consent that a partial text of my comments on that occasion be printed at this point in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

The Spirit of Serra

(Partial text of remarks by U.S. Senator Thomas H. Kuchel at a ceremony honoring the memory of Father Junipero Serra, Statuary Hall in the U.S. Capitol, Washington, D.C., August 27, 1967)

In the early afternoon of Saturday, August 28, 1784, the aging, crippled padre quietly limped to his room, in the shadow of his beloved mission of San Carlos at Carmel. He slowly lay back on his bed of boards, placed his crucifix across one of his arms, and spoke softly in his native Spanish: "Gracias a Dios, gracias a Dios, ya no tengo miedo, ya dormiré"—"Thank God, thank God, now I have no fear, now I will sleep."

These were the last utterances in the last moments of the long productive lifetime of a saintly Franciscan friar, as described by his life-long companion, Father Francisco Palou. The journey across the sea and thence along the far shores of the new world for Junipero Serra had come peacefully to its close. He had served well and long his God and his fellow man. To the lowly, indigenous Indians whom he met along the way, he brought Christianity. And so they whom he had sought to convert now brought to him a profusion of flowers as their message of love, and he was honored with a small military burial by the soldiers he had served and with whom he worked in New Spain.

Today, 183 years later, we gather to pay tribute once again to this Apostle of California. It may to some seem odd that we should pause amidst all of these surrounding figures of great Americans—Robert E. Lee, Roger Williams, Robert Fulton, and so many, many others—to honor the memory of this humble Majorca-born priest. Yet, Father Junipero Serra possessed, in a very real sense, the same creative, pioneering spirit, the same devotion, the same capacity for sacrifice which led such men as Roger Williams to the founding of Rhode Island, Robert Fulton to the development of the steam engine, and almost every past American leader to reach out to attain goals which some would dismiss as beyond his sphere. Father Serra surely has earned his right to be here in the Capitol Building of free America. He was the embodiment of a devotion and a drive for a cause reflected in Western civilization as it has flowered in the intervening centuries. Father Serra was an early builder on this continent, as any one who knows California can testify, and his sacred missions remain the jewels of my state.

It is difficult for us today, in this, the Twentieth Century, fully to comprehend or to understand this "spirit of Serra." What made this man leave the beauty of his home in Petra, on the Island of Majorca, to travel thousands of miles to the uncharted and uncivilized areas of a New World? Some would answer and say his love of God alone impelled him to go forward. Surely this was true. Perhaps, as a corollary, and maybe the same thing expressed differently, he sought to help his fellow man to go forward too.

The statue before us symbolizes the principles that guided his life. Father Serra's cross, held high in his right hand, represents his love of God, a sentiment so strong that he was willing to forego family, friends, and a bright future in order to accept the challenge and the danger of missionary life far away.

It was only a few months ago that I stood on the street in Petra where Father Serra was born and lived. I visited his birthplace and I was made a member of the Asociación de Amigos de Fray Junipero Serra. My wife and I saw the relics of his early life in Spain. Majorca is a bright and dazzling jewel in the Mediterranean, and because of my trip to that Island, I believe I understand a little better the high resolve which must have moved this man to cast it all aside. He left his home and the beauty of Majorca, and an assured career as well. As a teacher of philosophy, his eloquence had attracted the whole populace of the City of Palma. But all that might so bountifully unfold for him on his Island weighed little in his determination to become a missionary halfway round the globe.

Father Serra wrote to a relative, Francisco Serra, in 1744. He wished to comfort his parents as he prepared to embark from Cadiz. He said:

"I intend to pledge myself to go to the missions and never return . . . Such is the will of God, that I shall render Him the little assistance I can; if He does not wish us to be together in this life, He will unite us in immortal glory. Tell them that I am very sorry not to be with them, as I was before, to comfort them, but they ought to have in mind also the principal thing must be held first, and that is the will of God. For nothing else but the love of God would I have left them."

Look again, fellow citizens, at the statue of Father Serra. In his left hand, held close to his side, is a replica of a mission—the lasting symbol of his creation and of his service to his fellow man. Remaining true to his motto—"always . . . go forward and never . . . turn back"—he was building missions, or planning to build them all the days of his life. At the end of each day's travel, he would contemplate the construction of a new house where both spiritual and secular needs of man might be met. Despite physical misfortune and the despair of his associates, he established 10 of 21 Franciscan Missions standing as milestones along El Camino Real, the trail he, himself, blazed through wilderness.

Although he never recovered from the lameness which afflicted him when he first arrived in the New World, he, nevertheless, traveled from one mission to another on foot and journeyed, over and over again, the distance of almost 600 miles between San Francisco and San Diego. Once, from California, he returned on foot to Mexico City to make sure his mission would not be interdicted.

Hampered in his work by the imprudence of soldiers and by the interference of governors (even then, it seems, my fellow citizens, there were some politicians who were impediments to progress), enduring privations from lack of food and shelter, surrounded at times by hundreds of hostile Indians, required to learn new languages that he might preach and teach to different tribes, he, nevertheless, succeeded in bringing the word of God and much of the old world civilization to the new.

Serra brought to California and to New Spain the orange, the lemon, the olive and the fig. Practically all of our flowers and fruits came from him and his fellow friars. He taught agriculture and animal husbandry. The natives were shown how to make brick and tile. He constructed water projects to irrigate the crops which grew alongside his missions.

His labors for God and for humanity are a moving and inspiring story of one who carried in his hand neither sword nor gun, but the cross. We honor this Franciscan friar and his works. Let us accept his teaching: "always go forward," "always go forward."

ARCHIE MOORE SPEAKS AGAINST HATE

Mr. KUCHEL. Mr. President—

The devil is at work in America, and it is up to us to drive him out. Snipers and looters, white or black, deserve no mercy. Those who would profit from their brother's misfortunes deserve no mercy, and those who would set fellow Americans upon each other deserve no mercy.

I'll fight the man who calls me an Uncle Tom. I have broken bread with heads of state, chatted with presidents and traveled all over the world. I was born in a ghetto, but I refused to stay there. I am a Negro, and proud to be one. I am also an American, and am proud of that.

These are the stirring sentiments of a distinguished American citizen who resides in my State of California. They are the opening sentences in an article which Archie Moore, retired light-heavyweight boxing champion of the world, himself wrote.

Archie Moore lives in San Diego. He sent his article to the sports editor of the San Diego Union, a distinguished Amercan newspaper. The sports editor thought so highly of it that he brought it to the attention of Herbert G. Klein, the editor of that paper and a friend of many of us in this Chamber, because Mr. Klein was the press secretary of former Vice President Richard Nixon.

Herbert Klein ran the article on page 1 of the San Diego Union a couple of weeks ago. The reader reaction in San Diego was amazing. The newspaper gave permission to other American newspapers to publish it.

Archie Moore's article is a moving document, and it demonstrates that we need to live together in this country, black or white, rich or poor, in harmony. We cannot set race against race in America. This country is founded on law and order, and law and order must be respected by all our citizens. Meanwhile, there are things that people can do and things that government can do to help all the American people along the way. Archie Moore calls upon every one of us to join "Operation Gardener" and rid our society of the "weeds of hate." His article concludes with these dramatic words:

If some bigot can misguide, then I can guide. I've spent too much of my life building what I've got to put it to torch just to satisfy some ancient hatred of a man who beat my grandfather. Those men are long dead. Do we have to choke what could be a beautiful garden with weeds of hate? I say no! And I stand ready to start "Operation Gardener." I invite the respected Negro leaders of our country to join me.

Mr. President, I ask unanimous consent that the entire article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Lawlessness No Answer: Archie Moore Speaks Against Hate

(NOTE.—A little over 10 days ago the sports editor of the San Diego (Calif.) Union received a statement with the query, "What do you think of this?" The statement and query were from Archie Moore, retired light heavyweight boxing champion of the world. The sports editor liked the statement. So did Editor Herbert G. Klein and it appeared on Page 1 of the San Diego Union. In granting The Star reprint permission, Klein said that reader reaction in San Diego was amazing. "And," he added, "if anyone wants to know, Archie Moore wrote the statement himself.")

(By Archie Moore)

The devil is at work in America, and it is up to us to drive him out. Snipers and looters, white or black, deserve no mercy. Those who would profit from their brother's misfortunes deserve no mercy, and those who would set fellow Americans upon each other deserve no mercy.

I'll fight the man who calls me an Uncle Tom. I have broken bread with heads of state, chatted with presidents and traveled all over the world. I was born in a ghetto, but I refused to stay there. I am a Negro, and proud to be one. I am also an American, and am proud of that.

The young people of today think they have a hard lot. They should have been around in the '30s when I was coming up in St. Louis. We had no way to go, but a lot of us made it. I became light heavyweight champion of the world. A neighbor kid down the block, Clark Terry, became one of the most famous jazz musicians in the world. There were doctors, lawyers and chiefs who came out of that ghetto. One of the top policemen in St. Louis came from our neighborhood.

BAIT FOR SIMPLE-MINDED

We made it because we had a goal, and we were willing to work for it. Don't talk to me of your "guaranteed national income." Any fool knows that this is insanity. Do we bring those who worked to get ahead down to the level of those who never gave a damn? The world owes nobody—black or white—a living. God helps the man who helps himself!

Now then, don't get the idea that, I didn't grow hating the injustices of this world. I am a staunch advocate of the Negro revolution for the good of mankind. I've seen almost unbelievable progress made in the last handful of years. Do we want to become wild beasts bent only on revenge, looting and killing and laying America bare? Hate is bait, bait for the simple-minded.

Sure, I despised the whites who cheated me, but I used that feeling to make me push on. If you listen to the professional rabblerousers, adhere to this idea of giving up everything you've gained in order to revenge yourself for the wrongs that were done to you in the past—then you'd better watch your neighbor, because he'll be looting your house next. Law and order is the only edge we have. No man is an island.

Granted, the Negro still has a long way to go to gain a fair shake with the white man in this country. But believe this: If we resort to lawlessness, the only thing we can hope for is civil war, untold bloodshed, and the end of our dreams.

We have to have a meeting of qualified men of both races. Mind you, I said qualified men, not some punk kid, ranting the catch phrases put in his mouth by some paid hate-monger. There are forces in the world today, forces bent upon the destruction of America, your America and mine. And while we're on the subject, do you doubt for a minute that communism, world communism, isn't waiting with bated breath for the black and white Americans to turn on each other full force? Do you want a chance for life, liberty and the pursuit of happiness in the land of your birth, or do you want no chance at all under the Red heel?

NOT ONE SQUARE INCH

There are members of the black community who call for a separate nation within America. Well, I do not intend to give up one square inch of America. I'm not going to be told I must live in a restricted area. Isn't that what we've all been fighting to overcome? And then there is the element that calls for a return to Africa.

For my part, Africa is a great place to visit, but I wouldn't want to live there. If the Irishmen want to go back to the Emerald Isle, let them. If the Slavs want to return to the Iron Curtain area, OK by me. But I'm not going to go any part of Africa to live. I'm proud of ancestry, and of the country that spawned my forefathers, but I'm not giving up my country. I fought all my life to give my children what I'm able to give them today; a chance for development as citizens in the greatest country in the world.

I do not for a moment think that any truly responsible Negro wants anarchy. I don't think you'll find intelligent—no, let's rephrase that—mature Negroes running wild in the streets or sniping at total strangers. God made the white man as well as the black. True, we haven't acted as brothers in the past, but we are brothers. If we're to be so many Cains and Abels, that's our choice. We can't blame God for it.

Something must be done to reach the Negroes and the whites in the ghettos of this country, and I propose to do something.

ANY BOY CAN

As a matter of plain fact, I have been doing something for the past several years. I have been running a program which I call the ABC—Any Boy Can. By teaching our youth, black, white, yellow and red, what dignity is, what self respect is, what honor is, I have been able to obliterate juvenile delinquency in several areas.

I would now expand my program, change scope. If any boy can, surely any man can. I want to take teams of qualified people, top men in their fields, to the troubled areas of our cities. I know that the people who participated in the recent riots, who are participating and who will participate, are misguided rather than mad.

If some bigot can misguide, then I can guide. I've spent too much of my life building what I've got to put it to torch just to satisfy some ancient hatred of a man who beat my grandfather. Those men are long dead. Do we have to choke what could be a beautiful garden with weeds of hate? I say no! And I stand ready to start "Operation Gardener." I invite the respected Negro leaders of our country to join me.

THE U.S. SPACE PROGRAM

Mrs. SMITH. Mr. President, I have long held the opinion that a strong, viable national space program will provide substantial future benefits for the United States in terms of scientific advancement, application of industrial technology, and a strengthening of our national defense position. In the relatively short timespan of 10 years, the U.S. space program has produced many notable and exciting space achievements. These include effective meteorological weather forecasting, global communication satellites, and the ability to use complex computer systems to solve a variety of social and economic problems.

Although I have not altered my opinion wth respect to the importance of maintaining a strong space program, I have become concerned of late that our space science and technology efforts have suffered from a serious lack of centralized leadership within the administration. Leadership is needed to weigh and decide on the merits of proposed space projects; to coordinate program requirements and development efforts of civil and defense agencies; and to establish long-range national space goals and to seek the resources necessary to achieve them.

I believe that this failure to assert administrative responsibility has resulted in the costly and needless development of two families of launch vehicles—one for NASA and one for the Department of Defense. Currently, NASA and the Department of Defense are each separately undertaking manned space programs having similar, if not identical, basic objectives—to determine whether man can effectively operate in space.

The administration continues to profess the belief that a strong space program is required. Yet only recently, when the House Appropriations Committee significantly reduced the administration's own funding request for NASA, the President announced that he believed the cut was desirable.

I am mindful that some significant budgetary decisions must be made because of our commitments in Vietnam and social strife at home. But is the Congress to supply the initial decisionmaking power for the executive branch? Is so little consideration and concern given to determining the required resource level for space technology programs that across-the-board reductions recommended by a legislative committee can be accepted so lightly?

There are many of us who feel that science and technology may well be the key to our future existence—to the very survival of freedom in the world of tomorrow. In the past, I believe that the administration also held this to be true. However, the present lack of responsible action in regard to our space program leads me to wonder whether the administration plans and manages the future course for our country with any foresight or merely reacts to events with fear and trepidation.

The September issue of the Air Force Space Digest contains an excellent article entitled "Bringing the Space Program Down to Earth," written by Mr. William Leavitt. Mr. Leavitt, who is the magazine's senior editor for science and education, discusses with a great deal of insight and wisdom, the events and accomplishments of space science and technology over the past 10 years, some of the problems we face today, as well as what lies ahead for the future. I ask unanimous consent that the article be printed in the Record and recommend its reading to all Senators.

There being no objection, the article was ordered to be printed in the Record, as follows:

BRINGING THE SPACE PROGRAM DOWN TO EARTH

(By William Leavitt)

Next month marks the tenth anniversary of the "Technological Pearl Harbor" that was Sputnik. Anniversaries are a traditional time for stocktaking, for recalling past glories, regretting past errors, and looking ahead with hope to the future.

Where have we been and what have we accomplished in space since those shattering days of national embarrassment, heated congressional investigations, editorial outcries, and universal recrimination, when the Russians seemed ten feet tall and storming at our technological gates?

We have traveled far and accomplished much, at great cost in time, talent, and money. We have demonstrated our national ability to get under way a large-scale space program, manned and unmanned. We have built, largely on the foundation of the military missile program, a huge government/industry complex, employing hundreds of thousands of people. In a decade this complex has not only built the hardware to orbit men and unmanned weather, communications, reconnaissance, and scientific-observation satellites, but has also brought us to the verge of man's first truly extraterrestrial exploration, a landing on the moon.

There can be little doubt that we have to a great degree redeemed our national pledge, secured with treasure and talent, to wipe out the mortification of Sputnik. No nation has accomplished so much in so short a time.

Yet, there is a growing sense of public disquiet about the whole affair. In the face of war in Southeast Asia, against the background of civil strife at home, and in the aftermath of the shocking Apollo disaster of January 1967, the faceless but vocal "man in the street" is expressing increasing doubts about the worth of the enormous investment that has gone into building the nation's space capability. This public mood finds expression in Congress. Critical and budget-minded legislators have hacked away at space funding, attacked the competence of space planners, and generally questioned the priority of the space program, a singular irony to those observers who can recall the days, not so very long ago, when space was a sacred cow on Capitol Hill.

Why the doubt? Why the collapse of enthusiasm? No one can say for sure, but it is not enough to suggest merely that the public is so fickle that it cannot sustain support for what continues to be an important endeavor with major implications for the whole of mankind. Nor is it enough to say that people are too worried about Vietnam and Detroit to care anymore about our space effort.

There is something deeper, and it has to do with how the U.S. space program has from the start been presented to the American people—as a giant and continuing spectacular, rather than as an effort worthy of standing on its own merits as a three-pronged endeavor serving the national security in a troubled world, the national economy in an increasingly technological era, and world science in a time when men, as never before, are searching the unknown for ultimate answers to questions involving the very nature and origin of life and of our planet and universe. These are the ideas and concepts that should be permeating the public mind, that should be taught in the public schools, not only in the affluent suburbs but also in the ghettoes, and should fill the air on radio and television.

In the large, we have failed to make this presentation, and as a consequence we face the irony of great achievement in space that is poorly understood and weakly supported by the very public that has to pay the bills and stands to benefit so importantly—whether from employment, enhanced national security, improved weather forecasting and communications, or last, but not necessarily least, a deeper understanding of the universe we live in.

This failure has its roots in our own national misconceptions about technology itself.

For too long, we have viewed technology as a kind of shortcut to material achievement, almost as an end in itself, and with scarcely any attention at all to the range of complex side effects, positive and negative, that technology leaves in its wake. Up to a point this approach has been fruitful and has most certainly contributed to our position as the most powerful and affluent power on earth. But it is a view which no longer warrants, in itself, great investments of money and time and people. Every important technological investment, whether it be to build massive road networks or school buildings or ships to the moon, has enormous social and economic implications for virtually every member of society, implications that need to be examined and sorted out in advance. Somehow, this obvious truth continues to elude us. We continue to operate on a business-as-usual basis, using the ancient tools of salesmanship and hoopla to push forward, when the time seems ripe and the short-run benefits in clear sight, programs that ought to be examined in long-range terms and in relation to each other.

Which brings us back to the space program and why it presently lives in daily fiscal peril and in a shadow of public disenchantment. The tragedy is that the drumbeat of press-agentry that accompanied the opening of the American space show after Sputnik has never quite been replaced, as it should have been, by thoughtful exposition of the intrinsic worthwhileness of space technology as a broad-fronted national advance.

From the start, we have been caught up with slogans: "space for peace" . . . "man in space" . . . "national prestige" . . . "the American image abroad" . . . and all the rest. Our space planners have had to operate in a goldfish bowl of extravagant publicity, and for the most part, the glamorous aspects of the space program have been advanced and funded at the expense of the more important, socially useful, portions of the program. With all due respect to the courage of the astronauts, we have overly concentrated on their exploits and undervalued the duller and more esoteric unmanned working satellites which in the long run may do much more to help solve earthbound problems, ranging from air pollution to strategic reconnaissance and control of the arms race, than any grand manned rendezvous in the sky.

The space program has finally begun to pay the price for the frothiness of its publicity. Adult Americans not associated economically or emotionally with the space program have adopted attitudes about the program ranging from boredom to irritation. They find the space program somehow irrelevant to their daily lives, and in some cases even consider it an unnecessary and cruel drain on resources that they believe might be better devoted to social and economic enterprises closer to their daily lives.

More and more people, and they are not all in the slums, have this attitude toward the space program. The sum of their indifference and anger is enough to create serious damage not only to the program itself but also to the benefits that they and the rest of the public could derive from the program.

But is the space program irrelevant to societal advance, and if it is not, how can those who do believe in it help restore its public acceptance?

That the program *is* relevant—witness enormous contributions to mundane problems that have already been made by the weather satellites and the rest—should be clear. And those have not been the only positive effects. Even more important is the fact that we can credit the space revolution with helping set off the salutary examination of the quality of American education, a critique that started in the affluent suburbs and has now spread to the poverty-stricken inner cities. Families everywhere in America, using different battle cries, are saying the same thing: that they want their children to be prepared for useful lives and intellectual expansion in a space-age world.

How to restore public confidence and acceptance of the space program is the dilemma. In the face of the headlines that crowd space off the front pages, even getting the attention of the public becomes a formidable task. Yet the job has to be accomplished if the space program is to survive as something beyond grudging fulfillment of a pledge made by a remembered President to land an American on the moon by the end of the current decade.

It is possible to make some suggestions as to how the problem might be attacked. With the wisdom of hindsight, we can at least be sure of what we ought not to do. We can scrap the Madison Avenue approach, and we can think of planning our future space program in ways that do not put the cart before the horse, a sad example being the decision of 1961 to concentrate heavily on a moon landing in advance of development of long-term, manned orbital capabilities for scientific and military purposes.

We can husband our resources by looking carefully at the question of whether we need two expensive and competitive manned orbital laboratories, one run by the National Aeronautics and Space Administration and one run for the Defense Department by the Air force.

We can increase the funding and sharpen the planning of the unmanned working satellites that have only begun to revolutionize communications, weather observation, and scientific observation. We can begin to look seriously at the potential of aerospace systems analysis and engineering in the solution of nonspace and nonmilitary public problems, with an emphasis on building into these techniques the social, economic, and political factors, the flesh-and-blood considerations that were not so relevant when the problem was merely to develop working ballistic missiles or the first manned and unmanned spacecraft. And we can begin to put to work in our schools, suburban and urban, many of the space-age training techniques that have been a beneficial by-product of the technological age we live in.

All of these approaches—and they are but a sampling—suggest a basic reevaluation of the true value of space technology to our society and a new approach to communicating this worth to society—all of society. Space technology has already cost too much in time and treasure to go down the drain now as a TV spectacular that has slipped in its ratings. We can excuse the past and its errors on the grounds of inexperience, but now that a decade has passed and a history of great achievement has been written, we will have only ourselves to blame if the chapters yet to be recorded are scrubby and thin.

Space technology is remote in many ways from man's daily experience. Yet, at the same time, it is closer to his soul and mind than any other human venture. In that it involves man's emancipation from the bounds of earth, in that it has allowed him through the eyes of cameras and the reports of astronauts to look back upon his own world, it advances our understanding of our commonality as travelers together on this spaceship, Earth. In that it has provided new ways to communicate, to foresee natural disaster, to watch from space potential aggressors, it has made life a little safer than it was before. These are only beginnings, the products, for the most part, of even less than a decade. The world will never be the same again. And it could even be better, if the knowledge and new in-sights that emerge from space technology can steadily be put to work for the public benefit. These are not benefits that should be packaged and sold like so much soap.

All this is not to suggest that space technology needs to or deserves to be advanced at the expense of other necessary programs. It is rather to suggest that space technology should be acknowledged and defended as a continuing, worthwhile, and socially useful national endeavor, justifiable in terms of its enhancement of man's knowledge, its expansion of his outlook, and its demonstrable improvement of his daily life.

In many ways space technology, as we have practiced it in the past decade, represents the best and the worst of the American style. It has grown like Topsy, and an incredible collection of feats previously undreamed of have been achieved. At the same time, there have been false starts, wasted motion, wrong emphases, too much of the wrong kind of publicity, and not enough attention to the long-range goal of well-founded public understanding of the potential for human betterment through space technology and its allied arts.

Yet, in the main, the effort has been worthwhile and will be even more so. There is more than a passing connection between the earthbound problems of war and peace, progress and poverty, and the achievements of space technology. As Dr. Charles Frankel, the Columbia University philosopher who is now a State Department official, has remarked: ". . . It is a grave mistake to dismiss science as useless in solving moral and political problems. Objective knowledge of the conditions and consequences of our personal desires or our social institutions does help us to realize the actual nature of the ends we choose to pursue; and in this way we can frequently come to choose our ends and ideals more intelligently. . . . One can . . . take an apocalyptic attitude and assume that the unfamiliar world that is emerging is also going to be unrecognizable, whether for the better or for the worse. But human traits like envy, malice, and egotism are likely to remain no matter what moral medicines the druggist of the future has on his shelves. And once the initial thrill wears off, most honeymooners are probably going to prefer the moon overhead rather than underfoot. But if utopia is not around the corner, neither is it inevitable that our powers are unequal to the problems that are appearing. In an age whose problems are almost all signs of mounting human powers, this would be a strange moral to draw. Man is now making his own stars and setting his own impress on the solar system. If these stars are as yet minuscule and only a very little way out in space, they still represent something of an achievement for a creature who is built rather close to the ground."

BILINGUAL EDUCATION ENDORSED BY TEXAS CONVENTION OF THE POLITICAL ASSOCIATION OF SPANISH-SPEAKING ORGANIZATIONS

Mr. YARBOROUGH. Mr. President, at its State convention held on August 11, 12, and 13, 1967, in Austin, Tex., the

Political Association of Spanish-Speaking Organizations, better known as PASO, passed a resolution endorsing bilingual education for Spanish-speaking children.

PASO has long been active in the causes of justice for the Spanish-speaking Americans of the Nation, and it is significant that they lend their support to the cause of bilingual education. The Spanish-speaking children of the Nation are one of our most discriminated-against groups because they are thrust into a learning situation without the benefit of a familiar language and are forced to reject their mother tongue.

To illustrate the strong endorsement of PASO at the Texas State convention, I ask unanimous consent that the resolution which was passed be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 6 OF THE POLITICAL ASSOCIATION OF SPANISH-SPEAKING ORGANIZATIONS

Whereas, the vast majority of Spanish-speaking children have thus far been commonly deficient in their mastery of the English language, and

Whereas, in the past it has been the common practice to attempt to teach Spanish-speaking children through English alone, which practice inevitably leads to retardation in acquiring the content of education, and

Whereas, educational research studies have demonstrated that it is feasible to teach Spanish-speaking children in their mother tongue while they are mastering English as a second language, and

Whereas, the use of Spanish as a medium of instruction to present the curriculum will forestall retardation, facilitate a stronger home-school relationship, and improve the child's self-concept, therefore,

Be it resolved, that this Convention endorse a policy of bilingual education in which the school will use both Spanish and English as a medium for presenting the school curriculum. Further, that initial school learning should be conducted in Spanish, with English being taught as a second language until sufficient mastery is acquired for using English as a teaching medium for the entire curriculum, reinforcing all that is learned through Spanish, and finally, that in the said bilingual education process positive care should be exercised, as much as feasible, in order to avoid defacto segregation of children, and that sight shall not be lost of the fact that mastery of the English language should be considered primary.

DEFENSE SPENDING: BEFORE AND SINCE VIETNAM

Mr. COOPER. Mr. President, the monthly bank letter published by the Morgan Guaranty Bank of New York for August contains an interesting article entitled "Defense Spending: Before and Since Vietnam."

The article presents a thoughtful analysis of the increased costs in our defense budget and useful comparisons with the defense budget during the Korean war. It also analyzes defense spending by such categories as personnel, operations, maintenance, and procurement, and the changes in the types of procurement presently sought by the Department of Defense.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEFENSE SPENDING: BEFORE AND SINCE VIETNAM

This summer marks the second anniversary of this country's decision to enlarge substantially the scope of its commitment in Viet Nam. Initially, of course, no one could possibly have foreseen the consequences which that step would have in reshaping this nation's defense budget. Even now it is a bit difficult to realize the full extent of the change that has been effected in the past two years.

In fiscal 1965, the last year that U.S. military personnel served primarily as "advisers" to Saigon's army, U.S. military expenditures attributable to Viet Nam amounted to only $103 million. This was less than one-quarter of 1% of that year's $47.4-billion defense budget. With the substantial increase in troop commitment, however, and with the progressive escalation of both ground and air warfare, budget figures indicate that "special Viet Nam" expenditures rose to almost $6 billion in fiscal 1966, and then climbed to more than $19 billion in fiscal 1967.* This was equivalent to roughly 28% of last year's estimated $68-billion military budget.

Before President Johnson announced his intention early this month to authorize an increase of "at least 45,000 in the number of men to be sent to Viet Nam this fiscal year," Viet Nam expenditures were projected by the Administration to rise to $22 billion in fiscal 1968. This would have represented about 30% of the $73-billion defense total projected in last January's budget. In his tax message of August 3, however, the President observed that the "costs of conflict can never be precisely estimated nor fully foreseen," and added: "Thus, the possibility remains that defense spending in fiscal 1968, based on present plans, may exceed the January budget by up to $4 billion." This suggests that U.S. expenditures on the Viet Nam war could rise to $26 billion in fiscal 1968, with the total defense budget climbing to the vicinity of $77 billion.

Altogether, then, the cost of U.S. involvement in Viet Nam amounted to more than $25 billion in the three fiscal years 1965, 1966, and 1967, and by the end of the present fiscal year the cumulative figure is likely to have risen above the $50-billion mark. These official estimates, however, are thought by some close students of Viet Nam costs to be on the low side. The Joint Economic Committee, for instance, following hearings last spring on the "Economic Effect of Viet Nam Spending," stated in a report issued in July:

"It is probable that actual expenditures for the Viet Nam war exceed the official figures by an appreciable margin. The Department of Defense has conceded that it is somewhat unrealistic to establish a definitive distinction between Viet Nam outlays and other defense disbursements . . . While the absence of any better guidelines makes it necessary to use these figures, it should be realized that the full effect is probably greater than they indicate."

While the U.S. public now seems sensitively mindful of just how much Viet Nam is costing, this was not so for a considerable period after escalation first began. One reason for the early unawareness was the unavailability throughout most of last year of satisfactory estimates for the defense budget. In January 1966, President Johnson asked Congress to act on budget estimates for fiscal 1967 that were based on the assumption that combat operations would continue only to June 30, 1967, the end of the fiscal year. This assumption was acknowledged to be arbitrary but—in the absence of certain knowledge as to the war's duration—was adopted for planning purposes. "If it later appears that the conflict will continue beyond that date," Secretary McNamara stated, "or if it should expand beyond the level assumed in our present plans, we will come back to the Congress with an additional FY 1967 request." Although the flow of news from battle zones soon made it apparent that an additional request would in fact be necessary, the Administration did not formally revise its fiscal 1967 budget estimates for defense until December of 1966—a delay that many critics scored as unnecessarily long. In a document issued last month, which reviewed what happened, the Joint Economic Committee, echoing considerable sentiment in Congress and elsewhere, sharply criticized the delay in revision, terming it "promulgation after the fact" and protesting that the $10-billion underestimate of 1967 military costs of Viet Nam had a "disruptive effect on the conduct of fiscal and monetary policy."

THE CHANGING DEFENSE BUDGET

[Fiscal years; dollar amounts in millions]

	1965	1966	1967 [1]	Dollar change, 1965 to 1967	Percent change, 1965 to 1967
Total U.S. military budget	$47,402	$55,377	$68,420	$21,018	44.3
Military personnel	14,771	16,753	19,660	4,889	33.1
Operation and maintenance	12,349	14,710	18,892	6,543	53.0
Procurement	11,839	14,339	19,065	7,226	61.0
Research and development	6,236	6,259	7,171	935	15.0
Other [2]	2,207	3,316	3,632	1,425	64.6
Special Vietnam costs	103	5,812	[3] 19,419	19,316	------------

[1] Preliminary estimates of Department of Defense.

[2] Includes military construction, family housing, civil defense, revolving and management funds, and military assistance.

[3] From January 1967 budget.

Source: Department of Defense; U.S. budget documents.

THE SUM AND ITS PARTS

The remarkable transformation of the U.S. defense budget that has occurred since this country enlarged its commitment in Viet Nam is summarized in the table on page 6. The top line reveals the unfolding of aggregate military spending (affected, of course, by a variety of influences other than those relating to Viet Nam); the lines below it show movements in major components of military expenditure. The figures used for 1967 are the Defense Department's most recent (but still preliminary) estimates of actual spending.

It can be seen that aggregate military spending ran $21 billion, or 44%, higher in fiscal 1967 than it did in fiscal 1965, the last year in which Viet Nam was only a minor influence. This rise is appreciably smaller, both absolutely and in percentage terms, than the climb recorded during the first two years of the Korean War. In view, however, of the very different states of military readiness that prevailed immediately before the two episodes flared up, that fact alone is not particularly surprising. Whereas the U.S. had relatively limited fighting capabilities prior to the outbreak of the Korean War, and from what amounted to only a skeleton base, that was scarcely the case two years ago. Instead, a streamlined military establishment was already in being two summers ago, and inevitably, therefore, the add-on necessitated by actual conflict was not as big. Viewed in perspective, however, it constitutes a very substantial climb. One measure of the rise is the sizable impact it has had on gross national product. Between the second quarter of 1966 and the second quarter of 1967, increased military purchases of goods and services accounted for almost two-fifths of the advance recorded in GNP.

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* The $19-billion estimate is taken from last January's budget document. It can be presumed that special Viet Nam costs in fiscal 1967 exceeded this level, but no official re-estimate has as yet been published.

The climb in U.S. defense spending since fiscal 1965 has not been spread uniformly through all sectors of the defense budget. Noticeable shifts have occurred in the mix of expenditures for military personnel, operation and maintenance, and procurement—the three categories that make up the bulk of the Defense Department's military budget. Within the latter category, moreover, patterns also have shifted perceptibly to more emphasis recently than before escalation on procurement of conventional hardware.

Not surprisingly, higher expenditures on military personnel account for a major part of the rise that has occurred in the defense budget during the past two years. Expenditures assigned to this category include, principally, pay and allowances, the cost of food and clothing, and the travel costs associated with permanent change of station—e.g., the costs of transporting men overseas. With the number of men on active duty having risen from 2.7 million at the end of fiscal 1965 to about 3.4 million at the end of fiscal 1967, the Defense Department necessarily has increased its spending on many of these items. For instance, it bought 1.2 million pair of military dress shoes in 1965 and 4.3 million pairs in 1967, or 260% more; it bought 325 million pounds of beef in 1965 and 421 million pounds in 1967, or some 29% more.

The total cost of paying, feeding, clothing, and transporting this enlarged complement of military personnel thus came to almost $20 billion in fiscal 1967, compared with less than $15 billion in 1965, a rise of 33%. Significantly, sharp though the rise in personnel costs has been, it has not been as pronounced in percentage terms as the increase in over-all military expenditures. Whereas expenditures for military personnel constituted 31.2% of the total military budget in fiscal 1965, the share was down to 28.7% in fiscal 1967.

Spending for operation and maintenance, by contrast, has risen more steeply than total military expenditure—or by 53%—in the past two years. This broad category includes most of the day-to-day expenses of operating military facilities both in the United States and abroad that are not assigned by the Defense Department to other categories. It covers, for example, outlays for recruitments and training of military personnel and their medical care, operation of supply depots, many repairs and much of the fuel for aircraft, ships, and tanks, and pay of the majority of the Department's civilian employees. (Civilian employees actually are paid out of several of the Department's account categories. For instance, payment to scientists and engineers working in certain laboratories is made from the research-and-development account, while payment to civilians working in National Guard armories is charged to military personnel. Similarly, some other items listed above also are spread over other accounts. Fuel used in aircraft test programs, for instance, is charged to the research-and-development category rather than to operation and maintenance.)

Escalation in Viet Nam, of course, has entailed increased spending on these items. As an instance, the Defense Department increased the number of civilians on its payroll by 19% between June 30, 1965 and June 30 1967. And it bought 32% more barrels of one grade of jet fuel in 1967 than in 1965. The increased costs of operation and maintenance all have combined to raise this category's share of aggregate military spending from 26.1% in 1965 to 27.6% in 1967.

Of all the changes in the pattern of military spending caused by Viet Nam, the greatest has been in costs associated with procurement. Chiefly, this category of expenditure covers the acquisition of military hardware, embracing everything from aircraft, missiles, and ships to combat vehicles, small arms, and munitions. With the stepping-up of U.S. participation in active combat in Viet Nam, increased spending on weapons of war followed inevitably. Procurement spending, in fact, climbed far more sharply between fiscal 1965 and fiscal 1967—by 61%—than spending on the other major categories in the defense budget, emphasizing that U.S. military operations in Viet Nam are designed to use equipment and weaponry to the maximum so as to lessen personal casualties. Increased procurement outlays accounted for approximately a third of the rise that occurred in total defense spending during the two-year period.

Within the procurement category, a pronounced shift has occurred in the types of weapons that are bought. The shift has been away from emphasis on acquiring sophisticated deterrents to global war and toward acquiring the conventional apparatus of limited combat. Spending on missile systems, for example, has declined significantly both in dollars and, as the chart on page 8 illustrates, as a proportion of total procurement. In contrast, spending on conventional weapons has risen substantially. Through the first eleven months of fiscal 1967, expenditures for ordnance, vehicles, and related equipment amounted to $3.5 billion, compared with only $1.3 billion in the full 1965 fiscal year. At this increased level, such spending constituted 20% of total procurement, compared with 11% in the full 1965 fiscal year. Outlays for aircraft also have shown a marked rise absolutely, particularly for fighters, helicopters, and other tactical planes. The proportion of aircraft procurement to total procurement, however, has not changed significantly.

Besides summarizing military spending by such categories as personnel, operation and maintenance, and procurement, the Defense Department also tabulates expenditures according to the "program" to which they are devoted. The program concept reflects the grouping of all forces on the basis of the major military mission they perform, regardless of the military service to which they belong. The most interesting feature of this kind of presentation is that it dramatically confirms the shift in military spending toward greater emphasis on strengthening the country's capabilities for waging conventional warfare. Whereas expenditures on strategic forces (whose principal mission is to deter military aggression) were no higher in fiscal 1967 than two years earlier, spending on general purpose forces (equipped chiefly for conventional combat) has risen steeply. The latter rose from $19.1 billion in fiscal 1965 to an estimated $34.3 billion in fiscal 1967, or by about 80%. At this higher level, spending on general purposes forces accounted for 50% of the total defense budget, compared with 40% in 1965. The share of total military outlays devoted to strategic forces fell during this time span from 15% to 10%.

THINKING AHEAD

The various changes that have occurred in the size and make-up of the country's military budget since escalation began in Viet Nam have been felt in thousands of firms and communities across the continent. Military prime contracts have been awarded increasingly to mechanical and soft-goods industries, while aerospace and electronic industries have received a declining share of orders.

Complete data on contract placements are not yet available for fiscal 1967, but the pattern that has been emerging is discernible in earlier figures. Between fiscal 1965 and fiscal 1966, the sharpest increases in order placements occurred in ammunition (up almost 270%), textiles and clothing (up more than 240%), vehicles (up more than 80%), weapons (up almost 70%), and food (up 60%). By contrast, the dollar total of military contracts placed for missile and space systems declined slightly between the two periods. Thus many of the older industrial communities in the East and Midwest, long bases of traditional industries, have felt a renewed upsurge of military orders. Conversely, parts of the West Coast which have attracted the newer aerospace and electronics enterprises have seen military contracts decline relatively, even though their contract totals remain large in absolute terms.

Reorientation of defense spending toward traditional industries has had the further significant consequence of de-emphasizing the relative importance of large firms in the nation's defensive effort. Missile systems, of course, can be supplied only by a few very large firms, whereas the boots and grenades of Viet Nam are being supplied by a substantial number of smaller companies.

The very fact that the stepped-up involvement of the United States in Viet Nam has been reflected in this greater diffusion of defense orders reinforces the need for thought to be given to the public and private steps that will have to be taken at the time de-escalation occurs. However distant that time may now appear, advance planning not only on the part of the federal government but also by numerous companies and communities is essential in order to assure an orderly transition from defense work to peacetime production in the private sector, where the principal tasks of conversion will fall. It is to be hoped, therefore, that the analysis of the problems of de-escalation and transition that now is being prepared by the Administration will stimulate widespread study and consideration of the actions that individual firms and communities can take in the event that their defense orders are cut back.

HIGHWAY MURDER

Mr. HARTKE. Mr. President, I have repeatedly spoken out against the slaughter of Americans on the Nation's highways. If an American city of over 50,000 people were to be wiped out, it would be a disaster which would make headlines all over the world. Over 50,000 Americans will die on our highways this year. This coming Labor Day weekend will conclude with a statistic that hundreds have been killed in traffic accidents. Yet there is apathetic response and a lack of action.

Mr. Joseph Kelner, a past president of the American Trial Lawyers' Association, calls these traffic deaths "highway murder." Because lack of attention and action means the unnecessary taking of human life, "murder" is not too strong a word.

To keep us alert to the problem of traffic deaths and to encourage better standards and regulations for highway safety, I ask unanimous consent to have

Mr. Kelner's article from the New Republic of September 2, 1967, printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Highway Murder

Fifty-three thousand Americans will die on our highways this year. Their deaths will not be accidental, but caused by recklessness. The auto makers think they are the whipping boy of the highway accident problem and they are partly right. They brought federal regulation on their own heads by their procrastination, but the apathy of the auto industry is shared by every segment of our society.

Our psychology is that the serious injury, the "bad one," always happens to the other guy. We lawyers handle human wreckage—the man whose leg is cut off by a speeding car, the woman who is decapitated. Most of us believe it never can happen to us.

Travel by automobile is the most dangerous. For every 10 billion miles of travel, five train passengers die, 13 bus passengers die, 14 airplane passengers die, but by automobile there are 570 fatalities for the same number of miles of travel. The federal government requires periodic examinations and strict licensing standards for airplane pilots, but automobile drivers have a field day. I strongly disagree with Ralph Nader and others who seem to think the safety automobile will greatly reduce the annual toll of highway deaths. The safety automobile, when it comes, will hardly make a noticeable dent on the death and injury statistics for another 10 years. Ninety-five million autos now crowd our highways and over nine million new autos are produced annually. Autos now in use will take at least 10 years to wear out and be replaced. Deaths are likely to reach 100,000 annually by 1977.

Perhaps 90 percent of all deaths and injuries can be blamed on the American driver. With our population nearing 200 million, and three-car families becoming commonplace, it is time to set proper standards for our 130 million drivers, many of whom not only drive while drunk or nearly so, but speed, tailgate, bob and weave in traffic, fall asleep at the wheel, fail to use seat belts or to insist that passengers use seat belts, fail to drive defensively, jump traffic signs and traffic lights, fail to yield the right of way, ignore the other fellow's rights.

To compound the problem, we allow every Tom, Dick and Harry to drive. Dr. F. H. Mayfield, Cincinnati neurosurgeon, estimates that more than six million of the country's drivers are subject to convulsive diseases. How many of our millions of older citizens have lost their reflexes, their ability to react to highway traffic emergencies? How many of our millions of persons with defective eyesight still have licenses to drive? In most states the only vision test ever given is when the driver's license is first granted. Human vision is presumed never to deteriorate with the passing years.

In Pennsylvania, a motorist was killed when he crashed into a tree. He was totally blind. An eight-year-old boy beside him directed his driving. In Florida, a highway patrolman stopped a man who was traveling 26 mph down the middle lane of a highway with a posted minimum speed of 40. The driver admitted his eyesight was too poor to read the signs. He could see where he was going only by looking down to watch the dividing line.

In 30 states licenses are renewed by mail—a lucrative mail-order business.

About half of all auto fatalities are caused by drinking drivers. In most states intoxication is presumed shown by a percentage of 0.15 alcohol in the blood. North Dakota is the one state in which 0.10 percent is presumptive evidence of intoxication. Drinker-drivers with blood-alcohol levels between 0.5 and 0.15 percent are the bulk of the problem; the extremely intoxicated driver, as a rule, is taken off the road either by himself, his friends, or the police. The drinking-driver does not recognize that his judgment, reflexes and vision have been impaired.

Among other things, we should:

Drop the permissible blood-alcohol rate for driving to .05 percent in every state. (No more than one drink for the average drinker.)

Adopt "implied consent laws" in every state. Under these, a driver's license is automatically revoked if he refuses to submit to chemical tests when arrested on a drunken driving charge.

Today, our 50 states present a spectacle of chaos, with laxity and no uniformity in licensing of drivers. Congress should enact legislation requiring every driver crossing a state line to obtain a license from a Federal Bureau of Drivers' Licenses, under the newly created Federal Department of Transportation. The system of licensing would require written certification by a licensed physician that a driver—

(1) has minimum prescribed visual capacities;

(2) does not have specified physical ailments such as epilepsy, diabetes, palsy or other disorders which make his driving hazardous;

(3) can respond with reasonable alacrity to highway emergencies under modern high-speed highway conditions;

(4) is free from prescribed mental and personality aberrations resulting from designated mental diseases and disabilities;

(5) is certified by his physician not to be a chronic alcoholic, or dependent on or addicted to tranquilizers, narcotics or drugs.

New physical and eye examinations and doctor's certification would be needed for license renewal.

FAIR HOUSING AND THE LOCATION OF JOBS

Mr. MONDALE. Mr. President, one of the most disturbing results of racial discrimination in housing is the loss of job opportunities for minorities. For a variety of reasons, many industries have been moving from the central city to the suburbs in the last decade. These are the industries that hire the unskilled or the semiskilled.

These industries offer great opportunities for the unemployed or the underemployed in the center city, but the jobs are out of the reach of the center city poor. The poor cannot find the transportation to the jobs nor can they find homes in the neighborhood of the new jobs.

Mr. President, this problem was pointed up at the hearings on the fair housing bill yesterday when Mr. Roy Wilkins, of the National Association for the Advancement of Colored People, testified. He stated that during a recent trip to Detroit he talked to a Negro auto worker who told him that his plant had moved 20 miles away from Detroit and that he and his Negro coworkers were forced to commute over 40 miles a day to their jobs. The white workers, however, were able to purchase homes near the plant.

Inequality is the only way to describe this situation. The whites are allowed complete freedom of choice as to where they wish to reside and are, therefore, free to apply for any job for which they are qualified. The Negro, on the other hand, must look for jobs only in certain areas, or be ready to commute many miles, if needed transportation is not available.

Mr. President, this is a problem that is becoming more and more serious. The jobs are leaving the cities. This trend will be difficult to overcome. An article by Dorothy Newman in the May 1967 issue of the Monthly Labor Review, documents the extent of this move. More than 62 percent of the valuation of all new industrial building permits in the period between 1960 and 1965 was outside the central city.

The article ends on what I consider a tragic note. Dorothy Newman points out that there are jobs in the suburbs, but these jobs are often unaccessible to the Negro. The result is that the unused skill potential in the center city is not transferred to meet the opportunities of the suburbs.

This is a situation that the Federal housing law could help to correct. It would permit the minority group member to seek employment where there are opportunities and then obtain living quarters near the job. Without fair housing the situation will only get worse: more and more jobs in the suburbs, and more and more unemployed in the ghetto.

Mr. President, I request unanimous consent that the article by Dorothy Newman be printed in the Record to document the seriousness of this situation.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Decentralization of Jobs—Job Opportunities Multiply in the Suburbs, Out of Reach of the City-Center Poor

(By Dorothy K. Newman)

The unemployment rate has remained below 4 percent for almost a year now—for the first time in over a decade. Nevertheless, 3 million or so persons are unemployed, plus an uncounted number underemployed, in terms of capacity for more or higher level work. At the same time, many jobs are vacant; these vacancies exist along the full range of skills, but especially at the upper and lower ends of the occupational ladder.[1] Thus it appears that matching jobs with workers is one of the more intractable problems in the present economy.

One of the prime causes of this failure to match available jobs with available personnel is the movement of new jobs into the suburbs[2] and out of large central cities. It is in these cities that unemployment, underemployment, and poverty are greatest.[3]

NEW BUSINESS BUILDINGS

The steady trend of this movement is illustrated by the concentration of new factory and commercial buildings in the ring of metropolitan areas rather than in the central city, as evidenced by data on the value of building permits issued, both recently (1960–65) and since 1954.[4] (See table 1.) In the same periods, also, a relatively large proportion of community buildings, such as schools and hospitals, has been constructed in the suburbs instead of the city. These buildings represent a large capital investment, leading to substantial increases in suburban employment, especially in industry, retail and wholesale trade, and business, professional, and technical services. Many of the jobs created are within the capabilities of the people who need employment opportunities, but most of the new jobs are too distant and difficult to reach.

Footnotes at end of article.

TABLE 1.—PERCENT OF NEW PRIVATE NONRESIDENTIAL BUILDING OUTSIDE THE CENTRAL CITIES OF STANDARD METROPOLITAN STATISTICAL AREAS (SMSA's), BY REGION, 1960–65 AND 1954–65[1]

Type of new nonresidential building	Percent of valuation of permits authorized for new nonresidential building				
	United States	North-east	North Central	South[2]	West[2]
	1960–65				
All types[3]	47	53	49	34	53
Business	47	54	47	33	52
Industrial	62	71	59	46	69
Stores and other mercantile buildings	52	68	57	34	56
Office buildings	27	26	30	22	32
Gasoline and service stations	51	61	52	39	57
Community	45	47	47	33	53
Educational	45	47	46	34	50
Hospital and institutional	35	35	36	20	48
Religious	55	66	57	42	60
Amusement	47	41	60	46	45

Type of new nonresidential building	Percent of valuation of permits authorized for new nonresidential building				
	United States	North-east	North Central	South[2]	West[2]
	1954–65[4]				
All types[3]	49	55	51	34	55
Business	46	56	50	33	50
Industrial	63	73	59	47	72
Stores and other mercantile buildings	53	69	55	33	58
Office buildings	27	25	31	20	32
Gasoline and service stations	53	66	54	40	59
Community	45	52	50	33	57
Educational	50	53	54	36	58
Hospital and institutional	36	38	36	21	50
Religious	54	67	55	39	62
Amusement	48	48	51	41	50

[1] Data for groups of years are used to avoid erroneous impressions from erratic year-to-year movements in building construction.

[2] Data for southern and western SMSA's reflect a more significant degree of annexation and area redefinition and are therefore less reliable than figures for other regions.

[3] Includes types not shown separately and excludes major additions and alterations for which type of building is not known.

[4] Excludes data for 1959, for which comparable information is not available.

Source: Unpublished data of the Bureau of the Census, tabulated at the request of the Bureau of Labor Statistics. Based on a sample of over 3,000 permit-issuing places.

The trend to place new structures in the suburbs—particularly those devoted to factories and trade, and, to a smaller extent, to schools and hospitals—is especially marked in the North, where central cities of the largest SMSA's tend to be old and the flight of population to the suburbs has been going on for many years. Northern cities are frequently handicapped by narrow streets, oneway traffic patterns, obsolescent structures, and rapidly changing neighborhoods. A metropolitan-area view of city planning is only beginning, that might, in the future, accommodate city industrial parks and shopping centers. At the same time, large cities are the locus of the largest and oldest urban slums, and the magnet of most Negroes migrating from the South to seek jobs and improved living conditions.[5]

The ring is not as likely to be the location of new office or amusement buildings as the central city, which is usually considered the hub of business services and finance, as well as of the arts and other entertainment. However, in a number of the 14 areas selected for study,[6] these new structures (in addition to new business buildings) were concentrated outside the city proper either in the past 5 years or during the past decade. (See table 2.)

In 10 of the 14 metropolitan areas (Boston, Chicago, Cleveland, Dayton, Detroit, Indianapolis, Philadelphia, St. Louis, San Francisco, and Washington), more than half the permit valuation for new amusement buildings in 1960–65 was for construction outside of the central city. In 6 of the 14 SMSA's (Boston, Chicago, Dayton, Detroit, Philadelphia, and Washington), more than half the value of new office buildings in 1960–65 went to the ring. The average permit value of new office and amusement buildings (as of most new building) is lower outside than inside the central city, where construction costs tend to be higher. Therefore, the higher ratio of outside to inside central city building shown in tables 1 and 2 involves either more or larger buildings in the ring, and, consequently, even greater job opportunities than the permit value of new building construction itself would indicate.

TRADE AND EMPLOYMENT

This substantial outmigration of facilities precedes and also mirrors the huge increase of business and employment in the ring, where population growth is greatest also.

Department store sales, for example, have risen much more in the outskirts of major metropolitan areas than in their central cities. Payroll employment[7] has soared in the suburbs compared with the SMSA as a whole (and, therefore, compared with the central city) in virtually all the SMSA's studied for which estimates of change could be obtained. (See table 3.) For example, from 1950–65, total payroll employment increased more than 40 percent in the Washington, D.C., suburbs and in those of New Orleans, Atlanta, and Detroit, while the increase in the total SMSA in each of these places was substantially less than 40 percent.

The differences in employment change between city and suburbs are pronounced—and consistently greater in the ring—in manufacturing, wholesale and retail trade, and services.[8] These industries account for 2 of 3 employees on nonagricultural payrolls. Their employees are concentrated in clerical and sales work, in skilled and semi-skilled industrial production, and as service workers outside of private households. In 1964, over 3 of 5 of all heads of families in central cities were in such occupations.[9] It is likely, therefore, that many central-city residents might qualify for new openings in the suburbs. Early in 1967, about 60 percent of those unemployed 15 weeks or more were last employed in such jobs.

Despite the sharp employment increase in the ring, most payroll employment remains in the central city in all of the SMSA's studied, except Boston and San Francisco-Oakland. In every case, however, the proportion of employment in the ring has risen, and in most instances, substantially, as the following tabulation indicates:

Standard metropolitan statistical area	Percent of payroll employment outside the city-county[1]	
	1959	1965
Total of 12 SMSA's[2]	23	27
Atlanta	11	13
Boston	59	61
Chicago	10	12
Cleveland	6	7
Dayton	14	14
Detroit	20	26
Indianapolis	9	10
New Orleans	18	22
New York	15	19
Philadelphia	40	45
San Francisco	53	57
Washington	38	46

[1] Excludes Government workers and the self-employed. For definition of central city, see table 3, footnote 1.

[2] Excludes Los Angeles and St. Louis.

Source: County Business Patterns (U.S. Bureau of the Census, 1959 and 1965.)

RESIDENTS OF THE CENTRAL CITY

In 1964, of all the working age people in SMSA's who were poor (according to the Social Security Administration Index), half the whites and 80 percent of the nonwhites lived in the central cities.[10] And for every major industry and occupational group, whether involving relatively low-paid business repair services or higher paid professions, median family income in 1964 was lower among city than suburban residents.[11]

The incidence of unemployment and poverty in central cities is greatest among Negroes.[12]

In 1964 (the latest year for which such figures are available), the median income of all nonwhite households in the central cities of SMSA's was $3,656 compared with $6,034 for white central-city households. Even among those who worked full time all year, the median for nonwhite households was $5,292 compared with $7,718 for the whites.[13]

TRANSPORTATION, INCOME, AND JOBS

Getting to a suburban job, therefore, imposes a greater burden on central city residents than is experienced by the suburban commuter to the city. Thus, transportation difficulties particularly affect Negroes, who are frequently confronted with discriminatory housing practices in the ring.

Public transportation to the suburbs is usually expensive, often circuitous, or simply not available. Detailed fare schedules from the American Transit Association show that fares on public transit lines from the central city to the closest suburban area range from 30 cents one way in 1 of the 14 SMSA's studied to 65 cents in another. The distances for which public transportation is provided vary, but it is obvious that a minimum of $3 a week (or almost $15 a month), plus more than an hour a day, including transfers and waiting, would have to be spent by a city resident to work in the suburbs. Furthermore, rush-hour schedules are not usually arranged to speed transit users to the outside in the morning and to the inside in the evening, as is frequently done for commuters in the opposite direction.

There is substantial evidence that central city residents using public transport spend more money and time to reach suburban jobs than those commuting to the city.[14] Those wanting jobs at a substantial distance, or beyond bus or rapid transit lines, pay an especially high price. According to estimates by the Traffic Commission of New York City, it would cost a worker in Harlem $40 a month to commute by public transportation to work in an aircraft plant in Farmingdale (Long Island), in a parts plant in Yonkers or Portchester (Westchester), or in a basic chemical plant or shipyard on Staten Island. The estimate includes $1.50 a week for the New York City subway, $30 a month for a commutation ticket on the Long Island or New Haven railroad, and $3 a week for transportation from the suburban station to the plant. The public transit cost for a Bedford-Stuyvesant resident to work in the same place would be nearly $50 a month.

Footnotes at end of article.

TABLE 2.—PERCENT OF NEW PRIVATE NONRESIDENTIAL BUILDING OUTSIDE THE CENTRAL CITIES OF 14 SELECTED SMSA's 1960–65 AND 1954–65 [1]

Type of new nonresidential building	Atlanta	Boston	Chicago	Cleveland	Dayton	Detroit	Indianapolis	Los Angeles	New Orleans	New York	Philadelphia	St. Louis	San Francisco	Washington
	Percent of valuation of permits authorized for new nonresidential building in—													
							1960–65							
All types [2]	47	64	65	56	62	69	41	59	42	38	65	41	60	74
Business	44	68	64	60	66	69	49	60	49	39	70	39	63	70
Industrial	71	81	77	61	56	70	52	85	58	61	75	67	84	96
Stores and other mercantile buildings	44	74	67	74	78	80	55	63	66	64	75	75	72	91
Office buildings	25	52	58	38	53	55	21	41	10	21	52	32	38	58
Gasoline and service stations	63	91	54	57	98	58	54	60	60	51	66	55	72	76
Community	60	61	64	44	49	71	33	61	37	31	60	37	58	77
Educational	59	63	64	51	28	68	24	61	35	29	67	67	57	57
Hospital and institutional	59	38	56	15	56	61	14	72	44	25	38	35	52	78
Religious	69	92	73	84	56	81	56	69	35	55	77	86	62	86
Amusement	31	59	80	60	99	86	58	35	41	19	59	85	74	96
							1954–65 [3]							
All types [2]	43	68	63	58	(4)	71	44	62	(4)	44	67	(4)	63	64
Business	41	70	61	59	(4)	73	50	63	(4)	44	69	(4)	64	62
Industrial	66	82	73	60	(4)	75	61	86	(4)	75	76	(4)	84	84
Stores and other mercantile buildings	40	74	67	73	(4)	77	52	66	(4)	71	72	(4)	72	89
Office buildings	21	51	39	37	(4)	58	21	41	(4)	18	51	(4)	37	47
Gasoline and service stations	60	82	59	62	(4)	65	56	62	(4)	65	73	(4)	73	81
Community	48	67	66	44	(4)	70	40	63	(4)	38	68	(4)	64	64
Educational	57	72	69	61	(4)	79	46	59	(4)	34	72	(4)	73	57
Hospital and institutional	32	41	58	33	(4)	62	10	70	(4)	32	43	(4)	53	61
Religious	59	86	68	81	(4)	74	59	70	(4)	61	80	(4)	65	75
Amusement	30	64	75	57	(4)	43	52	50	(4)	33	72	(4)	55	95

[1] Data for groups of years are used to avoid erroneous impressions from erratic year-to-year movements in building construction. Data for southern and western SMSA's reflect a more significant degree of annexation and area redefinition and are therefore less reliable than figures for other regions.

[2] Includes types not shown separately and excludes major additions and alterations for which type of building is not known.

[3] Excludes data or 1959, for which comparable information is not available.

[4] Not available.

Source: Unpublished data of the Bureau of the Census, tabulated at the request of the Bureau of Labor Statistics. Based on a sample of over 3,000 permit-issuing places.

Persons whose incomes are most limited are most likely to use public transportation to work.[15] Also, public transit usage declines with auto ownership; auto ownership rises with earnings, even in the suburbs.

Most nonwhite families living in central cities do not have an automobile. Fewer than half owned a car in 8 of the 14 central cities in the SMAS's selected for study. The six cities where half or more of the nonwhite families owned a car were all in the Midwest or the West, where median incomes are highest.[16]

Irrespective of earnings, however, central city residents and workers tend to use public transit most. The accompanying chart shows the patterns in six of the SMSA's. This is a reflection of convenience and availability, since a large percentage of workers in SMSA's live and work in the central city. Almost all the rest live in the ring and work either in the ring or in the central city. The smallest proportion usually are those who travel from the city to the suburbs.

An illustration of the effect of convenience and availability is seen in the influence of a rapid transit system, such as a subway or railway, on public transportation use. This is revealed by results of a multiple regression analysis, which introduced seven selected determinants of public transit use in the 14 SMSA's studied. Of the seven variables used (auto ownership, land area, population density, income adjusted for price and city budget differences, sex, color, and whether or not a rapid transit system is available), clearly the most significant and influential was the availability of rapid transit. The seven indicators together explained virtually all of the variability in public transit use for each group of residents for which the regression was run,[17] except for those living and working in the ring. Even for the latter, well over half the variability is explained; availability of rapid transit remains the most influential determinant.

TABLE 3.—PERCENT CHANGE IN PAYROLL EMPLOYMENT IN SELECTED SMSA'S AND IN THEIR RING, BY INDUSTRY GROUP, 1959–65 [1]

Standard metropolitan statistical area	All industries		Manufacturing		Trade				Construction		Transportation and public utilities		Finance, insurance, and real estate		Services	
					Retail		Wholesale									
	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring
Total of 12 SMSA's [2]	12	30	4	15	15	39	8	46	18	31	14	19	14	55	30	55
Altanta	32	51	21	39	26	58	38	138	67	80	35	130	44	88	37	81
Boston	9	14	−24	−2	14	24	7	37	27	31	−1	18	12	23	32	42
Chicago	10	34	6	27	16	47	9	60	5	6	(3)	11	10	30	24	60
Cleveland	10	36	3	34	14	35	5	9	18	10	16	33	20	29	27	71
Dayton	17	20	10	20	12	8	33	(3)	36	27	23	20	10	11	42	48
Detroit	16	48	11	36	16	57	11	76	14	80	7	67	19	276	34	82
Indianapolis	11	25	10	20	−1	29	14	10	8	8	14	13	14	20	24	52
New Orleans	24	54	26	12	14	77	−1	17	53	151	20	48	18	125	34	73
New York	9	37	1	15	11	40	4	66	4	24	20	19	7	51	26	58
Philadelphia	9	22	1	12	11	37	3	44	8	14	23	4	17	41	28	49
San Francisco	19	27	6	13	25	37	10	29	19	19	12	21	31	35	36	50
Washington	34	61	34	75	28	58	24	57	43	59	10	13	47	106	47	78

[1] Excludes government workers and the self-employed. Employment in the ring is estimated from employment outside of the county in which the central city is located. The central city and county were coterminous in both years in New Orleans, New York, Philadelphia, and Washington. For the following the ratio of the central city to central county employment in 1960 was 107 in San Francisco-Oakland, 89 in Boston, 70 in Indianapolis, 68 in Chicago, 64 in Detroit, 61 in Atlanta, 53 in Cleveland, and 52 in Dayton. Since the central county was used to establish the central city, the figures for the ring underestimate the suburban trend in all central cities which are smaller than the central city-county.

[2] Excludes Los Angeles and St. Louis; for Los Angeles, data for the central city-county do not permit close enough approximation with the city proper, and for St. Louis, data are not yet available for 1965.

[3] Less than 0.5 percent change.

Source: County Business Patterns (U.S. Bureau of the Census, 1959 and 1965).

Dependence on public transit among poor and relatively low-paid workers lends importance to the change in public transit costs as well as the level. Fares for public transportation have risen twice as fast as the cost of buying and operating an automobile since 1957–59. The rate of increase is more than for any other group of commodities or services in the Bureau of Labor Statistics Consumer Price Index, with the exception of medical care, and even exceeded medical care in Atlanta, Boston, Los Angeles, and Philadelphia.[18]

Of all who traveled from home to work in 1960, the smallest journey-to-work group (less than 10 percent of the total) commuted

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Footnotes at end of article.

from central city to the suburbs. This percentage is surprisingly small, considering that high unemployment rates and low-income populations are concentrated in the city, whereas employment opportunities are expanding in the outskirts.

Of the men who did travel to the ring in 1960, half were craftsmen or production workers and another 13 percent were in professional or technical work. Of the women, about 1 of 5 were clerical or production workers. These occupational distributions for those traveling to the suburbs are not greatly different from those of the major group, which both lives and works in the central city. The occupational distribution of central city-to-suburb commuters varies most from the suburban residents who commute to the city and who are more likely to be in professional and managerial work. The central city-to-suburb commuters' occupational pattern differs little from those who live and work in the ring. Among the latter, the proportions of men and women are about the same, and, as in all four journey-to-work groups, women tend to be much more concentrated in clerical and service jobs than the men. The men predominate in industrial jobs. They are not more professionally oriented than in the other groups and are less so than among the commuters to the city from the ring.

Even without a detailed occupational classification, it is possible to judge that a great many of those who work in the suburbs (or of those engaged to work in the new job openings there) are paratechnical, subprofessional, clerical, sales, or semiskilled employees in plants, stores, warehouses, hospitals, and the like. These are the kinds of jobs for which the unemployed and underemployed in cities could be hired directly, or trained by employers or the Government with little effort or expense. But these jobs are not accessible or always open to unemployed or underemployed city dwellers, many of whom are Negroes. This significantly limits the contribution expanding job opportunities in the ring could make toward overcoming the competitive disadvantage and unused skill potential of those living in the city.

FOOTNOTES

*Of the Division of Economic Studies, Bureau of Labor Statistics. With the assistance of Laura L. Irwin and Sylvia S. Small.

[1] See "The Economy in 1966," *Monthly Labor Review,* February 1967, p. 5.

[2] "Suburbs" and "ring" are used interchangeably in this article to represent the entire area outside of the central city or cities of the Standard Metropolitan Statistical Area, as defined by the U.S. Bureau of the Budget.

[3] See *Income, Education, and Unemployment in Neighborhoods,* a series of reports on 34 cities by the Bureau of Labor Statistics, based on 1960 Census data for Census tracts (January 1963); "Poverty Areas of Our Major Cities," *Monthly Labor Review,* October 1966, pp. 1105–1110; from the U.S. Bureau of the Census, *Special Census Survey of the South and East Los Angeles Areas: November 1965* (Series P–23, No. 17, Mar. 23, 1966); *Changes in Economic Level in Nine Neighborhoods in Cleveland: 1960 to 1965* (Series P–23, No. 20, Sept. 22, 1966); *Characteristics of Selected Neighborhoods in Cleveland, Ohio: April 1965* (Series P–23, No. 21, Jan. 23, 1967); and Mollie Orshansky, "The Poor in City and Suburb, 1964," *Social Security Review,* December 1966, p. 30.

[4] Data on the valuation and number of nonresidential buildings authorized by building permits, by type of building, in individual localities and counties throughout the country are compiled by the Bureau of the Census from almost all known permit-issuing places. These comprehensive statistics are available for individual localities and areas, and are used to develop national and regional estimates. For a large proportion of Standard Metropolitan Statistical Areas (SMSA's), reports from building-permit officials on building permits authorized in the individual localities or counties that comprise the SMSA's are complete or virtually so. The data for this section of this study are based on information for selected SMSA's for which the data are complete or virtually so, and on Census estimates for 4 regions and the Nation.

The valuation placed on a building at the time of permit issuance varies from the true construction cost, and is usually somewhat lower. The differences between permit valuation and final construction cost are assumed to be relatively consistent within localities and are estimated not to affect the trends and relationships reflected in the data presented in this article.

Permits which are issued are almost invariably used, according to special Census surveys. For further information on the building permit series, see *Construction Statistics, 1915–1964: A Supplement to Construction Review* (U.S. Department of Commerce, Business and Defense Services Administration, 1965). See also Bureau of the Census, *Construction Reports,* Series C–40 and Series C–42.

[5] *The Negroes in the United States* (BLS Bulletin 1511), pp. 3–17 and 66–70. See also *Census of Population: 1960, Standard Metropolitan Statistical Areas,* PC(3) 1D, lists 1, 2, and 3 on pp. XVI–XIX, and table 1 (U.S. Bureau of the Census). See J. R. Meyer, J. F. Kain, M. Wohl, *The Urban Transportation Problem* (Cambridge, Mass., Harvard University Press, 1965), chapters 1 and 2 and accompanying footnotes to related literature.

[6] The 14 SMSA's selected for study are among those for which building-permit data were most comprehensive and comparable, based on evaluation by experts in the Bureau of the Census. These SMSA's were studied also for the effects of annexation, and for changes in definition during the period 1954–65. The effects, while relatively sizable between some years for a few areas, could not be said to bias the results in any area for cumulative data covering 5 years or more

[7] Excludes the self-employed and Government workers.

[8] See also "Transportation Implications of Employment Trends in Central Cities and Suburbs," by Edmond L. Kanwit and Alma F. Eckartt, presented at the 46th annual meeting of the Highway Research Board, in Washington, D.C., January 1967, especially pp. 10–15.

[9] Orshansky, op. cit., table 7, p. 31.

[10] For a few readings on the extent and influence of residential segregation, see George and Eunice Grier, *Equality and Beyond: Housing Segregation and the Goals of the Great Society* (New York, Anti-Defamation League of B'nai B'rith, 1966); Harry Sharp and Leo F. Schnore, "Changing Color Composition of Metropolitan Areas," *Land Economics,* May 1962; and Karl and Alma Taeuber, *Negroes in Cities* (Chicago, Aldine Publishing Co., 1965).

[11] Census Bureau, op. cit., Series P–60, No. 48, Table 8, pp. 20–21.

[12] Orshansky, op. cit., pp. 30–31; see also footnote 2.

[13] See "Income in 1964 of Families and Unrelated Individuals by Metropolitan-Nonmetropolitan Residence," *Current Population Reports, Consumer Income,* Series P–60, No. 48, table 1, p. 13 (U.S. Bureau of the Census). Data relate to families and unrelated individuals.

[14] Meyer, Kain, and Wohl, op. cit.; a national study of urban transportation patterns by John B. Lansing, *Residential Location and Urban Mobility: The Second Wave of Interviews* (Ann Arbor, University of Michigan, Survey Research Center, 1966); and independent analysis of Cleveland and Washington, D.C., transit schedules.

[15] These data are chiefly from the *Census of Population: 1960, Journey to Work,* PC (2)–6B, table 2, and *Census of Housing: 1960, United States Summary,* HC(1), No. 1, table 19 (U.S. Bureau of the Census). Additional tabular material is available upon request to the author.

[16] *Census of Housing: 1960, United States Summary, States and Small Areas,* HC(1), No. 1, table 19 (U.S. Bureau of the Census).

[17] Those living and working in the central city; living in the central city and working in the ring; living in the ring and working in the central city; and living in the ring and working in the ring.

[18] Public transit fares outside as well as inside the central city are used in computing the Index.

SENATOR DOMINICK PINPOINTS FALLACIES OF GUN BILL ARGUMENTS

Mr. HRUSKA. Mr. President, the Subcommittee on Juvenile Delinquency has held 11 days of hearings thus far this summer on the pending Federal firearms legislation: the administration proposal, amendment 90; Senator Dodd's bill, S. 1; and my own, S. 1853; and S. 1854.

In my opinion, a most succinct and helpful presentation to the subcommittee was made by the distinguished junior Senator from Colorado [Mr. Dominick], who clearly delineated the fallacies in the arguments of those who would have us enact all-encompassing Federal regulation of firearms.

At the same time, however, the Senator from Colorado underlined the need to regulate the abuse of firearms. He expressed agreement with the necessity of certain corrective amendments to the Federal Firearms Act and to the National Firearms Act and said:

> Enactment of these proposals coupled with vigorous enforcement would close existing loopholes in the law which have been a source of aggravation and frustration for our law enforcement personnel.

Mr. President, it was with great pleasure that I noted Senator Dominick's endorsement of the approach I have taken in my bill, S. 1853. I welcome the reasoning he expressed to the subcommittee and urge the Members of the Senate to consider seriously his logical analysis of the problem. Let us pay heed to his call that:

> Any federal legislation be acted upon with a calm sense of deliberation and awareness of the need for balance and reason.

I ask unanimous consent that Senator Dominick's testimony of July 28, 1967, before the Subcommittee on Juvenile Delinquency be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Statement of Senator Peter H. Dominick on Firearms Legislation Before the Senate Subcommittee on Juvenile Delinquency, July 28, 1967

Mr. Chairman and members of the subcommittee: I am delighted to be here this morning to testify on the various proposals pending before this subcommittee on federal firearms legislation.

Coloradans have a vital interest in these bills. We probably have a greater percentage of our population as legitimate owners and wholesome users of firearms than most states in the country.

Mr. Chairman, the proponents of strict federal legislation justify it primarily on the basis of the impact they assume it will have on crime. With rising crime rates, mass murders, and numerous civil disorders in our cities, we all share the concern for finding more effective tools to assure law and order. But will regulation of guns cut down crime?

I recognize there are any number of contributing factors to crime. Surely our efforts to remedy the problem must be many-faceted. However, I have yet to be convinced that tight federal restrictions on firearms are going to affect significantly the surging crime rates.

Similarly, let us not be disillusioned into thinking that mass murders will be prevented if federal controls are enacted. We all recall that tragic day in August, 1966, when Charles Whitman killed 13 people and wounded 31 others from a tower at the University of Texas—or Duane Pope's spree when he killed 3 Nebraska bank employees in 1965. Following both instances, there were outraged cries for a gun bill. But what were the circumstances? One weekly news magazine described Whitman as "an exemplary boy, the kind that neighborhood mothers hold up as a model" and Pope as "an All-American, God-fearing, corn-fed Kansas boy" with "a solid past and a promising future". It is doubtful whether any firearms law—local, state, or federal—could have averted those sad events.

In recent days riots have been erupting in our nation's cities with a frequency and savageness that is frightening. This wholesale lawlessness and looting cannot be tolerated. It must be met with the firmness which the circumstances require. Resolutions were introduced in the Senate this week containing various proposals to investigate riots and civil strife and make recommendations on an emergency basis. I believe a thorough examination to be imperative. The lack of adequate factual material in this respect became apparent to me earlier this week when I attempted to obtain information on the use of firearms by those involved. A representative of the Alcohol and Tobacco Tax Division of the Internal Revenue Service, responsible for enforcing the National and Federal Firearms Acts, advised me investigations were still underway in Newark. He was able to state that during the Watts uprising there were 734 firearms reported stolen from merchants. I suspect that most of the firearms brandished in the more recent riots will also turn out to have been stolen rather than purchased. The account of the situation at Newark in the July 21 issue of *Time* magazine seems typical:

"One ransacked store near Springfield Avenue yielded rifles, shotguns and pistols. Soon shots were snapping from windows and rooftops, aimed at police patrols and firemen en route to battle the dozens of blazes that broke out."

Frankly, if there were sufficient evidence to sustain a correlation between the purchase of firearms and violence in our streets, I would feel compelled to advocate broad revisions in our laws at all levels of government.

Certainly public disgust is understandable when these reported abuses of guns are made. Whether and to what extent there should be changes made in existing gun laws is a complex and emotional issue, one which is the subject of great national concern. I know that this subcommittee has held extensive hearings on this subject. I am aware of the sharp divisions among the members of the Judiciary Committee in reporting out the Hruska bill in the 89th Congress. In view of this, I am pleased to see you conduct an extensive examination again this year for I am deeply concerned that these bills not be acted upon in haste.

Despite my reservations about some of the proposals, there are corrective amendments to the Federal Firearms Act and to the National Firearms Act which I support as being useful and necessary.

First, I am in accord with provisions to curb traffic in the so-called destructive devices. I think few will disagree that there are virtually no sporting purposes suitable for rockets, grenades, bazookas, mines, etc. The better approach is that of Senator Hruska's bill, S. 1854, placing the regulation of these weapons under the National Firearms Act. Because of their very nature, they should not be lumped together with the sporting-type firearms under the less stringent Federal Firearms Act.

Second, it should be made unlawful to mail any type of firearm into a state in violation of the state and local laws in the state where the purchaser resides.

Third, it should be made unlawful for a person to bring into his state of residence any type of firearm purchased elsewhere when it would have been unlawful for him to purchase it in his own state. I am speaking here solely of those instances where an out-of-state purchase was made by an individual in order to circumvent the local laws of his own state. I understand that the Massachusetts State Police traced 87 per cent of the concealable firearms used in crimes in Massachusetts to out-of-state purchases. According to the Alcohol and Tobacco Tax Division, there were approximately 5,000 St. Louis residents who purchased firearms across the river in Illinois during the period February 1966 to February 1967. I might add these were primarily handguns and 200 of the purchasers had felony records. I am unsure how many of these out-of-state purchases would have violated the laws of Massachusetts or Missouri, but the possibility for abuses is obvious.

It seems to me that enactment of these proposals coupled with vigorous enforcement would close existing loopholes in the law which have been a source of aggravation and frustration for our law enforcement personnel. At the same time there could be no question of imposing undue burdens on the more than 20 million citizens who now possess firearms.

If federal legislation is to go beyond this point, then we should proceed with the highest degree of caution. Our goal should be to preserve primary responsibility for the control of guns in the states, the federal government entering the field only to such an extent as may be necessary to encourage more effective enforcement of state and local laws. Each state should be left to deal with firearms in a manner which it determines to be best suited to its particular circumstances.

Mr. Chairman, Colorado issued 424,806 firearms hunting licenses in 1966. Of course, there are many guns held for target, skeet and trap shooting or other wholesome non-hunting purposes which are not included in this figure. Since our population is approximately two million people, the heavy concentration of guns is obvious. We are not a crime-free state, but our citizens do not live in perpetual fear of being robbed, yoked, or mugged on the streets. Our state General Assembly has not found it necessary to enact tight restrictions on guns. The firearms problems of Colorado simply are not the same as those of New York or Washington, D.C.

If there are to be further extensions of federal authority, then let us limit them to the area of greatest abuse. The record is clear that the handgun is the most formidable and commonly used weapon of the criminal. In 1965, 70 per cent of the murders committed with firearms involved a handgun. There were about 45,000 armed robberies committed with firearms and FBI Director Hoover reported that "most" of these were with handguns. In 1966, 71 per cent of the approximately 6,000 criminal homicides entailed the use of a handgun. In checking with Mr. Hoover's office, I was informed no figures were available on the type of guns used in the estimated 41,700 aggravated assaults and more than 50,000 armed robberies in which firearms were used, but I think it reasonable to say that the same pattern of misuse of the handgun exists.

Statistics in Colorado paint a similar picture. The Chief of Police in Colorado Springs advised me that one major problem is in dealing with the acquisition and possession of pistols and revolvers. And the Chief of Police for the city and county of Denver estimated that handguns are used in 95 to 98 per cent of the crimes committed with guns in the metropolitan area.

Mr. Chairman, it is inescapable that Senator Hruska's bill, S. 1853, is founded on sounder rationale and is headed in the right direction. It would focus almost entirely on the handgun while continuing to permit mail order sales and over-the-counter purchases by non-residents following a notice and waiting period. It would also preclude mail order sales of handguns to minors. I understand it is designed primarily for the object of giving notice to local law enforcement officials of the interstate traffic in this type of firearm. Any further action is left to the discretion of the state. Though I have some doubts as to the effectiveness of the affidavit procedure, the legislative approach taken by the Hruska bill is by far the more realistic and reasonable.

Under no circumstances can I support the Dodd bill, S. 1, or the amendment suggested by the Administration (Amendment 90) in their present form. Both would prohibit the sale of handguns by mail order and over-the-counter purchase by a non-resident. The principal difference between the two is that the Administration would prohibit the mail order sale of rifles and shotguns, while Senator Dodd's bill would utilize an affidavit procedure.

As near as I have been able to determine, Coloradans overwhelmingly oppose either of these. Since January, 1967, I have received more than four times as much correspondence from people in my state objecting to these proposals than all other letters on guns combined.

Frankly, I see no reason for such all-encompassing federal regulation. There are those who argue they will provide better controls over interstate commerce in firearms. Let us be candid, Mr. Chairman. The Administration bill in effect stops interstate transfer of all firearms among anyone other than a federal licensee. The Dodd bill does the same for handguns, and then in a whipsawing manner strikes back to regulate the flow of rifles and shotguns.

I was somewhat alarmed by the individual views of Senator Kennedy of Massachusetts filed in the report of the Judiciary Committee in October, 1966, stating that he considered the Dodd bill introduced in the last Congress a "first step" in controlling firearms abuse. Some measure of the dissent this bill has caused is amply demonstrated by the point raised earlier before the Subcommittee that the Legislatures of 8 states have adopted resolutions in opposition to it—Alaska, Alabama, Arkansas, Louisiana, Michigan, Montana, Oklahoma, and Texas. If a measure this severe is to be the first step in new federal government regulation of guns, what lies ahead? I would like to make it crystal clear that this is one Senator who will fight to the finish any steps to require a national registration system for firearms.

In conclusion, Mr. Chairman, I'd like to reemphasize my concern that any federal legislation be acted upon with a calm sense of deliberation and awareness of the need for balance and reason. It should not be enacted on the erroneous theory that national firearms controls will be any solution to our crime wave.

SUPPORT FOR NATURALIZATION OF OLDER IMMIGRANTS WITHOUT THE ENGLISH LANGUAGE REQUIREMENT

Mr. YARBOROUGH. Mr. President, several days ago, I introduced a bill (S. 2294) to provide for the waiver of the English language requirement in the Immigration and Naturalization Act for persons 50 years of age with 20 years of residence in the United States.

Since that time, the bill has received widespread support across Texas, where a major portion of the 10,000 people who would be affected reside. The citizens of my State have shown increasing concern about the situation of the older people who were arbitrarily excluded from the exemption in 1952. I hope that the Senate will take early action to correct this situation.

If it is passed, the bill will correct an omission of 15 years' standing. It will free thousands of people from the otherwise insuperable limitations imposed on them in their pursuit of citizenship. It will also give the United States a new group of mature, loyal, and valuable citizens which it might otherwise have been denied.

Mr. President, I ask unanimous consent that an editorial entitled "Full Citizenship," published in the Alamo Messenger, San Antonio, Tex., of August 24, 1967, be printed in the RECORD.

There being no objection, the article is ordered to be printed in the RECORD, as follows:

FULL CITIZENSHIP

Texas' Senior U.S. Senator Ralph Yarborough last week introduced legislation to ease citizenship requirements for longtime foreign residents of the United States, who are at least 50 years old, by exempting them from English language requirements.

The bill amends the Immigration and Nationality Act to allow individuals, living in the country for 20 or more years to become citizens—although they do not speak English.

According to Sen. Yarborough, the language requirement is "an unnecessary barrier to achievement of citizenship by many old people who intensely desire to become citizens. They have usually been good and productive members of society for 20 years, and often they have raised families of children as citizens."

The Immigration and Naturalization Service estimates the bill would affect 10,000 older immigrants in the United States. Most of them are Mexican nationals, concentrated chiefly in Texas and California.

There is precedent for such action. A similar language exemption was included in the 1952 act, but it pertained only to persons who qualified as of Dec. 24, 1952. As the senator points out realistically, thousands of worthy people, born after 1902, or who came to this country after 1932 were arbitrarily excluded.

The new bill would set aside this arbitrariness of the 82nd Congress which accepted the principle but limited the effect.

Young immigrants, with all of our educational facilities open to them at a time when they are most capable of learning, can be reasonably expected and as a matter of fact to desire to acquire an adequate knowledge of English. When they do so, and when they meet the other requirements, they can become citizens in only five years.

But there are thousands of people, whose age presents special barriers to attaining English literacy. Often these people have sacrificed their own advantage to give their children the education they lack themselves. The point is, whether or not they speak English, 20 years of residency and maturity of judgment ought to qualify them for the citizenship they so strongly desire.

This legislation is primarily a humane measure. We recommend it not only because the country would gain worthy and useful citizens but especially because these older persons love the country, having rendered service to it directly and they continue to do so through their children and grandchildren. And we commend Sen. Yarborough for his farsighted and compassionate move to extend the privileges and obligations of full citizenship to thousands, now denied it by an inadequate law.

A NATIONAL INSTITUTE FOR URBAN DEVELOPMENT AT WAYNE STATE UNIVERSITY

Mr. HART. Mr. President, several days ago, the Senate was reminded by President Johnson and the able majority leader of the 23 proposals to heal our cities which the President had recommended and have been before us all year.

This list of undone work is impressive. But it is not nearly so impressive as the good that would come from the expenditure of $6 billion involved in those recommendations. With less than 4 percent of this year's Federal budget we could begin to correct problems that we know fester in our cities—and because seven out of 10 Americans live in them, that fester in the hearts of Americans.

Today I would like to single out one of the President's earlier proposals which he did not include on his list.

On March 14, in his message on urban and rural poverty, President Johnson recognized that less than one-tenth of 1 percent of our total Federal research and development funds have been devoted to housing and urban affairs.

He asked that "we move to build a basic foundation of urban knowledge." Partly, this was to be done by appropriating $20 million to the Department of Housing and Urban Development for general research.

Another suggestion—one less costly for the taxpayers—was that HUD encourage the "establishment of an Institute of Urban Development as a separate and distinct organization."

The task of such an institute, as President Johnson saw it, would be "to look beyond immediate problems and immediate concerns to future urban requirements and engage in basic inquiries as to how they may be solved."

While it was a good idea back in March, it did not light any fires. At least 5 months have passed and no such institute has been created.

But surely the upheaval of the past weeks in our cities should now make us recognize that while we know some of the solutions to the problems of the cities we do not know them all. And it is small wonder. For years we have been studying better ways to wage a war—better ways to grow corn—better ways to make men airborne—better ways to measure the weather—better ways to do all kinds of things. Each massive effort has been successful. Failure, thus far, is a word foreign to Americans dedicated to getting a job done. One of the major reasons for this is that we are a Nation blessed with technological minds that attack a problem with a vengeance and come up with a plan that will work. And we do not allow mistakes to change our commitment—as witness our reaction to the death of three fine spacemen on the pad at Cape Kennedy.

Why then, we might ask, when we are faced with our greatest domestic problem—cities rotting into slums, cumbersome transportation systems, putrid air, joblessness, overcrowding, and all the attendent problems—have we not put proved methods to work? Why indeed?

Today, then, I too call on the Secretary of the Department of Housing and Urban Development to take appropriate steps to create the Institute of Urban Development envisioned by President Johnson.

Further, I request that serious consideration be given to Wayne State University, in Detroit, as the site for this Institute.

There are many good reasons for this choice, and I should like to cite a few.

An obvious reason for selecting Wayne State University, of course, is that it is located smack in the middle of Detroit—a city which many described as a model city until it erupted this July into the worst civil disorder in U.S. history. As a laboratory then for students of where we have been wrong in the past and how we can be right in the future, it could be excelled by none.

Second, the university already has made a total commitment to the type of research which we would expect of the Institute.

A significant sign of this was the establishment last year of the Center for Urban Studies. This center was begun with a $25,000 grant from the university last year. This year the budget has been raised to $150,000. The center's goals are:

First. Social, economic, cultural, political, governmental, and environmental research directed to the accumulation of knowledge and the development of insights basic to action dealing with long-term and persistent problems of the Detroit and other Michigan metropolitan regions, and providing the basis for developing long-term opportunities of the area.

Second. The development of a library and data collection—and retrieval system—which will in due course establish the center as a major Midwest information resource on urban-metropolitan problems, making it possible more easily to build upon previous research efforts.

Third. The encouragement of formal and informal educational programs for undergraduates, and graduates, for public and private community leaders and others concerned with urban problems and the metropolitan community, and the establishment of curricula permitting students to concentrate on courses dealing with the urban-metropolitan community, so as to add to the number of persons informed on and specializing in subject matter relating to the urban-metropolitan community.

Fourth. Development of programs and

mechanisms designed to relate research findings and basic data to the processes of decisionmaking and to provide for effective interaction between decisionmakers and faculty members.

To realize these objectives the program of the center, emphasizes:

The provision of research professorships—as described more fully below—and research scholarships, fellowships, and assistantships.

The provision of a physical location where scholars—both faculty and students—concerned with urban life may meet together to work, to discuss, to interact with one another and with members of the community.

The provision of a specialized urban library and data collection, staffed by librarians, statistical clerks, and assistants with special interests in urban subjects and located so that the research professors have easy and continued access to these resources.

The provision of a small administrative staff to plan and administer center activities.

In addition, as part of the university's centennial celebration next year $70,000 has been allocated for seven symposia. The symposia will seek to "bring the virtues of intelligence and good will to the resolution of questions and problems regarding the nature of our cities."

Third, Wayne several years ago—in cooperation with the University of Michigan—established the Institute of Labor and Industrial Relations. A basic function of this institute is research activity.

Work has ranged from studies of discriminatory practices in employment, to pilot research on community mobilization and Federal programs designed to aid the disadvantaged, to study of the hardcore unemployable, to study of manpower adjustment to technological change, to preretirement education.

In addition, the institute has initiated an impressive new journal, Poverty and Human Resources Abstracts. Issued bimonthly, it contains 50 abstracts of material, published and unpublished, in the critical problem areas of poverty, human resources, manpower development, and social legislation.

Fourth, Wayne State University has an extremely active division of urban extension. Its activities have included training for Headstart teachers, establishing a degree program in police administration, and administering the Applied Management and Technology Center. Another activity was "Detroit adventure," a project to bring cultural activities to students in the intercity.

Fifth, discussions are now under way for an exchange of personnel and ideas between the Center for Urban Studies of the City University of New York, and Wayne.

Mr. President, as I said, Detroit preriot was a fascinating laboratory for students of urban affairs. Since the riot this fascination has magnified. Wayne already has been contacted by a number of persons seeking use of facilities—or financing—for valuable studies.

Some research to determine the whys of the Detroit riots already is underway. A $130,000 grant from the National Institute of Mental Health put researchers on the streets of the wrecked area while snipers were still at work. The goal is to determine what causes riots and what sociological, physical, and welfare changes are needed to avert future uprisings.

A grant request from the Department of Labor for a study of the selectivity of the rioting and looting is in process of submission.

Mr. President, there is no question that much more could be done—and must be done. Other centers are at work. All labor under the shortage of funds. All could profit from a central informational clearinghouse.

We need information, much more information, if we are to lick the problem of our cities as we have licked other problems. It seems to me that President Johnson was entirely right in proposing that an independent institute could aid in this job.

The financing for such an institute could, I believe, be shared by Government and private sources. Indeed, this would be the ideal way, for then the research could go on with a beholdence to no one. That way the facts can be unearthed and the chips can fall where they may.

Mr. President, for decades this country has been able to achieve amazing defense and aerospace goals by pulling together impressively well coordinated and effective research and technological complexes.

When we wanted to create an atomic bomb, we teamed intellectuals with engineers, theorists with technicians, academicians with industrialists.

When we wanted to whip the problems of space, we again assembled an impressive research and technological complex drawn from Government, universities, and industry.

These complexes have been created by public funds to attack massive problems.

Well, the problems of our cities are certainly massive. Would not these problems respond to the same sort of attack? Should we not be willing to make the same sort of commitment?

An Institute of Urban Development would be a useful first step toward such a commitment.

We have already wasted 5 months when we could have been learning how such a commitment would be most effective. Again, I join in the President's request that we establish this Institute—and quickly.

OPEN HOUSING

Mr. MONDALE. Mr. President, open housing is at the heart of the major problems of our big cities. Obviously, its lack means, for instance, the continuance of segregated schools and a lack of equal opportunity in those schools.

At the same time, open housing has been all too often misrepresented. George Meany, president of the AFL–CIO, contributed substantially to the removal of current misunderstandings in his testimony before the Senate Subcommittee on Housing and Urban Affairs. I ask unanimous consent that his statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON S. 1358, THE FAIR HOUSING ACT OF 1967, AND RELATED BILLS

(Statement by George Meany, President, American Federation of Labor and Congress of Industrial Organizations, before the Subcommittee on Housing and Urban Affairs of the Senate Committee on Banking and Currency, Aug. 23, 1967)

Mr. Chairman, my name is George Meany. I am president of the AFL–CIO. I am glad to have this opportunity to present our views on S. 1358, which you introduced by Senator Mondale and 21 other Senators of both parties.

I would also like to comment briefly, during the course of my testimony, on S. 2114 and S. 2280, offered by Senator Hartke.

We are pleased that S. 1358 is a bipartisan bill from its inception. Surely the long-delayed achievement of equal rights and equal justice for all Americans is not a proper matter for political dispute.

Let me emphasize our profound conviction that the bill before you is extremely important. It is not just a piece of housecleaning, aimed at picking up a few loose ends left over from the Civil Rights Act of 1964. On the contrary, its ramifications extend into many areas of civil rights already dealt with by that and other measures.

It is not an exaggeration to say that open housing is absolutely essential to the realistic achievement of such accepted goals as desegregated schools and equal opportunity. Indeed, until open housing becomes an operating fact, much of the statutory civil rights progress of recent years—great as it has been—will be no more than inoperative theory.

Schools are the most obvious example. The typical public grammar school is a neighborhood operation. The composition of the student-body, therefore, is determined by that of the residents. The result can, in effect, be de facto segregation.

To some degree this has always been true. In the long history of this country there have been neighborhoods which were in effect segregated by nationality. Some of them are with us yet. Those neighborhoods have had, in their own way, segregated schools.

But the problem of the Negroes is different. The Irish, the Italians and the other nationality groups had one ultimate weapon—mobility. They could and they did move out of their ghettos as their means permitted. Yes, they met some resistance, but it was seldom more than social ostracism of short duration.

Negroes simply do not have that kind of mobility. They may spend their working hours as part of a thoroughly-integrated work-force, but they come home at night to a segregated neighborhood, with its segregated school for their children.

Local school officials, under pressure from the federal courts, have contrived a variety of devices to overcome de facto segregation. These devices may well be necessary as stopgaps to meet the immediate need; but in the long run, the soundest way to attack the segregated neighborhood school is to attack the segregated neighborhood.

This has long been an objective of the labor movement. The 21 fair housing laws that have been passed by state legislatures, and the 43 enacted by cities and counties, were warmly supported and often initiated by organized labor. In the words of the Sixth Constitutional Convention of the AFL–CIO, in December 1965:

"A key feature of labor's housing program is its drive for equal housing opportunity for all Americans. There is no place in America for racial ghettos. Equal access, without regard to race, creed, color or national origin, to every residential neighborhood in every American community should be assured for every family in America."

Moreover, we have fitted our actions to our words. More than 150 housing projects have been sponsored by trade unions and others are on the way. One of the earliest, built by the Amalgamated Clothing Workers in New York City, is now 40 years old. All these projects, large and small, are available to tenants or buyers without regard to race, creed, color or national origin.

The experience of the labor movement amply proves that integrated housing works; that people of different races can live in harmony as neighbors. It should also help put to rest the only other argument against open housing that deserves any consideration at all—the notion that neighborhood standards decline when Negro families move in.

This is an ancient superstition, perpetuated by far too many unscrupulous real estate agents. But the fear it arouses in the hearts of some home-owners cannot be ignored. In the generally affluent society of recent years, vast numbers of young families have bought homes of their own. These homes represent, in most cases, the biggest investment they will ever make, not only absorbing their accumulated savings, but also involving a long-term mortgage obligation of substantial size. The loss of this investment would be a disaster.

Therefore the fears—though baseless—should not be denounced with righteous indignation, but dissipated by exposure to the truth.

Actually, it is our belief that the fears are not as widely held as some assert, especially if they are not drummed up by reactionaries, racists and real estate profiteers. A very heartening example was the gubernatorial election in Maryland in 1966, which I am sure the members of the committee remember. One candidate based his entire campaign on the slogan, "Your home is your castle"—which in this case meant total opposition to open housing. He went down to a resounding defeat at the hands of an electorate in which a great majority were registered members of his own party.

Most encouraging of all were the heavy votes against him in the "bedroom" communities in Montgomery and Prince Georges counties, where the immense population growth of recent years has been largely comprised of the young families I mentioned earlier. In the face of a campaign designed to capitalize on their fears, these voters ignored their party affiliation in order to repudiate a racist appeal.

They were right, not just morally but in terms of dollars and cents. For the old superstition about neighborhood standards and property values is simply not true.

It has its foundation, of course, in the unhappy fact that a great many Negroes live in slums. But the Negroes did not create the slums; they inherited them from other ethnic groups that were lucky enough to escape. And what they inherited was bad housing made worse by time and by lack of maintenance by its absentee owners.

There is no need to go beyond the limits of the District of Columbia to learn that neighborhood standards are not a matter of race. Let any skeptic take a tour—not a traditional tourist's round of national monuments, but a tour of the places where the city's Negroes live. He will find shameful slums; he will also find block after block of spic-and-span houses, bright with flower beds and well-kept lawns.

The simple exercise of observation should be even more persuasive than statistics, but statistics are also available.

Many studies have shown that Negro homeowners are just as concerned with neighborhood standards and just as diligent in maintaining them as any other group. One such study that came to this conclusion should, in this context, be above suspicion; it was conducted more than 20 years ago by the National Association of Real Estate Boards.

The matter of property values has also come under scrutiny. I am sure the members of the committee are familiar with the study by Dr. Luigi Laurenti, undertaken for the Commission on Race and Housing and published in 1960. It covered 20 neighborhoods in San Francisco, Oakland and Philadelphia where Negroes had moved in over a 12-year period. In brief, the results showed that in 85% of the cases, property values either rose or remained stable. In the other 15%, there were moderate declines. But most significantly, there was no pattern attributable to the entrance of non-whites; other influences, taking effect simultaneously, had more effect. Similar studies in Chicago, Kansas City, Detroit and Portland, Oregon, conducted independently by others, came up with the same findings.

Therefore the ancient superstition is no more than an evil falsehood, and the bill you are considering should go far toward wiping it out. And it should also go far toward retraining those who perpetuate it.

In this connection I am referring particularly to Section 4(c), which as I read it would forbid discriminatory references in real estate advertising.

In addition to the intrinsic merit of this provision, I have a special interest in it. And I question whether it goes far enough to meet the subtle discriminatory appeals of much real estate advertising.

Let us consider the peculiar posture of the daily press on this matter.

A considerable number of newspapers, to their great credit, have warmly supported the cause of open housing. One of them is a paper which I suppose all of us read every morning—the *Washington Post*.

Most of these same papers—perhaps all of them—have real estate sections at least once a week, crammed with advertising, much of it from real estate developers and real estate agents who are dedicated to the preservation of racial discrimination. One of these papers is the *Washington Post*.

On July 24 the *Washington Post* published an editorial, one of many on the general issue, offering commendations to the Montgomery County, Maryland commissioners for enacting a fair housing ordinance. As a citizen and a homeowner in that county I was moved to write to the *Washington Post*, as follows:

"Dear Sir:

"As a resident of Montgomery County, I join with the Washington Post (July 24) in hailing the new fair housing ordinance. It is, as you say, 'a standard of single importance' dealing with 'the most urgent domestic issue of this decade.'

"It is, I am proud to report, a decision that is four-square with the policy of the AFL–CIO.

"My purpose in writing, however, is to suggest that the Washington Post is in a unique position to aid the cause of fair housing by simply instructing its advertising department to abide by the principles that its editors espouse.

"I propose a simple declaration that the Washington Post will accept real estate advertising only from advertisers that guarantee the property, either for rent, or for sale, is available without regard to race, creed, color or national origin.

"Such a decision to put principle before profit could set 'a standard of national importance' for newspapers throughout the nation and I urge that the Washington Post establish this standard."

As we all know, Mr. Chairman, the *Washington Post* publishes many letters from readers, even critical ones. Sometimes, if it feels aggrieved, it follows a critical letter with a defense, in italic type. A newspaper or magazine can take criticism in stride, if it has any sort of case, because it always has the last word.

However, the *Washington Post* did not follow this course. It did not publish my letter at all.

Instead, I received a letter dated August 10 and signed by James J. Daly, vice president and general manager of the *Washington Post*, which reads as follows:

"Dear Mr. Meany:

"The Editor of *The Washington Post* has referred to me your letter of July 24, commenting on the Montgomery County fair housing ordinance and proposing that *The Washington Post* adopt a policy that it will 'accept real estate advertising only from advertisers that guarantee the property, either for rent or for sale, is available without regard to race, creed, color or national origin.' I appreciate this opportunity to comment on your proposal.

"I feel that you must be familiar with what I consider to be the extremely fine historical record that has been made in the field of real estate advertising by *The Washington Post* over the past several years. Long before there was any legislative action by any governmental body in this field, *The Washington Post* adopted standards of advertising acceptability which were designed to discourage, if not prevent, the advertising of property on a discriminatory basis of race, creed or color. Our policy, our views, and our objectives have certainly not changed, and we welcome the progress that has been made in the public field to facilitate the implementation of these wholesome and non-discriminatory objectives.

"However, upon reflection, I am confident that you will realize the dangers of adopting a policy of affidavits of guarantee or any other form of prior restraints upon advertisers of any kind respecting their intention to comply with the law. We would regard this as an abuse of both the authority and responsibility that a free press possesses in the fields of news and advertising.

"On the other hand, you can be sure that in applying our standards of advertising acceptability we will continue to refuse to accept copy which we believe is detrimental to the objective of non-discriminatory practices. Thank you again for your thoughtful letter."

Mr. Chairman, it would be an exaggeration to say that I was shocked by Mr. Daly's letter, but I was certainly saddened by it.

I freely acknowledge that the *Washington Post* long ago began rejecting real estate advertising labelled "whites only" or—conversely—"colored". By the moral standards of the publishing industry it took an advanced position.

But the display advertisements in the *Washington Post's* real estate sections drip with discrimination. What is meant by a phrase like "a private community"? Or "conventional mortgages only"? Or by "with club membership you become eligible to buy"? Any sophisticated reader can understand all this, and we think Mr. Daly and his colleagues are sophisticated. They know the people whose money they are taking.

In attempting to hide all this under a specious paragraph about "freedom of the press", Mr. Daly is insulting my intelligence. I did not appreciate this when I received his letter and my feelings have not mellowed in the two weeks since.

It is indeed ironical that the news column in Section A of the *Washington Post* can report in honest detail a demonstration or a court action against a discriminatory developer, while the real estate section will not only carry the same developer's advertising, but a puff story on the special merits of his enterprise.

One example is the Levitt organization, which discriminates nowhere, any more, except in the Washington area. Mr. Levitt has quite candidly said that he is following "local customs" in his three developments here. His operations get respectful, if not worshipful, treatment in the real estate pages of the *Washington Post*, whose editorials deplore him.

Let me say flatly that the *Washington Post* has every legal right to pursue this devious course, under present law. We do think the readers of the *Washington Post*, which applies such lofty standards of conduct to others, are entitled to know what standards it sets for itself.

I have devoted this much attention to the *Washington Post* because it symbolizes an ailment that corrupts newspapers with the loftiest editorial principles. Actually I am flattering the *Post*, by saying, in effect, if it can happen to the *Post*, it can—and does—happen to papers everywhere. So I support Section 4(c), and an even stronger one if possible.

In the broader sense, of course, we in the AFL–CIO support all the provisions of this bill. We are in complete accord with its objectives and we believe its administrative structure is designed to reach those objectives speedily, effectively and fairly.

Now let me say a few words about Senator Hartke's two bills, both designed to meet a major problem facing Negroes who can afford to buy homes and who want to buy homes but are thwarted by the discriminatory practices of certain private lenders.

Everything that I have said about real estate interests applies, Mr. Chairman, with equal vigor to banks, mortgage loan agencies and other private lending institutions who engage in discriminatory practices. There must be some way in which this practice can be halted by the federal government and the Senator has proposed alternative ways of dealing with this problem. Like the Senator, we want these practices halted and we trust the committee will examine his proposals with care and adopt a measure to right this wrong.

But there is another point that must be made, even though it is not within the scope of the legislation now before you.

It is a variation in detail, but not in spirit, of a point we stressed in every civil rights struggle.

We said then that an equal right to be served in a hotel or restaurant was an empty right to a man without money. We said that an equal opportunity on the job was meaningless when there were no jobs to be had.

And so it is with open housing. A statute which establishes the right of every American to rent or buy any living quarters he wants and can afford is clearly necessary, and this bill will do it. But to have meaning—in the same sense that this bill will give meaning to other aspects of civil rights—open housing must go hand in hand with enough housing and housing available at price levels workers can afford.

Because of long neglect and inadequate appropriations, the housing legislation already on the books has never fulfilled its stated purposes. It must now be reawakened.

The facts are appalling. Low-cost public housing was launched by the Housing Act of 1937. In 1949, the Taft-Ellender-Wagner bill authorized the construction of 135,000 housing units a year. But by 1966, all the units built over 30 years could house only 605,000 families. There are 11 million urban families whose incomes are below the top limits for public housing tenants.

This is only one example of the immense backlog of housing needs. And as we all know, matters get worse day by day. In the next 20 years there will be more than 20 million additional households in America—65 million more people, at least 80 percent of them added to the urban areas where the housing deficiencies are already unbelievable.

A massive effort, both public and private, is essential.

The bill you are now considering should in itself widen the role of private builders, for they will be serving a substantial segment of the population they previously shunned. But to the extent that private construction falls short—and it is bound to—federal projects must fill the gap.

Let me make an analogy. Over the years we have said, and we still say, that when unemployment is a problem, the Federal Government must be the employer of last resort.

We say with equal conviction that when other alternatives have failed, the Federal Government must be the landlord of last resort.

One way or another, there must be adequate housing for all—open, yes, but adequate, too.

Therefore, Mr. Chairman, in giving our wholehearted support to this bill, we ask you and the other members of the committee to support in turn the other measures that are needed to make it meaningful.

A recent column by Msgr. George Higgins points out that a white gangster would have less trouble buying a home in an "exclusive" neighborhood than a Ralph Bunche or a Thurgood Marshall.

Your bill would overcome that kind of outrage—one that offends the whole concept of American society. If it is accompanied by a bold, broad and imaginative program to provide enough housing—adequate housing for all Americans, of all races and all levels of income, the dream of a truly better life will be much closer to fulfillment.

THE TAX MESSAGE: "A STUDY IN IRRELEVANCE, AN EVASION OF RESPONSIBILITY"

Mr. HARTKE. Mr. President, Professor Romoser, of the University of New Hampshire, says that the President's tax message is "a study in irrelevance, an evasion of responsibility."

Professor Romoser's analysis of the inverting of priorities is particularly telling. I am sure many of his colleagues in the University would share such views on this vital issue—an issue than transcends economics—an issue that is inextricably involved with the war in Vietnam, with the riots in the cities, and the faltering of our national drive for progress.

I ask unanimous consent that Professor Romoser's letter to the New York Times be inserted at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

New Tax Measure

To The Editor: President Johnson's tax message is a further demonstration of the disastrous political conditions now prevailing in this country.

The President proposes an inequitable tax surcharge, which will affect middle- and lower-income groups the hardest, and which is an evasion of the need to overhaul the distribution of tax burdens and plug the loopholes which benefit the well endowed.

The President requires additional money to further prosecute our disastrous policies in Vietnam, which are lacking in any tactical, strategic, political or moral justification.

The President emphasizes rigid economies in unspecified domestic programs. He thereby encourages those who, with monumental irrelevancy, seek the causes of civil disorders not in the failure of our leaders to create a livable society for the underprivileged, or in our own cult of violence in Vietnam and elsewhere, but in the activities of "agitators."

Like the President's other recent remedies for existing and looming dangers, the tax measure is a study in irrelevance and an evasion of true responsibility. However, words have lost their meaning. Any deity the President seeks to invoke will certainly not understand a rhetoric in which incompetent policies are sought to be sanctified by invocations of "America's responsibility and purpose", and in which the Vietnam fiasco is identified with "the light of a proud tradition," as in the President's tax message.

One might, however, borrow from the President's favorite rhetorical stock the old saw: "God helps those who help themselves"—by sober and realistic policies attuned to demonstrable facts.

Until the latter come into being, we may undoubtedly look forward to a rapid increase in the strains which threaten the fabric of this country's existence.

REPUBLICAN LEADERSHIP MAKING AN IMPACT ACROSS THE NATION

Mr. HATFIELD. Mr. President, my distinguished colleague from Pennsylvania [Mr. Scott], has recently commented upon the leadership being reflected in the actions of this Nation's 25 Republican Governors. His eloquence in describing how these Governors, as well as other Republicans, have faced up to today's problems by offering fresh new ideas for solutions is worthy of the attention of each of us.

The need for new approaches and new ideas for solutions to our national problems have never been more pressing both in the foreign and domestic fields.

From this great supply of talent we can expect to continue to receive effective responsible leadership. I commend Senator Scott for his recognition of this leadership and ask unanimous consent that his comments be printed in the Record.

There being no objection, the comments were ordered to be printed in the Record, as follows:

I am happy to be in a progressive Commonwealth, led by a progressive Governor, and to visit with you who are members of a vigorous, hard working and revitalized Party, whose valiant efforts returned Massachusetts to constructive Republicanism and sent to us in Washington your splendid and popular new Senator Ed Brooke, to carry on in the tradition of Massachusetts' great Senator Leverett Saltonstall.

Republican leadership and Republican programs are making an impact in 25 of our 50 States with Republican Governors, from New England to Alaska. A majority of all Americans live under Republican State Administrations. Republicans control the Governorships of States with over 108 million population, while Democrats govern in States with 80 million persons.

Floundering, ineffective State government has been rejuvenated when Republicans moved into the Statehouse. Bankrupt, debt-ridden State treasuries have been rescued with no loss in services and benefits to the citizens. This is true in Massachusetts, Pennsylvania, Michigan, New York and other Republican States in the Union. Honesty and good government have been reinstated in places where those words had gone out of use.

Republican Governors have not been content to languish as satraps of the Federal bureaucracy. They have piled up impressive accomplishments of their own.

This same kind of Republican leadership and imagination can work the same miracles in Washington.

In the States, Republicans have come forth with fresh and exciting ideas and programs. The voters have responded.

In 1968, that response will be nation-wide and will herald the beginning of a new era of creativeness in Washington.

America cannot move forward in a society of mutually exclusive interests. Every part of our society must mesh if accomplishments are to be realized. Republicans are laying the groundwork for a creative partnership between all levels of government, private enterprise, and people—plain, ordinary people. That is the most important thing we have in this country. And that is what our government is of, by, and for—plain, ordinary people.

When people begin to look upon the Federal government—as many do today—as an unyielding, unresponsive bureaucracy, unapproachable and incapable of effective action, then it is time to make some changes.

The machinery of government under the Democrats has become so cumbersome that they could not change its present course even if they recognized the need for change.

The only idea they can come up with to meet the country's problems is a tax increase.

From Newark to Vietnam, the need is for imaginative new ideas and a new voice to lead the Nation.

I will not criticize President Johnson's conduct of the war in Vietnam. While we have boys fighting and dying there—and by the President's own projections the troop strength will soon be double what it was at the height of the Korean war—we must do all we can to back them up.

But the only realistic solution to the war is an honorable settlement through negotiation, and I do not believe the Communists wish to negotiate with the present administration.

In social and economic affairs at home, the Republican record is already being written in the States and in Congress. Your Senator Ed Brooke has greatly enhanced that record and helped invigorate the Party.

In response to the recent urban riots, when there was little leadership from Washington, many Republican Governors, including Governor John Volpe and my Governor, Raymond P. Shafer of Pennsylvania, met in New York and approved a plan of action for State leadership to meet the growing problems of social injustice and lawlessness. This remarkable 60 point document includes plans for State action to transform the physical environment of slum areas, to increase job opportunities, to improve educational opportunities, to improve services to individuals, to bring about flexibility, speed and realism in Federal programs, and to encourage individual citizen and private institutional participation.

Here is a creative blueprint for action drawn by men who are close to the problems and share the greatest responsibilities.

Another Republican approach is Senator Charles Percy's Home Ownership Plan for low-income families, which has been endorsed by every Republican in Congress. Its purpose is to break away from the stale, never-too-successful public housing concept and to offer the possibility of home ownership to people who could never otherwise dream of their own home. It too, envisions cooperation between government, the community, and private enterprise.

It is such a good idea that the Democrats, lacking any positive new approaches of their own, have taken it nearly word for word and tacked on a shock of hair. Republicans are happy indeed to see this awakening on the part of the Democrats. More and more, they are adopting Republican proposals to fill the gaps in their own thinking. Faced with their own failures, they are finally, although reluctantly, beginning to grope around outside their own bureaucracies for solutions.

Another program sponsored by a majority of Republicans in Congress is the Human Investment Act. It provides for a Federal income tax credit for employers to help offset the cost of training employees or potential employees in needed skills. It is designed to provide an efficient and effective answer to the problem of structural unemployment, and was drawn up with the realization in mind that business, not bureaucracy, creates jobs.

In addition to the new programs, we must tighten up existing programs and eliminate the waste which presently exists. There is no Federal program which is not in need of such treatment.

Republicans have also drawn up several plans to provide for the sharing of Federal taxes with the States, with no strings attached.

This latter plan would help unleash the talent and imagination which exists at the State and local level and allow greater flexibility in dealing with the unique problems of a given area.

The Democratic Party promises of recent years have been unequal to the problems of today. The American people want solutions which are practical and programs that work.

That is what Republicans intend to offer them in 1968.

DANGEROUS DELAY IN IMPROVEMENT OF BALTIMORE-WASHINGTON PARKWAY

Mr. BREWSTER. Mr. President, for some years I have been deeply concerned by an increasing number of serious accidents on the Baltimore-Washington Parkway.

This parkway, under the jurisdiction of the National Park Service, was built to serve as a magnificent entrance to our Nation's Capital and to provide adequate access for Government employees to a growing cluster of Federal agencies.

Now, as many Senators are aware, the Baltimore-Washington Parkway is the major bottleneck for all traffic entering the District of Columbia from the northeastern United States. It has the dubious distinction of being one of the most traveled, and most dangerous, limited-access roads in the Nation. It is lined with pitfalls and potential death traps.

Two years ago, I called a meeting aimed at correcting this intolerable situation. At that meeting, representatives of the National Park Service, the Bureau of Public Roads, and the Maryland and District of Columbia Highway Departments all promised to cooperate in developing and coordinating plans to improve the Baltimore-Washington Parkway and its access roads.

As a result of this and several subsequent meetings, the Park Service and the Bureau of Public Roads surveyed the parkway's defects. They prepared cost estimates for improving the road's interchanges, lighting, and signing. These were deemed to be necessary safety improvements rather than efforts to substantially increase the road's capacity.

I urged the National Park Service to request adequate funds for all of these safety improvements before the situation further deteriorated. The Park Service refused to make this commitment to safety. Instead, they agreed to improve the parkway's safety features in annual increments.

The proposed fiscal year 1967 Department of the Interior budget contained a request for $671,600 to construct improved acceleration and deceleration lanes at each interchange. When I questioned the small sum requested, I was assured that it was sufficient to do the job. Congress recognized the need for this improvement and approved the appropriation request.

In the spring of 1966, I was informed by officials of the Park Service and the Bureau of Public Roads that bids for the work would be advertised in August 1966.

Now, a year later, there has been no visible activity. This prompted me to inquire into the status of this project.

Today, I was informed by the superintendent of the Baltimore-Washington Parkway that bids will be advertised by this November. What happened in the meantime? I can only speculate that this urgently needed safety project has become a victim of the administrative quagmire that seems to engulf so many worthy programs. Planting flowers and shrubs and the Endangered Species Act have apparently received a higher priority in the National Park Service than the protection of human life on the parkway it administers. I am, and will continue to be, a supporter of both the highway beautification and the endangered species programs, but I must insist that the Park Service, as a minimum, give equal consideration to protecting people using its facilities.

Mr. President, I believe that this problem and many similar ones I have encountered during my tenure as a Member of Congress, point up the need for a greater watchdog role by the Congress.

There are cases where changing circumstances make it desirable not to spend such funds, but, on the other hand, there are many situations such as I have just described in which delay has been costly—not only in terms of dollars, but perhaps in terms of human life and personal injury.

TEXAS PASO CONVENTION COMMENDS SENATOR YARBOROUGH

Mr. MONTOYA. Mr. President, the senior Senator from Texas [Mr. YARBOROUGH] has at all times exemplified the best traditions of America in espousing programs that are designed to uplift deprived human beings. He is a man of compassionate heart and sincere dedication, and I can proudly say that the Spanish-speaking Americans of Texas and the entire Southwest are grateful to him and hold him in the highest of esteem.

At the recent Texas State Convention of the Political Association of Spanish-Speaking Organizations in Austin, Tex., a resolution was unanimously passed commending the senior Senator from Texas for his efforts on behalf of the Spanish-speaking Americans in many fields.

Specifically mentioned in this resolution was his fight for justice for our cold war veterans, the farmworkers, and the bilingual education of Spanish-speaking children. Because we all know the relentless efforts made by the senior Senator from Texas in these and other matters, I ask unanimous consent that the PASO resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 7 PASSED AT TEXAS STATE CONVENTION POLITICAL ASSOCIATION OF SPANISH-SPEAKING ORGANIZATIONS, AUSTIN, TEX., AUGUST 11, 12, 13, 1967

Whereas, Senator Ralph W. Yarborough has shown true leadership in his relentness fight for the real needs of the people of Texas, and

Whereas, he has authored the Bi-lingual American Education Act, Senate Bill No. 428, which will help to raise the level of education of the Mexican-American children in their culture, and

Whereas, he has succeeded in his fight to extend the coverage of the G.I. Bill to include our gallant ethnic brethren who are fighting so gallantly in Viet Nam at the present time, and

Whereas, he has provided floor leadership in the Senate for the extension of the Federal Minimum Wage to cover certain farm workers and to increase the minimum wage of certain workers to $1.60 per hour, and

Whereas, he has supported the legislation to extend the jurisdiction of the National Labor Relations Board to farm workers, and

Therefore be it resolved, that PASO go on record commending Senator Ralph W. Yarborough in behalf of his efforts for the Mexican-Americans in these and other fields.

HIGH-SPEED GROUND TRANSPORTATION

Mr. TYDINGS. Mr. President, the New York Times of August 6 contains an important interview with Dr. Robert H. Nelson, Director of High-Speed Ground Transportation in the Department of Transportation. Dr. Nelson explains the severe effects the recent cuts in his budget made by the House Appropriations Committee would have upon the development of new forms of high-speed mass transit to provide swift, comfortable, convenient, and economical mass transportation between our increasingly congested urban centers. As a Senator from Maryland, a State in the middle of the northeast corridor and intimately affected by transit problems, I am deeply concerned about these appropriation cuts. I ask unanimous consent that the New York Times article be printed in the RECORD:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 6, 1967]

AN ECONOMY WAVE STALLS TRANSPORT—PLAN TO DEVELOP HIGH-SPEED SERVICE IS NOW DERAILED

(By Robert E. Bedingfield)

The Administration's ambitious plans to begin a new era of high-speed ground transportation have apparently been temporarily derailed by a Congressional economy wave.

Last month, the House Appropriations Committee voted to cut back to $10.3 million a request by the Department of Transportation for $18.6 million in the current fiscal year to develop such service.

The reduction will not affect the highly publicized project to run passenger trains between Washington and New York at speeds in excess of 100 miles an hour. That new service, which is set to begin on Oct. 29, already has cost the Government about $11.5 million and the Pennsylvania Railroad $44 million.

It will, however, delay indefinitely proposals for carrying passengers and their automobiles piggyback on railroad cars, and plans for testing wheelless trains, underground guideways, pneumatic tubes, linear electric motors, and other exotic research projects aimed at a sweeping improvement in surface travel.

Robert A. Nelson, director of High Speed Ground Transportation in the D.O.T., commenting on the House Committee's unexpected action, said last week: "I feel badly shaken and quite bloodied."

Dr. Nelson explained the reasons for his disappointment and concern over the reduction in the high-speed research budget this way:

"I am firmly of the belief we have to give railroad transportation a full test to evaluate the role that the railroads can play in the future in heavily populated corridors that are emerging in all sections of the country.

"We are going to test the appeal of such service by demonstrating the very best service that is possible. I would think at this point that the new high-speed trains will meet the need for some time to come, but that doesn't mean they will meet the entire need for future transportation or that there will be a universal renaissance of rail passenger travel.

"We have got to try out and experiment with different kinds of transportation and our experiments should be extensive. Rail transportation may be desirable in the Northeast, but not in sparsely settled areas. On the other hand, air transportation is not the answer for highly urbanized areas. What we must try to do is to encourage the fullest use of various forms of transportation that meet the public needs everywhere."

One type of transportation that faces a roadblock is auto-on-train service. Dr. Nelson's office had high hopes of starting such a service next winter between Washington and Florida.

Passengers would drive their own automobiles on to specially designed auto rack cars. Each car would be 85 feet long and would have two decks, each deck capable of carrying four automobiles. The cars would be enclosed and automobile passengers would be able to move freely along aisles to a lounge-and-service car at each end of a 12-car train.

The Government already has spent $1.1 million on market surveys and designs for the new cars and had awarded the United Aircraft Corporation a contract for engineering and experimental auto-ferry train. Now, however, the House Committee has completely eliminated the $3.5 million that the D.O.T. had requested to put the service in operation. The reason?

"If the project is economically feasible, there is no reason why private industry cannot proceed with it," the committee declared (The same committee found no inconsistency in appropriating $142 million for the development of two prototype supersonic airplanes.)

RISK IS NOTED

Dr. Nelson disagrees with the committee's reasoning. There is involved, he says, a matter of risk, and "it is generally recognized that capital funds available to the railroad industry are far short of covering virtually riskless investment opportunities yielding an immediate high return. Therefore, if this possible alternative to the construction of new highways and airports is to be evaluated, the Federal Government must undertake the responsibility."

Perhaps the form of high-speed transportation with the most exciting potential is that involving the use of tracked air-cushion or wheelless trains. Funds for their development were slashed by the House Committee from $1.9 million to $500,000, so they won't be operating soon.

The D.O.T. had counted on having a prototype air-cushion vehicle built and tested on a guideway within the next 18 months. But the budget cutback means the effort now will have to be limited to applied research. "It is a shame that we can't go ahead as we had planned," Dr. Nelson said.

He pointed out that tracked air-cushion vehicles have the potential to move passengers at high speeds without expensive roadbed construction and maintenance. While the ordinary steel wheel can't very well operate at speeds of 200 miles or more an hour, the tracked air cushion vehicle could. It would provide the access to airports needed now to avoid the long delays on congested highways experienced by air travelers in most urban areas.

Before the new jumbo jets, which will fly as many as 496 persons, and the supersonic airplanes go into service, "something must be done" to help speed the traveler to the airport. Dr. Nelson stressed. If it isn't, he said, "the ground delays will negate much of the time saved by air travel."

ELECTRIC MEANS

Considerations of noise and air pollution have focused a good part of the High Speed Ground Transportation propulsion efforts on electric means. This, coupled with the need to propel tracked air-cushion vehicles without transmitting power through axles and wheels, has narrowed the propulsion research efforts of Dr. Nelson's office to linear or straight electric motors as opposed to those that rotate.

The linear motor under consideration would be partly in the roadbed, partly in the vehicle. No large horsepower motor of this type, however, is known to be in operation anywhere in the world and for this reason the office of High Speed Ground Transportation had wanted to spend $1.5-million to test such a motor. The test would require a simple vehicle and a test track of five miles, but that test also will have to be dropped—at least for now.

Before the formation of the Department of Transportation early this year, the functions of the Office of High Speed Ground Transportation were vested in the Department of Commerce. The office is in good part an outgrowth of efforts of Senator Claiborne Pell, Democrat of Rhode Island, who has been one of the most earnest proponents of high-speed train service in the Boston-Washington corridor.

When Congress authorized the Office in 1965 it voted authorization of $90-million for research and development projects over a three-year period. Instead, Dr. Nelson has gotten only a fraction of that. The first year he had a budget of $18.5-million. He was supposed to get $35-million in fiscal 1967 and another $35-million in the current fiscal year. Last year, however, he received only $22-million and in the current year he is being held to $10.3-million.

Dr. Nelson said that the damage to the High Speed Ground Transportation program is even greater than the ratio of funds authorized to funds appropriated would suggest. This, he added, is because his office has a number of projects that are just ready to move from the drawing boards to the testing grounds. And as in the case of the auto-on-trains plan, stopping them now means that all the preliminary work has been wasted.

THE SURTAX AND INTEREST RATES

Mr. HARTKE. Mr. President, the money market has failed to respond to the President's tax message with expected lower interest rates. This failure is explained by the lack of confidence in both the figures the administration declares and the projections they make with these figures, which are being interpreted as another attempt at psychological manipulation of the American taxpayer. From the mail I have received, as well as from press comment, I must say this psychological game has failed.

What the American people want is the facts. And those facts should be forthcoming when they mean something. Both the people and their representatives in Congress have had too much after-the-fact candor as compared with truthful appraisals beforehand. There must be a clear presentation of the costs of both the war in Vietnam and the wars on poverty, ignorance, and disease. There must also be an ordering of our national priorities so a sensible financing plan can be devised.

Mr. President, Peter Nagan presents an excellent overview of this whole problem in the Washington Post of August 18. I ask unanimous consent that the column be printed at this point in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

[From the Washington Post Aug. 18, 1967]

THE MONEY MARKET: TAX HIKE CALL FAILS TO LOWER INTEREST RATES

(By Peter S. Nagan)

It is now two weeks since the President issued his call for a tax increase, but so far the soothing effect on the bond and money markets has been minimal, and interest rates have not come down.

There is vast uncertainty as to what Congress will do about taxes, the true extent of increases in war spending, and the size of the deficit the Treasury will ultimately have to finance. Now, the latest evidence of a brisk business upturn is providing new cause for jitters.

The markets are skeptical as to whether a tax increase will alleviate the current huge demands for credit, as it is supposed to. They are only a little less nervous these days than they were before the President's request was unveiled.

The frosty reception the House Ways and Means Committee has given to top Administration officials in their efforts to sell the tax increase this week has not contributed to confidence.

The fact is that the President's tax request, and the supporting explanatory briefing that accompanied it, have raised more anxieties about the course of interest rates and credit availability than they have succeeded in allaying.

Money-market men fear that the cost of the war in Vietnam will exceed the January budget estimates by more than the $4 billion the President has indicated. They are also skeptical of Administration promises to cut non-defense spending by $2 billion or more.

What's more, they believe that the Johnson tax proposal will be whittled down and delayed until January. Thus, the deficit the country faces would be as high—even after tax action—as many feared it would have been in the absence of such measures.

On one hand, then, the market would be facing huge demands for money from the Treasury, on top of the large needs of a resurging economy. On the other hand, it is feared that the inflationary potential kindled by all this deficit financing will force the Federal Reserve to turn toward tightness. Credit would be harder to come by and today's already lofty interest rates would soar even higher.

Officials in Washington, including those at the credit controlling Federal Reserve Boards, are hoping that the market's gloomier expectations won't be borne out. They agree that the widely predicted business upturn is coming along right on schedule, and they are apprehensive about the stirrings on the price front that could accelerate as the upturn rolls along—especially if the tax increase is reduced and delayed. They are particularly fearful about the rise of a hard-to-check inflationary psychology that would lead to a scramble to increase prices.

But the hope is that expanding capacity, foreign competition, and even a slimmed-down tax package will curb over-exuberance. And some see a leveling in private needs for credit.

Also, they are more hopeful about the fiscal outlook than are market participants in New York. Official Washington is more prone to think that—this time—the President's spending estimates are more reliable; indeed, the White House may be overstressing the size of the deficit to help sell the tax increase to Congress. To be sure, the Treasury still has a tough financing problem, but it need not be insuperable.

Thus, the Federal Reserve may not rush to tighten money. There is some feeling that, after the Fed's constant calls for a better mix to ease the burdens on monetary policy, the new mix should be allowed to show what it can do. Officials know that tightening could make interest rates zoom and suck funds from banks and mortgage-lending institutions.

New York and Washington seem to be in some agreement about the outlook for interest rates over the next two or three months. Both are inclined to believe that long-term yields on bonds will not go up much more during this period; they could even ebb a bit. Short-term rates—on issues maturing in a year or two or three—are likely to go higher, though, as the full impact of the Treasury's borrowing hits.

But there is much doubt and confusion when one looks farther ahead—to the turn of the year and beyond. The evidence as to what actually may happen has rarely been skimpier and the outlook for credit and interest rates rarely murkier.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business, under the unanimous-consent agreement? If not, morning business is concluded.

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The PRESIDING OFFICER. The Chair lays before the Senate the pending business, which will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2171) to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

RECESS

Mr. HOLLINGS. Mr. President, I move that the Senate stand in recess subject to the call of the Chair, but not later than 2 p.m.

The motion was agreed to; and (at 1 o'clock and 9 minutes p.m.) the Senate took a recess subject to the call of the Chair.

At 1 o'clock and 56 minutes p.m., on the expiration of the recess, the Senate reconvened, when called to order by the Presiding Officer (Mr. HOLLAND in the chair).

THE AIR WAR OVER NORTH VIETNAM—LET THE PEOPLE KNOW

Mr. SYMINGTON. Mr. President, there is no one who believes more in civilian control than I; and if the decision of the top civilians of this administration has been and is against attacking many military targets located in North Vietnam, that policy should of course be followed by the military.

Unfortunately, however, it is becoming increasingly apparent that many people have been led to believe that all members of the Chiefs of Staff as well as the heads of CINCPAC have approved and do approve the heavy limitations against military targets over North Vietnam, as decided by the civilian heads.

Nothing could be more inaccurate. The Joint Chiefs and CINCPAC have never approved the target policy limitations on military targets that have been assigned to them by their civilian superiors.

Another point: I was glad to note that again yesterday the chairman of the Military Preparedness Subcommittee of the Senate Armed Services Committee emphasized that no subcommittee member had ever suggested air attacks against North Vietnam as a substitute for the ground war in South Vietnam. That strawman should now be laid to rest once and for all.

The position of every current member of the Joint Chiefs of Staff, as well as the thinking of people closely identified with the air operations in the Vietnamese theater, has now been presented to the Preparedness Subcommittee under oath; and in due course their testimony will become a matter of public record.

I would earnestly hope that all Senators, as well as all Americans interested in this problem, a problem so vitally important to the future structure of the military posture essential to the security of the United States, would refrain from reaching conclusions in this matter until they have had the opportunity to read the testimony in question.

In the meantime, there appeared in the Washington Evening Star of yesterday a constructive lead editorial entitled "McNamara's Credibility Gap"; and in the paper, on the same day, there was also a thought-provoking article by David Lawrence, "McNamara and the Vietnam War."

I ask unanimous consent that the editorial in question and the article in question be inserted at this point in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Aug. 28, 1967]

MCNAMARA'S CREDIBILITY GAP

In the published version of his statement last week on the bombing in North Vietnam, Defense Secretary McNamara said: "It is a matter of the greatest importance that the Congress and the people of the United States have a current and accurate picture of what the air campaign can and cannot accomplish."

We agree. But it does not necessarily follow that the American people will get a current and accurate picture of the bombing in North Vietnam from the censored version of the McNamara testimony to the Senate Preparedness Investigation subcommittee. Unquestionably, judging from the critical comments by both Democratic and Republican members of the subcommittee, there is another side to the story. This other side should also be made available to the American people.

The main thrust of the McNamara published statement is that the bombing, while it can compel the North Vietnamese to pay a significant price for its invasion of the south, cannot be a decisive factor in the war—a war which he thinks must be won, if it can be won at all, on the ground in South Vietnam. McNamara says this would still be true if North Vietnam's three ports, Haiphong included, were to be closed by bombing or mining and if all other important military targets were to be knocked out. This strikes us as a dismal, if not a despairing, appraisal. But McNamara might be right in his belief that the bombing cannot be decisive unless we are prepared to destroy North Vietnam, including its major civilian population centers.

The President's bombing strategy—a strategy with which we have been in agreement—is that our objective is not to destroy or conquer North Vietnam but is, instead, to support the ground effort to the end that the aggression be stopped and that the South Vietnamese be enabled to make a free choice as to their own future.

The question is whether the bombing in the north serves this objective. Have major military targets, not including civilian centers, been declared off limits? McNamara says no. Subcommittee members of both parties dispute this, and they say that sworn testimony from our military commanders supports them.

So, going back to the McNamara statement that the American people should be fully informed on this issue, we think that the report which the Senate subcommittee will release in a few weeks should present as fully as possible both sides of this story—McNamara's and also the views of the military commanders who are responsible for the actual conduct of the war.

[From the Evening Star, Aug. 28, 1967]

McNamara and the Vietnam War

(By David Lawrence)

An astonishing revelation has just been made which adds a tragic chapter to the Vietnam war. Secretary of Defense Robert McNamara, in a formal statement to the Senate Armed Services Committee, has disclosed that the recommendations of the joint chiefs of staff have actually been followed only in part, and that he and his civilian advisers have determined what targets were to be bombed and how the war itself was to be fought.

The joint chiefs have not been permitted to see the President of the United States regularly and to argue directly the points of military strategy themselves. They have had to follow nevertheless the orders and judgment of the secretary of defense.

This is contrary to the assurances given the American people in 1947 when the three armed services were combined by law under the single jurisdiction of the Secretary of Defense. It means, in a nutshell, that the trained chieftains of the Army, Navy and Air Force are overridden at will by the Secretary of Defense and thus prevented from applying their military judgment in the operations necessary to win a war.

Sen. Stuart Symington, D-Mo., a former Secretary of the Air Force in the Truman administration, was so amazed by McNamara's testimony that he issued a statement declaring America should "get out of Vietnam at the earliest possible time, and on the best possible basis; because with his (McNamara's) premises, there would appear no chance for any true 'success' in this long war."

What hasn't been pointed up but probably now will be is the fact that the lives of many American soldiers, sailors and airmen have been sacrificed unnecessarily. For the military operation which could have been effective by an unlimited and unrestricted strategy of bombing has not been allowed. Thus, the casualties over a prolonged period have inevitably been larger than would have been the case if a concentrated series of air strikes on the targets had been made.

Unlike what has happened under previous administrations and in prior wars, the joint chiefs of staff are not being given the opportunity to present in person from day to day to the commander in chief their views of what should be done during the current war.

McNamara's statement outlined "the target recommendations of the joint chiefs of staff in relation to the objectives, and the extent to which the chiefs' recommendations are being followed." The document is largely an argument in which only one side—that of the secretary of defense—is revealed.

Symington now demands that the testimony which he heard the joint chiefs give previously to the committee should not be "too heavily censored" if it is made public.

McNamara discloses that, out of the 359 targets recommended by the joint chiefs for bombing, 57 "have not yet been authorized" and that he is of the opinion strikes against them "will not materially shorten the war." But his statement mentions that these targets include three "significant" ports, such as Haiphong, and four airfields, while five others are in the Chinese buffer zone. He argues that in some of these "the risk of direct confrontation with the Communist Chinese or the Soviet Union has thus far been deemed to outweigh the military desirability of air strikes." This is the excuse that has been offered officially from the beginning for a strategy of procrastination in fighting the Vietnam war.

The practical question arises, therefore, how any chiefs of the American armed services can possibly direct our fighting men to make supreme sacrifices when they know in their hearts that civilians with no real knowledge of what wins a war select targets for bombing operations.

The effect, moreover, of the declarations of strategy policy just made public could be to encourage the Red Chinese and the Soviets to issue exaggerated threats. Thus, through mere propaganda, they could cause the American military apparatus to be further paralyzed by civilian minds unaccustomed to the chances that must be taken if military operations are to be conducted successfully.

Maybe some of those members of Congress here who have been crying for an honorable withdrawal have known all along that the President has in reality delegated the responsibility for the conduct of the Vietnam war to a department secretary in his Cabinet—none of whose members are answerable directly to the American people.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 5876) to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the Code.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Tydings in the chair). Without objection, it is so ordered.

PANAMA CANAL—ARTICLE BY GEN. JAMES D. HITTLE

Mr. THURMOND. Mr. President, today the Republican policy committee luncheon meeting was privileged to hear from Brig. Gen. James D. Hittle, director for national security and foreign affairs of the Veterans of Foreign Wars. General Hittle is an expert strategist who is well acquainted with the Panama Canal and its importance to the security of the United States, and is generally recognized by the best authorities.

As evidence of this, I would like to make available to Senators a fine article which General Hittle was commissioned to do for Life magazine. You will note that this article was written 5 years ago; thus we can already test its predictions and the soundness of its analysis of the importance of the Panama Canal to U.S. defense.

For example, General Hittle pointed out in 1962:

> The Russians are using the same combination of economic penetration, new shipyards, fishing fleets and naval presence (there was a build-up of Soviet subs in the Caribbean during the blockade) to get themselves positioned strategically near another valuable piece of narrow water, the Panama Canal. A naval base in Cuba could also help guard their routes to other Latin American countries as well as bring to an end the historic U.S. domination of the Caribbean. The important point of this thesis is not that the Russians will necessarily try to wage a hot war over any of these pressure points, but that by planting themselves on these narrow corridors they gain a tremendous advantage they never had before.

Mr. President, I ask unanimous consent that General Hittle's article entitled "The Grab for Narrow Waters" be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Grab for Narrow Waters

(By James D. Hittle, brigadier general, U.S. Marine Corps (retired))

(Note.—General Hittle, now director for National Security and Foreign Affairs of the Veterans of Foreign Wars in Washington, served during his distinguished Marine Corps career on U.S. battleships, with troops on Iwo Jima. He is an experienced analyst of global military developments.)

The sea, beautiful and rich and useful, is also a source of danger. For the moment, at least, the great powers seem to have stopped fighting bloody battles on her surface with shells or even torpedoes. And the advent of long-range nuclear bombers and 18,000-mph missiles flashing through space has diverted attention from the sea as a major battlefield in the classic sense. But the ocean remains a crucial factor in the defense of any nation whose shores are lapped by salty water.

The U.S. knows this well and has proved it with its fleet of Polaris submarines roaming the world with a nuclear deterrent that the enemy cannot keep in sight. The use of naval power to blockade Cuba and force the Soviet withdrawal of missiles is an immediate case in point.

But it is becoming increasingly and ominously clear that it is that old landlubber, the Soviet Union, that is now making the greatest strides in conquering the sea and that she is setting out, with tremendous energy and characteristic cunning, to turn it to her own use.

There is one shrewd project in particular which the Soviets seem to be pressing ahead on. This, as the map above shows, involves a long-range scheme to gain control over the narrow waters of the world—that is, the key strategic corridors of the sea through which much of the world's shipping must pass. Some of the Soviet moves along this line are on the surface and already obvious. Other moves are more subtle and still inconclusive. If the scheme is carried out to its logical conclusion, it would provide a major economic and military threat to the West.

But to understand more fully what it is the Russians are up to here, it is necessary first to review their other significant seagoing activities.

In the last decade, huge fleets of the Soviet Union's fishing trawlers have broken away from the home coasts and made themselves at home off Cape Cod, Newfoundland, Alaska, France and Scotland. Just last month the Coast Guard had to chase Soviet trawlers out of U.S. territorial waters near Provincetown, Mass. And they so cluttered up the narrow French waters with their nets that the French fishing fleet went home in disgust. The trawlers do engage in fishing but they also have another big mission. Their masts are cluttered with highgrade electronics gear which allows them to double as communications ships and military intelligence centers. Russia's interest in the sea has grown so rapidly that in the past 25 years she has risen from 22nd place in world trade to sixth. In the last four years alone she has increased her merchant fleet's capacity from 2.7 to 3.4 million gross tons. And to break the ice which used to keep her ships landlocked during the long Russian winter, she has constructed a modern fleet of icebreakers—at least one of them nuclear-powered—that insures year-round sailing.

On top of all this, the Soviets have concentrated on their navy. At the end of World War II, Russia did not even rank among the great nations in naval power. Now she is second, having passed even Great Britain. The backbone of this young and therefore up-to-date force is a fleet of nearly 500 submarines. Considering the fact that Nazi Germany chopped up Allied convoys and almost cleared the seas with a starting force of only 57 U-boats, the Soviet figure is all the more formidable.

But there is more to the Soviet navy than its subs. Though Premier Khrushchev has sneered that surface vessels are obsolete, he still maintains a fleet of modern cruisers and destroyers and goes on building more. And he is outfitting many of these with guided missiles to increase their firepower.

So much for the evidence. What will Russia do with all this seapower? What are her intentions?

Two major patterns emerge. One is simple and easy to see because Khrushchev has stated it loud and clear. Speaking to an American visitor in 1957, he said, "We declare war on you—excuse me for using such an expression—in the peaceful field of trade." That is what all the merchants ships are for, to carry Soviet goods, machinery, building materials—and ideas—to all corners of the world where only ships could do the job so economically. To Africa, to South America, to Japan, to Western Europe, to places where the U.S. herself is so dependent on trade for her own welfare. The Soviet Union is of necessity becoming a great seapower because Soviet land power, which stretches from the Baltic to the Pacific, has almost reached its geographic limits. Any moves the Russians now wish to make to extend their influence to other continents must depend on seapower.

Ominous as it is, this pattern is ostensibly peaceful, and it is a logical development of Soviet growth which can be matched by strong economic competition. But it is the second pattern which is the most worrisome, simply because it is still rather ghostly, full of mystery and incompleted moves, and rife with the possibility of military, rather than economic, conflict. This is the narrow-water pattern which is illustrated with the map on page 83. The Soviets are using the sea in the same way they use every other form of activity—as a chessboard on which they can try to checkmate or outmaneuver the opposition as they themselves move forward. And, like good chess players, they are preparing each move with patience and foresight, willing to lose now for later gain.

The "narrow water" thesis is based on an analysis of Soviet moves so far. It goes like this: the seas are vast, but for reasons of economy, geography and navigational convenience, seagoing trade has settled down over the centuries along certain routes. The Nazis knew this well and plied along under these routes with their U-boats. At six key geographic spots around the world these routes come together. To avoid long time-consuming and fuel-consuming passages around huge land masses like Africa or South America, commerce is funneled through channels of water so narrow that sometimes not even two ships can pass. These six points of narrow water are the Suez Canal, the Panama Canal, the Strait of Gibraltar, the Straits of Malacca, the Skagerrak leading out of the Baltic, and the Dardanelles leading out of the Black Sea.

The last two points are not in the same category with the others as highways of world commerce. Both the Baltic and the Black Sea are virtually Soviet lakes and the possibility here is that it is Russian fleets that could be bottled up to prevent them from emerging into the Atlantic or the Mediterranean. But in each of the other four potential bottlenecks, the Russians are carrying out a series of moves which are so consistent in style and content that it is difficult to believe that they are mere coincidence.

Take the Suez. Egypt's Nasser now controls the canal. Nasser has accepted not only tremendous amounts of aid from the Russians to help him build his big Aswan dam and handle his Soviet MiGs and other military purchases, but he has also accepted a Soviet gift of several Russian submarines. To help him run them, the Russians, of course, send in Soviet sub experts and spare parts. This gives the Russians—for the time being, at least—effective control over the subs. They thus have a cadre on hand for an underwater build-up of their own which could be used in the future to seal off the canal or make its use impractical for anyone but the Soviet Union and its friends.

Just in case this is not enough to effectively cut off traffic from the Mediterranean to the Indian Ocean and then on to the Pacific, the Russians are wedging in at the narrows on the southern end of the Red Sea, to the south of the Suez, where they spent three years building a new port at Hodeida on the coast of Yemen. From the way things have been developing in Yemen, this seems to have been a neat package deal. Yemen got a fine port right on the narrow waterway, tons of new military equipment which was landed there even before the port was completed—and a revolution last September that overthrew the monarchy and seriously threatened the status quo in the neighboring oil-rich land of Saudi Arabia.

The Russians have also been busy at the other end of the Mediterranean, where Britain's Rock of Gibraltar has guarded the western gate to that huge inland sea for centuries. Here, so long as Gibraltar stands on one side of the bottleneck, the Soviets cannot at present plug up or cork the passage. But by establishing a commanding military position on the *other* side of the narrow corridor, they could at least imperil its free use in the future. And this is exactly what they are doing. As the U.S. moves its own bases out of Morocco under Moroccan pressure, the Soviets have already delivered MiGs, light arms, military vehicles, thousands of tons of ammunition—and are negotiating to build a new shipyard for Tangiers along with a sub base at Alhucemas Bay just 100 miles southeast of Gibraltar and 150 miles from the big U.S. naval base at Rota, Spain. The Algerian revolution is already clearing the French from the southern shores of the Mediterranean.

Since Soviet naval intrusion into the Mediterranean would dangerously expose the southern flank of NATO strength in Europe, the whole scheme is so logical that the Russians are either doing all this according to a deliberate plan or they have accidentally stumbled across a most astute strategic gambit. We should know by now, however, that the Soviets seldom do anything by accident. Some military observers have been heard to scoff at this thesis on the grounds that naval power moves of this kind are so conventional and old-fashioned in this nuclear age that the Russians could not possibly be considering them. "Let them try to seal off the Med," the answer goes, "and we'll either blast them out of the water or turn our missiles loose on Moscow." The answer—and the recent Cuban adventure bears it out—is that the Russians are sticking to their standard doctrine of making zigzag moves to advance wherever possible, withdraw when they are challenged and always avoid a major military collision. The grab for the narrow-waters fits in with this doctrine because it does not involve a single overt move of war, but consists simply of keeping on the move and exploiting all political and strategic opportunities that come along.

Cuba, of course, is another example of the same pattern being applied. Here, whether they have missiles and bombers on hand or not, the Russians are using the same combination of economic penetration, new shipyards, fishing fleets and naval presence (there was a build-up of Soviet subs in the Caribbean during the blockade) to get themselves positioned strategically near another valuable piece of narrow water, the Panama Canal. A naval base in Cuba could also help guard their routes to other Latin American countries as well and bring to an end the historic U.S. domination of the Caribbean. The important point of this thesis is not that the Russians will necessarily try to wage a hot war over any of these pressure points, but that by planting themselves, on these narrow corridors they gain a tremendous advantage they never had before.

One of the most important campaigns of all in this shadowy pattern is aimed at controlling the Straits of Malacca, the long, narrow passage between the Pacific and the Indian oceans and one of the great waterways of the world. Communist armies and guerrillas are hard at work trying to capture Southeast Asia in order to grab off the rich rice bowl and encircle India from the east. There is also another target—Singapore, one of the best-positioned naval bases in the world. There is already a power vacuum in this area between Singapore and Suez because of the virtual disappearance since World War II of British seapower in the Indian Ocean. This absence of naval force helps explain the flow of Communist power into Southeast Asia, and whichever nations fills this vacuum could easily dominate the entire area. The Russians are already at work in Indonesia, that vast archipelago which stretches from the Indian Ocean, past Singapore to the waters of northern Australia. Indonesia's boss, Sukarno, is a power-hungry man who likes to play with ships, so the Kremlin has given him four Soviet destroyers, eight large and modern patrol ships, a cruiser and two of its long-range "W"-class submarines. Whether Sukarno ever uses this navy in battle or not, all of his threatened neighbors know the ships are there, and they also know who controls them. The

Russians have thus set up a strong naval position in the area by proxy—with Indonesian crews and flags on the ships. In a cold war like this, the psychological advantage of a bold move such as this is enough to embolden our enemies and discourage our friends. The sea is, as always, an integral part of our defenses against the spread of Communism and it is still a likely battlefield, whether cold or hot.

At a NATO meeting in Paris last month, Vice Admiral Richard M. Smeeton, of the Royal British Navy, who is NATO deputy supreme allied commander, Atlantic, warned the delegates what the Russians were up to. The Soviet navy was "more modern than NATO's," he said, and it would not be easy against this new threat to maintain free access to the vital water routes on which the free world depended. He emphasized four routes, all narrow—the Strait of Gibraltar, the Suez Canal, the Straits of Malacca and the Panama Canal. "If we do not control the oceans," he said, summing up, "the Communists will."

Latest figures on the Russian Navy

Cruisers	22
Patrol vessels	245
Frigates and escort vessels	275
Fleet auxiliary ships (like tankers and transports)	200
Destroyers	165
Torpedo boats	1,000
Submarines	465
Minesweepers	1,000
Landing craft	120

WORLD HABEAS CORPUS AS A SOLUTION FOR THE TSHOMBE AFFAIR

Mr. THURMOND. Mr. President, for 7 weeks now Moise Tshombe, former prime minister of the Congo, has languished in an Algerian jail while the Congo and Algerian Governments have debated his fate. Considerable public sentiment has been aroused in this country. Indignent editorials have been written. Several distinguished lawyers and professors of international law have protested Mr. Tshombe's kidnapping, his detention and the curious trial held in Algiers which approved his extradition to the Congo where he faces certain death. There have been protests galore, but apparently no one has been able to suggest a solution to this outrageous situation short of severe political pressure brought to bear by this Government.

I say "apparently" for I have just received the full text of a remarkable document which was filed with the United Nations on July 27. It is a petition of world habeas corpus on behalf of Moise Tshombe which asks the U.N., that body which professes to live by law, to apply the rule of law and due process to the case of Moise Tshombe.

The petition was filed by Luis Kutner of Chicago, Chairman of the Commission for International Due Process of Law, chairman of the World Habeas Corpus Committee of the World Peace Through Law Center, and U.S. counsel for Mrs. Ruth Tshombe, wife of the former Congolese prime minister.

Mr. Kutner's petition asks the United Nations to create an ad hoc committee-tribunal to accept his writ of world habeas corpus and to inquire into Tshombe's detention, his so-called trial and conviction in the Congo, his deprivation of political asylum in Spain, and his kidnaping.

The petition also asks the U.N. to issue a writ of world habeas corpus requiring Algeria to show cause why the General Assembly should not order Algeria to set Moise Tshombe free and allow him to return to his legal asylum in Spain.

The entire petition is a lengthy document, and I suggest that those who wish a complete copy may contact Mr. Kutner at 105 West Adams, Chicago, Ill. At this time, however, I wish to call attention to the most interesting section from a legal standpoint, part VI, the argument. Those who read this section will see that the right of world habeas corpus does not depend solely upon what may be granted or implied in the U.N. Charter. The argument sets forth some excellent principles of international law. I, therefore, ask unanimous consent that part VI, along with the introduction and conclusion of this brief be printed in the Record at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the Record, as follows:

UNITED NATIONS, EX REL., MADAM RUTH TSHOMBE, IN BEHALF OF MOISE TSHOMBE, PETITIONER, *v.* ALGERIA, THE CONGO, JOSEPH D. MOBUTU, PRESIDENT OF THE CONGO, SPAIN, AND THE UNITED KINGDOM, RESPONDENTS

To: The members of the General Assembly, Economic and Social Council, and Human Rights Commission.

PETITION OF MADAME RUTH TSHOMBE, FOR AND ON BEHALF OF MOISE TSHOMBE FOR A UNITED NATIONS WRIT OF WORLD HABEAS CORPUS

The Petition herein, the wife of Moise Tshombe, invoking the jurisdiction of the General Assembly of the United Nations under and by virtue of its Charter and the Universal Declaration of Human Rights, files this Petition for a United Nations Writ of World Habeas Corpus on behalf of Moise Tshombe, praying for the discharge of Moise Tshombe from his arbitrary and unlawful detention by the Respondent Algeria, which has subjected the said Moise Tshombe to extradition to the Congo for alleged common crimes; that the Respondent Spain assert its sovereign right of enforcing its granted political asylum to Moise Tshombe; that the Respondent United Kingdom assert its sovereign right to protect Moise Tshombe in the piracy of the overseas plane, charter-licensed under the laws of the United Kingdom, said plane guaranteeing passage to Moise Tshombe without unlawful interference by any other sovereign state, and in support thereof avers:

* * * * *

VI. ARGUMENT

It is the established law of extradiction in international law that a trial *in absentia* is not likely to be a fair trial. It is further recognized that a person convicted *in absentia* is not treated as a person convicted, but merely as a person charged. [*United States, Ex. rel., Argento v. Jacobs,* 176 F. Supp. 877 (1959); *Ex Parte Lamantia,* 206 F. 330; *Ex Parte Fudera,* 162 F. 591; Hackworth, *International Law,* 132 (1942).]

This distinction is based upon the belief, as guaranteed by the concept of human rights, that convictions *in absentia,* unlike other convictions, are so unreliable; that it is of no substance in ascertaining the proper guilt of the accused. Such a belief receives support from the reported cases concerning extradition of persons convicted *in absentia* [*Argento v. Jacobs, supra; Ex Parte Fudera, supra*] and from the feeling that one could hardly lack a reasonable doubt as to his guilt when he had not been given the right and opportunity to confront and cross-examine the prosecution witnesses.

The Tshombe case posed by the Petition for the Writ of World Habeas Corpus points up the fact that the extradiction in Algeria was not authentic but was merely a formal judicial method of ratifying an abduction by the Congo.

Right to fair trial in criminal proceedings is a human right

The right to a fair trial has been affirmed as a basic human right by the Universal Declaration of Human Rights and the American Declaration of the Rights of Man. It has been included as a key undertaking in the United Nations Draft Covenant on Civil and Political Rights and in both the European Convention on Human Rights and the Inter-American Draft Convention on Human Rights. The guarantee of a fair trial is also encompassed in the texts of the Nüremberg and Tokyo Tribunals and the NATO Status of Forces Agreement, 1951. Draft Conventions on State responsibility as prepared by the International Law Commission define a "fair trial" in customary international law in respect to the treatment of aliens. The requirements of a fair trial relate to the character of the court or tribunal, the public nature of the hearing, the rights of the accused in the conduct of his defense as well as other rules.

Both the United Nations and European texts require that the court be independent and impartial. [Art. 14(1), United Nations Draft Covenant; Art. 6(1), European Convention.] By "independent" is meant "independence" from other organs of government in the sense of separation of powers. The Court must not be subject to the control or influence of the executive or legislative. It must also be independent of private pressure groups. That a court must be impartial is a universally accepted doctrine. A trial must be conducted by a court established by law. Thus, illegally constituted *ad hoc* or special tribunals are prohibited. According to the Draft Covenant, the Court must be "competent" to have jurisdiction. The proceedings must have an element of "seriousness," i.e., the conduct of the trial must be in a manner befitting a court of law. [Chattin Case, U.S.-Mexican General Claims Commission, 1926–34, Opinions of Commissioners, 1927, p. 422, 4 U.N.I.R.A.A. 282.]

The right to a public hearing is guaranteed by the United Nations Draft Covenant and the European Convention on Human Rights. The press, however, may be excluded where such special circumstances occur as morals, public order or national security in a democratic society or when the interests of the private lives of the parties so require or to the extent necessary to serve the interests of justice but judgment should be pronounced publicly except as affecting juveniles, matrimonial disputes, or the guardianship of children. Where the interests of justice are involved publicity is to be restricted only to the extent strictly necessary and in special circumstances. The press may on occasion be allowed to remain where the general public is excluded.

Among the rights of the accused in the conduct of his defense recognized by the Draft Covenant and the European and Inter-American Declaration, is the right to be informed promptly and in detail in a language which he understands of the "nature" and "cause" of the charge or accusation against him. He must be informed of the offense he has allegedly committed and the facts upon which the allegation is based. [Ofner Case, 3 Y.B. 322, *Yearbook of the European Convention* on Human Rights; Nielson Case, 44 Y.B. 490.] The accused, is also entitled to the right to have adequate time and facilities to prepare a defense. This includes access to statements made by witnesses and police memoranda which are in the possession of the police and personal communication between the accused and his counsel where the accused is in custody. These declarations guarantee the right of an accused to defend himself or to do so through legal assistance of his own choosing. The United Nations Draft uses the term "legal assistance" rather than "counsel" to make it clear that the accused has a right to representation not only by a lawyer but by anyone to whom he cares to entrust his case. The right to free legal aid is guaranteed. The accused has the right by all three Declarations to confront witnesses for the prosecution. He also has the right to obtain the attendance of and to examine witnesses on behalf of the defense. The accused has the right to have an interpreter if he cannot understand or speak the language used in court. The services are to be free. The United Nations and Inter-American Texts, though not the European text, provide that the accused cannot be required to testify against himself or to make a confession of guilt.

Other requirements guaranteed by these international Declarations include the "presumption of innocence" with the burden of proof on the prosecution with guilt to be proven beyond a reasonable doubt.

Article 14(2)(d) of the United Nations Covenant on Human Rights expressly guarantees an accused the right to be tried in his presence which makes explicit what is implied from rights of the accused to conduct his defense.

The United Nations text also recognizes the right of an accused person to appeal against his conviction to a higher court. The right is to be a review by a higher tribunal according to law. Appeal against a conviction is allowed even by a person who pleads guilty. The Inter-American and European Declarations do not so provide.

The 'right to a fair trial' also involves a residual meaning. It is possible for all the rules which can be formulated to be observed and yet for the trial to be such that a fair hearing is not given. An aspect of this is that the conduct of the court must be serious. The rights which are not mentioned may also be included as recognized by the European Commission on Human Rights in the *Nielson* case. [*Ibid.*, 4 Y.B. E.C.H.R. 490.]

Thus, the three human rights treaty texts define the right to a fair trial in criminal proceedings in full and basically satisfactory terms without any omissions. There is no mention of a jury trial but there was no pressure for its inclusion. The United Nations Text is the most complete. The remaining two, however, guarantee all the essential features of a fair trial, though the Inter-American Text does not require that the trial be made public. The three texts prove that it is possible to define the right to a fair trial in terms of sufficient legal precision to make a successful legal guarantee possible and to give states which accept it a clear understanding of what they are undertaking. There have been shown to be few points upon which seriously differing views have emerged as to what should be guaranteed. There is a common core of meaning of sufficient dimensions to permit a detailed statement of the scope of the right of fair trial which can command international consent. [D. Harris, "International and Comparative Law Quarterly," Vol. 16, p. 352–378.]

The obligation of Algeria

The question of extradition is affected by the fact that there is no extradition treaty between Algeria and the Congo. Therefore, the Algerian Government is not obliged to extradite Moise Tshombe. If Algeria does expel Tshombe to the Congo, it will be acting solely because of political considerations, probably prompted by anticolonialism and other esoteric reasons.

Though political considerations are always involved in international law making, states always seek a legitimate rationale for their actions. Algeria, in expelling Tshombe to the Congo would be acting wholly arbitrarily without regard for accepted international principles of justice.

In this case, Tshombe was kidnapped by Congo mercenaries from a plane under British jurisdiction bound for Spain in an act of air piracy and illegally brought to Algeria. The kidnappers did not take him directly to the Congo. Therefore, this case is distinguishable from the *Eichmann* Case and Ker v. Illinois [119 U.S. 436] where the accused was kidnapped and unlawfully brought before the state seeking to punish him.

Algeria has no jurisdiction whatever to try Tshombe for any offense. For it to expel him to Congo would mean for Algeria to be joining in the aiding and abetting of the kidnapping. Such an act would shock the human conscience. Moreover, there is a growing feeling, even in the United States that *Ker* v. *Illinois* may no longer be the law—that a state should not be permitted to try an accused unlawfully brought before its tribunal. But even with Ker, as an accepted international law principle, a state cannot, in international law, be permitted to participate in an act of kidnapping on behalf of another state. For Algeria to so act it would be committing an act which would be a crime under the laws of Britain in that the plane was of British nationality or perhaps under the laws of Spain. The proper procedure for the Congo to get at Tshombe was to seek his extradition from Spain, assuming that they have an extradition treaty with that country.

Conceivably, the Congo may claim that in kidnapping Tshombe it was acting in self-defense in that he may have been participating in plots of treason against the Congolese Government. Therefore, the Congo could assert a defense, vis-a-vis England and Spain, regarding the kidnapping. But this could be asserted were Tshombe brought to the Congo. He was brought, however, to Algeria and this state cannot assert the right of the Congo. Tshombe was not plotting against Algeria.

The Algerian Government may choose to expel him, but they may not expel him to a country where he was and will be deprived of his rights. In fact, they have no basis for detaining him. Tshombe cannot be said to have entered Algeria illegally because he did not enter by his own free will, nor has he violated any law of that country. The laws he allegedly violated are those of the Congo, and the judgment was not based on principles of fair trial. All states recognize certain elementary principles of justice which cannot be said to be true in the case of Tshombe. For Algeria to expel Tshombe, it would be acting in the manner of an outlaw state.

The essence of due process is that a state in depriving an individual of his liberty must follow certain stated procedures. Indeed, this is the very foundation of the rule of law. Where a state or its agents take an individual from his home, or off the street, and jail him or ship him to internment camp, or execute him, it is not acting according to legal principles, but according to the principles of the criminal underworld.

The United Nations Charter and the Universal Declaration of Human Rights were framed expressly to counter these actions. The United Nations cannot now tolerate such an act on an international scale. If Algeria sends Tshombe to the Congo it will be committing, or at least participating in the commission of an act of international lawlessness. The very validity of international law would be challenged and defied.

Algeria, as a member of the United Nations, must have an element of legitimacy for its actions. For that State to send Tshombe to the Congo simply because it does not approve of Tshombe's politics and is willing to aid and abet in a kidnapping and and in giving effect to a decision by a Congolese tribunal which completely ignored all elements of a fair trial would mean for it to expectorate in the face of the principles of legality.

Even if Algeria were to extradite him or send him to the Congo, a question may arise if the offense for which Tshombe was committed would have been punishable as capital crime in Algeria. The Congo wishes, *as announced*, to execute Tshombe.

The *Eichman* or the war criminal cases are distinguishable in that these persons clearly committed crimes against humanity, while Tshombe merely rebelled, participating in what is generally recognized as a political act. Moreover, the war criminals were all accorded a fair trial in the country to which they would be expelled, but this cannot be said for Tshombe. His acts were not contrary to the principles and purposes of the United Nations.

As a political refugee, Tshombe may well be entitled to a right of asylum under international law. He could assert this right in Algeria.

The obligation of Spain

Tshombe was granted a right of political asylum by Spain. International law recognizes the right of a state to grant asylum to a fugitive from another state. The fugitive is said to "seek asylum" when he makes use of the territory of another state or seeks to enter its territory. When that state permits him to make use of its terriory, such as in permitting him to reside within its jurisdiction, the said state is granting him asylum. The granting or withholding of asylum is a sovereign act.

Where a state has actual or constructive notice of the presence of the fugitive within its boundaries, and does not act to expel him, it may be said to have granted asylum. A state may also be said to have granted asylum by issuing a passport or a visa when the state is in transit, at least from a state other than that from which the fugitive is fleeing. Spain, for example, granted sanctuary and asylum to Spanish speaking Jews residing in North Africa during World War II even though these Jews had never lived in Spain, though their ancestors may have done so. The Nazis respected the rights of these Jews. On a similar basis, Spain could extend protection to Tshombe who was permitted to reside and granted asylum by the Spanish Government.

A state may limit its sovereign right to grant asylum by entering into extradition treaties. But a state will grant extradition only in accordance with established procedures and for specified crimes. The demanding state must present evidence to establish a *prima facie* case that the accused has committed the crime for which he would stand trial or, if he was convicted, that the conviction accorded with due process of law.

Where a state has granted asylum the fugitive is entitled to full protection as an alien—the right to life, liberty and property. He is entitled to the protection of his person. He may not be detained except in accordance with legal procedures. This protection extends to him as long as he is within the jurisdiction of the state granting asylum and as long as he chooses not to waive its protection. Even when the fugitive is outside the state, protection through diplomacy may be accorded him through the asylum state's making him a national or asserting his right to special sanctuary.

Thus, Tshombe was entitled to protection as long as he was within the jurisdiction of Spain. Spain could make representations on his behalf in that Tshombe did not waive the right to Spanish protection. Tshombe cannot be said to waive Spanish jurisdiction as he did not leave voluntarily. Though he left Majorca, he was in transit to Madrid. He was not leaving Spain even though the actual kidnapping occurred in the air over the high seas.

Though the actual plane kidnapping occurred outside of Spanish territory, Spain could claim that the conspiracy, or initial plan, actually occurred in Majorca or Iviza where the kidnappers boarded the plane. There are three views on jurisdictions

[Briefly, *Law of Nations,* 6th ed., 299–304]:

(a) No state may punish an action committed outside its territory and therefore in a place where its law is not in force. This theory could apply to Spain because the conspiracy occurred in Majorca. [*Ford v. U.S.,* 273 U.S. 593, involving enforcement of prohibition.]

(b) The action is directed against the security of the state. The kidnapping may be said to threaten Spanish security.

(c) Universal theory—crime wherever committed is a social evil. Usually limited to acts of foreigners committed abroad where prejudicial to state or nation. Under this theory Algeria could also try Tshombe.

Obligation of United Kingdom

Under the principle of the Lotus Case [Permanent Court Series A, Judgment No. 10], both Britain and Spain may assert jurisdiction. Britain could assert jurisdiction since the plane was British. A passenger on a British plane is entitled to protection under British law. If Tshombe had been in Britain, he could not have been deported summarily. The Congo could not have gotten at him without an extradition treaty. With such a treaty, the Congo would have had to file a claim, the Home Secretary would seek a determination and order him detained. His detention could have been subject to challenge by Habeas Corpus. Therefore, the kidnapping denied him due process of law. The rights of aliens extend to passengers on British aircraft. Britain could act for him in that as a passenger on a British plane Tshombe was entitled to British protection.

The joint obligation of Spain and United Kingdom

Every state has exclusive control of individuals in its territory. Thus, a state, e.g., Spain, has the competence to regulate the admission of aliens at will. It is free to admit any one it chooses to admit, even at the risk of inviting displeasure from another state. No state is entitled to exercise corporeal control over individuals in the territory of another state even if these are its nationals. Thus, the Congo could not exercise jurisdiction over Tshombe while he was in Spain. When the Congo seized Tshombe it acted in violation of international law. Several cases have recognized that seizure of individuals on foreign territory with the connivance of official authorities involves the state responsibility of the seizing state which is bound to return the individual who is seized. [29 A.J.I.L. 502 (1935) and 30 A.J.I.L. 129 (1936).] Hence, Spain or Britain jointly and severally could demand that Tshombe be returned.

A state may exercise its right to grant asylum without treaty; there is no legal obligation to surrender up a fugitive. But a state may do so at its discretion. Thus, absent a treaty, Algeria was not obligated to surrender up Tshombe. Generally, an individual illegally seized and brought before an American Court will, despite the presence of an extradition treaty, nevertheless be required to face trial. This at least is the general law. [Morgenstern, *Right of Asylum,* 26 B.Y.I.L. 327 (1948).] [Morgenstern, *Jurisdiction in Seizures Effected in Violation of International Law,* 29 B.Y.I.L. 265 (1952) and cases cited therein.] However, in many of the English cases, the Courts did not specifically hold that the seizure in fact was a violation of international law. Furthermore, a French Court of first instance has held to the contrary. The arrest was held to be null and of no effect whatever. [*Jolis,* Sirel (1934), Vol. ii, p. 103.] Courts in the United States have applied this principle to an analogous situation in holding that an individual must be given an opportunity to the place of refuge before he can be tried for an offense other than the one for which he was extradited, such as in the case of erroneous extradition. [*U.S.* v. *Rauscher,* 119 U.S. 407; *Fiscal* v. *Samper, Annual Digest,* 1938–40, Case No. 152.] Though traditional law asserts that individuals have no rights under extradition treaties and states even without a treaty may surrender a fugitive, but only if justice and due process prevail. However, the principle that rights, including the right of jurisdiction, shall not be acquired as a result of an illegality would seem to embody a requirement of justice of overriding importance.

The Courts should administer the law, not to the merits of each case, but to higher considerations of legality. It is the course American Courts have followed in adopting the exclusionary rule in search and seizure cases [*Mapp* v. *Ohio,* 86 S. Ct. 2684] and in cases involving the right of counsel [*Miranda,* 86 S. Ct. 1602] These principles are applicable regarding Tshombe. His guilt or innocence should be irrelevant. What is at stake are overriding problems of international legality. [Morgenstern, *supra.*]

Spain may demand of Algeria that Tshombe be returned to it. In its actions Algeria is aiding and abetting in a flagrant violation of international law. [O'Higgins, *Unlawful Seizure and Irregular Extradition,* 36 B.Y.I.L. 279 (1960).] The United Kingdom can assert the same right.

The right of asylum and the protection of fugitives is given additional dimension by the Universal Declaration of Human Rights and the United Nations Charter. These rights have been asserted particularly in regard to the political refugee and Tshombe may be placed in that category. Though the right of asylum was generally recognized as a foreign right of the state, many of the classical writers of international law regarded it as a duty of the state or natural right of the individual. The states were regarded as pursuing an international human duty in granting asylum—the *'civitas maxima.'* Today, this view is gaining acceptance as asylum has become of greater concern to the international community. The right is recognized by Article 2 of the Draft Declaration on Asylum adopted by the United Nations Human Rights Commission in 1960. [U.N. Doc. E/CN.4/804, p. 17.] Though the traditional view is that the granting of asylum is an exercise of the sovereign right of the state, the trend is toward the recognition of a legal right to asylum. The Universal Declaration recognizes that "everyone has the right to seek and enjoy sovereignty in other countries." An earlier version asserted that the individual had the right "to be granted" asylum. The right of asylum is also reflected in the American Declaration of the Rights and Duties of Man and has been embodied in the Constitutions or aliens legislation of a number of states including some states in Africa. [Weis, *Territorial Asylum,* 6 Indian L.J. 173 (1966).] Spain, in considering the United Nations draft in 1950 of the Declaration sought to make it clear that the final wording should assert that states were obliged to grant asylum. [E/CN.4/781, pp. 6–9; P. Weis, *Territorial Asylum,* 6 Indian L.J. 173, 180 (1966).] The United Nations and international law bodies have asserted the principle of non-refoulement, the protection of refugees against expulsion or return to a country where they fear persecution. The Assembly expressed this principle in the Refugee Convention of 1950. Related to this is the principle of non-extradition for political offenses. As the Universal Declaration and the Charter gain greater binding force the individual is given greater rights. The tendency is to provide more safeguards to the individual. Within this context, Tshombe may assert his rights.

Generally, a state may not arbitrarily expel an alien. Spain could not have arbitrarily expelled Tshombe. What Spain could not do was achieved by the kidnappers. [O'Connell, *International Law,* 769 (1963).]

The principle of "non-refoulement"

"The protection of refugees against expulsion or return ("refoulement") to a country where they fear persecution constitutes one of the essential elements of asylum. This protection has found expression in what has come to be known as the principle of non-refoulement, and has been embodied in treaty law. The international instruments relating to refugees adopted between the two world wars already contained provisions protecting refugees against measures of expulsion or return. [Arrangement relating to the Legal Status of Russian and Armenian Refugees of 30 June 1928 (paragraph 7) (League of Nations, *Treaty Series,* Vol. 89, No. 2005); Convention relating to the International Status of Refugees of 28 October 1933, Article 3 (*Ibid.,* Vol. 159, No. 3663), Provisional Arrangement concerning the Status of Refugees from Germany of 4 July 1936 (Article 4) (*Ibid.,* Vol. 171, No. 3952); Convention concerning the Status of Refugees form Germany of 10 February 1938, Article 5 (*Ibid.,* Vol. 192, No. 4461).] In the Resolution of the General Assembly of 12 February 1946, the Assembly laid down the general principle that 'no refugees or displaced persons who have . . . expressed valid objections to returning to their country of origin . . . shall be compelled to return to their country of origin. . . .' The principle of non-refoulement has also been embodied in the Refugee Convention of 1951. The provisions of the 1951 Convention which are of particular relevance as regards asylum are Articles 31, 32 and 33 which read as follows:

"'Article 31—Refugees unlawfully in the country of refuge

"1. The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of Article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

"2. The Contracting States shall not apply to the movements of such refugees restrictions other than those which are necessary and such restrictions shall only be applied until their status in the country is regularized or they obtain admission into another country. The Contracting States shall allow such refugees a reasonable period and all necessary facilities to obtain admission into another country."

"'Article 32—Expulsion

"1. The Contracting States shall not expel a refugee lawfully in their territory save on grounds of national security or public order.

"2. The expulsion of such a refugee shall be only in pursuance of a decision reached in accordance with due process of law. Except where compelling reasons of national security otherwise require, the refugee shall be allowed to submit evidence to clear himself, and to appeal to and be represented for the purpose before competent authority or a person or persons specially designated by the competent authority.

"3. The Contracting States shall allow such a refugee a reasonable period within which to seek legal admission into another country. The Contracting States reserve the right to apply during that period such internal measures as they may deem necessary.'

"'Article 33—Prohibition of expulsion or return ("Refoulement")

"'1. No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

"'2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.'

"Article 31 gives recognition to the fact that due to the situation in which a person fleeing from persecution may find himself, he may not be able to complete the necessary formalities to enable him to enter another country legally and for this reason should not be penalized for his illegal entry or presence, provided he presents himself without delay to the competent authorities. [Cf. Article V of the Convention on Territorial Asylum adopted by the Tenth Pan-American Conference, (Caracas), 1954. 'The fact that a person has entered the territorial jurisdiction of a State surreptitiously or irregularly does not affect the provisions of this Convention.'] Article 32 concerns measures of expulsion against refugees lawfully in the territory of a Contracting State to any other country, and stipulates that such measures may only be taken under strictly defined conditions, i.e., on grounds of national security or public order. The *travaux preparatoires* indicate that these words should be interpreted strictly and that measures of expulsion are only permissible if the circumstances of the case are so serious as to be incompatible with the refugee's continued residence in his country of asylum. [In a Judgment of 28 June 1956, the German Federal Administrative Court considered that an expulsion order against a refugee must be, in relation to the object to be achieved, the most appropriate method of maintaining or re-establishing national security and the public order (*Entscheidungen des Bundesverwaltungsgerichts*, Vol. 3, Case No. 95, at p. 358.] Article 32 also provides for certain procedural safeguards. Moreover both Articles 31 and 32 incorporate the notion of provisional asylum: in Article 31 as regards refugees whose status has not been regularized after their illegal entry and in Article 32 as regards refugees in respect of whom measures with a view to expulsion have been taken.

"Article 33 which prohibits the return of a refugee to a country where he fears persecution is one of the fundamental provisions of the Convention to which no reservations may be made. The *travaux preparatoires* give no conclusive answer to the question whether the prohibition of return in Article 33 is limited to refugees in the territory of a Contracting State or extends also to refugees who present themselves at the frontier."

[p. Weis, *Territorial Asylum,* Ibid.]

Yale Law Professor Myres S. McDougal, renowned international law scholar, asserts that World Habeas Corpus is a practicable measure for human rights. Professor McDougal says:

"In many contemporary national communities the writ of *habeas corpus,* or some equivalent, serves both as a substantive guarantor of that most basic of all human rights—personal liberty—and as an economic procedural strategy for the protection of this right. [Documentation of the widespread use of the writ or equivalents is offered in Kutner and Carl, An International Writ of Habeas Corpus: Protection of Personal Liberty in a World of Diverse Systems of Public Order, 22 U. of Pitt. L. Rev. 469 (1961).] In a letter recently published in the American Bar Association Journal Ambassador Goldberg has developed the theme that the 'idea of worldwide habeas corpus, internationally recognized and enforceable in an appropriate international court, can only be applauded by those who are dedicated to the rule of law and the attainment of lasting world peace.' [53 Am. B. A. 586 (1967).]

"As widespread as is this understanding of the inescapable interdependence of the protection of human rights and the conditions of peace, it is not generally expected that the proposed comprehensive new covenants on Civil and Political Rights and on Economic, Social, and Cultural Rights [4 U.N. Monthly Chronicle 38 (1967).] will obtain the immediate acceptance of many of the major states of the world. The effective elites in our national communities are still too much the captives of syndromes of parochialism and expectations of violence.

Fortunately, however, the relatively limited prospects for the immediate implementation on a global scale of many of the more important substantive human rights may not be entirely paralleled on the procedural level. The policies implicit in the writ of *habeas corpus* are, for example, so fundamental to a decent human existence, and so universally demanded in diverse legal systems, that a concerted effort to institutionalize the process on a transnational scale could be regarded as more in the nature of consolidation than of innovation. Several factors would appear to contribute to the practicability of contemporary endeavors to move in this direction.

"First, and most important, is the fact, already emphasized, that the basic policy which *habeas corpus* is intended to serve is already widely accepted about the world: the right to personal liberty is commonly recognized, not merely in national constitutive prescription but also in authoritative international formulation, as the most basic and fundamental of all human rights. Thus, the much invoked Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations in 1948, provides:

'Everyone has the right to life, liberty and security of person' (Article 3);

'Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law' (Article 8); and

'No one shall be subjected to arbitrary arrest, detention or exile' (Article 9). [See Schwelb, Human Rights and the International Community (1964) at 81.]

"Similarly, the proposed new International Covenant on Civil and Political Rights, drafted after many years of deliberation by the representatives of many different peoples, prescribes that 'Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such ground and in accordance with such procedures as are established by law' (Articles 9, S. 1). [The remaining sections of Article 9 amplify the prescription in this tenor;

" '2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.

"3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgment.

"4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a Court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is now lawful.

"5. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.'

"Secondly, the agencies—courts or other institutions—to which competence might be accorded with respect to *habeas corpus,* or its equivalents, could be made as diverse as the realities of the contemporary world process of effective power may require. Provision could be made for international, regional, and national agencies, and states could be encouraged to accept responsibility to whatever agencies their internal power processes may permit. Any degree of acceptance of inclusive responsibility would be an advance over the present conditions of absolute irresponsibility. Happily, the United States offers, as Justice Brennan has documented, 'almost one hundred years of experience with the feasibility of a suprastate procedure' in the administration of *habeas corpus.* [Remarks of William J. Brennan, Jr. on "International Due Process and the Law," Law and Layman Conference, San Francisco, California, August 7, 1962.]

"Thirdly, the standards against which the lawfulness of detention is measured could be left as various, and open-ended, as states might demand. The long-term aspiration would of course be for the development and maintenance of standards approximating those of the bills of rights in the constitutions of mature national communities or of the Universal Declaration of Human Rights. [Alternatives among possible standards are indicated in Kutner, The Case For An International Writ of Habeas Corpus: A Reply, 37 U. of Det. L. J. 605 (1960).] Again, however, any degree of acceptance of inclusive international standards would be an advance over continued assertion of unilateral irresponsibility.

"Fourthly, the procedures by which hearing and release are sought could easily be accommodated in their detailed modalities, to all the relevant diversities in contemporary world culture. Just as equivalencies have been developed in states having common law and civil law traditions, so also equivalencies could be developed between the older and newer states. The important outcomes sought are those of hearing and, if merited, release; institutional practices require honor only as they may serve these ends.

"Fifth, and finally, the sanctions of public opinion would appear to be peculiarly efficacious for the enforcement of any commitments which states might make toward internationalizing *habeas corpus.* It has been demonstrated in a number of instances in recent years that even the most ruthless, totalitarian communities do not relish being spotlighted at the focus of world attention as deprivers of the most fundamental of all human rights.

"It was appropriately urged by the late Judge Hersch Lauterpacht that until 'an effective right of petition—which means a right of petition with the right to have it investigated with a view to such action being taken upon it as is necessary—is granted to individuals concerned or to bodies acting on their behalf, any international remedy that may be provided will be deficient in its vital aspect.' [Lauterpacht, International Law and Human Rights (1950) 287.] The provision in the Optional Protocol to the proposed Covenant on Civil and Political Rights [4 U.N. Monthly Chronicle 69 (1967).] for a limited right of individual petition, though a step in the right direction, is but a timid, halting measure, hemmed in by many restrictions. For the larger community of mankind genuinely aspiring toward improved implementation of human rights the proposal for internationalizing *habeas corpus* would appear to offer plausible hope for remedying the greatest defect in its present armory of institutional practices. Certainly the United States could have nothing to lose, save its reputation for indifference to the human rights program, by vigorous and positive action in exploration and promotion of the potentialities that inhere in the *habeas corpus* proposal. [A case for still more ambitious leadership by the United States in the whole human rights program is stated in McDougal and Leighton, The Rights of Man in the World Community: Constitutional Illusions versus Rational Action, 59 Yale L. J. 60 (1949); reprinted in McDougal and Associates, Studies in World Public Order (1960) 335.]"

The opportunity of the United Nations to implement human rights with a rule of law

The United Nations, the international organization established immediately after the Second World War to replace the League of Nations, ratified its Charter October 24, 1945. Since the first meeting of the General Assembly, in London, on January 10, 1946, the United Nations Charter, comprising a preamble and nineteen chapters, divided into 111 articles.

The Charter sets forth the purposes of the United Nations as the maintenance of international peace and security. The development of friendly relations between states and the achievement of cooperation in solving international economic, social, cultural, and humanitarian problems. It expresses a strong hope for the equality of all men and the expansion of basic freedoms. The basic freedom as implemented in the principle of article 9 of the Universal Declaration of Human Rights, "No person shall be subjected to arbitrary arrest, imprisonment or exile," enjoys the highest plateau of human rights importance.

Articles 55 and 56 of the United Nations Charter bind all the nations in solemn pledge to cooperate, to respect the human rights and dignity of men. The United Nations is obligated to preservation of peace, of avoiding aggression. *As the guardian of world peace, it is also the guardian of world-man.*

The working guardian of world peace is the Security Council which acts for the entire United Nations. Under the United Nations Charter there appears to be no occurrences dangerous to world peace with which the Council is not empowered to deal. The General Assembly and the Security Council each have the inherent power to make its own evaluation of the matters brought before them which may include "disputes," which may endanger peace if continued, and "situations" which may give rise to a dispute; "threats to the peace"—"breaches of the peace," and "acts of aggression" are some of the suggested categories.

The specific matter of human rights of any deprivation which invade the sovereignty of nations affecting human rights, such as impairment of the right of political asylum once having been granted, cannot be disturbed by kidnapping of the refugee, or by any acts of piracy in the air, on land, or sea affecting the refugee. Any act against a refugee, who has been granted political asylum, destroys international jurisdiction. It offends the invaded nation, devitalizes and denudes the historic right of political asylum which has existed for more than six thousand years.

The right of a state to grant asylum to a fugitive who demands protection is buttressed on the principle of sovereignty. The progress of civilization has established landmarks that asylum for alien fugitives is sacred and inviolate when the fugitive, if delivered up, might be put to death. The extension of hospitality and protection to a fugitive and the place where such protection is offered are the paramount virtues of territorial sovereignty.

A fugitive has no right to demand asylum of the state to which he flees. That state makes its own determination in each case. In international law, the granting of asylum to political refugees and victims of apparent discrimination, intolerance, and persecution has been the binding ligament for international law and order. Treaties of extradition between nations provide the mutual surrender of fugitives from justice; and justice must be based on "due process" or acts consistent with the conscience of mankind.

A sovereign state is a free and independent state. Sovereign states are sometimes said to be the only *subjects* of international law and that individuals are *objects* of international law, but these are obsolescent viewpoints. The absolute freedom of a sovereign state may be bridged by treaties or other obligations in current international practice. Sovereign states are not deemed free to wage war or take other hostile action at will against nations or individuals that make up the society of nations.

The chief purpose of the United Nations is to restrain such exercises and excesses of sovereignty, particularly in crimes against humanity, such as genocide or the deprivations of the rights of a single human being.

The law of nations, known as international law, has scrupulously respected the custom of granting political asylum. International law includes both the customary rules and usages to which states have given express or tacit assent and the lawmaking provision of ratified treaties and conventions. International law does not include the usages of courtesies and good will, which is termed international comity, and it is of grave concern of international law that comity tends to assume the status of law.

With the growing importance of human dignity and human rights in international law there has been a lessening of absolute national sovereignty in the common interest to protect the integrity and security of the individual. The inalienable rights of the individual to liberty, property, security, resistance to oppression, to freedom of speech, of the press, of worship, permeate the four corners of the Universal Declaration of Human Rights. These rights, as guaranteed by the United Nations, declare to the world that the equality of men and the sovereignty of people, on whom law should rest and to whom officials should be responsible, precludes acts of tyranny and obligates the United Nations to international and national justice.

Until the fabric of the Charter of the United Nations is put to a test by a petition for a United Nations Writ of World Habeas Corpus in behalf of Moise Tshombe (or any other person wrongfully detained and wrongfully deprived of his liberty), the world will never know whether international substantive law is an illusion or whether it is a reality that will preserve the liberty of an individual.

The United Nations, through its General Assembly and correlative organs can establish a vigorous precedent of complete respect for the United Nations Writ of World Habeas Corpus as a protector of civil liberty that characterizes United Nations authority. The world has now an International Assembly of Nations, International Court of Justice, International Covenant and Declaration of Human Rights, and International Bill of Rights, and other respected international conventions, agreements, and treaties.

What it now must have is an international Writ of World Habeas Corpus to enforce those rights that concern human liberty and human dignity.

The United Nations Writ of World Habeas Corpus served upon respondent nations ordering it then to comply therewith, and which failure to respond would invoke the coercive power of the Security Council and expose to world public opinion any nation that denied human freedoms or deprived an individual of his freedom without due process of law. The United Nations Writ of World Habeas Corpus would buttress the faith of the United Nations with citation of Security Council enforcement and efficiency.

The United Nations Writ of World Habeas Corpus can establish the keystone legal precedents that humane international law governs individuals; that the United Nations is internationally concerned that individual rights are paramount and cannot easily be nullified by a national government.

The United Nations Writ of World Habeas Corpus could establish the law and procedure for applying and enforcing the power inherent in the United Nations, the International Court, and the Security Council.

The United Nations Writ of World Habeas Corpus in behalf of Moise Tshombe can be the legal weapon whereby the United Nations can help a united world become a realistic law-abiding world community.

Without the Writ of World Habeas Corpus, the United Nations Charter and the Universal Declaration of Human Rights may exist merely as the product of naked power politics and not the honest impulse toward genuine world concern over all individuals.

The case of Moise Tshombe will not have been in vain if out of his suffering there is born a new international legal weapon for human liberty and dignity.

The United Nations must recognize that the function of a United Nations Writ of World Habeas Corpus is not to correct a practice, but only to ascertain whether the procedure complained of has resulted in unlawful detention. It must be aware that the impact of the procedure on the person seeking the Writ is crucial. If the challenged procedure can be said to have been corrupt and illegal *ab initio*, then all proceedings thereunder have made it unfair and have denied to that person, wrongfully incarcerated, due process of law.

The United Nations has made a contract with every human individual in being and to be on the face of the globe. It is a contract of great sanctity and must be given immunity from attack by any sovereign State that voluntarily accepts the obligations of Charter of the United Nations. The United Nations must militantly respond to that illegally sanctioned judicial plight of the human individual regardless of "race, age, color, or religion."

The United Nations must show its daring and its mastery. It must seize a great occasion to affirm its power of judicial review when it is alleged, under oath, that a human being has been wrongfully deprived of his human rights and human dignity by a nation not his own.

The United Nations must set a precedent for its judicial statesmanship.

The United Nations is going through the formative period of the world's political life as a family of sovereign nations and world individuals—a decisive move now will determine its later legal configurations.

Constrained diplomacy, the payments of ransom, timidity to call a signatory state to the bar of international justice, violates the concept of international due process. What counts alone is the just and prompt action of the United Nations. If it fails to act with vigor and dispatch, it thereby underwrites its ultimate dismemberment as a world influence. It has the advantage of working with the course of history.

The United Nations should have the vision to guarantee that a nation's judicial power is coextensive and interdependent with the rising scale of the worth of human dignity.

Moise Tshombe should and can be freed through a United Nations Writ of World Habeas Corpus.

* * * * *

VII. PRAYER

Wherefore, the Petitioner, Madame Ruth Tshombe, for and on behalf of Moise Tshombe, by virtue of the foregoing facts, jurisdictional averments, contentions, and arguments, respectfully moves this honorable World Assembly of United Nations to do the following:

(1) To honor a request for Resolution by the Human Rights Commission to create an Ad-Hoc Committee-Tribunal to accept the Petition for the Writ of World Habeas Corpus to inquire into the matter of detention and imprisonment of Moise Tshombe in Algeria, the trial and conviction in the Congo, the deprivation of political asylum granted to Tshombe by the Respondent Spain, to inquire into the deprivation of sovereignty of the United Kingdom by the air piracy kidnapping of British Overseas airplane chartered, franchised, licensed, and airrighted by the United Kingdom.

(2) To forthwith issue a United Nations

Writ of World Habeas Corpus requiring Algeria to show cause why the General Assembly should not order Algeria to forthwith set Moise Tshombe at liberty.

(3) That the Human Rights Commission request the Secretariat of the United Nations to place the Petition for the Writ of World Habeas Corpus for Tshombe and the Resolution for creating the Ad-Hoc Committee-Tribunal for World Habeas Corpus, on the *agenda* of the General Assembly forthwith.

(4) That the creation of the Ad-Hoc Committee-Tribunal of World Habeas Corpus be empowered as an appropraite organ for conducting inquiry and for the taking of evidence in this matter and be empowered to issue United Nations subpoenas and United Nations subpoenas duces tecum, so that all evidence, be it oral or wrtiten, records and documents, of all kinds and description, be produced in open hearings before the Ad-Hoc Committee-Tribunal of World Habeas Corpus.

(5) That it issue its Writ of World Habeas Corpus to Algeria to show cause why Moise Tshombe should not be enlarged to liberty and to proceed to Spain, his legal asylum.

(6) That by the Writ of World Habeas Corpus to direct and order the Respondent Algeria to produce at open hearing Moise Tshombe, and that he be given access to legal counsel of his own choosing and free will.

(7) That the General Assembly do any and all acts necessary and proper that it may determine meet and proper in this matter according to law and equity, international conscience, international human rights, as required by the United Nations Charter and the Universal Declaration of Human Rights.

Respectfully submitted.

MADAME RUTH TSHOMBE,
(For and on behalf of her husband, Moise Tshombe.)
(By Luis Kutner, Commission for International Due Process of Law, World Habeas Corpus Committee of the World Peace Through Law Center, duly authorized and agents in fact).

Mr. **MANSFIELD**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

DEVELOPMENT OF MOLTEN SALT BREEDER REACTORS

Mr. **BAKER**. Mr. President, last December, before coming to Washington to take office, I had the pleasure of being escorted on a tour of the Oak Ridge National Laboratory. In addition to seeing many interesting things there, I was allowed to sit at the controls and start up the molten salt reactor experiment, which on that day began its first sustained run at power. This unique reactor—the MSRE—has its uranium fuel dissolved in a mixture of molten salts, and this liquid is pumped through the reactor at over 1,200° Fahrenheit, which is a red heat. The start-up in which I participated was a particularly exciting event because the MSRE may be the forerunner of a line of breeder reactors which gives to man very cheap and almost unlimited electric power.

As you may know, we are now entering on the age of nuclear power with startling speed. About 2 years ago, utilities began to buy nuclear powerplants at a rate which has resulted in orders being placed for plants that will have a combined capacity of over 45 million kilowatts. Included in this total are orders by TVA for three nuclear powerplants, each one of which will be capable of generating 1,100,000 kilowatts. TVA's purchase of two of these at one time for the Brown's Ferry station in northern Alabama was viewed by many as representing the conclusive proof that the age of nuclear power is here.

As a result of this surge of orders for nuclear plants, the Atomic Energy Commission has revised upward its earlier estimates of the rate of nuclear power growth. The AEC now predicts that in the year 1980—just 13 years from now—the nuclear powerplant capacity of the United States will be about 150 million kilowatts, which is well over half as great as the entire electric generating capacity of the United States today.

This nuclear revolution, the result of 20 years of development, will bring low-cost electricity to every part of the United States and, ultimately, to all parts of the world. The horizon, however, is not without a dark cloud. Uranium, as it is mined from the ground, contains less than 1 percent of the isotopes uranium 235. The rest—over 90 percent—is uranium 238. The reactors being ordered today obtain energy mainly from fission of the uranium 235, and most of the uranium 238 is discarded. As a result, they are able to put to use less than 1 percent of the uranium mined. This inefficient operation results in rapid consumption of uranium. While the earth contains a great deal of uranium, only limited quantities of it can be mined at low cost. Consequently, the rapid building of nuclear powerplants in the United States will result in the consumption of all the low-cost ore in a matter of 20–30 years, which is even before the reactors now being built have ceased to be used. If this inefficient operation continues, the cost of uranium will go up and the cost of power will begin to rise. This great energy source will then cease to provide us with low-cost electricity on which we will have come to depend.

Fortunately, there appears to be a way out of this difficulty—the development of breeder reactors which produce more fuel than they consume. There are two types of breeders, those that convert thorium into uranium 233, which can then be fissioned to generate energy, and those which convert uranium 238 into plutonium, which also can be fissioned. Since breeders do not waste any of the uranium or thorium, the cost of the ore adds very little to the cost of electricity. If breeder reactors can indeed be achieved, there is sufficient uranium or thorium to provide us with low-cost power for limitless generations.

Now that the goal of economic nuclear power has been attained, the Atomic Energy Commission is turning its efforts toward the development of breeders and addressing itself properly to the efficient utilization of nuclear reactor fuels. The major emphasis at the moment in the AEC's program is on fast reactors, which use uranium 238, and there is a very large and growing program directed toward achieving workable, safe, and economic fast breeders. There is also another and equally promising route to breeder reactors using a system which up until recently had received little attention outside of the State of Tennessee. I am referring to molten salt reactors, such as the MSRE that I mentioned earlier. These reactors would bred fuel from the very large resources of thorium that are available. The advocates of molten salt reactors, led by Dr. Alvin Weinberg, the Director of the Oak Ridge National Laboratory, believe molten salt breeders will be capable of producing electricity in investor-owned powerplants at less than 2.7 mills per kilowatt-hour. In publicly owned systems, such as TVA, they will be able to produce electricity at less than 1.5 mills per kilowatt-hour.

An important advantage of molten salt breeders is that they require less than one-third as much fissile uranium to start them up as do fast breeder reactors. In addition, molten salt reactors appear to have inherent features which give them important safety advantages over fast reactors.

Molten salt reactors are not new, although they are just beginning to receive much attention. Oak Ridge National Laboratory first began work on molten salt reactors 17 years ago, when the objective was to develop a compact nuclear powerplant for aircraft propulsion. A molten salt reactor, the aircraft reactor experiment, was operated at Oak Ridge in 1954 with salt temperatures of over 1,500° F.

In the late 1950's, Dr. Weinberg and his staff concluded that this technology, although first developed for military aircraft, would be valuable for civilian power generation, and in 1961 they began construction of the MSRE to demonstrate its feasibility. When I arrived at ORNL last December, the MSRE had been through its initial tests and was ready for sustained operation. The run which I began continued for a month at full power without interruption. The reactor has since been operated for longer periods, and it is being used at present for experiments on the chemistry and other features of the molten salts.

Now that the MSRE has given convincing demonstration of the feasibility of this concept, it is time to proceed with the next step toward the development of molten salt breeder reactors—the construction of a molten salt breeder reactor. Oak Ridge National Laboratory is proposing a program in which a breeder reactor having 20 times the power of the MSRE would be built. They plan to seek authorization for construction of this experimental reactor in 1969—fiscal year 1970—and would expect to have it in operation by 1975—fiscal year 1976. Construction of the reactor and an accompanying program of research and development lasting 8 years are estimated to cost $130 million.

The molten salt breeder experiment would actually convert thorium into uranium 233 and breed more fuel than it consumes. While smaller than commercial-size reactors, this reactor would still be large enough to demonstrate all of the features of the concept. After successful operation of the breeder experiment, it would be possible to proceed to economic-size reactors by normal improvement in processes and scale-ups in size.

It is clear to me that this program must be supported, and supported adequately. The total cost of the molten salt breeder experiment is small compared to the billions and billions of dollars which will be saved in electricity bills if breeders can be brought into operation before our low-cost uranium is exhausted. To give you a feeling for the sums involved, most projections show that the cost of uranium ore may double by the end of this century. Doubling the ore price would add about $2 billion per year to the Nation's electricity bills in the year 2000 if only reactors of the types being built now were available, and rapidly increasing amounts would be added in subsequent years. Hence, the stakes are enormous, and we must move rapidly to invest in breeders now in order to avoid the large costs we could incur if breeders are not developed in time.

We are already spending large sums on fast reactors—over $80 million per year—and the Atomic Energy Commission expects that well over a billion dollars will be required before fast reactors become economic. I agree with the Atomic Energy Commission that fast reactors should be pursued, but there are a number of eminent scientists who are doubtful that economic fast reactors will be developed by the time they are needed.

The success of the molten salt reactor experiment and the outstanding promise of molten salt breeders argue strongly for the support of the program proposed by Oak Ridge and for the establishment of a two-breeder, two-fuel program—one to efficiently use the uranium and the other the thorium in the earth's crust. At a minimum, this would provide us with a backup for fast reactors. Dr. Weinberg maintains, however, that the molten salt breeder is far more than a backup—that it could well be the best and least costly approach to nuclear power for the future. If he is correct, and there are strong arguments that he is, the MSRE run that began last December will lead to a system that can supply low-cost energy to the expanding populations of the United States and the world for hundreds of years.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to query the distinguished majority leader about the schedule for today and, if possible, for the balance of the week. And, in connection therewith, I think it is generally known that we had set for consideration at this time the bill, S. 2171, amendment of the Subversive Activities Control Board Act of 1950.

I am prepared to proceed with consideration of the bill, of course. However, I always like to defer to the judgment of the majority leader in matters of this kind, knowing that he has difficulty in scheduling measures that should come before the Senate.

I just make a general inquiry as to what our schedule will be.

AMENDMENT OF SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. MANSFIELD. Mr. President, first, I ask unanimous consent that the pending business be laid aside and returned to the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I have requested this action in view of the intense interest I understand exists among a number of Senators with respect to this measure. Keeping in mind also the brief adjournment that is scheduled to follow Labor Day.

I will outline, in response to the request of the distinguished minority leader and based on our best information at this time, the schedule for the balance of this week and the weeks ahead.

The Senate will convene at 10 o'clock tomorrow morning to consider the nomination on the Executive Calendar. It had been hoped that, following that nomination, we could take up H.R. 9960, the independent offices appropriation bill. However, because of circumstances beyond the control of the leadership, it will not be possible to consider that measure until the latter part of the week of September 11 or the first part of the week of September 18.

Immediately following action on the nomination, we will consider items that may be disposed of by unanimous consent. Before the Senate adjourns for Labor Day, the leadership intends to lay before the Senate Calendar No. 500, S. 1880, a bill to revise Federal election laws and for other purposes, reported by the Committee on Rules and Administration on August 16, so that it will be the unfinished business when the Senate returns on September 11.

Also, on September 11, there will be a record vote on the Treaty of Amity with Thailand, at 2 o'clock in the afternoon.

On Tuesday, September 12, H.R. 10738, the defense appropriations conference report, will be considered, and it is very likely that there will be a record vote on that conference report.

Following the disposition of that matter and, if possible, between the votes on the treaty and the defense appropriations conference report, the Senate will consider two bills reported today by the Committee on Banking and Currency—S. 1985, the National Flood Insurance Act, and S. 510, the Corporate Equity Ownership of Securities Act.

In the week of September 18, H.R. 12257, the Vocational Rehabilitation Act is expected to be reported by the Committee on Labor and Public Welfare and will be ready for consideration at that time.

It is quite possible that during the week of September 11, or early the following week, the Ervin bill, involving constitutional rights for Federal employees—S. 1035—about which there has been some discussion on the floor both yesterday and today, may be ready for consideration. We hope that if it is not ready for consideration in the first week, it will be ready the second week after the Senate returns if conditions have cleared up. Also, during that time, S. 2171, the amendments to the Subversive Activities Control Act of 1950, may be considered.

It is possible, too, that in the latter part of the week of September 11—I am repeating what I said before—H.R. 9960, the independent offices appropriation bill, will be considered and, if not then, no later than the first part of the week of the 18th of September.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ALLOTT. Mr. President, with respect to H.R. 9960, the independent offices appropriation bill, as I understand the situation, because of the technicality of the rules, it would be impossible to take up this matter before Saturday of this week under any circumstances, so that due to the Labor Day adjournment that measure must, of necessity and under all circumstances, go over until the week of September 11 or later in September.

The distinguished majority leader has indicated that it will be in perhaps the latter part of the week of September 11 or the first part of the week of September 18.

Mr. MANSFIELD. The Senator is correct.

Mr. ALLOTT. I thank the distinguished majority leader very much.

Mr. MANSFIELD. The rule is as the Senator has described it. And the leadership has no choice in the matter. Hence, the leadership has made the announcement which has been corroborated by the ranking minority member of that committee.

That is the schedule for the weeks ahead, may I say to my distinguished friend, the minority leader, insofar as it can be determined at this time.

I would advise the Senate that following tomorrow the schedule is light until the Labor Day adjournment. However, there will be votes on Monday and Tuesday, September 11 and September 12, and all Senators are on notice that these will be record votes.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Mr. President, I am sorry that I arrived in the Chamber a little late. Did the distinguished majority leader make note of any votes this week?

Mr. MANSFIELD. Tomorrow we will have before us the nomination on the Executive Calendar, of course.

Mr. HOLLAND. The Senator means the nomination of Thurgood Marshall?

Mr. MANSFIELD. The Senator is correct.

Mr. HOLLAND. I thank the majority leader.

Mr. DIRKSEN. Mr. President, I have one further question to address to the distinguished majority leader.

My understanding is—whether correct or incorrect—that when the Senate considers the resolution to cover the Labor Day adjournment, it will become effective as of this Thursday night.

Does that square with the intention of the leadership?

Mr. MANSFIELD. The Senator is correct.

ADJOURNMENT OF THE TWO HOUSES FROM AUGUST 31, 1967, TO SEPTEMBER 11, 1967

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Concurrent Resolution 497.

The **PRESIDING OFFICER** laid before the Senate, House Concurrent Resolution 497, which was read, as follows:

H. CON. RES. 497

Resolved by the House of Representatives (the Senate concurring), That the two Houses shall adjourn on Thursday, August 31, 1967, and that when they adjourn on said day they stand adjourned until 12 o'clock noon on Monday, September 11, 1967.

Mr. MANSFIELD. Mr. President, I move that the Senate agree to the concurrent resolution.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

AUTHORITY TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Concurrent Resolution 498.

The **PRESIDING OFFICER** laid before the Senate House Concurrent Resolution 498, which was read, as follows:

H. CON. RES 498

Resolved by the House of Representatives (the Senate concurring), That notwithstanding any adjournment of the two House until September 11, 1967, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

Mr. MANSFIELD. Mr. President, I move that the Senate agree to the concurrent resolution.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

COLLEGE PROVES FEDERAL AID DROPOUTS SUCCEED

Mr. COTTON. Mr. President, in the Chicago Tribune of Sunday, August 27, 1967, appeared an article by Chesly Manly, a well-known reporter, entitled "College Proves Federal Aid Dropouts Succeed—'Declaration of Independence' Gives Hillsdale Revolutionary Role."

I believe this article is a foretaste of what may come to higher education in America if we continue in our headlong course toward Federal support and Federal control of education.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COLLEGE PROVES FEDERAL AID DROPOUTS SUCCEED—"DECLARATION OF INDEPENDENCE" GIVE HILLSDALE REVOLUTIONARY ROLE

(By Chesly Manly)

HILLSDALE, MICH., August 26.—Hillsdale college, which rejected federal aid in a "Declaration of Independence," adopted in 1962 and reaffirmed in 1966, is flourishing with the support of friends who admire its commitment to freedom and self-reliance and all the great ideals and achievements which constitute the American heritage.

Hillsdale's president, J. Donald Phillips, is proud of the college's success since he came here in 1951, but he is by no means complacent about the future of this country's independent colleges.

Hillsdale and a few other schools which have refused federal aid are free from the threat of government control. As President Phillips said in an interview, however, the government could put these colleges out of business by abolishing income tax deductions for contributions to education by individuals and corporations.

SOME FAVOR ABOLITION

Many leaders of the education establishment in this country, particularly in the United States office of education and the National Education association, favor abolition of the tax-deduction privilege because they are opposed in principle to the privately supported, independent colleges. They regard these colleges as centers of special privileges for the more favored classes, anachronistic and undemocratic, if not un-American.

Phillips noted that when President Johnson was asked to support a proposed tax credit plan for higher education, this was the written response:

"The position of this administration is to advocate direct use of federal resources to meet specific educational needs, rather than to support possible assistance thru indirect means such as a tax credit plan."

FOUR BILLION A YEAR

The federal government already is spending more than 4 billion dollars a year on education. A possible explanation for this "avalanche of governmental largess," Phillips said, is that the government desires "to move directly toward a centrally controlled society—taxing, collecting, disbursing—to carry out its good or not-so-good plans."

As early as April 13, 1961, Phillips recalled, the report of an office of education planning committee, stamped "administrative, confidential," mentioned "broadening of federal interest in curriculum and in the improvement of instruction" as one of the government's concerns for the future.

In March of this year the defense department threatened to cancel its contracts with the University of Michigan unless it hired more Negroes for campus jobs, appointed more Negroes to faculty positions, and enrolled more Negro students.

HIGHER THAN PROPORTION

A survey disclosed that the percentage of Negroes employed and enrolled as students at the university was higher than the Negro proportion of the state's total population. When the university asked what percentage of Negro representation the government would consider desirable, it could get no reply.

Nothing was said by the government about the availability of qualified Negroes for greater representation in the university, or what would happen to its standards if it adopted such an open door policy.

Phillips said he had heard reports that the government already is looking into history and social science textbooks to see whether they conform to the current liberal orthodoxy. Whether these reports are true or not, he remarksd, government support of educational institutions inevitably will be followed by government control of everything they teach.

CALLS LEADERS DEPENDENT

"The entrance of full-scale support by federal aid has created dependent educational leaders and will create more," Phillips said. "Independent thought and effort cannot be taught by scared, dependent men."

Phillips, an ex-officio member of Hillsdale's board of trustees, was the prime mover of the board's "Declaration of Independence." It declares that the college, founded in 1844, was dedicated and has remained faithful to "an educational philosophy embracing America's basic ideals."

It declares that Hillsdale students have been taught, among other fundamental truths, that "our country's greatness is the result not of government benevolence but rather of individual initiative and enterprise" and that "responsibility is the counterpart of independence."

Acknowledging that independence of federal aid involves "the possibility of failure," the declaration says the "trustees place their trust in God and in the dedication and generosity of students, alumni, and friends who share their views."

HEAD OF ADULT EDUCATION

Phillips had been director of adult education at Michigan State university for six years when he became president of Hillsdale in 1951. His experience as a consultant to business management and his free enterprise philosophy, as well as his background as an educator, commended him to Hillsdale's conservative board of trustees, headed by Ralph C. Rosecrance, of Rockford, Ill., president of the J. L. Clark Manufacturing company.

In a survey of what high school seniors know and believe about American business, Phillips had found evidence of widespread and growing prejudice against the profit system, as well as appalling ignorance of the way it works. As a result of this discovery, he decreed that all students at Hillsdale must take one three-hour course in the principles of economics and two three-hour "American heritage" courses.

GIFT FINANCES CENTER

Another Phillips innovation at Hillsdale is its 1.5-million-dollar Leadership Development center, financed mainly by a gift from the Herbert H. and Grace A. Dow foundation, which has been described by the Dana Corporation of Toledo as "one of the finest educational facilities of its kind in the world."

Some business firms, such as Dana, send management personnel to the college for special courses taught by its faculty and others use the facilities of the center for conferences and training programs of their own.

The center has 32 guest rooms with twin beds, four executive suites, dining rooms, seminar and conference rooms, and an auditorium with swivel chairs and other equipment designed to "facilitate "group communication" as conceived by Phillips. There are seats behind one-way glass walls from which students can see and hear business leaders engaged in discussing and solving problems of their companies.

NEW STUDENT CENTER

The leadership development center is connected with Hillsdale's new million-dollar student center and dining hall, to promote rapport between students and business leaders. In spite of this business orientation, however, Hillsdale essentially is a liberal arts college, with the standard requirements for admission and for graduation with the bachelor of arts or bachelor of science degree.

Its 63-member faculty has predominantly a liberal philosophy and almost all speakers in its annual lecture series are certified liberals.

Hillsdale admits a good many students who could not get into Oberlin or the University of Chicago and its median SAT [scholastic aptitude test] scores for the four categories [men's and women's verbal and men's and women's math] range between 500 and 550, instead of 600 plus, as in some of the more selective colleges.

SELECTIVE ADMISSION POLICY

Yet its admission policy definitely is selective, for only about one in four applications received are approved and many students who seek admission are persuaded to save the $10 it costs for a formal application.

Hillsdale puts more emphasis on leadership potential than on academic aptitude. Phillips said he would rather have a good "C" student who had been a campus leader in high school than an "A" student who had not been a leader. The college gets its share of high school "A" students, however, and many of the "late bloomers" who have not done so well in high school do better than average work before they finish at Hillsdale.

About 44 per cent of the graduates go directly into graduate or professional schools and many others continue their education after military service. About half of the graduates have teacher certificates but not all go into teaching.

LAST YEAR, 1,086

Hillsdale's enrollment last year was 1,086 and Phillips would like to keep it at a maximum of 1,100. For a small liberal arts college, the geographical distribution of its students is unusual. About 69 per cent come from states other than Michigan and 7 per cent come from foreign countries. Last year 39 states and 24 foreign countries were represented.

Hillsdale does not release information about faculty salaries but it pays well enough to prevent a large turnover. This year two are retiring, three are taking other jobs, one is leaving to get married, and three are leaving because their tenure was not approved.

Hillsdale raised only $12,800 from outside sources in the year before Phillips became its president. Its endowment was only $750,000. Now it must raise $400,000 a year from outside sources to meet operating costs, allowing nothing for capital investment, and its endowment totals 4.5 million dollars.

Its operating budget, now more than 2.5 million dollars a year, has been balanced for 11 years. Tuition, fees, room and board next year will cost $2,414 for men and $2,370 for women.

A total of $10,290,247 was raised in the first three phases of Hillsdale's master plan [1957 thru 1966] and it is well on its way toward a goal of $8,740,000 for the current fourth phase [1966–69]. The goal for the next three phases [1969 through 1978] is $16,380,000.

WANTS NEW LIBRARY

Phillips is seeking a million dollars for a new library, with room for 100,000 books, faculty studies, and other facilities. The present library, with 50,000 volumes, will be retained and renamed the American Heritage library.

Among other Phillips achievements are new dormitories for 194 men and 176 women, which the college financed for $2,980 a bed on a 20-year amortization basis.

The same facilities, under the Government's standard plan, would cost $4,500 a bed on a 40-year amortization basis.

E. C. Hayhow, publisher of the Hillsdale Daily News and one of the college's trustees, is an alumnus of a large state-supported university.

He says it is a privilege to serve on the board because of Hillsdale's emphasis on the liberal arts concept and basic tenets of Americanism which he says are de-emphasized in other educational institutions.

TAX INCREASE WILL NOT STOP COST-PUSH INFLATION

Mr. PROXMIRE. Mr. President, today's Wall Street Journal reports that color TV prices were raised 2 to 3 percent by Radio Corp. of America on most of its 1968 model sets, effective September 1. The article goes on to say that Motorola and Zenith are studying the possibility of raising color TV prices. The article indicates that some industry observers reported that the increases are coming at a time when sales are running far below expectations. Indeed, reduced demand resulted in price reductions by several companies when the 1968 models were introduced in June.

There is a whole lesson in economics in this story—the problem of cost-push inflation. It is a fact of economic life that the general market economy, as we conceive of it traditionally, does not prevail at all in a large part of the market. A substantial proportion of our prices are set by administrative decision. These decisions are usually based on wage costs and considerations of company finances and profits. Frequently they ignore the demand factor. Today's story is a case in point. In the face of falling demand, a large company in an important durable goods industry is choosing to raise its prices. Classical economics teaches us that prices should drop when demand drops. This may be true in the relatively free market that affects certain agricultural commodities or raw materials, but it is certainly not true in respect to many of our manufactured commodities.

Because price movement is independent of general consumer demand in this sector of the economy, it is misleading and harmful to reduce consumer demand as a result of price increases. And yet this is precisely what the tax increase would do.

I have predicted that we will have price increases such as the one reported today and that they will raise the price index throughout the rest of the year. But I completely disagree with those who argue that these price increases are a result of excess consumer demand. If we make the mistake of reducing consumer demand and stagnating the economy in order to forestall price increases, it will be a tragic mistake. For the price increases will go on in any case, and we will have much higher unemployment for no good purpose at all.

Along the same line, Mr. President, the threat of inflation has been used as the principal reason for the administration-proposed tax hike. Sharp consumer price rises in July are, I am sure, being used to buttress the case for the tax increase.

But any careful and responsible analysis of that price rise suggests why it is not primarily fueled by excessive demand, and why, therefore, a tax increase is not a logical response to it.

Food prices will not be held down by a tax increase, and most service prices are also insulated largely from demand pressures.

The Consumer Price Index rose .04 percent from June to July. Increases in food prices contributed about 46 percent of the rise in the total index, and increases in service prices above 35 percent. Price advances from June to July were registered in most categories of the index.

In the last 6 months—January–July—the CPI increased 1.6 percent compared to 2.1 percent in the same period a year earlier. All items except food were up 1.7 percent this year compared to 1.9 percent last year. Service prices were up 1.9 percent, compared to 2.6 percent in the same 6-month period in 1966.

From January to July, increases in service prices contributed about 42 percent of the total advance, and commodities, except food, another 45 percent.

The wholesale price index rose 0.2 percent from June to July, but fell 0.4 percent from July to August. Prices of industrial commodities advanced 0.3 percent after a period of stability from February to July. Although this is an important indicator of inflationary pressure, it is important to note that 1 month does not make a trend; and industrials are only 1 percent above a year ago.

July data indicate that mixed price developments are continuing within the industrial sector. Prices of industrial finished goods have been increasing; relatively stable in the case of intermediate materials; and falling in the case of crude materials. In general, these developments may be explained by the higher labor content in value added as products reach advanced stages of fabrication.

I ask unanimous consent that a table which shows the relative price changes in recent years for food, items except food, services, and commodities except food, be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

CONSUMER PRICE INDEX PERCENTAGE CHANGES OVER SELECTED PERIODS

	All items	Food	All items except food	Services	Commodities except food
January–July 1966	2.1	2.6	1.9	2.6	1.3
January–July 1967	1.6	1.1	1.7	1.9	1.7
June–July 1966	.4	.4	.4	.5	.3
June–July 1967	.4	.8	.3	.4	.2

AMERICAN MOTORS IS POISED TO TURN THE TIDE

Mr. PROXMIRE. Mr. President, Newspaper Enterprise Association Automotive Editor Bob Cochnar took the measure of the American Motors Corp. in a recent series of articles and concluded that despite the fact the company is "against the wall" now, it is in the strongest position it has ever been to turn the tide in the never-ending battle for a man-sized share of the auto market.

The big ingredient in the favorable outlook for AMC, as Cochnar points out, is the company's resourceful and imaginative management led by Board Chairman Roy D. Chapin, Jr., and William V. Luneburg, president.

Another big ingredient is the good will the company has built among its employees at its huge Kenosha, Wis., plant. As a result, far from being an empty directive, the AMC employee creed is followed: It is, "Build each car as though you were going to own it yourself." The country's consumers could hardly ask for better treatment.

Mr. President, I commend Mr. Cochnar's articles to the attention of all Senators and ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

And Things Are Looking Better: If AMC Can Be Saved, Roy Chapin Will Do It

(By Bob Cochnar)

DETROIT.—If corporations were really people and could talk, American Motors might be saying something like this:

"So what else is new? I've been on the ropes before, you known. The scavengers were sizing up my bones and the obituaries were being written. But I fooled them. When the chips were down, as they were in 1954 and 1957, I gambled and I won.

"I'm not your average automobile company. I may be against the wall now but I haven't stopped fighting. With a little help, I'll pull through again. My chairman, Roy Chapin, summed up the situation the other day when he said 'the potential on the upside is now greater than the risk on the downside.' "

But corporations can't talk and this stubborn conversation may be little more than an exercise in wishful thinking. Yet this is certain: nobody wants to see AMC fail.

Certainly not the Big Three, for one less competitor brings them one step closer to the Justice Department and the Federal Trade Commission and the antimonopoly people.

Neither are the states of Michigan and Wisconsin planning to watch idly as 18,000 AMC employes become suddenly jobless.

Roy D. Chapin Jr. and AMC President William V. Luneburg did not take charge of the foundering company nine months ago to preside over its dissolution. Most observers feel that if AMC can be saved, Chapin and Luneburg will do it.

The ups and downs of American Motors will one day make a fascinating case history for the Harvard Business School. It was conceived in 1954 by a desperate merger of two failing companies, Nash-Kelvinator and Hudson Motor Car Co.

George Romney, now Michigan's governor, was named president and chairman in 1954 and within six years made automotive history with the compact car. With evangelistic fervor, Romney stumped the country assailing "Detroit's gas-guzzling dinosaurs" and pointing out the economy of the Rambler.

By 1959 AMC was earning $60 million or $3.37 a share—a profit level never again matched. Two years earlier the company had lost $11.8 million. Sales were in the $1 billion class by 1960.

But in 1962 Romney quit to run for governor (nobody at AMC thought he'd win and, in fact, kept his job open for him). Roy Abernethy filled in and ultimately became AMC's chief.

By this time, producers of the dinosaurs had turned out their own compacts and the Rambler was given stiff competition. Abernethy, believing the day of the compact was nearly over, reversed corporate thinking by building bigger, zippier cars. As the cars grew larger, however, sales grew smaller and losses began to mount.

Detroit automakers now feel that Abernethy made a colossal mistake by trying to compete across-the-board with Ford, General Motors, and Chrysler. "If he had only continued to think small," one may say, "he'd have found the Mustang before Ford did—and things today would be much different."

Last year, investor Robert B. Evans, supposedly a corporate miracle worker, bought nearly $2 million of AMC stock to become the firm's biggest shareholder. He was elected a director, then board chairman.

Evans failed to impress the industry, however, which looks upon anyone who hasn't been in the business since age four as an outsider. Last January, AMC turned to an automan—Roy Chapin, whose father had been one of the founders of Hudson. Chapin named as president Bill Luneburg, a tough-talking former Ford "whiz kid" and Harvard Business School man.

Several weeks ago, the results of the accumulated years of misguidance and lack of corporate direction reached its lowest point. AMC posted a third-quarter loss of $17,925,988. Sales in the period ending June 30 fell 11 percent to $202,946,331. The quarterly dividend had been eliminated for the eighth consecutive period. The company appears assured of posting its biggest annual loss ever, surpassing the $25.4 million loss of fiscal 1956.

Yet, despite the financial loss, American Motors is today in a better position than it was a year ago:

The company's 24 creditor banks which have lent $95 million to AMC have extended the credit arrangement to the end of 1967 giving the Chapin-Luneburg team the chance to change the company's fortunes.

The new management dumped Abernethy's shotgun all-bases-covered approach to the automobile market and instead decided to attack specific segments. AMC is no longer trying to be all things to all people.

Chapin and Luneburg, aware of the negative image many AMC dealers have presented to the consumer, visited most of the 2,400 dealers personally, bringing new confidence to the competent franchisers, cutting off the deadwood. The result is new life in a once-sagging dealer network.

$200 price slash on the compact American put the car in direct competition with Volkswagen and other imports. Sales increased considerably.

Much—but not all—of the company's hopes in 1968 are pinned on the Javelin, AMC's "personal" car which previews this week. The Javelin, says Chapin, is a "much-improved, better-looking Mustang."

Wall Street analysts, assuming an auto strike, feel that a long strike would help the company since the UAW-AMC contract expires a month and 10 days after the Big Three pacts. The strike would create a seller's market and AMC would have the product—for awhile, anyway.

AMC stock has been bullish lately due to heavy buying by mutual funds. While Chapin sees this as an indication of confidence in the new management, some analysts are not so sure.

Says one:

"AMC stock is still extremely depressed and, consequently, every chartist on the Street is enthralled with the new activity. But, fundamentally, there are still doubts.

"Mutual funds more and more are becoming short-term oriented. By ignoring fundamentals, a fund can move in low, inflate the stock, pull out high. I'm not at all assured AMC can make a go of it but things are much better now with Chapin at the helm."

One fund, however, which has purchased a large block of shares, maintains there were enough basic pluses to justify the commitment. Five funds have bought 2.3 million shares.

Nobody—including the management—expects the company to pull out of the red in fiscal 1968. "We must position ourselves and our products in the minds of the public," says Roy Chapin. "Once we do that, we will succeed."

Kenoshans Are Feeling Optimistic

(By Bob Cochnar)

KENOSHA, WIS.—Top management at American Motors, headquartered in Detroit, looks forward to its Kenosha plant visits and not for the usual reasons.

Where else in the United States is nearly every other car on the street an AMC product? If there were only 100 more Kenoshas in the country," a company official says, "we'd never have a problem."

Despite the seeming over-abundance of Ramblers, Rebels, Ambassadors, Marlins, and Classics in this town of some 75,000 people on the banks of Lake Michigan, AMC President William Luneburg voiced a certain alarm when he spoke several months ago to the city council.

He noted that the percentage of AMC new-car registrations in Kenosha county slipped from 47 per cent in 1960 to 35.6 per cent in 1966. But he added:

"We don't want you or your families or your friends, or our employes, to buy American Motors cars because of a sense of obligation or out of a sense of duty—moral or otherwise.

"We want you to buy our cars because they are superior cars, built by men and women in this town who are steeped in a tradition of building a damned good car.

"I am sure, furthermore, that you would not be considering a trip around the state to visit other city officials to persuade them to buy our cars if you didn't believe our cars are superior to whatever kinds of cars they have been buying."

Nine thousand people are employed at the sprawling Kenosha plant, the largest operation of its kind in the world. Most live in Kenosha and Kenosha County although, until recently, the plant was also nearby Racine's largest employers.

You can be sure that Kenoshans know what's happening to AMC in Detroit and the country. Certainly, reasons for their interest are largely economic yet they are also concerned because they believe that AMC makes a good product and that AMC has been good to Kenosha, for reasons other than economic.

That's why former mayor Gene Hammond, now a vice president at the Kenosha National Bank, formed the "Kenoshans for Rambler" Committee, a blue-ribbon panel of townsmen anxious to help AMC.

Hammond, whose family owns 11 AMC products, has attempted to make every resident an ambassador for Rambler. To stimulate nationwide Rambler sales, his committee sponsored a contest which resulted in some 400 suggestions for improvement. "Some were pretty good," he says.

Although AMC is by far the town's largest employer—and largest taxpayer—Kenosha is not without other industry which ranges from the manufacturing of Jockey shorts to major metalworking operations, wire rope and underwater weed cutters.

"In a way," says Milton Wittenberg, executive director of the Chamber of Commerce, "American Motors makes it difficult to attract new industry because of the high level of wages it maintains. And the uncertainty at AMC is a limiting factor on industrial growth."

Yet the town has grown. It's soon to become a center of education and this should attract more industry. In 1962, Carthage College in Illinois built a new campus in Kenosha and moved—lock, stock and students.

The University of Wisconsin will soon build a major campus here, thanks to municipal efforts and, significantly, the work of Edwin Moore, long-time community relations manager for American Motors.

Ford Charlton, director of the Kenosha Manufacturers Assn., believes the prevailing mood is one of the optimism. "Roy Chapin and Bill Luneburg made a terrific impression on Kenosha," he says. "They made it a point to know about the town and its history." Charlton has owned Ramblers since 1939, "long before I came to Kenosha."

James Murphy is a member of the City Council and head of guards at the AMC plant. He has been with AMC "off and on" for 35 years. Six council members out of 18, in fact, are AMC employees.

"There was something lacking in Detroit after George Romney left," Murphy believes. "But now things have changed. The old spirit is back." And if AMC should leave?

"Why," Murphy says, "American Motors is like one of the family. If it left it would be like losing one of the kids."

If Roy Chapin thinks he has problems, he should talk with Kenosha's mayor, Wallace Burkee, who was elected four months ago to replace Gene Hammond when he resigned to join the bank.

"Balancing a budget is getting to be a bit rough," he says. "We're on the line now and will probably have a $25 million budget next year."

AMC figures in that budget. It pays about $2.5 million annually in real estate taxes (second largest taxpayer, American Brass, pays $612,000). AMC's state tax rebate to Kenosha in 1963 was $1.6 million; last year it was $600,000.

"Obviously," Burkee adds, "we're concerned about American Motors fortunes because it means a lot to our fortunes. We're proud of the company here. It's a partner in city growth."

Kenosha doesn't know what it's like to lose a major industry. When the Simmons bedding people left in 1959, 1,400 people were out of work. "But," says Gene Hammond, "AMC immediately leased the Simmons plant and hired all the jobless workers. And people don't forget that."

Above every entrance to the Kenosha plant the employee creed is emblazoned:

"Build Each Car as Though You Were Going to Own It Yourself."

It's not hard to believe that the creed is followed.

HONESTY DOESN'T HAVE TO BE DULL

(By Bob Cochnar)

NEW YORK.—When Mary Wells decided to open her own advertising agency in April 1966, she announced to the press that her firm's special interests would be in "established products that are declining, products where there is no important difference between brands and new products that have a great story to tell."

Unless she was psychic, Wells, Rich, Greene's retention of American Motors as an account is remarkable coincidence. There is little doubt that Mrs. Wells' shop is the hottest new agency in the business. Whether it stays hot after the AMC campaign is released in September has the advertising community atwitter.

She has been placed, perhaps because of her phenomenal success with Braniff Airlines and Benson and Hedges Cigarettes, in a rather unenviable position. If AMC products don't sell, Wells, Rich, Greene will take the brunt of the blame.

"Any agency unwilling to take the blame for failure doesn't deserve to take the credit for success," she points out in a decidedly feminine—yet tough—way. "We think we can make better advertising over a period of time than anybody else. And it won't be easy to hide the proof of this."

AMC Chairman Roy Chapin is pleased with his new agency. He allows that the Wells, Rich, Greene campaign "is different" and that it should get everybody talking about American Motors.

Assuming Mary Wells can build consumer interest to a fever pitch, what will people see when they get to a showroom?

They'll see, immediately, the Javelin, AMC's entry in the sporty car (Mustang, Camara, Barracuda) market. It's a handsome machine with the chopped deck and long nose so popular in this area. And it's refined. The lines are smooth and interesting. There's plenty of room. The price, AMC says, will be right.

They'll see, by midyear, the AMX, which Chapin calls a "true two-seater sports car." The market for this vehicle, to be sure, is admittedly small but management figures it will increase floor traffic. AMC wants people to see its American, Rebel and Ambassador.

To strengthen ties with the youth market, from which all blessings apparently flow, AMC products with factory support will be rallying, drag-racing and possibly even stock car racing.

"We're interested in performance, not racing as such," Chapin says. "It is a commercial way to prove something about our engineering. Drag-racing has crowd appeal and public acceptance. Then there is the novelty of a 1,200-horsepower Rebel capable of 200 miles per hour."

American Motors has roughly a $12 million advertising budget which, when compared to Big Three advertising, is modest. Mrs. Wells plans to spend a lot of it on television and in newspapers.

She isn't especially impressed with the advertising efforts of the major companies. "The tremendous mystique surrounding auto advertising is a whole bunch of nonsense. They make such a big thing of it, with their hush-hush meetings, nitpicking and phony claims.

"We are going to speak English. Auto advertising seems to be written in Detroitese. You read it but it doesn't say anything. Detroit's advertising tradition is permanently etched in cement."

American Motors is a much smaller company, she points out. The management is directly involved in all areas of the operation. "They're not sitting behind their desks." Besides, she adds, "Roy Chapin is darling. He knows what must be done and so do we."

The Wells, Rich, Greene approach is surprisingly simple. The advertising has been created so that everyone it reaches is made aware of what the Rebel, American, Ambassador and Javelin are. "We want to position these four cars in the market so that people can understand them." And then, she says, "we want to make people like them."

"American Motors has a tradition of honesty, a concern for the good, old American sense of values. It's natural to take advantage of the honesty image. Honesty doesn't have to be dull; it can be beautiful. You'll be able to see that you're getting more for your money. It can be very smart to get a good value."

American Motors is appealing to the "nonaverage buyer" which Chapin estimates accounts for perhaps 16 out of every 100 U.S. auto buyers. "We are aiming," he says, "for the short term, for only 25 to 30 per cent of these nonaverage buyers. In terms of total industry share-of-market, that equals four or five out of every 100 car buyers."

Can American Motors do it? A lot of people hope so. Roy Chapin, for one, is convinced it can. In ending his "Condition of the Company" speech last February to AMC stockholders, he said:

"Your management and your employes are prepared for the task ahead, and we welcome it because we share an underlying excitement that springs from the plain fact that great success in this business has yielded time and time again to determination, innovation, ability and a sense of destiny and a harmonious spirit in its leadership group."

PRESIDENT JOHNSON MARKS HIS 59TH BIRTHDAY AMIDST THE RESPONSIBILITIES OF THE WORLD'S MOST IMPORTANT ELECTIVE OFFICE

Mr. PROXMIRE. Mr. President, I know that I am expressing the sentiments of the vast majority of my colleagues in the House and Senate when I wish President Johnson the happiest and healthiest 59th birthday possible—with many more to come.

The President celebrated his birthday quietly on Sunday in the White House with his family—but he was never more than a telephone call away from the heavy national and international responsibilities of his office.

The idea of a "working" birthday celebration is typical of Lyndon B. Johnson.

I can recall no other man who worked harder at being President than the man who now occupies the White House.

The American people should take deep satisfaction in this fact.

Whatever the polls say, and whatever may be the burning issue of the moment, the American people are grateful because there is a man in the White House who devotes so much energy to his job.

Surely, there was hardly a man who went to the Presidency with the experience of Lyndon B. Johnson.

There was hardly a man who was as ready as he was for the job. The late, John F. Kennedy knew that Lyndon Johnson was the man who could best succeed him.

The American people thought him and his record worthy of an overwhelming and smashing election victory in 1964.

When the chips are down, the American people are going to want a man in the White House who stands up for the American commitment, yet leaves all avenues to peace open for full exploration.

The American people want a man in the White House who cares about the people—in the cities and in the countryside.

The American people want a man in the White House who not only seeks to improve the society we have today, but also has the vision to plan for the society we seek tomorrow.

Happy birthday, Mr. President.

TIME TO CORRECT SOME HISTORICAL INACCURACIES ABOUT THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, the Genocide Convention adopted by the General Assembly of the United Nations, and signed by the United States in 1948, was submitted for Senate ratification by President Truman in 1949. Through this convention, the commission of specified acts with intent to destroy national, ethnic, racial, or religious groups as such, is made a crime under international law.

The Genocide Convention has as its stated objective the preservation of man's most precious right: the right to live. When this convention was submitted to the Senate in 1949, only five nations had ratified it. Since that time, another 65 nations have chosen to ratify this convention, but not the United States.

One of the most widely held misconceptions about Hitler's 12-year reign of terror is the gross error that the Third Reich's program had as its exclusive victims Jewish people alone.

The mass murder of almost 6 million European Jews by Nazi butchers has been well documented. All civilized men condemn these acts of barbarism and mourn the victims and their families. But how many of us are aware that during these same dozen years these same executioners murdered 7 million Christians as well?

In the perverse Nazi lexicon, these victims were typed as "Christian subhumans." Russians, Poles, Hungarians, Rumanians, and Czechs—7 million of them—whose veins did not flow with "pure Aryan blood" were brutally put to death.

The Senate and all people must grasp this fundamental fact: Genocide was not then and is not now an anti-Semitic problem; it is an antihuman cancer.

This horrendous policy is not merely anti-Semitic and anti-Christian; it is both antihuman and anti-American. We in the Senate have the means of affirming this belief, of strengthening the international antidote against genocide. The Senate can ratify the United Nations convention on genocide.

We have already wasted too much time and dishonored the memory of almost 13 million fellow human beings. Let the Senate now, in 1967, correct our grievous mistake by ratifying the Genocide Convention.

ORDER OF BUSINESS

Mr. **BYRD** of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

PROPOSED PHASEOUT OF RAILROAD POST OFFICES

Mr. **HANSEN**. Mr. President, I have recently been informed by the Postmaster General of the intention of his Department to discontinue the railroad post offices—RPO's—on several railroad lines that travel into Wyoming. In the past several days I have been notified by mail of the recommendation of the regional director of the Post Office Department that the RPO cars from trains 5, 6, 103, and 104 operating between Omaha, Nebr., and Cheyenne, and trains 9 and 10 between Denver, Colo., and Cheyenne be removed and alternate transportation be used. These actions undoubtedly foreshadow such a recommendation for railroad lines traveling through Wyoming. Such a move will mean a substantial economic loss to our State. But the loss will not be Wyoming's alone.

I am deeply concerned with the actions of the Postmaster General. The recommendations upon which he is acting were made in spite of the fact that a pertinent resolution was pending before the Senate. Even while hearings were being conducted on the Allott resolution to place a moratorium on discontinuances of RPO's, the gigantic wheels of the Federal bureaucracy were slowly turning—persistently squeezing the national RPO system out of existence.

For many railroads, the RPO system is vital to economic survival. Thus the ramifications of the phasing out of RPO's could mean long-run serious economic loss to our country in the form of the gradual decline of many of our country's rail lines.

It would, indeed, be regrettable if we allowed a part of our Nation's transportation system to falter and fail only to discover years hence that it is needed for the complete mobility which our highly developed technology demands.

In an age and at a time when the congestion of our Nation's transportation system ranks as a near crisis situation, the cutback or even the maintenance of a status quo in one mode of travel appears an unwise decision.

Each year nearly 50,000 lives are lost on our crowded highways, and over a million people are injured. Travel congestion in our big cities results in confusion, lost time, and worn nerves. And as the number of vehicles upon our rivers of asphalt and concrete increases, so does the pollution of our atmosphere.

Even our airlines suffer the consequences of congestion. A flight from Denver, Colo., to Washington, D.C., may take only 3 hours of air time. But the plane that has spanned three-quarters of the country in such a short time may circle above Washington for over an hour awaiting landing space.

Each part of our transportation system must be a strong, vital member unto itself. Each member must strive to offer the best transportation possible.

It was my intention, as I am sure it was the intention of many other Senators who sponsored the Colorado Senator's resolution, that we should pause now—while there still is time—to carefully examine our Nation's transportation system. Such a study is badly needed.

The Post Office Department would have been well advised to hold back on these apparently soon-to-come discontinuances until action was taken on the Allott resolution and the pursuant study by the Department of Transportation.

If we are ever to have an effective transportation network in this country, planning is vital.

The actions of the Post Office Department are patently contrary to such a policy.

The Allott resolution is an attempt to keep our transportation system in the United States as progressive and as alive as the age in which we live.

In asking the Secretary of the newly created Department of Transportation to study the potential of rail transportation it was the hope of the sponsoring Senators that new life could be breathed into the still young, but slowly failing, body of our Nation's railroads. For it would be a grievous mistake to allow the long-run potential of the railroads to die because of a shortsighted possible economy which might be realized by the Post Office Department.

THE UNITED NATIONS SECURITY COUNCIL SHOULD TURN ITS ATTENTION TO VIETNAM

Mr. **PELL**. Mr. President, I wish to associate myself with the senior Senator from Montana [Mr. MANSFIELD] and with the other Senators who spoke yesterday, once again urging United Nations considerations of the war in Vietnam.

I also believe that if we follow this course and succeed in securing some sort of action recommendation from the United Nations, no matter whether from the Security Council or the General Assembly, we must also indicate our willingness to accept that recommendation, no matter how tasteful or distasteful that recommendation may be to us.

ORDER FOR ADJOURNMENT UNTIL 10 O'CLOCK TOMORROW VACATED

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the previous order providing for adjournment until 10 o'clock tomorrow morning be vacated.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 o'clock tomorrow morning.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session.

The **PRESIDING OFFICER**. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

SUPREME COURT OF THE UNITED STATES

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that Executive Calendar No. 977, the nomination of Thurgood Marshall, be laid before the Senate.

The **PRESIDING OFFICER**. The nomination will be stated.

The assistant legislative clerk read the nomination of Thurgood Marshall, of New York, to be an Associate Justice of the Supreme Court of the United States.

Mr. **PELL**. Mr. President, I wish to speak in support of the nomination of Thurgood Marshall to be an Associate Justice of the Supreme Court of the United States, and I urge Senators to support this nomination as well.

RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate, in executive session, stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 3 o'clock and 15 minutes p.m.), the Senate, in executive session, took a recess until tomorrow, Wednesday, August 30, 1967, at 10 o'clock a.m.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 29, 1967

The House met at 12 o'clock noon.

Rabbi Norman Zdanowitz, King's Park Jewish Center, Long Island, N.Y., offered the following prayer:

O Heavenly Father, cast Thy countenance and abundant blessings upon this great land. Fortify it physically and spiritually and protect it against all its enemies.

Bless our illustrious President and the constituted officers and leaders of the United States with wisdom and understanding, insight and foresight that they may be instrumental in resolving the social, economic, and political problems that confront our glorious Republic. As we approach Labor Day, we pray that the representatives of capital and labor will realize that both are vital and indispensable partners in our unparalleled economic order, and that both must plan and labor together in harmony in order to promote a better way of life. May we all be mindful of the unfinished labor of liberating the oppressed, of banishing violence and hatred, and of making the pursuit of truth and virtue the highest ideal and fondest ambition.

May the United States remain a citadel of freedom and a watchtower from which rays of light and hope shall be beamed to those who are now living in darkness, poverty, and despair. Hasten the day when the millenial hope of justice, brotherly love, and peace shall be established and will prevail throughout the world. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1467. An act to provide authorizations to carry out the beautification program under title 23, United States Code.

S. 1504. An act to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans for enterprises to supplement farm income and for farm conversion to recreation, remove the annual ceiling on insured loans, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, establish a flexible loan interest rate, and for other purposes.

DOUGLAS AIRCRAFT CO.'S EXHIBIT OUTSTANDING AT THE PARIS AIRSHOW

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, during the past several weeks I have discussd the various American exhibits at the Paris Airshow. Today I would like to salute the Douglas Aircraft Co. for its participation in the airshow.

One of the most popular American exhibits at Paris was the DC-8-61 jet transport produced by Douglas. This airplane, flown to Paris by Eastern Airlines, is one of the new Super Sixty series of the DC-8, 37 feet longer than its predecessors and capable of carrying up to 251 passengers.

These new aircraft have been ordered by a number of airlines throughout the world and the Paris Airshow offered an ideal opportunity for the European public and potential customers from various countries to become familiar with the Super 60 series.

The introduction of the DC-8-61 jet transport—the world's largest—opens a new chapter in the history of aviation.

The Super 61 DC-8 is the first transport built to provide air carriers with a commercial jetliner specifically designed to meet the current and predicted expansion in air travel.

Increased in size, capacity, and efficiency, the Super 61 demonstrates the capacity for growth inherent in the DC-8 design. It is the seventh new version of the basic DC-8 which made its maiden flight May 30, 1958.

The giant transport is designed to provide efficient service at low seat-mile and ton-mile costs on high density traffic routes where the schedule frequency has reached near-saturation levels.

Capable of carrying up to 251 passengers, the Super 61's capacity is more than 30 percent greater than that of the series 50 DC-8, the largest DC-8 now flying.

The Super 61 fuselage is extended by adding a cabin section 240 inches long in front of the wing and one of 200 inches aft of the wing.

Baggage and cargo space under the floor are proportionately increased to 2,525 cubic feet—almost equivalent to that of a C-36—enabling an airline operator to pay the entire direct operating cost of the aircraft from cargo capacity.

Super 61 DC-8's will reduce direct operating costs to less than 1 cent per seat-mile for the first time in aviation history.

In its convertible passenger-cargo version, designated the Super 61 DC-8F Jet Trader, the giant airliner will have a total cargo capacity of more than 12,600 cubic feet, compared to 8,810 cubic feet for the series 50 DC-8F.

The increased cubic capacity of the newest Jet Trader makes it possible for aircargo operators to accept many categories of bulky, low-density items previously considered unsuitable for air shipment.

The Super 61 DC-8F will accommodate 18 cargo pallets, five more than any other commercial air cargo transport. Pallet size can either be 88 inches by 108 inches or 88 inches by 125 inches.

Overall length of the new jetliner is 187.4 feet. Maximum takeoff weight is 325,000 pounds, and maximum landing weight, 240,000 pounds.

The Super 61 can carry its maximum capacity in passengers 3,900 statute miles without refueling. With a maximum payload weight limit of 77,500 pounds, the four-engine transport has a nonstop range of 2,860 statute miles.

All Super 61s are powered by four Pratt & Whitney JT3D-3B engines mounted on the wings, which have a span of slightly more than 142 feet.

The door to the cargo compartment under the floor of the Super 61 DC-8 has been enlarged from 36 by 44 inches in the standard DC-8 to 56 by 57 inches and has been designed as a sliding door rather than opening outward.

Production of the Super 61 began in 1965. The transport was rolled out January 24, 1966, at the Aircraft Division, Long Beach, Calif., and made its maiden flight in March 1966.

Enthusiastic endorsement of the Super 61 concept was evidenced even before the first flight. Eight airlines as of that date had placed orders for 28 of the jetliners.

Air Canada ordered four; Delta Air Lines, three; Eastern Airlines, seven; National Airlines, one; and United Air Lines, seven. Additionally, Trans Caribbean Airways, Saturn Airways, and Trans International Airlines each ordered two Super 61 DC-8F Jet Traders.

The Super 61 DC-8 is the first of three enlarged versions of the DC-8. The other two, the Super 62 and Super 63 DC-8's, are ultra-long-range transports designed for international operations.

At Paris the U.S. Navy also displayed versions of the A-4 Skyhawk attack aircraft, also produced by Douglas. These aircraft, more than 2,000 of which have been manufactured, are an important part of the Navy inventory and are performing particularly well in Vietnam. Other nations are interested in purchasing the A-4 and the Royal Australian Navy has just taken delivery on the first of 10 in the A-4G configuration.

Mr. Speaker, I know that my fellow Americans join me in commending the Douglas Aircraft Co. for representing our country so ably at the Paris Airshow. In addition to contributing significantly to our Nation's defense effort, companies like Douglas have made America a world leader in the aerospace industry.

CORRESPONDENCE BETWEEN THE SPEAKER AND PRIME MINISTER KY OF THE REPUBLIC OF VIETNAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that there may be printed in the body of the RECORD correspondence between the Speaker of the House and Prime Minister Ky of the Republic of Vietnam.

The **SPEAKER**. Without objection, it is so ordered.

There was no objection.

The correspondence is as follows:

REPUBLIC OF VIETNAM,
Saigon, August 21, 1967.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I take the liberty to write to you at a time when the events in my country occasion passionate debates in the Congress of the United States. Since the American and Vietnamese nations are together defending freedom, and are consenting to tremendous sacrifices, I deem it my duty to affirm again the principles which command the conduct of national affairs by my government.

The defense of freedom in Vietnam requires more than our joint efforts at war, it involves first and foremost our mutual commitment to the achievement of democracy and social justice. Should we stray from that basic commitment, or should you misconstrue our purposes, our alliance would indeed be in jeopardy.

As my government is nearing the completion of its term of duty, I sincerely feel that we have dispatched our task with honesty and effectiveness under most difficult circumstances. I take special pride in the fact that we have successfully started the course toward democracy and equality for a society which was imprisoned within the deep walls of feudalism, corruption and intolerable social discrepancies. In spite of war, subversion and several grave crises, my government has undertaken to organize five nationwide elections of vital importance within about a year's time: elections for the Constituent Assembly in September 1966, elections for Hamlet and Village administration in April–May 1967, Presidential and Senatorial elections next September, and elections for the Lower House next October. I do not know of any better way to warrant our determination to stay the course toward democracy. For it would be proper for all concerned to acknowledge the painful dilemma of our nation, torn between the dream to attain the integrity of democratic life and the necessity to fight for survival. We have lost many of our people, our soldiers, our cadremen in the past elections, and undoubtedly we shall lose many more in the coming weeks; we must devote a great deal of resources to the exercise of democracy which are badly needed on the battlefield; we run the risk of subversion and division at a time when the nation must unite in the face of the enemy. Yet we have all accepted the challenge without a shadow of reluctance.

It seems a cruel irony that some of our friends chose this very moment to voice doubt on our sincerity.

Perhaps the fact that my government includes officers of the Armed Forces leads to misgivings, for I know of the inherent distrust toward military government in the advanced societies. But in our present historical context, the Vietnamese Armed Forces are of a very particular nature: 700,000 of our young men are under arms in a nation of 15 million people. Our Armed Forces are not composed of militarists or people inclined to the use of force or violence, but of all the generations of Vietnamese within the age of offering the fullest measure of service to their imperiled Fatherland. They are the Present and the Future of our nation.

Furthermore, my government did not seize power; it was a civilian government which, unable to resolve instability and division, passed on to the Armed Forces the burden of preserving the nation from collapsing. We then formed a mixed team of civilian and military leaders, decided that our term of duty was to be a transitional one, and set out to establish the very rapid time-table for the advent of representative government. We are now reaching the final stage of that time-table.

Of course, two years are a very short period of time. We are convinced that we have engaged our country on the right path, but we are also aware that the tasks which we have begun, such as rural development, reorganization of the administration and of the army, reinforcement of the national economy . . . need to be continued. That is why, in good conscience, we deem it our duty to run for offices in due democratic process. We hope that the people of Vietnam will entrust us with further responsibilities on the basis of our past performances. But should the people decide otherwise, we shall readily accept their verdict.

I am particularly sad to hear accusations that the Vietnamese Armed Forces will resort to coups in the event the election returns should be unfavorable to us. We have devoted the finest hours of the past two years to bringing about the first democratic institutions in our country, we shall not be the ones to destroy them. I have repeatedly warned our soldiers, our civil servants, our cadremen against rigging the elections in any manner, for I think that dishonest elections would deprive our country of democracy for a long period of time. In 1963, the people and the Army overthrew a dictatorial government which was issued from dishonest elections.

That a few press correspondents should misquote my word of caution against unfair elections and make it sound like a threat of coup was, after all, understandable. But for a moment, I felt very discouraged to see some of the best friends of my country give credence to those inaccurate reports. Time and again, I have proven that I am capable of placing the interest of our nation above all possible personal ambition; the decision I made on the 30th of June to withdraw from the Presidential race and to seek the Vice Presidency instead, was another instance of my sincerity.

I see therefore no reason for attributing to ill faith on the part of my government the difficulties that the candidates may encounter in their campaigning. My country is short on physical facilities, several of our airfields are still unsafe, and the wind blows where it may . . . In my opinion, a dignified attitude for those among us who ambition to be public servants by popular choice should be to endure those misfortunes and persevere in seeking the support of the electorate, and not to display resentment against the adverse conditions which prevail for our entire people. In the meanwhile, I am satisfied that our government has done its very best to give all candidates a fair share of the means for campaigning. The same amount of money is alloted to all tickets. The government Television and Radio allow equal time to all candidates in direct broadcast, and anybody in Vietnam can testify that those means are used at their fullest capacity by our opponents. The Vietnamese press is free, and, in part, quite virulently antigovernmental; on the other hand the foreign press is at full liberty to cover the campaign and the forthcoming elections.

If by the standards of a country with a long experience in the exercise of democracy, and free from the predicaments of war and underdevelopment, our elections still present serious shortcomings, I am the first Vietnamese to deplore that situation. But I can say without any doubt in my conscience that my government does not deserve any lesson in honesty and patriotism from any quarter.

I am afraid that persistent criticism without substantiated evidence on the part of some prominent American figures may, in the long run, impair the harmony of our joint efforts. The Vietnamese are a proud people, they will accept any amount of tribulations and sufferings, but their dead count as much as the dead from all the friendly lands, and they will admit no discrimination in all the men's supreme tribute to freedom and human dignity.

I see an urgent need, Mr. Speaker, for all of us to keep an appropriate perspective in the partnership between nations, large and small, which are in pursuit of a common ideal; for intemperate reliance upon the physical scale of strength would be the negation of that very ideal.

Mr. Speaker, may I ask you to convey my letter to all the Distinguished Members of the House of Representatives of the United States.

I stand in profound respect for the great traditions of democracy and justice embodied in your institutions. I greatly value the support of the Congress of the United States for the cause of Vietnam, and I am always ready to discuss in total candor with the Distinguished Representatives who wish to further examine the developments concerning the common endeavor of our two nations.

Sincerely yours,
NGUYEN CAO KY,
Air Vice Marshal.

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., August 29, 1967.

Air Vice Marshal NGUYEN CAO KY,
Chairman, Central Executive Committee,
Republic of Vietnam.

DEAR MR. PRIME MINISTER: Your letter concerning the principles which govern the conduct of national affairs by the Government of Viet-Nam has reached me, and I have conveyed it to the members of the House of Representatives, as you requested.

I have given the most careful consideration to your letter and I am sure that other members of this House will do likewise. In my opinion, your remarks are an eloquent and welcome reaffirmation of the ideals of national independence and individual liberty shared by our two peoples.

Let me assure you that no criticisms or reservations expressed by members of the House of Representatives in the exercise of their duty to inquire into the affairs of the United States have ever intended to impugn the encouraging course towards constitutional democracy which your country has undertaken. In fact, the attention given by the House of Representatives to the development of representative institutions in Viet-Nam is a measure of our common concern that the impressive pace of evolutionary political development to which you and your colleagues have contributed so much shall be sustained. Our admiration for these accomplishments is heightened by the realization that they were undertaken in the face of brutal opposition from an arrogant aggressor which would deny your people their right to self-government.

With my expressions of respect and my compliments to you and your associates, I am

Sincerely yours,
JOHN W. MCCORMACK,
Speaker, U.S. House of Representatives.

RESCUING OUR OLYMPIC BEGGARS

Mr. KUPPERMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, with the prestige of the United States continually at stake before the world, the area of amateur sports, especially the Olympics, continues to be of prime importance.

My constituent, Irving Jaffee, the great

Olympic skating champion of 1928 and 1932, whose exploits on behalf of the United States are remembered by all who saw or read of them, is vitally concerned about financing our Olympic teams.

In a very thoughtful article in the current issue of the American Legion magazine—September 1967, commencing at page 17—he considers the way we have financed previous Olympic teams, the unseemly last-minute pleas for funds, et cetera, and makes concrete proposals for the future.

The article follows and I commend it to my colleagues:

A PLAN TO RESCUE OUR OLYMPIC BEGGARS

(By Irving Jaffee, Olympic skating champion in 1928 and 1932, as told to Hal Bock)

The modern Olympic games were first held in Athens, Greece, in 1896. They have been held every four years since, except in the war years 1916, 1940 and 1944. The winter games were added in 1924. The United States has participated from the start. When we go into the 1968 games our Olympic experience will have spanned 72 years. Yet it is a foregone conclusion that it will be a crash operation to finance our 1968 team.

Undoubtedly our Olympic Committee won't go in the red. It will balance the books by a last-minute pleading for individual gifts, by swapping exclusive Olympic advertising endorsements for cash and equipment from U.S. corporations, and by practicing economies in Olympic expenses—economies that will include leaving some eligible athletes home.

That's how it has happened ever since I can remember. I was our fourth ranked speed skater in the 1928 Olympics. We were entitled to send a squad of 17 speed skaters to the St. Moritz winter Olympics in Switzerland. We prepared to send three. The ship was actually delayed in sailing at the last minute while a decision was made that they could afford to send me after all. By the skin of my teeth I made the trip. To everybody's surprise, including my own, I won the 10,000 meters. But my pride in beating the best skaters fielded by the entire world has been watered by an unresolved doubt ever since. If our fourth ranked skater could do that, perhaps our fifth or 17th could have beaten me. I'll never know. They stayed home.

At the Millrose track meet in Madison Square Garden, just before the last Olympics in 1964, the program was interrupted while a sentimental plea was made by old-time athletes for all the spectators to chip in for the Olympic fund when ushers passed among us rattling the cup.

This begging to help the richest nation on earth send its squads to the Olympics makes me absolutely furious. But while I can contain myself, my wife can't. She wants to take it out on the only target available—the poor ushers who pass the tin cup. "Why aren't they planning something," she cries, "instead of embarrassing and humiliating our sports, our nation and our whole program?" She and I aren't alone. As a former Olympian, and as one who ever since has identified himself with the development of young American athletes, I am often the target of a blunt question from others:

"What the hell is the matter? Why do they have to put Bob Hope on a telethon to raise nickels and pennies, or enlist Bing Crosby in appeals to the public, or ask people to send in soap coupons with the promise that the manufacturer will give so much to the Olympic fund for every so many coupons?"

They *do* have to do that, and our 1968 Olympic team will need your support in every conceivable way in order to make out. There's no chance of getting out of the old rut in the little time remaining. Maybe we'll never get out of it. Maybe the begging, penny-pinching, commercialization and crash operations will go on and on in the nation that is reputed to have the greatest reservoir of management ability in the world.

There's a simple and logical way to assure our Olympic team the money it needs in a planned, non-begging fashion—with enough money left over to provide some needed support for the better development of amateur athletics in the United States.

That is another sore spot. We do perhaps the sorriest job of any major nation when it comes to developing young athletes. That could surprise you, since we turn out many great champions. Truth is, we do it the hard way, and we are weak in many sports where we could be strong.

Versions of my own story, minus the happy ending, could be repeated by tens of thousands of American boy and girl athletes and by thousands of adults who have tried to help them. To put it briefly, I was bitten by the skating bug at age 14, while living in a poor neighborhood in New York's Bronx. I had to go to Manhattan to find a rink I could use (Roseland Dance City occupies those premises now). To pay for the privilege of skating I swept the ice regularly. I sold newspapers to earn subway fare to the rink. I wore borrowed skates that were too big for me. Stuffing the toes with newspapers I managed to win a medal in a novice race. A year later I won an important race, the New York Daily News Silver Skates. I didn't even know what I'd done right, for I had never been coached. After that, opportunities opened up so that I could have coaching and decent equipment, thanks to the interest of individual older skaters in a promising youngster. This doesn't exactly read like a program for the development of young athletes.

Things aren't exactly the same today, but there is still no trace of anything like a national program to give kids such as I was a chance to get started. In Canada, the government hires top-notch coaches in speed skating and figure skating. They travel the country and give mass instruction at "clinics" to which any interested youngster can come. We have "Olympic coaches," but theirs is chiefly an honorary job, involving the management and discipline of the Olympic team once it is chosen.

Until recently, there was not a single Olympic-size quarter mile or 400-meter racing rink in the United States. Now the state of Michigan has built one at Flint. Small wonder that while an American like Terry McDermott could win an Olympic short race in 1964, we are consistently left behind in distance skating. Our young distance skaters practice on ponds, rivers and lakes (when weather permits) or at undersized hockey rinks. When they enter a world contest it's like going onto the field for the first time. The city of Moscow has ten 400-meter rinks where the smallest children can practice under Olympic conditions. Norway has about 40, Sweden 30, Finland 10—and so it goes.

Many European nations have from 10 to 20 Olympic bobsled runs. In the United States we have one—at Lake Placid. The State of New York and the town of Lake Placid foot the bill for it. The winter athletes aren't the only ones who have little chance to develop or get good coaching in the United States, but skating is my field so let me say a little more.

France sends her most promising Olympic figure skaters to the United States, with all costs paid, to be coached by Pierre Brunet, now an American citizen. In 1928, he, with his wife, won the mixed-pair Olympic figure skating crown for France.

We send nobody anywhere for the coaching that a top figure skater needs. And it costs plenty. If you have the stuff to be a figure skater in the United States, you must have rich parents or some private club or sponsor behind you in order to develop. Either is a matter of luck.

Our own wonderful Carol Heiss and Peggy Fleming lacked family wealth. Fortunately, the New York Skating Club sponsored Carol, while Peggy is a world champion thanks to the backing of the Broadmoor Skating Club in Colorado Springs.

European governments in general will hire successful coaches—from abroad if necessary—to train their Olympic hopefuls.

In the United States, the development of young amateur athletes is carried on in the schools or by volunteer adults. We are all familiar with the volunteer programs—the Little Leagues, American Legion Baseball, Babe Ruth Leagues, police athletic leagues, Boys' Clubs, Boy Scouts, and so on. Then there are purely local sports programs conducted by a park department or by willing adults who earn a living from nine to five, then turn out to help what youngsters they can.

It is a tribute to such volunteers that they have done as well as they have. Their struggles to find playing space and equipment, uniforms, tournament costs, adequate instructors or transportation for the youngsters would curl your hair if you knew the details. To put it bluntly, volunteers who are perfectly willing to train your child or mine usually have to spend more time and energy begging for money or other needs (the way the Olympic Committee does) than they are able to devote to the youngsters.

Our national American Legion Baseball tournament nearly died in 1933 when the major leagues withdrew the support that helped underwrite the national elimination contests. Newspaper publishers saved the day. They followed the example of the late Frank Knox. Knox, former Secretary of the Navy, and a publisher of papers in Manchester, N.H., and Chicago, put up the first $5,000. The late Dan Sowers, of West Virginia, and other hard-working Legionnaires used Knox's gift as a base to solicit more from other publishers. The major leagues, whose roster today are loaded with former Legion youth baseballers, eventually restored their guarantee.

Readers of these pages well know what many of the individual Legion Posts go through in order to support the local teams in the program. The Post that plays host to the national finals may find that it will make out very well—if a substantial committee of able men anticipates every detail and exploits every avenue of support a year or two in advance. Otherwise it may struggle for another year or two to get out of the red.

Unlike us, many foreign nations have national physical fitness programs. True, there is an element of deceit in some of them. They help to field well-trained "amateurs" in the Olympics who would be professionals by our standards. The Communist nations, of course, simply support and pay their "amateurs" to keep in training.

They aren't the only ones. Ethiopia's great distance runner earns army promotions by winning international races. Sweden's definition of an amateur permits an athlete to capitalize on his reputation in any manner except coaching. Amateurs make out so well financially that professional sports are all but unknown there. By contrast, if I should check hats at a skating rink in this country I could be declared a professional.

Deceitful rules allow the top athletes in many lands to support themselves through their sports while reaching their peak of performance, as professionals do here. But there is nothing deceitful about the facilities and instruction that help young boys and girls to develop in nations that have genuine physical fitness programs. From Japan to Europe there is mass opportunity for exposure, training and competition in a broad spectrum of sports for young people, without forcing hit-or-miss volunteer adults to beg and improvise.

We do have a national physical fitness program in the United States—so-called. Stan Musial was named to be its first director by

President Kennedy. It wasn't Musial's fault that his chief duty was to talk to adults, for it is only a paper program. There's no money in it with which to achieve anything. Begging, borrowing and improvising is our way.

A deal I tried to pull off in New York a few years ago would be unthinkable in Sweden—and so would its failure. There was a chance to let thousands of city kids skate in rinks in the parks system for a dime or so. I was concerned about the many poor boys and girls who wouldn't have skates or the money for them. I approached an athletic club with a proposition that it work with department stores to collect "trade-in" skates from well-to-do customers, and issue them for use of children in the city parks. The whole thing fell through in a mass of red tape. But my point is that this is typical of the kind of improvising and wheeling and dealing that takes place on behalf of kids in your town as well as mine. Money is always at the heart of it. Raffles and bingo used to support many volunteer youth programs, but most states have clamped down on them. Commercial sponsors are often appealed to. Thousands of local businessmen in the United States put up money or uniforms to support teams in this or that, for the privilege of the words "Goode's Grocery" or "Smith's Hardware" on the athletic shirt. This too is hit-or-miss, and it's a form of begging to ask for it—though I don't know what would happen to sandlot sports in this country without the local business sponsor.

Commercial sponsorship is sometimes too commercial. A friend of mine lives in a town where the local Babe Ruth League tied a fund-raising deal in with a newspaper's circulation promotion. The last two years running the paper's solicitor phoned him to say that if he would subscribe, it would help the ball team. Each time my friend said he didn't want the paper, but would be glad to send a contribution to the team if the newspaper would tell him who to send it to. To this day he hasn't been told. The interest of the solicitor is in newspaper circulation, and plainly not in the ball team.

If we had a solid, national plan to develop sports programs, as many lesser nations do, perhaps men like Joe Yancey or clubs like the Grand Street Boys wouldn't be necessary. Or perhaps they could achieve a great deal more with the backing of a national fund.

They fit into our most powerful amateur sport—men's track and field. Did you ever wonder how some of our track stars manage to keep in training after college (if they went to college); who coaches them; where they run or jump in practice; who enters them in meets and sees that they have uniforms; how they travel to meets? Remember, if they aren't well-to-do, they have to go to work at something else.

For some it is easy. They live near their old college, perhaps, or they are graduate students, and their old coach welcomes them. They are invited to join one of the prosperous clubs, such as The New York AC, or the Los Angeles Olympic Club.

But not all of them. In New York there were so many fine athletes of poor origins that a group of prominent citizens formed the Grand Street Boys many years ago to sponsor good athletes who needed help if they were to stay in training and get to meets without hitchiking, sleeping in flophouses and nibbling potato chips on the eve of a national championship. The Grand Street Boys have sponsored many an athlete who would otherwise have had to quit.

Then, 30-odd years ago, the New York Pioneer Club came into existence in New York. Its strong point is coaching good athletes who are no longer in school. You can look all over New York and you won't find the New York Pioneer Club anywhere. It is Joe Yancey, a Negro employee of the Internal Revenue Service. Yancey is a crackerjack track coach. He gathered in many of the graduated trackmen of N.Y.U., Manhattan and other city colleges, and many non-college runners, and established the Pioneer Club. The club is wherever Joe is standing on the running track in McCombs Dam Park, N.Y. In winter, he disperses his teams to the armories or the board tracks of the city's colleges. Some of his athletes, picked off the streets, won college scholarships *after* he developed them. Joe works full time for a living, but so do most of his athletes, so the Pioneer Club gets into swing at the end of New York's business day. Yancey's men have won national crowns for him and international crowns for America. He has put together some fearsome relay teams—which his athletes, on their own, could hardly have done. This year New York's Mayor Lindsay has named him to coach New York's entry into the U.S. Youth Games in August.

New York is my city. I haven't the least doubt that the story of the Grand Street Boys and the Pioneer Club could be repeated in Chicago, Cleveland, Los Angeles and elsewhere.

What such individuals and groups have done is inspiring. But the situation that leaves it up to them hardly reflects well on such a great country as ours. Nor are they able to do more than scratch the surface. Thousands of youngsters in the United States who aren't lucky enough to get the minimum opportunity to develop as champions in many sports are as frustrated today as were youngsters in my youth.

For many years requests for me to help young skaters, to speak to sporting groups, or to lend my time and my Olympic reputation to fund-raising activities and charity affairs kept me from having dinner with my family more than two nights a week. I've had thousands of requests to coach youngsters, and though I'm a fulltime businessman I do what little I can. I finally had to discourage requests for public appearances by charging $100—to go to charity. I had no other choice if I were to have any private life at all. Occasionally, I go on TV to talk to boys and girls about skating. Then floods of letters pour in from parents whose children have interest and ability but nobody to guide them. I'm only in a minor sport. Imagine what the demands are on the big name athletes in the major sports.

What could we do in the United States to assure our Olympic and Pan-American Games teams of all expenses, without begging and commercialization of amateur sports, and at the same time find more money for the development of young athletes? I am sure we don't want to professionalize our amateur sports, and I am equally sure that we don't want Uncle Sam to run our sports programs the way the Communist governments do. I think we have already gone too far, for to me it is repulsive that the Olympic Committee is in the business of soliciting corporations for help and giving them exclusive advertising endorsements in return.

The answer can surely be found right at hand, by simply adapting a financial principle laid down years ago for the disposal of any profits from the Olympic Games themselves. Such profits "must be applied for the promotion of the Olympic movement, or for the development of amateur sports."

I would like to see a fund, easily paid for by sports fans in a systematic way, to support our Olympic and Pan American games, and at the same time further the development of amateur athletics in the United States.

Call it anything you want, but "ASDOF" would do for now. (American Sports Development and Olympic Fund.)

It would be sustained by a cut from the gate and from TV receipts in all U.S. sporting events, amateur and professional. For all I care—if it were so administered as to prevent cheating—it could be a small surtax added to ticket prices, so that no promoter could cry that he couldn't afford it. The whole American sporting public could quite painlessly foot the bill—and gladly, I think.

In WW2, a 10% tax was slapped on sporting goods and amusements. Now, 22 years after the war's end, we're still paying some of those taxes. ASDOF could put millions of dollars into the support of amateur athletics, from Olympics to sandlot, with far less.

I've thought of 1% or 2% for ASDOF. Perhaps it would be more convenient to think of a flat nickel for ASDOF for each paid admission of $1 or more to a sporting event—with a nominal cut on some other basis from TV too.

What a wonderful feeling it would be to know that every time you go to a sporting event you'd be helping your country's amateur program. When I pay $6 to see a track meet at Madison Square Garden, I'd cheerfully pay an extra 5¢ ASDOF "tax" when I buy my ticket. What a relief if they should interrupt the program not to beg, but to announce: "Attendance tonight is 15,875. Your gate receipts have provided $793.75 for amateur sports in America."

They wouldn't need more than that small sum from a Garden audience at a track meet, a hockey or basketball game, or a boxing match, if there were a 5c ASDOF "tax" on *all* sports admissions *everywhere*.

Last year there were 135 million admissions to college and pro football, pro baseball, horseracing and trotting. Simply from those three, a 5c ASDOF contribution per admission would yield $6,750,000 a year. In the four-year Olympic span that alone would provide $27 million painlessly.

Throw in auto racing, boxing, track, hockey, basketball, swimming, skiing, skating, golf, dog races, jai alai, and so on, and there would be millions more. We'd never have to prostitute our Olympics to advertising again or pass the tin cup around.

The cost of our last Olympic and Pan American teams was $1,398,115.30—a huge amount under our present horse-and-buggy funding, a drop in the bucket under the ASDOF idea.

We should then immediately spend *more* on the Olympics, for we should never again fail to send full squads. We have entered full squads in Olympic games held here, but we have never sent full squads abroad, when travel costs became an important item.

The squads are usually cut in our weaker events, where it can be said that those we leave home wouldn't have much chance anyway. That's one of the things that keeps us weak in them. There is little incentive to train for a spot on an Olympic squad if the position isn't assured even if you qualify. Once full squads are guaranteed—as ASDOF could easily guarantee them—you can expect fiercer competition and better performance in the *many* Olympic events in which we are weak.

Over each four-year period an ASDOF surtax, if it were 5c a paid admission, could probably raise more than $30 million *above* what our Olympic and Pan American teams need. That would put muscle in the late President Kennedy's dream of a national physical fitness program, where now there is only paper and talk.

ASDOF could help support any local group that would meet specified conditions to operate various sports programs—making it easier to provide facilities, equipment, supervision, coaching and tournaments.

ASDOF could start spotting major facilities around the country—such as all-year running tracks; Olympic skating rinks and bobsled runs; gymnasia equipment and space for wrestlers, gymnasts, etc., in addition to our present wealth of basketball playing space.

Probably our great weakness in the Olym-

Olympic skating champion of 1928 and 1932, whose exploits on behalf of the United States are remembered by all who saw or read of them, is vitally concerned about financing our Olympic teams.

In a very thoughtful article in the current issue of the American Legion magazine—September 1967, commencing at page 17—he considers the way we have financed previous Olympic teams, the unseemly last-minute pleas for funds, et cetera, and makes concrete proposals for the future.

The article follows and I commend it to my colleagues:

A PLAN TO RESCUE OUR OLYMPIC BEGGARS

(By Irving Jaffee, Olympic skating champion in 1928 and 1932, as told to Hal Bock)

The modern Olympic games were first held in Athens, Greece, in 1896. They have been held every four years since, except in the war years 1916, 1940 and 1944. The winter games were added in 1924. The United States has participated from the start. When we go into the 1968 games our Olympic experience will have spanned 72 years. Yet it is a foregone conclusion that it will be a crash operation to finance our 1968 team.

Undoubtedly our Olympic Committee won't go in the red. It will balance the books by a last-minute pleading for individual gifts, by swapping exclusive Olympic advertising endorsements for cash and equipment from U.S. corporations, and by practicing economies in Olympic expenses—economies that will include leaving some eligible athletes home.

That's how it has happened ever since I can remember. I was our fourth ranked speed skater in the 1928 Olympics. We were entitled to send a squad of 17 speed skaters to the St. Moritz winter Olympics in Switzerland. We prepared to send three. The ship was actually delayed in sailing at the last minute while a decision was made that they could afford to send me after all. By the skin of my teeth I made the trip. To everybody's surprise, including my own, I won the 10,000 meters. But my pride in beating the best skaters fielded by the entire world has been watered by an unresolved doubt ever since. If our fourth ranked skater could do that, perhaps our fifth or 17th could have beaten me. I'll never know. They stayed home.

At the Millrose track meet in Madison Square Garden, just before the last Olympics in 1964, the program was interrupted while a sentimental plea was made by old-time athletes for all the spectators to chip in for the Olympic fund when ushers passed among us rattling the cup.

This begging to help the richest nation on earth send its squads to the Olympics makes me absolutely furious. But while I can contain myself, my wife can't. She wants to take it out on the only target available—the poor ushers who pass the tin cup. "Why aren't they planning something," she cries, "instead of embarrassing and humiliating our sports, our nation and our whole program?" She and I aren't alone. As a former Olympian, and as one who ever since has identified himself with the development of young American athletes, I am often the target of a blunt question from others:

"What the hell is the matter? Why do they have to put Bob Hope on a telethon to raise nickels and pennies, or enlist Bing Crosby in appeals to the public, or ask people to send in soap coupons with the promise that the manufacturer will give so much to the Olympic fund for every so many coupons?"

They *do* have to do that, and our 1968 Olympic team will need your support in every conceivable way in order to make out. There's no chance of getting out of the old rut in the little time remaining. Maybe we'll never get out of it. Maybe the begging, penny-pinching, commercialization and crash operations will go on and on in the nation that is reputed to have the greatest reservoir of management ability in the world.

There's a simple and logical way to assure our Olympic team the money it needs in a planned, non-begging fashion—with enough money left over to provide some needed support for the better development of amateur athletics in the United States.

That is another sore spot. We do perhaps the sorriest job of any major nation when it comes to developing young athletes. That could surprise you, since we turn out many great champions. Truth is, we do it the hard way, and we are weak in many sports where we could be strong.

Versions of my own story, minus the happy ending, could be repeated by tens of thousands of American boy and girl athletes and by thousands of adults who have tried to help them. To put it briefly, I was bitten by the skating bug at age 14, while living in a poor neighborhood in New York's Bronx. I had to go to Manhattan to find a rink I could use (Roseland Dance City occupies those premises now). To pay for the privilege of skating I swept the ice regularly. I sold newspapers to earn subway fare to the rink. I wore borrowed skates that were too big for me. Stuffing the toes with newspapers I managed to win a medal in a novice race. A year later I won an important race, the New York Daily News Silver Skates. I didn't even know what I'd done right, for I had never been coached. After that, opportunities opened up so that I could have coaching and decent equipment, thanks to the interest of individual older skaters in a promising youngster. This doesn't exactly read like a program for the development of young athletes.

Things aren't exactly the same today, but there is still no trace of anything like a national program to give kids such as I was a chance to get started. In Canada, the government hires top-notch coaches in speed skating and figure skating. They travel the country and give mass instruction at "clinics" to which any interested youngster can come. We have "Olympic coaches," but theirs is chiefly an honorary job, involving the management and discipline of the Olympic team once it is chosen.

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Call it anything you want, but "ASDOF" would do for now. (American Sports Development and Olympic Fund.)

It would be sustained by a cut from the gate and from TV receipts in all U.S. sporting events, amateur and professional. For all I care—if it were so administered as to prevent cheating—it could be a small surtax added to ticket prices, so that no promoter could cry that he couldn't afford it. The whole American sporting public could quite painlessly foot the bill—and gladly, I think.

In WW2, a 10% tax was slapped on sporting goods and amusements. Now, 22 years after the war's end, we're still paying some of those taxes. ASDOF could put millions of dollars into the support of amateur athletics, from Olympics to sandlot, with far less.

I've thought of 1% or 2% for ASDOF. Perhaps it would be more convenient to think of a flat nickel for ASDOF for each paid admission of $1 or more to a sporting event—with a nominal cut on some other basis from TV too.

What a wonderful feeling it would be to know that every time you go to a sporting event you'd be helping your country's amateur program. When I pay $6 to see a track meet at Madison Square Garden, I'd cheerfully pay an extra 5¢ ASDOF "tax" when I buy my ticket. What a relief if they should interrupt the program not to beg, but to announce: "Attendance tonight is 15,875. Your gate receipts have provided $793.75 for amateur sports in America."

They wouldn't need more than that small sum from a Garden audience at a track meet, a hockey or basketball game, or a boxing match, if there were a 5c ASDOF "tax" on *all* sports admissions *everywhere*.

Last year there were 135 million admissions to college and pro football, pro baseball, horseracing and trotting. Simply from those three, a 5c ASDOF contribution per admission would yield $6,750,000 a year. In the four-year Olympic span that alone would provide $27 million painlessly.

Throw in auto racing, boxing, track, hockey, basketball, swimming, skiing, skating, golf, dog races, jai alai, and so on, and there would be millions more. We'd never have to prostitute our Olympics to advertising again or pass the tin cup around.

The cost of our last Olympic and Pan American teams was $1,398,115.30—a huge amount under our present horse-and-buggy funding, a drop in the bucket under the ASDOF idea.

We should then immediately spend *more* on the Olympics, for we should never again fail to send full squads. We have entered full squads in Olympic games held here, but we have never sent full squads abroad, when travel costs became an important item.

The squads are usually cut in our weaker events, where it can be said that those we leave home wouldn't have much chance anyway. That's one of the things that keeps us weak in them. There is little incentive to train for a spot on an Olympic squad if the position isn't assured even if you qualify. Once full squads are guaranteed—as ASDOF could easily guarantee them—you can expect fiercer competition and better performance in the *many* Olympic events in which we are weak.

Over each four-year period an ASDOF surtax, if it were 5c a paid admission, could probably raise more than $30 million *above* what our Olympic and Pan American teams need. That would put muscle in the late President Kennedy's dream of a national physical fitness program, where now there is only paper and talk.

ASDOF could help support any local group that would meet specified conditions to operate various sports programs—making it easier to provide facilities, equipment, supervision, coaching and tournaments.

ASDOF could start spotting major facilities around the country—such as all-year running tracks; Olympic skating rinks and bobsled runs; gymnasia equipment and space for wrestlers, gymnasts, etc., in addition to our present wealth of basketball playing space.

Probably our great weakness in the Olympic distance running events can be blamed on the unavailability of thousands of existing running tracks to trackmen except for a few weeks of the year. Outside of parts of the South and West, our vast investment in local school tracks is largely closed to trackmen in the fall by football, in winter by snow and in summer by the grounds-keeper. The waste of these facilities lying idle is enormous. ASDOF could help keep some of them open and in good shape in the summer, wherever a local group would assume supervisory control and responsibility—and organize activities.

Short-distance runners carry over useful training from football and basketball, and can come close to their peak in the brief school track season that we allow them. But our typical short school training season is of little use to distance runners. The natural result of locking them out for most of the year is reflected in our record in Olympic distance races. We absolutely dominate the shorter runs and most field events in the Olympics, and we have won more than our share in the Olympic half mile (800 meters.) But we haven't won an Olympic mile (1,500 meters) since Mel Sheppard turned the trick in 1908. In 70 men's Olympic races longer than a mile that have been run since 1896, we have won five—and two of them before 1912.

Gymnasts and wrestlers are given a short season in our school programs too, where there is any program for them at all. Typically, they have to move out when basketball moves in, and most gyms are closed to them for the summer. Few school systems can afford to keep gyms open when school is out. Typically, they lie idle while we wonder what to do with boys in the streets. Most high schools have no program at all for gymnasts, few have any for wrestlers or fencers. Rowing is for the rich and the colleges.

Our whole school varsity athletic program—the best sports program that we have—is the very opposite of a national physical fitness program. It is chiefly an attrition program which favors the few natural athletes and quickly cuts the rest from the squad, or benches many of the candidates even in practice. The nature of varsity programs permits nothing else. A few students in a large student body get all the practice. They get the best benefit of the coaching, and they dominate the use of the facilities. ASDOF, by broadening the facilities and the teaching, could give the slow learner a chance. Many of our great champions have been slow learners, eventually surpassing some of the natural athletes on their own initiative, in private struggles against the present system.

ASDOF could provide more opportunities for the school dropout, for the college graduate, for the kid on the street who yearns to excel in something but finds most doors closed.

ASDOF could send top coaches around the country in their off-seasons to hold clinics for youngsters who don't know what to do with their right foot or their left hand—as touring coaches, sponsored by the government, do in Canada.

There are associations governing or promoting most sports that could spell out far more that could be done to widen opportunity and develop amateur activities in their fields, if a fund such as ASDOF offered them a running start.

I would like to hear our top skiing leaders say what they would do with a share of such a fund for development. After 52 skiing contests for men in Olympic history, we are still looking for our first gold medal. Only two Americans hold Olympic skiing gold medals, both women. Since Gretchen Fraser and Andrea Lawrence won slalom races for us in 1948 and 1952, German, Swiss, French and Canadian women (but no American women) have come along to improve on their winning Olympic times.

A few things about such a fund as ASDOF. It certainly should be run by a top board of outstanding citizens who are not part of any sports association, to keep it above such senseless quarrels as the AAU and the NCAA are now waging. It should be as far above suspicion as Caesar's wife. A nation that can run a Red Cross or a March of Dimes has the management savvy to make it work. Sports fans, I think, would be delighted to support it.

Sports promoters who pay professional performers and entertainers have been taking in big gates for amateur sports for years, without doing very much for amateur sports in return and—of course—without paying the performers.

Most of our professional sports feast off amateur sports. We are all familiar with pro football and pro basketball divvying up the top college stars among them every year. Probaseball scouts tour the country looking for amateur talent. To them the best amateurs are found gold. It is time they cooperated to help develop the talent that is the source of their riches. And it would be good business, too.

Television's sports shows are its best drawing card. TV too should be very happy to make a contribution to the development of its most attractive performers.

The greatest value of ASDOF would not lie in Olympic medals. They would simply be the frosting on the cake. By far its chief importance would lie in the opportunity it could provide for all the boys and girls who want to achieve something, but whose elders say they "can't afford" this and "can't afford" that. It would also lie in the help it would give to those volunteer adults who are bucking "the system" in trying to do what they can for such boys and girls.

You take it from there.

NATIONAL VISITOR CENTER

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, today I am pleased to introduce a bill to provide for a National Visitor Center to be located in the present Union Station. As a member of the National Visitors Center Commission, I have been meeting and inspecting various sites over the past year, with a view toward solving the problems of congestion for tourists in the Capitol and at the national museums and monuments on the Mall.

The bill authorizes the General Services Administration and the Secretary of the Interior to enter into a lease agreement with the Washington Terminal Co., the present owner of Union Station. Prior to the lease, the Terminal Co. is to remodel the station, making it suitable for use as a visitors' center, and build a new 4,000-car parking facility. The estimated cost of this work is $19½ million, and all of it will be financed by the Terminal Co.

On its part, the Federal Government will take a 20-year lease on the station and parking facility, at annual lease payments which are not to exceed $2,935,000. No rental payments will be due until the United States has taken possession after the remodeling and construction, and it is expected that most or all of this expense can be recouped from parking fees and sale of goods and services.

In addition to the Visitors' Center contemplated in the bill, the Commission proposes that bus service will be available every 5 minutes to the Capitol and around the Mall.

I believe this proposal represents a solid step toward providing the convenient service needed for our tourists. It will solve the problem of congestion in the streets and public facilities, and will make the tourists' visit and impression of the Nation's Capital much more enjoyable and profitable. While I am primarily interested in improving the conditions in the Capitol itself, the bill introduced today is a good beginning.

WHY NOT A U.S. AIRSHOW?

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to extend my remarks for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, the damp but enthusiastic crowd which attended the airshow at Dulles International Airport 2 weeks ago graphically demonstrates again the general public's interest in aviation.

The more than 75,000 persons—15,000 cars—who visited this 1-day, jet-aged version of a flying circus support my general feelings that this country could and should sponsor an international air exposition.

In most quarters, American aviation is acknowledged to be superior to other countries, and yet, the most prominent air show staged on a regular basis is held in France.

It seems a bit ironic that the country which is the birthplace of Wilbur and Orville Wright, the world's foremost pioneers of flight, does not sponsor a major air exhibit.

The American aviation industry must travel halfway around the world to show its goods. Likewise, only on rare occasions such as last weekend's show at Dulles and during such exhibits at the International Exposition of Flight, which was staged in Las Vegas this past spring, does the American public have the opportunity to view the newest or best-known creations of American aviation.

Mr. Speaker, I urge that FAA and CAB officials, and other officials of this Government and aviation leaders take positive steps to consider the sponsorship of an International Air Exposition here in America for 1968 or 1969—and I would think that Dulles International Airfield would be the ideal site.

OUR ELECTION OBSERVERS IN VIETNAM

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, the

U.S. team has today departed to observe the Vietnam elections. While the members of this team are only to view the elections and not to interfere in their conduct, I believe their appointment and dispatch by the President is highly questionable and not in the best interests of either the United States or the Government of Vietnam.

We are supposedly in Vietnam to assist the Vietnamese people in protecting their freedom and independence. Over the past year or so, we have been urging the Vietnamese to hold elections in order to demonstrate and encourage this freedom and independence. Now that elections are going to be held, however, we turn around and send a team of observers to report on the conduct of these elections. This seems to me to be antithetical to the very concept of freedom and independence. Our presence there in this capacity constitutes a form of colonialism, in my opinion, and is destructive of the initiative and self-reliance we are seeking to develop in Vietnam.

That the elections in Vietnam may not be as free and honest as we would like is beside the point. The principle is what we should be seeking to establish. Sending a team of observers there tends to undermine this principle. My guess is that the sending of the team of U.S. observers has more to do with the U.S. elections next year than with the elections in Vietnam this year.

And, while on the subject of free and honest elections, do we have that much to be proud of ourselves in certain parts of the U.S. Reports from Chicago, Philadelphia, Mississippi, Boston, and even parts of Texas and elsewhere in past elections have raised serious questions in this regard.

Since our own house is not always in order, I think it only fair and reasonable that in our 1968 presidential elections, we should rightly expect and perhaps invite the Government of Vietnam to send a team of officials to observe our elections.

THE WARREN REPORT—V–VI

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, following are the fifth and sixth installments of the transcript from the CBS television documentary entitled, "CBS News Inquiry: The Warren Report":

PART V

Cronkite. For two nights we have been looking for answers to major questions concerning the assassination of President John F. Kennedy. Sunday night we asked: Did Lee Harvey Oswald take a rifle to the Book Depository Building? Our answer was yes. Where was Oswald on the day President Kennedy was shot? In the building on the sixth floor. Was Oswald's rifle fired from the building? Yes. How many shots were fired? Most likely, three. How fast could Oswald's rifle be fired? Fast enough. What was the time span of the shots? At least as large as the Warren Commission reported? Most likely the assassin had more time, not less.

And so, we concluded Sunday night that Lee Harvey Oswald fired three shots at the motorcade. And then, last night, we began to look into the question of conspiracy. Were there others also firing at the President? We interviewed eyewitnesses. They told conflicting stories. We tested in our own investigation the critical single bullet theory and found one bullet might well have wounded both men. Captain James Humes, who conducted the autopsy on the President, broke a three-and-a-half-year silence to report that he has re-examined the X-rays and photographs and stands firm that the shots came from behind. We heard Governor Connally and heard that his recollections conform with our own reconstruction of the assassination. And we concluded that there was no second gunman.

Tonight, we look further into the question of conspiracy. Was Oswald acting alone, or was he the agent of others? Was the assassination the sole work of a twisted, discontented man, seeking a place in history? Or, were there dark forces behind Oswald?

Continuing to seek an answer to the question of whether Lee Harvey Oswald was involved in a conspiracy leads us to a second murder. Oswald was taken into custody in a movie theatre at 1:50 PM, 80 minutes after President Kennedy was shot. But he was first charged, not with the murder of the President, but with the murder of Dallas police officer, J. D. Tippit.

Our next question: Could Oswald have made his way to the scene of Officer Tippit's murder?

Rather. To solve the Tippit killing, it is vital to reconstruct Lee Harvey Oswald's actions from the moment of the assassination to the moment of Tippit's death. Yet for three and a half years, all news media have been barred from the Texas School Book Depository where the first critical few moments of Oswald's flight occurred. Depository officials have agreed to lift the ban for these special broadcasts and so, for the first time, we have been able to follow the path of Oswald's movements from his sniper's nest on the sixth floor.

Taking his rifle with him, Oswald went between the stacks of book cartons to the opposite corner of the sixth floor. He tucked the rifle down between stacks, and at this point probably discovered that the elevator could not be brought up, that Charles Givens, eager to see the parade, had forgotten to close the gate. So Oswald turned to the stairs and went down four flights to the second floor and to the lunchroom there, where he was next seen at about 12:31 PM, barely a minute and a half after his third shot.

In front of a coke machine a policeman at gunpoint actually stopped Oswald. But Depository Superintendent Roy Truly told the officer Oswald was an employee, and Oswald was released. Free to go, Oswald apparently crossed the second floor through this office, went down the front stairs, perhaps three minutes after the assassination, and continued out through the glass front door, well before police sealed off the Depository building.

Cronkite. Here is how the Warren Commission reconstructed Oswald's movements after he left the Depository. He walked seven blocks down Elm Street, then took a bus on Murphy, headed for Oak Cliff. But the bus quickly became tangled in the traffic jam caused by the assassination itself. And Oswald got off, walked two blocks to Lamar, then took a cab several blocks past his rooming house on Beckley.

The Commission believes he then walked back to his apartment picked up a revolver and a lightweight jacket, and set off on foot down Beckley.

Police Radio. Attention all squads. Attention all squads. The suspect in the shooting at Elm and Houston is reported to be an unknown white man, approximately 30, slender build, is possibly armed with what is thought to be a 30 calibre rifle. No further description at this time, or information. 12:45 KTB.

Cronkite. During this period, the Dallas police radio broadcast a description of a suspect, and critics have made much of the speed with which it was sent out—just 15 minutes after the shots were fired. It asked officers to be on the lookout for a white man, slender, weighing about 165, standing about 5 feet 10 inches, in his early 30's.

Well, how did police get the description on the air in 15 minutes? Critics have questioned both the source of the description and the speed with which it was sent out. The Warren Commission admitted the source could only be guessed at. Its own guess was that it came from Howard L. Brennan, an eyewitness. The critics doubt Brennan had a good enough view of Oswald in the window to arrive at a good description. They also doubt he passed the information on to a Secret Serviceman within 10 minutes, as he later claimed.

At 1:15 PM, 45 minutes after the assassination, the Commission Report says, Officer Tippit stopped Oswald, whether because of the description or not will never be known, and was shot down. But did Oswald have time to get to Tenth and Patton in time for the fatal encounter with Tippit?

Rather. A CBS newsman, following the Warren Commission blueprint, found that 45 minutes was ample time.

Cronkite. The answer is yes. He could have made his way there.

(Announcement.)

Cronkite. Why was Officer Tippit in Oak Cliff off his normal beat? Those who believe there was a conspiracy involving the Dallas police force have maintained that the meeting between Oswald and Tippit was not an accident, that Tippit may have been looking for Oswald or vice versa. They say Tippit should not have been where he was and should not have been alone in the squad car. Eddie Barker talked to police radio dispatcher, Murray Jackson:

Barker. Officer Jackson, a lot of critics of the Warren Report have made quite a thing out of the fact that Officer Tippit was not in his district when he was killed. Could you tell us how he happened to be out of his district?

Murray Jackson. Yes, sir. I have heard this several times since the incident occurred. He was where he was because I had assigned him to be where he was in the central Oak Cliff area. There was the shooting involving the President and we immediately dispatched every available unit to the triple underpass where the shot was reported to have come from.

I realized that we were draining the Oak Cliff area of available police officers, so if there was an emergency such as an armed robbery or a major accident to come up, we wouldn't have anybody there that would be in any close proximity to answer the call. And since J. D. was the outermost unit—actually I had two units: 87, which was Officer Nelson, and 78, which was Officer Tippit.

Barker. Well, now, is—you got down to the time when Officer Tippit met his death. What transpired right prior to that? Did you—were you aware of where he was all the time?

Jackson. No, I asked him once again what his location was sometime after and to determine that he was in the Oak Cliff area, he said he was at Lancaster and Eighth, which is on the east side of Oak Cliff, on the—in the main business district. And I did ask him once again, a few minutes later what his—I called him to ask him his location so I could keep track of him, where he was, in my mind, but he didn't answer.

Barker. When did you realize that he was dead?

Jackson. We had received a call from a citizen. They called us on the telephone and the call sheet came—came to me and there was a disturbance in the street in the 400 block of East Tenth. And I had called. I said, "78," and he didn't answer. And almost immediately to this, a citizen came in on the police radio and said, "Send me some help there's been an officer shot out here." And knowing that J. D. was the only one that should have been in Oak Cliff, my reaction was to call 78, and, of course, J. D. didn't answer. So, we asked the citizen to look at the—the number on the side of the car. This was the equipment number that determined which car, which patrol car, was to be on each assigned district, and they said that it was number 10. And since I had worked with J. D. in this particular car, well, I determined to myself that with him not answering, and the equipment number, that this was Officer Tippit.

Cronkite. The answer to this question is that he had been sent to Oak Cliff by the police dispatcher. Opponents of the Warren Report maintain that Officer Tippit was shot, not by Oswald, but by others. Who shot Officer Tippit? Eddie Barker talked to two witnesses who were on the scene of the Tippit murder. First, Domingo Benavides, who was at the wheel of a truck across the street from the scene.

Domingo Benavides. As I was driving down the street I seen this police car, was sitting here, and the officer was getting out of the car and apparently he'd been talking to the man that was standing by the car. The policeman got out of the car and, as he walked past the windshield of the car, where it's kind of lined up over the hood of the car, where this other man shot him. And, of course, he was reaching for his gun.

And so, I was standing there, you know, I mean sitting there in the truck, and not in no big hurry to get out because I was sitting there watching everything. This man turned from the car then, and took a couple of steps and, as he turned to walk away I believe he was unloading his gun, and he took the shells up in his hand, and as he took off, he threw them in the bushes more or less like nothing really, trying to get rid of them. I guess he didn't figure he'd get caught anyway, so he just threw them in the bushes.

But he—as he started to turn to walk away, well, he stopped and looked back at me and I don't know if he figured, well, I'll just let this poor guy go, or he had nothing to do with it, or, you know, I'm not out to kill everybody, just, you know, whoever gets in my way, I guess. I gave him enough time to get around the house. Thinking he might have went in the house, I set there for maybe a second or two and then jumped out of the truck and run over. As I walked by, I didn't even slow down, I seen the officer's dead. So I just walked on—got in the car and I figured that would be the fastest way—in fact, I don't know why I called him on the radio. I just figured now that it was the fastest way to—to get a police officer out.

Police Radio: Hello, police operator (STATIC), go ahead. Hello, we've got a shooting out here. Where's it at? This is the police radio. What location is it at? Between Marsalis and Beckley. It's a police officer. Somebody shot him. What—what—it's in a police car, Number 10. Hello, police operator, did you get that? Police officer, 510 East Jefferson. Thank you. 35, assist the police. . . .

Barker. Well, now, did several other people come up later?

Benavides. Immediately afterwards. I mean, it was just—all I had to do was—people I asked a block away like Mr. Callaway, he come up and he says, let's go get him, or something. And then this cab pulled up right afterwards, and so Callaway went over and took the guns—the officer's gun out of his hand.

Barker. Callaway did go after him, did he?

Benavides. Yeah, Callaway took off to go try to catch him.

Ted Callaway. Well, Eddie, I was standing on the front porch of the used car lot that I worked on here, and all of a sudden I heard some shooting.

In fact, I heard five shots coming from the direction behind the lot, out on Tenth Street there. Well, I come running off the side of the porch and out to the sidewalk here, and I looked up the street and I saw this man run through this hedge up here on the corner. And I saw right away that he had a gun in his hand. And he continued across the street coming in this direction. So when he got right across from me over here, just, oh, about 30 yards or less, why, I called to him and just asked him, "Hey, man, what the hell's goin' on, fella?" That's just exactly what I wondered. I didn't know who it was at the time, of course. And he looked in my direction and paused, almost stopped, and said something to me but I couldn't make out what he said. But he had this pistol in his hand, carrying it in what we used to call in the Marine Corps a raised pistol position, and then he slowed down and started walking.

Then, I ran to the corner of Tenth and Patton, and when I got there, I saw this squad car parked near the curb. And then I walked around in front of the squad car and this policeman was lying in front of the squad car.

Barker. Dom, what about those expended shells?

Benavides. Well, they were looking all over the place for evidence, I guess, and taking fingerprints and what have you. So, I guessed they was going to walk off and leave them, you know, not knowing they was there. And seeing that I knew where they was at, I walked over and—and picked up a stick and picked them up and put them in a waistcoat pocket. I think I picked up two and put them in a waistcoat pocket and then, as I was walking up, I picked the other one up by hand, I believe. And I picked them up with a stick, you know, to keep from leaving fingerprints on them, because I figured they might need them.

Cronkite. The cartridges that Benavides picked up were positively identified as being fired in Oswald's revolver. But, only one of the four lead bullets removed from Officer Tippit's body could be positively identified with that revolver by Illinois ballistics identification expert, Joseph Nicol.

Nicol. In the examination of the projectiles, the tests and the—and the evidence projectiles were not easily matched because of a certain mechanical problem with the weapon. The—the barrel was over-sized for the size of the ammunition used, since this was a weapon originally intended for British use and it was reimported into America.

This means that the bullet, instead of touching on all surfaces going down the barrel, actually wobbles a little bit as it goes through the barrel. As a consequence, it is difficult to have it strike the same places every time that it goes through the barrel. So that the—the match on the—on the projectiles was extremely difficult.

I did find, however, that on the driving edge of the lense there were certain groups of lines which I could match on one bullet. I wasn't able to identify the others, although there was nothing to exclude them insofar as the class characteristics. All of them could have been fired in that particular weapon.

Cronkite. One of the bullets that killed Officer Tippit was fired in Oswald's revolver. The other three could have been, according to the ballistics identification experts. Ted Callaway went to the police station that night and made a positive identification of Oswald in a line-up. But Mr. Benavides did not do so. Eddie Barker asked him if he were sure Oswald did the shooting.

Barker. Is there any doubt in your mind that Oswald was the man you had seen shoot Tippit?

Benavides. No, sir, there was no doubt at all. I could even tell you how he combed his hair and the clothes he wore and what have you, all the details. And if he had a scar on his face, I could probably have told you about it, but—you don't forget things like that.

Cronkite. The answer to this question, despite the problem of the ballistic evidence, is that Lee Harvey Oswald shot J. D. Tippit.

What of the theory that Tippit actually knew Oswald? It's not easy to prove that someone did not know someone else. But every attempt to pin down the rumor that the two men knew each other has ended in failure. There is nothing in the circumstances surrounding Tippit's death to suggest any kind of conspiracy.

Mrs. Tippit says flatly that neither she nor her husband new Oswald. Officer Jackson was among Tippit's closest friends and had been for years. Eddie Barker put the question to him.

Barker. Do you have any reason to believe that Officer Tippit knew Lee Harvey Oswald?

Jackson. I don't believe there is a possible connection at all. No. I don't think that he knew Oswald.

Barker. Did you know Oswald?

Jackson. No, I didn't either.

Rather. Thirty-five minutes after Officer Tippit's murder Oswald was captured in the Texas Theatre. Johnny Brewer, a shoe clerk, had spotted him in the doorway, and watched while he slipped into the theatre. Brewer spoke to the cashier. She called police.

The next 48 hours were filled with confusion. An army of newsmen jammed into the Dallas Police Building. Oswald was paraded through the halls, to and from questioning sessions.

Police Chief Jesse Curry and District Attorney Henry Wade said repeatedly they expected to prove Oswald guilty, although he maintained to the last he was not.

No record was made of his interrogation.

Sunday, November 24th, the mob scene continues, as Oswald is brought into the basement of the Police Building for transfer to the jail. And then, in full sight of millions of television viewers, a man named Jack Ruby surges through the crowd and shoots Lee Oswald dead.

Cronkite. Why? A fateful meeting of deranged minds? Or some twisted conspiracy? Why did Ruby kill Oswald?

Rather. This is the world of Jack Ruby. A world of neon and female flesh, of bumps and grinds, and watered drinks.

Ruby operated a pair of sleezy nightclubs, The Carousel and The Vegas. In the free and easy atmosphere that seemed to characterize the boom city Ruby was also a hanger-on of the police, entertaining off-duty officers in his strip joints, often carrying sandwiches over to the Police Building for his on-duty friends.

These are some of the people of Jack Ruby's world—his roommate, a competing nightclub owner, and two of Jack Ruby's girls.

Mr. Weinstein, why do you think Jack Ruby shot Lee Harvey Oswald?

Barney Weinstein. I think it was on the spur of the moment, that he really wanted to make himself look like a big man. And he thought that would make him above everybody else, that the people would come up and thank him for it, that people would come around and want to meet him and want to know him, "This is the man that shot the man that shot the President."

Rather. Why do you think Jack shot Oswald?

Alice. Oh, I think that it was mostly an impulsive act. And Jack also, I believe, felt that so many people at the time were saying, "They ought to kill him," and this and that, that he—in my personal opinion, Jack thought this would just bring him a—a sensational amount of business, and he would just really be a hero.

Rather. Diana, why do you think Jack shot Oswald?

Diana. I think that he came down there just to see what was going on, and when he saw that sneer on Oswald's face—that's all it would take to snap Jack, the way Oswald's mouth was curled up, you could even see it in the picture. I think when he saw that look was when he decided to shoot him. Not when he was coming down. And I think he did it because he thought that it was a service to his country, in his way of thinking. That was the way he thought.

George Senator. I don't believe that Jack Ruby ever took any secrets to his grave. I've been—I've been around him too long, and I've lived with him too long. And I'm certain he told the truth right up until his death. And I'll never can be—and I'll never be convinced otherwise. There is nothing he ever hid. The public knew everything he ever said, or heard.

Cronkite. Jack Ruby was convicted of the murder of Oswald, but the conviction was reversed by an Appeals Court which held that an alleged confession should not have been admitted.

Ruby died six months ago of cancer, maintaining to the last that he was no conspirator, that he had killed Oswald out of anger and a desire to shield Jacqueline Kennedy from the ordeal of a trial at which she would have had to appear as a witness.

Dallas police had alerted the press that Oswald would be moved to the County Jail shortly after 10:00 AM on November 24th. That departure was delayed. Yet a receipt shows that Ruby was sending a money order to one of his strippers from a Western Union office across from the courthouse at 11:17 AM, when anyone premeditating murder in the courthouse basement would already have stationed himself there. In fact, it was probably the activity around the courthouse entrance which caught Jack Ruby's eye as he left the Western Union office. Ruby was carrying a pistol because he was carrying money. He was accustomed to wander in and out of the Police Building at will.

The Oswald murder today still appears to have been not a conspiracy, but an impulse—meaningless violence born of meaningless violence.

PART VI

Announcer. A CBS News Inquiry: "The Warren Report" continues. Here again is Walter Cronkite.

Cronkite. But the most recent, most spectacular development in the Oswald case involves the C.I.A. It involves, too, the spectacular District Attorney of New Orleans, a man they call the Jolly Green Giant. It involves an arrest, hypnotism, truth serum, bribery charges, and for the first time, an outline of a conspiracy. It certainly accounts for the recent national upsurge of suspicion concerning the conclusions of the Warren Report. And it raises a new question: Was the assassination plotted in New Orleans?

Mike Wallace reports.

Wallace. New Orleans District Attorney Jim Garrison quietly began his own investigation of the assassination last fall. In a sense, he picked up where the Warren Commission had left off. Warren investigators questioned a number of people in New Orleans after the assassination, and they failed to implicate any of them. But the more Garrison went back over old ground apparently, the more fascinated he became with the possibility that a plot to kill President Kennedy actually began in New Orleans. By the time the story of his investigation broke four months ago he seemed supremely confident that he could make a case, that he had solved the assassination.

Garrison. Because I certainly wouldn't say with confidence that we would make arrests and have convictions afterwards if I did not know that we had solved the assassination of President Kennedy beyond any shadow of a doubt. I can't imagine that people would think that—that I would guess and say something like that rashly. There's no question about it. We know what cities were involved, we know how it was done in—in the essential respects. We know the key individuals involved. And we're in the process of developing evidence now. I thought I made that clear days ago.

Wallace. He shocked New Orleans four months ago by arresting the socially prominent Clay Shaw, former director of the New Orleans International Trade Mart.

Garrison's charge was that Shaw had conspired with two other men to plot the assassination of President Kennedy. Garrison said Shaw had known David Ferrie, an eccentric former airline pilot who was found dead a week before Garrison had planned to arrest him. Incidentally, the coroner said Ferrie died of natural causes. But Garrison called it suicide.

He said Shaw also knew Lee Harvey Oswald; that Ferrie, Oswald, and Shaw met one night in the summer of 1963 and plotted the President's death. Clay Shaw said it was all fantastic.

Shaw. I am completely innocent of any such charges. I have not conspired with anyone, at any time, or any place, to murder our late and esteemed President John F. Kennedy, or any other individual. I have always had only the highest and utmost respect and admiration for Mr. Kennedy.

The charges filed against me have no foundation in fact or in law. I have not been apprised of the basis of these fantastic charges, and assume that in due course I will be furnished with this information, and will be afforded an opportunity to prove my innocence.

I did not know Harvey Lee Oswald, nor did I ever see or talk with him, or anyone who knew him at any time in my life.

Wallace. A preliminary hearing for Shaw was held two weeks after his arrest. The hearing was complete with a surprise mystery witness, Perry Raymond Russo, twenty-five-year-old insurance salesman, and friend of the late David Ferrie. Through three days of intense cross-examination Russo held doggedly to his story, that he himself had been present when Shaw, Ferrie, and Oswald plotted the Kennedy assassination. Russo admitted at the hearing that he had been hypnotized three times by Garrison men.

A writer for The Saturday Evening Post said he read transcripts of what went on at those sessions. The writer suggested that Russo's entire performance at the hearing was the product of post-hypnotic suggestion. Clay Shaw was ordered held for trial. It could be months before the trial actually takes place.

Meanwhile, various news organizations have reported serious charges against Jim Garrison and his staff, alleging bribery, intimidation, and efforts to plant and/or manufacture evidence against Shaw. Last month Newsweek Magazine said Garrison's office had tried to bribe Alvin Beauboeuf, the twenty-one-year-old former friend of David Ferrie. Beauboeuf, the magazine said, was offered three thousand dollars to supply testimony that would shore up the conspiracy charge against Shaw.

Garrison promptly released an affidavit Beauboeuf had signed. The affidavit said no one working for Garrison had ever asked Beauboeuf to tell anything but the truth.

Subsequently, New Orleans police investigated the Beauboeuf charge and said Garrison's men had been falsely accused. But that was just the beginning. Three more bribery accusations have since come to light, two involving Louisiana prison inmates, one involving a nightclub and Turkish Bath operator. In each of those cases the charges that rewards were offered in return for allegedly false testimony or other help that would implicate Clay Shaw. We will hear Garrison's comment on those charges later in the broadcast.

Meanwhile, Garrison has gone on to include Jack Ruby in the alleged conspiracy involving Shaw and Lee Harvey Oswald. Garrison says Jack Ruby's unlisted telephone number in 1963 appears in code in address books belonging to Shaw and Oswald. He says both books note the Dallas Post Office box number 11906. Ruby's unlisted phone number was WHitehall-1 5601. And Garrison furnished a complicated formula for converting PO 11906 to WH-1 5601.

Louisiana Senator Russell Long, appearing on Face the Nation a few days later, explained how the code works.

Long. . . . so if you take the P and the O, and you use a telephone dial, P gives you seven, O gives you six. You add seven and six together and you get thirteen. Then you take the 19106, and you work on a A B C D E F—the A B C D E basis, so you put A—A falls—comes ahead of E. Then you put D behind C. And you reconstruct the numbers, and that—and then you subtract thirteen hundred, which you got for the P O, and that gives you Ruby's unlisted telephone number.

Wallace. A Dallas businessman named Lee Odom had that Dallas Post Office box for a while in 1966. He said he didn't know how the number got in Oswald's address book, but he could explain how it got in Shaw's. Odom said he met Shaw when he went to New Orleans looking for a place to hold a bloodless bullfight.

Odom. When I got to New Orleans, and I got there—it was late, and so I wanted to see what New Orleans—my first trip to New Orleans. And I went to Pat O'Brien's, and that's where I met Mr. Shaw. I was sitting, drinking at the bar, and he was sitting next to me, and I got to talking to him about the—if he thought a bullfight might go over good in—in New Orleans. And he said that he thought it would, and we introduced each other. He was in the real estate business, and said he might be able to help me. So the next day, why, we had lunch together, and tried to find out about a place to have a bullfight. Made two or three phone calls, and—we didn't find any place. So when I got ready to leave there, I give him my name and my box number, which I saw him write in his little book. And I never heard from him after that. But that's how the number got in the book.

Wallace. The number 19106 does appear in Oswald's address book, although some say the letters in front of it are not P O, but Russian letters. No one knows when Oswald made the entry.

Garrison has expanded the scope of his charges to include not only a Shaw-Oswald-Ruby link, but the C.I.A. as well. Further, Garrison says he knows that five anti-Castro Cuban guerrillas, not Lee Harvey Oswald, killed President Kennedy. He says the C.I.A. is concealing both the names and the whereabouts of the Cubans.

In an interview with Bob Jones of WWL-TV, New Orleans, he discussed proof that the guerrillas were there at Dealey Plaza in Dallas.

Garrison. We have even located photographs in which we can—we have found the—the men behind the grassy knoll, and the—and the stone wall, before they dropped completely out of sight. There were five of them. Three behind the stone wall, and two behind the grassy knoll. And they're not quite out of sight. And they've been located in other photographs, by process of bringing them out. Although they're not distinct enough you can make an identification from their faces.

Wallace. This is one of the photographs Garrison is talking about, shown first with an overlay. Those roughly-drawn figures at the bottom of the page could be the men Garrison believes he sees through the little holes at the top. Now we remove the overlay to see the photograph itself—a hazy blowup of an area from a larger picture. If there are men up there behind the wall, they definitely cannot be seen with the naked eye.

I asked Garrison if he would sort it all out, if he could summarize his investigation, and put it in perspective.

Garrison. About the New Orleans part, I don't like to sound coy, but it is impossible to talk about the New Orleans details without touching somehow on the case. And I'm not going to take any chances about reflecting on Mr. Shaw, or this case. We've worked too hard for me to ruin it by casual comment.

Wallace. Four months ago you said that you had solved the assassination. At that time you didn't even know Perry Russo. And yet Perry Russo, it turns out, is your main witness in the preliminary hearing.

Garrison. Right.

Wallace. Is he still your main witness?

Garrison. No.

Wallace. Are there others?

Garrison. No. There are others, and I would not describe Perry Russo as the main witness. But let me say this, that the major part of our case, up to that time, was circumstantial. Again, I don't want to touch in any way on the case against the defendant, but we knew months before that the key people involved but there was no basis for moving at that time.

Wallace. You say that Lee Harvey Oswald did not kill President Kennedy. Who, then, did kill him?

Garrison. Well, first of all, if I knew the names of the individuals behind the grassy knoll, where we know they were, and the stone wall, I certainly would not tell you, and couldn't here. There is no question about the fact they were there. There's no question in our minds what the dominant race of these individuals was. And there's no question about the motive. In the course of time we will have the names of every one of them. The reason for Officer Tippitt's murder is simply this: it was necessary for them to get rid of the decoy in the case—Lee Oswald . . . Lee Oswald. Now, in order to get rid of him—so that he would not later describe the people involved in this, they had what I think is a rather clever plan. It's well-known that police officers react violently to the murder of a police officer. All they did was arrange for an officer to be sent out to Tenth Street, and when Officer Tippitt arrived there he was murdered, with no other reason than that. Now, after he was murdered, Oswald was pointed to, sitting in the back of the Texas Theatre where he'd been told to wait, obviously.

Now, the idea was, quite apparently, that Oswald would be killed in the Texas Theatre when he arrived, because he'd killed a "bluecoat." That's the way the officers in New Orleans use the phrase. "He killed a bluecoat." But the Dallas police, at least the arresting Dallas police, fooled them because they had apparently, too much humanity in them, and they did not kill him.

Wallace. All right, there is Lee Harvey Oswald at the back of the Texas Theatre—then what?

Garrison. Well, then notification is gotten to the police of this suspicious man in the back of the theatre, and you know the rest. But the—the Dallas police, apparently, at least the arresting police officers, had more humanity in them than the planners had in mind. And this is the first point at which the plan did not work completely. So Oswald was not killed there. He was arrested. This left a problem, because if Lee Oswald stayed alive long enough, obviously he would name names and talk about this thing that he'd been drawn into. It was necessary to kill him.

Wallace. That's where Jack Ruby comes into the picture.

Garrison. That's right. It was necessary for one of the people involved to kill him.

Wallace. Mr. Garrison, obviously we're not going to try the case of Clay Shaw here on television, but some people, some journalists and others, have charged that you have tried to bribe, to hypnotize, to drug witnesses in order to prove your case against Shaw.

Garrison. That's right. I understand that the latest—latest news by a New York Times writer is that we offered an ounce of heroin and three months' vacation to one—as a matter of fact, this is part of our incentive program for convicts. We also have six weeks in the Bahamas, and we give them some LSD to get there.

This—this—this attitude of skepticism on the part of the press is an astonishing thing to me, and a new thing to me. They have a problem with my office. And one of the problems is that we have no political appointments. Most of our men are selected by recommendations of deans of law schools. They work 9:00 to 5:00, and we have a highly professional office. I think one of the best in the country. So they're reduced to making up these fictions. We have not intimidated a witness since the day I came in office.

Wallace. One question is asked again and again: Why doesn't Jim Garrison give his information, if it is valid information, why doesn't he give it to the Federal Government? Now that everything is out in the open the C.I.A. could hardly stand in your way again, could they? Why don't you take this information that you have and cooperate with the Federal Government?

Garrison. Well, that would be one approach, Mike. Or I could take my files and take them up on the Mississippi River Bridge and throw them in the river. It'd be about the same result.

Wallace. You mean, they just don't want any other solution from that in the Warren Report?

Garrison. Well, isn't that kind of obvious? Where do you think that pressure's coming from, that prevents witnesses and defendants from being brought back to our state?

Wallace. Where is that pressure coming from?

Garrison. It's coming from Washington, obviously.

Wallace. For what reason?

Garrison. Because there are individuals in Washington who do not want the truth about the Kennedy murder to come out.

Wallace. Where are those individuals? Are they in the White House? Are they in the C.I.A.? Are they in the F.B.I.? Where are they?

Garrison. I think the probability is that you'll find them in the Justice Department and the Central Intelligence Agency.

Wallace. You're asking a good many questions, but you haven't got the answers to those questions. You have a theory as to why indeed the President might have been assassinated by a group of dissidents. . . .

Garrison. No. Your statement is incorrect. We have more than a theory. We have conversations about the assassination of the President of the United States, and it does not include only the conversation brought out at the preliminary hearing.

We have money passed, with regard to the assassination of the President of the United States. We have individuals involved in the planning. And we can make the case completely. I can't make any more comments about the case, except to say anybody that thinks it's just a theory is going to be awfully surprised when it comes to trial.

Wallace. Garrison says Clay Shaw used the alias Clay Bertrand, or Clem Bertrand. At Shaw's preliminary hearing Perry Russo testified that Shaw used the name Clem Bertrand the night of the alleged meeting to plot the assassination. It was obviously a crucial point in Garrison's presentation at that hearing.

But a week ago NBC said it has discovered that Clay Bertrand is not Clay Shaw. NBC said the man who uses that alias is a New Orleans homosexual, whose real name—not disclosed in the broadcast—has been turned over to the Justice Department.

Cronkite. Garrison's problems multiplied yesterday. His chief aide, William Gurvich, who conferred recently with Senator Robert Kennedy, abruptly resigned.

Gurvich was questioned by Bill Reed, News Director of WWL–TV, New Orleans, and CBS News reporter Edward Rabel.

Rabel. Mr. Gurvich, why did you resign as Mr. Garrison's chief aide in this investigation?

Gurvich. I was very dissatisfied with the way the investigation was being conducted, and I saw no reason for the investigation—and decided that if the job of an investigator is to find the truth, then I was to find it. I found it. And this led to my resignation.

Rabel. Well, what then is the truth?

Gurvich. The truth, as I see it, is that Mr. Shaw should never have been arrested.

Rabel. Why did you decide to see Senator Robert Kennedy?

Gurvich. Ed, I went to Senator Kennedy because he was a brother of the late President Kennedy, to tell him we could shed no light on the death of his brother, and not to be hoping for such. After I told him that, he appeard to be rather disgusted to think that someone was exploiting his brother's death, and—by bringing it up, over and over again, and doing what has been done in this investigation.

Reed. There's been talk of allegations, of wrong-doing, of coercion, of possible bribery on the part of investigators—of certain investigators for the District Attorney. To your knowledge, are these allegations true?

Gurvich. Unquestionably, things have happened in the District Attorney's Office that definitely warrants an investigation by the Parish Grand Jury, as well as the Federal Grand Jury.

Reed. Would you say these methods were illegal?

Gurvich. I would say very illegal, and unethical.

Reed. Can you give us any specifics?

Gurvich. I would rather save that for the Grand Juries, Bill, if I may.

Reed. Is this on the part of just one or two investigators, or does it involve the whole Staff, or perhaps Mr. Garrison. . .

Gurvich. It involves more than two people.

Reed. More than two people. Do you believe Mr. Garrison had knowledge of these activities?

Gurvich. Yeah—of course, he did. He ordered it.

Reed. He ordered it?

Gurvich. He ordered it. Yes, sir.

Rabel. Why did he feel it was necessary to order such activities?

Gurvich. That I cannot explain. I am not a psychiatrist.

Reed. Mr. Garrison said the C.I.A. has attempted to block his investigation . . .

Gurvich. His purpose for bringing the C.I.A. in, Bill, is this: As he put it, they can't afford to answer. He can say what he damn well pleases about that agency, and they'll never reply.

Cronkite. Mr. Garrison is the only critic who has been in a position to act on his beliefs. He has brought Clay Shaw before the courts of Louisiana, and until that case is tried we cannot, with propriety, go deep into the details of the evidence, or reach any final conclusions concerning the case or the allegations concerning Clay Shaw.

Mr. Garrison's public statements, however—and there's been no shortage of them—are fair targets. They have consistently promised startling proof, but until the trial Mr. Garrison's promises remain just that, and cannot be tested.

But the whole atmosphere of his investigations, and the charges that have been made by news organizations concerning it, are not such as to inspire confidence. It may be that Garrison will finally show that there was a lunatic fringe in dark and devious conspiracy. But, so far, he has shown us nothing to link the events he alleges to have taken place in New Orleans, and the events we know to have taken place in Dallas.

Those events, events surrounding the assassination itself, we have now examined to the best of our ability. On Sunday night we considered whether Lee Harvey Oswald had shot the President. We concluded that he had. Last night we asked if there was more than one assassin. We concluded there was not, and that Oswald was a sole assassin.

Tonight we've asked if there was a conspiracy involving perhaps Officer Tippit, Jack Ruby, or others. The answer here cannot be as firm as our other answers, partly because of the difficulty, cited in the Warren Report, of proving something did not happen. But partly, too, because there remains a question as to just what Jim Garrison will produce in that New Orleans courtroom.

But on the basis of the evidence now in hand at least, we still can find no convincing indication of such a conspiracy. If we put those three conclusions together, they seem to CBS NEWS to tell just one story—Lee Harvey Oswald, alone, and for reasons all his own, shot and killed President Kennedy. It is too much to expect that the critics of the Warren Report will be satisfied with the conclusion CBS NEWS has reached, any more than they were satisfied with the conclusions the Commission reached.

Mark Lane, for example, the most vocal of all the critics, has a theory of his own.

Bill Stout. If you would give us, briefly, Mr. Lane, your version of what happened there that day.

Lane. Well, I think—if I can use this model, I think the evidence indicates—of course, the car came down Main, up here, and down to Elm Street, and was approximately here when the first shot was fired. The first shot struck the President in the back of the right shoulder, according to the F.B.I. report, and indicates therefore that it came from some place in the rear—which includes the possibility of it coming from the Book Depository Building.

The second bullet struck the President in the throat from the front, came from behind this wooden fence, high up on a grassy knoll. Two more bullets were fired. One struck the Elm—the Main Street curb, and caused some concrete, or lead, to scatter up and strike a spectator named James Tague in the face. Another bullet, fired from the rear, struck Governor Connally in the back. As the limousine moved up to approximately this point, another bullet was fired from the right front, struck the President in the head, drove him—his body, to the left and to the rear, and drove a portion of his skull backward, to the left and to the rear. Five bullets, fired from at least two different directions, the result of a conspiracy.

Cronkite. An even more elaborate account is given by William Turner, a former F.B.I. agent, who has become a warm supporter of District Attorney Garrison.

Turner. Now, what happened there was that the Kennedy motorcade coming down there, the Kennedy limousine—there were shots from the rear, from either the Dallas School Book Depository Building, or the Dell Mart, or the courthouse; and there were shots from the grassy knoll. This is triangulation. There is no escape from it, if it's properly executed.

I think the massive head wound, where the President's head was literally blown apart, came from a quartering angle on the grassy knoll. The bullet was a low velocity dum-dum mercury fulminate hollow-nose, which were outlawed by The Hague Convention, but which are used by para-military groups. And that the whole reaction is very consistent to this kind of weapon. That he was struck, and his head—doesn't go directly back this way, but it goes back and over this way, which would be consistent with the shot from that direction, and Newton's Law of Motion.

Now, I feel also that the escape was very simple. Number one, using a revolver or a pistol, the shells do not eject, they don't even have to bother to pick up their discharged shells. Number two, they can slip—put the gun under their coat, and when everybody comes surging up there they can just say, "He went that-a-way." Very simple. In fact, it's so simple that it probably happened that way.

Cronkite. In the light of what we have exposed over the past three evenings, it's difficult to take such versions seriously. But unquestionably there are those who will do so, and it is their privilege.

Our own task is not yet over. We must still ask whether the Warren Commission did all that was asked of it, whether other arms of the government acted as they should have acted, whether another commission might cast new light upon the assassination. We must ask also whether there are fundamental and profound human reasons for the aura of disbelief that surrounds the Warren Report. We will deal with all those matters tomorrow night, in the last portion of this inquiry.

But this is a natural moment to pause, and to sum up what we think we have learned.

Dan, you were in Dealey Plaza on the day of the assassination. You've been back there several times since, when we did the first Warren Report, and now in recent days to prepare this report. You've been up in that window. We've looked out that window with you. But, subjectively, what is the Oswald-eye view of the assassination site?

Rather. It was an easy shot. A much easier shot than even it looks in our pictures. The range was such, the angle was such, that it did not take an expert shot, one man, to do what the Warren Commission says was done from there.

Cronkite. Eddie, as News Director of our esteemed affiliate, KRLD-TV in Dallas, you've been right in the vortex of this thing since the moment of the assassination. What about the people of Dallas themselves? Do they agree with the Warren Commission Report?

Barker. Walter, I think that on a cross-section basis, the percentage that had some doubt about it would be about what it would be across the country. Certainly there are people who have some doubts about it. But most of the doubters, I think, are those who come to Dallas, and who come into our newsroom, as a matter of fact. They bring a lot of questions. But so far none of them have brought any answers.

Cronkite. That's the problem we all have, isn't it? And let me ask each of you in turn this question: Are you contented with the basic finding of the Warren Commission?

Rather. I'm contented with the basic finding of the Warren Commission, that the evidence is overwhelming that Oswald fired at the President, and that Oswald probably killed President Kennedy alone. I am not content with the findings on Oswald's possible connections with government agencies, particularly with the C.I.A. I'm not totally convinced that at some earlier time, unconnected with the assassination, that Oswald, may have had more connections than we've been told about, or that have been shown. I'm not totally convinced about the single bullet theory. But I don't think it's absolutely necessary to the final conclusion of the Warren Commission Report. I would have liked more questioning, a more thorough going into Marina Oswald's background. But as to the basic conclusion, I agree.

Cronkite. Eddie?

Barker. I agree with it, Walter. It's too bad, of course, that Oswald didn't have his day in court. But I felt the night of November 22nd that he was the one who had shot the President, and nothing has come to light since then to change my opinion a bit.

Cronkite. It is difficult to be totally content. Yet experience teaches all of us that any complex human event that is examined scrupulously and in detail will reveal improbabilities, inconsistencies, awkward gaps in our knowledge. Only in fiction do we find all the loose ends neatly tied. That is one of the ways we identify something as fiction.

Real life is not all that tidy. In 1943 Lieutenant John F. Kennedy came under enemy fire behind Japanese lines in the Pacific. His PT boat was destroyed. His back, already weak, was re-injured. Yet he swam three miles, towing a wounded shipmate, found shelter on an island, escaped Japanese search, encountered natives who carried messages back to American forces, crossed undetected through enemy waters as enemy planes hovered overhead, and survived to become President.

The account of his survival is full of improbabilities, coincidences, unknowns. So is the account of his death. So would be the account of your life, or mine, or the life of any one of us.

Concerning the events of November 22nd, 1963, in Dealey Plaza, the report of the Warren Commission is probably as close as we can ever come now to the truth. And yet if the Warren Commission had acted otherwise three years ago, if other government agencies had done differently then, would we today be even closer to the truth?

Tomorrow we will consider not the assassination, but the work of the Commission that was appointed to study it. For the first time a member of that Commission, John J. McCloy, will publicly discuss its work and its findings. Members of the Commission staff, and one of the Commission's most persuasive critics, Edward J. Epstein, will be heard. And we will ask, although we may not be able to answer, two last questions:

Should America believe the Warren Report?

Could America believe the Warren Report?

SCORE ONE FOR THE GOOD GUYS

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, a refreshing article has come out of London via the Christian Science Monitor, to the effect that—

> Politicians and bureaucrats who think that official status puts them above the law have heard some straight talk from three judges . . .

The article is an account of the citizen winning a skirmish with the bureaucracy over local control or Government control and which side has the say in determining the shape of the school system. But more importantly, the article notes that in Britain, as here, persons "are deeply concerned over what they consider Labor—liberal party—intolerance of checks or balances to the exercise of the power of bureaucracy."

Change for the sake of change, "without adequate preparation," and without the consideration of the persons involved, has for once got stopped in its tracks, if only momentarily.

It is important that "the appeal judges were not concerned with the rights or wrongs of comprehensive education. Neither were they concerned with the wisdom of the changeover. Their duty was to pass judgment on whether the law had been fulfilled," and they concluded that "It is essential that bureaucracy should be kept in its place."

For those who, like these citizens, see too often instances of the "continuing erosion of freedom by socialist theories," I include the news article in the Record.

Those who do not see the washout at their feet, but should, are also welcome to read it.

[From the Christian Science Monitor, Aug. 28, 1967]

School Balk: British Parents Win Tilt

(By Melita Knowles)

London.—Politicians and bureaucrats who think that official status puts them above the law have heard some straight talk from three judges in the Court of Appeal here.

The reverberations are spreading across the country.

"It is essential that bureaucracy should be kept in its place," Lord Justice Danckwerts said.

Lord Denning, Master of the Rolls, Lord Justice Diplock and Lord Danckwerts had spent two days considering the case of eight Borough of Enfield ratepayers and a parents association.

The parents want to retain the present character of education in this north London borough—primary, secondary, and grammar schools.

The borough wants to switch to a different system—comprehensive (nonselective) schools. And it hoped to complete part of the changeover by Sept. 7, the start of the new term.

INJUNCTION GRANTED

But the parents won their case. A temporary injunction—previously refused by the High Court—to delay the changeover was granted against the borough council. It remains in force until there can be a full trial.

The appeal judges were not concerned with the rights or wrongs of comprehensive education. Neither were they concerned with the wisdom of the changeover. Their duty was to pass judgment on whether the law—the Education Act of 1944—had been fulfilled. They concluded that the council had acted illegally on several counts.

The case, however, has fanned out far beyond the issue of comprehensive schools.

The eight Enfield ratepayers are being hailed as champions of liberty. For the countrywide drive to change over to comprehensive schools, with the consequent disappearance of grammar schools, is seen by many as one more step in the continuing erosion of freedom by socialist theories.

PREPARATION STRESSED

Liberal-minded Britons are deeply concerned over what they consider Labor intolerance of checks or balances to the exercise of the power of bureaucracy.

Even some advocates of comprehensive education regret the tendency on the part of local authorities—urged on by the Department of Education—to change their whole education setup without adequate preparation.

Edward Heath, Conservative opposition leader—a consistent critic of councils which establish comprehensive schools in unsuitable buildings and without adequate thought—was quick to react to the injunction against Enfield.

Mr. Heath instructed the Tory Central Office to contact leaders of Conservative groups throughout the country. They were to examine, he said, all socialist schemes for secondary-school reorganization.

RETHINKING NEEDED

The local associations were to ask:

Have parents been given a chance to raise objections?

Can they prevent "ill-thought-out" schemes going into effect?

The Tory Central Office also announced that it did not believe the Enfield ruling afforded justification for the Secretary for Education to introduce new legislation to supplant the Education Act of 1944. This is being pressed by supporters of comprehensive education.

FAVORABLE EDITORIAL COMMENT FOR DEESCALATION

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, I continue to call the attention of the House to the favorable editorial comment that the July 10 gradual, reciprocal deescalation of the conflict in Vietnam put forward by the eight Republican Members has received around the country.

Today I include for the Record, editorials from the Kerrville, Tex., Times, the Sault Ste. Marie, Mich., Evening News, the Eugene, Oreg., Register-Guard, the Portland Oregon Journal, the Klamath Falls, Oreg., Herald & News, and the Coos Bay, Oreg., World:

[From the Kerrville (Tex.) Times, July 19, 1967]

Deescalate?

"We are winning the war—but . . .," was the message given to Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

The "but" translates into a call for still more troops—perhaps 100,000—to be added to the 466,000 there at present.

This number we are told, is the minimum needed to complete the job begun by a relative handful of American advisors only a few short years ago.

Yet behind the now somewhat guarded and muted predictions of eventual victory for the cause of democracy lies the sobering belief of the generals that this many troops will be required solely to keep us on top of the Viet Cong and North Vietnamese during the coming months.

For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

This was emphasized by eight Republican congressmen the other day as they introduced a scheme for a de-escalation of the war that would steer a middle course between "those who would bomb more and those who would bomb less."

Representative Morse of Massachusetts, Dellenback of Oregon, Esch of Michigan, Horton of New York, Mathias of Maryland, Mosher of Ohio, Schweiker of Pennsylvania and Stafford of Vermont propose a halt to all bombing in North Vietnam north of the 21st parallel for 60 days. This would exempt the city of Hanoi but not the port of Haiphong.

If the North Vietnamese responded with a similar de-escalatory step, such as dismantling major supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 20th parallel for a like 60-day period—and so on down in five steps until the 17th parallel dividing North and South Vietnam was reached.

The staged de-escalation plan would produce a growing atmosphere of mutual confidence, think the congressmen. Its virtue is that most military targets are in southern North Vietnam.

Thus, should the North Vietnamese fail to respond to the first bombing limitation, bombing could be resumed north of the 21st parallel without having caused the military effort in South Vietnam any disadvantage.

Would such a plan work? The congressmen honestly don't know.

Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

[From the Sault Ste. Marie (Mich.) Evening News, July 28, 1967]

Escalate or Deescalate?

(By Don Oakley)

"We are winning the war—but . . .," was the message given to Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

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For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

McNamara described more than the immediate situation when he said at Da Nang: "Our casualties are high but we have also inflicted high casualties on North Vitnamese army units."

What he described was the situation as it was in 1965 and 1966 and as it is likely to be in 1968. Only the numbers have been changed—for the higher.

It is often forgotten that escalation is not the prerogative only of this country. Options open to the Communists include a step-up of terrorist bombings in Saigon and other South Vietnamese cities; the infiltration in even greater numbers of the large North Vietnamese standing army; the use of Communist "volunteers" from other countries; the opening of diversionary action in Korea.

This was emphasized by eight Republican congressmen the other day as they introduced a scheme for a de-escalation of the war that would steer a middle course between "those who would bomb more and those who would bomb less."

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If the North Vietnamese responded with a similar de-escalatory step, such as dismantling major supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 20th parallel for a like 60-day period—and so on down in five steps until the 17th parallel dividing North and South Vietnam was reached.

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Would such a plan work? The congressmen honestly don't know. Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

That we are willing to invest another 100,000 men in Vietnam is probably quite credible—and acceptable—to Hanoi. That we are ready to de-escalate by small steps, however, is something that does not seem to have been made as credible to them as it might be.

[From the Eugene (Oreg.) Register Guard, July 7, 1967]

Stopping the Bombing by Degrees

Congressman John Dellenback dropped in the other day to talk about war, peace, politics, the price of groceries and other matters that concern a congressman. Uppermost in his mind was Vietnam. In his customary way he rejected the easy answers such as "victory," "pull out" and "negotiate," knowing that under present conditions none is a real answer. But negotiation, he feels, is the eventual answer—if that can be achieved.

Many advocates of peace in Southeast Asia seem to feel that if only the United States would stop bombing North Vietnam, peace feelers would go out, Hanoi's diplomats would show up with their briefcases and talks could begin. The hang-up comes in North Vietnam's reported insistence that the stopping of the bombing be "unconditional." That's an unrealistic demand. There must be a condition in any agreement. In this case the condition is that the stopping of the bombing result in some show of conciliation on the other side. If that condition is not imposed, then the "unconditional" stopping of the bombing is simply an open invitation to North Vietnam to ship down more ordnance for use against American boys.

The Congressman came up with an idea to test North Vietnam's willingness to negotiate. It would also test the validity of the theory that only a stopping of bombing stands between war and negotiation. He recommends stopping the bombing by degrees.

Announce, he says, that the United States will not bomb north of a certain point. But keep the heat on territory to the south of that point. This would end the punishment of one strip of territory while still preventing the movement of war materiel into the South. Wait for a hint that negotiations might be forthcoming.

If that doesn't work, move the line farther south, agreeing not to bomb an even larger area. But keep the heat on south of that point.

If that doesn't work, try again.

And again.

Meanwhile, though, don't let the North Vietnamese move arms and equipment into the South.

But suppose America drops its line south the whole way to the so-called demilitarized zone and Hanoi still shows no signs of negotiations?

Mr. Dellenback's answer is substantially that of George Mitrovich, a field worker for Negotiation. Now, a group dedicated to bringing the war to the conference table. Mr. Mitrovich, when he was in Eugene six weeks ago, pointed out that if North Vietnam would not negotiate under any conditions, then the world would at least know who was blocking negotiations. (As if the world should not know already.) Presumably, Mr. Mitrovich said, the war would go on. Mr. Dellenback sadly agrees.

But, the Congressman said, this dropping back and thus sparing much of North Vietnam can show American good faith in wanting to negotiate. And it can't hurt the war effort if, at the same time we keep bombing the neck of the bottle, where the supplies flow into the South.

Mr. Dellenback's idea has merit. It would not doom American troops to facing more armor from the North. Yet, it would show our good faith and give the North Vietnamese a chance to show theirs.

[From the Eugene (Oreg.) Register Guard, July 13, 1967]

Dellenback's Plan

When Congressman John Dellenback was in Eugene a week ago, he spoke of a forthcoming plan for gradually reducing the bombing of North Vietnam, in return for some show of interest by Hanoi. That plan took shape in Washington Monday in a declaration by eight Republican congressmen, including Mr. Dellenback.

The Republicans would have the bombing stop at the 21st parallel for 60 days. This would spare Hanoi, but not Haiphong. If North Vietnam responded with de-escalation of its own, the line would be drawn at the 20th parallel, south of Haiphong, for 60 days. Continued North Vietnamese interest in scaling down the intensity of the war would result in a further pulling back of American planes.

However, Mr. Dellenback explained from Washington, he would not favor a continued curtailment of the bombing unless Hanoi were to respond favorably. "That would just be playing into their hands," he said.

The eight Republicans agreed that the plan is no panacea for settling the war. But it is a fresh idea, and fresh ideas are in short supply. And it would test the good faith of North Vietnam. It is not the "unconditional" halting of the bombing that Hanoi says it wants. But it could easily become that—if North Vietnam is interested enough to stop its pressure on the south.

[From the Oregon Journal (Portland), July 14, 1967]

The Tunnel Is Still Dark

There was not much ground for optimism in the public statements of Defense Secretary Robert S. McNamara as he finished his ninth inspection trip to Vietnam this week.

He said he thought the military operations there were going very well, but that the pacification effort is moving very slowly and is not likely to make dramatic progress in the future. Since pacification—the attempt to protect South Vietnamese villages from attack and to build up their self-government and economic strength—is the whole purpose of the Vietnam war, that is hardly cheerful news.

Back in Washington, McNamara conferred with President Johnson and then announced that 20,000 to 30,000 more U.S. troops will be sent to Vietnam in the next 90 days, to join the 464,000 already there. This is a lot less than the 100,000 additional men the generals reportedly have been asking for, but McNamara didn't say, either, what might happen after 90 days are up.

There is nothing in all this to change the prospect that the Vietnam war will be long and increasingly costly—both in blood over there and in higher taxes back here in the United States. The one thing that might change it would be development of some kind of peace negotiations, with or without a cease-fire. Lately the Johnson administration has given no public indication of new initiatives to bring about peace talks, having been rebuffed by North Vietnam in previous attempts. But a number of efforts to prod the administration into new initiatives are being heard.

One, called Negotiation Now! is a nationwide campaign to gather citizen signatures on a petition the heart of which urges the United States to halt unconditionally its bombings of North Vietnam. Another is a call recently put out by eight Republican members of the House of Representatives, including Rep. John Dellenback of Oregon, urging a gradual rollback, of the bombing from north to south in North Vietnam, provided the North Vietnamese government responds with corresponding reductions in its war effort.

Both of these movements are responsible in that they do not suggest one-sided U.S. abandonment of South Vietnam, and they recognize that the North Vietnamese and National Liberation Front have some de-escalating to do, too. The petition of Negotiation Now! fails to answer the point made, by President Johnson that each of the five bombing halts we have tried so far has been used by North Vietnam to increase its flow of men and supplies to the south, and so to increase the danger to American troops there. The Republican congressmen's proposal for the gradual withdrawal of bombing, parallel by parallel, better meets this objection.

There is no reason to doubt that if President Johnson knew of a way to bring about honorable negotiations, he would do so. He has every personal and political motive to end this war, which is crippling his domestic administration, endangering world peace and curdling his evident dream of becoming a much-loved president. Nevertheless, someone in Congress or the public may yet come up with a new idea for triggering peace talks which could work, and they should be heard. If nothing else, the advocates of negotiation help offset the reckless strain in public opinion which holds that the way to end the war is to blow North Vietnam off the map.

[From the Klamath Falls (Oreg.) Herald & News, July 16, 1967]

What Next: We Are Winning the War—But

"We are winning the war—but . . .," was the message given to Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

The "but" translates into a call for still more troops—perhaps 100,000—to be added to the 466,000 there at present.

This number, we are told, is the minimum needed to complete the job begun by a relative handful of American advisers only a few short years ago.

Yet behind the now somewhat guarded and muted predictions of eventual victory for the cause of democracy lies the sobering belief of the generals that this many troops will be required solely to keep us on top of the Viet Cong and North Vietnamese during the coming months.

For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

McNamara described more than the immediate situation when he said at Da Nang: "Our casualties are high but we have also inflicted high casualties on North Vietnamese army units."

What he described was the situation as it was in 1965 and 1966 and as it is likely to be in 1968. Only the numbers have been changed—for the higher.

It is often forgotten that escalation is not the prerogative only of this country. Options open to the Communists include a step-up of terrorist bombings in Saigon and other South Vietnamese cities; the infiltration in even greater numbers of the large North Vietnamese standing army; the use of Communist "volunteers" from other countries; the opening of diversionary action in Korea.

This was emphasized by eight Republican congressmen the other day as they introduced a scheme for a de-escalation of the war that would steer a middle course between "those who would bomb more and those who would bomb less."

Representative Morse of Massachusetts, Dellenback of Oregon, Esch of Michigan, Horton of New York, Mathias of Maryland, Mosher of Ohio, Schweiker of Pennsylvania and Stafford of Vermont propose a halt to all bombing in North Vietnam north of the 21st parallel for 60 days. This would exempt the city of Hanoi but not the port of Haiphong.

If the North Vietnamese responded with

a similar de-escalatory step, such as dismantling major supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 20th parallel for a like 60-day period—and so on down in five steps until the 17th parallel dividing North and South Vietnam was reached.

The staged de-escalation plan would produce a growing atmosphere of mutual confidence, think the congressmen. Its virtue is that most military targets are in southern North Vietnam.

Thus, should the North Vietnamese fail to respond to the first bombing limitation, bombing could be resumed north of the 21st parallel without having caused the military effort in South Vietnam any disadvantage.

Would such a plan work? The congressmen honestly don't know. Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

That we are willing to invest another 100,000 men in Vietnam is probably quite credible—and acceptable—to Hanoi. That we are ready to deescalate by small steps, however, is something that does not seem to have been made as credible to them as it might be.

[From the Coos Bay (Oreg.) World,
July 18, 1967]

To Escalate or Deescalate?

"We are winning the war—but . . . ." was the message given to Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

The "but" translates into a call for still more troops—perhaps 100,000—to be added to the 466,000 there at present.

This number, we are told, is the minimum needed to complete the job begun by a relative handful of American advisors only a few short years ago.

Yet behind the now somewhat guarded and muted predictions of eventual victory for the cause of democracy lies the sobering belief of the generals that this many troops will be required solely to keep us on top of the Viet Cong and North Vietnamese during the coming months.

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This was emphasized by eight Republican congressmen the other day as they introduced a scheme of de-escalation of the war that would steer middle course between "those who would bomb more and those who would bomb less."

Representatives Morse of Massachusetts, Dellenback of Oregon, Esch of Michigan, Horton of New York, Mathias of Maryland, Mosher of Ohio, Schweiker of Pennsylvania and Stafford of Vermont proposed a halt to all bombing in North Vietnam north of the 28th parallel for 60 days. This would exempt the city of Hanoi but not the port of Haiphong.

If the North Vietnamese responded with a similar de-escalatory step, such as dismantling main supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 28th parallel for a like 60-day period—and so on down five steps until the 17th parallel dividing North and South Vietnam was reached.

The staged de-escalation plan would produce a growing atmosphere of mutual confidence, think the congressmen. Its virtue is that most military targets are in southern North Vietnam.

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Would such a plan work? The congressmen honestly don't know. Their proposal is put forth not as a panacea for Vietnam but in the belief that the only chance for peace lies in small steps, taken quickly that make the position of each side credible to the other.

That we are willing to invest another 100,000 men in Vietnam is probably quite credible—and acceptable—to Hanoi. That we are ready to de-escalate in small steps, however, is something that does not seem to have been made as credible to them as it might seem.

THREAT TO SHOE INDUSTRY

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have consistently supported legislation which would protect domestic industries from unfair, low-labor-cost foreign imports. I favor increased and improved foreign trade, but only on a fair and orderly basis.

One domestic industry which has been particularly threatened by imports is the shoe industry. I was deeply concerned to receive a letter from the president of a shoe company in my district which said simply, "We need help and much support."

I have introduced in this and previous sessions legislation such as the Orderly Marketing Act of 1967 which is aimed at providing such help. The majority leadership apparently does not see the need for this protection and the administration has failed to live up to its promises of much-needed regulations of unfair trade.

Consequently the problem has worsened. Lloyd M. Hampton in his column "Washington: Inside Out" of August 12, 1967, lists the sobering facts of the threat to our domestic shoe industry. I would like to include some excerpts from his column in the Record.

Mr. Hampton points out that many of the foreign shoe imports come from behind the Iron Curtain, particularly Czechoslovakia. If it is difficult for our domestic industries to compete with low-labor-cost free countries, it is virtually impossible for them to compete with Communist countries "where costs are ignored in the drive to export merchandise for dollars."

I have consistently opposed increased trade with Communist countries in light of the fact that they are supporting North Vietnam with whom we are at war. I also oppose such increases because they represent unfair competition.

As the following excerpt makes clear, the situation in the shoe industry is critical. I urge my colleagues to join me in seeking rapid action to meet this urgent need.

The excerpt follows:

The shoe producer's case for insisting on import quotas is an impressive and valid one. To fail at this particular time to plead for relief via the Congressional route could be a sizable mistake in judgment, say sources not only in and out of Congress, but among trade officials, as well.

Sobering facts: From 1955 to 1966, footwear imports have upped 1500 percent . . . from 8 million pairs to 132 million pairs. At present rate, imports will reach 200 million pairs by 1970 . . . conceivably higher under concessions we made in the Kennedy Round; figures for '66 show imports accounted for 16.3 percent of our domestic production of 809 million pairs. Study of 1955–56 period reveals that U.S. footwear exports have fallen 37 percent . . . shipments to other countries now come to about 3 million pairs annually; data for first two months of 1967 disclose imports were 22.8 percent of all U.S. production for that period but as high as 94 percent for women's casuals; the domestic footwear industry is particularly vulnerable to the increasing flow of imports from behind the Iron Curtain. Since 1959, Czechoslovakia has stepped up it imports to the U.S. by over 900 percent, from 192,600 pairs in 1959 to 1.7 million pairs in 1966; imports from state-controlled enterprises—where costs are ignored in the drive to export merchandise for dollars—present extremely unfair competition, says NFMA.

THE TAX DEBATE

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the administration's proposed tax increase is now before the House Ways and Means Committee. Several high-ranking administration officials have attempted to present the economic rationale behind the requested tax hike.

They have failed, Mr. Speaker, because there is no sound economic justification for this proposal. An editorial in the New York Times of Thursday, August 17, attempts to explain why the administration has failed to make a case.

While I do not fully agree with some of the points in the editorial, I do support its major premise—that the real reason for the requested increase is political. The administration has consistently deluded itself and the American public by asserting that virtually any problem can be solved by creating more agencies and spending more money. With such an unrealistic attitude, it is little wonder that the administration is running a huge deficit. Now it has requested a tax hike to combat this deficit. If Congress does not adopt this increase, the administration will, no doubt blame Congress for the $29 billion deficit. I find a bit of irony in a Democratic administration using a heavily Democratic Congress for its whipping boy.

The New York Times editorial, which follows, explains why the economic reasons for the tax increase are not valid, thereby making it clear that the political reasons—which are hardly commendable—are the true ones.

The editorial follows:

The Tax Debate

> The testimony of top Administration officials before the House Ways and Means Committee has failed to make a case for the proposed increase in taxes.
>
> It is easy to understand the political argument for a higher levy. President Johnson does not want to go into the 1968 campaign defending a $29 billion deficit. But the economic arguments are unpersuasive.
>
> The Federal Reserve Board's index of industrial production rose last month for the first time in seven months. Corporate profits improved slightly in the spring quarter. But these mildly bullish developments provide no basis for fear that heavier military spending for Vietnam confronts the nation with the imminent threat of breakneck inflation.
>
> A much more valid fear, in our judgment, is that higher taxes will stifle the incipient boomlet and topple the country back toward recession.
>
> What is wrong with President Johnson's budget is not so much the size of the deficit as the upside-down priorities it expresses. The unending escalation of the war in Vietnam reduces the chances of a negotiated peace and thus represents a wasteful diversion of national resources. But, even with escalation, the President would be on more reasonable ground if he proposed financing the additional Vietnam expenditures by cutting back on the space program and on agricultural subsidies and by deferring the supersonic transport and other less urgent projects.
>
> By refusing to take the lead in those reductions, Mr. Johnson has simply invited the mounting Congressional pressure to slash funds for the antipoverty program, model cities and other urban programs vital to America's welfare—pressure not likely to be turned off by his letter to Senator Mansfield calling for an "all-out commitment" to the solution of domestic problems.
>
> A tax fight centering on the as yet ill-demonstrated peril of inflation and inducing further neglect of urban programs is a disservice to the national interest.

CONGRESSIONAL REFORM: ACTION NOW

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I want to commend the distinguished gentleman from Wisconsin [Mr. Laird] for his scholarly attention to the problem of effective legislative oversight and for the recommendations which he advances in the hope of exacting a better performance by the Congress in this critical area of congressional responsibility.

Certainly, oversight of the administration of our laws is equally important to making the laws. Somehow, this continues to be overlooked or misunderstood by a great many people. We do need, as the gentleman says, to "break down the all too prevalent notion that Congress is a mere 'bill factory.'"

In his opening statement as a member of the newly established Joint Committee on the Organization of the Congress early in 1965, our colleague, the gentlemen from Missouri [Mr. Curtis], warned against:

> False measure of the effectiveness of Congress (which) is suggested by some whose knowledge—of congressional problems is superficial; namely, the rate of speed of enacting laws, especially measure recommended by the executive branch. Making a law is not the same business as making an automobile.

Most of the recommendations contained in the final report of the Joint Committee on the Organization of Congress, touch on the question of legislative oversight in one way or another. Our recommendations for more committee staff, for beefing up the Legislative Reference Service of the Library of Congress, for better fiscal controls—these and more, if enacted, should enable the Congress to perform its function of oversight more effectively. In addition, we made several recommendations under the specific heading of "Legislative Review," which I will include later as a part of my remarks.

In underlining the critical importance attached to this problem by the joint committee, I would like to quote the chairman, the distinguished Senator from Oklahoma who, as a Member of the House, cochaired the first Joint Committee on the Organization of the Congress 20 years ago and had this to say during the course of our hearings in 1965:

> One of the most important aspects of the Reorganization Act of 1946 seems to me the concept which was voiced for the first time—it has always been the responsibility of Congress—and that is the duty of oversight of Congress.
>
> We are so busy breaking new ground that we do not have time to go back over the ground that was broken by the preceding Congress and take a look and make an examination of how the programs we passed in the yesteryear are working this year.
>
> We tried to create the Government Operations Committee in both Houses, which have done a reasonably good job within the limits of their power and within the limits of their personnel, but it seems to me that this is still one of the great gaps in government. The jurisdiction which was passed to the Government Operations Committee was not so broad that they would have sole oversight responsibility. The committees having the proper cognizance under their jurisdictions should examine each year the Government departments which they were apparently permitted to pass legislation to supervise.
>
> But we find ourselves bogged down in an impossible situation where this regular committee oversight of the bureaus and departments under its jurisdiction is not carried out to any degree whatever.

Again, I commend my colleague from Wisconsin for his searching inquiry into this problem and the carefully thought-out suggestions he has advanced for our consideration.

And again I call attention to the failure of the House Rules Committee to report S. 355 to the floor after the bill passed the Senate by an overwhelming vote on March 7, nearly 6 months ago. Although far from perfection, the Legislative Reorganization Act of 1967 is a significant step forward in modernizing Congress to do a better job in many ways, including its legislative review function.

I here append the recommendations referred to above:

[From the Final Report of the Joint Committee on the Organization of the Congress, July 28, 1966]

Legislative Review

The responsibilities of Congress extend beyond the passage of new legislation. One of the most important of these is to scrutinize continuously existing programs to determine whether they are being administered in accordance with congressional intent, whether amendments are desirable, or whether the program has outlived its purpose. No agency is likely to volunteer that its objective could be accomplished in another manner—or that it is no longer needed. These determinations must be made by Congress.

The 1946 act recognized the need for such a continuous review. Section 136 provided:

> *To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress . . .*

This provision has failed to achieve the desired result. It is a statutory admonition without means of implementation. Although some standing committees have carried on extensive "oversight" activities, most are preoccupied with new legislative programs.

1. The activity commonly referred to as "oversight" shall be redesignated as "review" so that there will be a better public understanding of the function.

Supervision of program administration was referred to in the 1946 act as legislative "oversight." The public is confused by this term. The term "review" is more accurate with respect to the obligation to oversee the performance of the laws. Its use would enable a greater public awareness of this congressional responsibility.

2. In addition to the permanent professional staff otherwise authorized, each standing committee shall be entitled to one additional permanent professional staff member who shall be designated a review specialist and who shall be assigned exclusively to performance of review (oversight). He shall be selected by the chairman with the concurrence of the ranking minority member. The review specialist shall be directed to carry out review projects, or to supervise the same, contingent upon the approval of such projects by the chairman and ranking minority member of the committee.

Some committees have created permanent investigating subcommittees to perform the review function. This normally results in the earmarking of staff who are not immersed in the preparation of new legislation or other committee responsibilities. Others have divided the review function among a number of subject-matter subcommittees. They have not found it desirable to assign review responsibility to a single subcommittee because of greater expertise of the subject-matter subcommittees and their staffs.

Because of these differences, it is desirable to provide maximum flexibility to each committee in the way it performs this function. However, each committee should have at least one staff member with the full-time responsibility of implementing the review policies of the committee. If the committee has a permanent investigations or oversight subcommittee, the review specialist may be assigned to that subcommittee. If such a subcommittee does not exist, he would be a member of the staff of the full committee.

It is extremely important that the review specialist be selected on a nonpartisan basis. He is to assist the committee in determining that existing programs are being efficiently administered in accordance with congressional intent. He should be selected and supervised by both the chairman and the ranking minority member.

One important function of the specialist should be the inspection and analysis of GAO reports delivered to the committee. He should be directed to report to the committee each year on his activities.

3. Each standing committee other than the Appropriations Committees shall file an annual report on the review activities of the committee during the year. The report shall include an evaluation of programs under the jurisdiction of the committee, an assessment of the quality of administration of agencies investigated during the year, and recommendations as to organizational and program changes and/or the elimination of unnecessary activities under the committee's jurisdiction. The reports shall be delivered to the majority and minority leadership of both Houses and by the leadership to the President, with a copy to the Bureau of the Budget.

The review function is a statutory obligation of the standing committees. The membership of both Houses and the public are entitled to know how well the function is being performed. Annual review reports would permit Members to determine whether the review capacity of various committees should be strengthened. They would call attention to the need for investigations or other activities in the Member's particular field of interest. They would also disclose unnecessary duplication of effort.

The reports should be delivered to the President and the Bureau of the Budget so that the executive branch could consider their findings in subsequent program planning and budget requests.

4. The legislative committees should hold hearings on major reports required of the Executive.

5. The legislative committees should review reports required by law of the executive departments and agencies to determine whether the reports perform a useful function, should be reoriented, or are no longer necessary.

Many statutes require periodic reports to Congress from the agency or department. Some reports—such as the President's Economic Report—are the subject of important hearings. But many other important reports by the Executive go unnoticed because the committee with jurisdiction takes no action. Hearings should be held on major reports in order to direct attention to any specific problems raised in them. The result of such hearings would be a more regular dialog on major public policies.

Each committee should also review all reports required by existing laws to determine if they still fulfill a useful function. At present, a total of 639 annual reports is required of various executive departments and offices. This is a burdensome and useless practice to impose on administrative agencies if it does not actually inform the committee or if the subject matter is so trivial that no attention will be given to it.

HISTORY REPLAYED

Mr. **BOB WILSON**. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, on August 6, 1967, a member of the Iowa General Assembly, State Representative Stanley Shepherd, gave the speech at the Civil War observance held each year at Croton, Iowa.

The speech replays important parts of American history in a moving and sensitive manner. It reflects a great deal of research and hard work.

I commend its reading to my colleagues, as follows:

It is indeed a pleasure and honor to be with you today. There is so much to be thankful and most of all is pride and pleasure of knowing that from the beginning of this country, and this State your ancestors played a most important part in laying a foundation that has stood throughout the years. . . . It is part of our inheritance.

My desire today is not to give you a complete history of one event. I would like to lead you along the path of a number of heroic and historical incidents that occurred through the years and to leave you with the feeling that leads you to place a higher value upon the privilege of citizenship of this great State and country of ours. It is important to keep alive the memory of those pioneers and settlers of this State and country whose achievements and wisdom served us well. From the very beginning of the making of this country many men, women and children have paid dearly for the freedom we have today.

Independence Day July 4, 1776, was one of those days that meant tragedy, poverty and broken hearts for many.

Have you ever wondered what happened to those men who signed the Declaration of Independence?

Five signers were captured by the British as traitors and tortured before they died. Twelve had their homes ransacked and burned. Two lost their sons in the Continental Army; another had two sons captured. Nine of the 56 fought and died from wounds of the Revolutionary War.

What kind of men where they? Four were lawyers and jurists. Eleven were merchants, nine were farmers and large plantation owners, men of means, well-educated. But they signed the Declaration of Independence knowing full well that the penalty would be death if they were captured. They signed and they pledged their lives, their fortunes and their honor.

Carter Braxton, of Virginia, a wealthy planter and trader, saw his ships swept from the seas by the British Navy. He sold his home and properties to pay his debts and died in rags.

Thomas McKeam was so hounded by the British that he was forced to move his family constantly. He served in the Congress without pay and his family was kept in hiding. His possessions were taken from him and poverty was his reward.

Vandals, soldiers or both looted the properties of Ellery, Clymer, Hall, Walton, Gwinnett, Heyward, Rutledge and Liddleton.

At the Battle of Yorktown, Thomas Nelson, Jr. noted that the British General Cornwallis had taken over the Nelson home for his headquarters. The owners quietly urged General George Washington to open fire which was done. The home was destroyed and Nelson died bankrupt.

Francis Lewis had his home and properties destroyed. The enemy jailed his wife, and she died within a few months.

John Hart was driven from his wife's bedside as she was dying. Their 13 children fled for their lives. His fields and grist mill were laid waste. For more than a year he lived in forests and caves, returning home after the war to find his wife dead, his children gone. A few weeks later he died from exhaustion and a broken heart.

Morris and Livingston suffered similar fates. Such were the stories and sacrifices of the American Revolution. These men were no wild-eyed, rabble-rousing ruffians. They were soft spoken men of means and education. They had security, but they valued liberty more.

Standing tall, straight and unwavering, they pledged: "For the support of this Declaration, with a firm reliance of the protection of the divine providence, we mutually pledge to each other our lives, our fortunes and our sacred honor."

They gave to us an independent America to keep.

The years pass and Iowa was formed and it's early progress was made possible by the rivers, especially the Des Moines River, which lies just beyond us.

The Des Moines River, rich in fur-bearing animals, was profitable territory for trappers and hunters.

At the first trading posts the Indians exchanged skins, and pelts for firearms, blankets, ornaments and whiskey. The American Fur Company of St. Louis was influential in founding a number of posts in Iowa that later developed into towns. Among them was the city of Keokuk. Later the Des Moines River region became the center for the Iowa fur trade, which in 1809 was valued at $60,000.00. Among the best known fur traders was Maurice Blondeau who opened a trading post on the Des Moines River, under the auspices of John Jacob Astor.

Pioneer Iowa's population growth and economic stability depended greatly upon her early forms of transportation. The first settlements were made along the rivers and streams denoting waterways as important avenues of transportation. St. Louis was a thriving city and the city of Keokuk was becoming an important trading center and was known as the Chicago of the Mid-West, and the northwestern fur trading enterprise was successfully launched. But the steamboat, so important in a later transportation era, was still a rarity. Poineer Iowans depended upon more primitive form of water transportation.

One type of river craft, the bull boat, made of Buffalo hides sewed together and stretched over a frame-work of poles, was being used on the plain rivers. Propelled by poles and paddles, fur traders transported their pelts and equipment in it. Carrying capacity was limited, however, because it sat low in the water, leaked badly and water logged easily. At night bull boats were dried by the fire or propped over the voyagers as a tent to be dried by the wind.

Dug-out canoes appeared on the river as a simple means of transportation. Constructed by hollowing out a tree log, these canoes could be paddled against the current and were light enough to be carried across the portages. Limited in space, they were open to the weather and easily capsized in rough water. Canoes enlarged by using logs with planks between them were the forerunners of flatboats, mackinaws and rafts. These crafts, propelled by poles, oars or rudders and sometimes sails, transported produce down river but seldom traveled against the current.

Keelboats, as the name implies, were built upon a keel which extended along the entire bottom of the vessel and had sides of planks laid upon supporting ribs. These long narrow boats of light draft, intended for shallow water, were especially useful on the Des Moines River.

A wider, heavier craft of the same type of construction was called a barge, keelboats and barges usually contained a cabin or cargo box, the most important boats on the

Des Moines River before the steamboat. Keelboats carried a large cargo and could be moved against the current. They were propelled by poles placed on the bottom and pushed by a number of men walking from prow to stern. Often supplemented with a mast and sail for broad waterways, the boat could be steered with a long oar and was directed by a captain or a helmsman who, stationed on the roof of the cabin, could see far ahead.

When a river, such as the Des Moines, was too deep for setting poles, or the bottom too soft, a cordelle or towline was used. With one end fastened to the top of the mast the other was pulled by a crew member who walked along the shore. If the shore was unsuitable for cordelling, boatmen proceeded up-stream in skiffs anchored to a snag or a tree and drew the keel-boat forward with tow-lines. This method of propulsion was called warping. When the water was too high the boat could be propelled among the trees near the shore by grabbing over-hanging branches—a progress called bushwacking.

With many perils and obstacles facing early river travel, rapids, falls, dams, continually shifting sand bars and islands, floating debris and many other menaces, the life of the boatman was rarely uneventful. They were familiar to the early pioneers in their scarlet shirts, blue jackets, Lindsay-Woolsey trousers, leather caps and moccasins.

River hands were recruited from a distinct class of brawny, aggressive, rugged men, proud of their physical prowess. They labored hard but spent long, leisurely hours gambling, wrestling, singing, drinking and telling tales.

Despite its hazards, river transportation proved profitable. Rates were high but cargo was never hard to find. Passenger fares depended on types of boats, speed and accommodations supplied. Many of the boats displayed their type of ware and service and could be hailed by a dweller on the bank.

Even after the coming of the steamboat, keel-boats, barges and flatboats continued to be used many years. Demands for boating increased rapidly enough to use all types of crafts.

The Des Moines River served the founders of the Des Moines Valley faithfully and well from the time the earliest fur traders ascended the rivers of Iowa to trade with the Indians, by the laborious process of poling these slow-moving crafts, well laden with beads, blankets, ammunition, looking glasses, war paint, and perhaps carefully hidden away, a supply of "fire water" of the fighting brand, to the year of 1862, when the rapid development of our railroad system caused steam-boating to become unprofitable. From the year of 1837 to 1862, 41 steamboats plied the Des Moines River.

It was in 1847, the year of the great famine in Ireland, that several flatboats loaded with corn for St. Louis was confronted with a serious situation here at Croton and Athens. At the Athens mill the dam was eight feet high and the mill owners had a wooden lock 25 feet wide, but the gates had been broken out by the ice. Under those circumstances to run the chute left open was rather a precarious situation but passage was made a number of times. There were dams at Farmington, Bonaparte and Keosauqua, as well as Bentonsport.

Time does not permit me to go into detail of this part of our local history.

Had it not been for Iowa's navigable streams and rivers and these primitive water crafts, frontier settlement would have been seriously handicapped and economic livelihood impaired. The romance of river boat life and adventure added a colorful chapter to Iowa's early history.

This section of the State had seen many conflicting events with the State of Missouri before Iowa became a State. When Governor Lucas entered upon the duties of his office he found a serious dispute on his hands. The issue at point was the northern boundary of Missouri or the southern boundary of the Iowa Territory. Before he was in office 2 years, Iowa and Missouri militia were opposing one another, ready to engage in battle. The land along the border, in question, was then in possession of the Indians, but as soon as the Indian title expired Missouri took steps to establish her exact limits. So here was ground for stubborn argument. To increase the difficulties and confusion, the southern part of the Wisconsin territory, now Iowa, was defined by Congress as the northern boundary of Missouri. Thus Missouri claimed a strip of land some 13 miles wide, now forming Iowa's southern border. The people living in southern Wisconsin (now Iowa) and northern Missouri were rough and impulsive, ready with the rifle, and awed but little by law. When a Missouri sheriff tried to exercise his duties in what he considered northern Missouri, the settlers there asserted that he was out of his jurisdiction, and they refused to recognize his authority. . . . He was arrested. . . . Names were called and threats were made, the dispute was fiercest on the border of Clarke County, Missouri, and what is now Van Buren County and parts of western Lee County where we are today. The clerk of Clarke County attempted to levy taxes in Iowa, and was resisted. He then appealed to Governor Boggs of Missouri. This executive ordered out 1,000 militia to uphold the dignity of the State.

Governor Lucas, of Iowa Territory, already had passed through a similar contest, when he was Governor of Ohio, between Ohio and Michigan Territory. He at once called for Iowa's militia to keep back what promised to be an invasion by Missouri.

The settlements in Iowa Territory at that time, the later part of 1839, were scattered, and the militia was poorly organized. But within a short time after the call to arms, 500 Hawkeyes, under orders from Major General Jesse B. Brown, were encamped in Van Buren County in this vicinity. Directly opposite were 1,000 Missourians under General Allen. The two forces were glaring at each other, anxious for a fracas.

Fortunately no fighting occurred. A peace commission was sent into Clarke County. This resulted that the order for levying of taxes was withdrawn. General Allen withdrew his troops. The Iowa Legislature assented to a treaty of peace. The valiant Iowa Militia was dismissed.

The boundary dispute was not settled. Although war was averted, it was not until January 3, 1852, when the Supreme Court made a final decree and Iowa won. The question was decided just in time. Missouri was a slave State . . . Iowa a free State . . . and a tract such as this, if in dispute could have caused most serious trouble. The land involved was for the most part heavily wooded, and rich in bee trees. On this account the quarrel was termed the "Honey War." Many jokes were made about the contest, frontier poets even wrote verse about it. A Missouri wag composed quite a poem, which had a very wide and heavy circulation about the two States and the settlements. It began as follows:

"Ye freeman of his happy land,
  Which flows with milk and honey.
Arise! To Arms! Your Ponies Mount!
  Regard not blood or money,
Old Governor Lucas, tiger like,
  Is prowling around the borders,
But Governor Boggs is wide awake—
  Just listen to his orders.

Three bee trees stand about the line
  Between our state and Lucas,
Be ready all these trees to fall
  And bring things to focus.
We'll show old Lucas how to brag,
  And seize our precious honey!
He also claims, I understand,
  Of us three bits on money."

One of the results of the "honey war" was the first review of the Iowa militia. The troops were armed with rifles, shotguns, pistols, and other fire-arms of a variety of forms, some of the officers had trailing dragoon swords: some had straight dress swords, some had no swords. No two men were attired or armed alike, the Iowa territorial militia of the winter of 1839–40 was a strange sight. Actually 1200 men enlisted under Governor Lucas' proclamation, yet this militia never was paid for its services. Neither were the persons who furnished supplies recompensed for their efforts.

Not too many years in the future Iowa's army proved that they were among the best in the Union.

Although the battle for Croton and Athens in the year of 1861, was not a major battle, in the Civil War, a number of lives were lost and many soldiers were injured. However, it played a very important part in Iowa's participation in the war. A loss by the Union soldiers could have meant an invasion of Iowa by the Confederate troops. At that time in the State of Missouri both Union and Confederate recruits were being enlisted, for the Missourians were pretty well divided on the question of the war.

"Sesesh" was the popular name for the Confederates, because they favored session, or the withdrawal from the Union by the Southern States. On account of both parties in the war having adherents in good numbers in Missouri, collisions between armed bodies of men were frequent.

If the town of Athens located just across the river and twenty miles northwest of Keokuk, on the right bank of the Des Moines River, in Clarke County, Missouri in July and August 1861 was Colonel David Moore with about five hundred volunteers—mostly the First Northeast Missouri Regiment of volunteer home guards.

The "Sesesh" had quarters at the town of Cahoka, about ten miles south of Athens and Croton. A number of skirmishes had occurred between recruiting details, and between detachments enlisted on the two sides. Home guards had been formed on either side on the bounary line between Iowa and Missouri.

August first, thirty-five tons of provisions were sent to Athens via Croton on the Des Moines Valley Railroad, where it was ferried across the Des Moines River. At the same time a quantity of muskets and ammunition. The Confederates heard of this, and determined to attack Athens and capture the supplies. August second, messengers arrived at Athens, bringing news of the plans of the "Sesesh" and Sunday evening August fourth another messenger came with word that the onslaught was to be made the next day.

Colonel Moore prepared to give the enemy a warm reception. At the same time much excitement was occasioned in Iowa, for if Athens was taken, the Confederates might cross the river and pillage the country side. The report got abroad that the Confederates were determined to attack and sack Keokuk itself. In Farmington, Keokuk, Croton and other towns in Lee and Van Buren Counties, there was scurrying to and fro, to be ready to repel the invasion.

Here in Croton quite a large throng assembled to watch the battle. The bluff on this side of the Des Moines River furnished a fine amphitheater.

The "Sesesh" were under the command of Martin E. Green. As most of the soldiers on either side were Missourians and recruited from northern Missouri, families were divided: Brother was arrayed against brother, father against son. . . . Under Colonel Green was Captain Moore, the son of Colonel Moore of the Union volunteers. While the Confederates were on the march one officer remarked, in the hearing of Captain Moore: "Oh, we will take Athens easy enough, Old Moore won't fight." Don't fool yourself, spoke up the son, "I know Dad, and he'll give you all the fighting you want." He did too.

The morning of August fifth broke clear and bright and the bluffs behind Croton was filled with spectators . . . men, women and children, and as usual a good assortment of dogs. Colonel Green had planted two cannon on the bluff behind Athens, and at five-thirty these opened fire, while the infantry attacked the Moore forces. The cannon balls flew high. . . . Instead of hitting the enemy, they passed over the heads of the Union soldiers, crossed the river, and struck the Croton bluffs.

The women, children and dogs, here scattered and hid in the ravines. It was also reported that one cannon ball hit the depot roof at Croton and another went through the Joe Benning home in Athens, known as the "Old Cannon Ball House."

The greater part of the fighting took place in the corn fields around Athens. Under Colonel Moore were forty sharp-shooters from Farmington. At the depot in Croton a body of Croton home guards and Keokuk volunteers had been stationed. The inaccuracy of the Confederate soldiers, who manned the two cannons from the Athens side, no doubt saved the lives of many of the soldiers stationed at the station or depot. With their wives and children watching on the bluffs this could have been a very sad day for them.

During the battle these troops were marched into a sugar camp on the river bank. From there they fired across the river into the Confederates in a corn field, and inflicted considerable loss. Colonel Green had promised his men: "We breakfast in Athens, dine in Croton and sup in Farmington". But they didn't for in an hour and a half they were defeated and retreating.

The Union troops pursued them a short distance, and then returned to Athens . . . The Confederate sympathizers in Athens had prepared to welcome Colonel Green's command. Chickens had been roasted, and pies and cakes baked. These with other goodies had been laid away in the cellars until the victory had been won.

But Colonel Green's men did not stay to taste these delicious foods. Instead, the northern Missouri regiment of volunteer home guards, the Farmington sharp-shooters, the Croton home guards and the doughty Keokuk volunteers fell to and celebrated at the expense of the unlucky "sesesh" women. Colonel Green and his forces were heading in the wrong direction.

It is said the Union loss in the battle of Athens and Croton was four killed. Three wounded badly, twenty wounded slightly, and the Confederate loss was much greater. However, figures in different accounts differ greatly.

Colonel Moore captured thirty horses, and one of the cannon left behind in the bushes.

While the struggle was in progress a number of frightened and wounded Union soldiers fled across the river. Some of these were so demoralized that they cried to all they met: "Look out, the rebels are coming. The rebels are coming."

A few ran clear to Keokuk and Montrose, spreading the tidings that Colonel Moore had been defeated, and that the Confederates were right at their heels.

So the battle ended on that day, August fifth, 1861, on the very ground where we are gathered today to honor those men who fought to preserve the ideals of freedom.

In ending I would like to state that the great Commonwealth of Iowa sent forth 80,000 of her sons to do battle for the Nation. The story of her heroism is told over and over again. She thought no sacrifice too great, whether of blood or treasure, in defense of the flag and in maintaining the integrity of the Union.

Tempered and welded by the flame of battle, she emerged from the Civil War period to take her place among the foremost States forming the United States.

The character of the citizenship which they attain will be also the character of the State. On the stone which contributed to the Washington Monument, and on the face of the soldier's monument at Des Moines is this inscription: may it be as true as it is today: "Iowa . . . her effectiveness like the rivers of her borders, flow to an inseparable Union."

REPORTED BUILDUP OF SUPPLIES AND SANCTUARY OF ENEMY TROOPS IN CAMBODIA

The **SPEAKER**. Under a previous order of the House, the gentleman from Virginia [Mr. MARSH] is recognized for 30 minutes.

Mr. **MARSH**. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. **MARSH**. Mr. Speaker, I take this time to discuss the continued reports appearing in the press about the buildup of supplies and sanctuary of enemy troops in the country of Cambodia, whose border is adjacent to South Vietnam. I particularly raise a question as to the use of the Mekong River and what commerce destined for Cambodia or coming from Cambodia is moving along this waterway.

The Mekong River is one of the major waterways of that area of the world, and flows for countless miles across the Southeast Asian peninsula emptying into the South China Sea. It runs across all of South Vietnam, after winding its way through Cambodia. It is sometimes overlooked and rarely mentioned that the Mekong River has the status of an international waterway with freedom of navigation for the benefit of the signatory parties, one being Cambodia. In 1955, there was signed a Mekong Convention which was a convention for the purpose of regulating maritime and inland navigation on the Mekong and inland navigation on the approach to the Port of Saigon. The State Department has furnished me a copy of this convention, as well as pointed out that the Government of the Republic of South Vietnam has sought to impose a number of regulations on the river traffic. The signatory nations were Cambodia, Laos, and Vietnam. Article 2 of the protocol to the convention provides as follows:

> Navigation throughout the course of the Mekong, its tributaries, effluents, and navigable mouths, must conform to the requirements prescribed by the riparian States, particularly in sanitary, police and customs matters and with respect to the maintenance of general security.

A reference to the book entitled "Cambodia's Foreign Policy" by Roger M. Smith, published by the Cornell University Press in 1965, touches on the circumstances leading to the agreement on the use of the Mekong River and also discusses certain differences involving the Port of Saigon. The author points out on pages 157 and 158 the construction of the port at Sihanoukville in 1959 has apparently diverted a substantial amount of traffic bound for Cambodia via the Mekong River.

Today serious questions are being raised by continued arms shipments into Cambodia. Although these apparently are coming in principally through the Port of Sihanoukville, nevertheless, I believe a question should be raised as to what part, if any, the Mekong River might have, in the course of infiltration or distribution of these supplies.

In the August 28 edition of U.S. News & World Report, at page 25, there appears an article that discusses the entry of supplies for Vietcong and North Vietnamese through Cambodia. Set out below are the pertinent portions of this article:

> Shipments are coming into Cambodia directly from Soviet Black Sea ports and Communist Chinese ports on ships of Russian, Soviet-bloc, Chinese and Hong Kong registry. Cargoes move by road and barges to the Viet Cong and North Vietnamese troops.
>
> * * * * *
>
> U.S. naval sources have become deeply concerned over the tremendous overall increase in international shipping into Cambodian ports, which has grown despite the fact that Cambodia's economy is nearly bankrupt after the breaking off of American aid three years ago and the expulsion of French and other traders when export-import firms and banks were nationalized.
>
> One official American source reports that there is no question that Russian and Chinese shipping into Sihanoukville and elsewhere in Cambodia is bringing in ammunition.

Press accounts such as this raise a question to me as to the extent to which the Vietcong and North Vietnamese may be receiving substantial supplies via a Mekong River route ostensibly intended for peaceful commerce with Cambodia.

It has become necessary to look closer at the role of Cambodia in this war, and recent reports and news accounts indicate Cambodia is playing a significant part in resupplying and providing a sanctuary for enemy troops.

I point out that I do not desire any information of a military nature which might jeopardize our forces or those of our South Vietnamese allies.

I might add that I am not familiar with the nature of cargo that moves on the Mekong River to or from Cambodia, nor do I have any idea as to what type of vessels carry these cargoes. However, I would be interested in knowing:

First. How much shipping travels up and down the Mekong River to or from Cambodia through Vietnam?

Second. Why, if this is regular commercial cargo, is it necessary to move these vessels in escorted convoys? I would point out that the State Department has furnished me information in reference to shipping on the Mekong River that "in November of 1966, shipping bound for Cambodia was being escorted in convoys up the Mekong River."

Third. Do we know just what is in each cargo moving up the Mekong to Cambodia?

Fourth. Are cargoes of obvious military use to our enemies turned back or confiscated?

The continued reports of Communist resupply operations in Cambodia may point to stricter measures for policing the use of the Mekong River.

It does not seem to be in the best interests of the American serviceman, nor our effort in South Vietnam, to permit travel through the heart of the battle ground over a main artery of trade items of war which will be used against our own troops.

TAX REFORMS NEEDED

The **SPEAKER**. Under a previous order of the House, the gentleman from New Jersey [Mr. DANIELS] is recognized for 30 minutes.

Mr. **DANIELS**. Mr. Speaker, on August 7 of this year, President Johnson proposed a 10-percent surtax on Federal income taxes. One of the most important results of this proposal is that it has stimulated great discussion on our existing tax structure and, in my view, increased the possibilities for tax reform.

I have received hundreds of letters from citizens of the 14th Congressional District of New Jersey, who feel as I feel that this additional tax burden should not be imposed until we have a system whereby the tax load is shared on a basis of relative equality.

Mr. Speaker, I am appalled by a tax system where an underemployed person in Jersey City pays 14 percent of his net income and on the other hand, oil companies who in 1965 earned almost $6 billion in profits, paid only 6.3 percent in taxes. Surely there is something inherently wrong about this kind of a system.

Mr. Speaker, while the oil depletion allowance is the most glaring weakness in the Internal Revenue Code there are others too which, while smaller, deserve equally to be plugged up.

As a responsible Member of this Congress, I cannot vote for governmental programs without voting to raise the revenue. And, with domestic programs already cut to the quick, the only other possibility is to deny our fighting sons in Vietnam the supplies they need to sustain themselves or for this Government to renege upon obligations it has assumed either for our veterans of earlier wars or the debt which has accrued from these wars. None of these courses is acceptable for me.

Thus, I have posed a nine-plank program which I think will raise enough revenue to obviate the necessity for imposing new personal income taxes.

According to the very knowledgeable gentleman from Wisconsin [Mr. REUSS], my good friend and colleague, these nine steps would enable this Government to raise $4.3 billion with no new taxes. Surely, Mr. Speaker, the bill I have introduced today deserves a good hard look by this Congress.

I would like at this time to explain the major provisions of my bill to all Members of the House.

Mr. Speaker, the single loophole in the law which screams to heaven for adjustment is the oil depletion allowance which allows oil companies to deduct 27.5 percent of their income before they even start to pay taxes. The apologists for this loophole would have us believe that this deduction is necessary to enable the small wildcat driller to obtain the oil which is necessary to keep this Nation functioning. In practice, however, it has enabled the largest oil companies in the world to avoid paying their fair share of the tax load.

Mr. Speaker, consider these figures. In 1965, the 20 largest oil companies paid corporate taxes of 6.3 percent on earnings. Other less favored corporations paid the corporate tax of 48 percent. The largest oil company, Standard of New Jersey, paid $82 million or a rate of less than 5 percent. The poorest taxpayer in the 14th District of New Jersey or anywhere else in America paid at a rate of 14 percent or more. Surely before we saddle the small taxpayer with an additional burden we have a duty to go after the big fellows who are getting off so lightly.

Mr. Speaker, the mineral depletion allowance gambit has gone on too long and now is a time for this House and the other body too, to take a hard look at the whole Internal Revenue Code.

Mr. Speaker, I do not come before this body as a great tax expert, but my years as an attorney and as a magistrate have equipped me to seek equity and it is for this reason that I have drafted a bill which I think will serve as a rough guideline for action along these lines by the Congress to raise needed revenue without imposing the 10-percent surtax on our middle income citizens.

Section 2 of the bill would enable the Government to realize $2.5 billion by closing up the capital gains loophole. Under present law, if a person sells a capital asset, he is taxed at 25 percent, the capital gains rate. Yet, if he dies before selling or transferring the asset his estate pays no tax at all. This section would permit the taxation of such property at the standard capital gains rate.

Section 3 of my bill would end the unlimited charities deductions which permits millionaires to deduct up to 90 percent of their income for charitable donations while the ordinary taxpayer is limited to 30 percent of his income. How this works is that there is a special provision in the code which permits a taxpayer who has given away or paid in State and local income taxes 90 percent of his taxable income in 8 out of 10 years to deduct up to 10 percent. This loophole permits the man with a large income from municipal bonds or through capital gains to pay virtually no tax at all. Second, I might point out at this point that the present tax law allows another little gimmick designed to aid our rich taxpayers. The United Auto Workers Report in its July 17, 1967, edition points out that a person wishing to give away a work of art valued at $50,000 can have a strawman offer him $150,000 for it. After turning down the offer he then gives it away and deducts the puffed up price of $150,000.

Section 4, Mr. Speaker, would end the stock option provision in the code which permits highly paid corporate executives to exercise an option to buy tomorrow at today's prices, large chunks of their companies' stocks and thus pay taxes at a rate of 25 percent rather than the steeper rates which they would normally have to pay.

Section 5 would repeal the $100 dividend exclusion which permits a taxpayer to pay no taxes on the first $100 of dividends at a cost of the Treasury and to the six out of seven taxpayers who do not have dividend income, of some $200 million annually.

Section 6 deals with the multiple corporate dodge which permits the division of a single business entity into several units permitting the separate units to be taxed at the rate of 22 percent which is assessed against the first $25,000 of corporate income rather than the 48 percent which is assessed after the first $25,000 of income.

Section 7 would forbid the financing of plants owned by private industry by municipal governments who are able in this way to aid the corporations by financing this plan by tax-free municipal bonds. This provision in the code ostensibly written into the law to aid depressed areas has resulted in great abuses. Ending this device alone would bring in $50 million a year.

Section 8 would lower the oil depletion to 15 percent. Very frankly, I would prefer a lower figure but I think 15 percent would be a start in the right direction. In this section the depletion allowance for other minerals which is presently 23 percent would be cut to 15 percent as well.

Section 9 would establish the same rate for gift and estate taxes. Under present statutes, $3,000 a year can be given to a single individual with no imposition of a gift tax. Beyond this, $30,000 can be given away during a person's lifetime without any gift tax being imposed. In addition, any taxable gift is assessed at a rate three-fourths of that for the prevailing estate tax. This action of my bill would set a rate of 25 percent for both taxable gifts and property which pass as a result of death.

Mr. Speaker, under present law estate taxes may be paid in Government bonds which are redeemed at par value. This loophole costs the Government another $50 million a year—a not insignificant sum. Section 10 of the bill I have introduced today would end this device frequently employed by the very wealthy to avoid payment of taxes.

Mr. Speaker, I do not think this bill is the final word but it is my hope that it will provide a rallying symbol for those Members of this House who share my reluctance to further tax our middle and lower income citizens who, as I see it, are paying more than their share of the total tax load of this Nation, Federal, State, and local.

I have read very carefully the superb material put forth by my capable colleagues, Congressman REUSS and my good neighbor from New York [Mr. TENZER], from whom I have drawn heavily for their good ideas expressed in recent weeks on this House floor. It is my hope that we can produce an alternative to the plan suggested by President Johnson, which will meet the very elementary test of fairness to all.

Mr. Speaker, as I said a few minutes ago, out of the fiscal crisis of 1967 may come something more important than just raising needed revenue—a tax code which is fair to all.

The people of the 14th Congressional District of New Jersey like taxes no better than other people in these United States but they recognize, as do all sensible people, the inevitability of the taxation process. When all is said and done the people of Hudson County are willing to do their share of the responsibilities that go with citizenship. Yet, to ask these people to bear an extra load in order to permit those more financially capable to escape their share is a policy which cannot be supported at any time.

I am not sure my bill is the final answer or whether it is an answer at all, but I do know that it is a possibility and it is a possibility worth considering. And if in any way it has helped this Nation to move toward tax reform, then I feel satisfied that I have served my people and all the overburdened middle-income taxpayers of America as I would wish to do so.

As a people, we admire justice and fair play and it is my belief that our tax laws should reflect these principles.

THE AMERICAN FARM PROBLEM

The SPEAKER. Under a previous order of the House, the gentleman from Iowa [Mr. SCHERLE] is recognized for 30 minutes.

Mr. SCHERLE. Mr. Speaker, in his last press conference, the President of the United States made some comments of great significance to the American farmer. They were so revealing that the Members of Congress, the American public, and most of all, the man who makes his living from the soil, should have these comments reemphasized.

President Johnson began by saying:

> I do think the farmers are on the short end of the stick.

So far so good, but if we go no further, we miss the real kicker. The President went on to say:

> I do know people are leaving the farms by the thousands and going to the cities. It is creating a very serious problem for us.

That, my colleagues, is the key to the problem right there. This administration appreciates the farm problem alright, but not until it sees the farmer, forced from his land, come into the city.

Further proof that the Johnson administration sees the farm problem only as a factor in one of its other higher priority concerns is a statement made by Orville Freeman in Des Moines earlier this month. He urged the farmers not to lose their "cool." Now, I ask you, who does he think he is talking to? Secretary Freeman talks to Iowa farmers like they were a bunch of "hippies" on Dupont Circle in Washington, D.C. We are not worried about losing our "cool" as much as we are of losing our shirts.

Most Americans have been under the impression that there is a farm program designed to help provide the farmer with a fair shake. But for those who have not already decided otherwise, the President certainly set the record straight. He said:

> This Government should give very serious consideration to evolving some kind of a program that will give the farmer an equity of fairness . . .

You better believe it should, Mr. President. My colleagues, this man has been in office for 4 years, and Secretary of Agriculture Freeman has been here for 7, and now they have the nerve to say:

> Serious consideration should be given to evolving some kind of a program that will give the farm an equity of fairness . . .

Mr. Speaker, we have moved through the New Deal, and a series of other deals, to what Agriculture Secretary Freeman refers to now as the New Era farm program. Today I propose a change. We have heard a lot of talk in these Halls about forcing everybody else to stick to the facts—so we have such proposals as truth in lending and truth in packaging. I can see no reason why the administration should be immune from this cleansing. Therefore, I am asking President Johnson and his Agriculture spokesman to change the name of the farm program from the New Era to the "raw deal", which comes about as close as you can get in describing the facts. Mr. Speaker, limburger cheese wrapped in angel food cake is still limburger cheese.

Let us look for a moment at some of the elements of the "raw deal." I had occasion recently to refer to many of them when I called for Orville Freeman's resignation. Most of them I will not repeat, but as he is still in the saddle, we need to keep up to date.

It is a "raw deal" when the administration asks the farmer to grow more food for the President's war against hunger, and then does nothing to assure him of a fair price for his efforts.

It is a "raw deal" when the farmer is asked to produce more wheat for the President's food-for-peace program, and then when he comes through with what is expected to be a bumper crop, 15 percent above last year, nothing is done to keep the bottom from going out of the market.

It is a "raw deal" when 5 years of Kennedy round negotiations in Geneva result in a "sell out" of American agriculture. The American farmer can well ask what he got in exchange for the 60 percent cut in our tariff on swine. He can also ask why we failed to shake the Europeans loose from their variable import levies, and why we had no success in lowering the trade barriers on such agricultural products as wheat, feed grains, rice, meats, dairy products, poultry, and eggs.

It is a "raw deal" when the errors by the USDA's Statistical Reporting Service appear to have contributed to the loss of millions by the American farmer. The cost of crop and livestock estimating portions of this program have risen from $7,470,000 in 1961 to $12,658,000 in fiscal 1967. Mr. Freeman has now indicated he will ask for an additional million next year to improve this program. While we are pleased that the Secretary sees the need to eliminate these costly errors, the record of this program does not convince me that more money is the answer. We will offer legislation that will actually cut the present appropriation.

My colleagues, it is a "raw deal" when we cannot schedule hearings on permanent dairy and meat import legislation because the Ways and Means Committee has to spend its time on a tax increase bill which would not be necessary if the administration had held the line instead of encouraging wasteful and extravagant nondefense spending.

It is a "raw deal" when 43.4 percent of our farms in 1966 earned an average of only $796 apiece. I will say one thing for Orville's new era farm program—the administration is certainly keeping on schedule with that portion designed to drive the little guy off the farm. As an example, Freeman's program is designed to eliminate 43.8 percent of the farms in my congressional district. My neighbors are wondering who will be next, and my colleagues, I will bet some of yours are too.

Mr. Speaker, it is a "raw deal" when the farmer who receives only 38 cents out of each food dollar is blamed by the American consumer for high food prices. Something is wrong when a finger is pointed at the guy who gets only 2.8 cents for the corn in a 30-cent box of cornflakes; 3 cents for the wheat in a 22-cent loaf of white bread; 59 cents out of each dollar spent for choice beef; and 24 cents from each half gallon of milk. Something is wrong when the farmers have a Secretary of Agriculture who cannot seem to set the record straight.

Something is wrong when the price of corn continues to drop in spite of the fact that Government owned and controlled stocks are supposedly only about 20 percent of their 1961 levels. We have been led to believe that the end of the surplus would bring better prices. Mr. President, the American farmer wants to know, "Just what is going on."

It was a "raw deal" when the farmer in mid-July found wheat prices down 37 cents, soybeans down 71 cents, and corn down 20 cents from last year's mid-July levels. It would take a 6-percent jump in farm prices by the end of August to equal prices of a year ago.

It is a "raw deal" when the President asks for a 10-percent increase in taxes for 1967 at the same time the farmer is being told his income is already down 11 percent from last year. Who else in this country is willing to take an 11-percent pay cut? No one. Not the Congressman, the teacher, the businessman, the union leader, the laborer, the professional, or anyone else, and the farmer does not like it either.

Mr. President, the farmer cannot afford the pay cut, nor can he afford your tax increase either.

And while we are looking at pay cuts Mr. President, Iowans would like back the $350 million you took from them last year in inflation, and they wish, although they know better, that they were not going to lose even more this year.

And what is the administration's answer to the plight of the farmer? Well, last week the USDA recommended that he keep his corn on the farm and wait for higher prices. But early last spring when we asked the administration to rescind its callup order on 1962–63 sealed corn, the answer was "no dice."

The newest idea being promoted is referred to as a "strategic commodity reserve." Under this program, sponsored by the Department of Agriculture and the President, the Government would buy up crops to bolster prices. Sound familiar? It sounds to me like they have just changed the name of the song, but the tune is still the same. Sure, while the Government buys, prices may go up or fall more slowly, but what happens when the Government decides to sell? And it will, because it has. Furthermore the decisions will be made by Mr. Orville Freeman, the same guy who is known the country over for his past recommendations on such matters. No—this man has not proven that his decisions reflect the best interests of the American farmer.

I might add that apparently Mr. Freeman regards the "strategic commodity reserve" as the solution to his Department's production estimating difficulties as well. Recently in Des Moines, Iowa, Freeman said:

> With a strategic grain reserve program . . . this problem of estimating would vanish.

Yes, I guess it would, but that is not the only thing that would vanish.

Mr. Speaker, the Nation's farmers are in trouble. In spite of the fact that our overall national income went up 223 percent from 1947 to 1966, the net income from farms was down from $17.114 billion to an estimated $14.5 billion for 1967. That is a "raw deal" if I ever heard of one, and until we have some changes around here, I think we had better face the facts and call it what it is, a "raw deal."

Mr. Speaker, there are some who take out their frustrations on society by rioting, looting, burning, and destroying the property of others. We all know this is one way to attract attention. The American farmer, angered because of Government policies which prevent him from reaping a fair return for his labor and investment, could probably do the same to dramatize his plight, but he will not. His way of life has caused him to respect the rights of others and to realize that nothing can be gained by such wanton destruction. The question remains, however, "What has the farmer done that he should deserve this kind of treatment? Why is he penalized?"

Although he now numbers less than 6 percent of the Nation's population, the farmer does ask that he be treated fairly and that he not be written off by the very Government he labors to support. He also asks that the policy of that Government be designed to provide him with the opportunity for a fair return for the contribution he is making to the American way of life. This is not asking too much.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. SCHERLE. I am glad to yield to the gentleman from Illinois.

Mr. FINDLEY. I want to compliment the gentleman for his remarks. I was in my district, which is country Illinois, last weekend, and had the opportunity to talk firsthand with a number of farmers. I find they are almost in a state of despair over the decline of prices they are receiving and the increase of prices they have to pay.

I am sure the gentleman noticed last month the figures issued by the Department of Agriculture, which showed that the July 15 index of prices received by farmers was down 11 points compared to a year earlier, whereas the index of prices paid was up 11 points.

I am sure the gentleman is aware also *that the parity ratio is at the lowest point* since the depression 1930's, at 76. In 1960, in the campaign, we heard a lot from the Democratic side about 90 percent of parity as being the objective farmers could reasonably look forward to if they put Democrats in power in this country. Well, today the parity ratio is not 90 percent, and it is not 100 percent; it is 76.

I believe it is well worth noting that the parity ratio has declined substantially from the 81 parity ratio, where it stood when Republicans last were in charge in the White House.

Mr. SCHERLE. I thank the gentleman from Illinois, who is very well informed and knowledgeable on the subject of agriculture.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SCHERLE. I would be happy to yield to my colleague from Iowa.

Mr. GROSS. I want to commend the gentleman from Iowa [Mr. SCHERLE] for the excellent statement that he has made and say to the gentleman that I concur wholeheartedly in those statements.

It was only a couple of weeks ago that 35,000 farmers assembled at Des Moines, Iowa, demonstrating positive, living and breathing proof of the anger of the midwestern farmers at the treatment that has been accorded them in the economic scheme of things in this country.

I would only say by way of conclusion that if President Johnson and Secretary of Agriculture Freeman are unable to pull some kind of a rabbit out of some kind of a political hat between now and next summer—if they are unable to do that, they are going to be in deep and dire trouble politically next fall.

I thank the gentleman for yielding.

Mr. SCHERLE. I thank my colleague, the gentleman from Iowa, for whom I have the greatest respect, and for his outstanding service here in the House of Representatives to all America.

FARMERS NOT RECEIVING FAIR SHARE OF NATIONAL INCOME

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. ZWACH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ZWACH. Mr. Speaker, I have today received some very revealing income statistics from 223 farmers in one of the better agricultural counties in Minnesota, and a county that ranks in the top 100 agricultural counties in the United States.

This county is Renville, located in the Sixth Congressional District in the State of Minnesota. According to the Secretary of Agriculture, 1966 was the best income year that agriculture has ever had.

These averages are from full-time farmers—not corporations, and not so-called subsistence farmers where most of their gross income is derived from off-farm employment.

The average net taxable income average was $3,847. In the total 223 returns, *only 30 were entitled to contribute the* maximum under the social security program, while 99 had incomes of under the national poverty level of $3,000.

Mr. Speaker, such figures clearly show that farmers are not receiving anywhere near their fair share of the national income. A prolongation of this state can only mean a rotting away of the growth base for our country. As more and more foreign agricultural goods are imported at a world price level, fewer and fewer farmers can compete or exist.

BURIAL OF GEORGE LINCOLN ROCKWELL IN NATIONAL CEMETERY

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. GOODLING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GOODLING. Mr. Speaker, every red-blooded American shuddered with dismay at the prospect of George Lincoln Rockwell being buried with military honors in a national cemetery if he were dressed in a Nazi uniform and his casket carried by so-called storm troopers.

I directed a telegram to both the Secretary of Defense and the Secretary of the Army, protesting this kind of burial, and because I want to have it documented as to how I felt on the matter, I insert into the RECORD at this point the text of my wire. It follows:

AUGUST 28, 1967.

Hon. STANLEY R. RESOR,
Secretary, Department of the Army,
At the Pentagon,
Washington, D.C.:

Strongly object to burial of George Lincoln Rockwell in a National Cemetery with full military honors if he is garbed in a Nazi uniform and borne by a replica of Nazi storm troopers. Do not object if he is buried with military honors minus the Nazi paraphernalia. Burial in Nazi regalia would act to honor that evil which American soldiers of World War II fought, died, and bled to destroy.

Congressman GEORGE A. GOODLING,
19th Congressional District,
Pennsylvania.

THE VIETNAM STORY

The SPEAKER. Under a previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 60 minutes.

Mr. FEIGHAN. Mr. Speaker, when the East-West conflict became a military issue in Korea, not much was known about that far-off land; however, the name Korea became a household word before the fighting was over. Similarly, with the passage of time, Vietnam promises to take on the same significance in the minds of Americans. This Vietnam story will attempt to retrace the history of our involvement, clarify confusion, and evaluate our present prospects in the area.

After World War II our Government adopted a policy of containment of Communist aggression wherever it might exist. This applied to Asia as well as Europe. In 1950, when China was overrun *and lost, our Government was faced with* the problem of redefining our primary strategic interest in the area. Southeast Asia was chosen as the area to defend, with Indochina, now known as Vietnam, as the forward barrier to contain further advances. The French were already there trying to retain their historical colonial status against emerging independence movements led by the Communists. When it was evident the French were having a trying time, and might not linger long, the United States, as a stopgap measure, adopted a two-pronged assistance program to: First, provide economic assistance to improve the welfare of the non-Communist elements; and second, grant military supplies to strengthen the defenses of the area opposing the Communists.

By the spring of 1954, the Communists had escalated their strength to over 500,000 well-trained and well-armed troops, with supporting artillery and other heavy weaponry. French military fortunes worsened, and climaxed by the disastrous defeat at Dienbienphu. In Paris cabinets changed. Mendes-France was elected Premier on the pledge that he would seek a peaceful solution to the fighting in the area.

The Geneva Convention was convened to bring about a peace settlement. France, the United States, Great Britain, the Soviet Union, Communist China, the Hanoi regime, the State of Vietnam, Laos, and Cambodia participated. During the course of negotiations, the United States privately expressed apprehension over Communist demands; however, the Geneva Convention ultimately concluded its business on mainly the following conditions:

First. Laos and Cambodia to be left as separate and independent states;

Second. Vietnam to be divided by a 17th parallel, the north under Communist control, and the south to remain free;

Third. Troops or guerrilla forces under Hanoi's control in south Vietnam to be recalled north; and,

Fourth. An International Control Commission, composed of representatives of India, Poland, and Canada to police the provisions of the Geneva Convention.

The United States refused to join the Geneva Declaration on the grounds that it had not been a belligerent and the agreement contained features inadequate to insure peace. The United States stated, however, that it would abide by the terms of the Geneva agreement, but warned that it would view with grave concern any renewal of aggression in violation of the agreement and as a serious threat to peace.

It was not long before the agreement of Geneva was no more than a mere scrap of paper. Hanoi forces in South Vietnam were not removed. They became stronger through further aid from North Vietnam. The 17th parallel became meaningless. The Communist chose to use a route of conquest into South Vietnam through Laos and Cambodia. And the International Control Commission was ineffectual. Hanoi violations of the Geneva Agreement became rampant. In effect, the Geneva Convention brought no peace to Vietnam. At best it was a temporary truce until such time the Communists chose further escalation.

With the passage of time the increasing guerrilla activity in South Vietnam appeared to the United States to be part of a planned campaign by Hanoi to bring about a Communist revolution. At this stage Hanoi had formalized the designation of their guerrillas as the Vietcong, and announced the formation of a political front known as the National Front for the Liberation of South Vietnam. The Vietcong disrupted lines of communication in South Vietnam and through general terrorism were affecting the economic and political stability of South Vietnam. The State Department took note of this situation with its report entitled, "A Threat to Peace—North Vietnam's Effort To Conquer South Vietnam." This report concluded:

> The Communist program to take over South Vietnam has moved into a new and more dangerous phase. . . . It is impossible to look at South Vietnam today without recognizing the clear and present danger of Communist conquest.

Therefore, token U.S. assistance increased in 1962 with the establishment of a military mission in Vietnam to help plan, train, and equip South Vietnam forces. Simultaneously, economic aid was intensified.

By 1964 the pattern of outside aid on the part of Peking and Moscow to Hanoi was obvious. Peking had been giving North Vietnam tactical combat personnel to undertake specialized duties with North Vietnamese and Vietcong troops. The Soviet Union, the greater contributor, was extending a large volume of material aid in the form of advanced weaponry, jet aircraft, and nuclear devices. This known trend was heightened and sharpened by the Gulf of Tonkin incident.

On August 2, 1964, three North Vietnamese torpedo boats attacked a U.S. destroyer, the U.S.S. *Maddox*, which was on routine patrol in the Gulf of Tonkin, some 30 miles off the coast of North Vietnam. Two days later the *Maddox* along with another destroyer, the *C. Turner Joy*, was again attacked by torpedo boats resulting in an exchange of fire. The United States drew attention of these attacks to the Security Council of the United Nations. The Security Council, without a vote, agreed to invite North and South Vietnam to provide information. Although South Vietnam indicated its acceptance, North Vietnam refused, issuing a statement that the Geneva conference powers, not the United Nations, had the right to examine the dispute. After considerable deliberation President Johnson delivered a message to Congress asking for a resolution expressing the unity and determination of the United States in supporting freedom and in protecting peace in Southeast Asia. A joint resolution was passed on August 7, 1964, by a vote of 88 to 2 in the Senate, and 416 to 0 in the House, and became law—Public Law 88-408—on August 10, 1964. It resolved:

> That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression;
>
> The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in Southeast Asia . . . the United States is . . . prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

This period is extremely important to those who might be unclear as to the manner in which the issues were joined in Vietnam.

In addition, some explanation is necessary regarding the authority of the President to conduct war in Vietnam.

Whether or not the President has the constitutional authority to conduct the war in Vietnam without an actual declaration of war by Congress depends on one's interpretation of the President's power as Commander in Chief of the Armed Forces of the United States and his duty to see that the laws are faithfully executed.

According to the administration, the President's authority and duty to conduct military operations in Vietnam stem from the following: Our commitments under the Southeast Asia Treaty, the pledges to the Republic of South Vietnam made by Presidents Eisenhower, Kennedy, and Johnson; assistance programs annually approved by Congress since 1955; declarations issued at the SEATO ministerial council meetings of 1964 and 1965; the joint congressional resolution of August 6–7, 1964, and the supplemental defense appropriations for Vietnam operations of May 7 and September 17, 1965.

As a treaty in force the Southeast Asia Treaty is a law of the land to which the United States is bound as a sovereign nation with rights and duties under the law of nations. The treaty is designed to protect its members, and any of the three non-Communist states growing out of former French Indochina which asks for protection, against "Communist aggression." Those arguing the case for presidential prerogative point out that Congress has passed no specific restrictions on the President's execution of American responsibilities under the treaty other than that the "aggression" referred to under article IV of the treaty be "Communist aggression." They further point out that economic and military aid to South Vietnam began in 1954 under President Eisenhower, and that since 1955 Congress has annually approved overall economic and military assistance programs in which the continuation of major aid to South Vietnam has been specifically considered.

The Council of the Southeast Asia Treaty Organization issued communiques on April 15, 1964, and May 5, 1965, concluding that:

> The defeat of this Communist campaign is essential not only to the security of the Republic of Vietnam but to that of Southeast Asia.

Later, in describing the intensified situation in Vietnam, the State Department released a white paper entitled "Aggression From the North" referring to the conflict in Vietnam as a new kind of war, in which a Communist government had "set out deliberately to conquer a sovereign people in a neighboring State" using every resource in a "carefully planned program of concealed aggression." Communist forces were attacking civil and military installations in South Vietnam at will. The toll of American noncombatants were numbered in the hundreds; terrorism against the apathetic South Vietnamese people was alarming. Hence, in February 1965, U.S. escalation countered North Vietnam escalation with the use of combat troops in the area, and the commencement of air strikes against targets in the north. Since that time our combat troops in South Vietnam have increased to approximately 550,000.

At this juncture it is necessary again to dwell on the subject of Soviet aid to the North Vietnam theater of operations. It was expanding and developing as a significant factor in the Vietnam war. This aid was very much like the pattern used in assisting the enemy during the Korean war. Incidentally, it was only after it was known that Soviet aid was creating an entirely new military situation or threat did we bomb targets in North Vietnam. Now it can be said that most of the automatic weapons we capture are of Soviet manufacture, and most of our plane losses have resulted from the use of Soviet antiaircraft guns, missiles, or Mig jet aircraft. Of particular devastating effect in Vietnam are the employment of the unprecedentedly large mortars of Soviet manufacture with a range of 7 miles.

While our actions in Vietnam are generally reported in the context of escalation, the fact of the matter is that the nature of Chinese-Soviet aid has enabled the enemy to first escalate. Soviet aid is more important than most people realize in the actual operation of a war. There are now over 100,000 tons of Soviet supplies being landed monthly at the port of Haiphong, which makes this center more of a strategic target than Hanoi. It is said that the Soviets with an investment of less than $2 billion a year, and no real loss of life, are helping to force the United States to wage war that now has taken over 12,000 lives, and costing us directly over $24 billion a year.

At present no one can predict an early cessation of the fighting with victory on our side. The war in Vietnam is certainly not tailored to our likes, or to our methods of combat control. There is no common front to enable our commanders to engage the enemy at any given point with maximum resources. The enemy chooses to fight an Indian-type warfare utilizing the cover of jungles, and their more familiar knowledge of the paddyland. Consequently, the accepted method is to "search and destroy" wherever the enemy can be found or trapped, be it in small numbers at times. Nevertheless, there is a gradual upturn in our fortunes in Vietnam. The phase now ending was marked by the American buildup in Vietnam, and by the use of bombing in North Vietnam for the dual purpose of destroying enemy bases and bringing the other side to the peace table. One thing is now certain, a Communist military takeover of South Vietnam is out of the question, unless we lose it through the Communist method of exploiting a cease-fire or truce, or at the conference table.

Winning the war by cease-fire is a familiar Communist tactic. This was clearly demonstrated in China, thence Korea, and now possibly in Vietnam. On the last occasion of an extended period of cease-fire or truce in Vietnam we agreed to a temporary cease-fire on humanitarian grounds to enable the Vietnamese people to enjoy a respite or a relief from the fighting during their New Year's holidays. Needless to say, our decision to agree to the truce was also based on a desire to demonstrate to the Communists of Hanoi our willingness to ultimately seek an end of the fighting in Vietnam, providing an honorable peace could be assured the Vietnamese people.

Apparently our good intentions were not rewarded, for under the cloak of this cease-fire, the enemy moved more troops to the forward areas, and generally improved its military position as a result of the truce.

Before we leap headlong into peace negotiations with the enemy in Vietnam, probably it will best be for us to take a hard look at the enemy's intentions in violating cease-fire agreements because their practice of violating a formal cease-fire agreement might well weaken our position at the conference table while discussing peace.

Let us review and clarify our attempts at peace. This too is a subject much debated and confused. After we explore all channels in search of a peaceful settlement in Vietnam, the Communists have come back stating the following four points as the basis for peace talks:

First. The United States must end its policy of intervention and aggression in South Vietnam. It must withdraw all troops and weapons of all kinds, dismantle all military bases, and cancel its military alliance with South Vietnam.

Second. Pending the peaceful reunification of Vietnam, the two zones must refrain from joining any military alliance with foreign countries.

Third. The internal affairs of South Vietnam must be settled by Vietnamese people themselves with the Vietnam National Front for Liberation (Vietcong).

Fourth. The peaceful reunification of Vietnam is to be settled by the Vietnamese people in both zones, without foreign interference.

In turn our Government has made known its following views as a basis for a peace settlement:

First. The Geneva Agreements of 1954 are an adequate basis for peace in Southeast Asia;

Second. We would welcome a conference on Southeast Asia or on any part thereof;

Third. We would welcome unconditional discussions;

Fourth. A cessation of hostilities could be the first order of business at a conference or could be the subject of preliminary discussions;

Fifth. Hanoi's four points could be discussed along with other points which others might wish to propose;

Sixth. We want no U.S. bases in Southeast Asia;

Seventh. We do not desire to retain U.S. troops in South Vietnam after peace is assured;

Eighth. We support free elections in South Vietnam to give the South Vietnamese a government of their own choice;

Ninth. The question of reunification of Vietnam should be determined by the Vietnamese through their own free decision;

Tenth. The countries of Southeast Asia can be nonalined or neutral if that be their option;

Eleventh. We would much prefer to use our resources for the economic reconstruction of Southeast Asia than in war. If there is peace, North Vietnam could participate in a regional effort to which we would be prepared to contribute at least $1 billion;

Twelfth. The President has said:

> The Vietcong would not have difficulty being represented and having their views represented if for a moment Hanoi decided she wanted to cease aggression. I don't think that would be an insurmountable problem.

Thirteenth. We have said publicly and privately that we could stop the bombing of North Vietnam as a step toward peace although there has not been the slightest hint or suggestion from the other side as to what they would do if the bombing stopped.

In assessing the two opposing views on a peaceful settlement of the war in Vietnam we find that Hanoi's conditions display considerable intransigence, and if accepted, they would lay the basis for rapid subversion and takeover of South Vietnam, if not leave implications of our ultimate complete withdrawal from mainland Asia. In addition, Hanoi now insists that we cease bombing North Vietnam as a pre-condition to peace talks. As a matter of fact bombing of targets in North Vietnam which include mainly their lines of communication or transportation is the only defense we have against their continued buildup, or their continued efforts at escalation. In view of these Hanoi peace tactics, it is possible their motive is to extend the war, hoping we will be frustrated by attrition, and a divided homefront will force us to a peace conference in a mood of surrender.

A measure of the confusion and controversy surrounding the Vietnam war and the American role can be seen in words of titles of books written about it, such words as nightmare, quagmire, lost revolution, mission in torment, and the like. Debate still flourishes. Many who originally supported the President, giving him authority to act after the Gulf of Tonkin incident, have now recanted. These individuals believe it to be more of a civil war in Vietnam than an act of external aggression, and they are not convinced that U.S. vital interests are involved in preventing a Communist takeover of South Vietnam. Needless to say, these views do not take into account the proof of external aggression covered by this Vietnam story, and the prospect of an eventual takeover of all of Southeast Asia, if the Communists overrun South Vietnam.

As already stated in the opening remarks of my Vietnam story, one of the main principles of our foreign policy since World War II, has been to contain or prevent expanding Communist aggression in the world, whether it be in Europe or Asia. This policy has been bipartisan. To accept defeat in Vietnam will entail a complete review of our traditional foreign policy, and a recognition of the consequences. We live in a world fraught with danger.

Despite our persistent efforts to conclude a disarmament treaty with the Soviet Union, and other methods "to build bridges to peace," we are faced with a new crisis in the world. In many respects the world crisis of today has more sinister aspects than any international development in the last decade. America's intervention either by diplomacy or military steps in Greece, the Suez controversy, and the Congo have been a preventive to a larger war. The U.N. acted prompty in the Korean crisis in 1950. Except for the readiness of this country to take action then, all of Korea would now be in Communist hands. The Communist game seems to involve the United States in other areas in the hope that America will get out of Vietnam soon and, shortly thereafter, from the Western Pacific, leaving the Philippines, Australia, New Zealand, India, Thailand, Laos, Cambodia, Korea, Taiwan, and perhaps Japan to get along as best they can.

A crisis of the utmost gravity today confronts the world. The United States, as the leader of free nations of the globe, cannot afford to falter, or give up its objective or yield to Communist pressure.

THE ELECTION FRAUD IS IN HANOI, NOT IN SAIGON

The SPEAKER. Under a previous order of the House, the gentleman from Texas [Mr. Pickle] is recognized for 10 minutes.

Mr. PICKLE. Mr. Speaker, as we all know, there is going to be a vital election in the Republic of South Vietnam in the next few days.

The United States has a stake in it because the lives of our fighting men have made it possible, and the efforts of our diplomats and technicians have helped it along.

Yet, there are some who are apparently trying to annul the effects of the election before they take place by crying "fraud," or "foul."

The world press—including the American press—seems to have discovered the election and its problems just a few weeks ago.

The truth of the matter is that President Johnson and the United States have been urging free and honest open elections in South Vietnam for the past 2 years. And the reason why we are so interested is that we have had no small a role in encouraging the growth of representative institutions in that country.

In addition, President Johnson's decision to send a team of independent and bipartisan American observers is a further indication of our concern in the basic democratic process.

We have reports of charges and countercharges in the press, that the Vietnamese election is one thing, or another thing, or rigged, or controlled, or that we are overly intruding.

But what I see is a free-wheeling, American-type election in which speakers on the stump are engaging in a little bit of campaign boasting or exaggeration, and where candidates occasionally take the gloves off in talking about their opponents.

Is this "fraud?"

Is there going to be fraud when the Government of South Vietnam itself invites the world press, foreign observers, American observers, and the United Nations?

The only thing that is missing to observe the election is a TV monitor in each voting booth.

But we do not have that in the United States. So let us not expect the Vietnamese to be more pure than Americans when they vote.

I would say that the fight against communism and for freedom and independence in South Vietnam is paying off.

It is paying off militarily because we are hurting the Vietcong and the North Vietnamese.

It is paying off in the civilian sector because this threatened nation is now able to hold an open election.

It appears it will be an open and successful election—and maybe that is what hurts a lot of our doubters or dissenters. And an open election is more than the Communists in the North would do.

Those ready to holler "fraud" ought to send their comments special delivery to Ho Chi Minh who is an expert in "unanimous" elections.

I say, let us wait for the dust to settle in South Vietnam and see who has won and who has lost.

Let us see if the South Vietnamese who often brave death to cast a simple vote will not make their democracy something new in Southeast Asia.

I have faith in the people, and I think they are going to show us something special in days ahead.

STUDY OF ORGANIZED CRIME AND THE URBAN POOR

The SPEAKER pro tempore (Mr. White). Under previous order of the House, the gentleman from Pennsylvania [Mr. McDade] is recognized for 30 minutes to include charts, tables, and extraneous matter.

Mr. McDADE. Mr. Speaker, for the past several months 22 of my colleagues here in the House have worked with me on a study of one of the most serious problems in the United States today, the problem of organized crime and the urban poor. Today we have released the results of that study.

In bringing the subject matter to the attention of the House and the country, I wish to express my appreciation to Congressmen Charles McC. Mathias, Jr., Charles A. Mosher, Howard W. Robison, Robert Taft, Jr.; and to Congressmen Mark Andrews, Alphonzo Bell, William T. Cahill, John R. Dellenback, Marvin L. Esch, Paul Findley, Peter H. B. Frelinghuysen, James Harvey, Frank Horton, F. Bradford Morse, Ogden R. Reid, Herman T. Schneebeli, Richard S. Schweiker, Fred Schwengel, Garner E. Shriver, Robert T. Stafford, J. William Stanton, and Charles W. Whalen, Jr.

I commend the study of this paper to all of my colleagues here in the House. With your permission, Mr. Speaker, I now append the text of that paper to my remarks.

The Urban Poor and Organized Crime

INTRODUCTION

All Americans are concerned with the continued rise in the nation's crime rate. The Safe Streets and Crime Control Act was proposed and came on the national scene at a time when it led many to think that it was a complete and comprehensive answer.

The fact is that the Safe Streets and Crime Control Act as offered by the Administration proposed to do little or nothing about organized crime! Nor is a meaningful approach offered by any other Administration proposal. This leaves a serious question whether the Administration is waging any worthy fight at all against organized crime.

Ordinary street crime is a national problem—but one which can and should be solved at the local level. But organized crime is a national problem which requires a national solution—and none has been offered by this Administration.

Fred Vinson, Jr., Assistant Attorney General of the United States in charge of the Criminal Division, appeared before a subcommittee of the Government Operations Committee on April 13, and agreed that the heart and soul of organized crime is "gambling on a national level, all interstate, interlocked, and directed."

This emphasizes that only a nationally-directed effort can control organized crime.

Furthermore, much street crime has its origin in the workings of organized crime. It has been estimated that fully half of the street crime of New York City is committed by narcotics addicts in search of money for drugs. The drugs are distributed and peddled by organized crime.

Not only has the Administration offered no substantive legislation on organized crime to accompany the Safe Streets Bill, but it has allowed the Kennedy Administration's war on organized crime to grind to a virtual standstill. The record is overwhelming to support this contention; that record is documented in this report.

The language of the report of the National Commisison on Law Enforcement and Administration of Justice, issued in February 1967, put the problem of organized crime in its proper perspective:

"In many ways, organized crime is the most sinister kind of crime in America. The men who control it have become rich and powerful by encouraging the needy to gamble, by luring the troubled to destroy themselves with drugs, by extorting the profits of honest and hardworking businessmen, by collecting usury from those in financial plight, by maiming or murdering those who oppose them, by bribing those who are sworn to destroy them. Organized crime is not merely a few preying upon a few. In a very real sense it is dedicated to subverting not only American institutions, but the very decency and integrity that are the most cherished attributes of a free society. As the leaders of Cosa Nostra and their racketeering allies pursue their conspiracy unmolested, in open and continuous defiance of the law, they preach a sermon that all too many Americans heed: The government is for sale; lawlessness is the road to wealth; honesty is a pitfall and morality a trap for suckers.

"The extrordinary thing about organized crime is that America has tolerated it for so long."

The picture of organized crime seen by the American public has been painted by spectacular Congressional investigations and by occasional television and newspaper accounts. It is a picture of a network of wealthy and well-dressed criminal bosses operating legitimate businesses with illegitimate funds. It is a picture of disreputable gangsters increasingly achieving reputable positions in their local communities. It is a picture of men who lead double lives—the prominent lawyer who is secretly also the boss of the local syndicate. If the picture shows brutality or violence it is generally the brutality of one segment of the underworld attacking another.

The picture is not inaccurate, but is sadly incomplete. It omits the really important reasons why our society must wage war on organized crime. The picture shows the profits of organized crime, but it does not show the victims.

THE VICTIMS ARE THE URBAN POOR

The victims of organized crime are the urban poor. A society concerned about poverty must be concerned about organized crime—for while Federal money is poured into the urban poverty areas, organized crime siphons money out of the same areas. Badly needed funds from welfare programs go to the urban poor and organized crime takes money from the urban poor. Continued indifference to organized crime threatens to turn government welfare and anti-poverty programs into a subsidy for society's most notorious predator. Dedicated local officials are largely helpless in tackling problems of such magnitude.

We support efficiently administered welfare, training and anti-poverty programs. We wish that they could be made more effective. To do so requires a serious and comprehensive attack on organized crime.

The proof is evident in a quick look at the major sources of income for organized crime.

THE NUMBERS GAME

This racket "game of chance" has little or no appeal to the comfortable within our society—to the rich, to the educated, to the well-employed. It appeals to those who are desperate to improve their lot in life, who are looking everywhere for a quick way out—in short, to the urban poor. It is merely a polite form of extortion. Like a leech, organized crime, through the numbers racket, sucks the life blood of the urban poor from them by offering them the illusion of a chance for great wealth. Even where the game is "honestly" run, the odds against winning are generally a thousand-to-one and the payoff only five hundred-to-one. The Administration quotes as a "very conservative estimate" a $20 billion annual gross intake for organized crime from gambling and numbers games alone—and a $6 billion annual profit—and most of it comes from those who can least afford to pay. The money can only come at the expense of the health, food, clothing, shelter or education of the poor. The Administration has asked Congress for $2.06 billion for the War on Poverty in Fiscal 1968; the profits of organized crime from gambling will be three times larger for the same period.

NARCOTICS

The use of narcotics is largely concentrated not among the affluent but among the poor, where drugs seem to represent one of the few means of temporary escape. Again, it is organized crime which is responsible for preying on the misery of the poor by offering them the illusion of escape—which too often results in permanent desperation. Those who can least afford it, both psychologically and financially, become narcotics addicts, who find only mounting desperation as they seek the money to feed their habit. As the Crime Commission attested:

"More than one-half the known heroin addicts are in New York. Most of the others are in California, Illinois, Michigan, New Jersey, Maryland, Pennsylvania, Texas, and the District of Columbia. In the States where heroin addiction exists on a large scale it is an urban problem. Within the cities it is largely found in areas with low average incomes, poor housing, and high delinquency. The addict himself is likely to be male, between the ages of 21–30, poorly educated and unskilled, and a member of a disadvantaged ethnic minority group."

It has been estimated that fully 50% of the street crime in major urban centers—such as petty theft, assault and robbery, prostitution—is the product of narcotics addiction which forces its victims to find drug money anywhere they can. The warlords of this cycle of poverty and crime are the organized crime racketeers. If their activities could be curtailed, the growing crime rate would be dramatically reduced, and the War on Poverty might have a better chance to succeed. The Administration spent $352 million on Project Head Start in Fiscal 1967 to give a chance to the children of the poor; the minimum estimates place organized crime's narcotics "take" at $350 million, almost all of it from the poor.

LOAN SHARKING

The affluent can almost without exception find trustworthy lending institutions which will extend them funds at standard rates of interest when they need it. But those who are poor and desperately need money quickly frequently can borrow it only at exhorbitant interest rates (e.g. 20% a week) from the loan-sharking outfits of organized crime. And when the victims cannot repay they are threatened with violence unless they will resort to criminal activity or permit the organized crime network to take over their business. The small marginal local businessman in the concentrated areas of the urban poor is a principal victim of organized crime loan-sharking. Again, the victims of organized crime are the urban poor. In Fiscal 1967 the Small Business Administration loaned $50 million under the anti-poverty program of the Economic Opportunity Act of 1964 to small businessmen in need of help to start or continue their operations; organized crime takes over $350 million a year from America's poor through loan-sharking alone.

The affluent have one picture of the problems confronted by the poor—but the poor have another. Recent studies in Harlem and Watts show the picture:

". . . when people talked about 'problems of Harlem' or even 'problems in my block,' the mention of integrated schools, busing, police brutality or some other problems . . . just don't get much attention or mention."

". . . they chose to talk about inadequate housing, and the problems which are offspring of that major problem, such as crime, dope addiction, winos, and inadequate police protection."

It is the height of hypocrisy for government to extend to the poor a promise of help but to give only lip-service to an all-out war on organized crime.

THE PRICE THE URBAN POOR PAY IS NOT ONLY IN MONEY

The urban poor are the victims of organized crime in at least three ways. First, it is their precious money which provides the basic income for organized crime's growing network in "legitimate" business. Second, when the rate of street crime rises, as the victims of organized crime seek the quick money they need to meet the demands of organized crime, street crime is perpetrated against all segments of society including the urban poor. When a narcotics addict needs money to feed his habit he takes it where he can find it—from the affluent *and* the needy, from the rich *and* the poor. But it is the final price paid by the urban poor which may in the long run be the most insidious cost of organized crime. That price is society's lack of respect for law, order and authority—the by-products of corruption.

Organized crime cannot flourish .without corruption. It is impossible for a giant narcotics ring to operate successfully without knowledge and the indifferent acquiescence, at least, of some local officials. It is impossible for organized crime to take over 20 billion dollars from America's urban poor through the numbers racket without the knowledge and the indifferent acquiescence, at least, of some local officials. It is impossible for a brutal system of loan-sharking and "protection" to flourish without the knowledge and the indifferent acquiescence, at least, of some local officials.

It is small consolation to the urban poor that most public officials at the local level are honest and incorruptible. It takes only a few corrupted by a bribe and a few more who practice the corruption of indifference to allow organized crime to thrive.

As the role and size of government continues to grow in today's society, corruption on the local level can be widespread even within the most virtuous of city administrations. The President's National Crime Commission states the case:

"All available data indicate that organized crime flourishes only where it has corrupted local officials. As the scope and variety of organized crime's activities have expanded, its need to involve public officials at every level of local government has grown. And as government regulation expands into more and more areas of private and business activity, the power to corrupt likewise affords the corrupter more control over matters affecting the everyday life of each citizen."

Assistant Attorney General Vinson has gone even further: ". . . where organized crime flourishes, you can be assured there is some corruption. I think that is really the pervasive danger of organized crime. That is, its effect on law enforcement and the local power structure."

And he went on to admit that the Department of Justice "very occasionally" has information brought to its attention with respect to corruption in State and local agencies.

A war on organized crime is inseparable from a war on political corruption. In this fact may lie hidden the reason why it is so difficult for political leadership to wage a comprehensive war on organized crime—for to do so would be to risk severe political consequences.

A tacit alliance between organized crime and some local public officials has a far more devastating effect on society and the urban poor than merely permitting organized crime to practice its vices. In the broader sense corruption of local public officials inevitably results in a breakdown of public respect for authority.

In recent years—indeed recent weeks—much has been said about a deplorable loss of morality among segments of the urban poor in America's cities. But to whom are the people to look for standards of honesty and virtue if they cannot look to their local public officials? What is the lesson taught to today's young men and women when members of their local public community choose to cooperate with (or choose conveniently not to see) organized crime? Frederic Milton Thrasher, a noted social worker among urban youth groups of a generation ago, once described the process;

"When a noted criminal is caught, the fact is the principal topic of conversation among my boys. They and others lay wagers as to how long it will be before the criminal is free again, how long it will be before his pull gets him away from the law. The youngsters soon learn who are the politicians who can be depended upon to get offenders out of trouble, who are the dive-keepers who are protected. The increasing contempt for law is due to the corrupt alliance between crime and politics, protected vice, pull in the administration of justice, unemployment, and a general soreness against the world produced by these conditions."

When a "general soreness against the world" erupts into massive violence in America's cities there are many causes—but a principal catalyst is a disrespect for authority bred by corruption in public officials. The willingness of many more local and national public officials to be indifferent toward it inevitably feeds the sense of desperation of the urban poor.

THE JOHNSON ADMINISTRATION'S RECORD

It is to the credit of the Kennedy Administration that, despite the potential political consequences, in the early sixties a beginning was made to a vigorous effort to fight organized crime. The Congress passed helpful legislation, much of which was drafted in the Eisenhower Administration. And under the approving eye of the Attorney General, the Organized Crime and Racketeering Section of the Criminal Division in the Department of Justice was steadily expanded and steadily expanded its efforts. These efforts resulted in a substantial number of cases brought to trial in 1963.

The record of the Johnson Administration speaks for itself:

1. *The President promised the 89th Congress legislation to fight organized crime, but no such legislation ever appeared.* In his 1965 message to the Congress on crime the President promised:

"I am calling on the Attorney General, the Secretary of the Treasury, and the other heads of the Federal law enforcement arms to enlarge their energetic effort against organized crime. The Department of Justice will submit legislative proposals to the Congress to strengthen and expand these efforts generally."

But the legislative proposals were never seen. In fact, during the Johnson Administration only two bills to help the fight against organized crime have been sponsored by the Administration. Both came in this Congress: the first related to immunity of witnesses; the second proposed to provide additional protection to a potential witness by making it a crime to threaten or coerce him. Both bills found their origin in legislation sponsored by former Attorney General Robert F. Kennedy.

2. *The number of man days in the field of personnel of the Organized Crime and Racketeering Section of the Justice Department has decreased by over 48% since 1964.* (During the same period FBI reports show that the national crime rate has increased by over 22%.) The investigative activities of the Section grew steadily under the Kennedy Administration to a high point of 6699 man days in the field by Section personnel in Fiscal 1964. The corresponding figure for Fiscal 1966 was 3480 man days in the field. And there was no significant change in the first eight months of Fiscal 1967.

3. *The number of man days before grand juries by personnel of the Organized Crime and Racketeering Section of the Justice Department has decreased by over 72% since 1963.* (During the same period FBI reports show that the national crime rate has increased by over 38%.) The efforts to secure indictments rose steadily under the Kennedy Administration to a high-point of 1353 man days before grand juries by Section personnel in Fiscal 1963. The corresponding figure for Fiscal 1966 was 373 man days before grand juries. And there was no significant change in the first eight months of Fiscal 1967. The figures are, of course, fully consistent with the corresponding decline in man days in the field.

4. *The number of man days in court by personnel of the Organized Crime and Racketeering Section of the Justice Department has decreased by over 56% since 1964.* (During the same period FBI reports show that the national crime rate has increased by over 22%.) The efforts to secure convictions rose steadily under the Kennedy Administration to a high-point of 1364 man days in court by Section personnel in Fiscal 1964. The corresponding figure for Fiscal 1966 was 606 man days in court. And the trend continued downward further in the first eight months of Fiscal 1967. These figures are, of course, fully consistent with the corresponding decline in man days in the field and before grand juries.

5. *The number of District Court briefs prepared or reviewed by the Organized Crime and Racketeering Section of the Justice Department has decreased by 83% since 1963.* (During the same period FBI reports show that the national crime rate has increased by over 38%.) This index of effort increased steadily under the Kennedy Administration to a high-point of 339 district court briefs prepared or reviewed in Fiscal 1963. The corresponding figure for Fiscal 1966 was 59 briefs prepared or reviewed. These figures are, of course, fully consistent with the corresponding decline in man days in the field, before grand juries, and in court.

(NOTE: We are aware that the Administration quotes ever-climbing numbers of indictments and convictions relating to organized crime. The record above belies these claims. The truth is that the indictment and conviction record claimed for the Organized Crime and Racketeering Section of the Justice Department includes cases relating to a broad number of areas over which the Section has "supervisory jurisdiction" but which have little or no relation to organized crime—such as violations of the Indian liquor laws, interstate liquor traffic laws, the criminal provisions of the Taft-Hartley Act, etc. In other words, the Section "maintains supervisory jurisdiction over statutory violations involving areas *often related to* organized crime activity . . . In this way, the Organized Crime and Racketeering Section is able to insure uniform standards even though *many of the cases do not involve organized criminal groups.*" The quote is from 1967 Congressional testimony by Assistant Attorney General Vinson and it's tantamount to an admission that the statistics on indictments and convictions under the Organized Crime and Racketeering Section are meaningless as a measure of the Administration's fight against organized crime.

(It is true that there has been a recent increase in Section personnel after a severe cut took place when the Johnson Administration came to power. The question should never be how many men are there, but what are they doing. The per-capita effort and performance of Section personnel—compared to the Kennedy Administration—would make the downward trend cited above even more apparent and alarming.)

6. *The National Crime Commission was influenced to reverse an earlier recommendation for wiretap legislation at the urging of Attorney General Clark, former Attorney General Katzenbach, and Leon Jawarski, a Texas attorney.* When the President's Commission on Law Enforcement and Administration of Justice was first appointed, no plans existed to consider organized crime. After objections it was agreed to treat the subject, but the effort was given a minimal budget: In November 1966, the full Commission met and agreed to recommend that Congress authorize wiretapping and eavesdropping by Federal law enforcement officers under strict safeguards and only with court approval. A majority of Commission members endorsed the view that the use of wiretap and eavesdrop devices was necessary in the fight against organized crime. Only two members of the nineteen man Commission voted to drop the eavesdrop recommendation. At a subsequent meeting on December 30, 1966, the Commission voted to replace its earlier recommendation with one which simply recommended that Congress consider new eavesdrop legislation without suggesting what its substance should be. The vote came after long sessions at which a Commission member, Leon Jawarski, a Texas attorney, who had not been at the earlier session, warned that, if the earlier recommendations were not dropped, he would file dissenting views alleging that the Commission had acted without sufficient facts. Attorney General Clark had opposed the Commission's recommendation adopted in November. Former Attorney General Katzenbach, who was Chairman of the Commission, argued for the change at the December meeting.

7. *Organized crime would be a principal beneficiary of President Johnson's bill to abolish all use of wiretap and eavesdrop devices except in national security cases.* In his 1967 State of the Union Message, the President proposed legislation to ban all use of wiretapping and eavesdropping by anybody except in national security cases under his direction. The bill would place the President under *no* scrutiny in his use of eavesdropping devices in national security cases—a questionable feature from a civil liberties perspective. But it would prohibit all use of eavesdropping equipment to fight organized crime. It would bar Federal officials from its use, and it would make void all State laws which permit law enforcement personnel under court order thus to seek evidence against or information about organized crime. It would rule out any law, for example, such as New York State has had for many years, to permit eavesdropping by authorized law enforcement personnel under court control. (The United States Supreme Court recently struck down the New York law as lacking sufficiently stringent controls, but it strongly implied that permissive Federal or State wiretap laws would be constitutional if adequate safeguards were built into them. The States affected by this ruling are already attempting to rewrite their laws in light of the court's decision; but all such laws would be voided by passage of the President's legislation.)

Attention to the right of personal privacy requires restrictive legislation to prevent abuse in the use of wiretap and eavesdrop devices. But it appears an indisputable fact that the one really valuable tool of law enforcement against organized crime is the eavesdropping device. Nonetheless, the Administration insists it is of no real value at all. Attorney General Clark has said: ". . . in fact there are only a small proportion of all crimes where it could be utilized at all, and as to these it would not be a significant investigative device."

Assistant Attorney General Vinson, on the other hand, when asked what the principal problem was in the Justice Department's efforts against organized crime replied: "Evidentiary problems, basically."

According to the *New York Times,* James Gale, in charge of the FBI's efforts against organized crime, says that wiretapping and eavesdropping are useful investigative tools.

According to the *New York Times,* Cartha D. DeLoach, Assistant to The Director of the FBI, says that the Bureau would be handicapped in fighting organized crime unless eavesdropping was legalized.

Frank Hogan, the District Attorney of New York, told the President's Crime Commission that electronic surveillance is:

"The single most valuable weapon in law enforcement's fight against organized crime . . . It has permitted us to undertake major investigations of organized crime. Without it, and I confine myself to top figures in the underworld, my own office could not have convicted Charles 'Lucky' Luciano, Jimmy Hines, Louis 'Lepke' Buchalter, Jacob 'Gurrah' Shapiro, Joseph 'Socks' Lanza, George Scalise, Frank Erickson, John 'Dio' Dioguardi, and Frank Carbo . . ."

The President's Crime Commission obviously agreed with Mr. Hogan.

Mr. William A. Kolar, Director of the Intelligence Division of Internal Revenue, says:

"As an investigator, I think the tool would be valuable, the ability to wiretap under let's say, strict supervision. And I say strict supervision. There is no question that it yields valuable information."

Professor G. Robert Blakey of the Law School of Notre Dame University was formerly a special prosecutor in the Organized Crime and Racketeering Section of the Justice Department and more recently a special consultant to the President's Crime Commission. In recent testimony before the Senate Judiciary Committee, Professor Blakey cited in detail publicly reported FBI summaries (airtels) of information gathered on organized crime figures in the New England area through the use of electronic surveillance. He concluded:

"From August 1960 until June 1964, I was a special prosecutor in the Organized Crime and Racketeering Section of the Department of Justice. Nothing in the routine reports that I read from any federal agency contained data of this quantity or quality. Apparently, the Federal Bureau of Investigation was not then making electronically obtained data directly available to Departmental attorneys. I read, of course, general intelligence reports, but these seldom were on the concrete level of these airtels, and they could not be used for prosecution or investigation purposes. The investigation reports I read were the product of the use of normal investigative methods. There is just simply no comparison in the two kinds of reports. In light of this, I find it nothing short of incredible that Mr. Clark and others would seriously suggest that the use of electronic surveillance techniques is 'neither effective nor highly productive'."

Perhaps the latest official to dispute the Attorney General's position on the value of wiretap is William O. Bittman, who was the successful government prosecutor in its cases against Jimmy Hoffa and Bobby Baker. Now in private practice, Bittman, as quoted in the New York Times, cited the controversy over FBI bugging of Las Vegas gambling figures to document his case:

"In Las Vegas, the Government learned from bugging the amount of money that was being skimmed, who was doing the skimming, how the skimming was done, who the couriers were that were delivering the money around the country, when they were leaving and who was going to receive the money.

"How can you say this was no help to law enforcement?"

If the case for the President's legislation to ban wiretapping rests on civil liberties arguments, why would it permit use of bugging at his discretion with absolutely no checks by the courts or anybody else? If the case for the President's legislation to ban wiretapping rests on its lack of value to investigating authorities, why does almost every law enforcement official disagree with him?

8. *In his 1967 message to the Congress on crime, the President ignored almost every single recommendation on organized crime made by his National Advisory Commission on Law Enforcement and Administration of Justice.*

The record of the Johnson Administration on organized crime is also cited by the President's own Crime Commission itself in a little-noticed and delicately-worded passage:

"In 1961, the OCR Section expanded its organized crime program to unprecedented proportions. In the next 3 years, regular intelligence reports were secured from 26 separate Federal agencies, the number of attorneys was nearly quadrupled, and convictions increased. Indicative of the cooperation during this enforcement effort was the pooling of information from several Federal agencies for investigative leads in income tax cases. Over 60% of the convictions secured between 1961 and July 1965 resulted from tax investigations conducted by the Internal Revenue Service. Several high-level members of organized crime families in New York City were convicted through the efforts of the Federal Bureau of Narcotics.

"The FBI was responsible for convictions of organized crime figures in New York City, Chicago, and elsewhere. Enactment of statutes giving the FBI jurisdiction in interstate gambling cases resulted in disruption, by investigation and prosecution, of major interstate gambling operations, including 'lay-off' betting, which is essential to the success of local gambling businesses.

'In 1965, a number of factors slowed the momentum of the organized crime drive. A Senate committee uncovered a few isolated instances of wiretapping and electronic surveillance by Treasury Department agents, and some officials began to question whether special emphasis upon organized crime in tax enforcement was appropriate or fair. The Department of Justice was accused of extensively using illegal electronic surveillance in investigations of racketeer-influence in Las Vegas casinos. Federal prosecutors in some large cities demanded independence from OCR Section attorneys and prosecutive policies. Attacks appeared in the press on the intensity and tactics of the Federal investigative and prosecutive efforts. A high rate of turnover among OCR Section attorneys meant discontinuity of effort and reduced personnel by nearly 25%.

"This combination of adverse circumstances apparently led the OCR Section to believe that it could no longer expect the high degree of cooperation it had received from some Federal investigative agencies, and the intensity of its efforts diminished."

The President's own Crime Commission has thus cited the cutback in the war on organized crime. It begs the question, however, to point to the high turnover of personnel in the Organized Crime and Racketeering Section of the Justice Department as a cause of slackened effort. The reverse is undoubtedly true—the high turnover rate probably results from low morale on the part of personnel who feel the Administration has tied their hands. Similarly, it begs the question to put the blame for diminished efforts against organized crime on legal questions over the use of wiretap and eavesdropping devices. After all, it is the Administration which has led the fight to ban their use.

That is the record. It speaks for itself—loud and clear.

RECOMMENDATIONS

The following recommendations are in large part based on the work of the President's own National Commission on Law Enforcement and Administration of Justice, whose work the Administration has apparently chosen to ignore.

1. We recommend, as the National Crime Commission recommended to the President but the President ignored, that "the staff of the Organized Crime and Racketeering Section (of the Criminal Division of the Justice Department) should be greatly increased, and the section should have final authority for decision-making in its relationship with U.S. Attorneys on organized crime cases."

2. We recommend, as the National Crime Commission recommended to the President but the President ignored, that "the Department of Justice should give financial assistance to encourage the development of efficient systems of regional intelligence gathering, collection and dissemination. By financial assistance and provisions of security clearance, the Department should also sponsor and encourage research by the many relevant disciplines regarding the nature, development, activities, and organizations of these special criminal groups."

3. We recommend, as the National Crime Commission recommended to the President but the President ignored, that "Congress . . . should abolish the rigid two-witness and direct-evidence rules in perjury prosecutions, but retain the requirement of proving an intentional false statement."

4. We recommend, as the National Crime Commission recommended to the President but the President ignored, that "Federal . . . legislation should be enacted to provide for extended prison terms where the evidence, pre-sentence report, or sentence hearings shows that a felony was committed as part of a continuing illegal business in which the convicted offender occupied a supervisory or other management position."

5. We recommend, as the National Crime Commission recommended to the President but the President ignored, that "the Federal government should establish residential facilities for the protection of witnesses desiring such assistance during the pendency of organized crime litigation."

6. We recommend in depth Congressional study of the National Crime Commission's recommendation that, under appropriate conditions to safeguard personal liberties, "the Federal government should create a central computerized office into which each Federal agency would feed all of its organized crime intelligence." While centralized collection of such data would be a valuable tool for law enforcement, we believe it should be preceded by the most careful analysis of what information would be filed, who would have access to it and under what conditions.

7. We recommend, as the National Crime Commission and the Republican Task Force on Crime have recommended, that "a permanent joint congressional committee on organized crime should be created."

8. We recommend, as the President has, passage of legislation to extend Federal immunity provisions to crimes relating to organized crime and to "make it a Federal crime to coerce or threaten a person who is willing to give vital information" before a grand jury convened to hear an organized crime investigation.

9. We recommend, as the National Crime Commission originally recommended but was subsequently influenced to change its mind, passage of Federal legislation which would prohibit the use of all wiretap and eavesdrop devices by the Federal government except in cases specifically requested by the Attorney General and approved by court order. This is essentially the position advocated by most law enforcement officials; it is the position of the House Republican Task Force on Crime; it is the position of Senator Robert Kennedy, a former Attorney General. The preservation of personal liberties requires stringent legislation to limit carefully the use of listening devices; but there also can be little doubt that the price paid by the urban poor of our society would justify the court-controlled use by law enforcement officials of electronic surveillance devices to combat the activities of organized crime. Some means of electronic surveillance is particularly important as a law enforcement tool in organized crimes cases because in this area the unwillingness of potential witnesses to talk is very great. The newspapers are replete with stories of violence visited upon those who have told or are about to tell the inside story of organized crime operations. As Assistant Attorney General Vinson says, the basic problem is "evidentiary." His description of the difficulty with witnesses is testimony to the need for the use of carefully controlled electronic surveillance:

"Where we do have a willing witness, we furnish protection to the best of our abilities. We relocate them in other parts of the country, or sometimes outside the country, and establish new identities for them. It is always an ad hoc proposition. Who is going to protect them? How do we get them a job someplace else, where they cannot have references, where you cannot make inquiries at home base? And within the last year we have started working toward a more permanent solution to this sort of problem.

"We are exploring now with the Department of Defense setting up facilities in about four parts of the country where we can put these people pending trial, during trial, and where we can put assistant U.S. attorneys whose lives or whose families have been threatened."

10. We recommend, as the Republican Task Force on Crime has recommended, passage of two anti-trust bills designed to curtail organized crime. The first would prohibit the investment of funds illegally acquired from specified criminal activities in a legitimate business concern. The second would prohibit the investment in such concerns of funds legally acquired but deliberately unreported for Federal income tax purposes.

11. We recommend that the Organized Crime and Racketeering Section of the Crim-

inal Division of the Justice Department be raised in stature to Division level where its director's appointment would be subject to Senate confirmation, its budget would be specified in Federal publications, and its operations would be more open to Congressional scrutiny.

12. We recommend that a total of $100,000,000 per year be authorized and appropriated for the Federal government to undertake a meaningful and sincere effort to combat organized criminal activity in the United States and its impact on the urban poor. This would represent a four-fold increase over current figures. It would assume a four-fold increase in the Federal personnel assigned to the job. It would assume that overall direction of all Federal efforts to combat organized crime would be centralized in one Division of the Justice Department. It would assume that for the first time the Federal government would launch a determined effort to crack the circles of organized crime wide open. It seems a small price to pay when one remembers that the total Administration request for the War on Poverty in Fiscal 1968 is over twenty times as great—and that the War on Poverty cannot succeed with continued indifference and apathy toward the unrelenting efforts of organized crime to squeeze every available nickel out of the urban poor.

SUMMARY

There are four principal reasons for a new and real Federal war on organized crime. It could help the urban poor. It could help lower all crime rates. It could help limit political corruption in the cities. It could provide an appropriate example of incorruptible leadership at the national level.

There are many causes for poverty in the United States—inadequate education, unequal opportunity, the cycle of urban despair. It would be wrong to suggest that a war on organized crime can be substituted for the War on Poverty. But it would be equally wrong to imply that the War on Poverty could be won if no battle is ever waged against organized crime.

The seduction of the poor by the manifold vices of organized crime is a basic cause for much of the petty crime and street violence of modern America. The drug pusher, the prostitute, the petty thief, the mugger, more often than not, may be victims themselves of their desperation for money to meet the demands organized crime makes of them. An attack on organized crime is inseparable from an attack on street crime.

Organized crime cannot flourish without the knowledge and at least tacit agreement of some public officials. An attack on organized crime is an attack on political corruption.

By its indifference to organized crime the Administration is writing an unfortunate record for those who look to public officials for standards of conduct beyond reproach. Can we really expect to end corruption at the local level when the national leadership seems unconcerned about it? Mr. Justice Brandeis once wrote: "Our government is the potent, omnipresent teacher. For good or for ill it teaches the whole people by its example."

BILL WOULD PROVIDE TRANSPORTATION AND PORTION OF ROOM AND BOARD FOR GI VISITS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. LONG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LONG of Maryland. Mr. Speaker, the Catholic War Veterans' Douglas MacArthur Post of Landover Hills, Md., is saying "thank you" to our men who have fought in Vietnam. For more than a year, this Catholic War Veterans' post has been sponsoring social and sports events for marines wounded in Vietnam and recuperating at the Bethesda Naval Hospital.

Last month, I attended Operation Appreciation's 27th event, a party for 120 marines at the West Lanham Hills firehouse. There, I spoke to a badly mutilated young marine who had been hospitalized at Bethesda for 2 years and had received only one visit from his family in Boston. Others spoke of the bitterness and discouragement of those whose lonely hours were unrelieved by visits from parents or wives.

Many of our young GI's come from families who cannot afford the transportation, room, and board expenses of periodic hospital visits, especially if the hospital is a long distance from home. I plan to introduce a bill to finance trips of needy relatives to servicemen wounded in Vietnam and hospitalized in this country far from their homes. Vietnam war casualties hospitalized in the continental United States grew from 1,742 on July 31, 1966, to 3,297 at the end of last June. With 32,132 men wounded during the first half of this year, the number of those hospitalized in this country will also rise significantly.

My bill would provide transportation and some portion of room and board costs for six visits a year by the two closest relatives. The Red Cross would certify the financial need.

Private hospitality and recreation programs, such as the one sponsored by the CWV, are doing much to express the appreciation of a grateful public. There should be more of these programs. But there is no better morale-booster than a family visit.

I ask unanimous consent to insert in the RECORD two articles from the Prince Georges County News and the Washington Star to bring the CWV's Operation Appreciation to the attention of my colleagues.

[From the Prince Georges County News, Aug. 3, 1967]

LANHAM CELEBRATION: THE MARINES LANDED, THIS TIME FOR FUN

(By Phyllis O'Neil)

There was a party and what a party.

Fifty attractive women marines chatted across tables, hostesses scurried about checking on last minute details inside West Lanham Hills firehouse, and others waited outside for the guests.

The Carrolltones drum and bugle corps signaled harmoniously that the guests had arrived. Indeed they had, three bus loads of them, 120 wounded marines, veterans of Vietnam now patients at the Bethesda Naval Hospital.

Out of the buses they came, some on crutches, some carried on stretchers, some with bandages, but all smiling. These wounded men were going to a party and they were ready.

Invited dignitaries, among the 400 persons who attended, welcomed the men and eventually everyone made their way to the room at the top of the firehouse. The fire company's Dalmatian dog greeted the men as they entered. The hall—although sparsely decorated—lacked nothing for a great party.

The deafening strains of the rock 'n roll band, "The Unknown Kind" of Seabrook, prompted gyrations and a sense of rhythm in practically everyone. Almost instantly the sporadic dancing gave way to a packed floor. Those on crutches, in casts or those confined to chairs kept the beat.

There was no end to the food or drink. Nor was there an end to the smiles.

As the pulsating beat grew, the honored guest arrived—Lt. Gen. Lewis Walt, until recently commander of all marines in Vietnam; "Big Lew" as some of the men called him, the man with the sparkling pale blue eyes and the infectious broad grin.

The party was the baby of the Douglas MacArthur Post Catholic War Veterans of America called "Operation Appreciation." The party was the 27th event arranged by the Catholic War Veterans Operation Appreciation program in the past 13½ months for Vietnam Veterans at Bethesda Naval Hospital.

James E. Merna of New Carrollton, chairman of the party, decided after awhile that it was time for speeches. The tempo had caught on and everyone was swinging. Quiet finally was obtained by yelling "attention" in the microphone.

Reps. Hervey G. Machen and Charles McC. Mathias and State Sen. Fred L. Wineland began the praise for the marines. Rep. Clarence D. Long, Baltimore County Democrat, and Mrs. Long arrived a little late, they had just come from visiting their son at Walter Reed Army Hospital, where he is a patient after being wounded in Vietnam.

Rep. Long began his emotion packed address by saying, "I'm proud that you men believe in fighting for America."

He continued, "If we get out of Vietnam, our troubles will be just beginning." The men approved with thunderous applause.

We would rather fight 12,000 miles away than on the shores of the continental United States, Long remarked. With this, the marines cheered, whistled, applauded and gave the "thumbs-up."

Then Gen. Walt, the marines' marine, stepped to the mike. There was no mistake that he was the man of the hour. It was obvious that every man there would have risked his life again for his country and for "Big Lew". Mrs. Walt stood by the general's side as he welcomed his men, for he had commanded most of the 120 men in battles near the demilitarized zone.

The general began: "It's great to see you again. We are continuing to win the war—we are making headway every day and night."

Gen. Walt offered special praise for "the unsung heroes on the battlefield," the medical corpsman. Walt said he had pinned more than 15,000 purple hearts on the men in Vietnam and he heard over and over, "If Doc hadn't been there, I wouldn't be here now." As the cheers went up, a medical corpsman stood nearby with a broad smile and a nod of approval. Gen. Walt said the job "has got to be done" and that he would like to go back. He said the men in Vietnam must have the patience and the backing of those back home.

As the general and his wife stepped from the stage, a chant began—"We want Walt—We want Walt."

"Big Lew" continued, with praise for the Seabees. "God Bless them," he said. "I pinned 72 purple hearts on them in a single day."

James F. McCarthy, post commander, presented the general with a certificate of recognition—"For the love of his country, leadership and dedication." He also was presented an honorary life membership in the post.

The music and festivities continued and a large cake waited for the cutting. The red, white and blue decorations fit the occasion. Large red rosettes bordered the cake and standing in each was a tiny American flag.

Prince Georges County Commissioner Francis J. Aluisi his voice with noticeable feeling, said, "I feel grateful that there are still people who recognize the efforts of our men who fight and give their lives for the ways of our government. People like Jim Merna who have the guts to recognize the same deserve a lot of credit."

His reference was to James Merna, chairman of the Operation Appreciation party.

Posters on the walls clearly summed up the celebration. "Thanks Vietnam Vets for a job well done."

[From the Washington Star, July 27, 1967]

VIETNAM CASUALTIES: MARINES TASTE HOSPITALITY

(By John Gregory)

They came to the party by bus last night—nearly 120 Marines—on stretchers, crutches, in wheelchairs.

The Bethesda Naval Hospital patients, all Vietnam casualties, were greeted at the West Lanham Hills, Md., firehouse by a drum and bugle band, area members of Congress and—women.

At first, it was just another party. Outside, there were the handshakes and brief how-do-you-do encounters with the girls, the 50 women Marines recruited as hostesses for the four-hour affair, sponsored by the Landover Hills chapter of the Catholic War Veterans.

The Marines were helped upstairs—one's leg cast breaking a window as he was lifted around a corner.

GENERAL WALT ON SCENE

At the top of the stairs were the drinks, a rock 'n roll band and Lt. Gen. Lewis Walt, the man just back from Vietnam who had commanded most of the 120 men in battles near the demilitarized zone.

The mingling began, while patients described their maneuvers in combat to the ladies over the sound of the band.

Walt signed autographs on napkins or any other paper scraps that the men could find. Marines on crutches danced while those on stretchers frugged with their hands.

The music stopped and the speeches began. Applause and thumbs-up approval from the audience followed praise for the Marines by Maryland Reps. Hervey G. Machen, Democrat, Charles Mathias, a Republican, and Clarence D. Long, a Baltimore Democrat.

"I'm proud that you men believe in fighting for America," said Long, whose son is a patient at Walter Reed Army Medical Center for wounds suffered as an Army paratrooper in Vietnam.

There were cheers and whistles for other speakers, and thumbs-up for the brewery which supplied the evening's refreshments.

But the loudest applause went to Walt, who left the Vietnam command in June to become director of personnel at Marine Corps Headquarters.

"We're making headway in Vietnam every day," he said. "As long as we have the patience and backing here at home, there is no reason why we can't win."

He left the stage to the chant, "We want Walt," and one Marine broke into tears.

The music and festivities continued..

A 20-year-old corporal from Falls Church, restricted from the dance floor by the cast on his leg, said: "I'm going over there (Vietnam) again the first chance I get. I'm not serving much purpose by being in a hospital.

"Some of the men in the hospital are a little bitter and discouraged," said the corporal, John R. Lucas of 2821 Mankin Walk. "These are the ones who have lost their legs or don't have many visitors at Bethesda."

Gen. Walt said he could not detect any discouragement last night. "The spirit of these patients is tremendous, just as it is over there in Vietnam."

Over here, in the fire station, 120 Marines shook to the beat of the music as if they were in full agreement.

HYDROELECTRIC LICENSES

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. Staggers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I am today introducing a bill to amend part I of the Federal Power Act to provide congressional guidance to the Federal Power Commission in the processing of expiring hydroelectric licenses and to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project upon the expiration of any license shall be exercised.

I enclose at this point, a copy of letter of transmittal to the Speaker from Chairman Lee C. White, of the Federal Power Commission, of the draft of the bill; which letter outlines the significance of the matter being covered and the importance of developing proper procedures in the electric utility field for adequately carrying out the will of the Congress as to these hydroelectric licenses.

The letter follows:

Federal Power Commission,
Washington, D.C., August 28, 1967.

Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: We transmit herewith twenty copies of a draft bill to amend Part I of the Federal Power Act. The proposed amendments would provide Congressional guidance to the Commission in the processing of expiring hydroelectric licenses.

Prior to 1920, hydropower licenses were issued by individual Acts of Congress. Then Congress delegated to the Federal Power Commission the responsibility to license individual projects, other than those owned by the Federal Government, or to recommend Federal development to the Congress. The Congress limited the maximum term of any license issued by the Federal Power Commission to fifty years and thereby preserved for the Nation, acting through subsequent Congresses, a full opportunity to reevaluate the best use of each project upon expiration of the license. We now recommend that Congress fix appropriate procedures for the reevaluation of each project in light of contemporary and prospective public needs.

Under our present procedures, the Commission will refer to the Congress each project which is subject to the Federal take-over provisions of section 14 of the Federal Power Act. The draft bill would assign to the Federal Power Commission the primary responsibility for sorting out the licensed projects. It would relieve the Congress of the necessity of reviewing each individual project where Federal ownership was not recommended (although Congress could, of course, act on its own motion in any case) and would direct the Commission to undertake relicensing, for a term not to exceed fifty years, in all cases in which the Commission did not recommend recapture. We believe such legislation would strengthen the ability of the Commission and the Congress to best exercise the responsibilities imposed by sections 14 and 15 of the Act.

THE PRESENT PROCEDURE

Sections 14 and 15 of the Federal Power Act (16 U.S.C. 807, 808) provide for "recapture" by the United States of licensed hydroelectric projects or, in the alternative, for relicensing to the original licensee or to a new licensee. Projects owned by a state or a municipality[1] are exempt from recapture but not from relicensing. (Act of August 15, 1953, 67 Stat. 587, 16 U.S.C. 828b.) The decision to recapture must be made by Congress. If Congress recaptures a project, the licensee must be paid the "net investment of the licensee in the project or projects taken" within the meaning of the Federal Power Act (but in any event not more than the "fair value of the property taken") plus reasonable severance damages, if any, to the remaining electric facilities of the licensee. If Congress does not act before the expiration of the initial license, the Commission may issue a new license, but the Act does not expressly state the appropriate steps to be taken if the Congress has not expressed its intentions as to a given project. If the Congress has expressed its decision and the Commission does not issue a new license, the Act directs the Commission to issue a year-to-year license to the original licensee until the project is recaptured or relicensed. The Commission strongly believes that it should not relicense projects on a long-term basis until the Congress has made known its decision either through enactments concerning specific projects or through general legislation such as we propose today.

Under the present procedure, the recapture and relicensing determinations involve a three-fold process:

1. *Notice, Review and Recommendations to Congress.* At the outset, the Commission informs the Congress and the public of all projects whose licenses will expire during the succeeding five years through notice given in the Commission's Annual Reports[2] to the Congress and in the Federal Register. This notice provides the following information: License expiration date; licensee's name; project number; type of principal project works licensed; location; and installed capacity. Starting five years before the license expiration date, the Commission undertakes a review of each project. As part of this review, the Commission solicits both the views of the licensee concerning its plans for future development and use of the project and the views on recapture and relicensing of Federal and State agencies which might have an interest in the recapture of the project. On the basis of information received and Commission staff studies, the Commission formulates its recommendations to the Congress and also transmits the views submitted to it by the licensee and by the interested Federal agencies. As the Commission noted in its letter of February 23, 1967 recommending against recapture of Project No. 2221 (the Ozark Beach Project of The Empire District Electric Company), this procedure does not give the Commission "the benefit of a relicensing proceeding, involving formal proposals and counter-proposals by the licensee, our staff, intervenors or others who might apply for a new license. New criteria or information uncovered in the course of such a proceeding might warrant further consideration of the recommendation reached" in the initial report. The Commission's procedure adopted in 1964 undertook to report to the Congress two years prior to the license expiration date. The Commission has fallen slightly behind in its time table in the cases of Project No. 2221

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[1] As used in the Federal Power Act "municipality" means a city, county, irrigation district, drainage district, or other political subdivison or agency of a State competent under the laws thereof to carry on the business of developing, transmitting, utilizing, or distributing power. (16 U.S.C. 796 (7)).

[2] E.g., see FPC 46th Annual Report, 1966, at pp. 68–71. Licenses for 58 projects subject to recapture will expire during the calendar years 1967 through 1972.

and Project No. 619 (the Bucks Creek Project of Pacific Gas and Electric Company).

2. *Recapture Determination.* After the Congress receives the Commission's recommendations (or at an earlier time if the Congress so decides), the Legislative Branch must decide whether to adopt legislation to recapture a given project. Although there is no presently prescribed procedure, we assume each such matter will be the subject of legislation either on an individual or omnibus basis.

3. *Relicensing.* In those cases where Congress foregoes its right to recapture a project, relicensing procedures must be undertaken by the Commission. Relicensing would involve public notice to all interested parties, an opportunity for the original licensee and others to seek a license, an opportunity for interested state and Federal agencies to review project performance and capabilities and to recommend changes, an opportunity for such agencies and for members of the public to intervene in formal relicensing proceedings, and opportunities for formal hearings, oral argument, and judicial review of the Commission's relicensing order. Upon relicensing the Commission would not only select which applicant was to receive the license; it would also determine the conditions upon which a new license should be issued and the term of years (not to exceed 50) for which the new license should stand. The existing provisions of the Federal Power Act assign the Commission the same powers to condition new licenses issued under section 15 as it has to condition original licenses issued under section 4.

Under section 7(a) of the Federal Power Act the Commission is instructed to give preference to applications by states and municipalities in issuing licenses to new licensees under section 15. Our General Counsel has advised us that this preference applies only after it has been determined that the original licensee should not receive a new license. In those instances where the original licensee and another applicant seek a new license for the same project, the Commission believes that the new license is to be issued to whichever applicant can best meet the standards of the Act. In those rare cases where the two applicants are equally matched the Commission believes that the new license should be issued to the original licensee so long as he can meet the standards of the Act at least as well as the other applicant.

Section 15 expressly provides that in issuing a new license either to the original licensee or a new licensee the Commission may impose "such terms and conditions as may be authorized or required" under the laws and regulations in existence at the time it issues the new license. If the new license is issued to a new licensee it must be conditioned upon payment to the original licensee of the same recapture price as the United States would have had to pay had Congress decided to recapture.

THE PROBLEM

The fundamental choices upon license termination fall into these categories:

(1) Where the United States has an interest which it will want to express either by recapture or by conditions in the relicense. This interest may arise out of the federal power marketing program, but more probably out of other water use programs, such as irrigation, fish, recreation, pollution control or domestic and industrial use.

(2) Where the United States is not interested and the licensee desires a relicense, but a state or local agency or private party has an interest which it will want to express either by contesting for the new license or by conditions in the relicense. The interest in question may be either essentially in power use or in non-power use.

(3) Where the licensee wants to abandon a project, but the public interest requires that it be maintained in whole or in part for non-power purposes.

(4) Where the United States, the licensee or any other potential licensee is not interested in the continued existence of the project.

The present three-fold procedure seems inadequate to secure the maximum advantages from the opportunities preserved by the Congress in 1920 for the present and future generations of Americans. This procedure does not facilitate systematic consideration of all the alternatives available and tends to diffuse the attentions of interested parties whereas a more concentrated procedure might be more effective in bringing to bear all the conflicting interests at a single point in time.

THE PROPOSAL

We propose that the Congress enact legislation which would:

a. Accept the standard of section 10(a) of the Federal Power Act favoring that project which "will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water power development, and for other beneficial public uses, including recreational purposes". This statutory standard is understood to call for optimum development and accommodation, where a conflict arises, in terms of resource values including: water quality control; flood control; recreation and aesthetic considerations; fish and wildlife conservation and enhancement; protection of improvements along the reservoir shore line; drinking water and other domestic, municipal and industrial uses; irrigation requirements; optimum power development and coordination with other systems in light of regional power needs; hydraulic coördination with other projects on the stream; and navigation.

b. Direct the FPC, after suitable hearings and upon receiving advice as appropriate from Federal, State and interstate agencies, and from other interested parties, to make the initial determination in all recapture and relicensing cases. The proposal would limit the time within which Federal agencies must provide their advice and recommendations to the FPC, to avoid excessive delays.

c. Direct the FPC to forward to Congress, with its recommendations, all cases in which it has recommended Federal recapture. Where the FPC decides to relicense and other Federal agencies recommend recapture, the proposal would direct the FPC to stay the effect of its relicensing decision for a specified maximum time to allow those agencies to present their case to the Congress, and would further direct the FPC to notify Congress of all stays granted. We have included as a maximum stay period one full Congress immediately following the Congress during which the Commission issues a relicensing order. Alternative time periods, which the Congress may wish to consider, are a two-year period beginning on the last day of the calendar year in which the Commission issues the relicensing order, or a two-year period running from the date of such order. The latter period conforms to a similar two-year period now found in the further proviso of section 4(e) of the Act which requires the Commission to report to Congress whenever it finds that any Government dam may be advantageously used by the United States for public purposes in addition to navigation.

d. Authorize the FPC where it determines that an exclusively non-power use would best meet the standards of the Act to relicense a project which was initially subject to FPC jurisdiction to a non-power user. The non-power licensee would be required to pay the original licensee the same recapture price as the United States would have had to pay had it taken over the project. FPC would exercise regulatory supervision over the non-power licensee on a temporary basis, until a state, municipality, interstate or Federal agency assumed this regulatory jurisdiction.

e. Provide explicitly that the amortization reserves called for by section 10(d) of the Act would continue to accumulate without interruption, suspension or revaluation.

f. Authorize FPC, notwithstanding the provision of section 6 of the Act regarding alteration of licenses, to include as a condition to issuance of a new license under section 15, a broad authority to modify the license, consistent with the other provisions of the Act, as may reasonably be required, subject to the safeguards of adequate notice, opportunity for public hearing and judicial review. This added authority would extend the Commission's rulemaking powers to modify license conditions at any time during the license term, now limited under section 10(c) to matters relating to the protection of life, health and property, to matters relating to all license conditions. It is patterned after the broad conditioning authority of section 10(g) which now authorizes the Commission to include at the beginning of any license term "such other conditions not inconsistent with the provisions of this Act as the Commission may require."

g. Accept the present limitation of section 6 of the Act that the maximum license term is to be 50 years, with Commission discretion to prescribe lesser license terms. The Commission believes that a substantially shorter term may be appropriate where no extensive redevelopment outlay is needed. Moreover, it may prove desirable to relicense a series of related projects for varying terms so that the new licenses will expire simultaneously.

ALTERNATIVE CONSIDERED

We have considered as an alternative, assignment to other Federal agencies of the primary responsibility to recommend recapture to the Congress or to instruct the FPC to relicense subject to broad guidelines. The assignment might be made either to one executive department or to a group of agencies. We believe, however, that the issues upon license expiration involve statutory policy which would best be implemented by a specialized agency with a long tradition of semi-judicial proceedings under authority delegated by the Congress.

We have considered the possibility of spelling out detailed criteria governing the decisions and recommendations of the Commission but we have concluded that the more general standard now set out in section 10(a) comprehends all of the factors which we understand to be relevant and is more suitable to the changing need of resource conservation.

Finally we have considered establishing an additional preference for the original licensee to apply in cases where a rival applicant could slightly better achieve the objectives of the Act. We believe that all other things being equal, continuity in ownership and management is a value in itself which should be recognized and is to be recognized under the present statute. However, when another applicant demonstrates a superior ability to meet the Congressional objectives, in our view no preference should assure the position of the original licensee.

CONCLUSION

We believe that our proposal would serve the public interest and trust that consideration of the proposed measure will assist the Congress in its study of the appropriate disposition of projects licensed under the Federal Power Act after the end of the initial license term.

The Bureau of the Budget advises that enactment of the bill would be consistent with the Administration's objectives.

Respectfully,

LEE C. WHITE,
Chairman.

NEED FOR FURTHER IMMIGRATION REFORM

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. OTTINGER. Mr. Speaker, during the first session of the 89th Congress, I strongly supported H.R. 2580—the 1965 amendment to the Immigration and Nationality Act—which was eventually enacted as Public Law 89-236. One of the purposes of this legislation was to reunite thousands of our citizens with members of their families from whom they had been needlessly separated.

While to a certain degree some American citizens and resident aliens have been reunited with their families, my files are replete with situations where brothers and sisters have been separated for many years—in some cases, for 10 years or more. Almost all of them involve persons currently registered under the fifth-preference position of the quota for Italy.

At present, visas can only be issued to persons under the Italian fifth-preference position who have "priority dates" of March 1, 1955 or earlier. Over the past 6 months, the fifth-preference position has moved forward 2 months—from January 1, 1955 to March 1, 1955—and I have been informed that approximately 100,000 fifth-preference Italians are awaiting visa issuance. Based upon information made available to me by the Department of State, Italy is the only country experiencing such a tremendous backlog.

If the present system is maintained, Mr. Speaker, these people will not be able to join their families in this country for many, many years. Therefore, I am today introducing a bill to amend section 203(a)(5) of the Immigration and Nationality Act. This bill provides that any fifth-preference aliens—brothers and sisters of U.S. citizens and their spouses and children—whose visa petitions were filed prior to July 1, 1966, are deemed to be immediate relatives under the provisions of section 201(b) of the act.

Not only will this legislation alleviate the desperate situation in which fifth-preference Italians now find themselves, by placing them on an equal basis with other fifth-preference aliens, but will also remove the cruel and unnecessary hardship for many of our own citizens with relatives abroad and reinforce our policy of reuniting families.

Mr. Speaker, I commend my distinguished colleague and good friend, the gentleman from New York [Mr. RYAN], for taking the initiative in proposing this legislation and I urge that the Committee on the Judiciary give this measure its fullest and most careful consideration.

POVERTY

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. NIX] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NIX. Mr. Speaker, in recent months the effectiveness and the worth of the war on poverty have been questioned. There are some who deplore the existence of poverty but wish to break up the Office of Economic Opportunity and shift certain antipoverty programs to other Government agencies. There are some who charge that the war on poverty has been a total failure, that it has not cured poverty, and that it has even been a factor in causing this summer's tragic riots in some of our cities. I rise today to discuss my belief that the war on poverty has been an exciting and effective program, and to affirm my support for the present administration bill extending the authorization and operations of the antipoverty program.

Every society has been confronted with the problem of poverty. Each society has tried to deal with it in different ways. The Romans gave bread and circuses to the poor of Rome. England tried the dole and debtors' prison. But in 1964 this Nation acknowledged that the existence of widespread poverty in our rich society was politically, economically, and morally wrong, and determined to eradicate poverty itself.

The Congress therefore declared this Nation's policy to be "To eliminate the paradox of poverty in the midst of plenty." To implement this ambitious policy, the Congress created the Office of Economic Opportunity, and charged it with the task of "opening to everyone the opportunity for education and training, the opportunity to work, and the opportunity to live in decency and dignity."

In declaring war on poverty, the Congress wisely rejected the counsel of these who urged that poverty could be cured by a single, simple program. Some argued that the key to eliminating poverty was to create jobs; others said that assuring every child a good education would eventually solve the problem. But it was recognized that there was not a simple panacea, that no single solution would bring the 30 million American poor into the rich society which was all around them. Instead, the Congress acknowledged what most Americans knew to be true: To be poor meant much more than just that you had no money. It also meant that you and your children probably got a second-rate education, that you were not trained for the skilled jobs which our technological economy had created, that your health care was inadequate, and that you were often denied simple justice because you did not have access to a lawyer. In other words, to be poor was to be denied most of the basic opportunities which other Americans took for granted. The OEO was therefore commissioned to proceed against poverty on many fronts simultaneously, and to involve itself with education, vocational training, health, justice, community development, and employment.

In addition to choosing to attack poverty as the many-faceted problem it is, the Congress in the Economic Opportunity Act made another basic policy decision. Instead of creating these different antipoverty programs and assigning them to existing Government agencies, the Congress established an independent agency, the Office of Economic Opportunity, and assigned to it the primary responsibility for initiating and administering these various antipoverty programs.

In retrospect, this decision has been justified. Only an independent agency could have been as innovative and single-minded in dealing with an old problem in so many new ways. only an independent agency could have spoken for the poor, the least influential of our national minorities, with a strong and single voice. The poor need this independent voice. But equally important, the Nation needs this independent voice to keep in front of it the terrible needs of the poor, and to remind its conscience that there is a large minority which has been excluded from the general prosperity. For these reasons, I urgently hope the Congress will reject any move to break up the OEO and to transfer its functions to other Government agencies.

Mr. Speaker, in evaluating the war on poverty, let us not forget that less than 3 years ago there was no war on poverty, and no Office of Economic Opportunity. There was no Project Headstart, no Job Corps centers, no community action programs. Since the Economic Opportunity Act became law, a staff was assembled at OEO; programs were drawn up; local agencies were set up and staffed; programs were initiated. It is particularly important to note that the entire antipoverty administrative machinery was created out of whole cloth.

In most States and cities, there were no existing institutions which could be used to administer these programs. On the national level, there was no experience in administering a broadly ranging antipoverty program which could be used to guide the OEO. If you will, the antipoverty program was like a new industry which came into being, hired employees, drew up plans, tooled up its plant, initiated production of a complex product, and began marketing this product, all in less than 3 years, and all with little useful precedent to use as a model.

Of course, as with any new and innovative program, there have been birthpangs. I am sure that those who oppose the antipoverty program will offer the few administrative difficulties which the OEO encountered in initiating its new programs as reasons to curtain or abolish the program. But I am confident, Mr. Speaker, that every thoughtful Member will marvel, as I do, at the impressive job the OEO has done in implementing the commission of the Congress.

Because the war on poverty has proceeded on so many fronts simultaneously, it is impossible in a brief discussion to examine all of its programs in detail. But I believe the following will give us some of the flavor of the tremendous beginning which has been made.

The Job Corps was one of the most imaginative programs begun by the OEO. This program was designed to take the hard core poor youth, most of them dropouts, and provide them with the education they missed and train them for jobs which are needed. The 69,312 young people who have so far been enrolled in Job Corps centers for varying lengths of time have been from the most poverty-stricken segment of our society. The profile of a typical Job Corps enrollee is an American tragedy. This enrollee has been asked to leave school or has dropped out on his own. He finished 8th grade but reads on a 4th-grade level. He comes from a broken home in an urban slum. Chances are good that his family is on relief. The Job Corps has taken this young American, and given him supplemental education and job training. More importantly, in many cases it has given him hope that his future need not be one of despair and hopelessness for a better life.

The Job Corps really is a human reclamation project, an attempt to help hard core young poor get the education and training they missed. Has this human reclamation been successful? The simple answer is "Yes." As of March 31, 1967, 36,900 of the 69,312 who have been enrolled have jobs; 6,800 are in school; 5,000 are in military service. This adds up to a 70-percent success rate with a group of the most disadvantaged young people in our country.

Another program which I and many other lawyers have followed with great interest is the legal services program. Our Nation was built on the principle that a government of law must be maintained to protect the rights of all. The poor have listened for years to talk about respect for the law, but in many cases the law has appeared to them to be their enemy rather than the protector of their rights. The poor had bruising experiences with the law, with unconscionable consumer contracts, wth unexplained evictions, with unjustified wage garnishments. In many cases, the poor did not have access to a lawyer, and therefore did not know their legal rights.

This deprivation mocked our society's contention that justice wears a blindfold. But the legal services program is correcting this situation; 1,200 neighborhood law offices have been created and staffed by full-time and volunteer attorneys, who are living proof to the poor that the law recognizes and protects the rights of all Americans, rich as well as poor.

Mr. Speaker, it would take hours to discuss the other programs of the war on poverty in detail. But the figures are available: 27,000 young people have been helped to fulfill their potential through the Upward Bound program; over 900,000 young people have participated in the Neighborhood Youth Corps, helping themselves and their communities; over 500,000 very young people have received a headstart; 6,500 VISTA volunteers have worked in our cities and rural areas; 1,050 community action agencies have helped the poor. No one will seriously suggest that the job is over. But an ambitious and a necessary beginning has been made.

Since the House Committee on Education and Labor began hearings on the antipoverty bill, tragic riots have occurred in some of our cities. Some have charged that these riots prove the ineffectiveness of the antipoverty program. No allegation could be more erroneous. One of the chief aims of the antipoverty program is to provide traditional lawful alternatives to violence. I do not doubt that many of the poor may have in past years questioned the effectiveness of democratic processes in helping them better their lives. Life has been imposed on them from above. But the antipoverty program offers hope to the poor. It affords training so that they can get good jobs; it helps correct educational deficiencies of their children; it provides a mechanism for equalizing opportunity and attacking all of the problems associated with poverty.

Some have charged that employees of the poverty program in some cities actually participated in the rioting.

I understand that in the 27 cities where serious disorders have occurred, only six antipoverty employees have been arrested in connection with the rioting. As of this date, none has been convicted. And in many of these cities, the antipoverty workers have courageously worked to help "cool" explosive situations. Neighborhood youth corpsmen have put on armbands and walked the streets quieting tense situations; legal services offices have stayed open around the clock to protect the rights of those arrested and to serve as liaison offices between the community and the city authorities; VISTA volunteers have moved in after the riots to help rebuild the shattered community. It is not an accident that the mayors of Newark and Detroit have both recently affirmed their support for the war on poverty.

Finally, Mr. Speaker, we have all heard ugly hints that the antipoverty program should not be extended because to extend it will appear to "reward" rioters. This argument is hardly worth of reply. This country sends wheat to India, not because we fear riots in New Delhi, but because it is morally right to share our bounty with those less fortunate.

By the same token, it is morally offensive in this year 1967 that so many Americans do not share in our Nation's incredible wealth. Helping the poor to help themselves through the antipoverty program is not a reward for rioting, but a moral imperative.

In conclusion, Mr. Speaker, I would ask all the Members to consider carefully the antipoverty bill that will soon be on our agenda. The last Congress declared that this Nation must eliminate poverty. The program selected to effect this policy was not a dole, not a giveaway program, but rather an intensive effort to create opportunity where none existed before. It was a program designed to enable the poor through their own personal and community efforts to join the majority of Americans in building a great society, where all could live in decency and dignity. Today we can look with pride on the beginnings of this program, and can truthfully say that an effective way has been found to help the poor of America to help themselves. I ask the Members to continue the war on poverty.

THE PUBLIC BROADCASTING ACT

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PEPPER. Mr. Speaker, it will be a pleasure to lend my individual support and endorsement to the Public Broadcasting Act when it reaches the floor of the House in a few short legislative days.

I say this for several reasons.

First, the legislation embodies the full cooperation and past experience with a national network of noncommercial educational television stations throughout this country. It extends the operation of the Educational Television Facilities Act. This proposal, Public Law 87-447, has allowed many educational television stations to purchase equipment and facilities necessary to fulfill the promise and potential of educational television.

Now we add a new vista to the field of ETV.

The legislation we will soon consider includes radio as an eligible grantee for these facilities grants. Since noncommercial broadcasting should be distinguished from classroom or instructional television, the phrase "public broadcasting" has been used by the Carnegie Commission to denote this important field.

The phrase is a fortunate one for this legislation is clearly in the public interest.

One portion of the legislation will authorize the creation of a federally chartered nonprofit corporation for public broadcasting to help develop a workable system of interconnection between the educational television stations of this country.

This will mean much to local educational television stations plagued with a shortage of good programs because of chronic underfinancing. Stations on the west coast and in other parts of the Nation will be able to carry programs broadcast simultaneously in another part of the country. Or these programs could be broadcast later. Such a system, it is clear, will maintain the individual integrity and independence of local stations. They will be free to accept or reject programs either at the time they are broadcast or later.

The legislative proposal which will soon come before us carries with it an excellent opportunity for all of us to recognize the staggering importance of radio and television broadcasting in this country.

This body was far sighted in vision when it enacted Public Law 87-447, recognizing the need for facilities for educational television stations.

We have a strong foundation upon which the Public Broadcasting Act is based and we now will have a chance to prod and stimulate the natural resource of public broadcasting.

I hope that the House will lend its full support to this imaginative and highly important proposal when it comes before us for consideration soon.

UNIVERSITY CONTRACTS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. William D. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, today many of our U.S. colleges and universities—124, to be exact—are working in foreign aid under contract with the Agency for International Development. Their campuses extend, literally, throughout the developing world—into southern and eastern Asia, into numerous areas of Latin America and Africa.

Faculty members and specialists from these institutions apply their particular strengths, experience, and expertise to specific problems or needs in the developing countries. AID now seeks to draw on "outside," non-Federal Government resources wherever possible to carry out a particular development task, and the work of these colleges and universities is one result.

The dimensions of this program are very broad—for the assisted country, of course, but also for AID in the most efficient use of its resources, and for the U.S. educational institution and its faculty in broadening a two-way interchange of knowledge and attitudes with the people assisted.

The fields of endeavor are varied. Our universities do not just maintain insulated relationship with the academic communities of assisted countries, although much of the universities' overseas work involves developing schools and training of teachers. At least equally important are labors with government ministries, with private organizations. They cover a range of subjects as broad as the needs of these developing societies.

The current priority of the AID program—the war on hunger—is, of course, much in evidence. In agriculture, the colleges' work ranges from research into meeting the unique problems of the developing countries, to imparting the successful methods of our own agricultural experience. The concept of the American "county agent" bringing extension services directly to the people has long been utilized in these overseas development efforts.

The current total of AID contracts with U.S. colleges and universities is $228 million, portions of which are spent over periods of several years. In my own State of Michigan, Michigan State University has contracts totaling over $11,680,809 and the University of Michigan is involved in programs totaling over $1,694,823.

For this money, we are getting a good return. Teams from American schools are operating with one or more host institutions in 40 different selected countries. Other contracts for technical services, training, and research support development activities in entire regions or the program as a whole.

This is a solid program, the type of aid program we strive for. Its activities are tailored to the particular needs of the countries assisted. It involves direct communication of American ideas to the people of the developing countries. It utilizes the talents and practical experience of American college and university experts. I urge the support of my colleagues for this program which so richly deserves our encouragement.

THE GIRLS FROM VISTA

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. Mink] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. MINK. Mr. Speaker, it was inevitable that the qualities of civic-mindedness encouraged by the Girl Scouts of America would find expression in the Volunteers in Service to America—VISTA—program. This story has now been told in the August issue of American Girl, the official publication of the Girl Scouts of America.

The magazine article, by Carol Botwin, is entitled "The Girls From VISTA." It shows how VISTA's success lies in the profound effect the program had had not only on the poor, but on the volunteers themselves. And it attests to the suitability of Girl Scout preparation to VISTA—one of the most modern and selfless opportunities for good citizenship

Miss Botwin's article deals specifically with former Girl Scouts who have become VISTA volunteers. She describes the experiences of five girls for whom "poverty is no longer a mass of statistics."

For example, Karen Metz, of Chittenango, N.Y., is using her Spanish language ability to help adults in the Southwest. Near Phoenix, Ariz., she helps people do simple math for the first time in their lives.

Patricia Shultz, who went after college graduation to Alaska to climb Mount McKinley, found irresistible the opportunity to work in a VISTA project in a small Eskimo fishing village on the Yukon River.

And 22-year-old Roschel Holland has opened a co-op in East Harlem where the residents of the area can buy food at prices they can afford.

Mr. Speaker, I include Carol Botwin's wonderful story of VISTA girls at work at this point in the Record:

The Girls From VISTA

(By Carol Botwin)

It started with thirteen volunteers in 1965. Now V.I.S.T.A. (Volunteers in Service to America) can boast of close to four thousand dedicated people serving in slums and wildernesses, big cities and small towns all over the United States—wherever help is needed. Seventy-one percent of these are boys and girls under twenty-five. They teach the young; they help mental patients readjust; they try to find jobs for the unemployed. As any VISTA volunteer will proudly tell you, "We help people help themselves."

What are the requirements? You have to be at least eighteen and be ready to work for a year plus a six-week training period. When their stint is up, volunteers collect fifty dollars for each month of service. By then, they have learned to live on tiny allowances in slums. They have had daily contact with heartbreaking problems. As one girl says, "Poverty is no longer a mass of statistics."

Because VISTA needs people who have a desire to serve, a willingness to learn, and the ability to work well with others, many former Girl Scouts find they are very well prepared to be volunteers. Young women like Susan Deeter, who works with migrants in Girl Scout troops in Eagle Pass, Texas, find they already know how to initiate projects and take responsibility. The fact that the five girls who are pictured here are all former Girl Scouts is no accident—there are many of them in VISTA.

Penny Arndt and her VISTA roommate decided to give a party. Their guests: students from Louisiana State University in South Baton Rouge and children from a nearby "ghetto" elementary school. It launched the highly successful "Project Buddy." Now, Penny says their biggest problem is recruiting youngsters fast enough to keep pace with campus interest which has spread across town to the big Negro university. Coeds, who signed up, entertained their new young friends, took them on outings, went to movies, bought sodas—anything to fill in the gaps that no father and a working mother can create in a child's life. Penny hopes that soon students from both universities will be working together on this project.

Karen Metz of Chittenango, New York, had almost decided to join the Peace Corps when she realized there are many poverty areas in this country where she could use the Spanish she'd learned in school. Now she's helping adults to read and do simple math for the first time in their lives, in Elroy, outside of Phoenix, Arizona. "The elderly people in the group are terrific. They never miss a class," she says. Karen also is teaching children a second language—English. She enjoys taking them on field trips to zoos and museums trying to broaden their horizons.

After college graduation, Patricia Schultz went to Alaska to climb Mt. McKinley, heard about the local V.I.S.T.A. project, and ended up in a small Eskimo fishing village on the Yukon River. She and three other volunteers traveled by bush plane to the isolated community. Patricia persuaded local authorities to test the local water supply for purity and worked with residents to get an electric generator and fish freezer for the town. Traveling around on snowshoes, she met with housewives and encouraged them to use their local crafts as a new source of income. Villagers taught Pat the art of tanning and sewing fur.

There were no streetlights in Santa Rita, Colorado, a year ago. The main street wasn't paved. With the encouragement and help of V.I.S.T.A. volunteers like Karna Clark, nineteen, the men, women, teens, and children in the community joined hands to make their town a better, brighter place to live in. "There were a few pessimists who thought that the streetlights we installed wouldn't last a week with all the BB guns around, but the people here were not about to tear down something they all worked hard to get," says Karna.

On the first and fifteenth of every month, a tiny store in East Harlem opens its doors, and customers—all members of the 117th Street Parent Association—troop in with money from newly cashed pay and welfare checks. This co-op, where they can buy food at little more than wholesale price, is the brainchild of twenty-two-year-old Roschel Holland. When it is open, Roschel gets up at six to go to the market with the Association's President. They buy stock based on previous orders. "We don't have any refrigeration so we try to sell everyting the same day." Brightening the walls are children's drawings—the results of the arts and crafts sessions that Roschel conducts there with neighborhood tots twice a week.

DEATH OF HENRY J. KAISER

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. MINK. Mr. Speaker, last week death claimed one of Hawaii's most renowned adopted sons, the world-famous industrialist, Henry J. Kaiser. Although this giant among men did not come to our shores until 1954, he left an indelible mark on the face of our State with his restless energies and his boundless capacity for translating his dreams into immediate concrete realities. Starting with the construction of the magnificent Hawaiian Village Hotel, he turned his resources to the development of the $350 million Hawaii-Kai housing and resort development, and capped his contribution to our State with the $4 million Kaiser Foundation Hospital. A man whose achievements can be measured with such enduring and impressive monuments needs little else to mark his passing, but I would like to pay tribute to the exemplary and inspirational life of Henry J. Kaiser by setting forth his biography, the most eloquent testimonial to what he stood for that I can imagine. May others find encouragement and guidance in the inestimable success story that is the life of the man we mourn today, Henry J. Kaiser.

HENRY J. KAISER—1967 BIOGRAPHY

Henry J. (John) Kaiser was an industrialist with world-wide interests, a builder, and a founder of hospitals and a medical care program.

As an industrialist Henry Kaiser was chairman of the board of Kaiser Industries Corporation and head of the affiliated Kaiser Companies that have assets exceeding $2.7-billion in 33 states and more than 40 countries overseas.

As a builder he constructed roads, dams, tunnels, ships and a dozen industries in a half-century.

As the founder of a medical care program in the western United States, he worked with partnerships of physicians, built hospitals and clinics, established a nursing school and contributed to medical education.

Henry J. Kaiser was born on May 9, 1882 in a white frame farmhouse at Sprout Brook, New York, one of four children of Francis J. Kaiser, a shoemaker, and Mary Yops Kaiser, a practical nurse, both immigrants from Germany.

YOUNG KAISER BUILDS PHOTOGRAPHY BUSINESS

He left school at 13 to take a job at $1.50 a week as a cash boy in a drygoods store at Utica in upstate New York, and boosted his income by taking photographs after working hours. Despite lack of formal education, he always was learning. His restless, driving spirit was constantly seeking new ways of doing things. Later, the same drive challenged his managers, engineers, and other employees in daring projects and new ventures.

Young Henry Kaiser traveled as a photographic salesman in upper New York. At Lake Placid, New York, he offered a Mr. Brownell, owner of a photographic shop, to work for nothing on condition that if he doubled the business in a year, he would receive a half interest. He trebled the business, became a junior partner at 22, bought out the business a year later and added new stores at Daytona Beach and Miami, Florida, and Nassau. Outside his first store he placed a prophetic sign: "Meet the Man With a Smile".

BUILDING CAREER STARTS IN WEST

Deciding to stake his future with the West, he moved to Spokane, Washington, in 1906 and was hired by a hardware company, later becoming sales manager. He went into construction in 1912 as a salesman and manager of road paving contracts in Washington and British Columbia.

It was in 1914 that he established his first company—Henry J. Kaiser Company, Ltd.—at Vancouver, B. C., and the first job was to pave a road two miles long in the Canadian city. He was then 32.

During the next seven years, he continued road paving work in Washington, Idaho and British Columbia and created a new way of doing the job by replacing mules with machinery. Doing jobs in better and faster new ways became a Kaiser trademark, and he saved his men many back-breaking hours by putting pneumatic tires on wheelbarrows and diesel engines in bulldozers.

He won his first job in California by jumping off a moving train. He wanted to bid on the job of building a 30-mile road between Red Bluff and Redding in northern California, but the train didn't stop at Redding. When it slowed down to drop off the mail, Henry Kaiser jumped off. He won the contract and in 1921 established his headquarters in Oakland, where it continues today in the 28-story Kaiser Center.

It was on this first California job that Henry Kaiser demonstrated another of his trademarks—speed. At that time the average progress for paving a road was two miles a month. Henry Kaiser tied five scrapers to a tractor, instead of one to a team of horses, and completed one mile every week.

He moved into the sand and gravel business in 1923 while he was paving a road between Livermore and Pleasanton in California. The aggregate plant developed into Kaiser Sand & Gravel, now one of the largest producers of aggregates in northern California. It was also Henry Kaiser's start in the business of mining and processing raw materials, a basic strength of the Kaiser companies today.

A CUBAN HIGHWAY LED TO WESTERN DAMS

The year 1927 was a turning point in Henry Kaiser's career when he went to Cuba to build a 200-mile, 500-bridge highway. It was a huge project for the young contractor, and the principle of teamwork learned on this job guided his future work. He conceived the joint venture concept that led to partnerships and associations of contractors for cooperative construction of projects too large for a single builder.

It was in Cuba also that Henry Kaiser realized that a growing organization must develop its management from within itself. He went into the busines of hiring young talent and training his future leaders—"building people" as he described it.

The Thirties was the era of the big dams—first Hoover, 726 feet high, then Bonneville and Grand Coulee on the Columbia River. Hoover Dam was constructed by a joint venture combine called Six Companies, Inc., of which Henry Kaiser was elected chairman of the executive committee. The dam was built in four years—two years ahead of schedule.

While the dams were being built, Kaiser's men were building piers for the world's longest bridge—the San Francisco-Oakland Bay Bridge, levees on the Mississippi River and pipelines in Kansas, Texas, Oklahoma, Arizona and Montana. Up to the start of World War II, Kaiser and associated firms built some 1,000 projects totaling $383-million.

Another dam started Henry Kaiser in his industrial era. Although he had no cement plant, he successfully bid to supply six-million barrels of cement to build Shasta Dam in northern California at a savings of $1,683,866 under the next lowest bid. With the contract in hand, he built a cement plant at Permanente, California, in only seven months from start of construction to production. He also supplied 11-million tons of aggregates for the dam, and built a nine and one-half mile conveyor belt—then the world's longest—to transport the material through the mountains.

Today, Kaiser Cement & Gypsum Corporation is the largest cement company in the West with annual sales of $99-million, 43 plants and facilities and assets of $150-million.

SHIPBUILDING WINS WORLDWIDE RECOGNITION

In 1940 when the Allies desperately needed ships, Britain called on the Kaiser "know-how" at marshalling men and materials and contracted for Kaiser to build shipyards and 30 cargo ships—thus began the shipbuilding program that won world-wide recognition.

At the peak of the shipbuilding era, Henry Kaiser and his associates operated 58 shipways at seven yards that built 1,490 ships during World War II—roughly 30 per cent of the American production of merchant shipping in this period—plus 50 small aircraft carriers. The Kaiser shipyards established a reputation for speed, averaging one new ship a day and an aircraft carrier per week.

On November 15, 1942, the Robert E. Peary was launched—4 days and 15 hours after the keel was laid. The ship was complete with bath towels and sharpened pencils in the chart room. The Kaiser streamlined, mass production of ships was based on prefabrication of major units and assembly line fitting of the parts into the whole.

Today, a Kaiser company, National Steel Shipbuilding in San Diego, California, continues the shipbuilding heritage and has a $300-million backlog of work.

During World War II, Henry Kaiser also managed the largest artillery shell operation in the U.S. He built and operated two magnesium plants for the production of the light metal and "goop," the magnesium incendiary. He supplied all the bulk cement used by the United States to construct Pacific fortifications. He operated an aircraft and aircraft parts manufacturing plant.

One acute problem for the World War II shipbuilder was the availability of steel ship plate in the West, so Henry Kaiser built his own steel plant at Fontana in southern California—the first integrated steel plant in the Western United States. Today, Kaiser Steel Corporation is the ninth largest in the United States with sales of $365-million annually.

POSTWAR PERIOD LAUNCHES KAISER'S GREATEST GROWTH

During the war, Henry Kaiser looked to the future and studied the postwar needs. He was convinced that four essentials would be in great demand—metals, building materials, homes and automobiles. He anticipated a growth period needing steel, cement and sand and gravel, and he also saw promise in another material—aluminum.

In 1946, Henry Kaiser entered the aluminum business by leasing surplus plants from the War Assets Administration. Industry sources claimed that "aluminum will be running out of our ears"—so great had been the war-time expansion of capacity. One "expert" report listed 16 reasons why Kaiser's entry into aluminum was doomed to failure.

Within five years, Henry Kaiser and his team of energetic young managers were producing and marketing more aluminum than the entire U.S. annual output up to 1937, and in its first 20 years Kaiser Aluminum was destined to expand its capacity to approximately five times that pre-war level. How it was accomplished has been called one of America's greatest industrial success stories. Kaiser's constant search for new ideas anticipated the need for this light metal that would jump to 47 pounds per capita in 1966 from only 10 pounds in 1946. The four reduction plants in Louisiana, West Virginia and Washington have an annual capacity of 670,000 tons. Fabricating plants and rolling mills around the country serve the nation with literally thousands of aluminum products.

Also, the company is a substantial producer of industrial chemicals, refractories and agricultural fertilizers, operating nationwide. Recently, it has entered the nickel business. Its world-wide operations include primary aluminum plants in Africa and Australia, and fabricating plants in Europe, Japan, India, Australia, South America and Africa.

Kaiser Aluminum & Chemical Corporation today has assets in excess of $1.1-billion and annual sales exceeding $781-million. The fourth largest aluminum producer in the world, it has 88 plants and 27,500 employees.

MANUFACTURE OF AUTOMOBILE BECOMES WORLD-WIDE

Believing his men, who produced ships faster and at lower cost than ever before, could make a contribution in the postwar production of automobiles, Henry Kaiser formed the Kaiser-Frazer Corporation in 1945. Starting from scratch, the auto manufacturing plant at Willow Run, Michigan, led the industry in producing the first all-new car since 1941. Pioneering the postwar styling, the new company overcame terrific shortages of materials in its first full year of operations. It produced its own engines, its own bodies, its own steering gears; it built a new dealer organization, and broke all records in the history of the industry for number of new cars produced by a starting company in a new plant.

Automobile manufacturing in the postwar period was an exceedingly competitive business. After 10 years of passenger car production in which 750,000 Kaiser cars rolled off the assembly line, Henry Kaiser withdrew from the passenger car market in the United States and concentrated on the production of the famous four-wheel-drive "Jeep" utility vehicles in this country and overseas. In the early Fifties, he started complete manufacturing facilities of motor vehicles in South America, establishing Willys-Overland do Brasil and Industrias Kaiser Argentina.

Today, Kaiser Jeep Corporation manufactures a wide variety of sports and compact cars, station wagons and "Jeep" utility vehicles in the United States and in 32 foreign countries, as well as producing numerous military vehicles. Kaiser "Jeep" sales totaled $333-million in 1966, and the two South American companies produced 121,000 vehicles, not counting other "Jeep" affiliates in more than 30 countries.

KAISER STEEL BUILDS THE WEST

In his life-long quest to "find a need and fill it," Henry Kaiser knew that the Western United States could not reach industrial maturity and provide jobs and products for vast population growth without having its own steel industry—"Steel, the Mother of Industries." Skeptics said the West Coast had neither the raw materials nor sufficient markets to gain its independence from the Eastern steel sources.

Mobilizing private capital and the Kaiser management team, Henry Kaiser founded the West's first and only fully integrated iron and steel industry in southern California at Fontana in 1941. Its iron ore deposits are mined only 164 miles away at Eagle Mountain, and coking coal mines are in the neighboring states of Utah and New Mexico.

In its first quarter of a century, Kaiser Steel has invested $713 million in plants, equipment and other fixed assets, expanding steadily with each peace-time year. It has reached a capacity of three million ingot tons a year, and its multiple rolling mills and fabrication facilities produce the array of products required by the industrialization of the West. In its 25-year history, Kaiser Steel has produced 35-million tons of steel, sold products exceeding $5-billion and paid its employees $1.5-billion in wages.

In a pioneering innovation in human relations, Kaiser Steel and the United Steelworkers of America have developed a plan of sharing cost savings that has paid participating employees $10.9-million in cash bonuses and set aside $8.6-million more in a wage and benefit reserve. At the same time, employees are protected against technological displacement.

Kaiser Steel is 36 per cent owner of the Hamersley Iron project in western Australia, one of the world's greatest iron ore developments. This company has contracts approaching $1 billion for sales of ore over a 16 year period to steel companies in Japan and Europe. The rich iron ore deposits of Mt. Tom Price, named for a life-time associate of Henry Kaiser, started shipments in August, 1966. Ore is hauled to the Coast on its own 182-mile railroad and bulk-shipped in 65,000-ton ore ships.

OTHER COMPANIES GROW UNDER HENRY KAISER

Kaiser Cement & Gypsum Company has grown to the ninth largest cement manufacturing company in the United States with an annual capacity to 19.7-million barrels. Its subsidiary, Kaiser Gypsum, distributes insulating and gypsum board products in 29 states and the Pacific Basin.

Kaiser Community Homes, formed in 1945 to meet the postwar housing shortage, has built 10,000 homes in California and led to other real estate development activities.

In Hawaii since 1955, Henry Kaiser directly supervised the building of the 1,146-room Hawaiian Village Hotel (sold to Hilton); the Kaiser Foundation Medical Center; a $13½ million cement plant; and radio and television broadcasting facilities (also sold). Kaiser is now building the new community of Hawaii-Kai at Honolulu for an ultimate population of 60,000 residents.

Kaiser Broadcasting Corporation, which grew out of the Hawaiian facilities, is now developing UHF television stations in Detroit, Philadelphia, Boston, southern California, San Francisco and Cleveland, and FM radio stations in San Francisco and Boston.

The engineers and managers who have "grown up" with Henry Kaiser and accomplished the so-called "impossible" projects operate Kaiser Engineers Division. A worldwide engineering and construction firm, it has a backlog of $800-million of uncompleted work this year.

Kaiser Aerospace & Electronics Corporation develops and manufactures aircraft and missile components and electronic equipment. Its new Kaiser Flite-Path and radar converter systems promise improved safety concepts for the aviation industry.

HEALTH PLAN KAISER'S FAVORITE PROJECT

Closest to Henry Kaiser's heart was the founding of the world's largest private initiative system of hospitals and pre-paid medical care. When he was 16 years old, his mother died in his arms for lack of medical care. He resolved, if he ever could, to help others protect and maintain their health.

Kaiser's opportunity to pioneer in meeting this great need came three decades ago when he was building pipelines and dams far removed from hospitals and doctors. The medical care program evolved from the need to provide workers and their families with health care in remote areas of the west. The plan was extended to the shipyard workers during the war, and, by public demand, was subsequently opened to other groups, industries and individuals. The program is now serving a cross-section of the public in California, Oregon and Hawaii.

The non-profit Kaiser Foundation Health Plan, emphasizing preventive medicine and comprehensive care, now has a membership of more than 1.5-million and is growing at the rate of 10 per cent a year. Facilities now include 18 hospitals, with 3,200 beds, and more than 40 medical clinics in the three western states. Professional services are provided by 1,500 doctors who conduct their own partnerships.

AWARDS ACCLAIM HENRY KAISER'S ACHIEVEMENTS

Honorary doctorate degrees conferred upon Henry Kaiser include: Hobart College, Washington State College, Montana College of Mineral Science and Technology, University of Nevada, Marshall College, St. Mary's College and University of California.

He has been decorated with France's Legion of Honor, Chevalier. Awards include the New Orleans' Cunningham Award for contributions to advancement of Latin America; International Broadcast Free Enterprise Award, as "distinguished citizen exemplifying that free enterprise is the true foundation of a free world"; Humanitarian Distinguished Community Service Award of International Association of Machinists; Success Unlimited Philosophy of American Achievement Award; Jewish War Veterans of the U.S.A. Medal of Merit for "contribution to human relations in industry"; American Society of Travel Agents Award; and City of Oakland and Alameda County, California, Kaiser Day and Award for "inspiring contribution to community progress and growth."

Partly because of his pioneering in medical care for all, in 1965 Henry Kaiser received the Murray-Green Humanitarian Award, "in recognition of notable accomplishments in voluntary medical care, housing and labor-management relations"—together with citation from President Lyndon B. Johnson stating this was "the first occasion on which the AFL–CIO selected an outstanding industrialist to receive their highest honor . . . Henry Kaiser epitomizes a departure from the past . . . a pioneer of the new breed of responsible businessmen . . ."

He was elected by students of U.S. colleges as favorite industrialist for 1963 Robbins Award of America for Inspiration to Youth; and recognized by Fortune magazine as a "Grand Old Man of Business," and that no man in history of private enterprise had established as many varied industries.

In Hawaii during recent years, Henry Kaiser was honored with Hawaii's Salesman of the Year Award; Order of the Splintered Paddle Award . . . "More than any American of this era a legend in his own lifetime—for contribution . . . through his vision, leadership, beliefs and his deep and abiding understanding of the need for good human relations"; Honolulu Realty Board Honorary Membership; Hawaii's Father of the Year; Resolutions by three Hawaii legislatures hailing Kaiser contributions to Hawaiian Islands' development; Hawaii's Native-Born Citizen of the Year; Brotherhood Award as "Distinguished Builder of Society."

Henry J. Kaiser recently made his home in Hawaii—a legend in his own lifetime—not only for his many accomplishments, but also for the way he has done them. The family of companies which he founded now exceeds the hundred mark. Their combined assets are more than $2.7-billion. Aggregate annual sales exceed $2.1 billion. Plants and facilities total 190 in 33 states and 40 countries overseas. The annual payroll for 90,000 employees exceeds $630-million. Shareholders in the publicly-held companies total 140,000 investors.

HENRY J. KAISER—HONORS AND MEMBERSHIP

Doctor of Science (1943), Hobart College, Geneva, New York.

Doctor of Laws (1943), Washington State College, Pullman, Wash.

Doctor of Engineering (1944), Montana School of Mines, Butte, Montana.

Doctor of Laws (1948), University of Nevada, Reno, Nevada.

Doctor of Humane Letters (1955), Marshall College, Huntington, W. Virginia.

Doctor of Laws, (1956), St. Mary's College, St. Mary's, Calif.

Doctor of Laws (1961), University of California, Berkeley, Calif.

The LaSalle Medal (1944), LaSalle University, Philadelphia, Penn.

Cunningham Award (1957), International House, New Orleans, La.

Robbins Award of America (1963), Utah State University, Logan, Utah.

Degree of Chevalier, Legion of Honor (1952), Republic of France.

The Murray-Green Award (1965), The AFL–CIO Executive Council.

Order of the Splintered Paddle (1966), Honolulu Chamber of Commerce.

Member: Beta Gamma Sigma, national honorary business fraternity; the Beavers, Los Angeles, construction industry organization; Elks Club, Everett, Washington; Waialae Country Club, Honolulu, Hawaii; San Francisco Press Club, San Francisco, California (honorary); Automobile Old Timers Club, New York; Newcomen Society of North America.

TRIBUTE TO LIZ CARPENTER

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PICKLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PICKLE. Mr. Speaker, last weekend the First Lady's press secretary, Liz Carpenter, returned to her hometown to be honored as one of the outstanding women of Texas.

In a colorful ceremony at Salado in central Texas, Mrs. Johnson lauded her as a person of "creativity, laughter, speed, and kind and thoughtful deeds."

Truly, Liz Carpenter is an outstanding woman, and I would like to commend to the attention of our colleagues the newspaper account of the ceremonies as they appeared in my hometown paper, the Austin American-Statesman:

SALADO: LIZ, OLD ROBERTSON HOME HONORED

(By Lois Hale Galvin)

SALADO.—Liz Carpenter returned to the summer home of her childhood Friday afternoon as both she and the historic Col. Sterling C. Robertson Home here were honored.

Among those present was Liz' boss—Mrs. Lyndon B. Johnson—for whom she serves as press secretary; first woman and first working reporter ever to serve in such a capacity.

The occasion—honoring Liz Carpenter as an Outstanding Texas Woman and designating the Col. Robertson plantation complex as an official Texas Historic Landmark—was sponsored jointly by the Central Texas Area Museum Association, the Texas State Historical Survey Committee, the Texas Federation of Women's Clubs and the Texas Historical Foundation.

Texas' First Lady, Mrs. John Connally; a bevy of prominent Washingtonians and Texans; and a passel of Robertson-Sutherland kin were among the 4,000 guests present for the ceremonies on the front porch of the ante-bellum home.

"I want to tell you how we see Liz," they heard Lady Bird Johnson say. "Creativity—laughter—speed—and kind and thoughtful deeds."

Silvery-haired, dressed in a turquoise floral dress with matching shoes, Mrs. Carpenter spoke both sentimentally and humorously in accepting the awards.

"It is awkward to share in public something which is very private, but this home place casts a spell upon all those it has touched. For me, it has always been like rose petals in some old earthenware jar. Every corner of it is a memory. Dozens of cousins on pallets in the summertime, reading the worn old books about Anne of Green Gables or the Little Colonel . . . The cool dignity of the old parlor where my mother and father were married . . . Cleaning out the spring so the watercress could grow free . . . Or cutting down your own cedar tree in the back pasture for Christmas . . . Feeding baby lambs in the Spring or your uncle saddling up the mare so you could ride to Norwood's Store for the mail.

That's the Salado that I take with me wherever I go and I am deeply grateful to my Aunt Lucile for the determination to see that this lovely old gem of a town was kept for the future. Now my own children and others . . . who have only known the sound of the city . . . may feel the enchantment of this spot."

Exclaiming over how Salado "looms" on the map today, Liz recalled the difficulties her journalist-husband Les Carpenter, had finding the place when "he came courting by Greyhound Bus in the early forties; the 1940's, that is."

Liz' Aunt, Mrs. Sterling Robertson and other members of the Robertson clan, made brief remarks during the ceremonies, as did John Ben Shepperd of Odessa, former Attorney General and immediate past president of the Texas State Historical Survey Committee; Dr. Leonard Holloway of Belton, president of Mary Hardin-Baylor College; Joe Wallace of Killeen, president of the Texas State Area Museum Association; Charles Woodburn of Amarillo, president of the Texas State Historical Survey Committee; Mrs. B. F. Seay of Andrews, president of the Texas Federation of Women's Clubs; Sterling C. Robertson of Dallas, great great grandson of the builder; F. Lee Lawrence of Tyler, president of the Texas Historical Foundation; Mrs. Robertson and Mrs. Jerry Van der Heuvel, president of the Women's National Press Club; Dr. DeWitt C. Reddick, dean of the School of Communications of the University of Texas.

Before and following the program, Mrs. Carpenter led reporters and friends around the plantation home grounds to visit the booths of skilled Texas craftsmen whose work was on display.

"Isn't this great!" she would say.

"Isn't this beautiful!"

"Doesn't this real Texas art beat those tacky rattlesnake ashtrays and things that most tourists have been remembering Texas by?"

The exhibiting craftsmen and artist were Julianan Cowden of Alvarado, Malcolm Thurgood of Wimberley, Mrs. Maise Lee of Marathon, Edward Arvin of Killeen, Buck Schwitz of Hunt, and Mrs. Gertrude Meyer of Hunt, Mrs. Helen Bourgeois of Fredericksburg, Mrs. William Ward of Mountain Home, Mrs. Sherman Lindsey of Temple, Mrs. L. J. Epperson of Tyler, Mrs. Alfred Negley and Janet Shook LaCosta of San Antonio, Helen Monette of Wimberley, Orvil S. Mitchell of Midland, Virgil Hagy of San Antonio and Ishmael Soto of Austin and Mr. and Mrs. S. D. Rowe of Abilene.

Lending a note of color were Jaycees of Killeen and Jaycee-ettes who helped usher and furnish the booths. Last but not least were the colorful Highland Lassies of Dallas with their bagpipes.

INTERNATIONAL MONETARY REFORM

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FASCELL. Mr. Speaker, the efforts of the free world's leading industrial countries to find mutually acceptable bases of international monetary reforms reached a new high point last weekend. The finance ministers and the heads of central banks of the group of 10 countries—United States, France, Britain, the Netherlands, Belgium, Canada, Japan, Italy, West Germany, and Sweden—have agreed upon a plan for the establishment of contingency machinery for creating a new international monetary asset to supplement gold, the dollar, and sterling reserves for settling international accounts. What they are doing, in brief, is creating a new form of international money.

In a report made 2 years ago, entitled "The Gold Situation," which was based upon a study made by the House Committee on Government Operations Subcommittee on Legal and Monetary Affairs, of which I am chairman, the impending need to supplement gold and dollars with additional international monetary reserves was considered. The various plans that were then under consideration were also discussed.

The United States had taken the lead in calling for technical studies of means for accomplishing international monetary reforms and in progressing from the study to the negotiating stage.

Basically, the plan permits each member country of the International Monetary Fund to use special drawing rights—to be created—instead of its gold or dollar reserves to settle its obligations if the IMF decides that the creation of such new asset is necessary to foster a continued expansion of world trade. More details concerning the plan, and its provisions for veto of its activation are contained in the attached article from the Wall Street Journal of August 28, entitled "Big Ten Nations Propose Currency Reform Outline."

The plan will be presented to the International Monetary Fund next month for approval. The legislative branches of the member nations, before the plan will be adopted, also must grant approval.

The plan constitutes a marked success on the part of all the officials of the United States who have been working on the problem constantly for about 6 years, often with great opposition from other countries, particularly France. Secretary of the Treasury Henry Fowler, who headed the American delegation to

London which succeeded in working out the compromise plan, is quoted as saying:

> This has indeed been one of the great days in the history of international financial cooperation.

I certainly agree, because a long step has been taken to help ease the strain on the American economy in the future, and to maintain the stability of the dollar and all world currencies. The Secretary and all who participated in this monumental task are to be commended.

This great achievement should redound to the benefit of the entire free world.

"Big Ten" Nations Propose Currency Reform Outline—IMF Must Vote on Program Expects To Curb Gold Losses, Spur World Trade—Fund Would Set Up Loans

Washington.—Key industrial powers agreed on an ambitious compromise plan for international monetary reform that is expected to curb U.S. gold losses in the era ahead while allowing expanded world trade.

After six years of studying, sparring and stalling, the U.S. and others in the "Big Ten" group of nations emerged from a crucial weekend session in London with an outline that they all are pledged to push at next month's meeting of the 106-nation International Monetary Fund in Rio de Janeiro. The agreement, Treasury Secretary Fowler said, marks "one of the great days in the history of international financial cooperation."

Basically, the plan calls for greater ability for nations to borrow existing currencies from the IMF, but the proposed "special drawing rights" could be used directly in settling payments accounts between governments. "There is no question," exulted a high-ranking U.S. strategist, "that we have created a new form of international money."

The fundamental aim of the plan is to avoid trade-stifling policies by countries that are short of current international reserves, chiefly gold, dollars and existing automatic rights to borrow currencies from the IMF. The reserves are used to tide the countries over balance-of-payments deficits, which occur when more money leaves a country than returns.

If expectations of the plan are borne out, countries will have less need to abruptly tighten credit, raise taxes or devalue currencies to curb international financial flows.

The U.S. and the United Kingdom have been arguing that the slow growth of international reserves makes it prudent to have a contingency plan ready. France and some others had been resisting, saying that there isn't any shortage of reserves and that making it too easy for countries to continue having payments deficits might encourage loose fiscal practices and feed global inflation.

NEW RESERVE "UNIT"

While the U.S. and the U.K. preferred creation of a new reserve "unit" that governments could use as money, the continentals generally preferred an expanded credit arrangement because of the "discipline" imposed by repayment. They were aiming this point mainly at the U.S., which has had a payments deficit almost every year since World War II.

The Europeans' fears haven't been entirely overcome, of course, and it's generally expected that the additional drawing rights wouldn't be pumped out until the U.S. and the U.K. prove they can solve their payments problems without the extra help. Lately, U.S. officials have been saying that they don't see how the American deficit could be ended so long as the Vietnam war continues to cause a substantial dollar outflow.

To a surprisingly large extent, the Johnson Administration negotiators, headed by Mr. Fowler, won on substance while the Europeans won on form; on every major feature of the plan there are built-in conditions that prevent claims of outright victory or defeat by either camp.

Assuming approval by the IMF and ratification by participating countries, the IMF would ration to each member country every year "special drawing rights" based roughly on economic size. Of a hypothetical $2 billion, the U.S., for example, might get $400 million of rights.

The U.S. could save the rights as a supplement to its gold reserves, cash them in for foreign currencies at the IMF, or "spend" them directly in payment for surplus dollars held by another country. Any dollars "mopped up" this way would be removed as threats to U.S. gold, which the Treasury has pledged to exchange for surplus dollars at the fixed price of $35 an ounce.

Probably 90% of the use of the new rights would be through such direct transfer from one country to another, one U.S. analyst said.

"CONVERSION RIGHT"

The direct "conversion right" wouldn't be an iron-clad one, though, as the other country would have the privilege of saying no. In that case, the U.S. would turn the rights back to the IMF, which would pick out a country with a fast-growing surplus of dollars. Such a country would be obligated to take the rights up to three times its own allocation. This method, too, would absorb dollars that might otherwise have been used to buy U.S. gold.

Unlike other "drawings" or loans from the IMF, the new rights wouldn't ever have to be actually repaid to the IMF, U.S. officials said, and the "reconstitution" agreed on instead is only partial. During the initial five years, a country could freely use 70% of the rights it had been allocated, but it still would have to have 30% left at the end. "This makes it 70% money and 30% credit," one official said.

If at the end of five years the U.S. had less than 30% of its rights left, it would have to "reconstitute" its holdings to that level. It could do this by accepting rights instead of dollars or gold from a government in debt to the U.S. or by using dollars to purchase rights from a country with an excess of them. In either case, there would be more dollars than otherwise in foreign hands that would then be potential claims on U.S. gold.

One price the U.S. paid for escape from an outright-repayment clause could prove steep. This is an agreement that it would take an 85% majority of the IMF to "turn on" the proposed new credit-issuing machinery and to set the overall amount, period and rate of allocation. This would be a high enough proportion to assure the six common market countries—France, West Germany, Italy, Belguim, the Netherlands and Luxemburg—a "veto power" over any issuance of new rights.

All but Luxemburg also are in the Big Ten. Aside from the U.S. and the U.K., the other members of the group are Canada, Japan and Sweden.

COMMEMORATION OF THE ANNIVERSARY OF THE INVASION OF POLAND

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, although 28 years have passed since the Nazi and Soviet invasions of Poland took place on September 1, 1939, we cannot yet recall that tragic event without bitterness and shame.

Throughout history, Poland has served as a bulwark of Christian civilization in Europe, restraining the Tartars and the Turks as they plundered and pillaged across the continent.

In the fall of 1939, there was no one able to protect Poland or to preserve her civilization, and this long-suffering land became a nation without a state, a tyrannized and persecuted country, deprived of half its territory and millions of its people.

When the Germans invaded Poland on September 1, their 76 superbly organized and mechanized divisions met little difficulty in devastating the unprepared Polish forces, though the 830,000 soldiers and officers of the Polish Army fought doggedly and gallantly.

Alone and unaided, they maintained a courageous resistance, first to the Germans, and 16 days after the German invasion, to the Russians, who entered eastern Poland on the pretext that the Polish state no longer existed.

Thousands of Polish Infantry, Navy, and Air Force troops, forced to flee the military might of the invaders, joined the Allies and took up arms once more in Germany, France, Norway, North Africa, Italy, and Sicily. As the regular army slowly disintegrated within the country, an underground movement developed, directed by the Polish Government-in-Exile. Stray divisions of the Polish Army together with civilian men, women, and children, intrepidly destroyed German planes, ammunition dumps, bridges, and other military installations.

Often forced to survive for months, or even years in forests and mountains, members of the resistance and the Polish populace at large reacted consistently with spirit and conviction. Refusing to betray their national honor and collaborate with the enemy, 6 million Poles preferred self-respect and death to capitulation and cringing life.

Millions more suffered deportation and imprisonment in labor camps in Siberia and Asiatic Russia, or in Polish and German concentration camps, as Germans and Russians alike systematically attempted to destroy Polish cultural and religious life. Even in 1945, there was no peace for Poland. Absorbed by Soviet imperialism, the Poles have continued to fight for personal liberty and national integrity.

Those who have immigrated to the United States have brought with them their love of liberty, and their respect for law and order. They have contributed much, socially, economically, politically, and culturally, to the advancement of our Nation, and have helped make the United States one of the greatest countries in the world.

I take this opportunity, Mr. Speaker, to give recognition to the great number of Polish Americans who reside in the Seventh District of Illinois and whom I am proud to represent in the Congress. They form a substantial part of the group of solid, hard-working American citizens who are the backbone of our country. I can easily recall many Polish Americans from Chicago who are leaders in their community and a credit to their Polish heritage. They are:

Aldermen: Donald T. Swinarski, Casimir J. Staszcuk, Joseph J. Krska, Frank J. Kuta, Robert J. Sulski, Casimir C. Laskowski, Edwin P Fifielski, Stanley M. Zydlo, Robert Brandt.

Judges: Casimir V. Cwiklinski, Walter J. Kowalski, Eugene L. Wachowski, Raymond P. Drymalski, Sigmund J. Stefanowicz.

Justice, Illinois Supreme Court: Thomas E. Kluczynski.

Judge, appellate court: Thaddeus V. Adesko.

Committeemen: John C. Marcin, Theodore A. Swinarski, Mathew W. Bieszczat, Felix F. Kucharski, Edwin T. Kolski, Aloysius A. Mazewski, Hon. DAN ROSTENKOWSKI, Hon. ROMAN PUCINSKI.

County commissioners: Charles S. Bonk, Lillian Piotrowski, Mathew W. Bieszczat.

Board of appeals: Bernard J. Korzen.

Metropolitan sanitary district trustees: John B. Brandt, Valentine Janicki.

Associate clerk of the circuit court: Theodore A. Swinarski.

County treasurer: Edward Kucharski.

City clerk: John C. Marcin.

State representatives: Chester R. Wiktorski, Jr., Chester Majewski, Matt Ropa, Walter Duda, John G. Fary, Louis Janczak, Henry J. Klosak, Henry M. Lenard, John S. Matijevich, Nick Svalina, John F. Wall, William F. Zachacki.

State senators: Thad L. Kusibab, Zygmunt A. Sokolnicki, Joseph J. Krasowski, Frank M. Ozinga.

Mr. Speaker, on this occasion I also want to give special recognition to our distinguished Polish American Congressmen from Chicago: Hon. JOHN C. KLUCZYNSKI, Hon. DAN ROSTENKOWSKI, Hon. ROMAN C. PUCINSKI, and Hon. EDWARD J. DERWINSKI.

It is thus appropriate that on Friday, September 1, which is the 28th anniversary of the invasion of Poland, we salute the unquenchable spirit and endurance of the Polish people. Their battle has not yet ended but we look ahead hopefully to the day when they will join us in the ranks of free nations.

FEDERAL REGULATION OF INSURANCE COMPANIES

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RESNICK. Mr. Speaker, as part of my ad hoc hearings into the affairs of general farm organizations, I issued an invitation to Mr. Frank Sullivan, insurance commissioner of Kansas, to testify about some very serious charges made against his office. Mr. Sullivan, when contacted by my office by phone, assured us that he would appear. Subsequently, in telegrams to me, he pleaded "previous commitments" and did not appear.

Since the Farm Bureau Federation and its affiliates have decided to boycott these hearings, the president of the Kansas Farm Bureau Insurance Co. will not be present to answer to these charges, either.

The statement I am making is on behalf of an individual whose identity must be protected in order to prevent reprisals against him.

However, when this case is taken before the appropriate judicial or administrative bodies, all of the facts and sources will be presented.

It has been brought to my attention that the Office of the Commissioner of Kansas, Department of Insurance, has received highly improper gifts from the Farm Bureau Insurance Cos. of Kansas consisting of two or more annual football and basketball season tickets valued at several hundred dollars.

I do not think it is important that the exact value be placed on it.

The insurance commissioner's office has been placed in the position of accepting gifts from someone he is supposed to be regulating.

I think if this happened on a Federal level that Federal official would not be around very long.

Furthermore, it has been charged that the Kansas Department of Insurance has overlooked numerous improper activities carried on by the Farm Bureau insurance companies of Kansas.

I would remind you again at this point that the Farm Bureau justifies its insurance companies by stating that they exist only to provide economic services for its members.

This justification is difficult to accept in light of the way the Kansas Farm Bureau insurance companies operate.

The top executives of the Farm Bureau insurance companies are also provided with season football and basketball tickets for themselves and their wives and their families.

The insurance companies spend several thousands of dollars a year for membership for their top executive personnel in an expensive Kansas country club.

It is the job of the Kansas Department of Insurance to supervise the activities of insurance companies licensed to operate in Kansas. One must question the diligence with which the department is performing its function in the case of the Kansas Farm Bureau insurance companies. These questions become more serious in the light of the reported gifts that that office is receiving from the Farm Bureau insurance companies.

I would say right here that we all read how the costs of insurance continually go up and how there is now a cry for Federal regulation of insurance companies.

One of the duties of an insurance company is to see that the rate increases are justified. Surely with this kind of padding going on, this kind of puffing up of expenses, the one who finally pays is the policyholder, the automobile owner. It certainly seems to me that the Kansas Department of Insurance is quite delinquent in its duties.

Despite statements by the Farm Bureau that their insurance is provided as a service only for members, it is reported to me that approximately 40 percent of the policyholders of Kansas Farm Bureau insurance neither own nor operate a farm nor have a major agriculture interest.

In Riley County, for example, where the company home office is located, nonagriculture membership is 64.5 percent. It would seem to me that in Kansas it is pretty hard not to find people who are farmers. That has a pretty high percentage of its population directly involved in farming and still the Farm Bureau manages to find them. Unfortunately, the American taxpayers are underwriting these questionable activities on the part of the Kansas Farm Bureau Insurance Co. Despite the fact that the two Kansas Farm Bureau insurance companies have earned premiums of more than $13 million, they paid less than $7,000 in Federal income tax last year.

I intend to furnish this information and other information regarding the Kansas Department of Insurance and the Farm Bureau insurance companies to the appropriate judicial administrative bodies for their appropriate attention and action, and in particular Governor Docking, of Kansas.

This is also very difficult to understand when I am sure their membership are supposedly the farmers of Kansas, the wheat farmers of Kansas. I don't think too many of them could be found out on those golf courses, especially in the summertime.

I can understand Metropolitan Life Insurance Co. or Prudential or Nationwide feeling that their people have to be in the country club but I find it very difficult to understand that somebody selling insurance supposedly only to farmers has to be at country clubs.

It has been charged that the expense accounts of these executives are highly padded. Automobiles for personal use are provided by the company for its executives.

It has been estimated that nearly 1 million miles a year in personal mileage is paid for by the company.

Many of these cars have absolutely no business-related purpose. Many of the cars are provided with trailer hitches for the employees' boats.

It may be that they are in the boat insurance business and they go around appraising boats but in any event, they have trailer hitches on their cars.

For example, one board member despite the fact that her office is in the Farm Bureau Insurance Co. drives a round trip distance of about 550 miles per week to and from her home.

This mileage is paid for by the company.

In addition, there is a blatant and direct overlap in Kansas between the duties, jobs, and functions of the Farm Bureau insurance agents and of the Kansas Farm Bureau employees.

There is also an overlap in office space.

Again, I believe this points up that these insurance companies are used as a source of income.

In other words, income from the insurance companies are funneled into the Farm Bureau operation so they can carry on their various economic and political activities.

THE UNITED STATES AND SOUTH VIETNAM JOIN IN A DRAMATIC PUBLIC EFFORT TO PUBLICIZE FREE ELECTIONS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOGGS. Mr. Speaker, the United States and South Vietnam have now joined in a dramatic public effort to invite world observance of the forthcoming elections in South Vietnam.

This is a remarkable show by the Government of South Vietnam to demonstrate its faith in its ability to have free and open and honest national elections.

President Johnson has chosen, from our Nation, a broadly representative group of Americans from all segments of society, representing all political views, and reflecting the opinions of labor, management, religious groups, and local government.

This is certainly a group we can trust to give us a broad view of the elections, and President Johnson should be complimented for having responded so swiftly and so well.

South Vietnam has also opened the elections and the country to the free press and the United Nations.

In short, we shall have complete evidence on which to base an evaluation of the elections while they are going on and after they are completed.

This is an outstanding show of confidence of Vietnam in itself.

Rarely has a nation embattled opened its doors to this kind of election scrutiny. We ought to be proud that the United States is sharing this moment of democracy, just as we have shared the burden of defending Vietnam against communism.

I commend President Johnson for accepting the Vietnamese invitation.

I hope and pray that this effort will serve to answer those who have cried "fraud" before there was any fraud proven.

I hope and pray that we as a nation take renewed hope from these efforts by Vietnam, for they certainly show a nation willing and eager to be judged by the standards of world opinion.

This is something the Communists in Hanoi have never done and will never do.

The contrast between a budding democracy in the south and a closed dictatorship in the north are now evident for all to see.

Let us take a lesson from this and support President Johnson as he perseveres in Vietnam.

NICHOLAS KYROS, FATHER OF REPRESENTATIVE PETER KYROS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. Hathaway] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, I rise to offer my condolences to my good friend and our respected colleague, Representative Peter Kyros, on the death of his father.

The elder Mr. Kyros, who passed away at Portland, Maine, on Friday, August 25, was born in Greece on January 1, 1882. His early years were filled with great adventure, and his closing ones with satisfaction.

As a child, Nicholas Kyros was caught up in the great exodus that left the old world to seek America. The immigrants brought a wealth of vitality, an idealism and an ambition that has enriched the Nation, and Nicholas Kyros was exemplary among them.

He arrived in Philadelphia in 1892 at the age of 10 and was educated there. From Philadelphia, he moved to Lowell, Mass. In 1907, he moved again to join his brothers in Portland, Maine, where he lived out his life.

He traveled to Portland with his young wife Anna Poulos Kyros, and there raised two sons. Mr. Kyros operated a restaurant in Portland where he became widely known and greatly respected. He was an industrious, hard-working, deeply religious, and honest man, and his success as a businessman and parent attests to his courage.

For this immigrant boy, grown respected, the election of his son as a Member of Congress must have been a source of great pride, and we can take pleasure in the fact that he lived to see it.

When Nicholas Kyros died at the age of 85 last week, Portland lost a distinguished citizen and all who knew him lost a valued friend.

I extend to our honored colleague, to his widowed mother, to his brother, and to their families my condolences upon the passing of their beloved husband and father.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. McCulloch (at the request of Mr. Gerald R. Ford), for Tuesday, August 29, 1967, on account of official business (National Advisory Committee on Civil Disorders).

Mr. Charles H. Wilson, for the week of September 11, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Feighan (at the request of Mr. Albert), for 60 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. McDade (at the request of Mr. Bob Wilson), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

(Mr. Pickle, for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Bingham (at the request of Mr. Charles H. Wilson), for 15 minutes, on August 30; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Bob Wilson) and to include extraneous matter:)

Mr. Fino.

Mr. Bob Wilson.

Mr. Kuykendall.

(The following Members (at the request of Mr. Mayne) and to include extraneous matter:)

Mr. Saylor.

Mr. Reinecke.

(The following Members (at the request of Mr. Charles H. Wilson) and to include extraneous matter:)

Mr. Dow.

Mr. Green of Pennsylvania.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1467. An act to provide authorizations to carry out the beautification program under title 23, United States Code; to the Committee on Public Works.

S. 1504. An act to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans for enterprises to supplement farm income and for farm conversion to recreation, remove the annual ceiling on insured loans, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, establish a flexible loan interest rate, and for other purposes; to the Committee on Agriculture.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5876. An act to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the code.

ADJOURNMENT

Mr. CHARLES H. WILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 52 minutes p.m.), the House adjourned until tomorrow, Wednesday, August 30, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1030. A letter from the Comptroller General of the United States, transmitting a report of followup review of cotton inventory management by the Commodity Credit Corporation, Department of Agriculture; to the Committee on Government Operations.

1031. A letter from the Acting Assistant Secretary for Administration, Department of Commerce, transmitting a report on commissary activities outside the continental United States for fiscal year 1967, pursuant to the provisions of 5 U.S.C. 596A; to the Committee on Interstate and Foreign Commerce.

1032. A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised; to the Committee on Interstate and Foreign Commerce.

1033. A letter from the Executive Director, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases, as of June 30, 1967, pursuant to the provisions of Public Law 82–554; to the Committee on Interstate and Foreign Commerce.

1034. A letter from the Attorney General, transmitting a report on the administration of the Foreign Agents Registration Act, covering the calendar year 1966, pursuant to the provisions of the Act; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DANIELS:

H.R. 12681. A bill to raise additional revenue by tax reform; to the Committee on Ways and Means.

By Mr. DELLENBACK:

H.R. 12682. A bill to amend title 38 of the United States Code in order to establish additional criteria for determining whether certain college curricula are full-time courses of study; to the Committee on Veterans' Affairs.

By Mr. DERWINSKI:

H.R. 12683. A bill to amend the income limitation provisions applicable to veterans and widows of veterans receiving non-service-connected disability pensions under chapter 15 of title 38, United States Code; to the Committee on Veterans' Affairs.

By Mr. GREEN of Pennsylvania:

H.R. 12684. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. HÉBERT:

H.R. 12685. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 12686. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479) by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. MATSUNAGA:

H.R. 12687. A bill to prohibit national banks from engaging in the travel agency business; to the Committee on Banking and Currency.

By Mr. MONTGOMERY:

H.R. 12688. A bill to provide for the issuance of a special postage stamp in commemoration of the 196th anniversary of the birthday of Brig. Gen. Samuel Dale; to the Committee on Post Office and Civil Service.

By Mr. MOORHEAD:

H.R. 12689. A bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL of Massachusetts:

H.R. 12690. A bill to authorize the Secretary of Commerce to make arrangements for an improved insurance protection program for areas where such insurance at reasonable rates is not now available, and for other purposes; to the Committee on Banking and Currency.

By Mr. OTTINGER:

H.R. 12691. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 12692. A bill to provide counseling and technical assistance to local educational agencies in rural areas in obtaining benefits under laws administered by the Commissioner of Education; to the Committee on Education and Labor.

By Mr. PICKLE:

H.R. 12693. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479) by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. ROYBAL:

H.R. 12694. A bill to amend the Internal Revenue Code of 1954 with respect to the estate tax treatment of certain interests created by community property laws in employees' trust and retirement annuity contracts; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 12695. A bill to create an independent school board in the District of Columbia; to the Committee on the District of Columbia.

By Mr. WYATT (for himself, Mr. Ullman, and Mr. Keith):

H.R. 12696. A bill to amend the tariff schedules of the United States to provide that the amount of groundfish imported into the United States shall not exceed the average annual amount thereof imported during 1963 and 1964; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 12697. A bill to provide Federal assistance to courts, correctional systems, and community agencies to increase their capability to prevent, treat, and control juvenile delinquency; to assist research efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes; to the Committee on Education and Labor.

By Mr. STAGGERS:

H.R. 12698. A bill to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised; to the Committee on Interstate and Foreign Commerce.

By Mr. MACDONALD of Massachusetts:

H.R. 12699. A bill to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised; to the Committee on Interstate and Foreign Commerce.

By Mr. PERKINS (for himself, Mr. Thompson of New Jersey, Mr. Dent, Mr. Pucinski, Mr. Brademas, Mr. O'Hara of Michigan, Mr. Carey, Mr. William D. Ford, Mr. Hathaway, Mrs. Mink, Mr. Scheuer, Mr. Burton of California, and Mr. Reid of New York):

H.J. Res. 811. Joint resolution to remove the present limitation on the amount authorized to be appropriated for the work of the President's Committee on Employment of the Handicapped, and for other purposes; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FINO:

H.R. 12700. A bill for the relief of Gaetano Rizzo; to the Committee on the Judiciary.

By Mr. HALEY:

H.R. 12701. A bill for the relief of Dr. Teobaldo Cuervo; to the Committee on the Judiciary.

By Mr. POLANCO-ABREU:

H.R. 12702. A bill for the relief of Lee Chun Hyong; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 12703. A bill for the relief of Giovanni Rampulla; to the Committee on the Judiciary.

By Mr. WALDIE:

H.R. 12704. A bill for the relief of Mr. Rafael Cisneros-Calderon; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Ballot for Peace in Vietnam

EXTENSION OF REMARKS
OF
HON. JOHN G. DOW
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 29, 1967

Mr. DOW. Mr. Speaker, recently I was one of a panel of four speakers, including our outstanding colleague, the gentleman from New York [Mr. Kupferman], who addressed an ad hoc forum on the subject of Vietnam.

This occurred on a Saturday afternoon, August 26 last, at Ocean Beach, N.Y., a resort on Fire Island, where a great many New York City people have summer homes.

The meeting represented no group intending to advance a particular theory. It was open to the public and consisted of the public. Two of the four speakers represented a position favoring a continuation of the present course in Vietnam or an escalation thereof. Two, including myself, favored deescalation and steps toward a peaceful settlement.

My purpose in mentioning all this to you, Mr. Speaker, is to reveal the impressive and significant vote expressing the views of the audience by written ballot at the end of the meeting: 257 votes were cast in favor of deescalation or withdrawal of U.S. troops; 27 votes were cast for escalation or support of the present U.S. policy in Vietnam.

Bureaucratic Arrogance

EXTENSION OF REMARKS

OF

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 1967

Mr. KUYKENDALL. Mr. Speaker, the latest chapter in the agonizing ITT–ABC merger saga demonstrates the human element of peevishness, arrogance and irresponsibility of governmental bureaucracy.

It is interesting to note that the Justice Department has gone into the court of appeals with its case to be based not on antitrust but on a request for remanding the proposed merger back to the FCC. It is pretty obvious that the strategy is one of delaying any decision beyond the December 31 deadline when the merger agreement expires.

By that time, the Department of Justice is hoping that the parties will be tired of legal harassment and call off the deal. If there was ever a more disgrace display of bureaucratic arrogance over the past quarter of a century, one cannot recall it to mind.

Even the manner in which the announcement was made was a nose-thumbing gesture. The Justice Department could have waited until after the Pacific Coast Stock Exchange was closed before announcing it would continue its fight against the merger.

The Government agency might argue that the closing times of stock markets are not its concern, but whoever was responsible for deciding the timing obviously took the New York market into account because the bombshell was fused to go off after the eastern close.

After the announcement, ABC stock went down on the pacific coast exchange as though someone had pulled the plug, as indeed they had, and many investors went with it. The stock plummeted 16¼ points, one of the sharpest declines in the history of the exchange in the 50 minutes of trading that were left.

The Justice Department had waited so long before announcing its opposition to the merger that most people thought it had given up. In fact, on the day of the announcement—Thursday, July 20—ABC rose 6½ points to 102 on the New York Stock Exchange amid rumors that the Attorney General would approve the merger.

The Justice Department should have made the decision earlier and let its position be known on a Friday night after all of the exchanges had closed. This would have given investors time to digest the news. While this might not have prevented selling, it is reasonable to assume trading would have been more orderly given the cooling off period.

As it was, there was not enough time even for investors on the New York Stock Exchange to appraise the situation. There was such a pile-up of sell orders on Friday morning that the exchange had to delay the ABC opening until 12:50 p.m. The stock closed that day at 80⅛, off 21⅞.

What started as an inter-governmental squabble is having wide repercussions. ABC has been given a bolo punch. The ABC stockholder is taking a beating, too, but if the merger is thwarted, the real loser will be the American public.

Memorial for Congressman Herman Toll

EXTENSION OF REMARKS

OF

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 1967

Mr. GREEN of Pennsylvania. Mr. Speaker, it is with a deep sense of personal loss that I rise to pay tribute to our late colleague, Herman Toll. Although I only had the privilege of serving with him for one term, Herman Toll symbolizes to me the vitality and vision of his party and the people of Philadelphia who elected him to four successive terms in Congress.

Reviewing the career of Congressman Toll recalls to my mind the years when my own father was the Democratic leader of Philadelphia and the leader of our city's congressional delegation here in Washington. Although young at the time, I recall vividly the high opinion my father held of Herman Toll and the many instances in which they collaborated on legislation of value to their city and its people.

Such admiration is not difficult to understand. Herman Toll worked hard and long for his people and his district. To this fact I can testify personally. Since his retirement from Congress, I have represented part of his old Fourth District in Philadelphia. Time and again residents of that area have told me that, if I were to serve them as effectively as Congressman Toll, I would more than meet my responsibility as their Congressman.

His service, then, has been a model for me as it was an indispensable source of aid and support to my father.

Equally as valuable was his own work here in Washington. Intelligent, literate, and progressive, he was in the vanguard of legislators concerned about the problems of our cities. Through his service on the Judiciary Committee, he helped to shape the national conscience toward concern for civil rights, and the preservation of constitutional safeguards for all our citizens.

Although we shall no longer have the benefit of his hard work and good counsel, his spirit remains with us today. His efforts in behalf of his people are continued by the dedication of his wife, Rose, who has succeeded him as the Democratic Party's leader in his area. And here in this Chamber, his colleagues from the city of Philadelphia, myself included, will never cease to benefit from his example.

In conclusion, on behalf of myself and my family, I want to express my deepest sympathy to Herman Toll's wife and family. He was a credit to his district, his city, and his country.

Air Force Chief Lauds Van Nuys, Calif., Air Guard

EXTENSION OF REMARKS

OF

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 1967

Mr. REINECKE. Mr. Speaker, the Chief of Staff of the U.S. Air Force, Gen. J. P. McConnell, has commended the 146th Military Airlift Wing, California Air National Guard, Van Nuys, for their unprecedented contributions to the Vietnam airlift. Joining General McConnell in the commendation was the adjutant general of California, Maj. Gen. Glenn C. Ames.

In a letter to the California National Guard commander, General McConnell said:

> I wish to extend my appreciation to all members of your airlift units who have so unselfishly given of their time and effort to alleviate the many problems encountered as a result of accelerated airlift requirements generated by events in Southeast Asia.
>
> The Air Force is especially proud of the manner in which the Air National Guard airlift units have responded to the many exceptional demands which have been placed upon them. Without mobilization of the Air National Guard—

General McConnell said—

> airlift units have made available aircraft, active duty aircrews and support personnel deployment to Vietnam and for many other tasks.

General McConnell's letter to General Ames, continued:

> The overall contribution made by these units is unprecedented. I cannot overemphasize the importance of this ready force of volunteer personnel who continue to serve the Air Force and our Nation in time of need. When the airlift units of the Air National Guard are again called upon to assist the Active Establishment, I am fully confident that they will be as "ready and able" as they have always been.

Mr. Speaker, this recognition of the work of the 146th Military Airlift Wing in Van Nuys by the Chief of Staff of the Air Force is unprecedented. But so is their accomplishment. It merits unique recognition.

The readiness of this unit sets an outstanding example for National Guard units throughout the Nation. During the first 6 months of this year the wing has completed more than 125 overwater missions; 43 flights directly into Southeast Asia and Vietnam. More than 1,510,550 pounds of cargo airlifted; 2,250,000 miles flown and 355,852 passenger miles logged. And there have been no accidents during this period. This was accomplished solely by the part-time duty of Air

Guardsmen. To accomplish this with active duty servicemen would have required 1,300 full-time, 5-day-a-week Air Force personnel.

Mr. Speaker, I am pleased to join with General McConnell in commending Brig. Gen. Raymond J. Kopecky, commander of the 146th, and his men for this outstanding job.

To Be Sure of the Safety of the Peaceful Atom

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 29, 1967

Mr. SAYLOR. Mr. Speaker, if you will look on page 86 of the U.S. News & World Report for August 7, you will note the locations of the nuclear powerplants in operation, being built, and planned. Application of a few population figures will disclose that at least half of the Nation's total population will be within easy reach of at least one of these stations.

Unfortunately, the general assumption is that atomic plants must be situated sufficiently far from centers of population to prevent radiation damage in the event of an accident. The following paragraph appeared in a New York Times editorial last May 14:

> Too many catastrophies have occurred after the most solemn assurances that they were impossible—from the sinking of the unsinkable Titanic to the recent Apollo tragedy—to justify rushing approval of anything so potentially hazardous as a nuclear plant in the heart of a city of eight million people.

Is New York or any other city safe from fallout merely because the plant is situated a few miles outside the center of population? Do city lines or State lines stay off the horrible consequences of radioactivity that may waft at random according to the whims of air currents? Apparently America has been lulled into accepting such theory, but Congress cannot, in conscience, permit fables of this nature to persist if, indeed, there is even a scintilla of the danger that the Atomic Energy Commission itself has admitted is present in a reactor.

In 1957, the AEC estimated that a single accident could cost 3,400 lives, injure 43,000, and cause property damage of $7 billion. Is it not about time that these figures be updated, in view of the fact that today's reactors are 10 and more times the size of the models about which the AEC reckoned a decade ago? The answers can be made available if Congress will approve House Joint Resolution 599, which I introduced on June 1 to create a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States.

Congress needs to know whether the AEC is pushing ahead too fast at too great a risk. If no danger is involved, then it is time to find out why insurance companies will not allow the homeowner to buy a single dollar's worth of protection against damage that might come from an atomic powerplant.

Parenthetically, might I suggest to my colleagues who have labored under the illusion that the premiums on their homes are an investment against the disaster that would come if an accident should take place at that atomic plant way out in the country and visit radioactive material upon your dwelling: go home tonight and get out your policies. When you find the exclusion clause that may be written in relatively small lettering, then come back here and join me in demanding to find out why we are allowing this wild dash into possible disaster. Yes, the Price-Anderson Act provides, primarily at the expense of the taxpaying public, a pot of $560 million to take care of such experiences, but that amount would not go very far among a million or more claimants. At least you would not have any local hospital bill, for the hospitals—like your home and the one next door—would be uninhabitable.

The delegations from the Middle Atlantic States should be particularly interested in the U.S. News map, for it shows that, if the Federal Government is indeed subsidizing disaster, our area is being subjected to such a proliferation of plants that not a single dwelling between Buffalo and Washington or Pittsburgh and New York City would be outside the danger zone. The finger of latent imperilment also points ominously at New England, the Great Lakes States, and at California.

But we are concerned about the safety of every State, every community, every citizen, just as we share the grief of those families in the far-away Rockies where too many miners have been exposed to lethal dosages of radiation in the perilous pace set by the AEC solely to meet its own schedule for producing the fuel necessary to serve the power reactors they are foisting upon an unsuspecting populace. Despite the abnormally high toll of uranium miners, there has apparently been no cutback in the AEC program, and Congress must assume the responsibility of determining once and for all why this inhuman policy is permitted to persist.

In this connection I should like to insert at the conclusion of my remarks a column by John Herling in the June 8 Washington Daily News and an article by Thomas O'Toole in the July 27 issue of the Washington Post. I also insert the full text of an address by the gentleman from California [Mr. HOSMER] at the American Nuclear Society banquet in San Diego on June 13.

I call attention to the distinguished gentleman's endorsement of House Joint Resolution 599, and urge our colleagues to join in support of a probe into a program that may affect the safety, just as it affects the pocketbook, of every American.

[From the Washington (D.C.) Daily News, June 8, 1967]

DEATH IN URANIUM

(By John Herling)

Suffering in silence is no good if you want action.

Not until 150 factory girls were burned to death in the Triangle Shirt Waist fire in New York City more than 50 years ago did the state begin to pass protective factory legislation. The lamentations, the remorse, the bitter self-reproaches did not make the dead live, but they struck down the obstructionists.

Today uranium miners are dying of cancer at ten times the rate in normal occupations. Over a decade tens of thousands of uranium miners have breathed harmful amounts of radioactive material. True, this takes place some distance from the metropolitan areas. But uranium death in states like Utah, Colorado, New Mexico, Arizona and Wyoming is just as criminal as violence in the streets.

The Public Health Service reports this rapid climb in the incidence of lung cancer among the miners from an odorless gas called radon. Of 3415 miners who worked in uranium mines for more than two years, 63 were found by the Health Service to be suffering from lung cancer. Based on the degree of exposure, within the next 20 or 30 years between 200 and 1000 of the men examined will die of this slow death caused by radon.

Now these men won't go all in a group. They will die alone. There will be no jumping from windows, no photographers to catch the bodies as they fall—but they will be dying from criminal neglect just as surely as those tragic Triangle Shirt Waist girls.

Thus far only one state, Colorado—where most deaths have occurred—recognizes lung cancer in miners as an occupational disease and pays compensation to families. The industry takes her man and the wife gets the money. Some exchange!

For years, men like Leo Goodman of the AFL–CIO Industrial Union Department have been shouting warnings against the danger of radiation hazards. Bearers of bad news, from Cassandra down, have never been popular. Slowly a union here, a union there has joined in the warning. But there has been no orchestration of indignation, no concentrated drive to save these miners.

Now Labor Secretary Wirtz, fed up with the tardy movements of the Federal Radiation Council, the Atomic Energy Commission and the Defense Department has moved to exercise his powers under the Walsh-Healy Act. He has issued an order withholding government contracts from mine owners who fail to install machinery to freshen air underground to a safe working level. The opposition is giving him a hard time.

Academic experts—hired out as consultants to private companies—pooh-pooh the Wirtz position that death from cancer in the uranium mines can be prevented at some extra expense. To those who say that his standard of safety is too strict and will close down a mine, he replies: "The controlling question will remain of whether a looser standard will close down a man."

To those who protested that the statistical evidence is incomplete as to just how many have died or will die from lung cancer clearly attributable to radium exposure in the uranium mines, he says: "the controlling reply will be that some undeniably have."

"If the point is made that there is always some human cost of industrial advance, or even of normal commerce, the answer is that none of it can be condoned. That the ground troops, working men and women, paid with their lives for the industrial revolution is no proper precedent for the technological revolution."

[From the Washington (D.C.) Post, July 27, 1967]

URANIUM MINE LEVEL OF EXPOSURE DECRIED

(By Thomas O'Toole)

The Committee for Environmental Information, a non-profit organization founded to foster debate on scientific policy, told Congress yesterday that the new radiation exposure level recommended for U.S. uranium mines is unsafe.

"Any miner exposed to the new standard

for eight to 33 years," the Committee's Dr. Malcolm Peterson told the Joint Committee on Atomic Energy, "many have double the risk of dying of lung cancer than he would in some other occupation. Out of every 2000 miners exposed under the new standard, we can expect 10 to die of lung cancer—twice the number expected in a similar group in the general population."

Dr. Peterson was objecting to a recent recommendation by the Federal Radiation Council that uranium miners be exposed to no more than one "working level" of radiation in their time on the job.

As defined by the Atomic Energy Commission, one "working level" is the amount of alpha radiation (the source in underground uranium mines) equal to about 650,000 million electron volts—the same number of alpha rays generated by a small particle accelerator in operation.

The decision by the Federal Radiation Council to set one working level as the level of radiation a miner must not exceed in his lifetime came after two years of study by the Council staff and 17 years of study by the Public Health Service. Its recommendation of one working level was made over the objections of the U.S. Department of Labor, which wanted to set a limit of three-tenths of a working level.

In past years, the radiation exposure to uranium miners went as high as seven "working levels," a condition most health experts believe led to an estimated 115 deaths from lung cancer in a mining population that was never higher than 5600.

This is a lung cancer rate almost ten times that expected in the general population.

At last count, the uranium miners were being exposed to about 1.7 "working levels" of radiation. To get that down to the one working level recommended by the Federal Radiation Council, Dr. Peterson said yesterday, will cost about $4 million—for the filters and fans to improve mine ventilation, for protective masks for the miners and for better radiation monitors in the mines as warning devices.

"Control measures could reduce the working level to three-tenths" of the level suggested, Dr. Peterson said. "This would cut the exposure to a level at which only miners working 28 years or longer would receive a doubling dose"—one strong enough to double the risk of lung cancer.

"We would like to suggest," Dr. Peterson said, "that this Committee (Joint Committee on Atomic Energy) ask for the figures it will cost to lower the risk. How much in dollars and cents does it take to outweigh health?"

The Committee for Environmental Information—for whom Dr. Peterson spoke yesterday—is a Nation-wide group of 1000 scientists and civic leaders based in St. Louis. Formerly known as the Committee for Nuclear Information, it takes no strong stands on science policies but pushes for full disclosure of scientific facts.

Text of Remarks by Congressman Craig Hosmer at American Nuclear Society Banquet, San Diego, Calif., June 13, 1967

I am happy the ANS picked my State for its meeting this year—and particularly the San Diego area because such important progress has centered here during the past weeks:

A giant nuclear desalting plant in which San Diego Gas and Electric is a major participant has passed the planning and authorization stages and will become a reality of meaningful scope in the peaceful application of nuclear resources.

Also, nearby General Atomics appears to have survived its tribulations as the advanced converter pioneer in the form of significantly trouble-free full-power runs at the Peach Bottom HTGR.

I mention these two companies specifically due to their geographical proximity. Indeed, the entire United States nuclear effort in all its ramifications and you, and all the people in it, deserve commendation. During these past two short decades since the peaceful atom was unwrapped, American free enterprise in partnership with federal government enterprise has racked up an astounding unparalleled record of progress and accomplishment.

Of course, at American Nuclear Society meetings things like that are likely to be said. One of our critics, Congressman John Saylor from deep in the Pennsylvania coal country, charges that we are something like the man in front of the mirror who mutters "how handsome I am." He has introduced H.J. Res. 599 creating "a Federal Committee on Nuclear Development to Review and Reevaluate the Existing Civilian Nuclear Programs of the United States." His resolution would bar from membership on the Committee any member of the AEC or the Joint Committee—and apparently anyone else likely to be predisposed. Personally I am strongly supporting the Resolution. If the Committee does its job, it can only confirm what we have been telling ourselves all along.

You are familiar with that splendid record and I do not intend tonight to belabor the statistics on new nuclear generating plants, or enumerate proliferating isotopic applications, or call the roll of peacetime nuclear heroes and so on. We are not about to relax on our laurels, anyway. I believe a better thing to do is to make a brief assessment of where we are in relation to the future, quickly identify the players in our game and then get into some speculation as to the roles government and industry are likely to play in the future, for they may be different than in the past.

WHERE WE ARE

So, to the first question: Where are we? This is something that really cannot be answered quantitatively or in much of any way except by order of magnitude comparison. That comparison, as I see it, pegs us at around the early Model T era both in technology and as to the peaceful atom's sociological acceptance and consequences. We have a long way yet to go and a vastly larger industry is in the making. The role of government, on the other hand, logically should diminish—but as a practical matter at a slower rate than some would like to see.

WHO THE PLAYERS ARE

This is apparent when one reviews the cast of characters on the nuclear stage representing industry, government and the academic community:

Industry: This is the free enterprise element who wants to make a buck. And that is a very good goal. It has made America the greatest economic force in the world's history. It works just as well with the atom as it does with any other industry. The vast numbers of megabucks involved in getting the nuclear industry underway with the speed it is exhibiting were just not within the sole capacity of free, private enterprise to provide. It was necessary for government enterprise to come up with supplemental support which directly and indirectly runs in excess of a billion dollars a year. I suspect this government enterprise was inspired less by a clear view of the peaceful possibilities of the atom than it was by a tacit acknowledgment of a kind of national guilt complex arising from its initial military use. Spearheading swift civilian developments probably can be classified in the category of an atonement.

Continued large research and development costs to round out the national nuclear power capability in the form of advance converters and breeders makes continued substantial government participation in these areas mandatory for another 15 years or more. Of course factors like the impact of many civilian developments on military weaponry and security, safety, licensing, and regulation and other responsibilities will keep government in the picture indefinitely. However, not necessarily with money or control comparable to the present. Industry should be given as much opportunity as possible to permit economic forces to determine its future without regard to unreasonable government interference. An example of what I consider unreasonable interference is the recent AEC decision to put gas centrifuge technology under wraps on the theory this will delay nuclear weapons proliferation. If IAEA inspection is good enough to police plutonium, it ought to be good enough to police U235. Efforts to uninvent the wheel only make the AEC look silly.

Universities: Universities as operators of AEC facilities have performed a splendid service which I hope will continue. They have played an even larger and more vital role in the production of Ph D's. This will continue both by outright grants of various types and by a wide spectrum of research contracts. In contrast, I believe the so-called scientific community, as such, with its great public prestige and imperial command on federal dollars is due for a somewhat harsh awakening which I will discuss a little later.

Government: Government participation in civilian atomic affairs has been unique and extra-ordinary not just because of the depth of involvement legislated by the Atomic Energy Act, or because of vast public appropriations, or the extent to which international atomic activities have been fostered or the rigid adherence by both Democratic and Republican Administrations to an unswerving Atoms-for-Peace philosophy. Rather, it has been so because of the unflagging strength and zeal with which both the Atomic Energy Commission and the Congress, as represented by the Joint Committee on Atomic Energy, first, have pursued their responsibilities, *AND,* second, have, shall we say euphemistically, cooperated with each other, or say realistically, competed with each other.

The net result is that—with exceptions of course—vacuums which might otherwise have arisen as to in government participation in civilian nuclear enterprise have been rather quickly filled by one or the other of these authorities.

Now it is alleged by some that AEC is passing through a menopause of spirit and purpose. That the objective of the 1946 Atomic Energy Act—the development of weapons—and the purposes of the 1954 Act—the development of peaceful uses—have been achieved and that the Commission should fade away and let the market place take over. To that let me say we have reached the millennium neither in weaponry nor unassisted civilian applications. AEC still has plenty of pep and nuclear sex appeal. Right now it is even taking some anti-monoply birth control pills in the form of a comprehensive study of competition in the industry. More power to it. One or two companies dominating the field interested only in marketing bread and butter types reactors can tend to squelch innovation and progress. This situation has a parallel in the development of jet aircraft engines. Standard piston engine suppliers made regular and progressive refinements of their products. But the radically innovative jet engine emerged from other sources. Competition prevents monopoly and it fosters innovation. AEC's enterprise in going ahead with this study will serve the nation well.

We also hear allegations that the Joint Committee is a monolithic structure, akin almost to the Kremlin, hell-bent on self perpetuation and on ruling the nuclear affairs of this country by fear and intimidation. None of this do I deny. But, by way of confession and avoidance, I make my own allegation that the Committee has been instrumental in pushing many of the accomplishments which have permitted both industry and our national defense to reach their present stage of development. In the future as in the past the Committee will seek to insure United States preeminence across the entire spectrum of nuclear excellence.

Some people have asked me if all this will change drastically in the event the 1968 elections put a Republican in the White House to control AEC appointments and/or shift the JCAE majority and its chairmanship from Democratic to Republican. Based on the experience of the 1954 election and my own notions I would answer that changes there would be, but I doubt if they would be cataclysmic. For one thing, conditions underlying the cooperatively competitive relationship between the Commission and the Committee are extraneous to political circumstances. For another thing, both the Commission's operational programs and the Committee's legislative plans are rather long range in nature and essentially responsive to environmental conditions other than the political climate.

Therefore, whose political star shines brightest over Washington after November 1968 is likely to influence the pace and dimension of changes already underway rather than to alter precipitously their direction and nature.

FUTURE ROLE OF GOVERNMENT, INDUSTRY, AND OTHERS

In any event these changes will affect the relative roles of government and industry and others in the future. They must be reckoned with by all of us and in the remaining time I want to touch lightly on a few of them.

The scientists

First let us take inventory on the nuclear physicists, chemists and any other disciplines to which by any stretch of the imagination the adjective "nuclear" could be applied. Once the wraps were taken off the Manhattan Project and Los Alamos, Hanford, Oak Ridge and other names became romantic fantasies, the American public engaged in a great love affair with science and scientists. The latter were figuratively ensconced in a "Temple of the Living Gods," located immediately adjacent to the Federal Treasury with only swinging doors between. Time and the high cost of accelerators and other basic research tools have altered circumstances considerably.

A greater public appreciation has developed of the need to encourage and support engineers to put to public use the knowledge gained by scientists. Where previously congressmen and senators worried mostly about the proper allocation of public support for basic research between the various disciplines, now they worry about the allocation between basic research and practical developments for public use. It is safe to say that the "easy money" days for scientists are slipping into history.

The Government laboratories

It is also safe to predict that a searching examination of what already is known as the "government laboratory problem" is in the offing. Within the AEC itself the issue is how many and what kind of laboratories it should operate. Without being specific, I think the answer will be "less", not "more." Also within the AEC is the broader issue of the logic or illogic of its budgetary and management responsibility for large and expensive basic research programs which are loosely atomic related but might more appropriately come within the province of some agency more fundamentally oriented toward basic science only. I have in mind here the high energy accelerators as well as the possibility of revising and enlarging the charter of something like the National Science Foundation to encompass their operation.

Laboratories operated by the Defense Department and many other government agencies are part of this total picture as well as the nongovernmental laboratories and universities with which extensive research contracts are maintained. Because the "in-house" laboratory problem is government-wide and because it is pressing, I think the AEC and the JCAE well might take an initiative in solving it in order both to set a government-wide example and to prevent AEC, if it fails to take early action, from being swept into some generalized scheme of reform which may not particularly fit its needs.

AEC peripheral activities

Somewhat akin to the laboratory problem, because it does involve research as well as development, is the issue of how much AEC should continue to promote peacetime civilian nuclear applications in such fields as medicine, biology, food preservation and similar activities. Those who sternly predict that once government gets into any kind of business "it never gets out" must be amazed to see how swiftly and voluntarily AEC relinquishes its isotope production activities the moment private operators can supply the market. The activities from which the AEC might recede I am talking about at this particular moment, however, fall into a different category than isotopes.

In medicine, biology and like areas we do not find a large involvement of private enterprise. The traditional responsibility has been one of government at some level, universities, research foundations and so forth. So the question really is, should the AEC be financing and managing the efforts because they are nuclear related, or should the AEC be urging those who traditionally have operated in an area to assume its nuclear related aspects as quickly as possible? I favor the second alternative.

In food processing and other applications of ionizing radiation by private industry the question boils down to the rate of progress you want to make as a matter of national policy. Perhaps we have tended to overestimate the economic and prestige rewards from moving here at forced draft rather than at a pace determined and financed by industry itself.

By way of contrast, space nuclear power has just one customer, the government, so private enterprise in this area is limited to the prime and subcontractor role. The questions government has not satisfactorily answered respecting it are simply what do we want to put in space and when. Space auxiliary nuclear power is another matter. The rapid penetration of industry into the ocean environment which makes similar power demands, brings government and industry back into partnership on this one.

Raw materials

Having just taken you quickly from outer space to under the oceans, I'd now like to take you to inner space for a moment—into the uranium mines from which the nuclear industry gets its basic raw material. These have been much in the headlines recently and the Joint Committee still is in the midst of extensive hearings on the uranium miner lung cancer problem. In the 1950's the national interest dictated discovery and production of vast quantities of uranium ore. The AEC dutifully and very successfully established a program of prizes and incentives which accomplished the objective. It has done a reasonably good job since of withdrawal in favor of private industry as the prime force sponsoring additional exploration and production. However, from the recent request of the Colorado Springs Operations Office for money to spend on large scale geological surveys, ore beneficiation research and the like, I gather that the spirit of bureaucratic empire building is not entirely dead within the AEC. Resurgent activity in the mining and milling industry leads me to believe, however, that it will be able to supply the new surge of yellow-cake demand even if Colorado Springs does not get all the money it asked for.

In its past efforts to spur uranium production the Commission logically and wisely refrained from attempting to nationalize the mining industry or regulate the mines. That was recognized as an area of state jurisdiction and responsibility. On that basis it was left to the states. Yet the Joint Committee and the Commission because they did so, have been subjected to the severe criticism that they have been neglectful in the matter of radon daughter induced lung cancer amongst the uranium miners. As pitiful as these cases are, it seems to me that we adopted a national philosophy of weaving the emerging nuclear industry into our existing political, economic and social fabric as normally as possible and therefore, that Labor Secretary Willard Wirtz's hasty move to put the government into the mines by way of Walsh-Healey Act regulation is not wise.

His regulation, according to testimony, is impractical and unenforcible. Instrumentation does not exist by which the required .3 working level radon concentrations can be monitored. Already the regulation has had to be amended to cure defects in the definition of the .3 level and to avoid closing down all our mines.

Standards and specifications

I believe the basic fault in this instance, if it can be pinpointed at all, is a lack of proper standards to guide the states in establishing their safety regulations.

In 1959 the Joint Committee attempted to create machinery to provide such safety guides for exposure to radiation. It gave statutory recognition to the Federal Radiation Council to assure their orderly, comprehensive and scientifically sound treatment. The Council was set up to permit inputs from all the executive agencies having talents and responsibilities in the field—AEC, HEW, Labor and others.

The first major radiation problem the Joint Committee recognized and handed FRC in 1961 was the development of protection action guides covering radioactive fallout. At the time, you will recall, atmospheric weapons tests were creating hot spots. In this case we got the FRC to come through, but it wasn't easy.

We had to call hearings in both 1962 and 1963 to keep things moving. We also wrote a lot of letters and finally got the protection guides in 1964.

As soon as these were out FRC work was directed toward radiation exposure of uranium miners. I have no doubt that its staff worked hard to come up with the needed guides, but it was obvious the progress was too slow. Again the Joint Committee jumped in to move things along. As soon as we scheduled hearings, the next meeting of the Council was moved up to complete action on the guides beforehand. This was fine. But then things blew apart. FRC met on May 4th and there was a split decision. The object was to get together again and make one. But. somebody lost the script. The Secretary of Labor overreacted, bolted and put out his proposed regulation. This pre-empted FRC action and, even more seriously, the proposed order by Labor was garbled in a number of technical aspects.

In summary the way we laid things out when we passed the statute setting up the FRC broke down and something has to be done about it. What should be done? Abolish the FRC and reorganize the executive to handle these problems? Strengthen the FRC to take care of this job? Or what?

I don't have the answers—only the questions. But I do know, as you know, that not only safety in the mines, but safety throughout the nuclear industry as well as public safety depends on getting them. And further, that the entire matter of standards and specifications in the broad sense is critical to the growth and development of the nuclear power industry. They are needed by the purchasers of reactors. They are needed by the manufacturers and by their suppliers. They are needed in order to avoid a breakdown of the licensing and regulation process in the face of the avalanche of new nuclear power plant orders.

Milton Shaw deserves great credit for zeroing in on this particular problem and working with all concerned to come up with some of the answers.

Advanced converters and breeders

Mention of Shaw's name, of course, brings up the bitter issue of the best way to go about developing breeder reactors—a program in which private enterprise and government enterprise find themselves in ambiguous, uneasy, but necessary partnership. Milt wants to go the component development route. Industry wants a comprehensive approach, on the theory its objective is not building components, but whole reactors. When listening to Shaw I find myself favoring his approach and when listening to industry I favor its approach. I like to feel that this is not because I am whishy-washy but because I believe that the magnitude of the job—and the resources both government and industry eventually will devote to it—will permit both approaches.

Nor do I wish, by this emphasis on the breeders, to imply any belief that advance converters are in danger of disappearing from the mix of nuclear power systems this nation and the world eventually will end up with. It long has been the custom of a few key members of the Joint Committee to meet informally with both government and industry representatives to exchange views on specific major problems. We have listened individually to lots of discussion, estimates and speculation from burner, advance converter and breeder proponents. We have heard lots about sodium, steam, gas and other coolants. I think the time is reasonably close when we should bring them all together at a formal hearing and get a better fix on when and in what proportion these various type of reactors can be expected to capture their markets.

Controlled thermonuclear reactors

I believe, in evaluating these remarks, we cannot neglect the very real possibility that controlled thermonuclear reactors may be in the picture, too. The Joint Committee actively supports the program and regularly endorses an ever increasing budget. Progress in understanding and suppressing plasma instabilities is excellent. It would be reckless to expect a quick breakthrough in CTR. But it would be even more reckless to expect none at all. When it comes I am certain industry will move swiftly to exploit it.

Plowshare

Since some of you probably think I am pretty far out on the fringes talking about controlled fusion and since my time is about exhausted, to conclude I will just switch to another area many believe is on the fringes but I do not. It is Plowshare. Recently EG&G's Herb Grier, wearing his hat as President of CER Geonuclear Corporation, explained why his company, Continental Oil and Reynolds Electric are pouring substantial sums not only into the Gasbuggy Project to liberate natural gas locked in hard shale, but to set themselves up in the general nuclear rock crushing business on a permanent basis.

Where else, asks Grier can you buy TNT for 30 cents a ton? And, how else can you stuff kilotons of it underground through an eight-inch hole?

Considering the locked up reserves of natural gas alone, Grier estimates that in five to ten years there will be 1,000 shots a year and a total of 30,000 shots is needed in the United States alone. This is a lot of business. I hope the enterprises amongst you will not let CER get it all.

But that is only one area of Plowshare application. It's techniques should be applicable to oil as well as natural gas recovery. As of this week the AEC has a team in Pennsylvania looking into the use of Plowshare to create vast underground storage cavities for natural gas imported into that state from elsewhere.

Our old friend Norman Hilberry of Argonne Laboratory went to Arizona to retire but instead he is developing a scheme to use Plowshare to solve that state's critical water shortage. He would use underground nuclear explosives to develop giant catch basins to retain the State's rainfall, 98% of which is otherwise lost to evaporation.

Then there is the intriguing idea—Plowshare heat sinks. Where there is a potential thermal pollution from a new power plant, before its construction, a Plowshare underground cavity could be blasted which would "cool down" while the plant is built. Then the excess btu's from cooling might be dumped in the cavity as an alternative to thermal pollution or dissipation from towers. Some people think the heat sink idea might even be practical for systems of central heating in winter and cooling in summer for entire cities. I close with these far-out thoughts mostly to underscore my estimate that our atomic industry today really is still in the Model T era and that great opportunities and great rewards lie ahead for anyone with enterprise.

Status of Cardinal Joseph Mindszenty, Primate of the Hungarian Roman Catholic Church

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 1967

Mr. FINO. Mr. Speaker, today we are reminded of one of the gravest outstanding issues in Eastern Europe, as far as religious freedom is concerned. I am referring to the continued enforced presence of Cardinal Mindszenty as a political refugee at the American Embassy in Budapest which now has lasted almost 11 years.

How can we think about trade expansion, most favored nation clauses, cultural exchanges, and technical information releases with a Communist country that fails even to conform to the minimum of international standard, the respecting of the highest church officials of its people? How can one speak of liberalization and religious freedom when the one archbishopric is unfilled, the other is filled by a man who is gravely ill and is over 75 years of age, and the third one is kept from fulfilling his ecclesiastical functions—I mean Cardinal Mindszenty—by an illegal sentence that would not hold up even in a present Hungarian Communist court?

Mr. Speaker, it is with admiration that we salute the cardinal who has the physical and moral courage to stay in virtual isolation for 11 years after a prison sentence of 10 years rather than to abandon his faithful and compromise the basic rights of the church. I hope that our administration will concentrate on this case in order to promote an equitable solution of the same.

Counter-Deterrence and the ABM

EXTENSION OF REMARKS

OF

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 1967

Mr. BOB WILSON. Mr. Speaker, that trenchant observer of the American scene, Will Rogers, once observed that in the field of disarmament Americans had a tendency to scrap battleships while their opponents tore up blueprints. Something of this American tendency of an almost extremist good will is in evidence today with reference to the question of anti-ballistic-missile defense. We talk and talk in the hope that we can persuade the Soviet Union to dismantle its present anti-ballistic-missile system and to refrain from going ahead with further missile defenses. The Soviets stall in the negotiations while continuing to build and deploy their ABM's.

SOVIET CAPABILITIES AND INTENTIONS

The recent study prepared by a special subcommittee of the National Strategy Committee of the American Security Council entitled "The Changing Strategic Military Balance: U.S.A. versus U.S.S.R." has stated that—

> The preponderance of evidence points to the conclusion that the Soviet Union is succeeding in its massive drive toward strategic military superiority . . . (and that) the year 1967 falls in a crossover period with the U.S.S.R. estimates ranging between 16,000 and 37,000 (deliverable) megatons, to equal or exceed the U.S. estimated range of between 8,000 and 29,000 (deliverable) megatons.

This study, with its graphic documentation of the Soviet thrust for military-technological superiority, has received, and continues to receive, widespread attention from leading editors and authorities in both the daily and the periodical press. The New York Times, for example, in a front-page story on July 12, 1967, stated that—

> *The Defense Department did not directly contradict the study's findings,* but argued that deliverable megatonnage was not an accurate indicator of "true military capability."

It has been argued in some quarters in the West, however, that Soviet capabilities as illustrated by the Soviet deployment of an ABM system need not be a cause for alarm, since Soviet intentions are peaceful and the cold war is, in fact, over.

But are the Soviet leaders mellowing? Unfortunately, the most recent evidence would appear to indicate that storm flags are flying in the Kremlin. Some storm signals are:

First. The official pronouncement of the Communist Party of the Soviet Union issued June 25, 1967, in a summary of 50 years of bolshevism. It stated that "the domination of imperialism on the world scene has ended" because of the growth of Soviet military power. The statement also singled out the United States as the "main enemy" of the national liberation warfare movement and charged the State of Israel with aggression.

Second. Appointing—for the first time since Beria's execution in 1953—the Soviet secret police chief a member of the ruling Politburo. This is Yuri Andropov, whose promotion was announced June 22, 1967. Since the KGB—the Soviet secret police—have vast responsibilities for waging unconventional warfare around the world, it would appear that giving Andropov such power indicates stepped-up cold war operations.

Third. Writing in the official Soviet Armed Forces newspaper, Red Star, on June 3, 1967, Bulgarian Minister of Defense, General of the Army Dobri Dzhurov, said:

> The Soviet Union has always been and *will continue to be the main political and material base of the world revolutionary process.* (Emphasis added.)

The general also went on to say that—

> The Soviet Union constitutes the main support of fighting Vietnam.

Fourth. Soviet escalation of the Vietnam war is another example of the Soviet's true intentions. Soviet shipping going into North Vietnamese ports has shown a marked increase this year over 1966. As of June 1967 the rate was 18 per month, with an additional two to five Soviet satellite ships per month. Indicative of this escalation is the Moscow Radio broadcast of July 28 which stated that Soviet ships "leave Odessa practically every day with cargoes for Vietnam."

Fifth. The recent hard line in the Soviet press which continually attacks Israel, "Zionism," and the United States. In reporting this trend from Moscow, the Washington Post of August 8, 1967, stated that the press campaign was one which "to some senior diplomats here recalls the worst days of the cold war."

These indicators of increasingly "stormy cold war weather" indicate that Soviet strategists understand quite well that revolutionary agitation and propaganda, "peace marchers" in London and New York, guerrillas in Africa and Latin America, are techniques of conflict on a par with guided missiles and nuclear submarines. But does it follow that these same Soviet strategists are unaware of the possibilities for nuclear blackmail of the West in the event that they attain strategic military-technological superiority? Indeed, one may well ask whether the present U.S. limitations on air strikes against military targets in North Vietnam result from the steady accretion of Soviet military-technological power.

CHINESE COMMUNIST NUCLEAR WEAPONS DEVELOPMENT

Even if it were possible to disregard the evidence of the Soviet deployment of an ABM system or systems and the counter-deterrence which this poses to the announced U.S. policy of deterrence, it would be still more difficult to close our minds to the ominous developments in China.

The Chinese Communists exploded their first H-bomb on June 17, 1967. It was apparently a sophisticated implosion type in the two-to-seven megaton range. The complicated electronic triggering and measuring devices that would appear to have been required, in this and other nuclear tests, would be of great assistance to the Chinese in building an intercontinental missile. Since the Chinese progress in nuclear weapons development has been faster and more effective than had been anticipated by Western sources, it may be that they will also develop a nuclear ICBM delivery capability sooner than the mid-1970's, which is the time phase previously estimated by Western sources. Moreover, the Chinese now possess the design capability for a multimegaton thermonuclear weapon which can be delivered by aircraft.

The possibilities of the Chinese Communists exercising nuclear blackmail against Southeast Asia countries, Japan, or, indeed, against the United States are underscored in a report released August 3, 1967, by the Joint Congressional Committee on Atomic Energy. The committee said:

> We believe that the Chinese will continue to place a high priority on thermonuclear weapons development. With continued testing we believe they will be able to develop a thermonuclear warhead in the ICBM weight class with a yield in the megaton range by about 1970. We believe that the Chinese can have an ICBM system ready for deployment in the early 1970's. On the basis of our present knowledge, we believe that the Chinese probably will achieve an operational ICBM capability before 1972. Conceivably, it could be ready as early as 1970–1971.

The Joint Committee then went on to sound a warning about the direct threat to U.S. national security posed by Chinese Communist nuclear weapons developments by pointing out that—

> Most significant for the United States is the fact that a low order of magnitude attack could possibly be launched by the Chinese Communists against the United States by the early 1970's. At present we do not have an effective anti-ballistic-missile system which could repel such a suicidal (for the Chinese) but nevertheless possible strike.

THE STABILIZING VALUE OF A U.S. ABM SYSTEM

In the final analysis, the value of a system of deterrence is that which the enemy believes about it. If the Soviets believe that the U.S. deterrent offensive force can be neutralized by their ABM systems to a point at which the Soviet warmaking capability will sustain only an acceptable level of damage—and, of course, their acceptable level may be much higher than ours—then they have achieved a counter-deterrence posture which may lead them to risk—at a given crisis in international relations—a nuclear war.

Equally, if at some future point the Chinese Communists should believe—in the absence of a U.S. ABM system—that there is somewhat more of a "suicidal" element for the United States than for them in a nuclear war, they might, in a given confrontation, launch a surprise nuclear attack on America.

The evidence of the post-World War II period suggests that it has been the stabilizing factor of U.S. military-technological power which has prevented a general war. Today, under the impact of both the Soviet and Chinese Communist military-technological thrust, that stability appears to be threatened. Would the production and deployment of a U.S. ABM system—perhaps even on a crash basis as a clear demonstration of credibility—have a definite stabilizing value on world politics? That it might well do so is indicated by the thoughtful and carefully measured words of the Senate Appropriations Committee. In reporting on the Defense Department appropriation bill for fiscal 1968—August 4, 1967—the committee said:

> It is the view of the Committee that the deployment of the Nike-X antiballistic missile system should be initiated immediately, and the Committee urges the executive branch of the Government to take action accordingly.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 30, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

He that loveth not knoweth not God; for God is love.—1 John 4: 8.

God of love and Lord of mercy, lay Thy hand upon us and hold us steady amid the troubles of this time. The days come and go so fast that we lose our grip on life. We hurry here and there and wonder why we are weary and worn out. We are slaves rather than masters. In fact our work controls us rather than in faith we control our work.

Halt Thou our haste, heal our ailing spirits, direct us in the doing of our duty, stay Thou with us and we with Thee until we come to ourselves. Then let us arise with a strength born of Thy spirit to face the tasks of this day with courage and to keep our faith even against the fury and violence of a world which has lost its true purpose and real destiny.

Abide Thou with us and encourage us to do Thy will that we may be open channels through which Thy redeeming love may flow to heal the differences between men and nations. In the Master's name, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill and concurrent resolutions of the House of the following titles:

H.R. 547. An act to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes;

H. Con. Res. 497. Concurrent resolution establishing that when the two Houses adjourn on Thursday, August 31, 1967, they stand adjourned until 12 o'clock noon on Monday, September 11, 1967; and

H. Con. Res. 498. Concurrent resolution authorizing the Speaker of the House and the President of the Senate to sign enrolled bills and joint resolutions notwithstanding any adjournment of the two Houses until September 11, 1967.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 974. An act to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.;

S. 1477. An act to amend section 301 of title III of the act of August 14, 1946, relating to the establishment by the Secretary of Agriculture of a national advisory committee, to provide for annual meetings of such committee;

S. 1564. An act to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended;

S. 1568. An act to amend the sixth paragraph of section 12 of the Federal Farm Loan Act, as amended, relating to restrictions on eligibility for loans by Federal land banks; and

S.J. Res. 93. Joint resolution to provide for the issuance of a gold medal to the widow of the late Walt Disney and for the issuance of bronze medals to the California Institute of the Arts in recognition of the distinguished public service and the outstanding contributions of Walt Disney to the United States and to the world.

THE LATE DR. JOHN L. TAYLOR

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that all members of the House Committee on Interior and Insular Affairs have 5 legislative days in which to extend their remarks in the body of the Record of August 30, 1967, in tribute to the memory and work of the late Dr. John L. Taylor, staff consultant on territories and Indian affairs of the House Committee on Interior and Insular Affairs.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. MORTON. Mr. Speaker, over the years there have been many fine men who have served the Congress of the United States with great distinction. Among these, Dr. John L. Taylor to me, was outstanding.

Jack Taylor exemplified beyond measure a man dedicated to the well-being of those served by the legislation on which he worked so diligently as a consultant to the Committee on Interior and Insular Affairs. His judgment was never clouded by partisanship nor could he be persuaded to accept a special interest. Jack was truly an objective adviser to the Congress.

It was my privilege through association with him to learn from him in a small measure of his wisdom. As an institution, the Congress of the United States has been enhanced by his service. As members of a great committee we have lost in his passing a dear and personal friend.

Mr. BINGHAM. Mr. Speaker, like many of my colleagues who have served on the Committee on Interior and Insular Affairs, I was shocked and saddened to learn of the untimely death of Dr. John L. Taylor, the committee's staff consultant on territorial and Indian Affairs.

While serving as U.S. Representative on the U.N. Trusteeship Council in 1961, I had the pleasure of making a visit to the Pacific Trust Territory with Jack Taylor. I learned what a warm wonderful human being he was and how widely beloved he was in Micronesia.

In his quiet and unassuming way, he was always ready and able to serve the interests of the committee and of the comittee's clients effectively and selflessly. He will be sorely missed.

I join my colleagues in extending my deepest sympathy to his wife and five children.

Mr. POLANCO-ABREU. Mr. Speaker, the House of Representatives has lost one of its finest and most able counsels, and I have lost a personal friend in the death of Dr. John Taylor, of the House Committee on Interior and Insular Affairs. He was also a friend to Puerto Rico. Jack, as he liked to be called, was both loved and respected here, an affection and regard which he had earned. No favor was too much to ask of him; no task too great; and it seemed that his time was never too limited for this, although his responsibilities kept him very busy, indeed. He was a truly dedicated public servant, and the Congress was indeed fortunate to have his capabilities for these many years. He will be sorely missed.

I had the good fortune in 1965 to take a long, extensive trip through the Trust Territory of the Pacific with the House Interior Committee. Jack Taylor accompanied us as an expert, as a counsel, and as a guide. It was on this occasion that I came to know him as a personal friend and to admire his intimate knowledge of this vast area and the people on these islands. For I was a newcomer to the Congress, while Jack Taylor had already become somewhat of a pillar because of his long and rendering service. An educator, a captain in the U.S. Naval Reserve, a World War II naval officer, an adviser to an important House committee, Jack Taylor spent his life serving his country and people.

I especially want to extend my deepest sympathy to his loving wife and to their five children.

Mr. STEIGER of Arizona. Mr. Speaker, I take this opportunity to pay tribute to Dr. John L. Taylor who passed away on August 29. I knew Dr. Taylor for only these months of the 90th Congress, when we had the opportunity to work together on the House Committee on Interior and Insular Affairs, but it was apparent to me from the beginning that he was a tremendously talented individual who was making a very important contribution to the committee.

This versatile man at once portrayed expertise on both the Pacific islands and the American Indian, and was widely recognized in his important post as consultant to the committee, a position he served for 14 years with distinction.

Dr. Taylor will be sorely missed by the committee and by Congress and it is fitting that his mark be memorialized by the John L. Taylor scholarship memorial fund for students from the Trust Territory of the Pacific Islands. It was my privilege to know Dr. Taylor, and it will be the privilege of students of the trust territories in years to come to know of him.

Mr. CAREY. Mr. Speaker, like all of my colleagues on the Interior and Insular Affairs Committee, I was deeply saddened by the untimely passing of Dr. John L. Taylor, the committee's consultant on territorial and Indian affairs, on August 29.

Dr. Taylor had served the committee with dedication and distinction since 1953. It had been my privilege to know and work with him since 1961 when I became a member of the committee.

Since assuming the chairmanship of the Subcommittee on Territorial and Insular Affairs at the beginning of the present Congress, I found Dr. Taylor's counsel and knowledge of legislation affecting those areas to be invaluable.

Dr. Taylor's life aside from his work on the committee staff was also one of achievement. The recipient of a masters degree from Columbia and a doctorate from Clark University, he devoted a number of years to teaching, both here and abroad. He also contributed a number of articles to various publications concerning education in the islands and prepared instructional materials for the schools of the trust territory which were published by the Navy and Interior Departments.

Dr. Taylor served the committee impartially and objectively, giving his time and energies unstintingly even in the face of a terminal illness as was the case during the past several months. His absence will be keenly felt by everyone on the committee.

I join with my colleagues in extending to the members of his family my heartfelt sympathy and condolences on the occasion of their loss.

Mr. HALEY. Mr. Speaker, the death of Dr. John L. Taylor has removed from the House of Representatives and from the Committee on Interior and Insular Affairs one of the ablest congressional staff members I have ever known. He served as staff consultant to the Committee on Territorial and Indian Affairs for almost 14 years, and was known throughout the Federal Government as a leading authority in these two fields. Dr. Taylor was a man of great ability and integrity, and his services will be greatly missed and his loss deeply felt by all of us who have been privileged to know him.

I became closely associated with Dr. Taylor when I became chairman of the Indian Affairs Subcommittee in January

1955, at the beginning of the 84th Congress. He was a wonderful person to work with, and I knew him not only as a capable adviser but also as a genial traveling companion. Over the last 12 years, we made numerous long and tiring trips together throughout the West, visiting Indian reservations and conducting field hearings on Indian legislation. Thus, I know firsthand the importance of his contribution to the Indian people and to legislation relating to the various Indian tribes. I was continuously impressed by his special sense of dedication and his cheerful and optimistic outlook on life. His great concern for his fellow man and his intense desire to be of service made him especially qualified to deal with our Indian people.

Even with all of the energy and dedication he gave to his work, Dr. Taylor still found time to serve his community and enjoy a full life with his family. Mrs. Haley and I want to extend our deepest sympathy to his wife, Virginia, and to his five children.

Mr. ASPINALL. Mr. Speaker, I wish to pay tribute to the rewarding life and meritorious work of the late Dr. John L. Taylor, staff consultant of the House Committee on Interior and Insular Affairs for Indian Affairs and Territorial and Insular Affairs.

Dr. Taylor came to the committee on December 1, 1953. Before starting his effective work for us, he had served with effectiveness and outstanding distinction in the Navy during World War II and with the Department of the Interior in the Trust Territory of the Pacific Islands. He held a degree of doctor of philosophy and a master's degree in geography from Clark University or Worcester, Mass., and a master's degree in political science from Columbia University.

Because of his experience in the Pacific during World War II and his work with the Department of the Interior, Dr. Taylor was uniquely prepared for the service he was to render to the House Committee on Interior and Insular Affairs and to the people of the United States in general. He had a disposition and personality which expressly prepared him for work with our Indian population and with the people of our offshore areas. His patience with people and his genuine love for them as individuals were all-important assets in his work.

He rendered outstanding and effective service for all of us in the important and, at times, highly controversial legislative battles for statehood for Alaska and Hawaii. In these programs, as in all other programs, he remained almost entirely in the background, furnishing factual information and material, and explaining the hopes and ambitions of those who were to benefit from such legislation to those of us who carried the legislative battle before the House. He was known to all of us as one who regarded the acquisition of factual material in order to build the proper legislative foundation as the most important part of the legislative process.

It was my good fortune, during the years that he was with us, to travel with Dr. Taylor into the territories, especially in the Pacific, and to various of our Indian reservations. He was trusted and admired by all of those with whom he came in contact—coworkers, fellow citizens, nationals, and wards alike. He gave unstintingly of his time and effort in our programs in the Antarctica area, and he personally visited Antarctica.

I can truthfully say that I have never known a more genteel, yet highly disciplined, personality. I shall miss him very much, as all other members of our committee will, as the days ahead of us come and go.

I have, of course, been most familiar with Dr. Taylor's outstanding service to our National Government. However, he has been just as energetic and devoted in serving his community, holding many responsible positions in connection with church, school, and other community activities. In addition, he was an understanding and kind husband and father.

Mr. Speaker, as an indication of Dr. Taylor's outstanding service to his country, I am including, as a part of these remarks, a resolution adopted by the Interior and Insular Affairs Committee on August 30, and a few of the many communications we have received:

RESOLUTION

(Adopted by the Committee on Interior and Insular Affairs, August 30, 1967, upon learning of the death of Dr. John L. Taylor)

The Committee on Interior and Insular Affairs has learned with profound sorrow of the death on August 29 at the Washington Hospital Center of its consultant on Territorial and Indian Affairs, Dr. John Lewis Taylor.

Jack Taylor, or "Doc," as he was familiarly known to all of us, was born November 25, 1910, in Oriska, North Dakota. His education beyond the elementary and secondary schools was at the State Teachers College, Luverne, North Dakota, Clark University, Columbia University, and Stanford University. It culminated with Clark University's admitting him to the degree of doctor of Philosophy in 1953.

Before joining the Committee's staff in 1953, Jack Taylor had served in the Navy during World War II and had had a wide variety of teaching experience in schools and colleges in and out of this country before, during and after the war. He brought to his position as a member of the Committee's staff a personal knowledge, derived from experience, of the people of the Trust Territory of the Pacific Islands and of their problems. More important, he brought with him a gift of patience, a love of people, a spirit of cooperation, a constant good humor, and a willingness to learn and to accumulate knowledge concerning the problems of the Nation's Indian population and of the people of its territories that stood him and the Committee in good stead throughout his fourteen years of service on Capitol Hill. His life was an exemplary one and, though it did not reach three score years and ten, was full of accomplishments for the good of mankind.

In view of all the foregoing, be it

Resolved by the Committee on Interior and Insular Affairs, That the Committee hereby records its sorrow upon the death of Dr. John Lewis Taylor, extends its sympathy to Mrs. Taylor and to all members of the family, and directs that arrangements be made for permanent preservation of this memorial by printing it in the Congressional Record.

AUGUST 31, 1967.

Hon. WAYNE N. ASPINALL,
U.S. Congress,
Washington, D.C.:

Death of Dr. John L. Taylor great loss to Micronesia. His deep and sympathetic interest in these islands and their people will be long remembered and will be of enduring inspiration to those privileged to know him. Appreciate your conveying this message to Mrs. J. Taylor.

W. R. NORWOOD,
High Commissioner, Trust Territory of the Pacific Islands, Saipan.

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
Washington, D.C., August 31, 1967.

Hon. JAMES A. HALEY,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. HALEY: For myself, and for all of those in Indian Affairs who have known and worked with "Doc" Taylor, I am writing to express our sense of loss at his untimely death.

The scholarly wisdom and sense of justice with which he conducted the business of your subcommittee will remain in memory for us in Indian Affairs to emulate.

With deepest sincerity,

ROBERT L. BENNETT,
Commissioner.

AUGUST 30, 1967.

Mrs. VIRGINIA TAYLOR,
Hyattsville, Md.:

Word of the passing of Jack Taylor comes as a shock to me. Because of the proximity of my office to his, our contacts have been frequent and pleasant. I shall sorely miss his presence and his cheerful word.

In a larger sense, Jack was a friend of the people of Hawaii. While making our problems as a Territory his concern, he understood and appreciated our aims to achieve statehood.

Because of his work as an able and dedicated professional staff member of the House Committee on Interior and Insular Affairs, his name has also traveled into the far reaches of the Pacific. The people of these Pacific islands as well as the people of Hawaii share your sorrow in this hour of great loss.

My deepest sympathy to you and the other members of Jack's family.

SPARK M. MATSUNAGA,
Member of Congress.

SEPTEMBER 1, 1967.

Hon. WAYNE N. ASPINALL,
House of Representatives,
Washington, D.C.:

Secretary Dickerson and the people of Guam join me in expressing our deepest sorrow and sympathy at the death of Dr. John Taylor. Dr. Taylor was an exceptional public servant and a good friend of Guam. His passing was a great loss to us.

MANUEL F. L. GUERRERO,
Governor of Guam.

SEPTEMBER 1, 1967.

Hon. WAYNE N. ASPINALL,
House of Representatives,
Washington, D.C.:

On behalf of the Senate and House of Representatives of the Congress of Micronesia, we wish to express our deepest sympathy to the family of the Honorable John L. Taylor and his colleagues on the House of Representatives Committee on Interior and Insular Affairs.

JOHN O. NGIRAKED,
President of the Senate,
Congress of Micronesia.
BETHWEL HENRY,
Speaker of the House,
Congress of Micronesia.

Mrs. Aspinall and I join with Dr. Taylor's legion of friends in acknowledging our loss and expressing our most sincere sympathy, especially to his fine family which he leaves to help carry on his contribution to immortality.

Mr. SAYLOR. Mr. Speaker, it was with profound sorrow that I learned of the passing of Dr. John Lewis Taylor, Consultant on Indian and Territorial Affairs of the House Committee on Interior and Insular Affairs. It is with a deep sense of personal loss that I rise to pay tribute to the life and memory of "Doc" Taylor.

It was my privilege to recommend Dr. Taylor for the staff position on the House Committee on Interior and Insular Affairs, the duties of which he professionally and faithfully performed since 1953, until his passing on August 29, 1967. During these 14 years, those of us who came to know "Doc" Taylor were impressed with the knowledge, counsel, and dedication he espoused so effectively in all his endeavors.

Dr. Taylor was aptly qualified to serve as our Consultant on Indian and Territorial Affairs because of his education and experience. A native of Oriska, N. Dak., Jack was a graduate of State Teachers College, Valley City, N. Dak. He was the recipient of a master's degree from Columbia University in political science, as well as a master's in geography and doctorate in philosophy from Clark University. Thereafter, Dr. Taylor served in Malaysia as an educator and administrator until entering the military service with the U.S. Navy.

Throughout the period of World War II, the Korean conflict, and thereafter, Dr. Taylor developed an expertise on territorial and insular affairs which, in addition to his experience in the field of education, made him acutely aware of the problems of the American Indian community. His outstanding service in these fields have made the name of "Doc" Taylor known in every Indian community of this Nation and throughout the territorial and insular possessions of the United States. His service to the Committee on Interior and Insular Affairs was an outstanding contribution to our national life. The absence of his counsel and person will long be felt.

Although we shall no longer have the benefit of his hard work and good counsel, his spirit will remain with us, for Dr. Taylor was an exceptional person. He displayed a kindness and understanding seldom seen to all who sought his counsel. His patience and optimism instilled others to keep the light of hope burning.

"Doc" brought prestige to his professional, civic, and community responsibilities, and maintained a active interest in his professional military status, retiring as a Captain in the U.S. Naval Reserves. He participated in the activities of the Association of American Geographers and local parent-teacher associations. Dr. Taylor held many responsible positions in the activities of his church and served as a trustee at the time of his death. I had the good fortune to meet his associates in these other endeavors and all, I am sure, are deeply saddened by his passing.

Mr. Speaker, I would be remiss if I did not mention the love and devotion Dr. Taylor had for his lovely wife, Virginia, and their five children. I am certain that such a fine family can be justly proud of their father and husband. For, it can be truly said that he served his family, community, and Nation in the spirit of a great living American.

Mrs. Saylor and I extend our most heartfelt sympathy to his lovely wife, Virginia, and the children, in this hour of their great loss—a loss we shall all share for time to come.

Mr. Speaker, I include herewith the remarks of Dr. James Elliott Mooney, a friend of Dr. Taylor, on the occasion of his untimely passing:

DR. JOHN TAYLOR'S INTEREST IN ANTARCTICA ON BEHALF OF THE INTERIOR AND INSULAR AFFAIRS COMMITTEE

(By Dr. James Elliott Mooney)

In recent years many historians and geographers indicate that "both here and abroad they have been interested in the social aspects of history." There is, however, an underlying intellectual assumption that the historian as a craftsman imparts geography as an integrated portion of their discipline. John Taylor always gave me the impression that writers and intellectual planners were taking time to place their historical subject within geographic bounds.

Doctor Taylor was firm in his belief that any intellectual perspective that dealt with social and economic matters should also include geographic information in order to properly place the thought expressed. He looked with some reservation upon historians, scientists, and economists who kept within the narrow range of their subject. He wanted history and geography to be living attributes with vital motivations. That was why he thought of the new continent of Antarctica (new in the sense of geography, science and economics) as a real opportunity to explore the many facets common to our modern society. He envisioned U.S. Antarctica efforts as a perfect circle, containing all of modern thinking and researching, and that there would be one central place where such would be amalgamated.

So he went to the source of things to find out how this could be accomplished. He studied the many aspects of Antarctica which was an area among many others with which he was concerned. It should be stated here that the many interests which the United States had in Antarctica were not, and are not simple. They are complicated. To glean facts and to research are expensive motivations and during the past ten or fifteen years have largely been the responsibilty of the Federal government.

Antarctica exists as a relatively new continent over the horizon, and at the bottom of the world which is increasingly attracting, and I might add challenging, the interests of modern man and his technology.

Dr. Taylor envisioned that the efforts down there that concerned the United States should be centralized and not diffused, and I agreed with him, and for a number of years I have, with a number of my colleagues, tried to do something about it. Neither Doctor Taylor nor I wanted to tolerate "willy-nilly" or "catch as catch can" scientific organization for scientific research. We both opposed unattached, and uncentralized activities. So, Doctor Taylor and I, at the behest of the late Congressman, (later Senator) Engle, studied to find out ways and means to accomplish something of a basic organizational nature which would make possible good administration through the most practical implementation. It was our belief that a unit in the government should be established as a means to this end.

Doctor Taylor visited Antarctica on two occasions during the recent activities on that continent. He talked with operations people, logistics specialists, scientists, legislators and administrators.

He inspected buildings being used, and spent a good deal of time reading programs and visiting projects being developed. He went inland by tractor and airplane, and I am sure he would have treked by dog team if one had been available. He wanted facts. He, upon his return, outlined what he had seen and heard, and he turned this information over to the Interior and Insular Affairs Committee. He talked with a number of those who were directly involved with Antarctic projects, in particular Admiral Dufek, Admiral Byrd, Admiral Tyree and myself. These conferences were held over a considerable period of time—perhaps several or more years. Doctor Taylor also discussed the programs with repersentatives of the State Department, the National Science Foundation and the National Academy of Sciences.

He talked with Senators as well as with Congressmen. He arranged with others to have Congressional representation in Antarctica each year so that the legislators could observe at first hand the many operations carried on down on the "ice."

Doctor Taylor, in conjunction with others, arranged to have the Commander of the Naval Support Force, Antarctica, and the director of the scientific program appear before the Committee on Interior and Insular Affairs each year to impart first hand the efforts of the United States in Antarctica.

Doctor Taylor came to the conclusion that no matter what activities were being carried on by the United States in Antarctica, they were not tied closely enough together. On this, he conferred with Congressman Engle and Congressman Saylor, with Admiral Byrd and me, and like myself, was a leading proponent of the need for legislative authority to establish an Antarctic Commission. As a result, we were asked to prepare such legislation.

Doctor John L. Taylor did much to further the interests of Antarctica among legislators, who realized millions of dollars were being spent by our Government each year in Antarctica, and it has been difficult to properly assess the benefits gained from our activities in Antarctica year after year.

Doctor Taylor will be greatly missed for his many and greatly varied contributions. Not least among these was his untiring effort to improve the stature of Antarctic research and logistic organization.

Somewhere in the autobiography of Doctor Wiliam Lyon Phelps he wrote:

"The vast majority of persons are compelled to live without prodigious adventures, and without gratification of most of their transient desires; yet ordinary circumscribed existence can be exciting too."

Yet, Doctor Taylor was able to live both types during his life, but his calling while a member of the Interior Committee staff could hardly be termed a "sheltered life." It was "anything but dull."

I think most of us envied Doctor John L. Taylor's calmness and self control, and I might add, lack of ostentation. While Doctor Taylor seemed placid of temperment he was the kind of man who would go to the South Pole, who would endure hardships, not as a dull part of his daily existence, but rather because he had an inquisitive mind and a quiet self-reliance. There is a passage in "Pilgrim's Progress" which is rather emblematical of Doctor Taylor's life:

". . . . yet now I do not repent me of all the trouble I have been at to arrive where I am. My sword I give to him that shall succeed me in my pilgrimage, and my courage and skill to him that can get it. My marks and scars I carry with me, to be a witness for me that I have fought his battles who will now be my rewarder."

TRANSFER OF CONSENT AND PRIVATE CALENDARS AND AUTHORITY FOR SPEAKER TO RECOGNIZE MOTIONS TO SUSPEND THE RULES FROM SEPTEMBER 4 AND 5 TO SEPTEMBER 11, 1967

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the call of the Consent and Private Calendars, in order on Monday and Tuesday, September 4 and 5, and authority for the Speaker to recognize for motions to suspend the rules, in order on Monday, September 4, may be transferred to Monday, September 11, 1967.

Mr. GROSS. Mr. Speaker, reserving the right to object, did I understand that both calendars will be called on Monday? Is that correct?

Mr. BOGGS. That is correct. Both calendars will be called on the Monday after Labor Day.

Mr. GROSS. Both Private and Consent Calendars?

Mr. BOGGS. That is correct. Both will be called.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ESCALATION IN SOUTHEAST ASIA

Mr. DOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOW. Mr. Speaker, many of us are worried and want to sound a warning about escalation in Southeast Asia.

It is true that those of us who have advocated a deescalation of the hostilities in Southeast Asia, and purposeful steps for peace, have been heartened recently. Polls signify that more and more of the American people are coming to see the merits of disengagement. One by one, colleagues of ours in this and the other body are changing their stance and showing more sympathy for deescalation in Southeast Asia.

Nevertheless, I am fearful that some in high stations in our Government will continue to move us closer to the brink. In the present changing climate of American thinking, it is a shame that our bombing advances closer to the borders of China; that it plunges deeper into the civilian areas of Hanoi; that it might at any time be intensified in the harbor of Haiphong, or at the dikes of North Vietnam.

It would be the irony and stuff of ancient tragedy if involvement in world war and all its catastrophe becomes irrevocable, just at the time when the light of reappraisal is beginning to dawn in the minds and hearts of America—just at the time when the great qualities of soul in our country are commencing to rectify our course and set it on the path to peace.

At this critical period, we must warn and appeal and hope that those who hold our destiny in their hands will allow welcome change to proceed and not set it back by belligerent and contrary action.

Mr. Speaker, as a footnote to these remarks, I offer herewith for the body of the Record, the full account of my trip to Vietnam which was my privilege earlier this summer:

A Congressman in Vietnam: Toward a Peaceful Solution in Southeast Asia

(By John G. Dow, Member of Congress, 27th District of New York)

INTRODUCTION

A time occurs in the affairs of men and the events of state when politics and compromise are no longer possible. I have felt now for the past several years that our foreign policy all over the world demands a deep and thorough investigation—by the American people. They are well able to understand these matters, even though some say foreign policy is beyond the scope of the average citizen—a mystery that only a few can perceive.

I have a special conviction about our presence in Vietnam—I believe that it is a mistake.

It is clear that I am not alone in my dissent over our Vietnam policy. As I speak on the Floor of Congress and in many areas of my own 27th District of New York State, it is evident that many of my Constituents feel the same way.

In fact, they joined in a very striking and unusual measure. A large group of these good people in my District banded together and raised funds to send me for an on-the-scene "evaluation mission" to Southeast Asia. This is the first time that a congressman has been sent to Vietnam by his constituents. It was a very impressive way to manifest concern for our most critical foreign policy problem.

It may at first glance seem odd that a representative from a rural district in an East Coast state should feel so involved in Vietnam. But I hold that it is my duty to be concerned in all policy decisions—whether rural and local, or technical and foreign. My constituents are concerned, too, and I owe them a report.

We can see more and more that our gradual involvement in Vietnam is putting us on a dangerous path. We may not escape the spreading destruction. It is a path of pits and traps and quicksands.

I find it disturbing that the American people have not been doing more thinking about examining and weighing the Vietnam threat, which could so easily lead to atomic warfare, the destruction of our civilization—and yes, even much of the human race. All of this I can picture coming as a result of carelessness, or miscalculation, or misinformation in our geopolitical affairs. American families are so careful to provide for their family future. Certainly, they must be concerned for the future of our society. Can citizens who work a lifetime to accumulate college funds, retirement income and life insurance, be any less concerned for safeguarding the world structure we live in? The stakes are too great to be left exclusively to a limited number of American leaders who are deciding the future not only for Americans, but taking it upon themselves to decide for the rest of the inhabitants on our planet.

Too, I think it should be of importance to us, a civilized and perceptive people, in the 20th Century, to consider the feelings, objectives, and aspirations of the other people on this planet.

With a mind full of these thoughts, I went this June to Southeast Asia to see for myself what I could in the capacity of a congressman—and a private citizen.

It was my first visit to Asia, a land fraught with many contradictions and improbabilities as Marco Polo discovered so long ago. My trip was short, a total of 19 days—but filled daily with interviews, meetings, inspection tours and travel. Even though the visit was brief, it was probably one of the most varied and comprehensive made recently by any politician, reporter, or missionary.

I interviewed some 79 people from riot-torn Hong Kong to the inundated Mekong Delta and up the DMZ (Demilitarized Zone) highlands near the 17th parallel and North Vietnam. I talked with 41 Americans in Vietnam, including our principal diplomats: Ambassadors Bunker, Locke, Koren, Cottrell, their aides and special advisors; seven American newspaper correspondents; a USO director; 10 U.S. AID fieldmen; General Westmoreland and some servicemen; representatives of charities; and four doctors in charge of hospitals.

I talked to 13 Vietnamese including Premier Ky, two editors, two Buddhist Venerables, a union leader, two professors, and Catholic Archbishop Nguyen Van Binh. Also, I spoke extensively with the Vatican representative to Southeast Asia, Archbishop Angelo Palmas. And I spoke with nine foreigners of significant status.

In Vietnam I visited the cities of Saigon, Can Tho in the Mekong Delta, and Da Nang on the northern coast near the DMZ. I also visited seven villages, several of which are refugee resettlements. I toured four hospitals, including the Marine-Navy complex at Da Nang.

I traveled quite a few other roads in Vietnam. It is a little risky to travel some of these, but I mention this as a part of the scene there. Most of the roads are unsafe to ride after 6:00 p.m.—for that is the "witching hour" when danger and death are close in South Vietnam.

I interviewed 16 people in Hong Kong, Thailand, and Laos including diplomats, educators, field service representatives of charities, and U.S. AID executives. Many of these individuals could comment on Vietnam only in an indirect way; nevertheless, some of their observations were significant not only to Vietnam but for Southeast Asia as a whole.

I flew into the golden-templed city of Bangkok and then north into troubled Laos. There I was "bush-piloted" to refugee camps near the Red-held Plain of Jars, set down in picture-book landscapes of jagged, mist-capped mountains and wild orchid-flowered valleys.

One question that I was asked on returning home was how much did my position change from the one held before visiting Vietnam. I would say that I haven't changed very much except perhaps in a few lesser particulars that will be noted later. Nothing to be seen in Vietnam can wash away the central and basic mistake that America has made by going there. This point will be better understood if we consider a number of points that do not relate specifically to Vietnam but do involve general principles of foreign policy. These are detailed in the next section.

II. RECKONING BEYOND THE HORIZON

A serious shortcoming amongst us all is the temptation to focus on details of a situation, rather than to reckon with wider consideration beyond the horizon. It is so easy to think that events and misdoings of particular people in Vietnam justify our being there—as if we were responsible for every act everywhere on this globe.

One danger that grips us in these United States is the emotional response, part fear and part hatred, to communism. Communism deserves our opposition, but fear and hatred generally are poor counselors. Rather, we need wisdom and judgment in order to deal with communism's threat. In our anger toward communism, we may find ourselves in many places beating down all legitimate rebellions of men who are trying to improve their conditions. It is true that communism colors some of these rebellions. Yet we must not allow American boys to fight hungry men, and men who are struggling to secure a better existence for themselves. Powerful as any country is, it cannot survive the cumulate enmity of two billion desparate men.

Another doubt that still remains in my mind is whether the United States should be a world policeman. I asked this question of Premier Ky. I said we are a little alarmed in the U.S.A. that we may be imposing a "Pax Americana" on the world, and he said, "You can't help yourselves."

I thought that was a fair comment. Instead of hedging and denying, Premier Ky was saying that, in fact, America is becoming a world policeman. If we are, it seems to me that internally we will take on the trappings of a Police State while externally, wherever we assume the police role, we will be stamping out democracy. Both Pope Paul and Mr. U Thant have shown clearly their anxiety about our role, in part, because they have no voice in the earth-shaking decisions that the United States has chosen to make.

Thirdly, I have had some doubt whether we are moving with the tides of history to be on the beaches of Asia in a period when all the colonial powers are being driven out. The British withdrew, the French were defeated, and the Dutch were ousted. Yet, here we are going back. I know many people say, "Well, we have a different motive." That may be. However, a great many Asiatics, seeing us land on their shores, are not aware that our motive is far different from the motives of the former European colonial powers. This may be unfortunate, but I believe many Asiatics do feel this way.

A fourth important matter is our relations with China. It is plain that we have bases in Japan; we have them in Korea, on Taiwan, in the Philippines and on Guam. I suspect we could find one in Singapore. We support the Taiwan Chinese at their bases on Quemoy and Matsu, from which they launch bloody raids on China's mainland. These bases constitute a chain that the Chinese thoroughly resent. If we add to that two more links on the mainland of Asia, in Vietnam and Thailand, it seems to me that this assures and guarantees us eternal enmity, belligerency, and eventually war with China. In effect we are saying to China, "We will co-exist with you, but only as long as we have a chain around your throat." I am certain that China will never hold still as long as this situation remains.

So, I can't say that I've changed very much in those views which relate to broad policies that lie beyond the internal conditions of Vietnam.

A fifth and supremely important matter is that by escalating the Vietnam conflict in any manner, and by bombing North Vietnam, particularly, we are running the risk of a nuclear confrontation with Russia and China. Our bombs contain seeds of catastrophe that may explode throughout the world.

Accordingly, we have reasons for not staying in Vietnam that cannot be altered or watered down either by circumstances or events in Vietnam—no matter how large these may bulk when one is on the scene there.

III. THE SCENE AND THE HISTORY

Our small jet plane took a hard bank to the right. The blue East Pacific some six-miles below changed rapidly to a rich Veronese-green quilt patchwork of troubled equatorial jungle. I knew then that Saigon was not far away.

"What will I find?" was the question in my mind. I didn't have long to ponder. For swiftly, the long silver wings were slicing a downward path over a bright red-roofed city on the banks of a swollen yellow river lined with rows of black-hulled freighters. The sign on the forward cabin bulkhead signaled in three languages: "Attachez Votre Ceintures de Securitie," "Beos Day Nit Nai," and, "Fasten Your Seat Belts."

Just as I thought the plane was landing in a green rice paddy by a row of thatched, huts, a mile-long concrete runway sprang out beneath. I was watching rows and rows of giant four-engine jet transports in olive green camouflage, then rows of needle-nosed jets poised menacingly in concrete bunkers, then a small one-story building with a large sign reading "Saigon Airport."

The aluminum doors swung open. We stepped out into a sweltering, bright Saigon afternoon. Soon I was riding speedily down long tree-covered streets surrounded by dozens of motorcycles and bicycles.

I was struck by contradictions in the scene. Trees were green, tall, flamboyant but they lined streets that were shabby, smoky, pock-holed. The greenery fronted pastel stucco buildings—many resembling Riviera villas—but, alas, these were shabby, weather-beaten, and gray with scale.

Through the "smog" (for Saigon is also plagued with a deadly combination of steaming humidity suffused with carbon monoxide and unburnt fuel), there was a constant flow of humanity. Vietnamese girls—sitting precariously on motorcycles behind determined young men, long silk gowns flowing elegantly in the wind—were a small touch of charm in the widespread drabness. I was amazed at the number of new motorcycles—Hondas, Suzukis, Lambrettas. When the lights on the street corners turned green, the little vehicles came hurtling through the intersection snorting fumes and growling.

What better sign of inflation in a war-torn and under-developed country? The money to buy shiny new high-powered motorcycles (mostly Japanese) has come, apparently, from war profits and indirectly from monies that Uncle Sam has put in the country. Here the city-dwellers are benefitting, finding a new way of life for the first time in their experience.

Certainly they are willing to let affairs continue as they are—taking their wives and families to the city's outskirts on weekends, visiting local temples, riverside cafes, or a new hilltop monument to an Unknown Soldier.

One of the major troubles in South Vietnam, I was immediately told, is widespread corruption, especially in the area of Saigon. This is admitted on all sides. Premier Ky told me personally that he knows of it. But he said, "I just can't eliminate officials every time I find there's something out of order. I often have to wait and wait. And I don't have the people to put in their places. Too, I have to wait for the right moment. Corruption isn't easy to eliminate here."

The corruption is thought to be most prevalent among Vietnamese military officers who have been appointed Province Chiefs. This group controls the rice distribution, a source of great power.

As an entry to the present condition in Vietnam, I think it is essential to note recent Vietnamese history. I mention this because quite a few people, both South Vietnamese and Americans, told me that it is impossible really to understand the situation without some historical background.

Vietnam has been a French colony since the 1880s. But, according to an eminent authority, the late Bernard B. Fall, it became infiltrated in the 1920s by communists, who immediately established the effective "Indochinese Communist Party" (ICP). In 1945, after the surrender of Japan, the Viet-Minh and the ICP disarmed the Japanese before the arrival of the Allies, and took over the extensive Japanese power structure. At Tehran and Potsdam it was decided that the former French colony would be occupied by the Chinese Nationalist forces down to the 16th parallel and by British Commonwealth forces in the south. The Chinese Nationalist forces did not behave well and are remembered with bitterness by the peasants.

On August 16, 1945, the Viet-Minh announced the National Liberation Committee of Vietnam and shortly thereafter they entered Hanoi. Emperor Bao-Dai in the city of Hue surrendered the great seal of the Vietnamese Empire and abdicated.

On September 2, 1945, Vietnamese independence was announced from the Hanoi opera house, and Asia's second oldest (after Outer Mongolia) Communist state was born.

In late 1945, the French were allowed to return as colonists. Finally, after the French defeat at the battle of Dienbienphu in 1954, the Diem regime came into power in South Vietnam, and Ho Chi Minh retained firm control in the North. However, the autocratic Diem regime did not suit the peasants too well.

As a result of exploitation through centuries as well as recent years, it is said that the peasants have developed antagonism to outsiders, which includes their own government agents as well as foreigners. Vietnamese in some of the rural areas can hardly distinguish between French and Americans. These are all strangers to the peasants who use a generic word "nguoi ngoai-quoc," which means literally, "person outside country."

Those who explain South Vietnamese government say that the French policy in Vietnam was to divide and conquer. This legacy is very important to remember for later on I will dwell on the divisions among groups in South Vietnam.

I would like to mention something about American personnel in Saigon. It is apparent—in many places—that we are in South Vietnam in great numbers. But in Saigon, it is not especially obvious. The U.S. military has kept the soldiers largely out of the city. In fact, the general feeling about American soldiers is that they are conducting themselves better than any U.S. troops have ever done before in any place where they've been sent overseas.

The immensity of the American presence is better seen at the great military bases such as Bien Hoa outside Saigon, Nha Trang, Cam Ranh Bay on the coast, and Da Nang up north. Within the bases, the vast extent of our commitment is visible. Hundreds of planes, trucks, armored vehicles, oil containers and hutments are lined up in profusion, all surrounded by barbed wire, sandbags and concrete bunkers. Looking from the air at this land of bright green rice paddies and clumps of verdant trees, our bases—laid out in huge sprawling concrete rectangles—are so out of place, an obviously foreign intrusion.

IV. FRAGMENTATION IN SOUTH VIETNAM

One of the most serious conditions prevailing in South Vietnam today is the fragmentation of the society. If I learned anything on the mission, it was this: South Vietnam is a collection of many separate groups who are talking very little to anyone—especially to one another.

One of my principal concerns was to find out about the Buddhists, for that is the religion of the majority, although the devoutness of the people varies greatly. I spoke first to Thich Tam Chau, principal Buddhist leader at the Saigon temple. He is a man of peace; and simply stated, he would like the situation returned to the Geneva accords of 1954.

Next I spoke with Thich Tien Minh, head of the Buddhist Institute and a representative of the celebrated dissident Buddhist leader Thich Tri Quang. Thich Tien Minh is a man of high intelligence. He says we are not winning the war, and it is useless to fight "without the support of the people." He opposes the bombing of North Vietnam.

However, I found that all Buddhists oppose communism. Minh urges that the U.S. take a stronger hand in the South Vietnam government. This is an attitude very prevalent among Vietnamese, especially the intellectuals and others dissatisfied with the present regime. Unfortunately they think the U.S. can control South Vietnam as it pleases. Thus many of the faults of present government leadership are laid at the door of the United States. When General Ky acts in a manner they consider to be wrong, they say, "The United States let it happen!"

However, officers in our diplomatic corps do not regard Ky as a puppet. They add, "We wish he were. He's very difficult to handle." The Premier might be considered a creature of the United States in a general way, yet still not cooperative with us in day-to-day specific matters.

Another of the indigenous religious groups is the Hoa Hao, a sect having Buddhist affiliation and very strong in one province of the Delta. They have been effective in keeping communists out of that province. Then there is the Cao Dai, an animist sect having considerable strength in the northern areas.

One group in Vietnam that most of us forget though—a group politically inert—is the "overseas" Chinese. A million Chinese live in South Vietnam, but you hear little of them. Perhaps they seek obscurity since they are torn between relationship to their mother country and their strong commercial commitment in Vietnam.

It was somewhat difficult to reach the Chinese group in Vietnam, and I had to talk to them indirectly through intermediaries. Many of them are eminently successful businessmen who prefer to remain anonymous.

They have had little political freedom or, you might say, few privileges of citizenship in Vietnam. The new constitution attempts to remedy this condition. I believe that they will be brought into a more active role. Many of the Chinese have sons fighting in the South Vietnamese Army, abbreviated and called ARVN.

Another interesting and important group in Vietnam are the Catholics. I interviewed the Archbishop Nguyen Van Binh, at his headquarters in suburban Saigon. I then talked with the Apostolic Delegate, Archbishop Angelo Palmas, from Sardinia. He is the delegate to Cambodia and Laos as well as to South and North Vietnam.

The two archbishops speak in the same spiritual vein as Pope Paul. One of them indicated it would be acceptable for the present government to sit down for talks with the Viet Cong. They are very much for peace and would like to see the bombing ended. At the same time, they think the North Vietnamese should respond by stopping the infiltration and acts of terrorism.

Then there is the labor group. Nearly one-half million workers belong to three principal unions. I spoke with the Treasurer of the CVT, by far the largest union. They strongly support the war, yet they, like others whom I met, are worried about corruption. "Any aid that America gives to be successful should go directly to the peasants," the Treasurer said. The CVT is also trying to organize the peasants and stresses that our aid is being soaked up by middlemen within the chain of corruption.

Then there are the intellectuals—brilliant, but a little impractical. I interviewed two newspaper editors and two university professors. Some of these men have been imprisoned at one time or another by the Ky government. They, too, do not care for communism and are quite vehement in saying so. Two of them once owned rice paddies in North Vietnam and are understandably resentful that their land was taken away. Like the Buddhists, these very verbal men hold strongly to the viewpoint that the U.S. can do almost anything it wishes in reconstituting South Vietnam. "America is all powerful. She should straighten out our troubles."

But they, too, admit to a lack of any unity in the country. The following conversation may throw light on their thinking:

"Couldn't you subscribe to a document like our Declaration of Independence or a charter or articles of faith reflecting the desires and goals of the South Vietnamese?" I asked. "Why doesn't the United States give us one?" they answered.

"Americans can hardly understand your problem as well as you yourselves," I replied. "If you could formulate the articles of faith that are needed, certainly the United States would help you." I realized my answers were falling on skeptical ears. This conversation revealed that South Vietnamese set a high value on advice and precepts that they think the United States is capable of providing. At the same time they are sensible of the woeful inability of their society to coalesce into a form that is capable of absorbing such benefit.

It is important to note that in South Vietnam there is no true leader whom all groups admire. Hardly any leader in South Vietnam has the respect of more than a single faction of the society. South Vietnamese face a dilemma. They don't want communism, yet they have so little to put up against it. They are relying, I think, too much on the United States to provide the props for their society, to develop a program, move the pieces, and designate the leadership. I believe that they must do more of these things themselves.

The Montagnard tribes in the mountains are one segment of Vietnamese society that I did not see. Knowing that they have special problems in order to maintain their own identity, I wish I might have visited them, but it was not possible.

Still another element in the society, of great magnitude but little leverage, is the refugees. Mr. George A. McDonald, head of our AID mission there, spent all of one morning explaining the program of the U.S. AID Mission to me. He is a dedicated gentleman. He said that by the end of the year, roughly, the number of refugees who had come in from Vietnamese villages would reach the mark of 2,400,000, and by that time the number held in resettlement camps would be 1,800,000.

Let me say that one of the heartening aspects in Southeast Asia is the great work of many people from the U.S. AID Mission and in the charitable organization from the United States. Here are dedicated, courageous and sincere Americans who are trying to help the Vietnamese in every possible way. These are Quakers, Menonites, people of many religions, doing their best work under the most trying conditions. We can be proud of them. No matter what the settlement is at the end, I do hope that the work of these people may be permitted to continue.

Two sets of rivalries add further to the fragmentation of South Vietnam. One of these is the jealousy among South Vietnamese towards northerners. Nearly all of the Generals in the South Vietnamese army are northerners. This may account for faults in the performance of that army and for disenchantment among the peasants about the leadership in Saigon. A still further distrust exists between the military and civilians. Clearly the military dominate the government. Yet I heard nobody in South Vietnam volunteer approval or praise of their military administration. Many are critical of it. While the military ticket of Generals Thieu and Ky that came to be selected for the elections has clearly a lead position, I am not in the least certain that it is basically a popular ticket.

Finally, in this recital of divisiveness, there are the peasants, a vast segment in South Vietnam and probably the largest group of all. Eighty-five percent of the people in South Vietnam are rural inhabitants. These people are there, but they are awfully hard to reach. The historical alienation of these millions, which I have already mentioned, is part of the problem, and I'll talk more about it.

It is a good question whether the divisions in South Vietnam will be resolved by the elections for President which are set for September 3. Besides Ky, the only one of the other candidates whom I met was Dr. Suu, who is President of the Constituent Assemby. Dr. Suu impressed me as a flexible person. I also take note of a candidate named Huong, who is rather a solid, not too brilliant man, but said to be reliable and honest. He was a Premier at one time and has a past record that is respected. He has the advantage that he is a southerner.

A further electoral problem is the advantage that a well-known candidate like General Thieu or General Ky enjoys because of being a head of the Government. He can have helicopters, loudspeakers and all the paraphernalia necessary to win, but which is hardly available to other candidates.

The electoral process will depend somewhat on the security that is maintained. The Chief of Security, General Nguyen Ngoc Loan, is regarded as being high-handed and one who would employ "questionable" methods to throw the election in favor of the military group. Reporters in Saigon told me that if Loan were not ousted, we might as well discount the value of the election. Since the time I was in Vietnam, I have heard that the General's power has been curtailed somewhat.

The principal conclusion to draw from all this, and one of the essentials in appraising South Vietnam, is the fact of the overall division in that society. Let me not imply that there is open hostility between these groups. There is some to be sure, but the real trouble is the paucity of effective dialogue between them. Each aspires to the achievement of a different objective, primarily the success of its particular group purpose. Each is waiting for the time when its own coin will come up heads and hoping that its particular cause will triumph in the end. Such orientation of purpose, more toward special objectives, and less toward defeat of the Viet Cong, makes a truly national success in the war very difficult.

To me, the forthcoming elections have somewhat the aspect of an American "mechanism" that we imagine will make Vietnam perform like America in the ways of democracy. After centuries of despotism and corruption, is it likely that democracy will spring full-fashioned into the seats of government, upon the happening of this election? Moreover, in the midst of warfare, where something like half the villagers will not participate and where the polls will be conducted "under the gun," what degree of validity can we expect?

I believe the elections should be held and we should wish well for them. But let us not entertain illusions that they will be a panacea for much, or truly conclusive.

V. THE FORGOTTEN MULTITUDES

From the small iron-corrugated building of "Air America" headquarters at the Saigon airport we were taken to what appeared to be a prototype of a new vertical take-off craft. This was a twin-engine, high-wing passenger plane from Europe. My luggage was packed in the fuselage compartments near the tail.

Very soon Saigon became paddies and fields as the plane inched through clumps of white mist loitering on the outskirts of the Vietnamese metropolis. The fields soon turned to water-logged rectangles and twisting rivers sprawled in all direction. This was, I realized, the Mekong Delta. So much water—muddy, blue, green, brown—all varieties.

Then there appeared what looked like yellow straw-covered islands tufted with dark green trees. I realized they were hamlets and villages, huts of reeds sitting above the rivers and lakes on poles. Long, canoe-type boats were seen on the waterways. On this inundated land is grown the country's major produce. It is the rice bowl of Indochina, a rich asset to the South and desired by North and—perhaps by China? The plane landed at the province capital, Can Tho.

In the Delta transport is difficult. Few roads exist and even fewer power lines and telephone poles. Viet Cong snipers fire from thickets of bamboo across streams, rivers and canals, where pursuit is almost impossible. Paths exist amongst the village huts, but bridges are precarious and frail. It is here I realized the depth of isolation of the villages and its people. One can sense their puzzlement about visitors as they watch from the shadows under the thatch of their homes.

The attitude of the peasants in Vietnam should be a massive concern to us. I was not able to detect it directly myself, for the problems of language and time prevented me from learning more about their feelings.

It must be remembered that the history of rural villages throughout the colonial world—and the world of the under-privileged nations—is a long one of outsiders always taking something, but never giving anything in return. Taxes, sharp trading for agricultural products, high rents and a host of other abuses have been the lot of the villages in Africa, Asia, and South America. And this is epecially true in Vietnam.

A scholar and anthropologist who lives in Stony Point, New York, Dr. Louis Dupree, brought this to my attention before I went to Vietnam. My observations confirm it. In this connection, he noted a scientific theory that the village community in isolated under-developed areas is conditioned to protect itself from outsiders, not only from foreigners but also from their central government.

In some Vietnamese villages, when strangers come, the real elders stay hidden and incognito. It could be that among these people the Viet Cong secure their converts and represent themselves as resisters to enemies of the village. It is clearly very hard to convince the villages, after centuries of this relationship, that suddenly a platoon of foreign soldiers who come into the village will be deliverers of something good for them.

Let me come to one point on which perhaps my thinking has altered a little since the Vietnam trip. This relates to such commitment or obligation as may be owed to those people in South Vietnam who have braved danger in their trust of the United States. The village elders who assumed office in the face of terrorism should not have to suffer as a result of their faith, it seems to me. Later in my visit, when I was close to the DMZ, I saw about 14,000 refugees from there who were being resettled. These people come out largely under the leadership of a Catholic priest named Father Co, who invited me to tea. Now wherever you go in Vietnam, no matter how miserable it is, the Vietnamese invariably bring out very pretty tea cups serving you jasmine-flavored tea. And from somewhere in that forlorn resettlement camp near North Vietnam, Father Co brought out very beautiful tea cups. Father Co is a leader of these people. He's a very intelligent, gentle man. Some how or other we should assure such community leaders protection under any settlement of the conflict.

VI. A LAND OF TORMENT

When we flew up from Can Tho in the Delta to Da Nang in the north of South Vietnam, it was possible to see a gorgeous vacationland. Rio de Janeiro is beautiful, but Nha Trang, Cam Ranh and Da Nang are just as beautiful.

High, dark-green cones of jungle mountains rise around those bays. At the feet lie shelves of ordered rice fields, green and tan and white. Vivid green waters edge along the rocky shores in places and then farther out, the water deepens to blue and then swiftly to deep blue.

Yet here a war rages. Occasional puffs of gunfire, flashes from gun muzzles and secret mortars in the mountains are here—not easily seen, but well understood by all who fly that land. The visibility of American bases within these beautiful harbors is all too regrettable. Fortified rectangles, acres of acres of equipment, and facilities for modern warfare are laid out on the shores of Elysian-like bays. And the base at Da Nang, headquarters for the conflict at the DMZ, dominates the city of Da Nang itself.

As for bomb destruction in the fields and villages—I can't speak with much authority because I saw rather little of the country at close hand. On my flights, it was possible to see some evidences of bombing and pockmarks on the hills, and bomb craters here and there. I would say that most of this evidence was outside of the villages, and rather small as a fraction of the untouched land. A good deal of the bombing has been done in hedgerows and ditches rather than in actual villages.

I visited the public hospital in Can Tho, the Delta and in Da Nang up North. The hospital in Can Tho was not overloaded, but the one in Da Nang was. Because of two patients to a bed, traction cases here could not be positioned as they should have been. I judge that there are close to 400,000 civilian hospital cases annually in South Vietnam. Of those a little over 10 percent—about 50,000—could be due to the war. However, not all civilian casualties of the war manage to reach a hospital.

I spoke to several patients in the hospitals. Though aided by interpreters, conversation was still very difficult. One of the great handicaps that obviously face us in Vietman is the language barrier. Speaking to a number of patients in the hospitals, I asked them how they came to be injured. I talked to 18 civilian patients, 13 of them casualties of the war. Civilian casualties are often a result of kerosene stoves upsetting in the home. According to some hospital authorities, these create more burns than the napalm does.

Of the 13 civilian war casualties to whom I spoke, three claimed to have been struck by Viet Cong weapons, two by ARVN and one by American, while two did not know. Five were struck by objects from the air, although just one felt sure that the missile was American. This isn't a very extensive sample; I hesitated to bother those people. I spoke only to those who appeared composed enough to talk without inconvenience. I saw only four cases that were admittedly burned by napalm. That was in the hospital at Da Nang. No napalm cases were evident in the hospital at Can Tho. Normally, they say there will be about three napalm cases a month in that hospital. I don't know how many more there might be in the provincial hospitals. This is a debatable subject. I don't pretend to know any more than I saw.

We come at last to the principal question that I asked in Vietnam, indeed, that I asked the greatest number of people. It is this question: "What makes the Viet Cong fight so hard?" There were two classes of answers. The most prevalent view was that offered by American civilians, namely, that the Viet Cong are drugged by massive doses of propaganda originating in China, coming down to Hanoi, and finally reaching the Vietnamese peasants through communist representatives. Another view holds that the Viet Cong fight because they are intimidated or frightened into it. While there is certainly some truth in these views, I can't say that I subscribe to them wholly. I think they are a little oversimplified because the Viet Cong couldn't fight so hard as they do without something more than intimidation to inspire them.

On this subject I talked to others, particularly to our newspaper people. Of the nine press writers I spoke to, eight of them told me we are not succeeding in Vietnam. So I rather judge from this that the American newspapers are not printing completely the views of the reporters on the scene. I don't say that I saw an absolutely representative cross section of newspapermen, but most of those that I talked to indicated that we are not succeeding. These men gave me a better idea and a little more explanation of why the Viet Cong fight as they do.

To the Viet Cong the conflict is a struggle for nationalism. Nearly everyone with whom I raised the subject agreed that 20 percent are nationalists who are continuing the wars of the past, seeking some national fulfillment. Also remaining among the peasants is a dislike of the French and foreigners generally. A part of this dislike has been transferred to Americans. Another grievance is abuses by the government in diverting rice and levying heavy taxes.

Still one more grievance that was mentioned quite often is the lack of opportunity for advancement. In Vietnam hardly anyone has become an officer in the ARVN, unless he holds a second baccalaureate. This is equivalent to completing junior college in the U.S. Bright young men who don't have that education apparently find more opportunity for their aspirations in the ranks of the Viet Cong.

As everyone knows, terrorism is a problem in Vietnam. The Viet Cong certainly employ terrorism. Terrorism is an article of their instructions; this point was emphasized to me by one of our American leaders. He admitted that South Vietnamese soldiers committed acts of terror and torture also. But, he said, at least it's not an article in our program, as it is in the program of the Viet Cong. I tallied up a number of the acts of terrorism that were listed during two weeks. There were 75 cases. I took one of the two-week lists and went over it. About 25 of the cases were directed at village elders—people who are leaders in the South Vietnamese society.

One-sixth of the cases were efforts to demolish bridges or village halls or facilities. Another one-sixth of them were outright attacks upon the ARVN soldiers. Still a third of the cases were apparently indiscriminate terror wreaked on individuals at random. Whether the Viet Cong had particular aims when they committed these indiscriminate acts I don't know, but there was no evidence of it in the list that I saw.

Next, let us examine the question of the pacification. This is very important, I believe. The pacification is an effort to complement military activities by teaching and aiding the peasants. There must be now about 400 pacification teams of 59 men each who go out into the villages and stay six months. These are Vietnamese. Few of these teams are up to their strength of 59. They wear black uniforms. They train for the purpose of helping the villagers. Half, or 30 of these men in each team, are police officers. They are armed to protect the group. Some of these South Vietnamese are doing a good job, yet others are not. They were criticized by at least one of the Buddhist venerables with whom I spoke, by the intellectuals and other people, and by our newspapermen.

Some members of the pacification teams tend to be corrupt. Many of them are said to join the pacification teams for reasons of prestige. They have sometimes had a record of being afraid. When it gets to be six o'clock, a number have been going back to the city, not staying out in the villages. The report on these teams is mixed. Undoubtedly some have done fine work.

Americans are oftentimes present with such teams. These are men of the U.S. AID Mission and they are dedicated. They serve as agricultural workers introducing new crops. They advise and train the South Vietnamese police. They conduct training in medicine and health. They aid in varieties of community activities such as road and school-building. It is impressive to see these AID officials at work. The one drawback is their limited numbers.

A chief thing to note about the South Vietnamese pacification teams—to me, the critical factor about them—is that they must always have a platoon or a company of ARVN soldiers with them. Obviously it is not safe for the pacification teams to be out there and to do their work without this protection. The protection also includes national police and local militia. All this is very significant. It suggests that pacification cannot be achieved by good works alone, without military protection. It suggests that these military forces can never depart but must stay perpetually to guard the pacification. If American boys must be there, too, as reinforcements, it is a dismal future because of the numbers required.

The Chieu Hoi program was explained to me. This is the "Open Arms" policy and that's what Chieu Hoi means. It's purpose is to entice Viet Cong to come over to our side. In recent months more have been coming. About 40 percent more have come at this time than a year ago. Viet Cong who accept the open arms are given a personal allowance plus a bonus for weapons they turn in. There's a specified price on each kind of weapon. However, it's a little puzzling whether this program is all that it seems to be. I talked to one American newspaperman. He said that in a Delta camp where the Chieu Hoi plan was in effect, 60 Viet Cong were being held and reconstructed. He found that only one had been an arms-bearing soldier of the Viet Cong army. Most of the others were, I gather, camp-followers who came in for the rewards. This was the point that one of our correspondents made.

Many of our soldiers, our marines in particular, take time and are assigned to work in the villages of South Vietnam in order to help the people. They make a tremendous effort. I know that our men are well-disposed and very kind. I went to one village where marines were staying and was given the opportunity to address them. They are doing their best. Yet, it must be admitted, and this was apparent from my talking with some of them, that military men are not trained to specialize in this kind of community rehabilitation. Some have the knack, but not all.

We can expect our military to do their share on the military side, but you can hardly expect our boys, however well disposed, to win the pacification program by themselves.

It requires a long while for our soldiers and marines to secure the confidence of the villagers in Vietnam. Many of the people to whom I spoke in Vietnam said that it would take three, five or more years to win or to end the war. This was the opinion of half the people I talked to. The other half said that the duration of the hostilities is unpredictable. I asked many people, "When are we going to win?" "I don't know," they replied. "It's going to be a long time." The answer was similar, whether said by Vietnamese or Americans.

Beyond this, nobody ventured to picture what a win would be like. Would it be a complete pacification of South Vietnam? Pacification will require an infinite while, as I have indicated. Or would it be an American invasion of North Vietnam that would achieve the victory? As you know we are facing the North Vietnamese Army at the DMZ, the North Vietnamese have three divisions which are fighting against our one division, the First Marine Division. That division is doing very well. It is beating the North Vietnamese divisions in the fights. But this has cost our division in the neighborhood of 17,000 casualties.

While the North Vietnamese have three divisions out on the front lines, they have fourteen in reserve, according to authorities. Fourteen divisions in reserve should be quite an element to deal with, and certainly one reason why winning the war in Vietnam will take a long time.

VII. SUMMARY OF CONCLUSIONS

Before ending with thoughts for a solution of the great problem, I summarize very briefly the several conclusions that deserve remembering. These are a repetition of beliefs expressed earlier, but repeated here for purpose of emphasis.

I. In our anger at communism, we ought not to stamp out all legitimate rebellions of men who are trying to improve their conditions. These people should not be fought by our American boys.

II. For America to take the role of a world policeman will be undemocratic, and the strain on our society will turn us into a police state.

III. For an outside nation, like our own, to return to the beaches of Asia after the recent withdrawal of the great European nations is to oppose the manifest tide of history.

IV. China will never hold still and there will never be peace in Southeast Asia, so long as we maintain a chain of bases so tight around her throat.

V. By escalating and bombing in North Vietnam, we constantly risk a nuclear confrontation with Russia and China.

VI. I offer one further conclusion: If we should ever accomplish pacification and the Viet Cong are beaten down, it would be next to impossible for us to go away and leave the scene: It would take hundreds of thousands of our troops stationed there for an indefinite period of time, in order to maintain many position against this Asiatic rebellion.

VIII. SOLUTIONS

Finally, I offer suggestions for a solution.

First of all, I would say that we ought to stop the bombing of North Vietnam. It is quite debatable how much damage this is doing to them. It does much physical damage. Yet many authorities believe that it strengthens their resolve to win and to hang on. One very interesting point came into view in my discussions. An authoritative correspondent indicated that the more we bomb North Vietnam, the more she will become a tool of China because she will have left few resources of her own and will become dependent on what China may choose to give her. Moreover, the discussions involving a peaceful settlement with North Vietnam have been predicated on a stop to the bombing. This could be a first step acceptable to both sides leading hopefully to a permanent Vietnamese solution. Let us stop the bombing and learn the full potential that it may realize.

Another suggestion I offer is that we ask all the factions in Vietnam to join in discussions. As many know, and as I mentioned, this society is fragmented. Twelve or fifteen different elements and groups are not talking very much with one another. They need not do so as long as they remain under the American umbrella of protection. These groups are waiting for fortune to come around to such a degree that their respective causes may rise to the top.

It seems to me that we should take a much stronger line with them. We should talk to them one by one, or together, or in any way that Ambassador Bunker decides, and say to them that they must unite and carry more of the load themselves. I know it will be hard to undertake this and difficult to achieve. Yet we must put more of the responsibility on them. Only the Vietnamese can ever accomplish the pacification, if it can be accomplished.

I would also commence to withdraw our troops to the fortified positions along the coast as was suggested by Generals Gavin and Ridgway. I think we have to do this in order to induce South Vietnamese to take more of a hand themselves. Also, in fairness to the world at large, we ought to de-escalate, rather than to escalate, the war. Moreover, I submit that a far lesser number of boys will be wounded and killed than will be the case if we persist in projecting the war into North Vietnam.

As another step, I'm certain that we should invite all the nations with any practical stake in Vietnam to discuss this problem with us on any footing they want. We might need several conferences. The United Nations should be involved, if possible. Countries that participated in the Geneva Convention on Vietnam in 1954 should be involved, and the neighbors of Vietnam such as Thailand and Cambodia. The Viet Cong must be included. We have to assemble all who have a position on this and get them somehow or other to talk without conditions. It is possible that none of these efforts will produce a response, yet I know that we should keep on experimenting with methods for peace.

Alas, the United States is experimenting in Vietnam all too freely with devices of war and escalation. We are experimenting with defoliation of the crops and forests, with personnel carriers in the rice paddies, mines in the rivers of North Vietnam, 175 mm artillery rifles, new targets for air strikes, and on and on. None of these new attempts have proved conclusive.

If we would experiment with measures for de-escalation and retrenchment, we could be no less successful. Experiments for peace and de-escalation will be just as uncertain, and just as challenging—but a great deal more rewarding than any other experiments we have attempted so far in Vietnam. We must experiment with peace.

EDUCATIONAL RADIO AND TELEVISION

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, the House will soon consider what I believe to be one of the most important legislative proposals to come before it this session: the Public Broadcasting Act of 1967, H.R. 6736.

In view of the fact that so many Members share by deep-abiding interest for innovative educational programs, I include in the Record the following letter from Dr. Delyte W. Morris, president, Southern Illinois University, endorsing H.R. 6736. His remarks are brief, but they succinctly and forcefully convey the very real need which exists for developing greater educational broadcasting opportunities.

Southern Illinois University,
Carbondale, Ill., July 14, 1967.

Hon. Harley O. Staggers,
Chairman, Committee on Interstate and Foreign Commerce, House Office Building, Washington, D.C.

Dear Sir: As president of Southern Illinois University, I support early and favorable action by your committee on the Public Television Act, H.R. 6736.

Southern Illinois University currently owns and operates an educational FM radio station and an educational VHF television station. We believe that a strong and virile system of educational broadcasting, both radio and television, will provide service to the entire population of the United States in programming areas not presently available in either quantity or diversity of content. The Public Television Act, under review by your committee, is dedicated to that end.

I realize that the time of the committee is limited and the number of witnesses seeking to be heard are many. I have, therefore, refrained from seeking an opportunity to testify but would appreciate my letter being embodied in the record of the hearings.

Yours truly,

DELYTE W. MORRIS,
President.

WILLIAM McCAWLEY LEADS EAGLES

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, one of my good friends and constituents, Mr. William McCawley, Belleville, Ill., was recently elected as grand worthy president of the Fraternal Order of Eagles. His election, I might add, was unanimous, something for all of us to envy.

This tribute indicates Bill McCawley's outstanding leadership and service to his organization and the high regard in which he is held by his fellow members. It reflects, too, his community's appreciation for his unselfish efforts on its behalf.

So that my colleagues may enjoy reading about this fine gentleman, I am inserting in the RECORD the article appearing in the August-September issue of the Eagle on my good friend Bill McCawley.

IRON MAN McCAWLEY: THE WORKINGMAN'S ORDER ELECTS A WORKINGMAN AS GRAND WORTHY PRESIDENT

(By Art Lindberg)

As a structural worker, "Iron Red" walked steel girders, one foot wide, fifty stories high!

This man, possessed of nerves of steel, is the new Grand Worthy President of the Fraternal Order of Eagles. He stands six feet tall and weighs two hundred pounds. William Andrew McCawley—carrying the nickname of "Red"—was unanimously elected to this exalted office at Kansas City, Mo.

He is a man of stature who has shown outstanding leadership qualities in gaining this coveted honor. Although a rugged individualist, he exemplifies a great awareness and compassion for the needs of others. He has been an active worker for the Cerebral Palsy Association in Illinois, and helped institute a new home for retarded children in his home town. The new Grand Worthy President is looking forward to a larger, more successful Durante Children's Fund promotion next year.

"Red" McCawley first saw the light of day on June 24, 1912, on a farm near Jacksonville, Ill. Says Red, "I'm of Scotch-Irish descent—and half Kentuckian." He was raised on the farm and attended Palmira High School where he excelled in athletics, particularly baseball, basketball, football, and track, winning 12 letters in these sports. As a track man he set new county and district speed records in the 440-yard dash. His athletic career came to an abrupt halt when he broke his back while playing semi-pro football after his high school graduation.

He entered the heavy construction field in 1942, and joined the Iron Worker's Union, Local 392, an affiliation of the International Association of Bridge Structural and Ornamental Iron Workers. In 1953 he went to work for the Ben Hur Steel Erection Company, moving up the ladder of success to foreman and then general foreman—which he is today.

Although never serving as an officer in the union, he has played an active role in promoting amicable relations between the company and the union. He commands the respect of both management and labor, who value his judgment and opinion most highly. Possessing a rare quality of cool logic, he has proven himself a successful mediator. He has never been involved in a strike or walkout.

William A. McCawley became an Eagle in 1942 when he joined East St. Louis Aerie 545. He served as worthy president of that Aerie and is a past Illinois state president. He was also a district and zone director. He helped organize new Aeries in Jacksonville, Dupo, and Chester, Ill. He served as Grand Worthy Chaplain, then for two years on the Board of Grand Trustees. Last year he served as Grand Worthy Vice President.

The McCawleys are an Eagle family. Red's wife, Helen, is a Past Madam President of the Auxiliary and presently serves as the treasurer. She was twice named "Mother of the Year" by the Auxiliary. Two daughters and a son are all married. Both sons-in-law and son are members of the Eagles. The McCawleys have 12 grandchildren.

Red McCawley likes the great outdoors. His favorite hobby is fishing so they live in a comfortable home by a lake in Belleville, Ill., a suburb of St. Louis. They are members of Westminster Presbyterian Church in Belleville.

Whether it's walking a steel beam, mediating a labor dispute, organizing a new Eagles Aerie, or promoting a charity drive, the new Grand Worthy President thinks positive and emerges victorious.

Everyone likes a winner. The Eagles have one in its newly elected leader, William Andrew (Red) McCawley.

"TOMORROW'S STRATEGY"—ARTICLE BY COL. STEPHEN J. SALTZMAN

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, I would like to call to the attention of my colleagues and fellow Americans a very provocative article written by Stephen J. Saltzman, a retired U.S. Air Force colonel, published in the August issue of Air Force & Space Digest.

Although I do not agree completely with Colonel Saltzman's argument, he brings vast experience, insight, and a refreshing candor to bear upon the continuing debate over America's military strategy.

I recommend Colonel Saltzman's article, "Tomorrow's Strategy," to all persons interested in military science and world politics, and under unanimous consent I include the article in the RECORD, as follows:

TOMORROW'S STRATEGY: OUT OF THE JUNGLES AND INTO THE LAB

(By Col. Stephen J. Saltzman, USAF, retired)

The basis of US strategy can be stated simply. It rests on the notion that we can deter nuclear war and at the same time avoid an arms race by building a missile force only large enough and secure enough—and clever enough—to withstand any level of attack and still strike back to inflict unacceptable damage on the attacker. This notion is labeled "assured destruction."

It is becoming clear that our strategy of assured destruction has had an effect on the Soviets exactly opposite to the effect it was hoped to have. Instead of encouraging them to be content with some relatively low level of nuclear forces, a kind of nuclear stalemate, it has encouraged them to go for superiority by increasing their supply of high-payload missiles, by designing orbital weapons, and now by deploying antiballistic missile system.[1] Some students of these matters are concerned at signs that we will continue to try to make our strategy work; that we will patch and mend, cut and try. These students are concerned that each new fix and each new rationale will mire us deeper in a bog whose quicksands are no longer as easily identified as they once were.

Tomorrow's strategy will have to be designed around the military forces that are being laid down today; the prospect of shaping tomorrow's strategy around today's forces offers a famine of alternatives for some future President. Tomorrow is almost on us. And today's military force structure is a costly matrix which hardheaded realists will want to amortize slowly, which its designers will not abandon easily, and which new strategists will not be able to change swiftly, hampered as much by the very long time it takes to design and build new weapons as by resistance from those who will insist on getting the most mileage from the existing investment in military hardware.

THE BASES OF OUR STRATEGY

When you begin to address this problem, you look naturally for its source. You look for the fulcrum from which today's strategy gets its purchase, the keystone that locks together strategy's arch. Two of these we can identify rather positively. There may be others; these two suffice to illuminate the area.

The first of these we may call The Parity Concept, a concept that built upon the thesis that nuclear war is not an alternative available to rational governments but tempered that thesis with a fine report for pragmatism—such a war *could* occur; you'd best face that fact and be prepared to cope with it. This concept held that no progress could be made toward peace unless the military environment could first be stabilized.

With the invention of nuclear weapons and high-speed delivery systems, the offense had outstripped the defense, a highly unstable situation. One way to correct this imbalance is through arms control. But the proponents of parity held that another and perhaps more practical way is to bring your nuclear weapons and their delivery systems into balance with the enemy's. In this way you reduce his fears, prove your good faith, and remove the pressure to engage in a spiraling arms race. These theorists argued that the national self-interest is best served by this course of action. All that remains is to convince the Soviet that his self-interest is also best served thereby. Until you can convince him, however, you maintain some edge of superiority but show good faith by a cautious and visible phasing down to parity.

Mr. Paul Nitze, until recently Secretary of the Navy and who on June 30 replaced Cyrus Vance as Deputy Secretary of Defense, enunciated this idea publicly in 1960. In a paper, he wrote of a Class A and a Class B nuclear capability.[2] He said that a Class B capability—one in which you deter an enemy by having enough secure nuclear strength to retaliate powerfully but not enough to destroy him—was far preferable *if* the enemy could be convinced that it was also in his best interest to maintain this kind of force. Failing to convince him, however, Mr. Nitze said that the only rational strategy was to develop and maintain a Class A capability in which you have clear-cut superiority.

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[1] The problems inherent in maintaining a strategy of assured destruction and a suggested new strategy were dealt with in detail in "Nuclear Strategy and the Arms Race," by Col. Richard C. Bowman, USAF, AIR FORCE/SPACE DIGEST, April 1967.

It was this kind of thinking that led Secretary of Defense McNamara to remark shortly after he took office that he would breathe easier if the Soviets would develop second-generation intercontinental ballistic missiles to replace their exposed early models. The early models sat on top of the ground and would probably be destroyed if we should attack first. Secure in deep silos against attack, however, second-generation missiles would not have to be used at the slightest provocation, and you would thus reduce the likelihood of their use at all. The parity concept only makes sense when both your nuclear force and your enemy's can survive an attack. Exposed, "soft" bombers and missiles didn't meet this requirement. Soft missiles were quickly done away with, and the bombers are following.

To convince those who felt that the Soviets could not be trusted to cooperate in such a heady gamble, along came the categorical statement that an all-missile posture is safe, that the thirty minutes' flight time and half-mile accuracy of ICBMs is going to look good for any reasonable future planning period. Since, therefore, there are no strategic military jobs that cannot be done by improved ICBMs dug more deeply into the ground or carried by submarines at sea, and kept modernized by improvements, it became possible to eliminate any serious thought or work toward developing follow-on strategic systems, including military space systems.

Mr. John Rubel, Deputy Assistant Secretary of Defense at the time, was able to say these things in 1961.[3] He was able to repeat them with new emphasis in a 1962 speech that was heralded as a major policy statement.[4]

Dovetailing with The Parity Concept, a second idea exerted a tremendous influence on New Frontier strategic views. This was the idea that internal and external pressures on the Soviet government would have a moderating influence on its long-range goals, and quickly.

Walt W. Rostow, who is now a Special Assistant to the President, was the idea's principal architect and untiring salesman. He reasoned that such pressures had always turned militant states into conservative ones. But he felt that no states had ever suffered the order of "corrosive dynamics" now affecting the Soviets—massive agricultural deficiencies, a public clamoring for long-promised but long-delayed improved living standards, the growth of pressure groups within Russia, the demands of the satellite states, the burgeoning economies of Europe and Japan, the abrupt halt of The Great Leap Forward in Red China, and the Russian-Chinese schism. So Rostow hypothesized that at some point in time, perhaps as early as 1971, the danger of war with the Soviets would recede. With war fear no longer a factor, the struggle against communism would then take social, psychological, technological, political, and economic forms, and we should be devoting much of our energies and resources to preparing ourselves for conflict in those areas.[5]

If you were persuaded by this line of reasoning, it became relatively simply to accept the follow-on thought that there was really no requirement for strategic military forces beyond those then in production or improvements of the same. Coupled with the parity idea and its technical support, lingering doubts about Rostow's point tended to disappear. Either idea standing alone posed high risk. Together they seemed to cancel out the risk or at least to make the risk acceptable.

CURRENT STRATEGIC PROBLEMS

In the years since the new strategy took shape, difficult problems have confronted the United States, some of which defy solution. A big problem, and close at hand, is obviously Vietnam and the very large war we are waging there to guarantee the right of a people, patently unable to agree among themselves, to agree upon their political future. Stated that way—and how else can you state it?—it is a Wonderland nightmare. Even more nightmarish is the image of our nation moving more and more of its major pieces into the protection of a pawn it has probably advanced too far.

Another problem is related to the first. The development of The Great Society is stalled, or at least impeded, by the diversion of a treasury of brains and material and money and men. What value is there in holding the Soviets at bay with a cost-cutting policy of assured destruction instead of a more expensive policy of superiority, thus generating funds and energies and manpower to develop The Great Society so we can engage the Communists nonmilitarily at the point when war danger recedes—when we are detoured from our nonmilitary goals through a military quagmire that drains our strengths and prevents us from attaining one of the major goals our strategy was designed to attain? Thirty to forty billion dollars a year would build a lot of Great Society.

There are larger problems, although their lack of immediacy tends to cloak them from view. Perhaps the most distressing of these is that while we face west to Vietnam, the greatest of our post-World War II alliances appears to be crumbling at our backs. NATO, created and built on the foundation of US nuclear superiority, has had its military base all but wiped away, and its political base was never very strong. The process of disintegration began with the Berlin Crisis in 1961. After Berlin there was no longer any reason for Europeans to be confident that the United States would back them up with nuclear defenses. To the contrary, our frantic efforts to rush nonnuclear reinforcements to Europe made it obvious that we probably wouldn't. Berlin pulled the plug and confidence ran out fast. And our recent decision to pull back 35,000 troops gave the *coup de grace* to any nation of a nonnuclear defense.

The fact is that de Gaulle is correct: Traditional concepts of mutual defense alliances are invalid in the face of nuclear weapons. Atomic warfare is simply too dangerous for a nation to engage in it willingly for the benefit of an ally. It has become axiomatic that nuclear defenses will be used only when national interests are *identical*, not when they are merely *mutual*. Identicality of national interests implies political union, a vision that has vaporized in the heat of de Gaulle's drive for a renaissance of Gallic greatness. Our own ineptitude also contributed to the demise of that goal which many Americans desired so greatly.

Another and major source of concern is that belief in a US–USSR détente is causing us to be indecisive about the technological war. US military technology long ago reached a state of advanced tumescence and in large part has had to lie moist and quivering, waiting to be taken. The Soviet Union, on the other hand, unaffected either by the war in Vietnam or by any deep belief in a peaceful future, is using today's hiatus to move rapidly ahead in space and unquestionably in other military technology fields that could give them strategic dominance in the 1970s. Those who face the fact that we have contained the Soviets primarily through a dwindling strategic dominance suffer from the niggling gut feeling that there are some things we ought to be doing in research and development that we aren't doing.

And then there's the Red Chinese bomb, an unhappy reminder of the existence of another militant giant's growing military power. It is symptomatic of the fact that the world, no matter how fervently we would wish it, simply won't stand still.

There are more problems. And the list, unmercifully, grows. But these serve as illustrations.

FIRST THINGS FIRST

A fighter off his balance cannot begin to make his strength and skill felt until he regains his footing. This seems to be the case with the United States today. There are some immediate problems that must be solved even as we begin to shape a new strategy.

Again, the most obvious is Vietnam. How to conclude a war we never wanted and in which we seem unable either to prevail or disengage? The variety of options has long since dissolved. Ho Chi Minh has no wish to negotiate. That seems to leave us with the choice of winning or getting out.

Has anyone taken a dispassionate look at withdrawal? Just what would such a move cost us?

In terms of lost territory, it might cost little. The Chinese have been fighting the Vietnamese for a thousand years and have never managed to conquer them. If we accompanied our withdrawal with certain well-advertised assurances to more stable governments in the area, such as Thailand, and with expanded military assistance commitments there and naval commitments in South China waters, there is good reason to believe that our withdrawal from Vietnam would not initiate a series of falling Southeast Asian dominoes.

In terms of reduced credibility in US guarantees, it is at least moot that withdrawal would affect either the US image abroad or our treaty arrangements. If we rationalized our disengagement by citing the inability of the South Vietnamese to form a stable government, the Western world might applaud our move. Indeed, a global opinion survey might well show that most governments and most people regard our continued actions in Vietnam as ill-advised if not plain stupid. And you feel certain that historical hindsight will write the Vietnamese War as a major and perhaps crippling mistake, depending, of course, on whose historians are around to write that history.

It is in terms of lost face and national pride that the cost of withdrawal could be high. But the cost of saving the national face in Vietnam comes high. Perhaps too high. Only time will tell how high.

If you are unwilling to look dispassionately at withdrawal from Vietnam, then it seems you must be willing to face up to a dispassionate look at the risks involved in concluding that war as quickly as possible and at the least cost. In an either-or situation, how can you deny the logic of such a proposal? Can you describe a viable third alternative?

It must be clear by now that incremental increases in US strength fighting under the same ground rules and with the same restrictions won't do the job. Given the French-, British-, and now American-proved axiom that it takes approximately fifteen formal troops to cope with one guerrilla and given the fact that a horde stands behind the Viet Cong, how can you argue with Senator Fulbright's warning that Vietnam is "an open-ended war"?

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[2] "Strategy in the Nuclear Age," by Paul H. Nitze, Foreign Research Center, Johns Hopkins University, 1960.

[3] "The Military Impact of Astronauts," by John H. Rubel, *Missiles & Rockets*, October 1961.

[4] Speech to Aero Club of Washington, D.C., by John H. Rubel, November 1962.

[5] "West Awaits New Red Strategy," by W. W. Rostow, Washington *Post*, December 30, 1962.

If we are to conclude the Vietnam War as quickly as possible and at the least cost, then it is obvious that we must isolate the Viet Cong from outside support so we can finish him off inside South Vietnam, so that we can put an end to the "open-end" feature of this war. This means, for example, attacking targets we haven't been allowed to attack. It means closing the port at Haiphong by mines, by blockade, or by bombs. It means considering extreme steps, such as clearing an easily defended border around South Vietnam's jungles cheaply and quickly with small tactical nuclear weapons, as Gen. Fredric Smith suggested in a 1960 article,[6] instead of trying to do it at exorbitant cost and slowly with bulldozers and Marines as we recently tried on a twelve-mile section of border.

In a word, it means upping the ante. In a word, it means risk. If we are unwilling to fight with the means at our disposal instead of pussyfooting around in dread of esoteric notions like escalation and at a cost in flesh and material resources that is fast becoming unbearable, then it is time for us to use the words that have ended all wars since time began: "Let's get the hell out of here."

The Red Chinese problem must be faced, perhaps less pantingly than Vietnam but certainly with more alacrity than is implied in the official line that, although Red China has the bomb, it will be a long time before Red China develops modern delivery systems—another myth that isn't holding up too well.[7] Aside from the fact that major cost reductions for rocket vehicles have put a delivery capability within reach of the poverty-stricken Red Chinese, is it mandatory that a nuclear weapon be delivered by "a modern delivery system"? Or in thirty minutes? Might not a suitcase, or a lot of suitcases over a long period of time, do the job just as effectively? An Oriental might just be thinking along those lines. He usually does think along the lines of the simplest solution. And that fact inevitably comes to us as a surprise.

So, it is time to begin—in Sun Tzu's phrase—to "shape" the Red Chinese instead of being shaped by them. The obvious *cheng* of Vietnam is shaping us and softening us for some less obvious *ch'i*, Sun Tzu's dicta on war have been basic to Chinese strategy since 500 years before Christ and have been unaffected by such latter-day strategists as von Clausewitz. It is reasonable to assume that that old man is beaming approvingly at the modern practitioners of his art. On the other side of that coin, you wonder at the suitability of our tongue-in-cheek aspirations to head off the Red Chinese via US-USSR cooperation against a common threat.

Beyond question, one of our most desperate problems is at home. The Vietnam syndrome—Save the World—has created the Vietnam backfire—Hands Off the World. Our strategy to contain communism by guaranteeing freedom of choice for anyone requesting assistance has swung a large segment of our public opinion to a viewpoint you can only describe as isolationist. Complicating the problem further, this new state of the public mind is most prevalent among the very persons who will have to support a new strategy, the mass of today's youngsters who will be tomorrow's voters and taxpayers. Perhaps it is symptomatic of age (in states as well as in individuals) and of the kind of creative decline that marks a society's apogee that we turn, in our less-confident years, to worship power as the only true guarantor of our security, and perhaps the young persons who oppose today's policies will, with age, take what we may euphemistically call more moderate views. But for those who must plan tomorrow's strategy, this problem of the public mind is a frustrating but necessary factor to consider. What assumption would you make regarding tomorrow's public mind? Since your strategy would largely stand or fall on the accuracy of that assumption, it assumes major importance.

Can you imagine a U.S. President today who would have the political courage to intervene massively in some new crisis far from home? Can you imagine the United States in another war of attrition where we wear the enemy down or he wears us down? Yet that sort of intervention, that sort of war, is basic to the military force structure (bayonets and helicopters and antiguerrilla specialists and World War II-Korean-type forces) we have built and are building in expanding numbers to support our strategy. Can there be any doubt that our strategy is faulty or has in fact been breached? Where are we planning to use these forces after Vietnam? Another Cuba or another crisis that directly affects our national interests would bring instant public-supported reaction. But another Vietnam? An African crisis? In point of fact, we might find it difficult to arrange for intervention.

The Organization of American States has consistently rejected the U.S.-sponsored proposal for an Inter-American Peace Force (which would be, as these things are, largely U.S.) because such a force would "violate the principles of national sovereignty." What part of that OAS decision is a reaction to daily impressions of the loss of national initiative to a crusading military-assistance force? So the new strategist must add to his burden the problem of a strong international reaction against intervention. If the cure appears to be worse than the disease, maybe these nations we are preparing to save won't want to be saved. Maybe they'll prefer to fumble through on their own. And how does that affect the United States security and the new strategy?

TOWARD A NEW STRATEGY

Where to begin in the formation of a new strategy? Certainly you would want to save as much of the old as remains useful. All of it hasn't been overtaken by events. All of it hasn't been proved faulty.

You would want, for instance, to preserve much of Rostow's thinking. Certainly tomorrow's Soviet Chairman is going to be much more troubled than today's Chairman by internal and external stresses, and certainly this is going to soften Soviet militancy. Besides, this idea appeals. It is the kind of positive idea that solidifies national opinion. It appeals alike to fact-facing realist and to idealistic intellectual. No one wants war. Not even our fiercest hawks want war. No one wants to make the future mark time while we solve more imminent problems first. Everyone wants to get on with the future, confident in his own security and well-being and in even more utopian conditions for his descendants. So you would want to save much of Rostow's thesis and get on with The Great Society. You might, in time, even hope to apply the same concepts, cautiously, to the Red Chinese.

You would continue foreign aid on an increasingly selective basis and continue the present trend toward *quid pro quo*, posting continued aid on continued good performance, a policy that recognizes that you will be disliked whether you assist or not, that a desire to be liked isn't any kind of a basis for foreign policy anyway, and that world opinion is a will-o'-the-wisp.

You would want to preserve a capability to react swiftly—instantly!—and nonnuclearly to international crises where our assistance was requested or where our interests were threatened. This capability should be large enough to handle several simultaneous crises, but it would probably be wise to plan only on strengths sufficiently large to confront an aggressor with the fact of US presence, *a fait accompli* he would have to circumvent if he desired to continue with his aggression.

But this crisis-handling force would only have meaning if it were backed up by strategic military strength that the Russian and the Chinese would respect and that others with aggressors—Communist-exploited or no—would have to consider before continuing the aggression in the face of US presence. Here, it seems, is where present strategy stumbles hardest, and it is here that the new strategy must concentrate.

What direction should you take in the development of new strategic strengths? Obviously you don't throw away what you have. And obviously you try to fix what you have so that it can do the job better. But there are other things you can do.

If you base your thinking on the assumption that the nuclear weapon is the last weapon man will invent, then you proceed quite naturally to the conclusion that a Maginot Line of survivable and deliverable weapons is the be-all and end-all of strategic weaponry and that all you must do is to embellish and amplify and protect and sophisticate the one you've already got. You proceed to this conclusion even in the full knowledge that a static defense has always been flanked by a determined aggressor, as ours is being flanked today. And anyone would concede that in terms of explosive power the nuclear weapon is quite ultimate. What value explosive power of an order of magnitude two or even twenty times today's, excepting for specialized applications such as space-detonating missile defense systems?

But the new strategic thinker must ask himself where, in the doctrine of war, is there a rule that a weapon must explode, or make a noise, or raise a lot of rubble? And then he must test his thinking against this question. A weapon of the future could, in fact, affect only the climate. Or communications systems. Or the mind. Or the nervous system. Or the reproductive process. What then of your expensive, foolproof, static nuclear defense systems?

So in your new strategy, you would want to unfetter our vibrant technology to regain and then to maintain worldwide military technological superiority.[8] The result of that unleashing would not only support the new strategy; it would become a weapon in itself. It would become a weapon whose effects could be used psychologically or politically, as well as militarily. Technological victory, in your hands, could give you the means to control aggression. In your hands, it could end wars and the threat of wars. In a dangerous world, technological defeat could be fatal.

Like the tone of Rostow's thinking, technological warfare also has its appeal. It stimulates the imagination. It is dynamic. It is a policy that can rally allies around new strengths. It is a policy that says we are tired of being pushed around and of having our security threatened and our well-being disturbed. And it is a policy that gives you the highest return in security for the dollar invested. It also gives you a high payoff feedback into the civilian economy.

The old strategy has built rigidity into the end of the war spectrum that can kill us—the strategic end. It has given us essentially a pure missile posture, with its one-option "go-no-go" characteristic, an all-nuclear strategic posture in a world that shrinks in horror from nuclear explosives, a posture whose only useful effect is to threaten and whose threatening ability is becoming less and less credible. There aren't many men who could bring themselves to use such a capability, even in retaliation. And their numbers will shrink.

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[6] For a detailed exposition of how nuclear weapons might be employed in a tactical war situation such as Vietnam, the only authoritative article on this subject available in the public domain, see "Nuclear Weapons in Limited War," by Gen. Frederic H. Smith, Jr., USAF, *Air University Quarterly Review*, Maxwell AFB, Ala., Spring 1960.

[7] "The Myth of Technological Stalemate," by J. S. Butz, Jr., Am. Force/Space Digest, March 1967.

[8] Brig. Gen. Robert C. Richardson, III, USAF, addressed the problem of military technological superiority in his article "Defense on the Technological Front" in Air Force/Space Digest, June 1966.

There are many who will say that a policy of technological warfare is destabilizing and warlike. They will say that it will set off another arms race. To them you must say that it takes two to tango. You must say that the Soviet is already running as hard as he can; the only reason we don't see the specter of an arms race today is that there is only one contestant. Besides, like the Soviet, we aren't going to display our plans on a sandwich board. There are things you can do that will provoke the Soviet and there are things that are not visible and will not provoke him. There are things going on in his laboratories and in his space experiments that we would probably find quite provoking if we knew of them.

The decision to initiate the Manhattan Project (and similar decisions to initiate similar projects in other countries) opened a Pandora's box. We opened the box and we have pestilences abroad. Rational men know we must live with those pestilences. Refusal to think about the unthinkables won't make the unthinkables go away. They exist. It would be unimaginable folly to turn our backs on them or to make our strategic plans as if they didn't exist, or as if today's bubbling technological cauldron won't produce new pestilences to threaten our existence.

The original Pandora's box contained, among all the plagues, Hope, which remains as man's sole comfort in misfortune. You hope for a better future. You hope our leaders will have the vision and wisdom and statesmanship to move our society to greater heights and that these new peaceful responses will guarantee our safety and well-being. You are dismayed, shamed, by your own careful conclusions that say: Rely on power until peace is assured.

But you remember, from, *Ecclesiastes*, the verse:

"If the serpent bite before it be charmed.
Then is there no advantage in the
charmer."

THE "CAN-DO GENERATION"

Mr. HALEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, I have asked permission to place in the CONGRESSIONAL RECORD at this time an article which appeared on August 27, 1967, in the Herald-Advocate, a good and substantial newspaper published in Wauchula, Fla.

With all the confusion, marching, and protesting going on involving a lot of our young people this day and time, apparently there are still people in the United States who have returned to their own communities after finishing their education and have assumed their responsibilities of citizenship. These young men and women are making substantial contributions to the welfare not only of their own communities, but also to their State and Nation.

The column I refer to has been written by one of our fine young Floridians, Larry Smith, who, by his own example and observations, illustrates that his is a generation not of protest, but of those who believe that under our form of government, one of its cornerstones is to reward people in accordance with their ability to produce and assist in the making of progress and, therefore, in building a better nation.

It is refreshing to know that in the midst of so many examples of people advocating negative actions and protest of various kinds, there are those young people with positive, constructive attitudes and actions who represent a "can-do" rather than an "I-won't" generation.

The editorial column follows:

CRACKLIN'S

(By Larry Smith)

We reached a plateau of sorts Saturday night, the 89 of us who streamed back into Hickory, N.C., for the tenth anniversary reunion of our high school graduating class.

It was the first time many of us had met since we received our diplomas in June, 1957, and thought we had the world by the tail.

There was the usual handshaking and backslapping and "howareyoudoing" and "whereareyoulivingnow" chatter.

There was laughter. At receding hairlines, expanding waistlines. At comic prizes that went to my wife and me for having the most babies. And later in the evening at my winning a door prize of concrete patio blocks—more than 700 miles from home.

There was shocked disbelief at seeing an old flame—once so quiet and shy but now a slightly pudgy bleached blonde swinger wearing a pink mini-skirt.

But there was wonder, too. At how suddenly the 10 years had slipped by. The sudden realization that life doesn't go on forever; two of our classmates have died untimely but natural deaths. Life seemed dearer for that.

The evening brought to mind one writer's recent description of our age group as the "Forgotten Generation"—born too late for World War II, too early for the Korean Conflict, and now too old for the "Ban the Bomb" movement. There wasn't a bearded beatnik among us.

I'd prefer to think our lives have a little more substance than that description implies. In the brief span of 10 years many of our class members are well on their way to success in business and professional fields.

Our class has produced a lawyer, minister, teachers, accountants, chemist, engineer, and inventor, nurses, an actor, a fashion model, two editors, a pharmacist, dentist, several who already own their own businesses, and many others who have made creditable contributions to the business community.

The "Forgotten Generation?" I don't believe it. If a catch phrase is necessary to identify us, I'd sooner use the "Can-Do Generation." For while the latest crop is parading in beards protesting the bomb and anything else that strikes their fancy, our group is working toward the goals which have made this country great—and which will keep it great despite the protesters. And I hope that in 10 years they will discover the same thing.

It was worthwhile Saturday night's short plateau. It was a time for assessment, gathering up the strings of 10 all-too-brief years. Not a destination but a short and useful resting place.

THE NEED FOR FISCAL RESTRAINT

Mr. UTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UTT. Mr. Speaker, our Committee on Ways and Means has been holding extensive hearings on the President's tax message. As usual, it came at a time of fiscal crisis. The administration witnesses submitted their case, which proved but one thing—the Federal Government needs more money. They would not accept any of the responsibility for ignoring the warnings which many of us had been sounding for several years, to wit: the need for fiscal restraint.

The request for a 10-percent surtax and the continuation of certain excise taxes come about 2 years too late. In late 1965 and the first half of 1966, the American economy was booming. In the third quarter, the administration demanded the repeal of the 7-percent investment credit, against the advice of every Republican in the House, and by early 1967 the administration took the advice of the Republicans and urged the immediate restoration of the 7-percent investment credit. The administration used every argument that we had previously advanced in our minority report, but the damage was done. The softening of the economy, which was so apparent in late 1966, eventually revealed itself to the Government experts.

The administration calls its present request a war tax made necessary by the conflict in Vietnam. In the last 10 years, the Federal budget has jumped from $77 billion to $144 billion, approximately 90 percent. How much of this is due to Vietnam? Of the $67 billion budget increase, $25 billion is for Vietnam, and $42 billion is for increased domestic spending.

Since 1960 the U.S. population has grown by only 10 percent. In the same period, the personnel comprising the civilian bureaucracy of the Federal Government has grown by 25 percent; the cost of Government payrolls, including military, has grown by 75 percent; the total of all Government spending has grown by 83 percent; nondefense expenditures of the Federal Government are up 97 percent.

The administration knew in 1965 that the Vietnam cost was $10 billion higher than they would admit, and strongly denied it before our committee. If the public had been warned of this increase, there would have been a demand for more restraint on domestic spending. This restraint, of course, would have jeopardized the implementation of the Great Society programs at a time when the President's party controlled both Houses of Congress by a 2-to-1 majority.

We are facing an estimated deficit, by July of 1968, of $30 billion. Again, had the public been warned that the threat of this unprecedented deficit was in the making, and that increased taxes would necessarily follow, the present crisis could have been avoided. On the contrary, the administration did not recommend the elimination of any of the domestic programs or the reduction of any, and a rubberstamp Congress went meekly along, heeding only the demands of the administration.

The administration still refuses to face up to the problem of deficits. The President's tax message proposed that the $30 billion deficit be met in the following manner: one-fourth by a tax increase, one fourth by reduced Federal spending, and one-half by borrowing. This tax message is now 30 days old. Our committee commenced hearings immediately on the tax part, but what has happened to the spending restraint to which the President said in his message that the administration "was firmly committed and which I urge upon Congress"? The answer is clearly indicated by actions not in keeping with the President's words.

Our committee rewrote the President's social security bill and cut $2 billion from the legislation. This bill was passed by the House and sent to the Senate Finance Committee. Before it had even reached that committee, the administration sent swarms of its top-flight lobbyists to the Senate to demand that the House bill be junked and that the $2 billion be restored.

The White House was busy last week calling House Members, demanding that they restore the cuts that the Senate had made in the foreign aid bill, and just last week the White House was successful in getting the Senate to restore the cuts which the House had made in the demonstration cities project, rent supplements, and beautification program. The administration is requesting increases in the shameful poverty program which has failed to produced any good thing. The administration is asking for more, not less, appropriations for the Export-Import Bank, which finances the sale of arms to countries not friendly to us.

The administration having so quickly reneged on its commitment "to urge" spending restraint upon Congress, I cannot bring myself to support a 10-percent tax increase. To pass a tax bill without spending restraint is to invite another deficit in 1969, which can only be met by additional taxes. This is not acceptable to me, and I am sure it is not acceptable to the public.

The administration will be in a bind and, to meet this crisis, the President has the authority to withhold spending, even though Congress appropriated the money. The responsibility is on his shoulders.

"THISA AND THATA"

The President has sent an election team to look over the Vietnam elections and to report any fraud that takes place. They had better be sent to Chicago or Texas. Perhaps South Vietnam will send an inspection team here for the 1968 elections.

RESOLUTION CALLING FOR DETERMINATION BY CONGRESS WHETHER FURTHER CONGRESSIONAL ACTION DESIRABLE IN RESPECT TO POLICIES IN SOUTHEAST ASIA

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I am today, by letter, inviting each Member of this body to join me as cosponsor of the resolution set forth in my letter to my colleagues.

This resolution provides a way to fulfill a constitutional requirement which up to now has been neglected, and at the same time help to clarify and unify the national will and purpose in regard to the Vietnam war.

This is the logical, proper, sensible way to remove the feeling of uneasiness so prevalent today.

Here is the text of the letter I am today placing in the mail to my colleagues:

DEAR COLLEAGUE: Today there is a great uneasiness among Members of Congress who voted for the Gulf of Tonkin Resolution—an uneasiness that pervades the entire country. It arises in great part from an important error of omission in connection with the Resolution. The government failed to invoke properly the SEATO treaty which serves as the only expressed basis for Section 2 of the Resolution. The omission was the absence of an official determination that "an armed attack" occurred against South Vietnam. The only determination of armed attack was against two American ships. Therefore, debate at the time dealt with the subject of the attack upon the American vessels, with little consideration given to the military and political situation in Vietnam and the commitment we were undertaking there. I have outlined this more fully in the Congressional Record of Wednesday, August 23, page 23741.

Because of this omission the issue of Vietnam was not placed squarely on the Congressional anvil. This deprived the country of the great synthesizing debate—and unifying influence—through which we traditionally hammer out major policy decisions.

Yet, it is not too late to correct this error. In doing so, we will fulfill constitutional procedure and comply with the provisions of the SEATO treaty. In my view, this is the logical, proper, sensible way to remove the feeling of uneasiness so prevalent today. Accordingly, I invite your support of the following resolution:

"Resolved, by the House of Representatives (the Senate concurring), that upon the adoption of this resolution, the appropriate committees of the Congress shall immediately consider and report to their respective bodies their determination as to whether further Congressional action is desirable in respect to policies in Southeast Asia."

The procedure, far from causing the enemy to misjudge our determination, would in the end clarify America's will and purpose. No Representative should feel that the fulfillment of constitutional procedure would constitute criticism of past conduct of the war. Rather, it would be recognition that it is time for both houses of this representative government to measure up to the grave responsibility placed upon them by the Constitution.

Should you care to be listed as a cosponsor of this resolution, please call my office, extension 5272. Thanks for your consideration.

With every good wish,

PAUL FINDLEY,
Member of Congress.

NEED FOR EARLY DECISION ON H.R. 12573

Mr. WYLIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WYLIE. Mr. Speaker, early morning reports over the wire services inform us of firefighters being pinned down by snipers while attempting to fight fires during rioting in Milwaukee last night. Such cowardly sniper attacks on firefighters prove again the need for protection for these unarmed public servants who seek to preserve our lives and property.

The Milwaukee incident is not an isolated one. Firemen have been subject to the same kind of attacks in nearly every such disturbance. Yet, until now, there is no Federal law and, so far as I can determine, no State law, specifically designed to protect firemen under these circumstances.

Congress now has the opportunity to correct this serious oversight, through H.R. 12573, which I had the honor to introduce earlier this month. Other Members also see the need, as shown by the fact that 25 Congressmen have joined with me as cosponsors. Others have introduced identical bills.

I submit that the need to correct this oversight is too great for prolonged delay. Already we have been described in the press as "fiddling while Rome burns," because of failure to come to grips more quickly with problems of riots and crime.

Mr. Speaker, I propose that we proceed to an early decision on H.R. 12573, giving no opportunity for charges that we also "fiddle" while our firefighters die.

THE WARREN REPORT

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, following are the seventh and eighth—final—installments of the transcript from the CBS television documentary entitled, "CBS News Inquiry: The Warren Report":

THE WARREN REPORT—VII

WALTER CRONKITE: Good evening. For the past three nights we have been examining the circumstances of the assassination of President John F. Kennedy. On Sunday, we returned to Dealey Plaza to recreate that fatal motorcade ride beneath the windows of the Texas School Book Depository.

Believing that rifle tests conducted by the Warren Commission were less than adequate, we conducted new tests, more closely simulating the conditions of the actual murder. We found hitherto undiscovered evidence in film of the murder itself that the killer had more time than the minimal 5.6 seconds indicated in the Warren Report to get the shots off. And we concluded that beyond reasonable doubt, Oswald was indeed at least one of the killers.

But was there more than one? On Monday night, we interviewed eyewitnesses who said all the shots came from the School Book Depository. And others equally insistent that there were shots from the grassy knoll overlooking the motorcade itself.

We tested more exhaustively than did the Warren Commission the extremely controversial single bullet theory, found that one bullet could, indeed, have wounded both the President and Governor Connally. We heard autopsy surgeon, James Humes, break three and a half years of silence to report that he has re-examined the X-rays and photographs of the President's body, and still has no doubt that all the shots struck from behind.

We concluded that in the absence of solid evidence that there were other assassins, and with the indications that one killer could account for all the shots, there was no second gunman. But, even as the only gunman, was Oswald, as the Warren Report suggests, a lone madman? Or was he the trigger-man for a conspiracy to kill the President?

On Tuesday, we considered such frequently mentioned indications of conspiracy as the murder of Officer J. D. Tippit, found that he was legitimately ordered from his normal patrol area as part of a redeployment of police forces to cope with the assassination. Found too, that a partial description of the assassin, broadcast on police radio, could account for Tippit's stopping Oswald.

We found the nightclub owner, Jack Ruby, the man who killed Oswald, was a strange, mercurial creature given to hitting first and asking questions afterward. And none of his closest associates would credit Ruby with the ability to keep a secret very long.

We presented the conspiracy theories of New Orleans District Attorney Jim Garrison, theories which Garrison says he will present in a court of law, but which today remain a series of largely unsupported statements. And we concluded that, for now at least, no conspiracy theory of the assassination has been proved.

Tonight, we turn from the assassination to the Warren Commission itself. Having found that the Commission's conclusions, in the main, still stand up almost three years after published, we now ask our fourth and last fundamental question: Why doesn't America believe the Warren Report?

Announcer: This is a CBS news inquiry: "The Warren Report." Here is Walter Cronkite.

Cronkite: Tonight, as in our preceding reports, my colleague Dan Rather and I are going to break this fundamental question into subsidiary questions. For the first part of the broadcast, we will ask: Should America believe the Warren Report? We will explore just how well and honestly the Warren Commission operated, to what extent it deserves belief.

The second question will be: Could America believe the Warren Report? And we'll try to determine whether there are elements in the way people, and particularly Americans, think about great events, which would prevent their accepting the Warren Report, however trustworthy it might be.

But this final broadcast will be different. The questions we will ask tonight, we can only ask. Tonight's answers will be not ours, but yours.

Rather: As we take up whether or not America should believe the Warren Report, we'll hear first from the man who perhaps more than any other is responsible for the question being asked. Mark Lane, lawyer and former New York State Assemblyman, was the gadfly of the Warren Commission. He demanded the right to appear before it as a defense counsel for the dead Lee Harvey Oswald. Refused, he began his own investigation of the President's death, a study that produced first the best selling attack on the Warren Commission, "Rush To Judgment," and now a movie of the same name.

Mark Lane has lectured all over the world on his own theories of the assassination, theories which he spelled out for Bill Stout.

Mark Lane: There was one conclusion, one basic conclusion that the Commission reached, I think, which can be supported by the facts, and that was the Commission's conclusion that Ruby killed Oswald. But, of course, that took place on television. It would have been very difficult to deny that. But, outside of that, there's not an important conclusion which can be supported by the facts and—and this is the problem.

And what the Commission was thinking and what they were doing is still hidden from us, of course. The minutes of the Commission meetings are locked up in the National Archives and no one can see them. A vast amount of the evidence, F.B.I. reports, C.I.A. reports, which may be directly related to the information we should have, are also locked up in the Archives. No one can see that.

The photographs and X-rays of the President's body, taken at the autopsy in Bethesda, Maryland, taken just before the autopsy was begun, taken by Naval technicians, which in and of themselves might resolve the whole question as to whether or not there was a conspiracy, cannot be seen by anyone today and, in fact, not one member of the Warren Commission ever saw the most important documents in the case, the photographs and the X-rays. And not one lawyer for the Commission ever saw—was curious enough to examine the most important evidence.

I think the villain was the desire of government officials to be nice, to see to it that nothing would upset the American people, that the apathy which has seized us for all of these years be permitted to remain uninterrupted by a factual presentation of what happened. The American people would have been upset surely if they were told there was a conspiracy which took the life of your President.

Cronkite: But Mr. Lane, who accuses the Commission of playing fast and loose with the evidence, does not always allow facts to get in the way of his own theories. In "Rush To Judgment," for example, he writes: "The statements of eyewitnesses close to the President tended to confirm the likelihood that the shot came from the right and not from the rear." Lane then quotes Associated Press photographer James Altgens, and another eyewitness, Charles Brehm, as giving testimony that would support the idea of a killer on the grassy knoll. Yet Mr. Altgens, as we saw Monday night, is entirely certain that all of the shots came from behind, a fact that Mr. Lane does not mention.

As for Mr. Brehm, Eddie Barker discovered that he holds no brief either for the grassy knoll theory or for the use of his words by Mark Lane.

Eddie Barker: Well now, some critics of the Warren Report have taken your testimony, or interviews with you, to indicate that you thought the shots came from behind the fence over there. What about that?

Charles Brehm: Well, as I say, it was not a number of critics. It was one critic, Mark Lane, who takes very great liberties with adding to my quotation. I never said that the—any shot came from here like I was quoted by Mr. Lane. Mr. Lane would like me to have positively identified the—what I saw fly over here—his skull—although I told him I could not—I did not—I thought it was but I could not. So, he has added his interpretations to what I said, and consequently that's where the story comes from that—that I said that the shots come from up there. No shot came from up there at any time during the whole fiasco that afternoon.

Cronkite: Nor are these the only examples of Mr. Lane lifting remarks out of context to support his theories. Perhaps the most charitable explanation is that Mark Lane still considers himself a defense attorney for Lee Harvey Oswald—and a defense attorney's primary duty is not to abstract truth, but to his client.

There exists, however, a less partisan, and therefore perhaps more disturbing critique of the Warren Commission Report.

Rather: One of the most influential attacks on the work of the Commission is the book, "Inquest," by a young scholar named Edward J. Epstein. It began as a thesis in political science, Mr. Epstein deciding to find out just how the Warren Commission had gone about solving this crime of the century.

He studied the 26 volumes of hearings, then interviewed five of the seven Commission members, General Counsel J. Lee Rankin and some of the Commission's top investigators. And the pattern that began to emerge disturbed him.

Epstein: Well, there were three, I think, levels of complaint. The first one was the institutional, you might say: the general problem that a government has when it searches for truth. The problem of trying to have an autonomous investigation, free from political interference and at the same time, it's dealing by its very nature with a political problem.

The second level might be called the organizational level of—was the Warren Commission organized in a way that prevented it from finding facts. And here my findings were that by using a part time staff and by the Commission's detaching themselves from the investigation—in other words, not actively partaking in the investigation—it raised some problems as to whether the Warren Commission's investigation went deep enough, so that if there was evidence of a conspiracy, they would have in fact found it.

The third level of my criticism concerned the evidence itself, and this concerned the problem of when the Warren Commission was come—confronted with a very complex problem. For example, the contradiction between the F.B.I. summary report on the autopsy and the autopsy report they had in mind—how they solved this problem, whether they simply glossed over it or whether they called witnesses and—and this—this, of course, brought up the questions of—of a second assassin.

Rather: One of the men Mr. Epstein interviewed for his "Inquest" is Arlen Specter, now District Attorney of Philadelphia, but in 1964, one of the principal investigators for the Warren Commission, charged with establishing the basic facts of the assassination. Mr. Specter thinks the Commission did its job well and came up with the right answers.

Specter: I would say after having prosecuted a great many cases that seldom would you ever find a case which was as persuasive that Oswald was the assassin and, in fact, the lone assassin, and we convict people in the criminal courts every day right here in City Hall, Philadelphia. And the times the death penalties are imposed or life imprisonment—so that—so that the case does fit together.

Rather: In separate interviews we asked critic Epstein and investigator Specter to discuss some of the central issues that must determine how well or how badly the Warren Commission did its work.

Epstein: Part of the job of the Warren Commission was restoring confidence in the American government. And for this he had to pick seven very respectable men, men who would lend their name and lend probity to the report. And so that the problem was, in any seven men he picked of this sort, they would have very little time for the investigation.

They would also have two purposes. One purpose would be to find the truth, all the facts. The other purpose would be to allay rumors, to dispel conspiracy theories and material of that sort.

Specter: My view is that there is absolutely no foundation for that type of a charge. When the President selected the

Commissioners, he chose men of unblemished reputation and very high standing. The Chief Justice of the Supreme Court of the United States would have no reason whatsoever to be expedient or to search for political truths. Nor would Allen W. Dulles, the former head of the C.I.A., nor would John McCloy, with his distinguished service in government, nor would the Congressional or Senatorial representatives.

Now, the same thing was true of the staff members. When it came time to select the individuals to serve as assistant counsel and general counsel, men were chosen from various parts of the United States who had no connection with government.

Epstein: For example, there were rumors concerning the F.B.I. or various intelligence agencies. I noticed that there were a number of memorandums where the—where—from Warren to the Secretary of the Treasury, who was in charge of the Secret Service, assuring that their findings wouldn't impair the efficiency or the morale of the Secret Service. And the same thing again with the F.B.I., a question of whether there was ever any possible connection between Oswald—and by connection I don't mean anything sinister, I simply meant that he was furnishing information and there were some rumors to this effect—and they, rather than investigating these rumors, they preferred to give it to the F.B.I. to investigate the rumors themselves. As J. Lee Rankin, their General Counsel, said, they would rather that agency clear its own skirts. Well, what this meant, of course, is that if the F.B.I. would have discretion if it did find a connection between Oswald and itself, the discretion of either reporting it or not reporting it.

Specter: In the main, the F.B.I. conducted the basic line of investigation. But the Commission used its independent judgment wherever, say, the F.B.I. or the Secret Service was involved itself so that they would not investigate themselves on the subjects where they were directly involved, and I think the Commission showed its independence in that regard by criticizing the Federal Bureau of Investigation and by criticizing the Secret Service where the facts warranted such criticism.

On every subject where the Federal Bureau of Investigation had contact with the area of investigation with which I was intimately connected, I was fully satisfied with their thoroughness and with their competency and with their integrity.

Cronkite: Despite Mr. Specter's defense, it is the opinion of CBS News that the role of the F.B.I. as well as the Secret Service, both in the assassination and its aftermath, has been less than glorious. And, to some extent, the performance of these agencies weakens the credibility of the Warren Report. As to what the F.B.I. and the Secret Service did wrong before the assassination, we need look no further than the Report itself.

It notes the Secret Service agents assigned to protect the President had been drinking beer and liquor into the early hours of the morning, that no search was made of buildings along the route, and that, quote: "The procedures of the Secret Service, designed to identify and protect against persons considered serious threats to the President, were not adequate prior to the assassination," end of quote. That is, the Secret Service should have known about Lee Harvey Oswald.

But the Report goes on to point out that if the Secret Service did not know about him, the F.B.I. did, and did not see fit to mention his existence to the Secret Service. The report issues a mildly phrased yet devastating rebuke to the F.B.I., charging that it took an unduly restrictive view of its responsibilities. Knowing what the F.B.I. knew about Oswald, the Report says, an alert agency should have listed him as a potential menace to the President. Yet, after the assassination, the Commission itself relied heavily on these two agencies as its investigative arms.

Did their performance improve? We know that some of the tests conducted by them for the Warren Commission were unsatisfactory. In the first of these broadcasts we pointed out that to stimulate Oswald's problem of hitting a moving target from a sixty foot high perch, the F.B.I. conducted its firing tests on a fixed target, from a 30-foot height. Certainly, if CBS News could duplicate the conditions of the actual assassination for a firing test, the feat's not beyond the capability of the F.B.I.

Rather: There is also the case of the famous exhibit 399, the bullet which the Commission thought wounded both the President and Governor Connally, winding up on the Governor's stretcher in Parkland Hospital. Critics of the Report, you will remember, insist it couldn't have hit both men, but must have been found on the President's stretcher. Yet, part of the now permanent confusion surrounding the bullet and where it was found, must be charged to the cavalier attitude of agents of both the F.B.I. and the Secret Service at Parkland Hospital.

On Monday night, hospital attendant Darrell Tomlinson described how, in shoving a stretcher into place, he dislodged a spent rifle bullet. Mr. Tomlinson quite properly sent at once for the hospital's chief of security, O. P. Wright. Mr. Wright describes what happened then:

Wright: I told him to withhold and not let anyone remove the bullet, and I would get a hold of either the Secret Service or the F.B.I., and turn it over to them. Thereby, it wouldn't have come through my hands at all. I contacted the F.B.I. and they said they were not interested because it wasn't their responsibility to make investigations. So, I got a hold of a Secret Serviceman and they didn't seem to be interested in coming and looking at the bullet in the position it was then in.

So I went back to the area where Mr. Tomlinson was and picked up the bullet and put it in my pocket, and I carried it some 30 or 40 minutes. And I gave it to a Secret Serviceman that was guarding the main door into the emergency area.

Barker: Mr. Wright, when you gave this bullet to the Secret Service agent, did he mark it in any way?

Wright: No, sir.

Barker: What did he do with it?

Wright: Put it in his lefthand coat pocket.

Barker: Well now, did he ask your name or who you were or any question at all about the bullet?

Wright: No, sir.

Barker: How did the conversation go? Do you remember?

Wright: I just told him this was a bullet that was picked up on a stretcher that had come off the emergency elevator that might be involved in the moving of Governor Connally. And I handed him the bullet, and he took it and looked at it and said, "O.K.," and put it in his pocket.

Cronkite: There is little to praise in such treatment by the F.B.I. and the Secret Service of perhaps the most important single piece of evidence in the assassination case. Moreover, the Warren Commission seriously compromised itself by allowing the Secret Service, the F.B.I. and the C.I.A. to investigate questions involving their own actions.

Rather: The Commission had before it the hard fact that Oswald's notebook contained the name, phone number and license plate number of Dallas F.B.I. agent, James Hosty. The F.B.I.'s explanation was that Hosty had asked Ruth Paine, with whom Marina Oswald was living, to let him know where Oswald was staying, that he jotted down his phone number and that Marina under prior instructions from her husband, also copied down Hosty's license plate.

Cronkite: The question of a link between the killer and the F.B.I. was indeed a legitimate part of the investigation. The Commission's handling of that question is scarcely justifiable. What it did was to accept as conclusive sworn affidavits from J. Edgar Hoover, and other F.B.I. officials, that Oswald was never employed in any capacity by the F.B.I.

The Commission says it also checked the F.B.I.'s own files, but mentions no other investigation. It followed the same curious procedure with the C.I.A., taking the word of top C.I.A. officials that Oswald had no connection with that agency either. The Commission then came to the sweeping conclusion that there was absolutely no type of informant or undercover relationship between an agency of the U.S. Government and Lee Harvey Oswald at any time.

Now, elsewhere, the Warren Report argues persuasively the difficulty of proving a negative, of proving in that case that Oswald was not a member of a conspiracy. You will remember that it hedged its conclusion, saying only that there was no evidence of a conspiracy.

Yet the Commission had no hesitation in asserting another far reaching negative: that Oswald was not involved with any agency of the U.S. Government ever. Oswald's mother, Marguerite, has always maintained that her son was a government agent—she favors the C.I.A.—and that he was innocent of the assassination.

Barker: Mrs. Oswald, what sort of proof do you have that your son was an agent of this government?

Marguerite C. Oswald: Now, proof, Eddie—that's a very strong question. I think the Warren Commission members themselves gave Marguerite Oswald the proof. They want us to believe that Lee Harvey Oswald went to Russia as a defector. And yet he got out of the Marine Corps three years before his hitch was up on a Dire Need discharge. Now, this is documented. This is what they tell the American people. They go into great details, that Lee Harvey Oswald got out of the Marine Corps three months ahead of time because his mother had an accident—which was the truth, and it all went through the Red Cross legitimately.

And when he came home, he stayed with his mother three days. We sort of know that story. And then he left for Russia. And, so, this is supposed to be all cut and dried. But when you read the Warren Report, and when you know the case—and this is my case, and my son's—so I know it, then you see a little part where the Warren Commission says, the documentation says, that Lee Harvey Oswald was given a passport by the State Department to travel to Russia, the Dominican Republic, Cuba, and et cetera; and at that time these countries were not restricted.

Now, how can Lee Harvey Oswald get out of the Marine Corps three months ahead of time on a Dire Need discharge, and at the same time be issued a passport to travel?

Cronkite: The evidence is overwhelming that Mrs. Oswald is wrong as to whether her son did assassinate the President. Yet, there remain disturbing indications that she may not be quite so wrong about some kind of link between Oswald and various intelligence agencies of the United States. The question of whether Oswald had any relationship with the F.B.I. or the C.I.A. is not frivolous. The agencies, of course, are silent.

Although the Warren Commission had full power to conduct its own independent investigation, it permitted the F.B.I. and the C.I.A. to investigate themselves—and so cast a permanent shadow on the answers.

The Warren Report—VIII

Announcer: A CBS News Inquiry: "The Warren Report," continues. Here again is Dan Rather.

Rather: More than one critic of the Warren Report has attacked it over the question of witnesses: which ones it heard, and which of those it decided to believe.

Once again Edward Jay Epstein:

Epstein: I'm not sure that the Commission went below the surface, but then no one could be sure of whether they did or not because from what's visible, what we can see, the Commission did seem to bring forth most of the testimony, most of the relevant witnesses. Whether these witnesses were saying all they knew, or whether there were other witnesses they should have called is another. I think there are. You can show examples of other witnesses the Commission didn't call.

There was a witness, Mrs. Eric Walther.

Mrs. Carolyn Walther: When I saw this man in the window with a gun, and there was another man beside him, and he was holding the gun down. His arms were resting on the window.

Epstein: Well, they never called her, nor did a Commission lawyer ever investigate her, or go down and ask her any questions.

Rather: The Warren Commission and its staff interviewed 552 witnesses. Their testimony takes up these 26 thick volumes. Yet the question of whether it interviewed the right witnesses, and how it evaluated the testimony it did hear, are basic to any decision on how well it did its job.

For instance, what about Mrs. Carolyn Walther, who saw two men and a gun in a different window of the School Book Depository, and who never got to tell her story to the Commission?

Cronkite: David Belin, an attorney for the Commission staff, who had a hand in the decision not to call Mrs. Walther after her interviews with the F.B.I., has said that the Commission simply could not hear every single person who had been in the plaza that day. He pointed out that Mrs. Walther's woman companion, standing next to her, told investigators Mrs. Walther had never mentioned seeing any men. Nevertheless, among those 552 witnesses who were called by the Commission were many whose testimony was considerably less relevant than Mrs. Walther's.

Perhaps the Commission should have had the chance to decide whether or not she saw what she says she did.

Rather: Right now, long after the fact of the Commission Report being out, right now, what bothers you most about the Report? Are there any—is there a central question, or central questions that bother you most?

Epstein: There is one central question that does bother me, and that is—involves the autopsy that was performed on President Kennedy. And there was a conflict—really, a contradiction, between the F.B.I. report on the autopsy, which the F.B.I. says they received from the autopsy doctors—at least they said in these reports, and the autopsy report published by the Warren Commission. And I don't think we have to get into the exact details, but it wasn't absolute—if one was true, the other couldn't be true. It concerned the path of the bullet through President Kennedy's body. The F.B.I. said it didn't go through, it only went in a short distance. The Warren Report said it went—or the autopsy in the Warren Report said it went clean through and exited.

There was evidence, evidence that I think any lawyer or law court would have demanded, and that is the actual photographs of the autopsy and the X-rays.

Cronkite: Almost from the day the Warren Commission published its report, its decision to omit those vital X-rays and photographs has been under attack. Only that physical evidence, say the critics, can finally resolve the debate over how many bullets struck the President, where they came from, and where they went—the central questions in the argument over how many assassins opened fire in Dealey Plaza.

More than one critic has charged that the autopsy record in the Warren Report is not the original autopsy, but has been changed to conform with the Commission's theories. You will remember that after a silence of three and a half years the doctor who headed the autopsy team at Bethesda Naval Hospital agreed to re-examine those disputed photographs and X-rays, and review his findings for these broadcasts. And here is what Captain James Humes told Dan Rather.

Humes: The Report, as I stated, is exactly the way it was delivered, and the way it was written.

Cronkite: Yet it seems to CBS news that one of the most serious errors made by the Warren Commission was its decision not to look at those photographs and X-rays, an error now compounded. For the Kennedy family, which had possession of the autopsy pictures, agreed last year to donate them to the National Archives, but only with the stipulation that the pictures be locked away for five years—with only certain authorized government personnel allowed to see them.

Now, no one would propose that those grim and tragic relics be made generally available, to be flashed across television screens and newspaper pages. But in view of their crucial bearing on the entire assassination we believe that those films should now be made available for independent examination by expert pathologists, with the high qualifications of Captain Humes—but without his status as a principal in the case.

There is one further piece of evidence which we feel must now be made available to the entire public: Abraham's Zapruder's film of the actual assassination. The original is now the private property of Life Magazine. A Life executive refused CBS News permission to show you that film at any price, on the ground that it is, quote, "an invaluable asset of Time, Inc." unquote. And that, even though these broadcasts have demonstrated that the film may contain vital undiscovered clues to the assassination.

Life's decision means you cannot see the Zapruder film in its proper form, as motion picture film. We believe that the Zapruder film is an invaluable asset, not of Time, Inc.—but of the people of the United States.

Cronkite: Until now we have heard a great deal about the Warren Commission from its friends and its foes. But what of the Warren Commission itself? Where do its seven members stand amidst this torrent of controversy over their performance?

Chief Justice Warren, who headed the Commission, has refused to discuss the Warren report publicly, with CBS News, or indeed with anyone. But one Commissioner has agreed to participate in this broadcast. He is John McCloy, internationally known lawyer, Presidential adviser, and former High Commissioner for Germany.

Mr. McCloy, however objectively the Commission may have set about its work, the Report itself—it seems to us—may have just as well have been entitled "The Case Against Lee Harvey Oswald."

Now, are you satisfied that as much effort was put into challenging that case, as into establishing it? In other words, did the accused man get a fair trial?

McCloy: I'll answer that in just a moment. If I may just say one thing, I—which I'd like to say. In the first place, I had some question as to the propriety of my appearing here as a former member of the Commission, to comment on the evidence of the Commission—seems to be some question, and I think there is some question about the advisability of doing that. But I'm quite prepared to talk about the procedures and the attitudes of the Commission. And I'm—the scope of its conclusions, and so forth. But I will now try to answer your question by pointing out that this was an investigation, and not a trial.

We didn't have any plaintiff and defendant. This wasn't what is known as an adversary proceeding. We were all called upon to come down there to—I believe the wording was—the directive from the President, "to satisfy yourself," that is the Commission, "what were the relevant facts in relation to this assassination." And that's the base from which we started.

There've been a number of suggestions that the Commission, for example, was only motivated by a desire to put—to make things quiet, so as to give comfort to the Administration, or give comfort to the people of the country, that there was nothing vicious about this. Well, that wasn't the attitude that we had at all.

I know what my attitude, when I first went down, I was convinced that there was something phony between the Ruby and the Oswald affair, that 48 hours after the assassination, here's this man shot in the police station. I was pretty skeptical about that. But as time went on and we heard witnesses and weighed the witnesses—but just think how silly this charge is.

Here we were seven men, I think five of us were Republicans. We weren't beholden to any Administration. Besides that, we—we had our own integrity to think of. A lot of people have said that you can rely upon the distinguished character of the Commission. You don't need to reply on the distinguished character of the Commission. Maybe it was distinguished, and maybe it wasn't. But you can rely on common sense. And you know that seven men aren't going to get together, of that character, and concoct a conspiracy, with all of the members of the staff we had, with all of the investigative agencies—it would have been a conspiracy of a character so mammoth and so vast that it transcends any—even some of the distorted charges of conspiracy on the part of Oswald.

Cronkite: What did you do on those visits to Dallas?

McCloy: Well, we went there and walked over the Dealey Plaza, almost—it seems to me—foot by foot. We went into the School Book Depository. We talked to all of the police officers there—that were there, a number of the witnesses. Visited the boarding house—the boarding houses that Oswald had lived in. Retraced, step by step, his—his movements from the School Book Depository to the point at which he was apprehended in the theatre. We chased ourselves up and down the stairs, and timed ourselves. I sat in the window and held the very rifle, with a four power scope on it, and sighted down across it—seeing—must have been at the exact spot that whoever the assassin was sat, with the carton of boxes as a headrest; snapped the trigger many times; saw the—we had a car moving at the alleged rate—well, I can go on.

But I'm just trying to give you the—the impression of what was the fact that we did, assiduously, follow this evidence, and work out as best we could our own judgments in relation to it.

Cronkite: Mr. McCloy, the Commission came into being late in 1963, went through to September '64—when you were dissolved. Could you have used more time? There is the charge that it was—your conclusions were rushed, that there was some stringent time scale imposed.

McCloy: The conclusions weren't rushed at all. If there's any charge that can be made—and maybe this is an unjust charge, because I wasn't in charge of it—I'm inclined to think that we perhaps rushed to print a little too soon. But the conclusions we arrived at in our own good time.

I think that if there's one thing that I would do over again, I would insist on those photographs and the X-rays having been produced before us. In the one respect, and only one respect there, I think we were perhaps a little over-sensitive to what we understood was the sensitivities of the Kennedy family against the production of colored photographs of the body, and so forth.

But those exist. They're there. We had the best evidence in regard to that—the pathology in respect to the President's wounds. It was our own choice that we didn't subpoena these photographs, which were then in the hands of the Kennedy family. I say, I wish—I don't think we'd have subpoenaed them. We could have gotten—Mr. Justice Warren was talking to the Kennedy family about that at that time. I thought that he was really going to see them, but it turned out that he hadn't.

CRONKITE: It's not surprising that there should be some skeptics, quite obviously, to any such report. But how do you account for the fact that the disbelievers outnumber the believers by such a wide margin?

MCCLOY: I think that—if you want me to speculate on it, first place there's the credulity of people generally. This is pretty spicy, pretty scandalous. Bear in mind that there have been an enormous amount of books written now, a large number of books written, pamphlets written—with the most shocking and distorted statements in regard to the evidence; with all of the blurbs and all of the propaganda. You know the business that goes with selling books.

Many more thousands of those have been distributed and read than the rather limited distribution of the Report, with the rather prosaic accounts. So, that I suppose this tends to build the thing up. There are other—there are other things that I suppose you can talk about. Strange attitudes. The people associate their politics with their belief, or their disbelief, in the Report.

I've gone to a number of campuses, for example. I'm astounded to find that they—the professors, as well as students—in many of the cases, I don't say the majority, think that it's illiberal to come to the conclusion that a Communist inclined defector could have been the assassin of the President. It's liberal to feel that it was the result of a right-wing conspiracy in the hostile atmosphere of Texas. And nothing that you can say or do seems to be able to dispel their viewpoint.

Maybe there's a general distrust of government and government agencies. I don't know. You can speculate, Mr. Cronkite, as much as I can about it. I—I—what I do resist, in a way—it irritates me, is any suggestion that the Commission were motivated other than by—and I'll leave myself out, there were competent people in that Commission, people who—who were experienced in investigation, like the Senators and the Congressmen, have been through many types of investigation; Dulles, who was—people who were used to dealing with F.B.I. reports, appraising them, weighing them, taking many of them for something less than their face value.

They went at this thing, and they came to this conclusion—and there was nothing fradulent about it, there was nothing sinister about it—either conscious or subconscious, in my judgment. And I think that, as I say, that common sense would tell you that this must be the case. We may have erred somewhere along the line, but so far I haven't seen any credible evidence which dispels the soundness of the fundamental conclusions that we came to.

CRONKITE: In a way, we have come to the end of this report on the Warren Report. For some three and a half hours new we have presented what seemed to us the most significant new evidence concerning the assassination itself, and the President's Commission to investigate the assassination.

Yet over these months, as we prepared this report, we began to realize that there is one more question to be answered. That question does not really involve the assassination, or the Warren Commission—except indirectly. It involves the people of the United States. We began to wonder how it is possible that so many more Americans disbelieve the Warren Report than have ever read it.

Why, for instance, when fewer than two million copies of the Report have been sold, a Gallup Poll indicates that six Americans out of every ten think they know enough about it to mistrust it? Or why, by a considerable margin, more people have bought copies of books attacking the Report than have bought the Report itself?

Such indications begin to suggest that, completely apart from the merits of the Warren Report itself, there may be something abroad in the land that wants not to believe the Report's conclusion, that President Kennedy was the victim of a lone madman, and not of a conspiracy.

Our final question then: Could America believe the Warren Report?

Dr. Seymour Lipset of Harvard is a distinguished sociologist whose special field of interest is American behavior. And Dan Rather asked him about this national reaction of disbelief to the Warren Report.

LIPSET. Sort of thing, you know, we're terribly bothered by murders. You know, when you get the kind of Jack the Ripper thing, or this fellow in Texas who shot down—if someone's killed because—for his money, if someone's kidnapped for money, if—this is OK. I mean, not that you—we don't want it. But at least you can understand what happened. If it—and, therefore, an assassination which is a consequence of a plot is like a murder in the context of a crime for more money by a gang. But if somebody's just shot down in the street by some fellow who just picked up a gun and shot him, well, if it happened to him it can happen to you.

If the President is assassinated, not because of a rational plot, but because of just a nut who has a gun, then any—not only any President can be assassinated this way—which he can be—but anybody else can. It becomes a much less controlled world.

CRONKITE. A man who looks into the American spirit from another viewpoint, but with equally keen interest, is historian Henry Steele Commager, whose book "Search for a Usable Past" is considered a major insight into what we are and how we got that way.

COMMAGER: But I do think that there has come up in recent years, particularly since the coming of the Cold War, something that might be called a conspiracy psychology. A feeling that great events can't be explained by ordinary processes, that if anything goes wrong—whether it's a great thing, like the so-called loss of China, or a minor—a particular thing, like a discovery of espionage somewhere, or the terrible fact of the assassination—is not to be explained as other historical events, but by some special standard of explanation, to be applied to the United States. And the point is that the ordinary rules for the rest of the world don't hold for us.

And so with a great number of the things that are ordinarily explained by the normal processes of history are not to be explained by this, because they don't apply to the United States. We are expected always to be victorious, and always to triumph, and so forth and so forth.

And to this came the—added to this came the McCarthy era, with the miasma of suspicion, with the careless insistence on conspiracy, and dirty work at the crossroads, everywhere. And we were—I think we have been persuaded very largely since the beginnings of the Cold War to be more receptive to conspiracy theories. I don't think we'd become paranoid. But we were on the road to a paranoid explanation of things.

MORLEY SAFER: Do you think that a second investigation, an independent investigation, into the assassination of the President is any more likely to be believed than the Warren Commission?

COMMAGER. No. I see no reason to suppose that anyone who doesn't believe the first will believe a second, or a third, or a fourth. The conspiracy theory, the conspiracy mentality, will not accept ordinary evidence, any more than the conspiracy mentality accepts the ordinary explanation of the assassination of Lincoln, and the death of Booth. It has—there's some psychological requirement that forces them to reject the ordinary, and find refuge in the extraordinary. And if another investigation were to be held, and came up—came to the same conclusion, as I'm inclined to think it would, who knows—I think it would be found just as unsatisfactory, and the critics would say, "Well, of course, this too is part of the Establishment. The Establishment appointed this; they want this kind of an explanation and we don't believe any of it, because we know there's dirty work at the crossroads somewhere. They're covering things up." So I see no value, really, in another investigation.

CRONKITE. In Washington, Eric Sevareid has been watching these four programs with you, and we turn to him now for his thoughts on the Warren Commission and its work.

SEVAREID: When this reporter returned home after the first year of World War II in Europe, I made a few speeches to American groups. Intelligent, middle-class, Town Hall kind of audience. But almost invariably some man, or group of men, would get me aside after the speech and say, in effect, "Now tell us the real low-down."

This was my first adult encounter with that strain of permanent skepticism about what they read or hear that runs through so much of the American people. This distrust governs peoples' feelings toward government and public events more than their feelings toward one another in their daily life. Part of the impulse is simply that traditional Yankee horse trader desire not to be taken in. Part is the wish to be personally "in the know," one up on the other fellow.

But this automatic reaction that there must be conspiracy somewhere, the prevalence of this devil theory of politics, this probably has increased among us, as Professor Commager suggests, as a result of World War II and the Cold War that followed.

Roosevelt must have sold out East Europe at Yalta, so many people thought; obscure Reds in the State Department, teachers and writers here and there must have delivered vast China to Communist hands. Indeed, one or two otherwise reputable personages argued that Roosevelt conspired with the Japanese to bring about the Pearl Harbor attack.

What fed the conspiracy notion about the Kennedy assassination among many Americans was the sheer incongruity of the affair. All that power and majesty wiped out in an instant by one skinny, weak-chinned, little character. It was like believing that the Queen Mary had sunk without a trace, because of a log floating somewhere in the Atlantic, or that A.T. & T.'s stock had fallen to zero because a drunk somewhere tore out his telephone wires.

But this almost unbelievable incongruity has characterized nearly every one of the assassinations and attempted assassinations of American Presidents. Deranged little men killed Lincoln, Garfield, McKinley, tried to kill President Theodore and Franklin Roosevelt. Only the Puerto Rican attempt on President Truman represented a real conspiracy.

There are still people who think Adolph Hitler is alive, people who think the so-called learned Elders of Zion are engaged in a Jewish plot to control the world. The passage of years, the failure of anybody anywhere to come up with respectable evidence does not shake the people who cling to these illusions.

And so, three and a half years later, there are people who still think some group of men are living somewhere, carrying in their breasts the most explosive secret conceivable, knowledge of a plot to kill Mr. Kennedy.

These imagined men supposedly go about their lives under iron self-discipline, never falling out with each other never giving out a hint of suspicion to anyone else.

And nearly three years after the Warren inquiry finished its painful and onerous work, there are not only the serious critics who point to the various mistakes of commission or omission, mistakes of a consequence one can only guess at, and of a kind that has probably plagued every lengthy, voluminous official investigation ever staged; there are also people who think the Commission itself was a conspiracy to cover up something.

In the first place, it would be utterly impossible in the American arena of a fierce and free press and politics to conceal a conspiracy among so many individuals who live in the public eye. In the second place, the deepest allegiance of men like Chief Justice Warren, or of John McCloy, does not lie with any President, political party, or current cause—it lies with history, their name and place in history. That is all they live for in their later years. If they knowingly suppressed or distorted decisive evidence about such an event as a Presidential murder, their descendants would bear accursed names forever. The notion that they would do such a thing is idiotic.

This is Eric Sevareid in Washington.

CRONKITE: We'll be back in a moment.

CRONKITE: Three years ago, after we had studied for the first time the Report of the Warren Commission, we summed up our feelings about it. In the end, we find confronting each other, we said, the liar, the misfit, the defector, on the one hand and seven distinguished Americans on the other. And yet, exactly here we must be careful that we do not say too much. Oswald was never tried for any crime and perhaps, therefore, there will forever be questions of substance and detail, raised by amateur detectives, professional skeptics and serious students as well.

For the Warren Commission could not give Lee Harvey Oswald his day in court and the protection of our laws. Suspects are not tried by seven distinguished Americans. Their cases are heard under law by 12 ordinary citizens. If it had not been for Jack Ruby's revolver in the basement of the Dallas police station, 12 such citizens would have heard the evidence, would have heard Oswald, if he had chosen to speak.

That jury would have represented our judgment, our conscience, and in the end would have spoken for us. Now, we do not have that reliance. We must depend on our own judgments and look into our own consciences. The Warren Commission cannot do that for us. We are the jury, all of us, in America and throughout the world.

We found no reason to withdraw what we said then. But, now we have studied the Report again, this time with the benefit of three years of controversy, of all of these books, of our own investigations. We have found that wherever you look at the Report closely and without preconceptions, you come away convinced that the story it tells is the best account we are ever likely to have of what happened that day in Dallas.

We have found that most objections to the Report—and certainly all objections that go to the heart of the Report—vanish when they are exposed to the light of honest inquiry. It is a strange kind of tribute to the Warren Report that every objection that can be raised against it is to be found in the Report itself. It is true that the answers to some questions leave us restless. The theory that a single bullet struck down both the President and the Governor, for example, has too much of the long arm of coincidence about it for us to be entirely comfortable. But would we be more comfortable believing that a shot was fired by a second assassin who materialized out of thin air for the purpose, fired a shot, and then vanished again into thin air, leaving behind no trace of himself, his rifle, his bullet, or any other sign of existence.

Measured against the alternatives, the Warren Commission Report is the easiest to believe and that is all the Report claims. But, we have found also that there has been a loss of morale, a loss of confidence among the American people toward their own government and the men who serve it. And that is perhaps more wounding than the assassination itself. The damage that Lee Harvey Oswald did the United States of America, the country he first denounced and then appeared to re-embrace, did not end when the shots were fired from the Texas School Book Depository. The most grievous wounds persist and there is little reason to believe that they will soon be healed.

This is Walter Cronkite. Good night.

ANNOUNCER. This has been the fourth and last of a series, a CBS News Inquiry: "The Warren Report."

This broadcast has been produced under the supervision and control of CBS News.

EDITORIAL SUPPORT FOR REPUBLICAN PROPOSAL TO DEESCALATE IN VIETNAM

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, in continuing to call the attention of the House to the favorable editorial support for the July 10 proposal of eight House Republicans for the gradual, reciprocal, deescalation of the war in Vietnam, I include for the RECORD today editorials from the Easton, Pa., Express; the Hanover, Pa., Evening Sun; the Pottstown, Pa., Mercury; the Pottsville, Pa., Republican; the Harrisburg, Pa., Patriot; the Spartansburg, S.C., Journal; the Mitchell, S. Dak., Republic; the El Paso, Tex., Times; the Nacogdoches, Tex., Sentinel; the Salt Lake City, Utah, Tribune; and the Rutland, Vt., Daily Herald:

[From the Easton (Pa.) Express, July 11, 1967]

A WAY OUT?

Eight Republican congressmen, none of whom can be counted among the ardent "doves" aligned against the administration's Vietnam policy, have come up with a plan for a unilateral diplomatic U.S. initiative for "de-escalating" the war.

It seems like a quietly sensible proposal. As explained by Rep. F. Bradford Morse of Massachusetts, it would call for halting U.S. bombing of North Vietnam in five successive 60-day stages starting with the 21st parallel. Each step would be conditioned on a de-escalatory response by the North Vietnamese.

Assuming a full response by both sides, both the U.S. bombing and North Vietnamese infiltration of South Vietnam ultimately would come to an end, according to the GOP congressmen's plan. The idea is not new. It has been suggested before to President Johnson as a compromise between those who want the war effort increased and those who want the U.S. to pull out unconditionally. The administration did not respond.

Many Americans, deeply concerned with the directions taken by the most unpopular war in the nation's history, nevertheless will find a substantial measure of accord in the congressional group's evaluation of the administration's war policy as "unyielding and unflexible—rigidly insisting that the first concrete step toward de-escalation be taken by the North Vietnamese."

"It is a position," said Rep. Morse, spokesman for the group, "which comes dangerously close to changing the atmosphere of restraint to an atmosphere of power—and a limited war cannot stay limited or be ended in an atmosphere of power."

This, of course, is the core issue which has made U.S. involvement in Vietnam extremely unpopular both at home and abroad. The war is, undisguisedly, an American war, pitting the mightiest nation in the world directly against a small, technologically primitive state. The involvement weakens our global position of moral and legal leadership—and it is this to which French President Charles de Gaulle alluded in saying that U.S. action in Vietnam was part of the encouragement for trouble in the Middle East.

There is no guarantee that Hanoi, with continued material support from Red China and the Soviet, would respond to in kind to a de-escalatory process as modest in its dimensions as that proposed by the GOP congressmen. But it seems that the U.S. would lose little tactically by making the overture, inasmuch as the bombing has never accomplished any of its stated objectives.

[From the Hanover (Pa.) Evening Sun, July 12, 1967]

SOMETHING BETTER THAN NOTHING

None of the eight Republican congressmen backing a plan to cool down violence in Vietnam by degrees has anything to do with party leadership.

This gives them the option to speak freely. It gives other Republicans the option to kick the stuffing out of their proposal.

It also gives the general public a chance—and this could be important—to assess their proposal with a minimum of partisan prejudice.

It is a plan to let the undeclared enemy in Vietnam respond to an invitation to de-escalate the war by following the example of the United States. This side would quit bombing targets in North Vietnam for 60 days. If North Vietnam then showed signs of easing up its military efforts, a series of similar withdrawal moves would be undertaken, until military violence had ended.

Both sides could save face. Both sides would be relieved of an open-ended commitment to beat the other side into surrender.

The ultimate outcome would be like the outcome in Korea, where the United States maintains a massive garrison on a standby basis, though there has been no overt military violence since Dwight D. Eisenhower carried out his 1952 presidential campaign promise to stop the fighting.

It is significant in 1967 that the Johnson administration is where the Truman administration was in 1952. The Truman administration knew the public was growing intolerant of a war that fighting men could not understand. It knew something needed to be done but did not know how to go about it.

The eight Republican congressmen have proposed a plan to end the most recent U.S. adventure into Asiatic power politics. It is something better than nothing which is all that has been forthcoming from the Johnson administration.

The Johnson administration can think of nothing better than to promise to negotiate if the enemy makes the first move.

[From the Pottstown (Pa.) Mercury, July 19, 1967]

DEFINING "LIMITED WAR"

While Defense Sec. McNamara is saying little publicly about results of the latest trip to Vietnam, the indications are that he plans to keep a fairly tight lid on manpower increases.

We hope he does. For two plain facts must be faced regarding the escalation so far. One is that it has failed to bring the desired result of negotiations toward a settlement. The other is that the investment to date has upset the whole balance of U.S. domestic and foreign commitments, diluting and weakening our efforts in places where they should have been sharp and strong.

The imbalance might be tolerable if the war in Southeast Asia were a traditional-type war where one simply pressed on full force toward final, "total" victory.

But McNamara evidently perceives, as did Rep. F. Bradford Morse (R-Mass.) and a group of Republican colleagues in a report Monday, that a limited war has its own set of imperatives, most of which have thus far been ignored.

The first imperative listed by the Republican congressman is that the diplomacy accompanying the Vietnam war "must not risk expansion to total war," for the obvious reason that total war would produce mutual destruction on a scale to obliterate the objectives sought in the limited war.

The pressure now being applied by nearly 500,000 American troops and the combined, intensive efforts of the Navy and Air Force would have been ample to smother the Communist force that was faced a year or two ago. But the Communist effort has risen to match the U.S. escalation. And the Communists are piped into sources of supply that can presumably match any U.S. effort right up to the brink of total nuclear war.

If this is McNamara's conviction, he can be expected to give increasing attention to the other imperatives of limited war. These are: (1) that an atmosphere of mutual confidence must be fostered, (2) that each side must be permitted to preserve "face" and claim the initiative, and (3) that the effort must "be susceptible to presentation, verification and implementation through the private channels of diplomacy."

The Republican congressmen made clear in their report that there could be no significant relaxation of military pressure that would alter the balance in the enemy's favor, and they specifically warned against a complete halt in bombing as involving "great military risk."

They did feel that a phased, reciprocal de-escalation was within the realm of the possible. If McNamara shares that view, there could be a significant new effort to break out of the vise.

[From the Pottsville (Pa.) Republican, July 14, 1967]

To Escalate or Deescalate?

"We are winning the war—but . . .," was the message given to Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

The "but" translates into a call for still more troops—perhaps 100,000—to be added to the 466,000 there at present.

This number, we are told, is the minimum needed to complete the job begun by a relative handful of American advisors only a few short years ago.

Yet behind the now somewhat guarded and muted predictions of eventual victory for the cause of democracy lies the sobering belief of the generals that this many troops will be required solely to keep us on top of the Viet Cong and North Veitnamese during the coming months.

For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

McNamara described more than the immediate situation when he said at Da Nang: "Our casualties are high but we have also inflicted high casualties on North Vietnamese army units."

What he described was the situation as it was in 1965 and 1966 and as it is likely to be in 1968. Only the numbers have been changed—for the higher.

It is often forgotten that escalation is not the prerogative only of this country. Options open to the Communists include a step-up of terrorist bombings in Saigon and other South Vietnamese cities; the infiltration in even greater numbers of the large North Vietnamese standing army; the use of Communist "volunteers" from other countries; the opening of diversionary action in Korea.

This was emphasized by eight Republican congressmen the other day as they introduced a scheme for a de-escalation of the war that would steer a middle course between "those who would bomb more and those who would bomb less."

Representatives Morse of Massachusetts, Dellenback of Oregon, Esch of Michigan, Horton of New York, Mathias of Maryland, Mosher of Ohio, Schweiker of Pennsylvania and Stafford of Vermont propose a halt to all bombing in North Vietnam north of the 21st parallel for 60 days. This would exempt the city of Hanoi but not the port of Haiphong.

If the North Vietnamese responded with a similar de-escalatory step, such as dismantling major supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 20th parallel for a like 60-day period—and so on down in five steps until the 17th parallel dividing North and South Vietnam was reached.

The staged de-escalation plan would produce a growing atmosphere of mutual confidence, think the congressmen. Its virtue is that most military targets are in southern North Vietnam.

Thus, should the North Vietnamese fail to respond to the first bombing limitation, bombing could be resumed north of the 21st parallel without having caused the military effort in South Vietnam any disadvantage.

Would such a plan work? The congressmen honestly don't know. Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

That we are willing to invest another 100,000 men in Vietnam is probably quite credible—and acceptable—to Hanoi. That we are ready to de-escalate by small steps, however, is something that does not seem to have been made as credible to them as it might be.

[From the Harrisburg (Pa.) Patriot, July 11, 1967]

Alternatives: They Must Be Found in Vietnam

Alternatives to further escalation of the war in Vietnam, even at this late date, still exist. It is still not too late for the United States to adopt a course less costly in American lives and resources and less risky of wider consequences.

That there are other ways out of the present bloody status quo than once again raising the stakes to higher and more deadly levels has been emphasized, on the one hand, by a group of eight Republican congressmen and, on another, by John Kenneth Galbraith, chairman of Americans for Democratic Action.

The GOP group, which includes Rep. Richard S. Schweiker of Pennsylvania, proposes a suspension of all bombing of North Vietnam as a first step in a "staged de-escalation" dependent on matching gestures by Communist forces. Mr. Galbraith proposes a suspension of the bombing and adoption of a "defensive" posture by our military similar to "enclave" proposals made in an earlier stage of the war.

The Republicans, headed by Rep. F. Bradford Morse of Massachusetts, are not as innovative or sweeping in their alternative proposals as Mr. Galbraith. This may be merely in deference to the political realities of their own position; after all, the Republican Party has, if anything, been more hawkish than the Administration. In any case, the GOP group's demand for reciprocal actions by the North Vietnamese may be too similar to Administration proposals which have already proved to be unpalatable to Hanoi.

Mr. Galbraith, meanwhile, pegs his views to a broad plea that Americans at all levels reject our own official propaganda and begin to recognize certain truths about Vietnam. One such truth, he says, is that the rest of the world does not share our official belief that any form of government, even a military dictatorship, is preferable to communism—especially a communism that would apparently be as fiercely nationalistic and independent as Yugoslavia's.

Neither the House Republicans' proposal nor Mr. Galbraith's may be a workable alternative to whatever plans the Administration has in mind. But both are certainly more attractive than the prospect of sending still another 100,000 or 200,000 American boys—to use a phrase once spoken by President Johnson—to do what Asian boys ought to be doing for themselves.

[From the Spartansburg (S.C.) Journal, July 13, 1967]

Vietnam Back in Spotlight

With the Middle East War distraction fading, interest is again turning to Vietnam. The picture is still discouraging with no workable solution.

Secretary of Defense McNamara has just ended a tour of the battle areas, General Westmoreland and other military leaders have made their recommendations (and they are reliably reported to include the sending of more troops) and congressional groups (this time several Republicans) have proposed a partial suspension of bombing to see if North Vietnam will respond by a similar de-escalation.

Military men feel that the American and South Vietnam troops now have the initiative and are steadily increasing the pressure on the Viet Cong and North Vietnamese regulars. Reports indicate that they believe that with more troops they can increase this pressure.

Recently reports from the battlefront have confirmed that the North Vietnamese are using (or at least we are capturing) more and more youngsters, both boys and girls, in the front lines. This supports the belief that North Vietnam is suffering.

It cannot be dismissed that the United States, over holiday periods, has halted the bombing and even extended the air truce in the hope that this would encourage Hanoi to talk peace. The United States has made it crystal clear that this country and South Vietnam are ready to talk anywhere and anytime without conditions, but we will insist on South Vietnam remaining free and independent, and has found Hanoi unwilling to respond to our overtures or those of others.

Hanoi will talk peace when she is convinced she can't win. She is not convinced now. Any weakening of our will or resolve to see Vietnam through to the end will strengthen Hanoi's will to continue the fight.

[From the Mitchell (S. Dak.) Republic, July 15, 1967]

GOP Solons Back McGovern Position

A number of House Republicans early this week offered a proposal on the conduct of the Vietnam War which closely parallels what Sen. George McGovern, D., S.D., has been saying for some months.

Eight GOP Representatives submitted what they called a new plan to scale down the war in Vietnam as an alternative to dispatching more American troops. Rep. F. Bradford Morse, R.-Mass., said the proposal "would not require either side to lose face" and could be a preliminary step on the road to peace. As outlined, the plan essentially would restrict the scope of U.S. bombing in North Vietnam in exchange for a reduction in Communist military efforts, one step at a time.

Under the GOP proposal, the U.S. would

halt bombing north of the 21st parallel for 60 days, excluding Hanoi but not the port city of Haiphong. If the Communists responded in kind, the U.S. would reduce air raids gradually to the 17th parallel—dividing line between North and South Vietnam.

Morse said North Vietnam could respond by stopping shipments of war supplies to the south, halt terrorist bombings, release U.S. prisoners and transfer MIG jet fighters to remote northern airfields.

"The staged cessation of U.S. bombing, if the plan does not work," said Morse, "can be reversed on a few hours notice. It does not risk signification erosion of the current military advantage of the United States in Vietnam." He said if it does work, the bombing and infiltration will be ended and a "spirit of confidence" will have emerged to negotiations.

In addition to Morse, the other Republican lawmakers behind the proposal are Reps. Richard Schweiker, Pa.; John D. Dellenback, Ore.; Marvin S. Esch, Mich.; Frank J. Horton, N.Y.; Charles Mathias, Jr., Md.; Charles Mosher, O., and Robert T. Stafford, Vt.

Sen. McGovern has long been urging a halt to the escalation of the war. He has never, as his opponents insinuate, proposed a U.S. withdrawal from Vietnam. Rather, he has called for a holding action in the south and a cessation of bombing in the north—as the above Republicans want—as a step toward negotiations for settlement.

[From the El Paso (Tex.) Times, July 12, 1967]

It Has Been Tried

Republicans in Congress have proposed another effort at de-escalating the war in Vietnam. They want the U.S. to discontinue bombing North Vietnam a step at a time to see what the reaction would be in Hanoi.

In that respect, we must agree with Rep. Carl Albert, House Democratic leader, who said he rejects an implication of the proposal that the key to peace in Vietnam lies not in Hanoi, but in Washington.

"The proposal may reflect good intentions," Albert told the House, "but it reveals a shockingly bad memory on the part of its authors."

Albert said there have been 28 separate peace proposals accepted by the United States and rejected by Hanoi.

President Johnson has "literally searched the world to find terms acceptable to Hanoi," Albert added.

That appears to be an entirely correct picture.

Every time we have declared a bombing recess, the enemy has used that opportunity to bolster his position and increase his resistance.

It looks as though bombing is what hurts the enemy the most. Why surrender our most potent weapon in a forlorn hope the enemy will respond?

The Republican sponsors of that move ought to offer an acceptable answer to that question.

[From the Nacogdoches (Tex.) Sentinel, July 15, 1967]

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The "but" translates into a call for still more troops—perhaps 100,000—to be added to the 466,000 there at present.

This number, we are told, is the minimum needed to complete the job begun by a relative handful of American advisors only a few short years ago.

Yet behind the now somewhat guarded and muted predictions of eventual victory for the cause of democracy lies the sobering belief of the generals that this many troops will be required solely to keep us on top of the Viet Cong and North Vietnamese during the coming months.

For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

This was emphasized by eight Republican congressmen the other day as they introduced a scheme for a de-escalation of the war that would steer a middle course between "those who would bomb more and those who would bomb less."

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Thus, should the North Vietnamese fail to respond to the first bombing limitation, bombing could be resumed north of the 21st parallel without having caused the military effort in South Vietnam any disadvantage.

Would such a plan work? The congressmen honestly don't know.

Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

[From the Salt Lake (Utah) Tribune, July 12, 1967]

Flexible Proposal for Vietnam Deescalation

Although hawks and doves get the most attention in any discussion of Vietnam, the central question is not how the war is to be conducted, but how it is to be ended. The hawks say, "First smash the Communists, and the rest will take care of itself." The doves urge an end to the bombing of North Vietnam in the belief that this will encourage the Communists to change their minds about negotiations. The Johnson administration has tried both methods in a limited way, first pounding selected northern targets, then ordering bombing pauses of various lengths. But the Communists have not been impressed.

Now eight Republicans suggest that the United States initiate a program designed to bring about step-by-step deescalation.

As a starter, the U.S. would stop bombing North Vietnam north of the 21st parallel for 60 days. (This area includes the city of Hanoi but not the city of Haiphong.) If the North Vietnamese responded with a similarly limited, measurable step toward de-escalation, the U.S. would immediately halt bombing north of the 20th parallel for 60 days. And the process would continue in a series of five steps until U.S. bombing of the north and North Vietnamese infiltration of the south came to an end.

Representative F. Bradford Morse of Massachusetts, spokesman for the Republican group, believes that if the plan is accepted and if it works—two very big ifs—"a spirit of confidence might emerge," providing an opportunity for fruitful negotiations, a similar staged deescalation in South Vietnam, or both.

Morse showed the plan to administration officials before making it public, but said no firm interest was shown at the decision-making level. This is not surprising since the Republican congressmen criticize the administration's war policy as being "unyielding and inflexible, rigidly insisting that the first concrete step toward de-escalation be taken by North Vietnam." Furthermore, say the Republicans, "it is an attitude which may reflect a misunderstanding of limited war, for it asks the enemy to risk losing face," thus creating an "atmosphere of power" in which a limited war becomes impossible.

None of the eight Republicans is a national figure. None is a member of the GOP leadership in the House. And that leadership has not given the plan public support. It is doubtful, moreover, that North Vietnam would be interested since, according to most reports, Hanoi believes it is winning the war.

In short, the plan is a trial balloon that may never get off the ground. Domestically, however, it could give the Vietnam debate another dimension by substituting a flexible approach for hard-line arguments of hawks and doves.

[From the Rutland (Vt.) Daily Herald, July 11, 1967]

"Small Steps" in Vietnam

Increasing concern on the part of many Americans about the war in Vietnam is reflected in a proposal for de-escalation of the war which was released on Monday by a group of Republican Congressmen, including Vermont's Rep. Robert T. Stafford.

The eight Republicans proposed that the U.S. halt all bombing in North Vietnam north of the 21st parallel for 60 days in an effort to encourage responsive de-escalation by North Vietnam. If the desired result were achieved from the first step, U.S. bombing would be ended north of the 20th parallel.

The hope would be that by tying each successive stage to North Vietnamese reductions in its operations in the South, military risks would be minimized and the conflict would gradually be reduced to a point where peace negotiations could be undertaken in a spirit of mutual confidence.

The plan of the Congressmen was offered as an alternative to the present trend of the war which is calling for "rapid or steady escalation in the power applied against North Vietnam," more American troops and more money, and the growing hazard of total rather than limited war.

There would be five steps to the de-escalation plan, giving each side full opportunity to test the sincerity and intentions of the other side.

The first move should come from the U.S. because at this point we have the military advantage, and North Vietnam would know that the proposal would be advanced from strength rather than weakness. Since this country would be making the first move, North Vietnam would be able to accept the plan without loss of face, which is a highly important factor in any basis for peace negotiations.

Whether or not this proposal or something like it might break the Vietnam stalemate, it is an example of the kind of alternatives that there are to drastic stepping up of the war against the North or complete American withdrawal.

As the statement of Stafford & Co. says, "the best chance for peace lies not in giant power or in giant concessions. It lies in small steps, taken quietly—steps that make the position of each side credible to the other."

BOY SCOUTS FROM 74 COUNTRIES IN 12TH WORLD JAMBOREE

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. McClure] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. McCLURE. Mr. Speaker, during the first week of this month, 12,000 Boy Scouts from 74 countries gathered at Farragut State Park in my district in Idaho for the 12th World Jamboree, the first ever to be held in this country.

The theme of the jamboree was "friendship," and it was only natural that the Boy Scouts should choose Idaho as the site for the meeting. If there is one thing Idaho has an abundance of—in addition to mountains for hiking, game for hunting, streams for fishing and the most breathtaking outdoor scenery in the country—it is friendship.

Playing hosts to so many young men from so many countrys, with its implications for world peace and international understanding, placed a considerable burden on the shoulders of the citizens of Idaho. And they came through admirably.

If, as the saying goes, "today's Scouts are tomorrow's leaders," then the people of my State have enabled these young boys to return to their native lands with a view of the United States not seen in their countries' newspapers which talk mainly of race riots and other such American scandals. The Scouts surely take back with them some of the kindness, some of the generosity that is the true picture of America.

The preparation that paved the way for the conclave was enormous, and I wish to pay tribute to former Gov. Robert E. Smylie; Gov. Don Samuelson; Miss Louise Shadduck, executive secretary of the Idaho Department of Commerce and Development; and all of the others who worked so tirelessly to make the jamboree the success that it was. I would also like to thank the Post Office Department for their cooperation in issuing a special airmail postal card commemorating the event.

A number of newspaper articles have been printed concerning the jamboree, and I would like to include a few in the RECORD at this point. I call particular attention to the article by Dorothy R. Powers in the Spokane, Wash., Spokesman-Review. Mrs. Powers tells a warmly human story which probably captures the spirit of the jamboree more than any words that I could say.

The articles follow:

[From the Spokane (Wash.) Spokesman-Review, Aug. 8, 1967]

SCOUTS FROM MANY NATIONS HONOR PIONEER OF RATHDRUM

(By Dorothy R. Powers)

RATHDRUM, IDAHO.—Effie is just sitting there inside her small house in this small town when the world walks up on the porch.

What's more, it knocks—and asks that she come out to meet it.

Effie, does, too.

Because the world has never come to Rathdrum (population 710) before, much less to Effie's tiny house.

So Effie—who will be 90 in February—picks up her short, stubby crutch.

She hobbles painfully to her door, opens it—and gasps!

There stands the world—in 30 pieces with two arms and two legs each.

In other words, there stand 26 Boy Scouts and four adult leaders from all over the world, even from parts of it that hadn't even heard of back when Effie was town librarian.

It began with a newspaper story.

Brief days before the start of the World Boy Scout Jamboree at Farragut State Park, this writer visited several small towns to discover the impact of the forthcoming gathering of thousands of Scouts.

Among the towns visited was Rathdrum.

And in Rathdrum, the person who knows more about the town than anybody else—now, "back then," or ever—is Mrs. Effie A. Fields.

She should. Thirty and one-half years as town librarian and another stint of almost equal length as town treasurer taught her.

SHE TELLS ABOUT IT

Sure, say Mr. and Mrs. L. F. Dixon, Effie would talk to a reporter. They own the town's only drug store soda fountain, and what Effie doesn't know, they do. They point the way up the hill to Effie's.

It's a blisteringly hot day, but because she feels chilly, Effie has an electric heater going in her little sitting room.

Yes, she nods her head pertly, you bet she knows the Boy Scouts are having a World Jamboree right close by! Boys from all over the world, right here in North Idaho!

And, oh, she says wistfully, she wishes she could get a glimpse of just one of them.

She can't possibly, though.

Effie doesn't even go the few blocks to Rathdrum's main street unless somebody fetches her in a car. Her husband's death several years ago left her all alone. The years have left her the universal legacy of age—aching legs and a difficulty in getting about.

But she still wishes the world's boys all the best.

The whole town feels the way Effie does.

Behind the drug store fountain, Mrs. Dixon recalls ruefully that although Rathdrum's only a few miles from Farragut State Park, they didn't see "even one Girl Scout when they were at Farragut" (for the Girl Scout Round-Up, 1965).

BUS BRINGS SCOUTS

The story of Effie's wistful wish was published Sunday, July 30.

Six days later, a big bus pulled up across the street from the Dixon's drug store.

Out of it tumbled Boy Scouts from countries all over the globe.

And everybody aboard had begged to get to come to Rathdrum—and Effie!

Leading the contingent was C. Walter Hooper of New Bunswich, N.H., World Jamboree transportation director.

Even with that title, the doing wasn't easy.

It's hard to get a Scout off the Jamboree site.

Adult Scout Hooper had read The Spokesman-Review story of Effie's wish.

There had to be a way to grant it.

First, he got in touch with a sub-camp at the Jamboree that "had the most nations represented." It was Ermelunden, so named for the site in Denmark where the Jamboree took place in 1924.

He got the Scout leaders together first and explained Effie's wish.

"When the boys themselves heard of it," laughs Hooper, "they all wanted to go. We could take only one bus load."

"Going to see Effie" became such a project that the adult leaders had to select the boys by Scout rank and age and outstanding achievement. They also chose boys who could speak English, so they could talk to Effie.

But adult Scouts wanted to go on the mission to Effie as much as the kids. When Hooper asked for a physician aboard the bus for safety's sake, doctors in the subcamp drew straws for the privilege, so eager were they. Dr. Wilson Foust of New Holland, Pa., won. There was "rank" aboard, without question! Only the best for Effie. Lee Shalhope, in private life the chairman of the board of Mid-American Trucking Company of Chicago but a volunteer baggage director for the Jamboree, asked to come. And Neils Engberg, Boy Scout commissioner from Denmark, wanted to be in on the fun, and was.

BIG WELCOME

"I think everybody in town was there to meet us," Hooper told a friend later.

Except for Effie, who still sat in her small house, unaware of the Scouts' arrival.

The Dixons ran out to meet the bus.

Would the Scouts walk across the street very slowly, so townspeople could get pictures as they did so? They would—and 20 minutes flew by as everybody in Rathdrum got their pictures of kids from everywhere.

"Miss Rathdrum," pretty Lynda Goodman, in a bright pink dress, was there to lead the Scouts to Effie's house.

Up over the dusty little hill to Effie's house they marched.

There were Scouts from Germany, England, France and Scotland. A kilt brought a sparkle to Effie's eyes. Cessell Pilgram was there from Guyana, South America, which in Effie's librarian days had been British Guiana. And Biarki Mortensen told her he came from the Faeroes Islands. In all this Danish group of isles, located in the Atlantic Ocean between the Shetland Islands and Iceland, there are only 31,664 people. Yet one of them stood right here, in Effie's yard!

There were Canadians and Danes and Swiss. Rock Marc represented tiny Luxembourg. Khedar Lutchman spoke in the soft tones of Trinidad. Terry Sousa brought a "hello" from Bermuda. Far-off Ceylon was "there," in the person of T. Rajeswaran. Victor Lee spoke of Honk Kong. And there were American Scouts, too.

SEATED IN GARDEN

They brought one of Effie's chairs out into her yard and seated her. Each Scout filed past, shook her hand and introduced himself. Effie repeated every boy's name out loud, and his country.

And then they told Effie their surprise.

They named her honorary "Mother" of the World Boy Scout Jamboree.

To make it official, Transportation Director Hooper bent over and placed a Boy Scout neckerchief around her throat.

She sat straight in her chair.

She fingered her cane.

"Oh, that's nice! That's so nice!"

Effie couldn't say any more.

Everybody cheered.

The crowd which had followed the Scouts to Effie's followed them back uptown.

A man walked up to Hooper to thank him, on behalf of all Rathdrum.

"Young man," he began, "what you did here today . . ." He couldn't finish. His eyes were full of tears.

TREAT FOR SCOUTS

At the drug store, Owner Dixon had his own treat for the Scouts. He took them to the far end of First Street, to show them the remains of the Pony Express station, where riders had changed horses. Overseas Scouts stared.

By now, the whole town was "walking with" the Scouts.

They opened the fire station door next, and showed the Scouts the town fire engine.

Back in the drug store, Dixon—somehow and somewhere—had managed to get a Kennedy half-dollar piece to give every Scout.

And then he treated everybody to American-type milk shakes.

Running into the drug store came a town resident.

"I need some film!" he cried urgently.

"You'll have to wait till the Boy Scouts leave," Mrs. Dixon, busily mixing milk shakes, told him. "They're our Rathdrum guests!"

"But they're why I need the film!"

"Oh," she smiled understandingly. "Just take it off the shelf. You can pay me later."

In came another man.

"I'd like to treat all the Scouts, over at the drive-in."

They had to leave, Hooper explained regretfully. They must be back in Jamboree camp at noon.

WATCH THEM LOAD UP

The whole town watched as the Scouts loaded into their bus.

Rathdrum would never see so many Scouts again.

Just as they were about to pull out, a pleasant-faced woman scurried across the street. She was carrying a huge bowl of fresh raspberries she'd just picked.

"I thought," she said, poking the bowl through an open window, "the boys could eat these on the way back to camp."

They did, too.

En route to camp, Hooper tried to thank the boys for having given up so much camp fun to make the trip.

But the boys turned back the thanks.

"They thanked me for the privilege of going," Hooper said proudly. "They thanked me!"

In the sudden quiet of the modest little house where she lives all alone, so did Effie.

And she will, for a lot of long days to come.

[From the New York Times, Aug. 10, 1967]

Scouts of World Mix Old and New

(By Robert Windeler)

Coeur D'Alene, Idaho, August 8.—They talk of tape recorders, Twiggy and traffic on the streets of Tokyo more than of tenting on the old camp ground.

When they were younger the Boy Scouts here from 74 countries for their 12th world jamboree, the first to be held in this country, came together for the adventure of camping and hiking. Now, at the advanced ages of from 14 to 20 their biggest interest by far is the opposite sex.

"There is one thing that all 12,000 of us have in common," said Danee Samonte, a 15-year-old Scout from Manila, the Philippines, "girls."

That is one commodity that is in short supply on the 5,000-acre jamboree campsite in Idaho's Farragut State Park, 20 miles north of here and 35 miles from the Washington State border.

[The jamboree ended Wednesday, United Press International reported, with a final round of fishing, boating, canoeing and archery.]

Visits to the jamboree by local young ladies—or anyone else—are limited to afternoons from 1 to 6 P.M. each day of the nine-day event, which began on Aug. 1, and two Canadian boys were expelled for being in the company of girls in the woods near their campsite at 1 o'clock in the morning, two hours after taps.

Most of the other necessities of the modern world, except hot water, are available to the young men of the non-Communist non-Arab world who are making their temporary home on the hard, dry ground (spikes had to be used in place of tent pegs) of this pine-forested part of the country.

And they themselves are a blending of the traditional values of the 60-year-old Boy Scout movement, and the contemporary themes, including that of the present jamboree—"For Friendship."

At their campfires here they sing everything from the African lullaby "Cumbaya" to the latest hits from London and Kuala Lumpur. Transistor radios are more prevalent than bugles to play taps.

"We've got to keep up with the world," said a 19-year-old Georgian. "We're behind in so many ways, like uniforms and formal ceremonies."

By pioneer standards, in camping out here at least they are pampered by the pressures of modern society. They cook over charcoal ("We are conservationists and it would take a national forest to supply us with firewood," explained one Montana school master), and a local lake was specially stocked with 20,000 trout trapped by a net to assure a catch by any amateur fisherman.

"A trout parlor in downtown Tokyo is more challenging," said one Japanese youth.

Yet the Scouts here won rigorous local competitions for the right to attend the jamboree and they are among the most committed youth of the 10,250,000-member movement. They share an interest in the outdoors and a strong loyalty to their individual conceptions of the ideals of world scouting.

"Only in the last two years have I been able to understand the real meaning of scouting," said Thomas Jansen, a 17-year-old West German youth from Krefeld, near Düsseldorf. "It is basically friendship and public service—but for five years I thought it was hiking."

"Nobody joins scouting to get their character built," said Matthew Mazer, 16 years old, of Scarsdale, N.Y. "But one day you wake up and realize that that is exactly what has happened."

The American and British Scouts attending this jamboree are at an age where their colleagues have largely lost interest in scouting and dropped out. Seventy-five per cent of American Scouts quit before they reach age 15, and only 1 per cent ever reach Eagle Scout, the highest ranking in the Boy Scouts of America.

The British Scouts recently revamped their uniforms to include long pants and four-in-hand ties instead of the traditional shorts and long socks and neckerchiefs. They also eliminated their program for 20- to 25-year-olds and dropped the word "boy" from their title.

American Scouts still wear shorts, to the dismay of most of them here who were requested not to bring civilian clothes in order "to create a good image of America for our visitors."

American Scouts account for 5,000 of the total of just under 12,000 here. The British sent 1,300 and the Canadians are represented by 1,200 Scouts. There are 5.8 million Scouts in this country.

[From the Idaho Sunday Statesman, Aug. 6, 1967]

Pomp of World Jamboree Boasts Spectrum of Color

(By John Ulrich)

Farragut State Park.—Green, tan, and predominant colors of the spectacle that is the 12th World Boy Scout Jamboree.

The greens are in the official jamboree uniforms and in the pines of the surrounding Idaho mountains. The tans also show up in the uniforms and in the gradually thickening layer of dust that falls on tents, boys and everything else.

The painful pink is most noticeable as a band around the knees of both boys and Scout leaders, a band of sunburn which extends from the tops of their knee high socks to the bottom of their uniform shorts.

ALL COLORS DISPLAYED

Discounting all that, the jamboree shows every imaginable color and color is displayed in every imaginable way.

The Scouts from Northern Ireland in subcamp Makiling have decorated their entrance gate with travel posters glorifying Ulster and various maps of Ireland printed on Irish linen.

A Mexican troop in the same camp has panels made up of petates. Each square is a different bright color and the Scouts explain that the squares are hand woven of "ixtla" or jute.

United Kingdom Troop 32 from Warwickshire, Yorkshire and Norfolk decorate their entry with canvas panels on which are painted the symbols of the 12 world jamborees held to date. Their counterparts of U.K. Troop 22 from Yorkshire and Lincolnshire carry the crests of those two counties on their gate.

Tents come in every color including black, which is predominant in the tents of Scouts from Germany. The Germans explain that a founder of their movement brought back the black tents from Lapland. They are made up of triangular and square panels and look much like an American Indian tepee, complete with smokehole. The nomadic Lapps built fires in their shelters and the dark collor helps warm the tent when the sun shines on it. At jamboree it needs no warming but is relatively cool when one panel is left open to the air.

The "hometown" troop . . . Troop 41, made up of boys from the Inland Empire in the immediate vicinity of jamboree decorates its gateway with a stylized 20-gallon hat wearing Western and "howdy, partner" in 10 languages.

FUJIYAMA DISPLAYED

One troop from Japan has built a plywood Fujiyama mounted atop a replica of a Japanese high speed train. The Japanese have the card-shaped windsocks that are the symbol of good luck for boys and are most frequently seen in Japan on Boys Day (May 5).

A Canadian troop from Calgary has reproduced a replica of Fort Calgary and during flag ceremonies red-coated Scouts man guard posts on either side of the gateway representing the 1875 outpost of the Royal Canadian Mounted Police.

[From the Idaho Sunday Statesman, Aug. 6, 1967]

Viet Scouters Remain Quiet About Battle

Farragut State Park.—The Vietnamese delegation to the Boy Scout World Jamboree says little about the war there.

Tony Do Van Ninh, Saigon commissioner for the Vietnamese boy scouts, said "We are not to talk about it, except we fight against aggression."

The five-member Vietnamese delegation, including three boys and two leaders, flew almost directly from Saigon to Spokane, then came to Farragut. Because of the direct route, Ninh said he had discovered no reaction among Americans toward the war.

Ninh explained his country sent only five scouts because "it is a long way to Saigon, and costs much."

Earlier, jamboree officials said one problem limiting the size of Southeast Asia delegations is transportation. "We can get them here, but we can't get them back," said Keith Kentopp. "It's hard to get a flight to Vietnam. They're all filled. Coming back is no problem though."

[From the Idaho Sunday Statesman, Aug. 6, 1967]

Idaho's Beauty, Friendliness Blend To Entertain 12,000 World Scouts

(By David Zarkin)

Farragut State Park.—This beautiful sprawling 5,000 acres of state park may soon replace the potato as Idaho's claim to fame and state symbol.

With the advent of the 12th Boy Scout World Jamboree, which is taking place now, the park has achieved a level of utility and diversity held by few outdoor facilities of this size in the nation.

Scouts and Scout officials from throughout the world acclaim Farragut's assets daily and say that it's the only place a tremendous scouting event could be held comfortably for more than 12,000 youths. Nestled in the pines of the Bitterroot Mountains of Northern

Idaho, this secluded area was a Navy training base during the 1940's, and then became a college. It was abandoned by the college and used as a wildlife refuge.

The site was used for the 1965 Girl Scout Roundup, but before the Boy Scouts could meet here this month improvements had to be made to meet their requirements.

After the Girl Scout event, former Gov. Robert E. Smylie took the lead in luring the Boy Scouts to Idaho for their first world jamboree in the United States. Idaho met their demands and made the needed improvements with a $729,425 program, part of it paid in 50–50 matching funds by the State and U.S. Bureau of Outdoor Recreation. These improvements are permanent and will be enjoyed by Idahoans and others in years to come.

Smylie's efforts in making Farragut a suitable place for two such noteworthy international events were noted after 1965 when the main street was named "Smylie Boulevard." But this year the title of that shrubbery decked stretch was tagged "Friendship Boulevard."

CHANGE TEMPORARY

A State Park Department official said it was in connection with the Boy Scouts' event which uses "For Friendship" as its theme. Scout officials said that there was an agreement that names of the streets would be temporarily changed for the jamboree.

Smylie was not on hand this week for dedication ceremonies, but Jamboree Commissioner Irving Feist made mention of him. Gov. Don Samuelson dedicated the park in ceremonies attended by 14,000 visitors.

During the jamboree there has been talk that the 1969 National Boy Scout Jamboree might be held at Farragut. Sweden and Japan have been rumored as possible sites for the next world jamboree.

BEACH DEVELOPED

The state's most significant and costly contribution to the park and the jamboree is the $194,338 beach development on Lake Pend Orielle. Half the funds for this man-made sandy cove came from the federal government. Also included in this project is a permanent brick bath house with restrooms, showers and a parking lot. A permanent restroom building was also constructed at Buttonhook Bay at a cost of $6,960—also on a federal-state matching fund basis.

A permanent water system was installed for the Boy Scout event with federal and state funds at a cost of $151,262. A 50,000 seat amphitheater, large enough to hold the national jamboree, was built with a total of $74,930 in state funds. The state and federal governments shared the $73,950 cost of the headquarters building which houses State Park Department offices.

BRIG CONVERTED

Other permanent developments include the entrance gate, kiosk and sign, seeding 194 acres, top soil and seeding for the Avenue of Flags, dock installation and renovation of the old Navy brig for the press. This building will be used later for maintenance and storage.

The State Parks Department is not the only state office that has played a big role at the jamboree. The Idaho State Police Department has one-third of its force located at Farragut with patrolmen in 18 cars cruising the park and nearby Highway 95.

The patrolmen have logged 1,200 miles a day on their blue and white cars and reunited 300 people with their families and friends during the hectic opening day.

SCOUTS BADGER POLICE

The state police have become "public relations men" for Idaho and have attracted the interest of many foreign scouts. These boys have offered to trade trinkets for the police officers' smart Stetson hats. The officers have resisted making the exchange, but spend a good deal of time showing the youths the many gadgets on their patrol cars.

The state police have been joined in security work with Kootenai County Sheriff John Bender who maintains a trailer alongside the state officers' own mobile living quarters. The law enforcement officials said their work has consisted mainly of patrolling and incidents here have been minor.

The State Forestry Department is responsible for fire protection for the park. So far, only minor fires caused by careless cigarette smoking have been reported. The department has roving patrols, radio communications and lookouts reporting to a main office. About 600 garbage cans filled with water have been dispersed through the park, to extinguish fires.

TAUGHT FIRE PROTECTION

State Forestry Official Wilbur Atwood, Boise, said the scouts have been indoctrinated on fire protection and have kept the grounds free of litter.

The Idaho Bureau of Mines is sponsoring a "gold digging" exhibit here and the State Fish and Game Department has cordoned off a corner of the lake and stocked it with 20,000 catchable rainbow trout.

The boys attending this event are fairly unanimous in their praise for Idaho and western hospitality. Their only complaint—the ground here is too rocky and dusty for pitching a tent, but all of them have managed to keep their abodes in an upright position.

[From the Parma (Idaho) Review Aug. 3, 1967]

Gov. Don Samuelson Dedicates Farragut Park

Governor Don Samuelson dedicated beautiful new Farragut State Park Tuesday, August 1, first day of the World Scout Jamboree "for the use and enjoyment of the people of Idaho, of the nation and the free world."

In his dedicatory remarks, the Governor said: "I wonder how many of you here today for these dedication ceremonies recall that we are on the location of what was once the largest "city" in Idaho.

"The reason I remember so vividly is that 23 years ago I climbed off a troop train from Davenport, Iowa and became a resident of Camp Farragut along with 60,000 other sailors.

"This was the place I called home for two years during World War II, so there is a large amount of sentiment and affection included when I say what an unsurpassed pleasure it is for me to be here to participate in these ceremonies.

"As an ex-gunners mate in the Navy I can also report to you truthfully that boot camp at Farragut was never like this. I don't remember being called on to make too many speeches back in boot camp days.

"It is my high honor today to dedicate the permanent park facilities for the use and enjoyment of the people of Idaho, of the nation and the free world.

"With pride, I can say Idaho has done a tremendous job in the creation of Farragut State Park. I say this because monies have been wisely spent for the present and for the future. Facilities have been constructed that will not only serve the World Scout Jamboree, but also will be of lasting benefit to all the citizens who will hereafter visit this unexcelled spot.

"I should point out that without the excellent cooperation of everyone who has been associated with the state on this project, these facilities could not have become a reality. There are three entities who have cooperated so generously that I believe they merit special mention.

"I am indeed happy to acknowledge the splendid assistance, both financial and advisory, of the United States Department of Interior and the Bureau of Outdoor Recreation.

"The Boy Scouts of America certainly deserve special recognition and thanks from all of us for their extremely generous spirit of cooperation. The ultimate needs of the state park were given every consideration by Scout officials. The result of thir fine spirit of cooperation will be to the lasting benefit of the general public.

"Finally, allow me to compliment highly the Idaho legislature and the all important role it played in the development of this project. Farragut State Park is a prime example of the fact that proposals and undertakings that are good for the entire state are met with enthusiasm by our legislators.

"It is my honest belief that Farragut State Park is rapidly becoming one of the most significant outdoor recreation areas in the Northwest. Its fame and renown will spread and I vision the day when this park's national reputation will underscore the fact that truly 'Idaho is the place to go.'

"It will take time and a great deal of energy on the part of the Park Board to realize the goal we work toward mutually for state parks in Idaho. That goal is to provide a major league quality state park system.

"Now, in reflection, we can observe that Farragut has run the complete cycle.

"From the largest city in the State nearly 25 years ago, the area became a ghost camp.

"But no longer.

"It emerges today in magnificence and splendor for the pure enjoyment of all peoples. Farragut ranks high on the list of attractions in a state like ours that is so richly blessed with an abundance of natural appeal. Mother Nature bestowed one of her most gracious smiles on this entire area," Governor Samuelson concluded.

[From the Parma (Idaho) Review, Aug. 3, 1967]

Samuelson Traces History of Park in Dedicatory Talk

FARRAGUT STATE PARK, IDAHO.—From the "biggest city" of the state to a ghost town to the "most significant outdoor recreation area of the Northwest."

Tracing the evolution of Farragut State Park at dedicatory ceremonies for permanent facilities Tuesday, Idaho Gov. Donald W. Samuelson condensed the park's 25-year history.

The latest phase—outdoor recreation—is currently being provided for more than 11,000 Boy Scouts attending the World Jamboree—that first ever to be held in the United States.

Washington Gov. Dan Evans and Samuelson headed a delegation of State and Boy Scout officials in dedicating the $750,000 facilities.

Boy Scouts have a tradition of swapping and the ceremonies Tuesday afternoon in front of the park's new headquarters building would have made any scout proud.

Jamboree Commissioner Irving Feist, Newark, N.J., passed out souvenirs to members of the Idaho Parks Board, Gov. Samuelson, and Idaho Commere and Development Secretary Louise Shadduck.

Then Samuelson was presented with plaques by scouts from Mexico and Nepal. Samuelson then presented a plaque to William Frome, St. Anthony, chairman of the parks board, to dedicate the facilities.

Frome noted that the park had at various times been a naval training area, a college, a fish and game reserve and site for two prior jamborees.

Samuelson recalled that his first sight of Idaho was from a troop train in 1943 when he arrived at Farragut for two years of training as a gunner's mate during World War II.

"Boot camp was never like this," Samuelson quipped as he spoke from the platform in front of the administration building.

But in 1967, the governor contended, "Farragut State Park is rapidly becoming one of the most significant outdoor recreation areas in the northwest."

[From the Idaho Observer, Aug. 5, 1967]

How We Damned the Torpedoes

(By Robert E. Smylie)

Now that the Boy Scouts are World Jamboree-ing at Farragut State Park it is interesting to recall how hard it was to reclaim that concrete jungle on the shores of Lake Pend Oreille. There was a time when no one in Idaho's state government thought it could be done, except the Governor.

It all happened because the Girl Scouts were looking for a place to have a National Round-up in 1965. We invited them to look at old Camp Farragut and they were charmed. But they said the old concrete foundations of the city that had housed 50,000 naval trainees had to be caved in, broken up and buried. We said we would do it. Then they said the area had to be seeded to adequate ground cover. We said we would do it. Then they said they needed an amphitheater covered with grass to seat 14,000 people. We said we would build it. And they asked for a new water system and so on, and we promised them all of that, too.

We sent a team of experts to look it over. The price tag for cleaning up was 3 million dollars. Everybody wanted to give up. We turned to the National Guard. Two summers of training for the engineering troops and the help of a reserve outfit for their training session that same summer, and the clean up job was nearly done.

Then the Legislature was asked to appropriate funds to construct the water system, plant the grass, build the amphi-theater and the other needed facilities. Herman McDevitt of Pocatello made a scathing speech in the House about how the Governor had got us in trouble, and now there was nothing to do but bail him out. He likened me to the ne'er do well brother-in-law who could never pay his bills and said that family honor required that the legislature meet the Governor's unwise and outrageous obligations. I was supposed to be upset by the speech, but it really came as a great help. I am sure the Legislature could never have been convinced to make such a wise investment in advance, and only when there was really no choice would they take the first step toward creation of a magnificent state park.

It is interesting to observe how fast attitudes change. Some of yesterday's most impressive handwringers are now bell-ringers for the new park. They should be. It's a beautiful northern anchor for our park and recreation system and it will bring national renown to Idaho on a continuing basis. Creation of the park and its development have saved a 4,000-acre playground with a mile and a half of lake shore for public use forever. This was more than sound conservation, it was creative conservation at its best.

This year there is a new swimming beach with facilities to accommodate 500 people. There is a 50,000-seat amphi-theater that makes the park the greatest outdoor convention hall in all of America.

There are many without whose help the park would never have become a reality. General John Walsh, Col. James Brooks, hundreds of men of the National Guard, Roger Guernsey, the ex-state forester . . . and Jon Soderblom, are but a few. Louise Shadduck who sold the Girl Scouts on the idea of Farragut and Mrs. Warren Brown of McCall who had the idea in the first place are others. If you tried to write a list . . . you would give up. The only way you could be inclusive enough would be to say "All of Us," because all of Idaho with its tax dollars had a part of making the Farragut Park a reality.

This year the Park is playing host to the first World Jamboree of Boy Scouts ever held in the United States.

It is said that General McAulliffe who was commanding at Bastogne during World War II's Battle of the Bulge finally concluded that there was no way out of the encircling German ring. He called his staff together and when one of them asked how he was going to get out, he is said to have replied that he wasn't going to. What he planned to do he said, was to get deep enough in trouble that someone would rescue him.

That is about how Farragut was saved and built. If we had not invited the Girl Scouts we would never have made all of these commitments. If we had asked the Legislature in advance there would have been a thousand reasons for doing nothing, or doing less. So we issued the invitation, and the trouble commenced. First the National Guard came to the rescue, then several volunteer civic groups, then the Forestry Youth Camp. Finally the Legislature by nearly unanimous vote adopted the project as its own and Farragut state park was a reality once and for all.

Herman McDevitt was right, but as usual for the wrong reasons. It was wise to bail the Governor out. It's the best investment we have made in a long, long time.

Farragut is aptly named. It was the old Admiral at Mobile Bay who said "Damn the torpedoes, full speed ahead." That was the real spirit in which the Park was re-created.

[From the Wall Street Journal, July 28, 1967]

A Not-So-Rugged Life Awaits Scouts Heading for Jamboree in Idaho

(By James E. Bylin)

Coeur D'Alene, Idaho.—A Boy Scout is trustworthy, loyal, helpful, friendly and all those other wonderful things. And, judging from the setup here at the Scouts' World Jamboree, he is pampered.

Scouting apparently has changed. Remember how you spent hours foraging for firewood and then striking flint to make fire? Here, the scouts draw charcoal from a 70-ton supply and then ignite it with matches. Remember how you used to cook all your meals in your grubby mess kit pan and how as often as not you ended up with a plate full of twigs and grass and insects? Here, much of the food is precooked.

"The boys aren't coming here to spend their time over a hot stove," says Oren Felton, Jamboree food director.

What are the boys coming here for? One thing they're coming here for is to see some real live Indians perform those dances that Scouts have been imitating for decades. For pre-Jamboree festivities scheduled for Monday, officials passed up a performance by some well-trained Scout groups and elected to present real Indians who live in the Washington-Idaho area.

WANTED: INDIANS

The Redskins in the area, however, were less than familiar with war dances and picturesque incantations to the rain gods. "They haven't done a ceremonial dance in 100 years," moans a Scout official. "The one thing they have to go on for costumes are old National Geographic magazines," he says. Particularly worrisome was a sign he spotted on Spokane's skid row. It read: "Wanted—Indians for Boy Scout Jamboree."

Some 100 Indians did show up for dress rehearsals, and they proved to be apt, if not experienced pupils.

Besides the Indians, some 10,000 Boy Scouts and 1,000 adult leaders from 100 countries will gather for the quadrennial Jamboree, which starts Tuesday and runs through the following Wednesday. Each Scout has paid $50 for the privilege of attending.

The World Jamboree will be the first ever held in the U.S. The site is the 5,000-acre Farragut State Park, a World War II Naval training center that is 50 miles northeast of Spokane and 25 miles north of Coeur D'Alene. The state of Idaho and the Federal Government have spent $740,000 to improve the park for the Jamboree and for the public's use afterward.

The Federal Government has helped in other ways, too. Some Army units were sent to the area to help raise 7,000 Scout tents, dig 400 latrine pits and ready the bank, hospital, fire station and post office. The military men and equipment will be gone, however, by the time the Scouts arrive. "We don't want people to think we're militaristic," says one of the 1,300 Jamboree staffers.

GIFTS FOR THE LITTLE SHAVERS

American corporations are doing their bit, too. Perhaps optimistically, Gillette Co. is giving visiting Scouts—who range in age from 14 to 18—a complete shaving kit, and Minnesota Mining & Manufacturing Co. is donating 5,600 cameras.

The state of Idaho has shipped in 12 tons of old Idaho license plates, which, it is presumed, will be highly prized by the foreign Scouts. "We really didn't want them, but people here have been so nice that we took them," says Jamboree coordinator Robert Billington.

Keith Kentopp, another Jamboree official, says the Jamboree won't permit "crass commercialism," although it is gladly accepting the gifts and 27,800 cans of soup from Campbell Soup Co. and other food from Thomas J. Lipton Co. Is that commercialism? No, says Mr. Kentopp. For instance, he says "Campbell is interested in kids eating and we're interested in kids being well fed."

While the Scouts eat their soup and their precooked fare, staff members and volunteers will be dining in style. Their meals, to be catered by a Spokane hotel, will include veal scallopini, grilled salmon and roast turkey. There also will be 100 pounds of chicken heads on hand—but those are to feed a contingent of falcons, hawks and eagles appearing in a demonstration.

FISH AND SQUIRRELS

Besides eating and playing with old Idaho license plates, the Scouts will be busy with archery, hiking, arts and crafts, conservation training and the like. They can fish in a lovely mountain lake specially stocked with 20,000 trout, and they can swim in one end of the lake that has been contoured so the sun will warm the water.

They apparently can take part in some unofficial activities, too. Pointing at one of the ground squirrels that swarm over the area, an official of the Jamboree chuckles: "By golly, I bet a lot of those little fellows get caught and cooked."

Most activities will be highly supervised, though. "We've learned safety precautions the hard way over the years," says a Scout official. "All we need, for example, is to lose a French kid and have Charles de Gaulle on our necks."

COLORADO RIVER WATER

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Wiggins] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. WIGGINS. Mr. Speaker, as a Representative from the area which has more people dependent on the Colorado River for their water supply than any other, I must speak out strongly in opposition to S. 1004, recently passed by the Senate. It is an ill-considered and short-sighted approach to a problem of paramount importance to a vast portion of our country.

There can be no argument that our sister State of Arizona is in need of water, not only for future development, but also for mere existence. Well and good. Let us provide her with water, but not at the expense of the other States which depend upon the Colorado River for their life as well. It would be absurd to legislate water away from one area of the country, where it is desperately needed, to create new water uses in another area.

We are not dealing with geography; we are dealing with people. Making Californians thirsty in order to quench the thirst of Arizonans does not reflect equity; it is an exercise in flagrant foolishness. If we were talking about the last available drops of water in the world, the raw political power play which the administration and Arizona have run in the Senate would, perhaps, be more understandable. Fortunately, we are not.

Our discussion should be about how we are going to bring additional water into a parched region which is the most rapidly growing part of our Nation. It is beneath the dignity of the Congress to participate in the approval of a project which merely shifts a water shortage from one region to another, while pretending that the Southwest does not really have critical needs for additional water sources.

If I were representing Arizona, I might have panicked also. Their needs are great. With the cooperation of all the basin States a solution seemed within reach last year. But, rather than continuing the quest for this solution to the problem which faces the entire Colorado River Basin, of which Arizona is a part, fear, I think, drove them to settle for Secretary Udall's scheme—a plan of questionable merit and feasibility.

The scheme embodied in S. 1004 is offensive to my State of California. It is offensive to Colorado. It is offensive to Utah. It is offensive to Wyoming. It is offensive to the Governor of Nevada.

The great majority of the basin States want to solve the big problem, which is basically that of an inadequate water supply, in a permanent, equitable, and meaningful way. We want Arizona to get water; not merely water to exist, but water to expand and grow. We want the States of the upper basin to develop without the political roadblocks which Arizona would surely throw up if the flow into a central valley project might be diminished thereby. We want to be absolved of the tremendous burden of the Mexican Water Treaty, which is clearly a national commitment. That burden should not be borne by just one section of the Nation when it is a burden that spells hardship and possible disaster to that section unless relieved.

S. 1004 lacks the major principles essential to a solution of the Southwest's water problems. These essentials are:

First. Recognition that the dependable water supply of the Colorado River system is insufficient to meet existing and committed use, including the Mexican Water Treaty obligation;

Second. Effective steps to augment the inadequate flow of the Colorado River;

Third. Adequate protection of existing uses and investments against proposed new uses of the central Arizona project;

Fourth. Authorization of the Hualapai project; and

Fifth. Use of a financially sound development fund to help defray the costs of a future water augmentation project.

An agreement was reached 2 years ago between the authorized representatives of all basin States which embodied all of these essentials. A bill reflecting this agreement was introduced by the three Arizona Representatives and by 31 California Representatives. The central Arizona project was finally within the grasp of our friends from Arizona. There was not time to pass the bill in the 89th Congress, but most of us looked forward to introducing the bill in the 90th Congress and seeing it pass.

Unfortunately, Secretary Udall abdicated his responsibility and abjured his beliefs. Those Californians who rejoiced in supporting Arizona's bill of last year are now placed in the unpleasant, but necessary, role of opposing the new bill before us. The essentials necessary to the basinwide solution to this basinwide problem have not changed; they are merely now being ignored.

All of the experts who have testified before the House and Senate Interior Committees agree that there will be a drastic water shortage in the Colorado River. The river is barely adequate to meet present needs, let along the projected future demands. The question is when the crisis will be upon us. Given that situation, we have a solemn duty to augment the water available to the region which will suffer this shortage. In order to determine how best to supply this additional water, studies should be made first of the availability of surplus water from other areas of the country, and then studies of the feasibility of bringing that water to the areas of need.

Once the studies are accomplished, a sound basin development fund is required that will contain sufficient money to finance the bold efforts that will be needed. The only feasible way to accumulate this much money is to construct a huge hydroelectric power generating facility and to sell the power it produces. Such an ambitious development is the one proposed at Bridge Canyon, the Hualapai Dam. This dam and its power generating facilities would produce 5 million kilowatts of pump-storage peaking power. This is 10 times the amount of power which would be produced by the thermal generating plant proposed in S. 1004. Last year's regional bill proposed the construction of two dams, thus providing power revenues even more rapidly. We are content to build only one of the two.

I propose, and plead with my colleagues from Arizona, that we do something constructive about the problem now while there is still some time left. We should not let unfounded fears or sectional greed block progress for the benefit of the entire Pacific Southwest.

WHO SHOULD CUT THE LAWN?

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. WIGGINS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. WIGGINS. Mr. Speaker, viewing the efforts of the 90th Congress in perspective, it appears to me that the principal battles have been waged to date over the issue of the extent of Federal responsibility in the problem-solving function of government.

I do not claim to know the precise boundaries of this responsibility, but surely there are limits.

Historically, the Federal Union was created upon the premise that only specific powers were to be granted to the Central Government. Admittedly those powers are stated in the Constitution in broad terms; and properly so, if our national charter is to remain a viable document suited to a changing society. But implicit in the federal system is a recognition that there are limits.

It is the function of government to respond to problems. But which government, and to which problems? That is the issue, Mr. Speaker. Let me illustrate.

At this moment, my lawn is badly in need of cutting. To me this is a nagging problem, but is it a community, State, or National problem as well? Doubtless there are millions of Americans similarly plagued this summer. Since the problem is national in scope, does it follow that the Federal Government must act to solve the national problem of unkept lawns? No one would seriously suggest that it should.

It is indeed possible that some lawns may have become veritable jungles, not only detracting from the appearance of the individual's yard, but affecting the neighbors' yards as well. A fire hazard may be created; property values may decline. The problem is more acute. Perhaps government at some level should intervene. But which level of government?

In some areas entire neighborhoods may become infested by weeds as the result of years of inattention. Perhaps, too, the citizens who reside there have little interest in maintaining the appearance of their lawns, or long ago had become discouraged by the indifference of most of their neighbors. Indeed, the problem in such areas may be critical, calling for drastic governmental action.

In this case, should Congress act? I think not. Cities can rise to the challenge of shaggy lawns if their people demand it. And if they do not, whose fault is it?

This brief discussion of the state of the Nation's lawns, Mr. Speaker, is not entirely irrelevant. Some say we should launch a multimillion-dollar program to eradicate rats. I am against rats, as well as shaggy lawns, but the question recurs: Is this a problem calling for a governmental solution, and if so, which government should respond?

To relate the very real problem of rat infestation in our major cities to the subject of unkept lawns is not to minimize its gravity. Rats are dangerous to health; they do spread disease; and they do bite children. But to recognize the seriousness of the problem does not settle the basic question of what should be done about it, and by whom.

The cause of rat infestation is filth. Filth is caused by people—people who lack the responsibility to keep their environment clean. The solution is to kill the rats and clean up the filth. Who should do it?

One proposal is for the Congress to appropriate $40 million to pay for a rat control program.

Another might be to issue citations to those who fail to place lids on garbage cans, who throw refuse in the street, or who permit their building to become dilapidated below minimum standards set by enlightened building codes.

The former proposal involves the Federal Government; the latter challenges the individual and local governmental units to attack the problem themselves.

It is my view, Mr. Speaker, that if there is any vitality left in the federal system, we should recognize that the control of pests, vermin, rats, and the like, is a matter with which the States can and should deal without direction or financial support from the Federal Government.

Unfortunately, Congress has already become involved in the rat business.

Under the Department of Interior, technical assistance exists for extermination of rats in urban areas.

Under the Office of Economic Opportunity, the Community Action portion of the poverty law provided approximately $323 million of unearmarked money last year that can be used for, among other things, rat eradication. In the coming year, there is a proposal that this be boosted to $420 million. Chicago alone has received $2.9 million of Federal money for rat eradication in the past 3 years.

Under the Department of Health, Education, and Welfare, the Comprehensive Health Services Act of 1966 authorized $125 million last year to States for a variety of public health problems, including rat extermination. A number of States and communities are in the process of applying for Federal funds to eradicate rats under this program.

Rather than further escalate the war on rats by the creation of another agency, it would be constructive to eliminate the existing Federal programs. Unless States and communities and the people in them are challenged to solve their own problems, rather than rely on Washington, they will surely never do so. Further centralization of essentially local control in Washington will, in the long run, work to the detriment of all of us.

I have little sympathy for those who suggest that the dimensions of the rat problems are so vast as to preclude an effective local solution.

The city of Los Angeles has all of the problems of a big city, including rats. But it is doing something about that problem, at least, besides sending its mayor to Washington to cry crocodile tears on the steps of the Capitol.

The total annual budget for the Los Angeles Board of Supervisors and the city of Los Angeles for rodent control is $200,000. Until 2 years ago, both the county and the city had separate programs for their areas of jurisdiction. In our area, I find that there has been a 35-year war on rats.

The vector control section of the bureau of environmental sanitation consists of 14 fieldmen plus a section chief, who devote 100 percent of their time to rodent control in Los Angeles.

The program has been in effect for over 35 years and extends throughout the area served by the Los Angeles County Health Department. The group is staffed by college graduates who are highly trained in the field of biology and ecology.

Their work does not stop with the investigation and abatement of citizen complaints, but includes surveys made to locate and control rodent population that might otherwise thrive. Control measures include poisoning, trapping, and even more importantly, stress the elimination of potential harborages and breeding places as well as a highly developed program of general sanitation.

Dr. G. A. Heidbreder, health officer for the Los Angeles County Health Department, reported as of August 7, 1967, that there were only 40 verified cases of rat-bite in the county for all of last year.

Dr. Heidbreder said:

> We are justifiably proud of the results of our activities in this field, which have been reviewed very favorably by the United States Public Health Service, as well as by the (California) State Department of Public Health.

States and their subdivisions possess the most potent weapon for good known to government within the framework of the federal system: The police power. This is the power to enact needed regulations to protect the lives and property of its citizens. That power may be exercised in many ways. It may punish those who fail to conform to accepted community standards of conduct and it may appropriate funds to assist its citizens in the solution of problems beyond their individual capacities to solve.

A judicious use of this power can rid our cities of rats.

Surely, there are sufficient national responsibilities given to the Congress by the Constitution to occupy our attention without the necessity of usurping this essentially local function.

HIGHWAYS MUST NOT BE ROADS TO OBLIVION

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, the Labor Day weekend, which begins in 2 days and is expected to set an all time high in holiday weekend traffic deaths and injuries, offers a dramatic reminder of the critical need for improved highways. Last year, on Labor Day weekend alone, 638 persons were killed while traveling on our Nation's highways. The American Automobile Association estimates that the coming Labor Day weekend will see 25 million cars, carrying 70 million people, crowding this country's roads. We must do more than simply shudder at the thought of how many fatalities will be caused by this massive traffic jam.

Fifty-three thousand men, women, and children died in traffic accidents last year while 1,900,000 suffered disabling injuries.[1] The American public has suffered damages of $10 billion as the direct result of automobile accidents.[2] All the wars ever fought by this country do not come close to having caused as many fatalities as have been caused by highway accidents. More than two and one-half times as many Americans have been killed on highways than have been killed in wars.[3]

During the 89th Congress this body passed, and I supported, a legislative milestone in automobile and highway safety. The National Traffic and Motor Vehicle Safety Act[4] and the Highway Safety Act[5] enacted by that Congress have made and will continue to make significant contributions in the areas of automobile and highway safety.

Today I am introducing legislation that will increase the effectiveness of the Highway Safety Act of 1966 by amending it so as to provide for additional research to be conducted under the direction of the Department of Transportation. My bill focuses upon the serious problems caused by improper road surfaces and highway design. I am asking that research be conducted to find a solution to the very serious problems caused by the blinding effects of road surface glare and the headlights of oncoming cars.

A major function of the Highway Safety Act of 1966 is the assistance it provides to State and local governments for the improvement and expansion of their highway safety programs, in accordance with uniform national performance standards. On June 27, 1967, Alan S. Boyd, Secretary of Transportation, announced 13 such national standards pursuant to the Highway Safety Act. Each participating State's highway safety program must conform to these standards, and any State not complying after January 1, 1969, will be penalized by a 10-percent reduction of its allotment of funds under the Highway Safety Act.

These standards promulgated by the Department of Transportation in the areas of driver education, driver licensing, alcoholism, motor vehicle inspection and traffic control devices have created a solid foundation upon which we can build a safer network of roads. However, I believe that these standards set by the Department constitute only one aspect of a safe highway program. Federally sponsored research to determine the most modern techniques and materials that are available for highway design and construction is a must if we are to reach our ultimate goal of stemming, and perhaps even stopping, the annual blood bath that takes place on our Nation's roads.

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[1] Statistics were supplied by the National Highway Safety Council.

[2] *Ibid.*

[3] *Ibid.*

[4] Public Law 89-563.

[5] Public Law 89-564.

The Department of Transportation is at present compiling cost estimates from the various States of the implementation of the Department's national standards. We can encourage the speedy adoption of these standards by the States by offering the participating States the latest results of highway safety research.

In 1966, more than $3⅓ billion was expended on a joint basis by the Federal Government and the States for expansion of the Interstate Highway System as part of an overall figure of $30.6 billion[6] in the Federal highway program. Is it not sheer madness to go on spending such sums on our highways without a proportionate expenditure for research to help us build the most modern and safest highways that man is capable of building? The research presently being carried on by the Department of Transportation is limited to:

First. The support work necessary to assist the States in establishing and operating safety programs under the standards developed by the National Highway Safety Bureau in cooperation with other States and interested groups;

Second. The support that will be needed by the States in setting up and operating uniform traffic safety activities, such as those dealing with driver education and licensing, law enforcement, vehicle inspection, accident investigation, and community support of safety programs;

Third. The development work needed to support the wide variety of activities being furthered by the Bureau: These will include planning and research in relation to traffic data and documentation centers, the investigation of crashes, the establishment of human impact tolerances, the role of alcohol and alcoholics to traffic safety, and the development of the necessary Government test facilities and equipment;

Fourth. The safety performance of new and used motor vehicles of all varieties.[7]

My bill calls for an enlargement of the scope of federally supported highway safety research projects. Merely to investigate some of the dangers and problems of automobile travel is to cover only part of the problem. Our country and people deserve a more concentrated effort to save those lives lost each year.

To cite only one example, it is well known that the temporary blindness of drivers brought on by the glare from road surfaces and the glare from oncoming headlights reflected by the road surface is a major cause of the deaths of the many thousands of Americans killed on our highways. The need is immediate and great to find an answer to this problem. Even the traditional belief that a dark road surface was best for the reduction of this glare is now being seriously challenged according to the National Highway Safety Bureau.

An evaluation is being made of a white, artificial siliceous aggregate called "Synopal." It is a surface aggregate which, it is claimed, has excellent skid resistance and nighttime visibility characteristics.[8] It is presently being considered by at least one company for production in the United States.[9] Activities such as this are presently only monitored by the Federal authorities. Instead of only monitoring these independent projects, the Federal Government should be encouraging their speedy development.

I urge my colleagues to give careful consideration to this bill that I have introduced today. If the research that I am calling for is not conducted, the daily slaughter of human beings taking place on this country's roads will no doubt continue to grow.

TAX EQUITY ACT OF 1967

The SPEAKER pro tempore (Mr. BOGGS). Under previous order of the House, the gentleman from New York [Mr. BINGHAM] is recognized for 15 minutes.

Mr. BINGHAM. Mr. Speaker, I have today introduced H.R. 12706, the Tax Equity Act of 1967, to raise needed Federal revenues by tax reform amendments of the Internal Revenue Code of 1954.

At the end of my remarks, I will include the full text of the Tax Equity Act of 1967 for the information of Members. I invite my colleagues to join me in cointroducing this bill under their own names, to signal to the Nation that before the low- and moderate-income taxpayer is called upon to pay higher taxes, a series of 14 major loopholes should first be closed.

Mr. Speaker, I have drawn heavily upon some pioneering work of our colleagues, the gentlemen from Wisconsin [Mr. REUSS and Mr. BYRNES] and the gentleman from New York [Mr. TENZER] in the preparation of this bill, as well as on the suggestions of Senator Paul Douglas.

I cannot in conscience call upon my constituents to pay more in Federal income taxes when the sacrosanct oil and gas depletion loophole remains as open as it has been for the last 40 years. I cannot see why other loopholes in the tax code, such as untaxed capital gains of decedents' estates, stock options, unlimited charitable deductions, dividend exclusions and the like, remain untouched in these days of higher revenue needs. I think that a minimum tax should also be imposed to remedy the situation whereby some of our wealthiest taxpayers pay little or no taxes each year.

Mr. Speaker, this comprehensive tax reform bill permits a much fairer basis for increasing Federal revenue than does a straight tax surcharge which perpetuates favoritism that now exists in the tax laws.

This measure incorporates most of the reform suggestions offered in recent years. Although some of the proposals are more urgent than others, if we are to perfect the principle of taxation based on ability to pay, this package points the way to reform. Present taxes place an unfair burden on the wage earner, the apartment dweller, and those of low and moderate income, while providing loopholes for the wealthy.

Mr. Speaker, in a period of rising taxes at the State and local level, and rising prices, this situation is intolerable. The proposal to raise Federal income taxes via a surcharge threatens the economic integrity of millions of industrious families trying desperately to make ends meet.

My bill would reinstate many of the wartime excise taxes on luxuries, while recognizing that some of the items previously taxed as luxuries are really essential. For example, I would not tax baby preparations, costume jewelry—up to $10—or briefcases and handbags—up to $10 retail price—but I do think that taxing the purchase of mink coats and country club dues is preferable to increasing the income tax of a family with three children and an income of $6,000 to $7,000.

I hope that the Congress will see this tax reform proposal as an alternative to the surtax.

Mr. Speaker, my bill, H.R. 12706, is composed of 15 titles.

As indicated earlier, I have drawn heavily on the pioneering efforts of several of our colleagues in the preparation of this bill. I invite Members' attention to the remarks of the gentleman from Wisconsin [Mr. REUSS] in the RECORD of August 16, 1967, for an extended discussion of nine major points, incorporated as titles II to X, inclusive. The gentleman from New York [Mr. TENZER] introduced H.R. 12445, to provide for a minimum tax of 10 percent on individual and corporate incomes over $10,000; I have modified his proposal by raising the minimum tax for incomes over $100,000 to 20 percent; this is title XII. Title XI, on arbitrage bonds and title VII, on municipal industrial dvelopment bonds, were drawn from bills introduced in this Congress by the gentleman from Wisconsin [Mr. BYRNES].

Mr. Speaker, I urge the Committee on Ways and Means to schedule early hearings on my bill. Since the committee is meeting presently to consider the administration's tax surcharge, I feel my bill could very well be included in the current revenue discussions. We could thus ease the current fiscal deficit.

Mr. Speaker, at this point, I include the full text of my bill:

H.R. 12706

A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—GENERAL PROVISIONS

SECTION 101. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Tax Equity Act of 1967".

(b) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

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[6] The Federal Highway Administration.

[7] Bureau of Public Roads.

[8] Letter from William Haddon, Jr., M.D., of the Department of Transportation, Federal Highway Safety Administration, National Highway Safety Bureau dated July 29, 1967.

[9] See Newsweek magazine, August 28, 1967, at page 63.

Sec. 102. Technical and Conforming Changes.

The Secretary of the Treasury or his delegate shall, as soon as practicable but in any event not later than 90 days after the date of the enactment of this Act, submit to the Committee on Ways and Means of the House of Representatives a draft of the technical and conforming changes in the Internal Revenue Code of 1954 which are necessary to reflect throughout such Code the changes in the substantive provisions of law made by this Act.

TITLE II—CAPITAL GAINS UNTAXED AT DEATH

Sec. 201. Carryover of Basis at Death.

(a) Amendment of Section 1014.—Section 1014 (relating to basis of property acquired from a decedent) is amended by adding at the end thereof the following new subsection:

"(d) Decedents Dying After December 31, 1967.—In the case of a decedent dying after December 31, 1967, this section shall not apply to any property for which an adjusted carryover basis is provided by section 1023."

(b) Adjusted Carryover Basis.—Part II of subchapter O of chapter 1 (relating to basis rules of general application) is amended by redesignating section 1023 as section 1024 and by inserting after section 1022 the following new section:

"Sec. 1023. Adjusted Carryover Basis for Certain Property Acquired From a Decedent Dying After December 31, 1967.

"(a) General Rule.—Except as otherwise provided in this section, if—

"(1) carryover basis property is acquired from a decedent dying after December 31, 1967, and

"(2) the gross estate at death of the decedent exceeds $60,000,

then the basis of such property in the hands of the person so acquiring it shall be the adjusted basis of the property immediately before the death of the decedent, further adjusted as provided in this section.

"(b) Carryover Basis Property Defined.—For purposes of this section, the term 'carryover basis property' means any property acquired from a decedent dying after December 31, 1967, which is property described in paragraph (1), (2), (3), (4), (6), or (9) of section 1014(b), other than—

"(1) property acquired by the decedent before January 1, 1951,

"(2) property (not including property of extraordinary value) which is a personal or household effect,

"(3) property acquired by any person from the decedent before his death which was disposed of by such person before the decedent's death,

"(4) property described in section 2042 (relating to proceeds of life insurance), and

"(5) property which constitutes a right to receive an item of income in respect of a decedent under section 691.

"(c) Increase in Basis.—

"(1) In general.—The basis of carryover basis property in the hands of the person acquiring it from the decedent shall be increased by its proportionate share of the Federal and State estate taxes attributable to the net appreciation in value of all carryover basis properties.

"(2) Minimum increase.—In the case of any decedent, the aggregate increase under paragraph (1) shall not be less than whichever of the following amounts is the greater:

"(A) the amount (if any) by which $60,000 exceeds the aggregate bases of all property included in the gross estate (such bases to be determined after the application of section 1014 but before any adjustment under this section), or

"(B) the amount (if any) by which $15,000 exceeds the amount by which the aggregate bases of all property to which section 1014 applies (such bases to be determined after the application of section 1014) is greater than the aggregate adjusted bases of such property immediately before the death of the decedent.

"(3) Manner of allocation.

"(A) In general.—Except as provided in subparagraph (B), the increase under this subsection in the basis of each carryover basis property shall be that amount which bears the same ratio to the aggregate increase determined under paragraphs (1) and (2) as the appreciation in value of such property bears to the aggregate appreciation in value of all carryover basis properties having appreciation in value.

"(B) Special rule for section 303 redemptions.—To the extent the decedent provides by will, the increase in basis under this subsection shall be allocated first to stock which is carryover basis property and which after his death is redeemed under section 303 (relating to distributions in redemption of stock to pay death taxes). Any remaining increase in basis under this subsection shall be allocated among the other carryover basis property in accordance with subparagraph (A).

"(4) Fair market value limitation.—The increase under this subsection in the basis of any property shall not exceed the increase necessary to produce a basis equal to the fair market value of such property.

"(d) Further Increase in Basis for Certain State Succession Taxes Paid by Transferee of Property.—If—

"(1) any person acquires carryover basis property from a decedent, and

"(2) such person actually pays an amount of estate, inheritance, legacy, or succession taxes with respect to such property to any State or possession of the United States or to the District of Columbia for which the estate is not liable,

then the basis of such property (after any adjustment under subsection (c)) shall be increased (but not above its fair market value) by the portion of such amount which is attributable to the appreciation in value of such property.

"(e) Treatment of Community Property.—

"(1) In general.—The surviving spouse's interest in all community property—

"(A) for purposes of subsections (a)(2) and (c)(2), shall be treated as included in the gross estate of the decedent.

"(B) for purposes of this section (other than subsection (d)), shall be treated as property acquired from the decedent, and

"(C) for purposes of subsections (b)(1) and (e), shall be treated as property held by the decedent.

"(2) Community property defined.—For purposes of paragraph (1), the term 'community property' means property—

"(A) held by the decedent and the surviving spouse as community property under the laws of any State or possession of the United States, or any foreign country, and

"(B) at least one-half of the whole community property interest in which was includible in determining the value of the decedent's gross estate under chapter 11.

"(f) Special Rules and Definitions for Application of Subsection (c).—For purposes of subsection (c)—

"(1) Federal and state estate taxes.—The term 'Federal and State estate taxes' means only—

"(A) the tax imposed by section 2001 or 2101, reduced by (i) any credit allowable with respect to a tax on prior transfers by section 2013 or 2102, and (ii) any credit allowable with respect to State death taxes under section 2011 or 2102, and

"(B) any estate, inheritance, legacy, or succession taxes, for which the estate is liable, actually paid by the estate to any State or possession of the United States, or to the District of Columbia.

"(2) Federal and state estate taxes attributable to net appreciation in value.—The term 'Federal and State estate taxes attributable to the net appreciation in value of all carryover basis properties' means that amount which bears the same ratio to the Federal and State estate taxes as the net appreciation in value of the carryover basis properties bears to the value of the gross estate (as defined in section 2031 or section 2103).

"(3) Net Appreciation.—The net appreciation in value of all carryover basis properties is the amount by which the fair market value of all such property exceeds the adjusted basis of such property immediately before the death of the decedent.

"(4) Gifts.—In the case of carryover basis property acquired from the decedent by gift, the increase in basis under subsection (c) shall not exceed the amount by which the increase under such subsection is greater than the increase allowable under section 1015(d).

"(5) Charitable gifts.—If—

"(A) a deduction is allowable under section 2055 or 2106(a)(2) with respect to any property, and

"(B) such property is specifically identifiable as passing from the decedent to a use specified in such section,

then, to the extent of such deduction, such property shall be treated as property which is not carryover basis property.

"(g) Other Special Rules and Definitions.—

"(1) Fair market value.—For purposes of this section, when not otherwise distinctly expressed, the term 'fair market value' means fair market value determined under chapter 11 (including section 2032, relating to alternate valuation).

"(2) Property passing from the decedent.—For purposes of this section, property passing from the decedent shall be treated as property acquired from the decedent.

"(3) Decedent's basis unknown.—If the facts necessary to determine the basis (unadjusted) of carryover basis property immediately before the death of the decedent are unknown to the person acquiring such property from the decedent, such basis shall be treated as being the fair market value of such property as of the date (or approximate date) at which such property was acquired by the the decedent or by the last preceding owner in whose hands it did not have a basis determined in whole or in part by reference to its basis in the hands of a prior holder.

"(4) Certain mortgages.—For purposes of subsections (c) and (d), if—

"(A) There is an unpaid mortgage on, or indebtedness in respect of, property.

"(B) such mortgage or indebtedness does not constitute a liability of the estate, and

"(C) such property is included in the gross estate undiminished by such mortgage or indebtedness,

then the value of such property to be treated as included in the gross estate shall be the value of such property, diminished by such mortgage or indebtednesses.

"(5) Decedents nonresident and not citizens.—In the case of a decedent nonresident not a citizen of the United States—

"(A) this section shall be applied by substituting for the figure '$60,000' wherever it appears the amount of the exemption determined under section 2106(a)(3), and

"(B) subsection (c)(2)(B) shall be applied by substituting for the figure '$15,000' the amount which is equal to ¼ of the amount of the exemption determined under section 2106(a)(3).

"(h) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section."

(c) AMENDMENT OF SECTION 1016(a).—Section 1016(a) (relating to adjustments to basis) is amended by striking out the period at the end thereof and by inserting in lieu thereof a semicolon and by adding at the end thereof the following new paragraph:

"(22) to the extent provided in section 1023, relating to adjusted carryover basis for certain property acquired from a decedent dying after December 31, 1967."

(d) AMENDMENT OF SECTION 691(c).—

(1) Section 691(c)(2)(A) (relating to deduction for estate tax in case of income in respect of decedents) is amended to read as follows:

"(A) The term 'estate tax' means Federal and State estate taxes (within the meaning of section 1023(f)(1))."

(2) Section 691(c)(2)(C) is amended to read as follows:

"(C) The estate tax attributable to such net value shall be an amount which bears the same ratio to the estate tax as such net value bears to the value of the gross estate."

(e) INFORMATION REQUIREMENT.—

(1) IN GENERAL.—Subpart A of part III of subchapter A of chapter 61 (relating to information concerning persons subject to special provisions) is amended by inserting after section 6039 the following new section:

"SEC. 6039A. INFORMATION REGARDING BASIS OF PROPERTY ACQUIRED FROM A DECEDENT.

"(a) IN GENERAL.—Every executor (as defined in section 2203) shall furnish with respect to the property of the decedent such information as the Secretary or his delegate may prescribe by regulations relating to—

"(1) the name and last address of the decedent;

"(2) the name and address of each person acquiring property from the decedent or to whom the property passed from the decedent, and a description of each item of such property;

"(3) the adjusted basis (within the meaning of section 1011) of each such item in the hands of the decedent immediately before his death; and

"(4) any other information similar or related in nature to that specified in this paragraph.

If an executor is unable to furnish all of the information required under this paragraph with respect to an item of property, he shall include in his return as much of such information as he is able to, including a description of such item and the name of every person holding a legal or beneficial interest therein, and, upon notice from the Secretary or his delegate, such person shall be treated with respect to such item as if he were an executor for purposes of this section.

"(b) STATEMENTS TO BE FURNISHED TO PERSONS WHO ACQUIRE PROPERTY FROM A DECEDENT.—Every executor who is required to furnish information under subsection (a) shall furnish in writing to each person described in subsection (a)(2) such information with respect to each item of property acquired from the decedent or passing from the decedent to such person as is required under subsection (a) and which the Secretary or his delegate may prescribe by regulations."

(2) PENALTIES.—Subchapter B of chapter 68 (relating to assessable penalties) is amended by adding at the end thereof the following new section:

"SEC. 6684. FAILURE TO FILE INFORMATION WITH RESPECT TO BASIS OF PROPERTY ACQUIRED FROM A DECEDENT.

"(a) INFORMATION REQUIRED TO BE FURNISHED TO THE SECRETARY.—Any executor who fails to furnish information required under section 6039A(a) on the date prescribed therefor (determined with regard to any extension of time for filing) shall pay a penalty of 1 percent of the fair market value of the property described in section 6039A(a)(2), or $5,000, whichever is less, for such failure, unless it is shown that such failure is due to reasonable cause and not to willful neglect.

"(b) INFORMATION REQUIRED TO BE FURNISHED TO BENEFICIARIES.—Any executor who fails to furnish in writing to each person described in section 6039A(a)(2) the information required under section 6039A(b), unless it is shown that such failure is due to reasonable cause and not to willful neglect, shall pay (upon notice and demand by the Secretary or his delegate and in the same manner as tax) $50 for each such failure, but the total amount imposed for all such failures shall not exceed $1,000."

(f) DISCHARGE OF EXECUTOR FROM PERSONAL LIABILITY.—Section 2204 (relating to discharge of executor from personal liability) is amended by striking out "notified," where it appears in the second sentence of such section and inserting in lieu thereof "notified or on furnishing of a bond pursuant to section 6165 in circumstances in which the Secretary or his delegate is satisfied that such payment will be made,".

SEC. 202. EFFECTIVE DATE.

The amendments made by section 201 shall apply only with respect to decedents dying after December 31, 1967.

TITLE III—REPEAL OF UNLIMITED CHARITABLE DEDUCTION

SEC. 301. REPEAL OF DEDUCTION.

Sections 170(b)(1)(C) (relating to unlimited deduction for certain individuals) and 170(g) (relating to application of unlimited deduction) are repealed.

SEC. 302. EFFECTIVE DATE.

Section 301 shall apply with respect to taxable years ending after December 31, 1967.

TITLE IV—REPEAL OF STOCK OPTION PROVISIONS

SEC. 401. REPEAL OF PROVISIONS.

(a) QUALIFIED STOCK OPTIONS.—Section 422 (relating to qualified stock options) is repealed.

(b) RESTRICTED STOCK OPTIONS.—Section 424 (relating to restricted stock options) is repealed.

SEC. 402. EFFECTIVE DATE.

Section 401 shall apply with respect to options granted after December 31, 1967.

TITLE V—REPEAL OF DIVIDEND EXCLUSION

SEC. 501. REPEAL.

Section 116 (relating to partial exclusion from gross income of dividends received by individuals) is repealed.

SEC. 502. EFFECTIVE DATE.

Section 501 shall apply with respect to taxable years ending after December 31, 1967.

TITLE VI—MULTIPLE SURTAX EXEMPTION

SEC. 601. REPEAL OF PRIVILEGE OF GROUPS TO ELECT EXEMPTION.

Section 1562 (relating to privilege of groups to elect multiple surtax exemptions) is repealed.

SEC. 602. EFFECTIVE DATE.

Section 601 shall apply with respect to taxable years ending after December 31, 1967.

TITLE VII—MUNICIPAL INDUSTRIAL DEVELOPMENT BONDS

SEC. 701. ELIMINATION OF EXEMPTION.

(a) IN GENERAL. Section 103 (relating to interest on certain governmental obligations) is amended by redesignating subsection (c) as subsection (e), and by inserting after subsection (b) the following new subsection:

"(c) INDUSTRIAL DEVELOPMENT BONDS.—

"(1) SUBSECTION (a)(1) NOT TO APPLY.—Any industrial development bond (as defined in paragraph (2)) issued after December 31, 1967, shall not be considered an obligation described in subsection (a)(1).

"(2) INDUSTRIAL DEVELOPMENT BOND DEFINED.—

"(A) IN GENERAL.—For purposes of this subsection, the term 'industrial development bond' means an obligation the payment of the principal or interest on which is—

"(i) secured in whole or in part by a lien, mortgage, pledge, or other security interest in property of a character subject to the allowance for depreciation, or

"(ii) secured in whole or in part by an interest in (or to be derived primarily from) payments to be made in respect of money or property of a character subject to the allowance for depreciation

which is or will be used, under a lease, sale, or loan arrangement, for industrial or commercial purposes.

"(B) EXCEPTIONS.—For purposes of subparagraph (A), property shall not be treated as used for industrial or commercial purposes if it is used—

"(i) to provide entertainment (including sporting events) or recreational facilities for the general public;

"(ii) to provide facilities for the holding of a convention, trade show, or similar event;

"(iii) as an airport, dock, wharf, or similar transportation facility;

"(iv) in the furnishing or sale of electric energy, gas, water, or sewage disposal services; or

"(v) in an active trade or business owned and operated by an organization described in subsection (a)(1).

"(3) EXCEPTION.—Paragraph (1) shall not apply to any obligation issued before January 1, 1969, for a project assisted by the United States under title I of the Housing Act of 1949 (42 U.S.C. 1450 and following, relating to slum clearance and urban renewal) or under title I or title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3131 and following)."

(b) CERTAIN URBAN RENEWAL BONDS.—Section 102(g) of the Housing Act of 1949, as amended (42 U.S.C. 1452(g)), is amended to read as follows:

"(g) Obligations, including interest thereon, other than industrial development bonds (within the meaning of section 103(c) of the Internal Revenue Code of 1954), issued by local public agencies for projects assisted pursuant to this title, and income derived by such agencies from such projects, shall be exempt from all taxation now or hereafter imposed by the United States."

SEC. 702. EFFECTIVE DATE.

The amendments made by section 701 shall apply with respect to taxable years ending after December 31, 1967.

TITLE VII—PERCENTAGE DEPLETION RATES FOR OIL, GAS, AND CERTAIN OTHER MINERALS

SEC. 801. REDUCTION IN RATES.

Section 613(b) (relating to percentage depletion rates) is amended—

(1) by striking out "27½ percent" in paragraph (1) and inserting in lieu thereof "15 percent"; and

(2) by striking out "23 percent" in paragraph (2) and inserting in lieu thereof "15 percent".

SEC. 802. EFFECTIVE DATE.

Section 801 shall apply with respect to taxable years ending after December 31, 1967.

TITLE IX—INCREASE IN GIFT TAX RATES TO ESTATE TAX LEVEL

SEC. 901. INCREASE IN RATES.

The table in section 2502(a) (relating to computation of tax) is amended to read as follows:

"RATE SCHEDULE

"If the taxable gifts are:	The tax shall be:
Not over $5,000	3% of the taxable gifts.

Over $5,000 but not over $10,000.	$150, plus 7% of excess over $5,000.
Over $10,000 but not over $20,000.	$500, plus 11% of excess over $10,000.
Over $20,000 but not over $30,000.	$1,600, plus 14% of excess over $20,000.
Over $30,000 but not over $40,000.	$3,000, plus 18% of excess over $30,000.
Over $40,000 but not over $50,000.	$4,800, plus 22% of excess over $40,000.
Over $50,000 but not over $60,000.	$7,000, plus 25% of excess over $50,000.
Over $60,000 but not over $100,000.	$9,500, plus 28% of excess over $60,000.
Over $100,000 but not over $250,000.	$20,700, plus 30% of excess over $100,000.
Over $250,000 but not over $500,000.	$65,700, plus 32% of excess over $250,000.
Over $500,000 but not over $750,000.	$145,700, plus 35% of excess over $500,000.
Over $750,000 but not over $1,000,000.	$233,200, plus 37% of excess over $750,000.
Over $1,000,000 but not over $1,250,000.	$325,700, plus 39% of excess over $1,000,000.
Over $1,250,000 but not over $1,500,000.	$423,200, plus 42% of excess over $1,250,000.
Over $1,500,000 but not over $2,000,000.	$528,200, plus 45% of excess over $1,500,000.
Over $2,000,000 but not over $2,500,000.	$753,200, plus 49% of excess over $2,000,000.
Over $2,500,000 but not over $3,000,000.	$998,200, plus 53% of excess over $2,500,000.
Over $3,000,000 but not over $3,500,000.	$1,263,200, plus 56% of excess over $3,000,000.
Over $3,500,000 but not over $4,000,000.	$1,543,200, plus 59% of excess over $3,500,000.
Over $4,000,000 but not over $5,000,000.	$1,838,200, plus 63% of excess over $4,000,000.
Over $5,000,000 but not over $6,000,000.	$2,468,200, plus 67% of excess over $5,000,000.
Over $6,000,000 but not over $7,000,000.	$3,138,200, plus 70% of excess over $6,000,000.
Over $7,000,000 but not over $8,000,000.	$3,838,200, plus 73% of excess over $7,000,000.
Over $8,000,000 but not over $10,000,000.	$4,568,200, plus 76% of excess over $8,000,000.
Over $10,000,000----	$6,088,200, plus 77% of excess over $10,000,000."

Sec. 902. Effective Date.

Section 901 shall apply with respect to calendar years after 1967.

TITLE X—USE OF UNITED STATES BONDS TO PAY ESTATE TAXES

Sec. 1001. Repeal of Authority To Use Bonds for Tax Payments.

(a) Repeal.—Section 14 of the Second Liberty Bond Act (31 U.S.C., sec. 765) is repealed.

(b) Prohibition Against Use of Bonds.—Notwithstanding any other provision of law, no bond or other obligation of the United States may be accepted by the Secretary of the Treasury in satisfaction of any amount of Federal estate tax liability greater than the fair market value of such obligation at the time it is presented as payment of such liability.

Sec. 1002. Effective Date.

Section 1001 shall apply with respect to obligations acquired after December 31, 1967.

TITLE XI—ARBITRAGE BONDS

Sec. 1101. Removal of Tax-Exempt Status.

Section 103 (relating to interest on certain governmental obligations) is amended by inserting after subsection (c) (as added by section 701 of this Act) the following new subsection:

"(d) Arbitrage Bonds.—

"(1) Subsection (a)(1) not to apply.—Any arbitrage bond (as defined in paragraph (2)) shall not be considered an obligation described in subsection (a)(1).

"(2) 'Arbitrage bond' defined.—

"(A) In general.—For purposes of this subsection, the term 'arbitrage bond' means any obligation if, under the terms of the obligation or any underlying agreement, any portion of the proceeds of the issue of which the obligation is a part may be invested, directly or indirectly, in any securities (other than obligations the interest on which is excluded from gross income under subsection (a) after the application of this subsection) which yield a higher return (taking into account any discount or any premium) than the obligation being issued, and such securities are required to be held as security for any obligations the interest on which is excluded from gross income under subsection (a) before the application of this subsection.

"(B) Exceptions.—Subparagraph (A) shall not apply to an obligation—

"(i) if under the terms of the obligation or underlying agreement all of such securities (other than those described in (ii) and (iii) below) in which the proceeds may be invested may not be held longer than 2 years from the date of the issuance of the obligation;

"(ii) if the obligation or an underlying agreement limits the amount of the proceeds which may be invested in such securities as of the beginning of any annual accounting period provided for in the obligation or underlying agreement to not more than the amount of interest and principal payments required to be made with respect to such obligation within such annual accounting period and the accounting period following such annual accounting period;

"(iii) to the extent that the proceeds of such obligation are to be used to construct a facility the actual construction of which (other than acquisition of land) must commence within 2 years from the date of such issuance if under the terms of the obligation or underlying agreement the portion of the proceeds to be used in connection with such construction may not be invested in such securities for a period in excess of 5 years from the issuance of such obligation.

"(3) Special series of obligation.—At the request of an organization described in subsection (a)(1), the Secretary is authorized under the Second Liberty Bond Act, as amended (31 U.S.C., sec. 752 and following), to provide for the issuance of a special series of obligations of the United States the yields on which shall not exceed the yields on obligations described in paragraph (2)."

Sec. 1102. Effective Date.

The amendment made by section 1101 shall apply with respect to interest on bonds issued after December 31, 1967.

TITLE XII—MINIMUM TAX

Sec. 1201. Imposition of Tax.

Subchapter A of chapter 1 (relating to determination of tax liability) is amended by adding at the end thereof the following new part:

"PART V—MINIMUM TAX

"Sec. 51. Minimum Tax.

"(a) Imposition of Additional Tax.—In addition to any other tax imposed by this chapter—

"(1) Individuals.—In the case of an individual whose section 51 income equals or exceeds $10,000 (or $5,000 in the case of a married taxpayer filing a separate return) in a taxable year, there is hereby imposed for such taxable year a tax equal to the amount (if any) by which 10 percent of his section 51 income for such taxable year exceeds the tax imposed on him by this chapter (other than this section) for such taxable year, and to the extent that such income exceeds $100,000 (or $50,000) respectively, the tax on the income in excess of these amounts shall be at the rate of 20 percent.

"(2) Corporations.—In the case of a corporation the section 51 income of which equals or exceeds $10,000 for a taxable year, there is hereby imposed for such taxable year, a tax equal to the amount (if any) by which 10 percent of the section 51 income of such corporation for such taxable year exceeds the tax imposed on such corporation by this chapter (other than this section) for such taxable year, and to the extent that such income exceeds $100,000, the tax on the income in excess of this amount shall be at the rate of 20 percent.

"(b) Section 51 Income.—For purposes of this section, the term 'section 51 income' means adjusted gross income (taxable income in the case of a corporation), plus—

"(1) any item excluded from gross income by reason of section 103(a)(1) (relating to interest on certain governmental obligations).

"(2) any deduction allowed the taxpayer under section 1202 (relating to deduction for capital gains),

"(3) an amount equal to the amount by which the allowance for depletion under section 611 for the taxable year was greater than it would have been but for the application of section 613 (relating to percentage depletion) to such taxable year, and

"(4) an amount equal to the amount by which the allowance under section 167 (relating to depreciation) for real property for the taxable year was greater than it would have been under the straight line method of depreciation (applied to such property for such taxable year)."

Sec. 1202. Effective Date.

The amendment made by section 1201 shall apply with respect to taxable years beginning after December 31, 1967.

TITLE XIII—EXCISE TAXES

Sec. 1301. Retailers Excise Taxes.

Chapter 31 (relating to retailers excise taxes) is amended by inserting immediately after the table of subchapters the following new subchapters:

"Subchapter A—Jewelry and Related Items

"Sec. 4001. Imposition of tax.
"Sec. 4002. Definition of sale includes auctions.
"Sec. 4003. Exemptions.

"Sec. 4001. Imposition of Tax.

"There is hereby imposed upon the following articles sold at retail at a price in excess of ten dollars a tax equivalent to 10 percent of the price for which so sold:

"All articles commonly or commercially known as jewelry, whether real or imitation.

"The following stones, by whatever name called, whether real or synthetic:

"Amber
"Beryl of the following types:
"Aquamarine
"Emerald
"Golden Beryl
"Heliodor
"Morganite
"Chrysoberyl of the following types:
"Alexandrite
"Cat's eye
"Chrysolite
"Corundum of the following types:
"Ruby
"Sapphire
"Diamond

"Feldspar of the following type:
"Moonstone
"Garnet
"Jadeite (Jade)
"Jet
"Lapis Lazuli
"Nephrite (Jade)
"Opal
"Pearls (natural and cultured)
"Peridot
"Quartz of the following types:
"Amethyst
"Bloodstone
"Citrine
"Moss agate
"Onyx
"Sardonyx
"Tiger-eye
"Spinel
"Topaz
"Tourmaline
"Turquoise
"Zircon.

"Articles made of, or ornament, mounted or fitted with precious metals or imitations thereof.

"Watches.

"Clocks.

"Cases and movements for watches and clocks.

"Gold, gold-plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware.

"Opera glasses.
"Lorgnettes.
"Marine glasses.
"Field glasses.
"Binoculars.

"Sec. 4002. Definition of Sale Includes Auctions.

"For the purposes of section 4001, the term 'articles sold at retail' includes an article sold at retail by an auctioneer or other agent in the course of his business on behalf of (1) a person who is not engaged in the business of selling like articles, or (2) the legal representative of the estate of a decedent who was not engaged in the business of selling like articles. In the case of articles so sold, the auctioneer or other agent shall be considered the 'person who sells at retail'.

"Sec. 4003. Exemptions.

"(a) Specific Articles.—The tax imposed by section 4001 shall not apply to any article used for religious purposes, to surgical instruments, to watches designed especially for use by the blind, to frames or mountings for spectacles or eye-glasses, to a fountain pen, mechanical pencil, or smokers' pipe if the only parts of the pen, the pencil, or the pipe which consist of precious metals are essential parts not used for ornamental purposes, or to buttons, insignia, cap devices, chin straps, and other devices prescribed for use in connection with the uniforms of the Armed Forces of the United States.

"(b) Certain Auction Sales.—

"(1) In the case of an auction sale held at the home of a person whose articles are being sold, any taxable article (as defined in paragraph (2)) of such person sold by the auctioneer shall be exempt from the tax imposed by section 4001 except to the extent that the price for which such article is sold, when added to the sum of the sale prices of all other taxable articles of such person previously sold at the same auction, exceeds $100.

"(2) For the purposes of this subsection—

"(A) the term 'taxable article' means an article which, by reason of section 4002 and without regard to the exemption provided in paragraph (1), is taxable under section 4001 when sold at auction; and

"(B) in the case of articles of a decedent sold on behalf of the legal representative of his estate, an auction sale held at the home of such decedent shall be considered as 'held at the home of a person whose articles are being sold'.

"(c) Clocks Subject to Manufacturers Tax.—The tax imposed by section 4001 shall not apply to a clock or watch, or to a case or movement for a clock or watch, if a tax in respect of such clock, watch, case, or movement was imposed under chapter 32 by reason of its sale (1) as a part or accessory, or (2) on or in connection with or with the sale of any article.

"Subchapter B—Furs

"Sec. 4011. Imposition of tax.
"Sec. 4012. Definitions.
"Sec. 4013. Exemption of certain auction sales.

"Sec. 4011. Imposition of Tax

"There is hereby imposed upon the following articles sold at retail a tax equivalent to 10 percent of the price for which so sold: Articles made of fur on the hide or pelt, and articles of which such fur is the component material of chief value, but only if such value is more than three times the value of the next most valuable component material.

"Sec. 4012. Definitions.

"(a) Manufacture From Customers Material.—Where a person, who is engaged in the business of dressing or dyeing fur skins or of manufacturing, selling, or repairing fur articles, produces an article of the kind described in section 4011 from fur on the hide or pelt furnished, directly or indirectly, by a customer and the article is for the use of, and not for resale by, such customer, the transaction shall be deemed to be a sale at retail and the person producing the article shall be deemed to be the person selling such article at retail for the purposes of such section. The tax on such a transaction shall be computed and paid by such person upon the fair retail market value, as determined by the Secretary or his delegate, of the finished article.

"(b) Sale Includes Auctions.—For the purposes of section 4011, the term 'articles sold at retail' includes an article sold at retail by an auctioneer or other agent in the course of his business on behalf of—

"(1) a person who is not engaged in the business of selling like articles, or

"(2) the legal representative of the estate of a decedent who was not engaged in the business of selling like articles. In the case of articles so sold, the auctioneer or other agent shall be considered the 'person who sells at retail'.

"Sec. 4013. Exemption of Certain Auction Sales.

"(a) In any case of an auction sale held at the home of a person whose articles are being sold, any taxable article (as defined in subsection (b)) of such person sold by the auctioneer shall be exempt from the tax imposed by section 4011 except to the extent that the price for which such article is sold, when added to the sum of the sale prices of all other taxable articles of such person previously sold at the same auction, exceeds $100.

"(b) For the purposes of this section—

"(1) the term "taxable article" means an article which, by reason of section 4012(b) and without regard to the exemption provided in subsection (a), is taxable under section 4011 when sold at auction; and

"(2) in the case of articles of a decedent sold on behalf of the legal representative of his estate, an auction sale held at the home of such decedent shall be considered as 'held at the home of a person whose articles are being sold'.

"Subchapter C—Toilet Preparations

"Sec. 4021. Imposition of tax.
"Sec. 4022. Exemptions.

"Sec. 4021. Imposition of Tax.

"There is hereby imposed upon the following articles sold at retail at a price in excess of two dollars a tax equivalent to 10 percent of the price for which so sold—

"Perfume.
"Essences.
"Extracts.
"Toilet waters.
"Cosmetics.
"Petroleum jellies.
Hair oils.
Pomades.
Hair dressings.
Hair restoratives.
Hair dyes.
Toilet powders.

"Any other similar substance, article, or preparation, by whatsoever name known or distinguished; any of the above which are used or applied or intended to be used or applied for toilet purposes.

"Sec. 4022. Exemptions.

"(a) Items for Babies.—The tax imposed by section 4021 shall not apply to lotion, oil, powder, or other article intended to be used or applied only in the care of babies.

"(b) Barber Shops and Beauty Parlors.—For the purposes of section 4021, the sale of any article described in such section to any person operating a barber shop, beauty parlor, or similar establishment for use in the operation thereof, or for resale, shall not be considered as a sale at retail. The resale of such article, at retail by such person shall be subject to the provisions of section 4021.

"(c) Miniature Samples.—For the purposes of section 4021, the sale of miniature samples of any article described in such section for demonstration use only to a house-to-house salesman by the manufacturer or distributor, shall not be considered as a sale at retail. The resale of such sample at retail by such house-to-house salesman shall be subject to the provisions of section 4021.

"Subchapter D—Luggage, Handbags, Etc.

"Sec. 4031. Imposition of tax.

"Sec. 4031. Imposition of Tax.

"There is hereby imposed upon the following articles, by whatever name called, sold at retail (including in each case fittings or accessories therefore sold on or in connection with the sale thereof) at a retail price in excess of ten dollars a tax equivalent to 10 percent of the price for which so sold—

"Bathing suit bag.
"Beach bags or kits.
"Billfolds.
"Briefcases.
"Brief bags.
"Camping bags.
"Card and pass cases.
"Collar cases.
"Cosmetic bags and kits.
"Dressing cases.
"Dufflebags.
"Furlough bags.

"Garment bags designed for use by travelers.

"Hatboxes designed for use by travelers.
"Haversacks.
"Key cases or containers.
"Knapsacks.

"Knitting or shopping bags (suitable for use as purses or handbags).

"Makeup boxes.
"Manicure set cases.

"Memorandum pad cases (suitable for use as card or pass cases, billfolds, purses, or wallets).

"Musette bags.
"Overnight bags.
"Pocketbooks.
"Purses and handbags.

"Ring binders, capable of closure on all sides.

"Salesmen's sample or display cases, bags, or trunks.

"Satchels.
"Shoe and slipper bags.
"Suitcases.
"Tie cases.
"Toilet kits and cases.
"Traveling bags.
"Trunks.
"Vanity bags or cases.
"Valises.
"Wallets.
"Wardrobe cases."

Sec. 1302. Manufacturers Excise Taxes.

Chapter 32 (relating to manufacturers excise taxes) is amended by adding immediately after subchapter A the following new subchapters:

"Subchapter B—Household Type Equipment, Etc.

"Part I—Refrigeration equipment

"Sec. 4111. Imposition of Tax.

"There is hereby imposed upon the sale of the following articles (including in each case parts or accessories therefor sold on or in connection with the sale thereof) by the manufacturer, producer, or importer a tax equivalent to the specified percent of the price for which so sold:

"Articles taxable at 5 percent—

"Household type refrigerators (for single or multiple cabinet installations) having, or being primarily designed for use with, a mechanical refrigerating unit operated by electricity, gas, kerosene, or gasoline.

"Household type units for the quick freezing or frozen storage of foods operated by electricity, gas, kerosene, or gasoline.

"Combinations of household type refrigerators and quick-freeze units described above.

"Articles taxable at 10 percent—

"Self-contained air-conditioning units.

"Subchapter C—Entertainment Equipment

"Part I—Phonograph records

"Sec. 4141. Imposition of Tax.

"There is hereby imposed upon the sale by the manufacturer, producers, or importer of the following articles (including in each case parts or accessories therefor sold on or in connection with the sale thereof), a tax equivalent to 10 percent of the price for which so sold:

"Phonograph records.

"Subchapter D—Recreational Equipment

"Part I—Photographic equipment

"Sec. 4171. Imposition of tax.
"Sec. 4172. Definition of certain vendees as manufacturers.
"Sec. 4173. Exemptions.

"Sec. 4171. Imposition of Tax.

"There is hereby imposed upon the sale by the manufacturer, producer, or importer of the following articles (including in each case parts or accessories of such articles sold on or in connection therewith, or with the sale thereof) a tax equivalent to the specified percent of the price for which so sold:

"Articles taxable at 10 percent—

"Cameras.

"Camera lenses.

"Unexposed photographic film in rolls (including motion picture film).

"Articles taxable at 5 percent—

"Electric motion or still picture projectors of the household type.

"Sec. 4172. Definition of Certain Vendees as Manufacturers.

"Any person who acquires unexposed photographic film not subject to tax under this part and sells such unexposed film in form and dimensions subject to tax hereunder (or in connection with a sale cuts such film to form and dimensions subject to tax hereunder) shall for the purposes of section 4171 be considered the manufacturer of the film so sold by him.

"Sec. 4173. Exemptions.

"The tax imposed under this part shall not apply to—

"(1) Cameras.—X-ray cameras or cameras weighing more than four pounds exclusive of lens and accessories;

"(2) Lenses.—Still camera lenses having a focal length of more than one hundred and twenty millimeters, or motion picture camera lenses having a focal length of more than thirty millimeters;

"(3) Film.—X-ray film, unperforated microfilm, film more than one hundred and fifty feet in length, or film more than twenty-five feet in length and more than thirty millimeters in width."

Sec. 1303. Club Dues.

Chapter 33 (relating to facilities and services) is amended by adding immediately after the table of subchapters the following new subchapter:

"Subchapter A—Club Dues

"Sec. 4241. Imposition of tax.
"Sec. 4242. Definitions.
"Sec. 4243. Exemptions.

"Sec. 4241. Imposition of Tax.

"(a) Rate.—There is hereby imposed—

"(1) Dues or membership fees.—A tax equivalent to 20 percent of any amount paid as dues or membership fees to any social, athletic, or sporting club or organization, if the dues or fees of an active resident annual member are in excess of $25 per year.

"(2) Initiation of fees.—A tax equivalent to 20 percent of any amount paid as initiation fees to such a club or organization, if such fees amount to more than $25, or if the dues or membership fees, not including initiation fees, of an active resident annual member are in excess of $25 per year.

"(3) Life memberships.—In the case of life memberships—

"(A) a tax equivalent to the tax upon the amount paid as dues or membership fees by members (other than life membership) having privileges most nearly comparable to those of the person holding the life membership; or

"(B) at the election (made at such time not later than the day on which the first amount is paid for life membership, and made in such manner and form, as the Secretary or his delegate shall by regulations prescribe) of the person holding the life membership, a tax equivalent to 20 percent of any amount paid for the life membership. Any election under this subparagraph shall be irrevocable.

If subparagraph (A) applies, no tax shall be paid under this subsection on amounts paid for the life membership, and the tax under subparagraph (A) shall be paid at the time for the payment of dues or membership fees by members (other than life members) having privileges most nearly comparable to those of the person holding the life membership. Any tax payable under this paragraph shall be in addition to any tax payable under paragraph (1) or (2). No tax shall be payable under this paragraph on any life membership for which no charge is made to any person.

"Sec. 4242. Definitions.

"(a) Dues.—As used in this part the term 'dues' includes any assessment, irrespective of the purpose for which made, and any charges for social privileges or facilities, or for golf, tennis, polo, swimming, or other athletic or sporting privileges or facilities, for any period of more than six days; and

"(b) Initiation Fees.—As used in this subchapter the term 'initiation fees' includes any payment, contribution, or loan, required as a condition precedent to membership, whether or not any such payment, contribution, or loan is evidenced by a certificate of interest or indebtedness or share of stock, and irrespective of the person or organization to whom paid, contributed, or loaned.

"Sec. 4243. Exemptions.

"(a) Fraternal Organizations.—There shall be exempted from the provisions of section 4241 all amounts paid as dues or fees to a fraternal society, order, or association, operating under the lodge system, or to any local fraternal organization among the students of a college or university.

"(b) Payments for Capital Improvements.—Notwithstanding any other provision of this subchapter, there shall be exempted from the provisions of section 4241 any amount paid as dues or membership fees or as initiation fees—

"(1) for the construction or reconstruction of any social, athletic, or sporting facility, or

"(2) for the construction or reconstruction of any capital addition to, or capital improvement of, any such facility, or

"(3) for furnishings or fixtures (including installation charges) for any such facility, to the extent that such furnishings or fixtures are required, by reason of the construction or reconstruction described in paragraph (1) or (2), for the use of such facility upon completion of such construction or reconstruction; except that, in the case of any such amount which is not expended for such construction, reconstruction, furnishings or fixtures including installation charges) within 3 years after the date of payment of such amount, the exemption provided by this subsection shall cease to apply upon the expiration of such 3-year period, and the club or organization, rather than the person who made such payment, shall be liable for any tax imposed by section 4241 in respect of such payment, as if such payment had been made on the first day following the expiration of such 3-year period.

"(c) Nonprofit Swimming or Skating Facilities.—Under regulations prescribed by the Secretary or his delegate, there shall be exempted from the provisions of section 4241 all amounts paid as dues or fees to any club or other organization organized and operated primarily for the purpose of providing swimming or skating facilities for its members, if no part of the net earnings of such organization inures to the benefit of any private stockholder or individual. This subsection shall apply with respect to an organization only if it is established to the satisfaction of the Secretary or his delegate that—

"(1) children will be permitted to use the swimming or skating facilities, on the basis of their own membership or the membership of adults;

"(2) no beverage subject to tax under chapter 51 (distilled spirits, wines, and beer) will be served or permitted to be consumed on any premises under the control of such organization;

"(3) no dining facilities (other than facilities for light refreshments), and no dancing facilities, will be provided on any premises under the control of such organization; and

"(4) such organization is not controlled by, or under common control with, any other organization."

Sec. 1304. Effective Date.

(a) Retailers and Manufacturers Taxes.—The taxes imposed by this title shall apply to all sales occurring after December 31, 1967.

(b) Club Dues.—The taxes imposed by this title shall apply to all club dues paid after December 31, 1967.

TITLE XIV—GAINS FROM THE DISPOSITION OF DEPRECIABLE REALTY

Sec. 1401. Inclusion of Realty as Section 1245 Property.

(a) Amendment of Section 1245.—Section 1245(a)(3) (relating to gain from dispositions of certain depreciable property) is amended by redesignated subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively, and by inserting immediately after subparagraph (A) the following new subparagraph:

"(B) any real property which is or has been property of a character subject to the allowance for depreciation provided in section 167, or".

(b) Repeal of Section 1250.—Section 1250 (relating to gain from dispositions of certain depreciable realty) is repealed.

Sec. 1402. Effective Date.

This title shall apply to dispositions occurring after December 31, 1967.

TITLE XV—REPEALING TAX DEDUCTIONS FOR CERTAIN TRADE OR BUSINESS EXPENSES

Sec. 1501. Appearances, Etc., With Respect to Legislation.

(a) Section 162 (relating to tax deductions for certain trade or business expenses) is amended by striking all of subsection (e) and redesignating subsection (f) as subsection (e).

SEC. 1502. EFFECTIVE DATE.

This title shall apply to trade and business expenses occurring after December 31, 1967.

IRS—READER'S DIGEST CONTROVERSY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Oklahoma [Mr. SMITH] is recognized for 30 minutes.

Mr. SMITH of Oklahoma. Mr. Speaker, I come before this body to discuss something that weighs heavily on my mind.

The August issue of the Reader's Digest carried an article, "Tyranny in the Internal Revenue Service," which charged the IRS with lawless tactics against the public.

Since publication of the article my office and the offices of several of my colleagues have received many inquiries about these charges. That is why I was glad when I learned that the distinguished Representative from Oklahoma [Mr. STEED] had announced his House Treasury-Post Office Appropriations Subcommittee, of which he is chairman, would probe the charges.

The hearing, to which he summoned IRS Commissioner Sheldon S. Cohen and his staff, was closed.

Because of the interest expressed in mail I have received, I requested and received a copy of the hearing.

To my amazement, I found that "the investigation" by this subcommittee consisted only of testimony by witnesses representing the Internal Revenue Service and nine letters praising the IRS, and that none of the individuals who had been allegedly "damaged" by the actions of the Internal Revenue Service was present. Nor was anybody present from the Reader's Digest.

Because of this unusual procedure by the committee, I inquired of the Reader's Digest Washington representative as to whether or not they had offered the committee any documentation concerning the charges contained in their article. I was informed that Mr. John Barron, an associate editor of the Reader's Digest and author of the article, had offered documentation to the chairman of the subcommittee prior to the hearing. However, Mr. Barron informed me, he had no response from the chairman.

I then requested that the Reader's Digest provide me with their evidence concerning this serious matter.

The document which I intend to insert into the RECORD today is a statement prepared by Reader's Digest which indicates some very serious matters which were overlooked by the committee. The rebuttal of Reader's Digest is directed at a 29-page press release issued by the Internal Revenue Service on August 10, the day of the hearing. The Reader's Digest document, when carefully compared with everything IRS said in its press release, which is part of the committee record, charges, first:

> The IRS has made a number of deliberately false statements—statements clearly disproved by Federal court decisions as well as by previous admissions of the Government itself. In one case, IRS has fabricated a quotation and attributed it to the written decision of a Federal judge.

In this regard, Mr. Speaker, I would like to point out that my distinguished colleague, the gentleman from Massachusetts [Mr. CONTE], a member of this Investigative Subcommittee, placed into the RECORD of the House on Monday, August 14, the answer to the allegations provided by IRS. In that testimony on page 22502 of the CONGRESSIONAL RECORD, in language attributed to District Judge Wyzanski, it was stated:

> IRS is not in contempt . . . I dismiss the petition with respect to civil contempt as well as with respect to criminal content.

However, in the printed subcommittee report, the words attributed to Judge Wyzanski "IRS is not in contempt" do not appear. Obviously someone has altered the committee record. I would submit that this is not in keeping with the high standards of the House in arriving at a fair decision.

Second, IRS has in another case revealed information more damaging to itself than the Digest reported, and while berating the Reader's Digest for allegedly being wrong in "15 of 16 cases," IRS in many of these cases simply confirms what the Digest said.

I deeply resent a committee of Congress being swerved from its primary constitutional responsibility of providing checks and balances between the various branches of Government, and instead be allowed to be used for self-serving propaganda by the bureaucracy.

We are all interested in seeing that everybody pays his fair share of taxes, and the IRS must use every legitimate means to collect these taxes, but this sort of investigation by a committee of this Congress only increases the credibility gap between our Government and its people.

The chairman of this committee, in conclusion, stated on page 65 of the committee report, that "the probable bad results from such an attack made on the service has been minimized, we hope"—by this investigation.

This does not, in my opinion, indicate a proper congressional investigation of a serious charge.

This can only indicate an attempt to whitewash a serious situation which the Reader's Digest brought to the attention of millions of American taxpayers.

Mr. Speaker, I feel that, at your call, this committee should be reconvened immediately under impartial direction in order to conduct a proper investigation of the charges brought by the Reader's Digest and to hear any additional complaints of taxpayers around the country. I call upon the Speaker to reconvene such a committee.

I include the rebuttal prepared by the Reader's Digest at this point in the RECORD:

THE READER'S DIGEST REBUTTAL

The Internal Revenue Service on August 10 issued a 29-page press release denouncing the Reader's Digest article "Tyranny in the Internal Revenue Service" by Associate Editor John Barron. The same day, IRS Commissioner Sheldon S. Cohen convened an extraordinary press conference to assail the article, which appears in the August issue.

Before publication, the accuracy of the article was exhaustively checked by the Research and Legal Departments of the Digest as well as by the editors. However, as mistakes are possible despite the greatest care, a line-by-line analysis of the IRS charges has been made. The Digest research data has been scrutinized anew and carefully compared with everything IRS said in its press release. The results show the following:

IRS has made a number of deliberately false statements—statements clearly disproved by federal court decisions as well as by previous admissions of the government itself. (See attached analysis, pages 19–24, 27, 31, 36)

In one case, IRS has fabricated a quotation and attributed it to the written decision of a federal judge. (See pages 24–26)

IRS has in another case revealed information more damaging to itself than what the Digest reported. (See pages 31–33)

While berating the Digest for allegedly being wrong in "15 of 16 cases," IRS in many of these cases simply confirms what the Digest said. (See pages 10–13, 14–18, 20, 34)

Overall, IRS offers neither a denial nor an explanation of some of the most shocking and lawless tactics it has used against the public. (See pages 35–36)

IRS in its press release tries to make capital of the fact that the Digest cited *only* 16 specific examples of abuses or wrongdoing. The truth is that the Digest investigation uncovered numerous other IRS abuses, but obviously a single article can contain only so much. IRS knows this well because it has had lengthy conferences and correspondence with Digest representatives this summer. Moreover, there has been a remarkable response to the article from troubled taxpayers all across the country. The Digest has been deluged with hundreds of letters from individuals complaining of the same kind of bureaucratic tyranny the article describes. So have members of Congress and the Senate Judiciary Subcommittee on Administrative Practice and Procedure. And IRS itself admits that it too has been inundated with protests from indignant citizens.

Commissioner Cohen was quoted as complaining at his press conference that the Digest did not consult IRS concerning most of the "cases" involved. Partial details of some of these cases were related in sworn testimony before the Senate subcommittee, and IRS had ample opportunity to try to refute the testimony. Indeed, on several occasions it attempted to do so by investigating the testimony of witnesses, then releasing so-called "fact sheets" concerning what they said. As for the other cases, however, IRS acknowledges in its press release that it could not have discussed them because they were not yet in the public domain.

A primary thesis of the article is that IRS has become infected with a totalitarian spirit. We regret that the IRS reaction lends confirmation to this thesis. Typical of its tone is this declaration, which appears on page 4 of the IRS press release:

"The fact that a court may acquit the individual means only that the government was unable to prove beyond a reasonable doubt that criminal tax fraud was committed."

According to American tradition, a man acquitted by a jury of his peers must be regarded as innocent. But here IRS says that once it accuses you of something, even if a court finds you not guilty, that really doesn't clear you.

THE CASE OF MRS. MICHAEL DARRAH

The Reader's Digest said:

"In Kansas City, Mo., two IRS agents intruded upon Mrs. Michael Darrah while she was nursing her six-week-old baby. The young mother pleaded with the men to come back another time. Instead, for four torturous hours they questioned her about an income-tax charge against her father, Kenneth R. Layne. When she sought to call him for advice, one man ordered, "Don't touch that phone." Unsure of her rights, Mrs. Darrah asked permission to call a lawyer. "That will only make it worse for your father," an agent threateningly told her. For the terrified woman, it was tantamount to being held a prisoner in her own home. Ultimately, a jury unanimously concluded that Layne was innocent of any crime. But his daughter, never accused of anything, suffered a nervous breakdown."

The IRS response:

"Mrs. Darrah invited the IRS agents to come to her residence at a time when her husband could be present. She . . . set up a definite appointment. . . . by appointment the agents met Mr. and Mrs. Darrah at their home, arriving about 9:30 a.m. . . . After reading it (a proposed affidavit typed by the agents on the scene) and discussing it with her husband, and with her father or his attorney, Mrs. Darrah signed the corrected affidavit at 1:30 p.m. Mr. and Mrs. Darrah, who were pleasant and cordial during the entire visit at their home, served the group coffee around the noon hour, and did not ask the agents to leave or to return at another time. Mr. Darrah was present the entire time. Neither agent, at any time, attempted to prevent her from telephoning her father or anyone else. As a matter of fact, she did telephone her father or his attorney."

What hapepned:

On October 18, 1965, Kenneth R. Layne testified *under oath* before the Senate Judiciary Subcommittee on Administrative Practice and Procedure as follows:

"But I think the biggest penalty of all is what my wife and children have gone through. Two of my older daughters were interrogated extensively by these agents . . . they were certainly not gentlemen. They caused one of my daughters to have an upset, and she had to go to the doctor. They told my daughters . . . they had to sign these affidavits. They even told my daughter, Linda (Mrs. Darrah), when they took one out to the home here where she had just had a baby and everything and she was nursing this child, they stayed there for four hours and harassed her, made her sign an affidavit. She wanted to call me to let me know they were there and to find out if she could have an attorney or something. They wouldn't let her do this. . . . She had nothing to say. All she wanted to do was tell the truth, but they said she had to make the statement, so they took an affidavit and she signed it. They would not even let her call me. This is just one of my family."

After the subcommittee hearings, IRS issued "fact sheets" which the Senate subcommittee put in the official record commenting on or challenging testimony from some of the witnesses summoned by the committee. *But the IRS did not do this as far as Mr. Layne was concerned. It did not see fit, for the record, to dispute a single word of Mr. Layne's testimony.*

Subsequently, the Reader's Digest author interviewed Mrs. Darrah, members of her family, and consulted with Mr. Layne's attorney, who was familiar with what happened. Still later, the Reader's Digest Research Department independently checked the accuracy of the author's account by examining the aforementioned sworn testimony and reinterviewing Mrs. Darrah.

Moreover, after IRS issued its press release denying the Reader's Digest account, the IRS version of its interrogation of Mrs. Darrah was read to Mrs. Darrah. She replied:

"It's a big fat lie. . . . I did not invite them to come, I was just suddenly advised that they were coming. My husband only happened to be home because he worked the night shift. . . . It was not a pleasant time. I was scared stiff. My husband was upset. He or I did not know what to do. They kept telling us and giving the impression that if we didn't do what they wanted, it would hurt my father.

"I didn't call anybody. I was not allowed to use my telephone. They told me not to touch the phone. They said I couldn't be telling the truth if I wanted my father or a lawyer to see the statement. They said that if I were telling the truth, I would just go ahead and sign it.

"I most certainly did ask them to leave, twice or more. I had the baby to worry about, and I wanted to talk to my father to see if I was doing the right thing. But they wouldn't leave until I signed the statement.

"I did serve coffee about noon. They had been there so long, and I wanted something to steady my nerves."

The IRS version of what transpired during the interrogation also was read to Mr. Darrah. He said:

"They wanted a statement that day, and they said we had the choice of driving downtown, or if we didn't, they were coming out. They reminded me that if we didn't they could get us with a subpoena. . . .

"When they came out, they had a whole bunch of bank account records and stuff which my wife had never seen. She asked if she could call her dad to find out about this stuff. But they wouldn't let her use the phone. . . . No, she most certainly never did call anyone while they were there. . . .

"They kept saying, 'This is the way it had to be. It couldn't be any other way. And we want a statement to that effect.'

"She asked them to come back another time so she could talk to her dad. But they were determined not to leave until they got the statement, and that was the only way we could get rid of them.

"I don't know how they can say it was pleasant and friendly. We knew they were trying to put her dad in jail, and we didn't like the way we were being treated, but we didn't know what to do."

The issue thus is one of credibility. What is to be believed—the unsworn, belated denials of IRS via press release or the detailed repeated statements of the young couple and the sworn testimony which IRS never saw fit to challenge for the official sworn record?

THE CASE OF LEW M. WARDEN, JR.

The Reader's Digest said:

"In Oakland, Calif., attorney Lew M. Warden, Jr. patiently answered questions about his tax return until an IRS agent demanded all his records. 'Those files contain confidential information about some of my clients,' Warden protested. 'You have no right to them.' So IRS arbitrarily disallowed his legitimate business deductions for three years and claimed he owed $19,501.41 in back taxes. It seized his bank account, ordered tenants of a cottage he owned to pay their rent to the government, confiscated his sailboat. Worse still, the constant IRS harassment took him away from his law practice so much that his income plummeted.

"Insisting on a day in court, Warden spent his last savings preparing for his tax trial scheduled April 5, 1965. But on April 1, after hounding him for 33 months, the IRS suddenly dropped all charges. For, as it should have known all along, Warden had done nothing wrong and owed it nothing."

The IRS response:

"When an examination of Mr. Warden's tax matters was begun in June 1962, he refused to answer questions about his tax returns and refused to make his records available to the examining officer. *The records requested were those relating only to his personal financial activities and his personal tax situation,* not, as the Reader's Digest says, records which contain 'confidential information' about Mr. Warden's clients. For over two years Mr. Warden *refused to produce his business records* to verify certain items on his return, and twice refused a conference to discuss his tax situation. . . . Lacking Mr. Warden's records to support his claimed deductions, IRS proposed certain adjustments calling for additional tax on the returns at issue. Mr. Warden wrote to the San Francisco IRS office refusing to accept the deficiency findings." (Italics supplied)

The IRS response notes that Mr. Warden subseqently filed suit in Federal District Court against IRS officials, contending they were denying him constitutional rights by arbitrary action. The court ruled his rights had not been denied and that the acts of IRS agents were undertaken solely in an effort to determine correct tax liabilities for 1959, 1960 and 1961. "At a pre-trial conference in November 1964, Mr. Warden gave the first indication of cooperation by informing members of the IRS Regional Counsel's staff that he was compiling records to substantiate expenses on his return. Two months later, in January and February 1965, Mr. Warden finally made them available for examination at his place of business.

"With the records thus available, it was at last determined that no additional tax was due. But this occurred only after Mr. Warden made his records available, a reasonable action which, if taken at the time of the initial request for them, might have saved both taxpayer and government time and money."

What happened:

The Digest account was based on: (1) a federal court decision declaring that Mr. Warden did not have to surrender his records to IRS; (2) the court decisions IRS mentions; (3) voluminous official correspondence from IRS; (4) records of court proceedings; (5) three interviews with Mr. and Mrs. Warden; (6) the U.S. Tax Court decision affirming that Warden owed no taxes whatsoever. These documentary data as well as the results of the interviews were independently verified by the Digest Research Department.

Warden insists that he initially answered IRS questions which first were addressed to him by telephone, then by an agent who visited his office.

IRS claims, "The records requested were those relating only to his *personal financial activities and his personal tax situation. . . .*" Yet in the very next sentence IRS says, "For over two years Mr. Warden *refused to produce his business records. . . .*" Thus, IRS by its own statement proves that it certainly did seek Warden's business records which did contain information about his clients. These Mr. Warden as a matter of principle refused to surrender to IRS.

IRS thereafter issued a summons commanding him to give up his records. But IRS neglects to report that on August 29, 1962, the Federal District Court for the Northern Division of California quashed the summons and declared that Mr. Warden did not have to surrender his records. However, the court in the same ruling decreed that Mr. Warden did have to answer oral questions from IRS and ordered him to report on September 6, 1962, for IRS interrogation. In light of this injunction, Mr. Warden never refused to attend any conference with IRS. On the contrary, he spent innumerable hours at such conferencees.

Confronted by a federal court ruling that it could not take Mr. Warden's records away from him and thwarted by his refusal voluntarily to surrender them, IRS retaliated by disallowing his business deductions and claiming that he owed $19,501.41. The records of the Federal District Court in San Francisco (Civil No. 41882) reveal that IRS itself stated: "The principal cause of changes is the taxpayers' refusal to make their books and records available for examination."

IRS alleges: "At a pre-trial conference in November 1964, Mr. Warden gave the first indication of cooperation by informing members of the IRS regional counsel's staff that he was compiling records to substantiate expenses on his return." IRS further alleges that he ultimately did make his records "available" for examination and that then everything was efficiently settled.

But Warden's own account is to the contrary. He says:

"First of all, I demanded a trial in open court. But to get a trial, you have to go through a pre-trial conference. At this conference, which IRS talks about, I warned those birds I was getting my records in order so I could prove them wrong in court, point by point. But I never intimated I was going to turn my records over to them. . . .

"Before a tax trial, you have to try to stipulate as many facts as possible. And if you don't try to make stipulations with IRS, the judge is likely to throw the book at you. I compiled some summaries of some of my records, just so we could make stipulations. . . . Early in 1965 I showed IRS these *summaries* plus a few canceled checks. *But I never showed IRS my records. That was the whole principle we were fighting about, and I never gave in. IRS is just looking for a face-saving device when it says I did."*

Thus, after pursuing Warden for nearly three years, IRS on the eve of his scheduled tax trial was confronted by the prospect of having to go into court without any evidence whatsoever. IRS recognized that if it did this, the fact that it had been pressing empty claims against Mr. Warden would be exposed. So, just before the scheduled trial, IRS admitted in writing that Warden owed not one penny. Pursuant to this admission, the U.S. Tax Court at San Francisco on April 1, 1965, issued a decision (Docket No. 627–64) which says:

Ordered and decided: That there are no deficiencies in income tax due from, or overpayments due to, the petitioners (Mr. and Mrs. Warden) for the taxable years 1959, 1960 and 1961.

The IRS response continued:

"The Reader's Digest says Mr. Warden unfairly had his bank account 'seized' by the IRS, which also 'confiscated his sailboat.' Mr. Warden owed taxes reported by him on his original returns. He was seriously delinquent in payment of these taxes; taxes which were not in question. The Collection Division, in activities entirely distinct from the examination of his tax returns, made numerous efforts to collect these taxes, admittedly owed by Mr. Warden. Only after he refused to submit financial data which would have enabled IRS to determine whether collection could be deferred, he was informed in June 1964 that action to collect the tax would be necessary. On June 25, 1964, a levy was served on his bank account, and on July 17, 1964, his auxiliary sloop was seized in the yacht harbor where Mr. Warden kept it moored. These actions were unrelated to the examination of his tax returns and proposed additional tax. They took place as part of enforcement action to collect taxes seriously delinquent in payment. On August 4, 1964, Mr. Warden made full payment on all existing tax liabilities, and his boat was released to him."

What happened:

When Mr. Warden filed his 1962 tax return on April 15, 1963, he owed $5,946.93. However, the controversy with IRS increasingly consumed so much of his time that he had less and less left for his law practice, and his earnings consequently plummeted (evidenced by the fact that his total income taxes and social security taxes for 1963 totaled only $440, and for 1964 only $633.59). Thus, in April 1963, Mr. Warden did not have the money to meet his 1962 tax bill.

But he did struggle to pay. He sent $750 on July 17, 1963, $1000 on August 26 and $300 on October 29. Nevertheless, on November 8, 1963—eight days after Mr. Warden had indicated good faith by volunteering the partial payment—IRS confiscated his office bank account. As IRS indicates, it subsequently made additional seizures of his bank accounts and property. IRS neglects to mention that on June 26, 1964, it also confiscated his lawyer's trust account, which contained $1500 that Mr. Warden had deposited in behalf of a client. IRS thus took money which did not even belong to Warden.

IRS insists that this seizure of money and property did not constitute harassment and had nothing to do with the other dealings with Warden. Such insistence, however, is open to question in light of the fact that IRS has let big corporations and even an ex-convict go untouched for years without paying much larger sums than Mr. Warden owed (as in the cases of Webb & Knapp, Stavros Niarchos and Lawrence L. Callanan report on elsewhere in this document).

THE CASE OF THE TENNESSEE BUSINESSMAN

The Reader's Digest said:

"In a small Tennessee town, an IRS agent riffled through mail on a businessman's desk, pried open an envelop and found a letter linking him with 'another woman.' The agent showed a copy to the man's wife, trying to anger her so that she would agree to inform against her husband."

The IRS response:

"This allegation is substantially true. An investigation made by IRS at the time of the incident, which occurred on October 15, 1962, confirmed that the agent did show a copy of the letter to the taxpayer's wife."

What happened:

The Digest account is not merely "substantially true." It is utterly true and accurate.

THE CASE OF ROGER LOGAN (ALIAS)

The Reader's Digest said:

"After contracting to sell his home in suburban Detroit, businessman Roger Logan (not his real name discovered that IRS had slapped liens of $210.07 and $400.07 on it for alleged non-payment of taxes. Logan's wife presented canceled checks and copies of past returns to prove no taxes were due, but without avail. 'The best thing to do,' an IRS clerk advised, 'is to pay off the liens. Then, if you're telling the truth, you can sue to get your money back." Only after Logan got help from a lawyer friend would IRS even take the trouble to verify that he indeed owed nothing. The agency had tied up his home simply because it had two old claims against someone with a *similar* name."

The IRS response:

"Does not dispute one single aspect of the Digest account. It simply confirms in detail what the Digest said, as for instance, it stresses that the IRS advised Mrs. Logan 'the only way' for her to get rid of the liens was 'to pay the tax and file a claim for refund.' IRS' only excuse is 'mistaken identity'."

THE CASE OF NOEL SMITH

The Reader's Digest said:

"IRS can merely claim that a citizen owes taxes; then, if he fails to pay instantly, it can immediately confiscate his salary or all the money he has deposited in a bank, or seize everything he owns.

"Nobody knows this better than farmer Noel Smith of Taylor, Mo. IRS checked Smith's books for nine years without telling him it suspected any significant irregularity. Then one morning a friend ran up to him with a newspaper report that IRS was taking over his farms. Smith rushed to town, only to learn that IRS had confiscated all his money in the bank, the contents of his safe-deposit box, even an insurance policy belonging to his 70-year-old mother. Five days later, IRS formally demanded that he pay it a staggering $501,000.

"With help from friends, Smith hired lawyers and accountants to unravel the fantastic IRS claims. Meanwhile, the agency began selling off his stored grain, using sledgehammers to batter apart his bins. 'Highhanded,' 'unlawful,' declared the U.S. Court of Appeals upon hearing what IRS had done.

"Nevertheless, IRS kept custody of Smith's property and denied him income from it for four years before deciding that he actually owed $54,573 in taxes. Smith paid this 'ransom,' as he termed it, so that he could recover his land. Another year Smith overpaid his taxes but had to sue to force IRS to give him back $7,820 the government owed him. And to this day IRS is still after him. 'I did not think it could happen in the United States,' Smith told Senate investigators."

The IRS response:

"Does not contest the essential factuality of the Digest account beyond saying, 'There is no evidence of destruction of Mr. Smith's property by anyone.' Instead, it seeks to justify its seizures on the premises that it 'learned' Smith 'was attempting to dispose of his principal holdings, thus jeopardizing eventual collection of any tax,' and it 'learned' that Mr. Smith was transferring his assets to another country. It also mentions that 'there were a series of court actions initiated by Smith to restrain the collection of his taxes.' IRS explains that Smith's grain was seized and sold 'to avoid destruction of the grain by flooding of the storage units.' "

What happened:

The evidence that Smith's property was damaged consists of his sworn testimony to Senate investigators October 20, 1965, and of photographs showing his battered storage bins.

The remainder of the Digest account is based on decisions by the United States Court of Appeals for the Eighth Circuit (No. 16,065), the Tax Court of the United States (Docket No. 65410), and detailed statements made to the author and Digest representative by IRS officials in Washington.

The $501,000 sum mentioned by the Digest (which is at variance with the $375,688 sum mentioned by IRS) is derived from the U.S. Court of Appeals ruling which found that IRS originally claimed Smith owed $341,000 in back taxes plus "approximately $160,000" in penalties.

The Digest article recounted Smith's experience to illustrate the enormity and arbitrary character of powers entrusted to IRS. IRS claims that it confiscated Smith's property because it learned he was "attempting to dispose of his principal holdings" and later because it learned he was "transferring his assets to another country." However, IRS never presented one shred of evidence to any court, to any judge or to anyone else that this was so. Furthermore, in its reply IRS even now offers no evidence whatsoever in support of this claim.

Thus, IRS by its own statement proves the point of the article that the agency can seize anyone's property without justifying its action to anybody; that IRS can seize any person's property without affording him an opportunity to prove its claim false; that IRS can fabricate as large a claim as it wishes against an individual without first offering any evidence that the claim is valid. In this case, for example, IRS claimed Smith owed $341,000 in back taxes (plus $160,000) whereas later it conceded he only owed $54,000.

THE CASE OF GORDON W. WARREN

The Reader's Digest said:

"Look at what happened not long ago in Richland, Mo., a small town in the Ozark foothills. As he told the Senate committee, the local bank president, Gordon W. Warren, was alone in his office when two IRS agents marched in and demanded the records of a depositor. 'I'll just notify this customer,' Warren said, reaching for the phone. 'If you do that,' an agent told him, 'you'll be liable to a $10,000 fine and a ten-year imprisonment.' The threats were as illegal as they were inexcusable. But how could Warren know?"

The IRS response:

"The agents cited their legal authority to have the information and in fact read to Mr. Warren the exact language of the law including the provisions which state the penalty for violation. Mr. Warren was not threatened in any way."

What happened:

Contrary to what IRS implies, there is no law whatsoever which would prevent a banker from notifying a depositor that IRS wants to look at records of his account.

Testifying under oath before the Senate subcommittee October 20, 1965, Mr. Warren said:

"I had one experience which was not very pleasant. . . . In this case, it was during a saturation investigation in that area, and these were special agents in charge, I presume, but two of these agents came into my office and demanded information regarding a certain customer. I said, 'I will just notify this customer. I will call him.' I had the phone right there at my desk. One of these agents said, 'Now, we don't want you to do that.' He said, 'In this case we don't want that done, and furthermore, if you do it, you are liable to a $10,000 fine and a ten-year imprisonment.'

"Anyway, I contacted the attorney for our bank, and he, in turn, wanted to be absolutely sure on this, and he contacted a tax attorney at Jefferson City. We received a letter from him advising us there was no such provision in the Internal Revenue Code that would call for that type of punishment."

Subsequently, when IRS inserted into the official sworn record of the committee hearings a "fact sheet" commenting in detail on Mr. Warren's testimony, it did not see fit to deny that its agents threatened him nor to dispute one word of his testimony regarding their visit. Furthermore, IRS confirmed the accuracy of Mr. Warren's testimony regarding other matters.

Thus, again the issue is one of credibility. What is to be believed—the belated, unsworn denials of IRS put out now in a press release, or the sworn, heretofore undisputed testimony of a reputable banker?

THE CASE OF THE WAITRESS

The Reader's Digest said:

"Down the street an IRS agent confronted a waitress with a $275 tax claim. When she protested, the agent threatened to confiscate and 'dispose of' her old car unless she paid up *that day*. Near tears, she went to see Warren, who agreed to lend her the $275 necessary to hold IRS off. Only after she spent days getting a sworn affidavit to document her deductions did IRS admit she didn't owe the bill which it tried to intimidate her into paying."

The IRS response:

"Does not in any way challenge the accuracy of the Digest account. It only claims that before threatening to seize the waitress' property, it sought in vain to interview her, and sent her four letters requesting payment of the money (which, as it admits, was not owed)."

What happened:

In her original interview with the author of the article, the waitress denied that any IRS representative ever explained what she needed to do to prove she did not owe the money IRS demanded. She said it was not until she got advice from banker Warren that she understood what was required of her. Expressing fear of IRS retaliation, the waitress now refuses to discuss the matter further, saying only "they know what they did."

Richland has a population of 1665. The whereabouts of anyone in this village is no great mystery. The waitress is at work each day in the little cafe, and her husband regularly works 1½ blocks away. Thus, the professed difficulty of IRS in locating the waitress or her husband is baffling.

THE TOMLINSON CASE

The Reader's Digest said:

"Across the railroad, Fred and Katherine Tomlinson run a one-room Dairy Queen Shop. They have never made a lot of money, but enough to rear their children and make their own way. On March 31, 1965, a worried bank cashier ran to see them. 'The IRS has seized your bank account,' he reported. 'They claim you didn't pay your taxes last year.' Tomlinson couldn't understand: 'The Government's never said anything to us about owing any money.' That night, he and his wife dug out a canceled check proving they had paid in full, and mailed it to IRS. Meanwhile, checks they previously had written bounced because of the IRS seizure of their funds. 'I'm so ashamed,' Katherine told her husband. Not until eight days later would IRS restore their money—without the least apology."

The IRS response:

"On July 30, 1964, it sent the Tomlinsons a letter requesting information regarding their income tax return. It also claims that on January 29, 1965, it sent them a 'balance due notice'—when nothing was due. Otherwise, IRS does not dispute anything the Digest says, nor does it deny that it seized the Tomlinsons' bank account without any warning whatsoever."

What happened:

Concerning what happened to the Tomlinsons, IRS Commissioner Sheldon S. Cohen on May 19, 1965, wrote the Senate Judiciary subcommittee: ". . . I find that the Internal Revenue Service did err, and we apologize. The tax liability had been paid in full, and notice of levy should not have been served."

Both Mr. and Mrs. Tomlinson deny that they ever received the letter IRS claims to have sent in January 1965, and they deny that after they made their last tax payment in 1965 they never received any notice of any kind that they owed any money. And in spite of the Commissioner's admissions and "apology" to the subcommittee, the Tomlinsons also assert that they have never received any apology of any kind.

THE CASE OF JERRY G. PFNISTER

The Reader's Digest says:

"This callous disregard of the rights, feelings and welfare of ordinary people goes on all the time. Last March 28, IRS without forewarning attached the salary of Chicago salesman Jerry G. Pfnister. Thus Pfnister was branded as 'financially irresponsible' in the eyes of his associates. Only later would IRS give him a letter admitting that it had made an error and he owed nothing. But that has failed to restore Pfnister's reputation."

The IRS response:

"Does not dispute a single fact in the Reader's Digest article. Its explanation is simply that it did not have a record of Pfnister's payments because one of these was inadvertently sent to the wrong IRS office; that therefore because 'the collection office was unaware this payment had been made. . . . IRS had no other course of action left but to levy on his salary. . . Immediately on learning the situation (one week later), IRS contacted the employer by telephone, offered a verbal apology in behalf of Mr. Pfnister and an explanation. . . . Mr. Pfnister then was given a Release of Levy for his employer, with a written explanation. . . .This is a far cry from the Reader's Digest conclusion that 'this callous disregard of the rights, feelings and welfare of ordinary people goes on all the time.' "

What happened:

IRS merely verifies what the Digest said. Because Pfnister's tax payment was "misdirected" within the labyrinth of IRS bureaucracy, IRS without so much as a phone call of warning attached his salary and thereby defamed him in the eyes of his colleagues and employer. Its willingness to "offer a verbal apology" a week later and its assertion that this alone disproves the conclusions drawn by the author of the article do not erase the damage done.

THE CASE OF CLAUDE F. SALTER

The Reader's Digest said:

"Claude F. Salter, for example, is a distinguished veteran of 34 years with IRS. His record as chief of its San Francisco audit division was so outstanding that IRS admits "we cannot deny that he did perform well." Salter was stubborn, though, when it came to principles. To superiors who asked special treatment for certain taxpayers, he consistently said no. So, in the spring of 1964, these officials tried to have him declared unfit by ordering him to the U.S. Public Health Service Hospital and sending along a letter implying that he was mentally ill. A battery of psychiatrists and physicians told Salter that he was well adjusted, intelligent and healthy. Nevertheless, IRS soon demoted him to a lesser job where he could not influence policy."

The IRS response:

"Is chiefly to the point that the record of hearings and appeals 'does not indicate any evidence that Mr. Salter's superiors ever asked for special treatment of certain taxpayers . . .' It additionally alleges that Mr. Salter used 'loud and profane language . . .,' 'displayed increasingly intemperate conduct.' and that therefore 'he was referred for a complete checkup to the U.S. Public Health Service. As a result of the examination, he was declared medically fit for duty,' but 'believing that the best interests of the IRS required reassignment of Mr. Salter to a position of less responsibility, the Regional Commissioner in San Francisco transferred him to a non-managerial position in the Appellate Division.' "

What happened:

IRS does not *deny* that Salter was pressured by his superiors. It also omits any reference to the letter its regional commissioner in San Francisco sent to the Public Health Service physicians. This letter, a copy of which is in Digest files, portrays Mr. Salter as "a seriously ill man," as "antagonistic, rash, loud, argumentative, threatening and totally unreasonable." Additionally, the letter reveals that Salter's superiors searched his personnel file all the way back to the early 1930's in an effort to find something bad to say about him.

One of the physicians at the Public Health Service Hospital so resented the letter that he arranged for Mr. Salter to obtain a copy.

Ever since, IRS has refused to permit Mr. Salter, his lawyer or Senate investigators to see the record of his examination at the hospital. This record shows that in spite of his superior's letter accusing him of irrationality and intemperate conduct, the psychiatrists and physicians found nothing to support such charges.

THE CASE OF DONALD R. LORD

The Reader's Digest said:

"In Dedham, Mass., 31-year-old accountant Donald R. Lord responded to a knock on his front door one Saturday morning, still in his pajamas, and three IRS agents pushed past him into his home. They ordered him to get out corporate records entrusted to him by a local businessman. 'You'd better cooperate if you expect to stay in business,' Lord was warned. 'Don't make any phone calls, or you'll be subject to prosecution.'

"After interrogating him most of the day, the agents confiscated boxes of papers, threatening him with a jail sentence if he resisted, and drove away.

"Soon thereafter, a neighbor phoned: 'Some IRS men were here today, asking questions about you.' Meanwhile, IRS agents went to Lord's bank and copied his financial records. Others hounded his relatives with interrogations and even tried to question his 88-year-old grandmother."

The IRS response:

"On a Wednesday at 10:15 a.m., *having made an advance appointment with Mr. Lord (not a surprise visit, as Reader's Digest implies)*, three IRS agents arrived at his house, and Mr. Lord fully clothed (not in his pajamas) admitted the agents. . . . The agents inventoried the records, *then removed them with authority of a summons given to Mr.*

Lord. At no time was Mr. Lord threatened with a jail sentence if he resisted.

"This neighbor who phoned was Mr. Lord's mother . . . about eight months later. On that occasion and later, still seeking additional records in the principal case, IRS agents contacted Mr. Lord's relatives. There was no 'hounding' of anybody by anybody. . . . By pre-arranged appointment with Miss (Marie A.) Lord (Lord's aunt), and at her invitation, an agent called at her home. Miss Lord's aged mother was in the house, but was at no time questioned." (Italics supplied)

What happened:

The Reader's Digest article erred only in reporting that the incident described occurred on a Saturday rather than a Wednesday.

The article says nothing regarding whether the three agents had an appointment. However, inasmuch as IRS indicates that Lord expected a three-man visitation, it must be pointed out that the IRS statement is contrary to the sworn public record.

The three IRS agents who went to Lord's house were Donald Young, John B. Flattery and Charles R. McNally. On July 13, 1965, Young testified under oath before the Senate subcommittee as follows:

"I talked to Mr. Flattery and found out what he wanted to do. He instructed me to make sure the appointment was in the home. In the afternoon I called Mr. Lord back, and the appointment was arranged for April 18, 1962. I made another phone call to Mr. Lord on April 16, 1962, to confirm the appointment and also to state that we would be a little late.

"Q: Did you indicate that anyone was coming with you?

"Mr. Young: No, at no time did I do that, sir; I was under instructions not to do that.

"Q: What was the purpose of those instructions?

"Mr. Young: Well, I was under the guise of continuing my routine audit, supposed to go out there, and this is the impression that I gave to Mr. Lord.

"Q: That was a false impression?

"Mr. Young: Yes, it was.

"Q: What happened when you did go out there?

"Mr. Young: Well, we arrived at his house, Mr. Lord's house, on April 18, 1962, at approximately quarter past 10. I knocked on the door; Mr. Lord answered. I introduced myself, and *Mr. Flattery and Mr. McNally brushed past me into the house."* (Italics supplied)

Thus, contrary to what IRS now states, two of the agents had no appointment with Mr. Lord. They arrived at his house and entered it in accordance with a planned ruse.

Mr. Lord reaffirms that he was attired in pajamas. He explained that he was fatigued because of preparing many tax returns for the filing deadline just expired, expected only Young, regarded his visit as routine and had slept late. He states that he dressed after the agents were inside his house.

IRS claims that the records confiscated from Lord were removed with the authority of a summons given to Mr. Lord. Two separate federal court decisions as well as two written government briefs show this claim to be false.

On November 19, 1963, the Federal District Court in Boston expressly ruled that the records were illegally seized and ordered them returned. It declared:

"In the instant case no adequate basis for the seizure of the client's records existed . . . . The seizures having been unlawful, this Court must grant the prayer that there shall be returned to the clients, or, rather, their agent, Lord, their records . . . . So that the complainants may be as well off as, but not better off than, before the unlawful seizures, this Court's order will enjoin any defendant or federal agent in concert with him from using in any proceeding, criminal, civil, or administrative, federal or state, information or clues derived from the records while Flattery and his associates in the Federal Revenue Service were holding them."

This decision subsequently was upheld by the United States Court of Appeals.

In a brief submitted to the U.S. Court of Appeals (No. 6420, Mc Garry v. *Rose, 344 Federal Reporter 2nd 416), the Department of Justice admitted: "Instead of serving this (the summons) at the outset, they first prevailed upon Lord to turn them over by threats. . . ."*

In still another brief submitted to the Court of Appeals (No. 6307, *Lord* v. *Kelley,* 334 Federal Reporter 2nd 742), the Department of Justice admitted:

"As the court below observed in its opinion, Flattery's mistake was that he did not serve the summons and patiently await the *outcome of such service. . . ."*

IRS claims, "At no time was Mr. Lord threatened with a jail sentence if he resisted." Again, the Federal District Court decision of November 19, 1963, shows that Lord was subjected to repeated threats by the IRS agents. Declared the Court:

"Nonetheless, Flattery, after informing Lord that it would be *prudent for him to cooperate with the special agents unless he himself wished to get into trouble,* demanded the right to take his clients' records to the Office of Internal Revenue Service. Lord, after indicating that he lacked authority voluntarily to surrender the documents, complied with the demand because he feared that if he did not do so, he himself, regardless of his innocence, would be investigated or subject to proceedings initiated by the government. His compliance was not voluntary, but responded to Flattery's threats . . . Intimidated by Flattery's statements and implied threats, Lord did not regard himself as having a free choice whether to allow Flattery to remove the records. *When a special agent of the Internal Revenue Service tells an accountant who, so far as appears, is quite innocent of wrongdoing that unless he turns over his clients' records and cooperates with the Internal Revenue Service, the accountant will be in trouble, the agent is close to extortion. That Flatteery did exercise unlawful pressure is proved by Lord's credible testimony."*

Additionally, under oath before the Senate subcommittee, Lord said:

"Q: Did they threaten you about not making any telephone calls while they were there?

"Mr. Lord: Yes, sir . . . . Mr. Flattery told me not to make any phone calls to any of the principals involved or to anyone else while they were out to lunch. At various other times during the day he intimated that I had better cooperate with him; otherwise, I would be in real trouble and would be subject to prosecution and possibly a jail sentence. He also intimated that if I intended to stay in public accounting, I would have to live with the IRS as long as I did."

Mr. Lord, adjudged a credible witness by the federal court, affirms that several neighbors other than his mother telephoned him to report IRS inquiries about him.

The article did not say that IRS agents questioned Mr. Lord's elderly grandmother but that they attempted to do so. They were thwarted by the outraged protests of Miss Marie Lord.

THE CASE OF LAWRENCE O'DONNELL

The Reader's Digest says:

"Angered and worried, Lord engaged a distinguished Boston lawyer, Lawrence O'Donnell. Subsequently IRS, by its own admission, subpoenaed Lord to appear at a conference in a secret office which had been carefully bugged in advance. Suddenly O'Donnell, too, was subjected to hostile IRS examination. An employe at Boston's Carney Hospital, where O'Donnell had undergone five critical operations, tipped him off that IRS was questioning his medical expenses. Moreover, as IRS later admitted, agents pored over his tax returns covering six years, hunting futilely for some error.

"The Federal District Court in Boston declared that IRS's 'unlawful pressures' against Lord came 'close to extortion.' It ruled the seizure of the business records completely illegal, and forbade IRS to make any further use of them. Yet, as O'Donnell subsequently proved with testimony of one agent who resigned in disgust, IRS made copies of these records and continued to use them—in arrogant contempt of the court order."

The IRS response:

"Mr. O'Donnell's income tax returns for the years 1962 and 1963 were being audited. He sought through the courts to prevent the audits."

Then IRS reports a Court of Appeals finding that Mr. O'Donnell's 1962 return was picked for audit because he had made a large bank deposit in cash and that his 1963 return was selected for audit because of routine procedures.

What happened:

IRS omits the fact—admitted in open court by its own agents—that Mr. O'Donnell's tax returns for 1956, 1957, 1958, 1959, 1960 and 1961 were intensely examined, which is hardly routine.

Testifying under oath before the Senate subcommittee July 19, 1965, IRS agent John B. Flattery swore that the returns "were not investigated." He said: "Merely pulled his returns, looked them over, put them aside like we do many other returns. There was nothing further done with respect to his returns." But another IRS agent, testifying under oath in Federal District Court in Boston December 29, 1965, admitted that in fact a detailed analysis of O'Donnell's returns for the years 1956 through 1962 was made. And O'Donnell forced IRS to produce a document entitled "Analysis of Federal Tax Returns, 1956 to 1962" which proved that his returns in fact were scrutinized in detail.

Furthermore, agent Young testified under oath:

"Well, in the summer of 1963, Mr. O'Donnell's tax returns were requisitioned. When they came into the office, Mr. Flattery showed me the tax returns and asked me my opinion of them. He pointed out specifically the medical expense, which appeared to be high. I know that an inquiry was made by Mr. Ferrick to the Carney Hospital to find out whether or not such expenditures had happened. . . .

"We also discussed at the time that Mr. O'Donnell would have to have his tax returns audited. We also talked about whether or not we would recommend a special revenue agent who we had in mind who we thought would be the toughest to put on the case."

The IRS response continued:

"Concerning 'arrogant contempt' of court, the Reader's Digest alleged that the Federal Court in Boston ruled 'seizure of the business records completely illegal . . .' but in that case District Court Judge Wyzanski on April 13, 1965, ruled as follows:

" 'IRS is not in contempt . . . I dismiss the petition with respect to civil contempt as well as with respect to criminal contempt.' "

What happened:

IRS here seeks to imply that the court in Boston did not rule seizure of the business records illegal, as the Reader's Digest reported. Yet IRS knows that in his decision of November 19, 1963 (see pages 20 and 21), Judge Wyzanski unequivocally ruled that the records had been illegally seized and ordered them returned. IRS knows that the Court of Appeals sustained Judge Wyzanski's ruling. IRS knows that the government subsequently twice admitted that the records were not obtained legally.

Before returning the illegally confiscated records, IRS made copies of some of them. Then it continued to exploit them in clear defiance of Judge Wyzanski's order of November 19, 1963. Learning of this, O'Donnell again complained to the court. So on April 13, 1965, Judge Wyzanski issued a second ruling, the one to which IRS now refers. In this second ruling Judge Wyzanski found that two IRS agents "in willful defiance" of his earlier order had continued to exploit some of the illegally seized records.

On the basis of this finding of "willful defiance," the Reader's Digest felt justified in characterizing the IRS actions as "arrogant contempt." To refute this characterization, IRS quotes Judge Wyzanski's ruling:

"IRS is not in contempt . . . I dismiss the petition with respect to civil contempt as well as with respect to criminal contempt."

Here, IRS has fabricated a quotation and attributed it to the written decision of a federal judge. The judge's decision was made in writing. It is forever recorded (Lord v Kelley, cite as 240 F. Supp. 167 (D. Mass. 1965)) for anyone to examine. And anyone who reads it will see that nowhere in the entire decision does Judge Wyzanski say, "IRS is not in contempt." But, as it would now be convenient for IRS if the judge had said this, IRS merely makes up a statement, puts quotation marks around it and attributes it to the judge's ruling. Thus, IRS conveys the impression that Judge Wyzanski on April 13, 1965, exonerated it of all wrongdoing and that the Reader's Digest article is wholly inaccurate.

Here, however, is the wording of Judge Wyzanski's conclusions:

"1. Defendant John B. Flattery, one of the agents of the Internal Revenue Service, who was directed by this Court to return McGarry's unlawfully seized records (those confiscated from Lord) and to suppress all data in connection with those records, in willful defiance of this Court's order used a part of those records relating to AAA Vending Company to pursue a lead to Bay State Security Corporation and another part of those records relating to 'Ye Olde Brown Jug' to pursue a lead to S. D. Breen, an insurance broker, and to Curry's Woodworking Company.

"2. Defendant John B. Flattery, acting through his subordinate, Robert M. Ferrick, who himself is not a defendant, in willful defiance of this Court's order used the cash receipts and disbursements book of 'Ye Olde Brown Jug' (being part of the unlawfully seized records heretofore mentioned) to pursue leads with respect to checks and other financial transactions.

"No evidence was offered to show that in any respect whatsoever defendant Kelly, . . . or McNally was involved in any violation of this Court's Order.

"But Flattery's deliberate violations must be weighed against his and other government agents' scrupulous compliance in other respects with the procedure required by my Order.

"(2) I, therefore; conclude as a matter of law that while an Internal Revenue agent intended to step very close to defying the clear lines of my Order and, indeed, in a few places, more probably than not, consciously walked over the border, this degree of defiance does not quite rise to the level of criminal contempt.

"(3) Criminal contempt is a matter in which the complaining party has the burden of proving his case beyond a reasonable doubt. While I am persuaded that more probably than not Internal Revenue Agent Flattery in this case did willfully act contrary to my order in certain specific respects, I have just that margin of uncertainty which constitutes a reasonable doubt. Therefore, I acquit him (as well, of course, as the defendants against whom no evidence was offered) of the charge made against him that he was in criminal contempt.

"(4) So far as concerns the aspect of this case which involves civil contempt, the Court is in an anomalous position. No evidence whatsoever has been offered that the complaining party has sustained any damage which would appropriately give rise to a justified claim for economic compensation. Hence, there is wanting the foundation appropriate to allow a civil recovery. On that basis I dismiss the petition with respect to civil contempt as well as with respect to criminal contempt." (240 F. Supp. 167, 170, 171 (D. Mass. 1965))

The IRS attempt to convey the impression that on April 13, 1965, Judge Wyzanski exonerated it of any wrongdoing or unethical conduct should be considered in light of this comment which appears in the same written decision to which IRS refers:

"More than once the judges of a court have been indirectly reminded that they personally are taxpayers. No sophiscated person is unaware that even in this very Commonwealth the Internal Revenue Service has been in possession of facts with respect to public officials which it has presented or shelved in order to serve what can only be called political ends, be they high or low. And a judge who knows the score is aware that every time his decisions offend the Internal Revenue Service, he is inviting a close inspection of his own returns. But I suppose no one familiar with *this* Court believes that intimidation, direct or indirect, is effective."

(Italics supplied)

The decision of Judge Wyzanski on November 19, 1963, the Court of Appeals (for the First Circuit) ruling upholding his decision, the decision by Judge Wyzanski on April 13, 1965, the admissions made by the government in two separate written briefs to the Court of Appeals, and the sworn admissions by IRS agents themselves clearly established the accuracy of *everything* the Reader's Digest said regarding Mr. O'Donnell.

The IRS response continued:

"IRS correctly reports:

"On January 5, 1966, Federal District Judge A. J. Julian found Mr. O'Donnell in civil contempt of court. On July 11, 1966, Circuit Court Judge Coffin sustained the civil contempt finding on grounds that Mr. O'Donnell had obstructed a tax investigation. IRS further states:

" 'Mr. O'Donnell's tax client, convicted on April 7, 1967, of tax evasion of $40,425, was sentenced to a five-year jail term and fined $30,000. The records, legitimately obtained on April 18, 1962, from Mr. Donald R. Lord (see case above) by IRS agents, were taken from IRS by Mr. O'Donnell in defiance of a court order.' "

What happened:

Here again, IRS repeats its false statement that the records seized from Mr. Lord were "legitimately obtained on April 18, 1962." Again it is necessary to emphasize that the Federal District Court and the Court of Appeals expressly ruled that the seizure of the records from Mr. Lord was completely unlawful, and ordered them returned. It is also necessary to emphasize again that the government in written briefs twice admitted that these records were illegally obtained in April 1962.

Here is what actually happened. Subsequent to any event described by the Digest, the court ruled that IRS was entitled to examine the records provided it requested them in accordance with lawful procedures. Accordingly, Mr. O'Donnell delivered the records to IRS. However, after IRS made known its intention to photograph the records, Mr. O'Donnell removed them, contending that the court had not authorized IRS to copy them. The court then ruled that removal of the records by Mr. O'Donnell constituted *civil* contempt of the order granting IRS access to them.

However, in this case "civil contempt" constituted a technical violation for which *no penalty* was imposed against Mr. O'Donnell, as IRS neglects to point out. Mr. O'Donnell's personal and professional reputation as a distinguished New England attorney remains undiminished. This is evidenced by the fact that after the civil contempt finding, the federal court in Boston appointed him to represent a conscientious objector in an important case which raises fundamental legal issues. And over the years Massachusetts courts have appointed Mr. O'Donnell to represent indigent defendants accused of capital crimes. Such appointments are reserved for attorneys possessing impeccable professional reputations.

IRS knows that the civil contempt finding has nothing to do whatsoever with anything mentioned in the article. In raising this issue, it is merely continuing a dispute it has waged against Mr. O'Donnell for more than four years. Court records* show that in addition to the two tax returns legitimately examined, IRS requisitioned many other of O'Donnell's returns and minutely scrutinized them for the least error. They show that IRS went out of its way to tell his fellow members of the bar that he was under *criminal income tax investigation*. They show that IRS attempted to lure Mr. O'Donnell and a client into a conference room which had been clandestinely bugged so as to record his conversations without his knowledge. Despite all its efforts, IRS never has found any grounds to accuse Mr. O'Donnell of owing one cent in back taxes.

The IRS response continued:

Finally, IRS says of the O'Donnell case:

"The Reader's Digest said Mr. O'Donnell proved 'with testimony of one agent who resigned in disgust' illegal use by IRS of the tax records.

"Regarding this testimony by the ex-agent, Federal Judge Andrew Caffrey on April 7, 1967, said:

" 'Former revenue agent Donald Young left his employment at IRS to take the position at the dog track because his superiors denied him a promotion to which he felt he was entitled.

" 'On direct examination Mr. Young testified glibly as to minute details of conduct that occurred approximately five years prior to the date he testified. . . .On cross-examination his manner was markedly different, and even more different when queried by the Court at the conclusion of redirect and recross-examination.' "

What happened:

The Reader's Digest actually said:

"Yet, as O'Donnell subsequently proved with testimony of one agent who resigned in disgust, IRS made copies of these records and continued to use them—in arrogant contempt of the court order."

As previously stated, the Federal District Court on April 13, 1965, declared that IRS "in willful defiance" of the court order had continued to use the records in question. On this basis the Digest characterized IRS conduct as "arrogant contempt." Irrespective of the testimony of the former agent, Mr. Young, the finding of the court simply is not in dispute.

However, had IRS wished to be fair to its former employe, Mr. Young, it would have included in its press release the conclusions of Judge Wyzanski concerning him. Judge Wyzanski is the chief federal district judge in Massachusetts and a jurist with a national reputation. In his ruling of April 13, 1965, Judge Wyzanski wrote:

". . . The record before me does not reveal whether Young left the Service voluntarily. However, there is no indication that anything could have been said against his character or his governmental service. While he was on the stand, though government counsel had adequate opportunity to examine

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*No. 6699, United States Court of Appeals for the First Circuit, *O'Donnell* v. *Sullivan*, Record Appendix to Brief for Appellant.

him, no question was put in which he was subjected to the slightest reproach. . . .

"I believe what Young said, and therefore find it more probable than not that on at least the following specific matters agents of the Internal Revenue Service disobeyed the order of this Court. . . ."

THE CASE OF WEBB & KNAPP

The Reader's Digest said:

"And now, consider undisputed evidence which Senator JOHN J. WILLIAMS (R., Del.) has unveiled on the floor of the Senate. It shows that while mercilessly trying to take the last cent of some taxpayers, IRS has treated others quite differently.

"Over a period of seven years, IRS allowed the New York-based real estate firm of Webb & Knapp to pile up tax debts of more than $27 million, while the Federal Housing Administration lavished on it $67 million in government-insured loans. Upshot? Webb & Knapp defaulted on the loans, and IRS in December 1965 wrote off a whopping $26 million as 'uncollectible.' "

The IRS response:

"IRS wrote off as uncollectible almost $26 million. This is an administrative action which means that there are no assets or prospects of assets from which to collect. The tax liability is not discharged by the 'write-off.' "

What happened:

IRS professes that the whole issue is quite complicated, but *does not dispute one single word that the Digest said.*

THE CASE OF STAVROS NIARCHOS

The Reader's Digest said:

"Similarly, IRS last year simply wrote off as 'uncollectible' a tax bill of more than $23 million owed by six American shipping companies controlled by Greek magnate Stavros Niarchos."

The IRS response:

"The Reader's Digest is as wrong about this situation as it was about Webb & Knapp, and furthermore nothing could be more dissimilar than the two situations.

"Mr. Niarchos owned or controlled six American corporations, which owed about $17 million in federal taxes plus interest . . . These taxes are not written off as uncollectible.

"The government was unable to collect these taxes. Faced with an imminent expiration of the statute of limitations for collection, IRS in 1962 went to court to get a judgment against the corporations for $17 million plus interest. As a result of this action, the court in April 1966 granted judgments totaling $25 million. To date the government has received $1,501,022.27 in return for not seizing assets worth far less than this.

"Thus, the six corporations admittedly still owe the government some $23 million. This debt is outstanding, and the government may seize any corporate assets discovered in the U.S. in the future."

What happened:

In reporting that IRS had written off the bulk of the tax bill owned by Niarchos' six corporations, the Digest simply relied on IRS' own written statement.

Sen. John J. Williams of Delaware on October 18, 1966, read on the floor of the Senate excerpts from a letter sent to him October 4, 1966, by Acting Commissioner of Internal Revenue William H. Smith. The letter, excerpts of which are reproduced in the CONGRESSIONAL RECORD, volume 112, part 20, page 27332, states:

"These assessments, which the Internal Revenue Service had been unable to collect and *most of which have therefore been written off as uncollectible,* consisted primarily of corporation income taxes. . . ." (Italics supplied)

IRS did not dispute anything Sen. Williams said until after publication of the Digest article. Then it reversed its written statement and claimed the taxes had not been written off as uncollectible.

THE CASE OF LAWRENCE L. CALLANAN

The Reader's Digest said:

"As Senator Williams notes, still harder to explain is the treatment of people like Lawrence L. Callanan. An official of the Steamfitters Local No. 562 in St. Louis, Callanan was convicted in 1954 of extortion, received a 12-year sentence. He was paroled in 1960, and in April 1964 President Johnson commuted his sentence, thereby enabling him to become a union leader again. The same month, IRS settled his unpaid tax debt of $40,219.84 for a token $17,000 plus an agreement that he would pay more if his income rose. 'No prospect of any material increase (in income),' said IRS. A few months later, Callanan's union lieutenant, John L. Lawler, handed over $25,000 to 'Friends of L.B.J.' Next Callanan, supposedly without money for his taxes, kicked in $2000 to the Democratic National Committee. Then he emerged as director of the lush 'voluntary' political funds of Local No. 652, his salary reported at $15,000 to $20,000."

The IRS response:

"Contrary to the article's statement of a total payment of $17,000, Mr. Callanan, in accordance with the collateral agreement, paid $3,586.14 on May 18, 1966, and on October 25, 1966, paid the final balance of $10,138.09 in taxes and penalties and $11,874.36 in interest to the date of payment.

"Instead of settling his tax debt for $17,000 as the Reader's Digest said, he was required to pay the full $40,219.84 plus $2,437.40 in additional interest."

What happened:

The Digest of course did mention the arrangement which IRS describes as a "collateral agreement," and the Digest of course did not state, as IRS incorrectly alleges, that Callanan's entire tax bill was settled for "a total payment of $17,000."

There are two significant points about the Callanan case. The first is that IRS, which annually seizes the bank deposits and property of thousands of ordinary taxpayers, would accord such gentle treatment to Callanan. In sentencing Callanan to prison, Federal Judge Ruby Hulen said of him:

"The evidence of merciless use and betrayal of people who labor for their livelihood, and were members of unions supposed to be represented by these defendants, is shocking. . . . Unless I had heard the facts under oath, I would not have believed them. . . . (Callanan) hasn't shown one bit of remorse. Indifference to the welfare of union workmen is glaring. . . . Callanan took from the funds of the union, of which he is an officer, funds to pay for his defense. . . . Callanan was the brains of the racketeering conspiracy."

The St. Louis *Globe-Democrat* on October 2, 1965, reported that in 1964:

"The Internal Revenue Service granted him (Callanan) a favorable settlement of his $40,000 tax debt from the kickback period.

"Because of his allegedly modest finances, he was permitted to pay $17,000 cash and a percentage of anything he earned above $7,500 a year for ten years. The IRS summary of the case noted he was then earning $150 a week as a steamfitter and added a doleful note:

" 'There are not prospects of any material increase in his income.' "

Yet Callanan, who according to IRS was earning $150 a week, was able to save enough to make big political contributions. And even after he made these contributions and thereby provided clear evidence that he had access to money from some other source, IRS at first did nothing to collect back taxes from him.

The second significant point is that IRS now reveals new facts which are more damaging still. They show that IRS did not collect one extra cent from Callanan until well after the St. Louis *Globe-Democrat* in October 1965, then Senator Williams on January 19, 1966, exposed what IRS had done. IRS acted only after Senator Williams took the floor of the Senate to demand a Justice Department investigation. *IRS, by its own statement, let more than two years—from April 1964 until May 1966—pass without bothering to collect a single additional penny from this politically influential extortionist.*

THE CASE OF POLICEMAN CAMPBELL

The Reader's Digest said:

"In Kansas City, Mo., policeman Paul R. Campbell halted a speeding car driven by an IRS agent. 'We'll just have to check your taxes,' the agent was quoted as saying, after other arguments failed to stop the officer from writing a ticket. Sure enough, soon after Campbell filed his next tax return, IRS ordered him to report for an examination which lasted two hours. Unable to find anything wrong, it nevertheless pestered him for another four months with phone calls, letters and more interrogations before admitting he owed nothing."

The IRS response:

"The IRS is unable to identify the employee allegedly charged with a traffic violation. However, an investigation shows that Mr. Campbell's 1960 income tax return was selected for audit by normal selection procedures.

"Mr. Campbell was asked on May 8, 1961, for a form which was required to complete his 1960 return. He was also contacted on February 1, 1962, as a result of comparison of data on his return with information documents required by law to be furnished the IRS. This comparison led to the return's assignment for examination in May 1962.

"Mr. Campbell was requested to bring his records in for examination on June 6, 1962. The return was found to be correct as filed and the taxpayer was so informed on June 20, 1962, two weeks later."

What happened:

Officer Campbell, who made the arrest in late fall of 1961, testified under oath before Senate investigators as follows:

"Q: What was your procedure upon observing this car speeding?

"Mr. Campbell: I checked the vehicle through a speed check and pursued it and stopped it and issued a summons.

"Q: Did you ask the driver to identify himself?

"Mr. Campbell: Yes, sir; I asked for his driver's license.

"Q: . . . Do you recall any of the conversations that took place between yourself and the operator of this vehicle after that?

"Mr. Campbell: Well, I asked the driver for his license and started writing a summons, and he identified himself as a member of the Internal Revenue Service. I issued the summons, and he said, 'Well, we'll have to check your taxes. . . .' I said, 'I don't care. I have paid them.' Following this, shortly thereafter, I received a phone call to bring some information to the Tax Bureau. Then there was a second trip, by phone, and then a third time I got a letter for me to bring all my information on *1960 and 1961*. It was just a matter of a few weeks after that that I received another letter that stated the taxes would stand as they were filed, no change."

Subsequently, officer Campbell was interviewed in detail regarding his experiences by the author of the Digest article. The Digest version of what happened is based upon officer Campbell's sworn testimony and this interview. The accuracy of the Digest account was independently checked with officer Campbell by the Digest Research Department. Further investigation by the Digest confirmed that officer Campbell is a decorated policeman and a respected member of his community.

In addition to its "summaries of cases," the 29-page IRS attack on the Reader's Digest article contains ten pages of commentary. Much of this commentary consists of assertions and generalizations flattering to IRS. However, the following should be pointed out:

The Reader's Digest said:

"The ensuing Senate hearings produced astounding testimony disclosing that: IRS has defied court orders, criminally picked locks, stolen records and threatened reputable people. It has illegally tapped telephones, seized, opened and read personal letters while spying on the private mail of tens of thousands of citizens. It has illegally bugged phone booths and hidden microphones where taxpayers talk with their lawyers."

The IRS response:

" 'Wiretaps, bugs, spying equipment, lockpicking devices were used.'—The article does not say that Congress is considering a dozen bills on the subject of electronic surveillance because the law is unclear. Nor does the article point out that in over 300,000 criminal investigations over eight years, there were only 94 wiretaps, 32 bugs and 29 phone booth bugs—all in connection with investigation of racketeers, gamblers, moonshiners and other criminal evaders."

The New York Times of July 13, 1967, reported: "The Internal Revenue Service acknowledge today that during the eight years from July 1958 to July 1966, its agents made 'improper' or 'questionable' use of electronic eavesdropping devices on 287 occasions.

"In addition, there were 723 uses of 'pen registers' (which record the telephone numbers dialed but not the conversations). Mr. Cohen declined to say how many of these installations were 'illegal' as distinguished from 'improper' or 'questionable,' because of what he called 'the presently unsettled posture of the law.' "

Thus, during the eight years in question there were 1010 instances of "questionable" or "improper" use of snooping equipment as opposed to the 155 that IRS reports in its press release. IRS was first asked for this information in September 1964.

In this particular response, IRS again makes up a quotation. The article nowhere contains the sentence "Wiretaps, bugs, spying equipment, lockpicking devices were used." This is relatively unimportant except insofar as it provides another illustration of the IRS tendency to be unhampered by the printed record.

What does seem significant is that IRS does not deny the explicit charges that it has defied court orders, criminally picked locks, stolen records, threatened reputable people, seized, opened and read personal letters and used hidden microphones where taxpayers talked with their lawyers.

The Reader's Digest said:

"Moreover, such lawlessness has been encouraged from high levels of IRS. Its Washington headquarters has bought elaborate spying equipment for use about the country. IRS sent many agents to an official Treasury School near the White House to learn how to commit such illegal acts as wiretapping and lockpicking."

The IRS response:

"Quite the contrary, all questionable use of electronic devices was stopped in July 1965 as soon as it became known to top managers of the IRS."

IRS does not deny that prior to July 1965 it bought and shipped expensive eavesdropping equipment around the country for use by agents. IRS does not deny that it regularly took many agents away from their regular duties and brought them to Washington where they were trained in eavesdropping and lockpicking. It seems baffling that all this could have been done without the knowledge and assent of "top managers" of IRS, and it also seems that the undenied actions of IRS headquarters in Washington constituted encouragement to eavesdrop and pick locks. Moreover, the official IRS manual long in use specifically declared that "electronic devices as well as all other technical investigative aids shall be used."

No less a "top manager" than Commissioner Sheldon S. Cohen himself was aware that his organization as a matter of policy was intercepting the personal mail of private citizens until Congress made it stop. Rep. Durward G. Hall (R., Mo.) quotes Cohen as writing about the seizure of one citizen's mail thus:

"He refused to cooperate with the district director, and, as a last resort, his mail was seized. This action persuaded the taxpayer to come forward with full payment of his outstanding tax liability."

The Internal Revenue Service says that "In several cases the article makes the point that suspected tax evaders were found not guilty, implying they should not have been brought to trial."

This statement is simply untrue, as anyone may verify for himself merely by reading the article. Of all the people mentioned in the article, only one, Kenneth R. Layne, ever was charged with and brought to trial for tax evasion. It happens that he was found innocent. But nowhere does the article imply that people against whom there is legitimate and persuasive evidence should not be brought to trial.

On the contrary, the article at its very outset declares: "In fairness to the great majority of honest Americans, we must encourage the Internal Revenue Service to use every honorable means to collect what is owed the government."

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Oklahoma. I shall be glad to yield to the distinguished gentleman from Missouri [Mr. Hall].

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding. I rise solely to commend the gentleman from Oklahoma [Mr. Smith], now in the well of the House, for his statements and in bringing this information before the House today.

Also, Mr. Speaker, I wish to commend the gentleman for his general service, his belief in and observations upon public trust and, particularly, for his service on the Committee on Armed Services during this year.

It is certainly important at this time that matters like this be called to the attention of the House, because we have been charged with repeated attempts at "whitewash" insofar as any reasonable effort by a committee of the Congress to secure all the facts surrounding the Reader's Digest article on the Internal Revenue Service, or any other department or agency of the Government, is concerned.

I, too, have received a myriad of letters asking if, in effect, such a condition could and, in fact, does exist in these United States, because our people are trained to believe in the highest echelons of the Government.

As the gentleman from Oklahoma [Mr. Smith] knows, I made disclosure here almost 3 years ago on the floor of the House, in the same well, that the Internal Revenue Service was seizing an opening or had placed a levy, through cooperation of other departments, on first-class mail, violation of every known existing law, without benefit of search warrant or other due process of law.

I might point out further to the gentleman that under the Legislative Reorganization Act, now stymied by the House leadership, minority members of any committee would have a right to call their own witnesses in an investigation such as the one referred to in this instance. If that bill could be pried loose, the Appropriations Subcommittee might well have entertained or at least listened to the Reader's Digest documentation of the original article. I notice that there have been no libel suits filed and I predict there will be none.

It is most unfortunate that the "other side of the coin" was not heard and that a committee of the Congress has conducted an investigation which subsequent events suggest was not an investigation at all, but a self-serving "whitewash."

There is another side to this story. I commend the gentleman from Oklahoma for calling it to the attention of this House and through it to the American people.

Mr. SMITH of Oklahoma. Mr. Speaker, I appreciate very much the statement of the distinguished gentleman from Missouri. As in the gentleman's normal manner, his forthrightness comes forward on this issue of today in a very effective way.

I appreciate very much the service of the gentleman here while I have been in the Congress, and along the line of our mutual desires that the taxpayers receive true representation and fair treatment, and in recognition of the fact that the IRS has a difficult job to do, that both sides will have a hearing before the committee and that they will be reconvened at the proper time.

THE MOB

The SPEAKER pro tempore (Mr. Boggs). Under previous order of the House, the gentleman from Missouri [Mr. Hall] is recognized for 15 minutes.

Mr. HALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, Life magazine has performed an outstanding service to the Nation by exposing—in the September 1 issue—the brazen empire of organized crime.

Coming on the heels of the report of the Republican task force on crime which criticized the Attorney General for a full-scale retreat in the war on crime, and also on the heels of the Republican leadership's charge that the war against crime is being lost, this article should be must reading for every American citizen.

Mr. Speaker, most alarming is Life's charge that "the mob"—"mob" in quotation marks—through the mechanism of the "fix," can and often does "control Congressmen, State officials, and law-enforcement men."

If this is true, and the Life article clearly establishes a reasonable basis for the charge, and I understand there are more than one, then a full-scale investigation by specifically and specially selected Members of the Congress is called for.

Many years ago the McClellan committee in the Senate drew nationwide praise for its exposure of an organized crime syndicate in the United States.

Perhaps—just perhaps—we should now seriously consider including registration of "the mob" under the Subversive Activities Control Act.

Recently in hearings it has been recommended that we include those who cross State lines for the purpose of inciting riot, insurrection, and anarchy under the Subversive Activities Control Act. Why not "the mob"?

The shocking impact of the Life article is the fact that this public exposure has not lessened the grip of organized crime and that in fact it seems to grow stronger.

Obviously, in these days of national strife, turmoil—of a no-win war in Vietnam and a no-win war against crime, and indeed a no-win war against Communist aggression—organized crime has to grow stronger. But is this America?

It should be obvious to one who reads the article, that much of the information is based on electronic surveillance by dedicated agents of the Federal Bureau of Investigation. Yet the Attorney General of the United States has all but eliminated and has all but wiped out this means of crime detection by his "order"—by a regulatory fiat—an implementing regulation—by his order of last June making it almost mandatory that he personally approve—he of all people—personally approve any use of electronic detection devices.

Thus, the highest law-enforcement official in the land has, in effect, taken away one of the most important weapons in the war against crime, which obviously is another of the administration's no-win wars.

Mr. Speaker, the message and the warning in this Life series is clear. If new laws are needed to break up "the mob" then let the President advise the Congress what new laws are necessary. I can only hope that he will not send the current Attorney General up here to tell us that what is needed are more poverty funds, more public housing, more rent supplements and more of the other "tired bromides" of the Great Society.

If the existing laws are sufficient to break up this menace to our society, then the present Attorney General of the United States ought to be retired and replaced with a crime fighter instead of a powder puff; perhaps even replaced by his father, in a last ditch effort to gain support for the constabularly by the judiciary.

Mr. Speaker, Life Reporter Sandy Smith has surely qualified for a Pulitzer Prize award for a story which obviously required months of nationwide research and probably even personal danger.

The American people are ready to make the correction. The question now is, What is this Congress, this judiciary, and this administration going to do about it, now that the facts have been laid out on the table, the names named and the enemy within located?

I have asked and gained unanimous consent that this article be inserted in the RECORD. My colleagues would surely agree that this article makes "The Untouchables" seem like a kiddie cartoon show by comparison.

The article is as follows:

THE MOB

(By Sandy Smith)

Call it the Mob. The name fits, although any of a half-dozen others—the Outfit, the Syndicate, La Cosa Nostra, the Mafia—serves about as well. Whatever it's called, it exists, and the fact of its existence is a national disgrace. In this issue and the next, LIFE reveals the structure, tactics, ruthlessness and alarming strength of this brazen empire.

The Mob is a fraternity of thugs, but it holds such power, wealth and influence that in one way or another it poisons us all. It rigs elections and in so doing destroys the democratic process. More and more it is muscling into legitimate business—local, national and international—to the extent that nearly every American is paying into its treasury in countless unsuspected ways.

The 5,000 members of Cosa Nostra are all of Italian background, and most of them are Sicilians. Abetting them is a larger army of nonmembers—of many creeds and origins—who wittingly or unwittingly do the Mob's bidding. The scale and sophistication of its operations challenge the imagination: the President's Crime Commission estimates the Mob's annual profit from illegal gambling alone at $6 to $7 billion. "Loan sharking," narcotics, labor racketeering, "skimming" and all the varieties of extortion in which it deals bring in enormous additional sums wrenched out of the poor and those least able to resist the exploiters. Through the mechanism of "the fix," it can, and too often does, control congressmen, state officials and law enforcement men. The Mob is in fact a government of its own, with its own laws, enforced with torture and murder. It is organized with ruthless efficiency to achieve its ends and protect its members from prosecution. At the top is a ruling body which settles internal disputes and preserves discipline. Beneath this supreme council are the officers and troops, the men who do the corrupting, bribing, extorting, terrorizing, robbing and killing.

The crime syndicate of today came into being with Prohibition and has continued to thrive and grow despite sporadic bursts of public concern. One of the principal reasons for this is that existing legal machinery is simply unable to cope with it. Criminal laws deal with individual crimes, not an international association. The Mob's multitiered hierarchy insulates its leaders from direct participation in the crimes they order. To the continuing despair of police agencies, it has also benefited vastly from recent court decisions limiting the admissibility of evidence. Most of all, the Mob has fattened itself on the public's appetite for its services—dope, sex and gambling—and apathy toward its evil.

MACABRE HOME OF A "CAPO," MONUMENT TO MOB MURDER

From the gateposts, topped by menacing bronze swans with wings angrily outspread, the driveway leads up about two blocks to the great stone mansion near Livingston, N.J. The drive is overhung by trees and flanked with flowers in gargoyle-shaped pots. The style might be called Transylvania traditional, with overtones of the owner's native Sicily. At a jog in the road is a cluster of painted family statues dominated by one of the squire himself, Ruggiero Boiardo, astride a horse.

It is a chilling place even in the warmth and sun of an August morning. A lot of Mr. Boiardo's fellow gangsters are mortally afraid of going up that driveway alone. Some who did never returned.

As mobsters go, Ruggiero Boiardo—or Richie the Boot, as he is called—is not a very big shot. Nonetheless, he is a significant figure in organized U.S. crime and his estate, literally, is one of its monuments. Boiardo is a *capo* (captain) in the 600-member Cosa Nostra Family of Vito Genovese. Now a stoop-shouldered man of 76, he putters in his flower beds and mutters imprecations against the world in general: "They call Boiardo a thief, a killer," he complained to one recent caller. "They call him Cosa Nostra. Trouble."

Two other New Jersey gangsters, Angelo "The Gyp" DeCarlo and Anthony Russo, once babbled like schoolboys about the foul deeds that have been committed beyond those colorful gates. As an informant was to relate, the conversation went like this:

"Stay away from *there!*" said Russo. "So many guys have been hit there. There's this furnace 'way up in back. That's where they burned 'em."

DeCarlo, fascinated, asked for details. Russo cheerily ticked off victims by their first names: "Oliver . . . Willie . . . Little Harold . . . Tony. . . ." He himself, Russo bragged, had carried Little Harold to the furnace by a chain tied to the dead man's throat.

Authorities are convinced Russo was not exaggerating. Certainly, the number of victims incinerated at Boiardo's estate exceeds the number buried on the much-publicized chicken farm near Lakewood, N.J., where remains of two bodies and traces of a third were found last March. But no corpses have ever come to light at Boiardo's; people thought to have died there are listed officially as Missing Persons.

Even the big shots of Cosa Nostra, approach Boiardo's notorious estate with respect. In November 1957, when the high council met there to whack up the territory of the late Albert Anastasia, they came and left all in a group—thus avoiding the path described by Russo, " 'way up in back."

Richie Boiardo—and the two fellow mobsters who discussed the crematorium as casually as two men might compare golf scores—are alive and free men at this writing. They conduct various legal and illegal enterprises in New Jersey and are notably prosperous.

Deep in the rackets since Prohibition days, with a reputation for unabashed savagery, Boiardo gets paid $4,000 a month out of the Mob's Las Vegas "skimming" profits. He also runs a legitimate wrecking business (much of the nonfamily statuary on his estate was salvaged from buildings he wrecked; his house is built of stones from the old Newark post office). He presently is awaiting trial on a gambling charge and simultaneously is dueling with Internal Revenue.

Russo, 48, is the gambling and rackets boss of Monmouth County, N.J. and also has interests in Florida. Gyp DeCarlo, 65, an obese character who detests his nickname, like Boiardo is a *capo* in the Genovese Family. He grows fat off gambling and loan-shark rackets in Union County, N.J. and operates crap games that float from borough to borough in New York City.

Like countless others in the rackets, Boiardo, Russo and DeCarlo are virtually laws unto themselves, answerable only to the invisible government to which they owe their sole allegiance—Cosa Nostra.

HOW JOE BONANNO SCHEMED TO KILL—AND LOST

If Cosa Nostra has a failing at all from the standpoint of efficiency, it is the fact that it is composed at all levels of total scoundrels. Loyalty, as most men understand it, simply does not exist. Though elaborate oaths are required for membership in most cities, the members hang together mainly for the enormous profit this makes possible, and also out of fear of the consequences if they do otherwise. Consider, for example, the case of Joseph "Joe Bananas" Bonanno, the New York mobster whose greed almost broke up the Syndicate.

The Mob's ruling council was organized in 1931 by Lucky Luciano and Al Capone, and Bonanno, then a mean, ambitious 26-year-old, was given charter membership as the representative of a Brooklyn gang. It was not until 1963 that the name Cosa Nostra became part of the American idiom. That was the year Joe Valachi, a small-time killer for the Mob, decided to spill the brotherhood's secrets to federal agents and then, on network television, to a congressional committee. As Valachi detailed it—and as some lawmen were already aware—each of the "Commissioners" serving on the ruling council is the head of a subdivision called a "Family" which more or less has free rein over the rackets in its own territory. Any disputes over territorial jurisdictions are settled by the Commission.

At present, there are eight Commissioners on the ruling council: Vito Genovese of New York and New Jersey, now in the federal penitentiary at Leavenworth; Carlo Gambino of New York; Steve Magaddino of Buffalo; Joe Colombo of New York; Joe Zerilli of Detroit; Momo Salvatore "Sam" Giancana of Chicago; Angelo Bruno of Philadelphia—and the aforementioned Joe Bonanno. (There was a ninth member, Thomas "Three-Finger Brown" Lucchese, who died—of natural causes—in July; the vacancy is still up for grabs.)

Collectively, they are not a physically imposing lot, nor even frightening. Five of them are over 60. Magaddino, at 75, is widely spoken of—though never to his face—as a senile and autocratic windbag. Giancana is 59. Bruno, a tubby hypochondriac to whom the greeting "How are you?" is an invitation to deliver an organ recital, is 57. Even Colombo, at 43, doesn't stack up as much of a headbreaker. Yet the thing to remember is that they got where they are—and have managed to stay there—by killing people.

The troublemaker in the executive club was Joe Bonanno, a fact that stemmed from his aggressive and inventive nature. A lot of his innovations worked out very well—for instance, the "split-level coffin." As the Boiardo incinerator disclosure points out, disposal of the bodies of victims has always been a problem taxing the mobsters' ingenuity. Bonanno solved it in Brooklyn by acquiring a funeral home. To get rid of unwanted corpses he had them stuffed into the lower compartment of a specially built casket of his own design. The corpse of record lay in the upper compartment, with family and cemetery keepers none the wiser. When such a tandem burial was to be held, Bonanno supplied muscular pallbearers who could carry the extra weight without strain. Bonanno's victims in the lower berths were put underground before police even became aware they were missing.

By 1963, at the age of 58, Bonanno had lost none of his ambition and had developed a vast disdain for his fellow Commissioners—some of whom had been mere car thieves when he was already on the council. He habitually staked out for himself areas deemed "open" by the Commission—such as the U.S. Southwest and Canada. "He's planting flags all over the world!" fumed Commissioner Magaddino when Bonanno muscled into Magaddino's Canadian preserves.

The greedy Bonanno was doing more than planting flags. Seeing a chance to seize control of the brotherhood, he issued contracts for the murders of three fellow Commissioners—Magaddino, Lucchese and Gambino—and another contract for slaying of the head of a Family in California, Frank DeSimone. Bonanno assigned the New York murders to one Joe Magliocco, a fat hoodlum with high blood pressure. Magliocco in turn farmed the New York murder contracts out to an ambitious young torpedo named Joe Colombo.

Colombo turned out to be more of an angler than a triggerman. He tipped off the Commission to Bonanno's planned coup, and they hurriedly convened a meeting to deal with the treachery. Magliocco and Bonanno were summoned to face charges. Magliocco appeared in a panic, made a full confession, was banished from Cosa Nostra, fined $50,000 and sent home. Shortly thereafter he died of a heart attack. Meanwhile, his Family and his Commission seat were given to the stool pigeon Colombo.

Joe Bonanno never showed up for trial. He hid out on the West Coast, using the name "J. Santone." Then, in 1964, he went to Canada to poach once more on Magaddino's grounds. Magaddino went into a frenzy, calling a Commission meeting for Sept. 18, 1964, in the Englewood Cliffs, N.J. home of gangster Thomas Eboli. Bonanno ignored that meeting, too, despite the entreaties of the Commission's emissary Sam DeCavalcante, whose biggest previous distinction had been in trying to develop a garbage disposal unit that would reduce a human body to a meatball. In the face of Bonanno's insults, the council accepted the advice of its Chicago Commissioner, Momo Giancana: "Kill—kill! Why don't you just kill the guy?"

On Oct. 14, Magaddino met in Buffalo with two men. An informant has recalled bits of the conversation: "New York . . . the lawyer . . . we got the car."

Seven nights later, Bonanno and four lawyers dined in a New York steak house. A sixth man joined them about 11 p.m. He left the table twice, walking out in a rainstorm to use a corner phone.

Shortly after midnight, Bonanno's party left the restaurant in taxis. The sixth man, who took a separate taxi, got out at 37th Street and Park Avenue and beckoned to two men standing on the corner. A few minutes later, Bonanno arrived at an apartment house a block away. The two men stepped up and forced Bonanno into a car at gunpoint. Though there has been all sorts of speculation about the kidnaping—including a theory that Bonanno staged the whole thing to avoid an appearance before a grand jury—the fact is that he was held for about six weeks somewhere in the Catskills. There he talked his captors out of killing him by raising the specter of a nationwide gang war if they knocked him off. But if they let him go, he promised to turn over his gang and his rackets in gratitude. Apparently the Commissioners' lust for loot exceeded their lust for venegeance, for they turned him loose in December 1964.

Bonanno was only fooling. He went to Haiti to bide his time, then returned to New York last year to rally his gang, claim his place on the Commission and continue his invasion of Canada. Magaddino still howls about it, but the other Commissioners, perhaps afraid of the guns in Bonanno's Family, seem intent on trying to ignore him, hoping he'll go away, or something.

YOUR LAND IS HOODLAND

The disturbing fact is that the Mob today is spread across the land and has been able to insinuate itself into the core of society. Most Americans are just not aware of the extent of its influence.

Costa Nostra is a cartel of 24 semi-independent Families that vary widely in size (from 20 to 1,000 members) and their importance in the rackets. Each Family unit is headed by a Boss and several of these Bosses—the current number is eight—sit on Cosa Nostra's ruling Commission. The other Family heads (shown flanking the map) are not necessarily less powerful than individual Commissioners—Raymond Patriarca in New England and Carlos Marcello in Louisiana, for example, are more powerful than some who sit on the ruling body. But they generally follow the Commission's edicts.

Second in command in each Family is the Underboss. Beneath him are squads known as *regimes*, each headed by a *capo* (captain) and staffed by younger or less accomplished thugs known as *soldati* (soldiers). When a member grows old or infirm he may become a *consigliere*, sort of a mobster emeritus who serves only as an adviser to the Boss. The Boss passes orders down the chain of command—a system designed to screen the top man from the police. The Boss has tremendous authority in his own territory, presiding over all gangland enterprises—he is a partner in everything—and also umpiring intra-gang frictions, as New England Boss Patriarca is shown doing in the Boston gang war in the map at left. The membership rolls of Cosa Nostra supposedly have been closed since 1957—an attempt by the Commission to prevent a recruiting race that might upset the delicate balance of power within the fraternity. Nevertheless, some Families continue to add new members when an old one dies and, despite the decrepitude of the present Commissioners, there is no shortage of ambitious younger talent waiting to take over.

In the old days, a recruit had to take part in at least one murder before he was accepted. But during the World War II manpower shortage, standards slipped and later, as murder became a less popular tactic, many gangsters were let in who never had made a fatal score. This irks some oldtimers. As one graying hood complained. "Today you got a thousand guys in here that never broke an egg."

THE BRAZEN ATTEMPT TO SPRING HOFFA WITH A $1 MILLION BRIBE: A CASE OF "THE FIX"

At the heart of every successful gangster's operation is the Fix—the working arrangement with key police and elected officials and business and union executives. It guarantees the racketeers room to swing and a certain amount of acceptance in "respectable" circles. For sheer audacity and sweep, few Fixes the Mob has ever undertaken could top a plot just now unfolding in New Orleans, where the Cosa Nostra is ruled over by Carlos Marcello. Its hoped-for objective is liberty for James Hoffa, the imprisoned boss of the Teamsters Union.

LIFE has found conclusive evidence that Hoffa's pals—some in the union, some in the Mob, some in both—dropped $2 million into a spring-Hoffa fund late last year. The money was placed at the disposal of Cosa Nostra mobsters, and it was to be payable to anyone who could wreck the government's jury-tampering case on which Hoffa had been convicted.

In due course, the money was made available to Marcello to do the job. The chief government witness in the trial, which took place in 1964 in Chattanooga, had been Edward Grady Partin, leader of a Teamster local in Baton Rouge, La. As the Mob saw it, Partin was a logical target for a Fix. If he could be persuaded somehow to recant his own testimony, or to "taint" it by claiming that wiretaps had been used against Hoffa, the conviction would surely be reversed. By last January, the Mob might have assumed that Partin already had been softened up. A series of dynamite explosions had wrecked construction sites, trucks and oil-drilling rigs of companies whose employes were members of Partin's union. Partin got the message all right, but ignored it.

Then another pitch was made to Partin. It was arranged by Aubrey Young, 45, who for years had been an aide and confidant of Louisiana Governor John J. McKeithen.

Though the governor did not know it, Young had some curious contacts outside of the executive suite. One of these was Marcello, about whose empire you will read more in next week's instalment.

In January, Young set up a meeting with Partin at the request of still another man of influence in Louisiana politics, a sometime public relations specialist and all-around operator named D'Alton Smith.

Members of Smith's family are well-placed in Louisiana. His brother, A. D. Smith, is a member of the state board of education. His sister, Mrs. Frances Pecora, is an official of the state insurance commission. Mrs. Pecora is also the wife of Nofio Pecora, former operator of the Marcello-owned Town and Country Motel in New Orleans.

The meeting with Partin took place at Young's house in Baton Rouge. Smith was there when Partin arrived.

"D'Alton had told me he wanted to see if he could straighten out Partin's testimony to help Hoffa," Young has since told LIFE. "When I saw what they were talking about in the parlor, I took a walk because I didn't want any part of it. After the meeting, D'Alton told me that he couldn't budge Partin; that Partin said his testimony was true."

Partin confirmed to LIFE that this indeed was the subject of the conversation, and has added these details of the inducements he says were held out to him: The initial offer for the changing of his testimony was $25,000 a year for 10 years. He turned it down. The ante was hiked until it reached an overall total of $1 million. Still Partin refused. When Smith gave it up as a bad job and went away, Partin called the Justice Department.

A short time later, Young, who had been drinking heavily, sought sanctuary for three days in the Town and Country Motel, which is Marcello's rackets headquarters. Young has offered this explanation: "I go to the Town and Country because there's always lots of politicians there. I didn't see Carlos or talk to him. I know I didn't, because there was a state policeman with me all the time."

Meanwhile, in response to Partin's call, the Justice Department began an investigation into the bribery attempt. Young returned to the capitol at Baton Rouge. When the governor asked him to explain his absence, Young blurted out the story of the attempted bribery of Partin. Furious, McKeithen threatened to fire him. Young resigned.

As to what has happened to the $2 million, Marcello, of course, isn't talking. And Hoffa remains in federal prison.

This is a fair example of the intricate forces involved in a particular sort of Fix. But a Fix doesn't have to entail an exchange of money. It can be accomplished by putting in fear, through means as unsubtle as a crack over the head, an arm broken by twisting, an implied disclosure of family skeletons, a hoarse voice on the phone, a timely murder. It can be accomplished by campaign "contributions" or by outright bribes. It can be attained through employment of public relations counsels who stress things like the good name of a city or the amount of money donated to charity by Mob enterprises, or who plant in newspaper columns evidences of the charm, wit and good connections of key mobsters as they are seen about the spots where expensive people gather. It can be helped immeasurably with cheap devices like easy "loans" to a reporter whose tastes outrun his income.

A big-city mayor may have nothing but loathing for mobsters. Yet if disclosure of corruption in his city threatens the tenure of his political machine, he may make every effort to suppress the story—rationalizing that the city would be much worse off with the opposition in control. This is a solid dividend of the Fix. Ask any gangster.

THE FAT MAN WHO DIED ON A MEAT HOOK

The information and entertainment media, and ultimately the public themselves, play their part in all of this. Too often they take a scriptwriter's view of gangsters, viewing them as one would look at tenants of the great ape house at the zoo—with vague thrills of identity but with amused tolerance. When Frank Sinatra appears in public with Sam Giancana, who is a killer and a crook, the tendency is to see Sinatra as a bigger swinger than ever—not just another entertainer who has some crummy friends.

Giancana is a pretty good exhibit when it comes to illustrating the manicuring of gorillas. Despite his absence from the country, his Fix in Chicago remains as tight and traditional as any you could find.

Giancana took over the 300-member Chicago Cosa Nostra Family—the Outfit, as it is called locally—in 1957, after it became apparent to him that the incumbent Boss, Tony Accardo, was getting too slow and too rich. Giancana's decision was brought home to Accardo by a bullet fired over his head as Tony was entering his spacious $500,000 estate in suburban River Forest. He understood.

Sam Giancana is a frail, gnomelike man whose constant cigar smoking has deformed his upper lip into a permanent sneer. Back in World War II, when asked by the draft board what he did for a living, he replied, "I steal." He was adjudged a psychopath, and Sam figures it was a bad rap. "I was telling them the truth," he said. Before he was old enough to vote, he'd been arrested three times for murder. He likes the girls—for one he purchased a remounted 30-carat stolen diamond from a fence in New York—and has made international headlines as the recurrent escort of Singer Phyllis McGuire. He likes to play golf, and when FBI agents began bothering his game when they had him under surveillance in 1963, he went to federal court and got an order stipulating that the agents must stay two foursomes back.

Ultimately, the agents won that round. Giancana was called before a grand jury, granted immunity from prosecution stemming from anything he might say and, when he refused to answer questions, served a year in jail for contempt. Fearing another such sentence, he has stayed pretty much out of the country ever since. For a time, control of the Outfit fell to Giancana's lieutenants, but as federal prosecutions sent several of them to jail, Family matters demanded a more experienced hand at the helm. One current theory is that Accardo has come out of retirement to resume active control.

The truth is that Giancana is still running things by remote control from a hideout in Mexico, a posh castle near Cuernavaca where he poses as Riccardo Scalzetti. The real Scalzetti, Giancana's erstwhile chauffeur and courier, is more familiar to Chicagoans as Richard Cain, a well-known former Chicago policeman and more recently a private investigator.

In Chicago, where racketeering was perfected, the connection between the Mob and the politicians remains extensive and arrogant. From an office across from City Hall, there are men ready to carry out Giancana's wishes and attend to the clockwork of the Fix.

It is a matter of particular pride to Giancana and his boys that they are firmly in control of both the Democratic and the Republican political organizations in Chicago's famous First Ward, which includes the Loop with its glittering commerce and the West Side campus of the University of Illinois as well as a warren of flophouses, honkytonks, pool halls, pawnships and slums. It also enfolds City Hall, the Cook County courthouse, police headquarters, the federal courthouse, the Chicago Stock Exchange, the Board of Trade, most of the major office buildings, the largest hotels and the terminals or major railroads. The Democratic organizations of two other West Side wards—the 28th and the 29th—are also nominally chattels of the Mob. But the real gangster operative power, for obvious reasons, is in the First.

The First Ward Republican apparatus is a joke. Giancana's men permit it to exist only so they can have a foot in both parties. The hoods have been known to round up a few thousand G.O.P. votes in certain elections just to avoid embarrassing Democratic winners with heavy pluralities from a gangster-dominated political organization. But aside from being something to scratch matches on, Republicans in the First Ward are handy in other ways. In Mexico City this year, for example, Giancana and Miss McGuire tooled around in a white Oldsmobile licensed to Peter Granata, the present Republican committeeman in the First Ward.

Although Cosa Nostra control over the three wards is as well-known to many Chicagoans as the Water Tower, Mayor Richard J. Daley, the longtime guru of Cook County's Democrats, stays aloof. As Chicago mayors have always done, Mayor Daley tends to bristle at allegations of organized corruption in his city as being something less than patriotic. Leadership of ward organizations, he contends, is the exclusive concern of the people in the wards.

First Ward Democratic headquarters, just across La Salle Street from City Hall, is a handily located, permanently established center of political corruption. Here politicians, policemen, newsmen and other useful people troop into the office for favors given and received. (As in few other cities, certain journalists are part and parcel of the First Ward Fix. The First Ward Democratic organization, if it serves the gangster's needs, can—and on occasion does—swing enough influence in city rooms to get a story killed or softened to the point where it is almost an apology.) The principal disbursing officer, and Giancana's main liaison with the First Ward-heelers, is Pat Marcy, who served a prison term for robbery back before he became secretary of the First Ward Democratic organization.

Details of the First Ward's bribe trafficking were spelled out in a 1963 report on police corruption in Chicago by the U.S. Department of Justice. The report, naming names, disclosed specific payoffs that kept police from cracking down on centers of vice operated by the Giancana Mob. But Police Superintendent Orlando W. Wilson, a man with a reputation for incorruptibility, reacted in much the same manner as Mayor Daley, scoffing at the report as "gossip" and refusing to take any action against accused bribetakers on the police force—including his administrative assistant, Sgt. Paul Quinn. (Wilson retired August 1. Quinn remains on the force as administrative assistant to Wilson's successor, James B. Conlisk Jr.)

Giancana rules the First Ward like a Tartar warlord. He can brush an alderman off the city council with a gesture of his hand—as he did in 1962, when he ordered the resignation of Alderman John D'Arco. (It was all brought to a head by a D'Arco *faux pas*. He and Giancana were seated at a restaurant table when an FBI agent, well-known to both men, approached. D'Arco, reacting as a politician, leaped to his feet and shook hands with the agent. Giancana disapproved. Exit Alderman D'Arco.) State Senator Anthony DeTolve, a relative of Giancana's late wife, was nominated to succeed D'Arco. Four days before the aldermanic election, the gang Boss capriciously decided that DeTolve would not do, either. In the ensuing confusion, the First Ward wound up without an alderman for a year. Not many constituents could discern any difference.

For seven years, U.S. Representative Roland Libonati was one of the tame congressmen from the First Ward. "Libby" got on the powerful House Judiciary Committee and became something of a Capitol Hill landmark. Tony Tisci, Giancana's son-in-law, was on the government payroll at $11,829.84 a year as Libonati's assistant. In 1962, for reasons still undisclosed, Giancana decided that Libonati was a liability. The hapless congressman submitted without a protest and, for stated reasons of his wife's ill health, obediently did not run for re-election in 1964. Tisci stayed on as assistant to Libonati's successor, Frank Annunzio.

The grand jury investigation that jailed Giancana eventually dislodged Tisci from Annunzio's payroll. The disclosure that Tisci had refused to talk to the jury, pleading fear of self-incrimination, was followed by his resignation as Annunzio's aide. Marcy and D'Arco were also Fifth Amendment witnesses. But there, as might be expected, the matter rested. U.S. Attorney Edward V. Hanrahan, a Democratic appointee, did not extend immunity to Tisci, Marcy and D'Arco even though they, like Giancana, had balked at testifying. Immunity for them might have been embarrassing for Mayor Daley's Democratic machine. It would have given the three the choice of exposing the workings of Giancana's captive organization or, like him, going to jail.

For some years, Giancana's political courier was the master fixer of the Chicago Mob, the late, notorious Murray Humphreys. Using the name "Mr. Pope," he frequently delivered messages and packages to Libonati and other members of the Illinois congressional delegation. Humphreys died in 1965, and some of his political duties now fall to Gus Alex, who runs the rackets for Giancana in the First Ward.

Giancana, perhaps spellbound by his acquaintances among celebrities and his control over paid-for political hacks, has been known to overstep his own influence. Once, during a time of tight surveillance by the FBI, he dispatched his aide-de-camp, a hoodlum named Charles English, with a message for the G-men who were waiting outside for him to leave a saloon. The message was an invitation to Robert F. Kennedy, then the Attorney General, to sit down and talk over calling the agents off. English made quite a sales pitch. "Elected officials all over the country, hundreds of 'em, owe their jobs to 'Moe,' " he explained proudly. His parting words were equally blithe: "Moe says if Kennedy wants to talk, he should get in touch with Frank Sinatra to set it up."

Kennedy passed up the bid—and along about that time Sinatra fell out of New Frontier favor. The FBI continued its investigations, resulting in a 1965 jail sentence for Giancana.

Some of Giancana's lieutenants have their own connections with politicians, officials and important people. Gus Alex has an especially warm relationship with Chicago's city treasurer. Marshall Korshak, and his brother, Attorney Sidney Korshak. Sidney is a pal of other leading Chicago gangsters—"a message from him [Sidney]," a prominent mobster once was quoted on a witness stand, "is a message from us." On Alex's application in 1957 for an apartment on exclusive Lake Shore Drive, he described himself as a $15,000-a-year employe of Marshall Korshak, then a state senator.

Among political favors rendered by paid-for officials to Cosa Nostra are the passing along of information that comes over their desks and the sending up of storm signals whenever official action against the Mob is threatened.

In 1962, for example, Attorney General Kennedy sent his federal prosecutors a list of gangsters to be investigated, stipulating that the list be held in strict secrecy within the Department of Justice. In a matter of weeks a copy of the list turned up in a Michigan Avenue office used by Giancana and Alex.

Fans of Sinatra and Miss McGuire might reconsider their acceptance of Giancana as a social figure if they had heard a conversation which took place in Miami a few years ago among three Giancana employes. So, for that matter, might Sinatra and Miss McGuire. The subject was William Jackson, a grotesque slugger for the Outfit who weighed well over 350 pounds. Jackson somehow had gotten out of line and had to be dealt with. As faithfully related by an informant, James Torella and Fiore Buccieri were telling John (Jackie) Cerone with some glee how they'd gone about it.

"Jackson was hung up on that meat hook," said Torello. "He was so ——— heavy he bent it. He was on that thing three days before he croaked."

Buccieri began to giggle. "Jackie, you shoulda seen the guy. Like an *elephant,* he was, and when Jimmy hit him in the ——— with that electric prod . . ."

Torello interrupted excitedly. "He was floppin' around on that hook, Jackie. We tossed water on him to give the prod a better charge, and he's screamin'. . . ."

The conversation turned animatedly to other methods of dispensing Giancana's brand of justice—except for the revolting subject matter, they might have been men sitting around a bait shop discussing favorite fishing lures. "The stretcher is best," insisted Torello. "Put a guy on it with chains and you can stretch him until his joints pop. . . . Remember the guy that sweat so much he dried out? He was *always* wantin' water, water. . . . I think he died of thirst."

Once again, a reminder: these men are members of Giancana's Cosa Nostra Family. He was, and still is, the Boss who gives people like Buccieri and Torello the "contracts" for killing people like the late, heavy William Jackson.

The cardinal principle of the Fix is immutable—*i.e.,* be with winners. Politically, this is conductive to bipartisanship. "Do like we do in Chicago," counseled Sam Giancana when he was reviewing his secret investments in the Stardust Casino in Las Vegas in 1961. "Give to both parties."

Naturally, when the delicate matter of investments of this sort is at issue, the man whose knowhow is most prized is Meyer Lansky. Though not a Cosa Nostra member (he is Jewish), he is the Mob's chief financial counselor. As such, he was the architect of "the skim," the system whereby tax-free cash is siphoned off the top of casino profits in Nevada.

Nevada has been "open" territory for Cosa Nostra racketeers ever since legalized gambling made Las Vegas synonymous with high rolling. The Mobs from Cleveland, Chicago, Miami and New York all had representatives looking after their hidden interests and therefore had something of a stake in Nevada politics.

Small wonder, then, that Giancana saw fit to give people advice. Nor is it at all remarkable that the Fremont Casino in Las Vegas found it necessary to obtain the personal approval of Lansky for its $19,500 budget for political "contributions" in 1963: $5,000 for a justice of the Nevada supreme court; $200 to a justice of the peace; $300 to a county commissioner; $500 to a state assemblyman, and $500 to a candidate for lieutenant governor. That was local. Another $1,000 was anted up for a national political figure—and $12,000 for his opponent.

The payoff, of course, was influence in Las Vegas, Carson City and Washington—not just for Ed Levinson, operator of the Fremont, but also for Lansky. (At the time, Levinson had another very useful connection in Washington. Both he and Benjamin Sigelbaum, the bagman who transported the "skim" money to Lansky in Miami Beach, were partners of Bobby Baker in the Serv-U vending machine enterprise. Baker, it will be recalled, was then the Senate majority secretary, as well as a chief dispenser of funds for the Senate Democratic campaign committee and confidant and protégé of the then Senate majority leader, Lyndon Johnson.)

The philosophy behind all this was perhaps most succinctly explained by Major Riddle, operator of the opulent Dunes Casino of Las Vegas. When the owners yelped about a $20,000 contribution to a man very high in then-Governor Grant Sawyer's office, Riddle gave an explanation, which an informant has passed along: "The guy does whatever we want. Any one of the things he does for us would bring in $20,000." And besides, Riddle added, the contribution in question was an economy when compared with the $200,000 the Desert Inn had anted up for another influential politician.

Riddle told the informant later about the nuances of political giving and taking. The case in point was the gambling license for Irving Devine, a local racketeer. Devine was prepared to make a hefty "political contribution" of $50,000 to the Nevada governor's campaign for re-election, Riddle said, in return for his license.

"That's the only way our guy would do it," said Riddle. "You know, in a campaign, he needs funds. Any other time, it's something else again."

Unfortunately for Devine, a federal report disclosing his ties with skimming racketeers began to circulate around Nevada shortly afterward. Any talk of a gambling license for Devine became a dead issue.

PROCONSUL OF THE BOSTON GANG WAR

The Fix is by no means limited to wide-open Nevada and the political backrooms of Chicago. It also flourishes in New England, with a ruthlessness that is a point of personal pride to the resident of Cosa Nostra proconsul, Raymond Patriarca.

At 59, Patriarca has two distinctions in Cosa Nostra. When it comes to manipulating the makers and enforcers of the law, he has few peers. His tightly disciplined 150-member gang operates a dazzling array of rackets and legitimate businesses over Massachusetts, Rhode Island, Connecticut and Maine.

He is also known as the only Cosa Nostra Boss to operate for more than three years within range of an FBI microphone. The Cosa Nostra Commission have held several discussions to decide how this mountainous blunder should be dealt with. Bosses have been killed for less. The bug itself, planted by the FBI in Patriarca's office in Providence, R.I., was bad enough. But Patriarca compounded the original security breach by letting some of the taped transcripts get into the federal court record. In this, his arrogance played a major role.

It all involved the income tax fraud trial of one of his capos, Louis Taglianetti. When Taglianetti was found guilty, Patriarca made his big mistake—by ordering an appeal of the conviction. This ultimately forced the introduction of the bugged tape transcripts in the record. The way Cosa Nostra sees it, far better Taglianetti should have served his seven months in the first place.

Among the disclosures in the FBI records:

Patriarca is the referee of the celebrated gang war that has plagued Boston for more than three years. He presides over the shabby scene with such authority that nobody is killed without his permission. At least a dozen of the 40-odd victims were slain on his direct orders. The bug picked up conversations among Patriarca and his *capos* concerning the slayings; the assassins themselves were named. At one point, when his own declaration of an armistice was not being observed, Patriarca proclaimed angrily that he was about to "declare martial law."

All types of crime in his bailiwick, not just the organized kind, are cleared by Patriarca—among them bank robberies, hijackings, arson, jewel thefts and kidnapings.

Such information, needless to say, was priceless intelligence for law officials. It was also a temporary lease on life for gangsters William Marfeo and John Biele, who had fallen out of favor with Cosa Nostra. The bug revealed Patriarca's various plots to kill the pair over a period of months, and on each occasion, FBI agents managed to tip them off—as well as the police. A ban on bugging in 1965 forced disconnection of the microphone in Patriarca's office. Within a year, Marfeo was slain in Providence; Biele was murdered in Miami last March.

As a Mob Boss, Raymond Patriarca sits as something of a judge himself, sometimes over the affairs of politicians. On one such instance, in 1963, a top official of the Rhode Island state government, much in Patriarca's debt, had been defeated for re-election. One of his backers, a Warwick, R.I. businessman, had contributed $17,000 to the unsuccessful campaign and wanted his money back, claiming it had been a loan. Not so, said the politician—it was an outright gift.

Patriarca himself held court on the matter behind the vending machines in his Coin-O-Matic office in Providence. Unsurprisingly, he ruled for the defendant. The $17,000 was a gift. Judge Patriarca advised the businessman to forget it. He did.

Patriarca is far warier with his own political contributions. His political payoffs are held in a bank account that has come to be known as "Raymond's Escrow Fund." It is released to deserving political servants only after they have delivered for Raymond Patriarca.

A good example of this device was a battle in 1963 in the Massachusetts legislature over proposed extension of the racing season at the Berkshire Downs race track, at Hancock, Mass. At the time, Patriarca and the late Thomas Lucchese were among the hoodlums holding secret interests in the track. More racing days were needed at the track to keep it from going bankrupt. Patriarca spread the word that there would be an added purse of $25,000 in Raymond's Escrow Fund for dispersal—*if* the track got a lengthened season.

There was a stormy floor fight in the legislature. Patriarca's forces lost, but the $25,000 remained in Raymond's Escrow Fund.

But in routine matters. Patriarca's Fix, in spite of his tendency to talk too much about it, has worked smoothly. To cite an example: on Friday afternoon, July 27, 1962 a high-ranking state police officer flashed a yellow alert to Jerry Angiulo, Patriarca's Underboss in Boston, that there was going to be a raid the next day on gambling joints at Revere Beach. When the raiders arrived, Patriarca's five joints were demurely closed. The police raided only the independent gamblers—who had been foolish enough to refuse to cut Angiulo and the Mob in on their operations. On the following Tuesday, Angiulo's five casinos reopened at new addresses and quickly lapped up the business of the gamblers who had been shut down in the raid. Three years later, in June 1965, with the Fix working smoothly as ever, the whole sequence of jiggers-shutdown-raid-reopening was reenacted at Revere.

If the Commission doesn't decide to eliminate him, Patriarca eventually could be tripped up by his own heavy-handed greed. Right now the chief witness against him in a conspiracy case awaiting trial is Joseph Barboza, a 35-year-old triggerman whom Patriarca had assigned in June 1965 to kill Marfeo (one of the occasions when Marfeo was tipped off). Later Barboza was imprisoned on an unrelated charge. His gangster friends immediately set about collecting funds to pay for an appeal. Two of them were waylaid—by Patriarca's men—and shot dead. The killers walked off with the $80,000 they had collected. Barboza, stranded behind bars and enraged at the doublecross, became a government witness. Patriarca may live to regret it.

The Fix, like any other form of commerce, is peculiarly susceptible to the winds of inflation. Nowhere was this more apparent than in New Jersey, home of Vito Genovese and other thieving murderers and politicans.

In Februray 1963 three men sat down in a ramshackle club called "The Barn," on Route 22 in Mountainside, N.J., to discuss the rising cost of fixing police officials. Two of them were the gabby old friends who discussed Richie Boiardo's beckoning incinerator: Angelo DeCarlo and Tony Russo, the Genovese family's betting boss in Monmouth County. (Russo's sobriquet in the Mob is "Little Pussy." His brother John—"Big Pussy"—did a stretch for murder.) Also at the table was an informant for a law enforcement agency, and the minutes of that meeting, kept secret until now, have been a key factor in the recent amassing of intelligence by federal officials on New Jersey Mob activties.

The specific complaint of the two gangsters was the forthright grabbiness of a top-level officer in the New Jersey State Police. Russo said the police official was collecting $250 a month for ignoring bookies around Monmouth Park race track, plus $1,000 a month in gambling payoffs in Long Branch and another $1,000 from Asbury Park. As if this weren't enough, Joe Zicarelli, a Bonanno *capo* who bosses bookie and lottery action in Hudson County, was paying, according to Russo and DeCarlo, an additional $5,000 a month. And now, to top it off, Russo complained, this guy had the gall to demand *double* payoffs for each month of the summer season, when resorts like Asbury Park and Long Branch boom and so does gambling. The irony of it all, DeCarlo added bitterly, was that he, Russo and Zicarelli had only themselves to blame. They had personally picked their greedy policeman and arranged for a well-connected Hudson County politico to promote him to his high place on the force. DeCarlo promised to talk soon to the same politican about the state policeman's unseemly greed.

Whatever was said at that meeting, the result was negative, for the police officer continued to extort heavy payoffs from DeCarlo, Russo and Zicarelli until his retirement, two years later. Expensive though he was, he was worth too much to the Mob to warrant getting rid of him. He represented what is called in Cosa Nostra a "solid setup"—the ultimate protection, a direct hand-to-pocket Fix with a top law enforcement official in a policymaking position.

The power of the Fix in certain areas of New Jersey is just about total. In Long Branch, for example, a town of 26,000 on the Jersey shore, Russo told the informant that the Mob had taken charge. Russo bragged they had fixed elections and maneuvered the ouster of a city manager. "What we got in Long Branch is everything," said Russo. "Police we got. Councilmen we got, too. We're gonna make millions."

Russo said that another *capo*, Ruggiero Boiardo, no less, keeper of the crematorium near Livingston, was wanting to muscle into the Long Branch bonanza with some road-construction contracting. DeCarlo figured Boiardo was out of bounds on this—he and his son Anthony already had all they deserved with "all the electric work in Newark." (Anthony Boiardo lists his occupation as "public relations man" for an electrical contracting firm in Newark.)

Several federal agencies have confirmed and supplemented the information on the Russo-DeCarlo talk. One investigation stemming from it disclosed that DeCarlo, Zicarelli and Ruggiero Boiardo had combined to maneuver the friend of another gangster into office as police superintendent of a large New Jersey city. The Mob-selected police chief used to work as a doorman at crap games run by gangster John Lardiere.

Actually "Bayonne Joe" Zicarelli's outwardly modest position as head of a bookie and lottery syndicate in Hudson County does him considerable injustice. True, in New Jersey, his interlocking tie-ups with scores of Hudson County officials are so expensive that some gangsters consider him a "connection-crazy" wastrel. But Zicarelli has an international sideline so extensive that he's practically a one-man state department for the Mob. He has holdings in Venezuela and the Dominican Republic, and throughout the hemisphere is known as the man to see for guns and munitions when a government is to be overthrown or a rebellion is to be put down. For example, through the years he shipped arms to Dominican leaders, selling with fine and profitable impartiality to Trujillo and the men who overthrew him. (In next week's issue more will appear on Zicarelli's business interests.)

Even Zicarelli's domestic connections extend well beyond the confines of Hudson County, into the chambers of the U.S. Congress itself. Indeed, he is on the best of terms with the widely respected Democratic representative from Hudson County, Congressman Cornelius E. Gallagher. Gallagher is one of the bulwarks of the House Foreign Affairs Committee and was seriously mentioned before the 1964 Democratic convention as a possible running mate for Lyndon Johnson. Bayonne Joe and his congressman seem to have a lot to talk over, judging from the frequency of their get-togethers. These usually take place a long way from Washington or Bayonne—where Gallagher lives and Zicarelli runs the rackets. Sometimes the setting is a picturesque wayside inn off the Saw Mill River Parkway, north of New York, and the occasion is an unhurried and chummy Sunday brunch.

Mr. KUPFERMAN. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from New York.

Mr. KUPFERMAN. The gentleman from Missouri has spoken of the problem of crime and has emphasized the failure to use electronic devices for surveillance in connection with the problem of crime. I just want to ask the gentleman if he does not recall the day we were sworn in at this session of the 90th Congress, that night we heard the President speak on his legislative program, and the one point that I recall specifically he made in this connection was that he, himself, said that he would ask the Congress to outlaw all methods of electronic surveillance. I just wonder whether the criticism is placed properly on the Attorney General.

Mr. HALL. Mr. Speaker, the gentleman from New York properly notes that the ultimate responsibility lies with the President in regard to the use of electronic devices. I am simply objecting to the fact that the Attorney General requires personal sanction for their use by trained agents. Indeed, I doubt the capacity of the Attorney General to use such modern devices.

Mr. Speaker, I yield back the balance of my time.

JOHNSON ADMINISTRATION WINNING CRIME WAR DESPITE REPUBLICAN ROADBLOCKS

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, for the past several days some Republican Members of the House and the other body have launched a series of attacks against the Johnson administration, claiming that the President and the Justice Department are not doing enough to combat crime in this country.

It is unfortunate that these Members of Congress have chosen to delve in political thumb twiddling in an area that is so vitally important to our Nation.

It would appear from the unfounded remarks of some Republicans that crime in this country is running rampant. However, the opposite is the case. The administration of President Lyndon Johnson, despite numerous Republican attempts to cripple his efforts to solve the crime problem, has raised crime fighting levels in this country to an alltime high. The only factor which prevents the Johnson administration from doing an even greater job is the traditional four legislative horsemen of the Republican Party—cut, gut, weaken, and stall.

There can be only one reason for the unfounded Republican attacks on the President's crime program. That is, very simply, that President Johnson is getting the job done and the Republicans want to cloud his efforts in a smokescreen of vocal air pollution.

At the same time, the Republicans are criticizing President Johnson's efforts, they are resisting every attempt by the President to strengthen our crime fighting procedures. This point was brought home yesterday by Deputy Attorney General Warren Christopher, in a statement issued in response to the Republican attack on the President's crime program. In part, Mr. Christopher said:

> The Administration's Firearms Bill is a tough attack on the present laxity which puts firearms into the hands of criminals. Why are the Republicans opposing this bill? More than six thousand persons were slain by guns last year, which should be enough to enable sensible people to get the message that something has to be done.
>
> President Johnson's proposed Safe Streets and Crime Control Act would enable the Federal Government to help up-grade local law enforcement by direct grants to cities.
>
> But what have the Republicans done to this? With nineteenth century logic, they are cutting the bill's heart. They are trying to rewrite it to prevent the Federal Government from making direct grants which would enable local police departments to expand and modernize.

Based on these Republican tactics, it can only be assumed that GOP stands for "Great Obstructionist Party," the party of the logjammers.

But I want to make it crystal clear, once again, that despite all of the Republican efforts to sidetrack and ambush the President's crime program, the administration is making record progress.

As Deputy Attorney General Christopher pointed out yesterday:

> Convictions of FBI-investigated organized crime and gambling figures reached a record high in 1967, up 39 percent from the previous year.
>
> Figures for the most recent fiscal year available show the highest number of criminal trials in more than a decade.
>
> Figures for the most recent fiscal year available show the highest number of procedures before grand juries in more than a decade.
>
> At the present, there are more than 20 grand juries investigating organized crime matters.

In view of these impressive figures I do not think any reasonable, well-informed, individual would question the President's activity in the battle against crime.

I do not want to charge the Republicans with fostering crime, but their refusal to go along with basic social programs, such as the rat control bill has, at least indirectly, added to the unrest in urban areas which has led to criminal activity.

If the Republicans wish to join the winning side, the side headed by President Lyndon Johnson in the war on crime, they should carefully consider their votes on the legislation before this Congress.

I want to assure the American people that the remarks made in recent days by Republican Members of Congress concerning the President's crime program are not factually correct, nor even prudently sound. The Republican attack clearly shows that President Johnson is getting the job done. The Republicans clearly realize this and are attempting to cover the fact with a flood of unfounded statements.

PRESIDENT JOHNSON AND THE DEMOCRATIC RECORD VERSUS UNSWERVING GOP OPPOSITION

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RESNICK. Mr. Speaker, President Johnson is the target for scandalous vituperation and unfair criticism, perhaps unprecedented in the history of American politics.

It is no secret, Mr. Speaker, that most of those criticizing the President have long been opposed to a government responsive to the people's needs. Not surprisingly, these political attacks are aimed at a President who personifies the philosophy of the Democratic Party—the party of the people.

We know what motivates the President's critics. The Republicans have not changed their minds or their ideas for more than 30 years. They remain as opposed to progress as was their great political hero, Calvin Coolidge.

We Democrats can only imagine how the achievements of the Johnson administration must stick in their craw.

We all know, Mr. Speaker, that Presidents get praised when things go well and get blamed when they go badly. As Lyndon Johnson once said: "That's what Presidents are for."

But I am dismayed by the statements of some leading Republicans who seem determined to blame President Johnson for the city rioting this summer.

This is like blaming the Democratic Party for the rising divorce rate or for a record death toll on our highways.

The problems of the cities, and the ghettos within, have been with us for many generations. Yet, we also know that it was in the 1950's when a great wave of Negro migration—from South to North—began pouring into our already overcrowded ghetto areas.

And the record shows that during these 8 years, the Republican administration in power sent to Congress only one message on the cities.

This is the party now trying to blame Lyndon Johnson for the tragedies of this summer.

They are trying to blame a President who initiated unprecedented legislation to help the urban poor—the President who began the war on poverty, rent supplements, model cities, medicare, urban mass transportation, and created the Department of Housing and Urban Development.

And with each of these programs, the overwhelming majority of Republicans voted in their traditional fashion—against.

There is no easy solution to the problem of the cities. It seems clear that we shall be grappling with the complexities of city living for many years to come.

But the record will show that the Democratic Party has responded to this problem with imagination, concern, and dedication.

We have made a promising start. But it is only a beginning. And for the Republicans to attempt to blame the administration for urban violence and unrest is the height of political irresponsibility.

Mr. Speaker, the President has some 14 proposals dealing with urban aid still pending before Congress. We can test the sincerity of the Republican's alleged concern about our cities by their votes and on these pending measures.

Let those who are so willing to blame the President for what has occurred this summer step forward to be counted for programs designed to alleviate social unrest and despair—the two ingredients that triggered the violence.

It is relatively easy to get publicity by attacking the President. And this is especially true about Vietnam.

Yet, as a number of editorial writers—including William Randolph Hearst, Jr.—have pointed out recently, there has not been one single alternative to administration policies proposed by the Republicans.

We have all read tens of thousands of words on Vietnam in the papers. But not one of the President's critics—not one—has managed to come up with an alternative that is better than the policies now in effect in Vietnam.

President Johnson will not be pushed into extreme positions on Vietnam. He will not withdraw—and he will not dangerously escalate the war.

Vietnam is difficult and frustrating for us all. But this administration has followed the wise and responsible course of resisting aggression while making every possible effort to get Hanoi to the conference table.

Our goal in Vietnam remains unchanged. It is to settle this struggle peacefully and honorably. And it is a goal the overwhelming majority of Americans fully support.

But our people know that President Johnson cannot negotiate with himself. And they know that the onus for peace now rests squarely on the rulers in Hanoi.

And so, I would say to those who have been hearing so much from the President's critics: The value of criticism is the constructive alternatives offered.

To date, the value of the Republican

alternatives being proposed matches their dismal voting record in Congress.

The 1960's have been challenging and difficult years for the United States and the entire community of nations.

Let us not lose our perspective.

Washington did not create the bitterness and unrest in slum ghettos. This is a problem created in each city where trouble occurred.

Washington can—and has—provided the leadership and resources to meet this problem responsibly. But to truly solve it will take the total effort of every community and all of our citizens.

The Republican effort to blame President Johnson for all that is wrong in our society and in the world must be judged by one yardstick: Which President and which party has been responsive to problems of our people and our society?

This yardstick has always been the measure of the Democratic Party's success at the polls. And it is this yardstick that will once again produce victory for Lyndon Johnson and the Democrats in 1968.

Meanwhile, our Republican colleagues will continue to view with alarm each and every action of this administration.

And as they grind out their charges and criticisms, we Democrats in Congress will continue to support the important legislative programs of this administration. We are building a solid record of accomplishment—a record unique in American history.

In our diversity, we Democrats sometimes disagree—and we sometimes seem to be pulling in several different directions at the same time.

But out of that diversity we draw our strength. For we are the party of the people. And we are more responsible to the will of the people—and more responsive to the needs of the people—than any other political party in history.

We can stand tall in 1968 by standing shoulder to shoulder with President Johnson and supporting the record he will carry to the American people.

OUR VOCAL WAR CRITICS: WHERE IS THEIR INSTANT HORROR OVER VIETCONG ATROCITIES?

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RESNICK. Mr. Speaker, today I would like to make a plea to some of my fellow citizens who question this Nation's basic morality in its conduct of the war in Vietnam.

A plea to those who shout "Murderer" at our President, our Secretary of State, and our Secretary of Defense.

A plea to those who take out full-page newspaper ads, demanding that we "Stop the Bombing" and "Negotiate Now."

A plea to those who picket in front of the White House under the mistaken assumption that they are the only true peace-lovers in the world.

My plea is this: For once—just once—address your wrath to the Vietcong who today are carrying out a systematic bloodbath throughout South Vietnam. Express your horror to Hanoi which is directing this systematic campaign of murder and brutality.

I do not use the word "systematic" lightly, an Associated Press story on August 27, the Washington Star reports that captured Communist documents show that the Vietcong are under explicit orders to step up terrorism in an effort to wreck the approaching national elections.

Once again—as in the Constituent Assembly elections last September—they are resorting to terrorist tactics because they know that a working democracy is their gravest enemy.

I hope that the critics of President Johnson have been following those sordid events. I hope they understand what is happening to innocent women and children.

Civilian hospitals are being shelled.

Election workers are being shot on sight.

Government officials are being assassinated.

Civilians are being kidnaped and their working cards confiscated.

Polling places are being blown to bits.

Other polling places are being booby-trapped.

Civilian buses are being raked with small arms fire.

The tragic results of these brutal tactics cry out from the daily newspapers.

The Washington Star states that last week, 167 civilians were killed, 252 wounded, and 126 were kidnaped.

This week's toll will be even higher.

On August 27 alone, the New York Times reports:

> Vietcong guerrillas—in a series of coordinated terrorist attacks from the northern provinces to the Mekong Delta—killed and wounded at least 355 people . . . most of them Vietnamese civilians.

Mr. Speaker, where are the voices of protest against these atrocities?

Where are the full-page ads?

Where are the picketers?

Where are the people who like to shout at our President? Are they marching in the streets chanting, "Hey, hey, Ho Chi Minh. How many civilians have you done in?"

I stop short of accusing them of hypocrisy, Mr. Speaker. Blindness goes far enough—and it has the same end result.

These are the people who can muster instant horror over a U.S. bomb which has been accidently dropped on a Vietnamese village.

I do not fault them for this. We all feel horror—though some more vocally than others.

But where is their instant horror over the deliberate murder of mothers and babies?

This has nothing to do with anyone's position on the Vietnam war, Mr. Speaker. It has nothing to do with doves or hawks.

It has to do simply with basic humanity. And basic humanity does not have room for a double standard.

PLACEMENT CENTER SURVEY OF PARKS JOB CORPS CENTER

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Edwards] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, I am honored to have in my congressional district, a Job Corps center which has in a comprehensive approach tackled some of the hardest problems of our society—renewing the lives of young men and women who have suffered the setbacks in education, health, job potential that comes of growing up in our central city ghettos.

I am also very pleased that this particular center, from all testimony, appears to be one of the most successful programs of its kind. The Parks Job Center in Pleasanton, Calif., is operated by Litton Industries, and has been training and educating young men since April 1965.

The Job Corps is fulfilling an important need too in placing the young men exposed to the training and environment of these centers. Parks' placement record is an especially fine one—2,526 young men, approximately 30 percent of the men who were graduated from or left the Parks Job Corps Center in the last 2 years, have been placed in gainful positions.

The former Parks Job Corpsmen who are now employed are earning an average hourly wage of $1.78. Sample, follow-up checks show a 71.9 percent job retention rate. Further, in the same sampling, 78.9 percent of those placed have been promoted since being hired.

The latter record is particularly impressive when viewed against the background of the boys involved. Of the total Parks population, nearly one-third have had previous criminal records, 91.5 percent were dropouts from elementary and high schools and 48 percent came from broken homes. The Parks corpsmen are from poverty areas of all 50 States. An analysis of the Parks placement record points up one significant fact: Vocational training in itself it is not enough. Reshaping of attitudes and reorientation to a responsible productive life is equally if not more important in the Job Corps rehabilitation program. More than half of the corpsmen employed by private industry were placed in positions not related to their Job Corps training.

The breakdown of the placements generated by the Parks Job Corps Center shows 905 young men were placed in positions related to their Job Corps training at an average hourly wage of $1.93 and 980 in positions not related to their training at an hourly wage of $1.64.

Placements in training positions have been as follows: 248 men in electronics at $2.16 an hour; 207 in automotive skills at $1.80 an hour; 149 in maintenance at

$1.91 an hour; 67 in office machine repair at $1.87 an hour; 135 in general skills—which includes office occupations—at $1.83 an hour and 99 in the culinary arts at $1.79 an hour.

For young men who have obtained positions in fields not related to their training, the figures are as follows: 225 men from electronics training have obtained positions at an average $1.64 an hour; 232 from automotive at $1.70 an hour; 79 from maintenance at $1.68; 79 from office machine repair at $1.70; 121 from general skills at $1.70; and 51 from culinary arts at $1.70.

A total of 641 men have gone on in either education or into the military services.

When we shift from statistics to realize that each figure represents a young man who sees, probably for the first time, some light and hope on the road ahead, we recognize the vital role of the Job Corps. It is a story of hard work and devotion to the prospect of leading a productive and self-satisfying life. These centers ought to be continued—for only with some time are the operating problems being ironed out and results becoming visible. This program ought not be cut off in its infancy.

SEPTEMBER 2–9, NATIONAL DRUM CORPS WEEK

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. PEPPER. Mr. Speaker, the week of September 2–9 has been designated this year as National Drum Corps Week in honor of the thousands of young people and their adult leaders who devote long hours to preparation for musical competition and participation in public events.

It is difficult to measure their contribution to the pageantry and patriotism of our parades and holidays. Even more difficult to measure is the character-building influence that this activity exerts on its members. In this year of 1967, a year when intelligent young Americans are sacrificing their minds to the never-never land of drugs, a year of youthful snipers and youthful protesters and youthful rioters—in this year of 1967, we especially appreciate an organization of young people involved in wholesome activity leading to musical enjoyment and community service. I should like to commend the drum and bugle corps of America and to thank them.

EARLY SOCIAL SECURITY CHECKS FOR OUR SENIOR CITIZENS

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. PEPPER. Mr. Speaker, on Saturday hundreds of thousands of senior citizens throughout America will receive their social security checks on the second of the month rather than on the fifth.

This may seem a small thing to many of us. But, to our older citizens, it is a matter of great importance whether their social security checks come early or late. So many of them live on tiny pittances—the average social security payment is only some $80 a month—that a few days delay in receipt of their checks means real hardship and privation.

Previously social security checks were always marked for delivery on the third of each month, and this sometimes meant a delay of 1 or 2 days when the third fell on a Sunday or a holiday. This weekend the third falls on Sunday and the fourth is the Labor Day holiday. Thus under the previous system the September checks would not have reached social security beneficiaries until Tuesday, September 5.

This matter was brought to my attention last year and I sought to obtain a change in the delivery date of these checks. I was advised that this could not be done because the checks were dated the third and early delivery would produce ill will for merchants and bankers if these checks were presented prematurely for cashing. I then requested that the Social Security Administration consult with the Treasury Department to see if it would not be possible for these checks to be dated earlier, as well as delivered earlier when a holiday would cause late delivery.

I am gratified that the Social Security Administration and the Department of the Treasury found that this was possible. As a result, the September checks will be delivered before the Labor Day holiday, rather than after, and many hundreds of thousands of our citizens will benefit.

I insert in the RECORD the pertinent material relating to my correspondence with the Commissioner of the Social Security Administration. I believe my colleagues will be interested in seeing that it is sometimes possible to insist upon humanitarian consideration in great bureaucratic operations and obtain that consideration for our people. This material is as follows:

WASHINGTON, July 22, 1966.—Congressman Claude Pepper (D-Fla.) has appealed to Social Security Commissioner Robert M. Ball to allow Social Security beneficiaries to get their checks early rather than late when the delivery date falls on a weekend or holiday.

The Florida Congressman pointed out that postmasters throughout the country are instructed to deliver Social Security checks "on the third day of the month."

"This can cause great hardship," he said, "when holidays and weekends cause the checks to be delayed for a number of days after the third of the month."

He pointed out that the recent 4th of July holiday, which fell on a Monday, caused many Social Security checks—due on Sunday, the 3rd—to be delayed until Tuesday, the 5th of July.

In his letter to Commissioner Ball, Pepper noted that 85 percent of all Social Security beneficiaries have no other regular retirement income and that a delay in their Social Security check of even a day or two can mean hardship and privation.

AUGUST 30, 1966.

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR MR. PEPPER: This is in further response to your letter of July 20 about the mailing of monthly social security checks. I appreciate your comments regarding my speech on "Policy Issues in Social Security." There are certainly many important improvements that should be made in the social security program.

We appreciate the problem that even one or two day's delay in a beneficiary's receipt of his monthly social security check can cause him. While our studies over the years have so far produced no checks-mailing arrangement that would seem better overall than the present one, we are continuing to examine various ideas and modifications.

The reason our checks bear a payment date of the 3d of the month is that we are assigned that date under a staggered check issuance arrangement in effect among various Federal agencies which send out monthly checks. The purpose, of course, is to avoid some of the problems that post offices, the Treasury Department, banks and other institutions would have if all monthly Federal checks were mailed or made payable on the same day each month.

Delivery of checks in advance of their payment date creates problems of its own. On a few occasions when our checks were inadvertently released by a post office on the 2d of the month, banks and other business houses pointed out that they were caused real difficulties. Beneficiaries presented the checks, marked payable as of the 3d of the month, on the 2d and put the business houses in the position of either honoring a post-dated check or of declining to do so and losing goodwill and patronage.

It is certainly understandable that a beneficiary may think we could solve the problem simply by looking ahead and making checks payable on the 1st or 2d of the month when the 3d falls on a weekend or holiday. This is of course not impossible but it would tend to offset the advantages of the check-staggering arrangement I described. Also, it would not seem to provide real advantage to beneficiaries as it would mean a wait of more than a month for the next check—and thus often do no more than shift the beneficiary's budget problem ahead by a month.

As I am sure you recognize, the mailing of checks each month for our more than 20 million cash beneficiaries requires careful handling and constant appraisal. This is the more so because we know the checks so often are relied upon for necessities. We have given a great deal of time and study to the process and shall continue to examine it and seek refinements. Thank you for bringing your constituent's ideas to our attention and for your own comments.

Sincerely yours,

ROBERT M. BALL,
Commissioner of Social Security.

SEPTEMBER 1, 1966.

Hon. ROBERT M. BALL,
Commissioner, Social Security Administration, Baltimore, Md.

DEAR COMMISSIONER BALL: You were very good in your letter of August 30 to comment on my suggestion that post offices be allowed to deliver Social Security checks prior to the third of the month when the third falls on a Sunday or holiday.

I understand that the various Federal agencies are assigned certain payment dates in order to stagger the issuance and delivery of monthly checks sent out by the Federal Government. I can appreciate also the problems which would arise if checks dated for payment on the third were presented to banks and merchants before that time.

Would it not be possible, however, for Social Security checks be made payable from the first of the month, even though scheduled for regular delivery on the third. If this could be done, the local post offices could be authorized to deliver the checks early, as I have suggested, when the regular delivery date would fall on Sunday or a holiday, and the problem of premature presentation of the checks would not arise.

I would thank you if you would explore this possibility with the Department of the Treasury and let me hear from you further.

With kindest personal regards, and

Believe me,

Always sincerely,

CLAUDE PEPPER,
Member of Congress.

MARCH 23, 1967.

Hon. CLAUDE PEPPER,
House of Representatives,
Washington, D.C.

DEAR MR. PEPPER: In recent months you and other Members of Congress have written us about delivery of social security checks in months in which the regular due date (the 3rd of the month) falls on a weekend or holiday. As we reported, the payment date of the 3rd of the month for social security benefit checks was assigned under a staggered check issuance arrangement in effect among various Federal agencies that issue monthly checks. This arrangement was designed to avoid some of the problems that would be created for the post office, the Treasury, banks, etc., if all these checks were mailed or made payable on the same date.

I am sure you will be glad to know that arrangements have now been made for earlier issuances of social security checks for months in which the 3rd falls on Sunday or a nondelivery legal holiday. In these months the checks will be dated as of the 2nd of the month (or the 1st, if necessary), and will be released to the post offices one or two days ahead of regular schedule. The first month for which this will apply is September 1967 and we expect to make use of the new arrangement at that time.

The other Members of Congress who inquired about this matter are being similarly advised.

Sincerely yours,

ROBERT M. BALL,
Commissioner of Social Security.

APRIL 5, 1967.

Hon. ROBERT M. BALL,
Commissioner of Social Security, Social Security Building, Baltimore, Md.

DEAR COMMISSIONER: You know I was delighted to receive your letter of March 23 advising me of the plans that had been made to advance the payment date of social security benefit checks when the normal payment date falls on Sunday or on a legal holiday.

This will mean much to many millions of beneficiaries of the Social Security Administration's vital programs and in their behalf I wish to commend you for taking the trouble to investigate this problem and resolve it in this manner.

Warmest personal regards, and

Believe me,

Always sincerely,

CLAUDE PEPPER,
Member of Congress.

TRUTH IN THE MARKETPLACE

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BINGHAM. Mr. Speaker, on Monday, August 28, my colleague from New York [Mr. HALPERN] and I, who are members of the House Subcommittee on Consumers Affairs, conducted an informal hearing in New York City on H.R. 11601, the Consumer Credit Protection Act, and related truth-in-lending bills, which are pending before our subcommittee. We heard a number of excellent statements on the merits of H.R. 11601, as well as moving personal stories of those who have been deceived and defrauded by misleading and incomprehensible consumer credit transactions. I plan to put some of the most helpful statements in the RECORD in order to further inform my colleagues on the need for this legislation.

Yesterday, the New York Times declared its support for major provisions of H.R. 11601, introduced by the Consumer Affairs Subcommittee's most able chairman, the gentlewoman from Missouri, Mrs. LEONOR SULLIVAN, as against S. 5 which recently passed the Senate. The Times correctly pointed out that the Senate bill's gravest inadequacy is its failure to cover all revolving charge accounts, and that the Sullivan bill, of which I am proud to be a cosponsor, remedies that defect. I insert the editorial herewith:

TRUTH IN THE MARKETPLACE

The truth-in-lending bill already passed by the Senate needs strengthening in the House if it is to provide adequate protection for ordinary families. As Senator Robert F. Kennedy, City Council President O'Connor and other witnesses told the House Consumer Affairs subcommittee here yesterday, those in the low-income brackets are the principal victims of high-interest rates charged for personal loans and installment purchases. These consumers are often unaware of how much they are actually paying for so-called easy credit.

The bill, in the form approved by the Senate, would require sellers and lenders to state the true interest in terms both of annual rates—as distinguished from monthly or quarterly rates—and of actual dollars. The sale of automobiles and other large items such as furniture and refrigerators would be included, as well as personal loans and second mortgages on real estate.

The big defect in the bill is the failure to cover revolving charge accounts. Department stores persuaded the Senate Banking Committee that it would be burdensome and misleading to state the credit charge on these accounts, usually 1.5 per cent a month, at the annual rate of 18 per cent.

Representative Leonor K. Sullivan, Missouri Democrat, who is chairman of the subcommittee, is urging restoration of this provision in the bill. Since revolving charge accounts are the fastest-growing form of consumer credit, it is important that families become fully aware of the cost of handling such purchases.

A Federal ban on the garnishment of wages would also protect unwary buyers. This device for collecting money is principally used by high-pressure, easy-credit outfits which prey upon the gullibility of low-income consumers. It has no more place in the modern business scene than a debtor's prison.

SCREVEN COUNTY RECEIVES UNWARRANTED CRITICISM

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. HAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HAGAN. Mr. Speaker, I want to call the attention of my colleagues to a very fine editorial which appeared in one of my hometown papers, the Screven County News, on Thursday, August 24, in which my longtime friend, Mr. Stegins, so ably points out the fact that understanding of exactly what is taking place and methods of working out in the best way possible whatever problems may be existing in this country are sadly lacking and urgently needed.

Obviously, it is necessary in situations of this kind to take into account the source of such undeserved criticism and the editorial referred to follows:

SCREVEN COUNTY RECEIVES UNWARRANTED CRITICISM

Despite the fact that Schools of Screven county have been integrated for the past two years, and that the relations between the white people and the colored residents of the county are and have always been cordial and harmonious, Supt. George T. Jarrard was the recipient of a letter this week from John Doar, Assist. Attorney General, advising him of complaints he had received from Screven county Negro parents complaining that their children had been deprived of equal protection of the laws on account of their race in the operation of the public school of this county.

The fact is, Negro children have been attending Screven County High School for the past two years, and have the same privileges accorded white children—they eat at public places in Sylvania, and enjoy all of the other advantages afforded any child in Screven county. In fact the people of the city and county have gone to extremes in their efforts to comply with the Civil Rights Legislation, and apparently had the full cooperation of the Negro population as well.

On the face of the cordial relations always existing between the two races in the county, it is difficult for our public officials to comprehend the dissatisfaction of anyone of our local colored families with regards to their being deprived of equal rights under the Civil Rights law or any other law.

As in the recent registration of Negro voters in Screven county by Federal officials, it would appear that the unwarranted criticism to which the Asst. Attorney General refers, was conceived in the mind of outside interferers, or perhaps, an individual of the Hap Brown type, who unfortunately has been transplanted in the county. The author of these fraudulent accusations, is probably known to many of our people, and will be repudiated by not only our white citizens, but the people of his own race.

HELPING DEMOCRACY WORK IN SOUTH VIETNAM

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I must candidly admit that I do not understand the comments and attitude of certain people and news media in the United

States in the forthcoming elections in South Vietnam.

From my perspective as a citizen, and as a member of the House Committee on Foreign Affairs, I thought that the very fact of open elections in South Vietnam already demonstrated the ethical and political difference between a struggling-to-be-free south, and a dictatorial, monolithic Communist north.

It was my impression that the press had looked into the history of the development of these coming elections, and had found the United States backing them, encouraging them, and advising the South Vietnamese for the last year and a half.

It was my impression that the free world press had already reported fully that there had been pretty fair and open elections in the villages where some 14,000 local officials have already been selected.

It was my impression that South Vietnam had adopted a Constitution, and the north had not.

It was my impression that the current campaign resembled an open American-type election where, in the memorable words of Mr. Dooley, "each man was as good as the next, and maybe a damned sight better."

It was my impression that President Johnson and the U.S. mission had done everything short of manning the voting booths to assure open, fair, and free results.

It was my impression that Secretary McNamara, Vice President HUMPHREY, General Taylor, Mr. Clifford, Ambassador Bunker, had all personally conveyed President Johnson's stress on free elections directly to every high Vietnamese official, and had done so, in most cases, long before the cries of "fraud" began to fill the daily newspapers.

President Johnson and his advisers have made free elections a principal theme of almost every conversation with the Vietnamese for the past year and a half.

President Johnson publicly and privately stressed the need for free and fair elections at the historic Honolulu Conference, and that need was written into the Honolulu declaration.

President Johnson offered American technical experts to help the Vietnamese draft a constitution and electoral laws.

President Johnson again encouraged development of democratic institutions in Vietnamese during the Manila Conference in late 1966.

President Johnson has affirmed and reaffirmed his deep interest in the growth of democracy in South Vietnam through such personal emissaries as Secretary McNamara, Vice President HUMPHREY, Ambassador Goldberg, Ambassadors Bunker and Lodge, and others.

President Johnson stressed the importance of avoiding divisions in the country and the critical need for free, fair, and honest political developments, at the Guam Conference in March 1967.

And just a few days ago, an invited delegation of American election observers flew to Vietnam to represent the American presence there.

I simply do not understand, nor can I accept, the unwarranted attacks being made on President Johnson for not doing enough to insure democratic elections in South Vietnam.

South Vietnam has come a long way toward freedom, self-determination and democracy since it emerged from 200 years of colonial rule, and it has done it with our help.

South Vietnam exists today because Presidents Eisenhower, Kennedy, and Johnson would not permit 15 million free people to be swallowed up by an aggressive neighbor to the north.

South Vietnam is now experimenting with democracy. It is relatively new to them. Their culture is different from ours. Their value systems might be different from ours. Let us not judge them solely by our own standards. Let us not pin the label "made in America" on them.

Let us, as President Johnson has charged us to do, help them to help themselves. That is democracy.

In all honesty and sincerity, I believe the present election campaign in South Vietnam reflects honor and dignity on the United States for what it has done.

In this moment when a democracy is trying to be born—with our help and encouragement—let us not prejudice the results with charges of fraud and fake.

Let us share with our President the inner satisfaction of knowing that we have done our best; that democracy flowers in a free climate; and that democracy demands that the Vietnamese decide their elections in their own way.

I support the President. I congratulate him for having included the distinguished Governor of my State on his team of American observers.

And I am confident that in the days ahead we are going to be proud of South Vietnam and the United States for their joint venture in making democracy work.

RECOGNITION OF WALT DISNEY

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HANNA. Mr. Speaker, some 2 weeks ago the Senate Banking and Currency Committee favorably reported and the Senate passed Senate Joint Resolution 93. The resolution provides for the issuance of medals in rememberance of Walt Disney. A gold medal will be given to Mr. Disney's widow, and bronze medals will be made available to the California Institute of the Arts.

Although only a small token, the medals represent the appreciation and respect of a grateful Nation to a citizen who made a most significant and positive contribution to humanity.

Walt Disney, during his life, and at the time of his death received extensive acclaim, both from the industry in which he played such an emminent role, and from the public. There is no need now to repeat all that has been said in the past, or the many great words which will be spoken of him in the future.

The people of his Nation, as are the people of the world, richer because of his days of accomplishment. To strike a medal in his name is a simply yet significant national tribute to a man whose humanity was bounded only by his imagination, which, as the world well knows, had no limit.

I am confident that the House Banking and Currency Committee will act upon the resolution I am introducing today in the same favorable manner as its counterpart in the Senate.

H.J. RES. 812

Resolution to provide for the issuance of a gold medal to the widow of the late Walt Disney and for the issuance of bronze medals to the California Institute of the Arts in recognition of the distinguished public service and the outstanding contributions of Walt Disney to the United States and to the world.

Whereas Walt Disney's life personified the American dream and his rags-to-riches story demonstrated that the United States of America remains the land of opportunity; and

Whereas Walt Disney, "the most significant figure in graphic arts since Leonardo," pioneered motion picture cartoons, produced spectacular feature films, and created fascinating nature studies bringing joy and pleasure to children of all ages; and

Whereas Walt Disney developed one of the wonders of the modern world, Disneyland, a fabulous park where happiness reigns and where one can relive the Nation's past as well as step into the future; and

Whereas Walt Disney was a great humanitarian, a "teacher of human compassion and kindness," a master entrepreneur, a great conservationist; and

Whereas Walt Disney's masterful touch contributed so significantly to the success of exhibits of the United States, including those at the New York and Brussels World's Fairs; and

Whereas Walt Disney, always an outstanding patriot, during World War II devoted 95 per centum of the production of his studios to the armed services; and

Whereas Walt Disney's vision and work with the Coordinator of Inter-American Affairs did so much to create international friendship and mutual understanding with our neighbors in Latin America; and

Whereas Walt Disney received an unprecedented number of Academy Awards, citations, and honors from governments the world over, industry, civic groups, and universities, which when listed total nearly a thousand; and

Whereas Walt Disney's greatest gifts to mankind were laughter, his steadfast faith in future generations, and his belief that good will ultimately triumph over evil; and

Whereas Walt Disney's interest in young America is evidenced by his founding of the California Institute of the Arts, a college-level school of the creative and performing arts, which he regarded as his most important contribution to posterity: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the distinguished public service and outstanding contributions to the United States and to the world, the President of the United States is authorized to present in the name of the people of the United States and in the name of the Congress to the widow of the late Walt Disney a gold medal with suitable emblems, devices, and inscriptions to be determined by Walt Disney Productions with the approval of the Secretary of the Treasury. The Secretary shall cause such a medal to be struck and furnished to the President. There is hereby authorized to be appropriated the sum of $2,500 to carry out the purposes of this section.

SEC. 2. (a) The Secretary of the Treasury shall strike and furnish to the California

Institute of the Arts not more than one hundred thousand duplicate copies of such medal in bronze. The medals shall be considered as national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

(b) The medals provided for in this section shall be made and delivered at such times as may be required by the California Institute of the Arts in quantities of not less than two thousand. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such costs.

PRESIDENT AND KAISER COMMITTEE PRAISED FOR NEW LOW-COST HOUSING PROPOSAL

Mr. **HUNGATE**. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Nedzi] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. **NEDZI**. Mr. Speaker, President Johnson and the Kaiser Committee on Housing are to be congratulated for recommending a new approach to public housing through Operation Turnkey.

Under the Turnkey project, private enterprise and public policy will be harnessed in an attempt to meet the heavy demand for adequate low- and middle-class housing. A private investor will be able to purchase a site, develop plans for a housing development, negotiate a purchase contract with the local housing authority, and manage the project under terms which provide a reasonable profit. Much of the responsibility is thus shifted from public to private hands.

One of the basic causes of urban discontent is the dearth of adequate, clean, low-cost housing.

President Johnson, through the Turnkey approach, has taken a giant stride forward by encouraging private developers to enter the low- and middle-class housing market.

I place in the Record an editorial from the Detroit News which talks in glowing terms of the possibilities offered by the President's new pilot project for low-cost housing:

A Good Public Housing Proposal

President Johnson's order establishing a pilot project designed to bring private business into the low-income public housing field is encouraging. It reflects a determination to get moving now—not after yet another in-depth study—to solve one of the most basic causes of urban discontent.

The order will step up work on the "turnkey" approach to public housing. Designed to reduce the time needed to plan and build a housing project, it enables a private investor to buy the land, build the housing and manage it under terms which provide a reasonable profit.

It is hoped that by having the local public housing authorities contract with private business in this manner, the profit motive can be harnessed with public policy to cut the red tape which has so delayed low income housing projects in the past.

There will be risks involved, and housing authorities will have to be on guard against unreasonable profit levels being built in to their fixed fee contracts. But there are always such risks and the pilot project ordered by the President will give ample opportunity to examine the consequences.

Until recently, low income housing was not a serious problem in Detroit, but the pool of housing which existed here for years is now dry. City Housing Commissioner Robert D. Knox says we should be building at least 1,000 units a year "for the foreseeable future."

Existing programs, some of them well conceived but starved for funds, have not kept up with the pace of decay. Perhaps the "turnkey" idea will give private capital the incentive it needs to move into this long-neglected market.

WAR IN VIETNAM

Mr. **HUNGATE**. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Nedzi] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. **NEDZI**. Mr. Speaker, we are all deeply conscious of the frustrations arising from the complex and unresolved war in Vietnam.

Hard decisions lie before us, and we are best served if hard, unadorned facts are presented to us on the realities of the situation.

Last Friday, Secretary of Defense Robert S. McNamara made a clear, hard, unadorned statement before the Senate Preparedness Investigating Subcommittee on our conduct of the air war in North Vietnam. It was a highly informative and highly significant statement, worthy of every Member's attention.

Not only are the objectives, achievements, and limitations of our air attacks clearly set forth, but the flaws in the proposals of all-out bombing advocates became self-evident.

Under leave to extend my remarks in the Record, the statement follows:

Statement of Secretary of Defense Robert S. McNamara Before the Preparedness Investigating Subcommittee of the Senate Armed Services Committee, August 25, 1967

Mr. Chairman, gentlemen: I welcome this opportunity to discuss with you our conduct of the air war in North Vietnam. It is a matter of the greatest importance that the Congress and the people of the United States have a current and accurate picture of what the air campaign can and cannot accomplish. To address this issue, I should like to discuss these topics:

1. The objectives and achievements of the air war.

2. The target recommendations of the Joint Chiefs of Staff in relation to the objectives, and the extent to which the Chiefs' recommendations are being followed.

3. The proposals of those who argue that the bombing should be expanded, either on the theory that bombing can break the will of the North Vietnamese, thereby forcing them to the conference table, or that bombing can prevent the flow of military supplies into or through North Vietnam, thereby destroying its capability for continued aggression in the South.

I. THE OBJECTIVES OF THE AIR CAMPAIGN

In the light of the many recent public statements and speculations about the purposes and effects of our air attacks, it seems appropriate to preface this review with a restatement of the objectives that the bombing of North Vietnamese targets was intended to serve. As I have stated many times:

Our primary objective was to reduce the flow and/or to increase the cost of the continued infiltration of men and supplies from North to South Vietnam.

It was also anticipated that these air operations would raise the morale of the South Vietnamese people who, at the time the bombing started, were under severe military pressure.

Finally, we hoped to make clear to the North Vietnamese leadership that so long as they continued their aggression against the South they would have to pay a price in the North.

The bombing of North Vietnam has always been considered a supplement to and not a substitute for an effective counter-insurgency campaign in South Vietnam.

These were our objectives when our bombing program was initiated in February of 1965. They remain our objectives today. They were and are entirely consistent with our limited purposes in Southeast Asia. We are not fighting for territorial conquests or to destroy existing governments. We are fighting there only to assure the people of South Vietnam the freedom to choose their own political and economic institutions. Our bombing campaign has been aimed at selected targets of military significance, primarily the routes of infiltration. It has been carefully tailored to accomplish its basic objectives and thus to achieve the limited purposes toward which all our activities in Vietnam are directed.

Weighed against its stated objectives, the bombing campaign has been successful. It was initiated at a time when the South Vietnamese were in fear of a military defeat. There can be no question that the bombing raised and sustained the morale of the South Vietnamese. It should be equally clear to the North Vietnamese that they have paid and will continue to pay a high price for their continued aggression. We have also made the infiltration of men and supplies from North Vietnam to South Vietnam increasingly difficult and costly.

Complete interdiction of these supplies has never been considered possible by our military leaders. I believe that this point has been made to you by General Wheeler, General McConnell, Admiral Sharp and General Momyer.

Our experience in Korea demonstrated the unlikelihood that air strikes or other means could choke off the minimum amounts needed to support enemy forces. The nature of the combat in Vietnam, without established battle lines and with sporadic and relatively small-scale enemy action, lessens the requirement for a steady stream of logistical support and reduces the volume of logistical support needed. Moreover, it should be noted that the geography of the infiltration routes is less favorable to interdiction than was the case in Korea. There the entire neck of the peninsula was subject to naval bombardment from either side and to air strikes across its width. The routes into South Vietnam are far more complex and protected and involve the use of territories of adjoining countries. Under these highly unfavorable circumstances, I think that our military forces have done a superb job in making continued infiltration more difficult and expensive.

Any discussion of the bombing of North Vietnam must first address the nature of the target. North Vietnam is a land of 18.5 million people. By no standards could it be considered an industrialized country. It is predominantly agricultural. Prior to initiation of the bombing, its significant industrial facilities could be counted on your fingers. It had no steel-making capacity and in 1965 its monthly industrial production of pig iron was only 5,000 metric tons, less than 1/20 of 1% of US output. It had no real war-making industrial base and hence none which could be destroyed by bombing.

North Vietnam's ability to continue its aggression against the South thus depends upon imports of war-supporting material and their transshipment to the South. Unfortunately for the chances of effective interdiction, this simple agricultural economy has a highly diversified transportation system consisting of rails and roads and waterways. The North Vietnamese use barges and sampans, trucks and foot-power, and even bicycles capable of carrying 500-pound loads to move goods over this network. The capacity of this system is large—the volume of traffic it is now required to carry, in relation to its capacity, is small.

Precise figures on the amount of infiltrated material required to support the Viet Cong and North Vietnamese forces in the South are not known. However, intelligence estimates suggest that the quantity of externally supplied material, other than food, required to support the VC/NVA forces in South Vietnam at about their current level of combat activity is very, very small. The reported figure is significantly under 100 tons per day—a quantity that could be transported by only a few trucks. This is the small flow of material which we are attempting to prevent from entering South Vietnam through a pipeline which has an outlet capacity far greater than that.

Those targets along the lines of communication which can be found are attacked. From January through July, we averaged about 13,000 sorties per month over the infiltration routes and base areas. About 75 percent of these sorties were directed against line of communication (LOCs) and goods moving over them. Air strikes are reported to have destroyed over 4,100 vehicles, 7,400 water-craft and 1,400 pieces of RR rolling stock. In addition, we have struck approximately 1,900 fixed targets in North Vietnam, including 57 bridges, 50 major rail yards, troop barracks, petroleum storage tanks and power plants.

NVN has been forced to divert an estimated 300,000 full-time and at least an equal number of part-time workers and troops, to the repair, dispersal, and defense of the lines of communication and other targets which have been damaged. This diversion of some 500,000 people in a society already strained to maintain a marginal subsistence is a severe penalty.

There can be no question that the bombing campaign has and is hurting North Vietnam's war-making capability. Accordingly, they are using every propaganda means to stop the bombing. Although there are some signs that war weariness is growing, these indications are accompanied by firm expressions of resolve. There is no basis to believe that any bombing campaign, short of one which had population as its target, would by itself force Ho Chi Minh's regime into submission.

I want to repeat, however, that from the military standpoint, bombing of NVN supports our combat operations in SVN. It renders more difficult and costly the efforts of the DRV to supply both their own and VC forces on the other side of the demilitarized zone. As General Wheeler has testified, we have under constant review the advisability of adding new military targets in the North and of conducting re-strikes against rail facilities, highways, bridges, military and other war-supporting targets that have previously come under our air attack. There is continuing study of ways in which our air and naval bombardment of NVN can be made more effective in disrupting and interdicting North Vietnamese attempts to support aggression against their southern neighbors.

There also is continuing study of the optimum mix of sorties, both geographically and in types of targets. Consideration is given to every possibility of greater effectiveness through shifts in emphasis. These studies are designed to maximize the cost that our air campaign inflicts on NVN's infiltration of men and supplies while at the same time reducing to the minimum the price that we must pay in the lives of American pilots.

These efforts to refine and improve our application of air power will, I am confident, continue as long as the necessity for bombing remains. It must, however, be recognized that no improvements and refinements can be expected to accomplish much more than to continue to put a high price tag on NVN's continued aggression.

II. THE TARGET RECOMMENDATIONS OF THE JOINT CHIEFS OF STAFF

To illustrate this point, I might note that the Operating Target list, currently used by the Joint Chiefs as a basis for the planning of attacks on fixed targets, contains a total of 427 targets. Of this number, the JCS do not now recommend 68 for air attack. Of the remaining 359 targets, strikes have been authorized against 302, 85% of the total. There are only 57 targets recommended by the Joint Chiefs of Staff against which strikes have not yet been authorized. Whatever the merits of striking these 57 targets may be, I believe it is clear that strikes against them will not materially shorten the war. As a matter of fact, seven of the 57 targets are recognized by the Chiefs as of little value to the North Vietnamese war effort. For example, one is a tire plant reported to have a productive capacity of but 30 tires per day. Nine of the 57 targets are petroleum facilities which in total equal less than 6% of North Vietnam's remaining storage capacity. The present importance of such targets as these has not been shown to warrant risking the loss of American lives.

Of the remaining 41 targets, 25 are classified as lesser targets in populated, heavily defended areas; 4 as more significant targets in such areas; 3 are ports; 4 are airfields (in total the remaining MIGs based in North Vietnam approximate 20); and 5 are in the Chinese Buffer Zone. In the case of a few of these targets, the risk of direct confrontation with the Communist Chinese or the Soviet Union has thus far been deemed to outweigh the military desirability of air strikes. Others will be considered for "authorization" at a later date.

The conclusive answer to any charge that we are inhibiting the use of our air power against targets of military significance lies in the facts. As I have noted, strikes have been authorized against 85% (302 of 359) of the targets recommended by the Joint Chiefs. And the total number of fixed targets struck in North Vietnam stands now at about 1900. As further targets are authorized and additional targets are found to be of military importance, this number will increase. But the decisions to authorize new targets cannot be expected to gain different objectives than those toward which our air campaign has always been directed.

III. THE PROPOSALS OF THE CRITICS

Those who criticize our present bombing policy do so, in my opinion, because they believe that air attack against the North can be utilized to achieve quite different objectives. These critics appear to argue that our air power can win the war in the South either by breaking the will of the North or by cutting off the war-supporting supplies needed in the South. In essence, this approach would seek to use the air attack against the North not as a supplement to, but as a substitute for the arduous ground war that we and our allies are waging in the South.

It would obviously be possible for us to change our present selective bombing campaign. We could abandon the target-by-target analysis which balances the military importance of the target against its probable cost in American lives and the risk it presents of expanding the conflict to involve new combatants. Instead, our air and naval forces might be employed against North Vietnam in an all-out attempt to break their will and thus compel them to cease their support of military efforts against the Government of South Vietnam. A somewhat less drastic revision of our air campaign might be undertaken in an effort to restrict the import of war-supporting materials so substantially as to prevent the North Vietnamese leaders from supporting their present level of military effort in South Vietnam. Any such effort would obviously require action to close the three significant North Vietnamese ports of Cam Pha, Hon Gai and, most important, Haiphong.

In order to reach a reasoned conclusion on the key question of whether to abandon our present limited bombing objectives and adopt a policy intended to achieve either of these new objectives, the chances of success must be weighed against the inevitably higher risks such revision would entail. To bring this question into perspective for the Committee, I would like to deal first with the likelihood that either of these objectives could be realized through a reorientation of our air attack against NVN.

IIIA. BREAKING THE WILL OF THE NORTH

As to breaking their will, I have seen no evidence in any of the many intelligence reports that would lead me to believe that a less selective bombing campaign would change the resolve of NVN's leaders or deprive them of the support of the North Vietnamese people. As previously pointed out, the economy of NVN is agrarian and simple. Its people are accustomed to few of the modern comforts and conveniences that most of us in the Western World take for granted. They are not dependent on the continued functioning of great cities for their welfare. They can be fed at something approaching the standard to which they are accustomed without reliance on truck or rail transportation or on food processing facilities. Our air attack has rendered inoperative about 85% of the country's central electric generating capacity, but it is important to note that the PEPCO Plant in Alexandria, Virginia generates five times the power produced by all of NVN's power plants before the bombing. It appears that sufficient electricity for war-related activities and for essential services can be provided by the some 2000 diesel-driven generating sets which are in operation.

Perhaps most important of all, the people of NVN are accustomed to discipline and are no strangers to deprivation and to death. Available information indicates that, despite some war weariness, they remain willing to endure hardship and they continue to respond to the direction of the Hanoi regime. There is little reason to believe that any level of conventional air or naval action, short of sustained and systematic bombing of the population centers, will deprive the North Vietnamese of their willingness to continue to support their Government's efforts to upset and take over the Government of SVN.

There is also nothing in the past reaction of the North Vietnamese leaders that would provide any confidence that they can't be bombed to the negotiating table. Their regard for the comfort and even the lives of the people they control does not seem to be sufficiently high to lead them to bargain for settlement in order to stop a heightened level of attack.

The course of conflict on the ground in the South, rather than the scale of air attack in the North appears to be the determining factor in NVN's willingness to continue.

Accordingly, as General Wheeler has pointed out, the air campaign in the North and our military efforts in the South are not separate wars and certainly they should not be regarded as alternatives.

IIIB—AN EXPANDED CAMPAIGN AGAINST THE SUPPLY ROUTES WITHIN NORTH VIETNAM

It could be argued that a greatly expanded and virtually unrestricted bombing effort might substantially reduce the movement of forces and supplies through North Vietnam into SVN, even though NVN resolve remains unshaken. Recent prisoner interrogations suggest that 10–20% of the personnel dispatched to the South by the rulers of NVN never reach the battle area—about 2% are casualties caused by air attacks. A much higher percentage of the supplies sent South to support the DRV fighting forces are destroyed in transit by our armed reconnaissance and heavy bombing attacks. Conceivably an all-out air and naval bombardment might somewhat further increase the forces and supplies destroyed. But the capacity of the lines of communication and of the outside sources of supply so far exceed the minimal flow necessary to support the present level of North Vietnamese military effort in SVN that the enemy operations in the South cannot, on the basis of any reports I have seen, be stopped by air bombardment—short, that is, of the virtual annihilation of North Vietnam and its people. As General Wheeler has observed, no one has proposed such indiscriminate bombing of populated areas.

IIIC—THE CLOSING OF SEA AND LAND IMPORTATION ROUTES

This leaves, then, as a possible new objective of our air campaign, the closing of the sea and land importation routes in an attempt to prevent entry into NVN of the supplies needed to support the combat in the South. There can be no question that bombing the ports and mining the harbors, particularly at Haiphong, would interfere seriously with NVN's imports of war-supporting materials. But far less than the present volume of imports would provide the essentials for continued North Vietnamese military operations against SVN. As I have mentioned, it is estimated that the total tonnage required is less than 100 tons per day of non-food supplies. This is dwarfed by North Vietnam's actual imports of about 5800 tons per day. And its import capacity is much greater. The ports together with the roads and railroads from China have an estimated capacity of about 14,000 tons a day.

The great bulk of North Vietnamese imports now enters through Haiphong—perhaps as much as 4700 out of the 5800 tons per day. This includes most of the war-supporting material, such as trucks, generators and construction equipment but this category of supply represents only a small percentage of total sea imports. And little if any of the imported military equipment (which is estimated by intelligence sources to total 550 tons per day) comes by sea. Moreover, this present heavy reliance on Haiphong reflects convenience rather than necessity. Haiphong represents the easiest and cheapest means of import. If it and the other ports were to be closed, and on the unrealistic assumption that closing the ports would eliminate all sea-borne imports, North Vietnam would still be able to import over 8400 tons a day by rail, road and waterway. And even if, through air strikes, its roads, rail and Red River waterway capacity could all be reduced by 50 per cent, North Vietnam could maintain roughly 70 per cent of its current imports. Since the daily importation of military and war-supporting material totals far less than this, it seems obvious that cutting off sea-borne imports would not prevent North Vietnam from continuing its present level of military operations in the South.

Elimination of Haiphong and the two other ports as a source of supply would not, in fact, eliminate sea-borne imports. Our POL experience is illuminating. Our air strikes on petroleum facilities did destroy the in-shore POL off-loading facilities in Haiphong. However, the North Vietnamese have demonstrated a capability to adjust their methods, and they now off-load POL drums into lighters and barges and bring the drums ashore at night. There is no evidence of a POL shortage and stocks on hand equal an estimated 120 days consumption.

The North Vietnam seacoast runs for 400 miles. Many locations are suitable for over-the-beach operations. The mining of Haiphong or the total destruction of the Haiphong Port facilities would not prevent off-shore unloading of foreign shipping. Effective interdiction of this lighterage, even if the inevitable damage to foreign shipping were to be accepted, would only lead to total reliance on land importation through Communist China. The common border between the two countries is about 500 air miles long.

Accordingly, bombing the ports and mining the harbors would not be an effective means of stopping the infiltration of supplies into SVN.

A selective, carefully targeted bombing campaign, such as we are presently conducting, can be directed toward reasonable and realizable goals. This discriminating use of air power can and does render the infiltration of men and supplies more difficult and more costly. At the same time, it demonstrates to both South and North Vietnam our resolve to see that aggression does not succeed. A less discriminating bombing campaign against NVN would, in my opinion, do no more. We have no reason to believe that it would break the will of the North Vietnamese people or sway the purpose of their leaders. If it does not lead to such a change of mind, bombing the North at any level of intensity would not meet our objective. We would still have to prove by ground operations in the South that Hanoi's aggression could not succeed. Nor would a decision to close Haiphong, Hon Gai and Cam Pha, by whatever means, prevent the movement in and through NVN of the essentials to continue their present level of military activity in SVN.

On the other side of the equation, our resort to a less selective campaign of air attack against the North would involve risks which at present I regard as too high to accept for this dubious prospect of successful results.

IV. CONCLUSION

In conclusion, I would like to restate my view that the present objectives of our bombing in the North were soundly conceived and are being effectively pursued. They are consistent with our over-all purposes in Vietnam and with our efforts to confine the conflict. We are constantly exploring ways of improving our efforts to insulate South Vietnam from outside attack and support. Further refinements in our air campaign may help. I am convinced, however, that the final decision in this conflict will not come until we and our allies prove to North Vietnam she cannot win in the South. The tragic and long drawnout character of that conflict in the South makes very tempting the prospect of replacing it with some new kind of air campaign against the North. But however tempting, such an alternative seems to me completely illusory. To pursue this objective would not only be futile but would involve risks to our personnel and to our nation that I am unable to recommend.

RIGHT ON RATS

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. STEIGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, on August 8, 1967, the gentleman from New York [Mr. GOODELL] made an excellent statement on the now celebrated rat eradication bill, entitled "Profile of a False Issue." The thrust of the statement is that there are presently three eradication programs in being, and the addition of a fourth is not appropriate when the better course would suggest consolidation of all programs for more effective administration.

The essentially political nature of this campaign to make the rat the symbol of the ills of our cities was early recognized by Daniel P. Moynihan who wrote in the Washington Post on August 4, 1967:

> Talk about the rat bill is meaningless. The bill was nothing.

A not dissimilar view was expressed less forcefully in the New York Times weekly review on the same date.

Now, I am pleased to see that the truth about the rat bill is beginning to spread throughout the Nation's press. On August 11, the lead editorial in the Corning, N.Y., Leader said:

> ARE RATS THE ISSUE
>
> President Johnson has deplored it!
>
> Gov. Rockefeller is shocked by it!
>
> A group of citizens demonstrated in Congress this week because of it!
>
> The "it" is control of rats.
>
> The Administration had asked Congress to pass a rat eradication bill and provide $20 million a year to the Housing and Urban Development Department for two years. The House of Representatives committee considering the measure refused to act on such a bill.
>
> Today Congress is being criticized as inhuman, deaf to a serious problem, penny-pinching in favor of rat-biting.
>
> Rep. Charles Goodell of this Congressional District, offered some interesting comments on the matter last Tuesday. Little attention was given to his comments—or facts presented—by the national press. Much attention is given to the press-agentry of the President, Gov. Rockefeller and the demonstrators.
>
> Congressman Goodell considers the problem of rat control as very serious. He also pointed out that there are at least three federal programs for urban rat eradication on the books and for which funds have been appropriated. They are:
>
> 1. The Department of Interior with funds available for technical assistance for rat extermination in the urban areas. Interior says all applications for funds are being met.
>
> 2. The Community Action portion of the Poverty Law provided the Office of Economic Opportunity with approximately $323 million last year in unearmarked money that can be used for, among other things, rat eradication. Congress is now considering a proposal to increase this by nearly $100 million.
>
> 3. Under Health, Education, and Welfare, Congress authorized $125 million in 1966 to be given states for a variety of public health programs, including rat extermination. States and communities are applying for such funds.
>
> Mr. Goodell properly asks why, with three laws already on the books, put a fourth federal agency in the act? "'Instead," he says, "let's eliminate rat money from two agencies and allow the third to handle the whole matter." The results would be quite obvious. More funds could be available for rat eradication because only one agency would be in-

volved in administration rather than three. And it doesn't take much intelligence to realize how much would be saved in administrative costs—always a high item in any governmental operation.

The congressman maintains that those who berate Congress because of its refusal to add another federal agency to the problem, with its increased red tape and administrative costs, are raising a totally false and specious issue.

Mr. Goodell summed up the matter quite well when he said:

"With at least three existing Federal programs for urban rat eradication, is the real solution to add a fourth? That's one of the troubles with Great Society solutions. You see a problem that is not being solved by existing programs so you put a label on a new bill and give it the big public relations treatment. When the new law does not solve the problem, we have simply succeeded in compounding the frustrations of those who thought they had found a Great Society solution."

Then, on August 25, 1967, the Post Journal of Jamestown, N.Y., Mr. GOODELL's hometown, wrote the following, again as a lead editorial:

GOODELL LISTS THREE EXISTING AGENCIES FOR ERADICATION: DUPLICATION IN RAT FIGHT

Most people hate rats. And when the President proposed a rate extermination program with $20 million a year for two years to be allotted to the project, it hit a responsive chord. The refusal of the House of Representatives to go along with the program stirred a lot of resentment and for some reason the Republicans, although in the minority, were handed a lot of the blame for the refusal.

Along with many people this newspaper wondered a little why the House would not join in a plan to get rid of rats when they seemed to be menacing the slum areas, which have been in the limelight of late. And then the facts about the President's proposal came to the front in a speech of protest about these complaints made on the floor of the House by our own Representative Charles E. Goodell.

Mr. Goodell listed three federal laws now on the books which are designed to provide money for rat eradication, and apparently none is being used to the full limit. In addition our Congressman said that he was confident that other provisions could be found in the federal machinery to assist in the extermination of rats. And now the President proposed a fourth major rat project with its expensive administration and duplication of effort.

It seems to this newspaper that Mr. Goodell is on sound ground when he suggests that the President should have come forward with a plan to consolidate the various programs in a single plan, combining the three existing funds into one. By such a proposal the cost of administration of three of the programs (including the new plan) would be eliminated and the wasteful expense could be applied to the killing of rats. As Mr. Goodell told the House. "Every time we set up an additional program, we leak off that much more money in red tape and unnecessary administrative waste."

The rejection of the newest rat program was no failure to meet responsibility to the slum areas. Rather it was an insistence on sound methods to meet the challenge and to avoid wasteful duplication of effort. The fight against rats that do great harm and threaten the safety of people living in slum type areas is vitally important and should be pressed with the greatest energy and efficiency. But it is pure nonsense, as Mr. Goodell told the House, to charge the representatives with a failure to their responsibilities by their rejection of the creation of a fourth agency to carry on the battle.

The three programs to which Mr. Goodell referred in his address provide a total of $448,025,000 from which urban rat eradication programs could draw along with other projects. Recently Governor Rockefeller opened a state program for the eradication of rats in New York. Other states could well make provision to participate where needed. These state funds along with the federal funds now available should be able to meet the cost of any workable plans.

The Johnson Great Society method of naming new projects and duplicating efforts and wasting funds falls far short of meeting the needs of the American people today. If existing programs are falling short of solutions, the Great Society method of creating new and additional agencies is no solution. The Congress should find ways to consolidate programs in a single agency that will work.

And finally, only Monday, Marquis Childs, the distinguished nationally syndicated columnist, said as follows:

> The famous rat bill, which got only 21 Republican votes in the House is another case in point. As Goodell noted, a liberal Democrat, Henry Reuss of Wisconsin, pointed out that the $40 million measure was a gimmick to put another agency with a high administrative overhead into the rat-exterminating business when the Public Health Service already is coordinating a series of antirat programs.

Mr. Speaker, I believe that Marquis Childs' characterization of this Great Society measure is indeed apt. It was clearly a gimmick, and a studied effort was made to capitalize on the misery of less affluent Americans by injecting this false issue to inflame and aggravate the conditions which prevailed immediately following Detroit.

For us there is a lesson here to be learned on both sides of the aisle.

When faced with gimmickry, just state the facts.

IMPORTS COULD SOUND SHOE INDUSTRY'S DEATH KNELL

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BATES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BATES. Mr. Speaker, we now have the shoe import statistics for the first 6 months of 1967, and I regret that the shocking rise they took was in line with the most dire predictions.

Even before announcement of the drastic tariff concessions granted in the recently concluded GATT negotiations at Geneva, Leather and Shoes magazine published a solemn article by its Washington editor, Lloyd M. Hampton, captioned: "Picture Threatening: Imports Could Sound Shoe Industry's Death Knell." This warning declared:

> The rapidly accelerating import picture has beyond doubt reached such serious proportions as to now pose a grave threat to the very existence of a number of U.S. industries, including the footwear and leather goods manufacturing sectors.

Now we are told by the national affairs committee of the National Footwear Manufacturers Association that the import of footwear increased 32 percent to a total of 93,804,000 pairs during the first half of 1967. The hike for leather type footwear alone was 35 percent or a total of 67,142,000 pairs—excluding slippers, athletic, and work shoes.

This means that the total footwear imports were 24.5 percent of domestic production from January through June of 1967, compared to 17 percent for the same period a year ago. The first 6 months' domestic production this year was estimated at 383,500,000 pairs—300,327,000 pairs of leather types and 83,173,000 pairs of rubber footwear.

The Leather and Shoes magazine article I have quoted went on to conclude that the best hope for saving the American shoe, leather, and other industries is the enactment by Congress of the Orderly Marketing Act, of which I am pleased to be a sponsor and which has the strong endorsement of both shoe and leather manufacturers and labor unions.

> Like the hat and textile industries—

Editor Hamilton wrote in that article—

> immediate relief for the footwear sector must be forthcoming before ruinous foreign competition completes the job of wiping it out entirely.

With the Kennedy round agreements letting down the bars for still further imports, and in the wake of the dramatic rise in imports thus far this year, the Haverhill, Mass., Gazette has also issued a renewed appeal for the orderly marketing legislation.

> The import situation seemed serious in previous years—

Observes the Gazette—

> but this year is surpassing anything envisioned earlier and indications are it can get much worse without Congressional action.

In the hope that they will inspire greater congressional support for the earliest possible action to prevent the dissolution of our shoe and other industries, with the consequent loss of jobs, I shall here quote the texts of both of the commentaries to which I have referred. They follow:

[From Leather and Shoes magazine]

PICTURE THREATENING: IMPORTS COULD SOUND SHOE INDUSTRY'S DEATH KNELL

(By Lloyd M. Hampton, Washington editor)

The rapidly accelerating import picture has beyond doubt reached such serious proportions as to now pose a grave threat to the very existence of a number of U.S. industries, including the footwear and leather goods manufacturing sectors.

Besides clobbering our domestic marketing position, skyrocketing imports have resulted in laying at our doorstep an array of other domestic economic miseries. We have also imported unemployment and poverty; general industry insecurity; a further dimming of consumer demand; and the very real possibility of killing outright the footwear manufacturing segment.

In the face of what is happening, there remains little if any validity to the argument that tariff schedules, antidumping laws and other traditional trade flow controls have proven effective in curbing shipments of footwear to this country. The statistics speak for themselves. The figures are alarming. The U.S. shoe producer today is having hurled at him a brand of unfair competition unparalleled in American history.

Footwear is pouring ashore here at the expense of our people. Goods allowed to enter the nation in such unequalled, inundating quantity have had the effect of undermining their wages and employment.

In the area of reciprocal trade, it is an acknowledged fact in and out of Government that "no such thing" exists where footwear is concerned. U.S. shoe duties are the lowest of any trading nation in the world, while tariffs levied by foreign countries on American-manufactured footwear range from two to four times our level. For instance, U.S. tariffs on foreign shoe products range from five to 20 percent, with the average around 12 percent—a considerably less margin than overseas rates levied against our products.

By sharp contrast, the net duty-plus-tax barriers imposed by a number of other nations on U.S. shoes show the following: Canada, 52 percent; Japan, 20–50 percent; Italy, 27–29 percent . . . figures that can hardly be described as unfair to the foreign producer.

The shoe industry is not alone in this frightening import situation. Many other trade groups are threatened by the problem also. A trade monster that emerged and come full blown since 1945, the import battle has arrived at a point critical to the survival of American industry and jobs throughout our economy. Like the hat and textile industries, immediate relief for the footwear sector must be forthcoming before ruinous foreign competition completes the job of wiping it out entirely.

Fortunately for the shoe, leather and several other industries, there are an increasing number of lawmakers who are deeply concerned about the import problem. Among those Congressmen who have thus far moved to provide legislative relief for the industry there must be singled out House Members William H. Bates, (R.), and James A. Burke, (D.), both of Massachusetts. Long-time import foes, the two recently introduced Orderly Marketing bills via their companion measures, H.R. 87 (Bates) and H.R. 88 (Burke). Decidedly a step in the right direction, both proposals have been passed along to the House Ways and Means Committee. The Committee, chaired by Wilbur D. Mills, D-Ark., includes Rep. Burke.

With time fast running out, the strongest possible effort should be made by the House to expedite action on the Orderly Marketing and Tariff Schedules bills. Once passed, the pair of bills should help alleviate the import threat. By the same token, Sen. Edmund Muskie's proposed Orderly Marketing Act of 1967 (S. 1446) should be given the same degree of positive support by the Upper House (where it has been) introduced by the Maine legislator.

[From the Haverhill (Mass.) Gazette, Aug. 25, 1967]

LIMIT SHOE IMPORTS

Shoe workers, in Haverhill and throughout the country, need all the support they can get in their fight to keep the American market from being flooded any further with foreign-made shoes, being dumped here by countries interested only in getting American dollars.

The union representing the workers in this city, the United Shoe Workers of America, AFL–CIO, is doing an especially good job in its efforts to protect the jobs of its members. Its national leaders in Washington have been working hard to stem the flow of cheaply made imports.

There is no question, either, about the efforts of our men in Congress to hold back the tide. Cong. William H. Bates is co-sponsor with Cong. James Burke of this state and Sen. Edmund Muskie of Maine of a bill known as the Orderly Marketing Act, now before both houses of Congress.

The bills would authorize the setting of quotas on importations of goods produced with cheap labor when it is found they are damaging domestic producers.

This would strengthen American defense against "dumping," the practice of offering goods at lower prices in the United States than prices charged in other established markets. There are many complaints that the Treasury Department, charged with investigations in these matters, is so lax the Tariff Commission cannot act until widespread damage is caused to American industry and workers.

The shoe industry needs legislation like that of Bates, Burke and Muskie to give it protection from completely unscrupulous tactics against which American manufacturers cannot possibly compete.

On an otherwise equal basis, American shoe manufacturers can turn out a better product faster and more economically than their foreign counterparts, but they have no defense against the low-priced labor and government-subsidized prices of the countries which choose to "dump" their goods here.

It is obvious from the work of members of Congress from strong shoe-producing states, that the shoe industry is one of the most vulnerable when it comes to dumping.

Since our men in Washington are so clearly aware of what is happening, and are working so hard to do something about it, they deserve help.

We urge that shoe workers and others whose livelihoods are affected by the shoe industry conduct a campaign to enlist support for the union officials and the members of Congress who are already working on their behalf.

Write to other Congressmen and Senators and ask them to support the Orderly Marketing Act. Urge them to make the Tariff Commission increasingly aware of the completely unfair competition being waged against an important American industry.

Because the recent Kennedy Round of tariff negotiations did not provide any significant protection for the shoe industry, this limitation by quota is needed before countries like Italy, Japan and others with similar ideas crowd American-made shoes right out of the stores.

The import situation seemed serious in previous years, but this year is surpassing anything envisioned earlier and indications are it can get much worse without Congressional action. The union officials and the Congressmen need support in their efforts to get that action.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. ASPINALL, from August 31, 1967, to October 16, 1967, on account of official business in his congressional district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. SMITH of Oklahoma, for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. HALL, for 15 minutes, today.

Mr. KUPFERMAN (at the request of Mr. HALL), for 1 hour, on August 31; to revise and extend his remarks and include extraneous matter.

Mr. BINGHAM (at the request of Mr. HUNGATE), for 15 minutes, on August 31; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. BLANTON.

(The following Members (at the request of Mr. HALL) and to include extraneous matter:)

Mr. GUDE.

(The following Members (at the request of Mr. HUNGATE) and to include extraneous matter:)

Mr. ANDERSON of Tennessee.

Mr. SCHEUER.

Mr. PATTEN.

SENATE BILLS AND A JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 974. An act to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.; to the Committee on Agriculture.

S. 1477. An act to amend section 301 of title III of the act of Aug. 14, 1946, relating to the establishment by the Secretary of Agriculture of a National Advisory Committee, to provide for annual meetings of such committee; to the Committee on Agriculture.

S. 1564. An act to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

S. 1568. An act to amend the sixth paragraph of section 12 of the Federal Farm Loan Act, as amended, relating to restrictions on eligibility for loans by Federal Land Banks; to the Committee on Agriculture.

S.J. Res. 93. Joint resolution to provide for the issuance of a gold metal to the widow of the late Walt Disney and for the issuance of bronze medals to the California Institute of the Arts in recognition of the distinguished public service and the outstanding contributions of Walt Disney to the United States and to the world; to the Committee on Banking and Currency.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1633. An act to amend the act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which were thereupon signed by the Speaker:

H.R. 547. An act to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 29, 1967, present to the President, for his approval, a bill of the House of the following title:

H.J. Res. 804. An act making continuing appropriations for the fiscal year 1968, and for other purposes.

ADJOURNMENT

Mr. HUNGATE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 28 minutes p.m.), the House adjourned until tomorrow, Thursday, August 31, 1967, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 5605. A bill to provide for the establishment of the Florissant Fossil Beds National Monument in the State of Colorado; with amendment (Rept. No. 622). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 10835. A bill to establish the National Park Foundation; with amendment (Rept. No. 623). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 11847. A bill to provide for the disposition of judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma (Rept. No. 624). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 12705. A bill to amend chapter 47 (Uniform Code of Military Justice) of title 10, United States Code, by creating single-officer general and special courts-martial, providing for law officers on special courts-martial, affording accused persons an opportunity to be represented in certain special court-martial proceedings by counsel having the qualifications of defense counsel detailed for general courts-martial, providing for certain pretrial proceedings and other procedural changes, authorizing the Judge Advocate General to grant relief in certain court-martial cases, extending the time within which an accused may petition for a new trial, and for other purposes; to the Committee on Armed Services.

By Mr. BINGHAM:

H.R. 12706. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 12707. A bill authorizing construction of certain navigation channel improvements on the Atchafalaya River and Bayous Chene, Boeuf, and Black in Louisiana; to the Committee on Public Works.

By Mr. BROYHILL of Virginia:

H.R. 12708. A bill to amend the National Capital Planning Act of 1952 to provide that the Members of Congress who represent the counties of Maryland and Virginia adjacent to the District of Columbia shall be ex officio members of the National Capital Planning Commission; to the Committee on the District of Columbia.

H.R. 12709. A bill to designate the bridge authorized by the act of October 4, 1966, as the Light Horse Harry Lee Bridge; to the Committee on the District of Columbia.

By Mr. DICKINSON:

H.R. 12710. A bill to amend section 620 of the Foreign Assistance Act of 1961 to prohibit assistance to any country which is 6 months or more in arrears with respect to payment of its assessed share of United Nations expenses; to the Committee on Foreign Affairs.

H.R. 12711. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 12712. A bill to amend title II of the Social Security Act to increase (from $1,500 to $3,000) the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 12713. A bill to provide for the issuance of a special postage stamp to commemorate the 50th anniversary of the independence of the Baltic States (Estonia, Latvia, and Lithuania); to the Committee on Post Office and Civil Service.

By Mr. DONOHUE:

H.R. 12714. A bil to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. GOODELL:

H.R. 12715. A bill to amend the tariff schedules of the United States with respect to the temporary rate of duty for color television picture tubes; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 12716. A bill to amend the Internal Revenue Code of 1954 to eliminate the percentage depletion method for determining the deduction for depletion of oil and gas wells; to the Committee on Ways and Means.

H.R. 12717. A bill to amend the Internal Revenue Code of 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

By Mr. KUPFERMAN:

H.R. 12718. A bill to amend section 403 of title 23, United States Code, to authorize research on certain specified problems; to the Committee on Public Works.

By Mr. MIZE:

H.R. 12719. A bill to amend the income limitation provisions applicable to veterans and widows of veterans receiving non-service-connected disability pensions under chapter 15 of title 38, United States Code; to the Committee on Veterans' Affairs.

By Mr. PETTIS:

H.R. 12720. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. SCOTT:

H.R. 12721. A bill relating to the prohibition of riots and incitement to riot in the District of Columbia; to the Committee on the District of Columbia.

H.R. 12722. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. WYMAN:

H.R. 12723. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. ZWACH:

H.R. 12724. A bill to amend title 39, United States Code, to extend city delivery service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HANNA:

H.J. Res. 812. Joint resolution to provide for the issuance of a gold medal to the widow of the late Walt Disney and for the issuance of bronze medals to the California Institute of the Arts in recognition of the distinguished public service and the outstanding contributions of Walt Disney to the United States and to the world; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia (by request):

H.R. 12725. A bill for the relief of Walid Y. Kirma; to the Committee on the Judiciary.

H.R. 12726. A bill for the relief of Nashaiat Y. Kirma and his wife, Suad M. Kirma; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 12727. A bill for the relief of Norma J. Salunga; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 12728. A bill for the relief of Alfredo Caprara; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 12729. A bill for the relief of Sabato Ruberto; to the Committee on the Judiciary.

H.R. 12730. A bill for the relief of Giovanni DiMaggio; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 12731. A bill for the relief of Guissepe Castellano; to the Committee on the Judiciary.

H.R. 12732. A bill for the relief of Erlinda Inducil Sison; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 12733. A bill for the relief of Catherine Veronica Conlan; to the Committee on the Judiciary.

By Mr. WHALEN:

H.R. 12734. A bill for the relief of Calogero Gianbrone; to the Committee on the Judiciary.

SENATE

WEDNESDAY, AUGUST 30, 1967

(Legislative day of Tuesday, August 29, 1967)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Spirit, amid the tensions of these terrific days, we seek in Thy presence a saving experience of inner quiet and certainty.

In these days with destiny, grant that those who here speak to the Nation, and for the Republic, may be true to their high calling as servants of the common good.

We come in deep anxiety concerning the world the next generation will inherit from our hands.

Facing decisions with destiny, unite our hearts and minds, we beseech Thee, in a mighty purpose that our Nation's strength, material and spiritual, be dedicated to throw open the gates of more abundant life for all mankind.

We ask it in the name which is above every name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Tuesday, August 29, 1967, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period, not in excess of 15 minutes, for the transaction of routine morning business as in legislative session, and that at the conclusion of that period, the Senate resume the consideration of executive business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SENATOR TYDINGS ADDRESSES NATIONAL STUDENT ASSOCIATION

Mr. MANSFIELD. Mr. President, on Saturday, August 26, at the University of Maryland, the distinguished Senator from Maryland [Mr. Tydings] delivered a speech on Vietnam.

Senator Tydings, as has every Member of the Senate, and as has the President of the United States, has done a great deal of soul searching and has spent a great deal of time and thought on this most important subject which confronts the Nation and, indeed, the world today. As a result of the thoughtful consideration which he has given to this subject, he delivered a speech of great significance which I think is worthy of the consideration of the Senate and the Congress as a whole. Because of the high regard for Senator Tydings and the detailed content of his remarks I ask unanimous consent that the well-considered, thought-out views of the distinguished Senator from Maryland be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Vietnam

(Address of Senator Joseph D. Tydings at the Final Plenary Session of the National Student Association, University of Maryland, College Park, Md.)

I want to talk to you tonight about the war in Vietnam.

I am a member of the generation which our Secretary of State likes to call the generation which has faced the post-World War II problem of constructing a durable peace. As it happens, it fell to me during my military service to patrol the Soviet zone border in Germany and Czechoslovakia at the very time the Communist takeover of Czechoslovakia confirmed the beginning of the Cold War.

I have been to Vietnam. Just two weeks ago I spent almost five hours in Pearl Harbor with Admiral Sharp, Commander of the Pacific Theater, reviewing the war situation. So I think it fair to say that I am not a complete stranger to the questions Vietnam poses. Yet I must say that I am profoundly disturbed about our involvement in Vietnam and the implications of that involvement for our entire foreign policy.

I am not satisfied with the explanations and defenses of our Vietnam policy offered by its authors and advocates in the Department of State. I believe the time has come to reexamine the Vietnam situation and strike out anew in the pursuit of peace.

We now have more men committed in Vietnam than we had in Korea at the height of that conflict. Our 13,000 dead exceed one-third of the Korean total and our 75,000 wounded exceed three-fourths of that total. Both figures are rising geometrically with the passage of time. American casualties for the first half of 1967 are double the number suffered during the first half of 1966.

We find ourselves defending a government in Vietnam which is either unknown, uncared for, or despised by many of the people it rules.

The war in Vietnam now costs at least thirty billion dollars a year; $600 million a week; $85 million a day. The war in Vietnam costs as much every month as our own domestic war on poverty costs in a year. The war costs as much every week as the Demonstration Cities program will cost this entire year. The war costs every day as much as Congress will vote this whole year for hospital modernization, rat extermination, and juvenile delinquency control. Yet, despite the expenditure of these thousands of lives and billions of dollars, we find ourselves after two years of massive engagement still confronted by an adversary who still appears to prefer death to surrender and destruction to compromise.

In our own country the war's cost has disrupted the orderly expansion of our economy, doubled the rate of inflation, and will this year create our largest peacetime deficit in history, even if taxes are increased. Urgent domestic priorities have been ignored, deferred or pathetically underfunded.

The fact of the matter is that, whatever the actual extent of our national financial resources, it is politically impossible to pay for the urgent priorities at home while we must bear this enormous war cost in Vietnam. Every dime of the projected $29 billion deficit we face this year is attributable to the cost of the war in Vietnam. Yet this massive war deficit is, I am sorry to report, seized upon with increasing success by opponents of needed programs at home to defeat adequate funding for urgent domestic priorities such as city rebuilding, mass transit construction assistance, rural economic development, and job training.

Meanwhile, public opinion about the wisdom of our course in Vietnam has so divided our people that the latest polls show fully 40% now believe our original troop commitment was a mistake.

Abroad, the war is dividing us from our allies, all but a handful of whom refuse to support our role in Vietnam with either words or deeds. The brilliant hopes for progress toward peace which crowned our courage in the Cuban missile crisis have been enveloped in the icy murk which has overwhelmed nearly all our efforts toward a lessening of tension with the Soviet Union and other Communist countries. At the very time we should be trying to drive wedges between the Communist bloc countries, the war in Vietnam is minimizing our economic and diplomatic contacts with them.

Although I have consistently supported every realistic initiative toward peace, I have tried to give every benefit of doubt to the policy which has been pursued in Vietnam. But the fact is now starkly clear that no one who could have known ten, five or three years ago the cost we are paying today in Vietnam would have suggested that Vietnam was worth that price. I believe our growing commitment of military forces to Vietnam is a mistake which no degree of retrospective rationalization can justify. If Vietnam has become a test of our national will upon which the value of our word in the world will stand or fall, it has become such a test by our own making, not by any intrinsic strategic value of that unhappy land.

The United States is not going to cut and run in Vietnam. Too many innocent persons have staked their lives and welfare on our protection there for us now to leave them to the tender mercies of the Vietcong. But I think we must clearly recognize the enormous cost of our present course and reckon with the consequences of continuing to attempt to solve the Vietnam dilemma by bombing our adversaries to the brink of obliteration, heedless of the cost, the risk of Soviet or Chinese intervention, and the judgment of history on our deeds.

Blessed as we are in this nation, we are not immune from history. If our course in Vietnam leads us to nuclear war, we will surely not be spared the ghastly consequences of nuclear bombardment.

If we can bomb and shell and shoot our adversaries into capitulating to our will, what will we have gained in Vietnam? A client state dependent indefinitely on us for her economic stability and defense?

And if we flatten every work of man used or inhabited by our adversaries in Vietnam, and look about us and count our dead and wounded and calculate our gain, might we not like King Pyrrhus, in another war declare: "One more such victory and I am lost'?

There are those who seem to believe the solution lies in an expansion of the war to the very threshold of nuclear weapons. They would ignore the incalculable danger which such mindless expansion of the war entails. They seem to believe China's ability to intervene will be permanently immobilized. They seem to believe that there is no point beyond which our militancy in Vietnam might so humiliate the Soviet Union as to lead them to confront us with nuclear alternatives—either get out or exchange nuclear disaster—just as we confronted them in Cuba.

Clearly, the time has come to stop the continuous escalation. We must move toward peace in Vietnam, not toward greater war. The coming elections in Vietnam provide a unique opportunity for a renewed search for roads to the negotiating table.

Whatever their shortcomings, those elections will give the new Vietnamese government a popular warrant no recent South Vietnamese government could claim. And to those who would condemn the elections in advance, because they are not perfect, I recommend a study of Lincoln's second election, during our own civil war, and, as a matter of fact, a reading of the recent electoral history of parts of our own country.

The fact is that the elected South Vietnamese government can claim a mandate from the people both for government and for peace negotiation. We should not let rigidity on the part of any new elected government or cynicism in our own country fritter away this fresh chance for peace. We should seize this chance and make new departures toward negotiations.

Up until now, despite countless suggestions advanced by our own government, in the Congress, by private citizens and by many abroad, neither the United States nor North Vietnam nor the Vietcong have ever gotten beyond the stage of explaining why the enemy's proposals are unacceptable. We must do better than that.

The new South Vietnamese government, after the elections, should open direct negotiations with the National Liberation Front. Both the NLF and the North Vietnamese claim that the war in the South is conducted by the Front and that the NLF is the proper and indispensable party to negotiations. Why should we not explore the possibility of separate negotiations with the Vietcong? The French in Algeria negotiated with nationalists like Ben Bella in jail in France; with the Liberation Front in Tunis; and with guerrilla leaders in the field. The British played the same three-cornered game in Cyprus. We should try it in Vietnam.

In addition, as the South Vietnamese move toward negotiations, they should propose a general cease-fire to all belligerents.

No obstinacy, false national pride or near-sightedness should be allowed to squander this chance for peace. We've simply got to make it clear to the South Vietnamese that this is their war, not ours, and that they must fight it more vigorously than they have and seek to end it as quickly as they can. The South Vietnamese army must stand and fight, not leave the job to our brave men in Vietnam. If the South Vietnamese people do not have the will to save themselves, nothing we can do will save them.

We must face the fact, as President Kennedy said, "that the United States is neither omnipotent nor omniscient . . . that we cannot impose our will upon the other 94% of mankind—that we cannot right every wrong or reverse every adversity—and that therefore there cannot be an American solution to every world problem."

In the last analysis, the most effective weapon against tryranny is not a bomb, a rocket, or a bullet, but the fire of freedom so easily ignited in men's souls and so impossible of destruction, regardless of weaponry.

This country's most effective exports are not tanks and planes and guns, but American enthusiasm for liberty, American know-how and American capital.

America's place in history will be measured not by our military power, but by our Alliance for Progress and Food for Peace; not by the number of enemy we kill, but by the lives we save, the industries we build, the help we give other peoples to help themselves.

The weak and the cynical urge this generation to "drop out" and condemn the fabric of our society because of its flawed threads. But the future of this country and the world belongs to you and to no one else, to shape or be shaped by it, to turn to man's achievement or to his destruction. No one is going to demand an adequate allocation of our resources to help other nations help themselves, unless you do. No one will move toward broader understanding among all peoples and against the barriers that tragically and dangerously divide us unless you will.

Nor can we realistically hope that the future will always spare us from armed conflict in defense of our system of freedom and values. We will need courage to meet such challenges, but wisdom as well to resist entanglement when a situation does not pose a dangerous challenge to our national security or, especially as Vietnam may be, is beyond our practical ability to affect.

No nation in the history of the world approaches the United States in its zeal for liberty, its willingness to share its blessings, and its ability to help mankind. Despite the mistakes our critics are so quick to seize upon, we are still, as Jefferson said, "the last best hope of earth." I believe that if we are wise and courageous, freedom will prevail, not at the end of a gun, but through the seeds of hope and tools of industry and education which you can, if you will, create.

VIETNAM AND THE UNITED NATIONS

Mr. LONG of Missouri. Mr. President, the Vietnam war must be brought to a responsible end as quickly as possible. Its high cost in human lives and the high risk it presents to world peace demand that every avenue be sought and every effort be made to obtain an early peace.

President Johnson has my support in helping South Vietnam in its struggle against aggression. But just as our military efforts have been increased, so should our peace efforts be increased.

On Monday, the majority leader and several other of my colleagues called for a renewed effort on our Government's part to bring the Vietnam war before the Security Council of the United Nations. I want to associate myself with their position. I believe we should pursue this course diligently. We should do all we can to bring the Vietnam situation before the Security Council. Several arguments have been advanced as to why we could not be successful in bringing the Vietnam issue before the Security Council, but I am convinced we should try, and try hard. Then, if we are prevented from doing so, we should take the Vietnam war before the General Assembly.

The United Nations was organized to serve peace, and few, if any, situations have developed during its existence that have so threatened world peace. Therefore, I urge the President to take the initiative necessary to bring before the Security Council the U.S. resolution on Vietnam that has been on its agenda since early 1966.

Such action would prove to the world our Nation's sincerity; and I believe if directly faced with the responsibility, the United Nations would develop a solution which would bring an honorable peace to Southeast Asia.

The United Nations, I am convinced, offers the best hope for peace in Vietnam, and we must take the action necessary to bring the Vietnam issue before the world organization.

TRIBUTE TO U.S. MARSHAL FLOYD STEVENS

Mr. HART. Mr. President, too often the competent, efficient, public official is unnoticed and unsung. I am delighted to have an opportunity to bring to the attention of the readers of this Record the story of an able, devoted public servant whose faithful discharge of duty is reported by the Grand Rapids Press of August 20, 1967.

As the U.S. marshal for the Western District of Michigan, Floyd Stevens has served in a fashion which adds to the long record of a selfless service by U.S. marshals and their deputies. I take this opportunity to thank Marshal Floyd Stevens and those associated with him in Grand Rapids. I want also to suggest to my colleagues that the responsibilities which attach to those in the Federal marshals' office require our recognizing the need to increase their compensation and give them career status. As law enforcement is upgraded in this country, and the salaries of State and city law enforcement agencies are advanced, as they should be, the Federal Government must insure comparable compensation if the quality of service expected of the office of the marshal and his employees is to be available. This is a problem which has been before the Congress for some years, and I hope we will resolve it in this Congress.

I ask unanimous consent to have the article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. Marshals' Office Nears Second Century of Service

President George Washington established this country's oldest law enforcement agency shortly after his inauguration.

It was Sept. 26, 1789, when the Senate confirmed President Washington's nomination of 13 U.S. marshals—one for each of the 13 original states.

The first 13 marshals became "handymen" of the federal administration and their duties included taking the census, hiring and supervising jails for federal prisoners, receiving and executing precepts from French consuls and executing courts-martial.

Although duties have changed, the federal post is still active in its 178th year.

LITTLE KNOWN ORGANIZATION

"A lot of people think we're extinct," admits U.S. Marshal Floyd Stevens with a smile. "Very few know anything about us or what we do."

One of 91 U.S. marshals scattered throughout the country, Stevens operates from an office on the third floor of the old Grand Rapids post office building. He was appointed by President John F. Kennedy in June of 1961 and reappointed to a second four-year term in 1965 by President Johnson.

As an officer of the Department of Justice and the federal courts, Stevens is supervised and directed by the attorney general through Chief U.S. Marshal James McShane.

His western Michigan district is made up of 49 counties, including all of the Upper Peninsula.

HAS SHERIFF'S POWERS

According to law, "A U.S. marshal and his deputies, in executing the laws of the United States within a state, may exercise the same powers which a sheriff of such a state may exercise in execution of the laws thereof." This includes the power to make arrests and license to carry firearms.

Stevens' staff includes Chief Deputy John Beatty; Deputy Leo Wilson, who operates a field office in Marquette; Deputies Ben Decker, Karl Wheat and Richard Grossenbacher; and office girl Fran Malizia.

Among the duties of a U.S. marshal are maintaining order in federal courts, transporting federal prisoners, executing and serving writs processes and orders issued under federal authority and serving as paymaster for the federal courts, probation department and the U.S. District Attorney's office and staff.

Stevens says he works with the FBI, Secret Service, Postal Service and other U.S. agencies on investigations and occasionally conducts an investigation of own.

U.S. marshals are instructed to be concerned with "defiance of federal authority or disturbances involving the interests of the government" and may make arrests without a warrant "for any offense against the United States committed in their presence or for any felony under U.S. law."

The foregoing instructions resulted in the appearance of U.S. marshals in certain southern states a few years ago to help enforce federal integration orders. Stevens sent two of his deputies to Mississippi to serve as representatives of the U.S. Government on an issue involving civil rights.

RARE PUBLIC APPEARANCE

Many people were mildly surprised when U.S. marshals appeared on the integration scene in positions of authority as direct representatives of the attorney general and the federal courts. Until that time, most people assumed that the marshal's office had passed on along with frontier days and "the Wild West." Officers wear no uniforms and generally work quietly behind the scenes on federal cases which are often less than sensational.

The Wild West concept of a marshal, as exemplified by Marshal Matt Dillon on television's Gunsmoke, was apparently accurate at one time. Early marshals were constantly subjected to hazards resulting from lawlessness in the frontier areas and it was often difficult to fill the post.

Attorney General William Miller commented in 1889 that "In certain localities, no occupation is so dangerous as the faithful performance of duty by a U.S. marshal."

OTHER ENFORCEMENT GREW

With the advent of efficient local police agencies, however, the federal marshal reverted more and more to official governmental chores.

Prior to becoming a marshal, Stevens, 62, of 4121 Burton Rd. SE, was an engineer with the Michigan Highway Department and U.S. Army, an active Kent County Democrat, chairman of the Michigan State Athletic Board of Control (boxing commissioner) and president of the National Boxing Association.

The marshal says he fought as an amateur but "had enough sense to stay outside the professional ropes." He also admits he quit the fight game at the right time—just before its decline to present levels.

Stevens is still interested in boxing and is also an enthusiastic hunter and fisherman.

He sees the office of U.S. marshal as an important one, even though it may be less dramatic than other police agencies. And he takes pride in the fact that his authority dates back to the father of our country.

THE NATIONAL GUARD AND THE RIOTS—WHERE LIES THE BLAME?

Mr. HANSEN. Mr. President, much has been said recently in the press and in hearings before the Senate and House concerning the performance of National Guard troops in Detroit last month.

Recently, before the House Armed Services Subcommittee, Lt. Gen. John L. Throckmorton and his deputy, Maj. Gen. Charles P. Stone, called the National Guardsmen in Detroit, "trigger-happy and nervous." General Throckmorton, who had issued an order for the Guard to keep their weapons unloaded, was critical of the Guard's failure to get word of his order through to their troops for days. "This," he pointed out, "is no problem in a properly trained unit."

Said Throckmorton:

> Lack of fine discipline also reflected adversely on the command and control elements.

General Throckmorton further asserted, in reply to those who insisted that the Guard had been on their feet too long to take time out for a shave, that "a soldier can always find an opportunity to shave once every 24 hours."

Many of these accusations are undoubtedly true. Certainly, the actions of some guardsmen in Detroit are reasons for public concern. Nevertheless, the blame for imperfect performance cannot be heaped upon the National Guard nor upon its military leaders alone. A great deal of the responsibility must rest upon the civilian leadership in the Pentagon, which has continued to reassure the Nation of the Guard's high degree of military preparedness.

Numerous times since 1965, Secretary McNamara and members of his staff have testified before congressional committees as to the readiness of the National Guard.

On March 2, 1966, Secretary McNamara stated at a press conference:

> The Army Selected Reserve Force is at a higher state of readiness than any reserve force in the history of the reserve components.

This may be true of conventional warfare.

But due to lack of foresight on the part of the Secretary, the Guard was less than ready for the warfare in our cities.

Watts, and the destruction, turmoil, and civil disorder which occurred there, should have established that riot control would be in the Guard's future and that readiness for such duty would be of paramount interest in training of the Guard.

There is a vast difference between duty in the jungles of Vietnam and on the streets of American cities. Watts should have established that the streets were the more likely battleground for the Guard.

Effective discipline is as important in controlling a riot as it is in killing an enemy soldier.

The Constitution of the United States makes clear that the dual purpose of the National Guard is "to execute the laws of the Nation, suppress insurrections, and repel invasion."

Certainly Secretary McNamara, who is praised continually for his farsighted, computerized savings in the Defense Department, should have foreseen, in the light of Watts, that two-phased training with its two-phased responsibility was a necessity. Nevertheless, training continued in conventional warfare despite the long hot summers that were obviously yet to come.

As the Department of Defense now acknowledges, riot control in urban areas is a highly complicated responsibility necessitating much training and preparation.

But it was not until August 10 of this year—2 years after Watts—that the Defense Department announced that such training would be given National Guardsmen.

I think it would be wise, Mr. President, that as we criticize our National Guard units for their actions in Detroit in a tense, dangerous situation, we should look behind those men and their military superiors to the civilian leadership that has failed to recognize the danger and to give the Guard adequate training for the tasks it would be called on to perform.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER** (Mr. LAUSCHE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume consideration of executive business.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the nomination on the calendar under "New Report."

The **PRESIDING OFFICER.** Without objection, it is so ordered.

DEPARTMENT OF COMMERCE

The legislative clerk read the nomination of Joseph W. Bartlett, of Massachusetts, to be General Counsel of the Department of Commerce.

The **PRESIDING OFFICER.** Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

SUPREME COURT OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, what is the pending business?

The **PRESIDING OFFICER.** The clerk will state the pending business.

The **LEGISLATIVE CLERK.** The nomination of Thurgood Marshall, of New York, to be an Associate Justice of the Supreme Court of the United States.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. HART. Mr. President, for the third time the Senate is asked to advise and consent to the nomination of Thurgood Marshall—this time to serve as an Associate Justice of the Supreme Court of the United States.

In 1962 the Senate advised and consented to the nomination of Thurgood Marshall as a judge of the Second Circuit Court of Appeals. Later, after his distinguished service on that court, the Senate advised and consented to the nomination of Judge Marshall as Solicitor General of the United States. Today I hope very much that the Senate again will advise and consent to the nomination of this very distinguished American lawyer.

Mr. President, I suspect that the Senate has never had for consideration or approval to serve on the Supreme Court one whose qualifications are so dramatically and compellingly established. I have no idea as to the batting averages of lawyers who serve in this body in appearances before the Supreme Court as advocates. A few Senators may have appeared there once or twice. I never did.

Thurgood Marshall, as an advocate, won in the Supreme Court on 29 out of 34 occasions. Indeed, I suspect that a part of his troubles in obtaining advice and consent to nominations on earlier occasions is explained by the dramatic success he did achieve in the Supreme Court. I suppose his most significant success was in connection with the Brown case. Then, as the Government's principal litigating officer, he maintained the remarkable batting average that we associate with those who serve as Solicitor General. So as an advocate both for the Government and for private citizens, Thurgood Marshall's record before the Supreme Court probably is exceeded by no man or woman at the American bar; certainly, it can be exceeded by only a few. Therefore, we have this background against which to measure his ability as a lawyer.

Then, we have Mr. Marshall's service as an appellate judge in the Federal judiciary. The senior judge of the second circuit, on which Judge Marshall sat, has described Thurgood Marshall as a man of exceptional ability. While sitting as a judge on the second circuit, he participated in decisions on a variety of matters, characteristic of the almost endless variation of matters that now go into Federal litigation. So we have this second measure of the man: Actual service and ability as a Federal judge.

Mr. President, I am proud to announce that a majority of the members of the Committee on the Judiciary report favorably and recommend the confirmation of the nomination of Thurgood Marshall. I think that both in private practice and in public office he has demonstrated the possession of those characteristics and qualities which we admire in lawyers and seek in judges.

In connection with the several earlier occasions on which the Senate considered nominations of Thurgood Marshall, hundreds and hundreds of pages of testimony have been taken. There is on the desk of each Senator this morning a full record provided by the Committee on the Judiciary. This record, together with the record made before the Committee on the Judiciary in 1962, when we considered Mr. Marshall's nomination to the circuit court, is the basis upon which the Committee on the Judiciary strongly recommends the approval of the nomination.

I think the Senate will do itself honor, the Court will be graced, and the country will be benefited by the confirmation of the nomination of Thurgood Marshall to the Supreme Court.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, to include all statements made during the executive session not germane to the nomination of Thurgood Marshall, with a limitation of 3 minutes on statements.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore announced that on today, August 30, 1967, the Vice President signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H.R. 3717. An act for the relief of Mrs. M. M. Richwine;

H.R. 5876. An act to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the Code; and

H.R. 11945. An act to amend the college work-study program with respect to institutional matching and permissible hours of work.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills; and they were signed by the Vice President:

S. 1633. An act to amend the Act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer; and

H.R. 547. An act to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Export-Import Bank Insurance and Guarantees Issued in Connection With Exports to Yugoslavia

A letter from the Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, on insurance and guarantees issued by that Bank in connection with exports to Yugoslavia, for the month of July 1967; to the Committee on Appropriations.

Report on Department of Army Research and Development Contracts

A letter from the Acting Assistant Secretary of the Army, Research and Development, transmitting, pursuant to law, a report on research and development contracts, for the 6-month period ended June 30, 1967 (with an accompanying report); to the Committee on Armed Services.

Disposal of Corundum From National Stockpile

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of corundum from the national stockpile (with accompanying papers); to the Committee on Armed Services.

Disposal of Castor Oil From National Stockpile

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of castor oil from the national stockpile (with accompanying papers); to the Committee on Armed Services.

Disposal of Beryl Ore From National Stockpile

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of beryl ore from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

Report on Department of Defense Procurement From Small and Other Business Firms

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms, for the fiscal year 1967 (with an accompanying report); to the Committee on Banking and Currency.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on balance-of-payments aspects of barter contracts for the acquisition of industrial diamonds for the stockpile, Department of Agriculture, Department of State, dated August 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for revision of foreign service travel regulations to achieve a reduction in per diem costs, Department of State, dated August 1967 (with an accompanying report); to the Committee on Government Operations.

Report on Southern School Desegregation

A letter from the Chairman, U.S. Commission on Civil Rights, Washington, D.C., transmitting pursuant to law, a report on southern school desegregation, 1966–67 (with an accompanying report); to the Committee on the Judiciary.

Disposition of Executive Papers

A letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. Monroney and Mr. Carlson members of the committee on the part of the Senate.

REIMBURSEMENT OF STATE ADVANCES TO MUNICIPALITIES

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the resolution passed by the General Assembly of the State of Connecticut memorializing the Congress to authorize the reimbursement of State advances to municipalities for planning studies by referring to the appropriate committee and printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution was referred to the Committee on Banking and Currency, as follows:

RESOLUTION MEMORIALIZING CONGRESS TO AUTHORIZE THE REIMBURSEMENT OF STATE ADVANCES TO MUNICIPALITIES FOR PLANNING STUDIES

Resolved by this Assembly:

Whereas, the Congress of the United States has recognized the existence of planning problems in urban areas resulting from the increasing concentration of population by authorizing grants for local governments to help solve such planning problems through the initiation and continuation of planning programs and the organization and strengthening of local planning staffs; and

Whereas, lack of sufficient federal appropriations to meet the response of local municipalities and delayed processing of grants are proving detrimental to the purposes of such grants by preventing local municipalities from initiating or completing planning programs before enthusiasm has dwindled or development problems have escalated; and

Whereas, state legislatures should be encouraged to assist municipalities in meeting their responsibilites by advancing funds to municipalities for such planning programs before initiative and enthusiasm have deteriorated;

Now, therefore, be it resolved, that the general assembly of the state of Connecticut memorialize the Congress of the United States to provide in legislation authorizing grants to municipalities for urban planning assistance under section 701 of the housing act of 1954, as amended, that any state may advance funds to a municipality for a planning project under section 701 which may become eligible for a federal grant; and that should such project become eligible for a federal grant under section 701, the state shall be reimbursed by the federal government in an amount equal to such advance provided that such reimbursement is no greater than the federal share of the cost of such project.

Be it further resolved that the clerks of the house and senate cause copies of this resolution to the President of the United States Senate; the Speaker of the United States House of Representatives and to the members of each of said bodies from the state of Connecticut.

CHARLES M. MCCOLLAM, Jr.,
Clerk of the Senate.
PAUL B. GROOBERT,
Clerk of the House.
ELLA T. GRASSO,
Secretary of State.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

H.R. 9837. An act to amend the Legislative Branch Appropriation Act, 1959, as it relates to transportation expenses of Members of the House of Representatives, and for other purposes (Rept. No. 555);

S. Con. Res. 42. Concurrent resolution authorizing the printing for the use of the Senate Banking and Currency Committee, of additional copies of its hearings of the present Congress on housing legislation (Rept. No. 556);

S. Res. 162. Resolution authorizing the printing of additional copies of the committee print entitled "Planning-Programming-Budgeting: Official Documents" (Rept. No. 557);

S. Res. 163. Resolution authorizing the printing of additional copies of the committee print entitled "Planning-Programming-Budgeting: Selected Comment" (Rept. No. 552);

S. Res. 164. Resolution to provide additional funds for the Committee on Labor and Public Welfare (Rept. No. 553); and

S. Res. 165. Resolution authorizing a study of matters pertaining to the education and related problems of Indian children (Rept. No. 554).

By Mr. JORDAN, from the Committee on Rules and Administration, with amendments:

S. Res. 157. Resolution to print as a Senate document a report on "Waste From Watercraft" (Rept. No. 558);

S. Res. 158. Resolution to print as a Senate document a report entitled "Manpower and Training Needs in Water Pollution Control" (Rept. No. 559); and

S. Res. 159. Resolution to print as a Senate document a report on "Automotive Air Pollution" (Rept. No. 560).

AUTHORIZATION OF A STUDY OF THE EDUCATION AND RELATED PROBLEMS OF INDIAN CHILDREN—REPORT OF A COMMITTEE

Mr. KENNEDY of New York, from the Committee on Labor and Public Welfare, reported the following original resolution (S. Res. 165); which was referred to the Committee on Rules and Administration:

S. RES. 165

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the education and related problems of Indian children.

SEC. 2. For the purposes of this resolution the committee, from September 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The Committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $35,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

KEEN JOHNSON AND CATHERINE JOHNSON REDANS—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 166); which was placed on the calendar:

S. RES. 166

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Keen Johnson, brother, and Catherine Johnson Redans, sister, of Christine Johnson, an employee of the Senate at the time of her death, a sum to each equal to six months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

ERNEST E. WILES—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 167); which was placed on the calendar:

S. RES. 167

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Ernest E. Wiles, widower of Yukie Wiles, an employee of the Senate at the time of her death, a sum equal to five months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

REPORT ENTITLED "PREDICTIONS AND PROJECTIONS OF ELECTION RESULTS"—REPORT OF A COMMITTEE (S. REPT. NO. 561)

Mr. PASTORE. Mr. President, from the Committee on Commerce, I submit a report entitled "Predictions and Projections of Election Results." I ask unanimous consent that the report be printed, together with the supplemental views of the Senator from Indiana [Mr. HARTKE].

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Rhode Island.

EXTENSION OF TIME FOR FINANCE COMMITTEE TO REPORT ON PRESIDENTIAL ELECTION CAMPAIGN FUND ACT

Mr. LONG of Louisiana. Mr. President, the Senate Committee on Finance is under instruction to report by September 1 with respect to the Presidential Election Campaign Fund Act and campaign financing expenditures related thereto.

The committee has held hearings and voted a number of times. We have instructed our staff to draft the best thoughts of all Senators.

It appears, unfortunately, that we will not be able to muster a quorum of the committee tomorrow, when we had planned to vote on this matter, and probably will not be assured of a quorum until after we come back from the Labor Day adjournment.

In view of the fact that there is not too much urgency about the matter, I have discussed it with Senators on both sides of the aisle and they have agreed to an extension of time.

Mr. President, I ask unanimous consent that the Committee on Finance have until September 15 to report on this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HANSEN:

S. 2357. A bill to amend the Internal Revenue Code of 1954 with respect to returns and deposits of the excise taxes on gasoline and lubricating oils; to the Committee on Finance.

(See the remarks of Mr. Hansen when he introduced the above bill, which appear under a separate heading.)

By Mr. PERCY (for himself, Mr. Javits and Mr. Prouty):

S. 2358. A bill to amend chapter 34 of title 38, United States Code, to authorize additional educational entitlement under such chapter for eligible veterans who have to take refresher courses in order to effectively continue their education or training after service in the Armed Forces; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Percy when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT (for himself and Mr. Morse):

S. 2359. A bill to amend section 27 of the Merchant Marine Act, 1920, as amended; to the Committee on Commerce.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT (by request):

S. 2360. A bill to amend section 613(b) of the Merchant Marine Act, 1936, as amended; to the Committee on Commerce.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 2361. A bill to provide for the conveyance of certain public land held under color of title to Mrs. Jessie L. Gaines of Mobile, Ala.; to the Committee on Interior and Insular Affairs.

By Mr. COTTON:

S. 2362. A bill for the relief of Charles F. Leahy; to the Committee on Post Office and Civil Service.

By Mr. COTTON (for himself, Mr. McIntyre, Mr. Kennedy of Massachusetts, and Mr. Brooke):

S. 2363. A bill to authorize the Secretary of the Interior to establish the Bunker Hill National Historic Site in the city of Boston, Mass., and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Cotton when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (by request):

S. 2364. A bill to extend the same privileges, protections, and immunities to insured State banks as are available to national banks doing business across State lines; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 2365. A bill to authorize the Secretary of the Interior, in cooperation with the States, to protect, preserve, restore, develop and make accessible the Nation's estuarine areas and their natural resources, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE:

S. 2366. A bill for the relief of Lam Tuk Man;

S. 2367. A bill for the relief of Wong Yau Mei;

S. 2368. A bill for the relief of Lam Fuk Lee; and

S. 2369. A bill for the relief of Chung Kwa Chow; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 2370. A bill for the relief of Dr. Shi-Shung Huang; to the Committee on the Judiciary.

By Mr. HILL:

S. 2371. A bill for the relief of Dr. Herman J. Lohmann; to the Committee on the Judiciary.

By Mr. MOSS:

S. 2372. A bill for the relief of Chau Chim, Lap Wo Tsang, Chun Hi Wong, Shu Kwong Chan, Wai Sum Cheng, and Wei Lun Lai; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 2373. A bill to revise section 4400 of the Revised Statutes, as amended (46 U.S.C. 362), to notify passengers of safety standards on foreign and domestic passenger vessels; to the Committee on Commerce.

By Mr. BARTLETT (by request):

S. 2374. A bill for the relief of Cheng Sze Cheuk, Au Tin Chok, Wah Kam Ng, Kam Lin Wong, and Fo Au Lo; to the Committee on the Judiciary.

By Mr. DIRKSEN (by request):

S. 2375. A bill to incorporate Recovery, Inc.; to the Committee on the Judiciary.

By Mr. TOWER (for himself, Mr. Bennett, Mr. Cannon, Mr. Carlson, Mr. Clark, Mr. Curtis, Mr. Dodd, Mr. Dominick, Mr. Ervin, Mr. Harris, Mr. Holland, Mr. Hollings, Mr. Inouye, Mr. McCarthy, and Mr. Young of North Dakota):

S. 2376. A bill to amend chapter 37 of title 38, United States Code, to provide relief for certain veterans purchasing homes with assistance under such chapter who have been recalled to active duty; to the Committee on Banking and Currency.

(See the remarks of Mr. Tower when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY (for himself, Mr. Case, Mr. Hartke, Mr. Kennedy of New York, Mr. Metcalf, Mr. Mondale, Mr. Javits, Mr. McGee, Mr. Williams of New Jersey, Mr. Hart, Mr. Morse, Mr. Randolph, and Mr. Byrd of West Virginia):

S. 2377. A bill to extend and improve the Federal-State unemployment compensation program; to the Committee on Finance.

(See the remarks of Mr. McCarthy when he introduced the above bill which appear under a separate heading.)

By Mr. KENNEDY of Massachusets:

S.J. Res. 110. Joint resolution to authorize a study and investigation of information service systems for State and localities designed to enable such States and localities to participate more effectively in federally-assisted programs and to provide Congress and the President with a better measure of State and local needs and performance under these programs; to the Committee on Government Operations.

(See the remarks of Mr. Kennedy of Massachusetts when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

OFFICIAL RECOGNITION OF 150TH ANNIVERSARY OF THE ADMISSION OF THE STATE OF ILLINOIS TO THE UNION

Mr. DIRKSEN (for himself and Mr. Percy) submitted a concurrent resolution (S. Con. Res. 43) to officially recognize the 150th anniversary of the admission of the State of Illinois to the Union, which was referred to the Committee on the Judiciary.

(See the above concurrent resolution printed in full when submitted by Mr. Dirksen, which appears under a separate heading.)

RESOLUTIONS

AUTHORIZATION OF A STUDY OF THE EDUCATION AND RELATED PROBLEMS OF INDIAN CHILDREN

Mr. KENNEDY of New York, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 165) to authorize a study of the education and related problems of Indian children, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Kennedy of New York, which appears under the heading "Reports of Committees.")

KEEN JOHNSON AND CATHERINE JOHNSON REDANS

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 166) to pay a gratuity to Keen Johnson and Catherine Johnson Redans, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

ERNEST E. WILES

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 167) to pay a gratuity to Ernest E. Wiles, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 with respect to returns and deposits of the excise taxes on gasoline and lubricating oil.

This bill would allow petroleum jobbers and suppliers to pay their Federal excise tax on fuels every 30 days instead of every 15 days as the recently imposed regulations of the Treasury Department now require. Thus it would relieve what could be, in the case of the small petroleum jobber, an undue strain on capital.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2357) to amend the Internal Revenue Code of 1954 with respect to returns and deposits of the excise taxes on gasoline and lubricating oils, introduced by Mr. Hansen, was received, read twice by its title, and referred to the Committee on Finance.

REFRESHER COURSES

Mr. PERCY. Mr. President, another generation of veterans will soon be coming home. They follow heroically in the paths of their brothers and fathers who returned from World War II and Korea.

In the late 1940's and early 1950's, these veterans filled our colleges and universities in quest of an education, and the GI bill was born to help them in this search. This same bill has been reenacted for our military men in Vietnam.

However, there are certain deficiencies in the GI bill. I am introducing a bill today to provide that veterans who return to college and discover they have to take refresher courses to keep up with their classmates will not lose any educational entitlement for time spent in refresher courses.

President Johnson alluded to this in his Veterans Message, January 31 when he said:

> The present G.I. Bill makes no special provision for a returning serviceman who needs to finish high school or take a "refresher" course before he can enter college. In fact, it works in just the opposite way. For each month the veteran pursues a high school education under the G.I. Bill, he loses a month of eligibility. This situation must be changed. I recommend legislation to provide full G.I. Bill payments to educationally disadvantaged veterans so that they can complete high school without losing their eligibility for follow-on college benefits.

Mr. Johnson came close but not far enough to recommend what I have in mind.

In a day when college curricula include such courses as space science, econometrics, and differential equations, it is almost impossible for the veteran to resume his education at the point he left off a couple years earlier.

This bill would permit a veteran who had to drop out of college through no fault of his own to take a minimum number of refresher courses at no loss of his educational entitlement.

There are now about 355,000 veterans taking training under the GI bill. This number may swell to 500,000 with the influx of Vietnam veterans.

It is estimated that perhaps 10,000 of these would need to take refresher courses. The total cost of this program would range from about $3.3 million to $4.6 million per year.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2358) to amend chapter 34 of title 38, United States Code, to authorize additional educational entitlement under such chapter for eligible veterans who have to take refresher courses in order to effectively continue their education or training after service in the Armed Forces, introduced by Mr. Percy (for himself, Mr. Javits, and Mr. Prouty), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

TRANSPORTATION OF STEVEDORING EQUIPMENT

Mr. BARTLETT. Mr. President, on behalf of myself and Mr. Morse, I introduce, for appropriate reference, a bill to amend section 27 of the Merchant Marine Act, 1920, to allow stevedoring equipment moved on to a foreign flag vessel for the purpose of loading or unloading that vessel to be left on board as the ship moves from harbor to harbor for further loading and unloading.

Section 27, Merchant Marine Act 1920—46 United States Code 883—known as the Jones Act, provides:

> That no merchandise shall be transported by water, or by land and water . . . between points in the United States . . . in any other vessel than a vessel built in and documented under the laws of the United States and owned by . . . citizens of the United States . . . or vessels to which the privilege . . . is extended by Section 18 or 22 of this Act . . .

The above prohibition of the Jones Act is administered by the Customs Bureau of the Treasury Department. From time to time—and most recently on October 19, 1966—Customs has seized stevedoring equipment which was initially placed on board a foreign flag vessel for use in loading and unloading at the vessel's first port of American call and thereafter left on board for further use in loading or unloading at subsequent American ports. Customs claims such transportation to be a violation of the Jones Act, subjecting the gear to seizure and forfeiture. Remitted penalties and forfeitures have been paid under protest by the stevedoring companies.

In fact, however, such transportation of gear is not for hire and is solely for the convenience of the vessel and the stevedoring company in facilitating the movement of commerce. Moreover such gear can be and is so handled on American vessels qualified for intercoastal trade under similar circumstances.

This bill will allow the same method of handling stevedoring equipment now in use on U.S. vessels to be used on vessels of foreign registry or otherwise prohibited from the intercoastal trade.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2359) to amend section 27 of the Merchant Marine Act, 1920, as amended, introduced by Mr. Bartlett (for himself and Mr. Morse), was received, read twice by its title, and referred to the Committee on Commerce.

REMOVAL OF LIMITATION ON OCEAN CRUISES

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill to amend section 613(b) of the Merchant Marine Act of 1936, as amended, to remove certain limitations on ocean cruises to aid American-flag passenger vessels.

This bill proposes the following changes in law:

Under the so-called cruise bill, which became section 613 of the Merchant Marine Act of 1936, American vessels were permitted to cruise but only up to one-third part of each year. It has been found by experience that the one-third limitation is too restrictive to take care of the longer time that the American vessels are not needed for berth services. Accordingly, it is proposed that the one-third limitations be removed.

Section 613 also provides that permissible cruises must commence and terminate at U.S. ports on the same seacoast. This has prevented longer cruises, such as round the world, and so forth, where it is desired to embark and disembark passengers on different seacoasts.

Section 613 also provides that when cruising, American vessels may not carry mail and/or cargo except between ports on the regular berth service of the operator. It is proposed that this restriction also be removed, provided only that such carriage will not adversely affect the service of another existing American operator.

If these suggestions are adopted, American passenger vessels would be permitted greater opportunity to serve the rapidly expanding cruise trade where it would seem that as many American vessels as possible should be employed, and such vessels would not be restricted in major part to making berth voyages where the port to port traffic is rapidly giving way to air, and the ship operators are incurring substantial losses.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2360) to amend section 613(b) of the Merchant Marine Act of 1936, as amended, introduced by Mr. Bartlett, by request, was received, read twice by its title, and referred to the Committee on Commerce.

ESTABLISHMENT OF BUNKER HILL NATIONAL HISTORIC SITE, BOSTON, MASS.

Mr. COTTON. Mr. President, I introduce, for appropriate reference, a bill on behalf of myself and my distinguished colleagues, Mr. McIntyre, Mr. Kennedy of Massachusetts, and Mr. Brooke, to establish the Bunker Hill National Historic Site in Boston, Mass.

This bill would authorize the Secretary of the Interior to accept the donation by the Commonwealth of Massachusetts, pursuant to a memorialization of Congress by the Commonwealth's general court in 1966, of approximately 4 acres of land and improvements in the district of Charlestown, city of Boston, known as Bunker Hill Monument, and to administer, protect, and develop such in accordance with existing law.

There can be no doubt but that Bunker Hill stands as a symbol of national importance and should be recognized as such. It was there that revolutionary patriots struck a convincing blow for freedom. As one historian puts it:

> Concord and Lexington proved that we would fight, Bunker Hill proved we could fight.

And fight they did, with American irregulars throwing back superior numbers of the best regular infantry then known in the world. Those farmer-soldiers demonstrated throughout the colonies that the British were not invincible and that liberty could be won by men of determination and spirit. Indeed, had they failed on that June day in 1775, it is entirely conceivable that the rebellion would have been lost in its infancy. Quite literally, Bunker Hill may well represent a turning point in the history of mankind.

I am proud to say that New Hampshire played a major role in the events that transpired that day. It is little realized or appreciated that of the 1,580 soldiers known to have participated, fully 1,000 or nearly two-thirds were from New Hampshire, with Massachusetts, including Maine, and Connecticut supplying the rest. The only two complete regiments on the field that day were those of New Hampshire's Col. John Stark, with a strength of 506 men, and Col. James Reed with 405. Another 90 to 100 New Hampshire soldiers were attached to Colonel Prescott of Pepperell, Mass., including 60 men of Capt. Reuben Drew's company from Hollis, N.H. It is worthy to note that Hollis lost eight men in the course of the fighting, more than any local community in the colonies. It is with real and I hope justifiable pride that we in New Hampshire feel our men played a major role in forging the American will to win and thereby to secure the liberties of all our people.

Mr. President, we are nearing the 200th anniversary of that historic day, and but a few months later will celebrate our 200th year of national independence. As it happens, the distinguished junior Senator from Massachusetts and myself were appointed this year by the President as members of the American Revolution Bicentennial Commission, to plan proper commemoration of our successful struggle for independence. We believe, as do our distinguished colleagues, that no more fitting action could be taken than to give proper and lasting recognition to the patriotism that was so well and effectively demonstrated by a handful of American fighting men on June 17, 1775. We hope that the Senate will move expeditiously to make Bunker Hill a national historic site in order that it may be established as a monument belonging to all Americans and thereby take its rightful place in our national bicentennial observance.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2363) to authorize the Secretary of the Interior to establish the Bunker Hill National Historic Site in the city of Boston, Mass., and for other purposes, introduced by Mr. Cotton (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EXTENSION OF CERTAIN PRIVILEGES TO INSURED STATE BANKS

Mr. SPARKMAN. Mr. President, at the request of Mr. Frank Wille, superintendent of banks of the State of New York and newly elected chairman of the legislative committee of the National Association of State Banks, I introduce a bill entitled "To extend the same privileges, protections, and immunities to insured State banks as are available to National banks doing business across State lines."

I ask unanimous consent that the letter of Mr. Frank Wille, along with an explanatory memorandum, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and memorandum will be printed in the Record.

The bill (S. 2364) to extend the same privileges, protections, and immunities to insured State banks as are available to national banks doing business across State lines introduced by Mr. Sparkman, by request, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The letter and memorandum, presented by Mr. Sparkman, are as follows:

State of New York,
Banking Department,
New York, N.Y., July 19, 1967.

Hon. John Sparkman,
U.S. Senate,
Washington, D.C.

Dear Senator Sparkman: In doing business across State lines, State-chartered banks and savings and loan associations operate at a serious competitive disadvantage as compared to National banks and Federal savings and loan associations. The extent of this disadvantage is outlined briefly in the two page summary which is enclosed. For the convenience of your staff, I have also enclosed two copies of this summary, two copies of a proposed bill and two copies of a more detailed memorandum which was sent to Senator Robertson last September on the same subject.

The New York State Banking Department has come to the conclusion that the only means by which these competitive disparities can be promptly eliminated is through Congressional action, and to this end, the Department has prepared the suggested bill which is enclosed. In essence, the bill would provide that a state bank or savings and loan association doing business across state lines shall enjoy the same privileges, protections and immunities as a national bank or federal savings and loan association doing such business.

The enactment of such a bill would reaffirm past expressions of Congressional intent that there be a basic equality of competitive opportunity within the dual banking system, irrespective of whether the institution concerned operates under Federal or State charter. Its enactment would also serve to strengthen state banking systems throughout the country.

If you see any merit in resolving this imbalance by an act of Congress, I would be most appreciative if you would sponsor such a bill and if you would urge your associates on the Senate Committee on Banking and Currency to give it their early consideration.

Sincerely yours,

Frank Wille.

July 19, 1967.

Interstate Business Disparities Between State-Chartered and Federally Chartered Financial Institutions

State-chartered commercial banks, savings banks and savings and loan associations doing business across state lines are at a serious competitive disadvantage when compared with national banks and Federal savings and loan associations doing the same kinds of business.

The disadvantages for State-chartered institutions relate primarily to—

1. The necessity for compliance with "doing business" laws in other states.
2. The imposition of taxes by other states.

In addition, state-chartered banks encounter a third important disparity: they can be sued wherever they "do business," but Federal law (12 U.S.C. § 94) permits national banks to be sued only in their headquarters state.

1. COMPLIANCE WITH "DOING BUSINESS" LAWS

When a business corporation which is not a financial institution "does business" across state lines, it runs the risk that its contracts may be held void or unenforceable in the courts of other states. This disability can usually be overcome by meeting statutory qualification requirements, which generally include (i) initial license fees, (ii) a continuing liability for state and local taxes, and (iii) the designation of some public official for local service of process.

National banks and Federal savings and loan associations are generally treated as though they are exempt from such qualification requirements. The theory of these exemptions is that both types of institutions are, by virtue of their Federal charters, "federal instrumentalities" entitled to the same exemptions from state regulation as the Federal Government itself.

State-chartered banks and savings and loan associations enjoy no such exemptions when they do business across state lines. Unless they comply with local "doing business" laws—and some states do not permit compliance by banks or savings and loan associations—they may find themselves unable to collect on defaulted loans and unable to enforce their security interest in loan collateral.

2. TAXATION BY OTHER STATES

Federal and state courts, again treating Federally-chartered financial institutions as agencies of the Federal Government itself, have held that national banks and Federal savings and loan associations can be taxed by the states only as Congress has specifically permitted (e.g., in 12 U.S.C. § 548 for national banks, and 12 U.S.C. § 1464h for Federal savings and loan associations). Under this line of reasoning, they have held invalid license taxes, personal property taxes, and sales and use taxes levied on national banks. State-chartered banks and savings and loan associations have no such immunity from taxation in nondomiciliary states.

* * * * *

The proposed bill requires equality of treatment for State-chartered financial institutions in these situations, without (i) limiting the power of Congress to change the exemptions now accorded to national banks and Federal associations, or (ii) conferring any powers on State-chartered banks or associations which have been denied them by their chartering State.

PRESERVATION OF THE NATION'S ESTUARINE AREAS AND THEIR NATURAL RESOURCES

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, a bill to protect and restore the Nation's estuarine areas. My proposal builds on the hearings held this session in the House of Representatives under the able leadership of Congressman John Dingell. They respond also to the views of the Interior Department which has carefully studied how the estuaries of our shores should be protected and which will administer any legislation in this field. I am also happy to acknowledge the initiative of the senior Senator from Massachusetts [Mr. Kennedy], who earlier this session introduced similar legislation and the senior Senator from Washington [Mr. Magnuson], who cosponsored the Kennedy bill and whose committee will consider these proposals.

Estuaries form where rivers run into the sea. They create and attract vital biological, scientific, recreational, and economic resources. Cities are built near most estuaries, intensifying land use and the consequent pollution and destruction risks. My bill tries to take account of the unique nature of our estuaries and to find the proper balance between their protection and restoration and their use and development for the largest number of people.

These sea and land complexes create rich marine resources. At least 65 percent of our Nation's commercial fish and shellfish resources inhabit the estuarine areas during all or part of their life cycles. Many of our valuable waterfowl use these areas as nesting and wintering sites. People use them too, for swimming, boating, bird watching, hiking, or for an opportunity to enjoy the beauty of natural resources along coastal areas. Scientists study and expand our knowledge of the wonderful variety of animal and plant life around the estuaries.

It is not only the coastal States, like Connecticut, which will benefit from this proposal. For our seashores are a national trust for all to use and enjoy.

Many of our priceless shore resources have already been lost. Others can be saved if we act soon, as this bill proposes. In my own State, nearly 50 percent of Connecticut's coastal marshes had been destroyed by 1965. At the existing rate of destruction, by the year 2000 there would be no tidal marshes left.

The principal causes of this manmade destruction are careless filling, usually from dredging and waste disposal. Both of these hazards will be controlled under this legislation.

This bill will help determine the state of our natural estuarine resources as a first step to preserving what is left. After this survey by the Secretary of the Interior, a more detailed study will see what can be done to preserve and enhance the important estuarine areas.

It also empowers the Interior Secretary to acquire and develop national estuarine areas but only after separate authorization by Congress. He can also, without further authorization, develop national estuarine areas by cooperative agreements with local and State authorities, with whom he will share the cost of administration and development.

Dredging, filling, and excavation in estuaries would be allowed only when these activities did not impair the natural resources or lower water quality unreasonably. Similarly, commercial, industrial, and other development within national estuarine areas would be reviewed and approved by the Secretary of the Interior under these criteria.

These provisions would not prohibit or unreasonably restrict these activities. They would insure that an authority charged with the protection and development of natural resources reviewed such projects before they are undertaken.

My legislation encourages States to protect their own estuarine resources and water quality by establishing or improving plans to regulate dredging and related activities, when the plans are approved by the Interior Department. In such States, there would be no direct Federal control of these activities.

Federal responsibility must be exercised, for presently most States do not have effective controls to protect their estuaries. The Interior Department estimates that only three or four States have effective plans now in operation.

Dumping refuse of all kinds—except oil and sewage which are covered now by law—in our estuaries would be subject to regulation by the Interior Department or by States with adequate protection plans to guard these waters from further pollution.

Finally, Mr. President, this bill requires the Interior Department and the Army Corps of Engineers to work together to authorize dredging, excavation, filling and other work along our shores, under the principles cited above, to eliminate duplication and to insure that a balance is maintained between legitimate conservation and development interests.

The principles involved in this legislation are sound. They seek a more fruitful protection and development of our shore resources. By encouraging communities and States to consider their own estuarine resources and to cooperate in their protection and improvement, I believe we have found the proper balance between conservation and growth and between local initiative and Federal responsibility to insure that our natural resources are devoted to the greatest common good.

I ask unanimous consent that the bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2365) to authorize the Secretary of the Interior, in cooperation with the States, to protect, preserve, restore, develop, and make accessible the Nation's estuarine areas and their natural resources, and for other purposes, introduced by Mr. Ribicoff, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2365

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress finds and declares that the Nation's estuarine areas are endowed with a variety of natural resources of recreational, commercial, esthetic and scientific value to the present and future generations of Americans, and that any modification of these areas directly and indirectly affects their natural values; that many of these areas have been irreversibly altered or destroyed; and that it is the policy of Congress to protect, preserve, restore, develop and make these estuarine areas accessible for multiple compatible uses, which give priority to maximum benefits for the widest number of people and which can be continued without destruction, or undue alteration or diminution of their natural resources.

Sec. 2. For the purposes of this Act—

(a) The term "Secretary" means the Secretary of the Interior;

(b) The term "person" means any individual, partnership, corporation, association, or political subdivision of a State;

(c) The term "estuary" or "estuaries" means part or all of the tidal portion of the navigable waters in the United States up to the mean high water line, including, but not limited to, any bay, sound, lagoon, or channel, and the lands underlying all such waters;

(d) The term "national estuarine area" means an environmental system composed of an estuary or estuaries and adjacent lands which together is determined by the Secretary to constitute a manageable unit and which has national significance; and

(e) The term "national resources" includes, but is not limited to, sport and commercial fishes and other aquatic life, wildlife, esthetic, and recreational values.

Sec. 3. (a) The Secretary, in consultation and in cooperation with the States and other Federal agencies, shall conduct directly or by contract, an inventory of the Nation's estuaries that are (1) unspoiled or undisturbed by the technological advances of man, including, but not limited to, pollutants, and (2) partially spoiled or disturbed by such advances but which should be protected from further adverse effects. For the purpose of this inventory, the Secretary shall consider, among other matters, the resource value of these areas, including, but not limited to, the economic and recreational potential, their ecology, their value for navigation, flood, hurricane, and erosion control, the effects of exploration for subsurface minerals, their value to the marine, anadromous, and shell fisheries, the present and future urban and industrial effects upon such areas, their esthetic value, and the most effective means for preserving these areas and for orderly development within them, if he determines such development consistent with the goals listed in the first section of this Act. The Secretary shall also take cognizance of the results of the study authorized by section 5 (g) of the Federal Water Pollution Control Act, as amended, the nationwide recreation plan, plans developed pursuant to the Water Resources Planning Act and river basin planning, statewide outdoor recreation plans prepared pursuant to the Land and Water Conservation Fund Act of 1965, and other applicable studies.

(b) The Secretary shall give particular attention to whether any estuary or areas adjacent to any estuary should be acquired or administered by the Secretary or by a State or local subdivision thereof, or whether such areas and estuaries may be protected adequately through local laws or other methods without Federal land acquisition or administration.

(c) The Secretary shall submit annually to the Congress through the President a report of the inventory conducted pursuant to this section, including recommendations with respect to the designation of any estuary and adjacent areas as a national estuarine area to be acquired by him. Each recommendation of the Secretary for such designation shall become effective only if so provided by subsequent Act of Congress. Recommendations made by the Secretary shall be developed in consultation with the States, municipalities, and other interested Federal agencies. Each such recommendation shall be accompanied by (1) expressions of any views which the States, municipalities, and other Federal agencies may submit within ninety days after having been notified of the proposed recommendation, (2) a statement setting forth the probable effect of the recommended action on any comprehensive river basin plan that may have been adopted by Congress or that is serving as a guide for coordinating Federal programs in the basin wherein each estuary is located, (3) in the absence of such a plan, a statement indicating the probable effect of the recommended action on alternative beneficial users of the resources of the proposed national estuarine area, and (4) a discussion of the major economic, social, and ecological trends occurring in such area.

(d) There is authorized to be appropriated not to exceed $500,000 for the first fiscal year beginning after enactment of this Act and for four succeeding fiscal years not to exceed $1,000,000 annually to carry out the provisions of this section.

Sec. 4. (a) The Secretary may acquire lands and waters or interests therein, including land use easements, within any national estuarine area, approved by Congress or established pursuant to section 5 of this Act, by purchase with appropriated or donated funds, donation, or exchange. He shall not acquire any lands or waters or interests therein which are owned by a State or by any political subdivision thereof and which are adequately protected and preserved by a State or political subdivision thereof in accordance with any State plan approved by the Secretary pursuant to section 9 of this Act. In the exercise of his exchange authority, the Secretary may accept title to any non-Federal property and in exchange therefor the Secretary may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

(b) Notwithstanding any other provision of this Act, the Secretary shall not acquire by condemnation any land or interests therein within any national estuarine area if such land is being used primarily for hunting, sport fishing, or other purposes which are compatible with the purposes of this Act. The Secretary may exclude from the provisions of this subsection any beach or waters, together with so much of the land adjoining such beach or waters for public access thereto, as he deems necessary to carry out the purposes of this Act.

(c) Any lands, waters, or interests therein within a national estuarine area which are acquired by the Secretary under this section or administered under section 5 of this Act, shall be managed and developed primarily for the purposes of sport and commercial fishing, wildlife conservation, outdoor recreation, and scenic beauty, and for such other purposes as the Secretary determines are compatible with the purposes of this Act.

(d) Any Federal land located within any national estuarine area may, with the consent of the head of the agency having jurisdiction thereof, be transferred to the Secretary for administration as part of said area.

SEC. 5. (a) The Secretary may enter into an agreement, containing such terms and conditions as are mutually acceptable, with any State or political subdivision or agency thereof for the permanent management, development, and administration of any land or interests therein within the area of an estuary and adjacent lands which are owned or thereafter acquired by a State or by any political subdivision thereof. Such agreement shall, among other things, provide that the State or a political subdivision or agency thereof and the Secretary shall share equally in the cost of managing, administering, and developing such areas. State hunting and fishing laws and regulations shall be applicable to such areas to the extent they are now applicable.

(b) Any area covered by an agreement entered into pursuant to this section shall be deemed a national estuarine area for the purposes of this Act.

(c) In furtherance of the effective administration of any area covered by an agreement entered into under this section, the Secretary may acquire in accordance with the provisions of section 4(a) of this Act not to exceed one thousand acres within the boundaries of said area and such acquired land shall be subject to said agreement.

SEC. 6. In order to carry out the purposes of this Act, the Secretary may—

(a) construct, operate, install, and maintain buildings, devices, structures, recreational facilities, access roads, and other improvements on property acquired by him or covered by an agreement entered into pursuant to this Act, and

(b) enter into agreements with any person or public or private agency or organization through negotiation for the provision of public accommodations.

SEC. 7. (a) The Secretary shall permit hunting and fishing on lands and waters within any national estuarine area approved by Congress in accordance with applicable State laws and regulations, except that the Secretary may by regulation designate zones where, and establish periods when he may close the area to public uses, or limit public uses. Except in emergencies, any regulations of the Secretary under this section shall be effective only after consultation with the State agency responsible for hunting and fishing activities. Nothing in this Act shall limit or interfere with the authority of the States to permit or regulate the fish, shellfish and wildlife resources in any waters within an estuarine area administered by the Secretary. Nothing in this Act shall affect the authority of the Secretary under other provisions of law to regulate migratory birds.

(b) No person shall knowingly violate any regulation of the Secretary relating to the public use of any national estuarine area, or injure, remove, or destroy any property or improvement of the United States therein.

(c) Any person authorized by the Secretary to enforce the provisions of this section may, without a warrant, arrest any person violating this section in his presence or view, and may execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of this section, and may, with a search warrant, search for and seize any property taken, used, or possessed in violation of this section. Any property seized, with or without a search warrant, shall be held by such person or by the United States marshal pending disposition thereof by the court.

(d) Any person who violates the provisions of this section or any regulation issued thereunder shall be fined not more than $500 or be imprisoned not more than six months, or both.

SEC. 8. (a) Except as provided in section 9 of this Act, before any person conducts any dredging, filling, or excavation work within any estuary such person shall file with the Secretary prior to initiating such work a notice of intention to conduct such work together with such plans, specifications, and other information relative to such work as the Secretary may require by regulation. No such work shall be commenced until authorized by the Secretary. After receipt of such notice the Secretary shall, within a reasonable time, authorize such person to commence the work in accordance with such terms and conditions as the Secretary deems desirable, unless he determines, in his discretion, (1) that such work will unreasonably impair the natural resources of the estuary, or (2) that such work will reduce the quality of the waters of the estuary below applicable water quality standards, except that, notwithstanding the adverse effect such work will have on natural resources, the Secretary shall permit such work whenever he determines that it is in the public interest to do so. The Secretary may at the request of any Federal, State, or local agency or any interested person or on his own motion hold public hearings relative to whether such work should be commenced. The Secretary shall not authorize such work if the Governor of the State or States wherein the estuary is located notifies the Secretary that he objects to such work.

(b) The Secretary shall establish regulations to govern the dumping of dredgings, earth, garbage, or other refuse materials of every kind or description, except refuse materials flowing from streets or sewers in a liquid state, or oil as defined in the Oil Pollution Act, 1924, into any estuary or into any other waters which would have a detrimental effect on any estuary. Such regulations shall be designed to conserve and protect the natural resources in such estuaries, and to prevent the pollution therein, including pollution by leaching from dumping in adjacent areas.

(c) In carrying out the provisions of this section, the Secretary is authorized to conduct directly or by contract such studies and investigations as he deems desirable in accordance with the applicable provisions of the Fish and Wildlife Act of 1956, as amended, and to accept and use for this purpose funds made available by anyone, including persons seeking to conduct such work in an estuary.

(d) If the Secretary believes that any person is violating or is about to violate, with or without knowledge, the provisions of this section, or any regulations issued thereunder or any condition in any notice issued thereunder, he may request the Attorney General to seek appropriate relief in the United States district court where such person resides or is doing business to abate such actual or threatened violation.

(e) Any person who knowingly violates any provision of this section or any regulations issued thereunder or any condition in any notice issued thereunder shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $2,500, or imprisoned for not more than one year, or both.

(f) In accordance with the policy established by Congress in the Act of August 31, 1951 (63 Stat. 290), the Secretary shall, to the greatest extent practicable, recover from persons seeking to conduct any dredging, filling, or excavation work in any estuary all reasonable costs incurred by him in administering this section, and all sums received to cover such costs shall be credited to the appropriation from which payments for the administration of this section were made.

(g) Nothing in this section shall be construed as affecting the authority of the Secretary of the Army to issue permits for dredging, filling, or excavation work in any estuary under any other provisions of law. The Secretary of the Interior and the Secretary of the Army shall, prior to the effective date of this section, enter into such agreements as may be appropriate to avoid duplication of effort and to insure the expeditious handling of requests for dredging, filling, and excavation work.

(h) The Secretary shall provide, by regulation, that the provisions of subsection (a) of this section shall not apply in the case of any work to be initiated by the owner of a single-family residence if such work relates solely to the use and enjoyment of said residence by such owner or his tenant.

(i) The provisions of this section and regulations issued pursuant to this section shall be effective after one hundred and eighty days following the date of enactment of this Act, except that (1) the Secretary's authority to issue such regulations shall become effective on such date, and (2) the Secretary may by notice published in the Federal Register postpone the effective date of such provisions and regulations but not beyond an additional one hundred and eighty days.

SEC. 9. (a) Section 8 of this Act, other than subsections (c) and (g) thereof, shall not apply in any State which the Secretary determines has a system for the protection and conservation of estuaries which will adequately and effectively carry out the purposes of this Act. For the purpose of making this determination, the Governor of each State shall submit to the Secretary, within ninety days after the effective date of this Act or at such times thereafter as the Secretary may prescribe, for his approval a State plan for the protection and conservation of estuaries. The State plan shall:

(1) require any person, before conducting any dredging, filling or excavation work within any estuary, to file with the appropriate State authority a notice of intention to conduct such work together with such plans, specifications, and other information relative to such work as the State authority may require by regulation, and provide that no such work shall be commenced until author-

ized by such State authority in accordance with such terms and conditions as the State authority deems necessary to assure that such work will not unreasonably impair the natural resources of the estuary or will not reduce the quality of the waters of the estuary below applicable water quality standards, except that notwithstanding the adverse effect such work will have on natural resources, the State authority may permit such work whenever it determines that it is necessary in the public interest;

(2) provide, for the purposes set forth in section 8(b), for the regulation of the dumping of dredgings, earth, garbage, or other refuse materials of every kind or description, except refuse materials flowing from streets or sewers in a liquid state, or oil as defined in the Oil Pollution Act, 1924, into any estuary in such State or into any other waters in such State which would have a detrimental effect on any estuary in or outside of such State;

(3) provide for the administration or supervision of the plan by a State department, commission, or agency exercising primary administration over the natural resources therein;

(4) identify all the estuaries located in whole or in part in such State;

(5) set forth the criteria and standards to be followed in determining whether dredging, filling, or excavation work will be permitted in any estuary located in whole or in part in the State;

(6) set forth the plans, policies, and methods to be followed in carrying out the State plan;

(7) provide an enforceable regulatory system for the purposes of clauses (1) and (2) and for ascertaining the views and recommendations of interested persons and public agencies in establishing provisions required by such clauses; and

(8) provide that such department, commission, or agency shall make reports in such form and containing such information as the Secretary may from time to time reasonably require to carry out his functions under this Act.

(b) (1) Whenever the Secretary, after notice and an opportunity for a hearing, determines (A) that the approved State plan or amendments thereto have been so changed that they no longer comply with the requirements of subsection (a) of this section, or (B) that, in administering said plan, there is a failure to comply substantially with such requirements, he shall notify the Governor of the State that section 9 shall apply to the estuaries located therein until he is satisfied that such deficiencies have been corrected.

(2) In any case in which the Secretary determines that irreparable damage may result to any national estuarine areas from any such change or failure, the Attorney General at the request of the Secretary shall bring a civil action in the appropriate district court of the United States for the purpose of obtaining such preventive relief, including a permanent or temporary injunction, restraining order or other order, as may be necessary to prevent such damage.

SEC. 10. For the purposes of sections 8 and 9 of this Act, the terms "estuary" and "estuaries" include inshore waters of the Great Lakes, their connecting waterways, and their associated marshes up to the ordinary high water mark.

SEC. 11. In planning for the use or development of water and land resources, all Federal agencies shall give consideration to estuaries and their natural resources, and all project plans and reports submitted to the Congress shall contain a discussion by the Secretary of such areas and such resources and the effects of the project on them and his recommendations thereon.

SEC. 12. The Secretary shall encourage States and local subdivisions thereof to consider, in their comprehensive planning and proposals for financial assistance under the Federal Aid in Wildlife Restoration Act (50 Stat. 917), as amended (16 U.S.C. 669 et seq.), the Federal Aid in Fish Restoration Act (64 Stat. 430), as amended (16 U.S.C. 777 et seq.), the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), the Commercial Fisheries Research and Development Act of 1964 (78 Stat. 197), and the Anadromous Fish Conservation Act of October 30, 1965 (79 Stat. 1125), the needs and opportunities for protecting and restoring estuaries in accordance with the purposes of this Act. In approving grants made pursuant to said laws for the acquisition of all or part of an area surrounding an estuary by a State, the Secretary shall establish such terms and conditions as he deems desirable to insure the permanent protection of such area, including a provision that the lands or interests therein shall not be disposed of by sale, lease, donation, or exchange without the prior approval of the Secretary.

SEC. 13. Nothing in this Act shall restrict or extend such jurisdiction as the States now have with respect to State water laws, nor be construed as an express or implied claim or denial on the part of the United States as to exemption from State water laws.

SEC. 14. Nothing in this Act shall be construed to affect the authority of the Secretary of the Army or the Chief of Engineers to carry out any Federal project heretofore or hereafter authorized, except that, in the case of any national estuarine area authorized by Congress or established by agreement with a State pursuant to this Act the authority of the Secretary of the Army or the Chief of Engineers to undertake or contribute to shore erosion control, dredging, filling, or beach protection measures within the boundaries of such area shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Army and the Secretary of the Interior and that is consistent with the purposes of this Act.

RELIEF FOR CERTAIN VETERANS PURCHASING HOMES

Mr. TOWER. Mr. President, on behalf of myself and Senators BENNETT, CANNON, CARLSON, CLARK, CURTIS, DODD, DOMINICK, ERVIN, HARRIS, HOLLAND, HOLLINGS, INOUYE, MCCARTHY, and YOUNG of North Dakota, I introduce, for appropriate reference, a bill to amend chapter 37 of title 38, United States Code, with respect to the benefits afforded veterans purchasing homes with the assistance of Veterans' Administration guaranteed loans.

This bill represents an effort to bring about some measure of relief for a situation that is frequently faced by veterans who have sold their homes on a loan assumption basis. I am sure that most if not all Senators have had this problem posed to them at one time or another, and that is that instance whereby a veteran who has originated a mortgage loan guaranteed by the Veterans' Administration subsequently sells his property to a purchaser who agrees to assume his loan and at some time subsequent to such sale the assuming purchaser allows the mortgage loan originated by the veteran to fall into a condition of default. In all too many of these instances, the veteran is apprised of such a situation when it is too late for him to take steps to protect his interests, if indeed he is even aware of such default at all.

The situation giving rise to the severest hardship on the veteran is where the mortgage lender has been compelled to initiate foreclosure proceedings against such a defaulting subsequent purchaser to protect its interests and has sold the property formerly owned by the veteran at public sale for an amount that is not sufficient to cover the outstanding balance owing on the mortgage loan and the mortgage lender has resorted to the Veterans' Administration guarantee to make up the resulting deficit. In such instances, the Veterans' Administration usually exercises its right to proceed against the original veteran-mortgagor for the amount that it has paid the mortgage lender under the loan guarantee; it is also at this point in many cases that the veteran first has any awareness of the default status of the mortgage loan he originally initiated, and he not only is belatedly confronted with the default crisis, but also must face the usually disastrous situation of being called upon to repay the Veterans' Administration an amount that could in some situations be thousands of dollars. This is not only potentially disastrous to the veteran from the viewpoint of having to come up with a substantial amount of money to cure an unwarranted obligation, but also the veterans' credit standing in his community is placed in a state of jeopardy and possible ruination.

The shock and irony of this situation is particularly compounded in those cases where the veteran has felt compelled by existing market circumstances to literally give his equity to the subsequent purchaser in return for such party agreeing to continue the veteran's monthly loan payments until the outstanding mortgage balance is paid off.

In many such resale situations, the veteran mistakenly believes that he has relieved himself of any future obligation under the terms of his mortgage by simply procuring a purchaser who is willing to contract to assume the outstanding mortgage indebtedness. This is not the case unless the mortgage lender is willing to release the veteran from such liability and substitute the purchaser in his place. However, this aspect is a matter of personal contract between the veteran and the mortgage lender, and is not within the purview of this bill. I am only addressing myself to the relationship between the veteran and the Veterans' Administration, and not that of the veteran and the mortgage lender.

Mr. President, my bill would amend the existing law as it relates to two situations where a veteran-mortgagor requests the Veterans' Administration to release him from liability under its guarantee when he sells his property to a purchaser willing to assume full responsibilty for the repayment for the outstanding balance of his loan. Such requests for waiver of liability are usually granted only in those instances where the subsequent purchaser contracts to assume such loan in form satisfactory to the Administrator and is deemed by the Administrator to possess adequate financial strength. The bill requires the Administrator to grant the veteran a release from his continuing liability to the Veterans' Administration in those instances where the veteran sells his property as a direct result of being called to active duty in any branch of the armed services for purposes other than training, or if in connection with active duty service the veteran is transferred by official orders from one duty station to another. This would simply seek to set apart these two deserving circumstances where the Administrator should be required to relieve the veteran from the fear and apprehension of being held personally liable for any possible future default of a subsequent purchaser of his property. Of course, such subsequent purchaser would still have to contract for the assumption of the loan in form satisfactory to the Administrator.

In those instances where the veteran is called to active duty by the armed services or is transferred from one duty station to another, and as a result is compelled to sell his property to a purchaser willing to assume his Veterans' Administration guaranteed loan, I feel that the law should recognize that the veteran would not have disposed of his property but for the fact that the Government has directed his removal to an area other than where he then resided, and accordingly, he should not be confronted with the possibility, however remote, of a deficit claimed against him under his Veterans' Administration guarantee.

Additionally, my bill would amend that portion of the law relating to loan default procedures and would expand the applicable section to allow the Administrator of the Veterans' Administration, if he finds that a veteran's loan has fallen into default as a result of these particular circumstances, to extend the time for the curing of any such default for such period as the Administrator determines to be necessary and desirable, or would allow the Administrator to modify the terms of such loan for the purpose of changing its amortization provisions, thus making a veteran's mortgage loan more livable in deserving situations. At present, the Administrator can extend such relief in those instances where he determines that a loan has fallen into default as a result of the closing in whole or in part of a Federal installation. The expansion of these already existing prerogatives to include the two situations I have outlined would provide relief for the hardship involved where the veteran finds it difficult to continue making payments on his loan under its then existing terms.

Mr. President, I know that there are two sides to every coin and that every fact situation has to be closely scrutinized before an objective and fair stand can be taken on any given problem, particularly in an area as complex as this. However, I for one feel inclined to give the veteran the reasonable benefit of every doubt in the situations which I have described, particularly when close inquiry would seem to indicate that somewhere in the process of administering this program there lies an area of harshness that is in most instances construed against the very person that the veteran's loan program is intended to benefit, that is, the veteran. In fairness to both the program and the veteran, we should make every possible effort to eliminate areas of possible misunderstanding and insure that the program is administered as fairly and consistently as possible.

The record of the veteran's loan program has been extremely outstanding and I do not in any way mean to imply that the administering of the program in these foreclosure situations has been intentionally weighed against the best interests of the veteran. To the contrary, the veteran usually has been provided help and guidance in his efforts to resolve his difficulties. However, I, as I am sure is the case of all Senators, want to be receptive to all means and suggestions whereby we can anticipate such areas of difficulty and thus hold to a minimum these conflicting situations between the veteran and his Government. I would also emphasize that it is not intended that the veteran's responsibility as a borrower should be any less than that of any other person. Rather, I would propose that we endeavor to improve upon the procedures involved in these foreclosure situations so as to assist, and help make possible, the exercise of such responsibility by the veteran.

I ask unanimous consent that the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2376) to amend chapter 37 of title 38, United States Code, to provide relief for certain veterans purchasing homes with assistance under such chapter who have been recalled to active duty, introduced by Mr. TOWER (for himself and other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2376

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1816(b) of title 38, United States Code, is amended by inserting after "a Federal installation," the following: "or was due to exigencies arising out of the fact that prior to such default such veteran had been ordered to active duty (for purposes other than training) in any branch of the armed forces of the United States, or in the United States Coast Guard,".

SEC. 2. Section 1817 of title 38, United States Code, is amended by adding at the end thereof the following: "The Administrator shall issue such release to any such veteran, without regard to the requirements set forth in clause (2), if he determines that the veteran (i) has been ordered to active duty (for purposes other than training) in any branch of the armed forces of the United States, or in the United States Coast Guard, (ii) is being, or has been, transferred from the area in which such residential property is situated as the result of orders received in connection with such active duty, and (iii) has disposed, or contracted to dispose, of such property as the result of such orders to active duty or transfer."

SOCIAL SECURITY AMENDMENTS OF 1967—AMENDMENT

AMENDMENT NO. 295

Mr. RIBICOFF. Mr. President, I send to the desk an amendment to H.R. 12080, the Social Security Amendments of 1967, to amend title II of the Social Security Act to continue to exclude firemen from the insurance system, except where such system is made available as a supplement to fire department pension systems, and ask that it be printed.

In 1954, when Congress made social security available to State and municipal employees, it specifically excluded firefighters and policemen who were under State or local retirement plans from coverage under the insurance system. The exclusion is provided for in section 218 (d) (5) (A), and is generally known as the exclusion clause.

The nature of the duties of firefighters is such that it requires retirement at a far earlier age than that provided for under social security. This work demands physical strength, agility, coordination, stamina, and endurance. Most men begin to lose a good part of these characteristics after they reach age 50, thus reducing their effectiveness on the job. Early retirement for such workers is, therefore, necessary in order to maintain efficiency in the firefighting service.

By the same token, the rigors of firefighting have an increasingly damaging impact on the health of fire department members with each succeeding year after age 45. Medical science has established that advancing age and the work of firefighters frequently is the reason why such men suffer from heart disease. If we are to afford reasonable health protection to the men engaged in this hazardous occupation, firefighters must be permitted to retire at an early age.

If social security were made available to firefighters without being accompanied by adequate safeguards to protect the integrity of their State or local retirement systems, such systems would be placed in jeopardy. Where we have liberal benefits and early retirement, quite often it is only the exclusion clause which prevents municipal administrators from integrating social security with, or substituting social security for the local retirement system.

Further, the unqualified availability of social security would serve as a bar against improving those retirement systems which do not measure up to the retirement standards required in firefighting.

Both of these points have been clearly established by a 1965 survey of 463 fire department retirement plans in the United States. The survey conducted by the research department of the International Association of Fire Fighters shows the following: 92 percent permit retirement at age 55 or less; 92 percent retire at 50 percent of salary at their minimum retirement age; 94 percent have on-duty disability coverage; 92 percent have nonduty disability coverage; and 91 percent have duty and nonduty survivor benefit coverage.

Only 13 percent of the cities surveyed reported that they covered their firefighters in whole or in part under social security. With the exception of those in New York, where there is a State constitutional provision which prohibits any diminution of the retirement benefits of public employees, virtually all of such cities indicated that their benefits were adversely affected thereby.

There are those who argue that the

firefighters have nothing to fear; that the referendum provisions of the Federal statute protect them against being forced under social security against their will.

Unfortunately this theory ignores the fact that section 218(d)(6)(C) now permits 18 States to divide their retirement system so that a single fire department member can compel every future member of his department to come under social security.

Section (a) of my amendment continues the clause which excludes from the old-age and survivors' insurance system firemen who are covered by a retirement system. However, this exclusion clause notwithstanding, the insurance system may be made available to such firemen, provided that it is extended to such employees as a supplement and an addition to the benefits which such employees are entitled to receive under their retirement systems.

Firemen have strongly resisted efforts to repeal the exclusion clause because such repeal would give the State the right to unilaterally determine the conditions under which the insurance system would be made available or forced upon them. They view this as a direct threat to their own retirement systems which are better designed than social security to cope with the peculiar needs of the safety services.

On the other hand, those who have argued that social security should be made available to firemen have said that it is not their intent to weaken or impair local retirement systems. As evidence of this, they point to the declaration of policy by Congress which states that such retirement systems shall not be impaired as the result of, or in anticipation of an agreement which extends social security to State or municipal employees.

Unfortunately, this declaration has no legal effect on States or municipalities. Therefore, in order to make absolutely certain that the intent of this declaration is fulfilled with respect to firemen, the amendment provides that the only terms under which social security can be made available to such employees is as a supplement and an addition to their own retirement systems.

This does not prevent a State or municipality from changing the retirement systems of its firemen. It simply means that they cannot integrate social security with, or substitute social security for the retirement system. Instead, it can only be extended to firemen in those States which by statute require social security to be a supplement and an addition to their retirement systems.

This subsection also provides that social security cannot be made available to firemen unless it is approved by a majority of such employees in the retirement system. Voting in such a referendum would be limited to firemen.

It further protects the retirement systems of firemen to the extent that social security will not be made available where any such system, in effect on the effective date of this proposed act, or in effect 3 years prior to a referendum, is diminished or impaired.

This subsection does not affect firemen in those States which have been exempted from the exclusion clause.

Subsection (b) of this amendment removes firemen from the section of the Social Security Act—section 218(d)(6)(C)—which permits certain States to conduct a referendum on a divided vote basis. Under this system, a single fireman could bring social security to an entire department, even though the remainder of the department voted to be excluded.

Subsections (c) and (d) are technical amendments designed to bring certain other sections of the Social Security Act into conformity with the basic provisions of the amendment.

Mr. President, I ask unanimous consent that the amendment be printed in the RECORD at this point.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 295) was referred to the Committee on Finance, as follows:

On page 46, after line 23, add a new section 119 to read as follows:

"SEC. 119 (a) subparagraph (A) of section 218(d)(5) is amended by striking out the period at the end of the sentence and by adding thereto: 'covered by a retirement system, except, this notwithstanding, such insurance system may be extended to such service in any fireman's position in any State which has a statute requiring that such insurance system shall be a supplement and an addition to such retirement system, as it applies to such fireman's position, provided that such extension shall be in compliance with paragraph (3), and provided that no agreement with a state may be made applicable to such service, if the protection afforded any such fireman under his retirement system, in effect on the effective date of this act, or in effect three years prior to the holding of a referendum in accordance with paragraph (3), is diminished or impaired. For purposes of the preceding sentence, a retirement system which covers—and

"'(i) positions of firemen and other positions, shall be deemed to be a separate retirement system with respect to the positions of such firemen and no positions of other persons may be included in any such separate retirement system."

nothing herein shall effect any agreement authorized by paragraph (p).'

"(b) Subparagraph (C) of section 218(d)(6) is amended by adding thereto:

"'Nothing herein shall apply to service in any fireman's position.'

"(c) Subparagraph (D) of section 218(d)(8) is amended by striking out 'agreements with interstate instrumentalities' and inserting in lieu thereof 'agreements authorized by section 1 of this act.'

"(d) Paragraph (3) of section 218(k) is repealed."

SOCIAL SECURITY AMENDMENTS OF 1967—AMENDMENT

AMENDMENT NO. 296

Mr. RIBICOFF. Mr. President, I send to the desk an amendment to H.R. 12080, the Social Security Amendments of 1967, to allow States, under Federal-State agreements, to provide hospital coverage under medicare for certain State and local employees whose services are not otherwise covered by social security and ask that it be printed. It is designed to fill a gap in our medicare coverage effecting State and local employees and is identical to S. 1071.

On July 1, 1966, hospitalization coverage under medicare began for nearly 20 million Americans age 65 or over. All Americans who reach age 65 before 1968 will be similarly covered, whether they are eligible for social security retirement benefits or not. But, after January 1, 1968, a person must be covered by the social security retirement system to be eligible for medicare hospitalization insurance. Although generally equitable, this creates a severe problem for employees of State and local governments.

Although most employees in the United States are now automatically covered by social security, this is not true with regard to employees of State and local governments. Social security coverage involves a tax on employers as well as on employees. In this case, however, the employer is a State or local government. The Congress, not wanting to be in the position of attempting to tax a State or local political unit, excluded their employees from compulsory participation in the social security system.

The law does allow, however, for voluntary agreements for the coverage of most State and local employees. Whether or not services to a State or local government are to be covered depends on the State, which must work out a coverage agreement with the Secretary of Health, Education, and Welfare. Members of local retirement systems, however, must approve coverage by referendum.

As of January 1965, approximately 2.6 million positions in State and local employment were not covered by social security. Thus, the individuals in these positions will not be eligible for the hospitalization insurance provisions of medicare unless they have attained social security coverage in other employment. These are employees who are not covered by Federal-State agreements bringing them under social security. In most cases, they are covered by retirement systems of their own. These public employees, although members of State or local retirement systems, do not have programs similar to the hospital insurance program available to them. Many are willing to pay for such insurance, but under present law, are precluded from doing so unless the State brings them under the social security retirement system as well.

I am particularly concerned about this gap in medicare's hospital insurance coverage because among those excluded are over 689,000 public school teachers across the Nation. These are teachers who have devoted their lives to educating the children in a dozen States across the Nation—States which have excellent retirement systems—but they will be excluded from medicare's hospital insurance. My amendment will allow them to elect to participate in the hospital insurance program as long as they are willing to pay their own way. Nothing could be fairer than that.

I ask that there be printed in the RECORD at this point a table showing the States whose teachers are not covered by social security as a result of their employment as teachers.

There being no objection, the table was ordered to be printed in the Record, as follows:

Area:	*Instructional personnel*
California	181, 200
Colorado	24, 240
Connecticut	29, 750
Florida	58, 212
Illinois	95, 532
Kentucky	29, 500
Louisiana	36, 100
Maine	10, 380
Massachusetts	53, 200
Missouri	41, 798
Nevada	5, 030
Ohio	97, 000
Puerto Rico	19, 860
Rhode Island	7, 891
Total	689, 693

Mr. RIBICOFF. Mr. President, there is no reason why these employees should not be brought under the basic hospital insurance program without requiring them to participate in the social security retirement program. The basic hospital insurance program is financed by a payroll tax completely separate from the regular social security tax. Income from the hospital insurance payroll tax will go into a separate trust fund to pay the benefits and administrative expenses of the hospital insurance program. It is a completely separate insurance program. Allowing these public employees to participate in the hospital insurance program will actually improve that program by broadening the number of persons covered.

My amendment provides that those State and local employees not now included under an agreement providing social security coverage may be covered by hospital insurance only. The agreement provisions under which a State may make hospital insurance available in the referendum provisions to accomplish coverage are similar to those now in effect for social security retirement coverage of State and local employees. A majority of the employees in the coverage group in question must vote for coverage. The amendment covers only those employee groups which may currently be subject to Federal-State agreements. Thus, there should be no unknown administrative problems connected with implementation.

The employees and their employers will pay for the coverage of hospital insurance according to the schedule now set out in the law. Thus, these employees will in no way be getting a free ride. They and their employers will pay their own way. The payments would go into the separately established hospital insurance trust fund, which is, of course, completely separate from the OASDI trust fund.

The enactment of this legislation will bring another large group of Americans under the protective provisions of the hospitalization insurance program. This is beneficial to the program as well as to these employees.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 296) was referred to the Committee on Finance.

REVISION OF FEDERAL ELECTION LAWS—AMENDMENT

AMENDMENT NO. 297

Mr. COOPER submitted an amendment, intended to be proposed by him, to the bill (S. 1880) to revise the Federal election laws, and for other purposes, which was ordered to lie on the table and to be printed.

SOCIAL SECURITY AMENDMENTS OF 1967—AMENDMENT

AMENDMENT NO. 298

Mr. KENNEDY of Massachusetts. Mr. President, the Social Security Amendments of 1967, recently passed by the House, are comprehensive changes in existing law. They do not, however, include certain changes which I think should be made. I am today proposing one amendment to H.R. 12080, which I send to the desk and ask to be printed.

I have previously this session discussed the subject matter of this amendment, and I refer my colleagues' attention to the Congressional Record of May 2, 1967.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 298) was referred to the Committee on Finance.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. MILLER. Mr. President, I ask unanimous consent that at the next printing of S. 2053, to amend title II of the Social Security Act to provide for periodic cost-of-living increases in monthly benefits payable thereunder, the names of the following Senators be added as cosponsors: Mr. Baker, Mr. Boggs, Mr. Brooke, Mr. Carlson, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Kuchel, Mr. Murphy, Mr. Scott, Mr. Thurmond, Mr. Tower, and Mr. Young of North Dakota.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARTLETT. Mr. President, I ask unanimous consent that at the next printing of S. 2067, to provide for the protection of the public health from radiation emissions from electronic products which are in commerce or are imported into the United States, that the junior Senator from Rhode Island [Mr. Pell] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FONG. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the joint resolution (S.J. Res. 106) regarding the status of the Trust Territory of the Pacific Islands.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from California [Mr. Murphy], and the Senator from New York [Mr. Javits] be added as additional cosponsors of the joint resolution (S.J. Res. 104) to establish an advisory commission to study and report on the adequacy of the U.S. merchant marine fleet.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR—S. 2140

Mr. COTTON. Mr. President, I ask unanimous consent that my name be added as a cosponsor to S. 2140, to authorize the exchange of certain vessels for conversion and operation in nonsubsidized service between the west coast of the United States and the territory of Guam, at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, this bill, introduced by the distinguished Senator from Alaska [Mr. Bartlett], would authorize the Secretary of Commerce, acting through the Maritime Administration, to trade out in exchange for obsolete vessels two C-4-type ships for the purpose of conversion and operation in nonsubsidized service between the United States and the Territory of Guam.

Basic authority for this proposal is contained in section 510(i) of the Merchant Marine Act of 1936. This section, known as the Vessel Exchange Act, was designed, as the Senator from Alaska so ably pointed out, to upgrade that portion of the U.S.-flag fleet not operating under construction differential subsidy. The legislative intent is clear, that traded out vessels would not be eligible for operating subsidy and would be used only in nonsubsidized service. Obviously, this was intended to prevent the subsidized lines from avoiding their contractual ship replacement obligations.

It is also clear, however, that the peculiar situation to which this bill is directed was not contemplated at the time, or at such later times as the act was under consideration. In brief, this involves the unusual exception to the general rule, where a subsidized company directly operates a nonsubsidized service between the west coast of the United States and the Territory of Guam. While this service has been completely unsubsidized for many years, the fact that the operating company receives subsidy for service other than to Guam raises some question as to its eligibility under the Vessel Exchange Act which should be clarified. The need for modernized equipment in this service is apparent. Aside from the unfortunate loss of one of the existing vessels by collision earlier this year, the trend toward containerization and the growing needs of the Guam community make it imperative that replacement vessels be made available as soon as possible. In support of this contention, I quote the text of a telegram from the Honerable Manuel F. L. Guerrero, Governor of Guam, which emphasizes the existing need:

> Government of Guam urges favorable consideration Pacific Far East Lines application for two C-4 ships under Vessel Exchange Act. These ships to be converted to containerization and will greatly improve Lines West Coast to Guam service which vital to Territory's economy. Commercial tonnage handled here, discharged and loaded, increased from 246,854 in FY64 to 274,990 in FY66. Gross

volume commercial business activity up from $124.7 million to $136.2 million same period. Government investing $16 million in new commercial port and containerization would cut costs in serving our fast-expanding civilian population which increased from 44,892 to 53,744 last three years.

It is my strong feeling that this legislation is badly needed and that it is not inconsistent with the original objectives of the act. Accordingly, it is my hope that it will receive favorable consideration at the earliest possible time.

AFRICAN WILDLIFE IN DANGER—ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the name of the junior Senator from New York [Mr. KENNEDY] be added as a cosponsor of Senate Concurrent Resolution 41, expressing the sense of Congress with respect to the need for worldwide conservation of wildlife, calling of the convening of an international conference for the preservation of endangered species of wildlife, which was introduced on Monday of this week.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, 2 days ago I introduced a concurrent resolution (S. Con. Res. 41), calling for the United States to take the initiative in promoting a worldwide conference on the conservation of wild animals.

I have introduced this legislation three times, in the last three Congresses. On each occasion it has received the support of the Department of State and the Department of the Interior.

Public interest in the fate of wild animals facing extinction is now beginning to be awakened, largely through the efforts of certain parts of the news media which have grasped the urgency of the problem. The most recent of the efforts is a two-page article which appeared in a Newsweek article the day after I introduced the resolution. The article is a well researched and compelling argument for the conservation of the magnificent animals of Africa before it is too late to save them. Articles like this will help the public to realize that, as the great conservationist William Hornaday said:

> The wildlife of the world is not ours, to dispose of wholly as we please. We hold it in trust, for the benefit of ourselves and for equal benefits to those who come after us.

The situation, as Newsweek demonstrates so vividly, is critical. I hope that responsible journalism such as this will help the public and the Senate to realize it.

Mr. President, I ask unanimous consent that an article from the Newsweek of September 3, 1967, entitled, "Can Africa's Wildlife Be Saved?" be inserted at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

CAN AFRICA'S WILDLIFE BE SAVED?

From Kenya to the Congo, the great migrant herds of wildlife that once roamed East Africa's 700,000 square miles of savanna-land and forest have all but disappeared. Some authorities, in fact, estimate that it has taken man less than 50 years to reduce the region's game population to a tenth of its former size. Now he is trying to keep that last remnant from vanishing altogether.

Decimated by poachers and dispossessed by livestock, the surviving herds have to a large degree become refugees in East Africa's thirteen national parks and its 91,000 square miles of game reserves. Here, to the casual tourist, there seems to be no end to the game. But ecologists and wardens involved in wildlife-management projects know better. They know that the sanctuaries alone offer scant protection. Indeed, in some cases, the parks themselves must be saved from the game. As the migration of wildlife into preserves increases, so does the pressure on the food supply of the animals already there. Last year, at Uganda's Murchison Falls Park, wardens were forced to "cull" (conservationese for kill) no fewer than 2,900 elephants and 2,000 hippopotamuses. A hippo can put away 150 pounds of grass in one night.

Land Settlement: The problems begin with man: quite simply, he is outbreeding and outranging the beasts. Since 1915, Uganda has given up three-quarters of its wildlife range to human habitation, cultivation and grazing. By the year 2000, its 8-million population will have more than doubled and gobbled up 20 million more acres of game land. In Kenya, where man currently requires a quarter of the land, half will be needed in 30 years—most of it for agricultural settlements and squatters practicing subsistence farming. And in Southeast Tanzania increased land settlement has resulted in what game warden Brian Nicholson calls a "straightforward clash between man and beast."

The very mention of an East African wildlife crisis once conjured up an image of the white hunter, armed with a high-powered rifle and an insatiable lust for blood. But today, the 100 professional hunters operating in East Africa are ardent—and admired—defenders of wildlife. The tradition began with the late Philip H. Percival, who escorted Teddy Roosevelt in 1910 and Ernest Hemingway 23 years later, on safaris, then spent his final years as East Africa's first game warden. But while professional hunters have been solicitous of wildlife, many Africans have not.

Official estimates of the number of animals killed each year by poachers in East Africa run as high as 300,000. Most of the lawbreakers are driven by hunger and habit. The Wakamba and Wasukuma, for example, come from an ancient line of proud—and protein-starved—hunters. But others, encouraged by traders on the coast, poach purely for profit. Their targets range from the black rhino, nearly extinct because its horn fetches $28 a pound on the Asian aphrodisiac market, to leopards, whose skins are worth thousands of dollars on the furrier's rack.

"The business of poaching is run like the opium trade," explains Nairobi white hunter Bill Ryan. "It's as tight as a drum." But so are the poaching penalties, which have become much harsher since *Uhuru*—Independence. The penalty in some areas: a $2,800 fine or five years in prison. In Kenya's sprawling Tsavo National Park, once a favorite haunt of elephant and rhino poachers, the government has practically eliminated the problem by hiring the most notorious game killers as control hunters.

By far the greatest single danger to Africa's wildlife comes in the form of nothing more sinister than scrawny herds of tick-ridden cattle competing with wildlife for grazing space across the scrubby grasslands. As long as disease and drought kept their stock to a minimum, East Africa's pastoral tribes traditionally shared these semi-arid regions with the game. But modern veterinary science has upset the balance. "It's all the white man's fault," says Tanzania National Parks planning adviser Philip Thresher "We've taught Africans how to increase their herds without teaching them how to control their stock rationally. Now there's the devil to pay."

In Uganda, the cattle population has doubled since 1930. Understandably, as domestic herds increase, tribal pastoralists become less willing to coexist with the wildlife. Animal husbandry has taught them that game can infect their stock with such diseases as anthrax and rinderpest.

Facing Spears: When Tanzania's Ngorongoro Crater was separated from the Serengeti National Park and demoted to conservation-area status in 1959, Masai tribesmen were allowed to graze cattle there. Crater conservator S.A. ole Saibull, a Masai himself, still manages to maintain a proper cattle-game ratio. But, as another Tanzanian park official told NEWSWEEK's Curt Hessler: "What if we have a drought? Masai from all around will bring their cattle into the area for water. Who's going to face those spears and say 'get out'?"

If cattle pose a danger to wildlife, they also represent disaster to the land itself. Where game is selective in feeding and rarely overgrazes, livestock will nibble pastureland to dust. Their hooves destroy the porous structure of the soil, compact it, expose it to erosion by wind or rain. The Great Rift Valley, running from the Red Sea to South Africa, was once lush forest and fertile plain. But indiscriminate overgrazing has reduced it to a dry, raw scar in the landscape. It may well be beyond reclaim.

Knowledge Gap: The production of field crops also complicates East Africa's delicate ecology and has noticeably increased the African's disdain for wildlife. Elephants trample his maize, buffalo batter his fences and chattering armies of baboons uproot any crop in their path. Yet most African farmers fail to understand why there are so many baboons to contend with. It rarely occurs to them that the answer might be related to the extirpation of leopard and cheetah that naturally prey on baboon and keep the ape's numbers in balance. "Somehow," says Robert Casebeer of the U.N.'s Food and Agriculture Organization, "we've got to show the tribes that most wildlife is valuable to them."

This is no small task. A surprising number of Africans know little or nothing about the great mammals with which they have shared a continent for centuries. A recent survey shows that eight out of ten Kenyan schoolchildren cannot even distinguish between a leopard and a hyena.

To close the knowledge gap, most of the national parks offer extensive education programs financed by U.S. and European foundations. The Washington-based African Wildlife Leadership Foundation (AWLF), for example, contributes a half-million dollars each year to conservation-education centers, including the 40-mile-square Nairobi National Park. Last year, 19,000 student visitors to this park were exposed to AWLF's message: wildlife is Africa's No. 1 asset.

Tanzania has fielded perhaps the most aggressive game-management and conservation programs. Since independence, the country has created no fewer than four national parks and such ambitious projects as the College of Wildlife Management at Mweka, high on the slopes of Mount Kilimanjaro. Founded in 1964 with a $25,000 grant from AWLF, the college is training 57 students from ten African countries to serve as park wardens and game officials. Though the U.N.'s FAO administers the college with a five-year grant of a half million dollars, funds and scholars also come to Mweka from the U.S. and West Germany.

The curriculum at Mweka ranges from elementary biology to a course in animal-population dynamics taught by 39-year-old Patrick Hemingway, son of the late chronicler of Africa's green hills. Hemingway spends half of each month in the field, teaching his students the practical aspects of game management, map interpretation, wildlife identification and "control" shooting. Despite their demonstrated desire and ability to learn some students would prefer to pursue a different profession. "Let's face it," says on Mweka instructor. "Africans want to get out of the bush and into the cities."

For the game, time may be running out unless more Africans than Mweka can train decide that wildlife deserves a share of the range. One way may be through Africa's ever growling stomach.

Most nutrition experts agree that humans require an average of 30 grams of animal protein daily—six times more than is being consumed by East Africans. Yet recent experiments show that many game animals may yield half again as much lean meat as livestock of equal weight. Moreover, many agriculturalists point out that East African pasture land can support game animals more productively than cattle. Says S. O. Ayoda, Kenya's Minister for Tourism and Wildlife: "The government is becoming convinced that a high production of animal protein can be maintained from wildlife on lands that might deteriorate under other forms of use."

The FAO, for another, is convinced that wildlife may yield a solution to the African's chronic hunger. For several years, Zambian wardens in the Lambwe Valley have been "cropping" wildlife for food. The carcasses are butchered in mobile abattoirs and transported to *dukkas* (markets) in the nearby Copper Belt.

Canned Gazelle: Even Hemingway foresees a need for a wildlife-canning industry in East Africa. Says Hemingway: "Our own experiments with home tinning of Thomson's gazelle meat have shown its quality to be quite comparable to the finest tinned tuna." But the "game as meat" concept is challenged by Dr. Igor Mann, former chief animal-industry officer for Kenya. "I've yet to see a self-supporting game-ranching scheme," says Mann. "Game meat isn't going to make anyone rich."

Perhaps not, but tourism—largely dependent on wildlife—does. It already ranks as Tanzania's fourth largest industry and Kenya's second largest. By 1970, it will be East Africa's biggest industry, grossing $75 million annually in Kenya alone. Clearly, Africa cannot afford to jeopardize the future of its wildlife—a resource that is every bit as vital to its economy as the copper mines of Katanga or the diamond fields at Kimberley. "Now is the critical time for African wildlife," says AWLF director Frank Minot, "the time when everything should be done at once."

NUCLEAR DESALTING PLANTS TO PROVIDE FRESH WATER FOR THE MIDDLE EAST—ADDITIONAL COSPONSORS

Mr. BAKER. Mr. President, I have the pleasure today to announce the cosponsorship of Senate Resolution 155 by the following distinguished Senators and to ask unanimous consent for the addition of their names at the next printing of the resolution.

The list consists of Senators MANSFIELD, DIRKSEN, HANSEN, SCOTT, BENNETT, CARLSON, COOPER, DOMINICK, JAVITS, PEARSON, PERCY, ALLOTT, CURTIS, FANNIN, GRIFFIN, HATFIELD, HRUSKA, HICKENLOOPER, KUCHEL, MILLER, TOWER, BOGGS, BROOKE, AIKEN, MORTON, MURPHY, FONG, JORDAN of Idaho, SMITH, THURMOND, PROUTY, COTTON, RANDOLPH, HOLLINGS, DODD, MUSKIE, TYDINGS, MCGEE, CLARK, BAYH, HARTKE, INOUYE, EASTLAND, LONG of Missouri, SPONG, KENNEDY of Massachusetts, JACKSON, MCINTYRE, RIBICOFF, KENNEDY of New York, and BYRD of West Virginia.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, it is indeed gratifying to me to have such broad bipartisan support for this resolution, which would make it the sense of the Senate to urge adoption of the Eisenhower plan for nuclear desalting plants to provide fresh water for the Middle East. I feel that the concept involved here—the use of nuclear energy to make peace instead of war, to create rather than destroy—is basic to world survival.

We all know the destructive force of the atom and nuclear power. From the moment of the explosion of the first atomic bomb in the New Mexican desert in 1945, the world has lived under the fearful shadow of a mushroom cloud of nuclear destruction. Those early bombs which unleased such horror on the Japanese cities of Nagasaki and Hiroshima have paled into insignificance in relation to the terrible new weapons of atomic destruction which have been devised.

We know that the wholesale destruction of civilization is no farther away than the push of a button.

But this does not have to be. At the same time that we have developed more powerful weapons of nuclear destruction, our scientists have been working diligently to harness nuclear energy for man's betterment.

President Eisenhower made great strides in this direction during his administration. Under his guidance, the nations of the world sat down together for the first time to learn how to pool their efforts to use atoms for peace. From this was formed the International Atomic Energy Agency which this year celebrates its 10th anniversary. Here we have the world's great nuclear scientists meeting and searching for ways to cooperate in using the power of the atom to make the world a better place to live in.

General Eisenhower has again come forth with a proposal in line with his unswerving belief that the atom can be used for peace.

General Eisenhower has suggested that the full force of nuclear energy as we know it today be applied to solving the differences between the Arab and Israeli peoples in the Middle East. He points out that the most crucial problem in that strife-torn area of the world is water. By applying our nuclear technology, we can, from the first plant to be built, supply more water than flows from the three principal tributaries of the historic Jordan River, the area's principal water source. In doing so we will provide work for thousands of refugees and we will turn arid desert land into fertile fields on which these people can live and work in peace.

It is a significant point in our development of nuclear power, I feel, that we can now discuss ways to move into an area of conflict and, instead of using the atom to blast the belligerents into submission, use it to erase their differences by providing them a base of cooperation and mutual interest.

The author of the forward-reaching plan sponsored by General Eisenhower was Adm. Lewis Strauss, the distinguished former Chairman of the Atomic Energy Commission, who, like the former President, has worked tirelessly to see that nuclear energy ceases to be a threat to civilization and becomes the promise of humanity. Tomorrow, I will have the high privilege and honor of going to Gettysburg, Pa., to meet with General Eisenhower and Admiral Strauss to discuss their plan in further detail. I would like now to outline briefly some of the pertinent parts of this plan.

The plan is based on the finding that, if sufficient quantities of fresh water can be furnished to the arid lands of the Middle East, the chronic shortages of an adequate food supply and meaningful work for residents and refugees alike can be alleviated. Admiral Strauss' vast experience, as a former Chairman of the Atomic Energy Commission, has led him to conclude that three very large nuclear desalting plants are both technically feasible and economically attractive as the means to provide the tremendous quantities of fresh water which the plan envisions. Two of the installations would be located at appropriate points on the Mediterranean coast of Israel and a smaller one at the northern end of the Gulf of Aqaba in either Jordan or Israel, as the most suitable terrain may dictate. The first plant would be designed to produce daily the equivalent of some 450 million gallons of fresh water—more than the combined flow of the three main tributaries which make up the Jordan River. It would also produce an amount of power which, though in excess of the present needs of the area, would attract industry and would be used to pump the fresh water into the water-starved areas of Israel, Jordan, and other Arab countries—perhaps even including part of Egypt east of the Nile Valley. Operation of the plants would be made the responsibility of the International Atomic Energy Agency, of which Agency each of the major belligerents, fortunately, is a member.

With respect to financing the project, Admiral Strauss proposes that a corporation be formed with a charter resembling that of Comsat, with the Government subscribing to half of that stock, the balance to be offered for public subscription in the security markets of the world. The amount to be raised, say $200,000,000, would be used to begin construction of the first of the three plants. The cost of the plants, beyond the sum raised by subscription, would be financed by an international marketing of convertible debentures bearing no interest for the first few years while the plant is being built.

The plan provides other benefits. It will, in a very practical sense, force upon the Israel and Arab Governments the need for cooperation in order to, for example, allocate water and power produced by the plants. Moreover, the plan provides a tangible means of further demonstrating the desire of the United States to find peaceful solutions to areas of conflict.

Mr. President, a possible acronym and name for this international corporation would be MEND—Middle East Nuclear

Desalting Corporation. I think this name would be particularly significant since the purpose of the company would be to mend the differences between these two great peoples of the Middle East and give them reason to live together in peace and harmony.

The distinguished chairman of the Foreign Relations Committee, Mr. FULBRIGHT, has been kind enough to indicate consideration of early hearings on this matter. I am very grateful for his interest and concern.

(At this point, Mr. BYRD of West Virginia took the chair as Presiding Officer.)

ARCHIE MOORE SPEAKS OUT—LAUNCHES OPERATION GARDENER

Mr. LAUSCHE. Mr. President, in Hamilton, Ohio, there is published the Butler County American. Its masthead states that it is "Negro edited, speaking for rights of all—majorities and minorities."

In its August 19 issue, there is published and article entitled "Guide or Misguide, Archie Moore Points Way by Launching Operation Gardener."

At the head of the column there is an editor's note, which reads as follows:

> Archie Moore, internationally known San Diegan and retired light heavyweight boxing champion of the world, told friends yesterday he feels that "everybody must take a stand in this time of internal crisis. A man who stands neutral stands for nothing." He then wrote the following statement and submitted it to The San Diego Union, which is printing it verbatim.

Mr. President, I want to read a few excerpts from Mr. Moore's statement. They are so apropos and pertinent to the times that they are worthy of the deepest consideration by every one of us:

> The devil is at work in America, and it is up to us to drive him out. Snipers and looters, white or black, deserve no mercy. Those who would profit from their brother's misfortunes deserve no mercy, and those who would set fellow Americans upon each other deserve no mercy.
>
> I'll fight the man who calls me an "Uncle Tom." I have broken bread with heads of state, chatted with presidents and traveled all over the world. I was born in a ghetto, but I refused to stay there. I am a Negro, and proud to be one. I am also an American, and I'm proud of that.

Mr. President, this is a ringing statement, apropos of the times, and bespeaks, in my opinion, the true thinking of the Negro in the United States as distinguished from the rabble rousers who have a greater love for foreign countries than they have for the land of their birth.

Mr. Moore further states:

> The young people of today think they have a hard lot. They should have been around in the '30s when I was coming up in St. Louis. We had no way to go, but a lot of us made it. I became light heavyweight champion of the world. A neighbor kid down the block, Clark Terry, became one of the most famous jazz musicians in the world. There were doctors, lawyers and chiefs who come out of that ghetto. One of the top policemen in St. Louis came from our neighborhood.

Mr. President, that is a breath of wholesome, fresh air. In my judgment, it describes the honest thinking of the Negroes of our country who are devoted to the cause of the United States and who recognize that the United States has provided a more abundant life for the poorest Negro than is enjoyed by millions of people around the world.

I ask unanimous consent to have the complete article written by Mr. Moore printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GUIDE OR MISGUIDE: ARCHIE MOORE POINTS WAY BY LAUNCHING OPERATION GARDENER

(EDITOR'S NOTE: Archie Moore, internationally San Diegan and retired light heavyweight boxing champion of the world, told friends yesterday he feels that "everybody must take a stand in this time of internal crisis. A man who stands neutral stands for nothing." He then wrote the following statement and submitted it to The San Diego Union, which is printing it verbatim.)

(By Archie Moore)

The devil is at work in America, and it is up to us to drive him out. Snipers and looters, white or black, deserve no mercy. Those who would profit from their brother's misfortunes deserve no mercy, and those who would set fellow Americans upon each other deserve no mercy.

I'll fight the man who calls me an "Uncle Tom." I have broken bread with heads of state, chatted with presidents and traveled all over the world. I was born in a ghetto, but I refused to stay there. I am a Negro, and proud to be one. I am also an American, and I am proud of that.

The young people of today think they have a hard lot. They should have been around in the '30s when I was coming up in St. Louis. We had no way to go, but a lot of us made it. I became light heavyweight champion of the world. A neighbor kid down the block, Clark Terry, became one of the most famous jazz musicians in the world. There were doctors, lawyers and chiefs who came out of that ghetto. One of the top policemen in St. Louis came from our neighborhood.

We made it because we had a goal, and we were willing to work for it. Don't talk to me of your "guaranteed national income." Any fool knows that this is insanity. Do we bring those who worked to get ahead down to the level of those who never gave a damn? The world owes Nobody—black or white—a living. God helps the man who helps himself!

Now then, don't get the idea that I didn't grow up hating the injustices of this world. I am a staunch advocate of the Negro revolution for the good of mankind. I've seen almost unbelieveable progress made in the last handfull of years. Do we want to become wild beasts bent only on revenge, looting and killing and laying America bare? Hate is bait, bait for the simple-minded.

Sure, I despised the whites who cheated me, but I used that feeling to make me push on. If you listen to the professional rabble-rousers, adhere to this idea of giving up everything you've gained in order to revenge yourself for the wrongs that were done to you in the past—then you'd better watch your neighbor, because he'll be looting your house next. Law and order is the only edge we have. No man is an island.

Granted, the Negro still has a long way to go to gain a fair shake with the white man in this country. But believe this: if we resort to lawlessness, the only thing we can hope for is civil war, untold bloodshed, and the end of our dreams.

We have to have a meeting of qualified men of both races. Mind you, I said qualified men, not some punk kid, ranting the catch phrases put in his mouth by some paid hate-monger. There are forces in the world today, forces bent upon the destruction of America, your America and mine. And while we're on the subject, do you doubt for a minute that communism, world communism, isn't waiting with bated breath for the black and white Americans to turn on each other full force? Do you want a chance for life, liberty and the pursuit of happiness in the land of your birth, or do you want no chance at all under the Red heel?

AFRICA'S A GREAT PLACE TO VISIT

There are members of the black community who call for a separate nation within America. Well, I do not intend to give up one square inch of America. I'm not going to be told I must live in a restricted area. Isn't that what we've all been fighting to overcome? And then there is the element that calls for a return to Africa.

For my part, Africa is a great place to visit, but I wouldn't want to live there. If the Irishmen want to go back to the Emerald Isle, let them. If the Slavs want to return to the Iron Curtain area, OK by me. But I'm not going to go to any part of Africa to live. I'm proud of ancestry, and of the country that spawned my forefathers, but I'm not giving up my country. I fought all my life to give my children what I'm able to give them today; a chance for development as citizens in the greatest country in the world.

I do not for a moment think that any truly responsible Negro wants anarchy. I don't think you'll find intelligent—no, let's rephrase that—mature Negroes running wild in the streets or sniping at total strangers. God made the white man as well as the black. True, we haven't acted as brothers in the past, but we are brothers. If we're to be so many Cains and Abels, that's our choice. We can't blame God for it.

TEACH THAT "ANY BOY CAN"

Something must be done to reach the Negroes and the whites in the ghettos of this country, and I propose to do something.

As a matter of plain fact, I have been doing something for the past several years. I have been running a program which I call the ABC—Any Boy Can. By teaching our youth, black, white, yellow and red, what dignity is, what self respect is, what honor is, I have been able to obliterate juvenile delinquency in several areas.

I would now expand my program, change scope. If any boy can, surely any man can. I want to take teams of qualified people, top men in their fields, to the troubled areas of our cities. I know that the people who participated in the recent riots, who are participating and who will participate, are misguided rather than mad.

If some bigot can misguide, then I can guide. I've spent too much of my life building what I've got to put it to torch just to satisfy some ancient hatred of a man who beat my grandfather. Those men are long dead. Do we have to choke what could be a beautiful garden with weeds of hate? I say No! And I stand ready to start "Operation Gardener." I invite the respected Negro leaders of our country to join me.

UPSTREAM WATERSHED JURISDICTIONAL DISPUTE

Mr. MUNDT. Mr. President, we have in the Senate a newly created subcommittee of the Committee on the Judiciary. This subcommittee was formed to examine into the separation of powers among the three branches of our Government. The new subcommittee has of recent days been holding hearings on the jurisdiction question of project work plan approval under the upstream watershed program.

One of the members of this subcommittee is the distinguished Senator from my neighboring State, Nebraska [Mr. HRUSKA]. On August 21, Senator HRUSKA addressed the Northern Plains Area meeting of the National Association of Soil and Water Conservation Districts. He used the occasion to report on what he had learned at the hearing held by our new subcommittee.

I think other Members of the Senate will find interest in his report. Therefore, I ask unanimous consent to have printed in the Record extracts from the remarks of our Nebraska colleague on that occasion.

There being no objection, the extracts were ordered to be printed in the Record, as follows:

Extracts From the Remarks of Senator Roman L. Hruska Before the National Association of Soil and Water Conservation Districts, Area V, Northern Plains Area, Omaha, Nebr., August 21, 1967

The subject I would like to discuss with you tonight might well be comic were the consequences not measured in human lives and millions of dollars in property damage.

We might all get a jolly laugh at the absurdity of a Mexican standoff between the Congress of the United States and the President of the United States.

We might find amusement in the fact that a lively debate can be constructed between the same man—Senator Lyndon B. Johnson and President Lyndon B. Johnson.

Instead the subject is a serious one. It has to do with the President's refusal to proceed with the development and construction of ten watershed projects, all of which have been proposed to the Congress by the Department of Agriculture, all of which have high benefit-cost ratios, all of which are assured of adequate funding.

Why has the President ordered the Bureau of the Budget to freeze funds for these projects? He maintains that the system under which the Senate and House committees for the past 13 years have been approving such projects is unconstitutional, that they "dilute and diminish the authority and powers of the President. . . . I do not want the Legislative (Branch) through two committees—to encroach upon the responsibilities of the Presidency."

This assertion by the President led Congressman Bill Cramer of Florida to comment, "For Johnson to accuse Congress of trying to usurp his powers is like accusing a herd of steers of trying to take over his spread."

Many of us in the Congress—I think I can safely say most of us—reject the President's reasoning. Our position is that the Congress can, if it chooses, delegate its functions to its appropriate committees. It does so every day and so long as the action has the approval of the Congress itself, it really is not the business of the Executive Branch.

So that—somewhat oversimplified—is what the contest is all about.

It happens that two of these frozen projects—Papillion Creek on which Milton Fricke and his associates have labored for so long, and an equally needed project on Clatonia Creek—are in Nebraska. So I would be intensely interested in this subject even if I were not a member of the Senate Subcommittee which handles the appropriations bills for the Department of Agriculture. And I would be further interested because I am a member of a newly created subcommittee of the Senate Judiciary Committee which was formed to examine this very problem of the separation of powers among the three branches of our government.

This subcommittee, chaired by Senator Sam Ervin of North Carolina and composed on the Democratic side of Senators John McClellan of Arkansas and Quentin Burdick of North Dakota and on the Republican side of Senator Dirksen and myself, has already held a number of hearings on this particular contest between the Executive and Legislative Branches.

Before I discuss those hearings and the prospects for the future, let me develop the historical perspective of the controversy and then point out some possible solutions.

To many of you this will be old hat and I seek your indulgence. But I think even those of you who have lived with this program since its inception may find the recital instructive.

Let's go back to 1953. The date is February 13. A Senator named Lyndon Johnson, speaking of the need for federal assistance in the area of small watershed projects, said this:

"At present there is no authority for direct local-federal cooperation on flood prevention programs in small upstream watershed areas. I introduce for appropriate reference a bill which is designed to close that gap. It is similar to legislation sponsored in the House of Representatives by my good friend, the Honorable W. R. Poage."

That, of course, was the bill that later became Public Law 566, the Small Watershed Act of 1954. Let's take a look at Section 5 of Senator Lyndon Johnson's bill:

"Before such installation involving federal aid is commenced, the Secretary of Agriculture shall transmit a copy of the plan and the justification therefor, to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate for their consideration. Unless either committee by resolution disapproves of the plan, the Secretary may proceed with participation in the installation of works of improvement."

That, ladies and gentlemen, is the so-called "committee veto," about which you have heard so much. It was written into his bill, S. 877, by *Senator* Johnson in 1953 and today is denounced by *President* Johnson as unconstitutional and an invasion of the powers of the Presidency.

Well, you say, perhaps that was just some "boilerplate" language that the bill drafter stuck in and perhaps Senator Johnson overlooked it. Let's take a closer look.

Since the Senate and House versions of the Johnson and Poage bills differed, there was a conference committee. The conferees approved language which required the submission of watershed plans to the Congress 45 days before construction began and barred appropriations for these projects without approval of the appropriate committees in each house—Agriculture committees for the smaller projects, Public Works for the larger ones.

It is well to remember that prior to this time, Congress authorized each individual watershed project by separate legislation. This was, obviously, a cumbersome procedure and the Act was designed largely to delegate authority to the Executive Branch to formulate and implement small watershed projects without the necessity for legislation for each project.

But the Congress made it clear that it wanted to maintain legislative oversight of the program, hence the requirement for a 45-day notice by the Executive Branch and approval by the appropriate committees before appropriations could be made.

Now, let's move ahead to July 13, 1956. The scene is again the Senate chamber and the speaker is again Lyndon B. Johnson. I can testify personally to this because I was also in the chamber. This is what Mr. Johnson said as he called up for consideration the bill numbered H.R. 11873:

"This bill will shorten the (congressional) review period from 45 days to 15 days, and thus eliminate a substantial delay, *while still maintaining the principle of and the opportunity for congressional review of each individual project.*"

So, you see, again Lyndon Johnson who now finds this congressional review so objectionable not only reaffirmed it in 1956, but stressed its importance.

It is well to recall that President Eisenhower raised no question of constitutionality when he signed P.L. 566 in 1954 or when he twice signed into law subsequent amendments two years later.

In fact, in May of 1961, after *Senator* Johnson became *Vice President* Johnson, the General Counsel of the Department of Agriculture, in expressing his opinion as to the constitutionality of the congressional review procedure, cited P.L. 566 as a valid constitutional precedent.

Now, as you all know, this program and this System of congressional review of the watershed projects worked well for a dozen years. Then in July of last year, the acting Director of the Bureau of the Budget, sent to the Congress a list of some 37 watershed projects and said this:

"Since the review procedure established by Section 2 of this act has been in effect for a number of years, the President has approved the submission of these projects to the Congress despite his view that this procedure represents an unwarranted encroachment of the authority of the executive." The letter went on to say that the President has directed that "no further projects be transmitted under that procedure after this session."

Actually, as you know, 11 projects were sent up this year, but although ten of them have been approved by the Congress, the funds, as I noted, have been frozen.

So that's where the matter rests. At the moment there are many more questions than there are answers. There are questions like these:

"With looting and rioting and murder in our streets, with a costly war in Vietnam, with a budget that threatens to break the bonds of manageability, how can the President find the time, much less the inclination, to upset a program which saves lives and prevents property damage in order to defend some abstract principle of protecting the authority of the Presidency?

"When a program has worked so well and so beneficially for so many years, why stop it?"

"What effect will the freeze on watershed projects have in states like Nebraska which this Spring alone counts its flood losses in the tens of millions of dollars?"

I don't know whether there even *are* any answers to those questions. What we are trying to do in our work on the Subcommittee on Separation of Powers is to focus on several points which have been raised in testimony thus far:

1. For 13 years, the Small Watershed Program has operated well. So long as the constitutional issue raised by the President remains and so long as he insists on freezing the funds, the effective operation of the program is in jeopardy.
2. No constitutional challenge was raised when the original act was signed into law.
3. When the law was amended in 1956, no constitutional question was raised.
4. Even with the advent of the Kennedy Administration, the chief legal officer of the Department of Agriculture was defending the system now attacked by the President.
5. The Constitution, in Article I, Section 5, says: "Each House may determine the rules of its proceedings."
6. It was not until last year, 12 years after the original enactment, that the constitutional issue was raised.
7. The President's refusal to enforce a particular section of a statute constitutes an item veto, which is unconstitutional. For a President to refuse to enforce a provision enacted a dozen years ago is an *ex post facto* item veto.

Under the able chairmanship of Senator Ervin, a former judge and a recognized constitutional scholar, we have had several days of hearings on this matter. Additional hearings will be held starting tomorrow and that is why I must hurry back to Washington.

We have already heard from the chairman of the House and Senate Agriculture Committees. Let me capsulize their testimony for you. Here is what Chairman Poage of the House Committee said:

"I think it is clearly a procedural matter for each house. I do not think the Executive has any right to interfere with either procedural matters in the House or the Senate."

And here is what Senator Ellender, chairman of the Senate Committee told us:

"Since the legislative branch is the one that appropriates these funds, and since we more or less have control and responsibility for them, we are making it possible for someone to object, in the event they choose to do so, to a project that has not been authorized. It is purely and simply a legislative matter, and one that does not encroach upon the Executive."

So far, two suggestions have been offered as solutions to the impasse. One would be a notice provision in the act, just as Senator Lyndon Johnson offered in February of 1953. It would provide that before these projects are to be considered by the appropriate committees, there must be advance notice of 30 days or perhaps 60 days. This would mean that all the projects could be reviewed before any money was appropriated.

The other suggestion is for an omnibus watershed act. This would mean the Congress would enact a long bill authorizing a couple of hundred projects. The advantage here would be that the President could not take only the projects he wants; he must take them all or veto the whole list.

Neither of these proposals has met any great encouragement by the Executive. The ultimate solution may be something like one or the other of these, or perhaps a combination with other features for congressional review.

Regardless of what kind of solution is reached, it should be attained soon. The losers in this somewhat unseemly contest are the people of America, and, in a larger sense, the people of the world.

With two billion people on the face of this earth, there is a vital need for food. Imagine the contribution in wheat alone that can be made by the six states which make up your Area V. We call ourselves America's breadbasket, as indeed we are. We can offer the poor and hungry nations of the world life's most precious gift—survival.

But we cannot make this contribution if we fail to make the maximum use of our God-given resources—the soil and the water with which we are richly endowed.

Since 1954, a total of 813 watershed projects have been approved. No one can calculate the benefits of this work. An additional 500 projects are in the administrative planning state.

Is all this momentum to be lost? Is atrophy to replace progress? Will we turn backward in stubborn defiance of logic and common sense?

Ladies and gentlemen, I hope not.

Fervently, I hope not.

In the remainder of the time allotted to me, I want to visit with you about my work as a member of the Senate Agriculture Appropriations Subcommittee with particular reference to our annual review of the Administration's budget request to fund soil and water conservation activities.

As you know, the financial climate in which the Congress has considered the President's budget this year has not been bright. There is increased spending to finance the newly established "Great Society" programs and, to a lesser extent, the war in Vietnam. The latest responsible estimates place the deficit for the current fiscal year at almost $30 billion. The President has sent to Congress his recommendations for a 10 percent surtax charge to raise revenues in an effort to avert a record flow of red ink.

It is in this setting that the Congress has considered the budget request of the President. We have been under very heavy pressure to remove the fat wherever possible. The bill covering the Department of Agriculture has now passed both the House and Senate. It will shortly be the subject of negotiations between the House and Senate conferees.

It has been my privilege for almost a decade now to serve as a member of the Senate Agriculture Appropriations Subcommittee. This year I became the ranking Republican member. I had thought I had gained some knowledge and background into the myriad of details involved in consideration of the agriculture budget in my previous experience. But this year for the first time I began really to grasp the full ramifications and meaning of this complex budget. It has been a sobering and enlightening experience. I want to pay tribute to the dedication, honesty and complete integrity of the chairman of our Subcommittee, Senator Spessard Holland of Florida. He is a true friend of agriculture, a true friend of conservation.

Now a word about the specifics of the action so far as it affects the Soil Conservation Service. On balance, it appears that so far the Service has done quite well in securing funds necessary to continue its vital work. This is due, in no small measure, to the "educational activities" which your group has conducted and your persuasive efforts in convincing members of Congress of the continuing worth and value of your efforts.

CONSERVATION OPERATIONS

For technical assistance to farmers and ranchers and cooperators in the Soil and Water Conservation Districts for developing plans and applying conservation treatments, the House provided about $113 million. This was about a half million dollars more than the appropriations for the preceding fiscal year, but about a $1 million less than the budget request. The Senate Committee, fully convinced of the value of this effort, provided the full amount of the budget request—about $114 million. The Senate action will provide almost $1 million for part-time help to existing Soil Conservation Districts, an item denied by the House, and about a half million dollars for technical assistance to the new Soil and Water Conservation District expected to be formed in the current fiscal year.

WATERSHED PROTECTION

In this item, there was substantial agreement as to the level of expenditures. The budget request, the House and the Senate action were all $70,400,000. This is an increase of about one quarter million dollars over the previous fiscal year. This money, of course, provides funds for actual construction of works of improvement in approved watersheds.

I want to call your attention to one particular item which the Senate Committee added this year which will effectively increase the money available for watershed construction by $5 million, making a total of more than $75 million available for watershed protection. This action, for which I must take some responsibility, permits a loan limitation of $5 million to be financed directly from loan funds available in the Direct Loan Account of the Farmers Home Administration using the vehicle of the so-called Participation Sales. Thus, the Senate has provided for the acceleration of construction on approved projects, and I want to emphasize this point strongly. In a time when there are severe pressures for budgetary restraint, a substantial increase was provided.

WATERSHED PLANNING

In contrast to the substantial increase provided for watershed protection, the Senate Subcommittee has decreased slightly funds available for watershed planning. For this we have received some criticism. In my view, this criticism is not justifiable. Consider the facts. In fiscal 1967, $6,340,000 was appropriated for watershed planning. For fiscal 1968, the current fiscal year, the budget requested a slight increase to $6,377,000. The House provided this amount. The Senate cut back to $6 million even, or a reduction of $377,000.

Our action was prompted by the fact that there was about a half million dollar carry-over from funds previously appropriated that will be available. In addition, there will be almost $4 million contributed by state and local communities for this purpose, thus making more than $10 million available for watershed planning during fiscal 1968. The Senate Committee, in its report, specifically called attention to the failure of the budget estimate to include sufficient funds to balance construction work with planning activity. As a result, plans drawn up with cooperation and hopes of local and state groups have bogged down in a quagmire of futility while waiting for years and years to be funded for construction. We were fully cognizant of the desire for planning but recognized as well the results and additional program costs when the planned projects do not move in an orderly manner on through to advanced engineering and final completion due to lack of funds for construction. We recommended that new planning starts be limited to no more than 80 during the current fiscal year for this reason. Construction should be allowed to catch up, or at least make substantial progress in that direction.

To be completely candid, I must inform you that I am not at all optimistic about the chances of the Senate cut holding up in the Conference Committee, but at least we are on record expressing our dissatisfaction with the wide gap developing between planning and construction on watershed projects.

GREAT PLAINS CONSERVATION

Another major action affecting conservation was our funding of the Great Plains Conservation Program. In fiscal 1967, $18.5 million was appropriated after the Senate had substantially increased the amount of the original budget request. For fiscal year 1968 the budget request was for only $16.3 million and the House provided this amount. The Senate Committee has added a little over $2 million to bring the amount back to the money appropriated in fiscal 1967. We did this because we were acutely aware of the strong interest and participation of those farmers and cooperators in the Great Plains and the useful and constructive results that have been obtained.

AGRICULTURAL CONSERVATION PROGRAM

The last item of major interest, one which is not found in the budget of the Soil Conservation Service, but rather the Agricultural Stabilization and Conservation Service is that of the Agricultural Conservation Program.

I don't need to remind you that each year, for the past several years, the Administration has proposed deep cuts in the $220 million that has been appropriated for this purpose. This year was no exception. A cut of $120 million was advocated. But as usual, there was an immediate protest from thousands of interested farmers and others who know firsthand the value of this program. Reaction in Congress was predictable. The Administration's requested cut was flatly and totally rebuffed and the full amount of $220 million was provided by the House and by the Senate. I might observe that one of my Republican colleagues for whom I have the greatest respect, but who was misguided in this instance, moved to restore the Administration cut on the Senate floor during the full Senate's consideration of the Agriculture Appropriations Bill. He was motivated from a desire to economize. It became my assignment to defend the program on the Senate floor, as did Chairman Holland. The final result was convincing, to say the least. On a rollcall vote, the Senate approved the full $220 million request by a vote of 82 to 10. Thus, adequate funds are assured—assuming that the President will direct the Bureau of the Budget to release them for expenditures—for another year.

CONCLUSION

Many years ago now Congress enacted into law a provision which says in part:

"That it is hereby recognized that the waste of soil and moisture resources on farm grazing, and forest lands of the Nation, resulting from soil erosion, is a menace to the national welfare and that it is hereby declared to be the policy of Congress to provide permanently for the control and prevention of soil erosion and thereby to preserve natural resources, control floods, prevent impairment of reservoirs, and maintain the navigability of rivers and harbors, protect public health, public lands and relieve unemployment."

That statement, as well as any I know, expresses to me the reasons why we are here at this gathering. It is an extract from the Soil Conservation and Domestic Allotment Act of 1935, enacted by a Democratic Congress and signed by a Democratic President. It is a statement of policy to which all of us can subscribe regardless of party affiliation.

I suggest that we take this occasion to rededicate ourselves to the principles and practices of good management and conservation of our God-granted resources of soil and water.

PRESIDENT CONGRATULATED ON PRESENTATION OF DRAFT TREATY CONTROLLING SPREAD OF NUCLEAR WEAPONS

Mr. ANDERSON. President Johnson is to be congratulated for his persistent pursuit of a worldwide nuclear nonproliferation treaty. His efforts have been rewarded by joint American-Russian presentation of a draft treaty to the Geneva Disarmament Conference.

This treaty does not mark a nuclear millenium. The draft still lacks a clause on adequate inspections. Yet it is a remarkable document and a remarkable step forward toward world peace.

The two great super powers have agreed in writing, despite their differences, to halt the dangerous and rapid spread of nuclear arms. Through this draft, in the President's challenging words, man "still retains a capacity to design his fate, rather than be engulfed by it."

The nations of the world can live up to the President's challenge by completing the treaty.

I ask unanimous consent to have printed in the Record editorials from the Chicago Daily News, the Philadelphia Bulletin, and the Chicago Sun Times supporting the President.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Chicago Daily News, Aug. 26, 1967]

Nuclear Treaty Progress

Though it lacks an enforcement clause, the proposed nuclear nonproliferation treaty submitted to the Geneva disarmament conference is still a remarkable document. As it now stands, the joint U.S.-Soviet draft would be a notable achievement if only because the two major nuclear powers were finally able to reduce their points of agreement to writing. Of overriding significance is the fact that it was produced at a time when events in Vietnam and the Middle East have sharply increased tensions between Moscow and Washington.

That they could overcome such obstacles to arrive at a mutually acceptable draft attests to the great weight the two nations attach to the project. The treaty so far is concerned mainly with prohibiting signatory nations from supplying nuclear arms or weapons know-how to non-nuclear countries. However, all signatories would be entitled to information they need about nuclear power for peaceful purposes.

The latter provision may not go far enough to satisfy some of the non-nuclear countries that want access to nuclear force for blasting canals and for other big earth-moving undertakings. But these and other points may be clarified in the forthcoming debate on the draft treaty.

A final treaty, with an inspection clause acceptable to all signatories, looks to be a year or more away. But now that Russia and the United States have gone this far, with Britain acquiescing, it is just barely possible that work on the inspection feature can be speeded up.

Though neither France nor China intends, at least at this point, to subscribe to such a treaty, its adoption would tend to isolate them from the rest of the world community. In the long run, they too may recognize that international control is the best way of averting nuclear disaster.

[From the Evening Bulletin, Philadelphia, Pa., Aug. 26, 1967]

A Hopeful Sign

The United States and the Soviet Union have agreed on the text of a treaty to limit the spread of nuclear arms. Since the consent of Britain is virtually assured, three of the five powers possessing these mighty weapons seem ready to take a solemn engagement not to provide them to other nations.

There is a conspicuous omission in the treaty text. Article III—International Control—is still blank. This, of course, was and is one of the chief stumbling blocks at the Geneva Disarmament Committee meetings. Discussions lasting over two years have failed to find a satisfactory formula for inspection and control within the territories of the nuclear powers and their respective allies.

Without the guarantees offered by complete disclosure, under impartial supervision, the treaty must remain seriously defective.

In addition, two nuclear powers will have nothing to do with any nonproliferation agreement. France has consistently refused to take the seat reserved for her at Geneva, and shows no interest in limiting in any way the employment of her small nuclear arsenal. And Red China, the newest member of the club, is not likely to relinquish the advantage she has gained against her Asian neighbors.

From other angles, the non-nuclear nations are assured that nothing in the treaty need hamper the peaceful uses of atomic power, the material for which can be supplied them at reasonable cost without infringing the basic agreement. But the corollary to their self-denying withdrawal from the nuclear arms race should be, they think, an international undertaking to protect them from nuclear aggression or its threat. This guarantee is also missing from the treaty in its present form.

So much remains to be done to make a truly effective agreement that this preliminary version can hardly justify wild jubilation. The nuclear millennium is still some distance away.

On the other hand, the fact that the Soviet Union was willing to join the United States in this hesitant first step toward nonproliferation is a legitimate occasion for hope that a crack has appeared in the ice floes of the cold war. With patience and good will that crack may widen and disclose open waters.

[From the Chicago Sun Times, Aug. 27, 1967]

To Limit the A-Bomb

The United States and Russia have agreed in principle on a draft treaty to halt the spread of nuclear weapons, a notable diplomatic achievement that recognizes their common interest in preventing atom bombs from becoming part of the arsenal of smaller nations.

They submitted the draft treaty to a 17-nation disarmament conference and the U.S. hopes the treaty can be signed next year. But the road is still a rocky one. France and Red China, two nuclear powers, were not present but they are not expected to pass out bombs to other nations. The hitch in the future negotiations is to fill in a section left blank under the heading "International Control."

Nuclear nations would agree not to pass on nuclear weapons or know-how to smaller ones. Non-nuclear countries would agree not to acquire or make atom arms but some method of inspection must be devised to be sure they live up to the agreement. No agreement has been reached on that or on Romania's demand that the big powers be inspected, too.

Moreover, some smaller powers still must be convinced that being deprived of A-bombs or peaceful nuclear explosions (for earth-moving, for example) will not subject them to blackmail.

Much, obviously remains to be done, but, as President Johnson said, the issue is not whether some nations have nuclear weapons and some do not but whether a bad situation becomes worse.

HENRY J. KAISER

Mr. JACKSON. Mr. President, I wish to join with many of my colleagues in the House and Senate in expressing our sadness on learning of the death last Thursday of the eminently successful industrialist, Henry J. Kaiser.

We of the State of Washington take particular pride in the success story of Henry Kaiser. His first construction jobs were road paving contracts in my State. He was once a resident of my hometown, Everett, Wash., and he long maintained his membership in the Everett Elks Lodge.

His son, Edgar, was born in Spokane, where Henry Kaiser first staked his future in the West by taking a job with a hardware company. Another son, the late Henry Kaiser, Jr., was born in Everett. Oldtimers in Everett remember Henry Kaiser and his small truck embarking on his first small job, working on streets in nearby Marysville.

There are monuments to the genius of Henry Kaiser throughout my State. He was the chairman of a joint venture of contractors who constructed the mighty Grand Coulee Dam on the Columbia River. He was a builder of Bonneville Dam, upstream from Vancouver and Portland.

His big Kaiser Aluminum plants in Spokane and Tacoma contribute greatly to the economic well-being of those communities. Kaiser Cement has a sizable operation in Seattle.

Those who remember Henry Kaiser and his first wheelbarrow in Marysville may also remember his candid remark:

> Contractors are all alike. They start out broke, with a wheelbarrow and a piece of hose. Then suddenly they find themselves in the money. Everything's fine. Ten years later they are back where they started from—

with one wheelbarrow, a piece of hose, and broke. So, before you work yourself out of the last job, line up a bigger one to pull yourself out.

Always lining up a bigger job, Henry Kaiser developed a massive industrial empire. The son of immigrants, Henry Kaiser proved the limitless opportunities of this country.

We of the State of Washington are proud that our State had a role in his life, and we thank him for his structures there that will contribute to our well-being for years to come.

My deepest sympathies go to Mrs. Kaiser and all of the Kaiser family.

INTERNATIONAL DRUM AND BUGLE CORPS WEEK

Mr. PROUTY. Mr. President, our Nation next week will celebrate International Drum and Bugle Corps Week in honor of the more than 1 million persons who participate in the drum and bugle corps annually. I salute this meritorious and character-building activity for the youth of today.

I am confident that this generation of young people, which holds the destiny of our country in its hands, will make significant efforts toward making the Nation and the world a better place in which to live. The drum and bugle corps plays a significant role in instilling in its members and the American public the ideals and traditions that have put America at the forefront of the world community.

I am sure that we are all aware of the service that the drum and bugle corps performs all across the country in its cities, towns, and villages. It is particularly fitting that we pay tribute to these distinguished bodies next week. Drum and bugle corps throughout the land will be marching in Labor Day parades and performing at local concerts and community-sponsored events. I look forward to hearing these enthusiastic young Americans engaging in constructive and patriotic public service. We all owe the drum and bugle corps our warmest-felt thanks for devoting their time to the glory and honor of our Nation.

Mr. President, I urge all Americans to turn out and support their local corps during the week we are dedicating to it. It is inspiring for me to see today's youth participating in this rewarding activity, and next week the drum and bugle corps will undoubtedly renew America's faith in its youth and in the virtues of its past.

AN ANALYSIS OF RIOTS AND OTHER CRITICAL URBAN PROBLEMS

Mr. MONDALE. Mr. President, in the furor which has been raised over the riots in our cities—some of this furor justified, some of it misdirected, some of it plainly irrational—it is refreshing to read a sane and sensible analysis of this and other critical urban problems. In the New York Times of August 20, the text of an interview with the Vice President of the United States by Robert B. Semple was published. In it, Vice President HUMPHREY probes the administrative, fiscal, program, and psychic dimensions of the Nation's urban dilemma.

I commend this timely, thoughtful, and purposive interview to the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

HUMPHREY ON HIS "MARSHALL PLAN"

(NOTE.—An interview with Vice President HUBERT H. HUMPHREY by Robert B. Semple Jr. of The New York Times Washington bureau. It took place in Mr. Humphrey's Washington office last week prior to President Johnson's announcement . . . offer no new urban ideas this year.)

Q. Mr. Vice President, in a speech Aug. 2 in Detroit, following the riots there, you suggested a "Marshall Plan" for slum areas. So far, however, the President has proposed no new programs to deal with the cities. The question has been asked, therefore, whether you were not in fact asking for something greater than the Administration was willing to pay for. Is there any difference of opinion in the Administration on what should be done about the cities?

Mr. HUMPHREY. I don't think there's any difference of opinion. One of the pitfalls of public speaking is that when you use an analogy based upon something that happened in the past—such as the Marshall Plan—you are subject to misinterpretation.

Q. What did you mean by "Marshall Plan" when you used that phrase?

Mr. HUMPHREY. I, of course, was referring to the plan of action that had been used successfully to carry out the recovery of Europe after World War II. I was suggesting the present-day need of applying a similar concept to the problems of our cities.

Q. Do we have that same concept?

Mr. HUMPHREY. Yes. I made that point very clearly in my speech. I pointed out that the President's Model Cities Program, for example, embodies much of the same concept. It offers Federal money, but that money will only be available if the local government proves that it has a sound plan to rehabilitate slum areas. It calls for a massive infusion of both public and private capital. It calls for local initiative, local decisions on where the Federal money should be spent. And it calls for coordination. I think the real secret of success in the Marshall Plan lay in the fact that the Europeans themselves set up in Paris a coordinating mechanism so that when the funds came in they were not just splashed around the continent. They were carefully directed with a sense of priority to those areas where they would have the greatest impact and mobilize the greatest number of existing resources.

Moreover—and perhaps most important—the Model Cities Program calls for a massive long-term, public-supported commitment to the solution of a particular problem.

Q. How much did we spend on the post-war Marshall Plan?

Mr. HUMPHREY. About $14-billion over a five-year period.

Q. Is this more or less than we are spending on urban problems now?

Mr. HUMPHREY. Less. The President originally requested $2.3-billion for the first six years of the Model Cities Program alone. Congress reduced that request to $900-million for two years, of which the President has asked full funding of $662-million for this year. Over-all, the Administration has requested for fiscal 1968 some $25.6-billion for programs to aid people below the poverty line. This is double the expenditure in 1963. As for cities, we have requested $10.3-billion for use in urban development and general improvement of urban living conditions. [Editor's Note: This consists mainly of aid-to-education funds, urban renewal, welfare payments, highway expenditures, and the anti-poverty program.]

Q. In other words, your Detroit suggestion of a "Marshall Plan" represented in effect a plea for a commitment to programs that Congress has already decided we can afford—programs already authorized?

Mr. HUMPHREY. In a large part, except for this one caveat. I wanted very much to alert the American people to the necessity of understanding that the problem we have in the cities is not one that is subject to piecemeal approaches or to Federal effort alone. You have to mobilize your national resources, public and private. You must make a long-term commitment, as we did in Europe. And you must have local planning, local participation.

In other words, when I link the Marshall Plan with our Model Cities Program I am talking not only in terms of money but also in terms of concept—particularly the concept of the "total rehabilitation" of an area. The Model Cities Program, like the Marshall Plan, is not piecemeal; it is comprehensive.

Q. But what happens when we compare our urban commitment with our commitment to national defense? Senator Fulbright has said that since 1946 we have spent $904-billion, or 57 per cent of the nation's budget, on military power but only $96-billion, or 6 per cent, on social programs.

Mr. HUMPHREY. I am not sure of those figures, but in any case I think it's not a very helpful comparison, with all due respect to Senator Fulbright. That would be like saying if you had illness in the family, that you were spending too much of your budget taking care of the ill, and too little caring for the well. The fact is that there has been "sickness" in this world in these post-World War II years which we have not had the luxury of ignoring.

Moreover, to use these figures as a way of saying that we've done too little in our social programs is to misrepresent the case. I think we ought to do more on the domestic front. I thought so all during the 1950's when I served in Congress.

The recent record has been better. We have almost tripled the aid to our cities in the last six years, and in the last two years alone added $3-billion. So when I hear people say that we haven't done enough, all I can say is: Well, we've done more than anybody else has done previously. This doesn't mean we've done all we should. All I wish is that we'd had a little more help earlier in the game when some of us stood there as a rather beleaguered little group in Congress.

Q. You've mentioned the words alienation and motivation. Is it true—as some have suggested—that one of the main causes of these disturbances is this sense of alienation among the bottom fifth of the population, the have-nots, who have been left behind by the surging prosperity of the rest of the country?

Mr. HUMPHREY. I don't believe we really know what causes the riots. There are those who believe the riots are caused by poverty. I mean they put it that simply. I'm sure poverty plays a heavy role.

But the fact is that a number of the participants in the riots were people who had good jobs. It may very well be that the fact that things are getting better has produced some of its own turbulence. Rising expectations are never realized fast enough. When some light is let into the dark chambers of poverty and hopelessness, this in itself may generate forces of expectancy and anticipation—which means that we may very well be going through a turbulent period for some time.

No. I don't think that conditions in which the bottom fifth of the nation live alone cause riots. Because if that were the case, there should have been more riots ten years ago, and fewer now.

Q. I gather that you don't think there's one easy solution—such as the various programs of income maintenance suggested in some quarters, the guaranteed annual income, the family allowances, the negative income tax?

Mr. HUMPHREY. One of the ways in which you can relieve the pain of poverty is by simply writing a check, by handing out money. That will eliminate poverty, but does it really get at the problems of despair, uselessness, apathy, alienation, indifference, hostility? We're not dealing with men who simply want money handed to them. We're dealing with people who are nonparticipating, isolated members of society—who need to feel they have a place in the scheme of things. I don't think we should reject the negative income tax proposal, or similar proposals, out of hand. But money alone is not going to bring people back into our society.

Q. If direct money payments are not the whole answer, what are the components of what you have described as the total approach? And, what can we do now?

Mr. HUMPHREY. To begin with we must use those weapons that are readily available now. Local governments can do a much better job of providing services to the ghetto areas—enforcing building codes, providing proper street lighting and police protection, collecting the garbage, for instance.

State governments, meanwhile, have been very inactive in meeting most of these ghetto and urban problems, even though the city is a creature of the state, and often has no more power than the state constitution or state law gives it.

Second, private resources—scientific, managerial, academic and financial—must be mobilized and brought to bear on the slum problem—to create jobs; to provide training; to attempt to profitably meet public needs; to enter, for example, the $50-billion market for low-cost housing.

Let me repeat the task today is not merely to pass the program before Congress—as desirable as that is—but it is to mobilize the entire American community. Our nation needs to get a sense first of all, of moral outrage—outrage over what has happened and the conditions within these ghetto areas.

Q. Can we successfully come to grips with the problems of the cities and fight the war in Vietnam as well?

Mr. HUMPHREY. I've addressed myself to this and I believe we can. Let me be very candid with you. I would be the happiest man in the world, and the President would be even happier, if we were in a world of peace. But we cannot back away from the role that history has given us. Even if the struggle in Southeast Asia were brought to a quick and final conclusion, tomorrow we would be faced with a world in which there was tension and mass suffering.

We don't have easy choices any longer. I can only say this: We will have to keep our economy growing in order to develop the resources to do the job here as well as abroad—and keep reviewing all the time our allocation of resources and priorities in both places. And we will have to have the vision and the courage to stick it out through some difficult times ahead.

WORDS OF CAUTION FOR THOSE WHO WOULD RECOGNIZE RED CHINA

Mr. MUNDT. Mr. President, some of our fellow citizens who have been urging that the United States recognize Red China and favor her admittance to the United Nations must be wearing very red faces these days. In fact, many in Great Britain must be favoring the same facial color as they read about the manner in which the once proud and haughty British Empire is being booted about like a former African colony by the Communists in Red China.

Articles published recently in the New York Times and the Chicago Tribune under foreign datelines are typical of the news stories emanating from China in these troubled times. I ask unanimous consent that excerpts from these articles be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD as follows:

CHINA

New York Times, August 23, 1967, Peking dateline (Agence France-Presse):

"Red Guards invaded the British diplomatic compound here last night, hurled gasoline cans into the buildings and set them afire, destroying the chancery and damaging the home of Britain's chargé d'affaires.

"The chargé d'affaires, Donald C. Hopson, and a number of other Britons were beaten by the Red Guards, who were angered by Mr. Hopson's rejection of a Chinese ultimatum. It had demanded that Britain lift an order closing three leftist newspapers in Hong Kong.

"Most of the British diplomats and their families had taken refuge in the compound during the last few days as the dispute over Hong Kong intensified."

* * * * *

"At dawn today, members of the British diplomatic community left the compound to seek haven with friends or in other foreign embassies.

"All were pale and disheveled. Some were covered with blood. Mr. Hopson, Britain's highest ranking diplomat in China, wore a bandage on his head and a bloodstained coat.

"The fleeing Britons agreed that the policemen and soldiers who surrounded the British compound had tried to protect them from the Red Guards. Some of the policemen were wounded trying to stem the fury of the crowd, the British said."

* * * * *

"Earlier in the day, members of the Chinese staff employed by the mission read the ultimatum to Mr. Hopson on the lawn of the British compound.

"Mr. Hopson rejected the ultimatum and a demand by the Chinese staff members that he hold his head bent low—an admission of guilt as well as a sign of humiliation—during the reading of the protest."

* * * * *

At 10:45 p.m., the precise time when the Chinese ultimatum expired the crowd erupted into overt violence, according to diplomats living near the British compound.

Arthus Veysey, Chicago Tribune, August 23, 1967 (London dateline):

"Britain immediately forbade all Chinese officials here from leaving the country.

"Britain, in effect, is holding the Chinese, who number between 50 and 60, as hostages for the safety of the 25 British diplomats and their wives and children in Peking.

"The British clampdown includes members of the Chinese embassy, the Chinese news agency, the Bank of China, and all official trade missions."

New York Times, August 23, 1967, edition:

"The crucial questions about the Hong Kong crisis must be these: Are Peking's Communist leaders any longer capable of rational behavior? Is China still a functioning country?

"There is no rational reason why Peking should force a showdown with Britain over the closing of three obscure Hong Kong Communist newspapers and the arrest on sedition charges of five of their executives,"

* * * * *

"Yet, Communist riots have erupted regularly in Hong Kong since May 11 and have increased in ferocity recently with constant verbal and occasional physical support from China. The sacking of the British mission in Peking and the attempted humiliation of its personnel yesterday after London's rejection of an ultimatum on Hong Kong brings the situation to the acute stage.

"What is Mao's game? Or is Mao really in charge, calling the shots that not only have provoked crisis with Britain but strained relations with Moscow almost to the breaking point? When the demonstrations began, Western experts believed Peking's goal was to wrest from the British as many as possible of the concessions it had earlier extorted from the Portuguese Government of Macao. Now the question must be asked whether the Chinese objective is not the destruction of the Crown Colony.

"An aging Mao might see in this drastic act a means of reuniting Chinese and alleviating the internal convulsion caused by the cultural revolution. It might even be that the anarchic situation inside China—the fact that it is not 'a functioning country'—could bring on a move by extremists against Hong Kong that Mao could not prevent.

"The trouble is that the West simply cannot fathom the action of China's Communist leaders at this critical juncture, much less know that rational calculations play any part in their behavior. Predicting Peking's course is as hazardous in Hong Kong as it is in Vietnam."

Mr. MUNDT. Mr. President, for those who still believe—although their numbers are rapidly decreasing—that the Chinese Communists are simply "agrarian reformers," as we were once told by high authority, I would recommend a steady diet of reading the news reports describing how China's so-called Western friends are being treated in Peking and other mainland cities of China. Having done that, they can then return to their collateral lines of trying to convince Americans that aggressive communism has changed its form in Russia and that the global plans of the men in the Kremlin should be respected as sincere expressions of good will while we ignore the military support the Russian Communists are providing our enemy in Vietnam and to Egypt and other aggressive Arab States in the Mideast.

FIRST STEPS TOWARD ARAB-ISRAEL RECONCILIATION

Mr. McINTYRE. Mr. President, while the crisis in the Middle East is in no way over, there are signs that the Arabs and Israelis are beginning to take the first small steps toward some form of reconciliation.

It would be naive to predict that the recent war in the Middle East and the humiliating defeat of the Arabs will, by some miracle, bring about a new era of harmony and "togetherness," but both sides do appear to be arriving at the conclusion that there are mutual advantages to some form of cooperation.

The barrage of propaganda and name calling will no doubt continue. But if peace is ever to come to the Middle East, both sides must seek new ways to settle their differences, acknowledge the territorial integrity of Israel, and work together to solve problems which are common both to the Israelis and the Arabs.

An editorial published in this morning's New York Times reports on some of the first small signs that the Israelis and the Arabs are beginning to move toward some areas of reconciliation.

I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MELTING ICE IN THE MIDEAST

The Middle East seems to be beginning the long, hard, devious process of settling down after the war in June. The positions of Arabs and Israelis in those early weeks, at first unbridgeable and inflexible, are thawing just a little.

Now the Israelis are going to allow some Jordanian refugees to return after the original deadline, which had been set for tomorrow. This seems to apply only to those whose applications have already been approved—some 10,000 out of a total that must be well over 100,000. The Israelis are afraid of letting in resistance fighters. However, having taken this first sensible and humanitarian step, Israel may be induced to take others later.

Meanwhile, leaders from all thirteen Arab states are meeting in Khartoum. The split between the moderate and extremist states is shown by the fact that the hardline countries of Syria and Algeria, as well as the moderate Tunisia and Morocco, have not sent their heads of state. The agenda is a tough one: "To erase the consequences of Israeli aggression" and to take steps to retaliate against "Israeli's Western friends."

All the same, there is much talk of offering a peace plan, although it is still a long distance from Israel's terms. At least the Arabs no longer talk of fighting a "second round." There are persistent reports of an approaching settlement between Egypt and Saudi Arabia on the war in Yemen. The oil-producing states—Kuwait, Saudi Arabia and Libya—clearly do not want to keep up the embargo against the West which is more costly to the Arabs than to Europe. It is not at all costly to the United States.

Economic pressures on every country concerned are very severe. Egypt, for instance, is losing her vitally needed revenues from Suez Canal tolls and tourism. Israel's economy is in extremely bad shape. In fact, it was in bad shape before the cost of the recent war was added.

Peace is not in sight, but extreme positions are beginning to be abandoned. Neither surrender nor revenge are possible. A *modus vivendi* can gradually be worked out as passions and fears subside. The heartening feature of current developments is that compromises are being considered and some timid, groping steps are being taken toward ultimate agreement.

Mr. McINTYRE. Mr. President, there are many areas in which all the nations of the Middle East can work together to solve many age-old problems.

I am pleased today to join the distinguished Senator from Tennessee [Mr. BAKER] in sponsoring a resolution encouraging the nations of the Middle East to work together on a water desalinization project.

This project can bring great benefits to all the nations of the Middle East and help to provide the solution to a problem that has plagued the Middle East since the dawn of recorded history.

NEW YORK 4-H PROGRAMS FOR THE DISADVANTAGED

Mr. JAVITS. Mr. President, I have before me the progress report of the New York State 4-H programs with disadvantaged youth. It describes the great efforts made by our 4-H organizations in bringing opportunity and hope to underprivileged young people. New York State is fortunate in having the fastest growing program of any State in the Nation, and it is always a pleasure to report contributions made by voluntary, private groups in helping the deprived economically. Mr. President, I am personally gratified to see that the 4-H organization will be intensifying its activity in New York, and has already inaugurated a plan of action to carry out its successful program this year. I ask unanimous consent that the report be printed in the RECORD, so that other organizations across the country may consider following this fine example.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

PROGRAMS WITH DISADVANTAGED YOUTH IN THE 4-H PHASE OF COOPERATIVE EXTENSION, NEW YORK STATE

(By Wilbur F. Pease, presented at Cornell Extension Club, April 3, 1967)

Before reporting to you regarding the growth and something of the nature of program efforts with disadvantaged youth, I think you will be interested to know that as measured by the number of youth participating, the 4-H program in New York State is the fastest growing program of any state in the nation. In 1966, the 4-H enrollment exceeded 100,000 for the first time with a total of 103,042 youth enrolled. This represents a gain of about 19,000 over 1965. In addition, another 45,000 youth were served by a variety of short-term educational experiences, representing an increase of about 5,000 over 1965. Also in 1966, there were 13,701 adults serving as volunteer 4-H leaders, a gain of about 1400 over 1965. The educational programs conducted with these adults indicate that 4-H is making a fairly sizeable contribution to adult education as well as to youth education.

SCOPE OF PROGRAM EFFORTS WITH DISADVANTAGED YOUTH

The time allotted limits this to a progress report of total 4-H effort with disadvantaged youth, presented broadly rather than with specifics. Recent reports received from 52 of the 55 countries indicate that youth are being reached in 29 counties through what we might call the on-going 4-H program and in 23 counties in which one or more program efforts are being directed toward more specifically identified problems, needs and situations of such youth. Since 1964, when programs were offered low income youth in only 18 cities of 16 different counties, we reached the point in 1966 when low income youth were participating in 4-H programs in 24 cities of 20 counties.

A total of 12,110 low income youth were participating in the 4-H program, nearly 50% of whom are farm and rural non-farm youth. A little better than one out of every nine 4-H members in 1966 were low income youth. So much for the growth in scope of 4-H program efforts with the disadvantaged.

REACHING AND RECRUITING DISADVANTAGED YOUTH

In general, counties reported that impersonal contacts by such means as flyers, brochures, and letters are relatively ineffective in recruiting disadvantaged youth. Repeated and personal contacts are necessary. Such contacts are time consuming and agents have developed some methods which take a minimum amount of time on their part. Among the apparently most effective are:

(a) Reaching children where they are—through the schools, settlement houses, youth centers, and the like.

(b) Using other people to make the contacts—VISTA workers in three counties, school teachers, Welfare workers, an organizational volunteer leader, a community committee for the involvement of youth.

(c) Reaching youth through agent contacts with adult groups of a community on whom is then placed the responsibility for recruiting youth. Once some youth are reached, frequently they become the best recruiters of other youth.

REACHING DISADVANTAGED YOUTH IN THE ONGOING 4-H PROGRAM

Even though we might like to see more specifically designed programs, the value of such an approach should not be discounted. Indeed, as regards farm youth and rural nonfarm youth in counties of fairly low incidence of poverty, or in counties where the low income rural families are fairly well interspersed among other families, to reach such youth in the ongoing progam may be the only, or at least the most effective way. One value of this approach is that it brings into close association youth of diverse economic situations thus promoting understanding of individuals different than oneself and hopefully teaching youth to make judgments on the basis of individual worth.

SOME LEARNING EXPERIENCES OFFERED

As with individuals of any segment of our society, there are individual differences among disadvantaged youth and their homes and families, but in general, their lives are characterized by a lack of variety and a quality of stimuli which would aid their intellectual and social development. So one purpose of work with disadvantaged youth is to increase the variety and improve the quality of such stimuli. In an action oriented educational program, we call these stimuli learning experiences.

a. Cultural arts and inter-cultural experiences

In 19 counties over 500 youth and nearly 100 parents were provided such experiences. In 18 of the counties, $1000.00 of Sears-Roebuck Foundation funds financed these programs. In 10 counties, intercultural experiences were provided at county 4-H camps. In one of these, a special program in remedial reading was provided. In another county the camp experience took the form of a family day at camp, with disadvantaged youth and their parents participating in the program for one day. Eight counties included one disadvantaged youth in their delegations attending the Northern New York Youth Conference. One county sent two disadvantaged youth with a group from the county attending the Citizenship Short Course at the National 4-H Center; and another county sent two leaders to a leadership forum at the National 4-H Center.

Cultural arts experiences included visits to various kinds of museums and historical buildings; attending musical concerts, folk and ballet dance productions, stage plays, lectures at colleges, and having a dinner at a fine restaurant. In many cases, other than disadvantaged youth also attended This illustrates what I believe is a value of the 4-H program, namely, it provides a natural way for both co-educational and intercultural experiences.

In Buffalo, dramatic arts was an important part of the summer program in 1966. A college major in drama was employed as leader. Since interpersonal conflicts cause problems for these youth, and problems in conducting an educational program with them, a major purpose of the program was to provide interesting and real-life experiences in which success was dependent upon cooperative effort. There were many evidences that many of the youth gained satisfactions from such effort and changed behavior has been noted through the year.

b. Flower growing and community beautification

This is one of the most commonly offered programs, particularly in the cities. In addition to the subject matter learned and the skills required, one of the great value of this program is bringing youth into contact with a wide range of adults—men and women of garden clubs and of service clubs, city government officials and employees, florists, nurserymen, greenhouse operators, college extension faculty. It is quite a stimulating experience for most of these youth to come to realize that such adults are really interested in them. They respond favorably and are learning something about people different than themselves. Many adults have been noted to start plantings after observing the results of youth plantings and in other ways to evidence greater pride in, and a sense of responsibility for their properties and for the neighborhood. This is another value of this program. For arousing community interest and support, it is probably the best program we have to start with in a disadvantaged area.

C. *Training Neighborhood Youth Corps workers*

One county, with the assistance of a College of Home Economics Extension Faculty member, conducted a four-weeks course in Money Management for 110 youth in the Neighborhood Youth Corps. In another county, the 4–H staff assisted the director of the Youth Corps in developing an overall training program. In a number of counties, Youth Corps workers have been assigned to assist with the 4–H program. In every instance, the directors of the Youth Corps have been more than pleased with the on-the-job training provided by the 4–H staff and the kinds of assignments and experiences given the youth which aid their own growth and development. For the most part these experiences are in working with younger boys and girls.

D. *Job readiness program*

In one county, a 12-weeks job readiness program is conducted with high school girls in a low-income area. In this, some basic nutrition is related to health, appearance and the getting and holding of a job. Similarly, the work in textiles and clothing, personal appearance and grooming is related to employment. In addition, women employed in a variety of occupations and a variety of levels of position are brought in to talk with the girls. These ladies have different levels of educational achievement and have gained their education and training different ways. So the girls learn more about more employment possibilities, the education needed and of educational and training opportunities beyond high school. Employment Service people tell of their services and work with the girls on preparing for and conducting onself at an employment interview. Thus the girls learn some of the means for seeking employment and the skills for applying for employment.

e. *The 4–H project work*

For youth reached in the on-going 4–H program and for most of the more specifically designed program efforts, 4–H projects are the major core around which are built a variety of meaningful learning experiences. Even more than other children and youth of similar ages, these disadvantaged youth learn best through physical activity which includes the manipulation of objects. This is essential to stimulating intellectual activity. Among the many other values, the 4–H projects provide such activity. In general, fewer and more carefully selected projects are offered to these youth. For farm and rural youth, projects which add to the family food supply, or which add to the improvement or the beauty of the home both inside and out-of-doors, or which may be income producing, or which may save the family money, are most commonly offered. For older farm and rural youth, projects which may provide some employable skills, such as the tractor and the automotive safety and care projects, are offered.

Popular projects with the city youth include those of the floriculture and ornamental horticulture program, the Handyman or woodworking, electrical, entomology, incubation and embryology. Because of their direct relationship to employment opportunities, some work in electronics and Junior Chefs are offered middle and older teenage youth. The photography project also is important in this respect. The foods and clothing projects are popular. It takes more skill in selling home improvement work and even more the management projects even though the management of their present resources is one of their greatest needs. We cannot report much progress in this area yet.

PEOPLE IN THE PROGRAM

In my judgment, the lack of competent leadership in adequate numbers is the most important factor in limiting program efforts with the disadvantaged. At present we are still experimenting with different types of leadership and no one pattern has yet proven to be most effective. Indeed, I believe we will need to continue to have many kinds of people involved. Among those presently involved in leadership roles are some indigenous adults, indigenous older youth who are either 4–H members or are Neighborhood Youth Corps workers, special resource persons of special competencies who are brought in to teach one or more lessons, older 4–H members and leaders of the middle class group, VISTA workers, and in Buffalo and Syracuse, some paid non-professional workers who are indigenous to the neighborhood. We have found that frequently to obtain indigenous volunteer leaders, adults must first be taught before they will accept leadership. This certainly is understandable because no one accepts leadership without the security of knowing that one can do the job. To see the development of some of these adults is as thrilling as the development of youth.

THE NEXT STEPS

The survey responses from counties indicate that we may expect two major developments: (1) continuing increase in the numbers of youth participating; (2) more program efforts designed to meet specific needs in many of the counties now reaching such youth only through the on-going 4–H program. I doubt if there will be any marked increase in size of county staff to conduct program efforts with disadvantaged youth, or at least not any rapid increase. So we need to help agents incorporate some special and more meaningful learning experiences as a part of their on-going program efforts. As you can tell from this report, we are in the process of identifying some successful and effective programs, learning experiences, methods and the like. These need to be disseminated and discussed with county staff members. We need to develop plans for in-service educational programs. There are other needs which must be met to carry us forward with such program efforts but I have indicated those which seem to me should have the highest priority during the next 12 months.

UNITED NATIONS CONSIDERATION OF THE WAR IN VIETNAM

Mr. MONDALE. Mr. President, a number of Senators have suggested during the past few days that the United Nations should take up the question of the war in Vietnam as soon as possible after this coming Sunday's elections. I commend this initiative, and I wish to join it today.

Early in June, I wrote to Ambassador Arthur J. Goldberg to express my hope that the climate created by a successful cease-fire effort in the Middle East could lead to a similar resolution for Vietnam. As a result of the current discussion of possible U.N. involvement in the Vietnam crisis, I have written again to Ambassador Goldberg to suggest that U.N. discussions might help create a climate in which a means could be found to allow this new South Vietnamese Government to develop without the tragic environment of war.

I know that there are great problems to be solved if productive discussions on Vietnam are to take place in the United Nations. But our private initiatives remain unproductive, and the danger of international catastrophe has increased since June. I believe we ought to make another attempt in the United Nations.

Mr. President, I ask unanimous consent that the text of my letter to Ambassador Goldberg dated today be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., August 30, 1967.

Hon. ARTHUR GOLDBERG,
U.S. Ambassador to the United Nations,
New York, N.Y.

DEAR AMBASSADOR GOLDBERG: Early in June, at the time of the successful United Nations resolution to end hostilities in the Middle East, I wrote to you to urge your effort to bring about a U.N. cease-fire in Vietnam as well. I appreciated your kind response and assurance that you would remain alert to any possibilities which might develop.

During the past week, a number of my colleagues in the Senate have urged that the United Nations take up the question of the war in Vietnam as soon as possible after the new South Vietnamese government takes office. While I recognize the many difficulties that such consideration would face in the Security Council or the General Assembly, I do want to repeat my own feeling that this conflict deserves attention in the highest available forum.

Even inconclusive debate in the body which represents the world's hope for peace through law would add something, I believe, to consideration of this vital question. But I remain hopeful that a formal hearing before an independent forum might create a climate in which a means could be found to allow this new South Vietnamese government to develop without the terrible and tragic environment of pitched battle.

I also understand the risk that weeks or months of mutual recrimination might worsen the cleavage that presently exists. But I believe we must be prepared to take that risk, since private initiatives continue to be unproductive in results.

I suggested in my previous letter that the overriding consideration is the necessity to avert world catastrophe. I also indicated my belief that an agreement to end the fighting in Southeast Asia in the name of world peace would be an enormous contribution to the safety of the world. The danger has increased since then, and so, therefore, has the potential contribution of U.N. consideration to world safety.

With warmest regards.
Sincerely,
WALTER F. MONDALE.

VIETNAM AND THE UNITED NATIONS

Mr. SYMINGTON. Mr. President, last Monday, the majority leader jointly with a dozen other Senators strongly urged that the United Nations assume its responsibilities in connection with the war in Vietnam. I was unable to be on the floor of the Senate at that time because my attendance was required at an important committee hearing; however, I want to join the majority leader and my other colleagues in this significant effort.

I fully and wholeheartedly endorse this position. An initiative by the United Nations in Vietnam would be entirely consistent with the mission of the United Nations, designed as it is to bring parties together in an effort to maintain the peace in the world. Submission of the issue to the United Nations by the United States or by any other nation with the backing of the United States would demonstrate anew the desire of this country to utilize any and every channel—to bring about peace in Southeast Asia.

I do not agree that the possible failure of the United Nations to act or to resolve the problems of Southeast Asia is an effective argument against making the effort. If the United Nations does act and interested parties are brought together to discuss the problem, such activity surely would be beneficial.

I have never known of harm or disadvantages arising from people agreeing to talk. The very fact that parties do agree to talk about their problems or difficulties in itself would seem a sign of progress.

If the United Nations is unable to get the issue joined becaused of the refusal of affected or interested parties to participate, it would still be of value, because it would demonstrate to the world the genuine desire of this country for a peaceful resolution of the war in Vietnam; and that the difficulty of getting the issue to the talking stage lay elsewhere in the world.

Let me congratulate the majority leader and other Senators for raising this timely issue.

THE CONDUCT OF THE WAR IN VIETNAM

Mr. COTTON. Mr. President, a letter dated August 4 was received by me from the mother of one of New Hampshire's young men who was killed in action in Vietnam during June.

The letter is as follows:

AUGUST 4, 1967.

DEAR SENATOR COTTON: I realize that to many, perhaps, this should hardly be the time to write regarding the war in Viet Nam, but our wound is still fresh and for me there is no better time.

As I wrote you before, I feel very strongly that either we fight to win or get out. President Johnson has said that our policy is to bring to bear the ground, naval and air strength required to achieve our objectives. Whoever has heard of a limited war with limited objectives? The Defense Department says that the basic objective of our selective bombing is to reduce the level of infiltration into the South. This is a long, long way from being accomplished as witnessed by the continual numbers of Allied Forces casualties. The Defense Department also states that all-out bombing is not considered as an end in itself nor will it guarantee achievement of our objectives in the South. Would it not be wiser to stop the flow into the South of both men and material instead of restricted bombing? Would it not be better than deploying our troops into areas that are known to be highly concentrated with Viet Cong and North Vietnamese?

What a degrading and humiliating way to fight this undeclared war by a country as great as ours! If the North Vietnamese and Viet Cong are not our enemies, then who is? The U.S. restraint in applying its modern military powers has given the enemy time to build up defenses in North Vietnam, to develop and exploit lines of communications to the South and to supply and reinforce his offensive forces in South Vietnam. I am sure the military did not foresee the acceptance of higher and higher combat losses while permitting the enemy to increase and strengthen his offenses. All this without effective U.S. obstruction? General Westmoreland and his advisors are most capable and well-trained career men. Is their advice to be disregarded and go unheeded?

Even the most uneducated knows that the quickest way to destroy an enemy is to cut off the supply line and as in every war, the civilian casualties are high—but so are the military. The sooner this undeclared war is over, the sooner the casualty list will become extinct; the sooner the supply lines are destroyed at their origin, the sooner peace will come, and on *our* terms.

I think the time is long overdue when President Johnson, Secs. Rusk and particularly McNamara, gave the Americans some honest answers on this "no-win" war. It is past time! Let them discard all of their political half-truths. Is this too much to expect from our government since we are paying for their political football game in lives as well as money?

I pray God that all the young men who have died and will die, who have been and will be wounded in this undeclared war will not have been sacrificed on this altar of political intrigue and half-truths.

Most sincerely,

—— ——

Mr. President, the political implications in the next to the last paragraph of this letter may or may not be entirely justified, but a bereaved mother is certainly justified in expressing them.

I am placing this letter in the RECORD because I believe it to be a remarkably clear and logical indictment of the conduct of the war, considering that it was written by a mother under the terrible stress of recent bereavement. I have received many other communications from those who have lost loved ones, as I am sure every Senator has, and most of them have expressed similar feelings.

Mr. President, I share the sentiments expressed by this mother. At last we have a real inkling of the judgment of our military leaders on the conduct of this war. I hope the President intends to follow their judgment regardless of what Secretary McNamara may recommend and that we may have a real test to find out whether the war can be fought to a speedy and successful conclusion if it is not too late. It has been and is increasingly evident that we must determine, and determine quickly, whether we can achieve victory or bring the enemy to the negotiating table.

Certainly, as this New Hampshire mother says, "We should either fight to win or get out."

FULL AND TIMELY FUNDING OF IMPACTED AREAS PROGRAM URGENT AND VITAL

Mr. KUCHEL. Mr. President, when the impacted areas program was established by the Congress in 1950, it became the declared policy of the United States to assist local educational agencies upon which our Federal Government has placed financial burdens. Local school districts providing education for children residing on Federal property or whose parents are employed on Federal property have received substantial assistance through this program. In these so-called federally impacted areas the homeowner and the taxpayer are thereby relieved of the obligation of supporting the education of children brought into their community by Federal action.

This has been a particularly important program in the State of California. My State has long been the scene of major Federal activity. Now, for the second time since the impacted areas program was established, it is a major staging area for our Armed Forces engaged in defense of free nations of the Pacific Basin.

On August 2 of this year, the Senate passed the Labor-HEW appropriation bill for fiscal year 1968. It provided an appropriation of $450 million for the impacted areas program, $33.8 million more than allowed by the House of Representatives. The Senate action will permit the funding of 97 percent of entitlements throughout the United States for the coming year. Expansion of the number of children who would qualify for the benefits of the impacted areas program has made this increase a necessity. Without it school authorities in many States would have to face a significant reduction in funds available as compared with last year. In my own State of California, the total loss would amount to more than $4 million.

Today the Labor-HEW appropriations legislation for the coming year is deadlocked in conference with the House of Representatives on a number of items. I believe that the Senate must make it indelibly clear that it will insist on the necessary increase in funds for the impacted areas program. In the 27 years of its history, the Senate has regularly responded to the needs of schools throughout our Nation with full and timely funding. It is already late in the year. School districts have made their financial plans for the fall semester. Even now it is too late for these valuable Federal contributions to have their maximum effect because of the delay in planning which the tardiness of this important legislation has caused. These funds are absolutely essential for education programs throughout our Nation. The Senate must adamantly stand by its commitment to full provision of the requirements of the law.

NATIONAL CONSENSUS ON NEED TO SLOW RURAL MIGRATION

Mr. PEARSON. Mr. President, on July 21, the distinguished Senator from Oklahoma [Mr. HARRIS] and I introduced the Rural Job Development Act of 1967—S. 2134. We have been encouraged by the fact that 28 other Senators from all regions of the country and of all shades of political persuasion have joined as cosponsors of this bill.

In addition to this expression of support in the Senate, I have been gratified and deeply impressed by the favorable public reaction to the proposal. I have received a great volume of mail commenting favorably on the proposal. The letters have come from all parts of the country and from all types of individuals; from Texas to New York, from rural residents to corporation executives. I know that the Senators who joined as cosponsors of the measure have also received similar expressions of support.

In addition to the support indicated by the heavy volume of mail, the proposal has received favorable review by numerous newspaper editors from all parts of the country, from the small town weeklies to the metropolitan dailies.

In my statement introducing the bill, I said that we must now begin to question the old proposition that the great rural-to-urban migration was both inevitable and desirable. The public reaction to our proposal suggests that much of the Nation is now beginning to do precisely this.

Thus the most immediate contribution of the Rural Job Development Act is that its introduction has served to stimulate and expand the growing national debate on the necessity of better controlling those forces which continue to depopulate the countryside and small towns and at the same time add to the pressures of our already overcrowded cities.

Mr. President, another indication of this growing national consensus is the favorable publicity and editorial comments that have accompanied the proposals and statements by other public officials and groups. For example, the Secretary of Agriculture, Orville Freeman, who made a contribution in helping to initiate this debate several months ago and who has continued to argue the necessity of achieving a better rural-urban balance has received solid editorial endorsements from around the country.

Another very encouraging development was the action by the Republican coordinating committee in producing their report "Revitalizing Our Rural Areas," on August 24. The coordinating committee properly pointed out the necessity of a broad-based program to achieve the economic development of our rural areas, and I was particularly pleased to note that the report called for measures by the Federal Government to stimulate the creation of new jobs in rural areas along the lines provided by the Rural Job Development Act.

This report by the Republican coordinating committee has received a generous editorial review, thus again indicating the scope and depth of the national consensus on the need to stimulate the development of rural areas for the purpose not only of improving economic and social conditions in those areas, but also as an important aspect of our efforts to deal with the crisis of the cities.

Thus, Mr. President, Senator Harris and I and our colleagues who joined in cosponsoring this measure believe that a significant contribution has already been made. But the very fact of this favorable public reaction to this proposal means that we must now take steps to translate this proposal into law. Therefore, I would hope that the appropriate committees in both the House and the Senate would be able to initiate hearings on this proposal as soon as possible.

I would also hope that the administration will not allow political factors to influence the position that it takes on this proposal. Secretary Freeman has already endorsed the general concept of tax incentives to encourage new job-creating industries in rural areas. It would be most unfortunate, indeed, if the stress of political competition would cause the administration to now take an adverse position on this proposal.

Mr. President, I ask unanimous consent that the following sampling of editorials and columns on the Rural Job Development Act be printed in the Record: the Kansas City Times editorial of July 26; the Washington Daily News editorial of July 28; the Charleston Gazette editorial of July 31; the Parsons Sun editorial of July 22; and the column written by Paul Hope published in the Evening Star of July 31, 1967.

Mr. President, I ask unanimous consent that an editorial in the Washington Post of August 13 commenting on one of Secretary Freeman's speeches urging the necessity of achieving a better urban-rural balance, an editorial in the Christian Science Monitor of August 26 commenting on the report by the Republican coordinating committee and the Washington Post editorial of August 27 on the urban-rural imbalance also be printed in the Record. Finally, Mr. President, I ask unanimous consent that the report of the Republican coordinating committee be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Kansas City Times, July 26, 1967]

A Proposal To Reduce Rural Migration

The rural job development bill proposed by Sen. James B. Pearson (R-Kans.) is promising because it approaches a set of social problems from the basis of economic reality. No one can say for sure that it would work. But no federal attack on poverty has been completely successful, to say the least.

The Pearson plan to slow down migration from small towns and rural areas in general is not a scheme to keep 'em down on the farm. Even the most sentimental agriculturalists have given up on that. One farm worker now can produce for himself and 38 other persons, compared to the one worker who was needed in 1910 to produce food for seven persons. Agricultural techniques and the machine age simply have combined to create conditions of productivity that cannot be challenged.

People do not live where they cannot find work. Over the decades, the agricultural revolution has rippled through the small cities and villages that traded with the farmer. Beyond that, the centuries-old reputation of the city as a place for the better life has been a factor.

But, as Senator Pearson observes, the bland assumption by the poor that the move from the country to the city assures a "step up the ladder of economic advancement" has not always been borne out. Thus his plan of tax incentive for industrial development and more jobs in the rural regions is based on a valid premise. People who leave the country for opportunity and the "better life" of the city do not always find those conditions.

Whether the urban magnet could be neutralized significantly by a deliberate tax incentive plan will be argued. The urban pull has been strong for reasons other than economic, and this has been true for a long time. Moreover, manufacturing and other commercial operations establish themselves in specific locations for reasons other than taxes.

But Senator Pearson's proposal to look at poverty and the rural-urban migration from another point of view is worth serious thought. The economic and social problems of the country are not going to be resolved by any one effort or program. The Kansas senator is offering one approach that would join many others.

[From the Washington (D.C.) Daily News, July 28, 1967]

A Good Plan

Senator James B. Pearson has introduced a bill in Congress which would grant tax incentives to encourage new job-creating industries in rural areas.

Pearson has been studying the lack of jobs in rural areas which has contributed to a continual decline in population.

This bill is one idea he has come up with to try to stem the flow of people from farming communities to big cities.

As provided in the bill, business enterprises wishing to locate in rural areas designated deficient would receive a tax credit for 14 percent against machinery, a seven percent credit on investment in buildings, an accelerated depreciation on equipment and extra deductions for wages paid to low-income people.

In return, the business must create at least 10 new jobs and hire half of its working force from the local community.

Pearson and Sen. Robert Kennedy cosponsored a bill introduced last week which would do somewhat the same thing for slum areas in large cities.

Pearson said: "The great challenge is not simply to make the cities more efficient and more livable for more and more people, but how to keep more and more people from crowding into them.

"The rural to urban migration bleeds the countryside and smaller cities of their best human talent and most productive economic resources, making it increasingly difficult for many of these communities to survive."

As everyone who has tried knows, attracting industry to rural areas is next to impossible under present conditions.

Pearson's bill, which has attracted much favorable comment from fellow senators, would help the situation, making rural areas much more attractive to industry.

[From the Charleston Gazette, July 31, 1967]

Bill May Slow Trek to Cities

"For too long," warns Sen. James B. Pearson, R-Kan., "we have watched the poor migrate from the country to the city, blandly assuming that this migration was the first step up the ladder of economic advancement. But in far too many instances the individual hasn't gained and consequently, society has lost.

"Inadequately educated, and unfamiliar with city life, they pile up in slums where they become entrapped by their own lack of skills and by the pressures from the surrounding higher economic classes who seek to isolate the slum population in physical ghettos."

It's to stem this unfortunate migration to the metropolitan areas that Sen. Pearson, along with a Democratic colleague (Sen. Fred R. Harris, D-Okla.), has introduced tax credit legislation for industries locating plants in predominantly rural regions.

The measure would provide an $80,000 federal tax credit to a firm investing at least $1 million in a new plant that hires 50 workers, including 33 economically deprived people, in areas specifically designated by the secretary of agriculture.

These designated areas would be defined under criteria set forth in Sen. Pearson's bill. Such areas couldn't be part of a standard metropolitan area, nor could they contain a city of more than 50,000 population. Counties in which 15 per cent or more of the families had incomes of less than $3,000 or with sharply declining employment would also be eligible to qualify.

Sen. Pearson's approach deserves careful appraisal from the Johnson administration and from Congress.

Events taking place this summer make it clear beyond doubt that anyone moving to a metropolitan area in the fond expectation his living standards will be substantially improved is in for the disappointment of his life. In fact, his life may well be forfeited.

Yet, all demographic studies and forecasts reveal that the steady trek to the cities will continue in spite of the unattractiveness and perils of urbanized existence.

If Sen. Pearson's bill could impede the march to megalopolis, it should have been enacted the day before yesterday.

[From the Parsons Sun, July 22, 1967]

Hope and Pearson

Kansas has become increasingly aware of the fact that it has an able and imaginative young senator on the job in Washington in the person of James B. Pearson.

Just how resourceful may be gauged by legislation introduced by Pearson in the Senate Friday. Mark well the date of July 21, 1967. It could well prove a reversal point in the discouraging economic downturn of the nation's rural areas and a turn to better, brighter days.

Pearson's Rural Development Act of 1967 moves away from federal programs stifled by complexities and red tape, and blends government tax incentives with private enterprise.

Specifically, generous income tax incentives on machinery, building and employment will be provided existing or new firms who establish manufacturing plants in rural areas which have suffered economic declines as a result of decreasing farm population.

Counties with no cities of more than 50,000 population and where at least 15 per cent of the families have incomes of less than $3,000 will be eligible to participate. Also will counties where the closing of a defense installation, with resultant migration of people, will cause economic setbacks.

"For too long," Pearson said in introducing the bill, "we have watched the poor migrate from the country to city, blandly assuming that this migration was the first step up the ladder of economic advancement. But in far too many instances the individual has not gained and consequently society has lost.

"The rural exodus is not composed only of the poor. The city's promise also attracts the talented youth, the highly trained and those with wealth or the potential for amassing it.

"The smaller cities and rural communities are bled of much of their best human talent and most productive resources in a cycle that continually feeds upon itself . . .

"Rural communities are stretched to the limit to provide the public resources to educate their children, but after they have been educated the children move to other areas because of a lack of local economic opportunity."

Pearson accurately describes southeast Kansas, and most of Kansas, to the last detail. While many have talked of the problem—and the "brain drain" from Kansas is a subject in every political campaign—no one has suggested a really effective or even possible remedy until now.

It is one thing to introduce a bill in Congress, and another to get it passed. Many are offered, few finally survive the legislative mills.

Pearson's plan doubtless has a long way to go. But consider these encouraging facts:

A co-sponsor is Sen. Fred Harris of Oklahoma, one of the Senate's rising young Democratic members.

Eleven other senators, Republican and Democratic, from Vermont to Oregon and states between, immediately joined as other co-sponsors.

And Majority leader Mike Mansfield of Montana told the Senate upon introduction of the bill that he will support it and urge immediate hearings by the Senate Finance Committee.

Kansas' already high esteem of Pearson will rise higher with this demonstration of creative thinking and action. It will go far higher upon passage of the bill, as further testimony to his effectiveness as a legislator.

[From the Evening Star, July 31, 1967]

A Move From Slums to Country?

(By Paul Hope)

Twenty-three senators believe that given the chance to make a living in the country, a lot of slum dwellers would gladly trade the smoke and smog and riotous surroundings of the city for a place they could go to sleep to the sound of whipporwills.

They have introduced a bill called the Rural Job Development Act aimed at stemming the movement of rural poor to overcrowded city ghettos and to entice back some of those who already have gone.

It sounds like a good plan to sink a little money in—and compared to some of the other federal programs aimed at eliminating poverty, a little is all it would take.

Not only is it relatively cheap but its implementation depends on private enterprise rather than government initiative. What it amounts to is a tax incentive for industries and businesses to locate in rural areas.

The sponsors figure that if the government can underwrite a 27½ percent depletion allowance for oil and mineral exploration and can tax capital gains at only half the normal rate to encourage long-term investments, it ought to be able to provide a tax break to stimulate job growth in rural America.

Sen. James Pearson, R-Kans., said when he introduced the bill a few days ago that it is time to "stop treating the social and economic problems of rural and urban areas as separate and distinct."

And one of the long list of co-sponsors, Sen. Fred Harris, D-Okla., said it's time that "we in America began to ask whether it is inevitable that more and more people must be packed into less and less living space."

The advance of technology on the farm is creating a rapid exodus of out-of-work farmhands who seek their fortunes in the cities. It has been estimated that 1,000 displaced farm workers pour into the Watts area of Los Angeles every month, most of them from the South.

Approximately 70 percent of the nation's population is packed into 1 percent of the land area and it's going to get worse.

A Gallup poll a few months ago indicated that 50 percent of Americans prefer to live on farms or in small towns. The way Sen. George McGovern, D-S.D., another co-sponsor, figures it, that means that 20 percent of the people are being deprived of a chance to live and raise their children where they would like.

The legislation would offer tax incentives to enterprises providing at least 10 new jobs in areas where there is no city with a population of more than 50,000 and where at least 15 percent of the families have incomes under $3,000 or where employment has declined at a rate of more than 5 percent in the past 5 years.

Enterprises meeting the qualifications would be allowed a 14 percent investment credit on machinery instead of the normal 7 percent; an additional 7 percent credit on the cost of the building; an accelerated depreciation allowance on machinery, equipment and buildings; and an extra 25 percent tax deduction above the normal 100 percent for wages paid to low-income persons for three years.

The sponsors believe the loss to the government from the tax credits would be more than offset by taxes generated from increased economic activity.

Not only that, they see these other benefits: A strengthening of the economy through a more geographical distribution of industry; substantial social benefits from strengthening of rural communities; a reduction in the public costs of unemployment and welfare payments and for other public services, such as police protection, as the flow of rural people to the urban slums is slowed.

Aside from the tax credits, the bill provides for appropriations of $250,000 to the Department of Agriculture to disseminate information about the program, and $20 million the first year to the Manpower Development and Training Administration to train workers for jobs which would be created.

No one claims the legislation is a cure-all, but for a nation struggling to find solutions to its urban crisis it seems worth a try.

As Sen. Mike Monroney, D-Okla., another of the co-sponsors, put it: "Let us face the unpleasant and discouraging fact that far too many people are now being forced to stay in neighborhoods where family life is virtually impossible and where brotherhood and good-will have been stifled, where disease and hunger have encouraged discontent . . . We should encourage industry to grow in the unspoiled smaller communities across the nation where the pursuit of happiness has not become a rat race."

[From the Washington Post, Aug. 13, 1967]

Demographic Collision

A little-noticed speech by Secretary Freeman the other day to the National League of Cities contains what may well prove to be, in the long reach of our national evolution, the wisest words yet spoken on our current malaise. Mr. Freeman sees the violence of recent weeks as a collision of man with his environment. Its origin runs back at least 50 years when millions of young men in rural America were uprooted by World War I. They began what Mr. Freeman calls "the 50-year march to the cities" which has now produced so much misery, disillusionment and violence.

While this great migration has been taking place the country has given far too little thought to it. Nearly 600,000 persons a year have been flowing into the cities, most of them displaced from the countryside, as Secretary Freeman acknowledges, by the revolution in agricultural technology. They have gone to the cities in search of a better life, but what they have usually found has been poverty, slums and only the dregs of urban living. In a very real sense they are refugees from a rapidly changing economy.

The result is that 70 per cent of our people are jammed into 1 per cent of our land—the 1 per cent that is largely covered by macadam, houses, factories and places of business. Many have found jobs but largely of the low-income varieties because the newcomers usually lack the skills that most industrial employment requires. So the glamor of the city that once lured them fades into the sodden dullness of ghettos, smog and social decay.

For some years the country has been vaguely aware of this demographic revolution but has done very little about it. Further concentration of people has seemed inevitable. But what will happen if this trend is allowed to run its course until the turn of the century when the country will have another 100 million persons to house and to absorb into its social structure? Will they, too, be crowded into our five vast strip cities?

It is this prospect of "an airless, waterless, joyless—and perhaps hopeless—existence" in a metamegalopolis of the year 2000 that frightens Secretary Freeman. And so he has pointedly raised the basic question: "Should we try to check the accelerated movement of people from country to city?"

Six members of the Cabinet are sponsoring a symposium designed to bring together "the best minds in the world" to discuss this problem in Washington next December. As for Mr. Freeman, he has already committed himself to pursuit of an urban-rural balance that will save the cities from destroying themselves. He is not of course recommending that the rural refugees be sent back to the farm where they have been displaced by machinery. But he does see a brighter future for these rootless millions in towns and small cities where industrial jobs can be provided without the high costs, the congestion and the social overheating that have become so common in the large cities.

The Secretary suggests giving "a high investment priority to building up opportunity in rural America" and points to what some small cities have accomplished. But the chief significance of his speech does not lie in any specific recommendations. Rather, it is to be found in his impressive call for a change of direction. It is not necessary for this rich, resourceful and powerful country to strangle itself in its own congestion. The warning signals that have been sounded in one large city after another should set the whole country to thinking about ways and means of getting off this collision course with our environment.

[From the Christian Science Monitor, Aug. 26, 1967]

JOBS IN THE COUNTRY

In its newly announced program to stem migration from rural areas to the big cities (latest estimates speak of a million or more yearly) the Republican Party's National Coordinating Committee is giving welcome support to policies of widely accepted value.

Many of the most troublous problems in big cities around the world result from the increasing flow of unprepared rural poor into city slums. It is plain common sense for a country to do what it can to increase job opportunities within the rural areas for those who want to stay.

The measures proposed by the Republican committee are, in the broad outlines, widely acceptable: providing economic incentives for factories to locate in poor rural areas; aid to rural schools to provide more vocational-technical training; extension of city employment services to rural centers.

A report just published by the Manpower Commission of the United States Department of Labor makes some strikingly similar recommendations. The report urges expansion of existing programs that have proved effective where tried.

The Republican committee likewise favors increased support for certain tested programs. It is asking for expansion of the Economic Development Administration which Congress established under Democratic leadership two years ago. This approach is helpful.

The Republican committee expresses interest in promoting better coordination generally between government and private industries in revitalizing rural communities. Its insistence on close relationship between the two can be helpful. The stakes are big: In the last two decades a population equal to that of all California packed up and moved to crowded cities from rural areas. And—ready or not—they keep coming.

[From the Washington Post, Aug. 27, 1967]

URBAN-RURAL IMBALANCE

Both the major parties are now seeking a better balance between urban and rural population. Last week the Republican Coordinating Committee, composed of the top leaders of the GOP, came out for a five-point effort to revitalize rural areas. Its statement follows a very similar warning by Secretary of Agriculture Freeman that the rush of people into overcrowded central cities is creating a grave imbalance.

The main burden of the Republican complaint is that little has been done to create job opportunities, in the rural areas, for people who have been displaced by the agricultural revolution. Two decades ago 18 per cent of our people were required to produce food and fiber. Now the same tasks are performed by 6 per cent of the population, and most of the workers no longer useful on the farm have flocked into big cities where some of them are very poorly prepared to cope with the problems of urban life.

The cost of this brain and brawn drain from the countryside is enormous. Most of the migrants leave in their teens and early twenties, at the beginning of their productive years, after heavy investments have been made in their upbringing and education. Don Paarlberg, chairman of the Coordinating Committee's Task Force on Job Opportunities, estimates that "this human investment is a contribution from the rural areas that runs about $12 billion a year, several times the total of all subsidies to agriculture."

Rural America is in no position to make such a contribution to the economic prosperity of the remainder of the country. The disadvantaged position of the rural areas stands out in every test that is made. The President's manpower report of 1967 shows a farm unemployment rate last year of 6.5 per cent compared to the 3.4 per cent urban rate. The farm population has 33.1 per cent of its families below the poverty level compared to 14.4 for urban families. Schooling for farm youths averaged 8.7 years compared to 12.2 years in the cities. These figures doubtless explain a very large part of the "Urban crush" which has created such grave problems for the big cities.

No progress toward righting the urban-rural imbalance can be expected until these inequalities are corrected. Families who wish to live in the country should at least have job opportunities, health and education services and some of the amenities of life that are available to urban residents. Nothing can be said for policies which tend to drive people into congested and smog-bound ghettos for want of equal public services and economic opportunities in a more congenial environment.

The GOP policy-makers call for more educational aid, vocational training, economic incentives for the establishment of rural industries and the channeling of defense and supply contracts into such areas when feasible. One specific recommendation is aimed at great expansion of the Economic Development Administration which seeks to utilize local resources and provide part- or full-time employment in rural communities. Another aim is to give rural workers employment services equal to those provided in the cities.

Much remains to be done by way of shaping programs and policies, but the objective is highly commendable. The forecast that 80 per cent of our people will live in "five super strip-cities" by the year 2000 is frightening to everyone concerned. Reversal of that trend has become one of our urgent national necessities.

REVITALIZING OUR RURAL AREAS

(Adopted by the Republican Coordinating Committee July 24, 1967.

(Presented by the Task Force on Job Opportunities and Welfare.

(Prepared under the direction of: Republican National Committee, Ray C. Bliss, Chairman, Washington, D.C.)

"Ill fares the land, to hastening ills a prey . . ." was written of the English countryside nearly 200 years ago. But it might be written of rural America today.

Our rural areas are being depleted of people. From 1950 to 1960 the rural population—farm plus non-farm—declined by 400,000; the urban population increased by 28 million. These trends have continued. The Department of Agriculture anticipates further outmigration to the year 1970.

About one-fourth of the rural population consists of farm people. The others are part of the rural non-farm population, living in the countryside or in small villages. Since 1960 the farm population has been declining at an annual rate of about 6 percent, an accelerated pace.

Most of those who migrate from the rural areas leave in their teens and twenties, when on the verge of their productive years. They carry with them the investment in their upbringing and education. Conservatively estimated at $15,000 per person, this human investment is a contribution from the rural areas that runs about $12 billion a year, several times the total of all subsidies provided to agriculture.

What becomes of these people? They move into our great cities. Without necessarily desiring it and almost by default, we are becoming an urban society. Seventy percent of our people now cluster in cities that cover one percent of our land area. If present trends continue unchecked, by the year 2000, 80 percent of our people will be living in metropolitan areas and most of them will be crammed into five super strip-cities.

And will these be alabaster cities, gleaming, "undimmed by human tears"? Not likely. The migrants concentrate, unassimilated, in Detroit, in Cleveland, in the South Side of Chicago, in Watts, in Harlem, in Indianapolis and in a hundred other cities. Smog, congestion, water pollution, law enforcement and other problems of the megalopolis beset them and their uneasy neighbors. By generating a kind of "urban crush," they create a problem in the cities to which they go. By depopulating the countryside, they create a problem in the rural areas from which they come.

But move they must, if there are no nearby jobs.

And why are there so few jobs in the rural areas?

For several important reasons.

First, because of the agricultural revolution. The mechanization of agriculture has so multiplied the productivity of human beings that the production of our food and fiber is now accomplished by 6 percent of our population, as compared with about 18 percent only two decades ago. There simply are not as many farm jobs as there were. These revolutionary changes have by no means run their course. The Department of Agriculture says that from 1965 to 1980 farm employment will experience an additional decline of more than one-third.

Second, because imagination has been lacking. Little has been done to create job opportunities, in the rural areas, for people forced out of agriculture. Rural people do very well at off-farm jobs if the jobs are there and if they have the necessary education. They have manual dexterity and they know how to work. They do not want to live on a dole. If off-farm jobs are available within driving distance, they continue to live in their accustomed surroundings, among their friends and families, benefiting from increased incomes, providing improved education for their children and utilizing the services of the local community. But without such jobs they must go on relief or move to the city.

Seemingly, almost everything has conspired to prevent the creation of jobs in rural areas:

Federal farm programs have cut our cotton crop to 10 million acres, compared with 43 million acres before the programs began. Tobacco acreage is now only half as great as 35 years ago.

Local communities have not provided the services and utilities needed to attract industry.

Wage policies have discouraged industry from expanding into areas of abundant labor.

Industry, which has been urban-minded, has not sufficiently sought to decentralize.

The rural labor force lacks the federal employment services available to urban workers.

Educational policies have discriminated against the poorer areas. For example, the Elementary and Secondary Education Act of 1965 provides more than twice as much help per pupil to the counties ranking *highest* on the index of rural well-being as it does to those ranking *lowest* ($350 as against $157). (Manpower Report of the President, April 1967, page 116.)

Farm programs, largely designed by the Democratic party, have continually sought parity of prices as an objective, when they should have sought parity of opportunity. For more than 30 years these programs have been commodity-oriented, when they should have been people-oriented.

The following statistics vividly describe the disadvantaged position of rural areas. All are taken from the President's Manpower Report of 1967:

	Farm	Urban
Unemployment rate, 1966 (percent)	6.5	3.4
Percent of population below $3,000 income per family, 1965	33.1	14.4
Median years of schooling, male, 1966	8.7	12.2
Percent of people with activity limitations because of health, 1963–65	6.4	4.7

These things need not be so.

It has been fashionable to point critically at the hardships which resulted from the Industrial Revolution of the nineteenth century and to find fault with those who could have alleviated these difficulties.

Now, in the twentieth century, we confront an Agricultural Revolution which creates problems and opportunities in some ways similar to those of the Industrial Revolution. There is no reason to accept, unquestioned, the social and economic consequences of this Revolution. Conscious efforts should be made to determine and assert the public interest.

The American people want some balance between the rural and the urban sectors. There should be some opportunity for those who wish to live in the country to find decent work there, to have access to reasonably good education and health services, and to pursue a way of living that gives diversity and balance to our economy.

What the American people really want and will work for, they can have. We are not the helpless objects of blind economic forces, we are capable of helping to shape the institutions which in turn help shape us.

These things can and should be done:

(1) *Locate more of our new factories in rural areas.* This can be done by local, state and national tax policies to provide realistic economic incentives. It can be done by providing better roads, better schools, and better public utilities in the rural areas. Factories may now be operated successfully in areas where this was formerly not possible. At an earlier time, when transportation was poor and the emphasis was on heavy industry, a factory had to be close to its raw materials or to its markets. This is far less true today. The Federal-Interstate Highway Program, established by a Republican Administration, has greatly facilitated transportation. For some industries a plant can now be established almost wherever a trained labor supply and the necessary supporting services are available.

(2) *Provide better education for rural people.* This means better education of all kinds, at all levels: elementary, secondary and advanced; vocational, technical and academic; continuing education for adults, apprenticeship, retraining and all the rest. It means on-the-job training as proposed in the previous Job Opportunities Task Force report entitled "The Human Investment," and it means Technical Education for the Future, also previously recommended by this Task Force. It means equal educational opportunities for the nonwhites, who comprise about one-fourth of the rural poor. Education is a great adjuster; people who are making great changes are in greater-than-ordinary need for it. Rural young people move freely across state and county lines. The sharing of the cost of education on a national basis is appropriate in view of the fact that we are concerned here with a national problem. The need is greatest where the taxable wealth is most scarce.

What is here proposed is not a blueprint for the economy, with a certain calculated number of people on farms or a carefully computed balance between rural and urban areas. Rather, we propose to redress the imbalance in education and opportunity which has worked to the disadvantage of the rural areas and threatens to make us almost totally urban.

To undertake the actions here offered does not introduce a rural bias; rather, it would remove an urban bias, largely unintended, that has been allowed to develop. We propose to provide the equality of opportunity which will give our people a chance to develop the kind of society they want. If this is done, we can safely leave with the people themselves the decision as to the balance between rural and urban living.

This is not a new idea. It was first proposed by President Eisenhower in his Special Message on Agriculture of January 11, 1954. In 1956, a Republican Administration launched the Rural Development Program, the first coordinated assault on this problem.

In attempting to find possible solutions to these root problems, Republicans realize there is no panacea. There is no one-shot, sure-fire, cure-all solution to rural unemployment, underemployment, and general rural underdevelopment. There are, however, a variety of programs, policies, and procedures that singly and in combination can help to mitigate the consequences of this rural stagnation. What is required is a multipronged attack on the numerous ills that beset our rural areas. The recommendations here offered are in keeping with the Rural Development Program launched under President Eisenhower's pioneering effort in 1956.

SPECIFIC PROPOSALS TO IMPLEMENT THE TASK FORCE PAPER

1. Encourage state and federal legislation which would identify rural areas in which unemployment and underemployment are critical problems and give these areas preference:

(a) In educational assistance, including various vocational training programs.

(b) By providing economic incentives to industrial firms that establish new plants in these areas.

(c) By contracting in these areas for the manufacture of defense materials and other government supplies and by building new government installations therein when feasible.

2. Push for enactment of Rural Community Action Programs under Title V of the Republican-sponsored "Opportunity Crusade Act of 1967," H.R. 10682.

3. Push the work of the Economic Development Administration in rural areas of low income.

4. Change the focus of the Vocational Education Act of 1963 so as to increase the number of area vocational-technical schools in rural areas.

5. Provide the rural areas with the same kind of employment services as are offered to urban workers.

APPENDIX

TABLE 1.—POPULATION IN URBAN AND RURAL TERRITORY, 1790–1960

[In thousands of people]

Year	Rural	Urban	Percent urban
1790	3,727	201	5.1
1800	4,986	322	6.1
1810	6,714	525	7.25
1820	8,945	693	7.19
1830	11,738	1,127	8.76
1840	15,224	1,845	10,81
1850	19,648	3,543	15.28
1860	25,226	6,216	19.77
1870	28,656	9,902	25.68
1880	36,026	14,129	28.17
1890	40,841	22,106	35.12
1900	45,834	30,159	39.69
1910	49,973	41,998	45.66
1920	51,552	54,157	51.23
1930	53,820	68,954	56.16
1940	57,246	74,424	56.52
1950	[1] 54,230	[1] 96,468	64.01
1960	[1] 54,054	[1] 125,269	69.86

[1] New urban definition.

Source: Historical Statistics of the United States, Colonial Times to 1957, p. 14; and Statistical Abstract of the United States, 1965, p. 15.

GROWING DANGER TO THE ECONOMY

Mr. SYMINGTON. Mr. President, throughout history, the strength of a country has often been judged exclusively on the size and quality of its Military Establishment, but the strength of its economy is equally important.

In this connection, I would hope that every Member of the Senate would read excerpts from a letter that I received from one of the Nation's foremost practical financial experts. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

AUGUST 19, 1967.

As you well know, I am a loyal and dedicated Democrat who feels he must express to you his feelings concerning the state of the nation with particular emphasis on the fiscal policy and its ramifications. If this were a partisan or political motivation, it could be discounted, but in view of what I think is a general feeling among the business community, it should be evaluated in its proper light.

Without question there has been creeping inflation for many, many years, but I now feel that the elements are present which are causing and will cause an unrestrained and rampant inflationary economy with all of its unfortunate "fall out." Every day one reads of a major industry that is raising prices materially which, of course, will be passed on either directly or indirectly to the consumer. I must quickly add that, in most cases, industry price increases are absolutely necessary because of inflationary wage settlements, increasing cost of borrowed money, etc. One only needs to look at the current decreasing profit margins of industry to determine that they are necessary. It becomes a vicious circle so that a wage increase is followed by a price increase and a price increase by a wage increase.

The most unfortunate result of this is that the people who live on fixed incomes, either now or in the future, are being unmercifully squeezed by the dimunition of their purchasing power. I am referring to those who are either living on pensions or will live on pensions, to those who depend on life insurance proceeds now or in the future, to those who carefully saved for annuities and many others in similar categories. These people have no recourse and have no protection against this squeeze. I am not concerned about myself or people in similar situations who are reasonably sophisticated and can take some measure of protection through their investment approach.

I do not profess to know the answers, but would like to offer several comments. Governments, like people, must live within their budget, not necessarily in any single year, but certainly over a period of time. This has not been done for many, many years. This country cannot afford a Viet Nam and all the requirements that are vital to a fair and proper domestic situation at the same time.

Therefore, the hard decisions must be made in such areas as a solution in Viet Nam, a restriction or deferment on unnecessary domestic spending, a proper fiscal posture with relation to taxes, etc. I believe that, when action is to be taken, it should be taken promptly and firmly. I fear that the tax increase is coming too late and probably too little; the too little does not necessarily mean the percentage increases, but could mean certain amendments to existing inequities.

It is obvious that an economic weakening of this country, such as is taking place now, is just as weakening as a military defeat. This problem is going to have to be faced sooner or later and the sooner the better.

A LESS HAZARDOUS CIGARETTE

Mr. MOSS. Mr. President, last week the Committee on Commerce, under the leadership of its chairman, the distinguished Senator from Washington [Mr. MAGNUSON], conducted hearings on the health consequences of smoking, and on progress being made toward developing a less hazardous cigarette.

One of the most important contributions to the discussion was made by Dr. William H. Stewart, the Surgeon General of the Public Health Service, who brought the committee up to date on the most recent research conducted by the Service on the impact of smoking on health.

Because I am confident that what Dr. Stewart said will be of interest to all Senators and to the public at large, I ask unanimous consent that his speech be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF WILLIAM H. STEWART, M.D., SURGEON GENERAL, U.S. PUBLIC HEALTH SERVICE, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, BEFORE THE SUBCOMMITTEE ON THE CONSUMER, COMMITTEE ON COMMERCE, U.S. SENATE, AUGUST 25, 1967

Mr. Chairman, and Members of the Subcommittee, I am grateful for the opportunity to appear before you today to discuss problems and progress in the development of a less hazardous cigarette.

Just a month ago, Secretary Gardner sent to the Congress a report on the health consequences of smoking, as required by Federal Cigarette Labelling and Advertising Act. That report, as you know, not only strengthened the conclusions of the 1964 Surgeon General's Report on Smoking and Health, but expanded and extended our knowledge of the effect of cigarette smoking and early deaths and excess sickness and disability. Last week, we released a report summarizing 3½ years of research, including data used for the report sent to you a month ago.

Our present state of knowledge on these health consequences are summarized in this new report as follows:

"1. Cigarette smokers have substantially higher rates of death and disability than their nonsmoking counterparts in the population. This means that cigarette smokers tend to die at earlier ages and experience more days of disability than comparable nonsmokers.

"2. A substantial portion of earlier deaths and excess disability would not have occurred if those affected had never smoked.

"3. If it were not for cigarette smoking, practically none of the earlier deaths from lung cancer would have occurred; nor a substantial portion of the earlier deaths from chronic bronchopulmonary diseases (commonly diagnosed as chronic bronchitis or pulmonary emphysema or both); nor a portion of the earlier deaths of cardiovascular origin. Excess disability from chronic pulmonary and cardiovascular diseases would also be less.

"4. Cessation or appreciable reduction of cigarette smoking could delay or avert a substantial portion of deaths which occur from lung cancer, a substantial portion of the earlier deaths and excess disability from chronic bronchopulmonary diseases, and a portion of the earlier deaths and excess disability of cardiovascular origin."

Despite the hazards, 42 percent of the adult population or 49 million men and women continue to smoke, and more than a million young people take up the habit each year. Half the boys and girls in this country become cigarette smokers by the time they are 18. These figures represent the size of the problem before us—one of the most difficult we have ever faced in preventive medicine and public education.

The Department recognizes that if the death rate associated with cigarette smoking is to be reduced, and if cigarette-related diseases are to be controlled, we must pursue, as we are now doing, a three pronged remedial program:

First, to reduce the number of persons now smoking;

Second, to encourage young people not to smoke;

Third, to support the development of a less hazardous cigarette for smokers who never will be willing or able to give up smoking, and at the same time, to help create a climate of opinion so that when such a cigarette is developed it will be acceptable.

Although the three points must be interrelated in a total approach to the problem, I shall stress the third point, which the Committee has designated as the area for discussion at these hearings.

In recent years, the harmful effects of tar and nicotine in cigarette smoke have been the subject of intensive scientific research here and abroad. There is evidence that "tar"—the general term for smoke solids minus moisture—is many times more potent in its cancer-producing properties than any of the substances isolated from it. Among the studies reported in the 1964 Surgeon General's Report were animal experiments which showed that tars extracted from cigarette smoke regularly induced skin cancer in mice and that cigarette smoke impaired the cleaning mechanism of the bronchial tract. It has been shown, also in animal experiments, that the tumor-producing capacity of cigarette smoke can be reduced by altering the cigarette to reduce tar and nicotine content.

The Public Health Service has for some time encouraged research in this area. The National Cancer Institute has supported and is supporting investigations on the nature of several carcinogenic and co-carcinogenic components of tobacco and tobacco smoke. The purpose of these studies is to provide a foundation for future studies so that specific or differential removal of the harmful ingredients may be accomplished by several means, including filtration, the development of tobacco strains low in toxic elements and treatment of tobacco leaves.

Cooperation with the Department of Agriculture on the agronomic aspects of tobacco research was begun a few weeks after issuance of the 1964 Surgeon General's Report, and this research is continuing.

To further explore the significance of tar and nicotine content, 14 prominent scientific investigators met in Washington at my invitation to review medical knowledge on this subject. The group reported:

"The preponderance of scientific evidence strongly suggests that the lower the 'tar' and nicotine content of cigarette smoke, the less harmful are the effects."

The implications of this judgment and the suggested course of action are clear. For those smokers who cannot quit—and we must accept the fact that there are a great many who will never do so—we must help them to lessen their risks by reducing the level of exposure to harmful ingredients in cigarette smoke. These are the people who make up such a large percentage of early deaths associated with cigarette smoking, and who suffer from premature disability of heart disease and chronic respiratory disease. Studies have shown that smokers who have turned to cigarettes with lower tar and nicotine content, show a significant reduction in symptoms of coughing and shortness of breath compared to those who continue to use cigarettes with higher tar and nicotine content. It is reasonable to assume that lessening exposure to cigarette smoke may also decrease the chances of developing cancer and other diseases; just as smoking fewer cigarettes per day entails a lower risk than smoking many cigarettes per day.

To reduce the risk, changes in the cigarette itself must be accompanied by other changes. One change involves acceptance of the less hazardous cigarette when it is developed. If it is found deficient in qualities which give the average smoker the gratification to which he is accustomed, it will inevitably fail of its purpose. Smokers also could protect themselves if they could be persuaded—if they must smoke—to change their way of smoking by inhaling less and smoking less of each cigarette.

The overall aim is to reduce the total exposure to cigarette smoke to such a low level of total dosage that the health risks are at a level which the average knowledgeable smoker might be willing to tolerate. It would remain for research, however, to determine what would be the "tolerable" level for different kinds of people.

The task of persuading smokers to change their ways of smoking such as encouraging them to take fewer puffs and to consume less of their cigarette—will not be easy in the face of the cigarette industry's latest innovation—the longer cigarette. As research findings continue to confirm and to strengthen the scientific evidence incriminating cigarettes as a health hazard, it is unconscionable that the cigarette industry should introduce and heavily promote the 100 mm cigarette which cannot but help increase the hazard. The advertisements now feature the cigarette that "smokes longer because it is longer," and the cigarette "you can't knock it off in a fast five minutes; you have got to give it at least seven." What the ads do not say is that the longer cigarette also increases the smoker's total dosage and thereby increases his exposure to the harmful effects of smoking.

The longer smoke clearly means longer profits for the cigarette industry. When the 100 mm cigarettes were introduced last year they captured 2% of the market; this year the estimate is they will get as much as 15%. If this trend continues the effect will be to negate whatever benefits might accrue from a shift to a lower tar and nicotine cigarette. Previous evidence indicates that the smoker who turns to a longer cigarette tends to continue to smoke as many cigarettes and more of each cigarette than before.

Cigarette packages are required by law to carry the warning that smoking may be hazardous to health. It is not in the public interest to add to that hazard by influencing the smoker to increase his intake of injurious ingredients. I would urge the cigarette industry to reconsider its course with respect to the longer cigarette and cigarette advertising in light of these conclusions from the Surgeon General's report sent to Congress last month:

(1) Of men between the ages of 35 and 60, approximately one-third of all deaths are "excess" deaths in the sense they would not have occurred as early as they did if cigarette smokers had the same death rates as non-smokers.

(2) Cigarette smoking is now the most important cause of chronic bronchopulmonary disease and greatly increases the risk of dying from these diseases.

(3) Men who smoke cigarettes have a death rate from coronary heart disease 70 percent higher than that of non-smokers. This increases to 200 percent and even higher in the presence of other known "risk factors" such as high blood pressure and high serum cholesterol.

(4) "Seventy-seven million days of work are lost each year in the United States which would not have been lost if cigarette smokers had the same rates of illness as non-smokers." This represents almost 20 percent of the entire annual work loss in the United States which results from illness.

(5) A relationship between cigarette smoking and death rates from ulcer has been confirmed, and data now suggests that a similar relationship exists between cigarette smoking and morbidity.

It is clear we are paying dearly for the cigarette habit in terms of early deaths, sickness and disability and the cost to the Nation of the lost services of millions of men and women. We would hope that the cigarette industry would recognize the growing seriousness of the problem and make meaningful effort to help prevent a bad situation from growing worse. Removal of the long cigarette from the market and the promotion of moderation in cigarette use in the advertising would be steps in this direction. An example of moderation in advertising would be to encourage smokers not to smoke far down on each cigarette. Studies have shown that the last third of a cigarette when smoked contains almost 50% of the total condensate recoverable from the smoke, whereas the condensate from the first third contains about 25%. In other words, as more of the cigarette is smoked down to a shorter length, the dosage of smoke condensate, including known carcinogens, increases.

I believe that disclosure of tar and nicotine on cigarette packages and in advertisements, and the responsible promotion of those cigarettes low in tar and nicotine would be constructive and helpful steps to the extent they provide the smoker with as much information as possible on the risks of smoking and enables him to make his own decision as to the amount of dosage he will accept. Public opinion backs such action. A Public Health Service survey shows that 77 percent of people who were interviewed felt that cigarette companies should be required to list tar and nicotine content on packages; among cigarette smokers, 71 percent favored such action. As other substances are found in cigarette smoke which contribute to the health hazard of smoking, the identity and quantity of such substances, should be included along with tar and nicotine in the package labeling and in advertising.

The question is: will tar and nicotine disclosure on cigarette packages and in advertisements encourage wider use of the brands with lower levels? I believe that a progressive reduction of tar and nicotine levels result from such action because of public demand.

The phenomenal increase in sales of filter cigarettes from only 2% in 1952 to nearly 70% today reflects the average smoker's concern in protecting himself as much as possible against the hazards of smoking. Since it is obvious that self-protection is much of the motivation for switching to filters, it is important to insure that filters are effective in reducing the harmful ingredients of the cigarette smoke. It is reasonable to assume that health-conscious smokers will shift to an acceptable low tar and nicotine cigarette in the same, and or greater, proportion as they have switched to filter cigarettes.

In the period when tar and nicotine content was not publicized in advertisements and in labels, there was no incentive to reduce these harmful ingredients. On the contrary, the tendency was to produce cigarettes with *higher* tar and nicotine content. It is my opinion that the identification of tar and nicotine levels would be in the interest of better health. It should be recognized that not all consumers will choose a lower tar and nicotine cigarette, but previous experience and the attitudes currently expressed by smokers lead me to believe that many will do so if given the opportunity.

Some doubts have been expressed that the lower tar and nicotine cigarette can in the long run reduce the hazards of smoking, and these dissenting views have been considered by an expert committee of scientists. They have taken into account, for example, the argument that the smoker who turns to a lower tar and nicotine cigarette may smoke his cigarette further down and smoke more of them. But there is evidence that this does not occur; it has been found that the smoker who takes up the lower tar and nicotine cigarette tends to smoke the same number, or fewer, cigarettes than he did before the change.

It has also been argued that promotion of a low tar and nicotine cigarette might lull the smoker into believing that he could smoke this cigarette without any accompanying risk. But there are three factors that should minimize this likelihood, in the opinion of the expert committee of scientists: (1) the warning label, which the Department feels should be strengthened; 2) control over advertising statements which are permitted, and 3) the continuing educational efforts.

Education is basic to all aspects of the program. Education is as essential in creating acceptance for a low tar and nicotine cigarette as it is in encouraging young people not to smoke and in helping smokers to quit smoking. Cigarette smoking presents a special problem in health education because it is unique and complex. For one thing, there is no sudden course between cause and effect; between the time a person takes up smoking and the time when he becomes ill. For another thing, cigarette smoking is easy to start and hard to stop.

Our educational efforts have been modest and in effect for a short period of time. There have been significant gains, but not as many as we would like. Our latest surveys indicate that we have reached what amounts to a stalemate. Health-conscious adults are giving up smoking at the rate of 1,000,000 a year, but this is being compensated for by the taking up of smoking by young people at approximately the same rate. The proportion of men who smoke continues to decrease yet the number of women who smoke continues to increase. We appear to be at a standoff.

This is not to imply that the educational program has not been effective. The total proportion of smokers has not increased as much as the promoters of cigarettes would have liked it to. In 1966 smokers consumed about 25 percent fewer cigarettes than would have been the case if cigarette consumption had continued to increase since the early 1950's as they had in the five years immediately preceding the first awareness in the general public of the scientific evidence linking cigarette smoking to lung cancer.

Education remains our strongest weapon in the overall effort to reduce the hazards of smoking, and we shall use it increasingly to help people act intelligently to protect themselves from one of the most serious health hazards of our time.

AFRICAN WILDLIFE IN DANGER, NEWSWEEK WARNS

Mr. YARBOROUGH. Mr. President, 2 days ago I submitted a concurrent resolution, Senate Concurrent Resolution 41, calling for the United States to take the initiative in promoting a worldwide conference on the conservation of wild animals.

I have introduced this proposal three times in the last three Congresses. On each occasion it has received the support of the Department of State and the Department of the Interior.

Public interest in the fate of wild animals facing extinction is now beginning to be awakened, largely through the efforts of certain parts of the news media which have grasped the urgency of the problem. The most recent of the efforts is a two-page article which appeared in a Newsweek article the day after I submitted the concurrent resolution. The article is a well-researched and compelling argument for the conservation of the magnificent animals of Africa before it is too late to save them. Articles like this will help the public to realize that, as the great conservationist William Hornaday said:

> The wildlife of the world is not ours, to dispose of wholly as we please. We hold it in trust, for the benefit of ourselves and for equal benefits to those who come after us.

The situation, as Newsweek demonstrates so vividly, is critical. I hope that responsible journalism such as this will help the public and the Senate to realize it.

Mr. President, I ask unanimous consent that an article entitled "Can Africa's Wildlife Be Saved?" published in Newsweek for September 4, 1967, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAN AFRICA'S WILDLIFE BE SAVED?

From Kenya to the Congo, the great migrant herds of wildlife that once roamed East Africa's 700,000 square miles of savannaland and forest have all but disappeared. Some authorities, in fact, estimate that it has taken man less than 50 years to reduce the region's game population to a tenth of its former size. Now he is trying to keep that last remnant from vanishing altogether.

Decimated by poachers and dispossessed by livestock, the surviving herds have to a large degree become refugees in East Africa's thirteen national parks and its 91,000 square miles of game reserves. Here, to the casual tourist, there seems to be no end to the game. But ecologists and wardens involved in wildlife-management projects know better. They know that the sanctuaries alone offer scant protection. Indeed, in some cases, the parks themselves must be saved from the game. As the migration of wildlife into preserves increases, so does the pressure on the food supply of the animals already there. Last year, at Uganda's Murchison Falls Park, wardens were forced to "cull" (conservationese for kill) no fewer than 2,900 elephants and 2,000 hippopotamuses. A hippo can put away 150 pounds of grass in one night.

Land Settlement: The problems begin with man: quite simply, he is outbreeding and outranging the beasts. Since 1915, Uganda has given up three-quarters of its wildlife range to human habitation, cultivation and grazing. By the year 2000, its 8-million population will have more than doubled and gobbled up 20 million more acres of game land. In Kenya, where man currently requires a quarter of the land, half will be needed in 30 years—most of it for agricultural settlements and squatters practicing subsistence farming. And in Southeast Tanzania increased land settlement has resulted in what game warden Brian Nicholson calls a "straightforward clash between man and beast."

The very mention of an East African wildlife crisis once conjured up an image of the white hunter, armed with a highpowered rifle and an insatiable lust for blood. But today, the 100 professional hunters operating in East Africa are ardent—and admired—defenders of wildlife. The tradition began with the late Philip H. Percival, who escorted Teddy Roosevelt in 1910 and Ernest Hemingway 23 years later, on safaris, then spent his final years as East Africa's first game warden. But while professional hunters have been solicitous of wildlife, many Africans have not.

Official estimates of the number of animals killed each year by poachers in East Africa run as high as 300,000. Most of the lawbreakers are driven by hunger and habit. The Wakamba and Wasukuma, for example, come from an ancient line of proud—and protein-starved—hunters. But others, encouraged by traders on the coast, poach purely for profit. Their targets range from the black rhino, nearly extinct because its horn fetches $28 a pound on the Asian aphrodisiac market, to leopards, whose skins are worth thousands of dollars on the furrier's rack.

"The business of poaching is run like the opium trade," explains Nairobi white hunter Bill Ryan. "It's as tight as a drum." But so are the poaching penalties, which have become much harsher since *Uhuru*—Independence. The penalty in some areas: a $2,800 fine or five years in prison. In Kenya's sprawling Tsavo National Park, once a favorite haunt of elephant and rhino poachers, the government has practically eliminated the problem by hiring the most notorious game killers as control hunters.

By far the greatest single danger to Africa's wildlife comes in the form of nothing more sinister than scrawny herds of tick-ridden cattle competing with wildlife for grazing space across the scrubby grasslands. As long as disease and drought kept their stock to a minimum, East Africa's pastoral tribes traditionally shared these semi-arid regions with the game. But modern veterinary science has upset the balance. "It's all the white man's fault," says Tanzania National Parks planning adviser Philip Thresher. "We've taught Africans how to increase their herds without teaching them how to control their stock rationally. Now there's the devil to pay."

In Uganda, the cattle population has doubled since 1930. Understandably, as domestic herds increase, tribal pastoralists become less willing to coexist with the wildlife. Animal husbandry has taught them that game can infect their stock with such diseases as anthrax and rinderpest.

Facing Spears: When Tanzania's Ngorongoro Crater was separated from the Serengeti National Park and demoted to conservation-area status in 1959, Masai tribesmen were allowed to graze cattle there. Crater conservator S.A. ole Saibull, a Masai himself, still manages to maintain a proper cattle-game ratio. But, as another Tanzanian park official told NEWSWEEK's Curt Hessler: "What if we have a drought? Masai from all around will bring their cattle into the area for water. Who's going to face those spears and say 'get out'?"

If cattle pose a danger to wildlife, they also represent disaster to the land itself. Where game is selective in feeding and rarely overgrazes, livestock will nibble pastureland to dust. Their hooves destroy the porous structure of the soil, compact it, expose it to erosion by wind or rain. The Great Rift Valley, running from the Red Sea to South Africa, was once lush forest and fertile plain. But indiscriminate overgrazing has reduced it to a dry, raw scar in the landscape. It may well be beyond reclaim.

Knowledge Gap: The production of field crops also complicates East Africa's delicate ecology and has noticeably increased the African's disdain for wildlife. Elephants trample his maize, buffalo batter his fences and chattering armies of baboons uproot any crop in their path. Yet most African farmers fail to understand why there are so many baboons to contend with. It rarely occurs to them that the answer might be related to the extirpation of leopard and cheetah that naturally prey on baboon and keep the ape's numbers in balance. "Somehow," says Robert Casebeer of the U.N.'s Food and Agriculture Organization, "we've got to show the tribes that most wildlife is valuable to them."

This is no small task. A surprising number of Africans know little or nothing about the great mammals with which they have shared a continent for centuries. A recent survey shows that eight out of ten Kenyan schoolchildren cannot even distinguish between a leopard and a hyena.

To close the knowledge gap, most of the national parks offer extensive education programs financed by U.S. and European foundations. The Washington-based African Wildlife Leadership Foundation (AWLF), for example, contributes a half-million dollars each year to conservation-education centers, including the 40-mile square Nairobi National Park. Last year, 19,000 student visitors to this park were exposed to AWLF's message: wildlife is Africa's No. 1 asset.

Tanzania has fielded perhaps the most aggressive game-management and conservation programs. Since independence, the country has created no fewer than four national parks and such ambitious projects as the College of Wildlife Management at Mweka, high on the slopes of Mount Kilimanjaro. Founded in 1964 with a $25,000 grant from AWLF, the college is training 57 students from ten African countries to serve as park wardens and game officials. Though the U.N.'s FAO administers the college with a five-year grant of a half-million dollars, funds and scholars also come to Mweka from the U.S. and West Germany.

The curriculum at Mweka ranges from elementary biology to a course in animal-population dynamics taught by 39-year-old Patrick Hemingway, son of the late chronicler of Africa's green hills. Hemingway spends half of each month in the field, teaching his students the practical aspects of game management, map interpretation, wildlife identification and "control" shooting. Despite their demonstrated desire and ability to learn, some students would prefer to pursue a different profession. "Let's face it," says one Mweka instructor. "Africans want to get out of the bush and into the cities."

For the game, time may be running out unless more Africans than Mweka can train decide that wildlife deserves a share of the range. One way may be through Africa's ever growling stomach.

Most nutrition experts agree that humans require an average of 30 grams of animal protein daily—six times more than is being consumed by East Africans. Yet recent experiments show that many game animals may yield half again as much lean meat as livestock of equal weight. Moreover, many agriculturalists point out that East African pasture land can support game animals more productively than cattle. Says S. O. Ayoda, Kenya's Minister for Tourism and Wildlife: "The government is becoming convinced that a high production of animal protein can be maintained from wildlife on lands that might deteriorate under other forms of use."

The FAO, for another, is convinced that wildlife may yield a solution to the African's chronic hunger. For several years, Zambanian wardens in the Lambwe Valley have been "cropping" wildlife for food. The carcasses are butchered in mobile abattoirs and transported to *dukkas* (markets) in the nearby Copper Belt.

Canned Gazelle: Even Hemingway foresees a need for a wildlife-canning industry in East Africa. Says Hemingway: "Our own experiments with home tinning of Thomson's gazelle meat have shown its quality to be quite comparable to the finest tinned tuna." But the "game as meat" concept is challenged by Dr. Igor Mann, former chief animal-industry officer for Kenya. "I've yet to see a self-supporting game-ranching scheme," says Mann. "Game meat isn't going to make anyone rich."

Perhaps not, but tourism—largely dependent on wildlife—does. It already ranks as Tanzania's fourth largest industry and Kenya's second largest. By 1970, it will be East Africa's biggest industry, grossing $75 million annually in Kenya alone. Clearly, Africa cannot afford to jeopardize the future of its wildlife—a resource that is every bit as vital to its economy as the copper mines of Katanga or the diamond fields at Kimberley. "Now is the critical time for African wildlife," says AWLF director Frank Minot, "the time when everything should be done at once."

THE ELECTION IN VIETNAM

Mr. INOUYE. Mr. President, the birth of a child—or a nation—can be an agonizing experience and one fraught with danger.

As we approach the eve of the national presidential elections in Vietnam, there are signs that we are ill at ease in the role of the midwife.

Yet many thousands of young Americans—and countless South Vietnamese—have fought and died to bring this child into the world, a lusty young democracy in Southeast Asia.

As Americans who have yet to perfect our own society after nearly two centuries of independence, I trust that the great body of the American people will demonstrate a sense of compassion and understanding in these critical hours.

More than a century ago, Alexis de Tocqueville, that perceptive observer of the American scene, made this comment:

> Democratic nations care little for what has been, but they are haunted by visions of what will be; in this direction their unbounded imagination grows and dilates beyond all measure.

As the children of Jefferson, Jackson, and Lincoln, I trust that we in this century can still have visions of what can be in South Vietnam.

I am, therefore, deeply dismayed by the attitudes of many distinguished Americans who would write off the coming elections as devoid of any real meaning. The cry of "fraud" has been heard before a single vote has been cast.

It was President Kennedy, recalling an ancient Chinese proverb, who said:

> A journey of a thousand miles must begin with a single step.

In a nation which has suffered the excruciating agonies of two decades of civil war, which has known the iron fist of repression and the insatiable greed of corrupt politicians, we cannot expect too much.

But I have been encouraged by the progress which has been made toward a representative government in South Vietnam.

Two years ago South Vietnam had no democratic constitution.

It has one today.

Two years ago South Vietnam had no popularly elected National Assembly.

It has one today.

In a country fighting for its very life, I call this remarkable progress, solid achievements which deserve our commendations.

South Vietnam will soon have a House of Representatives and a Senate whose members will have been chosen by the people.

Have we forgotten the doubts and anxieties which beset our own people when we undertook to become the cradle of liberty?

Let us not abandon hope for democracy in South Vietnam before it is even born into this world.

As the people of South Vietnam begin to move down the path toward freedom, there is a real need for patience, sympathy and encouragement on the part of the citizens of our Nation for we have already shed our blood in their cause.

As a Nation which has known its share of election scandals—with their stuffed ballot boxes, fraudulent vote counts, and bought and paid for candidates—this is indeed a time for discretion on the part of our people.

I speak as one having great faith in the people of South Vietnam who, rent by internal dissensions and ravaged by the enemy from the north, have nevertheless fought on by our side these many years.

These people know that in our hearts we seek no jurisdiction over their land, and we come not as economic exploiters to exhaust their great natural resources.

They have seen our young, battle-hardened combat veterans extend tender hands of mercy to the wounded women in the village square and they have seen them play quietly with their children as they awaited another deadly nightfall.

Yet I know that these same people look to the day when we shall be gone and that peace, which one entire generation has not known, will once again be theirs in the villages and the rice paddies.

We share this hope for it is the desire of our own troops in Vietnam—and the desire of the American people—that they should return home as soon as possible to resume their peaceful pursuits.

If we are able to leave behind a proud young nation carefully nurturing a democratic society into full flower in Southeast Asia, our efforts will not have been in vain.

TIME TO CLOSE THE LOOPHOLES

Mr. SYMINGTON. Mr. President, for many years, I have been voting to close the loopholes that exist in our tax structure; and I will continue to support measures designed to contribute to the goal of an equitable tax system.

In considering the administration's proposal for a 10 percent surcharge tax on individual and corporate incomes, it is hoped Congress will also give careful attention to plugging the tax loopholes which reportedly cost the Federal Government billions of dollars in uncollected revenues yearly.

In view of a mounting deficit and inflationary tendencies, primarily due to rising costs incident to our activities in Southeast Asia, a tax surcharge may prove to be necessary. However, the surcharge tax has been proposed as a temporary measure; whereas steps taken to plug loopholes in the existing tax structure should insure not only an important immediate increase in revenue for the Government, but also a far more equitable sharing of the tax burden in the years ahead.

In that connection, a thought-provoking editorial entitled "Something Smells" was published in the Springfield, Mo., Leader and Press, of August 16. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Springfield Leader and Press, Aug. 16, 1967]

SOMETHING SMELLS

It has been proposed before, now it appears inevitable: taxing Americans on the taxes they already pay. A tax on a tax is irritant enough, but even more irritating is it to know how unfair, how unnecessary this monstrosity, the surtax, actually is. The proof? Right from those who should know best, the U.S. Treasury Department.

Most of us are just "little guys," working for wages or salaries with nary a chance to fudge on taxes. So we are in a position to resent some of the things the Treasury Department has disclosed: That at least 15 Americans with incomes of more than $500,000 a year pay no income taxes at all; that at least five others with incomes exceeding $5 million paid no income tax last year; that dozens more with incomes ranging from $1 million to $5 million pay as little as 24 percent—about what most of us pay—instead of the 70 percent the law demands.

This is legal because of loopholes the wealthy have always managed to hire written into tax laws. Failure to tax paper profits properly is costing at least $13 billion annually, tax experts say.

And that is only one of several areas of loopholes. Another is the depletion allowance to firms extracting minerals from the earth. In 1965, for example, America's 20 largest, wealthiest oil companies paid corporate taxes averaging only 6.3 percent. Contrast this with the 24 percent or more you pay, with the 48 percent most corporations pay.

Standard Oil of New Jersey, America's biggest in the oil game, paid income taxes of $82 million in 1965. Sounds like a lot? Not on a profit of $1.7 billion that year—actually somewhat less than 5 percent. Perhaps even worse, a few smaller oil companies instead of paying taxes, actually collected refunds we were taxed to pay.

Ironically, foreign countries aren't so sympathetic to our wealthy companies: Standard paid foreign taxes of $562 million in 1965—about six and a half times what it paid to its own country.

The unholy depletion allowance, enacted about 40 years ago, grants oil companies 27½ percent for exhausting resources purchased for the sole purpose of depletion for profit. This allowance lined the pockets of the rich, cost Uncle Sam—all the rest of us—more than $4 billion in 1965.

While the depletion allowance is only for the few, others in big business get their cuts too: tax free foundations, gifts of stock and property, executive salaries, capital gains escapes, etc. As one illustration, the case of one tycoon is cited: He donated $21.6 million in stocks that had cost him $400,000 to a foundation he established and controlled. As a gift, he could write off the whole $21.6 million from taxes, yet continue to live on it.

This capital gains loophole is costing Uncle Sam nearly $7 billion this year, experts claim.

These are only some of the multitude of tax loopholes available to all who can take advantage. But alas, less than 5 percent of all taxpayers can take advantage, even in a small way.

Of course Uncle Sam must have money to stay in business. Of course the war has vastly increased revenue needs. Of course we must pay.

Closing these loopholes would raise far more than the surtax now being debated in Congress. And conversely, all revenues lost through loopholes must be made up elsewhere—not just anywhere, but by us common folk.

No use crying about it, since we modern Americans cry only to each other—seldom in the concerted lament that could drive Congress to act as it should have acted years ago.

If we're unwilling to cry where our wails will do some good, we'd better just grin and bear it—keep on keeping our millionaires and billionaires happy. And can you see any reason why they should be unhappy about the present tax setup?

THE UNITED STATES AND SOUTH VIETNAM: A BOLD ADVENTURE IN DEMOCRACY

Mr. McGEE. Mr. President, the eye of the world is focused on the Vietnam elections.

Next week, millions of free South Vietnamese citizens will choose their national leaders in a remarkable display of the democratic process, under the most adverse conditions.

This event—no matter what its outcome—marks a resounding success for the Vietnam policies of the Johnson administration.

For without the U.S. military and civilian presence in Vietnam, this election could never have taken place.

One thing we know—even though some of the press and others just discovered the South Vietnam elections last week: There are no elections in North Vietnam, there is no constitution drafted by a constituent assembly in the north, there are no candidates wheeling around the hustings in Hanoi attacking each other and the government in what has become a Western-style open election.

The critics seeing this happening in the south cry "fraud."

But it is not a fraud. It is one of the fruits of President Johnson's restrained and forward-looking policy of stopping communism from taking over militarily, while actively encouraging the birth, growth, and flowering of democratic institutions in South Vietnam.

Does anyone seriously doubt that there would be elections if the U.S. military and economic presence for 2 years had not helped Vietnam carry on?

Does anyone seriously believe that there would be a national entity today known as the Republic of South Vietnam without half a million American troops engaged there?

Does anyone seriously believe the United States "discovered" free elections in South Vietnam last week or last month, and is now trying desperately to hurry them along?

For almost 2 years, President Johnson and the U.S. Government have been engaged day in, day out, in a public and private campaign to encourage the birth and growth of democratic elections, democratic institutions, and representative government in Vietnam.

President Johnson and every one of his advisers—in Washington and on the spot in Saigon—have never lost sight of the vital importance of democracy in South Vietnam.

With our encouragement in January 1966, Prime Minister Ky announced his Government's plan to develop a constitution and hold national elections.

At the Honolulu Conference only a month later, the Vietnamese Government pledged in the Honolulu Declaration, "to formulate a democratic constitution" and "to create on the basis of elections rooted in that constitution, an elected government."

In the summer of 1966, American technicians and advisers met hundreds of times with those drafting Vietnam's basic electoral law.

In September 1966, a Constituent Assembly was elected with American and foreign officials observing, and the world press corps reporting fully.

At the Manila Conference in October, President Johnson again urged the Vietnamese to hold open and fair elections at the earliest possible date.

Between January and March 1967, many visiting American officials took pains to stress to the Vietnamese the importance of broad civilian representation in any new government; the importance of honest and free elections; the importance of developing truly representative political institutions. Again, I emphasize that this was long before most of the present-day critics were even aware that elections were going to be held.

At the Guam Conference in March 1967, Prime Minister Ky presented the President with a copy of the completed South Vietnamese Constitution—a milestone in that country's democratic progress.

Within recent weeks, Vice President HUMPHREY repeated to South Vietnamese officials the President's deep concern for the development of democratic elections and institutions in South Vietnam.

Secretary McNamara—under instructions from the President—told Vietnamese leaders in July, in unmistakable terms, of the importance the United States placed on free and fair elections.

The presidential team of Clark Clifford and General Maxwell Taylor repeated this same theme in their visits to Vietnam within the month.

So, Mr. President, the administration chronology and record on democratic elections is crystal clear.

But another point is just as crystal clear: They are not our elections, they are Vietnam's elections. As President Johnson has said, over and over again, "We cannot pose impossible standards for a young nation at war" in holding a democratic election. "But given our concern and our commitment, we can—and we should—expect of that nation every effort to make the elections truly representative of the people's will."

President Johnson has done everything humanly possible to encourage a fair campaign and election in South Vietnam.

The people of the world have seen our efforts. The press has reported them. We have, in my opinion, done our best.

Ambassador Elsworth Bunker, our distinguished Chief of Mission in Saigon, recently told the press there:

> The United States supports no single candidate and we oppose none.

Indeed, we do not. We are supporting democracy and opposing dictatorship in South Vietnam. That is what it is all about.

All the evidence of the past 2 years points to the fact that our faith in democracy will be sustained by the people of South Vietnam in the days ahead.

A bold democratic venture shared by the United States and South Vietnam is already beginning to succeed.

But, this is again a prelude to the future democracy in South Vietnam. The work will not be done just because the press turns to other headlines. The day-to-day work of making democracy work in South Vietnam lies before us.

And as we see it work; as we see free people building their country and their institutions and standing with us against the onslaught of Communists whose ruthlessness is unparalleled—we might well use the words of Churchill to describe what President Lyndon Johnson has achieved: This will indeed be one of our finest hours.

DRAFT NUCLEAR TREATY SEEN AS MAJOR ACHIEVEMENT FOR JOHNSON ADMINISTRATION

Mr. PELL. Mr. President, the Johnson administration is to be congratulated for a "major diplomatic achievement" in securing Russian agreement to a draft treaty to halt the spread of nuclear weapons.

The draft treaty prohibits the nuclear powers from transferring or assisting any nation in acquiring nuclear weapons and prescribes their manufacture or acquisition by nonnuclear powers. Nonnuclear powers are allowed to develop the atom for peaceful purposes.

President Johnson in a statement upon presentation of the draft treaty, was eloquent in expressing the world's desire to halt the spread of nuclear weapons.

He said:

> The issue is not whether some have nuclear weapons while others do not. The issue is whether the nations will agree to prevent a bad situation from becoming worse.

Much remains to be done. Patience and trust will be required from all nations. Yet, this draft treaty gives us reason to hope that the world is prepared to take a step to prevent its own self-destruction. We must encourage it to make that step and, in the President's words, "pass on a great gift to those who follow us."

I ask unanimous consent that several excellent editorials on the subject in the Washington Post, the Des Moines Register, the Washington Star, and the Christian Science Monitor, be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 25, 1967]

HALTING THE NUCLEAR PLAGUE

The presentation of a draft treaty to prevent the spread of nuclear weapons is unquestionably a major diplomatic achievement for the Soviet Union and the United States. The two countries must now turn their mutual boon into a general global benefit by filling in the blank inspection section and by securing the agreement of other nations to the completed document.

The prospect of a nuclear-free world disappeared, of course, in the mushroom cloud over Hiroshima. Given postwar tensions, it was perhaps inevitable that other nations moved to claim the protection and prestige they imagined nuclear capacity to confer. With the expansion of the nuclear club, however, came a growing fright that there were too many nuclear powers and that sooner or later there would come a terrible, final war. This is the chief impluse behind the great-power efforts to halt nuclear spread.

The draft treaty satifies that impluse as well as the national interests of the United States and Soviet Union allow. It is not—it could not be—a perfect document. But, we are convinced, it offers the world a larger measure of security and a broader promise of peace than does the unchecked spread of nuclear arms.

To be sure, it is easy for the nuclear powers to preach nuclear abstinence for others while not practicing it themselves; they already have the weaponry, the peaceful nuclear potential and the status which they are asking the others to forgo.

But the incentives open to nonnuclear countries are very considerable. Not only can they spare themselves the expense of national bomb programs and the skewing of their economic development. They also have President Johnson's pledge to "make available nuclear explosive services for peaceful purposes on a nondiscriminatory basis," at nominal cost. The Soviet government ought to make a similar public pledge. It is the treaty's "intention" that no country foreswearing bombs will thereby lose economic advantage. (Since most peaceful uses of atomic energy do not involve explosions, all countries will be free to explore them.)

The critical issue is security guarantees, which are not mentioned by the draft. Unfortunately the Soviet and American governments are a long way from agreeing to protect nonnuclear signers from nuclear blackmail, even though they both realize that no country could abandon the right of self-protection without a firm guarantee.

American officials point to President Johnson's unelaborated pledge of 1964: "The nations that do not seek national nuclear weapons can be sure that if they need our strong support against some threat of nuclear blackmail, then they will have it." Although this pledge is not among the State Department's recent listing of "United States Defense Commitments and Assurances," other countries would be mistaken to conclude that it is without meaning. The record of United States' involvement in the world underlies the President's words. The whole purpose of postwar American policy has been to create conditions in which local conflicts can be peacefully resolved and, beyond that, to stand behind victimized lands. It must be considered, too, that a given countrys' signing of the treaty would harden the United States' inclination to go to its aid.

To the American people and doubtless to the Soviet people too, it is comforting that their governments have moved toward a diplomatic agreement at a time of great tension over Vietnam. Now that the draft treaty is on the table, world public opinion can, hopefully, propel it along. Vision, patience and trust will be required from all countries, big and small, to make the treaty a reality.

[From the Des Moines Register, Aug. 26, 1967]

Nuclear Pact Miracle

"You have heard the sound of two hands clapping," runs a Zen Buddhist riddle, "but what is the sound of one hand clapping?"

One answer is the draft treaty to halt the spread of nuclear weapons, laid before the 17-nation Disarmament Conference at Geneva, Switzerland, Aug. 24 by Russia and the United States.

Russia and the United States agree on this draft—but there's a blank where Article 3 should be. They have not succeeded in agreeing on "verification." Britain agrees, too—but that's only three of the five nuclear powers, and a good many non-nuclear powers have serious reservations about the agreed parts of the draft.

The amount of agreement reached so far is a miracle of patient negotiation over five years—but months or years of negotiation remain before the treaty can be a reality.

And if a treaty is signed, sealed and ratified eventually, that will still be only "one hand clapping." The nuclear powers and many non-nuclear powers are worried at the spread of nuclear weapons and want to check it—but can the present five realistically expect a permanent monopoly of weapons so deadly?

Non-proliferation makes sense only as a first step toward nuclear arms limitation, nuclear arms reduction, international control, abolition, and these resounding goals make sense only in combination with strengthening the peace-keeping capacities of the United Nations.

Non-nuclear powers may be reluctant to take this particular first step without some more solid commitment by the nuclear powers to proceed to these other steps. All United Nations members are committed to them "in principle"—but in diplomacy, commitment in principle means next to nothing. Not quite nothing, but next to nothing. And nuclear China is not in the United Nations.

Five years' labor by the mountainous superpowers has brought forth part of a mouse—no teeth yet, and no eyes.

Like any birth, though, even this is a miracle, and the world rightly rejoices that it has lived to see this day.

[From the Washington Star, Aug 28, 1967]

Hope and Nonproliferation

There are two encouraging aspects to the Soviet-American agreement on a draft treaty to prevent the further spread of nuclear weapons. One is that it constitutes a gratifying measure of how our two countries can cooperate despite bitter differences over such dangerous issues as Vietnam. And the other is that it holds out the promise of a possible breakthrough toward a trustworthy system or arms control and disarmament.

The promise, however, still is hedged about by many big "ifs," "buts" and "maybes." To begin with, Charles de Gaulle's France and Mao Tse-tung's China flatly refuse to go along with the world's three other nuclear powers—Britain, Russia and America—in accepting the treaty's ban against transferring atomic-hydrogen weapons or know-how to any nonnuclear country. Indeed, the Gaullists and the Maoists condemn the whole idea as a fraud calculated to give the Soviet Union and the United States overwhelming permanent superiority in the field of the atom, military and nonmilitary.

At the same time, more than a few of the nonnuclear countries—some of them already equipped with reactors and the capability of making A and H weapons—take a reserved view of the implications of nonproliferation. These countries—including India, Japan, West Germany, Italy, Brazil, Israel and Egypt—have two major concerns in mind. First, if they sign the treaty and thus give up their sovereign right to proceed with their own nuclear development, will the pact's provisions really safeguard them against becoming "have-nots" required to go hat in hand to the "haves" for help in harnessing the atom for their peaceful progress? And second, will they be able to count on absolutely certain guarantees (the Indians against the Chinese, for example) to protect them from nuclear blackmail?

These questions make clear that the United States and the Soviet Union face a long and difficult job in selling their proposals to many nonnuclear nations around the world. Beyond that, and perhaps most important of all, they face the crucial task of selling each other on mutually acceptable terms to fill out the blank space under Article III of the pact. As long as this article—which is supposed to cover international controls—has no words in it, the treaty itself will remain at best a dream. Certainly, until there is an effective global system of inspection and verification against the danger of violations and evasions, all talk about nonproliferation will be nothing but that—just talk. And progress toward a policing agreement will be further frustrated if the Russians go all-out in building an anti-ballistic missile system.

Nevertheless, although obstacles abound, the mere fact that a substantial Soviet-American understanding has been reached nourishes the hope that the draft treaty will be strengthened in due course and that the great majority of nations will sign it. In that case instead of drifting willy-nilly toward a nuclear holocaust, the world will have a chance to enrich itself by putting arms under tight control and exploiting the atom's enormous potential for good.

[From the Christian Science Monitor, Aug. 28, 1967]

Cause for Hope

No matter how imperfect, any agreement between the United States and the Soviet Union helps the world sleep better nights. Whenever these two greatest powers can lay aside their rivalries and disagreements long enough to join efforts for the preservation of peace and security, men everywhere take new heart. And with submission of a joint American-Soviet resolution to prevent the spread of nuclear weapons, a great step towards a safer, saner, sounder world has been made.

This resolution, when adopted by all the necessary signatories, will bar the world's five nuclear powers (America, Britain, China, France and Russia) from either transferring nuclear weapons or nuclear explosive devices to nations not having them or from helping such nations in producing nuclear weapons.

Although neither France nor Communist China is expected to sign the treaty, nonetheless the American-Russian resolution is of the highest importance. It pledges these two world leaders to do all in their power to restrict the nuclear threat. It places France and China under great pressure to do likewise. It will help galvanize world opinion in favor of whatever further steps will be necessary to guarantee that atomic power be used only for peaceful purposes.

This joint United States-Soviet move is heartening proof of men's sanity and rationality. It encourages us to recognize the operation of a law of intelligence in the affairs of mankind. It is proof that when men acknowledge the essential and fundamental unity and brotherhood of mankind, they are led into paths which point towards peace and progress rather than towards war and poverty.

It will be noted that not even Moscow's strong disagreement with Washington over Vietnam prevented the Kremlin from joining hands with the White House in this important move. And it is to be hoped that this American-Russian accord on nuclear weapons will somehow, someday make it that much easier for Washington and Moscow to cooperate in ending the strife in Southeast Asia. There, too, a putting aside of distrust on behalf of a greater goal could open the way to the stopping of a war which no longer is wanted by anyone or serves anyone.

It is likely that one of the reasons for Moscow's willingness at this time to sign such an accord is the Soviet Union's concern over its relations with Communist China. If so, it is but one further proof of Moscow's recognition that, at an ever-increasing number of points, its interests coincide with those of the United States, and that these interests are fundamentally directed towards the preservation of peace.

The danger of nuclear war has not disappeared. It will not do so until all men everywhere recognize that such insanity must be put aside forever. Yet the joint American-Soviet move at Geneva is a long step in this direction. As such it is a cause for legitimate rejoicing and greater hope everywhere.

WATER CARRIER LEGISLATION

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the Record an editorial entitled "Send the Baby Back?" published in the August 24, 1967, issue of the Journal of Commerce.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Send the Baby Back?

It seems only yesterday that the air was resounding with the vigorous controversy over the proposal in Congress sponsored by President John F. Kennedy to remove economic regulation of railroad rates on agricultural and bulk commodities. The proposal failed by a whisker, chiefly because some railroads broke ranks at the last moment.

Whether they had thought it through to its ultimate conclusion or not, the railroads had a most attractive argument. A lot of traffic by water and by highway is exempt from regulation. The railroads are fully regulated. Either regulate everybody or remove regulation from the railroads, they said. With that simple idea, they enlisted a great deal of powerful support, including that of the administration.

The last kind word for regulation was probably said by Senator Burton K. Wheeler in 1940. The railroads were regulated in 1887, the truckers in 1935, the airlines in 1938 and the water carriers in 1940. But enthusiasm for regulation was running out by 1940 and the water carriers were only partly regulated. Exemptions for various types of traffic were written into the bill.

Since then the pendulum has been swinging against regulation. The railroads have taken out ads to complain about their problems with the ICC. On the whole, they have won powerful support for the idea that regulation is a bad thing. Hence it is not likely that the alternative of regulating everything will win many friends.

At one time, not many years ago, the railroads, the water carriers and the truckers were about to join together and advocate extending regulation, but too much mud had been thrown at the regulatory process for that strategy to work.

The alternative of regulation turned out to have some serious hidden problems. President Kennedy has said in his message that "to prevent the absence of minimum rate regulation under the above three proposals from resulting in predatory and discriminatory trade practices or rate wars reflecting monopolistic ambitions rather than true efficiency, the Congress should make certain that such practices by carriers freed from minimum rate regulations would be covered by existing laws against monopoly and predatory trade practices."

This meant to most people that the rate bureaus had to go. Without the ICC as a referee, the carriers could not be allowed to meet together to set rates. On that issue the railroads broke ranks. Helpful as minimum rate deregulation might be, it did not seem worth giving up the rate bureaus. A number of western railroads added their weight to the opposition to the bill and the whole deregulation idea failed.

To this day no one knows the right answer. If rates are deregulated, the antitrust laws must apply. And yet the rate bureaus are believed to be essential to the proper conduct of rate adjustments.

Now, three years after the last sounds of this battle have died away, come the common water carriers asking for an amendment to modernize their bulk exemptions. New technology has made possible large-volume tows. The economical tows can only be assembled by mixing barges of regulated and unregulated commodities in a single tow, a practice forbidden by the ICC.

But the ICC does not want to force an artificial increase in costs and rates on the barge lines. Hence they do not object to a change in the law to permit them to mix and so achieve the volume necessary for economical operation. The DOT supports the change, so does the Department of Agriculture and a blue ribbon list of industry, farm and labor organizations.

The railroads say: what about this bigger problem?

The water carriers say: no one yet knows the answer to the bigger problem. Let's solve the minor problem of permitting continued efficiencies of water service. The efficiencies have been developed and the reductions in rates have already been passed along to the consumers and shippers living along the rivers.

It does remind us of A. Lawrence Lowell's comment on the immigration laws. A Chinese woman had been permitted to land at San Francisco with a child born on the voyage. "The immigration officer asked the authorities in Washington whether the child, having no permit to land, must be sent back to China. In view of the statute refusing immigration without a permit the legal question might have presented difficulties, and the answer was appropriate: 'Don't be a damn fool.' "

This is the kind of answer the Congress ought to give in the case of the barge line problem. In effect, don't let's be so foolish as to send back the baby or cancel out technological benefits just because we can't think of an answer to the big problem.

But the railroads also have a point. Someone, perhaps the railroads themselves first, should begin thinking again about an answer to the big problem. It may even be that we should all take another look at the merits of extending regulation after so many years of throwing rocks at the ICC and the CAB.

Mr. MAGNUSON. This editorial discusses the controversy over extending regulation or deregulation to the various modes, and also the necessity of passing S. 1314, a bill which I introduced to modernize the water carrier exemption in the Interstate Commerce Act.

As the editorial correctly points out, Congress cannot stop action on needed transportation legislation while the new Department of Transportation prepares recommendations on the major problems facing our national transportation system.

One measure needed now is S. 1314. Unless prompt passage of S. 1314 is achieved, technological progress on the waterways will be brought to a standstill under the restrictive wording of the exemption in section 303(b). The Interstate Commerce Commission has fixed a compliance date of January 1, 1968. I am hopeful that action can be taken by then to avoid an increase in water carrier transportation costs and, as a consequence, a sharp increase in rates.

The Department of Transportation supports passage of S. 1314 as consistent with sound operating practices and with the realistic economics of modern water carrier transportation. The recommendation of the Department in support of S. 1314 should be followed, and action should not await overall transportation recommendations which may at some future date be submitted to Congress.

INTERNATIONAL MONETARY REFORM—INTERNATIONAL MONETARY FUND

Mr. JAVITS. Mr. President, after 4 years of some of the most complex and politically charged negotiations, agreement has been reached on August 26 on a historic step forward in the international monetary system. Agreement was reached among the 10 most advanced industrialized nations of the non-Communist world. The plan agreed upon is a contingency plan which would come into being should existing international reserves prove insufficient to the world's trade and economic growth.

While the plan agreed upon is not so far-reaching as some would like—including myself—the principle of deliberate reserve creation by an international body has been established, and this is of overwhelming importance to the future progress of the world economy.

There are several other reasons why this agreement is of tremendous importance.

First of all the agreement signifies that an apparently irreconcilable conflict between France and the United States was successfully resolved to the mutual satisfaction of both.

Second, the successful conclusion of these negotiations, coming right after the successful Kennedy round of trade negotiations, is dramatic proof that the industrialized nations of the non-Communist world are determined to proceed with and strengthen their cooperation in the economic and monetary sphere.

Third, the new international monetary machinery agreed upon has been placed within the International Monetary Fund thereby bringing that institution closer to being an effective international central bank.

Finally, approval of this standby plan should discourage further speculation in gold by those who were betting that either the dollar or the pound sterling world be devalued.

This historic agreement is especially gratifying to me, as I have fought hard for the United States to take a leading role in these negotiations and have worked hard to increase public awareness of the importance of international monetary reform. I take this opportunity to congratulate Secretary of the Treasury Henry Fowler, who led the American negotiators during the most difficult phase of the negotiations, for a historic accomplishment.

Under the plan each member of the IMF will be issued special drawing rights in relation to its fixed participation in the IMF. The United States share of the IMF's present $21 billion pool of gold and hard currencies is 24.5 percent. So, if $1 billion in special drawing rights were created, the United States could draw $245 million. A debtor nation then could use this new asset to pay its debts instead of using its gold or dollar reserves.

The plan agreed upon in London is a standby plan so that it will not go into effect until a shortage of international reserves appears in the judgment of the IMF's Board of Governors with at least 85 percent of the total voting power in the Fund. This means that the European Economic Community with 17 percent of the vote as well as the United States with 25 percent of the vote will have a veto over the timing and amount of the use of this new facility. Initially the plan will operate for 5 years. It must be approved by next month's annual meeting of the IMF's Board of Governors and subsequently must be ratified by Congress and the other legislative bodies concerned.

I ask unanimous consent that news items dealing with this event be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Journal of Commerce, Aug. 28, 1967]

Climaxes 4 Years of Work—Monetary Reform Accord Hailed

London, Aug. 27.—The world's 10 richest nations reached agreement over the weekend on the outlines of a plan to make money more readily available in the world for the improvement of international trade.

The finance ministers of the "Group of 10"—consisting of the most advanced industrial nations today—met in London's Lancaster House in nonstop negotiations Saturday lasting more than 12 hours into midnight. The talks climaxed four years of hard work before agreement was reached on the formula to be presented for the approval of International Monetary Fund (IMF) executive directors' (governors) meeting in Rio de Janeiro late next month.

CALLED HISTORIC DAY

The first reaction from the weary negotiators emerging from the meeting came from James Callaghan, the British Chancellor of exchequer, who called it a "historic day."

And Henry Fowler, the U.S. secretary of the treasury, said it was "one of the great days in the history of international financial cooperation."

The key problem tacked was that of a "special drawing right" for IMF member countries with a balance of payments deficit, and the degree to which the proposed extra credits would have to be repaid by the drawing countries.

FRANCE GIVES GROUND

France had reportedly been insisting on the strictest possible repayment conditions but had to give ground in the end when the ministers agreed borrowing countries would be obliged to repay 30 per cent of the amount drawn under the "special right" in five years.

On a subsidiary issue, the ministers agreed that a majority of 85 per cent of the total voting power of an IMF governors meeting would be required in decisions concerning the period, timing, amount and rate of special credit to a needing country.

Some minor points of disagreement still

remained but they were expected to be hammered out in time for the plan's approval by the governor's meeting in September.

LIMITS ON BORROWING

A final communique Saturady night said the principle rule for repayment should be that a members's net average use of new borrowing rights should not exceed 70 per cent of its total allocation over any period of five years.

"Decisions on the basic period for, timing of and amount and rate of allocation of the new drawing rights should be taken by the board of governors of the International Monetary Fund by a majority of 85 per cent of the total voting power," the communique said.

The 85 per cent majority was sought by European Economic Community members, which have a 17 per cent vote in the IMF, ensuring them of veto power to ensure that they can prevent the debtor nations activating any emergency program for their own benefit.

In layman's terms, Mr. Callaghan said, what was being done was to create assets—or drawing rights—that would supplement existing reserve assets of the IMF countries, that is, gold and dollars.

He said that under the outline agreement, countries were expected to use their special drawing rights only for balance of payments needs.

MORE THAN "OUTLINE" ACCORD

Although the communique spoke of an "outline agreement," Mr. Callaghan said it was much more than that.

"We have got a lot of flesh on it," he said. "It it is a plan which has got to be translated into legal language."

The outline now will be considered by the executive directors of the fund, who are expected to approve it and then to include it in the resolution at the meeting in Brazil.

Mr. Callaghan said the scheme then would have to be ratified by the various governments, which he guessed should be completed by the end of 1968 and that the scheme then probably would become operative in 1969.

The communique said the ministers, who were accompanied by their central bank governors, "also considered ways of bringing rapidly to a conclusion the studies to be made in parallel with a view to making such changes and improvements in the present rules and practices of the IMF as would appear appropriate in the light of experience."

The countries represented in the Group of 10 include Britain, France, West Germany, Italy, Holland, Belgium, Sweden, Japan, Canada and the United States.

Switzerland, not a member of the IMF though closely associated with it, was represented by an observer.

The agreement came after more than four years had been spent working on it.

[From the New York Times, Aug. 28, 1967]

Agreement on Money—Outcome of Reserve Talks Matches Kennedy Round's Success on Trade

(By Edwin L. Dale, Jr.)

Washington, August 27.—As recently as last spring, even though the flowers had begun to bloom and hope was supposedly springing, it was difficult to find and official or an informed independent observer who was confident that the two great international economic negotiations then nearing their climax would both succeed.

They have succeeded. The Kennedy round of trade negotiations produced in May the largest tariff reductions ever among the industrial nations. The international monetary negotiations among the Group of Ten, the world's leading financial powers, have just produced in London a plan for a new kind of world money, to supplement gold.

The result, in the view of individuals in many fields on both sides of the Atlantic, is that the amazing prosperity of the industrial nations since about 1950 has a good chance of continuing. The prosperity—particularly its duration without a serious slump—has been unequaled since the industrial revolution began 175 years ago, though the problem of the poor countries remains.

In both negotiations—trade and money—France had the opportunity to play the role of wrecker. She did not do so in the end, even though she has readily played that role under President de Gaulle, in some noneconomic areas. The reason may be that France, too, has learned to enjoy postwar prosperity and recognizes that it cannot be entirely the province of a single nation.

At issue has been the flow of goods and money among nations. In both negotiations the United States achieved essentially what it wanted, though not all it wanted.

In the year 1967, while governments continue to differ on such matters as troop levels in the North Atlantic Treaty Organization, not to mention Vietnam, international traders are shipping goods to one another in the unheard of volume of $200-billion. Thanks to the intricate system of international finance, a Dutch importer can buy Italian chemicals and pay in dollars. A Swede buying Japanese television sets can borrow something called Eurodollars from a British bank to finance the transaction.

The entire system, established in essence soon after World War II, has been based on three principles, all of which were at stake in the two negotiations that now have succeeded.

The first principle is a gradual liberalization of old-fashioned trade barriers—chiefly tariffs. On industrial goods these barriers will be reduced through the Kennedy round to modest proportions, though the same is not true for agricultural products.

The economic principle is fixed exchange rates for currencies. Since the wave of European devaluations in 1949, led by Britain, the values of all the major currencies have remained unchanged except for the small—and disruptive—upvaluation of the German mark and the Dutch guilder in 1961. Traders and citizens in the advanced countries know what their money is worth.

The third principle is increasing freedom to convert one currency into another, at the fixed rate of exchange, for imports or tourism or purchase of stocks or any other transaction among nations. An American has long been free to do almost anything he wants with his money. And this is now largely true of a German or a Belgian or a Frenchman.

Behind the second and third principles—fixed-value, convertible currency in the leading nations—is the existence in each national treasury or central bank of international monetary "reserves." Their underlying purpose has always been to settle the swings when a country's outpayments exceed its inpayments with other nations. Without ample reserves, convertability of a nation's currency into other currencies is impossible. And without convertability there can be no freedoms of transactions.

Gold has always been the ultimate reserve. And it will continue to be important. But the decision of this weekend in London means that for the first time, the nations are agreed in principle to create deliberately new reserves, backed by the main currencies, to supplement gold. Thus, total reserves can continue to grow, even though gold reserves do not.

Like the Kennedy round, the monetary agreement can be regarded as more important for what it averted than for what it created. The system has been working well. But on both trade and monetary fronts there had emerged—or seemed to emerge—important differences among the leading nations.

"What we really had to show," a high official today said, "was a joint commitment to the present system. Progress was necessary to avoid suspicion and doubt. Now the monetary system and trading system can go on working, without a lot of fears about a breakdown.

"Not all problems were solved. Britain still has its troubles, and the United States still must cope with the deficits in its balance of payments. But I think we have shown we are all really in the boat together and that our prosperity is worth saving, even if some of us had to give in on some of our theories."

HIGH-SPEED GROUND TRANSPORTATION

Mr. TYDINGS. Mr. President, I strongly supported the Department of Transportation Act of 1966 because of its objective to stimulate technological advances in transportation and to provide leadership in solving transportation problems.

In the short time that the Department has been in existence it has provided that leadership. A project close to my own heart is the high-speed ground transportation program in the Northeast corridor, which is a true pioneering effort toward solving the transportation problems of megalopolis.

That program and, indeed, the entire rail research program, has been threatened by what seem to be excessive budget cuts in the other body. An editorial from Traffic World of August 12 explains what those cuts will mean if they are not overturned in the Senate. I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From Traffic World, Aug. 12, 1967]

Detours on Avenue to Transport Progress

Two of the objectives that Congress had in mind when it passed the bill that is now the Department of Transportation Act of 1966 (80 Stat. 931), as set forth in one of the provisions of the statute itself, were "to stimulate technological advances in transportation" and "to provide general leadership in the identification and solution of transportation problems." President Johnson, in his message to Congress calling for enactment of legislation to create a Department of Transportation, said that the "role" of the department would include the bringing of "new technology to a total transportation system, by promoting research and development in cooperation with private industry."

In furtherance of the above stated objectives the DOT has carried forward, and would like to continue its work on, a number of transportation research and demonstration projects, including several that were started when transport research programs were among the activities of the office of the Under Secretary of Commerce for Transportation, prior to the establishment of the DOT.

Three of the research and/or demonstration undertakings that appear to us to be of special interest and potential value to the American public and on which good starts have been made are: (1) The so-called high-speed ground transportation research and development program, including the Northeast Corridor project, for the development of which four specially designed test cars, capable of speeds of 150 miles an hour, have been acquired by the DOT with a view to placing them and a number of similar cars in operation experimentally on the New Haven and Pennsylvania Railroads, between Boston, Mass., and Washington, D.C., some time in the autumn of 1968; (2) the tracked air cushion vehicle project in which, operating on or between two vertical surfaces (either in the center or at either side of the guideway) against which positive force, in the form of powerful blasts of air ("vertical air cushions") can be extended to propel the vehicle, and (3) the auto-train project, described in an illustrated article on page 27 of the August 5 issue of TRAFFIC WORLD—an article in which the proposed air-cushion vehicle also was pictured and described.

Before it passed the appropriation bill for the Department of Transportation for fiscal year 1968 and sent the bill to the Senate, the House of Representatives in Congress made some big cuts in the budget estimates for research and development ("R & D") work of various "offices" and "administrations" in the department, including those requested for the Office of High-Speed Ground Transportation, which attends to programs directed separately by the Federal Railroad Administration and the Assistant Secretary of Transportation for Research and Technology (yet to be appointed). The director of the Office of High-Speed Ground Transportation is Robert A. Nelson, who was appointed to that position by Secretary of Transportation Alan S. Boyd in 1965 when the latter was Under Secretary of Commerce for Transportation. Mr. Nelson was professor of transportation at the University of Washington for 10 years before he came to Washington, D.C., and before that he was professor of economics at Boston University.

For the High-Speed Ground Transportation activities for fiscal year 1968 (the year ending June 30, 1968), the budget requests totaled $18.6 million, of which $9,611,000 was for high-speed ground transport (HSGT) demonstrations, $8 million was for "R & D," and $989,000 was for administration. Allowing $5,650,000, $3,850,000 and $800,000 for those three items respectively, the House cut the total for the Office of High-Speed Ground Transportation to $10.3 million, thus deleting $8,850,000 from the total amount requested for that office. For the "Northeast Corridor" part of the HSGT demonstration outlay proposed, $2,500,000 was the amount of the budget estimate. The House cut that by $250,000, to $2,250,000. (We won't weep about that one; this part of the research HSGT research program fared fairly well in the House.)

Unenviable is the situation in which House and Senate appropriation committees find themselves when budget requests to finance essential government activities are placed before them at a time when federal expenditures far exceed federal revenues and when many of the legislators' constituents are complaining about already high levels of taxes. The answer to the inevitable question faced by the appropriations committee members (and, later, by all their colleagues in the House and Senate), "How and where can we trim these proposed costs of government?", is seldom easy to find. Probably the line of least resistance for the legislators in their search for ways to cut the budget estimates is the reduction of money requests for "research and development," since it's often difficult for research advocates to prove that the need for allotment of funds for "R & D" projects *is* urgent and that work done on such projects *will* result in savings and other public benefits great enough to justify the cost.

In the cases of the tracked air cushion vehicle project and the auto-train demonstration (the latter already scheduled for experimental operation on the Seaboard Coast Line Railroad between Washington, D.C., and Jacksonville, Fla., some time next year), we believe that failure of Congress to provide adequately for continuance of the DOT research and demonstration work would be regrettable and not in the public interest. The tracked air cushion vehicle studies and experimental operations hold promise of pointing the way to solution of the present problem of slow surface travel to and from airports and the continuing problem of providing adequate transportation for commuters and relieving urban-area traffic congestion. Equally important as a means of maintaining the transportation progress that the United States can and should maintain, among the nations of the world, is the financing of the auto-train project, that promises to make it possible for long-distance travelers by automobile to reach their destinations quickly, safely and comfortably, at very reasonable cost, riding in or with their automobiles aboard specially built railroad cars and thus relieving the constantly growing traffic on the nation's highways. At the rate of population growth of this country, all available means of transportation will be needed, and all possible steps should be taken to keep the highways from being so densely occupied by vehicles that attainment of anything like a fairly reasonable speed becomes almost impossible.

RESPONSIBLE NEWS MEDIA COVERAGE OF THE RECENT RIOTS

Mr. MAGNUSON. Mr. President, many thoughtful people, both within the Congress and outside of it, have been concerned with the coverage of the recent riots by the news media and particularly, because of its unique immediacy, and impact, by television. I, too—and many other Senators—have been deeply interested in this matter.

Freedom of the press, including all the media of information and expression, is a basic, constitutionally guarded right in this country. Without it, none of our institutions would long be safe. Abuses and excesses by the press are always possible. They are part of the risks that are the price of freedom. It is easy to believe in freedom of the press when things are going well. It is more difficult and far more important to believe in it when the going gets rough.

In the case of the riots, however, I think that occurrences of such abuses and excesses were minimal. The major news media generally seemed to me to act with a high sense of responsibility, carrying out with promptness and thoroughness their primary job—which is to report to the American people the events that are happening, forthrightly and without trying to soften them. That the events in the case of the riots were ugly, that they were dangerous, that they were profoundly disturbing—all this is obvious. But they were not the creation of the news media, who, on the whole, amid incredible difficulties, strove to tell the whole story, with balance, objectivity, and without the condescension of trying to protect the public from the true dimensions of some grim episodes.

However, I have seen and read accounts of some broadcast newsmen who failed to meet their responsibility to see that their reporting did not inflame an already explosive situation. Undue attention to raving rabble rousers and their attempts to add drama, tension, and fury to reports are not in the best interests of the public nor true to the mission of the broadcast newsman who strives to be an umbiased observer and recorder of events which are presented in context and perspective. Some of these examples should not detract from the generally admirable service the broadcast media performed during the urban disorders.

I was glad to see my impression of the responsible nature of the television coverage confirmed by the responses, to a letter from the distinguished junior Senator from Pennsylvania, of the three national networks, copies of which were released to the public. These communications revealed attitudes of responsibility and an obvious awareness of the effects of how they perform their duties that fully justify the American insistence on a free press in fact and not merely in name.

The evidence contained in the letter from CBS, for example, as to the proportion of time given to the voices of law and order and moderation on the one hand, and to those advocating violence on the other, is most reassuring. To cite a single fact, during the 3 weeks of the most intense rioting, on news broadcasts on the CBS television network, militants appeared 15 times, and moderates and Government officials appeared 66 times. Other statistics are comparable.

It is also reassuring to learn that most television reporters and cameramen, on the initiative of the management of their news divisions, voluntarily took steps to avoid the possible unintentional escalating of the uprisings, such as using unmarked cars, omitting the use of lights for cameras, and using inconspicuous hand-held equipment. There were also very clear indications that news reporting procedures, in this sensitive area where rumors can be easily confused with fact, were disciplined, cautious, and vigilant.

In general, Mr. President, the television coverage of the riots seems to me to have served the national interest in a way best summarized by a frequently severe critic of the medium, Jack Gould, in the New York Times of August 13, 1967. Mr. Gould wrote, referring to some of those who seemed apprehensive about the coverage:

> The reality they overlook is that in all probability TV was the medium which made them aware of the severity of conditions on the home front. In any number of documentaries prior to the disturbances, TV had enabled the set owners to be an eye-witness to the misery of the ghettos, but all the warnings of explosions went blithely unheeded.
>
> Whatever the room for improvement in TV coverage and other media, the home screen served an essentially constructive purpose in showing the riots quickly. The policy has focused attention on the causes of the disturbances; more information, be it disturbing or reassuring, is the first step toward elimination of riots.

Mr. President, in a democratic society, by the common consent of all political parties, the free press is an absolute essential. Its job is not always easy. The lines of its responsibilities in emergencies are not always clear. There may at times be an uneasiness that full and open reporting might create temporary difficulties. But over the long haul, if we are to recognize defects in our national life and remedy them, there is no alternative to disclosure as complete as the freely competing news media can make it. And of this we can be certain: as Thomas Jefferson insisted, during a period of internal national stress perhaps no less severe than that today, you can always better trust the judgment of the people for the correction of evils, once they have had the essential information, than rely on restraining or restricting the full reporting and free discussion of those evils.

VITAL ISSUES DISCUSSED BY WESTERN STATES DEMOCRATIC CONFERENCE

Mr. MOSS. Mr. President, at a Western States Democratic Conference held in Los Angeles, Gov. Calvin L. Rampton, of Utah, identified some of the vital issues which face the Nation and discussed the task of the President in dealing with them.

I believe that the Governor's brief but candid remarks will interest the Senate. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF GOV. CALVIN RAMPTON, OF UTAH, WESTERN STATES DEMOCRATIC CONFERENCE, AUGUST 26, 1967, LOS ANGELES, CALIF.

I listened to the newscast this evening. It described the early sessions today. And as usual, the newscasters described this as a dull convention. Which means one thing to me, and that is: we're finally getting united and we're not giving them anything to pick at.

So, gentlemen of the press, we regret very much that we are not giving you news copy here. But as long as we're getting the work done for which we came, we prefer that we don't make news copy.

Coming down on the plane, I picked up a copy of Time magazine for the last week. The lead article under the section that's entitled "The Nation," and the sub-section, "The Presidency," is entitled "A Failure of Communications." It is not a kind article to the President, as you read it through. It is not kind in every sense.

But if you read it and ponder what is said you come up with one conclusion—that even this rather critical writer had—and that is that in both the domestic field and the foreign field the President is doing an excellent job and the only defect is the fact that he is not communicating just how well he is doing to the American people.

As an executive of a small unit of government I can have some insight into the problem which the President faces. I know how alone he can be. I can know how impossible it is for a chief executive of this nation to be chief policy maker and at the same time his own chief advocate.

If communication is to be established, and it must be established if we're to win the election in 1968, it can't be done by the President alone. It cannot be done by the ablest press corps that could be assembled. We can't expect that the press itself is going to give the kind of communication we need.

Newspapers and television programs are tailored to the public image. This must necessarily be so, and if it were not so, they would have little appeal.

And other than an occasional columnist who sees fit to do research on a particular government program, and to tell the people just exactly what this program is accomplishing, it makes much better reading to criticize—to show the defects of an Administration—than to give the positive and constructive side of what is being accomplished.

It makes much better reading for the public that a Black Power advocate was able to infiltrate a Head Start program somewhere in the midwest than it does to say to the people how many hundreds of children that the transition from a substandard home to the public school was made easier.

Certainly we can't expect the political opposition to make the communication for us. They have a vested interest in pointing up the defects—and probably not only a vested interest, but also a duty—as the loyal opposition, in pointing up the defects in any governmental program.

So if there is to be the kind of communication that is to be necessary to take the program of this Democratic Congress and this Democratic President to the people of this country in a fair and impartial light, that task must be undertaken by you and me. Those of us in this room and those whom we work with in the district, in our home state.

The President of the United States at the present time is facing and has faced for the past 2 years one of the most difficult times faced by any President in the history of this Nation. Both in foreign policy and on the domestic front. We are engaged in a war which is not popular among many of our people in this country. When the Japanese attacked Pearl Harbor in 1941—that immediately collected the opinion of the public behind President Roosevelt.

But there have been no dramatic events such as this to point up to the people of this country what I believe to be the case of our national security, national honor, and our national interest—they are just as much involved, though less obviously so, in Viet Nam as they were in the island of the South Pacific or on the continent of Europe.

There are many in our own Party who on the one hand feel the President's policy of containing communism and preventing the exportation of the communist doctrine by force of arms does not justify intervention in the domestic affairs of other countries. There are many in our own Party, on the other hand, who believe the President is being unduly restrictive of the military and is not pursuing as vigorously as they feel he should the objectives of immediate and ultimate victory in the battle field in Viet Nam. And, of course, as might be expected, we have the same division in the other party.

The problem is that the President does not have the united support of those in his own party; and those of the opposite party have bracketed him so they will have a man prepared to move into the popular position, whatever that popular position proves to be, during the primaries next spring and as we approach the election in 1968.

Senator Percy, Senator Morton, and Senator Hatfield are criticizing the President for carrying on the war at all. On the other hand we have the Minority Leader of the Senate and the Minority Leader of the House who criticize him because he is not carrying on the war more vigorously. And we have a former resident of my home state who is evidently trying to make up his mind right now as to which position he will take. Your guess is as good as mine.

On the domestic front, we likewise have the critics of the Administration. We have those who say the Great Society programs—the Office of Economic Opportunity—is a give-away, a political boondoggle. On the other hand, we have those on both sides of the political fence who maintain that we're doing too little in this field, and we must accelerate our efforts. Besieged as he is on both sides, the President must make a decision. I feel that the decisions he has made in both fields in the last 2 years are right and that history will prove them right.

And I feel that you and I can justify them at the present time. If we will only do so. I've had many opportunities in the past 2 years to sit with the President and talk with him. And to observe him. And to know the responsibilities which he bears. And I can say from this rather close association, albeit not nearly so close as that of the Postmaster General, I can say that I thank God in a time of crisis such as this that the leadership directing this country is in the hands of a man who has the wisdom and courage and faith of Lyndon Johnson.

I have known in various capacities the last five Presidents of the United States. I went to Washington in 1936 as a law student, served as Administrative Assistant to the Congressman from my district, and there observed the accomplishments of the second term of Franklin Roosevelt. And I had an opportunity to be involved indirectly in the formation of some of these policies. I knew, as most of you have known, and loved, and admired, and respected, Harry Truman. I served as a very, very junior staff officer with the SHAPE Headquarters in France during the war, and had an opportunity to observe and learn to admire and respect Dwight Eisenhower. I thrilled, as you did, to the vigorous and vital young President, who went into the White House in the early winter months of 1961. I loved, as you did, John Kennedy.

But I first came to know Lyndon Johnson when I first went to Washington in 1936 and he was a freshman Congressman. And the preceding year he had been, as I was then, an Administrative Assistant, he to Congressman Kleberg from Texas as I was to Will Robinson from Utah.

You knew when you met this young freshman Congressman Johnson that here was a man of considerable ability. And while I think few of us can say that at that time we could see how far he would go, I'm sure that those of us who knew him then and watched his progress since then have been surprised at no step of it.

I believe that based upon his experience, based upon his strength and his wisdom, this is the ablest man to sit in the White House in this generation.

THE CONVERSION TO METRIC MEASURE

Mr. PELL. Mr. President, recently, the Washington Evening Star carried an excellent editorial on the studies of the Defense Department to determine what it would cost to convert two of its weapons systems to metric measure.

As this country continues to remain one of the last few nations not on the metric system, I am pleased to hear the new thinking in the Defense Department on this matter. I certainly hope it will spread to more and more sections of the country and will ultimately result in passage of the metric study bill, which I introduced both this year and last. The purpose of this bill is to examine the possibilities of switching the United States to the metric system; to estimate the costs of such a changeover; and to suggest a blueprint on how to do so.

Mr. President, I ask unanimous consent that the Star editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DEFENSE TESTS METRIC SWITCH

(By Orr Kelly)

The United States and its archaic, illogical system of measurements are like a man and a wife who can't stand each other, but can't afford a divorce.

In fact, no one even knows how much it would cost for the United States to divorce itself from its awkward inches, feet, yards, miles, pints and quarts and switch over, like most of the rest of the world, to the simple logic of the metric system. Estimates of what a switchover would cost have ranged up to $40 or $50 billion, but no one really knows.

Now, instead of just talking about how

nice it would be to get in step with the rest of the world, someone is taking a first, tentative step in that direction.

Dr. Finn J. Larsen, deputy director of defense research and engineering, told in an interview about studies to determine how much it would cost to build two new weapons system—the Air Force's Maverick air-to-ground missile and the Army's XM179 155 mm. self-propelled, armored howitzer—on the metric system.

"We are trying to find out very precisely what it does entail," he said. "What are the real problems? We have heard so much talk about how difficult it would be, we decided to find out."

The assumption is that a switch to the metric system will cost something extra, but the added cost might turn out to be a relatively small price to pay for the knowledge that would be gained. It is the purpose of the preliminary studies that are now beginning to try to estimate the added cost.

The two weapons systems on which the switchover might be tried are small enough to be manageable, Larsen said, but complicated enough to give some realistic information about what it would cost for the country to make a major transition to the metric system.

The Maverick would indicate the problems in building missile electronics, rocket nozzles and motors. The howitzer program would provide information about the problems in machining engines, transmissions, suspensions, and hulls.

Whatever the results, Larsen said, the Defense Department is not setting out to change the country over to the metric system single-handedly. Whatever is done as a result of the studies, he said, will be designed to meet the needs of the Defense Department.

But the military services have long been concerned with the problems raised by the discrepancy between the size of U.S. weapons and those of her allies. Metric units—or the equivalent of metric units—have long been used for some military purposes. The bores of Army artillery pieces have been measured in metric units ever since the United States bought French 75 mm. guns in World War I, and U.S. artillerymen measure ranges in meters.

But serious problems have persisted. It took years of negotiations before the United States and its allies in the North Atlantic Treaty Organization agreed on a standard 7.62 mm. rifle bullet—which happens to be the same as our .30 caliber bullet. The agreement means that, if they should get into a war, all NATO soldiers would be firing the same size bullet, simplifying supply problems and eliminating the danger that soldiers would find themselves with bullets that didn't fit their rifles.

The problems become much more complicated when the United States tries to get together with another country on the production of a major weapon like the MB70 tank, on which the United States and West Germany are now working.

Ironically, Larsen said, one of the biggest problems is in the "fasteners"—which means nuts, bolts and screws. Screw threads used by countries on the metric system are a different shape than those used in the United States and this complicates the problem, for example, of fitting a U.S.-made engine into a European vehicle.

Two bills have been introduced in this session of Congress—one in the Senate by Sen. Claiborne Pell, D-R.I., that would authorize the secretary of commerce to study the advantages and disadvantages of increased use of the metric system in the United States.

Now that Britain, where the inch was born (the length of three grains of barley laid end to end, lengthwise), is switching over to the metric system, the United States is the last big industrial nation still sticking to the English system.

It might just be that the Defense Department studies will show that it wouldn't be too costly, after all, for the United States to get in step with the rest of the world.

TREASURY ASSISTANT SECRETARY TRUE DAVIS RECEIVES VETERANS OF FOREIGN WARS 1967 AMERICANISM AWARD — RESPONDS WITH CONSTRUCTIVE SPEECH ON "DEMOCRACY — A CONTINUOUS LIVING PROCESS"

Mr. RANDOLPH. Mr. President, last week, at the annual convention of the Veterans of Foreign Wars of the United States, this vigorously American organization honored one of the outstanding citizens and public officials of our country. It presented the 1967 Americanism Award to Hon. True Davis, Assistant Secretary of the Treasury and U.S. Executive Director of the Inter-American Development Bank. In so doing a deserved honor was given to an able leader in public affairs, whose achievements and service are noteworthy. Mr. Davis gave a challenging speech at the convention on "Democracy: A Continuous Living Process."

The award was made by VFW Commander in Chief Leslie M. Fry during the August 23, 1967, session of the organization's national meeting in the Hotel Roosevelt, New Orleans, La. From Washington Secretary of the Treasury Henry H. Fowler appropriately commented:

> We in the Treasury are especially pleased that the Veterans of Foreign Wars have honored Assistant Secretary of the Treasury True Davis by presenting him their 1967 Americanism Award.
>
> The late Adlai Stevenson once wrote that patriotism "is not short, frenzied bursts of emotion, but the tranquil and steady dedication of a lifetime." Mr. Davis' life as a businessman, Ambassador to Switzerland, Assistant Secretary of the Treasury and our country's Executive Director to the Inter-American Development Bank, reflects the tranquil and steady dedication of an American citizen to the principles of democracy and to the strengthening of our cultural institutions that give meaning and substance to these principles.
>
> Mr. Davis has personally identified himself in private and public life with the problems of his community, his State of Missouri, and our country. To these problems he has brought not only an intelligence based upon maturity of judgment, but a philosophy nurtured by humanitarianism. In successfully fulfilling a lifetime of numerous public and private responsibilites, he has helped enrich our common heritage.

Mr. President, I have known Mr. Davis for a number of years and I am completely in accord with Treasury Secretary Fowler's appraisal of this outstanding citizen from St. Joseph, Mo. He is truly a leader among Americans who thoroughly merited the 1967 Americanism Award bestowed on him by the Veterans of Foreign Wars.

There is no better depiction of his Americanism than his speech accepting the VFW award—an address in which he discussed "Democracy: A Continuous Living Process."

Mr. President, I ask unanimous consent to have printed in the RECORD the text of Mr. Davis' remarks of August 23 to the VFW convention in New Orleans.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

DEMOCRACY: A CONTINUOUS LIVING PROCESS

(Remarks by the Honorable True Davis, Assistant Secretary of the Treasury, and U.S. Executive Director of the Inter-American Development Bank, before the Veterans of Foreign Wars of the United States on accepting the 1967 Americanism Award of the VFW, Hotel Roosevelt, New Orleans, La., August 23, 1967)

The honor that the Veterans of Foreign Wars have bestowed upon me is one that I shall deeply cherish. In accepting the Veterans of Foreign Wars 1967 Americanism Award, I am conscious both of the names of distinguished Americans who have received it in the past, and of the breadth and depth of their activities that merited their selection. To have my name added to this panel of eminent leaders in American business, finance, labor, public service, and the arts, is a great honor. My name is there, I feel, not for service already rendered but rather for service yet to be accomplished. So I look to the future, rather than to the past, to participating in those activities which will help perpetuate the democratic principles of government that are the strength of our free society and a goodly portion of the strength of the free world. By your gracious act you have given me an assignment that will occupy my attention the rest of my life—and for this I am grateful.

My presence with you this morning and the award you have generously bestowed indicate your continued concern with the nurturing of those principles of government and those characteristics of our people that contribute to the enlightened concept of Americanism that most citizens hold. It is appropriate, I believe, that we take time, not occasionally, but frequently, to reflect upon the substance of our beliefs, to evaluate them in the world arena of political thought, and to examine ourselves to see if we are fulfilling the personal commitments that democracy imposed upon each of us—as individuals, as groups working together in common interests, and as a people moving together toward the fulfillment of national goals.

The history of our country records many conflicts. Secretary of War Weeks, for example, listed 56 wars in which we were engaged from 1776 to 1922. These are recognized and officially recorded in the historical annals of our government. But there are other conflicts of an entirely different nature that only an historical awareness of our country's development and growth reveal: these are the conflicts dealing with human rights—conflicts of a religious, social, economic and political nature with which successive generations of Americans have dealt in their efforts to evolve a living democracy in accordance with the principles explicitly stated and guaranteed in our Constitution and the Bill of Rights.

Over the years—less than 200 years—we have succeeded rather well, both as a people and as a government, in our efforts to solve the numerous conflicts that have arisen. Where we *have* failed in human relations we have acknowledged these failures and attempted to rectify our errors of judgment. Our Constitutional amendments—in fact, our entire repository of jurisprudence—is testament to our continual concern that our democratic principles of government should be viable instruments of action in human relations with each other and with other peoples.

Nowhere have we so carefully exercised this maturity of judgment than in Vietnam. Never in the history of the world has so powerful a nation—with the most devastating instruments of destruction ever created at its disposal—exercised such tact and restraint and concern for human life in the pursuit of military objectives. This is not a sign of weakness. This is a manifestation of majority—as a government and as a people.

One ingredient of maturity is patience. We have exercised patience in the pursuit of military and pacification objectives in Vietnam. We have simultaneously exercised patience in our efforts to arrange a peaceful settlement with the enemy, in our countless overtures to sit down at a conference table and negotiate our differences so that we can all get about with the more serious business of helping the people of Southeast Asia build a better world in which to live. We shall continue to be patient in the future, as we have in the past, not only in Vietnam, but in other parts of the world where maturity of judgment is essential in approaching and appraising complex problems between diverse peoples that affect our, as well as their, welfare and security.

On August third President Johnson announced that another forty-five thousand men will be added to our fighting forces in Vietnam. At the same time he called upon Congress to enact a temporary surcharge of ten percent on individual tax liabilities and a similar levy on corporate taxes. He asked the Congress to apply these surcharges on corporations effective July 1 this year, and on individuals effective October 1.

The President emphasized that these are surcharges on taxes, not on incomes, and that they are a small price to pay considering the distasteful and dangerous alternatives of inflation—the sneak thief that can pick our pockets without our knowing it.

Meanwhile, the President has encouraged the Congress to cut non-essential funds from pending appropriation bills, and he has pledged that the Executive Branch would cooperate fully with the Congress by eliminating or deferring unnecessary expenditures.

The careful application of our national power in Vietnam reflects coordinated teamwork of the highest order. It is now time for those of us here who, in overwhelming numbers, are enjoying the benefits of our great prosperity to back-up our fighting men and build a strong and prosperous nation by paying for some of these expenditures as they occur. Most of us from time-to-time at home or in business must assess the future in the harsh light of reality. We then cut back on our expenditures, defer "nice to have" luxuries until a later time, and avoid assuming onerous debts and debt service. To meet our obligations to our men in Vietnam, as well as to protect the prosperity of all of us, the President has recommended a series of coordinated actions by the Executive and the Congress, a vital ingredient of which is a temporary tax increase. These actions deserve your attention, your evaluation, and your approval.

Enactment of the proposed temporary tax increase coupled with prudent fiscal management means that the burdens of financing the war and the carrying on of essential domestic programs will be shouldered more evenly by the many elements that contribute to the vitality of our economy. Last year the highest interest rates in four decades and the resulting tightening of money applied unfair pressures on certain groups. Mortgage money commanded a high premium. Many people couldn't buy homes, and the construction industry took a belting. The rate of new construction is improving, but there is much ground to recover. Insurance companies loaned millions to their policy holders who were unable to find money at the normal sources. The squeeze affected most of us, but some of us more than others.

Although these dislocations hurt, the average person enjoyed great prosperity. Real wages were the highest in history; total after-tax real income of Americans rose five percent; net income per farm rose nine percent, even after adjusting for higher prices the farmer paid, and our gross national product, valued in constant prices, advanced nearly six percent.

You have honored me with your 1967 Americanism Award. I accept it with humility and a deep sense of obligation. My obligation demands that I ask you now to project the spirit of Americanism—a fundamental value of this great body of veterans—beyond any artificial or preconceived limitations. I ask each of you to support, by your willingness to pay an additional portion of your existing tax liability, the financing of the fighting in Vietnam. It is a small price for us to pay. As you know, we seek a just and honorable conclusion to the hostilities. But we are veterans of foreign wars, and we know in our hearts that if we had not fought wars abroad we would have—long ago—been fighting them on our soil.

It is correct and desirable that the Congress study deliberately the President's recommendations and that the Congress evaluate the alternatives. But undue delay would be harmful. "Failure to raise taxes," the President said, "would not avoid the burdens of financing a war. ***But, instead of sharing those burdens equitably and responsibly—as an income tax surcharge would do—inflation, tight money and shortages would tax the American people cruelly and capriciously." This, the President added, "would haunt America and its people for years to come."

Earlier I said that, as a nation, we have exercised maturity and judgment in the application of tremendous power against our adversaries in Vietnam. An essential ingredient of maturity is patience. Our patience will be sorely tried in summoning the staying-power required to set the stage for an honorable conclusion of our commitment in Vietnam. And our patience will be tried when our incomes are taxed to help pay the large sums required to back up our fighting forces around the world.

Our American ideals required the repeated infusion of patience and work in strengthening our democratic institutions. Each of us here must take extra time to study and comprehend the requirements of our national commitments, here and abroad. We must be patient with the special pleadings of the faint-hearted, and press forward to solutions for the many problems facing us in our communities, in our great cities, our States and the Nation. To the extent that each of us participates in local and national efforts toward the resolution of these problems, to that extent will we insure the perpetuation of our liberties. Let us remember we strive to strengthen our democratic processes and our national institutions not only for ourselves but for those who will inherit them next year, the next decade, the next generation.

Working together—in every community and every State—there is no problem that we cannot solve, no goal that we cannot reach, no objective that we cannot fulfill.

This is Americanism.

VIETNAM

Mr. LAUSCHE. Mr. President, on Monday last, when the subject of exercising our efforts to get the solution of the war in Vietnam before the United Nations was discussed, I was in Ohio and therefore could not be in the Chamber.

I should now like to make a few remarks on that subject.

I subscribe to the efforts and to the suggestion made by the Senator from Montana [Mr. MANSFIELD] as to the need for our Government to exercise every effort within its power to get this dispute before the United Nations.

We have done so in the past. The President of the United States and United Nations Ambassador Goldberg have tried to get the United Nations to take jurisdiction of the matter. We failed for precise reasons which I cannot identify—primarily, I believe, because Soviet Russia did not subscribe to the proposal.

Now, however, Soviet Russia and the United States have agreed upon a compact controlling nuclear weapons that would seem to be a very important lessening of tensions, and it may be the establishment of a new ground which will at this time give encouragement to the effort to bring the matter to the United Nations for decision.

Mr. President, the people of the United States are not calloused; nor are the people of the world. Distress is being manifested everywhere by the injuries to, and death of, individuals on the battlefield in both South and North Vietnam. In spite of the fact that we want our men to win, one's heart would have to be made of stone if he rejoiced in the knowledge of death and the maiming of bodies being imposed upon any people.

Our people want this war brought to an end. They want it brought to an end, however, in an honorable way.

Let us now explore the proposition of what would occur if the war were brought to an end through a withdrawal. Would that be the end? Would carnage of the anti-Communists in South Vietnam follow? If we pulled out, what would happen in Thailand and Laos? What would happen in Indonesia? What would become of the encouraged thinking of Communists all over the world, that they have a clear way in destroying freedom and establishing communism?

However, if the United Nations took jurisdiction of the matter, a peace would be achieved that, in all probability, would prevent the horrible and undesirable consequences that might follow in South Vietnam, Thailand, Laos, Cambodia, Indonesia, Malaysia, and in all Southeastern Asia.

It is for those reasons that I join with Senator MANSFIELD and other Senators in urging our Government to exercise every power it has, to get the United Nations to take jurisdiction, and bring the dispute to the table of negotiation, where peace may be achieved.

The problem is perfectly fitting to the avowed purposes of the United Nations that disputes should be settled through negotiation and not war.

The failure of the United Nations to be effective in bringing this war to an end does not reflect favorably on its ability to achieve the primary objectives for which it was created.

THE PROPOSED TAX INCREASE

Mr. WILLIAMS of Delaware. Mr. President, the consideration of President Johnson's proposed 10-percent tax increase and the question of cutting Government expenditures should be given top priority by both the House and the Senate.

Thus far the administration's zig-zag approach both to the question of raising taxes and curtailing expenditures has already had a disrupting influence on our economy.

Labor negotiations, business plans, interest rates, and bond prices are all geared to the unknown factor of tax rates and Government-spending policies.

This extended uncertainty is creating confusion in financial circles.

Will or will not Congress approve President Johnson's request to raise taxes, the amount of the increase if enacted, the effective date, who will be affected, and so forth, are questions which should be answered promptly.

Already there has been too much dilly-dallying. President Johnson, in his January message to Congress, said he would propose a 6-percent surtax effective July 1, 1967.

Four weeks later, Secretary Fowler was testifying before the Finance Committee supporting an administration proposal for a $2 billion tax reduction and said that the administration had not actually decided on the question of how much if any tax increase it would require.

Again in June, Secretary Fowler repeated that statement; namely, that the administration had not reached a decision on taxes but that when the decision was made it would ask that congressional action on its request be placed behind action on the social security bill.

In August, President Johnson finally made his decision and submitted a request to Congress for a 10-percent surtax on both corporation and individuals, but the administration still stands by its earlier decision that Congress not act upon this proposed tax increase until it has disposed of the social security bill.

Hearings on the social security bill are scheduled through the third week of September, and this means that Senate action on the Johnson tax increase cannot possibly be brought before the Senate until late October or early November.

In my opinion these delays are deliberately planned for two reasons:

First, to hold the tax increase bill back until the appropriation bills are all passed. The administration realizes that if the question of a large tax increase is pending on the Senate calendar efforts to cut appropriations will have much more public support.

Second, by holding back the proposed tax increase until late in the session, they can create an atmosphere of urgency and thereby forestall efforts to close some of the glaring loopholes in our existing tax structure.

Mr. President, to eliminate this uncertainty in our business communities as to both our future tax and our spending policies I am suggesting that the administration have the chairman of the Committee on Finance introduce the administration's tax increase proposal and that the Finance Committee proceed to schedule its hearings promptly after the Labor Day recess. In this matter we can be ready to act on the bill soon after House action.

If the chairman of the Finance Committee does not favor the administration's request, then some other administration spokesman should introduce the President's tax increase bill, and if it develops that no member of the President's party will introduce his tax bill, then let us face it and let the American people know where they stand.

There is ample precedent for this procedure. I realize that changes in our tax structure must originate in the House, but so, too, do appropriation bills. The Senate Appropriations Committee always starts hearings before the House acts, and it is thus ready to report a bill soon after House action. Just this week the chairman of the Finance Committee introduced a bill regulating quotas on oil, and hearings are to be scheduled in the Senate committee on this measure before House action.

Mr. President, unless these delaying tactics on the decision of taxes and spending cuts are reversed the administration must take sole responsibility for the consequences of the continued uncertainty in our economy.

Let there be no misunderstanding: The delay in action on the question of a tax increase has been a part of an administration plan.

Mr. LAUSCHE. Mr. President, I would like to take up briefly the fiscal problems confronting our country.

We have, on the one hand, the proposal of the President to increase revenues by imposing a 10-percent surtax. On the other hand, we have the problem of determining whether the Federal Government will reduce, continue at the present level, or expand the spending program.

Based on the bill that was recommended by the Committee on Labor and Public Welfare yesterday, it appears that the spending is to be expanded. The President requested $2 billion for the city aid program; the committee recommended an expenditure of $5 billion to meet the problems of the big cities resulting from the riots that have occurred.

Frankly, my opinion is that the massive, extravagant spending by the Federal Government will not achieve the objectives contemplated by those Members of Congress who are promoting the $5 billion program.

This $5 billion is $3 billion in excess of what the President asked for. Spending of that nature will only sharpen the desires of the rioters to get more money out of the Federal Treasury.

At a conference of Socialist scholars in New York in 1966, the theme of discussion was that welfare recipients should increase their demands to such proportions that the weight of those demands would blow out the fuses of governmental treasuries.

Reading what took place at that conference of Socialist scholars is frightening. It called upon the recipients of welfare to continue their demands for increased allowances until they reached the point of blowing out the fuse of the Treasury, especially the city of New York, and finally of the United States.

How shall we approach the problem of increased taxation, on the one hand, and either increased or reduced spending on the other?

Should we pass appropriation bills first, and then decide what to do with the President's proposal to impose the 10-percent surtax?

I submit that the proper procedure is to determine first how much money will be available for spending. When we know that, then we can proceed to design a program of spending.

I therefore suggest that the 10-percent surtax proposed by the President be passed on before the appropriation bills—still unfinished at present—come before this body for consideration.

If we allow appropriation bills to be passed—for instance, the one that contemplates the $5 billion of spending to help urban communities, instead of the $2 billion recommended by the President—where will we find ourselves?

The deficit for 1968 without the 10-percent surtax is anticipated to be $29 billion.

I propose that the Congress make its first order of business, action upon the President's proposal for the 10-percent surtax. If that is either passed or defeated, the Appropriations Committee will be better advised as to what it should do.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. WILLIAMS of Delaware. I join the Senator from Ohio in his comments on this subject. I spoke earlier suggesting that Congress give immediate consideration toward making its decision as to whether it will or will not raise taxes, and if so, how much.

At the same time—as the Senator from Ohio has just pointed out—we can decide whether we are going to cut appropriations. If we do not cut spending and do not increase taxes, we will, of course, be going into another deficit spending era and borrowing money, thereby promoting additional inflation.

As we approach this question, it is well for all Members of Congress to take notice that a bill was reported yesterday by the Committee on Labor and Public Welfare embracing $5 billion, $3 billion more than the budget called for. On the average, each 1-percent surtax increase will provide approximately $1 billion in revenue. Mathematically that means that if Congress approves the bill as reported yesterday by the Labor and Public Welfare Committee, with the extra $3 billion over the budget request, 3 percent of that 10-percent tax increase will be required to pay for the extra expenditures on that one bill alone.

By the same token, the administration, testifying before the Finance Committee, asked it to add another $3.25 billion to the expenditures of the so-called social security and welfare bill over and above what was provided in the House bill.

If we do accept the recommendation of the administration for that increase it will take 3 more percentage points out of the so-called 10-percent tax increase to pay for those extra benefits.

Then the report of the Joint Committee on Reduction of Nonessential Expenditures shows that the administration has added 105,000 extra employees in civilian agencies of the Government since last September, which is the date of the President's Executive order supposedly freezing employment. That will cost $800 million extra and will take 1 percent more out of the proposed 10-percent surtax.

Therefore, we have 70 percent of that proposed 10-percent increase already whittled away by the Great Society's measures now pending before the Senate. These are expenditures over and above what was contemplated even as recently as 3 months ago.

Where is this going to stop?

If we are going into that extravagant rate of spending let us face it: we will be setting the stage for some really wild inflation in this country.

Therefore, we should decide first whether Members of Congress have the courage to vote for the necessary tax increase to cover these expenditures. If they do not have that courage then let them stop voting for all these increases in appropriations.

I think that Congress—and the Senate in particular—should consider all these bills together so that when a Member of Congress votes for these increases in appropriations his constituents will know at the same time that he is, in effect, voting for a tax increase.

I am getting a little impatient and disgusted at some of those who go around saying, "I am against a tax increase. I pity the poor taxpayers." Yet they vote for every single appropriation that comes before the Senate. They are often the wildest spendthrifts.

I should like to see the question of cutting expenditures first, and then we can consider the necessary tax. Then the rollcall will show just how much hypocrisy there is in Congress and the administration. I do not think we can get this true picture until we get them together.

Just the other day the administration, with its tongue in cheek, declared its concern that Congress was lagging in acting on the President's request for a tax increase.

The reason Congress is lagging is that the administration itself has asked Congress to delay action on the bill until late October or sometime in November. The administration specifically asks that its tax bill be held back until after the social security bill has been disposed of, which means late October. It is the height of hypocrisy for them to say that they are trying to reduce expenditures when they make their speeches when, at the same time they are advocating more and more spending, which automatically means more taxes or more borrowing. When the chips are down they do not have the guts to vote for the tax increase and tell the American people just how much these Great Society boondoggles are going to cost them. Yet they advocate and support increased spending while postponing the effective date of all tax increases until after the election in 1968.

This is political hypocrisy.

This Congress and this administration ought to face up to it, and if they have not got the courage to tell the American people what these programs are costing them they should stop spending so much.

Mr. LAUSCHE. Mr. President, it is my opinion that good housekeeping of Federal finances, particularly at this time when there is fiscal stringency, requires that we first learn what the income of the Federal Government will be, and after we know what that income will be, then we should fit our spending as nearly as is reasonably possible to the available moneys.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. LONG of Louisiana. One good thing about the Social Security System, and particularly about the members of the House Ways and Means Committee when they handle that bill, is that they will not vote for additional social security benefits without a tax to pay for them.

It is very joyous and pleasant to vote to provide additional benefits, such as pay raises or veterans' benefits, but when one has to vote for taxes to pay for them, a bill that has been a very popular bill suddenly becomes, on balance, a very unpopular bill.

My guess is that very few people are opposed to providing additional retirement benefits or requested welfare assistance for people who need it, but if they are going to have to vote for additional taxes to pay for them in order to do that, that is a different matter.

Mr. LAUSCHE. The Senator from Louisiana is now talking about the social security tax. I am talking about the $5 billion that has been recommended to be spent out of the General Treasury without earmarking funds to be collected to support the expenditures.

Mr. LONG of Louisiana. The President's original recommendation was a tax that would bring in $5 billion. He has increased his sights since that time. The original recommendation was a 6-percent surtax. The bill reported by the Labor and Public Welfare Committee provides for a $3 billion increase in cost to a $2 billion bill, and the bill in its totality would completely consume all of the amount of money that would be raised by the tax increase originally proposed by the President. Of course, as I have said, he has raised his sights since that time. I believe the President has asked for more than $6.5 billion as increases to programs already going on in the area of domestic spending. This was increased over prior years. The Labor Committee has increased that $6.5 billion by another approximately $3 billion, so it is now $9.5 billion more. I think if the American people were asked if they favor a tax increase to finance such programs, they would say, "No."

Mr. LAUSCHE. That is why I say we should pass on the tax bill first. The Government should do what every family has to do—establish what its income is, and then fit its spending to that income in the maximum degree possible. It is now proposed, however, that we do our spending and later find out how much money we shall have. I cannot subscribe to that policy.

I thank the Senator from Louisiana for his comments.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LAUSCHE. I do not want to delay the Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. I yield.

Mr. WILLIAMS of Delaware. I merely would like to point out that this trend to vote for benefits, as the Senator from Louisiana has pointed out, is popular, whether it be social security or other programs of that kind; but what about the tax consequences? As proposed by the administration the social security benefits would go into effect 1 year before the election. The full tax impact to pay for it would go into effect 60 days after the votes are counted.

In my opinion the necessary tax to pay for the benefits should go into effect on the same day as the benefits and I shall offer an amendment accordingly. If any Member of Congress wants to vote for the increased benefits and then go home and boast to his constituents how much he is giving them let him add, "I also voted for the tax increase to pay for the program."

I am getting impatient with having this group of free-wheeling spenders who are voting to spend all this money and then depending upon another group to vote for the taxes to pay for it. I want to see if they have the nerve—and I do not think they have—to tell the American people how much it is going to cost.

The Johnson administration, with all of its talk about economy, has the greatest record of deficit spending in the history of our country. During his term of office he has, on an average, been spending about $1 billion per month more than our income. These deficits have been financed by increasing the national debt to be paid for by the future generations.

SENATOR CLARK ADVOCATES PROGRAM FOR STRENGTHENING SOCIAL SECURITY

Mr. RANDOLPH. Mr. President, Members of the Senate are learning from their mail and from the visits of constituents that there is extremely widespread interest in strengthening the Social Security Act this year.

Considerable support has come from a large variety of organizations for the administration's bill in the House, H.R. 5710. This bill, however, was replaced by H.R. 12080, which drastically alters the administration's proposals and represents in the opinion of many, a legislative regression. Consequently, Members of the Senate are being urged to support the administration's bill and reject H.R. 12080.

This is advocated by the newly formed National Organization for Welfare Rights which was established by a national convention in Washington on August 26. The NOWR statement declared:

> The present welfare system has driven 8,500,000 Americans into fifth-class citizenship and makes it impossible for us to live in decency and with dignity. The present welfare system castrates and destroys our family life and family unity. We, the welfare recipients of America, deserve, need and demand justice, dignity and an adequate income.

According to the NOWR, H.R. 12080 will deny assistance to hundreds of thousands of additional children and their families by first, unconstitutionally freezing aid to absent-parent families under aid to families with dependent children; second, forcing mothers to leave their children and search for work; third, setting up work incentive programs which will prevent most of our families from escaping poverty; fourth, adding a tangle of new eligibility requirements which will deny desperately needed aid to thousands of families; and, fifth, encouraging the States to further harass our families.

Mr. President, on August 28, the gentleman from Pennsylvania [Mr. CLARK] addressed the Pennsylvania delegates to the National Organization for Welfare Rights, and discussed with them his views on the need for strengthening our social security legislation. Senator CLARK's statement provides comprehensive comment on the type of legislation he advocates. It is vital, Mr. President, that our national economy be made stronger and the Nation's aged and welfare recipients be afforded the opportunity for a fuller and better life. I ask consent that Senator CLARK's address be inserted at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE THIRD FREEDOM

(Address by Senator JOSEPH S. CLARK)

A few days ago here in Washington we marked the 32nd anniversary of the signing of the Social Security Act.

Perhaps President Franklin D. Roosevelt knew, as he signed the bill into law on August 14, 1935, that the Social Security Act would prove to be the most important and far-reaching of all New Deal measures. It was in the midst of the Great Depression, but FDR proclaimed, "This generation has a rendezvous with destiny."

More than any other piece of legislation enacted during President Roosevelt's 13 years in office, it was the Social Security Act that had the rendezvous with destiny. I say that for two reasons. First, more than any other single law the Social Security Act set the tone of moral and economic responsibility for the decades and the Presidencies to come. And second, Social Security became the parent of many subsequent welfare undertakings. Even today's great, pioneering anti-poverty programs have their roots in the Social Security Act.

The flowering of the philosophy that produced and nourished the Social Security System contributed fundamentally to the historic Four Freedoms, as World War II began. We tend, perhaps, to forget that the third of the Four Freedoms enunciated by President Roosevelt was "freedom from want"—and FDR held this out as a realizable aspiration not just for Americans but for all people of the world.

"Freedom from want" a generation later—has given this generation, the generation of the 1960's, a new rendezvous with destiny. It will be this generation's destiny, I hope, to finally achieve freedom from want, to eradicate from the face of America for once and for all the ancient spectres of penury and hunger.

Today Social Security is a central fortress in the war on poverty, and in the opinion of many of us it should play a larger and larger role in our continuing battle for economic justice.

You are here today because of your deep and active interest in strengthening the Social Security System and safeguarding it from sabotage.

I want to welcome you here for that purpose, but I want to say something more. We never would have had a Social Security law in 1935 had it not been for people like you; we never would have won the magnificent protections of Medicare if it had not been for people like you; and we will not strengthen the Social Security law this year without people like you.

You are here because you disagree with the Social Security bill passed by the House of Representatives two weeks ago. I am here because I also disagree with the bill and agree with you.

I made this clear on the floor of the Senate last Tuesday. I spelled out in some detail the reasons for my discontent with the House measure, the reasons I feel it woefully inadequate to meet today's needs. Here are the major improvements on the House measure which I advocated:

First, minimum benefits should be raised from the House-approved increase of 12½% to at least the 15% hike urged by President Johnson. This would elevate minimum benefits for single persons from the $50-a-month approved by the House to $70, and to $105 for couples. In addition, the Administration Bill carries a special increase in the minimum benefit for retired individuals and couples with 25 years of covered employment. Individuals would receive a minimum of $100-a-month and couples $150. The House bill does not even touch this area of benefits.

Second, we should raise the earning level on which both benefits and contributions are computed to $10,800 compared with the $7600 proposed in the House Bill.

Third, Medicare coverage should be expanded to benefit the disabled.

Fourth, we should enlarge public assistance payments which are now wholly inadequate, and also provide day-care programs for children of families on assistance where the mother is participating in training programs.

Fifth, we should establish controls to hold down excessive hospital charges and physicians fees paid under Medicare.

Sixth, Medicaid should be made available to the medically needy who cannot afford adequate health care.

Seventh, we should strengthen the possibility of poor families remaining together by requiring states to make assistance available where the father is in the home until he can obtain work for which he is qualified.

There are other improvements in the law and in the House proposals which I and other Senators will advocate. These are improvements that I feel sure your organizations will support as will other religious and fraternal groups, labor and civic associations. For example:

On the question of benefits for disabled widows, the House bill would limit benefits to women 50 and over. We prefer to extend Social Security benefits to all seriously disabled widows.

For older people not previously covered but brought under Social Security last year, special benefits under the House bill would be raised from the present $35 to $40 for individuals and to $60 for couples. Under the far more realistic Administration bill these special payments would be lifted from $35 to $50 for individuals and from $52.50 to $75 for couples.

Now we come to an area of Social Security benefits and protections of particular concern to our Council—Aid to Families with Dependent Children. You are aroused and rightly so. This is an area in which the House bill does not merely stand still; it moves backward. In fact, it seems to retreat toward the last century and to a relatively primitive set of social attitudes toward mothers and children.

The House bill provides no improvement in assistance levels for families with dependent children. Instead, with the supposed purpose of reducing public welfare rolls, the bill makes eligibility requirements much stricter and also requires mothers with children to participate in training programs. To back up these training programs, day-care facilities would be expanded.

The Administration bill contains no such regression. Instead it would require states to increase their cash benefits to welfare recipients to a level which the state itself specifies as a subsistence minimum. In addition, these standards would have to be modernized every year.

The National Social Welfare Assembly condemns the change proposed by the House bill as "punitive," and this is accurate because it could and would punish children for the supposed sins of their parents. I see its effects the way the Social Welfare Assembly sees them:

The change would require, first, that all adults on assistance rolls, including mothers and out-of-school youths over 16, to work or take training (unless specifically exempted) as a condition of receiving assistance. This work or training would be a required part of the state plan but could be administered directly by the public welfare agency or could be delegated to voluntary or profit-making organizations. Maximum wage requirements would not prevail and no consideration is given to the possibility of a recipient being required to work despite a strike or picketing.

Penalties can be extremely harsh for refusing work or training assignments without good cause. For example,

Recipients could be dropped from assistance rolls entirely;

Grants could be cut by eliminating adults from calculation of the family budget;

Children could be removed from the home by court order and placed in foster care.

The House bill professes an effort to reduce the number of illegitimate or deserted children on assistance rolls by the following measures:

1. Mandatory family planning. Compulsion is not extended to the family, as the Social Welfare Assembly points out, but states are required to report the numbers to whom it has been offered and the extent to which it has been accepted. The requirement that all states establish programs to combat illegitimacy and the financial penalties imposed for failure invite coercion.

2. Cooperation with law enforcement agencies is required to determine paternity and locate absent fathers, and even Social Security records would be divulged for this purpose.

There are serious questions involved here as to whether the Constitutional rights of actual or potential recipients of assistance are not infringed.

These Constitutional issues which bother me and doubtless you too include such questions as these:

Can illegitimate or deserted children in need be treated differently from other children without violating the anti-discrimination provisions of the 14th Amendment?

Can poor families receiving or applying for assistance be subject to a discriminatory application of child-neglect laws?

Does this altered provision invade the right of privacy?

Can assistance recipients be compelled to work as provided by this new clause without infringing the 13th Amendment protections against involuntary servitude?

In a social program based on need, can a different standard of eligibility be applied to recipients and applicants for aid by exempting earned income of those already on the rolls while denying supplementary assistance to those with lower earned incomes?

There is a great deal at stake here—a great deal in terms of social and economic principles and a great deal in terms of humaneness, humanitarianism and the next generation. Last year under the AID To Families With Dependent Children program there were 4½ million recipients, children and adult. We cannot risk warping the lives of children and young people, as the consequences of this section of the House bill might warp them. Especially is this possible when we realize that nearly 64% of all AFDC children live in father-absent homes.

While the AFDC problem, as I mentioned, may be your primary concern, I hope you will interest yourself also in such other provisions as Medicare and Medicaid. I don't need to tell you how these protections affect the welfare of families and the physical and mental well-being of youngsters.

There is also, for example, the too-often-overlooked problem of Social Security increases being wiped out by the reduction in pensions and other forms of retirement incomes. In the not-too-distant past, when labor-management pensions were getting underway in the 1940's, employers frequently slashed their workers' pensions by whatever amounts Congress raised Social Security benefits. By doing so they were countering the intention of Congress to increase the income of retirees because of rising living costs. That practice has pretty much been eliminated in labor-management pension programs but it continues in others.

For example, my colleagues on the Senate Special Committee on Aging which my esteemed colleague, Senator Jennings Randolph serves as chairman, warned a week ago today that this year's Social Security increases could again become the trigger for reduction in other retirement benefits unless safeguards are imposed. They pointed out that the hardest hit can be veterans on pensions and recipients of Old-Age Assistance. We should amend the Socal Security law, in my opinion, to prevent as completely as we possibly can the practice of using Social Security increases as an excuse for slashing other retirement benefits.

Let me repeat. The safeguarding of our Social Security System and its improvement depend on people like you, on your alert understanding and active advocacy of better and sounder legislation.

President Franklin Roosevelt, during the period he was urging Congress to approve the first Social Security Act in 1935, told Secretary of Labor Frances Perkins, "From the cradle to the grave, the American people ought to be in a social insurance system."

Gradually that goal is being approached. And gradually, in the months and years to come, we will approach fulfillment of the third of the Four Freedoms—Freedom From Want.

EXECUTIVE SESSION

Mr. HART. Mr. President, I ask unanimous consent that the Senate return to executive session.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF THURGOOD MARSHALL TO BE ASSOCIATE JUSTICE OF THE U.S. SUPREME COURT

Mr. ERVIN. Mr. President, before making my remarks, I ask unanimous consent that a statement prepared by the able distinguished Senator from Mississippi [Mr. Stennis], in opposition to the confirmation of the nomination of Thurgood Marshall to be Associate Justice of the Supreme Court, be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement by Mr. Stennis is as follows:

A seat on the Supreme Court of the United States is one of the most powerful positions in our system of government. It is also one least subject to democratic control. The people are virtually powerless to check abuses of the great authority vested in the Supreme Court and its individual members. The Constitution and customs surround the Court with many barriers against outside influences or interference.

Justices on the Court are appointed for life and their salaries cannot be reduced. Moreover, the people rightly feel a deep respect for the judiciary and will patiently bear its occasional errors out of deference to the institution. These characteristics of our people and our system have both their good side and their bad. On the one hand, they give the Court the freedom to follow the law without fear of reprisal. On the other hand, they enable the Court to ignore the law with impunity. Which course the Court will follow depends almost entirely on the men who make up its membership.

The selection of these men, therefore, is one of the gravest responsibilities entrusted to the Senate. In considering a nominee to the Supreme Court, the Senate has a different and much heavier responsibility than it usually has in passing on nominations submitted by the President for confirmation. In this matter the Senate is not merely approving an administrator to help the President carry out his executive duties during his limited term. In voting on a nomination to the Supreme Court the Senate, on behalf of the people, is choosing for a lifetime the highest representatives of a co-equal branch of the government. The error of an unwise choice will survive long after our action and will forevermore influence the future of our country.

Consequently, the nominee must be measured not only by the ordinary standards of merit, training, and experience, but his basic philosophy must be carefully examined. Indeed this is perhaps the most important consideration of all. Unfortunately, judicial restraint has become an outworn virtue among the judiciary. Stare decisis is a cast off principle. Consistent application of the law is scorned as "mechanical jurisprudence." Many judges feel they must be "creative", they must be "activists." They look not to the law for guidance in decision making but to their own personal philosophy. It is incumbent upon the Senate therefore, to insure that the nominee's philosophy is sound and that it accords with the sentiments of the people upon whom it will be forced for many years to come.

In the pending matter, however, the nominee not only refuses to explain his philosophy but even denies the Senate the right, through its Judiciary Committee, to question him about it. Thus he would begin his new judicial career with the establishment of a bad precedent. Even before he takes his position on the Court he has interpreted his own sense of "propriety" to supercede the constitutional authority of the Senate to examine the qualifications of a nominee to the Supreme Court.

This is not a matter of declining to answer hypothetical questions or to comment on pending cases. It is not even a matter of evading complicated legal questions. It is a matter of flatly refusing to answer simple factual questions. To illustrate what I mean, I quote a typical example from page 55 of hearings on this nomination before the Judiciary Committee:

"Senator Ervin. I am not asking you about the *Miranda* case; I am not asking you what you would do about the *Miranda* case.

"I am just asking a question as one lawyer to another. Did not the Supreme Court of the United States hold from June 15, 1790, until the *Miranda* case that these words of the fifth amendment did not apply to a voluntary confession, for three reasons:

"First, because a voluntary confession is not compelled testimony; second, because a person, a suspect, or any other person in the custody of a police officer, when interrogated by the officer, is not testifying as a witness; and in the third place, that when he is merely being interrogated by an officer, there is no case?

"Was that not the uniform holding of the Court?"

"Judge Marshall. I respectfully say it would be improper for me to comment on it."

This is a simple question on legal history. It was asked in all earnestness by a United States Senator charged with a constitutional duty to satisfy himself as to the nominee's fitness to hold one of the highest judicial offices in the land before approving his appointment. The Senator doubtlessly thought the question important and desired an answer or he would not have asked it. Moreover, he was not asking for his own benefit alone, but on behalf of all Senators who have the grave responsibility under the Constitution to pass on the qualifications of the nominee. A straightforward answer could in no way embarrass the nominee in the subsequent performance of his judicial duties. His successful refusal to respond, however, has deprived the Senate of information which some members desired, and has denied the right of the Senate as a whole even to require such information.

The haughty and overly guarded answer of the nominee would be amusing were it not such a bold affront to the authority of the Senate. Supposedly one of the great checks on the judicial branch is the power of the Senate to confirm appointments. How is this power to be effectively exercised, however, if the Senate cannot obtain the information necessary to judge the qualifications of the appointee? If the Senate must be content to act on broad generalizations and vague assurances, then its consent to the appointment is nothing but an empty ceremony, rubberstamping a decision of the executive. The Senate ought not to confirm any nomination under these conditions. If we do so, we not only run the risk of making a bad appointment, we are absolutely certain to suffer a further encroachment on the constitutional powers of the Senate.

Despite the nominee's attempt to hide his views from the Senate, enough is known of them to demand the strongest opposition to his confirmation. His conduct before the Committee and his reluctance to express himself, reveals his basic philosophy more clearly than anything he could have said. It displays a dangerous contempt for the legislative branch and suggests a philosophy so repugnant to most Americans and a majority of the Senate, that it cannot be revealed until the nominee is safely installed on the Court.

Because of the foregoing fact and for the foregoing reasons, I most strongly oppose the confirmation of Thurgood Marshall and urge the Senate to refuse its consent to his appointment to the Supreme Court.

Mr. ERVIN. Mr. President, the good and wise men who fashioned the Constitution had earth's most magnificent dream.

They dreamed they could enshrine the fundamentals of the government they desired to establish and the liberties of the people they wished to secure in the Constitution, and safely entrust the interpretation of that instrument according to its true intent to a Supreme Court composed of mere men.

They knew that some dreams come true and others vanish, and that whether their dream would share the one fate or the other would depend on whether the men chosen to serve as Supreme Court Justices would be able and willing to lay aside their own notions and interpret the Constitution according to its true intent.

They did three things to make their dream come true.

They decreed that Supreme Court Justices should be carefully chosen. To this end, they provided that no man should be elevated to the Supreme Court until his qualifications for the office had been twice scrutinized and approved, once by the President and again by the Senate.

They undertook to free Supreme Court

Justices from all personal, political, and economic ambitions, fears, and pressures which harass the occupants of other public offices by stipulating that they should hold office for life and receive for their service a compensation which no authority on earth could reduce.

They undertook to impose upon each Supreme Court Justice a personal obligation to interpret the Constitution according to its true intent by requiring him to take an oath or make an affirmation to support the Constitution.

It is no exaggeration to say that the existence of constitutional government in America hinges upon the capacity and willingness of a majority of the Supreme Court Justices to interpret the Constitution according to its true intent. In consequence, no more awesome responsibility rests upon any Senator than that of determining to his own satisfaction whether or not a Presidential nominee to the Supreme Court possesses this capacity and this willingness.

In expressing my views concerning the President's nomination of Judge Thurgood Marshall to be a Supreme Court Justice, I shall ignore these words of advice which were reputedly spoken by Mark Twain: "Truth is precious, use it sparingly."

I shall tell some fundamental truths about the Constitution and some tragic truths about the Supreme Court as it is now constituted. Moreover, I shall state with candor the basis for my sincere conviction that the addition of Judge Marshall to that Court would bode little good for constitutional government in the United States.

I know that in so doing I lay myself open to the easy, but false, charge that I am a racist. I have no prejudice in my mind or heart against any man because of his race. I love men of all races. After all, they are my fellow travelers to the tomb.

But I also love the Constitution. I know that apart from its faithful observance by Congress, the President, and the Supreme Court, neither our country nor any single human being within its borders has any security against anarchy or tyranny.

For this reason I will not let any false charge or any other consideration deter me from my abiding purpose to do everything within my limited power to save the Constitution for all Americans of all generations.

Let us recur to the dream of the Founding Fathers.

If we are to understand why the Founding Fathers had this dream and how they undertook to make it a reality, we must know what was in their minds and hearts, and analyze their handiwork in the light of such knowledge.

The Founding Fathers had suffered many wrongs at the hands of a centralized and distant government, whose arbitrary actions they were powerless to check or restrain. Their tragic experience had implanted in their minds a fear of centralized and distant government and instilled in their hearts a love of freedom.

To them, freedom was not an intellectual abstraction, or an empty word to adorn an oration upon an occasion of patriotic rejoicing. It was an intensely practical reality, which was capable of concrete enjoyment in a multitude of ways in daily life. It meant the power to determine one's own actions and live one's own life free from governmental tyranny. As a consequence, it is not surprising that the Founding Fathers stated in its preamble that they wrote the Constitution to preserve the blessings of liberty for themselves and their posterity.

The Founding Fathers did not rely solely upon the practical wisdom gained by them from their own experience in framing the Constitution. They were profound students of history. As such, they were well versed in the heartbreaking lesson taught by the story of man's fight against governmental tyranny in all generations and in all lands for the simple right to govern himself and live in freedom. This lesson is epitomized in these words of Woodrow Wilson:

> Liberty has never come from the government. Liberty has always come from the subjects of it. The history of liberty is a history of the limitation of governmental power, not the increase of it. When we resist therefore the concentration of power, we are resisting the processes of death, because concentration of power is what always precedes the destruction of human liberties.

The Founding Fathers were also familiar with the political philosophy of Thomas Hobbes, John Locke, and Baron Montesquieu. They accepted as an absolute verity the aphorism of Hobbes that "freedom is political power divided into small fragments." Indeed, one of their number, James Madison, elaborated upon it in this way:

> The accumulation of all powers legislative, executive, and judiciary in the same hands, whether of one, few, or many, and whether heredity, self-appointed or elective, may justly be pronounced the very definition of tyranny.

Like Locke, they knew that no man is free if he is subject to the inconstant, uncertain, unknown, and arbitrary will of other men; and like Daniel Webster, they knew that "whatever government is not a government of laws is a despotism, let it be called what it may."

The Founding Fathers had meditated much upon their own experience, history, and political philosophy, and had discovered this shocking but everlasting truth: Nothing short of tyranny can put an end to the insatiable hunger of government for power; and in its ardor to expand and multiply its power, government will extinguish the right of men to govern themselves and live in freedom, unless it is restrained from so doing by basic law which it alone can neither repeal nor amend.

For these reasons, the world has never known any other group of men as well qualified as the Founding Fathers to write a Constitution for a nation dedicated to the proposition that its people are entitled to govern themselves and live in freedom.

What has been said makes it plain that the Founding Fathers purposed in their minds and hearts to create a nation which would be ruled by the dictates of laws rather than the wills of men and in which the people would have the right to control government and live in freedom. To this end, they wrote a constitution, which they intended to last for an indefinite time and constitute "a law for rulers and people" alike at all times and under all circumstances (*Ex Parte Milligan*, 4 Wall. 2, 18 L. ed. 281). This Constitution became effective as the supreme law of the land upon its subsequent ratification by the States.

The Founding Fathers set out in the Constitution the fundamentals of the Government they desired to establish and the liberties of the people they wished to secure. Their chief object in so doing was to put these fundamentals and these liberties beyond the reach of impatient public officials, temporary majorities, and the varying tides of public opinion and desire (*Ex Parte Milligan*, 4 Wall. 2, 18 L. ed. 281; *South Carolina* v. *United States*, 199 U.S. 437; 50 L. ed. 261; Thomas M. Cooley's "Constitutional Limitations.")

They undertook to further this object by inserting in article VI the requirement that all legislators, all executive officers, and all judges, Federal and State, "shall be bound by oath or affirmation to support this Constitution." By this requirement, the Founding Fathers clearly meant to impose upon all occupants of Federal and State offices the absolute obligation to perform their official duties in conformity with the intent of those who framed and ratified the Constitution as expressed in that instrument (*Gibbons* v. *Ogden*, 9 Wheat. 1, 6 L. ed. 23; *Ex Parte Bain*, 121 U.S. 1, 30 L. ed. 849; *Lake County* v. *Rollins*, 130 U.S. 662, 32 L. ed. 1060).

The Founding Fathers knew, however, that "useful alterations" of the Constitution would "be suggested by experience." Consequently, they made provision for amendment in one way, and one way only, for example, by the concurrence of Congress and the States as set forth in article V (James Madison: The Federalist, No. 43).

Since the Constitution is a written instrument, its meaning does not change, unless its wording is altered by an amendment adopted in the manner prescribed by article V (*South Carolina* v. *United States*, 199 U.S. 437, 50 L. ed. 437). Those who assert the contrary merely seek ostensible reasons to justify disobedience to the Constitution's commands and evasion of its prohibitions.

These considerations moved Judge Thomas M. Cooley to declare in his great work on Constitutional Limitations that "a court or a legislature which should allow a change in public sentiment to influence it in giving to a written Constitution a construction not warranted by the intention of its founders would be justly chargeable with reckless disregard of official oath and public duty."

Let us consider what additional things the Constitution does to make the Federal Government a government of laws and not of men, and to secure to the people the right to control such government and live in freedom.

First. The Constitution divides the powers of government between the Federal Government and the States by delegating enumerated powers to the former and reserving all remaining powers to the latter. By so doing, the Constitution enables the Federal Government to perform its limited functions as a central government, and leaves to the States the authority to regulate their internal affairs. This division of powers has inestimable values for a country as big in area and population as the United States. It lessens the danger of tyranny inherent in concentrating power in a distant government, and recognizes the truth that "local processes of law are an essential part of any government conducted by the people." Manifestly, "no national authority, however benevolent, that governs over" 190 million people in 50 States "can be as closely in touch with those who are governed as the local authorities in the several States and their subdivisions." (*Bute* v. *Illinois*, 333 U.S. 640, 92 L. ed. 986). This division of the powers of government inspired Chief Justice Chase to make this terse and accurate analysis of our organic laws:

> The Constitution, in all its provisions, looks to an indestructible union composed of indestructible states. (*Texas* v. *White*, 7 Wall, 700, 19 L. ed. 227).

Second. The Constitution distributes all the powers delegated by it to the Federal Government to the legislative, executive, and the judicial departments of that government to prevent "the accumulation of all powers in the same hands." (James Madison: The Federalist, No. 47.) In so doing, it vests the power to make laws in Congress, the power to enforce laws in the President, and the power to interpret laws in the Supreme Court and such inferior courts as Congress might establish.

Third. The Constitution limits the powers of the Federal and State Governments in various ways. For example, it forbids them to pass bills of attainder and ex post facto laws, or to deprive any person of life, liberty, or property without due process of law.

Fourth. The Constitution secures to each person specific liberties, which he is entitled to assert against government itself. For example, it secures to him the right to freedom of speech and religion, the right to earn his livelihood in any lawful calling, the right to acquire, use and dispose of property, and the right to do such things and enter into such contracts as may be necessary to the exercise of the liberties secured to him.

Fifth. The Constitution confers upon the people the direct power to elect Senators and Representatives and the indirect power to select the President. But neither the States nor the people have anything to do with the appointment of Supreme Court Justices or other Federal judges, although such Justices and judges have power to adjudicate their rights and responsibilities under the Constitution and the laws. Such Justices and judges are nominated by the President and confirmed by the Senate, and for this reason are independent of the States and the people.

Sixth. The Constitution establishes the principle that in all cases involving the interpretation of the Constitution, the Supreme Court has final authority, and its interpretation is binding on Congress, the President, the States, and the people. This is an awesome authority because upon its proper exercise hangs the existence of constitutional government in the United States.

Seventh. The Founding Fathers were acutely aware of this, and took strong measures for men bent on establishing a republic to induce Supreme Court Justices to decide cases in accordance with the Constitution and to use its provisions as the sole tests for determining the validity of congressional, Presidential, and State action. To this end, they undertook to make the Justices independent of Congress and the President and immune to State and political pressures by providing in the Constitution itself that they are to hold their offices for life and receive for their services a compensation which cannot be diminished.

Eighth. The power to interpret the Constitution, which is assigned to the Supreme Court, and the power to amend the Constitution, which is vested in the Congress and the States acting concurrently, are vastly different. The power to interpret the Constitution is the power to ascertain its meaning, and the power to amend the Constitution is the power to change its meaning. Justice Cardozo put the distinction between the two powers tersely when he said:

> We are not at liberty to revise while professing to construe (*Sun Printing and Publishing Ass'n* v. *Remington Paper and Power Co.*, 235 N.Y. 338, 139 N.E. 470).

Justice Sutherland elaborated upon the distinction in this way:

> The judicial function is that of interpretation: it does not include the power of amendment under the guise of interpretation. To miss the point of difference between the two is to miss all that the phrase "supreme law of the land" stands for and to convert what was intended as inescapable and enduring mandates into mere moral reflections (*West Coast Hotel Co.* v. *Parrish*, 300 U.S. 379, 404, 81 L. ed. 703, 715).

Ninth. Since it is a judicial tribunal, the Supreme Court acts as the interpreter of the Constitution only in a litigated case whose decision of necessity turns on some provision of that instrument. As a consequence, the function of the Supreme Court in the case is simply to ascertain and give effect to the intent of those who framed and ratified the provision in issue. If the provision is plain, the Court must gather the intent solely from its language, but if the provision is ambiguous, the Court must place itself as nearly as possible in the condition of those who framed and ratified it, and in that way determine the intent the language was used to express. For these reasons, the Supreme Court is obligated to interpret the Constitution according to its language and history.

The Founding Fathers did not put their sole reliance in these things to keep Congress and the President in bounds. They incorporated in the Constitution a system of checks and balances to deter them from improvident and unconstitutional behavior. But they did not devise a single positive provision other than the requirement of an oath or affirmation to safeguard the country against the danger that the Supreme Court might abuse its power to interpret the Constitution, and amend that instrument while professing to interpret it.

Chief Justice Harlan F. Stone had this omission in mind when he stated this truth concerning Supreme Court Justices:

> While unconstitutional exercise of power by the executive and legislative branches of the government is subject to judicial restraint, the only check upon our exercise of power is our own sense of self restraint (*U.S.* v. *Butler*, 297 U.S. 1).

The omission of the Constitution to provide any real check upon unconstitutional behavior on the part of the Supreme Court was not overlooked during the contest over ratification.

Elbridge Gerry, George Mason, and others opposed ratification on this ground. Let me quote what they had to say on the subject.

Elbridge Gerry asserted:

> There are no well defined limits of the Judiciary Powers, they seem to be left as a boundless ocean, that has broken over the chart of the Supreme Lawgiver, *thus far shalt thou go and no further*, and as they cannot be comprehended by the clearest capacity, or the most sagacious mind, it would be an Herculean labour to attempt to describe the dangers with which they are replete.

George Mason made this more specific objection:

> The judiciary of the United States is so constructed and extended as to absorb and destroy the judiciaries of the several states.

Others declared, in substance, that under the Constitution the decisions of the Supreme Court of the United States would "not be in any manner subject to revision or correction," that "the power of construing the laws" would enable the Supreme Court of the United States "to mould them into whatever shape it" should "think proper;" that the Supreme Court of the United States could "substitute" its "own pleasure" for the law of the land; and that the "errors and usurpations of the Supreme Court of the United States" would "be uncontrollable and remediless."

Alexander Hamilton overcame these arguments, however, to the satisfaction of the ratifying States by giving them this emphatic assurance:

> The supposed danger of Judiciary encroachments . . . is, in reality, a Phantom.

He declared, in essence, that this was true because the men selected to serve as Supreme Court Justices would "be chosen with a view to those qualifications which fit men for the stations of judges" and that they would give "that inflexible and uniform adherence" to legal precedents and rules, which is "indispensable in the courts of justice." He added that these qualifications could be acquired only by "long and laborious study."—Hamilton: The Federalist, Nos. 78, 81.

By these statements, Alexander Hamilton correctly declared that no man is qualified to be a judge unless he is able and willing to subject himself to the self-restraint, which is an essential ingredient of the judicial process in a government of laws.

Two questions arise: What is the self-restraint which constitutes an essential ingredient of the judicial process in a government of laws? How is it acquired?

Alexander Hamilton's statement furnishes answers for these questions.

Self-restraint is the capacity and the willingness of the qualified occupant of a judicial office to lay aside his personal notions of what a constitutional provision ought to say and to base his interpretation of its meaning solely upon its language and history. In performing his task, he does not recklessly cast into the judicial garbage can the sound precedents of his wise predecessors.

This self restraint is usually the product of long and laborious legal work as a practicing attorney or long and laborious judicial work as a judge of an appellate court or a trial court of general jurisdiction. It is sometimes the product of long and laborious work as a teacher of law.

One does not come into possession of self restraint, however, by occupying executive or legislative offices or by rendering aid to a political party or by maintaining a friendly relationship with a President or by adhering to a particular religion or by belonging to a particular race. And, unhappily, some men of brilliant intellect and good intentions seem incapable of acquiring it or unwilling to exercise it. Daniel Webster undoubtedly had these men in mind when he said:

> Good intentions will always be pleaded for every assumption of power . . . It is hardly too strong to say that the Constitution was made to guard the people against the dangers of good intentions. There are men in all ages who mean to govern well, but they mean to govern. They promise to be good masters, but they mean to be masters.

I have discussed in detail the sound doctrine that self restraint on the part of judges is an essential ingredient of the judicial process in a government of laws.

This inquiry naturally arises: Why is this so? This inquiry is especially pertinent at a time when judicial activists declare by their actions, if not by their words, that it is permissible for them to revise or update the Constitution according to their personal notions while they are professing merely to interpret it.

Justice Benjamin N. Cardozo answered this inquiry tersely and conclusively in his illuminating book on the "Nature of the Judicial Process." In demolishing the basic premise of judicial activists that the judge is always privileged to substitute his individual sense of justice for rules of law, Justice Cardozo said:

> That might result in a benevolent despotism if the judges were benevolent men. It would put an end to the reign of law.

What has been said makes this obvious: The Founding Fathers intended that the Constitution should operate as an enduring instrument of government whose meaning could not be changed except by an amendment made by Congress and the States in conformity with article V. The contention to the contrary is necessarily founded on the assumption that George Washington and the other good and wise men who fashioned the Constitution were mendacious nitwits who did not mean what they said.

Chief Justice Marshall undertook to entomb this contention forever in his great opinion in *Gibbons* v. *Ogden*, 22 U.S. 1. He declared in that case:

> The enlightened patriots who framed our Constitution and the people who ratified it must be understood . . . to have intended what they said.

Since the true meaning of a provision of the Constitution always remains the same unless it is altered by an amendment under article V, it should receive a consistent interpretation, and not be held to mean one thing at one time and another thing at another time, even though circumstances may have so changed as to make a different rule seem desirable.

Chief Justice Edward Douglas White, one of the ablest lawyers and wisest judges ever to grace the Supreme Court Bench, made some sage comments on this subject in his famous dissenting opinion in *Pollock* v. *Farmers' Loan and Trust Co.*, 157 U.S. 429, 651–652. He said:

> In the discharge of its function of interpreting the Constitution, this Court exercises an august power. . . . It seems to me that the accomplishment of its lofty mission can only be secured by the stability of its teachings and the sanctity which surrounds them. . . . The fundamental conception of a judicial body is that of one hedged about by precedents which are binding on the court without regard to the personality of its members. Break down this belief in judicial continuity, and let it be felt that on great constitutional questions this court is to depart from the settled conclusions of its predecessors, and to determine them all according to the mere opinion of those who temporarily fill its bench, and our Constitution will, in my judgment, be bereft of value and become a most dangerous instrument to the rights and liberties of the people.

What has been said does not deny to the Supreme Court the power to overrule a prior decision in any instance where proper judicial restraint justifies such action. A sound criterion for determining when proper judicial restraint justifies a judge in overruling a precedent is to be found in the standard which Judge Learned Hand says his friend and colleague, Judge Thomas Swan, set for his own guidance:

> He will not overrule a precedent unless he can be satisfied beyond peradventure that it was untenable when made; and not even then, if it has gathered around it the support of a substantial body of decisions based on it.

In ending this phase of my remarks, I emphasize that precedents set by the Supreme Court on constitutional questions were tenable when made if they conformed to the intention of those who framed and adopted the constitutional provisions involved, no matter how inconsistent they may be with the views of Justices subsequently ascending the Bench.

For several generations, the people of America had no reason to doubt Alexander Hamilton's assurance concerning the kind of men who would be selected to sit upon the Supreme Court. With rare exceptions, Presidents appointed to the Court men who had long and laboriously participated in the administration of justice either as practicing lawyers or as judges of State courts or as judges of Federal courts inferior to the Supreme Court, and who possessed and exercised the self-restraint which constitutes an essential ingredient of the judicial process in a government of laws. As a consequence, they performed their judicial labors in obedience to the principle that it is the duty of Supreme Court Justices to interpret the Constitution, not to amend it.

Candor compels me to say, however, that these things are no longer true, and that a substantial number of recent appointees to the Supreme Court are judicial activists who seek to rewrite the Constitution in their own images by adding to that instrument things which are not in it and by subtracting from that instrument things which are in it.

I shall not make any dogmatic assertion as to why this is so. But I will have the temerity to suggest that too many political appointments have been made of late to these judicial offices.

The task at hand compels me to tell the truth about the Supreme Court.

I know it is not popular in some quarters to tell the truth about the Supreme Court. Admonitions of this character come to us daily from such quarters:

> When the Supreme Court speaks, its decisions must be accepted as sacrosanct by the bench, the bar and the people of America, even though they constitute encroachments on the constitutional domain of the President or the Congress, or tend to reduce the States to meaningless zeros and the nation's map. Indeed, the bench, the bar, and the people must do more than this. They must speak of the Supreme Court at all times with a reverence akin to that which inspired Job to speak thus of Jehovah—"Though He slay me, yet will I trust Him."

To be sure, all Americans should obey the decrees of the Supreme Court in cases to which they are parties, even though they may honestly and reasonably deem such decrees unwarranted. But it is sheer intellectual rubbish to contend that Americans are required to believe in the infallibility of Supreme Court Justices, or to make mental obeisance to their aberrations or usurpations. Americans have an inalienable right to think and speak their honest thoughts concerning all things under the sun, including the decisions of Supreme Court majorities. It is well this is so because the late Chief Justice Harlan F. Stone spoke truly when he said:

> Where the courts deal, as ours do, with great public questions, the only protection against unwise decisions, and even judicial usurpation, is careful scrutiny of their action and fearless comment upon it.

As one who has spent much of his energy and days in the administration of justice as a practicing lawyer, and trial and appellate judge, I have the abiding conviction that "tyranny on the bench is as objectionable as tyranny on the throne," and that my loyalty to the Constitution requires me to oppose it.

I do not enjoy expressing my disapproval of actions of the Supreme Court. My father, who practiced law at the North Carolina bar for 65 years, taught me at an early age to venerate the Supreme Court. One of the most treasured memories acquired by me as a small boy is that of the day he took me to the old Supreme Court Chamber, showed me the busts of great jurists of the past, and said to me in a tone of reverential awe: "The Supreme Court will abide by the Constitution, though the heavens fall."

I regret to say, however, that the course of the Supreme Court in recent years has been such as to cause me to ponder the question whether fidelity to fact ought not to induce its members to remove from the portal of the building which houses it the majestic words, "Equal justice under law," and to substitute for them the superscription, "Not justice under law, but justice according to the personal notions of the temporary occupants of this building."

In saying this, I am not a lone voice crying in the wilderness. I call the attention of the Senate to what the late Justice Robert H. Jackson said of the Court of which he was then a member in his concurring opinion in *Brown* v. *Allen* (344 U.S. 643).

I quote Justice Jackson's word:

> Rightly or wrongly, the belief is widely held by the practicing profession that this Court no longer respects impersonal rules of law but is guided in these matters by personal impressions which from time to time may be shared by a majority of the Justices. Whatever has been intended, this Court also has generated an impression in much of the judiciary that regard for precedents and authorities is obsolete, that words no longer mean what they have always meant to the profession, that the law knows no fixed principles.

Justice Jackson closed his observations on this score with this sage comment:

> I know of no way we can have equal justice under law except we have some law.

I hold in my hand many documents revealing that Supreme Court Justices, judges of Federal courts inferior to the Supreme Court, State judges, lawyers, and journalists have charged that during recent years a majority of the Supreme Court has repeatedly rendered decisions incompatible with the language and the history of the Constitution. To substantiate their charges, I ask unanimous consent that several of these documents, which are marked exhibit A, be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. Hollings in the chair). Without objection, it is so ordered.

(See exhibit A.)

Mr. ERVIN. One of these documents is a resolution which was adopted by the chief justices of the States of Alabama, Arizona, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Virginia, Washington, Wisconsin, and Wyoming, at Pasadena, Calif., on August 23, 1958.

This resolution is an astounding document without precedent in the annals of our country. The 36 State chief justices who adopted it loved the Constitution and were qualified by legal learning and judicial experience to appraise aright what the judicial activists on the Supreme Court are doing to the system of government that instrument was ordained to establish. In this resolution, these State chief justices cited many recent decisions of the Supreme Court inconsistent with the powers allotted or reserved by the Constitution to the States, and implored the Supreme Court to "exercise one of the greatest of all judicial powers—the power of judicial self-restraint—by recognizing and giving effect to the difference between that which, on the one hand, the Constitution may prescribe or permit, and that which, on the other, a majority of the Supreme Court, as from time to time constituted, may deem desirable or undesirable, to the end that our system of federalism may continue to function with and through the preservation of local self-government."

The tragic truth is that in recent years, the Supreme Court has repeatedly usurped and exercised the power of the Congress and the States to amend the Constitution while professing to interpret it.

On some occasions it has encroached upon the constitutional powers of the Congress as the Nation's legislative body. On other occasions it has stretched the legislative powers of Congress far beyond their constitutional limits. On occasions too numerous to mention, it has struck down State action and State legislation in areas clearly committed by the Constitution to the States.

In so doing, the Supreme Court has overruled, repudiated, or ignored many precedents of earlier years. Its prodigality in overruling previous decisions prompted one of its recent members, the late Justice Owen J. Roberts, to make this comment in his dissenting opinion in *Smith* v. *Allwright*, 321 U.S. 649, 669:

> The reason for my concern is that the instant decision, overruling that announced about nine years ago, tends to bring adjudications of this tribunal into the same class as a restricted railroad ticket, good for this day and train only.

Supreme Court Justices attempt to justify their action in attributing new meanings to the Constitution in these ways:

First. Supreme Court decisions are binding on all persons except Supreme Court Justices. The reason for this distinction is that Supreme Court Justices must be free to consider and decide anew all constitutional questions coming before the Court. Otherwise, the Constitution will be frozen in the pattern which one generation gave it, and government will be seriously handicapped, notwithstanding the powers granted by the Constitution to the United States and the powers allotted or reserved by that instrument to the States extend into the illimitable future. Since the doctrine of stare decisis, that is, the principle that judges stand by the decisions of their own courts, would handicap Supreme Court Justices in considering and deciding anew all constitutional questions, the doctrine has become obsolete and must be disregarded, despite the fact that such a course of action will rob constitutional interpretations of their continuity and stability and leave public officials and people without meaningful constitutional rules to govern their conduct.

Second. The due process clauses of the fifth and 14th amendments empower Supreme Court Justices to strike down as unconstitutional any Federal or State laws or procedures which do not comport with their undefined notions of decency, fairness, or fundamental justice.

Third. As the majority opinion in *Harper* v. *Virginia State Board of Elections*, 383 U.S. 663, states:

> Notions of what constitutes equal treatment for purposes of the Equal Protection Clause do change.

When the "notions" of Supreme Court Justices change, the meanings of constitutional provisions change accordingly.

One comment on the Harper case seems to be appropriate. If the Constitution is to change its meaning to match the fluctuating notions of Supreme Court Justices, America is in for an uncertain unconstitutional future. This is true because the dictionary says that notions are "more or less general, vague, or imperfect conceptions or ideas."

Time does not permit me to analyze or even enumerate all of the decisions which sustain what I have said.

I wish to cite at this point three decisions which reveal that the Supreme Court has encroached upon the constitutional powers of the Congress as the Nation's legislative body.

Congress was told by the Court in the Girouard (328 U.S. 61) and Yates (354 U.S. 298) cases that it really did not mean what it said in plain English when it enacted statutes to regulate the naturalization of aliens and to punish criminal conspiracies to overthrow the Government by force. Congress was told by the Court in the Watkins case (454 U.S. 178) that its committees must conduct their investigations according to rules imposed by the Court which make it virtually certain that no information will ever be obtained from an unwilling witness.

Two recent cases, *U.S.* v. *Guest*, 383 U.S. 745, and *Katzenbach* v. *Morgan*, 384 U.S. 641, demonstrate the readiness of the Supreme Court, as now constituted, to stretch the legislative powers of Congress far beyond their constitutional limits by attributing a newly invented meaning to section 5 of the 14th amendment. Section 5 confers upon Congress the power to enforce by appropriate legislation the provision of the first section of the 14th amendment, which forbids any State to deny to any person within its jurisdiction the equal protection of the laws.

A majority of the Supreme Court Justices gave Congress the gratuitous assurance by way of dicta in the Guest case that they would vote to hold future congressional legislation making the acts of private individuals Federal crimes under this provision of the 14th amendment, notwithstanding the language of the equal protection of the laws clause applies only to State action, and notwithstanding the Court has held without variation in a multitude of cases that Congress has no power to legislate under that clause in respect to the acts of private individuals.

It is passing strange for judges to announce in advance how they will decide a case which may never arise under a law which may never be enacted.

The Court squarely held, however, in the Morgan case that the fifth section of the 14th amendment empowers Congress to supplant a nondiscriminatory State voter qualification with a newly created Federal voting qualification, notwithstanding the State voting qualification is in complete harmony with the equal protection of the laws clause, and notwithstanding articles I and II and the 10th and 17th amendments confer the power to prescribe voting qualifications upon the States and deny such power to the Congress.

Another recent case indicating the willingness of the Supreme Court, as now constituted, to stretch the powers of Congress far beyond their constitutional limits by devising new meanings for constitutional provisions is *South Carolina* v. *Katzenbach* (383 U.S. 301). In this case the Court held that in the exercise of its power to enforce the 15th amendment by appropriate legislation, Congress can condemn the election officials of six Southern States of violating the 15th amendment without affording them a judicial trial, and on that basis suspend the undoubted constitutional power of those States under article I, section 2, of the 10th and 17th amendments to use a nondiscriminatory voting qualification, notwithstanding the guarantee of due process of the fifth amendment, the prohibition upon congressional enactment of bills of attainder of article I, and the sound decision of ex parte Milligan that—

> The Constitution of the United States is a law for rulers and people * * * at all times and under all circumstances and no doctrine involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government.

The novel method of interpretation by which the Court reaches its decisions in the Guest, Morgan, and South Carolina cases is without parallel in our judicial annals.

It belies the essential principle that all provisions of the Constitution are of equal dignity and none must be so interpreted as to nullify or impair the others. Instead of interpreting the Constitution as a harmonious instrument in these cases, however, the Court views it as a self-destructive document consisting of mutually repugnant provisions of unequal dignity. By so doing, the Court reaches the astounding conclusion that section 5 of the 14th amendment and section 2 of the 15th amendment authorize Congress to do these things: First, to nullify constitutional powers clearly allotted or reserved to the States by article I, and article II, the 10th amendment and the 17th amendment; and, second, to pass congressional acts which the provisions allotting or reserving those constitutional powers to the States and the substantive provisions of the 14th amendment forbid it to enact.

This method of interpretation, which sanctions the use of one provision of the Constitution to nullify some other provisions, may be pleasing to judicial activists. It bodes ill, however, for the future of constitutional government.

What the judicial activists on the Supreme Court have done to the powers allotted or reserved by the Constitution to the States beggars description.

A study of the decisions invalidating State action and State legislation compels the conclusion that these Supreme Court Justices now deem themselves to be the final and infallible supervisors of the desirability or wisdom of all State action and all State legislation.

This is tragic, indeed, because there is nothing truer than the belief attributed to the late Justice Louis D. Brandeis by Judge Learned Hand:

> The States are the only breakwater against the ever pounding surf which threatens to submerge the individual and destroy the only kind of society in which personality can survive.

Time does not suffice for me to analyze or even enumerate the cases past numbering in which the Supreme Court, as now constituted, has struck down State action and State legislation in fields clearly committed to the States by the Constitution. Consequently, I shall mention only a few of them.

Seventeen States and the District of Columbia were told by the Court in the *Brown* (347 U.S. 483) and *Bolling* (347 U.S. 497) cases that the equal protection clause of the 14th amendment and the due process clause of the fifth amendment had lost their original meanings because the state of "psychological knowledge" had changed. California was told by the Court in the *Lambert* case (355 U.S. 225) that it cannot punish its residents for criminal offenses committed within its borders if such residents are ignorant of the statutes creating such criminal offenses. California was told by the Court in the first *Konigsberg* case (353 U.S. 252) that it cannot resort to cross-examination to determine the fitness or qualifications of those who apply to it for licenses to practice law in its courts. New Hampshire and Pennsylvania were told by the Court in the *Sweezey* (354 U.S. 234) and *Nelson* (350 U.S. 497) cases that they cannot investigate or punish seditious teachings or activities within their borders. New York was told by the Court in the *Slochower case* (350 U.S. 551) that it cannot prescribe standards of propriety and fitness for the teachers of its youth. North Carolina was told by the Court in the first *Williams* case (317 U.S. 287) that it cannot determine the marital status of its own citizens within its own borders.

Twenty-four States were told by the Court in the *Mapp* case (367 U.S. 643) that the fourth amendment had somehow lost its original meaning 170 years after its ratification, and that in consequence they no longer had the power which they possessed in times past to regulate the admissibility in their own courts of evidence obtained by searches and seizures. Virginia was told by the Court in the *Button* case (371 U.S. 415) that the NAACP and its attorneys were immune to prosecution or punishment for violating its law against barratry, champerty, and maintenance.

Virginia was told by the Court in the *Harper* case (383 U.S. 663) that its law requiring the payment of a polltax as a qualification for voting violated the Constitution because it is more difficult for a poor man than it is for an affluent man to pay an annual tax equal to the amount which one can earn by working 72 minutes out of the entire year at the minimum wages established by the Fair Labor Standards Act. And California was told by the Court in the Reitman case, which was handed down on May 29, 1967, that its new law repealing its open occupancy law and giving all Californians of all races freedom of choice in the sale or rental of their residential property constituted an unconstitutional discrimination against nonwhites.

For some reason too deep to fathom, the Supreme Court, as now constituted, has a solicitude for persons charged with crime which blinds it to the truth that society and the victims of crime are as much entitled to justice as the accused.

It has manifested this solicitude by repeatedly overruling State courts in criminal cases simply because it disliked their appraisal of facts on conflicting evidence. In so doing, it has ignored the obvious truth that the best judges of the trustworthiness of human testimony are the trial judges who see the witnesses, and that the evidence of a George Washington and that of an Ananais look exactly alike when reduced to cold print.

Other decisions of the Court sanction a practice by which the lowest court in the Federal Judicial System, that is, the U.S. district court, can set at naught the decisions of the highest court of a State, even in cases where the Supreme Court itself has refused to grant certiorari to review the State court decisions. Under this practice the doctrines of *res adjudicata* is virtually abolished, and the States are unable to obtain judgments having finality insofar as the accused are concerned. To minimize the chaos which this practice entails, the States have been compelled to enact statutes providing for postconviction hearings which in plain English permit the accused to try State courts after State courts have tried them.

In addition to these things the Supreme Court has recently erected some new artificial rules of evidence which apply to criminal trials in both Federal and State courts, and which greatly handicap the efforts of the prosecution to procure convictions.

The self-incrimination clause of the fifth amendment, which declares that "no person shall be compelled in any criminal case to be a witness against himself," became a part of the Constitution on June 15, 1790. From that date until June 13, 1966, the U.S. Supreme Court interpreted these words to mean what they said, that is, to have no possible application to voluntary confessions made outside court.

On June 13, 1966, the Supreme Court handed down *Miranda* v. *Arizona* (384 U.S. 346) which held that the self-incrimination clause had suddenly acquired a new meaning, and by virtue thereof it was unconstitutional under such clause for either Federal or State trial courts to admit in evidence any confession made by a suspect to a police officer having him in custody, no matter how voluntary it might be, unless such police officer first gave the suspect certain warnings which did not even exist until the decision was made.

According to the testimony of Federal and State judges, prosecuting attorneys, and law-enforcement officers before the Judiciary Subcommittee on Criminal Laws and Procedures, Federal and State courts throughout our land are being compelled to permit self-confessed murderers, rapists, burglars, robbers, and other felons to go unwhipped of justice as a consequence of the Miranda case.

On June 12, 1967, the Supreme Court handed down Gilbert against California, Stovall against Denno, and United States against Wade. In these cases the Supreme Court held for the first time that a provision, which has been in the sixth amendment since June 15, 1790, made it unconstitutional for the victim or eyewitness of a crime to look at a suspect in custody for identification purposes at any time between the commission of the crime and the trial of the case unless an attorney representing the suspect is present, and that positive testimony given by the victim or eyewitness of the crime upon oath in open court at the trial on the merits to the effect that the witness saw the crime committed and based his identification of the accused as its perpetrator solely upon what he observed at that time, would have to be excluded from consideration by the jury or court trying the facts, unless the presiding judge conducted a preliminary inquiry, and ascertained by clear and convincing evidence that the psychological certainty of the witness that the accused was the person he saw commit the crime was not influenced in any way by the unconstitutional view he had of the prisoner.

For all practical purposes, the Supreme Court Justices who joined in the Miranda, the Gilbert, the Stovall, and the Wade cases made voluntary confessions that they were amending rather than interpreting the Constitution by holding that these decisions had no retroactive effect.

In closing this phase of my remarks, I will take note of one other case, the *Board of Trust* case (353 U.S. 230) in which the Supreme Court undertook to rewrite the will of Stephen Girard, who had slumbered "in the tongueless silence of the dreamless dust" for 126 years, and who entertained the sound belief while he walked earth's surface that disposing of private property by will is a matter for its owner rather than for judges.

In making the foregoing remarks, I have been conscious of the inadequacy of language. I have necessarily used the term Supreme Court or the term Supreme Court Justices to signify members of the Court who were responsible for the decisions I have mentioned. I have not overlooked the fact, however, that most of these decisions were handed down by a sharply divided court, and that in many of them there were strong dissents by some of the Justices who asserted in no uncertain terms that the majority decisions were incompatible with the Constitution.

Complete candor compels the identification of the judicial activists now serving on the Supreme Court. While some other Justices may on occasion follow Homer's bad example and nod, the judicial activists now occupying the Supreme Court Bench are Chief Justice Warren and Justices Douglas, Brennan, and Fortas. Add to them a fifth judicial activist, and the American people will be ruled throughout the foreseeable future by the personal notions of the five rather than by the precepts of the Constitution.

What has been said makes these things as clear as the noonday sun in a cloudless sky:

First. Apart from faithful observance of the Constitution by Congress, the President, and the Supreme Court, neither our country nor any human being within its borders has any security against anarchy or tyranny.

Second. The Supreme Court can compel Congress and the President to observe the Constitution. But no authority external to themselves can compel Supreme Court Justices to observe their constitutional obligation to base their interpretation of the Constitution upon its language and history.

Third. It is idle to suggest that Congress and the States can redress the consequences of judicial usurpations by exercising their power to amend the Constitution. In the first place, the Constitution cannot be amended fast enough to redress the consequences of wholesale judicial usurpations; and in the second place, it is absurd to expect that Supreme Court Justices who do not observe the language and history of existing constitutional provisions will abide by the language and history of newly adopted amendments.

Fourth. This being true, the only restraint on unconstitutional behavior on the part of Supreme Court Justices is their own sense of self-restraint.

Fifth. No matter how great his qualifications in other respects may be, no man is fit to be a Supreme Court Justice if he lacks a sense of self-restraint or is unwilling to exercise it. The presence of such Justices on the Supreme Court imperils our most precious right—the right to be governed by the Constitution. They are invariably judicial activists, who seek to rewrite the Constitution according to their personal notions while professing to interpret and love it. Unlike the foreign conqueror, they do not rob us of our rights in one fell swoop. No. They nibble them away one by one and case by case. But the end result is the same: The destruction of constitutional government. In his Farewell Address to the American people, George Washington warned us not to travel the road which the judicial activists would have us take. He said:

> If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. . . . But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Sixth. This is no time to add another judicial activist to the Supreme Court. The Court, as now constituted, has already taken us a long way down the road which George Washington told us not to travel. As a consequence, words of the Constitution no longer mean what they have always meant, history and precedents are disregarded, and decisions on crucial constitutional questions are based on personal notions which a majority of the Justices happen to share from time to time.

These things mean little or nothing to those who would as soon have our country ruled by the arbitrary, uncertain and inconstant wills of judges as by the certain and constant precepts of the Constitution. But they mean everything to those of us who love the Constitution and believe it evil to twist its precepts out of shape even to accomplish ends which may be desirable.

If desirable ends are not attainable under the Constitution as written, they should be attained in a forthright manner by an amendment under article V and not by judicial alchemy which transmutes words into things they do not say. Otherwise the Constitution is a meaningless scrap of paper.

I shall now apply what I have said to the pending question: Should the Senate advise and consent to the President's nomination of Judge Thurgood Marshall to be a Supreme Court Justice?

It is clearly a disservice to the Constitution and the country to appoint a judicial activist to the Supreme Court at any time. The present composition of the Supreme Court renders the gravity of such disservice greater today than it has ever been.

In consequence of these considerations, my duty to my country compels me to vote to reject any Presidential nominee for a Supreme Court Justiceship if I have reason to believe he would be a judicial activist, who would seek to add to the Constitution things which are not in it or to subtract from the Constitution things which are in it.

Our want of clairvoyance disables us to view in advance the future behavior of another. In the nature of things, we are compelled to judge what another's behaviour will be by his past conduct and the philosophy it reflects. This being true, it is folly to assume that a Supreme Court Justice will put off his practices and philosophy of a lifetime when he puts on his judicial robes.

In a sincere effort to be fair to the nominee and faithful to my country, I have diligently studied and seriously considered Judge Marshall's past activities as a lawyer and circuit judge and the philosophy those activities reflect, and have been impelled by them to this conclusion: Judge Marshall is by practice and philosophy a legal and judicial activist, and if he is elevated to the Supreme Court, he will join other activist Justices in rendering decisions which will substantially impair, if not destroy, the right of Americans for years to come to have the Government of the United States and the several States conducted in accordance with the Constitution.

My conclusion on this score is shared by eminent commentators on the national scene. To corroborate this statement, I offer this limited documentary evidence:

First. An editorial from the Washington Star of June 14, 1967, entitled "Dr. King's Conviction."

Second. An editorial from the Washington Star of June 15, 1967, entitled "Mr. Marshall's Nomination."

Third. An article by Dana Bullen from the Washington Star of July 21, 1967, entitled "Marshall Leaves Questions Open."

Fourth. An article by Clayton Fritchey from the Washington Star of June 23, 1967, entitled "Marshall Appointment to Court Greeted Quietly."

Fifth. An article by James J. Kilpatrick from the Washington Star of June 18, 1967, entitled "Marshall's Appointment Upsets Court Balance."

Sixth. An article by David Lawrence from the Washington Star of June 16, 1967, entitled "Why Not a Woman on High Court?"

Seventh. An article by William S. White from the Washington Post of June 19, 1967, entitled "Marshall to the Court. Can Moderation Survive?"

I ask unanimous consent that copies of these editorials and articles, which I have marked exhibit B, be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit B.)

Mr. ERVIN. Mr. President, I digress slightly to comment on the cliches of those who champion or seek to justify judicial activism. They assert with glibness that the Constitution is a living document which the Court must interpret with flexibility.

When they say the Constitution is a living document, they really mean that the Constitution is dead, and that activist Justices as its executors may dispose of its remains as they please. I make an additional observation on this subject: If the Constitution is, indeed, a living document, its words are binding on those who pledge themselves by oath or affirmation to support it.

What of the cliche that the Supreme Court should interpret the Constitution with flexibility? If those who employ this cliche meant by it that a provision of the Constitution should be interpreted with liberality to accomplish its intended purpose, they would find me in hearty agreement with them. But they do not employ the cliche to mean this. On the contrary, they use the cliche to mean that the Supreme Court should bend the words of a constitutional provision to one side or the other to accomplish an object the provision does not sanction. Hence, they use the cliche to thwart what the Founding Fathers had in mind when they fashioned the Constitution.

The genius of the Constitution is this: The grants of power it makes and the limitations it imposes are inflexible, but the powers it grants extend into the future and are exercisable on all occasions by the departments in which they are vested. In consequence, Congress may change at any time the laws governing any matter the Constitution commits to the Federal Government. Like observations apply to the powers the Constitution allots or reserves to the States.

I now return from my slight digression. In so doing, I wish to make emphatic a statement in William S. White's article of June 19, 1967, which declares in a nutshell what I have been trying to say with a multitude of words. I quote Mr. White:

> Still, the probabilities of the future can only be rationally estimated by the known and certain past. By this standard it is likely that Marshall's elevation will only aggravate an already profound imbalance by which an already disproportionate majority of liberal justices has for years been acting not as detached arbiters but as lawmakers, not as interpreters of the Constitution but as amenders of the Constitution to suit their own notions.

It is not strange that Judge Marshall should be a legal and judicial activist. Indeed, it would be little short of miraculous if he were not.

His activities as a practicing lawyer were calculated to make any man a constitutional iconoclast.

For years he devoted virtually all his efforts to the trial of cases in which he sought to persuade courts to attribute to the 14th and 15th amendments new meanings incompatible with the intent of those who fashioned their provisions. In so doing, he urged the courts to repudiate or ignore all history and all precedents which stood in the way of the rulings he desired.

Judge Marshall argued some of these cases with singular success before the Supreme Court, which repudiated or ignored the history of the 14th and 15th amendments, overruled or misconstrued or ignored former decisions interpreting the amendments in accord with the purpose of those who framed and ratified them, and attributed to the amendments new meanings implementing the notions of its members.

The cases in which the Supreme Court took this action are fairly familiar, and for this reason I omit any detained detailed discussion of them.

When he abandoned the practice of law for the post of judge of the U.S. Court of Appeals for the Second Circuit, Judge Marshall carried his philosophy as a constitutional iconoclast to the bench.

As a member of the court of appeals, Judge Marshall made these things manifest:

First. He accepts the thesis that the due process clause of the 14th amendment makes Supreme Court Justices and other Federal judges day-to-day Constitution-makers, and empowers them to strike down as unconstitutional any State law, procedure, or practice inconsistent with their undefined notions of decency, fairness, and fundamental justice.

Second. When "misty ideals collide with the grim realities of law enforcement," his solicitude for the accused aligns him with the judicial activists who create without constitutional warrant so-called constitutional rules of criminal procedure which handicap society in its struggle to protect law-abiding people against crime and to bring lawbreakers to justice.

The validity of these conclusions is demonstrated by *United States* v. *Wilkins*, 348 F. 2d 844, where Judge Marshall undertook to apply the fifth amendment's guaranty against double jeopardy to State criminal cases, despite contrary rulings by the Supreme Court itself; and United States against Denno, an unreported case, in which a panel of the Second Circuit Court consisting of Judge Marshall and Judge Friendly undertook to establish a new exclusionary rule allegedly based on the right-to-counsel clause of the sixth amendment, which was without support in the language of the clause and which was contrary to rulings and practices throughout the United States during the preceding 175 years.

Judge Marshall concurred in Judge Friendly's decision in the Denno case that the right-to-counsel clause of the sixth amendment had suddenly acquired a new meaning, and that by virtue thereof it was unconstitutional for the eyewitness of a crime, who happened also to be one of its victims, to look at a suspect in custody with a view to identifying or disavowing him as the perpetrator of the crime unless an attorney representing the suspect was present.

The novel holding of this panel evidently outraged the majority of the judges of the second circuit, who met en banc and reversed this ruling by a decision recorded in 355 F. 2d 731.

The Supreme Court subsequently reviewed the Denno case under the title Stovall against Denno. The court handed down the decision in the case on June 12, 1967—the same day on which it announced the Constitution-amending decisions in United States against Wade and Gilbert against California.

By the Wade and Gilbert cases, the Supreme Court decreed by a vote of 5 to 4 that subsequent to June 12, 1967, the right-to-counsel clause of the sixth amendment must be interpreted by all courts, Federal and State, to forbid the eyewitness to any crime, even though he may be its sole surviving victim, to look at any suspect in custody for identification purposes in the absence of an attorney representing the suspect.

Although it thus adopted the new constitutional concept initially conceived by Judge Marshall and Judge Friendly in the Denno case, the Supreme Court affirmed the result of the ruling of the circuit court sitting en banc, which rejected that concept, on the paradoxical ground that words, which had been in the Constitution since June 15, 1790, meant one thing before June 12, 1967, and another thing thereafter.

The fact that the Justices sitting in the Wade and Gilbert cases approved and implemented by a bare majority of one Judge Marshall's views in respect to the right-to-counsel clause of the sixth amendment emphasizes the unwisdom of adding him to the Court as it is now constituted.

This is so because it enhances the probability that if he becomes a Justice, the Supreme Court will be manned for years to come by a cohering majority of judicial activists who distrust human testimony, and for that reason invent new artificial and unrealistic rules to restrict the right of society to present and the opportunity of the jury to hear and consider in both Federal and State criminal proceedings the most reliable human testimony; that is, the voluntary confession of the accused that he committed the crime with which he stands charged, and the testimony of the eyewitness that he saw the accused commit the crime with which he stands charged.

This probability is not lessened a whit by words attributed to Judge Marshall while serving as Solicitor General which indicate that he thinks society should not be permitted to employ to detect crime the eavesdropping devices which criminals employ to prey on society.

The Senate Judiciary Committee conducted hearings on the Marshall nomination. On those hearings, members of the committee put to Judge Marshall questions designed to elicit from him his philosophy of the Constitution. He was understandably reluctant to answer many of those questions.

Nevertheless, his answers to some of them did implant in my mind the indelible impression that he endorses and approves the drastic canon of construction invented by some of the Justices in the Guest, South Carolina, and Morgan cases that the Constitution is a self-destructive instrument composed of mutually repugnant provisions of unequal dignity, and that the limited power to legislate vested in Congress by section 5 of the 14th amendment and section 2 of the 15th amendment empowers Congress to legislate virtually without limitation in areas clearly committed by the Constitution to the States and thus nullify the provisions of the Constitution which forbid Congress to so legislate. The threat which this drastic canon of construction poses to the Constitution and the system of government it was fashioned to establish cannot be overmagnified. By it, the Court undertakes to vest in Congress authority to transfer to a centralized national government the powers the Constitution allots or reserves to the States and the people.

As I pass from this phase of my remarks, I ask unanimous consent that the decision in the Wilkins case, the unreported decision of the panel in the Denno case, the decision of the circuit court sitting in banc in the Denno case, and the opinions of the several Justices in Stovall against Denno be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit C.)

Mr. ERVIN. I love the Constitution. I love the Constitution with all my mind and all my heart. I love the Constitution with all my mind and all my heart because I know it was fashioned to secure to all Americans of all generations the right to be ruled by a government of laws rather than by a government of men.

I know, moreover, that apart from the faithful observance of the precepts of the Constitution by the Congress, the President, and the Supreme Court, neither our country nor any single human being within its far-flung borders has any security against anarchy on the one hand and tyranny on the other.

I have considered with diligence, and I believe with objectivity, the career of Judge Marshall and the philosophy it reflects, and I have been driven by my consideration of these things to the abiding conviction that Judge Marshall is by practice and philosophy a constitutional iconoclast, and that his elevation to the Supreme Court at this juncture of our history would make it virtually certain that for years to come, if not forever, the American people will be ruled by the arbitrary notions of Supreme Court Justices rather than by the precepts of the Constitution. I use the words "if not forever" deliberately, because history teaches that a right once lost is seldom regained. For these reasons, my duty to my country forbids me to advise and consent to Judge Marshall's appointment to the Supreme Court.

I love the Constitution. I love the Constitution with all my mind and all my heart. I am convinced that a great Senator, Daniel Webster, who also loved the Constitution with all his mind and all his heart, spoke tragic truth when he said these things 135 years ago:

> Other misfortunes may be borne, or their effects overcome. If disastrous wars should sweep our commerce from the ocean, another generation may renew it; if it exhaust our treasury, future industry may replenish it; if it desolate and lay waste our fields, still, under a new cultivation, they will grow green again, and ripen to future harvests.
>
> It were but a trifle even if the walls of wonder Capitol were to crumble, if its lofty pillars should fall, and its gorgeous decorations be all covered by the dust of the valley. All of these may be rebuilt.
>
> But who shall reconstruct the fabric of demolished government?
>
> Who shall rear again the well-proportioned columns of constitutional liberty?
>
> Who shall frame together the skillful architecture which unites national sovereignty with State Rights, individual security, and Public prosperity?
>
> No, if these columns fall, they will be raised not again. Like the Coliseum and the Parthenon, they will be destined to a mournful and melancholy immortality. Bitterer tears, however, will flow over them than ever were shed over the monuments of Roman or Grecian art; for they will be the monuments of a more glorious edifice than Greece or Rome ever saw—the edifice of constitutional American liberty.

Mr. President, I now yield the floor. But, Mr. President, in yielding the floor I make this pledge to all Americans: As long as God gives me a mind to think, a tongue to speak, and a heart to love the Constitution, I shall never yield in my purpose to do everything within my limited power to prevent the Supreme Court as well as the Congress and the President from selling your constitutional birthright for the pottage of tyranny.

EXHIBIT A

HUGO BLACK SPEAKS UP FOR JUDICIAL RESTRAINT

(By James J. Kilpatrick)

One of these days, when a definitive biography is written of Justice Hugo Black, it may well be said that June 12 was his finest single day on the bench. In the twilight of his long career, the Alabamian is laying down some superlative law.

Most of us who sit in judicial bleachers, watching their eminences perform on the basepaths, have tended to classify Black as a liberal activist on the court. Whatever may have supported that appraisal in the past, the judgment plainly demands review and modification. It is a mischievous thing to say so—and Black will fume at seeing the thought in print—but he appears to be pursuing the same course that Felix Frankfurter pursued in his last years on the court. By the time he retired in 1962, Frankfurter had become a great conservative bulwark. Black moves in the same direction.

One of the landmark cases of June 12 was United States vs. Wade, in which a majority of the court (a) laid down the rule that a defendant is entitled to counsel at the time of a police lineup, and (b) prescribed new standards for State courts on the admissibility of certain evidence of a defendant's identification. Black went along with the first rule. He dissented strongly on the second.

"There is no constitutional provision upon which I can rely that directly or by implication gives this Court power to establish what amounts to a constitutional rule of evidence to govern, not only the Federal government, but the States in their trial of State crimes under State laws in State courts. The Constitution deliberately reposed in States very broad power to create and to try crimes according to their own rules and policies."

In Black's view, his brothers not only were whittling away at sound principles of federalism, but also were rewriting the due process clause of the Fourteenth Amendment. For his own part, "I have never been able to subscribe to the dogma that the due process clause empowers this court to declare any law, including a rule of evidence, unconstitutional which it believes is contrary to tradition, decency, fundamental justice, or any of the other wide-meaning words used by judges to claim power under the due process clause. I had an abiding idea that if the Framers had wanted to let judges write the Constitution on any such day-to-day beliefs of theirs, they would have said so instead of so carefully defining their grants and prohibitions in a written constitution."

In the companion case of Stovall vs. Denno, Black expanded on his theme. His colleagues were laying down a constitutional formula which substitutes "this Court's judgment of what is right for what the Constitution declares shall be the supreme law of the land." They were asserting power "to determine what the Constitution should say instead of determining what the Constitution does say."

Black's dedication to strict construction appeared most eloquently in the masterful dissent he filed in Berger vs. New York. This was the case in which a five-man majority held that New York's carefully drawn wiretapping law was unconstitutional. It was the single worst decision of the 1966–67 term.

"As I see it," wrote Black, "the differences between the Court and me in this case rest on different basic beliefs as to our duty in interpreting the Constitution. This basic charter of our government was written in few words to define governmental powers generally on the one hand, and to define governmental limitations on the other. I believe it is the court's duty to interpret these grants and limitations so as to carry out as nearly as possible the original intent of the framers. But I do not believe that it is our duty to go further than the framers did on the theory that the judges are charged with responsibility for keeping the Constitution 'up to date.' "

In still another case, this one involving an interpretation of the National Labor Relations Act, Black again spoke up for judicial restraint. His activist brothers, he thought, were usurping the responsibilities of Congress. If the rulers of labor relations were to be changed, in order to give fresh weapons to weak unions, it was not the court's job to do it.

Yet Black was being entirely consistent, in Gilbert vs. California, when he asserted his own conviction that a "liberal construction should always be given to the Bill of Rights." His point was that when the Constitution lays down a positive, unequivocal commandment, that commandment must be obeyed all the way. An accused person cannot be compelled to incriminate himself. In Black's view, there is an end to it. Nothing more needs to be said.

Black's reputation as a judicial liberal, after 30 years on the bench, is too firmly entrenched to be easily upset. In the popular view, he doubtless will remain so classified. But through most of this term, and especially on June 12, Black was expounding the soundest conservative doctrine. With Thurgood

Marshall about to come on the court, Black's latter-day conversion—if that is what it is—merits a round of applause.

[From the CONGRESSIONAL RECORD, Aug. 10, 1964]

THE COURT OF THE UNION OR JULIUS CAESAR REVISED

Mr. ERVIN. Mr. President, on February 29, 1964, Prof. Philip B. Kurland of the Law School of the University of Chicago made a most illuminating address before a conference upon the so-called Court of the Union Amendment at the Law School of the University of Notre Dame. He entitled his address "The Court of the Union or Julius Caesar Revised."

I have been privileged from time to time to read addresses and comments of Professor Kurland upon various constitutional and legal subjects. Such reading has convinced me that Professor Kurland possesses in the highest degree an understanding of the supreme values inherent in the primary purposes of our Constitution and the dangers posed to these primary purposes by impatient officials who would sacrifice their supreme values in their zeal to accomplish in haste temporary ends which they desire. For this reason, anything which Professor Kurland may say upon constitutional subjects merits wide dissemination and deep consideration by all persons interested in constitutional government.

As a consequence, I ask unanimous consent that Professor Kurland's speech be printed at this point in the body of the RECORD.

There being no objections, the speech was ordered to be printed in the RECORD, as follows:

"THE COURT OF THE UNION OR JULIUS CAESAR REVISED

"(By Philip B. Kurland, professor of law, the University of Chicago Law School)

"(NOTE.—The paper which follows was delivered as a conference, held at the Law School of the University of Notre Dame on February 29. It will appear in a forthcoming issue of the Notre Dame Lawyer, and appears here with the permission of the editors of that journal and of the author.)

"Dean O'Meara's subpena was greeted by honest protests from me that I had nothing to contribute to the great debate over the proposed constitutional amendments that are the subject of today's conference. The dean apparently of the belief that suffering might help this audience toward moral regeneration, suggested that I come anyway. I proceed then to prove my proposition and to test his hypothesis."

I have chosen as a title for this small effort: "Julius Caesar Revised." "Revised" because, unlike Mark Antony, I have been invited here not to bury Caesar but to praise him. Our Caesar, the Supreme Court, unlike Shakespeare's Julius, does not call for a funeral oration, because the warnings of lions in the streets—instead of under the throne—were timely heeded as well as sounded. Caesar was thus able to rally his friends to fend off the death strokes that the conspirators would have inflicted. The conspiratorial leaders were the members of the Council of State Governments. The daggers they proposed to use were the chief justices of the various high State courts, to whom they would entrust, under the resounding label of "the Court of the Union," the power to review judgments of the Supreme Court of the United States whenever that tribunal dared to inhibit the power of the States. It should be made clear that the chief justices of the States would be the instruments of the crime and not its perpetrators. You will recall that when these chief justices spoke through their collective voice, the Conference of Chief Justices, in condemnation of some of the transgressions of the Supreme Court, they asked only that the physician heal himself. They did not propose any organic changes, however little they like the Court's work. Their report stated:[1]

"When we turn to the specific field of the effect of judicial decisions on Federal-State relationships we come at once to the question as to where power should lie to give the ultimate interpretation to the Constitution and to the laws made in pursuance thereof under the authority of the United States. By necessity and by almost universal common consent, these ultimate powers are regarded as being vested in the Supreme Court of the United States. Any other allocation of such power would seem to lead to chaos."

Even in the absence of Caesar's murder, however, it is possible to pose the issue raised by Brutus: whether our Caesar has been unduly ambitious and grasping of power? And implicit in this question is a second: If Caesar's ambitions do constitute a threat to the republic, is assassination the appropriate method for dealing with that threat?

The second question is easier of answer than the first. Whether Caesar be guilty or not, it would seem patently clear that his murder, as proposed, must be resisted. Its consequences could only be costly and destructive civil conflict resulting in the creation of a new Caesar in the place of the old one, a new Caesar not nearly so well-equipped to perform the task nor even so benevolent as Julius himself.

It is probably because of the obvious absurdity of the method chosen for limiting the Supreme Court's powers that there is today even more unanimity in opposition to the proposal than existed when Caesar was last attacked—not by the current self-styled patricians, but by the plebeians under the leadership of Franklin Delano Roosevelt. For then it was only the conservatives that came to the defense of the Court; the liberals were prepared to destroy it. Today, as Prof. Charles Black has made clear, even if in rather patronizing tones, the conservatives are solidly lined up in defense of an institution many of whose decisions are repugnant to them.[2] The conservatives would seem to be concerned with the preservation of the institution; the liberals with the preservation of the benefits that the current Court has awarded them. For the latter the contents of Caesar's will appears to make the difference.

It would seem, therefore, that only those close to the lunatic fringe, the Birchers and the White Citizens Councils and others of their ilk, are prepared to support the purported court-of-the-union plan. Even in the Council of State Governments the proposed amendment was supported by a majority of only one vote. The few legislatures that have voted in support of this amendment are those normally concerned with their war on Robin Hood and similarly dangerous radicals. I do not mean to suggest that the Court is not in danger of being restrained. But I do think that the proposed method of destruction is not a very real threat unless this country is already closer to Gibbon's Rome than to Caesar's.

On the other hand, to say that the plan for a Court of the Union is an absurdity is not to answer the question whether Caesar suffers from an excess of ambitions. The great debate called for by the Chief Justice at the American Law Institute meeting last May has not really concerned itself with this problem. The great debate has taken the form of rhetorical forays. Each side argues that the proposed limitation on the powers of the Court would result in the removal of national power and the enhancement of the power of the States. The forces of Cassius and Brutus argue that this is a desirable result because the dispersal of government power is the only means of assuring that individual liberty will not be trodden under the tyrannous boots of socialist egalitarianism. Antony contends that the adoption of the proposal would be to return us to fragmented confederation impotent to carry on the duties of government in the world of the 20th century. Roosevelt's words about a "horse and buggy era" are this time used in defense of the Court. With all due respect, I submit that the essential question remains unanswered. The Talmud tells us that ambition destroys its possessor. Does the Court's behavior invite its own destruction?

In what ways is it charged that this Caesar seeks for power that does not belong to him? Some such assertions can be rejected as the charges of disappointed suitors. But there are others that cannot be so readily dismissed on the ground of the malice of claimant. Allow me to itemize a few of the latter together with some supporting testimony:

Item. The Court has unreasonably infringed on the authority committed by the Constitution to other branches of the Government.

Listen to one of the recent witnesses:

"The claim for judicial relief in this case strikes at one of the fundamental doctrines of our system of government, the separation of powers. In upholding the claim, the Court attempts to effect reforms in a field in which the Constitution, as plainly as can be, has committed exclusively to the political process.

"This Court, no less than all other branches of the Government, is bound by the Constitution. The Constitution does not confer on the Court blanket authority to step into every situation where the political branch may have fallen short. The stability of this institution ultimately depends not only upon its being alert to keep the other branches of Government within constitutional bounds but equally upon recognition of the limitations on the Court's own functions in the constitutional system."

This is not the charge of a Georgia legislator. These are the words of Mr. Justice Harlan, spoken as recently as last February 17, in *Wesberry* v. *Sanders*.[3]

Item. The Supreme Court has severely and unnecessarily limited the power of the States to enforce their criminal laws.

Thus one recent critic had this to say:

" 'The rights of the States to develop and enforce their own judicial procedures, consistent with the 14th amendment, have long been recognized as essential to the concept of a healthy federalism. Those rights are today attenuated if not obliterated in the name of a victory for the 'struggle for personal liberty.' But the Constitution comprehends another struggle of equal importance and places on (the Supreme Court) the burden of maintaining it—the struggle for law and order. I regret that the Court does not often recognize that each defeat in that struggle chips away inexorably at the base of that very personal liberty which it seeks to protect. One is reminded of the exclamation of Pyrrhus: 'One more such victory * * * and we are utterly undone.' "

This, I should tell you, is not the conference of Chief Justices complaining about the abuses of Federal habeas corpus practices; it is Mr. Justice Clark expressing his dissatisfaction in *Fay* v. *Noia*.[4]

Item. The Court has revived the evils of "substantive due process," the cardinal sin committed by the Hughes Court, and the one that almost brought about its destruction.

Here another expert witness has said:

"Finally, I deem this application of 'cruel and unusual punishment' so novel that I suspect the Court was hard put to find a way to ascribe to the framers of the Constitution the result reached today rather than to its own notions of ordered liberty. If this case involved economic regulation, the present Court's allergy to substantive due process would surely save the statute and prevent the Court from imposing its own philosophical predilections upon State legislatures or Congress. I fail to see why the Court deems it more appropriate to write into the Constitution its own abstract notions of how best to handle the narcotics problem, for it obviously cannot match either the States or Congress in expert understanding."

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[1] Report of the committee on Federal-State Relationships as Affected by Judicial Decisions, August 1958.

[2] Black, The Occasions of Justice 80 (1963).

[3] 376 U.S. xxx, at xxx (1964).

[4] 372 U.S. 391, 446–47 (1963).

This is the hand as well as the voice of Mr. Justice White in *Robinson* v. *California*.[5]

Item. The Court has usurped the powers of the National Legislature in rewriting statutes to express its own policy rather than executing the decisions made by the branch of Government charged with that responsibility.

Listen to two deponents whose right to speak to such an issue is not ordinarily challenged.

"What the Court appears to have done is to create not simply a duty of inspection, but an absolute duty to discovery of all defects; in short, it has made the B. & O. the insurer of the conditions of all premises and equipment, whether its own or others, upon which its employees may work. This is wholly salutary principle of compensation for industrial injury incorporated by workmen's compensation statutes, but it is not the one created by the FELA, which premises liability upon negligence of the employing railroad. It is my view that, as a matter of policy, employees such as the petitioner, who are injured in the course of their employment, should be entitled to prompt and adequate compensation regardless of the employer's negligence and free from traditional commonlaw rules limiting recovery. But Congress has elected a different test of liability which, until changed, courts are obliged to apply."

No, those are not the words of Mr. Justice Frankfurter, but those of this successor, Mr. Justice Goldberg, in *Shenker* v. *Baltimore & Ohio R. Co.*[6]

Listen to the same criticism in even more strident tones:

"The present case * * * will, I think, be marked as the baldest attempt by judges in modern times to spin their own philosophy into the fabric of the law, in derogation of the will of the legislature."

Here we have Mr. Justice Douglas in dissent from the opinion of Mr. Justice Black in *Arizona* v. *California*.[7]

Item. The Court writes or rewrites law for the purpose of conferring benefits on Negroes that it would not afford to others.

I offer here some testimony endorsed by Justices Harlan, Clarke, and Stewart, in *NAACP* v. *Buttons:*[8]

"No member of this Court would disagree that the validity of State action claimed to infringe rights assured by the 14th amendment is to be judged by the same basic constitutional standard whether or not racial problems are involved. No worse setback could befall the great principles established by *Brown* v. *Board of Education*, 347 U.S. 483, than to give fairminded persons reasons to think otherwise. With all respect, I believe that the striking down of this Virginia statute cannot be squared with accepted constitutional doctrine in the domain of State regulatory power over the legal profession.

Item. The Court disregards precedents at will without offering adequate reasons for change.

Mr. Justice Brennan puts his charge in short compass in *Pan American Airways* v. *United States:*[9]

"The root error, as I see it, in the Court's decision is that it works an extraordinary and unwarranted departure from the settled principles by which the antitrust and regulatory regimes of law are accommodated to each other."

Item. The Court uses its judgments not only to resolve the case before it but to prepare advisory opinions or worse, advisory opinions that do not advise.

The testimony here includes the following:

"The Court has done little more today than to supply new phrases—imprecise in scope and uncertain in meaning—for the habeas corpus vocabulary for district court judges. And because they purport to establish mandatory requirements rather than guidelines, the tests elaborated in the Court's opinion run the serious risk of becoming talismanic phrases, the mechanistic invocation of which will alone determine whether or not a hearing is to be had.

"More fundamentally, the enunciation of an elaborate set of standards governing habeas corpus hearings is in no sense required, or even invited, in order to decide the case * * * and the many pages of the Court's opinion which set these standards forth cannot, therefore, be justified even in terms of the normal function of dictum. The reasons for the rule against advisory opinions which purport to decide questions not actually in issue are too well established to need repeating at this late date."

This is not the plea by academic followers of Herbert Wechsler for principled decisions nor even an argument by Wechsler's opponents for ad hoc resolutions. It is the view of Mr. Justice Stewart in *Townsend* v. *Sain*.[10]

Item. Not unrelated to the charge just specified is the proposition that the Court seeks out constitutional problems when it could very well rest judgment on less lofty grounds.

Here is the Chief Justice himself speaking in *Communist Party* v. *Subversive Activities Control Board:*[11]

"I do not believe that strongly felt convictions on constitutional questions or a desire to shorten the course of this litigation justifies the Court in resolving any of the constitutional questions presented so long as the record makes manifest, as I think it does, the existence of nonconstitutional questions upon which this phase of the proceedings should be adjudicated. I do not think that the Court's action can be justified."

Item. The Court has unduly circumscribed the congressional power of investigation.

The testimony I offer here is not that of the chairman of the House Un-American Affairs Committee nor that of the Birch Society. It derives from Mr. Justice White's opinion in *Gibson* v. *Florida Investigation Committee:*[12]

"The net effect of the Court's decision is, of course, to insulate from effective legislation the time-proven skills of the Communist Party in subverting and eventually controlling legitimate organizations. Until such a group, chosen as an object of Communist Party action, has been effectively reduced to vassalage, legislative bodies may seek no information from the organization under attack by duty-bound Communists. When the job has been done, and the legislative committee can prove it, it then has the hollow privilege of recording another victory for the Communist Party, which both Congress and this Court have found to be an organization under the direction of a foreign power, dedicated to the overthrow of the Government if necessary by force and violence."

Item. I will close the list with the repeated charge that the due process clause of the 14th amendment as applied by the Court consists only of the "evanescent standards" of each judge's notions of natural law." The charge is most strongly supported by the opinions of Mr. Justice Black in *Adamson* v. *California*[13] and *Rochin* v. *California*,[14] to which I commend you.

I close the catalog not because it is exhausted. These constitute but a small part of Brutus' indictment and an even smaller proportion of the witnesses prepared to testify to the Court's grasp for power. These witnesses are impressive, however, for they are not enemies of the Court but part of it. Moreover, their depositions may be garnered simply by thumbing the pages of the recent volumes of the U.S. Reports, which is exactly the way that my partial catalog was created.

Let me make clear that this testimony does not prove Caesar's guilt, but only demonstrates that these charges cannot be dismissed out of hand. The fact that they are endorsed by such irresponsible groups as would support the proposed constitutional amendment does not add to their validity. But neither does such support invalidate them.

What then of Antony's defenses of Caesar?

First is the proposition that our Caesar has done no more than perform the duties with which he is charged. We have it from no less eminent an authority than Paul Freund that the Court has not exceeded its functions and he defines them thus:[15]

"First of all, the Court has a responsibility to maintain the constitutional order, the distribution of public power and the limitation on that power.

"A second great mission of the Court is to maintain a common market of continental extent against State barriers or State trade preferences.

"In the third place, there falls to the Court a vital role in the preservation of an open society, whose government is to remain both responsive and responsible. Responsive government requires freedom of expression; responsible government demands fairness of representation."

And so, Professor Freund suggests, the Court has done no more than its duty and he predicts that we shall be grateful to it:[16]

"The future is not likely to bring a lessening of governmental intervention in our personal concerns. And as science advances into outer and inner space—the far reaches of the galaxy and the deep recesses of the mind—as physical controls become possible over our genetic and our psychic constitutions, we may have reason to be thankful that some limits are set by our legal constitution. We may have reason to be grateful that we are being equipped with legal controls, with decent procedures, with access to the centers of decisionmaking, and participation in our secular destiny, for our days and for the days we shall not see."

It is not clear to me that the second defense is really different from the first. Here we are met with the proposition that the Court, politically the least responsible branch of government, has proved itself to be morally the most responsible. In short, the Court has acted because the other branches of government, State and National have failed to act. And a parade of horribles would not be imaginary that marched before us the abuses that the community has rained on the Negro; the evils of McCarthyism and the continued restrictions on freedom of thought committed by the National Legislature; the refusal of the States and the Nation to make it possible for the voices of the disenfranchised to be heard, either by preventing groups from voting, or by mechanisms for continued control of the legislature by the politically entrenched, including gerrymandering, and subordination of majority rule by the filibuster and committee control of Congress; the police tactics that violate the most treasured rights of the human personality, police tactics that we have all condemned when exercised by the Nazis and the Communists. This list, too, may be extended almost to infinity. There can be little doubt that the other branches of Government have failed in meeting some of their essential obligations to provide constitutional government.

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[5] 370 U.S. 660, 689 (1962).

[6] 374 U.S. xxx, at xxx (1963).

[7] 374 U.S. xxx, at xxx (1963).

[8] 371 U.S. 415, 448 (1963).

[9] 371 U.S. 296, 319 (1963).

[10] 372 U.S. 293, 327 (1963).

[11] 367 U.S. 1, 116 (1961).

[12] 372 U.S. 539, 585 (1963).

[13] 332 U.S. 46, 68 (1947).

[14] 342 U.S. 165, 174 (1952).

[15] Freund, The Supreme Court Under Attack, 25 U. Pitt. L. Rev. 1, 5–6 (1963).

[16] Id., at 7.

The third defense is that which I have labeled the defense of Caesar's will. It is put most frankly and tersely by Prof. John Roche in this way.[17]

"As a participant in American society in 1963—somewhat removed from the abstract world of democratic political theory—I am delighted when the Supreme Court takes action against bad policy on whatever constitutional basis it can establish or invent. In short, I accept Aristotle's dictum that the essence of political tragedy is for the good to be opposed in the name of the perfect. Thus, while I wish with Professors Wechsler and Kurland, inter alios, that Supreme Court Justices could proceed on the same principles as British judges, it does not unsettle or irritate me when they behave like Americans. Had I been a member of the Court in 1954, I would unhesitatingly have supported the constitutional death sentence on racial segregation, even though it seems to me that in a properly ordered democratic society this should be a task for the legislature. To paraphrase St. Augustine, in this world one must take his breaks where he finds them."

There then are the pleadings. I do not pretend to a capacity to decide the case. It certainly isn't ripe for summary judgment or judgment on the pleadings. I am fearful only that if the case goes to issue in this manner, the result will be chaos whichever side prevails. For, like Judge Learned Hand, I am apprehensive that if nothing protects our democracy and freedom except the bulwarks that the Court can erect, we are doomed to failure. Thus, I would answer the question that purports to be mooted today, whether the court-of-the-union amendment should be promulgated, in the words of that great judge:[18]

"And so, to sum up, I believe that for by far the greater part of their work it is a condition upon the success of our system that the judges should be independent; and I do not believe that their independence should be impaired because of their constitutional function. But the price of this immunity, I insist, is that they should not have the last word in those basic conflicts of 'right and wrong—between those whose endless jar justice resides.' You may ask then what will become of the fundamental principles of equity and fairplay which our constitutions enshrine; and whether I seriously believe that unsupported they will serve merely as counsels of moderation. I do not think that anyone can say what will be left of those principles; I do not know whether they will serve only as counsels; but this much I think I do know—that a society so riven that the spirit of moderation is gone, no court can save; that a society where that spirit flourishes, no court need save; that in a society which evades its responsibility by thrusting upon the courts the nurture of that spirit, that spirit in the end will perish."

I find then that I have come neither to praise nor to bury Caesar. I should only remind those who would destroy Caesar of the self-destruction to which the noble Brutus was brought; nor can the Antonys among us—who would use Caesar for their own ends—rejoice at his ultimate fate. For Caesar himself, I should borrow the advice given Cromwell by Wolsey: "I charge thee, fling away ambition: By that sin fell the angels."

[From U.S. News & World Report, Mar. 7, 1958]

Famous Judge Rebukes Supreme Court

(By David Lawrence)

Judge Learned Hand, now retired, is one of the most eminent men ever to sit on the federal bench. For many years he presided over the Second Circuit Court of Appeals in New York, and his opinions were usually accepted by the Supreme Court of the United States. Indeed his opinions came to be regarded by the legal profession as among the most persuasive expositions of "the law of the land."

Recently Judge Hand delivered a series of three lectures before the students at Harvard Law School. He dealt with the widely debated concept that the Supreme Court may "legislate" at will.

These lectures have just been published by the Harvard University Press. While they are written in dispassionate and restrained phrases, the lesson contained therein is unmistakable. It is one of sharp rebuke of the Supreme Court for a tendency to set itself up as a "third legislative chamber."

Judge Hand issues a warning as to what the American citizen faces whenever the Supreme Court not only restricts the right of legislative bodies to legislate but itself assumes a legislative function.

Judge Hand does not confine his criticism merely to the present-day Supreme Court. He points out that an 1894 opinion of the Court foreshadowed current trends. He quotes the Court's declaration at that time that a State Legislature's "determination as to what is a proper exercise of its police powers is not final or conclusive, but is subject to the supervision of the courts."

Judge Hand observes that "such a definition leaves no alternative to regarding the court as a third legislative chamber." He then notes the subsequent disavowals of such a doctrine by the Supreme Court and cites a 1952 opinion which says:

"Our recent decisions make plain that we do not sit as a superlegislature to weigh the wisdom of legislation, nor to decide whether the policy which it expresses offends the public welfare."

Judge Hand remarks: "One would suppose that these decisions and the opinions that accompanied them would have put an end—at least when economic interests only were at stake—to any judicial review of a statute because the choice made [by Congress or the State Legislatures] between the values and sacrifices in conflict did not commend itself to the Court's notions of justice."

Judge Hand finds, however, that the Supreme Court recently has not only proceeded to impose its own view of what is wise or unwise legislation, irrespective of constitutional powers, but seems to have applied hostile rules where "property" was involved and softer rules where "liberty" was at issue. He says:

"I cannot help thinking that it would have seemed a strange anomaly to those who penned the words in the Fifth [Amendment] to learn that they constituted severer restrictions as to Liberty than Property, especially now that Liberty not only includes freedom from personal restraint, but enough economic security to allow its possessor the enjoyment of a satisfactory life.

"I can see no more persuasive reason for supposing that a legislature is a *priori* less qualified to choose between 'personal' than between economic values; and there have been strong protests, to me unanswerable, that there is no constitutional basis for asserting a larger measure of judicial supervision over the first than over the second."

Judge Hand puts his finger on the cases that today transcend all others as examples of usurpation of power by the Supreme Court. He says:

"The question arose in acute form in 'The Segregation Cases.' In these decisions did the Court mean to 'overrule' the 'legislative judgment' of States by its own reappraisal of the relative values at stake? Or did it hold that it was alone enough to invalidate the statutes that they had denied racial equality because the [Fourteenth] Amendment inexorably exempts that interest from legislative appraisal?

"It seems to me that we must assume that it did mean to reverse the 'legislative judgment' by its own appraisal. It acknowledged that there was no reliable inference to be drawn from the congressional debates in 1868 and it put its decision upon the 'feeling of inferiority' that 'segregation' was likely to instill in the minds of those who were educated as a group separated by their race alone.

"There is indeed nothing in the discussion [by the Supreme Court] that positively forbids the conclusion that the Court meant that racial equality was a value that must prevail against any conflicting interest, but it was not necessary to go to such an extreme. *Plessy* v. *Ferguson* [the 1896 case approving 'separate but equal' facilities] was not overruled in form anyway; it was distinguished [differentiated] because of the increased importance of education in the 56 years that had elapsed since it was decided.

"I do not see how this distinction can be reconciled with the notion that racial equality is a paramount value that State Legislatures are not to appraise and whose invasion is fatal to the validity of any statute.

"Whether the result would have been the same if the interests involved had been economic, of course, I cannot say, but there can be no doubt that at least as to 'Personal Rights' the old doctrine seems to have been reasserted.

"It is curious that no mention was made of Section Three [of the Fourteenth Amendment], which offered an escape from intervening, for it empowers Congress to 'enforce' all the preceding sections by 'appropriate legislation.'

"The Court must have regarded this as only a cumulative corrective, not being disposed to divest itself of that power of review that it has so often exercised and as often disclaimed.

"I must therefore conclude this part of what I have to say by acknowledging that I do not know what the doctrine is as to the scope of these clauses; I cannot frame any definition that will explain when the Court will assume the role of a third legislative chamber and when it will limit its authority to keeping Congress and the States within their accredited authority."

Judge Hand says he "has never been able to understand" on what basis other than as a *"coup de main"* the Supreme Court adopted the view that it may actually legislate. By *"coup de main,"* he means, of course, arbitrary usurpation of power.

Should we establish a "third legislative chamber"? This is the penetrating question asked by Judge Hand, but he adds quickly: "If we do need a third chamber it should appear for what it is, and not as the interpreter of inscrutable principles."

But Judge Hand doubts the wisdom of letting a judge "serve as a communal mentor" and deems inexpedient any such wider form of review based on the "moral radiation" of court decisions. He gives these reasons for his view:

"In the first place it is apparent, I submit, that in so far as it is made part of the duties of judges to take sides in political controversies, their known or expected convictions or predilections will, and indeed should, be at least one determinant in their appointment and an important one.

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[17] Roche, The Expatriation Cases: "Breathes There the Man With Soul So Dead?" 1963 Supreme Court Review, 325, 326 n. 4.

[18] Hand, The Spirit of Liberty 164 (2d ed. 1953).

"There has been plenty of past experience that confirms this; indeed, we have become so used to it that we accept it as a matter of course.

"No doubt it is inevitable, however circumscribed his duty may be, that the personal proclivities of an interpreter will to some extent interject themselves into the meaning he imputes to a text, but in very much the greater part of a judge's duties he is charged with freeing himself as far as he can from all personal preferences, and that becomes difficult in proportion as these are strong.

"The degree to which he will secure compliance with his commands depends in large measure upon how far the community believes him to be the mouthpiece of a public will, conceived as a resultant of many conflicting strains that have come, at least provisionally, to a consensus.

"This sanction disappears in so far as it is supposed permissible for him covertly to smuggle into his decisions his personal notions of what is desirable, however disinterested personally those may be.

"Compliance will then much more depend upon a resort to force, not a desirable expedient when it can be avoided."

Those last words could apply to the use of troops at Little Rock, which certainly was "not a desirable expedient" and could have been avoided.

There seems no doubt that Judge Hand would like to see the Supreme Court adhere to its basic function of interpreting legislation without adding laws not written by the people's legislatures. He evidently deplores the tendency to vest political power in the Supreme Court of the United States whose Justices are appointed for life. He concludes:

"For myself it would be most irksome to be ruled by a bevy of Platonic Guardians, even if I knew how to choose them, while I assuredly do not. If they were in charge, I should miss the stimulus of living in a society where I have, at least theoretically, some part in the direction of public affairs.

"Of course I know how illusory would be the belief that my vote determined anything; but nevertheless when I go to the polls I have a satisfaction in the sense that we are all engaged in a common venture."

Judge Hand has rendered a great service to contemporary understanding of the true limits of the Supreme Court's powers. For there are limits, and the Congress, acting for the people, can and should impose such limits lest we fall victim to absolutism in our own institutions.

[From U.S. News & World Report, Oct. 24, 1958]

How U.S. Judges Feel About the Supreme Court

(A critical attitude toward the Supreme Court is now found to exist among federal judges. This is revealed in a poll by "U.S. News & World Report." The poll asked federal judges whether they agreed with a report adopted recently by 36 State chief justices. That report criticized the Supreme Court for playing a "role of policy maker." Of federal judges who expressed an opinion, 54 per cent agreed with that criticism. Replying to the poll were 128 judges representing all regions of the country.)

A poll of judges in federal courts indicates that a majority of the judges who expressed an opinion are critical toward the Supreme Court of the U.S.

This majority agreed with the conclusion of a report by 36 State chief justices that the Supreme Court "too often has tended to adopt the role of policy maker without proper judicial restraint."

A minority of judges who replied disagreed with that conclusion.

There are 351 judges, active and retired, on U.S. district courts and U.S. circuit courts of appeals. These were asked by "U.S. News & World Report," in a mail questionnaire, whether they agreed or disagreed with conclusions in a report approved by the Conference of Chief Justices of State Supreme Courts.

This report, critical of the Supreme Court of the U.S., was approved, 36 to 8, in a formal vote by the Chief Justices of State Supreme Courts at their annual meeting last August. Four justices were not present at the vote; two abstained.

Full text of the report itself, more than 11,000 words, was mailed by "U.S. News & World Report" along with the questionnaire to all federal judges.

Each federal district and circuit judge was asked simply to mark an "X" before the statement "I agree" or "I disagree" with the conclusions of the report adopted by the Conference of State Chief Justices. This report did not directly concern itself with the issue of segregation of races in schools, nor did it mention the Supreme Court decision in the desegregation cases. It did criticize the Supreme Court for lack of "proper judicial restraint" in rulings that deal with the "extent and extension of federal power, and the supervision of State action by the Supreme Court by virtue of the Fourteenth Amendment."

In the poll by "U.S. News & World Report," replies were received from 128 judges, or 36.5 per cent of those polled. Replies were representative of all regions and of the full membership of judges of the U.S. district courts as well as of judges of U.S. circuit courts of appeals.

Of all those who answered the questionnaire:

Forty-six per cent expressed agreement with the conclusions of chief justices of State supreme courts.

Thirty-nine per cent disagreed with the State chief justices.

Fifteen per cent preferred not to express any view.

Of all those who did express an opinion:

Fifty-four per cent agreed with the report of the State chief justices, which said that the Supreme Court of U.S "too often has tended to adopt the role of policy maker without proper judicial restraint."

Forty-six per cent disagreed with this conclusion.

By regions, the judges voted this way:

From Washington, D.C., replies were received from 38.5 per cent of the 26 judges sitting on U.S. district courts and U.S. circuit courts of appeals.

Of those in Washington, D.C., who replied:

Eighty per cent agreed with the chief justices of the State supreme courts in their criticism of the Supreme Court of U.S.

Twenty per cent disagreed.

There were no replies received from the "no opinion" category.

It is in the nation's capital that judges are most closely in contact with the Supreme Court of U.S.

In the South, 50 per cent of the federal judges replied.

Of those who replied from the South:

Fifty-five and one-half per cent agreed with the report of the State chief justices that the Supreme Court of U.S. has acted without proper judicial restraint.

Twenty-eight per cent of judges in the South disagreed.

Sixteen and one-half per cent mailed back the questionnaire but preferred not to express a view.

(States of South: Ala., Ark., Fla., Ga., La., Miss., N.C., S.C., Tenn., Tex., Va.)

Outside the South, 33 percent of the judges replied.

Of those who replied from outside the South:

Forty-two and four-tenths per cent agreed with the report of the State chief justices in their criticism of the Supreme Court of U.S.

Forty-three and one-half percent disagreed.

Fourteen and one-tenth per cent who replied preferred not to express a view.

Of those outside the South who did express their views:

Forty-nine and four-tenths per cent agreed with the State chief justices.

Fifty and six-tenths per cent disagreed.

Gallup appraisal. A response of 36.5 per cent to a mail poll is rated by those whose business it is to conduct polls as "very good indeed."

George Gallup, Director of the American Institute of Public Opinion, when asked prior to the completion of the above poll to evaluate mail questionnaires generally, said this:

"A mail return which receives from 20 to 30 per cent of replies is about average. Anything from 30 to 40 per cent is very good.

"A questionnaire to which the recipient can give an offhand reply will get better results than a questionnaire which requires the recipient to read any lengthy document before replying. If you get a 30 to 40 per cent return, therefore, when there is a lengthy document accompanying the questionnaire, to be read by the recipient, I should say the results would be very good, indeed."

A mail poll drawing replies from 36.5 per cent of all federal judges other than those on the Supreme Court of U.S. itself is described by professional samplers of opinion as providing a fair measure of opinion of all the judges polled.

What the poll tells. The poll of U.S. district judges and judges on the U.S. circuit courts of appeals, as a result, shows this:

A majority of federal judges participating in the poll are agreed that the Supreme Court "too often" has not exercised "proper judicial restraint" in exercising its power to make policy.

This majority approved the statement of the 36 chief justices of State supreme courts that "in the light of the immense power of the Supreme Court and its practical nonreviewability in most instances, no more important obligation rests upon it, in our view, than that of careful moderation in the exercise of its policy-making role."

A majority of federal judges participating likewise agrees with the report of the chief justices of State supreme courts when it says: "We are not alone in our view that the Court, in many cases arising under the Fourteenth Amendment, has assumed what seem to us primarily legislative powers."

The poll made by "U.S. News & World Report" was conducted by mail to determine whether or not federal judges agreed or disagreed with the formal poll of State chief justices in the view expressed in their report that the Supreme Court is extending the power of the Federal Government at expense of the individual States "without proper judicial restraint."

Critics of criticism. The New York "Times" is reported to have made an effort through its own reporters to dissuade judges from participating in the poll. "Times" reporters called by telephone a number of judges and, some of these judges say, argued with them that they would not reply.

While the poll by "U.S. News & World Report" was in progress, the New York "Times" printed a story under a headline: "Judges Angered by Poll on Court, More Than a Score Express Indignation over Magazine Survey on Critical Report." This story said that New York "Times" reporters had "sampled" federal judges in "several cities." The article expressed the opinion that not a quarter of those polled would reply. In Washington another newspaper, the "Post and Times Herald," also polled some of the federal judges about the "U.S. News & World Report" poll. The "Post and Times Herald" predicted that "less than a 20 per cent return" would be received.

The "U.S. News & World Report" poll was conducted in confidence, and judges were not asked to sign their names. A substantial number, nonetheless, did sign their names after checking the answer.

The Supreme Court of U.S. many times in the past, as now, has been a center of controversy over the use of its power. The report of chief justices of State supreme courts and the poll of judges on federal courts below the Supreme Court reveal a strong undercurrent of criticism of the Supreme Court among judges themselves. The report of the State chief justices was printed in full text in the October 3 issue of "U.S. News & World Report."

[From U.S. News & World Report, Oct. 3, 1958]

WHAT 36 STATE CHIEF JUSTICES SAID ABOUT THE SUPREME COURT

(For the first time, here is full text of historic report. The chief justices of 36 States recently adopted a report critical of the Supreme Court of the United States, declaring that the Court "has tended to adopt the role of policy maker without proper judicial restraint." This report, approved by the chief justices of three-fourths of the nation's States, found that the present Supreme Court has abused the power given to it by the Constitution. The Court is pictured as invading fields of Government reserved by the Constitution to the States. Full text of this historic document has not previously been given wide distribution. It is printed below, together with the formal resolution of approval by the Conference of State Chief Justices.)

[The Conference of Chief Justices, meeting in Pasadena, Calif., on Aug. 23, 1958, adopted a resolution submitted by its Committee on Federal-State Relationships as Affected by Judicial Decisions. Vote on the resolution was 36 to 8, with 2 members abstaining and 4 not present.]

Resolved:

1. That this Conference approves the Report of the Committee on Federal-State Relationships as Affected by Judicial Decisions submitted at this meeting.

2. That, in the field of Federal-State relationships, the division of powers between those granted to the National Government and those reserved to the State Governments should be tested solely by the provisions of the Constitution of the United States and the Amendments thereto.

3. That this Conference believes that our system of federalism, under which control of matters primarily of national concern is committed to our National Government and control of matters primarily of local concern is reserved to the several States, is sound and should be more diligently preserved.

4. That this Conference, while recognizing that the application of constitutional rules to changed conditions must be sufficiently flexible as to make such rules adaptable to altered conditions, believes that a fundamental purpose of having a written Constitution is to promote the certainty and stability of the provisions of law set forth in such a Constitution.

5. That this Conference hereby respectfully urges that the Supreme Court of the United States, in exercising the great powers confided to it for the determination of questions as to the allocation and extent of national and State powers, respectively, and as to the validity under the Federal Constitution of the exercise of powers reserved to the States, exercise one of the greatest of all judicial powers—the power of judicial self-restraint—by recognizing and giving effect to the difference between that which, on the one hand, the Constitution may prescribe or permit, and that which, on the other, a majority of the Supreme Court, as from time to time constituted, may deem desirable or undesirable, to the end that our system of federalism may continue to function with and through the preservation of local self-government.

6. That this Conference firmly believes that the subject with which the Committee on Federal-State Relationships as Affected by Judicial Decisions has been concerned is one of continuing importance, and that there should be a committee appointed to deal with the subject in the ensuing year.

FULL TEXT OF THE COMMITTEE'S REPORT AS APPROVED BY THE STATE CHIEF JUSTICES

Foreword

Your Committee on Federal-State Relationships as Affected by Judicial Decisions was appointed pursuant to action taken at the 1957 meeting of the Conference, at which, you will recall, there was some discussion of recent decisions of the Supreme Court of the United States and a resolution expressing concern with regard thereto was adopted by the Conference. This Committee held a meeting in Washington in December, 1957, at which plans for conducting our work were developed. This meeting was attended by Sidney Spector of the Council of State Governments and by Professor Philip B. Kurland of the University of Chicago Law School.

The Committee believed that it would be desirable to survey this field from the point of view of general trends rather than by attempting to submit detailed analyses of many cases. It was realized, however, that an expert survey of recent Supreme Court decisions within the area under consideration would be highly desirable in order that we might have the benefit in drafting this report of scholarly research and of competent analysis and appraisal, as well as of objectivity of approach.

Thanks to Professor Kurland and to four of his colleagues of the faculty of the University of Chicago Law School, several monographs dealing with subjects within the Committee's field of action have been prepared and have been furnished to all members of the Committee and of the Conference. These monographs and their authors are as follows:

1. "The Supreme Court, the Due Process Clause, and the In Personam Jurisdiction of State Courts," by Professor Kurland;

2. "Limitations on State Power to Deal with Issues of Subversion and Loyalty," by Assistant Professor [Roger C.] Cramton;

3. "Congress, the States and Commerce," by Professor Allison Dunham;

4. "The Supreme Court, Federalism, and State Systems of Criminal Justice," by Professor Francis A. Allen; and

5. "The Supreme Court, the Congress and State Jurisdiction Over Labor Relations," by Professor Bernard D. Meltzer.

These gentlemen have devoted much time, study and thought to the preparation of very scholarly, interesting and instructive monographs on the above subjects. We wish to express our deep appreciation to each of them for his very thorough research and analysis of these problems. With the pressure of the work of our respective courts, the members of this Committee could not have undertaken this research work and we could scarcely have hoped, even with ample time, to equal the thorough and excellent reports which they have written on their respective subjects.

It had originally been hoped that all necessary research material would be available to your Committee by the end of April and that the Committee could study it and then meet for discussion, possibly late in May, and thereafter send at least a draft of the Committee's report to the members of the Conference well in advance of the 1958 meeting; but these hopes have not been realized.

The magnitude of the studies and the thoroughness with which they have been made rendered it impossible to complete them until about two months after the original target date and it has been impracticable to hold another meeting of this Committee until the time of the Conference.

Even after this unavoidable delay had developed, there was a plan to have these papers presented at a seminar to be held at the University of Chicago late in June. Unfortunately, this plan could not be carried through, either.

We hope, however, that these papers may be published in the near future with such changes and additions as the several authors may wish to make in them. Some will undoubtedly be desired in order to include decisions of the Supreme Court in some cases which are referred to in these monographs, but in which decisions were rendered after the monographs had been prepared. Each of the monographs as transmitted to us is stated to be in preliminary form and subject to change and as not being for publication.

Much as we are indebted to Professor Kurland and his colleagues for their invaluable research aid, your Committee must accept sole responsibility for the views herein stated. Unfortunately, it is impracticable to include all or even a substantial part of their analyses in this report.

Background and perspective

We think it desirable at the outset of this report to set out some points which may help to put the report in proper perspective, familiar or self-evident as these points may be.

First, though decisions of the Supreme Court of the United States have a major impact upon federal-State relationships and have had such an impact since the days of Chief Justice Marshall, they are only a part of the whole structure of these relationships. These relations are, of course, founded upon the Constitution of the United States itself. They are materially affected not only by judicial decisions but in very large measure by acts of Congress adopted under the powers conferred by the Constitution. They are also affected, or may be affected, by the exercise of the treaty power.

Of good practical importance as affecting federal-State relationships are the rulings and actions of federal administrative bodies. These include the independent-agency regulatory bodies, such as the Interstate Commerce Commission, the Federal Power Commissions, the Securities and Exchange Commission, the Civil Aeronautics Board, the Federal Communications Commission and the National Labor Relations Board.

Many important administrative powers are exercised by the several departments of the executive branch, notably the Treasury Department and the Department of the Interior. The scope and importance of the administration of the federal tax laws are, of course, familiar to many individuals and businesses because of their direct impact, and require no elaboration.

Second, when we turn to the specific field of the effect of judicial decisions on federal-State relationships, we come at once to the question as to where power should lie to give the ultimate interpretation to the Constitution and to the laws made in pursuance thereof under the authority of the United States. By necessity and by almost universal common consent, these ultimate powers are regarded as being vested in the Supreme Court of the United States. Any other allocation of such power would seem to lead to chaos. See Judge Learned Hand's most interesting Holmes Lectures on "The Bill of Rights" delivered at the Harvard Law School this year and published by the Harvard University Press.

Third, there is obviously great interaction between federal legislation and administrative action on the one hand and decisions of the Supreme Court on the other, because of the power of the Court to interpret and apply acts of Congress and to determine the validity of administrative action and the permissible scope thereof.

Fourth, whether federalism shall continue to exist and, if so, in what form is primarily a political question rather than a judicial question. On the other hand, it can hardly be denied that judicial decisions, specifically decisions of the Supreme Court, can give tremendous impetus to changes in the allocation of powers and responsibilities as between the federal and State governments. Likewise, it can hardly be seriously disputed that on many occasions the decisions of the Supreme Court have produced exactly that effect.

Fifth, this Conference has no legal powers whatsoever. If any conclusions or recommendations at which we may arrive are to have any effect, this can only be through the power of persuasion.

Sixth, it is a part of our obligation to seek to uphold respect for law. We do not believe that this goes so far as to impose upon us an obligation of silence when we find ourselves unable to agree with pronouncements of the Supreme Court—even though we are bound by them—or when we see trends in decisions of that Court which we think will lead to unfortunate results.

We hope that the expression of our views may have some value. They pertain to matters which directly affect the work of our State courts. In this report we urge the desirability of self-restraint on the part of the Supreme Court in the exercise of the vast powers committed to it. We endeavor not to be guilty ourselves of a lack of due restraint in expressing our concern and, at times, our criticisms in making the comments and observations which follow.

Problems of federalism

The difference between matters primarily local and matters primarily national was the guiding principle upon which the framers of our national Constitution acted in outlining the division of powers between the national and State governments.

This guiding principle, central to the American federal system, was recognized when the original Constitution was being drawn and was emphasized by De Tocqueville [Alexis de Tocqueville, author of "Democracy in America"]. Under his summary of the Federal Constitution he says:

"The first question which awaited the Americans was so to divide the sovereignty that each of the different States which compose the union should continue to govern itself in all that concerned its internal prosperity, while the entire nation, represented by the Union, should continue to form a compact body and to provide for all general exigencies. The problem was a complex and difficult one. It was as impossible to determine beforehand, with any degree of accuracy, the share of authority that each of the two governments was to enjoy as to foresee all the incidents in the life of a nation."

In the period when the Constitution was in the course of adoption, the "Federalist"—No. 45—discussed the division of sovereignty between the Union and the States and said:

"The powers delegated by the Constitution to the Federal Government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation and foreign commerce. The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the internal order and prosperity of the State."

Those thoughts expressed in the "Federalist," of course, are those of the general period when both the original Constitution and the Tenth Amendment were proposed and adopted. They long antedated the proposal of the Fourteenth Amendment.

The fundamental need for a system of distribution of powers between national and State governments was impressed sharply upon the framers of our Constitution not only because of their knowledge of the governmental systems of ancient Greece and Rome. They also were familiar with the government of England; they were even more aware of the colonial governments in the original States and the governments of those States after the Revolution.

Included in government on this side of the Atlantic was the institution known as the New England town meeting, though it was not in use in all of the States. A town meeting could not be extended successfully to any large unit of population, which, for legislative action, must rely upon representative government.

Local Government: "a vital force"

But it is this spirit of self-government, of local self-government, which has been a vital force in shaping our democracy from its very inception.

The views expressed by our late brother, Chief Justice Arthur T. Vanderbilt [of the New Jersey Supreme Court], on the division of powers between the national and State governments—delivered in his addresses at the University of Nebraska and published under the title "The Doctrine of the Separation of Powers and Its Present-Day Significance"—are persuasive.

He traced the origins of the doctrine of the separation of powers to four sources: Montesquieu and other political philosophers who preceded him; English constitutional experience; American colonial experience; and the common sense and political wisdom of the Founding Fathers. He concluded his comments on the experiences of the American colonists with the British Government with this sentence:

"As colonists they had enough of a completely centralized government with no distribution of powers and they were intent on seeing to it that they should never suffer such grievances from a government of their own construction."

His comments on the separation of powers and the system of checks and balances and on the concern of the Founding Fathers with the proper distribution of governmental power between the nation and the several States indicates that he treated them as parts of the plan for preserving the nation on the one side and individual freedom on the other—in other words, that the traditional tripartite vertical division of powers between the legislative, the executive and the judicial branches of government was not an end in itself, but was a means toward an end; and that the horizontal distribution or allocation of powers between national and State governments was also a means towards the same end and was a part of the separation of powers which was accomplished by the Federal Constitution. It is a form of the separation of powers with which Montesquieu was not concerned; but the horizontal division of powers, whether thought of as a form of separation of powers or not, was very much in the minds of the framers of the Constitution.

Two major developments in the federal system

The outstanding development in federal-State relations since the adoption of the National Constitution has been the expansion of the power of the National Government and the consequent contraction of the powers of the State governments. To a large extent this is wholly unavoidable and, indeed, is a necessity, primarily because of improved transportation and communication of all kinds and because of mass production.

On the other hand, our Constitution does envision federalism. The very name of our nation indicates that it is to be composed of States. The Supreme Court of a bygone day said in Texas v. White, 7 Wall. 700, 721, (1868): "The Constitution, in all its provisions, looks to an indestructible Union of indestructible States."

Second only to the increasing dominance of the National Government has been the development of the immense power of the Supreme Court in both State and national affairs. It is not merely the final arbiter of the law; it is the maker of policy in many major social and economic fields. It is not subject to the restraints to which a legislative body is subject. There are points at which it is difficult to delineate precisely the line which should circumscribe the judicial function and separate it from that of policy making.

Thus, usually within narrow limits, a court may be called upon in the ordinary course of its duties to make what is actually a policy decision by choosing between two rules, either of which might be deemed applicable to the situation presented in a pending case.

But, if and when a court in construing and applying a constitutional provision or a statute becomes a policy maker, it may leave construction behind and exercise functions which are essentially legislative in character, whether they serve in practical effect as a constitutional amendment or as an amendment of a statute. It is here that we feel the greatest concern, and it is here that we think the greatest restraint is called for. There is nothing new in urging judicial self-restraint, though there may be, and we think there is, new need to urge it.

It would be useless to attempt to review all of the decisions of the Supreme Court which have had a profound effect upon the course of our history. It has been said that the Dred Scott decision made the Civil War inevitable. Whether this is really true or not, we need not attempt to determine. Even if it is discounted as a serious overstatement, it remains a dramatic reminder of the great influence which Supreme Court decisions have had and can have.

As to the great effect of decisions of that Court on the economic development of the country, see Mr. Justice Douglas's Address on *"Stare Decisis"* [to stand by decided matters], 49 Columbia Law Review 735.

Sources of national power

Most of the powers of the National Government were set forth in the original Constitution; some have been added since. In the days of Chief Justice Marshall, the supremacy clause of the Federal Constitution and a broad construction of the powers granted to the National Government were fully developed and, as a part of this development, the extent of national control over interstate commerce became very firmly established.

The trends established in those days have never ceased to operate and, in comparatively recent years, have operated at times in a startling manner in the extent to which interstate commerce has been held to be involved, as for example in the familiar case involving an elevator operator in a loft building.

From a practical standpoint, the increase in federal revenues resulting from the Sixteenth Amendment—the income tax amendment—has been of great importance. National control over State action in many fields has been vastly expanded by the Fourteenth Amendment.

We shall refer to some subjects and types of cases which bear upon federal-State relationships.

The general welfare clause

One provision of the Federal Constitution which was included in it from the beginning but which, in practical effect, lay dormant for more than a century, is the general-welfare clause. In United States v. Butler, 297 U.S. 1, the original Agricultural Adjustment Act was held invalid. An argument was advanced in that case that the general-welfare clause would sustain the imposition of the tax and that money derived from the tax could be expended for any purposes which would promote the general welfare.

The Court viewed this argument with

favor as a general proposition, but found it not supportable on the facts of that case. However, it was not long before that clause was relied upon and applied. See Steward Machine Co. v. Davis, 301 U.S. 548, and Helvering v. Davis, 301 U.S. 690. In those cases the Social Security Act was upheld and the general-welfare clause was relied upon both to support the tax and to support the expenditures of the money raised by the Social Security taxes.

Grants-in-aid

Closely related to this subject are the so-called grants-in-aid which go back to the Morrill Act of 1862 and the grants thereunder to the so-called land-grant colleges. The extent of grants-in-aid today is very great, but questions relating to the wisdom as distinguished from the legal basis for such grants seem to lie wholly in the political field and are hardly appropriate for discussion in this report.

Perhaps we should also observe that, since the decision of Massachusetts v. Mellon, 262, U.S. 447, there seems to be no effective way in which either a State or an individual can challenge the validity of a federal grant-in-aid.

Doctrine of pre-emption

Many, if not most, of the problems of federalism today arise either in connection with the commerce clause and the vast extent to which its sweep has been carried by the Supreme Court, or they arise under the Fourteenth Amendment. Historically, cases involving the doctrine of pre-emption pertain mostly to the commerce clause.

More recently the doctrine has been applied in other fields, notably in the case of Commonwealth of Pennsylvania v. Nelson, in which the Smith Act and other federal statutes dealing with Communism and loyalty problems were held to have pre-empted the field and to invalidate or suspend the Pennsylvania antisubversive statute which sought to impose a penalty for conspiracy to overthrow the Government of the United States by force or violence. In that particular case it happens that the decision of the Supreme Court of Pennsylvania was affirmed. That fact, however, emphasizes rather than detracts from the wide sweep now given to the doctrine of pre-emption.

Labor-relations cases

In connection with commerce-clause cases, the doctrine of pre-emption, coupled with only partial express regulation by Congress, has produced a state of considerable confusion in the field of labor relations.

One of the most serious problems in this field was pointed up or created—depending upon how one looks at the matter—by the Supreme Court's decision in Amalgamated Association v. Wisconsin Employment Relations Board, 340 U.S. 383, which overturned a State statute aimed at preventing strikes and lockouts in public utilities. This decision left the States powerless to protect their own citizens against emergencies created by the suspension of essential services, even though, as the dissent pointed out, such emergencies were "economically and practically confined to a [single] State."

In two cases decided in May 28, 1958, in which the majority opinions were written by Mr. Justice Frankfurter and Mr. Justice Burton, respectively, the right of an employe to sue a union in a State court was upheld. In International Association of Machinists v. Gonzales, a union member was held entitled to maintain a suit against his union for damages for wrongful expulsion. In International Union, United Auto, etc. Workers v. Russell, an employe, who was not a union member, was held entitled to maintain a suit for malicious interference with his employment through picketing during a strike against his employer. Pickets prevented Russell from entering the plant.

Regardless of what may be the ultimate solution of jurisdictional problems in this field, it appears that, at the present time, there is unfortunately a kind of no-man's land in which serious uncertainty exists. This uncertainty is in part undoubtedly due to the failure of Congress to make its wishes entirely clear. Also, somewhat varying views appear to have been adopted by the Supreme Court from time to time.

In conection with this matter, in the case of Textile Union v. Lincoln Mills, 353 U.S. 448, the majority opinion contains language which we find somewhat disturbing. That case concerns the interpretation of Section 301 of the Labor-Management Relations Act of 1947.

Paragraph (a) of that section provides: "Suits for violation of contracts between an employer and a labor organization representing employes in an industry affecting commerce as defined in this chapter, or between any such labor organizations, may be brought in any district court of the United States having jurisdiction of the parties, without respect to the amount in controversy or without regard to the citizenship of the parties."

Paragraph (b) of the same section provides in substance that a labor organization may sue or be sued as an entity without the procedural difficulties which formerly attended suits by or against unincorporated associations consisting of large numbers of persons. Section 301 (a) was held to be more than jurisdictional and was held to authorize federal courts to fashion a body of federal law for the enforcement of these collective-bargaining agreements and to include within that body of federal law specific performance of promises to arbitrate grievances under collective-bargaining agreements.

What a State court is to do if confronted with a case similar to the Lincoln Mills case by no means clear. It is evident that the substantive law to be applied must be federal law, but the question remains: Where is that federal law to be found? It will probably take years for the development or the "fashioning" of the body of federal law which the Supreme Court says the federal courts are authorized to make. Can a State court act at all? If it can act and does act, what remedies should it apply? Should it use those afforded by State law, or is it limited to those which would be available under federal law if the suit were in a federal court?

It is perfectly possible that these questions will not have to be answered, since the Supreme Court may adopt the view that the field has been completely pre-empted by the federal law and committed solely to the jurisdiction of the federal courts, so that the State courts can have no part whatsoever in enforcing rights recognized by Section 301 of the Labor-Management Relations Act. Such a result does not seem to be required by the language of Section 301 nor yet does the legislative history of that section appear to warrant such a construction.

Professor Meltzer's monograph has brought out many of the difficulties in this whole field of substantive labor law with regard to the division of power between State and federal governments. As he points out, much of this confusion is due to the fact that Congress has not made clear what functions the States may perform and what they may not perform. There are situations in which the particular activity involved is prohibited by federal law, others in which it is protected by federal law, and others in which the federal law is silent. At the present time there seems to be one field in which State action is clearly permissible. That is where actual violence is involved in a labor dispute.

State law in diversity cases

Not all of the decisions of the Supreme Court in comparatively recent years have limited or tended to limit the power of the States or the effect of State laws. The celebrated case of Erie R.R. v. Tompkins, 304 U.S. 64, overruled Swift v. Tyson and established substantive State law, decisional as well as statutory, as controlling in diversity [of citizenship] cases in the federal courts. This marked the end of the doctrine of a federal common law in such cases.

In-personam jurisdiction over nonresidents

Also, in cases involving the in-personam [against the person] jurisdiction of State courts over nonresidents, the Supreme Court has tended to relax rather than tighten restrictions under the due-process clause upon State action in this field. International Shoe Co. v. Washington, 326 U.S. 310, is probably the most significant case in this development.

In sustaining the jurisdiction of a Washington court to render a judgment in personam against a foreign corporation which carries on some activities within the State of Washington, Chief Justice Stone used the now-familiar phrase that there "were sufficient contacts or ties with the State of the forum to make it reasonable and just, according to our traditional conception of fair play and substantial justice, to enforce the obligation which appellant has incurred there."

Formalistic doctrines or dogmas have been replaced by a more flexible and realistic approach, and this trend has been carried forward in subsequent cases leading up to and including McGee v. International Life Insurance Co., 355 U.S. 220, until halted by Hanson v. Denckla, 357 U.S. decided June 23, 1958.

Taxation

In the field of taxation, the doctrine of intergovernmental immunity has been seriously curtailed partly by judicial decisions and partly by statute. This has not been entirely a one-way street. In recent years, cases involving State taxation have arisen in many fields. Sometimes they have involved questions of burdens upon interstate commerce or the export-import clause, sometimes of jurisdiction to tax as a matter of due process, and sometimes they have arisen on the fringes of governmental immunity, as where a State has sought to tax a contractor doing business with the National Government. There have been some shifts in holdings. On the whole, the Supreme Court seems perhaps to have taken a more liberal view in recent years toward the validity of State taxation than it formerly took.

Other fourteenth amendment cases

In many other fields, however, the Fourteenth Amendment has been invoked to cut down State action. This has been noticeably true in cases involving not only the Fourteenth Amendment but also the First Amendment guarantee of freedom of speech or the Fifth Amendment protection against self-incrimination. State antisubversive acts have been practically eliminated by Pennsylvania v. Nelson, in which the decision was rested on the ground of pre-emption of the field by the federal statutes.

The Sweezy case—State legislative investigation

One manifestation of this restrictive action under the Fourteenth Amendment is to be found in Sweezy v. New Hampshire, 354 U.S. 234.

In that case, the State of New Hampshire had enacted a subversive-activity statute which imposed various disabilities on subversive persons and subversive organizations. In 1953, the legislature adopted a resolution under which it constituted the attorney general a one-man legislative committee to investigate violations of that act and to recommend additional legislation.

Sweezy, described as a non-Communist Marxist, was summoned to testify at the investigation conducted by the attorney general, pursuant to this authorization. He testified freely about many matters but refused to answer two types of questions: (1) inquiries concerning the activities of the Progressive Party in the State during the 1948 campaign, and (2) inquiries concerning a lecture Sweezy had delivered in 1954 to a class at the University of New Hampshire.

He was adjudged in contempt by a State court for failure to answer these questions. The Supreme Court reversed the conviction, but there is no majority opinion. The opinion of the Chief Justice, in which he was joined by Justices Black, Douglas and Brennan, started out by reaffirming the position taken in Watkins v. United States, 354 U.S. 178, that legislative investigations can encroach on First Amendment rights. It then attacked the New Hampshire Subversive Activities Act and stated that the definition of subversive persons and subversive organizations was so vague and limitless that they extended to "conduct which is only remotely related to actual subversion and which is done free of any conscious intent to be a part of such activity."

Then followed a lengthy discourse on the importance of academic freedom and political expression. This was not, however, the ground upon which these four Justices ultimately relied for their conclusion that the conviction should be reversed. The Chief Justice said in part:

"The respective roles of the legislature and the investigator thus revealed are of considerable significance to the issue before us. It is eminently clear that the basic discretion of determining the direction of the legislative inquiry has been turned over to the investigative agency. The attorney general has been given such a sweeping and uncertain mandate that it is his discretion which picks out the subjects that will be pursued, what witnesses will be summoned and what questions will be asked. In this circumstance, it cannot be stated authoritatively that the legislature asked the attorney general to gather the kind of facts comprised in the subjects upon which petitioner was interrogated." Four members of the Court, two in a concurring opinion and two in a dissenting opinion, took vigorous issue with the view that the conviction was invalid because of the legislature's failure to provide adequate standards to guide the attorney general's investigation.

Mr. Justice Frankfurter and Mr. Justice Harlan concurred in the reversal of the conviction on the ground that there was no basis for a belief that Sweezy or the Progressive Party threatened the safety of the State and, hence, that the liberties of the individual should prevail.

Mr. Justice Clark, with whom Mr. Justice Burton joined, arrived at the opposite conclusion and took the view that the State's interest in self-preservation justified the intrusion into Sweezy's personal affairs.

In commenting on this case Professor Cramton says:

"The most puzzling aspect of the Sweezy case is the reliance by the Chief Justice on delegation-of-power conceptions. New Hampshire had determined that it wanted the information which Sweezy refused to give; to say that the State has not demonstrated that it wants the information seems so unreal as to be incredible. The State had delegated power to the attorney general to determine the scope of inquiry within the general subject of subversive activities.

"Under these circumstances, the conclusion of the Chief Justice that the vagueness of the resolution violates the due-process clause must be, despite his protestations, a holding that a State legislature cannot delegate such a power."

Public-employment cases

There are many cases involving public employment and the question of disqualification therefor by reason of Communist Party membership or other questions of loyalty.

Slochower v. Board of Higher Education, 350 U.S. 551, is a well-known example of cases of this type. Two more recent cases, Lerner v. Casey, and Beilan v. Board of Public Education, both in 357 U.S. and decided on June 30, 1958, have upheld disqualifications for employment where such issues were involved, but they did so on the basis of lack of competence or fitness.

Lerner was a subway conductor in New York and Beilan was a public-school instructor. In each case the decision was by a 5-to-4 majority.

Admission to the bar

When we come to the recent cases on admission to the bar, we are in a field of unusual sensitivity. We are well aware that any adverse comment which we may make on those decisions lays us open to attack on the grounds that we are complaining of the curtailment of our own powers and that we are merely voicing the equivalent of the ancient protest of the defeated litigant—in this instance the wail of a judge who has been reversed. That is a prospect which we accept in preference to maintaining silence on a matter which we think cannot be ignored without omitting an important element on the subject with which this report is concerned.

Konigsberg v. State Bar of California, 353 U.S. 252, seems to us to reach the high-water mark so far established by the Supreme Court in overthrowing the action of a State and in denying to a State the power to keep order in its own house.

The majority opinion first hurdled the problem as to whether or not the federal question sought to be raised was properly presented to the State highest court for decision and was decided by that court. Mr. Justice Frankfurter dissented on the ground that the record left it doubtful whether this jurisdictional requirement for review by the Supreme Court had been met and favored a remand of the case for certification by the State highest court of "whether or not it did in fact pass on a claim properly before it under the due-process clause of the Fourteenth Amendment." Mr. Justice Harlan and Mr. Justice Clark shared Mr. Justice Frankfurter's jurisdictional views. They also dissented on the merits in an opinion written by Mr. Justice Harlan, of which more later.

The majority opinion next turned to the merits of Konigsberg's application for admission to the bar. Applicable State statutes required one seeking admission to show that he was a person of good moral character and that he did not advocate the overthrow of the National or State Government by force or violence. The committee of bar examiners, after holding several hearings on Konigsberg's application, notified him that his application was denied because he did not show that he met the above qualifications.

The Supreme Court made its own review of the facts.

On the score of good moral character, the majority found that Konigsberg had sufficiently established it, that certain editorials written by him attacking this country's participation in the Korean War, the actions of political leaders, the influence of "big business" on American life, racial discrimination and the Supreme Court's decision in Dennis v. United States, 341 U.S. 494, would not support any rational inference of bad moral character, and that his refusal to answer questions, "almost all" of which were described by the Court as having "concerned his political affiliations, editorials and beliefs" (353 U.S. 269), would not support such an inference either.

Meaning of refusal to answer

On the matter of advocating the overthrow of the National or State Government by force or violence, the Court held—as it had in the companion case of Schware v. Board of Bar Examiners of New Mexico, 353 U.S. 232, decided contemporaneously—that past membership in the Communist Party was not enough to show bad moral character. The majority apparently accepted as sufficient Konigsberg's denial of any present advocacy of the overthrow of the Government of the United States or of California, which was uncontradicted on the record. He had refused to answer questions relating to his past political affiliations and beliefs, which the bar committee might have used to test the truthfulness of his present claims. His refusal to answer was based upon his views as to the effect of the First and Fourteenth Amendments. The Court did not make any ultimate determination of their correctness, but—at 353 U.S. 270—said that "prior decisions by this Court indicated" that his objections to answering the questions—which we shall refer to below—were not frivolous.

The majority asserted that Konigsberg "was not denied admission to the California bar simply because he refused to answer questions."

In a footnote appended to this statement it is said, 353 U.S. 259:

"Neither the committee as a whole nor any of its members even intimated that Konigsberg would be barred just because he refused to answer relevant inquiries or because he was obstructing the committee. Some members informed him that they did not necessarily accept his position that they were not entitled to inquire into his political associations and opinions and said that his failure to answer would have some bearing on their determination whether he was qualified. But they never suggested that his failure to answer their questions was, by itself, a sufficient independent ground for denial of his application."

A "convincing" dissent

Mr. Justice Harlan's dissent took issue with these views—convincingly, we think. He quoted lengthy extracts from the record of Konigsberg's hearings before the subcommittee and the committee of the State bar investigating his application. 353 U.S. 284–309. Konigsberg flatly refused to state whether or not at the time of the hearing he was a member of the Communist Party and refused to answer questions on whether he had ever been a Communist or belonged to various organizations, including the Communist Party.

The bar committee conceded that he could not be required to answer a question if the answer might tend to incriminate him; but Konigsberg did not stand on the Fifth Amendment and his answer which came nearest to raising that question, as far as we can see, seems to have been based upon a fear of prosecution for perjury for whatever answer he might then give as to membership in the Communist Party.

We think, on the basis of the extracts from the record contained in Mr. Justice Harlan's dissenting opinion, that the committee was concerned with its duty under the statute "to certify as to this applicant's good moral character"—p. 295—and that the committee was concerned with the applicant's "disinclination" to respond to questions proposed by the Committee—p. 301—and that the committee, in passing on his good moral character, sought to test his veracity—p. 303.

The majority, however, having reached the conclusion above stated, that Konigsberg had not been denied admission to the bar simply because he refused to answer questions, then proceeded to demolish a straw man by saying that there was nothing in the California statutes or decisions, or in the rules of the bar committee which had been called to the Court's attention, suggesting that a failure to answer questions "is *ipso facto* a basis for excluding an applicant from the bar, irrespective of how overwhelming is his showing of good character or loyalty or how flimsy are the suspicions of the bar examiners."

Whether Konigsberg's "overwhelming" showing of his own good character would have been shaken if he had answered the relevant questions which he refused to answer, we cannot say. We have long been under the impression that candor is required of members of the bar and, prior to Konigsberg, we should not have thought that there was any doubt that a candidate for admission to the bar should answer questions as to matters relating to his fitness for admission, and that his failure or refusal to answer such questions would warrant an inference unfavorable to the applicant or a finding that he had failed to meet the burden of proof of his moral fitness.

Let us repeat that Konigsberg did not invoke protection against self-incrimination. He invoked a privilege which he claimed to exist against answering certain questions. These might have served to test his veracity at the committee hearings held to determine whether or not he was possessed of the good moral character required for admission to the bar.

The majority opinion seems to ignore the issue of veracity sought to be raised by the questions which Konigsberg refused to answer. It is also somewhat confusing with regard to the burden of proof. At one point—pp. 270–271—it says that the committee was not warranted in drawing from Konigsberg's refusal to answer questions any inference that he was of bad moral character; at another—p. 273—it says that there was no evidence in the record to justify a finding that he had failed to establish his good moral character.

Also at page 273 of 353 U.S., the majority said: "We recognize the importance of leaving States free to select their own bars, but it is equally important that the State not exercise this power in an arbitrary or discriminatory manner nor in such way as to impinge on the freedom of political expression or association. A bar composed of lawyers of good character is a worthy objective but it is unnecessary to sacrifice vital freedoms in order to obtain that goal. It is also important to society and the bar itself that lawyers be unintimidated—free to think, speak and act as members of an independent bar."

The majority thus makes two stated concessions—each, of course, subject to limitations—one, that it is important to leave the States free to select their own bars and the other, that "a bar composed of lawyers of good character is a worthy objective."

Avoiding "a test of veracity"

We think that Mr. Justice Harlan's dissent on the merits, in which Mr. Justice Clark joined, shows the fallacies of the majority position. On the facts which we think were demonstrated by the excerpts from the record included in that dissent, it seems to us that the net result of the case is that a State is unable to protect itself against admitting to its bar an applicant who, by his own refusal to answer certain questions as to what the majority regarded as "political" associations and activities, avoids a test of his veracity through cross-examination on a matter which he has the burden of proving in order to establish his right to admission to the bar.

The power left to the States to regulate admissions to their bars under Konigsberg hardly seems adequate to achieve what the majority chose to describe as a "worthy objective"—"a bar composed of lawyers of good character."

We shall close our discussion of Konigsberg by quoting two passages from Mr. Justice Harlan's dissent, in which Mr. Justice Clark joined. In one, he states that "this case involves an area of federal-State relations—the right of States to establish and administer standards for admission to their bars—into which this Court should be especially reluctant and slow to enter." In the other, his concluding comment—p. 312—says: "[W]hat the Court has really done, I think, is simply to impose on California its own notions of public policy and judgment. For me, today's decision represents an unacceptable intrusion into a matter of State concern."

The Lerner and Beilan cases, above referred to, seem to indicate some recession from the intimations, though not from the decisions, in the Konigsberg and Slochower cases. In Beilan, the schoolteacher was told that his refusal to answer questions might result in his dismissal, and his refusal to answer questions pertaining to loyalty matters was held relevant to support a finding that he was incompetent. "Incompetent" seems to have been taken in the sense of unfit.

State administration of criminal law

When we turn to the impact of decisions of the Supreme Court upon the State administration of criminal justice, we find that we have entered a very broad field. In many matters, such as the fair drawing of juries, the exclusion of forced confessions as evidence, and the right to counsel at least in all serious cases, we do not believe that there is any real difference in doctrine between the views held by the Supreme Court of the United States and the views held by the highest courts of the several States.

There is, however, a rather considerable difference at times as to how these general principles should be applied and as to whether they have been duly regarded or not. In such matters the Supreme Court not only feels free to review the facts, but considers it to be its duty to make an independent review of the facts. It sometimes seems that the rule which governs most appellate courts in the view of findings of fact by trial courts is given lip service, but is actually given the least possible practical effect.

Appellate courts generally will give great weight to the findings of fact by trial courts which had the opportunity to see and hear the witnesses, and they are reluctant to disturb such findings. The Supreme Court at times seems to read the records in criminal cases with a somewhat different point of view. Perhaps no more striking example of this can readily be found than in Moore v. Michigan, 355 U.S. 155.

In the Moore case, the defendant had been charged in 1937 with the crime of first-degree murder, to which he pleaded guilty. The murder followed a rape and was marked by extreme brutality. The defendant was a Negro youth, 17 years of age at the time of the offense, and is described as being of limited education—only the seventh grade—and as being of rather low mentality.

He confessed the crime to law-enforcement officers and he expressed a desire to plead guilty and "get it over with." Before such a plea was permitted to be entered, he was interviewed by the trial judge in the privacy of the judge's chambers and he again admitted his guilt, said he did not want counsel and expressed the desire to "get it over with," to be sent to whatever institution he was to be confined in, and to be placed under observation. Following this, the plea of guilty was accepted and there was a hearing to determine the punishment which should be imposed.

About 12 years later the defendant sought a new trial, principally on the ground that he had been unfairly dealt with because he was not represented by counsel. He had expressly disclaimed any desire for counsel at the time of his trial. Pursuant to the law of Michigan, he had a hearing on this application for a new trial. In most respects his testimony was seriously at variance with the testimony of other witnesses. He was corroborated in one matter by a man who had been a deputy sheriff at the time when the prisoner was arrested and was being questioned.

The trial court, however, found in substance that the defendant knew what he was doing when he rejected the appointment of counsel and pleaded guilty, that he was then calm and not intimidated, and, after hearing him testify, that he was completely unworthy of belief. It accordingly denied the application for a new trial. This denial was affirmed by the Supreme Court of Michigan, largely upon the basis of the findings of fact by the trial court.

The Supreme Court of the United States reversed.

The latter Court felt that counsel might have been of assistance to the prisoner, in view of his youth, lack of education and low mentality, by requiring the State to prove its case against him—saying the evidence was largely circumstantial—by raising a question as to his sanity, and by presenting factors which might have lessened the severity of the penalty imposed. It was the maximum permitted under the Michigan law—solitary confinement for life at hard labor.

The case was decided by the Supreme Court of the United States in 1957. The majority opinion does not seem to have given any consideration whatsoever to the difficulties of proof which the State might encounter after the lapse of many years or the risks to society which might result from the release of a prisoner of this type, if the new prosecution should fail. They are, however, pointed out in the dissent.

Another recent case which seems to us surprising, and the full scope of which we cannot foresee, is Lambert v. California, 355 U.S., decided Dec. 16, 1957. In that case a majority of the Court reversed a conviction under a Los Angeles ordinance which required a person convicted of a felony, or of a crime which would be a felony under the law of California, to register upon taking up residence in Los Angeles.

Lambert had been convicted of forgery and had served a long term in a California prison for that offense. She was arrested on suspicion of another crime and her failure to register was then discovered and she was prosecuted, convicted and fined.

The majority of the Supreme Court found that she had no notice of the ordinance, that it was not likely to be known, that it was a measure merely for the convenience of the police, that the defendant had no opportunity to comply with it after learning of it and before being prosecuted, that she did not act willfully in failing to register, that she was not "blameworthy" in failing to do so, and that her conviction involved a denial of due process of law.

"A deviation from precedents"

This decision was reached only after argument and reargument. Mr. Justice Frankfurter wrote a short dissenting opinion in which Mr. Justice Harlan and Mr. Justice Whitaker joined. He referred to the great number of State and federal statutes which imposed criminal penalties for nonfeasance and stated that he felt confident that "the present decision will turn out to be an isolated deviation from the strong current of precedents—a derelict on the waters of the law."

We shall not comment in this report upon the broad sweep which the Supreme Court now gives to habeas-corpus proceedings. Matters of this sort seem to fall within the scope of the Committee of this Conference on the Habeas Corpus Bill which has been advocated for some years by this Conference for enactment by the Congress of the United States, and has been supported by the Judicial Conference of the United States, the American Bar Association, the Association of Attorneys General and the Department of Justice.

We cannot, however, completely avoid any reference at all to habeas-corpus matters because what is probably the most far-reaching decision of recent years on State criminal procedure which has been rendered by the Supreme Court is itself very close to a habeas-corpus case. That is the case of Griffin v. Illinois, 351 U.S. 12, which arose under the Illinois Post Conviction Procedure Act.

The substance of the holding in that case may perhaps be briefly and accurately stated in this way: If a transcript of the record, or its equivalent, is essential to an effective appeal, and if a State permits an appeal by those able to pay for the cost of the record or its equivalent, then the State must furnish without expense to an indigent defendant either a transcript of the record at his trial, or an equivalent thereof, in order that the indigent defendant may have an equally effective right of appeal. Otherwise, the inference seems clear, the indigent defendant must be released upon habeas corpus or similar proceedings.

Probably no one would dispute the proposition that the poor man should not be deprived of the opportunity for a meritorious appeal simply because of his poverty. The practical problems which flow from the decision in Griffin v. Illinois are, however, almost unlimited and are now only in course of development and possible solution. This was extensively discussed at the 1957 meeting of this Conference of Chief Justices in New York.

We may say at this point that, in order to give full effect to the doctrine of Griffin v. Illinois, we see no basis for distinction between the cost of the record and other expenses to which the defendant will necessarily be put in the prosecution of an appeal. These include filing fees, the cost of printing the brief and of such part of the record as may be necessary, and counsel fees.

The Griffin case was very recently given retroactive effect by the Supreme Court in a *per curiam* [by the court as a whole] opinion in Eskridge v. Washington State Board of Prison Terms and Paroles, 78 S. Ct. 1061. In that case the defendant, who was convicted in 1935, gave timely notice of an appeal. His application then made for a copy of the transcript of the trial proceedings to be furnished at public expense was denied by the trial judge.

A statute provided for so furnishing a transcript if "in his (the trial judge's) opinion, justice will thereby be promoted." The trial judge found that justice would not be promoted, in that the defendant had had a fair and impartial trial, and that, in his opinion, no grave or prejudicial errors had occurred in the trial.

The defendant then sought a writ of mandate from the Supreme Court of the State, ordering the trial judge to have the transcript furnished for the prosecution of his appeal. This was denied and his appeal was dismissed.

In 1956 he instituted habeas-corpus proceedings which, on June 16, 1958, resulted in a reversal of the Washington court's decision and a remand "for further proceedings not inconsistent with this opinion." It was conceded that the "reporter's transcript" from the trial was still available. In what form it exists does not appear from the Supreme Court's opinion. As in Griffin, it was held that an adequate substitute for the transcript might be furnished in lieu of the transcript itself.

Justices Harlan and Whitaker dissented briefly on the ground that "on this record the Griffin case decided in 1956 should not be applied to this conviction occurring in 1935." This accords with the view expressed by Mr. Justice Frankfurter in his concurring opinion in Griffin that it should not be retroactive. He did not participate in the Eskridge case.

Just where Griffin v. Illinois may lead us is rather hard to say. That it will mean a vast increase in criminal appeals and a huge case load for appellate courts seems almost to go without saying. There are two possible ways in which the meritorious appeals might be taken care of and the nonmeritorious appeals eliminated.

One would be to apply a screening process to appeals of all kinds, whether taken by the indigent or by persons well able to pay for the cost of appeals. It seems very doubtful that legislatures generally would be willing to curtail the absolute right of appeal in criminal cases which now exists in many jurisdictions.

Another possible approach would be to require some showing of merit before permitting an appeal to be taken by an indigent defendant at the expense of the State.

Whether this latter approach, which we may call "screening," would be practical or not is, to say the least, very dubious. First, let us look at a federal statute and Supreme Court decisions thereunder. What is now subsection (a) of Section 1915 of Title 28, U.S.C.A. contains a sentence reading as follows: "An appeal may not be taken *in forma pauperis* [as a poor man] if the trial court certifies in writing that it is not taken in good faith."

This section or a precursor thereof was involved in Miller v. United States, 317 U.S. 192, Johnson v. United States, 352 U.S. 565, and Farley v. United States, 354 U.S. 521, 523. In the Miller case the Supreme Court held that the discretion of the trial court in withholding such a certificate was subject to review on appeal, and that, in order that such a review might be made by the Court of Appeals, it was necessary that it have before it either the transcript of the record or an adequate substitute therefor, which might consist of the trial judge's notes or of an agreed statement as to the points on which review was sought.

Similar holdings were made by *per curiam* opinions in the Johnson and Farley cases, in each of which the trial court refused to certify that the appeal was taken in good faith. In each case, though perhaps more clearly in Johnson, the trial court seems to have felt that the proposed appeal was frivolous, and hence not in good faith.

The Eskridge case, above cited, decided on June 16, 1958, rejected the screening process under the State statute there involved, and appears to require, under the Fourteenth Amendment, that a full appeal be allowed—not simply a review of the screening process, as under the federal statute above cited. The effect of the Eskridge case thus seems rather clearly to be that, unless all appeals, at least in the same types of cases, are subject to screening, none may be.

It would seem that it may be possible to make a valid classification of appeals which shall be subject to screening and of appeals which shall not. Such a classification might be based upon the gravity of the offense or possibly upon the sentence imposed. In most, if not all, States, such a classification would doubtless require legislative action. In the Griffin case, it will be recalled, the Supreme Court stated that a substitute for an actual transcript of the record would be acceptable if it were sufficient to present the points upon which the defendant based his appeal. The Supreme Court suggested the possible use of bystanders' bills of exceptions.

It seems probable to us that an actual transcript of the record will be required in most cases. For example, in cases where the basis for appeal is the alleged insufficiency of the evidence, it may be very difficult to eliminate from that part of the record which is to be transcribed portions which seem to have no immediate bearing upon this question. A statement of the facts to be agreed upon by trial counsel for both sides may be still more difficult to achieve even with the aid of the trial judge.

The danger of swamping some State appellate courts under the flood of appeals which may be loosed by Griffin and Eskridge is not a reassuring prospect. How far Eskridge may lead and whether it will be extended beyond its facts remain to be seen.

CONCLUSIONS: THE JUSTICES SUM UP

This long review, though far from exhaustive, shows some of the uncertainties as to the distribution of power which are probably inevitable in a federal system of government. It also shows, on the whole, a continuing and, we think, an accelerating trend toward increasing power of the National Government and correspondingly contracted power of the State governments.

Much of this is doubtless due to the fact that many matters which were once mainly of local concern are now parts of larger matters which are of national concern. Much of this stems from the doctrine of a strong, central Government and of the plenitude of national power within broad limits of what may be "necessary and proper" in the exercise of the granted powers of the National Government which was expounded and established by Chief Justice Marshall and his colleagues, though some of the modern extensions may and do seem to us to go to extremes. Much, however, comes from the extent of the control over the action of the States which the Supreme Court exercises under its views of the Fourteenth Amendment.

We believe that strong State and local governments are essential to the effective functioning of the American system of federal government; that they should not be sacrificed needlessly to leveling, and sometimes deadening, uniformity; and that, in the interest of active, citizen participation in self-government—the foundation of our democracy—they should be sustained and strengthened.

As long as this country continues to be a developing country and as long as the conditions under which we live continue to change, there will always be problems of the allocation of power depending upon whether certain matters should be regarded as primarily of national concern or as primarily of local concern. These adjustments can hardly be effected without some friction. How much friction will develop depends in part upon the wisdom of those empowered to alter the boundaries and in part upon the speed with which such changes are effected. Of course, the question of speed really involves the exercise of judgment and the use of wisdom, so that the two things are really the same in substance.

We are now concerned specifically with the effect of judicial decisions upon the relations between the Federal Government and the State governments. Here we think that the over-all tendency of decisions of the Supreme Court over the last 25 years or more has been to press the extension of federal power and to press it rapidly.

There have been, of course, and still are, very considerable differences within the Court on these matters, and there has been quite recently a growing recognition of the fact that our government is still a federal government and that the historic line which experience seems to justify between matters primarily of national concern and matters primarily of local concern should not be hastily or lightly obliterated. A number of Justices have repeatedly demonstrated their awareness of problems of federalism and their recognition that federalism is still a living part of our system of government.

The extent to which the Supreme Court assumes the function of policy maker is also of concern to us in the conduct of our judicial business. We realize that in the course of American history the Supreme Court has frequently—one might, indeed, say customarily—exercised policy-making powers going far beyond those involved, say, in making a selection between competing rules of law.

We believe that, in the fields with which we are concerned and as to which we feel entitled to speak, the Supreme Court too often has tended to adopt the role of policy maker without proper judicial restraint. We feel this is particularly the case in both of the great fields we have discussed—namely, the extent and extension of the federal power, and the supervision of State action by the Supreme Court by virtue of the Fourteenth Amendment. In the light of the immense power of the Supreme Court and its practical nonreviewability in most instances, no more important obligation rests upon it, in our view, than that of careful moderation in the exercise of its policy-making role. We are not alone in our view that the Court, in many cases arising under the Fourteenth Amendment, has assumed what seem to us primarily legislative powers. See Judge Learned Hand on the Bill of Rights.

We do not believe that either the framers of the original Constitution or the possibly somewhat less gifted draftsmen of the Fourteenth Amendment ever contemplated that the Supreme Court would, or should, have the almost unlimited policy-making powers which it now exercises.

It is strange, indeed, to reflect that, under a Constitution which provides for a system of checks and balances and of distribution of power between national and State governments, one branch of one government—the Supreme Court—should attain the immense and, in many respects, dominant power which it now wields. We believe that the great principle of distribution of powers among the various branches of government and between levels of government has vitality today and is the crucial base of our democracy.

We further believe that, in construing and applying the Constitution and laws made in pursuance thereof, this principle of the division of power based upon whether a matter is primarily of national or of local concern should not be lost sight of or ignored, especially in fields which bear upon the meaning of a constitutional or statutory provision, or the validity of State action presented for review. For, with due allowance for the changed conditions under which it may or must operate, the principle is as worthy of our consideration today as it was of the consideration of the great men who met in 1787 to establish our nation as a nation.

"Doubt" in recent decisions

It has long been an American boast that we have a government of laws and not of men. We believe that any study of recent decisions of the Supreme Court will raise at least considerable doubt as to the validity of that boast. We find first that, in constitutional cases, unanimous decisions are comparative rarities and that multiple opinions, concurring or dissenting, are common occurrences.

We find next that divisions in result on a 5-to-4 basis are quite frequent. We find further that, on some occasions, a majority of the Court cannot be mustered in support of any one opinion and that the result of a given case may come from the divergent views of individual justices who happen to unite on one outcome or the other of the case before the Court.

We further find that the Court does not accord finality to its own determinations of constitutional questions, or for that matter of others. We concede that a slavish adherence to *stare decisis* could at times have unfortunate consequences; but it seems strange that under a constitutional doctrine which requires all others to recognize the Supreme Court's rulings on constitutional questions as binding ajudications of the meaning and application of the Constitution, the Court itself has so frequently overturned its own decisions thereon, after the lapse of periods varying from 1 year to 75, or even 95 years. See the tables appended to Mr. Justice Douglas's address on *"Stare Decisis,"* 49 Columbia Law Review 735, 756–758.

The Constitution expressly sets up its own procedures for amendment, slow or cumbersome though they may be.

These frequent differences and occasional overrulings of prior decisions in constitutional cases cause us grave concern as to whether individual views of the members of the Court as from time to time constituted, or of a majority thereof, as to what is wise or desirable do not unconsciously override a more dispassionate consideration of what is or is not constitutionally warranted. We believe that the latter is the correct approach, and we have no doubt that every member of the Supreme Court intends to adhere to that approach, and believes that he does so.

It is our earnest hope, which we respectfully express, that that great Court exercise to the full its power of judicial self-restraint by adhering firmly to its tremendous, strictly judicial powers and by eschewing, so far as possible, the exercise of essentially legislative powers when it is called upon to decide questions involving the validity of State action, whether it deems such action wise or unwise. The value of our system of federalism, and of local self-government in local matters which it embodies, should be kept firmly in mind, as we believe it was by those who framed our Constitution.

At times the Supreme Court manifests, or seems to manifest, an impatience with the slow workings of our federal system. That impatience may extend to an unwillingness to wait for Congress to make clear its intention to exercise the powers conferred upon it under the Constitution, or the extent to which it undertakes to exercise them, and it may extend to the slow processes of amending the Constitution which that instrument provides.

The words of Elihu Root on the opposite side of the problem, asserted at a time when demands were current for recall of judges and judicial decisions, bear repeating: "If the people of our country yield to impatience which would destroy the system that alone makes effective these great impersonal rules and preserves our constitutional government, rather than endure the temporary inconvenience of pursuing regulated methods of changing the law, we shall not be reforming. We shall not be making progress, but shall be exhibiting that lack of self-control which enables great bodies of men to abide the slow process of orderly government rather than to break down the barriers of order when they are struck by the impulse of the moment." Quoted in 31 "Boston University Law Review" 43.

We believe that what Mr. Root said is sound doctrine to be followed toward the Constitution, the Supreme Court and its interpretation of the Constitution. Surely, it is no less incumbent upon the Supreme Court, on its part, to be equally restrained and to be as sure as is humanly possible that it is adhering to the fundamentals of the Constitution with regard to the distribution of powers and the separation of powers, and with regard to the limitations of judicial power which are implicit in such separation and distribution, and that it is not merely giving effect to what it may deem desirable.

We may expect the question as to what can be accomplished by the report of this Committeee or by resolutions adopted in conformity with it. Most certainly some will say that nothing expressed here would deter a member or group of members of an independent judiciary from pursuing a planned course.

Let us grant that this may be true. The value of a firm statement by us lies in the fact that we speak as members of all the State appellate courts with a background of many years' experience in the determination of thousands of cases of all kinds. Surely there are those who will respect a declaration of what we believe.

And it just could be true that our statement might serve as an encouragement to those members of an independent judiciary who now or in the future may in their conscience adhere to views more consistent with our own.

REPORT ON HIGH COURT: WHO WROTE IT, WHO APPROVED IT

These 10 State justices were members of the committee which drew up the report on the Supreme Court:

Frederick W. Brune, Chief Judge of Maryland, Chairman.

Albert Conway, Chief Judge of New York.

John R. Dethmers, Chief Justice of Michigan.

William H. Duckworth, Chief Justice of Georgia.

John E. Hickman, Chief Justice of Texas.

John E. Martin, Chief Justice of Wisconsin.

Martin A. Nelson, Associate Justice of Minnesota.

William C. Perry, Chief Justice of Oregon.

Taylor H. Stukes, Chief Justice of South Carolina.

Raymond S. Wilkins, Chief Justice of Massachusetts.

Also voting to approve the report were chief justices from 26 other States: Alabama, Arizona, Colorado, Delaware, Florida, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Mexico, North Carolina, Ohio, Oklahoma, South Dakota, Tennessee, Virginia, Washington, Wyoming.

Voting against the report were chief justices from seven States, one territory: California, New Jersey, Pennsylvania, Rhode Island, Utah, Vermont, West Virginia, Hawaii.

Abstaining: Nevada, North Dakota.

Not present: Arkansas, Connecticut, Indiana, Puerto Rico.

[From U.S. News & World Report, Dec. 12, 1958]

WHAT A STATE CHIEF JUSTICE SAYS ABOUT THE SUPREME COURT

(From a noted jurist comes a warning about the U.S. Supreme Court. A group of Justices, he says, is using judicial decisions to rewrite the Constitution. The trend of their decisions is described as creating a dangerous concentration of power in Washington. John R. Dethmers was chairman of the recent Conference of State Chief Justices which adopted a resolution criticizing the Court.)

(By John R. Dethmers, Chief Justice,
Supreme Court of Michigan)

The role of the courts in tomorrow's America is foreshadowed by their performance yesterday and today. Awareness of where we started, where we now are and the trends which brought us there brings prescience of our destination if those trends continue unabated.

In all history no other people has enjoyed the equal of American liberty and freedom of opportunity. The Founding Fathers planned it so. They determined that here the state should exist for man, not man for the state.

To achieve that end they knew it would not be enough to establish majority rule, a government by the people, for at times no other tyranny can match that of an unfettered, shifting majority, which Jefferson termed an "elective despotism." To safeguard against this eventuality a written Constitution was adopted, limiting the powers of the majority for the protection of the individual and spelling out guarantees of personal rights.

A further protection of human freedom against the dangers inherent in a high concentration of governmental powers was contrived by separation of those powers in three branches of Government and a division of powers between the national and State governments. The rights of the people were believed, by our forebears, to be safest under a retention of the highest possible degree of local self-government.

Having provided for this by express constitutional terms, they undertook to forestall an enhancement, through judicial construction, of the national powers at the expense of State and local governments or the people by adopting the Tenth Amendment reserving to the States and the people all powers not delegated to the United States by the Constitution nor prohibited by it to the States.

Sir William Gladstone said of the American Constitution that it is the "most wonderful work ever struck off at a given time by the brain and purpose of man." Throughout the years a great reverence for it has developed in the American people. They have come to regard it as the guardian of their liberties. What a thrilling experience it is to view the original document, under glass, at the National Archives Building in Washington!

The glow of that experience soon gives way, however, to the sobering thought that an inanimate parchment, however noble the sentiments inscribed thereon cannot be self-executing. For that, some human agency is required. Lawyers and judges need not be told, but all too often laymen must, that it is the courts which breathe the breath of life into its provisions and make its guarantees meaningful.

How often, at the instance of the humblest citizen, have the courts upheld the constitutional rights and privileges of persons by denying validity and enforcement to legislative enactments violative thereof or by prohibiting the invasion or curtailment of them by administrative officials. The courts are the final bastion of our liberties. As in the past, so in tomorrow's America their role will be vital.

In the exercise of that all-important role, the courts proceed on no express constitutional authority. That they should do as they do is, however, implicit in Anglo-American jurisprudential tradition. How can courts decide cases before them involving some claimed right under a statute or some grievance flowing from official action unless they determine first the issue whether such statute or action squares with constitutional rights, guarantees or limitations?

When, some decades ago, Brazil desired to establish a new form of government, its people adopted a Constitution and, under it, established a federal union of States, both almost duplicating our own. Despite the similarity, while we have continued to enjoy government by the people, Brazil's history has been one of recurrent dictatorships. What was lacking in Brazil, but present here, to make the constitutionally guaranteed rights of the people effective? The answer appears to be the tradition here that courts may decide cases against the Government and for persons to enforce their rights.

A tradition such as this can survive only so long as it is sustained by public opinion. And it is so with the courts decisions, upholding the constitutional rights of persons against infringement by Government. The courts are possessed of no armed constabulary to enforce their judgments. Their decisions are given vitality and effectiveness only by the force of public opinion, which even those in Government dare not, for long, to defy. There can be no doubt that, in past decades, the majority of the people have favored court decisions protecting the rights of individuals and has wanted the courts to perform in that fashion. Once the public becomes disinterested or withdraws its support, court decisions will lose their force and we will have witnessed the beginning of the end of ordered liberty and our free institutions.

One must experience some concern for our liberties, then, in noting an apparent diminution of public confidence in the judicial process stemming from nation-wide attacks currently being leveled at our courts and, particularly, the Supreme Court of the United States.

This, of course, has happened before. It goes back, at least, to 1803 and the case of Marbury v. Madison, in which the Court declared its power to pass on the constitutionality of acts of Congress. Presidential wrath was incurred, congressional threats to impeach the Justices ensued, and it was vigorously asserted that each branch of the Government should determine for itself the constitutionality of its acts, without overlordship by the courts.

Then came McCulloch v. Maryland, announcing the doctrine of federal supremacy and the power of the United States Supreme Court to hold State action volative of the Federal Constitution. It was urged then that the Court be deprived of its power to reviewed the acts of States.

The Dred Scott decision of a century ago is still remembered as a contributing factor to the furor which culminated in the Civil War. In the 1930s a hue and cry was raised against "the nine old men," traveling in the horse-and-buggy days, thwarting the will of a determined Chief Executive with respect to social legislation.

Present-day attacks, perhaps more virulent and widespread than ever before, emanate from a number of sources: from the halls of Congress, where it is felt that Court decisions have impinged on congressional powers; from States which see in the decisions a sapping of their powers and a gathering of them into the National Government; from sectional groups which view certain decisions as destructive of their social structures; and from persons everywhere who are fearful that decisions are enlarging the national power to constrict the right of law-abiding people and, yet, are weakening our defenses against the enemies of our free institutions. Whether justified of not, these feelings, beliefs, views and fears have produced a combined outburst of criticism which cannot be ignored.

With the criticism have come proposals to curb the Court. These go to the very roots of our system. One would make the Justices subject to periodic reconfirmation by the Senate and another would empower the Senate to withdraw confirmation whenever the judicial work of a Justice does not comport with the Senate's views as to what is "good behavior," fixed by the Constitution as a condition to continued tenure.

Lost would be judicial independence and destroyed our system of checks and balances between the three branches of Government, leaving a Court dependent on legislative favor and approval for performance of its role as protector of the rights of the people against governmental encroachment.

LIMITING THE "POWER OF REVIEW"

By another measure, Congress would strip the Supreme Court of the power to review in several areas of the law. If the powers of the Court to determine constitutional questions were, thus, to be limited, the constitutional rights of individuals and minorities could be made to depend on the will of the majority as reflected in Congress. That would mark the beginning of parliamentary, and the end of constitutional, government in the United States.

In view of the unlikelihood of success for such proposals, however, it must be concluded that, for our liberties, the most serious consequence of the present controversy inheres in the unbridled attacks on the intelligence, integrity and motives of the Justices and on the Court as an institution of Government. Subversives and those bent on the destruction of our system have as a prime objective the undermining of public confidence in the courts, knowing full well that, without the support of public opinion, courts can avail nothing in defense of the constitutional rights of persons. As earlier observed, when that day comes we will have reached a parting of the ways with our cherished freedoms.

In warning of the dangers of intemperate attacks on the Court as an institution of government and the guardian of our liberties, I do not suggest that the Court's decisions may not be criticized or differences therewith expressed. Dissenting members of the Court do so with apparent relish and regularity. Citizens under a government by the people may and ought to do no less, if that system is to be maintained. That was a major object of the First Amendment guarantee of freedom of speech, designed to insure a Government sensitive and responsive to the expressed public will and wish.

On this subject, Mr. Chief Justice Stone said:

"I have no patience with the complaint that criticism of judicial action involves any lack of respect for the courts. When the courts deal, as ours do, with great public questions, the only protection against unwise decisions and even judicial usurpation, is careful scrutiny of their actions and fearless comment upon it."

STATE JUDGES' VIEW OF COURT

This brings us to consideration of that portion of the subject matter which, I apprehend, prompted the invitation to me to speak on this occasion. As is well known, the Conference of Chief Justices, assembled in Pasadena last August, adopted a report prepared by its Committee on Federal-State Relationships as Affected by Judicial Decisions.

At the outset, permit me to make these observations:

1. Neither that committee, its report or the conference presumed then, nor do I now, to criticize the Supreme Court's decisions in the troublesome segregation cases.

2. It was not questioned that, with government under a Constitution made by its own terms the supreme law of the land, someone must interpret that Constitution and declare its meaning. It was acknowledged, and I reiterate with conviction, that no body is better suited to the task than the Supreme Court and no process is better adapted than the judicial process to the function of determining constitutional meaning and making constitutional limitations and guarantees effective.

3. The conference's expressed alarm, and mine, at the noticeable trend toward increased national powers accompanied by a diminishing of the powers of States and local governments relates not to mere sectional or selfish interests but springs from the same concern as that of our Founding Fathers that liberty's cause may be lost in too high a concentration of powers in the National Government, and from the conviction that safety for the rights of man inheres in a diffusion of those powers and maintenance of the highest possible degree of local self-government compatible with national security and well-being.

So long as we adhere to the determination of the Fathers that the state, the Government, exists for man and not man for the state, our lodestar in the consideration of every proposed extension or withholding of governmental power must always be, "How will the cause of freedom best be served, how the rights of man advanced?"

That there has been a trend toward centralization in Washington can scarcely be gainsaid. Challenged at mileposts along the way, it has advanced under the green light of judicial decisions. Time will not permit mention of them all nor a thorough analysis of any. The first relates to the rule long adhered to by the Court and redeclared as recently as 1936 that neither the federal nor State government may tax the income of officials or employes of the other, on the principle that a tax on income is a tax on its source and that the one Government may not levy a tax which will impose a burden on the governmental activities of the other.

This was overruled by a 1938 decision. That a burden was imposed upon the States by this judicial change in the law is evidenced by the subsequent necessity for increasing the salaries of State employes in an amount commensurate with the resultant tax exaction.

Of more recent vintage is the Supreme Court holding that Congress has pre-empted the field, leaving no room for the State anti-subversive laws found in the statute books of 42 States, and a companion decision emasculating a State statute empowering its attorney general to investigate subversion and examine witnesses in that connection.

Two others upset State action denying admission to the bar to two applicants who refused to answer questions concerning Communist affiliation. Lawyers are officers of the State courts, admitted by them and under their control. The manner of this recent invasion of that relationship by the federal court has proved startling to members of the bench and bar as well as the public.

RULING AGAINST A SCHOOL BOARD

Equally disturbing to those concerned about local government is the action of the Supreme Court upsetting a local school board's dismissal of an employe for invoking the Fifth Amendment and refusing to answer questions put to him in an authorized inquiry concerning Communist activities.

A number of fairly recent cases construing the interstate-commerce clause disclose a judicial shift from the original position that the regulatory power of Congress extends only to goods moving and persons actually engaged in interstate commerce. The later holdings are that that control extends to anything or anyone engaged in that which affects interstate commerce. Accompanied by new decisions applying the pre-emption doctrine also to the field of labor relations, the result is that we now find national action controlling, and State action excluded, where formerly the Court had held, either directly or in effect, to the contrary, namely in such areas as production or processing of goods before entering commerce and, as well, after having come to rest following movement in commerce.

The Court also upset a long line of its decisions by holding in 1944 that the writing of insurance is commerce subject to federal control under the commerce clause. Thereafter Congress passed an act restoring a measure of State control over the industry. Then, there is the case holding, in effect, that a farmer's raising of wheat for consumption on his own farm is commerce, subject to federal regulation.

Federal law even has been held to extend to the relations between a local automobile dealer and his repair-shop employes, excluding the power of State courts, acting under State law, to enjoin unlawful picketing designed to compel the employer to force his employes into a union.

A State statute aimed at preventing strikes and lockouts in public utilities has been upset, leaving States powerless to protect their own citizens against emergencies resulting from suspension of essential services, even though such emergency be economically and practically confined to one State.

Even the employment of a window washer in a building in which office space is leased by a tenant engaged in interstate commerce may, by reason of the latter fact, be subject to federal labor law to the exclusion of State control.

Interpretation of the Fourteenth Amendment has opened up whole new vistas for federal judicial review of criminal convictions in State courts, in a manner and to an extent until recently unknown to legal and judicial thinking in this country and with interminable resulting delays in bringing the wrongdoer to final justice. State convictions may be and now are upset in Washington for too-speedy justice, for nonappointment of counsel for the defense, for failure to provide the accused, on appeal, with a transcript of the trial at public expense, etc.

As the ambit of federal judicial authority is thus constantly widened, we may get a glimpse of things to come. Already, in lower federal courts, it has been urged and those courts have considered whether a State law prohibiting public employes from belonging to unions is violative of the due-process, privileges-and-immunities and equal-protection clauses of the Fourteenth Amendment or abridges the freedom of expression and association guarantees of the Federal Constitution; or whether treaties of the U.S., made by the Constitution the supreme law of the land, may supersede State and local law governing matters of local concern; or whether a State may proceed with removal proceedings against the mayor of one of its cities for malfeasance while criminal proceedings on the same grounds are pending against him.

These are part of the body of decisions giving rise to a concern that, by judicial construction, national powers are being too greatly and dangerously enlarged and State and local power correspondingly contracted. Of this trend, the Conference of Chief Justices and many others have spoken with consternation. Great judicial self-restraint in this critical field of federal-State relationships was enjoined upon the Supreme Court by the members of the conference. I concur.

If Jefferson were to reappear on the American scene today, would he feel impelled to say, "I told you so," pointing to his language of 1823:

". . . there is no danger I apprehend so much as the consolidation of our government by the noiseless, and therefore unalarming, instrumentality of the Supreme Court."

WHY COURT DECISIONS CHANGE

What, you may ask, accounts for this change in judicial holdings with its resultant change in federal-State relationships? If, as commonly supposed, courts follow precedents how can these latter-day decisions be explained? In this connection, comments of Mr. Justice Owen J. Roberts in 1944 are pertinent. Said he:

"I have expressed my views with respect to the present policy of the Court freely to disregard and to overrule considered decisions and the rules of law announced in them. This tendency, it seems to me, indicates an intolerance for what those who have composed this Court in the past have conscientiously and deliberately concluded, and involves an assumption that knowledge and wisdom reside in us which was denied to our predecessors. . . .

"The reason for my concern is that the instant decision, overruling that announced about nine years ago, tends to bring adjudications of this tribunal into the same class as a restricted railroad ticket, good for this day and train only."

At root of the problem is a difference in concept of the proper function and role of the Supreme Court. The Court is divided into two competing judicial philosophies. Let us examine a bit of the thinking of each.

First, there is the language of John Marshall, who said:

"Courts are the mere instruments of the law, and can will nothing. . . . Judicial power is never exercised for the purpose of giving effect to the will of the judge; always for the purpose of giving effect to the will of the legislature; or, in other words, to the will of the law."

Mr. Justice Frankfurter recently wrote:

"The Constitution is not the formulation of the merely personal views of the members of this Court. . . ."

Mr. Chief Justice Hughes said:

"Extraordinary conditions do not create or enlarge constitutional power."

The great constitutional authority, Judge Thomas N. Cooley wrote:

"What a court is to do, therefore, is to declare the law as written, leaving it to the people themselves to make such changes as new circumstances may require. The meaning of the Constitution is fixed when it is adopted, and it is not different at any subsequent time when a court has occasion to pass upon it."

Similar views often were expressed by the Court in the past. So, in 1889, it said of the object of constitutional interpretation that it "is to give effect to the intent of its framers, and of the people adopting it." In 1905, the Court declared:

"The Constitution is a written instrument. As such its meaning does not alter. That which it meant when adopted it means now. . . . Those things which are within its grants of power, as those grants were understood when made, are still within them, and those things not within them remain still excluded."

In 1936, Mr. Chief Justice Hughes wrote:

"If the people desire to give Congress the power to regulate industries within the State, and the relations of employers and employes in those industries, they are at liberty to declare their will in the appropriate manner, but it is not for the Court to amend the Constitution by judicial decision."

These statements are expressive of the traditional concept of the rule governing Court construction of constitutional provisions, held by an earlier Court and perhaps still shared by some of its present members. This represents the doctrine of judicial restraint.

THEORY OF A "POLITICAL" COURT

In opposition are those on the Court, with disciples notably among the writers and professors of law, dedicated to judicial activism. The theme of this group has been succinctly stated by one of the professors. It is this, "The Court cannot escape politics; therefore, let it use its political power for wholesome social purposes." They seize upon the statement of Hughes, in his 1907 Elmira speech, that the Constitution is what the judges say it is. Can it be concluded from this that the Constitution may be made, by judicial fiat, to mean whatever the Justices want it to mean?

That was not the import of the Hughes statement or speech nor does it comport with his judicial writings. It is the position of the judicial activists that the Court is free to interpret the Constitution in the light of current philosophies, psychology and political and social doctrines regardless of the original intent of its framers and adopters. One of the Justices of this group has written, "*Stare decisis*,"—that is, the rule of following precedent in the decision of cases—"must give way before the dynamic components of history."

The dean of a noted law school has written:

"It will not do to say that, in construing these provisions of the Constitution, the Court should be limited to the meaning the terms had when they were written. . . . The scope and meaning of the provisions of the Bill of Rights evolve, like the meaning of other constitutional terms, and other terms in law. They are stages in the organic process by which ideas flourish or languish as new generations find for themselves new and valid meanings for the old words."

The late Professor Thomas Reed Powell wrote of the differing approach to the law of the two schools of thought, that the difference between them is in their conceptions of the proper scope of the judicial function, the one having a leaning for getting the result in the particular case as if it were a legislative choice, but the other, on the contrary, having a leaning to respect the outlines and many of the details of an established legal system.

Gentlemen, in our consideration of the role of the courts in tomorrow's America we have noted, as suggested at the outset, the place of our constitutional beginnings and our present position, observed trends which brought us there, and gained a glimpse of the destiny to which their continuation may bring us. Shall the trends be continued, retarded or arrested? Shall it be held again, as the Court once said, that "The Constitution, in all its provisions, looks to an indestructible union of indestructible States"?

THREAT TO "PERSONAL RIGHTS"

You, the American people, must make the final judgments on these matters. As you do, mark well what the philosophy of the judicial activists may portend for the liberties of the people and our free institutions. If the Court is to have wide latitude in determining constitutional meaning and, as some suggest, may find it elsewhere than in the language of the Constitution itself or may ascribe a new meaning thereto not intended by the framers; if, as urged, the Court is to exert a political power to achieve the social ends it deems expedient, what will remain of constitutional restraints on Government and constitutional guarantees of personal rights and liberties?

Shall not these be left, then, to the whim and caprice or, at best, the good intentions of men, be they judges, legislators or administrators of the law? It was not for this that our forefathers fought nor for this they framed the Constitution and its Bill of Rights.

One of the chief responsibilities of citizenship, essential to survival of a government by the people, is to become informed about government, to arrive at conclusions, form convictions, and then make a worthy contribution to the great body of public opinion which ultimately makes itself felt in the halls of Government. So, if perchance there be courts with ears to the ground, even there may the voice of an informed people be heard. Thus may the issues here considered be resolved and thus may government and constitutional rights in the future be what you, the people, want.

Let me conclude with a repetition. If the courts are to continue performing their greatest role of preservers of the people's liberty and freedom, they must have the support of an informed and understanding public opinion. As Charles S. Rhyne, immediate past president of the American Bar Association, has said: "Our system of government is no stronger than our courts, and our courts are no stronger than the strength of the public's confidence in them." There is no greater claim on citizenship. Gentlemen, an awesome obligation is yours. The role of the courts in tomorrow's America, and the future of America itself depend on what you and Americans everywhere do about it.

[From the American Bar Association Journal, December 1957]

CONSTRUING THE CONSTITUTION: THE NEW SOCIOLOGICAL APPROACH

(By Thomas Raeburn White of the Pennsylvania Bar—Philadelphia)

(Mr. White declares that the Supreme Court of the United States has adopted a new approach in construing the Constitution. Consciously or unconsciously, he writes, the Court is now following what Mr. Justice Cardozo once called the method of sociology in determining the extent of Federal and State powers: the inquiry is not what the Constitution meant at the time it was adopted, but what the Constitutional Convention would have done if it had known present conditions. Mr. White examines in detail cases from the past 20 years to show why he thinks the Court is now using this approach to constitutional problems.)

Decisions of the Supreme Court of the United States in recent years have had the effect of greatly increasing the power of the central Government by sustaining as valid congressional legislation in certain fields beyond the limits previously held to exist, and in other instances have relaxed restrictions on State power by approving State laws which under earlier decisions would have been held to be unconstitutional.

This study has been undertaken in the hope that it may throw some light upon the question as to how these great changes have come about.

Ever since *McCulloch* v. *Maryland*[1] it has been held that the Constitution should be adapted to new conditions as they arise. But while the Supreme Court has faithfully followed Marshall's opinion in that case and has been liberal in construing the power of Congress to use means necessary and proper in the execution of its express powers, it has never until recently assumed to change the construction of the Constitution to meet new conditions. That it has done so, however, is apparent from some of its decisions and it is reasonable to conclude that a different theory of the proper method of construing the Constitution has been followed by the Court. This method, whether consciously adopted or not, is evidently the method of sociology which was well explained by the late Justice Cardozo before his appointment to the Supreme Court.[2]

He refers to judicial interpretation of statutes in France, pointing out that the inquiry is not what the legislator willed when the law was passed but what he would have willed had he known present conditions,[3] and says that he has no doubt that this method of construing a statute will be applied "with increasing frequency" in the future "to fix the scope and meaning of the broad precepts and immunities in State and National constitutions."[4]

It appears to be the opinion of the author that by the "method of sociology," a constitution, in the light of conditions found to exist at the time, may be construed to have a meaning different from that which it had when adopted by the people, in order to sustain as valid a law which in the Court's opinion accomplishes a desirable object, provided it is not such that "right-minded men and women" would regard it as arbitrary and oppressive.[5]

One of the grievances of the people at the time the Constitution of the United States was adopted was price-fixing by law of commodities in common use. The extent to which this was done is indicated by some references in the margins.[6]

Such practices were strongly disapproved as early as 1784,[7] and Judge Cooley says that since the Revolution price-fixing of ordinary commodities has been considered to be inconsistent with constitutional liberty.[8]

The only exception made to this rule was in cases where prices were fixed in connection with a business affected with a public interest: *Munn* v. *Illinois*.[9]

In *Chas. Wolff Packing Company* v. *Court of Industrial Relations*,[10] the Supreme Court said: "It has never been supposed, since the adoption of the Constitution, that the business of the butcher, or the baker, the tailor, the wood chopper, the mining operator or the miner was clothed with such a public interest that the price of his product or his wages could be fixed by State regulation."

Other cases which sustain the same principle are cited in the margin.[11]

Nevertheless, in *Nebbia* v. *New York*,[12] the Supreme Court upheld a New York statute fixing the price at which milk might be sold; it was conceded that the transaction before the court was not one in which the public had an interest in the sense in which that phrase had been used in earlier cases, but it was held against a strong dissent by four justices that the statute was valid. The only reason given for departing from the settled doctrine, reaffirmed only 2 years before,[13] was the disclosure of facts (based in part upon a legislative report) said to show that the milk business in New York was in a bad way and that the welfare of the community required that it be regulated.

The rule that the price of a commodity could not be fixed, except in a case in which the business was one affected with a public interest, was put aside. In distinguishing *Munn* v. *Illinois*, supra, and the long line of cases following it, the Court said that the phrase " 'affected with a public interest' can, in the nature of things, mean no more than that an industry for adequate reason, is subject to control for the public good."[14] It is clear, therefore, under this decision, that whenever an act of legislation fixes the price at which a commodity of any kind may be sold, the law will be sustained if the Court decides that it was passed for the "public good," a phrase which can neither be defined nor limited. As the enactment of the law is in effect a declaration that it is for the public good, the Court is not likely to decide otherwise. To borrow a phrase from Mr. Justice Holmes, "there would be hardly any limit but the sky."

Nebbia v. *New York* is a typical instance of applying the method of sociology to the construction of the Constitution. The law had been settled by many decisions, one within a very short time. They were not expressly overruled but because of conditions disclosed to the Court which were thought to make a change desirable, the earlier decisions were disregarded and a new construction adopted.

A NEW DOCTRINE: FREEDOM OF CONTRACT

The doctrine of liberty of contract has undergone considerable modification in other respects in recent years. The early cases, while recognizing that freedom of contract is a qualified and not an absolute right,[15] were inclined to restrict legislative interference with the right to contract to a greater extent than later decisions which recognize that changed conditions make some modifications of the previous rule important, if not necessary. *Adkins* v. *Children's Hospi-*

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[1] 4 Wheat, (U.S.) 316 (1819).

[2] Cardozo, "The Nature of the Judicial Process," p. 76 et seq. (1921).

[3] Id. at 84.

[4] Id. at 85.

[5] Id. at 91.

[6] In the laws agreed upon in England, as quoted in the Duke of Yorke's "Book of Laws" (1676–82), it is provided (ch. 33, p. 115) that "Strong beer and ale, made of barley malt, shall be sold for not above 2 pennies, sterling, a full Winchester quart; and all beer or drink made of molasses shall not exceed 1 penny a quart."

In ch. 99, id. at 139, so-called "ordinaries" were required to be licensed for the accommodation of travelers and "* * * no such keeper of an ordinary shall demand above 7½ pence a meal by the head; which meal shall consist of beef or pork, or such like produce of the country, and small beer; and of a footman, he shall not demand above 2 pennies a night for his bed; and of a horseman nothing, he paying sixpence a night for his horses hay or grass," and "If any one shall presume to ask more than is herein expressed, shall forfeit 5 shillings for every such offense."

In the preparation of this article I have drawn freely upon other articles I have written, particularly those published in the University of Pennsylvania Law Review, which has very kindly given me permission to use them.

[7] See report of the council of censors, as reported in the proceedings relative to calling the [Pennsylvania Constitutional] Conventions of 1776 and 1790, pp. 86–87 (1825).

[8] Cooley, "Constitutional Limitations," 870 (7th ed. 1903).

[9] 94 U.S. 113 (1876).

[10] 262 U.S. 522, 537 (1923).

[11] *Tyson & Brother* v. *Banton*, 273 U.S. 418 (1927): *Fairmount Creamery Co.* v. *Minnesota*, 274 U.S. 1 (1927); *Ribnik* v. *McBride*, 277 U.S. 350 (1928); *Williams* v. *Standard Oil Co. of Louisiana*, 278 U.S. 235 (1929); *New State Ice Company* v. *Liebmann*, 285 U.S. 262 (1932).

[12] 291 U.S. 502 (1934).

[13] *New State Ice Co.* v. *Liebmann*, 285 U.S. 262 (1932).

[14] 291 U.S. at 536.

[15] *Chicago B. & Q.R. Co.* v. *McGuire*, 219 U.S. 549, 567 (1911).

tal,[16] holding that a law fixing minimum wages of women in the District of Columbia was unconstitutional, was overruled by *West Coast Hotel Company* v. *Parrish,*[17] after one judge changed his vote. Also in the matter of contracts to exclude persons from employment, because they were or were not members of labor unions, there has been a decided modification of earlier decisions holding that interference with such contracts was an invasion of constitutional liberty.[18] These cases have in effect been overruled by *Lincoln Federal Labor Union* v. *Northwestern Iron & Metal Company,*[19] which referred to the "Allgeyer-Lochner-Adair-Coppage constitutional doctrine"[20] as being deliberately discarded[21] and an amendment of the Nebraska constitution making void and unenforceable contracts between an employer and an employee to exclude persons from employment, because they were or were not members of labor unions, commonly known as "yellow dog contracts," was held valid. This case was followed and approved by *American Federation of Labor* v. *American Sash & Door Co.*[22]

These changes, which came about gradually, may possibly be ascribed to an adaptation of the Constitution to new conditions rather than to a change of interpretation. This cannot be said to be the case, however, when the Court enlarged and extended by construction the power of Congress to regulate commerce with foreign nations and among the several States.

In *Carter* v. *Carter Coal Co.*[23] the Court held void the Bituminous Coal Conservation Act of 1935 because it attempted to regulate the production of coal on the theory that this was a regulation of interstate commerce. In holding the act unconstitutional, the Court quoted and followed Chief Justice Marshall's opinion in *Gibbons* v. *Ogden*[24] holding that, as used in the Constitution, the word "commerce" is the equivalent of intercourse and does not include transactions wholly internal, such as manufacturing or production.

Chief Justice Hughes filed a separate concurring opinion, in which he said: "* * * the power to regulate commerce among the several States is not a power to regulate industry within the State."[25] Justice Cardozo filed a dissenting opinion in which Justice Brandeis and Stone joined.

In *Sunshine Anthracite Coal Co.* v. *Adkins*[26] the Carter case was in effect overruled, it being held that regulation of coal production was "within the power of Congress under the commerce clause of the Constitution."[27]

This is clearly another case in which the "method of sociology" was used. It was deemed necessary to correct conditions said to exist in the coal mining industry, and it was concluded that the Constitution should be so construed as to permit Congress to provide a remedy, although this involved a change in the construction of the Constitution as previously understood, a change as to the scope and meaning of the power of Congress to regulate interstate commerce.

In *A. L. A. Schechter Poultry Corp.* v. *United States*[28] it was held that the National Industrial Recovery Act, which established codes for regulating the conduct of almost every business in the country was unconstitutional in that it involved unconstitutional delegation of power to the President and attempted to regulate intrastate transactions that lay outside the authority of Congress. The Chief Justice, answering the contention that Congress had the power to regulate such activities because they affected interstate commerce, said:[29]

"Where the effect of intrastate transactions upon interstate commerce is merely indirect, such transactions remain within the domain of State power. If the commerce clause were construed to reach all enterprises and transactions which could be said to have an indirect effect upon interstate commerce, the Federal authority would embrace practically all the activities of the people and the authority of the State over its domestic concerns would exist only by sufferance of the Federal Government."

The doctrine that the power to regulate interstate commerce does not extend to activities which only indirectly affect such commerce did not long survive.

In *United States* v. *Darby*[30] the Court sustained an act prohibiting shipment in interstate commerce of lumber manufactured by employees whose wages and hours did not conform to a prescribed standard. The Court said that the power of Congress[31] "extends to those activities intrastate which so affect interstate commerce or the exercise of the power of Congress over it as to make regulation of them appropriate means to the attainment of a legitimate end, the exercise of the granted power of Congress to regulate interstate commerce. * * *[32]

"While manufacture is not of itself commerce, the shipment of manufactured goods interstate is such commerce and the prohibition of such shipment by Congress is indubitably a regulation of the commerce."[33]

In so deciding the Court held that articles prohibited from shipment need not be in themselves of an illegal or deleterious character, overruling *Hammer* v. *Dagenhart,*[34] which had held otherwise.

INTERSTATE, INTRASTATE—A NEGLIGIBLE DIFFERENCE

Under the present view of the Court, Congress may prohibit or control activities wholly intrastate because of their effect on interstate commerce even when the effect may be indirect and so slight as to be almost negligible.[35] That this involves a changed construction of the Constitution is obvious.

In the Labor Board cases, beginning with *National Labor Relations Board* v. *Jones & Laughlin Steel Corp.,*[36] it was held that under the power to regulate interstate commerce Congress can stipulate labor practices which must be followed by manufacturers whose product is ultimately to become a part of interstate commerce. The dissenting opinion[37] said:

"If the commerce clause were construed to reach all enterprises and transactions which could be said to have an indirect effect upon interstate commerce, the Federal authority would embrace practically all the activities of the people and the authority of the State over its domestic concerns would exist only by sufferance of the Federal Government. * * *

"Almost anything—marriage, birth, death—may in some fashion affect commerce."[38]

The Court's opinions were by the Chief Justice and are clearly inconsistent with what he said in *Carter* v. *Carter Coal Co.,* that production is not commerce.

In *United States* v. *Appalachian Electric Power Co.*[39] it appeared that a private company was planning to make use of a small stream called New River for the development of electric power and had begun the construction of a dam. This was opposed by the national administration which desired to use the stream for the development of electric power for public use, and on the theory that the stream was navigable and under the control of Congress brought suit to compel the removal of the work already begun by the power company. The question involved, as the Court said at the beginning of its opinion, was whether the stream was navigable. Both the lower courts had held that it was not navigable, which was of course a finding of fact, and under all former decisions of the Court such a finding was held to be binding on the Supreme Court if supported by substantial evidence, as it clearly was in this case.

This was a high hurdle for the Court to cross, even if it felt, as it evidently did, that it would be in the public interest for the stream to be under congressional control, but the Court surmounted the obstacle, holding that it could examine for itself the question whether the stream was navigable, and found that it was, not because in its present condition it was in fact navigable but because it could be made so by a reasonable expenditure, a conclusion which Professor Corwin finds to be absurd as entirely outside of the Court's prerogative.[40]

This is another good illustration of the method of construing the Constitution so as to accomplish what was believed to be a laudable purpose, although it involved departing from all previous rulings.

This decision calls to mind an unreported decision of a municipal court judge of Philadelphia (now dead), who was presiding at a juvenile court hearing which concerned a boy who had committed some youthful indiscretion. The point was made that he had no jurisdiction, because the boy was not under the age of 16, which was the limit of the age of children subject to the juvenile court. The judge, however, was equal to the occasion. He said, "Well, I'll declare him under 16," and proceeded with the case. He probably had never heard of the method of sociology but was using it to good advantage nevertheless.[41]

THE POWER TO TAX—A COERCIVE WEAPON

The power to tax and spend is a weapon which can be used to force compliance with regulations laid down by Congress. The obvious method is to tax those who do not comply with regulations and exempt those who do. This method of forcing compliance with regulations with respect to the growing of crops as set forth in the Agricultural Adjustment Act of 1933 was condemned in *United States* v. *Butler*[42] as:

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[16] 261 U.S. 525 (1923).

[17] 300 U.S. 379 (1937).

[18] See *Allgeyer* v. *Louisiana,* 165 U.S. 578 (1897); *Lochner* v. *New York,* 198 U.S. 45 (1905); *Adair* v. *United States,* 208 U.S. 161 (1908); and *Coppage* v. *Kansas,* 236 U.S. 1 (1915).

[19] 335 U.S. 525 (1949).

[20] Id. at 536.

[21] Id. at 537.

[22] 335 U.S. 538 (1949). See also *Railway Employees' Department* v. *Hanson,* 351 U.S. 225 (1956), sustaining a provision of the Railway Labor Act of Congress permitting union shop agreements.

[23] 298 U.S. 233 (1936).

[24] 9 Wheat (U.S.) 1, 189–190 (1824).

[25] 298 U.S. at 317. See also Hughes, "The Supreme Court of the United States," 234 (1928).

[26] 310 U.S. 381 (1940).

[27] Id. at 393.

[28] 295 U.S. 495 (1935).

[29] Id. at 546.

[30] 312 U.S. 100 (1941).

[31] Id. at 118.

[32] Id. at 118.

[33] Id. at 113.

[34] 247 U.S. 251 (1918).

[35] See *Wickard* v. *Filburn,* 317 U.S. 111 (1942), in which the Court held that Congress could regulate the production of wheat so as to affect prices, even in a case where the wheat was consumed on the premises where grown and was not shipped in interstate commerce: and *Mabee* v. *White Plains Publishing Co.,* 327 U.S. 178 (1946), where a daily newspaper was published entirely within a State but one-half of 1 percent of its circulation was without the State. See also *Oklahoma Press Publication Co.* v. *Walling,* 327 U.S. 186 (1945).

[36] 301 U.S. 1 (1937).

[37] Id. at 96.

[38] Id. at 99.

[39] 311 U.S. 377 (1940).

[40] Corwin, Constitutional Revolution, Limited, p. 77.

[41] Although unreported, this decision was well known to the bar, including the author.

"A statutory plan to regulate and control agricultural production, a matter beyond the powers delegated to the Federal Government.[43]

"A resort to the taxing power to effectuate an end which is not legitimate, not within the scope of the Constitution, is obviously inadmissible."[44]

In *Mulford* v. *Smith*,[45] however, title 3 of the said act, regulating and limiting production of tobacco, was sustained as a regulation of interstate commerce, although a similar device was used to force compliance with the regulations.

In *Steward Machine Co.* v. *Davis*,[46] it was held that the Social Security Act which laid a tax upon the employers of labor and provided that such employers would be credited with similar taxes paid under a State social security or unemployment act which had been approved by the Federal authorities was valid, although it in effect coerced the States to pass unemployment relief acts or social security laws which were approved by Federal authority.

This case was followed by *Helvering* v. *Davis*.[47] It may be noted in passing that in this case, as in many others, the decision was based very largely upon statistics gathered by committees and commissions whose reports were not admitted in evidence, nor could they be.

The method of changing the construction of the Constitution so as to permit legislation to afford relief from alleged hardship has been used even in the case where specific provisions of the Constitution appear to be violated.

In *Home Building & Loan Association* v. *Blaisdell*,[48] an act of the State of Minnesota was under consideration which made certain changes in judicial proceedings with respect to foreclosure of mortgages and execution sales of real estate. The Court did not deny the finding of the court below that the obligations of the mortgage contracts were impaired by the act under consideration but held:[49]

"If it be determined, as it must be, that the contract clause is not an absolute and utterly unqualified restriction of the State's protective power, this legislation is clearly so reasonable as to be within the legislative competency."

There was a strong dissent by four Justices who did not subscribe to the view that unusual conditions could permit a change in the construction of the Constitution. Mr. Justice Sutherland in his dissenting opinion said:[50]

"A provision of the Constitution, it is hardly necessary to say, does not admit of two distinctly opposite interpretations. It does not mean one thing at one time and an entirely different thing at another time. * * * This view, at once so rational in its application to the written word, and so necessary to the stability of constitutional principles, though from time to time challenged, has never, unless recently been put within the realm of doubt by the decisions of this Court."

It would, of course, be impossible in one article to discuss all cases decided on the points above mentioned, nor is it necessary, as enough has been said to illustrate the method the Court has used to sustain laws which under previous rulings would have been held invalid. It is not meant to suggest that many of these laws were not honestly passed in an earnest effort to relieve public distress nor that the court failed to use its best judgment in an effort directed to the same end, but the principle of stare decisis was ignored and for the most part the beneficent results sought could have been accomplished in a legal manner without interfering with the powers of the States.

An influence which it is widely believed may have had an effect upon the changes in construction above referred to was the impact upon the Court of the New Deal, or in other words, the Roosevelt administration. When this administration came into power the country was in the depths of the depression. It was a question whether the Constitution, which in quiet times "sails upon a summer sea,"[51] could ride out the storm under the conditions that then existed. Undoubtedly the cries of the distressed, the rumblings of discontent, the demands of the agitator and the politician penetrate like the sound of many waters, even into the quiet of the judicial chamber, and it cannot be doubted affect the minds of the judges.

The New Deal administration was impatient that there should be any interference with its program of reform and strenuously insisted that laws believed to be beneficial should be sustained by the Supreme Court as constitutional. This insistence vigorously expressed had its influence, but there was also severe criticism of the Court and in fact of our constitutional system by the New Deal administration and its adherents. President Roosevelt is reported to have complained that in an emergency all laws passed by Congress had to be constitutional, and Senators Norris, of Nebraska,[52] and Frazier, of North Dakota,[53] as reported in the public press, both advocated depriving the Supreme Court of the power to declare laws unconstitutional.

President Roosevelt even went so far as to claim that what he called the Supreme Court fight caused the Court to change its decisions.[54]

These changes necessarily involved a change of view by some individual Justices. Chief Justice Hughes had a hard enough task to administer the Court under conditions then existing, and it is not surprising that in some respects he felt bound to modify opinions which he had previously expressed. In his book entitled "The Supreme Court of the United States," he said:

"Stability in judicial decisions is of no little importance in obtaining respect for the Court's work."[55]

Referring to the Legal Tender cases,[56] he said:

"There can be no objection to a conscientious judge changing his vote, but the decision of such an important question by a majority of one after one judge had changed his vote aroused a criticism of the Court which has never been entirely stilled."[57]

In later paragraphs he said:

"While the meaning of constitutional guarantees never varies, the scope of their application must expand or contract to meet the new and different conditions which are constantly coming within the field of their operation. In a changing world, it is impossible that it should be otherwise. But although a degree of elasticity is thus imparted not to the meaning, but to the application of constitutional principles, statutes and ordinances, which, after giving due weight to the new conditions, are found clearly not to conform to the Constitution, of course, must fall."[58]

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"It must be remembered that production—coal mining, for example—is not interstate commerce and the power of Congress does not extend to its regulation as such."[59]

The Chief Justice expressed the same view in *Carter* v. *Carter Coal Company*.[60] In his concurring opinion, he said[61] "the power to regulate commerce among the several States is not a power to regulate industry within the States," and that "Congress may not use this protective authority [to regulate interstate commerce] as a pretext for the exertion of power to regulate activities and relations within the States which affect interstate commerce only indirectly. Otherwise, in view of the multitude of indirect effects, Congress in its discretion could assume control of virtually all the activities of the people to the subversion of the fundamental principles of the Constitution. If the people desire to give Congress the power to regulate industries within the State, and the relations of employers and employees in those industries, they are at liberty to declare their will in the appropriate manner, but it is not for the Court to amend the Constitution by judicial decision."[62]

That this is sound law is scarcely to be questioned, but the Chief Justice considerably modified his views thereafter as shown by later cases, in which he voted with the majority. See *Sunshine Anthracite Coal Company* v. *Adkins*,[63] in which the Carter case was in effect overruled, and other cases, to some of which reference has been made, holding that production having an indirect and in some instances an extremely tenuous effect on interstate commerce, could be regulated under the interstate commerce power.

It is also to be noted that in *New State Ice Company* v. *Liebmann*[64] the Chief Justice, together with Mr. Justice Roberts voted with a majority of the Court holding that the manufacture of ice cannot be regulated by law, and said:[65]

"Here we are dealing with an ordinary business, not with a paramount industry upon which the prosperity of the entire state in large measure depends. It is a business as essentially private in its nature as the business of the grocer, the dairyman, the butcher, the baker, the shoemaker, or the tailor."

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[42] 297 U.S. 1 (1936).

[43] Id. at 68.

[44] Id. at 69.

[45] 307 U.S. 38 (1939).

[46] 301 U.S. 548 (1937).

[47] 301 U.S. 619 (1937).

[48] 290 U.S. 398 (1934).

[49] Id. at 447.

[50] Id. at 448–449.

[51] 1 Bryce, "The American Commonwealth," 310 (1899).

[52] Philadelphia Record, June 3, 1935.

[53] Philadelphia Inquirer, Mar. 3, 1936. The distinguished Senator reminded the public that judges who declared an act of the English Parliament to be unconstitutional and void were beheaded.

[54] In Colliers for September 1941, appears an article entitled "The Fight Goes On" in which he wrote concerning the changed attitude of the Court: "The Court yielded. The Court changed. The Court began to interpret the Constitution instead of torturing it. It was still the same Court with the same Justices. No new appointments had been made. And yet beginning shortly after the message of Feb. 5, 1937 (proposing the Court packing plan). What a change * * * it would be a little naive to refuse to recognize some connection between these decisions (overturning earlier decisions) and the Supreme Court fight."

[55] Hughes, "The Supreme Court of the United States," 53 (1928).

[56] 12 Wall. (U.S.) 457 (1872).

[57] Hughes, "The Supreme Court of the United States," 54 (1928).

[58] Id. at 197–198.

[59] Id. at 234.

[60] 298 U.S. 238 (1936).

[61] Id. at 317.

[62] Id. at 317–318.

[63] 310 U.S. 381 (1940).

[64] 285 U.S. 262 (1932).

[65] Id. at 277.

Whereas in *Nebbia* v. *New York*,[66] both of these Justices voted that the business of the dairyman could be regulated and the prices of his products fixed by law.

The change of vote which has been most criticized is that of Mr. Justice Roberts on the validity of a law regulating the wages of women and children in industry. Such a law was held to be unconstitutional in *Adkins* v. *Children's Hospital*.[67] The question again came before the Court in *Morehead* v. *New York ex rel. Tipaldo*,[68] decided June 1, 1936. In this case the Court with four dissents affirmed the rule as announced in *Adkins* v. *Children's Hospital*, Justice Roberts voting with the majority. Ten months later a similar law was involved and its validity sustained in *West Coast Hotel Co.* v. *Parrish*,[69] decided March 29, 1937; *Adkins* v. *Children's Hospital* was overruled, Justice Roberts having changed his vote.

JUSTICE ROBERTS EXPLAINS THE REASON

In the meantime the New Deal had been overwhelmingly approved at the election in November 1936, and the President's court-packing plan had been announced. This naturally led to the question whether Justice Roberts' change had been influenced by these facts. He evidently felt the criticism, for he prepared a memorandum in explanation of his action, which, having been left with Justice Frankfurter, was by him made public after Roberts' death.[70]

Justice Roberts' explanation is that he voted for affirmance in the Morehead case under the impression that the only point being decided was that there was no distinction between it and the Adkins case, although the opinon in the Morehead case fully reaffirmed the doctrine of the Adkins case.

In the opinion for the Court in the Parrish case, the Chief Justice gave the same explanation for the Court's change of decision within so short a time. This explanation is apparently accepted as satisfactory by Dean Griswold of the Harvard Law School[71] but not by Robert H. Jackson (afterward Mr. Justice Jackson), who says that the Chief Justice disposed of the New York case[72] "by asserting that the New York attorneys had not asked the Court to reconsider the constitutional questions decided in the Adkins case and that, therefore, those questions were closed to the Court's inquiry in the case of the previous June. This doctrine that the Court would apply bad constitutional law to a case unless the lawyers asked it specifically to correct itself was a bit of face saving for the Court."

Prof. Thomas Reed Powell, in "Some Aspects of American Constitutional Law",[73] says that the Chief Justice's explanation of the change of decision "is a story that should bring blushes to those who joined in the official narration."

These caustic comments make further comment unnecessary.

The decisions, some of which have been mentioned above, departing from views believed to be settled by many former decisions of the Court, have led to a great increase in the legislative power of the Central Government, especially in the particulars above indicated and in some instances of the States also.

Political pressure such as above described was of course the very thing warned against by the makers of the Constitution, and which caused them to establish the judicial department in such a manner that, as they thought, it could be independent. There were some, however, who doubted. Mr. Justice Gibson, one of Pennsylvania's greatest judges, as far back as 1825 said in a dissenting opinion in *Eakin* v. *Raub*:[74]

"Once let public opinion be so corrupt, as to sanction every misconstruction of the Constitution, and abuse of power, which the temptation of the moment may indicate, and the party which may happen to be predominant, will laugh at the puny effort of a dependent power to arrest it in its course."

The danger was well understood when the Constitution was under consideration. James Wilson said:[75]

"Nothing is more to be dreaded than maxims of law and reasons of state blended together by judicial authority. Among all the terrible instruments of arbitrary power, decisions of Courts, whetted and guided and impelled by considerations of policy, cut with the keenest edge, and inflict the deepest and most deadly wounds."

It was of course recognized that such influences could be resisted only by uncommon fortitude on the part of the judges "where legislative invasions of it [the Constitution] had been instigated by the major voice of the community."[76]

In Story, "Commentaries on the Constitution of the United States."[77] it is said:

"Few men possess the firmness to resist the torrent of public opinion; or are content to sacrifice present case and public favor in order to earn the slow rewards of the conscientious discharge of duty; the sure but distant gratitude of the people; and the severe but enlightened award of posterity."

The serious question which confronts us now is whether constitutional government has broken down. Whether the American theory that tried and true principles of government may be enshrined in a written constitution and entrusted to the courts for their protection has proved to be illusory. Although Chief Justice Hughes said in *Carter* v. *Carter Coal Co.*, as quoted above:[78] "It is not for the Court to amend the Constitution by judicial decisions," he later went along with decisions which had that effect, and the late Justice Jackson asserts that the Court does in fact amend the Constitution by its decisions.[79] An excellent statement of the opposing view is contained in the dissenting opinion of Mr. Justice Sutherland in *West Coast Hotel Co.* v. *Parrish*,[80] as follows:

"It is urged that the question involved should now receive fresh consideration, among other reasons, because of the economic conditions which have supervened; but the meaning of the Constitution does not change with the ebb and flow of economic events. We frequently are told in more general words that the Constitution must be construed in the light of the present. If by that it is meant that the Constitution is made up of living words that apply to every new condition which they include, the statement is quite true. But to say, if that be intended, that the words of the Constitution mean today what they did not mean when written—that is, that they do not apply to a situation now to which they would have applied then—is to rob that instrument of the essential element which continues it in force as the people have made it until they, and not their official agents, have made it otherwise."

If it be admitted that the Court may change the Constitution by construction whenever it sees a need therefor, constitutional government as we have known it and as it was visualized by its founders has indeed ceased to exist.

Under the pretense of regulating interstate commerce or of taxing for the general welfare, Congress under the present view of the Supreme Court may regulate or even prohibit the activities of substantially any business within the United States.[81]

The reputation of the Supreme Court has suffered certainly in the opinion of the legal profession and probably more generally by reason of its instability as shown by the frequent overruling of its own recent decisions, caused largely by changes of opinion of individual judges, its disregard of precedents which were believed to have settled the law, and most of all by a method of construing the Constitution to attain a desired object, although in effect the Constitution is amended and the balance of power between the Federal Government and the States seriously disturbed.

It is not for this writer to say that these decisions of the Supreme Court are wrong, but it is respectfully suggested that a method of construing the Constitution so as to make it apply to a desired object may be carried too far.

"Court Rewrites Constitution in Its Own Image"

(By Alfred J. Schweppe, member, Board of Editors, American Bar Association "Journal," former dean of the University of Washington Law School, and former president of the Bar Association of the State of Washington)

I absolutely reject the idea that the Supreme Court has the power to rewrite the Constitution according to its concepts of sociological or economic change. That is what the amendatory process is for. I do not accept Justice Douglas's blunt view that the amendatory process is "too slow" as anything but a violation of the oath to support the Constitution in all of its parts.

In an address before the New York City bar in 1949, attempting to defend the Court's wholesale overruling of prior decisions, he calmly said: "It must be remembered that the process of constitutional amendment is a long and slow one."

The obvious answer is, of course, that the people have amended the Constitution fast or slowly, or not at all, as in their judgment the circumstances required. Since when has the judicial power of the Supreme Court been extended to passing on the competence of the people to frame their own government in their own good time? With all due respect, such an attitude must be regarded as a self-arrogation of superior paternal wisdom which would have left the Founding Fathers stunned.

My view was shared by Washington, Jefferson, Jackson and others, some of them are held up as great beacon lights of liberalism. I think legal recognition of sociological and economic changes should come by way of constitutional amendment, or congressional action, whichever is appropriate.

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[66] 291 U.S. 502 (1934).

[67] 261 U.S. 325 (1923).

[68] 298 U.S. 587 (1936).

[69] 300 U.S. 379 (1937).

[70] See 104 U. of Pa. L. Rev., 314–315 (1955).

[71] See U. of Pa. L. Rev., 340–342 (1955), in which Dean Griswold also mentions other cases in which Justice Roberts changed his mind but without criticizing him.

[72] Jackson, "The Struggle for Judicial Supremacy," 208 (1941).

[73] Hav. L., Rev. 529, 549 (1942).

[74] 12 S. & R. 330, 355 (Pa. 1825).

[75] I am indebted to my friend, Theodore W. Reath, Esq., for this statement of James Wilson, which was made in a lecture at the Law School of the University of Pennsylvania in 1792.

[76] Hamilton, "The Federalist," No. 78 (Hallowell's ed. 1831, at 389).

[77] Vol. II, par. 1619.

[78] Note 62, supra.

[79] Jackson, "The Supreme Court in the American System of Government," 56–58 (1955): "Only those heedless of legal history can deny that in construing the Constitution the Supreme Court from time to time makes new constitutional law or alters the law that has been. * * * The difficulties of amendment are such that many look to interpretation rather than amendment as a means of change."

[80] 300 U.S. 379, at 402.

[81] See the earlier views of the late Chief Justice Hughes as expressed in his book, "The Supreme Court of the United States," pp. 39–40.

In my opinion, once the Court has constructed a constitutional provision, that construction should stand until changed by amendment, unless later evidence is found of *the intent of the framers* of the provision which shows the first construction to have been erroneous. That, of course, is why Madison's "Notes," Elliott's "Debates," and the "Federalist" are so valuable.

Any other approach seems to me to lead to the inevitable conclusion that the Constitution is the plaything of the judges at any time in office, which is, of course, the Warren-Black-Douglas concept, initiated by Holmes in Missouri v. Holland, where he said that the case "must be considered in the light of our whole experience and not merely in that of what was said a hundred years ago."

In so stating, Holmes rejected the Jefferson-Taney view of the treaty power, accepted and blessed by strong judicial statements for over a hundred years. Following Holmes, the idea of a "rubber Constitution," with the Court acting not as judges but as policy makers, though piously disavowing the role, has become accepted almost as normal constitutional doctrine.

My objection is to the reckless manner in which the present Court flouts the precedents laid down by the great Courts ahead of it and, glibly bypassing the constitutional-amendment process of Article V, rewrites the Constitution in its own image.

From a lawyer's standpoint the segregation decisions, which are deemed by many to be tender legal ground that should be avoided, will serve my purpose as well as any I am dealing now, not with a sensitive sociological problem, but solely with the adjudication processes of the present Court in those cases, which leave one almost breathless with amazement.

When the Court, in the first Brown v. Board of Education school-segregation case, in 1954, found the history of the Fourteenth Amendment to be "inconclusive"—which was I believe, an understatement—one would think that a Court, *acting judicially*, would have said that, "there being no persuasive evidence of intent of the framers of the Amendment that the prior decisions of the Court are wrong, those decisions must stand, with the subject matter left to Congress or the amendatory process, as the Court has so often heretofore said about policy matters."

Just a few words about the prior decisions to illustrate my point. There were a number of applicable earlier precedents, the first in 1896, the last in 1950.

By way of concrete example, in the Gong Lum case of 1927—a school case from the State of Mississippi, in which both the question of equal protection of the laws per se and the separate-but-equal question under the Fourteenth Amendment were directly raised—the Supreme Court, then composed of Chief Justice Taft and Justices Holmes, Brandeis, Stone, Van Devanter, McReynolds, Sutherland, Butler and Sanford, *unanimously* decided both questions in favor of the segregated schools provided for by the constitution of the State of Mississippi (see detailed comments, CONGRESSIONAL RECORD, vol. 104, pt. 11, pp. 14380–14384).

Indeed, Chief Justice Taft, writing the opinion of the *unanimous* Court said: "Were this a new question it would call for very full argument and consideration, but we think that it is the same question which has been many times decided to be within the constitutional power of the State legislature to settle without intervention of the federal courts under the Federal Constitution."

Thus in 1954 the present Supreme Court reversed precedents upholding segregated-school legislation not written alone in 1896, although the Court in Plessy v. Ferguson was much closer in time to the intent of the Fourteenth Amendment than it was 60 years later, but a decision rendered unanimously in 1927 by a great Court headed by Chief Justice Taft, and including among its membership Justices Holmes, Brandeis and Stone, whose names are commonly associated with a liberal view of the Constitution in the field of individual rights.

It will be especially noted that the distinguished 1927 Court considered itself bound by the long-established precedents, and that it was not within judicial competence to upset a constitutional interpretation so long settled.

There is no question that the decisions in the Brown and Bolling cases in May of 1954, giving a completely new meaning to the Constitution, were a violent shock to those who believe in constitutional stability and constitutional precedent, and who look upon the judges of the Supreme Court as declarers of law rather than as social engineers, since changes in the social order, insofar as they fall within the federal domain, seem clearly to have been left to Congress or the amendment process by those who wrote the Constitution and its various added provisions.

Chief Justice John Marshall said in the great case of Marbury v. Madison: "It is emphatically the province and duty of the judicial department to say what the law is."

There is no doubt what the law was at 11:59 a.m. on May 17, 1954. It had been definitely settled in Gong Lum in 1927, and in other cases. In 1938, Chief Justice Hughes, speaking for a majority of himself and Justices Brandeis, Stone, Black, Reed and Roberts, had said in Missouri *ex rel* Gaines v. Canada:

"The State has sought to fulfill that obligation by furnishing equal facilities in separate schools, *a method the validity of which has been sustained by our decisions.* Plessy v. Ferguson (163 U.S. 537, 544); McCabe v. Atchison, Topeka and Santa Fe Railway Co. (235 U.S. 151, 160); Gong Lum v. Rice (275 U.S. 78, 85, 86). Compare Cummings v. Board of Education (175 U.S. 528, 544, 545)."

In fact, in Sweatt v. Painter, the identical Court that decided the Brown case in 1954—substituting only Chief Justice Vinson for Chief Justice Warren—namely, Justices Black, Reed, Frankfurter, Douglas, Jackson, Burton, Clark and Minton, rested the decision squarely on the separate-but-equal doctrine.

But on May 17, 1954, at 1 p.m., all this was changed—changed by a judicial amendment of the Constitution—by a Court that, instead of declaring "what the law is," declared what, in the personal opinion of the then-incumbent judges, the law ought to be, in spite of a hundred years of federal and State legislation to the contrary, and contrary to judicial decisions long accepted by the Court itself as conclusive.

Moreover, in so doing, the Court did not even take notice of the long-established criteria for determining whether there has been a violation of the equal-protection clause of the Fourteenth Amendment, namely, that legislative classifications are valid unless without any rational basis whatsoever, so that reasonable men cannot differ (see American Bar Association "Journal," April, 1956, pp. 313, 316–17).

How far the Court went overboard in 1954 is most luridly demonstrated in the companion case—Bolling v. Sharpe, a case amazingly overlooked most of the time by Court critics—in which the Court flagrantly amended the due-process clause of the Fifth Amendment by converting it into an equal-protection clause.

SCHOOL CASE "WAS STARTLING"

If the Brown v. Board of Education case was startling, the companion Bolling case, invalidating the segregated-school statutes of Congress in the District of Columbia almost 100 years old, was even more startling.

The Court decided the Brown case under the equal-protection clause of the Fourteenth Amendment, saying:

"We hold that the plaintiffs and others similarly situated, for whom the actions have been brought, are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment. This disposition makes unnecessary any discussion, whether such segregation also violates the due-process clause of the Fourteenth Amendment."

But in the companion case of Bolling v. Sharpe, decided the same day with reference to the District of Columbia's segregated-school statutes enacted by Congress, the Court faced the dilemma that the Federal Constitution contains no equal-protection clause as a limitation on the Federal Government. The Fourteenth Amendment contains both a due-process and an equal-protection clause, the due-process clause having been taken over verbatim from the Fifth Amendment, and adds purposefully an equal-protection clause, because that concept was deemed and construed not to be embraced in due process (see Hurtado v. California). But the Fifth Amendment, applicable to the Federal Government, contains only a due-process clause.

However, the Court that had made the psychological ruling in the Brown Case was equal to the dilemma that it faced in the Bolling Case. It held that the due-process clause of the Fifth Amendment should be deemed also an equal-protection clause as respects the Federal Government—a clear case of judicial amendment of the Constitution.

When the Fifth Amendment was adopted in 1791, at the instance of the very first Congress, importation of slaves was expressly protected in the Federal Constitution until 1808—Art. 1, Sec. 9—and slaves were then considered property protected by the due-process clause of the Fifth Amendment.

Thus a provision of the Federal Constitution which when adopted in 1791 did not prohibit but protected slavery, is now construed in 1954 to prohibit segregation in the public schools of the District of Columbia. The present Court no longer concerns itself with the intent of the Founding Fathers or the framers of the Fourteenth Amendment, but substitutes its own (see Ralph T. Catterall, "Judicial Self-Restraint," American Bar Association "Journal," September, 1956, page 829).

While I can agree with Bancroft that a Court decision that violates the Constitution is just as void as an act of Congress that violates the Constitution, who will settle the question? The Bolling case, for example, in my opinion *flagrantly* and by illogical and ludicrous reasoning violates the Constitution and indelibly highlights how far the Court was making policy in the Brown case and changing the Fifth Amendment to conform to the Fourteenth in the Bolling case (see comments printed in the CONGRESSIONAL RECORD, vol. 104, pt. 11, pp. 14380–14384).

Obviously the Court, having made up its collective mind to outlaw State statutes and constitutional provisions, did not face up to the completely different constitutional situation in the District; so the judges closed their eyes to the text and history of the due-process clause of the Fifth Amendment—and as interpreted in the Fourteenth—and completely rewrote it, I think, inexcusably. But will Congress or the Executive defy this unconstitutional decision? Apparently not. The Jacksonian attitude toward unpalatable Supreme Court decisions no longer prevails: "John Marshall wrote it; let him enforce it."

EXTENDING "JUDICIAL POWER"

The purely legislative pronouncements of the new Chief Justice, then scarcely one year and nine months in office, in the second Brown case in 1955 bring shudders to any student of constitutional law who knows that the judicial power of the United States extends only to individual cases and controversies. He said:

"All provisions of federal, State, or local law requiring or permitting such discrimination must yield to this principle."

By the time the next school case from some individual State or city comes to the Court involving some segregation statute, the whole present Court could conceivably have disappeared in an epidemic or other major catastrophe, and a new Court wipe out the judicial extravaganzas entitled Brown and Bolling, by returning to Plessy, Gong Lum, Gaines and other cases.

Such a new Court would require no precedents for so doing other than the Brown and Bolling cases and an earnest desire to restore the Court to its proper place in the constitutional scheme.

Of course, I am sure that there would be much shouting in certain circles that the new Court had violated the sacred rules of judicial precedent. Why the more experienced judges on the Court signed their names to such a judicially indefensible statement as that just quoted above one can only conjecture. Under the Constitution, the ruling could apply only to the cases then before the Court, and no others whatsoever.

There is no doubt that Congress has a major responsibility for what the Court has done in many areas. Prodded by some Chief Executives, Congress has passed laws that have put great strains on the Court, which, in turn, has put great strains on the Constitution. For those results Congress and Executives who announce that no doubts as to constitutionality should deter Congress from passing Executive-requested bills are at least in part responsible.

However, in those judicial areas where the Court is under no such legislative and executive pressures, the Court is alone responsible; and it ought to proceed always with the classic judicial restraint which some of its greatest members have so often expressed.

It is in those areas where the Court, without needing to do so, has upset long-established lines of decisions, struck down State statutes or unnecessarily interpreted federal statutes to exclude State action such as in the subversion and labor-relations fields, or has taken over the administration of State criminal laws by novel Fourteenth Amendment pronouncements, that the criticism has been strongest and ever mounting and, in my judgment, rightly so.

It cannot, it seems to me, be successfully gainsaid that the present Court, though officially denying it, has taken on the role of federal policy making properly belonging elsewhere. Furthermore, there seems little doubt that, to the present Court, Article V of the Constitution governing its amendment is essentially a dead letter.

The fact is that Jefferson's fears of what the Supreme Court would do to the Constitution have been realized. The concept of limited and delegated powers is practically gone. That concept went out of the window with Helvering v. Davis, in which the majority, rejecting Madison's and accepting Hamilton's alleged view, held that Congress had unlimited spending power for "the general welfare," with Congress being the judge of the "general welfare." This unlimited spending power is, of course, bound to obscure the line between State and federal functions in many fields and to reduce the States to mere pawns.

With its power of condemnation and unlimited spending, the Federal Government can bring on socialism overnight, if it chooses. I personally favor a constitutional amendment to embody Madison's view of the spending power, but I don't expect one ever to be adopted. The writers of the "Federalist" said that agriculture was, as a classic illustration, a subject solely within the purview of the States; but now we sustain federal legislation, punishing farmers for raising wheat for their own use only, without a federal quota, under the guise of regulating commerce. How intellectually off base can people get?

Of course, Attorney General Rogers' political-legal views on segregation, if correctly publicized, will not bear analysis. Anybody has the right to resist Supreme Court decisions by all lawful means. Congress has corrected the Court many times. When the Court held the first Agriculture Adjustment Act unconstitutional, for example, Congress promptly passed a new one and dared the Court. It caved. There are numerous other illustrations.

The State schools are created and maintained by the States at their pleasure. They can abolish them tomorrow and the Supreme Court cannot do anything about it within any rational constitutional concept. Closing them completely as public schools certainly violates no concept of equal protection because they are closed as to all. The States have a right to pass any laws or do any acts that will legally bypass the Court's decisions, difficult as that may be with a Court that is now "on the spot" to defend its novel policies on a case-by-case basis.

However, possibly this political Court *which has, in my view, lost all proper sense of place in the constitutional scheme,* may grant a mandamus or mandatory injunction to open the schools on the theory that free public education at State expense is now one of the freedoms protected by the Fourteenth Amendment!

I personally have never had any opposition to integration, which I have lived with happily on a small scale all my life; but I have never believed in a legal compulsion of the South—especially by the Court. The South lives in a situation which, until the Warren Court, was deliberately held to be solely within the purview of the States and not of the federal courts except as to equal treatment, and at the federal level primarily in Congress. I have never believed that the Southern situation should be settled by those who don't have it, but only by those who live with it. Apparently history has taught some of us nothing.

[From the U.S. News & World Report, June 20, 1966]

In the 13th Year of the "Warren Revolution"—How Supreme Court Is Changing United States

(Note.—Sweeping changes in the habits and customs of the nation have been brought about by "judicial activism" of the Warren Court in recent years. Federal judges have ventured into controversial areas affecting millions. Examples: education, religion, race relations, morals, politics, subversion, States' rights, and law enforcement. However, many issues remain unsettled, such as de facto segregation in schools and housing. Now, with crime and lawlessness mounting in the country, questions are being asked. Is it time to moderate the trend of judicial change in America? Here is the dramatic story of what has occurred in the "Warren Revolution.")

WHO'S WHO ON SUPREME COURT

Usually on "liberal" side:

Earl Warren, 75, Chief Justice since 1953; Republican nominee for Vice President in 1948 and candidate for presidential nomination in 1952; former Governor and State attorney general of California, onetime district attorney of Alameda County (Oakland).

Hugo Lafayette Black, 80, Associate Justice since 1937; former "New Deal" Democratic U.S. Senator from Alabama and onetime police-court judge.

William Orville Douglas, 67, Associate Justice since 1939; former Yale law professor and member of Securities and Exchange Commission under President Roosevelt; Democrat; from Washington State.

William Joseph Brennan, Jr., 60, Associate Justice since 1956; former Newark lawyer and judge of the New Jersey State supreme court; Democrat.

Usually on "conservative" side:

Tom C. Clark, 66, Associate Justice since 1949; former U.S. Attorney General under President Truman and Justice Department lawyer during the Roosevelt Administration; Democrat; from Texas.

John Marshall Harlan, 67, Associate Justice since 1955; former Manhattan lawyer and judge of U.S. court of appeals in New York; Republican.

Potter Stewart, 51, Associate Justice since 1958; former Cincinnati lawyer and judge of U.S. court of appeals in Ohio; Republican.

Byron Raymond White, 49, Associate Justice since 1962; Deputy Attorney General under Kennedy; all-American football player at University of Colorado; Democrat.

Newcomer, not yet on record in enough decisions to be identified with either side:

Abe Fortas, 55, Associate Justice since 1965; former Washington lawyer and Under Secretary of the Interior in the Roosevelt "New Deal" regime; Democrat.

In the thirteenth year of what is being called the "Warren Revolution," it now appears that Earl Warren, Chief Justice of the United States, and the Supreme Court over which he presides may be inclined to slow the rapid tempo of court-directed changes in America.

On May 18, speaking to the American Law Institute in Washington, the Chief Justice exhibited misgivings about the growth of "federalism" in the country, and a withering of State and local responsibility in the field of law enforcement.

Referring to new civil-rights bills pending in Congress to change the manner of selecting juries—mostly aimed at considerations of race, sex, or color—Mr. Warren expressed concern lest some "ill advised" legislation might be enacted.

Some of these bills, he said "go a long way, and would radically change the relationship between our federal and State governments."

There are other indications that the Supreme Court may be pausing to consider the consequences of some of its edicts, in particular a series of recent decisions striking blows at law-enforcement procedures.

At the same time, the Court has ventured into broad new fields, where many questions remain unsettled, including race relations; *de facto* segregation in the schools, in homes, in jobs, and at social events; censorship of allegedly obscene books, magazines, and movies; the rights of suspected criminals aaginst the police, and the role of television in the courts of the nation.

The upheaval in America that started in 1954 under the Warren Court has been characterized by legal scholars as the most "daring and revolutionary" period of "judicial activism" in constitutional history.

The judiciary has intervened in the most controversial areas, dealing with such things as education, religion, morals, politics, citizenship, suffrage, passports, the postal power, sedition and subversion, communications, labor-management relations, and local law and order.

A record of dissent

With exception of the decisions in the school-segregation cases, which were unanimous, most of the major decisions of the Warren Court have been with sharply dissenting opinions, often in 5-to-4 or 6-to-3 divisions among the nine Justices.

Never in any year has the degree of unanimity among the Justices reached as high as half the cases decided by the Court with written opinions.

The number of unanimous opinions on the bench has ranged from a low of 23 per cent of all full-opinion decisions in 1959–60, to a high of 42 per cent in 1963–64, according to an annual compilation by "The Harvard Law Review."

[Source "the Harvard Law Review"]

"RECORD OF DISSENT

"In a 12-year period, 1953 to 1965, the Supreme Court handed down full-opinion decisions in 1,264 major cases.

"*Of these decisions:*

"432, or 34.2 per cent, were by unanimous opinion of the Court.

"832, or 65.8 per cent, were with dissenting opinions by one or more of the nine Justices.

"*This means:*

"*The Warren Court has differed in judgment on nearly two thirds of all major cases.*"

Yet the actions of the Court have influenced the daily lives of almost all Americans including more than 50 million schoolchildren and their parents; 20 million Negroes; millions of businessmen and union members; millions of churchgoers; members of Congress and State legislatures; thousands of federal, State, and local-government employees; the apparatus of the Communist Party, and an untold legion of the criminal underworld.

The Supreme Court has waited until the closing day of its term each year to hand down decisions in some of the most difficult and controversial cases.

Here are some of the most significant areas of judicial activity by the Warren Court:

RACE RELATIONS

Starting with the epochal school-desegregation decree of 1954, the "Warren Revolution" began in the universal field of race relations, aimed at bringing about equality among the races.

Subsequently, in one case after another, the Court knocked down racial barriers in transportation, "peaceful demonstrations," registration and voting, boxing matches, as well as other athletic or entertainment events, and access to public accommodations such as hotels, motels, bars, restaurants, parks, playgrounds, theaters, swimming pools, beaches and golf courses.

Meanwhile, new federal laws advancing and protecting Negro rights were passed by Congress in 1957, 1960, 1964 and 1965, with additional legislation now being considered.

Last year the Supreme Court quickly upheld the 1964 Civil Rights Act as a valid exercise of congressional power to regulate interstate commerce; knocked down Virginia's poll tax under the new 24th Amendment; and threw out, by a 5-to-4 decision, trespass conviction of Negro "sit-in" demonstrators which had occurred before the 1964 Civil Rights Act became law.

Where Court is silent

The Court has never ruled, however, on the fundamental question of whether State and local government is required not only to abstain from segregation, but to promote affirmatively racial integration in schools, housing, hospitals, employment and other areas.

Nor was the Court willing to hear an appeal by Negroes who claimed that they were discriminated against by a labor union in employment and seniority.

Schools remain largely segregated in Northern suburbs, and many areas of the South. Integration, so called, is token. The flight of white populations to the suburbs in the North has, in fact, increased *de facto* segregation in the central cities.

The big question now: Will the Court, using judicial power, try to force "integration"—balancing schools by racial quotas, forcing children to be bused long distances to mix the races in schools, breaking up suburban neighborhoods, knocking down the lines of political jurisdiction that separate the suburbs from the central cities?

SUBVERSION

In a series of split decisions in 1956 and 1957, the Court curbed federal and State action aimed at Communist subversive activities.

Sedition laws of 42 States were invalidated on the ground that the Federal Government had "pre-empted" this field with the 1940 Smith Act, making it a crime to advocate overthrow of the Government by force and violence.

Federal convictions of alleged Communists were overturned; investigating powers of Congress and state legislatures were restricted; an act of Congress to bar "security risks" from Government jobs were held not to apply to "non-sensitive" positions.

The Court in 1951, under Fred M. Vinson as Chief Justice, upheld Smith Act convictions of 10 top Communists. The Warren Court of 1957 revoked convictions of 14 "second string" Communists under the same law. Recently, the Warren Court, in a 5-to-4 decision, held unconstitutional as a "bill of attainder" a section of the 1959 Labor-Management Act prohibiting any person from serving as a union official who had been a member of the Communist Party at any time during five preceding years.

The Vinson Court in 1950 sustained against a bill-of-attainder attack a section of the 1947 Taft-Hartley law, denying access to the National Labor Relations Board for unions whose officers refused to sign non-Communist affidavits.

Communist mail freed

Last year, in another 5-to-4 decision, the Supreme Court overruled a section of the 1962 Postal Act authorizing the Postmaster General to detain and destroy mail determined to be "communist propaganda."

The Post Office Department had argued that it should not have to subsidize distribution of mail from Communist countries which refuse to sign reciprocal agreements to deliver American political literature.

More than 70 bills were introduced in Congress between 1956 and 1958 to undo various Court decisions. These bills included House bill HR 3, aimed at ending the "judge-made" doctrine of "pre-emptive federalism."

The latter measure was endorsed in principle by the American Bar Association, the Governors' Conference, and the National Association of Attorneys General. The chief justices of the 48 States in 1958 adopted, 36 to 8, a resolution condemning the U.S. Supreme Court for making hasty decisions "without proper judicial restraint," and with acting as a "policy maker" in national affairs.

PASSPORTS

Asserting jurisdiction over the passport authority of the executive branch, the Court held, 5 to 4, in 1958 that the State Department could not withhold passports from suspected Communists because of their "beliefs or associations."

By a 6-to-3 vote in 1964, a section of the Subversive Activities Control Act was held unconstitutional because it might prevent "innocent members" of the Communist Party from going abroad for "innocent purposes."

In 1965, however, the Court upheld, 6 to 3, a ban on travel to Castro's Cuba under the 1952 Immigration and Nationality law. This case was distinguished from previous rulings on the ground that it did not inhibit "freedom of expression or associations."

Government security agencies contend they have been hampered in the investigation, control, and restriction of movement of subversive agents by various Court rulings.

RELIGION

The Supreme Court closed its term in 1962 by holding that recitation of an optional, nondenominational devotional known as the "Regents' Prayer" was unconstitutional in New York public schools under the "establishment of religion" clause of the First Amendment. The next year, the Court banned reading of Bible passages and the Lord's Prayer as devotionals in public schools of Pennsylvania and Maryland.

More than 150 resolutions were introduced in Congress to reverse the edicts. Governors, mayors, and State legislatures sent petitions calling for a constitutional amendment.

Belief-in-God ruling

In 1961 the Court held that a public official cannot be required to take an oath affirming his belief in God. The same year, the tribunal upheld "Sunday closing laws" in various States.

Last year, in three separate cases, the jurists gave a lenient interpretation to a section of the Selective Service Act exempting "conscientious objectors" from military duty where they profess a belief in a Supreme Being.

"The Harvard Law Review" commented:

"The Court has now so broadly construed the test for conscientious objectors that the 'establishment' issue will probably remain dormant until a party who flatly declares that he does not believe in a Supreme Being seeks conscientious-objector classification."

For years the Court avoided coming to grips with Connecticut's 1879 law prohibiting use of birth-control devices. Last year, by a 7-to-2 decision, the Justices found the statute in violation of at least six provisions of the Constitution.

APPORTIONMENT

After 175 years of government, the Supreme Court held in 1962 for the first time—by a 6-to-2 decision in the landmark case of Baker v. Carr—that federal courts have a right and duty to oversee political apportionment of seats in the 50 State legislatures.

Two years later, by 6 to 3, the Court extended its decree to cover apportionment of the House of Representatives in Congress—a co-ordinate branch of the Federal Government.

At the same time, in another 6-to-3 decision, the Justices held that both houses of a State legislature must be based solely on population—"one person, one vote."

The Baker v. Carr edict was widely regarded as overturning a 1946 ruling in which the late Justice Felix Frankfurter said a dispute over congressional districts in Illinois was too political to be "justiciable."

Senate seeks reversal

A majority of the U.S. Senate voted on two occasions—in 1965 and 1966—to reverse the Court, but the resolution failed to muster the two-thirds majority needed for a constitutional amendment.

By mid-May of 1966, according to the Council of State Governments, 37 States had reapportioned one or more houses of their legislatures under court orders.

Twelve other States were in litigation, or awaiting approval, or operating under temporary plans. Minnesota was listed as the only State which had not adopted any "effective plan."

Twenty-seven States, with a total of 258 House seats, had reapportionment congressional districts. No action was expected in other States until after the 1970 census.

In these and other areas, many officials claim States' rights have been eroded by federal-court decisions to a point where State governments are largely pawns and administrative agencies for federal programs such as for schools, hospitals, highways, agriculture and relief.

CENSORSHIP

For some time, the Court has been trying to write a self-executing definition of "obscenity"—which could be applied by State and local censors—to get around "free speech"" provisions of the Constitution.

By a 6-to-3 opinion in 1957, the jurists held material dealing with sex is not protected if it is "without redeeming social importance," and "appeals to the prurient interest," or what Justice Potter Stewart later termed "hard-core pornography."

In three cases this year, by 5-to-4 decision that aroused the ire of "liberals," Chief Justice Warren said that material not otherwise objectionable could be banned if it is advertised and promoted in a lewd way, or in a way that amounts to what he called "pandering."

Justice John M. Harlan pointed out that "no stable approach to the obscenity problem has yet been devised by this Court. . . . I do not see how the Court can escape the task of reviewing obscenity decisions on a case-by-case basis."

"The Wall Street Journal" commented:

"The Supreme Court . . . may be ready for a great new crusade—protecting the nation's morals from corruption by books and magazines and movies."

CRIME

The judiciary today seems inclined to be on the defensive in trying to assure the public that court protection of the "rights" of suspected criminals has not been carried so far as to tip the scales of justice against society as a whole.

Crime on the streets and subways of big cities, public parks unsafe after dark, attacks on women in the business districts or downtown apartment areas—these are symptoms of a national problem, recognized by the White House in a special message to Congress.

Chief Justice Warren told the American Law Institute:

"One matter above all others which we face as a profession, which is of most concern to the American people today, is the problem of crime."

Some critics "take the easy approach of placing the blame for our high rate of crime on our courts and our system of law enforcement," he noted.

Crime, Mr. Warren said, is a problem whose root causes "go deep into the whole fabric of our civilization, and into our moral, social, and economic systems."

Fears arise

Many public officials, nevertheless, are disturbed by the trend of recent Supreme Court decisions which, they think, makes it harder for police to make arrests, and easier for criminals to go free on technicalities.

Vincent L. Broderick, former New York police commissioner, told a Northwestern University conference April 29:

"We in law enforcement, and many others throughout the land, are concerned—greatly concerned—with a rising pattern of violent crimes—crime which has grown at a rate far greater than our population. Those in law enforcement are concerned that they retain the means to cope with it. And they see, in recent Supreme Court decisions, inroads or potential inroads upon their capacity."

The Warren Court has expanded its domain over the State judiciary, requiring it to comply with federal rules of procedure, and applying to the States most of the strictures of the Bill of Rights in the Federal Constitution.

Many authorities feel that the Bill of Rights—the first 10 Amendments—was drafted as a protection against the abuse of autocratic power by the Federal Government, and was not intended by the founders of the Republic to apply to the several States.

Various rulings

In recent years—usually with dissenting opinions—the Supreme Court has held:

States must provide legal counsel and free trial records for all indigent defendants in criminal felony cases. The Court has not yet made it clear at what point in a police inquiry the "right to counsel" obtains, or whether the principle will be extended to misdemeanors.

Suspicion alone is no ground for arresting anyone—even though a suspect may be caught red-handed with incriminating evidence.

A prisoner must be arraigned "without unnecessary delay" in a federal case; any confession obtained in the meanwhile, whether voluntary or not, is inadmissible in court.

The Fifth Amendment privilege against self-incrimination is now applicable to State, as well as federal, criminal proceedings.

In the landmark case of Mapp v. Ohio, in 1961, by a 5-to-4 opinion, the Supreme Court ruled that evidence of a crime obtained contrary to federal standards under the Fourth Amendment's provisions against illegal search and seizure is "inadmissible in a State court."

When it appeared that hundreds of convicts, already serving time, would seek reviews of their cases, the Court in 1965 announced that its Mapp rule would apply "for prospective operation only."

In another 5-to-4 decision, Escobedo v. Illinois, in 1964, the Court held that a confession obtained from a suspect during police interrogation—before he had been accused of a crime—could not be used as evidence, unless the suspect had been warned of his rights and permitted to see his lawyer.

At the Northwestern University conference April 29, Chief Judge Charles S. Desmond of New York State cited Justice White's dissent in the Escobedo case, that the decision appeared to be another step in the goal of barring from evidence "all admissions obtained from an individual suspected of crime, whether involuntarily made or not."

Judge Desmond said the Mapp rule "does not provide any protection for the ordinary average citizen who never needs it. What the rule does is to immure and safeguard the professional criminal, especially the narcotic dealer and gambler.

"It has the everyday practical effect—just as the new rules on confessions—of depriving the public, not just the prosecutors and the police, of reliable, convincing real evidence."

Growth of crime

FBI reports show 2.75 million "serious crimes" occurred in the United States last year, or a 58 per cent increase in the last seven years.

Most of these crimes were committed by "repeaters"—criminals previously arrested for other serious offenses. The great majority are offenses under State laws or municipal ordinances—not the Federal Code. Lawyers say 10 or 15 times as many criminal cases arise in State courts as in federal courts.

Police claim that statements obtained during interrogation of witnesses or suspects are vital to the solution of a majority of all criminal cases.

Michael Murphy, former New York City police commissioner, told the New York District Attorneys Association:

"To arrive at the truth, it is incumbent upon the police to question the suspect in order to obtain necessary evidence, and sometimes—even more importantly—to exonerate him, if the evidence so warrants."

Mr. Broderick said: "The stark fact will always remain that the municipal police officer is called upon to take action alone, on the street, in the fact of violently developing situations, without law books, without ready authorities, without legal advice, and quite often in an atmosphere of latent or overt hostility, in which his own life, and that of others, may be in danger."

How taxpayer is affected

Under new Supreme Court rules, the taxpayers are going to have to pay for the legal defense of all indigent defendants in felony cases in both federal and State courts. Court records indicate that 60 per cent of the defendants in criminal cases cannot afford to provide their own lawyers. Many plead guilty, and are sentenced without a jury trial, hoping to obtain clemency from the judge.

The Criminal Justice Act of 1964 provided compensation for court-appointed lawyers in federal cases.

Chief Justice Warren said 12,383 lawyers have been appointed so far by the federal courts. He estimated the total would not exceed 20,000 a year, "unless the statute is amended to cover postconviction proceedings and other cases not now included."

What is the practical effect of all this? A federal judge observed:

"I'm a strong believer in everyone having at least one appeal, a review to make sure there has been no substantial error. But that doesn't mean unlimited reviews of the same case. It's these postconviction jobs that are causing trouble.

"A case goes through all of the appellate procedures. Then the defendant files a habeas corpus, and it starts all over again. He gets another court-appointed counsel, and another free copy of the trial record. Some of these cases come back six or seven times.

"Now we're getting a rash of these State cases. Some of these defendants are guilty as can be. They admit it. But they claim error in the trial, or some other technicality, as a means of getting off. There's no end to it."

That's the record of the "Warren Revolution" affecting race relations, religion, education, crime, morals, politics, citizenship and the Communist conspiracy in America.

Where will it all end? Who knows? But there are indications that the High Court is taking another look at federal-State relations in the field of law enforcement. Perhaps the new note of caution will extend to other areas as well.

SOME CRITICISMS OF THE COURT

Prof. Philip B. Kurland of the University of Chicago law school, 1964:

"The Justices have wrought more fundamental changes in the political and legal structure of the United States than during any similar span of time since the Marshall Court [early in the history of the Republic] . . . .

"First and foremost . . . has been the emerging primacy of equality as a guide to constitutional action. . . . The egalitarian revolution in judicial doctrine has made dominant the principles to be read into the 'equal-protection clause' rather than those that have been read into the 'due-process clause' of the Fourteenth Amendment.

"The second major theme has been the effective subordination, if not the destruction, of the federal system. The two are not disparate, but related notions, for each is a drive toward uniformity and away from diversity. Uniformity cannot exist if there are multiple rulemakers. Therefore, the objective of equality can be achieved only by elimination of authorities not subordinate to central power.

"The third theme . . . is enhancement of judicial dominion at the expense of the power of the other branches of government, national as well as State.

"A fourth element courses through the opinions of the Court . . . the absence of workmanlike product, the absence of right quality."

Prof. Henry M. Hart, Jr., of Harvard law school, 1959:

"It has to be said that too many of the Court's opinions are about what one would expect could be written in 24 hours. . . . Few of the Court's opinions—far too few—genuinely illuminate the area of the law with which they deal."

Prof. Alfred H. Kelly of Wayne State University, Detroit, 1965:

"Much of the history that the recent Court has produced is of the law-office variety. It fails to stand up under the most superficial scrutiny by a scholar possessing some knowledge of American constitutional development.

"The present use of history by the Court is a Marxist-type perversion of the relationship between truth and utility. It assumes that history can be rewritten to serve the interests of libertarian idealism."

Prof. Robert G. McCloskey of Harvard University, 1966:

"In some notable cases, the Warren Court has, with more or less frankness, created constitutional rules out of whole cloth. Whether they were 'good' constitutional rules is not here in question. The point is that they were patently judge-made, and modern awareness of this fact may detract from the priestly authority that clothed the Court in the past. . . ."

During the last four terms, "the remarkable extent of the Warren Court's will-to-govern becomes fully manifest. . . . The Justices chipped away at doctrinal roadblocks to a judicially defined good society."

Dean Erwin N. Griswold of Harvard law school, 1960:

"When decisions are too much result-oriented, the law and the public are not well served."

Prof. Robert Braucher of Harvard, 1955:

"The judicial power extends to cases and controversies; it is for Congress and the President to make laws, to take care that the laws be faithfully executed, and otherwise to administer the Government. . . . Judges are supposed to focus on the case, rather than law-making or public administration."

Every Chief Justice in recent years, from Charles Evans Hughes through Harlan Fiske Stone to Fred M. Vinson, has espoused a philosophy of "judicial restraint."

Chief Justice Warren, however, during his years on the Court, has pursued a doctrine of "judicial activism."

Justice Felix Frankfurter commented in 1958:

"It is not the business of this Court to pronounce policy. . . . Self-restraint is of the essence of the judicial oath, for the Constitution has not authorized the judges to sit in judgment on the wisdom of what Congress and the executive branch do."

Justice John M. Harlan, in Mapp v. Ohio, 1961:

"The Court, in my opinion, has forgotten the sense of judicial restraint which . . . is one element that should enter into deciding whether a past decision of this Court should be overruled."

Justice Frankfurter, in Baker v. Carr, 1962:

"The Court today reverses a uniform course of decisions established by a dozen cases, including one by which the very claim now sustained was unanimously rejected only five years ago. . . .

"Such a massive repudiation of the experience of our whole past in asserting destructively novel judicial power demands a detailed analysis of the role of this Court in our constitutional scheme."

Justice Harlan, in Reynolds v. Sims, 1964:

" . . . No thinking person can fail to recognize that the aftermath of these cases . . . will have been achieved at the cost of a radical alteration in the relationship between the States and the Federal Government, more particularly the federal judiciary. . . .

"Finally, these decisions give support to a current mistaken view of the Constitution and the constitutional functions of this Court. This view, in a nutshell, is that every major social ill in this country can find its cure in some constitutional 'principle,' and that this Court should 'take the lead' in promoting reform when other branches of government fail to act. The Constitution is not a panacea for every blot upon the public welfare, nor should this Court, ordained as a judicial body, be thought of as a general haven for reform movements."

Justice Hugo Black, in Jackson v. Denno, 1964:

"There is no constitutional provision which gives this Court such lawmaking power. . . . I think the New York law here held invalid is in full accord with all guarantees of the Federal Constitution, and that it should not be held invalid by this Court because of a belief that the Court can improve on the Constitution."

Justices Frankfurter, Harlan, and Tom C. Clark, in Konigsberg v. California, 1957:

"What the Court has really done is to simply impose on California its own notions of public policy and judgment. . . .

"Today's decision represents an unacceptable intrusion into a matter of State concern."

Justice Byron White, in Escobedo v. Illinois, 1964:

"The decision is another major step in the direction of the goal which the Court seemingly has in mind—to bar from evidence all admissions obtained from an individual suspected of crime, whether involuntarily made or not.

"Today's decision cannot be squared with other provisions of the Constitution which define the system of criminal justice which this Court is empowered to administer."

Justices Black and Potter Stewart, in Griswold v. Connecticut, 1965, a birth-control case:

"There is no provision of the Constitution which either expressly or implicitly vests power in this Court to sit as a supervisory agency over acts of duly constituted legislative bodies. . . .

"The adoption of such a loose . . . standard for holding laws unconstitutional will amount to a great unconstitutional shift of power to the courts, which . . . will be bad for the courts, and worse for the country."

Justice Harlan, in Hamm v. Rock Hill, 1964:

"The Court holds that these State trespass convictions, occurring before passage of the Civil Rights Act of 1964, must be set aside by virtue of the federal doctrine of criminal abatement. This remarkable conclusion finds no support in reason or authority. . . ."

[From the Reader's Digest, July 1967]

IS THE SUPREME COURT REALLY SUPREME?

(By Eugene H. Methvin)

(Recent controversial rulings by the High Bench raise anew the troubling issue: Who is the ultimate arbiter of the Constitution? Our founding fathers provided a foresighted answer.)

Fifty-two percent of the American people rate the Supreme Court's performance as "only fair" or "poor," according to a recent Louis Harris opinion poll. "The Justices are stretching the judicial process to try to translate their notion of an ideal society into reality," says Prof. Philip B. Kurland, editor of the University of Chicago Law School's *Supreme Court Review*. From legal scholars to the man in the street, from Congress to the Justices themselves, this most revered of our governmental institutions is today drawing stinging criticism.

Some of the most eloquent protests have come from within the Court itself. In 1962, when the Supreme Court invaded the political ticket of legislative reapportionment, the late Justice Felix Frankfurter denied that the Court had constitutional authority for its move. He accused his colleagues of "a massive repudiation of the experience of our whole past."

In another case last year, Justice Byron R. White charged the Supreme Court with laying down specific rules that have "no significant support" in the history of the Constitution.

Justice John M. Harlan has despairingly proclaimed that recent Court decisions amount "to nothing less than an exercise of the amending power by this Court."

DIRECTION BY DECISION

Repeatedly in recent years the Court has claimed vast new powers to change by judicial decree the shape of our constitutional system. A narrow majority of "activist" Justices, spearheaded by Chief Justice Earl Warren and Justice William O. Douglas, has increasingly taken away from juries and legislatures—the two authentic voices of the people—crucial decisions affecting the order and direction of American life.

Consider the Court's decisions in three vital areas:

School prayer

The Court has declared that reading the Bible or saying the Lord's Prayer (or even a non-sectarian prayer) in voluntary classroom religious exercises is unconstitutional. It has relied on the theory that the First Amendment ("Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof") somehow requires the Court to impose a wall of separation between religion and any sort of governmental activity.

This notion is "sheer invention," say many distinguished law scholars, among them Dean Erwin Griswold of Harvard Law School. We have, Griswold says, "a spiritual and cultural tradition of which we ought not to be deprived by judges carrying into effect the logical implications of absolutist notions not expressed in the Constitution, and surely never contemplated by those who put the constitutional provisions into effect."

Reapportionment

In one stroke, in June 1964, the Court rendered "unconstitutional" the legislatures of most of the 50 states. The action boldly asserted a judicial power never before claimed. It was based on the 14th Amendment. The dictum that "no state shall deny to any person the equal protection of the laws" means, said Chief Justice Warren, that states cannot adopt "Little Federal" plans, in which one house of the legislature is apportioned like the U.S. Senate, to accommodate other factors (historic, economic or geographic) than population. The states must, instead, elect *both* houses on a "one man, one vote" basis.

Justices Potter Stewart and Tom Clark objected sharply. They called the Court's action "the fabrication of a constitutional mandate" and said, "The Draconian pronouncement finds no support in the words of the Constitution, in any prior decision of this Court, or in the 175-year political history of our Federal Union."

The quarrel arose because many state legislatures had failed to reapportion their districts as people moved from country to city and from city to suburbs Other states, however, had reapportioned conscientiously—Colorado, for one. In 1962, Coloradans went to the polls to choose between two reapportionment plans and voted 305,700 to 172,725 in favor of a "Little Federal" plan which gave Colorado's lightly populated western mountains and eastern wheatlands a few more members in the state senate than their population warranted. A majority in every county, including urban Denver, supported this plan.

Justices Clark and Stewart pleaded with the Court to avoid destroying such local initiative and decision. Under the "equal protection" clause, they said, federal courts might properly void any systems which prevent ultimate majority rule. "Beyond this there is nothing in the federal Constitution to prevent a state from choosing any electoral legislative structure it thinks best suited." Colorado simply "sought to provide that no identifiable minority shall be completely silenced or engulfed," an aim that "fully comports with the letter and spirit of our constitutional traditions." The Justices pleaded in vain.

Criminal procedure

Historically, the administration of criminal justice has been left to the states. The Constitution originally gave the federal government no authority whatever to intervene in ordinary criminal matters. However, the 14th

Amendment forbids states to deny a person "due process of law," and the Court has now been using this language as reason to impose a new set of detailed, and controversial, rules of its own making on state law enforcement.

In 1961, for example, five Justices asserted that "due process" requires a state judge to keep physical evidence from the jury until he finds any legal fault with the police search that obtained it. That overruled long-standing Supreme Court decisions and nullified contrary rules in 26 states. Then, in 1964, five Justices prohibited the century-old practice in 15 states of letting the jury decide whether a confession has been coerced. Justice Clark protested: "Dependence on jury trials is the keystone of our system of criminal justice, and I regret that the Court lends its weight to the destruction of this great safeguard to our liberties."

In June 1966, Chief Justice Warren and four fellow Justices imposed on all states a new rule, never before followed in any state: Judges must also keep a confession from the jury unless police can prove beyond doubt that they warned the suspect of his rights, and even furnished him a lawyer throughout interrogation if he wished.

There is mounting evidence that the Court's massive federalization of criminal justice has grievously crippled law enforcement. FBI statistics show that, since the 1966 ruling, the rate at which police are solving reported crimes—a rate which had held steady for years, has dropped by almost ten percent. In New York City, after last year's ruling on interrogations, the proportion of unsolved murders increased by 40 percent. Indeed, the Supreme Court's rulings have compelled the freeing of many apprehended and confessed criminals.

Last September, for example, a woman stood before Brooklyn Judge Michael Kern. She had confessed to taping her four-year-old son's mouth and hands and beating him to death with a broomstick and a rubber hose. Nevertheless, because of the new Supreme Court ruling, her signed confession, the state's only evidence, had to be thrown out.

"Thank you, your honor," the woman said.

"Don't thank me," the judge replied icily. "Thank the United Supreme Court. You killed the child and you ought to go to jail."

CONFLICTING PHILOSOPHIES

These highly controversial decisions reflect a titanic clash of judicial philosophies in today's Supreme Court. Justices Harlan, White and Stewart are currently the chief representatives of the philosophy of judicial restraint propounded by the great jurist Oliver Wendell Holmes: In a democratic society, judges who never face the discipline of the ballot box must defer to elected legislators in policy choices—and leave it to the voters to discipline the legislators at the polls if the legislators' decisions are bad. A judge should declare a legislative act unconstitutional only when he is certain that reasonable men could not disagree. Otherwise, said Holmes, even though the legislators have decided unwisely, a judge is obligated to say, "Damn 'em, let 'em do it!"

On the other side in today's Court, Chief Justice Warren, Justice Douglas and usually Justice Hugo L. Black represent the activist philosophy, or what is sometimes called "political jurisprudence." This school holds that constitutional claims coming to the Supreme Court involve, primarily, conflicting values and interests. There may be no express law relevant to today's conditions. So, in weighing conflicting interests, the Justices must impose their own "social preferences." This philosophy sees the Justices as the modern interpreters of the values expressed in "our living Constitution."

Last year, for example, the Court outlawed Virginia's poll tax—even though it had unanimously upheld a similar tax 29 years before. Even Justice Black denounced this change by judicial decree as "an attack on the concept of a written constitution which is to survive unless changed through the amendment process."

But do we want the Court to be such a lawgiving body? Carried very far, this philosophy would mean in effect abandoning our written Constitution. The High Bench would become not a court of law but a Grand Policy Council, a "Big Brother Club," as one law professor irreverently dubbed the activists.

From the first, men like Thomas Jefferson feared the federal judiciary as a dangerous, fundamentally antidemocratic power. Their fears have proved valid. For half a century (between 1890 and 1937), reactionary "activists" on the Court virtually destroyed the nation's legislative ability to cope with the industrial revolution, to regulate wages and working conditions, child labor, utilities, railroads, labor-management wars. They nullified 52 acts of Congress and 228 state laws. Ultimately, in the "limited constitutional revolution" of 1937, President Franklin D. Roosevelt, Congress and public pressure persuaded three activist Justices to retire or switch, thus allowing needed social legislation to stand.

Today, the Court is again exhibiting judicial "activism"—only this time designed to impose radical change instead of a freeze. "When in the name of interpretation, the Court *adds* something to the Constitution that was deliberately excluded from it," warns Justice Harlan, "the Court in reality substitutes its view of what should be so far the amending process."

TO GUARD THE GUARDIANS

Who *is* the ultimate arbiter of our Constitution? *Does* the Constitution limit the Justices as well as the legislators and the President?

The founding fathers, understanding the tendency of all men to grasp ever more power, labored to subject every branch of government to checks and balances. They specifically included the Supreme Court. To the ancient question, "Who will guard these guardians?" they answered emphatically, *"The people—through their elected representatives."* And, historically, we have asserted that authority on many occasions.

For example, one powerful check on the Court is the President's power of appointment. In 1870, President Ulysses S. Grant filled two vacancies. The votes of these new Justices made it possible to reverse a recent crucial decision, which declared that Congress had no power to issue paper money. Last June's crucial five-four decision on criminal confessions could not have been made had not President Johnson's first appointee, Justice Abe Fortas, promptly lined up with the activists. Since Justice Clark, a moderate, has recently retired, and since several Justices are over 65, Presidential appointments may completely reshape the Court in the next few years.

The Constitution also plainly specifies two major ways in which Congress can check the Court:

The 14th Amendment—under which the Supreme Court has dictated state legislative apportionments and criminal procedures—specifically names Congress as the protector of the rights it creates. While Congress cannot reverse a Supreme Court decision in a specific case, it *can* write new remedies which the Court is then obligated to apply in resolving such cases in the future. Last year, for example, Chief Justice Warren specifically acknowledged that Congress may, by simple statute, write rules different from those that the Court handed down for police interrogations.

Article III empowers Congress to make "exceptions and regulations" to the Court's appellate jurisdiction. Thus the Constitution explicitly makes *our elected legislators* the supreme judges—by simple majority vote—of what types of cases the Court may decide. Says Herbert Wechsler, Columbia Law School professor and director of the American Law Institute, "The plan of the Constitution was quite simply that Congress would decide from time to time how far the federal judicial institution should be used. Congress has the power, by enactment of a statute, to strike at what it deems judicial excess."

Thus the judges are *not* the sole arbiters of the Constitution. The framers of the Constitution laid on Congress a duty to define the rights it provided, and to act as a counterweight to the Court.

"BEYOND THE BOUNDS"

Though it has acted at other times—for example, in 1868, when it stripped the Court of power to hear appeals in habeas corpus cases—Congress has failed so far to rein in the present Court. In 1964, the House did vote 218–175 to forbid the Court to interfere in state legislative apportionments. This simple majority vote was, under Article III, sufficient. But in the Senate, an attempt was made to seek passage of the measure as a constitutional amendment, and it missed—by seven votes—the required two-thirds majority. An amendment to permit voluntary school prayer also failed by a narrow margin. Both goals might well have been accomplished, by a simple majority vote, under Article III and the 14th Amendment.

Some scholars are convinced that the present Supreme Court would have declared any such effort unconstitutional. Others argue, however, that if the Court had gone to that extreme, Congress could then have retaliated by restricting the Court's future jurisdiction in cases of the kind under Article III.

In the absence of such an effort to check the Court, five Supreme Court Justices, in alliance with one third of either House or Senate, are—by "interpretation"—radically amending our Constitution. Yet amendment is supposed to require a two-thirds vote of Congress and ratification by three fourths of the state legislatures.

The great liberal Justice Benjamin N. Cardozo wrote: "Judges have, of course, the power, though not the right, to travel beyond the bounds set to judicial innovation by precedent and custom. Nonetheless, by that abuse of power, they violate the law."

The founding fathers named Congress as the referee to guard the bounds beyond which the Justices should not go. The time has come for our elected representatives to blow the whistle.

EXHIBIT B

[Editorial from the Washington (D.C.) Evening Star, June 14, 1967]

DR. KING'S CONVICTION

The Supreme Court's majority opinion affirming the conviction of Dr. Martin Luther King Jr. and seven other ministers for contempt of court after they had deliberately violated an injunction issued by a Birmingham judge in 1963 rests upon what strikes us as a sound legal doctrine.

Speaking for the court Justice Stewart said: "The rule of law that Alabama followed in this case reflects a belief that in the fair administration of justice no man can be judge in his own case, however exalted his station, however righteous his motives and irrespective of his race, color, politics or religion. This court cannot hold that (Dr. King and the others) were constitutionally free to ignore all the procedures of the law and carry their battle to the streets. * * * Respect for judicial process is a small price to pay for the civilizing hand of law which alone can give abiding meaning to constitutional freedom."

Justice Stewart was joined in this by Justices Black, Harlan, White and Clark, who has now stepped down from the bench. The dissenters were Chief Justice Warren and Justices Brennan, Douglas and Fortas.

In three opinions they bitterly attacked the majority holding. The details cannot be spelled out in this space. But the essence of the dissents was that the majority by affirming the convictions for violating the injunction, had in effect closed the door to a challenge of a "patently" unconstitutional Birmingham ordinance regulating parades and street demonstrations. The majority, of course, thought otherwise. They said the defendants should have challenged the legality of the injunction before willfully defying it.

We would like to think that the principle announced by the majority would be controlling in the future. But this would be a very dubious assumption in view of the President's nomination of Thurgood Marshall to replace Justice Clark. When a suitable case comes along after the Solicitor General takes his seat on the court, there is a high probability that the holding in the case of Dr. King will be overruled by a new 5 to 4 decision.

[Editorial from the Washington (D.C.) Evening Star, July 15, 1967]

Mr. Marshall's Nomination

A few years ago, the appointment of a Negro to the Supreme Court would have been a sensational, not to say controversial, development. President Johnson's nomination of Thurgood Marshall, however, has produced scarcely a ripple of excitement. This is a measure of our national progress toward maturity, and cause for modest gratification.

The merit of this particular appointment is another question.

There has been some hope, though not much, that the President, in choosing a successor to Justice Clark, would try to bring the Court into better balance. His nomination of the Solicitor General, however, suggested that this hope can be filed and forgotten.

No Supreme Court Justice can be fitted neatly into any category. Occasionally the most liberal or the most conservative, using this term in its relative sense, will jump the tracks. On the whole, however, Tom Clark was a "swing man," sometimes siding with one bloc, sometimes with the other. If any descriptive term is applicable to his service on the bench, it is that he has been a moderate.

We do not think this can be said of Thurgood Marshall, although few things in this life are more hazardous than trying to predict what positions a man will take after he joins the court. Our guess is, however, that Marshall generally will join the "liberal" wing consisting of the Chief Justice and Justices Douglas, Brennan, and Fortas. If so, the "liberals" will be in firm control, and this is considerably less than reassuring with respect to many of the vital areas of public interest that are affected by the court's rulings.

[From the Washington (D.C.) Evening Star, July 21, 1967]

Marshall Leaves Questions Open

(By Dana Bullen)

Thurgood Marshall's reluctance to discuss current criminal law issues at the hearing on his nomination to the Supreme Court leaves this side of his future judicial personality something of a question mark.

Most observers feel he will be liberal-minded, possibly joining Chief Justice Earl Warren and Justice William J. Brennan Jr. on the central side of the court's liberal bloc. Marshall's years of work championing equal rights for Negroes supports this view.

On certain criminal law issues, however, the signals are confusing.

As judge of the 2nd U.S. Court of Appeals in New York prior to becoming U.S. solicitor general, Marshall dealt infrequently with deep criminal law issues. As solicitor general, he was the government's advocate, and it is unclear which views also were personal ones. At the Senate hearings, many such questions went unanswered.

* * * * *

The main clues given the Senators were, first, that Marshall, the first Negro ever named for the Supreme Court, insists that efforts to fight crime stay within constitutional limits and, second, that a brief filed by him in the Miranda group of confession cases contained personal as well as government views.

The first statement probably will not greatly encourage conservative-minded Senators who seem to think that the current Supreme Court shapes the Constitution to fit the cases it finds before it.

Marshall, himself, feels as do most constitutional scholars that the Constitution was meant to be a "living document."

Asked by Senator Sam J. Ervin Jr., D-N.C., what he meant, Marshall said that the framers intended that the Constitution's provisions should be interpreted and applied as of the particular time that a question presents itself.

Such a view permits a flexibility that supporters of the present Supreme Court believe is essential, but that critics of the justices deplore.

The 59-year-old nominee's second statement, however, started a small run on Justice Department and Supreme Court file rooms to find out just what the Justice Department's brief on the confession question said.

* * * * *

In light of Marshall's statement that it reflected his personal views, too, it makes interesting reading.

"We start from the premise," the brief stated, "that it is essential to the protection of society that law-enforcement officers be permitted to interrogate an arrested suspect."

"An inflexible constitutional rule turning on the presence or absence of counsel or on the recitation or omission of a warning may be easier to apply, but we believe it will, more often than not, cast out the baby with the bath," it said.

Generally the position taken by Marshall before the court was that the totality of the circumstances, rather than any single factor, should be decisive in determining whether a confession is usable.

The Supreme Court, of course, went beyond the government's approach making effective warnings about the right to silence and to counsel the key to police use of statements made by suspects.

With the new ruling on the books, it now is unlikely that any new justice could, or would, launch a drive to overturn it.

Marshall's brief, then, may merely indicate greater awareness of law enforcement problems and needs than critics of the court feel liberal-minded justices currently are displaying.

Even this, though, could be important. The number of 5-to-4 decisions by the court underscores the impact a single justice can have.

If it is hazardous to try to predict how a justice will turn out, then it is doubly so when, as in Marshall's case, the signs point in conflicting directions.

While a judge on the 2nd U.S. Court of Appeals some of Marshall's opinions reflected a liberal image that may clash with the language in his brief for the government in the Miranda cases.

In one decision, Marshall virtually applied the 5th Amendment's guarantee against double jeopardy to state proceedings although the Supreme Court itself has yet to go so far.

* * * * *

It was Marshall, too, who as solicitor general last year urged the high court to clear the way for new trials in cases in which government evidence was based upon bugging.

The one thing that is certain, it seems, is that a justice does not shed the views of a lifetime when he mounts the bench—whatever those views may be.

Marshall won the 1954 school desegregation case as counsel for the NAACP Legal Defense Fund.

The instincts developed during his 23 years in the legal battle for equal rights for Negroes surely will assert themselves in some way on the court even though strictly civil rights cases are becoming less frequent now.

[From the Washington (D.C.) Evening Star, June 23, 1967]

Marshall Appointment to Court Greeted Quietly

(By Clayton Fritchey)

In the light of the surprisingly mild reaction to Thurgood Marshall's appointment to the Supreme Court, his confirmation by the Senate now seems a foregone conclusion. There has not been much grumbling even in the South; and in the Negro community the applause, while generous, has not been deafening.

The unruffled acceptance of what would have been a breath-taking appointment a few years ago, is impressive proof of how much the racial climate has changed in the United States; it also is another demonstration of President Johnson's adroitness in conditioning the public for what he intends to do. He made the choice of Marshall seem obvious. It was almost taken for granted before it happened.

On balance, the President is not likely to gain or lose much politically by the appointment. Certainly such criticism as there has been is nothing for him to worry about. It comes down to two complaints. One is that all appointments to the court should be made on "merit," irrespective of race or religion; the other is that Marshall is not a legal scholar.

As to the first, has there ever been a time when race was not a factor? For 170 years the court has deliberately been all white. Johnson's appointment of Marshall is not a case of introducing race as a consideration, but an effort to break away from it, and eliminate it as a bar to serving on the court. For much of its long history, the court has been a WASP (White Anglo-Saxon Protestant) institution, and it still is to a large extent.

As to Marshall's legal distinction, this is raised against nearly every appointee, but the new justice's experience as solicitor general and circuit court of appeals judge gives him a legal background superior to most of his new colleagues at the time they joined the court.

When the novelty of Marshall's appointment wears off, interest will begin to focus on the effect it will have on the future trend of the court, for there is little doubt that it is going to change the delicate and often unpredictable balance of the last few years.

The day before Marshall was named, the court closed out its present session in an extraordinary flurry of 5–4 decisions. Generally, especially in civil rights and civil liberties cases, Warren, Black, Douglas and Fortas come down on the liberal side. Retiring Justice Tom Clark on occasion voted with them, but frequently not.

Many appointees have surprised even their best friends after going on the court, so it is hazardous to anticipate how any new member will act. On the basis of past performance, however, it seems certain that the liberal bloc will now have a consistent new ally. Certain types of cases that have recently commanded a 5–4 conservative majority, will in the future probably go the other way by 5–4.

In recent decisions the liberal bloc managed a 5–4 majority by picking up a vote from Clark in one case and from White in another. But from now on there will probably be a built-in liberal majority. Since Black, White and Stewart, swing over to the liberal side on close cases from time to time, there are not likely to be many conservative rulings in the foreseeable future.

Certainly the Rev. Martin Luther King and eight other clergymen might not be going to jail if Marshall had been on the court last week when it upheld contempt convictions of the ministers for their part in desegregation demonstrations in Alabama. Tom Clark cast the deciding vote in this 5–4 decision.

Every new appointment inspires nostalgic longings for the day when the court was filled with learned, objective justices cooly expounding the law free of any personal point of view or any personal feelings. Like Camelot, there never was such a court, and probably never will be. Maybe it is just as well.

[From the Washington (D.C.) Evening Star, June 18, 1967]

MARSHALL'S APPOINTMENT UPSETS COURT BALANCE

(By James J. Kilpatrick)

The nomination of Thurgood Marshall to the Supreme Court has produced cries of jubilation within the liberal left. On the conservative side of the fence, the prospect produces only a sharp dismay. Where goes the Constitution now?

The big news in Marshall's nomination, of course, is that he is the first Negro ever to be named to the court. In the larger view, the matter of his race is immaterial. The overriding fact is that in choosing Marshall to replace the retiring Tom Clark, President Johnson deliberately has moved to upset the rough balance of liberalism and conservatism that recently has prevailed upon the high tribunal. Next term, the forces of judicial restraint will be represented only by Harlan, Stewart, and White, with an occasional vote from Black. The judicial activists will be in full control.

To either view—conservative or liberal—the consequences of this replacement cannot be emphasized enough. When the founding fathers created the Supreme Court in the Constitution of 1787, it was widely supposed that the court always would be the weakest branch of the central government. The driving force of the court's first Mr. Justice Marshall—Chief Justice John—changed all that. By a process of evolution, culminating dramatically in the Warren Court, the tribunal has become the most powerful authority in the whole of our federal system. Its members, serving for life, are in a commanding position to shape national policies as they please. These days, they often are pleased to turn the Constitution into wax.

Nothing that is said is intended as criticism of Thurgood Marshall, the man. He is an immensely attractive fellow, as charming as his predecessor of 150 years ago. During a decade of bitter litigation on civil rights issues, Southern attorneys developed an abiding respect and affection for him. At one time, it might have been possible to oppose his nomination by reason of Marshall's total concentration on the narrow field of Negro rights, but his service on the United States Second Circuit and his experience as Solicitor General have removed that objection. Beyond cavil, he is qualified for the high court—more qualified, in truth than many of his predecessors.

Neither is this intended to say that Clark was a wholly consistent conservative on the bench, or that members of the high court in every case follow predictable lines. Clark had his activist relapses, as in the reapportionment cases; he was not above using his high office to vent his personal spleen, as in the Toilet Goods Association case of May 22. Most judges jump the philosophical traces now and then.

Nevertheless, the briefest glance at key cases of this past term will make the point.

In Adderley v. Florida, Clark was one of five who voted to sustain the convictions of 32 Negro students who undertook to trespass upon the Leon County jail in the name of civil rights. The opinion put a brake on some of the excesses of racial demonstrations. How would Marshall have voted in that case?

This past Monday in Walker v. Birmingham, Clark was one of five who voted to sustain the conviction of Martin Luther King for putting his own view of the law above the order of a court. Would Marshall have voted to send Martin Luther King to jail?

In Fortson v. Morris, Clark was one of five who upheld the power of the Georgia legislature to name a governor when no candidate obtained a majority in the popular election. Nothing in the Fourteenth Amendment, said the majority, prevents a state from so ordering its own affairs. But Marshall's whole record demonstrates a doctrinaire view of the Fourteenth; he reads into "equal protection" all sorts of provisions the framers of that amendment never intended.

In Cooper v. California, and again in McCray v. Illinois, Clark was one of five who voted to strengthen the hand of police officials in securing evidence of crime. The two decisions served to bring some common sense back to the law of Fourth Amendment searches. How would Marshall have voted in these critically important cases? It is a fair surmise that he would have voted with Warren, Douglas, Brennan and Fortas to reverse.

What the court and country will be getting in Marshall will be a more congenial Fortas, a less truculent Goldberg, a more disarming Brennan. The appointment is a great tribute to Marshall's own skill and industry; he is the grandson of a slave, the the son of a Pullman waiter. No critic would wish to take away from the heartwarming success story that came to its climax Tuesday. All the same, in any conservative view of the workings of the court, the nomination is something worse than net no-gain. This was bad news—almost disastrous news—and we shall be living with it for the next ten years at least.

[From the Washington (D.C.) Evening Star, June 16, 1967]

WHY NOT A WOMAN ON HIGH COURT?

(By David Lawrence)

Theoretically, when a vacancy occurs among the nine justices of the Supreme Court of the United States, the President should ask the American Bar Association and the governors of the states to give him privately the names of two or three persons who are best qualified for that office. Instead, one name is submitted to the bar association by the Department of Justice for each vacancy, to ascertain if there is anything unfavorable that can be cited. Before making his selection, a President nowadays looks around for a man of integrity and ability who happens also to be suitable politically—but the country rarely gets the best-qualified men with judicial experience.

However satisfactory the record of Thurgood Marshall, the new appointee, may be, President Johnson could have found at least a dozen men on the federal bench who are better equipped to sit on the Supreme Court of the United States. Johnson, of course, knows what the political customs are. To satisfy blocs of voters, there apparently has to be on the high court representatives of the Catholic, Protestant and Jewish faiths. It used to be that Presidents took account also of geographical factors and tried to equalize the number of justices from different parts of the country.

Significant as is the appointment of "the first Negro"—as the headlines have just emphasized—to membership on the Supreme Court, many people are asking why no Negro was appointed before. An even more pertinent question is: Why hasn't a woman been appointed to the Supreme Court of the United States?

There are many women who have served on the bench in federal and state courts, and have made excellent reputations. Women have been elected as governors and to the Senate and the House of Representatives, and have made notable contributions to public service. About 35 years ago, Frances Perkins became the first woman member of the President's cabinet. If the failure heretofore to appoint a Negro has been a discrimination, it may also be argued that the absence of a woman on the highest court is a kind of discrimination, too.

Thurgood Marshall was for many years general counsel for the Advancement of Colored People, and played a leading role in winning the school-desegregation cases before the Supreme Court in 1954. He also served on the U.S. Circuit Court of Appeals for three years before coming to the Department of Justice as solicitor general in 1965.

While Marshall will doubtless be confirmed by the Senate, the real concern among lawyers is not related so much to his possible participation in cases involving "civil rights" as to the question of where he will veer toward the group on the court which believes in an unwritten constitution rather than toward those who want to preserve the Constitution as written.

This same issue has been plaguing the Supreme Court since President Franklin Roosevelt, 30 years ago, sought to have the membership of the high court enlarged so as to enable him to appoint men who would side with his views on public questions. While the "court-packing" move was defeated in the Senate, Roosevelt had an opportunity later, as vacancies occurred, to name to the Supreme Court nine justices, at least five of whom were of his own school of thought. Since then there have been some exceptions, but for the most part appointees have come from the ranks of those who believe that the Constitution can be rewritten at will by the Supreme Court.

Persons who know Thurgood Marshall's philosophy think he will furnish a surprise and will be found in the middle-of-the-road category. His decisions inevitably will attract a lot of attention.

Unfortunately, there are many who feel that Marshall was appointed solely because of his color and that the President, in effect, "discriminated" against some white men at present on the federal bench who might have been chosen. But if there is "discrimination," the realistic fact is that in the entire history of the Supreme Court of the United States, no woman has ever been appointed. The women eligible to vote outnumber the men. Maybe they just haven't "demonstrated" enough!

[From the Washington Post, June 19, 1967]

MARSHALL TO THE COURT—CAN MODERATION SURVIVE?

(By William S. White)

All who value poise and objectivity in the Supreme Court—qualities already sadly and often absent from its decisions—must look with deep anxiety upon President Johnson's nomination of Thurgood Marshall to the high bench.

It is, of course, neither wise nor fair to impute as inevitabilities certain attitudes to Thurgood Marshall even before he has put on his black robes. Still, the probabilities of the future can only be rationally estimated by the known and certain past. By this standard it is likely that Marshall's elevation will only aggravate an already profound imbalance by which an already disproportionate majority of liberal justices has for years been acting not as detached arbiters but as lawmakers, not as interpreters of the Constitution but as amenders of that Constitution to suit their own notions.

It is an interesting and even a stirring circumstance, to be sure, that Thurgood Marshall is the first Negro in history to reach the high court. So far as all this goes it is well and good. But all this is not the point. The point is not the color of Marshall's skin, which is irrelevant, but the cast of Marshall's mind. And thus far this has been the mind of an undoubtedly honest but also undeniably zealous liberal advocate, notably in civil rights, that is not the proper equipment for service upon a tribunal supposed to act in aseptic impartiality upon the grand issues of a Nation.

Before Justice Tom Clark retired from the court to make room for this appointment, moderate and conservative and tradition-respecting opinion in this country was on its best days rarely represented by more than four justices out of nine. Clark himself was no conservative as such. But he never automatically sided with those Justices who have steadily been destroying legitimate states' rights and legitimate police powers to deal with both ordinary crime and racial disorders.

Now, there is grave reason to fear that the old 5 to 4 steamroller which has in effect made new law and judge-dictated amendments to the Constitution, may rise to 6 to 3. The basically tradition-minded justices—John Marshall Harlan, Potter Stewart and Byron White, with an occasional assist from the venerable Hugo Black—are likely now to be even more lonely and even more powerless to halt an often patently emotional spirit of unchecked reformism which is casting aside those standards of an evenhanded justice, remote from the clamors of politics and the pressures of interest groups, which once distinguished the Supreme Court of the United States as the most lofty home of dispassionate justice in all the world.

No one argues, of course, that the court should be structured ideologically, with so many "liberals" confronting so many "conservatives" like some congressional committee partisanly divided between Democrats and Republicans. All the same, it is idle to pretend that the court has not long since plunged hip-deep into politics. This being the reality there is every demand in simple fairness not to allow the "conservatives" to be totally overwhelmed.

Yet Marshall has been nominated and Marshall will be confirmed by the Senate. What has been done cannot be undone, nor should it be undone at the human cost of denying an honorable man the approval of the Senate. Thus, the outcome must depend upon Marshall alone. He will have it in his power to drive civilized moderation and conservatism—not some mad "far-right-wing-ism"—right out of the ultimate hall of justice. Or, by self restraint and sensitive regard for fair play, he can become a voice calmly insistent upon hearing both sides of every story.

EXHIBIT C

[In the U.S. Court of Appeals, Second Circuit—No. 373, Docket 29104]

UNITED STATES OF AMERICA EX REL. GEORGE HETENYI, REALTOR-APELLANT, v. WALTER H. WILKINS, WARDEN OF ATTICA STATE PRISON, ATTICA, N.Y., RESPONDENT-APPELLEE

(Argued Mar. 12, 1965, decided July 13, 1965)

Habeas corpus proceeding. The United States District Court for the Western District of New York, John O. Henderson, J., 227 F. Supp. 460, denied application and appeal was taken. The Court of Appeals, Marshall, Circuit Judge, held that where accused in first trial had been convicted of second-degree murder, in second trial had been convicted of first-degree murder and there was reasonable possibility that accused was prejudiced in his third trial by fact that he was indicted, prosecuted and charged with first-degree murder, third trial was constitutionally inadequate and deprived accused of his liberty without due process of law, even though he was convicted of second-degree murder.

Reversed.

Metzner, District Judge, dissented.

1. Constitutional Law 🔑260

Due process clause of Fourteenth Amendment imposes some limitations on state's power to reprosecute an individual for the same crime. U.S.C.A. Const. Amends. 5, 14.

2. Constitutional Law 🔑260

Certain reprosecutions by a state are incompatible with due process of law. U.S.C.A. Const. Amends. 5, 14.

3. Courts 🔑282(15)

Federal courts are entrusted with responsibility and power to decide which reprosecutions by a state violate basic notions of justice. U.S.C.A. Const. Amends. 5, 14.

4. Constitutional Law 🔑274

Under doctrine of selective incorporation, certain guarantees of Bill of Rights, those that are fundamental, are absorbed by due process clause of Fourteenth Amendment and are thus made applicable to the states. U.S.C.A. Const. Amend. 14.

5. Constitutional Law 🔑260

Guarantee against double jeopardy is a fundamental right within doctrine of selective incorporation, whereby certain guarantees of Bill of Rights, those that are fundamental, are absorbed by due process clause of Fourteenth Amendment and are thus made applicable to the states. U.S.C.A. Const. Amends. 5, 14.

6. Constitutional Law 🔑260

State's reprosecution of accused for first-degree murder following completion of first trial, in which he was prosecuted for first-degree murder and jury returned verdict of guilty of second-degree murder, constituted transgression of the federal constitutional limitations on state's power to reprosecute an individual for the same crime. U.S.C.A. Const. Amends. 5, 14.

7. Criminal Law 🔑193½

It was fundamentally unjust to reprosecute accused for first-degree murder after completion of first trial at which he was found guilty of second-degree murder and such reprosecution was cruel and inhuman. U.S.C.A. Const. Amends. 5, 14.

8. Criminal Law 🔑161

Standards of fairness and justice to be applied in criminal cases with respect to reprosecution by state of accused for same crime are not merely personal standards but impersonal standards of society which alone judges, as organs of the law, are empowered to enforce.

9. Criminal Law 🔑189, 192

Where errors contributed to success of prosecution in obtaining second-degree murder conviction in state court and could have had no effect on prosecution's lack of success in obtaining first-degree murder conviction, all legitimate interests served by permitting reprosecution following reversal or successful collateral attack upon conviction were satisfied by restricting reprosecution to second-degree murder charge.

10. Constitutional Law 🔑251

In applying fundamental fairness standard, courts are required to re-evaluate prior interpretations of due process clause in light of changing concepts as to minimum standards of fairness. U.S.C.A. Const. Amends. 5, 14.

11. Constitutional Law 🔑260
Criminal Law 🔑162

To extent that sections of New York Code of Criminal Procedure authorize reprosecution of defendant for first-degree murder following completion of first trial at which he was convicted of second-degree murder, they are inconsistent with due process clause of Fourteenth Amendment to United States Constitution. Code Cr. Proc. N.Y. §§ 464, 544; Penal Law N.Y. § 32; U.S.C.A. Const. Amends. 5, 14.

12. Constitutional Law 🔑260

Neither first reprosecution of accused for first-degree murder by state court after he had been found guilty of second-degree murder, nor fact that it resulted in conviction for that degree of murder, nor fact that conviction was successfully appealed by accused removed constitutional restrictions against reprosecuting him for first-degree murder following completion of first trial. U.S.C.A. Const. Amends. 5, 14.

13. Criminal Law 🔑193

Where defendant was convicted of second-degree murder, conviction was reversed, he was convicted of first-degree murder and that conviction was successfully appealed, state was forbidden by constitution from prosecuting defendant again for first-degree murder for same crime. U.S.C.A. Const. Amends. 5, 14.

14. Habeas Corpus 🔑31

Issue of double jeopardy can be raised by habeas corpus proceeding.

15. Constitutional Law 🔑260

In view of fact that state was constitutionally forbidden to prosecute accused for first-degree murder following completion of first trial at which he had been convicted of second-degree murder and there was reasonable possibility that conduct of third trial and deliberations of jury were affected by fact that third trial had been for first-degree murder, accused, who was convicted of second-degree murder at third trial, was being held in custody in violation of due process. U.S.C.A. Const. Amends. 5, 14.

16. Constitutional Law 🔑260

In determining whether accused was denied due process in reprosecution in state court question was not whether he had been actually prejudiced, but whether there was reasonable possibility that he had been prejudiced. U.S.C.A. Const. Amends. 5, 14.

17. Habeas Corpus 🔑113(12)

Where District Court did not call for or examine transcript of trial and did not conduct evidentiary hearing in habeas corpus proceeding or engage in any other factual inquiries, there was no basis for deferring to declaration of District Court that it appeared that procedure complained of had not resulted in any hardship to relator, even if considered a finding.

18. Habeas Corpus 🔑113(13)

Where accused was improperly charged with first-degree murder after obtaining reversal of conviction for second-degree murder and prosecution focused on obtaining conviction of first-degree murder, there was no rational basis for concluding that it was not reasonably possible that accused had been prejudiced by the unconstitutionally broad scope of prosecution and no legitimate interest would be served by remanding case to nonappellate court for finding as to whether there was reasonable possibility that conduct of trial or deliberations were affected by range of prosecution and charge. U.S.C.A. Const. Amends. 5, 14.

19. Criminal Law 🔑1165(1)

Where state violated accused's constitutional rights by reprosecuting him for first-degree murder after he had been convicted of second-degree murder and conviction had been reversed because of errors of state, New York Penal Law providing that whenever crime is distinguished into degrees, jury, if they convict prisoner, must find degree of crime of which he is guilty was not sufficient basis for excluding possibility of prejudice to accused who in subsequent trial was again convicted of second-degree murder. Penal Law N.Y. § 30; U.S.C.A. Const. Amends. 5, 14.

20. Constitutional Law 🔑260

Prosecution for first-degree murder and submission to jury of first-degree murder charge violated accused's constitutional right not to be prosecuted for first-degree murder following completion of first trial at which he had been convicted of second-degree murder for same crime. U.S.C.A. Const. Amends. 5, 14.

21. Constitutional Law 🔑257

Accused has not been afforded due process of law when his federal constitutional rights have been violated and conduct which violated his constitutional rights created reasonable possibility of prejudicing him. U.S.C.A. Const. Amends. 5, 14.

22. Constitutional Law 🔑82

Individual's federal constitutional rights are among those that are most fundamental.

23. Courts 🔑282(1)

Federal court is able to vindicate and protect individual's federal constitutional rights.

24. Constitutional Law 🔑260

Concept of due process of law embodied in Fourteenth Amendment not only imposes substantive limitations on power of states to reprosecute individual for same crime, it also entitles accused, as condition of depriving him of his liberty, to a trial where there is no reasonable possibility that violation of his constitutional rights has worked to his prejudice. U.S.C.A. Const. Amends. 5, 14.

Ernest J. Brown, Cambridge, Mass., for realtor-appellant.

Michael H. Rauch, Deputy Asst. Atty. Gen. (Louis J. Lefkowitz, Atty. Gen., of New York, on the brief), (Samuel A. Hirshowitz, First Asst. Atty. Gen., Mortimer Sattler, Asst. Atty. Gen., and Brenda Soloff, Deputy Asst. Atty. Gen., of counsel), for respondent-appellee.

Before Smith and Marshall, Circuit Judges, and Metzner, District Judge.*

Marshall, Circuit Judge.

George Hetenyi is presently imprisoned in Attica, New York, by the State of New York under a sentence of from forty years to life that was imposed after a jury found him guilty of murder in the second degree. He applied to the United States District Court for the Western District of New York for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, claiming that he is being held in custody in violation of the federal Constitution. The District Court denied his application on the merits, and this is an appeal from that order. We reverse.

On or about April 22, 1949 Hetenyi's wife was shot to death. Approximately one month later, on May 19, 1949, Hetenyi was indicted by the Grand Jury of Monroe County, New York, for murder in the first degree, and he was thrice tried on this same indictment.[1] At all three trials the evidence supporting the charge was circumstantial.

The first trial took place during December 1949 in the Monroe County Court. The trial judge gave the jury the alternatives of finding Hetenyi guilty of first degree murder,[2] guilty of second degree murder,[3] guilty of first degree manslaughter [4] or not guilty. *The jury returned a verdict of guilty of second degree murder, and in January 1950* Hetenyi received a sentence of from fifty years to life. He appealed to the Appellate Division, Fourth Department, and that court unanimously reversed the judgment of conviction and granted a new trial. 277 App. Div. 310, 98 N.Y.S. 2d 990 (1950). The Appellate Division noted "that the verdict is supported by sufficient evidence," yet it found error affecting "the substantial rights of the defendant" in the charge relating to venue, in the admission of certain evidence, and in certain comments by the District Attorney on some of this evidence. Specifically, reversible error was found in the trial court's refusal to charge the jury, as requested by defendant, "that they must find as a fact in this case that this killing occurred in the County of Monroe before they can find a conviction," in the trial court's charge that "it makes no difference as to where those shots [killing his wife] were fired," and in charging that finding her body "within the confines of the County of Monroe, is sufficient as a presumption of law that the shots were fired in the County of Monroe * * *" The Appellate Division also held that the trial judge had committed reversible error by admitting into evidence a leather holster found near the place where the body of the deceased was discovered and by allowing the District Attorney to argue in his summation that the holster belonged to defendant and "that without question it includes the gun." There was no direct evidence that this holster was the one claimed to have been seen in Hetenyi's car some months prior or that Hetenyi ever owned a gun. Hetenyi also sought reversal because the prosecution had used an article in a magazine relating to the paraffin nitrate test. At the trial, the subject of the test was brought up by the District Attorney on direct examination of a police officer; on cross-examination, Hetenyi's counsel read from a textbook on the subject; and on re-direct the article from the magazine was read, apparently to contradict the textbook. The Appellate Division concluded that since "[n]o such test was made of defendant's hands," "the whole matter was irrelevant and incompetent" and "[i]t was error to permit the reading of either the text-book or the article." It was on the basis of all of these errors, held to affect "defendant's substantial rights," that the Appellate Division reversed and ordered a new trial. The State appealed from this reversal but the order of the Appellate Division was unanimously affirmed by the Court of Appeals of New York without opinion. 301 N.Y. 757, 95 N.E.2d 819 (1950).

Following this reversal, the same District Attorney proceeded to try Hetenyi *for the second time under the same indictment charging first degree murder. The trial took place in April and May of 1951 in the Monroe County Court. The jury returned a verdict of guilty of murder in the first degree and Hetenyi* was sentenced to be executed. Hetenyi appealed directly to the Court of Appeals, and a closely-divided court reversed the judgment of conviction and ordered a new trial. 304 N.Y. 80, 106 N.E.2d 20 (1952). The Court of Appeals held that there was no error in charging the jury that the place of the killing need not be proved beyond a reasonable doubt. The Court also held that the admission into evidence of the holster introduced into evidence in the first trial was not "a material error" requiring reversal because the District Attorney's statement that was found so objectionable in the appeal from the first trial was lacking, and the trial judge had instructed the jury that even if they believed that this holster was the one previously seen in Hetenyi's car, "they may not draw from that the inference that he possessed the gun which it accommodated." However, the Court found that certain other conduct of the District Attorney had deprived Hetenyi of a fair trial and on the basis of those errors reversed. The Court viewed the "District Attorney's repeated accentuation of the defendant's failure to testify" as sufficient to make the trial unfair; and it held that the District Attorney's attack on Hetenyi's character in which the changes in Hetenyi's religious affiliations were emphasized and Hetenyi was accused of being a "renegade," "a man to whom religion is a fraud, who engages in it purely and simply for selfish reasons," violated a "rule of fundamental fairness in the protection of the individual against unjust prosecution." A new trial was ordered.

Hetenyi was then tried for the third time. This third trial took place in March, 1953 in the Onondaga County Court, as Hetenyi had obtained a change in venue. Once again he was tried upon the same 1949 indictment charging him with first degree murder; and as was done in the other two trials, the trial judge gave the jury the alternatives of returning a verdict of guilty of first degree murder, guilty of second degree murder, guilty of first degree manslaughter, or not guilty. The jury returned a *verdict of guilty of second degree murder,* and Hetenyi was sentenced to prison for forty years to life. He appealed to the Appellate Division, Fourth Department, and that court affirmed the judgment in a *per curiam opinion.* 282 App. Div. 1008, 125 N.Y.S.2d 689 (1953). The Appellate Division noted that the verdict "is amply supported by the evidence" and that "[t]hroughout the trial the Court exercised extreme care in protecting the rights of the defendant," and concluded that the record "contains no errors which so adversely affect the substantial rights of the defendant as to warrant reversal of the judgment and a new trial." Leave to appeal to the New York Court of Appeals was denied.

Hetenyi is presently being held in custody pursuant to a warrant of commitment issued by the Onondaga County Court upon this judgment of conviction. *He claims that it was unconstitutional for the State to prosecute him for first degree murder subsequent to the first trial, and that the prosecution for first degree murder so tainted the third trial as to render it constitutionally inadequate.*

This is not the first instance that Hetenyi claimed his detention is unlawful. Hetenyi sought a writ of habeas corpus from the New York courts, but the court of general jurisdiction dismissed the writ and this dismissal was affirmed by the Appellate Division, Third Department, 10 A.D. 2d 121, 198 N.Y.S. 2d 18, reargument denied, 12 A.D. 2d 574, 209 N.Y.S. 2d 287 (1960), leave to appeal denied, 8 N.Y. 2d 706, 202 N.Y.S. 2d 1025, 168 N.E. 2d 395, appeal dismissed, 8 N.Y. 2d 913, 204 N.Y.S. 2d 158. The Appellate Division found Hetenyi's claim to be without merit under the state and federal Constitutions, and added "one last point not raised by the briefs": the relator at neither his second nor his third trial raised the question of double jeopardy or entered such a plea and therefore he "waived his right to the defense of double jeopardy" under both federal and state constitutional standards. Without attempting to assess the sufficiency of the Appellate Division's conclusion, it should be noted that the factual premise appears incorrect. The petition in the present proceeding alleges that in both the second and third trials Hetenyi entered a plea of *autrefois acquit*. Respondent did not put that allegation into controversy below, and quite understandably the District Court did not make any finding as to its truth. We are nevertheless prepared to view the allegation as true, and thus to reject all factual basis for the waiver argument. In the course of argument before this Court, relator's counsel supported the allegation by reference to the trial transcript of the third trial, he explained that reargument was sought from the Appellate Division in order to correct its factual inaccuracy, and he suggested that reargument was denied by the Appellate Division not because there was no factual error, but because the waiver argument resting on this factual inaccuracy was offered only as an alternative ground for affirming the order dismissing the writ. Respondent did not take issue with this offer of proof and explanation. We thus have no reason to disbelieve the allegation in the present habeas petition that the plea of *autrefois acquit* was entered but disallowed in the second and third trials.

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*Sitting by designation.

[1] The indictment read:

"The Grand Jury of the County of Monroe by this Indictment accuse the Defendant, George Hetenyi, of the crime of Murder in the First Degree, in violation of § 1044, Subdivision 1 of the Penal Law of New York, McKinney's Consol Laws, c. 40, committed as follows:

"The Defendant, on or about April 22, 1949, in the County of Monroe, State of New York, willfully, feloniously, and from a deliberate and premeditated design to effect the death of Jean Gareis Hetenyi, killed the said Jean Gareis Hetenyi by shooting her twice in the body with a firearm, thereby inflicting injuries which resulted in and caused her death."

[2] N.Y. Penal Law § 1044. "Murder in first degree defined

"The killing of a human being, unless it is excusable or justifiable, is murder in the first degree, when committed * * * from a deliberate and premeditated design to effect the death of the person killed, or of another * * *."

[3] N.Y. Penal Law § 1046. "Murder in second degree defined

"Such killing of a human being is murder in the second degree, when committed with a design to effect the death of the person killed, or of another, but without deliberation and premeditation."

[4] N.Y. Penal Code § 1050. "Manslaughter in first degree

"Such homicide is manslaughter in the first degree, when committed without a design to effect death * * * in the heat of passion, but in a cruel and unusual manner, or by means of a dangerous weapon."

Nor is this the first instance in which Hetenyi presented his constitutional claim to a federal court. After his application for the state habeas writ was dismissed, Hetenyi applied to a federal district court for a writ, though this time his claim was formulated solely on the basis of the federal Constitution. On January 4, 1963 the District Court denied the application without prejudice and without reaching the merits. Darr v. Burford, 339 U.S. 200, 70 S.Ct. 587, 94 L.Ed. 761 (1950), was held controlling and the habeas application was denied because Hetenyi had failed to file a petition for a writ of certiorari in the United States Supreme Court seeking review of the denial of his previous habeas application in the state courts. The District Court denied Hetenyi's application for a certificate of probable cause and Hetenyi applied to this Court for a certificate. This Court denied that certificate on May 8, 1963, even though Fay v. Noia, 372 U.S. 391, 83 S.Ct. 822, 9 L.Ed. 2d 837 (1963) overruled Darr v. Burford some two months earlier and thus removed the procedural obstacle that had prevented the District Court from reaching the merits. Following this Court's denial of the certificate of probable cause, Hetenyi petitioned the Supreme Court for a writ of certiorari. On January 6, 1964 that petition was denied, with Mr. Justice Douglas noting that he was "of the opinion that certiorari should be granted." 375 U.S. 980, 84 S.Ct. 495, 11 L.Ed. 2d 426.

Hetenyi persisted and renewed his application to a federal district court for the writ of habeas corpus. That court—at last—turned to the merits, but denied the application without a hearing[5] and unjustifiably refused to grant a certificate of probable cause. We granted the certificate and Hetenyi's constitutional claim is now before us.

I

[1–3] The Due Process Clause of the Fourteenth Amendment imposes *some* limitations on a state's power to reprosecute an individual for the same crime. Abhorrence to successive reprosecutions is deeply rooted in our common law traditions, and the Bill of Rights' curb on the power of the federal government to reprosecute is ample recognition of how central this abhorrence is to our constitutional concept of justice. Similar limitations have been placed on each of the states by their own constitutions and laws,[6] and this reveals a societal understanding that certain reprosecutions by a state are incompatible with due process of law. To hold, as we do, that the Due Process Clause of the Fourteenth Amendment imposes some restrictions on a state's power to reprosecute, thereby spanning the gap between the Fifth Amendment's double jeopardy prohibition and a similar prohibition derived from state laws, is to preserve this societal understanding and to read the Fourteenth Amendment as entrusting the federal courts with a responsibility and power to decide which reprosecutions by a state violate our basic notions of justice.

[4] The Supreme Court has not, to this day, invalidated any conviction obtained in the state courts on the ground that the state has transgressed the federal constitutional limitations of its power to reprosecute an individual for the same crime. Yet authority for our initial proposition that some such limits do exist can be derived, first, from the premises and presumptions revealed in those Supreme Court cases in which a double jeopardy claim was interposed against a state, and, secondly, from the doctrine of selective incorporation, supported by a majority of the present Supreme Court, according to which certain guarantees of the Bill of Rights, those that are fundamental, are absorbed by the Due Process Clause of the Fourteenth Amendment and are thus made applicable to the states.

In 1902 Mr. Justice Harlan writing for the Court in Dreyer v. State of Illinois, 187 U.S. 71, 85–86, 23 S.Ct. 28, 47 L.Ed. 79, considered it an open question whether the Due Process Clause of the Fourteenth Amendment imposed any restrictions on the power of a state to reprosecute. In that case it was claimed that Illinois had transgressed those restrictions by reprosecuting the complainant after the first jury, having failed to agree, was discharged. The Court held that even under Fifth Amendment standards, as established by United States v. Perez, 22 U.S. (9 Wheat.) 579, 6 L.Ed. 165 (1824), the claim of double jeopardy was ill founded, and that therefore it could "pass this important question [of whether the Due Process Clause of the Fourteenth Amendment curbed the power of the states to reprosecute] without any consideration of it upon its merits." This same question was similarly avoided in a like fashion in another case involving a reprosecution by a state following a hung-jury, Keerl v. State of Montana, 213 U.S. 135, 138, 29 S.Ct. 469, 53 L.Ed. 734 (1909); and perhaps Mr. Justice Harlan's opinion in Shoener v. State of Pennsylvania, 207 U.S. 188, 195–196 (1907) (trial on second indictment after first indictment dismissed on appeal as not charging a crime), could be read as employing the same technique of avoidance, although in Shoener it was necessary to determine as an original proposition that the Fifth Amendment standard was not violated, that the second prosecution did not place the complainant in double jeopardy, before it could "avoid" the question of whether any state reprosecutions would violate the Due Process Clause of the Fourteenth Amendment.[7]

The next important step occurred in 1937 in *Palko* v. *State of Connecticut*, 302 U.S. 319, 58 S. Ct. 149, 82 L.Ed. 288. The mode of analysis employed by Mr. Justice Harlan in Dreyer v. State of Illinois, which enabled that Court to avoid the question whether the Due Process Clause of the Fourteenth Amendment had any double jeopardy content, was unavailable to the Court in Palko, see 302 U.S. at 322–323, 58 S.Ct. 149, 150. The complainant in Palko challenged the power of a state to appeal from a judgment of conviction for a lesser degree of homicide than that charged in the indictment and to reprosecute him for the greater degree upon obtaining a reversal. Mr. Justice Cardozo read Kepner v. United States, 195 U.S. 100, 24 S.Ct. 797, 49 L.Ed. 114 (1904), as holding that such reprosecution would fall within the pale "of the prohibition of double jeopardy in federal prosecutions" and he "assumed for the purpose of the case at hand" that Kepner was still good law. Thus unable to employ the technique of avoidance fashioned in Dreyer v. State of Illinois, he sought to avoid the broader question of whether the Due Process Clause of the Fourteenth Amendment imposed any restrictions on a state's power to reprosecute an individual for the same crime by delineating the narrower question whether this particular "kind of double jeopardy" exceeded the limits imposed upon the states by the Due Process Clause of the Fourteenth Amendment. 302 U.S. at 328, 58 S.Ct. 149. However, in dealing with this narrower question it was necessary to articulate the "rationalizing principle" of the Due Process Clause and this principle was cast in such terms as to provide the foundation for an affirmative answer to the broader question. Drawing his most immediate guidance from Twining v. State of New Jersey, 211 U.S. 78, 29 S.Ct. 14, 53 L.Ed. 97 (1908), Mr. Justice Cardozo perceived the principle in these terms: the Due Process Clause of the Fourteenth Amendment prohibited the states from enforcing their criminal laws at the cost of violating some fundamental precept of justice, of imposing a "hardship so acute and shocking that our policy will not endure it."

The next intellectual step, the realization that a reprosecution by a state, simply because it was a reprosecution, could violate a fundamental precept of justice, was of no moment, and was accomplished without formal notice. *In a series of cases commencing ten years after Palko, an assumption, certainly of the persuasion of a holding, gradually arose that the Due Process Clause of the Fourteenth Amendment did impose some restrictions on the power of a state to reprosecute an individual for the same crime.*

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[5] Unfortunately the transcripts of the three trials have not been made part of the record in this collateral proceeding. Nevertheless, in order to verify the presumptions concerning the alternatives posed to the jury in the charge, we have examined the transcript of the charge in each trial. For the first two trials we had access to the trial transcript incorporated in the records on appeal to the Appellate Division, Fourth Department and for the third trial, the Clerk of the Onondaga County Court has forwarded a certified copy of those portions of the trial transcripts containing the charge. We have pursued this extraordinary course of taking judicial notice of these public documents because further delay in reaching the merits of Hetenyi's claim would be painfully unjust and it would not serve either the interests of the accused or the State.

[6] Brock v. State of North Carolina, 344 U.S. 424, 435 nn. 5 & 6, 73 S. Ct. 349, 97 L. Ed. 456 (1953) (Vinson, C. J., dissenting); which must be updated by reference to Article I, section 9 of the Constitution of Alaska, and Article I, section 8, of the Constitution of Hawaii. See also Bartkus v. State of Illinois, 359 U.S. 121, 152–155, 79 S. Ct. 676, 3 L. Ed. 684, (1959) (Black, J., dissenting).

[7] See also McDonald v. Com. of Massachusetts, 180 U.S. 311, 313, 21 S. Ct. 389 (1901) and Graham v. State of West Virginia, 224 U.S. 616, 631, 32 S. Ct. 583, 56 L. Ed. 917 (1912), avoiding the related question of whether the Due Process Clause of the Fourteenth Amendment places any limitation on a state's power to impose multiple punishment, by relying on the fact that the multiple-offender statutes in controversy would not violate such limitations placed on the federal government by the Double Jeopardy Clause of the Fifth Amendment. However, in an earlier case, Moore v. Missouri, 159 U.S. 673, 677, 16 S. Ct. 179, 40 L. Ed. 301 (1895), the Court did not make this distinction and simply held that a multiple offender statute did not punish an individual more than once for "the first offense" but only increased the punishment on "the last offense" and hence an accused sentenced according to the statute was "not twice put in jeopardy for the same offense." Cf. Carlesi v. New York, 233 U.S. 51, 34 S. Ct. 576, 58 L. Ed. 843 (1914).

In State of Louisiana ex rel. Francis v. Resweber, 329 U.S. 459, 462–463, 67 S.Ct. 374, 375–376, 91 L.Ed. 422 (1947), the case of an unsuccessful execution, Mr. Justice Reed, writing for himself, Chief Justice Vinson, Mr. Justice Black and Mr. Justice Jackson declared that "[o]ur minds rebel against permitting the same sovereignty to punish an accused twice for the same offense," and concluded, *inter alia,* not that the Due Process Clause has no double jeopardy content, but that there is "no double jeopardy here which can be said to amount to a denial of federal due process in the proposed execution." Mr. Justice Frankfurter, concurring in the judgment to form the majority, explicitly stated that the Due Process Clause, viewed as prohibiting fundamentally unfair state procedures, had some double jeopardy content, see infra footnotes 8 and 9, while the dissenters did not concern themselves with double jeopardy, but only with the claim that a second attempt to execute the prisoner would be a cruel and unusual punishment. Then followed Gryger v. Burke, 334 U.S. 728, 732, (1948), where a unanimous Court held, without reserving the question of whether the Due Process Clause of the Fourteenth Amendment had any double jeopardy content, that a multiple offender statute does not subject "petitioner to double jeopardy," since the sentence as a multiple offender is not "viewed as either a new jeopardy or additional penalty for the earlier crimes." See supra footnote 7. *The Court was not unanimous in Brock v. State of North Carolina, 344 U.S. 424, 73 S.Ct. 349 (1953)*, yet the differences between the Justices arose not so much from the general proposition that the Due Process Clause places some limits on the power of a state to reprosecute, but from the application of this proposition to the particular reprosecution challenged—the state retried the petitioner after the first trial was halted and a mistrial declared because of the temporary unavailability of testimony by witnesses for the prosecution. The concurring Justice (Frankfurter, J.) and the dissenting Justices (Vinson, C. J. and Douglas, J.) openly embraced this general proposition, and although Mr. Justice Minton, writing for the Court, was less explicit, he did perceive the question presented (using the language of Palko), as whether "that kind of double jeopardy" was "a hardship so acute and shocking that our polity will not endure it." Wade v. Hunter, 336 U.S. 684, 69 S.Ct. 834, 93 L.Ed. 974 (1949), a case under the Double Jeopardy Clause of the Fifth Amendment was used to justify a negative answer to this question in Brock. Similarly in Hoag v. State of New Jersey, 356 U.S. 464, 78 S.Ct. 829, 2 L.Ed.2d 913 (1958) there was ample acknowledgment that certain state reprosecutions would be constitutionally impermissible. The petitioner was alleged to have robbed five persons on the same occasion. He was first tried and acquitted for robbing three of the victims; and the Supreme Court held that a second trial based on an indictment charging him with robbing the fourth victim was not an "impermissible use of multiple trials." Yet its premise was that some uses of multiple trials would be constitutionally impermissible, see 356 U.S. at 467–469, 78 S.Ct. at 833. See also Ciucci v. State of Illinois, 356 U.S. 571, 78 S.Ct. 839, 2 L.Ed.2d 983 (1958) (fragmented prosecution for homicide). Bartkus v. State of Illinois, 359 U.S. 121, 79 S.Ct. 676 (1959), completes this evolution, for in that case all the Justices assumed that there is some double jeopardy content to the Fourteenth Amendment. A state reprosecution following an acquittal in a federal prosecution for the same conduct, robbing a federally insured savings and loan association, was held permissible only because it was viewed as a reprosecution by another sovereignty for a crime against it. See also Abbate v. United States, 359 U.S. 187, 79 S.Ct. 666, 3 L.Ed. 2d 729 (1959). But compare Murphy v. Waterfront Commission, 378 U.S. 52, 84 S.Ct. 1594, 12 L.Ed.2d 678 (1964). The Court's opinion in Bartkus, written by Mr. Justice Frankfurter, contains abundant suggestions that if the successive prosecutions were both conducted by the same sovereignty, such as Illinois, the Due Process Clause of the Fourteenth Amendment would be violated; and Mr. Justice Frankfurter's separate concurrences in State of Louisiana ex rel. Francis v. Resweber, supra, 329 U.S. at 469 [8] 67 S.Ct. at 379 and Brock v. State of North Carolina, supra, 344 U.S. at 429 [9], 73 S.Ct. at 351, need only be recalled to confirm this interpretation. Thus Bartkus firmly establishes that the Due Process Clause of the Fourteenth Amendment does impose some restrictions on the power of a state to reprosecute an individual for the same crime, though we are told, by none other than Mr. Justice Frankfurter, that this proposition had been established more than thirty years prior: "[I]n Palko, the Court ruled that * * * at some point the cruelty of harassment by multiple prosecutions by a State would offend due process." 359 U.S. at 127, 79 S.Ct. at 680, 3 L.Ed. 684.

[5] Authority for this proposition can also be derived from the doctrine of selective incorporation, under which certain guarantees of the Bill of Rights, those that are fundamental, are absorbed by the Fourteenth Amendment and thereby made applicable to the states. This doctrine, which received its most immediate formulation in Mr. Justice Brennan's dissenting opinion in Cohen v. Hurley, 366 U.S. 117, 154, 81 S.Ct. 954, 6 L.Ed.2d 156 (1961) has been firmly adopted, at least in its broad outlines, as part of constitutional law by Pointer v. State of Texas, 33 U.S.L.Week 4306 (U.S. April 5, 1965), if not by Malloy v. Hogan, 378 U.S. 1, 10–11, 84 S.Ct. 1489, 12 L.Ed.2d 653 (1964). See also Griffin v. State of California, 85 S.Ct. 1229 (U.S. April 28, 1965); Douglas v. State of Alabama, 85 S.Ct. 1074 (U.S. April 5, 1965); Brennan, The Bill of Rights and the States, 36 N.Y.U.L.Rev. 761 (1961); Henkin, "Selective Incorporation" in the Fourteenth Amendment, 73 Yale L.J. 74 (1963). For this doctrine to lend support to the proposition that the Fourteenth Amendment imposes some restrictions on the power of the states to reprosecute, the judgment need only be made that at least the basic core of that double jeopardy guarantee can be ranked as fundamental. We have no hesitation in so holding. *The Supreme Court has not made this value judgment in the context of applying the doctrine of selective incorporation.* Yet there can be no doubt that "the idea that one trial and one punishment were enough" "was brought to this country by the earliest settlers as part of their heritage of freedom, and * * * it has been recognized here as fundamental again and again," Bartkus v. State of Illinois, supra, 359 U.S. at 153–154, 79 S.Ct. at 697 (Black, J. dissenting) and it has been declared that "the basic idea is part of our American concept of fundamental fairness," Brock v. State of North Carolina, supra, 344 U.S. at 435, 73 S.Ct. at 354 (Vinson, C. J., dissenting). See also, Ex parte Lange, 85 U.S. (18 Wall.) 163, 21 L.Ed. 872 (1874), and the majority and dissenting opinions in Green v. United States, 355 U.S. 184, 198, 78 S.Ct. 221, 2 L.Ed.2d 199 (1957). Moreover, we are led to the same conclusion by comparing the basic core of the double jeopardy provision of the Fifth Amendment to those other guarantees of the Bill of Rights already held by the Supreme Court, at least in effect, to be absorbed—the First Amendment,[10] the Fourth Amendment,[11] the Just Compensation [12] and Self-Incrimination [13] Clauses of the Fifth Amendment, the Right to Counsel [14] and Confrontation Clauses [15] of the Sixth Amendment, and the Eighth Amendment's prohibition against cruel and unusual punishments.[16] It would be indeed difficult to maintain that the basic core of the double jeopardy guarantee is not as fundamental as some of these guarantees and that therefore it should not be included in the universe of those guarantees of the Bill of Rights that are absorbed by the Fourteenth Amendment and made applicable to the states. Palko lends no support to such exclusion.

In Palko Mr. Justice Cardozo noted that certain "privileges and immunities * * * have been taken over from the earlier articles of the Federal Bill of Rights and brought within the Fourteenth Amendment by a process of absorption." He "assumed" that the procedure challenged would be impermissible under the Fifth Amendment standards [17] if it were employed by the federal government rather than a state, and yet held that the procedure did not violate the Due Process Clause of the Fourteenth Amendment. Although Palko, if its authority is presumed to be unimpaired, perhaps means that not all of the double jeopardy guarantee of the Fifth Amendment would be "absorbed" under the doctrine of selective incorporation, it does not mean that no part of the guarantee would be "absorbed," or that the basic core of the guarantee would not be "absorbed." See generally, Henkin, "Selective Incorporation" in the Fourteenth Amendment, 73 Yale L.J. 74, 80–81 (1963). Undoubtedly Mr. Justice Cardozo was much attracted by Mr. Justice Holmes' dissent in Kepner, see Mayers & Yarbrough, Bix Vexari: New Trials and Successive Prosecutions, 74 Harv.L.Rev. 1, 11–12 (1960), and it is clear that he did not regard the basic core of the double jeopardy protection threatened by the Connecticut statute. See 302 U.S. at 328, 58 S. Ct. 149.

There is a serious question as to whether the doctrine of selective incorporation permits two levels of selection—absorption of only those provisions of the Bill of Rights that are fundamental, and then absorption of only that part of the provision that is fundamental, its basic core. Many statements in recent Supreme Court decisions suggest a negative answer to that question, see Cohen v. Hurley, supra, 366 U.S. at 154, 81 S.Ct. 954

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[8] "A State may offend such a principle of justice by brutal subjection of an individual to successive retrials on a charge on which he has been acquitted."

[9] "A State falls short of its obligation when it callously subjects an individual to successive retrials on a charge on which he has been acquitted or prevents a trial from proceeding to a termination in favor of the accused merely in order to allow a prosecutor who has been incompetent or casual or even ineffective to see if he cannot do better a second time."

[10] See, e.g., New York Times Co. v. Sullivan, 376 U.S. 254, 84 S. Ct. 710, 11 L. Ed. 2d 686 (1964).

[11] Mapp v. Ohio, 367 U.S. 643, 81 S. Ct. 1684, 6 L. Ed. 2d 1081 (1961); Ker v. California, 374 U.S. 23, 83 S. Ct. 1623, 10 L. Ed., 726 (1963).

[12] See Chicago, B. & Q. R.R. Co. v. City of Chicago, 166 U.S. 226, 17 S. Ct. 581, 41 L. Ed. 979 (1897).

[13] Malloy v. Hogan, 378 U.S. 1, 84 S. Ct. 1489, 12 L. Ed. 2d 653 (1964).

[14] Gideon v. Wainwright, 372 U.S. 335, 83 S. Ct. 792, 9 L. Ed. 799 (1963).

[15] Pointer v. Texas, 85 S. Ct. 1065 (U.S. April 5, 1965).

[16] Robinson v. California, 370 U.S. 660, 82 S. Ct. 1417, 8 L. Ed. 2d 758 (1962); see Malloy v. Hogan, supra, 378 U.S. at 6 n. 6, 84 S. Ct. 1489.

[17] Kepner arose in the Philippine Islands under a statutory prohibition against double jeopardy. But the statutory prohibition and Fifth Amendment employed identical language and apparently Mr. Justice Cardozo did not perceive any difference between that statutory standard and the constitutional standard applied to "federal prosecutions."

(Brennan, J., dissenting); Malloy v. Hogan, supra, 378 U.S. at 11, 84 S.Ct. 1489; Ker v. State of California, 374 U.S. 23 (1963); Griffin v. State of California, 85 S.Ct. 1229 (U.S. April 28, 1965). It is nevertheless possible that the doctrine of selective incorporation may permit two levels of selection at least in relation to the double jeopardy provision of the Fifth Amendment. It has been suggested that certain of the restrictions emanating from this provision are, unlike many of the provisions of the Bill of Rights already absorbed, "technical ramifications," Brock v. State of North Carolina, supra, 344 U.S. at 435, 73 S.Ct. 349 (Vinson, C. J., dissenting) and that some of the cases involving that provision turn on "subtle technical controversies," id. at 428, 73 S.Ct. 349 (Frankfurter, J., concurring), "engendered by technical aspects of double jeopardy as enshrined in the Fifth Amendment," State of Louisiana ex rel. Francis v. Resweber, supra, 329 U.S. at 469, 67 S.Ct. at 379 (Frankfurter, J., concurring). Moreover, Justice Goldberg's concurrence in Pointer v. State of Texas, announcing his acceptance of the process of absorption, finds this process to be conceived in Palko—which is both consistent and suggestive of a version of the doctrine of selective incorporation which permits only the basic core of the Double Jeopardy Clause of the Fifth Amendment to be absorbed by the Fourteenth Amendment.

However, even if this version of the doctrine of selective incorporation be rejected the Supreme Court has three alternatives: (i) holding that the doctrine of selective incorporation does not reach the double jeopardy provision of the Fifth Amendment; (ii) overruling Palko; or (iii) overruling those prior decisions,[18] such as Kepner, that withheld from the federal government the power to conduct reprosecutions that have not been considered to be fundamentally unfair and hence not forbidden to the states. We find the first alternative the most unlikely, primarily because it is predicated on the value judgment that the double jeopardy guarantee of the Fifth Amendment, taken in this instance to be as wide as the provision itself, is not fundamental. Yet even if it be finally determined that the doctrine of selective incorporation does not permit two levels of selection, and further the first alternative set out above is chosen, the conclusion is, in light of Bartkus and its precursors, not that the Due Process Clause of the Fourteenth Amendment imposes no limitations on the power of the states to reprosecute, but rather that those limitations are not structured in terms of the double jeopardy provision of the Fifth Amendment. This might make a difference as to *which* reprosecutions are constitutionally forbidden to the states, but it would not impair our initial proposition that *some* reprosecutions are forbidden.

II

In attempting to formulate the standards for determining *which* state reprosecutions transgress the limitations imposed by the Due Process Clause of the Fourteenth Amendment, we envision three alternative standards:

(1) The Federal Standard. Under this standard the state reprosecution would be tested by the provision of the Fifth Amendment commanding that no person shall be "subject for the same offence to be twice put in jeopardy of life or limb." All the cases applying this clause to federal prosecutions would have the persuasion of precedent, and this inheritance would have the effect of accelerating the usual development of decisional constitutional law. Such a standard would emanate from a holding that the doctrine of selective incorporation reaches the double jeopardy provision of the Fifth Amendment, and further that this provision is absorbed intact, that the doctrine does not permit a second level of selection.

(2) The Basic Core Standard. This standard would stem from the inclusion of the double jeopardy provision of the Fifth Amendment within the doctrine of selective incorporation, with the understanding that the criteria of fundamentality would be applied once again so as to delineate the basic core of that provision; it would be this basic core that is absorbed by the Fourteenth Amendment. Under this standard the state reprosecution would be tested by the Fifth Amendment double jeopardy provision, but there would be a further need to determine, once it is decided that the reprosecution falls within the ambit of that provision, whether such restrictions are fundamental to the provision. Cases applying the provision to federal prosecutions would be of precedential value only after it has been determined that the result did not turn on a technical nuance of the provision.

(3) The Fundamental Fairness Standard. This standard has its roots in a concept of due process that is not structured by the absorption of any specifics of the Bill of Rights and thus it reflects a rejection of both versions of the doctrine of selective incorporation or finds the double jeopardy guarantee not within the reach of that doctrine. To apply this standard, the question is asked whether the state reprosecution challenged is fundamentally unfair and the cases applying the Fifth Amendment to federal prosecutions are not binding, although they, like those cases applying double jeopardy provisions derived from state law, are entitled to weighty consideration.

[6] We find it both undesirable and unnecessary to choose among these alternative standards. This opinion is being written at a moment when this dimension of constitutional law is being reconsidered and refashioned by the Supreme Court and therefore the only advantage to be found from choosing among the standards—guidance for other lower courts—would not be forthcoming, or at the most it would be transitory. Moreover, choosing among the standards would be somewhat pretentious. Choosing would require us to engage in a debate that has sharply divided the Supreme Court, it might involve an implicit if not an explicit overruling of venerable Supreme Court decisions, and it is unnecessary for us to choose among the standards in order to decide the instant case. Under any of the three alternative standards, the conclusion is unavoidable that New York transgressed the federal constitutional limitations on its power to reprosecute an individual for the same crime. The reprosecution of Hetenyi for first degree murder following the completion of the first trial, in which he was prosecuted for first degree murder and the jury returned a verdict of guilty of second degree murder, constitutes such a transgression under any of the three standards.

Green v. United States, 355 U.S. 184, 78 S. Ct. 221, 2 L. Ed. 2d 199 (1957), is decisive on this issue under the federal standard, and it goes a long way toward deciding the issue under the basic core standard. The factual pattern of Green, in its most essential aspects, is identical with that of the instant case, save that it involved reprosecutions by the District of Columbia, thereby making the Fifth Amendment directly applicable. The petitioner in Green was first tried under an indictment charging him with arson and first degree murder. The jury found him guilty of arson and of second degree murder; and he successfully appealed the second degree murder conviction. The Government then reprosecuted him for first degree murder and the Supreme Court held that such a reprosecution violated the double jeopardy provision of the Fifth Amendment. Thus under the federal standard, Green is ample viable precedent in support of Hetenyi's constitutional challenge to the successive reprosecutions for first degree murder. It also appears to be of equal force under the basic core standard, for Green involved more than a "subtle technical controversy" and the decision rested on that aspect of the Fifth Amendment double jeopardy provision that must be ranked as fundamental. This can be gleaned from the tenor and the text of the Court's opinion (see e.g., the concluding paragraph, 355 U.S. at 198, 78 S. Ct. 221, 2 L. Ed. 2d 199), even after some account is taken of the fact that the Justices were closely divided. It can also be supported by the same factors that will be considered in applying the fundamental fairness standard.

Our application of the fundamental fairness standard commences with a disclaimer. We are not proceeding on the factual assumption that when the jury at the first trial returned a verdict of guilty of murder in the second degree it also (impliedly) returned a verdict of not guilty of murder in the first degree. We start from the view that the jury's silence on the first degree murder charge simply meant that the state had tried but failed to obtain a conviction on the first degree murder charge, and we recognize that there are several possible explanations for this failure: (a) An acquittal on the first degree murder charge—the jury unanimously believed that the prosecution had failed to prove beyond a reasonable doubt that Hetenyi killed his wife with a premeditated and deliberate design (although, as seen from the guilty verdict on the second degree murder charge, they believed that the prosecution had proved beyond a reasonable doubt that he intentionally committed the homicide). (b) A failure to agree on the first degree murder charge—the jury could not reach any unanimous judgment as to whether or not the prosecution had proved beyond a reasonable doubt that Hetenyi killed his wife with a premeditated and deliberate design (although they could reach a unanimous judgment on the second degree charge and chose the alternative they all agreed upon). (c) An expression of sympathy—the jury unanimously believed that the prosecution had proved beyond a reasonable doubt that Hetenyi killed his wife with a premeditated and deliberate design, but chose to render a guilty verdict on the second degree murder charge rather than the first degree murder charge because they all "felt sorry for him" or thought the penalties for the greater degree would be "too severe." (d) A nonrational choice—for example, the jury did not understand the difference between the various degrees of homicide or the jury made a choice between the various degrees on the basis of some method of random selection.

There is no way of conclusively deciding now, as a factual matter, which of the above alternatives explains the jury's silence. Certainly, the first alternative set out above—that the silence implied an acquittal—is at least a reasonable possibility. Cf. Green v. United States, supra, 355 U.S. at 190–191, 78 S.Ct. 221. An inconsistency between acquitting him of first degree murder and convicting him of second degree murder might suggest that the silence could be explained as an expression of sympathy or a nonrational choice, see Mayers & Yarbrough, Bis Vexari: New Trials and Successive Prosecutions, 74 Harv.L.Rev. 1, 24 (1960), but there is no inconsistency here. Also the jury was charged[19] not to "reduce the crime charged to a lower degree simply for the purpose of avoiding the performance of an unpleasant duty" and it was charged in such a manner that would make it superfluous for it to add to its verdict finding Hetenyi guilty of second degree murder the words "And we also find him not guilty of first degree murder." *However, although there is a reasonable possibility* that the first jury's silence on the greater charge was due to its unanimous belief that the prosecution failed to prove that charge beyond a reasonable doubt, this is not the only possibility. The silence permits only one certainty—the state had tried but failed to obtain a conviction for that first degree murder. Starting from this basic datum we conclude that in these circumstances a reprosecution for first degree murder is fundamentally unfair.

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[18] E.g., compare Brock v. State of North Carolina, 344 U.S. 424, 73 S.Ct. 349, 97 L.Ed. 45 (1953) with Downum v. United States, 372 U.S. 734, 83 S.Ct. 1033, 10 L.Ed.2d 100 (1963) and Gori v. United States, 367 U.S. 364, 81 S.Ct. 1523, 6 L.Ed.2d 901 (1961).

[7, 8] Even viewing the four alternative explanations of the jury's silence set out above as equal possibilities, we are of the opinion that it was fundamentally unjust to reprosecute Hetenyi for first degree murder after the completion of the first trial. Such a reprosecution was cruel and inhuman, imposing on the accused a "hardship so acute and shocking that our policy will not endure it" (Palko v. State of Connecticut, 302 U.S. at 328, 58 S.Ct. 149, 153, 82 L.Ed. 288), and we make this judgment with full realization that the "standard of fairness and justice" to be applied are not "merely personal standards but the impersonal standards of society which alone judges, as the organs of Law, are empowered to enforce" (Mr. Justice Frankfurter concurring in State of Louisiana ex rel. Francis v. Resweber, supra, 329 U.S. at 470, 67 S.Ct. 374, 379). The insecurity and anxiety, the opportunity of harassment, and the marginal increase in the probability of convicting the accused of a crime he did not commit by simply trying him again form the basis of our fear and abhorrence of reprosecutions. These evils are all presented by a reprosecution for first degree murder following the jury's silence on that charge. Their presence does not hinge upon whether this silence factually meant that Hetenyi had been acquited of the charge in contrast to the uncontroverted fact that the state failed to convict Hetenyi of that charge. Cf. Ex parte Lange, supra, 85 U.S. at 169, 21 L.Sd. 872; United States v. Ball, 163 U.S. 662, 669 (1896); Kepner v. United States, supra, 195 U.S. at 130, 24 S.Ct. 797, 49 L.Ed. 114; Green v. United States, supra, 355 U.S at 187, 78 S.Ct. 221; Fong Foo v. United States, 369 U.S. 141, 82 S.Ct. 671 (1962); Downum v. United States, 372 U.S. 734, 83 S.Ct. 1033, 10 L.Ed.2d 100 (1963). There are, at least under the fundamental fairness standard, certain circumstances in which the legitimate societal interest justify a reprosecution, even though it may impose these hardships on the accused, but we are unable to find any such interest in the instant case. In fact, what New York offers as the justification for such reprosecutions turns out to be an additional evil contributing, quite materially, to the fundamental unfairness—that the reprosecution for first degree murder was conditioned upon the accused *successfully* appealing from the second degree murder conviction.[20]

Prior to 1881 the courts of New York held that if an accused was tried for a greater degree of a crime and the jury returned a verdict for a lesser degree and was silent on the greater degree, as it usually is, the State could not reprosecute the accused for the greater degree (regardless of whether the accused successfully appealed his conviction for the lesser degree). Guenther v. People, 24 N.Y. 100 (1861); People v. Dowling, 84 N.Y. 478 (1881). This was ample recognition of the unfairness and injustice of a reprosecution for the greater charge. However, in 1881 the Legislature of New York enacted sections 464[21] and 544[22] of the Code of Criminal Procedure, which provide that granting a "new trial places the parties in the same position as if no trial had been had" and the new trial "shall proceed in all respects as if no trial had been had." These sections were interpreted as authorizing reprosecution on the greater degree charged if the conviction on the lesser degree is reversed, and it was also held that such reprosecutions were not forbidden by the state constitutional guarantee against double jeopardy, People v. Palmer, 109 N.Y. 413, 17 N.E. 213 (1888); see also, People v. McGrath, 202 N.Y. 445, 96 N.E. 92 (1911); People v. Ercole, 4 N.Y.2d 617, 152 N.E.2d 77, 176 N.Y.S.2d 649 (1958). Yet it remained the law of New York that if the conviction on the lesser charge was left standing, either because no appeal was taken or the appeal was not successful, a reprosecution for the greater charge, upon which the jury was silent, would be impermissible. In that instance the jury's silence on the greater charge would be "equivalent to a verdict of not guilty" of that charge, People v. McCarthy, 110 N.Y. 309, 314, 18 N.E. 128, 129 (1888); N.Y. Penal Law § 32.[23] Hence, New York conditions the power of the state to reprosecute upon a successful appeal by *the accused from the conviction for lesser* charge, or, to look at it from the view of the accused, under New York law, his right to appeal from a conviction for the lesser degree can only be exercised at the risk of being reprosecuted for the greater charge as well as the lesser charge if the appeal is successful, even though the state had once failed to obtain a conviction on the greater charge. This places the accused in a dilemma which was described by the Supreme Court in Green v. United States, supra, 355 U.S. at 193, 78 S.Ct. 221, as "incredible," and which is, to be sure, no less incredible because it was devised by New York rather than the federal government. By placing this unconscionable premium upon a successful appeal by an accused, a vital societal interest is threatened—assuring that liberty shall not be deprived without a trial free from legal error prejudicing the accused's substantial rights. Compare Stroud v. United States, 251 U.S. 15, 40 S.Ct. 50, 64 L. Ed. 103 (1919); People v. Henderson, 60 Cal.2d 472, 386 P.2d 677, 686 (1963); see Van Alstyne, In Gideon's Wake: Harsher Penalties and the "Successful" Criminal Appellant, 74 Yale L.J. 606, 623–636 (1965).

It is difficult to understand how the fundamental unfairness inherent in allowing a prosecutor to "do better a second time" (Mr. Justice Frankfurter, concurring in Brock v. North Carolina, supra, 344 U.S. at 429, 73 S.Ct. at 351) is mitigated by conditioning this second chance on a successful appeal by the accused. To suggest that the accused, by appealing the conviction, somehow "agreed" to subject himself to the reprosecution on the greater charge if the conviction for the lesser charge is reversed, thereby rendering such a reprosecution fair, cf. People v. Palmer, supra, is to ignore the elementary psychological realities of the situation, see, Kepner v. United States, supra, 195 U.S. at 135, 24 S.Ct. 797 (Holmes, J. dissenting), Green v. United States, supra, 355 U.S. at 192, 78 S.Ct. 221 and to presume, quite inconsistently with the evolution of our communal values, that a barter theory of fairness operates with no less force in the halls of justice than it does in the market place, see generally, Fay v. Noia, 372 U.S. 391, 83 S.Ct. 322, 9 L.Ed.2d 837 (1963). Nor do we find any merit to the suggestion, cf. People v. Ercole, supra, that the reprosecution for the greater charge following the jury's silence on the greater charge and the reversal of the conviction for the lesser charge, serves the same interest as that served by the reprosecution held to be constitutional in Palko—that the case against the accused "go on until there shall be a trial free from the corrosion of substantial legal error," 302 U.S. at 328, 58 S.Ct. at 153.

In Palko the petitioner was initially tried for first degree murder. The jury returned a verdict of guilty of second degree murder and then the state was allowed to reprosecute petitioner for first degree murder following a reversal. The state had appealed from the judgment of conviction for second degree murder and it attacked, not the conviction it had obtained, but the one it had failed to obtain—the silence of the jury on the first degree murder charge.[24] Reversal on the state's appeal meant that the state had been prejudiced by substantial legal error, or to put it another way, the state's failure to obtain a guilty verdict on the first degree murder charge was in part infected by *substantial legal error. To permit the state* to reprosecute the accused for the greater charge in these circumstances was to provide the state with an opportunity "to do a better second time" only because it had been prejudiced by substantial legal error the first time, not because it simply failed to succeed the first time. The Supreme Court in Palko thought that this could hardly be classified as fundamentally unfair.

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[19] The judge in the first trial charged the jury in part:

"In other words, if you are satisfied beyond a reasonable doubt, based upon all of the evidence in this case, of the defendant's guilt of the crime charged, namely, murder in the first degree, you should not, under those circumstances, reduce the crime as charged to a lower degree simply for the purpose of avoiding the performance of an unpleasant duty.

"I charge you that when it appears from the evidence that a reasonable ground of doubt in which of two or more degrees he is guilty he can be convicted of the lower degree only * * *

"Your verdict in this case may be in one of the four forms: first, Guilty of Murder in the First Degree; second, Guilty of Murder in the Second Degree; third, Guilty of Manslaughter in the First Degree: fourth, Not Guilty." (Recond on Appeal to the Appellate Division, Fourth Department, pp. 595–603.)

[20] The possible explanations for the jury's silence on the homicide charge that was less in degree than that for which a conviction was obtained are quite different than the possible explanations for its silence on the charge that was greater in degree than that for which a conviction was obtained, see supra, p. 856. While the silence on the greater degree could be described as a failure to obtain a conviction, this description of the silence on the lesser charge (first degree manslaughter) would be entirely inappropriate; the conviction (for second degree murder) obtained made a conviction for a lesser degree of homicide entirely superfluous. The punishment for the first degree manslaughter is no greater than that for second degree murder; and the elements of the latter crime includes, under the facts of this case, all those of the former. It would not be cruel or inhumane to subject the accused to reprosecution for first degree manslaughter if the State could, in the same circumstances, reprosecute him for a greater degree of homicide (second degree murder); and the risk of being reprosecuted for a charge that was lesser in degree than that for which a conviction was obtained would not put an unconscionable premium on successfully appealing the conviction.

[21] N.Y. Code of Criminal Procedure § 464. "Effect of granting new trial

"The granting of a new trial places the parties in the same position as if no trial had been had. All the testimony must be produced anew; and the former verdict cannot be used or referred to, either in evidence or in argument."

[22] N.Y. Code of Criminal Procedure § 544. "New trial"

"When a new trial is ordered, it shall proceed in all respects as if no trial had been had."

[23] N.Y. Penal Law § 32. "Acquittal or conviction bars indictment for another degree.

"Where a prisoner is acquitted or convicted, upon an indictment for a crime consisting of different degrees, he cannot thereafter be indicted or tried for the same crime, in any other degree, nor for an attempt to commit the crime so charged, or any degree thereof."

In contrast to Palko, in the instant case the state did not appeal and the accused's appeal was, of course, not based on a view that the failure of the state to obtain a conviction for first degree murder was infected by substantial legal error, but rather that the conviction the state had obtained was so infected. The success of Hetenyi's appeal meant that he was prejudiced by substantial legal errors, and there is no basis for supposing that these errors—somehow—corroded the substantial rights of the prosecution and contributed to its failure to obtain a conviction on the first degree murder charge. See supra pp. 846–847. The errors perceived could have only contributed to the success of the prosecution in obtaining a second degree murder conviction, not to the failure of the state to obtain a verdict of guilty of murder in the first degree. To permit the state to reprosecute the accused for the greater charge in these circumstances is to provide the prosecution with an opportunity "to do better a second time," not because it had been prejudiced by substantial legal error the first time, but because the accused had been prejudiced by substantial legal errors and because these errors had been perceived on appeal.

[9] Where, as here, the errors perceived on appeal contributed to the success of the prosecution in obtaining the second degree murder conviction, and could have had no effect on the prosecution's lack of success in failing to obtain a first degree murder conviction, all legitimate interests served by permitting a reprosecution following a reversal of (see United States v. Ball, 163 U.S. 662, 16 S.Ct. 1192, 41 L.Ed. 300 (1896)) or a successful collateral attack upon (see United States v. Tateo, 377 U.S. 463, 84 S.Ct. 1587, 12 L.Ed.2d 448 (1964)) a conviction are satisfied by restricting the reprosecution to the second degree murder charge—the only one the jury found him guilty of on the first trial. By permitting reprosecution on the lesser charge, though barring it in these circumstances on the greater charge, the accused is not, to use the language of Mr. Justice Harlan, writing for the Court in United States v. Tateo, supra, 377 U.S. at 466, 84 S.Ct. at 1589 "granted immunity from punishment because" there were defects "sufficient to constitute reversible error in the proceedings leading to the conviction"; and appellate courts will remain "as zealous as they now are in protecting against the effects of improprieties at the trial or pretrial stage," because the reversal of the conviction for the lesser degree would not "put the accused irrevocably beyond the reach of further prosecution," not any more so than if he did not appeal the conviction for the lesser charge.

Kring v. State of Missouri, 107 U.S. 221, 2 S.Ct. 443, 27 L.Ed. 506 (1882), and Brantley v. State of Georgia, 217 U.S. 284, 30 S.Ct. 514, 54 L.Ed. 768 (1910), do not lead us to a contrary conclusion, although the pattern of reprosecutions in those cases is identical *with that in the instant case. Under either* the federal standard or the basic core standard, whatever precedential value Kring and Brantley possess is vitiated by the significantly more recent case of Green v. United States, which prohibited the same pattern of reprosecutions. It is true that in footnote 15 of the Green opinion, 355 U.S. at 194, 78 S.Ct. 221, 227, the statement is made that Brantley and Kring "are not controlling here since they involved trials in state courts." But this is merely to distinguish Brantley and Kring, not to approve them. It would not be unfair to say that at *the time Green was decided, this distinction* was not particularly meaningful to Mr. Justice Black, the author of the Court's opinion in Green, or to Mr. Justice Douglas, who, the very next Term, prefaced their joint dissent in Hoag v. State of New Jersey, supra, 356 U.S. at 477, 78 S.Ct. 829, 837, 2 L.Ed.2d 913 with the statement: "Green v. United States * * *, involving a federal prosecution, provides * * * the standard for every state prosecution as well * * *." And this distinction lost, in effect, all meaningfulness when the doctrine of selective incorporation, the source of the federal and basic core standards, became firmly established as part of our constitutional law in Pointer v. Texas, some eight years after Green.

Moreover, even under the standard of fundamental fairness, we do not regard Kring or Brantley as compelling a conclusion that the state had the power to reprosecute Hetenyi for first degree murder following the conclusion of the first trial.

First, it should be noted that Kring relates to the constitutional claim in this case only by way of a dictum—a vague and conclusory dictum. Prior to 1875 Missouri followed the course similar to that followed by New York until 1881. Then Missouri, like New York, amended its Constitution to abrogate the rule that barred reprosecution for first degree murder where the individual was initially prosecuted for first degree murder, convicted of second degree murder, and he had successfully appealed this conviction. In Kring the Supreme Court did not hold that such a reprosecution satisfied the requirements of the Due Process Clause of the Fourteenth Amendment or that the clause had no double jeopardy content, a question Mr. Justice Harlan viewed as unresolved twenty years later in Dreyer v. Illinois, see supra pp. 850, 851. Instead the court held that the *ex post facto* clause of the federal Constitution prohibited the new procedure from being followed where the crime was alleged to have been commited before the amendment to the Missouri Constitution. It was as a prelude to sustaining this *ex post facto* claim that Mr. Justice Miller declared, without the slightest analysis or elaboration, "There is no question of the right of the state of Missouri, either by her fundamental law or by an ordinary act of legislation, to abolish this rule, and that it is a valid law as to all offenses committed after its enactment," 107 U.S. at 225, 2 S.Ct. at 447.

Secondly, the significance of Brantley, which saved this pattern of reprosecution from a constitutional challenge derived from the Due Process Clause of the Fourteenth Amendment,[25] is somewhat impaired by the fact that it was decided under the regime of Trono v. United States, 199 U.S. 521, 26 S.Ct. 121, 50 L.Ed. 292 (1905), which, if not overruled, was at least reduced to a non-constitutional stature by Green v. United States. Trono involved the same pattern of prosecution, though by the Government of the Philippine Islands, and this was held to be *permissible. Trono had been handed down* only five years before Brantley, and it was the only case the State of Georgia had cited in its brief to defend its power to reprosecute for the greater charge. Moreover, as late as 1909, one year prior to Brantley the Supreme Court had employed the mode of analysis devised by Mr. Justice Harlan in Dreyer v. State of Illinois, discussed supra, pp. 850, 851 of not deciding whether the Due Process Clause of the Fourteenth Amendment imposed double jeopardy limitations on the states by holding that even under Fifth Amendment standards the claims of double *jeopardy were without merit. See Keerle v.* State of Montana, supra, 213 U.S. at 138, 29 S.Ct. 469, 53 L.Ed. 734; see also the 1912 case of Graham v. State of West Virginia, supra, 224 U.S. at 631, 32 S.Ct. at 588. Read in this context the final sentence of the short Brantley per curiam, disposing of the constitutional challenge with the words, "It was not a case of twice in jeopardy under any view of the Constitution of the United States," 217 U.S. at 285, 30 S.Ct. at 515 could be fairly interpreted to mean that since Trono would permit the Government of the Philippine Islands, and perhaps even the federal government in general, to reprosecute the accused for the greater charge in such circumstances, there would be little basis for maintaining that a state would be barred by the Fourteenth Amendment from conducting such a reprosecution. Trono thus emerges as the linchpin of Brantley. Without Trono the Supreme Court might have reached the same result. But if Trono had been decided the other way, or, to express the same idea somewhat differently, if Green rather than Trono had been the antecedent to Brantley, the result in Brantley might have been quite different, even if the fundamental fairness standard were applied to determine whether the reprosecution were constitutionally permissible. Green not only construed the Double Jeopardy Clause of the Fifth Amendment; it also perceived and articulated the unfairness in such reprosecutions.[26] The fact that our constitutional understanding is now dominated by Green rather than Trono impairs the significance of Brantley.

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[24] This is why certain commentators read Palko as permitting reprosecutions following a successful appeal by the State from an acquittal. See, e.g., Mr. Justice Frankfurter's parenthetical statement in Bartkus v. Illinois, supra, 359 U.S. at 131, 79 S.Ct. as 682. "It is worth noting that Palko sustained a first degree murder conviction returned in a second trial after an appeal by the State from an acquittal of first degree murder."

[25] The opinion in Brantley suggests, as a possible basis for distinction, that there the state reprosecution was challenged on the basis of the Fifth Amendment rather than the Due Process Clause of the Fourteenth Amendment: "This writ of error was sued out, and plaintiff in error contended that the judgment of the supreme court of Georgia was in violation of the 5th Amendment of the Constitution of the United States * * *" 217 U.S. at 285, 30 S.Ct. at 515. However, this appears to be a misstatement of the Constitutional claim (perhaps reflecting of the mode of analysis discussed in the text infra). The brief for the plaintiff-in-error clearly frames the constitutional challenge to the reprosecution in terms of the Due Process Clause of the Fourteenth Amendment, and, in fact, the brief reads: "It is not contended that the defendant is protected by * * * [the double jeopardy] clause of the Fifth Amendment * * *, for it is recognized that by a long line of decisions the first ten Amendments are not operative on the states" (pp. 2–3). Mr. Justice Frankfurter also interpreted Brantley as being "concerned [with] the Due Process Clause," Green 1. United States, supra, 355 U.S. at 213, 78 S.Ct. at 236 and presumably he meant the Fourteenth Amendment's Due Process Clause.

[26] For the educative impact of Green, see, e.g., Gomez v. Superior Court 50 Cal.2d 640, 328 P.2d 976 (1958); State v. Williams, 30 N.J. 105, 152 A.2d 9 (1959); State v. Schoel, 54 Wash.2d 388, 341 P. 2d 481 (1959); reaching a similar result under state constitutions. Contrast Blanton v. Commonwealth, 320 S.W.2d 626 (Ky.1958); State v. Thomas, 88 Ariz. 269, 356 P.2d 20 (1960). For the state law prior to Green, see generally, Annot. 61 A.L.R.2d 1141 (1958).

[10] Thirdly, and perhaps most significantly, the authority of Brantley and the Kring dictum (even if the latter be read to reach the instant double jeopardy claim) has been tarnished by the gradual but certain evolution of our constitutional understanding of justice and fairness. *Mr. Justice Frankfurter, the most eloquent and ardent contemporary advocate of the fundamental fairness standard, consistently maintained that in applying this standard the courts are permitted, nay are required, to re-evaluate prior interpretations of the Due Process Clause in light of "changing concepts as to minimum standards of fairness,"* Green v. United States, supra, 355 U.S. at 215, 78 S.Ct. at 238 (dissenting opinion); see also, e. g., Malinski v. New York, 324 U.S. 401, 414, 65 S.Ct. 781, 89 L.Ed. 1029 (1945) (concurring opinion); Louisiana ex rel. Francis v. Resweber, supra, 329 U.S. at 466–467, 67 S.Ct. 377–378; Rochin v. California, 342 U.S. 165, 72 S.Ct. 205, 96 L.Ed. 183 (1952); *and with this view there could be little dispute. What was regarded as fair in one epoch of our history as a nation may be regarded as fundamentally unfair in the next, even though the judgment is "not ad hoc and episodic but duly mindful of reconciling the needs of continuity and of change in progressive society,"* id. at 172, 72 S.Ct. at 209. Kring (1882) and Brantley (1910) reached the Supreme Court at a time when the precepts of justice emanating from the Due Process Clause of the Fourteenth Amendment were rudimentary and insensitive to outrageous imperfections in the state criminal processes. To mention but two examples, it was not until the 1930's that a state conviction was invalidated under the Due Process Clause because it rested solely "upon confessions shown to have been extorted by officers of the state by brutality and violence," Brown v. State of Mississippi, 297 U.S. 278, 279, 56 S.Ct. 461, 462, 80 L.Ed. 682 (1936), or because an accused in a capital case was denied the effective assistance of counsel, Powell v. State of Alabama, 287 U.S. 45, 53 S.Ct. 55, 77 L.Ed. 158 (1932); and it would be naive to suppose that in the seventy year period between the adoption of the Fourteenth Amendment and these decisions, no such defects existed or were complained of. Kring and Brantley arose during this lull in the Supreme Court's concern for constitutionally protected human rights, and, even if Kring and Brantley be read as declaring that this type of reprosecution is not so fundamentally unfair as to amount to a denial of due process of law, we would decline to follow them in applying the fundamental fairness standard, not merely because of their half century antiquity, but because we would not be faithful to the evolution of our societal values if we reached any other conclusion.

[11] New York was constitutionally forbidden to reprosecute Hetenyi for first degree murder following the completion of the first trial and to the extent that sections 464 and 544 of the N. Y. Code of Criminal Procedure authorize such a reprosecution, they are inconsistent with the Due Process Clause of the Fourteenth Amendment to the United States Constitution.

III

[12, 13] The judgment of conviction under which Hetenyi is presently imprisoned was entered after a third trial. In the second trial he was found guilty of first degree murder and sentenced to death, but that judgment of conviction was reversed by the New York Court of Appeals. Neither this first reprosecution for first degree murder, nor the fact that it resulted in a conviction for that degree of murder, nor the fact that the conviction was successfuly appealed by the accused removed the constitutional restrictions against reprosecuting him for first degree murder following the completion of the first trial. What was forbidden after the first trial remained so for the third trial, notwithstanding the intervention of the second trial and that appeal.

[14] If the third trial had resulted in a verdict of guilty of first degree murder and Hetenyi were presently imprisoned under that conviction, and the legality of that detention were challenged by a habeas petition, the writ would surely be granted. To deny the State the authority to reprosecute him for first degree murder is to deny it the authority of convicting him of that charge, of "succeeding" in that reprosecution. Cf. Ex parte Lange, 85 U.S. (18 Wall.) 163, 21 L.Ed. 872 (1874). We cannot find any sense to the suggestion "that the issue of double jeopardy can not be raised by a habeas corpus proceeding," Barker v. State of Ohio, 328 F.2d 582, 585, rehearing denied, 330 F.2d 594 (6 Cir. 1964). True, certain of the evils created by such reprosecutions, for example, the harassment and anxiety inflicted by the retrial itself, cannot be remedied by the habeas writ. But that would be true of any post-conviction relief, including direct appeal, which was employed by the Supreme Court in Green v. United States, to mention only one instance. This inadequacy of post-conviction relief is amply compensated by the fact that it can remedy some evils created by reprosecutions, such as the increased probability of obtaining a conviction by merely trying again, and it enables a court other than that which conducted the trial to vindicate and to protect the federal constitutional right.

[15] However, unlike the accused in Green v. United States, Hetenyi does not stand convicted of first degree murder. On the third trial, the jury found him guilty of second degree murder, and, as another jury had done on the first trial, it remained silent on the first degree murder charge. The State was not denied the authority to reprosecute him for second degree murder following the completion of the first trial, and thus there may be a conceptual difficulty in maintaining it was denied the authority to convict him of that charge. Yet we believe that Hetenyi is being held in custody in violation of the Due Process Clause of the Fourteenth Amendment to the Constitution because (1) there was a reasonable possibility that the conduct of the trial and the deliberations of the jury were affected by the fact that Hetenyi was indicted, prosecuted and charged with first degree murder and (2) the State was constitutionally forbidden to prosecute him for first degree murder following the completion of the first trial. Both the existence of this possibility of prejudice and the fact that it arises from a violation of the accused's constitutional rights render the process which resulted in his detention constitutionally inadequate, less than that which is constitutionally due.

[16] The question is not whether the accused was actually prejudiced, but whether there is *reasonable possibility* that he was prejudiced. Fahy v. State of Connecticut, 375 U.S. 85, 86–87, 84 S.Ct. 229, 11 L.Ed.2d 171 (1963) (illegally seized evidence); see also Glasser v. United States, 315 U.S. 60, 76, 62 S.Ct. 457, 86 L.Ed. 680 (1942) (denial of right to counsel); Malinski v. New York, 324 U.S. 401, 404, 65 S.Ct. 781, 89 L.Ed. 1029 (1945) (coerced confession); Payne v. State of Arkansas, 356 U.S. 560, 568, 356 U.S. 560, 2 L.Ed.2d 975 (1958) (coerced confession); Spano v. People of State of New York, 360 U.S. 315, 324, 79 S.Ct. 1202, 3 L.Ed.2d 1265 (1959) (coerced confession); cf. Lyons v. State of Oklahoma, 322 U.S. 596, 597 n. 1, 88 L.Ed. 1481, 64 S.Ct. 1208 (1944) (dictum) (coerced confession). The ends of justice would not be served by requiring a factual determination that the accused was actually prejudiced in his third trial by being prosecuted for and charged with first degree murder, nor would the ends of justice be served by insisting upon a quantitative measurement of that prejudice. The energies and resources consumed by such injury would be staggering and the attainable level of certainty most unsatisfactory. There could never be any certainty as to whether the jury was actually influenced by the unconstitutionally broad scope of the reprosecution or whether the accused's defense strategy was impaired by this scope of the charge, even if there were a most sensitive examination of the entire trial record and a more suspect and controversial inquest of the jurors still alive and available.

[17] The District Court below declared: "Being in custody for the crime of Murder in the Second Degree, * * it appears that the procedure complained of has not resulted in any hardship to relator." It is doubtful whether this declaration could be viewed as a finding that the conduct of the trial or the deliberations of the jury could not reasonably have been affected by the fact that the accused was indicted and was being prosecuted for first degree murder and that the jury was given the alternative of finding him guilty of that charge. The mere fact that the accused is in custody for second degree murder, the only reason offered by the District Court to justify its conclusion that "the procedure complained of has not resulted in any hardship to relator," is not sufficient to exclude this possibility, or to make it less than reasonable. However, even if the statement were read as such a finding, it would not be entitled to the slightest credulence. The District Court did not call for or examine the transcript of the third trial, nor conduct an evidentiary hearing, cf. Townsend v. Sain, 372 U.S. 293, 83 S.Ct. 745, 9 L.Ed.2d 770 (1963), nor engage in any other factual inquiries, and thus the usual reasons for deferring to the findings of fact of the lower court are entirely lacking.

[18] We are also of the opinion that no legitimate interest would be served by remanding the case to a non-appellate court for a finding as to whether there is a reasonable possibility that the conduct of the trial or the deliberations of the jury were affected by the range of the prosecution and charge. The question as to whether there is a reasonable possibility of prejudice has traditionally been posed and resolved by the appellate courts, as the harmless error statute (28 U.S.C. § 2111) requires, at least in non-constitutional areas; and thus in this instance the accumulated experience to be drawn upon lies with appellate rather than trial judges. Moreover, in this instance, and on the elementary facts established—that the indictment of the third trial charged first degree murder, that the prosecution focused on obtaining a conviction on that charge, and that the jury was given the alternative of finding him guilty of that charge—we hold that there would be no rational basis for concluding that it is not reasonably possible that the accused was prejudiced by the unconstitutionally broad scope of the prosecution.[27]

The sufficiency of the evidence would not by itself be such a rational basis. Fahy v. State of Connecticut, supra, 375 U.S. at 86–87, 84 S.Ct. 229. We would surely hesitate before assuming, or assigning to any other court the responsibility of determining, whether there is ample evidence to support the verdict in a criminal case, especially when that evidence linking the accused with the criminal act is entirely circumstantial. That responsibility would require examining every line of testimony and every exhibit, resolving in favor of the accused all conflicts in testimony, and drawing all the inferences urged by the accused—a task that is as subject to abuse as it is monumental. But even if that responsibility were assumed and faithfully discharged, and a court concluded that there was ample evidence to support the verdict finding Hetenyi guilty of second degree murder,[28] that court would not be justified in excluding the reasonable possibility that the accused was prejudiced by the unconstitutionally broad scope of the prosecution. The mere fact that Hetenyi *could* have—logically and legally—been convicted of second degree murder on the basis of all the evidence, does not mean that he *would* have been so convicted if he were not also charged with first degree murder. For example, it is entirely possible that without the inclusion of the first degree murder charge, the jury, reflecting a not unfamiliar desire to compromise might have returned a guilty verdict on the first degree manslaughter charge on the same evidence. There is, of course, no basis for predicting with any confidence, that this would have been the outcome of the third trial if Hetenyi had not been reprosecuted for first degree murder; but neither is there any basis for predicting, with any confidence, that this would not have been the outcome. To make this latter prediction on the basis of the sufficiency of the evidence would be to ignore reality and, in effect, to have judges make the choice entrusted to the jury.

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[27] See, by way of illustration State v. Ross, 29 Mo. 32 (1859); State v. Tweedy, 11 Iowa 350, 357–358 (1860); State v. Dennison, 31 La. Ann. 847, 849 (1879); West v. State 55 Fla. 200, 46 So. 93 (1908); People v. Gessinger, 238 Mich. 625 628–629, 214 N.W. 184 185 (1927), reaching similar results under state law. But compare Slaughter v. State, 25 Tenn. (6 Humph.) 410 (1846) and State v. Belden, 33 Wis. 120 (1873).

[19] Nor do we find section 30 of the N.Y. Penal Law to be a sufficient basis for excluding the possibility of prejudice. It provides: "Whenever a crime is distinguished into degrees, the jury, if they convict the prisoner, must find the degree of the crime of which he is guilty." Just as it is unrealistic to maintain that the first jury's silence on the first degree murder charge admits of only one possible explanation, that the jury unanimously believed the state had failed to prove all the elements of the charge beyond a reasonable doubt, see supra pp. ——, 856 it would be unrealistic to maintain that the third jury's verdict of guilty of second degree murder admits of only one explanation, that the jury unanimously believed the state failed to prove all the elements of first degree murder beyond a reasonable doubt, although it unanimously believed, without giving any consideration to the fact that the accused was also charged with first degree murder, that the state had proved the elements of second degree murder beyond a reasonable doubt. Cf. Jackson v. Denno, 378 U.S. 368, 84 S.Ct. 1774, 12 L.Ed. 908 (1964). The point is not that the other explanations are more probable, but merely that they are possible and that they are within the realm of reason rather than fantasy. Although some of the other explanations, such as the jury compromising its verdict, depend on the jury having disobeyed certain commands of state law, this does not mean that they are not reasonably possible. Nor is there any reason not to preserve the accused's opportunity to reap one of the benefits of a new trial (absent the first degree murder charge) that might only be bestowed if the next jury disobeys state law and compromises its verdict. The opportunity to obtain such a benefit is a necessary incident to the accused's right to trial by jury and it would indeed be ironical, not to mention unfair, if the accused were deprived of that opportunity because the state violated his constitutional rights by reprosecuting him in these circumstances for first degree murder.

[20–24] We are not suggesting that whenever the range of the prosecution is improperly broad or a greater charge is improperly submitted to the jury the trial is rendered constitutionally inadequate. We have no occasion to consider that more far-reaching question, for here the impropriety consisted of a violation of a federal constitutional mandate. The breadth of the prosecution and the submission to jury of the first degree murder charge were improper because they violated Hetenyi's constitutional right not to be reprosecuted for first degree murder following the completion of the first trial; his constitutional right was violated regardless of whether the reprosecution resulted in an acquittal or conviction for that crime. See supra, p. 858. The source of the impropriety does not increase the possibility of prejudice, nor does it alter the ways in which the error could work to the prejudice of the accused. See Fahy v. State of Connecticut, supra, 375 U.S. at 95, 84 S.Ct. 229 (dissenting opinion). Instead, its significance is derived from our understanding that an accused is not afforded due process of law when his federal constitutional rights have been violated and the conduct which violated his constitutional rights created a reasonable possibility of prejudicing the accused. This understanding reflects the view that an individual's federal constitutional rights are among those that are most fundamental and it enables a federal court to vindicate and protect those rights. The concept of "due process of law" embodied in the Fourteenth Amendment then not only imposes substantive limitations on the power of the states to reprosecute an individual for the same crime; it also entitles an accused, as a condition of depriving him of his liberty, to a trial where there is no reasonable possibility that violation of his constitutional rights has worked to his prejudice.

We therefore hold: I. The Due Process Clause of the Fourteenth Amendment imposes some limitations on the power of the states to reprosecute an individual for the same crime. II. New York transgressed these limitations by reprosecuting Hetenyi for first degree murder following the completion of the first trial, notwithstanding Hetenyi's successful appeal of the second degree murder conviction obtained in that trial. III. There is a reasonable possibility that Hetenyi was prejudiced in his third trial by the fact that he was indicted, prosecuted and charged with first degree murder; and both this possibility of prejudice and the fact that it was created by conduct that violated the accused's constitutional rights rendered this trial constitutionally inadequate. Hetenyi has been deprived of his liberty without due process of law, and therefore he is being held in custody in violation of the Constitution. The order below denying Hetenyi's applicaton for the writ of habeas corpus is reversed, with instructions that the writ be granted unless, within a reasonable time, New York afford Hetenyi a new trial that conforms to the principles set forth in this opinion.

Assigned counsel for relator on this appeal, Ernest J. Brown, Esq., of Cambridge, Massachusetts, represented his client with eloquency and perception, and we are indeed grateful.

Reversed.

Metzner, District Judge (dissenting):

The question presented here is whether the guarantee contained in the Fifth Amendment against double jeopardy should be absorbed by the Fourteenth Amendment so as to make it applicable to state prosecutions. If the answer be yes, then the full scope of that guarantee as interpreted by the federal courts is applicable to the states. Malloy v. Hogan, 378 U.S. 1, 10, 84 S.Ct. 1489, 12 L.Ed.2d 653 (1964).

Many state prosecutions have been challenged in the Supreme Court as volative of the guarantee against double jeopardy, but in none of these has the plea been sustained. These cases are all referred to in the majority opinion.

The leading authority on the subject is Palko 1. State of Connecticut, 302 U.S. 319, 58 S.Ct. 149, 82 L.Ed. 283 (1937). Palko presented a much stronger factual case for a determination contrary to the one reached by the Court than is presented here. *Palko had been convicted of the crime of murder in the second degree on an indictment charging murder in the first degree. A sentence of life imprisonment was imposed. After reversal Palko was retried and convicted of murder in the first degree and sentenced to death. The clear refusal by the Court to find an invasion of Palko's guarantee against double jeopardy, as provided by the Fifth Amendment, allowed the death penalty to stand.*

Hetenyi claims that he should have been retried only on a charge of second degree murder. The first retrial resulted in a verdict of guilty of murder in the first degree, but upon reversal and a second retrial he was found guilty of a second degree murder, for which crime he is now incarcerated.

It may well be that, in view of the recent decisions of the Court (Mapp v. State of Ohio, 367 U.S. 643, 81 S.Ct. 168, 6 L.Ed.2d 1081 (1961), search and seizure; Robinson v. State of California, 370 U.S. 660, 82 S.Ct. 1417, 8 L.Ed.2d 758 (1962), cruel and unusual punishment; Gideon v. Wainright, 372 U.S. 335, 83 S.Ct. 792, 9 L.Ed.2d 799 (1963), right to counsel; Malloy v. Hogan, supra, self-incrimination; Pointer v. State of Texas, 380 U.S. 400, 85 S.Ct. 1065, 13 L.Ed.2d 923 (1965), right to confrontation), either the test enunciated in Palko or the holding of constitutionality of the Connecticut statute involved therein will be overruled. *But see* the concurring opinions of Mr. Justice Harlan and Mr. Justice Goldberg in Pointer v. Texas, supra. However, the incorporation of guarantees of the Bill of Rights into the Due Process Clause of the Fourteenth Amendment at the expense of departing from several long-standing Supreme Court decisions is a step which should only be taken by that Court.

The order should be affirmed.

[In the U.S. Court of Appeals for the Second Circuit, No. 307—September Term, 1964. Argued January 21, 1965 Docket No. 29208]

United States ex rel. Theodore R. Stovall, Appellant *v.* Honorable Wilfred Denno, as Warden of Sing Sing Prison, Ossining, New York, Appellee

(Before: Moore, Friendly and Marshall, Circuit Judges)

(Appeal from an order of the District Court for the Southern District of New York, Inzer B. Wyatt, *Judge*, denying an application by a state prisoner for a writ of *habeas corpus*. Reversed.)

Leon B. Polsky (Anthony F. Marra, The Legal Aid Society, New York, N.Y.), *for Appellant*.

Henry P. DeVine, Assistant District Attorney (William Cahn, District Attorney, Nassau County), *for Appellee*.

OPINION—MARCH 31, 1965

Circuit Judge Friendly. Theodore Stovall, under sentence of death for the brutal murder of Dr. Paul Behrendt in Nassau County, N.Y., appeals from Judge Wyatt's denial of an application in the District Court for the Southern District of New York, for a writ of *habeas corpus*. The judge granted a certificate of probable cause, 28 U.S.C. § 2253, and leave to appeal *in forma pauperis*, 28 U.S.C.

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[28] On direct appeal from the judgment of conviction entered in the third trial, the Appellate Division declared, without any elaboration, that the verdict "is amply supported by the evidence," see supra, p. 848. It should be noted that under New York standards even if the evidence is sufficient to support the verdict an error could nevertheless be prejudicial and thus require reversal, see the appeal from the judgment of conviction entered on the first trial, supra, p. 847.

§ 1915(a), and reassigned the Legal Aid Society to represent Stovall on appeal, 28 U.S.C. § 1915(d).

We wish to make clear at the outset that the ground which was principally argued to us and on which we are constrained to reverse, although raised in Stovall's handwritten petition in the district court, was not argued to and consequently was not discussed by Judge Wyatt, counsel having relied on a quite different point mentioned at the end of this opinion. We do not at all approve this method of presentation. But since the case is a capital one, and the relevant facts are sufficiently revealed in the state court record, we shall dispose of the appeal on the merits—as, indeed, the Assistant District Attorney has commendably requested.

Late on the night of August 23–24, 1961, Dr. Paul Behrendt was stabbed to death in the kitchen of his home in Garden City, Long Island. His wife, Dr. Frances Behrendt, vainly coming to his assistance, was grievously wounded. The police, who quickly arrived on the scene as the result of a telephone call for medical aid which Mrs. Behrendt had managed to make, found many pieces of telltale evidence. They discovered a key chain with three keys, one of which was to Stovall's locker in a Brooklyn store where he worked. They also found a bloody shirt with the identification tag of a laundry used by Stovall. Further investigation in the morning of August 24 led [fol. 34] the police to a bar which Stovall had visited the previous night. This, in turn, brought them to a man whom Stovall had called by telephone from the bar; he supplied Stovall's name and the address of Stovall's sister in Hempstead, Long Island. Proceeding to this address around 4 P.M., the police found Stovall and also Dr. Behrendt's bloodstained white coat. They arrested him and seized the coat, a pair of trousers owned by Stovall which were stained with blood of Mrs. Behrendt's blood type, and his porkpie hat. The shirt left in the Behrendt kitchen was similarly stained, but a piece torn from it, found under Dr. Behrendt's armpit, was colored with blood of the Doctor's type. At the trial Stovall's sister and a man who was living with her testified to Stovall's appearance at her room in Hempstead around 12:30 A.M. on the morning of August 24, without the white shirt he had been wearing earlier that evening but with the white jacket and with bloody pants and a smear of blood on his forehead. Mrs. Behrendt identified Stovall at the trial.

With all this identification evidence—and there was a good deal more—it may be wondered what justification can exist for federal interposition. The answer lies in an episode we shall now recount.

On the evening of August 24, Stovall was questioned by the prosecutor at police headquarters; the statement was almost wholly exculpatory. The next morning he was arraigned, on a detective's charge of first degree murder, before a state district court judge. The judge informed Stovall, as required by § 188 of the New York Code of Criminal Procedure, "You have the right to the aid of a lawyer or counsel in every stage of the proceedings and before any further proceedings are had"; asked, "Do you want to get a lawyer?"; and said, "If you do, I'll give you time to get one before we proceed at this particular time." Stovall answered that he did, and on the judge's further [fol. 35] inquiry, "you're getting your own lawyer; is that right?", responded in the affirmative. The judge then announced that he would "put it over to August 31st, next Thursday, for the purpose of getting an attorney," and directed that Stovall be "remanded pending further pleading."

Section 192 of New York's Code of Criminal Procedure prescribes, so far as here pertinent, that "If an adjournment be had for any cause, the magistrate must commit the defendant for examination."[1] and § 193 adds that the commitment shall be to the sheriff, save in New York City where it is to be to the commissioner of correction. We were told at the argument that the sheriff of Nassau County does not have a representative available in the arraigning courts and that responsibility for placing committed defendants in his hands rests with the police. After the arraignment but apparently before Stovall was handed over to the sheriff, two detectives took him, handcuffed to one of them, to the hospital where Mrs. Behrendt had undergone extensive surgery, and into her room. Three high police officers and two prosecutors were also there. One of the police officers asked Mrs. Behrendt whether Stovall was "the man"; she said he was. At some time one of the officers asked Stovall "to say a few words for voice identification"; he did—just what does not appear.

In opening the case at trial the prosecutor said, outlining the People's evidence:

"There will be further evidence that Mrs. Behrendt observed this defendant while she was in the hospital and the defendant was taken to her. She identified him. I don't believe that she has ever seen him since, and whether she will be able to identify him here in [fol. 36] court I do not know at this time. But she will be called and, gentlemen, in short there will be other evidence that will be produced for your consideration."

Defense counsel made no objection or request for a mistrial. When the two detectives were called, before Mrs. Behrendt was asked to testify, defense counsel cross-examined them as to the hospital identification, bringing out, among other things, that the police chiefs and the prosecutors had been with Mrs. Behrendt before Stovall entered in handcuffs, that there was no line-up, and that Stovall was the only Negro in the room. In the course of her testimony Mrs. Behrendt identified Stovall in court and, without objection, stated she had also seen him in the hospital. N.Y. Code of Criminal Procedure § 393–b.

Stovall contends that use of the hospital identification constituted a denial of his right to counsel and a violation of the privilege against self-incrimination, guaranteed respectively by the Sixth and Fifth Amendments, now held to have been made applicable to the states by the Fourteenth, *Gideon* v. *Wainwright*, 372 U.S. 335 (1963); *Malloy* v. *Hogan*, 378 U.S. 1 (1964), and also that the procedure employed at the hospital so prejudiced the identification that its use violated the due process clause of the Fourteenth Amendment. *We need deal only with the first contention.*

New York does not dispute that Stovall's constitutional right to counsel had come into being when he was brought before a judge for arraignment. *Hamilton* v. *Alabama*, 368 U.S. 52 (1961); *White* v. *Maryland*, 373 U.S. 59 (1963). The judge's belief that Stovall was obtaining counsel of his own choosing was understandable, even though, at the adjourned hearing, it turned out that Stovall was without means and wished counsel to be assigned. But a prospect of counsel is not the same as having one, and once the right was attached and has not [fol. 37] been waived, there are means—interrogation being the most obvious—from which, in the absence of waiver, the state no longer can gain incriminating evidence without notice to him, whatever the situation in the "investigatorial" stage. Consistent with this constitutional requirement, New York Code of Criminal Procedure directs that after informing the defendant of "his right to the aid of counsel in every stage of the proceedings, and before any further proceedings are had," § 188, the magistrate must "allow the defendant a reasonable time to send for counsel, and adjourn the examination for that purpose," and upon defendant's request, must send a peace officer to take a message to counsel, § 189. Here, without awaiting the presence of counsel, New York caused Stovall to be brought before Mrs. Behrendt for identification, and then used that testimony to his detriment at the trial.

The State's first answer is that testimony concerning the hospital identification was initially brought out by the defense in cross-examination, and that at no time did it object to disclosure of the incident to the jury. Normally there could be no valid claim of error if a defendant presented evidence which he could bar and the State followed with a then harmless repetition. However, the prosecutor had unequivocally announced at the start of the trial that Mrs. Behrendt would testify to her earlier identification; in this context, defense counsel's attempt to discredit such evidence in advance, while the detectives were available for cross-examination, rather than having to recall them, cannot fairly be deemed an independent attempt to introduce the identification as part of Stovall's case. The failure to object to the State's announced intention to offer the hospital identification is more troublesome. Although a mistrial could have been sought when the prosecutor first mentioned this in his opening, it would be going too far to insist on so instantaneous [fol. 38] a reaction, with the risk of dramatizing the incident to the jury if the request were denied. But there was time for defense counsel to seek an exclusionary ruling, outside the presence of the jury, before the detectives took the stand. While we see no real excuse for this omission, we doubt that the Supreme Court would permit so demanding a standard in a capital case.[2]

The State also argues that the lack of counsel worked no prejudice since the hospital "show up" did not amount to self-incrimination and therefore counsel could not have prevented it. Quite apart from whether the privilege against self-incrimination covers evidence obtained outside the courtroom and later sought to be introduced, see [fol. 39] 8 Wigmore, Evidence § 2252, at 328 & n. 27 (McNaughton rev. 1961), it is usually said that the privilege does not invest a defendant with immunity from exposing himself to identification, even if this includes some movement, such as going from the jail to the courtroom for trial or rising, if called upon, see *People* v. *Gardner,* 144 N.Y. 119, 127–30 (1894); 8 Wigmore, *supra,* § 2265; Maguire, Evidence of Guilt § 2.04 at 25–33 (1959); and it may well be argued that use of the vocal chords, when these are not employed to produce utterances of testimonial value, stands no differently than that of the arm muscles. See *Holt* v. *United States,* 218 U.S. 245, 252 (1910); 8 Wigmore, *supra,* § 2265 at 396 & n. 9. The bulk of decisions on this subject deal with what testimony can be given when the defendant has taken the action directed or what comment can be made when he has refused to take it—not with what counsel can do to prevent the issue from arising or, if unsuccessful in that, to see to it that the episode takes place in the most benign form. Mr. Justice Holmes made this distinction in the *Holt* case, where the defendant, a soldier under arrest, had put on a blouse on the order of officers constituting a board of investigation, and testimony that it fitted was introduced at the trial: "Moreover, we need not consider how far a court would go in compelling a man to exhibit himself. For when he is exhibited, whether voluntarily or by order, and even if the order goes too far, the evidence, if material, is competent, *Adams* v. *New York,* 192 U.S. 585," 218 U.S. at 253.[3]

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[1] Of course, this means *pending* examination of the charge by the magistrate—not examination *of* the defendant.

[2] We have had some concern whether any New York court has ever had an opportunity to consider the objection as to Mrs. Behrendt's identification. Point IV of Stovall's brief in the New York Court of Appeals deals with the hospital identification; in the course of this, it was argued (p. 37) that "What transpired at the hospital was after the defendant had been arraigned, while the defendant was under arrest and while the defendant was without counsel," citing *People* v. *Meyer*, 11 N. Y. 2d 162, 227 N. Y. S. 2d 427 (1962), and *People* v. *Rodriguez*, 11 N. Y. 2d 279, 229 N. Y. S. 2d 353 (1962). The People's brief said in answer (p. 48) only that the testimony complained of was elicited at the trial in cross-examination of one of the detectives. After affirming the conviction on the first degree murder count, 13 N. Y. 2d 1094, 246 N. Y. S. 2d 410 (1963), the Court of Appeals amended its remittitur to state that there were persented, and it had necessarily passed upon, various questions under the Federal Constitution, including appellant's contention "that his rights under the Fifth Amendment of the Constitution of the United States were violated in that appellant was compelled to testify against himself after arraignment." 13 N. Y. 2d 1178, 248 N. Y. S. 2d 56, 57 (1964). In the light of Stovall's brief in the Court of Appeals and the cases there cited, this can be charitably read as including the Sixth Amendment contention as to the same episode. If, on the other hand, it be thought that Stovall never did raise the Sixth Amendment claim in the New York courts, and if we should assume that he would be required now to present this by an available state method, there appears to be no way in which he can raise it now, see *People* v. *Howard*, 12 N. Y. 2d 65, 236 N. Y. S. 2d 39 (1962), cert. denied, 374 U. S. 840 (1963), and *Fay* v. *Noia*, 372 U. S. 391, 434–35, 438–40 (1963), would seem applicable.

The question whether the lack of counsel was prejudicial to Stovall does not turn on whether forbidden self- [fol. 40] incrimination occurred. Assuming that the trip involved no such violation, there were still many things that counsel might have done. He might have persuaded the prosecutor, in the state's own interest, if not to forgo the hospital identification, at least to assure conditions better designed to avoid suggestion. He might have persuaded the judge to direct that Stovall be immediately sent to and then kept in jail pending trial, or be put before Mrs. Behrendt only under fair conditions such as a line-up, or be accompanied by counsel who might question her. See *Commonwealth* v. *Brines,* 29 Pa. Dist. 1091 (C. P. 1920). Or, as a last resort, he might have advised Stovall to refuse to go, or to remain silent if taken by force. Granting all this, it remains true that the chance that counsel's presence would have altered events is considerably less here than in the case of voluntary confessions, where a lawyer's advice can almost insure that none would be forthcoming. Nevertheless, Stovall's transportation to the hospital, his modicum of cooperation in the visit and the nature of the identification procedure, each would have offered counsel an opportunity to intervene; taking them all together, in the context of a capital case, we cannot say his probability of success was so slight that the lack of counsel was harmless.[4] Even if Mrs. Behrendt's condition had been such as to make it imperative that Stovall be taken to the hospital when and as he was, which the record does not indicate, there was no similar compulsion on the [fol. 41] prosecutor to use the evidence against Stovall, and we think the Sixth Amendment precluded this.

Even with our incomplete statement of the massive evidence showing Stovall to have been the killer of Dr. Behrendt, it would be naive not to recognize that the episode of the hospital identification has been overblown to a significance out of all proportion to anything it could have had at the trial. Indeed, at the argument in this court, counsel for Stovall stated, with complete frankness, that at a new trial the defense primarily relied on would be insanity—an issue which was raised and necessarily found against him at the first trial and on which the hospital identification had no bearing. A blunder by the prosecutor in offering the evidence, which had no probable causal relation in the verdict, is thus to result in a new trial on the defense of insanity which Stovall has already had a fair opportunity to establish.[5] We do not find our role in bringing this about a particularly congenial one. But the only principle upon which the relative unimportance of the hospital identification could justify denial of the writ would be the doctrine of harmless error, applied in *United States* v. *Guerra,* 334 F. 2d 138, 144–47 (2 Cir.), cert. denied, 379 U.S. 936 (1964). Here, in contrast to that case, where the unlawfully obtained statement was "an abortive attempt to impeach" the defendant "on a minor issue," the statement was inculpatory on the central question of his presence on the occasion of the crime; indeed, *Mrs. Behrendt's was the only identification that was testimonial rather than circum- [fol. 42] stantial,*[6] and the jury asked that all her testimony be reread. A claim of harmless error as to a conviction must surmount an exceedingly high hurdle, even on collateral attack, when the error was constitutional and the punishment is death. See *Bruno* v. *United States,* 308 U.S. 287 (1939); *Kotteakos v. United States,* 328 U.S. 750, 764–65 (1946); *Stewart* v. *United States,* 366 U.S. 1, 9–10 (1961); *Hamilton* v. *Alabama, supra,* 368 U.S. 52. The hurdle is too high for this case.[7]

In view of this ruling, a brief word on the constitutional point argued to the district judge will suffice. Around 3 P.M. on the afternoon of August 24 police officers, without a search warrant, obtained access to Stovall's own rooms in Jamaica, Long Island, and seized a shirt, a pillow case, and a bed sheet, which had the same laundry marks as the shirt left in Dr. Behrendt's kitchen. Before and during the trial, defense counsel sought a hearing whether these objects, not offered by the People, had led to the seizure of articles of clothing attendant [fol. 43] on Stovall's arrest. The trial judge denied such a hearing, erroneously, see *Wong Sun* v. *United States,* 371 U.S. 471, 484–88 (1963), on the basis that the principle of *Mapp* v. *Ohio,* 367 U.S. 643 (1961), did not extend to fruits of an unlawful search. Judge Wyatt nevertheless overruled the objection since, as he found, "There was a source of information," to wit, the man to whom Stovall had telephoned from the bar, "leading to the arrest of defendant, earlier and entirely independent of the Jamaica search." Not challenging this finding, counsel contends that Stovall was nevertheless prejudiced since a New York judge might have found differently or have been satisfied with a smaller infiltration of poisoned sap, and also because, for reasons not apparent to counsel or to us, Stovall's attorneys in the state trial reacted to the erroneous ruling by themselves displaying to the jury the results of the Jamaica search. We find it unnecessary to resolve these contentions, since we are confident that at a new trial a proper preliminary hearing will be had.

The denial of *habeas corpus* is reversed, with instructions that the writ issue unless, within a reasonable time, New York affords Stovall a new trial.

Circuit Judge Moore (dissenting). Dr. Frances Behrendt concededly (by the majority) greviously wounded was in a hospital where she had undergone extensive surgery. Her husband, Dr. Paul Behrendt, had been killed. *The defendant was arraigned on August 25, 1961 and, having requested an opportunity to get his own lawyer,* the court without proceeding further postponed the case to August 31st. *The only person in the world who could exonerate Stovall and save him from possible execution was Dr. Frances Behrendt.* Her [fol. 44] words, "He is not the man" could have meant life or death to Stovall. Stovall could wait for six days to retain a lawyer. Whether Dr. Frances Behrendt could wait even six hours was conjectural. No amount of subsequent skillful legal advice could replace the need for action while she yet lived—action which required Stovall's immediate presence in the hospital room.

Every defendant in a criminal case is subjected to identification. Even while he is presumed to be innocent, in the presence of the jury he is called the defendant. If the crime was of a violent nature, one or more police officers are present. He rises for identification purposes or a witness places a hand on his shoulder to indicate the person concerning whom testimony is being given.

The majority characterize the prosecutor's action as a "blunder." *I wonder what word they would have used, assuming that Dr. Behrendt had died later that day, had the police immediately lodged Stovall in jail and failed to take him to her room while there was still time.* It is too easy after the event for appellate courts to conjure up all the might-have-been possibilities and the hypothetical steps and maneuvers an attorney might have taken.

I find no error in the identification procedure or the way it was used upon the trial and, hence, would affirm the denial of the writ.

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[3] The *Holt* decision antedated the development, in *Weeks* v. *United States,* 232 U.S. 383 (1914), of the federal law as to use of illegally obtained evidence. See the comment on *Adams* v. *New York* in the *Weeks* opinion, 232 U.S. at 394–96.

[4] Our illustrations of what counsel might have done carry no implications whether denial of any such requests would have violated Stovall's federally protected rights. Prejudice exists if lack of counsel resulted in the loss of rights that the state might well have accorded. See **Tomkins** v. ***Missouri,*** **323** U.S. 485, 489 (1945). We must await further enlightenment whether, once the right to counsel has attached, all further investigational activity involving some cooperating by the defendant must be with counsel's consent or at least on notice to him.

[5] Stovall in fact made little effort to show insanity, the pertinent evidence coming chiefly from the State; but it remains true that a wholly unrelated error now gives Stovall a fresh chance to present a defense otherwise foreclosed.

[6] The case vividly illustrates how much *more* probative a multiple strand of circumstantial evidence may be than a testimonial identification. See 1 Wigmore, Evidence § 26 (3d ed. 1940).

[7] As a constitutional matter, there is no obvious reason why a new trial need to be held on an issue "distinct and separable" from that vitiated by improper evidence or instructions, see *Gasoline Prods. Co.* v. *Champlin Ref. Co.,* 283 U.S. 494, 500 (1931); and if New York law permitted a new trial on the issue of commission excluding insanity, which we seriously doubt, cf. Code of Criminal Procedure, §§ 464, 544, we see no reason why that would not meet federal requirements. Compare *United States* v. *Shotwell Mfg. Co.,* 355 U.S. 233, 245–46 (1957); *Jackson* v. *Denno,* 378 U.S. 368, 395–96 (1964). New York has recently provided that a conviction of first degree murder be followed by further evidence and deliberation by the jury to fix the penalty, and the New York statute provides that error in the latter phase has no effect upon the conviction. N.Y. Penal Law § 1045–a. California now requires that the insanity defense be considered by the jury in murder cases after it has in turn convicted and fixed sentence, but the statute does not speak to the question of partial new trials as between commission and insanity. Cal. Penal Code §§ 190.1, 1026.

[United States Court of Appeals, Second Circuit, No. 307, Docket 29208]

UNITED STATES EX REL. THEODORE R. STOVALL, APPELLANT, *v.* HONORABLE WILFRED DENNO, AS WARDEN OF SING SING PRISON, OSSINING, NEW YORK, APPELLEE

Submitted en banc to this Court on May 26, 1965. Argued Jan. 21, 1965. Decided Jan. 31, 1966.

Habeas corpus. From order of the United States District Court for the Southern District of New York, Inzer B. Wyatt, J., denying application, state prisoner appealed. The Court of Appeals, Moore, Circuit Judge, held that defendant who had just been arraigned and had advised court that he wished to obtain his own counsel rather than accept court-appointed counsel was properly taken by police to hospital room of victim to ascertain whether or not she recognized him as her attacker.

Affirmed.

Friendly, Waterman and J. Joseph Smith, Circuit Judges, dissented.

1. Criminal Law 🔑393(1)

After accused had been arraigned and had advised court that he wished to obtain his own counsel rather than accept court-appointed counsel, police in taking him to hospital room of victim to ascertain whether she recognized him as her attacker did not violate constitutional right against self-incrimination. U.S.C.A. Const. Amend. 5.

2. Arrest 🔑70

After accused had been arraigned and court had adjourned any further proceedings for six days for purpose of permitting him to obtain his own counsel, accused remained in lawful custody of police.

3. Criminal Law 🔑393(1)

When defendant had been arraigned and court had adjourned for six days for purpose of permitting defendant to obtain his own counsel, it was incumbent upon police, in whose lawful custody accused was, to have victim of assault view him to identify or disavow him as the culprit.

4. Criminal Law 🔑393(3), 636(1)

Law requires defendant to be present upon his trial and to exhibit his face for identification purposes. U.S.C.A. Const. Amend. 5.

5. Criminal Law 🔑741(2)

Accuracy of identification of accused as attacker of victim made by victim while she was hospitalized was for jury. U.S.C.A. Const. Amend. 5.

6. Criminal Law 🔑339

Method of identification inside or outside courtroom would go to weight to be attributed to identification of accused not to admissibility or constitutionality of testimony relating thereto. U.S.C.A. Const. Amend. 5.

7. Criminal Law 🔑393(3)

It is legal to require accused to stand up in court for purposes of identification. U.S.C.A. Const. Amend. 5.

8. Criminal Law 🔑393(1)

Interests of accused and society alike demand that opportunity for identification of accused by victim be afforded at earliest possible moment and when that moment exists will of necessity be dependent upon facts and circumstances of each particular case. U.S.C.A. Const. Amend. 5.

9. Criminal Law 🔑393(1)

Arrested person may be exhibited for identification to person injured by commission of crime. U.S.C.A. Const. Amend. 5.

10. Criminal Law 🔑393(1)

Prohibition of 5th amendment relating to self-incrimination is prohibition of use of physical or moral compulsion to extort communications from accused, not an exclusion of his body as evidence when it may be material. U.S.C.A. Const. Amend. 5.

11. Habeas Corpus 🔑45.1(1)

Federal court should be loath to interfere with state court evidentiary matters which go primarily to weight of evidence admitted.

12. Constitutional Law 🔑257

State identification procedure could be so unfair as to amount to a violation of 14th Amendment's due process guarantee. U.S.C.A. Const. Amend. 14.

13. Constitutional Law 🔑266

Where victim was confined to hospital, her attacker had remained in her full view in brightly lighted kitchen for considerable period after stabbing her and there was no limitation to cross-examination directed toward weight of her hospital identification testimony, accused was not denied due process on his trail or deprived of Fourteenth Amendment rights by admission of evidence that victim had identified defendant in hospital as her attacker. U.S.C.A. Const. Amend. 14.

14. Criminal Law 🔑641(1)

Where defendant was advised of right to counsel when brought before magistrate, upon stating that he desired to secure his own counsel he was given an opportunity by adjournment of proceedings for six days and on sixth day he informed magistrate that he had not communicated with any relatives to see if they would get a lawyer for him but he had been told in jail that one would be assigned and magistrate assigned well-known criminal defense lawyer, defendant was not denied his constitutional right to counsel. U.S.C.A. Const. Amend. 6, Code Cr. Proc. N.Y § 188

15. Criminal Law 🔑641(1)

Defendant was not deprived of right to counsel on basis that after expressing his desire to obtain his own counsel and adjournment of proceedings for that purpose he had been brought by police to hospital for identification by victim. U.S.C.A. Const. Amend. 6, Code Cr. Proc. N.Y. § 188.

16. Arrest 🔑63(4)

Searches and Seizures 🔑7(27)

Where articles claimed to have been illegally seized from accused were not offered in evidence against him by people, but were marked for identification by defense after district attorney had announced that he would not offer such items, such items did not lead to his arrest under poison fruit doctrine and articles were voluntarily turned over to police by sister of accused, no constitutional rights of accused were violated. U.S.C.A. Const. Amend. 14.

17. Criminal Law 🔑1134(1)

Capital case requires most careful scrutiny.

Leon B. Polsky, New York City (Anthony F. Marra, The Legal Aid Society, New York City), for appellant.

Henry P. DeVine, Asst. Dist. Atty. (William Cahn, Dist. Atty., Nassau County, State of New York), for appellee.

Before Lumbard, Chief Judge, and Waterman, Moore, Friendly, Smith, Kaufman, Hays and Anderson, Circuit Judges.

Moore, Circuit Judge (with whom Judges Kaufman, Hays and Anderson concur; Judge Lumbard concurs in a separate opinion with which Judge Kaufman also concurs; Judge Friendly dissents in a separate opinion with which Judge Waterman concurs; and Judge J. Joseph Smith dissents in a separate opinion):

Theodore Roosevelt Stovall appeals from an order dismissing a writ of habeas corpus. The appeal was argued originally before a panel of this Court (Moore, Friendly and Marshall, C.J.J.), and an opinion was filed on March 31, 1965, reversing the order of the District Court, Moore, C.J., dissenting. Thereafter, this Court *sua sponte* on May 26, 1965, ordered *en banc* consideration of this case and six other cases. Upon such consideration, the order appealed from is affirmed.

Late on the night of August 23–24, 1961, Dr. Paul Behrendt was stabbed to death in the kitchen of his home in Garden City, Long Island. His wife, Dr. Frances Behrendt, vainly coming to his assistance, was grievously wounded. The police, who quickly arrived on the scene as the result of a telephone call for medical aid which Mrs. Behrendt had managed to make, found many pieces of telltale evidence. They discovered a key chain with three keys, one of which was to Stovall's locker in a Brooklyn store where he worked. They also found a bloody shirt with the identification tag of a laundry used by Stovall. Further investigation in the morning of August 24th led the police to a bar which Stovall had visited the previous night. This, in turn, brought them to a man whom Stovall had called by telephone from the bar; he supplied Stovall's name and the address of Stovall's sister in Hempstead, Long Island. Proceeding to this address around 4:00 P.M., the police found Stovall and also Dr. Behrendt's blood-stained white coat. They arrested him and seized the coat, a pair of trousers owned by Stovall which were stained with blood of Mrs. Behrendt's blood type, and his pork-pie hat. The shirt left in the Behrendt kitchen was similarly stained, but a piece torn from it, found under Dr. Behrendt's armpit, was colored with blood of the Doctor's type. At the trial, Stovall's sister and a male friend of the sister testified that when Stovall came to her room in Hempstead at about 12:30 A.M., August 24th, he was not wearing the white shirt he had on earlier but instead appeared with the white jacket, bloody pants and a smear of blood on his forehead.

On the evening of August 24th, Stovall was questioned by the prosecutor at police headquarters; the statement was almost wholly exculpatory. The next morning he was arraigned, on a detective's charge of first degree murder, before a state district court judge. The judge informed Stovall, as required by § 188 of the New York Code of Criminal Procedure, "You have the right to the aid of a lawyer or counsel in every stage of the proceedings and before any further proceedings are had"; he then asked, "Do you want to get a lawyer?"; and said, "If you do, I'll give you time to get one before we proceed at this particular time." Stovall answered that he did, and on the Judge's further inquiry, "you're getting your own lawyer; is that right?", responded in the affirmative. The Judge then announced that he would "put it over to August 31st, next Thursday, for the purpose of getting an attorney," and directed that Stovall be "remanded pending further pleading."

Since Stovall had to remain in police custody pending further proceedings on the adjourned date, he was taken for identification purposes to Mrs. Behrendt's hospital room where Mrs. Behrendt identified Stovall as her attacker. Thereafter he was lodged in jail. Stovall was convicted by the jury of murder in the first degree. The jury did not recommend leniency. Stovall was, therefore, sentenced to death.

The principal point now urged on appeal is the claim (not even presented to the court below) that the taking of Stovall to Mrs. Behrendt's hospital room for possible identification violated his Fifth, Sixth and Fourteenth Amendment rights. No claim is made—nor could any be sustained by the proof—that Stovall's arrest was without probable cause or that there was any delay in his arraignment which occurred the morning following his arrest.

Nor is any claim made that Stovall at any time made a confession or gave any statements which were obtained by coercion, trickery or subterfuge—in fact there were no statements or confessions whatsoever. Thus, the only issue upon this appeal is: can the police, following an arraignment at which the person arraigned advised the court that he was going to get his own lawyer, continue their identification efforts by taking such person to the hospital room of the victim to ascertain whether or not she recognized him as her attacker? Obviously the victim of the crime, if he or she has had an opportunity to see the attacker at the time of the attack, is the person most likely to be able to confirm or refute the identity of the person arrested. Freedom or further detention may well come from a "yes" or "no" to the simple question: is this the man who attacked you?

FIFTH AMENDMENT (SELF-INCRIMINATION)

Appellant challenges the admissibility in evidence of Mrs. Behrendt's hospital room identification. However, under section 393-b, New York Code of Criminal Procedure, "a witness who has on a previous occasion identified such person may testify to such previous identification."

[1–3] What was Stovall's status at the time he was taken to Mrs. Behrendt's hospital room? Because of appellant's present argument, the spotlight of inquiry must be focused sharply upon this single period of time. Stovall had just been arraigned and had advised the court that he wished to obtain his own counsel rather than accept court-appointed counsel. To give him adequate opportunity to do so, the court adjourned "any further proceedings" for six days for that purpose. No plea was entered, no motions had to be made or waived, no rights were jeopardized. In the meantime Stovall had to remain in the custody of the police. This was lawful custody. To fulfill properly their duty to make sure that they had the right man, it was incumbent upon the police to have the victim of the assault view the suspected attacker to identify or disavow him as the culprit.

Had Mrs. Behrendt not been so seriously injured and hospitalized, Stovall would have been lodged in the local jail and Mrs. Behrendt could have viewed him in a line-up or looked at him through the door or gate of his cell. A photograph of Stovall might have been taken and exhibited to her. However, the police have to deal with situations as they find them and act expeditiously in the light of emergencies which confront them. Here was the only person in the world who could possibly exonerate Stovall. Her words, and only her words, "He is not the man" could have resulted in freedom for Stovall. The hospital was not far distant from the courthouse and jail. No one knew how long Mrs. Behrendt might live. Faced with the responsibility of identifying the attacker, with the need for immediate action and with the knowledge that Mrs. Behrendt could not visit the jail, the police followed the only feasible procedure and took Stovall to the hospital room.[1] Under these circumstances, the usual police station line-up, which Stovall now argues he should have had, was out of the question.

[4, 5] The hospital room identification[2] was not prejudicial to Stovall because Mrs. Behrendt, after she recovered, made positive identification in the courtroom. There is no evidence that her hospital room identification on August 25, 1961, affected or influenced in any way her courtroom identification on May 23, 1962. Any previous identification was but duplicative. She was the only living person who had seen her attacker. Stovall's counsel used his right of cross-examination to the fullest extent in questioning the identification and dwelt upon it in summation. Since the law requires the defendant to be present upon his trial and to exhibit his face for identification purposes, it was for the jury to weigh the accuracy of Mrs. Behrendt's identification.

[6] As a matter of law, the method of identification inside or outside the courtroom would go to the weight to be attributed to the identification; not to the admissibility or constitutionality of testimony relating thereto, People v. Partram, 60 Cal.2d 378, 384 P.2d 1001 (1963), cert. denied, 377 U.S. 945, 84 S. Ct. 1353, 12 L.Ed.2d 308 (1964), (defendant forced to try on hat and coat which did not fit others in line-up); People v. Clark, 28 Ill.2d 423, 192 N.E.2d 851 (1963), (witness saw one of suspects in police station before line-up); People v. Boney, 28 Ill.2d 505, 192 N.E.2d 920 (1963), (wife raped; husband knew four of five in line-up were from State's Attorney office); State v. Hill, 193 Kan. 512, 394 P.2d 106 (1964); Redmon v. Commonwealth, 321 S.W.2d 397 (Ky. 1959), (claim that police pointed out suspect before line-up); Commonwealth v. Downer, 159 Pa.Super. 626, 49 A.2d 516 (1946), defendant alone shown to witness), although there are some decisions to the contrary, People v. Conley, 275 App.Div. 743, 87 N.Y.S.2d 745 (1949), (defendant appeared alone and was forced to wear clothing corresponding to witness' earlier description); Johnson v. State, 44 Okl. Cr. 113. 279 P. 933 (1929) (only defendant produced).

Wigmore on Evidence, Vol. 8, 3d ed., § 2265, p. 374 has written:

"Looking back at the history of the privilege [against compelled self-incrimination] (ante, § 2250) and the spirit of the struggle by which its establishment came about, the object of the protection seems plain. It is the employment of legal process to *extract from the person's own lips* an admission of his guilt, which will thus take the place of other evidence."

* * * * *

"In other words, it is not merely any and every compulsion that is the kernel of the privilege, in history and in constitutional definitions, but *testimonial compulsion.*" (Italics in original.) Thus

"an inspection of the bodily features by the tribunal or by witnesses cannot violate the privilege, because it does not call upon the accused as a witness, i. e., upon his testimonial responsibility."

* * * * *

"What is obtained from the accused by such action is not testimony about his body, but his body itself (ante, § 1150). Unless some attempt is made to secure a communication, written or oral, upon which reliance is to be placed as involving his consciousness of the facts and the operations of his mind in expressing it, the demand made upon him is not a testimonial one."

[7, 8] The law has made and continues to make a definite distinction between testimonial evidence and identification. And for good reason. Physical characteristics such as facial features, color of hair and skin, height, weight and even manner of walk may be observed by all who may be present at the scene of a crime. A person does not become a witness against himself merely by possessing these individual characteristics. When it was discovered that the fingerprints of persons differed one from the other, this form of identification was added to the list of reliable distinguishing features which the police and the prosecution may, without violating the privilege, compel a defendant to reveal. Thus for generations it has been legal to require the accused to stand up in court for purposes of identification, State v. Carcerano, 238 Or. 208, 390 P.2d 923 (1964); People v. Oliveria, 127 Cal. 376, 59 P. 772 (1899). However, the opportunity for courtroom identification may well first be presented many months after the occurrence of the crime. Interests of the accused and society alike demand that this opportunity be afforded at the earliest possible moment. When this "moment" exists will of necessity be dependent upon the facts and circumstances of each particular case. No ironclad rules can be or should be laid down. But what better guides can there be than common sense?[3]

Helpful guides to decision may be found in other cases, which involved federal prosecutions. Most recently (September 9, 1965) the Court of Appeals for the District of Columbia had to deal with an identification after arrest problem (Kennedy v. United States, D.C.Cir., 353 F.2d 462). There police officers informed by radio of a crime arrived at the scene to find a man being forcibly restrained by two men who had heard womanly screams and had seen two men running from a house. The police took the man (Kennedy) into the house where they found two women handcuffed to a stair rail. The women identified Kennedy as one of their assailants. Upon the trial they identified the accused in open court and testified as to their prior identification even as did Mrs. Behrendt here. Upon appeal Kennedy's counsel urged that the complainants should not have been permitted to testify against him because the identification had derived (1) from an arrest without probable cause; (2) from an illegal detention; and (3) that his Sixth Amendment right to counsel had been infringed because he had been without counsel when identified at the scene of the robbery. The court found probable cause for the arrest and that "Appellant [Kennedy] made no confession and there is nothing to suggest a police purpose to elicit a confession." The court noted, after finding that there was probable cause for the arrest, that it is a policeman's "function to try to minimize the incidence of erroneous detentions and charges; taking Appellant into the presence of the complaining witnesses was entirely appropriate. Had the officers not done this Appellant would have been subjected to continued detention, a trip to the station, to booking and lineup processes, unnecessarily if the complainants had said he was not one of the attackers. The police should not have overlooked the possibility of his exoneration, which could be easily and swiftly resolved by 'quick verification' in a confrontation." 353 F. 2d 462.

In Copeland v. United States, 343 F.2d 287 (D.C.Cir. 1965), the appellant after arrest was taken by the police to the Western Union office where the robbery had occurred to be identified by one of the victims. Then taken to the police station, he was identified there by a victim of a different and previous robbery. The conviction was affirmed.

In Caldwell v. United States, 338 F.2d 385 (8 Cir. 1964), the accused had been put in a line-up and identified by eyewitnesses. The court held that there was no self-incrimination, saying at p. 389: "The mere viewing of a suspect under arrest by eyewitnesses does not violate his constitutional privilege because the prisoner is not required to be an unwilling witness against himself. There is a distinction between bodily view and requiring an accused to testify against himself." And in People v. Gardner, 144 N.Y. 119, 128,

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[1] Undoubtedly, if the police had failed to take Stovall to the hospital and had lodged him immediately in jail and Mrs. Behrendt had died, some appellate counsel would now be urging the same acts as a ground for reversal, asserting that he had thus been deprived of a constitutional right.

[2] Voice identification was requested and Stovall complied but this form of identification was not used or referred to in the trial and, hence, is not an issue here.

[3] Kamisar, Criminal Justice in Our Time, Magna Chart Essays (University of Virginia Press 1965), pp. 9–10:

"Here misty ideals collide with the grim 'realities' of law enforcement. Here we are confronted, both with the Constitutional and normative levels, with the most important question, or cluster of questions, in the entire field of criminal procedure today.

"I am not talking about detention for such purposes as fingerprinting, placing in line-ups, confronting victims or witnesses and checking out alibis. Assuming the suspect has been lawfully arrested, such station house screening is both necessary and desirable."

38 N.E. 1003, 1005, 28 L.R.A. 699 (1894) the New York Court of Appeals said: "A murderer may be forcibly taken before his dying victim for identification, and the dying declarations of his victim may then be proved upon his trial for his identification."

[9] The principle that an arrested person "may be exhibited for identification to the person injured by the commission of the crime," Downs v. Swann, 111 Md. 53, 61, 73 A. 653, 655, 23 L.R.A., N.S., 739 (1909) is so consistent with fundamental fairness both to the accused and society that there is little point in further elaboration except to take notice that the law sanctions many methods of identification which do not invade the field of testimonial compulsion such as the use of fingerprints and photographs, including photographs of body scars. See Bartletta v. McFeeley, 107 N.J.Eq. 141, 152 A. 17 (1930); People v. Smith, 142 Cal.App.2d 287, 298 P.2d 540 (1956); State v. Emerson, 266 Minn. 217, 221, 123 N.W.2d 382 (1963); O'Brien v. State, 125 Ind. 38, 25 N.E. 137, 9 L.R.A. 323 (1890).

[10] The accused may even be forced to perform some physical act such as putting on eyeglasses, People v. Tomaszek, 54 Ill.App.2d 254, 204 N.E.2d 30 (1964); submitting to a physical examination, McFarland v. United States, 80 U.S.App.D.C. 196, 150 F.2d 593 (1945); having a handkerchief put over his face to simulate his appearance at the time of the robbery, see Ross v. State, 204 Ind. 281, 182 N.E. 865 (1932) and Key v. State, 33 Okl.Cr. 92, 242 P. 582 (1925); or giving a blood sample. See also Walton v. City of Roanoke, 204 Va. 678, 133 S.E.2d 315 (1963). In summary, as Mr. Justice Holmes said in Holt v. United States, 218 U.S. 245, 31 S.Ct. 2, 54 L.Ed. 1021 (1910), the prohibition of the Fifth Amendment "is a prohibition of the use of physical or moral compulsion to extort communications from him, not an exclusion of his body as evidence when it may be material" (at 252, 31 S.Ct. at 6).

FOURTEENTH AMENDMENT (DUE PROCESS)

[11, 12] Since courtroom identification, which usually takes place many months after the occurrence of the crime, is permissible, interests of the accused and society alike demand that the opportunity to identify be afforded at the earliest possible moment when the likelihood of an accurate identification is greatest. Of course, in the interests of truth and fairness to the suspect, this opportunity should be afforded, where possible, under circumstances most likely to lead to a disinterested decision by the identifier. When a proper moment exists will of necessity be dependent upon the facts and circumstances of each particular case. No ironclad rules can be or should be laid down. Although federal courts should be loath to interfere with state court evidentiary matters which go primarily to the weight of evidence admitted, it may be that an identification procedure could be so unfair as to amount to a violation of the Fourteenth Amendment's due process guarantee.

[13] Here, however, defendant was not deprived of due process. A line-up was out of the question; a show-up could be conducted only where Mrs. Behrendt was then confined—the hospital. She had had more than a fleeting glimpse of the attacker. Although stabbed many times, she was not unconscious and the attacker had remained in full view in the brightly lighted kitchen for a considerable period of time after killing Dr. Behrendt and stabbing her. Upon the trial, there was no limitation to the cross-examination directed towards the weight of her hospital identification testimony. There is no basis for holding that Stovall was not accorded due process on his trial by the State of New York or that he was deprived of Fourteenth Amendment rights.

SIXTH AMENDMENT (RIGHT TO COUNSEL)

[14] Appellant's counsel now argues that at the time of arraignment "his [appellant's] constitutional right to counsel had come into being and that failure of the arraigning Magistrate to adequately advise the defendant resulted in the denial of the right." The charge of failure of duty against a judge warrants factual investigation. When Stovall was brought before the Magistrate on August 25th, he was advised of his right to counsel and was asked whether he had counsel or desired to secure his own counsel. He replied that he did so desire. To give him this opportunity, the Magistrate adjourned further proceedings until August 31st. On that day [August 31st], Stovall informed the Magistrate, in response to the question as to whether Stovall had obtained counsel, that he had not communicated with any relatives to see if they would get a lawyer for him, but that he had been told in the jail that "they" said one would be assigned. The Magistrate then again told Stovall of his rights, "the first of which is the right to the aid of a lawyer." Turning to a well-known criminal defense lawyer, the Magistrate asked, "Counsel George Mulry, would you be willing to help this man protect his rights in this Court at this time?" Counsel agreed. The court told Stovall to confer with him and that "He is a lawyer who will volunteer his services to help you now protect your rights." A short recess was declared after which, through counsel, Stovall demanded a hearing which the court set for the following day "so you [Stovall] could be confronted with the witness and the judge could decide whether or not a crime had been committed." However, on August 31st, Stovall was indicted for first degree murder by the grand jury and the case thereafter came under the jurisdiction of the County Court.

The New York Code of Criminal Procedure § 188 provides that the Magistrate inform the prisoner of "his right to the aid of counsel in every stage of the proceedings, and before any further proceedings are had." He must "allow the defendant a reasonable time to send for counsel, and adjourn the examination for that purpose." Id. § 189. The Magistrate followed this statute punctiliously. In the light of this record, the charge of failure to advise is completely unsupported by, and quite contrary to, the facts.

[15] Appellant's reference (in his brief) to his situation as amounting to "the release of the accused to his accusers," is equally unwarranted. Stovall was not so released; he had been arrested by the police; was in their custody; and, because of his expression of desire to obtain his own counsel, would remain in their custody until further proceedings were held. While in such custody, the police could have brought in any potential witness for identification purposes, including the victim, except for the fact that she, seriously injured, could not be moved from the hospital room. The only variation because of the necessity of the situation was the hospital room identification instead of a police station identification.

The record completely refutes appellant's statement (in brief) that "from this denial of right [to counsel] (a premise which may be mildly described as inaccurate) the *prosecutor* was enabled to *create* evidence used to secure conviction at the subsequent trial" (italics in original). There was no denial of the right to counsel; the Magistrate in fact honored Stovall's request that he be permitted to obtain his own attorney. Nor did the continuation of police efforts to secure the best evidence of identification before Stovall had an opportunity to engage his own counsel result in any incriminating statements or confessions because he made none.

If Stovall had had counsel, what could counsel have done to thwart the identification? He could not have demanded Stovall's immediate release so that no one might see him. He could not have arranged to have Stovall continuously wear a hood or mask over his face to avoid identification, nor could he have ordered the police forthwith to halt their identification activities. Counsel would not have said "Cease further efforts at identification; Stovall has admitted his guilt" because Stovall had not done so.

Again adverting to the opinion in Kennedy, supra, counsel could not have prevented the hospital room identification because "An accused has no right to be viewed in a line-up rather than singly." Here, as in Kennedy, counsel could not "have altered the course of events" as to identification, and since no confession or "any other evidence respecting which counsel could have rightfully advised Appellant to refuse to yield" was obtained, there was no deprivation of Sixth Amendment rights.

Lastly, appellant contends that he was denied a constitutionally adequate hearing on his motion to suppress. In the New York Court of Appeals to which an appeal from Stovall's conviction had been taken, the remittitur was amended to show that that Court had passed upon the contention that he had been convicted on evidence obtained by unlawful search and seizure. The Court held that his constitutional rights had not been violated (People v. Stovall, 13 N.Y. 2d 1178, 248 N.Y.S. 2d 56, N.E. 2d 543).

[16] The District Court was well aware of the arguments appellant now makes but found that the articles claimed to have been illegally seized, namely, a white jacket, a pair of trousers and a hat, were not offered in evidence against Stovall by the People but were marked for identification by the defense. This action was entirely voluntary and must be attributed to defense strategy rather than a checkmate move because the District Attorney had announced at the opening of the trial that he would offer no items obtained from the allegedly illegal search. Nor could the "poison fruit" doctrine have led to the arrest because there was more than ample evidence to establish an earlier and independent source of information. Furthermore, since, as the Court found, "The proof is convincing that the articles were voluntarily turned over to the police by the sister of Stovall" and were not used by the People, the conclusion that "The record establishes that no constitutional rights of defendant were violated" is sound.

[17] Although a capital case requires the most careful scrutiny, these requirements have been met. The highest court of New York has reviewed his case (13 N.Y.2d 1094, 246 N.Y.S.2d 410, 196 N.E. 2d 65); the District Court considered and weighed the errors complained of, as has this Court. Upon the law and the facts, no infringement of any constitutional right is presented.

Affirmed.

Lumbard, Chief Judge (with whom Judge Kaufman concurs), concurring:

I concur.

I agree with my brother Moore that the hospital room show-up did not violate any of Stovall's constitutional rights. The police found Mrs. Behrendt grievously wounded and in a state of severe shock at about 1:00 A.M. on August 24. At that time, in an incomplete and somewhat confused statement made to a police officer before she was given medical treatment, Mrs. Behrendt indicated that she had seen her attacker. The police were not allowed to interview Mrs. Behrendt on August 24, the day of her extensive surgery, or to present Stovall to her for identification purposes. They were therefore fully justified in continuing their investigation by bringing Stovall to the hospital at 1:00 P.M. on Auguest 25, after Stovall's morning arraignment.

The type of emergency facing the police is relevant to the question of whether the show-up procedure was so unfair as to amount to a denial of due process. I agree with my brother Moore that the method of an identification normally goes to the weight of the evidence. Given the circumstances surrounding the identification, the full opportunity afforded defense counsel to cross-examine Mrs. Behrendt at trial, and the positive court room identification made by Mrs. Behrendt, I find no violation of Stovall's right to due process. Likewise, Stovall's Sixth Amendment right to counsel argument has no merit, particularly since counsel could have had little or no effect on what took place in the hospital room.[4] And I agree with the majority's disposition of the Fifth Amendment claim.

Unlike my brother Friendly, I see no need to inquire into whether the police violated New York law when they failed to deliver Stovall to a sheriff immediately after arraignment. Whether or not there may have been a technical violation of New York law is no grounds for reversal here. No objection was made to this procedure at trial. Therefore there was no need for the court to inquire into whether it was proper and appropriate for the police to retain custody of Stovall following his production before the district court judge. Nor is there a federal constitutional right to be committed to a sheriff rather than to the police pending arraignment. Since there was no due process violation in the hospital room identification, the police procedure violated none of Stovall's federal rights.

I differ with my brother Moore's discussion of the prejudicial error issue, although I agree that the use made of the hospital room identification at Stovall's trial did not amount to prejudicial error even if that identification procedure itself violated Stovall's rights.

The Supreme Court has prescribed a rigorous standard of prejudicial error when dealing with police activities that violate fundamental constitutional rights. See, e.g., Fahy v. State of Connecticut, 375 U.S. 85, 84 S.Ct. 229, 11 L.Ed.2d 171, (1963); United States v. Guerra, 334 F. 2d 138, 143–147, (2 Cir.), cert. denied, 379 U.S. 936, 85 S.Ct. 337, 13 L.Ed.2d 346 (1964). Assuming for the moment that the hospital room identification violated Stovall's constitutional rights, testimony as to that identification at trial was reversible error if "there is a reasonable possibility that the evidence complained of might have contributed to the conviction." Fahy v. State of Connecticut, 375 U.S. at 86–87, 84 S.Ct. at 230.

Mrs. Behrendt made a positive court room identification of Stovall, and she indicated that this identification was the product of her recollection of the night of the crime.[5] It seems highly probable that the use made of the hospital room procedure at trial did not influence this court room identification.[6] Under these circumstances, the impact of testimony as to the hospital room incident was cumulative.

Nevertheless, there remains the possibility that Mrs. Behrendt's ability reliably to identify Stovall at trial was in fact psychologically colored by the impact of the previous confrontation in the hospital room. This "prejudice" does not depend upon whether there was testimony as to the hospital room identification. And the only way to eliminate this aspect of prejudice would have been to exclude the hospital room identification *and* to prohibit Mrs. Behrendt from making any identification at trial. I am unwilling to hold that so broad an exclusionary rule should flow from a constitutionally infirm pre-trial identification because the likelihood that an unbiased court room identification can still be made seems great and because eye witness evidence, despite its human frailties, plays a vital role in criminal prosecutions. I am particularly unwilling to exclude all identification in this case because Mrs. Behrendt's testimony seems reliable and because the alleged police improprieties were unintentional and technical. It was proper to admit this evidence and to allow the jury to weigh its reliability.

If Mrs. Behrendt should be permitted to make a court room identification, then use of the hospital room identification becomes cumulative and harmless. More significantly, it is *fairer* to Stovall to *permit* testimony and full cross-examination concerning the hospital room procedure because only then can the jury know that the unequivocal court room identification may be the product of previous police persuasion rather than an accurate recollection of the night of the crime. At Stovall's trial, these considerations are evident: outside of the prosecutor's opening address, the first mention of the hospital incident came during the cross-examination of two policemen who accompanied Stovall to the hospital. And defense counsel concentrated heavily on this incident in his cross-examination of Mrs. Behrendt while the prosecutor only brought it out casually. Consequently, I conclude on the facts of this case that the use made of the hospital room identification not only was harmless error but indeed was the fairest method of handling Stovall's trial.

Friendly, Circuit Judge, with whom Waterman, Circuit Judge, joins (dissenting):

The facts giving rise to the issue here[7] were stated as follows in the panel opinion of March 31, 1965:

"Section 192 of New York's Code of Criminal Procedure prescribes, so far as here pertinent, that 'If an adjournment be had for any cause, the magistrate must commit the defendant for examination,' and § 193 adds that the commitment shall be to the sheriff, save in New York City where it is to be to the commissioner of correction. We were told at the argument that the sheriff of Nassau County does not have a representative available in the arraigning courts and that responsibility for placing committed defendants in his hands rests with the police. After the arraignment but apparently before Stovall was handed over to the sheriff, two detectives took him, handcuffed to one of them, to the hospital where Mrs. Behrendt had undergone extensive surgery, and into her room. Three high police officers and two prosecutors were also there. One of the police officers asked Mrs. Behrendt whether Stovall was 'the man'; she said he was. At some time one of the officers asked Stovall 'to say a few words for voice identification'; he did—just what does not appear."

The panel recognized that "the privilege [of the Fifth Amendment against self-incrimination] does not invest a defendant with immunity from exposing himself to identification, even if this includes some movement, such as going from the jail to the courtroom for trial or rising, if called upon * * * and it may well be argued that use of the vocal chords, when these are not employed to produce utterances of testimonial value, stands no differently from that of the arm muscles."[8] But this truism does not settle whether Stovall was deprived of his Sixth Amendment right to counsel; although the two rights often overlap, they are not congruent. No one would suppose, for example, that because the Fifth Amendment does not protect a defendant from being compelled to stand up in court and try on a garment found at the scene of the crime, the prosecutor could require defense counsel to absent himself during such an episode. It is beyond dispute that the preliminary hearing was part of a "criminal prosecution," that Stovall had become an "accused," and that he was thus entitled "to have the Assistance of Counsel for his defence." Hamilton v. State of Alabama, 368 U.S. 52, 82 S.Ct. 157, 7 L.Ed. 2d 114 (1961); White v. Maryland, 373 U.S. 59, 83 S.Ct. 1050, 10 L.Ed.2d 193 (1963). This distinguishes Kennedy v. United States, 353 F.2d 462 (D.C.Cir. 1965), and other cases of identification during the investigative stage, on which the majority rely I fail to understand why, in the interval between preliminary hearing and trial, a defendant is not entitled to the assistance of counsel when the state wishes to make use of him to obtain evidence that will have independent testimonial value—particularly when Massiah v. United States, 377 U.S. 201, 84 S.Ct. 1199, 12 L.Ed.2d 246 (1964), has obliterated any distinction between judicial and extrajudicial action by the police once the "criminal prosecution" has begun.[9]

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[4] Indeed, I wonder whether the right to counsel the doctrines of Escobedo v. Illinois, 378 U.S. 478, 84 S. Ct. 1758, 12 L. Ed. 2d 977 and Massiah v. United States, 377 U.S. 201, 84 S. Ct. 1199, 12 L. Ed. 2d 246 apply to circumstances which do not ultimately involve a danger of self-incrimination. A person lawfully arrested and detained has no right to have his lawyer present to supervise all his activities that come within the realm of prison or detention house administration. Likewise, I should think that the police can search the defendant and his effects in the absence of counsel. Only when police conduct threatens to violate a personal right of the defendant that retains vitality during detention—e.g., the privilege against self-incrimination—or when police practices unfairly prevent the defense attorney from preparing his case—a literal deprivation of the right to counsel—must a court interfere to guarantee that the right is properly preserved. Viewed in this light, common sense finds a clear distinction between the case supposed by Judge Friendly in his dissent, where counsel is excluded from a court room identification at trial, and the failure to appoint counsel to accompany an accused to a pre-trial identification. Cf. United States v. Cone, 354 F. 2d 119, n. 13 (2 Cir. 1965).

[5] Relevant portions of Mrs. Behrendt's direct testimony are as follows:

"Q. What did you observe or what did you hear from that point on? A. I saw he was tall and strong and medium color, a medium brown, and I saw his face clearly because I jumped at him head on, and then a moment later when he stabbed me I fell down and I was already on the floor when my husband—when I saw my husband dead * * *

"Q. Now, this man that you speak of, that you saw, did you ever see him before that night? A. No.

"Q. Have you ever seen him since? A. Yes.

"Q. Are you able to point out who he is? A. Yes.

"Q. Will you do so? A. This Negro sitting there (indicating).

"The Court: Indicating the defendant. A. (Continuing) In the light coat.

"The Court: Indicating the defendant.

"The Witness: What?

"The Court: Indicating the defendant, you say?

"The Witness: Yes.

"Q. Did you ever see him anywheres before you saw him here in court today? A. Yes, in the hospital.

"Q. Do you know who he was accompanied by at that time? A. By several detectives, I think.

"Q. Do you know approximately when this was with relation to the time that you went into the hospital? A. I'm not quite sure. It was a few days after the operation when I was fully conscious. [It was in fact one day.]"

This was the only reference in Mrs. Behrendt's testimony to the hospital room identification until defense counsel's thorough cross-examination on that subject.

[6] Mrs. Behrendt testified that she had not seen Stovall since the hospital room identification. Likewise, the prosecutor in his opening statement mentioned the existence of the hospital room incident but he said that he could only speculate as to whether Mrs. Behrendt would be able to make a court room identification. Since Mrs. Behrendt was excluded from the court room (as a witness) when the incident was brought out during the cross-examination of two policemen, and since no mention was made of it during her direct testimony until after her court room identification, it seems doubtful that the use made of the hospital incident at trial colored her court room identification.

[7] The statement of the majority that this claim was "not even presented to the court below" is not wholly accurate. As the panel opinion explained, it was raised in Stovall's hand-written petition but was not considered by Judge Wyatt since in the district court counsel had relied entirely on the point dealt with in the final paragraphs of this court's opinion. The panel opinion also noted that the Assistant District Attorney commendably had not relied on the failure of Stovall's counsel to argue the point to Judge Wyatt and sought disposition by us on the merits.

[8] The reference to moving the arm muscles was followed by citation of Mr. Justice Holmes' well-known opinion in Holt v. United States, 218 U.S. 245, 252, 31 S.Ct. 2, 54 L.Ed. 1021 (1910).

The majority say that after Stovall's appearance before the state judge he "had to remain in [police] custody" and that his custody was lawful. I see no basis for these statements. New York properly recognizes that, after the preliminary hearing, the prisoner comes under a new legal regime and his lawful custodian is the sheriff, not the police; the only thing the police could properly do with Stovall at that time, see § 193 of the New York Code of Criminal Procedure, was to place him in the hands of the custodial authorities just as soon as possible. Those authorities would have been bound not only to prevent Stovall from removing himself but also to prevent his being removed or molested by anyone else. The assumption, implicit in the court's opinion, that such a prisoner is subject to the beck and call of the police is surely wrong, see Judge Finletter's fine opinion in Commonwealth v. Brines, 29 Pa.Dist. 1091 (C.P.1920). Once Stovall was in the sheriff's custody, the latter could not lawfully release him to the police without an order of the court; if the prosecution had sought such an order, counsel could have been appointed and the difficulty that has here arisen would have been avoided.[10]

Other arguments advanced by the majority are equally unconvincing. They say the police could have taken Stovall to the hospital for identification before arraignment despite the absence of counsel, so why not thereafter? But many things can be done in the absence of counsel in the investigative stage before the "criminal prosecution" begins, which cannot lawfully be done later, as Massiah v. United States, supra, plainly shows. The rhetorical question as to what counsel could have done was answered in the panel opinion many months ago:

> "He might have persuaded the prosecutor, in the state's own interest, if not to forego the hospital identification, at least to assure conditions better designed to avoid suggestion. He might have persuaded the judge to direct that Stovall be immediately sent to and then kept in jail pending trial, or be put before Mrs. Behrendt only under fair conditions such as a line-up, or be accompanied by counsel who might question her * * *. Or, as a last resort, he might have advised Stovall to refuse to go, or to remain silent if taken by force."

The case thus bears no resemblance to the recent decision in Rigney v. Hendricks, 355 F.2d 710 (3 Cir. 1965), with which I am in accord, where counsel were notified of the intention to place an accused prisoner in a line-up held under scrupulously fair conditions and with counsel present. We have been told in no uncertain terms that, in dealing with a capital charge, as Stovall's was at the time, we are not to speculate on whether prejudice resulted from the absence of counsel, Hamilton v. State of Alabama, supra 368 U.S. at 55, 82 S.Ct. 157, at 159, here, as there, "the degree of prejudice can never be known."

My brothers also intimate that the police and the prosecutor were confronted with an emergency and that they may have thought the visit to the hospital to be in Stovall's own interest. The latter argument ignores the huge amount of circumstantial identification the excellent police investigation had produced; moreover, if the state officials were motivated by such solicitude, the natural course would have been to ask Stovall whether he wanted to go. The emergency argument fails both on the facts and on the law. Grievous as Mrs. Behrendt's injuries had been, nothing in the record indicates that her life was any longer considered to be in peril when Stovall was brought before her; the presence of five police officers and prosecutors in her hospital room would argue to the contrary—and also tends to negate the suggestion that Stovall had to be brought in alone. If Mrs. Behrendt's condition had been as serious as my brothers suppose, nothing prevented the prosecutor from informing the state district judge at the preliminary hearing that Stovall had to be taken immediately before her, and suggesting that counsel be assigned forthwith for the limited purpose of advising him in that regard—rather than standing silent when Stovall told the judge of his desire to have counsel and then carting him off to a confrontation by the victim which counsel might have done something to mitigate.

My brothers also assert that in any event admission of the hospital identification was cumulative and therefore not prejudicial to Stovall, although they do not altogether agree on the grounds. Addressing itself to this point the panel said:

> "The statement was inculpatory on the central question of his presence on the occasion of the crime; indeed, Mrs. Behrendt's was the only identification that was testimonial rather than circumstantial, and the jury asked that all her testimony be reread. A claim of harmless error as to a conviction must surmount an exceedingly high hurdle, even on collateral attack, when the error was constitutional and the punishment is death. See Bruno v. United States, 308 U.S. 287 [60 S.Ct. 198, 84 L. Ed 257] (1939); Kotteakos v. United States, 328 U.S. 750, 764–65 [66 S. Ct. 1239, 90 L.Ed. 1557] (1946); Stewart v. United States, 366 U.S. 1, 9–10 [81 S.Ct. 941, 6 L.Ed.2d 84] (1961); Hamilton v. State of Alabama, supra, 368 U.S. 52 [82 S.Ct. 157). The hurdle is too high for this case."

Despite the labored attempt to prove the contrary, the hospital identification, featured in the prosecutor's opening, must have had a far greater effect on the jury than the identification in court some months later; common sense supports Dean Wigmore's observation, "After all that has intervened, it would seldom happen that the witness would not have come to believe in the person's identity." 4 Evidence § 1130 at 208 (3d ed. 1940). The self-created dilemma of the concurring opinion, that exclusion of the hospital identification would prevent identification at the trial, is illusory; exclusion of the former would simply have required the prosecutor to rest on Mrs. Behrendt's memory of the night of the dreadful crime and on her courtroom identification. If, in this posture, defense counsel had brought out the hospital identification, as no experienced counsel would, he would have had only himself to blame.

Although there can assuredly be a waiver of the right to counsel between arraignment and trial, no one has seriously suggested that we could find that, when, without any previous discussion, this Negro, of low mental capacity, was taken to the hospital by a detective to whom he was handcuffed. I scarcely regard Stovall as a sympathetic character, and I am glad that the crime was recent enough to permit an effective retrial. But I continue to believe that, in the absence of overriding necessity or consent, a man who has been brought before a judge on a charge of a capital crime, and has expressed his desire for counsel, is entitled under the Constitution to be let alone until he gets one. That is all Judge Marshall and I decided last March, and I adhere to it.

J. Joseph Smith, Circuit Judge (dissenting):

I dissent. I agree with Judge Friendly that "in the absence of overriding necessity or consent, a man who has been brought before a judge on a charge of a capital crime, and has expressed his desire for counsel, is entitled under the Constitution to be let alone until he gets one."

[In the Supreme Court of the United States, No. 254.—October Term, 1966]

THEODORE STOVALL, PETITIONER, *v.* WILFRED DENNO, WARDEN.

On Writ of Certiorari to the United States Court of Appeals for the Second Circuit.

[June 12, 1967.]

Mr. Justice Brennan delivered the opinion of the Court.

This federal habeas corpus proceeding attacks collaterally a state criminal conviction for the same alleged constitutional errors in the admission of allegedly tainted identification evidence that were before us on direct review of the convictions involved in *United States* v. *Wade, ante*, and *Gilbert* v. *California, ante*. This case therefore provides a vehicle for deciding the extent to which the rules announced in *Wade* and *Gilbert*—requiring the exclusion of identification evidence which is tainted by exhibiting the accused to identifying witnesses before trial in the absence of his counsel—are to be applied retroactively. See *Linkletter* v. *Walker*, 381 U.S. 618; *Tehan* v. *Shott*, 382 U.S. 406; *Johnson* v. *New Jersey*, 384 U.S. 719.[1] A further question is whether in any event, on the facts of the particular confrontation involved in this case, petitioner was denied due process of law in violation of the Fourteenth Amendment. Cf. *Davis* v. *North Carolina*, 384 U.S. 737.

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[9] I see no basis for Chief Justice Lumbard's "wonder whether the right to counsel doctrines of Escobedo v. Illinois and Massiah v. United States apply to circumstances which do not ultimately involve a danger of self-incrimination." Once it has been held, as these cases clearly did, that the Sixth Amendment may apply outside the courtroom and when, as in Massiah, the accused did not even know of the presence of the police or the prosecutor, I see no escape from the conclusion that, if the right has attached, the accused is entitled to the assistance of counsel when the prosecutor attempts to use him as a means of procuring evidence to be offered at the trial. I cannot believe my brothers would go to the extent of saying that, after arraignment or indictment, counsel could be excluded while the defendant was being subjected to medical examination or blood or handwriting tests. If counsel cannot be excluded from such procedures, common sense does not supply me with a satisfactory answer why he can be barred from an identification which his client is compelled to attend—although no one would dream of excluding him from a less meaningful one in the courtroom; the argument that, although excluded from the former, he will have an opportunity to attack both identifications at trial, does not seem sufficient for preventing him from rendering all possible assistance to the accused before the witness' impression hardens. I fear that my brothers simply have not been able to adjust their sights to the Supreme Court's new concept that the right to the assistance of counsel embraces activities outside the courtroom.

[10] It is unnecessary to decide in this case the manner and extent to which Stovall could have been exposed to viewing in the course of normal jail routine. Cf. Morris v. Crumlish, 239 F.Supp. 498, 499 (E.D.Pa. 1965).

Dr. Paul Behrendt was stabbed to death in the kitchen of his home in Garden City, Long Island, about midnight August 23, 1961. Dr. Behrendt's wife, also a physician, had followed her husband to the kitchen and jumped at the assailant. He knocked her to the floor and stabbed her 11 times. The police found a shirt on the kitchen floor and keys in a pocket which they traced to petitioner. They arrested him on the afternoon of August 24. An arraignment was promptly held but was postponed until petitioner could retain counsel.

Mrs. Behrendt was hospitalized for major surgery to save her life. The police, without affording petitioner time to retain counsel, arranged with her surgeon to permit them to bring petitioner to her hospital room about noon of August 25, the day after the surgery. Petitioner was handcuffed to one of five police officers who, with two members of the staff of the District Attorney, brought him to the hospital room. Petitioner was the only Negro in the room. Mrs. Behrendt identified him from her hospital bed after being asked by an officer whether he "was the man" and after petitioner repeated at the direction of an officer a "few words for voice identification." None of the witnesses could recall the words that were used. Mrs. Behrendt and the officers testified at the trial to her identification of the petitioner in the hospital room, and she also made an in-court identification of petitioner in the courtroom.

Petitioner was convicted and sentenced to death. The New York Court of Appeals affirmed without opinion. 13 N.Y. 2d 1094, 196 N.E. 2d 65. Petitioner *pro se* sought federal habeas corpus in the District Court for the Southern District of New York. He claimed that among other constitutional rights denied him at his trial, the admission of Mrs. Behrendt's identification testimony violated his rights under the Fifth, Sixth, and Fourteenth Amendments because he had been compelled to submit to the hospital room confrontation without the help of counsel and under circumstances which unfairly focussed the witness' attention on him as the man believed by the police to be the guilty person. The District Court dismissed the petition after hearing argument on an unrelated claim of an alleged invalid search and seizure. On appeal to the Court of Appeals for the Second Circuit a panel of that court initially reversed the dismissal after reaching the issue of the admissibility of Mrs. Behrendt's identification evidence and holding it inadmissible on the ground that the hospital room identification violated petitioner's constitutional right to the assistance of counsel. The Court of Appeals thereafter heard the case *en banc*, vacated the panel decision, and affirmed the District Court. 355 F. 2d 731. We granted certiorari, 384 U.S. 1000, and set the case for argument with *Wade* and *Gilbert*. We hold that *Wade* and *Gilbert* affect only those cases and all future cases which involve confrontations for identification purposes conducted in the absence of counsel after this date. The rulings of *Wade* and *Gilbert* are therefore inapplicable in the present case. We think also that on the facts of this case petitioner was not deprived of due process of law in violation of the Fourteenth Amendment. The judgment of the Court of Appeals is, therefore, affirmed.

I.

Our recent discussions of the retroactivity of other constitutional rules of criminal procedures make unnecessary any detailed treatment of that question here. *Linkletter* v. *Walker, supra; Tehan* v. *Shott, supra; Johnson* v. *New Jersey, supra*. "These cases establish the principle that in criminal litigation concerning constitutional claims, 'the Court may in the interest of justice make the rule prospective . . . where the exigencies of the situation require such an application' . . ." *Johnson, supra*, 384 U.S., at 726–727. The criteria guiding resolution of the question implicate (a) the purpose to be served by the new standards, (b) the extent of the reliance by law enforcement authorities on the old standards, and (c) the effect on the administration of justice of a retroactive application of the new standards. "[T]he retroactivity or nonretroactivity of a rule is not automatically determined by the provision of the Constitution on which the dictate is based. Each constitutional rule of criminal procedure has its own distinct functions, its own background of precedent, and its own impact on the administration of justice, and the way in which these factors combine must inevitably vary with the dictate involved." *Johnson, supra*, at 728.

Wade and *Gilbert* fashion exclusionary rules to deter law enforcement authorities from exhibiting an accused to witnesses before trial for identification purposes without notice to and in the absence of counsel. A conviction which rests on a mistaken identification is a gross miscarriage of justice. The *Wade* and *Gilbert* rules are aimed at minimizing that possibility by preventing the unfairness at the pretrial confrontation that experience has proved can occur and assuring meaningful examination of the identification witness' testimony at trial. Does it follow that the rules should be applied retroactively? We do not think so.

It is true that the right to the assistance of counsel has been applied retroactively at stages of the prosecution where denial of the right must almost invariably deny a fair trial, for example, at the trial itself. *Gideon* v. *Wainwright*, 372 U.S. 335, or at some forms of arraignment. *Hamilton* v. *Alabama*, 368 U.S. 52, or on appeal, *Douglas* v. *California*, 372 U.S. 353. "The basic purpose of a trial is the determination of truth, and it is self-evident that to deny a lawyer's help through the technical intricacies of a criminal trial or to deny a full opportunity to appeal a conviction because the accused is poor is to impede that purpose and to infect a criminal proceeding with the clear danger of convicting the innocent." *Tehan* v. *Shott, supra*, at 416. We have also retroactively applied rules of criminal procedure fashioned to correct serious flaws in the fact-finding process at trial. See for example *Jackson* v. *Denno*, 378 U.S. 368. Although the *Wade* and *Gilbert* rules also are aimed at avoiding unfairness at the trial by enhancing the reliability of the fact-finding process in the area of identification evidence, "the question whether a constitutional rule of criminal procedure does or does not enhance the reliability of the fact-finding process at trial is necessarily a matter of degree." *Johnson* v. *New Jersey, supra*, at 728–729. The extent to which a condemned practice infects the integrity of the truth-determining process at trial is a "question of probabilities." *Ibid*. Such probabilities must in turn be weighed against the prior justified reliance upon the old standard and the impact of retroactivity upon the administration of justice.

We have outlined in *Wade* the dangers and unfairness inherent in confrontations for identification. The possibility of unfairness at that point is great, both because of the manner in which confrontations are frequently conducted, and because of the likelihood that the accused will often be precluded from reconstructing what occurred and thereby from obtaining a full hearing on the identification issue at trial. The presence of counsel will significantly promote fairness at the confrontation and a full hearing at trial on the issue of identification. We have, therefore, concluded that the confrontation is a "critical stage," and that counsel is required at all confrontations. It must be recognized, however, that, unlike cases in which counsel is absent at trial or on appeal, it may confidently be assumed that confrontations for identification can be and often have been conducted in the absence of counsel with scrupulous fairness and without prejudice to the accused at trial. Therefore, while we feel that the exclusionary rules set forth in *Wade* and *Gilbert* are justified by the need to assure the integrity and reliability of our system of justice, they undoubtedly will affect cases in which no unfairness will be present. Of course, we should also assume there have been injustices in the past which could have been averted by having counsel present at the confrontation for identification, just as there are injustices when counsel is absent at trial. But the certainty and frequency with which we can say in the confrontation cases that no injustice occurred differs greatly enough from the cases involving absence of counsel at trial or on appeal to justify treating the situations as different in kind for the purpose of retroactive application, especially in light of the strong countervailing interests outlined below, and because it remains open to all persons to allege and prove, as Stovall attempts to do in this case, that the confrontation resulted in such unfairness that it infringed his right to due process of law. See *Palmer* v. *Peyton*, 359 F. 2d 199 (C. A. 4th Cir. 1966).

The unusual force of the countervailing considerations strengthen our conclusion in favor of prospective application. The law enforcement officials of the Federal Government and of all 50 States have heretofore proceeded on the premise that the Constitution did not require the presence of counsel at pretrial confrontations for identification. Today's rulings were not foreshadowed in our cases; no court announced such a requirement until *Wade* was decided by the Court of Appeals for the Fifth Circuit, 358 F. 2d 557. The overwhelming majority of American courts have always treated the evidence question not as one of admissibility but as one of credibility for the jury. Wall, Eyewitness Identification in Criminal Cases 38. Law enforcement authorities fairly relied on this virtually unanimous weight of authority, now no longer valid, in conducting pretrial confrontations in the absence of counsel. It is, therefore, very clear that retroactive application of *Wade* and *Gilbert* "would seriously disrupt the administration of our criminal laws." *Johnson* v. *New Jersey, supra*, at 731. In *Tehan* v. *Shott, supra*, we thought it persuasive against retroactive application of the no-comment rule of *Griffin* v. *California*, 380 U.S. 609, that such application would have a serious impact on the six States that allowed comment on an accused's failure to take the stand. We said, "To require all of those States now to void the conviction of every person who did not testify at his trial would have an impact on the administration of their criminal law so devastating as to need no elaboration." 382 U.S., at 419. That impact is insignificant compared to the impact to be expected from retroactivity of the *Wade* and *Gilbert* rules. At the very least, the processing of current criminal calendars would be disrupted while hearings were conducted to determine taint, if any, in identification evidence, and whether in any event the admission of the evidence was harmless error. Doubtless, too, inquiry would be handicapped by the unavailability of witnesses and dim memories. We conclude, therefore, that the *Wade* and *Gilbert* rules should not be made retroactive.

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[1] Although respondents did not raise the bar of retroactivity, the Attorney General of the State of New York, as *amicus curiae*, extensively briefed the issue of retroactivity and petitioner, in his reply brief, addressed himself to this question. Compare *Mapp* v. *Ohio*, 367 U.S. 643, 646, n. 3.

We also conclude that, for these purposes, no distinction is justified between convictions now final, as in the instant case, and convictions at various stages of trial and direct review. We regard the factors of reliance and burden on the administration of justice as entitled to such overriding significance as to make that distinction unsupportable. We recognize that Wade and Gilbert are, therefore, the only victims of pretrial confrontations in the absence of their counsel to have the benefit of the rules established in their cases. That they must be given that benefit is, however, an unavoidable consequence of the necessity that constitutional adjudications not stand as mere dictum. Sound policies of decision-making, rooted in the command of Article III of the Constitution that we resolve issues solely in concrete cases or controversies,[2] and in the possible effect upon the incentive of counsel to advance contentions requiring a change in the law,[3] militate against denying Wade and Gilbert the benefit of today's decisions. Inequity arguably results from according the benefit of a new rule to the parties in the case in which it is announced but not to other litigants similarly situated in the trial or appellate process who have raised the same issue.[4] But we regard the fact that the parties involved are chance beneficiaries as an insignificant cost for adherence to sound principles of decision-making.

II.

We turn now to the question whether petitioner, althought not entitled to the application of *Wade* and *Gilbert* to his case, is entitled to relief on his claim that in any event the confrontation conducted in this case was so unnecessarily suggestive and conducive to irreparable mistaken identification that he was denied due process of law. This is a recognized ground of attack upon a conviction independent of any right to counsel claim. *Palmer* v. *Peyton*, 359 F. 2d 199 (C. A. 4th Cir. 1966). The practice of showing suspects singly to persons for the purpose of identification, and not as part of a lineup, has been widely condemned.[5] However, a claimed violation of due process of law in the conduct of a confrontation depends on the totality of the circumstances surrounding it, and the record in the present case reveals that the showing of Stovall to Mrs. Behrendt in an immediate hospital confrontation was imperative. The Court of Appeals, *en banc*, stated, 355 F. 2d, at 735,

"Here was the only person in the world who could possibly exonerate Stovall. Her words, and only her words, 'He is not the man' could have resulted in freedom for Stovall. The hospital was not far distant from the courthouse and jail. No one knew how long Mrs. Behrendt might live. Faced with the responsibility of identifying the attacker, with the need for immediate action and with the knowledge that Mrs. Behrendt could not visit the jail, the police followed the only feasible procedure and took Stovall to the hospital room. Under these circumstances, the usual police station line-up, which Stovall now argues he should have had, was out of the question."

The judgment of the Court of Appeals is affirmed.

It is so ordered.

Mr. Justice Douglas is of the view that the deprivation of the right to counsel in the setting of this case should be given retroactive effect as it was in *Gideon* v. *Wainright*, 372 U.S. 335, and in *Douglas* v. *California*, 372 U.S. 356. And see *Linkletter* v. *Walker*, 381 U.S. 618, 640 (dissenting opinion); *Johnson* v. *New Jersey*, 348 U.S. 719, 736 (dissenting opinion).

Mr. Justice Fortas would reverse and remand for a new trial on the ground that the State's reference at trial to the improper hospital identification violated petitioner's Fourteenth Amendment rights and was prejudicial. He would not reach the question of retroactivity of *Wade* and *Gilbert*.

[In the Supreme Court of the United States, No. 254.—October Term, 1966]

THEODORE STOVALL, PETITIONER, *v.* WILFRED DENNO, WARDEN

On Writ of Certiorari to the United States Court of Appeals for the Second Circuit.

[June 12, 1967.]

Mr. Justice White, whom Mr. Justice Harlan and Mr. Justice Stewart join, concurring in the result.

For the reasons stated in my dissenting opinion in *United States* v. *Wade*, — U.S. —, I perceive no constitutional error in the identification procedure to which the petitioner was subjected. I concur in the result and in that portion of the Court's opinion which limits application of the new Sixth Amendment rule.

Mr. Justice BLACK, dissenting. In *United States* v. *Wade*, *ante*, and *Gilbert* v. *California*, *ante*, the Court holds that lineup identification testimony should be excluded if it was obtained by exhibiting an accused to identifying witnesses before trial in the absence of his counsel. I concurred in those holdings as to out-of-court lineup identification on the ground that the right to counsel is guaranteed in federal courts by the Sixth Amendment and in state courts by the Sixth and Fourteenth Amendments. The first question in this case is whether other defendants, already in prison on such unconstitutional evidence, shall be accorded the benefit of the rule. In this case the Court holds that the petitioner here, convicted on such unconstitutional evidence, must remain in prison, and that besides Wade and Gilbert, who are "chance beneficiaries," no one can invoke the rule except defendants exhibited in lineups in the future. I dissent from that holding. It keeps people serving sentences who were convicted through the use of unconstitutional evidence. This is sought to be justified on the ground that retroactive application of the holding in *Gilbert* and *Wade* would somehow work a "burden on the administration of justice" and would not serve the Court's purpose "to deter law enforcement authorities." It seems to me that to deny this petitioner and others like him the benefit of the new rule deprives them of a constitutional trial and perpetrates a rank discrimination against them. Once the Court determines what the Constitution says, I do not believe it has the power, by weighing "countervailing interests," to legislate a timetable by which the Constitution's provisions shall become effective. For reasons stated in my dissent in *Linkletter* v. *Walker*, 381 U.S. 618, 640, I would hold that the petitioner here and every other person in jail under convictions based on unconstitutional evidence should be given the advantage of today's newly announced constitutional rules.

The Court goes on, however, to hold that even though its new constitutional rule about the Sixth Amendment's right to counsel cannot help this petitioner, he is nevertheless entitled to a consideration of his claim, "independent of any right to counsel claim," that his identification by one of the victims of the robbery was made under circumstances so "unfair" that he was denied "due process of law" guaranteed by the the Fourteenth Amendment. Although the Court finds petitioner's claim without merit, I dissent from its holding that a general claim of "unfairness" at the lineup is "open to all persons to allege and prove." The term "due process of law" is a direct descendant of Magna Carta's promise of a trial according to the "law of the land" as it has been established by the lawmaking agency, constitutional or legislative. No one has ever been able to point to a word in our constitutional history that shows the Framers ever intended that the Due Process Clause of the Fifth or Fourteenth Amendment was designed to mean any more than that defendants charged with crimes should be entitled to a trial governed by the laws, constitutional and statutory, that are in existence at the time of the commission of the crime and the time of the trial. The concept of due process under which the Court purports to decide this question, however, is that this Court looks at "the totality of circumstances" of a particular case to determine on its own judgment whether they comport with the Court's notion of decency, fairness, and fundamental justice, and if so, declares they comport with the Constitution, and if not, declares they are forbidden by the Constitution. See, *e.g.*, *Rochin* v. *United States*, 342 U.S. 165. Such a constitutional formula substitutes this Court's judgment of what is right for what the Constitution declares shall be the supreme law of the land. This due process notion proceeds as though our written Constitution, designed to grant limited powers to government, had neutralized its limitations by using the Due Process Clause to authorize this Court to override its written limiting language by substituting the Court's view of what powers the Framers should have granted government. Once again I dissent from any such view of the Constitution. Where accepted, its result is to make this Court not a Constitution-interpreter, but a day-to-day Constitution-maker.

But even if the Due Process Clause could possibly be construed as giving such latitudinal powers to the Court, I would still think the Court goes too far in holding that the courts can look at the particular circumstances of each identification lineup to determine at large whether they are too "suggestive and conducive to irreparable mistaken identification" to be constitutional. That result is to freeze as constitutional or as unconstitutional the circumstances of each case, giving the States and the Federal Government no permanent constitutional standards. It also transfers to this Court power to determine what the Constitution should say, instead of performance of its undoubted constitutional power to determine what the Constitution does say. And the result in this particular case is to put into a constitutional mould a rule of evidence which I think is plainly within the constitutional powers of the States in creating and enforcing their own criminal laws. I must say with all deference that for this Court to hold that the Due Process Clause gives it power to bar state introduction of lineup testimony on its notion of fairness, not because it violates some specific constitutional prohibition, is an arbitrary, wholly capricious action.

I would not affirm this case but would reverse and remand for consideration of whether the out-of-court lineup identification of petitioner was, under *Chapman* v. *California*, — U.S. —, harmless error. If it was not, petitioner is entitled to a new trial because of a denial of the right to counsel guaranteed by the Sixth Amendment which the Four-

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[2] Note, Prospective Overruling and Retroactive Application in the Federal Courts, 71 Yale L. J. 907, 930–933 (1962).

[3] See Mishkin, Forward, The Supreme Court 1964 Term, 79 Harv. L. Rev. 56, 60–61 (1965).

[4] See Mishkin, n. 3, *supra*, at 61, n. 23; Bender, The Retroactive Effect of an Overruling Constitutional Decision: Mapp v. Ohio, 110 U. Pa. L. Rev. 650, 675–678 (1962); Schwartz, Retroactivity, Reliability, and Due Process: A Reply to Professor Mishkin, 33 U. Chi. L. Rev. 719, 764 (1966).

[5] See Wall, Eyewitness Identification in Criminal Cases 26–40; Paul, Identification of Accused Persons, 12 Aust. L. J. 42, 44 (1938); Williams & Hammelmann, Identification Parades, Part I, [1963] Crim. L. Rev. 480–481; Frankfurter, The Case of Sacco and Vanzetti 31–32.

> teenth Amendment makes obligatory on the States.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ERVIN. I am delighted to yield to my good friend, the senior Senator from Florida.

Mr. HOLLAND. Mr. President, I will not content myself with just asking to be associated with the distinguished Senator in his speech.

I compliment and congratulate the Senator upon the very great effort he has made in collecting the thoughts of scholars of all the ages since our Nation was established on this important constitutional matter.

The Senator has been most scholarly. He has been most convincing. He has voiced a courage and a depth of conviction which I wish all Senators could have heard. It is unfortunate that only a handful of Senators has been present to hear this truly great speech.

Mr. President, the distinguished senior Senator from North Carolina has shown a courage and a devotion to his country for a long time. As a boy fighting in Europe, he fought with such courage and devotion that he was awarded the Distinguished Service Cross by his grateful country.

As a young man practicing law, as a somewhat older man in the Halls of Congress at the other end of the Capitol, as a trial judge, as a judge of the Supreme Court of the great State of North Carolina, and in these recent years as a great Senator from the State of North Carolina in the Senate of the United States, the Senator from North Carolina has shown great courage and devotion to his country.

I do not believe the distinguished Senator has ever done a more courageous, convincing, utterly devoted and dedicated job than he has done today. And I congratulate him from the depth of my heart.

I want the Record to show how deep is my respect, my admiration, and my affection for the great senior Senator from North Carolina.

Mr. ERVIN. Mr. President, I will always treasure those gracious, generous remarks of my good friend, the senior Senator from Florida.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. ERVIN. Mr. President, I am delighted to yield to my friend, the senior Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, it was my privilege to read the minority views of the distinguished senior Senator from North Carolina prior to coming to the Chamber. It was also my privilege to hear a major portion of his speech which pretty well follows the logic of his minority views.

I can only echo the words of the senior Senator from Florida. It is beyond my capacity to add to what the Senator has said.

I think the Senator has made a great speech, and I would not be true to my oath to uphold the Constitution if I did not agree with everything the senior Senator from North Carolina has said.

Mr. ERVIN. Mr. President, I am deeply grateful to my friend, the junior Senator from Louisiana, for his most gracious remarks.

Mr. HOLLAND. Mr. President, since I intend to vote against the confirmation of Mr. Thurgood Marshall to be a Justice of the Supreme Court of the United States, I feel that the record should clearly state my two principal reasons for so doing.

I have already stated to my colleague, the distinguished senior Senator from North Carolina who preceded me, that I want to be associated with all of his scholarly remarks based upon his long experience and his actual participation in the deliberations of the Judiciary Committee on which he is such an important member. I have, however, just two comments that I want to make and preserve in the record to show my own position in this very important matter.

Mr. President, this is a matter of tremendous importance at all times, and particularly at this critical time when we vote to confirm or to reject a nomination of one named to be a justice on the Supreme Court of the United States.

My first reason for my position and my vote is that I regard Thurgood Marshall as a constitutional ultra liberal and an activist who would further entrench in the Supreme Court the attitude of the present activists on that Court to break down long-established constitutional interpretations, to virtually destroy any reliance upon the rule of stare decisis, and to substitute their own social philosophy for the long-established law and their own view of what the law ought to be for what the Constitution requires it to be.

There are many cases which have been decided by the Supreme Court in the last few years—many of which were mentioned by the distinguished senior Senator from North Carolina—which I could cite to show the attitude of a temporary majority of the Court which I think has been destructive of constitutional principle, but I shall mention only one: the Virginia poll tax case—Harper against Virginia Board of Elections—in which an activist majority of the court decided that a poll tax as a requirement for voting is unconstitutional under Federal law. This decision by a majority of the Court was made in spite of the clear recital in section 2 of article 1 of the Constitution that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the state legislature" and the repetition of that principle in identical words in the 17th amendment to the Constitution, adopted in 1913.

The fact was that at the time of the adoption of the original section 2, article 1, New Hampshire, one of the original States, had a poll tax which was a prerequisite for voting, and at the time of the adoption of the 17th amendment, numerous States had the poll tax which was a requirement for voting for the most numerous branch of their State legislatures. In the year 1788, when the original Constitution was ratified, and in the year 1913 when the 17th amendment was ratified, several States had much more onerous taxpaying requirements as a prerequisite for voting than the poll tax. During the years prior to the Virginia poll tax decision, the lower courts and the Supreme Court had both upheld the validity of the poll tax. The decision of the Supreme Court in the Virginia poll tax case was nothing more nor less than a substitution of the philosophy of a majority of the Court that the payment of a poll tax should not be a prerequisite for voting, notwithstanding the provisions of the Constitution, which meant that the majority of the Court ruled that the constitutional provision was no longer in effect and that it was unconstitutional to longer require a condition for voting which the Constitution, itself, by expressed words, had made a prerequisite for voting.

I think it is enlightening at this point to quote from the dissenting opinion of Mr. Justice Black in the Virginia poll tax case—and no one could speak of Mr. Justice Black as a racist.

Mr. President, I quote:

> Although I join the Court in disliking the policy of the poll tax, this is not in my judgment a justifiable reason for holding this poll tax law unconstitutional. Such a holding on my part would, in my judgment, be an exercise of power which the Constitution does not confer upon me.

And then again:

> The Court's justification for consulting its own notions rather than following the original meaning of the Constitution, as I would, apparently is based on the belief of the majority of the Court that for this Court to be bound by the original meaning of the Constitution is an intolerable and debilitating evil; that our Constitution should not be "shackled to the political theory of a particular era," and that to save the country from the original Constitution the Court must have constant power to renew it and keep it abreast with this Court's more enlightened theories of what is best for our society. It seems to me that this is not only an attack on the great value of our Constitution itself but also on the concept of a written constitution which is to survive through the years as originally written unless changed through the amendment process which the Framers wisely provided. Moreover, when a "political theory" embodied in our Constitution becomes outdated, it seems to me that a majority of the nine members of this Court are not only without constitutional power but are far less qualified to choose a new constitutional political theory than the people of this country proceeding in the manner provided by Article V.

In the dissenting opinion of Mr. Justice Harlan, the following statement is found—and no one could claim that Mr. Justice Harlan is a racist:

> Property and poll-tax qualifications, very simply, are not in accord with current egalitarian notions of how a modern democracy should be organized. It is of course entirely fitting that legislatures should modify the law to reflect such changes in popular attitudes. However, it is all wrong, in my view, for the Court to adopt the political doctrines popularly accepted at a particular moment of our history and to declare all others to be irrational and invidious, barring them from the range of choice by reasonably minded people acting through the political process.

In my judgment, the whole experience, career, and professional activity of Mr. Marshall shows that he embraces the philosophy of the majority of the Court in the poll tax case, which philosophy has been expressed in numerous other cases to the great harm of our judicial system and with the result of destroying both the stability of our system and the right of every citizen to rely upon the plain meaning of the Constitution and the earlier decisions of the U.S. Supreme Court construing it.

I am not alone in my strong feeling that Mr. Marshall, as an activist, would further destroy the balance of the U.S. Supreme Court and would further entrench the ultraliberal activists among its members.

My file shows a great number of clippings by responsible writers on this subject. I cite first a column by Mr. David Lawrence appearing in the Jacksonville Times Union of August 25, 1967, entitled "If L. B. J. Selected His Supreme Court Nominee by Race, He Should Have Avoided Another 'Judicial Activist.'" I ask unanimous consent that the column of Mr. David Lawrence be printed in the Record as part of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

If L. B. J. Selected His Supreme Court Nominee by Race, He Should Have Avoided Another "Judicial Activist"

(By David Lawrence)

Washington—Senator Sam J. Ervin Jr., a former Associate Justice of the North Carolina Supreme Court, has made a significant statement to the Senate Judiciary committee concerning President Johnson's appointment of Thurgood Marshall to be a Justice of the Supreme Court of the United States.

Mr. Ervin, in his lengthy pronouncement, does not make a single reference to the fact that Mr. Marshall is a Negro. His point is rather that, if President Johnson felt that he had to choose someone of a particular race or religion, he should not have added another "judicial activist" to the high court.

The North Carolina Democrat declares that the Supreme Court, as now constituted, "has a solicitude for persons charged with crime which blinds it to the truth that society and the victims of crime are as much entitled to justice as the accused."

Senator Ervin mentions that his is not a lone voice on this subject, but that Supreme Court justices, judges of federal courts, state judges, lawyers and writers on legal subjects have charged on many occasions that during recent years "a majority of the Supreme Court has repeatedly rendered decisions incompatible with the language and history of the Constitution."

Mr. Ervin calls attention, for instance, to a resolution adopted by a conference of state Chief Justices which pleaded for the exercise of judicial self-restraint and criticized certain decisions of the Supreme Court of the United States as "inconsistent with the powers allotted or reserved by the Constitution to the states." The North Carolina Senator adds:

"Self-restraint is the capacity and the willingness of the qualified occupant of a judicial office to lay aside his personal notions of what a constitutional provision ought to say and to base his interpretation of its meaning solely upon its language and history. In performing this task, he does not recklessly cast into the judicial garbage can the sound precedents of his wise predecessors. . . ."

What Senator Ervin is implying, in effect, is that he does not object to the nomination of Thurgood Marshall because of his race, but rather that other Negro lawyers might well have been considered who are not among the "judicial activists." He explains:

"This is no time to add another judicial activist to the Supreme Court. The court, as now constituted, has already taken us a long way down the road which George Washington told us not to travel. As a consequence, words of the Constitution no longer mean what they have always meant, history and precedents are disregarded, and decisions on crucial constitutional questions are based on personal notions which a majority of the justices happen to share from time to time. . . .

"It is not strange that Judge Marshall should be a legal and judicial activist. Indeed, it would be little short of miraculous if he were not. His activities as a practicing lawyer were calculated to make any man a constitutional iconoclast."

Unfortunately, the Senate committee which considered the question of confirmation did not in its hearings present to the country the names of some eminent Negro lawyers whose qualifications for the high court are entirely different from those of Mr. Marshall.

Mr. HOLLAND. I cite next a recent column by Mr. James J. Kilpatrick entitled "Marshall's Appointment Upsets Court Balance." I ask unanimous consent that the entire column be printed in the Record as part of my remarks. I quote in full the first paragraph thereof, which reads as follows:

> The nomination of Thurgood Marshall to the Supreme Court has produced cries of jubilation within the liberal left. On the conservative side of the fence, the prospect produces only a sharp dismay. Where goes the Constitution now?

There being no objection, the article was ordered to be printed in the Record, as follows:

Marshall's Appointment Upsets Court Balance

(By James J. Kilpatrick)

The nomination of Thurgood Marshall to the Supreme Court has produced cries of jubilation within the liberal left. On the conservative side of the fence, the prospect produces only a sharp dismay. Where goes the Constitution now?

The big news in Marshall's nomination, of course, is that he is the first Negro ever to be named to the court. In the larger view, the matter of his race is immaterial. The overriding fact is that in choosing Marshall to replace the retiring Tom Clark, President Johnson deliberately has moved to upset the rough balance of liberalism and conservatism that recently has prevailed upon the high tribunal. Next term, the forces of judicial restraint will be represented only by Harlan, Stewart, and White, with an occasional vote from Black. The judicial activists will be in full control.

To either view—conservative or liberal—the consequences of this replacement cannot be emphasized enough. When the founding fathers created the Supreme Court in the Constitution of 1787, it was widely supposed that the court always would be the weakest branch of the central government. The driving force of the court's first Mr. Justice Marshall—Chief Justice John—changed all that. By a process of evolution, culminating dramatically in the Warren Court, the tribunal has become the most powerful authority in the whole of our federal system. Its members, serving for life, are in a commanding position to shape national policies as they please. These days, they often are pleased to turn the Constitution into wax.

Nothing that is said here is intended as criticism of Thurgood Marshall, the man. He is an immensely attractive fellow, as charming as his predecessor of 150 years ago. During a decade of bitter litigation on civil rights issues, Southern attorneys developed an abiding respect and affection for him. At one time, it might have been possible to oppose his nomination by reason of Marshall's total concentration on the narrow field of Negro rights, but his service on the United States Second Circuit and his experience as Solicitor General have removed that objection. Beyond cavil, he is qualified for the high court—more qualified, in truth, than many of his predecessors.

Neither is this intended to say that Clark was a wholly consistent conservative on the bench, or that members of the high court in every case follow predictable lines. Clark had his activist relapses, as in the reapportionment cases; he was not above using his high office to vent his personal spleen, as in the Toilet Goods Association case of May 22. Most judges jump the philosophical traces now and then.

Nevertheless, the briefest glance at key cases of this past term will make the point.

In Adderley v. Florida, Clark was one of five who voted to sustain the convictions of 32 Negro students who undertook to trespass upon the Leon County jail in the name of civil rights. The opinion put a brake on some of the excesses of racial demonstrations. How would Marshall have voted in that case?

This past Monday, in Walker v. Birmingham, Clark was one of five who voted to sustain the conviction of Martin Luther King for putting his own view of the law above the order of a court. Would Marshall have voted to send Martin Luther King to jail?

In Fortson v. Morris, Clark was one of five who upheld the power of the Georgia legislature to name a governor when no candidate obtained a majority in the popular election. Nothing in the Fourteenth Amendment, said the majority, prevents a state from so ordering its own affairs. But Marshall's whole record demonstrates a doctrinaire view of the Fourteenth; he reads into "equal protection" all sorts of provisions the framers of that amendment never intended.

In Cooper v. California, and again in McCray v. Illinois, Clark was one of five who voted to strengthen the hand of police officials in securing evidence of crime. The two decisions served to bring some common sense back to the law of Fourth Amendment searches. How would Marshall have voted in these critically important cases? It is a fair surmise that he would have voted with Warren, Douglas, Brennan and Fortas to reverse.

What the court and country will be getting in Marshall will be a more congenial Fortas, a less truculent Goldberg, a more disarming Brennan. The appointment is a great tribute to Marshall's own skill and industry; he is the grandson of a slave, the son of a Pullman waiter. No critic would wish to take away from the heart-warming success story that came to its climax Tuesday. All the same, in any conservative view of the workings of the court, the nomination is something worse than net no-gain. This was bad news—almost disastrous news—and we shall be living with it for the next ten years at least.

Mr. HOLLAND. I cite next a recent column by Mr. Holmes Alexander, entitled "Americans Fear Supreme Court of Land," which I ask unanimous consent to have printed in the Record as a part of my remarks. I quote in full three paragraphs of Mr. Alexander's column, as follows:

> Some countries fear their military or their secret police—but America '67 fears its Supreme Court.
>
> How can you tell what that black-robed elite are going to do next? Spring more criminals? Abolish more protections? Throw down more altars? Rewrite more laws? Chew more clauses out of the Constitution? Maybe, as a former Vice President once said, the American people are too dumb to understand, but I wouldn't bet on that. I would bet that the outcropping of evidence at the top—in testimony before the U.S. Senate—says something about a swelling concern among the people themselves.

At this writing the Senate Judiciary Committee is getting such testimony in two separate hearings. The main body is examining the nomination of Solicitor General Thurgood Marshall to be an Associate Justice of the Supreme Court. The uneasiness that the senators feel about Marshall is not—as the liberal press insinuates—that he belongs to a minority group. The uneasiness lies in his attitude.

The hulking, chain-smoking Baltimore barrister is a left-leaning tower of judicial nihilism. He has been a know-nothing before the committee when asked about his beliefs in the Constitutional restraints. It doesn't matter that he'll be the only colored man on the Supreme Court. It matters a lot that he'll tip the Court's balance still more precariously in the bias that has made it fearsome to the American people.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AMERICANS FEAR SUPREME COURT OF LAND

(By Holmes Alexander)

Some countries fear their military or their secret police—but America '67 fears its Supreme Court.

How can you tell what that black-robed elite are going to do next? Spring more criminals? Abolish more protections? Throw down more alters? Rewrite more laws? Chew more clauses out of the Constitution? Maybe, as a former Vice President once said, the American people are too dumb to understand, but I wouldn't bet on that. I would bet that the outcropping of evidence at the top—in testimony before the U.S. Senate—says something about a swelling concern among the people themselves.

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The hulking, chain-smoking Baltimore barrister is a left-leaning tower of judicial nihilism. He has been a know-nothing before the committee when asked about his beliefs in the Constitutional restraints. It doesn't matter that he'll be the only colored man on the Supreme Court. It matters a lot that he'll tip the Court's balance still more precariously in the bias that has made it fearsome to the American people.

Then there's the judiciary subcommittee under Senator Birch Bayh (D., Ind.) which is studying constitutional amendments. You might think that such a subcommittee is an unlikely place to detect fear of the Supreme Court, but the outcropping is there just the same. Bayh's panel is examining proposals on what to do about the electoral college.

Many proposals are in the hopper. All have distinguished sponsors. But a close reading of the most cogent testimony shows that the only strong argument for changing the present system, which has served us well, is fear of the Supreme Court.

It is fear that those black-robed meddlers are going to lay hands on the electoral college, as they did upon the public schools, the public worship, the state legislatures, the House of Representatives and much else. Someday, some fool decision about one-man-one vote will come down from the Supreme Court and outlaw the electoral college. Someday in November, we'll wake up to a Presidential crisis. The Court will have found a national election invalid, and the country will be without a President.

That's the fear, and the argument is that we, the people, had better change the system before those crazy Justices gum up the works, as they're probably capable of doing. The fear has been most openly voiced by Senator Spessard Holland (D., Fla.) who made no bones in noting that the Court "has, in fact, acted in an extralegal and supraconstitutional manner."

"Acting as it has," Holland continued, "would it not be entirely within the realm of possibility for the Supreme Court to assert its judicial power?"

Let's say it can't happen in America, that a military coup would ever set aside a Presidential election. Or that secret police would kidnap a chief-of-state. But the Supreme Court, "extralegal and supraconstitutional" in Holland's language, has got us fearful of our rights to self-government, and no wonder.

Mr. HOLLAND. I next cite the recent column by Mr. William S. White entitled "Marshall to the Court—Can Moderation Survive?" I quote the first three paragraphs from that column, as follows:

> All who value poise and objectivity in the Supreme Court—qualities already sadly and often absent from its decisions—must look with deep anxiety upon President Johnson's nomination of Thurgood Marshall to the high bench.
>
> It is, of course, neither wise nor fair to impute as inevitabilities certain attitudes to Thurgood Marshall even before he has put on his black robes. Still, the probabilities of the future can only be rationally estimated by the known and certain past. By this standard it is likely that Marshall's elevations will only aggravate an already profound imbalance by which an already disproportionate majority of liberal justices has for years been acting not as detached arbiters but as lawmakers, not as interpreters of the Constitution but as amenders of that Constitution to suit their own notions.
>
> It is an interesting and even a stirring circumstance, to be sure, that Thurgood Marshall is the first Negro in history to reach the high court. So far as all this goes it is well and good. But all this is not the point. The point is not the color of Marshall's skin, which is irrelevant, but the cast of Marshall's mind. And thus far this has been the mind of an undoubtedly honest but also undeniably zealous liberal advocate, notably in civil rights, that is not the proper equipment for service upon a tribunal supposed to act in aseptic impartiality upon the grand issues of a nation.

My attention has also been called to a news article in the Miami Herald of recent date by Tom Littlewood entitled "Southerners Have a Day, but Marshall's In." I quote the last paragraph from that article which reads as follows:

> Marshall said not one word during the Senate hearings to remove any of Ervin's doubts that in fact, another judicial activist will be walking through the doors of the marble palace in October.

In yesterday's Washington Evening Star I noted still another column by Mr. James J. Kilpatrick, entitled "'Arbitrary Notions' Seen Swaying High Court," and I ask that that column be printed in full in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"ARBITRARY NOTIONS" SEEN SWAYING HIGH COURT

(By James J. Kilpatrick)

The "minority views" of a dissenting senator have much in common with the dissenting opinions of an appellate judge. So far as the immediate issue is concerned, such expressions are words written on the wind. The dissenter is writing for those who come after.

North Carolina's Sam J. Ervin Jr. fell into the classic pattern last week:

"I have considered with diligence, and I believe with objectivity, the career of Judge Thurgood Marshall and the philosophy it reflects, and I have been driven by my consideration of these things to the abiding conviction that Judge Marshall is by practice and philosophy a constitutional iconoclast, and that his elevation to the Supreme Court at this juncture of our history would make it virtually certain that for years to come, if not forever, the American people will be ruled by the arbitrary notions of Supreme Court justices rather than by the precepts of the Constitution."

"I use the words 'if not forever' deliberately," Ervin added, "because history teaches that a right once lost is seldom regained. For these reasons, my duty to my country forbids me to advise and consent to Judge Marshall's appointment to the Supreme Court."

In thus opposing Marshall's confirmation, Ervin was undertaking to stop a bull elephant with his bare hands. The nomination came out of Judiciary Committee accompanied by a majority report that went into raptures over "a great American . . . who is uniquely qualified, and one might say perfectly prepared to become a Supreme Court justice."

Nevertheless, Ervin and his corporal's guard of Southerners were dead right in the stand they took. By the majority's own description, Marshall "believes that the Constitution of the United States is a living document which the Supreme Court is required to interpret in each case according to the facts presented to it." What this glowing rhetoric really means, as Ervin remarked, is something else entirely:

"When they say the Constitution is a living document, they really mean that the Constitution is dead, and that activist justices as its executors may dispose of its remains as they please. . . . Those who employ this cliche mean that the Supreme Court should bend the words of a constitutional provision to one side or the other to accomplish an object the provision does not sanction."

Does this mean that the Constitution was intended to impose 17th Century forms upon a 20th Century society? Not at all. The genius of the Constitution, said Ervin, is this:

"The grants of power it makes and the limitations it imposes are inflexible, but the powers it grants extend into the future and are exercisable on all occasions by the departments in which they are vested."

So long as the Congress acts pursuant to the Constitution, it may change the laws at any time. But the power to change the Constitution itself is a power vested not in the Supreme Court, but in the people acting through their states.

The temptation to amend, rather than to interpret, is a temptation that flirts constantly through the high court's marble halls. How is this to be resisted? "The only check upon our exercise of power," said Chief Justice Stone in a famous line, "is our own sense of self-restraint." Stone later regretted his candor, but he stated a truth that ought to be carved eternally above the bench.

The awful reality, as Ervin said last week, is that "no authority external to themselves can compel Supreme Court justices to observe their constitutional obligation to base their interpretation of the Constitution upon its language and history."

Marshall's whole career, as advocate, judge, and solicitor general, suggests that he will join the activist bloc upon the court; and there his own personal notions of a "living Constitution," embodied in the votes he casts, will affect our lives for years to come.

Mr. HOLLAND. Mr. President, I shall read the concluding three paragraphs of the article:

> The temptation to amend, rather than interpret, is a temptation that flirts constantly through the high court's marble halls. How is this to be resisted? "The only check upon our exercise of power," said Chief Justice Stone in a famous line, "is our own sense of self-restraint." Stone later regretted his candor, but he stated a truth that ought to be carved eternally above the bench.
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> The awful reality, as Ervin said last week, is that "no authority external to themselves can compel the Supreme Court justices to observe their constitutional obligation to base their interpretation of the Constitution upon its language and history."
>
> Marshall's whole career, as advocate, judge, and solicitor general, suggests that he will join the activist bloc upon the court; and there his own personal notions of a "living Constitution," embodied in the votes he casts, will affect our lives for years to come.

It seems completely clear from the quotations which I have already included within my remarks, from numerous others which I could include, and from those which were included in the speech of the able Senator from North Carolina, that many patriotic Americans of able mind, who could not be termed racists, are opposed to the confirmation of Mr. Marshall as a Justice of the Supreme Court for the reason that he is shown to be such a complete ultraliberal, such an advanced activist in his thinking, and such a clear addition to the already too large ultraliberal activist membership of the Court who have been rewriting American constitutional law to express their own deeply held convictions as to what the law ought to be for what the Constitution and long-standing Court interpretations state it to be.

My second objection to the confirmation of Mr. Marshall is somewhat like the first but is by no means the same. Perhaps the most bitter field of controversy and litigation which has divided this country in my lifetime has been the field of so-called civil rights. Mr. Marshall's experience and his long-time practice as a lawyer has been almost exclusively in that field and unfortunately has been always on one side. As an experienced lawyer and as a capable advocate, he has been leading counsel for the NAACP in many civil rights cases and has constantly, and so far as I know without variation, adopted views and fought for the views of that organization and of the minority of American citizens whom it represents. I well recall Mr. President, that shortly after I came to the Senate, when the Southern States had entered into an educational compact of the greatest potentiality to advance the cause of education for both white and Negro young people from 15 Southern States, Mr. Marshall appeared as a principal active objector before a Senate committee to congressional ratification of that pact simply because, as he said, he feared that it might result in the advancement of racial segregation in the southern schools and not the advancement of racial integration which seemed to be his sole interest in the field of education. True, the southern educational compact has done a vast amount of good, but it has been unable to divert public funds from one State to the construction of facilities in another State simply because it failed by a narrow vote to get Senate ratification which would have enabled it to pool State capital resources in the effort to build and equip finer institutions of learning, particularly in some specialized fields which are not yet served in the whole southern educational field.

Mr. President, he has so continuously taken that side of the case as to leave him in no position to exercise balanced and impartial judgment on a point of law involving that aspect of civil rights as well as various other civil rights causes which have been involved in his other activities and in his court work. I want to make it very clear that in this matter I would be just as much opposed to any lawyer, regardless of the color of his skin, whose position had been constantly and aggressively on only one side of this whole field of judicial controversy. I have in mind several other lawyers whose activity has been solely of the sort characterized by Mr. Marshall's professional life, of whom I shall mention just one—Mr. Joseph Rauh, of Washington. He, too, is an able lawyer of great experience, but with a mind so entirely attuned to only one side of the controversial questions which I have mentioned that he could not possibly be considered as appropriate material for membership on the Supreme Court or any other Federal court.

I wonder what our ultraliberal friends in the Senate and throughout the Nation would think and say and what their position would be in the event the situation were reversed and the nominee to the Supreme Court happened to be one of the able attorney generals of the Southern States who have, because of their duty and their convictions, represented continuously and ably the other side of these controversial questions. I wonder what the attitude of the ultraliberals would be if an able lawyer from this very body such as the distinguished senior Senators from North Carolina and Mississippi, both of long judicial experience and training, but whose constitutional convictions and proper representation of their constituents has shown them constantly on the other side of these highly controversial civil rights questions in Senate hearings and debates, on television and in other public forums, were now a nominee to this very position. The point I am making is that among all of the undoubtedly experienced lawyers of our Nation, whom the American Bar has rated among its great number of accomplished lawyers there are many, many individuals well qualified to become Supreme Court Justices who are not identified with just one side of the most controversial field of litigation to be heard in our Federal courts for generations and that it is unfortunate that the President has chosen to name as his nominee a man who is so clearly, so closely and so zealously identified with just one side of these long-standing controversies.

In closing, I hardly need to remind the Senate that some of the most controversial of the so-called civil rights issues are still unsettled by the Court and they have shown themselves to be so controversial as to require their settlement by Justices of great experience and character and of demonstrated impartiality and objectivity. Only last night, and for several nights, we have been seeing in the good city of Milwaukee the clear fact that on the question of open housing a racial controversy is raging there which at some time—and I hope in the near future—will require a legislative and ultimately a judicial settlement which can be tolerated and accepted by all good Americans. Other and more terrible riots in other cities, including Detroit which was supposed to be a model city in this field and where 43 persons are said to have lost their lives during the course of the riots and many hundreds wounded, have clearly shown that the question of open housing is by no means settled and that its greatest impact is in the large cities of the north and not in the south where some earlier so-called civil rights problems were regarded as foremost.

There is still unsettled the question of de facto segregation in the public schools which has all the elements of controversy, misunderstanding, and bitterness that will bring it eventually into the U.S. Supreme Court and will require a final settlement there which will be acceptable to our people. Could there be a stronger requirement than that existing in this one field of civil rights that the personnel of the Supreme Court should be carefully chosen from the standpoint of not only their character, experience, and general objectivity, but also their impartiality in this most difficult field?

It is my deep conviction, Mr. President, that the naming of Mr. Marshall to the Supreme Court completely fails to meet the need of the times and of all times for a Court which is not packed or stacked, but whose members can thoughtfully, conscientiously, impartially, and prayerfully approach the great issues which I have mentioned and others which from time to time will bitterly divide our citizens, so that their decisions may be so sound as to command the respect and obedience of every thinking American.

For the reasons named, I cannot and will not support the confirmation of Mr. Marshall as a Justice of the Supreme Court.

Mr. HART. Mr. President, I have been troubled as to whether I should rise and make this comment, but have concluded that it should be made.

Early in his remarks, the Senator from North Carolina [Mr. ERVIN] expressed concern that in rising in opposition to the nomination of Thurgood Marshall, he would be charged with being a racist. The Senator from Florida has just expressed a somewhat similar concern.

None of us here is able to control the expressions of anyone across this country, but I want to make it clear that although it was my honor to report the nomination from the Committee on the Judiciary, no one on the committee and, I am sure, no one in the Senate, feels that the eloquent expressions to which the Senator from North Carolina has given voice this morning were motivated other than by a deep respect for the Constitution of the United States.

This description also motivates the Senator from Florida in what he had to say today, as well as other Senators who will oppose the nomination.

In my brief statement to the Senate at the opening of debate today, I did not mention the fact—but it is a fact—that Thurgood Marshall is a Negro.

But that is not why he was nominated by the President. That is not why the Senate should and, I trust, will confirm him.

He was selected by the President because he is a man who has an unequaled record among the members of the American bar as a successful advocate, because he has served with distinction as a Federal judge, and because he has had rich experience as the chief Federal litigator in the Office of the Solicitor General.

The President of the United States cited him "as a lawyer and a judge of very high ability, a patriot with deep convictions, and a gentleman of undisputed integrity."

These are the reasons why Thurgood Marshall is before the Senate for confirmation of his nomination to be Associate Justice of the Supreme Court of the United States, and not because he is a Negro.

However, as I have said, we cannot ignore the fact of his race. I think it is a symbol of progress, of hope, and of opportunity. It is a good symbol. It is a welcome one. If confirmed, he will become the first Negro to sit on the Supreme Court of the United States, and the Nation will be the stronger.

But I know that those who rise in his support and those who voice opposition to his nomination will not be doing so because of any matter of color.

Mr. JAVITS. Mr. President, I associate myself—although this is not my speech in chief—with the remarks of the Senator from Michigan. I feel the same way about those who will oppose the nomination of Thurgood Marshall, although I support the confirmation of his nomination.

Mr. ERVIN. I also want to thank the able Senator from Michigan as well as the able Senator from New York for their most gracious remarks.

The Senator from Michigan and I have had many contacts and both serve on subcommittees of the Judiciary Committee.

The Senator from Michigan is a fighter for the things in which he believes. He is always a just man. He is always a gracious man, whether one agrees or disagrees with him.

Mr. HART. I thank the Senator from North Carolina.

Mr. JAVITS. Mr. President, I support the confirmation of the nomination of Judge Thurgood Marshall to be a Justice of the Supreme Court. I have voted on two previous occasions to support Judge Marshall for confirmation—once as a judge of the Circuit Court of Appeals; once as Solicitor General. Together with my colleague from New York, I supported his nominations in both cases before the Committee on the Judiciary, as I have supported this one. I am proud to do so; but I do believe that some of the matters which have been raised against Judge Marshall need to be discussed, for this is one of the highest offices in the land, and one of tremendous power; and the degree of opposition which this nomination has engendered, considering the distinction of Judge Marshall at the bar, is indicative of the importance which should be attached to the question of his confirmation.

The Supreme Court does have a vital and decisive effect upon the life of the Nation. It is as great as that of Congress or that of the President. The Court can overturn the actions of Congress and it can overturn the actions of the President. Its voice can be vital in matters of life and death, as well as of the Constitution. Therefore, it is critically important that we screen with the greatest care those who would be judges. That is why the constitutional power was given to us.

Mr. President, as I see it, there are three questions involved in this confirmation.

First, is Thurgood Marshall fit to be a Justice?

Second, why is he being opposed for that office, if he is fit to be a Justice?

Third, if he is confirmed as a Justice, what kind of a judge will he be, and should that be a ground for opposition to him?

Mr. President, his fitness to be a Justice, I think, is unparalleled. We do not expect our Justices of the Supreme Court to be men who have not fought battles. Indeed, one of the first questions the Committee on the Judiciary—and I have been a member of that committee—asks a candidate is what trial experience has he had.

Mr. President, if you have had trial experience you are an advocate. If you are an advocate, you must have believed in a partisan cause, otherwise you would not be worth your salt as an advocate.

Thurgood Marshall has had unusual and extraordinary experience in most of the courts of the land as a lawyer at the bar, not only in the trial courts, but the appellate courts as well, in cases which required enormous knowledge of the law, tremendous courage as an advocate, and great skill in advocacy. All of those qualities he has shown; and that is what has brought him to the top. That is why he is being named a Supreme Court Justice.

In addition, he has been tried out in two roles which have given him probably far better preparation than the majority of Supreme Court Justices ever receive. He was a judge of the Circuit Court of Appeals for 4 years in my own circuit, which includes New York and is one of the busiest in the country. Then during the last 2 years he was Solicitor General of the United States. In each of those positions, he served with distinction, being as distinguished, and more so, when he left the position than when he came to it.

In addition, he is approved by the bar associations in New York and by the American Bar Association—which gives most careful scrutiny to this kind of appointee—and the testimony about him from every source the committee has heard bears witness to his high qualifications.

Indeed, Mr. President, it is interesting to me that the opposition itself certifies to his high qualifications as an advocate and a judge, because if he were not so good at it, they would not pay that much attention to him. The fact is that he is going to be a very potent and important member of the Court, by knowledge, experience, and force of personality. Therefore he receives much attention, and his confirmation is not routine.

I do not think anyone would seriously challenge his fitness to be a justice. In the questions the opposition raise, they impliedly admit that; their question is, Shall he be a Justice of the U.S. Supreme Court, considering the fact that it is a nine-man Court, and that the ideology and philosophy of a member of that Court does something to its balance, and therefore has an effect on what the majority will hold in many cases?

So the opposition, Mr. President, is not on the basis of fitness, but on the basis of disagreement with the kind of decisions which the opponents believe Judge Marshall will make.

Mr. President, it seems to me that that is pretty thin ground to stand on, because they do not know what decisions Judge Marshall will make. Indeed, the history of the Court is replete with the fact that a man's attitudes when he comes to the Court do not necessarily reflect the way he is going to decide. All one has to do is examine the histories of Earl Warren, Byron White, or Potter Stewart; or, going farther back, Brandeis, Cardozo, Black—a signal example—Goldberg, Frankfurter, all of whom became something very different, on the Court, than they were when they came to the Court.

The Supreme Court, like the presidency, does something to a man. It will do something to Thurgood Marshall. I do not know whether he will persevere in the views he has had up to this time, or not. I hope he will; I agree with them. But, Mr. President, there is no guarantee of that, as shown by the fact that Earl Warren was considered on his record to be fairly conservative at the time of his nomination, and now is regarded by many as a wild liberal. Byron White, on the contrary, who was widely assumed to be a liberal when nominated by President Kennedy, turned out to be quite a conservative member of the Court. No one can quarrel with that, if a man is fit to be a member of the U.S. Supreme Court.

Justice Black, when he came to the Court, was regarded with some concern by those who were called upon to pass on his confirmation because of his conservative record. He turned out to be one of the most liberal members of the Court—indeed, one of the staunchest pillars of its liberalism. Arthur Goldberg, a labor lawyer, turned out to have a very level headed and objective view about the law involving trade unions and labor matters, when he was on the bench.

Finally, Mr. President—and this is perhaps the most important point of all—those who are arguing against Thurgood Marshall's confirmation are really rearguing previous decisions of the Court with which they disagree; that is what it comes down to. Because they disagree, they are trying to get a justice on the Court who will agree with them, rather than with the majority of the Court.

Mr. President, that is no way to correct decisions of the Court, as we all know; and really, Judge Marshall does not deserve the opposition he is receiving on that ground, because I think it is definitely not inherent in the confirmation process of the Senate to try to correct decisions of the Court which a particular lawyer or a particular Senator does not like. The fact is that they were concurred in by a majority of the Court; they are the law of the land; Judge Marshall cannot affect those decisions in any way, and there should therefore be no retribution on him for what the Court decided before he got there.

We cannot turn the clock back. It is a fact, as the deep temper of the country has been demonstrated that we have almost invariably—I do not say invariably—sustained the majority of the Supreme Court here, despite all of the objections that have been made on the floor to one decision or another, whether about confessions or States' rights or the presence of a lawyer to assist the criminal, that whenever we have been actually faced with a situation which requires us to look down the muzzle of the gun and reverse the Supreme Court by legislative action we have not done so—or, at least, we have very rarely done so.

We have fought this argument out on the floor time and time again when Senators thought that a particular decision was extremely unpopular. The majority of the Senate thought, after thorough debate, that the institution of the Supreme Court of the United States is in the eyes of Americans far more important than the particular decision to which they or most Americans might object.

The institution of the Supreme Court demands that men of eminence, men of immense experience, men who have been in frequent conflict and controversy should serve on that court.

One of the best examples is that of Earl Warren—a State Governor, a political leader, nominee for the vice-presidency of the United States on the ticket of one of our great national parties, a man embroiled in the most ardent political contests—who has become one of the most luminous judges in the country.

The same is true with respect to Justice Black and other Supreme Court Justices—that they quickly display a basic understanding of the wellsprings of the Constitution and constitutional law rather than agreement with the particular views of one or more Senators as to what a phrase like "due process" or "equal protection under law," or "interstate commerce" or some other generalized phrase in the Constitution or in the amendments thereto may mean. That ability determines whether a man should or should not serve on the bench.

The appointment of Thurgood Marshall was inevitable. We knew the minute he went on the Circuit Court of Appeals bench that ultimately, if he served well, as he has magnificently done, he would go on the Supreme Court.

This is a most appropriate time for an object lesson to a great people who are in such deep travail in our country—the Negro people. It is a time when object lessons are most desirable. These object lessons cannot be synthetically created. However, when God and nature and the process of public policy has produced a situation in which there is an extraordinary breakthrough and object lesson of this kind, we certainly have the right to speak of it and to be thankful that there exists in the United States a Negro who deserves to be a Justice of the U.S. Supreme Court.

For myself—and I think it will prove to be for a majority of the Senate—it should be a matter of great pride for us that we may certify this fact to the Nation and to the world.

Mr. President, I predict with respect to Thurgood Marshall that he is going to surprise a lot of his critics. He has a rendezvous with history. He is a man of deep conscience. He cannot be taken for granted at all.

I think it is rather unfortunate that the opponents of his nomination are taking him for granted. He is too good a lawyer and too patriotic an American to be taken for granted in this manner.

Let us remember that the Negro is one of our oldest citizens. He has suffered with the soil of this country.

Thurgood Marshall's forebears were slaves. Their sweat and blood and tears have been imbedded in this land for 350 years—more than is true in the case of my ancestors who came over from Europe and took root here in the latter part of the last century.

This is a magnificent day. Thurgood Marshall will make a fine judge. There is no question about his fitness to be a judge. And that should be the only question.

Supreme Court cases should not be reargued here. The current in the stream of history is with the decisions which he has indicated he favors.

Thurgood Marshall certainly cannot be taken for granted.

It is our duty and it should be our honor, considering the circumstances, to confirm the nomination of Thurgood Marshall to be a Justice of the U.S. Supreme Court.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. Mr. President, I rise to speak in opposition to the nomination of Thurgood Marshall as an Associate Justice of the Supreme Court of the United States.

I do so fully aware of the responsibility of this Senate and each of its Members to consider whether to give its advice and consent to this nomination to the highest Court in the land.

My opposition to the nominee is based upon my strong and sincere belief that his elevation to the Supreme Court will have the inevitable result that the Court will truly become not only the keeper of the conscience of this Nation, but will also be the enforcer of the personal views of a majority of its members as to how the people should carry on their daily political, social, and economic lives.

I believe that there is no doubt that this nominee would join some of those presently on the Court to constitute a solid majority, able, willing, and ready to use the vast power of the Court as an instrument of social policy to bring about social changes in the lives of the people deemed desirable by a majority.

Mr. President, if this comes about, our constitutional system of divided powers will be totally destroyed. The Supreme Court will not only exercise judicial power, but will also exercise legislative power to effect social change.

Unfortunately, this process is already well on the way to fruition, as witness a number of recent Supreme Court decisions which have not only interpreted the Constitution, but have rewritten it.

I submit that the elevation of this nominee to the Supreme Court will insure that this pernicious process will be carried to completion.

In considering this nomination, we must realistically view its effect. We all know the present composition of the Supreme Court. Decision after decision of that Court reveals that there are presently four Members who could be characterized as "Judicial Activists." They constitute the so-called "liberal hard core of the Court." Judicial restraint is not one of the virtues of this group.

In the area of criminal law, this group is invariably found on the side which would expand the rights of criminal suspects and which would diminish the powers of Federal, State, and local law-enforcement agencies to deal with the ever-mounting crime wave.

This group is always ready to write its notions of what is "fair" into the Constitution.

I state now, without fear of successful contradiction, that this nominee, if approved by the Senate, would most assuredly become part of this group. This would insure that these persons, whom I regard as threatening the continued existence of our Constitutional Republic, would have free rein to impose their ideas of contemporary communal values on our people.

I base this judgment on the past record and public statements of the nominee, his decisions rendered as a judge of the U.S. Court of Appeals for the Second Circuit, and his testimony before the Judiciary Committee at the hearings on his nomination.

When the nominee appeared before the Judiciary Committee various Senators, including myself, attempted to elicit from him his views on the great constitutional issues which concern Americans. Our sincere efforts resulted in a complete failure. The nominee took the position that it would be improper for him to answer any questions about his theory and philosophy of constitutional law which could involve a question which might come before him as a Justice of the Court. He admitted that any and every provision of the Constitution might come before him as a Justice of the Court for interpretation, and so declined to answer any questions along these lines.

In an effort to learn something of his

views, I produced a copy of the Daily Texan of Austin, Tex., for March 19, 1967, in which the nominee was interviewed upon the occasion of his making a speech at the University of Texas Law School. I read the following quotation from that news story:

> Turning to criminal procedure cases, Marshall spoke on *Escobedo vs. Illinois*, and *Miranda vs. Arizona* litigation. The Court held that in those cases that a person suspected of a crime has a right to Counsel, confessions obtained in violation of the ruling cannot be used, and the suspect cannot be made to incriminate himself.
>
> Criticism of these cases, especially by police officials have no basis, Marshall said. He reported he had seen no studies indicating the rulings have adverse effect on investigation of crime.

I then asked him if he had made that statement. His reply was:

> I think that is a reasonable statement. But you realize, Senator, Mr. Chairman, that was made at the University of Texas Law School.

I personally do not understand why a statement he made at the University of Texas Law School should be accorded any less weight than any other statement he made under other circumstances. I believe we are safe in assuming that he is in agreement with the line of decisions in the area of criminal law enforcement culminated by the Miranda decision. This will be confirmed by other statements he has made to which I will shortly make reference. It will even be seen that he does not believe that these decisions have gone far enough in achieving the necessary radical reforms in the area of criminal law enforcement.

I also questioned the nominee about an article appearing in the American Bar News, which quoted excerpts from a speech made by him at the University of Miami on Law Day 1966. The nominee acknowledged that he had made such a speech.

I now wish to briefly quote the few questions I asked him about this, and his answers thereto.

The questions and answers as they appear in the printed transcript of the hearings are as follows:

> The Chairman. You are quoted in this article as having said that your concern was not with those who "resist any change in the status quo with fury," but those "whose criticism of recent Supreme Court doctrine stems from a more intellectual level."
>
> You are quoted as having stated that this "intellectual or professional criticism reflects a profound element of misunderstanding. It reflects a refusal to accept a new concept of law, to shake free of the 19th century moorings and to view law, not as a set of abstract and socially unrelated commands of the sovereign, but as effective instruments of social policy."
>
> Now, did you make that statement?
>
> Judge Marshall. I think that's accurate——
>
> The Chairman. Yes.
>
> Judge Marshall (continuing). As I remember it.
>
> The Chairman. Well, then, doesn't that reflect that—isn't the meaning of that that the U.S. Supreme Court is an instrument and should be an instrument of social change?
>
> Judge Marshall. I don't think I was talking about the Supreme Court. I was talking about the people in general and especially the bar.
>
> The Chairman. I see.
>
> Judge Marshall. The lawyers of the bar.

I found it difficult to believe that the Solicitor General's testimony was correct. The quotations which I read him distinctly tie his views of the law as an effective instrument of social policy back to the intellectual or professional criticism of the Supreme Court. This strongly indicated to me that he meant that the Supreme Court should be used as an effective instrument of social policy, although he stated in his testimony that that was not what he had meant.

I instructed my staff to obtain a copy of the text of the nominee's Law Day speech in Miami so that we could see exactly what he did mean. After attempting to locate a copy of the speech from a number of sources, it was discovered that the only available copy was in the custody of the nominee himself. He kindly agreed to furnish us with a copy.

I ask unanimous consent to have printed in the Record, immediately following my remarks, a copy of the entire text of this speech.

The PRESIDING OFFICER (Mr. Long of Louisiana in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. EASTLAND. A reading of this speech shows that its principal thesis is that the Supreme Court of the United States should be an effective instrument of social policy and should lead the way in effecting social change. If anyone has any doubt as to the views of this nominee as to the proper function of the Court to which he has been nominated, a reading of this speech will dispel such doubts.

It is a blueprint and a call for a court-enforced social revolution in this country. I should like to read pertinent excerpts from this speech, and I request that every Member carefully consider these words of the nominee.

At one point in the speech he made the following statement:

> For Americans view the Constitution as a set of moral commands, guides to civilized communal living, not just technical and specialized guides to good government. In this struggle for racial equality the Supreme Court served, at least in 1954, as a voice not of contemporary opinion but of communal conscience, or in Chief Justice Hughes' earlier characterization, as "teachers to the citizenry."

Further on in his speech he said:

> This contrast reveals two conditions that justify transforming the power of invalidation, spawned in a more modest context, into an active instrument of social change—an established social pattern that threatens a central constitutional ideal and a default by other social institutions. The point to be made, however, is not purely an academic one. It suggests to me that the curtain has not, and should not come down, on the Supreme Court's active engagement in the process of social change, of requiring that our social living conform to our social ideals.

In discussing recent developments in the field of criminal law, he made the following statements:

> The Supreme Court's involvement in reforming our criminal processes began thirty years ago, and it has continued down to the present, with ever greater intensity. The brush strokes have been getting broader and broader, and the result has been, in my opinion, to remove anachronisms which have no place in our society.

He later made the following remarks as to the proper functions of the Court in enforcing the criminal laws:

> The courts cannot rest in their vigilance, they can never be sure that its engagement of reforming the criminal process has been completed. Even though, as a national proposition, we have moved a long way from those initial outrages perceived in *Brown* v. *Mississippi* and *Powell* v. *Alabama*, gross imperfections still remain, if the standard of judgment is contemporary communal values. Pre-arraignment procedures in the station house, bail; pretrial publicity; the right to a speedy trial; pretrial discovery; the admission of evidence dealing with the accused's prior criminal record; the right to counsel in specialized proceedings, such as collateral attacks, commitment proceedings, and revocation-of-parole proceedings. These are just some of the areas that will come under particular scrutiny in the years to come. and the areas in which radical reform will take place.

Toward the conclusion of his speech, the Solicitor General addressed himself to recent criticism of decisions of the Supreme Court. He first made the following observation:

> Some of the criticism flows from those whose material selfishness and self-satisfaction lead them to resist any change in the status quo with fury. They are not my concern here. There are others, however, whose criticism of recent Supreme Court doctrine stems from a more intellectual level.

He then went on to say:

> Instead my concern is with the intellectual or professional criticism that reflects a profound element of misunderstanding. It reflects a refusal to accept a new concept of law, not as a set of abstract and socially-unrelated commands of the sovereign, but as effective instruments of social policy. In recent decades the Supreme Court has transformed the law into an effective instrument of social policy, and the example *par excellence* is its involvement in the process of social change.

If you believe that the proper powers and duties of a Justice of the Supreme Court include the responsibility of applying his personal notions of contemporary communal values in all areas of our social, economic, and political life, so as to achieve the sort of social change which he finds desirable, then we should approve the nomination of Thurgood Marshall as a Justice of the Supreme Court. If not, we should reject this nomination, which I fervently hope and trust this Senate will do.

The social, political, and constitutional philosophy of a member of the Supreme Court is much more important now than it was in former times. It used to be that the Justices of that Court attempted to carry out their proper duties of interpreting the Constitution and laws of the United States by ascertaining and applying the plain meaning of the language involved, and giving great weight to the original intent of the framers of the Constitution.

In more recent times, however, the trend of some Justices has been to apply their own individual personal notions of right and wrong to rewrite the Constitution and laws. I deplore this trend, and wish that it were not so. I believe it will surely lead to the destruction of our system of government. However, if the Court is to act as the enforcer of a set of moral codes, then let us make certain at least that the members reflect as accurately as possible the views of a majority of the American people, who will be governed by their decisions.

That is why I give such great weight to the expressed opinions and views of this nominee. I believe that in large areas of our life, especially in the fields of the enforcement of criminal law and court-ordered social change, his philosophy is basically antagonistic to that of the great majority of citizens in this country.

An example of the judicial activism which characterizes the lifework of the nominee is the dissenting opinion he wrote as a judge for the Court of Appeals for the Second Circuit in the case of *People of the State of New York* v. *Galamison*, 342 F. 2d, 255. This case involved an interpretation of 28 U.S.C., section 1443, the Federal Criminal Removal Statute. In his dissenting opinion, Judge Marshall argued that the statute should be given a liberal interpretation so that in order to have a criminal case removed from State Court to Federal Court, a petitioner would only have to allege that the State prosecution would deny him the equal protection of the laws. Judge Marshall held that upon the making of this broad allegation a petitioner would have the right to a factual hearing in Federal court as to the truthfulness of his allegations.

This holding was contrary to all of the leading cases on the subject of the correct interpretation of the removal statute, including *Strauder* v. *W. Va.*, 100 U.S. 303, and *Kentucky* v. *Powers*, 201 U.S. 1, which gave a narrow and restrictive interpretation of that statute.

The majority of the Court of Appeals for the Second Circuit disagreed with Judge Marshall, and followed the well-established rule of law that a petitioner would be allowed to remove his prosecution from State to Federal court only in extraordinary circumstances, such as when the State prosecution would deny petitioner a right conferred by a specific Federal statute, such as the public accommodations title of the Civil Rights Act of 1964.

The question of the correct interpretation of the removal statute was decided by the Supreme Court in the case of *City of Greenwood* v. *Peacock*, 384 U.S. 808. In that case, the Supreme Court by a 5-to-4 vote held that that law should be given the narrow interpretation which had been given it by a long line of previous decisions.

The four hard-core judicial activists on the Court, of course, dissented vigorously and argued that section 1443 should be given a very broad and liberal interpretation so as to make it extremely easy for a petitioner to receive a hearing in Federal court as to whether his case should be removed.

One of the five votes in the majority was cast by Mr. Justice Tom Clark, whose place this nominee would take on the Court. It does not require gazing at the crystal ball or a reading of the tea leaves to tell us that when this issue is next presented to the Supreme Court, this nominee, if confirmed, would vote to overturn the Peacock decision and to write some new law on this subject which involves a most delicate area of Federal-State relationship.

There may be those here who would say "What is wrong with that?" The majority opinion in the Peacock case gave a good answer as to the practical effect of a holding which would open the floodgates for these persons to come into Federal court. The Court used the following language in discussing this problem:

> It is worth contemplating what the result would be if the strained interpretation of § 1443(1) urged by the individual petitioners were to prevail. In the fiscal year 1963 there were 14 criminal removal cases of all kinds in the entire Nation; in fiscal 1964 there were 43. The present case was decided by the Court of Appeals for the Fifth Circuit on June 22, 1965, just before the end of the fiscal year. In that year, fiscal 1965, there were 1,079 criminal removal cases in the Fifth Circuit alone. But this phenomenal increase is no more than a drop in the bucket of what could reasonably be expected in the future. For if the individual petitioners should prevail in their interpretation of § 1443(1), then every criminal case in every court of every State—on any charge from a five-dollar misdemeanor to first-degree murder—would be removable to a federal court upon a petition alleging (1) that the defendant was being prosecuted because of his race and that he was completely innocent of the charge brought against him, or (2) that he would be unable to obtain a fair trial in the state court. On motion to remand, the federal court would be required in every case to hold a hearing which would amount to at least a preliminary trial of the motivations of the state officers who arrested and charged the defendant, of the quality of the state court or judge before whom the charges were filed, and of the defendant's innocence or guilt. And the federal court might, of course, be located hundreds of miles away from the place where the charge was brought. This hearing could be followed either by a full trial in the federal court, or by a remand order. Every remand order would be appealable as of right to a United States Court of Appeals and, if affirmed there, would then be reviewable by petition for a writ of certiorari in this Court. If the remand order were eventually affirmed, there might, if the witnesses were still available, finally be a trial in the state court, months or years after the original charge was brought. If the remand order was eventually reversed, there might finally be a trial in the federal court, also months or years after the original charge was brought.

We should know exactly what we are doing if we vote to confirm this nomination. If this nominee should go on the Court in October we can be certain that the question of the interpretation of the Removal Statute will immediately be brought up for reconsideration by the Court in another case. We can be equally certain that when that happens, the Court will reverse the Peacock decision by a 5-to-4 vote.

We can then be prepared to create at least 100 new Federal judges at the trial level, not to mention the additional judges who will be needed to hear these appeals.

I believe that this could lead to a breakdown of our Federal court system.

I strongly urge you to consider these certain consequences if you vote to approve this nomination.

There is another facet of the testimony that Judge Marshall gave with reference to his opinion in the Galamison case that causes me some concern. In that opinion, at page 279 of 342 F. 2d, he cited a book titled "A Documentary History of the Negro People in the United States" by Herbert Aptheker. This book was cited as support by him for the following statement found in that opinion:

> First, peaceful protest, speech and petition, is a form of self-help not unknown during the era of reconstruction when section 1443 (2) was forged.

Of course, Herbert Aptheker is and has for many years been an avowed Communist and the leading Communist theoretician in the United States. I asked the nominee whether he knew at the time he cited that book that its author had been for many years an avowed Communist and the leading Communist Party theoretician. His response is as follows:

> Judge Marshall. I positively did not know that.
>
> The Chairman. In fact if you had known that, would you have cited him as an authority?
>
> Judge Marshall. I certainly would not——
>
> The Chairman. Well, do you think——
>
> Judge Marshall (continuing). Have done it.

I believe it is a denial of due process of law to a litigant for a judge to cite a book which has not been admitted in evidence and which the litigant has not had opportunity to discredit as authority for a statement made in a judicial opinion. It is certainly a flagrant denial of due process to cite such a book which is written by an author with a given bias or slant.

This Aptheker book cited by Judge Marshall strictly adhered to the Communist Party line as to Negro history in America. How anyone could even casually read this book and fail to see that obvious fact is difficult to understand.

Surely Judge Marshall read this book before he cited it as authority. He would not be so derelict to his duty as to cite a book he had not read.

The introduction was written by Dr. W. E. B. DuBois, a lifetime fellow traveler who in later years formally embraced communism.

The various introductory material written by Mr. Aptheker clearly revealed the Communist slant of the book. For instance in discussing the role of the Negro during the Spanish-American War, that war is referred to as "a war of imperialism."

It is amazing that a man of political and intellectual affairs such as Judge Marshall would not have known in October 1964 when the Galamison case was argued, or in January 1965 when it was decided that Herbert Aptheker was a leading Communist. He claims not to have known what many ordinary citizens knew.

As of December 1964, Mr. Aptheker had published no less than 23 books and at least 17 articles in publications. Many of these works deal with the subject of Negro history.

On page 3 of the New York Times of September 9, 1964, there appears a lead story about the funeral in Moscow of Elizabeth Gurley Flynn, for many years a leading American Communist. It was stated in this story that Mr. Herbert Aptheker spoke at that funeral. A photograph showing and identifying Mr. Aptheker in the group of mourners accompanied the news story. There has been over the years a great deal of press coverage given to Mr. Aptheker's Communist activities. He has never been one to hide his light under a bushel.

The most compelling reason for doubting the accuracy of the testimony of the nominee in this respect is the fact that the case of Herbert Aptheker against Secretary of State was decided by the Supreme Court of the United States on June 22, 1964. The opinion of the Court is recorded at 378 U.S. page 500. This case dealt with the legality of the actions of the Secretary of State in denying passports to Mr. Aptheker and other Communists.

One of the cases in the field of criminal law about which the nominee was questioned before the Judiciary Committee was *Escobedo* v. *Illinois*, 378 U.S. 478. The nominee exhibited knowledge about the holding of that case. It is reasonable to assume that he read the opinions of the Court. The Escobedo case was decided on June 22, 1964, the same day as was the Aptheker case. The Escobedo opinion appears in the U.S. reports directly following the Aptheker opinion.

It strains the powers of belief to the breaking point to think that Judge Marshall could have been unaware of who Herbert Aptheker was when he cited his book.

Whether or not he would know who Aptheker was at that time is very important, because he stated in the testimony above quoted that he would not have done so if he had known the facts.

I believe that the Senate should carefully weigh these considerations in considering this nomination.

We all know that former Justice Tom Clark, whose place on the Court this nominee is seeking, frequently sided with those Justices who believed that the highest degree of judicial statesmanship was in the use of judicial restraint. In a number of these cases, the deciding vote in 5 to 4 decisions was cast by Justice Clark.

As I have previously stated, there can be little doubt but that this nominee, if confirmed, would join the group of judicial activists on the Court.

It would be useful in considering this nomination to review a few of the cases in which Justice Clark's vote was decisive in causing the Court to use some measure of self-restraint. It is strongly probable that this nominee, if confirmed, would vote with the activists in similar cases.

Some of the leading cases decided in the last two terms of the Court in this category are as follows:

First. *Ginzburg* v. *United States*, 383, U.S. 463. In that case the Court, by a 5-to-4 vote upheld the conviction of a smut peddler, Ralph Ginzburg, for violation of 18 U.S.C. section 1461, the Federal obscenity statute.

Second. *Adderly* v. *Florida*, 385 U.S. 39. The Court, by a 5-to-4 vote, upheld the conviction under the Florida Trespass Law of a number of demonstrators at a jail in Tallahassee, Fla.

Third. *Fortson* v. *Morris*, 385, U.S. 231. The Court, by a 5-to-4 vote, upheld the validity of a section of the Constitution of Georgia which provided that a majority of the State legislature shall select the Governor from the two candidates with the highest number of votes in a general election where no gubernatorial candidate received a majority vote.

Fourth. *Cooper* v. *California*, 386 U.S. 58. The Court upheld under the California Narcotics Law based on a search without a warrant conducted by the police of a car impounded by the police after the arrest of the criminal suspect.

Fifth. Walker against City of Birmingham, decided June 12, 1967. This case upheld the convictions on charges of criminal contempt of a number of civil rights demonstrators who had willfully disobeyed a State court injunction without first testing its validity.

I sincerely believe that, if the Senate assents to this nomination, the quality of the performance of the Supreme Court will be further diminished.

In No. 78 of the Federalist, Alexander Hamilton discussed the Judiciary Department of the Government. He defended the establishment of an independent judiciary against attacks that the judicial power of interpreting the Constitution and laws might be transformed by Judges into the power to make laws with the following explanation:

> To avoid an arbitrary discretion in the courts, it is indispensable that they should be bound down by strict rules and precedents, which serve to define and point out their duty in every particular case that comes before them.

The testimony of the nominee before the Judiciary Committee and his public utterances clearly show that he feels that the Constitution of the United States is a "living document", and that while the wording of the Constitution does not change, the meaning sometimes does.

And if there are those who believe that this nominee should be confirmed to serve on the Supreme Court because it is thought that the incorporation of his social and political philosophy into the Constitution and laws of the United States would be a desirable occurrence, I can do no better than to quote the language of Mr. Justice Brandeis, dissenting in the case of *Olmstead* v. *United States*, 277 U.S. 438, 479. He used the following eloquent language to answer this argument:

> Experience should teach us to be most on our guard to protect liberty when the Government's purposes are beneficient. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding.

I sincerely hope that the Senate will not advise and consent to this nomination.

EXHIBIT 1

HUMAN RIGHTS—CIVIL RIGHTS: FROM THEORY TO PRACTICE

(Remarks by Hon. Thurgood Marshall, Solicitor General of the United States before the Law Day Luncheon, University of Miami, Miami, Fla., April 27, 1966)

The President of the American Bar Association set the theme for Law Day—1966 as follows:

"Our nation will celebrate in 1966 two notable milestones in the life of our republic. One is the 175th anniversary of the Bill of Rights. The other is the 190th anniversary of the independence of the United States.

"It is appropriate that on May 1 we also will be celebrating Law Day USA with the theme: 'Respect the Law—It Respects You'."

* * * * *

In discussing this theme I shall dwell on what I consider to be paramount: "Human Rights—Civil Rights" and more particular "From Theory to Practice."

Save for Viet Nam and the drive for peace throughout the world, public opinion—professional and lay—is focused on the so-called Negro revolution in the United States and the War on Poverty. Indeed, all three are part of the same cloth. Our world leadership and the struggle for peace is evaluated and re-evaluated by democracy as it is practised at home. We can never explain away our mistreatment of minorities, whether because of race or lack of financial affluence.

Recent demonstrations ranging from the peaceful Selma march to the violent riots in Los Angeles, California, are dramatic enough to cause all to pause and seek out the causes and inevitable solution. Then, too, our present judicial processes including the present method of jury trials in the South—indeed our entire judicial system needs more careful study. Whichever way you look at it, we must seek the removal of all barriers in American life which are based on minority status whether racial or financial, or both.

Since the oldest and most consistent example of mistreatment of minorities has focused upon Negroes, a fair understanding of our present problem requires a glimpse into the past. Being a constitutional democracy we first look to our basic statutory structure. Beginning with the Declaration of Independence we remember that Jefferson sought to have slavery condemned in the Declaration of Independence. He was unsuccessful. Secondly, the constitution of our government expressly recognized slavery and gave legal support to it.

It should also be borne in mind that by that time the status of Negro Americans was being crystalized. In fact, *two worlds* were being set up within the *same* democracy.

During the early part of the 19th century, despite the great drive of abolitionists and others, there was always the recognition of the so-called inferiority of the Negro—even the free Negro. There were instances of refusal of admission of Negroes to abolitionist meetings.

All of this was brought about by the propaganda of many southerners, especially the southern professors. These men, *for the sole purpose* of continuing slavery, managed to convince others that scientific studies actually proved the inferiority of Negroes, and it had its effect.

After the Civil War, Congress made its first efforts toward removing state imposed racial discriminaton by passing the proposed Fourteenth and Fifteenth Amendments and the Civil Rights Acts. The obvious purpose was to make Negroes equal citizens entitled to federal protection of their civil rights.

The supreme effort in the Civil War, the rough struggle to get the bills through Congress and the urgency of expandng our country to the West Coast exhausted the liberals and the struggle for protection of the Negroes was abandoned after the Reconstruction Era.

The executive branch of government never had any intention of moving in. Finally, the Supreme Court with its decisions in the Civil Rights Cases (1883) and *Plessy v. Ferguson* (1896) were interpreted as final abandonment of efforts of the federal government to protect the civil rights of Negroes. The states resumed much of their pre-war practices of deliberate racial discrimination. Now we had the two worlds within the one world of citizenship. This was true—whether by law in the South or by practice in the North. Or, to put it another way, whether by action of the states or inaction by the federal government, they both recognized two classes of citizens divided by color—two worlds within one.

And, so it was until the 1930's.

Neither the Executive nor the Legislative branches of the Federal Government could be persuaded to move. However, the federal courts found a way to fill the vacuum. Through its power of invalidation of state law, the Supreme Court has wrought fundamental changes in the structure of our society. My point can best be made through example, and I chose the example of *Brown* v. *Board of Education*. So much has happened in the decade since the decision, and people's expectations have risen, quite justifiably, at such an accelerated pace, that we often lost prospective. Yet just twenty-five years ago most Negroes' lives were constricted by a whole series of state-imposed and state-fostered laws and regulations designed to foreclose them from participating in the political process and to prevent them from attaining any sort of social or economic equality. In the last decade, however, there has been a massive assault on this citadel, and today we find the legislature, the executive and the general populace joining, and to some extent directing the assault.

What crumbled was not merely a network of legal rules; it was a whole social system bent on keeping the Negroes in a position of inferiority, a social system which relied on and was inspired by the Jim Crow laws. Segregation was constitutionally condemned, and it was thus stripped of all moral predicates. For Americans view the constitution as a set of moral commands, guides to civilized communal living, not just technical and specialized guides to good government. In this struggle for racial equality the Supreme Court served, at least in 1954, as a voice not of contemporary opinion but of communal conscience, or in Chief Justice Hughes' earlier characterization, as "teachers to the citizenry."

The contrast between this use of the power of invalidation and that which confronted the early welfare and New Deal legislation has often been drawn; but the essential distinction can also be expressed in terms of the concept of social change. In the first half of the twentieth century the power of invalidation was too often used to frustrate recently enacted legislation designed to effect a wholesale change in the social order; yet *Brown* v. *Board of Education*, and its progeny, initiated and required social change. History has judged the first use of this power of invalidation to be misconceived, while it will surely vindicate the latter. The difference is not hard to explain. The Supreme Court's leadership in the struggle for racial equality stems from two profound insights; first, the status quo had fallen short of a central constitutional ideal, the egalitarian ideal, and secondly, all other societal institutions, especially the more representative institutions, refused to assume a major responsibility in working toward the realization of this ideal. With the welfare legislation, on the other hand, these justifications did not exist; no central constitutional ideal was threatened, and there was no default on the part of the other societal institutions.

This contrast reveals two conditions that justify transforming the power of invalidation, spawned in a more modest context, into an active instrument of social change—an established social pattern that threatens a central constitutional ideal and a default by other societal institutions. The point to be made, however, is not purely an academic one. It suggests to me that the curtain has not, and should not come down, on the Supreme Court's active engagement in the process of social change, of requiring that our social living conform to our social ideals. Recent voting legislation might lessen the burden on the courts in the struggle for racial equality, and other federal legislation might provide much of the long overdue reform. Yet on the constitutional horizon there looms the problems of the large metropolitan ghettos, both a product and a cause of the fears and prejudices of our generation, and the massive injustices inflicted on the poor; the "other America" is still with us. The hope is not that the Supreme Court will singly take up the burden of eliminating these injustices through requiring further reform, but that the other social and political institutions will make it a joint enterprise, if not their special responsibility.

The object was to insure that basic human values were not violated by state law enforcement officials in the course of, or in the name of, administering state criminal law. If the ordinary citizen came in contact with law enforcers they were usually representing the non-federal levels of government. While, hopefully, only a minority of the population would come in contact with law enforcers, this enterprise could hardly be considered specialized: as a logical proposition all the citizenry was susceptible to the abuses, for it was impossible to insure against being included in the minority, and the enforcement of the criminal laws is one of the most direct or immediate confrontations between the individual citizen and the state.

The Supreme Court's involvement in reforming our criminal processes began thirty years ago, and it has continued down to the present, with ever greater intensity. The brush strokes have been getting broader and broader, and the result has been, in my opinion, to remove anachronisms which have no place in our society. Guaranteeing the right to counsel and protecting the personal rights of the Fourth and Fifth Amendments through the imposition of exclusionary rules have been among the more significant changes. There is little point to turning this address into a refresher course by summarizing these developments; but I would like to analyze them on a more institutional level.

We often lose sight of the fact that courts have traditionally engaged in this type of reform. The quality of the judicial process has always been the special province and special responsibility of the courts. Even where other institutions, such as the legislature, have participated in this reform, it has usually been as a response to judicial promptings. For example, those protesting against the imposition of the new exclusionary rules often overlook the hearsay rule, a massive judge-created exclusionary rule designed to protect less worthy interest than constitutional rights. Of course, there is a vital distinction. Traditionally the judicial reform of the judicial process has been initiated and effectuated by the courts whose process was being challenged; here the reform has emanated from the federal courts, which some would like to view as the courts of another, though supervening, jurisdiction.

There is one unique facet to this reform. The constitutional principle upon which these decisions are based, the principle that no individual shall be deprived of his life or liberty without due process of law, is an evolutionary principle—its contours change with the gradual evolution of our communal values. The process that is due in the next generation is not necessarily the one afforded in this. This fact gives judges more freedom of decision than is usually permitted under the doctrine of stare decisis, but, on the other hand, it can confront judges with a delicate and torturous problem, one that confronted me on more than one occasion during my judicial career—how can you gauge this evolution, how can one be sure that he is remaining sensitive to this evolution without overstepping it? This fact also means that under the Due Process Clause there is infinite possibility of reform. The courts cannot rest in their vigilance, they can never be sure that its engagement of reforming the criminal process has been completed. Even though, as a national proposition, we have moved a long way from those initial outrages perceived in *Brown* v. *Mississippi* and *Powell* v. *Alabama*, gross imperfections still remain, if the standard of judgment is contemporary communal values. Pre-arraignment procedures in the station house; bail; pretrial publicity; the right to a speedy trial; pretrial discovery; the admission of evidence dealing with the accused's prior criminal record; the right to counsel in specialized proceedings, such as collateral attacks, commitment proceedings, and revocation-of-parole proceedings. These are just some of the areas that will come under particular scrutiny in the years to come, and the areas in which radical reform will take place.

This is not just a prediction. It is an invitation to all to join in this task of reform. The Supreme Court's extraordinary posture of leadership in reforming the criminal process can in part be attributed to a serious default by other institutions, and it seems to me that the time has come when the burden must be shared. Sharing the burden will add to the resources that can be used in this enterprise; it will tend to gain a more popular backing for the reform when the reform is initiated by institutions closer to the citizenry, such as local courts and local legislatures; and many of these institutions may be able to implement these reforms in a manner that is more flexible than that usually exercised by the judiciary. To be sure, this is not only an invitation to the local courts and local legislatures—it is also addressed to all members of the bar and the public at large. Through their professional associations lawyers can initiate and press for this reform, and each lawyer engaged in a criminal trial, whether as prosecutor or defense counsel, possesses a special responsibility and power—the power of self control—to insure that the trial conforms to our highest traditions of fairness and justice. Public opinion should insist on this.

The Supreme Court's involvement in the process of social change, through protecting the right to criticize the status quo, invalidating laws and institutions, such as racial segregation, which fall short of central constitutional ideals, and reforming the criminal process provides part of the explanation why the Court has found itself in the center of an intense controversy. Some of the criticism flows from those whose material selfishness and self-satisfaction lead them to resist any change in the status quo with fury. They are not my concern here. There are others, however, whose criticism of recent Supreme Court doctrine stems from a more intellectual level. They are my concern. I am not referring to those who merely feel that the issue was a "close" one, that they would have decided the issue differently than the majority of the Supreme Court had. That kind of disagreement is the lifeblood of the law; the vigor of such disagreement is an occasion to rejoice rather than despair. Instead my concern is with the intellectual or professional criticism that reflects a profound element of misunderstanding. It reflects a refusal to accept a new concept of law, to shake free of the nineteenth century moorings and to view law, not as a set of abstract and socially-unrelated commands of the sovereign, but as effective instruments of social policy. In recent decades the Supreme Court has transformed the law into an effective instrument of social policy, and the example *par excellence* is its involvement in the process of social change. The resistance to this transformation is the basis for much criticism and much misunderstanding. It seems to me more important to recognize this transformation, than to debate its propriety.

In recent years we have witnessed great strides toward bringing our every-day practices into line with our theories of Human Rights and Civil Rights. Under the leadership of the late President Kennedy and President Johnson the Executive and Legislative branches of our government have assumed their leadership in this struggle. The 1964 Civil Rights Bill and last year's Voting Rights Bill are setting the framework for guaranteeing the protection of basic civil rights for all Americans.

The War on Poverty and the several measures to provide adequate counsel to indigent defendants go a long way toward removing the bars of poverty.

The gap between theory and practice is being shortened but there is much to do. Much for all of us to do. Once a year we stop to evaluate our legal framework on Law Day. Too often we consider that sufficient to hold us for another year. We return to the old rut of "business as usual." Regardless of how much our government does or will do in the future, we will not close the gap until each of us makes Law Day for every day in the year and each takes this as his individual personal responsibility.

Mr. ERVIN. Mr. President, the able and distinguished Senator from Arkansas [Mr. McCLELLAN] has been called out of the city because of the death of a dear friend. Pursuant to a request made of me by him, I ask unanimous consent that his views with respect to the pending matter be printed at this point in the body of the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR M'CLELLAN, READ BY SENATOR ERVIN

Mr. McCLELLAN. Mr. President, the crime menace is today the greatest internal threat to our Nation's security. It is reaching astronomical proportions. Accompanying this rising crime rate is a corresponding decline of respect for law and authority. It is my belief that a majority of the Supreme Court has materially contributed to the current lawless trend by going far astray in their interpretation and application of the Constitution in recent decisions that have favored the criminal to the injury of society.

The members of the Supreme Court are in a position to wield great power in their interpretation of the Constitution. There have been split decisions whereby the vote of one member of the Court has radically changed the "law of the land" that has served society well for many decades. The present philosophy of the Supreme Court seems to have as one of its chief aims the establishment of more and more individual rights for the criminal suspect.

I had been hopeful that Judge Marshall, or whomever the President nominated, would profess a philosophy substantially different from that espoused by a majority of the present Court. Unfortunately, nothing Judge Marshall has said during these hearings indicates that his views on the crime issue differ from those of the present majority of the Court. On the contrary, I am convinced he fully shares their philosophy. For this reason, and for the well-being and the confirmation of the nomination of Judge Marshall to serve as an Associate Justice of the Supreme Court.

Mr. SPARKMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MILLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, is is so ordered.

Mr. FONG. Mr. President, the Senate is now considering what to me is one of the historic nominations to the Supreme Court of the United States—that of Thurgood Marshall.

It is my conviction that Mr. Marshall was nominated to that very important post primarily because he has demonstrated in his distinguished career that he is a lawyer and a judge of excellent ability, an American of unquestioned dedication to high principles, and a man of deep compassion and great integrity.

Born in Baltimore 58 years ago, the great-grandson of a slave, Mr. Marshall is one of our foremost citizens of Negro ancestry—a fact which renders his nomination a matter of pride to Americans everywhere.

For 23 years, as chief attorney for the National Association for the Advancement of Colored People and for its legal defense and educational fund, he has been in the very forefront of the long legal battle to secure the ideals of equality and brotherhood to all Americans.

In 1941 he worked on a case that finally upset the Texas white-only primary election system. He helped integrate the University of Alabama in 1956, Central High School in Little Rock, Ark., in 1957, and was a leader in the Birmingham civil rights demonstrations before Martin Luther King.

He has argued 32 civil rights cases before the U.S. Supreme Court, winning all but three of them. His most famous victory was the Court's 1954 ruling that the separate-but-equal doctrine of school segregation cases was in violation of the 14th amendment to the Constitution.

In 1961 Mr. Marshall was named by President John F. Kennedy to sit on the U.S. Court of Appeals for the Second Circuit, a bench that is perhaps second only in importance to the Supreme Court. Then, in 1965, responding to a presidential request, he became the Solicitor General of the United States, the third-ranking post in the Department of Justice.

Mr. Marshall thus brings with him a professional record of impressive proportions. Both in private practice and in public office and, indeed, in all his life, he has repeatedly demonstrated those qualities which we admire in members of our highest tribunal: thoughtfulness, thoroughness, moderation, fairness, warm compassion for his fellow man, and a balanced approach to controversial and complex national problems.

In short, he possesses the judicial temperament and wisdom long regarded as prerequisite to membership on the High Court.

One clear manifestation of his great wisdom and judiciousness is the fact that he had the good sense to marry a charming young lady from my State. In 1965 he married Cecelia Suyat, who was born in Puunene, Maui, and raised in Honolulu, Hawaii. The Marshalls have two sons—Thurgood, Jr., 11 years old, and John William, 9 years old.

I am sure that Mrs. Marshall has been a source of great strength and inspiration to her husband.

She comes from a very fine family of Hawaii. Her father, Juan Suyat, now in his late seventies and living in Honolulu, is one of the eight or nine survivors of the very first group of workers brought to Hawaii from the Philippine Islands in 1910.

Mrs. Marshall was the fourth child born to Mr. and Mrs. Juan Suyat. Her three brothers and three sisters have all become productive members of society in Hawaii and in other areas of the Nation.

Hawaii rejoices, as I do, in Mr. Marshall's nomination.

Hawaii shares the great pride of the Nation as Thurgood Marshall mounts the High Court bench, one of the pinnacles of power in our system of government.

We are all well aware, I am sure, that the name Marshall is one of the most illustrious in the annals of American constitutional law.

From the time of Chief Justice John Marshall to the time of Thurgood Marshall, this Nation has made tremendous strides to make a reality the ringing words of equality in our Declaration of Independence.

I am convinced that, upon confirmation of the nomination, another Mr. Justice Marshall will serve with great distinction.

Mr. President, I am delighted to support the nomination of Thurgood Marshall in the strongest terms possible. I am confident that the Senate will vote to confirm that nomination today.

And as Mr. Marshall undertakes his new responsibilities, I wish to extend to him and his wife and sons Godspeed, and aloha pumehana.

Mr. TYDINGS. Mr. President, the man whom we are now considering as an Associate Justice of the Supreme Court has already had a career of distinction and service to his country which few men can hope to realize in an entire lifetime. But, in my view, Thurgood Marshall stands merely at the beginning of his greatest time of service. In supporting Marshall's nomination before the Senate Judiciary Committee, I stated my belief that if Marshall's service on the Supreme Court simply matches the distinction of high integrity which have marked his earlier private and public legal career, Thurgood Marshall will rank among the great Justices who have served on the Court. When the Senate confirms Marshall's appointment, my prediction will be put to the test, and I am confident that I will be proven right.

Let me briefly review Marshall's private and public careers thus far, to indicate the grounds for my prediction, and to indicate in addition how monumental his achievements have been and, accordingly, how high a standard he has set for himself to match as a Supreme Court Justice. I take special pride, as a Senator from the State of Maryland, that Marshall's childhood, public education, and early career were spent in Baltimore. In 1930 he graduated with honors from Lincoln University and went on to the Howard University Law School, where he graduated first in his class. He then entered private practice of law in Baltimore and became counsel for the Baltimore city branch of the National Association for the Advancement of Colored People. From there, he joined the national legal staff of the NAACP and in 1938 became its chief legal officer. In that position, he argued 32 cases before the Supreme Court, and in those arguments forged dramatic victories for the principle of equal justice under law for all American citizens. His legal victories for equal rights gave renewed strength to the fabric of our democratic society and laid the groundwork for legislative and executive action to make equal rights for all citizens a living reality in this country. That battle has not been fully won yet. But Marshall's legal pioneering remains a fundamental basis of impetus for that battle.

In 1961 Marshall's legal talents were brought to a new career, a career of public service in which he has shown distinction equal to his earlier work. In that year President Kennedy nominated Marshall as a judge of the Second Circuit Court of Appeals, and in 1962 the Senate confirmed the nomination. Then in July 1965, President Johnson called on Marshall to assume new duties as the 33d Solicitor General of the United States. The Senate confirmed the nomination of Marshall in that position in August 1965.

As a private attorney, as a judge of the court of appeals, and as Solicitor General of the United States, Thurgood Marshall has had a career of accomplishment and service that can serve as a model for the aspirations of all Americans. As Justice of the Supreme Court of the United States, he will crown his achievements with high distinction.

Mr. TOWER. Mr. President, I will vote to confirm the nomination of Thurgood Marshall as an Associate Justice of the Supreme Court, although I wish to make it crystal clear that had the choice of an appointee been mine, I would have selected an American of more moderate, more conservative philosophical bent.

I am, of course, much concerned about any further Court imbalance, and I hope that such imbalance will not, generally, result from Marshall's service as one of our Supreme Court Justices.

I am concerned lest further liberalization of our Constitution and laws make local, State, and Federal law enforcement even more difficult. Recent Court decisions have favored the criminal in such a way that our society as a whole has been harmed. Hopefully, additional, strong anticrime legislation can be passed by this session of Congress and will limit substantially and mitigate effectively both past and future Supreme Court decisions.

Be that as it may, I wish to state briefly my restrained reasons for voting for this confirmation. Leading lawyers and jurists have attested to Marshall's qualifications. They have detailed for the Judiciary Committee, for the Congress, and for the public Marshall's legal and judicial capabilities. Their praise is, by and large, exceedingly high. I have noted that many lawyers and jurists feel that it is not so important to have one with a particular philosophical outlook on the Supreme Court as it is to have one who is qualified in the law.

Respected lawyers and jurists have, since the founding of this Nation, made a continuing effort to secure for the Federal bench those possessing exceptional legal qualifications. I have the greatest respect for our legal associations collectively and their members individually. I have the highest regard for the legal and judicial knowledge of our outstanding colleague, Senator ROMAN HRUSKA. Senator HRUSKA advised the Judiciary Committee that he had approached this matter on the basis of Marshall's qualifications in the discharge of his official duties as circuit judge and as Solicitor General, and that in his opinion Marshall has displayed a knowledge and ability, which qualifies him for the Supreme Court.

On the basis of these strong representations from America's lawyers and from such Senators as Senator HRUSKA, I will vote for this presidential nomination and hope that the result will be not a reflection of some of Mr. Marshall's past political statements but rather an evenhanded and just approach to our Nation's rule of law.

Mr. KENNEDY of New York. Mr. President, we demonstrate the ideals of our society by the dignity and equality with which justice is administered in our courts. And the path of the law is guided most surely by men who are large in spirit and broad in experience. Men of this mold—like John Marshall, Joseph Story, Oliver Wendell Holmes, and Louis Brandeis—have made of our Supreme Court a place where the wisdom of the law acts on human experience to the benefit of all. In urging this body to confirm the nomination of Thurgood Marshall to the Supreme Court, I am urging the confirmation of the nomination of a man who has both the spirit and the experience to continue in that tradition.

For in nominating Judge Marshall, President Johnson has selected for our highest Court a man who brings with him not only a long and distinguished career of widely varied legal experience, but also a man whose work has symbolized and spearheaded the struggle of millions of Americans for equality before the law.

In his decades of work as counsel to the legal defense fund of the NAACP, he was a familiar figure in the halls of the Supreme Court, arguing case after case for petitioners seeking vindication of their constitutional rights. Through his advocacy and the Court's response, he helped to change the law, and to enhance the compassion of our law in its recognition of human dignity. He appeared before the Court to argue that participation in a primary election could not be determined according to race—and the Court established that principle in 1944. He argued that courts should not enforce convenants restricting property sales by race—and the Supreme Court so held. And he was counsel for the petitioner in the historic case of Brown against Board of Education, which proclaimed the right of all children to educational opportunities equal in fact as well as in form. These activities alone attest to Judge Marshall's ability, and secure his place in history.

But Judge Marshall went on to serve with distinction on the U.S. Court of Appeals for the Second Circuit in the tradition established before him by such judges as Learned Hand, Augustus Hand, Jerome Frank, Thomas Swan, Carroll Hincks, and Charles Clark. His performance on the court demonstrated once again that justice is produced by blending wisdom with compassion. Now, for 2 years, he has served as Solicitor General of the United States, returning to appear before the Court again, but this time to represent the United States—but the change of position did not reduce the skill and humanity of his advocacy, the skill and humanity which his whole life represents.

For Judge Marshall is in every sense a man large in spirit—a man who combines the very best qualities of conviction, principle, and integrity. And these are joined with a sparkling wit that captures all who have had the pleasure to work with him.

After a long and varied life in the law, Judge Marshall will upon confirmation begin a new chapter as an Associate Justice of the Supreme Court. He brings with him a unique preparation for service on the Court—a national reputation as advocate in all the courts in the land, distinguished service as appellate judge, and Supreme Court advocate for the United States as Solicitor General. He is, in my judgment, immensely qualified for our highest Court, and I urge the Senate to vote to confirm the nomination.

Mr. YARBOROUGH. Mr. President, Solicitor General Thurgood Marshall had a fantastic record of winning cases before the Supreme Court of the United States before he was appointed Solicitor General.

Thurgood Marshall won his cases before a so-called conservative Court and then before a so-called liberal Court. He could win his cases before any kind of court. Thurgood Marshall is a lawyer's lawyer.

Sometimes in the past lawyers have complained that Presidents have appointed politicians rather than lawyers. That could never be charged here.

In the case of Thurgood Marshall, President Lyndon Johnson has appointed a lawyer who has a record of winning cases in the courts that is probably the envy of every lawyer in America. Thurgood Marshall has risen to the level he has through his competence as a lawyer in the courts. I recommend the confirmation of his nomination.

Mr. **PERCY**. Mr. President, in considering Mr. Marshall for the post of Associate Justice of the U.S. Supreme Court, we consider not only a man who has traveled a long and arduous road paved with achievement, but we also consider those achievements.

Like all who have known him, I can attest to his wisdom, courage, and introspection—qualities much to be sought in a member of the Supreme Court. Of those who sit there we demand restraint and self-awareness—and these traits Mr. Marshall has as well.

I need not recite his achievements—his meritorious educational record, his long years with the NAACP, his record of cases argued and won, his brief but notable service as a judge of the U.S. Court of Appeals and as Solicitor General. His record demonstrates the capacity and desire to work long and hard, the ability to make the law a living organism which accommodates both precedent and change, and the necessary combination of knowledge of the world and of theory admirably equipping him for his new position.

I am honored to be able to cast my vote for a man of whom it is not trite to say he is a scholar and a gentleman.

THURGOOD MARSHALL—FULFILLING THE AMERICAN DREAM

Mr. **KUCHEL**. Mr. President, I shall support the nomination of Thurgood Marshall to be an Associate Justice of the Supreme Court of the United States. His nomination to membership on this country's highest judicial bench reflects the American tradition in its finest sense.

Here is a lawyer from humble origin whose ability and dedication have pushed him to the peak of his chosen profession. Thus, his nomination marks the climax of a distinguished career as judge, lawyer, Solicitor General, to become now an Associate Justice of our highest tribunal.

Thurgood Marshall is a man of proven ability, with an outstanding record as a lawyer and judge. For most of the years of his lifetime he has been recognized as an outstanding American lawyer. He is a highly creditable member of the American Bar Association.

When he was appointed to the Second Circuit Court of Appeals by the late President Kennedy in October of 1961, he participated in every type of case that comes before the Federal courts—in all, more than a hundred. And his years as Solicitor General certainly have helped to give him exposure to many aspects of the law which an Associate Justice must be familiar with and understand.

Leading American lawyers, highly respected jurists, and Members of Congress—House and Senate—have attested to Thurgood Marshall's distinguished career and high competence as a professional man. This Senate overwhelmingly confirmed his nomination both as a circuit court judge and as Solicitor General of the United States. His present nomination has been approved by the Committee on Judicial Appointments of the New York State Bar Association. It has been approved by the corresponding committee of the American Bar Association.

Having established a national reputation as a leading trial lawyer and litigator in the appellate courts of our land, having sat successfully and with distinction on the Nation's second highest tribunal, and having served as the advocate for the Government of the United States before the Supreme Court, Thurgood Marshall is unquestionably qualified to become now an Associate Justice of our Supreme Court.

When this nomination is confirmed by the Senate, as it shortly will be, the highest court of the land will possess its first Negro Justice. Thurgood Marshall will be confirmed, however, not because of his race but simply because of his background, competence, and ability as a lawyer and a judge.

The world and the American people will not ignore completely the fact that as a member of an ethnic minority, he will now sit on our supreme tribunal. I believe his selection is part of a larger process in which not only Negro Americans, but also Americans from all racial and religious backgrounds have begun to participate in the affairs of this Nation.

Among most, if not all, of the nations of the world, America is unique in many ways. In this country, our 200 million people represent all creeds and all colors. In a real sense, perhaps, each of us belongs to some kind of ethnic minority. The American dream is equal justice and opportunity under law. The Senate has been guided in its best hours by the American creed of equality.

Mr. President, today, the Senate again has an opportunity to express confidence in the American dream, a dream which says that every man, regardless of race, color, or creed, may achieve the goals he seeks in a free society. I shall support this nomination and place my faith in the American tradition and in the undisputed abilities of Thurgood Marshall.

Mr. **KENNEDY** of Massachusetts. Mr. President, Thurgood Marshall is an outstanding American citizen, a lawyer of the highest competence and broadest experience, a man to whom President Kennedy and President Johnson, with the advice and consent of the Senate, entrusted the very difficult positions of U.S. circuit judge and U.S. Solicitor General.

To my knowledge, no nominee for the Supreme Court has ever come before this body with such qualifications. No man has brought the Court such a depth of personal experience as an advocate at every level of the judicial system, as a Federal appellate judge, and as the Federal Government's chief litigator.

Yet, it is superfluous and redundant to make these points here. Most of us know Judge Marshall. We have his record before us. We have the report of the Committee on the Judiciary. There can be no doubt that he has fully earned and richly deserves the honor which the Nation is now bestowing upon him.

Mr. President, I had the opportunity to attend most of the hearings with respect to Judge Marshall's nomination. I heard Judge Marshall questioned at considerable length. He demonstrated during the course of those hearings—and the cold record does not reveal it fully—a perfect judicial temperament, expert knowledge of the law, and a profound ability to apply the law to difficult and trying factual situations. These qualities will certainly serve him well when he is confirmed by the Senate this afternoon.

I know that the questions have been raised during the course of the afternoon about the temperament and judicial philosophy of Judge Marshall. I believe it is recognized by most Senators that we are not charged with the responsibility of approving a man to be Associate Justice of the Supreme Court only if his views always coincide with our own. We are not seeking a nominee for the Supreme Court who will express the majority view of the Senate on every given issue, or on a given issue of fundamental importance. We are really interested in knowing whether the nominee has the background, experience, qualifications, temperament, and integrity to handle this most sensitive, important, and responsible job. Mr. President, I think that Thurgood Marshall has demonstrated that he does have these qualifications and qualities.

In addition, as Senators, we bear a considerable responsibility to the President. The President is charged under the Constitution with sending to the Senate, for the advice and consent of the Senate, all nominations for the Supreme Court. I think it is important to realize that every one who votes against Judge Marshall's nomination this afternoon is also suggesting by his vote that the President has not really met his responsibility in making this recommendation and suggestion to the Senate and to the American people.

The responsibility of the President is quite clear; he has exercised it and exercised it well, I believe. Our responsibility for advising and consenting to this nomination is also clear, and I am sure we will meet it.

Mr. President, I would urge upon all Senators that Mr. Marshall be confirmed. I think the record he made during his career, and during the hearings before the Committee on the Judiciary, and the opinions of men who have known him over many years, who have dealt with him in a close and intimate way, and who have an understanding of his knowledge and experience in the law, make a compelling case for the confirmation of Thurgood Marshall. I would hope that we would act expeditiously and that Thurgood Marshall would be approved overwhelmingly.

Mr. **THURMOND**. Mr. President, the trend of the decisions of the Supreme Court over the past three decades has caused me much concern. I am not alone in feeling that many of these decisions have torn away at the fabric of our basic law and have rendered it impotent in many areas. Dissatisfaction and downright hostility to many of the edicts of the Supreme Court within this period of time has spread across this country without regard to particular geographical or regional considerations. This dissatisfaction and concern for the future of the country has been no less expressed in the Halls of Congress, where it has been attempted on many occasions to overturn decisions of the Supreme Court which deviate from the basic intent of the Founding Fathers in drafting the Constitution. Efforts of this nature have met with little success, since in most cases the Constitution must be amended to reinstate the original meaning which has been understood and accepted for years prior to the decision of the Court in question. Since this requires a two-thirds vote in Congress, these continuing efforts have been of little avail.

Dissatisfaction without a remedy, the same as unrequited love, soon turns to a sense of frustration and could lead to an undermining of the institution which is responsible. The Supreme Court of the United States, as an institution, is as necessary and as essential an element of our Government as any other creation provided for in the Constitution. Yet its excesses seem to have been particularly immune from the checks and balances thought necessary by our Founding Fathers to provide for representative government in this country. Of course, there are avenues available by which Congress can correct abuses of the Constitution engaged in by the Supreme Court. Theoretically, the Constitution can always be amended; as a practical matter, as we have seen, this is not always possible. Theoretically, the power of the Supreme Court to hear cases on appeal can be denied it; as a practical matter, it is extremely difficult to guide such a bill through Congress. Theoretically, any individual Justice or any group of Justices can be removed from their position on the Supreme Court by impeachment; practically, as we have seen, this is virtually impossible.

The last remaining outside check upon the Supreme Court is the necessity that its membership be appointed by the President, subject to the approval of the U.S. Senate. The approval of the Senate, in far too many instances in recent years, has been largely a perfunctory matter. This leaves only one real restraint upon the Supreme Court, and that is the judicial self-restraint practiced by the individual members. It is an understatement to say that this self-restraint has been somewhat lacking in recent years.

In opposing confirmation of the nomination of Thurgood Marshall to be an Associate Justice of the Supreme Court, I do not rely solely upon his oft-expressed legal, or political, philosophy that the Constitution is a "living document." To characterize the Constitution as a "living document" is one of the most popular notions of the day, and this is indeed an attractive sounding appellation. When one understands the exact meaning of the phrase, however, one is forced to the stark realization that it is a phrase designed to cover a multitude of sins committed in the name of constitutional interpretation. Indeed, under this theory the Constitution lives more in the imagination of its interpreters than in its original meaning and intent.

The Constitution must be interpreted in accordance with the intent of the framers. Any Justice of the Supreme Court of the United States, or nominee for that position, who believes that he is entitled to change the meaning of the Constitution as understood by its framers in order to meet the fads and fashions of the day, or to accord with his own particular notion of right or justice, is clearly unfit for a post on the Supreme Court. In this respect the nominee, Thurgood Marshall, has clearly indicated, in his response to numerous questions posed by several members of the Senate Judiciary Committee, that he does not consider himself bound by the original intent and understanding of the framers of the Constitution. He repeatedly stated in response to questions that the most potent evidence of the intent of the framers on specific points of original understanding was not conclusive as to the present meaning and application of constitutional principles, particularly the provisions of the 14th amendment. It appears clear that the nominee considers himself to be a free agent in interpreting the Constitution to the extent that he could deviate from the meaning imported into the Constitution by its framers as evidenced by their contemporaneous statements contained in the Congressional Globe and other relevant documents. Under this theory the Constitution would become, as perhaps it has already become, something similar to an old wine bottle from which the Supreme Court is entitled to pour out the old wine and pour in the new wine whenever they think the country needs a stiffer, or perhaps a more diluted, drink. I for one do not subscribe to any such theory. The Supreme Court does not have the power to make up new constitutional rules as it goes along, day by day. Inasmuch as the nominee indicates that the Supreme Court does have such power, judging from what I consider to be an objective evaluation of his position on the record, I cannot in good conscience vote to confirm him for a position on the Supreme Court.

The burden of my discussion against the confirmation of the nomination is not based exclusively on his philosophy, although this is a necessary consideration. Several Senators have indicated that they do not believe it to be within the purview of authority of the membership of the U.S. Senate to question the philosophy of an appointee to the highest court in the land. I do not accept this theory as valid, particularly in view of the fact that the philosophical biases of present day members of the Supreme Court have such a bearing upon their own interpretation of the Constitution.

Assuming, for the sake of argument, that this point is well taken and that the philosophy of the nominee is irrelevant, most assuredly the knowledge of the nominee about the law is relevant. The appointment by the President of a man to fill a vacancy on the Supreme Court carries with it a prima facie case that the appointee is knowledgeable in the law, at least to the satisfaction of the President. It then is incumbent upon the Members of the U.S. Senate, if they are to fulfill their sworn obligation to perform their duties as Members of the Senate, to inquire further into the legal training and knowledge of the nominee.

Accordingly, when the nominee was before the Senate Judiciary Committee, I took occasion to inquire into the extent of his knowledge, both of the law and the historical underpinnings, which are necessary to a clear understanding of the 13th and 14th amendments. It may seem to some, as it has subsequently been alleged, that the questions I posed to the nominee were either immaterial or irrelevant or exceeded that which any reasonable person would be expected to know about the 13th and 14th amendments. I readily admit that the ordinary lay individual could not reasonably be expected to be conversant with the material upon which I posed my questions. I would not even expect the ordinary practicing attorney or even the ordinary judge to be totally knowledgeable on the history and background, and consequently the meaning, of the 13th and 14th amendments. Perhaps to most if not all observers, the questions I posed to the nominee seemed obscure and even irrelevant. In most cases they would have been, but not in this one.

We are dealing here not with the ordinary individual, lawyer, or even judge. Thurgood Marshall has built his reputation upon a specialized practice of law, and I think we can reasonably assume a specialized knowledge and expertise in this field far beyond that which we would expect of another lawyer.

In the case of an average lawyer who has spent his years in general practice, or even a public official who has spent his years dealing with varied aspects of the law and related subjects, a detailed knowledge and understanding of any one particular aspect of law would hardly be expected. Many lawyers are general practitioners and the breadth and scope of their practice denies them of the time or opportunity to acquire specialized knowledge in any one field. As I have said, Thurgood Marshall is a different case. From the time of his original admission to the bar, in the year 1933, until he became a Federal judge in 1961, his practice dealt almost exclusively with cases arising under and relating to the 13th, 14th, and 15th amendments to the Constitution, and enforcement legislation passed by Congress pursuant to those amendments. It is common knowledge that he rose to the position of director-counsel of the Legal Defense and Education Fund, Inc., of the NAACP, after serving in related capacities of a lesser importance with the NAACP for years previous to assuming this post. In this capacity he was repeatedly before the courts of the land, including the U.S. Supreme Court, arguing the interpretation and application of these amendments and the enforcement legislation related thereto. Over the years he has specialized in this field almost to the total exclusion of the many other varied areas of the law. If he has been either unable or unwilling to become totally and unquestionably eminent in his knowledge of this area of the law, in which he has been specializing virtually all of his adult life, it would hardly be expected that he has either the competency or the willingness to become knowledgeable about the many other areas of the law which will be presented to him for decision, should he be confirmed by the Senate as an Associate Justice of the Supreme Court.

In my judgment, it was, therefore, entirely fair and appropriate that I propounded to the nominee certain fundamental and basic questions which were designed to show his historical and legal knowledge as well as to disclose his personal biases about the so-called Reconstruction amendments.

Mr. President, I think that it is a fair observation to say that the nominee displayed a surprising, for him, lack of knowledge of the area in which he is almost daily depicted as the outstanding scholar. I had previously assumed that in his role as advocate, in which he attempted to advance his own interpretations and persuade the courts of the validity of his position, he had conveniently overlooked many historical factors and many contemporaneous statements by the drafters of these amendments that would have brought the validity of his own position into question. Nevertheless, I felt it safe to assume that he was aware of these statements since his role in cases dealing with this certainly required extensive study and preparation. I was hoping, perhaps vainly, that since he was now being appointed to a position which no longer required him to be an advocate, but rather an objective judge, that some of the knowledge of the counterarguments to his previous positions would rise to the fore and find expression in his response to my questions. As a result of my questioning, I am forced to the conclusion that he was simply not aware of the counterarguments and further was not aware of some fundamental understandings extant during the time when these amendments were drafted and made a part of the Constitution.

I should like to mention briefly some of the areas which we discussed at the hearings and their significance in relation to a proper interpretation of the amendments.

Beginning with the 13th amendment, I first asked if the nominee knew who drafted the 13th amendment. I felt certain he would know this, since it seems to me that in interpreting the exact meaning of such a momentous addition to the Constitution one would endeavor to find out who drafted it and then look to what he said about it at the time, in order to fathom its exact purpose. Senator Lyman Trumbull, of Illinois, the then chairman of the Senate Judiciary Committee, was the drafter of this amendment. Perhaps after all, this is an unimportant point and we will not fault him for not recalling the name of the drafter.

I went on to more important questions dealing with the 13th amendment, such as from what provision of the prior law the language of the amendment was copied and of what legal significance it was that the amendment was copied from a prior provision of the law. To both these questions the nominee professed ignorance. The answer, of course, is that the 13th amendment was a virtual carbon copy of a provision contained in the Northwest Ordinance of 1787, and the legal significance of the fact that it was copied from a prior provision of the law is the fundamental doctrine that when a new provision is copied from an older one, the understanding and interpretations of the older one are considered to be carried over into the new. The answer to the latter question would not require any specialized knowledge of any particular area of the law, it is simply a well recognized and understood legal doctrine.

I then asked the nominee if he was familiar with any pre-1860 cases which interpreted the language contained in the 13th amendment forbidding involuntary servitude. Of course, his knowledge of this would have to be circumscribed by his knowledge of what prior provision of the law the 13th amendment was copied from and he was, therefore, not familiar with these cases. The nominee was unfamiliar with the scope of the term "involuntary servitude" and what limits it might place upon compulsory labor for the benefit of any private person. His answer to the question on this point was largely unresponsive, merely indicating that he would do research on the background of the 13th amendment and apply the law as he saw it to the facts of any individual case with which he might be presented. The nominee had no thoughts as to what kind of legislation would be prevented by the 13th amendment's prohibition against involuntary servitude. The nominee then displayed a total lack of knowledge of the legislative history dealing with the proposal and subsequent acceptance by Congress of the 13th amendment. An understanding of the exact purpose in the minds of the proponents of the 13th amendment, and therefore the meaning and correct application of the amendment, would necessarily require knowledge of the legislative history involved.

In the 39th Congress the House of Representatives initially failed to give a two-thirds vote to the proposition containing the 13th amendment. This occurred because all of the members of the Democratic Party opposed the amendment, and they constituted more than one-third of the entire body. They thereafter switched their vote upon being assured that the amendment had more meaning than simply doing away with the institution of slavery as it had been practiced in the South. The Democrats at that time were not particularly desirous of courting the Negro vote and, therefore, had not initially supported the amendment. The argument that the amendment was not limited solely to the protection of Negroes swayed enough Union Democrat votes to gain approval of the amendment in the House of Representatives.

An understanding of this legislative history would obviously be a prerequisite if anyone is to have any thoughts or opinions on the question of what "involuntary servitude" was intended to mean and what legislation would thereby be prohibited. Considering the fact that the 13th amendment was the first basis for Reconstruction legislation, this candid acknowledgment of the complete lack of understanding of the most basic and elemental portions of the amendment is astounding. It appears to me that at least a basic understanding of the phrase "involuntary servitude" is critical and that anyone who is a specialist in the area of the Reconstruction amendments would possess considerable knowledge on this point.

I then proceeded to ask the nominee a series of questions dealing with the Civil Rights Act of 1866 and the constitutional basis for that act advanced by its proponents when it was before the Congress. A basic understanding of this would appear to me to be desirable in attempting to understand one of the basic reasons for the submission of the 14th amendment to the Congress by its principal drafter. First, I asked the nominee if he believed the Civil Rights Act of 1866, which is now title 42 of the United States Code, sections 1981 and 1982, was constitutional before the ratification of the 14th amendment. Judge Marshall replied he was in the middle on that, but that he considered it unimportant because the amendment was adopted. I do not fault him for being in the middle on it since judicial authority in the United States was also split, but I do not believe that it can be characterized as unimportant even in light of the subsequent adoption of the 14th amendment. Prior to the adoption of the 14th amendment, the Supreme Courts of the States of Indiana and Texas, and Associate Justice Swain on circuit in Kentucky, had held the act constitutional. The Supreme Court of California held it to be constitutional 1 year, and with a change of judges held it unconstitutional the next. Courts of the States of Delaware and Kentucky held it unconstitutional.

I then proceeded to ask the nominee under what legal theories was the constitutionality of the Civil Rights Act of 1866 supported by its proponents. This is an important consideration in view of the fact that it subsequently led to the advancement and ratification of the 14th amendment. Judge Marshall correctly stated that the 13th amendment was one basis, but he failed to recall any others. The most important one, which Judge Marshall failed to recall, was the provision of the Constitution that I inquired about next: the privileges and immunities clause of article IV, section 2, of the Constitution.

My direct reference to this provision failed to refresh his memory or strike any responsive chord. Judge Marshall did not remember any of the theories which were then current in the Republican Party which would give support to the proposition that the Civil Rights Act of 1866 could be constitutionally enacted by Congress to enforce the privileges and immunities clause of article IV, section 2. From time to time there have been at least four theories advanced regarding the purpose of the privileges and immunities clause of the original Constitution. The first is that the clause is a guaranty to the citizens of the different States of equal treatment by Congress. The second theory is that the clause is a guaranty to the citizens of each State of all the privileges and immunities of citizenship that are enjoyed in any State by the citizens thereof. The third theory of the clause is that it guarantees to the citizen of any State the rights which he enjoys as such even when traveling to or in another State; that is to say, it enables him to carry with him his rights of State citizenship throughout the Union. The fourth and final theory, and the one which has gained popular acceptance, is that the clause merely forbids a State from discriminating against citizens of other States in favor of its own citizens. The last theory has become a settled doctrine of constitutional law.

The theory current during congressional debate on the Civil Rights Act of 1866 was the second of the above enumerated theories: that the clause guarantees to the citizens of each State all the privileges and immunities of citizenship that are enjoyed in any State by the citizens thereof. Thurgood Marshall was apparently unfamiliar with any of these theories and was definitely unfamiliar with the theory then current in Congress in interpreting and applying this provision of the Constitution. Judge Marshall had no knowledge of the significance of the fact that the enforcement provisions of the Civil Rights Act of 1866 were copied from the enforcement provisions of the fugitive slave law and was either unfamiliar with the case of *Prigg* v. *Pennsylvania*, 16 Pet. 539 (1842), or did not understand its relevance in this regard. In response to my question about the Prigg case, Judge Marshall responded that the statutes in question, the Civil Rights Act of 1866, had been litigated over and over again and found to be constitutional. The point of the question was entirely missed, however, since they have been found to be constitutional on the basis of the 14th amendment, and this whole line of questioning dealt with the theory for the original enactment of the law which is necessary to a complete understanding of the purposes of the 14th amendment. One point of interest lies in the fact that Judge Marshall showed little or no familiarity with the case of Prigg against Pennsylvania. In his capacity as Solicitor General, Judge Marshall cited the Prigg case little more than a year ago in his brief in Katzenbach against Morgan. The case was cited as being highly relevant to an understanding of the power to enforce the privileges and immunities clause of article IV, section 2 of the Constitution, but the reference to it in this line of questioning elicited no glimmer of recognition from the nominee.

I then went on to ask what constitutional difficulties Representative John Bingham, of Ohio, saw, or what difficulties the nominee saw, in congressional enforcement of the privileges and immunities clause of article IV, section 2 through the necessary and proper clause of article I, section 8. Judge Marshall did not understand the question, but he was not alone in failing to grasp the import of the question. A full understanding of this question, and the previous questions in this line, are a prerequisite to understanding the basic purpose of the 14th amendment. The Civil Rights Act of 1866 was argued by its proponents to be constitutional on a particular theory of the privileges and immunities clause, to which I have previously referred. Further it was contended at that time that Congress had the power to enforce the privileges and immunities clause through congressional enactment. This is why it is significant that the enforcement provisions of the Civil Rights Act of 1866 were copied from the enforcement provisions of the fugitive slave law. Both the privileges and immunities clause and the fugitive slave, or fugitive from labor, clause of the Constitution are bracketed together in the Constitution. The fugitive slave provision of the Constitution, however, carried with it the authority for Congress to enact legislation. This was initially done in 1793, and the power of Congress to act under this provision of the Constitution has been upheld in the Supreme Court. On the other hand, the theory that congressional action is authorized by the privileges and immunities clause has been proved to be invalid. The privileges and immunities clause of article IV, section 2 is self-executing; its enforcement is dependent on the judicial process, and it does not authorize legislation by Congress. This provision of the Constitution is similar in that respect to the very next section of article IV of the Constitution, dealing with the extradition procedures for fugitives from one State to another. Both have been held to be responsibilities of the States, but neither is subject to congressional enforcement. Therefore, this provision does not delineate a power of Congress which can be legislated upon through the authority of the necessary and proper clause of article I, section 8 of the Constitution.

Representative Bingham, of Ohio, consistently held to the view, advancing it forcefully and correctly, that the privileges and immunities clause of article IV, section 2 was not a power of the Central Government or of Congress, or of any department of the Government, and, therefore, Congress had no authority to enforce it. On this basis he repeatedly voted against the civil rights bill, and for this very reason he was the principal framer of the 14th amendment. It is remarkable to me that the basic reason for submitting the 14th amendment in the first place should have escaped a man who has spent virtually his entire lifetime litigating the meaning of the amendment.

Inquiry was made of the nominee with regard to what he thought the term "civil rights" meant in 1866 and what rights were included thereby. The response was meaningless. Judge Marshall said:

> The rights included in the phrase "civil rights" in 1866 meant the rights that were considered civil rights at that time.

He went on to say:

> The delineation of them is not clear as of this day.

I strongly suspect that it is unclear only in the nominee's mind, since the debates on the 14th amendment repeatedly defined civil rights as being natural rights, such as life, liberty, personal security and property, as distinguished from rights derived from government. Civil rights, in the 1866 sense, referred to rights which the Government was created to protect, but not rights which were in themselves created by government. I asked the nominee what provision of the slave codes in existence in the South before 1860 was Congress desirous of abolishing by the enactment of the Civil Rights Act of 1866. Judge Marshall replied that the black, or slave, codes in existence prior to 1860 ranged from preventing newly freed Negroes from being able to own property, preventing them to vote, and preventing them from flying kites. The first portion of his answer, that relating to property rights was correct, but the portion of his answer concerning voting rights was incorrect.

The Civil Rights Act of 1866 was never intended to cover any political rights, including the right to vote. There is no mention anywhere in the debates that the Members of Congress were concerned that the State of Maryland would not allow newly freed slaves to fly a kite. This was a rather frivolous answer. The nominee did not mention any other important rights which were actively discussed in the debates, such as the right to contract, sue and be sued, and otherwise engage in occupations which they were prevented by law from being engaged in.

It was surprising to find that the nominee did not know that the Joint Committee on Reconstruction was the committee that reported out the 14th amendment and that he further did not know any of the members of that committee by name. I then asked the nominee why he thought the framers of the original version of the first section of the 14th amendment added the necessary and proper clause from article I, section 8 of the Constitution to the privileges and immunities clause of article IV, section 2 of the Constitution.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

I recall that during the course of the hearing, the Senator from South Carolina asked Mr. Marshall the names of members of the Judiciary Committee who served at the time the 14th amendment was established, and the Senator has just referred to it again. I was wondering if we could have that information included in the RECORD at this point. Does the Senator have that information at hand?

Mr. THURMOND. I will cover it before I finish.

Mr. KENNEDY of Massachusetts. Does the Senator have the names of members of the Judiciary Committee?

Mr. THURMOND. I will cover it before I finish.

Mr. President, I would prefer to finish my address.

Mr. KENNEDY of Massachusetts. I just raised this question because much was made of Mr. Marshall's knowledge of what many of us thought were extremely complex and complicated and esoteric questions. I noticed that in his remarks, the Senator referred to this question again. I thought it might be helpful, for the record to be complete, that now at least we have those answers.

Mr. THURMOND. I will cover it. Mr. President, the nominee replied that he did not know. Of course, the whole purpose of the 14th amendment, according to its chief advocate, Representative Bingham, was to secure enforcement of the existing privileges of American citizens. Representative Bingham, as previously noted, was of the opinion that Congress had no power to enforce the privileges and immunities clause of the original Constitution, and he therefore wanted by means of the 14th amendment to give Congress this power. Any person who had spent the bulk of his adult life studying the 14th amendment could certainly be expected to be aware of Representative Bingham's views and to have some knowledge of this interpretation and understanding of the 14th amendment.

In the debates, extensive reference was made to an incident in Charleston, S.C., involving Representative Samuel Hoar. I asked the nominee what the purpose was in referring to this incident as showing the need for the enactment of the original version of the 14th amendment's first section. The incident referred to occurred when a group of shipowners from the State of Massachusetts retained former Representative Samuel Hoar, who was an outstanding attorney as well, to go to South Carolina and litigate the constitutionality of the State statute which prevented free Negro sailors from entering the State and authorized imprisonment if they appeared in ships in Charleston harbor. Mr. Hoar unfortunately was not accorded protection by the local police and was ultimately expelled from the State by resolution of the State legislature. This was a sore point with many of the Members of Congress from northern areas and was repeatedly referred to in the debates as the prime example showing the necessity for a procedure to enforce the privileges and immunities clause of the Constitution on behalf of all citizens of the United States in all the States. It may very well be that this was one of the prime reasons for the enactment of the 14th amendment, particularly the first section thereof. Judge Marshall was unfamiliar with this incident.

Judge Marshall said that he did not have the slightest idea why the framer of the 14th amendment made the statement that if the privileges and immunities clause of the 14th amendment had been in the original Constitution the war of 1860–65 could not have occurred. Of course, it was Representative Bingham's view that had Congress had the authority to enforce the privileges and immunities clause, incidents such as the one involving Mr. Hoar which intensified hostility, could have been prevented and the war might thereby have been averted. Judge Marshall said that he did not know why the equal protection clause of the original draft of the first section of the 14th amendment required equal protection of the rights of life, liberty, and property only, in spite of the fact that it was obvious that this provision was copied from the fifth amendment and therefore limited to these fifth amendment rights.

Then I asked the nominee what the objections were to the original draft of the first section of the 14th amendment which caused the framer to redraft it into its present form. This question is highly relevant to present day issues because the objections raised were that there would be excessive centralization of power under the original wording of the first section of the 14th amendment. At that time, as today, many Republicans were opposed to further centralizing power in the Federal Government and wanted to disperse these powers among the States and reserve them to the people thereof. This is the reason that the framer redrafted this provision of the amendment so that it was worded in the negative and was, therefore, a limitation on State action and did not directly delegate power to the Central Government. An understanding of this seems to me to be central to a complete understanding of this amendment and I was, therefore, surprised that the nominee was unfamiliar with these developments.

A portion of a colloquy which occurred on the floor of the House of Representatives in February of 1866 among Representative Hale, Representative Bingham, and Representative Rogers was quoted by me. This colloquy can be found of page 164 of the Judiciary Committee hearings on the nomination, and dealt with the provisions of the constitutions of the States of Indiana and Oregon, and the application of the then pending 14th amendment to these provisions. Then I asked Judge Marshall what section of the Oregon constitution Representative Bingham thought violated the existing Constitution, and which he wanted to overturn through the equal protection clause of the then pending 14th amendment. Also I asked him what section of the Indiana constitution it was thought was in violation of the existing Constitution, and why the ratification of the proposed first section of the 14th amendment, either in the original draft or the final draft, would have overridden the Indiana and Oregon constitutions. Judge Marshall did not know. One of the principal reasons giving rise to the privileges and immunities, due process, and the equal protection clauses of the 14th amendment were provisions of the constitutions of these two States. Indiana had a constitutional provision preventing free Negroes from entering the State, owning land, getting a job, making a contract, or virtually existing in the State. The Oregon constitution of 1857 added to these provisions, a section preventing any Negro from even suing in the courts of the State.

During the debate on the admission of Oregon to the Union in 1859, this section of the constitution of the State of Oregon was bitterly attacked in Congress. Representative Bingham himself, in a long speech, pointed out it was a denial of the protection of the laws to bar a person from relief in the courts, because he would be at the mercy of any person who wanted to rob him, beat him, imprison him, take his property or otherwise commit injustices against him. Moreover, it was pointed out that the provisions of the Oregon constitution were in violation of the privileges and immunities clause of the original constitution, inasmuch as one of the privileges was the right to enter a State, engage in business there, or otherwise pursue one's livelihood in any individual State. As has been previously pointed out, one of the basic purposes of the 14th amendment was to enable Congress to enforce the privileges and immunities clause, so that every citizen could travel to all the individual States and conduct business or otherwise enjoy the rights pertaining to citizens generally. It is a little short of remarkable, that a nominee for the Supreme Court of the United States who has specialized in the 14th amendment for 25 years displayed no knowledge of these set of circumstances, which were so very important in bringing about the submission and approval of the 14th amendment to the Constitution.

The nominee was then asked three questions concerning the privileges and immunities section of the 14th amendment. Judge Marshall was not sure where this clause was derived from, he was not certain what the framer's purpose was in including it in the 14th amendment, and he could not lay down any broad, general guidelines on what privileges and immunities encompasses, which the 14th amendment prevents any State from making or enforcing any law to abridge. Of course, the section derived from the privileges and immunities clause of the original constitution, and the purpose of the framer in including it in the amendment, as I have previously stated, was to enable Congress to require States to adhere to it. On the question of what privileges and immunities are, Judge Marshall said that this would vary as to the particular facts and that he would not be able, or capable, of making any broad, general guidelines on it. There are undoubtedly some problem areas, but the right to travel into any State, the right to sue, the right to own land, the right to own property, the right to contract, and to buy and sell, are basic rights guaranteed by this section, which would not seem to me to require a specific set of facts in order to enumerate. These are all basic rights which were mentioned in the landmark case of Corfield against Coryell, decided in 1823. These rights were mentioned repeatedly in the debates, as was the case itself.

Judge Marshall was then asked why he thought the word "citizen" was used in relation to the privileges and immunities clause of the 14th amendment, but the word "person" was used in the due process and equal protection clauses. He seemed to be unsure of this, and stated that since the first section of the 14th amendment made all persons born or naturalized in the United States, citizens of the United States and the State in which they reside, the words "person" and "citizen" became quite close. The basic distinction, which Judge Marshall missed, is that privileges and immunities were limited to citizens in the original Constitution and were, therefore, limited to citizens in the 14th amendment. All aliens in the United States are entitled to due process and equal protection of the law, but no knowledgeable lawyer would argue that aliens are entitled to all the privileges and immunities which inure to citizens of the United States, because of the fact of their citizenship. In this regard, due process of the law and equal protection of the law were at that time considered to encompass lesser rights than were encompassed by the phrased privileges and immunities. Judge Marshall stated that he was unable to give an opinion on a question dealing with this point. The nominee was asked, from what provision of law in existence before 1866 was the due process clause of the 14th amendment copied, and what was the purpose of copying it. Judge Marshall did not know that this provision was simply an embodiment of the due process clause of the fifth amendment, which was intended to be made applicable to the States and overrule the case of Barron against Baltimore, decided by Chief Justice Marshall in 1833.

Since the equal protection of the law clause was intended to be a procedural matter, of course, it would be limited in its application to people within the jurisdiction of the individual State. Judge Marshall stated that the provision applied to everybody in the United States, and he did not know what the purpose was in limiting it to persons within the jurisdiction of the States. In the abstract, it does apply to everybody in the United States, but as to each individual State, it obligates them to extend equal protection only to individuals within their immediate jurisdiction. The point that equal protection of the law was intended to be a procedural, rather than a substantive, matter, was involved in the question concerning the difference between the words "protection of the law," and the words "benefit of the law," or "rights granted by law," or "privileges granted by law." The difference is, of course, that all three of the latter phrases refer to substantive rather than procedural guarantees. Failure to understand this would, in my judgment, dictate a failure to understand the basic purpose in the mind of the framer who drafted the 14th amendment.

Turning then to another subject, I quoted a portion of a statement Judge Marshall made before the Supreme Court in a rebuttal argument in the case of Katzenbach against Morgan. Judge Marshall said:

> I was also most interested, since some have been delving into these debates, that the Equal Protection Clause was for the purpose of protecting Chinese people in San Francisco—and I don't believe I remember a single one of the cases that interpreted the Fourteenth Amendment from *Slaughterhouse* through *Plessy* v. *Ferguson* that have had anything to say about the Chinese in San Francisco. To the contrary, this court says over and over again what the purpose of the equal protection clause was for—to protect the newly freed slaves.

I asked the nominee if he still believed this statement to be accurate, and he answered "Yes." Some of the earliest cases in the United States concerning the application of the due process clause were the so-called Chinese laundry cases, such as *Yick Wo* v. *Hopkins*, 118 U.S. 356 (1886) and *Soon Hing* v. *Crowley*, 113 U.S. 703 (1885). Through research on the subject of the 14th amendment, in all its varied aspects, one would hardly fail to turn up these particular cases, since they were crucial to an understanding of the scope of the 14th amendment.

A familiarity with basic U.S. Supreme Court cases does not require a specialized expertise in the area of the 14th amendment. The so-called Chinese laundry cases, of which Yick Wo against Hopkins is undoubtedly the best known, would seem to require merely an elementary knowledge of basic constitutional principles, or just an elementary knowledge of the 14th amendment. Yet, Judge Marshall has twice demonstrated that he is unfamiliar with this line of cases—once in argument before the Supreme Court and again in the hearings on his nomination before the Senate Judiciary Committee.

Judge Marshall was not familiar with the reason Representative Thaddeus Stevens, one of the leaders of the radical Republicans in the House of Representatives, was dissatisfied with the limited scope of the 14th amendment, although I had quoted a series of statements from Stevens indicating his dissatisfaction. The nominee was not aware of the fact that the 14th amendment did not go as far as Representative Stevens wanted it to in banning race discrimination. The 14th amendment, as Representative Stevens understood it, merely forbade a very limited scope of discrimination, primarily preventing discrimination in the area of the privileges and immunities of national citizenship.

I asked the nominee if he believed that the first section of the 14th amendment protected the right to vote, and if so which clause of the amendment was intended to protect political rights. Judge Marshall stated in answer that he did not know what political rights were but said, however, that the equal protection clause has been recognized as protecting the individual against State law which does not give equal protection in the State's voting qualification requirements. It is very clear from the original understanding of the framers of the amendment that the equal protection clause had absolutely no reference whatever to the right to vote. Indeed, the proponents of the 14th amendment felt very badly that they were unable to bring forth at that time a constitutional amendment covering the right to vote as well as protecting other political rights. Quotations from a series of statements of the proponents of the 14th amendment, and those uniquely qualified to testify as to its purpose, unequivocably showed that the right to vote was considered a political right, and that political rights were not to be covered under the terms of the then pending 14th amendment. Judge Marshall has advocated the opposite view for such a long period of time that he has either conveniently forgotten, or intentionally overlooked, the contemporary statements of the framers of the 14th amendment which, on an objective basis, proves his previous advocacy to be in error.

Judge Marshall had previously indicated that he was not familiar with what the term "civil rights" meant in 1866, so I quoted to him a statement made on March 1, 1866, by Representative James F. Wilson, the chairman of the House Judiciary Committee. This statement should be considered authoritative, considering its source and relevance to the debate in progress. Judge Marshall stated that the view of the chairman of the committee would be relevant in determining what was intended to be included in the term "civil rights," but would not be controlling. Judge Marshall did not tell us whose version would be controlling, but I suspect that he, along with four or five of other present members of the Supreme Court, would consider their own view to be the controlling factor.

Then I proceeded to quote to Judge Marshall several additional statements made by a number of other Members of Congress, including the man who drafted the privileges and immunities, due process, and equal protection clause of the 14th amendment, Representative John Bingham, of Ohio. In each case the nominee made virtually the same observation—the contemporaneous observation of the framer would be relevant but not controlling in an interpretation of the wording and application to any modern-day set of facts. It would be extremely surprising to find that a man who drafted a constitutional provision is not fully aware of what he is doing, or does not know as well as someone who is attempting to place a construction upon his language 100 years later. I suspect that Representative John Bingham, an able attorney in his own right, was perfectly aware of what he was drafting and that his statements in respect thereto are quite decisive as to its meaning. Apparently, Judge Marshall thinks that he can disregard the historical events and contemporaneous interpretation, and construe these provisions of the Constitution in whatever way he so desires. At this point, I would like to note that Judge Marshall is not alone in holding to this viewpoint. This is probably the popular attitude, but it is an attitude that has wreaked havoc with our constitutional structure of government, and one which we here in the Senate should not be parties to perpetuating.

Then I quoted a portion of the bill admitting Nebraska to the Union, and an attack thereon by Representative Bingham. The section of the Nebraska statehood bill in question was one which was designed to prevent racial discrimination in voting, and Representative Bingham took the position that this provision of the bill was in direct conflict with the proposed 14th amendment. Since Representative Bingham was the primary author of the major portions of the 14th amendment, his view on this point would seem to me to be much more than merely relevant to an understanding of the purposes of the 14th amendment. Judge Marshall, however, stated that he did not consider this position by Representative Bingham to be relevant as to the constitutional power of Congress. He went on to make the statement that the constitutional power of Congress is to be determined by a court. The power of Congress is, of course, delineated in the Constitution, and the meaning of the Constitution can be gleaned from the statements of its drafters. Judge Marshall apparently feels no obligation to interpret the Constitution in the light of the contemporaneous statements of the drafters, and since he is of the view that the courts are the proper body to determine the constitutional power of Congress, then the Congress can do anything that the courts say that it can. It had always been my impression that the oath taken by each Member of Congress, requiring fidelity to the Constitution, required each Member of Congress to weigh each proposal on the scales of the Constitution before acting upon it. In that way, Congress is the judge of its own constitutional power, and is bound as much by the contemporaneous statements of the drafters of the Constitution as the courts should be bound.

Judge Marshall was asked whether he thought it was relevant that Representative Bingham had introduced a proposed constitutional amendment designed to give all citizens the equal right to the franchise. He answered:

> I consider that relevant with the restriction that it is no more relevant than other, any other, legislation where provisions are proposed but not adopted.

This response misses the point of the question. Representative Bingham would never have introduced an amendment of this nature if the 14th amendment had, in his view, already put this question to rest, as has been presumed in the one-man, one-vote cases. The amendment which Representative Bingham proposed reads as follows:

> No State shall make or enforce any law which shall abridge or deny to any male citizen of the United States, of sound mind, and over twenty-one years of age, the equal exercise of the elective franchise in such State wherein he shall have actually resided for a period of one year next preceding such election.

This amendment would have legitimately accomplished the one-man, one-vote theory, had it been adopted. The fact of its submission by the principal framer of the 14th amendment indicates that the 14th amendment had no such intent. The fact that it was rejected by Congress further indicates that Congress was not disposed to take such action.

Several other questions were designed to delve into the nominee's knowledge and understanding of the true intent of both the 14th and 15th amendments. One such question dealt with a bill reported from the Judiciary Committee in 1870 by Representative Bingham, who was then chairman of the Judiciary Committee of the House of Representatives. One portion of that bill was designed to require State officials to assess taxes against Negroes, when the State law required the payment of a poll tax as a prerequisite to voting. It would seem apparent to me that this is a clear indication that the 14th amendment was not designed to outlaw poll taxes as a prerequisite to voting. Judge Marshall stated that such a fact would be relevant "but certainly not controlling." It would be very difficult to find what would be controlling, if evidence that the man who framed the pertinent provisions felt compelled to introduce a measure which would, by today's standards, be in violation of the provision he drafted.

When it was pointed out to the nominee that Representative Bingham urged passage of a version of the constitutional amendment that would have barred literacy tests, which was rejected in the House of Representatives, and he was asked whether this showed that it was the intent of the 14th amendment or the 15th amendment to abolish literacy tests, Judge Marshall answered that the body of authority to determine the constitutional power of Congress to pass legislation in the U.S. Supreme Court. He did not indicate that the members of the Supreme Court should feel any obligation to inquire into the original intent of the framers, to try to determine the extent of congressional power derived from any of the provisions of the Constitution.

One can conclude several things from the answers of Judge Marshall to the questions posed him. First of all, Judge Marshall apparently feels no obligation to be bound by the original intent of the framers of the Constitution, or of any of the amendments thereto. This is exactly in line with the oft-quoted statement that the Constitution is a "living document." His numerous responses that the contemporaneous statements interpreting particular provisions of the 14th amendment as "relevant, but not controlling," constitutes irrefutable evidence that the meaning of the Constitution lives in his imagination rather than in its original concept.

What would be the result if this theory were applied throughout the court proceedings of our land? Suppose, for example, an application of this theory in a murder trial. After proof of the crime, evidence is received from an eyewitness that the defendant is guilty, and no evidence to the contrary is presented by the defense. Should the judge then be free to rule that the evidence is relevant, but not controlling, and on that basis proceed to direct a verdict of acquittal, because he does not think that the defendant should be found guilty? In such a circumstance one would begin to suspect that there is something wrong with the judge, and with the brand of justice he is dispensing.

While this may seem to be an extreme example, virtually the same theory is applicable in interpreting the Constitution. The weight or preponderance of historical evidence is decisive, and should be controlling in interpreting and applying constitutional concepts to modern-day facts. If a judge, in trying a civil case heard testimony from a dozen witnesses on one particular point, and received no evidence to the contrary, then directed a verdict contrary to the evidence presented, on the grounds that the witnesses' testimony was "relevant, but not controlling," one would justifiably wonder if the judge involved was competent to sit on the bench.

The duty of an appellate judge is, of course, somewhat different from that of a trial judge. An appellate court is designed to correct errors of law, or errors in the application of the law to the particular set of facts established on trial. Appellate courts are not factfinding bodies, at least not so far as the facts of the particular question before it is concerned. The only extent to which they are obligated to find facts is in determining the intent of Congress in passing a particular law, or enacting a particular constitutional provision. This is a necessary procedure to enable the appellate judge to find out what the law is, or to find out what the law is intended to be, and then apply it to the facts which are established at the trial court level.

An appellate judge is not at liberty to tamper with the facts surrounding the approval of a law or constitutional provision, any more than he is at liberty to tamper with the facts established at the trial court level. The law is the law, and it means today what it meant when it was drafted, and no one, or any group of men, has the right to say that it means something entirely different today than it was understood to mean when it was originally drafted. The notion that a written body of laws undergoes a metamorphosis with the times is a notion which will lead to the destruction of the basic principle of government by law, rather than by man. To draft a set of laws intending them to be a guide for the ages would be, under this theory, a vain and impossible act.

There have been allegations that my questioning of the nominee was somewhat less than fair, in that the questions were detailed and meticulous. I repeat what I said at the outset of my remarks, that I do not consider it to be unfair to question a man in some detail in his one area of expertise. If Judge Marshall had practiced law generally, or in some other area, I could not and would not have expected him to be conversant with the subject of the reconstruction amendments. Questions dealing with the correct application of the 14th amendment particularly come before the court with nauseating regularity these days, however, and since Judge Marshall has spent the greater part of his adult career in dealing with these questions, I thought it appropriate to question him on some of the fundamental concepts underlying the amendment.

Another point needs to be dealt with. It has been stated over and over that Judge Marshall has proved his competence, and has proved that he is deserving of the post because of his long string of successes in appearances before the Supreme Court. I do not consider the fact that the nominee was counsel for the prevailing side, in a number of cases before the U.S. Supreme Court, is of any significance whatsoever. We all know that the U.S. Supreme Court in recent years has decided cases based on factors other than the law as laid down by the framers when the Constitution was written. The Supreme Court has decided cases based on its own predilection as to what the law should be, and what the application of the law should be to a given set of facts. The basic criticism of the Supreme Court in recent years has sprung primarily from this attitude, which is so obvious on the part of the members of the Supreme Court.

While the nominee has been counsel in a number of cases decided on bases other than a strict application of the law and the precedents, it cannot be said that he either won or lost the cases. All that can be said is that a majority of the members of the Supreme Court was prepared to go along and accept the position he advocated, for reasons which probably had nothing to do with his competency as counsel. I think that it is a fair observation to say that a majority of the members of the Court would have so ruled, regardless of who had been the attorney in the case.

Mr. President, considering all relevant

factors, in my judgment, it would be in the best interests of the country for the Senate to refuse to confirm the nomination of Thurgood Marshall for a seat on the Supreme Court. It has been said by some that Judge Marshall could not be any worse than some now sitting on the Court. While this is perhaps true, the opportunity has been presented for an appointment to the Court of a man who would, by his vote, be able to reinstitute "judicial restraint" in future Court decisions. Thurgood Marshall has clearly proved that he is not that man. His nomination follows the pattern of recent years of appointing "judicial activists" who are more intent on rewriting the law than in applying it. For these reasons, I will vote "No" on confirmation of the nomination.

Mr. President, during the course of my remarks, the senior Senator from Massachusetts [Mr. KENNEDY] asked for the names of the members of the Judiciary Committee during the time the 14th amendment was being considered. I asked Judge Marshall, in the hearings on his nomination, what committee reported the 14th amendment and who were its members. The committee that reported the 14th amendment was not the Judiciary Committee. It was the Joint Committee on Reconstruction, and it was composed of the following: Senators Fessenden, of Maine; Grimes, of Iowa; Harris, of New York; Williams, of Oregon; Howard, of Michigan; and Johnson, of Maryland; Representatives Thaddeus Steven, of Pennsylvania; Blow, of Missouri; Washburn, of Illinois; Bingham, of Ohio; Conkling, of New York; Boutwell, of Massachusetts; Morrill, of Vermont; Rogers, of New Jersey; and Grider, of Kentucky. I am pleased to supply this information for the RECORD.

Mr. HART. Mr. President, I ask for the yeas and nays on the pending nomination.

The yeas and nays were ordered.

Mr. HART. Mr. President, very briefly, since the hour grows late and we have had a very thorough debate on the pending nomination, I do not believe an independent branch of the government; namely, the Supreme Court, is likely to be worried whether somebody here rises in its defense or not. I think it is content to let history judge it.

I would not want my silence, however, to indicate agreement with the opinions expressed by some with respect to the quality of service or devotion to their oath of the members of the Supreme Court. I only hope that each of us is as serious in observing the oath he takes as I am convinced each of them is.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. JAVITS. I wonder whether the Senator from Michigan would agree with me that after all this criticism of the Court, when we get up against the wall here, and actually face a decision on such matters as legislation to overturn the decision on confessions, or to overturn the requirement for the presence of a lawyer before an accused person can be put through any questioning, or to permit delays in the opportunity to communicate with a lawyer or relatives, and matters of that character, whether when the Senate actually faces a vote to really overturn a decision of the Court by legislation, we would not have some second thoughts about the matter; and I wonder whether the Senator from Michigan would agree with me that that certainly indicates our respect for the institution, and the fact that we do not fear its decisions as much as many of us pretend we do.

Mr. HART. The Senator from New York, I think, makes effectively the point that I was attempting to make. It is easy to react pretty violently when we read in the headlines that the Supreme Court has outlawed prayer; but we have seen the dust settle on that issue, and the position taken by the Court is now, I think, generally regarded by the majority of us as sound, and we are delighted that the Court undertook to carry the heat that it was subjected to in that period.

As the Senator from New York has stated, there are many opportunities, and some of them pending now in committee, to override decisions of the Supreme Court. I doubt very much whether we shall. I hope not.

Mr. JAVITS. Mr. President, we have heard much today about Judge Marshall's views, that he would upset the balance of the Court, that he was a political activist, or a legal iconoclast, as some of our fellow Senators have put it. Would the Senator from Michigan, whose opinions I and other Senators very much respect, be willing to state whether he agrees that fitness for the post of a judge depends upon the nominee's legal knowledge, on the struggles he has fought or is now engaged in fighting in the courts, on his judicial temperament, and on his integrity; and that if we tried to conjure up how we are going to affect decisions by what we think man is going to do on the bench, we would be running in the face of all our experience with the Brandeises, the Cardozos, the Warrens, the Frankfurters, the Byron Whites, and all that host of judges who have gone just the opposite way from what anyone might reasonably have expected?

Mr. HART. That is right. A fellow who wants to make book on the performance of a Supreme Court Justice should have substantial capital.

Mr. JAVITS. Exactly.

Mr. HART. I was struck by the fact that one of the articles introduced by one of those who spoke in opposition to the nominee today—the article entitled "Why Not a Woman On High Court?" written by David Lawrence—makes this judgment in advance:

> Persons who know Thurgood Marshall's philosophy think he will furnish a surprise and will be found in the middle-of-the-road category. His decisions inevitably will attract a lot of attention.

At least the second sentence, we can be sure, is correct.

Mr. JAVITS. I agree.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. Mr. President, the Taft Memorial Tower, erected in honor of the memory of the late U.S. Senator Robert A. Taft, is located on the Capitol grounds just west of the Old Senate Office Building in which I have my offices. I pass that memorial tower twice daily on my way to and from my work. Inscribed on that tower are these words, which I consider to be pertinent to the decision which is before the Senate today:

> If we wish to make democracy permanent in this country, let us abide by the fundamental principles laid down in the Constitution.

Mr. President, we who serve in the Senate are bound by oath or affirmation, to support the Constitution—article VI, paragraph 3, the U.S. Constitution. Under the Constitution, it is our high duty to confirm or reject appointments of the President of the United States to positions in various high offices including the judges of the U.S. Supreme Court. See article II, section 2, paragraph 2.

The Constitution, therefore, reposes in the Senate a solemn duty, one which is not to be taken lightly, one which is not merely pro forma in nature. While it is the prerogative and responsibility of the President of the United States to nominate individuals to those offices set forth in the Constitution, we in the Senate cannot shirk our responsibility to pass judgment on Presidential nominees as being fit or unfit, qualified or unqualified, and their appointments wise or unwise insofar as the future of our country is concerned.

I feel that, as a general rule governing Senate confirmations, the President should be given the benefit of any doubt concerning a nominee chosen by him, unless that doubt is grave to the point that a Senator's convictions will not permit him to cast it aside.

During the 9 years I have served in the U.S. Senate, I have voted against few men whose names were submitted by the President for Senate confirmation. Among these were Lewis L. Strauss, who was nominated and rejected, by a vote of 49 to 46, for the office of Secretary of Commerce, and the other was John A. McCone, who was nominated and confirmed, by a vote of 71 to 12, for the office of Director of Central Intelligence.

Today the Senate is considering the nomination of Mr. Thurgood Marshall for the office of Associate Justice of the U.S. Supreme Court. I have not the slightest doubt but that the Senate will confirm his nomination. My vote against his confirmation will, therefore, be an exercise in futility insofar as the impact upon his confirmation is concerned. Nevertheless, after much soul searching and reflection, I have reached the conclusion, only last evening, that I shall vote against the confirmation of Mr. Marshall's nomination.

I shall vote against the confirmation of his nomination realizing that, from a purely political standpoint, my vote will probably not be a good vote. Mine being a political career, it is only natural that I cannot be averse to political considerations in many of the decisions which I am called upon to make. Nevertheless, I feel that political considerations must be subordinated to my strong convictions in matters which will leave a lasting imprint upon the country which the next generation will inherit from our hands.

There are those critics who may say that my vote against Mr. Marshall is a "racist" vote. There are those who may say my vote indicates that I am anti-Negro. Yet, for the RECORD, let me say that I have supported the confirmation of the nominations of many Negroes, among whom were Robert C. Weaver as Secretary of the Department of Housing and Urban Development; Carl Rowan as head of the U.S. Information Agency; Mrs. Patricia Harris as our Ambassador accredited to Luxembourg; and Ambassador Franklin Williams as our chief diplomatic servant in Ghana.

There are a number of Negro justices whose appointments I have supported. Among these are the following:

LIFETIME JUDGES

Wade H. McCree, Jr., U.S. Circuit Court, Sixth Circuit, September 7, 1966.

Spotswood W. Robinson III, U.S. Circuit Court for District of Columbia, October 20, 1966.

William B. Bryant, U.S. District Court for District of Columbia, August 11, 1965.

A. Leon Higginbotham, Jr., U.S. District Court for Eastern District of Pennsylvania, February 3, 1964.

Constance B. Motley, U.S. District Court for Southern District of New York, August 30, 1966.

James B. Parsons, U.S. District Court for Northern District of Illinois, August 30, 1961.

Aubrey E. Robinson, Jr., U.S. District Court for District of Columbia, October 20, 1966.

Joseph C. Waddy, U.S. District Court for District of Columbia, March 2, 1967.

James L. Watson, U.S. Customs Court, March 4, 1966.

TERM JUSTICES

District of Columbia court of general sessions, 10-year terms: Andrew J. Howard, Jr., appointed September 21, 1961; Austin L. Fickling, appointed September 30, 1966; Harry T. Alexander, appointed November 30, 1966.

Domestic relations branch of above court: Richards R. Atkinson, appointed November 3, 1966.

Juvenile court, same court: John D. Fauntleroy, appointed June 28, 1967.

District court for Virgin Islands, 8 years: Walter A. Jordan, appointed September 8, 1959.

Mr. President, the truth of the matter is that I would like to vote for Mr. Marshall, and I am frank to say that I would like to vote for him particularly because he is a Negro. Yet, I consider it my duty as a Senator, under the Constitution, not to let Mr. Marshall's race influence my decision. Having reached the definite conclusion that were Mr. Marshall white, I would vote against him. I cannot, therefore, let the fact that he is a Negro influence me to vote for him when I would not do so otherwise.

What is the basis for my decision to vote against the confirmation of Mr. Marshall's nomination?

It is not that he lacks the ability to serve as an Associate Justice of the U.S. Supreme Court. He has demonstrated ability. I simply cannot bring myself to vote for an individual to be a U.S. Supreme Court Justice who, by his past record so clearly stamps himself as one who will be an ally to the already top-heavy, ultraliberal, and activist bloc on the Court.

In my judgment, many of the disturbing phenomena which have appeared on the American scene during the past 15 years can be traced, at least in part, to certain decisions rendered by a preponderantly activist U.S. Supreme Court. I have in mind, for example, decisions which have favored the atheist, as against the religiously inclined child, in the public schools; the Supreme Court decision knocking down the law requiring Communists to register; various decisions which, in effect, have placed handcuffs on police and have, practically speaking, subordinated the rights of victims and the rights of society to the imagined rights of individual criminals. And one could go on to cite further examples.

Many of these decisions were 5-to-4 decisions, the result being that five men clothed in judicial robes have uprooted the customs and changed the course of the Republic.

The highest tribunal has become the most powerful authority in the whole of our Federal system. Its members, appointed for life, and sequestered from the realities of life as it confronts the man on the street, have departed from pragmatic liberalism and have become ultraliberal in their decisions as they have shaped national policies to conform with their own personal opinions. In doing so, they have dealt with the Constitution as thought it were wax.

I do not maintain that the Court should be structured ideologically with so many liberals and so many conservatives, but I do believe that it is idle to pretend that the delicate and often unpredictable balance of the last few years will not now become a built-in activist majority which will do further injury to constitutional government.

It is, of course, an oversimplification to impute as inevitabilities certain attitudes to a new Supreme Court Justice even before he has donned his judicial robes. It is not possible for one to foresee beyond peradventure of doubt just what position will be taken by Mr. Marshall or any other newly appointed Justice when it comes to the great issues of the day. Yet, as Mr. William S. White recently observed:

> The probabilities of the future can only be rationally estimated by the known and certain past.

So, by this standard, as Mr. White went on to say:

> It is likely that Marshall's elevation will only aggravate an already profound imbalance by which an already disproportionate majority of liberal justices has for years been acting not as detached arbiters but as lawmakers, not as interpreters of the Constitution but as amenders of that Constitution to suit their own notions.

What is there in Thurgood Marshall's past record which points to the probability of his being an activist addition to an already preponderantly activist High Tribunal?

A review of Mr. Marshall's past activities raises a question of his possession of an unbiased judicial temperament when one reads that he is widely heralded in the press of our Nation as "Mr. Civil Rights." He has for a good many years been identified as "the voice of the NAACP."

It is difficult to distinguish traits of impartiality, very vital as a judicial attribute, in a record such as Marshall's, which includes almost a quarter of a century as chief counsel for the NAACP, during which he argued 32 cases before the same Court to which he has now been nominated as a member.

An independent assessment of his legal career at one time read:

> His impact is indicated by the fact that the NAACP had more cases before the Supreme Court in the last term than any other institution except the Federal Government.

It is extremely difficult to believe that a person who has had a quarter of century of emotional commitment and total involvement in one cause can be judicially unbiased in the future, particularly with regard to cases which will undoubtedly continue to make up such a heavy portion of the Court's dockets.

A recent New York Times article, entitled "Shift in Court's Trend," referred to the highest tribunal as "the reform-minded Supreme Court," and went on to say that the Court "running short of dragons to slay after years of activism, is turning increasingly to the politically hazardous business of liberalizing the rights of criminal suspects."

The Times article proceeded to comment on the substitution of Thurgood Marshall for Justice Tom Clark, and I quote the following two paragraphs from that article:

> As a judge in the United States Court of Appeals for the Second Circuit, Mr. Marshall was considered a liberal. He found fault with the New York teachers' loyalty oath, curbed the summary expulsion power of the immigration authorities and tended to favor plaintiffs in damage suits.
>
> This liberality carried over to criminal issues—as reflected in his belief that the Fifth Amendment's prohibition of unreasonable searches should be given broad interpretations in criminal law, he may accelerate the Supreme Court's drive for reform.

I repeat the closing sentence in the paragraph I have just quoted:

> In criminal law, he may accelerate the Supreme Court's drive for reform.

Mr. President, I have no doubt that there has been some need of reform in the criminal law, but the Supreme Court's drive for that reform has carried it far beyond the limits of realistic and commonsense reasoning. The unvarnished truth cannot be overlooked, and the fact that many U.S. Supreme Court decisions in recent years have straitjacketed the police departments throughout the country and have contributed in great measure, to spiraling crime and acts of violence in the streets of our cities, cannot be denied. We have reached the point where the criminal believes that the law is on his side. I have repeatedly spoken out against Supreme Court decisions which have placed shackles upon the police and which have made increasingly difficult the problem of law enforcement. In a Senate speech on April 20 of this year, I made a statement which was as follows:

> If we want to really come to grips with the spiralling crime rate, the place to start is in the appointments to the Supreme Court of the United States.

I repeat that statement today, and I say with all sincerity and with the strongest conviction that the Senate, under the Constitution, must share the responsibility with the Chief Executive of making wise appointments to the Supreme Court. If the Court will not exercise a reasonable restriction upon itself, it is proper that that restraint be generated in the appointive process. If Presidential appointments show an apparent inclination to create a dangerous imbalance in the makeup of the Nation's highest tribunal, then it becomes the duty of the Senate to act to protect constitutional government against destruction by a court which increasingly gives evidence that the majority of its members will not impose self-restraint and which arrives at momentous decisions on the basis of modern sociological concepts rather than legal reasoning and legal precedents.

In the desire of all Senators to promote the concept that ours is a government of laws, not of men, I cannot be unmindful of Woodrow Wilson's statement that:

> Constitute them how you will, governments are always governments of men, and no part of any government is better than the men to whom that part is entrusted.

Wilson's appraisal is no less applicable to the judiciary than to any other of the three coordinate and coequal branches of the Government.

I may be wrong in my estimate of Mr. Marshall, and I sincerely hope I am wrong. I supported his appointment as a judge on the U.S. Court of Appeals for the Second Circuit. I supported his appointment to the Office of Solicitor General of the United States. But as an Associate U.S. Supreme Court Justice, Mr. Marshall will hold a position far more critical to the future course of our country than was either of those two positions.

I do not believe that I can be justified in criticizing the U.S. Supreme Court for decisions which favor the criminal if I, by my own actions, fail to take a stand against the appointment of any individual to that Court whose past record in the legal profession and as a jurist point unmistakably, in my judgment, to the likelihood that the nominee will add to an already dangerously imbalanced High Tribunal. The past records of many nominees are unclear as to their guiding philosophies, but in this case the past record of the nominee appears in full outline, and I have arrived at my conclusion based on that record.

As I am able to see my duty, therefore, I feel it incumbent upon me, in the interest of law and order and in the interest of constitutional government, to vote against Mr. Marshall's nomination to the Supreme Court of the United States.

> He who saves his country saves all things and all things saved do bless him. He who lets his country die lets all things die, dies himself ignobly, and all things dying curse him.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SPONG in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. If there is no further comment, Mr. President, I ask that the Senate advise and consent to the nomination of Thurgood Marshall.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a live pair with the distinguished Senator from Mississippi [Mr. STENNIS]. If he were present and voting he would vote "nay." If I were permitted to vote I would vote "yea." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Virginia [Mr. BYRD], the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Minnesota [Mr. McCARTHY], the Senator from Maine [Mr. MUSKIE], and the Senator from New Mexico [Mr. MONTOYA] are absent on official business.

I also announce that the Senator from Indiana [Mr. HARTKE], the Senator from North Carolina [Mr. JORDAN], the Senator from Arkansas [Mr. McCLELLAN], the Senator from South Dakota [Mr. McGOVERN], the Senator from Montana [Mr. METCALF], the Senator from Wisconsin [Mr. NELSON], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Mississippi [Mr. STENNIS] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from South Dakota [Mr. McGOVERN], the Senator from Montana [Mr. METCALF], the Senator from Maine [Mr. MUSKIE], and the Senator from New Mexico [Mr. MONTOYA] would each vote "yea."

On this vote, the Senator from Oklahoma [Mr. HARRIS] is paired with the Senator from Florida [Mr. SMATHERS].

If present and voting, the Senator from Oklahoma would vote "yea" and the Senator from Florida would vote "nay."

On this vote, the Senator from Wisconsin [Mr. NELSON] is paired with the Senator from Georgia [Mr. RUSSELL].

If present and voting, the Senator from Wisconsin would vote "yea" and the Senator from Georgia would vote "nay."

On this vote, the Senator from Minnesota [Mr. McCARTHY] is paired with the Senator from Arkansas [Mr. McCLELLAN].

If present and voting, the Senator from Minnesota would vote "yea" and the Senator from Arkansas would vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. HICKENLOOPER] and the Senator from California [Mr. MURPHY] are absent by leave of the Senate on official business.

The Senator from Arizona [Mr. FANNIN] is detained on official business.

If present and voting, the Senator from California [Mr. MURPHY] would vote "yea."

The result was announced—yeas 69, nays 11, as follows:

[No. 240 Ex.]

YEAS—69

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Boggs
Brewster
Brooke
Burdick
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Fong
Fulbright
Gore
Griffin
Hansen
Hart
Hatfield
Hayden
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Magnuson
McGee
McIntyre
Miller
Mondale
Monroney
Morse
Morton
Moss
Mundt
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Spong
Symington
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—11

Byrd, W. Va.
Eastland
Ellender
Ervin
Hill
Holland
Hollings
Long, La.
Sparkman
Talmadge
Thurmond

NOT VOTING—20

Bible
Byrd, Va.
Fannin
Gruening
Harris
Hartke
Hickenlooper
Jordan, N.C.
Mansfield
McCarthy
McClellan
McGovern
Metcalf
Montoya
Murphy
Muskie
Nelson
Russell
Smathers
Stennis

So the nomination was confirmed.

Mr. HART. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

THURGOOD MARSHALL TO THE SUPREME COURT—A HISTORIC APPOINTMENT

Mr. MANSFIELD. Mr. President, the confirmation of the nomination of Thurgood Marshall as an Associate Justice of the Supreme Court is also a confirmation of the vitality of the democratic system. It is a tribute to the good sense of President Johnson who made the nomination, and to the judgment of the Senate which approved it.

The confirmation means that a man who loves the law and who has a firm respect and high faith in it moves to the top of his profession by entering the highest judicial body in the United States. Thurgood Marshall's rise to the Supreme Court reaffirms the American ideal that what counts is what you are and not who you are or whom your antecedents may have been.

This is a shining hour, Mr. President, for Mr. Marshall, for President Johnson, for the Senate, and for the United States of America. We have come a long, long way toward equal access to the Constitution's promise. We shall go further along that way because we have recognized the work and the dedication and the commitment of Thurgood Marshall and asked him to enlarge his contribution to the Nation as a member of the Supreme Court.

I join my colleagues in the Senate in extending sincere congratulations to Mr. Justice Marshall on this most auspicious day in his life.

LEGISLATIVE SESSION

Mr. HART. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, while Senators are still in the Chamber, I should like to renew my inquiry of the distinguished majority leader as to the program for the remainder of the day and the week, and when we reconvene on September 11.

Mr. MANSFIELD. The schedule is the same as announced last night. There will be no more votes until 2 o'clock p.m. on Monday, September 11.

Mr. DIRKSEN. That will be the treaty vote.

Mr. MANSFIELD. Yes, the treaty vote. That is it.

Mr. DIRKSEN. I thank the distinguished majority leader.

ARTHUR A. KINOY, AND THE ATTEMPT TO FEDERALIZE LOCAL POLICE DEPARTMENTS

Mr. THURMOND. Mr. President, a recent issue of the Washington Post published a story from New York detailing a highly unusual suit which has been filed against the Newark, N.J., Police Department. The suit asks that the Newark Police Department be placed in receivership and that a Federal "master" be appointed with full administrative power over its affairs. The article goes on to explain that the suit is a pilot project which, if successful, will be extended to other areas across the country.

This suit is nothing other than an attempt to federalize the police forces of this Nation and to concentrate all police power in the hands of Federal authorities. This is manifestly contrary to the spirit of the U.S. Constitution and our traditions of local control. This is an attempt to subvert the American system by using the courts of law.

One of the long-term goals of the Communists has been to concentrate the police power in Federal hands so as to destroy local liberties. It is highly significant, therefore, that one of the chief advisers in this suit is a well-known New York lawyer who has had many connections with Communists and their sympathizers. The Washington Post staff writer, Mr. Leroy F. Aarons, describes this man as "Arthur A. Kinoy of the New York firm of Kunstler, Kunstler, & Kinoy, one of the country's most prominent civil liberties attorneys."

I think it is misleading to describe Mr. Kinoy in this fashion without indicating his constant association defending Communists and Communist causes. I have therefore asked the Senate Internal Security Subcommittee to supply me with an amplified background about Mr. Kinoy, and I ask unanimous consent that this staff report be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, I have left the most shocking aspect of this lawsuit to the end of my remarks. Mr. Kinoy, who is notorious for the associations I have just indicated, has been actively working in cooperation with the New York Legal Services Project, an agency funded by the Federal Office of Economic Opportunity. I feel that Mr. Sargent Shriver, the Director of the OEO, ought to give some explanation as to why a federally funded project cooperates with a man of such well-known leftist inclinations in a program which is aimed at undermining the traditional structure of local government.

I ask unanimous consent that the article from the Washington Post of Friday, August 25, 1967 entitled "U.S. Reform of Newark Police Urged" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. REFORM OF NEWARK POLICE URGED

(By Leroy Aarons)

NEW YORK, August 24.—Seventeen Negro civic leaders and poor people asked the Federal courts today to take over and reform the Newark Police Department.

Similar action may be taken in other cities.

The unusual move came in the form of a civil lawsuit filed in U.S. District Court in Newark and announced at a press conference at New York offices of the American Civil Liberties Union.

BRUTALITY CHARGED

The suit charges a long and continuing pattern of police brutality in Newark, which, it says, has either been ratified by city officials or is out of their control. During the five days of violence in July, the suit charges, police used the "pretext" of putting down the riot to intensify the mistreatment and commit acts of "violence, intimidation and humiliation" against Negroes.

The lawsuit asks that the Department be placed in receivership and that a special "master" be appointed with full administrative power over its affairs.

The master would be ordered to hold public hearings leading to a plan for rehabilitation of the police department under court supervision.

The complaint also urges that the Newark officials—specifically Mayor Hugh J. Addonizio, Police Director Dominick A. Spina and Police Chief Oliver Kelly—be enjoined from allowing such alleged acts of brutality as beatings, intimidation, use of racial epithets and derogatory language, compiling dossiers on civil rights leaders, and refusal to arrest policemen who commit crimes against Negroes.

"NATIONAL PROBLEM"

While the suit deals only with Newark, Robert L. Carter, general counsel of the NAACP, told the press conference, "We regard this as a national problem." He said the NAACP is investigating similar action in many other cities across the country. He named Cincinnati, and another source said Cleveland is being considered.

Carter is one of 22 lawyers who signed the complaint. They represent five cooperating agencies in the case: ACLU, NAACP, the Newark Legal Services Project, the Law Center for Constitutional Rights, and the Scholarship, Education and Defense Fund for Racial Equality.

The suit was actually put together by the New Jersey ACLU, headed by Henry M. diSuvero, in cooperation with the Newark Legal Services Project, an agency funded by the Federal Office of Economic Opportunity and charged with aiding poor people in civil cases. A chief adviser was Arthur A. Kinoy, of the New York firm of Kunstler, Kunstler and Kinoy, one of the country's most prominent civil liberties attorneys.

PLAINTIFF ATTENDS

Approximately 200 affidavits from Negroes claiming various kinds of mistreatment during the riots have been compiled in support of the lawsuit. DiSuvero said the affidavits are being kept secret for fear that the signers will be intimidated.

One of the alleged victims, the Rev. Dennis Westbrook (also one of the 17 listed as plaintiffs) was present at the press conference. He charged that during the riot he was roughed up by police despite the fact that he identified himself as a minister who had been authorized by the Mayor to be in the trouble area.

It was understood that other signed complaints in the hands of the attorneys allege that:

A Negro professional man, who was taking food to his mother, was arrested by police, beaten and forced to kiss and lick policemen's feet before he was released.

A man walking with two women was stopped by police and forced to strip, then made to run naked down the street.

Police, particularly state troopers and National Guardsmen, fired indiscriminately into Negro homes and deliberately at stores run by Negro merchants.

The attorneys justified their report to Federal courts by citing several civil liberties amendments to the Constitution and a Federal law dating back to Reconstruction days. That law provides for civil action at the Federal level where local officials violate the civil rights of an individual or class.

The law was tested and upheld in a suit against the Sheriff of Neshoba County, Miss., where three civil rights workers were murdered. That suit, which asked that Federal marshals be appointed to oversee the actions of local sheriffs, is now in District Court in Mississippi.

FEDERAL REMEDY

Disuvero said the Federal remedy was sought because there is no legitimate machinery for police brutality complaints in Newark, and state courts have been hostile to actions against policemen.

He also noted that for the duration of the Federal suit, new acts of alleged brutality in Newark can be added to the complaint and depositions taken from policemen and witnesses. Thus, said Disuvero, the court action will serve as a temporary review board for brutality complaints.

EXHIBIT 1

ARTHUR KINOY

According to the *Washington Post* of January 5, 1965, page A9, Arthur Kinoy was attorney for the Freedom Party. He addressed a meeting of this organization held at Lincoln Memorial Congregational Temple on

January 4, 1965, according to this press report.

According to a folder of the American Student Union, Arthur Kinoy is listed as a member of the National Executive Committee of this organization. The American Student Union has been cited as subversive by the House Committee on Un-American Activities. Kinoy is listed as a student at Harvard University.

According to testimony before the Senate Internal Security Subcommittee, on April 19, 1955, Arthur Kinoy is listed by Harry Sacher as a member of the law firm of Harry Sacher, Frank Donner, Marshall Perlin and Milton Friedman, with offices at 342 Madison Avenue, New York City. Harry Sacher and Frank Donner have been frequently listed as defending Communist cases.

According to the *New York Times* of October 3, 1956, page 21, Arthur Kinoy is listed, together with Frank J. Donner and Marshall Perlin, as attorney for Steve Nelson before the U. S. Supreme Court. The Senate Internal Security Subcommittee has published a report on the career of Steve Nelson as an American and international Communist leader.

Arthur Kinoy took an active part in the defense of Ethel and Julius Rosenberg, who were executed for committing atomic espionage. They were executed on June 19, 1953.

June 18, 1953—A motion brought by Mr. Arthur Kinoy for Emanuel Bloch was referred to Judge Kaufman by Judge Ryan. June 19, 1953—A motion for a stay of execution pending determination of the motion of Mr. Kinoy brought on June 18th was referred to Judge Kaufman by Judge Dimock. This motion was denied. A motion to stay the execution pending appeal of the decision was likewise denied. ("Trial by Treason, The National Committee to Secure Justice for the Rosenbergs and Morton Sobell," August 25, 1956, House Committee on Un-American Activities, page 137).

On October 13, 1952, Arthur Kinoy appeared as counsel for Alfred J. Van Tassel before the Senate Internal Security Subcommittee. Mr. Van Tassel took the Fifth Amendment in refusing to testify about his Communist Party affiliates. ("Activities of United States Citizens Employed by United Nations," Part 1, Senate Internal Security Subcommittee, pages 2 to 21).

Arthur Kinoy has served as counsel for the United Electrical, Radio and Machine Workers Union, which has been expelled by the Congress of Industrial Organizations on grounds of its Communist character and leadership. ("Communist Domination of Certain Unions." Part II, Senate Labor and Welfare Committee).

Arthur Kinoy was a member of the Editorial Board of the *Lawyers Guild Review*. He was a guest of honor at a banquet of the National Lawyers Guild on October 25, 1957. The National Lawyers Guild has been cited as subversive by the House Committee on Un-American Activities.

The New York Committee for Protection of Foreign Born, an affiliate of the American Committee for Protection of Foreign Born, honored Arthur Kinoy at a banquet held on October 28, 1954. The American Committee for Protection of Foreign Born has been cited as subversive by the Attorney General.

TRANSCRIPT OF RECENT RADIO HAVANA SPEECH MADE BY STOKELY CARMICHAEL

Mr. THURMOND. Mr. President, on August 1, as part of the Latin American Solidarity Conference recently held in Havana, Stokely Carmichael made a speech over Radio Havana on behalf of the Black Liberation struggle of the United States.

Because of the patriotic vigilance of Mr. John Edrington Futch, a student at Florida State University whose two hobbies are "listening to what the other side has to say" via his short-wave receiver, and recording the broadcasts on tape, a transcript and tape recording of this speech have been made available to me. I commend Mr. Futch for the concern he has shown for our Nation's well-being.

To date, however, I have not seen the full text of the Carmichael speech made available either to the American public or to my colleagues. So that my colleagues may have the benefit of knowing what Stokely Carmichael said in his Radio Havana speech of August 1, I ask unanimous consent that a transcript of that speech be printed in the Record; and if any of my colleagues desire to hear the heretofore mentioned tape recording of Carmichael's August 1 speech, I shall be only too glad to replay it for them in my office.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Stokely Carmichael: Speech on Radio Havana, August 1, 1967

"This is Radio Havana, Cuba, and this is Stokeley Carmichael of the black liberation struggle inside the United States. I would like to read a message to our brother Che Guevara on behalf of all the black people struggling inside the United States for our liberation. We want you to know, my fellow Comrade Che, that the African Americans inside the United States have a great deal of admiration for you. We eagerly await your writings in order to read them, digest them, and to plan our tactics based on them. We want you to know, wherever you are, that you are an inspiration, not only to the black people inside the United States, but to the liberation struggle around the world. Please keep on fighting, because by your fighting you are inspiring all of us. Do not despair, my Comrade Che: we will win.

"This is Radio Havana, Cuba, August 1, 1967, Stokeley Carmichael of the black liberation movement inside the United States. I would like to read a message on behalf of the black people struggling inside the United States for our liberation to all our Comrades in the armed struggle against imperialism and racism, and especially to our Comrades in Latin America. We of the black liberation movement of the United States want all of you to know, wherever you are, that we are your comrades. We are no longer going to allow our enemies to make us fight against you, as they have done in the past. We will not fight in Vietnam, Santo Domingo, Venezuela, or anywhere else in the world. Our fight will be inside the United States. While we are fighting to destroy imperialism from the outside, we know you will be fighting to destroy it from the outside. We are dedicated with our very lives to destroy imperialism, as you have proven time and time again, as you have dedicated your lives. We look forward to the day, which will be very soon, when all of us all over the world will be able to overthrow the decadent governments, and will start the real revolution of building a society based on humanity rather than a society based on exploitation. Our struggle is the same. Our love for humanity will make us continue to fight."

NEW SOVIET GUNS IN VIETNAM

Mr. THURMOND. Mr. President, this administration has consistently played down the part which Soviet war materiel is playing in the Vietnamese war. It is seldom that unclassified reports make any reference to the equipment which the Soviet Union is sending to South Vietnam to kill American soldiers.

Yesterday's Washington Daily News published a UPI dispatch from Saigon which told about a Vietcong attack on Dong Ha. Dong Ha is 8 miles south of the demilitarized zone. The attackers were using Soviet-built 152-millimeter cannon which can fire shells weighing 107 pounds up to 15 miles. About 100 of these shells hit the outpost.

Mr. President, when we read reports like this, we can no longer believe the statements that Soviet supplies play no significant part in the war in the South. It is clear that these are major Soviet weapons. It shows us once again why it is necessary to interdict the Communist supply lines and to close the ports, particularly Haiphong. It is the opinion of our military experts that these ports should be closed and this article reinforces that opinion.

I ask unanimous consent to have the article entitled "Reds Rake Marines With Giant Gun" printed in the Record.

There being no objection the article was ordered to be printed in the Record, as follows:

Reds Rake Marines With Giant Gun

Saigon, Aug. 28.—Communist forces today attacked the largest U.S. Marine helicopter base with rockets and bombarded a Leatherneck outpost with their biggest Russian-made guns. At least seven Marines were killed and 89 wounded in the two attacks.

Viet Cong terrorist squads also were busy. More than 500 civilians were killed or wounded in nationwide week-end attacks aimed at disrupting South Vietnam's elections. American Commanders in Saigon put their men on an assassination alert as the Reds pushed their greatest terror campaign of the war.

POISED

U.S. B52 bombers flew two missions early today inside the DMZ and along its fringes where an estimated 35,000 communist troops were reported poised for an invasion of the South. U.S. Marines also launched a drive against the communists threatening northernmost Quan Tri Province.

U.S. fighter-bombers flew 118 missions against targets in North Vietnam yesterday despite cloudy weather. No losses were reported.

Government spokesmen reported that Viet Cong machinegunners killed 15 civilians and wounded 18 more in the attack on the Tea Quay refugee hamlet yesterday. The attack was one of eight terrorist raids during the day.

Early today, Guerrillas killed four Marines, wounded 80 more, destroyed three helicopters and damaged nine others in a rocket assault on the giant Marble Mountain base. Rockets also ripped up the runway and blasted buildings at the installation. Between 10 to 20 rockets hit the base.

THREE KILLED

Three Marines were killed and nine wounded in a dawn attack on the Marine outpost at Dong Ha, eight miles south of the Demilitarized Zone. American officials said the communists used their heaviest guns—the Soviet-built 152-mm cannon which can fire shells weighing 107 pounds up to 15 miles. About 100 shells hit the outpost.

Six hours later, an American spotter plane saw North Vietnamese artillery positions 15 miles north of Dong Ha and called in jets. The jets destroyed two artillery positions and touched off three secondary explosions.

WORST

Vietnamese spokesmen said the terror is the worst of the war but gave no sign of slackening the election campaign which ends in voting Sunday.

American military commanders in Saigon ordered special precautions for all U.S. personnel in the capital. They curtailed all military passes in the city and told troops to leave their duty posts only on vital business—and then in pairs at least.

THE LEAVEN OF ECONOMIC PROGRESS—ADDRESS BY WARD L. QUAAL

Mr. DIRKSEN. Mr. President, Mr. Ward L. Quaal, president, WGN Continental Broadcasting Co., delivered a very impressive address to the 53d annual conference of the Association of Better Business Bureaus International in Montreal, Canada, on June 12, 1967. This is indeed a worthwhile and provocative presentation which merits wider distribution, and I therefore ask that it be inserted as a part of my remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

The Leaven of Economic Progress

Here we are in an international city of rare beauty within the shadow of an exposition which bespeaks the genius of man. And yet we can hear distantly the rumblings of guns that bespeak man's desolation.

Time moves forward, paced by the ingenious and inventive capacity of new generations, marked by rare advances in science and agriculture and production. Yet, men are still preoccupied throughout the world with the age-old problem of the species: freedom.

We are meeting here during the 53rd annual conference of an organization originally designed to perpetuate freedom in the marketplace through the application of self-discipline. We are meeting at a time when attacks upon fundamental elements of that free market, such as advertising, have reached a crescendo; at a time when bureaucracy has clasped that magic new catch word "consumerism" to its bosom; at a time when, in the places of greatest individual freedom, there is growing evidence of governmental paternalism.

You require no briefing on this topic. You are aware of the suggestions that advertising is anti-competitive, that advertising adds to consumer costs, that media discounts create monopolies, that government should establish sweeping consumer-protective legislation, ad infinitum.

There has been the cry of the dissidents that advertising is a social evil; there have been numerous proposals that government intrude into the free trade arena between producer and consumer far and beyond its present ackowledged posture; and there have been additional suggestions that the consumer must be protected by elaborate informational campaigns about products and services.

This organization exists because those who belong to it (and who support it financially) believe in consumer protection. They believe also in the protection of the good name of business. They have given evidence of this belief for over half a century, and their self-promulgated activities are more extensive, more widespread, more productive now than ever before in history.

It would be preposterous to suggest that business can do no wrong. The very existence of the Bureaus denies that proposition. It is a fair postulate, however, that business does fewer things wrong and, conversely, more things right as the result of self-discipline. I speak not alone of the self-discipline implicit in the effort of the Bureaus, but self-discipline as reflected in codes of practice indigenous to hundreds of business pursuits in free economies throughout the world.

Justice George Sutherland of the Supreme Court of the United States, speaking to the American Bar Association as that organization's president in 1917, touched upon the subject of self-discipline. He observed:

"One objection to governmental interference with the personal habits, or even the vices of the individual, is that it tends to weaken the effect of the self-convincing moral standards and to put in their place fallible and changing conventions as the test of right conduct, with the consequent loss of the strengthening value to the individual of free exercise of his rational choice of good rather than evil.

"Enforced discipline can never have the moral value of self-discipline since it lacks the element of cooperative effort on the part of the individual which is the very soul of all personal advancement."

Justice Sutherland went on to say and, mind you, this comment was made fifty years ago: ". . . the business activities of the country (are) being investigated, supervised, directed, and controlled in such a multitude of ways that the banker, the merchant, and the men of industry generally are afloat upon a sea of uncertainty where if they succeed in avoiding the mines of dubious statutes by which they are surrounded, they are in danger of being blown up by an administrative torpedo, launched by one of the numerous submarine commissions by which the business waters are everywhere infested. . . ."

I repeat the words of this eminent jurist in the hope that they will console you inasmuch as you will learn that what may seem undue intrusiveness by government in this time was ever thus. Nor does one see any more reason to submit now to improper government intervention than the Justice saw then.

This is the conundrum those engaged in private enterprise, both producers and consumers, must ever solve: to what extent is government's concern and intervention beneficent, and at what point does it become meddlesome. For it is meddlesome indeed, and intolerable, if it tends to make rigid the conditions which permit free play in the marketplace. We must seek as free men a proper balance of liberty and order. In the absence of this balance the free society will falter and fail.

It is certainly proper, therefore, that our theme at this 53rd conference of a noble and successful experiment in self-discipline should relate to the interest of the consumer. For the consumer's part in a free economy is fully as vital and surely as generative as that of the producer. The consumer should and does call the tune. *He selects the product and service.* His selection determines the success of the enterprise. In turn, the success of the enterprise determines its ultimate freedom for it is apparent that the consumer cannot, through the device of semantics, be separated from the voter. In short, he who controls the marketplace also controls the polling place.

The evidence of the interrelationship between the citizen and the business community is preponderant. In this, the 175th year of the New York Stock Exchange, one out of every six American adults is a stockowner. Fifteen years ago, 6½ million Americans owned shares in American business. Today, the number is 22 million.

The consumer's powerful influence upon the marketplace is demonstrated every day. In 1964, one of our more prosperous years, the Bjorksten Research Laboratories of Madison, Wisconsin studied the fate of 27,000 new products that manufacturers tried to introduce to the public that year. Four out of every five of the products were rejected by the consumers. Unsuccessful manufacturers sustained losses totalling more than $3 billion.

And these figures should be appraised in the knowledge that only about 11 percent of the total number of businesses in America comprise corporations. There are now about 11 million business enterprises in the United States, including farms—and quite apparently many are sole proprietorships or small partnerships—where the relationship to the consumer is not only close but often overlapping. In fact, over 100 million Americans indirectly invest in business through savings accounts, insurance policies, and pension fund participation.

As it was stated in a recent annual report of the United States Steel Corporation, "The marketplace is democratic to an almost unimaginable degree in the political realm. Every day is Election Day in the market. Each purchase is a vote, and a company's sales are its tabulation of consumers' ballots, the customers' dollar. For each company there is neither tenure nor a fixed term of office. A big business can be voted small. A small business can be voted big, and any business can be voted out of office."

It is not true that the consumer is defenseless. Nor is the consumer isolated from the mainstream of the free market in action. On the contrary, he is the essential element. His desires in search of fulfillment, his needs in quest of satisfaction—these are the factors that stimulate the growth of business, that move capital to risk investment.

Government indeed has a vital place in this interaction. But that place must be respectful of the freedom of the individual and it should not so dominate the conditions of a free market that trade becomes stultified and initiative withered.

There is plenty of evidence that American business is awakening to the necessity of doing something about the attacks upon basic tools of free enterprise, such as advertising. The Magazine Publishers Association has been sponsoring a series of advertisements telling about the contribution of advertising to our free economy. The Association of National Advertisers has underwritten a new and powerful book by Dr. Jules Backman entitled "Advertising: The Case for Competition." This fine study is published by the New York University Press and its distribution is being promoted by other business organizations, such as the National Association of Broadcasters.

Some progress has been made in another Association—the American Association of Advertising Agencies—which recently acknowledged a possible need for continuing representation in Washington, D.C.

There is wide support for the notion that all business associations representing advertising interests should pool their resources to establish a task force in Washington.

Our own organization, the Better Business Bureau, has been notably progressive in its efforts on behalf of the consumer, not only in establishing voluntary programs for consumer protection, but also in reflecting consumer desires.

The Better Business Bureau Research and Education Foundation was chartered thirteen years ago. As most of you here know, the Foundation's purposes have been brought into sharp relief by recent consumer-oriented activities. In approximately thirty local bureaus throughout the United States, Consumer Affairs Councils are now being formed. These Councils include businessmen, educators, representatives of consumer groups, housewives, union representatives, and others genuinely interested in consumer problems. The Councils are designed to serve as grass roots sounding boards of customer attitudes.

As Victor Nyborg views the Councils, they are "direct links in sensitive geographic areas throughout the country which will help us in determining what consumer ideas the public has on its mind."

The Board of Trustees of the Foundation comprises a blue ribbon list of eminent business leaders led by Chairman Charles H. Kellstadt. The Foundation's objectives in activating these Councils will move forward quickly and productively.

And finally, within the scope of this broad program of business ambassadorship, you are aware that the Bureaus have recently established their own office of National Affairs in Washington.

You will hear later from our President about numerous other Bureau plans for stepping up service to the consumer—for more fully acknowledging his day-to-day interest in the activities of business and the product of those activities. These plans incorporate programs for continuing exchange of information with government at all pertinent levels of jurisdiction, for expanding informational efforts, for local-level seminars, and for other endeavors purposefully designed to help the consumer toward a broader understanding of the American economic system.

And all of this is intended to strengthen and extend the concept of self-responsibility and self-discipline.

I for one endorse, as I trust all of you here do, the notions that government should limit its regulation of industry to the greatest extent possible and that business thus bears concomitant responsibility to assume greater moral burdens.

If efforts pursuant to this goal will achieve a better world for the consumer, and surely they will, then the Bureaus are wisely set upon such a course.

There may be corollary benefits. The consumer, while learning more about business, may also learn more about Government—which presently owns more than 34 percent of the land area within the 50 States, owns and operates over 3000 tax-free commercial ventures, and dispenses more than 25 percent of the national income.

In our zeal to meet the changing demands of a dynamic expanding economy which brings government into closer consort with the business community we must not lose sight of our original loyalty—to the free citizen whose freedom to choose as a consumer derives from his freedom to choose as a voter.

Whoever jeopardizes one freedom endangers the other.

This process is part of the life cycle as it was seen by the French economist, Frederick Bastiat, who popularized some of the concepts of Adam Smith. Mr. Bastiat wrote: "The Creator of Life has entrusted us with the responsibility of preserving, developing, and perfecting it. In order that we may accomplish this, He has provided us with a collection of marvelous faculties. And He has put us in the midst of a variety of natural resources. By the application of our faculties to these natural resources we convert them into products, and use them. This process is necessary in order that life may run its appointed course."

Some complex manifestations have been added to the cycle of life since Monsieur Bastiat's time, it is true. There have been refinements such as hydrogenation, quick freezing, homogenization, internal combustion engines, nuclear power, television, electricity, laser beams, and incubation, to name a few.

But the progression hasn't changed—from natural resource to production to consumption.

And the leaven in this progression is individual liberty—free choice, if you will.

Damage done to the free market, whatever the source of injury, is damage to the free man. Remove the reward for integrity, effort, and ingenuity, and you remove the incentive to perform.

At a Junior Achievement Award Dinner in Seattle a single scholarship of $2000 was given to one among 500 who had competed in a contest. Said the speaker, "Think a moment of the motivation to you students if we lived under Socialism's idealistic concept of equality for all—and the award had been announced as 500 scholarships worth four dollars each."

There are over 115 million adult consumers in the United States. Our Bureaus in the past year have been in direct contact with over 3½ million people in 125 American cities—contacts related directly to the conduct of American business vis-à-vis the American consumer. Only nine percent of the total contacts involved actual complaints. In most instances the consumer was seeking specific information to assist him in buying. This kind of free interplay between business and consumer through the agency of the Bureaus is vital to the health and expansion of the free marketplace.

The Bureaus are now stepping up their efforts toward enlarging this area of public contact. Through the magic of computerization, precise reports on public attitudes in various parts of the nation can be made available quickly to industry and to government through these self-promulgated programs.

None question the fact that business has been taking a more enlightened view of its place of high responsibility in society. Today's business leader, in large and small industry, must devote much of his executive attention to the social needs of the communities upon which his business activities bear. This requirement daily becomes more demanding.

We must not turn our backs upon it. To ignore it invites the ever-willing heavy hand of government intervention in those areas which are most prudently left to the devices of the free market.

It has not been said better than by a member of our Research and Education Foundation Board. Henry Ford II, who has commented: "I have deep faith in the stimulating power of competition and in the capacity of the free market to allocate resources and to bring optimum growth and progress, if we will only let it work."

As we meet here let us remember the lessons of liberty that have been so dearly learned in this hemisphere and throughout the world. The course of business and the course of government are not as important as the quality of freedom. In a system where liberty is needlessly circumscribed, however noble its concepts and aspirations, man's hope and drives will diminish and die.

We must take our place with the legions who stand for liberty. In time of memory they have been giants in our government, they have marched in the ranks of our armed forces, they have spoken from our pulpits, they have published and broadcast our tidings, they have taught our young—and yes, they have nurtured and managed our industrial complex.

Whatever imperils the freedom of the marketplace also imperils liberty as we know it in our time. Recognition of that essential condition of democratic behavior, and acknowledgment of the responsibility devolving upon each of us as a consequence, must be constantly before us during our deliberations at this Conference.

U.N. SECURITY COUNCIL SHOULD DEBATE VIETNAM WAR

Mr. BREWSTER. Mr. President, I should like to associate myself with the very reasonable and poignant remarks of the distinguished majority leader and others of my distinguished colleagues who have spoken in this Chamber on the failure of the United Nations Security Council to debate the single most important international issue in the world today: the war in Vietnam.

This issue overshadows all other political concerns of our time. The war in Vietnam is the greatest threat to peace and security on earth today. As such, it is a subject more appropriate than any other for debate in the Security Council, the body with "primary responsibility for the maintenance of international peace and security."

Yet, as each of my distinguished colleagues knows, the Security Council has averted its glance from the Vietnam war, even to the point of pretending that it does not exist. Daily, however, the war grows bigger, and the casualty list grows longer.

Now more than 13,000 American soldiers have died in Vietnam, and 75,000 wounded.

Surely it is incumbent upon this Nation to seek out every available means of settling this war by international action. I submit that there is no better starting point than the United Nations Security Council.

Up until this time, we have not moved to take up the Vietnam resolution that has remained on the Security Council agenda for more than a year and a half.

This is deplorable. It is up to us to take the initiative to move on the Vietnam resolution, and our representatives should do so immediately. As the distinguished majority leader has pointed out, our motion could not be vetoed, because it would involve only a matter of procedure.

We have nothing to fear, nor anything to lose, from exposing the hitherto taboo subject of Vietnam to debate in a supreme council of nations. There is no better place to make clear our willingness to explore all paths leading to an honorable settlement.

Our stake in the United Nations, and our faith in that body, is as old as the organization itself. During the Second World War, and in the years immediately afterwards, the United States led in the establishment of the U.N.

In the 22 years since the signing of the charter, we have consistently supported involvement of the United Nations in the international crises of the day. Consistently we have advocated giving the United Nations a larger role in the establishment of a just and durable world peace. Consistently, we have believed in her ability to do so.

How can we, then, sidestep the United Nations in the Vietnam war, the greatest crisis facing us today? To avoid Security Council debate is inconsistent to say the least, but more importantly, it neglects the greatest international device we have for finding an honorable solution to our dreadful dilemma.

Our net dues to the United Nations come to $33.6 million a year. We pay this sum because we believe in the potential of the United Nations to help us solve our problems.

We believe the United Nations can settle international disputes. Therefore, we support the U.N., and believe it is worth using.

Standing alone, we cannot halt aggression and dispense peace the world over. With heavy involvement in the defense of Europe and of Southeast Asia, I can only conclude that this Nation is already overcommitted.

Without substantial assistance from our allies and from the United Nations, I do not see how we can maintain all our overseas commitments indefinitely without drastically cutting back on domestic programs.

This summer's riots in the cities have demonstrated vividly how ill we can afford to make reductions in domestic expenditure.

It is imperative, then, that we seek international solution to our overseas problems—the major problem, of course, being Vietnam.

We cannot shoulder this problem all by ourselves forever.

Even less can we go on forever ignoring the possibility of finding a solution in the United Nations. We must move now to commence debate on the Vietnam resolution.

ILLINOIS SESQUICENTENNIAL—DECEMBER 3, 1968

Mr. DIRKSEN. Mr. President, next year the State of Illinois will observe the sesquicentennial of its entry into the sisterhood of States. To be exact, it happened in December of 1818, but there will be a yearlong celebration and that celebration begins on December 3 of this year.

In this year of the sesquicentennial of the great State of Illinois, I think it appropriate that we remember the events and the names that have contributed to the outstanding role which Illinois has played in the development of the United States—that we summon to mind the share which Illinois has contributed in forging this Nation—that we point with pride to the participation of Illinois in the drama which is American history and heritage.

Foremost among those to whom Illinois was home, Abraham Lincoln and Ulysses S. Grant gave meaning and permanence to the Federal Union—a platitude of history for which we can offer no adequate gratitude—either to Illinois or to the souls of those two patriots who lived a century ago.

Among those who helped make history in Illinois are writers like Eugene Field and Carl Sandburg; architects like Louis Sullivan and Frank Lloyd Wright; industrialists like Cyrus McCormick and George M. Pullman.

Agriculture and industry go hand in hand in Illinois. Large-scale farming was first made possible by the mechanical reapers built by Cyrus McCormick in Chicago in 1847. George M. Pullman built the first successful railroad sleeping car in Bloomington in 1859, thereby changing traditional concepts of travel. Illinois is today one of the largest rail centers and steel-producing States in the country. Atomic energy was born in Illinois, when scientists first controlled a nuclear chain reaction at the University of Chicago in 1942.

Nor has our State neglected education which is essential to greatness. There are 50 accredited universities and colleges in Illinois; the State historical library in Springfield is justly renowned for its Lincoln collection, while the Chicago Natural History Museum is one of the world's leading scientific museums.

In politics, agriculture, industry, and education—Illinois has continually played a leading role since her creation as a State in 1818.

The people of Illinois represent backgrounds as diverse as the State's history is rich in accomplishment. More than 7 percent of its people were born outside the United States, coming from Germany, Poland, Czechoslovakia, Greece, Ireland, Lithuania, Russia, and Sweden, among the most well represented.

Today we regard not only the achievement of the past but also the hope of the future. This land of the flatboat and pioneer wagon, steamship, and modern railroad stands as both a sentimental landmark and a vital pace setter in the progress of the United States toward greatness. The land of George Rogers Clark is also the land of Ernest Hemingway, Arthur Goldberg, and Enrico Fermi. It is the Land of Lincoln—of the restless river and sleepy sun; of the soaring skyline of a mighty metropolis and of the productive prairies teeming with life. It is a land whose history evokes, instead of nostalgia for the past, a vision rich with the promise of future accomplishment.

This is Illinois, my own State, which I salute in celebration of her sesquicentennial span—from the pioneer period to the present primal position not only in agriculture attainments, in mining and manufacturing miracles, and in communication and commerce, but also in people—our great men and noble women.

This Land of Lincoln and people of the prairies, I proudly praise and solemnly salute.

Mr. President, in connection with these remarks, I submit a concurrent resolution for myself and the distinguished junior Senator from Illinois [Mr. PERCY], to whom I now yield, and ask that the concurrent resolution be appropriately referred.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, under the rule, the concurrent resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 43) was referred to the Committee on the Judiciary, as follows:

S. CON. RES. 43

Whereas the State of Illinois proudly entered the Federal Union as the twenty-first State on the 3d day of December 1818; and

Whereas from that day the people of Illinois have joined together to maintain, defend, and enlarge the free institutions upon which our Nation is founded, and to develop the resources of the State for the benefit of its people and the Nation; and

Whereas generations of its citizens have renewed their historic dedication to the principles of the Republic; and

Whereas the inspiring example set by its greatest citizen has evoked the admiration of the world and has caused the State to adopt the slogan "Land of Lincoln": Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States hereby recognizes and commends the yearlong celebration to be held in the State of Illinois, commencing in December 1967, and extending to the one hundred and fiftieth anniversary of the admission of the State of Illinois to the Union in December 1968, and be it further

Resolved, That the Congress of the United States extends its most cordal greetings and warmest congratulations to the citizens of the State of Illinois upon the occasion of the celebration of its sesquicentennial anniversary.

Mr. PERCY. Mr. President, I am proud to join my distinguished colleague, the senior Senator from Illinois [Mr. DIRKSEN], in introducing a resolution to commemorate the proud history of Illinois on the occasion of its sesquicentennial and salute the bright prospects for its future.

Not the least of its contributions to the Nation is the service, in peace and war, and under five Presidents, of the illustrious Senator DIRKSEN—a man respected not only in his own State and Nation but throughout the free world.

While he and I may be somewhat less than completely objective on the subject, I am confident that the committee to which the resolution is referred will find much of merit in Illinois' contribution to our national heritage and history.

For as my distinguished colleague has pointed out, the story of Illinois is people: sturdy Swedes who built sod houses on Bishop Hill a century ago; scientists who shattered the atom at the University of Chicago; rugged miners going deep into the earth in southern Illinois; farmers seeing the land for both its beauty and its bounty; and city dwellers for many of whom noonday is the midnight hour.

Illinois—the Land of Lincoln—is a blend of action and geography: high finance on LaSalle Street and the ancient, exotic beauty of the Shawnee Forest; factories in the Quad-Cities and the network of navigation and soil conservation dams; university students going to and fro to classes in a busy city and a green and verdant land nestled between the broad, smooth-flowing Mississippi and Ohio Rivers.

Two of Illinois' native sons have captured in written word the courageous, yet quixotic, nature of the people and the stuff of our great State.

Carl Sandburg was laid to rest only a few weeks ago in his native Galesburg. In a large measure, it was he who brought Abraham Lincoln to present-day America. But he created numerous memorials to Illinois, not only of Chicago, in perhaps his most famous poem, but memorials to the land, and its people:

Bury this old Illinois farmer with respect
He slept the Illinois nights of his life after days of work in Illinois cornfields.
Now he goes on a long sleep.
The wind he listened to in the cornsilk and the tassels, the wind that combed his red beard zero mornings when the snow lay white on the yellow ears in the bushel basket at the corncrib.
The same wind will now blow over the place here where his hands must dream of Illinois corn.

That great Chicago newspaperman, Ben Hecht, wrote proudly and colorfully of Chicago:

"The nation's greatest intellectual metropolis," said Mr. Read. "With the finest publishing house in the land, Stone and Kimball. And the finest magazine off American or European presses—The Chap Book. A periodical that put London's Yellow Book in the shade. And a concentration of literary geniuses unequalled in any other city. There were a few first-rate fellows in San Francisco—Bierce, Morrow, London, Sterling. Nobody in New York City except Crane and some scribbling professors who looked down on him. But in Chicago, sir, literature flourished. It was a time of wit and gaiety which I find now gone from the world. We had men of talent among us, newspaper Neds. Theodore Dreiser, who worked on Mike McDonald's Globe. James Whitcomb Riley who gladdened the old Inter Ocean with tender songs. Finley Peter Dunne who toiled on the Tribune. Gene Field who graced the Daily News staff. George Ade, who reported for the Record. Henry B. Fuller, Stanley Wayman, Kim Hubbard, Artemus Ward, Bill Nye, Harold Fredericks, and others. My dotage has mislaid their names. But I assure you there were droves of them within a stone's throw of where we sit."

Our visitor swallowed another cupful, and straightened his yellow-white beard.

"Yes I assure you," he said, "we enjoyed a civilization that was bright with wit and happy human antics. Forgive me if I boast, but the past was full of things that are no more. It was a grand time."

It was, indeed, a grand time. The Illinois past was indeed "full of things which are no more," a rich heritage of this heartland of the Nation. And an equally bright future lies ahead, with challenge to match opportunities unpredictable and limitless. In the words of Carl Sandburg, "Is there something finished? And some new beginning on the way?"

Mr. President, I would hope all Senators and all States would join in celebrating not only the sesquicentennial of a great State, but as well this common heritage shared by all Americans.

Mr. President, Chicago is today in the midst of controversy over a piece of art designed by Picaso that has just been unveiled in front of our new civic center. Standing five stories high, it dwarfs the Chicago citizenry who day and night crowd our downtown civic plaza to gaze in awe at this monumental work. Picaso has been condemned by some as a mean old man playing a cruel hoax on Chicago. He has been praised by others as the greatest living artist who has given one of his greatest works to our city. When I asked a little girl last week as we stood in front of this magnificent work what it symbolized to her, she said, "A dragon with angels wings." To me it is bold, dynamic, forward-looking just as Chicago is and just as the State of Illinois is, drawing heavily upon our historical past, living to the fullest our exciting present, and thinking everlastingly of building a finer and greater State for our future generations.

THE UNITED NATIONS AND VIETNAM—STATEMENT BY SENATOR METCALF

Mr. MANSFIELD. Mr. President, my distinguished colleague, the junior Senator from Montana [Mr. METCALF], who is in Walter Reed Hospital, wishes to be associated with statements made on Monday, yesterday, and today by Senators AIKEN, FULBRIGHT, COOPER, SPARKMAN, LAUSCHE, BURDICK, LONG of Missouri, BYRD of Virginia, SYMINGTON, ALLOTT, CHURCH, CARLSON, HART, BREWSTER, MORSE, YARBOROUGH, PASTORE, and myself, in the proposal that the Vietnamese matter go before the Security Council of the United Nations. My colleague says:

> There is no more important issue than Vietnam concerning the security of the world. There is no more appropriate body than the Security Council to consider the issue. All of the resources of the United Nations should be brought to bear on this issue.
>
> The effects of Security Council action would extend beyond the Council itself, beyond the United Nations itself. Action by the Council reverberates down the corridors and into the offices and attitudes of the member nations. Thus, as Senator Mansfield pointed out Monday, action by the Security Council is one of the steps that can, and should, be taken to "mobilize the diplomatic community of the world on the subject of Vietnam."

Mr. President, I ask unanimous consent that the statement by my distinguished colleague [Mr. METCALF] be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> I am in complete agreement with the suggestion by Majority Leader Mansfield and others that the Vietnam matter go before the Security Council of the United Nations.
>
> There is no more important issue than Vietnam concerning the security of the world. There is no more appropriate body than the Security Council to consider the issue. All of the resources of the United Nations should be brought to bear on this issue.
>
> The effects of Security Council action would extend beyond the Council itself, beyond the United Nations itself. Action by the Council reverberates down the corridors and into the offices and attitudes of the member nations. Thus, as Senator Mansfield pointed out Monday, action by the Security Council is one of the steps that can, and should, be taken to "mobilize the diplomatic community of the world on the subject of Vietnam."

MOTION TO RECONSIDER

Mr. MANSFIELD. Mr. President, I enter a motion to reconsider the vote by which the Senate passed S. 974, to authorize the Secretary of Agriculture to convey certain lands.

The PRESIDING OFFICER. The motion will be duly entered.

Mr. MANSFIELD. Mr. President, I move that the Secretary of the Senate request the House of Representatives to return to the Senate the papers on S. 974.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. When that is done, will the measure be automatically returned to the calendar? If not, I ask unanimous consent that it be returned to the calendar.

The PRESIDING OFFICER. That will be done on the motion to reconsider; and upon the papers being returned by the House of Representatives, the matter may be taken up.

PROGRAM FOR TOMORROW

Mr. DIRKSEN. Mr. President, I should like to query the majority leader concerning the program for tomorrow. As I understand, there will be no business tomorrow?

Mr. MANSFIELD. None at all. There will be some speakers.

Mr. DIRKSEN. The Senator anticipates some speakers?

Mr. MANSFIELD. A few.

Mr. DIRKSEN. And the Senate will convene at what time?

Mr. MANSFIELD. At 12 o'clock noon.

ORDER OF ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR COMMITTEES TO FILE REPORTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on Friday, September 8, 1967, from 10 a.m. until 5 p.m., all committees of the Senate be authorized to file reports, together with individual, supplemental, or minority views, if desired.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 534 and 535.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none and it is so ordered.

DISCLOSURE OF CORPORATE EQUITY OWNERSHIP

The Senate proceeded to consider the bill (S. 510) providing for full disclosure of corporate equity ownership of securities under the Securities and Exchange Act of 1934 which had been reported from the Committee on Banking and Currency, with an amendment to strike out all after the enacting clause and insert:

> That section 12(i) of the Securities Exchange Act of 1934 is amended by striking out "sections 12, 13, 14(a), 14(c), and 16" and inserting in lieu thereof "sections 12, 13, 14(a), 14(c), 14(d), 14(f), and 16".
>
> SEC. 2. Section 13 of the Securities Exchange Act of 1934 is amended by adding at the end thereof the following new subsections:
>
> "(d)(1) Any person who, after acquiring directly or indirectly the beneficial ownership of any equity security of a class which is registered pursuant to section 12 of this title, is directly or indirectly the beneficial owner of more than 10 per centum of such class shall, within ten days after such acquisition, send to the issuer of the security at its principal executive office, by registered or certified mail, send to each exchange where the security is traded, and file with the Commission, a statement containing such of the following information, and such additional information, as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors—
>
> "(A) the background and identity of all persons by whom or on whose behalf the purchases have been or are to be effected;
>
> "(B) the source and amount of the funds or other consideration used or to be used in making the purchases, and if any part of the purchase price or proposed purchase price is

represented or is to be represented by funds or other consideration borrowed or otherwise obtained for the purpose of acquiring, holding, or trading such security, a description of the transaction and the names of the parties thereto, except that where a source of funds is a loan made in the ordinary course of business by a bank, as defined in section 3(a)(6) of this title, it will be sufficient to so state;

"(C) if the purpose of the purchases or prospective purchases is to acquire control of the business of the issuer of the securities, any plans or proposals which such persons may have to liquidate such issuer, to sell its assets to or merge it with any other persons, or to make any other major change in its business or corporate structure;

"(D) the number of shares of such security which are beneficially owned, and the number of shares concerning which there is a right to acquire, directly or indirectly, by (i) such person, and (ii) by each associate of such person, giving the name and address of each such associate; and

"(E) information as to any contracts, arrangements, or understandings with any person with respect to any securities of the issuer, including but not limited to transfer of any of the securities, joint ventures, loan or option arrangements, puts or calls, guaranties of loans, guaranties against loss or guaranties of profits, division of losses or profits, or the giving or withholding of proxies, naming the persons with whom such contracts, arrangements, or understandings have been entered into, and giving the details thereof.

"(2) If any material change occurs in the facts set forth in the statements to the issuer and the exchange, and in the statement filed with the Commission, an amendment shall be transmitted to the issuer and the exchange and shall be filed with the Commission, in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

"(3) When two or more persons act as a partnership, limited partnership, syndicate, or other group for the purpose of acquiring, holding, or disposing of securities of an issuer, such syndicate or group shall be deemed a 'person' for the purposes of this subsection.

"(4) In determining, for purposes of this subsection, any percentage of a class of any security, such class shall be deemed to consist of the amount of the outstanding securities of such class, exclusive of any securities of such class held by or for the account of the issuer or a subsidiary of the issuer.

"(5) The provisions of this subsection shall not apply to—

"(A) any acquisition or offer to acquire securities made or proposed to be made by means of a registration statement under the Securities Act of 1933;

"(B) any acquisition of the beneficial ownership of a security which, together with all other acquisitions by the same person of securities of the same class during the preceding twelve months, does not exceed 2 per centum of that class;

"(C) any acquisition of an equity security by the issuer of such security;

"(D) any acquisition or proposed acquisition of a security which the Commission, by rules or regulations or by order, shall exempt from the provisions of this subsection as not entered into for the purpose of, and not having the effect of, changing or influencing the control of the issuer or otherwise as not comprehended within the purposes of this subsection.

"(e)(1) It shall be unlawful for an issuer, to purchase any equity security which it has issued in contravention of such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors or in order to prevent such acts and practices as are fraudulent, deceptive, or manipulative. Such rules and regulations may require such issuer to provide holders of equity securities of such class with such information relating to the reasons for such purchase, the source of funds, the number of shares to be purchased, the price to be paid for such securities, the method of purchase, and such additional information, as the Commission deems necessary or appropriate in the public interest or for the protection of investors, or which the Commission deems to be material to a determination whether such security should be sold.

"(2) For the purpose of this subsection, a purchase by or for the issuer, or any person controlling, controlled by, or under common control with the issuer, or any bonus, profit sharing, pension, retirement, thrift, savings, incentive, stock purchase, or similar plan of the issuer or any such person shall be deemed to be a purchase by the issuer."

SEC. 3. Section 14 of the Securities Exchange Act of 1934 is amended by adding at the end thereof the following new subsections:

"(d)(1) It shall be unlawful for any person, directly or indirectly, by use of the mails or by any means or instrumentality of interstate commerce or of any facility of a national securities exchange or otherwise, to make a tender offer for, or a request or invitation for tenders of, any class of any equity security which is registered pursuant to section 12 of this title, if, after consummation thereof, such person would, directly or indirectly, be the beneficial owner of more than 10 per centum of such class, unless at the time copies of the offer or request or invitation are first published or sent or given to security holders such person has filed with the Commission a statement containing such of the information specified in section 13(d) of this title, and such additional information as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors. All requests or invitations for tenders or advertisements making a tender offer or requesting or inviting tenders of such a security shall be filed as a part of such statement and shall contain such of the information contained in such statement as the Commission may by rules and regulations prescribe. Copies of any additional material soliciting or requesting such tender offers subsequent to the initial solicitation or request shall contain such information as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors, and shall be filed with the Commission not later than the time copies of such material are first published or sent or given to security holders. Copies of all statements, in the form in which such material is furnished to security holders and the Commission, shall be sent to the issuer not later than the date such material is first published or sent or given to any security holders.

"(2) When two or more persons act as a partnership, limited partnership, syndicate, or other group for the purpose of acquiring, holding, or disposing of securities of an issuer, such syndicate or group shall be deemed a 'person' for purposes of this subsection.

"(3) In determining, for purposes of this subsection, any percentage of a class of any security, such class shall be deemed to consist of the amount of the outstanding securities of such class, exclusive of any securities of such class held by or for the account of the issuer or a subsidiary of the issuer.

"(4) Any solicitation or recommendation to the holders of such a security to accept or reject a tender offer or request or invitation for tenders shall be made in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

"(5) Securities deposited pursuant to a tender offer or request or invitation for tenders may be withdrawn by or on behalf of the depositor at any time until the expiration of seven days after the time definitive copies of the offer or request or invitation are first published or sent or given to security holders, and at any time after sixty days from the date of the original tender offer or request or invitation, except as the Commission may otherwise prescribe by rules, regulations, or order as necessary or appropriate in the public interest or for the protection of investors.

"(6) Where any person makes a tender offer, or request or invitation for tenders, for less than all the outstanding equity securities of a class, and where a greater number of securities is deposited pursuant thereto within ten days after copies of the offer or request or invitation are first published or sent or given to security holders than such person is bound or willing to take up and pay for, the securities taken up shall be taken up as nearly as may be pro rata, disregarding fractions, according to the number of securities deposited by each depositor. The provisions of this subsection shall also apply to securities deposited within ten days after notice of an increase in the consideration offered to security holders, as described in paragraph (7), is first published or sent or given to security holders.

"(7) Where any person varies the terms of a tender offer or request or invitation for tenders before the expiration thereof by increasing the consideration offered to holders of such securities, such person shall pay the increased consideration to each security holder whose securities are taken up and paid for pursuant to the tender offer or request or invitation for tenders whether or not such securities have been taken up by such person before the variation of the tender offer or request or invitation.

"(8) The provisions of this subsection shall not apply to any offer for, or request or invitation for tenders of, any security—

"(A) proposed to be made by means of a registration statement under the Securities Act of 1933;

"(B) if the acquisition of such security, together with all other acquisitions by the same person of securities of the same class during the preceding twelve months, would not exceed 2 per centum of that class;

"(C) by the issuer of such security; or

"(D) which the Commission, by rules or regulations or by order, shall exempt from the provisions of this subsection as not entered into for the purpose of, and not having the effect of, changing or influencing the control of the issuer or otherwise as not comprehended within the purposes of this subsection.

"(e) It shall be unlawful for any person to make any untrue statement of a material fact or omit to state any material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, or to engage in any fraudulent, deceptive, or manipulative acts or practices, in connection with any tender offer or request or invitation for tenders, or any solicitation of security holders in opposition to or in favor of any such offer, request, or invitation.

"(f) If, pursuant to any arrangement or understanding with the person or persons acquiring securities in a transaction subject to subsection (d) of this section or subsection (d) of section 13 of this title, any persons are to be elected or designated as directors of the issuer, otherwise than at a meeting of security holders, and the persons so elected or designated will constitute a majority of the directors of the issuer, then, prior to the time any such person takes office as a director, and in accordance with rules and regulations prescribed by the Commission, the issuer shall file with the Commission, and transmit to all holders of record of securities of the issuer who would be entitled to vote at a meeting for election of directors,

> information substantially equivalent to the information which would be required by subsection (a) or (c) of this section to be transmitted if such person or persons were nominees for election as directors at a meeting of such security holders."

Mr. **WILLIAMS** of New Jersey. Mr. President, the Securities Act of 1933 and the Securities Exchange Act of 1934 provide protection for millions of American investors by requiring full disclosure of information in connection with the public offering and trading of securities. These laws have worked well in providing the public with adequate information on which to base intelligent investment decisions. Of equal importance is the fact that they have enhanced public confidence in our Nation's securities markets and encouraged their healthy growth and development.

There are, however, some areas still remaining where full disclosure is necessary for investor protection but not required by present law. One such area is the purchase by direct acquisition or by tender offers of substantial blocks of the securities of publicly held companies.

S. 510, cosponsored by the senior Senator from California [Mr. KUCHEL] and unanimously reported by the Banking and Currency Committee, provides for investor protection in these areas. The bill amends the Securities Exchange Act of 1934 to require the disclosure of pertinent information, first, when a person or group of persons seek to acquire a substantial block of equity securities of a corporation by a cash tender offer or through open market or privately negotiated purchases, and second, when a corporation repurchases its own equity securities.

The corporate takeover bid or cash tender offer has become over the last 6 years an increasingly favored method of acquiring corporate control—a situation not contemplated by the Congress when it passed the Securities Exchange Act 33 years ago. It is generally cheaper and faster than the proxy solicitation. Also, filings under the Securities Acts which disclose all pertinent facts to the investing public are not required, as they are in proxy contests or where one company offers to exchange its shares for those of another. Evidence of the increased use of cash tender offers is shown by the fact that in 1960 there were only eight such offers involving listed companies as compared to 107 in 1966. In 1960 there were tender offers for $200 million of listed securities. By 1965 this figure had increased to approximately $1 billion.

Under current law, an individual or group can seek control of a publicly held corporation by simply taking an ad in the newspaper stating a willingness to buy a certain number of shares of stock. The purchase price is usually set at a premium of about 20 percent above that at which the stock is being sold. This fact alone may well be attractive to the investor seeking a quick profit.

By use of a cash tender offer the person seeking control can operate in almost complete secrecy. He need not state the source of his funds; who his associates are; why he wants to acquire control of the corporation; and what he intends to do with it if he gains control.

Today, the public shareholder in deciding whether to reject or accept a tender offer posseses limited information. No matter what he does, he acts without adequate knowledge to enable him to decide rationally what is the best course of action. This is precisely the dilemma which our securities laws are designed to prevent.

The competence and integrity of a company's management, and of the persons who seek management positions, are of vital importance to stockholders. Secrecy in this area is inconsistent with the expectations of investors and impairs public confidence in our Nation's securities markets.

It has been strongly urged that takeover bids should not be discouraged, since they often serve a useful purpose by providing a check on entrenched but inefficient management. Takeover bids are, however, made for many other reasons, and do not always reflect a desire to improve the management of the company.

In reporting this bill, the committee has carefully weighed both the advantages and disadvantages to the public of the cash tender offer. We have taken extreme care to avoid tipping the scales either in favor of management or in favor of the person making the takeover bids. S. 510 is designed solely to require full and fair disclosure for the benefit of investors. The bill will at the same time provide the offeror and management equal opportunity to present their case.

While the bill may discourage tender offers or other attempts to acquire control by those who are unwilling to expose themselves to the light of disclosure, this is but a small price to pay for adequate investor protection. Experience under the Securities Act of 1933 and the Securities Exchange Act of 1934 has amply demonstrated that the disclosure requirements of the Federal securities acts are an aid to legitimate business transactions, not a hindrance.

The legislation before us today provides for full disclosure in cash tender offers and in stock acquisitions of more than 10 percent of a corporation's equity shares.

Under this bill, all pertinent facts concerning the identity and background of the person or group making the tender offer or acquisition must be disclosed. Stockholders must also be informed as to—

The size of the holdings of the person or group involved.

The source of the funds to be used to acquire the shares except where the funds are acquired from a bank in the ordinary course of business.

Any financing arrangements made for these funds and how these arrangements will be liquidated.

The purpose of the tender offer.

The plans of the offeror—if he wins control of the company—whether to liquidate it, sell its assets, merge it with another company, or to make major changes in its business or corporate structure.

Under this legislation all persons soliciting tenders must answer these questions. Indeed, anyone acquiring more than 10 percent of a class of an equity security registered under the Securities and Exchange Act will be required to disclose similar information. This is the only way that corporations, their shareholders and potential investors can adequately evaluate a tender offer or the possible effects of a change in substantial shareholdings.

The bill would also authorize the Securities and Exchange Commission to adopt regulations requiring appropriate disclosures when corporations repurchase their own securities.

Corporate stock repurchases have become increasingly more important over the last 10 years. In 1963, corporations listed on the New York Stock Exchange repurchased more than 26,000,000 shares of their own stock at a cost of more than $1.3 billion. In contrast, the number of shares purchased in this manner in 1954 was 5,800,000 at a cost of $274 million.

Corporate repurchases of their own securities serve a number of legitimate purposes. They may result from a desire to reduce outstanding capital stock following the cash sale of operating divisions or subsidiaries. Companies may also repurchase their shares in order to make them available for options, acquisitions, and employee stock purchase plans, without increasing the total number of shares outstanding. Repurchase programs, however, have also been used by managements to preserve or strengthen their control by counteracting tender offers, or to increase the market price of the company's shares. Whatever the motive, if the repurchases are substantial, they will have a significant impact on the market price of the security. The company's shareholders and other persons interested in the market price of its stock should have full information regarding the company's intentions when such repurchases take place.

The Subcommittee on Securities, of which I am chairman, held three days of extensive hearings on this proposed legislation. The testimony received at these hearings was indeed gratifying. Statements made by witnesses were most constructive and showed a widespread appreciation of the need for this legislation.

Representatives of the New York Stock Exchange, the American Stock Exchange, the National Association of Securities Dealers, the Investment Bankers Association, and Chairman Cohen of the Securities and Exchange Commission, all of whom work daily with the problems which we are attempting to solve with this bill have endorsed the legislation.

All have recognized the need to fill the existing gap in the disclosure pattern of our securities laws.

The full disclosure principle was thought to be revolutionary when it was first introduced into the securities marketplace more than 30 years ago. Many predicted that it would hamper or even strangle the operations of our free enterprise system. The facts have proven otherwise. Full disclosure has given the investing public confidence in our free enterprise system. Following this premise, our Nation's securities markets have thrived and prospered over the years. With this legislation, I am sure that we will eliminate one of the last remaining areas where full disclosure is necessary but not yet available.

Mr. KUCHEL. Mr. President, on January 18 of this year, I was proud to cosponsor a proposal which I felt would fill a significant gap in investor protection. Today, I am most pleased to see that bill brought before the floor of the Senate for action. The passage of S. 510 will revitalize the strength, vitality, and integrity of our entire securities system.

It was less than a year ago when I was personally made aware of the defect in our securities laws which S. 510 seeks to correct. At that time, a French bank through a Swiss subsidiary made a public tender offer to purchase a large block of stock in a corporation—Columbia Motion Pictures which plays a significant role in the economy of California. Without revealing its true intentions, the bank, after it had obtained the shares, prepared to join forces with a few other dissident shareholders in an attempt to gain absolute control of the corporation. If this attempt had succeeded, Columbia would have found itself under the control of a combination including significant foreign interests, without prior notice to the company, without an opportunity for examination into the circumstances surrounding the tender offer, and without any regard for the rights of its stockholders.

On April 5, 1967, a similar cash tender offer was made for a large block of stock in Metro-Goldwyn Mayer, Inc. Again, the identities of the offerors were kept secret.

Mr. President, the legislation being considered by the Senate today aims at doing away with such secrecy in security transactions. Its mechanics have been worked out carefully by the Senate Committee on Banking and Currency in conjunction with representatives of the Securities and Exchange Commission and the New York Stock Exchange.

Legitimate businessmen certainly have nothing to fear from full disclosure on cash tender offers. The stockholders have a right to know who they are dealing with, what commitments have been made, and the intentions and plans of the offeror. So does the public.

Today, there are more than 20 million individual Americans who actively participate in this Nation's investment community. The American people have placed a tremendous trust in the strength, integrity, and vitality of our securities system. It is our responsibility to protect and safeguard that public trust through effective Federal laws and regulations. I believe S. 510 represents a fulfillment of that responsibility to the American people.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. JAVITS. Mr. President, may we have an explanation of this matter before we act on it?

Mr. WILLIAMS of New Jersey. Mr. President, this is a bill that the senior Senator from California [Mr. KUCHEL] and I introduced jointly, and it has gone through the entire legislative committee process. Hearings were held, and the bill was reported by the committee without dissent. This legislation fills a gap which now exists in our securities laws dealing with full disclosure of corporate equity ownership. This one area has been overlooked until now—the area where ownership of companies is sought through what is called the cash-tender offer.

What this bill would do is to provide the same kind of disclosure requirements which now exist, for example, in contests through proxies for controlling ownership in a company.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. Certainly.

Mr. KUCHEL. I am proud to join with the Senator from New Jersey in sponsoring this legislation. Let the record clearly show that the Securities and Exchange Commission approved this legislation, and I am delighted that the head of the New York Stock Exchange came down here and said this was in the public interest.

It is in the public interest to disclose who wishes to purchase stock in an American corporation. This bill fills a gap, and I am delighted to participate in sponsoring it.

Mr. WILLIAMS of New Jersey. I was buttressed, indeed, with the strong support of the Senator from California, which I appreciated.

Mr. JAVITS. Mr. President, a bill of this character is naturally very important to the securities markets and to those who hold securities. There are millions in our country who do, so I hope the Senator from New Jersey will not mind if I ask him a few questions.

First, was this measure unanimously reported from the Banking and Currency Committee?

Mr. WILLIAMS of New Jersey. It was.

Mr. JAVITS. I gather that it has the approval of the Securities and Exchange Commission?

Mr. WILLIAMS of New Jersey. It had the across-the-board approval of the securities industry and, as the Senator from California has stated, the approval of the Securities and Exchange Commission as well as that of the stock exchanges.

Mr. JAVITS. It did receive the approval of the stock exchanges? That is very important. Did that approval include the New York Stock Exchange and the American Stock Exchange?

Mr. WILLIAMS of New Jersey. Yes, that is correct.

Mr. KUCHEL. And the Pacific Coast Stock Exchange?

Mr. JAVITS. The Pacific Coast Stock Exchange, and other stock exchanges?

Mr. KUCHEL. That is correct.

Mr. JAVITS. The bill, I gather, now goes to the House of Representatives; is that correct?

Mr. KUCHEL. That is right.

Mr. JAVITS. One other question I should like to ask the Senator: There is no intendment in the measure, or in the fact that the measure is offered, to in any way condemn the practice of making tenders, is there? Sometimes stockholders do very well because of tenders, especially competitive tenders.

Mr. WILLIAMS of New Jersey. There is no intention in any way to prohibit tender offers. As a matter of fact, I think it might encourage them. Through this legislation people will have more information, and will be able to intelligently decide whether to accept a tender offer and sell their shares to a group which may wish to obtain a controlling interest.

Mr. JAVITS. And it requires full disclosure, I assume, of the group, its antecedents, its purposes, et cetera?

Mr. WILLIAMS of New Jersey. And its source of revenue.

Mr. JAVITS. And its source of financing. One last question on this score: The Senator represents to the Senate, and I accept his representation fully, that this is analogous to the proxy rules, so that very much the same principles obtain as to what the British call a takeover, as to a proxy fight by a group of stockholders.

Mr. WILLIAMS of New Jersey. This legislation is patterned on the present law and the regulations which govern proxy contests.

Mr. JAVITS. Does it seek to avoid or does it seek to do anything about the purchase of control, as it is called, in the open market? That sometimes happens, rather than a cash tender.

Mr. WILLIAMS of New Jersey. Could the Senator from New York further amplify his question?

Mr. JAVITS. Yes. A group often goes out and simply buys, on the open market, enough stock to have working control of a company, in a competitive manner, and no seller on the New York Stock Exchange necessarily knows who the buyer is, though the stock may be run up very materially.

Mr. WILLIAMS of New Jersey. Disclosure is required where the effort is to obtain 10 percent or more of a company's stock.

Mr. JAVITS. Of the oustanding stock?

Mr. WILLIAMS of New Jersey. Yes.

Mr. JAVITS. And I assume there are indicia as to what is meant by the effort to obtain controlling interest, so that not everybody who goes out and buys in the open market, over a period of time, 10 percent of a particular issue, is necessarily required to qualify under this act; is that correct?

Mr. WILLIAMS of New Jersey. That is correct.

Mr. JAVITS. Mr. President, with those assurances, which I think are important, I shall not stand in the way of passage of this bill. I agree with the Senator that new financial techniques always require new methods of financial control; and I will be the first to say that the Senator from New Jersey and the Senator from California may very well have come abreast of a very real problem in this regard.

Of course, we still have the problem of mergers and consolidations, and we have the problem of exchanges of stock, whether as a result of merger and consolidation or otherwise; but I gather that the point of the Senator from New Jersey and the Senator from California is that this is at least a beginning in keeping up with getting adequate representation and adequate information on the part of the stockholder, who could conceivably be imposed upon, without denying him the opportunities which result from the competive bidding for a block of stock of a given company.

Mr. WILLIAMS of New Jersey. I appreciate the comments of the Senator from New York, whose State, of course, is the host of both major exchanges, although I come from a State that is trying to win them away.

Mr. JAVITS. Fortunately, this bill does not deal with that problem.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 510) was passed.

THE ECONOMIC DEVELOPMENT OF GUAM

The Senate proceeded to consider the bill (S. 1763) to promote the economic development of Guam, which has been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

SHORT TITLE

Section 1. This Act may be cited as the "Guam Development Fund Act of 1967".

PURPOSE

Sec. 2. For the purpose of promoting economic development in the territory of Guam, there is hereby authorized to be appropriated to the Secretary of the Interior to be paid to the government of Guam for the purposes of this Act the sum of $5,000,000.

Sec. 3. Prior to receiving any funds pursuant to this Act the government of Guam shall submit to the Secretary of the Interior a plan for the use of such funds which meets the requirements of this section and is approved by the Secretary. The plan shall designate an agency or agencies of such government as the agency or agencies for the administration of the plan and shall set forth the policies and procedures to be followed in furthering the economic development of Guam through a program which shall include and make provision for loans and loan guarantees to promote the development of private enterprise and private industry in Guam through a revolving fund for such purposes: *Provided*, That the term of any loan made pursuant to the plan shall not exceed twenty-five years; that such loans shall bear interest (exclusive of premium charges for insurance, and service charges, if any) at such rate per annum as is determined to be reasonable and as approved by the Secretary, but in no event less than a rate equal to the average yield on outstanding marketable obligations of the United States as of the last day of the month preceding the date of the loan, adjusted to the nearest one-eighth of 1 per centum, which rate shall be determined by the Secretary of the Treasury upon the request of the authorized agency or agencies of the government of Guam; and that premium charges for the insurance and guarantee of loans shall be established at rates which will be adequate to cover expenses and probable losses related to the loan guarantee program.

Sec. 4. No loan or loan guarantee shall be made under this Act to any applicant who does not satisfy the agency or agencies administering the plan that financing is otherwise unavailable on reasonable terms and conditions. The maximum participation in the funds made available under section 2 of this Act shall be limited to 25 per centum of the available funds to any single project, to 90 per centum of loan guarantee, and, with respect to all loans, the degree of participation prudent under the circumstances of individual loans but directly related to minimum essential participation necessary to accomplish the purposes of this Act.

Sec. 5. The plan provided for in section 3 of this Act shall set forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement, repayment, and accounting for such funds.

Sec. 6. The Governor of Guam shall make an annual report to the Secretary of the Interior on the administration of this Act.

Sec. 7. The Comptroller General of the United States, or any of his duly authorized representatives, shall have access, for the purpose of audit and examination, to the books, documents, papers, and records of the agency, or agencies, of the government of Guam administering the plan that are pertinent to the funds received under this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 551), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of S. 1763 is to establish a $5 million fund which the government of Guam will use to make loans to stimulate and develop private industries and private enterprises on Guam.

BACKGROUND

Prior to World War II Guam's economy was based almost exclusively on agriculture and fishing. More than 3 years of Japanese occupation plus liberation by U.S. Armed Forces resulted in the destruction of a substantial part of Guam's only cash crop, copra, and the subsequent construction of large naval installations created an economy almost completely dependent upon government employment. Neither the agricultural nor fishing economies have been restored. In the two decades since the end of World War II, Guam's attempts to develop a new civilian economy of its own have been restricted by our military buildup there and by natural disaster such as Typhoon Karen which struck the island in 1962. This, coupled with Guam's remoteness to the mainland and sources of capital, has made it extremely difficult for business and industry to get started. As a result, Guam's industrious and independent people have been largely reduced to existing on the military, which today comprises about 80 percent of Guam's economy.

NEED

In enacting Public Law 88–170, the Rehabilitation Act of Guam, Congress recognized the imperative need to develop a viable civilian economy and thus provided under section 6 of the act, authorization of $200,000 for a Federal Territorial Commission to make a long-range economic study for Guam. In 1966, the Department of the Interior released its two-volume economic development study which showed that Guam has excellent economic potential in several areas: tourism, assembly plants, fishing, and livestock. The Guam Economic Development Authority, an arm of the government of Guam created by the local legislature, has aggressively followed up these recommendations, searching to attract suitable business enterprises to the island, but capital remains the problem; sufficient private financing simply has not been available to do the job. As an example, the first recommendation of Interior's economic study was for a first-class hotel capable of attracting and accommodating tourists for which Guam has excellent natural facilities, beautiful coral beaches, a pleasant climate and many interesting historic attractions. Shortly after the study was released, the leaders on Guam selected a hotel site, approved architectural plans and established a nonprofit corporation to handle financing of the hotel. Of the $2.8 million required to build the planned 150-room structure, all but $500,000 has been raised or guaranteed in loans. Yet the project has been stalled for months because the remaining $500,000 cannot be obtained. In addition to the hotel, loan funds are needed to develop agricultural enterprises, commercial fishing, manufacturing and service industries, and for the construction of an industrial park.

S. 1763, the Guam Development Act of 1967, will provide what Guam patently needs most: an economic mechanism to help develop a viable civilian economy. The bill as amended authorizes to be appropriated to the Secretary of the Interior, to be paid to the government of Guam for the purposes of the act, the sum of $5 million. Prior to the time the authorized funds are made available to Guam, a plan for the use of the funds is to be submitted to the Secretary of the Interior and approved by him. The plan must designate the agency or agencies of Guam's government that will administer the plan. It must set forth the policies and procedures to be followed in promoting the economic development of the territory through a program of loans and loan guarantees to promote private enterprise and private industry and make provision for a revolving loan fund for such purposes.

AMENDMENTS

The committee has amended S. 1763, as introduced, to include several specific provisions relating to the use of funds authorized to be appropriated by the bill. The term of any loan made under this act would not exceed 25 years. This term is expected to be granted only in those cases involving projects requiring substantial construction of buildings, etc. Otherwise the duration of loans should range from a period of 15 to 25 years, as is presently required by the act governing the Small Business Administration. All loans will require payment of interest at rates determined to be reasonable, but in no event less than a rate equal to the average yield on outstanding marketable obligations of the United States as determined by the Secretary of the Treasury. Premium charges for insurance and guarantee of loans are required at rates to be established which will adequately cover expenses and profitable losses.

Section 4 requires that no loan or loan guarantee will be approved if financing is otherwise available to an applicant on reasonable terms and conditions. This section also requires that the maximum participation in the funds made available by the act shall be limited to 25 percent of available funds to any single project and to 90 percent of any loan guarantee.

Section 5 specifies that the plan provided for in section 3 shall contain such fiscal and accounting procedures as will assure proper disbursements and repayment of all loans.

Section 6 requires that the Governor of Guam shall make an annual report to the Secretary of the Interior on the administration of the act, and section 7 authorizes the Comptroller General of the United States to audit the agency, or agencies, administering this loan program.

OUR PROMISE TO URBAN AMERICA

Mr. MANSFIELD. Mr. President, on Monday, in an act of statesmanship and vision, the Senate Appropriations Committee refused to turn back on opportunity, renewal, and hope in the American city.

By voting $537 million for the model cities program—almost the full amount requested by President Johnson—and $40 million for the rent supplements program—the full amount requested—plus $15 million desperately needed to advance urban research, the Senate Appropriations Committee effectively launched a Magna Carta for Urban America.

Led by the consummate and understanding hand of Senator WARREN MAGNUSON of Washington, and aided by others who deeply understand the urgent needs of our urban society, these Senators boldly demonstrated that programs for the cities are not just "urban" programs, they are American programs.

The Senate committee has shown that riots or no riots, they would do the right thing for millions of men, women, and children who look to them from the shadows of poverty, ghettos, and shattered aspirations.

They did not reward rioters. They did not "reward" anyone. They filled in the outlines of a blueprint in which the cities will be safe, homes will be healthful, jobs will be plentiful, private and public programs will be tightly coordinated to insure maximum social and economic effect.

We know, and the President knows, that these funds will not bring the millenium to our cities tomorrow.

But the Senate has shown it will keep faith with the cities.

The Senate Appropriations Committee has demonstrated that although money may not be the total answer to America's urban needs, adequate funding of the more than $7 billion in cities programs presented to the Congress by President Johnson, is the instrument which can lift our cities to the stature they deserve and must have in an affluent progressive America.

In his recent letter to Chairman MAGNUSON asking that these urban programs be fully funded, President Johnson cites the "multiplier" effect which model cities and rent supplement funds would have on our economy and society.

The millions in public rent supplement funds would generate one-half billion dollars in private housing construction.

The few millions invested in urban research will call forth new funds from the foundations and from private businessmen with strong social awareness.

The millions voted for model cities will draft new millions, perhaps billions, like a magnet from local government itself, from local industry, from local education institutions, from all those sources working and fighting to transform America's physical environment.

Just a few weeks ago I said on this floor that "we are challenged now as we were before the riots and during the riots—and as we would be challenged even in the absence of riots—to face up to the plight of our cities."

I am glad that the U.S. Senate has not been frightened away from doing its duty. It would not be rushed into cutting or killing programs which would penalize innocent men and women in the cities who had absolutely nothing to do with riots.

It deliberated and wisely decided to write a new record of accomplishment.

Yet, fine as our accomplishments are thus far, they are not enough.

There waits before the Senate another $7 billion in vitally needed city measures—the most comprehensive city program ever presented to a Congress by an American President.

With these measures, the Senate should sustain the forward movement it sent in motion yesterday.

Not in a sense of haste, but with a sense of urgency, the Senate should now move forward to approve $2.6 billion for the Economic Opportunity Act of 1967; $50 million for crime control; $40 million for the rat extermination program; $25 million for the Juvenile Delinquency Act; $1.6 million for the Elementary and Secondary Education Act; $439 million for manpower development and training; the increase the President has requested for older citizens on social security, and many others like the Teacher Corps effort which has brought praise from all areas of the Nation.

As I recite the urban needs of the Nation, and the programs President Johnson has proposed to fulfill them, I am reminded of the somewhat rural phrase of the poet Robert Frost:

> I have miles to go before I sleep . . . and promises to keep . . . and promises to keep.

We in the Senate have many promises to keep.

We have promises to keep to our leader and President who has become an urban President.

We have promises to keep to the people.

But, above all we have promises to keep to ourselves.

We, alone, will be the final judges of whether we have done right by the cities of America.

We, alone, will be the final judges of whether we have answered the crying needs of the city and the countryside.

With men like President Johnson and Senator MAGNUSON to help us, I believe the days ahead will not find the Members of the U.S. Senate wanting in compassion, understanding, and courage.

So that the record can be complete—so that there can be no doubt that our President has long been a champion of the cause of the American city, I ask unanimous consent to have printed in the RECORD the President's key statements and messages on the urban condition.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HOUSING AND COMMUNITY DEVELOPMENT

To the Congress of the United States:

Our nation stands today at the threshold of the greatest period of growth in its history.

By 1970, we shall have to build at least two million new homes a year to keep up with the growth of our population. We will need many new classrooms, uncounted miles of new streets and utility lines, and an unprecedented volume of water and sewerage facilities. We will need stores and churches and libraries, distribution systems for goods, transportation systems for people and communication systems for ideas.

Above all, we will need more land, new housing and orderly community development. For most of this population growth will be concentrated in the fringe areas around existing metropolitan communities.

I. HOUSING

Fortunately, the old pressures on our housing supply arising from depression and war-caused shortages have largely been overcome. But new pressures will develop as the number of new families rises rapidly in the late sixties. And great numbers of our families have yet to secure the true goal of every parent: not merely housing but *adequate* housing.

Now is the time to direct the productive capacity of our home-building industry to the great needs of the neglected segments of our population—this is necessary in its own right and vital to the continued strength of the industry.

Satisfaction with the 1,600,000 new housing starts in 1963 cannot obscure the fact that too many minorities, too many families of low income, too many elderly, too many rural families, and too many military families have not shared in the housing improvement which those units represent.

Unless we act and act now, the promises of the National Housing Policy will remain empty slogans to large numbers in these groups.

A. Housing for minorities

Over a year ago, President Kennedy issued an Executive Order designed to assure opportunities for equal access to Federally assisted housing. Already a half million dwelling units are—or soon will be—subject to that order. This Administration will continue and strengthen its efforts to translate the pledge of that order into meaningful practice. The program proposed in this message will broaden the range of housing choices open and realistically available to those whom discrimination has too long restricted.

B. Housing for low-income families

For over a quarter of a century, the low-rent public housing program has been the primary source of additional decent housing for families of low income. Over 1500 communities—350 of them since 1961—have recognized the need for supplementing private efforts by creating housing authorities to build and operate public housing with Federal assistance.

The 100,000 units of Federally-aided public housing authorized by the Housing Act of 1961 are now all committed. But still more communities and more families need such housing.

To continue this program for those who have no other effective opportunity for better housing, *I recommend the authorization of 50,000 additional public housing units for each of the next four years.*

Most of these units should continue to be new construction to provide a net expansion in the volume of housing available to low-income families. However, we have at this time a real opportunity to make low-rent housing available more quickly and at lower cost in many cities by acquiring units from the existing stock of private housing and rehabilitating them, where necessary, for the use of low-income families. *I recommend amendments to the Public Housing Act to facilitate acquisition of existing housing units within the proposed 50,000 units per year.*

In other cases, leasing of standard units by local public housing authorities for use in the low-rent program is a feasible and economic approach. *I recommend, in addition, that the authority for expanding low-rent housing include authorization for local housing authorities to lease 40,000 housing units over the next four years.*

We have much more to learn before the housing needs of our low-income population can be adequately met. The small demonstration program provided for this purpose in the Housing Act of 1961 has permitted a number of promising experiments to get underway. *I recommend an additional $5 million be authorized to continue this program for at least one more year.* During this period, attention can be given to special housing needs, such as those of our physically handicapped, as well as to means of helping low-income persons obtain adequate housing.

C. Housing for the elderly

I believe it especially unfortunate that many of those who do not have or cannot secure decent housing are elderly. Special attention to the needs of this group at all income levels should continue.

The expansion and improvement of public housing programs that I am recommending will be used extensively for lower-income elderly. Federal insurance of loans will continue to encourage the construction of specially designed housing for elderly with adequate incomes. However, the existing authority for funds to finance the program of low-interest direct Federal loans which serves the moderate-income elderly will soon be exhausted. *I recommened that the low-interest direct Federal loan program for the elderly be extended and additional funds appropriated to permit loans of $100 million during the coming fiscal year.*

At present, the successful program of moderate-income housing provided through loan insurance at below-market interest rates enacted in 1961 is limited to family tenants. In many cases, admission of single elderly persons to such housing would be highly desirable. *I recommend that single elderly persons be made eligible for housing financed by Federally insured below-market interest loans.*

D. Rural housing

The living conditions of our rural families—including the nearly one-third of our elderly who live on farms or in small towns—likewise deserve and need special consideration.

More than a million rural families still live in homes of such poor conditions that they actually endanger the health and safety of the occupants.

Three million rural families live in homes that need major repairs.

A third of our rural homes do not have complete sanitary facilities.

Nearly two-thirds of rural homes are without adequate heating.

The rural housing programs of the Department of Agriculture, initiated in 1949 and strengthened in 1961 and 1962, have made a good start on meeting the problems represented by these statistics, but the 20,000 rural families helped last year represent only a small fraction of the job to be done. Primary reliance on direct Federal loans for this purpose is, however, neither necessary nor—in the volume required—realistic.

I recommend extension of the expiring authorization in Title V of the Housing Act of 1949 to insure loans on rental housing for the rural elderly. Further, in order to accelerate the basic rural housing loan program, *I urge that the Congress enact an insured rural housing loan program* along the lines of that proposed by the Administration in the first session of this Congress.

I further recommend early action on legislation along the lines of S. 981 to assist with the housing problems of domestic farm laborers—problems which are particularly acute for our 350,000 migrant farm workers.

E. Military family housing

The military man, in keeping with his profession, expects to endure—and frequently does endure—personal hardships during his career. We do not have the right to expect the same from his family. While the Defense Department properly relies primarily upon the private community to supply the major portion of its needs for decent and economical housing, an annual construction program to house the families of military personnel is required in those communities where the severest chronic shortages exist. Accordingly, *I have recommended in the Military Construction program authorizations and appropriations for 12,500 additional units for fiscal 1965* to meet the most critical needs.

F. Improvements in other housing programs

Apart from the housing needs of the special groups already discussed, the partnership between private industry and Government—exemplified by Federal guarantees and insurance of private housing credit—has made possible good housing and widespread home ownership for millions of our citizens.

I intend to encourage—through legislative proposals, where necessary—even more effective cooperation between government and industry for the joint benefit of homeowners, tenants and the industry itself. To this end, I am proposing a number of modifications in the statutes governing our self-supporting mortgage insurance and marketing programs which will improve their efficiency and usefulness. Among these will be the following proposals:

(1)—To provide relief in those isolated cases in which, despite the care exercised by builders and the Federal Housing Administration and the Veterans' Administration, substantial defects develop in new construction they have approved, *I recommend that authority be provided for the FHA and the VA to finance the correction of substantial deficiencies.*

(2)—To make certain that no legislative barriers exist to discourage or prevent mortgage lenders and the Federal Housing Administration from cooperating to help delinquent mortgagers in deserving cases, *I recommend that FHA's claim and forbearance authorities be amended to encourage the temporary withholding of foreclosures against homeowners who default on their mortgages due to circumstances beyond their control.*

(3)—To expand our concerted effort to substitute private credit for Federal loans, *I recommend provision of legislative authority for the pooling of mortgages held by the Federal National Mortgage Association and the Administrator of Veterans' Affairs,* and the sale of participations in such pools.

II. URBAN RENEWAL

The Federal program of urban renewal is today our principal instrument for restoring the hope and renewing the vitality of older cities and worn-out neighborhoods.

The Federal assistance which provides local leaders and governments with incentives and the tools for revitalizing their communities has proven its worth—

In eliminating housing blight;

In contributing to restoration of the economic base of our communities; and

In helping reshape our central areas into effective nerve centers for our cities.

The Housing Act of 1961 doubled the previous urban renewal authorization to a total of $4 billion. By the middle of this year, all of that increase will have been committed. *I recommend that an additional $1.4 billion of urban renewal funds be approved for a two-year period.*

Despite existing programs assisting families and persons displaced by urban renewal projects, the human cost of relocation remains a serious and difficult problem.

The vast majority of those displaced by urban renewal and public housing have relocated in better and standard housing, but some have not. For most, the cost of improved housing has been an unsought burden. For some, the inconvenience of displacement has meant only another slum dwelling and the likelihood of repeating this experience.

To assist further those families and persons least able to bear the burden of displacement, *I recommend*

A. *That an additional annual subsidy of up to $120 per unit be available for local public housing authorities, where needed to provide access to such housing for displacees with extremely low incomes.*

B. *That low- and moderate-income families displaced by urban renewal receive two-year supplemental relocation payments* equal to the difference between rentals on standard housing in their communities and 20 percent of their gross incomes.

C. *That low-income single persons displaced by urban renewal or other public action be made eligible for public housing.*

Similarly, small businessmen—especially those in leased premises—often incur economic loss and hardship as a result of displacement by urban renewal or public housing which is not offset by current compensation practices and moving expense reimbursements. To provide more adequately for these firms, *I recommend authority for a separation payment of up to $2,500 for small establishments.*

At the time of the 1960 census, 7 million nonfarm dwellings were found to be deteriorating, including 2½ million occupied by their owners. Rehabilitation and preservation of existing housing wherever possible is a key element in the urban renewal process today. Elderly homeowners in urban renewal areas with low, fixed incomes are at a particular disadvantage in trying to meet the increased housing payments required by rehabilitation. To assist them, *I recommend a program of Federal insurance and purchase of low-interest loans, with a deferral of amortization of principal, for home rehabilitation by elderly homeowners in urban renewal programs.*

III. COMMUNITY DEVELOPMENT

The great expansion of our urban areas over the last two decades has too frequently been carried out in a sprawling, space-consuming, unplanned and uneconomic way. All levels of government are spending vast sums to accommodate this tremendous urban growth with highways, sewer and water facilities, schools, hospitals and other community facilities. Rural communities and small towns face similar pressures. If the taxpayer's dollar is to be wisely used and our communities are to be desirable places in which to live, we must assure ourselves that future growth takes place in a more orderly fashion.

I recommend that the urban planning assistance program and the open space program administered by the Housing and Home Finance Agency be extended.

Although the planning requirements of these and various other Federal programs—such as the Federal-aid highway program—also emphasize orderly growth and development, much more can and should be done.

The pioneering efforts of progressive and imaginative private developers in planning totally new and complete communities indicate some of the exciting possibilities for orderly growth. In the tradition of the long-established partnership between private industry and Government in housing and community development, the Federal Government should encourage and facilitate these new and desirable approaches.

Such a partnership can help achieve the orderly accommodation of a significant part of our forthcoming urban growth by means of entirely new communities, complete with all public services, all the industry and commerce needed to provide jobs, and sufficient housing and cultural and recreational facilities for moderate- and low-income families as well as for the well-to-do. To realize such new community development, and to encourage the participation of private initiative on the greatest possible scale, *I propose a program of grants and loans to States and local governments for the planning and provision of necessary public facilities and of loan insurance for private developers constructing such facilities.*

Many existing communities face problems of expansion as well. Even though they may foresee enormous development ahead, they often lack the resources to build sewer and water systems and other facilities with adequate growth capacity. Building in such capacity in advance could result in tremendous savings and prevent costly duplication or premature replacement of inadequate facilities. *I, therefore, recommend a program of public facility loans with deferred amortization to enable communities to plan and build ahead of growth.*

Early acquisition of land for right-of-way and other public improvements is frequently sound public business. Many communities which are prepared to exercise foresight in acquiring land—and to save private owners from uncertainty and hardship—lack the financial capacity to do so. Such advance acquisition—which would assure location of such facilities in accordance with planned development—could also result in substantial savings, inasmuch as the increases in land prices that occur as development proceeds would be avoided. *I, therefore, recommend that public facility loans, with deferral of amortization as required, be made available for advance land purchase or option by States and local governmental jurisdictions.*

To encourage better-planned new development on a neighborhood scale, and to preserve and increase the supply of improved land for homebuilding, *I recommend Federal insurance of loans to private developers for acquisition and improvement of land for planned subdivisions.*

It is essential that all of these programs be based on the existence of effective planning arrangements in the community or region. For planned subdivisions, there should be, in addition, assurance that the neighborhood itself is carefully conceived to maintain its residential integrity and will result in efficent land use.

In our great metropolitan areas, and in our rural communities as well, the difficult problems of growth and development require understanding and cooperation at all governmental levels. The Federal Government can assist and encourage, but, in the last analysis, the success or failure of programs of community development depends on those most directly involved.

IV. URBAN MASS TRANSPORTATION

Efficient transportation systems are essential to our urban communities. Each local system should be tailored to its particular needs—existing and prospective—and the proper mixture of good highways and mass transit facilities should be developed to permit safe, efficient movement of people and goods in our metropolitan centers.

A matching grant mass transit program along the lines proposed by the Administration was approved by the Senate last year (S. 6) and reported favorably to the House by its Committee on Banking and Currency (H.R. 3881). *I urge early enactment of the Mass Transit program as basic to the development and redevelopment of our Nation's cities.*

V. TRAINING NEEDS

The sound administration of local governments and the success of our federally supported programs of community development depend heavily on the competence of State and local public service staffs—on their ability, their imagination, and, especially, their training. Throughout the range of local functions—from traffic control to tax administration, from recreation to renewal—their efforts will influence greatly the quality of community living.

The substantial Federal investment in local community efforts justifies a deep Federal interest in the quality of local government employees and the expenditure of funds to help attract able people to local public service and help them develop the skills and perspective they need.

To this end, *I recommend a program of up to $25 million a year in matching grants to States for the establishment of urban public service training and research programs.*

VI. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

If we are to deal successfully with the complex problems of our urban and suburban communities, we need governmental machinery designed for the 1960's, not the 1940's. The Housing and Home Finance Agency, established seventeen years ago primarily to administer housing programs, has seen its responsibilities enlarged progressively by the Congress during the intervening years to include the broader aspects of community development as well. The Agency now administers such major community development programs as urban renewal, urban planning, public facilities planning and loans, open space, and mass transit. These basic changes in the Agency's role and mission are not adequately reflected in the Agency's current organization and status which remain much the same as they were in 1947. Action to convert the Housing and Home Finance Agency into an executive department is long overdue.

The size and breadth of the Federal programs now administered by the Housing and Home Finance Agency and the significance of those programs clearly merit departmental status. A new Secretary of Housing and Community Development would be in a position both to present effectively the Nation's housing and community development needs in the highest councils of government and to direct, organize, and manage more efficiently the important and closely interrelated housing and community development programs now administered or proposed for the Housing and Home Finance Agency.

I recommend that the Congress establish a Department of Housing and Community Development.

CONCLUSION

The dramatic increase in our Nation's population projected for the coming decades—over 300 million by the year 2000—and the increasing concentration of our population around urban centers will create increased housing needs and intensified problems of community development which must be anticipated and acted upon immediately.

How we respond to these challenges will have a lasting impact on the character of our cities and rural communities. Whether we achieve our goal of a decent home in a decent neighborhood for every American family rests, in large measure, on the actions we take now.

The substantive programs I have proposed in this Special Message will speed our solutions to today's problems and the predictable needs of tomorrow. I earnestly urge the Congress to give the attached draft bills the attention they merit.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 27, 1964.*

REMARKS OF THE PRESIDENT AT THE UNIVERSITY OF MICHIGAN, ANN ARBOR, MICH.

President Hatcher, Governor Romney, Senators McNamara and Hart, Congressman Meader, and Congressman Staebler, other members of the fine Michigan delegation, members of the graduating class, my Fellow Americans:

It is a great pleasure to be here today. This University has been coeducational since 1870, but I do not believe it was on the basis of your accomplishments that a Detroit high school girl said, "In choosing a college, you first have to decide whether you want a coeducational school or an educational school."

Well, we can find both here at Michigan, although perhaps at different hours.

I came out here today very anxious to meet the Michigan student whose father told a friend of mind that his son's education had been a real value. It stopped his mother from bragging about him.

I have come today from the turmoil of your Capital to the tranquility of your campus to speak about the future of our country. The purpose of protecting the life of our Nation and preserving the liberty of our citizens is to pursue the happiness of our people. Our success in that pursuit is the test of our success as a nation. For a century we labored to settle and to subdue a continent. For half a century, we called upon unbounded invention and untiring industry to create an order of plenty for all of our people. The challenge of the next half century is whether we have the wisdom to use that wealth to enrich and elevate our national life, and to advance the quality of our American civilization.

Your imagination, your initiative and your indignation will determine whether we build a society where progress is the servant of our needs, or a society where old values and new visions are buried under unbridled growth. For in your time we have the opportunity to move not only toward the rich society and the powerful society, but upward to the Great Society. The Great Society rests on abundance and liberty for all. It demands an end to poverty and racial injustice, to which we are totally committed in our time. But that is just the beginning. The Great Society is a place where every child can find knowledge to enrich his mind and to enlarge his talents. It is a place where leisure is a welcome chance to build and reflect, not a feared cause of boredom and restlessness. It is a place where the city of man serves not only the needs of the body and the demands of commerce, but the desire for beauty and the hunger for community.

It is a place where man can renew contact with nature. It is a place which honors creation for its own sake and for what it adds to the understanding of the race. It is a place where men are more concerned with the quality of their goals than the quantity of their goods. But most of all, the great society is not a safe harbor, a resting place, a final objective, a finished work. It is a challenge constantly renewed, beckoning us toward a destiny where the meaning of our lives matches the marvelous products of our labor.

So I want to talk to you today about three places where we begin to build the Great Society—in our cities, in our countryside, and in our classrooms. Many of you will live to see the day, perhaps 50 years from now, when there will be 400 million Americans; four-fifths of them in urban areas. In the remainder of this century, urban population will double, city land will double, and we will have to build homes, highways and facilities equal to all those built since this country was first settled. So in the next 40 years we must rebuild the entire urban United States.

Aristotle said, "Men come together in cities in order to live, but they remain together in order to live the good life."

It is harder and harder to live the good life in American cities today. The catalogue of ills is long: There is the decay of the centers and the despoiling of the suburbs. There is not enough housing for our people or transportation for our traffic. Open land is vanishing and old landmarks are violated. Worst of all, expansion is eroding the precious and time honored values of community with neighbors and communion with nature. The loss of these values breeds loneliness and boredom and indifference. Our society will never be great until our cities are great. Today the frontier of imagination and innovation is inside those cities, and not beyond their borders. New experiments are already going on. It will be the task of your generation to make the American city a place where future generations will come, not only to live but to live the good life.

I understand that if I stay here tonight I would see that Michigan students are really doing their best to live the good life.

This is the place where the Peace Corps was started. It is inspiring to see how all of you, while you are in this country, are trying so hard to live at the level of the people.

A second place where we begin to build

the Great Society is in our countryside. We have always prided ourselves on being not only America the strong and America the free, but America the beautiful. Today that beauty is in danger. The water we drink, the food we eat, the very air that we breathe, are threatened with pollution. Our parks are overcrowded. Our seashores overburdened. Green fields and dense forests are disappearing.

A few years ago we were greatly concerned about the Ugly American. Today we must act to prevent an Ugly America.

For once the battle is lost, once our natural splendor is destroyed, it can never be recaptured. And once man can no longer walk with beauty or wonder at nature, his spirit will wither and his sustenance be wasted.

A third place to build the Great Society is in the classrooms of America. There your childrens' lives will be shaped. Our society will not be great until every young mind is set free to scan the farthest reaches of thought and imagination. We are still far from that goal. Today, eight million adult Americans, more than the entire population of Michigan, have not finished five years of school. Nearly 20 million have not finished eight years of school. Nearly 54 million, more than one-quarter of all America, have not even finished high school.

Each year more than 100,000 high school graduates, with proved ability, do not enter college because they cannot afford it. And if we cannot educate today's youth, what will we do in 1970 when elementary school enrollment will be 5 million greater than 1960? And high school enrollment will rise by five million. College enrollment will increase by more than three million. In many places, class rooms are overcrowded and curricula are outdated. Most of our qualified teachers are underpaid, and many of our paid teachers are unqualified. So we must give every child a place to sit and a teacher to learn from. Poverty must not be a bar to learning, and leaning must offer an escape from poverty.

But more class rooms and more teachers are not enough. We must seek an educational system which grows in excellence at it grows in size. This means better training for our teachers. It means preparing youth to enjoy their hours of leisure as well as their hours of labor. It means exploring new techniques of teaching, to find new ways to stimulate the love of learning and the capacity for creation.

These are three of the central issues of the Great Society. While our government has many programs directed at those issues, I do not pretend that we have the full answer to those problems. But I do promise this: We are going to assemble the best thought and the broadest knowledge from all over the world to find those answers for America. I intend to establish working groups to prepare a series of White House conferences and meetings on the cities, on natural beauty, on the quality of education, and on other emerging challenges. And from these meetings and from this inspiration and from these studies we will begin to set our course toward the Great Society.

The solution to these problems does not rest on a massive program in Washington, nor can it rely solely on the strained resources of local authority. They require us to create new concepts of cooperation, a creative federalism, between the national capital and the leaders of local communities.

Woodrow Wilson once wrote: "Every man sent out from his university should be a man of his Nation as well as a man of his time."

Within your lifetime powerful forces, already loosed, will take us toward a way of life beyond the realm of our experience, almost beyond the bounds of our imagination. For better or for worse, your generation has been appointed by history to deal with those problems and to lead America toward a new age. You have the chance never before afforded to any people in any age. You can help build a society where the demands of morality, and the needs of the spirit, can be realized in the life of the Nation. So will you join in the battle to give every citizen the full equality which God enjoins and the law requires, whatever his belief, or race, or the color of his skin? Will you join in the battle to give every citizen an escape from the crushing weight of poverty? Will you join in the battle to make it possible for all nations to live in enduring peace as neighbors and not as mortal enemies? Will you join in the battle to build the Great Society, to prove that our material progress is only the foundation on which we will build a richer life of mind and spirit?

There are those timid souls who say this battle cannot be won, that we are condemned to a soulless wealth. I do not agree. We have the power to shape the civilization that we want. But we need your will, your labor, your hearts, if we are to build that kind of society.

Those who came to this land sought to build more than just a new country. They sought a free world.

So I have come here today to your campus to say that you can make their vision our reality. Let us from this moment begin our work so that in the future men will look back and say: It was then, after a long and weary way, that man turned the exploits of his genius to the full enrichment of his life.

Thank you. Goodbye.

Remarks of the President, at the Signing of S. 6, Urban Mass Transportation Act of 1964, in the Cabinet Room

Ladies and Gentlemen, I am very pleased to be able to sign today the Urban Mass Transportation Act of 1964.

This is by any standard one of the most profoundly significant domestic measures to be enacted by the Congress during the 1960's.

I very especially want to congratulate all of you who have done so much to assure the passage of this long-needed, long-awaited, landmark legislation.

Our Constitution empowered Congress to provide for post roads. Since that time, congressional support of transportation has been a major constructive influence on the progress and development of our American society and our American economy.

In the last century, such support of transcontinental railroads and canals and river navigation gave immeasurable impetus to our expansion. Now, in this century, sound congressional policies in support of both highways and airways for automobile and airplane travel has given incalculable momentum to American progress.

This new Act that all of you have contributed to passing remains faithful to this tradition of vision.

Only a very short time ago, six out of ten Americans lived in rural areas—six out of ten Americans in rural areas. As we meet here today, seven out of ten live in urban areas. The change has come rapidly and has come dramatically, and today your urban congestion is an unpleasant fact of every day life for too many millions of Americans.

All of us recognize that the curses of congestion in commuting cannot be wiped away with the single stroke of a pen, or 50 pens that we have here. But we do know that this legislation that we are coming to grips with faces the realities of American life and attempts to put in motion a movement to do something about it.

It is symbolic of the challenge facing us that most Americans today travel to and from work over city street patterns that were originally laid out by the horses which pulled our grandfathers' carriages.

We face a great task, publicly and privately, of catching up with our full potential and making life as good as it should be for this generation of Americans.

This is a many sided challenge. We cannot and we do not rely upon massive spending programs as cure-alls. We must instead look to closer cooperation among all levels of government and between both public and private sectors to achieve the prudent progress that Americans deserve and that they expect.

I am very proud this morning to see some of America's most progressive mayors who speak for large segments of our population sufficiently interested and determined to provide vision and leadership in this field to come from faraway to participate in these ceremonies.

It is inspiring to me to know that some of the ablest chief executives of some of our best states have joined those mayors to come here in a local-state-federal undertaking that will provide leadership and provide vision for the people who have entrusted us with these responsibilities. I hope and I expect that this milestone measure will serve us as a beneficial forerunner of many other steps forward in meeting the present challenges of metropolitan life in America.

I remember regularly in the Congress we had an anniversary when we celebrated the first signing of the Highway Act. We brought rural free delivery to our people. I think in the years to come that you and your descendants will be very proud that you were part of the vision that provided this legislation.

For the fine work that the Congress has done, I want to commend them all. I especially want to commend Senator Sparkman and Congressman Rains and Senator Williams and Congressman Widnall of New Jersey. All of you have earned the special gratitude of your countrymen, especially those who live in urban areas, large or small, and I just want to make this prediction that when we sign this Act today we will be taking one step—but only one of several—that this Administration is prepared to take in the days ahead to face up to the problems of the urban areas of this country We are determined that we will provide the vision and the leadership necessary and that they will no longer be a stepchild and be neglected by their government in Washington.

Thank you for coming, and I hope we have enough pens here to serve you all.

Remarks of the President Upon Signing S. 3049, an Act Relating to Housing and Urban Renewal, the Cabinet Room

Members of the Congress, Ladies and Gentlemen: I am pleased today to approve the Housing Act of 1964. I believe that we have a commitment to assure every American an opportunity to live in a decent home, in a safe and a decent neighborhood. This milestone measure will help us to honor that commitment. This Bill carries forward our continuing efforts to eradicate slums and blight in our cities, to assure decent housing for those least able to find it—the poor, the elderly, the severely handicapped—and those in our rural areas; to help our communities grow in orderly directions and avoid future blight and assure lasting beauty.

This Bill does more than to continue the successful programs that we have had in operation in the past. It provides new support for greater success in the future. The plight of property owners in urban renewal areas is recognized in this measure. Provision is made so that they can rehabilitate their homes and businesses instead of having to move from the path of the bull dozers. Looking ahead, this measure assists local communities in enforcing housing codes so blight does not develop or persist in the future. It also provides for training local urban development administrators and to produce the city planners that we shall need in the future to guide in the growth that we expect.

This is by no means a Bill just for the

cities of America alone. A key new program provides for the construction of low cost rental housing for our farm workers in the Nation. This is a most needed and a most welcome step. Nor is this Bill a Bill solely for the housing of those that are in unfortunate circumstances. It provides expanded benefits to builders and to lenders, and to families in good circumstances. By every standard we think this Bill benefits all Americans, and if we are to continue to keep our commitments in the world, then I believe it is fundamental that we must consider keeping our commitments here at home, and that is what we are trying to do with this legislation.

For our generation, courage is not confined to meeting the challenges far away from us. Courage is also required to meet the problems and the obligations and the challenges that are nearest to us.

This Congress deserves, I believe, very special commendation for the foresight and the courage that it has shown in meeting our problems here at home and in our own country, with our own people. The Urban Mass Transportation Act, the Highway Aid Bill, the Hill-Burton Extension, the many education measures all represent, together, the most constructive attack by any Congress on the challenge of keeping America fit and a fine place for our families.

I believe it is noteworthy that all of these programs represent a new spirit of cooperation between the Federal and the state and local governments; likewise, I think it is significant that a strong spirit of trust between the public sector and the private sector is present. We reject the thought of our families living in a faceless, regimented, monotonous America. We intend to preserve the role of private enterprise, the force of private initiative, and the right of private choice in our life as free men.

May I express my very special congratulations this morning to both Senator Sparkman and Congressman Rains, of Alabama. Certainly for Albert Rains this Housing Act of 1964 is a crowning achievement for a highly constructive career of great public service. I know that I express the thought of all of us when I say we regret that he has not chosen to run again for the Congress. We do hope that he will see fit to honor us in other fields of public service in the years ahead.

I want to thank all the members of the Congress who have come here this morning, and applaud their efforts in passing this most constructive and helpful piece of legislation that is designed to benefit all Americans.

Statement by the President

Together with all Americans, I have been disturbed by the riots which took place this past summer in some of our cities. The preservation of order in such circumstances is the responsibility of the local communities and the states, but the fact that such riots can occur is a matter of national concern as well as personal concern to me.

I have today asked Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, to make public a report summarizing the available facts developed by the Bureau on the causes and development of these riots.

Mr. Hoover's report indicates that—

No definite pattern was found to exist in connection with the riots from one city to another.

The riots did not have a single cause and cannot be attributed to any identifiable group of individuals.

The riots occurred in communities with economic and social problems crying out for solution.

Local police acted with great restraint in the face of violent abuse.

The riots—as well as other criminal and juvenile delinquency problems in our cities—are closely connected to school dropouts.

The mass of people in each community, white and negro alike, deplored the riots and have cooperated to maintain law and order.

Each riot began with a single incident and was aggravated by hoodlums and habitual lawbreakers.

No evidence was found that the riots were organized on a national basis by any single person, group of persons, or organization.

I have taken several steps as a result of this report:

First, I have directed the FBI through its National Academy to make riot training available for all police departments in the United States.

Second, I have instructed the Secretary of Defense to enlarge the program of the United States Army for demonstration techniques of riot control. We will make these techniques a larger part of the training of the National Guard of the various states and we will make them available to local police forces as well.

Third, I have directed Secretary of Health, Education, and Welfare to make a study of the drop-out program followed in the District of Columbia—one of the most intensive in the Nation—and other places, and to make recommendations to me as soon as possible on what further steps might be taken by the Federal Government to assist in meeting this important problem.

Fourth, at an appropriate time I intend to call a conference of State and City officials to discuss ways in which the Federal Government can continue to be of assistance in this whole area.

Most Americans have a deep commitment to civil peace. I call upon all our fellow citizens to remember that respect for law and order and regard for each person's rights are the cornerstones of self-government in a democracy.

This Administration feels strongly that this must be a society of law and order in which citizens live by recognized rules of conduct. To that end, we not only enforce Federal Acts but cooperate at all levels of government to assure that civil peace shall be maintained.

Every citizen, regardless of his race, creed, or color, is entitled to equal justice. And every citizen is entitled to be secure in his person on our city streets or in the countryside.

The FBI in the first eight months of this year has attended 172 police training schools thoughout the nation where the attendance has totaled more than 5,800 law enforcement officers and has offered advice and counsel. In addition, the FBI has sponsored just this summer 228 conferences which were attended by 20,184 people representing 6,406 police agencies on the problems of securing law and justice.

We will continue this kind of cooperation so our citizens may live in dignity and in security.

State of the Union Message of President Lyndon B. Johnson Delivered in Person to a Joint Session of the House and Senate January 4, 1965

Mr. Speaker, Mr. President, Members of the Congress, my fellow Americans:

On this hill which was my home, I am stirred by old friendships. Though total agreement between the Executive and the Congress is impossible, I am proud to be among my colleagues of the Congress whose legacy to their trust is their loyalty to their nation. I am not unaware of the inner emotions of the new members of this body tonight. Twenty-eight years ago I felt as you do now. You will soon learn that you are among men whose first love is their country. Men who try each day to do as best they can what they believe is right.

We are entering the third century of the pursuit of American union.

Two hundred years ago, in 1765, nine assembled colonies first joined together to demand freedom from arbitrary power.

For the first century we struggled to hold together the first continental union of democracy in the history of man. One hundred years ago, in 1865, following a terrible test of blood and fire, the compact of union was finally sealed.

For a second century we labored to establish a unity of purpose and interest among the many groups which make up the American community.

That struggle has often brought pain and violence. It is not yet over. But we have achieved a unity of interest among our people that is unmatched in the history of freedom.

And so tonight now, in 1965, we begin a new quest for union. We seek the unity of man with the world that he has built—with the knowledge that can save or destroy him—with the cities which can stimulate or stifle him—with the wealth and machines which can enrich or menace his spirit.

We seek to establish a harmony between man and society which will allow each of us to enlarge the meaning of his life and all of us to elevate the quality of our civilization.

This is the search that we begin tonight.

But the unity we seek cannot realize its full promise in isolation. For today the state of the union depends, in large measure, upon the state of the world.

Our concern and interest, compassion and vigilance, extend to every corner of a dwindling planet.

Yet, it is not merely our concern but the concern of all free men. We will not, and we should not, assume that it is the task of Americans alone to settle all the conflicts of a torn and troubled world.

Let the foes of freedom take no comfort from this. For in concert with other nations, we shall help men defend their freedom.

Our first aim remains the safety and the well-being of our own country.

We are prepared to live as good neighbors with all, but we cannot be indifferent to acts designed to injure our interests, or our citizens, or our establishments abroad. The community of nations requires mutual respect. We shall extend it—and we shall expect it.

In our relations with the world we shall follow the example of Andrew Jackson who said: "I intend to ask for nothing that is not clearly right and to submit to nothing that is wrong." And he promised, that "the honor of my country shall never be stained by an apology from me for the statement of truth or for the performance of duty." That was this nation's policy in the 1830's and that is this nation's policy in the 1960's.

Our own freedom and growth have never been the final goal of the American dream.

We were never meant to be an oasis of liberty and abundance in a world-wide desert of disappointed dreams. Our nation was created to help strike away the chains of ignorance and misery and tyranny wherever they keep man less than God means him to be.

We are moving toward that destiny, never more rapidly than we have moved in the last four years.

In this period we have built a military power strong enough to meet any threat and destroy any adversary. And that superiority will continue to grow so long as this office is mine—and you sit on Capitol Hill.

In this period no new nation has become communist, and the unity of the communist empire has begun to crumble.

In this period we have resolved in friendship our disputes with our neighbors of the hemisphere, and joined in an Alliance for Progress toward economic growth and political democracy.

In this period we have taken more steps toward peace—including the test ban treaty—than at any time since the cold war began.

In this period we have relentlessly pursued our advances toward the conquest of space.

Most important of all, in this period, the United States has reemerged into the fullness of its self-confidence and purpose. No longer are we called upon to get America moving. We are moving. No longer do we doubt our strength or resolution. We are strong and we have proven our resolve.

No longer can anyone wonder whether we are in the grip of historical decay. We know that history is ours to make. And if there is great danger, there is now also the excitement of great expectations.

Yet we still live in a troubled and perilous world. There is no longer a single threat. There are many. They differ in intensity and in danger. They require different attitudes and different answers.

With the Soviet Union we seek peaceful understandings that can lessen the danger to freedom.

Last fall I asked the American people to choose that course.

I will carry forward their command.

If we are to live together in peace, we must come to know each other better.

I am sure that the American people would welcome a chance to listen to the Soviet leaders on our television—as I would like the Soviet people to hear our leaders on theirs.

I hope the new Soviet leaders can visit America so they can learn about our country at first hand.

In Eastern Europe restless nations are slowly beginning to assert their identity. Your government, assisted by leaders in labor and business, is now exploring ways to increase peaceful trade with these countries and with the Soviet Union. I will report our conclusions to the Congress.

In Asia, Communism wears a more aggressive face.

We see that in Vietnam.

Why are we there?

We are there, first, because a friendly nation has asked us for help against the Communist aggression. Ten years ago our President pledged our help. Three Presidents have supported that pledge. We will not break it now.

Second, our own security is tied to the peace of Asia. Twice in one generation we have had to fight against aggression in the Far East. To ignore aggression now would only increase the danger of a much larger war.

Our goal is peace in Southeast Asia. That will come only when aggressors leave their neighbors in peace.

What is at stake is the cause of freedom, and in that cause America will never be found wanting.

But Communism is not the only source of trouble and unrest. There are older and deeper sources—in the misery of nations and in man's irrepressible ambition for liberty and a better life.

With the free Republics of Latin America I have always felt—and our country has always felt very special ties of interest and affection. It will be the purpose of my administration to strengthen these ties. Together we share and shape the destiny of the new world. In the coming year I hope to pay a visit to Latin America. And I will steadily enlarge our commitment to the Alliance for Progress as the instrument of our war against poverty and injustice in the hemisphere.

In the Atlantic community we continue to pursue our goal of twenty years—a Europe that is growing in strength, unity, and cooperation with America. A great unfinished task is the reunification of Germany through self-determination.

This European policy is not based on any abstract design. It is based on the realities of common interests and common values, common dangers and common expectations. These realities will continue to have their way—especially in our expanding trade and especially in our common defense.

Free Americans have shaped the policies of the United States. And because we know these realities, those policies have been, and will be, in the interest of Europe.

Free Europeans must shape the course of Europe. And, for the same reasons, that course has been, and will be, in our interest and in the interest of freedom.

I found this truth confirmed in my talks with European leaders in the last year. I hope to repay these visits to some of our friends in Europe this year.

In Africa and Asia we are witnessing the turbulent unfolding of new nations and continents.

We welcome them to the society of nations.

We are committed to help those seeking to strengthen their own independence, and to work most closely with those governments dedicated to the welfare of all their people.

We seek not fidelity to an iron faith, but a diversity of belief as varied as man himself. We seek not to extend the power of America but the progress of humanity. We seek not to dominate others but to strengthen the freedom of all people.

I will seek new ways to use our knowledge to help deal with the explosion in world population and the growing scarcity in world resources.

Finally, we renew our commitment to the continued growth and effectiveness of the United Nations. The frustrations of the United Nations are a product of the world that we live in and not of the institution which gives them voice. It is far better to throw these differences open to the assembly of nations than to permit them to fester in silent danger.

These are some of the goals of the American nation in the world in which we live.

For ourselves we seek neither praise nor blame, neither gratitude nor obedience.

We seek peace.

We seek freedom.

We seek to enrich the life of man.

For that is the world in which we will flourish and that is the world that we mean for all men to ultimately have.

World affairs will continue to call upon our energy and courage.

But today we can turn increased attention to the character of American life.

We are in the midst of the greatest upward surge of economic well-being in the history of any nation.

Our flourishing progress has been marked by price stablity that is unequalled in the world. Our balance of payments deficit has declined and the soundness of our dollar is unquestioned. I pledge to keep it that way and I urge business and labor to cooperate to that end.

We worked for two centuries to climb this peak of prosperity. But we are only at the beginning of the road to the Great Society. Ahead now is a summit where freedom from the wants of the body can help fulfill the needs of the spirit.

We built this nation to serve its people.

We want to grow and build and create, but we want progress to be the servant and not the master of man.

We do not intend to live in the midst of abundance, isolated from neighbors and nature, confined by blighted cities and bleak suburbs, stunted by a poverty of learning and an emptiness of leisure.

The Great Society asks not only how much, but how good; not only how to create wealth but how to use it; not only how fast we are going, but where we are headed.

It proposes as the first test for a nation: the quality of its people.

This kind of society will not flower spontaneously from swelling riches and surging power.

It will not be the gift of government or the creation of Presidents.

It will require of every American, for many generations, both faith in the destination and the fortitude to make the journey, and like freedom itself, it will always be challenge and not fulfillment.

Tonight we accept that challenge.

I propose that we begin a program in education to ensure every American child the fullest development of his mind and skills.

I propose we begin a massive attack on crippling and killing diseases.

I propose we launch a national effort to make the American city a better and more stimulating place to live.

I propose we increase the beauty of America and end the poisoning of our rivers and the air that we breathe.

I propose we carry out a new program to develop regions of our country that are now suffering from distress and depression.

I propose we make new efforts to control and prevent crime and delinquency.

I propose we eliminate every remaining obstacle to the right and the opportunity to vote.

I propose we honor and support the achievements of thought and the creations of art.

I propose that we make an all-out campaign against waste and inefficiency.

Our basic task is three-fold: First, to keep our economy growing; to open for all Americans the opportunity that is now enjoyed by most Americans; and to improve the quality of life for all.

In the next six weeks I will submit special messages with detailed proposals for national action in each of these areas.

Tonight I would like briefly to explain some of my major recommendations in the three main areas of national need.

First, we must keep our nation prosperous. We seek full employment opportunity for every American citizen.

I will present a budget designed to move the economy forward. More money will be left in the hands of the consumer by a substantial cut in excise taxes. We will continue along the path toward a balanced budget in a balanced economy.

I confidently predict—what every economic sign tells us tonight—the continued flourishing of the American economy.

But we must remember that fear of a recession can contribute to the fact of a recession. The knowledge that our government will, and can, move swiftly will strengthen the confidence of investors and business.

Congress can reinforce this confidence by ensuring that its procedures permit rapid action on temporary income tax cuts. And special funds for job-creating public programs should be made available for immediate use if recession threatens.

Our continued prosperity demands continued price stability. Business, labor and the consumer all have a high stake in keeping wages and prices within the framework of the guideposts that have already served the nation so well.

Finding new markets abroad for our goods depends on the initiative of American business. But we stand ready—with credit and other help—to assist the flow of trade which will benefit the entire nation.

Our economy owes much to the efficiency of our farmers. We must continue to assure them the opportunity to earn a fair reward. I have instructed the Secretary of Agriculture to lead a major effort to find new approaches to reduce the heavy cost of our farm programs and to direct more of our effort to the small farmer who needs help most.

We can help ensure continued prosperity through a Regional Recovery Program to assist the development of stricken areas left behind by our national progress; further efforts to provide our workers with the skills demanded by modern technology, for the laboring man is an indispensable force in the American system; the extension of the minimum wage to more than two million unprotected workers; the improvement and modernization of the unemployment compensation system. And as pledged in our 1960 and 1964 Democratic platforms, I will propose to Congress changes in the Taft-Hartley Act including Section 14–B. I will do so hoping to reduce conflict that for several years have divided Americans in various states of our union.

In a country that spans a continent modern transportation is vital to continued growth.

I will recommend heavier reliance on competition in transportation and a new policy for our merchant marine.

I will ask for funds to study high speed rail transportation between urban centers. We will begin with test projects between Boston and Washington. On high-speed trains, passengers could travel this distance in less than four hours.

Second, we must open opportunity to all our people.

Most Americans tonight enjoy a good life. But far too many are still trapped in poverty, idleness and fear.

Let a just nation throw open to them the city of promise: to the elderly, by providing hospital care under social security and by raising benefit payments to those struggling to maintain the dignity of their later years; to the poor, through doubling the war against poverty this year; to Negro Americans, through enforcement of the civil rights law and elimination of barriers to the right to vote; to those in other lands that are seeking the promise of America, through an immigration law based on the work a man can do and not where he was born or how he spells his name.

Our third goal is to improve the quality of American life.

We begin with learning.

Every child must have the best education that this nation can provide.

Thomas Jefferson said no nation can be both ignorant and free. Today no nation can be both ignorant and great.

In addition to our existing programs, I will recommend a new program for schools and students with a first year authorization of one billion, 500 million dollars.

It will help at every stage along the road to learning.

For the pre-school years we will help needy children become aware of the excitement of learning.

For the primary and secondary school years we will aid public schools serving low income families and assist students in both public and private schools.

For the college years we will provide scholarships to high school students of the greatest promise and greatest need and guaranteed low interest loans to students continuing their college studies.

New laboratories and centers will help our schools lift their standards of excellence and explore new methods of teaching. These centers will provide special training for those who need and those who deserve special treatment.

Greatness requires not only an educated people but a healthy people.

Our goal is to match the achievements of our medicine to the afflictions of our people.

We already carry on a large program for research and health.

In addition, regional medical centers can provide the most advanced diagnosis and treatment for heart disease, cancer, stroke, and other major diseases.

New support for medical and dental education will provide the trained men to apply our knowledge.

Community centers can help the mentally ill and improve health care for school-age children from poor families, including services for the mentally retarded.

An educated and healthy people require surroundings in harmony with their hopes.

In our urban areas the central problem today is to protect and restore man's satisfaction in belonging to a community where he can find security and significance.

The first step is to break old patterns—to begin to think and work and plan for the development of entire metropolitan areas. We will take this step with new programs of help for basic community facilities and for neighborhood centers of health and recreation.

New and existing programs will be open to those cities which work together to develop unified long-range policies for metropolitan areas.

We must also make important changes in our housing programs if we are to pursue these same basic goals. So a Department of Housing and Urban Development will be needed to spearhead this effort in our cities.

Every citizen has the right to feel secure in his home and on the streets of his community.

To help control crime we will recommend programs to train local law enforcement officers; to put the best techniques of modern science at their disposal; to discover the causes of crime and better ways to prevent it.

I will soon assemble a panel of outstanding experts of this nation to search out answers to the national problem of crime and delinquency, and I welcome the recommendations and the constructive efforts of the Congress.

For over three centuries the beauty of America has sustained our spirit and enlarged our vision. We must act now to protect this heritage. In a fruitful new partnership with the states and cities the next decade should be a conservation milestone. We must make a massive effort to save the countryside and establish—as a green legacy for tomorrow—more large and small parks, more seashores and open spaces than have been created during any period in our history.

A new and substantial effort must be made to landscape highways and provide places of relaxation and recreation wherever our roads run.

Within our cities imaginative programs are needed to landscape streets and transform open areas into places of beauty and recreation.

We will seek legal power to prevent pollution of our air and water before it happens. We will step up our effort to control harmful wastes, giving first priority to the cleanup of our most contaminated rivers. We will increase research to learn more about control of pollution.

We hope to make the Potomac a model of beauty here in the Capital, and preserve unspoiled stretches of some of our waterways with a Wild Rivers bill.

More ideas for a beautiful America will emerge from a White House Conference on Natural Beauty which I will soon call.

We must also recognize and encourage those who can be pathfinders for the nation's imagination and understanding.

To help promote and honor creative achievements, I will propose a National Foundation on the Arts.

To develop knowledge which will enrich our lives and ensure our progress, I will recommend programs to encourage basic science, particularly in the universities—and to bring closer the day when the oceans will supply our growing need for fresh water.

For government to serve these goals it must be modern in structure, efficient in action, and ready for any emergency.

I am busy currently reviewing the structure of the Executive Branch of this government. I hope to reshape it and reorganize it to meet more effectively the tasks of the 20th Century.

Wherever waste is found, I will eliminate it.

Last year we saved almost three billion, five-hundred million dollars by eliminating waste in the government. And I intend to do better this year.

And very soon I will report to you on our progress and on new economies that your government plans to make.

Even the best of government is subject to the worst of hazards.

I will propose laws to ensure the necessary continuity of leadership should the President become disabled or die.

In addition, I will propose reforms in the Electoral College—leaving undisturbed the vote by states—but making sure no elector can substitute his will for that of the people.

Last year in a sad moment I came here and I spoke to you after 33 years of public service, practically all of them here on this Hill.

This year I speak after one year as President of the United States.

Many of you in this Chamber are among my oldest friends. We have shared many happy moments and many hours of work, and we have watched many Presidents together. Yet, only in the White House can you finally know the full weight of this office.

The greatest burden is not running the huge operations of government—or meeting daily troubles, large and small—or even working with the Congress.

A President's hardest task is not to do what is right, but to know what is right.

Yet the Presidency brings no special gift of prophecy or foresight. You take an oath, step into an office, and you must then help guide a great democracy.

The answer was waiting for me in the land where I was born.

It was once barren land. The angular hills were covered with scrub cedar and a few large live oaks. Little would grow in the harsh caliche soil of my country. And each spring the Pedernales River would flood our valley.

But men came and they worked and they endured and they built.

And tonight that country is abundant; abundant with fruit and cattle and goats and sheep, and there are pleasant homes and lakes and the floods are gone.

Why did men come to that once forbidding land?

They were restless, of course, and they had to be moving on. But there was more than that. There was a dream—a dream of a place where a free man could build for himself, and raise his children to a better life—a dream of a continent to be conquered, a world to be won, a nation to be made.

Remembering this, I knew the answer.

A President does not shape a new and personal vision of America. He collects it from the scattered hopes of the American past.

It existed when the first settlers saw the coast of a new world, and when the first pioneers moved Westward.

It has guided us every step of the way.

It sustains every President. But it is also your inheritance and it belongs equally to all the people that we all serve.

It must be interpreted anew by each generation for its own needs; as I have tried, in part, to do tonight.

It shall lead us as we enter this third century of the search for "a more perfect union."

This, then, is the state of the union: Free, restless, growing and full of hope.

So it was in the beginning.

So it shall always be, while God is willing, and we are strong enough to keep the faith.

Message on Natural Beauty

To the Congress of the United States:

For centuries Americans have drawn strength and inspiration from the beauty of our country. It would be a neglectful generation indeed, indifferent alike to the judgment of history and the command of principle, which failed to preserve and extend such a heritage for its descendants.

Yet the storm of modern change is threatening to blight and diminish in a few decades what has been cherished and protected for generations.

A growing population is swallowing up areas of natural beauty with its demands for living space, and is placing increased demand on our overburdened areas of recreation and pleasure.

The increasing tempo of urbanization and growth is already depriving many Americans of the right to live in decent surroundings. More of our people are crowding into cities and being cut off from nature. Cities themselves reach out into the countryside, destroying streams and trees and meadows as they go. A modern highway may wipe out the equivalent of a fifty acre park with every mile. And people move out from the city to get closer to nature only to find that nature has moved farther from them.

The modern technology, which has added much to our lives, can also have a darker side. Its uncontrolled waste products are menacing the world we live in, our enjoyment and our health. The air we breathe, our water, our soil and wildlife are being blighted by the poisons and chemicals which are the by-products of technology and industry. The skeletons of discarded cars litter the countryside. The same society which receives the rewards of technology must, as a cooperating whole, take responsibility for control.

To deal with these new problems will require a new conservation. We must not only protect the countryside and save it from destuction, we must restore what has been destroyed and salvage the beauty and charm of our cities. Our conservation must be not just the classic conservation of protection and development, but a creative conservation of restoration and innovation. Its concern is not with nature alone, but with the total relation between man and the world around him. Its object is not just man's welfare but the dignity of man's spirit.

In this conservation the protection and enhancement of man's opportunity to be in contact with beauty must play a major role.

This means that beauty must not be just a holiday treat, but a part of our daily life. It means not just easy physical access, but equal social access for rich and poor, Negro and white, city dweller and farmer.

Beauty is not an easy thing to measure. It does not show up in the gross national product, in a weekly pay check, or in profit and loss statements. But these things are not ends in themselves. They are a road to satisfaction and pleasure and the good life. Beauty makes its own direct contribution to these final ends. Therefore it is one of the most important components of our true national income, not to be left out simply because statisticians cannot calculate its worth.

And some things we do know. Association with beauty can enlarge man's imagination and revive his spirit. Ugliness can demean the people who live among it. What a citizen sees every day is his America. If it is attractive it adds to the quality of his life. If it is ugly it can degrade his existence.

Beauty has other immediate values. It adds to safety whether removing direct dangers to health or making highways less monotonous and dangerous. We also know that those who live in blighted and squalid conditions are more susceptible to anxieties and mental disease.

Ugliness is costly. It can be expensive to clean a soot smeared building, or to build new areas of recreation when the old landscape could have been preserved far more cheaply.

Certainly no one would hazard a national definition of beauty. But we do know that nature is nearly always beautiful. We do, for the most part, know what is ugly. And we can introduce, into all our planning, our programs, our building and our growth, a conscious and active concern for the values of beauty. If we do this then we can be successful in preserving a beautiful America.

There is much the federal government can do, through a range of specific programs, and as a force for public education. But a beautiful America will require the effort of government at every level, of business, and of private groups. Above all it will require the concern and action of individual citizens, alert to danger, determined to improve the quality of their surroundings, resisting blight, demanding and building beauty for themselves and their children.

I am hopeful that we can summon such a national effort. For we have not chosen to have an ugly America. We have been careless, and often neglectful. But now that the danger is clear and the hour is late this people can place themselves in the path of a tide of blight which is often irreversible and always destructive.

The Congress and the Executive branch have each produced conservation giants in the past. During the 88th Congress it was legislative executive teamwork that brought progress. It is this same kind of partnership that will ensure our continued progress.

In that spirit as a beginning and stimulus I make the following proposals:

THE CITIES

Thomas Jefferson wrote that communities "should be planned with an eye to the effect made upon the human spirit by being continually surrounded with a maximum of beauty."

We have often sadly neglected this advice in the modern American city. Yet this is where most of our people live. It is where the character of our young is formed. It is where American civilization will be increasingly concentrated in years to come.

Such a challenge will not be met with a few more parks or playgrounds. It requires attention to the architecture of building, the structure of our roads, preservation of historical buildings and monuments, careful planning of new suburbs. A concern for the enhancement of beauty must infuse every aspect of the growth and development of metropolitan areas. It must be a principal responsibility of local government, supported by active and concerned citizens.

Federal assistance can be a valuable stimulus and help to such local efforts.

I have recommended a community extension program which will bring the resources of the university to focus on problems of the community just as they have long been concerned with our rural areas. Among other things, this program will help provide training and technical assistance to aid in making our communities more attractive and vital. In addition, under the Housing Act of 1964, grants will be made to States for training of local governmental employees needed for community development. I am recommending a 1965 supplemental appropriation to implement this program.

We now have two programs which can be of special help in creating areas of recreation and beauty for our metropolitan area population: the Open Space Land Program, and the Land and Water Conservation Fund.

I have already proposed full funding of the Land and Water Conservation Fund, and directed the Secretary of the Interior to give priority attention to serving the needs of our growing urban population.

The primary purpose of the Open Space Program has been to help acquire and assure open spaces in urban areas. I propose a series of new matching grants for improving the natural beauty of urban open space.

The Open Space Program should be adequately financed, and broadened by permitting grants to be made to help city governments acquire and clear areas to create small parks, squares, pedestrian malls and playgrounds.

I will also recommend that we add prime outdoor recreation areas to our National Forest system, particularly in the populous East; and proceed on schedule with studies required to define and enlarge the Wilderness System established by the 88th Congress. We will also continue progress on our refuge system for migratory waterfowl.

Faulty strip and surface mining practices have left ugly scars which mar the beauty of the landscape in many of our States. I urge your strong support of the nationwide strip and surface mining study provided by the Appalachian Regional legislation, which will furnish the factual basis for a fair and reasonable approach to the correction of these past errors.

I am asking the Secretary of Agriculture to work with State and local organizations in developing a cooperative program for improving the beauty of the privately owned rural lands which comprise three-fourths of the Nation's area. Much can be done with existing Department of Agriculture programs without adding to cost.

The 28 million acres of land presently held and used by our Armed Services is an important part of our public estate. Many thousands of these acres will soon become surplus to military needs. Much of this land has great potential for outdoor recreation, wildlife, and conservation uses consistent with military requirements. This potential must be realized through the fullest application of multiple-use principles. To this end I have directed the Secretaries of Defense and Interior to conduct a "conservation inventory" of all surplus lands.

HIGHWAYS

More than any country ours is an automobile society. For most Americans the automobile is a principal instrument of transportation, work, daily activity, recreation and pleasure. By making our roads highways to the enjoyment of nature and beauty we can greatly enrich the life of nearly all our people in city and countryside alike.

Our task is two-fold. First, to ensure that roads themselves are not destructive of nature and natural beauty. Second, to make our roads ways to recreation and pleasure.

I have asked the Secretary of Commerce to take a series of steps designed to meet this objective. This includes requiring landscaping on all federal interstate primary and urban highways, encouraging the construction of rest and recreation areas along highways, and the preservation of natural beauty adjacent to highway rights-of-way.

Our present highway law permits the use of up to 3% of all federal-aid funds to be used without matching for the preservation of natural beauty. This authority has not been used for the purpose intended by Congress. I will take steps, including recommended legislation if necessary, to make sure these funds are, in fact, used to enhance beauty along our highway system. This will dedicate substantial resources to this purpose.

I will also recommend that a portion of the funds now used for secondary roads be set aside in order to provide access to areas of rest and recreation and scenic beauty along our nation's roads, and for rerouting or construction of highways for scenic or parkway purposes.

The Recreation Advisory Council is now completing a study of the role which scenic roads and parkways should play in meeting our highway and recreation needs. After receiving the report, I will make appropriate recommendations.

The authority for the existing program of outdoor advertising control expires on June 30, 1965, and its provisions have not been effective in achieving the desired goal. Accordingly, I will recommend legislation to ensure effective control of billboards along our highways.

In addition, we need urgently to work towards the elimination or screening of unsightly, beauty-destroying junkyards and auto graveyards along our highways. To this end, I will also recommend necessary legislation to achieve effective control, including Federal assistance in appropriate cases where necessary.

I hope that, at all levels of government, our planners and builders will remember that highway beautification is more than a matter of planting trees or setting aside scenic areas. The roads themselves must reflect, in location and design, increased respect for the natural and social integrity and unity of the landscape and communities through which they pass.

RIVERS

Those who first settled this continent found much to marvel at. Nothing was a greater source of wonder and amazement than the power and majesty of American rivers. They occupy a central place in myth and legend, folklore and literature.

They were our first highways, and some remain among the most important. We have had to control their ravages, harness their power, and use their water to help make whole regions prosper.

Yet even this seemingly indestructible natural resource is in danger.

Through our pollution control programs we can do much to restore our rivers. We will continue to conserve the water and power for tomorrow's needs with well-planned reservoirs and power dams. But the time has also come to identify and preserve free flowing stretches of our great scenic rivers before growth and development make the beauty of the unspoiled waterway a memory.

To this end I will shortly send to the Congress a Bill to establish a National Wild Rivers System.

THE POTOMAC

The river rich in history and memory which flows by our nation's capital should serve as a model of scenic and recreation values for the entire country. To meet this objective I am asking the Secretary of the Interior to review the Potomac River basin development plan now under review by the Chief of Army Engineers, and to work with the affected States and local governments, the District of Columbia and interested federal agencies to prepare a program for my consideration.

A program must be devised which will:

(a) Clean up the river and keep it clean, so it can be used for boating, swimming and fishing.

(b) Protect its natural beauties by the acquisition of scenic easements, zoning or other measures.

(c) Provide adequate recreational facilities, and

(d) Complete the presently authorized George Washington Memorial Parkway on both banks.

I hope action here will stimulate and inspire similar efforts by States and local governments on other urban rivers and waterfronts, such as the Hudson in New York. They are potentially the greatest single source of pleasure for those who live in most of our metropolitan areas.

TRAILS

The forgotten outdoorsmen of today are those who like to walk, hike, ride horseback or bicycle. For them we must have trails as well as highways. Nor should motor vehicles be permitted to tyrannize the more leisurely human traffic.

Old and young alike can participate. Our doctors recommend and encourage such activity for fitness and fun.

I am requesting, therefore, that the Secretary of the Interior work with his colleagues in the federal government and with state and local leaders and recommend to me a cooperative program to encourage a national system of trails, building up the more than hundred thousand miles of trails in our National Forests and Parks.

There are many new and exciting trail projects underway across the land. In Arizona, a county has arranged for miles of irrigation canal banks to be used by riders and hikers. In Illinois, an abandoned railroad right of way is being developed as a "Prairie Path." In New Mexico utility rights of way are used as public trails.

As with so much of our quest for beauty and quality, each community has opportunities for action. We can and should have an abundance of trails for walking, cycling and horseback riding, in and close to our cities. In the back country we need to copy the great Appalachian Trail in all parts of America, and to make full use of rights of way and other public paths.

POLLUTION

One aspect of the advance of civilization is the evolution of responsibility for disposal of waste. Over many generations society gradually developed techniques for this purpose. State and local governments, landlords and private citizens have been held responsible for ensuring that sewage and garbage did not menace health or contaminate the enviroment.

In the last few decades entire new categories of waste have come to plague and menace the American scene. These are the technological wastes—the by-products of growth, industry, agriculture, and science. We cannot wait for slow evolution over generations to deal with them.

Pollution is growing at a rapid rate. Some pollutants are known to be harmful to health, while the effect of others is uncertain and unknown. In some cases we can control pollution with a larger effort. For other forms of pollution we still do not have effective means of control.

Pollution destroys beauty and menaces health. It cuts down on efficiency, reduces property values and raises taxes.

The longer we wait to act, the greater the dangers and the larger the problem.

Large-scale pollution of air and waterways is no respecter of political boundaries, and its effects extend far beyond those who cause it.

Air pollution is no longer confined to isolated places. This generation has altered the composition of the atmosphere on a global scale through radioactive materials and a steady increase in carbon dioxide from the burning of fossil fuels. Entire regional airsheds, crop plant environments, and river basins are heavy with noxious materials. Motor vehicles and home heating plants, municipal dumps and factories continually hurl pollutants into the air we breathe. Each day almost 50,000 tons of unpleasant, and sometimes poisonous, sulfur dioxide are added to the atmosphere, and our automobiles produce almost 300,000 tons of other pollutants.

In Donora, Pennsylvania in 1948, and New York City in 1953 serious illness and some deaths were produced by sharp increases in air pollution. In New Orleans, epidemic outbreaks of asthmatic attacks are associated with air pollutants. Three-fourths of the eight million people in the Los Angeles area are annoyed by severe eye irritation much of the year. And our health authorities are increasingly concerned with the damaging effects of the continual breathing of polluted air by all our people in every city in the country.

In addition to its health effects, air pollution creates filth and gloom and depreciates property values of entire neighborhoods. The White House itself is being dirtied with soot from polluted air.

Every major river system is now polluted. Waterways that were once sources of pleasure and beauty and recreation are forbidden to human contact and objectionable to sight and smell. Furthermore, this pollution is costly, requiring expensive treatment for drinking water and inhibiting the operation and growth of industry.

In spite of the efforts and many accomplishments of the past, water pollution is spreading. And new kinds of problems are being added to the old:

Waterborne viruses, particularly hepatitis. are replacing typhoid fever as a significant health hazard.

Mass deaths of fish have occurred in rivers over-burdened with wastes.

Some of our rivers contain chemicals which, in concentrated form, produce abnormalities in animals.

Last summer 2,600 square miles of Lake Erie—over a quarter of the entire Lake—were almost without oxygen and unable to support life because of algae and plant growths, fed by pollution from cities and farms.

In many older cities storm drains and sanitary sewers are interconnected. As a result, mixtures of storm water and sanitary waste overflow during rains and discharge directly into streams, bypassing treatment works and causing heavy pollution.

In addition to our air and water we must, each and every day, dispose of a half billion pounds of solid waste. These wastes—from discarded cans to discarded automobiles—litter our country, harbor vermin, and menace our health. Inefficient and improper methods of disposal increase pollution of our air and streams.

Almost all these wastes and pollutions are the result of activities carried on for the benefit of man. A prime national goal must be an environment that is pleasing to the senses and healthy to live in.

Our Government is already doing much in this field. We have made significant progress. But more must be done.

FEDERAL GOVERNMENT ACTIVITY

I am directing the heads of all agencies to improve measures to abate pollution caused by direct agency operation, contracts and cooperative agreements. Federal procurement practices must make sure that the Government equipment uses the most effective techniques for controlling pollution. The Administrator of General Services has already taken steps to assure that motor vehicles purchased by the Federal Government meet minimum standards of exhaust quality.

CLEAN WATER

Enforcement authority must be strengthened to provide positive controls over the discharge of pollutants into our interstate or navigable waters. I recommend enactment of legislation to:

Provide, through the setting of effective water quality standards, combined with a swift and effective enforcement procedure, a national program to prevent water pollution at its source rather than attempting to cure pollution after it occurs.

Increase project grant ceilings and provide additional incentives for multi-municipal projects under the waste treatment facilities construction program.

Increase the ceiling for grants to State water pollution control programs.

Provide a new research, and demonstration construction program leading to the solution of problems caused by the mixing of storm water runoff and sanitary wastes.

The Secretary of Health, Education, and Welfare will undertake an intensive program to clean up the Nation's most polluted rivers. With the cooperation of States and cities—using the tools of regulation, grant and incentives—we can bring the most serious problem of river pollution under control. We cannot afford to do less.

We will work with Canada to develop a pollution control program for the Great Lakes and other border waters.

Through an expanded program carried on by the Department of Health, Education, and

Welfare and Interior, we will continue to seek effective and economical methods for controlling pollution from acid mine drainage.

To improve the quality of our waters will require the fullest cooperation of our State and local government. Working together, we can and will preserve and increase one of our most valuable national resources—clean water.

CLEAN AIR

The enactment of the Clean Air Act in December of 1963 represented a long step forward in our ability to understand and control the difficult problem of air pollution. The 1966 Budget request of 24 million dollars is almost double the amount spent on air pollution programs in the year prior to its enactment.

In addition, the Clean Air Act should be improved to permit the Secretary of Health, Education, and Welfare to investigate potential air pollution problems before pollution happens, rather than having to wait until the damage occurs, as is now the case, and to make recommendations leading to the prevention of such pollution.

One of the principal unchecked sources of air pollution is the automobile. I intend to institute discussions with industry officials and other interested groups leading to an effective elimination or substantial reduction of pollution from liquid fueled motor vehicles.

SOLID WASTES

Continuing technological progress and improvement in methods of manufacture, packaging and marketing of consumer products has resulted in an ever mounting increase of discarded material. We need to seek better solutions to the disposal of these wastes. I recommend legislation to:

Assist the States in developing comprehensive programs for some forms of solid waste disposal.

Provide for research and demonstration projects leading to more effective methods for disposing of or salvaging solid wastes.

Launch a concentrated attack on the accumulation of junk cars by increasing research in the Department of the Interior leading to use of metal from scrap cars where promising leads already exist.

PESTICIDES

Pesticides may affect living organisms wherever they occur.

In order that we may better understand the effects of these compounds, I have included increased funds in the budget for use by the Secretaries of Agriculture, Interior, and Health, Education, and Welfare to increase their research efforts on pesticides so they can give special attention to the flow of pesticides through the environment; study the means by which pesticides break down and disappear in nature; and to keep a constant check on the level of pesticides in our water, air, soil and food supply.

I am recommending additional funds for the Secretary of Agriculture to reduce contamination from toxic chemicals through intensified research, regulatory control, and educational programs.

The Secretary of Agriculture will soon submit legislation to tighten control over the manufacture and use of agricultural chemicals, including licensing and factory inspection of manufacturers, clearly placing the burden of proof of safety on the proponent of the chemical rather than on the Government.

RESEARCH RESOURCES

Our needs for new knowledge and increasing application of existing knowledge demand a greater supply of trained manpower and research resources.

A National Center for Environmental Health Sciences is being planned as a focal point for health research in this field. In addition, the 1966 budget includes funds for the establishment of university institutes to conduct research and training in environmental pollution problems.

Legislation recommended in my message on health has been introduced to increase Federal support for specialized research facilities of a national or regional character. This proposal, aimed at health research needs generally, would assist in the solution of environmental health problems and I urge its passage.

We need legislation to provide to the Departments of Agriculture and the Interior authority for grants for research in environmental pollution control in their areas of responsibility. I have asked the Secretary of Interior to submit legislation to eliminate the ceiling on pesticide research.

OTHER EFFORTS

In addition to these needed actions, other proposals are undergoing active study.

I have directed the Chairman of the Council of Economic Advisers, with the appropriate departments, to study the use of economic incentives as a technique to stimulate pollution prevention and abatement, and to recommend actions or legislation, if needed.

I have instructed the Director of the Bureau of the Budget and the Director of the Office of Science and Technology to explore the adequacy of the present organization of pollution control and research activities.

I have also asked the Director of the Office of Science and Technology and the Director of the Bureau of the Budget to recommend the best way in which the Federal government may direct efforts toward advancing our scientific understanding of natural plant and animal communities and their interaction with man and his activities.

The actions and proposals recommended in this message will take us a long way toward immediate reversal of the increase of pollutants in our environment. They will also give us time until new basic knowledge and trained manpower provide opportunities for more dramatic gains in the future.

WHITE HOUSE CONFERENCE

I intend to call a White House Conference on Natural Beauty to meet in mid-May of this year. Its chairman will be Mr. Laurance Rockefeller.

It is my hope that this Conference will produce new ideas and approaches for enhancing the beauty of America. Its scope will not be restricted to federal action. It will look for ways to help and encourage state and local government, institutions and private citizens, in their own efforts. It can serve as a focal point for the large campaign of public education which is needed to alert Americans to the danger to their natural heritage and to the need for action.

In addition to other subjects which this Conference will consider, I recommend the following subjects for discussion in depth:

Automobile junkyards. I am convinced that analysis of the technology and economics can help produce a creative solution to this vexing problem. The Bureau of Mines of the Interior Department can contribute technical advice to the conference, as can the scrap industry and the steel industry.

Underground installation of utility transmission lines. Further research is badly needed to enable us to cope with this problem.

The greatest single force that shapes the American landscape is private economic development. Our taxation policies should not penalize or discourage conservation and the preservation of beauty.

Ways in which the Federal Government can, through information and technical assistance, help communities and states in their own programs of natural beauty.

The possibilities of a national tree planting program carried on by government at every level, and private groups and citizens.

CONCLUSION

In my thirty-three years of public life I have seen the American system move to conserve the natural and human resources of our land.

TVA transformed an entire region that was "depressed." The rural electrification cooperatives brought electricity to lighten the burdens of rural America. We have seen the forests replanted by the CCC's, and watched Gifford Pinchot's sustained yield concept take hold on forestlands.

It is true that we have often been careless with our natural bounty. At times we have paid a heavy price for this neglect. But once our people were aroused to the danger, we have acted to preserve our resources for the enrichment of our country and the enjoyment of future generations.

The beauty of our land is a natural resource. Its preservation is linked to the inner prosperity of the human spirit.

The tradition of our past is equal to today's threat to that beauty. Our land will be attractive tomorrow only if we organize for action and rebuild and reclaim the beauty we inherited. Our stewardship will be judged by the foresight with which we carry out these programs. We must rescue our cities and countryside from blight with the same purpose and vigor with which, in other areas, we moved to save the forests and the soil.

Lyndon B. Johnson.

The White House, *February 8, 1965*.

Message on the Cities

(Note.—In this message the word city is used to mean the entire urban area—the central city and its suburbs.)

To the Congress of the United States:

Throughout man's history, the city has been at the center of civilization. It is at the center of our own society.

Over seventy percent of our population—135 million Americans—live in urban areas. A half century from now 320 million of our 400 million Americans will live in such areas. And our largest cities will receive the greatest impact of growth.

Numbers alone do not make this an urban nation. Finance and culture, commerce and government make their home in the city and draw their vitality from it. Within the borders of our urban centers can be found the most impressive achievements of man's skill and the highest expressions of man's spirit, as well as the worst examples of degradation and cruelty and misery to be found in modern America.

The city is not an assembly of shops and buildings. It is not a collection of goods and services. It is a community for the enrichment of the life of man. It is a place for the satisfaction of man's most urgent needs and his highest aspirations. It is an instrument for the advance of civilization. Our task is to put the highest concerns of our people at the center of urban growth and activity. It is to create and preserve the sense of community with others which gives us significance and security, a sense of belonging and of sharing in the common life.

Aristotle said: "Men come together in cities in order to live. They remain together in order to live the good life."

The modern city can be the most ruthless enemy of the good life, or it can be its servant. The choice is up to this generation of Americans. For this is truly the time of decision for the American city.

In our time, two giant and dangerous forces are converging on our cities: the forces of growth and of decay.

Between today and the year 2000, more than 80 percent of our population increase will occur in urban areas. During the next fifteen years, thirty million people will be added to our cities—equivalent to the combined population of New York, Chicago, Los Angeles, Philadelphia, Detroit and Baltimore.

Each year, in the coming generation, we will add the equivalent of 15 cities of 200,000 each.

Already old cities are tending to combine into huge clusters. The strip of land from southern New Hampshire to northern Virginia contains 21 percent of America's population in 1.8 percent of its areas. Along the West Coast, the Great Lakes, and the Gulf of Mexico, other urban giants are merging and growing.

Our new city dwellers will need homes and schools and public services. By 1975 we will need over two million new homes a year. We will need schools for 10 million additional children, welfare and health facilities for 5 million more people over the age of sixty, transportation facilities for the daily movement of 200 million people and more than 80 million automobiles.

In the remainder of this century—in less than forty years—urban population will double, city land will double and we will have to build in our cities as much as all that we have built since the first colonists arrived on these shores. It is as if we had forty years to rebuild the entire urban United States.

Yet these new overwhelming pressures are being visited upon cities already in distress. We have over nine million homes, most of them in cities, which are run down or deteriorating; over four million do not have running water or even plumbing. Many of our central cities are in need of major surgery to overcome decay. New suburban sprawl reaches out into the countryside, as the process of urbanization consumes a million acres a year. The old, the poor, the discriminated against are increasingly concentrated in central city ghettos; while others move to the suburbs leaving the central city to battle against immense odds.

Physical decay, from obsolescent schools to polluted water and air, helps breed social decay. It casts a pall of ugliness and despair on the spirits of the people. And this is reflected in rising crime rates, school dropouts, delinquency and social disorganization.

Our cities are making a valiant effort to combat the mounting dangers to the good life. Between 1954 and 1963 per capita municipal tax revenues increased by 43%, and local government indebtedness increased by 119%. City officials with inadequate resources, limited authority, too few trained people, and often with too little public support, have, in many cases, waged a heroic battle to improve the life of the people they serve.

But we must do far more as a nation if we are to deal effectively with one of the most critical domestic problems of the United States.

Let us be clear about the core of this problem. The problem is people and the quality of the lives they lead. We want to build not just housing units, but neighborhoods; not just to construct schools, but to educate children; not just to raise income but to create beauty and end the poisoning of our environment. We must extend the range of choices available to all our people so that all, and not just the fortunate, can have access to decent homes and schools, to recreation and to culture. We must work to overcome the forces which divide our people and erode the vitality which comes from the partnership of those with diverse incomes and interests and backgrounds.

The problems of the city are problems of housing and education. They involve increasing employment and ending poverty. They call for beauty and nature, recreation and an end to racial discrimination. They are, in large measure, the problems of American society itself. They call for a generosity of vision, a breadth of approach, a magnitude of effort which we have not yet brought to bear on the American ctiy.

Whatever the scale of its programs, the federal government will only be able to do a small part of what is required. The vast bulk of resources and energy, of talent and toil, will have to come from state and local governments, private interests and individual citizens. But the federal government does have a responsibility. It must help to meet the most urgent national needs; in housing, in education, in health and many other areas. It must also be sure that its efforts serve as a catalyst and as a lever to help and guide state and local governments toward meeting their problems.

We must also recognize that this message, and the program it proposes, does not fully meet the problems of the city. In part, this is because many other programs, such as those for education and health, are dealt with separately. But it is also because we do not have all the answers. In the last few years there has been an enormous growth of interest and knowledge and intellectual ferment. We need more thought and wisdom and knowledge as we painfully struggle to identify the ills, the dangers and the cures for the American city. We need to re-shape, at every level of government, our approach to problems which are often different than we thought and larger than we had imagined.

I want to begin that process today.

We begin with the awareness that the city, possessed of its own inexorable vitality, has ignored the classic jurisdictions of municipalities and counties and states. That organic unit we call the city spreads across the countryside, enveloping towns, building vast new suburbs, destroying trees and streams. Access to suburbs has changed the character of the central city. The jobs and income of suburbanites may depend upon the opportunities for work and learning offered by the central city. Polluted air and water do not respect the jurisdictions of mayors and city councils, or even of Governors. Wealthy suburbs often form an enclave whereby the well-to-do and the talented can escape from the problems of their neighbors, thus impoverishing the ability of the city to deal with its problems.

The interests and needs of many of the communities which make up the modern city often seem to be in conflict. But they all have an overriding interest in improving the quality of life of their people. And they have an overriding interest in enriching the quality of American civilization. These interests will only be served by looking at the metropolitan area as a whole, and planning and working for its development.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

To give greater force and effectiveness to our effort in the cities *I ask the Congress to establish a Department of Housing and Urban Development.*

Our urban problems are of a scope and magnitude that demand representation at the highest level of government. The Housing and Home Finance Agency was created two decades ago. It has taken on many new programs. Others are proposed in this message. Much of our hopes for American progress will depend on the effectiveness with which these programs are carried forward. These problems are already in the front rank of national concern and interest. They deserve to be in the front rank of government as well.

The new Department will consist of all the present programs of HHFA. In addition it will be primarily responsible for federal participation in metropolitan area thinking and planning. This new department will provide a focal point for thought and innovation and imagination about the problems of our cities. It will cooperate with other federal agencies, including those responsible for programs providing essential education, health, employment and social services. And it will work to strengthen the constructive relationships between nation, state and city—the creative federalism—which is essential to progress. This partnership will demand the leadership of mayors, Governors and state legislatures.

INCENTIVES TO METROPOLITAN AREA COOPERATION

The federal government cannot, and should not, require the communities which make up a metropolitan area to cooperate against their will in the solution of their problems. But we can offer incentives to metropolitan area planning and cooperation. We can help those who want to make the effort but lack the trained personnel and other necessary resources. And the new Department should have regional representatives in our metropolitan areas to assist, where assistance is requested, in the development of metropolitan area plans.

We already have federal programs in which assistance depends upon the completion of soundly conceived metropolitan area plans, such as the mass transportation program passed by the 88th Congress. This program strikes at the heart of one of our most critical and urgent needs—a transportation system which can relieve congestion and make it possible for people to travel with comparative ease to places of work, learning and pleasure.

I am proposing other programs which will also require sound, long-range development programs as a condition of federal assistance. Wherever it can be done without leaving vital needs unmet, existing programs will also be keyed to planning requirements.

Among the most vital needs of our metropolitan areas is the requirement for basic community facilities—for water and sewerage. Many existing systems are obsolete or need major rehabilitation. And population growth will require a vastly increased effort in years ahead.

These basic facilities, by their very nature, require cooperation among adjacent communities. *I propose a program of matching grants to local governments for building new basic community facilities with an appropriation of 100 million dollars for fiscal 1966.* These grants will be contingent upon comprehensive, areawide planning for future growth; and will be made only for projects consistent with such planning.

One of the greatest handicaps to sound programs for future needs is the difficulty of obtaining desirable land for public buildings and other facilities. As growth is foreseen it should be possible to acquire land in advance of its actual use. Thus, when the needs arises, the land will be there. *I recommend a federal program for financial assistance to help in this advance acquisition of land.* Federal grants would be made available to cover the interest charges for five years on loans obtained by public bodies. Thus we will cover the cost during the period before the facilities are constructed.

Last year alone one million acres were urbanized. As our cities spread, far too often we create the ugliness and waste which we call urban sprawl. At times we find we have built new slum areas in our suburbs. Some of our programs are designed to stem this tide by helping city governments to plan their growth. But we must continue to depend upon the private developer and lender for most of our construction. And they sometimes lack the economic resources to ensure high standards of development. *I therefore recommend a program of federally insured private loans, backed by Federal Mortgage purchases where necessary, to finance the acquisition and development of land for entire new communities and planned subdivisions.*

This program should enable us to help build better suburbs. And it will also make it easier to finance the construction of brand new communities on the rim of the city. Often such communities can help break the pattern of central city ghettos by providing low and moderate income housing in suburban areas.

This program will be complemented with a program of federal financial assistance to state land development agencies. Under this program public bodies would acquire land, install basic facilities, and then re-sell the improved land to private builders for the construction of suburbs or new communities.

All of these programs would be dependent upon the existence of area-wide planning for growth to which the aided developments must conform. They are designed to stimulate the farsighted planning for future growth which is necessary if we are to prevent sprawl and new slums, and to create standards which will guarantee a decent environment for our future city dwellers whatever their race or income. In addition, these programs should enable us to build better suburbs, since it will be possible to acquire land and improve it before the imminent approach of the city has sent costs skyrocketing upward.

RESOURCES FOR PLANNING

To plan for the growth and development of an entire metropolitan area takes a wide range of skills and a large number of trained people. These vital human resources are in short supply. They are beyond the command of many of our cities. To help meet this need *I propose to establish an Institute of Urban Development as part of the new department.*

This Institute will help support training of local officials in a wide range of administrative and program skills. It will administer grants to states and cities for studies and the other basic work which are the foundation of long-term programs. And it will support research aimed especially at reducing the costs of building and home construction through the development of new technology.

TEMPORARY NATIONAL COMMISSION

Good planning for our metropolitan areas will take not only determination, the spirit of cooperation and added resources. It will also take knowledge, more knowledge than we have now. *We need to study the structure of building codes across the country*: their impact on housing costs, how building codes can be simplified and made more uniform, and how housing codes might be more effectively enforced to help eliminate slums.

Zoning regulations also affect both the cost and pattern of development. We must better learn how zoning can be made consistent with sound urban development.

Few factors have greater impact on cost, on land speculation and on the ability of private enterprise to respond to the public interest, than *local and federal tax policies.* These too must be examined to determine how they can best serve the public interest.

Finally, *we must begin to develop better and more realistic standards for suburban development.* Even where local authorities wish to prevent sprawl and blight, to preserve natural beauty and ensure decent, durable housing they find it difficult to know what standards should be expected of private builders. We must examine what kind of standards are both economically feasible and will provide livable suburbs.

To examine all these problems *I recommend the establishment of a Temporary National Commission on Codes, Zoning, Taxation and Development Standards.* I predict that the body masked by such an unwieldy name may emerge with ideas and instruments for a revoluntionary improvement in the quality of the American city.

This entire range of programs is designed to help us begin to think and act across historic boundaries to enrich the life of the people of our metropolitan areas. We do not believe such planning is a cure-all or a panacea. It can sometimes be a slender reed. It must be flexible and open to change. And we cannot wait for completed plans before trying to meet urgent needs in many areas. But it will teach us to think on a scale as large as the problem itself, and act to prepare for the future as well as to repair the past.

I hope that, as time goes by, more and more of our federal programs can be brought into harmony with metropolitan area programs. For in this approach lies one of our brightest hopes for the effective use of local as well as federal resources in improving the American City.

THE PHYSICAL ENVIRONMENT

We owe the quality of American housing to the initiative and vitality of our private housing industry. It has provided the homes which have made most of our citizens the best housed people in the world. Our federal housing programs are designed to work in support of private effort, and to meet the critical needs which can only be met through government action.

After World War II we worked to revitalize the housing market and provide homes for a growing number of our people. This effort has been successful far beyond our initial hopes. However, the problem now has a different shape. It is not enough simply to build more and more units of housing. We must build neighborhoods and communities. This means combining construction with social services and community facilities. It means to build so that people can live in attractive surroundings sharing a strong sense of community.

To meet new objectives we must work to re-direct, modernize and streamline our housing programs. I will ask the Congress to begin the process this year, while continuing those programs which are providing necessary assistance.

We hope to achieve a large increase of homes for low and moderate income families—those in greatest need of assistance—through an array of old and new instruments designed to work together toward a single goal.

To insist on stricter enforcement of housing codes by communities receiving federal aid, thus mounting an intensified attack on slums.

But such insistence is not realistic, and often not desirable, unless we can provide realistic alternatives to slum housing. We will do this by: *providing rent supplements for families across a wide range of lower and moderate income brackets so they can afford decent housing; providing rent supplement assistance to those forced out of their homes by code enforcement and all forms of federally assisted government action, from highways to urban renewal; using both urban renewal funds and public housing funds to rehabilitate existing housing and make it available to low and moderate income families.* There is no reason to tear down and rebuild if existing housing can be improved and made desirable; *emphasizing residential construction and rehabilitation on a neighborhood-wide scale in the urban renewal program.*

These instruments, combined with existing public housing and direct loan programs, will greatly strengthen our existing effort. *They should offer direct assistance to the housing of one million families over the next four years.* Moreover they will immensely add to our flexibility in the process of building neighborhoods.

RENT SUPPLEMENTS

The most crucial new instrument in our effort to improve the American city is the rent supplement.

Up to now government programs for low and moderate income families have concentrated on either direct financing of construction; or on making below-the-market-rate loans to private builders. *We now propose to add to these programs through direct payment of a portion of the rent of needy individuals and families.*

The homes themselves will be built by private builders, with Federal Housing Administration insurance, and, where necessary, mortgage purchases by the Federal National Mortgage Association. The major federal assistance will be the rent supplement payment for each eligible family.

This approach has immense potential advantages over low-interest loan programs:

First, its flexibility will allow us to help people across a much broader range of income than has hitherto been possible. And it will therefore make it possible significantly to increase the supply of housing available to those of moderate income.

Second, the payment can be keyed to the income of the family. Those with lower incomes will receive a greater supplement. Under present direct loan programs the amount of the subsidy is the same for all who live in a federally assisted development regardless of individual need.

Third, the amount of assistance can be reduced as family income rises. It can be ended completely when income reaches an adequate level. Thus we will not end up, as is sometimes the case, helping those who no longer need help.

Fourth, it will be unnecessary to evict from their homes those whose income has risen above the point of need. This will eliminate what is often a great personal hardship.

Fifth, since the supplement is flexible it will permit us to encourage housing in which families of different incomes, and in different age groups, can live together. It will make it unnecessary for the government to assist and even require the segregation by income level which detracts from the variety and quality of urban life.

In the long run this may prove the most effective instrument of our new housing policy. In order to give it a fair chance we are limiting it to carefully designed categories of need: *in a program of rental and cooperative housing for those low and moderate income families displaced by government action or now living in substandard housing.* The subsidy will help them pay rent or meet payments on a federally insured mortgage; *in a program of home ownership* for those displaced or living in substandard housing who display a capacity for increasing income and eventually owning their own home; *in a program to provide a broader range of housing for the elderly with inadequate incomes.* The existing direct loan program for the elderly will continue at its existing level with the funds already provided by the Congress. I intend to ensure a steadily increasing supply of federally assisted housing for older Americans.

On this basis our rent supplement program should finance more than 500,000 homes over the next four years, while improving our ability to make these homes serve the social needs of those who live in them. If it works as well as we expect, it should be possible to phase out most of our existing programs of low-interest loans.

REHABILITATION

We have concentrated almost all our past effort on building new units, when it is often possible to improve, rebuild and rehabilitate existing homes with less cost and less human dislocation. Even some areas now classed as slums can be made decent places to live with intensive rehabilitation. In this way it may often be possible to meet our housing objectives without tearing people away from their familiar neighborhoods and friends. Sometimes the same objective can be achieved by helping local authorities to lease standard homes for low rent families.

I recommend a change in the public housing formula so that we can more readily use public housing funds to acquire and rehabilitate existing dwellings—and to permit local authorities to lease standard housing for low-rent families. This will assist particularly in providing housing for large families.

I recommend the use of urban renewal funds to permit low-income homeowners to repair their homes and non-profit sponsors to rehabilitate and operate homes for low-income families at rents they can afford.

I have recommended the appropriation of *funds for low-interest rehabilitation loans under urban renewal, designed to help rescue our existing housing from blight and decay.*

EXISTING PROGRAMS

I ask Congress to continue, on a modified basis, the existing housing programs which have proven their ability to meet important needs. But I also wish to state my intention to reduce or eliminate these programs whenever new and more flexible instruments have shown they can do a better job.

The public housing program should be continued with an authorization ample enough to permit an increase in the number of new units as well as to conduct a program of rehabilitation.

I ask the continuation, at the rate of 40,000 additional units for fiscal 1966, of the program below market interest rate mortgage purchases for housing for moderate income families. At the same time we must recognize that the benefits of this program are decreasing as the rising costs of federal borrowing narrow the difference between the interest we ask and that demanded in the private market.

I urge continued support for our college housing program which is struggling to keep up with the needs of a rising volume of students.

I ask that our urban renewal program be increased to a level of 750 million dollars a year by 1968. This program has done much to help our cities. But we have also learned, through hard experience, that there is more to eliminating slums and building neighborborhoods than knocking down old buildings and putting up new ones.

Through using funds for rebuilding existing housing and by providing more and better assistance to families forced out by urban renewal, we can make this program better serve the people it is meant to help. We will continue to use urban renewal to help revitalize the business and industrial districts which are the economic base of the central city. *But this program should be more and more concentrated on the development of residential areas* so that all our tools—from the poverty program, to education and construction—can be used together to create meaningful and liveable communities within the city.

To accomplish this purpose cities must develop long-range programs which take into account human as well as construction needs. *Therefore I recommend that every city of 50,000 or larger develop a Community Renewal Program as a condition of federal help for urban renewal.* These programs will provide an orderly schedule and pattern for development of areas of blight and decay—combining social and educational services with the planning of physical construction.

NEIGHBORHOOD FACILITIES

A community must offer added dimensions to the possibilities of daily life. It must meet the individual's most pressing needs and provide places for recreation and for meeting with neighbors. *I therefore recommend a new program of matching grants to help local governments build multipurpose neighborhood centers for health and recreation and community activity.* Related to our housing programs these centers can help urban renewal and public housing meet the goal of creating a meaningful community.

At the same time these centers must not be isolated expressions of interest. They should be part of an overall program for improving the life of people in disadvantaged areas. Therefore, I am recommending that in cities participating in the War Against Poverty these grants be made only when they are consistent with an approved community action program.

BEAUTIFYING THE CITY

In my message on natural beauty I pointed out that much of the effort of the new conservation would be directed toward the city. *I recommend changes in the open space program, broadening its authority to help local governments acquire and clear areas to create small parks and squares, malls and playgrounds. In addition I recommend special grants to cities for landscaping, the planting of trees, the improvement of city parks and other measures to bring beauty and nature to the city dweller.*

But beauty is not simply a matter of trees and parks. The attractiveness of our cities depends upon the design and architecture of buildings and blocks and entire urban neighborhoods. I intend to take further steps to ensure that federal construction does not contribute to drab and ugly architecture. But in this field, as in so many others, most of our hopes rest on the concern and work of local governments and private citizens.

CONCLUSION

This message can only deal with a fragment of the effort increasingly directed toward improving the quality of life in the American city. The creation of jobs, the war against poverty, support for education and health, programs for natural beauty and anti-pollution are all part of an effort to build the great cities which are at the foundation of our hopes for a Great Society.

Nor can we forget that most of our programs are designed to help all the people, in every part of the country. We do not intend to forget or neglect those who live on the farms, in villages, and in small towns. Coordinated with the Department of Agriculture, the programs I have outlined above can do much to meet rural America's need for housing and the development of better communities.

Many of these programs are intended to help the poor and those stripped of opportunity. But our goal is more ambitious than that. It is nothing less than to improve the quality of life for every American. In this quest the future of the American city will play the most vital role. There are a few whose affluence enables them to move through the city guarded and masked from the realities of the life around them. But they are few indeed. For the rest of us the quality and condition of our lives is inexorably fixed by the nature of the community in which we live. Slums and ugliness, crime and congestion, growth and decay inevitably touch the life of all. Those who would like to enjoy the lovely parks of some of our great cities soon realize that neither wealth nor position fully protects them against the failures of society. Even among strangers, we are neighbors.

We are still only groping toward solution. The next decade should be a time of experimentation. Our cities will not settle into a drab uniformity directed from a single center. Each will choose its own course of development—whether it is to unite communities or build entirely new metropolitan areas. We will seek new ways to structure our suburbs and our transportation; new techniques for introducing beauty and improving homes. This is an effort which must command the most talented and trained of our people, and call upon administrators and officials to act with generosity of vision and spaciousness of imagination.

I believe today's proposals are an important start along that road. They should help us to look upon the city as it really is: a vast and myriad complex of homes and communities, people and their needs, hopes and frustrations. It can liberate the expectations of men, or it can crush them in body and spirit.

For underneath all the rest, at the very bottom of all we do, is the effort to protect, under the conditions of the modern world, values as old as this nation and the civilization from which it comes. We work in our cities to satisfy our needs for shelter and work and the ability to command a satisfying way of life. We wish to create a city where men and women can feed the hunger of the spirit for beauty and have access to the best of man's work; where education and the richness of diversity expands our horizons and extends our expectations. But we also look for something more.

The American city should be a collection of communities where every member has a right to belong. It should be a place where every man feels safe on his streets and in the house of his friends. It should be a place where each individual's dignity and self-respect is strengthened by the respect and affection of his neighbors. It should be a place where each of us can find the satisfaction and warmth which comes only from being a member of the community of man. This is what man sought at the dawn of civilization. It is what we seek today.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 2, 1965.*

LETTER FROM THE PRESIDENT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, MARCH 4, 1965

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.
Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. PRESIDENT (DEAR MR. SPEAKER): I am pleased to transmit to Congress proposed legislation for high-speed ground transportation research and development. This legislation will help us to bring scientific and technical talent to bear on an increasingly important area of transportation not previously subject to intensive, continuing inquiry.

The life of every citizen is influenced by transportation service. This vast economic activity not only absorbs one out of every five GNP dollars; it shapes the environment in which we live and work. Advances in our transportation system must constantly be made if we are to continue to enjoy growth and prosperity—and if America is to be a liveable Nation.

The last three decades have produced great technological achievements in air and highway tronsportation. Commercial planes today fly three times as fast as they did in the 1930's. Automobiles speed along modern highways at greatly reduced travel time. The progress of our rail transportation system, unfortunately, has not matched these strides.

I believe the power of science and technology, demonstrated so well in the evolution of air and highway travel, can be utilized in the solution of other transportation problems, especially rail transportation.

Striking advances in the intercity ground transportation—advances in speed, reliability, comfort, and convenience—are needed *and* possible. In the last 50 years, intercity freight tonnage has risen four times, and passenger travel has increased 25-fold. In 1960 Americans travelled over 600 billion passenger miles, exculsive of local movement. That figure will more than double by 1980.

We face an imminent need for improved intercity transportation in the densely-populated area along the East Coast—between Washington and Boston—where travel is expected to increase by 150% to 200% between 1960 and 1980. Freight shipments during the same period may nearly double. Other such "corridors" can be identified throughout the Nation. Advances in the transportation of goods and people safely, reliably and economically in one densely populated area will be directly applicable to other regions.

It is clear that we should explore the feasibility of an improved ground transportation system for such heavily travelled corridors. The program outlined by the Secretary of Commerce calls for research on materials. aerodynamics, vehicle power and control, and guideways. Information requirements for regional studies and evaluations are to be defined and the necessary data collected. We must learn about travel needs and preferences, in part through the use of large-scale demonstration projects. New methods of analyzing the problem will be developed to give adequate consideration to the large number of regional and local characteristics which influence the performance, acceptability, and cost of all kinds of systems.

The task is large and complex. Evolutionary improvement in the existing railroad system must be compared to much more radical and longer term developments. Systems proposed must be compatible with urban transportation plans. The research and development activity will require the services of many outstanding scientists, engineers, administrators and business executives. But I know that we will find the skills in industry, in the universities, and in government—both national and local—to do the job. The consequences of beginning now will be vital, for experience has demonstrated to us that dollars spent in sound research and development produce benefits many times over.

Sincerely,

LYNDON B. JOHNSON.

A bill to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is authorized to undertake research and development in high-speed ground transportation for the purpose of improving the national transportation system. In exercising this authority, the Secretary may lease, purchase, develop, test, and demonstrate new facilities, equipment, techniques and methods, and conduct such other activities as may be necessary to accomplish the purposes of this Act.

SEC. 2. The Secretary is authorized to collect transportation data, statistics, and other information which he determines will contribute to the improvement of the national transportation system.

SEC. 3. In carrying out the purposes of this Act, the Secretary is authorized to enter into agreements and to contract with public or private agencies, institutions, organizations, and individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5). The Secretary is further authorized to appoint, subject to the civil service laws and regulations, such personnel as may be necessary to enable him to carry out his functions and responsibilities under this Act. The Secretary is further authorized to procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed $100 per diem, unless otherwise specified in an appropriation act.

SEC. 4. In carrying out the purposes of this Act, the Secretary shall consult and cooperate with the Administrator of the Housing and Home Finance Agency and such other departments and agencies as he deems appropriate.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act. Such appropriations when so specified in appropriation acts shall remain available until expended.

Statement of Purpose and Need for Legislation To Authorize the Secretary of Commerce To Undertake Research and Development in High-Speed Ground Transportation and for Other Purposes

The purpose of the proposed legislation is to authorize the Secretary of Commerce to carry out activities relating to the development of high-speed ground transportation, thereby contributing to the improvement of the national transportation system.

Efficient surface transportation has always been a vital force in promoting the economic growth of our Nation. The President has emphasized that we must improve ways of transporting people and goods safely, reliably, and economically over relatively short distances in densely populated areas.

The Northeast Corridor and other densely populated areas face critical inter-city transportation problems which require the application of advanced technology to ground transportation systems. The proposed legislation would authorize research and development activities which could be expected to result in the development of more efficient and economical inter-city transportation systems. It should be emphasized that the proposed legislation is not limited to a consideration of the transportation needs of the Northeast Corridor, nor should it be regarded as being for the sole benefit of one particular region of the Nation. On the contrary, the activities to be conducted would be beneficial for the Nation as a whole, and would assist during the coming years in the solution of the transportation problems of densely populated regions in the Nation.

The proposed legislation is not designed to benefit or to concentrate solely on one particular type of transportation. Wholly new kinds of vehicles, guideways and operational and control systems may evolve from concentrated technological research in high-speed ground transportation. Such results can be foreseen within the scope of present and foreseeable technology. A new high-speed ground transportation system would differ radically from passenger trains and railways as we know them today.

The research and development activity which would be carried out under the proposed legislation would be accomplished in cooperation with all relevant elements of our present transportation system, whether privately or publicly owned and operated.

Initial demonstration projects utilizing present railroad technology would be conducted with Federal participation. Such projects would involve relatively low cost improvements in present rail service, for the purpose of measuring market response to higher rail speeds, variation in fares, greater travel comfort and convenience, and more frequent service.

In order to determine the demand for transportation and to evaluate the relative economic efficiency of different systems, section 2 of the proposed legislation would authorize the collection of transportation data and statistics. This data is essential in arriving at sound policy decisions in the future regarding high-speed ground transportation as well as other decisions on the improvement of the national transportation system. Present statistical programs do not fully meet these needs. For example, origin and destination data on travel and more complete and accurate information on travel patterns during periods of peak use are needed. Also needed are standard statistical definitions and location codes.

It is anticipated that work performed during the next three years will be sufficient to permit decisions to be made concerning future activities in high-speed ground transportation. Clearly there will continue to be need for carrying on fundamental research and development in ground transportation systems as well as to continue collection of adequate transportation statistics. There may also be a basis for pioneering development of new ground transportation systems in the Northeast Corridor and in other areas of the Nation.

Remarks of the President to the Delegation Representing the American Institute of Architects and the Pan American Congress of Architects, in the Cabinet Room, June 15, 1965

Mr. Chairman, ladies and gentlemen: I am grateful to you for this certificate honoring our efforts to foster a greater attention to natural beauty in this spacious and beautiful country of ours.

Your profession is one which I personally greatly admire. I believe in the fullest sense no society can fulfill its greatness until its ideals and aspirations are expressed eloquently and effectively in its architecture.

Here in this country, moving as we are into an age of much greater urbanization, it is more important than ever that attention be given to the quality and character of our architecture.

I am delighted to see that you have our neighbors in this hemisphere join with you here this morning. I am glad not only to welcome them but I know from them we have learned much and will learn more.

Our cities in America can be great centers of inspiration for the finest quality of the human soul if, but only if, that aspiration is captured and reflected through the architecture of these cities.

So it is my hope and my intention that the efforts of the Federal Government of the United States be devoted to encouraging and contributing to these high standards. Cities are for people—for all of our people. We know they can be formalist and oppressing and degrading to the human spirit, or they can be beautiful, as well as livable, pleasant as well as practicable.

We do not want and we do not accept the idea of a standard governmental architecture. This must never be. But we do look to the individual creativity of the members of your profession to provide the leadership that will express the aspirations of our society and exalt the full dimensions of the human spirit.

While you are here, I thought that it might be interesting to you and certainly to some of our friends from the hemisphere, to show to you and for the first time announce publicly the acceptance of the design for a major new building that the Federal Government is doing here in the District of Columbia. We are going to begin a significant development of necessary Federal buildings in the 10th Street and Independence Avenue section of the District of Columbia.

The central building in this undertaking is this structure shown here. This building will house a number of units of our defense establishment and bring them together. They are not now located in the Pentagon, they are scattered around the area—approximately 6,000 Army and Air Force personnel will be employed here. This structure will be one of our very finest buildings in the Federal complex and I want it to have one of the finest names that I know, so I am therefore, in the presence of all of you here this morning, designating this building to be known as the Forrestal Building, honoring this nation's first Secretary of Defense, a man in whose office I worked as a young man, my good friend, the Honorable James Forrestal.

I have conferred with Mr. Knott, the General Services Administrator, I know most of you men are acquainted with, and we are going to try to do our very best to get the best designs, to have outstanding committees from the architectural profession help us in connection with the selection of architects, in connection with the design of public buildings in the hope that we can add much economy, convenience and beauty to the construction of all Federal buildings throughout this land.

Thank you very much.

Statement by the President, June 30, 1965

The House of Representatives today took an historic step toward assuring every American a decent place to live.

The passage of the Housing Bill—with its pathbreaking provision for rent supplements—gives us new and expanded weapons for meeting the housing needs of all our people.

The rent supplements will provide new

homes for hundreds of thousands of our people now condemned to slums and substandard homes.

It will give private industry an opportunity and an incentive to build for our future needs and to overcome our present failures.

It will help toward eliminating the arbitrary and unhealthy division of families and communities by income and age—an inevitable consequence of many present programs.

With the new tools of this bill, and with others yet to come, we can move toward the construction of communities and neighborhoods rather than housing units and isolated projects. For the city we aspire to is not just a collection of homes, but a community in which men and their families can live the good life.

Remarks of the President at the Signing Ceremony of the Housing Bill, in the Rose Garden, August 10, 1965

Mr. Vice President, distinguished Speaker McCormack, Senator Mansfield, Senator Sparkman, Congressman Patman, distinguished members of the Congress, distinguished governors, mayors, and friends:

This is a very proud and gratifying occasion. I am very proud to welcome you today to the first house of the land—the house that belongs to all of the American people. I am gratified—as you are—that we could come together to sign into law a measure which will take us many longer strides nearer the goal that has been the dream and the vision of every generation of Americans. That is the goal of honoring what a very great President, Franklin D. Roosevelt, twenty-one years ago expressed as the right—"the right of every family to a decent home."

From Plymouth Rock to Puget Sound—the first priority of the men and women who settled this vast and this blessed continent was, first of all, to put a roof over the heads of their family. And that priority has never—and can never—change.

I am so happy this morning to see the great and distinguished Mayor of New York here because it was his father who pioneered the housing legislation in this country. And here on the platform with me is one of those who joined with him—the very able and distinguished Senator from Louisiana. It took a lot of courage for him to stand on some of those bills. He got in with Bob Wagner and Bob Taft and he got in the middle between them, and it did take courage to stand there.

Many elements mattered to the success and the stability of our great American society. Education matters a great deal. Health matters. Jobs matter. Equality of opportunity and individual dignity matters very much.

But legislation and labors in all of these fields can never succeed unless and until every family has the shelter and the security, the integrity and the independence, and the dignity and the decency of a proper home.

For me, this is not a belief that comes recently. It is a conviction, and it is a passion, to which I was born 57 years ago this month in an humble home on the banks of a small river in Central Texas.

Men may forget many memories of their childhood. But many of you know—as I know—that no man and no woman ever grows too old or too successful to forget the memory of a childhood home that was without lights, and that was without water, and that was without covering on the floor, and I have never forgotten.

The first great reward of my public service was to secure for my little congressional district, as a young congressman, the nation's first public housing project that President Roosevelt signed in the 1930's. And Bob's father was there at that allocation. What I sought then for the people of one city—Austin, Texas—I am determined as President that we shall seek and we shall obtain for all the people of all the nation.

We have the resources in this country. We have the ingenuity. We have the courage—and we have the compassion. And we must, in this decade, bring all of these strengths to bear effectively so that we can lift off the conscience of our affluent nation the shame of slums and squalor and the blight of deterioration and decay.

We must make sure that every family in America lives in a home of dignity and a neighborhood of pride and a community of opportunity and a city of promise and hope.

This legislation represents the single most important breakthrough in the last 40 years.

Only the Housing Act of 1949 approaches the significance of this measure. And in years to come, I believe this Act will become known as the single most valuable housing legislation in our history.

The Housing and Urban Development Act of 1965 retains, and expands, and improves the best of the tested programs of the past.

It extends and gives new thrust to the FHA Mortgage Insurance Program so that millions of Americans can come toward attainment of new homes in the future—as millions already have under that program in the past.

It opens the way for a more orderly and cohesive development of our suburbs; and it opens the door to thousands of our veterans who have been unable to obtain the benefits of a Federal housing program.

It extends and enlarges and improves the Urban Renewal Program so that we can more effectively challenge and defeat the enemy of decay that exists in our cities.

It faces the changing challenge of rural housing. It continues the loan programs to assure the needed dormitories on our college campuses, and decent housing at decent costs for the elderly and the handicapped, and those of lower income.

But the importance of the Bill is not only that it retains and improves the best of good and traditional programs, it is a landmark Bill because of its new ideas.

Foremost and uppermost of these is the program of assistance for the construction and the rehabilitation of housing for the elderly and for families of low-income—the people who live in the most wretched conditions in our slums and our blighted neighborhoods.

The conception of this fine program—endorsed by this fine Congress—calls for the best in cooperation between Government and free enterprise. I am so happy to see so many members of the building industry and the trade unions and our free enterprise system—that made us the strongest nation in all the world—here to honor us with their presence this morning.

This imperative housing will be built under sponsorship of the private organizations. It will make use of private money, and it will be managed by private groups. With supplements paid by their Government, the private builders will be able to move into the low-income housing field which they have not been able to penetrate or to serve effectively in the past.

Furthermore, this legislation responds to the urgent needs of our cities. It offers Federal assistance to the cities and communities of our nation to help pay the cost of essential public works.

And finally, this legislation meets our compelling responsibility for giving attention to the environment in which Americans live. Grants are provided for the acquisition of open spaces, for the development of parks, for the construction of recreational facilities, and for the beautification of urban areas.

This measure votes "No" on America the Ugly—and it votes "Yes" on preserving, for our posterity, America the Beautiful.

The promise and the portents of this legislation cannot be justly described in the limited time we have this morning. But there is embodied in this legislation that generosity of vision, that breadth of approach, that magnitude of effort, with which we must meet all of our challenges here in America.

So, I am very proud to congratulate and to salute those outstanding members of Congress whose influence and whose leadership have helped to achieve this landmark today. There is Senator John Sparkman—the son of a tenant farmer, and still the tenant farmers' friend, as this Bill reflects—who has done perhaps as much or more in America than any living legislator.

There are others whose study and understanding of housing has helped us much. I would like to name all of them but that would take too long. But I must not overlook Senator Paul Douglas of Illinois who is here; Senator Edward Muskie from Maine; Senator George Aiken of Vermont. On the House side there was the great leader of my delegation in the Congress, my long-time friend and the cherished friend of my father ahead of me, Congressman Wright Patman. He has always been a champion and always been faithful to the people. There is Congressman Barrett, whose services have meant so much. There is Congressman Widnall, who has worked for years with Congressman Patman and Barrett to try to give this nation good bills.

I would like to express my appreciation to the governors and the mayors, especially the great Mayor of New York, Bob Wagner; the great Mayor of Chicago, Dick Daley; and all of the others who have been of so much help to me.

And I just cannot overlook being grateful to the constructive role of the nation's home builders, under the leadership of that patriot, Bernie Wooten.

And last, but certainly not last—he has been for months the leader of us all in this field—the modest, retiring, and able administrator—Bob Weaver, who finds not much satisfaction in the compliments paid him, not even in the recognition accorded him by his superiors, but who finds ample satisfaction in the achievements that come his way. And this Bill is a monument to him.

Now, this is not the last housing bill that we shall need and it is not going to be the last that we shall pass.

For I pledge to you that we shall do all that must be done to fulfill our commitment. And the Vice President and I have made it in every State of this Union, and he is going to stand by my shoulder here and throughout the states of the Union to see that we do our best to try to get every American in every family living his life not with the haunted memory of a dilapidated and degraded hovel that he must call home—but with a happy memory of a decent and a dignified home worthy of a free and just society, where a man can enjoy the privacy of his family and can help to build a stronger America, a more profitable and peaceful America, and, finally, something we all want—a more beautiful America.

Thank you very much.

Remarks of the President at the Signing Ceremony Creating a New Cabinet Department of Housing and Urban Affairs (In the Rose Garden)

Good morning. Mr. Vice President, members of the Congress, most distinguished Mayors, ladies and gentlemen:

This is a very rare and very proud occasion. We are bringing into being today a very new and needed instrument to serve all the people of America.

This legislation establishes the eleventh Department of our Federal Government—the Department of Housing and Urban Development.

When our nation was born, the only Departments of Government were State and Treasury and War. Our country and our Government have grown greatly since that time. But we have been sparing in creating new and additional Departments except when the need has been clear and compelling and continuing. This is clearly the case for this, the newest Department.

The America of our founding fathers was, of course, a rural America. The virtues and values of our rural heritage have shaped and strengthened the American character for all of our 189 years. Our debt to this heritage is deep and abiding, and we shall honor it always.

When Thomas Jefferson spoke of rural virtues, cities were insignificant on the countryside of this continent. Only five percent of our people lived then in cities and villages. America was the land of the farmer, the woodsman, the hunter, and mountaineer. Even a century ago when Abraham Lincoln asked the Congress to create a Department of Agriculture, fewer than twenty percent of our people lived in the cities.

Now that day is gone. It never will return.

In less than a lifetime—in less than my own 57 years—America has become a highly urbanized nation, and we must face the many meanings of this new America.

Social change in our country is often faster than the mind of a generation can comprehend. But the pace of our urbanization has been stunning. It will move still faster in the immediate years ahead.

Between now and the end of this century, our urban population will double. City land will double.

In the next 35 years, we must literally build a second America—putting in place as many houses, schools, apartments, parks and offices as we have built through all the time since the Pilgrims arrived on these shores.

The physical challenge is awesome. But there is a challenge to the spirit that is even greater and more demanding.

It is not enough for us to erect towers of stone and glass, or to lay out vast suburbs of order and conformity. We must seek, and we must find the ways to preserve and to perpetuate in the city the individuality, the human dignity, the respect for individual rights, the devotion for individual responsibility that has been part of the American character and the strength of the American system.

Our cities and our new urban age must not be symbols of a sordid society. The history of every civilization teaches us that those who do not find new means to respond to new challenges will perish or decay.

Unless we seize the opportunities available now, the fears some have of a nightmare society could materialize.

Unless we match our imagination and our courage to our affluence, we could fail both our past and our posterity.

So the enactment of this legislation and so many other measures of this Congress represents the unified determination of this generation to preserve the best of the past by preparing to make the future better still.

With this legislation, we are—as we must always—going out to meet tomorrow and master its opportunities before its obstacles master us.

In the days of our population's westward movement, we created the Department of Interior. The rise of great industry brought the response of the Department of Commerce and Department of Labor. The growth of our world responsibilities made it necessary to unify our security forces in a Department of Defense. President Eisenhower saw that the magnitude of our health and education and welfare programs required a new department devoted to their fulfillment.

So today we are taking the first step toward organizing our system for a more rational response to the pressing challenge of urban life. This is a historic action and this is a historic occasion. All who have been a part of it can forever be proud of it.

I am grateful, particularly to those members of the Congress whose energies and efforts have made this ceremony possible today: the distinguished Vice President, Senator Ribicoff, Senator Muskie, Senator Clark; the dedicated Chairman of the House Committee, Congressman Bill Dawson; his colleagues, Congressman Fascell and Congressman Reuss, and a dozen more Congressmen and Senators I do not have time to mention. They all, the Congress, all of them, had a vital bipartisan support from a host of their fellow Members.

This is a wise and this is a just and this is a progressive measure for all America, and I am honored to sign it this morning.

Thank you.

To the Congress of the United States:

The Housing Act of 1954 directs that I transmit to Congress the Annual Report of the Housing and Home Finance Agency, covering activities for calendar year 1964.

This report confirms the wisdom of fifteen Congresses and five Administrations going back to 1934. The great Franklin D. Roosevelt first pleaded with the Congress to approve housing measures for the good of all Americans.

Consider what has been done for America by the United States government's housing programs:

$100 billion of FHA mortgage insurance loans has been written, covering more than 7 million homes and more than one million rental units.

700,000 public housing units have been constructed since the start of that program in 1937. Two million people are living in those units in more than 2,000 communities.

More than 600,000 college students are living in dormitories made possible by government loans.

$4.3 billion has been made available for urban renewal.

4,500 communities—mostly small towns—have received urban planning assistance.

$300 million of government credit has gone into small town water and sewer facilities.

These programs were not easily begun. Cries of "socialism" and "waste" surrounded them at their birth. False propaganda and misrepresentation were used to discredit those who were to administer them. Cynicism and self-interest preyed on fear of the new and the imaginative.

But without these programs we would never have been able to push back the frontiers of blight, disease and ugliness that thirty years ago afflicted one-third of a nation. Without them the task of building a clean and safe America would have been impossible.

Today our people accept these programs. Private enterprise and public well-being depend on them. We know now that these programs—and new approaches demanded by logic and vision—are needed to meet the challenges that confront us as hour by hour we become a more urban nation.

In 1965 I requested authority for a new means of housing low-income families. We proposed to encourage private organizations to build thousands of new apartments and houses for poor people who could not afford safe or decent housing. We proposed to help these private builders provide housing for the elderly, the poor, and the handicapped, so that they might live with safety and dignity.

Congress accepted this proposal.

Yet when the time came to provide the funds for this program, the old voices of doubt and misunderstanding were raised once more. Allegations were made that had no basis in fact. Insinuations were raised that obscured the basic purposes of the act.

For the time being, those voices have prevailed. No program funds were granted.

The national interest demands that the matter not stop there. Thousands of American families need this housing now—today. Thousands of poor children who should grow up in a world of safety and decency and promise are being treated with indifference by an affluent nation.

Next January I shall once more ask for the initial $30 million necessary to make bricks and mortar out of a promise. I am confident that the Congress will cut through the propaganda of fear and mistrust to provide shelter for the families who need it now—today. We who have raised up hopes have a duty to bring them to tangible reality.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 22, 1965.*

To the Congress of the United States:

Nineteen-sixty-six can be the year of rebirth for American cities.

This Congress, and this people, can set in motion forces of change in great urban areas that will make them the masterpieces of our civilization.

Fifty years from now our population will reach that of today's India. Our grandchildren will inhabit a world as different from ours, as ours is from the world of Jefferson.

None can predict the shape of their life with any certainty. Yet one thing is sure. It will be lived in cities. By the year 2,000, four out of five Americans will live and work in a metropolitan area.

We are not strangers to an urban world.

We began our national life gathered in towns along the Atlantic seaboard. We built new commercial centers around the Great Lakes and in the Midwest, to serve our Westward expansion.

Forty millions came from Europe to fuel our economy and enrich our community life. This century has seen the steady and rapid migration of farm families—seeking jobs and the promise of the city.

From this rich experience we have learned much.

We know that cities can stimulate the best in man, and aggravate the worst.

We know the convenience of city life, and its paralysis.

We know its promise, and its dark foreboding.

What we may only dimly perceive is the gravity of the choice before us.

Shall we make our cities livable for ourselves and our posterity? Or shall we by timidity and neglect damn them to fester and decay?

If we permit our cities to grow without rational design—

If we stand passively by, while the center of each city becomes a hive of deprivation, crime, and hopelessness—

If we devour the countryside as though it were limitless, while our ruins—millions of tenement apartments and dilapidated houses—go unredeemed—

If we become two people—the suburban affluent and the urban poor, each filled with mistrust and fear one for the other—

If this is our desire and policy as a people, then we shall effectively cripple each generation to come.

We shall as well condemn our own generation to a bitter paradox: an educated, wealthy, progressive people, who would not give their thoughts, their resources, or their wills to provide for their common well-being.

I do not believe such a fate is either necessary or inevitable. But I believe this will come to pass—unless we commit ourselves now to the planning, the building, the teaching and the caring that alone can forestall it.

That is why I am recommending today a massive Demonstration Cities Program. I recommend that both the public and private sectors of our economy join to build in our cities and towns an environment for man equal to the dignity of his aspirations.

I recommend an effort larger in scope, more comprehensive, more concentrated—than any that has gone before.

THE WORK OF THE PAST

I know the work of the past three decades. I have shared in the forging of our Federal housing and renewal programs. I know what they have done for millions of urban Americans:

Eight million single family dwellings assisted by the Federal Housing Administration.

An additional 6.7 million assisted by the Veterans Administration.

1.1 million multiple units created.

605,000 families moved out of decayed and unsanitary dwellings into decent public housing.

300,000 dwelling units supported under urban renewal.

Without these programs, the goal I recommend today would be impossible to achieve. Because Federal sponsorship is so effective a part of our system of homebuilding, we can conceive a far larger purpose than it has yet fulfilled. We must make use of every established housing program—and of social, educational, and economic instruments as well—if the Demonstration Cities Program is to succeed.

THE PROBLEM TODAY

Our housing programs have built a platform, from which we may see how far away is the re-born city we desire. For there still remains:

Some 4 million urban families living in homes of such disrepair as to violate decent housing standards.

The need to provide over 30% more housing annually than we are currently building.

Our chronic inability to provide sufficient low and moderate income housing, of adequate quality, at a reasonable price.

The special problem of the poor and the Negro, unable to move freely from their ghettos, exploited in the quest for the necessities of life.

Increasing pressures on municipal budgets, with large city per capita expenditures rising 36% in the three years after 1960.

The high human costs: crime, delinquency, welfare loads, disease and health hazards. This is man's fate in those broken neighborhoods where he can "feel the enclosure of the flaking walls and see through the window the blackened reflection of the tenement across the street that blocks the world beyond."

The tragic waste and, indeed, the chaos that threatens where children are born into the stifling air of overcrowded rooms, destined for a poor diet, inadequate schools, streets of fear and sordid temptation, joblessness, and the gray anxiety of the ill-prepared.

And the flight to the suburbs of more fortunate men and women, who might have provided the leadership and the means for reversing this human decline.

THE INADEQUATE RESPONSE

Since 1949, the urban renewal program has been our chief instrument in the struggle for a decent urban environment.

Over 800 cities are participating in urban renewal programs. Undertaken and designed by the cities themselves, these efforts have had an increasing influence on the use of urban land. Last year the Congress wisely extended the authorization for urban renewal, at a higher level than before.

Years of experience with urban renewal have taught us much about its strengths and weaknesses.

Since 1961 we have made major alterations in its administration. We have made it more responsive to human needs. We have more vigorously enforced the requirement of a workable program for the entire community. Within the limits of current law, we have achieved considerable progress toward these goals.

Nevertheless the social and psychological effects of relocating the poor have not always been treated as what they are. They are the unavoidable consequences of slum clearance, demanding as much concern as physical redevelopment.

The size and scale of urban assistance has been too small, and too widely dispersed.

Present programs are often prisoners of archaic and wasteful building practices. They have inhibited the use of modern technology. They have inflated the cost of rebuilding.

The benefits and efficiencies that can come from metropolitan planning are still unrealized in most urban regions.

Insufficient resources cause extensive delays in many projects. The result is growing blight and over-crowding that thwart our best efforts to resist them.

The goals of major federal programs have often lacked cohesiveness. Some work for the revitalization of the central city. Some accelerate suburban growth. Some unite urban communities. Some disrupt them.

URBAN DILEMMAS

Virtually every forward step we have taken has had its severe limitations. Each of those steps has involved a public choice, and created a public dilemma:

Major clearance and reconstruction, with its attendant hardships of relocation.

Relieving traffic congestion, thereby widening the gulf between the affluence of suburbia and the poverty of the city.

Involving urban residents in redeveloping their own areas, hence lengthening the time and increasing the cost of the job.

Preserving the autonomy of local agencies, thus crippling our efforts to attack regional problems on a regional basis.

These dilemmas cannot be completely resolved by any single program, no matter how well designed. The prize—cities of spacious beauty and lively promise, where men are truly free to determine how they will live—is too rich to be lost because the problems are complex.

Let there be debate over means and priorities.

Let there be experiment with a dozen approaches, or a hundred.

But let there be commitment to that goal.

WHAT IS REQUIRED

From the experience of three decades, it is clear to me that American cities require a program that will:

Concentrate our available resources—in planning tools, in housing construction, in job training, in health facilities, in recreation, in welfare programs, in education—to improve the conditions of life in urban areas.

Join together all available talent and skills in a coordinated effort.

Mobilize local leadership and private initiative, so that local citizens will determine the shape of their new city—freed from the constraints that have handicapped their past efforts and inflated their costs.

A DEMONSTRATION CITIES PROGRAM

I propose a Demonstration Cities Program that will offer qualifying cities of all sizes the promise of a new life for their people.

I propose that we make massive additions to the supply of low and moderate-cost housing.

I propose that we combine physical reconstruction and rehabilitation with effective social programs throughout the rebuilding process.

I propose that we achieve new flexibility in administrative procedures.

I propose that we focus all the techniques and talents within our society on the crisis of the American City.

It will not be simple to qualify for such a program. We have neither the means nor the desire to invest public funds in an expensive program whose net effects will be marginal, wasteful, or visible only after protracted delay.

We intend to help only those cities who help themselves.

I propose these guidelines for determining a city's qualifications for the benefits—and achievements—of this program.

1. The demonstration should be of sufficient magnitude both in its physical and social dimensions to arrest blight and decay in entire neighborhoods. It must make a substantial impact within the coming few years on the development of the entire city.

2. The demonstration should bring about a change in the total environment of the area affected. It must provide schools, parks, playgrounds, community centers, and access to all necessary community facilities.

3. The demonstration—from its beginning—should make use of every available social program. The human cost of reconstruction and relocation must be reduced. New opportunities for work and training must be offered.

4. The demonstration should contribute to narrowing the housing gap between the deprived and the rest of the community. Major additions must be made to the supply of sound dwellings. Equal opportunity in the choice of housing must be assured to every race.

5. The demonstration should offer maximum occasions for employing residents of the demonstration area in all phases of the program.

6. The demonstration should foster the development of local and private initiative and widespread citizen participation—especially from the demonstration area—in the planning and execution of the program.

7. The demonstration should take advantage of modern cost-reducing technologies without reducing the quality of the work. Neither the structure of real estate taxation, cumbersome building codes, nor inefficient building practices should deter rehabilitation or inflate project costs.

8. The demonstration should make major improvements in the quality of the environment. There must be a high quality of design in new buildings, and attention to man's need for open spaces and attractive landscaping.

9. The demonstration should make relocation housing avalable at costs commensurate with the incomes of those displaced by the project. Counseling services, moving expenses, and small business loans should be provided, together with assistance in job placement and retraining.

10. The demonstration should be managed in each demonstration city by a single authority with adequate powers to carry out and coordinate all phases of the program. There must be a serious commitment to the project on the part of local, and where appropriate, state authorities. Where required to carry out the plan, agreements should be reached with neighboring communities.

11. The demonstration proposal should offer proof that adequate municipal appropriations and services are available and will be sustained throughout the demonstration period.

12. The demonstration should maintain or establish a residential character in the area.

13. The demonstration should be consistent with existing development plans for the metropolitan areas involved. Transportation plans should coordinate every appropriate mode of city and regional transportation.

14. The demonstration should extend for an initial six-year period. It should maintain a schedule for the expeditious completion of the project.

These guidelines will demand the full cooperation of Government at every level and of private citizens in each area. I believe our Federal system is creative enough to inspire that cooperative effort. I know it must be so creative if it is to prosper and flourish.

SIZE OF THE PROGRAM

The program I recommend is intended to eliminate blight in the entire demonstration area. Through efficient rebuilding it must replace that blight with attractive and economic housing, social services, and community facilities.

There are many ways by which this can be done, once the commitment has been made to do it. Total clearance and reconstruction; partial clearance and rehabilitation; rehabilitation alone—any of these methods may be chosen by local citizens.

Whatever approach is selected, however, must be comprehensive enough to be effective and economic.

There are few cities or towns in America which could not participate in the Demonstration Cities Program. We shall take special care to see that urban communities of all sizes are included. For each such community, the impact of the program will be significant, involving as much as 15 to 20 percent of the existing substandard structures.

For the largest qualifying cities a relatively modest program could provide decent housing for approximately 5,000 families now living in substandard dwelling units. It could rehabilitate other marginal housing sufficient to affect 50,000 people. A typical program could well involve a total of 35,000 units or 100,000 people.

For cities of approximately 100,000 people, 1,000 families could be rehoused, and 3,000 units rehabilitated, affecting a total of 10,000 people.

BENEFITS OF THE PROGRAM

I recommend that participating cities recieve two types of Federal assistance:

First, *the complete array of all available grants and urban aids* in the fields of housing, renewal, transportation, education, welfare, economic opportunity and related programs.

Second, *special grants amounting to 80% of the non-Federal cost of our grant-in-aid programs included in the demonstration.* These grants are to supplement the efforts of local communities. They are not to be substituted for those efforts.

In every qualifying city, a Federal coordinator would be assigned to assist local officials in bringing together all the relevant Federal resources.

Once authorized, the supplemental funds would be made available in a common account. They would be drawn at the discretion of the community to support the program. They would be certified by the Federal coordinator.

It is vital that incentives be granted for cost reductions achieved during the performance of the program.

At least as vital as the dollar commitment for rebuilding and rehabilitation is the social program commitment. We must link our concern for the total welfare of the person, with our desire to improve the physical city in which he lives. For the first time, social and construction agencies would be joined in a massive common effort, responsive to a common local authority.

There is another benefit—not measurable in dollars, or even in the extended range of social services—that qualifying cities would secure by participating in this program.

It is a sense of hope:

—that the city is not beyond reach of redemption by men of good will

—that through wise planning, cooperation, hard work, and the sacrifice of those outmoded codes and practies that make widespread renewal impossibly expensive today, it *is* possible to reverse the city's decline.

That knowledge, that confidence, that hope can make all the difference in the decade ahead.

FEDERAL COST

Funds are required in the first year to assist our cities in the preparation of demonstration plans. We should not underestimate the problems involved in achieving such a plan. The very scale of the demonstration, its widespread and profound effects on the social and physical structure of the city, calls for marshaling the city's planning and administrative resources on an unprecedented scale.

I estimate the appropriate Federal contribution to this planning effort at $12 million.

For the supplemental demonstration grants I will recommend appropriations, over a six-year period, totalling over $2.3 billion, or an average of some $400 million per year.

It is impossible to estimate exactly—but it is necessary to consider—the rising cost of welfare services, crime prevention, unemployment and declining property values that will plague all governments, local, state, and Federal, if we do not move quickly to heal and revitalize our cities.

METROPOLITAN PLANNING

The success of each demonstration will depend on the quality of its planning, and the degree of cooperation it elicits from the various governmental bodies concerned, as well as from private interests.

Most metropolitan areas conduct some degree of metropolitan planning now. The Federal government has made funds available throughout the country so that state and local planning agencies might devise—many for the first time—comprehensive plans for metropolitan areas.

I recommend improvements and extensions of this program. The Congress enacted them recognizing that the problems of growth, transportation, housing, and public services cannot be considered by one entity of government alone.

The absence of cooperation between contiguous areas is wasteful. It is also blind to the reality of urban life. What happens in the central city, or the surburb, is certain to affect the quality of life in the other.

The widespread demand for these funds has resulted in their being spread thinly across the fifty states. Thus, the benefits of a truly coordinated attack on metropolitan problems have not generally been realized.

INCENTIVES TO ORDERLY METROPOLITAN DEVELOPMENT

Over the past five years, the Congress has authorized Federal grants for urban mass transportation, open space, and sewer and water facilities. The Congress has required that such projects be consistent with comprehensive planning for an entire urban or metropolitan area. The Federal Government has thus not only helped our localities to provide the facilities they need. It has also stimulated cooperation and joint planning among neighboring jurisdictions.

But more remains to be done. The powerful forces of urban growth threaten to overwhelm efforts to achieve orderly development. A metropolitian plan should be an instrument for shaping sound urban growth—not a neglected document.

I now propose a new incentive to help assure that metropolitan plans achieve their potential.

The Federal Government should bear a larger share of the total cost of related Federal aid programs. This share would be borne where local jurisdictions show that they are ready to be guided by their own plans in working out the patterns of their own development and where they establish the joint institutional arrangements necessary to carry out those plans.

DEMONSTRATIONS OF EFFECTIVE PLANNING

I propose that a series of demonstrations in effective metropolitan planning be undertaken promptly.

Metropolitan areas would be selected to return the broadest possible data and experience to Federal, state and local governments. They should therefore be of varying size and environment. in widely separated locations. They would be selected to assure that their benefits reach small communities surrounding the large cities.

Advanced techniques and approaches should be employed. There must be:

Balanced consideration of physical and human development programs.

Coordinated treatment of the regional transportation network.

Technical innovations, suqch as metropolitan data banks and systems analysis.

New educational and training programs.

New arrangements for coordinating decisions of the various local governments involved.

I estimate the cost of the demonstrations at $6,500,000.

I shall impose on the new Department of Housing and Urban Development the continuing responsibility to stimulate effective planning. If local governments do not plan cooperatively and sufficiently in advance of inevitable urban growth, even adequate funds and an aggressive determination to improve our cities cannot succeed.

HOUSING FOR ALL

The programs I have proposed—in rebuilding large areas of our cities, and in metropolitan planning—are essential for the rebirth of urban America.

Yet at the center of the cities' housing problem lies racial discrimination. Crowded miles of inadequate dwellings—poorly maintained and frequently over-priced—is the lot of most Negro Americans in many of our cities. Their avenue of escape to a more attractive neighborhood is often closed, because of their color.

The Negro suffers from this, as do his children. So does the community at large. Where housing is poor, schools are generally poor. Unemployment is widespread. Family life is threatened. The community's welfare burden is steadily magnified. These are the links in the chain of racial discrimination.

This Administration is working to break that chain—through aid to education, medical care, community action programs, job retraining, and the maintenance of a vigorous economy.

The time has come when we should break one of its strongest links—the often subtle, but always effective force of housing discrimination. The impacted racial ghetto will become a thing of the past only when the Negro American can move his family wherever he can afford to do so.

I shall, therefore, present to the Congress at an early date legislation to bar racial discrimination in the sale or rental of housing.

NEW COMMUNITIES

Our existing urban centers, however revitalized, cannot accommodate all the urban Americans of the next generation.

Three million new residents are added each year to our present urban population. The growth of new communities is inevitable. Unless they are to be casual parts of a general urban sprawl, a new approach to their design is required.

We must:

Enlarge the entire scale of the building process;

Make possible new efficiencies in construction, land development, and municipal services;

Relieve population densities;

Offer a variety of homes to a wide range of incomes.

These communities must also provide an environment harmonious to man's needs.

They must offer adequate transportation systems, attractive community buildings, and open spaces free from pollution. They must retain much of the natural beauty of the landscape.

The private sector must continue its prominent role in the new community development. As I recommended to the Congress last year, mortgage insurance should be made available for sites and community facilities for entire new communities.

It is apparent that new communities will spring into being near an increasing number of major metropolitan areas. Some, already in existence, promise dramatic efficiencies through size and new construction techniques, without sacrificing beauty. Obviously such a development should be encouraged. I recommend that the Congress provide the means of doing so.

RENT SUPPLEMENT PROGRAM

Rarely has a new housing program evoked such a dramatic and positive response as the rent supplement program.

The Department of Housing and Urban Affairs has already received preliminary proposals from sponsors to construct nearly 70,000 low-income units under this program as soon as funds become available.

The proposals involve 424 projects in 265 localities in 43 States, the District of Columbia, and Puerto Rico. The sponsors have already selected sites for some 40,000 of these units. The interested groups are about equally divided between non-profit organizations and private limited dividend developers.

The need for this program is obvious. It is the need of the poor and the disadvantaged. The demand for the means to meet this need by private enterprise is demonstrated by the figures I have just cited.

I strongly urge the Congress to pass a supplementary appropriation to fund the rent supplement program at tha $30 million level it has authorized in the Housing and Urban Development Act of 1965.

MASS TRANSPORTATION PROGRAM

We must continue to help our communities meet their increasing needs for mass transportation facilities. For this purpose, I propose an additional one-year authorization for the urban mass transportation program.

THE NEW DEPARTMENT

No Federal program can be effective unless the agency that administers it is efficient. This is even more crucial for programs that call for comprehensive approaches at both the Federal and local level.

Progress was made after 1961 toward unifying the Housing and Home Finance Agency. But the very nature of that agency limited the extent to which its several parts could be welded into a truly unified whole. Its Administrator lacked the statutory basis for gaining full control over partially independent agencies.

With this in mind, I requested—and you enacted—legislation to create a Department of Housing and Urban Development.

As a result, the Secretary of the new Department now has the authority and the machinery for implementing the new programs I have asked for.

I see five ways by which he can do this:

1. He can organize the Department so that its emphasis will be upon meeting modern urban needs—rather than fitting new programs into old and outworn patterns.
2. He can strengthen the regional structure so that more decisions can be made in the field.
3. He can assert effective leadership throughout the Department.
4. He can mesh together all our social and physical efforts to improve urban living.
5. He can assume leadership among intergovernmental agencies dealing with urban problems.

Such a Department, and such leadership, will be worthy of the program I recommend you adopt.

A YEAR OF REBIRTH

The evidence is all about us that to be complacent about the American city is to invite, at best, inconvenience; at worst, a divided nation.

The programs I have proposed in this message will require a determined commitment of our energy and a substantial commitment of our funds.

Yet these programs are well within our resources. Nor do they compare in cost with the ugliness, hostility, and hopelessness of unlivable cities.

What would it mean to begin now, and to bring about the rebirth of our cities?

It would mean:

A more tolerable and a more hopeful life for millions of Americans.

The possibility of retaining middle-income families in the city, and even attracting some to return.

Improving the cities' tax base, at a time of heavy strain on city budgets.

Ultimately reducing welfare costs.

Avoiding the unnecessary waste of human resources.

Giving to both urban and suburban families the freedom to choose where they will live.

A clean room and a patch of sky for every person, a chance to live near an open space, and to reach it on a safe street.

As Thomas Wolfe wrote, "to every man his chance—to every man, regardless of his birth, his shining, golden opportunity—to every man the right to live, to work, to be himself, and to become whatever thing his manhood and his vision can combine to make him—this . . . is the promise of America."

I believe these are among the most profound aspirations of our people. I want to make them part of our destiny.

I urge the Congress promptly to adopt the Demonstration Cities Act of 1966. If we begin now the planning from which action will flow, the hopes of the 20th Century will become the realities of the 21st.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 26, 1966.*

STATEMENT BY THE PRESIDENT

I have today signed an Executive Order designed to establish closer and stronger working relationships among the government agencies concerned with the problems of our cities.

This Order will help the Secretary of Housing and Urban Development insure better coordination of Federal programs for our urban areas. It authorizes the Secretary to take the initiative by convening special meetings and special working groups within the government—in Washington and in the field—to cope with problems as they arise.

The Order helps to carry out the mandate of the Congress which requires the Secretary of Housing and Urban Development to "exercise leadership at the direction of the President in coordinating Federal activities affecting housing and urban development."

The Act creating the Department of Housing and Urban Development was a first step in modernizing our Federal system for a more rational response to the pressing challenges of urban life. In this new Department, major programs for the progress of urban America were brought into a single organization.

In addition to the Department of Housing and Urban Development, there are more than a dozen other Agencies whose programs affect the health, welfare, economic opportunity, and the general environment of the city dweller.

All who are concerned with these vital programs must work in close harmony and with common purposes and policies. The Order does not relieve any Agency of the responsibilities it now has. It will help strengthen the responsiveness of these Agencies to meet needs of the city.

We will seek new and creative ways to help our cities—through such vital programs as the Demonstration Cities Bill, Rent Supplements, and the Teachers Corps.

We will continue to make our urban development programs more efficient.

With this Order, we have taken a forward step in the Federal Government.

But the mayors and city officials and governors are on the front line—in the city itself where the battle against blight, ignorance, disease and poverty must be waged and won.

Thus, I urge city and state governments to follow our example and improve their lines of communication and coordination. In this way, we can work together with unity of purpose to bring the good life to people in every American city.

EXECUTIVE ORDER 11297—COORDINATION OF FEDERAL URBAN PROGRAMS

Whereas our Nation has become predominantly urban in character and is confronted by serious problems arising from inherited urban decay and rapid urban growth; and

Whereas the living standards and general welfare of its people depend upon the solution of the problems of urban life; and

Whereas the Congress has provided in the Department of Housing and Urban Development Act that the Secretary of Housing and Urban Development (hereinafter referred to as the Secretary) shall "advise the President with respect to Federal programs and activities relating to housing and urban development; develop and recommend to the President policies for fostering the orderly growth and development of the Nation's urban areas; and exercise leadership at the direction of the President in coordinating Federal activities affecting housing and urban development"; and

Whereas such activities are closely interrelated with other important Federal activities affecting urban areas so that there is a need for maximum consultation and cooperation among Federal departments and agencies in their administration of programs having impact on urban areas; and

Whereas such consultation and cooperation are also essential to enable the Secretary to carry out his responsibilities under that Act to "provide technical assistance and information, including a clearinghouse service to aid State, county, town, village, or other local governments in developing solutions to community and metropolitan development problems; consult and cooperate with State Governors and State agencies . . . with respect to Federal and State programs for assisting communities in developing solutions to community and metropolitan development problems and for encouraging effective regional cooperation in the planning and conduct of community and metropolitan development programs and projects":

Now, therefore, by virtue of the authority vested in me as President of the United States by the Constitution and laws of the United States, it is ordered as follows:

Section 1. *Functions of the Secretary of Housing and Urban Development.* (a) To assist the Secretary in carrying out his responsibilities pursuant to the Department of Housing and Urban Development Act, he shall convene, or authorize his representatives to convene, meetings at appropriate times and places of the heads, or representatives designated by them, of such Federal departments and agencies with programs affecting urban areas as he deems necessary or desirable for the following purposes:

(1) To provide a forum for consideration of mutual problems concerning Federal programs and activities affecting the development of urban areas and for the exchange of current information needed to achieve coordination of, and to avoid duplication in, such programs and activities.

(2) To promote cooperation among Federal departments and agencies in achieving consistent policies, practices, and procedures for administration of their programs affecting urban areas.

(3) To consult with and obtain the advice of the Federal departments and agencies with respect to:

(A) consultation and cooperation with State Governors and State and local agencies concerning Federal and State programs for assisting communities;

(B) provision of technical information, a clearinghouse service, and other assistance to State and local governments in solving community and metropolitan development problems; and

(C) encouragement of comprehensive planning of, and effective regional cooperation in, local urban, community, and metropolitan development activities.

(4) To identify urban development problems of particular States, metropolitan areas, or communities which require interagency or intergovernmental coordination.

(b) The Secretary shall make arrangements with such Federal departments and agencies for working groups to consider special problems arising with respect to matters described in subsection (a) of this section.

Section 2. *Agency responsibilities.* The heads of Federal departments and agencies having programs which have an impact on urban areas, or representatives designated by them, shall participate in meetings convened pursuant to this Order and, to the extent permitted by law and funds available, shall furnish information, at the request of the Secretary, pertaining to programs within the responsibilities of such departments or agencies, and such additional information as will assist the Secretary in providing a clearinghouse service to aid State and local governments in developing solutions to community and metropolitan development problems.

Section 3. *Construction.* Nothing in this Order shall be construed as subjecting any function vested by law in, or assigned pursuant to law to, any Federal department or agency or head thereof to the authority of any other agency or officer or as abrogating or restricting any such function in any manner.

Section 4. *Administrative arrangements.* (a) Each executive department and agency participating under section 1 or section 2 shall furnish necessary assistance for effectuating the provisions of this Order as authorized by section 214 of the Act of May 3, 1945, 59 Stat. 134 (31 U.S.C. 691.)

(b) The Department of Housing and Urban Development shall provide necessary administrative services pursuant to this Order.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 11, 1967.*

REMARKS OF THE PRESIDENT AT SYRACUSE, N.Y.

I want to talk to you today about the center of our society—the American city.

Over 70% of our population live in urban areas. Half a century from now 320 million of our 400 million Americans will live in cities with our larger cities receiving the greatest impact of this growth.

For almost three years my administration has been concerned with the question: what do we want our cities to become?

For you and your children, the question is: What kind of place will Syracuse be fifty years from now?

A city must be more than a collection of shops and buildings; more than an assortment of goods and services; more than a place to escape from.

A city must be a community where our lives are enriched. It must be a place where every man can satisfy his highest aspiration. It must be an instrument to advance the hopes of all its citizens. That is what we want our cities to be. And that is what we have set out to make them.

One word can best describe the task we face—and that word is immense. Until this decade, one description fitted our response: "too little and too late." By 1975 we will need two million new homes a year—schools for 60 million children—health and welfare programs for 27 million people over the age of 60—and transportation facilities for the daily movement of 200 million people in more than 80 million automobiles.

In less than 40 years—between now and the end of this century—urban population will double, city land will double, and we will have to build in our cities as much as has been built since the first settler arrived on these shores.

Our cities are struggling to meet this task. They increased their taxes by 39% between 1954 and 1963, and still their tax debts increased by 119 percent. Far more must be done if we are to solve the number one domestic problem of the United States.

Let me be clear about the heart of this problem: It is the people who live in our cities and the quality of the lives they lead that concern us.

We must not only build housing units; we must build neighborhoods. We must not only construct schools; we must educate our children. We must not only raise income; we must create beauty and end the pollution of our water and air. We must open new opportunities to all our people so that everyone, not just a fortunate few, can have access to decent homes and schools, to recreation and culture.

These are obligations that must be met not only by the Federal Government but by every Government—State and local—and by all the people of America. The Federal Government will meet its responsibility, but local government, private interests and individual citizens must provide energy, resources, talent, and toil for much of the task.

Many of the conditions we seek to change should never have come about. It is shameful that they should continue to exist. And none are more shameful than conditions which permit some people to line their pockets with the tattered dollars of the poor.

We must take the profit out of poverty. And that is what we intend to do.

First, I have asked the Secretary of Housing and Urban Development to set as his goal the establishment—in every ghetto of America—of a neighborhood center to service the people who live there.

Second, I have asked the Director of the Office of Economic Opportunity to increase the number of neighborhood legal centers in slums. I want these legal centers to make a major effort to help tenants secure their rights to safe and sanitary housing.

Third, I am directing the Attorney General to call a conference to develop new procedures to insure that the rights of tenants are fully and effectively enforced. We will have at that conference the best legal minds in the country to work with State and local officials.

Fourth, I will appoint a commission of distinguished Americans to make the first comprehensive review of codes, zoning, taxation, and development standards in more than two generations. I proposed the establishment of such a commission in my 1965 message on the cities. Both Houses of Congress this week agreed in conference to fund this effort. The work of the commission will begin immediately upon the enactment of this legislation.

These are steps we will take now. But let me be perfectly candid: This job cannot be done in Washington alone. Every housing official, every mayor and every governor must vigorously enforce their building, health, and safety codes to the limit of the law. Where there are loopholes, they must be closed. Where there are violations, the exploited tenant must be assured a swift and sure action by the courts.

Not even local officials, however, can change these conditions themselves. Unless private citizens become indignant at the treatment of their neighbors, unless individual citizens make justice for others a personal concern, poverty will profit those who exploit the poor.

The Federal government, of course, has a very large responsibility. And we are trying not only to fulfill but enlarge our role in the rebirth of American cities.

In 1961 we were investing $15 billion in our cities. We have increased that nearly 100 percent—to almost $30 billion. For the first three years of this decade these programs increased by an average of $1½ billion per year. Since then, they have increased $4 billion per year—2½ times the rate of increase in the previous three years.

We have made important new starts in many vital areas: in the War on Poverty; in assistance to law enforcement; in the attack on pollution; in the training of manpower; in the education of children; and in the improvement of our health.

But not all the answers are in. Not even all the questions have been asked. We must continue to search and to probe, to experiment and to explore. We need constant study and new knowledge as we struggle to cure what plagues the American city.

This is why, for the first time in our history, our cities have a place in the Cabinet. More than a century after President Lincoln created the Department of Agriculture, we have a Department to serve the needs of the three out of four Americans who live in cities.

I have directed every member of my Cabinet who can help with our urban challenge to meet at least once a week in the White House—or as often as necessary, to keep our cities program moving. I have asked each one of them go out into the cities and to see the needs for themselves—and to come back and tell me what he finds.

This is why we have brought to Washington the ablest men we could find in this country to concern themselves with the future of our cities. They have come from the universities, from business, and from labor. They are scientists, lawyers, and managers—creative men, men of vision, practical men.

This is why we have taken steps to set up summer programs for your youth, to keep the playground open later at night, to open swimming pools and open fire hydrants on hot summer evenings. These temporary steps do not take an act of Congress. Any city can take them. Every city should take them now.

There are responsibilities, however, which only Congress can meet. We need laws and new programs—and we need them this session.

I have proposed to Congress what could become the most sweeping response ever made to our cities needs. This is the Demonstration Cities Program which is still before the Congress. It admits for the first time that cities are not made of bricks but of men. When Congress acts—and action is needed now—we will be able to make the first concentrated attack on urban blight and to rebuild or restore entire neighborhoods.

As we learn more, new ideas and new courses of action to improve our cities can be fitted into the demonstration cities program. It does not freeze our strategy and inhibit future change. It does not erode the power of local governments, but on the contrary gives cities new choices and new abilities, new ideas and new spurs to action.

Congress has already acted to provide the money for the rent supplement program that will mobilize private enterprise for our poor. Every $600 of rent supplements will encourage private enterprise to build a housing unit with 20 times that amount.

Congress gave us $18 million less than we need, and it only acted more than a year after we proposed rent supplements. But now we can move forward to help hundreds of thousands of poor families raise their children in clean and decent surroundings.

These are only two of the programs we have laid before Congress to help solve the problems of our cities. What we need now—and what American cities expect now—is action. Congress can pass this program and bring new opportunities to millions.

To the Congress I say:

Give us funds for the Teachers Corps—and let skilled teachers bring knowledge and a quest for learning to those children who need it most.

Give us more resources for rent supplements—and let us provide better homes for so many who live in substandard housing.

Give us the Civil Rights bill—and let us begin to break the chains that bind the ghetto by banishing discrimination from the sale and rental of housing.

Give us the means to prosecute the War Against Poverty—and let us provide jobs and training for adults and a head-start for the very young.

Give us the Child Nutrition Act—and let us offer breakfasts and hot lunches to needy children who can be encouraged to stay in school.

Give us the Hospital Modernization bill—and we can build and modernize hospitals to serve our urban citizens.

Give us the legislation—and we can help overcome a severe shortage of trained medical personnel.

Give us the money for Urban Mass Transit—and our cities can begin to provide adequate transportation for their people.

Give us a just minimum wage—and more American workers will earn a decent income.

Give us better unemployment insurance—and men out of work can be trained for jobs that need workers.

Give us the Truth in Lending bill—so that customers, especially those who are poor, can know the honest cost of the money they borrow.

Give us the Truth in Packaging bill—so the hard-earned dollars of the poor—as well as of every American—can be protected against deception and false values.

We have an agenda for action. We have taken the first steps toward great cities for a great society. Now Congress must act to give us the power to move ahead on all these fronts.

This is no time to delay. This is no time to relax our efforts. We know there is no magic equation that will produce an instant solution to the blight and poverty and want deposited in our cities by decades of inaction and indifference.

But we also know there is no substitute for action.

I do not know how long it will take to rebuild our cities. I do know it must not—and will not—take forever. For my part, I pledge that this Administration will not cease our efforts to make right what has taken generations to make wrong.

We have started down that road. Until each city is a community where every member feels he belongs, until it is a place where each citizen feels safe on his streets, until it is a place where self-respect and dignity are the lot of each man—we will not rest.

This is what men have always dreamed their cities would be. And this is what we seek to build.

Remarks of the President on Signing the Urban Mass Transportation Act, 1966

Secretary Weaver, Senator Williams, Senator Long, Chairman Patman, Congressman Reuss, other distinguished members of the Senate Banking and Currency Committee, members of the House Banking and Currency Committee, distinguished Mayors, my friends, ladies and gentlemen:

When I consider the problem this bill is trying to cope with, I am thankful that I work at home—except on Saturdays.

Several million Americans ought to be—and I think will be—very grateful to this 89th Congress for this legislation.

The members of this Congress have renewed our attack on the most familiar symbol of modern urban civilization—the traffic jam. They have renewed our determination to do something about that daily horror that is broadcast to us from the helicopters flying in the air every morning and afternoon known as the "rush hour".

They have affirmed the right of every man to get to his job in a reasonable time, at a reasonable cost.

We are a nation of travelers. You cannot write our history without devoting chapters to the pony express, the stagecoach, the railroad, the automobile, the airplane.

In the last two years, we have committed $10 billion to our roads and highways. Billions more have been dedicated to our airports and harbors and rivers. Other billions have gone into the exploration of space. We are sending astronauts into orbit at 18,000 miles an hour. When that possibility was discussed a few years ago, people laughed at me. It almost broke up a Democratic caucus one time and today we are putting cameras on the moon.

Yet, until 1964, the Federal Government did little or nothing to help the urban commuter. The Urban Mass Transportation Act of 1964 was the first national recognition of the daily trials faced by the 70 percent of our population who live in the cities of this country.

Our overburdened and underfinanced mass transportation systems were nearing paralysis. In 20 years, no other country in the world allowed its passenger rail service in urban areas to deteriorate as badly as ours and we are the richest, most powerful, and most technically advanced nation on earth.

Through the Mass Transportation Act of 1964, we have moved to relieve the choking traffic which robbed us of time, energy, and dollars. That Act committed us to better systems for getting our people to work and home again—with speed, safety, economy, and comfort.

Two years have proved its worth. In some communities—such as Albuquerque, and Terre Haute, Indiana—the Mass Transportation Act of 1964 has helped save public transportation systems which might otherwise have been shut down.

Twenty-seven States have become partners in the mass transit program we began only two years ago. Fifty-six urban areas have already benefited. Projects have been financed in places as large as New York and as small as Kenner, Louisiana.

The Act we sign this morning extends the program to help public and private transportation companies improve existing facilities and add some new services.

It makes funds available for research and development.

It provides fellowships to encourage young men and young women to train as experts in mass transportation.

In the next 40 years, we must completely renew our cities. The alternative is disaster. Gaping needs must be met in health, in education, in job opportunities, in housing.

And not a single one of these needs can be fully met until we rebuild our mass transportation systems.

The $300 million provided in this bill for 1968 and 1969 will not solve our urban transportation problems.

But it will help us in planning and help us in trying to meet the desperate emergencies that come up. Its real value will be in helping our cities to find their own solutions.

The problem of getting in and out of New York City must be solved not here in the White House in Washington but in New York City. This is true for Boston or Philadelphia or Los Angeles. But we can, and we will help with funds and counsel.

The bill before us today will provide more funds.

And, before I sign this bill, I would like you to meet the man who will help give the expert advice—Mr. Leo J. Cusick. Mr. Cusick rose from railroad brakeman to the highest operating post of the New York City Transit Authority. Today, I am appointing him Deputy Assistant Secretary in the Department of Housing and Urban Development in charge of making this bill work.

If he doesn't make it work, I hope that Chairman Robertson of the Senate Banking and Currency Committee and Chairman Patman of the House Banking and Currency Committee will have some consultations with him. Also you men who have pioneered in this field—Senator Williams and Senator Long, and the rest of you.

To do any job of national importance requires three things: men of vision to perceive a problem; legislators with the power and judgment to prescribe a remedy; and finally, administrators with the skill to replace problems with programs.

Today we are fortunate to have gathered all three of these in one place.

I welcome you here—and I welcome the opportunity to sign this bill into law.

Biographical Data on Leo Cusick

Name: Leo James Cusick.

Age: 57 (born July 15, 1909 in Bronxville, New York).

Home: Bala-Cynwyd, Pennsylvania.

Present position: Senior Consultant, Mass Transportation, Day and Zimmermann, Inc.

Education: 1962–64, New York University, Municipal Management courses.

Previous experience: 1925–26, various clerical assignments, New York Central Railroad Company, New York City; 1926–32, railroad brakeman, New York Central Railroad Company; 1932–65, assistant general superintendent for operations, New York City Transit Authority; 1965–, senior consultant, mass transportation, Day and Zimmermann, Inc.

Remarks of the President Upon Signing S. 3708, Demonstration Cities Act, and S. 2947, Clean Water Restoration Act of 1966

Mr. Vice President, Members of Congress, Ladies and Gentlemen:

Since the dawn of civilization, man has been the unwilling pawn of the forces of his environment. Even when he has come to terms with those forces, the terms have never really been his own.

But we now possess the tools to reach out into our environment and shape it to our will. Today Congress has put some of those tools in our hands.

With them we are going to meet, head-on, two of the central challenges of our day and generation—the slow decay of our cities and the relentless poisoning of our waters.

The first of these two measures, the Model Cities Program, recognizes that our cities are made of people, not just bricks and mortar.

It does us no good to clean out our slums if the people there have no place to go.

It does us no good to build modern schools if there are no children to attend them.

It does us no good to give workers new skills if they are unable to find any jobs.

These are the hard lessons of the past. With the Model Cities Program:

Poor children can have a rain-free roof over their heads and a rat-proof bedroom to sleep in.

Our unemployed citizens can come off the welfare rolls and get onto the payrolls.

Our families can live in decent communities where green parks and open spaces will inspire their pride and enrich their lives.

All of our citizens can have the schools and the transportation, the medical care and recreation that spell the difference between despair and the good life.

Let me be clear about one point: This is not a measure just for big cities or just for small cities. It is a measure for all of our cities.

Making it work will not be easy. It will take all of our talents and the energies and support of State and local governments, of public and private groups, and of the individual citizens.

No one knows this better than the two men whose task it is to make this program work. They are Secretary Robert Weaver and his Deputy, Robert Wood. They are exceptional men who relish the strength of ideas, but they are also doers who know that those ideas have to be translated into action.

The second bill we will sign today will enhance the quality of life for every American—the Clean Water Restoration Act will give us the power to rescue the once clear waters of our streams and our rivers and our lakes from the growing menace of pollution.

Like the problem of the cities, water pollution can no longer be attacked piecemeal. Our attack must be comprehensive if it is to be total. Pollution is not a problem of the individual cities or even the individual States. It is a problem of the entire riversheds and water basins. There is where the problem must be fought.

The new measure will allow us to do that. It enlarges and it strengthens the comprehensive approach that is already begun. It creates new incentives for our States and for our cities. It strengthens their partnership with industry and with the Federal Government. It enables us to work together on sound and practical plans for controlling pollution once and for all.

Clean streets and clear rivers—could anything really be more basic to a Great Society? Could anything really be more vital to our children?

I have signed many bills in the three years that I have been President. I will sign perhaps a thousand this year. But none has given me greater pleasure than the ones that we are about to sign this afternoon. For they are proud additions to the legacy of a greater America.

I welcome each of you to the East Room this afternoon as participants at this historic occasion.

Thank you very much.

TEXT OF THE REMARKS OF THE PRESIDENT UPON SIGNING S. 3708, DEMONSTRATION CITIES BILL, AND S. 2947, CLEAN WATER BILL

Since the dawn of civilization, man has been the unwilling pawn of the forces of his environment. Even when he has come to terms with those forces, the terms have never really been his own.

But we now possess the tools to reach out into our environment and shape it to our will. And today, Congress has put some of those tools in our hands.

With them we are going to meet, head-on, two of the central challenges of our time: the slow decay of our cities, and the relentless poisoning of our waters.

The first of these two measures, the Model Cities Program, recognizes that cities are made of people, not just brick and mortar.

It does us no good to clean out our slums if the people there have no place to go.

It does us no good to build modern schools if there are no children to attend them.

It does us no good to give workers new skills if they are unable to find jobs.

These are the hard lessons of the past.

With the Model Cities Program:

Poor children can have a rain-free roof over their heads and a rat-proof bedroom to sleep in.

Our families can live in decent communities where green parks and open spaces will inspire their pride and enrich their lives.

Our unemployed citizens can come off the welfare rolls and onto the payrolls.

All of our citizens can have the schools, the transportation, the medical care, and the recreation that spell the difference between despair and the good life.

Let me be clear about one point. This is not a measure just for big cities, or just for small cities.

It is a measure for all cities.

And making it work will not be easy.

It will take all of our talents—and the energies and support of state and local governments, of public and private groups, and of individual citizens.

No one knows this better than the two men whose task is to make this program work.

They are Secretary Bob Weaver and his deputy, Robert Wood. They are exceptional men who relish the strength of ideas. But they are also doers, who know that ideas have to be translated into action.

The second bill we sign today will also enhance the quality of life for every American. The Clean Water Restoration Act gives us power to rescue the once-clear waters of our streams, rivers, and lakes from the growing menace of pollution.

Like the problems of the cities, water pollution can no longer be attacked piecemeal.

Our attack must be comprehensive, and it must be total. Pollution is not a problem of individual cities, or even individual states. It is the problem of entire watersheds and river basins. And there is where it must be fought.

The new measure will allow us to do just that. It enlarges and strengthens the comprehensive approach already begun.

It creates new incentives for our states and cities. It strengthens their partnership with industry and the Federal Government. It enables us to work together on sound and practical plans for controlling pollution, once and for all.

Clean streets and clear rivers—could anything be more basic to a Great Society?

Could anything be more vital to our children?

I have signed many bills as President. But none has given me greater pleasure than the ones we are about to sign this afternoon. For they are proud additions to the legacy of a greater America.

STATEMENT ON NATIONAL COMMISSION CODES, ZONING, TAXATION, AND DEVELOPMENT STANDARDS

No greater challenge faces America than the future of its cities.

The problems are deeply rooted. They are as old as the cities from which they grow.

We have learned that difficulties borne from generations of decay and neglect do not yield to quick or easy solutions.

That is why men of vision and good will have committed themselves to find the right answers. We know those answers can be found.

Today we renew and continue that search.

I am pleased to announce that one of our most distinguished statesmen and economists—Senator Paul H. Douglas—will head a Commission of distinguished citizens to make the thorough study of our cities and urban areas I recommended to the Congress in my 1965 message on the American City and which the Congress approved in 1966.

Under Senator Douglas' direction the Commission will report to the President and to the Congress. Its charter is twofold:

First: to work with the Department of Housing and Urban Development and conduct a penetrating review of zoning, housing and building codes, taxation and development standards. These processes have not kept pace with the times. Stunting growth and opportunity, they are the springboards from which many of the ills of urban life flow.

Second: to recommend the solutions, particularly those ways in which the efforts of the Federal Government, private industry, and local communities can be marshaled to increase the supply of low-cost decent housing.

I am delighted that Senator Douglas will continue to serve his country in this promising and challenging assignment.

This Commission is a valuable new addition to our Government-wide efforts—led by Robert Weaver, our able Secretary of Housing and Urban Development—to help arrest the growing blight of our central cities and to bring about an urban renaissance that will make the American city a better place for all to live and work.

I urge all citizens to cooperate and assist the Commission in its vital work.

MEMBERS ON THE COMMISSION ON CODES, ZONING, TAXATION, AND DEVELOPMENT STANDARDS

Paul Douglas, Chairman.

David L. Baker, Supervisor of the 2nd District of Orange County, California.

Hugo Black, Jr., Lawyer, Miami, Florida.

Lewis Davis, Architect, Brody & Associates, New York, New York.

John DeGrove, Professor, Florida Atlantic University, Boca Raton, Florida.

Anthony Downs, Treasurer, Real Estate Research Corporation, Chicago, Illinois.

Ezra Ehrenkrantz, President, Building Systems Development, Inc., San Francisco, California.

Jeh Johnson, Architect, Poughkeepsie, New York.

John Lyons, General President, International Association of Bridge Structural and Ornamental Iron Workers.

Richard W. O'Neill, Editor, House and Home Magazine.

Richard Ravitch, Vice President, HRH Construction Corporation, New York, New York.

Carl Sanders, Former Governor of Georgia.

Chloethiel W. Smith, Washington Architect and City Planner.

Thomas Vandergriff, Mayor, Arlington, Texas.

Coleman Woodbury, Professor of Urban Affairs, University of Wisconsin.

MESSAGE ON AMERICA'S UNFINISHED BUSINESS: URBAN AND RURAL POVERTY

To the Congress of the United States:

I. THE CHALLENGE

"The slum is as old as civilization. Civilization implies a race to get ahead. In a race there are usually some who for one cause or another cannot keep up, or are thrust out from among their fellows. They fall behind, and when they have been left far in the rear they lose hope and ambition, and give up. Thenceforward, if left to their own resources, they are the victims, not the masters, of their environment; and it is a bad master. . . . The bad environment becomes the heredity of the next generation."

These are the words of Jacob Riis, the Danish immigrant and American reformer, written in 1902. We may wish that those words applied only to the America of 1902—but clearly they apply to the America of the 1960's as well. They describe conditions in parts of every large American city and in pockets of poverty throughout rural America where 43 percent of the Nation's poor live.

It was years after Jacob Riis spoke before Americans realized that poverty was an urgent public dilemma—from which the only escape was to change the basic conditions of human life.

Theodore Roosevelt and Franklin Roosevelt in their times, began the necessary process of change:

The Children's Bureau, proposed in 1909 and established in 1912, spearheaded broad efforts to improve maternal and infant care and to provide better services and protection for our youth.

The public housing program, begun in 1934, today affords more than 2 million low-income Americans decent housing.

The benefits of the Social Security Act of 1935 will provide $25.8 billion in old age, disability and survivorship benefits in fiscal 1968, if my recommendations are adopted by the Congress.

The federally-aided public assistance programs, authorized in 1935, will provide $5 billion in Federal, State and local aid to more than 7 million needy individuals in fiscal 1968.

The Fair Labor Standards Act, enacted in 1938, now provides minimum wage and hour protection for some 40 million workers.

A strategy against poverty

In the 1960's, we have begun to devise a total strategy against poverty. We have recognized that public housing, minimum wages and welfare services could not, standing alone, change the bleak environment of deprivation for millions of poor families.

A successful strategy requires a breakthrough on many fronts: education, health, jobs and job training, housing, public assistance, transportation, recreation, clean air and adequate water supplies. The basic conditions of life for the poor must, and can, be changed.

We must deal with a wide range of physical and human needs. On the human side alone, the strategy must respond to a variety of problems.

Some of the poor—the aged and the hopelessly disabled—are unable to make their own way in this world because of conditions beyond their control. For them, social security, veterans pensions and public assistance can assure a life at minimum levels of human decency and dignity.

Others in our society are working at very low wages or are unemployed. But they are capable of helping themselves if given an opportunity to do so. To launch them on the road to a self-sufficient life, special education, training and employment opportunities will be necessary.

Our strategy requires programs that respond to the human needs of each of these groups. And we have proposed such programs:

To give disadvantaged children healthy bodies and the chance to learn.

To give the teenagers in our ghettos and pockets of rural poverty the training and skills they need to get jobs.

To give our young the chance to develop their minds in college, through Federal grants and loans.

To give the old and the disabled, who are incapable of helping themselves, increases in Social Security and the personal security of being able to see a doctor or obtain hospital care, without losing their entire life savings.

We also must have programs to improve the surroundings in which the disadvantaged live—the physical and social environment of America which has too long entrapped the poor. We have made proposals for:

Model Cities, to rebuild entire blighted neighborhoods in cities, large and small.

Rent Supplements, to bring the genius of private industry and private capital to the problem of housing the poor decently.

Civil Rights legislation, to remove arbitrary barriers of discrimination which prevent a man otherwise qualified from getting a job or a home because of his race.

Our strategy against poverty relies on:

The private initiative of every citizen and on the self-help efforts of the poor themselves.

The resources of city, county, state and metropolitan agencies.

Federal programs to supplement private and local activities and often to supply the vital thrust of innovation.

We have made substantial gains. But we have also come to see how profound are the problems that confront us, how deeply ingrained are the customs and practices that must be changed, how stubbornly the heritage of poverty persists from generation to generation.

Many of our early efforts have revealed the dimensions of the work that remains to be done. For some, this has inspired a pessimism that challenges both the value of what has been accomplished and the capacity of our Federal democracy to complete the task. For others, it has inspired a sober determination to carry through with programs that show great promise, to improve their administration and to seek still more effective instruments of change.

I have already submitted to the Congress my budget recommendations for fiscal 1968.

I have recommended $25.6 billion for the programs directly aiding the poor—a $3.6 billion increase over fiscal 1967.

Many of the programs underlying these budget recommendations have been discussed in previous messages to the Congress this year—on Education and Health, Children and Youth, Older Americans, Crime in America and Equal Justice. The programs described in this message are part of our strategy to change the depressing conditions of poverty now facing millions of our fellow men.

II. POVERTY AND OPPORTUNITY

Few undertakings in our time have generated as much hope, produced as many immediate and beneficial results, or excited as much controversy, as the anti-poverty program I first submitted to the Congress on March 16, 1964.

The controversy was inevitable: what is being attempted is a fundamental change in the way government responds to the needs of the poor.

That there would be some confusion and mistakes was inevitable. The need was for action. America could not wait for a decade of studies which might not even show precisely what should be attempted. New programs had to begin in our cities and rural communities, in small towns and in migrant labor camps. America had to pull the drowning man out of the water and talk about it later.

This experience has led to progress and great accomplishment. We have learned more than some of the most enthusiastic supporters of the anti-poverty program had hoped.

Greater opportunities for millions of Americans depend on how we build on our experience:

On enlarged resources for the Office of Economic Opportunity to strengthen and expand programs that have shown great promise and to continue the development of new and better techniques.

On tightened administration of those programs so that the poor receive the maximum benefits, at the lowest cost to the American taxpayer.

The Economic Opportunity Act of 1967

I recommend that the Economic Opportunity Act be amended:

1. *To help local community action agencies define their purpose more precisely and improve their planning, auditing and personnel systems.*

The purpose and functions of community action agencies should be made more explicit: in their relationship to state, county and municipal authorities, in planning, coordinating and providing services, and in community involvement and innovation.

Strict rules should be established to govern the pay, selection and accountability of community action personnel. Personnel systems should embody merit features and set the highest standards of conduct and efficiency.

The provisions in existing law prohibiting partisan political activities should be retained and strengthened wherever possible.

Auditing requirements now in the law should be expanded and improved.

2. *To give public officials and other interested groups in the community voice in forming policy for community action agencies.*

There should be a requirement for representation of local public agencies on community action boards, as well as representation for the neighborhood groups to be served.

Standards should be set specifically defining the powers and duties of Community Action Boards.

The responsibility of the Boards for policy formulation and control of community action programs should be made explicit.

3. *To strengthen the role of the States, especially in rural areas.*

States should be encouraged to assist in establishing regional community action agencies in rural areas.

The joint funding of anti-poverty programs by Federal and State agencies should be encouraged.

Federal funds should be provided so that States may give increased planning assistance to rural communities.

4. *To encourage more participation by private enterprise.*

The obligation of community action agencies to design and conduct programs with full participation by the private sector should be made explicit.

A closer relationship should be developed between employers, unions and the new work-training programs, with more individual attention to trainees in on-the-job training programs.

5. *To use the Economic Opportunity Act to encourage welfare recipients to become self-sufficient.*

Job Corpsmen, Neighborhood Youth Corpsmen and others engaged in work and training under this Act should be given greater incentives to work, by allowing them to earn more without a corresponding loss of welfare assistance to their families.

6. *To give new direction and momentum to the programs in rural areas.*

A new position of Assistant Director for rural affairs should be established to coordinate and strengthen programs affecting the rural poor.

7. *To strengthen the Economic Opportunity Council in the coordination of anti-poverty activities of Federal agencies.*

The Council's role in helping to improve coordination among federal programs related to the anti-poverty effort should be more clearly spelled out.

These changes will make the administration of the program more effective. But improved administration is not enough. More people must be reached. The gap between promise and real opportunity is still broad. Additional funds must be provided if we are to make genuine progress in attending to our unfinished business.

I recommend that the Congress appropriate $2.06 billion for the Office of Economic Opportunity for fiscal 1968—a 25 percent increase over fiscal 1967.

Community action

The purpose of community action is to encourage those who need help to help themselves.

A Community Action Agency should provide a voice in planning programs to mayors, local business and labor leaders, the citizens to be helped, teachers, lawyers, physicians—all those who give their time and efforts to relieve poverty in their communities and who know well the needs of their neighbors. It may be established as a private, non-profit corporation or created by local government. Each agency analyzes the problems its community faces and develops a strategy for its anti-poverty, self-help effort. This strategy may include any combination of Federal, State and local programs which will assist the poor in their fight against poverty.

Community action agencies should devote their energies to self-help measures and new initiatives that will advance their communities in the war against poverty. To be effective, it is essential that they be nonpartisan and totally disengaged from any partisan political activity. This Administration, the National Advisory Council on Economic Opportunity and, I am confident, the Congress, will be constantly alert to the danger of partisan political activity and will take necessary steps to see that it does not occur.

Legal Services

To be poor is to be without an advocate—in dealing with a landlord, a creditor, or a government bureaucrat. It is to be subjected to the hostility or indifference of society, without redress. It is to be exposed to frustration and delay, without relief.

The Legal Services Program offers free legal assistance in civil matters to people who otherwise could not afford an attorney. The program provides—in ghettos, on Indian reservations, in migrant camps and in rural counties—lawyers for the poor in eviction and consumer credit cases, in administrative actions and in hundreds of other encounters involving their legal rights.

The program has the wholehearted endorsement of the American Bar Association, the National Bar Association and the National Trial Lawyers Association. With the help of these Associations, legal services are now being provided in 44 of the Nation's 50 largest cities and in some rural areas.

I have asked the Director of the Office of Economic Opportunity to strengthen these efforts and to expand the services available to smaller towns and rural areas.

Neighborhood centers

Multiservice Centers

To be poor in a city is to spend long hours and precious dollars for carfare in search of assistance. The employment service may be in one part of town, the social security office in another, welfare offices, veterans assistance, adult literacy training, medical care or housing aid in others.

To be poor in a rural area is to travel many miles in hope of finding assistance—often fruitlessly. The services needed are too often in another county or only in a big city.

The fragmentation—and the unavailability—of services imposes great hardship upon the poor. Often it denies them the comprehensive help that can provide security, and the chance to stand on their own two feet before their fellow men.

We are trying a variety of methods for providing these services more effectively. Hundreds of neighborhood centers have been created: some are referral agencies, others house a complex of services drawn from existing programs. In rural areas centers have been establishd to serve multi-county areas. Our goal is to develop within each community the most effective means to deliver the services so desperately needed at the lowest cost to the taxpayer.

I have asked the Director of the Office of Economic Opportunity, in cooperation with the Secretary of Housing and Urban Development and other Federal departments, to expand and strengthen the development of Neighborhood Multi-Service and Multi-County Centers in the coming fiscal year. These Centers have become the focal point of many local efforts in their attack on poverty, and I expect that local communities will seek some $120 million for them in fiscal 1968.

Health centers

To be poor is to be without adequate medical care:

One-half of all women who have their babies in public hospitals have received no pre-natal care at all.

More than 60 percent of poor children with disabling handicaps are not receiving any medical care.

60 percent of all poor children never see a dentist.

The chance of a child dying before the age of one is 50 percent higher for the poor.

The chance of dying before reaching the age of 35 is four times greater for the poor.

The poor man, making two thousand dollars a year or less—in many cases because of previous illness—will lose twice as many working days from illness as the man who makes seven thousand dollars or more.

In Health Centers, located where the poor live, medical care can be effectively provided for those who need it most. Where appropriate, the Health Centers are linked to Neighborhood Multi-Service Centers so that the individual citizen can obtain in one place a wide range of needed services.

The Director of Office of Economic Opportunity in cooperation with the Secretary of Health, Education, and Welfare, will encourage local communities to establish additional Health Centers in the coming fiscal year, so that up to 50 will be in operation by the end of fiscal 1968.

Upward Bound

When a child's potential for success in life is lost, the nation as well as the child is the loser. When a bright mind is dimmed by successive failures in school, and the despair failure brings, the community suffers as much as the student himself.

Upward Bound seeks out poor rural and urban youngsters whose talents are undeveloped. They are given intensive individual attention and the best training our education system can offer so that they can develop their talents to the full reach of their individual capacity.

Two hundred and twenty-four public and private universities and private secondary schools are taking part in Upward Bound this year. More than 20,000 poor young men and women are today headed for high school graduation and college study through Upward Bound. We estimate that 78 percent of these youngsters—as compared to 8 percent of poor youth generally—will go on to college.

Applications for Upward Bound far exceed the funds presently available. Those funds must be increased—for America needs the trained and competent citizens these poor children can become.

My budget includes sufficient funds for Upward Bound to benefit more than 30,000 young men and women in fiscal 1968.

Foster grandparents

Children in orphanages and homes for the retarded need the patient care of older men and women. Older Americans need the sense of usefulness that a child's dependence can bring.

The Foster Grandparents program meets these needs for more than 2,000 older Americans and 5,000 children. These Foster Grandparents are given training and relatively substantial increases in their incomes for visiting, teaching and caring for children who need them.

The Director of the Office of Economic Opportunity, in cooperation with the Secretary of Health, Education, and Welfare, will expand this program next year.

Head Start and Head Start Follow-Through

I have already submitted to the Congress my recommendations to improve educational opportunities for children who need them most of all—the children of the poor.

For thousands of children in ghettos and pockets of rural poverty, in migrant labor camps and on Indian reservations, the Head Start Program has "replaced the conviction of failure with the hope of success." This fiscal year, Head Start will provide summer opportunities for about 500,000 children and a full-year program for nearly 200,000 children.

We must not lose the precious momentum children gain from Head Start by returning them to substandard schools. We must provide the Follow-Through necessary to vitalize the first years of their grade school experience. We must involve more parents and increase the services of teachers, teachers aides, doctors and counselors for disadvantaged children in the early grades.

For this reason, I have recommended the Head Start Follow-Through Program. My Budget recommendations to the Congress include $472 million for Head Start, including funds for the new Head Start Follow-Through Program to sustain the progress Head Start has made.

With these funds, we will strengthen the year-round Head Start Program and begin to plan and operate Head Start Follow-Through programs for up to 200,000 children coming into the first grades.

Neighborhood Youth Corps

At a critical period in their lives, the Neighborhood Youth Corps has given some 800,000 young men and women from both rural and urban America a chance to succeed as adults. It has helped them work their way through school, return to school, or prepare for useful employment.

My budget recommendations provide $321 million for the Neighborhood Youth Corps in fiscal 1968 to:

Give 195,000 young people the chance to stay in school.

Help 90,000 young people return to school or prepare for jobs.

Provide summer jobs for 190,000 young people.

Job Corps

If the attack on poverty is to mean anything, it must reach all the poor—including those whose educational experience and past behavior make them difficult to teach, motivate and discipline.

The Job Corps is a response to that moral imperative. Its success must be measured against the difficulties of its task.

There are 113 Job Corps centers in America. More than 60,000 youths have passed through them in the last two years.

For some, the Job Corps experience was too short to matter significantly. For others, there was only time enough to have a physical examination, or to learn to read a little or to add a column of figures. But even this was a gain for the young who, on the average, enter the Job Corps at a fourth grade reading level and have never seen a doctor or dentist.

For most, the Job Corps has meant a chance to be a productive—and taxpaying—citizen:

26,000 hold jobs earning an average of $1.71 per hour.

4,500 are back in school to complete an education they have been motivated to seek.

3,500 are in the armed services. Many of them had been previously rejected because they failed to meet medical or educational standards.

The Job Corps does not benefit only those it serves. It has developed educational materials now being used by 84 schools across America. Its volunteers have worked on conservation and beautification projects, and public facility improvements. The Job Corps youths, who are themselves poor, send more than $1 million home to their families each month.

While the Job Corps has used the best talents of industry and of universities to design the program and operate the centers, many problems remain. Costs must be reduced and discipline improved. In fiscal 1968, the estimated full-year cost for a Job Corpsman in established centers will be about $6,700—down from an average cost of about $8400 during the last half of fiscal 1966. This sum will cover food, clothing, transportation, medical and dental care, pay and allowances, as well as the cost of training and education.

The experience we have gained thus far will permit tighter cost controls, firmer discipline, and more effective recruitment and placement. The Job Corps in fiscal 1968 will be even more effective in reaching those young people for whom the road to productive and responsible lives is the longest and hardest.

My budget recommendations include $295 million for the Job Corps Program in fiscal 1968—to educate, train and renew the hopes of some 50,000 young men and women.

VISTA

By this June, more than 4,000 Volunteers in Service to America—VISTA volunteers—will be in the field. They will be living and working in the hollows of Appalachia, on Indian reservations, in migrant camps and city slums—to teach skills, care for the sick, and help people to help themselves.

My budget recommendations for fiscal 1968 includes $31 million for the VISTA Program.

No matter how dedicated or skillful, 4,000 volunteers cannot accomplish the thousands of tasks that require attention in America's poor neighborhoods. Neither can a massive flow of dollars and new programs. We will continue to search for ways to enlist still more Americans in part-and full time service to their fellowman.

Operation Green Thumb

Hundreds of older unemployed and retired farmers and rural workers have gained in income and in dignity, while contributing to the safety and beautification of State highways, schools, parks and rural towns through projects like Operation Green Thumb. They have assisted their disadvantaged neighbors to improve their homes and have added their skills to enhance neighboring communities.

I have asked the Director of the Office of Economic Opportunity in cooperation with the Secretaries of Labor and Agriculture, to expand this activity and to develop new ways to provide meaningful public service opportunities for the elderly in rural areas.

Rural loan program

The special rural loan program of the Office of Economic Opportunity will assist 13,000 families this year to improve their farms and carry on small businesses. Hundreds of other poor families will be helped to increase their production and marketing capacity by loans made to rural cooperative associations.

My budget recommendations provide for $32 million in loans under this program in fiscal 1968.

A concentrated employment program

A thriving national economy is critical to our anti-poverty effort. Through private initiative and wise economic policy, our economy is meeting its fundamental test of producing revenue and employment.

It has not always been so. In the period from 1957 to 1959, 1.9 million Americans, new to the job market, sought work. One million of them could not find jobs. Despite prosperity, unemployment increased.

In the last three years, four million Americans joined the work force for the first time. 5.25 million jobs were added to the economy. Unemployment was reduced by 1.25 million.

But economic policy and unprecedented prosperity have not reached thousands of men and women who live in the nation's slums. The Secretary of Labor has investigated the unemployment situation in slums and found that:

Unemployment rates in the slums are three times the national average.

Large numbers of people work a few hours of the week, unable to find the full-time work they seek.

Large numbers work full-time at poverty wage levels.

Nearly one-third of those who should be employed at self-supporting wages are not.

Neither a high performance economy nor traditional training and employment services have been able to reach these men and women. Some need special counseling and training. Others need special health and educational assistance. All need follow-up assistance until they are permanently placed in a stable job. Even after that, they may need special attention during their first weeks of employment.

I have directed the Secretary of Labor and the Director of the Office of Economic Opportunity, with the assistance of other Federal agencies, to begin immediately a special program using all available resources to provide concentrated assistance to those with the greatest need.

This program will:

Enlist the active support and cooperation of business and labor organizations at the local level.

Provide a wide range of counseling, health, education and training services on an individual basis.

Provide the follow-up assistance necessary to insure that a job once obtained will not quickly be lost.

Use local community action agencies as the focal point wherever practicable.

I recommend that the Congress appropriate $135 million under the Economic Opportunity Act to support this program to train and put to work up to 100,000 slum residents next year. These funds, together with existing programs, will enable us to provide the special counseling and personal attention necessary to reach these impoverished Americans.

This will be a tough objective to meet. But we pledge to make every effort to achieve it.

Wage garnishment

Hundreds of workers among the poor lose their jobs or most of their wages each year as a result of garnishment proceedings. In many cases, wages are garnished by unscrupulous merchants and lenders whose practices trap the unwitting workers.

I am directing the Attorney General, in consultation with the Secretary of Labor and the Director of the Office of Economic Opportunity, to make a comprehensive study of the problems of wage garnishment and to recommend the steps that should be taken to protect the hard-earned wages and the jobs of those who need the income most.

Perseverance

Poverty cannot be eliminated overnight. It takes time, hard work, money and perseverance.

It has been only two years and three months since we decided to embark upon a concentrated attack on poverty. We have made progress. But victory over poverty will not quickly or cheaply be won.

We do not have all the answers. But we have given a great many people—very young children, restless teenagers, men without skills, mothers without proper health care for themselves or their babies, old men and women without a purpose to fill their later years—the opportunity they needed, when they needed it, in a way that called on them to give the best of themselves.

Millions more Americans need—and deserve—that opportunity. The aim of this Administration is, and will be, that they shall have it.

I urge the Congress to examine these programs carefully, to evaluate their accomplishments, and then to support them fully with the funds necessary to do the job.

III. IMPROVING THE CONDITIONS OF URBAN LIFE

The needs for jobs and job training, for special education and health care, for legal assistance, are all urgent in the life of the poor. Most often they exist together in the urban slum—isolated from the city of which they are a part.

I shall not elaborate on these conditions. They are familiar to everyone who has looked candidly at the American city. So are some of the things that should be done about them.

In the past few years, we have made a heavy investment in improving the conditions of life in the cities. Federal aid to cities and their citizens has been steadily rising—from grants and direct loans of $3.9 billion in 1961 to $10.3 billion in 1968.

But some of the most promising urban programs are today only authorizations on the statute books. The 89th Congress made them law. It remains for the 90th Congress to give them life.

Model cities

The Model Cities program, enacted last year, is an attempt to focus a variety of aids—physical and social—on the problems of the slums and to enlist private and local support to rebuild the blighted areas of America's cities.

It is a comprehensive approach to human problems—involving jobs, education, health facilities, housing.

Fulfilling the purpose Congress proclaimed last year is a necessity. We have inspired the hopes of large and small cities in every State. We have generated in local communities a commitment to excellence as they plan for the future.

I strongly urge the Congress to appropriate the full amount it has authorized for Model Cities in fiscal 1968:

$12 million for additional planning grants.

$400 million for supplemental grants to be used in carrying out local model city programs.

$250 million for urban renewal projects in the Model cities.

Rent supplements

The 89th Congress authorized the Rent Supplement Program to enable poor families to live in decent, privately-owned housing.

Only families whose incomes are so low that they are eligible for publicly-owned housing can receive rent supplements—and then only if they are displaced from their homes by governmental action or a disaster, are elderly or physically handicapped, or occupy substandard housing.

With low-rent housing in short supply, it is more important than ever to stimulate construction by private enterprise and non-profit organizations. The Rent Supplement Program authorizes payments that make the construction of low-rent units attractive for builders.

Last year the Congress provided funds to get this program underway. This year it must be expanded.

I urge the authorization of an additional $40 million for the rent supplement program in fiscal 1968.

Home ownership

For many American families, home ownership is a source of pride and satisfaction, of commitment to community life.

Some families with low but steady incomes have become the owners of decent, modest homes. Their well-maintained homes are often in the midst of slum areas. They are frequently surrounded by substandard homes owned by absentee landlords, where poor families pay rent in amounts much higher than would have been required for ownership of a modest home.

We must learn how best to help low-income families own their own homes.

I have directed the Secretary of Housing and Urban Development to carry out, within existing authority, a low-income housing-ownership pilot program, so that these lessons may be learned and converted to public policy on a broad scale.

I am authorizing the Federal National Mortgage Association to use $20 million of its funds to support this program.

The Program will:

Identify low-income families with the potential to build an ownership equity in a home.

Provide guidelines to assure the economic soundness of their investment.

Explore a program to insure low-income families against mortgage defaults and foreclosures that result from loss of health or economic recession.

Encourage ownership equity to be acquired through self-help in the construction of homes.

New and rehabilitated housing, single-family homes and apartment structures should be included in the program. All forms of ownership should be explored—single-family homes, cooperative and individual apartments.

Protecting the slum child

The knowledge that many children in the world's most affluent nation are attacked, maimed and even killed by rats should fill every American with shame. Yet, this is an everyday occurrence in the slums of our cities.

There is no excuse for this national disgrace. The rats' food supply can be eliminated. Garbage can be collected. Harborages can be eliminated. Buildings can be made rat-proof. As this can be done, it must be done.

To help America's cities wipe out this threat to their people's health and safety, *I recommend the Rat Extermination Act of 1967, to launch a major program of rat control and eradication. I will ask the Congress to provide $20 million to initiate this effort in fiscal 1968.*

Under this Act, as part of the broader program of community development, the Secretary of Housing and Urban Development, in cooperation with the Secretary of Health, Education, and Welfare and the Director of the Office of Economic Opportunity, will help cities:

Establish house-by-house, block-by-block extermination programs in rat infested neighborhoods.

Provide special concentrated code enforcement assistance to eliminate rats from city slums.

Provide public education campaigns for residents of slum areas.

Help provide better garbage collection, eliminate harborages, and take on the necessary self-help measures to protect against rats.

Build on the experiences in Chicago and Detroit, where slum residents were trained, mobilized and given the tools to conduct a major attack on rats in their infested tenements.

Urban housing rehabilitation

Franklin D. Roosevelt said long ago what is still true today: "American industry has searched the outside world to find new markets but it can create on its very doorstep the biggest and most permanent market it has ever had."

Rehabilitation is the key to many of our successful urban renewal programs. It is crucial to the success of the Model Cities Program.

I intend to call together an outstanding group of private citizens from across the country—from business and labor, government and the building industry—to examine every possible means of establishing the institutions to encourage the development of a large-scale efficient rehabilitation industry.

I will ask this group of outstanding Americans to find the best ways to tap the enormous market that exists in rebuilding our cities and to bring the most modern systems and the most advanced technology to this urgent task.

Grants for metropolitan development

Unless metropolitan development is orderly, the public's money will be wasted on public facilities—schools, hospitals, police and fire stations—that are obsolete before they are even completed.

Last year the Congress authorized a new program of twenty percent grants to support orderly development by local communities, working cooperatively in metropolitan areas. These Federal incentive grants supplement ten other Federal grant-in-aid programs that help finance transportation facilities, water and sewer facilities, recreational and other open space areas, libraries and hospitals.

I urge the Congress to provide $30 million in Fiscal 1968 for this essential program.

Urban transportation

The life of a city depends on an adequate transportation system.

Inefficient transportation increases the costs of local industry, and the prices paid by consumers in local stores. It robs the community's citizens of their leisure time and comfort. It penalizes the physically handicapped and those too poor to own a car.

I recommend that the Congress provide $230 million in advance funds for fiscal 1969 for the construction and improvement of urban mass transportation systems.

To improve public transportation systems and to reduce traffic congestion, *I recommend legislation to authorize the Secretary of Transportation, under the Federal highway program, to participate in the cost of acquiring land and developing public parking facilities on the outskirts of large cities.* This authority would enable the Secretary to promote the multi-purpose use of space over and under expressways and to develop areas alongside of highways for parking terminals.

Research and development

Less than one-tenth of one percent of our total research and development expenditures in government have been devoted to the field of housing and urban affairs. Yet, 70 percent of our citizens live in urban areas.

This failure to apply scientific resources and methods to an area of such vital importance to American life cannot be permitted to continue.

Today, we can give only partial, insufficient answers to such basic questions as how to build better housing at lower cost, how to move people more rapidly at less cost in congested urban areas.

This year, I ask that we move to build a basic foundation of urban knowledge—in three ways:

First, I recommend legislation to authorize a new Assistant Secretary in the Department of Housing and Urban Development for research, technology and engineering.

Under the new Assistant Secretary, an office for urban research, technology and engineering will be established along lines that have proven successful in other agencies of government. The new office will also serve as a source of information for State and local governments and for private industry.

Second, I am asking the Secretary of Housing and Urban Development to encourage the establishment of an Institute of Urban Development, as a separate and distinct organization. Such an organization would look beyond immediate problems and immediate concerns to future urban requirements, and engage in basic inquiries as to how they may be solved.

Third, I recommend:

$20 million in fiscal 1968 in funds appropriated to the Department of Housing and Urban Development for general research.

An increase from $13 to $18 million for other studies and experimentation in the fields of housing, urban development and urban transportation.

IV. PROGRAMS FOR THE RURAL POOR

Men have argued the merits of providing jobs in rural areas to stem the flow of people into the cities, as against providing jobs and training on arrival or training for jobs prior to departure. Whatever the "correct" answer may be to this argument, it seems clear to me that conditions of improverishment in rural America continue to exist and must be relieved to the extent we know how to relieve them.

We have taken a number of actions that will, in time, produce effective results:

A National Advisory Commission on Rural Poverty has been established and will submit its report and recommendations to me at the end of the year.

I have asked the Secretary of Agriculture and the Director of the Bureau of the Budget to review all existing Federal programs to insure that rural areas receive an equitable share of their benefits.

The Secretary of Agriculture has been given responsibility to identify development problems in rural areas which require the cooperation of various Federal departments, so that these programs may be better coordinated and duplication eliminated.

But much more needs to be done.

Planning aids for multicounty areas

This is no longer a nation of small towns and communities which can develop independently. Improved transportation and modern communications have created a larger concept of community. Its boundaries are not marked by any arbitrary political lines, but by the commuting distance to available jobs.

Many states have recognized this, and have established multi-county planning and development areas. Others are doing so. In many cases, rural community action agencies—organized on a multi-county basis—serve the same purpose.

But many rural communities lack the means to form multi-county development districts. Many lack the personnel trained in planning broad social and economic programs. Others lack the resources to enable them to plan effectively.

I recommend that the Congress amend the Housing Act of 1954 and authorize $20 million to provide:

Grants to States by the Department of Housing and Urban Development of up to two-thirds of the cost of technical assistance to and comprehensive planning by official multi-county planning agencies in non-metropolitan areas, including multi-county community action agencies.

Technical assistance to the multi-county planning agencies by the Department of Agriculture.

Increasing our public investment

For many rural areas, a relatively small public investment will return substantial increases in opportunity for the local people.

I recommend legislation to remove the annual ceiling on insured loan authority for rural community water and waste disposal systems.

Eliminating the existing $450 million limitation on lending authority for this program will permit more rapid completion of the water and waste disposal systems rural America needs for economic development.

I also recommend legislation to expand the provisions of the existing loan programs to permit farm owners or their tenants to shift the entire use of farm land with adequate recreation potential from agricultural production to income-producing recreation enterprises, as part of comprehensive land-use plans for rural and neighboring urban areas.

This program would permit better use of scarce land resources, provide better opportunities for some farmers now using poor farm land for crop purposes and furnish urgently needed recreation facilities for our population.

Migrant farmworkers

Migrant farm workers are among the forgotten Americans. Their wages are low, their employment uncertain, and their housing and working conditions deplorable. Though their needs are great, they often find it impossible to obtain social services available to other poverty-stricken Americans.

Because of residency requirements, migratory farm workers are barred in many States from receiving public assistance, vocational rehabilitation, and other welfare services. Disabled workers and their families are often not served—even when otherwise eligible—because of their relatively brief period within a State.

I recommend a five-point program for these forgotten Americans:

1. *Legislation to provide 90 percent Federal reimbursement for vocational rehabilitation services for disabled migratory farm workers.* The Secretary of Labor will develop a system for identifying migratory farm workers who would be considered for benefits under this program.

2. *Amendments of the public assistance law to authorize pilot projects to provide temporary public assistance and other welfare services for migratory farm workers and their families, who are now barred by resi-*

dence requirements from receiving these services.

3. *A 25 percent increase—from $28 to $35 million—in funds to provide:*

Special educational services for more than 170,000 migrant children.

Health services for about 280,000 migratory workers and their families.

An expanded self-help housing program for the construction of 2,000 housing units.

4. *Amendment of the Unemployment Insurance laws to provide benefits for workers employed on large commercial farms.*

5. *Extension of social security benefits to 500,000 farm workers by reducing from $150 to $50 the amount which must be earned from a single employer each year.*

V. FINISHING THE NATION'S BUSINESS

It is difficult for most Americans to understand what it is to be desperately poor in today's affluent America. More than half our population was born after 1940. Less than half can remember the depression on the farms of the twenties, or the bread-lines of the thirties. "The Grapes of Wrath" is ancient literature—not a living record—to most Americans.

Yet for more than 31 million Americans, poverty is neither remote in time, nor removed in space. It is cruel and present reality. It makes choices for them. It determines their future prospects—despite our hope and belief that in America, opportunity has no bounds for any man.

Poverty was universally tolerated until a century or so ago. But like disease, war and famine, it gained nothing in acceptability because it was prevalent. As soon as men saw that they might escape it, they fought and died to escape it.

Poverty denies to most of those born into it a fair chance to be themselves, to be happy in life. Federal funds or services, and the opportunities they provide, cannot permanently free a man from the trap of poverty if he does not want to be free. He must use the ladders that circumstance, native ability, and his Nation may create.

Let it be said that in our time, we pursued a strategy against poverty so that each man had a chance to be himself.

Let it be said that in our time, we offered him the means to become a free man—for his sake, and for our own.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 14, 1967.*

To the Congress of the United States:

I am pleased to transmit the 1965 Annual Report of the Department of Housing and Urban Development.

The year 1965 was a milestone in the history of America's effort to provide decent housing for its citizens and to improve the quality of urban life. It saw not only the creation of the new Department, but the passage of the Housing and Urban Development Act of 1965.

The Housing and Urban Development Act provided the new Department with powerful tools.

The Congress has since supplied others:

The Model Cities program, making possible the coordination and concentration of Federal, State and local efforts for the physical and social rehabilitation of deteriorating neighborhoods.

Funding for the Rent Supplement Program.

Authorization for the Federal National Mortgage Association to purchase an additional $3.7 billion in home mortgages to help meet the shortage of mortage funds.

An additional two-year authorization for the urban mass transportation program.

In addition to reorganizing five separate, semi-autonomous agencies into a single cohesive organization, the Department of Housing and Urban Development has begun the work for which it was created.

Since it commenced operations on November 9, 1965, the Department has:

Begun the Model Cities program, inspiring hope and generating a commitment to excellence as American cities plan their attack on urban blight.

Approved grants for the construction of 71 **Neighborhood Centers** in low-income areas, bringing services to those who need them most. At the same time it has joined with other Departments and Agencies to develop a 14-city pilot program of multi-service Neighborhood Centers which will bring together a wide range of Federal, State and local services.

Enabled hundreds of poor people to live in decent privately-owned housing under the new Rent Supplement program.

Moved about 600,000 persons into low-rent public housing.

Initiated a new "turnkey" program to lower costs and speed construction of low-income public housing by permitting private industry to build houses for sale to local housing authorities.

Provided better housing for 100,000 college students.

Made available 8,900 apartment units for elderly persons through loans of $113 million.

Stimulated the up-grading of older areas in more than 40 cities by approving $53 million in grants for intensive code enforcement.

Stimulated the rehabilitation of low-income homes through some 2,300 grants totaling $3 million and nearly 800 loans amounting to $4 million.

Approved an additional 157 urban renewal projects, and increased grant commitments for urban renewal by $931 million.

Approved more than $400 million in loans, grants and advances to promote more than 1,500 community projects, including mass transit, urban planning, development of water and sewer facilities, and acquisition of open space.

On the occasion of the Department of Housing and Urban Development's first anniversary, Secretary Weaver reported to me: "In just one year, significant strides have been made in program development, Departmental organization, and legislation. This is a Department on the move."

Today, with cities in every State of this Nation planning their assault on urban blight under the Model Cities program, we know that the pace will—as it must—be quickened.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 17, 1967.*

[From the office of the White House press secretary, June 2, 1967]

STATEMENT BY THE PRESIDENT ON THE FORMATION OF A COMMITTEE TO REBUILD AMERICA'S SLUMS

In my message to the Congress on Urban and Rural Poverty, I announced my intention to appoint a Committee to study this vital question: How can the resources and talents of private industry be directed into the rehabilitation of urban slums?

I said then that I would ask this group "to examine every possible means of establishing the institutions to encourage the development of a large-scale efficient rehabilitation industry."

I am pleased to announce today the formation of that Committee, which will draw upon the talents and the experience of a group of distinguished industrialists, bankers, labor leaders and specialists in urban affairs.

The Committee will be headed by Edgar F. Kaiser, President of Kaiser Industries, Inc.

No domestic task facing this Nation today is more demanding or more urgent than reclaiming the corroded core of the American city. A substantial part of that task is the rebuilding of the slums—with their 7 million dilapidated dwellings—which shame this Nation and its cities.

So vast an undertaking represents, as well, an enormous potential market. American industry has sought and developed markets around the globe. This one lies—waiting—at its very doorstep.

To tap this market, and do the job that must be done, the inventive genius of private industry and the creative productivity of American labor must be fused with the support and initiative of State and local governments and the resources of the Federal Government.

We must find the incentives which will stimulate business and labor to apply the most modern techniques; production systems, work practices, and economies of scale to the problem of the city slum.

The Committee I am appointing today will explore this complex problem in all of its aspects, and recommend those incentives and the private institutional machinery which it believes will best accomplish the task.

The Committee's challenge, in short, is to find the way to harness the productive power of America—which has proved it can master space and create unmatched abundance in the market place—to the most pressing unfilled need of our society. That need is to provide the basic necessities of a decent home and healthy surroundings for every poor American family now imprisoned in the squalor of the slum.

A major instrument of progress is already available to us—The Model Cities Program, enacted last year.

The work of this Committee can be a major step forward in fulfilling the high purpose of the Model Cities Program—to develop the blueprint for the future of the American City.

I have asked Secretary of Housing and Urban Development, Robert Weaver, and other responsible cabinet officers to work closely with the Committee.

The Committee members are: Edgar F. Kaiser, Chairman (President, Kaiser Industries, Inc.); Gaylord A. Freeman, Vice Chairman, The First National Bank, Chicago; Joseph D. Keenan, International Secretary, International Brotherhood of Electrical Workers; Charles Keller, Jr., President, Keller Construction Corporation, New Orleans; Peter Kiewit, President, Peter Kiewit Sons', Inc., Omaha, Nebraska; John A. McCone, Investment Banker and Corporate Director, San Marino, Calif.; George Meany, President, AFL–CIO; Joseph I. Miller, President, Cummins Engine Company, Inc.; Graham James Morgan, President, Member, Executive Committee, and Director, U.S. Gypsum Company; Raymond D. Nasher, President, Nasher Properties; Walter P. Reuther, President, United Automobile, Aircraft and Agriculture Workers of America, CIO; Walter Alter Rosenblith, Professor of Communications Biophysics, Massachusetts Institute of Technology, Cambridge, Massachusetts; John H. Wheller, President, Mechanics and Farmers Bank, Durham, North Carolina; Whitney M. Young, Jr., Executive Director, National Urban League, New York City; Honorable Joseph Barr, Mayor of Pittsburgh; S. B. Bechtel, Jr., President of Bechtel Corporation, San Francisco; R. V. Hansberger, President, Boise-Cascade, Boise, Idaho; and Leon Wiener, President, National Association of Home Builders.

LETTER ON THE AMERICAN CITY FROM THE PRESIDENT TO SENATE MAJORITY LEADER MIKE MANSFIELD

DEAR MIKE: It has long been apparent that the health of our nation can be no better than the health of our cities.

Surely not a single American can doubt this any longer, after the tragic events of this summer.

Just two months after I became President—in January 1964—I sent to the Congress a Special Message on Housing and Community Development. In outlining a series of new proposals for the cities of America, I said: "Whether we achieve our goal of a decent home in a decent neighborhood for every American citizen rests, in large measure, on the action we take now."

Shortly thereafter, I called together some of the most brilliant minds, the most talented planners, and the most experienced urban experts in the nation. After exhaustive study, they recommended to me a number of proposals that hold vast promise for the future of every city in this nation. Chief among these proposals was the Model Cities Program—the most coordinated, massive, and far-reaching attack on urban blight ever proposed to the Congress. This was not just a federal program. It was designed to stimulate local initiative in the private sector, and at the state, county and local level.

I asked Congress to authorize $2.3 billion for the first six years of this program. Congress reduced that request to $900 million for 2 years.

This year, I requested full funding of the Model Cities—$662 million. The House has already cut that request to $237 million.

I urge that this request be restored in full. We can no longer be satisfied with "business as usual" when the problems are so urgent.

These problems demand the best that an enlightened nation can plan, and the most that an affluent nation can afford.

In addition, the Congress now has before it a number of other programs proposed by the Administration which are concerned entirely or significantly with the urban problems of our nation. These programs, taken together, represent an all-out commitment to the safety and well-being of our cities and the citizens who live in them:

Funds requested, fiscal year 1968

[Millions]

Programs:	
Crime control	$50
Firearms control	-----
Civil Rights Act of 1967	-----
Juvenile delinquency	25
Economic Opportunity Act	2,060
Model cities	662
Rent supplements	40
Urban renewal	750
Urban mass transit, advance appropriation	230
Urban research	20
Neighborhood facilities	42
Home rehabilitation	15
Family relocation assistance	62
Rat extermination	20
Elementary-Secondary Education Act	1,600
Manpower Development and Training Act	439
Food stamps	195
Child nutrition and school lunch program	348
Community health services	30
Mental health	96
Mental retardation	25
Hospital modernization (Hill-Burton)	50
Maternal and infant care	30

All of these programs have been pending before the Congress since the beginning of this session and are included in our January budget.

The task before us is immense. But we have charted a beginning—and we have done so with the help of the best and most experienced minds in the Nation. I believe the enactment and funding of these programs is the first step in making this commitment a reality for the people of America.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *August 16, 1967*.

[From the office of the White House press secretary, Aug. 19, 1967]

STATEMENT BY THE PRESIDENT ON SIGNING S. 1762, EXTENDING THE URBAN FELLOWSHIP PROGRAM

The bill I sign today illustrates another aspect of the Federal Government's response to America's urban needs.

During the past few years we have taken a series of steps toward meeting the resource gaps in American cities. We have proposed a Model Cities program to rehabilitate older cities and to reclaim the opportunity for residential urban life. We have proposed a Rent Supplement program to meet our promise of a decent home for all Americans. We have proposed a research and development program to provide more sophisticated techniques for dealing with the problems facing our cities. We must move forward with these commitments.

But all this legislative progress will be barren without the underlying commitment of human resources—people with talent, with advanced training, people equipped to grapple with the physical, social and economic problems of cities.

At the very time we are being confronted with urgent demands in our cities, we face a severe shortage of persons equipped to deal with the growing complexities of urban development. This shortage is so critical that it challenges our ability even to maintain past levels of competence, much less to meet the fast-growing demands of today and tomorrow.

In March 1967 there were between 1500 and 1700 vacancies for urban planners of various kinds. Today's universities are graduating less than half that number.

Our universities tell us that there are two or three times as many qualified applicants for urban studies programs as the available fellowship programs can support. Many of these applicants, unable to find financial assistance in the urban development field, will be forced to look elsewhere.

Standing alone, this Urban Studies Fellowship program will not close the manpower gap of qualified professionals in urban affairs. But it will help—and it does show the way. Besides directly aiding the recipients of fellowships it will stimulate universities to expand their urban affairs programs, and it will encourage other universities to initiate them. Also it will, hopefully, encourage other fellowship programs, both public and private.

Last year, as a part of our response to urban needs, the Department of Housing and Urban Development took the first step toward meeting this urban manpower shortage. Ninety-five fellowships for full-time graduate study, in 40 public and private nonprofit institutions of higher education, were awarded to students for the 1967–68 academic year. The awards were made by Secretary Weaver upon the recommendation of the Urban Studies Advisory Board composed of nine members from universities and national institutions.

Reflecting our needs to cope wtih the growing complexity of urban problems, awards were made for study in such fields as municipal administration, urban sociology, city and regional planning, urban law and urban affairs with an emphasis on the social and economic problems of urban development. The thrust of these programs is toward coordinating the social, economic, and physical resources available in solving urban problems.

These are the crucial skills in determining the future of our cities. With the development of talent on a broader scale than ever before possible, our urban problems will, we believe, appear somewhat less formidable. America has the resources, and the will, to solve her urban problems. Increasing our capacity to solve them is the first important step.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, it is typical of the distinguished majority leader that everything he says and deals with here has an element of humanity and heart involved in it. This is what endears him to all persons, apart from his position of majority leader.

Whatever may be his political allegiance, the fact is, though he is a boy from the country, he has the deepest humane feelings for the poorer people in these cities.

I happen to serve next to the distinguished Senator from Washington [Mr. MAGNUSON] on the Appropriations Committee. Nothing could please me more or make me happier than to hear the words of praise uttered by the majority leader.

It was tremendously illuminating to me, as a boy from the sidewalks of New York, to note that the general sentiment in the committee—even on the part of those who opposed the programs—showed no disposition to punish the unhappy inhabitants of the ghettos for the recent troubles and violence that occurred there. On the contrary, there was a general understanding of the many important things that it is so urgent to do there.

Mr. President, I am not satisfied that we have done enough even with all of these programs. And there will be many struggles on that score.

One can only express satisfaction at the high motives and the fine words expressed by the majority leader and the many nice things he had to say about the Senator from Washington [Mr. MAGNUSON].

This will be a terrific struggle. I know that the Senate will not remotely endanger the public interest by creating an atmosphere such as surrounded the rat control bill in the House which situation, I think, unhappily took a big toll with respect to our efforts in this regard because of the sheer attitude of those concerned.

There will be need for Herculean efforts on the part of Congress and the President of the United States.

As the newspapermen so like to say: "A lot of arms will have to be twisted."

I join the majority leader in praying that our consciences will be equal to the necessity and the problems which lie before us.

Mr. MANSFIELD. Mr. President, I appreciate the remarks of the distinguished senior Senator from New York. However, I assure him that there will be no arms twisted, but I think that the results will be just as good.

Mr. MORSE. Mr. President, I associate myself with the remarks made by the distinguished majority leader with respect to the programs to render assistance to the cities of the country.

I am very proud of the part that the President of the United States played in connection with the programs. I am also proud of the measures that the distinguished Senator from Washington [Mr. MAGNUSON] brought to the floor of the Senate.

I am very proud also of the work performed by the Senate Committee on Labor and Public Welfare on which the distinguished senior Senator from New York [Mr. JAVITS] and I have the honor and privilege to serve.

I think I can see a great awakening within Congress as to the clear responsibilities we owe to the Republic to pass legislation that provides funds in sufficient amounts to meet the growing crises in the urban centers of America.

CONVEYANCE OF CERTAIN LANDS BY THE SECRETARY OF AGRICULTURE TO THE CITY OF GLENDALE, ARIZ.

Mr. MORSE. Mr. President, I want the RECORD to show my expression of appreciation to the majority leader for the motion he made a few moments ago for the reconsideration of the bill (S. 974) to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.

Mr. President, this bill was passed on the unanimous-consent calendar yesterday during my absence from the floor. I was absent from the Senate yesterday because I was presiding over the public hearings being conducted in connection with the pending railroad controversy in the country.

Mr. President, an error for which no one really deserves any blame occurred yesterday when S. 974 was called up on the unanimous-consent calendar. The bill, in its present form, is a clear violation of the Morse formula in that it would permit the transfer of this Federal property to the city of Glendale, Ariz., without compensation.

The bill, as it is presently worded, even leaves that question in doubt. However, the fact is that it would authorize the Secretary of Agriculture, if he saw fit, to transfer the property without compensation.

What the Senator from Oregon wants to do—and he is sure the Senator from Arizona [Mr. HAYDEN] will understand when he reads this statement—is to confer with the Senator from Arizona in order to work out an application of the Morse formula to the bill.

Mr. President, I have a standing instruction that when a bill comes in that calls for the transfer of Federal surplus property without compensation, objection will be registered to the calendar committee. One of the members of the staff most graciously—but I do not blame him at all—came to me and said that an oversight had been committed yesterday and that is how the bill was passed without the objection being registered.

In 1946, I first started applying the formula that has become known as the Morse formula, which simply provides that if surplus Federal property is to be transferred from the ownership of the Federal Government, for a public use at a State, municipal, county, or local level, 50 percent of its appraised fair market value shall be paid for the property. If it is to be transferred for a private use, then 100 percent of the appraised fair market value of the property shall be paid for it.

I have without exception held to the application of that formula ever since 1946. There have been a few times, but relatively few—I believe the last count showed six or seven times—when the Senate decided to transfer property without compensation, but did it by motion and full debate in the Senate, and by a majority vote of the Senate. I believe that every time it followed that course of action, the Senate made a great mistake; because never has there been, in my judgment, the justification for the taking away from all the taxpayers of this country property that belongs to them and giving it away without compensation.

I believe the formula is very fair, because it calls for 50 percent of the appraised fair market value for disposal of the property for public purposes at a non-Federal level and 100 percent of its appraised fair market value when it is for a private purpose.

In this bill, Mr. President, we have 20 acres of land located within Glendale, Ariz., city limits. It is an old poultry research laboratory. I am satisfied from the report that has been filed that it is not worth very much money, but whatever it is worth belongs to all the taxpayers of the country.

I have taken the position that even when it has been argued on the floor of the Senate that almost a minimum amount is involved, the taxpayers should receive 50 percent of its appraised fair market value. I would be willing to predict that the governmental officials of Glendale, Ariz., or the chamber of commerce or any other group, would express the view that they want the property for park purposes. They are not seeking a handout or a gift. They are perfectly willing to pay a fair compensation for the property, which the Morse formula provides.

I can well remember some years ago, in my own State, a member of the Oregon delegation introduced a bill that sought to give to the city of Albany, Oreg., a part of a parcel of land on which a Bureau of Mines laboratory and research center was located. It involved less than an acre of land—really a fraction of an acre. They needed the property to straighten out a street. I objected, of course, and insisted that the Morse formula be applied. It was applied. A rather small amount of money was involved, but it was paid by the city of Albany, Oreg.

The next time I addressed the Chamber of Commerce of Albany, Oreg., they said, "Listen, we didn't want that property for nothing. That came as a surprise to us. In fact, we didn't even ask for it at 50 percent of appraised fair market value. We would have been willing to pay the full market value of the property."

I recall a similar situation in Roseburg, Oreg.

I objected to another bill that was introduced by a colleague on the Oregon delegation that sought to give, in this instance, a very valuable piece of property to the Douglas County Historical Society. It was a piece of property located in the business center of the town, behind the post office building. It was the old home of an Oregon pioneer. It turned out that the property was worth more than $200,000. I took the position that 50 percent of its appraised market value should be paid for the property. It caused a little concern among some in my State. I pointed out then, as I do today, that the first time I agree to an exception to the Morse formula, whether it is in my State or Arizona or any other State, then the formula, in my judgment, becomes a dead letter.

I would have the Senate think a long time before it rejects the formula, because the last calculations show that since 1946, over $900 million—almost $1 billion—has been saved for the taxpayers of this country by my insistence upon the application of the Morse formula in these surplus property transfers—insisting without exception.

I refuse to believe that the Senator from Arizona [Mr. HAYDEN] and I cannot reach an amicable understanding for the application of the formula to this bill. I have never talked with the Senator from Arizona about it, other than to notify him today that I was going to ask for a reconsideration of the bill so that I could have an opportunity to talk with him about it. My confidence in his reputation for thrift in the wise expenditure of money and the need for the protection of the Federal tax dollar leads me to believe that we will have no difficulty in reaching an understanding for the application of the Morse formula to this bill.

I have been told that the application of the formula would not involve more than a maximum of a few hundred dollars; and I believe we should have no difficulty in getting the city government of Glendale, Ariz., or some group such as the chamber of commerce or another group to contribute the necessary money to pay for half of the appraised fair market value of the property.

The property is to be used for park purposes. The bill provides for a reverter clause. In case the property is ever used for a purpose other than park purposes, it would automatically revert to the Federal Government.

I appreciate the cooperation of the majority leader in making the motion for reconsideration and asking the House to return the papers on the bill for further Senate consideration.

I also want the RECORD to show my appreciation for the graciousness of the Senator from Arizona [Mr. HAYDEN] when I notified him this afternoon that I would seek reconsideration of the bill.

EXTENSION AND IMPROVEMENT OF FEDERAL-STATE UNEMPLOYMENT COMPENSATION PROGRAM

Mr. McCARTHY. Mr. President, in behalf of the Senator from New Jersey [Mr. CASE], the Senator from Indiana [Mr. HARTKE], the Senator from New York [Mr. KENNEDY], the Senator from Montana [Mr. METCALF], the Senators from West Virginia [Mr. RANDOLPH and Mr. BYRD], the Senator from Minnesota [Mr. MONDALE], the Senator from New York [Mr. JAVITS], the Senator from Wyoming [Mr. MCGEE], the Senator from New Jersey [Mr. WILLIAMS], the Senator from Michigan [Mr. HART], the Senator from Oregon [Mr. MORSE], and myself, I introduce, for appropriate reference, a bill to extend and improve the Federal-State unemployment compensation program.

It is particularly appropriate that this bill be proposed just before Labor Day, since it is designed to strengthen the protection for workers in an area of serious hazard—unemployment. Its enactment would not eliminate that danger but it would provide far more adequate protection for individual workers and serve as a better deterrent to economic recessions.

The basic framework for the unemployment insurance program was established as a part of the Social Security Act of 1935. In 1939, amendments to the act limited the Federal unemployment tax wage base to the first $3,000 of wages earned by workers. Since that time there have been minor changes, and two temporary programs were enacted in 1958 and 1961 to assist the States in meeting heavy costs during recessions. But despite all the changes in the economy the Federal law has remained without a major adjustment for nearly 30 years.

Last year the House approved a bill which contained a number of constructive provisions but it did not go far enough in several important areas. The bill which passed the Senate retained much of the House language and through amendments adopted on the floor of the Senate it provided more adequate standards for the duration and level of benefits and for financing and it established a federally financed program of supplementary benefits.

I regret that the conferees of the Senate and House were unable to reach agreement on resolving the differences between the two measures and that no new law was enacted.

The bill I am introducing today in its general objectives is along lines of the bill I introduced in the 89th Congress and also of the bill which the Senate approved last year. Despite the failure to enact a bill last year I believe we have a responsibility to try again and to bring the Federal law into line with the realities of the economy as soon as possible.

Unemployment insurance is the first law of defense against the effects of unemployment on workers and their families. In addition the payments made to the unemployed are transformed at once into rent, food, clothing, and other essentials. This added purchasing power tends to arrest the downward spiral in the economy and to check the development of a recession. The experience with the program over the last 30 years has demonstrated its value and importance to the welfare of workers, even though the standards are inadequate. The economy has been strong for several years and the rate of unemployment has declined. This is the time to improve the standards and to make the benefits of the program more effective.

This proposal would substantially increase coverage. Under existing law almost one out of every five jobs is still excluded from coverage under the Federal law. This bill would extend coverage to about 10 million additional workers, principally those who work for small firms employing less than four, those working for nonprofit groups and on large farms, and those employed by State and local governments.

Second, the bill would raise the level of benefits. A benefit of 50 percent wage replacement has been the goal, but today nearly half the claimants receive a benefit below that level. Under the standard proposed in the bill the State law would provide a maximum weekly benefit equal to at least half of the individual's average weekly wage, if his wage is no more than the statewide average weekly wage. The bill provides that this maximum be increased gradually in order that a larger number of workers could receive half pay when unemployed. To insure that the great majority of workers are not prevented by the operation of State maximum benefit amounts from receiving half their average wage when unemployed, the State ceilings on benefits would be raised to at least two-thirds of statewide average weekly wage by 1972.

A third improvement is that State laws provide eligible workers with at least 26 weeks of benefits. However, this does not meet the problem of the long-term unemployed. Unemployment beyond 26 weeks usually occurs because of automation, relocation of industry, and other economic factors. Unemployment of up to 26 weeks can properly be considered a responsibility of State programs. Beyond that there is a Federal responsibility, and the bill provides for a program of Federal unemployment adjustment benefits of up to 26 weeks for workers with a longer and firmer labor-force attachment. These benefits would be available over a 3-year period to qualified workers who are unemployed more than 26 weeks and who have exhausted their rights under the State system. To meet the costs of this Federal program for extended benefits—and also to help finance grants to high-cost States to help meet the increased cost of the higher maximum benefits prescribed by the benefit standard—the bill provides an increase of 0.2 percent in the payroll tax on employers.

The bill also updates the tax base for unemployment insurance. The $3,000 base adopted in 1939 covered 98 percent of the wages paid that year. In 1967 we still have the same Federal standard but during this time average weekly wages have more than tripled and today not much more than half of wages in covered employment are subject to the Federal unemployment tax. In contrast, the wage base for old-age, survivors, disability, and health insurance has been increased several times.

The bill would increase the tax base for unemployment insurance annually: first to $5,600, then to $6,600 and by 1972 to the same amount specified for the OASDHI.

A fifth area of improvement would be to correct many procedures by which individuals who have earned entitlement to protections of the system are now denied benefits. Provisions for disqualifying individuals who attempt to improve their employability through approved training, the denial or reduction of benefits to interstate or multistate workers, the denial of compensation to pregnant women whose unemployment is not due to pregnancy, and the denial or reduction of benefits to individuals solely because of their earned entitlement under other insurance programs—these and similar efforts to reduce benefit costs could no longer be characteristic of State laws if the State's employers are to continue to enjoy a credit, or waiver, of 90 percent of taxes due under the Act. In the same way State law provisions regarding labor disputes would be required to be truly impartial, and the growing practice of disqualifying workers on the grounds that their termination was "voluntary" when, in fact, the termination was not voluntary on the part of the individual worker would not be permitted.

Finally, the bill strengthens the financial structure of the State programs and provides improvements in a number of other areas. These are the kinds of adjustments which should have been added over the years as experience with the system increased. Unfortunately the unemployment compensation system has not had the same kind of adjustments and development that have characterized other programs under the Social Security Act. In the absence of adjustments to maintain realistic minimum standards a number of serious inadequacies have developed and have impaired the effectiveness of the program. The bill which I and other Senators are introducing today is a constructive and comprehensive proposal to meet these inadequacies and to strengthen and improve this program of great importance to the welfare of workers and to the stability of the national economy.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2377) to extend and improve the Federal-State unemployment compensation program, introduced by Mr. McCarthy (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. JAVITS. Mr. President, I am glad to be a cosponsor of the bill which has been introduced. The bill introduces certain new ideas which are very interesting and, I think, very important. I have always been on the bill with the Senator from Minnesota.

Mr. McCARTHY. The Senator is correct.

Mr. JAVITS. I am proud to be on it now.

However, I wish to insert one reservation. There may be some finite details we may be able to work out more intelligently and agreeably than now contained in the bill. I believe the reform is so urgent and the thrust of the bill is so desirable that I join with the Senator.

Mr. McCARTHY. Mr. President, I am happy to have the support of the Senator this year, as in the past. I quite agree with the Senator's observation that there may be need for some details to be adjusted to meet the problems in the employment picture. I hope we can work out these matters since this is a vital step and the bill should be enacted.

Mr. JAVITS. I thank the Senator.

ROY A. PARKER

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 1448.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1448) for the relief of Roy A. Parker which was, to strike out all after the enacting clause and insert:

> That the time Roy A. Parker resided abroad between April 19, 1960, and April 19, 1964, accompanying his stepfather who was stationed in France on an official assignment with the United States Army, shall be held and considered to be residence and physical presence in the United States for the purposes of section 316 of the Immigration and Nationality Act.

Mr. BYRD of West Virginia. Mr. President on June 13, 1967, the Senate passed S. 1448 to enable the beneficiary to file a petition for naturalization.

On August 15, 1967, the House of Representatives passed S. 1448 with an amendment in the nature of a substitute which involves only a language change and makes no substantive change in the bill as passed by the Senate.

I move that the Senate concur in the House amendment to S. 1448.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

LUIS TAPIA DAVILA

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate the message from the House of Representatives on S. 906.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 906) for the relief of Luis Tapia Davila which was, in line 3, after "That" insert: ", for the purposes of the Immigration and Nationality Act."

Mr. BYRD of West Virginia. Mr. President, on May 18, 1967, the Senate passed S. 906 to enable a citizen of Cuba to file a petition for naturalization. On July 11, 1967, the House of Representatives passed the bill with a technical amendment.

I move that the Senate concur in the House amendment to S. 906.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair appoints the following Senators to attend the annual meeting of the Boards of Governors of the World Bank and the International Monetary Fund, to be held at Rio de Janeiro, September 25 to 29, 1967: SPARKMAN and JAVITS.

The Chair appoints the following Senators to be congressional advisers to attend the meeting of the Food and Agricultural Organization, to be held in Rome, Italy, on November 4, 1967: JORDAN of North Carolina, MILLER, and YOUNG of Ohio.

The Chair, pursuant to Public Law 90-70, appoints the following Senators on the Golden Spike Centennial Celebration Commission: BIBLE, MOSS, KUCHEL, and BENNETT.

The Chair, pursuant to Public Law 80-816, appoints Senator PAUL J. FANNIN to the Board of Visitors to the U.S. Naval Academy to replace Senator MORTON, resigned.

COMPUTER SYSTEMS FOR STATE AND LOCAL GOVERNMENTS

Mr. KENNEDY of Massachusetts. Mr. President, I introduce, for appropriate reference, a joint resolution authorizing the Advisory Commission on Intergovernmental Relations to study the feasibility of a computer system to help State and local governments to participate more effectively in federally assisted programs. The computer system would, further, provide Congress and the President with a better measure of State and local needs and performance under these programs.

The relationship between the Federal Government and State and local governments has changed markedly in the last few years. Since 1955, Federal aid to State and local governments has quadrupled, rising from $3.1 billion in 1955 to an estimated $14.6 billion in 1967. In the past 5 years alone, twice as much Federal aid has been made available as in all the previous years, going back to 1789. State and local governments matched this concern at the Federal level: They spent more than $84 billion for similar programs in 1966 alone.

As more and more Federal programs are developed, State and local governments have a more and more difficult time sorting them out and deciding which ones would help most. The Federal programs are beneficial; the State and local governments want to benefit from them. But the very proliferation of Federal programs is bewildering, and this bewilderment is working against the solution of the problems the programs are designed to meet.

This does not argue against either the programs themselves or their number. They have all been developed to meet specific needs, and we would be denying the existence of the need were we to abolish the programs. What this multiplicity argues for is a modern system of information supply.

The junior Senator from Maine, Senator MUSKIE, has been deeply involved in this problem for years. The 3-year study recently completed by his Subcommittee on Intergovernmental Relations makes clear the benefits of the Federal programs and the creative partnerships they encourage. It also makes clear the problems which are raised by confusion and a lack of coordination among the levels of government. Senator MUSKIE has introduced a host of extremely constructive legislative proposals to overcome these problems, and I hope we see them enacted. Many other Senators have also expressed their interest in modernizing the means by which we make Federal program information available.

The resolution I introduced today supplements the efforts of Senator MUSKIE and others to build efficiency into government. It is similar to Senate Joint Resolution 187, which I introduced on August 10 of last year.

The resolution is directed at one very important part of the overall problem: the need to build an effective communications system among local, State, and Federal levels of government.

We are all aware of the dramatic rise in the demands on State and local governments. This rise reflects the increased public responsibilities shouldered by State and local officials, and there is every indication that these responsibilities will continue to rise. They are a result of the innumerable problems associated with urbanization, with economic expansion, with population growth, and with an increasing awareness of the effects of poverty.

In the face of these growing public needs which cannot be fully satisfied through State and local funding, the Federal Government has increased its programs of assistance, as I have mentioned. The number of State and local employees has risen swiftly in response, from 5 million in 1956 to more than 8 million today. In the same period, Federal civilian employment has increased only 360,000, to about 2.5 million. It should be noted that the vast majority of these Federal civilian employees work in State and local sites.

These Federal programs are not predicated on some master plan or grand design drawn up in Washington. Rather, they depend upon the initiative and resources of State and local officials, who must draw them up and keep them going.

But if our Federal programs of assistance are to be most effective, every State official, every mayor, every city and town administrator, every county or regional official, when faced with a community problem, should have complete information on the full range of Federal programs available. Only then can he be sure he is choosing the programs his community needs, and is shaping them so they will bring the greatest benefit to his community and the people who live in it.

What these administrators most need is information. Without information to help them make their decisions, many communities miss out completely on programs of Federal assistance for which they are eligible. Others are extremely slow in getting programs started, or choose to pursue programs poorly suited to meet highest priority needs even though better programs are available. Still others face the frustrations, because of inadequate information on application requirements, of having their applications for assistance go back and forth between the Federal agency and the State or local agency for rewriting.

Government action based upon inadequate information is wasteful and costly.

It is costly to the American taxpayer, whose money is not wisely or effectively spent.

It is costly to the communities, who are denied benefits or delayed in getting them.

It is costly to the Nation as a whole, when haphazard and ill-informed decisions result in a misallocation of resources.

And it is wasteful of time, time while problems continue to fester.

There can be no question that we need a more effective communications system among the various levels of government. Yet it will not be easy to achieve one, because the number and scope of Federal programs is vast and the variety of needs is great.

For example:

The Federal Government has almost 300 programs to deal with education, environment, poverty, or community development. They are administered by more than 100 departmental subdivisions at varying organizational levels in 18 different departments and agencies.

More than 40 different Federal programs provide aid for urban development, yet these programs, too, are scattered throughout the executive branch.

Four different agencies handle similar grant or loan programs for waste disposal facilities, and handle them in dissimilar ways. The Bureau of the Budget has recently concluded a "sewer treaty" to bring some coherence to these programs, yet the time-consuming interagency referral still bogs these programs down, in some instances.

Five Federal agencies are involved in community planning—the Office of Economic Opportunity, the Economic Development Administration, the Department of Housing and Urban Development, the Department of Agriculture, and the Appalachian Regional Commission.

There are over 21 Federal departments and agencies dealing with State and local governments, with some 150 major bureaus and offices in Washington and over 400 regional and subregional offices in the field.

There are over 75 different planning assistance programs, many of them duplicative and overlapping because of limited function.

But the problem the resolution I introduce today addresses itself to is not solely one of the multiplicity of Federal programs. It is also focused on the incredible maze of State and local governmental units. Using 1962 figures, the latest complete ones, we find 3,000 counties, 18,000 municipalities, 17,000 townships, 35,000 school districts, 1,000 housing and urban renewal districts, 2,200 drainage districts, 2,400 soil conservation districts, 3,200 fire districts, and 700 health and fire districts. There are, in all 92,000 local governmental units—many of them fiscally and administratively independent. It is these units with which the Federal program administrators must deal, in large part.

It is this welter of applicants for a welter of programs which has led to what some have called the crisis of federalism.

The Senate Subcommittee on Intergovernmental Relations, after 3 years of study, observed that there is "substantial competing and overlapping of Federal programs—sometimes as a direct result of legislation and sometimes as a result of bureaucratic 'empire building.' "

The conditions precedent to obtaining funds, furthermore, vary considerably from program to program, agency to agency, project to project, and also within agencies and programs over periods of time. These variances are aggravated by the sheer size and complexity of the Federal agencies and their missions.

Federal programs of assistance have provided community officials with so many alternatives that they cannot keep track of them all, or distinguish between them. The problem has been aptly described by Patrick Healy, the executive director of the National League of Cities; and John Gunther, the executive director of the U.S. Conference of Mayors:

> The rapid expansion in the number, size and inter-relationship of urban-oriented Federal programs has resulted in growing concern within many city administrations that they may not be aware of all of the opportunities to effectively utilize Federal programs.

This concern is generated and heightened by the lack of an effective communications system able to keep pace with the expansion of activity.

Thus, unfortunately, local participation in these programs has often been haphazard. Local officials, lacking large staffs, are often bewildered by the maze of Federal programs confronting them, and are unable to stay informed about the Federal funds and projects they might obtain.

In short, we are faced with a crisis in communication.

This conclusion is confirmed by the 3-year study made by the Senate Subcommittee on Intergovernmental Relations, and by a comprehensive survey of Federal program administration conducted by two private business organizations, Basic Systems, Inc., and University Microfilms, Inc., two subsidiaries of the Xerox Corp.

It is the conclusion I have arrived at after numerous conferences and conversations with State and local officials in Massachusetts and with other Senators and Congressmen who have observed the same problem in their own States. It has always saddened me that many communities I have visited have not taken full advantage of the stimulus of Federal programs, and I have often found the cause to be a lack of information on the programs themselves.

This communications lack is also demonstrated by the variety of efforts underway, by both public and private organizations, to relieve bottlenecks it creates.

For example, State and local governments have more and more been sending representatives to Washington, to set up a clearinghouse for information on Federal programs. A system designated to provide interested groups with a single, continuing source of intelligible data on Federal programs has been established here by Basic Systems, Inc., and University Microfilms, Inc. And the National League of Cities and the U.S. Conference of Mayors have joined together through the Joint Council on Urban Development to provide such a service to cities on a contractual basis.

Federal agencies have begun to compile catalogs and handbooks on aid programs. Last year, the catalog of Federal programs for individual and community improvement published by the Office of Economic Opportunity required 414 pages just to give the briefest description of each program. The second edition of this catalog of "Federal Assistance Programs for Social and Economic Progress" runs to 701 pages. The catalog of "Programs and Services of the Department of Health, Education, and Welfare" alone runs to 374 pages. Similar catalogs have been developed by Senator MUSKIE's subcommittee and by the Economic Development Administration, and a "Mayor's Handbook of Federal Assistance Programs" has been prepared by the Bureau of the Budget. In addition, each agency charged with the administration of a Federal grant-in-aid program has a vast amount of literature available concerning all aspects of its particular programs.

There has been such a proliferation of catalogs to cope with the proliferation of Federal programs that the Advisory Commission for Intergovernmental Relations has recently published an index of them—a catalog of catalogs, in effect.

But none of these initiatives deal with the communications problem in comprehensive terms.

The problem will not be solved by catalogs or by indexes of catalogs. It will not be solved by more books. We do not need more information duplication—but we do need a single source of detailed information, bringing together the piecemeal information on projects presently going on, available through a modern information retrieval system, operated on a decentralized basis, to which officials can turn to identify their options and to select the best of available Federal programs.

The resolution I offer would authorize the Advisory Commission on Intergovernmental Relations to conduct a thorough investigation of the feasibility of a comprehensive information service system. This system would make use of automatic data processing equipment and other forms of advanced information technology, to serve our States and localities.

I have long been impressed by the enormous potential of computer and information retrieval technology, and by its possible application to the development of an intergovernmental information system.

What I have in mind is a computer-based information system, using satellite centers, which would provide each State, local government, county, or other governmental unit with detailed information both on programs available to it and the appropriateness of each to the particularized problems of each governmental unit. With a profile of each community, a satellite computer could be programed to inform the community of new programs as they become available, of what programs have expended all their funds, of what programs have changed, and of what programs have been discontinued. In every case, the information provided would be on the request of the governmental unit in question, and it would reflect the particularized needs of each unit.

Such a system has been used with great success by the National Aeronautics and Space Administration, in its technology utilization program, to provide private industry with detailed information on technological advances with potential benefit to particular industries. The Post Office Department, the Internal Revenue Service, the Department of Defense, the Bureau of the Census, the Department of Housing and Urban Development, OEO, and other major governmental agencies are all using data processing equipment to bring greater efficiency to their operations.

States, too, have begun to make use of modern information retrieval systems. Six million words of Iowa law are now stored in the State of Iowa's computer center in Des Moines, and any of Iowa's 61 senators and 124 representatives in the State legislature have near-instant access to any of the 2,988 pages of Iowa statutes. The computer is able to finish in 4 or 5 minutes what formerly took a staff researcher a week or more to complete. This same computer performs a multitude of other tasks for Iowa: It handles the data processing needs of 36 State agencies, it does all State accounting, it prepares 6,000 State payroll checks each month, it maintains records relating to 1.6 million State drivers' licenses, and accounts for and pays 40,000 welfare recipients. Many other States, including New York, New Jersey, Pennsylvania, and Ohio are also making good use of computer technology.

This Iowa system is not, of course, the type my resolution is concerned with, but it does illustrate, and does so graphically, the enormous potential that modern information systems have for management of government.

Given this background, I think it a disservice to State and local governments if we fail to investigate the possibilities of using advanced information system technology to provide the information which local executives so desperately need.

Over the past year, I have spent considerable time exploring the feasibility of such a system. I have spoken with representatives of a number of firms involved in this field, such as Diebold Associates and International Business Machines, and explored this question with knowledgeable individuals in government, in universities, and in consulting businesses. My conclusion is that we have every reason to expect that such a system could be constructed, and that its operation would be a boon to State and local governments. But it is also apparent to me that we need a comprehensive study of the problem, to determine what form that construction should take.

IBM, at my request, undertook a preliminary examination of the feasibility and appropriate design of such a system. From the conclusions of this examination, many of the specific questions which must be answered in this study become clear.

To begin with, we must determine the appropriate inputs of the system. State and local officials must be surveyed, and State and local government program—planning and decisionmaking studied in order to ascertain exactly what the informational needs and problems are. Much groundwork has already been done in this area, by various governmental agencies, so the undertaking is not as vast as might first appear.

On the basis of such a study, it would then be possible to determine the extent and form of input data required for the system, the most desirable form in which to receive this information, and the degree and kind of interpretation of information needed. For example, IBM concluded that at least four kinds of input data would be required:

First. Socioeconomic data involving income distribution, education, law enforcement, health and welfare, et cetera.

Second. Community resource data involving labor force and employment, industry and trade, transportation, housing and community facilities, financial, et cetera.

Third. Programs reference data concerning the nature and purpose of assistance programs, conditions of eligibility, information contact, authorizing legislation, and the administering agency.

Fourth. Programs status data involving the nature and extent of usage of various aid programs, the status of obligated funds, the names and numbers of communities involved, et cetera.

There are, as I pointed out earlier, a number of information sources already developing. The study I propose will survey this growing field; determine what action is needed to merge or otherwise synthesize these other information sources to avoid duplication of effort; identify gaps in existing information sources; and provide for the collection and indexing of whatever necessary additional information is needed to fill those gaps.

Once the input design is determined and data collected, construction of an information system would readily follow. This system would be capable of up-to-date storage, retrieval, and printing of relevant information. It would be manned by skilled personnel, for interpretation and evaluation of the information, which would enable State and community officials to select most intelligently those programs of Federal assistance which best serve their interests.

The study will give us a definitive answer about the construction of such a system. The answer will depend in part on whether the costs of constructing it are less than the fiscal and social costs involved in continuing as we do now. Thus, the study would consider the design of alternative information systems, varying in complexity, provide cost estimates for each, and compare the costs to the benefits accruing from the introduction of such systems.

The system I visualize would be decentralized in nature. But careful study is needed to determine how many satellite centers should be established, where they should be located, and whether the overall system would best be operated under the direction of the Department of Housing and Urban Development, the Bureau of the Budget, the Census, the General Services Administration, or some other Government agency.

An information system of the type I propose need not be limited solely to offering data on Federal programs. By keeping a record of the projects and programs carried out in various communities, it should be possible for communities to learn from the system what programs other communities are developing, and then to profit from their experiences. This will further reduce the cost and waste of our present system.

Moreover, through data phones and other link-ups, the system would be capable of providing Congress and the administration with a better measure of the needs and performances of the cities, States, and regions operating under these programs. This information, perhaps similar to the community profiles being developed by OEO, would be available almost instantly to those authorized to request information from it.

This would facilitate legislative oversight, as well as making possible speedy and more accurate adjustment of aid programs to meet existing needs.

I think it important that the study consider the possible political problems which may arise, and how we can preserve the existing, desirable relationships between city and State officials, Members of Congress, and administration officials.

I consider it also important to stress that this system I propose would be used as an aid to the decisionmaking responsibilities of public officials, and not a replacement. This has been the great revolution the computer has worked in private industry: facilitating the decisionmaking process by making more and reliable information available to those who must make the decisions.

Finally, the study of systems design must carefully consider the fact that the system and the information required by the system will not remain static. Specific attention must be given to the incremental development of the system. As program requirements change and new ones are added, the information must be reviewed and up dated and provision must be made for standardizing its structure and collection.

In short, Mr. President, it is my judgment that the basic idea is sound, and the need apparent. A thorough study of the entire question, which I propose today, is a prerequisite to effective action.

The Advisory Commission on Intergovernmental Relations seems to me an ideal body to carry out such an investigation.

The Commission was established in 1959 to study ways and means to strengthen our federal system, at all of the levels of government. Its statutory mandate specifically directs the Commission to study and to provide a forum for discussing administration and coordination of Federal programs, as well as to encourage study of emerging problems requiring intergovernmental cooperation.

Furthermore, the staff of the Commission has concentrated its activities on the problems of Federal-State-local relations, thereby building an expertise of great help in carrying out the study I propose. And their work has consistently been of high quality.

In addition, the composition of the Commission is uniquely suited for this kind of study, because it is both a continuing agency and broadly representative of all levels of government. It is not a Federal agency in the usual sense: Its members include representatives of the executive and legislative branches of all levels of government.

As Patrick Healy of the National League of Cities put it:

> We believe that the heterogenous nature of the Commission—it consists of both executives and legislatures representing all levels of government—is one of the features which allows it to make important contributions to the field of intergovernmental relations.
>
> When this hybrid group of people sit down to consider the research activities of the Commission, the full interplay of opinions and interests creates a new understanding of the problem under discussion. This is governmental interaction at its best, because it maximizes the opportunities the Commission presents for reasonable men to arrive at desirable and practical solutions to the problems of intergovernmental relations in our Federal system.

The legislation establishing the Commission, Public Law 86–388, already provides authority for the Commission to employ the technical consultants necessary to accomplish this study, and the study itself would dovetail with many of the other studies and reports that the Commission is currently engaged in. Further, it already authorized the appropriation of funds necessary to carry out such a study.

I am hopeful that this study will lead to quick implementation of an advanced information system for increasing the effectiveness of State and local decisionmaking.

I want to reiterate my belief that it is not the multiplicity of Federal programs which has led to the crisis of federalism. These programs have all resulted from specific needs and are all tailored, in one way or another, to meeting these needs with new financial and personnel resources. The crisis of federalism has resulted from a reliance upon managerial techniques which our industries—the world's best—rejected years ago.

We will go far toward our goal of a better life for all Americans if we make modern computer technology available to State and local officials, for it is these officials who must plan for and carry out the programs designed to bring this better life about.

Mr. President, I ask unanimous consent to have this joint resolution printed in the Record, as well as two statements dealing with the subject matter of the bill.

The **VICE PRESIDENT**. The joint resolution will be received and appropriately referred; and, without objection, will be printed in the Record, together with the two statements, as requested.

The joint resolution (S.J. Res. 110) to authorize a study and investigation of information service systems for States and localities designed to enable such States and localities to participate more effectively in federally assisted programs and to provide Congress and the President with a better measure of State and local needs and performance under these programs, introduced by Mr. Kennedy of Massachusetts, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

S.J. Res. 110

Whereas, optimum implementation of Federal assistance programs for the development of physical, social, and economic resources in States and local communities requires an effective communication and information system enabling State and local officials to identify and order their resource needs and program objectives and to determine which of available Federal programs are best designed to meet those needs and objectives;

Whereas, in recent years there has been an ever-increasing growth in the size and complexity of activity at all levels of government to meet growing public needs, while State and local revenue resources have become less responsive to economic growth and are inadequate to meet such public needs;

Whereas the expansion of Federal programs has not been accompanied by an equivalent growth in the informational capability of State and local officials to make best use of programs of Federal assistance in meeting community needs;

Whereas State and local officials have difficulty obtaining information necessary to enable them to define adequately the areas of community need, to assign priorities among such areas of need, and to choose among the available Federal programs of assistance in order to receive maximum benefit from such programs; and

Whereas scientific advances in computer and information retrieval technology represent a major new capability which may have important applications to the development of a modern intergovernmental information system: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That:

(a) the Advisory Commission on Intergovernmental Relations (hereinafter referred to as the "Commission") is authorized and directed to initiate and conduct a thorough study and investigation of the nature of the diverse types of information interchange presently in existence between Federal, State and local governmental units;

(b) the Commission is authorized to study and investigate the desirability of developing and maintaining information systems utilizing automatic data processing equipment, and other forms of advanced information technology, which systems would be capable of collecting, storing, evaluating, retrieving, sorting, and disseminating the relevant informaton necessary to enable the officials of States and localities, on a continuing basis, to assess areas of community need, assign priorities among such areas of need, and more effectively participate in federally assisted programs; and

(c) Such studies and investigations shall include consideration of the following:

(1) the preservation of the existing desirable relationships between the levels of local, State, and Federal governments;

(2) the extent to which presently available service systems can improve the utilization of modern techniques of program planning and other aids to decisionmaking by officials of State and local governments with respect to applications for federally assisted programs;

(3) the type and quality of information presently in existence and the type of information required by systems embodying increasing utilization of present computer and communications technologies;

(4) the best means by which various types of information service systems can collect, store, evaluate, sort, retrieve, and disseminate the information;

(5) the cost of developing, constructing, and operating such systems;

(6) the most desirable location of authority for the operation of such systems at the various levels of government;

(7) the extent to which such various systems might be employed to provide Congress and the President with a better measure of State and local needs and performance under these federally assisted programs;

(8) the application of advanced technology to assure the possibility of subsequent expansion and modification of such systems if eventually necessary; and

(9) the extent to which such systems once developed would be used by officials of State and local governments.

Sec. 2. In addition to the authority granted herein, the Commission, for the purposes authorized by this joint resolution, may utilize any of the powers granted by the Act entitled "An Act to establish an Advisory Commission on Intergovernmental Relations," approved September 24, 1959 (73 Stat. 703).

Sec. 3. The Commission may transmit to the President and to the Congress such interim reports as it deems to be proper. The Commission shall transmit its final report to the President and to the Congress not later than one year after the date of enactment of this joint resolution. Such final report shall contain a full and complete statement of the findings and conclusions of the Commission and its recommendations for such legislative measures as it may deem to be appropriate.

Sec. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out this joint resolution.

The text of the two statements is as follows:

INTERNATIONAL BUSINESS MACHINES CORP.

Senator Edward Kennedy,
U.S. Senate,
Washington, D.C.

Dear Senator Kennedy: At your request, we have made a preliminary examination of how modern technology may be used to facilitate the efforts of state and local officials to secure aid under federal programs for such purposes as education, transportation, housing, and community facilities. These are programs intended to provide National Assistance for Individual and Area Development (NAIAD).

Our preliminary conclusions are as follows:

The design and implementation of a computer-based NAIAD system is now feasible.

The key problems are institutional, not technical. They relate to managerial responsibility for, and privilege of access to, the system.

1. STATEMENT OF PROBLEM

The problems here to be explored are the following:

What should be the nature of a modern NAIAD system?

What unusual system considerations may arise from the requirements of the Legislative and Executive branches for information essential to their differing but coordinate roles?

2. OBJECTIVES OF NAIAD SYSTEM

In the present context, the NAIAD system comprises the entire body of men, skills, data, and machines needed to accomplish the desired objectives. Much of the work will be done, as now, by trained professional people, applying their knowledge with great skill to very ill-defined problem areas. That which may change is the support given these people by providing them more complete, more accurate, and more timely information, and by performing computations and simulations possible only with modern computer-based technology.

Most computer-based systems in the Federal Government have objectives such as lower cost or increased efficiency in accomplishing some specific agency mission. The NAIAD system, extending into a number of agencies and serving Legislative as well as Executive interests, will necessarily have broader objectives. These are as follows:

To facilitate the flow of information on aid programs relevant to the specific purposes of the interested federal, state and local officials.

The NAIAD system must have within itself, or readily available to itself, information descriptive of conditions in the community seeking aid, and of the entire range of federal aid programs. Upon demand, the system should be able to retrieve all information relevant to the conditions and needs of that specific community. As experience is gained in handling requests, it may later be possible to assign the task of performing various kinds of analyses to the NAIAD system. These might include projection of socioeconomic trends and analyses of cost-benefit ratios, as well as the preparation of financial justification of projects. By these means, it should be possible to match more effectively federal aid with the evolving needs of the community.

To provide the Executive branch with information for monitoring agency and program performance, and for correcting defects in the law or in its administration.

The NAIAD system should assist the agency operating a program to do so with greater speed and effectiveness. It should permit the Executive to coordinate more effectively the various forms of aid flowing into a given community. Through analysis, the system could determine socioeconomic profiles of the various communities to aid in monitoring their social and economic health. Comparative analyses might then be prepared showing the "State of the Community," and projecting future conditions in these communities under various policy assumptions.

To provide Congress with tools for serving its constituents, for facilitating legislative oversight, and for adjusting aid programs to meet evolving social and economic needs.

Despite the various forms of assistance provided by the Executive, Members of Congress are frequently called upon to provide a link between constituents or communities seeking aid and the various agencies offering aid. The NAIAD system should speed and facilitate the service thus provided, and lessen the burdens of such casework on Congressmen and their staffs.

At the level of national policy, the system should enable Congress to monitor the performance of operating agencies, the progress of the various programs, and the development of various communities. The comparative analyses prepared by the system should facilitate planning for an ever more effective and equitable distribution of federal aid.

3. DISCUSSION OF DATA REQUIREMENTS

The key to a successful system is its store of readily available information. To achieve its objectives, the NAIAD system must have access to a large body of structured, up-to-date information, ranging from census data, to maps and photographs showing land use, to application forms for the various programs. Certain data are needed to explain programs, to establish qualifications, or to guide implementation. Other data are needed to perform analyses or to predict trends. The data, provided by federal, state, county, municipal, and private agencies, need not be physically present in one place, so long as adequate references are available to where the actual information can be found and retrieved.

Major classes of data encompassed by the NAIAD system would be of four kinds:

Socio-economic Data: Demographic, income distribution, education, law enforcement, health and welfare, etc.

Community Resources Data: Labor force and employment, industry and trade, transportation, housing and community facilities, land use and zoning, financial, etc.

Programs Reference Data: Nature and purpose of aid, conditions of eligibility, information contact, authorizing and other relevant legislation, administering agency, etc.

Programs Status Data: Nature and extent of usage of various aid programs, status of approved and obligated funds by program and by community, names and number of communities involved, number of families or individuals affected, physical status of facilities being built or renewed, etc.

4. DEVELOPMENT OF THE NAIAD SYSTEM

Requests for aid presently flow from interested officials at the state and local levels to the Executive agencies and Congress. With careful planning, it should be possible to design a computer-based system which preserves essential relationships between constituents, Congressmen, and agencies. As shown in Figure 1, the NAIAD system would function at the interface between the state and local levels and the two branches of the Federal Government. The flows of information, advice, and funds would then be facilitated by the capabilities for data storage, retrieval and analysis provided by the system. This central (and sensitive) location, however, gives rise to a number of considerations relating to managerial responsibility, privilege of access, and evolutionary development of the system.

Who shall develop and operate the NAIAD system?

Two of the criteria for testing alternative organizations for managing the system are:

(a) Understanding of the political process and competence in applying computer technology,

(b) Catholicity of interest extending across the entire range of federal aid programs, present and potential.

The choices for management include a not-for-profit organization (e.g., Brookings Institution), a "trade association" (e.g., U.S. Congress of Mayors), or an agency within the Executive branch.

While certain not-for-profits can meet these criteria, they may be reluctant to accept managerial responsibility. "Trade associations" may lack experience in developing computer-based systems. A number of the Executive agencies meet the first requirement, but only the Bureau of the Budget meets both requirements. One possibility is for implementation and operation to be handled under the general direction of the Bureau of the Budget, with the advice of an interagency team drawn both from those departments having operating responsibility and from the Advisory Commission on Intergovernmental Relations. The objective would be a government-wide system operating from a common data base, with each of the operating agencies, Bureau of the Budget, and Congress using only those data and computer programs related to its purposes. State and local officials could continue to deal, as they do now, with agencies having responsibility for specific programs.

Who shall have access to what kinds of information?

The system will include a wide variety of information, some of which should be accessible only to certain users. Privilege of access impinges heavily on the needs and roles of Executive versus Legislative, of department level versus agency level within the Executive and of agency level versus state or local planning officials. Also involved here is the need for preventing disclosure of confidential or proprietary information—a privy relationship required by law—which will strongly influence the degree of system centralization, as well as the conditions and methods for access. Finally, the distinctive needs of Congress for information and confidentiality may well lead to two separate but similar systems, with the Bureau of the Budget having overall cognizance of the system used by the Executive; the General Accounting Office or Legislative Reference Service, for that used by the Legislative.

How might the system evolve?

The NAIAD system should be implemented in stages as follows:

(a) Stage 1:

Formulation of system concept.

Definition of requirements of information within the system.

(b) Stage 2: Development of capability for storing and retrieving data to service requests for aid, and for reporting status of aid programs.

(c) Stage 3: Expansion in capability of system to perform trend projections, cost-benefit analyses, etc.

As experience is gained, more of the burden of analysis may be done on the computer.

A large part of the cost of implementing and operating the system will be involved in preparing and maintaining the various files of information. Changes will occur in laws, in regulations, in agency organizations, in programs, in community needs, and in technology. The system design should be such as to permit easy modification and expansion of computer programs and of the data files. This means that additional pressures will be created for standardizing the structuring and collection of data in the several levels of government.

I do hope that these comments will be helpful to you in preparing the legislation you desire.

Very truly yours,

ABRAHAM KATZ,
Manager of Economic Analysis.

COMPUTERS AND THE PUBLIC WELFARE, LAW ENFORCEMENT, SOCIAL SERVICES AND DATA BANKS

(By Harold R. Johnson, Office of the Director of Telecommunications Management, Executive Office of the President)

I. INTRODUCTION

During the past three years major legislation has been enacted which provides for an increasing orientation of our national effort towards improving the quality of American life.

As a nation, one of our major concerns is to provide an environment in which the benefits of our society are increasingly available to all of our people.

A large portion of our national product is being devoted to new programs aimed at better support of the health and welfare demands of our nation. We are currently devoting well over $100 billion a year to this important sector of our economy.

Federal grant-in-aid programs devoted primarily to the fields of health, welfare, education and law enforcement assistance have increased sharply. The participation of the Federal government in these programs has risen from about $4.1 billion in 1957 to nearly $15 billion in the current year. Further increases in Federal support are projected.

To be effective, our national programs in education, health, welfare, and law enforcement assistance require close cooperation between Federal and State activities. Computer-communications technology can provide major assistance in achieving this cooperation and in furthering our national objectives in this field.

II. NATIONAL OBJECTIVES

The President's message on "Crime in America", transmitted to the Congress on February 6, 1967, underlined the fact that "public order is the first business of government" and presented a wide ranging program in which local government, State government and Federal government can cooperate to obliterate crime from our nation.

The importance of health and education to the national welfare was underlined in the President's message to the Congress of February 28, 1967 . . . "Nothing is more fundamental to all we seek than our programs in health and education."

The President's message on health and education also underlined the challenge to the nation to do a better job in achieving national objectives. "Today, we face major challenges of organization and evaluation. If our new projects are to be effective, we must have the people to run them, and the facilities to support them. We must encourage states and localities to plan more effectively and comprehensively for their growing needs and to measure their progress towards meeting those needs."

The crime rate, continuously rising—taking more and more of our national wealth to try to control.

Education—soaring enrollments and requirements for teachers—higher costs per student—the need for more facilities, for new methods, for reaching more people.

Health—rising costs—marked increase in mental illness—inadequate hospital facilities—stagnation in the numbers of doctors and nurses relative to the population.

Welfare—the challenge of helping our aging citizens—of coping with the programs of the underprivileged—of dealing with a demand by our citizens for better, more rapid service.

The extensiveness and the range of cooperative effort between the Federal, State and local governments who are seeking to respond to the national challenge in the field of improved education, social services and law enforcement activity is notable. All of these efforts underline a close partnership and extremely close working relationship between Federal, State and local governments.

III. NEW ENVIRONMENT FOR COMPUTER COMMUNICATIONS SYSTEMS

The major shift in social demands and national priorities discussed above coupled with the establishment of national objectives which require extensive cooperation between Federal, State and local governments, clearly presents a new environment for computer-communications systems within the United States.

These new national objectives and priorities, together with advancing technology in the computer-communications field present a need for major improvements in the technological support of our national objectives. Specifically:

There is a need for increased efficiency in the liaison between employees and data centers of State and Federal agencies. Computer communications complexes can provide this increased efficiency.

There is a need for improvements in the decision making processes and a structuring of information flow so that routine determinations can be made against programmed criteria within supporting information systems and at prescribed decision levels.

In certain areas, such as law enforcement, medicine, social security, and education, there is a need for joint Federal-State computer communications networks which can apply new technology to improving the management of major national programs in these areas.

IV. ANALYSIS OF THE ENVIRONMENT

The development of national computer-communications complexes in the field of law enforcement, social services and public welfare generally is at present in a very early stage. What we see now in the way of operational systems are in fact only limited applications of technology. Within the next five years computer communications complexes will be extensively employed throughout this country to provide greatly improved services to our nation, not only in the field of law enforcement, social services and public welfare, but also in a great many other fields in which national interests exist.

Even at this very early stage of development it is possible, however, to carry out some analysis of the environment for computer-communications complexes.

Integrated Systems.—It is quite clear that in fields such as law enforcement, education and medicine and some other elements of social welfare, nation-wide computer communications complexes will develop to link together Federal, regional, and State data banks with complete flexibility. In most cases, these computer-communications complexes will provide for time sharing, computer utility type operation.

Nature of Basic Information.—Studies done by the State of California and the State of Nebraska provide a basis to appraise the extent of data entry points that will be involved in the systems under discussion. Based upon information taken in these studies, it is quite clear that long term information exchange requirements will include wide band data and image transmission and that data entry points may ultimately involve more than 10,000 terminals throughout the nation.

Information Flow Patterns.—The pattern of information flow between Federal, State, local and private elements of our economy was carefully analyzed in the study of California information systems done by Lockheed. Other than income tax data and certain social welfare information, the information is generally concentrated at Federal or State field offices prior to relay to a Federal agency or data center. A hierarchy of computational and data processing complexes, time shared, both at the State and at the Federal computer communications complex seems likely to develop.

Trends in State and Federal Automated Systems.—The growth in use of data processing systems, both within the state and Federal governments, has been little short of spectacular over the past several years. It is important to note here that even though applications to date have been growing at an extremely rapid rate, even faster growth may occur in the future. Basis for this observation is the fact that to date most government applications of data processing equipment have concentrated on well-defined clerical operations in the financial and accounting fields. We are only now beginning to see the application of real time intergovernmental computer communications complexes and these are beginning to develop fresh concepts of information handling which may further spur growth.

Trends in Communications and Data Transmission.—Since we are dealing with computer communications complexes, it is worthwhile looking at the communications side of the coin also, to analyze the trends in this element of the system. Over all, the transmission of data on our domestic communications system will, by 1980, be a more important element of the service demand pattern than voice transmissions. The trends appear even more sharply in the analysis of the growth of voice and data communications within the Federal telecommunications system. In the last two years, data transmission within the Federal telecommunications system have grown by more than 155%, while voice has grown about 11%.

Growth in Private Lines Systems.—The growth in private lines systems operated exclusively in support of the State government functions is also important in the analysis of the environment in which computer communications systems may operate in the next few years. More than 30 states already operate or plan to operate private line systems exclusively for State government business. This is an important factor in overall system design.

V. HOW NATIONAL SYSTEMS DEVELOP

The development of national systems in any field is a highly complex process. In the field of health, education and welfare the process of reaching national consensus, focusing on national requirements and articulating national goals is particularly intricate. What is presented here is a very much oversimplified summary of the sociological and political activities which must take place before technology in general and computer-communications technology in particular can be applied effectively to improving the social welfare, education and law enforcement activities of the nation:

Importance of State and Local Action in the Requirements Phase.—All of the activities pertaining to the public welfare, education and law enforcement discussed here impact upon every citizen of our Nation. Requirements accordingly are felt and expressed first at the local level. Situations which become intolerable locally and which are beyond local solutions are presented at the national level in the House of Representatives and in the Senate. At this stage, national solutions can begin to develop.

Development of National Systems.—Perhaps no single factor underlines the importance of early design attention to national system than does a full understanding of the time required to carry out a full cycle of national systems development. It is perhaps worth while, therefore, to consider briefly the major milestones involved in the development of a national system:

National Goals.—These usually involve a Presidential message on the importance to the nation of the functional area concerned. A legislative recommendation from the Executive Branch usually ensues for consideration by the Congress.

Legislative Action.—In the development of a national system the Congress will normally be required to vote some funding support, either in the form of direct program funding or grant-in-aid support activity. This means a series of hearings and careful evaluation of the need before an Act of Congress is passed and provisions made for financial support.

Development of State and Regional Systems.—It is seldom that a program is launched on the national scene initially. More often, the Congress provides financial support for the development of State and regional services in the law enforcement areas, in the educational areas and in other areas of public welfare. Only after these State and regional support systems have fully developed does it become worthwhile to begin integration of such systems into national computer communications complexes.

Development of National Systems.—Once the advantages of integrating a series of State or regional data banks with those available within the Federal government becomes apparent, planning can begin on national systems. Often it is possible to effect major savings by properly planning these national systems so that computational and communications requirements are consolidated. Responsibilities in the area of planning, operation, administration and finance also need to be detailed carefully in the national system design.

VI. DEVELOPMENT OF COMPUTER COMMUNICATIONS COMPLEXES IN PUBLIC WELFARE, LAW ENFORCEMENT AND SOCIAL SERVICES

In the field of public welfare, law enforcement and social services, some significant advances have been made in the development of nation-wide computer communications complexes.

In law enforcement, a full scale nationwide system time shared between Federal government and State agencies is currently in operation. This system is a typical example of a computer utility type application of data processing within the Federal-State-local government complex.

A nationwide network is in operation to support the flow of information required in Medicare and Social Security. This system does not yet provide for the most advanced time sharing techniques, like time service and direct access, that has been incorporated into the law enforcement medium. Further improvements are sure to come.

In the field of education, educational television is leading the way in the development of nationwide systems. Plans have been drawn for a series of nationwide educational television transconnects within the coming year. Somewhat further in the future, it is possible that communications technology may be used for transconnection of ETV stations. Ultimately it is quite clear that the information networks presently provided for television exchange only will be extended to provide a range of computer communications transconnections as well as voice interconnections between the major centers of education within the United States.

In the field of welfare, we have not yet seen the development of nationwide computer communications complexes, although a number of state systems have been undertaken throughout the nation. In this field, national systems would seem to be four or five years in the future.

VII. LAW ENFORCEMENT—A CASE STUDY IN NATIONAL SYSTEMS DEVELOPMENT

The FBI has developed a nationwide information system to serve law enforcement agencies throughout the country. The system is real time, time shared computer communications complex. The hub of the system is the National Crime Information Center in Washington, D.C.

Interoperation With State Systems.—The new FBI National Crime Information System operates on line in real time so as to complement computerized systems already in operation or planned for local and State law enforcement agencies. When fully implemented the system will provide a rapid means of processing, storing and instantly transmitting vital police information, national in scope, to any point in the country within a matter of seconds.

Data Standards Developed Cooperatively.—The development of data transmission standards and computer programs was undertaken as a team effort by representatives of the FBI with the assistance of local and state law enforcement agencies throughout the country. The rules for the operation of the network are thus a joint product. Rigid adherence to the standards and specifications will be essential in this highly complex information system.

System Design Plans.—The system provides the following capabilities:

Access to the central computer on time shared basis.

Direct access from state and local agencies throughout the nation.

Full information exchange and feedback between Federal, State and local law enforcement agencies.

Real time communications.

Integration of all necessary information at key decision points.

Full system flexibility and reliability.

VIII. CASE STUDY

Social Security and Medicare Computer-Communications Complex.—A nationwide voice and data network has been established to support Social Security and Medicare. Computer services have been interlinked with Federal Telecommunications System communications network so as to provide rapid transmission and processing of information in this area.

Design Philosophy.—The Social Security Administration communications requirement develops from the policy of storing in a computer(s) in the Social Security Administration Headquarters, Baltimore, the basic data indicating the social security status of every citizen with a social security registration. This now has been extended to equivalent records on all phases of the Medicare program.

To keep in as close as possible touch with Social Security and Medicare registrants, the Social Security Administration has established some 725 field offices throughout the United States. Registrants visit or write to these field offices for information concerning their Social Security or Medicare status, or to apply for payments under the respective programs. Each such inquiry or application typically results in a communication to Baltimore, because all information concerning the applicant is stored there. This is the primary source of the Social Security Administration communications requirement for about 225 million words per year between the field stations and Baltimore.

Operating System.—The volume originating at any one field station is not sufficient to justify expensive, high speed facilities. Consequently, each field station is equipped with a Model 33 (or 35) teletypewriter(s), with automatic transmitters, that transmit or receive at 100 words per minute. The field originated traffic is concentrated by the ARS Message Switching Computer and written on magnetic tape at either Romney or Berwick, or both. From here it is sent via high speed, dedicated circuits to Baltimore, where it is received on magnetic tape ready for input to the Social Security Administration's computer without conversion.

The Social Security Administration also maintains magnetic tape to magnetic tape transmissions systems from the National Blue Cross Headquarters to Baltimore. This further extends the communication capability.

Outlook for the Future.—Social legislation enacted in this area requires communications support for activities involving approximately 19 million persons over the age of 65. The initial plan involving a mixture of Federal Government facilities and facilities operated by the Blue Cross Association is capable of meeting immediate requirements. In the long term, a more expeditious means of coordinating the provision of assistance to Medicare subscribers and for validating claims and carrying out fiscal activities will be needed.

IX. THE OUTLOOK FOR OTHER NATIONAL SYSTEMS

Other than the areas of law enforcement and Medicare/Social Security the development of national systems is in an early stage. It is clear that such additional national requirements as do develop will ultimately be viewed in the context of their relationship to such national networks as the Advanced Record System and other elements of the National Communications System. The pattern of typical subsystem activity in the field of welfare and social services is summarized below.

Education Communications Systems.—Led by educational television, State educational communications networks are expanding rapidly. With the advent of communications satellite systems, national network support education is a distinct possibility within the next few years.

Health.—No national networks involving complete interconnection of computers has been developed in the health and welfare field. Advanced development activity is under way, directed by the National Institute of Health and the National Library of Medicine.

Drug Administration.—An FTS network has been established to provide a quick reaction capability in connection with the Adverse Reactions Program.

Water Pollution.—The Advanced Record System is being used in connection with remote sensors to monitor water pollution in certain rivers on a 24-hour-a-day basis.

X. CONCLUSIONS

In the field of public welfare, education and law enforcement, the trends toward cooperating programs between the Federal, State and local governments are tending to support development of intergovernmental nationwide systems, which can bring the full benefit of technology to bear on these important problems. Trends in Federal, State, and local government activity clearly indicate the growing interdependence and interrelationship among agencies.

The growth in population and social demand is being met generally throughout the nation by conversion to automatic data processing systems and by interconnection of those systems. Over-all, the outlook for computer communications complexes is one of increasing importance to the realization of national objectives and to the effectiveness of government at Federal, State and local levels.

DEPARTMENT OF STATE STILL FERTILE AND CREATIVE

Mr. McGEE. Mr. President, on Sunday, August 27, Howard K. Smith, writing in the Washington Star, had some kind things to say about the Department of State, noting that it is still fertile and creative. It is a column which says things that should be said far more often, for it is not widely realized or accepted that our State Department has functioned well and made considerable progress during a time in which, as Mr. Smith put it:

> The world has been not merely fluid; it has been raging with riptides.

Mr. President, I ask unanimous consent that Mr. Smith's column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POWER AND PROGRESS AT THE STATE DEPARTMENT

(By Howard K. Smith)

If there is anything more battered and bloodied than a president in the midst of an unpopular war, it is the State Department in the midst of any time. Something kind ought to be said about it now and then, not to soothe the pain, but because there are kind things to say.

Probably the department's basic problem is that it deals with Power. In our permissive time, four-letter words are gaining acceptance. But the five-letter word, Power, is still a dirty word to most Americans. There is a feeling that it is like Sin: you can choose to do it, or not to do it, depending on your strength of character. The truth has not been widely grasped that we have no choice: we have to use Power.

It would be truer to say that the State Department has the function of threatening or promising Power—which is one definition of Diplomacy. The Power itself resides in the White House and the Department of Defense. Thus the State Department is in fact required to throw its weight around without having much weight to throw.

Its problem is compounded by the fact that it is the only department of government which has no statistics to measure Progress the way Mr. Wirtz can with unemployment statistics or Mr. McNamara can with almost anything. Statecraft is a football game with no clear termination time.

An act that seems foolish today can turn out to look wise a year from now—and foolish five years from then. It is hard to say when the results are all in.

Furthermore the department is precluded from defending itself by the fact that it deals with over a hundred sovereign nations about whom it cannot say harsh truths that might explain away many of its own problems. The State Department is thus the ideal target for political freebooters who abound not only in Congress but in the Press and in Academe.

Undoubtedly the stock criticisms are true: it is probably overstaffed in some places, pushes too much paper and is often dilatory. Possibly some kind of Hoover committee ought to study it for a few years and make recommendations. But the old caution must be kept in mind: reforming the administration of this department is, as its defenders say, a little like performing an appendectomy on a man permanently carrying pianos.

However, reforms would probably not much improve its central function of working out policies to recommend to the President, and seeing they are carried out. It has actually done this work amazingly well at a time when the establish powers—Western Europe—have all abdicated, at a time when a new aggressive ideology is on the move, and at a time when multitudes of peoples with no qualifications for being sovereign have become sovereign. The world has been not merely fluid; it has been raging with riptides.

It is now widely agreed that it accomplished marvels in the Truman period with the Truman Doctrine, the Marshall Plan, NATO and Point Four. It is hard to recall that, while that was going on, Truman's Gallup Poll rating shrank to half what Johnson's is, and Acheson became an almost unspeakable name.

What is not widely realized is the fact that the department is still fertile and creative. While critics say it should stop being a fire department and work out long-range policies, that is exactly what it has been doing. Its central plan is regional cooperation and integration. That process did not exist in Asia two years ago, but now it is moving ahead. It is moving more rapidly in Latin America and less so in Africa. What critics fail to take into account is that long-range policies are by definition long range: No sudden glossy triumphs are likely. Still, the marked change of mood in Southeast Asia in the past two years is something to brag about.

There is one outrageous point to add: Mr. Rusk is a good Secretary of State. He handles Congressional committees more skillfully than any predecessor I have seen or read about. He has launched a program called "Open Forum" by which any idea for policy from the lowliest officer in the department can reach him for his personal attention. The criticism that he does not come down hard on an option, when advising the President, is invalid: when you serve a strong President who likes his options left open, that is the way to do it. When policy is set, with his advice, he becomes hard enough. If he did not, he would be a badly whipped man about this time in his career.

THE FAYETTEVILLE, ARK., LIBRARY

Mr. FULBRIGHT. Mr. President, Miss Virginia Tidball has written a thorough scholarly historical account of the outstanding public library in my hometown of Fayetteville, Ark.

I ask unanimous consent that the article, published in the Arkansas Gazette of August 27, 1967, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FAYETTEVILLE WANTED A LIBRARY: SO IT GOT ONE

(By Virginia Tidball)

Most people take public libraries for granted. The library is there, for their use, and its cost is nominal—even infinitesimal—compared to the service it renders. Indeed, very few subscribers to the average public library ever think of it in terms of money at all until they let the latest best-seller get overdue.

By the same token, most people have no idea of the work and worry and even sacrifice (in terms of volunteer time) that go into (A) setting up a public library and (B) keeping it going.

A good example may be found in Fayetteville, a college town which normally could have more use for such a public facility than the average community. Fayettevile's Roberta Fulbright library now has a fine and handsome building and its personnel and supporters are constantly seeking to enlarge its services.

But Fayetteville's library hasn't always been this up-to-date. In fact, back in early 1916 it didn't even exist. But fortunately that year Miss Julia Vaulx, who will be remembered by many an alumnus of the University of Arkansas where she served for a number of years as head librarian, began to promote the idea of a Town library to complement the Gown facility. Actually, the idea of a public library came from Rev. J. J. Vaulx, rector of St. Paul's Episcopal Church. But it was his daughter, Miss Julia, who first put the idea into action.

First she wrote out-of-town friends asking for donations—with some sucesss. Among others, Walter Wood, son of Dr. H. D. Wood, gave $100, and Carl Gray, a well known railway executive who had begun his career in Fayetteville, gave $25.

Then a mass meeting was called and a permanent library board was formed with Miss Vaulx as president. Other active workers were Miss Florida Read, Mrs. Ashton Vincenheller, J. L. Hancock and Allen G. Flowers.

To house the library, Judge B. F. Campbell got two rooms in the basement of the Courthouse. There were many gifts of money, books, labor, and equipment. And there was a great deal of work involved in cataloging and labeling. Then, June 7, 1916, the library opened.

At first, the volunteer librarians served without pay, although hours were much shorter then. Miss Florida Read became the first paid librarian at a monthly salary of $15, and she was followed by Miss Edna Hester. Then came Miss Lila Rollston, who served up into 1934, the year of her death—and by older users of the library she is well remembered as an interesting combination of faithful efficiency, gentility, and steel.

By 1925, the number of books had increased from 2,000 to 8,025. Getting enough, however, has always been a problem—enough books, enough money, enough space. And always there has been volunteer help. Boy Scouts have worked hard at collecting newspapers, magazines, and discarded books to sell. And the librarians have worked for small pay far beyond the call of duty.

From the beginning, the library has served many people in many ways. In a 1917 report Miss Rollston asked for more chairs, since more people were coming in to read. Her records showed that traveling books had gone to schools as well as gifts of magazines. Vocational books, intended especially for returned soldiers, had been placed on the shelves, and 36 books had been sent to Camp Pike. Many leaflets for the control of diseases and the like had been given away.

In the 1920s the county judge called for the two rooms in the Courthouse, and the library then occupied two rooms at the corner of East and Meadow Streets.

After Miss Rollston's death in 1934, Miss Irene Gallaway became librarian and stayed for 11 years. In her time the library moved again, this time to the Chamber of Commerce building.

Miss Gallaway was another of the quiet and faithful. Perhaps no other librarian in Fayetteville ever had such a "card catalogue" knowledge of the books on the shelves, and the present librarians recall her ability to identify them even after her retirement. Her power to share her knowledge with others is well recorded in the long file of her locally published "Book Chats." In these she not only analyzed the book, but included many opinions of it from readers about town. When she lacked funds for rebinding old books, she and her assistants covered them with jackets of gingham and print.

Miss Jobelle Holcomb, remembered for her years of teaching English at the University, followed Miss Gallaway, and is credited with setting up the first card catalogue.

She was followed by Mrs. Ed Watson, Mrs. Gus Bryant, Mrs. C. B. Wiggans, and Mrs. Margrete Paulsrud, who remains as a part time librarian.

The year 1959 was important in the growth of the library. Before this it had been supported chiefly by general community funds, but that year a one mill tax was voted. While the possibility of a new library was being considered, Gilbert Swanson volunteered to give two residential lots for it at the present site at 21 East Dickson Street if the board would agree to name the library for his wife's mother, Mrs. Roberta Fulbright, and for his wife, also named Roberta.

Webb Williams, chairman, with other members of the board, promptly agreed to this proposition, and plans for the new building went forward. Bonds to finance it were sold November 28, 1959, and Warren Seagraves was chosen as architect.

The new building was dedicated on June 4, 1962, Senator J. William Fulbright spoke briefly, and the principal address was given by Judge E. B. Meriwether, a longtime professor of Law at the University, and a speaker on many other historic occasions. The audience included people from several states and foregn countries.

A great deal could be written about this new building, and certainly any description should include the Arkansas Room—the archivist of great past events of the State and of the city, and a pleasant reminder of lesser things worthy of remembrance.

Having signed in, a reader may sit at a simply fashioned desk with a memorial plaque to Miss Lila Rollston and inspect a very varied collection of books—including, of course, many fat, old volumes of history. Among smaller items some senior citizens might note their grade school text, *Makers of Arkansas History*, by John H. Reynolds. Like Walt Whitman, Dr. Reynolds loved pioneers, and devoted a good deal of space to such firsts as Henri de Tonti of the Iron Hand, founder of Arkansas Post, William E. Woodruff, the state's first editor, and Benjamin Johnson, Arkansas's leading pioneer jurist.

There are several volumes by Charles J. Finger, the transplanted Englishman who lived on a farm near Fayetteville while writing these books. And in lighter vein there are volumes of folklore and stories such as *The Arkansas Bear* by Albert Bigelow Paine, who presumably fell under the influence of Uncle Remus before fashioning his own lively tales of rabbits, crows, 'coons, and other animals.

This small room that holds a great deal of history is an ideal place to take a look back. And certainly the thoroughly modern building, with the City library facing the street and with Mrs. Grace Keith in charge, and with the county library on the floor below, where Mrs. Hazel Deal is head librarian, not only serves the present age but looks well to the future.

METROPOLITAN EXPEDITER

Mr. MONDALE. Mr. President, the Committee on Appropriations should be congratulated for its fine job in considering the independent offices and Department of Housing and Urban Development appropriations for fiscal 1968. The result of the hearings and bill deliberations is a bill that recognizes the needs of urban America and a bill that reaffirms the intention of Congress to carry out the advances in urban legislation that were made in the past few years. Rent supplements and model cities are two of the most important programs in the statutes. I was most pleased to see that the committee granted a full restoration to the rent supplements program and restored $300,000,000 to the model cities program. This is definite refutation to those who have claimed the 90th Congress would undo what was achieved in the 89th.

I am especially delighted to see the metropolitan expediter program continued on an experimental basis. This program could be one of the most important passed in the last Congress. It provides for a Federal representative to reside in a metropolitan community and assist the local communities identify their problems, plan to solve them, and "expedite" the applications for Federal aid. Mr. President, the expediter is not a Federal czar; rather, he is a member of the local community. He is a person who can provide the needed technical assistance to the localities as they try to wade through the maze of Federal programs and the redtape, bureaucratic guidelines, and regulations associated with these programs.

The program was tried on an experimental basis in four areas last year: Minneapolis-St. Paul, Providence, R.I., Allentown-Bethlehem, Pa., and St. Louis, Mo. All indications were that the program was an overwhelming success in these areas. I can speak for the program in the Twin Cities by saying that it was supported by the two big cities and by the smaller, suburban communities.

This is a program that is needed if we are to guarantee that our Federal money is used in an efficient, effective way. It is of special importance to the smaller city in the metropolitan area that cannot afford a full-time staff member to deal with urban programs and negotiate for grants. Likewise, the program reduces the timelag between grant application and grant approval and assures that the needed funds are obtained when they are needed.

Again, Mr. President, I reiterate my pleasure in seeing this program restored on a small, experimental basis. The funds included should provide for the 10 to 15 expediters, and I would assume that the cities that were experimenting with this program will be allowed first chance at these funds. Likewise, I am pleased to see the intent of the 1966 language restated in the committee report: that the request and approval of local officials is a prerequisite for the appointment of an expediter.

The first battle for the expediters is over, but there are two more to be won, the one on the floor of the Senate and then the one in the conference committee. I hope that the program has been explained sufficiently to alleviate the fears of some House Members and that the expediter can be continued on this experimental basis.

CLARK WILSON RETURNS TO UTAH

Mr. BENNETT. Mr. President, to those of us who have been especially concerned with the problems of the domestic lead-zinc industry, the Lead-Zinc Producers Committee and Clark L. Wilson have been synonymous. It was with real regret, therefore, that I learned that Clark Wilson was resigning as chairman of the Lead-Zinc Committee. My regret was tempered by the announcement that he would be returning to Utah as resident manager of a Western Hemisphere corporate mining research department being formed by the Anaconda Co. which will be headquartered in Salt Lake City.

Mr. Wilson was born in Cripple Creek, Colo., but grew up in Salt Lake City and was graduated from the University of Utah with a B.S. degree in geological engineering. He received his master's degree in geology from the University of Arizona and was awarded a professional degree of geological engineering by the University of Utah in recognition of his service to the mining profession and industry.

For the past 7 years he has served as chairman of the Lead-Zinc Producers Committee, which was organized in 1957 by private industry, as the Emergency Lead-Zinc Committee, to promote a sound and stable domestic lead-zinc mining and smelting industry. It represents a majority of the domestic lead and zinc mining operations and smelting industries in 20 States which reach from the east to the west coasts.

As chairman, Clark Wilson has worked tirelessly to protect the domestic industry from a repetition of the intolerable conditions caused by excessive imports in 1957 and 1958. Since the executive department has failed to present a policy to encourage on a long-range basis the continued search for, and production of, domestic lead and zinc, a simplified and liberalized legislative proposal was prepared and recommended to Congress by the industry. I had the honor to cosponsor, with 27 of my colleagues, this "minerals policy," proposed to adjust with current and future business conditions in the lead-zinc industry. Similar bills were introduced by 34 House Members.

S. 289 provides for flexible quota legislation with a 5-year term. During this period, if domestic producers' metal stocks reach levels considered excessive, as defined in the bill, quotas on either lead or zinc ores and metal would become effective for a 3-year period. The quotas would be canceled if stocks were reduced below normal levels and additional imports were needed. A minimum import quota would be guaranteed. The plan is simple, fair to producer, consumer, and importer alike, and would go into effect only when it is necessary to stabilize the supply consumption ratio at proper levels.

The Committee on Interior and Insular Affairs reported favorably on the bill and it is now pending before the Committee on Finance. I am most hopeful we can get early and favorable action because of the mounting concern that without this legislation the domestic industry may soon be in serious trouble.

If S. 289 does become law, a great deal of the credit should go to Clark Wilson. With his broad knowledge of the factors affecting foreign and domestic metal markets and his experience in the lead-zinc industry, he has been a most effective advocate.

We will miss his advice and counsel on lead-zinc problems here in Washington, but we wish him Godspeed and welcome back to Utah.

SENATOR YARBOROUGH ON VIETNAM

Mr. FULBRIGHT. Mr. President, my attention was recently invited to an editorial in the Texas Hays County Citizen of August 24, 1967. The editorial comments favorably on recent remarks which the distinguished Senator from Texas [Mr. YARBOROUGH] made on the subject of Vietnam. Senator YARBOROUGH has long been identified with important progressive and humane legislation in this body.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

YARBOROUGH AND VIETNAM

U.S. Senator Ralph Yarborough made his first Senate speech on the Viet-Nam war last week. The senior Texas senator stated that he feared that the Johnson administration was contemplating an invasion of North Viet-Nam and warned that such a move would force him to modify his generally favorable position on the war. Restating Gen. Douglas MacArthur's warning against involvement in an Asian war, Yarborough argued that invasion of the North would be "a vastly different matter than our presence in South Viet-Nam as the invited guest of the recognized government, where numerous routes to eventual withdrawal are possible." Denying that such a step would bring a quick end to the war, he added that a land invasion of the North would be "an utterly indefensible step," and "escalation gone wild." If the "military planners wish to make their case to Congress," Yarborough said, "let them come forward seeking that declaration of war in the proper fashion, before they invade that other country."

Senator Yarborough's remarks were temperate, but clearly show that he is deeply concerned over the Johnson administration's handling of the Viet-Nam imbroglio. Yarborough has never styled himself an expert on foreign policy which probably accounts for his silence heretofore on the war. His recent speech must have come only after much consideration and should be taken into account by the administration when it next contemplates raising the ante in Viet-Nam.

Yarborough's speech comes at a time when the Johnson administration has undertaken a dangerous escalation of the war. Last week U.S. planes began bombing within 10 miles of the Chinese border, increasing the chances of prompting Chinese intervention. The move brought renewed criticism from Senate opponents of the war, who were told by Undersecretary of State Katzenbach that the new series of bombing raids would not provoke a military response from China and that there was little chance that U.S. planes would violate Chinese air space. Tuesday, however, the Pentagon stated that two U.S. Navy planes had been lost over Southern China while on a bombing raid over North Vietnam. This brought to seven the number of U.S. planes brought down in Chinese territory.

President Johnson has consistently refused to listen thoughtfully to criticism of his Viet-Nam policy, but we hope that eventually, as more opposition develops inside the government and out, the President will be forced to reconsider just how "committed" the U.S. should be to an undemocratic military junta in South Viet-Nam. We hope that Senator Yarborough will increase his public statements on Viet-Nam. His opposition to a widening of the war is a refreshing change from the "hawkish" bomb-rattling of the junior Texas Senator, John Tower. We believe that Yarborough's conception of the future of American democracy is much more astute than Tower's and we welcome his reasoned voice in the sensitive field of foreign policy.

AMBASSADOR EDWARD CLARK RECOUNTS BENEFITS OF AMERICAN INVESTMENT IN AUSTRALIA TO AUSTRALIANS

Mr. YARBOROUGH. Mr. President, our distinguished Ambassador to Australia, the Honorable Edward Clark, has frequently and eloquently expressed his great admiration for the people of the land in which he now resides. Ambassador Clark's "love affair with Australia" as he is wont to call it, infuses his comments about his adopted country with such enthusiasm and vibrancy that all who listen fall in love with Australia too. I know from my own most enjoyable visit to the land "down under," how valid the Ambassador's praises are.

The warmth and affection of the Australians for Americans and the provocative business opportunities in the rapidly developing economy of Australia make it a ripe area for American investment. Ambassador Clark is aptly qualified to discuss, as he frequently does, the practical reasons for investing in the expanding economy of Australia. His combination of business, banking and legal experience with his affectionate insight into the character of the land and people make the Ambassador a convincing and enthusiastic advocate of American-Australian economic cooperation. It is of great interest to all that we carefully investigate the mutual benefits that can accrue from closer business ties to our faithful ally, Australia.

Mr. President, I ask unanimous consent that the speech by Ambassador Clark, entitled "American Investment in Australia," given on May 14, 1967, before the Young Country Party Convention at Caloundra, Queensland, be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

AMERICAN INVESTMENT IN AUSTRALIA

(Address of Edward Clark, American Ambassador to Young Country Party Convention at Caloundra, Queensland, May 14, 1967)

Mr. Chairman, Members of the Young Country Party, distinguished guests: It is a special pleasure for me to address you here this afternoon. I have spoken to many gatherings in the state capitals of Australia, and have visited many stations and small towns throughout this wonderful country. However, this is the first occasion on which I have spoken as the guest of the Young Country Party. It is a new and very gratifying experience for me. The fact is, I lay claim to being a countryman myself.

I grew up in the small country town of San Augustine, Texas, with about 2,500 people, no bigger today than when I was a boy. I first practiced law in that little town. Later on, my mature life has been spent in Austin, Texas, which is only a small city compared to New York or Sydney or Brisbane. Over the years, of course, I have come to know and respect many men in the great cities of America. Here in Australia I have warmly appreciated the hospitality of many friends in Sydney and Melbourne.

Nevertheless, I still feel like a country boy at heart. I think that we country people must always keep a shrewd lookout at what the fine folk from the big cities are doing. We just need to keep an eye on what the big-city gentlemen are up to. We must form our own opinions, and reach our own conclusions.

Now you may well feel that this caution applies to my subject this afternoon, American Investment in Australia. You may well feel that Australian country people, and indeed all Australians, should take a very hard-headed look at the flow of investment money into Australia from the great cities and enterprises of America. I entirely agree with you. You should look at this important matter very closely. I hope and believe that you will end by agreeing with me, that on balance American investment benefits Australians just as much, and maybe even more, than it benefits Americans.

A few basic facts may help us put the whole subject in perspective. The most notable fact is the relative increase in North American investment in relation to other foreign investment. Incidentally, the figures include Canada with the United States, but it is nearly all Amercian money, one way or another. In the first post war decade, North American investment was only about 42 per cent of British investment. Now, however, American investment seems to be running slightly higher than British. This trend may develop further if Britain enters the Common Market.

Of course, the accumulated total of British investment is still far greater than American. In such important fields as banking, insurance, and urban real estate, there is much British investment and scarcely any American. Overall, since World War II, America has furnished about one-third of all foreign investment in Australia, and Britain nearly 55 per cent.

A question often asked is, "What proportion of Australian business is in some way controlled by American interests right now?" This is a very complicated technical question; but based on official Australian figures, the answer seems to be about 8 per cent. More precisely, it seems that Americans own about 8 per cent of all Australian company assets. This is about one-third of the overall 24 per cent foreign ownership of Australian company assets.

It is important to note that over the last ten years the total proportion of foreign ownership of Australian company assets does not appear to have increased, contrary to certain dire predictions of the mid-fifties. The absolute amount of foreign investment has substantially increased, and the American share of this increase has grown relative to that of other nations. The Australian economy as a whole, however, has grown roughly in proportion to the growth of foreign investment. As compared to ten years ago, foreigners control the same proportionate slice of a much bigger pie.

On this matter of foreign control, and particularly American control, we must always remember that the practical day-to-day management of American-owned Australian company assets is very largely in the hands of Australian managers. I will return to this point later.

Furthermore, while we are on the subject of control, let us remember that it cuts both ways. If a million American dollars of equity investment comes to Australia, this million dollars will certainly influence the property and work of various Australians. It is equally true, however, that the million American dollars become subject to the final control of the Australian Government. In the last analysis, it is Australia which controls American investment in Australia.

I believe, of course, that you have exercised your controlling authority very wisely, and will continue to do so. Nevertheless, all American investors here know perfectly well who has the last word. We have had some painful experience in certain other countries, where the local government has not been so fair-minded as in Australia. You treat us fair and square, and we know it, and we appreciate it.

Now I would like to turn to the controversial question of the profits made by American-controlled companies. As you know, some of these companies did very well in the 1950's. I want to say quite frankly that I am a businessman myself, and I believe in profits. Profits are what make the whole show go. Of course, the reason American investors come to Australia, just like everywhere else, is that in the long run they expect to make a profit, and hope it will be a very good profit.

An important fact, however, is that in the last six years the rate of return on American investment in Australia has fallen very sharply, from a handsome 16 per cent in the fifties to a more pedestrian 8 per cent in the mid-sixties. In passing, we should remember that most of the American profits in the 16 per cent era were plowed back into the Australian economy, and not taken out of the country.

It is interesting to consider the reasons why the rate of return for American investors has fallen to half in the last five years. Part of the reason is that the Australian economy has become more competitive. Stricter control of inflation by the Australian Government has limited purely paper profits as measured in Australian currency, and indirectly has stimulated greater efficiency throughout the economy. Australian business as a whole, including the foreign sector, has had to pull its socks up a bit. The abandonment of import licensing has had the same effect, though increased tariffs may have cut the other way.

Perhaps the most important reason for the falling return on American investment, however, is the great increase in new American commitments. The new investors are not looking for a fast buck. They often get no profit at all in the very first years. They are here for the long pull.

In this regard, it is worth considering General Motors-Holden, the largest single American investment in Australia, which got so much unfavorable publicity for its relatively high profits in the fifties. These profits came some thirty years after General Motors had established its first plant in Australia in 1926. GM–H passed through a period during the world depression, when there were no profits at all, only red ink. Some people recommended closing down the business altogether. In fact, GM–H perservered, and became by far the greatest single factor in establishing the Australian motor industry, with all its direct and indirect benefits to the Australian economy.

It is these direct and indirect advantages to Australia from American investment that

I would like to point out. When an important new factory is built largely by American capital, or in the case of cars, a major industry dramatically developed; there is a whole range of benefits to Australia; new job opportunities for many Australians, new tax revenues, stimulation of supporting industries and services, and often new export possibilities.

Of particular significance is the skill and know-how which we can bring. It is no secret that our big companies in America are spending fabulous sums on research, and the results are transmitted to American subsidiaries in Australia. We have also developed a great pool of trained personnel. We have learned how to do a great many things rapidly and efficiently. Here in Australia we can get lots of things done quickly, which Australians, by themselves, would have to learn the hard way.

Furthermore, Australians can learn from our people in the operation. It is worth noting that most American-owned enterprises try as much as possible to keep American personnel in Australia to a minimum. A most striking example is right here in the state of Queensland. I refer to the Mount Isa Mines. As you know this operation was in serious straits when American capital first arrived in 1930. In fact, the American investors received no dividends for the first 17 years, until 1947. Right now there is a 54 per cent American interest, yet not one single American is permanently employed at Mount Isa. Everyone from the Managing Director on down is an Australian.

Mention of Mount Isa reminds me of the great new discoveries of mineral resources all over Australia: bauxite in Queensland, oil and gas off the shores of Victoria and elsewhere, and above all the immense iron reserves in the Hammersley area. The Australian economy just hasn't reached the point where all this can be developed solely by Australian capital. The iron ore would still be under the ground without foreign investment.

Since I am addressing the Young Country Party, I certainly must say a word about American agricultural investment. I noted with interest a statement made by Dr. E. M. Hulton of the CSIRO, at the Australian Institute of Agricultural Science in Melbourne, on March 20 of this year, regarding American agricultural investment in the Northern Territory. He said it . . . "will make a most significant contribution to northern development, and will put us at least ten years ahead."

A few months ago I visited some large American properties in the Esperance area of Western Australia. The apparently desolate land in that area needs only trace elements for productive use. The basic scientific discoveries were made by the local Australian Agricultural Research Station. However, large amounts of capital were needed to get things going in a practical way on a large scale. The first major American investor didn't have enough to stick it out, and the first scheme collapsed. Now, however, splendid progress has been made by the Chase Bank of New York, Mr. Art Linkletter, and other major American investors.

The results of their experiments, not all uniformly successful by any means, have been made known to local Australian investors, who would otherwise have had to learn the hard way, and could not have afforded it. I remember the vivid view from the airplane. Large emerald green pastures ended on ruler straight boundary lines right up against gray, apparently sterile, scrub land. The infusion of large American investment has made a big difference out there, and surely this is good for all Australia.

Since many of you here belong to a younger generation, I would like to recommend to your consideration a book published last year by a young New Zealand economist, Mr. Donald Brash, working at the Australian National University in Canberra. It is called "American Investment in Australian Industry." In his preface the author says quite frankly that he began his research project "very conscious of the disadvantages of foreign investment." He states that in an earlier writing he had warned New Zealand against too much reliance on foreign capital.

He then states, however, that . . . "as the survey progressed I became increasingly conscious of the benefits Australia derives from foreign investments. . . . The costs appear small when set beside the gains . . ." and ". . . it is certain that from the economic point of view U.S. direct investment has made a major contribution to Australian industrial development . . ." At the end of his study, this young economist, who started out predisposed against foreign investment, concludes that "the most important question to be asked is not 'Does foreign investment benefit Australia?' but 'Is Australia maximizing the benefits from foreign investment?' "

In my opinion the facts bear out those conclusions. I think Australia is a magnificent place for American investment, and I have said so far and wide in the United States. The Australian Government's encouragement of American investment has produced splendid results for both Australians and Americans. Your Government gives us a fair go, and I don't think any young Australian in this room will ever regret it.

A NEW HERO FROM VIETNAM

Mr. TOWER. Mr. President, several weeks ago the San Antonio Sunday Light published a front page article about a new breed of hero newly returned from Vietnam.

The hero is Nemo, a German Shepherd whose fighting ability saved the life of his handler.

I ask that Ron White's article on Nemo be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Nemo's a Hero—Viet Veteran Says Action Was "Ruff!"

(By Ron White)

The returning Vietnam hero climbed down the ramp of the C124 Globemaster that touched down on Kelly Air Force Base's runway Saturday.

How was it in Vietnam, the battle-scarred veteran was asked.

"Ruff," he growled.

For Nemo, a German Shepherd credited with saving his handler's life while the dog was suffering from a serious head wound, Vietnam had indeed been rough.

But his fighting days are now over, and he has come home.

CANINE HERO

Waiting to honor Nemo as the first canine hero of Vietnam were Capt. Robert M. Sullivan, officer in charge of sentry dog training at Lackland AFB, several Air Force veterinarians and other officers.

A sleek 4-year-old when he first arrived in Vietnam January, 1966, Nemo Saturday wore the scars that proved he had done his share of the fighting during his year in Southeast Asia.

His right eye is missing and a scar runs from under his right eye to his mouth.

The scars are a result of a wound Nemo suffered when he and his handler, Airman 1.C. Robert A. Throneburg, were dispatched in December, 1966, to ferret out Viet Cong infiltrators hiding inside the boundaries of Tan Son Nhut Air Base near Saigon.

FIND VIET CONG

In the early morning darkness, Nemo led Throneburg to four Viet Cong hiding in a cemetery about a quarter of a mile from the runways.

"Watch him," Throneburg commanded Nemo.

Then the order: "Get him."

Nemo and Throneburg lunged into the enemy soldiers' hiding place and, before a bullet felled Nemo, the airman and his dog, had killed two of the infiltrators.

Other security guards then finished off the other two Viet Cong.

SAVED LIFE

Nemo was credited with saving the life of Throneburg, now recuperating from his wound, and with helping to halt the infiltration.

The sentry dog was treated by the base veterinarian at Tan Son Nhut. The veterinarian performed skin grafts on his face and a tracheotomy to help him breathe, and had to remove the dog's eye.

Saturday, however, Nemo pranced friskily as his new handler, Airman 2.C. Melvin W. Bryant, led him from the plane to where veterinarians were waiting to give him the last of several examinations Nemo has received at every landing on his trip from Vietnam.

Having served his time in hell, Nemo is now back at Lackland, where he first received sentry dog training, to "retire with honor."

PERMANENT KENNEL

Retirement for an honored sentry dog means a permanent kennel, immaculate and newly painted, near the veterinary facility. Over the kennel will hang a sign with Nemo's name, serial number and details of his exploit.

Sullivan believes that by staying at Lackland, Nemo will continue to help other sentry dogs and their handlers.

"I think our seeing him around here—feeling the tradition he represents—will impress these students more than anything else we can tell them," Sullivan said.

"I have to keep from getting involved with the individual dogs in this program, but I can't help feeling a little emotional about this dog. He shows how really valuable a dog is to his handler in staying alive."

NASSER

Mr. YOUNG of Ohio. Mr. President, the Egyptian dictator, Nasser, conceives himself as leader of the Arab world, a 20th century Saladin. Yet, in the recent war, the Israelis wrapped him up in 4 days.

This petty tyrant ordered the use of poison gas against other Arabs in the civil war in Yemen, in which Egypt has been involved for more than 4 years. The International Red Cross recently reported that hundreds of Arab civilians in Yemen were killed by poison gas bombs dropped from Egyptian airplanes. Our State Department condemned this inhumane action as contrary to international law and simple human decency.

Mr. President, Nasser's unbridled ambition has brought his country to the brink of bankruptcy and the world to the brink of total war. This sandlot Hitler has used poison gas, something that even Hitler never did. Even more ironic, he has been using this horrible weapon against his own people. This hypocrite sheds crocodile tears over Arab refugees, whom he will not lift a finger to help, and at the same time unleashes deadly gases on Yemeni villagers.

U.S. RECORD OF LEADERSHIP IN HUMAN RIGHTS HAS BEEN SULLIED BY SENATE INACTION ON HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, the birth of the United States was announced by a profound human rights document—the Declaration of Independence.

It was effective U.S. leadership at the 1945 San Francisco Conference which led directly to the inclusion in the U.N. Charter of a strong endorsement of international promotion of human rights.

The U.S. delegation pushed hard for the human rights section in the United Nations Charter, because our delegates wisely recognized that unchecked domestic oppression too frequently grows into unprovoked foreign aggression, as demonstrated by the Axis Powers.

Our U.S. delegates were also vitally aware that the denial of human rights and human dignity creates a prime source of potential conflict and a threat to international peace.

Twenty-two years ago, the United States led in the worldwide struggle for human rights. But today, the United States stands alone with the Union of South Africa among charter members of the United Nations which have failed to ratify a single human rights convention.

I believe that Americans overwhelmingly support international standards of human dignity. We rightly cherish our own freedoms as Americans, but we agree with the ageless wisdom of the Great Emancipator when he said:

> As I would not be a slave, so I would not be a master.

Americans want for other people those freedoms which have made America both the envy and the example of so many nations.

But cynical voices are raised in objection to these conventions. They ask: What can they accomplish and why do we need them when our own laws already guarantee these rights?

Mr. President, my answer to these critics is this: The United States has as its stated foreign policy objective: the promotion of peace and freedom. Human rights and peace are intimately related and historically interdependent. Where human rights are secure, peace is attendant. When the human rights of any people are threatened, peace itself is in jeopardy.

Perhaps the human rights conventions do not have a binding enforcement power behind them. Violators will not be sentenced to any international prison. But these conventions go a long way toward establishing a universal consensus on human rights and human dignity. And in so doing they carry with them the considerable influence of moral persuasion.

Maybe that sounds somewhat idealistic and optimistic to some but I, for one, subscribe to Woodrow Wilson's classic answer to the charge of idealism:

> Sometimes people call me an idealist. Well, that is the way I know I am an American. America is the only idealistic nation in the world.

I once again urge the Senate to give its advice and consent to the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery.

PRIVATE PHILANTHROPIC ACTIVITY

Mr. TOWER. Mr. President, many thousands of people in the United States have the means as well as the desire to engage in philanthropic activity. In a very real way these men and women possessed with charitable ideals are overlooked—or perhaps I should say their works are overlooked—in our public searching for solutions to social problems. Too seldom is it remembered that men of wealth have historically shouldered responsibility for laudable social goals such as education and for social problems such as aleviation of the difficulties of society's unfortunates, and that they continue today their considerable efforts. Such a man is Stewart Morris of Houston.

The Houston Chronicle, in a recent issue, published a short biography of Stewart Morris, one of that city's most distinguished and valued leaders. I am pleased to count him as a valued friend and he is indeed worthy of the fine write-up which appeared in the Chronicle.

As in Stewart Morris' case, private charity is personal and, I believe, dollar for dollar, more effective than impersonal welfare programs. Such tax financed programs are not charitable since there is no relationship between the donor and the recipient—no hope for the recipient to live up to. Perhaps personal involvement and the establishment of personal relationships is the answer to our grave contemporary problems.

I ask that the Chronicle's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Helping Mankind More Important Than Riches to Stewart Morris

(By Zarko Franks)

For the rich, the cross of responsibility to mankind is perhaps the heaviest cross of all.

A rich man named Stewart Morris said it in a rare mood of self-analysis.

His life, obviously shaped by the influence of a father who sought to aid the unfortunate, is aimed at making a contribution to his fellow man.

"Any fool can make a living," says Morris, an attorney and executive of a title guaranty firm, "But each man must ask himself: 'What contribution can I make to the society in which I live?' "

As chairman of the board of Houston Baptist College in Sharpstown, Morris says he believes he is fulfilling a need in this community.

The need, as he sees it, is an institution dedicated to the development of character and to the perpetuation of Christian ideals.

Morris, intense and righteous, pulls no punches in defining the type of student or faculty the college desires.

"We believe in academic freedom, yes," he says, "But within the framework of our precepts."

The barefoot long-hair, the symbol of today's so-called hippie, bleachie or beachie, need not apply.

"The unwashed we don't want," he says.

He described Houston Baptist College as a "Christian liberal arts college."

Its graduates, he hopes, "will be so brainwashed in Christian ideals and our American heritage" that they will carry their way of life and thinking "into our public schools as teachers and into business careers."

A Houston banker, John Whitmore, president of the Texas National Bank of Commerce, describes Morris as an "imaginative businessman and a devoted churchman dedicated to his religion."

Morris was the financial brains behind acquisition of the Baptist college.

He negotiated a $760,000 loan from Rice University to buy 390 acres. Later, 200 acres were subdivided and sold for enough to pay off the loan.

The role of men such as Rex Baker Sr., Jake Kamin and Donald McGregor in founding the college cannot be minimized but Morris is seen as the major force behind the establishment of the institution.

"We borrowed the money from Rice," he says, "to give us sanction from a great university in our aim to establish a first class liberal arts college."

He admits that "we have a high-button-shoe philosophy" at Houston Baptist, "but we don't believe the teaching of a Christian way of life can ever become old-fashioned."

A friend said of Morris:

"He's a non-drinking Baptist. He has his strait-laced convictions and lives by them. You have to admire him for it."

Strait-laced he may be, but Morris has the grace to tell a Baptist story and laugh at it—and at himself. Such grace has been the savior of many a man.

He's the son of the late W. C. and Willie Stewart Morris. His mother was a sister of Maco Stewart who established Stewart Title Co., in 1896.

His father was one of the founders of the Star of Hope Mission, a sanctuary for society's derelicts, the skid row habitues.

For 30 years W. C. Morris was president of the missions. Stewart, treading his father's footsteps, is a trustee of the mission.

His father also was one of the founders of Goodwill Industries, an organization whose aim is to aid the physically handicapped to become productive.

The son, molded in the father's image, believes the ultimate aim of life is more than storing up treasures in this world.

No one will dispute that Stewart Morris, a pale-eyed man with thinning blond hair, has succeeded in achieving what the world knows as success.

He bears these credentials:

President of Stewart Title Co; president of Stewart Trust Co., president of Admiral Investment Co., Inc.; partner in the law firm of Morris, Termini, Harris, McCanne & Lacas; member of the River Oaks Country Club; director of the Houston Bank & Trust Co. and the Nassau National Bank and a director of the Nassau Bay Telephone Co.

Through his companies, financing is arranged for home construction in at least 300 cities over a 10-state region extending from Florida to California.

LAND DEVELOPMENT

Land development, a banker said of him, is Morris's long suit.

"He is as well informed in the area of land development as any man I know," said Whitmore of Texas National Bank of Commerce.

Stewart Title Co. was primarily a Texas firm until Stewart Morris with his brother Carloss and Maco Stewart III, a grandson of the firm's founder, joined hands and began the expansion move to make the firm a giant in its field.

Stewart Morris's love for land and its potential is reflected in his acquisition of 61 acres of an island bounded by the waters of the Guadalupe and a dam in McQueeney between Seguin and New Braunfels.

He developed the acreage reserving a choice site for his own summer home.

LBJ COUNTRY

He bought 1,000 acres in Blanco, south of Johnson City, where the President lived as a boy.

Keen business acumen again is reflected in his reason for buying the acreage.

"Texas land values will continue to increase. This is my hedge against inflation."

Morris and his wife, Joella, and their three children, Carlotta, 19, Stewart Jr., 18, and Caralisa, 14, live at 5 E. Rivercrest off Westheimer.

His working schedule at offices in the Guaranty Bldg., Caroline and Rusk, is 8 a.m. until 8 p.m., five days a week, and "looking at land" on Saturdays.

FLIES OWN PLANE

He flies his own twin engine Aero-Commander about 400 hours a year to keep tab on district offices of the far-flung Stewart Title Co. empire.

The business empire is sufficiently diversified to include the 250-room Southland Hotel in Dallas and a housing development in Nassau Bay.

Stewart Morris has a hobby: He collects horse-drawn carriages. But, outside his business, his consuming interest is Houston Baptist College.

"Education is an early maturity," he says, "Our aim at the college is to expose our students to the refinements of gracious living, good architecture, good furniture, and the over-riding ingredient of Christian thinking."

IT'S A CRIME TO MAKE CRIME A POLITICAL ISSUE

Mr. MOSS. Mr. President, I am distressed over recent political sniping about crime, for crime knows no politics. Meaningful discussions are a healthy thing, but finger pointing is not constructive.

As the days roll by, more and more of the CONGRESSIONAL RECORD is devoted to statement, speeches, and editorials on crime. All responsible Americans deplore the crime situation in our Nation. Our daily mail reflects ever-increasing concern. All of this will serve a useful purpose, if, and only if, it spurs the Congress into an all-out bipartisan investigation of the causes of crime. Fragmented, piecemeal approaches to the problem will not suffice. To legislate intelligently against crime, Congress must coordinate all available information and its own efforts. My bill, Senate Joint Resolution 94, to create a Joint Committee To Investigate Crime is cosponsored by 20 Senators from both sides of the aisle. A companion resolution was introduced by Congressman PEPPER on the House side and it too has bipartisan support.

The joint committee we propose would investigate all aspects of crime on a continuing long-range basis and provide the Congress with the badly needed coordination I speak of.

We should not become preoccupied with the experts in irresponsibility such as Rap Brown—he, and those like him, should be sternly dealt with by the law. We should not allow crime to become a political matter. It deserves thoughtful attention of all of us. We should not look at organized crime only or separately; we should not look at riots only or separately; we should not look at crime on the streets only or separately.

If we are to effectively get at this national problem, what we should do is look at the whole picture on a bipartisan basis.

Mr. President, Senate Joint Resolution 94 is the vehicle to achieve such a goal. I urge immediate favorable consideration of this bill.

I ask unanimous consent to have printed in the RECORD two editorials, one from the Washington Post of August 30, 1967, the second from the church news section of the Deseret News of August 26, 1967.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 30, 1967]

CRIME AND LETHARGY

A Republican effort to stir Congress into effective action on crime could be a significant national service. But the reproach to the Administration issued on Monday by a group of moderate GOP members of the House—that it has allowed the "war on organized crime to grind to a virtual standstill"—misses the mark on two counts.

The accusation aims, to begin with, only at the war on "organized crime"—that is to say, racketeering and the like—at a time when the country is justly aroused and alarmed about the soaring rates of criminal violence in the streets of all its great cities. The most terryfying threat to law and order today comes from sporadic, unorganized crime—murder, rape, robbery and assault.

The GOP thrust misses its mark, in the second place, because it focuses on a relatively trivial, peripheral aspect of the war on crime. It refers dispargingly to the Justice Department's commendable restrictions on bugging and wiretapping as devices for catching criminals. These devices no doubt have some utility in detecting organized crime; they are totally irrelevant, however, when it comes to snaring rapists, robbers, thugs and footpads who do not plot their offenses by telephone or in office conferences.

The GOP emphasis on bugging and tapping suggests, moreover, an indifference to rights of privacy which are basic to the well-being of Americans. In putting restraints on electronic surveillance, the President and the Attorney General acted to protect the sanctity of the American home and to promote freedom of communication among free citizens. Only the very shortsighted would be willing to jettison this value in the pursuit of safety.

When all this has been said, however, the fact remains that the war on crime has stalled dismayingly. More than two years have gone by since President Johnson, recognizing the urgency of the Nation's crime problem, established a National Crime Commission to recommend the strategy of a concerted attack on crime. Six months ago the Commission submitted a superb report—"The Challenge of Crime in a Free Society"—searching in its analysis of the problem, constructive and concrete in the remedies it proposed. In February, the President sent his "Safe Streets and Crime Control Act" to Congress. The House early this month, passed a badly bowdlerized version of it; the Senate pondered. Crime rates continue to soar, and the country is left with a sense of handwringing helplessness about it.

The crime problem in America is not going to be solved by piddling recruitment measures or by concealed listening devices. It can be solved only by a dramatic strengthening and reorganization of police departments, outmoded in training and equipment, and by a powerful, coordinated attack on the slum conditions that breed vice and crime. There seems to be a notion in Congress these days that it would somehow be rewarding rioters to eradicate the cause of rioting. Rioting and urban violence grow out of the same malevolent roots—poverty, wretchedness, hopelessness, squalor and unemployment. Nothing more urgently challenges America today than the need to hack at these roots realistically and effectively.

[From the Deseret News, Aug. 26, 1967]

THE RIGHTS OF NONCRIMINALS

Every person has the right to life, liberty and the pursuit of happiness.

This includes the victims of criminals, as well as the criminals. It includes an assurance that our courts will be as fair to law-abiding citizens as they are to those who break the law. It provides that if any preferred treatment is to be given, it should favor the good citizens rather than the parasites on society.

This was the substance of the thinking of a group of women in Indianapolis who started an anti-crime crusade in that city which now has reached the proportions of a major movement.

Fifty thousand women there have now organized to fight crime, and part of their objective is to see that judges in the courts deal fairly with the victims of crime.

It started five years ago following the death of a 90-year-old woman killed by a 15-year-old boy who snatched her purse. But there had been numerous previous crimes of a similar nature. Especially purse-grabbings and sex assaults on women walking alone on the streets of the city.

A significant drop in crime has been the result.

The President's Crime Commission, referring to this movement, said.

"The most dramatic example in the country of a citizens' group that has addressed itself forcefully and successfully to the problems of crime and criminal justice is the Anti-Crime Crusade of Indianapolis."

These women give complete support to their local police, who in turn cooperate with the women. Their program includes:

Putting proper lighting on city streets.

Getting school drop-outs back into school.

Providing jobs for boys who need them.

Assisting boys released from penal institutions to adjust properly in society.

And setting up a system of "court watching."

The latter point was considered by the women as one of their most important tasks. At least two of their number sat in on every court case, and reported back to the entire group on the practices and decisions of the courts.

They decided that it is the right of the public to demand efficient, mannerly operation of the courts. And this they achieved.

But education in law observance was also given. With the cooperation of school and police officials, all students in the seventh and eighth grades were provided with special instruction on maintaining the law and the advantages of doing so.

More than 2,000 drop-outs were put back in school without spending tax funds. The streets are now well lighted. Women and girls may walk safely at night. Even the debris around the city has been removed.

But it is brought more and more to the attention of the public that keeping youth in line is first a matter of keeping adults in line.

Statistics of the past several years have shown a sharp increase in the number of young people arrested for serious crimes—murder, robbery, forcible rape, burglary, aggravated assault, larceny of $50 or more and automobile theft.

Those under 18 years of age account for almost half the total arrests reported for these crimes.

In a concentrated effort to control this rash of youthful criminality, innumerable youth serving groups have joined law enforcement and our courts.

These groups, often desperately in need of support, offer the individual a good opportunity to combat crime, since youthful criminality is uniquely suited to preventing and correction.

However, these efforts in behalf of youth can only supplement—never replace—parental concern.

Broken homes, dissolute parents and a tragic absence of guidance typify the backgrounds of many youthful offenders.

The role of the parent is paramount. It is indeed difficult to imagine a more fundamental service to society than imbuing one's children with respect for law and order.

REVIEW OF WAGES, PRICES, AND PRODUCTIVITY

Mr. PROXMIRE. Mr. President, one of the greatest problems the Congress has in formulating its own policy proposals is the lack of adequate and current information. This deficiency, which—in the current jargon—we might label the "information gap," enhances the power of the Executive in initiating legislative proposals and policy changes. As chairman of the Joint Economic Committee, I have been particularly aware of the need for more timely and better data in the economic field, and have attempted to improve the information the Congress receives in this vital area.

To date, the committee has been successful in obtaining agreement from the Bureau of the Budget and the Department of Defense to provide the committee and Congress with more current information. In addition to the annual budget, the Bureau of the Budget has agreed to prepare two additional budget reviews each year for this committee—the first to come at midyear and the second following congressional action on all of the appropriation bills. Director Schultze in testifying before the committee last week presented the first midyear review under this agreement. Although his presentation was disappointing in several aspects—particularly in its lack of revised estimates of defense spending—it was a helpful beginning.

In recognition of the great need for better information about defense expenditures, the committee also initiated a proposal for the regular release of defense information. Subsequently, the Department of Defense agreed to begin regular monthly publication of a new report entitled "Selected Defense Department Indicators." The first issue became available on June 30.

Today, I am pleased to tell you that I have just received a new report from the Bureau of Labor Statistics. This report entitled, "Review of Wages, Prices, and Productivity," is the first in a new series which the Bureau will prepare each quarter for the committee. I would like to summarize the main conclusions of the paper and ask that the full text be included in the record at the end of my remarks.

The Bureau of Labor Statistics reports an unusually large increase in productivity for the second quarter of 1967 of about 2 percent. This gain compares with a slight decline in the first quarter. The report cautions, however, that the quarter's sharp rise in productivity does not represent a major trend change, but rather a delayed reaction to economic adjustment in the first quarter. For the full year, measured from the second quarter of 1966, productivity has advanced only 2.8 percent.

The large productivity rise kept unit labor costs virtually unchanged for the second quarter, but this appears to be only a short-lived respite in an upward trend. Unit labor costs had risen sharply in the first quarter and the past 12 month average of 3.3 percent is about double the postwar average.

This upward cost pattern, however, has not yet put significant pressure on prices. Although price developments in the second quarter were not auspicious—the wholesale price index rose 0.6 percent, turning around a 6-month decline and the consumer price index rise quickened to 0.9 percent—they appeared to come largely from sharp increases in farm and food prices. The slowdown in demand contributed to stability in industrial prices. As in the past—in fact, ever since World War II—service prices continued their relentless rise.

These and other points are explained in detail in the Bureau of Labor Statistics report, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

REVIEW OF WAGES, PRICES, AND PRODUCTIVITY, SECOND QUARTER 1967

Summary

Real output of the private economy (including government enterprises) advanced 0.5 percent, seasonally adjusted, in the second quarter, after having dropped moderately in the first. Man-hours, on the other hand, fell 1.4 percent in delayed reaction to the earlier slowdown. The net result of these two opposite developments was an unusually large increase in productivity (output per man-hour) of about 2.0 percent, following a slight decline in the first quarter.

The quarter's sharp rise in productivity reflects mainly time lags in economic readjustment, rather than a basic change in trend. For the full year since the second quarter of 1966, output has increased only 1.9 percent, carrying with it a man-hours decline of nearly 1.0 percent and a productivity advance of 2.8 percent. (As is usually the case, output and productivity grew more slowly in the nonfarm area than in the total private sector.)

Hourly labor costs in the private sector rose 2.1 percent during the second quarter, after a slow rise in the first, for an increase of 6.2 percent over the year. Wages and salaries and fringe benefits have been rising somewhat faster in 1967 than in the same period of 1966, reflecting both larger settlements and the effect of the new FLSA standards. These increases have been partially moderated by a slower rise in employer-paid social security taxes, a decline in overtime, and relatively stronger employment gains in low-wage industries.

Since productivity in the second quarter increased almost as much as hourly compensation, unit labor costs were virtually unchanged. They had risen sharply in the first quarter, however, and the 3.3 percent increase over the past twelve months is about double the postwar average.

Prices during the quarter reflected a number of unrelated and partially offsetting forces. The slowdown in demand helped to hold industrial commodity prices steady at wholesale, but prices rose in finished producer goods and consumer nondurables—the sectors most affected by continuing strong demand or rising costs. Current or anticipated changes in the supply of agricultural goods brought farm and food prices down earlier in the year, but the trend reversed sharply in May. Prices in services continued strongly upward, although at a slower pace than a year earlier.

I. PRODUCTIVITY

The sharp rise in output per man-hour contrasted with a slight decline during the previous quarter. (See Table 1a.) It reflected the delayed adjustment of employment and hours to the decline in output. Man-hours had fallen only slightly in the fall and winter and then dropped 1.4 percent in the spring quarter. A decline of about half an hour in average weekly hours accounted for about 1.0 percent; the remainder came from a slight decline in employment.

Wide fluctuations in productivity are not unusual, but the last time such a large increase occurred was the second quarter of 1961—which also followed a drop in real output. Despite the recent increase, the gain in productivity since the second quarter of last year was only 2.8 percent, well below the long-term rate of 3.2 percent.

The increase in productivity was slightly smaller in the nonfarm sector—1.4 percent between the first and second quarters of 1967, and 2.2 percent over the year. (See Table 1b.) The postwar increase has averaged 2.6 percent.

Most of the adjustment process took place in manufacturing, where severe pressures on capacity during most of last year had inhibited productivity growth. (See Table 1c.) According to the FRB and Census quarterly measures, output declined between 0.7 and 1.0 percent during the second quarter of 1967, after even sharper declines in the first quarter. Man-hours dropped less than output during the first quarter—resulting in a decline in productivity—but more in the second quarter—yielding a productivity increase ranging between 0.7 and 0.9 percent. Over the year, productivity gains were between 1.0 and 1.4 percent—far under the long-term average.

The cutback in production and man-hours in manufacturing reduced some of the pressures on capacity which have characterized the last few years. Manufacturing plants were operating at 84.7 percent of capacity during the second quarter, compared to 87.0 percent for the first quarter of 1967 and 90.9 percent for the second quarter of 1966.

II. WAGES, SALARIES, AND BENEFITS

This section emphasizes changes over the half year rather than the quarter. In general, the shorter the period over which comparisons are made, the more do the differences reflect the specific industries which bargain rather than changes in the general economic climate affecting wage decisions.

Hourly expenditures on wages and benefits for employees[1] in the private nonfarm economy rose 3.2 percent in the first half of 1967. (See Table 2.) This rate of increase was slightly lower than the 3.3 percent recorded during the first half of 1966, but only because social security taxes paid by employers rose only two-tenths of one percent in 1967 as compared with seven-tenths of one percent in 1966. Also, overtime earnings declined and the relatively low wage industries and occupations had a heavier weight in the average.

Summaries of major collective bargaining settlements and average hourly earnings adjusted for overtime also indicate that compensation rose faster in the first half of 1967 then in 1966 as a whole, though it advanced at about the same pace as in the second half of the year. For those key settlements[2] that were reached during the first half of 1967, the average rate of increase in hourly wage and benefit costs was 4.6 to 4.9 percent a year. (See Table 3.) This compares with 4.1 to 4.5 percent in all of 1966.

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[1] This section refers to nonfarm employees only, whereas the summary and Table 1 include both the self-employed and all farm workers.

General wage increases alone have averaged 4.3 percent so far this year, compared with 3.9 percent in 1966. Many contracts provided larger increases in the first year of the agreement than in subsequent years, so that the average first year increase was 5 percent of straight-time average hourly earnings—slightly above last year's 4.8 percent and larger than in any year since 1956. (See Chart 1.)

After allowance for differences in overtime pay, average hourly earnings in manufacturing and in a number of other industry divisions rose faster than in the first half of 1966. (Comparisons of changes in hourly earnings for the first part of the year with the entire preceding year or with the second half of the year have limited significance, since average hourly earnings typically increase at a faster rate during the second half of each year.) The rise in straight-time average hourly earnings in manufacturing was the largest in the first half of any year since 1956.

Part of the 1967 increase reflected new collective bargaining agreements. In addition, in some low-wage industries, especially in the South, some of the increases were the direct result of higher minimum rates and expanded coverage under the FLSA. Increases in average hourly earnings of unskilled workers in southern cities were relatively large between early 1966 and early 1967. In both women's apparel and footwear industries, new agreements reached in late 1966 or early 1967 raised wage rates; many apparel agreements keep minimum rates a specified distance above the FLSA minimum.

Except where minimum wage increases had a substantial impact, wage rates in nonunion manufacturing establishments rose at a slightly slower rate during the first part of 1967. This reflects both the smaller rate of increase in consumer prices in the first quarter of this year and the less intense demand for labor.

Textile wage rates were not appreciably affected by the FLSA change in February 1967, but in August 1967 general wage-rate increases of about 6.5 percent were announced by major southern producers, most of whose employees are unorganized. This was the fifth and largest general wage increase for most southern textile workers in four years. This increase may have been due in part to labor competition with industries directly affected by the new FLSA provisions, and in part to anticipation of the $1.60 minimum to go into effect in February 1968. The 1967 increase reduced to about 10 percent the number of cotton textile workers earning below $1.60.

The direct effect of FLSA rates and coverage, effective in February 1967, was to raise hourly costs by an estimated 0.3 percent average, mostly in nonmanufacturing such as trade, finance, insurance and real estate, and hotels and laundries. Pay in other nonmanufacturing industries, notably railroads and trucking, was affected by new union agreements. After widespread wage or salary increases for nurses and other hospital workers, amounting to 10 percent or more, advances in this field lessened early in 1967.

Wage-rate increases in the construction industry were larger than in 1966 or 1965, though average hourly earnings were held down by the employment recovery in home building, which pays lower average wages than other types of construction do. Union scales rose faster in the first half of 1967 than in any comparable period since 1948. Many of the year's settlements provided wage and benefit increases of 6 to 10 percent a year, and some were even larger.

In most industries hours of work fell substantially, leading to smaller increases in gross hourly earnings and to either a greater decline or a smaller increase in weekly earnings—depending on the industry—than a year earlier. Wholesale and retail trade were exceptions; hours fell less than last year, when the FLSA amendments reduced normal hours for retail trade to 40. Finance, insurance and real estate, and hotels, were also exceptions: the acceleration in hourly earnings was great enough to offset the reduction in hours.

For the private nonfarm economy as a whole, real net spendable earnings (weekly earnings adjusted for changes in the CPI and in Federal taxes deducted from employees' pay) in June 1967 were about the same as they were six months earlier, whereas they had dropped slightly between the previous December and June. Spendable earnings declined during the first three months of the year because of an increase in social security withholding and the fall in hours, but they recovered by June as the workweek stabilized and earnings rose more rapidly than prices. In manufacturing alone, however, real net spendable earnings declined during the first half of 1967—more than in any first half since 1958.

The major bargaining for the remainder of the year will be in copper, now involved in strikes over new contracts, and in the automobile, farm equipment, and related industries. Some meatpacking contracts remain to be negotiated. The relatively smaller increase in prices has reduced the size of wage increases under cost-of-living escalator clauses and the pressure to raise wages of nonunion workers, but there will probably be some increases for the latter in anticipation of the rise to a $1.60 FLSA minimum next February. In addition, about a million and a half workers, including basic steel and aluminum workers, as well as those in longshoring, aerospace, and electrical industries, will receive deferred wage increases under contracts negotiated in 1965 or 1966.

III. UNIT LABOR COSTS

Despite the relatively large increase in hourly compensation (2.1 percent) during the second quarter, the large gain in productivity held the rise in unit labor costs in the private sector to only 0.1 percent. (Table 1a.) This small increase contrasts sharply with larger rises earlier; the rise was 3.3 percent.

Similar movements took place in both the nonfarm and manufacturing sectors. (See Tables 1b and 1c.) Between the first and second quarter, unit labor costs rose 0.2 percent in the nonfarm sector and 0.5 percent in manufacturing. Over the year, unit labor costs increased 3.6 percent in nonfarm activities and more than 5 percent in manufacturing.

IV. PRICE DEVELOPMENTS

Wholesale prices began to rise in the second quarter of 1967 after six months of decline, and consumer prices quickened their rate of advance. The Wholesale Price Index rose 0.6 percent and the Consumer Price Index 0.9 percent between March and June. (See Tables 4 and 6.) Both the turnaround at the wholesale level and the acceleration at the retail level resulted from sharp increases in farm and food prices.

During the preceding six months, declining farm and food prices had more than offset rising industrial prices in the WPI, and had dampened the rise in service and nondurable goods prices in the CPI. At the end of the second quarter, wholesale prices were 0.6 percent and consumer prices 2.7 percent above a year earlier; farm prices were down moderately and food prices up a little.

Farm Products and Foods. Upward pressures in agricultural prices during the second quarter came chiefly from livestock, meats, fresh produce, and milk. Seasonally adjusted wholesale prices of farm products, processed foods, and retail grocery food rose, although there were decreases in prices of poultry, eggs, wheat, and bread. (See Tables 4 and 6.) As of June, prices of many agricultural commodities had not had their customary seasonal declines.

In most instances, the volatility of farm and food prices is largely attributable to changes in supply. The largest price increases in the second quarter—hogs, pork, and fresh produce—resulted from curtailed supplies. In 1966, high prices for meat caused increased production; as prices fell and feed costs rose in the second half of the year, farmers cut back. By May, hog slaughter had declined and pork prices began to climb sharply. This jump, in turn, buoyed beef prices, which also advanced sharply even though the supply remained high. Similarly, expanded production caused substantial price decreases for poultry, eggs, and wheat.

Unfavorable weather delayed maturing of late-spring crops and was a basic factor in the second-quarter rise in fresh fruit and vegetable prices. Although the increases were sharp at wholesale, they were little more than seasonal at retail. Part of the discrepancy reflects the greater volatility of wholesale prices, but part is due to normal lags and will affect retail prices in later months.

Consumer Services. The services sector continued to push consumer prices upward, rising 0.9 percent in both the first and second quarters. However, this advance was moderately slower than last year's, chiefly because of a decline in mortgage interest rates and, in the second quarter, a slower rise in transportation and medical costs. (See Table 5.)

Despite a slackening, medical costs—particularly physicians' fees and hospital rates—still rose more than other service groups in the second quarter. Rents continued to rise at the same rate, as earlier in the year, but prices of household services rose more rapidly, especially for property taxes, insurance, home maintenance and repair, and day care. Financial services and taxes also account for a significant share of price advances so far, as well as those services that are labor-intensive. Only some publicly-regulated service charges, such as gas and electric rates, and air and rail fares have remained relatively stable.

Industrial Materials and Products. Average wholesale prices of industrial commodities did not change in the second quarter, but consumers paid significantly more for manufactured products. (See Table 4.) Retail durable price increases came largely from used cars (not included in the wholesale index), mainly because of a steady reduction in used car inventories, but prices of tires and furniture also advanced. Among nondurables, retail price increases were widespread, with substantial rises in apparel, footwear, gasoline, and toilet goods.

The stability in wholesale industrial prices resulted from divergent trends affecting many groups. On a seasonally-adjusted basis, prices declined in 4 of the 12 major industrial groups in the second quarter, rose in 7, and remained unchanged in 1.

Second quarter price advances were mainly in finished goods, unlike the sharp increases in 1965 and early 1966 which had centered in crude materials. The uptrend in wholesale prices for many finished goods accelerated in late 1966 and continued throughout the first half of 1967. Probably affected by last fall's suspension of the investment tax credit, as well as by the subsequent slackening in the economy, prices of producers' goods—though still rising substantially—were advancing at a slower rate than in 1966. Wholesale prices of consumer nondurables, however, were rising faster. (See Table 6.)

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[2] Contracts of 5,000 or more. These estimates do not make allowance for the effect of cost-of-living escalator clauses.

Prices of some crude materials edged up slightly after their year-long fall, while some intermediate construction materials, such as lumber and concrete products, rose more than seasonally. In producer finished goods, the most important price rises came in metalworking and other nonelectrical machinery. In finished nondurables increases were mainly in apparel, cigarets, and gasoline. Consumer durables declined at wholesale, with lower prices for passenger cars and TV sets, although furniture and appliance prices continued to rise.

The economic slowdown, the easing of credit costs, and falling prices of some crude and intermediate materials dampened upward price pressures in the first half of the year, although demand continued relatively strong and many costs advanced—taxes, labor, insurance, and construction, as well as some materials.

The continuing large advance in apparel prices (see Tables 4 and 7) which had been a major factor in the increased prices in nondurable finished goods at both wholesale and retail, reflects both demand and cost pressures. Average hourly earnings of production workers in the apparel industry increased 8 percent from a year ago, with more than half of the rise in 1967. Labor costs for retail employees also rose significantly, particularly in women's apparel shops, and helped push retail prices up more than wholesale. Increased retail mark-ups were probably another important factor. On the other hand, rising material costs were not a major influence since many textile prices had been declining. However, demand was moderately strong; on a seasonally-adjusted basis, average retail sales in April and May were higher than in the first quarter and were well above year-earlier levels.

Since the beginning of the current price advance in December 1964, both wholesale and retail prices of nonfood commodities have risen at an annual rate of about 1.5 percent. Their divergence in trend in the second quarter was due in part to temporary reasons.

TABLE 1-a.—OUTPUT PER MAN-HOUR, HOURLY COMPENSATION, AND UNIT LABOR COST IN THE PRIVATE SECTOR, 1966–67

	Output	Man-hours	Output per man-hour	Compensation per man-hour	Unit labor cost
Percent change:					
Annual rate, 1947–66	3.7	0.5	3.2	4.9	1.7
From previous quarter:					
1966—					
1st	1.7	1.0	.7	2.0	1.3
2d	.4	.1	.3	2.2	1.9
3d	.7	.8	–.1	1.1	1.2
4th	.9	–.1	1.0	1.8	.8
1967—					
1st	–.2	–.1	–.1	1.0	1.2
2d	.5	–1.4	2.0	2.1	.1
2d quarter 1967 from year earlier	1.9	–.9	2.8	6.2	3.3
1st half 1967 from previous half (annual rate)	.8	–1.8	2.6	6.0	3.2
1st half 1967 from year earlier	1.8	.1	1.9	6.2	4.2

Note: Unpublished estimates.

Source: U.S. Department of Labor, Bureau of Labor Statistics.

TABLE 1-b.—OUTPUT PER MAN-HOUR, HOURLY COMPENSATION, AND UNIT LABOR COST IN THE PRIVATE NONFARM SECTOR, 1966–67

	Output	Man-hours	Output per man-hour	Compensation per man-hour	Unit labor cost
Percent change:					
Annual rate, 1947–66	3.8	1.1	2.6	4.6	1.9
From previous quarter:					
1966—					
1st	1.8	1.3	.4	1.7	1.3
2d	.7	.7	.0	1.8	1.8
3d	.7	.9	–.2	1.0	1.2
4th	.9	–.2	1.1	1.7	.6
1967—					
1st	–.5	–.3	–.1	1.4	1.6
2d	.6	–.8	1.4	1.6	.2
2d quarter 1967 from year earlier	1.7	–.4	2.1	5.8	3.6
1st half 1967 from previous half (annual rate)	.4	–1.6	2.2	6.2	4.0
1st half 1967 from year earlier	1.7	.3	1.4	5.9	4.5

Note: Unpublished estimates.

Source: U.S. Department of Labor, Bureau of Labor Statistics.

TABLE 1-c.—OUTPUT PER MAN-HOUR, HOURLY COMPENSATION, AND UNIT LABOR COSTS IN THE MANUFACTURING SECTOR,[1] 1966–67

	Output		Man-hours	Output per man-hour		Compensation per man-hour	Unit labor cost	
	FRB	Census		FRB	Census		FRB	Census
Percent change:								
Annual rate, 1947–66	4.2	(²)	0.8	3.4	(²)	5.0	1.5	(²)
From previous quarter:								
1966—1st	3.8	3.2	2.1	1.6	1.1	1.5	–.2	.5
2d	2.1	.8	1.6	.5	–.9	1.4	1.0	2.3
3d	1.3	.5	.6	.7	.0	1.7	1.0	1.7
4th	.9	1.7	.8	.1	.9	1.6	1.4	.6
1967—1st	–1.5	–1.4	–1.0	–.5	–.4	1.7	2.1	2.1
2d	–1.0	–.7	–1.6	.7	.9	1.3	.8	.5
2d quarter 1967 from year earlier	–.3	.1	–1.3	1.0	1.4	6.5	5.4	5.1
1st half 1967 from previous half (annual rate)	–3.0	–1.9	–2.9	–.2	1.0	6.3	6.4	5.3
1st half 1967 from year earlier	1.3	.8	.3	.9	.5	6.5	5.5	6.0

[1] Employees only.

[2] Not available.

Note: Unpublished estimates.

Source: U.S. Department of Labor, Bureau of Labor Statistics.

TABLE 2.—SUMMARY OF PERCENTAGE CHANGES IN PRIVATE NONFARM EMPLOYEES COMPENSATION, 1964 TO JUNE 1967

	3 months ending in—				6 months ending in—				Annual data		
	June 1967[1]	Mar. 1967	June 1966	June 1965	June 1967	Dec. 1966	June 1966	June 1965	1966	1965	1964
Average hourly compensation[1]	1.6	1.6	2.0	1.4	3.2	2.6	3.3	1.4	6.0	(²)	(²)
Average hourly earnings	1.5	.8	1.6	1.7	2.3	1.6	2.8	2.5	4.4	3.8	(⁴)
Manufacturing	.7	.7	1.1	.8	1.4	2.2	1.9	1.2	4.1	3.1	2.8
Real average weekly earnings[3]	1.5	–1.1	1.3	1.2	.4	–.8	.8	1.1	(⁵)	1.7	(⁴)
Manufacturing	.3	–2.0	.8	(⁵)	–1.6	–.1	–.1	–.5	–.2	1.5	3.1
Real spendable average weekly earnings (worker and 3 dependents)	1.2	–1.2	1.1	1.0	(⁵)	–.9	–.3	1.6	–1.1	2.2	(⁴)
Manufacturing	.2	–2.0	.6	–.1	–1.8	–.3	–1.5	.3	–1.8	2.2	4.9

[1] Preliminary. In contrast to table 1–b, the hourly compensation figures on this table pertain to nonfarm employees only (including private household employees); the self-employed and all farmworkers are excluded.

[2] Average annual rate 1964–65 is 4.3 percent.

[3] Production and nonsupervisory employees.

[4] Data not available.

[5] No change or change of less than 0.05 percent.

Note.—Changes are increases unless preceded by a minus sign.

Source: U.S. Department of Labor, Bureau of Labor Statistics.

TABLE 3.—WAGE AND BENEFIT CHANGES,[1] MAJOR COLLECTIVE BARGAINING SETTLEMENTS, 1966 AND 1ST HALF OF 1967

Item	Median annual rate of increase for contracts negotiated during—						
	1967			1966			
	1st half	1st quarter	Total	1st half	1st quarter	2d half	4th quarter
Wage and benefit changes (packages):[2]							
Equal timing[3]	4.6	4.8	4.1	3.6	3.7	4.1	4.1
Actual timing[4]	4.9	4.9	4.5	4.2	3.9	4.8	4.5
General wage changes:[5]							
Increases averaged over life of contract:							
All industries	4.3	5.0	3.9	[6]3.7	[6]3.7	[6]3.9	[6]3.9
Manufacturing	4.3	4.1	3.8	([7])	([7])	[6]3.6	[6]3.6
Nonmanufacturing	4.4	5.0	3.9	([7])	([7])	[6]3.9	[6]3.9
1st-year increases:							
All industries	5.0	5.0	4.8	3.9	3.8	5.0	5.0
Manufacturing	5.4	5.7	4.2	3.8	3.7	4.2	4.2
Nonmanufacturing	5.0	5.0	5.0	3.9	4.0	5.7	5.8

[1] Possible increases in wages resulting from cost-of-living escalator adjustments were omitted.

[2] Limited to settlements affecting 5,000 workers or more. A few settlements, affecting relatively few workers, have not been priced.

[3] Based on estimated increases in hourly costs at end of contract period and assumes equal spacing of wages and benefit changes over life of contract.

[4] Takes account of actual effective dates of wage and benefit changes.

[5] Contracts affecting 1,000 workers or more. Data for quarters and halves of 1966 exclude construction. Medians for 1967 and all of 1966 are the same whether or not construction is included, with the following exception: The median 1st-year wage increase for all industries would be 4.5 rather than 4.8 if construction were omitted.

[6] Limited to settlements affecting 5,000 workers or more.

[7] Not available.

Source: U.S. Department of Labor, Bureau of Labor Statistics.

TABLE 4.—CONSUMER PRICE INDEXES FOR SELECTED COMMODITIES—QUARTERLY PERCENT CHANGES

[Seasonally adjusted except when indicated otherwise]

Consumer price indexes	1966				1967	
	December 1965, to March	March to June	June to September	September to December	December 1966, to March	March to June
All items[1]	0.9	0.8	1.1	0.5	0.3	0.9
Services[1]	.7	1.6	1.2	1.4	.9	.9
All commodities	1.1	.3	.9	.2	0	.9
All commodities less food	.3	.8	.5	.4	.6	.8
Food	3.1	−.2	1.1	−.3	−.9	.9
Food at home	3.4	−.4	1.2	−.7	−1.3	.9
Meats	7.1	−2.1	−3.5	−1.0	−.6	3.4
Beef and veal	5.6	1.0	−3.1	−.5	−.1	3.1
Pork	8.9	−6.8	−4.7	−3.3	−1.6	6.0
Chicken, frying	10.3	−3.7	.2	−7.4	−2.4	−2.8
All dairy products	2.5	2.5	4.6	−.1	−.3	1.6
Milk, grocery	2.7	2.6	3.2	.2	−.4	2.3
Fruits and vegetables	2.9	−1.4	4.5	−2.9	−2.5	.3
Fresh fruits and vegetables	4.9	−1.2	6.4	−3.9	−3.0	.6
Processed fruits and vegetables[1]	.7	−.6	−.6	−.4	−1.4	0
Cereal and bakery products[1]	1.2	1.0	3.2	.3	−.2	−.3
Bread, white[1]	2.4	1.1	5.2	−.3	−1.3	−.1
Eggs	6.7	−9.4	1.0	4.6	−11.6	−4.0
Durable commodities	−0.1	0.5	0.3	0	0.1	1.1
New cars	−.7	.5	−1.2	1.4	−.4	.1
Used cars	−.7	−.7	1.6	−3.6	3.4	2.5
Tires, new[1]	−.3	2.2	.6	0	.4	1.2
Household durables[1]	.1	.5	.6	.4	.1	.2
Appliances	−.5	−.4	.2	−.1	−.7	−.2
TV sets[1]	−.4	−.1	−.5	.2	−1.0	−1.4
Furniture and floor coverings	.5	1.0	1.1	.9	.3	.5
Nondurable commodities except food	.6	.7	.6	.7	.8	.7
Apparel, less footwear	.8	.6	.8	.8	1.3	.9
Women's and girls'	1.1	.6	.8	1.1	1.4	1.1
Men's and boys'	.6	.7	.7	.9	1.2	.9
Footwear	1.4	2.5	1.2	1.2	1.5	.8
Textile housefurnishings[1]	−.6	1.1	1.3	1.4	0	.5
Fuel oil and coal	−.4	2.2	−.4	.1	1.0	2.7
Gasoline[1]	.4	.7	1.7	.5	.5	1.3
Drugs and prescriptions[1]	.3	.2	−.1	−.2	−.3	−.3
Toilet goods[1]	.6	.3	.3	.3	.3	.7
Tobacco products[1]	.2	1.9	1.2	.2	0	.4

[1] Not seasonally adjusted.

TABLE 5. SELECTED CONSUMER SERVICE PRICES, QUARTERLY PERCENT CHANGES

[Not seasonally adjusted]

Consumer price indexes	1966				1967	
	December 1965, to March 1966	March to June	June to September	September to December	December 1966, to March 1967	March to June
All services	0.7	1.6	1.2	1.4	0.9	0.9
Rent	.4	.3	.5	.5	.4	.4
Transportation services	1.1	.5	1.9	.8	.7	.5
Auto repairs	0	.5	.9	1.0	1.5	.8
Auto insurance	1.3	.9	1.6	.6	.5	.2
Registration and license fees	10.1	.2	0	0	2.1	.7
Parking and garage rent	.3	−.2	.1	.9	2.0	.1
Local transit	.1	0	8.9	.1	.7	.7
Taxicabs	-------	-------	-------	-------	-------	-------
Railroad fare, coach	−.1	0	0	0	.2	0
Airline fares	.1	−.2	0	−.1	.1	.3
Bus fares, intercity	1.3	.3	.4	.2	2.6	1.5
Medical care services	1.5	1.7	2.4	2.3	2.5	1.6
Physicians' fees	1.8	2.0	2.2	1.6	2.0	1.3
Dentists' fees	.6	1.2	1.6	1.2	1.2	.9
Eye examination and eyeglasses	.4	1.0	1.2	1.3	1.7	.9
Hospital daily rates	2.4	2.1	5.1	6.0	6.1	3.0
Operating room charges	2.1	1.3	2.5	3.1	4.5	3.5
Household services	.1	2.7	1.1	1.5	.6	.9
Mortgage interest rates	.7	6.0	2.1	3.1	−.5	−1.2
Property taxes	.7	1.1	1.2	.5	2.4	2.0
Property insurance	1.0	1.7	1.6	.4	.7	3.1
Household Services—Con.						
Home maintenance and repair	1.2	2.0	1.9	1.5	1.1	1.5
Gas	.4	−.4	.2	−.5	.4	−.3
Electricity	0	.1	−.2	.2	.4	.1
Telephone	−6.3	6.6	.1	0	−.2	0
Domestic service	1.7	.7	1.9	2.2	2.8	1.5
Babysitters	1.2	1.2	.2	1.9	2.2	1.6
Day care	.4	2.8	1.2	2.3	1.0	1.4
Laundry, flatwork	1.6	1.8	2.3	3.2	1.9	1.8
Postal charges	0	1.3	0	0	2.6	0
Other services	1.5	1.1	.9	1.1	.6	1.2
Laundry, men's shirts	1.1	.8	.8	3.4	.6	.8
Drycleaning	1.0	1.4	1.5	2.1	.3	1.2
Tailoring charges	1.0	2.9	1.0	.9	.4	1.9
Shoe repairs	.3	.3	.2	−.8	0	.9
Men's haircuts	1.9	2.7	1.5	1.4	.9	.6
Beauty shop	.7	1.5	1.0	.7	1.1	1.0
Movie admissions	3.7	1.2	1.5	1.4	1.1	2.9
Bowling fees	1.3	−.7	−2.1	4.0	1.7	−.4
Film developing	.9	−.1	−.4	.6	.1	−.4
Funeral services	.3	.7	.9	.6	.5	.6
Bank service charges	.3	.2	.7	.6	−.2	1.5
Legal services	1.4	.2	1.2	1.0	1.6	1.6

TABLE 6.—WHOLESALE PRICE INDEXES FOR MAJOR SECTORS, FARM PRODUCTS, AND PROCESSED FOODS, QUARTERLY PERCENT CHANGES

Wholesale price indexes	1966				1967	
	December 1965 to March	March to June	June to September	September to December	December 1966 to March	March to June
All commodities (not seasonally adjusted)	1.2	0.3	1.0	−0.8	−0.2	0.6
Farm products	3.7	−2.4	4.3	−6.3	−2.2	2.8
Processed foods and feeds	1.6	−.2	3.1	−2.3	−2.0	1.8
Industrial commodities	.8	.9	.3	.3	.5	0
Crude materials	3.9	−.1	−3.5	−1.2	−1.4	−.7
Intermediate materials	.7	1.0	.2	0	.5	−.1
Finished goods:						
Consumer nondurables	.4	.8	.5	.1	.9	.8
Consumer durables	.1	.4	−.1	1.3	0	−.3
Producers' goods	.8	1.0	.5	1.7	.5	.5
Farm products (seasonally adjusted except when otherwise indicated)	2.4	−.7	2.1	−4.8	−3.4	4.7
Fresh fruits and vegetables	1.1	−2.3	19.8	−7.9	−10.3	15.7
Grains	1.0	5.5	8.7	−2.9	−1.2	−2.9
Wheat [1]	−1.4	8.6	11.2	−5.4	−1.0	−7.2
Livestock	1.3	−4.3	−3.1	−6.7	−3.0	8.6
Steers [1]	4.5	−7.8	−.2	−3.4	−.4	2.9
Farm Products—Con.						
Livestock—Con.						
Hogs [1]	−10.6	−1.4	−0.2	−17.1	−5.5	17.4
Live poultry	3.0	.1	−5.4	−8.6	4.0	−.4
Eggs	2.4	−8.8	7.5	−9.0	−14.1	−.5
Fluid milk	6.2	2.9	6.7	−1.6	−2.3	5.0
Processed foods and feeds (seasonally adjusted except when otherwise indicated)	2.1	−.2	2.1	−1.8	−1.6	1.9
Cereal and bakery products	1.1	1.6	4.3	−1.0	−.3	−.3
Bread [1]	1.1	.4	6.8	.2	−.9	−.4
Meat, poultry, and fish	2.2	−3.9	−1.1	−2.6	−3.1	5.5
Meats [1]	.6	−3.7	3.0	−6.3	−4.3	9.1
Beef and veal [1]	9.8	−5.1	3.6	−4.2	−1.1	6.2
Pork [1]	−10.4	−1.4	4.3	−9.9	−10.2	16.4
Dairy products	4.7	2.0	4.8	−1.8	0	2.0
Milk [1]	2.7	.6	4.6	1.5	−1.4	2.9
Processed fruits and vegetables	−.1	0	.2	.6	−1.3	2.1

[1] Based on data unadjusted for seasonal variation.

TABLE 7.—WHOLESALE PRICE INDEXES FOR MAJOR GROUPS AND SELECTED INDUSTRIAL COMMODITIES, QUARTERLY PERCENT CHANGES

[Seasonally adjusted except when indicated otherwise]

Wholesale price indexes	1966				1967	
	December 1965 to March	March to June	June to September	September to December	December 1966 to March	March to June
Industrial commodities [1]	0.8	0.9	0.3	0.3	0.5	0
Textile products and apparel	.3	.1	−.1	−.4	.1	−.2
Cotton products	.7	1.3	.2	−.6	−1.4	−1.3
Wool products	.5	.6	−.5	−1.0	−1.0	−.7
Manmade fiber products	−1.4	−1.1	−1.1	−1.9	−.2	−1.5
Apparel	.6	−.1	.2	.5	.7	.5
Housefurnishings	.4	.6	.9	−.1	.1	.3
Hides, skins, leather, and products	3.8	2.8	−2.3	−1.8	.2	−1.8
Hides and skins	13.2	−1.2	−14.6	−13.2	−8.6	−12.1
Leather	6.3	1.9	−2.2	−3.9	−3.0	−4.6
Footwear	1.5	2.9	.4	.8	1.2	−.3
Fuels, products, and power	.1	1.4	.7	−.4	2.1	.1
Crude petroleum [1]	.1	.4	.3	.4	.2	0
Refined petroleum products	0	1.9	1.5	−1.7	3.5	−.4
Gasoline	.7	2.1	2.2	−2.2	3.8	−2.2
Chemicals and allied products	−.2	.3	.5	0	.1	.3
Industrial chemicals	−.3	.6	.2	.4	.6	.2
Fats and oils (inedible)	−1.9	−4.2	1.7	−10.0	−12.6	−2.1
Agricultural chemicals and products	−.5	.3	.2	.6	1.9	−.6
Rubber and rubber products	1.2	1.0	−.5	0	1.3	−.3
Crude rubber	.9	−1.8	−.8	−.6	−2.2	−.2
Tires and tubes	.9	3.2	−1.5	.5	1.9	−1.4
Lumber and wood products	2.2	1.3	−1.1	−1.8	−.3	.5
Lumber	1.9	3.5	−1.8	−2.3	−.4	.9
Millwork	1.3	.8	.2	−.1	.8	.1
Plywood	3.1	−4.2	−3.2	−.8	−2.6	1.5
Industrial commodities—Con.						
Pulp, paper, and products	0.7	1.1	0.6	−0.3	0.4	0.2
Woodpulp	−.5	.2	.2	0	−.4	.2
Converted paper and paperboard	.8	.9	.8	.3	1.1	.3
Metal and metal products [1]	1.3	.6	−.3	.6	.4	−.5
Iron and steel	.6	−.1	.6	.1	.4	.2
Nonferrous metals	2.6	1.4	−2.0	.8	.1	−2.6
Metal containers	−.5	.1	.5	.3	.7	0
Plumbing fixtures	1.1	3.0	1.5	−.3	.3	−.6
Machinery and equipment	1.1	1.0	.9	1.6	.7	0
Nonelectrical machinery [1]	1.0	1.3	.9	1.3	.7	.3
Metalworking	1.4	1.9	1.2	1.2	.7	.7
Electrical machinery	1.6	.7	.7	1.9	.7	−.3
Furniture and household durables [1]	.2	.5	.2	1.2	.2	.2
Household furniture [1]	.5	1.6	.8	1.8	.5	0
Commercial furniture [1]	.1	1.2	.7	2.5	.6	2.4
Floor covering	.2	−.2	−.7	−.7	−2.2	−.5
Household appliances	0	.3	−.2	.3	.3	.2
Nonmetallic mineral products [1]	.5	.4	.5	.3	.5	.1
Concrete ingredients [1]	.4	−.2	.3	.4	1.4	.1
Concrete products [1]	.4	.8	.6	.3	.6	1.1
Transportation equipment	(2)	(2)	(2)	(2)	(2)	(2)
Passenger cars, new	−.3	−.4	−1.0	2.1	−.5	−.1
Railroad equipment [1]	0	0	0	1.7	0	.2
Miscellaneous products [1]	1.3	.4	.2	.4	.2	1.8
Tobacco products	3.6	−.1	.3	.3	0	3.5

[1] Based on data unadjusted for seasonal variation.
[2] Not available.

HENRY J. KAISER

Mr. KENNEDY of New York. Mr. President, Henry J. Kaiser's life was filled with the vitality, restlessness, and inventiveness which characterize the best of our national spirit. With his death at 85 last week in Honolulu, we lost a distinguished American for whom each new success was only a spur to new achievement.

The career that led him to build dams, ships, automobiles, and hospitals around the world began in New York where he worked for $1.50 a week as a cash boy in a Utica dry goods store. But it was appropriate that his last activities and his death took place in Hawaii—while exploring new opportunities to develop the newest part of the country.

For Henry Kaiser was more than an immensely successful industrialist; his life was more than a record of business profits. He was a man who could declare that "problems are only opportunities in work clothes"—and go on to build dams in Ghana and initiate profit-sharing plans in Latin America. He was a man who built a ship a day during the war, one-third of the entire American production—but he was as concerned with preserving the beauty of the land he developed as he was in reaping its rewards. He was a man who liked to say that his job was not to build ships or dams, but to "build and develop people, to bring out their courage," and improve their lives—and he went on to establish medical care programs in the United States that now serve 1,250,000 people.

His life is an example to young Americans of the value to be gained from a purposeful life. It matters not so much whether their energy is directed first toward business or public service or professional activity—but it is essential that many more have the energy, the will, the initiative that Henry Kaiser had in abundance, and that they devote that drive and talent to the welfare of others.

Mr. President, an extensive and informative biography of Henry Kaiser was published in the New York Times following his death. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HENRY J. KAISER IS DEAD AT 85—BUILT $2-BILLION INDUSTRIAL GIANT—HEAD OF MULTIFACETED EMPIRE STARTED HIS CAREER AT 13 IN DRY GOODS STORE

HONOLULU, August 24.—Henry J. Kaiser, the industrialist who built dams, ships, automobiles and hospitals, died in his sleep this morning at his home here. He was 85 years old.

Mr. Kaiser, who had been suffering from a circulatory ailment, became ill on a recent trip to the mainland. He returned to Honolulu on June 25.

At his side were his wife, Alyce, a nurse Mr. Kaiser married after the death of his first wife in 1951, and his son, Edgar Kaiser, and his wife.

A school dropout at the age of 13 who went on to become one of the nation's leading industrialists, Henry John Kaiser once declared in his blunt fashion: "Problems are only opportunities in work clothes."

Mr. Kaiser, no stranger to work clothes and a man who some said subsisted on three hours of sleep a night, spent a rich, restless, widely diverse lifetime taking on problems and converting them into opportunities.

He built roads, pipelines, dams, factories, ships, cars, bridges, homes, resorts, hospitals and, ultimately the many-faceted billion-dollar Kaiser Industries Corporation. The robust industrialist perpetually aimed high, and generally made it.

"I always have to dream up against the stars" he observed. "If I don't dream I'll make it, I won't even get close."

Mr. Kaiser habitually seemed to find a way to get close. He attained nationwide fame with his performance as a shipbuilder during World War II, then went on to build a giant industrial empire that included steel, cement, aluminum and, for a hectic period, automobiles.

He took on the latter through the Kaiser-Frazer Corporation, which failed. But he kept his hand in the business through the familiar Jeep, produced by Willys Motors, which became a Kaiser subsidiary, and through two South American auto-producing plants.

Constantly expanding, most recently in Hawaii real estate development, his businesses achieved annual sales of $2 billion and has assets of $2.5 billion.

Mr. Kaiser, one of four children of German immigrant parents, was born May 9, 1882, in Sprout Brook, N.Y. His business career began at 13, when he left school to help support his family. He took a $1.50-a-week job as a cash boy for a Utica, N.Y., dry goods store and supplemented his income by taking photographs after working hours.

He subsequently took to the road as a photographic salesman in upstate New York and, at the age of 22, became a junior partner in the photographic concern of Brownell & Kaiser at Lake Placid.

Within a year, having husbanded his resources, he purchased the business and hung out a billboard-size sign over his door reading: "Meet the Man With a Smile."

OPENED OTHER STORES

He branched out, following free-spending vacationers to other resort areas, and opened stores in Daytona Beach and several other Florida cities as well as in Nassau in the Bahamas.

It was during this time that he met Miss Bessie Hannah Fosburgh of Norfolk, Va. Her guardian, a wealthy Virginia lumberman, objected to Mr. Kaiser's suit for her hand, feeling he was unable to provide adequate support. Mr. Kaiser promptly headed west, to Spokane, Wash., in 1906, to prove himself a worthy suitor.

There were no immediate jobs, but the industrious young Easterner pitched in as a helper in a large hardware store and shortly was taken on the payroll at $7 a week. Within a year he was made city sales manager. He returned east to marry Miss Fosburgh in April, 1907, and headed back to Spokane.

In 1912 he joined a construction company as a salesman and manager of paving contracts in Washington and British Columbia, getting his first taste of what was to become a career in building. "Find a need, and fill it," he once declared.

He established his first company, the Henry J. Kaiser Company, Ltd., in 1914 in Vancouver, B. C., at the age of 32, borrowing money from a bank to buy secondhand equipment. His innate knack for improvisation and inventiveness quickly showed itself and the company prospered.

LOGGED 75,000 MILES A YEAR

At one point, needing water for a highway project near Seattle, he was reluctant to buy an expensive gasoline pump to obtain it. A stream near the project gave him an idea and in short order he anchored a barge in the stream, rigged it up with a paddlewheel from a river steamer and put the stream to work turning the wheel, which operated a pump.

"We don't need power," Mr. Kaiser told his foreman. "The Lord does it for us."

During the next dozen years the hustling, bustling young businessman—"There's only one time to do anything and that's today," he was fond of saying—concentrated on highway construction in the Pacific Northwest and in California, in addition to erecting several sand and gravel plants of his own and two earth-fill dams.

By 1921 his headquarters had been established in Oakland, Calif., which remained the center of his far-flung operations despite his own heavy personal travel schedule. He logged as many as 75,000 miles annually during much of his career and was reported to have run up telephone bills on the order of $300,000 a year.

In his own view, the breakthrough point in his business life came in 1927 when, as a $20-million subcontractor on a Cuban road-building project, the Kaiser company built 200 miles of highway and 500 bridges into the interior of the island. The venture meant recruiting and organizing 6,000 workers, largely unskilled, but the job, which took four and a half years, was completed well ahead of schedule.

"The biggest headache of all," Mr. Kaiser once recalled to an interviewer "was to muster able management and supervision.

"We learned you can't just pay high salaries and import the finest talents into your organization. You and the men who work with you have to build yourselves up to the capacity to tackle bigger and bigger jobs."

Bigger and bigger jobs were in the offing. While still in Cuba, Mr. Kaiser learned of the plans to build Hoover (Boulder) Dam on the Colorado River. At that point it was one of the largest structures contemplated by man.

"I lay awake nights in a sweltering tent in Cuba," he recalled, "dreaming of this great day and thinking it over and over."

POOLING KNOW-HOW

His dreaming and thinking led Mr. Kaiser to the conclusion "that no single company was alone." "Why not," he reasoned, "get a group of contractors together as partners and pool their individual know-how?"

Out of this concept came the formation, in 1931, of Six Companies, Inc., which received the contract to build the giant dam. Mr. Kaiser became chairman of the group's executive committee.

Along with some of his associates from this successful four-year project, Mr. Kaiser, in 1934, formed and became president of the Columbia Construction Company, which participated in the building of the Bonneville Dam, and, later, through Consolidated Builders, he constructed Grand Coulee Dam on the Columbia River.

In addition to these activities, Mr. Kaiser undertook such other heavy construction projects as the piers of the San Francisco-Oakland Bay Bridge; levees on the Mississippi River; pipelines in the Northwest, Southwest and Mexico; naval defenses on Wake, Guam and Hawaii, and a 30-mile aqueduct for the New York City water system.

Up to the start of World War II, Mr. Kaiser and companies associated with him had built about 1,000 projects totaling $383-million.

SHIPBUILDING RECORDS

He also participated in the construction of the Shasta Dam in northern California, winning a bid in 1939 to supply 6 million barrels of cement and 11 million tons of aggregates.

"They tell me," he remarked at one point, "I often go out on a limb. Well, that's where I like to be." On the Shasta Dam project, for example, he demonstrated one of the techniques for large-scale operations that virtually became his trademark.

He built a 9.6-mile conveyor belt to carry sand and gravel from Redding, Calif., to the dam site. He also built a mammoth cement plant at Permanente, Calif., confounding his competitors for the cement contract on the Shasta Dam. At the time he submitted his bid he didn't even have a site for the cement plant.

Upon the outbreak of World War II, Mr. Kaiser rose to international prominence through the speed, breadth and quality of his war construction program. Although new to shipbuilding, the Kaiser organization entered the ship-repair and shipbuilding business on a colossal scale.

It was soon setting records for speed in the launching of cargo ships. The use of prefabrication techniques and his by now familiar innovations culminated in the completion of a 10,500-ton freighter at a Richmond, Calif., yard in 4 days and 15 hours from keeling to launching.

Averaging a ship a day, Mr. Kaiser went on to build a total of 1,490 vessels, including nearly one-third of the entire American production of merchant shipping and 50 small aircraft carriers, on his 58 shipways. He wound up operating a chain of six shipyards on the Pacific Coast and one on the Atlantic.

Just as he needed cement for the Shasta Dam project, and proceeded to build his own plant, so he found he needed steel for his shipbuilding activities.

He proceeded to build at Fontana, Calif., the Pacific Coast's first completely integrated iron and steel plant—containing, in one facility, all the equipment necessary for producing both metals. He financed this venture with a $112-million loan from the Reconstruction Finance Corporation.

To equip ships with engines built by his yards, he bought and expanded an ironworks at Sunnyvale, Calif. At Permanente he constructed and put into operation a magnesium plant to supply that metal for airplane construction.

Before the war ended, Mr. Kaiser was also in the aircraft and aircraft-parts business and was managing the largest artillery shell operations in the country.

ALUMINUM ENTERPRISE

Characteristically, he entered the postwar period with all the drive he had displayed before and during the war, and soon added an aluminum facility to his steelmaking operations. By 1947 his aluminum enterprise, in business less than a year, showed sales of $41.7-million and earnings of $5.3-million.

He boldly entered the automobile business with the formation, in 1945, of the Kaiser-Frazer Corporation, which leased the huge Willow Run plant near Detroit. Initially both a Kaiser and a Frazer car were produced.

Mr. Kaiser once said, "In the Frazer there is the heart of Joe Frazer and in the Kaiser you will find the soul of Henry Kaiser." His partner was Joseph W. Frazer, who had had 30 years in the sales and financial aspects of the automobile business.

The Frazer and Kaiser passenger cars were eagerly awaited by a car-hungry public after the war. But by 1955 the three main models, the Kaiser, the Frazer and the compact Henry J., had joined a long list of also-rans in the highly competitive automobile business. Mr. Kaiser attributed the failure of the venture to undercapitalization.

Today the affiliated Kaiser companies turn out 300 products from 180 plants and projects in 32 states and 40 foreign countries. They employ more than 90,000 people and have 130,000 stockholders.

In recent years, Mr. Kaiser concentrated his energies on the development of extensive resort and community facilities, including a $4-million Kaiser Foundation hospital in Hawaii.

A hulking, bald, bull-shouldered figure, Mr. Kaiser packed his 6-foot, 240-pound frame off to Hawaii and the island of Oahu for a rest in 1954. Impressed with the potential he sighted there, he soon was casting about for some land and in short order built the Hawaiian Village hotel.

This was, typically, merely the first step in what was to become a 6,000-acre, $350-million housing and resort development known as Hawaii-Kai.

Just as he had made his presence felt wherever he turned up, Mr. Kaiser soon became a familiar figure on the island, sporting, among other things, pink decor for his hotel, a pink Lincoln Continental of his own, a profusion of pink Jeeps, pink bulldozers and road-grading equipment. "Pink," he told an inquiring reporter, "is a happy color."

Most happy himself when working full tilt, Mr. Kaiser never took the time to pursue such standard executive pursuits as golf. He was active in hydroplane racing for a time, sometimes piloting his own cup-winning Scotter II and Hawaii-Kai at speeds of 100 miles an hour. He left the competitive driving to professionals, however.

Generally up at 5:30 a.m. every day, Mr. Kaiser switched on his television and radio sets for the news, ate a quick steak breakfast and was off and running for what usually consisted of 16-hour working days. He was a nonsmoker and relaxed occasionally with a pre-dinner drink.

He sported two watches, one bearing West Coast time, the other showing the time where he happened to be, in recent years mostly Hawaiian time.

A registered Republican, Mr. Kaiser was an independent voter who, during the immediate postwar years, was the object of a brief Presidential boom. It was reported that President Franklin D. Roosevelt considered him as a possible running mate in the 1944 campaign. But Mr. Kaiser regarded himself as a builder, not a politician.

MEDICAL CARE PROGRAM

Mr. Kaiser's continuing interest in health and medical care led to the development of the Kaiser Foundation Medical Care Program. The program includes the building of self-sustaining hospitals and medical centers where medical care is provided by independent partnerships of doctors under a prepayment health plan. More than 1.25 million people in California, Oregon, Washington and Hawaii are members of the plan.

Among many honors and citations, Mr. Kaiser received in 1965 the Murray-Green Award from the A.F.L.–C.I.O. Executive Council for outstanding service to the labor movement. He was the first industrialist to be given this highest honor bestowed by organized labor.

His lifelong theme, said Joseph A. Beirne, chairman of the A.F.L.–C.I.O. Community Services Committee, in presenting the award, has been: "The worker is a human being."

Mr. Kaiser was unable to attend the award dinner in Washington. His surviving son, Edgar Fosburgh Kaiser, read his remarks for him, which said, in part:

"I have often been asked, 'What is it, Mr. Kaiser, in your organization that enables you to make impossible projects become possible?' I appreciate the compliment and answer that our real job is not the building of dams, ships, factories and hospitals, our job is to build and develop people, to bring out their courage, their talents, their zeal and their will to work."

Mr. Kaiser's first wife, Mrs. Bessie Fosburgh Kaiser, died March 14, 1951, in Oakland, Calif. The couple had another son, Henry J., Jr., who died in 1961.

On April 10, 1951, Mr. Kaiser married his wife's former nurse, Alyce Chester.

EXTENT OF POVERTY IN THE UNITED STATES

Mr. TOWER: Mr. President, with each new revelation of the political involvement and corrupt activities of some "warriors on poverty," there are increasing numbers of persons who wonder why we ever got into that war and how soon we can get out. The only reason we continue our commitment, I am sure, is the essential good nature of the American people who hope to see an end to what they have been told is a continuing condition of human suffering gripping vast numbers of other Americans.

Writing in the current, September 4, issue of U.S. News & World Report, Prof. John B. Parrish, professor of economics at the University of Illinois, provides us with some timely information on the extent of poverty in the United States and the degree of its seriousness. His words are must reading for Senators, and I hope his article will be widely read and heeded.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

IS UNITED STATES REALLY FILLED WITH POVERTY?—A LOOK AT THE FACTS

(NOTE.—How many Americans are really in poverty? Thirty million? Eighty million? Or only a handful? This article, written for "U.S. News & World Report," is based on a study of poverty—and of the "poverty cult" that has developed in this era.)

(By John B. Parrish, profesor of economics, University of Illinois)

When future historians write the history of the 1960's there will be no more extraordinary episode in their accounts than the rise of America's "new poverty" cult. Intellectuals from every social-science discipline, every religious denomination, every political and social institution have climbed aboard the poverty bandwagon.

This article is concerned with a few fundamental questions: How did the new cult get started? What are its claims? Does the economic evidence support the claims? Are we moving toward a new and better social order or toward social chaos?

After a decade of exploring every nook and cranny of the poverty world, the "new poverty" cult has settled on a few basic doctrines which together form a dogma that apparently may be accepted on faith. These claims may be briefly summarized as follows:

1. The economic process, which in earlier years brought affluence to a majority of Americans, recently has slowed up and apparently stopped. As a result, a large minority of Americans are "hopelessly" trapped below the poverty line.

2. The size of this poverty population is "massive," and may be increasing. Minimum estimates place the number at 30 million, maximum at nearly 80 million.

3. Despite its great size, the poverty population is hidden away—"invisible," unknown, unwanted, unaided, helpless.

4. The hard core of the "other America" is the Negro. Because of racial discrimination, he has been unable to participate in economic progress. He is frustrated, embittered, forced to live outside the affluent society of the majority.

5. The "new poverty" can only be eradicated by massive, federal social-action programs involving income maintenance, self-help, education and training, in a milieu of racial integration, the latter voluntary if possible, compulsory if necessary.

Does the evidence on diffusion of economic well-being support the "new poverty" cult? Has diffusion mysteriously slowed to a halt, leaving millions "hopelessly trapped"? Are 30 to 80 million suffering acute deprivation in today's America? The plain truth is there is no basis in fact for the "new poverty" thesis. The high priests of the poverty religion have been exchanging each other's misinformation. Let's look briefly at some illustrative evidence.

Diet. The diet of U.S. families has continued to improve steadily over time until today at least 95 per cent, perhaps 96 per cent or 97 per cent of all families have an adequate minimum daily intake of nutrients.

Automatic cooking equipment. Are 20 per cent, perhaps 40 per cent of U.S. families without decent equipment with which to prepare this food intake? No. As a matter of fact, 99 per cent of all U.S. households have automatic cooking equipment, including most of those families living in rural and urban "ghettos." The diffusion has been consistent and persistent over the last six decades.

Refrigeration. Could it be that millions of American families are experiencing dull and dreary meals because they have no way to preserve foods and beverages against spoilage? No. About 99 per cent of all U.S. families have purchased electric or gas refrigerators. It is reasonable to assume they know how to operate them, even in the "ghettos."

Communication. Are millions of America's poor shut off from all contact with the rest of their affluent countrymen—alone, frustrated, in that "other world" of poverty isolation? At last count, the diffusion of TV sets had reached 92 per cent of all U.S. households, providing instant access to entertainment, news, sports, cultural enrichment. Since a small per cent of middle and upper-income families who can afford TV have chosen not to buy, the per cent of families having TV who want it must be around 96 or 97 per cent—a diffusion achieved in just 15 years.

Medical aid. Have the "new hopeless poor" found the doors to modern medical service "slammed shut," forcing them to rely on quack remedies, superstition, midwives, or to die alone and unattended?

In 1910, only one of every 10 American families had access to hospitals for childbirth. The diffusion since then has been spectacular and persistent for all groups, including nonwhites. By 1960, over 97 per cent of all American women had their babies born in hospitals. Today it is somewhere between 98 per cent and 99 per cent.

The luxury of telephone service. Telephone service is ordinarily not a rock-bottom consumer necessity. It is useful and convenient but not an absolute requirement, as was demonstrated during the Great Depression of the 1930s when the per cent of families with telephones declined.

Yet today nearly 90 per cent of all U.S. households have telephones. Since there are still a few pockets of unavailability, it is reasonable to conclude that close to 95 per cent of all U.S. households in availability areas who would like this luxury actually enjoy it.

"THREE POVERTY FALLACIES"

The foregoing illustrative evidence raises an interesting question: *How can the "massive" group of America's "hopeless poor" buy so much with so little?* Perhaps this basic question can be put another way: How could the poverty intellectuals be so wrong?

The answer is actually very simple. The intellectuals have chosen to be wrong. Most members of the "new poverty" cult are quite well-trained in statistics. Some are acknowledged experts. They know better. But, for the sake of the "new poverty" religion, they have chosen to accept three poverty fallacies.

The "new poverty" cult has built much of its case on family-income statistics. Some technical matters aside, there is nothing wrong with these statistics, per se. But there is something wrong, very much wrong, with their use. It is impossible for anyone adequately to interpret them in terms of average family economic well-being.

Poverty fallacy No. 1 got its big push from the 1964 report on "The Problem of Poverty in America" by the Council of Economic Advisers. CEA determined that households with less than $3,000 annual income were in poverty. Using this income yardstick, it was determined that 20 percent of U.S. households containing 30 million persons were in the poverty class.

This report provided a wonderful takeoff point for poverty statisticians. With 30 million to build on, it was not difficult to find millions of additional families who should be added to the poverty population. The poverty numbers game became quite exciting. Who could count the most? Honors so far have gone to those claiming nearly 80 million. A majority of cult members have settled for a more modest 40 to 50 million.

The truth about poverty-income statistics is this: Under no reasonable assumptions does income below $3,000 indicate poverty status. It may or may not, and to say otherwise is not only erroneous but absurd.

Let's take as an example a young married couple, the Smiths. They are attending college. They constitute a statistical household. Their annual income is $1,500 a year. They are not being "hopelessly" shut out from the good things of life. They are, along with other American youth, enjoying a rate of access to higher education greater than the youth of any country, any time, any place. They enjoy electric lighting, refrigeration, adequate if not fancy food, and a second-hand automobile or motorcycle. They would like a new Cadillac, but will manage without one. They aren't "poor" and need no crocodile tears shed in their behalf.

At the other end of the life cycle are the Joneses. Mr. Jones has been a machinist all his life. He and Mrs. Jones had always wanted to visit the country's great national parks after the children had grown up and left. So he has opted to retire at age 60. The retirement income will come to only $2,000 a year. Are they poor? The poverty cult says, "Yes," these people are suffering from deprivation. They have been "hopelessly" cast aside. Yet the truth is they have a small home paid for, a modest automobile paid for. They enjoy refrigeration, automatic cooking equipment, inside plumbing, TV, enough clothes to last for years—the accumulation of a lifetime. And now they propose to enjoy more leisure, in more comfort, for more years than similar working-class families of any country, any time. The Joneses think the Council of Economic Advisers is statistically wacky.

And take the Browns. They are in the middle years. Both Mr. and Mrs. Brown work. Their three children are in school. They have a modest new home, partially paid for, some savings, some insurance, good clothes—yes, and a paid-for refrigerator and TV set. They have a new car and six installments still outstanding. Mr. Brown becomes ill. Mrs. Brown quits work to take care of him. Their income drops to below $3,000 for the year. Are they in trouble? Yes. Are they in desperate consumer poverty? Are they "hopelessly trapped"? By no means. After a tough year they will resume as members of the affluent society even by CEA's definition.

Some clues to how much poverty in United States

Percentage of families having—	*1920*	*1965*
Minimum adequate diet, or better	50	95
Electric or gas stoves	28	99
Electric refrigerators	1	99
Television sets	—	92
Telephones in home	35	[1] 88
Children born in hospitals	20	98

[1] In metropolitan areas.

Source: Study by Prof. John B. Parrish, University of Illinois.

ECONOMIC WELL-BEING: "CUMULATIVE"

These illustrations could be multiplied many times. Cross-section household-income statistics are a very inappropriate yardstick with which to measure economic well-being, which is a longitudinal and cumulative process.

Let's return for a moment to the telephone as a luxury—or at least a semiluxury—consumer good. Now take the desperately poor on whom the doors of affluency have presumably been "slammed shut." Now take the "poorest of the poor"—those at the very rock bottom of the income scale, those desperately deprived households earning less than $500 a year. You just can't get much poorer than that.

Now observe that nearly 60 per cent of these poorest of the poor had telephone service in 1965. How could this be? Why would families presumably facing the grim miseries of malnutrition order telephone service? And, if we make allowance for the availability factor and the "can afford but don't want" factor, then it is reasonable to conclude that 70 to 80 per cent of America's poorest poor had telephones in 1965.

If this is the "new poverty," it is apparently not too severe. How to explain this paradox of income poverty, consumer-goods affluence? The answer is quite simple. Income data are a very bad measure of economic well-being. The Smiths, the Joneses, the Browns, all had telephone service even though the CEA's income statistics put them in the "poverty class."

There is a second big fallacy in the "new poverty" claims, and in some respects an inexcusable one. The poverty cult measures the economic well-being of families at all income levels by determining what they can buy with their income at current retail prices. In fact, the poverty cult makes much out of the fact that because of the greed of retail merchants and the gullibility and lack of buying savvy on the part of many poor buyers, the "new poor" actually pay more for the same goods than the affluent classes. This is hogwash.

The truth is, America's low-income classes have access to a low-price consumer-goods market in which prices are a fraction of published retail prices, and in which the purchasing power of "poor" dollars is multiplied many times. This discount market yields levels of consumption far above that indicated by retail prices.

As the poor could explain to CEA and the poverty intellectuals, this market is America's enormously big resale market—the world's largest. Every year, from 25 to 65 per cent of many consumer durable-goods purchases involve second or third-hand goods moving in established trade or in informal, person-to-person channels.

Take as an example a popular consumer durable good, the electric refrigerator. In 1923, this appliance was a new item. In current dollars, it cost around $900. Its capacity was small, averaging less than 6 cubic feet. It averaged only six years of service life, or about $150 a year. There were too few produced, and service was too short for a resale market. Only the rich could afford a refrigerator.

Today a good new refrigerator can be purchased for about $300. Its capacity will average about 10 cubic feet. Service life will be around 18 years. The average replacement year currently is around 10. So the first buyer pays about $30 a year, minus trade-in. Resale value will be about $50. This will permit the second buyer to purchase eight years of the same quality of refrigeration for about $6 a year. The low-income buyer, not particular about the latest style, has expanded his purchasing power 500 per cent over that of the first high-income buyer.

Today's low-income, "new poverty" buyer has purchasing power 25 times greater than that of the rich buyer of 1923. America's consumer durable-goods market is operating under a law of accelerating diffusion. America's low-income families are not being shut out. They are being pulled into affluence at an ever-increasing rate.

There is a big, hidden, tertiary consumer-goods market not measured even by retail or resale price statistics. This is the intergeneration movement of goods accumulated over time and handed down or distributed from one generation to another. In an affluent society this becomes a very large market. Sewing machines, automobiles, electric irons, kitchenware, furniture, silverware, dinnerware, bicycles, etc.—all these provide an enormous source of consumption for all income classes, including the poor.

GROWTH OF NO-COST GOODS, SERVICES

If ignoring the durable-goods resale market is inexcusable, the failure of the poverty cult to take account of the rapid growth in low-cost or no-cost goods and services in America is well-nigh incredible. It is incredible because much of it has been brought about by the very federal agencies whose economists have been among the high priests of the poverty cult. This failure constitutes poverty fallacy No. 3.

To illustrate: Nearly 90 per cent of all Negro births today are in hospitals. Yet the U.S. House Committee on Education and Labor in 1964 said half the Negroes in America were suffering from acute poverty, measured by income statistics. How can so many poor afford so much medical service? For two reasons: First, as already noted, the income data are faulty. But more to the point here, almost every urban community has free or very low-cost medical services for low-income families. In fact, surveys show that in some communities the lowest-income families have more medical checkups, vaccinations, chest X rays, eye examinations than some higher-income groups.

The number of low-cost food programs has been growing rapidly. For example, the national school-lunch program provided low-cost noon meals for nearly 20 million children in 1967. The food-stamp plan provided low-cost food for 1 million persons in 1966, and was scheduled to rise to 2 million in 1967. The low-cost milk plan—along with school lunch—accounted for 5 per cent of total U.S. nonfarm fluid-milk consumption in 1966, and would have expanded even more in 1967 had not cutbacks been ordered because of Vietnam.

The total number of low-income persons reached by various food-subsidy programs came to nearly 30 million in 1966, or precisely the number of persons classified as poor in 1964 by the Council of Economic Advisers. Since many of CEA's 30 million didn't belong in the poverty classification in the first place, some questions may well be raised as to who and how many poor have been "forgotten."

If the evidence suggests the "new poverty" intellectuals have grossly exaggerated the extent of poverty in America, can we now sit back comfortably and forget the poverty claims? Unfortunately, we cannot.

"SOME DISTURBING TRENDS"

There are some very disturbing social trends which have accompanied the spread of affluency. Even more disturbing is the possibility that the federal antipoverty programs may be causally as well as associationally related to these developments. We may be headed not toward a great new society, but toward social chaos. Let's look briefly at six problem areas, all of them interrelated:

1. The various federal-State income-maintenance programs seem to have generated an explosion of illegitimacy in America that will have far-reaching consequences for the future. The illegitimacy rate has doubled in the last few years, until today 1 out of 12 Americans is born illegitimate. At recent rates of growth, every tenth American by the early 1970s will be born out of wedlock.

2. Related to illegitimacy is the long-run growth in households managed only by females, a large proportion subsidized by various federal-State aid programs. Today in America, 1 out of 10 households is fatherless. There is every reason to expect this to rise in the future. Among Negro families the percentage is already 1 out of 4.

3. A particularly disconcerting development over and above trends for the whole population is the upsurge in the number and proportion of unwanted and unguided Negro youth. Today 1 out of 4 Negroes is born illegitimate. In some sections of large urban areas the percentage is very much higher. If the trends of 1950–64 continue, then by 1975 about one third of all Negro youth born in the U.S. will be born outside normal family-life patterns. They will be arriving at the teen ages not suffering from malnutrition or abject consumer-goods poverty, but from acute social and intellectual poverty. The future consequences for the rest of the urban populations, both white and nonwhite, will be considerable.

4. Related to but not solely derived from problems 1 to 3 is the rise of juvenile delinquency. The rate has doubled in the last decade. How long can society tolerate such a rate of growth? At least in part, the steady climb of delinquency may be due not to poverty, but to an affluent society—more leisure, more spending money, fewer responsibilities, less motivation, failure of rehabilitative programs.

5. The diffusion of affluency has been accompanied not only by rising juvenile delinquency but by a rising rate of general crime. The rate rose by one third, 1960 to 1964. The law-abiding segment of the population has an ever-increasing struggle to avoid the depredations of criminals, the latter experiencing not acute deprivation but the encouragement of easy and profitable pickings of the affluent state.

6. Perhaps no problem illustrates so well the failure of the poverty intellectuals than the upward drift of youth unemployment. Very strenuous and dedicated efforts have been made by the U.S. Congress to do something about youth unemployment. A great diversity of programs has been attempted. Recent conditions of tight, full employment have provided a favorable labor market. Yet the "new poverty" intellectuals have only failure to show for their efforts. Youth unemployment has not retreated. For nearly 20 years it has shown a rise—slight for white youth, sharply upward for nonwhite youth.

Could it be the "new poverty" cult has been fighting the wrong war? Measured by consumer-goods yardsticks, less than 5 per cent of U.S. households are below the poverty line, and the percentage continues to decline.

There is a war to be fought, however. There are disturbing signs of deep social problems around us, and more on the horizon. The most rapidly growing segment of the American population is the illegitimate segment. The largest proportion of this "other America" is Negro.

Who is to discipline, guide, train this growing army of unwanted, unmotivated? The ordinary family influences, so strong among earlier ethnic groups immigrating to U.S. cities, appears to be lacking. In fact, such influences appear to be declining and may well be disintegrating.

The churches, historically an important institution in shaping constructive life patterns, appear to have limited and perhaps declining influence.

The "new social problem" is being dumped onto the public schools and the police. But schools cannot discipline—and without discipline they cannot educate.

The police can discipline—but they cannot educate and motivate. Racial-integration efforts have created new antagonisms to add to the problems of the already overburdened schools and police.

"PHONY STATISTICS: HARDLY CONVINCING"

The poverty intellectuals say they are building a great new society. Perhaps they are. But phony statistics are hardly convincing proof. Perhaps they should take a second look. They may well be rushing us pell-mell toward social chaos. The dogmas of the poverty cult may not prove as effective as expected.

Efforts to force racial integration may bring about as many disruptive as constructive influences. We may well need some new institutions designed for the problems of an affluent society of the present, not the poverty society of the past.

If this conclusion is even partially correct, then we should be about the task before it is too late. It may be already too late.

POLITICAL REFUGEES FROM ASIA AND THE PACIFIC

Mr. FONG. Mr. President, on July 12, 1967, I wrote to Secretary of State Dean Rusk strongly protesting the Department's implementation of section 203(a)(7) of the Immigration Reform Act of 1965 dealing with the conditional entry of political refugees from Communist or Communist-dominated countries.

The establishment of refugee offices in six European countries, one in the Middle East, and none in Asia and the Pacific, I pointed out, effectively barred such refugees from entering the United States from Asia and the Pacific under this provision of the law.

On July 25, I received an answer from the Department in regard to my urgent request that refugee offices be established in Hong Kong and Thailand or Singapore.

Then, on August 8, I wrote another letter to the Secretary pointing out that I was "absolutely not satisfied" with the points raised by the Department's letter which attempted to justify their position on this matter. I believe I rebutted each argument effectively, and charged that by refusing to designate refugee offices in Asia and the Pacific, the Department is guilty of gross discrimination—not by law, but by administrative fiat.

Mr. President, I ask that the texts of the Department's letter of July 25 and my responding letter of August 8, be printed at this point in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Department of State,
Washington, July 25, 1967.

Hon. Hiram L. Fong,
U.S. Senate,
Washington, D.C.

Dear Senator Fong: Secretary Rusk has asked me to thank you for your letter of July 12 in which you request that Hong Kong and another country in Southeast Asia be added to the list of areas through which political refugees from Communist countries may be granted conditional entry into the United States under Section 203(a)(7) of the Immigration and Nationality Act. The Department is glad to give you its views on this matter.

I should like to state at the outset that the Department of State shares your view that there should not be discrimination against refugees from Communist China. Indeed, the Department has consistently supported legislation and programs for help to Chinese refugees, including the Far East Refugee Program, which the Department administers, and the several immigration laws under which Chinese refugees have been and are being admitted to the United States. Under present circumstances, this is one of the few ways by which we can demonstrate that the historic friendship and humanitarian concern of the American people toward the Chinese people continues.

Several thousand Chinese refugees received visas under the Refugee Relief Act of 1953 and over 2,000 more obtained special refugee visas under Section 15 of Public Law 85–316, the Act of September 11, 1957. Following the massive influx of refugees from Communist China in 1962, the President authorized the use of the Attorney General's parole power under Section 212(d)(5) of the Immigration and Nationality Act for the admission of Chinese from Hong Kong. As a result, during the period 1962–65 over 15,000 Chinese, most of them refugees from Communist China, were paroled into the United States. Many of these Chinese benefited from that provision of Section 203(a)(7), which permits the use of up to 5100 numbers annually for the adjustment of the status of refugees already in the United States.

More recently the removal of quota and other restrictions by the Act of October 3, 1965, which amended the Immigration and Nationality Act, has provided substantial relief for Chinese refugees in Hong Kong. In the quota year ending June 30, 1965, before the new Act had modified the national origins system and the discrimination of Asians associated with it, only 2,122 immigrant visas were issued by the Consulate General in Hong Kong. In the year ending June 30, 1966, the number of visas issued had risen to 6,911, and in the year ending June 30, 1967, the number is expected to reach about ten thousand, almost five times the number issued before the new law was enacted. In the last few years the number of Chinese immigrants has increased to the extent that voluntary relief agencies and others have reported that many of the Chinese are having difficulty in finding jobs and housing in the United States except under conditions which are substandard and not on a par with their skills and previous level of living.

With regard to the language of Section 203(a)(7) of the Immigration and Nationality Act, the Department is in full agreement with you that the language of the statute would permit the conditional entry of refugees from Communist China. However, among the considerations involved in the implementation of Section 203(a)(7) was the position of the Congress as noted in the reports of Committees of the Judiciary of both the Senate and the House. These reports stated that the conditional entry of refugees as proposed in this bill was not unlike the parole procedure utilized during the existence of the so-called Fair Share Act and that it was intended that the procedure should remain the same. Public Law 86–648, the Fair Share Act of July 14, 1960, was enacted for the specific purpose of resettling the overflow of refugees in Europe and the Middle East. In accordance with Congressional intent for the implementation of that law, the seven countries mentioned in your letter—Austria, Belgium, France, West Germany, Greece, Italy and Lebanon—were designated as centers for the parole of refugees. With the passage of the new Immigration

Act, and in line with the language of the Congressional reports, these same countries have continued to be the only ones from which refugees are being processed for conditional entry.

As you know, Section 203(a)(7) provides that conditional entries shall be made available by the Attorney General to aliens who are examined by Immigration and Naturalization officers. Although this section of the law is administered by the Immigration and Naturalization Service (INS), the Attorney General and the Secretary of State have agreed that the Department of State will designate the countries in which it is considered feasible and in the foreign policy interests of the United States for the Immigration and Naturalization Service to undertake the examination of applicants for conditional entry. Also involved are agreements with the countries of asylum to the arrangements necessary for INS to conduct these operations. These include the right of INS officers to interrogate applicants, the right of access to local government records on the refugees and the right to return refugees to the asylum country within a period of two years if they are found ineligible to remain in the United States.

The Department in consultation with the Immigration and Naturalization Service has given consideration to the possible extension of the benefit of Section 203(a)(7) to other areas. For example, in addition to the two million or so Chinese in Hong Kong who might qualify as refugees, the million and a half Palestine refugees in the Middle East pose a similar problem. However, under the law a maximum of only 10,200 refugees may be granted conditional entry annually and half of this total, or 5,100 numbers, may be made available for the adjustment of status of refugees already in the United States. Therefore, the numbers of Chinese who might enter the United States under these limitations would have relatively little impact on the total refugee situation in Hong Kong. Should Hong Kong (or the Middle East) be opened up for the implementation of conditional entry, the problem of administering the presumed huge number of applications, of making determinations as to the applicant's refugee status, and of trying to assign priorities among potential applicants far in excess of the numbers available would be most difficult. There would be a special problem in Hong Kong where the authorities consider persons entering the Crown Colony without legal documents as "illegal immigrants" rather than "refugees." Whereas in European countries, refugees apply for and receive asylum under definite standards related to the provisions of the United Nations Convention on Refugees, no such determinations are made in Hong Kong.

These are the considerations upon which the Department thus far has withheld designation on Hong Kong as an area for the examination of applicants for conditional entry. You may be assured, however, that the Department will continue to keep the question of enlarging the scope of the refugee program under serious consideration.

I appreciate the opportunity which your letter provides to explain the Department's position in this matter.

If there is any additional information which you believe we can furnish, please let me know.

Sincerely yours,
William B. Macomber, Jr.,
Assistant Secretary for
Congressional Relations.

August 8, 1967.

Hon. Dean Rusk,
Department of State,
Washington, D.C.

Dear Mr. Secretary: This will acknowledge receipt of the response of the Department of State, dated July 25, to my letter concerning political refugees from Communist countries in Asia and the Pacific. I appreciate very much the extensive exposition of the Department's views on the matter.

I am well aware of the past efforts on the part of this country to assist refugees escaping communism from Communist China and other areas of Asia and the Pacific. The Department's support of these efforts is indeed commendable. But this should not excuse the full implementation of the spirit and intent of the law.

I am also fully aware of the language contained in the Reports of the Committees on the Judiciary of both Senate and House regarding the implementation of Section 203 (a)(7) of the Immigration and Nationality Act of 1965 which was noted in the Department's letter. It is quite true that the Senate Report, for example, contains the following language: "The conditional entry of refugees as proposed in this bill is not unlike the parole procedure utilized during the existence of the so-called Fair Share Act . . . and is intended that the procedure remain the same."

This language of the Senate Report clearly indicates that procedurally it follows the Fair Share Act. But nothing in the Report says that the refugees should be only those covered by the Fair Share Act.

As you point out yourself on page 2 of your letter: "With regard to the language of Section 203(a)(7) of the Immigration and Nationality Act, the Department is in full agreement with you that the language of the statute would permit the conditional entry of refugees from Communist China."

There is no question that the overriding public policy underlying every single aspect of the 1965 Law is the complete elimination of race discrimination from our basic immigration statute. This transcendent public policy is made abundantly clear in statements of President Johnson, when he submitted the bill to Congress and when he signed the measure into law, and in all the legislative history of the Law.

When that public policy is applied to statutory provisions dealing with political refugees, and fortified by what we all agree to be the meaning of Section 203(a)(7), it is plain to me that such refugees in the Asia and Pacific areas should be placed on exactly the same footing as political refugees in Europe and in the Middle East.

I can understand the problems outlined in the Department's letter with respect to political refugees in Asia, particularly those in Hong Kong. But I am convinced these problems are exactly what you have had and are experiencing in most of the seven nations where you have established refugee offices.

To be sure, there is the "problem of administering the huge number of (Hong Kong) applications"—particularly in comparison with the small number of refugees to be admitted annually under the 1965 Law.

This again appears, however, to be a problem common to political refugees the world over—whether they may come from Europe, the Middle East, or Asia. The reason for this is the limited number the Congress has seen fit to allow into the United States each year.

The primary relevant criterion for considering their admission to the United States in this context is that all such refugees, although limited in number, be given an equal footing, regardless of race, color, or national origins.

As for foreign policy considerations, the establishment by the Department of refugee offices in Asia and the Pacific undoubtedly would greatly enhance America's image in that critical area of the world. By doing this, we would be demonstrating to the hundreds of millions of people in Asia and the Pacific that America does not discriminate against them—in favor of the peoples of Europe and the Middle East.

I am certain that the United States would encounter no difficulty in reaching agreements with the countries of asylum I have proposed to enable INS screening of applicants for conditional entry. The United Kingdom, and the sovereign states of Thailand and Singapore undoubtedly would be more than willing to extend their fullest cooperation to this country in this regard.

There appear to be no insurmountable obstacles to establishing refugee offices in the Asia and Pacific areas. It is therefore evident to me that the problems which are outlined in the Department's letter have been raised to avoid the full implementation of a law duly passed by the Congress.

All that is requested is that at least two refugee offices be established in the Asia-Pacific area. Only when this is done will the Immigration Reform Act of 1965 be fully implemented as to its basic underlying policy of complete eradication of race discrimination. Only then will America not be accused of reverting to the ill-advised policies of the past.

In view of the language of the Law and its overriding intent, the Asia-Pacific area has been grossly discriminated against—not only by law, but by administrative fiat. It has not been placed on the same footing as Europe and the Middle East.

It is imperative that the language and spirit of the Law be fully implemented. This could be done by designating Hong Kong and another nation—Thailand or Singapore—as points through which refugees might be processed at the earliest possible date.

I look forward to your favorable reply.

Sincerely yours,
Hiram L. Fong.

Mr. FONG. Mr. President, on August 25, the Department wrote me again, answering my August 8 letter.

This time, the Department appeared to be more receptive to my urgent request and assured me that—

> The Department is continuing to keep the question of enlarging the scope of the refugee problem under serious consideration.

I was told that the Department has requested from its missions in Asia "additional facts" and the "appraisals of the extension of the program" to Asia and the Pacific.

The Department assured me that—

> The cogent points which are contained in your letter—

Dated August 8—

> along with the field evaluation of the matter will certainly receive our most serious study in our active review of this problem.

In the meantime, the Department requested an opportunity to discuss with me "certain foreign policy implications which are inherent in this problem."

Mr. President, I ask that the text of the Department's letter of August 25 be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of State,
Washington, August 25, 1967.

Hon. Hiram L. Fong,
U.S. Senate,
Washington, D.C.

Dear Senator Fong: The Secretary has asked me to reply to your letter of August 8 concerning political refugees from Communist countries in Asia and the Pacific. As indicated in my reply of July 25 to your original inquiry of July 12, the Department is continuing to keep the question of enlarging the scope of the refugee program under serious consideration.

We have asked our missions in Asia for additional facts and for their appraisals of the extension of the program to Asian countries. The cogent points which are contained in your letter along with the field evaluation of the matter will certainly receive most serious study in our active review of this problem.

In the meantime, I wish to reiterate the Department's offer to discuss with you certain foreign policy implications which are inherent in this problem. I should be most happy to arrange for appropriate officers of the Department to meet with you at your convenience.

May I thank you for giving Secretary Rusk your views on this matter.

Sincerely yours,
WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

Mr. FONG. Mr. President, yesterday, Mr. President, I met for 45 minutes with three representatives of the Department.

We discussed at some length various problems relating to foreign policy considerations and other security aspects of the situation.

The Department's spokesmen were quite encouraging about the prospects for establishing refugee offices in the Asia-Pacific area.

I am happy that the Department is now fully cognizant of the implications of its partial implementation of the Immigration Reform Act, and will conduct a full-scale reappraisal of opening refugee offices in Asia and the Pacific. I am hopeful that this will be done as expeditiously as possible.

After the Department has had a chance to review the entire picture, I am very hopeful that it will fully implement the overriding policy of complete elimination of race discrimination from our basic immigration statute.

WESTERN GOVERNORS AND SENATORS AGAIN ASK PRESIDENT FOR ACTION ON COPPER STRIKE

Mr. BENNETT. Mr. President, on Monday of this week I introduced, on behalf of myself and Senators ALLOTT, FANNIN, DOMINICK, HANSEN, and JORDAN of Idaho, Senate Resolution 161, urging the President to invoke the 80-day cooling-off period of the Taft-Hartley Act so that the 46-day-old copper strike in the West could be brought to an end.

The economic impact of the strike in Utah alone is reaching the $17 million mark—a total which does not appear overly large in this day and age of multi-million-dollar deficits and appropriations—but a total which is proving to be an economic crisis in a relatively poor State such as Utah. Aside from the many miners who are out of work the economic pinch is now being felt by the many allied industries who rely on a sound copper economy in the West.

It has now become obvious that the Labor and Public Welfare Committee will not have time before we begin our congressional Labor Day recess to hold any hearings or to take any action on our resolution. It is my feeling that this situation will become a deeper emergency by the time we return from the recess the week of September 11 and consequently I have joined with a number of my Western States colleagues in addressing a wire to the President urging him to take the emergency action available to him under the provisions of title II of the Taft-Hartley Act. In sending this wire to the White House we are supporting two similar wires—one as early as yesterday—which the Governors of the five States involved have sent also urging the President to take steps to help alleviate this situation.

If we are to wait until after the Labor Day recess I am afraid that by then the American copper supply will reach a dangerously low point which will affect Defense Department and Vietnam supplies. The Commerce Department has informed me that we may be out of copper by September 15. I do not think we should allow this copper strike to get to the point where one single Defense Department request—be it for a few feet of copper wire or be it for a pound or two of copper for munitions—I do not think we should allow one single "sorry, we're out," reply to come back.

Mr. President, so that the record can be complete on this matter, I ask unanimous consent to have printed in the RECORD the text of the wire sent to me by the Governors of the five States as well as the text of the wire which we also have sent to the White House.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

AUGUST 30, 1967.

The PRESIDENT,
The White House,
Washington, D.C.:

In view of pending congressional Labor Day recess and obvious lack of time for any Senate Labor Committee action on Senate Resolution 161 regarding the copper strike, we join the western Governors who have twice wired you respectfully urging you to take all action necessary, and to invoke title II of Taft-Hartley Act to help bring to an end the 46-day-old copper industry strike. Commerce Department informs us that copper supplies may run out in 2 more weeks. Therefore, on about September 15 the Defense Department may receive negative replies when it attempts to secure copper to manufacture needed war supplies. The U.S. copper stockpile already has a deficit of 500,000 tons, thus endangering this source of supply. The situation in the West grows more and more critical every day. Immediate action is required.

WALLACE F. BENNETT,
U.S. Senator, Utah.
PAUL FANNIN,
U.S. Senator, Arizona.
GORDON ALLOTT,
U.S. Senator, Colorado.
CLIFFORD HANSEN,
U.S. Senator, Wyoming.
LEN B. JORDAN,
U.S. Senator, Idaho.
PETER DOMINICK,
U.S. Senator, Colorado.

AUGUST 29, 1967.

Senator WALLACE F. BENNETT,
Senate Office Building,
Washington, D.C.:

We have this day dispatched the following wire to the President of the United States:

"On Thursday, August 24th we wired you requesting the appointment of a board of inquiry to inquire into the circumstances surrounding the strike in the copper industry and the efforts to mediate the same. On Friday morning we were contacted by Mr. Simkin, of the Federal Mediation and Conciliation Service stating that this matter had been referred to him and that he wished time to pursue another approach to the matter. We received word this afternoon from Mr. Simkin that this other approach had proved fruitless. We wish to renew our request for the immediate appointment of a board of inquiry. Our situation as a result of this strike grows more critical each day. We will appreciate your assistance in this matter.

"CALVIN L. RAMPTON,
"Governor of Utah.
"TIM BABCOCK,
"Governor of Montana.
"PAUL LAXALT,
"Governor of Nevada.
"JACK WILLIAMS,
"Governor of Arizona.
"DAVID F. CARGO,
"Governor of New Mexico."

EDUCATOR TONY CAMPOS TALKS ABOUT VALUE OF BILINGUAL EDUCATION

Mr. YARBOROUGH. Mr. President, in August 1964, the Texas Outlook, official publication of the Texas State Teachers Association, gave early recognition to the value of bilingual education in Texas schools. Written by Tony Campos, then a Spanish teacher with the Houston schools, and presently serving Houston with the Teachers Corps, in this article explained the advantages gained by the students of Spanish-speaking background who are taught first in the natural, then in the national, tongue. Mr. Campos speaks knowledgeably and well and the workings of bilingual education, as he even then conducted it, in his article, "Preserving a Noble Heritage."

His years of experience have given Mr. Campos valuable knowledge of the value and the workings of bilingual education, and have made him an ardent supporter of this system of teaching the Spanish-speaking student.

I commend Mr. Campos and the Texas Outlook for continuing service to the teachers and students of Texas, as evidenced in this early support of bilingual education.

Mr. President, I ask unanimous consent that Mr. Campos' article entitled "Preserving a Noble Heritage" published in the August 1964 Texas Outlook, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESERVING A NOBLE HERITAGE

(By Tony Compos)

(NOTE.—Tony Campos, Spanish teacher in Houston ISD for the past three years, has taught Spanish to 22 teachers and the principal of DeZavala Elementary so they can more easily convert the students of Spanish descent into English speakers. He has also assisted in formulating Texas Education Agency's Preschool Instructional Program for Non-English Speaking Children. A graduate of Baylor University, he is now attending night classes at the University of Houston.)

On Thursday evening November 21, 1963 the late Pres. John F. Kennedy and Mrs. Kennedy attended a reception in a Rice Hotel ballroom given by members of the Houston Chapters of the League of United Latin American Citizens. The more than 1,000 LULAC members and friends gave Mrs. Kennedy a standing ovation when she honored them with a short talk in Spanish.

Mrs. Kennedy said: "Estoy muy contenta de estar en al gran Estado de Tejas, y especialmente de estar con ustedes y ver esta noble tradición española. Esta tradición se estableció 100 años antes que se colonizó el Estado de Massachusetts, donde nació mi marido. Es una tradición que aun hoy es fuerte y vigorosa. Ustedes trabajan por Tejas y por los Estados Unidos. Gracias."

Translation: "I am very happy to be in this great State of Texas and especially to be with you and see you carry on this noble Spanish tradition, which was established 100 years before the colonization of the State of Massachusetts, where my husband was born. It is a tradition that even today is strong and vigorous. You work for Texas and for the United States. Thank you."

LULAC members recognize this fact and read it every time they recite the LULAC Code which states, "Be proud of your origin and maintain it immaculate."

Mrs. Kennedy made such an impression because she spoke Spanish so fluently that Latin Americans all over the world, and especially in Texas, admire her.

In spite of the heritage of the people of Spanish descent, the teaching of Spanish in the elementary grades to Spanish students has met with opposition from many Latin Americans in Texas.

Since the first encounter with the problems of the preschool Spanish child, American educators have been amazed at the tremendous advantage a youngster has if he possesses the ability to speak two different languages.

Thousands of Spanish-speaking youngsters in Texas are told not to speak Spanish when they enter first grade. Not only are they kept from speaking the only language they know, but they are set apart from the English speakers because of their inability to comprehend and speak English, the language of the country in which they were born, the United States. Since they are unable to fathom the reason, some of these children feel unwanted. They think that they are grouped together because of the color of their skin and because they have Spanish parents. These children may acquire feelings of resentment they will never overcome.

Believing their inability to speak and understand English is the reason they are set apart, they blame their ancestry and soon try to forget their heritage. There is a feeling of resentment toward the Latin-American countries from which many of their ancestors have come. Some children immediately try to forget every word of Spanish they have learned; but how can they change the deep-rooted accent in their speech, plus the already imbedded beliefs, customs, and traditions of Latin-American countries and peoples who boast of a language full of rhythm and melody?

Certainly, the Americans of Spanish descent are proud of their origins. Their ancestors are a people difficult to understand without the sympathy lent by an intimate understanding of their manners and customs. The beauty of the history of Mexico is an example. The romance of the life and the language which have so much beauty surely are things of which to be proud.

What can educators do to assist in this crucial problem? First, they need to realize that many of the Spanish-speaking children who start school every year speak their mother tongue with complete fluency. Because they have learned this first language so well, it is only natural that something should be done to cultivate and build on what they already know.

People so endowed with the Spanish language are an asset to the United States. Let us conserve this wonderful talent. It is obvious that many children have mastered the sounds of Spanish. These youngsters have also learned much of the structure and have built up an extensive vocabulary in Spanish by listening to other people and by imitating what they say. Do not allow them to forget the words which they have already learned.

When a Spanish-speaking child is given the opportunity to improve his mother tongue, it will give him a deeper basis for learning other things. The child will associate principles which apply to the familiar tongue with the learning of a new language. Let us build up these complicated habits which have enabled these youngsters to talk Spanish with complete ease by teaching them also to read and write their own language, to learn the grammar, and to enlarge their Spanish vocabulary. These skills will help them understand the construction of English and increase their English vocabulary. Songs, numbers, stories, and other lessons will be easier to understand and to master if they already know them in Spanish.

Spanish-speaking children should be taught the correct pronunciation and enunciation of words. There is also a great need for an enlarged vocabulary. Too many children speak an incorrect combination of English and Spanish.

The Spanish-speaking child should be taught some of the history of his ancestors, so that he may take pride in his heritage. This will give him self-confidence and as his bilingual skills grow his personality will blossom. This in turn will strengthen his motivation and improve his performance in school. Dropouts will be fewer in the elementary grades because the youngster has tasted success and takes pride in being able to communicate and to think in two languages.

A large percentage of the Spanish-speaking children attend churches, civic clubs, and meetings of other organizations where Spanish is spoken. They understand what is said but many are unable to read Spanish literature. By learning to read in two languages they will greatly extend their horizons.

Schools must improve the quality of the child's speech. The child already has a base on which to learn. He will feel more confident because he has proved his ability to speak and understand one langage. He will not feel inferior in his new environment, and by the end of the sixth grade he will be better off. This beginning of writing and reading in Spanish must be done while it is still fresh in his mind.

It is important that educators understand the serious problem involved if we are to develop properly the abilities of every child who enters school. This problem must be undertaken with a high degree of sympathy and love if the child is to achieve optimum success regardless of language background.

The State of Texas has made possible a program of public instruction for preschool non-English-speaking children. The primary objective is to teach oral English to the child during the summer prior to his first year in school, thus enabling him to understand fundamental vocabulary meanings.

The majority of Spanish-speaking parents will welcome a program of teaching Spanish to the child together with English as soon as possible. The parents are eager for the child to learn the language of their ancestors. The parents are interested in learning more about their Spanish origins, also.

The teacher who has a basic vocabulary in Spanish will better understand the Spanish-speaking child and the parents. School districts which have a large segment of Spanish-speaking children might do well to help their teachers learn Spanish and to engage more teachers who speak Spanish natively.

It is estimated that one of every six children enrolled in the Texas public schools has a Spanish surname. The hardest fact to comprehend is that there is only one Spanish-surnamed child in the twelfth grade for every 12 Spanish-surnamed children in the first grade. Four students of Spanish ancestory drop out of school before graduating from high school to each one of non-Spanish origin.

The failure of the child who is not able to finish his primary and secondary education will haunt him throughout his life—often by placing him in unskilled or semiskilled employment and thus preventing him from enjoying the full meaning and privilege of being an American citizen.

This first and second generation of Spanish-speaking citizens must not be kept from this better understanding and success. We cannot continue to block the avenues leading to a better culture. The Spanish Americans should keep many of their traditions. To a large degree they do not realize the need that this country has for persons who are able to speak Spanish.

Thousands are immigrating to the United States from Mexico every year. Citizenship has to be learned, and it requires the full use of English as well as Spanish. If these people are able to speak two languages, they will be able to plan careers instead of settling for just any laboring job. They will vote as they think best and not have to carry a printed slip of paper into the booth to match names on the ballot. They will understand better the American way of life; their chances of experiencing frustration and living with hate and resentment will be fewer. They finally will realize that theirs is a *noble tradition*.

SUCCESS AT GENEVA

Mr. **BREWSTER**. Mr. President, after years of determined efforts by the United States and other nations, a draft nuclear nonproliferation treaty has been submitted to the 18-Nation Disarmament Committee in Geneva by the United States and the Soviet Union.

President Johnson said recently:

> For more than twenty years the world has watched with growing fear as nuclear weapons have spread . . . Today, for the first time, we have within our reach an instrument which permits us to make a choice.

That choice is between peaceful accommodation and total destruction.

The tabling of this treaty at Geneva is a first step—but a long one—toward peace.

All the parties concerned will have to agree on testing and inspection procedures. There are major nations which have not yet signed.

Still, this is clearly a "nuclear milestone" in the words of the New York Times.

American-Soviet agreements on even an incomplete treaty demonstrate that the world's two greatest powers can recognize a powerful common interest in self-preservation, despite differences of ideology and policy.

I ask unanimous consent that the President's statement of August 24 on the nuclear nonproliferation treaty, and editorials from the New York Times and the Baltimore Sun which comment on the treaty, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT ON PRESENTATION TO THE 18-NATION DISARMAMENT COMMITTEE OF NONPROLIFERATION TREATY

Today at Geneva the United States and the Soviet Union as Co-Chairmen of the Eighteen-nation Disarmament Committee are submitting to the Committee a draft treaty to stop the spread of nuclear weapons.

For more than twenty years, the world has watched with growing fear as nuclear weapons have spread.

Since 1945, five nations have come into possession of these dreadful weapons. We believe now—as we did then—that even one such nation is too many. But the issue now is not whether some have nuclear weapons while others do not. The issue is whether the nations will agree to prevent a bad situation from becoming worse.

Today, for the first time, we have within our reach an instrument which permits us to make a choice.

The submission of a draft treaty brings us to the final and most critical stage of this effort. The draft will be available for consideration by all governments, and for negotiation by the Conference.

The treaty must reconcile the interests of nations with our interest as a community of human beings on a small planet. The treaty must be responsive to the needs and problems of all the nations of the world—great and small, aligned and non-aligned, nuclear and non-nuclear.

It must add to the security of all.

It must encourage the development and use of nuclear energy for peaceful purposes.

It must provide adequate protection against the corruption of the peaceful atom to its use for weapons of war.

I am convinced that we are today offering an instrument that will meet these requirements.

If we now go forward to completion of a worldwide agreement, we will pass on a great gift to those who follow us.

We shall demonstrate that—despite all his problems, quarrels, and distractions—man still retains a capacity to design his fate, rather than be engulfed by it.

Failure to complete our work will be interpreted by our children and grandchildren as a betrayal of conscience, in a world that needs all of its resources and talents to serve life, not death.

I have given instructions to the United States representative, William C. Foster, which reflect our determination to ensure that a fair and effective treaty is concluded.

The Eighteen-Nation Committee on Disarmament now has before it the opportunity to make a cardinal contribution to man's safety and peace.

[From the New York Times, Aug. 25, 1967]

NUCLEAR MILESTONE AT GENEVA

In hailing the American-Soviet agreement at Geneva on a draft treaty to halt the spread of nuclear weapons, President Johnson was wise to emphasize the distance yet to be traveled on the road to world nuclear security. Submission of the agreed draft to the eighteen-nation Disarmament Conference is a remarkable achievement, but its full contribution to world security will not be realized unless the next stage of international negotiations proves equally successful.

That stage will involve an attempt to get agreement on a workable system of international inspection and control. Article III of the treaty draft at present consists only of the title, "International Control." To come upon that vacant article in reading the draft is to get an immediate reminder of what remains to be done in a crucial area.

Hope persists that an acceptable compromise can be found between Moscow's stand for inspection of all non-nuclear countries by the International Atomic Energy Agency in Vienna and the insistence of America's West European allies that inspection in their countries be continued by their own agency, Euratom. Even such a compromise may not completely resolve the control issue, however, as shown by Rumania's demand that the nuclear powers should also be subject to inspection.

Apart from a control system, much missionary work will remain to persuade non-nuclear countries that adherence to the treaty will neither consign them to second-class industrial status nor leave them vulnerable to nuclear blackmail.

In an earlier stage at Geneva, Brazil argued that to bar a country from carrying out its own peaceful atomic explosions in earth-moving and construction would be to damage its entire technology. This week India—ever conscious of China's nuclear weapons progress—again asked for a multilateral guarantee of protection for non-nuclear signatories.

These problems are not insurmountable, but they are substantial enough to rule out premature celebration. Recognition of their importance in no way detracts from the considerable—perhaps monumental—achievement at Geneva.

American-Soviet agreement on even an incomplete treaty constitutes evidence that the world's two nuclear super-powers can recognize a powerful common interest despite their bitter and perilous disagreements on Vietnam and the Middle East. Great-power responsibility of this high order, if translated into other fields, could mean a mighty step toward that minimum security in a nuclear world without which there can be no assured future for anyone.

[From the Baltimore Sun, Aug. 25, 1967]

NUCLEAR TREATY

The long years of negotiations with the Soviet Union since the end of World War II have taught us to be skeptical about agreements "in principle" or about treaties relating to arms controls which have no inspection or enforcement clauses. There have been too many instances in which no agreement could be reached about the fine print. Yet the treaty halting nuclear tests in the earth's atmosphere was finally signed, without inspection-enforcement provisions which once had been considered essential, and its general effects have been beneficial, even though France and Red China refused to sign and have gone on with their own tests.

The draft treaty designed to halt the spread of nuclear weapons, which has been under discussion for months in Geneva, logically follows the treaty on nuclear testing in the atmosphere. Its intent is to apply international controls to these awesome weapons and to allow man to edge a little farther away from the shadow of the mushroom cloud.

For the moment, however, the draft treaty on which the United States and the Soviet Union can agree—and which other governments will be asked to agree—is incomplete in a vital point. This is the proposed Article 3, which would deal with inspection of the signatory governments' civilian nuclear facilities. This part of the draft treaty, which has been under negotiation for months, is being left blank.

There still is a difference of opinion as to whether the inspection system should be uniform for all signatories or whether the members of Euratom—the atomic energy agency of the European Economic Community which of course includes West Germany—should maintain their own system and be excluded from other inspection. This involves, in substance, the question of whether one group would be allowed to inspect itself.

A draft treaty with one article missing is only a step toward an agreement. The American and Soviet governments seem to regard it as a significant step. Let us hope so. But let us be realistic about the work still to be done.

CONSTITUTIONAL RIGHTS OF FEDERAL EMPLOYEES—THE CIA AND NSA CONTROVERSY

Mr. FONG. Mr. President, I do not believe that the Central Intelligence Agency and the National Security Agency should be completely exempted from the provisions of the bill, S. 1035, protecting the privacy and other constitutional rights of Federal employees.

We have been giving this matter our most careful study and consideration during the past 3 years, when the bill was in the Judiciary Subcommittee on Constitutional Rights, of which I am a member.

The chairman of that subcommittee, the distinguished Senator from North Carolina [Mr. ERVIN], has been in almost constant touch with all the agencies of our Government having to do with national security questions. After a most exhaustive analysis of the whole picture, the subcommittee adopted amendments to the bill exempting the Federal Bureau of Investigation, and granting a partial exemption to the CIA and NSA.

This limited exemption provides that the practices outlawed by the bill, such as lie detector tests and psychological tests, may be used only in situations involving the national security.

I strongly agree with Senator ERVIN that all Federal employees should be accorded the protection of their privacy and basic rights, regardless of the mission of the agency for which they happen to work.

The CIA and NSA have had ample opportunity to present their views and discuss their problems with the subcommittee over these last 3 years. To raise objections to the bill at the 11th hour is to me only an attempt to kill the legislation.

SAFETY REQUIREMENTS FOR PRIVATE PLANES

Mr. DOMINICK. Mr. President, recently I had occasion to speak in the Senate on the need for establishing weather-monitoring stations and providing crash location beacons for private aircraft. Recently an excellent article, which analyzes at some depth the rash of crashes in our Colorado mountains, was written by Mr. Dan Partner, a Denver Post staff writer, and published in the Post of August 20, 1967.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RASH OF CRASHES: WEATHER, TERRAIN, AND ERRORS CLAIM LIGHT PLANES IN COLORADO

(By Dan Partner)

Flying conditions for light airplanes in Colorado have been described as the roughest of any state, Alaska excepted. "If you can fly in Colorado," veteran pilots say, "you can fly anywhere."

Pilot error, the hostile terrain of Colorado's Rockies and "quick change" weather are often co-pilots of death on light aircraft.

Colorado's crashes came in bunches. Last year there was a rash of accidents in June. This year August is the bad month.

Actually, Colorado's flying safety record compares favorably with the fair-weather states of Arizona and California—a high tribute to the approximately 10,000 pilots and an exceptional group of flying instructors.

Despite the hazards, Colorado pilots are maintaining a safety record equal to those of the eight other Western states, according to Federal Aviation Administration (FAA) statistics. California, for example, had 56.6 per cent of the aircraft and 60.7 per cent of the airmen in the nine-state area in 1965. It accounted for 50 per cent of the total accidents, 48 per cent of the fatal accidents and 48.3 per cent of the fatalities. Arizona had 7.2 per cent of the aircraft, 5.5 per cent of the airmen and accounted for 8.5 per cent of the total accidents, 9.6 per cent of the fatal accidents, and 11 per cent of the fatalities.

Colorado had 6 per cent of the aircraft, 7 per cent of the airmen and contributed 8 per cent of the accidents, 7.4 per cent of the fatal accidents and 5.7 per cent of the fatalities. The state of Washington had a 10 per cent figure across the board. The 1965 figures are the last available for the Western states.

Colorado's fatality figure can, in part, be "credited" to visitors unaware that mountain flying requires a special set of rules. A five-year study of general aviation flying in Colorado, 1962–66 inclusive, by the FAA revealed out-of-state pilots were involved in 26.1 per cent of the accidents during the period and accounted for 40 per cent of the fatal accidents.

(General aviation includes all flying except the commercial planes and military. An accident is recorded if damage requires $300 or more for repairs.)

CALIFORNIANS LEAD

California-based pilots were the leading out-of-state contributors to the Colorado accident toll during the five-year period. having 25 crashes with five fatalities. Eighteen Texas planes crashed, killing five. Planes from other states crashing in Colorado included Kansas, 15 accidents, 2 killed; Nebraska 14, 1 killed; New Mexico 16, 2 killed; and Wyoming, 10, 2 killed.

The study, made by the FAA's General Aviation district office, headed by Robert H. Lewis, revealed these Colorado totals:

Year:	*Accidents*	*Fatal accidents*	*Fatalities*
1962	109	18	37
1963	121	16	30
1964	109	16	42
1965	102	10	16
1966	140	17	33
Totals	581	77	158

Of the 581 accidents, 67.6 per cent were attributed to pilot's error, 13.9 per cent to mechanical trouble and 18.5 per cent to other factors, such as severe winds, turbulence and conditions over which the pilot had no control. It was found that while only 22 percent of the accidents occurred during the cruise phase of flight, 81.8 per cent of the fatal accidents happened during this phase.

The recent spurt in accidents, FAA officials fear, had ruined chances of holding the 1967 total to the 140 recorded last year. The pace appeared favorable from Jan. 1 to June 30 as 69 accidents were recorded, four of them fatal for eight persons. Since July 1, however, there have been 20 accidents and 10 persons have died in four of them.

While the current accident rate is not regarded as "alarming," FAA officials are stepping up their safety programs designed to acquaint pilots with the dangers, both routine and extraordinary, associated with the mountains and its fickle weather. The FAA now has "Operation Safe" under way to call attention to the heavy air traffic expected during the Labor Day weekend and urging observance of safety regulations to curb the toll of accidents.

PILOT'S CHOICE

Flying safety is a personal matter for each pilot, the FAA believes, and cannot be legislated. They believe the present rules are sufficient, if common sense is used.

"If a pilot wants to take chances with his life and the lives of his passengers, there's nothing we can do about it—except ground him under an emergency suspension, if he survives the accident," says Robert H. Lewis, chief of the FAA's General Aviation district office.

"Most pilots do very well in the FAA tests," he says. "But we don't know what he'll do when he walks out of the office and gets in the cockpit. If he thinks he has to go, regardless of the weather and the fact that he isn't qualified to fly on instruments, then we've all got trouble."

Lewis said the five-year study revealed that 23 planes involved in fatal accidents on cross-country flights were piloted by men who were not rated for instrument flying.

While there is no significant difference in the accident rates in the nine Western states, Colorado's record shows a unique seasonal trend. The summer months, ordinarily a good time for flying in most states, present danger in Colorado due to thunderstorms and squalls. These are particularly dangerous to pilots flying into the state from the East. Fog and rain conditions account for a sharp rise in accidents due to weather in June. October traditionally is Colorado's best month for weather but statistics show a jump in fatal accidents during that month. Pilots have a tendency to become complacent and get caught in the first severe storms of the winter season. The lowest number of accidents is recorded in December and the fewest fatals occurs in February.

WOMEN SAFE

The age of pilots, the FAA study shows, is not a factor in accidents. The rate is constant for pilots ranging from 20 to 50 years of age. Private pilots accounted for 43 per cent of the Colorado accidents during the five-year period. Forty of the 250 mishaps were fatal. Student pilots accounted for 19.3 per cent of the accidents.

FAA records show that Colorado had 362 women pilots on Oct. 1, 1966. They were involved in only 2.5 per cent of the accidents during the five-year period. This record included one fatal mishap.

The general aviation study, Lewis says, has provided several guidelines for promotion of flying safety. His office has started issuing a series of safety bulletins relating to seasonal flying and to dangerous or potentially dangerous weaknesses in the structure of specific aircraft. Pilot examiners are urged to conduct safety clinics and assistance is being provided the newly-organized Colorado chapters of the Flight Instructors Association.

An effort to aid pilots in beating the weather problem is underway by the U.S. Weather Bureau. Included in the 1968 fiscal year budget of the Environmental Sciences Service Administration (ESSA) are funds to obtain a weather radar system for Colorado. This would be part of the national weather radar system now concentrated in the Midwest and Southeast to provide warnings of tornados and hurricanes.

The equipment is estimated to cost $150,000 and the entire installation, to be located east of Denver on the high plains near Limon, would cost approximately $400,000. If approved, it could be in operation in about two years. The radar, with a 250-mile scan, ignores clouds unless they bear moisture. These are spotted and tracked and data is recorded at the Denver center, immediately available for pilots and for others concerned with the danger of flash floods. Weather systems now are traced by individual reporting stations, a slow and sometimes inaccurate process due to frequent changes in the patterns and direction.

BETTER INFORMATION

The radar system, the weather bureau believes, will be a major step in aiding pilots to avoid being trapped by weather, a frequent difficulty that many times results in tragedy.

Funds from Congress to improve Colorado's weather reporting service now are being sought by Sen. Peter Dominick, R-Colo. A pilot with more than 5,000 flying hours, Dominick recently told the Senate the failure of the weather bureau to install proper weather monitoring stations in the state has "meant the death of many fliers." The senator admits some frightening experiences while flying in the mountains and contends such situations could have been eliminated if late weather information had been available.

Dominick wants $43,855 added to the ESSA budget for new weather reporting stations at Nucla and Walden and to finance expansion of operations at Montrose, Gunnison, Salida, Aspen, Durango and Alamosa. He called the Colorado reporting system the "worst" in the Rocky Mountain area. This description was called "not entirely accurate" by one veteran pilot. Another said the Colorado system was as good, if not better, than those in states with comparable weather and terrain. It is agreed that Dominick's proposals would improve the system and "fill some gaps." An improved communications system also is sought to allow planes necessarily flying at low altitudes in the mountains to make radio contact with reporting stations.

Weather reports on an hourly basis, instead of every three hours, would improve the system, in the opinion of some pilots. It also has been suggested that a weather reporting station be located at Sterling or Fort Morgan to assist student pilots flying the Denver-Cheyenne-Akron triangle.

SYSTEM IGNORED

One effort by the FAA to provide assistance in flying through the mountains has been virtually ignored by pilots. This is the Rocky Mountain Reporting Service system, established in August 1964, to provide closely monitored Denver-Grand Junction routes via either Corona Pass or Monarch Pass.

The routes were determined after an 18-month research program in which many veteran pilots participated. The terrain includes many of the 54 mountains in the state which tower above the 14,000-foot level and where areas for emergency landings are almost nonexistent. Procedures for pilots to use the routes are simple but demand strict adherence to these major flight rules:

Fly the prescribed route at an altitude no less than the established minimum radio reception altitude.

File an accurate time of departure.

Radio a position report every 10 minutes.

In event of aircraft radio failure, the pilot must land at the nearest airfield and notify the nearest FAA radio plant.

FAA officials say use of the system is disappointing. Only eight to 10 pilots fly the prescribed route each month. Most seem to prefer it during the good-weather months instead of during the winter, when the FAA thinks it is most effective. By requiring a position report every 10 minutes, the system pinpoints the location of aircraft at all times. This would expedite the start of search and rescue operations in event of an accident. Instead of a four-hour lag in getting a search underway, the reporting service would flash the alarm in approximately 25 minutes.

Many pilots have an aversion to filing flight plans, contending that their destination is a personal matter. Some business firms, including oil companies involved in exploration activities, are said to prohibit the filing of flight plans, fearing competitors will learn the location of a potential enterprise.

However, the chief of the Air Force's Aerospace and Recovery Service, Brig. Gen. Allison C. Brooks, has suggested to Congress that pilots be required to file flight plans prior to takeoff. The lack of information on a plane's route presents a "hopeless" task for search units, the general said in congressional testimony, adding that delays in locating downed planes many times result in death of the passengers due to exposure.

Dominick, in his recent speech to the Senate, criticized the FAA for its failure to require the installation of crash locator beacons in aircraft. These beacons are radio units that beep a signal to search aircraft and ground units. Because downed planes have no beacons, Dominick said, the loss of lives has been large and search operations have cost U.S. taxpayers millions of dollars.

The senator said the Air Force has spent $112,808 for each person saved in search and rescue operations. He contends planes should be required to carry the beacons, which now cost from $200 to $500.

The FAA agrees that beacons would greatly aid the location of planes but says its efforts to require the units have been strongly protested by pilots and flying organizations. Most pilots, an FAA spokesman said, are "normal Americans—they aren't safety conscious. They rarely carry even a first-aid kit, much less a well-stocked survival kit and to buy an expensive gadget they think they'll never use is out of the question."

SAFETY FACTORS

While mandatory flight plans and beacons are matters for future legislation, both procedures would be of valuable assistance to the Colorado Civil Air Patrol (CAP), which conducts search and rescue efforts for the Air Force. The CAP averages 20 such missions a year and each mission involves approximately 150 persons and 30 aircraft during the average 3½-day search. Lt. Col. Burnice L. Terrell, deputy for emergency services, says the CAP has flown more than 400 missions during the past 25 years and has made 19 during the past 12 months. The success rate is estimated at 75 per cent.

Three planes remain unaccounted for, Terrell says. One is a CAP plane lost July 28, 1959, while making a search in the Granby area. The others disappeared in 1963 and 1964.

Search and rescue operations are added duties for the CAP. Its primary purpose is to provide general knowledge of basic aviation and aerospace programs to boys and girls between the ages of 13 and 18. These programs are considered valuable in teaching flying safety to the state's future pilots.

VIETNAM AND THE UNITED NATIONS

Mr. BURDICK. Mr. President, the majority leader, the distinguished Senator from Montana [Mr. MANSFIELD], and other Senators, last Monday expressed their deep concern that the United Nations Security Council had not turned its attention to the Vietnam situation. I share that concern and wish to commend the majority leader for bringing the matter to the attention of the Senate. The United Nations was established for the purpose of maintaining the peace, and certainly this organization should be called upon to exert its efforts in a search for an honorable settlement of the conflict in Vietnam. I believe the time has come for such action in the Security Council, and if action there is prevented by veto, then in the General Assembly.

THE NEED FOR A NEW MERCHANT FLEET

Mr. BREWSTER. Mr. President, I have spoken often in this Chamber of the old-age crisis that faces the U.S. merchant marine. Our merchant ships are old and need to be replaced soon if we are to continuing carrying even the meager 7 percent of our ocean-borne foreign commerce that we now carry in our own bottoms.

One of the major ills besetting the American merchant marine is apathy. Too few Americans realize the predicament of the maritime industries, and too few realize the extent to which these industries affect them personally.

In the midst of this public apathy, however, one man has undertaken the enormous task of educating the American public in the importance of maintaining a strong, modern merchant fleet.

That man is Peter M. McGavin, executive secretary-treasurer of the AFL-CIO maritime trades department.

Recently, Mr. McGavin had published in the magazine Railway Clerk, an article entitled "United States Needs New Merchant Fleet." In this well-reasoned and thought-provoking article, he demonstrates the need for a new shipbuilding program and the tremendously beneficial effect that such a program would have on the total economy of the United States.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES NEEDS NEW MERCHANT FLEET

(By Peter M. McGavin, executive secretary-treasurer, AFL-CIO maritime trades department)

The worker who makes restaurant equipment in Cheyenne, Wyoming, the mattress maker in New Jersey, and railroad workers all over America, probably don't feel a common stake in the U.S. merchant marine. They should. And so should thousands of workers in other jobs thousands of miles from the sea.

A new merchant ship built in a United States yard—instead of in a foreign nation, as is now being proposed in Congress—will require as much galley equipment as a good-sized restaurant and the crew will need at least 50 innerspring mattresses and box springs. Building a merchant ship obviously means a lot more than merely the jobs of a few hundred guys in a shipyard.

Add to the galley equipment and mattresses the vessel's other requirements—such as cables, electric wires, fans, furniture, pots, pans, dishes, plumbing, sinks, cooling systems, heating systems and a thousand other needs—and you come up with a total of nearly $5 million in outfitting costs once the basic vessel is built—most of it shipped by rail.

Lost on most Americans is the fact that the cost of a U.S.-flag vessel is not solely the money that is spent within the shipyard. In fact, more than half of a vessel's needs are purchased outside the shipyard and constitute a multi-million-dollar market for ship suppliers, steel mills, fabricating companies, manufacturers, suppliers and scores of related companies which employ thousands of workers.

In steel, alone, today's freight vessels require 7,500 tons for the hull and superstructure. One such order provides jobs for thousands of steelworkers and puts $1.12 million into the hands of the steelworkers as purchasing power. The propulsion plant and its related equipment is an additional $3 million order that involves sub-contracts to pump manufacturers, condenser manufacturers, generator builders and auxiliary equipment makers. One vessel's below-decks machinery would be enough to provide all the needs to run a good-sized office building.

Multiply these multi-million dollar expenditures by the number of merchant vessels the United States *should* build annually and the impact on our economy is obvious. A modest program of 15 vessels annually would result in an expenditure of $130 million outside of the shipyard for materials and equipment, alone. Another $100 million would be spent in the yards themselves for assembling the vessel and installing the equipment.

A more realistic shipbuilding figure—and one in line with the needs of the U.S. merchant marine—would be at least 50 vessels a year, a $1.5 billion expenditure whose economic ripples would be felt in Cheyenne, Chicago, Chattanooga and Camden.

Most certainly a decision to build vessels in foreign yards to be operated under the American flag would be felt in these same cities, but in an adverse manner. Sooner or later it is brought home to Americans that we cannot maintain a strong economy nor industrial leadership of the world if we "farm out" all of our manufacturing needs.

The current Middle East crisis has a built-in potential for erupting into a conflict that could embroil the entire Mediterranean. Consider the problems if a U.S. merchant fleet—a defense auxiliary—were abuilding in Greek yards or in the Montefalcone yards of Italy near Trieste. The volatile status of world affairs should be evidence enough that we can never be certain of a shipbuilding sanctuary beyond our shores.

Shipyard workers have every right to ask those who urged us to build ships abroad if they would urge the same dismantling of our airplane-building facilities and have us depend upon foreign factories for our aircraft? Their response would be revealing.

Arguments are made—and with few dissents—that the United States must participate in developing our air commerce, including subsidization for research, development, control facilities and navigation. Last year the United States spent $766 million on air industry subsidies. Of this, $576 million went for air navigation facilities and $100 million was the Federal share of airport construction, $90 million was spent in behalf of the supersonic transport, a figure which can swell to $2 billion before the SST program is fully operative.

Meanwhile, the merchant marine received about two-thirds of that amount in Federal assistance. A total of $417 million was spent for operating subsidies, construction-differential subsidies and the Government share of 50–50 law costs.

It seems like a lot of money?

It's a drop in the bucket. To be exact, it is only seven per cent of the agriculture subsidy bucket. In 1965, farm subsidy programs cost the U.S. taxpayers $6.6 billion. Of this $2.7 billion was spent for price supports, alone, which is about six times what is spent for subsidy aid to the merchant marine.

Our argument is not whether these are valid programs or not; instead, the issue is whether our nation will spend subsidy funds where they are clearly in our best interests.

A realistic Government-supported shipbuilding program is of great economic benefit to the nation; it is of vital importance in our standby defense posture, and it is within our national philosophy of enlightened self-interest. If we "farm out" our shipbuilding, we may find that we have "sold out" our future.

REVIEW OF "THE JOURNAL OF DAVID Q. LITTLE"—A NOVEL BY R. DANIEL McMICHAEL

Mr. DOMINICK. Mr. President, recently I had the stimulation and excitement of reading a remarkable novel entitled "The Journal of David Q. Little," written by R. Daniel McMichael and published by Arlington House.

The ability of the author to project into the future some of the trends of today is not only engrossing reading but discouragingly prophetic.

Mr. James H. McBride, Research Principal of the Center for Strategic Studies at Georgetown University, has written an illuminating review of this novel. Since both the novel and the review deal with subjects of immediate interest and enormous importance to the people of the country, I ask unanimous consent that the review be printed in the RECORD in order that persons who are concerned with establishing guidelines for further policies may take the time and opportunity to read and mentally digest this very fine novel.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

Handwriting on the Wall

("The Journal of David Q. Little," a novel by R. Daniel McMichael, New Rochelle: Arlington House, 1967, 527 pp.)

There is serious concern in many quarters over current trends that directly affect the future of the United States and the American people. Some of the more ominous of these involve: crime, racism, anarchy, urbanization, moral and cultural values, and the possibility of nuclear holocaust.

When we consider these unpleasantries, we cannot help but reflect on the proud history of this country and ask: "What does the future—the next decade—hold for the United States as a nation and for Americans as individuals?" These two futures cannot be separated, for the well-being of the individual is conditioned and limited by the well-being of his country. Conversely, the well-being of the country is literally created by its people. This is especially true under our form of government. Unfortunately, some of our citizens forget one lesson the Founding Fathers taught: Freedom is meaningless except when firmly tied to civic responsibility. There is no such thing as freedom from responsibility except perhaps in slavery or death.

Diverse threats to our national well-being are many, but perhaps the most commonly recognized and feared is that of nuclear war. It is the motivating force behind the entire "peace movement," which has grown quite large and influential over the past few years. One of the many vivid portrayals of the results of global nuclear war was presented in Nevil Shute's novel *On the Beach*, which was also made into a motion picture. Hundreds of thousands of Americans know this story and it has probably had an impact on both our defense policies and our foreign policies.

This is all very well, but we must realize that nuclear holocaust is not our only threat. Others are equally horrible and much more real. If we follow the advice of those obsessed with this threat, the disarmers, the neo-pacifists, and other varieties who are so frightened by this possibility that they overlook or sweep under the rug all other threats, we will indeed fall into equally unpleasant traps that would make life in America gargantuan hell.

This is not far-fetched. It has happened in many mature and relatively advanced societies. The classic example is probably the Jacobin Revolution. Coming down to more recent times, recall the experience of the Soviet Union, especially during the Civil War and the first Five Year Plan. Remember, too, Estonia, Latvia, Lithuania, all of Eastern Europe and most especially Czechoslovakia after the 1948 coup. Czechoslovakia was not conquered by force of arms but by political intrigue, albeit made possible by military impotence, in turn brought on by a moral indifference in the thirties.

There are countless political refugees in the United States who would be only too willing to remind us of the blessings of our Western Liberal political system and the horrors of a peace without choice—always in the name of "the people." Have these lessons been forgotten? Have they been relegated to the dusty and neglected shelf of history?

Just as we needed to be made aware of the consequences of nuclear war a few years ago, we need now to be made aware of the consequences of this other threat: moral relativism and civic indifference. As *On the Beach* portrayed a nuclear devastated America we need a scenario projecting existing trends—seeds already sprouting within us—into the future.

Fortunately a novel has recently been published which provides us with such a scenario. It is entitled *The Journal of David Q. Little*, by R. Daniel McMichael. This fascinating story takes the form of a historical document published in 2223 A. D. in Sidney, Australia. According to the publisher's preface, *The Journal of David Q. Little* was discovered by a task force of human behavior scientists during a visit to an obscure Christian mission on the western slopes of the Rocky Mountains. The author of the Journal appears to have begun his account in the early 1970s when when the threat of imminent nuclear war between the United States and the Soviet Union was ended by the Treaty of Friendship between those two nations.

The crisis developed out of United States' refusal to recognize a newly-formed communist government in Latin America. The Soviet Union issued an ultimatum to the United States, declaring that if we did not recognize this government within six months they would consider this an act of aggression and would act to defend themselves and "other peace-loving peoples' democracies around the world through the use of every kind of weapon necessary to assure victory in the shortest possible time." The ultimatum was credible because the Soviet Union enjoyed a clear nuclear superiority over the United States. American deterrence had been undermined by a wide-spread and seemingly effective Soviet ballistic missile defense. The United States had no ballistic missile defense and hence was wide open to nuclear blackmail.

At first the United States Government stood fast in its refusal to recognize the Latin American government as the designated Destruction Day came nearer and nearer. Then, three weeks before "D. Day," the nerve of the people cracked. The White House and Congress were flooded with phone calls, telegrams, letters and every sort of communication demanding that something be done to avoid the certain fate. Next, the Soviet Premier stepped in to save the face of the President and offered what seemed to be real concessions to the World Order of Nations, the successor to the United Nations. A summit meeting was held and the Treaty of Friendship was signed. Naturally, the American people were wild with joy, oblivious of all but that the danger of nuclear incineration seemed to be over.

The World Order of Nations had been created on the initiative of Western statesmen when it had become clear that the United Nations had failed in its mission. This time the founders, representing 126 nations, vowed to eliminate past mistakes by creating an organization with broad supernational powers to settle disputes through the rule of law. Disputes were to be adjudicated by a system of World Courts. Decisions were to be enforced by an international military force more powerful than any national force. Those who had long advocated world federation and universal disarmament now saw the fulfillment of their dreams.

The Treaty of Friendship provided for general and complete disarmament and the transfer of all national military forces to the World Order of Nations. National sovereignty was surrendered, but then international peace was assured. Of course the United States and all its citizens became subjects of the World Order of Nations, but then the U.S. Constitution remained in force, and that was comforting. At first it was argued by many members of the press, academic community and political figures that the Treaty would in no way change our pattern of life; peace and prosperity would be better than ever. But, of course, it was only reasonable that the Communist Party of America become a major political force. It had to happen, for how could world peace be pursued if Americans continued to be hostile toward a philosophy of government practiced by the very nation with which we signed the Treaty? How could we, the world leaders in tolerance, objectivity, and democracy, set an inspiring example for the rest of the world if we discriminate against those who practice democracy in a different way?

For all practical purposes the United States Government ceased to exist, and without a shot fired. Its functions were usurped by the Joint Committee for Local Action—an organization of the World Order of Nations set up to enforce the Treaty of Friendship. The Treaty was neither long nor detailed, but all manner of things were construed by the Joint Committee to be in violation of the Treaty or required to support the Treaty. This is not at all surprising, nor is it surprising that there was no great public outcry. The precedent has been set by our own Supreme Court, which bases all the rulings, however positivistic, on the Constitution.

Under Joint Committee rulings, labor leaders, industrialists, businessmen, and all who were trained or engaged in free enterprise, as opposed to radical socialism, were utterly destroyed. Laborers' wages were cut and the work week increased. The economy and natural resources of the United States were bled white, all for the very humanitarian and democratic purpose of bringing the standard of living in the less fortunate nations of the world into balance with our own.

David Little was a member of the middle class, a steel salesman. Naturally his job was soon abolished and he lost his home. With the new Bureau of Wages and Prices in firm control of all employment, he could not find work. His children were taken away to be raised by the State, on the pretext that he could no longer support them. As a member of the middle class, he and his family were marked for extermination, even though he cooperated with the regime and even campaigned for the Communist Party.

His wife became a party girl for influential officials in a fruitless effort to salvage some economic and social position for herself and her children. She despised her husband as a ne'er-do-well for being unable to gain membership in the Party, the only path to affluence and social position in the new society.

Too late David Q. Little realized that what had happened was not a sudden turn of fate or the inevitable surge of the tides of history. It was the cumulative effect of trends that had been maturing and growing for a long time. He, himself, had been a part of these trends. In some cases he had jumped on a band-wagon; in others he had just minded his own business. He was only trying to avoid trouble or embarrassment even though sometimes he had a gnawing feeling that all was not well and that somehow he should speak up or do something to help set things straight. Now all the chickens had come home to roost and a once-great society was helpless, defenseless, and ruined beyond repair. David Little wrote in his journal:

> "To stand alone with Truth; to know at last the evil of deception and to see yourself as part of that evil; to plunge headlong into the trap you yourself have helped to build; to know that there is nothing now you can do or say or cry out to, save only yourself."

It is only too clear when we consider the trends that I enumerated at the outset that America is in a different and more serious crisis than we have ever known before. Today we live on a narrow ridge between two great abysses. One symbolizes the ever-present threat of nuclear war. That threat may be increasing, due to Soviet and Chinese advances in nuclear and missile technology. The other represents the increasing attenuation of our values and moral confusion. We see this every day; not only in riots, looting, demonstrations, and open agitation, but also in our crime rate, the teach-ins, the so-called "new morals," and even in popular music, dance, and feminine attire. The existence, as well as public and official tolerance, of all these things are interrelated and form an ever-growing web which is pulling us towards the abyss.

When our sense of values becomes confused, moral relativism sets in and both black and white becomes shades of grey. The cold war seems to disappear and the means and methods of international communism seem to be not really wrong after all. Or perhaps we see once sharply distinguishable value systems as converging, with one about as good as another in the new light. Looking through the grey glasses of relativism, then, nuclear parity seems not only reasonable, but even desirable as a further step towards compromise and convergence. Security becomes insecurity, and insecurity becomes security. At this point we enter the journal of David Q. Little and the descent into the abyss.

But between these two abysses lies a path illuminated by reason, common sense, courage, and awareness of our American heritage. We must know that both abysses are there and stay on the path between them. We must maintain our balance, for if we become obsessed with the dangers of one, we may run blindly into the other. But in this country we are blessed with the material and political means to choose. We have the moral and cultural heritage to know how and what to choose. The rest is up to us.

The Journal of David Q. Little has shown us in vivid terms the penalty for failing to face up to our social and moral problems and to take a stand for what we know to be right. It calls to mind an old American saying, popular a few generations ago: "The brave man dies but once; the coward, many times." David Little died a thousand deaths, and so did his country. Yet he was no special coward—he was simply Mr. Average. The problem was that his *time* called for special courage. The stark and naked truth is that David Little's time is *now*.

SOUTH VIETNAM'S CAPTIVE VOTE

Mr. FULBRIGHT. Mr. President, in view of the current interest in the elections in Vietnam, I believe it may be of interest to Senators to read what Mr. Tran Van Dinh, former chargé d'affaires of the Vietnamese Embassy in the United States, has to say on the subject.

I ask unanimous consent to have printed in the RECORD an article entitled "South Vietnam's Captive Vote," written by Mr. Van Dinh, and published in the New Republic for September 2, 1967.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOUTH VIETNAM'S CAPTIVE VOTE

(By Tran Van Dinh)

On September 3, a Sunday, four million South Vietnamese voters will go to the polls. It should be a sunny day in Saigon or in the Delta, with the rainy season ending; and a rainy day in Hue and Central Vietnam, with the monsoon just starting there. Rain or shine, the Vietnamese trooping to the polls will be captive voters. Police will stamp identification cards at the voting booths and anyone subsequently searched and found without the election-day stamp on his card will be in danger of automatic classification as a Viet Cong. There will be 900 polling stations in Saigon alone. Each voter will get, first, eleven ballots, one for each presidential ticket (two names: president and vice president); then 48 other ballots, one for each senatorial slate (10 names on each). He will have to go over 502 names (22 for presidential, 480 for senatorial) and scrutinize 59 symbols (two for presidential, 48 for senatorial). The symbol for Phan Khac Suu's ticket is a male buffalo and for Nguyen Dinh Quat it is a female buffalo. Hard to tell the difference. There are 60 senators to be elected. Of the 480 senatorial candidates, all but 72 live in Saigon and its swelling suburbs. The 72 whose residence is outside of Saigon live in provincial cities, insulated from peasants.

Ly Dai Nguyen, an aspiring presidential candidate, proposed a 24-hour cease-fire on election day. He was excluded from the race. Decree Law 004/65 proscribes "all plots and actions under the false name of peace and neutrality." The central electoral committee of the national Constituent Assembly barred all candidates whose platform was peace. The candidates included Dr. Au Truong Thanh, former Minister of Economy and Finance, a presidential candidate; and 16 senatorial slates (160 persons), among them Professor Ho Huu Tuong, a well-known writer who was sentenced to death in 1962 by President Ngo Dinh Diem, and Dr. Nguyen Duy Tai, who runs the maternity clinic where the Buddhist leader Thich Tri Quang was under house arrest for several weeks in June last year. General Duong Van Minh, former head of state, was prevented from returning from Bangkok to run.

The Ky-Thieu ticket's most formidable opponents are Tran Van Huong and his running mate, Mai Tho Truyen, a noted Buddhist scholar. Huong, 64, is a South Vietnamese, born of a poor family at Vinh Long. General Thieu is from central Vietnam, General Ky is a northerner. Huong as a student was active in the nationalist cause. During the first days of the August 1945 revolution led by Ho Chi Minh and the Viet Minh Party Huong was elected chairman of the administrative committee of Tay Ninh province, in the south. He joined the Viet Minh *maquis* when British troops arrived in September 1945 to disarm the Japanese and help the French reestablish their colonial power. He refused to cooperate with French-sponsored regimes from 1946 to 1954, when General Thieu and General Ky were with the French forces. In 1954, under President Ngo Dinh Diem, Tran Van Huong was mayor of Saigon-Cholon. He resigned in March 1955, after having been in office five months, long enough to discover that President Diem did not want any criticism of Diem's regime. Following the abortive revolution on November 11, 1960 of army paratroopers led by General Nguyen Chanh Thi (then a colonel, now in exile in Washington, D.C.), Huong was arrested and charged with being in the rebellion.

Early in 1964, after the fall of Diem, Tran Van Huong again became mayor of Saigon-Colon, and then became prime minister of South Vietnam. But his civilian regime was overthrown by the army on January 27, 1965, and he took asylum for a week in the residence of the British Ambassador. Later he was allowed to be the "special guest" of the military junta at Vung Tau seaside resort and lived in a government villa named Santa Maria, well guarded by police. On July 13 this year, he was authorized to go to Saigon for a "courtesy call" on General Ky.

A teacher by profession, Huong is also a poet and playwright. In a press interview two days before his July meeting with Ky he was quoted as saying that everyone was tired of the war and wanted peace. "America also wants peace, in 1968. . . . If peace is achieved there is no winner and no loser."

Despite their power to influence or rig the election, the military junta have shown signs of uncertainty and insecurity. Like all dictatorial regimes, they are afraid of their own people. On May 13, Ky warned that he "might respond militarily if a civilian whose policies he disagreed with won the post (of president)." On July 27, he threatened to "overthrow" any opposition ticket that won by "trickery." It is obvious to everyone that the only candidates who could win by "trickery" are those on the Thieu-Ky ticket.

On June 29, Ky as forced by his fellow generals, and by the pressure of US Ambassador Bunker, to accept the No. 2 spot on the presidential ticket with his rival, General Nguyen Van Thieu. As No. 2, he now has to try harder. On July 22 in the mountain resort of Dalat, he met with his close associate, Chief of Police Nguyen Ngoc Loan, and 50 key district police chiefs, and he has declared he is not going to be a "tea-drinking" vice president, though the 1967 constitution stipulates (article 66) that the vice president "is chairman of the Culture and Educational Council, the Economic and Social Council and the Ethnic Minority Council" and "cannot hold any other position in the government." It would be a tragedy for Vietnam to have General Ky supervise the culture and education of the country, and it would be disastrous for the people's welfare to have him oversee their economic, social and minority problems. But Ky is not going to be a figurehead. At his instigation, the senior generals in South Vietnam have formed a "military committee" to act as a kitchen cabinet if the Thieu-Ky ticket wins. In the unlikely case of its ticket losing, the committee will serve to overthrow the civilian elected president.

General Ky has other plans if his ticket wins. He made a step backward in June 1967; he will make two steps forward after the election. He could force parliament to amend the constitution to enable the vice president to take on the functions of prime minister. He might even overthrow Thieu and take his place as president. If, however, after the elections he feels he is not strong enough yet, he can select as civilian prime minister a friend, such as General Nguyen Duc Thang, Minister of Revolutionary Development, Ky's close associate, and a favorite of the US mission.

PRESIDENT JOHNSON'S ANNOUNCEMENT OF HOUSING CONSTRUCTION ON NATIONAL TRAINING SCHOOL SITE

Mr. TYDINGS. Mr. President, President Johnson today took steps to meet the critical shortage of low and moderate income housing in the District of Columbia and, potentially, across the country. I congratulate the President for this action.

In the District of Columbia, the President directed that a 300-acre parcel of surplus Federal land—the site of the old National Training School—be used to create housing for some 25,000 people. This use of surplus Federal land illustrates the enormous potential which exists across the country for meeting the crisis in low and moderate income housing.

Last week I introduced in the Senate a bill (S. 2343) which, among its other features, would make available surplus Federal lands for low and moderate income housing at 50 percent of the land's market value. Under present law, a municipality or private contractor which wants to buy surplus Federal land to build such housing must pay full market value. Although the Federal Government was apparently able to piece together enough funds to make the Training School site program possible, these funds will not be available in many other areas. New means must be found to finance the use of surplus Federal lands for housing construction. S. 2343 provides such means.

The President today also appointed a special Cabinet-level task force "to evaluate the prospects for transforming surplus Federal lands into vital and useful community resources." I believe this task force should act immediately to endorse the proposal I have put forward in S. 2343.

The advantages of using surplus Federal land for housing are significant. In particular, the land is immediately available so that the time-consuming processes of condemnation are not required, and there is no need for costly and often agonizing relocation of families from existing housing units.

TOWARD RESPONSIBLE FREEDOM

Mr. PERCY. Mr. President, the Community Renewal Society is one of Chicago's oldest and most effective social welfare agencies. With 85 years of experience in a variety of social services, it has gained the respect of all segments of the Chicago community—from business and political leaders to the poor and disenfranchised residents of the most wretched ghettos.

The Community Renewal Society is embarking on a fresh and promising social experiment of great potential significance to all the troubled cities of our Nation. The project is called Toward Responsible Freedom. It will seek to extend to slumdwellers themselves the opportunity to rebuild and revitalize their own communities. It is based on the idea that our urban poor themselves best understand the problems that beset them, and they are capable of solving these problems if only they are given the opportunity, the capital, and the technical assistance. It is based on the hope that the great human energy which is now being wasted in our ghetto neighborhoods may be permitted to create and not destroy.

The Community Renewal Society has published an excellent pamphlet which describes the means and goals of the Toward Responsible Freedom project. As this pamphlet makes clear, it is the complete lack of any sort of stakes of ownership that is an important element in the hopeless despair of America's slum residents:

> The major cause of the failure of the slum resident to assume responsibility in his neighborhood is that he owns virtually none of it. . . . Rarely does he ever own the place where he lives. Such money as passes through his hands goes largely to those who are nonresidents, eliminating the economic advantage to the community of money that stays where it is expended, at least for some duration.

Mr. President, it is exactly this situation which the National Home Ownership Foundation Act, which I am sponsoring along with 39 other Senators of both parties, and which Representative WIDNALL, of New Jersey, and 111 other Representatives have introduced in the House, would seek to correct. Like Toward Responsible Freedom, this bill would provide the opportunities for ownership and for local decisionmaking in local matters which are not now present. I have publicly stated my enthusiastic support of the Community Renewal Society and its Toward Responsible Freedom project. I commend this pamphlet to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the pamphlet was ordered to be printed in the RECORD, as follows:

TOWARD RESPONSIBLE FREEDOM

THE CONTINUING CRISIS IN THE SLUMS

Thousands of lives . . . Millions of man hours wasted in nonproduction, nonconsumption, nonparticipation in our society . . . Square miles of valuable land misused as welfare camps for the noncontributors. . . . The paradox of increased welfare expenditures while thousands of jobs stand open . . . The threat to human safety posed by human energies locked uselessly into slums.

These are the dimensions of the crisis in the inner city, a crisis that is spanned by frustration and resentment on the one hand, and by apathy and indifference on the other.

It is a continuing crisis. Each year between now and 1970, 20,000 non-whites will be added to the Chicago labor force . . . mostly youths of slum background, slum education, slum prospects. School drop-outs are expected to exceed 12,000 yearly. The ADC welfare population has maintained a five year plateau of nearly 200,000. A recent survey of selected slum blocks revealed that 48% were unemployed; 70% of these were not seeking work; and 56% expressed no interest in job training.

Hundreds of millions are being spent in Chicago alone on public and private welfare, urban renewal, housing construction and rehabilitation, job placement and training, and many other worthwhile projects and programs. But the crisis continues.

WHY?

Because the dynamic of self-help is no longer at work in the slums. Hard work without initial skills or adequate education is no longer the guarantee of successful entrance into America's highly technical economy. The pace of technological change is leaving the unlettered and the unskilled behind in a separate "Culture of Poverty" in the midst of a "Culture of Affluence." In our society, the latter have everything going for them, even as the former have everything going against them.

Public surveys reveal the apathy and cynicism of the slums . . . the seeming indifference to job opportunities and job training. Our welfare services have long been concerned about the deepening patterns of dependency . . . the mounting evidence of several generations of the same families continuing to receive benefits. Is it possible that this apparent apathy grows out of the hard conviction that in the slums there are no opportunities, only hand-outs—or break-outs?

AND WHAT OF "VIOLENCE IN THE STREETS"?

The events of recent months recall to us that the seeming indifference is the thinnest of veneers. Scratch the surface anywhere and the abiding bitterness and ill concealed resentment come readily to light, often in overt hostility if not unbridled violence. Today's slum dweller has a short fuse, and a low ignition point.

Thus the crisis is seen most acutely by the observer in rioting . . . looting . . . vandalism, all of them ugly words. These manifestations of the explosiveness of the problem raise difficult questions:

Can such violence be due to a general disregard for law and order?

Then who is responsible for a society that breeds such as these?

Are these simply people without character—shiftless, irresponsible?

Then how did they get to be that way while maturing in a nation that stresses integrity, initiative, and responsible behavior?

Does the answer lie somehow in "walling them off" from decent society . . . locking them tighter into their ghettos . . . giving them increasing welfare benefits, even perhaps the guaranteed annual wage?

Will this keep them from becoming even more restive, and creating further disturbances of the urban peace?

Can the lid be kept on? Can what appears to be a revolution be suppressed? Is all that we need in the present crisis a firmer hand by those in authority?

Is it possible that the crisis will continue regardless?

WHAT DOES THE SLUM DWELLER OF TODAY REALLY WANT?

For generations past and now in the present, government programs and private agencies have tried to give them what their administrators thought was needed. Employment services and job opportunities? But many are not actively seeking work. Better low income housing? Build more housing projects in which they live while remaining poor. Necessities like food, clothing, medical care? Extended welfare programs, public and private, encouraging dependency and discouraging initiative. These have typically been our answers to their probelms.

The real answer is that the slum dweller wants the same opportunities that are available to those who reside in the world outside. He wants the same advantages, material and spiritual. His television set may be ancient, but the picture is clear enough to see what is available to others. If we want peace in our cities, we are either going to have to turn off the advertising dream, or do something about realizing it in our slums.

A QUICK LOOK AT SOME POSSIBLE SOLUTIONS

Urban Renewal—In the critical problem of urban renewal, it is often only by the massive involvement of government that the debris of civilization and the cancer of blight can be removed. Valuable land is reclaimed and put to productive use. Shining new buildings rise where tenements once stood in crowded decay. Why then is there so much objection by local residents to such urban planning for the future?

The major cause is that in all too many urban renewal plans, however well conceived otherwise, there is less than adequate housing provided for the residents who lose what has been home to them. Oftentimes, the poor by the thousands are shuffled off to new slums and to overtax the already overburdened housing of a neighboring area. Urban renewal alone, however humane, is not the sole answer. For those who think first of people, the primary task is to transform the ghetto, not transfer it.

Increased Welfare Benefits.—There will always be a need for welfare. The aged, the disabled, the mothers of fatherless children, and the self defeated individual will always be with us. But for the able-bodied individual of passing intelligence, welfare ought to provide only a temporary assist in a time of economic crisis, such as in the period of adjustment to urban life, or in the case of a family disaster. To become permanently dependent is to be both debased and dehumanized.

We now live in the fourth decade of an increasing involvement on the part of federal, state, and local government in welfarism. There are many of liberal persuasion who ardently espoused the cause, and who now look with critical eyes at the results. Our domestic aid programs appear to have engendered the same kind of resentment and hostility in the recipients as we have all too often encountered in the beneficiaries of our foreign aid efforts. Those who depend on public aid were deeply involved in the disturbances in Los Angeles, Cleveland, Chicago, and elsewhere. Increasing welfare benefits is not the answer to the slum dweller's problems.

More Money for Crime Prevention.—There are those who have advocated a more militant stance by authority in the strengthened police force and a well trained National Guard. This may prove to be a more or less effective means of suppression, but it is no cure for the underlying ills.

Others have suggested more money in the area of social work, particularly in the problem of teen age gangs and juvenile delinquency. Here again, the benefits may be temporary as the slum resident grows to maturity in an environment that strictly limits his opportunity to get ahead.

What needs recognition is that some of our best intentioned programs, both governmental and private, have tended to tinker with the symptoms of the disease, rather than to strike at its roots. Can we help the slum resident in the full restoration of his own awareness of human dignity and personal worth? . . . in his effort to gain a sense of community in the neighborhood where he lives? . . . as he struggles to overcome the inertia and frustration that precludes the seeking and accepting of responsibility in a larger society? Here is where the real sickness lies.

How can we teach bright but unlettered men the skills of management? How can anyone learn to manage his own affairs unless he has something worthwhile to manage? It is our responsibility to provide for and encourage this kind of opportunity.

SOME BASIC ASSUMPTIONS

The Responsibility for Renewal of the Slums.—The time has come to trust the people of the slums with the principal and decisive role in combating poverty and eliminating slums. The low income resident needs more than opportunities outside the slums . . . he needs responsibilities inside the slums . . . responsibility for his own affairs . . . his own enterprises . . . his own self-help projects. If every last barrier to open occupancy were to be removed tomorrow, the sad fact is that the vast majority of slum residents do not have the economic base to move to a better neighborhood.

The slum itself must of necessity be the first assigned responsibility of the slum dweller. It is what he knows best. It is where he is, and improving conditions there is exactly the project most likely to enlist his full energies. While it is sound in principle to train and educate people so that they can escape the slums, it will be necessary for some time to come, to train and educate for usefullness in the slums, and to provide developing leadership there. Under our present course, the best talent in the slums is leaving instead of leading.

Certainly a part of our strategy must be to encourage integration in better neighborhoods. On the other hand, there must be a frank recognition that this process will be slower than anticipated, and our major effort must be concentrated on the renewal of the slums . . . on making them a decent place to work and live. They are going to be "home" to most residents for a long time to come. The "Culture of Poverty" must be attacked and destroyed where it is, and not elsewhere.

Many Slum Residents Want To Help Themselves.—There is increasing evidence that given the right kind of opportunity, the motivation for self-help is present in many ghetto residents:

One organization has opened up more than 2,000 in-the-ghetto jobs for local residents, adding some $10,000,000 to earned income. The same leadership has opened up chain store marketing opportunities for more than a dozen indigenous industries, adding still more jobs.

A job placement service developed by unemployed men has placed more than 500 unemployed persons in jobs in a year and a half of operation, and has developed a community spirit that helps to keep them there.

A tenant's union of slum residents has achieved a precedent-setting maintenance contract with a major slum landlord and is now forming a tenant's cooperative to own and rehabilitate the buildings.

An inner city housing agency has already established small entrepreneurs as general building contractors.

A community organization leader reports up to twenty mothers of children with high school or better education could take jobs that are available now, leaving the welfare rolls, if only an adequate day nursery could be provided in the community. They want to break free from dependency.

It would be wrong to assume that even a majority are thus motivated, for the bitter frustration of limited opportunity has contributed to apathy and a sense of futility. But there is reason to rightly hope that when a community is organized, and significant gains have been won, and light begins to come through opening doors, that the unmotivated will move toward new opportunity and the larger liberty it presents.

Slum Communities Have an Emerging Leadership.—Much of it can be found in the existing community organizations. To these have gravitated the angry; the dissatisfied; those in the community who want and are willing to work for change. They have been learning the value of concerted action. Individually, they may have felt a sense of helplessness; together, things have begun to happen. Therein lies the birth of hope, and with it, the motivation to fight for personal and community betterment.

The community organization frequently begins as opposition to a particular injustice . . . to project grievances forcibly and unitedly to proper authority. It can be a voice in all matters of common concern, and a rallying point to the concerned. Its leadership may enter upon the formation of tenant and welfare recipient unions; job creation, placement, and training. In these experiences, there is the inevitable development of certain management skills, and leadership abilities. With the restoration of human dignity comes the responsible behaviour that those outside the ghetto describe as what they would like to see rather than violence and disorder.

The need for all those who would seek to help with the problems of personal and community renewal in the slums, is to discover the means of working with angry people. And today, the best leadership is angry, particularly in the Negro slums. All they see of us is certain of our agents . . . the welfare case worker . . . the local squad car . . . the precinct captain. These figures of authority and dominance represent white leadership to the people of the Negro slums. They are often all that they know of American enterprise and opportunity.

It remains a real question to what degree we can successfully work with the hostile, angry ones. But if we shrink from the task, let it be remembered that the typically successful American business executive, were he to find himself in the circumstances that confront today's resident of the slums, would be the angriest man of them all.

The real and potential leaders are in the slums. They are intelligent, and at times brilliant, even if uneducated. It is for us to identify them, and establish rapport, to the degree that we can.

The lack of equity by ownership.—A major cause for the failure of the slum resident to assume responsibility in his neighborhood is that he owns virtually none of it. Ninety percent of the businesses are owned and operated by those who live outside the area. Rarely does he ever own the place where he lives. Such money as passes through his hands goes largely to those who are non-residents, eliminating the economic advantage to the community of money that stays where it is expended, at least for some duration.

There needs to be a significant effort by government and private interests to make possible the experience of ownership of home and business to the ghetto resident. This appears to be a vital part in any major renewal of low income areas of the city.

The need for private enterprise.—There is a growing conviction, voiced by both government spokesmen and those who represent the private sector, that it is time for the creative resources of private enterprise to be brought to bear effectively upon the critical aspects of the war on poverty and the slums. This is not to discount the necessity of government involvement in the urban crisis, particularly in the massive funding required. But the new direction lies in the establishment of many more privately initiated, administered, and financed projects, backed up by government financing where this is available, particularly in the areas of small business loans, and housing funds.

The private agency has certain distinct advantages. If it has served an area effectively, it often builds up a reservoir of trust that is not always accorded by the slum resident to an arm of government. As a private agency, it is free from bureaucratic pressures, political influences, and the need to abide by rulings made by those who are frequently far removed from the scene. Moreover, it is relieved of the difficult occasion of being asked to work against itself, as can well be the position of government in working with slum residents and their problems.

The challenge lies in whether the existing American economic system of free enterprice can be made to operate for the benefit of the poor, rather than have its technological advances create an increasing number of casualties. The crisis demands the pulling together of all of the resources and the existing knowledge in our possession, plus the dynamic of significant innovation.

IS THERE A WORKABLE PLAN?

The Community Renewal Society Commends Toward Responsible Freedom.—"A program to channel the frustration and resentment of the slum dweller into avenues of renewal for himself and the neighborhood where he lives, and that will encourage him to grow by self help into responsible freedom."

The Community Renewal Society, formerly the Chicago City Missionary Society, has been helping residents of the inner city for 85 years to achieve a meaningful and constructive way of life. We have dealt with successive waves of immigrants from various ethnic backgrounds, assisting in the process of adjustment to and assimilation by the city. The low income area resident of today, Negro, Spanish speaking, or southern white, is largely unadjusted, unassimilated, and made to feel unwelcome.

Through a variety of institutional centers, and the funding of community organizations and many experimental programs, the Society is moving to encourage these residents to overcome patterns of helpless dependency. Our current operating budget for 1967 is approximately $900,000, and is committed to "renewing the metropolis through faith in action". While maintaining a relationship with the United Church of Christ, the Society has always been ecumenical in outlook, independent in its operation, and willing to close ranks with all those who work for the cause of human dignity and a better way of life for inner city people.

THE THINKING BEHIND THIS PROGRAM

CRS is committed to the principle that all men should be free, and that in this larger liberty, they be enabled to act responsibly.

CRS believes that the culture of poverty that has entrapped generations of people in helpless dependency patterns must be changed.

CRS is certain that the victims of the system can only be freed as they develop self reliance, and a sense of community in the neighborhood.

CRS affirms that responsible freedom for the slum dweller can only come through the locally generated motivation that group organization and action provides, assisted by outside resources, namely funding and personnel with problem-solving skills.

HOW WILL TOWARD RESPONSIBLE FREEDOM WORK?

The Community Renewal Society proposes:

To stake out an area of the inner city where problems of poverty and blight are acute. To be well chosen, it must be large enough to encompass a full range of representative and critical needs, as well as opportunities. At the same time, it must be small enough to avoid overtaxing the available resources in funding and personnel.

To engage qualified personnel in the areas of program development, planning and research, and community development, the latter position being a specialist in community organization who will serve as project coordinator. Three additional staff specialists will be sought in the areas of raising earned income, improving housing, and bettering training and educational opportunities.

To work for stronger community organizations that can provide a focal point for problems and a force for constructive change. These groups will be assisted by the staff specialist and by the funding of their own staff and programs. Here lies the key to the rekindling of hope for the neighborhood, and the development of a sense of community.

To form four community resource boards to aid in the solving of major problems that restrict community development. Each will be composed of local residents who live daily with the problem; a second group who are at home in the race or nationality represented in the site area but who have themselves achieved responsible freedom; and a third group of outside resource persons with the particular skills needed to aid in solving the kinds of problems apt to be encountered.

The resource board on earned income will originate and receive, investigate, refine, and seek activation for any worthwhile plan to raise the income level of the community. Its efforts will likely be concentrated on attracting new businesses, offering assistance to existing businesses, the creation of new jobs, and job placement. Outside resource persons will include those with successful experience in finance, manufacturing and distribution, retailing, economic and community planning, management counsel, corporation law, accounting.

The resource board on housing will utilize every available means to improve the housing situation for local residents. It may be expected to be particularly active in the acquisition and rehabilitation of slum dwellings, new construction, negotiation with slum landlords, and the encouragement of home ownership. Outside resource persons will include housing developers, real estate brokers, experts on government housing, building contractors and tradesmen, mortgage specialists, attorneys, community planners.

The resource board on training and education will be concerned with activating programs in the area of job training, and to fill in educational gaps, working particularly with young people and adults whose deficiencies limit job potential. It can also be expected to be active in improving the quality of local public school education, and in encouraging greater participation by parents in joint responsibility with the schools. Outside resource persons will include industrial trainers, remedial work specialists in reading and speech, public school administrators and teachers, specialists in adult education, sociologists, University level educators, experts in parent-teacher relationships.

The resource board on legal assistance will be active in helping the poor of the site area with those problems peculiar to their situation, and in such manner that the law becomes an instrument for social change rather than suppression. Funding will provide for the services of attorneys, litigation costs, bail and appeal bonds. Attention will be focused on maintaining welfare recipients' rights, housing code violations, and the defense of those who cannot afford legal counsel. Outside resource persons will include attorneys, jurists, and legislators.

To offer supplementary resources in the form of funding to provide for consultants, research, and evaluation of the developing program and its results.

In essence, Toward Responsible Freedom, at work in the site area will:

Set up the necessary problem solving machinery to deal with the major ills that are present, as seen by local residents. The Community Renewal Society is convinced that when those who live daily with the problems are brought together with those who have skills in the solution of such problems, they will be solved.

Bring the creative talents of private enterprise to bear on the critical problems facing slum residents. Privately initiated, administered, and financed, it will make use of government funding where this is available, particularly in the areas of housing and small business loans.

THE UNIQUENESS OF TOWARD RESPONSIBLE FREEDOM

1. *The extensive involvement of local residents in the solution of their own problems—the program will evolve out of their needs as they see them.*

2. *The Resource Board concept, bringing together local residents with those who have the skills necessary to help them solve their problems.*

3. *A coordinated attack mounted on all of the major problems of a given area at the same time.*

4. *The provision for the engagement of planning consultants, researchers, and an independent evaluation of results.*

THE ROLE OF THE COMMUNITY RENEWAL SOCIETY

The most significant role of the Society in Toward Responsible Freedom will be as an agent of interaction. With 85 years experience in work among low income residents of Chicago, the Society has deep roots in the midst of those who live in poverty, and has their respect and confidence. At the same time, it has maintained excellent relationships with the community of talent who are represented particularly in its Board of Directors, its Volunteer Training Programs, and in local church congregations. With a foot in both camps, it becomes possible to be effective in bridging the gap between two groups who are presently not engaged in meaningful conversation: the low income residents and those who possess the skills needed in helping them to solve their problems.

The Society sees itself as

An intermediary—bringing the poor together with businessmen, educators, attorneys, and others who can assist in the process of self-help.

A catalyst—whose presence is necessary to insure the right kind of reaction.

A broker—who can see that those who have talent and skill to offer can be brought into touch with those whose desire and need for these things is acute.

RESEARCH, PLANNING AND EVALUATION

Under an Associate Director of Research and Planning, the Society plans to carry forward a program that will engage competent and independently based research and planning personnel, preferably at the University level, and representing a variety of academic disciplines. They may be expected to assist in the selection of the site area and a control group; in the planning and development of programs; and in a final evaluation of significant results.

This appears to be a vital necessity if the findings of this project viewed as experimental social and economic research are to have validity and application elsewhere.

PRELIMINARY GOALS FOR THE SITE AREA

Based on objectives as they are presently conceived, the Society would look for the following in the way of measurable results after several years of operation:

1. Broader based, well staffed, vigorous community organizations, due to the assistance of the CRS staff specialist, and the funding of local community organization staff and programs.

2. Significant improvement in the average income of resident families, and favorable change in regard to unemployment and underemployment.

3. A major upgrading of housing in the area through acquisition and rehabilitation, stronger tenant unions, efficient housing code enforcement, a rise in home ownership, and new construction.

4. Better educational and training opportunities in quality and quantity, and significant improvement in public education through programs with teachers and parents in the community.

5. A new respect for law and order as residents come to see the law as being more often on their side as a constructive force for social change.

6. Attitudinal changes in regard to personal worth, the future of the local neighborhood, and the larger society, assisting in the elimination of apathy, frustration, dependency, and violence as a means of expressing protest.

IF SUCCESSFUL, HOW FAR CAN TOWARD RESPONSIBLE FREEDOM GO?

Alone, it cannot be expected to eliminate the problems of poverty and blight in the renewal of Chicago. Successful as a pioneering venture, with carefully validated results, it can be expected to stimulate a massive rethinking and restructuring of existing governmental and private programs, not only for Chicago, but for other troubled urban areas in the nation.

A FRANK WORD ABOUT THE DIFFICULTY

The failure of most programs designed to eliminate poverty and blight, both governmental and private, has been the inability to get the people themselves deeply involved in the process of self-help.

Can we work creatively with those who are frustrated and therefore hostile?

Can apathy and dependency be overcome by the offering of new hope?

Can people trapped in helpless dependency, even with assistance, be enabled to become free?

No one can be sure of the answers. However, we do believe that Toward Responsible Freedom has an excellent chance for success, and merits a trial for its potential contribution to knowledge in how to deal with a grave crisis.

A FRANK WORD ABOUT THE RISK

Toward Responsible Freedom is committed to the principle of allowing people to think and decide for themselves. Responsibility in management of affairs, personal and business, can only come through experience. We do not anticipate that all of the decisions made by developing leadership in community organizations will always be either right or wise. The freedom of choice, even if wrongly exercised, is vital to the gaining of true independence.

We ask that our friends who will support us in this program assume this risk with us as a necessary adjunct to the development of reponsible freedom for the slum dweller.

AN APPEAL FOR COMMITMENT

If Toward Responsible Freedom is to be successful in its aim to involve local residents in the solution of their own problems, who with the skilled assistance of resource boards will mount a coordinated attack on all the major problems of an area, funding of the program by foundations, business corporations, and individuals is vitally necessary. It is here that you may play a part in a vital decision. By sharing financially, you contribute to making democracy work for the ghetto resident as well; he who presently is denied through circumstances much of its benefits.

There is no program that is more firmly

in line with the American tradition than Toward Responsible Freedom. It relies upon the democratic process to ultimately find the best solution to mutually felt needs. It seeks to develop the motivation and initiative for self-help, rather than to encourage patterns of helpless dependency. It offers counsel and funding only where organized groups and individuals cannot make it alone, and then at their own request. It can provide the means whereby the seething and repressed energies of thousands of the disadvantaged can be utilized to purposeful and constructive advantage.

Toward Responsible Freedom will need more than money from business and professional sources. This program cannot succeed without the extensive application of managerial and technical skills, largely volunteer, to the problems of poverty and the slums. Through the resource boards, these manifold talents will become available to the site community, mediated by the Community Renewal Society.

We believe that Toward Responsible Freedom is more than just one more well meaning program. There are programs that have been inclined to treat the symptoms of poverty and blight. TRF will get at the root of the disease: the absence of community, and the inertia and frustration that precludes the seeking and accepting of responsibility by the slumdweller.

Some programs, some urban renewal plans in particular have had a disunifying effect on the community in seeking to bring about change for the better—TRF will engender a sense of community through the experience of effective power exercised in community organization for the improvement of living conditions.

Most programs have usually depended on outside money and outside management—TRF will require outside resources, but will seek the development of indigenous community leadership to manage its programs.

Many programs have tended to create dependency with its attendent bitterness and frustration—TRF will encourage independence in thought and action, a vital essential in individual responsibility.

Other programs have provided practical help to the motivated—TRF will seek to provide and inspire a much needed response from the vast numbers of the unmotivated.

Every indication that we have as an experienced agency suggests that the restless energies of the ghettos can no longer be contained. The dictated solution by an outside authority is not acceptable. The day for hoping that the welfare recipient is both satisfied and duly grateful is past. It is time to make a move Toward Responsible Freedom. Will you close ranks with us, and help initiate a march in a new direction?

TO SAVE OUR CITIES

Mr. MONDALE. Mr. President, one of the most agonizing experiences we have faced this summer has been the outbreak of violence in our cities. However, this violence has accentuated the public focus on the problems that are facing the cities and made the public aware of the difficulties in solving the problem.

Mr. Richard Kleeman, the Washington correspondent of the Minneapolis Tribune, has recently completed an 11-part series entitled "To Save Our Cities." In this series Mr. Kleeman examined the major problems with which the city must cope and demonstrates the interrelationship of these problems and their complexity.

Mr. Kleeman indicates that the political fragmentation which has occurred in the metropolitan areas is in itself a problem. The suburbs attempt to create an economic and racial homogeniety within their borders. This, of course, has repurcussions in the older city as it is given the responsibility for taking care of the poor and the minorities.

Mr. Kleeman indicates that the most important issue now facing the city is one of organization and development of the metropolitan area. Many of the problems that are now plaguing the cities can be attributed to the unplanned sprawl that occurred after World War II. To avoid a continuation and extension of these problems, planning for the future must be instituted. However, plans for regional development require cooperation among units of government in the region and this can only come about when the officials realize that their community has a stake in the betterment of the whole region.

The prime reason for the existence of cities, as Mr. Kleeman points out is to provide choice for the residents:

> Choices of where and how to live, learn, work, relax, and worship; choices of whom to see and whom to avoid; choices of where to go, how to get there and what to see and do there.

Mr. Kleeman notes that our policies have in fact restricted choice and therefore restricted the reasons for having cities. He states:

> But if these choices are artificially restricted—by poverty, by poor schools in poor neighborhoods with poor housing, by lack of jobs, by outmoded transportation methods, by racial segregation, open or subtle—if these conditions take hold and worsen, cities have lost their prime reason for being.

Mr. President, this is indeed an indictment against our present efforts in the urban field. We must continue with our present programs and offer additional ones that encourage a revitalization of "the city" where choice, not lack of it, is the prime reason for settling there.

Because of the importance of the message contained in this series of articles, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

PROBLEMS TO FACE: CITIES NEED HELP TO BE PLACES OF CHOICE

(EDITOR'S NOTE.—In this series of articles, Minneapolis Tribune Staff Correspondent Richard P. Kleeman will present a national overview of the crucial problems facing the United States cities and the efforts being made to solve them.)

(By Richard P. Kleeman)

WASHINGTON, D.C.—Cities are great places to visit, but over 135 million of us live here.

By the year 2000, there will be 250 million of us living in large and small American cities and their suburbs.

Fine and lofty things have been said about cities:

"Men come together in cities in order to live; they remain together in order to live the good life," Aristotle said, in an excess of blissful optimism probably traceable to his never having had to negotiate the Hennepin-Lyndale bottleneck.

President Johnson has declared:

"The city is a community for the enrichment of man. It is a place for the satisfaction of man's most urgent needs and his highest aspirations. It is an instrument for the advance of civilization."

Some less-than-lofty things are said about our cities, too.

"Most central cities already are deep in trouble with problems they have neither the money nor the authority to cure—most of them problems that call for major rebuilding and/or restructuring," declared a panel of 33 "urbanists," including Minneapolis Major Arthur Naftalin, not long ago.

"They are deep in problems concerned with slums, traffic, parking, sprawl, ugliness, housing; with recreation needs; with air and water pollution; with overtaxation and undertaxation," the panel added.

Some of those problems—added to that of a violent, lawless minority—boiled over earlier this month in riots in more than a score of cities, Minneapolis among them.

The late Stephen Currier, a philanthropist whose deep concern over the crisis in American cities led him to form Urban America, Inc., a nonprofit organization of service to those who would make cities more livable, outlined their troubles in these words:

"Their air is polluted; pure water is in short supply; transportation in and out is increasingly difficult and exasperating; housing is not being built in sufficient quantities to meet current needs; major recreation facilities are far from population centers, yet, remote as they are, are overcrowded.

"More and more people are crowding into the metropolitan areas; white families continue to flee central cities to open space, single-family housing and better schools in the suburbs. Their places in the city are taken by nonwhite and lower-income families. The central cities are being called upon to supply an ever-increasing number and variety of special and expensive services and facilities."

Harvard economist John F. Kain calls it "selective depopulation" of central city areas that leaves behind the aged, the unemployed, the poor and the Negro.

The trend, says Kain, results in an employment decline that has "aggravated old problems and created new ones for central city governments."

If cities present such grievous problems, why do so many people flock to live in or near them?

The simplest answer probably lies in one word: choices.

Cities mean choice—or should.

Choices of where and how to live, learn, work, relax and worship; choices of whom to see and whom to avoid; choices of where to go, how to get there and what to see and do there.

But if these choices are artificially restricted—by poverty, by poor schools in poor neighborhoods with poor housing, by lack of jobs, outmoded transportation systems, by racial segregation, open or subtle—if these conditions take hold and worsen, cities have lost their prime reason for being.

And, far worse, they explode into violence.

It is a tried-and-true device, when urging some course of action, to say that a situation stands at a crossroads.

When he wanted the department of Housing and Urban Development (HUD) created, as it was in 1965, President Johnson said, "This is truly the time of decision for the American city."

When he wanted the ambitious "model cities" legislation passed, as it was in 1966, the President again perceived a crossroads:

"We know that cities can stimulate the best in man, and aggravate the worst," he said.

"We know the convenience of city life, and its paralysis. We know its promise, and its dark foreboding.

"What we may only dimly perceive is the gravity of the choice before us. Shall we make our cities livable for ourselves and our posterity? Or shall we, by timidity and neglect, damn them to fester and decay?"

But the undersecretary of the new Cabinet agency, Dr. Robert Wood, former political science chairman at Massachusetts Institute of Technology believes the current period, until the 1970s, actually offers American cities a brief and unusual opportunity for breath-catching and policy-planning.

The post-World War II "baby crop" is by now housed—not always well-housed, but adequately, for the most part, Wood says. Not until the 1970s will the flood of the baby crop from that baby crop be upon us, pressing for places in our cities.

"We have an opportunity to lay our strategy before the flood tide hits in 1970," Wood says. "Then the problem of complete rebuilding begins.

"We have a couple of years to decide how we want to build a predominantly urban country."

Some of the chief problems besetting the American city before the coming of that flood tide, and the ideas advanced to attack them, will be discussed in forthcoming articles in this series.

STUDENTS DESCRIBE MAJOR CITY PROBLEMS FROM OWN EXPERIENCE

(By Richard P. Kleeman)

WASHINGTON, D.C.—"Today we develop the crisis," explained the attractive young woman city planner, turned summertime teacher, as she prepared to confront her unusual seminar of teen-agers.

The setting was a suburban Virginia coeducational private school—exclusive, expensive and predominantly white during the school year.

But this summer seminar—on problems of cities in general and Washington in particular—was different:

Open to selected, bright 9th and 10th graders from local schools, it included among its dozen participants nine Negroes (more than the school sees all winter). There also were two white boys and a girl of apparently mixed parentage.

When the young seminar leader asked her teen-aged flock to help her list major city problems on the blackboard, she was calling on a group predominantly from central Washington, where the public schools are 91 per cent Negro.

Some traveled an hour or more to get to the seminar, for which their school counselors had picked them. Many required total scholarships.

The two white boys came from a city area—Georgetown—and a suburb—Chevy Chase—that are overwhelmingly white.

Yet among this dozen youngsters the visitor seemed to sense a rare spirit of camaraderie, even in the seminar's early days.

"Troublemaker, aren't you?" a white youth jibed at a larger Negro boy, in response to some boyish boast. But the name-calling obviously was in a warm boy-to-boy tone, and racial differences were, if not forgotten, at least well submerged.

This unusual group of 13, 14- and 15-year-olds in unusual surroundings proceeded to help its leader compile a list of city ills which, while they spoke of the Washington they knew, would be applicable in some degree to most urban communities.

"Taking care of people who live in poverty," called out Oscar, a Negro, to head the list of "major problems."

"Lack of education," put in Mike, one of the two whites. "Either people don't care to go to school or they haven't had the chance."

"Segregation" went up on the board at the suggestion of Darlene, a Negro, followed by "better understanding between police and the community," from Lorenzo, also black.

"The cost of houses is high in Washington," put in Deborah, a Negro, voicing a fact only relatively more true here than anywhere else. Then came a Negro boy with one problem other cities are happy to leave to Washington: "home rule."

"We don't have a government of our own, and if we did, we'd be able to solve some of the problems we have now," this youngster explained, with a faith some cities might consider misplaced.

One of the farthest-traveling Negro girls from central Washington sang out "transportation," adding, by way of explanation, "just think about getting out here."

Then in rapid succession, a Negro girl contributed "co-operation" and "justice," a Negro boy added "health—V.D." and the girl who seemed of mixed parentage threw in "danger in the ghetto," which went up on the board as "crime."

"How about what we do with things and people we leave behind—old people and waste?" asked the seminar leader, and "welfare" and "waste disposal" found their somewhat more delicate way to the list.

Later, apparently as afterthoughts, "government finance," "conservation" and "population growth" were added and the board was filled.

"Hey, are there things that are no problem? Is there anything going all right?" the seminar leader asked.

The group fell almost silent. One Negro youth mumbled, without conviction, that perhaps Washington has enough diversified music and entertainment from its many radio and television stations, movie theaters and concert halls.

Five weeks later, this unusual group held "final exercises" and presented before proudly watching parents the recommendations for better cities they will send to responsible local officials. A sampling of their many proposals:

Apartment houses with shopping centers on middle floors, equidistant from top- and bottom-story residents, and recreation space on the roof.

Children's recreation areas with space set aside for parents and for quiet play, "for anyone who wants solitude."

Reducing crime by having more "judges taking fewer vacations."

Improving police-community relations by hiring more "indigenous" officers to patrol their own neighborhoods.

Hiring the unemployed to clean up slums, "thus killing two birds with one stone," and using computers "to match jobs with the jobless."

In schools, "teachers should stop talking about what this school was like before integration."

Also out of the seminar may come a decision by the school to offer a city problems course to its regular school-year students, who surely will have less firsthand knowledge to share than did this rare group of summer seminarians.

EX-SENATOR DOUGLAS SAYS: "SUBURBS USE LAWS TO KEEP OUT POOR"

(By Richard P. Kleeman)

WASHINGTON, D.C.—The "hottest issue in America today," says a white-haired former senator who knows a hot issue from 18 years of experience with them, is the "iron band" residential suburbs have clamped around cities.

Their aim is simply to keep out the city's poor—whom they equate, not too accurately, with Negroes, says Paul Douglas, the former Illinois Democratic senator who, at 75, lost that job and is tackling a new one.

Douglas, named by President Johnson to head the National Commission on Urban Problems, thinks it "highly desirable" that suburbs take on at least a 50,000 population—where it's one-quarter.

"The main mass of poverty is outside our metropolitan areas," Douglas declares.

Nevertheless, racial and income restrictions compound an already massive housing problem.

Undeniably the nation has been better housed since passage of the periodically-amended 1937 housing act: more than 636,000 low-income families are in public housing, with 230,000 more units on the way, and nearly 15 million private one-family homes and 1.1 million multiple-dwelling units have been built under various federal-help programs.

In 1949 Congress declared its goal, in passing a revised housing act, to be "a decent home and suitable environment for every American family."

Yet the 1960 census found one housing unit of every 14 without running water, one out of eight without a flush toilet. One-third of the homes owned by Negroes and nearly half of those they rented were labeled substandard.

"Some 4 million urban families," President Johnson said last year, "live in homes of such disrepair as to violate decent housing standards."

Add to this the expected population increases for cities and surrounding areas, resulting from people's moving from country to city, and you find that by the year 2000 we'll need 68 million new housing units—10 million more than we have now.

"We're going to need 2 to 2½ million new housing units a year until 2000," says Douglas. "And we've never built more than 1.6 million a year."

Douglas believes "the central problem" is to get construction volume up by getting costs down. While his commission report next year may offer specific suggestions, Douglas today is not ready to discuss implications of this need for lower-cost housing for entrenched "featherbedding" practices of construction trade unions.

But he is convinced that for the one-sixth of the population with annual incomes under $3,300, housing cannot be built or made livable without subsidy. Another 8 per cent with incomes between $3,300 and $4,300 are "on the fringes of poverty" and will need some degree of public help to obtain decent housing, Douglas believes.

But he is convinced that for nearly one-quarter of the population with annual incomes below $4,300—those in poverty or on its fringe—there will always have to be some government subsidy, full or partial, in building new housing or remodeling the old.

For people of relatively high income—above $7,500 a year—who depend on the private housing market, Douglas believes there must be new economies of space—such as the "cluster" idea of several houses or apartments built around a large common recreation or park area.

The nation's housing needs continue to be the subject of constant legislative tinkering.

Running through talk about housing during the Ribicoff hearings on cities last fall was the theme of promoting home-ownership, even among the poor. Sen. Joseph Tydings, D-Md., is developing a bill to make it possible for public housing tenants whose income increases to remain and buy their homes—instead of being forced out.

Sen. Charles Percy, R-Ill., together with all 35 other Senate Republicans, is sponsoring a national home ownership foundation bill whose merits—especially as a help to the very poor—are being questioned.

It leans importantly on the private sector and creates a national foundation to sell bonds to the public, reloaning the proceeds, through local non-profit groups, to help low-income home-buyers meet interest payments. Technical help also would go to community housing groups.

Sen. Robert F. Kennedy, D-N.Y., also has a complex proposal aimed at combining private capital with government incentives to get an increasing supply of new or remodeled low-rent housing.

Sen. Walter F. Mondale, D-Minn., besides sponsoring the 1967 administration fair housing legislation, has introduced a pair of bills aimed at increasing the supply of housing for people of low and moderate income. One measure would assist nonprofit corporations in the housing field; another would make mortgage insurance available to home-buyers of moderate means.

Looking toward making the most economical use of costly, close-in city land, the

33 urban experts who met recently to discuss the city of the future concluded:

"Whether we like it or not, most urban growth in the next 30 years will have to be up, not out."

They attributed this both to the relative efficiency, economy and speed of vertical transportation (elevators) in contrast to horizontal movement, and to the fact that "building up" makes multiple use of scarce urban land.

"Just because land has been used once for a railroad yard is no reason why it cannot be used again for a sports arena or an office building or an apartment—or all three," said the experts.

(This same aim of getting the most use out of high-priced city land underlies the new emphasis of the Federal Bureau of Public Roads on using air-space above, below, or alongside new space-eating freeways—for schools, shops, offices and housing.)

City Renewal Robs Poor To Aid Rich, Critics Say

(By Richard P. Kleeman)

WASHINGTON, D.C.—No one who has seen Minneapolis' Gateway Center, and can remember what it replaces, should have much trouble understanding what urban renewal means, or why it stirs controversy.

This program of federal dollars to help in clearing or face-lifting of blighted city neighborhoods has spread widely since Congress authorized it in 1949.

Renewal programs are in effect in all states but South Dakota and Montana, according to the Department of Housing and Urban Development (HUD).

A survey last year by three national groups concerned with cities showed that 441 cities in 44 states and the District of Columbia had $3.5 billion in federal urban renewal funds under contract or reserved, with applications pending for $1.3 billion more.

These same cities reported planning requests for $8 billion more for renewal projects through 1976, probably more than Congress can be expected to provide.

"I do not pretend to you or anyone else that these efforts have remade the face of America," HUD Secretary Robert C. Weaver said recently, of HUD's housing and renewal programs, "but we are, I think, on the way to remaking it."

Yet this program that has done away with many a Skid Row in cities across the country has not been without its severe critics.

Some have called it heartless for displacing thousands of poor persons without providing them with replacement housing at rents they can afford. Relocation allowances and services were added to the program to meet this criticism.

Objectors also have called renewal a high-cost program to benefit a few—those wealthy enough to live in new, high-towered downtown apartments or influential and affluent enough to own downtown businesses, shops or real estate. Many of the latter, it has been claimed, wouldn't live within a city-mile of the downtown they want renewed, and flee nightly to their suburban strongholds.

Civil rights groups have contended that urban renewal ought to be called "Negro removal" for the number of nonwhites it has uprooted in many big cities.

To meet some of these objections, the emphasis in the program has been shifting lately toward providing for more housing for low- or middle-income tenants and less luxury housing and commercial or business projects.

Rehabilitation of existing housing also is beginning to claim more attention than total clearance, followed by construction.

Furthermore, to "glue" together the many federal help-to-city programs, the administration proposed and Congress so far has modestly financed the "model cities" program.

In its first phase, 194 cities, including Minneapolis, made proposals, competing for $11 million in planning funds, for "total" programs of attack on physical and human blight in their most rundown neighborhoods. Renewal was included, but there was much more besides.

From these 194, half or more are likely to be selected for the planning grants that will enable them to map action programs of new housing, better schools, more jobs, improved welfare services, antipoverty, health and safety programs—and to qualify for "extra" federal dollars.

These supplemental "demonstrations" grants, which could amount to 80 per cent of the nonfederal funds required for all the rest of the program, would be, in a sense, rewards for having wrapped up the entire program in a single package.

Even cities that do not ultimately qualify for "model cities" grants, however, are likely to have benefited from the self-examination and the joint effort of city, county, state and federal agencies that the preliminary planning for applications entailed.

Lest it be thought that "model cities" approach instantly met all past criticisms of urban renewal, it must be recorded that some civil-rights groups have reservations about this program, too, even before it fairly gets off the ground.

They question whether this broad-fronted attack on problems of rundown neighborhoods may not make of them simply "gilded ghettos"—closing the door, perhaps forever, on hopes for genuinely desegregated living and schooling.

"Basically Unequal"—Whites Also Hurt by Segregation

(By Richard P. Kleeman)

WASHINGTON, D.C.—"History will look back at this time in our lives as the age of the emerging new city," Vice President Hubert H. Humphrey told a recent gathering here of urban educators.

"The new city," he went on, "can and should be a place where all Americans of all races, religions and ethnic backgrounds can live together as good neighbors . . . where the schools are uniformly excellent . . . where all children have the opportunity to develop their intellects, stretch their imaginations and realize their dreams."

By the Supreme Court's definition, city children do not have such schools nor that opportunity. The court, in its 1954 decision outlawing school segregation, held that it is basically unequal to have separate schools for white and Negro children.

In the words of a voluminous 1966 government report on "equality of educational opportunity":

"The great majority of American children attend schools that are largely segregated—that is, where almost all of their fellow students are of the same racial background as they are."

What group is most affected by such a situation? Negroes, you may reply instinctively.

"Among minority groups, Negroes are by far the most segregated," said this much-discussed 737-page Coleman Report by the Office of Education. Its summary continued:

"Taking all groups, however, white children are most segregated. Almost 80 per cent of all white pupils in first grade and 12th grade attend schools that are from 90 to 100 per cent white.

"And 97 percent at first grade, and 99 percent at 12th grade, attend schools that are 50 percent or more white."

To "segregation" of that kind, even a Minnesota school system with the best intentions would have to plead guilty, unavoidably.

What of it?

Consider those Coleman Report findings alongside statements like these:

From a New York area education report on suburban school problems around Washington, Chicago, Detroit and Los Angeles:

"In each city, officials were at a loss to stop the flight of the white middle class to the suburbs. In Washington the struggle was over, since the school system was 91 percent Negro. In Chicago and Detroit, the racial balance was more than 50 percent Negro."

Next a group of city experts, including Minneapolis Mayor Arthur Naftalin, gathered recently and asked: "What kind of city do we want?"

"Suburbia is the great segregator," they said, "segregating not only white from nonwhite but also the lower-middle class from the middle-middle class from the upper-middle class and the wealthy. We think this is as bad for those who are segregated in, as for those who are segregated out."

And finally, completing this chain of logic, is landmark federal Circuit Court decision, on which the ink is scarcely dry and from which appeals may yet be taken.

This ruling, by Judge J. Skelly Wright, found many long-accepted practices of the Washington schools discriminatory and indirectly led to the resignation of Washington School Supt. Carl F. Hansen.

It declared:

"Racially and socially homogeneous schools damage the minds and spirit of all children who attend them—the Negro, the white, the poor and the affluent—and block the attainment of the broader goals of democratic education, whether the segregation occurs by law or by fact. . . .

"A racially and socially integrated school environment increases the scholastic achievement of the disadvantaged child of whatever race."

The court ordered Washington's schools to use buses to haul volunteering children from overcrowded, largely Negro schools of one area to underused, heavily white schools across town.

This technique, used experimentally in St. Paul and Boston, Mass., infuriates Southern and conservative congressmen, who joined last year to write into the Model Cities Act guarantees against enforced race-mixing by school bus hauling.

Yet if Humphrey's prediction of "uniformly excellent" schools is to come true and if one-color schools are inherently harmful, it would seem that a controversial approach, as yet only talked about, will have to be considered.

This is the wedge or pie-shaped school district with segments of both central city and outlying suburbs. The very mention of such a plan usually raises the hackles of school administrators, especially in the suburbs, and prompts them to mention numerous administrative problems.

Meanwhile, state and local educators, with multimillion-dollar federal help under the 1965 Elementary and Secondary Education Act, the newly decentralized National Teacher Corps and the antipoverty Head Start programs, continue to chip away, doing whatever money and special help can accomplish for the school surrounded by poverty in the central city.

If access to uniformly good schools is every city-dweller's right, so, it would seem reasonable to assume, should be access to some place to get away from it all—especially in view of the current trend of shorter work-days and longer vacations.

The U.S. Census Bureau has found that three out of four Americans get a day's relaxation within 50 miles of home. Since the city-dwelling poor, aged and minority groups are often unable to travel even that far, the 33 city experts, previously quoted, have said:

"Every neighborhood needs its own neighborhood park and playgrounds. The denser the neighborhood's population, the greater its need for nearby outdoor recreation; and the poorer the neighborhood, the more urgent this need is apt to grow.

"A dozen small parks close to home can often be more important than one big park too far away."

SHOULD CITY BEAR BRUNT OF WELFARE, SCHOOL COST?

(By Richard P. Kleeman)

WASHINGTON, D.C.—Problem: Name three big-city mayors—or even one—willing to say publicly they have enough money to run their cities.

Answer: There isn't one—or at least none appeared at the "cities" hearings conducted last fall and early this year by Sen. Abraham Ribicoff, D–Conn.

If cities are strapped for funds, many believe it's largely because welfare costs for the poor and education costs for the young are heavily borne by the local taxpayer. Together these two programs eat up $6 out of every $10 spent by local governments.

"Can cities be expected to bear the full cost of education and welfare, when these are largely inherited problems, dumped on them from the country?" asks Paul Douglas, the former Illinois senator who heads the National Commission on Urban Problems.

"Does this not point to a need for a greater federal share in the support of education and welfare and a diminution of the local share?"

(Actually, in Minnesota at least, local taxpayers do not bear the "full" cost of education: States aids gradually are approaching the 50 per cent level—on a statewide average, although far less in Minneapolis—and federal programs have substantially increased in recent years.)

What Douglas raises as a question—one of a series of tough ones to which his commission is seeking answers in a series of hearings across the country—a group of 33 city experts, meeting recently, answered flatly: The states should assume primary responsibility for paying education costs, and the federal government should assume it for poverty.

"The United States is almost the only country on earth where the central government does not pay all the costs of free public education," declared these experts, among them Minneapolis Mayor Arthur Naftalin, a longtime advocate of shifting welfare costs to Washington.

"So instead of saying that our state and federal governments are helping our local governments pay for schools that are a local responsibility, it might be more correct to say that our local governments are crippling themselves financially to help our central government pay for schools whose support should be the responsibility of the central government."

"A second reason why our city governments are too poor to make their local services good is that the property tax is still being tapped for many of the costs of poverty and many of the costs required by today's much-more-generous spending for poor relief," the 33 experts added.

"These costs are set up by state and federal policy and most of us think they should all be paid out of state and federal taxes."

Agreeing with Douglas, the "urbanists" declared that these are not strictly local problems:

"Half the people on relief in almost every city and half the ward patients in the city hospitals came there from somewhere else; half the children in the city schools came from somewhere else and will grow up to work somewhere else."

Local school control is a jealously guarded tradition that, with few exceptions, few citizens or educators would give up without a fight.

"Shifting the basic cost of education to the states would not necessarily require giving the states any more control over local schools than they now exercise," declared the 33 city experts, "and communities that want better schools than the statewide standard could still afford to supplement what the state was willing to spend."

As for welfare, when representatives of public welfare agencies in a dozen big cities—including Minneapolis—met in Washington a year ago, their recommendations for improvement pointed toward more—not less—local involvement.

Round-the-clock, seven-day-a-week services; cooperation with groups of organized welfare recipients; services brought closer to the people being served—all were among their recommendations.

This grassroots approach, even when most of the dollars come from Washington, has characterized the major antipoverty efforts: Head Start, which involves parents in preparing preschoolers for school; community action programs, run by boards on which poverty-area people now must constitute one-third of the membership, and the new neighborhood health, welfare and legal services centers where programs of many local, state and federal agencies are brought under one roof within the neighborhoods.

"Washington can suggest programs, but the local community must carry them out," said the second annual report of the Office of Economic Opportunity (OEO) recently, attempting to answer one of the frequent criticisms of the War on Poverty. The OEO report added:

"Because a major percentage of OEO funds is administered locally, the success or failure of a program depends on the local community's willingness to become involved."

TRAFFIC JAMS BRING FEARS WE'LL PAVE WHOLE NATION

(By Richard P. Kleeman)

WASHINGTON, D.C.—San Francisco decides to allow no more expressways and starts to build a billion-dollar subway system.

Philadelphia gets the federal government to agree to help pay for covering an expressway to preserve historic national shrines, while New Orleans dreads the irreparable scar of a superhighway alongside its colorful Vieux Carre.

Washington finds the race problem inextricably involved in the subway-freeway argument, slowing progress on both:

Will a single-line subway fill up with suburban whites before reaching city Negro districts? Are freeways—which often displace poor Negroes—built mainly to speed "whitey" on his homeward rush to segregated suburbia?

Minneapolis completes a bus-and-taxi transitway along the Nicollet Mall while Washington taxi and bus-drivers cuss traffic jams created by a similar project kept open to private autos.

Of such diverse threads is woven the cloth of the nation's city traffic problem.

"We can be proud that this is a nation in which so many people can move in so many ways," said Secretary Robert Weaver of the Department of Housing and Urban Development (HUD) at a recent urban traffic conference.

He was not unmindful, however, of the irony of his words—to a man stuck in a Los Angeles freeway traffic jam, a New York subway traveler at rush-hour or a Negro resident of a district unserved by public transportation.

Traffic congestion in our cities—already bad, with half of the nation's motor movements jammed onto the 10 per cent of streets and highways that lie in urban areas—will get worse. By 1980, it's expected that city and suburban areas will be seeing 69 per cent of the nation's motor travel.

Clearly, dependence on private auto travel—63.5 per cent of metropolitan-area people got to work that way in 1960—can not increase indefinitely.

"The bigger the city, the bigger the cost of putting primary reliance on automobiles to handle the commuter rush," declared 33 city experts, including Minneapolis Mayor Arthur Naftalin.

"A three-lane expressway, costing up to $95 million a mile, can carry no more workers to their jobs in an hour than a single seven-car train, and New York's estimate of $21,000 for the capital cost of bringing in one more commuter car is exceeded by Washington's $23,000.

"Neither figure includes any money for adding more parking facilities, though each added mile of expressways requires seven times as much space to park the cars it brings in."

Already, noted these experts, the automobile claims 54 per cent of downtown Atlanta, Ga., 50 per cent of Los Angeles, Calif., and 44 per cent of Denver, Colo.—either in street area or parking lots.

"At the rate we are going, we will pave the whole country. There will be nothing left but asphalt and concrete," a New York Congressman complained at highway hearings a year ago.

What is the answer? Harvard economist John Meyer points out that rapid-transit trains are "right" for only a few cities:

"The conditions necessary to make rail transit economical—maximum hourly passenger transit volumes per corridor in excess of 40,000—are found in the United States today only in New York City; indeed, only Chicago and New York have corridor flows exceeding 25,000 per hour.

"Very few urban corridors in the United States have hourly transit maximums in excess of 10,000 or 15,000, and those generally have rail transit service already," Meyer said.

(Estimated peak traffic potential along the busiest access route to Minneapolis—the southwest diagonal corridor—is around 6,000 persons per hour.)

Two major shortcomings of city transit systems that have failed to keep pace with population and industry shifts, according to Meyer and others, are their failure to:

Link outlying districts by lines that do not pass through downtown.

Provide "inside-out" commuter service for employes, often Negroes, who must live in central cities but work at factories moved out to the suburbs to take advantage of larger sites and easier access for truck deliveries.

To the 33 "urbanists" the answer will be a balanced solution.

"This solution will almost certainly involve some return to much more use of man's original method of locomotion—walking," they said.

"It will also involve much more reliance on high-speed elevators, and wide acceptance of moving sidewalks and the revolutionary low-cost systems for automated mass transit that are well past the design stage."

The experts also foresee "some revolutionary but still visionary" changes in cars and trucks and barring cars from some city streets in favor of pedestrians.

Others have advanced solutions built around buses of various sizes and new designs: express service, door-to-door pickups, park-and-ride lots and exclusive bus traffic lanes.

Congress saw the need for a balanced transportation approach, nationwide, when it created the Department of Transportation in 1966 and ordered it to develop an integrated plan.

Before that can be achieved, one of the decisions to be made affects the 1964 Urban Mass Transit Program of research, grants and loans for improving big-city transportation. This is lodged in HUD. The question is, should it remain there or come under the new Transportation Department.

Secretaries of both Cabinet agencies, directed by Congress to collaborate on a proposed solution, so far have publicly taken the predictable positions:

Urban transit planning must be an integral part of over-all city development planning (HUD's view), or, no transportation program can be comprehensive unless it covers mass transit within cities (the Transportation Department view).

Meanwhile, among projects under the 1964 Urban Mass Transit Program, HUD is financing $1.5 million in research to develop short- and long-range recommendations for systems to move people and goods more safely, conveniently and healthfully around big-cities.

(The Twin Cities' transportation system is under scrutiny in one of these studies.)

Metropolitan planning agencies with area-wide concern for transportation problems—such as the two groups created for the Twin Cities by the 1967 Legislature—existed in less than half the nation's 231 metropolitan areas in 1960. With the impetus of federal planning grants, they have been springing up widely since then.

Clean Air, Water Go to Waste in United States

(By Richard P. Kleeman)

Washington, D.C.—There's affluence behind our affluents.

The more prosperous we get, it seems, the more we tend to foul our own nests.

We do it, unintentionally, by discharging untold tons of pollutants into the air we breathe and the water we use for health, pleasure and commerce.

"Air pollution is an immense and immediate menace to every large city in the United States," says Robert Low, a New York, N.Y., city councilman.

"We are ruining our waters by using them for a national garbage disposal system," declares Murray Stein, chief enforcement officer for the federal Water Pollution Control Administration (WPCA), a man Minnesotans came to know during the recent flap over the state's meeting a deadline for setting interstate water quality standards.

Low, considered the guiding force behind New York City's air pollution ordinance, summarizes the wealth-filth connection in these words:

"The seemingly unsatiable demand for automobiles clogs our streets with gas-guzzling monsters belching out clouds of deadly carbon monoxide.

"The growing list of appliances and electronic gadgets in the home means that utility companies must burn more and more fuel to generate more and more electricity.

"The rapid rise in home ownership has led to the installation of millions of small individual furnaces and incinerators that are inefficient in terms of pollution control.

"The commercial building boom and constant physical renewal of metropolitan areas leaves mountains of debris that must somehow be disposed of.

"The proliferation of new packaging techniques, whereby it seems that just about everything we buy nowadays comes prepackaged in a disposable container, makes for one huge problem of handling refuse."

Coping with the problem, Low suggests in an article, requires five steps: Arousing public concern; pinpointing pollution sources; envisaging reasonable but effective solutions, including tough laws; creating incentives for industrial engineering advances against air pollution and ways of extracting profitable by-products from these advances, and finally, "never to consider the job done."

After New York was engulfed by a thick smog for four days last Thanksgiving, President Johnson proposed—and Congress is still considering and weakening—the air quality bill.

Recognizing that air flow pays little heed to state or municipal boundaries, the act as proposed would provide federal support for regional "air quality commissions," with jurisdiction over interstate "airsheds." Washington would be empowered to set air pollution levels for various industries.

Opposition has cropped up, predictably, from governors wanting a strong state role preserved, and from industry.

In water pollution—where the problem is aggravated by a growing worldwide shortage that increasingly requires reuse of water—the outlook, bleak at the moment, is not hopeless.

"There is practically no type of contaminant or pollutant that we do not know how to remove from water," according to Stein.

Lending weight to that claim, he cites five recreational lakes, manmade in Southern California, which are fed entirely by the outflow from a sewage treatment plant.

"Their water is of a quality higher than many natural recreational lakes," says Stein, conceding that the demonstration project is costly.

Urban America, Inc., recently pointed out that 80 per cent of water used by manufacturing industries goes untreated before being disposed of, and 40 per cent of the nation's communities have inadequate water systems.

(The Department of Housing and Urban Development program of matching grants for basic sewer and water facilities is one of the most popular of federal assistance programs. In addition, at least three other federal departments have grant programs concerned with water, sewage and waste treatment—a fact which caused no little confusion for local officials until the Bureau of the Budget devised a single grant application form for all four agencies.

Stein is heartened by an apparently increased public concern over water pollution.

"While our waters are still being polluted faster than we can clean them up," he has said, "the indications are clear that the public not only desires but demands prompt and effective reversal of the shameful trend of pollution."

Last fall Congress exceeded administration requests and passed a $3.7 billion, four-year program to combat lake and river pollution, the vast majority of it to be used for helping state and local agencies build sewage treatment plants. This marked a major stepup in the level of federal spending for this purpose, which had been running at about $150 million a year.

Stein has proudly cited WPCA's success in using conferences with state, local and industrial officials to reduce pollution through agreement. Only where this approach fails is the administration empowered to call in the Justice Department for prosecution.

Terming water pollution control "the art of the possible—like politics," James M. Quigley, WPCA commissioner, has described the federal government approach as that of the traditional carrot-and-stick.

"The states, if they step in, can really move in this area," Quigley said. "But if the states default, nobody should be surprised if we (the federal government) move in—because Congress has said, 'This is what happens.' "

In still another facet of the federally led campaign against nest-fouling, the U.S. Public Health Service has made a series of grants to states (including Minnesota) and research groups to find ways to get rid of solid wastes.

One plan under study is the possibility of hauling refuse away on trains to areas needing fill and reclamation. This gave rise to a Washington newspaper report that "the next train you hear whistling 'round the bend' " may be one that could be called "the garbage express."

City Organization, Development Cited as Chief Urban Problems

(By Richard P. Kleeman)

Washington, D.C.—There are almost as many major urban questions as there are experts to view them with alarm, and that's quite a few.

To William L. Slayton, former commissioner of the Federal Urban Renewal Administration and now executive vice-president of nonprofit Urban America, Inc., "the major urban question today is the organization and development of metropolitan areas."

Saying this recently to a receptive Sen. Edmund S. Muskie, D-Maine, chairman of a Subcommittee on Intergovernmental Relations, Slayton added:

"We know metropolitan areas will grow. We know they are attracting industry and population. We know also that we have not fashioned an effective tool to shape, direct or control that growth.

"And we shall not be effective in shaping metropolitan area growth until we establish political institutions that have both the responsibility and authority to guide its development."

Slayton is not alone with this opinion.

Vice-President Hubert H. Humphrey, deploring the "galloping muddle of our cities," has pointed to some 80,000 separate units of local government, saying:

"Today's problems do not respect yesterday's governmental structure. They are often as not metropolitan problems, and there is usually no metropolitan framework in which they can be solved."

Dr. Royce Hanson, a student, and professor, of government who heads Washintgon's Center for Metropolitan Studies, said essentially the same thing at a recent conference.

"The modern American metropolis is an intergovernmental wasteland which promises to become a burying ground for local democratic government unless political power and program responsibility can be harnessed tandem."

And the 33 city experts previously quoted in this series declared: "There is no reason why good urban planning should constantly be frustrated by obsolete political boundaries."

The Minnesota Legislature set about meeting this problem in a self-protective way, creating for the Twin Cities metropolitan area an appointive, co-ordinating metropolitan planning and development council with limited powers,—essentially a state subagency.

The Legislature also created a transit commission whose first effort, at least, will be to study the area's long-range needs for more speedy, better mass transportation.

Slayton listed for Muskie's subcommittee the major activities that should be tackled from an areawide, metropolitan standpoint:

Transportation: Expressways and highways, railroads, terminals for air, bus and rail commuters and freight and service to industry.

Utilities: Water distribution, sewer lines and sewage disposal.

Major open spaces: Location of park, recreation and scenic areas, and preventing their being used for other purposes.

Use of major land areas: Including creation of industrial centers and transportation facilities serving them.

Control of air pollution: A potential obstacle to sound metropolitan development that observes no municipal boundaries.

Major waterway developments: The river that may be used for recreation, commerce and industry flows obliviously over city and county lines.

The form such metropolitan approaches should take is a continuous subject for debate, no less in Minnesota than elsewhere.

Responding to the worries of many local officials about "supergovernment," Hanson suggests:

"It is fair to venture that, so long as local units exist, there is relatively little danger that many American metropolitan areas will establish 'metro' governments in the classic sense of that term by consolidating all existing local governments into a single unified regional superstructure.

"In most metropolitan areas, this is probably just as well."

At the federal level, from Humphrey on through the Department of Housing and Urban Development (HUD), much encouragement has been given to metropolitan "councils of governments." These are formed voluntarily by locally elected officials and often have little more power than that of collective persuasion and leadership.

There are today about 50 of these "COGS" in operation and at least 35 more being formed in metropolitan areas.

Some develop into more than mere discussion groups, sometimes assuming responsibility for programs that transcend local boundaries.

Because of the increased significance of such regional planning and development groups as review bodies for federal grant applications—a new requirement under the 1966 Metropolitan Development Act being challenged in Congress—HUD is financing an $88,000 program to help cities and counties interested in forming regional councils.

Adhering, at least on the surface, to its declared policy of leaving the form of metropolitanism to local communities, HUD's announcement of this program called the COGS "one method of meeting regional needs through areawide co-operation."

By financing the program to encourage such councils and in the criticism of some facets of the new Twin Cities council, HUD makes it clear that it considers the regional council of elected officials a good vehicle for providing planning and leadership for a metropolitan area.

Advisory Group Urges Cutback in U.S. Grants

(By Richard P. Kleeman)

Washington, D.C.—The Advisory Commission on Intergovernmental Relations, a most unusual body, delivered a plea not long ago that would be objectionable to practically no one: Cut down on the vast number of federal grant programs.

A commission meeting sounds like an exercise in name-dropping: A United States Senator from South Dakota may second a motion made by the governor of New York; or a New Jersey congresswoman may take issue with the mayor of Minneapolis (Arthur Naftalin is among the commission's 26 members).

This bipartisan, congressionally created body includes as members mayors, governors, legislators, judges; university, city, county and federal officials, and members of both houses of Congress.

Together they try to make the federal system of government work more effectively, to improve what President Johnson likes to call "creative federalism."

Recently the commission spoke out in support of several pending bills to allow the President to prepare plans to consolidate related federal grant programs. A plan would take effect after 90 days unless either house of Congress vetoed it—much like government reorganization proposals originating from the White House.

"The commission's recommendation was in response to the major problems of co-ordination, comprehension and manageability created by the rapid multiplication of federal aid programs, now totaling more than 400 separate authorizations," the commission announced.

"According to one count, federal grant programs are administered by 21 federal departments and agencies, at least 150 federal bureaus and divisions, and involve all 50 states and a sizable proportion of the 80,000 units of local government.

"This proliferation of grant programs has tended to confuse objectives, recipients and administrators," the announcement declared.

How many of these programs affect cities?

Secretary Robert C. Weaver of the Department of Housing and Urban Development (HUD) recently prepared a list of programs "with impact on urban areas" for the Senate subcommittee studying cities, headed by Sen. Abraham Ribicoff, D-Conn.

It covered 238 programs, administered by 11 federal departments or bureaus. Because they involved various forms of loans and loan insurance as well as grants, there was no overall total of the dollars involved in the programs Weaver listed.

But the TEMPO Center for Advanced Studies of the General Electric Co., in Santa Barbara, Calif., has estimated that, of some $11.1 billion in federal aid to states and cities in 1964–65, at least $6.2 billion went to the cities.

With the total aid figure increased in 1965–66 to $12.5 billion, if cities merely held their own—and they probably did better—they would have received about $7.1 billion from Washington.

(If the usual rule-of-thumb—that Minnesota receives about 2 per cent of most federal programs—is applicable in this case, Minnesota cities might have received about $124 million under all federal programs in 1964–65 and about $142 million the following year.)

Many of the programs use direct Washington-to-city channels, bypassing state capitols and thereby causing increasing discontent among governors and state legislatures.

At least a dozen states, Minnesota among them, have created state-level planning agencies, as well as departments or divisions of urban affairs. Minnesota this year also became one of the leaders among states in instituting a program of grants to municipalities.

The Carnegie Corp. of New York is financing a two-year study to improve the effectiveness of state governments and their planning activities. But it is apparent that in many areas the states are coming late into a field where direct federal-to-city lines are well-established.

"The states are on the verge of losing control over the metropolitan problem; if they lose this control, they lose the major responsibility for domestic government in the U.S. and in turn surrender a vital role in the American federal system," the advisory commission said in its annual report earlier this year, adding:

"The tremendous task of financing, serving and governing metropolitan America clearly poses the greatest challenge to federalism since the Civil War."

A somewhat differing view of the states' role was taken in a publication of GE's Tempo center, dealing with "options for meeting the revenue needs of city governments." Citing the tradition of federal funds channeled through states and advising caution before this custom is violated, the study declares:

"On the other hand, there are compelling reasons for not allowing the states to administer or even to decide how to allocate federal funds intended to aid localities.

"If given power to administer such funds as they see fit, it is naive to believe that the states would not divert some funds to other uses."

Chance Above Average—State Cities May Become "Really Good"

(By Richard P. Kleeman)

Washington, D.C.—"Unfortunately nobody has ever seen or experienced a city that comes anywhere near measuring up to today's potential. . . .

"Nobody has ever experienced a really good city—a city that takes full advantage of today's better technology, design and planning. . . ."

So concluded those 33 city experts, previously quoted, who pondered the question: "What kind of city do we want?"

Not really good cities? Perhaps not yet. And the violence of a Detroit or a Newark—or even of a Minneapolis—does nothing to improve the image of today's city.

But Minnesota cities—existing today or still to be built—stand a better chance than most to become someday those "really good" urban centers.

Underlying the experts' regret that past efforts have fallen short, and in attitudes found among officials at every government level and among influential private citizens, there seems to be a willingness to keep on trying to achieve good cities.

Whether the job is tackled through rebuilding old neighborhoods with schemes like the ambitious "model cities" or through putting up new towns like Virginia's Reston, Maryland's Columbia or even Minnesota's drawing "Experimental City"—there appears to be optimism that the problems of cities, while astronomical, are not insurmountable.

Those who ask "What will it cost?" usually meet with the response, "What will it cost us if we don't make cities livable?"

The riots of recent weeks offer one stark answer to that question—in human lives and in dollars.

There are also some fairly tangible estimates, however, of what it would take to make over our cities.

"A trillion dollars-plus for the next decade," suggested Sen. Abraham Ribicoff, D-Conn., after concluding six weeks of hearings on city problems. But, he hastened to add, not all of that can or should be government money.

"More and more we need—and I sense developing—a deep involvement of the private sector," Ribicoff declared.

Patrick Healy, executive director of the National League of Cities, estimates the cost of "urbanization" over a longer time-span: Between now and 1999, he says, cities need a total investment—public and private—of $3.5 trillion, or roughly $100 billion each year from all sources.

New York Mayor John Lindsay told the Ribicoff subcommittee his city alone should have $50 billion more from the federal government over the next 10 years if it is to become "thoroughly livable and exciting."

Ribicoff found—"without question"—the one thread running through his hearings to be the need for more jobs in cities. Behind that lies the philosophical issue: Should the federal government assure a job—some even would say a minimum income—to everyone who can't find work otherwise?

There is little debate, however, over the fact that the federal treasury—because of its superior revenue-raising powers—will have to provide massive help to cities.

General Electric's TEMPO Center of Advanced Studies sees cities facing a $262 billion "revenue gap" over the next 10 years and suggests that $125 billion of it be "closed" by a program of federal aids on top of existing ones.

"Federal funding on this scale is absolutely essential for making real as opposed to token progress on urban problems," the TEMPO study declares.

All such proposals are always hedged, however—with a sidelong glance at the progress of the Vietnam war—with some phrase like TEMPO's "assuming no major increase in defense budget requirements." This assumption hardly seems valid at the moment.

Still the optimism over someday curing the cities' ills remains. Vice-President Hubert Humphrey, who repeatedly appeals for planning now for sound spending programs to be carried out after the Vietnam war, reflects this general hopeful spirit.

"The way lies open," he told a conference on city problems, "to dream big dreams of cities filled with green and open space . . . transportation that is safe, comfortable and rapid . . . neighborhoods once more filled with neighbors . . . schools and universities that truly care about the future of our children . . . rural areas, towns, cities, suburbs where people can live together in harmony and co-operation, no matter what their age, the color of their skin, their religion or their last name.

"We have the knowledge. We have the resources. And, I believe, we should have the wisdom to put them intelligently together.

"The critical question is: Do we have the will?"

NEW DISTRICT OF COLUMBIA COMMUNITY DEVELOPMENT PROJECT

Mr. KENNEDY of New York. Mr. President, I was pleased to hear of President Johnson's announcement today that he had instructed administration officials to move to develop a new community within the Washington city limits.

I believe this is an important step forward for the Nation's Capital.

The new development, designed to house 25,000 citizens, will be located on a 335-acre site in Northeast Washington formerly occupied by the National Training School for Boys.

This will be a modern, attractive, and livable community. It will contain 1,500 low-income housing units, 2,220 moderate-income units, and 800 units of high-income apartments, homes, and townhouses. It will also contain ample public parkland, and a wide variety of services including schools and shopping facilities.

But it is much more than a massive Federal project. It calls for a heavy involvement of private enterprise in developing, building, and operating many of the units.

Perhaps the most promising aspect of this plan is its use of surplus Federal land.

This will cut the per-unit cost of urgently needed housing.

And it will eliminate time-consuming condemnation proceedings.

President Johnson has appointed a task force to survey Federal surplus property throughout the country to ascertain how much of it can be similarly used.

I welcome these actions aimed at meeting the pressing need for additional housing. I hope the new District plan will serve as a forerunner of similar projects across the Nation in the months to come.

THE MOB

Mr. PERCY. Mr. President, in an age of rapid communication, where competition between news media often results in oversensational presentation of commonplace events, it is unusual to find an article that can truly be classed as "arresting." Life magazine has produced such an article in its September 1 issue.

Entitled "The Mob," it is an unusually detailed presentation attempting not only to outline the structure of "The Organization" but to set forth in minute dimension some of its more violent and insidious operations. It is particularly noteworthy, since "The Mob" gives every appearance of becoming a permanent part of our society unless aggressive counteraction is taken.

Mr. President, I am unaware of the sources relied upon in this frightening account of Cosa Nostra operations. I have long read and admired the work of Sandy Smith, who is a former Chicagoan. I hold Life in high regard as well. Certainly when laid beside the recent report of the President's Commission on Law Enforcement and the Administration of Justice, this account cannot be lightly dismissed. My own knowledge of Chicago adds to the concern generated by this article.

The material concerning Raymond Patriarca, Mafia Boss in New England, is also documented in the Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary, in the recorded results of the electronic surveillance efforts on Patriarca's place of business. If the rest of the material was acquired in the same way, the article should put to rest any question of the effectiveness of electronic surveillance, particularly if it could be used in the proof of such crimes as are described.

In my opinion, it is incredible that if this sort of information is available to the press, some of it cannot be produced to convict more than the 100 out of 5,000 active Mafia members who—the subcommittee is informed—have been convicted in recent years.

Mr. President, I commend this article to my colleagues in the spirit of earlier remarks on the floor when I introduced a series of bills aimed principally at curbing organized crime, including the Electronic Surveillance Control Act. It should stimulate immediate progress toward the goal of freeing our citizens from the ponderous burden of the menace of "The Mob." I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MOB

(By Sandy Smith)

Call it the Mob. The name fits, although any of a half-dozen others—the Outfit, the Syndicate, La Cosa Nostra, the Mafia—serves about as well. Whatever it's called, it exists, and the fact of its existence is a national disgrace. In this issue and the next, Life reveals the structure, tactics, ruthlessness and alarming strength of this brazen empire.

The Mob is a fraternity of thugs, but it holds such power, wealth and influence that in one way or another it poisons us all. It rigs elections and in so doing destroys the democratic process. More and more it is muscling into legitimate business—local, national and international—to the extent that nearly every American is paying into its treasury in countless unsuspected ways.

The 5,000 members of Cosa Nostra are all of Italian background, and most of them are Sicilians. Abetting them is a larger army of nonmembers—of many creeds and origins—who wittingly or unwittingly do the Mob's bidding. The scale and sophistication of its operations challenge the imagination: the President's Crime Commission estimates the Mob's annual profit from illegal gambling alone at $6 to $7 billion. "Loan sharking," narcotics, labor racketeering, "skimming" and all the varieties of extortion in which it deals bring in enormous additional sums wrenched out of the poor and those least able to resist the exploiters. Through the mechanism of "the fix," it can, and too often does, control congressmen, state officials and law enforcement men. The Mob is in fact a government of its own, with its own laws, enforced with torture and murder. It is organized with ruthless efficiency to achieve its ends and protect its members from prosecution. At the top is a ruling body which settles internal disputes and preserves discipline. Beneath this supreme council are the officers and troops, the men who do the corrupting, bribing, extorting, terrorizing, robbing and killing.

The crime syndicate of today came into being with Prohibition and has continued to thrive and grow despite sporadic bursts of public concern. One of the principal reasons for this is that existing legal machinery is simply unable to cope with it. Criminal laws deal with individual crimes, not an international association. The Mob's multitiered hierarchy insulates its leaders from direct participation in the crimes they order. To the continuing despair of police agencies, it has also benefited vastly from recent court decisions limiting the admissibility of evidence. Most of all, the Mob has fattened itself on the public's appetite for its services—dope, sex and gambling—and apathy toward its evil.

MACABRE HOME OF A "CAPO," MONUMENT TO MOB MURDER

From the gateposts, topped by menacing bronze swans with wings angrily outspread, the driveway leads up about two blocks to the great stone mansion near Livingston, N.J. The drive is overhung by trees and flanked with flowers in gargoyle-shaped pots. The style might be called Transylvania traditional, with overtones of the owner's native Sicily. At a jog in the road is a cluster of painted family statues dominated by one of the squire himself. Ruggiero Boiardo, astride a horse.

It is a chilling place even in the warmth and sun of an August morning. A lot of Mr. Boiardo's fellow gangsters are mortally afraid of going up that driveway alone. Some who did never returned.

As mobsters go, Ruggiero Boiardo—or Richie the Boot, as he is called—is not a very big shot. Nonetheless, he is a significant figure in organized U.S. crime and his estate, literally, is one of its monuments. Boiardo is a *capo* (captain) in the 60-member Cosa Nostra Family of Vito Genovese. Now, a stoop-shouldered man of 76, he putters in his flower beds and mutters imprecations against the world in general: "They call Boiardo a thief, a killer," he complained to one recent caller. "They call him Cosa Nostra. Trouble."

Two other New Jersey gangsters, Angelo "The Gyp" DeCarlo and Anthony Russo, once babbled like schoolboys about the foul deeds that have been committed beyond these colorful gates. As an informant was to relate, the conversation went like this:

"Stay away from *there!*" said Russo, "So many guys have been hit there. There's this funace 'way up in back. That's where they burned 'em."

DeCarlo, fascinated, asked for details. Russo cheerily ticked off victims by their first names: "Oliver . . . Willie . . . Little Harold . . . Tony. . . ." He himself, Russo bragged, had carried Little Harold to the furnace by a chain tied to the dead man's throat.

Authorities are convinced Russo was not exaggerating. Certainly, the number of victims incinerated at Boiardo's estate exceeds the number buried on the much-publicized chicken farm near Lakewood, N.J., where remains of two bodies and traces of a third were found last March. But no corpses have ever come to light at Boiardo's; people thought to have died there are listed officially as Missing Persons.

Even the big shots of Cosa Nostra approach Boiardo's notorious estate with respect. In November 1957, when the high council met there to whack up the territory of the late Albert Anastasia, they came and left all in a group—thus avoiding the path described by Russo, " 'way up in back."

Richie Boiardo—and the two fellow mobsters who discussed the crematorium as casually as two men might compare golf scores—are alive and free men at this writing. They conduct various legal and illegal enterprises in New Jersey and are notably prosperous.

Deep in the rackets since Prohibition days, with a reputation for unabashed savagery, Boiardo gets paid $4,000 a month out of the Mob's Las Vegas "skimming" profits. He also runs a legitimate wrecking business (much of the nonfamily statuary on his estate was salvaged from buildings he wrecked; his house is built of stones from the old Newark post office). He presently is awaiting trial on a gambling charge and simultaneously is dueling with Internal Revenue.

Russo, 48, is the gambling and rackets boss of Monmouth County, N.J. and also has interest in Florida. Gyp DeCarlo, 65, an obese character who detests his nickname, like Boiardo is a *capo* in the Genovese Family. He grows fat off gambling and loan-shark rackets in Union County, N.J. and operates crap games that float from borough to borough in New York City.

Like countless others in the rackets, Boiardo, Russo and DeCarlo are virtually laws unto themselves, answerable only to the invisible government to which they owe their sole allegiance—Cosa Nostra.

HOW JOE BONANNO SCHEMED TO KILL—AND LOST

If Cosa Nostra has a failing at all from the standpoint of efficiency, it is the fact that it is composed at all levels of total scoundrels. Loyalty, as most men understand it, simply does not exist. Though elaborate oaths are required for membership in most cities, the members hang together mainly for the enormous profit this makes possible, and also out of fear of the consequences if they do otherwise. Consider, for example, the case of Joseph "Joe Bananas" Bonanno, the New York mobster whose greed almost broke up the Syndicate.

The Mob's ruling council was organized in 1931 by Lucky Luciano and Al Capone, and Bonanno, then a mean, ambitious 26-year-old, was given charter membership as the representative of a Brooklyn gang. It was not until 1963 that the name Cosa Nostra became part of the American idiom. That was the year Joe Valachi, a small-time killer for the Mob, decided to spill the brotherhood's secrets to federal agents and then, on network television, to a congressional committee. As Valachi detailed it—and as some lawmen were already aware—each of the "Commissioners" serving on the ruling council is the head of a subdivision called a "Family" which more or less has free rein over the rackets in its own territory. Any disputes over territorial jurisdictions are settled by the Commission.

At present, there are eight Commissioners on the ruling council: Vito Genovese of New York and New Jersey, now in the federal penitentiary at Leavenworth; Carlo Gambino of New York; Steve Magaddino of Buffalo; Joe Colombo of New York; Joe Zerilli of Detroit; Momo Salvatore "Sam" Giancano of Chicago; Angelo Bruno of Philadelphia—and the aforementioned Joe Bonanno. (There was a ninth member, Thomas "Three-Finger Brown" Lucchese, who died—of natural causes—in July; the vacancy is still up for grabs.)

Collectively, they are not a physically imposing lot, nor even frightening. Five of them are over 60. Magaddino, at 75, is widely spoken of—though never to his face—as a senile and autocratic windbag. Giancana is 59. Bruno, a tubby hypochondriac to whom the greeting "How are you?" is an invitation to deliver an organ recital, is 57. Even Colombo, at 43, doesn't stack up as much of a headbreaker. Yet the thing to remember is that they got where they are—and have managed to stay there—by killing people.

The troublemaker in the executive club was Joe Bonanno, a fact that stemmed from his aggressive and inventive nature. A lot of his innovations worked out very well—for instance, the "split-level coffin." As the Boiardo incinerator disclosure points out, disposal of the bodies of victims has always been a problem taxing the mobsters' ingenuity. Bonanno solved it in Brooklyn by acquiring a funeral home. To get rid of unwanted corpses he had them stuffed into the lower compartment of a specially built casket of his own design. The corpse of record lay in the upper compartment, with family and cemetery keepers none the wiser. When such a tandem burial was to be held, Bonanno supplied muscular pallbearers who could carry the extra weight without strain. Bonanno's victims in the lower berths were put underground before police even became aware they were missing.

By 1963, at the age of 58, Bonanno had lost none of his ambition and had developed a vast disdain for his fellow Commissioners—some of whom had been mere car thieves when he was already on the council. He habitually staked out for himself areas deemed "open" by the Commission—such as the U.S. Southwest and Canada. "He's planting flags all over the world!" fumed Commissioner Magaddino when Bonanno muscled into Magaddino's Canadian preserves.

The greedy Bonanno was doing more than planting flags. Seeing a chance to seize control of the brotherhood, he issued contracts for the murders of three fellow Commissioners—Magaddino, Lucchese and Gambino—and another contract for the slaying of the head of a Family in California, Frank DeSimone. Bonanno assigned the New York murders to one Joe Magliocco, a fat hoodlum with high blood pressure. Magliocco in turn farmed the New York murder contracts out to an ambitious young torpedo named Joe Colombo.

Colombo turned out to be more of an angler than a triggerman. He tipped off the Commission to Bonanno's planned coup, and they hurriedly convened a meeting to deal with the treachery. Magliocco and Bonanno were summoned to face charges. Magliocco appeared in a panic, made a full confession, was banished from Cosa Nostra, fined $50,000 and sent home. Shortly thereafter he died of a heart attack. Meanwhile, his Family and his Commission seat were given to the stool pigeon Colombo.

Joe Bonanno never showed up for trial. He hid out on the West Coast, using the name "J. Santone." Then, in 1964, he went to Canada to poach once more on Magaddino's grounds. Magaddino went into a frenzy, calling a Commission meeting for Sept. 18, 1964, in the Englewood Cliffs, N.J., home of gangster Thomas Eboli. Bonanno ignored that meeting, too, despite the entreaties of the Commission's emissary Sam DeCavalcante, whose biggest previous distinction had been in trying to develop a garbage disposal unit that would reduce a human body to a meatball. In the face of Bonanno's insults, the council accepted the advice of its Chicago Commissioner, Momo Giancana: "Kill—kill! Why don't you just kill the guy?"

On Oct. 14, Magaddino met in Buffalo with two men. An informant has recalled bits of the conversation: "New York . . . the lawyer . . . we got the car."

Seven nights later, Bonanno and four lawyers dined in a New York steak house. A sixth man joined them about 11 p.m. He left the table twice, walking out in a rainstorm to use a corner phone.

Shortly after midnight, Bonanno's party left the restaurant in taxis. The sixth man, who took a separate taxi, got out at 37th Street and Park Avenue and beckoned to two men standing on the corner. A few minutes later, Bonanno arrived at an apartment house a block away. The two men stepped up and forced Bonanno into a car at gunpoint. Though there has been all sorts of speculation about the kidnapping—including a theory that Bonanno staged the whole thing to avoid an appearance before a grand jury—the fact is that he was held for about six weeks somewhere in the Catskills. There he talked his captors out of killing him by raising the specter of a nationwide gang war if they knocked him off. But if they let him go, he promised to turn over his gang and his rackets in gratitude. Apparently the Commissioners' lust for loot exceeded their lust for vengeance, for they turned him loose in December 1964.

Bonanno was only fooling. He went to Haiti to bide his time, then returned to New York last year to rally his gang, claim his place on the Commission and continue his invasion of Canada. Magaddino still howls about it, but the other Commissioners, perhaps afraid of the guns in Bonanno's Family, seem intent on trying to ignore him, hoping he'll go away, or something.

This cartoon map [not included] shows how organized crime spans and penetrates the country, with interests ranging from extortion, narcotics, prostitution, loan-sharking and every conceivable form of gambling to hijacking, bootlegging and murder for hire. As indicated, the hoods have also "gone legit," muscling into such varied enterprises as banking, music recording, trucking, garbage collecting and undertaking. Red stars mark the home territory of members of the Commission that rules Cosa Nostra and whose portraits are shown in the storm cloud above the map. Under a truce arrangement that is more or less respected by all mobsters, Las Vegas and Miami are "open" cities where any Family may operate. Broken lines indicate routes taken by "bag men" carrying "skim" money—the millions of dollars siphoned tax-free from gambling receipts in Las Vegas and the Bahamas. Meyer Lansky, the multimillionnaire nonmember who masterminds the "skimming" intrigues of Cosa Nostra from his base in Miami, sees that a portion of the loot gets to the Mob's bank accounts in Switzerland—after taking a hefty cut for himself.

YOUR LAND IS HOODLAND

The disturbing fact is that the Mob today is spread across the land and has been able to insinuate itself into the core of society. Most Americans are just not aware of the extent of its influence.

Costa Nostra is a cartel of 24 semi-independent Families that vary widely in size (from 20 to 1,000 members) and their importance in the rackets. Each Family unit is headed by a Boss and several of these Bosses—the current number is eight—sit on Cosa Nostra's ruling Commission. The other Family heads (shown flanking the map) are not necessarily less powerful than individual Commissioners—Raymond Patriarca in New England and Carlos Marcello in Louisiana, for example, are more powerful than some who sit on the ruling body. But they generally follow the Commission's edicts.

Second in command in each Family is the Underboss. Beneath him are squads known as *regimes*, each headed by a *capo* (captain) and staffed by younger or less accomplished thugs known as *soldati* (soldiers). When a member grows old or infirm he may become a *consigliere*, sort of a mobster emeritus who serves only as an adviser to the Boss. The Boss passes orders down the chain of command—a system designed to screen the top man from the police. The Boss has tremendous authority in his own territory, presiding over all gangland enterprises—he is a partner in everything—and also umpiring intra-gang frictions, as New England Boss Patriarca is shown doing in the Boston gang war in the map. The membership rolls of Cosa Nostra supposedly have been closed since 1957—an attempt by the Commission to prevent a recruiting race that might upset the delicate balance of power within the fraternity. Nevertheless, some Families continue to add new members when an old one dies and, despite the decrepitude of the present Commissioners, there is no shortage of ambitious younger talent waiting to take over.

In the old days, a recruit had to take part in at least one murder before he was accepted. But during the World War II manpower shortage, standards slipped and later, as murder became a less popular tactic, many gangsters were let in who never had made a fatal score. This irks some oldtimers. As one graying hood complained, "Today you got a thousand guys in here that never broke an egg."

THE BRAZEN ATTEMPT TO SPRING HOFFA WITH A $1 MILLION BRIBE: A CASE OF THE FIX

At the heart of every successful gangster's operation is the Fix—the working arrangement with key police and elected officials and business and union executives. It guarantees the racketeers room to swing and a certain amount of acceptance in "respectable" circles. For sheer audacity and sweep, few Fixes the Mob has ever undertaken could top a plot just now unfolding in New Orleans, where the Cosa Nostra is ruled over by Carlos Marcello. Its hoped-for objective is liberty for James Hoffa, the imprisoned boss of the Teamsters Union.

LIFE has found conclusive evidence that Hoffa's pals—some in the union, some in the Mob, some in both—dropped $2 million into a spring-Hoffa fund late last year. The money was placed at the disposal of Cosa Nostra mobsters, and it was to be payable to anyone who could wreck the government's jury-tampering case on which Hoffa had been convicted.

In due course, the money was made available to Marcello to do the job. The chief government witness in the trial, which took place in 1964 in Chattanooga, had been Edward Grady Partin, leader of a Teamster local in Baton Rouge, La. As the Mob saw it, Partin was a logical target for a Fix. If he could be persuaded somehow to recant his own testimony, or to "taint" it by claiming that wiretaps had been used against Hoffa, the conviction would surely be reversed. By last January the Mob might have assumed that Partin already had been softened up. A series of dynamite explosions had wrecked construction sites, trucks and oil-drilling rigs of companies whose employes were members of Partin's union. Partin got the message all right, but ignored it.

Then another pitch was made to Partin. It was arranged by Aubrey Young, 45, who for years had been an aide and confidant of Louisiana Governor John J. McKeithen.

Though the governor did not know it, Young had some curious contacts outside of the executive suite. One of these was Marcello, about whose empire you will read more in next week's instalment.

In January, Young set up a meeting with Partin at the request of still another man of influence in Louisiana politics, a sometime public relations specialist and all-around operator named D'Alton Smith.

Members of Smith's family are well-placed in Louisiana. His brother, A. D. Smith, is a member of the state board of education. His sister, Mrs. Frances Pecora, is an official of the state insurance commission. Mrs. Pecora is also the wife of Nofio Pecora, former operator of the Marcello-owned Town and Country Motel in New Orleans.

The meeting with Partin took place at Young's house in Baton Rouge. Smith was there when Partin arrived.

"D'Alton had told me he wanted to see if he could straighten out Partin's testimony to help Hoffa," Young has since told LIFE. "When I saw what they were talking about in the parlor, I took a walk because I didn't want any part of it. After the meeting, D'Alton told me that he couldn't budge Partin; that Partin said his testimony was true."

Partin confirmed to LIFE that this indeed was the subject of the conversation, and has added these details of the inducements he says were held out to him: The initial offer for the changing of his testimony was $25,000 a year for 10 years. He turned it down. The ante was hiked until it reached an overall total of $1 million. Still Partin refused. When Smith gave it up as a bad job and went away, Partin called the Justice Department.

A short time later, Young, who had been drinking heavily, sought sanctuary for three days in the Town and Country Motel, which is Marcello's rackets headquarters. Young has offered this explanation: "I go to the Town and Country because there's always lots of politicians there. I didn't see Carlos or talk to him. I know I didn't, because there was a state policeman with me all the time."

Meanwhile, in response to Partin's call, the Justice Department began an investigation into the bribery attempt. Young returned to the capitol at Baton Rouge. When the governor asked him to explain his absence, Young blurted out the story of the attempted bribery of Partin. Furious, McKeithen threatened to fire him. Young resigned.

As to what has happened to the $2 million, Marcello, of course, isn't talking. And Hoffa remains in federal prison.

This is a fair example of the intricate forces involved in a particular sort of Fix. But a Fix doesn't have to entail an exchange of money. It can be accomplished by putting in fear, through means as unsubtle as a crack over the head, an arm broken by twisting, an implied disclosure of family skeletons, a hoarse voice on the phone, a timely murder. It can be accomplished by campaign "contributions" or by outright bribes. It can be attained through employment of public relations counsels who stress things like the good name of a city or the amount of money donated to charity by Mob enterprises, or who plant in newspaper columns evidences of the charm, wit and good connections of key mobsters as they are seen about the spots where expensive people gather. It can be helped immeasurably with cheap devices like easy "loans" to a reporter whose tastes outrun his income.

A big-city mayor may have nothing but loathing for mobsters. Yet if disclosure of corruption in his city threatens the tenure of his political machine, he may make every effort to suppress the story—rationalizing that the city would be much worse off with the opposition in control. This is a solid dividend of the Fix. Ask any gangster.

THE FAT MAN WHO DIED ON A MEAT HOOK

The information and entertainment media, and ultimately the public themselves, play their part in all of this. Too often they take a scriptwriter's view of gangsters, viewing them as one would look at tenants of the great ape house at the zoo—with vague thrills of identity but with amused tolerance. When Frank Sinatra appears in public with Sam Giancana, who is a killer and a crook, the tendency is to see Sinatra as a bigger swinger than ever—not just another entertainer who has some crummy friends.

Giancana is a pretty good exhibit when it comes to illustrating the manicuring of gorillas. Despite his absence from the country, his Fix in Chicago remains as tight and traditional as any you could find.

Giancana took over the 300-member Chicago Cosa Nostra Family—the Outfit, as it is called locally—in 1957, after it became apparent to him that the incumbent Boss, Tony Accardo, was getting too slow and too rich. Giancana's decision was brought home to Accardo by a bullet fired over his head as Tony was entering his spacious $500,000 estate in suburban River Forest. He understood.

Sam Giancana is a frail, gnome-like man whose constant cigar smoking has deformed his upper lip into a permanent sneer. Back in World War II, when asked by the draft board what he did for a living, he replied, "I steal." He was adjudged a psychopath, and Sam figures it was a bad rap. "I was telling them the truth," he said. Before he was old enough to vote, he'd been arrested three times for murder. He likes the girls—for one he purchased a remounted 30-carat stolen diamond from a fence in New York—and has made international headlines as the recurrent escort of Singer Phyllis McGuire. He likes to play golf, and when FBI agents began bothering his game when they had him under surveillance in 1963, he went to federal court and got an order stipulating that the agents must stay two foursomes back.

Ultimately, the agents won that round. Giancana was called before a grand jury, granted immunity from prosecution stemming from anything he might say and, when he refused to answer questions served a year in jail for contempt. Fearing another such sentence, he has stayed pretty much out of the country ever since. For a time, control of the Outfit fell to Giancana's lieutenants, but as federal prosecutions sent several of them to jail, Family matters demanded a more experienced hand at the helm. One current theory is that Accardo has come out of retirement to resume active control.

The truth is that Giancana is still running things by remote control from a hide-out in Mexico, a posh castle near Cuernavaca where he poses as Riccardo Scalzetti. The real Scalzetti, Giancana's erstwhile chauffeur and courier, is more familiar to Chicagoans as Richard Cain, a well-known former Chicago policeman and more recently a private investigator.

In Chicago, where racketeering was perfected, the connections between the Mob and the politicians remains extensive and arrogant. From an office across from City Hall, there are men ready to carry out Giancana's wishes and attend to the clockwork of the Fix.

It is a matter of particular pride to Giancana and his boys that they are firmly in control of both the Democratic and the Republican political organizations in Chicago's famous First Ward, which includes the Loop with its glittering commerce and the West Side campus of the University of Illinois as well as a warren of flophouses, honkytonks, pool halls, pawnshops and slums. It also enfolds City Hall, the Cook County courthouse, police headquarters, the federal courthouse, the Chicago Stock Exchange, the Board of Trade, most of the major office buildings, the largest hotels and the terminals of major railroads. The Democratic organizations of two other West Side wards—the 28th and the 29th—are also nominally chattels of the Mob. But the real gangster operative power, for obvious reasons, is in the First.

The First Ward Republican apparatus is a joke. Giancana's men permit it to exist only so they can have a foot in both parties. The hoods have been known to round up a few thousand G.O.P. votes in certain elections just to avoid embarrassing Democratic winners with heavy pluralities from a gangster-dominated political organization. But aside from being something to scratch matches on, Republicans in the First Ward are handy in other ways. In Mexico City this year, for example, Giancana and Miss McGuire tooled around in a white Oldsmobile licensed to Peter Granata, the present Republican committeeman in the First Ward.

Although Cosa Nostra control over the three wards is as well-known to many Chicagoans as the Water Tower, Mayor Richard J. Daley, the longtime guru of Cook County's Democrats, stays aloof. As Chicago mayors have always done, Mayor Daley tends to bristle at allegations of organized corruption in his city as being something less than patriotic. Leadership of ward organizations, he contends, is the exclusive concern of the people in the wards.

First Ward Democratic headquarters, just across La Salle Street from City Hall, is a handily located, permanently established center of political corruption. Here politicians, policemen, newsmen and other useful people troop into the office for favors given and received. (As in few other cities, certain journalists are part and parcel of the First Ward Fix. The First Ward Democratic organization, if it serves the gangsters' needs, can—and on occasion does—swing enough influence in city rooms to get a story killed or softened to the point where it is almost an apology.) The principal disbursing officer, and Giancana's main liaison with the First Ward-heelers, is Pat Marcy, who served a prison term for robbery back before he became secretary of the First Ward Democratic organization.

Details of the First Ward's bribe trafficking were spelled out in a 1963 report on police corruption in Chicago by the U.S. Department of Justice. The report, naming names, disclosed specific payoffs that kept police from cracking down on centers of vice operated by the Giancana Mob. But Police Superintendent Orlando W. Wilson, a man with a reputation for incorruptibility, reacted in much the same manner as Mayor Daley, scoffing at the report as "gossip" and refusing to take any action against accused bribetakers on the police force—including his administrative assistant, Sgt. Paul Quinn. (Wilson retired August 1. Quinn remains on the force as administrative assistant to Wilson's successor, James B. Conlisk Jr.)

Giancana rules the First Ward like a Tartar warlord. He can brush an alderman off the city council with a gesture of his hand—as he did in 1962, when he ordered the resignation of Alderman John D'Arco. (It was all brought to a head by a D'Arco *faux pas*. He and Giancana were seated at a resturant table when an FBI agent, well-known to both men, approached. D'Arco, reacting as a politician, leaped to his feet and shook hands with the agent. Giancana disapproved. Exit Alderman D'Arco.) State Senator Anthony DeTolve, a relative of Giancana's late wife, was nominated to succeed D'Arco. Four days before the aldermanic election, the gang Boss capriciously decided that DeTolve would not do, either. In the ensuing confusion, the First Ward wound up without an alderman for a year. Not many constituents could discern any difference.

For seven years, U.S. Representative Roland Libonati was one of the tame congressmen from the First Ward, "Libby" got on the powerful House Judiciary Committee and became something of a Capitol Hill landmark. Tony Tisci, Giancana's son-in-law, was on the government payroll at $11,829.84 a year as Libonati's assistant. In 1962, for reasons still undisclosed, Giancana decided that Libonati was a liability. The hapless congressman submitted without a protest and, for stated reasons of his wife's ill health, obediently did not run for re-election in 1964. Tisci stayed on as assistant to Libonati's successor, Frank Annunzio.

The grand jury investigation that jailed Giancana eventually dislodged Tisci from Annunzio's payroll. The disclosure that Tisci had refused to talk to the jury, pleading fear of self-incrimination, was followed by his resignation as Annunzio's aide. Marcy and D'Arco were also Fifth Amendment witnesses. But there, as might be expected, the matter rested. U.S. Attorney Edward V. Hanrahan, a Democratic appointee, did not extend immunity to Tisci, Marcy and D'Arco even though they, like Giancana, had balked at testifying. Immunity for them might have been embarrassing for Mayor Daley's Democratic machine. It would have given the three the choice of exposing the workings of Giancana's captive organization or, like him, going to jail.

For some years, Giancana's political courier was the master fixer of the Chicago Mob, the late, notarious Murray Humphreys. Using the name "Mr. Pope," he frequently delivered messages and packages to Libonati and other members of the Illinois congressional delegation. Humphreys died in 1965, and some of his political duties now fall to Gus Alex, who runs the rackets for Giancana in the First Ward.

Giancana, perhaps spellbound by his acquaintances among celebrities and his control over paid-for political hacks, has been known to overstep his own influence. Once, during a time of tight surveillance by the FBI, he dispatches his aide-de-camp, a hoodlum named Charles English, with a message for the G-men who were waiting outside for him to leave a saloon. The message was an invitation to Robert F. Kennedy, then the Attorney General, to sit down and talk over calling the agents off. English made quite a sales pitch. "Elected officials all over the country, hundreds of 'em, owe their jobs to 'Moe.'" he explained proudly. His parting words were equally blithe: "Moe says that if Kennedy wants to talk, he should get in touch with Frank Sinatra to set it up."

Kennedy passed up the bid—and along about that time Sinatra fell out of New Frontier favor. The FBI continued its investigations, resulting in a 1965 jail sentence for Giancana.

Some of Giancana's lieutenants have their own connections with politicians, officials and important people. Gus Alex has an especially warm relationship with Chicago's city treasurer, Marshall Korshak, and his brother, Attorney Sidney Korshak. Sidney is a pal of other leading Chicago gangsters—"a message from him [Sidney]," a prominent mobster once was quoted on a witness stand, "is a message from us." On Alex's application in 1957 for an apartment on exclusive Lake Shore Drive, he described himself as a $15,000-a-year employe of Marshall Korshak, then a state senator.

Among political favors rendered by paid-for officials to Cosa Nostra are the passing along of information that comes over their desks, and the sending up of storm signals whenever official action against the Mob is threatened. In 1962, for example, Attorney General Kennedy sent his federal prosecutors a list of gangsters to be investigated, stipulating that the list be held in strict secrecy within the Department of Justice. In a matter of weeks a copy of the list turned up in a Michigan Avenue office used by Giancana and Alex.

Fans of Sinatra and Miss McGuire might reconsider their acceptance of Giancana as a social figure if they had heard a conversation which took place in Miami a few years ago among three Giancana employes. So, for that matter, might Sinatra and Miss McGuire. The subject was William Jackson, a grotesque slugger for the Outfit who weighed well over 350 pounds. Jackson somehow had gotten out of line and had to be dealt with. As faithfully related by an informant, James Torello and Fiore Buccieri were telling John (Jackie) Cerone with some glee how they'd gone about it.

"Jackson was hung up on that meat hook," said Torello. "He was so ——— heavy he bent it. He was on that thing three days before he croaked"

Buccieri began to giggle. "Jackie, you shoulda seen the guy. Like an *elephant*, he was, and when Jimmy hit him in the ——— with that electric prod . . . "

Torello interrupted excitedly. "He was floppin' around on that hook, Jackie. We tossed water on him to give the prod a better charge, and he's screamin'. . . ."

The conversation turned animatedly to other methods of dispensing Giancana's brand of justice—except for the revolting subject matter, they might have been men sitting around a bait shop discussing favorite fishing lures. "The stretcher is best," insisted Torello. "Put a guy on it with chains and you can stretch him until his joints pop. . . . Remember the guy that sweat so much he dried out? He was *always* wantin' water, water. . . . I think he died of thirst."

Once again, a reminder: these men are members of Giancana's Cosa Nostra Family. He was, and still is, the Boss who gives people like Buccieri and Torello the "contracts" for killing people like the late, heavy William Jackson.

The cardinal principle of the Fix is immutable—*i.e.*, be with winners. Politically, this is conducive to bipartisanship. "Do like we do in Chicago," counseled Sam Giancana when he was reviewing his secret investments in the Stardust Casino in Las Vegas in 1961. "Give to both parties."

Naturally, when the delicate matter of investments of this sort is at issue, the man whose knowhow is most prized is Meyer Lansky. Though not a Cosa Nostra member (he is Jewish), he is the Mob's chief financial counselor. As such, he was the architect of "the skim," the system whereby tax-free cash is siphoned off the top of casino profits in Nevada.

Nevada has been "open" territory for Cosa Nostra racketeers ever since legalized gambling made Las Vegas synonymous with high rolling. The Mobs from Cleveland, Chicago, Miami and New York all had representatives looking after their hidden interests and therefore had something of a stake in Nevada politics.

Small wonder, then, that Giancana saw fit to give people advice. Nor is it at all remarkable that the Fremont Casino in Las Vegas found it necessary to obtain the personal approval of Lansky for its $19,500 budget for political "contributions" in 1963: $5,000 for a justice of the Nevada supreme court; $200 to a justice of the peace: $300 to a county commissioner; $500 to a state assemblyman, and $500 to a candidate for lieutenant governor. That was local. Another $1,000 was anted up for a national political figure—and $12,000 for his opponent.

The payoff, of course, was influence in Las Vegas, Carson City and Washington—not just for Ed Levinson, operator of the Fremont, but also for Lansky. (At the time, Levinson had another very useful connection in Washington. Both he and Benjamin Sigelbaum, the bagman who transported the "skim" money to Lansky in Miami Beach, were partners of Bobby Baker in the Serv-U vending machine enterprise. Baker, it will be recalled, was then the Senate majority secretary, as well as a chief dispenser of funds for the Senate Democratic campaign committee and confidant and protégé of the then Senate majority leader, Lyndon Johnson.)

The philosophy behind all this was perhaps most succinctly explained by Major Riddle, operator of the opulent Dunes Casino of Las Vegas. When the owners yelped about a $20,000 contribution to a man very high in then-Governor Grant Sawyer's office, Riddle gave an explanation, which an informant has passed along: "The guy does whatever we want. Any one of the things he does for us would bring in $20,000." And besides, Riddle added, the contribution in question was an economy when compared with the $200,000 the Desert Inn had anted up for another influential politician.

Riddle told the informant later about the nuances of political giving and taking. The case in point was the gambling license for Irving Devine, a local racketeer. Devine was prepared to make a hefty "political contribution" of $50,000 to the Nevada governor's campaign for re-election, Riddle said, in return for his license.

"That's the only way our guy would do it," said Riddle. "You know, in a campaign, he needs funds. Any other time, it's something else again."

Unfortunately for Devine, a federal report disclosing his ties with skimming racketeers began to circulate around Nevada shortly afterward. Any talk of a gambling license for Devine became a dead issue.

PROCONSUL OF THE BOSTON GANG WAR

The Fix is by no means limited to wide-open Nevada and the political backrooms of Chicago. It also flourishes in New England, with a ruthlessness that is a point of personal pride to the resident Cosa Nostra proconsul Raymond Patriarca.

At 59, Patriarca has two distinctions in Cosa Nostra. When it comes to manipulating the makers and enforcers of the law, he has few peers. His tightly disciplined 150-member gang operates a dazzling array of rackets and legitimate businesses over Massachusetts, Rhode Island, Connecticut and Maine.

He is also known as the only Cosa Nostra Boss to operate for more than three years within range of an FBI microphone. The Cosa Nostra Commissioners have held several discussions to decide how this mountainous blunder should be dealt with. Bosses have been killed for less. The bug itself, planted by the FBI in Patriarca's office in Providence, R.I., was bad enough. But Patriarca compounded the original security breach by letting some of the taped transcripts get into the federal court record. In this, his arrogance played a major role.

It all involved the income tax fraud trial of one of his *capos*, Louis Taglianetti. When Taglianetti was found guilty, Patriarca made his big mistake—by ordering an appeal of the conviction. This ultimately forced the introduction of the bugged tape transcripts into the record. The way Cosa Nostra sees it, far better Taglianetti should have served his seven months in the first place.

Among the disclosures in the FBI records:

Patriarca is the referee of the celebrated gang war that has plagued Boston for more than three years. He presides over the shabby scene with such authority that nobody is killed without his permission. At least a dozen of the 40-odd victims were slain on his direct orders. The bug picked up conversations among Patriarca and his *capos* concerning the slaying; the assassins themselves were named. At one point, when his own declaration of an armistice was not being observed, Patriarca proclaimed angrily that he was about to "declare martial law."

All types of crime in his baliwick, not just the organized kind, are cleared by Patriarca—among them bank robberies, hijackings, arson, jewel thefts and kidnapings.

Such information, needless to say, was priceless intelligence for law officials. It was also a temporary lease on life for gangsters William Marfeo and John Biele, who had fallen out of favor with Cosa Nostra. The bug revealed Patriarca's various plots to kill the pair over a period of months, and on each occasion, FBI agents managed to tip them off—as well as the police. A ban on bugging in 1965 forced disconnection of the microphone in Patriarca's office. Within a year, Marfeo was slain in Providence; Biele was murdered in Miami last March.

As a Mob Boss, Raymond Patriarca sits as something of. a judge himself, sometimes over the affairs of politicians. On one such instance, in 1963, a top official of the Rhode Island state government, much in Patriarca's debt, had been defeated for re-election. One of his backers, a Warwick, R.I. businessman, had contributed $17,000 to the unsuccessful campaign and wanted his money back, claiming it had been a loan. Not so, said the politician—it was an outright gift.

Patriarca himself held court on the matter behind the vending machines in his Coin-O-Matic office in Providence. Unsurprisingly, he ruled for the defendant. The $17,000 was a gift. Judge Patriarca advised the businessman to forget it. He did.

Patriarca is far warier with his own political contributions. His political payoffs are held in a bank account that has come to be known as "Raymond's Escrow Fund." It is released to deserving political servants only after they have delivered for Raymond Patriarca.

A good example of this device was a battle in 1963 in the Massachusetts legislature over proposed extension of the racing season at the Berkshire Downs race track, at Hancock, Mass. At the time, Patriarca and the late Thomas Luchese were among the hoodlums holding secret interest in the track. More racing days were needed at the track to keep it from going bankrupt. Patriarca spread the word that there would be an added purse of $25,000 in Raymond's Escrow Fund for dispersal—*if* the track got a lengthened season.

There was a stormy floor fight in the legislature. Patriarca's forces lost, but the $25,000 remained in Raymond's Escrow Fund.

But in routine matters, Patriarca's Fix, in spite of his tendency to talk too much about it, has worked smoothly. To cite an example: on Friday afternoon, July 27, 1962 a high-ranking state police officer flashed a yellow alert to Jerry Angiulo, Patriarca's Underboss in Boston, that there was going to be a raid the next day on gambling joints at Revere Beach. When the raiders arrived, Patriarca's five joints were demurely closed. The police raided only the independent gamblers—who had been foolish enough to refuse to cut Angiulo and the Mob in on their operations. On the following Tuesday, Angiulo's five casinos reopened at new addresses and quickly lapped up the business of the gamblers who had been shut down in the raid. Three years later, in June 1965, with the Fix working smoothly as ever, the whole sequence of jiggers-shut-down-raid-reopening was reenacted at Revere.

If the Commission doesn't decide to eliminate him, Patriarca eventually could be tripped up by his own heavy-handed greed. Right now the chief witness against him in a conspiracy case awaiting trial is Joseph Barboza, a 35-year-old triggerman whom Patriarca had assigned in June 1965 to kill Marfeo (one of the occasions when Marfeo was tipped off). Later Barboza was imprisoned on an unrelated charge. His gangster friends immediately set about collecting funds to pay for an appeal. Two of them were waylaid—by Patriarca's men—and shot dead. The killers walked off with the $80,000 they had collected. Barboza, stranded behind bars and enraged at the doublecross, became a government witness. Patriarca may live to regret it.

The Fix, like any other form of commerce, is peculiarly susceptible to the winds of inflation. Nowhere was this more apparent than in New Jersey, home of Vito Genovese and other thieving murderers and politicians.

In February 1963 three men sat down in a ramshackle club called "The Barn," on Route 22 in Mountainside, N.J., to discuss the rising cost of fixing police officials. Two of them were the gabby old friends who discussed Richie Boiardo's beckoning incinerator: Angelo DeCarlo and Tony Russo, the Genovese family's betting boss in Monmouth County. (Russo's sobriquet in the Mob is "Little Pussy." His brother John—"Big Pussy" did a stretch for murder.) Also at the table was an informant for a law enforcement agency, and the minutes of that meeting, kept secret until now, have been a key factor in the recent amassing of intelligence by federal officials on New Jersey Mob activities.

The specific complaint of the two gangsters was the forthright grabbiness of a top-level officer in the New Jersey State Police. Russo said the police official was collecting $250 a month for ignoring bookies around Monmouth Park race track, plus $1,000 a month in gambling payoffs in Long Branch and another $1,000 from Asbury Park. As if this weren't enough, Joe Zicarelli, a Bonanno *capo* who bosses bookie and lottery action in Hudson County, was paying, according to Russo and DeCarlo, an additional $5,000 a month. And now, to top it off, Russo complained, this guy had the gall to demand *double* payoffs for each month of the summer season, when resorts like Asbury Park and Long Branch boom and so does gambling. The irony of it all, DeCarlo added bitterly, was that he, Russo and Zicarelli had only themselves to blame. They had personally picked their greedy policeman and arranged for a well-connected Hudson County politico to promote him to his high place on the force. DeCarlo promised to talk soon to the same politician about the state policeman's unseemly greed.

Whatever was said at that meeting, the result was negative, for the police officer continued to extort heavy payoffs from DeCarlo, Russo and Zicarelli until his retirement, two years later. Expensive though he was, he was worth too much to the Mob to warrant getting rid of him. He represented what is called in Cosa Nostra a "solid setup"—the ultimate protection, a direct hand-to-pocket Fix with a top law enforcement official in a policymaking position.

The power of the Fix in certain areas of New Jersey is just about total. In Long Branch, for example, a town of 26,000 on the Jersey shore, Russo told the informant that the Mob had taken charge. Russo bragged they had fixed elections and maneuvered the ouster of a city manager. "What we got in Long Branch is everything," said Russo. "Police we got. Councilmen we got, too. We're gonna make millions."

Russo said that another *capo*, Ruggiero Boiardo, no less, keeper of the crematorium near Livingston, was wanting to muscle into the Long Branch bonanza with some road-construction contracting. DeCarlo figured Boiardo was out of bounds on this—he and his son Anthony already had all they deserved with "all the electric work in Newark." (Anthony Boiardo lists his occupation as "public relations man" for an electrical contracting firm in Newark.)

Several federal agencies have confirmed and supplemented the information on the Russo-DeCarlo talk. One investigation stemming from it disclosed that DeCarlo, Zicarelli and Ruggiero Boiardo had combined to maneuver the friend of another gangster into office as police superintendent of a large New Jersey city. The Mob-selected police chief used to work as a doorman at crap games run by gangster John Lardiere.

Actually "Bayonne Joe" Zicarelli's outwardly modest position as head of a bookie and lottery syndicate in Hudson County does him considerable injustice. True, in New Jersey, his interlocking tieups with scores of Hudson County officials are so expensive that some gangsters consider him a "connection-crazy" wastrel. But Zicarelli has an international sideline so extensive that he's practically a one-man state department for the Mob. He has holdings in Venezuela and the Dominican Republic, and throughout the hemisphere is known as the man to see for guns and munitions when a government is to be overthrown or a rebellion is to be put down. For example, through the years he shipped arms to Dominican leaders, selling with fine and profitable impartiality to Trujillo and the men who overthrew him. (In next week's issue more will appear on Zicarelli's business interests.)

Even Zicarelli's domestic connections extend well beyond the confines of Hudson County, into the chambers of the U.S. Congress itself. Indeed, he is on the best of terms with the widely respected Democratic representative from Hudson County, Congressman Cornelius E. Gallagher. Gallagher is one of the bulwarks of the House Foreign Affairs Committee and was seriously mentioned before the 1964 Democratic convention as a possible running mate for Lyndon Johnson. Bayonne Joe and his congressman seem to have a lot to talk over, judging from the frequency of their get-togethers. These usually take place a long way from Washington or Bayonne—where Gallagher lives and Zicarelli runs the rackets. Sometimes the setting is a picturesque wayside inn off the Saw Mill River Parkway, north of New York, and the occasion is an unhurried and chummy Sunday brunch.

WELFARE RALLY THREATENS RIOTS

Mr. BYRD of West Virginia. Mr. President, the Washington Evening Star of

Tuesday of August 29 contains on its front page, a story by Betty James, reporting that welfare recipients demonstrated that day in Washington, D.C., before the Department of Health, Education, and Welfare and at the U.S. Capitol. The article, entitled "Welfare Rally Threatens Riots," emphasized that more money is now the demand, under the threat of more riots in the cities of our Nation.

I ask unanimous consent that the Star story be printed in the RECORD.

There being no objection, the newspaper story was ordered to be printed in the RECORD, as follows:

WELFARE RALLY THREATENS RIOTS—PROPOSED AID CURBS PROTESTED BY 1,000

(By Betty James)

A threat that more riots will occur in the cities if the needs of poor people are not met was voiced by nearly 1,000 welfare recipients from 70 cities yesterday at the United States Capitol and the Department of Health, Education and Welfare.

This was the theme that dominated a stormy session in the Senate caucus room, a high decibel rally in Union Square at the west front of the Capitol and a march and demonstration around HEW at 330 Independence Ave. SW.

The trigger issue was the House-passed Social Security amendments that would "freeze" the number of children on welfare rolls whose fathers are absent from the home and which would make work and work training a condition of welfare for mothers.

ASSAIL LAWMAKERS

Mrs. Catherine Krouser of New York, who contended that under the amendments children could be taken from their mothers, said: "I'm a mother and I'm going to arm myself."

But underneath it all was the dominant note struck by the national welfare rights movement earlier this year and sounded again at its convention this weekend—welfare recipients are not grateful for relief that they say has kept them hungry and their homes ridden with rats and despair. More money now was a recurring cry.

Beneath the brooding figure of Gen. Ulysses S. Grant at Union Square, dark against the shining Capitol dome, recipients cheered until they were hoarse when a mother excoriated the lawmakers as "lousy, dirty, conniving brutes" who are trying to put black people back on the plantation.

Mrs. Margaret McCarty of Baltimore, who made the charge, shouted: "It's another form of slavery, baby. But I'm black, and I'm beautiful. They're not gonna take me back."

PREDICTS BIG 1968 TURNOUT

Although white people were in a distinct minority, Mrs. Dorothy DiMascio of Rochester, N.Y. said more and more white people were joining the black members. "We're going to fight with them if we have to die with them," she said.

At HEW, Mrs. Johnnie Tillmon, newly elected chairman of the National Organization for Welfare Rights that was created during the convention, said it was time officials understood the meaning of the long hot summer. She predicted that next year the convention would be so large that it would take Madison Square Garden to hold it.

Leaders of the welfare rights movement unsuccessfully sought an audience with John Gardner, HEW secretary. According to a spokesman for HEW, they also had asked Gardner to address them and refused Gardner's offer that HEW Undersecretary Wilbur J. Cohen speak at the convention instead.

Dr. George A. Wiley, director of the Poverty Rights Action Center, which has developed the welfare rights movement, said the Senate Finance Committee, now holding hearings on the Social Security amendments wouldn't meet with poor people, nor would Secretary Gardner meet with poor people. If this country doesn't listen to poor people, what happened in Detroit and Newark will be only a prelude, he said.

Sen. Jacob Javits, R-N.Y., arranged for the delegate to use the Senate caucus room, where Wiley said they were holding their own hearings on the Social Security amendments.

Delegates expressed scorn that Javits and Sen. Robert Kennedy, D-N.Y., sent representatives to the caucus room instead of appearing themselves.

Robert Patricelli, representing Javits, said the two New York senators agreed that the House-passed amendments are bad.

One delegate told the caucus room assemblage that Senate Minority Leader Everett Dirksen, R-Ill., had hit a delegate with his fist when about 12 persons from Illinois went to see him.

The delegate involved, Richard Hanelin, 24, told the press that Dirksen hit him on the arm with the back of the hand. Hanelin said he felt this was Dirksen's way of saying, poor people, keep what you have, keep down.

Dirksen, who denied the charge that he had struck anyone, told a reporter: "I just reached over and put my hand on his shoulder. They were trying to conduct a little sit-in in my office, and a sit-in obstructs the public business."

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 20 minutes p.m.) the Senate adjourned until tomorrow, Thursday, August 31, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 30 (legislative day of August 29), 1967:

PUBLIC HEALTH SERVICE

Bruno W. Augenstein, of Virginia, to be a member of the Board of Regents, National Library of Medicine, Public Health Service, for a term expiring August 3, 1971, vice Russell Alexander Dixon.

IN THE ARMY

The following-named officer for temporary appointment in the Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be Brigadier General

Chaplain (Colonel) Ned Ralston Graves, O43164, U.S. Army.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

First lieutenant to captain

Abeln, Paul J., 63573.
Abram, Max L., 71584.
Abruzzese, Tommaso G., 82632.
Acheson, Densel K., 77312.
Ackerman, Charles T., 62500.
Acuff, Mack F., 82634.
Adair, Charles R., 82635.
Adams, George T., 3104261.
Adams, James O., 73141.
Aehnlich, Paul C., 72030.
Ahmann, James N., 62501.
Aiken, Gerald G., 76745.
Albro, William A., 63622.
Alexander, Larry D., 71816.
Allen, Calvard S., 63574.
Allen, Daryl D., 69614.
Allen, Gerald N., 71817.
Alston, Harold R., 76747.
Aman, Earl D., 62502.
Amann, Richard W., 82639.
Amlong, Joseph B., 62503.
Andersen, Jack T., 76748.
Andersen, Niels B., 77314.
Anderson, Bobby D., 82641.
Anderson, Charles A., 73812.
Anderson, David K., 63506.
Anderson, Gordon L., 3097292.
Anderson, Marcus A., 62505.
Anderson, Wendell L., 63362.
Anderson, William F., 69794.
Andes, William S., 63572.
Andres, Lanny R., 63388.
Angus, William E., 82642.
Anzivino, Angelo L., 71324.
Apodaca, Victor J., Jr., 62506.
Arnaiz, Donald R., 79206.
Arnold, Richard W., 62507.
Arnold, William E., 76751.
Asakura, Takazumi Jr., 77777.
Asher, Laurence F., 77315.
Assaf, Frank N., II, 17095.
Atwood, Daryl G., 76755.
Aube, Albert E., 73815.
Austin, James S., Jr., 63559.
Auth, James F., 73145.
Ayers, Richard G., 77316.
Baber, Gary P., 76756.
Babitzke, Edward B., 74349.
Babos, Sandor, 06108.
Bacher, Stephen E., 63673.
Backer, Donald E., 69559.
Bacs, John, 82644.
Badgett, Lee D., 63637.
Baertl, Charles E., 72589.
Baggiano, Anthony L., 63607.
Bailey, Roy C., Jr., 64191.
Baines, Donald D., 63376.
Bainter, Hugh T., 62510.
Baker, Donald R., 73148.
Baker, George W., 01842.
Baker, Guy F., 76758.
Baker, James N., 71326.
Baker, James P., 73884.
Baker, John T., Jr., 62512.
Baker, Marion K., 76759.
Baker, Roy T., 76760.
Baker, Willard L., Jr., 77778.
Baran, Michael F., 63594.
Barber, Hugh W., Jr., 77317.
Barker, William V. H., 77318.
Barnes, James E., 73817.
Barnes, Warren S., 15299.
Barnett, David R., 82649.
Barrett, Norman L., 73151.
Barry, Edward P., Jr., 62514.
Barry, Gregory P., 82650.
Bartholomew, Rodney A., 62515.
Bartlett, William K., Jr., 73152.
Barton, John B., 71696.
Barton, Roland S., Jr., 76762.
Bartrand, Louis E., 01790.
Bassett, David E., 82651.
Baten, Jimmie R., 71328.
Batton, Robert N., Jr., 73818.
Baushke, James L., 63683.
Bayer, Roger T., 76766.
Bazet, Randolph A., Jr., 76767.
Bear, Howard J., 71697.
Beardemphl, Thomas W., 63448.
Beck, John J., Jr., 63429.
Becker, Edward L., Jr., 74373.
Begley, George A., 82654.
Behler, Joseph A., 71330.
Belcher, Gary D., 62655.
Beldy, Andrew J., 77321.
Bell, Jerald R., 77322.
Bellanca, Thomas J., 95026.
Beller, Gerald R., 63449.

Benjamin, William D., Jr., 63511.
Bennett, Jerry L., 62517.
Bennett, John H., 72839.
Bergmann, Harold W., 77781.
Beringson, Richard J., 73158.
Berry, John S., 77783.
Berta, Michael A., 63632.
Bertenshaw, Thomas G., 15414.
Bertram, David G., 63519.
Bessett, George R., 76771.
Best, Robert W., Jr., 62518.
Bethel, Howard E., 63575.
Betsill, Sammy F., 73160.
Bettersworth, James A., 62994.
Betz, Ernest J., 77590.
Bicknell, Ernest P., III, 76772.
Binder, Donald H., 73163.
Birch, Joel R., 69557.
Birkhead, Robert F., 77592.
Birmingham, Milton D., 82660.
Bishoprick, Dean W., 62950.
Bjorke, Erle L., 72598.
Blackwood, Gordon B., 71332.
Blaisdell, Allan C., 62521.
Blakney, Kenneth L., 73821.
Blaufuss, Edward A., 73822.
Bledsoe, Adolphus H., Jr., 71334.
Blessing, David A., 62986.
Blevins, Bedford D., 69567.
Blevins, John C., 62666.
Blews, Monte E., 15377.
Blizzard, John D., Jr., 73168.
Blume, Roger C., 63502.
Bodenhamer, Howard L., 62522.
Boedeker, Robert F. C., 62523.
Boette, August E., 74396.
Bogart, Bruce C., 77593.
Bohan, James A., 77326.
Bohlson, John S., 74397.
Bolen, Edward S., 72600.
Boles, Jimmie K., 74398.
Bolton, Malcolm F., Jr., 69788.
Bonertz, Donavon F., 17862.
Bonfield, John A., 74400.
Bookout, William G., 04120.
Boortz, Eugene H., 76783.
Boothe, Robert M., 73170.
Bordeaux, John C., 71702.
Borden, Benton L., 78306.
Boright, Arthur L., 63610.
Borts, Robert A., 77327.
Bostick, Neil D., 78307.
Bott, Don C., 74402.
Bounds, Gordon S., 62524.
Bouquet, Victor H., Jr., 62525.
Boursaw, Jon E., 76784.
Bowers, Francis L., 75792.
Bowling, Gene D., 76786.
Bowman, Gary H., 76787.
Bowser, Gary F., 62526.
Box, Don W., 62527.
Boyd, Cecil S., 62528.
Boyd, Stuart R., 62529.
Boyer, Robert E., 63577.
Bradberry, Lester E., 73172.
Bradley, George E., Jr., 74407.
Bradley, James E., 74408.
Bradstreet, Frederick E., III, 62531.
Brady, James C., Jr., 73173.
Branch, Christopher I., 69650.
Branch, Kirby P., 77784.
Brandt, David A., 76791.
Brandt, Larry J., 17466.
Brandt, Rand, 73175.
Brannelly, John J., 73824.
Brannon, John J., 73825.
Brant, Roger F., 73176.
Bredenkamp, Barton C., 76792.
Breen, Joseph A., 63471.
Breen, Walter M., 77330.
Brewer, James E., 74412.
Bridley, Charles A., 73826.
Briggs, Benjamin R., 82680.
Bright, Jack W., 62533.
Brinson, James E., 76794.
Brittain, Claire E., Jr., 72605.
Brookie, James H., 74416.
Brooks, David M., 62535.
Brooks, Joseph G., 62536.
Brophy, Thomas F., 62537.
Brown, Dennis C., 73177.
Brown, Dennis E., 77594.
Brown, Donald A., 82682.
Brown, Donald R., 77334.
Brown, Lester P., Jr., 04359.
Brown, Michael B., 71336.
Brown, Robert C., 63542.
Brown, Willis N., Jr., 73828.
Brueggemeier, Garry F., 72356.
Brugger, Walter I., 82686.
Brundage, John A., 82688.
Bruno, Joseph M., 73829.
Brya, Edward N., 63371.
Bryant, Jon F., 73178.
Bryant, William L., 79087.
Bryars, Frank K., 71705.
Buchanan, George L., 82690.
Buchner, George E., 62539.
Buckley, Martin J., 74426.
Buckley, Patrick J., 62540.
Bucksbee, John D., 76798.
Buerk, William C., 73179.
Bulick, Edward H., 71589.
Bull, Robert G., II, 62541.
Bullard, Donald R., 77785.
Bullmer, Joseph J., 69679.
Bulov, John G., 68339.
Burchfield, Joseph P., III, 79207.
Burd, Bobby R., 73832.
Burden, Alfred L., 63047.
Burgess, Danny N., 72608.
Burgess, George D., 72843.
Burke, Edward J., 71818.
Burke, Harry E., 73833.
Burke, John F., 72050.
Burnett, Thomas E., 63649.
Burns, Ronald A., 76801.
Busch, Francis N., 63520.
Bussman, William F., 79962.
Butcher, Doyle A., 63699.
Butler, George L., 62543.
Butler, Ronald L., 76802.
Butterfield, John D., 82697.
Byrne, Richard O., 78420.
Cairns, Douglas B., 62544.
Calder, David H., 77599.
Caldwell, David O., 3116109.
Callaway, Patrick W., 77600.
Campassi, Charles C., 72055.
Campbell, Clarence N., 73835.
Cambpell, David, 72056.
Campbell, Harold N., 62546.
Campbell, Joseph M., Jr., 64189.
Campbell, Roger R., 69543.
Campen, Richard L., 73183.
Cann, Donald J., 82703.
Canning, Gordon J., Jr., 63639.
Cantrell, Teddy D., 82705.
Caraway, Bobby R., 73185.
Carder, James R., Jr., 76806.
Care, Francis J., 71341.
Carey, Nelson F., 82707.
Cargill, Robert L., 2212066.
Carlberg, Ronald L., 62547.
Carleton, Will A., Jr., 76807.
Carling, Joseph C., 62548.
Carlson, Donald T., 73837.
Carlson, Robert D., 71343.
Carlstrom, David L., 62550.
Carpenter, Edmund M., Jr., 63373.
Carpenter, Shirley M., 62990.
Carpenter, William H., Jr., 63617.
Carr, Chalmers R. Jr., 72057.
Carroll, Jo R., Jr., 82711.
Carroll, John M., Jr., 63463.
Carroll, William R., 73840.
Carron, Hubert J., 74451.
Carson, Caroll G., Jr., 62551.
Carstensen, Darwin R., 82712.
Carter, Rubert L., 63693.
Carver, James I. II, 76808.
Casciato, Richard F., 74454.
Casey, Kendall F., Jr., 69629.
Casey, Walter H., 77340.
Cason, Carl W., 77787.
Cassidy, Patrick E., 82714.
Castillo, Richard, 76809.
Casupang, Amador C., 73841.
Caum, Nancy A., 74459.
Cawein, Walter G., 62554.
Cayton, John J., 74461.
Ceruti, Franklin D., 74463.
Chambers, Glen D., 83209.
Chaney, Larry O., 39219.
Chappelle, James E., 82715.
Chase, James L., 62555.
Chavez, Antoni I., Jr., 77341.
Cheatham, Walter H., Jr., 69673.
Childers, Andrew N., 73844.
Childress, Guy P., Jr., 77768.
Christian, Robert E., III, 74468.
Christopherson, Thomas G., 72613.
Chuvala, Raymond D., 15317.
Clanton, Norman G., 76811.
Clapp, David E., 71591.
Clapsaddle, Ronald E., 72062.
Clark, Clifton C., Jr., 71346.
Clark, Frank M., Jr., 09637
Clark, Leonard L., 77343.
Clarke, Ernest J., 15550.
Clarke, George R., 74472.
Claus, Richard L., 72615.
Clawson, Stewart H., 73846.
Clemmer, William H., 82721.
Clemons, Eugene S., 71710.
Cleveland, Marvin A., 71347.
Clevenger, David A., 06520.
Cliatt, Edwin N., 77790.
Clyncke, James M., 71592.
Cochenour, David A., 06170.
Cochran, Henry J., 63365.
Cockerham, Lorris G., 73191.
Cockrum, Donald J., 18199.
Coe, Larry J., 82724.
Coffin, Fred J., 73193.
Cole, Charles R., 82725.
Coleman, Earnest L., 63367.
Coleman, Edward L., 82726.
Collard, Joseph W., Jr., 73196.
Colvin, Charles G., 81378.
Combest, William D., 69648.
Combs, Donald R., 73847.
Compton, Phil V., 77346.
Conely, James H., Jr., 79088.
Conley, Emil R., 82728.
Conley, Thomas M., 62557.
Conover, Charles D., 62558.
Conrad, Robert E., 63508.
Constant, Dennis L., 76817.
Cook, Donald A., 74488.
Cook, Edward R., 72065.
Cook, Loyal S., 76818.
Cook, Warren W., 73198.
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Hutts, Marilyn J., 76300.
Jablunovsky, Bernadette M., 76520.
Johnson, Phyllis J., 76742.
Jorgensen, Contance J., 76303.
Kaufmann, Ronald D., 76304.
Kepner, Sheila A., 76613.
Klinghoffer, Lorraine M., 76539.
Lapp, Judith E., 82345.
McDowell, Fred S., Jr., 76589.
Merrill, Sylvia A., 76311.
Moynahan, Patricia M., 76540.
Pavlich, Mary L., 3092138.
Robertson, Cecelia A., 76398.
Runyan, Norma J., 76320.
Sam, Alice M., 3092197.
Schumacher, Rosemary, 76322.
Stitt, Frances E., 76324.
Thomas, Grayce H., 76299.
Tolbert, Gwendolyn, 76403.
Weimer, Marian L., 76405.
Wells, Joan M., 78123.
Wells, Mabel E., 76488.
Woodward, Doris E., 76327.
Young, Marva P., 3091448.

MEDICAL SERVICE CORPS

Amesbury, John F., 3091253.
Bonfili, Hubert F., 82671.
Burke, David U., 63660.
Daughtry, Ben P., 82054.
Duffy, Brian J., 82064.
Frient, Gerald J., 3098196.
Gordon, Darwin G., 82088.
Gordon, James V., 70935.
Habbinga, Richard H., 3100331.
Hermann, Kenneth G., 3112497.
Jaroszewski, Leo F., 78267.
Kilpatrick, Karl L., 70936.
Magee, Denis F., 82150.
Maisey, Terry M., 3105105.
Mallory, Melvin A., Jr., 82153.
May, Frank J., Jr., 64165.
Miller, Lowell J., 76717.
Newman, Jack E., 83000.
O'Connell, James J., 76718.
O'Donnell, Daniel J., 4065982.
Polk, Joseph E., 78495.
Rhode, John F., 82214.
Rohrbough, Frank G., 76277.
Tadano, Ben, 76719.
Turner, Charles E., 3111384.

VETERINARY CORPS

Brewer, George L., Jr., 43178,
Burch, Louis T., 40758.
Kendrick, Jerry Z., 43100.
Mohri, William F., 41304.
Townsend, Lee R., 40959.
Vandyke, Don, 65892.

BIOMEDICAL SCIENCES CORPS

Aldrich, Terrance C., 78072.
Burnett, Ronald D., 82034.
Bush, Conrad L., 70937.
Christian, Raymond D., 71114.
Dunton, Donald D., 76454.
Evans, James D., 78418.
Fallon, Alexander E., 06747.
Fickess, Robert J., 82078.
Fitch, Roger C., 76377.
Grisolano, James E., 76455.
Hartman, Richard A., 76378.
Hatcher, Richard L., 82099.
Holub, Frank J., 78266.
Moorhouse, Marianna, 76617.
Perry, Alan H., 76533.
Pickett, William E., Jr., 76379.
Simpson, Harry J., 70934.
Swanson, Christine H., 76333.
Trimberger, David J., 76280.
Wrenn, Hubert E., 76380.
Zavatson, Mary A., 76412.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 30 (legislative day of August 29), 1967:

DEPARTMENT OF COMMERCE

Joseph W. Bartlett, of Massachusetts, to be General Counsel of the Department of Commerce.

U.S. SUPREME COURT

Thurgood Marshall, of New York, to be an Associate Justice of the Supreme Court of the United States.

EXTENSIONS OF REMARKS

The Public Broadcasting Act

EXTENSION OF REMARKS
OF

HON. RAY BLANTON

OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 30, 1967

Mr. BLANTON. Mr. Speaker, the enormous impact of the broadcasting media on the lives of each one of us cannot be underrated. We are kept informed by them, we are entertained by them, we are sometimes annoyed by them. They stimulate our thinking. They provoke our comment. We cannot ignore them. Television and radio have evolved into the most influential method of communication of our time. Still the potential of this vast industry is only on the verge of being explored. I refer to noncommercial educational broadcasting which, because of grave financial restrictions, has remained in its developmental stage far too long—gaining only inches when it should have been making great strides ahead. In instances where a noncommercial service has been professionally tested it has proved its worth beyond expectation. In my own State of Tennessee, educational television has had great impact on the culture of our people—both in terms of formal instruction and in terms of the broader aspects of noncommercial broadcasting—adult education and the enrichment of family and community life. The Public Broadcasting Act will aid my State in its development of a network of educational communications dedicated to the public good.

Until we have a fully operational educational broadcasting service throughout the United States our communications system will not be complete. Educational broadcasting, if it is ever to realize its great capacity for public service, needs the endorsement of the 90th Congress through swift passage of the Public Broadcasting Act of 1967.

Drum and Bugle Corps

EXTENSION OF REMARKS
OF

HON. JAMES H. SCHEUER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 30, 1967

Mr. SCHEUER. Mr. Speaker, it is with great pleasure and pride that I join in the salute to the drum and bugle corps. The rich, meaningful role this organization plays in the lives of American youth merits the recognition they receive during International Drum Corps Week. The patriotism so proudly displayed before the world is in the finest American tradition. The activities engaged in, constructively channeling the exuberant energies of our youth, is an example for all to see.

As a Representative from the Bronx, N.Y., it is personally gratifying to me to notice the energetic participation of Bronxites in the organization. This includes national chairman, Harvey Berish, along with so many young people.

I wish the corps an enjoyable and fruitful Drum Corps Week. I hope that they meet continued success as they symbolize the great American heritage and echo its resounding calls.

Educational Television

EXTENSION OF REMARKS
OF

HON. EDWARD J. PATTEN

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 30, 1967

Mr. PATTEN. Mr. Speaker, 5 years ago this Congress considered and passed the Educational Television Facilities Act, now Public Law 87-447. This act provided the first essential step of Federal financial assistance to help construct new educational television stations and to improve existing stations. No one today questions its merits or value, although, at the time of its consideration, this support was quite controversial.

Under the support authorized by this legislation, 101 new educational television stations have been established. Yet, 200 to 300 such television stations are needed if the all-important media of noncommercial television is to be made available for every citizen in this country.

Moreover, existing stations need more staff and more funds if they are to achieve their potential of providing many and diversified educational and informational programs for the American public's viewing appetite.

Our agenda for action in this field is quite clear and very soon this body will be given a chance to forward the broad media of noncommercial television and radio in this country.

The Public Broadcasting Act of 1967 affords all of us a chance to build on the previous support for facilities with slight variations.

First, for the first time, educational radio will be eligible grantee for support under title I of the Public Broadcasting Act. Second, the Corporation for Public Broadcasting is an invaluable mechanism to provide additional programs of higher quality than now exists to the network of noncommercial stations throughout the country. Third, the legislation authorizes a study of the whole scope and range of instructional television which is making a significant impact on the young students in our Nation's classrooms on levels from elementary and secondary schools to colleges and universities.

The concept of public broadcasting is an important one and it deserves the support of the House. The President has pointed out that the medium can "not only instruct, but inspire and uplift our people."

The legislation provides the means to accomplish this instruction and inspiration. By providing a nonprofit, non-Federal Corporation for Public Broadcasting to strengthen the programing of local stations so that diversity is not stifled, the potential of public broadcasting can be utilized for the benefit of all citizens of this country.

I support this legislative proposal.

Tribute to George R. Hammond, a Man Who Has Put "Safety First"

EXTENSION OF REMARKS

OF

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 30, 1967

Mr. GUDE. Mr. Speaker, a familiar sight on school crossing corners in the Washington area and throughout the Nation are the boys and girls of the school safety patrol. Most of us never stop to think just how these youngsters receive their training for the valuable work they perform. In the Washington area, the majority of the training is done at school safety patrol officers' training camps.

On Tuesday, September 5, the man behind these safety patrol camps, Mr. George R. Hammond, of the District of Columbia division, American Automobile Association, will be honored for his 25 years as director of the camps.

The school safety patrol program in the District of Columbia got underway in 1926 as a result of the tragic previous year in which 19 schoolage children were killed in traffic accidents, focusing considerable public attention on the problem. In March of that year, the first safety patrol was installed at the Grant School in Northwest Washington. Credited with starting the first patrol here is Miss Elsie Green, then a teacher at the Grant School. She will be present to help honor Mr. Hammond next Tuesday.

Of major significance have been the combined efforts of the police, school officials, and the AAA to establish the annual summer training program for school safety patrol members. During the month of June, nine day camps for District of Columbia patrols are held at various school playgrounds throughout the city. Mor ethan 400 youngsters attend these day camps annually. Maryland youngsters attend camp at Benson, Md., while Virgina youngsters attend Camp Charles H. Grimm at Kilmarnock, Va. More than 1,100 children attended resident camps this year in July and August.

George Hammond's work at directing these camps the past 25 years is not going unrecognized. As one example of the tributes paid, some 175 testimonial letters from his friends in the fields of education, enforcement, and safety have been collected from officials throughout the United States. Metropolitan Police Chief John B. Layton said:

> The Metropolitan Police Department is deeply grateful for the service you have rendered in providing for the protection of our school children. We recognize your contribution to this record through the School Safety Patrol program. It has also become apparent in recent years that a need exists for a better understanding between law enforcement officers and people in the community. In my judgment, contacts between school children and officers assigned to duty as School Safety Patrol Police Coordinators serves as an excellent way for bringing about this understanding. I extend my sincere congratulations upon your completion of 25 years of loyal and dedicated service in directing the camp program.

The U.S. Congress has called on automobile manufacturers, highway engineers, State and local officials to give increased attention to this very important subject of traffic safety. Let us not overlook, right here in our own community, one of the most effective safety programs in the Nation, jointly sponsored by the public and parochial schools, the police officials, and the AAA.

Mr. Speaker, I too would like to extend my congratulations to George Hammond. Mr. George, as he is affectionately known by our school patrol members, has performed a valuable service to the cause of traffic safety in the Washington area. Since the patrol was started, there has not been one child killed in traffic at a crossing where safety patrols were on duty. This is indeed quite an achievement, and we should be grateful for his dedicated service throughout this past quarter of a century. We are all indebted to him for putting "safety first."

Democratic Party Working Toward Progress

EXTENSION OF REMARKS

OF

HON. WILLIAM R. ANDERSON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 30, 1967

Mr. ANDERSON of Tennessee. Mr. Speaker, I think too little is known about what President Johnson and the Democratic Party have done and are doing for the good of our country.

At Los Angeles last week, Postmaster General Lawrence F. O'Brien really set the record straight.

I include the Postmaster General's speech in the Record so that others may know who is working for progress in this country:

Democratic Party Working Toward Progress

We meet here this week-end to lay the groundwork for the 1968 campaign. At this conference, in my view, we are tooling up for full production. From here forward, we must go on the offensive, we must spell out the issues, we must place our record before our fellow Americans and urge them to compare it with the empty record of the Republican Party.

As an old campaigner, I am delighted to join you at the start of the 1968 campaign. Certainly, I know the President considers this meeting of great importance to the Democratic Party, to the people of the Western States, and to the nation.

As I left Washington, the President asked me, as his personal representative, to give you this message: "The smoke of domestic and foreign violence is thick and blinding," he said. "Men of little vision panic, men of little knowledge of the crises of the past feel lost, men of little courage feel threatened. When panic, aimlessness, and fear are in control, a nation is in danger of acting in ways foreign to its spirit and its history." And the President added, "I call upon every Democratic leader to show our people the difference between easy but negative solutions to the nation's problems and the meaningful actions and programs of our party. I call upon every Democrat for the kind of leadership and support that made it possible for Franklin Roosevelt, Harry Truman and John F. Kennedy to meet, and to overcome, the crises that darkened *their* days."

So, my friends, it is a pleasure to meet with Democrats from 13 states here tonight, but that is not why I travelled 3,000 miles.

It is a pleasure to bring you the President's greetings, but that is not why I travelled 3,000 miles.

I flew across the continent for one reason and one reason only.

I want to present you with an indictment.

I would rather not do this. I would rather have talked in polite and accepted terms. I would rather have kept my gloves on.

I resisted. But the time is too critical, the days too dangerous, the forces of political propaganda too powerful to permit anything but candid talk.

It has nothing to do with individuals.

It concerns rather a Party and policy.

That Party is the Republican Party. That policy consists of a muddy mixture of irresponsibility and a do-nothing program.

Why do I feel compelled to issue this indictment? For the simple reason that during the last seven years we have seen in stark contrast the record of the Democratic Party and the empty record of the Republican Party.

The record of the Democratic Party was expressed in the greatest surge of progressive legislation in any seven year period in our history.

Under the leadership of President Johnson, the 89th Congress alone produced more legislation designed to meet the overriding, too long neglected, issues of the day than any Congress in our history.

Let's take a look at some of the landmarks of these amazing seven great years:

Medicare . . . Nuclear Test Ban . . . Elementary and Secondary Education . . . Higher Education . . . Peace Corps . . . Alliance for Progress . . . The Department of Transportation, the Department of Housing and Urban Affairs . . . Minimum Wage . . . Voting Rights . . . Social Security increases . . . Veterans benefits . . . Truth in Packaging . . . Model Cities . . . Rent Supplements . . . Imaginative measures that increased our national income by over $260 billion, a fifty percent increase in seven years, the greatest record of economic advance in our history.

In all, during the 89th Congress alone, no less than 200 major measures were enacted.

During the last seven years, in fact, all of the New Frontier program and 85% of the Democratic Platform of 1964 has been translated from hope and aspiration, into law and into solid accomplishments.

The record of the seven great Democratic years is clear.

And, the seven long years of Republican obstruction is equally clear.

My friends, I've lived with the passage of these laws. As the personal emissary of two Presidents with the Congress I was in the middle of the battle. I saw the kind of opposition the Republicans generated. I walked through their mine fields, I climbed over or ran around their roadblocks. I saw our outstanding Democratic leaders of the Congress guide legislation designed for all the people through the gauntlet of Republican obstructionists who were more interested in special interests than the national interest.

Our Democratic effort was to build.

The opposition's record, their consistent record, was to delay, to denounce, to destroy.

Millions of older Americans saw their meager savings wiped out during the long years that Republicans preferred catering to national lobbyists instead of responding to the real human need for medical care for the aged.

While 90% of Democrats in the Congress were supporting increased funds for education, build programs to reduce unemployment, to find ways to combat man's ancient enemies of sickness, poverty, and ignorance, 90% of the Republicans in the Congress were voting against these measures.

The Republican Party in power is impotent; the Republican Party out of power is the party of knee-jerk opposition.

The irresponsibility of the Republican Party is not confined to frustrating measures needed at home. They strive to confuse the people about our response to aggression abroad.

Every day we hear of a new Republican policy toward Vietnam. One day a Republican spokesman seeks to bomb everything that moves in North Vietnam; the next day another spokesman says we are bombing too much.

It is our task to remind the American people, again and again, of the true nature of the President's policy in Vietnam. For in Vietnam, and throughout the world, the Democratic policy is one of seeking peace with honor, of assuring that we *solve* conflicts not hide behind a temporary, patchwork truce. We will never back down on our commitment to prove that aggression does not pay, a commitment that has had much to do with holding the line in Laos, and in the Communist disaster in strategic Indonesia.

President Johnson, my friends, is a man of peace. Like Lincoln, he finds war a cause for deep sorrow. For those who earnestly hope to see the war end quickly, he has asked me to repeat to you that *any* indication of a willingness to talk about peace, move toward peace, lower the scale of violence, as a signal of a desire to negotiate, will find an equal response on our side. The President agrees with all, whether they be "dissenting Democrats" or consenting Republicans, that meaningful peace negotiations should begin in Vietnam. But, loving peace can be one sided, while making peace require both sides to come together. We are willing. We want peace. The sooner the better. So far our adversary does not want peace. *That* may be a cruel fact of life, but it is the crux of the problem.

Turning to domestic matters, the Republican Eyewash Committee tried recently to play partisan politics with the nation's urban and racial crisis.

The Republicans clearly seek to make crime pay—in political terms.

But when it comes to action, when it comes to supporting the President's initiative in the Safe Streets and Crime Control Bill, the Republican Party shows its true colors: it takes action that would make this vitally needed legislation largely inoperative.

The President has made it clear that there is no American right to loot, to burn, to kill. He has made it plain that peaceful Civil Rights to commit crimes will not be tolerated. Adding to the Law Enforcement Assistance Act and the National Crime Commission passed by the 89th Congress, the President many months ago proposed the most extensive anti-crime legislation in our history.

And he has taken action to provide National Guard units throughout the country with training specifically designed to control riots, and such training has already commenced.

Thus, the first priority is a quick end to violence.

It is at this point that Republican and Democratic policies diverge sharply. It is truly a source of wonder how many Republicans think passing laws against riots will make them go away. They want to cure this dangerous domestic crisis by treating the symptoms and avoiding the causes.

Actually, when I say avoiding the causes, I am understating the case. For the record shows beyond a shadow of doubt that the Republican policy has been to frustrate, to oppose, to hinder every major effort by this Administration to remove the social combustibles on which riot and disaffection breed.

There can be no more severe indictment of the Republican Party.

Last January we heard a Republican "State of the Union Address" that used the theme "Solutions for the Seventies." But have they, in fact, given us any solutions?

Republican policy may be designed to produce solutions for the 1870's or the 1770's, but it has nothing whatsoever to offer for the problems of our day.

Republican bankruptcy, Republican callousness, Republican indifference to the needs of human beings, Republican lack of concern were never more in evidence than in action against the President's plan to help cities and local communities exterminate the rats that make so many lives a living hell. My friends, once again 90% of House Republicans lined up to deny that proposal.

Not only did these men vote down the proposal—they found it very funny. Certainly, government effort to wipe out rats is funny to those who live in sanitized surroundings. But for the man in the slums, who sees no way out, it is yet another spark that feeds the fire of his frustration.

A child bitten by a rat is tragic. The refusal to take action against this vile scourge is cruel and incredible.

In contrast to Republican irresponsibility, opposition, blindness, and indifference, the Democratic program has been designed to meet the needs of all segments and sections of our country. The Democratic program recognizes that we have an unfinished agenda both in cities and suburbs, for the small businessman and the farmer, the student and the senior citizen.

No group, no race, no area has a monopoly on Democratic concern—because the Democratic Party and Democratic programs are designed for all the people.

I want you to consider for a moment what seven years of Democratic leadership has meant to an American worker who lives in the suburbs; the man who pays his taxes, supports his church and community activities, hopes to send his children to college, seeks to take care of his aging parents, tries to save some money, and strives to pay off the mortgage.

We have been concerned about the plight of minorities *and* the needs of the majority, because we are the party that truly *represents* all of America.

Our efforts have been aimed at every area of our life where there are problems that must be solved—problems in the ghettos, problems in our urban complexes, problems affecting those who live in suburbs, problems affecting those who live on farms.

No group has been neglected by our programs.

But, in my view, we have failed in one area, we have neglected one task—we have failed to remind everyone equally of the enormous gains *all* have shared as a result of seven years of Democratic administrations.

Sometimes this failure is the result of using old ways of looking at those we represent. For example, we are making a serious error if we look at union members as if they were living back in the 1930's. Today the Party that forgets that about 50 percent of union families are in the $7,500 to $15,000 range does so at its peril.

We have not sufficiently reminded the majority of Americans of how they have gained in ways vital to them and their children.

First. *Prosperity.* The suburban American, and all Americans, have a common stake in continued prosperity. When the Republican Administration was coming to an end, the nation was burdened by its third Republican recession. Our growth rate was the lowest in the free world—a mere 2.5 percent. Since then we have entered the greatest boom in history. A four-person family of a salaried professional or managerial worker gained $1,100 added purchasing power in 1966 alone. With this increase that family could:

Reshingle the roof and buy a color television set and an automatic washer, or

Keep a son or daughter at a State college or university for a year, or

Buy a recent year popular-priced sedan as a second car.

Second. *Medical Care.* The American who lives in the suburbs is usually a highly responsible citizen. He pays his own way. Too often in the past the cost of his parents' medical expenses wiped him out, or strapped him for years. Over Republican opposition, the Democratic Party succeeded in getting legislation aimed at cleaning the tarnish of crushing medical bills from what should be the golden years.

Third. *Education.* The majority of Americans want their children to reach full potential through higher education. Because of Democratic programs and in spite of overwhelming Republican opposition, for the first time in our history, through the Higher Education Act of 1965, scholarships and loans and work opportunities and facilities, will be available for one million young Americans every year who otherwise could not go to college.

Fourth. *Crime in our Streets*. In addition to programs designed to eradicate the causes of crime, the President proposed the most extensive anti-crime legislation in our history. All citizens concerned with living in a safe, secure neighborhood should be told again and again of the President's initiative in the Safe Streets and Crime Control Bill and of the overwhelming Republican opposition.

Read what the Washington Post said about the President's Anti-Crime program and the Republican effort to sabotage it: "If the Republicans are out to make crime and violence a campaign issue in 1968, they are going to have to do much better than they did in the House of Representatives on the Federal anti-crime bill. In one day of action on the floor, the Republicans teamed with States' rights Democrats to mangle that bill almost beyond belief. Instead of strengthening it, as Republican leaders are claiming, the House changed the bill in such a way that it can no longer be considered an effective instrument to help local police to fight crime in the streets."

And let me tell you that the Republican gutting of this legislation is only temporary—we don't intend to let them get away with it!

We have brought about so many other programs that will help every American family—measures to control air and water pollution, to add sufficient parks and recreation facilities near urban centers to take care of 20 million more people, to protect consumers, and to break the bottlenecks that make commuting a nightmare for millions of Americans.

My friends, these are some of the issues that directly affect the worker in the city who lives nearby, the American whose numbers increase each year, and who is apt to leave old party loyalties behind when he moves to the suburbs.

Well, we don't want to rely on old party loyalties. Furthermore, we don't need to! The Democratic Party is the Party that succeeded in overcoming Republic opposition and brought into being these historic programs of direct benefit to the vast majority of Americans.

If we don't get the message across, if we don't let these people know how much Democratic programs have helped them, then we will not have their votes—and we will *deserve* to lose them.

This is one of the great tasks that face us as Party leaders.

Get the word out to your communities. Talk about issues that concern your friends and associates.

We have a great record.

We have a great program.

But leadership, accomplishment, and aspiration are *not* enough.

We must also inform, and explain. And more important, we must organize, and we must organize ourselves to attack, when necessary.

I am too familiar with political organization to claim that it can account for more than a small percentage of the overall result. Our leadership and the candidates themselves must carry the major share of the campaign burden. But let us not forget for one moment that a small percentage can be the decisive percentage when the votes are counted. When elections are close, as they have been, and as they can be again, organization can make the difference between victory or near miss.

We have many difficult months ahead of us. The only prediction that I can make with certainty is that the Republican Party will continue to criticize, will continue to oppose.

But though I do not believe that the American people will turn the future of this nation over to the party with the empty record, we cannot merely sit back and rely on *our* record to win elections for Democrats. Many fine Democrats with good records were defeated last November. So past Democratic accomplishment and proven Republican incompetence are not enough.

For the Republicans have a secret weapon. That weapon is nothing less than Democratic disunity and internal strife. In all candor, we simply cannot afford, and the country cannot afford, the luxury of internal strife. Is there any Democrat in California or in the other 12 States in this Western Conference who is individually more important than the Democratic Party or its programs? Is there any Democrat among us who has the right to pursue a course based only on his individual ambitions and to the detriment of the party? This has occurred at times in the past and it is occurring now in some States.

Our leaders are dedicated. They can and will march shoulder to shoulder in party unity. But I am seriously concerned about those who are so selfishly motivated that they would destroy what we have accomplished, that they would see our unfinished agenda go down the drain.

I can tell you that Lyndon Johnson, Hubert Humphrey, Robert Kennedy and our other national leaders will stand together in 1968. But what about our leadership on the local level?

What I am asking of you is no less than the kind of cooperation that existed between John F. Kennedy and Lyndon B. Johnson.

You know that in the best American tradition the two men fought valiantly for the Democratic Presidential nomination. When the decision was made right here in Los Angeles, neither man permitted the past to cloud his judgment. John F. Kennedy wanted the most able man he could find for his Vice President. That's why he picked Lyndon B. Johnson. He knew the problems we faced were too vast, the course of human life too uncertain to have anyone but the very best in the Vice President's chair.

My friends, the sense of mutual responsibility, the ability to forget past differences, paid dividends for our country in those terrible days of November, 1963. The result was continuity of leadership, and continuity in the constructive work of the Democratic Party.

That continuity began with cooperation right here in 1960. Let us restore and strengthen that spirit—that spirit of Los Angeles—and we will again assure continuity in the great unfinished tasks that face our country.

In the final analysis, you—the Democratic leaders in every state—must lead the way to victory in 1968.

My friends, the decision is in your hands.

SENATE

THURSDAY, AUGUST 31, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Lord and Master of us all, whate'er our name or sign, our fathers trusted in Thee and were not confounded—in Thee we trust. In Thee is our sure confidence that the way of the Republic is down no fatal slope but up to freer sun and air.

Thou knowest that these testing times are finding out our every weakness and calling for our utmost against the wrong that needs resistance, and for the right that needs assistance.

Set our feet on lofty places,
Gird our lives that they may be
Armored with all Christlike graces
In the fight to set men free;
Grant us wisdom, grant us courage
That we fail not man nor Thee.

May we follow the gleam of the highest and best we know, as it leads o'er moor and fen and crag and torrent till the evening comes and the fever of life is over, and our work is done.

We ask it in the dear Redeemer's name. Amen.

REPORT OF OFFICE OF ALIEN PROPERTY, DEPARTMENT OF JUSTICE—MESSAGE FROM THE PRESIDENT

The **PRESIDENT** pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on the Judiciary:

To the Congress of the United States:

I am pleased to transmit the annual report of the Office of Alien Property, Department of Justice, for the fiscal year ended June 30, 1966, in accordance with section 6 of the Trading With the Enemy Act.

Of the $900 million of property vested under the provisions of the act, only $67 million still remained under the Office's control at the close of the fiscal year.

The Office of Alien Property ceased to exist as an independent entity on June 30, 1966. Its remaining functions are being performed by the part-time services of Justice Department personnel under the supervision of the Assistant Attorney General in charge of the Civil Division.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *August 31, 1967*.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, August 30, 1967, be dispensed with.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

AUTHORIZATION FOR THE SECRETARY TO RECEIVE MESSAGES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House of Representatives following the adjournment of the Senate today until noon Monday, September 11, 1967.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 536 and the succeeding measures in sequence.

The PRESIDENT pro tempore. Without objection, it is so ordered.

"PLANNING-PROGRAMING-BUDGETING: OFFICIAL DOCUMENTS"

The resolution (S. Res. 162) authorizing the printing of additional copies of the committee print entitled "Planning-Programing-Budgeting: Official Documents" was considered, and agreed to, as follows:

S. Res. 162

Resolved, That there be printed for the use of the Committee on Government Operations seven thousand additional copies of the committee print entitled "Planning-Programing-Budgeting: Official Documents", issued by that committee during the Ninetieth Congress, first session.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 557), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 162 would authorize the printing for the use of the Committee on Government Operations of 7,000 additional copies of its committee print of the 90th Congress, first session entitled "Planning-Programing-Budgeting: Official Documents."

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

Back to press, 1st 1,000 copies	$233.40
6,000 additional copies, at $54.04 per thousand	324.24
Total estimated cost, S. Res. 162	557.64

"PLANNING-PROGRAMING-BUDGETING: SELECTED COMMENT"

The resolution (S. Res. 163) authorizing the printing of additional copies of the committee print entitled "Planning-Programing-Budgeting: Selected Comment" was considered and agreed to, as follows:

S. Res. 163

Resolved, That there be printed for the use of the Committee on Government Operations seven thousand additional copies of the committee print entitled "Planning-Programing-Budgeting: Selected Comment", issued by that committee during the Ninetieth Congress, first session.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 552), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 163 would authorize the printing for the use of the Committee on Government Operations of 7,000 additional copies of its committee print of the 90th Congress, first session, entitled "Planning-Programing-Budgeting: Selected Comment."

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

Back to press, first 1,000 copies	$334.40
6,000 additional copies, at $88.82 per thousand	532.92
Total estimated cost, S. Res. 163	867.32

ADDITIONAL FUNDS FOR THE COMMITTEE ON LABOR AND PUBLIC WELFARE

The resolution (S. Res. 164) to provide additional funds for the Committee on Labor and Public Welfare was considered and agreed to, as follows:

S. Res. 164

Resolved, That Senate Resolution 17, Ninetieth Congress, first session, agreed to February 20, 1967, is amended by striking out "$165,000" in section 4, and inserting in lieu thereof "$185,000".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 553), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE JOINT RESOLUTION

Senate Resolution 164 would increase by $20,000, from $165,000 to $185,000 the limitation on expenditures by the Committee on Labor and Public Welfare for the study of matters relating to poverty it is currently engaged in pursuant to Senate Resolution 17 of the present Congress.

Senate Resolution 17 as agreed to by the Senate on February 20, 1967, authorized the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, to expend not to exceed $165,000 from February 1, 1967, through January 31, 1968, to examine, investigate, and make a complete study of any and all matters pertaining to poverty including, but not limited to, such matters as—

(*a*) The provisions of the Economic Opportunity Act of 1964 and other acts pertaining to poverty with a view to ascertaining the extent to which changes in such acts are desirable;

(*b*) The nature and effectiveness of and the relationships between the programs of the Federal Government and the programs of State and local government and the activities of private organizations dealing with the problems of poverty; and

(*c*) The degree of additional Federal action desirable in this area.

STUDY OF EDUCATION AND RELATED PROBLEMS OF INDIAN CHILDREN

The resolution (S. Res. 165) authorizing a study of matters pertaining to the education and related problems of Indian Children was considered and agreed to, as follows:

S. Res. 165

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the education and related problems of Indian children.

Sec. 2. For the purposes of this resolution the committee, from September 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $35,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 554), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 165 would authorize the expenditure of not to exceed $35,000 by the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, from September 1, 1967, through January 31, 1968, to examine, investigate, and make a complete study of any and all matters pertaining to the education and related problems of Indian children.

ERNEST E. WILES

The resolution (S. Res. 167) to pay a gratuity to Ernest E. Wiles was considered and agreed to, as follows:

S. Res. 167

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Ernest E. Wiles, widower of Yukie Wiles, an employee of the Senate at the time of her death, a sum equal to five months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

KEEN JOHNSON AND CATHERINE JOHNSON REDANS

The resolution (S. Res. 166) to pay a gratuity to Keen Johnson and Catherine Johnson Redans was considered and and agreed to, as follows:

S. Res. 166

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay, from the contingent fund of the Senate, to Keen Johnson, brother, and Catherine Johnson Redans, sister, of Christine Johnson, an employee of the Senate at the time of her death, a sum to each equal to six months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

PRINTING OF HEARINGS ON HOUSING LEGISLATION

The concurrent resolution (S. Con. Res. 42) authorizing the printing for the use of the Senate Banking and Currency Committee, of additional copies of its hearings of the present Congress on housing legislation was considered and agreed to, as follows:

S. Con. Res. 42

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Banking and Currency one thousand five hundred additional copies each of parts 1 and 2 of the hearings before its Subcommittee on Housing and Urban Affairs during the Ninetieth Congress, first session, entitled "Housing Legislation of 1967."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 556), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Concurrent Resolution 42 would authorize the printing for the use of the Senate Committee on Banking and Currency of 1,500 additional copies each of parts 1 and 2 of the hearings before its Subcommittee on Housing and Urban Affairs during the 90th Congress, first session, entitled "Housing Legislation of 1967."

The printing cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

Part 1:	
Back to press, 1st 1,000 copies	$3,913.83
500 additional copies, at $1,502 per thousand	751.00
Estimated cost, part 1	4,664.83
Part 2:	
Back to press, 1st 1,000 copies	3,288.08
500 additional copies, at $1,326 per thousand	663.00
Estimated cost, part 2	3,951.08
Total estimated cost, Senate Concurrent Resolution 42	8,615.91

TRANSPORTATION EXPENSES OF MEMBERS OF THE HOUSE OF REPRESENTATIVES

The bill (H.R. 9837) to amend the Legislative Branch Appropriation Act, 1959, as it relates to transportation expenses of Members of the House of Representatives, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 555), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

H.R. 9837 would amend the existing statutory provisions relating to reimbursement of transportation expenses incurred by Members of the House of Representatives (including the Resident Commissioner from Puerto Rico) by—

(1) Increasing from four to the "number of months Congress is in session" the number of round trips per year between Washington, D.C., and the district he represents for which a Member could be reimbursed; and

(2) Increasing from $300 to $750 the lump-sum payment which Members could elect to receive in any year in lieu of the round trip reimbursement specified above.

The amendments proposed by H.R. 9837 would be retroactive to January 3, 1967.

"WASTE FROM WATERCRAFT"

The Senate proceeded to consider the resolution (S. Res. 157) to print as a Senate document a report on "Waste From Watercraft" which had been reported from the Committee on Rules and Administration with amendments at the beginning of line 2 to strike out "for the use of the Committee on Public Works two thousand five hundred copies of"; and in line 6, after the word "of" to strike out "1966." and insert "1966; and that there be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works."; so as to make the resolution read:

S. Res. 157

Resolved, That there be printed as a Senate document the report "Waste From Watercraft", of the Secretary of the Interior, in compliance with the provisions of section 17, Public Law 89–753, the Clean Water Restoration Act of 1966; and that there be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works.

The amendments were agreed to.

The resolution, as amended, was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 558), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 157 would authorize the printing as a Senate document of the report "Waste From Watercraft," submitted to Congress by the Secretary of the Interior in compliance with the provisions of section 17, Public Law 89–753, the Clean Water Restoration Act of 1966. There would be printed 2,500 additional copies of such document for the use of the Committee on Public Works.

The Committee on Rules and Administration is reporting Senate Resolution 157 with minor pro forma amendments to recast the resolution in the customary format.

The printing cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

To print as a document (1,500 copies)	$2,453.25
2,500 additional copies, at $194.82 per thousand	487.05
Total estimated cost, S. Resolution 157	2,940.30

"MANPOWER AND TRAINING NEEDS IN WATER POLLUTION CONTROL"

The Senate proceeded to consider the resolution (S. Res. 158) to print as a Senate document a report entitled "Manpower and Training Needs in Water Pollution Control" which had been reported from the Committee on Rules and Administration, with amendments, at the beginning of line 2, to strike out "for the use of the Committee on Public Works, two thousand five hundred copies of"; and in line 7, after the word "of" to strike out "1966." and insert "1966; and that there be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works."; so as to make the resolution read:

S. Res. 158

Resolved, That there be printed as a Senate document the report "Manpower and Training Needs of the States and of Local Governments in Water Pollution Control", of the Secretary of the Interior, in compliance with the provisions of Public Law 89–753, the Clean Water Restoration Act of 1966; and that there be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works.

The amendments were agreed to.

The resolution, as amended, was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 559), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE RESOLUTION

Senate Resolution 158 would authorize the printing as a Senate document of the report "Manpower and Training Needs of the States and of Local Governments in Water Pollution Control," submitted to Congress by the Secretary of the Interior in compliance with the provisions of Public Law 89–753, the Clean Water Restoration Act of 1966. There would be an additional 2,500 copies of the document printed for the use of the Committee on Public Works.

The Committee on Rules and Administration is reporting Senate Resolution 158 with minor pro forma amendments to recast the resolution in the customary format.

The printing cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

To print as a document (1,500 copies)	$1,253.87
2,500 additional copies, at $96.81 per thousand	242.03
Total estimated cost, Senate Resolution 158	1,495.90

"AUTOMOTIVE AIR POLLUTION"

The Senate proceeded to consider the resolution (S. Res. 159) to print as a Senate document a report on "Automotive Air Pollution'" which had been reported from the Committee on Rules and Administration with amendments at the beginning of line 2, to strike out "for the use of the Committee on Public Works, two thousand five hundred copies of" and at the beginning of line 9, to strike out "89–272." and insert "89–272; and that there be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works."; so as to make the resolution read:

S. Res. 159

Resolved, That there be printed as a Senate document the sixth semiannual report of the Secretary of Health, Education, and Welfare, on the problem of air pollution caused by motor vehicles and measures taken toward its alleviation, dated June 1967, in compliance with the provisions of section 106(b) of the Clean Air Act, Public Law 88–206, as amended by Public Law 89–272; and that there be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works.

The amendments were agreed to.

The resolution, as amended, was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 560), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 159 would authorize the printing with an illustration as a Senate document of the sixth semiannual report of Secretary of Health, Education, and Welfare, on the problem of air pollution caused by motor vehicles and measures taken toward its alleviation, dated June 1967, in compliance with the provisions of section 106(b) of the Clean Air Act, Public Law 88–206, as amended by Public Law 89–272. The resolution also would authorize the printing of 2,500 additional copies of such document for the use of the Committee on Public Works. The five prior HEW semiannual reports on the subject have all been printed as Senate documents.

The Committee on Rules and Administration is reporting Senate Resolution 159 with minor pro forma amendments to recast the resolution in the customary format.

The printing cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

To print as a document (1,500 copies)	$445.64
2,500 additional copies, at $44.95 per thousand	112.38
Total estimated cost, Senate Resolution 159	558.02

ANNOUNCEMENT OF CONCLUSION OF SENATE BUSINESS

Mr. MANSFIELD. Mr. President, that concludes the business of the Senate until noon, September 11, 1967.

INVESTING IN AMERICA'S FUTURE

Mr. KUCHEL. Mr. President, today, as the costs of the Vietnam war continue to spiral and the price tag of maintaining existing domestic and foreign programs continues to rise, it is more important than ever that America turn to the vast resources of private enterprise for assistance. For too long, Government has failed to enlist the energies and talents of the private sector of our economy in meeting urgent national problems. Training programs, educational programs, poverty programs, housing programs—all these have been Government financed, and most have been Government run. These programs have fallen far short of their initial goals and simply are not enough to meet the challenges they were designed to resolve.

To rely exclusively, even primarily, on Government efforts is to ignore the basic traditions of American life and politics. To ignore the potential contribution of private enterprise is to have the Nation fight the war on poverty with one hand tied behind its back. Private enterprise is not just another part of America; in a significant sense, it is the very sinews and strength of America. Our productive assets, our machines, our money and plants are owned by private enterprise. It organizes the means by which we join with our fellow man to produce goods and roads, to bring food to our tables and clothes to our backs. Private enterprise has built our cities and industries. But it has not rebuilt the centers of poverty, nor put their people to work. And I believe that the lack of private enterprise participation is the principal cause of our failure to solve the problem of employment in urban poverty areas.

There is little question but that unemployment is one of the primary problems that creates the deprivation, frustration, and decay which tear at the very fabric of life in every major city in this Nation. In a special survey of slum areas, the Labor Department found that at least one-third of their residents who need work do not have the minimal decent jobs that they require for their own independence and the support of their families. This determination has been confirmed by every board and commission, expert and amateur, official and layman, which has examined the problem. The McCone Commission looked at Los Angeles and said that the most serious problem in Watts is unemployment. The Wall Street Journal looked at Oakland and said that its principal plight is unemployment. The Haryou study looked at Harlem and said that the key problem is unemployment. Upon employment hinge the answers to many of the other problems. Jobs cannot educate, but they can help create an atmosphere in which education can more easily take place. Jobs cannot cure disease, but they can help provide the incomes to buy better food and decent medical care. Jobs cannot guarantee happiness, but they certainly can reduce welfare and dependency on the government. Thus, the greatest challenge we have is to afford men the opportunity to contribute to themselves, to support their families, and to contribute to their community. And private enterprise has a vital and necessary role to play in helping America effectively meet this challenge.

I have long supported proposals to broaden the participation of private enterprise in programs to help the less fortunate. Since 1965, I have coauthored the so-called Human Investment Act to provide tax incentives to encourage private industry to offer job training opportunities. In 1966, I was proud to coauthor an amendment enacted by Congress to increase maximum participation of private enterprise in fulfilling the goals and policies of the Economic Opportunity Act.

In July of this year, I have coauthored a proposal—S. 2088—to provide incentives for the creation by private enterprise of jobs for the residents of urban poverty areas. I believe this proposal provides a sound approach to expanding employment opportunities in the slums and ghettos of our Nation. It creates no new bureaucracies nor does it require vast amounts of Federal appropriations. The Federal Government provides only a system of tax incentives, carefully designed to enable private enterprise to make its investments and carry out its operations in urban poverty areas.

Mr. President, no one doubts that increased Federal appropriations for one program or another will be needed in the future, but I believe that new ideas and creative approaches are needed even more. In this respect, it is vital that the resources of private enterprise be mobilized to spearhead an attack on the very core of urban poverty—unemployment. S. 2088 offers such an opportunity. It is a proposal which will not only engage the energies of a nation in a partnership of government, people, and business; but will give to thousands of Americans the most fundamental of all rights—the right to earn a living. Certainly, America can afford to do no less.

STATE DEPARTMENT WHITE PAPER ON PRISONERS OF WAR

Mr. KUCHEL. Mr. President, earlier this month the Department of State issued a white paper thoroughly portraying the situation respecting American prisoners now held by the Communist Vietnamese. Unquestionably, this is one of the most angering aspects of this tragic conflict. The American people cannot stand mute before the brutal, barbaric, and murderous treatment of prisoners by the Vietcong and North Vietnamese. Last year the Hanoi regime threatened to hold public trials of captured American flyers on trumped-up "war crimes" charges. At that time, I pointed out that the holding of such farcical proceedings would be a tragic miscalculation. On July 13, 1966, I said in the Senate:

> Let the Hanoi regime be fully warned in advance that any attempt to humiliate and execute captured American prisoners now in their hands will meet with a worldwide revulsion. It would unite the American people as no other act could unite them in the fight we are making for the respect and dignity of the people of South Vietnam.

Today, there are more than 650 American servicemen classed as prisoners of war or missing in Vietnam. Some 200 are known to be in Communist hands. The recent loss of airplanes in North Vietnam suggests that this number has increased.

Hanoi, like the United States and South Vietnam, is signatory to the Geneva Convention. Its shocking behavior is clear evidence of the double standard which the Communists have consistently applied in this conflict. On this issue, surely, there is no room for debate. Hanoi's infamy must be replaced by some signs of good faith if it expects ever to engage in serious discussions to bring this conflict to a close. I ask unanimous consent that the State Department white paper be printed in the Record at this point.

There being no objection, the white paper was ordered to be printed in the Record, as follows:

STATE DEPARTMENT WHITE PAPER ON PRISONERS OF WAR

INTRODUCTION

In its handling of prisoners of war in Viet-Nam, the United States Government has placed great emphasis upon proper treatment in accordance with its responsibilities under international law and its desire to insure equal treatment of its own personnel captured by enemy forces. North Vietnamese and Viet Cong forces captured in South Viet-Nam are detained by the Government of South Viet-Nam in PW camps inspected by the International Committee of the Red Cross where they are given the decent treatment required by the Geneva Convention Relative to the Treatment of Prisoners of War of August 12, 1949. Sick and wounded prisoners have been repatriated to North Viet-Nam as the convention requires, and others have been repatriated or released in South Viet-Nam, in the hope that our adversaries will reciprocate.

The United States Government repeatedly has appealed to North Viet-Nam and to the National Liberation Front to treat prisoners of war humanely and to respect the requirements of the Geneva convention by which they are bound. On July 17, 1967, the White House issued a public statement calling upon the National Liberation Front and North Viet-Nam to permit impartial inspection of all prisoners and to repatriate sick and wounded prisoners. The statement reiterated our desire for an exchange of prisoners and emphasized that the United States Government is willing "to discuss such exchanges at any time and in any appropriate way, using intermediaries or directly, by public means or privately."

Despite our best efforts, however, both North Viet-Nam and the National Liberation Front refuse to observe the Geneva convention provisions. They have not yet agreed to repatriate sick and wounded prisoners. Their claims of humanitarian treatment of prisoners cannot be verified because neutral governments or humanitarian agencies are not allowed to visit the prisoners or to inspect their places of detention. The great majority of American prisoners have been isolated from every contact with the outside world.

In the past 2 years there have been several incidents of abuse of American prisoners of war, including the reprisal murder of three captured U.S. servicemen by the Viet Cong in 1965 and the parade of American pilots through the streets of Hanoi in 1966. Recently there have been indications that other U.S. personnel detained by the enemy are not being treated humanely. This spring several U.S. prisoners of war, in an apparently dazed condition, were publicly displayed in Hanoi, and there have been a number of broadcasts of alleged "confessions." In South Viet-Nam there have been more murders of U.S. soldiers captured by the enemy.

The United States Government has formally protested the atrocities committed against U.S. personnel detained by the enemy, and many governments and statesmen have intervened on behalf of U.S. prisoners. A United States protest, sent through the International Committee of the Red Cross on March 24, 1967, conveyed the strong feelings of the American people on this matter. It stated:

"For some time the North Viet-Namese authorities have made statements both public and private to the effect that their policy regarding treatment of American prisoners of war is a humane one. Because of North Viet-Nam's refusal to permit representatives of a neutral country or the International Committee of the Red Cross to visit the American prisoners, as required by the Geneva Conventions of 1949, and because of the restrictions that North Viet-Nam has imposed upon the rights of the American prisoners under international law to correspond with their families, it has not been possible to verify the North Vietnamese claims of humane treatment.

"In recent weeks information has come to our attention which casts the most serious doubts upon the North Viet-Namese statements that American prisoners are being treated in a humane fashion. We have reluctantly come to the conclusion that some of the U.S. airmen are being subjected to emotional or physical duress, which is a flagrant violation of the Geneva Conventions. . . ."

In these circumstances, it is important to set the record straight in regard to the rights of prisoners of war and the policies of the parties to the conflict.

SPECIAL STATUS OF PRISONERS OF WAR UNDER THE GENEVA CONVENTION

The special status enjoyed by prisoners of war under international law stems from the fact that there is no military justification for the injury or mistreatment of members of armed forces who have fallen into the hands of the enemy and who no longer present any military threat. Because prisoners of war are unable to protect themselves, international law requires that their persons and honor be respected and that they be protected from both physical and mental abuse. Although no nation today claims a right to mistreat prisoners of war, specific safeguards are necessary to insure their proper treatment. These protections are provided by the Geneva Convention Relative to the Treatment of Prisoners of War of August 12, 1949, which has been accepted by 123 countries.

The Geneva convention requires that "prisoners of war must at all times be humanely treated." It establishes standards for PW camps and for the food, clothing, and medical care of prisoners of war. Among other matters, the convention regulates the labor of the prisoners of war and their discipline. It guarantees them the services of a "Protecting Power" and communication with their families. Finally, the convention guarantees the right of repatriation. Seriously sick and wounded prisoners of war must be allowed to return home as soon as they are fit to travel, even if hostilities continue. All others who are not released during hostilities must be given that opportunity as soon as active hostilities have ceased.

The specific protections afforded prisoners of war by the Geneva convention are vital to their safety and well-being. The United States, South Viet-Nam, and our allies have applied the convention in the current hostilities. Despite the appeals of the International Committee of the Red Cross, the other side has refused to do so.

APPLICATION OF THE GENEVA CONVENTION IN VIETNAM

Article 2 of the convention provides that it "shall apply to all cases of declared war or any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them." The principle parties to the conflict in Viet-Nam are all parties to the convention. South Viet-Nam acceded to the convention on November 14, 1953, and North Viet-Nam acceded on June 28, 1957. The United States ratification was deposited on August 2, 1955. [The other countries contributing troops have also ratified the convention, namely: Australia—October 14, 1958; Korea—August 16, 1966; New Zealand—May 2, 1959; Philippines—October 6, 1952; Thailand—December 29, 1954.]

On June 11, 1965, M. Jacques Freymond, Vice President of the International Committee of the Red Cross (ICRC), wrote to the United States Government, the Government of South Viet-Nam, the Government of North Viet-Nam, and the National Liberation Front, reminding each of them of their obligation to apply the Geneva convention in Viet-Nam.

On August 10, 1965, Secretary of State Dean Rusk wrote to the ICRC, stating: "The United States Government has always abided by the humanitarian principles enunciated in the Geneva Conventions and will continue to do so. In regard to the hostilities in Viet-Nam, the United States Government is applying the provisions of the Geneva Conventions and we expect the other parties to the conflict to do likewise."

South Viet-Nam made a similar reply to the ICRC on August 11, 1965. The allies have reiterated their determination to apply the convention in the Joint Statement of Honolulu on February 8, 1966, as well as in the seven-power communiques at Manila on October 25, 1966, and at Washington on April 21, 1967.

North Viet-Nam and the Viet Cong, on the other hand, have refused on various grounds to apply the Geneva convention for the benefit of prisoners of war held by them. The National Liberation Front has taken the rigid position that it is not bound by the convention, despite the quiet and correct insistence of the ICRC that the Viet Cong are bound by the adherence of both North and South Viet-Nam.

North Viet-Nam's position is stated in a letter to the ICRC of August 31, 1965, contending that American pilots captured in North Viet-Nam were "major criminals" liable for judgment under North Vietnamese law "although captured pilots are well-treated." At times North Viet-Nam has attempted to justify its refusal to extend the protections of the Geneva convention to the captured Americans on the ground that the convention does not apply in the absence of a declaration of war. However, article 2 of the convention specifically states that the convention shall apply to any armed conflict which may arise between the parties "even if the state of war is not recognized by one of them." There is an "armed conflict" between parties to the convention, and the ICRC has declared that the obligations of this humanitarian law are in force.

Despite the attitude of North Viet-Nam and the Viet Cong, the United States, South Viet-Nam, and our other allies have made a major effort to apply the provisions of the Geneva convention to the fighting in Viet-Nam. All prisoners of war taken by United States and other allied forces in South Viet-Nam are transferred to the custody of the Government of South Viet-Nam in accordance with article 12 of the Geneva convention which provides that prisoners of war may be transferred to a power which is a party to the convention willing and able to apply the convention. South Viet-Nam is a party to the convention and in statements to the ICRC and in joint communiques with the United States and other troop-contributing countries has pledged itself to apply the convention. The United States, for its part, recognizes that it has contingent responsibility for prisoners of war transferred from its control. The two governments together have developed a comprehensive program for the humanitarian treatment of prisoners of war as follows:

Instruction of troops

First, the forces of both the United States and Viet-Nam are instructed and trained to treat prisoners humanely and to apply the terms of the convention. Each soldier is provided with a card to be carried on his person which reminds him of the basic rights of prisoners of war.

Classification of prisoners

Second, each person detained by U.S. forces is treated as a prisoner of war unless and until such time as he is properly classified in accordance with the convention as other than a prisoner of war. All persons transferred from United States control are first classified by United States personnel, and prisoners of war are delivered directly to a PW camp by U.S. forces.

Under the Geneva convention, the main categories of prisoners of war include the regular armed forces of the parties to the conflict; certain civilians accompanying the forces; and guerrilla forces if they are subject to a commander, carry arms openly, wear a uniform or other distinctive sign recognizable at a distance, and comply with the laws and customs of war. By these standards, a great many Viet Cong., would not qualify for prisoner-of-war status because they do not wear any uniform, do not carry arms openly, and commonly violate the rules of warfare. These rules would disqualify many guerrillas as well as terrorists. However, South Viet-Nam and the United States have adopted broad definitions for qualifying prisoners of war which are more generous than those provided in the Geneva convention. All North Vietnamese and Viet Cong troops (other than terrorists) are classified as prisoners of war even if they do not meet the standards of the Geneva convention.

This policy is in marked contrast with North Viet-Nam's refusal to give prisoner-of-war which are more generous than those propersonnel, notwithstanding the fact that these American prisoners are uniformed members of the regular Armed Forces of the United States and incontestably qualify for prisoner-of-war status.

The Viet Cong do not consider any of their captives to be prisoners of war.

Prisoner-of-war camps

After classification, prisoners taken by United States and friendly forces in South Viet-Nam are promptly moved into prisoner-of-war camps which have been specially constructed and are maintained by the South Vietnamese Army in accordance with the Geneva convention. Prisoners are provided with adequate shelter, clothing, food, medical care, and exercise, and they are treated with dignity and respect by the prison guards. United States military advisers are assigned to each of these prisoner-of-war camps, and the camps are regularly visited by representatives of the International Committee of the Red Cross.

At the present time there are six PW camps in which more than 6,000 North Vietnamese Army and Viet Cong prisoners of war are detained. This figure does not include the thousands of enemy cadre who over the years have defected and voluntarily returned to the Government's side under the "open arms" program. These persons after a few weeks of rehabilitation are released with full rights of citizenship.

MISTREATMENT OF PRISONERS OF WAR BY NORTH VIETNAM AND THE VIETCONG

North Viet-Nam and the Viet Cong claim that they follow a humanitarian policy towards prisoners of war, but they have systematically deprived prisoners of their rights under the Geneva convention, and there are increasing indications of the deliberate mistreatment of prisoners. It is impossible to confirm the conditions under which prisoners are held by the enemy because neither North Viet-Nam nor the Viet Cong will permit independent verification by any neutral government or impartial gency.

IDENTIFICATION OF PRISONERS OF WAR

There are approximately 650 American military personnel who are classed as PW's or missing in North and South Viet-Nam. The United States believes that approximately 200 of these men are being held as prisoners of war. The total number of prisoners is not known, however, because North Viet-Nam refuses to identify all prisoners of war as required by the Geneva convention.

The convention requires each party to the conflict to establish an Information Bureau to collect names and other vital information concerning prisoners of war and to forward this information to the powers concerned through the intermediary of the Protecting Powers and a Central Information Agency to be created in a neutral country. The International Committee of the Red Cross has performed the functions of a Central Information Agency by soliciting all parties to the conflict to provide lists of prisoners of war to its Central Tracing Agency. The names of prisoners of war captured by U.S. and South Vietnamese forces are supplied to the ICRC by the Government of South Viet-Nam, but North Viet-Nam and the Viet Cong refuse to provide such information.

The prompt disclosure of the names of captured personnel is vital to keep account of prisoners of war so that they do not simply "disappear." The enemy's refusal to disclose the names of prisoners of war is a source of continuing concern. It not only causes needless uncertainty and anguish to the families of missing servicemen, but it also provides a basis for suspicion that North Viet-Nam and the Viet Cong do not wish to be held accountable for prisoners they capture.

PROTECTING POWER

Article 8 of the convention prescribes that the "present Convention shall be applied with the cooperation and under the scrutiny of the Protecting Powers whose duty is to safeguard the interests of the Parties to the conflict." The Protecting Powers are the key to the operation of the convention and to the protection of prisoners of war. It is their responsibility to verify the conditions under which prisoners are detained and to safeguard prisoners' rights as established by the convention. The Protecting Powers are entitled to visit privately with prisoners of war, to hear their complaints, to advise them of their rights, and to help resolve disputes between the parties to the conflict over the application of the convention. If formal protection cannot be arranged, the convention requires that a substitute organization or an agency such as the ICRC be appointed to assume the humanitarian functions performed by the Protecting Powers. No party holding prisoners has the right to deny those prisoners this fundamental protection.

Notwithstanding the clear requirement of the convention, North Viet-Nam has refused to allow American prisoners of war to have the benefit of a Protecting Power, and it has not permitted the ICRC to perform the humanitarian functions of a Protecting Power. Thus, North Viet-Nam has undercut the very structure of the convention and has made its application impossible. In South Viet-Nam, the ICRC performs many of the functions that would normally be performed by a Protecting Power for enemy prisoners of war, but it cannot fulfill that role completely because North Viet-Nam refuses to acknowledge that its forces are present in South Viet-Nam.

CONTACT WITH THE OUTSIDE WORLD

The Geneva convention further provides that prisoners are not too isolated from contact with the outside world. Prisoners are entitled to correspond with their families and friends and to receive parcels from the outside. The International Committee of the Red Cross is entitled to visit prisoner-of-war camps, to speak privately with prisoners of war, and to distribute parcels and comfort items to the prisoners.

South Viet-Nam and the United States have cooperated with the International Committees. ICRC representatives visit PW camps and civil prisons in South Viet-Nam, and ICRC doctors examine sick and wounded prisoners being treated in hospitals in South Viet-Nam. These representatives have been allowed to interview prisoners privately, and they are authorized to distribute comfort items to the prisoners. South Vietnamese authorities and the ICRC are also attempting to facilitate correspondence between enemy prisoners and their families.

North Viet-Nam and the Viet Cong have rigidly refused to comply with these provisions of the convention. Some U.S. prisoners in North Viet-Nam have been allowed to send a few letters and several prisoners have been seen by journalists and other foreign visitors; but the great majority have been cut off from every contact with the outside world. Parcels mailed to prisoners in North Viet-Nam are returned unopened, and we do not know whether letters sent to North Viet-Nam are delivered to the prisoners. The ICRC is not allowed to enter North Viet-Nam, and the prison camps and places of detention are not open to inspection. Moreover, North Viet-Nam has refused to disclose the geographic location of PW camps as the convention requires. This policy of isolation of prisoners of war is both illegal and inhumane, and it gives ground for deep concern as to the treatment of prisoners by North Viet-Nam.

HUMANE TREATMENT OF PRISIONERS OF WAR—ATROCITIES

Article 13 of the Geneva convention provides:

"Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited, and will be regarded as a serious breach of the present Convention. In particular, no prisoner of war may be subjected to physical mutilation or to medical or scientific experiments of any kind which are not justified by the medical, dental or hospital treatment of the prisoner concerned and carried out in his interest.

"Likewise, prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity.

"Measures of reprisal against prisoners of war are prohibited."

South Viet-Nam and the United States have taken great pains to insure that these most fundamental provisions of the convention are fully complied with. Although some instances of abuse undoubtedly have occurred in the heat of battle, these incidents have been reduced to a minimum by a continuing program of education and by elaborate procedures for the processing of prisoners of war from the moment of capture.

The record of the other side has been deplorable. On June 24, 1965, the NLF announced the murder of Sergeant Harold Bennett by the Viet Cong in stated reprisal for the execution of terrorists by the Government of South Viet-Nam. Again on September 26, 1965, the NLF announced the reprisal murder of Captain Humbert R. Versace and Sergeant Kenneth M. Roraback by the Viet Cong. Article 13 of the convention specifically prohibits the taking of reprisals against prisoners of war, and the murder of prisoners of war is a grave breach of the convention. The United States immediately protested these "acts of wanton murder" to the ICRC, and appealed to the International Red Cross Conference which convened in Vienna the next week. On October 9 the Red Cross conference overwhelmingly adopted a resolution noting that reprisals against prisoners of war are condemned and calling for the application of the Geneva convention. This appeal has been ignored by our opponents in Viet-Nam.

On May 23, 1967, Marine Lieutenant William M. Grammar and Army Sergeant Orville B. Frits were captured in fighting with North Vietnamese and Viet Cong forces in Quang Tri Province. When the enemy positions were taken a few hours later, the two men were discovered to have been tortured and executed by their captors. The Viet Cong have massacred numbers of Vietnamese prisoners rather than give them up to approaching government forces. In an incident on January 15, 1967, government troops discovered the bodies of 81 Vietnamese civilians massacred by Viet Cong forces retreating in front of government forces in the Mekong delta. Many of the bodies found in two trenches were mutilated. The South Vietnamese Government protested this action to the International Control Commission established under the 1954 Geneva accords.

U.S. civilians also have been victimized by the Viet Cong. On June 15, 1967, the Viet Cong "Liberation Radio," broadcasting from Hanoi, announced the name of Gustav C. Hertz as one of those American prisoners who "had paid their blood debt to the Vietnamese people." The broadcast implied that Hertz, who was captured on February 2, 1965, had been executed as an act of reprisal. The United States is seeking clarification of this announcement from the National Liberation Front.

Gustav Hertz is a civilian employee of the U.S. Agency for International Development working in Viet-Nam in the field of public administration. He is entitled to the protections of the 1949 Geneva Convention Relative to the Protection of Civilian Persons in Time of War, which specifically prohibits reprisals against persons who fall into the hands of a party to the conflict of which they are not nationals. The murder of a civilian captive is a flagrant violation of international law.

Apart from incidents of gross brutality, North Viet-Nam has violated article 13 of the Geneva convention by failing to protect prisoners of war "against acts of violence or intimidation and against insults and public curiosity." In July 1966 North Vietnamese authorities paraded captured American pilots through angry crowds of people in the streets of Hanoi. At that time North Viet-Nam was giving indications that it intended to put captured American pilots on trial as "war criminals." The United States Government stated that such a move would be a transparent attempt to take reprisals against prisoners of war in violation of article 13. The prospect of war-crimes trials caused grave concern in the United States and around the world. Many American political figures and citizens spoke up in protest, and a number of governments and statesmen and the ICRC intervened on behalf of the prisoners. Both Secretary-General U Thant of the United Nations and His Holiness Pope Paul VI made statements in support of the humanitarian treatment of prisoners of war. On July 24 President Ho Chi Minh of North Viet-Nam announced that there was no "trial in view."

Nonetheless, acts of public intimidation and humiliation continue to occur. On May 9, 1967, the United States again protested "the parading of captured American pilots through the streets of Hanoi and their display at a press conference on May 6." This incident was particularly disturbing in view of indications that one or more of the prisoners was wounded or ill. In consequence, the American Red Cross sent the following message to the North Vietnamese Red Cross:

"As an act of mercy and in keeping traditional responsibility your Red Cross and ours we ask that you request your government on humanitarian grounds to permit repatriation of seriously ill and injured prisoners such as Lt. Col. Larsen, Lt. Col. Hughes, and Lt. Schively, who were so obviously helpless and incapacitated as shown in films exhibited in the United States. . . ."

The American Red Cross has had no reply to this message.

COERCION OF PRISONERS

Article 17 of the Geneva convention lays down the rule that: "No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind." There are nevertheless indications that U.S. prisoners of war in North Viet-Nam are being subjected to physical or mental coercion, and that one objective of this treatment is to extract from them propaganda statements critical of U.S. actions in Viet-Nam. There have been reports and films of U.S. prisoners in apparently dazed conditions on exhibit in Hanoi, and North Viet-Nam has released some 27 propaganda statements attributed to U.S. prisoners of war.

The case of Navy pilot Commander Jeremiah A. Denton, Jr. appears to confirm that U.S. prisoners are being abused in this manner. In May 1966 Commander Denton in an interview on a Japanese television network said, "I don't know what is happening [in Viet-Nam] but whatever my government's policy is I support it." The pilot said he felt pretty well. "I get adequate food, clothing, and medical care when I require it." However, a close-up shot of the American prisoner showed his face drawn and haggard, and his eyes appeared heavy-lidded. He spoke haltingly and rolled his eyes continually, at times staring blankly at the ceiling. He would occasionally close his eyes tightly when asked to answer a question. Two months later, on July 8, 1966, Peking Radio broadcast in English a statement attributed to Commander Denton denouncing the bombing of North Viet-Nam.

The appearance of Navy Commander Richard A. Stratton at a "press conference" in Hanoi on March 5, 1967, caused alarm. According to eyewitness observers, including Western journalists and diplomats, Comdr. Stratton appeared dazed and confused, his nose swollen, his skin blotchy, his eyes empty of expression. At command from his captors he bowed stiffly several times, but said nothing. While he was going through these actions a tape-recorded confession to "war crimes," said to be Stratton's voice, was played over a loudspeaker. The press conference, described by observers as a "frightening experience," was confirmed on film by an American photographer and a Japanese TV crew. It was this incident which prompted the United States protest of March 24, 1967. Since that time the Hanoi authorities have attempted to convey the impression that prisoners are well-treated by arranging interviews of Commander Stratton and other prisoners by Soviet, Cuban, and other Communist journalists, and other visitors to North Viet-Nam. However, North Viet-Nam continues to refuse to allow the ICRC or any neutral government or agency to visit the prisoners and their places of detention, as required by the Geneva convention. Without such independent verification, North Viet-Nam's professions of "humane treatment" cannot be accepted.

The United States Government continues to protest these violations of the convention, and it has asked the International Committee of the Red Cross and various governments to intervene on behalf of the United States prisoners. The ICRC has transmitted the U.S. protests and repeatedly has appealed to all parties to the conflict to assure proper and humane treatment of prisoners. Unfortunately, North Viet-Nam has not changed its position. The Viet Cong has severely criticized the ICRC for attempting to perform the impartial humanitarian tasks which are its special responsibility to victims of war.

THE REPATRIATION OF PRISONERS OF WAR

The Geneva convention imposes an absolute obligation to release prisoners of war. Prisoners who are seriously sick or wounded and who wish to return home must be sent back to their own country as soon as they are fit to travel. Other sick and wounded prisoners whose health would be benefited thereby should be accommodated in neutral countries. The parties to the conflict are required, throughout the duration of hostilities, to endeavor to make arrangements for such accommodation. The parties to the conflict "may, in addition, conclude agreements with a view to the direct repatriation or internment in a neutral country of able-bodied prisoners of war who have undergone a long period of captivity." Prisoners of war who are not released during the hostilities and who wish to return home "shall be released and repatriated without delay after the cessation of active hostilities."

The United States Government and the Government of South Viet-Nam have given high priority to the humanitarian treatment of prisoners of war and to the early release of all prisoners of war. In cooperation with the International Committee of the Red Cross, we are carrying out the obligation to repatriate sick and wounded prisoners of war. To facilitate the release of sick or wounded prisoners, medical doctors of the International Committee of the Red Cross are helping South Vietnamese authorities to examine all prisoners of war who might qualify for direct repatriation during the continuance of hostilities. Eligible prisoners who are fit to travel and who wish to return home at this time are repatriated direct to North Viet-Nam across the Ben Hai River bridge in the Demilitarized Zone. North Viet-Nam refuses to acknowledge that these prisoners are members of its forces, but it has accepted their return to North Viet-Nam.

In the absence of negotiated arrangements for the comprehensive repatriation of sick and wounded prisoners, it is necessary to limit repatriation to groups of manageable size and to schedule the releases at intervals when the course of hostilities will permit. Thus far, South Viet-Nam has repatriated 100 prisoners to North Viet-Nam in four releases scheduled since January 1966. The latest repatriation took place on June 12 and included 39 prisoners. As more North Vietnamese prisoners are taken, this program of limited unilateral repatriation will continue.

North Viet-Nam holds many American prisoners eligible for immediate repatriation, but it has yet to take any action to meet this obligation. We earnestly hope that North Viet-Nam will demonstrate a humanitarian policy by repatriating the seriously sick and wounded prisoners it holds without further delay. * * * have also attempted to persuade the other side to consider an immediate exchange of able-bodied prisoners. To this end we have contacted both North Viet-Nam and the National Liberation Front, directly and through intermediaries, to propose discussions of repatriation, exchange, and other matters pertinent to prisoners of war. On July 20, 1966, President Johnson publicly declared our willingness to meet with the Hanoi government on these matters at a conference table under sponsorship of the ICRC. The International Committee, national Red Cross societies, governments, and private persons have appealed to North Viet-Nam and the NLF to discuss these matters, but every initiative has been rejected. Both North Viet-Nam and the Viet Cong refuse to comply with these vital provisions of the Geneva convention, and both refuse to discuss the matter directly or through any intermediary.

The only hopeful note in these matters has been the practice of the Viet Cong to release a few of the prisoners from time to time. Four U.S. servicemen, two U.S. civilians, and a Filipino woman have been released by the National Liberation Front along with occasional Vietnamese. To reciprocate these actions and to encourage the *ad hoc* release of prisoners of war, the South Vietnamese Government has undertaken the periodic release of Viet Cong prisoners of war in South Viet Nam.

Since January 1966, 34 Viet Cong have been set free under this program. The latest release involving four Viet Cong prisoners took place on June 12 of this year. The United States welcomes these unilateral measures for the benefit of prisoners of war, and it is our hope that North Viet Nam and the National Liberation Front will choose to adopt a humanitarian policy of returning all prisoners of war to their families at the earliest possible date.

CONCLUSION

The Geneva convention establishes special protections for prisoners of war because these men who have fallen into the hands of the enemy no longer present any threat and are unable to protect themselves. Together with the Government of South Viet Nam and our allies we shall insure that enemy prisoners of war are treated humanely in accordance with the Geneva convention. We will continue to make every effort to persuade North Viet Nam and the Viet Cong to apply the Geneva convention for the benefit of U.S. and allied prisoners of war. In the interest of the humanitarian policy which they proclaim, we appeal to North Viet Nam and to the National Liberation Front to respect the rights of prisoners of war and to comply with the Geneva convention.

LET US NOT REACH THE POINT OF NO RETURN

Mr. YOUNG of Ohio. Mr. President, Adm. U.S. Grant Sharp, commander of our fleet in the Pacific, recently said that bombing of a railway bridge only little more than a mile from the heart of the city of Hanoi was not escalating the war. He said "escalating" is a dirty word. In Pentagonese gobbledegook Admiral Sharp used the term "progression of pressure on North Vietnam."

Intensive bombing of North Vietnam has been carried on for more than 2½ years. Billions of dollars of our warplanes and bombers have been destroyed. Hundreds of our airmen have been killed or taken prisoner by the Vietcong. Recently, for the first time a bridge, termed "Longbien Bridge," the ancient name for Hanoi, and in close proximity to many civilian homes in Hanoi was bombed. The bridge was badly damaged. It is not known how many civilian men, women, and children were killed or injured in this new and extremely serious escalation or "progression of pressure." It is known that there were many civilian casualties.

Mr. President, the generals and admirals continue to urge increased bombing of North Vietnam and that no targets, including Hanoi and the port of Haiphong, its docks, and even freighters entering its harbor, be immune from our air attacks. They argue that the bombing is seriously reducing the amount of men and supplies which move from North Vietnam south of the demilitarized zone into South Vietnam.

At the same time, Secretary of Defense McNamara has stated that all that bombing of North Vietnam is really accomplishing is imposing a price on North Vietnam which the government and the people are able and willing to pay. It consists of some loss of lives, considerable labor on repairing damage, some damage to unimportant industrial facilities, and the evacuation of the key cities by nonessential civilians.

Secretary McNamara says it takes less than a hundred tons of supplies a day to keep the Vietcong and those North Vietnamese forces serving with them fully supplied with arms, ammunition, and food and operating at their present level of activity. He has stated that a hundred tons of supplies can be moved by 200 men on bicycles or by very few trucks.

Secretary McNamara's statements completely refute those made by the Joint Chiefs of Staff and other warhawk admirals and generals. Escalation of bombing of all territory in North Vietnam urged by them would affect the course of the war only in terms of the additional American planes and pilots lost to enemy action. Their continuing shrieks for unlimited bombing in spite of the statements made by the Secretary of Defense are repugnant to the democratic process. This is one more manifestation of the arrogant power which the Military Establishment has taken unto itself, and which threatens the very basis of our Republic. The warhawk generals and admirals prove once again the truth of the statements made by Clemenceau, the great Premier of France during the First World War, that "war is much too serious a matter to be entrusted to generals."

There is no question but that the cost in priceless lives of young Americans and in aircraft far exceeds any gains resulting from the bombing of North Vietnam. The time is long past due for an announcement by our President that we will unconditionally cease the bombing of North Vietnam, hoping that there will then be a conference leading to an armistice and cease-fire.

After more than 2½ years of bombing at enormous cost to us in planes and men, the Vietcong has more than doubled its troop strength and is beginning to hit our bases and men with rockets, mortars, and new weapons of all kinds. Does it make sense to use a $2 million airplane piloted by a highly skilled pilot and carrying a $10,000 bombload to knock out a $50 grass hut or a rope bridge that will be repaired by nightfall? We could go broke trying to win the war in that fashion. Indeed, our involvement in this ugly civil war is now costing us $30 billion a year, with rising taxes and budget deficits ahead.

However, Secretary of State Rusk and the other administration warhawks refuse to face the fact, now well demonstrated, that the bombing of North Vietnam is a failure. They refuse to face the fact that the bombing, by every prudent estimate, will not end the war but may possibly expand it into a war with Communist China. They refuse to face the fact that unless we wish to pour millions of troops into total occupation of South Vietnam and possibly all of Vietnam north of the 17th parallel no solution is now possible except a political one.

Mr. President, let us hope that soon after the election in Vietnam next Sunday President Johnson and his advisers will begin taking meaningful steps toward ending our involvement in that ugly civil war in South Vietnam. Let us hope that they will begin working out the best possible arrangements for ending this war, or turning its conduct over to the South Vietnamese who are opposed to the National Liberation Front, the political arm of the Vietcong fighting forces. The alternative is a steadily widening war, growing casualty lists, skyrocketing taxes and deficits, accompanied by upheavals and riots in our cities, and in the end perhaps world war III by causing the Red Chinese to invade North Vietnam with its ground and air forces. A way to the peace table must be found before that point of no return is reached.

FOREIGN TRADE

Mr. CARLSON. Mr. President, for more than 30 years, the United States has played a leading role in working with other countries to reduce unnecessary obstacles to foreign trade. This program of trade liberalization has greatly enhanced the opportunities for American agriculture and industry to participate profitably in the international exchange of goods. In addition, foreign trade has helped to bring increased prosperity to other countries around the world whose welfare is intertwined with our own.

Evidence of the importance of this increased trade is the rise of our economy since trade liberalization began in the 1930's. At the lowest level of the depression in 1932, coincident with the peak high of our tariffs and with stringent trade controls by other countries, our foreign trade fell to a low point of $1.6 billion of exports and $1.3 billion in imports. The Nation's economic health was never more precarious. Last year, as the United States enjoyed unrivaled prosperity, exports reached $29.4 billion and imports $25.6 billion, nearly 20 times the levels of 1932.

Past participation in the international General Agreements on Tariffs and Trade—GATT—has been very fruitful, in that our exports covered by tariff concessions have exceeded imports covered by concessions. The recently concluded Kennedy round, the sixth major GATT negotiation, will have far-reaching influence for the Nation as a whole and for Kansas in particular. The Trade Expansion Act of 1962 formed the basis for our participation in the Kennedy round, and I helped write that bill as a member of the Senate Finance Committee. While the negotiations did not go as far as I had hoped in regard to access to many of the markets in the European Common Market, I feel that significant gains were made overall. As a result of the negotiations, we accomplished an exchange of mutually advantageous trade concessions applying to an estimated $40 billion of world trade annually.

I am happy to say that the economy of Kansas has and will continue to benefit in a number of ways from the trade concessions made at GATT negotiations. With lowered tariff walls around the countries to which we export Kansas products, we have found increased marketing opportunities. According to the U.S. Department of Commerce, Kansas experienced a growth in total exports of 29 percent between 1960 and 1963. The national export growth rate for this 3-year period was only 13 percent.

On the agricultural aspect of trade, American exports have been rising rapidly over the past three decades, particularly in wheat and feed grains. It is estimated that one out of every four U.S. harvested acres in fiscal 1966 was required to produce the agricultural products exported. Over 60 percent—$1.4 billion—of the U.S. production of wheat was marketed overseas, 47 percent—$1.38 billion—of total U.S. receipts from sales of feed grains was the result of foreign exports, and over 40 percent—$734 million—of the domestic production of soybeans was exported.

Kansas has had a major share of these agricultural exports. In fiscal 1966, our

State supplied $392 million worth of the U.S. total, giving Kansas the fifth largest share in the country. Principal commodities shipped were wheat at a value of $253 million; wheat flour, $20 million; feed grain, $50 million; soybeans, $16 million; lard and tallow, $7 million; hides and skins, $5 million; meats, $4.4 million; and dairy products, $3 million. One-third of Kansas' cash receipts from farm marketing in 1966 was the result of exports to foreign countries. This is a greater percentage than for any other State in the Union.

Kansas economy has also profited from industrial exporting. Latest available figures indicate that during 1963, foreign buyers purchased $117.1 million worth of goods manufactured in Kansas. In 1964, 422 industrial firms in Kansas exported substantial quantities of chemicals, pipes, valves, pumps, farm and industrial machinery, metal silos and prefabricated buildings, tubes and tires, carbon blacks, petroleum, coal, and fiberglas. In 1963, Kansas exported $2 million in stone, clay, and glass products, $2.4 million of fabricated metal products, and $4.9 million of machinery. During the period 1960–63, Kansas chemical product exports almost doubled, from $2.5 million to $4.7 million.

A very major export for Kansas is in the aircraft industry. The Boeing Co., in Wichita, reports that in 1966, 6 percent of its employees, or 1,760 personnel, were specifically engaged in manufacturing airline parts for export. These employees had a payroll of $15,260,000. In addition, two subcontracts worth $2½ million were fulfilled. As of July 1, 1967, the Wichita Boeing plant had a $62 million export backlog order. Cessna Aircraft anticipates that it will complete $36.9 million worth of aircraft for export from its Wichita plant during the current year, 1967, as well as a sizable quantity of equipment from its hydraulics plant in Hutchinson. Beech Aircraft, also of Wichita, will have exported aircraft valued at $32 million during the fiscal year ending September 30.

We should realize that our exports have created much more than an economic advantage for farmers and industrial employees, because at the same time they have strengthened our entire economy. The export business means more jobs for truckers, for employees of the railroads, and for employees of our water transportation systems. It means numerous jobs in the production of power and the providing of community services. According to a Kansas State University study, every wheat dollar in 1965 generated four additional dollars into the total Kansas economy.

Specifically, I want to discuss the effects of the Kennedy round on the Nation and on our State. The new tariff reductions will begin on January 1, 1968, at which time one-fifth of the agreed total reduction will become effective. The remainder will come in four equal annual cuts. In all major categories of industrial production, tariffs will be reduced by an average of 33 to 35 percent, but in many cases the reductions will range up to 50 percent. Tariffs on agricultural products will be cut by an average of 25 percent and range up to 40 percent. This is somewhat less than the cuts on industrial products, largely because of internal Common Market agreements on agricultural items. But for the first time in the history of GATT negotiations, agriculture was included comprehensively.

These agricultural concessions are of special importance for the State of Kansas. Improved export opportunities were obtained for soybeans, poultry, hides and skins, and wheat and feed grains. In particular, a world grains arrangement was negotiated as part of the Kennedy round package. One of the important elements in this arrangement is a minimum price system for the varieties of wheat of most importance in world trade, including a minimum price of $1.73 for U.S. No. 2 Hard Red Winter Wheat Ordinary. This is an increase from $1.45 but does not mean that world prices for wheat will rise immediately, because present prices are already above this new minimum by 10 cents.

A second key element in the new grains arrangement is a food aid program under which other countries have agreed to share with the United States the heavy but necessary task of supplying food to less developed countries. Four and a half million metric tons of grain will be sent each year, of which the United States will provide almost 1.9 million tons, or 42 percent. As the wheat stocks of the Common Market decline, we may be called upon to sell additional wheat to them so that they may fulfill their part of this sharing agreement.

The overall effect on agriculture as a result of the Kennedy round will be a step-up in the value of our exports. Originally the level of U.S. farm products shipped was slated to rise from the present $7 billion per annum to $10 billion by 1980. As a result of the recent negotiations, we may reach the $10 billion mark by 1970.

On the industrial side, Kansas will also enjoy enhanced export opportunities from the Kennedy round. Specifically, the Common Market has agreed to reduce by 50 percent its rates of duty on aircraft to new low levels of 5 percent, and the United Kingdom and Canada have agreed to comparable concessions. As the demand for American aircraft continues to grow, we can expect that Kansas will play a leading role in supplying these products.

The progress which was made at the Kennedy round in expanding trade of meats, dairy products, wool and textiles, and a variety of manufactured goods will not only increase our export opportunities, but also substantially increase our imports of these items. As a result, domestic producers have persuaded Congress to introduce numerous bills which would establish quotas to limit imports of these articles.

A much more plausible proposal is a currently pending bill to expand the use of "escape clauses" or "injury determination clauses" of our Trade Expansion Act, the basis for U.S. participation in international trade negotiations. The new proposal would require that when increased imports exceed a certain percentage of domestic production, the Trade Commission will report a serious injury for the particular domestic industry. Thus, when the specified conditions exist, it would become mandatory upon the President to provide tariff adjustment for the affected industry, to authorize adjustment assistance to employees of these industries, and to allow tax relief to affected businesses. At present, the escape clauses are inadequate because they allow too much discretion in injury determination and because they frequently require legislative action rather than administrative authority for adjustment.

A very interesting and urgent consideration in our trade policies is the effect of possible increases in East-West trade relations. There are convincing arguments both for and against such proposals. However, the issue becomes much more than a mere question of economic advantage, for the decision also involves political considerations. This has been brought into focus during the Vietnam war. Currently, we have higher tariffs on imports from Communist countries than for other countries. This limits U.S. export opportunities in Eastern Europe, since these nations cannot obtain hard currency to buy from us as long as they cannot sell to us.

Eastern European imports from the free world in 1965 were five times what they were in 1950. If our share of this market were equivalent to our share of the world market, our sales to that area would be about $1 billion annually, or five times the 1966 level. In 1965, we supplied only 2 percent of free world exports to Eastern Europe, while our share of total free world exports to all destinations is over 16 percent. If East-West trade involving the United States were to increase, we could expect increased sales of such commodities as soybeans, dry milk, hides and skins, wheat and feed grains—all Kansas products. In 1966 the United States exported over $90 million worth of wheat to Eastern Europe. Obviously, a tremendous potential market exists in the Communist market, but we must carefully weigh the economic benefits from expanded East-West trade against the political considerations.

In summarizing the effects of the Kennedy round, I would say that there will be increased export opportunities for a large segment of our economy, which means that our balance-of-payments problem may be eased. In addition, general employment will be enhanced. The Bureau of Labor Statistics estimates that every billion dollars worth of goods we export supports nearly 100,000 jobs.

Of course, there are inherent ill effects in any mutual trade reduction, because we must both give and take to reach agreement. As our import duties are lowered, new consumer goods will reach our domestic market, and this will certainly precipitate charges of unfair competition. But as I mentioned earlier, there are a number of bills pending in Congress to help alleviate this problem.

For the future, we can expect continued trade liberalization. The United States conducts vigorous promotion programs to improve the access of our agricultural commodities and manufactured articles to important foreign markets. These include product demonstrations, trade fairs, trade centers, and technical assistance. Altogether, about 45 U.S. trade and farm groups work with the Department of Agriculture in developing markets for virtually all agricultural commodities, and similar programs exist to promote industrial items.

As U.S. trade policies have become more and more liberal since the 1930's, we have steadily strengthened both domestic and international economy. Kansas in particular, as a major exporter of agricultural and industrial items, can look for continuing favorable effects. As our Nation further expands international trade, we are working toward continued prosperity and peaceful relations throughout the world.

THE U.N. SECURITY COUNCIL SHOULD HAVE TO MEET ITS RESPONSIBILITIES REGARDING THE WAR IN VIETNAM

Mr. BYRD of West Virginia. Mr. President, I wish to associate myself with our distinguished and able majority leader [Mr. Mansfield] and other distinguished colleagues who, in the past few days, have joined in urging the United Nations to exercise its responsibilities over the tragic Vietnam conflict.

On several occasions in the past the majority leader has encouraged the United Nations to act affirmatively to bring peace to Southeast Asia—a task which that body is well suited—indeed wholly constituted—to perform. I think, however, that the majority leader's proposal is particularly timely in view of the developments of the past several months.

While many avenues have been traveled in an attempt to get the parties in conflict to sit at the table and commence negotiating their differences, all of the efforts have thus far met with no success.

I believe that U.N. discussion of the conflict may be the only way left in which such a negotiated settlement may be accomplished.

The U.N. is a viable international forum. All concerned parties, whether members or nonmembers, could participate in discussions of this gravity.

The groundwork for such discussions is already present in the form of a resolution introduced in January 1966 by Ambassador Arthur Goldberg. This resolution called, in part, for "immediate discussions, without preconditions, among the appropriate interested governments to arrange a conference looking toward the application of the Geneva Accords of 1954 and 1962 and the establishment of a durable peace in Southeast Asia."

When this resolution was introduced there was no substantive discussion of it, largely due to the opposition of the Soviet Union and France.

I think that calling up the resolution and insisting that there be a vote and that discussions be held, would have the beneficial effect of putting these nations "on the spot." They would have to "put up or shut up," so to speak.

I think it is evident that the Members of the Senate and the overwhelming majority of the American people prefer an honorable solution of the Vietnam war through negotiation.

Thus, any discussions and subsequent vote by the U.N. Security Council would make clear to the world which nations are truly interested in bringing about peace and which are not.

If such discussions are to be frustrated by any nation or group of nations, I think that action should be open and on the record. Let the world know at whose feet and on whose shoulders rests the onus of continued conflict.

Hopefully, of course, there would be no veto. If this were so, the United Nations discussions might result in a truce being declared. This truce might then be followed by further negotiations aimed at reaching a just and fair settlement.

Too many lives have already been lost in Vietnam. I am sure that every one of these honored dead weighs heavily on the heart of our President. This is why I join in urging the administration to press for U.N. Security Council action on Vietnam.

The sooner such U.N. action is taken, the sooner the fighting possibly could end and the fewer American lives—as well as those of the South Vietnamese and the North Vietnamese—would then be lost.

I wish to congratulate the majority leader for renewing his efforts. He has demonstrated again that he is truly one of the Senate's finest scholars of international relations. I commend him for contributing his great abilities and knowledge to bring this suggestion to the attention of the Senate, the Nation, and the world.

The United Nations Security Council should face up to its responsibility as an institution designed to foster and maintain peace in the world.

The hour is already late.

APPEASEMENT OF CRIMINALS

Mr. WILLIAMS of Delaware. Mr. President, in the Washington Daily News of October 28 there appears a well-timed editorial entitled "Appeasement of Criminals." This editorial emphasizes the lenient treatment being extended to those responsible for riots.

I ask unanimous consent that this editorial be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Appeasement of Criminals

Redress of social injustice is one thing; appeasement of crime is something else again. A confused mixture of the two encourages the big city riots.

While the riots are in progress hundreds of arsonists, snipers and looters are loaded into police wagons, hauled off to jail—then let off with light penalties or mere reprimands.

U.S. News & World Report, surveying the aftermath of riots in 1965 in the Watts area of Los Angeles, records that 3927 persons were arrested. Only seven were sent to state prison, four for burglary, one for aggravated assault, one for auto theft, one for drunken driving—and none for setting the fires which destroyed millions of dollars worth of property.

This was despite the fact that nearly three out of four of those arrested had previous police records.

The record concerning Chicago's West Side riots of last year is comparable. There were 533 arrested of whom only three have been sentenced to the penitentiary.

The records of prior offenses—11.4 per cent of those arrested in Los Angeles had been in prison—confirms the original impression that these burnings and lootings are the work of a criminal element seeking loot and destruction, rather than a form of social protest. Of those arrested in Los Angeles 151 were whites.

Light sentences—or none—for high crime logically are taken by the responsible criminals as condonation of their acts, implying that they somehow are justified. This kind of appeasement will no more work than Munich deterred Hitler from further aggression.

The probable consequences were well stated in a resolution adopted at the recent conference of chief justices of state courts:

> Those persons and groups which ignore . . . orderly processes, but instead seek redress of grievances . . . or change in our social order . . . thru force, mob violence and riot, accompanied by looting, arson and murder . . . must be swiftly, fairly and surely prosecuted and punished according to the law which they have violated; such conduct is foreign to the American way of life, and if left unchecked is certain to result in the destruction of the rights and liberties of all our citizens.

Mr. WILLIAMS of Delaware. Following the outbreak of these riots I received several reports that the Office of Economic Opportunity was furnishing the legal services to defend these rioters.

At this point I ask unanimous consent that there be printed my letter of July 18 to Mr. Sargent Shriver, Director of the Office of Economic Opportunity, asking for a report on this allegation. I also ask unanimous consent that this be followed by a copy of his reply thereto dated August 25.

This reply is signed by Mr. George D. McCarthy, Assistant Director for Congressional Relations, OEO, and it confirms that OEO does furnish legal assistance to defend those taking part in these riots.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., July 18, 1967.

Mr. Sargent Shriver,
Director, Office of Economic Opportunity,
Washington, D.C.

Dear Mr. Shriver: I have received several inquiries from constituents regarding reports which they claim to have seen to the effect that the Office of Economic Opportunity is providing funds for the legal defense of several individuals who have been arrested in connection with riots which have occurred recently in cities such as Buffalo, Rochester, and Newark.

I realize such reports may be quite sketchy, but in order to assist me in responding to such inquiries, I would appreciate it if you would advise me to what extent, if any, funds from your office or from programs under the direction of your office are being used to provide legal assistance to individuals arrested during these riots.

Yours sincerely,

John J. Williams.

Office of Economic Opportunity,
Washington, D.C., August 25, 1967.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: Thank you for your letter concerning legal assistance provided to individuals by our programs in Buffalo, Rochester and Newark.

As you know, Legal Services Programs operate in specific areas and under specific contracts with OEO. Under those contracts our Legal Services Programs provide representation in criminal matters (usually limited to misdemeanors) if the applicant's income is below the requisite eligibility level. Where the programs have been requested by an eligible person to provide such services they would not be permitted to refuse them. You may be interested in the attached letter which will give you one result of the representation we have provided in one community.

In the communities recently struck by riots, the assistance of OEO-funded legal services attorneys was requested by local officials to handle the influx of arrestees which threatened to overload local law enforcement machinery and local courts. Because of recent Supreme Court decisions defendants in criminal cases must be provided counsel. Local resources simply were not sufficient to meet the flood of cases arising from the riots. In some of the instances, and at the request of local authorities, OEO-funded legal services projects have provided some forms of assistance to persons charged with felonies, particularly at the arrest stage.

You may be interested in knowing that in many cases, our attorneys have established that the defendant was innocent of participation in rioting or looting activity. In such an emotion-charged atmosphere, the innocent tend to be gathered up with the guilty and it becomes even more critical that adequate counsel be provided to the accused in order to prevent miscarriage of justice.

Sincerely,

George D. McCarthy,
Assistant Director for Congressional Relations.

CAMPAIGN REFORM

Mr. WILLIAMS of Delaware. Mr. President, one of the first orders of business following the Labor Day recess will be consideration in the Senate of S. 1880, a bill to revise the Federal election laws, commonly known as the Campaign Reform Act.

I have submitted two amendments to this bill. The first amendment closes the loophole in the Hatch Act and would prohibit solicitation of campaign contributions from Government employees.

The present law prohibits any public official or candidate for a Federal office from soliciting civil service employees, but there is no prohibition against having the respective State or national committee or other nongovernment employee from soliciting contributions on behalf of such candidate. This amendment proposes to close this loophole by preventing solicitation of political contributions either directly or indirectly. It would not interfere with the right of any Government employee to make a voluntary contribution to the party of his choice.

The second amendment closes a loophole in the present law which was intended to prohibit corporations and unions from making contributions to political parties.

The Department of Justice has acknowledged that this loophole does exist, and the purpose of this amendment is to prohibit either corporations or unions from making contributions to or expenditures on behalf of any candidate for national office. This amendment would not prohibit either the right of a corporation or the union to inform its stockholders or union members in the normal manner, but it would prohibit cash contributions or direct expenditures for political candidates or political parties.

At this point I ask unanimous consent to have printed in the Record an editorial appearing in the St. Louis Globe-Democrat of August 25, 1967, entitled "Outlining 'Voluntary' Contributions."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Outlawing "Voluntary" Contributions

Senator Williams' amendment to the election reform bill which is now pending in the Senate would outlaw forced election contributions from all sources—labor and business alike—and correct one of the great blotches on our society. It deserves the sincere and enthusiastic support of every right-thinking Senator and Congressman.

By the Senator's own account, his amendment is prompted largely by the unfolding stories of almost unbelievable excesses of political contributions by Steamfitters Local 562 in St. Louis. Although theirs is perhaps the outstanding abuse in the country, it certainly is not the only one, labor or business.

The Steamfitters have a $2 a day lug on their members for a fund which they whimsically call "voluntary." It is voluntary only to the extent that you either pay the money or you don't work. It's just as simple as that, with the added inducement that if a member complains publicly about it he runs a great risk of having his head bashed in.

Through this quaint device, the steamfitters have been able to give enormous sums of money, ranging up to an estimated half a million dollars a year, to candidates for public office on the national, state and local scene. Some of these are as far removed from St. Louis public life as a candidate for Senator from New York or Michigan.

The laws of the land now state that a business cannot contribute money at all, and that an individual can give up to $5000 a year to a single committee. There is no restraint whatsoever on labor unions if the fund is marked as a "voluntary" contribution from members.

It is basically wrong, morally and in every other way, for anyone—an individual, a union, a corporation, a foundation or any other single person or group of people to be able to contribute money in such huge and unaccounted-for sums that they can reasonably be suspected of buying favors or attempting to influence elections.

Money corrupts in any hands—good or bad—and no one has ever yet equated the steamfitters as being a force for good.

Senator Williams' amendment would at least set the scales in balance. It would rule out the "voluntary" feature of such funds, either by business or unions, where "voluntary" is a mockery.

Senator Williams, who for many years has been the conscience of the Senate and its standard of integrity, has made a notable contribution to good government in his proposal. We hope it is unanimously passed.

FEDERAL EMPLOYEES

Mr. WILLIAMS of Delaware. Mr. President, the Joint Committee on the Reduction of Nonessential Federal Expenditures is today issuing its report on Federal personnel for the month of July 1967 along with a fiscal yearend summary of payroll costs and employment.

This report shows that during the month of July 1967, 32,228 additional employees were added. A part of these additions for July were as follows:

Agriculture Department (added)	6, 442
Treasury Department (added)	4, 822
Commerce Department (added)	2, 312
Department of Health, Education, and Welfare (added)	2, 193
Veterans' Administration (added)	1, 876
Interior Department (added)	1, 432
Department of the Army (added)	6, 877
Department of the Navy (added)	4, 472
Department of the Air Force (decreased)	2, 377

This report shows that the annual cost of the civilian payroll has now reached the staggering total of $11,832,000,000, while the cost of civilian employment in the Defense Department has risen to $8,664,000,000. This brings the grand total of the civilian payroll of the Federal Government to $20,496,000,000 per year.

During the fiscal year 1967, 266,076 employees were added to the executive branch, with the civilian agency employment reporting an increase of 105,682 while the civilian employment by the military agencies increased by 160,394.

This increase in the number of civilian employees in the executive branch of the Great Society's agencies should be particularly noted in view of the fact that in September 1966 the President issued an Executive order suppositively freezing employment at the July 1, 1966, level.

This additional 105,000 employees, which based upon the President's Executive order they did not need, are costing the taxpayers over $700 million annually.

I ask unanimous consent that this report by the joint committee be printed at this point in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Report for the Month of July 1967

Civilian employees

Executive agencies of the Federal Government reported civilian employment in the month of July totaling 3,012,387, compared with 2,980,159 in June. This was a net increase of 32,228.

The 32,228 increase in July reflects regular summer seasonal employment, temporary summer employment under the President's youth opportunity program, and general agency expansion.

Employment by civilian agencies for the month of July was 1,700,818, an increase of 23,324 as compared with the June total of 1,677,494. Total civilian employment in the military agencies in July was 1,311,569, an increase of 8,904 as compared with 1,302,665 in June.

Civilian agencies reporting the larger increases were Agriculture Department with 6,442, Treasury Department with 4,822, Commerce Department with 2,312, Department of HEW with 2,193, Veterans Administration with 1,876, and Interior Department with 1,432.

In the Department of Defense the largest increases in civilian employment were reported by the Army with 6,877 and the Navy with 4,472. The Air Force reported a decrease of 2,377.

Total employment inside the United States in July was 2,775,884, an increase of 31,907 as compared with June. Total employment outside the United States in July was 236,503, an increase of 321 as compared with June. Industrial employment by federal agencies in July was 611,813, an increase of 2,072.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

Foreign nationals

The total of 3,012,387 civilian employees certified to the Committee by executive agencies in their regular monthly personnel reports includes some foreign nationals employed in U.S. Government activities abroad, but in addition to these there were 121,719 foreign nationals working for U.S. agencies overseas during July who were not counted in the usual personnel reports. The number in June was 120,309.

SUMMARY OF FEDERAL CIVILIAN EMPLOYMENT COSTS FOR FISCAL YEAR 1967 (ENDED JUNE 30, 1967)

For many years the Committee, in its statement accompanying the monthly civilian payroll cost for June (the last month in the fiscal year), has compared the annual cost with the totals for previous years. The following comparison continues this practice.

The cost of civilian employment in the Executive Branch of the Federal Government in fiscal year 1967, ended June 30, totaled $20,496,000,000. This was $1,790,000,000 higher than in the preceding fiscal year; and it was an all-time high. At the same time, average employment for the full 12 months of the fiscal year increased 266,076, compared with average employment in 1966.

The fiscal year 1967 civilian agency payrolls totaled $11,832,000,000 as compared with $10,974,000,000 the year before; and payroll costs for civilian employment of the military agencies totaled $8,664,000,000 as compared with $7,732,000,000 in fiscal year 1966.

Figures by fiscal years since 1954 follow:

ANNUAL FEDERAL EXPENDITURES FOR CIVILIAN PAYROLL IN EXECUTIVE BRANCH, FISCAL YEARS 1954-67

[In rounded amounts]

Fiscal year	Civilian agencies	Defense Department (civilian employment)[1]	Total
1954	$4,865,000,000	$4,588,000,000	$9,453,000,000
1955	4,921,000,000	4,700,000,000	9,621,000,000
1956	5,359,000,000	5,167,000,000	10,526,000,000
1957	5,602,000,000	5,399,000,000	11,000,000,000
1958	6,040,000,000	5,415,000,000	11,455,000,000
1959	6,564,000,000	5,766,000,000	12,330,000,000
1960	6,877,000,000	5,760,000,000	12,637,000,000
1961	7,622,000,000	6,026,000,000	13,648,000,000
1962	7,978,000,000	6,318,000,000	14,296,000,000
1963	8,743,000,000	6,603,000,000	15,347,000,000
1964	9,387,000,000	6,818,000,000	16,205,000,000
1965	10,137,000,000	7,102,000,000	17,239,000,000
1966	10 974,000,000	7,732,000,000	18,706,000,000
1967	11,832,000,000	8,654,000,000	20,496,000,000

[1] Excludes U.S. pay for foreign nationals not on regular rolls (totaling $341,000,000 for fiscal year 1967).

Executive Branch employment during fiscal year 1967 averaged 2,851,997 as compared with 2,585,921 in 1966, an increase of 266,076. Civilian agency employment averaged 1,617,523, an increase of 105,682 over the previous year; civilian employment by military agencies averaged 1,234,474, an increase of 160,394 over the previous year.

Average employment by fiscal years since 1954 follows:

AVERAGE CIVILIAN EMPLOYMENT BY FEDERAL AGENCIES IN EXECUTIVE BRANCH, FISCAL YEARS 1954-67

Fiscal year	Civilian agencies	Defense Department (civilian employment)[1]	Total
1954	1,183,389	1,252,775	2,436,164
1955	1,182,663	1,184,627	2,367,290
1956	1,189,458	1,174,584	2,364,042
1957	1,219,836	1,174,263	2,394,099
1958	1,242,942	1,104,403	2,347,345
1959	1,266,566	1,085,676	2,352,242
1960	1,331,605	1,054,740	2,386,345
1961	1,335,089	1,037,356	2,372,445
1962	1,385,132	1,058,676	2,443,808
1963	1,429,654	1,063,720	2,493,374
1964	1,445,813	1,042,552	2,488,365
1965	1,455,007	1,024,482	2,479,489
1966	1,511,841	1,074,080	2,585,921
1967	1,617,523	1,234,474	2,851,997

[1] Excludes foreign nationals not on regular rolls (averaging 127,311 for fiscal year 1967).

SOCIAL AND POLITICAL CONDITIONS IN SOUTH VIETNAM

Mr. CASE. Mr. President, in a letter dated August 21, addressed to Vice President HUMPHREY and House Speaker JOHN W. MCCORMACK, Marshal Ky, Prime Minister of the Republic of Vietnam, protests what he describes as "persistent criticism without substantiated evidence on the part of some prominent American figures." His protest is clearly directed to statements made in the Senate and the House. The Prime Minister asked that his letter be conveyed to all Members of the Senate.

I ask unanimous consent that, at the conclusion of my remarks, the letter from the Prime Minister may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CASE. We are glad to hear anything Mr. Ky has to say, and his assurance of his government's devotion to what he describes as "our mutual commitment to the achievement of democracy and social justice" is, of course, most welcome.

But, basically, Premier Ky's argument is directed to the wrong audience.

Premier Ky's basic problem is not to persuade the Congress of the United States of his good intentions. His problem is to persuade the people of South Vietnam both of his good intentions and of his ability to carry them out. And this problem will by no means be resolved simply by a victory for his ticket, if there should be one, in the September 3 election.

Critics of the South Vietnamese Government in Congress—and, most assuredly, I have been and am one of them—are not concerned to make the South Vietnamese Government adhere to rigorous standards of conduct for the sake of American opinion. Our criticism is based upon the failure of the South Vietnamese Government to persuade the people of South Vietnam of its determination and ability to bring about those social and political changes in South Vietnam and those reforms in the South Vietnamese Government and military establishment without which all American efforts to help establish an independent and viable political and social structure in South Vietnam are bound to fail. What the American people and the Congress of the United States want—and are entitled to—is some solid evidence of progress by the South Vietnamese Government in this direction.

As I have said, the growing unrest in this country about Vietnam among the people, as well as in the Congress, is based on a realization that our real objectives in South Vietnam are not appreciably nearer attainment now than they have been during all the many years of our involvement, despite the administration's continuing claims of progress.

And so I say to Marshal Ky: "Your letter is irrelevant."

For a long time I have been deeply concerned by the lack of progress toward our real objectives in South Vietnam. During my recent visit in South Vietnam I heard a highly respected American officer, who had been working on the revolutionary development program and its predecessors for years, respond to a newsman who asked how long it would take "to win the hearts and minds" of the South Vietnamese peasants. He ventured with great hesitancy that at the present rate of progress it might perhaps be done in 10 years. He could just as well have said a hundred years or a thousand years, for the present rate of progress can scarcely be measured.

Within the week, the Foreign Operations and Government Information Subcommittee of the House of Representatives transmitted three reports to the Secretary of State dealing with the economic situation and related matters in South Vietnam. In each of these reports and in the subcommittee's letter of transmittal, the subcommittee expresses its deep concern "with the failure of the Government of South Vietnam to take substantive action, with conviction and determination, in a number of areas which vitally affect the future of that country and the support of its people."

The subcommittee expresses specific concern about "the lack of meaningful progress and reform in the lagging and floundering pacification program; in dealing with the problems of refugees, inflation, and land reform; in the conduct of the elections; and in overall administration with its entrenched, inefficient bureaucracy."

The subcommittee continues with these most significant words:

> The Secretary of State and responsible agency heads in Washington should specifically direct the U.S. Ambassador and other U.S. officials in Vietnam to take a firmer stand in U.S. representations to the GVN (Government of South Vietnam). It is the committee's view that U.S. officials have too often attempted to avoid "rocking the boat" rather than pressing for necessary reforms. This attitude, if continued, will lead to neither reform, nor progress, nor broad popular support for the GVN.
>
> The United States seeks only freedom for the people of South Vietnam and the achievement of our common goals. The cooperation of the GVN is absolutely essential in this effort. The continuing support of the Congress and the people of the United States is in large part dependent upon there being reasonable prospects for success. Without substantive GVN action in a number of areas . . . prospects for success are minimal, the advisability of continued United States involvement is questionable and could lead to a reassessment of the United States' position.

The subcommittee's views coincides exactly with my own. For many weeks I have been pointing out, as I said on the floor for example on August 22, that the missing ingredient in Vietnam is not manpower or airpower but willpower, the will of the present leaders of South Vietnam to focus all their resources on the task of nation-building.

I repeat that the failure of the Johnson administration in South Vietnam is not any inadequacy in U.S. military or material assistance. The Johnson administration's failure in South Vietnam is its failure to bring about those social and political changes in South Vietnam and those reforms in the South Vietnamese Government and military establishment without which victory in South Vietnam is impossible.

I raise again the question whether we have reached the effective limit as to the amount of influence we can exert in behalf of basic and rapid reform in South Vietnam. There are those who say we have, because American prestige is so deeply involved that we cannot withdraw and the South Vietnamese, knowing this, feel free to ignore our requirements.

Mr. President, we must not accept such a position. The House subcommittee's report makes clear its complete agreement on that point.

Yet, the President's decision to send more American troops to South Vietnam is hard to reconcile with any conclusion other than that this administration has allowed itself to be trapped in this intolerable dilemma.

Within the last few days I received a letter from an American newspaperman located in the Far East which bears so directly on this point that I quote the following passage:

> In all the heap of debate on Vietnam, I have never heard a statement that hit the truth so squarely on the head as your comment that "American prestige is so deeply involved that we can't withdraw and the South Vietnamese, knowing this, feel free to ignore our requirements . . . (thus failing) . . . to bring about those social and political changes in South Vietnam . . . without which victory is impossible."
>
> That situation was true in the summer of 1963 when I visited South Vietnam; it was true in the summer of 1965 when I was there; and judging from what I read now, it is also true at present.

My correspondent has clearly identified the state of mind which for years has stultified our Government's efforts in South Vietnam. I see little hope of any real progress so long as this administration refuses to face squarely what the trouble is and act with determination to correct it.

EXHIBIT 1

AUGUST 21, 1967.

Hon. HUBERT H. HUMPHREY,
Vice President of the United States, and President of the Senate.

DEAR MR. VICE PRESIDENT: I take the liberty to write to you at a time when the events in my country occasion passionate debates in the Congress of the United States. Since the American and Vietnamese nations are together defending freedom, and are consenting to tremendous sacrifices, I deem it my duty to affirm again the principles which command the conduct of national affairs by my Government.

The defense of freedom in Viet Nam requires more than our joint efforts at war, it involves first and foremost our mutual commitment to the achievement of democracy and social justice. Should we stray from that basic commitment, or should you misconstrue our purposes, our alliance would indeed be in jeopardy.

As my Government is nearing the completion of its term of duty, I sincerely feel that we have dispatched our task with honesty and effectiveness under most difficult circumstances. I take special pride in the fact that we have successfully started the course toward democracy and equality for a society which was imprisoned within the deep walls of feudalism, corruption and intolerable social discrepancies. In spite of war, subversion and several grave crises, my Government has undertaken to organize five nationwide elections of vital importance within about a year's time: elections for the Constituent Assembly in September 1966, elections for hamlet and village administration in April–May 1967, presidential and senatorial elections next September, and elections for the Lower House next October. I do not know of any better way to warrant our determination to stay the course toward democracy. For it would be proper for all concerned to acknowledge the painful dilemma of our nation, torn between the dream to attain the integrity of democratic life and the necessity to fight for survival. We have lost many of our people, our soldiers, our cadremen in the past elections, and undoubtedly we shall lose many more in the coming weeks; we must devote a great deal of resources to the exercise of democracy which are badly needed on the battlefield; we run the risk of subversion and division at a time when the nation must unite in the face of the enemy. Yet we have all accepted the challenge without a shadow of reluctance.

It seems cruel irony that some of our friends chose this very moment to voice doubt on our sincerity.

Perhaps the fact that my Government includes officers of the armed forces leads to misgivings, for I know of the inherent distrust toward military government in the advanced societies. But in our present historical context, the Vietnamese Armed Forces are of a very particular nature: 700,000 of our young men are under arms in a nation of 15 million people. Our Armed Forces are not composed of militarists or people inclined to the use of force or violence, but of all generations of Vietnamese within the age of offering the fullest measure of service to their imperiled fatherland. They are the present and the future of our nation.

Furthermore, my Government did not seize power; it was a civilian government which, unable to resolve instability and division, passed on to the Armed Forces the burden of preserving the nation from collapsing. We then formed a mixed team of civilian and military leaders, decided that our term of duty was to be a transitional one, and set out to establish the very rapid timetable for the advent of representative government. We are now reaching the final stage of that timetable.

Of course, two years are a very short period of time. We are convinced that we have engaged our country on the right path, but we are also aware that the tasks which we have begun, such as rural development, reorganization of the administration and of the army, reinforcement of the national economy, need to be continued. That is why, in good conscience, we deem it our duty to run for offices in due democratic process. We hope that the people of Viet Nam will entrust us with further responsibilities on the basis of our past performances. But should the people decide otherwise, we shall readily accept their verdict.

I am particularly sad to hear accusations that the Vietnamese Armed Forces will resort to coups in the event the election returns should be unfavorable to us. We have devoted the finest hours of the past two years to bringing about the first democratic institutions in our country, we shall not be the ones to destroy them. I have repeatedly warned our soldiers, our civil servants, our cadremen against rigging the elections in any manner, for I think that dishonest elections would deprive our country of democracy for a long period of time. In 1963, the people and the army overthrew a dictatorial government which was issued from dishonest elections.

That a few press correspondents should misquote my word of caution against unfair elections and make it sound like a threat of coup was, after all, understandable. But for a moment, I felt very discouraged to see some of the best friends of my country give credence to those inaccurate reports. Time and again I have proved that I am capable of placing the interest of our nation above all possible personal ambition; the decision I made on the 30th of June to withdraw from the presidential race and to seek the vice presidency instead was another instance of my sincerity.

I see therefore no reason for attributing to ill faith on the part of my Government the difficulties that the candidates may encounter in their campaigning. My country is short on physical facilities, several of our airfields are still unsafe, and the wind blows where it may. In my opinion, a dignified attitude for those among us whose ambition to be public servants by popular choice should be to endure those misfortunes and persevere in seeking the support of the electorate, and not to display resentment against the adverse conditions which prevail for our entire people. In the meanwhile, I am satisfied that our Government has done its very best to give all candidates a fair share of the means for campaigning. The same amount of money is allotted to all tickets. The government television and radio allow equal time to all candidates in direct broadcast, and anybody in Viet Nam can testify that those means are used at their fullest capacity by our opponents. The Vietnamese press is free, and, in part, quite virulently anti-governmental. On the other hand, the foreign press is at full liberty to cover the campaign and the forthcoming elections.

If by the standards of a country with a long experience in the exercise of democracy, and free from the predicaments of war and underdevelopment, our elections still present serious shortcomings, I am the first Vietnamese to deplore that situation. But I can say without any doubt in my conscience that my Government does not deserve any lesson in honesty and patriotism from any quarter.

I am afraid that persistent criticism without substantiated evidence on the part of some prominent American figures may, in the long run, impair the harmony of our joint efforts. The Vietnamese are a proud people; they will accept any amount of tribulations and sufferings, but their dead count as much as the dead from all the friendly lands, and they will admit no discrimination in all the men's supreme tribute to freedom and human dignity.

I see an urgent need, Mr. President, for all of us to keep an appropriate perspective in the partnership between nations, large and small, which are in pursuit of a common ideal, for intemperate reliance upon the physical scale of strength would be the negation of that very ideal.

Mr. President, may I ask you to convey my letter to all the distinguished members of the Senate of the United States.

I stand in profound respect for the great traditions of democracy and justice embodied in your institutions. I greatly value the support of the Congress of the United States for the cause of Viet Nam, and I am always ready to discuss in total candor with the distinguished Senators who wish to further examine the developments concerning the common endeavor of our two nations.

Sincerely yours,

NGUYEN CAO KY,
Air Vice Marshal.

IN DEFENSE OF SECRETARY McNAMARA

Mr. MANSFIELD. Mr. President, I have been somewhat perturbed, in recent days and weeks, at the stepped-up attacks against Secretary McNamara, in the press—but not necessarily by the press—in conventions, and elsewhere, though happily not on the Senate floor.

I would point out, Mr. President, that many of these attacks on the integrity of Secretary McNamara are in reality attacks against the President of the United States, because Secretary McNamara, as Secretary of Defense, acts under direction of the President, and exercises, in a civilian capacity, the constitutional functions which have been set out for the office which he has the privilege to occupy at this time.

Mr. President, Mr. McNamara recently appeared before the Senate Preparedness Investigating Subcommittee to offer testimony on the role of airpower in Vietnam. He discussed in particular the policies which govern the bombing of North Vietnam, and some of the issues involved therein. He stated as well that the bombing and mining of harbors such as Haiphong would not interfere vitally with the conduct of the war in the south, because the needs for enemy military operations are so small. In other words, the bombing, mining, or the quarantining of Hanoi would not stop the infiltration of men and supplies into South Vietnam.

Secretary McNamara was preceded and followed in the subcommittee hearings by the highest ranking generals and admirals of the Army, Navy, Marine Corps, and Air Force. I look forward to reading the record of the committee hearings—which I hope will be released soon—with great interest and care, because then all the testimony will become available, and I want to study all sides.

Mr. President, the statement of the Secretary—the only one released in detail—is exceptional for its objectivity, candor, persuasiveness, and completeness. It lays it on the line, so to speak. It provides a clarification and thorough analysis of the present use, efficacy, and limits of airpower in Vietnam, in terms of military necessities and rational objectives.

Some points are very clear from Mr. McNamara's testimony. It is obvious, for example, that airpower is being used against North Vietnam with an unprecedented lavishness—that it is being used close to the points of saturation in terms of rational purpose.

There is a strong suggestion, moreover, that to go much further would be meaningless, except in the context of the barbarism of total war on the entire civilian population—a bombing back into the stone age, so to speak—or in a context which, while it would not bring significantly closer the end of the war, would raise sharply the likelihood of expanded war with the participation of China and, perhaps, the Soviet Union.

The testimony of the Secretary also underscores what has long been evident: Airpower alone in any rational use is not going to cut the flow of men or the relatively small flow of supplies to the south, which is necessary to keep the conflict going at its present level. And airpower alone is not going to force the North Vietnamese Government to the conference table.

In short, Mr. McNamara's testimony—and let us remember that he speaks for the President—puts into words the essence of the experience of the past 2 years in Vietnam. It is this: There are no decisive solutions which are going to be achieved on the ground in South Vietnam, where it has to be achieved, by way of the air over North Vietnam.

In this statement Mr. McNamara reveals again the wisdom of one of the most fundamental principles of our constitutional structure—civilian direction of the Defense Establishment. He supplied an essential civilian weight to the equations of purpose and procedure which would otherwise contain only and exclusively military factors. The result is a balanced and rational illumination of the problem which confronts us in Vietnam.

Mr. President, I would hope that, contrary to newspaper reports, there would be no challenge, direct or indirect, on the part of the military or the Congress to the predominance of the civilian officials in the conduct of the affairs of this Government.

While I have grave doubts—and have always had them—about the situation in Vietnam, I want to commend Secretary McNamara in the carrying out of his most difficult duties and to commend him also for the detailed and sound statement he made. He was, after all, speaking for the President of the United States.

Mr. President, I ask unanimous consent that the statement by the Secretary of Defense which has appeared in the public press and an editorial in today's Los Angeles Times be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 26, 1967]

TEXT OF MCNAMARA STATEMENT TO SENATE SUBCOMMITTEE ON BOMBING IN VIETNAM

WASHINGTON, *August 25.—Following is the text of a statement made today by Secretary of Defense Robert S. McNamara to the Preparedness Investigating subcommittee of the Senate Armed Services Committee:*

I welcome this opportunity to discuss with you our conduct of the air war in North Vietnam. It is a matter of the greatest importance that the Congress and the people of the United States have a current and accurate picture of what the air campaign can and cannot accomplish. To address this issue, I should like to discuss these topics:

1. The objectives and achievements of the air war.
2. The target recommendations of the Joint Chiefs of Staff in relation to the objectives, and the extent to which the Chiefs' recommendations are being followed.
3. The proposals of those who argue that the bombing should be expanded, either on the theory that bombing can break the will of the North Vietnamese, thereby forcing them to the conference table, or that bombing can prevent the flow of military supplies into or through North Vietnam, thereby destroying its capability for continued aggression in the South.

1. THE OBJECTIVES OF THE AIR CAMPAIGN

In the light of the many recent public statements and speculations about the purposes and effects of our air attacks, it seems appropriate to preface this review with a restatement of the objectives that the bombing of North Vietnamese targets was intended to serve. As I have stated many times:

Our primary objective was to reduce the flow and/or to increase the cost of the continued infiltration of men and supplies from North to South Vietnam.

It was also anticipated that these air operations would raise the morale of the South Vietnamese people who, at the time the bombing started, were under severe military pressure.

Finally, we hoped to make clear to the North Vietnamese leadership that so long as they continued their aggression against the South they would have to pay a price in the North.

The bombing of North Vietnam has always been considered a supplement to and not a substitute for an effective counter-insurgency campaign in South Vietnam.

These were our objectives when our bombing program was initiated in February of 1965. They remain our objectives today. They were and are entirely consistent with our limited purposes in Southeast Asia. We are not fighting for territorial conquests or to destroy existing Governments. We are fighting there only to assure the people of South Vietnam the freedom to choose their own political and ecnomic institutions. Our bombing campaign has been aimed at selected targets of military significance, primarily the routes of infiltration. It has been carefully tailored to accomplish its basic objective and thus to achieve the limited purposes toward which all our activities in Vietnam are directed.

Weighted against its stated objectives, the bombing campaign has been successful. It was initiated at a time when the South Vietnamese were in fear of a military defeat. There can be no question that the bombing raised and sustained the morale of the South Vietnamese. It should be equally clear to the North Vietnamese that they have paid and will continue to pay a high price for their continued aggression. We have also made the infiltration of men and supplies from North Vietnam to South Vietnam increasingly difficult and costly.

Complete interdiction of these supplies has never been considered possible by our military leaders. I believe that this point has been made to you by General Wheeler, General McConnell, Admiral Sharp and General Momyer.

Our experience in Korea demonstrated the unlikelihood that air strikes or other means could choke off the minimum amounts needed to support enemy forces. The nature of the combat in Vietnam, without established battle lines and with sporadic and relatively small-scale enemy action, lessens the requirement for a steady stream of logistical support and reduces the volume of logistical support needed. Moreover, it should be noted that the geography of the infiltration routes is less favorable to interdiction than was the case in Korea. There the entire neck of the peninsula was subject to naval bombardment from either side and to air strikes across its width.

The routes into South Vietnam are far more complex and protected and involve the use of territories of adjoining countries. Under these highly unfavorable circumstances, I think that our military forces have done a superb job in making continued infiltration more difficult and expensive.

Any discussion of the bombing of North Vietnam must first address the nature of the target. North Vietnam is a land of 18.5 million people. By no standards could it be considered an industrialized country. It is predominantly agricultural. Prior to initiation of the bombing, its significant industrial facilities could be counted on your fingers. It had no steel-making capacity and in 1965 its monthly industrial production of pig iron was only 5,000 metric tons, less than 1/20th of 1 per cent of U.S. output. It had no real war-making industrial base and hence none which could be destroyed by bombing.

North Vietnam's ability to continue its aggression against the South thus depends upon imports of war-supporting material and their transshipment to the South. Unfortunately for the chances of effective interdiction, this simple agricultural economy has a highly diversified transportation system consisting of rails and roads and waterways.

The North Vietnamese use barges and sampans, trucks and foot-power and even bicycles capable of carrying 500-pound loads to move goods over this network. The capacity of this system is large—the volume of traffic it is now required to carry, in relation to its capacity is small.

Precise figures on the amount of infiltrated material required to support Vietcong and North Vietnamese forces in the South are not known. However, intelligence estimates suggest that the quantity of externally supplied material, other than food, required to support the V.C.-N.V.N. forces in South Vietnam at about their current level of combat activity is very, very small. The reported figure is significantly under 100 tons per day—a quantity that could be transported by only a few trucks. This is the small flow of material which we are attempting to prevent from entering South Vietnam through a pipeline which has an output capacity far greater than that.

Those targets along the lines of communication which can be found are attacked. From January through July, we averaged about 13,000 sorties per month over the infiltration routes and base areas. About 75 per cent of these sorties were directed against lines of communication (LOC's) and goods moving over them. Air strikes are reported to have destroyed over 4,100 vehicles, 7,400 water craft and 1,400 pieces of R.R. rolling stock. In addition, we have struck approximately 1,900 fixed targets in North Vietnam, including 57 bridges, 50 major rail yards, troop barracks, petroleum storage tanks and power plants.

N.V.N. has been forced to divert an estimated 300,000 full-time and at least an equal number of part-time workers and troops, to the repair, dispersal, and defense of the lines of communication and other targets which have been damaged. This diversion of some 500,000 people in a society already strained to maintain a marginal subsistence is a severe penalty.

There can be no question that the bombing campaign has and is hurting North Vietnam's war-making capability. Accordingly, they are using every propaganda means to stop the bombing. Although there are some signs that war weariness is growing, these indications are accompanied by firm expressions of resolve. There is no basis to believe that any bombing campaign, short of one which had population as its target, would by itself force Ho Chi Minh's regime into submission.

I want to repeat, however, that from the military standpoint, bombing of N.V.N. supports our combat operations in S.V.N. It renders more difficult and costly the efforts of the D.R.V. to supply both their own and V.C. forces on the other side of the demilitarized zone. As General Wheeler has testified, we have under constant review the advisability of adding new military targets in the North and of conducting re-strikes against rail facilities, highways, bridges, military and other war-supporting targets that have previously come under our air attack. There is continuing study of ways in which our air and naval bombardment of N.V.N. can be made more effective in disrupting and interdicting North Vietnamese attempts to support aggression against their southern neighbors.

There also is continuing study of the optimum mix of sorties, both geographically and in types of targets. Consideration is given to every possibility of greater effectiveness through shifts in emphasis. These studies are designed to maximize the cost that our air campaign inflicts on N.V.N.'s infiltration of men and supplies while at the same time reducing to the minimum the price that we must pay in the lives of American pilots.

These efforts to refine and improve our application of air power will, I am confident, continue as long as the necessity for bombing remains. It must, however, be recognized that no improvements and refinements can be expected to accomplish much more than to continue to put a high price tag on N.V.N.'s continued aggression.

II. THE TARGET RECOMMENDATIONS OF THE JOINT CHIEFS OF STAFF

To illustrate this point, I might note that the operating target list, currently used by the Joint Chiefs as a basis for the planning of attacks on fixed targets, contains a total of 427 targets. Of this number, the J.C.S. do not now recommend 68 for air attack. For the remaining 359 targets, strikes have been authorized against 302, 85 per cent of the total. There are only 57 targets recommended by the Joint Chiefs of Staff against which strikes have not yet been authorized. Whatever the merits of striking these 57 targets may be, I believe it is clear that strikes against them will not materially shorten the war. As a matter of fact, seven of the 57 targets are recognized by the Chiefs as of little value to the North Vietnamese war effort. For example, one is a tire plant reported to have a productive capacity of but 30 tires per day. Nine of the 57 targets are petroleum facilities which in total equal less than 6 per cent of North Vietnam's remaining storage capacity. The present importance of such targets as these has not been shown to warrant risking the loss of American lives.

Of the remaining 41 targets, 25 are classified as lesser targets in populated, heavily defended areas; four as more significant targets in such areas; three are ports; four are airfields (in total the remaining MIG's based in North Vietnam approximate 20); and five are in the Chinese buffer zone. In the case of a few of these targets, the risk of direct confrontation with the Communist Chinese or the Soviet Union has thus far been deemed to outweigh the military desirability of air strikes. Others will be considered for "authorization" at a later date.

The conclusive answer to any charge that we are inhibiting the use of our air power against targets of military significance lies in the facts. As I have noted, strikes have been authorized against 85 per cent (302 of 359) of the targets recommended by the Joint Chiefs. And the total number of fixed targets struck in North Vietnam stands now at about 1,900. As further targets are authorized and additional targets are found to be of military importance, this number will increase. But the decisions to authorize new targets cannot be expected to gain different objectives than those toward which our air campaign has always been directed.

III. THE PROPOSALS OF THE CRITICS

Those who criticize our present bombing policy do so, in my opinion, because they believe that air attack against the North can be utilized to achieve quite different objectives. These critics appear to argue that our air power can win the war in the South either by breaking the will of the North or by cutting off the war-supporting supplies needed in the South. In essence, this approach would seek to use the air attack against the North not as a supplement to, but as a substitute for, the arduous ground war that we and our allies are waging in the South.

It would obviously be possible for us to change our present selective bombing campaign. We could abandon the target-by-target analysis which balances the military importance of the target against its probable cost in American lives and the risk it presents of expanding the conflict to involve new combatants. Instead, our air and naval forces might be employed against North Vietnam in an all-out attempt to break their will and thus compel them to cease their support of military efforts against the Government of South Vietnam.

A somewhat less drastic revision of our air campaign might be undertaken in an effort to restrict the import of war-supporting materials so substantially as to prevent the North Vietnamese leaders from supporting their present level of military effort in South Vietnam. Any such effort would obviously require action to close the three significant North Vietnamese ports of Campha, Hongai and, most important, Haiphong.

In order to reach a reasoned conclusion on the key question of whether to abandon our present limited bombing objectives and adopt a policy intended to achieve either of these new objectives, the chances of success must be weighed against the inevitably higher risks such as revision would entail. To bring this question into perspective for the committee I would like to deal first with the likelihood that either of these objectives could be realized through a reorientation of our air attack against N.V.N.

Breaking the will of the North

As to breaking their will, I have seen no evidence in any of the many intelligence reports that would lead me to believe that a less selective bombing campaign would change the resolve of N.V.N.'s leaders or deprive them of the support of the North Vietnamese people. As previously pointed out, the economy of N.V.N. is agrarian and simple. Its people are accustomed to few of the modern comforts and conveniences that most of us in the Western world take for granted.

They are not dependent on the continued functioning of great cities for their welfare. They can be fed at something approaching the standard to which they are accustomed without reliance on truck or rail transportation or on food processing facilities. Our air attack has rendered inoperative about 85 per cent of the country's central electric generating capacity, but it is important to note that the Pepco plant in Alexandria, Virginia, generates five times the power produced by all of N.V.N.'s power plants before the bombing.

It appears that sufficient electricity for war-related activities and for essential services can be provided by the some 2000 diesel-driven generating sets which are in operation.

Perhaps most important of all, the people of N.V.N. are accustomed to discipline and are no strangers to deprivation and to death. Available information indicates that, despite some war weariness, they remain willing to endure hardship and they continue to respond to the direction of the Hanoi regime. *There is little reason to believe that any level of conventional air or naval action, short of sustained and systematic bombing of the population centers, will deprive the North Vietnamese of their willingness to continue to support their Government's efforts to upset and take over the Government of S.V.N.*

There is also nothing in the past reaction of the North Vietnamese leaders that would provide any confidence that they can be bombed to the negotiating table. Their regard for the comfort and even the lives of the people they control does not seem to be sufficiently high to lead them to bargain for settlement in order to stop a heightened level of attack.

The course of conflict on the ground in the South, rather than the scale of air attack in the North, appears to be the determining factor in N.V.N.'s willingness to continue.

Accordingly, as General Wheeler has pointed out, the air campaign in the North and our military efforts in the South are not separate wars and certainly they should not be regarded as alternatives.

An expanded campaign against the supply routes within North Vietnam

It could be argued that greatly expanded and virtually unrestricted bombing effort might substantially reduce the movement of forces and supplies through North Vietnam into S.V.N. even though N.V.N. resolve remains unshaken. Recent prisoners interrogations suggest that 10–20 per cent of the personnel dispatched to the South by the rulers of N.V.N. never reach the battle area—about

2 per cent are casualties caused by air attacks. A much higher percentage of the supplies sent South to support the D.R.V. fighting forces are destroyed in transit by our armed reconnaissance and heavy bombing attacks.

Conceivably an all-out air and naval bombardment might somewhat further increase the forces and supplies destroyed. But the capacity of the lines of communication and of the outside sources of supply so far exceed the minimal flow necessary to support the present level of North Vietnamese military effort in S.V.N. that the enemy operations in the South cannot, on the basis of any reports I have seen, be stopped by air bombardment—short, that is, of the virtual annihilation of North Vietnam and its people. As General Wheeler has observed, no one has proposed such indiscriminate bombing of populated areas.

The closing of sea and land importation routes

This leaves, then, as a possible new objective of our air campaign, the closing of the sea and land importation routes in an attempt to prevent entry into N.V.N. of the supplies needed to support the combat in the South. There can be no question that bombing the ports and mining the harbors, particularly at Haiphong, would interfere seriously with N.V.N.'s imports of war supporting materials.

But far less than the present volume of imports would provide the essentials for continued North Vietnamese military operations against S.V.N. As I have mentioned, it is estimated that the total tonnage required is less than 100 tons per day of nonfood supplies. This is dwarfed by North Vietnam's actual imports of about 5,800 tons per day. And its import capacity is much greater. The ports together with the roads and railroads from China have an estimated capacity of about 14,000 tons a day.

The great bulk of North Vietnamese imports now enters through Haiphong—perhaps as much as 4,700 out of the 5,800 tons per day. This includes most of the war-supporting material, such as trucks, generators and construction equipment but this category of supply represents only a small percentage of total sea imports. And little if any of the imported military equipment (which is estimated by intelligence sources to total 550 tons per day) comes by sea. Moreover, this present heavy reliance on Haiphong reflects convenience rather than necessity.

Haiphong represents the easiest and cheapest means of import. If it and the other ports were to be closed, and on the unrealistic assumption that closing the ports would eliminate all seaborne imports, North Vietnam would still be able to import over 8,400 tons a day by rail, road and waterway. And even if, through air strikes, its road, rail and Red River waterway capacity could all be reduced by 50 per cent, North Vietnam could maintain roughly 70 per cent of its current imports. Since the daily importation of military and war-supporting material totals far less than this, it seems obvious that cutting off seaborne imports would not prevent North Vietnam from continuing its present level of military operations in the South.

Elimination of Haiphong and the two other ports as a source of supply would not, in fact, eliminate seaborne imports. Our POL [petroleum, oil, lubricants] experience is illuminating. Our air strikes on petroleum facilities did destroy the in-shore POL off-loading facilities in Haiphong. However, the North Vietnamese have demonstrated a capability to adjust their methods, and they now off-load POL drums into lighters and barges and bring the drums ashore at night. There is no evidence of a POL shortage and stocks on hand equal an estimated 120 days' consumption.

The North Vietnam seacoast runs for 400 miles. Many locations are suitable for over-the-beach operations. The mining of Haiphong or the total destruction of the Haiphong port facilities would not prevent off-shore unloading of foreign shipping. Effective interdiction of this lighterage, even if the inevitable damage to foreign shipping were to be accepted, would only lead to total reliance on land importation through Communist China. The common border between the two countries is about 500 air miles long.

Accordingly, bombing the ports and mining the harbors would not be an effective means of stopping the infiltration of supplies into S.V.N.

A selective, carefully targeted bombing campaign, such as we are presently conducting, can be directed toward reasonable and realizable goals. This discriminating use of air power can and does render the infiltration of men and supplies more difficult and more costly. At the same time, it demonstrates to both South and North Vietnam our resolve to see that aggression does not succeed.

A less discriminating bombing campaign against N.V.N. would, in my opinion, do no more. We have no reason to believe that it would break the will of the North Vietnamese people or sway the purpose of their leaders. If it does not lead to such a change of mind, bombing of the North at any level of intensity would not meet our objective. We would still have to prove by ground operations in the South that Hanoi's aggression could not succeed. Nor would a decision to close Haiphong, Hongai and Campha, by whatever means, prevent the movement in and through N.V.N. of the essentials to continue their present level of military activity in S.V.N.

On the other side of the equation, our resort to a less selective campaign of air attack against the North would involve risks which at present I regard as too high to accept for this dubious prospect of successful results.

IV. CONCLUSION

In conclusion, I would like to restate my view that the present objectives of our bombing in the North were soundly conceived and are being effectively pursued. They are consistent with our over-all purposes in Vietnam and with our efforts to confine the conflict. We are constantly exploring ways of improving our efforts to insulate South Vietnam from outside attack and support. Further refinements in our air campaign may help.

I am convinced, however, that the final decision in this conflict will not come until we and our allies prove to North Vietnam she cannot win in the South. The tragic and long-drawn-out character of that conflict in the South makes very tempting the prospect of replacing it with some new kind of air campaign against the North. But however tempting, such an alternative seems to me completely illusory. To pursue this objective would not only be futile but would involve risks to our personnel and to our nation that I am unable to recommend.

[From the Los Angeles Times, Aug. 31, 1967]

BOMBING WON'T WIN THE WAR

The argument over whether North Vietnam can be bombed into submission continues to rage.

Proponents of victory through air power daily voice their conviction that the United States possesses sufficient air strength to destroy Hanoi's war-making capacity and thus end the flow of men and supplies to the south. Once that is accomplished, the supposition runs, the Communists will be unable to continue the struggle.

North Vietnam can be knocked out of the war, bombing advocates say, by the destruction of major installations which thus far have not come under attack. In particular, they contend the port of Haiphong should be closed down by bombing or mining, since the bulk of North Vietnam's imports enter the country through this point.

Other facilities such as factories, ports, airfields and storage areas thus far spared should also be made open to attack.

The Administration's answer to these contentions was presented last week by Defense Secretary McNamara, in a statement as detailed as it was persuasive.

The secretary first reminded his critics that all-out bombing of North Korea from 1950–53 failed to prevent adequate supplies from reaching the Communist troops. North Vietnam presents an even more difficult problem because of its geography.

Bombing, McNamara said, has been partially effective in reducing the flow of men and supplies from the north and in hurting Hanoi's economy. But North Vietnam is not an industrialized country, and its people are used to hardship. Although war weariness may be growing, he said, "there is no basis to believe that any bombing campaign, short of one which had population as its target, would by itself force Ho Chi Minh's regime into submission."

What of Haiphong? While it is the entry point for as much as 4,700 of the 5,800 tons of North Vietnam's daily imports, destroying the port would not put the Communists out of business in the war.

Little war materiel actually used in the south (about 100 tons a day, which can be carried in a few trucks) enters North Vietnam by sea. Most comes overland from China, across a 500-mile border where interdiction is difficult. In addition, off-shore and over-the-beach unloading from foreign shipping along North Vietnam's 400 miles of coastline could replace Haiphong if necessary.

In sum, bombing the north remains only supplemental to the total war effort. This is a fact many find hard to accept, given the immense difficulties in the south. But the truth must still be faced that there is no easy way out.

The magnitude of the task in the south has been illustrated again in the Viet Cong terrorist raids of recent days, which are aimed at disrupting the Sept. 3 elections. The success of these attacks points up again the freedom of movement the Viet Cong enjoy.

The only way to put an end to that is by rooting out the Communist organizational base in the villages, something that can only be accomplished by on-the-ground efforts in the south, not by bombing the north.

Mr. CASE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CASE. Mr. President, I associate myself with the majority leader in his adherence to the principle of civilian direction of the great strategy of this war and of the conduct of all great governmental activities.

I welcome his statement in regard to Secretary McNamara's position.

I was troubled by a statement which appeared in yesterday's Washington Post in an Evans-Novak column to the general effect that the Secretary was not expressing the President's view in regard to this matter of bombing and that the President had recently been veering toward the generals' position.

I wonder if we might have the majority leader's comment on that, because he was quite specific about the Secretary speaking for the President. To me, it is very important.

I would like, if it is possible, for the majority leader to give to the Senator from New Jersey and to the Senate and to the country some statement based upon an authoritative knowledge of this question concerning whether the Secretary of Defense actually represents the President's views.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished Senator from New Jersey, I did not show my remarks—which were dictated and transcribed this morning—to the President or to anyone in the administration. But I think I can say without fear of contradiction that it is a known fact that the Secretary of Defense does speak for the President and does speak with the approval of the President.

I would say also that the newspaper reports and columns, and what not, which seem to indicate that there is a wide gulf and wide divergence between the Secretary of Defense and members of the Joint Chiefs of Staff and other high military figures in active service, have been stretched considerably further than the actual truth.

It is my understanding that while there are differences, naturally, those differences are small and minor and are not of great significance.

Mr. CASE. Mr. President, I thank the majority leader.

Mr. JAVITS. Mr. President, before the Senator from New Jersey leaves the floor, I should like to compliment him for his statement made this morning on Vietnam.

The Senator from New Jersey is one of our most distinguished Senators. He is a member of the Foreign Relations Committee. For him to endorse as strongly as he has the idea that the South Vietnamese must help themselves in order for us to continue our major participation in Vietnam is extremely important and refreshing.

I welcome anything that anybody can do—especially one in such high office and of such personal distinction as the Senator from New Jersey—to impress upon the military regime in Saigon and the people in Vietnam—at least those who are paying any attention to what voting means—how crucial the upcoming vote is. At long last, we are going to accept no compromise with the idea of self-help as the basis for mutual cooperation. This is especially important when we consider the extent of the casualties that we are suffering in Vietnam and the enormous sums of money we are expending there.

I congratulate the Senator again on the statesmanlike and very fine injunction which he delivered today.

I hope very much that he will—and I know that he will do so—continue to remain in the ranks of those who will not let go of this proposition after the election. The Senator has made his position crystal clear.

I join him in his approval of the report of the subcommittee in the other body.

Mr. CASE. Mr. President, I thank my colleague for his most generous and perceptive comment. It is a very deep gratification to have such a comment come from so distinguished a Member of the Senate.

Mr. President, the more we ponder the matter of the significance of our involvement in Vietnam and our efforts in other parts of the world, the clearer, it seems to me, this matter becomes.

What we are trying to do, or at least one of our very deepest objectives, is to demonstrate that the underprivileged and oppressed peoples of the world have some other course than to follow Communist lines of development in South Vietnam and elsewhere.

For only if we insist that our support be given to regimes which not only are resisting communism but which also are for progress and development of the peoples of the underdeveloped areas of the world in their misery and stagnation and backwardness, is there any possibility for us to make the victory against communism come true. The people of this earth are going to insist on progress. If there is no alternative to Communist direction of progress, then they will go Communist, no matter how much American effort is put into any particular situation.

So it is essential in all these cases not only that we resist aggression and subversion but also that, with equal force, we insist that the forces resisting those things, in which we are assisting, be forces in the direction of true progress for the people of the areas concerned.

Mr. JAVITS. Self-determination also enables people to choose a Communist form of government, if that is what they think is best for them. They can use that freedom of choice to enslave themselves, if they choose. I do not think the Vietnamese people will choose communism but they must make their choice, and show their determination to make it work. That is why what the Senator has said, and what others, and I have said, is so critical.

May I point out, finally, that few acts in history have elated mankind at a time of grave discouragement as did the victory of Israel in the war with the Arab States, which demonstrated—as almost a criterion for all small nations—what it means when a nation really believes that what it is doing is so good that it is worth dying for. I refuse to believe that this could not be done in Vietnam, if the people were given the same objective. I cannot see Messrs. Ky and Thieu leading the nation along that line, unless there is some very radical change in their outlook and in what they plan. We hope and pray that is so, if they become the winners in the election.

It is from that point of view that I welcome and congratulate the Senator from New Jersey upon speaking when he has and as forcefully as he has.

Mr. CASE. I thank the Senator from New York.

Mr. JAVITS. Mr. President, I ask unanimous consent to place in the Record an editorial from the New York Times of August 31 entitled "The Most Powerful Bomb."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Most Powerful Bomb

The attempt to achieve a military victory in what is essentially a political conflict underlies the deepening difficulty in which the United States now finds itself in Vietnam. It has been increasingly evident, even before Secretary McNamara's testimony last week, that further expansion of bombing in the North would not break Hanoi's will or reduce infiltration to the South. Nor will increases in American ground forces shatter the stalemate south of the seventeenth parallel, much less inject either development or revolutionary ferver into the so-called "Revolutionary Development" program, as the fifth pacification plan in a decade is called.

There is nothing wrong with the name of the program. What is wrong is the lack of content to bear out the name. The pacification package consists of a few pigs, some first-aid treatment, perhaps a one-room schoolhouse, a lot of propaganda, some protection from Vietcong attack—but not enough for long enough—and a great deal of C.I.A.-financed effort to get a lead on the Vietcong's local political cadre.

Saigon's failure is precisely that it has not given the country anything to fight for, apart from the negative slogan of anti-Communism. The thorough overhaul of South Vietnamese society that is urgently required is nowhere in sight, despite the lip service Premier Ky and General Thieu have long paid to reform.

The indifference or hostility of the population to the Saigon Government, the graft and corruption that permeates the civil and military bureaucracies, the war profiteering and import kickbacks of the ruling middle-class, the absence of a real will to fight in the South Vietnamese Army and, especially, in its officer corps, drawn from the same middle-class, land-owning élite—all testify to the lack of a political concept that can stir enthusiasm, loyalty and a sense of commitment.

It is not simply a matter of war weariness. The Communists should be just as weary. But they endure indescribable hardships and fight on with extraordinary tenacity against superior forces and weapons. Misled though they are, they are imbued with a sense of high adventure and they are fighting for an idea.

The total absence of a competing idea on the Government side was noted this week by Representative Ogden Reid of New York after transmitting a Congressional subcommittee report to Secretary Rusk on kickbacks and other ugly abuses in the Vietnam aid program. The letter, sent by Mr. Reid and Representative Moss of California, chairman of the subcommittee, called for a "reassessment of the United States position" unless the Saigon Government makes a basic commitment to social and economic reform.

Apart from a small amount of land distributed early in the Diem regime a decade ago, there has been virtually no land reform in South Vietnam. If, instead of a limit of 250 acres on landholding (often evaded by several parcels in one family), landlords were limited to ten acres—as in the American land refrom carried out in Japan in 1948—enough land could be distributed to make a dent in peasant apathy. A halt in rent and tax collections in Government-controlled zones might make peasants welcome Government troops instead of resent them. Now the landlords arrive behind them to collect back rent in violation of a Saigon administrative ruling.

Fundamental social reform that began to move the peasantry in numbers to the Government side would discourage Communist hopes of victory as no military casualties could. Joined with a generous offer of amnesty and fair representation for all political elements in the future life of South Vietnam, such reform could start all of Vietnam on the road to peace.

AIRPORT DEVELOPMENT ACT OF 1967

Mr. JAVITS. Mr. President, I send to the desk, for appropriate reference, a bill entitled the "Airport Development Act of 1967."

This morning I had the privilege of

testifying before the Subcommittee on Aviation of the Committee on Commerce, the subcommittee chaired by the Senator from Oklahoma [Mr. Monroney], one of the most distinguished leaders, if not the most distinguished leader, in this field in Congress, which is dealing with the question of what to do about the crisis facing our major airports.

The measure I am introducing today is an effort to meet the issue by enabling, in an intelligent way, the user—commercial as well as general aviation—to pay the tab, without in any way interfering with what we are doing now in the way of financing airway costs—radar, control towers—through the existing tax on passenger fares, but giving new funds and new resources for the purpose, which will enable us adequately to deal with the grave national problem which faces us; that is, the overloading of the airports and the tremendous delays and dangers to safety which are there involved.

We are all quite aware of the general problems facing aviation today—incredible congestion at the major hub airports, need for improved safety equipment, inadequacy of terminals, parking, and ground transportation. At the same time, we are aware of the dimension of these problems. The FAA estimates it will need $3 billion by 1972 and $6 billion by 1975 for airport development, and Secretary Boyd on Monday told of 1 million air carrier passengers a day within 10 years. Yet, despite this knowledge, and the realization that it takes some 7 years to complete a new jetport, it seems to me we have been very slow in putting forward an imaginative program for national airport development.

When 10 million people enplane annually at O'Hare in Chicago, 12 million at three New York airports, and over 1 million annually in 19 other cities such as Seattle, Kansas City, Denver, and Los Angeles, we are certainly dealing with a national problem. By calling this a national problem, I do not mean to imply that it is exclusively a problem to be solved by the Federal Government. Any solution must involve not only Federal and local governments but the entire range of airway and airport users.

I think we have detected a certain reserve on the part of the administration in coming up with any recommendations. I was very hopeful when the President set up a task force last December to study airport development. A report was supposedly sent to President Johnson on May 1 by the task force, but to this date it has never been made public. According to knowledgeable sources, the varying interest groups—commercial, general aviation, airport operators, and so forth, disagreed on its recommendations. I think the public deserved to know the results of that study—even if there was disagreement. If the Congress had conducted this study, at least the public would have been assured of knowing the results.

During these hearings we have seen further examples of the failure of the administration to really come to grips with this dilemma. The Secretary talked of financing as a central problem—and I certainly agree. Yet, although he suggested a $1 "head" tax to make extra funds available, he would not commit himself to any one approach when actually pinned down. I think it is time we took the big step forward and united behind a single plan to raise funds for airport development. I propose such a plan today while being aware that the various aviation groups will criticize it. The sooner we realize that no plan for airport development will satisfy all the interests concerned—or answer all the problems—the sooner we can get on with doing the job as best we can.

For these reasons, I introduce today legislation to first, establish an airport development trust fund to channel moneys into the more efficient development of jetports. Today 157 airports handle jets; by 1970 an additional 346 airports will gain the jetport status. The trust fund would be used first, to pay the difference between 2 percent and the market rate of interest on locally issued bonds—so-called interest differential payments; and second, to pay for the entire Federal aid to airports program in the annual amount of $150 million; doubling the present authorizations of $75 million. Under the interest differential payment plan, $20 million of Federal grants out of the trust fund support $1 billion of local airport improvement bonds. Many others have talked of Federal guarantees of local tax-exempt bonds, but I must point out that the Treasury has consistently opposed this approach.

The moneys for the trust fund will be raised by new user taxes. I have always felt that the airways must make a far greater effort to pay their own way. The general taxpayer has too long borne a burden incommensurate with his benefits. The people who want to fly must know they will have to pay. But they must know also that the user taxes are being put back into building more airports and making airports more efficient and safer. The trust fund would be made up: first, of a tax of 2 cents on all commercial airline aviation fuel—including jet fuel—which would raise some $100 million: second, an increase in the passenger tax from 5 percent to 7 percent which will raise some $75 million. The 2-percent increase will go into the trust fund, but the 5 percent will continue to go into general revenues to pay FAA airway costs.

These in themselves are not new ideas. As far back as 1946, the House Appropriations Committee suggested increased user taxes and Presidents Eisenhower, Kennedy, and Johnson have sought larger user taxes since 1959.

What I believe to be most significant about my plan is that it is based on the determination to use the major jetports to serve almost exclusively the great volumes of commercial aviation traffic and to get out of the business of handling all except essential general aviation. I believe this to be an inevitable result if we are to save our airports from chaos, on the ground as well as in the sky above.

I am convinced that commercial jet traffic and general aviation do not generally belong in the same airports in congested centers. In 1966, two-thirds of airline terminal delays at airports with FAA towers occurred at 23 hub airports. One-third of the delays at these 23 airports occurred at New York's three airports. Thus, New York alone accounted for over 20 percent of all air carrier delay. At the three New York airports, general aviation now uses 31 percent of the airport capacity and an unbelievable 46 percent of peak-hour capacity. As we channel our efforts toward exclusive use of jetports for commercial aviation, we will cut operating time—delays cost airlines $28 million a year—and in turn this added efficiency should be able to reduce fares and improve safety.

As far as general aviation is concerned, I believe we must adopt a "satellite" airport system in our metropolitan areas for this purpose. The average cost of general aviation airports is $25 million, as compared with some $750 million to $1 billion for a fourth New York jetport. But I feel that such airports are necessary and that general aviation must be called upon to pay a far greater share of airway and airport development costs. I recommend a 5-cent tax on all fuels used by general aviation which will raise approximately $22.5 million—still less than 15 percent of its share of estimated FAA airways costs. The receipts from this tax would be placed in the trust fund as well.

FAA Administrator General McKee, in testifying on Monday, said with regard to general aviation:

> We are convinced that this body of aviation will voluntarily separate itself, to a satisfactory degree, from high density airports used by air carriers, if convenient and appropriate airports are put at their disposal.

I do not have the faith in voluntary separation that the Administrator has.

Local airport authorities, in the interest of safety and efficiency, must, at the very least, restrict general aviation takeoffs and landings during peak hours. As satellite general aviation airports are developed, they must gradually phase general aviation from conventional airports. Of course, I am not talking about general aviation directly connected with commercial flights, such as helicopters and air taxis. This phasing-out process could be greatly aided by requiring truly adequate landing fees. At Washington National Airport a 727 pays $44 while a Cessna pays only 50 cents for essentially the same service. At La Guardia, a 727 pays $122 while a Cessna pays $5.

Finally, to insure that localities are doing a coordinated job in cutting across the scores of political jurisdictions within metropolitan areas, I propose that each State establish an agency or join a multistate agency responsible for the drafting and implementation of a plan for aviation development to be approved by the Secretary of Transportation. These plans would include improvement of the congestion problem at hub airports. No Federal funds for airport development would be available except under an approved plan. This "plan approval" approach is similar to one used in the Water Quality Act of 1965.

The fragmentation of decisionmaking for airport development is nowhere more apparent than in the current controversy in New York City over a fourth jetport. The New York Port Authority, a creation of a bistate compact, is restricted in its geographic physical boundaries. In any event, any decision by the port authority would throw us into the political infighting of the State legislatures. Another concerned agency, the Tri-State Transportation Commission, is essentially a planning body with no actual power to implement its decisions. There is no machinery in existence today through which an effective decision upon the critical problem of metropolitan airport development can be made. We need a State or multistate agency with the power to implement its decisions and my proposal would require such a body.

Business as usual cannot meet the challenges of a revolution. The revolution in aviation is here—the 747's and the SST's are almost on the runways and we are still thinking as we did back in the forties and fifties. It is a time which demands imaginative concepts in efficiency and safety on a broad new scale. More of the same with larger inputs of money will not do the job. We must assign some of the technological genius which conceived of and built the 747 and the SST, to get an airlines passenger from the center city to the airport and then get him quickly to a plane which takes off in an atmosphere of safety without long delays.

The job must be begun now. The threat of complete saturation is estimated for John F. Kennedy Airport by 1969 and other airports will soon follow. There is an ever-increasing misallocation of the cost-benefit ratio of aviation. This trend has to be reversed. It is not only time for the user to pay his way but it is time we made sure he is getting his money's worth in efficiency and safety.

Mr. President, the purpose of the measure is for self-help by those who use the airports, and at the same time an effort to direct that self-help in the most creative way with the least budgetary impact.

Mr. President, I ask unanimous consent that the bill may be printed in the RECORD as part of my remarks.

The PRESIDING OFFICER (Mr. McGEE in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2379) to provide for essential development of public airports, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2379

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Airport Development Act of 1967".

DEFINITIONS

SEC. 2. As used in this Act—

(1) "Secretary" means the Secretary of Transportation;

(2) "airport development" means any work or the acquisition of land or structures for construction or improvement of an airport or for the construction or improvement of facilities for use in relation to an airport;

(3) "public airport" means any airport which is used or to be used for public purposes, under the control of a public agency, the landing area of which is publicly owned;

(4) "public agency" means a State or an agency thereof, a political subdivision of a State or an agency thereof, or a tax-supported organization; and

(5) "State" includes a State, the District of Columbia, Puerto Rico, and the Virgin Islands.

AUTHORIZATION FOR DEBT SERVICE PAYMENTS

SEC. 3. (a) The Secretary is authorized to enter into one or more contracts with any public agency for the payment by the Secretary of reasonable debt service costs in excess of 2 per centum per annum incurred by such agency in borrowing amounts for any project for public airport development which (1) is approved by the State agency or official designated pursuant to section 4 if it has been so designated; (2) is in accordance with the State plan for airport development; and (3) is determined by the Secretary to be in accordance with the national airport plan formulated pursuant to the Federal Airport Act.

(b) In entering into such contracts the Secretary shall insure that adequate attention has been given to projects for the improvement of terminal facilities, the improvement of transportation to and from airports, and improvement of parking facilities at airports.

(c) Payments pursuant to this section shall be made from the Airport Development Fund established pursuant to section 5.

DESIGNATION OF STATE AGENCY FOR AIRPORT PLANNING AND AMENDMENT OF FEDERAL AIRPORT ACT

SEC. 4. (a) For the purposes of this Act and the Federal Airport Act each State shall designate a State agency or official for public airport planning.

(b) Section 4 of the Federal Airport Act is amended by inserting at the end thereof a new subsection as follows:

"(c) Effective for fiscal years beginning after June 30, 1969, no grant shall be made pursuant to this Act for any project in any State in which an agency or official of such State has been designated pursuant to section 4 of the Airport Development Act of 1967 unless such project is approved by such agency or official as being in accordance with State plans for airport development."

INCREASE IN AUTHORIZATION FOR FEDERAL AIRPORT ACT

SEC. 5. Subsection (d) of section 5 of the Federal Airport Act is amended by striking out paragraph (7), (8), and (9) and inserting in lieu thereof the following:

"(7) For the purpose of carrying out this Act in the several States, in addition to other amounts authorized by this Act, appropriations amounting in the aggregate to $399,000,000 are hereby authorized to the Secretary of Transportation over a period of three fiscal years, beginning with the fiscal year ending June 30, 1968. Of amounts appropriated under this paragraph, $133,000,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970, and shall continue to be so available until expended.

"(8) For the purpose of carrying out this Act in Hawaii, Puerto Rico, and the Virgin Islands, in addition to other amounts authorized by this Act, appropriations amounting in the aggregate to $6,000,000 are hereby authorized to the Secretary of Transportation over a period of three fiscal years, beginning with the fiscal year ending June 30, 1968. Of amounts appropriated under this paragraph, $3,000,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970, and shall continue to be so available until expended. Of each such amount, 40 per centum shall be available for Hawaii, 40 per centum shall be available for Puerto Rico, and 20 per centum shall be available for the Virgin Islands.

"(9) For the purpose of developing, in the several States, airports the primary purpose of which is to serve general aviation and to relieve congestion at airports having high density of traffic surving other segments of aviation, in addition to other amounts authorized by this Act for such purpose, appropriations amounting in the aggregate to $42,000,000 are hereby authorized to the Secretary of Transportation over a period of three fiscal years, beginning with the fiscal year ending June 30, 1968. Of amounts appropriated under this paragraph, $14,000,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years, ending June 30, 1968, June 30, 1969, and June 30, 1970, and shall continue to be so available until expended.

"(10) For fiscal years beginning after June 30, 1968, amounts authorized pursuant to this subsection shall be available for expenditure without further appropriation from the Airport Development Trust Fund."

AIRPORT DEVELOPMENT TRUST FUND

SEC. 6. (a) There is hereby established in the Treasury of the United States a trust fund to be known as the "Airport Development Trust Fund" hereinafter in this section called the "Trust Fund". The Trust Fund shall consist of such amounts as are appropriated to the Fund pursuant to this section.

(b) There is hereby appropriated to the Trust Fund out of any money in the Treasury not otherwise appropriated amounts equivalent to—

(1) 100 per centum of the taxes received in the Treasury after December 31, 1957, under the provisions of section 4042 of the Internal Revenue Code of 1954;

(2) 2/7 of the taxes received in the Treasury after December 31, 1967, under the provisions of section 4261 of the Internal Revenue Code of 1954; and

(3) 2 cents a gallon for each gallon of gasoline taxable under section 4081 of the Internal Revenue Code of 1954 which is used after December 31, 1967 as fuel in an airplane.

The amounts appropriated pursuant to this subsection shall be transferred at least monthly from the general fund of the Treasury to the Trust Fund on the basis of estimates by the Secretary of the Treasury of the amounts received in the Treasury under the provisions of such section of the Internal Revenue Code of 1954. Proper adjustments shall be made in the amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(c) It shall be the duty of the Secretary of the Treasury to hold the Trust Fund, and (after consultation with the Secretary of Transportation) to report to the Congress not later than the first day of March of each year on the financial condition and the results of the operations of the Trust Fund during the preceding fiscal year and on its expected condition and operations during each fiscal year thereafter. Such report shall be printed as a House document of the session of the Congress to which the report is made. It shall be the duty of the Secretary of the Treasury to invest such portion of the Trust Fund as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (A) on original issue at par, or (B) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the Trust Fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the Public Debt; except that where such average rate is not a multiple of one-eighth of 1 percent, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 percent next lower than such average rate. Such special obligations shall be issued only if the Secretary of the Treasury determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest. Any obligation acquired by the Trust Fund (except special obligations issued exclusively to the Trust Fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest. The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

(d) Amounts in the Trust Fund shall be available, without further appropriation for (1) making expenditures after December 31, 1967, pursuant to section 3 of this Act, and (2) carrying out the provisions of the Federal Airport Act after June 30, 1968.

IMPOSITION OF TAXES ON AVIATION FUEL

Sec. 7. (a) Subchapter E of chapter 31 of the Internal Revenue Code of 1954 (relating to special fuels) is amended by renumbering section 4042 as 4043, and by inserting after section 4041 the following new section:

"Sec. 4042. Aviation Fuel.

"(a) Fuel Used in Commercial Aviation.—There is hereby imposed a tax of 2 cents a gallon upon any liquid (other than any product taxable under section 4081)—

"(1) sold by any person to an owner, lessee, or operator of an airplane used in commercial aviation, for use as a fuel in such airplane; or

"(2) used by any person as a fuel in an airplane used in commercial aviation unless there was a taxable sale of such liquid under paragraph (1).

"(b) Fuel Used in General Aviation.—

"(1) Liquid other than gasoline.—There is hereby imposed a tax of 5 cents a gallon upon any liquid (other than any product taxable under section 4081)—

"(A) sold by any person to an owner, lessee, operator of an airplane (other than an airplane used in commercial aviation), for use as a fuel in such airplane; or

"(B) used by any person as a fuel in an airplane (other than an airplane used in commercial aviation) unless there was a taxable sale of such liquid under subparagraph (A).

"(2) Gasoline.—There is hereby imposed a tax of 3 cents a gallon upon any product taxable under section 4081—

"(A) sold by any person to an owner, lessee, operator of an airplane (other than an airplane used in commercial aviation), for use as a fuel in such airplane; or

"(B) used by any person as a fuel in an airplane (other than an airplane used in commercial aviation) unless there was a taxable sale of such liquid under subparagraph (A)."

(b)(1) Section 4041(b) of the Internal Revenue Code of 1954 (relating to tax on special motor fuels) is amended by striking out "motor vehicle, motorboat, or airplane" each place appears therein and inserting in lieu thereof "motor vehicle or motorboat".

(2) The heading of section 4041 of such Code is amended by striking out "Imposition of Tax" and inserting in lieu thereof "Diesel Fuel; Special Motor Fuels".

(3) The table of sections for subchapter E of chapter 31 of such Code is amended to read as follows:

"Sec. 4041. Diesel fuel; special motor fuels.
"Sec. 4042. Aviation fuel.
"Sec. 4043. Cross reference."

(c)(1) Section 6416(a)(2)(A) of the Internal Revenue Code of 1954 is amended by inserting after "special motor fuels)" the following: "or the tax imposed by section 4042(a)(2) (use of aviation fuel)".

(2) Section 6416(b)(2) of such Code is amended—

(1) by striking out the period at the end of subparagraph (R) and inserting in lieu thereof a semicolon, and

(2) by adding after subparagraph (R) the following new subparagraph:

"(S) in the case of a liquid taxable under section 4042, sold for use as fuel in an airplane, if the vendee used such liquid otherwise than as a fuel in an airplane."

(d) The amendments made by subsections (a), (b), and (c) shall apply with respect to fuels sold or used on or after January 1, 1968.

INCREASE IN TAX ON TRANSPORTATION OF PERSONS BY AIR

Sec. 8. (a) Subsections (a) and (b) of section 4261 of the Internal Revenue Code of 1954 (relating to tax on transportation of persons by air) are amended by striking out "5 percent of the amount so paid for transportation which begins after November 15, 1962" and inserting in lieu thereof "7 percent of the amount so paid".

(b) Subsection (c) of such section is amended by striking out "5 percent of the amount so paid in connection with transportation which begins after November 15, 1962" and inserting in lieu thereof "7 percent of the amount so paid".

(c) The amendments made by subsections (a) and (b) shall apply with respect to transportation which begins on or after January 1, 1968.

AMENDMENT TO HIGHWAY TRUST FUND

Sec. 9. Section 209 (f) of the Highway Revenue Act of 1956 (relating to expenditures from the Highway Trust Fund) is amended by adding at the end thereof the following new paragraph:

"(7) Transfers from trust fund for gasoline used in airplanes.—The Secretary of the Treasury shall pay from time to time from the Trust Fund to the Airport Development Trust Fund the amounts appropriated to the Airport Development Trust Fund under section 6 (b) (3) of Airport Development Act of 1967 with respect to gasoline used as fuel in airplanes."

LEAVE OF ABSENCE

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that I may be excused from attendance in the Senate for the week of September 11. I will be absent on official business except for 1 day.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

THE QUALITY OF AMERICAN LIFE—THE JOHNSON AGENDA FOR THE FUTURE AND THE 90TH CONGRESS

Mr. **MANSFIELD**. Mr. President, the legislative record reflects the compassionate concern of the Johnson administration—and the Congress—for the basic needs and the commitments of the American people.

The 90th Congress is maintaining the momentum of previous Congresses—not to the same degree but nevertheless carrying forward. Twenty-five major bills have already been enacted. Fifteen treaties and conventions have been ratified. Eight other bills have been passed by both Houses. Twenty more have been passed by the House of Representatives. And another 13 have been passed by the Senate.

In all, the 90th Congress has already passed, in one or both Houses, almost 100 pieces of vital legislation.

I think it is appropriate, as we prepare to recess for Labor Day, to take stock of what we have accomplished. I, for one, believe we can say that we have achieved a very good record to date.

VIETNAM AND AMERICA'S SECURITY

To advance American civilization, the American Nation must be secure against foreign attack, and determined in its international commitments. To fulfill these responsibilities, the 90th Congress has already approved an extension of the military draft system, approved regular and supplemental Defense budgets so that our military men have all materials necessary to defend themselves, and voted one of the most generous GI bills of rights in history for Vietnam veterans and others.

Each time the President has called on the Congress to support our fighting men, wherever they are stationed, the Congress has responded in approving those programs necessary to maintain a strong position in the world.

THE FIGHT AGAINST CRIME

To raise the quality of American life, society must keep itself whole, and must have the tools and resources to turn back the rising tide of crime and violence which threaten it with a major social breakdown.

The President and the Congress both agreed—long before the recent riots—that local law enforcement across the Nation must be strengthened with Federal help, and that crime in the streets, delinquency, and disrespect for law and order must be halted at all costs.

The Safe Streets and Crime Control Act of 1967, introduced by President Johnson, has already been passed by the House of Representatives.

The Juvenile Delinquency Act of 1967 has been approved by a House committee. With the growing crime rate among young people, this measure becomes an indispensable tool for the Nation to control an extremely serious social problem.

A keystone in President Johnson's crime fighting program is the Firearms Control Act. Hearings are now in process in both Houses of the Congress.

The President has called this a priority item in his program, and the Congress is giving it most serious consideration.

REBUILDING OUR CITIES AND HELPING THE DEPRIVED

One of the principal programs of the Johnson administration has been its large-scale effort to rebuild America's cities, and help the educationally, economically, and racially deprived emerge from dependence to positive participation in society.

The 90th Congress has moved along a broad front to implement the President's programs.

The Elementary and Secondary Education Act Amendments of 1967—with their main stress on aid for the educationally deprived—have passed the House and are now being worked on in committee in the Senate.

The Model Cities Act—the measure which provides the first modern blueprint for the human and physical transformation of our cities—has now been appropriated $537 million by the Senate Appropriations Committee. We are hopeful and confident that this landmark piece of legislation will go through the full Senate—and conference committee—and to the President. It is desperately needed today.

Rent supplements has been rescued from defeat by the statesmanlike action of the same Senate committee which voted it a full $40 million appropriation. Thousands of poor families have been given renewed hope for a decent home in a decent neighborhood.

The 1967 War on Poverty Amendments are now moving through committees in both the House and Senate. We are confident that this expanded program which has meant so much to millions of poor Americans will be increased by 25 percent and sent to the President for signature.

AMERICAN LEADERSHIP IN THE WORLD COMMUNITY

The mantle of world leadership which the United States assumed in this century brought with it new responsibilities to improve conditions for world peace, and to help new nations develop into strong independent allies.

In this session alone, the Senate has ratified 15 treaties and conventions which strengthen America's position in the world community, and create new conditions to foster the growth of peace and international understanding.

Perhaps the most renowned was the Outer Space Treaty between the United States and the Soviet Union and other nations of the world. That treaty prohibits the use of nuclear weapons in space, and provides for mutual cooperation in space exploration.

A Consular Convention between the Soviet Union and the United States was also approved. This agreement is a major span in President Johnson's program of bridge-building between the Russian and American peoples.

Congress expressed its strong support for emergency food assistance to India by approving U.S. participation in international efforts to help India achieve self-sufficiency in food production.

In addition, the President has persistently pursued a worldwide nuclear nonproliferation treaty and his efforts have been rewarded by a joint United States-U.S.S.R. presentation of a draft treaty to the Geneva Disarmament Conference.

HELPING THE OLDER CITIZEN AND THE DEPENDENT PERSON

President Johnson and the 89th Congress made history for the older American citizen by the adoption of a long-awaited medicare plan. Millions of America's citizens have already received hospital and medical benefits.

This year, the President and the 90th Congress have joined in yet another series of programs to give greater economic security and dignity to the older citizen—and indeed, to all our citizens who are dependent on society for help.

The Older American Act of 1967 has been adopted. It extends for 3 years a series of Federal grants to help States improve services to the elderly.

The Social Security Act Amendments of 1967, approved by the House Ways and Means Committee, will increase monthly benefits to all recipients and extend coverage of this act to new individuals. It also simplifies and makes more equitable tax laws for the older citizens.

A Mental Health Act extension has been signed by the President. It extends Federal grants to States for construction of community mental health centers.

The food stamp program, so essential for the needy families in the city and the countryside, has been passed by both Houses.

PROTECTING THE AMERICAN CONSUMER

In times past, the American consumer was often the loneliest man in town, as far as Government protection was concerned. The motto "let the buyer beware" was the rule of the marketplace.

But with the increasing affluence of our society; with the consumer shopping for a new home or a new car; with the level of consumer credit up almost to $100 billion; with thousands of new products on the market—it was time that Government came to the aid of working men and women.

The Johnson administration made a great consumer advance with its truth-in-packaging bill in the 89th Congress.

In this session, the Senate has already passed overwhelmingly the Johnson historic Truth-in-Lending Act. This act requires complete public exposure by banks and other lending institutions of rates and amounts of interest, and other charges.

Fire safety and flammable fabrics acts have been passed by the Senate, giving added protection to the citizens, against fires in general, and against flammable fabrics in particular.

The Senate adopted a joint resolution establishing a National Commission on Product Safety which will study hazardous products and the protection now afforded by laws and industrial self-regulation.

Much has been accomplished by the President and the Congress in the first 8 months of the 90th Congress. More remains to be done.

No major area of human concern has been passed over in our work.

We are considering major breakthroughs in public educational television. Business tax incentives have been restored.

This has been a responsible Congress supporting a responsible President.

We have made a pledge to continue building America under President Johnson, and we have made an excellent start in redeeming that pledge.

Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

REPORT ON INITIAL STAGE OF THE OAHE UNIT, MISSOURI RIVER BASIN PROJECT, SOUTH DAKOTA

The **PRESIDENT** pro tempore laid before the Senate a letter from the Secretary of the Interior, transmitting, pursuant to law, a report on the initial stage of the Oahe unit, Missouri River Basin project, South Dakota, which, with the accompanying report, was referred to the Committee on Interior and Insular Affairs.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HILL:

S. 2378. A bill for the relief of Dr. Julio P. Amable; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 2379. A bill to provide for essential development of public airports; to the Committee on Commerce.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

SOCIAL SECURITY AMENDMENTS OF 1967—AMENDMENT

AMENDMENTS NOS. 299 AND 300

Mr. **RIBICOFF** submitted two amendments, intended to be proposed by him, to the bill (H.R. 12080) to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 31, 1967, he presented to the President of the United States the enrolled bill (S. 1633) to amend the act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. MONDALE:

Speech by Vice President Humphrey before American Federation of Teachers on August 24, 1967.

ORDER OF BUSINESS

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PENTAGON REPORT ON PRIVATE FINANCING OF SST SUPPRESSED

Mr. PROXMIRE. Mr. President, in my testimony earlier this month before the Transportation Subcommittee of the Senate Appropriations Committee, I said that private financing of the supersonic transport had never been adequately explored.

Rowland Evans and Robert Novak, in an illuminating column in today's Washington Post, have revealed that not only has the alternative of private financing not been adequately explored but at least one study of this alternative has been actively suppressed.

Evans and Novak disclose in their column that a high Pentagon official, Robert H. Charles, now Assistant Secretary of the Air Force, prepared a paper 2 years ago which concluded that practically all financing of the SST could be raised from private sources.

Congress should be given this report immediately. A decision is due in the Senate soon on providing an additional $142 million for the SST in fiscal 1968, raising the total appropriations for this project to $653 million. That decision should not be made on the basis of one-sided information. I am writing to Secretary McNamara today to ask him to release the Charles report.

As Evans and Novak point out, Congress is being frightened into "voting a massive Federal giveaway to beat the Europeans into the SST market" simply because it has not been given all the facts, because it has been bludgeoned into believing private industry was incapable of supplying its own financing for a project of this magnitude.

I commend the Evans and Novak column to the attention of all Senators and ask unanimous consent to have it printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Aug. 31, 1967]

Study of Private Financing of SST Kept Secret in Face of Huge Windfall

Contrary to the Johnson Administration's insistence that massive Federal aid is needed to build the supersonic transport (SST), a high Pentagon official two years ago prepared a confidential paper explaining exactly how private capital could do the job.

That paper, like all other dissent inside the Administration to total Government financing of the first commercial superjet, has been suppressed. Neither public nor Congress has been given the slightest hint that private industry could supply its own financing.

Without that information, Congress has been frightened into voting a massive Federal giveaway to beat the Europeans into the SST market.

The result is a stockholder's dream for the Boeing Co., designer of the proposed 1800-mile-an-hour airliner. While standing to reap windfall profits, Boeing and General Electric Co. (producer of the SST's engines) put up only 12 per cent of the cost. The airlines invest another 5 per cent, and the remaining 83 per cent is Federal tax money.

We reported earlier that a 1966 Treasury staff paper, cloaked from public view, had recommended substantially higher cash contributions from Boeing and GE. But in 1965, an Air Force civilian official, Robert H. Charles (now Assistant Secretary of the Air Force), prepared a paper with a more extreme conclusion: Practically *all* financing of the SST could come from private sources.

Although the Charles report is well known inside the Administration, Pentagon bureaucrats flirt with violation of the new Freedom-of-Information Law and refuse to make it public. They contend this was Charles's personal effort (although they acknowledge that the Charles report became an Air Force working paper) and therefore doesn't rank as an official document. Even the Transportation Department's advice to let it loose has been unavailing.

What makes the paper so interesting is its flat disagreement with testimony before Congress by Federal Aviation Agency (FAA) officials in charge of the SST, who say nothing about private alternatives to Federal financing.

The Charles report starts from the point that development of an American SST is definitely in the self-interest of the manufacturers and all U.S. airlines, who therefore should be willing to pay for it. He then makes a convincing argument of how they can pay for it.

In a detailed plan, Charles describes how 70 per cent of the production cost can be borne by three sources—the manufacturers, the airlines, and private investment. The private funds would be raised by a special corporation, 90 per cent of whose loans would be fully guaranteed by the Federal Government.

The remaining 30 per cent of the cost, under Charles' scheme, would come from special Government-guaranteed bonds issued to private investors. Thus, under ideal conditions Uncle Sam would only insure loans, not subsidize the aircraft.

Charles recognizes that conditions might be less than ideal. If costs rose above anticipation, the Government would lend a hand. If the entire project flopped (which remains a definite possibility), the Government would reimburse the manufacturers and airlines for a portion of their investment. But if the project becomes a bonanza, the taxpayer wouldn't be in the position of taking massive Boeing-GE profits.

In fact, as the Charles report points out, there are numerous methods of indirect subsidization without actually appropriating Federal money. Existing law permits generous tax deductions for the manufacturers. Government facilities and technical assistance would be put at the disposal of the producers.

But in the 1966 backstage in-fighting, Boeing—supported strongly by Gen. William (Bozo) McKee, the hard-driving FAA chief—insisted on nothing less than total Federal financing.

The Charles report, though strongly supported in high Pentagon circles, was first rejected, then suppressed.

With Congress about to raise SST appropriations to a total of $650 million, it is too late now to think about adopting the all-private financing envisioned by Charles. But Congressmen who are increasingly miffed at the largesse for Boeing and GE at a time of self-imposed Great Society restraint might be interested in getting a peek at the Charles report to see if any use at all may be made of it at this late date.

VIETNAM DEMAND CONSTITUTES NO BASIS FOR TAX INCREASE

Mr. PROXMIRE. Mr. President, the Department of Defense has just issued the third in a new monthly series of Selected Economic Indicators in the Defense sector. The series was developed at the instigation of the Joint Economic Committee because of the great need for data on Defense contracts and expenditures in assessing the performance of our country.

The latest figures indicate that prime military contract awards in July were approximately $3.3 billion. On a seasonally adjusted basis, the contract awards in the second quarter of this year aggregated $10,667 million as compared with $10,144 million last year. This increase over last year of approximately a half billion dollars for the second quarter is not a startling increase, and the July figures do not indicate any substantial recent jump in these awards.

For the second quarter of this year, net expenditures for Defense came to $17,897 million as compared with $15,609 million in the second quarter of last year. This represents an increase of $2.2 billion for the quarter. Expenditures in the first quarter of this year were $4 billion higher than last year. The increase for the second quarter is not out of line with earlier expectations.

I shall not take time to discuss other details in the latest issue of the Defense Indicators, but I do commend this report to Members of Congress and to economists and businessmen who are interested in the effect of military spending on the economy.

I would merely add that here again, in the area where the greatest economic stimulation has been expected, that is, from Federal Vietnam and Defense spending—the case for the tax increase seems very weak indeed.

Certainly, this immense economy of ours, which has grown so sharply in productive capacity in the past 3 years, can handle the relatively gentle increase in Defense orders without the inflationary pressure, the fear of which constitutes the heart of the administration's economic case for the tax increase.

I ask unanimous consent that Selected Economic Indicators of the Department of Defense, dated August 30, 1967, be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Department of Defense, Selected Economic Indicators

(Note.—The attached table shows selected financial and employment data related to the impact of Defense programs on the economy. The data reflected cover seven major subject areas, beginning with the first quarter of calendar year 1966 and continuing through the latest month for which information is available. Explanations of the terms used are also attached.)

EXPLANATIONS OF THE TERMS USED

I. *Military Prime Contract Award.* A legally binding instrument executed by a military department or Department of Defense Agency (DOD component) to obtain equipment, supplies, research and development, services or construction. Both new instruments and modifications or cancellations of instruments are included; however, modifications of less than $10,000 each are not included.

The series includes awards made by DOD components on behalf of other Federal agencies (e.g., National Aeronautics and Space Administration), and on behalf of foreign governments under both military assistance grant aid and sales arrangements. It also includes orders written by DOD components requesting a non-Defense Federal agency to furnish supplies or services from its stocks (e.g., General Services Administration stores depots), from in-house manufacturing facilities (e.g., Atomic Energy Commission), or from contracts executed by that federal agency.

The series does not include awards paid from post exchange or similar non-appropriated funds, nor does it include contracts for civil functions, such as flood control or river and harbors work performed by the Army Corps of Engineers. Project orders issued to Defense owned-and-operated establishments, such as shipyards and arsenals, are not included, but contracts executed by such establishments are.

The distribution by broad commodity group includes only contracts which are to be performed within the United States or its possessions. Each commodity group includes not only the indicated end item, but also associated components and spare parts, research and development, and maintenance or rebuild work. Electronics and Communications includes only such equipment and supplies as are separately procured by DOD components. Electronics procured by an aircraft prime contractor is reported as Aircraft. Other Hard Goods contains tank-automotive, transportation, production, medical and dental, photographic, materials, handling, and miscellaneous equipment and supplies. Soft Goods includes fuels, subsistence, textiles and clothing. All Other contains services (e.g., transportation) and all new contracts or purchase orders of less than $10,000 each. Commodity identification is not available for these small purchases.

Work done outside the United States refers to the location where the work will be physically performed. About 55–60% of this work is awarded to U.S. business firms, but a lesser percentage of the contract dollars in this category directly impacts on the U.S. economy.

II. *Gross Obligations Incurred.* Total amounts recorded in official accounting records of the military departments and Defense Agencies from source documents such as signed contracts or any instrument which legally binds the government to payment of funds. Present coverage extends only to general fund accounts; obligations incurred in revolving funds are excluded. Included, and double-counted, are obligations which are recorded first when an order is placed by one appropriation upon another appropriation, and second when the latter appropriation executes an obligation for material or services with a private supplier. This duplication averages about 8% of gross obligations.

a. *Operations.* The Military Personnel appropriation and Operation and Maintenance appropriation of the Department of Defense.

b. *Procurement.* The Procurement appropriation.

c. *Other.* The RDT&E, Military Construction, Family Housing, Civil Defense, and Military Assistance appropriations.

III. *Gross Unpaid Obligations Outstanding.* Obligations incurred by the Department of Defense for which it has not yet expended funds. Present coverage extends only to general fund accounts; obligations in revolving funds are excluded.

IV. *Net Expenditures.* Gross payments less collections by the military departments and Defense Agencies, including revolving funds and Military Assistance. Payments represent checks issued.

V. *DOD Personal Compensation.* Wages and salaries earned by personnel employed by the Department of Defense. Military compensation represents pay and allowances to active duty personnel; reserve pay and retired pay are excluded. Civilian compensation represents gross pay and includes lump sum payments for final annual leave. Both figures are inclusive of individual contributions to retirement and social insurance funds, but are exclusive of any employer contributions to these funds.

VI. *Outstanding Payments.* Payments to contractors by the military departments and Defense Agencies made before the goods or services contracted for are completed and delivered.

a. *Advance Payments.* Payments to contractors in advance of performance of a contract.

b. *Progress Payments.* Payments to contractors as work progresses on a contract. These payments serve to reimburse the contractor for a major portion of the costs incurred to date.

c. *V-Loans.* Loans by commercial banks to defense contractors in advance of completion of work, in which the government agrees to share any losses resulting from default.

VII. *Strength.* The number of persons on active duty with the Department of Defense at the end of the period.

a. *Military.* Men and women on continuous or extended active duty. Excludes reserves on temporary active duty for reserve training.

b. *Civilian.* Direct hire personnel.

SELECTED DEFENSE DEPARTMENT ECONOMIC INDICATORS

[Dollar amounts in millions; manpower in thousands; quarters by calendar year]

	1966				1967								
	I	II	III	IV	January	February	March	I	April	May	June	II	July
I. Military prime contract awards:													
Aircraft	$1,945	$2,989	$2,696	$2,262	$784	$788	$530	$2,102	$432	$1,240	$1,377	$3,049	[1]$467
Missile and space systems	1,040	987	1,314	861	380	361	489	1,230	300	260	606	1,166	[1]402
Ships	355	491	876	239	90	418	171	679	72	129	206	407	[1]145
Weapons and ammunition	555	1,486	692	940	346	215	257	818	279	518	972	1,769	[1]209
Electrical and communications equipment	918	1,574	666	915	377	265	329	971	480	338	1,030	1,848	[1]154
Other hard goods	843	1,842	660	1,029	267	305	343	915	298	362	904	1,564	[1]144
Soft goods	709	922	1,078	989	251	193	194	638	171	199	282	652	[1]591
Construction	207	392	198	150	106	59	67	232	126	160	340	626	[1]72
All other	1,406	1,963	2,356	1,639	534	575	496	1,605	517	507	963	1,987	[1]1,178
Total (exclusive of work outside the United States)	7,978	12,646	10,536	9,024	3,135	3,179	2,876	9,190	2,675	3,713	6,680	13,068	[1]3,362
Total, seasonally adjusted	8,703	10,144	10,716	10,149	3,338	3,849	2,984	10,171	2,920	4,121	3,626	10,667	[1]3,561
Work outside the United States	521	1,195	856	672	183	112	158	453	227	228	379	834	[1]320
II. Gross obligations incurred:													
Operations	8,326	9,604	10,426	9,702	3,495	3,226	3,508	10,229	3,664	3,531	(2)	(2)	(2)
Procurement	4,374	8,539	5,368	5,276	1,738	1,451	1,924	5,113	1,801	2,485	(2)	(2)	(2)
Other	2,429	3,470	3,453	2,230	823	774	922	2,519	726	1,130	(2)	(2)	(2)
Total	15,129	21,613	19,247	17,208	6,056	5,451	6,354	17,861	6,191	7,146	(2)	(2)	(2)
III. Gross unpaid obligations outstanding: [3]													
Operations	3,828	3,777	4,792	5,024	5,041	4,892	4,644	4,644	4,761	4,765	(2)	(2)	(2)
Procurement	18,023	22,119	22,736	23,173	23,134	22,982	22,780	22,780	22,613	22,947	(2)	(2)	(2)
Other	5,747	7,392	8,179	7,888	7,858	7,834	7,626	7,626	7,453	7,628	(2)	(2)	(2)
Total	27,598	33,288	35,707	36,085	36,033	35,708	35,050	35,050	34,827	35,340	(2)	(2)	(2)
IV. Net expenditures:													
Operations	7,689	9,076	8,968	9,087	3,267	3,219	3,516	10,002	3,416	3,335	[1]3,745	[1]10,496	(2)
Procurement	3,651	3,886	4,392	4,264	1,680	1,491	1,903	5,074	1,783	1,850	[1]1,702	[1]5,335	(2)
Other	2,757	2,647	2,484	3,092	1,015	887	1,277	3,179	918	749	[1]399	[1]2,066	(2)
Total	14,097	15,609	15,844	16,443	5,962	5,597	6,696	18,255	6,117	5,934	[1]5,846	[1]17,897	( )
V. DOD personal compensation:													
Military	3,181	3,249	3,551	3,606	1,200	2,221	1,203	3,624	1,230	1,196	(2)	(2)	(2)
Civilian	1,937	2,015	2,105	2,135	733	666	764	2,163	700	776	[1]766	[1]2,242	[1]724
Total	5,118	5,264	5,656	5,741	1,933	1,887	1,967	5,787	1,930	1,972	(2)	(2)	(2)
VI. Outstanding payments: [4]													
Advance payments	66	79	90	83	------	------	------	92	------	------	------	80	------
Progress payments	4,402	4,346	4,750	5,461	------	------	------	5,981	------	------	------	6,765	------
V loans	53	51	52	55	------	------	------	112	------	------	------	64	------
Total	4,521	4,476	4,892	5,599	------	------	------	6,185	------	------	------	6,909	------

See footnotes at end of table.

SELECTED DEFENSE DEPARTMENT ECONOMIC INDICATORS—Continued

[Dollar amounts in millions; manpower in thousands; quarters by calendar year]

	1966				1967								
	I	II	III	IV	January	February	March	I	April	May	June	II	July
VII. Strength (manpower):													
Military	$2,969	$3,094	$3,229	$3,334	$3,357	$3,368	$3,371	$3,371	$3,371	$3,368	$3,377	$3,377	(2)
Civilian	1,088	1,138	1,184	1,230	1,246	1,260	1,268	1,268	1,273	1,274	1,303	1,303	[1] $1,311

[1] Preliminary.

[2] Information not available at time of publication.

[3] Revised through May 1967 to exclude unpaid obligations involving revolving and management Funds so as to be compatible with coverage pertinent to the "gross obligations incurred" indicator.

[4] Indicator No. VI information available only on a quarterly basis.

L. B. J. ACHIEVES HISTORIC ADVANCE FOR WORLD TRADE AND PROSPERITY

Mr. PROXMIRE. Mr. President, the agreement reached in London last Saturday between the finance ministers of the 10 leading financial nations—the so-called Group of Ten—is a successful conclusion to 4 years of hard bargaining.

Our negotiators, especially Secretary of the Treasury Henry Fowler, deserve the Nation's thanks in achieving a vital first step toward the internationally agreed management of the supply of monetary reserves.

Yesterday, President Johnson said—as many of us heard him say on television—that the past week has been a "very good one," with several "most encouraging reports." I agree with him that it has been a good week for the President.

The first item he mentioned as the source of his happiness was agreement on monetary reform. The basis for the President's enthusiasm, I am sure, lies in the fact that this agreement, if put into full effect, will provide valuable assistance for the orderly growth of world trade and give the world a measure of insurance against the deflation and depression that characterized the 1930's.

Since the agreement will be presented for approval to the annual meeting of the International Monetary Fund in Rio de Janeiro next month, and will thereafter, in all probability, require the ratification of national assemblies, including the U.S. Congress, I wish to express my conviction that it merits the wholehearted approval of Congress.

Without some agreement of this kind, the international monetary system would be headed for trouble in the long run, and perhaps in the not-so-long run. The United States, as the principal supplier of international reserves in the form of a national currency, would be caught in a bind: either to continue the deficit in our balance of payments that has made the United States the principal supplier of dollars to the world economy at the high rate of recent years, and in doing so suffer a liquidity crisis or a speculative run on gold; or else balance our international balance of payments and in doing so stop the addition of more dollar reserves to the world supply; the likely result: a deflationary squeeze on trade, probably applied to the weaker, less developed nations, and then an international free world depression. This agreement goes a long way toward ending that dilemma.

This is but one of the main difficulties in exaggerating the consensus among many economists of the rapidity with which the United States should move toward a balance in our payments. Although many deplore our adverse balance of payments—which should be deplored—it has served a useful purpose in supplying the money basis for world trade. World trade has immensely increased in the past few years. This prosperity has been a great thing for peace, for development, and for better living for people all over the world. The contribution of American dollars has been very important to this.

There has been a fear, and a very proper fear, that if we balanced our payments without providing for any mechanism to increase world liquidity, we could, in doing so, reduce the dollars available, the cash available, the money available in the world to finance the kind of increase in world trade necessary if we are going to have continued prosperity in the world.

The Joint Economic Committee, of which I am chairman, has had a longstanding interest in this issue of international monetary reform. In March of this year there was unanimous agreement, in the annual report of the committee, on this first proposition in the field of international trade and finance: "Agreement on international monetary reform is a matter of increasing urgency."

My colleague from Wisconsin, Representative HENRY S. REUSS, has performed a superb public service in examining this issue through his chairmanship of the Subcommittee on International Exchange and Payments of the Joint Economic Committee. Although his interest in the subject extends back over many years, the recent publications of his subcommittee have provided a critically important contribution. I refer especially to the excellent report of August 1965, "Guidelines for Improving the International Monetary System," which has deservedly won praise as an example of constructive congressional work in clarifying an important issue of policy.

PRICE RISE FOR 1968 AUTOS IN FACE OF LAGGING DEMAND SHOWS TAX HIKE FEEBLE WEAPON TO FIGHT INFLATION

Mr. PROXMIRE. Mr. President, yesterday I called the Senate's attention to the fact that in spite of a serious drop in demand for color television sets, so serious that plant facilities are being shut down in some areas of the country, a major color television manufacturer has announced price increases—and other price increases in the industry can be expected to follow.

The point, Mr. President, is that with demand dropping in this industry, prices are being pushed up. It is clear that a tax increase, such as the administration proposes aimed at diminishing demand further, will have little effect on this kind of inflation.

Today's papers announce that the Chrysler Corp. has decided on a substantial increase in its auto prices for next year. Ford is likely to follow suit.

Once again, Mr. President, here is an industry in which demand has been slack. The sale of cars this year has been far below last year, and far, far below the level at which profits are maximized. But prices are not reduced in order to increase sales. They are being increased.

Once again it is clear that the administration's tax increase proposal is not going to hold prices down in the automobile industry. The tax increase will reduce demand for automobiles. It will cut the amount of cars sold and the jobs involved in producing autos, but it will not hold down the price of cars. Auto prices will rise in spite of the lesser demand.

I have already documented the acknowledged fact that the tax increase will have no effect on the price of food which has and will continue to provide the principal increasing force in the cost of living.

The rapid rise in service costs, likewise, is unlikely to be significantly affected by the tax increase because so many services are insulated from demand forces.

The main thrust of the tax increase in diminishing demand would be precisely for such commodities as television sets and automobiles. Here, as we can see from current reports, prices are responding to costs, not to demand. The tax increase is unlikely to slow down price increases.

My own interest in the subject was focused by a study undertaken by the Joint Economic Committee's Subcommittee on Economic Statistics, of which I was then chairman. The report on "The Balance of Payments Statistics of the United States" emphasizes the importance of high-quality information as a guide for policymakers.

The essence of the agreement reached last weekend, as I see it, is that the principal financial nations have agreed that there should be a new kind of international financial credit—special drawing rights—through the International Monetary Fund. It is not precisely the creation of a new monetary reserve unit, which was the original aim of the United States, but it is, in effect, the creation of a new central bank asset that will, in transactions between the central banks of the world, be used in the same way as other forms of international monetary reserves, gold and dollars in particular.

This is a good safety valve—rather like a person's having a credit line at his bank. He does not actually have the money until he needs it, but if he does need it he can get it, up to a point and subject to rules. In the same way, a commercial bank is given a measure of safety but no escape from normal obligations of good performance, by being able to borrow from a central bank.

At the international level, where there is no similar authority to say that such and such an asset is legal-tender money, the International Monetary Fund has operated on the basis of national quotas of gold and national currencies. It has used its supply of national currencies as the principal source of lending to nations whose reserve position was temporarily in difficulties. But the IMF could not create further supplies of national currencies, only agree to increases in national quotas.

The limitation of that process was that one national currency, the U.S. dollar, was the linchpin, and that one nation, the United States, stood ready to sell gold to other governments at a fixed price in terms of dollars. Meantime, world trade had doubled since 1959—world imports, cost, insurance, and freight, are now above a $200 billion annual rate—and official reserves had grown between the end of 1959 and the end of 1966 from $57.3 to $70.3 billion. Of that $13 billion increase, country-held gold increased by only $2½ billion—this year it actually decreased—dollar liabilities to official agencies of foreign governments increased by $5 billion.

That is the big role the dollar has played. Meantime, the U.S. gold reserve dropped from $19.5 to $13.25 billion. So that about 80 percent of the increase in world liquidity was by U.S. action either in selling or by our dollar deficit.

The fact that the finance ministers have now faced is that the actual or potential increase in official gold reserves does not meet the needs of stable growth of the international reserves. No possible deviation from the steady U.S. policy of a fixed-dollar price of gold would improve matters, for raising the price of gold in terms of the major currencies would set off an unpredictable speculative disturbance.

It is not, as the Europeans have often said, that the recent U.S. deficits have created an oversupply of dollars. To be sure, we have been coming under increasing strain in terms of liquidity, and our gold stock is not inexhaustible. But I have yet to hear a foreign commercial dealer say that the dollar has not performed well as money. At the end of 1966, there were more liquid dollar liabilities to foreign private holders—banks, corporations, and individuals—than to foreign governments and central banks, a situation that has not happened before in the post-World War II period. Nobody makes private holders hold dollars. They hold them because they choose to.

But there is still a need to secure the growth of world monetary reserves by a less hazardous method than dependence on one national currency, the dollar, and its convertibility into gold.

Hence, the pact on monetary reform is vital. There is no substitute. We must approve it.

But we have to recognize that the finance ministers have decided what to create and how to create it, not how much to create, or when, and not how precisely to operate transactions using the new special drawing rights.

The provision for an 85-percent voting majority in the Board of Governors of the IMF makes possible a veto by the European Common Market countries, but if you want something to be treated as money you have to have something generally acceptable. If the past performance the IMF is a guide—and I think it is—the general pattern of decisions is unanimity. It is likely that the SDR's will be created by general agreement, and not likely that five members of the Group of Ten will repudiate before 1970 the project that they have labored so hard and too long to bring to realization.

Again, I have seen disparaging comment on the expected scale of creation of SDR's. There is no basis at present for thinking that a decision to create these credit lines will be either so restrictive as to make their supply totally inadequate or so lax as to make it excessive. It must be remembered, anyway, that SDR's will be a supplement to and not a wholesale substitute for other reserve assets, and that forecasts of developments in international economic conditions are notably hazardous.

What has been achieved, then, is what can be expected as a first step. A country is not going to be required to accept payments on SDR's in excess of twice its own allocation. That places a limit on a process that could end by making SDR's unacceptable. Again, however, we must remember that the process of consultation that goes on in the Group of Ten and the IMF and the OECD is going to place some pressure on countries whose policies result in large and continuing surpluses just as it is recognized that deficit-prone countries should be warned to mend their policies.

For all of these reasons, I believe the United States should welcome the pact and the U.S. Congress should, in due time, approve it. In any case, the Joint Economic Committee intends to continue its study of the subject of international monetary reserves. There will be an opportunity to present our views in more detail after the Rio meeting.

THE UNITED AUTO WORKERS STRONGLY ENDORSE POSITIVE SENATE ACTION ON HUMAN RIGHTS CONVENTIONS—CXXXI

Mr. PROXMIRE. Mr. President, today marks the 131st time I have spoken on the Senate floor during this session of Congress urging the Senate to give its advice and consent to the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery.

I have been greatly encouraged by the totally unexpected large number of people from all over our country who have written to me in support of my efforts. Many, many Americans care deeply about this Nation's failure to ratify a single one of the Human Rights Conventions. Lawyers, clergymen, teachers, housewives, and students have all written—and are continuing to write—to express both their dismay at the Senate's past inaction and their hope that the Senate will remedy this shameful situation soon.

Yesterday, I was further encouraged to receive a particularly cogent and thoughtful letter, as I am sure all my colleagues did, from Victor G. Reuther, the director of the international affairs department of the United Auto Workers.

Mr. Reuther, on behalf of the organization, strongly urges the Senate to give its advice and consent to the five Human Rights Conventions presently before this body.

Because I believe this letter from Victor Reuther will be of great interest and value to my colleagues and because I believe it is an eloquent argument for U.S. ratification of the Human Rights Conventions, I ask unanimous consent to have it printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA—UAW,
Washington, D.C., August 28, 1967.

Hon. WILLIAM PROXMIRE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PROXMIRE: I write in behalf of a large organization of working people, the UAW, which has extensive and earnest commitments to the international furtherance of human rights and the democratic processes. In barely four months, now, the International Year for Human Rights will begin, and it is a source of mounting embarrassment to us in our work abroad (as, indeed, it must be to others who represent this country in its many international interests), that the U.S. Senate has yet to ratify any one of the five UN Human Rights Conventions which have for years been before it, and that four others adopted by many others nations have yet even to be sent to the Senate for its consideration.

The Conventions on genocide and freedom of association were submitted to the Senate by President Truman in 1948. Those on forced labor, equality of political rights for women, and a supplementary convention on slavery were submitted by President Kennedy in 1963. Inasmuch as a UN resolution concurred in by the U.S. Ambassador to that body specifically asks that all nine of the Human Rights Conventions be adopted by the governments of the participating nations before 1968, further delay in bringing to a vote at least the five Conventions presently before the Senate will, inevitably, feed the assumption that silence is tantamount to rejection.

This is not, surely, the intent of the great majority of the members of the Senate, yet there is something inescapably shameful in such protracted negligence in approving declarations of credo which give the UN its deepest meaning and which, in fact, have for generations been embedded in our own Constitution. Further delay risks defacing our prestige abroad and offers a gloss of credibility to Communist suggestion that we distrust our own laws and finest ethical traditions. Further delay amounts to a form of abdication by us of world moral leadership. It can only, moreover, puzzle and dismay our own citizens as the realization broadens that the United States is now among the tiny handful of nations whose governments have totally ignored the Human Rights Conventions.

If you will take a moment to glance through the enclosed tabulation of those Human Rights Conventions which, as of the present moment, have been ratified by UN member nations, you will note that several nations which we have presumed to tutor—and others which we condemn as totalitarian—have subscribed to virtually all of the Conventions. In our total silence, we stand in humiliating isolation with South Africa, Spain, Yemen, and the Maldive Islands.

I am confident that you, both as a legislator and as a citizen sharing our nation's deep concern for human rights, will exercise to the full your influence, both official and private, to assure that the Senate act promptly to permit this nation to greet the opening of International Human Rights Year in clear conscience and unreserved endorsement of those principles of personal freedom to which the national past has been so ardently and influentially dedicated.

Very respectfully yours,
VICTOR G. REUTHER,
Director, International Affairs Department.

CAPE FEAR RIVER BASIN PLAN

Mr. JORDAN of North Carolina. Mr. President, I have long been convinced that adequate and proper development of its waterways is a key to the Nation's future growth and development.

Without such utilization, the country's commerce and industry must inevitably fall short of their full potential.

Problems of municipal water supply and stream pollution will intensify as the population grows.

Uncontrolled flooding will destroy additional millions of dollars worth of property and ruin more thousands of acres of productive farmland. Other land lacking water will lie barren.

Boundless possibilities for recreation will be lost or lie fallow.

Perhaps nowhere else in the country is this truer than in my own State of North Carolina where only in the past few years has any appreciable progress been made in waterway development.

Much of what has been accomplished has resulted from long-range planning, with a vast amount of such preparatory work yet to be done.

A notable example of the comprehensive approach to the problem being taken in the State is an improvements program recently outlined for the lower Cape Fear River Basin by Col. George W. Gillette, a retired Army engineer and one of North Carolina's top experts on water problems.

A veteran of 32 years in the corps prior to 1948, Colonel Gillette has since gained State, National, and even international recognition of his specialty.

He is currently chairman of the Wilmington, N.C., Port and Waterway Development Commission, a member of the Governor's committee to the National Rivers and Harbors Congress, and a member of the NRHC projects committee, as well as an associate in Transportation Consultants of Washington, D.C.

For 6 years after retirement he was executive director of the North Carolina Ports Authority, and during that period planned and supervised construction of port facilities at Wilmington and Morehead City.

Colonel Gillette has served as a port consultant for the Agency for International Development, the World Bank, and United Nations at various times, as well as for a number of U.S. Government agencies.

In these assignments he operated in many of the world's major ports and waterways in Honduras, Nicaragua, Burma, Chile, Thailand, Pakistan, and the Belgian Congo.

A key element in Colonel Gillette's plan is a navigation project in which I have long been deeply interested, to deepen the channel in the Cape Fear River from the State port at Wilmington all the way to the inland city of Fayetteville. Working closely with Senator ERVIN and Congressman LENNON, I introduced an amendment to the 1965 public works omnibus bill authorizing navigation improvements in the Cape Fear between Acme and Navassa, and we are seeking funds this year to carry this work forward. This 26-mile project is the first step in the long-range plan to improve the channel from Wilmington to Fayetteville.

Mr. President, I ask unanimous consent to include in the RECORD at this point Colonel Gillette's statement on his plan for this project.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

LOWER CAPE FEAR RIVER BASIN

(Long-range plan of improvements recommended by Col. George W. Gillette, engineering and economic consultant, ports, harbors, waterways, and chairman of the Wilmington Port and Waterway Development Commission)

This plan envisions development of the Lower Cape Fear River and its tributaries in a step by step improvement program, extending over a period of twenty-five years, with a five-year maximum period in each step of improvement.

The plan is a recommendation for future study and detailed planning. By no means is it all inclusive. In this general plan is included studies for navigation, health reclamation, flood control, fish and wild life propagation. Health is a big factor in the plan, to be accomplished by a broad drainage program.

In my studies of the economics of waterways of the world I draw the inspiration that prompts this plan. As in the beginning, so it is today. But for the water this country would still be the land of the Indians. But for water the Ports of the world would not be, as in the beginning, the economic spring stones to the countries who have developed them and followed a continuing program of improvement. Today the United States has more major ports for ocean-going ships than any other nation in the world. They are growing, both in numbers, size, and importance, to the economy of the states in which they are located, and to the nation. They have paid off well. They are kept modern by economic necessity. No modern mode of transportation within the foreseeable future will supplant them for bulk and heavy cargo.

As envisioned years ago when the value of the ports of this state to the well being of all of North Carolina was not generally recognized, today every citizen of that vintage tips his hat to the Pioneer who had the vision to fight for modern ports yesterday. One look at the industries that have located in North Carolina in the past fifteen years, directly due to deep sea ports, should be convincing.

The ships discharge their foreign cargoes in record time, reload with American cargoes at modern terminals and docking facilities, a quick turn-around and they are away. Their return cargo comes from the industrial complexes of the United States—North Carolina obviously included to a greater extent than if there were no North Carolina ports.

Southeastern North Carolina is rich in unknown resources as well as those we know about, i.e. water, pine, and marl.

Optimistically we look ahead. We know industry does the same. We realize that if industry needs water to float ocean-going ships and barges, other things being equal, it will gravitate to the locality that has had the vision to plan such a haven.

We know that bulk cargo ships being built today are growing in size and are almost completely automated—crews cut to half and greater. We know these ships can transport oil from the oil fields at considerably less cost than it can be transported by long pipe lines. We think we see a quiet protected harbor for these super-super 50' draft ships in the center of the Eastern Seaboard of the United States, near the mouth of the Cape Fear River. We recognize that a 40' depth to Wilmington is about the limit of economic feasibility. Hence our plan for a discharge point near Southport, protected from tropical disturbances, economically feasible of accomplishment, that will accommodate the deepest draft tankers known today. From this feeder point would radiate small tanker and barge lines to ply the coast North and South, the intercoastal waterway and inland barge canals. Short pipe lines would distribute to tanker trucks and cars on the right and left banks of the river.

We envision a great increase in water traffic in Southeastern North Carolina. The Lower Cape Fear River Basin with its natural surface waters and reservoirs are, in our opinion, not just impossible bogs and quagmires made to breed mosquitoes, but nature's invitational spots to be developed into agricultural oasis and connected by traffic lanes, water, highways, rail, and air, and spreading West across North Carolina to the heart of the country.

Fayetteville, in spite of the critics, is a natural head to economic navigation on the Cape Fear River. It must be admitted that the improvements on the Upper Cape Fear River to date have not paid off handsomely. However, this is a new day. In the first place, the tonnage into the Port of Wilmington when the Upper Cape Fear was being studied was 60,000 tons annually. Today it is approximately 5,000,000. Secondly, there is a bastard in the study. We have 8 feet to Fayetteville with three small lift locks for a single barge operation. No barge canal to any point should be less than the basic 12 feet of the Intercoastal Waterway. Anything less may be compared to a narrow gauge railroad hooking up to a standard gauge system. It just doesn't work.

The Intercoastal Waterway system, which after all is only an improved protected natural traffic lane, is the spine of the interior barge lines envisioned. It has an authorized depth of 12 feet. All other barge channels should be of a corresponding depth. Less than 12 feet would be inadequate. Thus this plan envisions barge canals of nothing less than 12 feet or more.

The Cross State Florida Canal will shorten the distance from New Orleans, Mobile, and Jacksonville to ports North of the St. John's River by more than 700 miles. It is bound to have a terrific impact on Eastern North Carolina. A barge canal through the Waccamaw River to a point just above Lock & Dam No. 1 on the Cape Fear River would shorten the distance to Fayetteville by 48 miles, to Wilmington 30 miles. Such a canal will drain and otherwise improve one of the richest agricultural sections of the state. A lock may be required to protect Lake Waccamaw by maintaining and equalizing the water level.

Today when we are virtually only two hours from London, Paris, Berlin, Moscow, Buenos Aires, Santiago, and Rio, and less to Mexico and Central America, and only slightly more to Tokyo and the Far East, one cannot escape the fact that our Ports, Harbors, and Waterways that are fed from the interior, are becoming a still greater economic necessity as a support for an expanding economy, both for the state and the interior of the country. We can no longer live within ourselves without shrinking. Our future economy must be geared to Latin America, Australia, and the Far East.

While on this subject, but not included in the general plan, it seems well to record that a possible barge lane from New River, via Stone's Bay and Stone's Creek, which penetrates as far as Dixons, might be considered in any broad plan as a step to the North East River via Holly Shelter Swamp. Radical? Not at all. It was considered when the Intercoastal Waterway was being planned. Today, even more than in 1920, it could well be studied for health and economic potentials. Probably the answer is not a connecting barge canal, but drainage canals.

Repeated is an oft-made statement: The industrial development of Southeastern North Carolina rests on deep sea transportation. That is the bedrock foundation for the future. Other environmental assets help attract these basic industries, such as oceanography, resorts, fishing, climate, and above all, educational facilities.

However, our greatest natural resource, other than the human resource, is water. Water to float ships and water to supply industry. This we know about. However, we do not realize our other resources above and under ground. The timber potential is terrific. Marl, lime and other bulk materials—many unknown at this time—are, we believe, vast in totals. Hence, our faith in the development of all of our resources brings us to the point of recommending water lines of communication, with attendant drainage of the lowlands for health and recreation, to the plan submitted here for step by step development as the economy of the state and nation develops.

SENATOR ROBERT KENNEDY OUTLINES SOCIAL SECURITY AND WELFARE NEEDS

Mr. YARBOROUGH. Mr. President, the Committee on Finance is at present holding hearings on the amendments to the social security and welfare laws, amendments which the House of Representatives passed recently. Many of us have been concerned about the inadequacy of the increase in social security benefits which the House provided and about the restrictive changes in the Federal welfare law which the House passed.

The Senator from New York [Mr. Kennedy], in testimony the other day before the Committee on Finance, comprehensively stated the implications of the House bill in a detailed and thoughtful statement. Senator Kennedy made a proposal for increasing social security based on the introduction of some degree of general revenue financing, which we must recognize will be necessary to provide a truly adequate level of social security benefits. He also made some thoughtful observations about the impact of the welfare provisions of the bill on poor people all over the Nation. I believe that Senator Kennedy's testimony deserves the attention of the Senate; I therefore ask unanimous consent that it be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Testimony of Senator Robert F. Kennedy on H.R. 12080, Social Security and Welfare, U.S. Senate Finance Committee, August 29, 1967

Mr. Chairman and members of the Committee, in the midst of our great affluence, there remain thirty million poor people in this country today. That fact, more than anything else, is what these hearings are about.

For despite the growth of our Social Security System over the years a fifth of those living in poverty are over 65. These years should bring them a life of peaceful comfort and dignity—but instead retirement means a life beset with financial problems, burdened with dwindling savings and unpaid bills. Millions more approach 65 with apprehension—they know that when they stop work they begin not the golden years but years of life in poverty.

And despite the growth of our public welfare programs over the years, welfare at present, aids less than a fourth of the thirty million poor. And those who receive aid often do not get enough to satisfy even their barest minimum needs. For too many on welfare and for the rest of the poor, there are only days of misery without enough food for their children, and nights of fear in sub-standard housing, warding off marauding rats. And for those receiving assistance, there are also complex and degrading procedures; there are rules designed to qualify eligible applicants which often serve to disqualify or discourage people in need; there are rules which force families to stay apart in order to receive aid. For too many, then, welfare is not only inadequate, but appears as a reluctant handout designed to screen the poor away from the rest of society.

These figures, these conditions, these procedures define the magnitude and importance of the task before your Committee. And they also suggest the utter inadequacy of the legislation which the other body has sent over for us to consider. That legislation includes some good changes—the ideas of offering job training, day care, and work incentives to welfare recipients in order to enable them to seek productive employment; some changes that are not good enough—the increase in the minimum Social Security payment to $50 and the 12½ percent across the board increase in benefits; and far too many changes which can only be described as plainly regressive—a series of public welfare amendments, which taken together reflect a punitive attitude reminiscent of medieval poor law philosophy and will result in reduced assistance for millions in need, and a ceiling on Title XIX assistance that is unrealistic and unworkable.

Let me discuss each of these matters briefly, if I may.

I. SOCIAL SECURITY

Our Social Security system has grown extensively over the years—so that 95 million people are now insured and 23 million receive benefits—but we have not yet succeeded in lifting millions of older Americans into a retirement of security and self respect. Secretary Gardner told you last week that Social Security is the major source of income for nearly all retired beneficiaries, and the sole source for half. About 14 million retired workers and their dependents receive benefits. And last year these benefits averaged $84 a month—just $1000 a year for individuals, and $142 a month—$1,704 annually—for couples. In light of these figures, it is not surprising that some 5 to 7 million retired Americans live in poverty.

We in Congress must share the responsibility for the inadequacy of retirement benefits. The two increases of 7 percent which we enacted in 1958 and 1965 actually fell short of restoring the 1954 purchasing power of benefits—for the cost of living has risen about 25% since that time. Thus four-fifths of the 12½ percent increase provided in the House bill would be taken up just to give beneficiaries as much real income as they would have had in 1954. Meanwhile, wages have risen about 50 percent in those 13 years. The wealth of our nation has steadily increased, but because of our neglect, our older citizens have not shared in that affluence—instead, more elderly couples each year retire into a life of poverty.

With ten Senators of both parties, I introduced legislation earlier this year to make up the ground we have lost. That bill, S. 1009, would provide benefit increases averaging over fifty percent, and, crucially, would finance these increases by a gradual infusion of general revenues. It envisioned a levelling off of general revenue contribution at 35 percent of the costs of social security by the late 1970's.

At the moment, when we are engaged in a deepening war in Vietnam which saps our resources and consumes over $2 billion each month, it seems impractical to urge the full scope of these proposals.

I believe, however, that it is time we began a partial changeover to general revenue financing.

The payroll tax is scheduled under present law to increase to 4.85% each on employer and employee in 1973, plus a contribution for health insurance. The House bill would raise that to 5% each, plus .65% each for health insurance. As members of the committee well know, a tax on payrolls is highly regressive. For low wage employees particularly, a required contribution beyond that contemplated in the House bill would be very burdensome. Many workers already pay more in payroll taxes than they do in income taxes.

General revenue financing would be a far more equitable way to raise revenues for the social security system, particularly revenues which would be used to provide additional benefits for low-income people—for those who worked either so irregularly or at such low wages that their contributions do not really finance the benefits they receive.

I emphasize this because the proposal I shall make this morning to broaden the scope of H.R. 12080 would give relatively more help to the poorest of our elderly, to those who have the most difficulty in finding dignity and comfort in their retirement. If we are to provide a meaningful floor of protection for older people as a matter of social insurance, I believe it is only fair to other workers that we finance it through general revenues.

I propose that the Committee raise the across-the-board increase in benefits to 20%, weighting it, if possible, toward those beneficiaries at the lower end of the spectrum. I propose, in addition, that the minimum benefit be raised to $100 a month, $150 for couples. These proposals combined would produce an average benefit increase of 29%.

To finance this proposal, I suggest, first, that the contribution and benefit base be raised to $8,400 next January and to $10,800 on January 1, 1971; and second, that general revenue contributions be infused at the rate of 11% of the total financing of the system beginning in 1972.

This plan is feasible. I am assured by officials of the Social Security Administration that it is in long-range actuarial balance.

The increases in the contribution and benefit base are no more than what the Administration proposed in HR. 5710, except that the $10,800 figure would go into effect 3 years earlier than the Administration proposed. This is substantially less than was proposed in S. 1009, under which the base would have risen to $15,000 on January 1, 1971.

These increases in the earnings base are justified to bring the social security system up to date. For 87% of American workers the $10,800 figure would result in benefits based upon everything they earned—a comprehensiveness of coverage lost nearly 30 years ago as workers' incomes grew faster than the earnings base was increased. For the man already 50 years old, for example, this change would mean an increase of over 40% in the benefits he will get when he retires.

In contrast to S. 1009, the general revenue contributions would not have to begin until January 1, 1972. What this means is that we would be promising now that we would spend $4.5 billion a year beginning 4½ years from now.

I believe this is a promise we can and must make. It is not a huge amount of money. Our gross national product will exceed a trillion dollars by that time, and 1972 is far enough off so that we can easily plan to set aside this amount of money. What we get for this promise is a 20% increase in benefits now, plus what I regard as all important—the increase in the minimum payment to $100.

I might add that an across-the-board benefit increase of an additional 5% beginning January 1, 1970, could be obtained for a relatively small additional promise of general revenues, and I would urge the committee to consider that as well.

The net cost of the increase which I propose would be considerably less than the financing I have described. For the people who will benefit from this increase are people who must now turn to old age assistance in order to eke out enough of a living to survive. Old age assistance has decreased markedly over the years as social security benefits have been liberalized. Only 11% of the elderly population receives such assistance now, as opposed to 22% of the population in 1950. Even now, more than half those receiving old age assistance in New York are on welfare because their social security pensions are inadequate. Thus, raising the minimum benefit to $100, and raising other benefits 20% or more, will correspondingly decrease the number of people on the old age assistance rolls and the amounts which those who remain on the rolls will require.

S. 1009 contained a number of other proposals for the liberalizing and up-dating of the social security system, but I would emphasize only two at this point.

First, I would urge that the committee consider a cost of living provision to make social security inflation-proof, and to ensure that future benefit increases granted by Congress do more than just make up for lost ground. The civil service and military retirement systems have cost of living adjustment features. It is time the social security system did likewise, although I emphasize that this must not be at the expense of benefit increases which allow older citizens to share in our expanding productivity.

Second, I hope the committee will consider raising the benefits for the uninsured to $50 a month for individuals and $75 for couples. The House bill raised this benefit only to $40. There are 1.2 million people, many of them quite poor, who have been helped by this constructive addition to the law. The difference in cost between the House bill and the $50 figure would be about $163 million annually from general revenues and $28 million from the trust fund. I hope the committee will decide upon the higher figure.

Mr. Chairman, what I have suggested are, I think, the minimum changes which we in the Senate must make if we are to keep faith with our older citizens. The conditions in which millions of retired Americans find themselves after having worked productively for decades are a disgrace to us all. Adoption of the proposal I have described would begin turning our social security system in the direction long advocated by experts in the field, and would allow us to provide real hope at last to our elderly poor that they will be able to live out their lives in some measure of ease and self respect.

II. WELFARE

About a year ago, the distinguished members of the President's Advisory Council on Public Welfare reported that welfare is "desperately handicapped" in both "legislative mandate and . . . financial resources." The Council prescribed "a major updating of our welfare system."

The House bill which is before you today not only fails to heed the Council's prescription, but is in my judgment a major step in the other direction.

I can well understand what motivated the other body in its action. It was concerned that the welfare system as it exists today has failed to enable its recipients to obtain jobs and end their dependency. I share that concern. It was concerned at the recent rise in the number of children and mothers on Aid to Dependent children. I share that concern. It therefore sought to create a system which would train children and mothers on welfare, provide day care, and establish incentives to work. I, too, believe such a system is needed.

Indeed, I believe that we will never succeed in restoring dignity and promise to the lives of people whose frustration exploded into violence in the cities this summer until we develop a system which provides jobs—enough jobs and good jobs.

For the people of the inner city live today with an unemployment rate far worse than the rest of the nation knew during the depth of the Great Depression. In the typical big city ghetto, only two out of five adult men have jobs which pay $60.00 a week or more—enough for each member of a family of four to eat 70 cents worth of food a day. Only half the adult men have full-time jobs at any rate of pay. Less than three out of five have any work at all.

I have suggested that we need an immediate impact project designed to put men to work and to restore some sense of hope to the young and the unemployed residents of the city slum. We should begin immediate programs of needed public tasks and works—providing jobs to build schools and roads, to restore parks and erect clinics, and to staff the schools and clinics and neighborhood centers when they are built. Our communities need these jobs done and the men of the ghetto need jobs. By matching the two we can return hope while meeting the most urgent needs of the nation.

We must, then, work out a system to provide jobs. But I do not believe that the approach adopted in the House bill will provide these jobs. The fact is, as the alarming unemployment and underemployment figures I have mentioned indicate, that there are not enough jobs available at the moment. We must find them, but in the meantime, it will not do to force people into training programs for jobs that are not there. That will only increase the pent-up frustration which has already exploded too often. In the meantime, also, we must not continue to place a premium on broken homes as the condition for obtaining public assistance. And we must not end up by venting our own frustration in a measure punishing the poor because they are there and we have not been able to do anything about them. They will still be there when we are done. It is not as though people choose to be poor, to need welfare assistance.

Consider, for example, that we have a school system in our slums which is plainly unsatisfactory. Of a quarter of a million Puerto Rican school children in New York City, only 37 went on to college last year. If young men are unskilled and unprepared for employment, then the schools which left them so bear a heavy share of the responsibility.

Nor, of course, is the problem merely in the schools. For the rest of ghetto life also there are statistics: 43% of the housing substandard and overcrowded; 14,000 people treated for rat bites every year; infant mortality at twice the normal rate; and, because of inadequate diets and medical care, mental retardation at seven times the community average.

These are the matters we must look to. For these problems welfare is neither the cause nor the remedy. But welfare has its job—helping those in need—and the bill before you will hinder it in doing that job. Indeed, instead of helping at all, it almost appears intended to punish the poor. And punish it will, particularly in areas of the country where welfare authorities have done their best to demean and degrade the recipient of welfare even under existing law.

First, the House bill says that no state may have a higher percentage of children on welfare than it had at the beginning of this year. Commissioner Ginsberg of New York City said the other day that this would force states and localities either to deny additional aid when more children are born into a family, or to come up somehow with the money needed to pay the difference. The latter, of course, would shift the burden from the level of government that can best afford it to the one that can least afford it. There is a third possibility—to find ways to cut enough families off welfare to stay within the freeze. This possibility cannot be discounted. For the House bill, with all of the other restrictions on eligibility which it contains, is an open invitation to welfare departments in some areas of our country to find ways to tidy up their caseloads and discourage new applications.

Second, the coercive provisions on community work and training fit into this pattern. The objective of enabling welfare recipients to obtain productive employment is of course laudable; indeed, as I have indicated, I believe it is the only hope we have for avoiding the deep division in our society which the creation of a permanent class of welfare poor would bring. But attempting to bring about employment by compulsion is not the way to do this. There are many mothers who should not work. Some, particularly in progressive states and cities, will be excused from working. But in other states with less enlightened welfare programs, many will either be driven off the welfare rolls or will be discouraged from applying. And *they will still be poor*—a little more invisible, for the time being, than they are now, but no less poor, no less miserable.

There is more than one state in this country which, even under existing law, has had what has come to be known as the "employable mother" rule. Under this rule, if the welfare officials judge the mother to be employable, she is stricken from the rolls. Coincidentally, these rulings tend to be made at the time of the year when people are needed to pick crops at $3 a day. This rule is being challenged in litigation, but the provisions of the House bill on compulsive work and training imply that from now on the "employable mother" rule would be sanctioned by a national policy.

Third, the punitive intent of the House bill is evident as well in the provisions on aid to children with unemployed parents. For the first time, the parent must have had a substantial connection with the labor force in order to qualify, a provision which will eliminate many men who have never had an opportunity for steady employment. In addition, the provision denying assistance to unemployed parents who have applied for or are receiving unemployment compensation will keep aid from many who need both forms of help in order to survive, and will cause some to receive neither kind of aid. The House provision will only succeed in forcing more families to break up, forcing more fathers to leave home so the family can obtain assistance by the traditional ADC route.

Fourth, the provisions giving States an incentive to provide custodial care for illegitimate children are also punitive. Once an illegitimate child is born, although we may have wished to discourage that from happening, his best hope is to grow up in some kind of family structure. Study after study shows that the worst thing that could be done is to consign him to an institution. So we punish illegitimacy by punishing the illegitimate child.

We in the Senate must go on record as opposing this almshouse approach. We must go on record as forcefully as we can that this is not the direction which we want welfare to take. We must not allow this backward step. What I would recommend, therefore, is that the Senate use H.R. 5710, President Johnson's original set of welfare recommendations, as its working bill. That bill's recommendations were limited to be sure, but they were at least not regressive. The expanded training and day care provisions which the House adopted can then be included but without the meat-ax compulsions which the House bill attached to them.

I would particularly urge the Committee to provide a greater work incentive than the $30 a month plus one-third of additional earnings which the House enacted. This incentive is so small that it may well fail to encourage significant numbers of welfare recipients to work, and opponents of the idea may then succeed in claiming it will never work.

I also urge the Committee to adopt the Administration's proposal regarding the management of the community work and training program. The Department of Labor has the potential to bring a job-oriented approach to the training involved, and has a developed system of placement services. The House bill, in my judgment, will waste resources by creating an unnecessary overlap between the Department of Labor and HEW which should be avoided.

Let me emphasize again that I do think our welfare system is unsatisfactory. But every reason why I think it is unsatisfactory will only be accentuated by the House bill.

I believe our welfare system is unsatisfactory, because, in general, it provides aid for broken families and not for whole ones. The House bill accentuates this by refusing to adopt the recommendations of H.R. 5710 to expand aid to unemployed parents, and by restricting that program instead.

I believe our welfare system is unsatisfactory, because it imposes degrading conditions on eligibility, and encourages the enforcement of those conditions by demeaning investigation. The House bill accentuates these defects by adding a whole raft of new conditions for eligibility and a whole new set of incentives for the state to investigate welfare recipients.

I believe our welfare system is unsatisfactory because, once a family does penetrate the bureaucratic maze and qualify for aid, the benefits it receives are in many states not even enough to live on. The House bill accentuates this by refusing to require states to meet their own definitions of minimum need, as H.R. 5710 proposed, and by enacting instead a freeze on ADC payments.

The Advisory Council's report called for "a nation-wide comprehensive program on public assistance based upon a single criterion: need." What a grim joke that is today as we look at the way in which the House bill gives heed to this recommendation.

A month ago, the prestigious American Public Welfare Association issued a major series of recommendations to make our welfare system into an effective weapon in the War on Poverty. The APWA proposed simplifying eligibility for welfare and re-deploying investigatory social workers to provide meaningful social services. It also proposed meaningful work incentives to allow welfare recipients to work without losing a dollar of their benefits every time they earn a dollar. What a sad thing it is to see the twisted application of these thoughtful recommendations in the legislation before you.

Mr. Chairman, we must have the perspective to see that the welfare system is not something that exists by itself, that has no effect on the world in which its recipients live. We cannot afford to bury our heads in the sand. Our nation has been ripped apart this summer by violence and civil disorder that have taken dozens of lives and caused billions of dollars of property damage. We face in our cities the gravest domestic crisis to confront this nation since the Civil War. We are not going to solve that crisis by lopping people off the welfare rolls. We are not going to solve that crisis by forcing welfare recipients to accept training for jobs when we have absolutely no idea whether jobs will be available to them after their training. We are not going to solve that crisis by punishing the poor and hoping that they will bear that punishment silently, invisibly, graciously, without bitterness or hostility for their "benefactors."

What we should be talking about here today is the enactment of H.R. 5710, and how to improve upon it as we pass it.

We should be discussing whether we are going to require the states to meet their own minimum definitions of need; instead we are constrained to decide whether we are going to lift an unconscionable freeze on the amount of Federal aid to dependent children.

We should be discussing whether we are going to provide a greater work incentive than that contained in H.R. 5710; instead we are forced to discuss whether to repeal the compulsions for work and training in the bill before us.

We should be discussing a national mandate to simplify eligibility for welfare; instead, we have to talk about whether we are going to strike restrictive conditions on eligibility added by the House bill.

We should be discussing ways to afford welfare recipients participation in making the policy of the agency which governs their lives; instead, we are confronted with a bill whose whole approach is not to listen to those recipients.

We should be discussing how we can make the welfare system more honest with itself and its recipients, how we can make sure that recipients can receive a full hearing when their benefits are in jeopardy; instead, we hear talk about ways to strike them from the rolls.

We should be talking about integrating welfare into our efforts to help poor people generally instead of viewing it as an isolated problem susceptible of being solved by new and greater restrictions.

Mr. Chairman, I urge the Committee to reject Title II of H.R. 12080, and develop a constructive set of proposals which the Senate can be proud to enact.

III. TITLE XIX

The last matter I would discuss is the provision in the House bill placing a limit on federal participation in programs under Title XIX.

The Administration's proposal in H.R. 5710 was vastly different and less destructive from what the House enacted. H.R. 5710 proposed a ceiling at 150% of each state's public assistance definition of minimum need. This provision would have forced a significant cut back in our program in the State of New York, and I was therefore not happy about it. I believe that we should not default in our commitment to bring better health care to those members of our population who have difficulty in paying for medical attention. We have our problems in the State of New York, but I think the appropriate place to resolve those problems is within the State.

The House bill is much worse for New York. Commissioner Ginsberg tells me that it will force the standard for a family of four to be cut back from $6,000 to $3,900. Since New York would have gone to $5,200 this year under the previous federal programs, wholly apart from Medicaid, this intrusion is wholly unreasonable.

But the House bill will be equally disastrous elsewhere. For instead of looking to a state's definition of minimum need, it looks to the amount which the state actually pays its public assistance recipients. Title XIX intended that medical indigency be defined at a level substantially in excess of a state's public assistance definition of minimum need. The House bill will in many states have the opposite effect, and is therefore totally unrealistic.

For example, Mississippi, according to HEW figures, was paying 22.8% of minimum need to its ADC children in January of this year. When the 133⅓% limitation in the House bill goes into effect, the ceiling for medical assistance in Mississippi will be approximately 30% of its own definition of minimum need. The State of Ohio is another good example. In January 1966 its definition of minimum need was $224 a month for a family of four. However, its ADC payments were actually $170 a month for a family of that size. When the 133⅓% limitation goes into effect, the ceiling on medical assistance for a family of four in Ohio will, therefore, be approximately $227 a month—an unacceptably low figure.

What is really involved even in the 150 per cent limitation originally proposed is a failure of insight about the connection between ill health and dependency, a failure to realize that the provision of adequate health care to the poor depends upon an infusion of funds of the magnitude which Title XIX as originally enacted was intended to supply.

If we cut into Title XIX, we cut into the possibilities of better health care for the poor. We must not do that.

Let me suggest, however, that the Committee might well allow for variations in eligibility levels within a state. The services provided under a Title XIX plan should remain uniform throughout a state, but we might appropriately begin to allow variations in eligibility based on differences in the cost of living within the state.

In New York, for example, the needs of New York City are clearly different from those of Jefferson County, or Franklin County, or Yates County. The $6,000 figure for a family of four is extremely reasonable in New York City, but may well be unnecessarily high upstate. I urge the committee to study the possibility of taking these variations in living costs into account in the federal law.

I would urge the committee, too, to consider instituting some form of regulation of costs and fees. A recent survey in one county in New York showed that physicians' fees have skyrocketed under Medicaid. The costs which have worried so many people around the country may be controllable in part. I hope the committee will examine this matter before it decides whether to limit federal participation under Title XIX.

IV. CONCLUSION

Mr. Chairman, the suggestions I have made to change the social security provisions of this bill are neither radical when viewed in light of the clear needs of the Nation's elderly, nor are they a revolutionary departure from past social security theory. Rather, I believe they are the beginning of reform, the steps we can take now—they are fiscally sound changes in an inadequate structure.

By increasing benefits we can provide a more secure future for millions of elderly people. By raising the contribution base we distribute more equitably the cost of these benefits. And by turning toward general revenue financing, we ensure that the noncontributory aspects of social security shall be financed out of the progressive income tax rather than the regressive payroll tax, easing the burden on middle and lower income wage earners.

> The unsatisfactory and regressive features of the House welfare provisions should be manifest. It is unfortunate that we must retrace our steps to correct these errors. But we ought not hesitate.
>
> We must act now to reform the archaic structure of rules and conditions that impose penalties on the poor for their misfortune. We ought to assist people to lift themselves out of poverty, with training and jobs and income. But it is a senseless ethic that punishes the poor, or disrupts family life, or tears children from their mother.
>
> The frustration of poverty, the fury induced by want in the midst of affluence is not assuaged by foolish and debasing rules of eligibility. We must restore sense to this legislation so that we can restore hope to millions of people. That mandate should guide us in our deliberations.

THE TFX AIRPLANE

Mr. CURTIS. Mr. President, some statements have been made by the Secretary of the Air Force and the Secretary of the Navy that appear to respond to my comments of August 25 on the adaptability of the TFX airplane for all of the military uses contemplated for it.

These statements and a news article from Nellis Air Force Base, Nev., quote a few pilots who have flown test versions of the plane in words highly praising its performance.

I had suggested that the Permanent Investigations Subcommittee, headed by the distinguished Senator from Arkansas [Mr. McCLELLAN] should hold hearings in November or December, after Air Force versions of the plane have been delivered to tactical units, and should call some of the pilots who will fly them on a regular basis as witnesses to obtain better information than Congress now has on the plane's performance.

Mr. President, the comments which are being rushed into print now from pilots, particularly from those who are unnamed by the Secretary of the Air Force, are very interesting and certainly appear to be reassuring. However, I do not consider them the last word on the TFX's performance.

It is my sincere hope that the TFX will be successful in all the military uses contemplated for it because the Nation has pumped billions of dollars into its development. In order to insure that the taxpayers' money has not been spent to develop a dud weapon and to make sure the planes delivered to tactical units are capable of performing the missions assigned to them, I hope the McClellan subcommittee will call the pilots who already have spoken, plus others who will have flown the planes, by next November or December to provide Congress with additional information.

I feel certain that far more will be known about the performance of Air Force versions of the plane in tactical situations next November or December than is known today.

This is evident from the news article entitled "Superbird Going to War Soon—Air Force Pilots Eager To Test F-111 in Battle," written by Jerry Flemmons under a Nellis Air Force Base dateline, and placed in the RECORD by the distinguished Senator from Texas [Mr. TOWER] on August 28.

This article makes it clear that Tactical Air Command pilots who are starting to receive the TFX now are under tight restrictions as to the maneuvers they can perform. What they are saying, in effect, in the comments quoted to date, is that this aircraft flies great on a straight and level path, and has a wonderful control system.

Let me quote from the article by Mr. Flemmons to illustrate my point:

> Pilots are undergoing the transition from conventional jet to the super F111. ("We take off and land and fly in between.") Here, there is no bombing—yet—nor is there an attempt to reach the maximum flight speed.

The article then makes this significant statement:

> TAC pilots work within a "tight envelope" of the plane's capability. Still, they test and suggest improvements within the restrictions imposed on them.
>
> What they think is important, perhaps more so than the political and high brass faction which has warred over the F111 since its conception—five years ago.

There are many questions, such as the amount of external stores or ordnance which the TFX can carry and still be maneuverable in combat, that remain to be answered, Mr. President. There are also questions about its effectiveness as a long-range strategic bomber to replace the B-52. Indeed, it is becoming more and more important to hear from the pilots who will fly these planes on a regular basis—not only the pilots selected by high officials in the Department of Defense—to comment, as Congress weighs the question whether to plunge deeper into this multibillion-dollar spending program.

SENATOR MUNDT'S ROLE IN URGING A BETTER URBAN-RURAL BALANCE

Mr. BAKER. Mr. President, the crisis in the cities has heightened interest in encouraging the development of nonmetropolitan parts of our Nation as attractive places to work and to live. Many believe that one root cause of many of the miseries of the cities is that too many people are crowded together into too small an area. In this technological age we are becoming the victims of what one familiar with science and physics might call a "population implosion." Since other parts of the Nation are attractive but sparsely populated, there are strong arguments for a better balanced distribution of industry and population.

The Republican coordinating committee issued an excellent report on August 23 on methods of revitalizing rural America. Several editorials and articles on this general subject have recently been published, including one in the Washington Post of August 27, 1967.

I commend the Republican coordinating committee's task force on job opportunities and welfare and the able and talented leadership of Prof. Don Paarlberg, professor of agricultural economics, Purdue University, and the task force vice chairman and my good friend, U.S. Representative GEORGE H. W. BUSH, of Houston, Tex., for producing this thoughtful and cogent research paper.

It needs to be emphasized that these ideas are being given very serious consideration and study in the Senate. The Senator from South Dakota [Mr. MUNDT] has played a key and vital role in highlighting the need of modern America to reassess the value of its rural areas.

On April 6, 1967, Senator MUNDT introduced Senate Joint Resolution 64 to establish a Commission on Balanced Economic Development, which I was glad to cosponsor, along with 17 other Senators.

The proposed Commission would delve into many areas of pressing concern, and would include:

First, identifying and evaluating economic, social, and political factors affect the location of various types of industrial installations;

Second, identifying and evaluating which economic, social, and political factors are necessary and proper for general industries to operate efficiently outside metropolitan complexes of 500,000 or more population;

Third, exploring methods—both by legislation and expenditures—by which the Federal Government might effectively encourage better balanced industrial and economic growth throughout the Nation;

Fourth, identifying the size of city and political institutions which can most efficiently provide necessary public services to its citizens; that is, the optimum effective range of population concentration in cities;

Fifth, evaluating the effect on government efficiency of differing patterns and intensities of population concentration;

Sixth, evaluating the competence and potential of State and local governments toward encouraging balanced economic development within States and regions; and

Seventh, evaluating the desirability of more geographically balanced economic development.

In short, the Commission will plan for the future. If the riots, disturbances, and violence in our major cities of the past few weeks are to teach us anything, then I think they say that we must prepare ourselves for future difficulties and plan now for their prevention. It has been pointed out that 63 percent of America occupies 1 percent of our land. The Senator from Massachusetts [Mr. BROOKE] has pointed out that the density of population in Harlem is so great that the entire population of the United States could be compressed onto the island of Manhattan if the same density as exists in Harlem were maintained.

Clearly a crisis exists. Clearly Senator MUNDT's proposal is geared toward the finding of new ideas and new directions which the Nation so desperately needs.

The Commission can explore the wide spectrum of ideas and proposals which exist—including the possibility of establishing brandnew cities across the landscape of America.

Establishment of an approach for a more desirable balance of industry and population between urban and rural areas must take into account the dramatic prospect that improvements in methods of transportation and communication will greatly expand the number of locales in which an individual can live and work. The possibility of building new cities in areas that are today considered out-of-the-way places may become feasible. Certainly we cannot afford to leave such exciting opportunities unexplored.

There is no doubt but that the Nation must devote itself and its immense resources to solving and meeting the problems of the cities. But even if we solve today's crisis, there will be a new and different one tomorrow—and probably of greater magnitude. Senate Joint Resolution 64 will help to establish the machinery to determine the facts. The Commission will not be a continuing one which merely postpones decisions and stalls solid action. Rather, it will cease to exist after 2 years. Consequently, it will not prove to be a permanent burden on the taxpayer. The reverse should be true: the taxpayer will in the long run be able to save a great deal of money from the ideas and thoughts which will no doubt generate during the commission's study.

I ask unanimous consent that the Republican coordinating committee's statement and the editorial from the Washington Post be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

REVITALIZING OUR RURAL AREAS

(By the Republican coordinating committee task force on job opportunities and welfare, July 24, 1967, prepared under the direction of Republican National Committee, Ray C. Bliss, chairman)

"Ill fares the land, to hastening ills a prey . . . " was written of the English countryside nearly 200 years ago. But it might be written of rural America today.

Our rural areas are being depleted of people. From 1950 to 1960 the rural population—farm plus non-farm—declined by 400,000; the urban population increased by 28 million. These trends have continued. The Department of Agriculture anticipates further outmigration to the year 1970.

About one-fourth of the rural population consists of farm people. The others are part of the rural non-farm population, living in the countryside or in small villages. Since 1960 the farm population has been declining at an annual rate of about 6 percent, an accelerated pace.

Most of those who migrate from the rural areas leave in their teens and twenties, when on the verge of their productive years. They carry with them the investment in their upbringing and education. Conservatively estimated at $15,000 per person, this human investment is a contribution from the rural areas that runs about $12 billion a year, several times the total of all subsidies provided to agriculture.

What becomes of these people? They move into our great cities. Without necessarily desiring it and almost by default, we are becoming an urban society. Seventy percent of our people now cluster in cities that cover one percent of our land area. If present trends continue unchecked, by the year 2000, 80 percent of our people will be living in metropolitan areas and most of them will be crammed into five super strip-cities.

And will these be alabaster cities, gleaming, "undimmed by human tears"? Not likely. The migrants concentrate, unassimilated, in Detroit, in Cleveland, in the South Side of Chicago, in Watts, in Harlem, in Indianapolis and in a hundred other cities. Smog, congestion, water pollution, law enforcement and other problems of the megalopolis beset them and their uneasy neighbors. By generating a kind of "urban crush," they create a problem in the cities to which they go. By depopulating the countryside, they create a problem in the rural areas from which they come.

But move they must, if there are no nearby jobs.

And why are there so few jobs in the rural areas?

For several important reasons.

First, because of the agricultural revolution. The mechanization of agriculture has so multiplied the productivity of human beings that the production of our food and fiber is now accomplished by 6 percent of our population, as compared with about 18 percent only two decades ago. There simply are not as many farm jobs as there were. These revolutionary changes have by no means run their course. The Department of Agriculture says that from 1965 to 1980 farm employment will experience an additional decline of more than one-third.

Second, because imagination has been lacking. Little has been done to create job opportunities, in the rural areas, for people forced out of agriculture. Rural people do very well at off-farm jobs if the jobs are there and if they have the necessary education. They have manual dexterity and they know how to work. They do not want to live on a dole. If off-farm jobs are available within driving distance, they continue to live in their accustomed surroundings, among their friends and families, benefiting from increased incomes, providing improved education for their children and utilizing the services of the local community. But without such jobs they must go on relief or move to the city.

Seemingly, almost everything has conspired to prevent the creation of jobs in rural areas:

Federal farm programs have cut our cotton crop to 10 million acres, compared with 43 million acres before the programs began. Tobacco acreage is now only half as great as 35 years ago.

Local communities have not provided the services and utilities needed to attract industry.

Wage policies have discouraged industry from expanding into areas of abundant labor.

Industry, which has been urban-minded, has not sufficiently sought to decentralize.

The rural labor force lacks the federal employment services available to urban workers.

Educational policies have discriminated against the poorer areas. For example, the Elementary and Secondary Education Act of 1965 provides more than twice as much help per pupil to the counties ranking *highest* on the index of rural well-being as it does to those ranking *lowest* ($350 as against $157). (Manpower Report of the President, April 1967, page 116.)

Farm programs, largely designed by the Democratic party, have continually sought parity of prices as an objective, when they should have sought parity of opportunity. For more than 30 years these programs have been commodity-oriented, when they should have been people-oriented. The following statistics vividly describe the disadvantaged position of rural areas. All are taken from the President's Manpower Report of 1967:

	Farm	*Urban*
Unemployment, rate, 1966, percent	6.5	3.4
Percent of population below $3,000 income per family, 1965	33.1	14.4
Median years of schooling, male, 1966	8.7	12.2
Percent of people with activity limitations because of health, 1963–65	6.4	4.7

These things need not be so.

It has been fashionable to point critically at the hardships which resulted from the Industrial Revolution of the nineteenth century and to find fault with those who could have alleviated these difficulties.

Now, in the twentieth century, we confront an Agricultural Revolution which creates problems and opportunities in some ways similar to those of the Industrial Revolution. There is no reason to accept, unquestioned, the social and economic consequences of this Revolution. Conscious efforts should be made to determine and assert the public interest.

The American people want some balance between the rural and the urban sectors. There should be some opportunity for those who wish to live in the country to find decent work there, to have access to reasonably good education and health services, and to pursue a way of living that gives diversity and balance to our economy.

What the American people really want and will work for, they can have. We are not the helpless objects of blind economic forces, we are capable of helping to shape the institutions which in turn help shape us.

These things can and should be done:

(1) *Locate more of our new factories in rural areas.* This can be done by local, state and national tax policies to provide realistic economic incentives. It can be done by providing better roads, better schools, and better public utilities in the rural areas. Factories may now be operated successfully in areas where this was formerly not possible. At an earlier time, when transportation was poor and the emphasis was on heavy industry, a factory had to be close to its raw materials or to its markets. This is far less true today. The Federal-Interstate Highway Program, established by a Republican Administration, has greatly facilitated transportation. For some industries a plant can now be established almost wherever a trained labor supply and the necessary supporting services are available.

(2) *Provide better education for rural people.* This means better education of all kinds, at all levels: elementary, secondary and advanced; vocational, technical and academic; continuing education for adults, apprenticeship, retraining and all the rest. It means on-the-job training as proposed in the previous Job Opportunities Task Force report entitled "The Human Investment," and it means Technical Education for the Future, also previously recommended by this Task Force. It means equal educational opportunities for the nonwhites, who comprise about one-fourth of the rural poor. Education is a great adjuster; people who are making great changes are in greater-than-ordinary need for it. Rural young people move freely across state and county lines. The sharing of the cost of education on a national basis is appropriate in view of the fact that we are concerned here with a national problem. The need is greatest where the taxable wealth is most scarce.

What is here proposed is not a blueprint for the economy, with a certain calculated number of people on farms or a carefully computed balance between rural and urban areas. Rather, we propose to redress the imbalance in education and opportunity which has worked to the disadvantage of the rural areas and threatens to make us almost totally urban.

To undertake the actions here offered does not introduce a rural bias; rather, it would remove an urban bias, largely unintended, that has been allowed to develop. We propose to provide the equality of opportunity which will give our people a chance to develop the kind of society they want. If this is done, we can safely leave with the people themselves the decision as to the balance between rural and urban living.

This is not a new idea. It was first proposed by President Eisenhower in his Special Message on Agriculture of January 11, 1954. In 1956, a Republican Administration launched the Rural Development Program, the first coordinated assault on this problem.

In attempting to find possible solutions to these root problems, Republicans realize there is no panacea. There is no one-shot, sure-fire, cure-all solution to rural unemployment, underemployment, and general rural underdevelopment. There are, however, a variety of programs, policies, and procedures that singly and in combination can help to mitigate the consequences of this rural stagnation. What is required is a multipronged attack on the numerous ills that beset our rural areas. The recommendations here offered are in keeping with the Rural Development Program launched under President Eisenhower's pioneering effort in 1956.

SPECIFIC PROPOSALS TO IMPLEMENT THE TASK FORCE PAPER

1. Encourage state and federal legislation which would identify rural areas in which unemployment and underemployment are critical problems and give these areas preference:

a. In educational assistance, including various vocational training programs.

b. By providing economic incentives to industrial firms that establish new plants in these areas.

c. By contracting in these areas for the manufacture of defense materials and other government supplies and by building new government installations therein when feasible.

2. Push for enactment of Rural Community Action Programs under Title V of the Republican-sponsored "Opportunity Crusade Act of 1967," H.R. 10682.

3. Push the work of the Economic Development Administration in rural areas of low income.

4. Change the focus of the Vocational Education Act of 1963 so as to increase the number of area vocational-technical schools in rural areas.

5. Provide the rural areas with the same kind of employment services as are offered to urban workers.

APPENDIX

TABLE 1.—POPULATION IN URBAN AND RURAL TERRITORY, 1790–1960

[In thousands of people]

Year	Rural	Urban	Percent urban
1790	3,727	201	5.1
1800	4,986	322	6.1
1810	6,714	525	7.25
1820	8,945	693	7.19
1830	11,738	1,127	8.76
1840	15,224	1,845	10.81
1850	19,648	3,543	15.28
1860	25,226	6,216	19.77
1870	28,656	9,902	25.68
1880	36,026	14,129	28.17
1890	40,841	22,106	35.12
1900	45,834	30,159	39.69
1910	49,973	41,998	45.66
1920	51,552	54,157	51.23
1930	53,820	68,954	56.16
1940	57,246	74,424	56.52
1950	[1]54,230	[1]96,468	64.01
1960	[1]54,054	[1]125,269	69.86

[1] New urban definition.

Source: "Historical Statistics of the United States, Colonial Times to 1957," p. 14; and "Statistical Abstract of the United States," 1965, p. 15.

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Len B. Jordan, United States Senator from Idaho.

Charlton H. Lyons, Chairman of the Republican State Central Committee of Louisiana.

James D. Martin, Member of Congress from Alabama, 1965–67.

Carl H. Madden, Economist.

Lee W. Minton, International President, Glass Bottle Blowers Association.

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Mrs. Helen M. Morris, National Committeewoman from Florida.

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Mrs. Elly M. Peterson, Chairman of the Michigan Republican State Central Committee.

Winthrop Rockefeller, Governor of the State of Arkansas.

John H. Stender, Vice President, International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers (AFL–CIO).

Prentiss L. Walker, Member of Congress from Mississippi, 1965–67.

W. O. Walker, Director of Industrial Relations for the State of Ohio.

Miss Malise C. Bloch, Secretary to the Task Force.

[From the Washington (D.C.) Post, Aug. 27, 1967]

Urban-Rural Imbalance

Both the major parties are now seeking a better balance between urban and rural population. Last week the Republican Coordinating Committee, composed of the top leaders of the GOP, came out for a five-point effort to revitalize rural areas. Its statement follows a very similar warning by Secretary of Agriculture Freeman that the rush of people into overcrowded central cities is creating a grave imbalance.

The main burden of the Republican complaint is that little has been done to create job opportunities, in the rural areas, for people who have been displaced by the agricultural revolution. Two decades ago 18 per cent of our people were required to produce food and fiber. Now the same tasks are performed by 6 per cent of the population, and most of the workers no longer useful on the farm have flocked into big cities where some of them are very poorly prepared to cope with the problems of urban life.

The cost of this brain and brawn drain from the countryside is enormous. Most of the migrants leave in their teens and early twenties, at the beginning of their productive years, after heavy investments have been made in their upbringing and education. Don Paarlberg, chairman of the Coordinating Committee's Task Force on Job Opportunities, estimates that "this human investment is a contribution from the rural areas that runs about $12 billion a year, several times the total of all subsidies to agriculture."

Rural America is in no position to make such a contribution to the economic prosperity of the remainder of the country. The disadvantaged position of the rural areas stands out in every test that is made. The President's manpower report of 1967 shows a farm unemployment rate last year of 6.5 per cent compared to the 3.4 per cent urban rate. The farm population has 33.1 per cent of its families below the poverty level compared to 14.4 for urban families. Schooling for farm youths averaged 8.7 years compared to 12.2 years in the cities. These figures doubtless explain a very large part of the "urban crush" which has created such grave problems for the big cities.

No progress toward righting the urban-rural imbalance can be expected until these inequalities are corrected. Families who wish to live in the country should at least have job opportunities, health and education services and some of the amenities of life that are available to urban residents. Nothing can be said for policies which tend to drive people into congested and smog-bound ghettos for want of equal public services and economic opportunities in a more congenial environment.

The GOP policy-makers call for more educational aid, vocational training, economic incentives for the establishment of rural industries and the channeling of defense and supply contracts into such areas when feasible. One specific recommendation is aimed at great expansion of the Economic Development Administration which seeks to utilize local resources and provide part- or full-time employment in rural communities. Another aim is to give rural workers employment services equal to those provided in the cities.

Much remains to be done by way of shaping programs and policies, but the objective is highly commendable. The forecast that 80 per cent of our people will live in "five super strip-cities" by the year 2000 is frightening to everyone concerned. Reversal of that trend has become one of our urgent national necessities.

LANDLORD, HALF-BILLION PUBLIC DOMAIN ACRES

Mr. MANSFIELD. Mr. President, the Bureau of Land Management has for many years been overseeing the administration and utilization of some half-billion acres of public domain. More recently their activities have come into the limelight because of the work being done by the Public Land Law Review Commission. The renewed importance being given to land management is long overdue, and I am delighted that the administration of this Federal agency is in the hands of an old friend and extremely capable administrator.

The Director of the Bureau of Land Management is Boyd Rasmussen, at one time regional forester for the U.S. Forest Service at Missoula, Mont. He did a fine job in my State, then came to Washington to the administrative position in the Forest Service, and then was selected for the new position as Director of the Bureau of Land Management. In the short time that he has been in this position, Boyd Rasmussen has developed a reputation of confidence and sound administration. The August 1967 issue of American Forests contains an interesting feature on Director Rasmussen and the work of the BLM.

I ask unanimous consent that the article entitled "A Place in the Sun," written by James B. Craig, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A Place in the Sun

(By James B. Craig)

Few agencies of government are so intimately identified with the history and romance of the Republic as are the Bureau of Land Management of the Department of the Interior and its predecessor agencies, the old Grazing Service, and the old Land Office.

Staffed exceedingly thin compared to some of its sister agencies, the Bureau nevertheless is responsible for a half billion Public Domain acres that last year realized revenues in excess of $434 million. This trend is up. By 1968 the Bureau anticipates an income from all uses of $625 million.

Despite the fact the Bureau today appears headed for a new place in the sun there is a "tentativeness" about the BLM that sometimes puzzles AFA members who tend to equate the start of conservation in America with Theodore Roosevelt and the founding of the national forests.

Actually, the Bureau's history goes back to genesis with the founding of the Republic. The single reference to the Public Lands in the Constitution is contained in the statement, "The Congress shall have Power to *dispose of* (italics ours) and make all needful

Rules and Regulations respecting the Territory or other Property belonging to the United States." That this power resides in the Congress is beyond question and has been upheld by the Supreme Court.

Thus the landmark Taylor Grazing Act of 1934 creating the grazing districts under BLM management contains a preamble pegged on the uncertain note, "pending the final disposition" of the Public Domain. Again, the more recent Classification and Multiple Use Act giving BLM more management status is contingent on the findings of the Public Land Law Review Commission now engaged in reevaluating 5,000 land laws and empowered to make sweeping recommendations as regards the future of the public lands.

In reading scholars like Professor John D. Hicks there seems to be little doubt that the founding fathers, while they did not necessarily agree on ways and means, were of the view the Public Domain should be "disposed of." Alexander Hamilton, perhaps the first advocate of a strong centralized government, and who believed the public was a "Great Beast," was chiefly interested in the lands for their revenue-producing capacity, preferably in big blocks by big ownerships. Westerners of that era were more in tune with the thinking of Thomas Jefferson who believed in the "good sense and solid judgment of the people" and who wanted to see the Public Lands developed by farmers like himself.

Few if any of the founding fathers, all large landowners themselves for the most part, envisioned such reservations as the national forests or any of the other reservations. That came later under such Presidents as Harrison and Roosevelt. Mounting waste—terrible forest fires and overcutting being classic examples—led to the setting aside of large chunks of the Public Domain for management by government agencies. The high court further decreed that the Congress has the power to "reserve" as well as "dispose of" the public estate and the government has actually so reserved upwards of 400 million acres up to now. Some say this is far too much if the sense of the Constitution is to be upheld and the sovereignty of the states protected. And others say it is far too little.

This is a debate that has always been active in greater or lesser degree and there seems little question another round is coming up. Principle catalytic agent will be the Public Land Law Review Commission. Few AFA members and fewer nonmembers realize as yet the immensity of this Commission which will cut across 180 years of American land history and quite likely will have a bearing on 180 more. In some ways it is reminiscent of a giant iceberg moving quietly and slowly in the sea of public affairs. Only a small white cap glistens in the sunlight above the waters with the great bulk of it submerged. Already this Commission has sent the scholars, and the historians, the barristers, and some conservationists to their libraries. The Commission will most certainly be heard from.

DISPOSAL OF PUBLIC DOMAIN

In view of the attitude of the founding fathers, it might be assumed the great motivating force as regards the Public Domain is "disposal" but it hasn't worked out quite that way. Disposal will doubtless be one of the prime professional responsibilities of BLM for many years although it is interesting to note that revenue from sale of lands in 1966 was only $2,348,262 compared with the Big Three income producers with receipts of $248 million from mineral leasing on the outer continental shelf, $125 million from mineral leasing on other lands, and $47½ million from timber sales. Then too, three western forestry Deans who visited AFA's office recently reported that many small farmers, ranchers and other users will resist any large scale disposal of the Public Domain. This was further borne out by a recent report by BLM Director Boyd L. Rasmussen to the Senate subcommittee on Public Lands. He reported that a rumor in New Mexico to the effect that BLM was embarking on a large scale disposal program brought a strong objection from the Southeastern New Mexico Grazing Association.

In his initial reports to both the Senate and House committees, Director Rasmussen laid out his proposed classification work under the Multiple Use Act with precision and clarity. So far BLM has classified 2,500,000 acres for multiple use management and more than 900,000 acres are classified for disposal. By the end of the current year BLM will have processed 50 million acres and has published proposals on 12,500,000 acres. Most of this work is in 11 western states where BLM administers 175 million acres. In other words, these are lands that will be retained by the government where grazing, recreation, water, wildlife, wilderness, timberland management, mining and other uses will be managed similarly to the national forests. And while the recent predominantly Republican western Governors' Conference in July resoluted urging that this classification be halted, the temper of westerners generally would indicate a rising groundswell of opinion favoring retention by BLM of certain choice lands where the management function might more properly rest under the government arm—plus millions of submarginal, brittle acres facing increasing desiccation from past overuse. One appalling example is the four-million acre Rio Puerco area of New Mexico where 16 communities have become ghost towns and where sheet and gully erosion have taken over former grasslands.

CHANGE IN PUBLIC ATTITUDE

That there has been a big change in the public's attitude regarding the Public Domain appears likely and this attitude, as combined with the work of the Public Land Law Review Commission, will almost certainly catapult the BLM into the public eye and a permanent place in the land management sun. In view of these developments, conservationists are keenly interested in the progress of Director Rasmussen, the third Director to hold the post under the incumbent Administration. People everywhere are asking, "How is Mr. Rasmussen getting along?" after his first full year at the helm.

First let it be noted that BLM has had some extremely able men in the chair Mr. Rasmussen now occupies. Carl Landstrom was and is a first rate lawyer and student of the Public Domain. Charles Stoddard, with his far-ranging mind and idealist precepts, must be credited with envisioning the classification of the Public Domain and seeing it under multiple use. Few who recall having heard him outline the entire project chapter and verse, without so much as a note, will soon forget it. But it is no reflection on his predecessors, to state that Rasmussen can be properly termed a true managerial professional. In coming up through the management "chairs" in the Forest Service he gained a deserved reputation for administrative ability and toughness. He also has imagination, the writer learned. And he may be the right man at the right time in the history of BLM affairs.

"How are you getting along?" I asked him.

"This is the most challenging job I have ever tackled" he replied. "My first year I divided my time into three parts: one third for staff work here; one third for work with BLM field people; and one third for work with public land users, people in Congress, and conservationsts. And I want to say right here I am not sure that conservationists have always given BLM the support they should. Thus I want to work with all of you as closely as I can."

"How are you getting along with Mr. Udall?"

"I'm getting along with Mr. Udall just fine. He's given me his full support and it's greatly appreciated. He's very accessible and so is Assistant Secretary Anderson. Both are positive in their thinking and believe me, that helps. But this cooperation has to be a two-way street, you know. We're making sure that reports topside and to Congress are made on time and are properly executed. With the Public Land Law Review Commission on the job this is a time for good performance, exactness, and laying all facts right on the line when asked for. We are also working out cooperative agreements and good liaison arrangements with other agencies in Interior. I feel we should be brought into all discussions where BLM lands are involved in any way."

"What is your impression of your State Directors, District Managers and field men?"

"They are great. They are dedicated, professional people. I tell them I am going to stay on this job and that they will too. I've upgraded some of our field positions and I hope to build a better professional career ladder for the Bureau. There will be no bypassing of BLM unit heads. The word will go to the man in charge down the ladder—and vice versa. You people in AFA know about some of the fine work these men have done. I want to give them stability. I want to give them the feeling they can go right to [the] top positions when they perform well. Incidentally, we have sent Archie Craft to take charge in Portland, Oregon, and we are all pleased by the good reception he has received."

"He's a professional," I said.

"Yes, he's a professional—and a good one—as good a man as we have." Rasmussen replied.

"But there *are* problems?"

PROBLEMS

"Yes, there are problems. We're spread very thin. There are only 3400 employees in BLM who are responsible for management of one-half billion acres of public lands—nearly 60 percent of the public lands in America. Then too, we are faced by many diverse and complex laws. For example, there are four different laws under which we sell land—all complicated. Take leases for gas and oil. Under the law, leases have to be paid in full on the exact date due or the lease lapses. One day late, and the lease is lost. Our performance is curtailed by many laws much more so than is the case in the Forest Service. And most of these laws are of immense complexity. That's another reason for giving both the Congress and the Public Land Law Review Commission the best service possible.

"Don't think I'm not going to uphold these laws as they are written to the best of my abiliy, complicated or not. I intend to manage the Public Domain lands and so do our people. But in view of the complications, we sometimes have a tendency to theorize, temporize, or risk turning ourselves into barracks room lawyers. And our job should be management.

"Don't get me wrong. There's a great potential here for good performance and management. I'm convinced of that. In some ways I am more intrigued by the unknowns on and under the Public Domain than the knowns.

"What do I mean? Well, former Congressman French, of Idaho, actually said it first. Back in 1933, he said, 'As I see it . . . the astounding value of the public lands lies in the uses that have been overlooked.' He had reference to BLM lands of value as watersheds, for control of streamflow, for natural storage, for forest uses, and regulators for climatic conditions. Things like that. And he did not even mention such things as new uses for minerals yet unheard of plus proper management of surface values. Nor the uses of the desert. I am convinced more people are going to both live and play in the desert in the coming years. In telling the Sierra Club that these unreserved public lands are coming into their own I described the five desert regions on the Public Domain that are fragile, yes, but also primitive, vast, alive, alluring and challenging. And people can meet the desert on its terms. There's solitude there and each desert is different.

"The Joshua tree could almost be the symbol of the Mojave desert, patiently drawing moisture from the soil over centuries of life. In California, along the transition zone between the Sierras and the Mojave desert, this strange yucca is called the 'candle of the gods.'

"And you should see the rockhounds that go into these areas right now. It's fabulous.

"We are well aware, of course, that one of the problems in this classifying process is that of anticipating human needs. We've got to have sufficient flexibility about this. We haven't any right to decide on today's knowledge what our classification might be by the year 2012. There is sometimes a strong temptation to draw general conclusions from specific instances but no true professional has any right to yield to it. That's one reason why I am inclined to believe there will not be any sudden, wholesale disposal of Public Lands although we will need to *offer* land that is needed for development of the West—maybe as much as 2¼ million acres by 1973."

Conservationists who are cheering Rasmussen's interest in recreation and wildlife values on the Public Domain also note that his interest in management of commercial uses, and particularly new management tools, is no less keen. Obtaining the services of Gus Hormay, California grazing research expert, to experiment with his "Rest-Rotation" system particularly delighted Rasmussen. The helicopter "hoversight" surveying work pioneered by BLM experts in Alaska was also described with gusto by Rasmussen who has particularly kind words for Research Chief Jerry R. Harris. In brief, he is beating the drums for his people with vigor. BLM morale is on the upgrade.

Speaking of the Forest Service, why two multiple use agencies in the government—BLM and the Forest Service?

"No comment" replied Rasmussen.

After a year on the job, who would he rather work for—the BLM or the Forest Service?

"No comment," the Director replied.

What are the prospects for uniform and realistic grazing fees?

"Our range cost study is now completed and it will be used as a basis to set up a uniform system. By this I mean the system for computing fees will be uniform but it doesn't mean fees will be the same on BLM and Forest Service lands."

UNIFORM TIMBER SALES

What are the prospects for uniform timber sale procedures?

"Here again we do not say they can be exactly uniform but they can certainly be similar. For example, our allowable cut is stated in terms of short logs while the Forest Service cut is based on long logs. Take O. and C. lands in Oregon. They are highly productive and in the lowlands. The national forests, on the other hand, are on the higher elevations. Sometime this fall we will have something ready in the way of a more uniform timber appraisal. Then we will have a year to discuss it with forest industry and ultimately to activate it. What we are actually working toward is a uniform system of computing fees."

Are professional schools providing BLM with the type of professionals it requires?

"Our people are getting a good professional education but I do look forward to more education in the humanities. We *do* need a more well-rounded professional. But this is not the fault of the system, in my opinion. It is due to changing times."

What does the Director see in the way of a BLM personnel expansion in view of the changing times?

"I see a modest expansion over a period of time. Right now I'm doing an awful lot of listening. Our aim is to make a professional outfit even more professional. We intend to concentrate on performance and I might add we have no intention of trying to get too far ahead of any direction by the Congress."

Thus the quest of Boyd L. Rasmussen and his BLM for a permanent place in the land management sun. Conservationists wish him well. Perhaps it is an indication of changing times and a mellowing of the conservation mood. At any rate, the recent movement of key Forest Service professionals to Interior has provoked no such hullabaloo as greeted "Greeleyism" back in the flaming twenties. That was the movement, with Forest Service Chief Greeley's encouragement, of professionals to the ranks of forest industry. It was his belief the industry needed them more than the government did. But no charges of "Udallism" have accompanied the exodus of Forest Service men to Interior. To the contrary. The truth is conservationists today are once again giving top priority to the needs of land above all other considerations.

And in the case of Rasmussen they tend to agree a good professional has been placed where he is needed most, exactly at the right time.

UNITED NATIONS ACTION IN VIETNAM

Mr. TYDINGS. Mr. President, Monday of this week the distinguished majority leader, Senator MANSFIELD, renewed his call for vigorous U.S. efforts to seek United Nations consideration of the war in Vietnam. I join the many Senators who have voiced support for Senator MANSFIELD's suggestion.

Despite its critics, the United Nations has proved its effectiveness in restoring peace. In the recent Arab-Israel war, for example, the United Nations provided the forum which made a ceasefire possible. The United Nation's successful formulation of ceasefire resolutions gave the Arab nations a face-saving way to surrender rather than fighting on in a hopeless, destructive struggle which would have only cost more lives and made permanent peace less likely. The United Nations action also gave the Soviet Union a way to avoid direct intervention in the war, which would have escalated that conflict to an East-West nuclear confrontation.

In fact, the United Nations was, in the Middle East war, and is today, in the war in Vietnam, the only means immediately available for all nations to meet in peaceful debate in search of a peace, even as the war rages on.

Why not seek to repeat this successful United Nations peacemaking role in Vietnam? Why not have all parties to the conflict to the forum of the United Nations to debate the war and seek solutions to it? Is it not possible that the United Nations could provide in Vietnam, as it has in the Middle East, a peace formula which national involvement in the war—on all sides—now makes impossible among the belligerents themselves?

I think we must try every avenue for peace in Vietnam. We should use the United Nations.

CORNELL UNIVERSITY URBAN AFFAIRS PROGRAM

Mr. RIBICOFF. Mr. President, the Metropolitan Office of the New York State School of Industrial and Labor Relations of Cornell University is beginning an urban affairs program with some 35 unions in the metropolitan New York area. I ask unanimous consent that the announcement of this program and the members of the Cornell-Union Urban Affairs Council be printed in the RECORD at this point.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

[A press release from the New York State School of Industrial and Labor Relations, Cornell University, Aug. 7, 1967]

NEW YORK CITY.—The Ford Foundation and the federal government have provided more than $200,000 for a program designed to give union members an inside look at the problems of urban growth facing metropolitan New York.

The three-year pilot program to be conducted by the metropolitan office of the New York State School of Industrial and Labor Relations at Cornell University and over 30 unions in the metropolitan area was announced today at the school's Metropolitan District Office at 7 East 43rd Street.

The program, expected to be the prototype for similar projects in urban areas across the country, will include seminars and courses with union members in such problem areas as air and water pollution, transportation, housing, education, recreation and civil rights.

In addition, selected union members will work for a period of time in public and private agencies in the city so that they may glean first hand experience about what has been done, can be done, and should be done in meeting the problems of urban growth.

The program will enable an Urban Affairs Coordinator to serve full-time with the participating unions so that the unions may be kept better informed of the various decisions and activities that come before governmental bodies in the city and so that action by an individual union or groups of unions on urban problems may be facilitated.

Betty Goetz Lall, Field Director of the program, explained that it approaches the solving of urban problems on two fronts.

"In the first place," she said, "financing of urban programs requires citizen support and obviously the public wants to know how its taxes are being used to improve urban conditions. Secondly, the public not only has to support the programs but in the long run must also express its needs in the designing of programs."

Mrs. Lall said: "one of the most important groups in our cities is organized labor. Since union members are concentrated in cities, they have a vital stake in urban life. Union members and their families are often the victims of city deterioration, poor housing conditions, inadequate public transportation to jobs and lack of space for recreation."

The program is supported by a three year $175,000 grant from the Ford Foundation and a one year $40,000 grant from the Federal Government under Title I of the Higher Education Act. In addition to allocation of funds by the ILR School, contributions of several thousand dollars have been pledged by those unions deciding to participate in the program.

The Urban Affairs Program will include special courses on government, city politics, finances, special urban problems and programs of the Federal and State Government operating in the city.

Educational materials in the form of pamphlets and articles will also be produced and, finally, there will be a training program to enable union members to become more familiar with where to go and whom to see when specific urban problems arise among their members.

The program is one of a number of services performed by the New York State School of Industrial and Labor Relations, which was founded in 1944 to promote better relations among labor, business and community groups.

The Union-Cornell Urban Affairs Program will be guided by a council composed of union leaders and members of Cornell University's faculty. The following is a list of the persons and their affiliations who compose the Council. Several other unions and their leaders are expected to be added in the near future. The program has been developed with the cooperation of the New York City Central Labor Council.

MEMBERS OF THE CORNELL-UNION URBAN AFFAIRS COUNCIL

Leaders from participating unions

Betty Bentz, Secretary-Treasurer, Hotel, Motel and Club Employees Union, Local 6.

Morris Biller, President, Manhattan-Bronx Postal Union.

Peter Brennan, President, Building and Construction Trades Council.

Herschel Chanin, Co-Manager, Cap Makers Union, Local 2.

William Colavito, President, International Association of Bridge Structural and Ornamental Iron Workers, Local 455.

Leon Davis, President, Drug and Hospital Employees Union, Local 1199.

Thomas DeLorenzo, Assistant Regional Director, International Union, United Automobile, Aerospace, Agricultural and Implement Workers of America, Region 9A.

Fileno DeNovellis, Manager, United Shoe Workers of America, Joint Council No. 13.

Al DeProspo, President, Amalgamated Meatcutters, Local 400.

Charles Fay, President, International Union of Electrical Workers, Local 485.

Barry Feinstein, President, International Brotherhood of Teamsters, Local 237.

Charles Feinstein, Director, Health & Welfare Fund, International Leather Workers.

Thomas Flavell, Manager, Amalgamated Clothing Workers of America, Local 169.

Charles J. Garrahan, Manager, Amalgamated Clothing Workers of America, NY Joint Board of Skirt, Leisurewear, Robe, Glove and Rainwear Workers.

Patrick Gleeson, President, Retail Food Clerks, Local 1500.

Victor Gotbaum, Executive Director, American Federation of State, County and Municipal Employees, District 37.

Louis Hollander, Amalgamated Clothing Workers of America, N.Y. Joint Board.

Sam Kovenetsky, President, Retail, Wholesale Department Store Workers Union, Local 1-S.

Sam Meyers, President, United Automobile Workers, Local 259.

William Michelson, Executive Vice-President, Retail, Wholesale Department Store Workers Union, District 65.

George Miller, Vice-President, Communication Workers of America.

Edward Panarello, Regional Director, Retail Clerks, Council 20.

Albert Perry, President, Building Services Employees International Union, Local 32-J.

Bertram Powers, President, International Typographical Union, Local 6.

Harold Pryor, Chairman, Brotherhood of Railroad Trainmen, LIRR.

Michael Sampson, Business Manager, Utility Workers Union of America, Local 1-2.

Howard D. Samuel, Vice-President, Amalgamated Clothing Workers of America.

Anthony Scotto, President, International Longshoreman's Association, Local 1814.

Al Shanker, President, United Federation of Teachers, Local 2.

Thomas Shortman, President, Building Services Employees International Union, Local 32-B.

Irving Stern, Organization Director, Meatcutters & Retail Food Stores, Local 342.

Edward Swayduck, President, International Typographical Union, Amalgamated Lithographers, Local 1.

Gus Tyler, Assistant President, International Ladies Garment Workers Union.

Ellis Van Riper, Secretary-Treasurer, Transport Workers Union, Local 100.

Members from the faculty of the New York State School of Industrial and Labor Relations, Cornell University

Alice Cook, Professor of Industrial and Labor Relations.

Lois Gray, Director of the Metropolitan Office.

Betty Goetz Lall, Field Director of the Urban Affairs Program.

Al Nash, Labor Program Coordinator.

Eric Polisar, Associate Professor of Industrial and Labor Relations.

Robert Risley, Dean of Extension.

Barbara Wertheimer, Labor Program Specialist.

RISING CRIME RATE RECALLS IKE'S COURT AGE PROPOSAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an editorial by Wendell Reynolds, which appeared in the Huntington, W. Va., Advertiser on August 21, 1967, the editorial being titled "Rising Crime Rate Recalls Ike's Court Age Proposal."

There being no objection the editorial was ordered to be printed in the RECORD, as follows:

RISING CRIME RATE RECALLS IKE'S COURT AGE PROPOSAL

Former President Dwight D. Eisenhower must feel twinges of conscience about the effects of the political considerations that influenced him to appoint Earl Warren as Chief Justice of the United States Supreme Court.

The Chief Justice had gained his reputation as Governor of California rather than as a distinguished constitutional lawyer before his appointment placed him at the head of the most important judicial body in the nation.

In recent years he has led the liberal majority of the court into hitherto unrecognized areas of constitutional rights for vicious criminals in the face of the most serious crime wave in the nation's history.

In view of this, it is no wonder that the former President has come forward with suggestions for fixing a definite term for court members and for establishing an age above which they cannot serve.

As outlined in a Reader's Digest article some time ago, the plan called for a tenure of no more than 20 years for all justices of federal courts. Those who reach the age of 72 before completing their term would be retired on full salary for life.

The article pointed out that besides the infirmities that come with age, removal of justices from the maincurrents and the new problems of life tends to cause inflexibility of opinions and actions.

A great many critics of the Supreme Court, including trial judges and other distinguished members of the bar, would probably agree with former President Eisenhower's proposal.

The Chief Justice was born on March 19, 1891, and is now 76 years old. Justice Black, who was born in 1886, has participated with the majority in some of the split decisions that have extended previously unrecognized rights to criminals.

Justice Douglas, another militant liberal who has been criticized perhaps more than the others because of his divorces and marriages to women young enough to be his granddaughters, was born in 1898. He is not yet 70 but has served for 28 years.

But age is not the only factor involved in the unprecedented decisions of the court. Justice Abe Fortas, who was appointed by President Johnson, was born in 1910, and he also was among the five who set up all but impossible restrictions on the questioning of prisoners.

The Eisenhower proposal for limits on age and tenure might help solve some of the difficulties arising from radical Supreme Court decisions, but Presidents themselves could help by using a little more mature judgment in their selection of justices.

Congress also could help by grappling more courageously with the probems and submitting constitutional amendments. There is urgent need at this time for an amendment giving police reasonable latitude in questioning prisoners, but so far Congress has stood aside while court decisions applied retroactively have allowed vicious murderers and other violent criminals to go free.

Possibly the next best action would be adapting the age and tenure limits proposed by former President Eisenhower.

CIVIL WORKS PROJECTS IN ARKANSAS

Mr. FULBRIGHT. Mr. President, I have received from the Little Rock District, Corps of Engineers, fiscal information on civil works projects in Arkansas. Projects listed include only those upon which funds have been expended in fiscal year 1961 and subsequent years. The information also shows total expenditures for any such projects started prior to fiscal year 1961, but which received continuing funding thereafter; and it shows projected expenditures for fiscal year 1968.

It is interesting to note that the total of expenditures for all these projects is approximately $1.3 billion—which amount is less than the current cost of 3 weeks of the war in Vietnam.

Mr. President, I ask unanimous consent that the data from the Corps of Engineers be printed in the RECORD.

There being no objection, the data were ordered to be printed in the RECORD, as follows:

FISCAL INFORMATION ON CIVIL WORKS PROJECTS IN ARKANSAS

SUMMARY SHEET

Category	Expenditures prior to fiscal year 1961	Expenditures, fiscal year 1961 through fiscal year 1967	Expenditures projected for fiscal year 1968	Total
Construction, general	$463, 091, 241	$563, 700, 705	$121, 570, 582	$1, 148, 362, 528
Operation and maintenance, general	53, 387, 450	78, 703, 716	8, 494, 400	140, 585, 566
General investigations	147, 300	1, 916, 068	611, 000	2, 674, 368
Total	516, 625, 991	644, 320, 489	130, 675, 982	1, 291, 622, 462

FISCAL INFORMATION ON CIVIL WORKS PROJECTS IN ARKANSAS—Continued

CONSTRUCTION—GENERAL

Project name	Status of project	Expenditures prior to fiscal year 1961	Expenditures, fiscal year 1961 through fiscal year 1967	Expenditures projected for fiscal year 1968	Total	Year of first expenditure if subsequent to fiscal year 1961	Remarks
DeQueen Reservoir (Sevier County)	Under construction	0	$1,806,000	$1,000,000	$2,806,000	1963	
Dierks Reservoir (Howard County)	do	0	656,000	700,000	1,356,000	1963	
Gillham Reservoir (Howard and Polk Counties)	do	$38,000	5,247,000	1,100,000	6,385,000	....	
Lower White River—Augusta to Clarendon (Woodruff, Prairie, and Monroe Counties).	Continuing	1,429,830	21,663	0	1,451,493	....	
Helena Harbor (Phillips County)	Complete	3,844	124,807	0	128,651	....	
White River backwater levee (Phillips, Desha, and Monroe Counties).	do	8,554,539	3,010,190	0	11,564,729	....	
Big Slough and Mayo Ditch (Green and Clay Counties)	do	107,426	858,003	0	965,429	....	
Osceola Harbor (Mississippi County)	Continuing	0	12,818	6,682	19,500	1962	
St. Francis River and tributaries (Clay, Green, Craighead, Poinsett, Cross, Mississippi, St. Francis, Lee, and Crittenden Counties).	do	19,565,613	14,783,805	1,558,700	35,908,118	....	
Little River drainage (Mississippi and Poinsett Counties)	do	71,502	3,840,278	435,900	4,347,680	....	
Mississippi River levees (Mississippi, Crittenden, Lee, Phillips, Monroe, Desha, St. Francis, and Cross Counties).	do	33,176,184	3,583,275	567,000	37,326,459	....	
Mississippi River channel improvement (Mississippi, Crittenden, Lee, Phillips, Arkansas, and Desha Counties).	do	86,213,453	38,149,420	6,564,700	130,927,573	....	
Red River, Ark. (Lafayette, Miller, Hempstead, and Little River Counties).	do	0	79,000	0	79,000	....	
Harding drain (Jefferson County)	do	0	15,000	0	15,000	....	
Arkansas River levees, North Bank (Arkansas, Jefferson, Pulaski, Lonoke, and Prairie Counties).	do	3,266,000	995,000	0	4,261,000	....	
Arkansas River Levees, South Bank (Desha, Lincoln, Jefferson, Drew, Ashley, and Chicot Counties).	do	10,583,000	1,689,000	149,000	12,421,000	....	
DeGray Dam and Reservoir (Montgomery, Clark, Hot Spring, Dalls, and Calhoun Counties).	do	281,000	26,446,000	8,414,000	35,141,000	....	
Local protection, Pine Bluff (Jefferson County)	Complete	171,000	2,000	0	173,000	....	
Narrows Reservoir, 3d generating unit (Pike, Clark, Nevada, Ouachita, Calhoun, and Bradley Counties).	Continuing	0	643,000	680,000	1,323,000	....	
Mississippi River levees (Desha, Chicot, Drew, and Ashley Counties).	do	11,175,000	2,053,000	338,000	13,566,000	....	
Channel improvement, revetment (Desha, Chicot, Drew, and Ashley Counties).	do	39,427,000	22,495,000	3,165,000	65,087,000	....	
Bouef and Macon River Basin (Lincoln, Desha, Chicot, and Ashley Counties).	do	5,574,000	2,653,000	279,000	8,506,000	....	
Red River backwater (various)	do	0	937,000	639,000	1,576,000	....	
Ouachita and Black River navigation (Union, Bradley, Ashley, Calhoun, and Ouachita Counties).	do	0	8,012,000	3,952,000	11,964,000	....	
McKinney Bayou (Miller County)	Complete	576,700	463,000	0	1,039,700	....	Expenditures fiscal year 1961 through fiscal year 1967 includes $18,700 contributed funds.
Bayou Bodcau Reservoir (Lafayette and Hempstead Counties).	do	136,100	3,400	600	140,100	....	Completed except for additional recreational facilities.
Red River levees and bank stabilization below Denison Dam (Miller, Lafayette, and Hempstead Counties).	Continuing	404,500	118,900	30,000	553,400	....	
Garland City (Miller and Lafayette Counties)	do	0	836,600	110,000	946,600	....	
Maniece Bayou (Lafayette County)	do	0	266,900	470,000	736,900	1962	
Bank stabilization (Crawford, Sebastian, Johnson, Yell, Pope, Conway, Faulkner, Perry, Pulaski, and Jefferson Counties).	do	58,057,571	45,217,324	5,037,000	108,311,895	....	
Navigation locks and dams (Desha, Arkansas, Lincoln, Jefferson, Pulaski, Perry, Faulkner, Conway, Pope, Yell, Sebastian, and Crawford Counties).	Under construction	0	205,655,711	69,730,000	275,385,711	1962	Expenditures, fiscal year 1961 through fiscal year 1967 includes $100,897 contributed funds.
Dardanelle lock and dam (Yell, Logan, Johnson, Pope, and Franklin Counties).	do	7,965,158	58,121,114	3,500,000	69,586,272	....	
Ozark lock and dam (Franklin, Crawford, and Sebastian Counties).	do	0	23,551,513	12,000,000	35,551,513	1962	
Clarksville (Johnson County)	Complete	30,628	242,389	0	273,017	....	
West of Morrilton, Arkansas River, Ark. (Pope and Conway Counties).	do	1,194,657	1,269,959	0	2,464,616	....	
South Bank Arkansas River, Tucker Lake, Ark. (Jefferson County).	do	378,126	409,115	0	787,241	....	
Holla Bend Bottom, Arkansas River, Ark. (Pope County)	Inactive—general design memorandum completed.	0	22,268	0	22,268	1962	5-year limitation issued Oct. 23, 1962.
South Bank Arkansas River, head of Fourche Island to Pennington Bayou, Ark. (Pulaski County).	Complete	1,372,206	32,646	0	1,404,852	....	
Petit Jean River, Ark. (Yell County)	do	0	104,448	0	104,448	....	
Grand Prairie, Ark. (Lonoke, Prairie, and Arkansas Counties)	Planning	19,000	1,000	0	20,000	....	Advance engineering and design.
Bayou Bartholemew Ark. (Jefferson, Lincoln, Drew, and Ashley Counties).	do	24,000	37,000	0	61,000	....	Do.
Benton, Ark. (Saline, Grant, Dallas, Cleveland, Drew, Bradley, and Ashley Counties).	do	5,000	63,000	0	68,000	....	Do.
Lake Chicot at Town Lake (Chicot County)	do	0	54,000	0	54,000	....	Do.
Blakely Mountain Reservoir (Montgomery, Garland, Hot Spring, Clark, Dallas, Ouachita, Bradley, Union, and Ashley Counties).	Continuing	31,342,000	583,000	125,000	32,050,000	....	Complete except for additional recreational facilities.
Narrows Reservoir (Pike, Clark, Nevada, Ouachita, Calhoun, and Bradley Counties).	do	12,980,000	420,000	60,000	13,460,000	....	Do.
Engineering studies (various)	do	31,000	73,000	13,000	117,000	....	
Red River navigation and bank stabilization: Overton-Red River Waterway (Hempstead, Miller, and Lafayette Counties).	Complete	0	85,900	0	85,900	1966	Advance engineering and design.
Pine Mountain (Crawford County)	Continuing	0	58,399	200,000	258,399	1967	Do.
Village Creek, White River, and Mayberry levee districts (Jackson and Woodruff Counties).	do	0	644,877	0	644,877	1964	5-year limitation issued Apr. 21, 1966.
Blue Mountain (Yell, Logan, and Conway Counties)	do	4,780,056	131,988	59,000	4,971,044	....	Complete except for additional recreational facilities.
Bull Shoals (Baxter, Marion, and Boone Counties)	do	77,150,614	9,245,595	330,000	86,726,209	....	Do.
Greers Ferry (Cleburne and Van Buren Counties)	do	11,979,510	35,166,828	220,000	47,366,338	....	Do.
Nimrod (Perry and Yell Counties)	do	3,774,387	112,630	49,000	3,936,017	....	Do.
Beaver (Carroll, Benton, and Washington Counties)	do	2,635,543	42,299,953	0	44,935,496	....	Do.
Norfolk (Baxter County)	do	28,617,094	295,989	88,000	29,001,083	....	Do.
Total	....	463,091,241	563,700,705	121,570,582	1,148,362,528		

FISCAL INFORMATION ON CIVIL WORKS PROJECTS IN ARKANSAS—Continued

OPERATION AND MAINTENANCE—GENERAL

Project name	Status of project	Expenditures prior to fiscal year 1961	Expenditures, fiscal year 1961 through fiscal year 1967	Expenditures projected for fiscal year 1968	Total	Year of first expenditure if subsequent to fiscal year 1961	Remarks
Millwood Reservoir (Little River and Hempstead Counties)	In operation	$516,000	$43,332,000	$100,000	$43,948,000	....	
Helena Harbor (Phillips Coutny)	do	0	0	67,900	67,900	....	
White River (Woodruff, Prairie, Monroe, and Phillips Counties).	Continuing	1,360,579	968,608	175,200	2,504,387	....	
Ten Mile Bayou, stream clearance (Crittenden County)	Complete	0	48,344	0	48,344	....	
Blakely Mountain Dam and Reservoir (Garland, Montgomery, Hot Spring, Clark, Dallas, Ouachita, Bradley, Union, and Ashley Counties).	In operation	1,310,000	2,458,000	439,000	4,207,000	....	
Narrows Dam and Reservoir (Pike, Clark, Nevada, Ouachita, Calhoun, and Bradley Counties).	do	1,881,000	1,874,000	336,000	4,091,000	....	
Arkansas River levees, North Bank (Arkansas, Jefferson, Pulaski, and Prairie Counties).	Continuing	245,000	217,000	16,000	478,000	....	
Arkansas River levees, South Bank (Desha, Lincoln, Jefferson, Drew, Ashley, and Chicot Counties).	do	1,763,000	1,236,000	415,000	3,414,000	....	
Mississippi River levees (Desha, Chicot, Drew, and Ashley Counties).	do	3,937,000	462,000	103,000	4,502,000	....	
Channel improvement, revetments, dikes, and dredging (Desha, Chicot, Drew, and Ashley Counties).	do	29,443,000	9,847,000	2,421,000	41,711,000	....	
Ouachita and Black River locks and dams (various)	do	4,526,000	+1,765,000	287,000	6,578,060	....	
Repair and rehabilitation (various)	do	0	227,000	3,000	230,000	....	
Removing sunken vessels (various)	do	42,000	44,000	0	86,000	....	
Mapping (various)	do	167,000	225,000	26,000	418,000	....	
Bayou Bodcau Reservoir (Lafayette and Hempstead Counties)	do	6,300	14,300	2,300	22,900	....	
Miller County Levee District No. 2 (Miller County)	Complete	0	37,300	0	37,300	....	
Red River Levee District No. 1 (Lafayette County)	do	0	33,900	0	33,900	....	
Bank stabilization (Desha, Arkansas, Lincoln, Jefferson, Pulaski, Perry, Faulkner, Conway, Pope, Yell, Sebastian, and Crawford Counties).	Continuing	415,691	4,686,582	550,000	5,652,273	....	
Navigation locks and dams, Arkansas River (various)	do	0	95,094	460,000	555,094	1962	
Dardanelle Reservoir (Yell, Logan, Johnson, Pope, and Franklin Counties).	do	0	1,108,111	575,000	1,683,111	1965	
Blue Mountain Reservoir (Yell, Logan, and Conway Counties).	In operation	769,894	794,451	155,000	1,719,345	....	
Bull Shoals Reservoir (Baxter, Marion, and Boone Counties)	do	2,523,282	3,579,680	648,000	6,750,962	....	
Greers Ferry Reservoir (Cleburne and Van Buren Counties)	do	0	1,617,892	625,000	2,242,892	1963	
Nimrod Reservoir (Perry and Yell Counties)	do	982,262	790,897	165,000	1,938,159	....	
Beaver Reservoir (Carroll, Benton, and Washington Counties)	do	0	698,217	440,000	1,138,217	1965	
Norfork Reservoir (Baxter County)	do	3,499,442	2,543,340	485,000	6,527,782	....	
Total	....	53,387,450	78,703,716	8,494,400	140,585,566	....	
Helena, Ark., F.C. (Phillips County)	Complete	....	$2,479	0	$2,479	1967	
White River, navigation (Woodruff, Prairie, Monroe, Arkansas, and Phillips Counties).	Continuing	....	20,245	(1)	20,245	1962	
Camden, Arkansas, flood plain management (Ouachita, Calhoun, and Nevada Counties).	do	....	0	$20,000	20,000	....	Flood plain studies.
Bayou Meto (Lonoke, Jefferson, Arkansas, Pulaski, and Prairie Counties).	do	....	15,000	20,000	35,000	....	Survey report.
Engineering studies and surveys (various)	do	....	1,801,444	532,900	2,334,344	....	
Bayou Dorcheat (Columbia, Nevada, and Lafayette Counties)	Complete	$23,300	13,200	0	36,500	....	
Red River comprehensive review (Miller, Lafayette, Columbia, Hempstead, Nevada, Little River, Sevier, Howard, and Polk Counties).	Continuing	....	35,700	8,100	43,800	....	
Terre Noire Creek (Clark County)	do	124,000	28,000	30,000	182,000	....	
Total	....	147,300	1,916,068	611,000	2,674,368	....	

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[1] Funds allotted to date have been expended.

ROANE COUNTY COURT ENDORSES S. 1236

Mr. BAKER. Mr. President, last Saturday, August 26, 1967, the Roane County Court endorsed my revenue-sharing bill, S. 1236, to return part of the Federal income to the Sates without States attached.

I am very pleased at the support which has developed in Tennessee for revenue sharing. The Hawkins County Court and the Van Buren County Court along with all the Republican members of both houses of the Tennessee General Assembly have voiced backing for this bill.

The fiscal problem for our State and local governments grows more acute with each passing day and month. The responsibilities and demands placed upon local officials grow constantly. The recent strife in our major cities highlights the need for moneys; yet, specific grants-in-aid do not always meet the need. Local officials who are near the problem understand the source and solution to the problems far better than those of us in Washington who are not at the root of the problem on a day-by-day basis.

I commend the Roane County Court, Judge Sterling Roberts, and County Attorney Bill Newcomb for their efforts in behalf of tax sharing. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, Senator Howard H. Baker of Tennessee introduced into the United States Senate on the 9th day of March, 1967, Senate Bill Number 1236 which provides among other things that the Federal Government is to return certain portion of revenue collected by the Federal Government to the State and local governments for their own use without any restrictions by the Federal Government on said funds, and

Whereas, this would be a tremendous assistance to the State and local government and a more economical method of controlling funds, and

Whereas, it is the desire of the Quarterly County Court for Roane County, Tennessee, to give its full support to said Senate Bill, and

Now, therefore, be it resolved by the Quarterly County Court for Roane County, Tennessee, meeting at an adjourned session on the 26th day of August, 1967, that the Quarterly County Court for Roane County, Tennessee, endorses Senate Bill Number 1236, commends Senator Howard H. Baker for its introduction and urges its immediate passage.

Upon motion of Squire Thomas Guettner, seconded by Squire Charles Wilson, the following Squires voted for the resolution: Unanimous

The following Squires voted No: None.

The following Squires passed: None.

Thereupon the County Judge announced that said resolution had received the constitutional majority and had been adopted, and ordered the same spread of record.

Approved:

STERLING ROBERTS,
County Judge.

Adopted:

JAMES C. EASTER,
Clerk.

Attest:

JAMES C. EASTER,
Clerk.

OPPORTUNITIES, INC. AND OEO

Mr. MANSFIELD. Mr. President, not long ago I received a letter from Mr. Francis Mitchell, director of Opportunities, Inc. of Great Falls, Mont. Mr. Mitchell addressed himself thoughtfully and thoroughly to a matter soon to be debated by this body: I am referring to legislation to extend the life of the Office of Economic Opportunity.

In the interest of assuring informed discussion on this subject by Members of the Senate, I should like to share with Senators some of the major points made in Mr. Mitchell's letter.

Mr. Mitchell talks about Community Action. We know that OEO's Community Action Division is responsible for stimulating such programs as Headstart for preschool children; Upward Bound a precollege program for talented but underprivileged teenagers; the Job Corps for unskilled and unemployed teenage men and women; legal services for the exploited poor; and other programs essentially conceived by OEO and encouraged at the local level. But Mr. Mitchell reminds us that Community Action is even more than this. He said:

> I feel that a vital part of success in Community Action is the stimulation and coordination of *non-Federally* related activities to assure the community comprehensiveness in the poverty attack. We are involved in the areas of Neighborhood Improvement, preventive health care, student tutoring, and the stimulation of other agencies activities, stimulating a coordinated youth plan among the numerous youth-serving groups, and providing community information about local and Federal resources. Although these activities are not directly related to a Federally funded project, they are possible only because of the administrative framework and staff provided through the OEO administration grant. We consider this type of stimulation, coordination, and community support as products of a good Community Action Program. Therefore, when Congress views administrative costs of a local Community Action Agency, it ought to keep in mind that one of the important jobs Community Action Agencies have to do is mobilize all segments of a community in the effort. It is not just a matter of administering a Neighborhood Youth Corps or Head Start project.

Mr. President it is this great flexibility that Community Action gives to the OEO which is jeopardized by the ill-conceived suggestions that some OEO functions be "spun-off" to other Federal agencies. Many of these programs are imaginative and still experimental, they belong in OEO where they were begun and under whose aegis they are beginning to show results. As Mr. Mitchell points out:

> For Congress to prematurely diminish the role of OEO or restrict the flexibility of Community Action planning and funding in favor of transfer of operations to the "old line" agencies (even with newly established bureaus) is to reject a hopeful and yet unproven innovation (Community Action) for the *stated* intent of these old line agencies to commit the departments and people who have not in the past shown a special interest in the problems of poverty. For example, the Department of Labor says—We are reorienting our thinking and, therefore, should control all Manpower activities—while OEO has hardly been given the time to begin to prove its commitment and ability to innovate the Manpower area. Stating it more simply, let the old line agencies prove their ability to carry out their intent at the local level before OEO and Community Action are abandoned or weakened.

OEO has shown a remarkable responsiveness to the needs of a local community. In his letter, Mr. Mitchell reminded me of the willingness of OEO officials to grapple with problems which called for unique and different approaches:

> As you also know, you have not been bothered by requests from us to facilitate funding through OEO. You in Congress said that we will set up OEO to provide the funds and to respond to local needs. In our experience this is exactly what OEO has done and it has not required costly rewriting or frustrating bickering and calls for legislative assistance.

Finally, Mr. Mitchell offered some interesting comments on expeditious OEO practices in handling project applications. He had the highest praise for the OEO procedure of accepting for consideration proposals which required certain changes instead of returning them for frustrating and time-consuming rewriting and resubmission. The OEO practice, he explained, is to negotiate minor changes and include them as conditions to the approval of a grant.

> By direct and indirect experience with application to such agencies as the Department of Labor and Health, Education and Welfare I have seen project proposals returned for complete rewriting contrasted to the OEO practice of negotiating minor changes and including them as conditions to a grant. The OEO practice, therefore, eliminates hours and hours of paper work, wasted postage, and wasted man hours on the local and Federal levels. Representatives of OEO come in with the apparent attitude of "How can we help you make your program better?"

Mr. President, we can help make the antipoverty program even better than it is by strengthening and continuing the Office of Economic Opportunity.

FAULTY X-RAYS HELD FATAL TO THOUSANDS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an article by J. V. Reistrup, Washington Post staff writer, which appeared in the August 29, 1967, edition of that newspaper, entitled "Faulty X-Rays Held Fatal to Thousands."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FAULTY X-RAYS HELD FATAL TO THOUSANDS

(By J. V. Reistrup)

As many as 29,000 people may die each year in the United States as a result of exposure to radiation for medical and dental diagnosis, an expert in radiation estimated yesterday.

The estimate was made before the Senate Commerce Committee by Karl Z. Morgan, director of the health physics division of the Oak Ridge National Laboratory in Tennessee. Morgan cited a range of possible radiation fatalities running from 3500 to the upper limit of 29,000.

He used a chart showing that between 2000 and 26,000 of the deaths could be attributed to genetic mutation—damage to the genes of parents that results in offspring who die; 3500 to 1100 to leukemia; between 50 and 400 to thyroid tumors from dental X-rays; between 5 and 40 to thyroid tumors from mass chest X-rays; between 170 and 550 to bone tumors and 1000 to general life-shortening effects.

Morgan noted that he made no estimates for damage short of death or for deaths from other causes than those listed.

Morgan reached both the upper and lower estimates of death on the basis of published scientific literature.

"I would like to emphasize that in some cases these numbers are little better than guesses" and may be high or low, he testified.

The Committee opened three days of hearings yesterday on a bill authorizing the Secretary of Health, Education and Welfare to step up research and set limits for radiation standards.

Morgan supported the bill and took the admittedly risky step of putting numbers on the estimated fatalities in order to strengthen his argument that the largest and most neglected source of hazard from ionizing radiation is from diagnostic equipment.

Morgan charged that while such equipment accounted for more than 90 per cent of the population's exposure, the problem has been neglected by standard-setting organizations such as the International Council for Radiation Protection and the National Council for Radiation Protection and Measurement.

As for the interagency Federal Radiation Council chaired by HEW Secretary John W. Gardner, he said, "they have shunted, they have bypassed what I consider to be the principal problem, namely patient exposure."

Morgan argued that if better techniques were adopted and enforced, better X-ray results could be obtained even with as much as a tenfold decrease in * * *.

Morgan backed a Public Health Service recommendation that chest X-rays be limited to only those population groups with a high incidence of tuberculosis, and made these other suggestions to cut diagnostic dosage:

Require the teaching of radiation protection in medical and dental schools.

Require examinations on the subjects for X-ray technicians, physicians and dentists.

Require state inspection of medical X-ray and radioisotope facilities every six months.

Maintain radiation exposure records on each patient.

"Teach the patient not to fear X-radiation but to have a proper respect for it. Give him confidence that the doctor and/or X-ray technician also has this same respect based on education, training and motivation, not based on claims that may not be substantiated.

Another witness, Prof. Russell H. Morgan of John Hopkins University's department of radiology, supported Karl Morgans estimate of a possible tenfold decrease in exposure as "probably a pretty good figure."

He suggested giving the authority to determine standards to the Federal Radiation Council, instead of HEW, but generally favored the bill, under consideration—which was introduced by Sen. E. L. Bartlett (D-Alaska).

"Any radiation that is unnecessary is undesirable," he told the Committee.

A third witness, Director Hanson Blatz of New York City's Office of Radiation Control, warned that "if restraints are not now placed on these hazards, however slight each one may be, we will eventually be faced with much the same situation we now have in the case of air and water pollution, which crept upon us gradually over a period of many years."

He cited one case in which his office found that radium-dial pocket watches, customarily carried "just a few inches from the reproductive organs," showed radiation in excess of permissible limits.

Manufacturers were warned that the watches could no longer be sold in New York City, Blatz said, and his office got complaints that the makers were "dumping them elsewhere."

A NEW COMMUNITY IN THE DISTRICT OF COLUMBIA

Mr. RIBICOFF. Mr. President, our urban future requires more than philosophical concepts about the nature of life in the 21st century. It also requires imaginative ideas about the present.

Yesterday, President Johnson announced an excellent plan that speaks to our current needs.

He proposed building a new community on Federal land in the District of Columbia. He also named a special committee to conduct a survey of surplus Federal properties across the Nation and "evaluate the prospects for transforming these lands into vital and useful community resources."

The President's plan is both practical and farsighted, because he seeks to combine within one program many important goals. Chief among these are the involvement of the private sector in building our cities, the provision of low-income housing without unnecessary delay, the best use of available land and facilities and the development of a "new towns" program. In this venture, the President deserves our support as well as our praise.

The new community in the District of Columbia will be built on the site of the National Training School for Boys, which is moving to West Virginia. It will be privately financed and have a population of 25,000. The community will include schools, recreational, shopping, and service facilities, and, hopefully, some light industry. In short, it will be a full and self-sustaining community.

A total of 1,500 of its 4,500 dwelling units will be for low-income persons. The fact that the Government will donate the land on which these low-income units will be built makes it possible to keep costs down so that the private builder can make a profit on this venture.

The low-income housing will be available much sooner than under normal conditions, because the Government will use the turnkey approach that permits it to purchase the finished product from the developer without the delay of red-tape.

But perhaps the most hopeful sign is the use of Federal facilities as the basis for a new town's network.

Our urban population is increasing by some 3 million people each year—the equivalent of 12 cities, each with a population of 250,000. We must find some place for our population growth. New cities and new communities are one part of the answer.

Using Federal facilities as a starting point for new towns makes good sense. And bringing private enterprise into this venture is the type of public and private cooperation that is essential to building our urban future.

President Johnson has shown good judgment and acted wisely in proposing this program. He deserves our support and commendation.

FIREARMS CONTROL

Mr. CLARK. Mr. President, on August 24, 1967, the junior Senator from New York [Mr. Kennedy] appeared before the New York City Council to plead articulately and, I believe, most convincingly, for the adoption of an effective gun control ordinance. As a former mayor of the city which has what is probably the best gun control ordinance in the Nation—the city of Philadelphia—I commend Senator Kennedy for this excellent statement, and I enthusiastically endorse his plea for the adoption of an adequate Federal gun control law.

Mr. President, I ask unanimous consent that the text of Senator Kennedy's remarks may be printed in the Record at this point.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Testimony of Senator Robert F. Kennedy on Firearms Control Before the New York City Council, August 24, 1967

This summer a wave of violence has engulfed the cities of our nation. In Newark and Detroit alone 76 people have been killed; among these were six law enforcement officers. These Americans black and white, were virtually all killed by firearms in the hands of people who were for the most part unfit to use them.

We know there are underlying causes of riots—just as there are root causes of crime—the despair and poverty, the nights in rat-infested homes and the days without jobs fill empty lives with frustration and fury. But the death and destruction wrought by riots are caused by firearms—too many guns and guns that are too available. Firearms were used to kill children and policemen in dozens of cities this summer. And the fear of guns kept firemen away as flames swept over homes and businesses.

We know that until we act to cure the ills of our society, the seeds of further violence will remain. But if we pass laws to control guns that kill, we can save lives. If we do not pass these laws, we sign the death warrant of more policemen and more children who will be caught in tomorrow's crossfire. It is firearms which turn the streets into battlegrounds; it is guns that change a demonstration into a war.

The riots in Newark and Detroit and elsewhere have made it plain that the basic weapons of those who participate in mass disorder are rifles and shotguns. Yet in Detroit, although there is a law regulating pistols and revolvers, there was no law governing rifles and shotguns. New Jersey has a recent state law which is one of the most stringent in the country, but the rifles and shotguns which kept Newark ablaze were smuggled in from outside the State—purchased legally elsewhere when they could not have been legally acquired in New Jersey. Some 80% of the firearms confiscated in Newark were bought in other States. After the riots, the Treasury Department made a spot check of 56 gun dealers in four states bordering on New Jersey. Those 56 dealers alone had sold some 690 firearms to New Jersey residents in recent months.

So we can deplore the violence—and we must. We can deplore the lawlessness—and we must. But we can act to prevent it, too, by developing a system of gun regulation which keeps deadly weapons out of the hands of those who misuse them.

The case for stronger regulation of the sale of firearms is proven, too, by sheer numbers—every year, thousands of Americans are killed by firearms—17,700 in 1965 alone. There were 5,600 murders, 9,900 suicides, and 2,200 fatal accidents involving firearms. Of the 5,600 murders, 1,690 were committed with rifles or shotguns. In addition, 34,700 aggravated assaults were committed with firearms.

The great majority of these deaths and crimes would not have occurred if firearms had not been readily available. For example, one out of every 20 assaults with a weapon in the United States in 1965 resulted in death. But where firearms were used, almost one out of every five assaults resulted in the death of the victim.

Of the 278 law-enforcement officers who were killed by criminals from 1960 through 1965, 268—96%—were killed by firearms. Of the weapon-users responsible for these deaths, 76 percent had been convicted of crimes before acquiring the murder weapon.

All of these figures, plus this summer's senseless killing in our cities, add up to a need for complementary—federal, state and local—system of strong firearms regulation, which deals with both handguns and rifles and shotguns.

At the federal level, Congress is considering a moderate and careful bill which would help to make local law enforcement more effective. Its provisions, for example, would have had a significant impact in reducing the flow of smuggled arms into Newark. The bill would impose carefully drawn restrictions in three areas:

First, it would regulate mail orders. It would restrict the interstate shipments to manufacturers, dealers, and importers, thus eliminating the present flow of one million inexpensive mail-order weapons annually. Many of these guns go to juveniles, persons with criminal records, and emotionally unstable persons.

Second, it would regulate retail sales of all firearms to youths, the sale of handguns to persons not resident in the State of purchase, and the sale of rifles and shotguns to nonresidents where the law of their own state would also prohibit the sale. All of these provisions would help the States to enforce their own firearms regulations.

Third, it would sharply curtail the importation of foreign military surplus weapons, which account for the bulk of the cheap mail-order trade, and the bulk of the large-caliber weapons sold in the United States.

These moderate controls would, in my judgment, make State and local law enforcement more effective—New Jersey is a case in point—without unduly curtailing the use of firearms for legitimate sport shooting or hunting and without curtailing the lawful activity of sport gun clubs.

The federal law we are now considering in Congress, even when enacted, will require a complementary effort at the state and local levels in order to be fully effective. Adequate state and local gun regulation is the other side of the coin and is the reason for your hearing here today.

In New York we start from a good beginning. Indeed, the President's Crime Commission called our Sullivan Law "the most stringent firearms control regulation in the United States." And President Johnson, in his Message to Congress on Crime earlier this year, said that any new federal legislation on guns "will gain added strength as states pass firearms legislation and licensing laws similar to the Sullivan Law."

Yet, even though we can be proud of the foundation on which we build, there are great weaknesses in our present structure. The Sullivan Law governs only concealable weapons—pistols and revolvers. We have no requirement that there be a permit to own a rifle or a shotgun, or even that rifles and shotguns be registered. We do not regulate dealers in rifles and shotguns as we do dealers in handguns. But as I have indicated, it is these weapons which are the tools of the urban rioter, the machinery of senseless killing.

So I believe the legislation which you consider today is directed at the heart of the matter, for the bills before you would establish new controls over the use of rifles and shotguns. Let me offer a few comments about these proposals.

I believe that the idea behind Intro. No. 31 is sound. Its point is to ensure that dealers will record certain information about purchases of firearms and report it to the Police Department. Insofar as the bill affects handguns, this procedure, in my judgment, would be a useful complement to the Sullivan Law. A person must obtain a permit before he can purchase a handgun, and this proposal would complete the circle. The Police Department would be told where the pistol or revolver had been purchased, so the bill would provide a check on the activities of dealers in these weapons. The information required constitutes no invasion of privacy—it would merely place on record data necessary to spot persons potentially unfit to use firearms; diagnosed psychotics, convicted felons, drug addicts, and juvenile delinquents. I know that the Police Department has some reservations about the efficiency of having police officers handle the clerical functions necessary under Intro. No. 31. However, I believe the principle involved in this bill is sensible, and I trust that the details regarding its administration can be worded out.

Insofar as this bill affects rifles and shotguns, I believe it will be especially helpful since sales of these weapons are not now regulated. I note that technical objections have been raised about whether the specific language of Intro. No. 31 is sufficient to subject dealers in rifles and shotguns to the obligation to report, and I trust that the Committee will study those objections and revise the bill accordingly.

Two other bills, Intro. Nos. 303 and 304, would require that owners and prospective purchasers of all firearms—pistols, revolvers, rifles and shotguns—register the fact of their ownership or their intention to purchase with the Police Department. This, too, is constructive legislation, and I support it.

By including rifles and shotguns in the required notice, the ordinance would complement existing State and federal law, and provide New York City a more effective system of tracing ownership and possession of all firearms.

Finally, the proposed Resolution 647 would urge the State legislature to expand the Sullivan Law to require a license or permit for the ownership or possession of rifles and shotguns similar to what is now required for concealable weapons and small arms. I support this resolution. I believe expansion of the Sullivan Law is in fact the single most effective action we can take now to control guns in our state.

Indeed, the question has been raised whether it would be more appropriate to leave all of the proposed bills to be considered by the State legislature. The laws it enacts have statewide application, which in relation to firearms, would facilitate adoption of a computerized operation that would be more efficient.

No doubt this is true, but we have been awaiting action in the State legislature for many years, and I believe we can wait no longer.

New York City should take the lead. If the State follows, so much the better. But we must not wait. We must act now to prevent the wanton death and destruction which our immediate action could prevent.

You have heard and will hear again arguments that these laws should not be enacted because they will be too costly or too burdensome to administer. On that point I would like to place in the record if I may, a letter from New Jersey State Attorney General Arthur Sills, which shows from New Jersey's experience that legislation like that which you are considering is indeed workable. And the burden of simple administrative record-keeping is scant justification for permitting psychotics, felons, delinquents and drug addicts to buy rifles and ammunition without registration or permit.

You have heard and will hear again arguments that the legislation before you will either be ineffective or too effective—the latter in the sense of discouraging legitimate sportsmen. I believe neither of these arguments is valid. Indeed, it is interesting that some of the witnesses before you represent the same organizations which argued to Congress that federal legislation is inappropriate because this is a matter for State and local action. Now they come before this body and oppose local action. The inconsistency of their approach is manifest.

The legislation before you would enable the police to trace the ownership and possession of rifles and shotguns. It will institute some control over dealers in such weapon, so that police are able to spot those who deal habitually with persons who use these weapons in criminal activity. This new legislation is necessary—at present anyone may store rifles, or buy shotguns without any record of the transaction. If the gun is used in a crime, law enforcement officers are powerless to track it down to the owner. And the legislation is moderate and fair—a five dollar fee is hardly prohibitive for the reputable sportsman; and it may discourage the potential sniper.

This legislation is a beginning—it indicates our concern that weapons of death be kept out of irresponsible hands. But we must not stop here—we ought to consider other measures that will provide additional safeguards without inhibiting the use of firearms for legitimate purposes. I would urge that we consider the following: a provision requiring dealers in rifles and shotguns to be licensed by the city, or the state, if that is more appropriate; regulations requiring special identification cards to purchase ammunition; a provision giving the Mayor or other appropriate official power to suspend sales of firearms and ammunition for a specified period in a time of emergency.

We have a responsibility to the victims of crime and violence. It is a responsibility to think not only of our own convenience but of the tragedy of sudden death. It is a responsibility to put away childish things—to make the possession and use of firearms a matter undertaken only by serious people who will use them with the restraint and maturity that their dangerous nature deserves—and demands.

For too long, we have dealt with these deadly weapons as if they were harmless toys. Yet their very presence, the ease of their acquisition, and the familiarity of their appearance have led to thousands of deaths each year—and to countless other crimes of violence as well.

With the passage of these bills, and the enactment of federal legislation, we will begin to meet these responsibilities.

If we act now, we can save hundreds of lives in this country and spare thousands of families all across this land the grief and heartbreak that may come from the loss of a husband, a son, a brother, or a friend.

It is past time that we wipe this stain of violence from our land.

REPUBLICANS ARE ON THE MOVE

Mr. BAKER. Mr. President, it is no secret that the Grand Old Party is making tremendous strides toward achieving an electoral majority in 1968. Only last fall, the party captured half of the Nation's governorships, won over new seats in the House of Representatives, picked up three new seats in the Senate, and won scores of legislative and local government posts.

The opposition party, as the complacent guardian of the status quo, has failed to satisfy the vitality and newness of the 1960's. On the other hand, the GOP is moving forward with new programs, new ideas, and new philosophies geared to problem solving. Senator PERCY's homeownership bill, Senator JAVITS' public-private corporation to fight poverty, Senator BROOKE's efforts to remove redtape from public housing applications, and Senator DOMINICK's tax credits for parents with children in college all testify to the undeniable effort of the Republican Party to meet the demands, challenges, and responsibilities of this technological era.

The September issue of Fortune magazine contains an excellent article entitled "Here Come the Republicans," written by A. James Reichley. Mr. Reichley's well-written article details the opportunity of the GOP and the prospects for the country to achieve better government in 1968. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE VOTERS, THE POLLS, EVEN A GOOD MANY DEMOCRATS ARE IN AGREEMENT: THE POLITICAL WINDS HAVE SHIFTED, AND HERE COME THE REPUBLICANS

(By A. James Reichley)

The hour of opportunity for the Republican party seems to be at hand. After more than a third of a century in the electoral wilderness, culminating in the disastrous campaign of 1964, the G.O.P. has recovered the capacity to become again the majority party in the U.S.

This new Republican liveliness is, in part, the reflection of advanced senescence in the governing Democratic coalition. Thirty-five years is a long time for a political combination to endure, and the Democrats today show clear evidence of tired leadership, disheveled party organization, and poverty of ideas. At the same time, Republicans have taken vigorous steps to strengthen their national, state, and local organizations. They have produced a new generation of officeholders and candidates who not only are good-looking and articulate, but who also offer an approach to the problems of government that is fresh in style and emphasis. For the first time in memory, young people with ideas are turning to the Republicans. "People are fed up with the Democrats," says Richard Goodwin, former aide to Presidents Kennedy and Johnson. Republican chances look awfully good."

That the Republican recovery is deep as well as spectacular began to come clear on Election Night last year. The party workers and dignitaries gathered at the headquarters of the Republican National Committee, only a few blocks from the White House in Washington, will not soon forget the way the news came home. While others were whopping things up on the strength of first returns, the flush-faced man in the rumpled suit, sitting behind the cluttered desk from which the national Republican organization receives its marching orders, maintained a serious expression. Puffing on a chain of cigarettes, Ray C. Bliss, the national chairman, was waiting to see how the bottom of the ticket was doing.

Bliss had lived through the Eisenhower years, when success at the national level was accompanied by steady erosion of party strength in the state and local government offices from which any national political organization must gain most of its sustenance. The glamour wins of the moment—the Rockefellers and the Brookes, the Percys and the Reagans—were fine. But how were the legislatures going? How were Republicans doing in races for control of the courthouses, where jobs and favors can be used to build a grass-roots organization?

Finally, in the wee hours, the chairman got his answer. Republicans were making gains in the legislative halls—winning contests all across the nation for county commissioner, clerk of court, and recorder of deeds—were returning the party banner to the mastheads of courthouses from which it had been absent for a generation. Complete results, available weeks later, showed the extent of the Republican victory: gains of three seats in the U.S. Senate and forty-seven seats in the House of Representatives; a net gain of eight governors, giving the G.O.P. control of half the country's statehouses for the first time in twelve years and governorships representing 56 percent of the U.S. population; total control of seventeen legislatures, compared with only six before the election; capture of more than 800 county offices formerly held by the opposition. The victory was a party achievement—the first since the election of 1946—and based on more durable substance than the popularity of a few individuals.

One election, of course, does not make a majority party. In 1967 the Republicans command the declared loyalty of only 29 percent of the voters compared with 43 percent for the Democrats (the remaining 28 percent claim to be independents). But the G.O.P. strength since the 1966 election is up 4 percent—the greatest gain since 1940. For the Democrats the trend is in the other direction; their declared support has declined by 2 percent in the same period.

The voting in special elections this year shows that the Republican momentum continues. In Michigan another legislature tipped to Republican control after an election in May. Election of a reapportioned legislature in Florida in March produced smashing Republican gains, to back up the Sunshine State's first Republican governor since Reconstruction, chosen in 1966. In the same month an election to fill a vacancy in a heavily Democratic congressional district in Rhode Island was almost won by the Republican candidate. In Philadelphia, regarded as a Democratic preserve since the early Fifties, the Republican candidate for mayor is given a good chance of being elected this fall.

A NEW CYCLE IN HISTORY

Perhaps most important, public-opinion polls indicate a shift among young voters toward the Republicans, reversing a thirty-year trend. One poll taken for Bliss, and confirmed in general by other surveys, shows that Republicans are now exactly even in party affiliation with the Democrats among college students. The Democrats had a 9 percent advantage only a year ago. Richard Neustadt, director of the Kennedy Institute of Politics at Harvard and an adviser to three Democratic Presidents, views the 1968 election as one that could mark a major change in the loyalties of the intellectual community: "A Rockefeller or perhaps a Percy could draw in cadres of bright young lawyers and economists just out of graduate school. That massive shift, once started, could last a generation."

The wiser Republicans, like Bliss, are looking beyond the presidential election. They, of course, want to win the White House next year. But Bliss and others are also determined to build a Republican organization that could survive defeat next year for the presidency, and still gain additional power at every other elective level. Their sights are on 1968, but also on 1970 and 1972. Nine long years of Lyndon Johnson indeed could be the ingredient that is needed to convert a trend into a Republican avalanche. The presidency retains the highest priority, but the new Republican operating strategy, which Bliss has devised and put into practice, is also aimed at substantial gains in Congress, acquisition of more statehouses, putting added numbers of Republicans in state legislatures and seats of power in city and county government. Once these treasures are secured, Bliss and his warriors are convinced that the basis will be laid to make the Seventies the first Republican decade since the Twenties.

Is this at all realistic? Or is the country simply witnessing one more pause in the general Democratic hegemony that has prevailed with only one minor interruption since the New Deal? There is solid reason to believe that an entirely new cycle in American political history may well be beginning—a political change as profound as those initiated by the Democrats under Jackson, the Republicans under Lincoln, and the Democrats again under Franklin Roosevelt.

A DEFENSIVE COMBINATION

The fundamental Republican problem has always been to gather enduring popular support for a relatively conservative philosophy of government. On this problem the Federalist and Whig parties foundered, and it was solved by the Republicans after the Civil War only by spiking economic conservatism with large doses of Puritan morality, patrician reform, and rural populism. The Republican party provided the broker politicians who, while frequently enriching themselves, at the same time performed the worth-while function of balancing the needs of capitalism against the aspirations of political democracy. The Puritan, patrician, and populist strains departed the G.O.P. to join Theodore Roosevelt's abortive Bull Moose crusade of 1912, and the Republican restoration of the Twenties never really achieved the legitimacy with which to deal with the economic crisis of the depression. Republican victories after 1932 were limited to occasional moments of general reaction or to triumphs for popular figures like President Eisenhower.

During most of these years the G.O.P. retained residual strength in its rural constituencies, which regarded it as a kind of bulwark against the growing power of urbanism, and in the citadels of business enterprise, which used it to buy political protection. These two elements of support composed a force that was by no means impotent. Malapportionment of state legislatures and to some extent of Congress gave the small-town politicians a power of veto over large parts of the programs proposed by Democratic chief executives, and the cash contributed by businessmen kept the party organization afloat. The combination, however, was by its very nature defensive, and may actually have helped to stifle the aspirations of Republican leaders who tried to regain majority status. During the Sixties, legislative reapportionment considerably weakened the G.O.P.'s rural base, and the growing accommodation between Lyndon Johnson and the business community made the latter a less reliable source of funds. Almost of necessity, the Republicans were forced to seek fresh support by striking out in new directions or face the likelihood of extinction. One reaction was the wild plunge into Goldwater conservatism in 1964. Another, more tempered response has been the emergence of the so-called "New Breed" of Republican political leaders who were largely responsible for the victories of 1966.

"Parties do not defeat each other," says Senate Minority Leader Everett M. Dirksen, seventy-one, who has seen the comings and the goings of a good many captains and kings. "They defeat themselves. We grow out of parties the same way we grow out of an old suit of clothes." The current national disenchantment with the Democrats is in part, no doubt, the result of public distaste and boredom with the personality of President Johnson. "I've never met anyone who really liked him," says a former White House adviser, "but at least they used to say that he gets things done. Now they just say they don't like him." More than the President's lack of personal popularity—from which he may recover momentarily in reaction to such events as a Middle Eastern war or a Glassboro summit—is involved, however, in his party's decline.

In general, the nation is confronted by four kinds of issues: (1) issues of war and peace; (2) issues of human development, ranging from civil rights to education; (3) issues of environmental improvement, including measures to make the cities more livable and conservation of resources; and (4) issues of economic growth, including the role of the federal government in maintaining a healthy economy. On all of these, Democratic inspiration seems to have run thin, and on some the Republicans are providing fresh initiatives. "Problem solving," the phrase adopted by members of the Republican New Breed to define their common approach, represents the willingness of modern G.O.P. activists to depart from defensive positions and grapple with contemporary conditions.

The international situation, particularly the war in Vietnam, offers the Republicans their most dazzling chance for immediate gains with the electorate, and also their most serious dilemma. "It is natural that the American people have begun to question the conduct of the war," says newly elected Senator Charles Percy of Illinois. "After three years, we still do not see light at the end of the tunnel." But the party's leaders take a wide range of positions on the war. Senator Jacob Javits of New York favors "the gambit of cessation of the bombing of the North to induce negotiations." Former Senator Barry Goldwater proposes "destruction of the supplies in Haiphong Harbor, which would enable us to win and get out." Nevertheless, recent polls show that more people believe the Republicans than the Democrats are "more likely to keep the U.S. out of World War III"—an issue on which the public had favored the Democrats from 1961 to 1966. If the Republicans take *no* position on Vietnam up to Election Day, they may be able to harvest the disaffected on both sides of the issue. One political ploy—and a way out of the Republican dilemma—was proposed by the G.O.P.'s distinguished Orientalist Senator Hugh Scott of Pennsylvania. Regardless of the wisdom of current policies, Scott argues, the war can be settled only by a "new team," with which the North Vietnamese might be able to negotiate without losing face. The idea has been taken up by others, including former Vice President Nixon.

The Johnson Administration has made great legislative progress toward solving problems of human development—perhaps the greatest progress in American history. For this very reason, deprived groups are now demanding improvement at an even more rapid rate. On the issue of civil rights, for instance, Negroes are finding new legal protections little more than invitations to seek the broad social and economic rights that a predominantly white society continues to deny them. "Johnson's programs are just fine and I agree with the need for them," says Governor Nelson Rockefeller of New York. "It's too bad he hasn't got around to funding them."

As with the war in Vietnam, Republicans are tempted to seek political advantage on both sides of the civil-rights question. Negro riots in northern cities this summer have increased white fears, and the national Republicans organization has not hesitated to attempt to fix blame for the outbreaks on the Administration. Many Republican leaders, though, recognize that Negroes hold the balance of power in most of the urban states, and are guided by prudence as well as conviction to seek satisfaction for Negro aspirations. Senators Javits and Scott have been in the forefront of the civil-rights movement, and the normally conservative Senator Dirksen supplied the political muscle that led to the adoption of the Civil Rights Act of 1964. Even the newly sassy Republican party in the South, which at times has seemed to be trying to be more racist than its Democratic counterpart, is becoming aware that it must have Negro support if it is to develop durable strength. "Negroes will turn increasingly to the Republican party," predicts Senator Edward Brooke of Massachusetts, the first Negro to sit in the upper house of Congress since Reconstruction, "because they are interested not only in what a man stands for but in what he does. The Republicans are prepared to deliver on housing and jobs, which are the real needs for Negroes today."

AN OPENING FOR BUSINESS

Issues of environmental improvement seem currently to offer the most promising opportunity for display of Republican leadership and imagination. These issues can for the most part be dealt with effectively at the state level, where the G.O.P. now is richest in talent. Besides conservation, an area in which Republican credentials have been good since the days of Gifford Pinchot, they include the raft of problems associated with the crisis in America's cities—housing, mass transit, downtown renewal, open spaces, regional government. These provide a wide-open field for creative Republican solutions, for nowhere are Democratic exhaustion and impotence more apparent. The Democratic machines that have ruled most cities almost continuously during the twentieth century have failed, with a few notable exceptions, to produce either the leaders or the ideas that could reverse the spread of urban rot. "The clubhouse system in the Democratic party in states like New York and Massachusetts has stifled talent and held back the promising young men from coming to the top," says Dick Goodwin. The result is that most of the urban states outside the South now have Republican governors, and Republicans have begun to win control of city administrations.

What Republicans bring to the urban crisis is not so much a partisan solution as verve and a spirit of dynamism. "When you are in a war, you can't afford the luxury of partisanship," says Mayor John Lindsay of New York, speeding across the rutted streets of his decaying city. "You simply try to find the answers and get on with the job."

One Republican advantage in dealing with the crisis of the cities, though Republican politicians are cautious about discussing it, is that Republicans, outside of the South, generally enjoy more confidence from the business community. "The party's close association with business, which in the past has been a liability, is today a great asset," says Senator Percy, himself the product of seventeen years' service as chief executive officer of Bell & Howell. "Businessmen are oriented to problem solving, and many urban problems necessarily require the involvement of the private sector." Senator Javits agrees: "Restoration of the cities requires application of the principles of the free-enterprise system."

To a more limited extent, Republican strength in the suburbs is helpful to the party in coming to grips with transit, pollution, and other problems that require regional solutions. The suburbs are simply too populous and politically powerful to permit the imposition of plans that do not meet their approval. Thus the cooperation of suburban leaders, mostly Republicans, is vital to those who seek to govern the cities. "Suburban people are a bit more confident when dealing with fellow Republicans," says Javits. District Attorney Arlen Specter of Philadelphia, a former liberal Democrat who is now Republican candidate for mayor, is not so sure: "I find that the party label doesn't take me past the opening lunch. The suburban leaders tell me that 'regionalism' is a bad word, so I am careful to speak of 'voluntary intercounty cooperation.' "

Issues relating to the health of the economy probably give the Republicans their most solid source of political capital. Just before last year's election 73 percent of the people felt that they or their families had been hurt by inflation, and only 20 percent felt that the Johnson Administration was doing an effective job at holding down the cost of living. "This is an issue that the President can't do much about," says Representative Melvin Laird of Wisconsin, chairman of the House Republican Conference and one of the ablest political strategists in Washington. "The cost of living is bound to be higher by Election Day, unless he cuts back on spending. If he cuts back on spending, he will lose the support of groups that are important to him." High taxes, too, are widely blamed on the Democrats. The "pocketbook issue" usually has turned out to be less important in the voting booth than in public-opinion surveys, but it does provide a rock of support from which Republicans can depart in search of a national majority.

DEAD MEN WOULD HAVE WON

Potential issues alone, as Chairman Bliss well knows, do not produce political success. While the Republican party has experienced more than three decades of defeat primarily because it has failed to offer an attractive program, there can be no doubt that the weakness of the party's national organization has contributed to its inability to win elections. Bliss, who built an organization in Ohio as Republican state chairman from 1949 to 1965 that has virtually demolished the Democratic opposition, set out to correct this weakness when he came to Washington in April, 1965.

He immedately launched a series of projects, most of which would seem basic to any national organization, but which until recently have received slight attention from either party. As a first step, he vitalized a newly established Republican Coordinating Committee, composed of former President Eisenhower, the G.O.P.'s four living former candidates for President, its House and Senate leadership, and leading governors, to develop national party policy. After streamlining the National Committee administration, he put in motion a series of workshops in all parts of the country for campaigning managers, publicists, and research directors. Realizing that the current generation of students is not deeply committed to either party, he sponsored all-day political seminars on twelve college campuses. After the 1966 election he stepped up the pressure on local organizations to recruit Republican candidates for offices that have been going to Democrats by default. Massachusetts was one of the many states to provide ample reason for the program. "We carried four major statewide offices up for election last year," he says, "but there were 107 legislative districts in which no Republican candidates were even entered. We would have won some of those seats if we had run dead men."

"BUILDING FROM THE BASEMENT UP"

The National Committee's major concentration since 1965 has been on building Republican strength in the big cities, which Bliss has long believed to be the key to the party's future. Preparing for the 1966 election, the committee held four workshops for Republican chairmen and their chief lieutenants in the big cities. Experienced professionals gave training in the fundamentals of running a campaign and getting out the vote. Results were heartening; in the twenty-one largest cities in which state offices were contested last fall major Republican candidates carried six (Baltimore, Boston, San Diego, Cincinnati, Denver, and Atlanta) and did better than in 1962 (a better than average Republican year) in nine more. The chairman proudly explains, "We are building from the basement up, not the roof down."

Republican state organizations, which owe only nominal allegiance to the National Committee, have begun to follow the Bliss lead toward professionalization of the party's political staffs. In California, for example, the state staff has been increased from five full-time professionals in 1964 to eighteen at present, with seven more scheduled to be added by the beginning of next year's campaign. Despite the friendly relationship between the Johnson Administration and business, serious efforts to build state Republican organizations still receive generous financial support from members of the business community. In Illinois, for instance, businessmen are willing to pitch in, according to one major officeholder, "to help Republicans do anything except elect the mayor of Chicago" (Chicago's four-term Mayor Richard Daley perfected the Democrat-business relationship years before Lyndon Johnson), and they are now contributing funds to provide a staff for the decrepit state organization. In some places, predictably, the increase in organization tempo has led to temporary embarrassments. In Massachusetts, the deputy state chairman, charged with recruiting attractive Republican candidates for the legislature, told the press of a plan to have the governor appoint Democratic state senators in marginal districts to state jobs, thereby opening the way for the election of Republican replacements. Governor John Volpe denied knowledge of the scheme, and the deputy chairman was sacked.

Supplementing the activities of the regular Republican organizations are bands of free-lance political technicians who roam the party today like veterans of the Hundred Years' War. Some of these are merely guns for hire, but others are moved by personal or ideological enthusiasms. Most celebrated of the seasoned technicians is F. Clifton White, forty-nine, master of back-room strategy and convention-floor maneuver, who put together the organization that won the presidential nomination for Senator Goldwater in 1964. A favorite current guessing game within the G.O.P. is, "What is Cliff White up to?" According to one view, he is trying to gather a bag of delegates who will follow his lead at the crucial moment at the convention. "Cliff's dream," says one observer, "is to control the balance of power so he can throw the nomination to the candidate of his own choice."

Bands of technicians are gathered under various tents. One staffs the campaign organization set up to capture the presidential nomination for Governor George Romney of Michigan; another operates a similar organization working for the undeclared candidacy of Richard Nixon, the G.O.P.'s unsinkable man; the West Coast campaign-managing firm of Spencer, Roberts & Haffner steered Ronald Reagan to the governorship of California in 1966 and is ambitious to try a national campaign; and Nelson Rockefeller, who is well staffed to run New York State, has a ready-made collection of technicians stored away in unobtrusive places. Once the presidential nomination is decided next summer, the technicians of the successful candidate—plus some of the more talented of those who have tied themselves to losers—will join, or perhaps take over, the national drive against Lyndon Johnson. In the meantime, they act as the indispensable craftsmen needed for modern campaigns.

HOLDING THEIR FEET TO THE FIRE

More permanent bodies within the G.O.P. are the amorphous Republican Governors Association and the independent House and Senate campaign committees. All three operate in conjunction with, but not under the control of, the National Committee. The Governors Association, established in 1963, has recently increased its staff and plans to seek out likely Republican candidates in states that still have Democratic governors. It has not, however, been able to exert the influence on national party policy that some had predicted it might, either in 1964 or following the sharp increase in Republican strength in the statehouses in 1966. The twenty-five Republican governors, most of whom are bright and aggressive, have so far preferred to go their separate ways, rather than to form a single bloc that would have the capacity to dominate the 1968 convention.

Congressional Republicans, though better organized than the governors, show little inclination to run the convention next year as they helped the Goldwater forces to do in 1964. They are, instead, aiming their collective efforts toward control of the House of Representatives—only thirty-one seats away—and sizeable Republican gains in the Senate.

The drive to win control of the House, a reasonable objective for 1968, will be focused on two groups of seats: those that were lost by Republicans in 1964 but not recaptured in 1966, and those in southern districts that have proved suspectible to state and national Republican candidates. In preparation for broadening the invasion of the South, which already has nineteen House Republicans, House Minority Leader Gerald Ford this year has carefully avoided any reconstitution of the alliance between Republicans and southern Democrats that largely dominated Congress from 1939 to 1965. Ford still welcomes the support of individual Democrats, but declines any negotiation with a single Dixiecrat leader, such as used to take place with Representative Howard Smith of Virginia. When southern Democrats succumb to White House pressure to cast votes that are unpopular in their districts, the Republicans will, according to Ford, "hold their feet to the fire." By such means, he hopes, conservative southern Democrats will be replaced by Republicans. The difficulty this tactic presents for Republicans interested in winning national elections, of course, is that it helps to intensify opposition to social legislation like the model cities program, which presumably is popular in just those urban areas that Bliss considers vital to the party's success.

Republican Senate leaders are necessarily more modest in their hopes for 1968. Though in the contest for thirty-four seats it is theoretically possible for Republicans to pick up the fifteen seats they need for control, only about ten of the seats up next year now held by Democrats are truly marginal. Nevertheless, the Republicans point out, the "class" elected in 1966 included their own most vulnerable seats—which they held without exception. In the next two elections the Democrats will be on the defensive, and a Republican Senate by 1971 is not inconceivable. In one of the contests next year, the seat held by Senator Carl Hayden, eighty-nine, of Arizona, will be sought by Barry Goldwater. Five marginal seats—those in Alaska, Idaho, Pennsylvania, South Dakota, and Wisconsin—are held by Democrats who have taken a "dove" position on the Vietnam war. Less marginal, but not wholly secure, seats will be defended by superdoves J. William Fulbright of Arkansas and Wayne Morse of Oregon. Also targets for G.O.P. attack will be Senators Birch Bayh of Indiana and Lister Hill of Alabama, both of whom won by less than 51 percent of the vote in 1962. "Republican prospects just now are pretty good," admits Democratic Senator Joseph Clark of Pennsylvania, who faces a tough fight for reelection in 1968, "but I have supreme faith in the ability of the Republican party to snatch defeat from the jaws of victory."

"VICTORY IS IN THE AIR"

The chief immediate peril to the Republican revival is the possibility of another intraparty civil war like that of 1964. While the G.O.P. perhaps does not have to win the presidency next year to continue its forward momentum, it would be seriously damaged by another campaign in which some of its most important leaders felt compelled to remain silent or to appear embarrassed by the national ticket.

There is general agreement at the moment that the lesson of 1964 has been learned. "The smell of victory is in the air," says Hugh Scott, who field-marshaled the anti-Goldwater forces on the floor of the last convention, "and most of our ideological friends have decided that they are prepared to move toward the middle to get a winner." Among the conservatives, there is a general disposition to forget about 1964 and to play down philosophic differences within the party. As Senator John Tower of Texas, a favorite of the right, puts it, "There is nothing about being a conservative that interferes with being at the same time a progressive." Some go even further. Congressman Laird, who chaired the committee that wrote the conservative platform in 1964, now portrays himself as a dedicated champion of advanced causes. Seeking support for this new image, he argues that the platform was so liberal that it "disgusted" Senator Goldwater. "It was the first time in history," Laird contends, "that the party's candidate did not endorse the platform in his acceptance speech."

Barry Goldwater himself has mellowed since the riproaring days when he was prepared to make social-security voluntary and to sell TVA. "The party," he recently told FORTUNE, "must learn to live with the new relationship between the states and the federal government. We resisted these new laws for things like aid to education and urban renewal, but now we must recognize that they are here to stay, and make them work. The federal government is the most efficient tax collector, but once the money is raised at the federal level it should be turned back to the states, which can do a better job of running the programs." Goldwater's taste in candidates remains conservative; he is committed to Nixon for the presidential nomination, though he adds that "Reagan would not have much trouble getting the nomination," if Reagan wanted to try. ("What will Reagan do?" he asks. "Reagan says he doesn't want it, but by not saying, 'No,' he may not be able to get out of it.") But Goldwater will support anyone the party nominates for President except one man—Nelson Rockefeller. "The party doesn't owe Rockefeller a thing," says the 1964 nominee. "Rockefeller fell down on the party. Nixon would be President today if Rockefeller had worked in 1960. These people—Rockefeller and Romney and Javits—represent no more than 10 or 15 percent of the party, but whenever there has been disunity, they have engineered it."

STOP THE POLLUTION AND KEEP THE JOBS

The difficulty with *avoiding* internal ideological warfare in 1968 is that the Republicans may end up standing for nothing at all. Though this may do well enough for a single campaign, in which the shortcomings of the opposition and the improved organization that Bliss is building could by themselves produce victory, it will hardly provide a durable base on which a stable national majority can be built. Restrictive ideology aside, the real question confronting the party is does Republicanism represent anything permanent in American life?

Some of the elements that contributed to the political and moral vitality of the G.O.P. during its post Civil War heyday still preserve substantial significance for the nation. Governor Romney, for instance, has persuasively related Puritan values to such current problems as the impersonality of modern life and the lack of well-defined purpose in foreign policy. More directly in the nineteenth-century tradition, Senator Dirksen—reminiscent of Silas P. Ratcliffe, the fictional Senator from Illinois whom Henry Adams described in *Democracy* as "the high priest of American politics . . . charged with the meaning of the mysteries, the clue to political hieroglyphics"—carries on as the grandest of broker politicians. In Dirksen's beehive office just off the Senate floor, thronged with corporate lobbyists, Protestant ministers, and small-town politicians, is concentrated more real political power than is to be found anywhere in the U.S. short of the White House. The patrician strain, too, has not wholly vanished from the G.O.P.: John Lindsay, charging forth each day with the zest of a cavalier, offers a symbol of swashbuckling romance from which New York's downtrodden citizens can gather amusement and even some hope.

Something more, however, is needed if the Republican party is to build an enduring national majority. One answer is offered by Ronald Reagan and his conservative followers, who argue that growing hostility to the rising cost of government is a common tie with which a winning coalition can be put together. While Reagan has actually increased the cost of government in California, his efforts at economy have won favorable notice from large segments of the press and public. Even Governor Romney, who may face Reagan in the final countdown on the convention floor next year, pays grudging respect to the appeal of the California governor's formula. "If you want to make me politically popular," he recently told a group of Democratic legislators in Michigan who were resisting his request for increased taxes, "force me back on an austerity budget. Cutting the cost of government is the political force that is sweeping this country."

Economy in government is both a laudable and a popular objective. But was it really the main attraction that produced winning margins for Republican candidates in 1966? According to another reading, the voters were seeking a fresh point of departure—"neither the New Deal dogmas of the Thirties," in the words of newly elected Governor Tom McCall of Oregon, "nor the Arizona dogmas of 1964."

This spirit of fresh start is well expressed by the State of Washington's young governor, Daniel J. Evans, who in 1964 beat the Goldwater forces in his own party and then went on to win election over a Democratic incumbent in the face of the Johnson landslide. "It used to be," says Evans, "that people were willing to live with problems that were caused by factors that seemed to be beyond their control. Take pollution. People didn't like pollution very much, but they were willing to put up with it because they believed that if pollution were controlled a lot of industries would close and workers would lose their jobs. Given a choice between having pollution and losing jobs, most people would let the pollution continue. They don't feel that way any more. They say there is no reason why we can't stop the pollution and keep the jobs. We are no longer frightened by what we used to think was inevitable. The same is true in housing and education and medical care and most of the other fields where we have problems."

This, perhaps, is what is really meant by "problem solving." It is not an ideology, not a systematic political philosophy. It is a spirit of determination to change things for the better, whether in the slums of America's cities or in the jungles of Vietnam. Such a spirit should not be foreign to the Republican party. It was, after all, a very similar sentiment that moved the small band of zealots in the 1850's who found Whig apathy and Democratic opportunism equally unsatisfactory responses to the ills of the time. Beginning from the schoolhouse in Ripon, Wisconsin, on a March night in 1854, this group went forth to found a political party that in six years had won the presidency, and for almost three-quarters of a century thereafter remained the dominant political force in the country. The precedent is suggestive. While history does not repeat exactly, there seems no reason why contemporary Republican politicians should not provide a vehicle for the new generation of voters who "are no longer frightened by what we used to think was inevitable."

THIRTY-ONE NATIONS HAVE PROVIDED FREE WORLD ASSISTANCE TO VIETNAM

Mr. RANDOLPH. Mr. President, on August 18, in comment in the Senate on U.S. activities in Vietnam and the forthcoming elections, I stated that—

> I am chagrined that our country's efforts in Vietnam are not supported stronger than they appear to be by more allies—especially by those countries and those peoples whom we made great in wars of the past to defend and even liberate.

This is my genuine concern, as I know it is the concern of other Senators and other persons in our country. In discussions and conferences with informed persons, Members of Congress have been provided with a brief analysis of the free world assistance in our Vietnam effort.

Mr. President, I ask unanimous consent that this material be inserted in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Free World Assistance to Vietnam

Thirty-one nations have assisted Viet-Nam under the Free World Assistance Program. The contributions of six other countries and of the UN are listed.

FAR EAST

Australia

Australia is providing an important range of aid to Viet-Nam under the Colombo Plan and by direct bilateral assistance.

Military aid consists of:

1. Approximately 6,300 combat troops including a brigade and support, a guided missile destroyer, and a squadron of 8 Canberra bombers.
2. 100 combat advisors.
3. A 73-man air force unit at Vung Tau with six Australian caribou planes which fly daily logistical missions in support of the Vietnamese military.

Economic and technical assistance has totaled nearly $10 million including:

1. Three surgical teams (37 personnel) in 3 provincial hospitals. These teams, in addition to performing major operations, have established a blood bank and are giving lessons in nursing.
2. Civil engineers working on water supply and road construction projects.
3. Three experts in dairy and crop practices and radio techniques.
4. Training of 130 Vietnamese in Australia.
5. In goods and materials: 1,250,000 textbooks in Vietnamese for rural schools; 3,300 tons of corrugated roofing for Vietnamese military dependents' housing; 6 large community windmills; 15,750 sets of hand tools; 400 radio sets and 2,400 loud-speakers; 16,000 blankets and 14,000 cases of condensed milk.
6. A 55 kilowatt broadcasting station at Ban Me Thout.

The Australian Government decided on February 1 to increase its non-military aid to Viet-Nam during FY 1967 to $2 million to permit substantial enlargement of current medical and civic action programs and the undertaking of new projects such as providing *equipment for refugee resettlement centers.*

Republic of China

The Republic of China has provided:

1. An 80-man agricultural team.
2. An 18-man military psychological warfare team.
3. A 34-man electrical power mission under the leadership of Taipower.
4. A 16-man surgical team.

China has also provided training for more than 200 Vietnamese in Taiwan. They have provided 26 aluminum prefabricated warehouses, agricultural tools, seeds and fertilizers, 500,000 copies of mathematics textbooks and an electrical power substation.

Japan

Japan has provided over $55 million worth of economic assistance to Viet-Nam. Japan has sent two medical teams, considerable amounts of medical goods (4,544 cases), 20,000 transistor radios and 25 ambulances. It has provided technical personnel and funds for the construction of a large power dam across the Da Nhim River and electrical transmission line and agreed to participate in the construction of a bridge over the Mekong River near Vinh Long.

Korea

Korea has sent approximately 45,000 troops including:

1. 2 combat divisions.
2. A 130-man Mobile Army Surgical Hospital (MASH).
3. 10 military instructors in Korean karate for training Vietnamese military in hand-to-hand combat.
4. A 2,200-man Task Force Unit composed of the following elements: 1 Army engineer battalion, 1 Headquarters group, 1 Army Transportation company, 1 Marine Corps Engineer company, 1 Infantry battalion, 1 LST and 2 LSMs, 1 Composite Support unit (communications, medical supplies, etc.).

Korean military medical personnel are providing some medical care to the local population in areas where ROK troops are stationed. In addition, 7 civilian medical teams totalling 118 doctors, nurses and support personnel are working in provincial health programs.

Laos

One million *kip* ($4,167) for flood relief in 1965 and a small cash donation for refugees in 1966.

Malaysia

Since 1963, Malaysia has trained over 2,000 Vietnamese military and police officers. Groups of 30–60 are regularly sent for about a month's training in counterinsurgency with Malaysian Police Special Constabulary. Malaysia has previously provided substantial amounts of counterinsurgency materials, primarily military and police transport such as armored vehicles. Medicines and relief supplies have also been donated.

New Zealand

New Zealand has sent an artillery battery and an infantry company (approximately 360 men) and provided a 25-man army engineer detachment.

In *non-military aid*, New Zealand has sent a 15-man surgical team, and a professor in English language for the University of Saigon. A second 16-man medical team will be sent to Binh Dinh province. They are presently training 83 Vietnamese in New Zealand and have provided £7,500 ($21,000) for equipment for a technical high school. They are also assisting by providing approximately $600,000 for a science building at the University of Saigon.

Philippines

The Philippine Government has sent a 2,000-man military engineering unit with security support personnel, a station hospital, and rural health and civic action teams.

In *non-military aid,* approximately 60 Philippine civic action personnel including military and civilian medical teams have been working in Viet-Nam for several years.

Thailand

The Thai Government announced in January 1967 that it would send a ground force combat unit to Viet-Nam. It is expected that this will total 2,000–2,500 men. A 200-man Thai naval group manning an LST and PGM patrol craft arrived in Viet-Nam in December 1966. A 35-man air force contingent has been flying operational transport missions for the Vietnamese forces. The Thais have also been providing jet training for Vietnamese pilots in Thailand.

In *non-military aid,* the Thais have provided rice for refugees and cement and zinc roofing materials. At the Manila Conference, the Thais offered the Vietnamese a $20 million rice credit. The Thais have also announced they will send a medical unit to Viet-Nam.

MIDDLE EAST

Greece

Greece has contributed $15,000 worth of medical supplies.

Iran

Iran has contributed 1,000 tons of petroleum products to Viet-Nam and has dispatched a 20-man medical team to Viet-Nam.

Turkey

Turkey has provided medicines and also offered to provide a substantial amount of cement.

EUROPE

Austria

Austria has offered to supply medical supplies, blankets, tents, through the Austrian Red Cross.

Belgium

Belgium has provided medicines and an ambulance and has given scholarships for 15 Vietnamese to study in Belgium.

Denmark

Denmark has provided medical supplies and has offered to train 12 Vietnamese nurses in Denmark.

Germany

Personnel in Viet-Nam: Seven Germans, a director and six instructors, are teaching at the new Vietnamese-German Technical High School at Thu Duc near Saigon. At Hue University there are five Germans: three physicians in the Medical School, a professor of music, a professor of German language, and one expert in forestry is working at the Department of Rural Affairs, Saigon.

A 3,000-ton hospital ship, the "Helgoland" with 8 doctors, 30 other medical personnel and 145 beds is on duty in Viet-Nam.

Vietnamese in Germany: Forty Vietnamese are studying in Germany and the Germans have agreed to accept 30 more primarily for training as future instructors in the technical high school. A considerable number have previously been trained.

Goods and materials: The Germans have provided the following credits:

(1) DM 15 million ($3.75 million) for import of German products such as machine tools, fertilizer, etc. The piastre funds generated go to the National Office of Agricultural Credit to aid farmers, particularly with loans;

(2) a credit of DM 50 million ($12.5 million) for development of the major industrial complex at An Hoan-Nong Son;

(3) a credit for DM 20 million ($5 million) for construction of an abattoir at Saigon-Cholon, and three coastal vessels;

(4) a credit of DM 500,000 ($125,000) for equipment at the Vietnamese-German Technical High School at Thu Duc.

In April 1966, the Germans announced a gift of DM 17.5 million ($4.4 million) worth of pharmaceuticals, the first shipments of which have arrived. Also in the medical field, they have provided two mobile dental clinics and 30 ambulances for the Ministry of Health.

In June 1966, the Cabinet voted DM 25 million (US $6.25 million) for new aid to Viet-Nam including: 1) sending 25 experts to establish a refugee center; 2) building a home for wayward youths; 3) expansion of 8 social centers and construction of a ninth; 4) establishment of a training center for social workers, and 5) the gift of 100 buses and a maintenance and repair facility in Saigon. The Germans have also donated 260 tons of rice for refugee relief programs.

Italy

The Italians provided a 10-man surgical team and have offered science scholarships to 10 Vietnamese to study in Italy.

Luxembourg

Luxembourg has provided plasma and blood transfusion equipment.

The Netherlands

The Dutch have undertaken to build 5 tuberculosis centers in Saigon; sites for 3 have been selected. In August, the Netherlands announced a contribution of $355,000 for a 4-year UN project in social welfare, part of the $1 million they have earmarked for UN projects in Viet-Nam. In 1964, the Dutch gave antibiotics and 4 scholarships for Vietnamese. They previously provided a dredge.

Spain

Spain has provided 800 pounds of medicines, medical equipment and blankets and has sent a 12-man medical team to Viet-Nam.

United Kingdom

The United Kingdom has provided six civilians for the British Advisory Mission and a Professor of English at Hue University. Twenty-one Vietnamese are receiving training in the United Kingdom. A pediatric team of four British doctors and six nurses went to Viet-Nam in August, 1966.

In 1963–64, the United Kingdom provided the following goods and materials: Laboratory equipment for Saigon University; a typesetting machine for the Government Printing Office, a cobalt deep-ray therapy unit for the National Cancer Institute; various equipment for the faculties of Medicine, Science and Pharmacy at Saigon University, the Meteorological Service and the Agricultural School at Saigon, and Atomic Research Establishment at Dalat and the Faculty of Education at Hue. In 1965–66, British economic aid totaled £81,000 ($226,800) for roadbuilding equipment, diesel fishing boat engines, and portable anesthetic machines. Total aid in British FY 1967 was £184,000 and it is estimated £238,000 will be expended in FY 1968.

LATIN AMERICA

Argentina

Argentina has contributed 5,000 tons of wheat.

Brazil

Brazil has sent a substantial quantity of medical supplies which was carried to Viet-Nam by a Brazilian Air Force plane and has also provided coffee.

Costa Rica

Costa Rica is contributing an ambulance for use in Viet-Nam.

Dominican Republic

Cement has been offered by the Dominican Republic for use in Viet-Nam.

Ecuador

Ecuador has sent medical supplies to Viet-Nam.

Guatemala

Guatemala has sent 15,000 doses of typhoid-paratyphoid serum for use in Viet-Nam.

Honduras

Honduras has contributed drugs and dry goods for refugees in Viet-Nam, flown there on a Honduras Air Force plane.

Uruguay

Uruguay has contributed $21,500 for relief supplies and medicines for Viet-Nam.

Venezuela

Venezuela has provided 500 tons of rice for refugee relief, and two civilian doctors are working in Viet-Nam.

AFRICA

Liberia

A contribution of $50,000 has been made by Liberia for the purchase of hospital equipment and other medical supplies for Viet-Nam.

Tunisia

Tunisia has made available 15 to 20 scholarships for Vietnamese.

NORTH AMERICA

Canada

Almost $6 million of development assistance to Viet-Nam has been provided by Canada.

1. Personnel in Viet-Nam: A Canadian Supervisor has been at Quang Ngai supervising construction of a small TB Clinic which the Canadians are funding. The Canadians have sent two doctors and four nurses to staff the clinic. A professor of orthopedics is working at Cho Ray Hospital, Saigon, and there is a Canadian teacher at the University of Hue.

2. Vietnamese in Canada: 380 Colombo Plan trainees and a total of 463 trainees under all programs, including those sponsored by other agencies and third countries (as well as Colombo Plan), have been trained in Canada. There are currently 231 Vietnamese students in Canada.

3. Since 1958, Canada has provided $850,000 worth of food aid for Viet-Nam. Funds generated by sales are used for capital construction projects in Viet-Nam.

4. A new science building for the medical faculty at the University of Hue is being built costing about $333,000, drawn from counterpart funds generated by sales of food supplied by Canada. Construction has passed the half-way mark.

5. The Canadians have also agreed to construct an auditorium for the Faculty of Sciences at Hue University which will cost about $125,000.

6. Canada has increased its aid to South Viet-Nam allocating $1 million for medical assistance this fiscal year including providing ten 200-bed emergency hospital units. The first two units have arrived and have been installed at Phan Tiet and at Phu Tho near Saigon. A Canadian doctor and technician visited Viet-Nam in the fall to inspect potential sites. Canada has sent 650,000 doses of polio vaccine for Vietnamese school children and offered additional vaccines against polio, TB and smallpox. Consideration is being given to establishment of a children's rehabilitation center in Viet-Nam.

7. Canada is printing half a million copies of a social sciences textbook for Vietnamese grade school children.

OTHER ASSISTANCE

Six other nations whose help does not fall under the Free World Assistance Program have provided valuable assistance to Viet-Nam in economic and humanitarian fields.

France

Since 1956, France has contributed about $115 million in assistance to South Viet-Nam. Present aid is running at a rate of about $4 million per year, largely in the cultural field.

In 1965 France had nearly 500 persons serving in South Viet-Nam. Among them were 65 experts under France's program of economic and technical assistance, including 32 physicians, professors and other medical personnel. Under its cultural programs, 471 professors (350 French and 121 Vietnamese) were teaching at 9 French-teaching institutions, and 30 French professors are at Vietnamese institutions. France provided in 1965 for Vietnamese to study in France, 55 fellowships for technical training and 85 academic fellowships. These programs are continuing on a somewhat reduced scale.

France has provided low-interest credits of 100 million francs (20 million dollars) for financing imports of French equipment for Vietnamese industry, a grant of 500,000 francs ($100,000) for equipment for L'Ecole Nationale d'Ingenieurs des Arts Industriels.

In 1960 France extended a low-interest credit of 70 million francs ($14 million) to aid construction of the major coal and chemical complex at An Hoa Nong Son south of Da Nang which is underway. It also provides a low-interest, five-year credit of 60 million francs ($12 million) for construction of Viet-Nam's largest cement-producing complex with plans at Hatien and Thu Duc. In 1964, France provided a 930,000 francs ($186,000) grant for the installation of a training center for electrical technicans and in 1965 a gift of 1.25 million francs ($250,000) for teaching equipment, primarily in the medical field.

Ireland

The Irish people have contributed 1,000£ ($2,800) for Vietnamese flood victims through their Red Cross.

Israel

Israel made a gift of pharmaceutical supplies for flood victims and will train this year five Vietnamese in irrigation and animal husbandry.

Norway

Norway sent a contribution through the International Red Cross for flood victims in February 1965.

Pakistan

Pakistan made a financial contribution for assistance to flood victims and donated clothing for them.

Switzerland

The Swiss have provided microscopes for the University of Saigon. The Swiss Red Cross has sent an 11-man medical team through the International Committee of the Red Cross to work in a provincial hospital in the Central Highlands of South Viet-Nam.

U.N. aid to Vietnam

The United Nations and its specialized agencies are also making a significant contribution to the social and economic development of Viet-Nam. Under the Expanded Program of Technical Assistance of the UN Development Program, 15 technical assistance projects are scheduled for 1967 and 1968 at a cost of $724,475. These projects range across such varied fields as maternal and child health, labor administration, educational planning, telecommunications, meteorology and civil aviation. Among the participating agencies are ILO, FAO, UNESCO, WHO, ICAO, ITU, WMO, and the Department of Economic and Social Affairs of the UN. In addition UNICEF has substantially expanded its health and child care programs with the 1967 program totalling $562,000, an increase over the 1966 level of $226,000.

Several major projects financed by the Special Fund of the UN Development Program are about to get underway. A National Technical Center (total international contribution approximately $1.5 million), with UNESCO is becoming operational. The Special Fund in January approved a Fisheries Development Project including exploratory and experimental fishing in the waters of the South China Sea, to be executed by FAO at a cost of $1.3 million. Also being negotiated is a Social Welfare Training Center to be executed by the Bureau of Social Affairs of the UN. ECAFE is pressing ahead with regional projects of benefit to the nations of the Mekong Basin and has undertaken surveys of irrigation, hydroelectric facilities and bridge construction projects in Viet-Nam.

AMERICAN ALLIGATOR FACES EXTINCTION, NEW YORK TIMES WARNS

Mr. YARBOROUGH. Mr. President, one of the most seriously endangered species of wild animals in America is our own American alligator. It has long been an object of concern to me, and I would hope that its preservation would be on the agenda of the worldwide wildlife conference proposed by my Senate Concurrent Resolution 41.

This giant reptile is a priceless part of our natural heritage. It is found on the U.S. coast from North Carolina to Texas, and until this year was protected in every State in which it was found except Texas. This year, the Texas Legislature, led by State Representative Otha Birkner, finally passed legislation which protects it in four of the Texas counties in which the alligator is found; but sadly needed is protection in Texas in the greater part of the alligator's habitat. This is a notable advance in the drive to preserve this animal.

The passage of a law is not enough to save the alligator, however. Heavy poaching for commercial purposes has so depleted the numbers of these reptiles that the Department of the Interior lists it as seriously endangered. A conference of the type I have proposed could recommend further measures to save it by controlling trade in alligator skins, such as the bill, S. 785, proposed by the distinguished junior Senator from Florida [Mr. SMATHERS].

One measure which can help, however, is to bring the situation to the attention of the public. An excellent article written by John C. Devlin and published in the New York Times of August 30, 1967, should be helpful in doing so.

Mr. President, I ask unanimous consent that Mr. Devlin's article, entitled "Alligators in United States Face Extinction," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ALLIGATOR IN UNITED STATES FACES EXTINCTION—POACHERS PREY ON REPTILE—SELL HIDES FOR FASHIONS

(By John C. Devlin)

The American alligator may become extinct in this country.

The National Audubon Society reports in its July-August issue of Audubon Magazine that poachers in Florida and elsewhere in the South are slaughtering alligators and selling their hides for the fashion markets. The hides are used to make wallets, shoes, suitcases and women's handbags. Some of the articles retail for $150 to $250.

The magazine author, A. E. Ayotte, says poachers take 50,000 of the reptiles a year, and that bootleg buyers pay $3.75 to $4.25 a linear foot for the hides.

LAW PROTECTS ALLIGATOR

The author says that the alligator, which has a puzzling resemblance to a similar species found in the fresh waters of South China, is protected from hunters by law.

American women, says the author, who is a conservationist and writer living in Miami, "should know of the illegal process which put smartly designed alligator bags into their carefully groomed hands."

He writes that the poachers, "in the tradition of the butchery that killed off the bison and almost wiped out Florida's gracefully plumed birds," are modern night prowlers who poach on wildlife refuges, observe no size limits and follow no rules.

Some poachers, he says, even invaded a tourist attraction in Dania, Fla., and carried off 14 medium-sized alligators used in wrestling exhibitions.

TWO TAKE 44 IN NIGHT

An alligator, he wrote, does not reach breeding age until it is about five feet in length, "but the current demand is for hides four feet and less in length." This, he said, encourages extinction.

He cited Florida, Alabama and Louisiana as the principal areas of poacher activity and said that in Baldwin County, Ala., two poachers were apprehended with a night's "take" of 44 alligators.

If they had not been arrested, he wrote, they would have realized between $800 and $1,000 for one night's work.

The author said that Florida, with the biggest population of the reptiles, granted them full protection in 1961, and that Louisiana, where the species was considered an outlaw until 1960, now opens only a portion of the state to hunters and only for a 60-day period. The minimum-size limit in the latter state is five feet.

Alabama has a closed season but reports that "poaching is definitely a problem within this state, both by individuals and rings."

Part of Georgia is still open for hunting. The authorities have said that hunting was "insignificant." However, Federal wardens in Georgia's Okefenokee Wildlife Refuge, where the alligators are protected, "are constantly battling poachers," according to Mr. Ayotte.

The author felt that the alligator was doomed to become a zoological curiosity "unless quick protective action is taken."

He said that until 60 or 70 years ago the warm swamps of the southeastern states "resounded to the hissing bellows of millions of alligators," which routinely reached a length of 14 or 16 feet. The record was 19 feet 2 inches.

Poachers, he said, use jeeps, boats, swamp buggies and air boats.

THE ELECTION IN VIETNAM

Mr. CURTIS. Mr. President, we have heard and read much criticism in recent days about the election to be held in Vietnam. Much of the criticism has come from people a good many miles away from Vietnam who have never been there or have had an opportunity to visit the country during the campaign now taking place.

Not only has this criticism played into the hands of the Communists, who are doing everything in their power to discredit the election and as a last resort are trying to thwart it by force; it also could influence the outcome of the voting by giving the Vietnamese people the impression that Americans are trying to interfere in their election.

I have read another point of view about the Vietnam election that I should like to recommend to the Senate. It comes from a Nebraskan who worked and lived with the Vietnamese people for the past year.

I ask unanimous consent to have printed in the RECORD an article published in the August 28 issue of the Omaha World-Herald. The article reports the details of an interview with Wayne "Jerry" Tannahill, a former University of Omaha football star, who has just returned from duty as a Navy lieutenant in Vietnam. On the basis of this firsthand report, I would strongly urge that Senators and all other Americans, as well, let the Vietnamese people vote, and not prejudge the fairness or results of their election.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIET ADVISER SEES STABILITY—SEPTEMBER ELECTION TO AID PROGRAM

A former University of Omaha football star who worked closely with the Vietnamese for a year, said he is confident the September election in that country will aid the stabilization program.

He is Wayne Gerald (Jerry) Tannahill, who was a star on O.U.'s Tangerine Bowl team in 1954. Mr. Tannahill, who resigned his lieutenant's commission after nearly 12 years in the Navy, is visiting his parents, Mr. and Mrs. Wayne F. Tannahill, 6747 North Twenty-fourth Street.

"I was in a unique position as the only American on a Vietnamese ship on river patrol in the Mekong Delta," he said. "We stopped and searched small craft.

"AMERICAN ADVISER

"My ship, called a Landing Ship Support (Light), was about 100 feet long, had 60 enlisted men and seven officers. I was the American adviser to the commander.

"I went on liberty with the Vietnamese and was welcomed into their homes. I found them good people, intelligent, earnest and patriotic," Mr. Tannahill said.

"They are stirred up about the election, a lot more than most people are in this country in a Presidential election year. From what I heard from shipmates, the election will put the stamp of authority on the new government and bolster the military leadership."

The former officer, who was commissioned in 1954 after being drafted, said he noticed an improved attitude in the Vietnamese Navy last fall.

CHANGE SEEMED WISE

"There were two landmarks. They put down an uprising in the north, and then General Ky put through a 25-per cent pay raise November 1," he said.

The change putting Nguyen Van Thieu as No. 1 man on the ticket with General Ky as vice-presidential candidate, Mr. Tannahill said "seemed wise, since Thieu is more mature."

Mr. Tannahill was awarded the Bronze Star with the combat V. He will go into private industry. Mrs. Tannahill is the former Joyce Johnson whose parents, Mr. and Mrs. Edwin B. Johnson have moved from Omaha to Anaheim, Cal.

RANKS OF POOR SHRINKING, CENSUS SAYS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an Associated Press story which appeared in the August 15, 1967, edition of the Washington Post. The story carries the headline "Ranks of Poor Shrinking, Census Says."

There being no objection, the story was ordered to be printed in the RECORD, as follows:

RANKS OF POOR SHRINKING, CENSUS SAYS

The Census Bureau yesterday reported a sharp decline since 1959 in the number of poor Americans.

But it indicated the climb from poverty has been much more rapid for white citizens than for Negroes.

The report also showed there are twice as many poor whites as poor Negroes.

The number of Americans with poverty incomes, the bureau said, declined from 39 million in 1959 to 30 million last year—a decrease from 22 to 15 per cent of the population.

But the bureau said the number of white persons below the poverty level decreased from 28 million to 20 million, or from 18 to 12 per cent of all white Americans.

The number of poor nonwhites, mostly Negro, dropped from 11 million in 1959 to 10 million last year—or from 55 per cent to 41 per cent of the nonwhite population.

The 1966 poverty level for nonfarm citizens ranged from $1559 for a woman 65 or older living alone to $5440 for a family of seven or more persons.

A VOTE FOR JOBS

Mr. CLARK. Mr. President, earlier this week the Senate Labor and Public Welfare Committee reported to the Senate the Economic Opportunity Act Amendments of 1967. As chairman of the Subcommittee on Employment, Manpower, and Poverty, in which the bill originated, I was particularly gratified to note in this morning's New York Times an editorial commending the bill and calling particular attention to the provisions which set up a new emergency public service employment program to alleviate mass unemployment in the Nation's urban and rural ghettos.

Mr. President, I ask consent that the New York Times editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A Vote for Jobs

Jobs are a necessity for transforming the slums and restoring peace to the nation's cities. A regular, decently paid job is the foundation for self-respect. A job for every father would help stabilize families now disintegrating. A job for every unemployed youth would diminish the impulse to violence that idleness now nourishes.

The antipoverty bill reported by the Senate Labor Committee is a welcome recognition of these simple truths. It would continue the existing programs of the Office of Economic Opportunity, many of which are designed either to create jobs or to help people to prepare themselves for finding work. In addition, the bill authorizes a program drafted by Senator Clark of Pennsylvania for spending $2.5 billion over the next two years for "labor intensive" projects in neighborhoods with severe unemployment.

Public institutions, starved for funds for decades, could readily devise such projects. The unemployed could usefully be put to work in the maintenance of parks, hospitals, libraries and day-care centers. The expenditure of $1 billion in the current fiscal year would generate an estimated 200,000 jobs. Such an expansion of work opportunities would ease the present unrest in slum neighborhoods.

The nine Northern Democrats on the committee and Senator Javits, New York Republican, deserve approbation for defying the Johnson Administration's opposition and taking the initiative in voting for the Clark amendment. President Johnson's rigidity in clinging to his own inadequate proposals is based on a topsy-turvy set of priorities, in which military needs alone have no ceiling. The case for a tax increase would be stronger if part of its purpose was to make more Federal funds available for underfinanced urban programs of the type envisaged in the Clark amendment.

Clearly, this concept has not yet penetrated the war-obsessed White House. In his message yesterday to the Midwestern Governors' Conference, President Johnson declared: "None know better than you that money alone will not solve the basic problems of our states and cities." This is a sentiment worthy of Calvin Coolidge. Money alone will not solve the urban problems, but unless money is forthcoming, no solution is possible. If the Senate follows the lead of its Labor Committee, even the President may yet follow.

GIVING STATUS TO RABBLE-ROUSERS

Mr. BYRD of West Virgina. Mr. President, I ask unanimous consent to insert an editorial entitled "Giving Status to Rabble-Rousers," in the RECORD, the editorial having appeared in the August 29, 1967, edition of the Wheeling, W. Va., News Register.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Giving Status to Rabble-Rousers

In the glittering Regency Room of Washington's Shoreham Hotel last week a gathering of some of the most powerful and important people in the United States sat and listened to a 20-year-old Negro, named Rufus "Catfish" Mayfield tell them what he thought should be done about the problems of the cities.

We are somewhat at a loss to know just how "Catfish" Mayfield was qualified to discuss this topic, since at his youthful age, it is found that most the past eight years he has spent in prison for various offenses, including petty and grand larceny. But this is the way U.S. leadership has responded to the anarchists, the rabble-rousers and the rioters today. Our leaders have elevated the status of the "riff-raff" by according them just such recognition as that given "Catfish" Mayfield at a meeting of a group called the "Urban Coalition." It is no wonder we are in trouble today.

THE ELECTION IN VIETNAM

Mr. McGEE. Mr. President, my hometown newspaper, the Laramie Daily Boomerang, has published an eminently sensible editorial about the soon-to-be-held elections in Vietnam, pointing out that we cannot expect stable democracy overnight, merely because an election is held, any more than we in this country produced one following the events which shook our shores in the latter part of the 18th century.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial entitled "Don't Write Off Viet Election," and a column by Frank Getlein from last night's Washington Star. Mr. Getlein takes a look at our national need to observe the rituals of democracy and self-determination.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Laramie (Wyo.) Boomerang, Aug. 26, 1967]

Don't Write Off Viet Election

No one expects stable democracy, domestic tranquility and social progress to ensue the day after the South Vietnamese presidential election.

But it would be just as foolish to write it off as a meaningless fraud before it even takes place, as some Americans seem eager to do—looking, consciously or unconsciously, for just such an excuse to justify American withdrawal from a costly, endless war.

There is plenty to criticize about the election. Only those Vietnamese living in areas more or less under government control will be able to vote. Communist candidates have been banned, as have "neutralists" whom the ruling junta disapproves of, which can mean almost anybody.

Charges of campaign chicanery and harassment of civilian candidates by the military have embittered the contest. The election of General Thieu and Marshal Ky, who already run the county, seem a certainty.

The whole affair will not be without blemish, as President Johnson admitted the other day. But, as he also pointed out, our own early days as an infant nation were not without struggle.

The Revolutionary War was not fought to establish popular democracy, though that is what eventually came about. Washington, it will be remembered, was offered a kingship by his fellow officers.

The people—the whole body of citizens, as we understand that term today—had little to do with the writing of the Constitution or its ratification by the states, or with the first national election.

To begin with, more than half a million people—one-fifth the population—were slaves, with no rights whatsoever. Tens of thousands of others were disfranchised by property qualification in nearly every state.

The parallel should not be carried too far, however. South Vietnam in 1967 is hardly the United States in 1787, nor is it even remotely as experienced in self-government as the colonies were two centuries ago.

But as the President also said, in North Vietnam today there are no candidates, no elections, no criticism of the government.

That there can be such things in South Vietnam, imperfect as they may be, is supposedly the reason we are over there.

And even if it is not the defense of democracy but mere national self-interest that has sent so many of America's sons to South Vietnam, the growth of democracy there offers the only real hope that they will ever be able to come home.

[From the Washington Evening Star, Aug. 30, 1967]

A Small Miracle of Wish-Fulfillment

(By Frank Getlein)

It used to be said that American politicians—such as Edward Kennedy and Richard Nixon—were "campaigning" in Vietnam. No doubt they were. At any rate, it has rubbed off and on Sunday the South Vietnamese will have an election to choose a government. There is overwhelming agreement that the election will confirm the government already in power, that of Gen. Nguyen Van Thieu and Air Vice Marshal Nguyen Cao Ky.

A number of senators and other thinkers have decried this result in advance and have even implied that if it happens that way, and if there is any reason to suspect skullduggery at the ballot box, the United States ought to pull out of the war.

There may indeed be good reasons for the United States at least to rethink its position in Vietnam, but Sunday's election isn't one of them. Whatever happens at the polls four days from now, it will not be the fault of the South Vietnamese but our own.

That the election is being held at all is a small miracle of successful American wish-fulfillment. That's fine, but we really shouldn't treat this projection as if it were an independent phenomenon in the real world. The election has its primary existence in our national—or at least in our presidential and State Department—mind. It's a figment of our imagination which happens to have taken viable form halfway around the globe.

The basic reason for the election is the simple fact that we Americans cannot face up to the realities of our position in the world.

Paramount among those realities is our simple power. Our power is confronted in many places by that of the Soviet Union and that of China, both hostile. To prevent their power from spreading into areas in which we consider that we have important interests, we engage in whatever acts seem appropriate, up to and including war.

This is the entire reason for our presence in Vietnam. Unfortunately we are strangely unable to face the fact that we behave in that way, the same way that all other great powers have always behaved and still do behave.

To disguise this reality from ourselves, we have invented a couple of other realities and have convinced ourselves that it is for the sake of those other realities that we do all those things up to and including war.

Chief of these invented realities are two: Something called "democracy" and something called "self-determination." These are considered to be great values to all nations everywhere, so great as to justify our fighting for their sake.

This form of self-deception began with the beginning of American world-power, when we convinced ourselves we were bringing democracy and self-determination to Cuba and the Philippines. Actually, we were simply driving the foreign Spanish out of their last holdings in "our" hemisphere and at the same time picking up some of the far-flung real estate without which a great power, in those days, wouldn't have known it was a great power.

In World War I we completed the canonization of democracy and self-determination as the mystical values animating our worldwide activities of managing things for other people. Significantly, one of our principal allies in that war against Germany and Austria was Imperial Russia.

The alliance in the first place cast a somewhat strange light on the principles we were presumably fighting for, but it did more than that. It started the new, revolutionary government of Russia off in the firm belief that Western Europe and the United States were out to eliminate the revolution.

The Bolsheviks acquired their curious paranoia about us because for the sake of our imperialist allies, American, British and French troops invaded Russian territory.

In spite of our detestation of the Soviet system, we had no trouble allying ourselves with the USSR in World War II. At the conclusion of that war we demonstrated our faith in self-determination by allowing the Baltic States to become a part of Russia—as they had been under the czars. Our faith in democracy we showed by allowing all of Eastern Europe to choose communism under the encouraging tutelage of Stalin's armies.

But the war did accomplish its real goal, the destruction of Hitler. He had to be destroyed because he presented a clear and present danger to our power in Europe and elsewhere. His general beastliness had little to do with our reasons for his destruction. He had both the capacity and the announced intention to do us serious harm and therefore had to be destroyed.

Following that destruction, our ritual observance of democracy and self-determination ensured our standing by idly while in many parts of the world all order vanished completely before the chaos of the emerging nations. It is only after the chaos is complete that we feel entitled to pick up pieces.

And so there we are, on Sunday in Vietnam, picking up pieces, defending our interests and insisting that these needful acts be dressed up prettily with campaign speeches and ballot boxes.

THE QUALITIES NEEDED TO SUCCEED IN BUSINESS

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD a "Monday Memo" item published in the August 28 issue of Broadcasting magazine. It was written by Don P. Nathanson of North Advertising Agency in Chicago. Mr. Nathanson has written about the qualities needed for a young man who wants to succeed in business today. I would apply what he says as well to Government or to most human endeavor.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MONDAY MEMO—WANTED: MORE YOUNG PEOPLE WHO AIM FOR THE TOP

(NOTE.—Broadcaster-agency president Don P. Nathanson, head of North Advertising, Chicago, feels giving his time and counsel to young people is one of his most important jobs in building the business of advertising. Often a college lecturer, he also serves on many civic and industry boards and is a director of the American Association of Advertising Agencies and chairman of the 4A board's committee on improving advertising. He is part owner of the Harriscope TV-radio station group.)

(From Don P. Nathanson)

Just because you succeeded in making the top 10 of your college class is no guarantee you will succeed in the business of advertising or broadcasting.

The successful student, however, does have three advantages, the least of which is the knowledge he has accumulated in the four years of his studies. You'll be surprised how little square root and Gresham's law find their place in most offices today. Parkinson's law might be more suited. But of course knowledge does help.

The second advantage that the good student has is a pattern of succeeding. The one who perpetually failed to make it in school may get into the habit and that habit could stay with him.

The third and most important advantage is intelligence. Intelligence is not what you have learned but your ability to learn.

The examples of the college men who will never make it may be instructive by comparison. Follow their example and you may wind up with a nice wife, a home in the country and a realization that someone else made all the decisions for you all through your career.

YES MAN

The first college man who won't succeed I call Mr. Gutless. I've worked with many successful buinessmen in the past three decades and I'm convinced of one simple fact: The men who really build businesses are the men with courage. The failures are the gutless ones, the ones who won't take a chance. You must take chances in business every step of your career.

It takes courage to stand up for what you believe. The great advertising agencies of this country are the ones who do give the client a different point of view, are courageous enough to differ when it is necessary.

There are two more who won't make it. They both have guts, but at the wrong time. Mr. Right, for example, has a mental block that keeps him from admitting that anyone else can have an idea. If he is an account man he fights so hard with the client on a point that he can't absorb or listen to criticism that might be profitable.

The other man is Mr. Restless. He jumps around from job to job and never stays in the same organization long enough to do an assignment with real depth or perception. The advertising business seems to have a lot of them.

In this day of high income taxes, salary alone is not the complete answer. You must build an equity in the business and become part of the management. You must have a loyalty to the business and help it grow. I have seldom heard of an outsider in advertising moving in to head the business. It is usually someone from within who has worked his way up who becomes the head of the business.

TEAM LEADER

Mr. Caterer is still another college man who won't make the grade. His motives are too obvious. He always seems to be deferring to those who will help him up the ladder and ignoring all the people below. Whenever I interview a prospective executive I have found it more profitable to talk to those who have worked for him rather than his former bosses. His ex-employes are often better judges of his leadership potential in my book.

Obviously I disagree with Leo Durocher. I believe nice guys can reach the top. The old golden rule still applies to business too. But it's not patronizing.

Now let's look at two men who will get to the top. The first is called Mr. Make-A-Decision, the very opposite of the gutless one mentioned earlier. You can go a long way in business without making a decision just by following orders, working hard and carrying out policies.

But you'll never be a manager, a president or an owner unless sometime in your career you start making decisions. Obviously some are going to turn out wrong. But you can take consolation in the fact that if you had procrastinated and didn't make any decisions you would be much worse off.

Business, like horse racing, is a gamble and the prizes go to the men who make decisions and make the right decisions. The losers are the men who make no decisions or the wrong decisions too often.

The second kind of successful man is the classical Mr. Self-Starter. You've read about him. He's the one with initiative, who perks with an idea. But let me tell you it takes more than ideas and more than self-starting to succeed.

I had one young man who worked for me who was filled with ideas. However he didn't have the guts to tell anyone about them. He is still working in the production department of some agency—not mine.

I had another young man who would come up with 20 or 30 different ideas for every assignment. But he had no judgment. He couldn't tell the good ones from the bad.

SELF-RELIANT

I like the guy who takes an idea—whether it's his own or somebody else's—and runs with it. He shows enough initiative all along the way that he gets the job done without calling on you for help.

Advertising, broadcasting, every big business today, is looking for talented and creative young people. They are not looking for the order-takers and memo-writers though, in spite of all the jokes about the organization man. You may be sure they are not looking for the guy who thinks success is trading in his college security blanket for a giant corporation.

The man they are looking for is going to reach the top. His chances are mighty good, considering his basics of knowledge, intelligence and persistence. Mixed well with courage, open mindedness and the ability to work with people, plus initiative and follow-through, these qualities will see him to the head of the agency, station or network.

If all these qualities sound familiar, they are. They haven't changed much over the generations. Times have changed, but the people haven't.

FRONT-RUNNERS FOR REPUBLICAN PRESIDENTIAL NOMINATION

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD the observations of Max Lerner on the 1968 presidential race, specifically among the front-runners for the Republican nomination. The article was published in the Evening Star of April 30, 1967.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GOP CONTEST: THREE SALESMEN AT WORK

(By Max Lerner)

Three things have happened in the Republican race for the presidency. George Romney has shifted his Vietnam war stand and is now making noises like a dove. Richard Nixon has lost his campaign manager. Ronald Reagan has taken his first big overt step as candidate by moving to detach Florida and Texas from Nixon's preconvention commitments.

The strategies of each are clear enough. Nixon's strategy is to go into the basic primaries—New Hampshire, Nebraska, Oregon, Massachusetts, Wisconsin—with an open win-or-die resolve. The odds are that it will be die, not win.

Romney's is to use his primary victories (if he gets them) to go into the convention as the man who can beat President Johnson both on the war-and-peace issue and on the riots.

Reagan's is to face a surviving but battered Romney in the convention and stampede it. Only if Romney and Reagan get into a convention deadlock will the other two major figures, Nelson Rockefeller and Charles Percy, get a chance to break the deadlock.

Each of the three prime contenders has been polishing his political image. Romney is the political saint—going forth to war against the wickedness of the big corporate and labor units—for morality, for God's hand in human affairs.

Nixon is the political sinner who has been everywhere twice, who is quite candid about wanting Lady Power and hoping that Lady Luck will be with him this time and who is less concerned with issues or morality than with techniques, which obsess him.

Reagan is the actor playing a political scenario with undoubted and growing audience enthusiasms, but dependent—like every actor—on the maintenance of the illusion.

Each of them, in any way or another, is a salesman. Romney used to sell Rambler, Nixon used to sell the Hiss case, Reagan used to sell General Electric as a "good will ambassador." Now Romney sells purity, Nixon sells his durability, Reagan sells his political sex appeal.

Romney is at his best when he can drop in at a church get-together or a breakfast meeting of businessmen and convince them of his earnestness and dynamism—although the newspapermen who have to listen to him describe him as a "dynamic bore," and one of them assured his colleagues, "Way down deep—he's shallow."

Nixon is at his best with county and state party professionals who respect him as a political technician ready to help them in any local election chore, but in public he is like a school debater, hammering his points home without wit or lightness—and he is death on TV.

Reagan is ill-at-ease except when he is on the platform peeling off his homilies spiced with canned humor; he is at his best on TV. In fact, he is the consummate electronic candidate of our time.

My strong hunch about campaigns and elections is that neither the personality of the candidate nor the issue is decisive, but the mood of the nation. Given that mood, what counts is how the candidate and his positions interlock with it.

The mood in 1968 is likely to be compounded of war weariness, dismay over the inner city riots and the black power threats and disenchantment with Lyndon Johnson. The closest parallel is not with 1964, but with 1952, when the Republicans hammered on the triple theme—"corruption, communism, Korea." The theme this year, whoever the Republican candidate, is likely to be something like "war, riots and the credibility gap."

If I am right, I fear that neither Romney's purity nor Nixon's durability is relevant as political appeal. Romney had an impossible position on the war for a Republican candidate, too close to Johnson's for comfort, and he has now shifted to an "only a Republican President can make peace" position. Nixon is stuck with his bigger-war-to-get-peace position.

Presumably, that is Reagan's, too, but he isn't saying publicly. In 1952 the Republicans had a hero candidate, and his positions didn't count. Reagan doubtless hopes that the 1968 mood will call, if not for a hero, at least for someone who can look on TV like a strong and credible man, capable of handling wars and riots and racial threats.

The trouble is that this time it won't be as easy as it was in the governorship race, with the "sex orgies" at Berkeley and with the Rumford open-housing tangle as his good-luck charms. This time he will be measured against Hanoi and Newark and Detroit—and the illusion may come apart.

RETRAINING OF UNEMPLOYED IN PROVIDENCE, R.I.

Mr. PELL. Mr. President, I invite the attention of the Senate and the administration to the efforts being made by a group of public-spirited citizens in the capital city of Rhode Island, which is Providence, to train and retrain the unemployed and idle in the Providence area. This group has incorporated themselves under the name of Opportunities Industrialization Center of Rhode Island, Inc.

The genesis of this association began in about June 1966 when the Ministers' Alliance of Greater Providence sent a telegram and a series of petitions to my office concerning their desires to set up a project which both would be one of self-help and in the main operated for and by the Negro community that would provide vocational education, training, and job placement. At my request, a member of my staff and a counsel of the Labor and Public Welfare Committee went to Providence and met with the Ministers' Alliance and discussed their proposals in June of last year. Since that time, considerable progress had been made during the months of September through December 1966. The Rhode Island State Council of Churches and the South Providence Ministers' Association sent out their field workers and made an intensive survey of the employment needs of South Providence.

In January of 1967 Rev. Carl Banks of the South Providence Ministers' Association and Mr. Clifford Montiero, community contact officer of the State Council of Churches, attended the First National OIC Institute in Philadelphia to review their program so that the Rhode Island OIC could be modeled after it.

In February of this year it became apparent that the Federal Government had a role to play in the development of this program, both in financing and in counseling. At this point, preliminary information meetings were held by the members of the local OIC with Mr. Charles Beaubien, equal employment officer; Mr. Arthur Doyle, acting regional director; and Mr. James Christian, Rhode Island field coordinator, all of the Economical Development Administration of the Department of Commerce. This agency, EDA, is usually represented as, namely, one involved in public works projects; however, under the direction of Arthur Doyle regionally, and Ross Davis nationally, it has maintained a sense of involvement in the social problems concerned with the unemployed. Moreover, it has adopted a more sophisticated and effective approach than the usual Public Works or WPA-type measure to which we, in the Congress, are accustomed.

This agency, which will celebrate its first birthday this month, is to be commended for not only its aid and assistance to the Providence OIC project but also to its progressive attitude in its attempts to solve the continual problems that beset our cities.

Last March a further meeting was held at the Second Free-Will Baptist Church in Providence. Arthur Doyle, who at this time headed up a task force for EDA, whose purpose was to assist the Providence OIC program, brought together not only the directors of OIC, but representatives of the city, State, and private agencies which are both responsible and committed to assist the underprivileged and deprived. A member of my staff, at my request, attended this meeting and reported back to me that considerable progress had been made, and that all who attended, and there were approximately 40 people representing divergent groups or agencies, were in agreement that OIC should be implemented in the south Providence area as soon as possible.

By May of this year the Rhode Island OIC had developed a proposal and submitted it for review to EDA officials. The sparkplugs behind this proposal were in the main, the Reverend Clifford Banks; Rev. Arthur Hardge, present chairman of the Rhode Island OIC, who is also executive secretary for the Rhode Island State Commission Against Discrimination; Clifford R. Montiero; Michael S. Van Leesten, secretary of OIC; James N. Williams, a board member and executive secretary of the Urban League; and Irving J. Fain, a prominent businessman in the community, to mention just a few of the many public-spirited citizens who are committed to this proposal.

Most recently, Mr. Van Leesten and Mr. Montiero visited Washington and discussed their proposal with EDA, OEO and Department of Labor officials at meetings which were set up by my office to explore the possibility of Federal aid and assistance. Since that time, a meeting was held in the past few weeks which a member of my staff attended in Providence at which the Economical Development Administration, represented by Arthur Doyle and others, brought a member of their technical assistance funds which would give impetus to this community-spirited proposal. In this regard, I ask unanimous consent to have printed in the RECORD a letter I addressed to the Honorable Ross Davis, Assistant Secretary of the Department of Commerce.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON LABOR
AND PUBLIC WELFARE,
Washington, D.C., August 11, 1967.

Hon. ROSS DAVIS,
Assistant Secretary for Economic Development, Economic Development Administration, Department of Commerce, Washington, D.C.

DEAR MR. DAVIS: I am greatly interested in expediting an application for technical assistance funds for the Rhode Island Opportunities Industrialization Center, Inc. I have been trying to assist in this matter since May of 1966, when the Ministers Alliance of Greater Providence notified me that they were desirous of having an O.I.C. program undertaken in the Providence area.

As a matter of fact, I had a member of my staff, and a counsel of the Labor and Public Welfare Committee, meet with them and discuss this proposal in depth in June of 1966. Since that time, both my staff and myself have followed the progress of O.I.C. very closely. Your agency is to be especially commended for the help and assistance it has given to the R.I.O.I.C. under the direction of Arthur Doyle, the Acting Regional Director of E.D.A.

At this time, a formal application is being prepared and I would expect that it will be in the hands of your agency within a matter of days. I hope you will make a special effort to expedite this application as rapidly as possible. There is no question in my mind that this project deserves the utmost priority. The target area where R.I.O.I.C. will be located in Providence is one in which if it were not for the efforts of Progress for Providence an especially tragic situation might well have developed this summer.

In order to cure the frustrations of poverty, every possible effort must be expended. I know you are aware that President Johnson visited the Philadelphia O.I.C. on June 29th and spoke in glowing terms of its results. It is my hope that Providence may soon have its own O.I.C. to aid its disadvantaged people. I chaired a poverty subcommittee hearing in Providence and know firsthand the problems.

I intend to pursue this matter and will most likely be talking to you on the telephone about it in the near future.

Sincerely,

CLAIBORNE PELL.

Mr. PELL. Mr. President, the spirit of the OIC program, founded in 1964 by the Reverend Leon H. Sullivan in Philadelphia, is such that it has swept across this land and has given motivation and skills to thousands of Americans who were previously regarded as unemployable. The OIC program impressed the President of the United States to the extent that on June 29 he visited the first Opportunities Industrialization Center in Philadelphia. I ask unanimous consent to have President Johnson's remarks printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT AT THE OPPORTUNITIES INDUSTRIALIZATION CENTER, PHILADELPHIA, PA.

Judge Higginbotham, Reverend Sullivan, Senator Scott, Congressman Barrett, Congressman Nix, Congressman Byrne, Congressman Eilberg, Congressman Green, our own Sargent Shriver, Mr. Jones, Mr. Rosen, Mr. Toohey, Mr. Potts, Cliff Alexander—our new Chairman of the Equal Opportunities Commission, ladies and gentlemen:

I am sorry that Mayor Tate and Senator Clark, both of whom support our program, could not be with us today, but I knew only late last night that I could be here myself.

What I have seen this morning has moved me more than I can tell you.

Mr. Coleman, who honors us with his presence, was asked to come to Washington to head our Civil Rights Conference last year. Later I asked him to come into one of the most important jobs in this Nation.

He said to me, "I will come and serve my country wherever I am needed, but I think I am needed more at home in Philadelphia right now."

I can see that a lot of people are needed at home. I see what a lot of people are doing at home. What Reverend Sullivan has shown me this morning opens my eyes and I hope will open the eyes of all of the nation to the opportunity that lies here.

Sargent Shriver asked me earlier in the week to go and speak to 10,000 of the young business leaders of this country. We went to Baltimore to meet with the Junior Chamber of Commerce from all over the nation—from the 50 States.

We talked to them about what was right. We pointed out some of the things that were wrong—our slums and our poverty, our health needs and our educational needs. We then pointed out some of the things that we are doing about them.

When you really talk about what is right, you don't appear to be nearly as interesting as you are when you talk about what is wrong. But I have seen so many things that are right here this morning that I wish everyone in America could not only see them, but emulate them—and follow them.

If somebody falls down the step—that will get a lot of attention. But the poor lady that lifts him up goes unnoticed.

So if I had to sum up my feelings in a single phrase this morning, I would say to all of you: "I believe we are going to make it."

What I have seen here with Reverend Sullivan is not just an institution—it is a unique training program. I have seen men and women whose self-respect is beginning to burn inside them like a flame—like a furnace that will fire them all their lives.

I had heard about this Center for many months. Some of my White House employees have come here to visit it incognito. I don't know whether they are afraid to admit they are from the White House or not.

Friends and associates of mine have come back to tell me about it and to bring me the good news—of how a movement born of protest has taken the next logical step—to preparation.

They told me how men, stirred to righteous anger by the conditions of poverty that surrounded them on every side, had first fought to break down the doors of discrimination;

Then found that those they fought for were not prepared to even seize the opportunities that had been opened before them;

And so they had begun to build—simply, just using whatever tools they owned, or could borrow, or they could obtain by gift—a place where the men and women could find themselves.

That is what you have done. That is what these Centers are all about. It is a place where people find the power that they have always had—power that was always within them—but that had been obscured because of lack of confidence, because of feelings of insecurity, because of self-doubt and trapped by the conviction of failure.

Now I have seen this place this morning myself. I have seen the old jail where it started. I have opened that jailhouse door—it had been opened before I came—the jail that Reverend Sullivan wanted because, as he said:

"It is the most dank, most dismal place in town, a symbol of tragedy. If I could transform that building, I could transform men."

That building had further to go than most human beings have to go and it has arrived.

I have seen some of those who are just beginning the transformation of their lives, learning the basic skills of reading and writing. I have seen some of those who are about to become metal workers, beauticians, draftsmen, computer operators, welders, electronics specialists, or refrigeration specialists, or textile workers.

And now I see those who are already on their way—providing brighter lives for their families, contributing to their country's economy, and holding their heads high in the deep pride of real accomplishment.

I don't know whether I saw a Supreme Court Justice or not this morning. I don't know whether I saw a Member of the President's Cabinet or not this morning. I don't know whether I saw a Federal Judge or not this morning. But I know I looked into the eyes of men and women this morning and saw people who are going to keep our flag flying and keep this nation moving forward in the line of progress for the world.

I saw human beings who had pride in their eyes instead of fear. I saw human beings who carried their shoulders straight and high and their chins up and their chests out—instead of doubt and hate.

The Federal Government did not do this. The Federal Government did not build this Center. Mr. Shriver has testified for years and he has fought day and night to help. But the Government or the Members of Congress who are here who supported him did not do it.

Neither business nor labor, who honor us with their presence, nor philanthropy, nor the city officials built it. All of us, it is true, are helping it now, and I am proud of the part, the small part, that some of us down in Washington are playing.

But what built this Center is the spirit that is in the breast of every human who is a part of it—the spirit that wants to say "yes" to life itself, that wants to affirm the dignity of man, whatever his origins, whatever his race, whatever his religion.

That same spirit has given power and direction to all that we have tried to do in our years of leadership with the Great Society in this nation.

That spirit is what created Head Start. That spirit was there when Head Start was born. That spirit inspired the Manpower Training program. It is that spirit that lies behind the Job Corps.

I have a boy on my farm, where I am going to be tonight, who came from a broken family in California. After seven months in the Job Corps, he went to work for the President of the United States as a skilled bulldozer operator running a big caterpillar tractor. Now he is going into the Service in a few months to serve his country—much more competent, much more determined, and loving his country a great deal more, I think, than when he went into the Job Corps.

That spirit is what built the Neighborhood Youth Corps. That same spirit passed the broadest civil rights acts this nation has ever known. That spirit passed the first medical care bill in the history of this nation. That spirit passed the first elementary education bill.

That spirit is spending three times as much today on education in the Federal Government as we were spending three years ago. You can look into the twinkle of their eyes and the smile on their faces, and you can see that that education is getting results.

That spirit has spent three times as much in the last three years on medical health problems in this country as it did three years ago—$12 billion compared to $4 billion for health; $12 billion compared to $4 billion for education. $24 billion compared to $8 billion three years ago.

Then they try to tell us about how we can cut out all of these programs. When I came to Washington under Mr. Hoover's Administration, the whole Budget was just five and a half billion dollars.

Now we are spending five times that much for health and education. Every dime we spend is getting value received because the best investment you can make in this country is in the mind of the human being and in the bodies of its citizens.

Some of the blood of that same spirit is on that bill this morning. It wrote the Teacher Corps Program and that bill that I am going to sign into law right here in your presence. It will bring the best instruction that America can produce to the children who need it most.

We are going to have the best teachers come to where they are needed most, under the Teacher Corps—come and work with the children of poverty. It is only a very small program now. It has been difficult enough to even get it passed. But with the help of that same spirit, I promise you—it is going to grow—and how.

All that we have done so far will count for little—except for your spirit and except for your help. If you help, there is not anything that we cannot do—together.

The problems of poverty, the consequences of discrimination, the ignorance and the helplessness that are passed on from one generation to the other, are almost too great for us to comprehend or master. Almost, I said, almost too great—for they were all created by the failures of men. There is nothing pre-ordained about them.

Being created by men, though, they can be overcome by men. They can be overcome by the restless spirit that speaks to all of us in the darkest hours, and that spirit says, "Have faith in yourself. Believe in yourself. Have pride in yourself. Prepare yourself for the work you must do in the days ahead."

I think that you have heard that spirit. I think that you have faith in yourself. I think you are preparing yourself.

I know that you have inspired your President. I know you have made me feel, as I said in the beginning, that we—all 200 million of us in this country—are going to make it.

Mr. PELL. Mr. President, the motto of the OIC is "We help ourselves"; but as Rev. Martin Luther King, Jr., said on a nationwide TV show recently, "Before a man can pull himself up by his bootstraps, he first must have the boots." Therefore, it is vitally important that this program be funded in part by the Federal Government as rapidly as possible. I say funded in part by the Federal Government, because already this self-help program has raised funds in the local community, and this even before undertaking a full-fledged fundraising campaign.

Mr. President, I ask unanimous consent to have printed in the Record a brief descriptive brochure of the Rhode Island OIC program.

There being no objection, the item was ordered to be printed in the Record, as follows:

The Key to a Better Tomorrow

What do the letters O.I.C. stand for?—Opportunities Industrialization Center.

What is the purpose of O.I.C.?—The Center proposes to train and retrain the underemployed and idle, with undiscovered talents, on a qualitative and massive scale in preparation for employment in industry.

Is there any cost for training?—O.I.C. is a free institute of training. The only requirement to join O.I.C. is a real desire to help yourself.

Where did O.I.C. begin?—In 1964 the first O.I.C. was founded by the Rev. Leon H. Sullivan of Philadelphia. The program was so successful that it triggered a chain reaction throughout the country for people who want and need to help themselves.

O.I.C. is based on the following principles:

(1) Self-help on the part of all trainees; no weekly or monthly subsistence payments to those undergoing the training.

(2) Building a favorable self-image for the trainees.

(3) Psychological conditioning and motivation of trainees through a "feeder" program as a preparation for entrance into skills training courses.

(4) Training only for real jobs—positions that exist in the world of work and that are actually available locally.

(5) Training according to the latest knowledge and techniques of industry. "Yesterday skills cannot prepare one for today's jobs."

(6) Wide community interest and support of O.I.C. as an operation that is managed by the indigenous people themselves, with highly-trained personnel as consultants. We seek a balance between "science" and "the spirit of the people."

The wheels are rolling for Rhode Island O.I.C., but the success of this program is simply a matter of your time, interest, and participation. Look around you—are there jobs that interest you out of your reach because you lack the money to pay for the training that is required? Are there training programs that offer training but no jobs? Most of us know that the above two questions can be answered very quickly with a truthful yes.

At Rhode Island O.I.C. the training will be geared toward jobs that really exist and there will be no financial cost. The only price you will have to pay, is once again, your time, interest to help yourself, and participation.

This flyer is meant to serve as a basic introduction of the O.I.C. program. There will be more information spread throughout the community about the program in the very near future letting you know how you will be able to participate in the program as either a trainee or a volunteer worker.

Mr. PELL. Mr. President, the reasons why I believe the administration should move quickly in this matter are evident, for on August 10 I spoke here on the floor of the Senate regarding the contribution of the OEO employees to the prevention of what could have been a grave disturbance in Providence; in fact, in the very area where the OIC program will be located. This area is one in which there is aura of pessimism and fatalism amongst the impoverished inhabitants that tend to see life as a fate, an endless cycle from which there is no deliverance; and thereby, they contain the seeds of frustration and depression which can explode into violence unless the chains of poverty which bind them are not finally broken.

Mr. President, I ask unanimous consent to have printed in the Record a series of newspaper articles concerning the disturbances which took place in this target area during the past month. The articles point up the need for Federal action today and not tomorrow.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Boston Herald Traveler, Aug. 2, 1967]

Rhode Island Calls Troopers, Guard in Providence Outbreak

(By Patrick Gilbo)

Providence, R.I.—Police and snipers traded gunfire in the second consecutive night of violence Tuesday while more than 100 youths crying "white power" tried to attack gangs of Negroes hurling rocks and bottles.

Heavily-armed police invaded the Willard Avenue shopping center and fought from behind fire trucks and cruisers as they simultaneously fought the snipers and tried to keep a wedge between threatening whites and Negroes.

The state's Air National Guard and four units of the Army National Guard—three engineer outfits and a military police company—were ordered on alert at about midnight. They formed at their armories awaiting further orders from State Adj. Gen. Leonard Holland.

Some 100 riot-trained and heavily-armed state troopers were sent to central police headquarters but were not sent to the scene of violence.

One liquor store was looted but there were no other major reports of looting.

About 75 whites attacked an automobile they thought was driven by a Negro, smashing its front and rear windows before they discovered the man, Ernest Pistocco, 34, of Providence, was white.

"I was just driving along when they started throwing stones and rocks at my car. I slammed on my brakes and jumped out—that's when they saw I was white and stopped," Pistocco said. He was unhurt.

At least 13 persons were arrested and 22 others injured, including a Negro youth, Eugene Sawyers, 15, of Providence, who was shot in the stomach. He was taken to Rhode Island Hospital. One other youth was shot in the foot but treated and released.

The other injured, all treated and released at the same hospital, included five policemen, a fireman and 13 civilians. The fireman was stoned as he fought a blaze in an occupied house not far from the shopping center where the violence erupted at 8:30 p.m.

Police, who exchanged gunfire for the first time since the violence first flared Monday night, were firing from a command post position in one corner of the shopping center.

Many store windows in the center were smashed and there were unconfirmed reports of Molotov cocktails being hurled at buildings. Fire officials reported numerous false alarms.

[From the New York Times, Aug. 2, 1967]

South Providence Routs Negro Gangs

Providence, R.I., August 1.—Some 200 Negro youths in dozens of gangs prowled the streets of predominantly Negro South Providence last night and early today, hurling rocks, bricks and bottles before 350 heavily armed policemen restored calm.

The police said that the trouble started when the owner of a lemonade stand at the Willard Street Shopping Center, a hangout for Negro youths, began defending his stand with a gun. The stand was destroyed by rock-hurling youths.

Two Negro youths were shot. Neither was injured seriously.

At least four persons were stabbed, and three policemen were injured.

There were reports of sporadic sniper activity and looting. Several minor fires were started.

[From the New York Times, Aug. 3, 1967]

Curfew Imposed in Providence, R.I.—Mayor Acts to Stem Strife—Negro Area Affected

(By Douglas Robinson)

Providence, R.I., August 2.—Sporadic acts of violence were reported tonight in South Providence after two successive nights of clashes between the police and angry bands of Negro youths.

The relative quiet was attributed to a loose curfew ordered for the section tonight by Mayor Joseph A. Doorley.

The order, issued after a special session of the City Council, imposed a 9 P.M. to 6 A.M. curfew designed to keep both Negro and white youths off the street.

Those with legitimate reasons for being out were allowed to continue after showing identification.

Some 40 state policemen were still in the city out of an original force of 100 sent here last night to help the Providence police force maintain order.

About 1,000 National Guardsmen were called into Providence and Pawtucket armories last night, but were released this morning at 2 A.M.

By 11 o'clock tonight, most residents were off the streets of the predominantly Negro section.

The police were aided by a group of 50 antipoverty workers, most of them Negroes, who patrolled the streets on foot and in cars urging people to obey the curfew. The volunteers wore white helmets so that the police could recognize them.

Several small fires were set during the evening at various points in the city but the police said they were not sure that the incidents were connected with racial unrest.

A police sergeant said that a white woman and her year-old baby had been cut by flying glass when a rock was thrown through their car window as they were driving through South Providence.

For the most part, however, the streets were quiet. "I haven't seen a summer night this peaceful in 20 years," a resident said. "usually there are people strolling or sitting in chairs on the sidewalk."

EMERGENCY POWERS

At the special council session, the 24-member body gave Mayor Doorley almost unlimited emergency powers to handle the disturbances, which have included sniper fire directed again both policemen and firemen.

The ordinance, which was passed unanimously, gave the Mayor authority to establish a curfew, ban the sale of firearms and ammunition, forbid the sale or delivery of alcoholic beverages, ban the sale of gasoline, and prohibit the gathering of six or more persons.

The ordinance directed the Mayor to take "any and all steps necessary to preserve the public peace, property, health and safety of the inhabitants of the City of Providence" and provided a $200 fine for violations.

Mayor Doorley, however, only invoked the curfew over an area bounded by Broad Street on the west, Interstate Route 95 on the east, the juncture of these two highways on the north, and Byfield Street on the south.

Most of Providence's 15,000 Negroes live within the teardrop-shaped curfew area. The city has a population of some 187,000 persons.

Late last night 20 persons were injured when sniper fire was directed at a large group of policemen at the Willard Avenue Shopping Center. The police responded with a fusillade of about 50 shots. None of the policemen or the snipers were hit.

One liquor store was looted and many store windows were shattered in the melee.

Three persons were wounded in random incidents several blocks away from the shopping center. The most seriously wounded was 15-year-old Eugene Sawyers, a Negro, who was shot in the abdomen. He was listed in fair condition at Rhode Island State Hospital.

At least 72 persons were arrested during the early morning hours. Nineteen were referred to the juvenile authorities, 11 went to court on charges of disorderly conduct and for carrying weapons, and the rest were released. Many of those arrested were white.

[From the Providence Journal, Aug. 2, 1967] 1967]

POLICE, YOUTHS EXCHANGE SHOTS—TWO ARE WOUNDED IN SOUTH PROVIDENCE

Gunfire between police and youths broke out in South Providence last night, wounding two persons sending 100 state troopers to the area and 1,000 National Guardsmen to their armories.

A Negro youth was wounded in a fierce gunbattle about midnight. Another man was injured, not seriously, as sporadic gunfire and sniping continued for more than an hour. By 2 a.m. today nearly 50 persons had been taken into custody.

The sudden worsening of the situation brought Governor Chafee back to the state from a vacation. He went to the Providence police station for an emergency meeting with city officials. The alert for the National Guard was rescinded at 2 a.m. At the same time Providence police began returning to their stations, state police were released a half hour later.

The shooting began on Prairie Avenue between Dudley and Blackstone Streets. The injured youth, Eugene Sawyers, 15, of 330 Friendship St., was in the area and was shot in the abdomen.

About 1,000 Rhode Island National Guardsmen were assembling early today at armories in Providence and Pawtucket. Governor Chafee returned from a vacation and went to the police station.

Police said the firing began when five or six Negro youths in a house at the corner of Prairie Avenue and Dudley Street fired on a police squad moving up Prairie Avenue.

Police took up positions behind their cars a block away at Prairie Avenue and Blackstone Street. Some fired shotguns at the house.

A fusillade of about 50 shots followed, most of them from police revolvers in about 10 minutes.

Police flushed out the youths from the house and chased them up Blackstone Street. Four Negro youths with a rifle in a car were picked up at 12:20 a.m. It was not known if they were involved in the shooting.

Between 12:05 and 1 a.m. scattered gunfire was reported by police in the area near the Willard Avenue Shopping Center.

The Sawyers youth was taken to Rhode Island Hospital with a spleen wound. He was rolled into the operating room and his name was placed on the danger list.

Another person who was wounded by gunfire shortly after midnight was identified at St. Joseph's Hospital as Melvin Collins, 27, of 58 Gay St., who was treated at the hospital for a gunshot wound in the right leg.

Hospital authorities said the wound pierced the leg and did not strike any bones. They said the man was in satisfactory condition.

A woman who said she was Mr. Collins' wife, said her husband was shot as they were walking on Robinson Street and that the shot came from a group of police at the street corner.

At about 12:30 a.m. Mayor Joseph A. Doorley Jr. asked for state police reinforcements and 100 troopers were sent to the police station.

Mayor Doorley said he asked the state police to help because some Providence policemen had been on duty since 4 p.m. Monday.

The mayor said the city council will hold an emergency meeting at 11 a.m. today and that he may ask for curfew and other emergency powers.

Early today, police wagons began arriving at police headquarters every five or 10 minutes unloading groups of prisoners. Most of those arrested were white. Police could not estimate how many people they had in the cells by one o'clock this morning although the arrests apparently numbered more than two dozen.

Like the disturbances Monday night, most of the rock-throwing, window-smashing and other violence was in the area of the shopping center at Prairie Avenue.

According to rumors that have swept the community, last night was to have been the night for a severe riot resulting in death and destruction, including the burning of Crescent Park in East Providence.

A prayer march through South Providence that had been anticipated did not materialize either.

At least six policemen and a fireman were hurt, none seriously.

At least a dozen civilians were injured.

The police department sent between 175 and 200 men into South Providence. Some carried rifles and shields and wore helmets.

Some persons from other areas of the city drove through the part of the area that was not blocked off by police. Often their cars were pelted with a barrage of missiles.

A few fires, none of them major, were fought by firemen operating under special emergency orders. A few firebombs were thrown.

Rumors of disturbances had spread throughout the city and state yesterday as they had last weekend and Monday and police authorities had prepared for trouble.

Yesterday was the day Emancipation Day is usually celebrated here and the first anniversary of similar disturbances in the same area. Last year's incidents were the first disturbances involving large number of Negroes in Providence in many years.

One of the rumors was that large numbers of Negroes would go to Crescent Park in East Providence, as usually happens on Emancipation Day.

However, fewer than a dozen Negroes were seen at the park at any one time last night. About 70 policemen patrolled the area. Sometime policemen outnumbered patrons.

Because of the widespread rumors of violence, police had asked stores not to sell guns. Harry Goldstein, public safety commissioner, said most complied.

The commissioner said some stores downtown had closed early yesterday. He said police had not asked them to close and they did so for "lack of business."

He said he also had asked gas stations not to sell small quantities of gas in order to curb fire bombing.

Mayor Doorley remained in the center of the city to keep in close touch with the situation.

Earlier in the day, John Reynolds, 21, who came to Rhode Island recently to set up a chapter of the Southern Christian Leadership Conference, said he was asking ministers to go to South Providence to pray for peace. There were no reports of any widespread movement of the kind he called for.

THREE HUNDRED AND EIGHTY FIREMEN ON DUTY

At 7:30 p.m. the fire department began a plan that put about 380 men, almost the entire firefighting division, on duty. In addition to the normal men and equipment, five task forces were set up. This added 15 pieces of equipment to the force.

Under the plan, six firemen rode on each ladder truck or engine. The trucks used main streets.

Firemen were told to use heavy 2½-inch lines instead of the usual 1½-inch lines. They were ordered to leave a fire if stoned or shot at.

The South Providence area was quiet about 8 p.m. About 30 young persons were standing and talking in the shopping center as on a normal summer night. Small groups were on porches.

Few police were in the shopping center area. One patrol car and an unmarked car occasionally passed through the area. The police displayed no helmets or guns at this time.

More persons began to gather in the shopping center. About 9 p.m. someone threw a stone through the window of a laundromat at the center and the alarm bell began to ring. A few other windows in the area were broken.

Fannie M. Carpenter, 44, of 287½ Willard Ave., suffered a cut on the left arm at the center and was treated at Rhode Island Hospital. It was not known how she suffered the cut.

About 20 policemen wearing blue helmets went to the center as between 50 and 75 young persons gathered across Prairie Avenue from the center.

At 9:15 p.m., police ordered Prairie Avenue blocked off at Public Street to prevent persons from going into the area.

At about 9:30 p.m. two patrolmen, Frank Cotioa and Thomas Brandenburg, were hit by flying rocks and treated at Rhode Island Hospital.

DETECTIVES ON ROOF

Col. Howard A. Franklin, chief of police, ordered a half dozen detectives to the roof of the buildings in the shopping center.

Someone in a group of about 40 Negro youths at Prairie Avenue and Dudley Street near the shopping center threw a bottle filled with gas at a car containing white persons.

The firebomb flared up but no injuries were reported.

About 20 helmeted policemen moved from the shopping center to disperse the group and were showered with bottles and rocks. Another firebomb was thrown at them.

Across Prairie Avenue from the shopping center, about 40 or 50 youths had gathered. Kenneth Delves, assistant director for the Progress for Providence drop-in center nearby persuaded most of them to go inside.

Mr. Delves used a bullhorn to talk to the youngsters. He said later that a sailor from Quonset Point Naval Air Station, who had been in the Watts riots, had been yelling profanities over the bullhorn.

At about 9:40 p.m. Colonel Franklin told one of his captains, "I want some arrests made tonight."

Throughout the night groups of young men gathered in front of Beery's Cafe across Prairie Avenue from the center and hurled stones, bottles and other objects at policemen in the shopping center parking lot in front of the stores.

About 100 policemen worked out of a command post behind the shopping center, but usually there were no more than 30 policemen in the center at one time.

At about 10 p.m. Gerald Coreia, 18, of 302½ Willard Ave. was shot in the left ankle on Dudley Street and treated at Rhode Island Hospital. He told police he did not know who fired the shot.

Paul Coffey, 29, of 231 Burnside St. said he was hit in the face by a stone as he rode in a truck driven by John T. Keegan, 45, of 164 Massachusetts Ave. He said the incident occurred at Point Street. He was treated at the hospital.

About the same time, Joseph Garrity Jr., a city fireman, and Patrolman John T. Brady were treated for minor injuries. The fireman cut his hand at a small fire on Sayles Street and the policeman was hit by a brick.

At about 10:30 p.m. Patrolman Richard Fishburn went to investigate a broken window at Tony's Spa, Prairie Avenue and Pearl Street, and a wine bottle crashed through the windshield of his car. He was treated for glass in the eye and did not return to duty.

Others treated at Rhode Island Hospital were:

Grace Kay, 16, of 28 Bridgham St., who was injured in the back by an unknown object on Prairie Avenue about 9:50 p.m.

Joseph Perreault, 34, of 295 Manton Ave., who suffered face cuts when the windshield of his car was smashed while he was driving down Prairie Avenue. He was picked up by a city rescue truck at Dorrance and Westminster Streets and brought to the hospital shortly before 10 p.m.

Joan Rocchio, 7, and her sister, Constance, 4, of 260 Sayles St., who suffered from smoke inhalation from a fire next door to their home.

Louis Correia, 42, of 15 Providence St., who received a nose cut when hit by an unknown object in front of his home about 10:55 p.m.

FOUR-HOUR PERIOD

Most of the disturbances late Monday and early yesterday came within a four-hour period and most were in South Providence near the shopping center.

Ten policemen and eight civilians were injured in the incidents. Most of the injured policemen were cut and bruised by flying glass, bricks or bottles. None was hospitalized.

Five of the injured citizens were cut or bruised in apparently separate incidents and were not hurt seriously.

Three men, all of whom were stabbed in apparently separate incidents, were admitted to Rhode Island Hospital and were reported in satisfactory or fair condition last night.

They are Christos Leakopoukos, 37, of 28 Frank St., fair, Thomas Downey, 65, of 67 Linden St., satisfactory and Curtis A. Gatlin, 24, of 67 Wendell St., fair, and in the extensive care unit with multiple wounds.

[From the Providence Journal, Aug. 3, 1967]

SOUTH PROVIDENCE IS CALM AS CURFEW GOES INTO EFFECT

South Providence, where street violence erupted Monday and Tuesday, was calm last night as a curfew was imposed in the entire area.

The Willard Avenue Shopping Center and nearby streets, where police and Negro youths exchanged gunfire Tuesday night, virtually were deserted.

Few people were outside. Traffic was light.

The curfew ordered by Mayor Joseph A. Doorley Jr. for 9 p.m. last night to 6 a.m. today apparently was the chief reason for the quiet in the area.

The mayor said late last night the curfew will be imposed again at 9 o'clock tonight. After that, he said, a decision whether to continue it will be made daily.

Two square miles of the city fell within the boundaries of the curfew, Route 95 on the east and Broad Street on the West.

A small force of policemen stopped some persons to ask where they were going.

About 30 young Negro volunteers for Progress for Providence, the city antipoverty agency, walked through the streets telling residents about the curfew.

No police blockades were used. A large force of policemen was ready at the police station but stayed out of South Providence.

Five state police cars, each containing four troopers, patrolled the city.

The mayor was empowered to impose the curfew in an ordinance passed by the city council in an emergency session yesterday.

The ordinance also gave the mayor extensive other powers, including regulation of firearms and alcoholic beverages, but he used none of them.

Three firebombs were thrown into buildings on the East Side, not included by the curfew, but little damage and no injuries were reported.

Only one incident was reported that caused injury to persons in the South Providence area. Shortly after 9 p.m., a rock was thrown at the windshield of a car being driven on Public Street near Plain Street and broken glass cut two front seat passengers.

They are Mrs. Eileen Kohler, 20, of 717 Providence St., West Warwick, and her one-year-old son, Thomas J. Kohler. They were treated at Rhode Island Hospital. Police said the incident occurred as Mrs. Kohler's husband, Thomas, 23, was driving.

Monday and Tuesday night were vastly different than last night. Nearly 40 persons were injured, most not seriously, those nights and more than 75 taken to the police station.

Heavily armed police were pelted with rocks, bottles and other objects. More than 75 shots were fired Tuesday.

Authorities were hopeful yesterday that last night would be quiet, but made preparations for trouble anyway.

By early evening, about 250 Providence policemen were on duty. This was about 50 fewer than on Monday and Tuesday nights. Col. Howard A. Franklin, police chief, said he wanted to give his men as much rest as possible.

About 45 state troopers with riot equipment assembled at the police station and an additional 60 troopers were on alert at barracks throughout the state.

Fire officials said no extra firemen were on duty.

No National Guardsmen had been alerted, Maj. Gen. Leonard Holland, state adjutant general, said early last night.

At 7:30 p.m. South Providence was quiet and only one police car was in the shopping center.

An hour later, no more than two dozen persons were in the shopping center parking lot next to Prairie Avenue.

The 20 volunteer workers for Progress for Providence met in a store front in the shopping center and began walking through the residential streets about 9 p.m.

They told residents of the curfew, urged some to stay off the street and escorted some home. The volunteers wore white helmets with the letters PC on them. The helmets had been borrowed from Providence College.

The police broadcast a radio message that policemen were to be courteous to the volunteers and that they were working for the police department.

The firebombs were thrown on the East Side about 9:45 p.m. and did little damage.

A brick and two soda bottles with wicks and filled with fuel were tossed through two windows at the Hung-Up Associates Inc. clothing store at 357 Hope St. Two boys were seen running from the store.

The firebombs ignited and burned a chair and rug in the store, which was closed for the night, and police stamped out the flames before firemen arrived.

A firebomb was tossed into a building on Grand View Street near North Main Street. The bomb did not activate. Police searched the area for youngsters reportedly dressed in black but caught no one.

In South Providence about 10:30 p.m., windows at Prairie Avenue and Elma Street were broken by rocks.

The shopping center was quiet and few persons were on the streets in the area. A half dozen policemen were in the parking lot of the center.

Two youths, 17 and 13 years old, were apprehended by police as they allegedly tried to kick in the door of Sock's Liquor Store, 312 Point St. They will be referred to Family Court for violating the curfew, police said.

PROVISIONS OF ORDINANCE

The city council passed the emergency ordinance shortly before 1 p.m.

It includes specific authority to establish the curfew, ban the sale of firearms and ammunition, ban the sale or delivery of alcoholic beverages and the sale of gasoline and prohibit the gathering of six or more persons.

A $200 fine for violations was stipulated.

According to the ordinance, the mayor can take "any and all steps necessary to preserve the public peace, property, health and safety of the inhabitants" of the city.

The council session was preceded by a closed bipartisan caucus, the first ever held, in which councilmen agreed to give Mayor Doorley the power he requested.

The ordinance says the mayor shall act by executive order to control disturbances. It became effective by passage and will be canceled either by executive order or by a council resolution declaring the emergency is over.

In the disturbances Monday night, 10 policemen and eight civilians were injured. Three of the civilians were hospitalized with stab wounds.

Tuesday night police were met with gunfire, first at Prairie Avenue near Blackstone Street about midnight, and then in about a dozen sporadic incidents.

FIRST OUTBREAK

The first outbreak of firing was the most severe. Police and Negro youths in a vacant house exchanged about 50 shots. The youths were not apprehended.

Police said part of the trouble was caused by white youths in cars cruising through the area and arousing resentment.

In the violence, three persons were shot, one seriously, and 22 others suffered minor cuts and bruises. Nine of the 27 were policemen.

A total of 72, most of them young white adults, were taken to the police station. Nineteen juveniles were referred to juvenile authorities, and 11 of the adults were sent to court, most of them on disorderly conduct or weapons charges. The rest were released.

At about 12:30 a.m. yesterday Mayor Doorley asked for state police assistance. About

100 troopers went to the police station and 40 of them to the shopping center.

About 1,000 state National Guardsmen were told to report to their armories, but they were sent home at 2 a.m., when most of the area had become quiet.

"Soul Patrol" Checks on Curfew: Quiet Was Unbelievable

(By C. Fraser Smith)

Teams of Progress for Providence workers strolled through a hushed South Providence last night unable to believe the quiet of the section in which most of them grew up.

Organized into teams of four, the "Soul Patrol" moved out of the Willard Avenue Shopping Center shortly after nine. With them was a woman who was not aware of the curfew set by city officials yesterday.

Escorting her home, they walked by the vacant house on Prairie Avenue between Dudley and Blackstone Streets where snipers exchanged fire with police Tuesday night.

Robert Young, 19, of 109 Chester Ave., stopped at the corner house on the north side of the street. He pointed at several bullet holes in the peeling white columns of the house. The night before the street had been filled with the sound of gunfire.

Last night, the entire area was calm. Four young people walked quickly by the white helmeted patrol. They said they would get off the street.

"We are operating on the theory that many people don't know about the curfew," one of the workers said. They turned left on Dudley Street, where firemen had been pelted by bottles and bricks two nights before. For the first 100 yards along the unlighted street they met no one. Barking dogs offered the only break in the stillnes.

"I've never seen it this quiet here and I've been living in this area for 12 years," Young said.

"It's almost too quiet," said Felix Donalwa, 27, who is working with the antipoverty agency to develop a rehabilitation program for drug addicts.

From the end of Dudley Street, they turned down West Clifford at about 9:10 p.m., after speaking to people in a car. The driver had pulled away immediately.

At West Clifford and Pearl Street they corralled three youngsters walking down from Broad Street. These three were escorted home also.

At Pearl Street and Prairie Avenue, a spot where a brick smashed the windshield of a police car on the first night of the disturbances, they turned back toward the center. The first police car they had seen passed slowly at 9:45 p.m.

Coming again to the corner of Dudley Street, they turned left and moved toward Rhode Island Hospital.

A younger boy in a white tee shirt passed going swiftly the other way. "The man's going to grab you. It's going to cost you if you get caught," he was told.

Another youth taunted them gently. "Why don't you guys have billy clubs?" he asked.

"Hey, I forgot where my house is," he added. They kept walking as he left the street.

"Any trouble up there yet, Robert," someone yelled from the shadows referring to the center. "Not yet," he answered.

At Dudley and Gay they met the only group who refused to listen. "They knew about the curfew, but they're going to stay out," said Lester Fairweather, 22, a detached worker.

They turned down Gay to Blackstone, turned right and moved past the Flynn School. Half way up the block they stopped to talk to Walter Steele, 58, of 239 Blackstone St.

"I just put my wife on the bus for Delaware," he said. "She's got a heart condition." Mr. Steele, who has a grocery store at the corner of Blackstone and Gay Streets, said he hoped he'd get some sleep.

"I CAN'T FIGHT"

"I haven't been to sleep in two days," he said. He had been up watching the turmoil in the center from his porch, while keeping an eye on his store, he said.

"I can't fight," he said. "I'm 58 years old. I'll fight for my rights, but I can't go up there with those guys."

By then it was 10. A car passed and was stopped by Mr. Fairweather's whistle.

"He was coming in from New Bedford. Didn't know about the curfew," he reported.

Later, while checking out reports of fire bombs on the East Side, the workers said they had hoped the curfew would be extended to that area.

"What I'm worried about," said Lonnie Wilkinson, 22, of 105 Rugby St., "is what will happen at 1 a.m. when all those joints close down." He was afraid that a lot of people would begin to move back into the South Providence with trouble in mind.

FAINTLY IN RED

They drove beyond Cypress Street and stopped in front of a boarded store front with the letters "K.K.K." painted faintly in red. Someone reported trouble on Pleasant Street. They turned around.

As their car came to the intersection of Pleasant and Camp Street, they stopped. The macadam disappeared down a black cavern. There were no street lights.

"Boy, I'm not driving down there," the driver said, "Soul Brother or not."

But they would walk, they decided. "If we can see them we can talk to them," they reasoned.

More than 10 of the 29 Progress for Providence workers were in the Camp Street area by then. They stopped each police car they passed.

"Can we help you?" they asked. The police briefed them each time. There was teamwork.

[From the Providence Journal, Aug. 5, 1967]

Mistakes Aired in South Providence

(By Douglas C. Wilson)

Youngsters were back to playing pool again at the South Providence Drop-In Center yesterday. It was almost a normal day.

There were still a few reminders of the violence that erupted in the neighborhood four nights earlier. Police and city officials were meeting with a group of young Negroes who sat with helmets at the far end of the room.

Across the street, at the Willard Avenue Shopping Center, the boards were still covering shattered windows. And right next to one of the pool tables was a new sign in red and black letters:

"Are you willing to donate blood for Eugene Sawyers?" it asked. The sign covered an earlier poster with a happier question—"Would you like to be queen of the South Providence Drop-In Center?"

Eugene Sawyers, 15, of 330 Friendship St., was shot in the Tuesday night violence. He remained in fair condition last night in Rhode Island Hospital. His name is on the danger list.

One other name, a volunteer blood donor's, was written on the poster when the officials and the men with the helmets began their meeting at 4:30 p.m.

Cleveland Kurtz, a group worker for Progress for Providence, Inc., and one of 22 volunteers who aided police in the recent crisis, said he called the meeting to discuss "the things that we did wrong and the things that we did right."

About 25 persons attended the informal session, which was marked by some earnest discussion—and also a touch of Monday morning quarterbacking.

The workers of the volunteer group which calls itself the "Soul Patrol" carried their helmets and flashlights because they were facing another stint of enforcing the city's curfew, beginning early this morning.

But in the hour they talked to Capt. Walter A. McQueeney, of the city's police department, John Cicilline, administrative assistant to Mayor Joseph A. Doorley Jr., and state police representatives, they were looking back.

The police came in for a little verbal sniping as Errol Hunt, director of the center, told Captain McQueeney: "Your tactics were poor. One of the worst things you did was to surround the drop-in center, when the kids inside weren't doing anything wrong. You scared the kids."

Later, the captain said, "We make mistakes. It's very hard to keep track of 400 people." He blamed "a breakdown of communications" on Tuesday night, but he said the workers had to agree that relationships were excellent during disturbances the night before. "There was no swinging of clubs and everything was done with restraint," he said. "More good has come out of this than bad. We've learned to know people, and people have learned to know us."

Mr. Kurtz said a primary purpose for the meeting was to help the volunteers and neighborhood workers get to know individual policemen "on a very human and personal basis," and Captain McQueeney agreed that officials "would like to have you get to know all of the policemen in the community." He called for more meetings like yesterday's session, to be held on a regular basis.

Another worker, Isadore Ramos Jr., was critical of Mayor Doorley and other city officials, saying they should "take time to come down to the community and talk to the people instead of talking just to the so-called leaders. I didn't see any of the so-called Negro leaders in the situation of the last few nights," he said. "The mayor finally realizes that now he has to talk to the people."

Mr. Cicilline disagreed. "You know that most of you people were consulted this morning by the mayor before he issued the new curfew," he said. Of course the city talked to certain leaders quite frequently, because "in some cases," he said, "there are people who always walk forward."

The mayor's spokesman added, however, that different leaders appear during different crises: "In the last three years we've found that almost every crisis creates its own leadership," he said.

Another man complained that police were slow to accept credentials of the "Soul Patrol" on Tuesday night and did not always work smoothly with them. Captain McQueeney said he knew of this, but on Wednesday night, he said, "We went back and we gave a pretty strong talk to all our people. In fact, we put it on the police radio."

At the end of the meeting, the captain suggested that the volunteers and police agree sometime soon to arrange a "formal swearing-in ceremony" for the "Soul Patrol" in an effort to perpetuate the organization.

[From the Boston Herald Traveler, Aug. 3, 1967]

South Providence "Quiet" Under Curfew

(By Paul Giguere)

Providence, R.I.—A curfew imposed on a 1½-mile section of South Providence, scene of two nights of racial violence, was termed "very successful" late Wednesday night by Mayor Joseph A. Doorley. "There have been no bad incidents this evening and we hope that everything is under control now," the mayor said.

The curfew, however, will continue on a day-to-day basis "until there is every assurance the streets are safe for everyone," Doorley said at an 11:30 p.m. press conference in police headquarters.

The mayor blamed the violence on "a bunch of hoodlums" and said about half those arrested were "from outside the Providence area."

A heavily-armed force of 300 local and state police stood ready to enforce the 9 p.m. to 6 a.m. curfew. They remained outside the trouble area, however, and as of early Thursday morning had not been called into action.

Doorley ordered a selective curfew after the City Council earlier in the day gave him broad emergency powers in the wake of rioting and gun battles between police and snipers late Tuesday night.

However, there was a widespread impression the curfew applied to the entire city, and, as a consequence, streets of Providence generally were deserted Wednesday night.

Mayor Doorley also was empowered to halt the sales of liquor, gasoline and firearms, but he found no need to use these powers up to a late hour Wednesday night.

Gov. John H. Chafee sped here from Maine, where he had been vacationing. He praised police for their earlier efforts, and stressed that the situation had been kept in check to the extent that local authorities had not indicated a need for calling out National Guard detachments.

As of late Wednesday night, the situation was being handled entirely by local police. Forty-five state troopers were in the city, but only standing by with local reserves at police headquarters.

Working in the restricted area during Wednesday evening were 21 workers of the Progress for Providence Anti-Poverty Program. Wearing white helmets bearing the initials P.C., for Poverty Corps the 21 appealed to residents of the area to remain indoors.

"We are not stopping anyone going into the area who has legitimate business there," reported Capt. McQueeney. "But we are not letting in any strangers or trouble makers."

In obtaining his emergency powers from the City Council, Mayor Doorley told the membership that "young, unorganized hoodlums" were behind the violence.

About 12,000 persons live in the curfew area, which is predominantly Negro.

Ten policemen were among 30 persons injured in Tuesday night's violence, and 57 persons, many of them white, were taken into custody by police. Most of them were released later, except for a juvenile captured with a .22 calibre rifle.

[From the Boston Globe, Aug. 3, 1967]

Curfew, Police Calm Providence

(By Robert J. Anglin)

PROVIDENCE.—This city was quiet early today as police enforced a 9 p.m. curfew in an effort to prevent a third night of racial violence.

Prior to the curfew, 21 Negro youths, all wearing white helmets, patrolled the troubled neighborhood in an effort to reduce tension.

Only isolated incidents were reported in the Willard Ave. section of South Province, a predominantly Negro area, and the scene of gun battles Tuesday night between police and snipers.

Earlier Wednesday, after an emergency meeting with the City Council, Mayor Joseph A. Doorley, Jr. set the curfew for a 1½ square mile section.

The patrolling Negro youths, members of Progress for Providence, an antipoverty program, had volunteered for duty after trouble began Tuesday night.

Doorley said Wednesday night that disturbances Monday and Tuesday had "no racial overtones." He said they were "the work of 100 to 150 hoodlums, some of them from outside the city."

Late Wednesday, Doorley said a Molotov cocktail had been thrown into an empty drugstore, but he said the incident occurred outside the area where disturbances had occurred previously.

Doorley said he hoped Wednesday's quiet was the work of the White Hat Patrol, the group of young volunteers.

He said the White Hats "have told us, after talking to the youths in the area of the disturbances, that they had 'enough.' "

Capt. Walter A. McQueeney, head of the Police Dept.'s community relations program, praised the youths, saying "they have done a wonderful job for us."

McQueeney said: "our main problem is with the young hoodlums, and I mean hoodlums. They have no regard for anyone, themselves, their family or their neighborhood."

[From the Providence Journal, Aug. 4, 1967]

South Providence Quiet Again

For the second night in a row, South Providence was quiet last night as a curfew kept most persons out of the streets.

Although isolated incidents were reported, there was none of the violence that swept the center of the area Monday and Tuesday nights, injuring nearly 50 persons, damaging property and resulting in about 75 arrests.

About 20 volunteer workers for Progress for Providence, the city antipoverty agency, went through the streets talking to residents and trying to keep the area quiet. They had done so Wednesday.

The staff of the city human relations commission also was there.

The police had only a normal force in the area.

The curfew was in force from 9 p.m. to 6 a.m. today, as it had been Wednesday night, when the streets virtually were empty.

Mayor Joseph A. Doorley Jr., who was empowered by the city council in an emergency meeting Wednesday to impose the curfew, is expected to meet with police and antipoverty officials today to decide whether to continue it.

Last night and Wednesday night, many persons apparently accepted the spirit of the curfew without having to be told to stay off the streets. No police blockades were used.

The most seriously injured of the victims of the violence earlier in the week, Eugene Sawyers, 15, of 330 Friendship St., remained in fair condition last night at Rhode Island Hospital. His name was on the danger list.

Col. Howard A. Franklin, police chief, said the bullet that hit the boy in the abdomen has not been removed and its caliber is not known. How and where he was shot also are not known.

On the city's East Side last night, streets mostly were quiet. Antone M. Perry, 24, of 159 Camp St., was arrested and charged with throwing a rock at a police car on Pleasant Street at Bugbee Court about 5:30 p.m.

Police said a crowd had gathered at that intersection when police chased four youths who reportedly fled a stolen car. One of the boys, 14 years old, was caught and released for further questioning later.

In South Providence, five of the Progress for Providence volunteer workers asked Steven Riffkin, owner of a liquor store at 99 Prairie Ave., to close his store. Mr. Riffkin, who had slept in the store for three nights this week, locked up and went home.

At the corner of Lockwood Street and Prairie Avenue, the volunteer workers ran into a group of men shooting dice. One of them said to one of the volunteers, "They're using you, boy."

One of the volunteers said, "Don't let them spoil what we're trying to do." Later, the dice game had disappeared from the corner.

The El Rio Bar on Broad Street near Trinity Square which officials said was the last open bar in the area, was closed after police requested that it be closed.

Mayor Doorley, in commenting on the violence earlier this week, said yesterday, "I don't think it's a racial problem. I haven't seen any racial overtones."

He blamed the trouble on hoodlums, many of them white and many of them from outside the city. He said they knew there was tension and took advantage of it.

The mayor had high praise yesterday for the antipoverty workers and for the police in trying to head off and quell the disturbances.

The police, he said, showed "remarkable restraint" and thus prevented greater violence than occurred. The antipoverty workers were invaluable, he added.

Some of the antipoverty workers involved, who are Negroes, could have been battling police but instead were working with them, the mayor said.

Colonel Franklin said yesterday that the disturbances appeared to be spontaneous. Rumors that had swept the city and state before the trouble erupted showed that many persons believed Negroes were planning deliberate violence.

Mr. PELL. Mr. President, we who are not deprived have a responsibility to look through the wall of affluence that surrounds the underprivileged and shields them from us. We know the problem; we believe that through the program that I previously outlined, we have the solution. I believe we can tarry no longer. I urge the administration to implement this program with the utmost speed.

A SHOCKER IN NEW HAVEN

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the CONGRESSIONAL RECORD a column written by John G. McCullough in the August 25, 1967, edition of the Philadelphia Bulletin, entitled "A Shocker in New Haven."

There being no objection the column was ordered to be printed in the RECORD, as follows:

A Shocker in New Haven—Something Needed Besides Dollars

(By John G. McCullough)

For the past five years the federal government has been channeling $15 billion a year into programs hopefully designed to cure the physical and personal woes of the nation's cities.

If other federal aid programs of national scope, but with special meaning to the cities, are included, the overall federal spending on city problems probably reaches $30 billion a year.

Yet there seems to be little disagreement that the cities appear to be in more trouble than ever before.

"None of it," said New Haven's Mayor Richard C. Lee last Monday night, "makes sense."

Lee was dealing in specifics and not in generalities. He was, in fact, speaking of his own city and the rioting and property destruction seen there this week.

ENVY OF OTHER MAYORS

What makes Lee's remark significant is that his New Haven has for years been regarded as THE model city in terms of progressive government, community commitment and enlightened renewal.

Lee and his city have been the envy of other mayors. Planners, social scientists and government officials from all over the world have made pilgrimages to New Haven to observe at first hand what Lee has often described as "the reclaiming of a lost city."

Lee was to have been nominated by acclamation last Monday night as the Democratic Party's candidate for an unprecedented eighth term. Instead, he was in a basement control center supervising the efforts of his police and fire departments to cope with the same raw violence that has to our dream of a slumless city."

This summer's plague of street violence and destruction in Newark, Detroit and elsewhere has shocked a nation. But the outbreaks in New Haven brought even greater consternation to governmental officials in Washington and across the nation. For New

Haven has been viewed as the one city where there could be no possible cause for a riot.

New Haven has been regarded, as Dr. Robert C. Weaver, secretary of the U.S. Department of Housing and Urban Development, said not long ago, as "coming closest to our dream of a slumless city.'

THIRD RENEWED

Federal, state and local funds, as well as massive amounts of private investment, have been devoted to New Haven for a renewal program that has already covered more than a third of the city. Grants from the Ford Foundation gave New Haven an antipoverty program long before the federal program was originated. The New Haven plan, in fact, was the model and the pilot for the federal effort headed by Sargent Shriver.

In testimony before the Senate Judiciary Committee on Tuesday, John A. McCone, who headed the panel that investigated the 1965 riots in the Los Angeles Watts section, observed sadly that he and his staff had found New Haven to have one of the most progressive and concerned city administrations in the nation.

McCone said, too, that he felt "sick" when he learned of the rioting in New Haven because "a great deal" had been done for Negroes there.

After emphasizing the need for a continued search for the solution to urban unrest, McCone told the senators that massive injections of money and aid are not enough.

"The Negro," McCone said, "must help himself. We are a competitive society and equality means he has to compete. Unless he does, unless he is motivated . . . then no amount of money will be successful."

WRONG STRESS

There have been warnings in the past that far too much attention has been paid to physical programs in the cities and that the Negro has in many cases been led to believe, as have members of some other minority groups, that they are to be treated as a subsidized group through an assortment of socially engineered programs.

Such warnings, and they have come from many Negro residents of slums, have for the most part been ignored in the general clamor of social scientists who insist the federal government has the responsibility for creating an urban society and for telling each person how he is to live in such a society.

Lewis Mumford, the author and student of urban affairs, told the U. S. Senate in April that there is no hope for the cities "unless human needs and human interactions and human responses are the first consideration."

In response to those advocating clinical and technological approaches to urban needs Mumford cautioned that "you will bring about even more villainous conditions than those you are trying to correct; for you will wipe out what is left of neighborly life, social cooperation, and human identity in our already depressed and congested urban areas."

There was a warning from Mumford, too, that those who see the cities as a vast sociological laboratory and their people as specimens should move with great caution and "experiment with small measures and small units."

RESENT "EXPERIMENTS"

One New Haven Negro, discussing the riots there, declared that "our people don't want to be treated like something in a scientist's experiment."

Another suggested that governments at all levels have been too expansive in their promises of what can be done for those living in slums.

"You can't go around promising us champagne and then give us beer," he said.

In government offices, New Haven's disturbances are certain to draw even greater attention than the far more serious ones in Detroit, Newark and elsewhere.

For the lesson of New Haven may well be that the failure of government has not been one of dollars—as many are still suggesting—but rather the multiplicity of urban programs with billion dollar price tags and no real meaning to the people who need and want help in terms of housing, jobs and education to enable them to make their own way.

HOME FROM VIETNAM

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at the close of my remarks a letter addressed to the Members of the U.S. Senate from Mr. M. Edward Clark, 1405 North 64th Street, Kansas City, Mo.

Mr. Clark, who lost a son in Vietnam on June 8, 1967, has addressed a letter through me to the Senate. His letters contains criticisms of our country's involvement in the Vietnam war. His letter states in part:

> The time has come for the Senate to call a halt to the authorization, which the President now assumes was given to him in the Tonkin Gulf Resolution, to conduct a war of obliteration on both North and South Vietnam. Each day of postponement leads us closer to chaos.
>
> Your most strategic efforts, apart from partisan politics, are urgently requested in order to bring the war to a negotiated settlement and thus stop the carnage.

Mr. Clark also enclosed a copy of a letter which he has written to the President, which I also ask unanimous consent to be printed in the RECORD.

I also ask unanimous consent that an article entitled "Home From Vietnam: June 14, 1967," which Mr. Clark wrote for the August 23, 1967, issue of the Christian Century, be printed in the RECORD.

There being no objection, the letters an article were ordered to be printed in the RECORD, as follows:

TO THE MEMBERS OF THE U.S. SENATE.

DEAR SENATOR: Let me add my strongest protest over the continuing tragic involvement of the United States in Viet-Nam. I speak not only because of the death of my son in Viet-Nam on June 8, 1967, but on behalf of the whole moral standing of the United States as a people.

We have made the terrible mistake of concluding that because America has fought for just causes in the past, that now because we are fighting our cause is just. It is no exaggeration to say that our position in Viet-Nam has created more Communists in Asia, South America, and many other parts of the world than we can possibly imagine.

May I call your attention to the two items enclosed: (1) An open letter to the President. The original letter (slightly different) was answered by the Public Affairs Office of the State Department in a most unsatisfactory manner. (2) A copy of the August 23 issue of *The Christian Century* which contains some reflections upon the death of my son.

The time has come for the Senate to call a halt to the authorization, which the President now assumes was given to him in the Tonkin Gulf Resolution, to conduct a war of obliteration on both North and South Viet-Nam. Each day of postponement leads us closer to chaos.

Your most strategic efforts, apart from partisan politics, are urgently requested in order to bring the war to a negotiated settlement and thus stop the carnage.

Sincerely yours,

M. EDWARD CLARK.

KANSAS CITY, KANS.,
July 31, 1967.

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: After writing innumerable letters to you over the past eighteen months relative to my deep concern about American involvement in Viet-Nam, I have finally received a letter from you. It begins as follows:

"Please accept my deepest sympathy in the death of your son, Private First Class Timothy R. Clark . . ."

The death of my son in Viet-Nam has increased my concern. With due appreciation for the dilemma in which you find yourself, it must now be abundantly clear to all but the willfully blind that our strategy in Viet-Nam is wrong, and that the whole basis for our presence in Viet-Nam not only needs to be called into question but has been called into question by practically all the rest of the world.

After two years of active involvement of American troops can you or your advisors believe that we are any nearer to peace now than we were two years ago? Indeed, are we not farther away?

After more than 12,000 war dead, can you or your advisors believe that after the sacrifice of another 12,000 we will be any closer to peace than we are now?

After the tremendous build up in arms and men, can you believe that militarism in America is less of a threat than it was before the build up began?

After the countless demonstrations in every part of the world, can you honestly believe that American prestige and influence in the world is on the gain?

After countless attempts at the "pacification of the countryside" in South Viet-Nam, can you or your advisors honestly believe that the South Vietnamese are the supporters of Premier Ky or of American intervention?

After the riots in Detroit and Newark is it not increasingly clear that the deliberate increase of violence in Viet-Nam has brought a corresponding rise in violence at home?

The solution of the tragedy in Viet-Nam will not come about by the courage of our fighting men, great though that is. The solution will come only when you and those who advise you have the courage to face the reality of the situation, to realize that our present strategy in Viet-Nam is a tragic error from every point of view, and to have the courage to admit the errors of the past, going back to Eisenhower, and to devise a radical change of strategy. I pray that you may have that kind of courage.

The heritage of hate which even now we, and the French before us, have built up in Southeast Asia will haunt us for generations. It is time for a reversal of policy, otherwise the generation now being born will pay with their lives, even as my son had to pay with his, for the mistakes now being made.

Sincerely yours,

M. EDWARD CLARK.

HOME FROM VIETNAM: JUNE 14, 1967

(By M. Edward Clark)

On the night of June 14, 1967, I sat on the running board of a United Air Lines jeep waiting for the flight from San Francisco to come in. The arrival, scheduled for 11:13 p.m., was already a half-hour late.

As I waited I thought about my son, Tim. He was returning home from Vietnam on that flight. Little more than a month before, on May 2, I had waited at that same airport after Tim had said good-by and boarded a T.W.A. jet for San Francisco. That evening, at sundown, my wife and I, my daughter, my grandson, and Tim's girl of a few short days stood on the observation deck while his plane was delayed, first for late passengers and then for the landing of an incoming plane. Then the jet pushed its nose into the sky and dipped away toward the west, finally becoming a dark speck against the pale glow of the evening sky.

I

Now my son was coming home. The minutes dragged on. At last, shortly after midnight, a string of baggage carts came into sight and I knew that Tim had arrived. The jeep pulling the wagon train came to a stop at the freight office of United and a young man in uniform stepped out and shook hands first with the undertaker and then with me. "I am Lieutenant Campbell," he said. "I have been assigned as an escort for your son. May I extend my sympathy."

My son was in an oblong gray plywood box with two bronze handles on either side. Stenciled across one end of the box were the words Pfc. Timothy R. Clark US 55 881 629. On the top of the box at one end was the word Head, and on the upper corner of one side were the words flag inside.

So now my son was home. Home from the scraggly brush-covered hill where, the Thursday before, he had written us a letter, his last letter. He had said that in his idle moments of waiting he let his mind roam the streets of Kansas City, visualizing each corner, each building, the lights at night; the memory took away some of the loneliness of Vietnam. The next day at 2300 hours (11:00 p.m.) Tim took the brunt of a hand grenade thrown by a "hostile" soldier. Up to the time he wrote his last letter, Tim had not seen a hostile soldier, neither a Vietcong or a North Vietnamese. But he had seen some of the results of their activity. A couple of weeks before, while his battalion was out on perimeter defense, the bunker that was serving as their headquarters had been mortored and machine gunned, and six of his buddies had been killed and eight wounded. Later, he heard, one of the wounded had died.

The probability is that Tim never did see a Vietcong or a North Vietnamese soldier. If so, at least one of his wishes was fulfilled, for in several of his letters he expressed the hope that he would never see any of the "enemy."

So now his last flight had touched down, and he was home never to fly again, never to sing or sigh again, never to wish or hope again; his only task now to wait out the long slow hours of eternity, where the hatreds of men cannot enter.

The freight clerk opened the freighthouse door and the baggage cart was backed up to the waiting hearse. The four of us—the escort, the undertaker, the freight man and I—shoved the gray box from the cart into the hearse. This done the escort said: "Mr. Clark, the army has declared your son to be nonviewable. If you would like we, the undertaker and I, can open the casket in the morning and see if he can be made viewable, but we don't know." I answered that the viewability of the body was not important, and that we did not plan on an open casket during the funeral ceremonies.

With that the three of us got into the hearse and began the drive to the funeral home. On the way to the airfield I had expressed to the funeral director the wish that after we had picked up the body we might take a sentimental journey and drive down the streets Tim had seen in his mind's eye so shortly before the grenade found him.

So as we crossed the Broadway bridge the undertaker steered the car south into Main street, past the theaters, the bars, the stores, down to Fourteenth street, where we turned left to Grand, then north on Grand past the Midland Camera store where Tim had bought some of his camera equipment, past the bus station where, just a year ago, he had arrived one midnight from Fort Leonard Wood on his first weekend pass. Then across the viaduct and on to the intercity expressway to Kansas City, Kansas, and the funeral home.

All that was four days ago. The last of the ceremonies is over. Relatives who arrived before the body of my son will leave in the morning. Only a small plot of broken sod and a few wilted flowers mark the spot where one who once dreamed dreams great and small, one who dared to walk the earth as a friend to all men, who scorned the ordinary and fought desperately within himself to be what every man ought to be: a unique human being—only the broken sod and the fading flowers mark the spot where one, once so full of hope, now lies distorted and nonviewable.

II

Who killed my son?

The telegram sent by the army said he was killed by a detonated grenade thrown by hostile forces—by the communists of the North Vietnamese or the Vietcong. There is at least a half-truth here, but, alas, only a half-truth. A hostile force was, to be sure, the immediate cause of his death. But that fact is really but the final detail. The ultimate cause of the death of Timothy R. Clark, of the other 175 who were killed that week, of the more than 11,000 Americans who thus far have lost their lives in Vietnam and of the many who are yet to die—the cause of all these tragic deaths ultimately can be traced to three things: Pride, Greed and Indifference.

Why do the Vietcong and the North Vietnamese fight so stubbornly against the most powerful nation in the world? Because to admit defeat would be to surrender all pride, pride which long ago the French took from them and which they finally received by defeating the French at Dien Bien Phu.

Why does the American high command sacrifice life after life when admittedly the land it holds is beside the point? Again the answer is pride—the pride of a proud man who has the support not only of other proud men but of greedy men as well. For is it not true that there is much more room for promotion and advancement when a war is on than when peace prevails? Perhaps they are not conscious pride and greed; they can always be rationalized as patriotism. But they are pride and greed nonetheless. And will anyone pretend that there is no greed in the companies that fight for the war contracts?

What of indifference? Since World War II conscription—something many of our ancestors came to America to escape—has become the accepted thing. So indifferent are we that hardly a murmur is raised when the Congress proposes a law that will draft 19-year-olds as first choice; for 19-year-olds make better soldiers! Do they indeed? Or is it rather than 19-year-olds can more easily be led to believe what the army wants them to believe? Is it that they will go simply because they are told to go? Escort Campbell told me that the only reason he had for being in Vietnam was "orders."

III

The fact is, as a recent editorial in the *Boston Globe* indicates, that the industrial-military-scientific-political complex finds this war a convenient way of satisfying its selfish purposes. The casualty lists are getting a bit longer now, but they have not yet reached the danger point. A few more waves of the flag will keep the war going at least for a while yet.

Besides, most of the casualties are high school or college dropouts and their parents aren't apt to be in positions of power. The wealthy and the prestigious can keep their sons in school (the proposed new law makes it even easier) until the danger of the draft is over. Hopefully there will be plenty of 19-year-olds so that those who are older will not be called. Indifference and the cultic religion of Americanism will take care of most of the problems.

Who then killed my son? The Vietcong? The North Vietnamese? No, not they alone. I killed him. You killed him. False and greedy patriots killed him. Prideful and ambitious politicians killed him. The armed forces of his own nation killed him. The guilt of his death is upon us all. His blood and the blood of 11,000 is on our heads. Each new day brings more oblong gray boxes to rest on our doorstep.

But the madness continues. Last week 176 Americans were killed, and who knows how many Vietnamese, South and North, soldier or civilian. This week there will be more. And each week the slaughter continues, pride and greed increase and we edge nearer to the point of no return, a nuclear holocaust that will devastate the earth and make us all nonviewable.

Madness, madness, madness!

CONGRESS NEEDS AN OFFICIAL LAWYER

Mr. HARTKE. Mr. President, Congress is becoming ever more aware of the need for protecting its constitutional mandate more carefully. As the other branches of government change with the times, so also must Congress change. But Congress intends to change within the guidelines laid down in the Constitution. Part of this change should be to provide ourselves with an official advocate, a congressional counsel general.

Paul Janensch, of the Courier-Journal of Louisville, Ky., has written an article about S. 1384, my bill to provide Congress with this official advocate. I commend the author for his understanding of this vital issue: the gradual erosion of the separation of powers doctrine. I further recommend his words to my colleagues as an accurate description of the problem and my proposed remedy.

Mr. President, I ask unanimous consent that Mr. Janensch's article of August 27, appear at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Hartke Asks Chief Lawyer for Congress

(By Paul Janensch)

Washington.—Does Congress, which is full of lawyers, need its own attorney?

U.S. Sen. Vance Hartke (Indiana University Law School, Class of '48) thinks so, and he has introduced a bill calling for the creation of a "congressional counsel general" who would speak with authority on the intent and constitutionality of legislative matters—a sort of legislative attorney general.

So far, the Indiana Democrat's proposal has received scant public attention, but behind the scenes it is attracting the interest of two Senate groups that hardly ever agree on anything.

Southern conservatives are studying Hartke's bill because they believe the Department of Health, Education and Welfare and other federal agencies are pressing harder for civil-rights compliance than Congress intended.

The Senate's "doves" are receptive to the idea because they see a congressional counsel general as an official who might be able to delve into the legal aspects of the Vietnam conflict. For example, can a president commit half a million troops and billions of dollars to a war that has never been declared?

HARTKE'S REASONING

The problem, as Hartke sees it, is this: Congress has no single voice to explain what it intended when it passed certain laws. As a result, the executive branch of the government and its burgeoning agencies often interpret, or even ignore, the laws as they see fit.

When the agencies want legal advice, or when they go to court, they don't turn to Congress for help; they go to the attorney general. Personalities aside, Hartke asks, is a member of the president's cabinet the most qualified spokesman for the legislative branch?

What the Senate and the House need, Hartke insists, is "a voice speaking clearly to the executive, to the administrative agencies and to the courts, in declaring the collective will of the people through their Congress."

Under Hartke's proposal, the counsel general would advise Congress on constitutional questions, help the lawmakers in their traditional role as the watchdogs of the executive branch, and represent congressional views in court actions.

EXAMPLES CITED

These are some examples which the senator cites to illustrate the need for a congressional counsel general:

The last federal wiretapping law was passed by Congress in the 1930s, before the development of sophisticated eavesdropping devices. Since no one can authoritatively apply the old law to the new situation, the attorney general is doing the "legislating" himself. The result, says Hartke, is a morass of conflicting memoranda and regulations.

Congress, Hartke says, never intended that the broadcasting "fairness doctrine" should be extended to radio and television advertising. Nevertheless, the Federal Communications Commission has ruled that stations carrying cigarette commercials must furnish free time to groups who say smoking is a health hazard.

The last Congress told the Defense Department unequivocably to "proceed with the design, engineering and construction of two nuclear-powered frigates as soon as possible." Hartke says he sees no "speedy proceeding to have these two nuclear frigates constructed."

A week after Hartke first unveiled his congressional-counsel-general plan, Adam Clayton Powell asked a federal court to seat him over the objections of the House of Representatives. The House, having no lawyer of its own, was forced to hire an outside attorney to argue its case.

MORE AT STAKE

Hartke says there is more at stake than unconstructed frigates and the control of bugging devices. He views the sometimes-arrogant posture of the executive branch as a threat to a vital constitutional principle—the doctrine of separation of powers.

At the Constitutional Convention, the proceedings of which the senator says he has read and reread, the founding fathers decided that neither the Congress nor the president should be subservient to the other.

But today, contends Hartke and many of his colleagues, the balance of power is shifting steadily toward the executive branch, with its vast powers—both authorized and assumed.

"The power pendulum has swung too far," Hartke warns. If we don't block the trend, he says, the legislative branch may someday be regarded as a quaint and impotent relic.

"I shudder to see the Congress become a veritable House of Lords, where we can sit in meaningless splendor, surrounded by the trappings of power without substance," he declares.

First elected in 1958, Hartke started out in the Senate as a conventional moderate-liberal who was quite friendly with the Democratic leader at that time, Sen. Lyndon B. Johnson of Texas.

Since then, however, Hartke has become more and more of a maverick. He is a persistent critic of the President's Vietnam policy, and has called repeatedly for a negotiated settlement of the war. He strongly opposes the administration's proposed surtax on income taxes, and he has denounced aspects of the foreign-aid program, notably the shipment of arms to "unfriendly" nations.

The chances that Congress will authorize the creation of a legislative attorney general this year are nil, Hartke concedes.

For one thing, both houses have a huge backlog of unfinished, and more-pressing, business.

Furthermore, several influential senators are cool to Hartke's proposal. Sen. Mike Monroney, D-Okla., has said such a "Frankenstein monster" would become a "boss" of Congress. Sen. Sam J. Ervin, D-N.C., has argued that a counsel general would suffer "schizophrenia" trying to reflect all the many congressional views on constitutional matters.

But Hartke is confident that his colleagues will come around to his point of view in a year or two. And when they do, he will have another bill up his sleeve: Because he thinks Congress must assert itself in the field of world affairs, Hartke is ready to propose that a congressional "ambassador" be assigned to every U.S. embassy.

PRAISE FOR TESTIMONY OF GENERAL GELSTON

Mr. BREWSTER. Mr. President, for some years, now, I have considered that my home State of Maryland is very fortunate to have as its Adjutant General my good friend Maj. Gen. George Gelston.

So, naturally, I was gratified to open the Washington Post this morning and read an editorial expressing exactly the same admiration that I have had for General Gelston during all the time I have known him.

General Gelston testified recently before the Committee on the Judiciary on the antiriot bill before the committee. As the Post has stated, his testimony stands out above all others for its reasonableness and its calm, incisive analysis of the developments leading to an urban riot like the one that took place in Cambridge, Md., last month.

General Gelston, who as leader of the Maryland National Guard has had considerable experience with riots, also presented the Judiciary Committee with a formula for preventing rioting that should serve as an example for both city governments and other Guard units.

Political action to solve problems, a show of force to head off trouble, and a discriminating reaction when violence occurs—General Gelston has used this formula with such success that in the 23 months the National Guard has been in Cambridge during the last 4 years, not one citizen has been injured by Guard action.

I believe firmly that General Gelston has saved my State from agony and possible disgrace. He deserves widespread recognition as a devoted and intelligent public servant, one who has worked tirelessly to bring order and calm to a deeply troubled population.

In this connection, I ask unanimous consent that the thoughtful editorial in the Washington Post of August 31, 1967, entitled "Gelston on Cambridge," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GELSTON ON CAMBRIDGE

Of all the statements that have been made recently about the prevention and control of riots, the testimony of Maryland's Adjutant General, George M. Gelston, before the Senate Judiciary Committee stands out. Testifying primarily to oppose the anti-riot bill now before that Committee, General Gelston spoke some vital truths about riots and race relations.

He argued, quite rightly we believe, that the proposed bill would be of little help in preventing riots. Pointing out that locally led civil rights groups often call in outsiders to dramatize and call attention to themselves and their problem, General Gelston said, "Were there no problem, there would be no need for an invitation." In Cambridge, he explained, the speech by H. Rap Brown was not the sole cause of the riot. The fact that there had been "numerous" cases of arson in the preceding three weeks, he said, was "evidence of some unrest."

How much unrest there actually was in Cambridge is in dispute. General Gelston believes there was plenty. "Perhaps had the local administration given some recognition to the group and heard their complaints, the group would not have sent for Brown and Cambridge would have been spared a disaster," he testified. But Cambridge Police Chief Brice G. Kinnamon told the same committee earlier this month that Negroes and whites were living in perfect harmony in Cambridge until Rap Brown arrived on the scene.

It is on this very point that General Gelston's testimony is most enlightening. Noting that police departments have an intelligence network that extends into the ghettos, he suggested that a police chief ought to be able to sniff out troubles before they become inflamed and bring them to the attention of political leaders whose responsibility it is to deal with them. We suspect that it is here that Cambridge went astray—because the police refused to recognize that trouble was brewing or because city officials refused to deal with it. The testimony of Chief Kinnamon that all was fine pre-Brown is in direct conflict with the reports brought back by newspaper reporters from Cambridge before the riot.

While arguing that only political leaders who solve problems can prevent riots, General Gelston said that when violence seems imminent the police must react calmly, appearing in force but without agitating the situation by parading police dogs or carrying shotguns. If violence does occur, he said, police action must be swift and decisive but not indiscriminate. He noted that in the 23 months the National Guard has been in Cambridge in the last four years, not a single shot has been fired by a Guardsman and not a single citizen has been injured by Guard action.

General Gelston has offered a sensible formula for preventing riots—political action to solve problems, a show of force to head off trouble, and a discriminating reaction when violence occurs. His successful record in coping with racial trouble as Commander of Maryland's National Guard and as Baltimore's Police Commissioner underlines the value of his views.

DETROIT HOLDS ONLY 150 of 7,207 TAKEN IN RIOT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in tht RECORD an August 28, 1967, Associated Press story emanating from Detroit, entitled "Detroit Holds Only 150 of 7,207 Taken in Riot."

There being no objection, the story was ordered to be printed in the RECORD, as follows:

DETROIT HOLDS ONLY 150 OF 7,207 TAKEN IN RIOT

(By Bill Simmons)

DETROIT, August 28.—The vast majority of persons arrested in the Detroit riot are back on the streets, mostly on bail. But about 150 remain in jail, held to face charges filed against them before the riot.

Some are held for parole violation, some for probation violation, some for failing to appear for trial on charges that existed prior to the riot, said Judge Donald S. Leonard of Recorder's Court.

The Records Bureau of the Detroit Police Department reports that of 7,207 adults arrested in the riot, about half—3,595—had records of previous criminal offenses.

Authorities also say more than 90 per cent of those arrested in the riot are from Detroit, with no evidence of any significant number from outside Detroit.

According to police statistics, a composite picture of the "average rioter" would show a man, a Negro, age 20 to 28, arrested in the riot on a charge of looting, with a 50–50 chance that he had a previous criminal record.

As in the riot in Newark last month, nearly 50 per cent of those arrested in Detroit's riot were over 25 years of age.

In Detroit, as in Newark, about 75 per cent of the felony indictments stemmed from stealing or receiving stolen property.

But another reflection of the severity of the Detroit riot is that 255 persons were arrested in Detroit on charges involving weapons or explosives, compared to only 91 in Newark, where 27 were killed, compared to 43 riot deaths in Detroit.

Although 3,595 of those arrested in Detroit had previous criminal records, some of these were on offenses as minor as traffic law violations.

Of the 7,207 detained by police during the riot, 3,365 were charged with felonies, including seven charges of murder, one of which has been dismissed for lack of evidence. This charge was against Patrolman Robert Paille in the death of a Negro youth at a motel.

In 95 other cases, the charge is assault with intent to commit murder, 26 of which police list as snipers, five of whom are women.

FIFTY YEARS OF AID FOR VOCATIONAL EDUCATION

Mr. MORSE. Mr. President, my attention has been called to an article published in the May 1967, issue of American Education, a publication of the Office of Education. It is entitled "50 Years of Aid for Vocational Education."

Since the information contained in the article, and the tables which are a part of it, will be of interest not only to the Education Subcommittee but to each of the senatorial offices, I ask unanimous consent that the article and table be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

FIFTY YEARS OF AID FOR VOCATIONAL EDUCATION

The year 1967 marks not only the centennial of the Office of Education but also the golden anniversary of the first national vocational education act. On February 23, 1917, President Woodrow Wilson signed into law the Smith-Hughes Act. The act thus became the first to provide Federal funds for local schools, and in doing so, established a cooperative relationship between the State and the Office of Education that, over the years, has led to harmonious administration of later vocational education acts.

Many States plan to hold observances to celebrate the fiftieth year of vocational education. In addition, several new area vocational schools, built with the aid of Federal funds, will be dedicated this year to stress the significance of this date in the history of American education.

During the past 50 years approximately $1.7 billion has been made available to the States, the District of Columbia, and outlying areas, under the Smith-Hughes and other vocational education acts for vocational and technical education.

Allotments to States under the Smith-Hughes Act total over $7.1 million for education in agriculture, trades and industry and home economics, and training of teachers in these subjects.

Under the George-Barden and supplemental acts more than $29.6 million has been allocated for education in agriculture, distributive occupations, home economics, trade and industry, fishery trades and industry (title I), practical nurse training (title II), and technical education (title III).

For the current fiscal year $198.2 million has been allotted under the Vocational Education Act of 1963 for general vocational activities (section 4) and $10 million for the vocational work-study program (section 13). Allotments range from less than $1,500 for American Samoa to more than $14.5 million for California. States provide funds on a matching basis except in the work-study program where the Federal-State ratio is three to one.

During this fiscal year alone, allocations totaling $265.4 million—$23.5 million more than last year—will help 6.5 million students obtain vocational and technical training; $10 million is being provided for the work-study program under the 1963 act. This program will finance part-time jobs for 35,000 students who would not otherwise be able to continue vocational training.

Rising costs of vocational and technical education, however, keep thousands of young men and women from continuing their studies. College-bound students receive financial help from several Federal programs authorized by the National Defense Education Act and the Higher Education Act. Now, vocational students receive similar help through the National Vocational Student Loan Insurance Act of 1965.

Under the vocational student loan program, students in good standing in eligible vocational, business, trade or technical schools, or students who have been accepted in such schools, may apply for loans from banks, saving and loan associations, credit unions, or other eligible lending institutions (usually a maximum of $1,000 a year). There is no age limit nor is a high school diploma required. If an application is approved, and if the applicant's adjusted family income is less than $15,000 a year, the Federal Government will pay interest charges up to 6 percent on the loan while the student is in school and 3 percent after he has completed his course. A student whose family has an adjusted annual income of $15,000 or more may also receive a loan, but he is not eligible for interest benefits. Repayment begins 9 to 12 months after the student leaves school and may be extended over a period of 3 to 6 years.

The 1965 act authorizes the Office of Education to advance "seed money" to create or strengthen reserve funds of a State or private nonprofit agency designated to guarantee lenders against loss.

ALLOTMENTS UNDER VOCATIONAL EDUCATIONAL ACT OF 1963, FISCAL YEAR 1967

State	Sec. 4 activities	Sec. 13 work-study
Total	$198, 225, 000	$10, 000, 000
Alabama	4, 610, 512	200, 270
Alaska	245, 236	14, 983
Arizona	1, 805, 218	83, 404
Arkansas	2, 519, 605	108, 875
California	14, 665, 140	902, 462
Colorado	1, 946, 059	100, 385
Connecticut	2, 171, 198	132, 847
Delaware	390, 298	24, 472
District of Columbia	546, 495	30, 964
Florida	6, 199, 468	273, 186
Georgia	5, 810, 089	248, 714
Hawaii	797, 792	42, 451
Idaho	890, 996	39, 455
Illinois	8, 216, 394	497, 428
Indiana	4, 907, 895	246, 716
Iowa	2, 883, 076	140, 339
Kansas	2, 391, 526	113, 370
Kentucky	4, 131, 417	178, 295
Louisiana	4, 537, 243	196, 774
Maine	1, 189, 505	52, 440
Maryland	3, 202, 493	181, 791
Massachusetts	4, 351, 359	253, 209
Michigan	7, 856, 956	421, 515
Minnesota	3, 720, 844	180, 792
Mississippi	3, 132, 779	138, 840
Missouri	4, 274, 571	215, 252
Montana	796, 156	37, 956
Nebraska	1, 508, 981	72, 916
Nevada	337, 727	19, 977
New Hampshire	722, 359	33, 462
New Jersey	5, 340, 073	318, 634
New Mexico	1, 302, 460	58, 932
New York	13, 630, 868	827, 049
North Carolina	6, 711, 898	287, 669
North Dakota	794, 770	36, 458
Ohio	9, 793, 732	510, 413
Oklahoma	3, 005, 524	127, 853
Oregon	1, 965, 985	100, 884
Pennsylvania	11, 185, 718	558, 857
Rhode Island	888, 672	43, 450
South Carolina	3, 614, 447	158, 318
South Dakota	833, 066	36, 957
Tennessee	4, 954, 951	209, 259
Texas	12, 595, 165	559, 357
Utah	1, 200, 597	54, 937
Vermont	482, 651	20, 976
Virginia	5, 507, 219	242, 721
Washington	2, 942, 267	159, 816
West Virginia	2, 403, 411	106, 378
Wisconsin	4, 173, 147	207, 761
Wyoming	340, 700	17, 979
American Samoa	35, 423	1, 498
Guam	107, 156	4, 994
Puerto Rico	3, 599, 103	162, 813
Virgin Islands	56, 610	2, 497

ALLOTMENTS UNDER GEORGE-BARDEN AND SUPPLEMENTAL ACTS, FISCAL YEAR 1967

State	Title I	Title II	Title III
Total	$29, 685, 823	$5, 000, 000	$15, 000, 000
Alabama	681, 872	114, 744	344, 233
Alaska	157, 500	25, 519	76, 557
Arizona	167, 549	27, 975	83, 926
Arkansas	476, 738	80, 263	240, 789
California	1, 518, 605	257, 601	772, 802
Colorado	260, 066	43, 597	130, 792
Connecticut	276, 134	46, 405	139, 214
Delaware	138, 470	23, 540	70, 621
District of Columbia	136, 875	22, 796	68, 387
Florida	582, 731	96, 104	288, 311
Georgia	772, 847	129, 556	388, 668
Hawaii	138, 137	23, 015	69, 044
Idaho	200, 854	33, 599	100, 797
Illinois	1, 271, 961	214, 594	643, 781
Indiana	860, 256	144, 944	434, 831
Iowa	792, 837	133, 760	401, 281
Kansas	468, 857	78, 853	236, 560
Kentucky	791, 436	133, 323	399, 969
Louisiana	548, 639	90, 857	272, 572
Maine	189, 729	30, 165	90, 494
Maryland	401, 578	66, 309	198, 928
Massachusetts	499, 852	83, 309	249, 928
Michigan	1, 073, 878	181, 189	543, 567
Minnesota	783, 718	132, 129	396, 388
Mississippi	697, 603	116, 425	349, 277
Missouri	830, 775	139, 966	419, 897
Montana	179, 744	30, 034	90, 103
Nebraska	384, 376	64, 588	193, 764
Nevada	136, 875	22, 796	68, 387
New Hampshire	136, 875	22, 796	68, 387
New Jersey	525, 922	87, 634	262, 901
New Mexico	147, 401	24, 573	73, 719
New York	1, 615, 680	271, 176	813, 528
North Carolina	1, 212, 984	204, 880	614, 641
North Dakota	259, 845	43, 560	130, 680
Ohio	1, 315, 225	221, 586	664, 757
Oklahoma	439, 679	73, 926	221, 779

ALLOTMENTS UNDER GEORGE-BARDEN AND SUPPLEMENTAL ACTS, FISCAL YEAR 1967—Continued

State	Title I	Title II	Title III
Oregon	$306,707	$50,560	$151,679
Pennsylvania	1,400,058	235,752	707,256
Rhode Island	138,253	23,274	69,823
South Carolina	581,229	98,033	294,100
South Dakota	261,271	43,801	131,403
Tennessee	852,004	143,648	430,943
Texas	1,412,938	236,120	708,359
Utah	137,350	22,876	68,628
Vermont	136,875	22,796	68,387
Virginia	774,600	129,923	389,769
Washington	436,578	71,735	215,204
West Virginia	361,713	60,761	182,284
Wisconsin	814,720	137,449	412,348
Wyoming	136,875	22,796	68,387
American Samoa	1,875	------------	------------
Guam	1,875	13,509	40,526
Puerto Rico	854,924	142,127	426,381
Virgin Islands	1,875	6,754	20,263

Smith-Hughes funds for agriculture, trades and industry, home economics, teacher training

	Allotment
Total	$7,161,455
Alabama	143,330
Alaska	30,000
Arizona	51,789
Arkansas	85,107
California	534,067
Colorado	66,744
Connecticut	92,547
Delaware	30,000
District of Columbia	----------
Florida	187,558
Georgia	172,456
Hawaii	31,661
Idaho	39,430
Illinois	360,319
Indiana	193,488
Iowa	122,556
Kansas	91,385
Kentucky	143,135
Louisiana	134,293
Maine	48,182
Maryland	118,672
Massachusetts	179,461
Michigan	297,765
Minnesota	141,929
Mississippi	107,308
Missouri	173,605
Montana	38,665
Nebraska	64,271
Nevada	30,000
New Hampshire	34,050
New Jersey	201,903
New Mexico	43,107
New York	575,316
North Carolina	221,793
North Dakota	42,740
Ohio	369,365
Oklahoma	96,258
Oregon	73,613
Pennsylvania	437,176
Rhode Island	37,901
South Carolina	114,757
South Dakota	42,940
Tennessee	159,386
Texas	359,602
Utah	38,478
Vermont	33,318
Virginia	173,136
Washington	113,306
West Virginia	91,340
Wisconsin	162,247
Wyoming	30,000
Outlying areas	---------

National Vocational Student Loan Insurance Program: advances for reserve funds, fiscal year 1967

	Allotment
Total	$1,875,000
Alabama	34,558
Alaska	10,000
Arizona	13,759
Arkansas	17,607
California	155,099
Colorado	18,275
Connecticut	$21,099
Delaware	10,000
District of Columbia	10,000
Florida	46,750
Georgia	43,996
Hawaii	10,000
Idaho	10,000
Illinois	92,355
Indiana	46,651
Iowa	25,899
Kansas	21,157
Kentucky	32,727
Louisiana	34,263
Maine	10,000
Maryland	30,119
Massachusetts	48,155
Michigan	72,229
Minnesota	32,179
Mississippi	24,124
Missouri	41,211
Montana	10,000
Nebraska	13,178
Nevada	10,000
New Hampshire	10,000
New Jersey	49,664
New Mexico	10,681
New York	145,220
North Carolina	54,024
North Dakota	10,000
Ohio	91,837
Oklahoma	23,910
Oregon	16,034
Pennsylvania	100,654
Rhode Island	10,000
South Carolina	29,498
South Dakota	10,000
Tennessee	38,922
Texas	101,424
Utah	10,086
Vermont	10,000
Virginia	46,307
Washington	27,476
West Virginia	18,129
Wisconsin	36,173
Wyoming	10,000
Outlying areas	69,571

DISCRIMINATION PROHIBITED

Title VI of the Civil Rights Act of 1964 states: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance." All programs cited in this article, like every other program or activity receiving financial assistance from the Department of Health, Education, and Welfare, operate in compliance with this law.

GHOST OF JEFFERSON

Mr. BYRD of West Virginia. Mr. President, a thought-provoking column appeared in the Madison (W. Va.) Coal Valley News on August 24, 1967.

I ask unanimous consent to insert that column, entitled "Ghost of Jefferson," in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD as follows:

GHOST OF JEFFERSON

Last night I dreamed that several thousand chief officeholders, Party faithfuls, financial angels, and people called "dignitaries" attended a fabulous fund-raising dinner for the Democrat Party, honoring Thomas Jefferson who is claimed as founder of that political organization. The master of ceremonies was banging his gavel for quiet before introducing the final speaker when strangely the lights in the great hall grew very dim, and after a few long and sobering seconds came on bright again, revealing a dignified man of commanding presence, walking slowly toward the speaker's table.

The chairman and the guests at the head table looked on in surprise as the stranger proceeded to the microphone. The crowd sat hushed, expectant, as the courtly white-haired gentleman began to speak:

"The first object of my heart is my own country . . . If once (the people) become inattentive to the public affairs, you and I, and Congress, and assemblies, judges and governors, shall all become wolves."

"Wolves! He's talking about Republicans!" chuckled an exuberant guest to his wife.

"The God who gave us life gave us liberty at the same time; the hand of force may destroy, but cannot disjoin them."

The audience was silent.

"The great principles of right and wrong are legible to every reader . . . The whole art of government consists in the art of being honest. Only aim to do your duty, and mankind will give you credit where you fail."

"Who let that crackpot in here?" muttered a public servant.

"Had the doctrines of Jesus been preached always as they came from His lips, the whole civilized world would now have been Christian."

"Now he's quit meddlin' and started preachin'!" a wardheeler cracked.

"When a man assumes a public trust, he should consider himself as public property. . . . Indeed, I tremble for my country when I reflect that God is just."

"But God is dead," shouted a nut on the aisle, "and even if He's not, the Republican Party is!" The audience laughed heartily, but the speaker only seemed to become more serious, more stern, more intense.

"What has destroyed liberty and the rights of man in every government which has ever existed under the sun?" the old gentleman asked. And then he answered his own question: "The generalizing and concentrating of all cares and powers into one body."

"Who is this, somebody making the scene for Governor Wallace's husband!" yelled an inebriate.

Ignoring the laughter and the taunts the speaker again continued with great dignity: "An elective despotism was not the government we fought for, but one which should not only be founded on free principles, but in which the powers of government should be so divided and balanced among several bodies of magistracy as that no one could transcend their legal limits without being effectually checked and restrained by the others. For this reason, that convention which passed the ordinance of government laid its foundation on this basis: that the Legislative, Executive, and Judiciary Departments should be separate and distinct, so that no person should exercise the powers of more than one of them at the same time . . . Our peculiar security is in the possession of a written constitution. Let us not make it a blank paper construction. I say the same as to the opinion of those who consider the grant of treaty-making power as boundless. If it is, then we have no Constitution."

"Now he's sounding like one of those super-patriots," grumbled an internationalist to no one in particular. "What would we do without Executive Orders and our treaties which build 'bridges of friendship' to our Communist brothers?" he shouted.

Tension and indignation were now mounting as the old man went on: "Our judges are as honest as other men and not more so . . . It is characteristic of a good judge to expand his jurisdiction—and their power (is) the more dangerous as they are in office for life and not responsible, as the other functionaries are, to the elective control . . . Do not talk to me about the integrity of public officials. I say chain the politicians to the limitations of the Constitution itself . . . I am for preserving to the states the powers not yielded by them to the Union, and to the Legislature of the Union its constitutional share in the division of powers, and I am not for transferring all the powers of the states to the general government and all those of that government to the Executive Branch. I am for a government rigorously frugal and simple, applying all the possible savings of the public revenue to the discharge of the national debt."

"He's Ronald Reagan in a wig!" a drunk exclaimed. Everybody laughed but the old gentleman.

"(I am) not for a multiplication of offices and salaries merely to make partisans, (nor) for increasing by every device, the public debt on the principle of its being a public blessing."

"The old fool doesn't realize that debt has no meaning," explained a young Keynesian to his fluttering date. "We owe it to ourselves! Eventually, we can cancel all debt, create a world money system, and start over. All the same real estate will remain intact, but it will have different owners. All the people will own it!" The girl giggled and referred to the somber gentleman at the microphone as "Pops".

"Our country is too large to have all its affairs directed by a single government," continued the speaker . . . I do verily believe that if the principle were to prevail of a common law being in force in the United States (which principle possesses the general government at once of all the powers of the state government and reduces us to a single consolidated government) it would become the most corrupt government on earth . . ."

The shock that had gripped the room now gave way to pandemonium as the audience screamed: "Kook! Reactionary! Traitor! Bircher! Throw him out!" Some even began to throw napkins and bang the table and clank their silver against their goblets.

The speaker stopped, and for a long moment looked pityingly at the stunned and angry faces. Those close by heard him murmur, "Oh, God, forgive them," as two policemen rushed to the stage and took the old man gingerly by the arms. And to the tune of boos, catcalls, and whistles, Thomas Jefferson, lawyer, architect, writer, true liberal, gentleman, educator, author of the Declaration of Independence and chief architect of the Constitution of the United States of America was escorted to the nearest exit.

TOM ANDERSON.

FEDERAL MEDIATORS PERFORM EXCELLENT SERVICES TO PUBLIC

Mr. McINTYRE. Mr. President, the business and finance section of the Washington Post for Sunday, August 27, carried a thoughtful and accurate story about the Federal Mediation and Conciliation Service, entitled "Independent Mediator Service Earns Applause."

The story discussed the high esteem in which FMCS is held by both management and labor, and mentioned a few examples of how the Service earned its repute.

I would like to add to the applause for the Service and its Director, Hon. William E. Simkin. Recently, my home city of Laconia, N.H., faced a crisis as a result of a labor-management dispute which threatened to permanently close Laconia's largest employer. I had occasion to contact the principals involved and was pleased to find the high respect they held for Mr. Simkin and his organization.

It is unusual for a Federal agency to so consistently receive tributes from both labor and management. So that my colleagues may better understand this situation I ask unanimous consent that the article to which I have referred be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INDEPENDENT MEDIATOR SERVICE EARNS APPLAUSE

(By Frank C. Porter)

Company and union negotiators had been bargaining all day and tempers were frayed.

One man got to his feet and announced he had a gun. Federal mediator Nathan S. Kazin reported later he could see it under the man's coat.

The negotiators' adversary told him where he could go, in violent language.

"I heard chairs scrape as everybody braced for an old Wild West shootout," Kazin recalled later to the Florida Times-Union of Jacksonville.

"I jumped up and shouted, 'I'm a coward; I'm leaving your company, gentlemen,' and started for the door. This bit of comedy broke the tension. They guffawed, sat back down and worked toward agreement."

"THE SILENT SERVICE"

Life in the Federal Mediation and Conciliation Service rarely reaches this melodramatic pitch. In fact, this unprepossessing little agency with barely 400 employees and a modest $6 million budget, practically unknown to the public, is regarded as "the silent service."

Kazin's experience, although unusual, suggests the scope of its mission and the ingenuity of the FMCS's 260-odd mediators must call upon in the more than 7000 labor-management disputes they directly settle in a year.

William E. Simkin, a gentle, rumpled big bear of a man who has headed the independent FMCS since 1961, once suggested these attributes for the ideal mediator:

"The patience of Job, the sincerity and bulldog characteristics of the English, the wit of the Irish, the physical endurance of a marathon runner, the brokenfield dodging abilities of a halfback, the guile of a Machiavelli, the confidence-retaining characteristics of a mute, the hide of a rhinoceros and the wisdom of Solomon."

ROUGH BARGAINING YEAR

Never have Simkin and his fellow mediators needed these qualities more than in 1967. It has been a rough year at the bargaining table. There have been strikes or lockouts in railroads, trucking, rubber, copper and a number of smaller industries. Trouble looms in autos, where the present United Auto Workers contract expires Sept. 6.

With corporate profits only slightly below their all-time peak, with the accelerated rise in the cost of living cutting badly into the purchasing power of paychecks, and with rank-and-file unions showing an increasing disposition to vote down settlements recommended by their leaders, labor has been steadily escalating its demands on management. At the same time, management resistance to these demands is stiffening.

How much wilder and woolier the bargaining picture would have been without the FMCS is anyone's guess. There is no way of totting up the savings in wages, profits and convenience to the public as the result of the strikes or lockouts that were averted or cut short by the expertise and persuasiveness of Federal mediators.

KEYSTONE OF FREEDOM

To Simkin, the considerable economic losses that the Service has helped to avoid is only part of the story. An earnest Quaker who feels that relations between labor and management need not necessarily be adversary, Simkin regards unfettered collective bargaining as the keystone of economic freedom.

He regards it the primary task of his agency to help make collective bargaining work. If it doesn't work he reasons, an angry public beset by crippling strikes, will demand governmental intervention to force settlements on management and labor alike.

The United States had an unpleasant experience with this alternative last month when, for the only second time in history, the Congress passed a law providing for a compulsory labor settlement in peacetime. This was the railroad shopcraft dispute.

CONTRAST TO RAIL DISPUTE

This dispute was covered by the Railway Labor Act and didn't come under FMCS jurisdiction. But there has been considerable speculation that it might have had an entirely different outcome if it had.

A vivid contrast to the railroad imbroglio was FCMS's adept mediation of the dispute between a majority of the Nation's leading trucking firms and the International Brotherhood of Teamsters earlier this year. This was a touch-and-go situation that could have had nearly as nasty repercussions as the two-day railroad strike.

Earlier this month, the acting president of the Teamsters, Frank E. Fitzsimmons, threw Simkin and the FMCS an unexpected bouquet. The Teamsters are notoriously stingy in their praise of any Federal agency, but Fitzsimmons gave the Service full credit for settling the dispute.

"It was through the efforts of this agency's director, William E. Simkin, and the agency's disputes director, Walter A. Maggiolo, that reluctant employers were brought to the bargaining table, and kept there until our contract in freight was successfully worked out," Fitzsimmons wrote in the monthly Teamster.

"I am not so sure that the politicians are sincerely interested in preserving free collective bargaining," he continued. "But if they are, they would do well to encourage the kind of government assistance in collective bargaining as represented by the efforts of the Federal Mediation and Conciliation Service.

"Because this is one agency which dispels the need for anti-strike legislation, for compulsory arbitration. It is the one agency of government which encourages free collective bargaining because it acts as the proper catalyst to properly mix labor and management in good faith bargaining."

THE NATIONAL GUARD AND THE NATION

Mr. BYRD of West Virginia. Mr. President, page A7 of the August 28, 1967, edition of the Washington Evening Star carried a statement by the National Guard Association of the United States.

I ask unanimous consent to insert that statement in the RECORD.

There being no objection the statement was ordered to be printed in the RECORD as follows:

THE NATIONAL GUARD AND THE NATION

(NOTE.—Lately you have been reading much about the National Guard. But ask yourself, how much do you know of the National Guard? Who belongs? What does it do? How does it function? Here are the true facts concerning the Guard and how it responds in troubled times to restore order and maintain our safety.)

The men of the National Guard are citizens first, soldiers second. They are farmers, clerks, executives, teachers, professional men and businessmen who share a common responsibility: to respond when they are needed. The need may be flood, fire, war, riot, insurrection—any natural or man-made disaster which threatens the lives or well-being of their countrymen.

The National Guard is a vital part of our nation's military forces.

Are fighting men needed in some remote corner of the world? The Guard can be called. And it responds.

The Mississippi River roars over its banks. The Guard is called. And it responds.

There are riots in the streets of our cities. The Guard is called. And it responds.

Wherever and whenever, the Guard responds.

Quickly.

Efficiently.

Unquestioningly.

No one can measure the suffering the National Guard has relieved.

No one can assess the tragedy the National Guard has averted.

No one can count the number of lives the National Guard has saved.

Recently, Hubert H. Humphrey, Vice President of the United States, wrote of the Air National Guard's contribution to the success of military objectives in Viet Nam:

"*. . . I want to express my personal appreciation for their splendid performance. They have demonstrated once again, that our nation can always count on the National Guard.*"

We live in a changing world. Each day brings new advances in technology. New countries emerge and declare independence. New voices are heard in social protest. New challenges to the nation arise in sometimes unprecedented and unpredictable ways.

The National Guard keeps pace with the changing times. Training is modern and total. Leadership qualities are sought out and developed. In accordance with the Constitution of the United States, which provides for a citizen's militia (the National Guard) "to execute the laws of the nation, suppress insurrections and repel invasion," the National Guard is maintained at the highest possible level of efficiency.

Today, tomorrow, twenty years from now, there is comfort in the knowledge that, when the need arises, the National Guard will respond.

As it always has.

THE NATIONAL GUARD ASSOCIATION
OF THE UNITED STATES.
WASHINGTON, D.C.

ADJOURNMENT TO SEPTEMBER 11, 1967

Mr. BYRD of West Virginia. Mr. President, if there is no further business, I move, in accordance with the provisions of House Concurrent Resolution 497, that the Senate stand in adjournment until 12 o'clock noon, Monday, September 11.

The PRESIDING OFFICER. Under authority of House Concurrent Resolution 497, agreed to on August 29, the Senate will stand adjourned until noon, Monday, September 11, 1967.

The motion was agreed to; and (at 1 o'clock and 37 minutes p.m.) the Senate adjourned until Monday, September 11, 1967, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 31, 1967

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,
August 31, 1967.

I hereby designate the Honorable CARL ALBERT to act as Speaker pro tempore today.

JOHN MCCORMACK,
Speaker of the House
of Representatives.

Mr. ALBERT assumed the chair as Speaker pro tempore.

PRAYER

The Reverend Thomas A. Hinson, First Baptist Church, West Memphis, Ark., offered the following prayer:

Our Heavenly Father, make America worthy to be loved by a God like Thee. Show us, this day, the right way; make us willing followers of Thee, realizing that even the foolishness of God is wiser than the wisdom of men. In this desperate hour remind America that *The wicked shall be turned into hell, and all Nations that forget God.*—Psalm 9: 17.

Grant our President, his Cabinet, and Congress wisdom and courage to do right, and abiding dedication to put service above self.

Bless our servicemen with salvation of body and soul, and bring home safely as many as possible. O Thou Prince of Peace, intervene in world affairs, and bring peace to Vietnam.

In Jesus' name, who promised loving consideration for all our prayers. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On August 19, 1967:

H.R. 743. An act to amend the act of September 26, 1950, authorizing the Sacramento Valley irrigation canals, Central Valley project, California, in order to increase the capacity of certain project features for future irrigation of additional lands.

On August 21, 1967:

H.R. 4496. An act for the relief of the village of Brooklyn Center, Minn.;

H.R. 4833. An act to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania; and

H.R. 7043. An act to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Northwind*, owned by Wallace P. Smith, Jr., of Centreville, Md., to be documented as a vessel of the United States with coastwise privileges.

On August 25, 1967:

H.R. 1619. An act for the relief of Rene Hugo Heimann;

H.R. 2036. An act for the relief of Carlos Rogelio Flores-Vasquez;

H.R. 2668. An act for the relief of Sevasti Diakides;

H.R. 3195. An act for the relief of Eli Eleonora Bianchi;

H.R. 3881. An act for the relief of Christina Hatzisavvas; and

H.R. 7516. An act for the relief of Song Sin Taik and Song Kyung Ho.

On August 28, 1967:

H.R. 2470. An act to provide for the free entry of certain scientific instruments and apparatus for the use of Tufts University, Mount Holyoke College, and the Massachusetts division of the American Cancer Society.

On August 29, 1967:

H.R. 1262. An act to provide for the withdrawal of wine from bonded wine cellars without payment of tax when rendered unfit for beverage use, and for other purposes;

H.R. 2531. An act to provide for the disposition of the unclaimed and unpaid share of the Loyal Creek judgment fund, and to provide for disposition of estates of interstate members of the Creek Nation of Oklahoma or estates of members of the Creek Nation of Oklahoma dying without heirs;

H.R. 4809. An act for the relief of Mrs. Willifred S. Shirley;

H.R. 5967. An act for the relief of Albert P. Morell;

H.R. 6452. An act for the relief of John E. Coplin;

H.R. 7362. An act to authorize the Secretary of the Interior to acquire certain properties within the Colonial National Historical Park, in Yorktown, Va., and for other purposes; and

H.J. Res. 804. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 510. An act providing for full disclosure of corporate equity ownership of securities under the Securities Exchange Act of 1934; and

S. 1763. An act to promote the economic development of Guam.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 906. An act for the relief of Luis Tapia Davila; and

S. 1448. An act for the relief of Roy A. Parker.

The message also announced that the Vice President, pursuant to Public Law 90–70, appointed Mr. BIBLE, Mr. MOSS, Mr. KUCHEL, and Mr. BENNETT to be members, on the part of the Senate, of the Golden Spike Centennial Celebration Commission.

The message also announced that the Vice President, pursuant to Public Law 80–816, appointed Mr. FANNIN as a member of the Board of Visitors to the U.S. Naval Academy in lieu of Mr. MORTON, resigned.

The message also announced that the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 974) entitled "An act to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz."

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MONRONEY and Mr. CARLSON members of the Joint Select

Committee on the part of the Senate for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 68.3.

LEGISLATIVE PROGRAM FOR THE WEEK OF SEPTEMBER 11, 1967

Mr. **GERALD R. FORD.** Mr. Speaker, I ask unanimous consent to proceed for 1 minute for the purpose of asking the distinguished majority leader the program for the week beginning subsequent to the Labor Day recess.

The **SPEAKER** pro tempore (Mr. PRICE of Illinois). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. **ALBERT.** Mr. Speaker, will the gentleman yield?

Mr. **GERALD R. FORD.** I yield to the distinguished majority leader.

Mr. **ALBERT.** Mr. Speaker, in response to the inquiry of the distinguished minority leader, the program for the week of September 11, 1967, is as follows:

On Monday, Consent Calendar and Private Calendar; District day, but there are no District bills; and there are five suspensions:

H.R. 206, authorizing the settlement of claims of the Coast Guard while operating as a service in the Department of Transportation;

H.R. 11816, providing benefits for law enforcement officers killed or injured while apprehending violators of Federal law;

H.R. 8654, providing for an appeal by the United States from decisions sustaining motions to suppress evidence;

H.R. 3810, providing training opportunities for Federal legislative employees; and

H.R. 8775, increasing the authorization for continuing work in the Missouri River Basin by the Secretary of the Interior.

On Tuesday, H.R. 10738, Department of Defense appropriation bill, fiscal year 1968, conference report; and

H.R. 10409, Small Business Act Amendments of 1967—open rule, 2 hours of debate.

On Wednesday and balance of week, S. 602, Appalachian Regional Development Act Amendments of 1967—open rule, 3 hours of debate, waiving points of order and making it in order to consider the committee substitute as an original bill for purpose of amendment; and

House Resolution 838, authorizing the Committee on the Judiciary to conduct certain studies and investigations.

This announcement is made, of course, subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON SEPTEMBER 13, 1967

Mr. **ALBERT.** Mr. Speaker, I ask unanimous consent that any business in order under the Calendar Wednesday rule on Wednesday, September 13, 1967, may be dispensed with.

The **SPEAKER** pro tempore (Mr. PRICE of Illinois). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

EXTEND THE MIGRANT FARMWORKER'S HEALTH ACT

Mr. **ROGERS** of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **ROGERS** of Florida. Mr. Speaker, few programs have achieved the success of the Migrant Health Act in such a short time. Few programs have been undertaken with as little criticism, or as few administrative difficulties. This program will soon be up for renewal, and I have today introduced legislation to extend the authorization for another 3 years.

Having worked closely with all concerned with this legislation in seeking the initial authorization in 1962, and having followed its progress during these intervening years, I know it to be one of exceptional merit. The need is so obvious it hardly seems necessary to reinstate it, but in these days of tight money and priorities, it would be well to review the program. Before looking at the picture nationwide, however, I would like to relate to you how the program operates in just one county in Florida.

The migrant health project provides health services to the 20,000 migrant agricultural workers who work on the Palm Beach County farms annually. This is a group which consists of southern Negroes, Puerto Ricans, natives of the West Indies, Texas Mexican Americans, Cuban refugees, and Eastern seaboard caucasians. The project gives these people family health service clinics, nursing and sanitation services in the camps and other areas where they live and work.

Migrant workers reside in some 136 camps in the county. A group of nine full-time and 16 part-time employees work in the migrant camp areas to improve sanitary conditions. Over 1,958 health problems were corrected, often with the help of the migrant workers themselves. Several camps were closed, and many more were improved.

Nationwide, accomplishments under the Migrant Health Act have been noteworthy. Projections for the future require additional effort.

In September 1962, the Congress first authorized the Public Health Service to make grants to help communities extend health services to the migrants who help them produce and harvest their crops each year. Fifty-eight applications had been received by the Public Health Service from community sponsors before the first funds were appropriated to carry out the act in May 1963. In that first year, and in each year since that time, requests for funds have exceeded the funds available.

As of June 1967, 106 migrant health projects—each serving one or more counties—were receiving grant assistance. During the year, migrant workers and family dependents made 215,000 visits to physicians and 24,000 visits to dentists under project auspices. By late June, 55 projects in 25 States had added hospital care to their services. The projects had signed agreements with 162 short-term general hospitals to provide care for migrant patients, and an intensified program of early casefinding, medical care outside the hospital, and predischarge planning had developed in each of the 55 project areas.

Migrant health projects provide not only greatly needed remedial care for workers and dependents, but also immunizations, family planning services, nutrition counseling, and referral of patients for followup services after they return to their home base, or go to other work areas. In addition, the projects work with growers and other community groups to improve housing and environmental conditions, and to develop better understanding and acceptance of migrants. Finally they work with migrants, themselves, to develop understanding and application of good homemaking and safety practices to prevent as much illness and disability as possible.

In spite of the progress made, project services fall far short of making accessible to migrants the same services the rest of the Nation enjoys. As an example, if the 300,000 migrants estimated to be in one or more project areas for part of last year had used health resources at the average per capita rate for the Nation as a whole—4.5 medical and 1.6 dental visits per person per year—they would have made more than 1 million visits to physicians and nearly one-half million visits to dentists last year. This is in contrast to the 215,000 medical and 24,000 dental visits reported by the projects.

The services of existing projects are heavily utilized. However, the level of service in these existing projects is deficient in relation to the need. Moreover, more than 400—55 percent—of the Nation's counties where migrants live and work in counties still have no project services.

A further handicap to the migrant health program as it now operates is the continuing hardship to local participating hospitals resulting from the payment, on the average, of only 60 percent of total hospital costs. Making up the deficiency is extremely difficult for some communities in view of the high costs of hospital care.

PROJECTION

To meet the continuing needs of the Nation's migrants at a level more commensurate with their health problems requires continuation of the Migrant Health Act for another 3-year period. The number of counties in which migrants have access to project services should be increased with the expansion of geographic coverage concentrated on home-base and important "upstream" areas.

More physicians and dentists should be employed for longer periods, to reduce the gap between the medical and dental services received by migrants and those received by others in our Nation. Casefinding and followup care as migrants move from one county to another should be strengthened. The employment and training of aides as intermediaries between the migrant and the professional health worker should be expanded, in order that the migrant will learn to accept responsibility for appropriate health action on his own behalf.

The investment in the health of migrant workers and their families will benefit migrants by improving their health and their earning power. It will benefit their employers, their temporary communities, and the Nation as a whole by assuring a healthy, productive farm labor force, alleviating costly health emergencies, and reducing the present economic drain created by unnecessary illness and disability.

Approved projects around the country include:

Arizona: Arizona State Department of Health, Maricopa County Health Department, Pima County Health Department, Pinal County Health Department, Yuma County Health Department.

Arkansas: Northwest Arkansas Migrant Committee, Fayetteville Calif., State department of public health, San Joaquin County Medical Society, Kern County Medical Society, Santa Clara County Medical Society.

Colorado: Colorado Department of Public Health.

Connecticut: State Department of Health.

Delaware: Delaware State Council of Churches.

Florida: Florida State Board of Health, Dade County Health Department, Palm Beach County Health Department.

Idaho: Idaho Department of Health.

Illinois: Illinois Department of Public Health, Northwest Church Council for Migrant Aid, Inc., Migrant Ministry Committee of the Council of Churches of Scott and Rock Island Counties.

Indiana: Indiana State Board of Health.

Iowa: Migrant Action Program, Inc., Muscatine Neighborhood Health Center for Migrants.

Kansas: Kansas City-Wyandotte County Health Department, Migrant Health Project Office.

Kentucky: Kentucky State Department of Health.

Louisiana: Tangipahoa Migrant Committee.

Maryland: Worcester County Community Action Committee, Inc.

Massachusetts: Massachusetts Health Research Institute, Inc.

Michigan: Michigan Department of Health, Ottowa County Health Department, Manistee-Mason District Health Department, Monroe County Health Department, Tri-County Associated Health Departments, Grand Traverse-Leelanau-Benzie County Health Department in cooperation with the Grand Traverse Migrant Labor Council, District Health Department No. 4, Benzie Migrant Ministry Committee.

Minnesota: Minnesota Department of Health.

Missouri: Family health education services for home based migrants.

Nebraska: Migrant Health Project Office.

Nevada: Clark County District Health Department.

New Jersey: New Jersey State Department of Health, Board of Chosen Freeholders of Cumberland County.

New Mexico: New Mexico Department of Public Health, Las Cruces Committee on Migrant Ministry.

New York: New York State Department of Health, New York State Health Department, Cayuga County Health Department, Migrant Committee of the Warwick Valley Council of Churches, Ulster County Department of Health, Suffolk County Department of Health, Monroe County Migrant Project, University of Rochester.

North Carolina: North Carolina State Board of Health, Sampson County Health Department, District Health Department, Henderson County Migrant Council, Inc., Carteret County Migrant Committee.

Ohio: Ohio Department of Health, Hartville Migrant Council, Inc., Sandusky County-Fremont City General Health District, Darke County General Health District, Ottawa County Ministry to Migrants, Putnam County General Health District, Lucas County Health Department.

Oklahoma: Oklahoma State Department of Health.

Oregon: Oregon State Board of Health, Yamhill County Health Department.

Pennsylvania: Pennsylvania Department of Health.

Puerto Rico: Health needs of migrant Workers Project, University of Puerto Rico.

South Carolina: Comprehensive health program for agricultural migrants, Beaufort County, health services for migratory agricultural workers and their families, Charleston County.

Texas: Texas State Department of Health, Jim Wells County migrant health project, Greenbelt Medical Society migrant health project, Childress, and Hall Counties, Crosby County migrant health service project, Del Rio-Val Verde County Health Department, Castro County migratory health project, Leon Valley migrant health project, Hidalgo County migrant health project, Goliad County migrant health project, Gonzales County migrant health project, Laredo-Webb County Health Department, Lubbock City-County Health Department, Plainview-Hale County Health Department, La Salle County migrant health project, Yoakum County migrant health service project, Port Lavaca-Calhoun County Health Unit, Cameron County Health Department, Hudspeth County-Dell City migrant health project, Spur-Dickens County health service project, Zapata County migrant health project, Floyd County migrant health service project, Jim Hogg County migrant health project, Southwestern Texas Health Department, Eagle Pass, Live Oak County Health Department, San Marcos-Hays County Health Department, Hidalgo County Health Department

Utah: Utah State Department of Health.

Virginia: Division of local health services.

Washington: Washington State Department of Health, Whatcom County migrant health program, Tacoma-Pierce County Health Department, Skagit County Health Department.

West Virginia: District No. 5 Health Department.

Wisconsin: Catholic Diocese of Madison, migrant medical aid program, St. Joseph Migrant Family Health Clinic, the Industrial Labor and Human Relations Commission of Wisconsin.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE REPORT ON H.R. 159

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries have until midnight tonight to file a report on H.R. 159, to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

CRIME AND THE JUDICIARY: PART I

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the American people are becoming increasingly concerned over actions of the judiciary, Federal, State, and local, and the responsibility they must share for the rising crime rate and civil disorders. I will comment on these matters from time to time in the near future.

One of the strangest happenings in American judicial history occurred in the Federal court in New York, where bond for H. Rap Brown was reduced so he could be set free. The spectacle of a Federal judge fleeing his own courtroom two times because of a mob, and then reducing the bond and giving the appearance of surrendering Brown to the cheering crowd, hardly reflects credit on the Federal judiciary. Apparently, not one arrest was made for contempt or disorderly conduct. The mob had its way—the judge retreated from his courtroom.

It was not too surprising that the same judge, later, gave Brown permission to travel outside the court's jurisdiction at will.

Brown's travels took him to Camden, N.J., last night. This morning we were greeted with the news that:

> A fiery black power speech by . . . Rap Brown, who extorted his hearers to get guns, touched off a flurry of bottle-throwing here last night. At least one store was looted.

Brown has been charged with two crimes, and been subject to court proceedings in four localities—yet he remains free to teach hate and rebellion. A State court in Virginia has delayed his hearing on extradition to Maryland, where he is wanted for inciting to arson. The Virginia court set a nominal bail. Brown was free to travel. His travels took him to New Orleans, where he boarded a plane with a gun. The New York Federal court again set him free. Apparently, he is still traveling the country. Maybe even with a gun.

Brown was arrested for violating existing Federal gun laws—carrying a weapon across State lines while under indictment. Yet he is free today. The judiciary let him free.

This is a classic case. The police did their work. The FBI did its work. The Treasury agents did their work. A State grand jury in Maryland, and a Federal grand jury in Louisiana, and their prosecuting attorneys did their work. What did the courts do? The courts two times set the bail low and the accused free. Intimidating mobs had gathered on both occasions. Both times Brown was released to his supporters. And in the Federal courthouse in New York, a Federal judge twice had to leave the courtroom to the mob.

The judiciary too has a responsibility in the war against crime. The American people demand that this responsibility be recognized by the courts, Federal, State, and local.

COLORFUL CAREER OF ANNE MICHAELS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent I am extending my remarks to include an article from the Washington Post about a truly great woman—the dynamic Anne Michaels, who is as well and sympathetically informed on Africa as anyone I know, and who as a volunteer has been most helpful to me as chairman of the African Subcommittee of the Committee on Foreign Affairs.

The article from the Washington Post of July 30, 1967, follows:

SILLY TITLE HAS SERIOUS HOLDER

"Director of Media Services-Audio Visual? I don't know what it means," says Anne Michaels, holder of that title at OEO.

"It's a silly title . . . so I sign it differently depending on the letter I'm writing."

Anne is flip about her title, but there is no nonsense about the way she handles her job. She directs all the TV action for OEO and is responsible for all of their films.

"A Year Toward Tomorrow"—a film about Head Start—won an Oscar. And two other OEO films are up for awards at the Edinburgh Festival.

"I think what I am proudest of is that we have never made a public information film. We come up with concepts," she said.

Anne came to OEO after working as a "Citizen for Johnson" during the 1964 campaign and working for a public relations firm that dealt with many foreign clients.

"It (the OEO) had a quality that I like. It was new and different, and yet in many ways it was similar to what I had been doing in foreign affairs. Only this was about underdeveloped America instead of under-developed Africa."

Anne heads a six-man office and says that as far as she knows she is the only woman in government heading up such an operation.

Anne, who is petite, has twinkling blue eyes (covered with contact lenses), and blonde hair usually hidden by one of three falls. She is a New Yorker born in Detroit—"mother, a designer of children's clothes, went there to be with her mother when I was born."

She was taken to New York when only 10 days old and led an uneventful life until she was three and became a child actress—"on Broadway and in radio." She graduated from high school when she was 15 and went to London to study on a scholarship at the Royal Academy of Dramatic Arts.

"I was married and unmarried, was in the American Club Theater in London, did some writing—a column for Billboard and some writing on the side for the Times.

"Then I went to Paris where I did a lot of things simultaneously. I was Tarzan's representative there, edited and wrote for a magazine like our 'Cue,' made a couple of films for USIS and got into intercontinental TV.

"When I came back to the United States I was only 22. . .

"I came to Washington to help a friend rewrite a book on the War of 1812, and later started working for a public relations firm. All of their clients were foreign—a lot of new African countries. And I did a fun thing at the World's Fair for Italian fashions and the Italian wine industry.

"About then I decided I had been working with other governments for so long I wanted to find out a little about my own. So, I worked during the campaign for Johnson and Humphrey."

From there, to OEO.

Six months ago she moved into a town house in Foggy Bottom. "I keep insisting it is going to be finished and every week it isn't."

All of her furniture came from the Thieves' Market, and she has achieved the dream of all antique buffs—she paid $65 for a chair and has been offered $2500 for it.

PRESIDENT JOHNSON A VERY GOOD AND A VERY GREAT MAN, SAYS THE PRESIDENT OF MALAWI

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is my privilege and pleasure to report the expression of friendship to the United States in the resolution of the Parliament of Malawi and in the remarks of Dr. M. Kamuzu Banda, the beloved and universally admired and respected President of Malawi, on his return home from a visit in Washington June 2 to 12. I might add, Mr. Speaker, that Dr. Banda has a host of friends in the district I represent, friends in the faculty and in the community and among his schoolmates when he was a student at the University of Chicago. The United States has no better friend in all the world than President Banda.

I am extending my remarks to include the resolution passed by the Parliament of Malawi and the subsequent speech by President Banda on June 27, 1967, as taken verbatim from the official reports of the proceedings of the Parliament, as follows:

ORDERS OF THE DAY—MOTIONS, JUNE 27, 1967

The Minister of Natural Resources (Mr. Kumtumanji): Mr. Speaker, I beg to move that this House do welcome and approve the strengthening of the bonds of friendship between the Republic of Malawi and her friends overseas, in particular the United States of America, which has resulted from the recent visit of His Excellency the President to the United States and Britain and that the House do congratulate His Excellency the President on the success of that visit. (*Applause.*)

H.E. The President (Dr. Banda): Mr. Speaker, Sir, I am very happy to hear the Minister of Natural Resources, who is now Leader of the House, propose what he has proposed. This morning, as some of the Honourable Members may know, since the House last met, a number of important and significant events have taken place. To mention some of them; my own visit to the United States and the United Kingdom; the outbreak of the war in the Middle East and a reported statement by one of the leaders in a neighboring State.

As the House is aware, I left the country on the 29th May for a trip overseas. This trip overseas was occasioned by the invitation I received from the University of Massachusetts to receive its Honorary Degree. When the City of Independence, Missouri, learned that I was going to the University of Massachusetts, to receive an Honorary Degree there, it also, when I say it also I mean the city of Independence in the State of Missouri, decided to invite me. It extended an invitation to me to visit it while I was in the United States. As you know, the City of Independence in Missouri is a sister city to Blantyre.

The invitation from the University of Massachusetts and the City of Independence to visit the United States naturally gave me an opportunity to renew my contacts with the President of the United States, the Right Honourable Lyndon Johnson, whom I had met in 1964 when I went there on the occasion of Malawi's admission to the United Nations.

In particular, I was deeply touched and greatly impressed by the way in which the President of the United States of America, the Right Honourable Lyndon Johnson, received and treated me. At the time I arrived in Washington, the President was deeply engaged—and I mean just that—deeply and gravely engaged. The crisis created by the outbreak of war in the Middle East, between Egypt and Israel, was at its height. The President of the United States, at that time had every reason not to see me or, if he did see me, to see me only for a few minutes because he was truly and literally very, very busy. And what was even more, my visit was a private one—not a State or Official one. I would like to emphasize this, Mr. Speaker and Honourable Members. Yet, busy as he was, pressed for time as he was, the President took the trouble not only to see me and discuss international problems with me, but also to arrange and give a reception and a Luncheon in my honour. (*Applause.*)

Not only that, Mr. Speaker, he also saw to it that the streets in the City of Washington—at least in that part of the City where I was to pass and to stay from the Airport to the house where I stayed—was gaily decorated with Malawi and American flags. (*Applause.*) And although my visit was a private one, President Johnson accommodated me in his official Guest House, Blair House. It is not necessary for me to tell the House in detail what President Johnson and I discussed. Naturally we touched on the present and pressing international problems, in particular the war in the Middle East, and as you would expect, we also discussed Malawi's economic financial needs.

On the war in the Middle East, I was very glad to note and see that the President and I more or less have the same views or share the same views. (*Applause.*) We have identical views on the problems, not only of the present conflict between the Arabs and Israelis, but on the problems in the Middle

East in general. I was greatly impressed with the President's knowledge, understanding and interpretation of every thing that we discussed.

As regards my discussion with the President of the United States on Malawi, I was greatly impressed by the knowledge which the President had on our needs, and the interest he takes in the needs personally. I would rather not say very much on this subject just now, but all I would like to tell the House is this—that President Johnson is a true friend of Malawi. (*Applause.*) Here again, I do not want to interfere in domestic or American domestic politics or local politics, and I hope anyone who hears me here will not think that I am trying to interfere in the local politics of America, but what I would like the House to know is what I said at the airport. President Johnson is a very good man, indeed a great man; a very good man and a great man who is often misunderstood or mis-interpreted; a very good man and a great man who is not always given credit for the good he is doing in America. As you know, Mr. Speaker, I was educated in America. I was there for many, many years. I went to High School there, and to a College of Medicine. I know something about American life, about the racial situation there. But no one can deny that as regards racial problems or race relations, things have vastly changed since I was there as a student, beginning with Roosevelt, and then Truman, and then Eisenhower, Kennedy, and now Johnson himself. Every time things are definitely changing for the better.

Talking to Americans themselves, privately—not on the platforms, and not about what they shout on the platforms, and Americans that should know—in Massachusetts, in Missouri and in Washington itself, I came to the conclusion that President Johnson is misunderstood, mis-interpreted and very often not given credit for the good work he is doing. He is doing more for the American negro than some of the American negroes realize, I can tell you that. (*Applause.*) You have probably seen in the papers that quite recently he has nominated an American negro Judge as Justice of the Supreme Court of the United States. No other President before has ever done that. This gives me great encouragement in what I am trying to do here. As you know, Mr. Speaker, ever since I came to Zomba I have done my best to preach the gospel of reconciliation between the Europeans and the Africans in this country, and now I am trying to extend that gospel beyond our borders—to Rhodesia, South Africa, Mozambique.

IMPORTANCE OF RAILROAD FROM ZAMBIA TO TANZANIA AND THREAT OF TAKEOVER BY RED CHINA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, on Monday of this week I expressed my deep concern over the prospect, as outlined in the August 12, 1967, issue of the London Economist, of Red China underwriting the building of a railroad from Zambia to Dar es Salaam in Tanzania. I said then, and I repeat today, that the procrastination or lack of interest of our country in giving encouragement to the interested African nations in building a railroad tied up with their destiny is a tragic mistake that may lead to our missing the boat as far as Africa is concerned. My speech of Monday appears on page 24221 of the CONGRESSIONAL RECORD of August 28, 1967, and I urge its reading by my colleagues. If the London Economist is correctly informed, Red China is on the verge of financing a railroad that will give Red China a real, a very substantial foothold in Africa.

Make no mistake in estimating the future of Africa. No part of the world has a richer future than that of the Continent of Africa, and that future will be developed and advanced exactly as was that of our own western territory—by rail transportation and by water power development.

I have long advocated the railroad from Zambia to Tanzania, advocated it as vigorously as some years ago I advocated the Volta project in Ghana. The roadblocks there were finally overcome, and I do hope they eventually will be overcome as far as the Tan-Zam railroad is concerned. If Red China takes over while we are playing with our fingers it well could be that the United States would have no share commercially with Africa's rich tomorrow.

Mr. Speaker, in the hope of awakening an interest among my colleagues before it is too late, and at least giving them a background of facts as basis for deeper study. I am today, on this final session before the vacation, presenting the case of the Tan-Zam railroad project as I view it.

PRESCRIPTION OF PROJECT

The physical works to be engineered and constructed include the necessary facilities to provide a complete railway system between the copper belt in Zambia and the sea at Port Dar-es-Salaam in Tanzania. The transport system consists of a new railroad of approximately 1,000 miles plus modifications to 300 miles of existing rail line, for an operating total of 1,300 miles. The facilities to be provided include:

Mechanized copper loading platforms, spur and yard tracks, terminals, locomotive and car repair shops in the copper belt near Ndola.

The necessary sidings, signals and other modifications to the existing 3-foot-6-inch-gage line from Ndola to Kampayo.

Construction of approximately 1,000 miles of new 3-foot-6-inch railroad from Kampayo across Zambia and Tanzania via Mbeya to join the existing Tanzanian meter gage—3 feet 3 inches—line at Kidatu.

Necessary new construction or modifications to convert the Tanzanian line between Kidatu and Dar-es-Salaam to allow through 3-foot-6-inch operation.

A marine terminal at Dar-es-Salaam including the necessary dredging, quay structure, transit sheds, loading and unloading equipment, rail terminal, yards and locomotive and car service and repair shops.

Stations, staff quarters and auxiliary facilities for the entire railway system.

Signals and communication facilities for efficient system operation and train control, including radio train communication.

Fuel and water storage and other auxiliaries required for operation.

Locomotives and rolling stock.

IMPORTANCE OF INTERREGIONAL AND INTER-AFRICAN ECONOMY

It is clear from the African map that the railway systems of south-central Africa and east Africa are separated by a considerable distance. The Tan-Zam project, if implemented, will fill this gap and unify the two systems into one network to provide sub-Sahara Africa with a through service from the Atlantic to the Indian Ocean, and from the Equator to the cape.

Since the economic activities in Africa are historically concentrated along the rail lines as they were in the United States in the early days of our development, the significance of this new link is likely to be far reaching. By joining the East African Railways to the Central and South African Railways, the new link would stimulate the development of inter-African trade, particularly in the landlocked countries. It would in fact serve as a route of integration for regional economic relations. The regionalization of the railways would implement a greater regional economy with the benefits of wider markets, more diversified supply and larger scale production and trade.

In a wider perspective, the rail link would constitute an essential section of the long conceived Capetown to Cairo Railway, and would therefore represent a major step toward the eventual development of an all-African railway network.

By providing a vital infrastructure, the new link would induce agricultural and industrial development in some of the potentially rich and underdeveloped areas of Zambia and Tanzania. By extending the radii of the markets, it would break the isolation of many localities and serve to integrate their economic and social activities. Thus the new link would enhance the process of commercialization and industrialization on a subcontinental scale.

There have been recent intergovernmental discussions by Zambia and Malawi as to joining the east African common market. The new link would enhance the possibilities of any such arrangement.

REGIONAL ECONOMICS OF COPPER

The proposed link will be of great significance to the African copper industry which constitutes 23 percent of world output and supply. The copper belt is located in the heart of south-central Africa, with mining operations primarily in Zambia and the Congo. In Africa as elsewhere, copper mining activities are principally determined by world demand and by sales price which as a rule fluctuates widely corresponding to the business cycles of the industrial countries being supplied. Thus, it is difficult to project future world copper consumption; however, recent studies indicate that the major upward trend in demand is likely to be maintained in the foreseeable future. In the meantime, the ore reserves in the African copper belt appear to be abundant for increased mining in future years, particularly since new techniques permit economic production from lower grade deposits. Thus it appears that the major problems facing the copper industry in Africa are the improvements in the methods of production and transportation in order to reduce the price of the product on world markets.

For transportation of copper from the copper belt to the world markets, the Tan-Zam link would contribute greatly in terms of both capacity and shipment cost. The existing routes of copper movement, especially the Rhodesian, Mozambique, Beneguela and BCK railways, are reaching total capacity. These facilities will have to be expanded and modernized on a large scale, if required to transport the expanded copper output in the next 5 to 15 years. The Tan-Zam Railroad will accomplish this same purpose in addition to its other benefits.

From the standpoint of copper marketing, the choice between expanding existing routes and opening a new line depends upon the economics of cost and distance assuming the same capacities and availabilities. The Tan-Zam link has a route mileage from Ndola to Dar-es-Salaam of about 1,300 miles compared with some 1,500 miles on the Rhodesian and Mozambique railways, and 1,450 miles on the Lobito route. A shorter distance to the sea reduces transport cost as well as transport time. In addition, Dar-es-Salaam is located some 1,000 miles to the north of Beira or some 40 hours sailing time closer to Europe and Asian ports. Thus, it appears that the Tan-Zam link will provide substantial savings in shipping cost and delivery time to European and Far Eastern markets.

One more important contribution of the new link to the African copper industry would be to assure access to outside markets against interruptions arising from growth and capacity shortages, and in particular, from unforeseen political events in the years to come. The shipments and sales of the Zambian copper are even now severely handicapped by the present emergency conditions since the early months of the UDI by Rhodesia.

ECONOMIC BENEFITS TO TANZANIA

Apart from continental and international considerations, the projected railway will provide particular benefits to the individual participating countries. In Tanzania, the link would provide extension of its railway network to the southern part of the country, especially to the southern highlands where despite highly fertile soil and adequate rainfall commercial farming is severely restricted by lack of transportation. The agricultural potential of this area is comparable to that of the highly profitable Kenya highlands.

The rail link will follow the Kilombero Valley which is a major tributary of the Rufiji River, whose basin is suitable for multipurpose development, including electricity, irrigated agriculture, and reclamation. If this area is developed, the products can be shipped directly to the seaports 700 miles away by the new railroad.

South of Mbeya the rail line passes extensive deposits of coal and iron ore of high quality in the Ngaka area between Njombe and Songea. Reserves of 284 million tons of good quality coal have been proven and it is known that the deposits would extend far beyond the area drilled. Reserves of 44 million tons of iron ore have also been proven with additional tonnages indicated. These quantities are sufficient for the development of an iron and steel industry in the area if demand permits. The large scale mining and metallurgical activities are feasible only when the rail link is built with branches to the mining area.

Tanzania is now considering developing a pulp industry at Mufindi. The present project being discussed with U.S. AID envisages production of 250,000 tons per year of unbleached pulp for consumption in East Africa and overseas export markets. The viability of the project depends upon the availability of economic transport such as the projected railway.

The transit trade through the rail, port, and other facilities in Tanzania would benefit the country immensely in terms of financial receipts, multiplier and income effects, and commodity supplies. It would also increase the demand for local labour, services and industries and thus accelerate the process of commercialization and industrialization.

ECONOMIC BENEFITS TO ZAMBIA

In landlocked Zambia, the Tan-Zam project is beneficial in a different way. The Zambian economy has been growing constantly with its GNP rising by 9 percent in 1964–65. It is now enjoying the copper boom with sizeable budget surplus and favourable balance of payments. But the economic structure is faced with reorganization due to dissolution of the previous Federation and the advance of independence in 1964, as well as by the UDI in Rhodesia during 1965. Both events call for reshaping the country's economic, trade and transport patterns.

To date, the economic and social development of Zambia has been concentrated largely in the copper belt and along the Rhodesian Railway. Other areas of the country such as the eastern regions should now be developed through reconstitution and expansion of the national transport network. The Zambian section of the Tan-Zam line would add a major axis of transport and economic integration to the country's greatly localized economy.

Previously, Zambia received about 40 percent of its imports from Rhodesia, 20 percent from South Africa, and 17 percent from the United Kingdom and it needs to diversify the sources of import supply. The predominant portion of exports, mostly copper—over 90 percent—and imports—80 percent—were shipped via the Rhodesian railways and Mozambique ports and this route is now severely inhibited. The trade, transit, and payment arrangements with Rhodesia are becoming increasingly more difficult. Therefore, a new means of access to the sea such as the projected railway is necessary to alleviate the geographical isolation of the country and to assure the continuous flows of its exports and imports.

The railway would provide a new route from the copper belt and the other potential economic development belts in central Zambia to the sea, 150 miles shorter than the shortest rail route on Beguila Railway which is now being used to capacity. It would thus help develop Zambia's trade relations with many nations, both inside and outside Africa.

The new line would provide an artery for the entire eastern half of the country where extensive land resources exist in isolation due to lack of adequate transportation. The great area and sparse population of the country calls for the effective improvement of transport to shorten the economic distances between producing and marketing centers.

Implementation of the railway plus some subsidiary roads would permit the development and commercialization effects of the copper belt and the central section of the country to expand over the eastern areas, where now only isolation subsistence farming prevails.

SUMMATION

The importance of the projected railway to the international and interregional trade of southern Africa is obvious. By linking the East African and Central African Railways, it would serve to integrate the rail transport for most of the southern half of the continent. The proposed link would bring closer the economic relations among the various development belts of central and east Africa. For the two countries individually, the railway would become an effective instrument for implementing policies to open up new economic areas. It would facilitate greatly the expansion and diversification of their trade relations with nations, inside and outside Africa.

TRIBUTE TO SAMUEL RICHARDSON DAVENPORT

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, for 26 years Samuel Richardson Davenport has been a vibrant and valuable personality on Capitol Hill. In these years, and while serving with ability of the highest order as editor in the office of the House Coordinator of Information, he has answered more than 50,000 congressional inquiries.

In the 17 years of my membership in this distinguished body Sam Davenport has never failed me. Whenever I or a member of my staff had a question and there was no available answer, a telephone call to Sam Davenport produced the answer, sometimes in a matter of minutes, sometimes longer when research was necessitated, but always Sam Davenport came up with the answer, and always the answer was error-proof.

This is Sam Davenport's last day of service on Capitol Hill. His departure is a loss to the House of no mean dimensions. My own loss, and that of my constituents, whom he served through my office as he served the constituents of all my colleagues, is truly a great loss. With Sam Davenport in his retirement and his charming wife and family will go the every good wish of the entire membership of the House of Representatives of the Congress of the United States whom he has served so many years with faithful dedication and matchless ability.

Sam Davenport is the author of more than 50 one-act plays and 100 short stories. In addition, he has been the poet laureate of Capitol Hill and his poems on Ireland echo and re-echo the melody in Irish hearts. He and his good wife leave for Ireland on September 6 for a month's visit. It is expected that on his return he will receive a well-earned and well-merited grant from the National Endowment for the Arts.

Mr. HERLONG. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am glad to yield to the gentleman from Florida.

Mr. HERLONG. I would like to associate myself with the remarks of the distinguished gentleman and say that I have found the same kind of service from Sam Davenport; and we are going to miss him here on Capitol Hill.

Mr. ADAIR. Mr. Speaker, the remarks of the gentleman from Illinois [Mr. O'HARA] in tribute to Samuel Richardson Davenport are certainly well merited. During his 26 years of service on the Hill, he has contributed greatly to the efficiency and effectiveness of most, if not all, of our congressional offices. Not only his efficiency, but his pleasant smile and friendly manner have made him particularly effective.

But, there is another aspect of Sam's life that deserves mention. He is in most regular attendance at the House of Representatives prayer breakfast on Thursday mornings and, as he leaves for his visit to Ireland, we shall certainly miss him at these meetings. Sam is the only person not a member or officer of the House who is invited to and does regularly attend these breakfasts. There, too, with his knowledge and wit, he contributes a great deal.

I want to join with the many others who wish him a happy visit to Ireland and hope that in the greater leisure which he now has he will find time to do more writing.

Mr. UTT. Mr. Speaker, I thank the gentleman from Illinois [Mr. O'HARA] for yielding. I am happy to join with my colleagues in paying tribute to a great public servant, Sam Davenport. He has been a close personal friend for the past 15 years, and has been most cooperative and helpful to me and my entire office staff by keeping us advised of matters of national interest as well as things of particular interest to my district in California.

I recall one incident especially. During the earthquake in Alaska, one of my constituents had relatives in Kodiak and were unable to find out whether they had survived the quake. Through the assistance of Sam Davenport, messages were relayed by way of ham radio operators and, within less than 24 hours, we received information as to the safety of my constituent's relatives.

Seldom a week would go by that we did not have occasion to seek Sam's assistance, which was always given most freely.

We will miss him greatly, as he retires from a long term of public service. Mrs. Utt joins me in wishing Sam Davenport and his wife happiness in their retirement. I know he will find use for his many talents, and that he will continue to be of service to our Nation.

Mr. BARING. Mr. Speaker, I wish to join in paying tribute to one of the finest public servants to ever work on Capitol Hill, Sam Davenport. His retirement is truly a great loss to all of us. A personal friend for more than 20 years, Sam, to me, was almost like being a member of my staff. He never failed to keep me advised of matters that would be of particular interest to my State of Nevada. Whenever a question arose, and seemingly no answer was available, a telephone call to Sam produced the answer.

As editor in the office of the House Coordinator of Information, Sam Davenport was as indispensable as any person could be. His warm and personal service was above reproach.

I wish Sam Davenport and his wife untold happiness in their retirement.

Mr. FINDLEY. Mr. Speaker, with great regret and sadness I have learned of the retirement and departure from Capitol Hill of Sam Davenport. As a neighbor on the fifth floor of the Cannon Building and as an associate in the prayer breakfast group I came to know and admire Sam tremendously. We all wish him the best of health and happiness in his richly deserved retirement.

Mr. GATHINGS. Mr. Speaker, information has come to me that Sam Davenport is leaving the Office of the Coordinator of Information of the House of Representatives after many years of devoted and dedicated service.

He served with zeal and dispatch in the handling of requests made of him by Members of the House. A few days ago I called Sam and asked his assistance in connection with a vital research problem. He fulfilled the assignment capably and cheerfully as he had done every time I had asked him to assist me.

It was a genuine pleasure to know Sam Davenport. I knew him particularly well from our association at the Thursday morning prayer breakfast meetings. He usually arrived about 15 minutes before 8 o'clock along with JIMMY UTT and ART YOUNGER. He contributed greatly to the success of the group by his faithful attendance and learned participation in the discussions. He prepared a valuable history of the founders and subsequent members as he was the individual with the longest service. He knew every one of the first members. He gave his impressions of each of them.

As he goes into new fields of endeavor, I wish he and Mrs. Davenport every continued happiness and success.

Mr. FISHER. Mr. Speaker, I should like to join with colleagues who have commended Sam Davenport who recently retired as Coordinator of Information for the House of Representatives. During some 20 years that I have known him he has been courteous, energetic and highly efficient. He took his job seriously and he performed his duties well. He has been my personal friend since I first met him. I express my appreciation for his services of the past and extend my best wishes for his future.

GENERAL LEAVE TO EXTEND

Mr. O'HARA of Illinois. I thank the gentleman from Florida.

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days following our reconvening on September 11 to add to this tribute to Sam Davenport.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Florida?

There was no objection.

THE LONG, HARD ROAD TO VICTORY

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, America is engaged in a great deal of soul-searching on the problem of Vietnam. We are heavily committed militarily, so much so that the strategic reserve in the United States is being depleted to provide troops for Vietnam. These are the forces which are held back for emergency requirements should a need arise anywhere in the world. This means that most of our ready combat forces are now directly committed to the conflict in Vietnam. We have seen 13,000 American soldiers killed and 78,000 wounded. The costs of war will run close to $30 billion in the current fiscal year.

Nevertheless, there is a strong undercurrent of doubt about the progress of the war. The administration insists that a definite military progress is being made. Possibly our major concern should lie in another area. Definitely the United States can win if the Vietnamese themselves also want victory enough to make a really determined effort. But there is serious doubt that the Vietnamese people have been made to feel that they have a worthwhile stake in the war. Land reform, and other badly needed reforms, to improve the lot of the people, have not been forthcoming from the central government and this has made more difficult the pacification program which is essential to final allied victory.

A recent House committee investigation tells a shocking tale of waste and corruption in the U.S. aid program and in black market operations. The care of refugees, which was already a serious problem when I visited Vietnam in December 1965, has apparently shown little improvement and, according to the committee report, the war itself is hampered by the all-around officiousness of an entrenched and inefficient bureaucracy.

I have repeatedly pointed to the fact that the 600,000 trained and equipped South Vietnamese troops are making but little contribution to the joint war effort. Despite the fact that it is their country and their war, they leave most of the heavy fighting to U.S. forces. I am convinced that a more effective use of South Vietnamese forces would make it unnecessary to send additional American troops to the combat area.

In all of this, the United States, through its missions in Vietnam, could bring stronger pressure for corrective action. But in this connection, the congressional report berates American aid officials in our Embassy in Saigon for their failure to insist on reforms, cleanup, and a positive approach to the war effort.

Too often—

The report says—

> U.S. officials try to avoid rocking the boat instead of pressing for necessary reform.

These things simply mean that many of the South Vietnamese are withholding confidence and support from their leaders. It helps to explain why the Vietcong can hold its grip on so many villages.

It is time all these problems were brought out into the open, thoroughly aired, and solutions provided. There must be a positive commitment by the South Vietnamese leaders to the common objective of a lasting victory. These commitments must be implemented without further delay. Russian and Chinese weapons and trained forces from North Vietnam have made the war a big and difficult one. It is obvious now that a military victory will be costly and long drawn out. We are committed to the South Vietnamese cause. Yet victory can be meaningless if the South Vietnamese themselves are not convinced their cause is just and their Government worthy of support.

Lack of reform may be the Achilles Heel of the allied cause in Southeast Asia. Communism can continue to peddle its teaching to the poor as long as corruption and exploitation are unchecked. The Vietnamese have to be able to comprehend the meaning and the price of victory and to work for it with an effort that goes even further than ours. Otherwise their country can fall to communism just as soon as the shooting stops. If that is in prospect, we will have wasted American lives and American treasure.

URBAN RENEWAL PROBLEMS IN THE CITIES

Mr. **VANIK**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **VANIK**. Mr. Speaker, during the course of the past month, I have made statements in the House concerning the problems of the cities. Earlier this month, I was shocked to learn that 80 percent of our public housing resources was spent in cities under 25,000 in population. I do not think that this program was intended to work out that way, but this is precisely what happened.

In studying the problem of urban renewal, I found that in my own State 70.4 percent of the urban renewal projects were designed for nonresidential use. I am sure that Ohio's urban renewal programs are typical of the rest of the country.

From the latest available figures, the value of redevelopment underway through urban renewal projects totaled $3.9 billion of which only $1.5 billion or 37 percent was for residential reuse. These figures fully describe the destruction of housing facilities of the poor and the failure to provide replacement housing. In our large cities, needy families have been shifted from hovel to hovel with little prospect of a better home.

The figures on urban redevelopment is as follows:

> The value of redevelopment under way at the end of 1965 was over $1.5 billion for residential, about $1.2 billion for commercial, $169 million for industrial, and over $1 billion for institutonal construction—a total of more than $3.9 billion.

The reduction in the residential inventory of our large central cities resulting from highway construction, inhumane urban renewal, and disproportionate allocations of public housing resources have compounded the problems of the city.

At the same time, the wholesale migration of citizens to the suburban communities increased the ratio of the needy to the self-sufficient in our urban centers.

In Cleveland, for example, the exodus is estimated at 13,000 citizens per year, shrinking the present population to less than 800,000 persons, while the population of the metropolitan area made more than proportionate population increases.

Of the less than 800,000 people in Cleveland, almost 130,000 receive social security benefits, while almost 40,000 live on veterans disability or pension benefits. When those receiving benefits through Federal programs are added to those supported on public welfare, 81,604 persons, it appears that 251,604 persons or 32 percent of the population, are sustained through public support programs.

The inadequacy of these programs and the squeeze on low-income housing are proven components for urban disorders.

"LOOPHOLE"—OR EQUITY?

Mr. **HERLONG**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **HERLONG**. Mr. Speaker, the American public is being grossly and unfairly misled on a matter of vital concern to them. They are being misled by a small number of columnists and high public officials who display either an amazing lack of information, an unawareness of the facts, a desire for sensationalism, or a combination of these things. My purpose in requesting permission to address this House is to tell the practical, true story, once and for all, about a matter of vital concern to every consumer and to our Nation as a whole.

Before proceeding further, Mr. Speaker, I should like to point out that I have absolutely nothing to gain by my remarks—either politically or personally. I have already announced that I will retire from the Congress at the end of this term. To my knowledge no member of my family, including myself, owns a single share of stock in any companies in the industry which I will discuss, nor is that industry predominant in any way in my home State of Florida. The only personal interest I have in this matter is my desire to see justice done on a vital provision of Federal tax law. My qualifications for taking a stand on this issue derive from 19 years service in the Congress and, particularly, from my service on the Committee on Ways and Means, that committee which is primarily responsible for considering our tax policy. As I progress in my remarks I will present further thoughts about these few columnists and others who apparently feel they can get personal or political gain from this whipping-boy issue but who possess little or no qualifications for intelligently informing the public about them.

I refer to what is erroneously called the oil depletion provision. Let us get this straight first. The correct, practical name is "mineral depletion" provision. For this provision in the Internal Revenue Code applies to practically all minerals—over 100 in number—except those considered to come from inexhaustible sources. I realize that the attention-seekers much prefer to use the term "oil depletion" because they feel it conjures up the image of some ultrarich fat cat in the minds of the average audience and that, therefore, they will get a better reception to their misleading statements.

They also often leave the impression that this tax provision is a boon only to the oil-producing States. That just is not true. Every State has some mineral production that is covered by percentage depletion. To mention just a few examples: Minnesota has its iron ore with a 15-percent rate; Virginia has kyanite—with a 23-percent depletion rate; New York leads the Nation in titanium production—which also comes in the 23-percent category; Missouri's lead production gets the same rate; Oregon is the source of our nickel production—and also gets 23-percent depletion on the output of this mineral; Tennessee leads in zinc production—also in the 23-percent depletion category; West Virginia, Pennsylvania, Kentucky, and Illinois are the big four coal producers—and there is a 10-percent depletion rate on that. In my own State, our chief mineral is phosphate rock—which has a 15-percent rate. A complete list of all the minerals and their depletion rates is submitted as an addendum to my comments. Clearly then, the true term is "mineral depletion" provision.

For a thorough understanding of the mineral depletion provision we should take a quick look at its history. And, since the critics use oil as their symbol, I will use it as my primary example where possible. The principles, however, apply to all minerals under this provision.

There was no need to take depletion into account in the tax laws until ratification of the 16th—or income tax—Amendment in 1913. Then, with this dramatic change in the Nation's revenue structure, Congress was suddenly confronted with a swarm of new problems in writing equitable legislation to put the income tax into effect. One of these problems was how to draw up tax provisions that would effectively tax income without taxing capital.

In the case of ordinary capital assets, like machinery and equipment, this problem could be solved by authorizing regular deductions for depreciation until the cost of the income-earning piece of property was restored. The idea, of course, was to return the cost of the asset—tax free—over its life so that it could be replaced when worn out.

But this principle, though sound for machinery and plants and other depreciating things, did not work out at all with respect to depleting assets—such as oil and other minerals in the ground.

A simple illustration explains why this is so. If a man in some manufacturing business buys a piece of equipment for $100,000 he can take depreciation deductions over its useful life, and by the time the machine is worn out—he will have recovered its original cost. He will have the money he needs to buy a replacement.

It is not that simple for the mineral producer. Now suppose an oilman has a producing property that cost him $100,000, and suppose the tax laws permitted him to recover only that investment cost. The laws would be, in effect, putting him out of business. For he could not take $100,000 recovered from a successful discovery and expect to go out and drill a replacement. Of every 100 wells drilled in search of new fields, only three—on the average—will find enough oil or gas to recover costs of drilling and producing. Ninety-seven such tries in 100 will find no oil or gas at all—dry holes—or will find oil or gas fields so small that they are unlikely to be profitable.

And the average cost of drilling a well—whether it is a success or a failure—is around $56,000.

Tax laws have to be based on realities—if we are to have a workable system of taxation. And the odds against success in exploring for oil and in all other mineral exploration had to be recognized by Congress in applying the income tax law to these industries. Congress could not pretend that these problems did not exist and—at the same time—maintain that it was striving for equity in taxation.

After study and experimentation, Congress finally developed what is known as the discovery value depletion provision as part of the Revenue Act of 1918. This provision, which applied to all minerals, allowed for the depletion deduction to be based on the fair market value of the mineral- or oil-producing property, if that value was significantly different from the cost.

Although sound in principle, because it recognized the capital value of the mineral in the ground, this discovery value provision bogged down in administrative complexities. Too much was left to human judgment in estimating the size and value of a mineral discovery. So, in 1926, Congress tried again. At the suggestion of the Treasury, Congress tested a new approach by substituting a flat percentage depletion formula for the estimated discovery value in the case of oil and gas.

The rate set for petroleum—27½ percent of the gross income—was admittedly a compromise between the two Houses. Studies by the Treasury Department indicated that a rate of about 30 percent would be more in line with deductions available under the discovery value law. Subsequent analysis by the Joint Committee on Internal Revenue Taxation also brought out that the shift from discovery value to percentage depletion materially increased the petroleum industry's tax burden.

However, percentage depletion—by its simplicity and ease of administration—worked out so well when applied to petroleum that Congress extended it to other minerals that had been entitled to deductions on the "discovery value" basis. As I have previously noted, today more than 100 minerals are covered by percentage depletion. The rates vary, as discovery values vary, but in each case the deduction for statutory depletion cannot exceed 50 percent of the producer's net income from the individual property or, as the law applies to hard minerals—operating unit.

The farmer does not pay an income tax on the "seed corn" that he sets aside from his harvest to grow another crop in the succeeding year. Percentage depletion is, in a sense, a way of letting the mineral-producer retain—free of tax—funds that represent his "seed corn." He can use these to undertake a search for new mineral reserves to replace those being harvested—or depleted—by production. Yet, as I have indicated, the oil producer and, to varying degrees every other mineral producer, must plant many, many seeds in the ground before he can find another productive crop of mineral reserves.

Mr. Speaker, clearly this is no tax loophole. This is a deliberate legislative decision of Congress, a principle that has been on the statute books for almost half a century, and has been repeatedly reviewed at public hearings held by both the Ways and Means Committee and the Senate Finance Committee.

Yet only a few days ago a columnist's poll of the House asked a question which—as nearly as I can recall—went like this: "How do you feel about the closing of tax loopholes in general and the oil depletion loophole in particular?" An examination of this question reveals that it assumes as a fact that oil depletion is a tax loophole. No one, in Government or out has proven, or can prove, that assumption.

Note the "oil depletion loophole" phrase—not a word about the other mineral depletion provisions—just oil. It makes one wonder if the accusers might have some personal interest in some other mineral industries entitled to the benefits of the laws on depletion. Would it not have been fairer to ask me—and my colleagues in other States, "How do you feel about abolishing the percentage depletion provision for the mineral industries in your district?"

How would any of us feel about legislation that would deal such a hard blow to the economies of most of our States, probably closing down many income-producing enterprises and putting people out of work, blighting communities and shrinking the State and local tax rolls while adding to welfare costs? How many of us would want to support such an irresponsible and callous scheme? And which one among us would be so naive as to think that the depletion rate for oil and gas can be cut or abolished without repercussions on the rates for each of our own local mineral-producing industries?

If percentage depletion goes down for oil and gas, it will go down for all the others—zinc, titanium, iron ore, coal—the whole list. And then we would all hear from our hard-hit constituents, and those of us who may now have doubts would find out most emphatically that this is no special boon for the oil-producing States. This is an essential provision for all America. It is essential because our mineral producing industries—all of them—from sand and gravel to oil and gas, are essential to America.

If the argument of those who would abolish depletion is carried to its logical conclusion, and if they would be consistent and fair, they would also necessarily have to advocate a Federal tax on all forms of capital including savings accounts, investments, land and appurtenances, including homes and the like.

Let us stop listening to columnists and get down to the facts. We cannot base tax legislation on slogans and word games—like the insistent harping on the term "loophole." This is a phrase the critics of mineral depletion love to bandy about. It is also a prime example of the use—or misuse—of language to convey a false impression. The unabridged dictionary defines "loophole"—when used in this sense—as "a method of evading the intent of a statute, contract, or obligation." As history clearly shows, in no way does the percentage depletion provision resemble this definition. We have from time to time in the Committee on Ways and Means amended the tax laws to correct unintended benefits which arose during the practical application of the law. This, in my judgment, is the true definition of what really is a loophole. Nowhere has anyone ever contended that the benefits to be derived from the mineral industry's depletion was not intended by the Congress—in fact, a study of the history of this legislation shows exactly the opposite.

I am convinced that our mineral depletion policy will be a decisive factor in determining whether the United States continues as the foremost power in the world with the highest standard of living, or whether it falls back into the ranks of the "have not" nations—the countries that must depend on other lands for their energy and fuels and other basic resources.

Rarely, if ever, do those who attack mineral depletion remind us that oil and natural gas together supply almost three-quarters of our Nation's energy.

Yet how can an intelligent decision be made on this issue without consideration of such facts as this? Rarely do critics of percentage depletion point out that this provision—and its forerunner, discovery value depletion—originated in a time of widespread fear that we were getting close to the bottom of our oil reserves.

It is hard for us to realize now that back in 1916 legislation was actually introduced in this House to prohibit the exportation of petroleum products from the United States. Four years later, in 1920 the U.S. Geological Survey predicted that—if the then current rate of domestic consumption were to continue—the United States would run out of oil by 1938. Three years later, in 1923, a subcommittee of the Senate made sensational headlines with a report warning consumers that they had better start preparing themselves to pay at least $1 a gallon for gasoline.

Because Congress wisely recognized the need to encourage the risky search for oil deposits, the American petroleum industry was able to confound all the experts. It found enough oil to keep America going in the automobile age. It found enough additional oil to fuel a global conflict in World War II, and to meet the tremendous and unexpected demands of postwar prosperity. It is producing enough oil today to tide us over the current Middle East crisis. And I would like to remind you, without laboring the point, that we would be facing one of the most desperate emergencies in our Nation's history at this very moment if the U.S. oil industry had not been ready and able to replace those cutoff Middle Eastern supplies.

Were we dependent upon the Middle East for oil and natural gas—because we could not produce enough at home—we would today be at the mercy of those nations, helpless and immobilized until we met their terms for a resumption of our vital oil supplies.

It is a nightmare that could have happened but did not. If it had happened, the dollar-a-gallon price that was feared in 1923 would by today's standards be a bargain basement item to the American user of these products. It did not happen because the American petroleum industry continued its record of meeting one crisis after another. This has been done so often that the industry's achievements are taken for granted. But could this latest achievement—and the others—have been possible without percentage depletion? In my judgment, that is doubtful, indeed.

Remember that it is not enough for the petroleum industry to replace each depleted barrel of oil with another barrel of newly discovered reserves. If that is all the industry were able to do, we would have due cause for feeling once again the oil shortage alarms that shook this country in the first quarter of the 20th century. The petroleum industry must do more than replace one depleted barrel with another newly discovered barrel of reserves. This industry must continually step up its oil and gas finding to keep pace with steadily rising demand.

Last spring Interior Secretary Udall predicted that the United States will consume 78 billion barrels of oil and 283 trillion cubic feet of gas over the next 14 years—more oil and gas than was consumed in the previous 107 years of the petroleum industry's existence. I repeat—this supply will be needed to take care of just the next 14 years, and if that sounds like a long time just reflect that the year 1953 was only 14 years ago. Time passes more rapidly than we realize. It is passing very rapidly indeed for an industry that has to meet this enormous future demand.

Can the oil be found? The experts believe it can—though this is an exceedingly difficult assignment. But what if percentage depletion for oil and gas were abolished or sharply curtailed? The critics of this provision never seem to trouble themselves with any question about the effect of such a move on our future oil supplies. But the rest of us had better trouble ourselves with this question. For the future security and prosperity of our country and of the free world could hinge on the answer.

It is ironic that some of the very people who are most aggressive in attacking percentage depletion benefit handsomely from provisions in the tax laws that others would brand as "loopholes."

I happen to know that this is true of a public official—a constant critic of mineral depletion—who boasted of his profit on a cattle sale because, due to a provision in the law, a "loophole" if you will, he had to pay only a capital gains tax on the transaction. I know of another public official and mineral depletion critic who invests in tax-free municipal bonds, thereby reducing his tax bill substantially. Some people call this a "loophole." And I could name another extremely wealthy public official who uses the foundation exemption to reduce his tax bill. Yet he is most boldly outspoken in condemning what he thinks are other people's "loopholes." Those who are fond of applying the term "loophole" to mineral depletion and other provisions of the tax code that they do not happen to like frequently quote a book called "The Great Treasury Raid" by Philip Stern. You might say this book is almost their bible. But they are highly selective in quoting from it. You would not guess from listening to them that the biggest single tax preference—or "loophole"—in the tax law according to Mr. Stern's own list is the provision that permits married couples to split their incomes for tax purposes.

Mr. Stern puts it this way, and I quote from his book:

> The tax laws permit the husband, in making out his tax return, to make believe that half of the paycheck has been earned by the little wife. This is commonly known as filing a "joint return."
>
> This is a highly expensive fiction: it costs the United States Treasury $5 billion annually.

End of quotation from Mr. Stern.

Now I do not agree with Mr. Stern that this is any kind of "loophole" or tax preference. Nor do I agree that the other examples which I have cited are "loopholes." I maintain that they are fully justified and sound public policy. It is simply a case of one man's "loophole" being another man's tax equity.

Mr. Speaker, in my years on the Ways and Means Committee I became intimately acquainted with the hard work—the actual drugery that goes into writing our Nation's tax laws. I also learned the supreme importance of digging and probing and searching out the facts. For with tax rates as they are today, a serious mistake, or oversight, or example of plain carelessness in drafting tax legislation could have ruinous consequences on an economic activity vitally important to our Nation—like the extractive industries covered by percentage depletion.

Tax policy is far too important to be made on the basis of slogans or catch phrases. People who write books, articles, or gossip columns about the tax laws do not have to take responsibility for the consequences of their recommendations, but the members of the Ways and Means Committee do have this responsibility. And in my observation it is a responsibility that they exercise with integrity, diligence, fairness, and dedication second to no group of human beings on earth. I consider my association with them a privilege and a most inspiring experience.

It is quite a striking contrast to compare the laborious study and research of the Ways and Means Committee and its staff with the effusions of those who do their research in Playboy magazine or other sensation-seeking publications.

We on the Ways and Means Committee must concern ourselves with facts, whereas the sole concern of these responsibility-free commentators is the size of the headlines they can make. Therefore, they feel no qualms about giving the impression that oilmen have achieved what amounts to tax exemption. They have even gone so far as to claim that the producing branch of the oil industry escapes $10 billion a year in taxation.

What are the facts behind this claim? Well, according to preliminary figures from the U.S. Bureau of Mines—a somewhat more authoritative source than Playboy—the total value of all the crude oil, natural gas, and natural gas liquids produced in the United States last year was $12.4 billion. Now how can an industry with output valued at $12.4 billion pay an additional income tax of $10 billion—on top of what it is already paying the Federal, State, and local governments, and have any money left to pay its employees, its royalty owners, its stockholders and investors, its creditors, and its operating expenses—not to mention the more than $4 billion the industry spends annually on exploration for and development of new reserves, including almost $1 billion each year in dry hole losses.

Let us turn from this myth about the industry's tax status to a serious study made to bring out the facts. The Petroleum Industry Research Foundation has made what is—to my knowledge—the only thorough study ever undertaken of the domestic petroleum industry's tax burden in comparison with that of other enterprises. The findings for the latest year covered—1963—are right in line with those for prior years.

In 1963, this study found, the petroleum industry paid at least $2 billion in direct taxes to Federal, State, and local governments. This figure does not include any of the gasoline and other petroleum product taxes of $6.5 billion paid in that year.

The study found that the petroleum industry's direct 1963 domestic tax burden amounted to 5 cents in tax for every dollar of revenue. The ratio for other businesses was almost exactly the same. The biggest part of the petroleum industry's tax bill was paid to State governments, with a heavy portion of the total represented by severance and other production taxes that nonextractive industries do not pay.

But a tax dollar is a tax dollar, whatever level of government it is paid to, and with the tax-sharing ideas now being discussed in Congress, the petroleum industry's contributions to State revenue should be most welcome.

The charge of fabulous oil industry profits likewise falls apart when held up to the light of fact. According to figures compiled by the First National City Bank of New York, from 1925—the first year's income to come under the percentage depletion law—through 1966, oil industry after-tax earnings have averaged less than 10 percent of invested capital. The figure for all manufacturing companies in this same period was a shade higher—10.7 percent. Last year the relationship was: petroleum industry—12.6 percent, compared with 14.1 percent for all manufacturing companies. Clearly, then, the petroleum industry is not making any profit bonanza out of percentage depletion.

These figures make it clear that percentage depletion—instead of giving the petroleum industry an undue advantage—simply counteracts, to some extent, the tremendous disadvantage entailed in the high-risk, high-cost search for new oil and gas reserves.

Actually, the big beneficiary of the percentage depletion provision is the consumer. I mentioned earlier that a Senate subcommittee predicted back in 1923 that the price of gasoline would soon rise to $1 a gallon. The average price of gasoline in that year was 21 cents—excluding tax. And in August of this year the national average price of regular-grade gasoline—an incomparably better product than that sold in 1923—was 22.65 cents per gallon. This is, again, excluding tax. So the consumer is paying only 8 percent more for gasoline today than he paid in 1923. How many other products today could meet such a test?

After more than 40 years, percentage depletion has become part of the economic structure of the petroleum industry. Under this provision, the industry has been able to meet the Nation's steadily increasing appetite for oil and do it with reasonable prices and below-average levels of profit. If now, after all these years, the percentage depletion provision were repealed—or the rate for oil reduced—it is inevitable that the price of crude oil and of petroleum products would have to rise. There would be no other way to close the gap—not with the industry's profits as moderate as they are and not with the future investment requirements what they are certain to be. It might not happen overnight, it probably would not happen that way, but in time—if percentage depletion was curtailed—something would have to give.

Higher prices for gasoline and other oil products would not mean much to the well-to-do people. They would not suffer much distress if changed income tax policies force the price of regular grade gasoline to rise sharply from the present level of less than 23 cents per gallon. But this would be a hard blow indeed at the tight budget of the family with only a moderate income. And quite often these are the very people who have to use gasoline more because housing costs force them to live a greater distance from the job, and also because pleasure driving is one of their favorite forms of low-cost family recreation. The worker, the farmer, the salesman, the rural letter carrier—these are the kinds of people who would feel the ricochet effect of a cut in the statutory depletion rate for petroleum.

From time to time we see figures that are supposed to show the sums involved in percentage depletion for the mineral industries. I wish there were some way to calculate in monetary terms how much this provision means—and has meant over the years—to Americans. But you cannot put a price tag on security or on national independence in raw material. You cannot calculate in dollars and cents how much it meant to have the oil and iron and copper and coal to carry us to victory in World War II.

This we do know: Every product in the marketplace represents the result of combining two basic ingredients under the guidance of human intelligence and skill. One of these basic ingredients is the raw material of which the product was made; the other basic ingredient is the fuel energy that was used in the manufacturing process.

Reducing or eliminating percentage depletion can only have the effect of increasing the cost of both ingredients. And the consumer will pay. In fact, I can think of no step that could do more to increase the cost of living—to make all our constituents pay more for everything they buy—than a cut in the rate of the mineral depletion provision.

Let me briefly review the main points I have covered:

First. Percentage depletion is not a tax loophole. It was deliberately devised by Congress more than 40 years ago and is consistent with the policy of not taxing capital value as income.

Second. The phrase "oil depletion allowance" is a misnomer. This provision applies to more than 100 different minerals important to our national welfare and to the economies of every State.

Third. Ours is an energy-based economy—with oil and gas supplying nearly three-fourths of that energy. Percentage depletion is essential if the industry is to meet the anticipated tremendous future demand for petroleum.

Fourth. The petroleum industry pays its fair share of domestic taxes—exactly the same percentage of its revenue as other industries, according to authoritative studies.

Fifth. Percentage depletion has not produced excessive profits for oil companies; in fact, their profits have averaged slightly less than those of manufacturing industries as a whole.

Sixth. The real beneficiary of percentage depletion is the American consumer. If the mineral depletion provision were deleted from our tax laws, the consumer would have to pay more for his every purchase since the cost of both the raw material in the product and the energy required to produce it would be more expensive.

Seventh. Percentage depletion has worked. It has enabled the petroleum industry and other mineral producing enterprises to meet the rapidly rising demands of an industrial civilization in peacetime, wartime, and the cold war era. It has helped keep our standard of living the highest in the history of the world. And, if we want an especially timely reminder of the value of percentage depletion, all we have to do is read any morning's headlines about what is going on in the Middle East.

Eighth. We have just seen the nationalization of oil properties of several American companies in the Middle East. How much more of a warning do we need that we cannot afford to let ourselves become dependent on foreign oil any time or anywhere in the world? We need percentage depletion because we need to maintain our national independence and our vital fuel supply. It is as plain and simple as that. And if we can learn anything at all from the news of the day, it is that percentage depletion—far from being a loophole is a lifeline for America.

Back in 1962, an excellent report of the National Fuels and Energy Study Group was prepared for the Senate Committee on Interior and Insular Affairs. This report contained the following statement on page 23:

> The economy of the United States rests upon a small base of energy. National income originating in the energy industries is only about 4 per cent of the total national income.
>
> Consumers, manufacturers, and government spend but a small proportion of their incomes in the purchases of energy—household consumers about 5½ per cent, manufacturers 1½ per cent, and government possibly 3 per cent. Despite the expanding use of energy these proportions have remained fairly constant.

End of quotation.

The figures may be slightly changed today, but I am sure the essential facts are the same. The American people are getting a tremendous bargain in the energy that runs this country—oil, natural gas, coal—and yes, even uranium for nuclear power. And all these minerals come under percentage depletion. So does the iron that makes the steel in the family car, the titanium for supersonic planes, the bauxite for aluminum cooking utensils and other products—most of all the basic necessities of light, heat, transportation to and from jobs and countless other things which every consumer needs in today's world.

This is not an oil industry measure or even a mineral industry measure; this is a measure that looks after the immediate and long-term interests of the American consumer. And the strongest justification for this provision is what it has accomplished in giving us an ample supply of reasonably priced energy fuels and raw materials needed to maintain an industrial civilization. I would be proud if this Congress could accomplish as much for the American people as the 69th Congress did when it originated the percentage depletion provision 41 years ago.

Percentage Depletion Rates for Mineral Production

Since 1926, the Internal Revenue Code has authorized percentage depletion at a 27½% rate for oil and gas wells. This rate is applied to the gross income from the wells, subject to a 50% of net income limitation.

During the decades that percentage depletion has been a part of the revenue laws, it has been extended to almost all other U.S. minerals at rates ranging from 5 to 23% of gross income from the mineral producing property, as follows:

TWENTY-THREE PERCENT DEPLETION APPLIES TO THESE MINERALS

Antimony.
Anorthosite (to extent alumina and aluminum compounds extracted therefrom).
Asbestos.
Bauxite.
Beryl.
Bismuth.
Cadmium.
Celestite.
Chromite.
Clay (to extent alumina and aluminum compounds extracted therefrom).*
Cobalt.
Columbium.
Corundum.
Fluorspar.
Graphite.*
Ilmenite.
Kyanite.
Laterite (to extent alumina and aluminum compounds extracted therefrom).
Lead.
Lithium.
Manganese.
Mercury.
Mica.
Nephelite Syenite (to extent alumina and aluminum compounds extracted therefrom).
Nickel.
Olivine.
Platinum.
Platinum Group Metals.
Quartz Crystals (Radio Grade).
Rutile.
Block Steatite Talc.
Sulphur.
Tantalum.
Thorium.
Tin.
Titanium.
Tungsten.
Uranium.
Vanadium.
Zinc.
Zircon.

FIFTEEN PERCENT DEPLETION APPLIES TO THESE MINERALS

Aplite.
Barite.
Bentonite.
Borax.
Calcium Carbonates.
Clay, Ball.*
Clay, China.*
Clay, Refractory & Fire.*
Clay, Sagger.*
Copper.
Diatomaceous Earth.
Dolomite.
Feldspar.
Fullers Earth.
Garnet.
Gilsonite.
Gold.
Granite.
Granite (Flake).*
Gypsum.
Iron Ore.
Limestone.
Magnesite.
Magnesium Carbonates.
Marble.
Metal Mines (not otherwise named).
Mollusk Shells (when used for chemical content).*
Molybdenum.
Phosphate Rock.
Potash.
Quartzite.
Rock Asphalt.
Silver.
Slate.*
Soapstone.
Stone (dimension or ornamental).*
Talc.
Thenardite.
Tripoli.
Trona.
Vermiculite.
Other minerals not covered elsewhere.

TEN PERCENT TO THESE MINERALS

Brucite
Coal
Lignite
Perlite
Sodium Chloride
Wollastonite

FIVE PERCENT TO THESE MINERALS

Clay (used for drainage and roofing tile, flower pots, etc.).*
Gravel.
Mollusk Shells.*
Peat.
Pumice.
Sand.
Scoria.
Shale.*
Stone.*

If from Brine Wells—Bromine, Calcium Chloride, Magnesium Chloride.

SEVEN AND ONE-HALF PERCENT TO THESE MINERALS

Clay and Shale (used for sewer pipe or brick).*

Clay, Shale, and Slate, (used as lightweight aggregates).*

AMERICAN PATRIOTISM STRIKES A BLOW AT GEORGE LINCOLN ROCKWELL

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, the cremation of George Lincoln Rockwell has laid to rest a burning issue that has troubled red-blooded Americans throughout this land.

I would like to say that I have, from the outset, strongly protested the burial of Mr. Rockwell at a national cemetery with full military honors if the ceremony were conducted against a background of Nazi symbols. On August 28—as I have advised this House on August 29—I wired Secretary of the Army Resor as follows:

> Strongly object to burial of George Lincoln Rockwell in a National Cemetery with full military honors if he is garbed in a Nazi Uniform and borne by a replica of Nazi storm troopers. Do not object if he is buried with military honors minus the Nazi paraphernalia. Burial in Nazi regalia would act to honor that evil which American soldiers of World War II fought, died, and bled to destroy.

On August 29, the Department of the Army notified me that it had refused to permit George Lincoln Rockwell to be buried at a national cemetery with military honors because his followers had refused to comply with the standards set forth by the Department of the Army. These standards required abstinence from display of Nazi symbols and also called for a proper display of the American flag. The Department further informed me that it absolutely refused to give consideration to any additional burial applications that might be submitted by the Nazi Party unless it received assurance there would be compliance with the standards set forth for burial in a national cemetery.

The members of the Nazi Party refused to comply with these standards, and the Department of the Army did not yield on the matter. As a consequence, the body of George Lincoln Rockwell was cremated on August 30 while, at the same time, a local branch of the American Civil Liberties Union initiated proceedings to obtain a court order that would allow burial of the ashes with a Nazi ceremony in a national military cemetery.

From a practical standpoint, then, this matter has been successfully resolved, and I would like to say that the Department of the Army is to be highly commended for the good judgment and efficient conduct it demonstrated throughout this emotionally charged affair. It remained firm in carrying out the dictates of the law and service regulations and, at the same time, it proved eminently fair in inviting compliance with the requirements of and standards for burial in a national cemetery. As a result, the Department spared desecration to a national cemetery and preserved the dignity of America.

Personally, I want to express my deep appreciation for the superlative cooperation extended me by the Department of the Army in keeping me promptly and adequately posted on this matter of my interest. I call this an "A-number 1" job of posting.

Mr. Speaker, it gives me great pleasure to know that what has been a very delicate matter has been suitably and fairly resolved. In summary, it can be said that a great blow has been struck for American patriotism.

PLACEMENT SUMMARY, PARKS JOB CORPS CENTER, PLEASANTON, CALIF.

Mr. WALDIE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WALDIE. Mr. Speaker, much of the controversy that has surrounded the Job Corps program has centered around the allegation that these young people are not being prepared for gainful employment by these programs.

I recently sought some statistics from the Parks Job Corps Center that serves my district in California. These statistics would seem to rebut that allegation.

Apparently the program is returning dividends to the taxpayer that warrants their continued investment in the effort to retrain and remotivate these young dropouts from our national life.

I have no idea how you can properly put a pricetag on the fact that 2,526 young people have been placed in gainful employment as a result of the Job Corps training. I am certain, however, that the pricetag in tax moneys saved and earned would far exceed the investment required.

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* Note differing rates, depending on use.

Mr. Speaker, I include the statistics on placements at this point in my remarks:

PLACEMENT SUMMARY, PARKS JOB CORPS CENTER, PLEASANTON, CALIF., AS OF JULY 31, 1967

Since the Parks Job Corps Center, operated by Litton Industries, in Pleasanton California was opened in April of 1965, a total of 2,526 young men who were exposed to the training and environment there have been placed in gainful positions. This total represents approximately 30% of the men who were graduated from or left the Parks Job Corps Center in the last two years, including a high percentage who were involved in this rehabilitation program for even a short period of time.

The former Parks Job Corpsmen who are now employed are earning an average hourly wage of $1.78. Sample, follow-up checks show a 71.9% job retention rate. Further, in the same sampling, 78.9% of those placed have been promoted since being employed.

The latter record is particularly impressive when viewed against the background of the boys involved. Of the total Parks population nearly ⅓ have had previous criminal records, 91.5% were dropouts from elementary and high schools and 48% came from broken homes. The Parks corpsmen are from poverty areas of all 50 states. An analysis of the Parks placement record points up one significant fact: vocational training in itself is not enough. Reshaping of attitudes and reorientation to a responsible productive life is equally if not more important in the Job Corps rehabilitation program. More than half of the corpsmen employed by private industry were placed in positions not related to their job corps training.

The breakdown of the placements generated by the Parks Job Corps Center shows 905 young men were placed in positions related to their job corps training at an average hourly wage of $1.93. Youngsters trained in electronics who were placed in related positions earned starting wages averaging $2.16 per hour. A total of 980 Parks Corpsmen were placed in positions not related to their training. This group drew an average starting hourly wage of $1.64. A number of the young men placed were employed at starting wage levels exceeding $3.00 per hour. The balance of the Parks Job Corps Center placements included 641 young men who were qualified for military service or enrollment in educational institutions.

TRAINING/PLACEMENT STATISTICAL EVALUATION [1]

Vocation	Training-related placements		Non-training-related placements		Military and educational placements	Total placements
	Placed in training-related positions	Average hourly wage	Placed in non-training-related positions	Average hourly wage		
Electronics	248	2.16	225	1.64	199	672
Automotive	207	1.80	232	1.70	131	570
Maintenance	149	1.91	79	1.68	56	284
Office machine repair	67	1.87	79	1.70	49	195
General skills [2]	135	1.83	121	1.70	86	342
Culinary arts	99	1.79	51	1.70	38	188
Resignees			193	1.52	82	275
Total	905	1.93	980	1.64	641	2,526

[1] Based upon latest follow-up information of 2,526 placements as of July 31, 1967.

[2] Includes office occupations placements.

ADDRESS BY ATTORNEY GENERAL THOMAS C. LYNCH, WESTERN STATES DEMOCRATIC CONFERENCE

Mr. WALDIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WALDIE. Mr. Speaker, last week Los Angeles was the host for a very informative Western States Democratic Conference.

The speakers of this conference provided the kind of information that helps the American people distinguish between constructive attempts at solutions for our vast problems and blind, negative obstructionism.

I would like my colleagues to have the opportunity to read just one of the speeches given at the conference—that of Attorney General Thomas C. Lynch of California. The context of this speech follows:

It is always somewhat disconcerting to be asked to keynote a conference of Democrats. I feel like a minister who is asked to preach at a meeting of fellow ministers.

You all know the message.

I do feel, however, that I can at least claim tenure to justify my position at this rostrum. My service as a messenger for the Democratic Party goes back to the 1920 Democratic Convention in San Francisco.

As a young lad—very young—I delivered messages for such luminaries as Franklin D. Roosevelt, who was nominated for vice president at that convention.

(I only hope my current messenger service will augur better for the party in 1968 than it did in 1920.)

As California's lonely Democratic statewide officeholder, I am happy to welcome our visitors to California.

I hope you enjoy your visit to a state which has overcome an exotic reputation to become a national testing ground for political candidates and political trends.

I am often asked if California government has changed much under the Republicans and Ronald Reagan. Well, as I was saying to Jesse Unruh in the Capitol's Makeup Room . . . "A little theatrical excess is all right, but I still object to calling the opening session of the Legislature a premiere."

Actually, there is a very serious message for all Democrats in Ronald Reagan's political career.

An old saw about Hollywood said, "Strip away the phony tinsel and you'll find the real tinsel." Well, with Governor Reagan, you strip away the amateur act and you find a very professional act.

Ronald Reagan has successfully and skillfully capitalized on a widespread American distrust of men and women professionally dedicated to politics and government. This distrust seems to spring, in part, from the massive problems which plague our nation and the apparent inability of the professionals in government to deal effectively with these problems.

Please note, I said *apparent* inability. The gambit of those who would play successfully on this American animus toward politics and government is simple. They rush to denounce programs before the programs have a chance to work—preferably even before they are enacted. These anti-government apostles refuse to consider our problems in terms of the years and decades which will be required for their solution. They appeal to the natural desire for the quick, the easy, the simple answer—regardless of its ultimate toll.

This is a major problem which the Democratic Party—as the party in power—faces in the coming year.

Our party on both the national and local levels must go to the people and ask for a commitment to the future. This is the commitment which our party has always stressed.

It is a commitment which will be severely challenged by those opponents who offer some vision of momentary respite and comfort—albeit at the cost of future generations.

This meeting is billed as a "nuts and bolts" conference. I am assured by Gene Wyman that this title does not refer to the two-party system. It refers to methods of electing Democrats.

(Incidentally, I note that one of the panels is called "Packaging and Selling Candidates." Times change. It was only a few years ago that a minor uproar occurred in California when a candidate's advisor publicly stated that he looked on his job with the candidate like selling a bar of soap.)

Yet, I believe that whether we are considering fund-raising or turning-out the vote, we must remain aware of the political thicket which we face in 1968.

It is certainly an election year in which we cannot afford party strife and dissension. While I recognize that by its nature a political party is an amalgam of personal careers and personal egos—in this election there must be some subordination of personal drives by all party leaders, if the party—as a whole—is to succeed.

In our discussions here, we must also remember that beneath the charges and countercharges of a campaign, behind the billboards and TV ads, underlying the general theme and debate, is the necessity for the successful candidate to somehow strike a central chord of the popular will and spirit. This basic appeal and its roots should concern us throughout this conference and in all our varied discussions.

We are facing today national and international crises which have become very personal crises for millions of Americans. As these crises grow, individuals feel increasingly threatened. They see their own lives imperiled by the dangers of modern life—dangers which lurk in their own cities and which threaten from thousands of miles away.

In this election, Americans will seek reassurance and a renewal of national determination.

I am convinced that the Democratic Party can provide this reassurance and renewal. I am certain that President Lyndon Johnson can successfully lead our party in this effort.

Yet if success is to be ours, we must deal strongly and decisively with the divergence and disaffection which are obviously present in our nation—divergence and disaffection which the Republicans will seek to weld into a victory formula.

In an affluent society, we cannot ignore the poor. Nor in our war on poverty can we ignore the special needs of the evergrowing affluent middle class. In attempting to provide new outlets for youth, we cannot ignore the problems of our older citizens. In seeking to affirm the civil rights and liberties of all our citizens, we cannot ignore the challenge of the lawless and the lawbreakers who respect no one's rights or liberties. In attempting to pay for needed programs, we cannot forget the burdens imposed on taxpayers.

The years of the Johnson Administration have seen uniquely farsighted and sweeping programs launched to deal with all these problems.

If modern poverty as a government problem was discovered by Senators John Kennedy and Hubert Humphrey in the 1960 West Virginia Primary, it has certainly been named, claimed and explored by President Lyndon Johnson.

Yet today—in the wake of bloody riots and civil distress—we hear Republican governors demanding that President Johnson mount a massive attack on urban poverty.

I would only recommend that these governors—these new voices—first talk to their own congressmen.

Republicans in Congress have spent the past four years hacking away at the President's poverty proposals. The Ninetieth Congress has reached a new high—or low—in this regard.

While tragedy stalks our nation's cities, the Republicans of the Ninetieth Congress have slashed at programs to restore health to our cities by removing the blight of poverty . . . slashed at programs to erase the stain of disease and ignorance . . . slashed at programs to alleviate the tragedy of unemployment and slum housing.

With almost incredible frivolity, they rejected the President's request for funds to fight the plague of rats in our urban slums. (Incidentally, I don't think we have yet heard the last of that *milestone* vote.)

How can we expect children born in the 1960's to grow into responsible citizens if they have been raised in the medieval terror of rats? In a nation which is sending men to the moon, in a nation where air conditioning, and color television, and automated kitchens are becoming necessities for millions of Americans, how can we expect children to respect a government which will not protect them from rats? No man can honestly rationalize such a question.

The Republican governors demand action for our cities, and every year since 1964, the Republican congressmen have cut away at President Johnson's proposals for building better cities. The President's request this year for $662 million for the Model Cities Program has already been cut to about one-third the requested figure.

In so many important areas, in housing and in medical care, in education . . . in social security . . . in mental health . . . in civil rights . . . in minimum wages . . . in manpower training . . . in urban affairs . . . in mass transportation . . . in recreation and in consumer protection—the President's proposals have faced and are facing stiff Republican opposition in Washington, while the Republicans in the states and cities are demanding action in these very same areas.

This summer has seen these same Republican governors decry the crises in our cities. Yet two years ago, Lyndon Johnson created the new federal Department of Housing and Urban Development over the massive opposition of Republican congressmen.

As a member of the President's Crime Commission, as Attorney General, and as a former District Attorney, I am most familiar with the Administration's approach to the problems of crime, law enforcement and criminal justice—certainly among the most sensitive of national urban problems. I am proud to have played a part in mapping the first truly national strategy against crime.

Yet I have already seen the Republicans in the House turn this critical effort into a political football, sinking serious consideration of police needs in a morass of old political shibboleths.

Similarly, I have seen Republicans in Washington block all attempts at controlling the deadly proliferation of mail order firearms and the equally dangerous traffic in heavy military weapons—a traffic which has become a national scandal.

This national Republican attitude toward crime is consonant with their behavior in other vital areas. It involves a belated response to crises featuring a tidal wave of oratory and frantic alarms and excursions. It involves a sense of urgency which is apparently energized only by virtual disaster.

This record of Democratic action and Republican resistance, however, is not an instant ticket to victory in 1968, on either the state or federal levels.

As they say in Sacramento, you're only as good as your last picture. None of these programs have achieved immediate success. None were intended to. In fact, in the face of many of these programs, the United States has been torn by rioting and terror-ridden with civil disturbances.

The way is open for the type of non-program which has served the Republican party so well in the past. A P. T. Barnum style with platitudes and slogans; a fraudulent general-store approach to economics; a philosophy toward social and human problems which is as irrelevant—but also as palatable—as the homilies of Ma Perkins or Mary Worth; a portrayal of government—as practiced by Democrats—as some sort of arcane and probably "black" art; a special appeal to the home-owning, boat-owning, mortgage-owing, comfortable and insecure middle class voter—all of these elements wrapped in a flag and carried by a handsome man who proclaims his distance from politics.

Such an appeal will be hard to overcome in 1968. It will not be overcome by relying on such tired chestnuts as the right wing, or the inexperience of our opponents, or the Republican failures of other years. It will not be overcome by futilely decrying and criticizing the opposition. It will not be overcome by dependence on the empty cliches of past campaigns. It will be overcome by the thorough and positive presentation of the unparalleled record of legislation which has been created by President Lyndon Johnson. It will be overcome by presenting candidates on all levels who answer—really answer—America's problems in this same spirit.

We must seek to assure the American people of our ability to better control the massive forces which are driving modern America.

We must neither ignore nor dispute the alarm and concern which has spread across our nation. We must not attempt to gloss the uglier truths about our nation *circa* 1968. We must not rely on old formulas of success which ignore the new social structures.

We must emphasize our past successes and offer new proposals. We must demand that our Republican opponents base their campaigns on the harsh realities and realistic responses. We cannot allow them to respond to realities with wistful dreams of an untroubled past and a simpler future.

We cannot allow the Republican Party to conduct its typical campaign of dealing with new problems by complaining about them. The White House, the Congress, the State Capitols are not wailing walls. Government today demands action, not accusations; compassion, not complaints.

We must insist on a campaign which will embody the "candid and universal" debate which Woodrow Wilson saw as the saving virtue of our nation. In doing this, we must ourselves insist on candor and reason. We must ourselves refrain from substituting rhetoric for reason and platitudes for problems.

We must strive to create political campaigns which are healthy for America—which will not play on either hidden or open prejudices; which will not seek to set one group against another; which will not allow candidates to cloak intolerance with an attitude of self-righteousness to conceal indifference with the banner of economy, to heighten fears with inflamed demands for public safety, to inflate pettiness into public spirit.

The temper of the nation is such that we cannot afford the posturing and the demagoguery which has been tolerated in other years. Campaigns of deceit, of division, of vilification could be a national tragedy.

Our party faces a most difficult election. In California, we've had several recently. And, I note, in the other Western states, a few Republicans have been getting elected. Hopefully, recent defeats will have prepared us for this election.

We have a national administration with an unparalleled record of programs dealing with the problems which beset us. In President Lyndon Johnson and Vice President Hubert Humphrey, we have national leaders who have proven their greatness, their understanding, and their feeling for all Americans. This we must successfuly present to the American people.

We must respond to the challenges of our times in a manner which is understood, accepted, and supported by the American people.

I am certain we will.

Thank you.

A NEW LOOK AT GOVERNMENT ORGANIZATION: BUDGET BUREAU COMMENTS ON H.R. 69

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, for almost 2 years, in both the 89th and 90th Congresses, I have advocated creating a new blue-ribbon commission, similar to the two Hoover Commissions, to review the operations of the executive branch and recommend organizational and management reforms. Over 30 Members of the House joined me in introducing this legislation in September 1965, and in this Congress more than 40 have cosponsored the measure which I reintroduced in January as H.R. 69.

Significant support for such a step has been expressed on both sides of the Capitol, and by many national organizations, including the U.S. Chamber of Commerce. Last month a large number of my colleagues joined me in a presentation marking the 20th anniversary of the first Hoover Commission and outlining some of the pressing problems which make another overall assessment of Federal operations so imperative. These remarks appeared in the CONGRESSIONAL RECORD for July 13, beginning at page 18702.

In my statement of July 13, I noted that, although this proposal had been pending so long, the executive branch had never seen fit to submit any departmental reports to the Government Operations Committee. In fact, officials of the Bureau of the Budget and other agencies had made no specific comments on the proposal at all.

I am glad to report that some comment, although very general and short, has now been made by BOB. On August 24, Mr. Charles J. Zwick, Assistant Director of the Budget Bureau, responded at some length to a note which I had sent to Director Schultze on July 17, requesting a response to my floor statement.

I feel that Mr. Zwick's remarks about H.R. 69, and my reply of August 29, may be of interest to the cosponsors of this legislation, and to all others who share our concern for efficient conduct of the public business. Accordingly, I would like to place this correspondence in the Record at this point:

Executive Office of the President,
Bureau of the Budget,
Washington, D.C., August 24, 1967.

Hon. Charles McC. Mathias, Jr.,
House of Representatives,
Washington, D.C.

Dear Mr. Mathias: This is in response to your letter of July 17, 1967, concerning your speech on current problems of Government organization.

We certainly agree with your basic observation that the Federal Government has undergone major changes in recent years. Most significant, we believe, has been the rapid expansion since 1961 of our grant-in-aid and other programs of assistance to State and local governments. This Administration has emphasized the objective of a system of creative Federalism which brings the resources of various agencies at all levels of government to bear on the solution of our society's very complex problems.

The successful execution of many of these new programs cannot depend solely on the establishment of clear lines of authority. And, because of our multijurisdictional approach and the growing interrelationships between many programs, it is no longer possible to solve our management and organizational problems simply by transferring functions and grouping related activities under a single agency. In the domestic area that would result in trying to create a Department of Everything.

What we need now is close cooperation and coordination, not only between various Federal agencies but also the various levels of government. This is never easy to achieve, but we have taken a number of actions and have others under way aimed at making this complex system work better.

We have reservations about the creation of a new Hoover-type commission at this time to conduct an overall review of Federal operations. It may be desirable at some point to have an outside group review and make recommendations with respect to the overall goals and objectives of Federal programs and the Federal system. However, the area of study proposed in H.R. 69 and other bills is most difficult and complex, and we doubt that a single group of the type proposed could undertake the far-ranging study envisioned in the bills. We would have particular reservations about members of Congress, Governors, and Federal agency heads being able to devote sufficient time to the effort. Finally, such a study would duplicate or overlap many current efforts.

With respect to a number of the specific problems cited in your speech of July 13, we have the following comments:

1. *Water resources management*—We recognize that the area of water resources management represents a most difficult problem of coordination. It typifies our multijurisdictional and intergovernmental approach to dealing with a broad problem area. In part, to help achieve needed coordination, the Administration has proposed the creation of a National Water Commission to conduct a comprehensive review of water resource matters. Other steps have also been taken. For example, through Reorganization Plan No. 2 of 1966, the Federal Water Pollution Control Administration was transferred from the Department of Health, Education, and Welfare to the Department of the Interior to facilitate coordination with the other water resource programs of the latter. In addition, the agencies making grants and loans for water and sewer facilities have concluded agreements to coordinate those programs.

2. *Catalog proliferation*—In a letter dated February 7, we asked Federal agencies to avoid duplication in the production of general catalogs of Federal aid programs. As a result a single general catalog has been published under the leadership of the Office of Economic Opportunity. While other agencies may continue to issue publications regarding their own programs, the OEO catalog is intended to be the Government's one comprehensive effort. To improve that catalog further, we have established an interagency task force to advise on necessary additions, changes in format and methods of periodic updating.

3. *Information centers*—Enclosed is a copy of Bureau of the Budget Circular No. A-84 which establishes a systematic means of reporting Federal outlays by geographic location. These data, to be incorporated in OEO's Federal Information Exchange System, will give State and local government a comprehensive picture of Federal activities in their areas.

In addition, the Bureau is working closely with a task force representing State and local government associations and various agencies to explore various problems involved in intergovernmental information systems including (a) compatibility of data which governments collect and use; (b) joint utilization of automatic data processing facilities; (c) coordination of efforts to conserve scarce statistical manpower skills; and (d) the possibility of developing a central data bank.

Finally, on a pilot basis, the General Services Administration has established central information centers to serve the public as well as others in Atlanta, Georgia, and Kansas City, Kansas.

4. *Forms, directives, and reports*—Enclosed is a copy of our recent Circular No. A–85 which establishes a procedure for advance consultation with State and local chief executives on Federal regulations affecting their governments. Also enclosed is a copy of Circular No. A–73 aimed at simplifying grant-in-aid audit procedures.

5. *Regional offices*—In his message on the Quality of American Government, the President directed the Bureau of the Budget to undertake a study of the structure and use of the Federal field service. That study is now under way and involves such matters as the location of field offices, regional boundaries, and delegations of authority.

6. *Planning*—Enclosed is a copy of Circular No. A–80 on the coordination of development planning for programs based on multi-jurisdictional areas. The Circular implements the President's Memorandum of September 2, 1966, on the coordination of Federal development planning. Agency procedures for carrying out the instructions have been reviewed to assure maximum consistency among the many Federal agencies and programs concerned. Under the Circular, Federal agencies are required to consult with Governors before designating planning and development districts or regions in their States. Where the State has established such districts, the boundaries of new districts designated by Federal agencies will conform to them unless there is a clear justification for not doing so.

Bureau staff are also participating in a Planning Coordinating Committee established by the Department of Housing and Urban Development and representing the several Federal agencies which have grant programs which aid or require development planning. Three early tasks outlined for the Committee are:

To act as a clearing house of information on grants-in-aid awarded to State and local governments for various types of development planning.

To create a "map room" which will monitor the creation and adjustment of sub-state and multi-county planning jurisdictions supported by Federal planning grant programs, in order to achieve coordination between Federal agencies, and State and local governments in the designation of planning territories.

To comprehensively survey the many Federal requirements for planning in order to ease the burden of the applicant State and local governments in supplying data, progress reports, and other types of justifications of planning activity.

7. *Coordinating and advisory groups*—In connection with the various points you raised, you may be interested in the enclosed copies of Circulars No. A–49 and No. A–63. The former sets criteria for the use of certain types of contracts to provide advisory and other services. The latter establishes a system for the periodic review of interagency committees.

8. *Information management*—In addition to the efforts you cited, you may be interested in the work of the Committee on Scientific and Technical Information described in the enclosed issue of the *Navy Management Review*.

The above description has been necessarily brief. We would be happy to furnish you with any additional information you may wish on the activities to which we referred.

Sincerely,

Charles J. Zwick,
Assistant Director.

August 29, 1967.

Mr. Charles J. Zwick,
Assistant Director,
Bureau of the Budget.
Washington, D.C.

Dear Mr. Zwick: Thank you very much for your thoughtful letter of August 24 in response to my statement on problems of governmental organization and the need for creation of a new Hoover-type Commission.

I appreciate having the material which you enclosed, summarizing steps which are being taken to resolve or reduce some of the problems which I cited. I especially welcome your observations about my bill, H.R. 69, since your letter is the first time in nearly two years that the the Bureau of the Budget has offered any comments on this legislation at all.

I trust that your brief remarks on the bill indicate that your agency is growing more interested in at least discussing this topic, and that a formal departmental report will be submitted to the appropriate Congressional committees very soon.

In reviewing your letter, I am glad to see that we generally agree that serious problems of Federal organization and management have been produced by the rapid recent expansion of Federal activities, the great changes in techniques of management, and the continuing evolution of our Federal structure. We agree, too, that the scope and complexity of present Federal operations place a high premium on coordination and cooperation among Federal agencies and all of the partners in American government.

Our basic conflict appears to be over the extent to which an overall, intensive review of Federal operations by a mixed commission could be helpful and constructive. According to your letter, your "reservations" about H.R. 69 may be summarized as follows:

(1) "The area of study proposed . . . is most difficult and complex, and we doubt that a single group of the type proposed could undertake the far-ranging study envisioned in the bills;"

(2) In particular, Members of Congress, Governors, and Federal agency heads may not be "able to devote sufficient time to the effort"; and

(3) "Finally, such a study would duplicate or overlap many current efforts."

Certainly the study proposed in H.R. 69 is "far-ranging," "difficult and complex." I feel, however, that this very scope makes the creation of a special review commission both necessary and appropriate. From a negative point of view, no existing governmental machinery has proved capable of reviewing governmental operations overall. The GAO focuses only on relatively narrow points of inquiry. Congressional committees, and especially the appropriations subcommittees, perform invaluable oversight efforts, but their work is somewhat fragmented and inconsistent. Within the executive branch, surely BOB has accomplished a great deal, but I am sure you would be among the first to agree that much more needs to be done.

From a positive approach, a special commission has particular merits. First, such a panel would be supported by the prestige of its individual members, and by the strength of its Congressional and Presidential mandate. Second, the panel would, under H.R. 69, be authorized to gather a sizable and expert staff, and to consult individuals with professional background in many fields, both inside and outside the government. Third, this panel would have the detachment and objectivity secured by its lack of involvement in the day-to-day workings of government. Fourth, it would be completely non-partisan. Fifth, its recommendations would be able to command special attention from the press, the public, and all officials and special-interest groups involved.

In regard to the amount of time which Members of the commission might have, I would point out that Members of Congress and Governors have served with distinction on many special groups in the past, and now contribute a great deal, for example, to the work of the Advisory Commission on Intergovernmental Relations. The provisions for adequate professional staff are also relevant in this regard.

In response to your third "reservation," let me emphasize that a commission would be a supplement to, rather than a substitute for, existing efforts to reform Federal operations. In the many areas in which the Budget Bureau is now active, I would anticipate that the commission would build on your work, rather than rejecting it and beginning again. Similarly, the commission would probably rely greatly, at least in its initial stages, on the work of the GAO and those Congressional committees which have been active in oversight.

It seems to me that, from your point of view, the commission could be most helpful, first, in advancing and helping to implement some of BOB's recommendations and directives, and second, in continuing your efforts and measuring their actual impact on the Federal establishment. I certainly do not view this review as any kind of adversary proceeding, but rather as a study which could prove to be as useful to the executive branch as to the Congress and the public generally.

Quite frankly, one of the considerations which impelled me to sponsor this legislation was not the absence of coordinating efforts, but rather the existence of so many of them. For example, I suspect that the number of interagency committees reported on April 30 under BOB Circular A-63 (March 2, 1964) is greater than the number reported to the Muskie Subcommittee last November. To me, this proliferation of coordinators dramatizes the extent of our problems, and the need to give your agency some overall assistance in evaluating problems and assessing alternatives.

In conclusion, I am somewhat puzzled by your comment that "it may be desirable at some point to have an outside group review and make recommendations with respect to the overall goals and objectives of Federal programs and the Federal system." This type of inquiry, which would go beyond the reach of H.R. 69 into substantive policy questions, would be essentially political though not necessarily partisan, in nature. I fail to see how the executive branch could consistently delegate its policy-making powers to any outside group, and at the same time fail to endorse the type of procedure-oriented management study contemplated by H.R. 69.

I look forward to your response to my comments.

Very sincerely,
Charles McC. Mathias, Jr.

A SENSIBLE WAY TO FIGHT RATS

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Mathias] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, the House decision not to consider H.R. 11000 in July has become one of the most widely publicized votes of the year. Unfortunately, too many comments have emphasized labels and symbols, rather than the real problem—how to fight rats in the most sensible and effective way.

In his Washington Report for the current week, the gentleman from New York [Mr. Pirnie] has thoughtfully analyzed the situation, summarized the defects of H.R. 11000, and emphasized the advantages of expanding the present public health programs to combat rats.

I am very pleased that Mr. Pirnie has announced his support for the amendment to H.R. 6418, the Partnership for Health Amendments of 1967, which will be offered by the gentleman from Wisconsin [Mr. Reuss], and I, when this legislation reaches the floor. Instead of creating an entirely new administrative structure for programs categorically limited to rat extermination and control, our amendment will simply increase the annual authorization for public health project grants by $20 million, so that more sufficient funds may be available to those States and communities with severe rat problems.

I would like to call the attention of the entire Congress to Mr. Pirnie's newsletter, and include it in the Record at this point:

Washington Report

(By Congressman Alexander Pirnie)

One of the most publicized, yet least understood legislative actions of the House of Representatives involved a measure attractively labeled "The Rat Extermination Act of 1967."

On July 20th, by a vote of 207-176, the House defeated a proposal to consider the bill. I supported this move.

According to a number of political columnists and editorial writers, those of us who stood up to be counted against what we considered poor legislation were turning our backs to a harsh reality of life—the fact that many areas of our Nation are rat-infested and that an estimated 90 million rodents pose a continuing, serious threat to the health and safety of our people.

Unfortunately, emotional appeals, rather than factual statements, have predominated the majority of accounts on this subject.

Admittedly, there has been some justified criticism of the manner in which the House debate was conducted. Some of my colleagues, both supporters and opponents of the bill, sprinkled their position statements with alleged humor. Such comments were inappropriate.

Rats are not to be ignored. They do exist, not in small numbers, but by the millions. They are responsible for untold damage, both in the cities and on the farms. They do threaten the health and safety of great numbers of people.

If the foregoing is true—and there is expert testimony to substantiate that it is—then why my opposition to a program designed to attack the problem? The answer is basic.

It takes more than an appealing label to make a good bill. Most of us, at one time or another, have been excited upon receiving an attractively wrapped gift, only to be disappointed upon discovering that the contents did not come up to expectations. That's exactly what characterized the Rat Extermination Act—we were hopeful that the bill would outline a sensible, meaningful approach to a problem of serious proportions, but it did not measure up.

Most of the critical news media accounts of the House action have failed to mention that already four Federal agencies are engaged in the control and elimination of rats. The measure we reviewed on July 20th, if approved, would have added a fifth agency to the list. Instead of further duplicating the functions of Federal agencies, in approach both costly and wasteful, we should be pressing to streamline Government operations.

My reaction to the rat problem is not to ignore it, but to recognize it for what it is—a menace to the public health. Operating on this assumption—and the facts document its validity—I have reached the conclusion that the Public Health Service is the appropriate agency to direct the war on rats.

Last year I voted for a comprehensive public health services program which authorized $62.5 million in grants to the cities and states to carry out public health programs. The measure passed and since then the Public Health Service has established programs designed to wage a major offensive against this menace.

Of course, only a small portion of the funds authorized has been apportioned to programs directly related to rat elimination. All available evidence indicates more money must be committed to the effort if the Public Health Service is going to be in a position to do the job that has to be done.

However, it must be remembered that fundamental to the solution of the problem is the cooperation of individuals at the local level. Proper sanitation and garbage disposal are necessary preliminaries to effective rodent control. No government program can change this very elementary fact of life.

Many of us in the Congress, though opposed to the poorly-conceived measure that was defeated on July 20th, have not weakened in our resolve to get on with the job. Presently there is underway a bi-partisan effort to gather support for a key amendment to the Partnership for Health Amendments of 1967, due for House consideration in the near future. The amendment to which I refer will provide the Public Health Service with additional funds to advance and expand its rat elimination program.

Wisdom dictates that we should provide additional funds for the Public Health Service to effectively handle an assignment for which it is already prepared by experience. We must remember that our goal is less rats, not more bureaucracy.

A PROPOSAL TO PREVENT INTERSTATE SMUGGLING OF CIGARETTES

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Button] may extend his remarks at this point in the Record and include txtraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BUTTON. Mr. Speaker, in recent years we have witnessed an alarming increase in the occurrence of interstate cigarette smuggling design to evade payment of State and city cigarette taxes. Much disturbed by this situation, I am today introducing, with the cosponsorship of some of my distinguished colleagues, H.R. 12761, a bill to help prevent the illegal interstate transport of cigarettes by requiring: First, cigarette manufacturers and importers to affix a label to each cigarette package indicating the State of final use; and, second, upon request of the State or eligible city, to direct the Secretary of the Treasury to collect the State or eligible city cigarette taxes. The term "eligible city" means any subdivision of a State with a population of 1 million or more people.

Once a minor impropriety of individual interstate travelers who exceeded their tax-free quota of cigarettes when entering a high-cigarette-tax State, the illegal interstate smuggling of cigarettes has now entered a new phase under the blessings and direction of the grand old families of organized crime. Having burgeoned into a full scale and exceedingly prosperous racket, bootleg cigarettes represent a malignant threat to law and order as well as an enormous loss to public income.

For the people of the States and cities affected, this evasion of taxes has precipitated a loss of tens of millions of dollars annually in State and city income. New York State officials estimated a current annual loss to their State of between $40 and $60 million. New York City officials estimate losses of $20 million or more. Costing only 19 or 20 cents a pack in North Carolina, the same cigarettes can be sold for 30 to 40 cents on the black market in New York City, where each pack is subject to 10 cents State tax, 4 cents city tax, and a 2% sales tax. The market and the organization for large-scale cigarette bootlegging already exist in New York City, but its success there promises expansion into nearby States where high taxes offer attractive returns. Maryland, with 6 cents tax, is already feeling the effects of contraband cigarettes. Pennsylvania, with 8 cents tax, Massachusetts and Vermont, with 10 cents tax, and New Jersey, with 11 cents tax, are also ripe targets.

An illustrative exposition of this growing problem by Lloyd Shearer appeared in the July 23, 1967, issue of Parade magazine. Entitled "The Mafia Moves in on Tobacco Road," this article cites Brooklyn District Attorney Aaron Koota as linking the chieftains of the infamous Cosa Nostra families to "what the FBI has termed a 'million-dollar-a-day' bootlegging operation, which begins along Route 301 in North Carolina and ends up in factories, filling stations, beauty salons, and small tobacco stores throughout the Eastern States."

> It is manifestly impossible—

Reports Mr. Shearer—

> for the states of New York, Massachusetts, Vermont, and Wisconsin (where the state tax on cigarettes is 10 cents per pack) or the states of New Jersey, Texas, and Washington (where the state tax is 11 cents per pack) to order their tax inspectors to check every vehicle coming into their domain for search and possible seizure of contraband tobacco. There aren't that many excise inspectors.

For some of the more distant States it is merely a question of the transportation costs as opposed to tax rates:

> The higher states and local communities raise the tax on cigarettes, the easier they make it for the mob to move in.

In 1949 the so-called Jenkins Act was passed to facilitate the collection of State cigarette taxes and prohibit illegal interstate mail-order sales of cigarettes which bypassed State taxation. This law requires any interstate distributor of cigarettes to file his name and principal address of business with the tobacco tax administrator of the State into which the cigarettes are being shipped, and to provide him with a monthly record of all shipments into that State setting forth the name and address of the receiver, the brand, and the quantity of each shipment.

The problem which confronts us today, however, no longer concerns the distribution practices of legitimate cigarette manufacturers and distributors, but rather is the result of intentional bulk smuggling by organized criminals who purchase cigarettes legitimately in North Carolina and ship them, using special trucks and backroads, to high-cigarette-tax States without paying the tax. What is needed is a new approach which would deny the crime syndicate the opportunity to bootleg cigarettes.

Mr. Speaker, my bill, H.R. 12761, would provide the States and cities over 1 million population with an alternative method of levying their respective cigarette taxes that would guarantee their collection prior to any opportunity to smuggle them into the various States. It would allow a State or eligible city to enter into a contractual agreement with the U.S. Treasury Department under which the Secretary of the Treasury would act as an agent for the State or city, utilizing the Federal jurisdiction over interstate commerce. Since the arrest of cigarette smuggling truly requires the assistance of an interstate authority, the purpose of this bill is only to make additionally available to the States and eligible cities the interstate services of the Treasury Department.

To this purpose, section 1 directs each manufacturer or importer of cigarettes to affix to each package of cigarettes a label indicating the State of final use; that is, of taxable use, and the amount of State cigarette tax, if any. This, in turn, would require that each retailer or distributor of cigarettes report to the manufacturer where cigarettes are finally to be sold.

Section 2 then authorizes the Secretary of the Treasury to collect the appropriate State or eligible city cigarette taxes, upon the voluntary request of the State or city, from the manufacturer or importer. By entering into such an agreement with the Federal Government, a State or city may hereby assure the most efficient collection of its cigarette taxes.

The criminal provisions of H.R. 12761 apply to section 1 as well as to the interstate transport of unlabeled cigarettes, thereby protecting against a manufacturer selling unlabeled cigarettes within his own State which could then be smuggled.

Mr. Speaker, this bill would provide an effective instrument for curtailing illegal interstate smuggling and substantially discourage organized criminal operations. Further, Mr. Speaker, I believe that by this sort of creative federalism, where our National Government seeks ways to assist and promote the tax collecting function of the States through mutually voluntary cooperation, we can best solve the problems that beset State and local governments. Therefore, I strongly urge immediate and sympathetic consideration of H.R. 12761 so that this onerous situation may soon be dealt with.

FRIGHTENING EVIDENCE OF NEED FOR NEW HOOVER COMMISSION

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Mize] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MIZE. Mr. Speaker, as one of those who has introduced legislation calling for the establishment of a Hoover-type commission on the organization of the executive branch of the Government, as well as legislation to carry out a war on waste in the organization and operation of the executive and legislative branches of the Government, I am heartened by the recent hard-hitting editorial, "Frightening Evidence of Need for New 'Hoover' Commission," which appeared in the Wichita, Kans., Sunday Eagle on August 27.

This editorial spells out the need for immediate action in cold, hard facts and under leave to extend my remarks, I wish to bring this summary to the attention of my colleagues because it shows several areas where the Federal Government has expanded to the point where the left hand does not know what the right hand is doing and billions of tax dollars are involved in the bureaucratic confusion. The editorial follows:

[From the Wichita Sunday Eagle, Aug. 27, 1967]

Frightening Evidence of Need for New Hoover Commission

Twenty years have passed since the establishment of the first Commission on the Organization of the Executive Branch, and we agree with a growing number of legislators that it is time for another.

Adoption of recommendations made by the 1947–49 Hoover Commission and another in the mid 1950s have resulted in savings estimated at billions of dollars.

Both Sen. James Pearson, and Rep. Garner Shriver, R-Kan., have introduced bills to form a new commission, as have several others.

And they have good reason.

Generally, since 1948:

The federal budget has grown from $34-billion to $135-billion.

The non-defense budget total has grown 170 per cent.

Some 220 grant-in-aid programs have been established, administered by at least 21 agencies.

Specific examples of waste are even more revealing. For example, in the field of environmental pollution, the government is conducting research in 192 laboratories administered by nine separate departments and agencies.

A Library of Congress study showed that the federal government spends nearly $4-billion annually on research and development in its own laboratories, but does not know exactly how many laboratories it has, where they are, what kinds of people work in them or what they are doing.

The secretary of labor recently testified before Congress that there are 15 to 30 separate manpower programs administered by public and private agencies, all supported by federal funds, in each major U.S. metropolitan area.

Small-scale bungling, when added up, accounts for a staggering amount of money wasted. For example, a WAVE barracks was built in Maryland at a cost of $1.2 million, after the Navy had shipped the women to Florida.

Duplication probably is the largest single culprit. Five agencies are involved in administering federal programs for community water supply, sewers and sewage treatment facilities. Nearly 60 programs are devoted to vocational education.

An article in "Nation's Business" will give you an idea of how the government operates. It points out that some 40,000 university professors spend all or part of their time exclusively on research for Uncle Sam. This takes them away from the classroom.

At the same time the government spends millions on aid to higher education to produce the same kind of talent to make up for the shortage of professors.

The largest amount of waste could be found in defense spending, but it is among the most difficult to detect.

The Defense Department's budget of $75.5 billion represents more than half of the entire budget. But the sheer size of it, security matters and the confusion arising from the Vietnam War make waste cutting nearly impossible.

Most of the bills suggesting investigation call for a Presidential commission of some sort, with 12 members the average number suggested.

The Pearson bill would "promote economy, efficiency, and improved service in the transaction of the public business" in the various departments, boards, and bureaus of the executive branch by:

Recommending methods and procedures for reducing expenditures to the lowest amount consistent with the efficient performance of essential services, activities and functions.

Eliminating duplication.

Consolidating services, activities and functions not necesary to efficiency.

Abolishing services, activities and functions unnecessary to the function of the government.

Defining responsibilities of officials.

Eliminating nonessential services and activities which compete with private enterprise.

Relocating agencies now responsible directly to the President in departments or other agencies if it can be shown to be more efficient as a result.

A bill by Rep. Wilbur Mills, D-Ark., is similar, but also suggests that the nation assign priorities in its national goal. This certainly should be a part of any bill which eventually becomes law.

It is evident to every taxpayer that something must be done. It costs $4,281 a second to run the federal government—that is $4,281 every second, of every day, of every week, of every month, of the year.

Chances are excellent that a new "Hoover" commission could reduce this frightening figure. The first commission made some 273 recommendations, and 72 per cent subsequently were adopted. The second commission proposed 314 changes, of which 77 per cent were accepted in whole or part.

Among the reforms were the Military Unification Act of 1949; establishment of the General Services Agency; and liquidation of the Reconstruction Finance Corp., a move which returned $474-million in capital funds to the treasury.

The gains from the suggestions of the first commission alone have been estimated at no less than $7-billion.

The need for a comprehensive review of executive efficiency is as great today as it was in the 1940s and 1950s.

USEFUL PEACE PROPOSAL

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, in continuing to call the attention of the House to the favorable editorial support for the July 10 proposal of eight House Republicans for the gradual, reciprocal deescalation of the war in Vietnam, I include for the Record today editorials from the Barre-Montpelier, Vt., Times Argus; the Burlington, Vt., Free Press; the Bennington, Vt., Banner; the Huntington, W. Va., Herald Dispatch; the Fond Du Lac, Wis., Commonwealth Reporter; the Wisconsin Rapids, Wis., Daily Tribune; the Green Bay, Wis., Press Gazette; the Milwaukee, Wis., Journal; and the Racine, Wis., Journal Times:

[From the Barre-Montpelier (Vt.) Times-Argus, July 12, 1967]

Useful Peace Proposed

Eight Republican congressmen including Vermont's lone member of the U.S. House of Representatives have joined in a statement on the Vietnam War and series of specific proposals to de-escalate the war.

Robert T. Stafford and the eight congressmen called for a series of "small steps taken quietly." Among those steps was the cessation of bombing of North Vietnam. They suggested a halt of the bombing activity north of the 21st parallel for 60 days. During that time North Vietnam would be expected to make some tangible step to lower the level of military action.

The proposals suggest a stage by stage reduction in the bombing. A second halt would be bombing north of the 20th parallel.

The comments of the eight Republican congressmen are critical of Administration policies in the war. They discuss at some length the difference between the objectives in a limited war and total war.

It is a neat distinction they make but neither a dead U.S. Marine nor a dead Viet Cong can make that neat distinction. Nor does it apply very effectively to the victim of napalm or guerrilla murder.

The proposal from the eight Congressmen is welcome. It is not characterized by great boldness. In fact quite the contrary. While stopping bombing around Hanoi it would leave the Haiphong area still open to attack.

The threat to resume bombing is restated several times. The congressmen seem to be walking a narrow path attacking both the Doves and the Hawks and throwing in the Administration for criticism too.

Clearly they don't want their proposal to be called "dovish." And they have stepped away from the hard line Hawks. It is obviously the statement of men who will be seeking reelection soon and are not quite sure what the electorate will say about their proposal.

These eight Republican Congressmen have contributed to developing more discussion of the basic issues. The Administration would do well to heed their proposal.

The eight congressmen come out squarely for U.S. action in taking the initiative which could lead to the bargaining table.

[From the Burlington (Vt.) Free Press, July 11, 1967]

Another Plan for Ending the War

There have been numerous proposals for ending the war in Vietnam. Many of these proposals have been idealistic and unworkable. Some of them have been presented by persons or groups who really don't know what they are talking about.

At least the latest proposal, announced yesterday, is put forth by persons who should know what they are talking about. The plan calls for a "staged de-escalation" in Vietnam, and it is the brainchild of Vermont's Representative Stafford and eight other Republican Congressmen.

All of these nine Republicans are "liberals" and members of the Wednesday Club, a Capitol Hill organization once led by John Lindsay of New York. So the group's Vietnam proposal is bound to be rather "far out"—which it certainly is—but perhaps we should not consign it too quickly to the wastebasket. After all, none of the previous proposals has served to bring the war to a close.

Stafford's plan, in a nutshell, is as follows: The United States would halt all bombing in North Vietnam north of the 21st parallel for 60 days. (This area includes Hanoi but not Haiphong). If the North Vietnamese responded "with a similar de-escalatory step" within the 60 days, then the U.S. would end all bombing north of the 20th parallel for another 60-day period. If both sides continued to respond in a five-step process, "both the U.S. bombing of the North and the North Vietnamese infiltration into the South could come to an end."

At first glance, this proposal appears to be ridiculous. At second glance, it appears to be even more ridiculous. Certainly it could never be initiated without more consideration for detail than the Stafford group saw fit to give it.

The proposal contains huge gaps, notably the lack of any mention of the role of the Viet Cong. It is an accepted fact (Harrison Salisbury to the contrary) that the Viet Cong are largely supported by and-or from North Vietnam. If the U.S. stopped bombing, and the North Vietnamese stopped "infiltrating," then the war might de-escalate into what conceivably could be considered a "civil war." The next step? Withdrawal of all U.S. troops and subjugation of South Vietnam by the Communists.

Perhaps we are being too cynical. Perhaps Stafford's proposal contains more merit than is apparent. Perhaps we should be enthusiastic about any proposal which seems to promise an end to the war, even including Senator Aiken's peculiar suggestion that the U.S. declare victory and retreat.

But we've lived through too many disappointments, too many heartaches, too many smashed promises to think for a moment that the Vietnam war can be magically ended by a military initiative on the part of the United States.

[From the Bennington (Vt.) Banner, July 11, 1967]

GOP Deescalation Plan

U.S. Rep. Robert T. Stafford and seven Republican colleagues announced yesterday a reasonable and attractive proposal for bringing a much-wanted end to the seemingly endless war in Vietnam.

Some of the specific points in the proposal present practical problems and may not be workable, yet its overall theme is valid. The congressmen suggest that the administration's step-by-step escalation of the war—with the next step always being the one that will defeat the Viet Cong—has been a failure, and is, in fact, drawing us not toward peace but into a full-scale land war in Asia. The congressmen challenge this policy, and suggest instead that a step-by-step de-escalation, in which neither side would lose face or feel that it had been defeated, would be far more likely to bring peace to Southeast Asia.

The proposal reveals an understanding of present day diplomatic politics. It firmly points out that the war is, and must be, limited. The Republican congressmen apparently understand that the war, as Sen. Mike Mansfield has pointed out, is "open-ended," that is, both sides can continue to escalate indefinitely, until the now limited conflict becomes World War III.

The eight congressmen correctly conclude that the war must be ended by negotiation, and by negotiation "among equals" in an atmosphere of "mutual confidence," which they say, can only be achieved by gradual de-escalation. They reject further escalation because it would expand, rather than limit, the war. But they also reject an immediate bombing pause long enough to convice Hanoi of the United States' sincere interest in de-escalation, because they feel such a pause would jeopardize our military position in the south. This is a debatable assumption, since the bombing has not slowed Hanoi's flow of men and supplies into the south, and has not succeeded in bludgeoning the North into defeat. All evidence shows, in fact, that its effect has been just the opposite.

What the Republicans have proposed is an exceptionally moderate de-escalation initiative. The U.S. would cease bombing north of the 21st parallel for 60 days, which means that bombing would then continue over at least half of North Vietnam, including the port of Haiphong. In return, the North would order a comparable de-escalation, such as the curbing of some supply routes, ending terrorism in specified areas, exchanging prisoners, or other actions. Neither side would be expected to put itself at a military disadvantage. Politicians on both sides would be able to boast that they were taking peace initiatives.

If the first step worked, then the U.S. would further reduce the level of bombing, and the Communists, likewise, would take another step back down the escalator.

There are a number of difficulties with the plan. The most obvious is that the extent of the North's control over the Viet Cong is uncertain, and Hanoi may not be able to call a halt to aggressive action in a specific area even if it wants to. Communication within the Cong is slow and limited, and word may not get around to all field commanders. Serious violations would automatically trigger a return to the previous level of bombing.

Nevertheless, the Republican proposal does offer a concrete proposal for de-escalating the war. And so slight are the necessary initiatives, that the U.S. military position would scarcely be endangered. The objection to previous de-escalation plans is therefore automatically answered. The GOP plan is also a welcome alternative to the administration policy, which promises nothing but a longer, bloodier war.

Rep. Stafford and his colleagues have shown that their party can offer intelligent, creative opposition to present policies. They are perhaps heeding Sen. Aiken's suggestion that the GOP is the only party in a position to thoroughly review the war and suggest new approaches to bringing it to an end. President Johnson may now find that a moderate Republican challenge in 1968 would be more formidable than he now expects.

[From the Huntington (W. Va.) Herald-Dispatch, July 13, 1967]

An Alternative to "More War"

Eight House Republicans have proposed that the United States take the lead in a step-by-step de-escalation of the Vietnam War as a possible route to the negotiating table.

Their proposal, pooh-poohed by Democratic leaders as impractical, is that the United States put the plan in motion by stopping for 60 days all bombing north of the 21st parallel, which includes Hanoi but not the port of Haiphong.

If, during that period, North Vietnam made some "visible, meaningful" response, the U.S. would pull its bombers back to the 20th parallel. Five such reciprocal steps would stop all bombing of the north and might cool the war off to the point where talks could begin.

Such is the plan proposed by Rep. Bradford Morse (R-Mass.) and seven Republican colleagues. While there is no tangible evidence on which to build hope that the plan would be successful, this little Republican contingent deserves credit for coming up with an imaginative alternative to the present apparently hopeless course of action.

Secretary McNamara has returned from Vietnam with more cliches about "making progress," but the truth is that progress can only be counted when and if there is some prospect of peace, and when and if the South Vietnamese can take over the job of defending themselves against Communist aggression. The head count of Viet Cong dead, which may have risen over the last year, is no indication of progress.

Cynicism is abundant in Washington today and it is easy to classify these Republican Congressmen as naive and their proposals as unworkable.

The fact remains that they have suggested a course of positive action which leaves the initiative in U.S. hands. Little would be ventured, since the bombing is ineffective anyway. The plan is well worth considering.

[From the Fond du Lac (Wis.) Commonwealth Reporter, July 14, 1967]

Escalate or Deescalate?

"We are winning the war—but . . .," was the message given to Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

The "but" translates into a call for still more troops—perhaps 100,000—to be added to the 466,000 there at present.

This number, we are told, is the minimum needed to complete the job begun by a relative handful of American advisers only a few short years ago.

Yet behind the now somewhat guarded and muted predictions of eventual victory for the cause of democracy lies the sobering belief of the generals that this many troops will be required solely to keep us on top of the Viet Cong and North Vietnamese during the coming months.

For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

McNamara described more than the immediate situation when he said at Da Nang: "Our casualties are high but we have also inflicted high casualties on North Vietnamese army units."

What he described was the situation as it was in 1965 and 1966 and as it is likely to be in 1968. Only the numbers have been changed—for the higher.

It is often forgotten that escalation is not the prerogative only of this country. Options open to the Communists include a step up of terrorist bombings in Saigon and other South Vietnamese cities; the infiltration in even greater numbers of the large North Vietnamese standing army; the use of Communist "volunteers" from other countries; the opening of diversionary action in Korea.

This was emphasized by eight Republican congressmen the other day as they introduced a scheme for a de-escalation of the war that would steer a middle course between "those who would bomb more and those who would bomb less."

Representatives Morse of Massachusetts, Dellenback of Oregon, Esch of Michigan, Horton of New York, Mathias of Maryland, Mosher of Ohio, Schweiker of Pennsylvania and Stafford of Vermont propose a halt to all bombing in Vietnam north of the 21st parallel for 60 days. This would exempt the city of Hanoi but not the port of Haiphong.

If the North Vietnamese responded with a similar de-escalatory step, such as dismantling major supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 20th parallel for a like 60-day period—and so on down in five steps until the 17th parallel dividing North and South Vietnam was reached.

The staged de-escalation plan would produce a growing atmosphere of mutual confidence, think the congressmen. Its virtue is that most military targets are in southern North Vietnam.

Thus, should the North Vietnamese fail to respond to the first bombing limitation, bombing could be resumed north of the 21st parallel without having caused the military effort in South Vietnam any disadvantage.

Would such a plan work? The congressmen honestly don't know. Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

That we are willing to invest another 100,000 men in Vietnam is probably quite credible—and acceptable—to Hanoi. That we are ready to de-escalate by small steps, however, is something that does not seem to have been made as credible to them as it might be.

[From the Wisconsin Rapids (Wis.) Daily Tribune, July 13, 1967]

What Price Escalation, If Foe Always Follows Suit?

"We are winning the war—but . . .," was the message given to Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

The "but" translates into a call for still more troops—perhaps 100,000—to be added to the 466,000 there at present.

This number, we are told, is the minimum needed to complete the job begun by a relative handful of American advisors only a few short years ago.

Yet behind the now somewhat guarded and muted predictions of eventual victory for the cause of democracy lies the sobering belief of the generals that this many troops will be required solely to keep us on top of the Viet Cong and North Vietnamese during the coming months.

For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

McNamara described more than the immediate situation when he said at Da Nang: "Our casualties are high but we have also inflicted high casualties on North Vietnamese army units."

What he described was the situation as it was in 1965 and 1966 and as it is likely to be in 1968. Only the numbers have been changed—for the higher.

It is often forgotten that escalation is not the prerogative only of this country. Options open to the Communists include a step-up of terrorist bombings in Saigon and other South Vietnamese cities; the infiltration in even greater numbers of the large North Vietnamese standing army; the use of Communist "volunteers" from other countries; the opening of diversionary action in Korea.

This was emphasized by eight Republican congressmen the other day as they introduced a scheme for a deescalation of the war that would steer a middle course between "those who would bomb more and those who would bomb less."

Representatives Morse of Massachusetts, Dellenback of Oregon, Esch of Michigan, Horton of New York, Mathias of Maryland, Mosher of Ohio, Schweiker of Pennsylvania and Stafford of Vermont propose a halt to all bombing in North Vietnam north of the 21st parallel for 60 days. This would exempt the city of Hanoi but not the port of Haiphong.

If the North Vietnamese responded with a similar de-escalation step, such as dismantling major supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 20th parallel for a like 60-day period—and so on down in five steps until the 17th parallel dividing North and South Vietnam was reached.

The staged de-escalation plan would produce a growing atmosphere of mutual confidence, think the congressmen. Its virtue is that most military targets are in southern North Vietnam.

Thus, should the North Vietnamese fail to respond to the first bombing limitation, bombing could be resumed north of the 21st parallel without having caused the military effort in South Vietnam any disadvantage.

Would such a plan work? The congressmen honestly don't know. Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

That we are willing to invest another 100,000 men in Vietnam is probably quite credible—and acceptable—to Hanoi. That we are ready to de-escalate by small steps, however, is something that does not seem to have been made as credible to them as it might be.

[From the Green Bay (Wis.) Press-Gazette July 13, 1967]

A Step-by-Step Deescalation

The proposal of eight Republican congressmen for a matching step by step deescalation of the war in Vietnam by the United States and by North Vietnam is deserving of detailed examination by the Johnson administration which is at the point of decision on another major increase in the American manpower contribution to the war.

The eight congressmen propose that the United States offer to stop bombing north of the 21st parallel for 60 days as the first step in determining whether North Vietnam would match this act with a degree of deescalation. As geography has it, use of the 21st parallel as a line for halting the bombing of North Vietnam would exclude Hanoi from raids but would keep Haiphong's port and supply centers on the target list. It would enable North Vietnam to make a decision on whether to claim that a major part of its demand for agreeing to negotiations had been met.

As matching steps of de-escalation from North Vietnam, the eight congressmen proposed halting of shipment of war supplies into South Vietnam, an end to terrorist activities, the release of American prisoners of war, and the movement of MIG fighters to airfields in the extreme north of North Vietnam. If and when the North Vietnamese agreed to a specific act of de-escalation, the American bombing limit would be moved south a parallel at a time until the 17th parallel dividing line between North and South Vietnam was reached.

The plan could be abandoned or reversed if the North Vietnamese went back on their word. As Rep. F. Bradford Morse of Massachusetts, one of the plan's proponents, pointed out, the idea would not mean placing the American military position in South Vietnam in jeopardy as President Johnson insists it would be if the United States halted bombing of the North without the North Vietnamese agreeing to stop infiltration of men and war equipment into the South at the same time.

Such a plan, of course, would require a third party or an international body for supervision and inspection.

The eight congressmen have presented an idea which, at the very least, would test the sincerity of North Vietnam and which would demonstrate for world public opinion which power is responsible if war were to continue or break out again after some de-escalation was achieved. This is exactly what the White House fumbled away last winter when there were signs in several European capitals that North Vietnam was willing to negotiate if some form of a bombing halt of the North came about.

The proposal appears even to have taken the Republican high command by surprise. Rep. Gerald Ford, the House Republican leader, limited himself to saying he was glad that his party was producing new ideas for possible ways out of the Vietnam dilemma.

This is the very least that can be said for a development of the idea, unless both political parties are in agreement that the only United States policy can be that North Viet-Nam must be driven to the negotiating table by force of American arms and the continuing casualties which this will mean.

[From the Milwaukee (Wis.) Journal, July 21, 1967]

One Week in Vietnam

This is a report from Saigon by a Washington Post writer on the week in Vietnam that ended July 8:

"The 1.2 million men of the allied forces conducted 41,959 ground actions, 33,354 air sorties and unnumbered naval gunfire attacks against the enemy in the south. The results: 2,114 enemy dead. From all indications they were quickly replaced.

"The week's accomplishments carried a monetary cost to the United States of about $500 million. The human was 2,027 casualties (not all Americans), of whom 449 were killed and the rest wounded. Three B–52 bombers, valued at $3 million each, and number of smaller aircraft were lost during the week.

"So far as is known, no territory of any significance changed hands, the balance of power between the sides was unaltered and neither the tactical nor the strategic situation changed."

It was a normal week. We paid $236,000 for every enemy soldier killed. There is still, as the current phrase goes, "no light at the end of the tunnel." More American troops are to be sent to Vietnam. This will enable our forces to conduct more of the same kind of operations. Civilian and military observers, the Post report says, doubt that more troops "would bring about dramatic changes in either the nature or the course of the war." Some American mission members feel "that more manpower will simply mean less effort by the South Vietnamese army."

The need is a dramatic move for peace. London reports, not confirmed by our government, are that some form of de-escalation or cessation of bombing is planned. That, at least, would be a bid for peace and worth trying even if in the end it doesn't work. Eight Republican house members had a sensible proposal the other day. They suggested a stop to bombing north of the 21st parallel and asking North Vietnam to make some move on its part to de-escalate. If the North Vietnamese co-operated, we would stop bombing above the 20th parallel and again ask for reciprocal action. If this worked, step by step the war would be slowed down and negotiations and peace might come.

There are also suggestions that the dispute be taken to the United Nations security council for a peace effort there. That, too, is worth trying. * * *

[From the Racine (Wis.) Journal Times, July 12, 1967]

GOP Idea Merits Consideration

The plan of eight Republican congressmen for a stage-by-stage, or parallel-by-parallel, de-escalation of the war in Vietnam shouldn't be brushed off as a gimmick. The idea has some merit; at least it expresses more imagination than we have heard about the war from Washington in recent months.

The Republicans' idea goes like this: The United States would announce that it was halting the bombing of North Vietnam north of the 21st parallel (that is, the city of Hanoi and its environs) and would wait 60 days for a corresponding concession from the Communists. If such a concession came, we would halt bombing north of the 20th parallel, and wait another 60 days for a Communist concession. If it came—one more parallel down, and so on, until at the fifth stage our no-bombing line was the 17th parallel, the border between North and South Vietnam. At that point, if there were corresponding Communist concessions, the fighting could be practically halted.

Note that, with the exception of the novel plan of stages by parallels, this is not exactly a new idea. The Republicans are proposing to do in space what the Johnson administration has several times done in time. That is, the administration has ordered bombing halted for periods of time, ranging from several days to several weeks, and waited for corresponding Communist concessions. None has ever come.

That argues against the success of the Republican plan. Unless Hanoi was willing to take the second step after our first step, nothing would be accomplished, and Hanoi has never been willing, in public, to take any steps at all.

What this idea and all the others really add up to is a growing doubt among Americans and American leaders that the bombing of North Vietnam is really an effective way to carry on the war.

The bombing represents, in the eyes of Communists, neutrals and many Westerners, including some in the United States, the largest single obstacle to negotiations on Vietnam. But more practically, many Americans rightfully begin to wonder if the bombing has proved to be an effective military weapon.

After months and months of bombing, the American military claims that it has knocked out a high percentage of the Communists' industrial productivity, a high percentage of power production, a high percentage of oil storage facilities, etc.

Yet Secretary McNamara has been in Vietnam listening to General Westmoreland's plea for more troops, on the grounds that the 475,000 Americans now in Vietnam cannot accomplish the double job of guarding South Vietnam's borders and securing, or "pacifying," the interior. Westmoreland wants 100,000 more troops, and he cannot promise to stop there.

So what has bombing actually accomplished, in military terms? Those who argue for more bombing and more troops seem to us to be contradicting themselves. If bombing is so necessary and so successful, why do we need more and more manpower to control more and more North Vietnamese invaders?

Or do we reconcile ourselves to the fact that this open-end war, with its open-end manpower demands and its open-end casualty list, will go on forever?

DISCONTINUANCE OF TRAIN SERVICE

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LANGEN. Mr. Speaker, it seems that we have reached an age where diminishing services in transportation and communication to rural America is the rule. A few weeks ago, I asked this House to consider a resolution expressing the sense of the Congress that moratoriums be declared on the discontinuance of passenger service and railway mail contracts, until a study of the effects of such actions on the economy can be completed and these effects evaluated.

The legislation I am introducing today would insure that all involved individuals, municipalities, businesses, and others dependent on rail service throughout the country would be provided ample opportunity to object to further discontinuance of railway mail and passenger trains.

The action of snatching away these services from rural areas seems to be gaining momentum, and unless some kind of brake is applied, we will see them completely disappear before anything can be done. This is why I am asking that all due consideration be provided when any carrier requests discontinuance of service, including a mandatory period of 18 months "grace" before such discontinuance can be accomplished.

I have also repeatedly urged the Post Office Department to reconsider its policy of discontinuing use of the railroads in mail delivery. This is usually the first step in eliminating the trains altogether.

There is much discussion about the crowded conditions of our cities and the constant migration from the countryside. Would it not be a far more sensible policy to encourage the growth of our smaller towns and the development of our resources of space, so that those who have chosen to live in a rural community may not find less convenience than they had a few years ago, and so that others might be drawn toward these areas?

I believe this bill would be of service in clarifying certain procedures and providing more consideration to rural citizens.

SPECIAL MILK PROGRAMS FOR THE ARMED FORCES AND VETERANS' HOSPITALS

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LANGEN. Mr. Speaker, in view of the many economic problems that presently confront the producers of dairy products in this country, it seems most essential that the Congress should extend for 3 years the special milk programs for the Armed Forces and veterans' hospitals.

In addition, it is equally important that the Armed Forces and the veterans' hospitals be provided the health benefits of this program which has served them and the milk producers of the country in a most commendable and acceptable manner. Dairymen have been plagued during the past year by inadequate prices, which has given cause to far too many individual owners of dairy operations to have to sell their herds and find other means of livelihood.

I have, on any number of previous occasions, called to the attention of this House the health and food hazard that these circumstances present to this Nation. Government has been negligent in permitting imports of dairy products to further aggravate the price situation, and while limiting quotas on dairy imports has now been instigated under section 22 of the Agricultural Adjustment Act, millions of dollars were lost by the dairy industry prior to such recommended and commendable action having been taken.

It now seems to me that it would be further folly to permit this special program to expire on December 31 of this year. Consequently, I am introducing legislation today which would extend the present provisions of this special milk program to December 31, 1970.

Favorable congressional action would find favor and benefit, I know, for the Armed Forces, veterans' hospitals, and milk producers.

As a direct indication of the success of this program since its authorization in 1954, it has made possible the use of 5,357,850,097 extra pounds of fluid milk, along with 312,653,000 pounds of butter, 23,421,000 pounds of cheese, and 897,000 pounds of nonfat dry milk. Such volume of distribution is ample justification for the early approval by the Congress of this legislation.

USDA, THE ADMINISTRATION, AND LOW FARM PRICES

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LANGEN. Mr. Speaker, the 35,000 farmers who protested low farm prices at a National Farmers Organization meeting in Des Moines, Iowa, 2 weeks ago were simply reacting to the effects of the many antiagriculture maneuvers of the U.S. Department of Agriculture.

Farmers are angry over the depressed prices they receive for the commodities they raise. And justifiably so. The farm parity ratio has dropped to depression-year levels, farm production expenses are at an all-time high, and farm income is severely lagging behind nonfarm income.

In fact, the Department's own figures show that net farm income skidded from $16.4 billion in 1966 to an annual rate of $14.6 billion in the second quarter of this year. Therefore, it is not surprising that 35,000 farmers gathered together to call attention to these deplorable conditions caused by USDA and administration decisionmakers.

The House Republican task force on agriculture, of which I am chairman, has time and again pointed to recent examples of where the executive branch has dealt American agriculture harsh economic blows:

Dumping huge stocks of Commodity Credit Corporation grain upon the domestic market in order to break and depress grain and livestock market prices.

Delaying the necessary action to reduce price-depressing dairy imports, then failing to cut back permissible imports to the average 1961–65 level.

Underestimating cattle numbers by 4 million head and the turkey population by 5 million birds, thereby bringing an already weak market down further.

Cutting back purchases of pork and dairy products by the military.

Restricting exports of cattle hides, calf and kip skins, such action causing lower domestic livestock prices, notwithstanding subsequent increases in shoe and other footwear prices.

Boosting imports of raw sugar, designed to hold down market prices for domestic sugar producers, and so forth.

The task force has repeatedly called attention to these and other actions by the USDA and the administration aimed to depress farm prices. The alarming extent to which they have succeeded in their effort to hold down farm income has again been verified by the feelings expressed at the Des Moines meeting.

No wonder our declining farm population is not optimistic about the prospects for economic survival, and that rural discontent with depressed farm prices is being expressed vociferously and with increasing frequency.

Obviously, American agriculture is never going to play an effective role in feeding the hungry world under such adverse income conditions. What our farmers need is proper incentive to keep them producing the required food and fiber; namely, a satisfactory financial return for the commodities raised.

Ample documentation of the causes of farmers' anger over low prices and inadequate income can be found in many official publications, including an informative handbook on American agriculture prepared recently by the House Agriculture Committee.

This 96-page study, entitled "Food Costs—Farm Prices," is packed full of facts and figures that help explain how American farmers are getting shortchanged for their productive efforts. By depicting the current economic plight of American agriculture, this handbook provides further statistical support for the task force statements during the past 2½ years when we continually pointed out how the administration persisted in making the farmer its favorite whipping boy for inflation.

For instance, our corn producers now received only 2.8 cents for the corn in a 30-cent box of cornflakes, according to the House Agriculture Committee study. Wheat growers get only 3 cents for the wheat in a 22-cent loaf of white bread. And cotton raisers receive only 23 cents for the cotton in a man's $4 dress shirt.

Yet if the grain farmer were paid just one more penny for his commodity contribution to a cornflakes box or a loaf of bread, it would result in millions of dollars of added farm income. Certainly American agriculture deserves a larger share of the consumer's food dollar than it is presently getting.

Farmers have every right to be indignant over the shoddy treatment they have received from the Department and administration decisionmakers. In order to give our agricultural producers a square deal, they must be assured that their productive efforts will be equitably rewarded and that there will be no repetition of the many antifarm price maneuvers by the executive branch.

FOREIGN ASSISTANCE ACT OF 1967

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Gude] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GUDE. Mr. Speaker, in President Eisenhower's second inaugural address, he expressed his awareness that in the atomic age, "peace may be the only climate possible for human life itself." To that end the President said:

> We must use our skills and knowledge and, at times, our substance to help others rise from misery, however far the scene of suffering may be from our shores.

It was with this in mind that last week I cast my vote in favor of the Foreign Assistance Act of 1967. To be sure, it is not a perfect program, which made my final decision a most difficult one. But the drastic alternative of complete withdrawal of our foreign aid would simply create still further vacuums in the world of international politics—vacuums requiring even greater sacrifices than mere economic and social aid. And while multilateral aid programs are desirable and should be encouraged—vis-a-vis the United Nations and regional organizations—complete dependence upon the multilateral approach, for the present is unrealistic: unrealistic because combined assistance from donor countries with varying national interests makes any consensus on objectives very difficult, thereby reducing the effectiveness of such programs.

While I have misgivings concerning certain provisions of the Foreign Assistance Act, I believe our technical assistance program, by making U.S. skills and technical knowledge available to qualified people of less developed countries, provides a relatively inexpensive method of developing and carrying out economic and social reforms at the grassroots level. Therefore, when this particular aspect of our foreign aid program was before the House, I cast my vote in favor of it.

The late Senator Vandenberg, speaking in support of our first major postwar foreign aid program—the European recovery program—said:

> There are no blueprints to guarantee the results. We are entirely surrounded by calculated risks.

While this is no less true today, we cannot use it as an excuse to shirk our responsibilities as leader of the free world.

For—

Again as President Eisenhower so eloquently stated in his second inaugural address:

> wherever in the world a people knows desperate want, there must appear at least the spark of hope, the hope of progress—or there will surely rise at last the flames of conflict.

ADDRESS OF GOV. GEORGE ROMNEY

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Esch] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ESCH. Mr. Speaker, I would like to take this opportunity to call the attention of the Members of the House of Representatives to the thoughtful and perceptive remarks of Gov. George Romney at the recent International Congress of Orientalists meeting at the University of Michigan.

Governor Romney clearly discussed the importance of improving communication and understanding between the East and the West. His remarks centered on the role of Red China in the world community and urged new efforts to bring China to take responsibility and contribute to the stability of the Far East.

Mr. Speaker, I hope all Members of the House will take time to read the Governor's remarks. He points the way toward a new and constructive policy for the United States. I insert his remarks to be printed at this point in the Record:

Address by Gov. George Romney, of Michigan, to the XXVII International Congress of Orientalists, Ann Arbor, Mich.

It is a great pleasure for me to be a part of this distinguished international gathering. On behalf of the people of Michigan, I am particularly honored to welcome the International Congress of Orientalists to the first meeting in its 94-year History that has been held in the United States.

When Professor Fifield first asked me to attend the Congress several months ago, it appeared that, when I reached this point in my remarks, my function for the evening would be complete. But since then my role in these proceedings has evolved from "greeting" to "greeting and introduction" to "greeting and speech and introduction" to "principal and only speech".

And with all respect for your own distinguished Secretary-General, we are all deeply disappointed that he is the only Secretary-General present.

We all regret that the Secretary-General of the United Nations cannot be with us. Like many of you, I have been privileged to meet with him in the past—and two of his special qualities have particularly struck me: his independence of spirit, and his deep religious feeling.

U Thant has repeatedly demonstrated his belief in upholding the integrity of his position and has steadfastly refused to permit the undermining of his office. His deep spiritual dedication to international understanding and world peace is an inspiration to all our efforts.

It is also a disappointment that all of the delegations originally expected to attend this Congress are not here.

This Congress—in its diversity, its professionalism, and its interchange—is a symbol of hope and encouragement in a world which seeks greater understanding among all peoples in a period of change and danger.

What we all seek is a progressive, interdependent world—a dynamic, pluralistic, open world of peace and freedom, in which each nation can develop to its full potential.

The achievement of such a world depends, in part, upon three factors: (1) improved communication and understanding; (2) development of a greater degree of self-competence and self-reliance on the part of many of the less privileged nations; and (3) wise and restrained assistance by the stronger, richer nations.

You are working to improve communication and understanding. And perhaps the greatest gulf in this respect today is the gulf between East and West—between the nations of Asia and the Occidental countries.

We in the West must admit to our share of the blame for a cultural gap influenced not only by historic forces but also by our own preoccupation with our own society and our own wants. Despite our enormous industrial and technological development, and despite our rich experience in self-government, we still lack the full reward that flows from sufficient understanding of other cultures and longer histories.

We must build up bridges of common identity and mutual interest.

Your work as members of this Congress is ultimately directed toward that end. Both East and West can benefit profoundly from your scholarship and the respect and cooperation you give to one another in your efforts.

Central to any lasting progress in a pluralistic world is the principle of self-reliance, self-determination, and self-competence. For nations and peoples can only realize their full potential, their full capacity, by the application of their own efforts.

Every nation must work out its own destiny in its own way. To put it generally but relevantly, Asians must work out Asian solutions to Asian problems.

This is not to say that nations from various parts of the world should not help each other. They must—but with wisdom and restraint.

The stronger nations must be neither presumptuous nor pre-emptive. They must guard against suffocating the initiative of others or stifling those unique qualities which fashion and sustain an individual human being, or society, or culture, and make it great.

Even my own country—acting largely out of generosity and idealistic intent, sometimes out of inexperience or ignorance, sometimes out of the presumption of its own great strength and affluence—tends too often to conduct its foreign activities in a manner that suggests that the United States can do the job for other nations—that we know the best way—that we have all the answers.

I believe that this is a serious mistake for any nation. I believe that the United States in its policies and programs must stress the goal of encouraging the other fellow to stand on his own feet and make his own decisions. We must improve our capacity to offer assistance with proper respect for other nation's experience, traditions, special problems and special opportunities.

These factors of communication, self-reliance, and enlightened assistance can be applied to many aspects of East-West relations.

Many crucial developments across the huge expanses of Asia command the world's attention. The continuing struggle to establish stable relationships and mutual progress in the Middle East is just one current example. But nothing so dominates any consideration of Asia as the fact of Communist China.

This vast land of 700 million people challenges our ability to establish a peaceful, progressive, open world community. Its isolation and belligerence resist communication and understanding. Its internal social, political and economic difficulties hinder its self-development. Its involvement in the third world has been meddlesome and disruptive.

And I believe all of us—professionals, concerned citizens, and political leaders—must grapple with one crucial question: what can be done to encourage this troubled giant to make a constructive contribution to Asian stability and progress and to world peace?

A small but important facet of this problem is the question of Communist Chinese membership in the United Nations. Without addressing overall U.S. policy toward Communist China or toward the United Nations, I do want to make some brief remarks on this point.

Many of you are experts on this subject. Some of you from Washington have served diligently in developing the U.S. government position. But you may be interested in some observations from an individual American citizen.

Year after year, the knotty question of admitting Communist China to the United Nations plagues the General Assembly. Year after year, political jockeying and parliamentary maneuvering expend large amounts of time and energy.

Since the voting began in 1950, the threat of Nationalist China losing the seat it occupies as one of the principal founders of the United Nations has been linked with consideration of the admission of the Communist Chinese. The reaction of the United States has been to work very hard indeed not only to preserve the position of our friends, the Republic of China, but to keep the People's Republic of China out of the United Nations.

The General Assembly has repeatedly denied membership to Communist China and upheld the rights of the Nationalist Chinese. But the problem remains, generating more animosity and recrimination. In each session, the outcome is in doubt. Each year, Communist China's admission looms as a major prospect.

The voting trends are interesting and instructive.

In 1950, a resolution to seat the People's Republic of China was defeated 16 votes for to 32 votes against, with 10 abstentions; and a resolution to unseat the Republic of China was defeated 10 to 38, with eight abstentions.

From 1951 through 1960, the U.S.-sponsored moratorium on consideration of changes in Chinese representation in the United Nations prevailed.

In 1961, the resolution was adopted which made any proposal to change the representation of China an "important question" requiring a two-thirds majority for approval. That year the Soviet Union's resolution to replace the Nationalist Chinese with the Communist Chinese was defeated with 37 votes for, 48 votes against, and 19 abstentions.

By 1965, the "important question" procedure was adopted by a substantially reduced margin from its original passage—and the Albanian resolution to oust the Republic of China and seat the People's Republic of China ended in a tie, 47 to 47, with twenty abstentions. This represented a major erosion of strength over the years away from the Republic of China and in favor of the Communist Chinese.

Last year this trend was slightly changed. The vote on the "important question" requirement gained support, and the Albanian resolution was defeated 46 to 57 to 17.

This shift was due to many factors, most of which relate to Communist China itself—her belligerence and encouragement of violent revolution abroad, involvement in the Vietnam war, snubbing the test ban treaty and developing a nuclear bomb, and the uncertainty and turmoil of the so-called "cultural revolution".

And this behavior is added to Communist China's earlier record of U.N.-condemned aggression in Korea, the use of force to subdue Tibet, the overrunning of India's frontiers, attempts to gain control of the Offshore Islands in the Formosa Strait, and subversion in widely-scattered areas including Indonesia and Africa.

Further, Communist China has criticized and abused the United Nations, rejected its authority, and threatened to set up its own competitive international organization. In late 1965, Foreign Minister Chen Yi set forth his own list of conditions for Communist China's entry into the United Nations.

He demanded that the United Nations rescind its condemnation of his country for aggression in Korea and instead brand the United States as the aggressor. He demanded that the United Nations be re-shaped along lines favoring Communist China, drastically reducing the rights of what he calls the imperialistic Western nations. He demanded the expulsion of member states which he considers enemy puppets. And he demanded that the United Nations not only expel Nationalist China but abandon her to the mainland Communists, who would have a free hand to take over the people and territory of Taiwan.

This record makes several things clear.

First, it is clear why advocacy of U.N. membership for Communist China has recently lost some of its momentum.

Second, it is clear that—apart from the policies of the United Nations and individual countries toward Communist China—Peking seems intent on self-isolation from the rest of the world.

Third, it is clear that the People's Republic of China is now precluded from membership by its own behavior. She is not yet ready to take on the responsibilities of fostering peace and progress which participation in the United Nations should entail.

The United Nations Charter provides that membership is open to "peaceloving" states which, in the judgment of the organization itself, accept the obligations of the Charter and are able and willing to carry them out. This is so even though some nations now within the U.N. may not seem to be deserving of membership according to these standards.

Despite all these considerations, it is my view that the trend toward Chinese Communist membership in the United Nations will tenaciously reassert itself—if not at the upcoming session of the General Assembly, soon thereafter. The danger we face is that Communist China will be invited to join as a substitute for an ousted Nationalist China.

I believe that persistent U.S. throttling and lapel-yanking of our United Nations colleagues to maintain the same rigid position on this issue will be self-defeating in the long run. I am convinced that this practice actually weakens Nationalist China's position in the United Nations. And it does nothing to further our own true interests, to strengthen the cause of the United Nations, and to foster peace around the world.

Given this situation, we must be sure that we have our own priorities in order—and that we do not become fixed to a policy which is unrealistic and dangerous to our own best interests.

It would be in the common interest for mainland China to enter into the community of nations and accept the responsibilities which that entails. The possibility of such a change may appear remote—but we should spare no reasonable effort to encourage it.

In this spirit, let me suggest that the United States, instead of concentrating on the negative—on keeping the Chinese Communists out of the United Nations—should stress the positive, by placing its emphasis upon three principles:

First, unyielding support of continued U.N. membership for Nationalist China.

Second, strong international encouragement of Communist China to end her self-isolation from the world, and to qualify herself for full participation in the community of nations.

Third, clear recognition that Communist China must accept the responsibilities of membership in a spirit consistent with the principles of the Charter before admission.

The United States showed encouraging signs of moving toward the priorities and the approach I am suggesting, in backing an Italian-sponsored resolution during the general session of the United Nations General Assembly in 1966.

This resolution would have appointed a special committee to investigate Communist China's position concerning United Nations membership and to recommend an "equitable and practical solution" to the Assembly by July of this year. Our representative properly made clear that his vote in favor of the resolution in no way repudiated U.S. commitments to Nationalist China.

It is my hope that Communist China's current unpopularity, and the apprehension which her behavior is arousing in the world—combined with the slightly favorable trend in last year's voting—will not encourage the United States to return to its earlier inflexible approach. This would be unrealistic and contrary to our own interest—particularly given the forces which are at work, not all of which are clear on the surface.

For other plans are afoot to bring Communist China into the world body prematurely and without adequate protection to Nationalist China. We cannot rely wholly on the protection of the two-thirds vote under the "important question" device, since that procedure itself is determined by a simple majority.

Many of our supporters are going along only reluctantly with our position. Some of our principal allies have already left us on this issue. For example, Britain, France, Denmark and Norway voted for the Albanian resolution in 1965 and 1966.

We must not drain our prestige, endanger American leadership on other issues, or jeopardize Nationalist China's seat in the United Nations.

I hope that the hint of flexibility shown by the United States at the last General

Assembly session will be reinforced in the future.

The American people may well be ahead of their government in this regard.

In November of 1953, a National Opinion Research Corporation survey showed 74 percent opposed to the admission of Communist China into the United Nations, with only 12 percent favorable.

The Survey Research Center, of this University, conducted a poll in May and June of 1964 which asked the question: "Suppose the President suggested that we let Communist China join the United Nations?" Thirty-one percent favored such a move, while 53 percent opposed.

A Gallup poll in October, 1966, revealed that 55 percent favored the admission of Communist China to the United Nations,—"if it would improve U.S.-Chinese Communist relations"—with 30 percent against.

These are not the same polls, and the questions and samples are different. But a trend is emerging. Americans seem to be more and more willing to have their government explore ways of communicating with a land of 700 million people, to help reduce Communist China's isolation.

I have said for some time that I think we ought to do everything we can to help the Communist Chinese reach the point where they will deserve and desire membership in the United Nations. We must not erect useless and arbitrary barriers to Communist China's normal participation in world affairs. We must seek to remove any false apprehensions the mainland Chinese may hold about U.S. motives in Asia.

But ultimately the responsibilty is Communist China's. She must make the decision. That decision may be a long way off—but the future is never entirely clear, and no one knows what will come out of the present turmoil in Communist China.

A China which remains isolated is negative and destructive and dangerous to all, even to herself. A peaceful, stable mainland China could make an immense positive contribution within a diverse and dynamic world of mutual security.

The United States and the United Nations must be prepared for the day when those who govern mainland China feel it is in their interest to accept the responsibilities and receive the benefits of close collaboration within the community of nations. When they are willing to step forward we must be ready to accept them. While they are unwilling we must be unmistakably firm.

Bringing 700 million Chinese into the international community is a great challenge. If they are to support rather than disrupt the peace of the world, they must become more intimately involved with the world at large.

For the day has long since passed when the East could either be ignored or exploited by the West. The stability and health of Asia affects the stability and health of the whole world. And Western attitudes and actions have a vital impact on the future course of Asian history.

As we move forward in a critical and uncertain period of history, we must act with energy, with vision, and with prudence to build the dynamic world of peace and progress that we all desire.

And in that joint endeavor, I am heartened by the knowledge that the men and women in this room will be committed not to isolation, but communication—not to reaction, but enlightenment—not to prejudice, but understanding.

REPUBLICAN TASK FORCE REPORT: REVITALIZING OUR RURAL AREAS

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MOORE. Mr. Speaker, it has been my privilege to have served on the Republican Task Force for Job Opportunities and Welfare and to have helped draft an important report, released last week, dealing with the revitalizing of our country's rural areas. The subject is of particular interest to me, as a Representative from West Virginia, one of only three States which has suffered population losses during the past 3 years.

West Virginia is not a State of great urban centers nor is it included in the three great megapolis projected for the future in the Eastern United States.

Mr. Speaker, the importance of this report is emphasized in realizing the new role rural America must play in solving today's complex social and economic problems. The redevelopment of the rural areas could well be the eventual salvation of our troubled urban communities.

The tragedies of this summer in some of our Nation's greatest cities is being traced to the influx of population that heightened the ghetto problems. In 10 years while rural areas of America were experiencing a decline, urban America gained 28 million people. Between 1950 and the present, my own State has lost 200,000 people. Such a shift created situations that demanded immediate attention. But we have tended to overlook the very areas wherein an obvious solution may lie.

Mr. Speaker, this report, though not attempting to answer all of the problems, does present specific proposals in five vital fields which combined into an action plan, will furnish an immediate program for the solution of some of these pressing problems. From this report, I believe the Congress can furnish the tools for revitalizing rural America, and at the same time, furnish a partial solution to many of our urban complaints by reversing the trend of urban migration.

I have labored long and hard for the rebirth of the rural areas in the firm belief that herein lies the answer to many of the Nation's social and economic ills. I have witnessed in my own State the tragedy of outward migration dictated often by economic necessity. By 1980, West Virginia will stand alone as the only State with a continued projected loss of her greatest resource. I have advocated incentive programs that would relocate, and diversify industry at the base of our natural resources, which ironically in my own State have become pockets of poverty.

Renewal of Rural America with better education, industrial development and extensive social services could be most beneficial in the answers we seek.

I am hopeful of congressional consideration of this much needed program for rural America. I would submit this policy statement in its entirety for publication in the RECORD as well as an enlightened editorial commment from the Washington Post of August 24, 1967, which brings deserving recognition to this most important program of rural renaissance:

[From the Washington (D.C.) Post, Aug. 26, 1967]

URBAN-RURAL IMBALANCE

Both the major parties are now seeking a better balance between urban and rural population. Last week the Republican Coordinating Committee, composed of the top leaders of the GOP, came out for a five-point effort to revitalize rural areas. Its statement follows a very similar warning by Secretary of Agriculture Freeman that the rush of peopeople into overcrowded central cities is creating a grave imbalance.

The main burden of the Republican complaint is that little has been done to create job opportunities, in the rural areas, for people who have been displaced by the agricultural revolution. Two decades ago 18 per cent of our people were required to produce food and fiber. Now the same tasks are performed by 6 per cent of the population, and most of the workers no longer useful on the farm have flocked into big cities where some of them are very poorly prepared to cope with the problems of urban life.

The cost of this brain and brawn drain from the countryside is enormous. Most of the migrants leave in their teens and early twenties, at the beginning of their productive years, after heavy investments have been made in their upbringing and education. Don Paarlberg, chairman of the Coordinating Committee's Task Force on Job Opportunities, estimates that "this human investment is a contribution from the rural areas that runs about $12 billion a year, several times the total of all subsidies to agriculture."

Rural America is in no position to make such a contribution to the economic prosperity of the remainder of the country. The disadvantaged position of the rural areas stands out in every test that is made. The President's manpower report of 1967 shows a farm unemployment rate last year of 6.5 per cent compared to the 3.4 per cent urban rate. The farm population has 33.1 per cent of its families below the poverty level compared to 14.4 for urban families. Schooling for farm youths averaged 8.7 years compared to 12.2 years in the cities. These figures doubtless explain a very large part of the "urban crush" which has created such grave problems for the big cities.

No progress toward righting the urban-rural imbalance can be expected until these inequalities are corrected. Families who wish to live in the country should at least have job opportunities, health and education services and some of the amenities of life that are available to urban residents. Nothing can be said for policies which tend to drive people into congested and smog-bound ghettos for want of equal public services and economic opportunities in a more congenial environment.

The GOP policy-makers call for more educational aid, vocational training, economic incentives for the establishment of rural industries and the channeling of defense and supply contracts into such areas when feasible. One specific recommendation is aimed at great expansion of the Economic Development Administration which seeks to utilize local resources and provide part- or full-time employment in rural communities. Another aim is to give rural workers employment services equal to those provided in the cities.

Much remains to be done by way of shaping programs and policies, but the objective is highly commendable. The forecast that 80 per cent of our people will live in "five super strip-cities" by the year 2000 is frightening to everyone concerned. Reversal of that trend has become one of our urgent national necessities.

Revitalizing Our Rural Areas

"Ill fares the land, to hastening ills a prey . . ." was written of the English countryside nearly 200 years ago. But it might be written of rural America today.

Our rural areas are being depleted of people. From 1950 to 1960 the rural population—farm plus non-farm—declined by 400,000; the urban population increased by 28 million. These trends have continued. The Department of Agriculture anticipates further out-migration to the year 1970.

About one-fourth of the rural population consists of farm people. The others are part of the rural non-farm population, living in the countryside or in small villages. Since 1960 the farm population has been declining at an annual rate of about 6 percent, an accelerated pace.

Most of those who migrate from the rural areas leave in their teens and twenties, when on the verge of their productive years. They carry with them the investment in their upbringing and education. Conservatively estimated at $15,000 per person, this human investment is a contribution from the rural areas that runs about $12 billion a year, several times the total of all subsidies provided to agriculture.

What becomes of these people? They move into our great cities. Without necessarily desiring it and almost by default, we are becoming an urban society. Seventy percent of our people now cluster in cities that cover one percent of our land area. If present trends continue unchecked, by the year 2000, 80 percent of our people will be living in metropolitan areas and most of them will be crammed into five super strip-cities.

And will these be alabaster cities, gleaming, "undimmed by human tears"? Not likely. The migrants concentrate, unassimilated, in Detroit, in Cleveland, in the South Side of Chicago, in Watts, in Harlem, in Indianapolis and in a hundred other cities. Smog, congestion, water pollution, law enforcement and other problems of the megalopolis beset them and their uneasy neighbors. By generating a kind of "urban crush," they create a problem in the cities to which they go. By depopulating the countryside, they create a problem in the rural areas from which they come.

But move they must, if there are no nearby jobs.

And why are there so few jobs in the rural areas?

For several important reasons.

First, because of the agricultural revolution. The mechanization of agriculture has so multiplied the productivity of human beings that the production of our food and fiber is now accomplished by 6 percent of our population, as compared with about 18 percent only two decades ago. There simply are not as many farm jobs as there were. These revolutionary changes have by no means run their course. The Department of Agriculture says that from 1965 to 1980 farm employment will experience an additional decline of more than one-third.

Second, because imagination has been lacking. Little has been done to create job oppportunities, in the rural areas, for people forced out of agriculture. Rural people do very well at off-farm jobs if the jobs are there and if they have the necessary education. They have manual dexterity and they know how to work. They do not want to live on a dole. If off-farm jobs are available within driving distance, they continue to live in their accustomed surroundings, among their friends and families, benefiting from increased incomes, providing education for their children and utilizing the services of the local community. But without such jobs they must go on relief or move to the city.

Seemingly, almost everything has conspired to prevent the creation of jobs in rural areas:

Federal farm programs have cut our cotton crop to 10 million acres, compared with 43 million acres before the programs began. Tobacco acreage is now only half as great as 35 years ago.

Local communities have not provided the services and utilities needed to attract industry.

Wage policies have discouraged industry from expanding into areas of abundant labor.

Industry, which has been urban-minded, has not sufficiently sought to decentralize.

The rural labor force lacks the federal employment services available to urban workers.

Educational policies have discriminated against the poorer areas. For example, the Elementary and Secondary Education Act of 1965 provides more than twice as much help per pupil to the counties ranking *highest* on the index of rural well-being as it does to those ranking *lowest* ($350 as against $157.). (Manpower Report of the President, April 1967, page 116.)

Farm programs, largely designed by the Democratic party, have continually sought parity of prices as an objective, when they should have sought parity of opportunity. For more than 30 years these programs have been commodity-oriented, when they should have been people-oriented.

The following statistics vividly describe the disadvantaged position of rural areas. All are taken from the President's Manpower Report of 1967:

	Farm	Urban
Unemployment rate, 1966, percent	6.5	3.4
Percent of population below $3,000 income per family, 1965	33.1	14.4
Median years of schooling, male, 1966	8.7	12.2
Percent of people with activity limitations because of health, 1963–65	6.4	4.7

These things need not be so.

It has been fashionable to point critically at the hardships which resulted from the Industrial Revolution of the nineteenth century and to find fault with those who could have alleviated these difficulties.

Now, in the twentieth century, we confront an Agricultural Revolution which creates problems and opportunities in some ways similar to those of the Industrial Revolution. There is no reason to accept, unquestioned, the social and economic consequences of this Revolution. Conscious efforts should be made to determine and assert the public interest.

The American people want some balance between the rural and the urban sectors. There should be some opportunity for those who wish to live in the country to find decent work there, to have access to reasonably good education and health services, and to pursue a way of living that gives diversity and balance to our economy.

What the American people really want and will work for, they can have. We are not the helpless objects of blind economic forces, we are capable of helping to shape the institutions which in turn help shape us.

These things can and should be done:

(1) *Locate more of our new factories in rural areas.*—This can be done by local, state and national tax policies to provide realistic economic incentives. It can be done by providing better roads, better schools, and better public utilities in the rural areas. Factories may now be operated successfully in areas where this was formerly not possible. At an earlier time, when transportation was poor and the emphasis was on heavy industry, a factory had to be close to its raw materials or to its markets. This is far less true today. The Federal-Interstate Highway Program, established by a Republican Administration, has greatly facilitated transportation. For some industries a plant can now be established almost wherever a trained labor supply and the necessary supporting services are available.

(2) *Provide better education for rural people.*—This means better education of all kinds, at all levels: elementary, secondary and advanced; vocational, technical and academic; continuing education for adults, apprenticeship, retraining and all the rest. It means on-the-job training as proposed in the previous Job Opportunities Task Force report entitled "The Human Investment," and it means Technical Education for the Future, also previously recommended by this Task Force. It means equal educational opportunities for the nonwhites, who comprise about one-fourth of the rural poor. Education is a great adjuster; people who are making great changes are in greater-than-ordinary need for it. Rural young people move freely across state and county lines. The sharing of the cost of education on a national basis is appropriate in view of the fact that we are concerned here with a national problem. The need is greatest where the taxable wealth is most scarce.

What is here proposed is not a blueprint for the economy, with a certain calculated number of people on farms or a carefully computed balance between rural and urban areas. Rather, we propose to redress the imbalance in education and opportunity which has worked to the disadvantage of the rural areas and threatens to make us almost totally urban.

To undertake the actions here offered does not introduce a rural bias; rather, it would remove an urban bias, largely unintended, that has been allowed to develop. We propose to provide the equality of opportunity which will give our people a chance to develop the kind of society they want. If this is done, we can safely leave with the people themselves the decision as to the balance between rural and urban living.

This is not a new idea. It was first proposed by President Eisenhower in his Special Message on Agriculture of January 11, 1954. In 1956, a Republican Administration launched the Rural Development Program, the first coordinated assault on this problem.

In attempting to find possible solutions to these root problems, Republicans realize there is no panacea. There is no one-shot, sure-fire, cure-all solution to rural unemployment, underemployment, and general rural underdevelopment. There are, however, a variety of programs, policies, and procedures that singly and in combination can help to mitigate the consequences of this rural stagnation. What is required is a multi-pronged attack on the numerous ills that beset our rural areas. The recommendations here offered are in keeping with the Rural Development Program launched under President Eisenhower's pioneering effort in 1956.

SPECIFIC PROPOSALS TO IMPLEMENT THE TASK FORCE PAPER

1. Encourage state and federal legislation which would identify rural areas in which unemployment and underemployment are critical problems and give these areas preference:

a. In educational assistance, including various vocational training programs.

b. By providing economic incentives to industrial firms that establish new plants in these areas.

c. By contracting in these areas for the manufacture of defense materials and other government supplies and by building new government installations therein when feasible.

2. Push for enactment of Rural Community Action Programs under Title V of the Republican-sponsored "Opportunity Crusade Act of 1967," H.R. 10682.

3. Push the work of the Economic Development Administration in rural areas of low income.

4. Change the focus of the Vocational Ed-

ucation Act of 1963 so as to increase the number of area vocational-technical schools in rural areas.

5. Provide the rural areas with the same kind of employment services as are offered to urban workers.

TABLE 1.—POPULATION IN URBAN AND RURAL TERRITORY 1790–1960 (IN THOUSANDS OF PEOPLE)

Year	Rural	Urban	Percent urban
1790	3,727	201	5.1
1800	4,986	322	6.1
1810	6,714	525	7.25
1820	8,945	693	7.19
1830	11,738	1,127	8.76
1840	15,224	1,845	10.81
1850	19,648	3,543	15.28
1860	25,226	6,216	19.77
1870	28,656	9,902	25.68
1880	36,026	14,129	28.17
1890	40,841	22,106	35.12
1900	45,834	30,159	39.69
1910	49,973	41,998	45.66
1920	51,552	54,157	51.23
1930	53,820	68,954	56.16
1940	57,246	74,424	56.52
1950	[1] 54,230	[1] 96,468	64.01
1960	[1] 54,054	[1] 125,269	69.86

[1] New urban definition.

Source: Historical Statistics of the United States, Colonial Times to 1957, p. 14; and Statistical Abstract of the United States, 1965, p. 15.

MISLED PUBLIC OPINION: ANSWERS FOR THE PRESIDENT

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, a citizen of Illinois has answered the questions posed by President Johnson during his announcement of the Commission on Civil Disorders: What happened? Why did it happen? And what can be done to prevent it from happening again? This answer to the President comes in the form of a letter which was addressed to the White House.

I believe it has the answers. Or, at the least, the beginnings of them. It is a quiet, yet passionate appeal to turn away from the policies which have failed, and courageously institute policies which will succeed. Letter writer John T. McCarty makes an excellent case for the fact that "misled public opinion" is the "central problem which exists in America today."

Pointedly, Mr. McCarty writes:

> I don't think you or I or anyone should waste time seeking to blame someone for these riots in our cities. I believe the answer lies in the phrase "mea culpa."

The letter follows:

ROCKFORD, ILL.,
August 1, 1967.

Hon. LYNDON B. JOHNSON,
President of the United States of America,
White House, Pennsylvania Avenue,
Washington, D.C.

DEAR MR. PRESIDENT: Page one of the July 30 New York Times announces your new Commission on Civil Disorders and quotes you as asking three questions: (1) "What happened?" (2) "Why did it happen?" and (3) "What can be done to prevent it from happening again and again?" Ironically, the adjoining news story announces that New York "City's Welfare Roll Soars Despite Jobless Rate Dip." I think both stories are related to the central problem which exists in America today, namely "missed public opinion."

I am writing my three answers to your questions primarily because of the pictures in the newspapers and on TV with you and your new grandson. For the sake of him as well as the other children in this country plus their confused parents and grandparents, I hope you will consider reading these answers and sending me your reply. I don't think you or I or anyone should waste time seeking to blame someone for these riots in our cities. I believe the answer lies in the phrase *mea culpa.*

I believe misled public opinion is the answer to your three vital questions. Here's why. Almost two years ago, on August 3, 1965, you made a speech on the south lawn of the White House, among other things, you said:

"... Free speech, free press, free religion, the right of free assembly, yes, the right of petition, the right to buy ads and to have teach-ins and sit-ins and parades and marches and demonstrations—well they're still radical ideas. And so are secret ballots and so are free elections, and so is the principle of equal dignity ...

"I hope that you ... will go out into the hinterland and rouse the masses and blow the bugles and tell them that the hour has arrived and their day is here; that we are on the march against the ancient enemies and we are going to be successful."

I honestly believe many people in the cities accepted your statement as a reason to riot. The late Adlai Stevenson said many times something to the effect that a jail sentence on behalf of what one believed in would be a badge of courage for those who took every measure to satisfy their wants. Martin Luther King is one of many Negro officials who has urged his following to violate any law that they do not like. Mr. President, I think the answer to your first question "What happened?" was that thousands of people in our bigger cities decided to follow the bad advice of you and other officials in Negro organizations as well as the bad leadership of too many political officials in both parties.

Misled public opinion is the No. 1 problem of our country because the representatives of the news media are too often substituting their personal solutions for the economic, social, and political problems of our time. They are trained as reporters but too many of them fail to report the facts and, instead, transfer their credentials as a reporter into making themselves experts on economic, social and political issues which, of course, they are not. A recent example of this is the two editorials in the July 30 New York Times. This paper consistently wins my prize for creating "misled public opinion."

This gets complicated when the politicians see minority groups as their best insurance for perpetuating themselves in office by promising these groups more and more. Thus, misled public opinion leads to a gullibility that exists among too many of our citizens. This gullibility enables politicians to get away with political solutions to economic and social problems. It is my hope that you who have all the money that you could possibly use, you who have attained all the power and glory that any one man could wish for, would in this time of crisis, refuse to give any more political solutions to the economic, social, and moral problems that exist in America today.

Your second question "Why did it happen?" should be obvious. In 1960 the late President Kennedy unveiled his "New Frontier" philosophy which in effect said that every American citizen was entitled to food, housing, clothing, education, jobs, and recreation, etc. You came along and unveiled your "Great Society" which went several steps further and implied that each person in the world was entitled to all of these values at the expense of the United States. Please remember the lengthy debate before the Civil Rights Bill was signed in 1964. Sen. Barry Goldwater and Sen. Smith were the two senators who voted against this bill saying that this law would *not* solve the problem of the Negroes and, in fact, would leave them expecting more than they were going to get. This was the political solution to the social problem of civil rights. The Supreme Court's famous decision of 1954 again led too many Negroes to the false hopes that immediately they would receive all the things President Kennedy and you promised them. And so, I say the answer to the second question, "Why did it happen?" is this: too many Negroes living in squalid conditions of our cities decided that they had waited long enough for the things promised by you and other officials and that they were going to get these things they wanted right now, even if they had to *break store windows* to get them!

Your third question is "What can be done to prevent it from happening again and again?" First, let's remember that poor people have come to America from all the countries of the world. You came from a poor family. Many of the prominent people of today came from poor families. Some of them were brought up from the slums of New York, Chicago, Newark, Detroit—the very same cities where the riots took place. Most of the poor people of the past had mothers and fathers that demanded respect for the law, respect for the country, respect for a church, and most of all, respect for themselves. This country is filled with examples of how immigrant parents and grandparents scrimped and saved to enable their children and grandchildren to get an education which would permit them to move from the slums and take their place in the mainstream of America. Poverty existed, slums existed, but the key ingredient is that respect for law and order also existed.

I would hope that you would review the history of "urban renewal" so that you could understand and help others to understand that this estimated $20 billion has failed to solve the problems in the cities of America. I would wish that you would read again the news story describing the welfare problem in New York City which states that 665,621 people are receiving more than a billion dollars in welfare in New York City. I wish you would think about the current welfare objectives and policies in America today which, in effect, subsidizes illegitimate children by instilling the incentive plan which allows more money for the mother for each illegitimate child she brings into the world. You are aware that the largest amount of money spent on welfare is aid to the dependent children which means that our laws will pay to dependent children only when the mother can prove that there is no father available to support her children. I repeat, you and I and all citizens are responsible for subsidizing illegitimate children and for insisting that the father be absent from the home in order for the mother to collect additional benefits. I submit this is in direct confrontation with what I said earlier; namely that the history of this country could be measured by the sacrifices of fathers and mothers, by grandmothers and grandfathers, to instill value judgments in their children. When you realize that the safest place in New York City or San Francisco is Chinatown, then you cannot overlook the importance of a society that insists upon mother and father being held accountable for their children. I suggest that you examine the relief rolls of the major cities in this country and you will find very little, if any, Chinese. This is because they have a strong sense of family responsibility.

And so, Mr. President, in order to help you answer your third and most important question, "What can be done to prevent it from happening again and again?" I suggest that you *not* listen to the mayors, the governors, and the members of Congress, and your own aides who are promoting more massive doses of Federal aid. Newark, N.J., probably receives more Federal aid than any other city of the U.S. with the exception of maybe Detroit. The current Mayor of Detroit probably worked harder for Negroes and the poor than any man in our time and was rewarded with more devastation than Newark had.

America and most of its citizens have enjoyed the good life because of our individual enterprise system of incentives, based upon risks, rewards, and responsibility. As a Harvard professor said recently in *Life* Magazine, "Businessmen and politicians must pay for their mistakes; the academic never does." I think you have to correct the central problem of misled public opinion by demanding that the "action-intellectuals" who leave the campuses for a more exciting life in Washington be held accountable for their actions. I think the mass media of this country, should be severely criticized for playing up out of proportion the zealots and the quacks who would be laughed out of town if it were not for the widespread publicity and attention they get via TV and the newspapers.

Finally, Mr. President, it is quite obvious that you personally are in great political trouble for getting re-elected in 1968 primarily because of the War in Viet Nam and now because of the domestic riots in our cities. I did not vote for you and could tell all my friends who *did* how wrong you were, but you are still the President.

I suggest two things:

1. *Win the War in Viet Nam Now!* It is unthinkable that the same U.S. that destroyed Hitler and Mussolini and Tojo could be held to a stalemate in Viet Nam particularly with the hardware that we have now. For the sake of your new grandchild and other grandchildren in this world, why not announce to North Viet Nam that we are through trying to win a popularity contest and that we intend to bring peace to the world by winning this war immediately and will use nuclear weapons to do so because we value the life of a single American boy *more* than we value winning the world popularity contest. Ignore your advisers who tell you that Red China and/or Soviet Union will retaliate. The former *cannot* and you know that the latter *will not* risk the destruction of their key cities for the swamps of Viet Nam. In announcing your decision to win the war in Viet Nam immediately, you should also announce to all the peoples of this world that the people of the United States of America have contributed more than $100 billion to help the rest of the world since the end of World War II. It has *not* helped us in any lasting way and we are going to *stop* supporting the rest of the world and instead turn all of our capabilities to solving the problems here at home.

2. The second suggestion is to address both Houses of Congress and the nation at large on television in order to tell them of your first decision and, secondly, to announce your recommendation for solving the domestic problems at home all of which stem in my opinion from *misled public opinion*. You can tell the Congress and the people that you have come to the conclusion that giving away money overseas has *not* brought us any lasting friendships and that giving money away at home has *not* brought us respect, responsibility, and cooperation. Tell the Congress and the American people that you want to restore the American values of individual incentive, risks, rewards, and responsibility. Tell them that you are the first politician in recent time who is giving up the practice of offering political solutions to economic, social and moral problems. Tell them that Americans should stop the current welfare practice of subsidizing illegitimate children and the equally damaging one of insisting that the father *not* live at home in order for the mother to collect aid for the dependent children. Tell the Congress and the American public that you sincerely believe that most American citizens would welcome as their neighbors decent, law-abiding Negroes. Most of us want Negroes and all other citizens to be economically free, to have jobs that will enable them to support themselves and their families, to *pay* taxes instead of accepting tax handouts. Tell the Negro officials and the Negro people that they must help themselves by censuring those in their ranks who advocate lawlessness, disrespect, and immorality.

Mr. President, this is a long letter but I sincerely want to help you find the answers to your three questions. As I listened to your recent TV speech announcing your decision to send Federal troops into Detroit, I detected that you were playing politics with a potential Republican nominee. I don't happen to believe that Romney would make a good president but I don't believe you should play politics this way. Although I live in Illinois, I happen to think your appointment of Gov. Kerner to head up your new Commission on Civil Disorders was pure politics in the old Noah's Ark concept of putting two of everything on board. Finally, you instructed the members of the new commission "to find the answers without regard to conventional wisdom." Here again, I believe you are wrong because we've gotten into trouble in our cities today precisely because we have ignored the conventional wisdom and are now accepting political solutions to economic and social problems. Do you think that the Negroes and the Puerto Ricans would leave their homes and come to New York, Chicago and other big cities if *they were not paid to live there* by politicians who care more about their vote than about principles?

I came to Illinois after working and living most of my life in New York City in a major industry in this country. I came to work at a small college in order to seek solutions to problems confronting the country today. I conclude that misled public opinion is the main problem. I hope you will read this letter instead of giving it to one of your aides who will suggest a political solution. I am sending a copy of this letter to my Congressman, John B. Anderson, and my Senator, Everett M. Dirksen, because I am proud to have them represent me.

Sincerely,

John T. McCarty.

GUERRILLA POLITICS

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, we are hearing much these days about the National Conference for New Politics—NCNP—which is beginning preconvention workshops and caucuses today. The Washington Star of August 29 ran an article entitled, "Plan by U.S. Reds To Run 'New Politics' Reported" which I insert at this point:

Plan by U.S. Reds To Run "New Politics" Reported

Government investigators have uncovered a Communist party plan to take over control of the National Conference for New Politics, a coalition of peace, civil rights and antipoverty figures, informed sources said today.

Communist organizations have instructed their workers to conduct an intensive effort to win control of the conference at its five-day convention which starts in Chicago Thursday, sources said.

The Communists have been told to become convention delegates, obtain positions on convention committees or other key organs, and keep their Communist party membership a secret.

The over-all plan, sources said, is for the Communists to use the conference as a third political party to replace the defunct Progressive Labor Party and control "New Politics."

Dr. Martin Luther King Jr. is scheduled to give the keynote address at the conference, which might consider formation of a third party—running King and Dr. Benjamin Spock, the baby specialist-peace activist, in the 1968 presidential campaign. Reports from Chicago indicate, however, that a third-party move is doubtful.

Among leaders of the national conference are Spock; Julian Bond, the Georgia Negro legislator; Simon Cassidy, former California Democratic Council president, and Paul Booth, former president of the Students for a Democratic Society.

The leadership also includes Stokely Carmichael, the black power advocate; the Rev. William Sloane Coffin Jr., chaplain of Yale University, and Warren Hinckle III, editor of Ramparts Magazine.

These leaders hope to unite a wide coalition of members of the peace and freedom movement ranging from black nationalists to peace activists and use the coalition to split and pressure the two major political parties.

The Communist party plans to infiltrate the conference were mapped at a meeting of the Reds' national committee in New York in June, according to federal security investigators.

After the meeting, party public relations director Arnold Johnson sent out letters to all party segments reporting that leaders wanted "immediate attention" given the convention, sources said.

Communist leaders have been issuing "word of mouth" instructions to members for several weeks, investigators said, instructing them to "attend the convention, become a delegate, obtain key positions on steering committees or convention commissions. Above all, do not allow your Communist membership to become known."

The party leadership hopes that through infiltration, it can intensify the convention's expected demands for U.S. withdrawal from Vietnam, support for militant civil rights elements connected with city riots, and the initiation of a third party presidential ticket, sources said.

Government sources said the planned activity of the party was in line with information investigators received earlier this year that the Communists were ready to move out into an independent political venture connected with the peace and civil rights movements.

A comprehensive treatment of the NCNP appeared in Barron's, the business and financial weekly on August 28 and written by Alice Widener, the nationally syndicated columnist and publisher of the biweekly U.S.A. This excellent coverage of the nature of the NCNP should be well digested by those who are committed to preserving our Nation, its basic freedoms, rights and responsibilities. At this point I request that excerpts from the article "Guerrilla Politics: Old or New, the Left Aims To Destroy the Free Society," by Alice Widener be inserted in the Congressional Record:

GUERRILLA POLITICS: OLD OR NEW, THE LEFT AIMS TO DESTROY THE FREE SOCIETY

(By Alice Widener, nationally syndicated columnist and publisher of the bi-weekly U.S.A.)

A presentable young man in a hurry, with shining corn-silk hair worn long enough to be in with the radical ins, but not too long for the middle-class outs, stood on center stage at McMillin Theatre, Columbia University, on Thursday evening, August 17, 1967. Impeccably dressed in a rust-colored sports jacket, white shirt, black tie and dark slacks, he surveyed the small, hastily assembled audience of leftists and told them in a well modulated but decisive tone that the old society in America is dead, that the Democratic and Republican parties are bankrupt, and that a new radical society must be created by New Politics. "The only thing that matters," he said, "is how to do it. It must happen."

The young man was William F. Pepper, executive director of the National Conference for New Politics (NCNP). Mr. Pepper was in a hurry to organize a local chapter of New Politics, empowered to send delegates to the first national convention of NCNP, which will be held at the Palmer House in Chicago over Labor Day weekend. Pre-convention workshops and caucuses will take place on August 29–31. Dr. Martin Luther King will be keynote speaker at the convention rally, August 31, at the Chicago Coliseum, under the slogan "1968 and Beyond."

More than two thousand delegates, representing approximately 330 leftist, youth, and "peace" organizations, are scheduled to take part. Most are said to favor the organization of a nationwide third party to run Dr. King and Dr. Benjamin Spock, the famous pediatrician, as New Politics candidates for President and Vice President of the U.S. in 1968. It is unlikely, however, that the NCNP will formally announce a King-Spock ticket at the forthcoming convention, because the Communist Party, U.S.A. opposes a premature decision prior to the Republican and Democratic conventions next summer. Arnold Johnson, public relations director of the Communist Party, has been working closely with the NCNP convention steering committee in Chicago, where he conferred last month with Michael Wood, official convention coordinator.

As William F. Pepper made clear in his speech at McMillin Theatre, the Chicago convention probably will decide to confine New Politics activities mostly to local and state areas. However, some regional independence among radicals will be permitted, and "it is possible the group at Berkeley, if they want to, will work now for a King-Spock candidacy." Mr. Pepper explained that New Politics is a two-pronged operation, which is "issues-oriented and action-oriented." He said there are only three things that count in professional politics—"money, power and numbers."

The National Conference for New Politics is the brainchild—said Pepper—of "a small group of academicians and theorists who met on the West Coast in the summer of 1965." They were aided and abetted "by a fund that performs large services as a bank, a funding operation by a fund longtime established."

To a student of New Politics, Pepper's deliberate failure to name names failed to deceive. A year ago, The Houston Post carried an article, "New Political Force Rising Across U.S.," by Paul White, who reported from New York City: "In less than a year, the NCNP has become the rallying point for pacifists, campus radicals, leftwing crusaders, social theorists and Reform Democrats. . . . To found the National Conference, (Julian) Bond, (Simon) Casady, Stokely Carmichael of the Student Non-violent Coordinating Committee (Snick) and a host of militants assembled last August at the Santa Barbara, Calif., facilities of the Center for the Study of Democratic Institutions." The left wing center at Santa Barbara is the sole institution supported by the tax-exempt Fund for the Republic, which was created in 1954 by a $15 million grant from the Ford Foundation.

Mr. Pepper continued his recital of NCNP history by saying that the activities of the group which created New Politics on the West Coast were subsequently "transferred to the Institute for Policy Studies in Washington, D.C." The first nationwide organizational meeting was held in McCormick Place in Chicago on January 15, 1966, under the auspices of the radical leftist Committee for Independent Political Action (CIPA). At that time (Barron's, January 31, 1966), Co-Chairman Dick Gregory sounded the keynote, with the statement: "If Watts was wrong, we'd better go burn all the American history books." Mr. Gregory is now a member of the NCNP executive board.

Mr. Pepper told his audience: "The National Conference for New Politics is non-exclusive." It certainly is. Stokely Carmichael, for example, is a member of its national council and executive board. On the same day as Mr. Pepper was organizing the National Conference for New Politics' New York chapter, his fellow board member, Mr. Carmichael, was broadcasting a call over Havana Radio in Cuba for "total revolution in the United States." What Mr. Pepper really meant by "non-exclusive" is that NCNP is willing to admit to its membership or executive leadership any member of the Communist Party or of other revolutionary groups, such as the Revolutionary Action Movement (RAM), directed by Robert Williams from Cuba, and the New Breed, mysterious militant Negro group in Chicago.

In 1968 and beyond, Mr. Pepper continued, NCNP expects "to play the numbers game" by seeking voting support for its activities and local candidates from "the grass roots numbers of the minorities and the poor, and the middle-class peace groups and their supporters." This is undoubtedly true. Robert Schwartz, national board member of the Committee for Sane Nuclear Policy (SANE), was on the theater stage with Pepper and handled the parliamentary procedure for setting up the New York NCNP chapter.

There will be a move at the Chicago convention over Labor Day weekend to expel Stokely Carmichael from the executive board, not because of his revolutionary views, which are close to those held by several top NCNP people, but because of a recent pamphlet issued by Carmichael's own organization, "Snick," which sided with the Arabs in the Arab-Israeli dispute and inveighed against Jewish shopkeepers and landlords in Harlem and other Negro urban residential areas.

The National Conference for New Politics is a leftist united front which strikingly resembles the Communist-controlled Progressive Party that ran Henry Wallace on a third party ticket for President in 1948. There is, however, a major difference. In those days, the traditional forces for law and order in our country had not yet been badly undermined by Supreme Court decisions in criminal and Communist cases. Today, law and order have been subverted by misinterpretations of the U.S. Constitution, imposed on most Americans by a zealous minority of leftist activists in the American Civil Liberties Union, the Communist-front Emergency Civil Liberties Committee (whose brilliant attorney, Leonard Boudin, has won so many of the Communist cases brought before the Supreme Court), and by intellectuals at the Fund for the Republic's Center for the Study of Democratic Institutions. Supreme Court Justice William O. Douglas is a member of the Fund's board of directors, a consultant to the Center and a fund-raiser for it.

For 1968 and beyond, New Politics threatens the U.S. government and the nation's social and economic system with anarchy and destruction. The National Conference for New Politics, which claims to be an expression of the young New Left, is now largely controlled by the Old Left, i.e., by the Communist Party, U.S.A. and the worldwide Communist apparatus.

As defined in the original document, "A Call to New Politics," issued by a group of academicians and theorists—including W. H. Ferry and Hallock Hoffman, respectively vice president and secretary-treasurer of the Fund for the Republic's Center at Santa Barbara, its staff members Stanley Sheinbaum and Harvey Wheeler, and Robert Scheer, publisher of Ramparts magazine—New Politics is "pressure point politics—operating directly on society's most vulnerable points," as well as "guerrilla politics," "liberation front politics" and "revolutionary politics," which hold that the so-called evils accompanying the process of capital formation "can be exterminated at their roots." New Politics also condemns private enterprise as responsible for "exploitation, corruption and pollution," and calls for total regulation and control of business by the states and cities.

It should now be clear to an American businessman that if he gives a dime to anyone in New Politics—whether on his own or through a tax-exempt foundation, church or "peace" organization—he is helping to subsidize his own, his family's and his nation's ruin.

Onstage at McMillin Theatre, William F. Pepper stressed the dual intellectual and political nature of New Politics and said flatly, "The press doesn't understand it." In general, he is correct. Through the failure of most of the communications media to inform the public about the activities and aims of left wing radicals, they are left free to pursue their pressure point politics on vulnerable areas of society until a culmination is reached in Cambridge, Md., Newark or Detroit, or in unlawful demonstrations on Capitol Hill.

Bob Ross is administrative director of the Radical Education Project, run by Students for a Democratic Society (SDS), a main participant in the NCNP convention and a prime mover in New Politics. In the FBI Law Enforcement Bulletin, dated October 1, 1966, J. Edgar Hoover describes Students for a Democratic Society as "a militant youth group that receives support from the Communist Party and which in turn supports Communist objectives and tactics." The National Conference for New Politics convention in Chicago is receiving and welcoming support from long-time Communist Party officials Dorothy Healey of California and Claude Lightfoot of Illinois.

Among the members of the National Conference for New Politics national council and executive board are: Paul Albert, California Democratic Council; Donna Allen, Women Strike for Peace; Julian Bond, Georgian State Legislature; Paul Booth, national council, Students for a Democratic Society; Reverend William Sloan Coffin, Jr., chaplain, Yale University; Victoria Gray, Mississippi Freedom Democratic Party; Dick Gregory, actor; Martin Peretz, Committee on Social Studies, Harvard University; Robert Scheer, publisher, Ramparts magazine; Monroe Wasch, American Federation State, County & Municipal Employees; Henry Wineberg, Committee for Independent Political Action, Chicago; and Michael Wood, former member of the National Student Association who leaked to Ramparts information about the operations of the Central Intelligence Agency.

Prominent socialist scholars on the NCNP national council include Erich Fromm, psychiatrist; Dr. Albert Szent-Gyorgi, Nobel laureate; Professor of Philosophy Herbert

Marcuse, University of California at San Diego; and Professor of Industrial Engineering Seymour Melman, Columbia University.

The main pressure points of the NCNP convention in Chicago will be the Vietnam war, the Negro revolution, the organization of welfare workers and recipients into activists making demands to overburden local, state and federal government budgets, and—perhaps most perilous of all—anti-military propaganda, designed to effect the unilateral disarmament of the United States.

The first edition of New Politics News, published by the NCNP Convention Center in Chicago, describes America as "the scourge of the world." It proclaims, "We start with one commitment: Don't mourn for America— Organize!"

If NCNP succeeds in its nationwide and local community organizing, it is safe to predict that the riots, flag burnings and subversion of 1967 will be insignificant compared with what will happen in 1968 and beyond.

What William F. Pepper, executive director of NCNP, achieved onstage at McMillin Theatre on August 17, was to organize a New York chapter of New Politics to help overthrow the government and bring about what the National Conference for New Politics calls "the radicalization of the American people." That, he says, "must happen."

It must not.

REVIEWING THE RECORD OF CONGRESS

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, at the opening of this session, January 19, 1967, Senator DIRKSEN and I presented a Republican appraisal of the state of the Union. In my domestic portion of this presentation I outlined a 40-point program of constructive Republican proposals for consideration of the 90th Congress.

Thirty of these proposals were in the area of Republican alternatives to the tired Democratic approaches of the 1930's, reflecting philosophical and practical political differences. Ten were in the vital area of national security, where there is substantial agreement between knowledgeable Democrats and Republicans on key defense committees but very wide disagreement between Congress and the executive branch.

In reviewing the record of this Congress between the Lincoln's birthday and the Labor Day recesses, in which the bulk of the legislative workload is usually done, Republicans can be gratified by the fact that most of our national security proposals have received bipartisan backing and approval in the Armed Services, Merchant Marine, Joint Atomic Energy, and Appropriations Committees from the whole House of Representatives. But the President and his Secretary of Defense continue to resist some of these recommendations, including the ever-more-urgent need to get going on an anti-ballistic-missile defense system.

Among the 30 practical, problem-solving Republican legislative proposals outside the defense field, the House has completed action on only eight, one of which bears a Republican label—the Cramer antiriot bill—and one of which was belatedly embraced by President Johnson—restoration of the investment tax credit.

The other six House actions—though some have not passed the Senate—bear strong Republican imprints and embody the sentiments of a great majority of our citizens on matters deeply and directly concerning them. They are:

Creation of a House Committee on Standards of Official Conduct, which would never have been approved except for the insistence of Republican members—notably some of the 59 newly elected last November—in the wake of Democratic scandals in the Powell, Dodd, and still pending cases.

A greatly improved and strengthened social security bill, increasing benefits to help our senior citizens resist the ravages of Great Society inflation, and providing needed new direction and constructive State control of welfare programs.

A balanced package of crime prevention and law enforcement legislation, including the previously mentioned antiriot bill, a companion bill guaranteeing Federal protection to civil rights workers in lawful exercise of constitutional rights, amendments to the Law Enforcement Assistance Act strengthening the role of the States and local governments in upgrading law enforcement as a career, and establishing a National Institute of Law Enforcement for the dissemination of the latest methods of police science.

Long overdue legislation giving veterans of the Vietnam war equal benefits with veterans of other conflicts, and increasing benefits to veterans' widows and children to keep up with rising costs of living.

Some progress or partial success can be reported on eight more of my Republican state of the Union proposals, so that we have made visible strides thus far in this session on 16 of the 30 nondefense programs.

First. Under constant pressure from Republican members, both in committee and on the floor, the House so far has trimmed the President's budget requests by about $4 billion, although it has rejected additional economy efforts by the minority in many instances. Republican efforts to have the President submit a revised budget have been blocked, but the administration has admitted that its initial estimates were unrealistic.

Second. The Republican principle of rejecting categorical Federal aid, with its ever-burgeoning Washington bureaucracy and inability to adapt to local conditions, is winning converts daily. While our alternative of revenue sharing with the States and local governments has not been accepted across the board, the principle prevailed in the final House version of the Elementary and Secondary Education Act and the Republican-amended Law Enforcement Assistance Act, and may still be applied to important pending legislation such as the comprehensive health and poverty bills.

Third. The bipartisan clean elections and campaign reform bill—Ashmore-Goodell—now under consideration by the House Administration Committee embodies the major Republican recommendations in this important area which demands action before the 1968 campaign year.

Fourth. The Senate has effectively pigeonholed the Long amendment calling for financing of national political campaigns through a checkoff of individual income tax dollars, which Republicans opposed.

Fifth. Participation sales as a devious device of deficit financing was not repealed, as we proposed, but the debt ceiling bill finally approved by the House does require honest reporting of such borrowings in future budgets.

Sixth. The imaginative Republican plan for homeownership by low-income Americans advanced in the Widnall-Percy bill has received attention in both Senate and House committees and is in some danger of being kidnaped by the Johnson administration.

Seventh. Our call for tax incentives to encourage reduction of air and water pollution was partially answered by restoration of the investment tax credit, though more action in this area is under study by Republican task forces.

Eighth. Although the Republican reform package for the District of Columbia government was approved by the District of Columbia Committee, the House rejected it in favor of the President's reorganization plan. However, Representative ANCHER NELSON's proposals for an elected school board and a delegate in the House of Representatives may yet win separate consideration.

There remain 14 of my 30 January 19 state of the Union proposals in the nondefense domestic category, and one of the 10 in the area of national security, upon which no action has been taken by the House under its present Democratic control.

Republicans regret that no action has been taken on their proposal for a bipartisan, blue ribbon commission of the Nation's best experts to re-examine our short- and long-range national defense posture.

Among the most urgently needed and possibly stalled programs are the bipartisan congressional reorganization bill, which has passed the Senate, and which under Republican recommendations would include an investigative committee controlled by the minority party.

Others pending in the House include the opportunity crusade which Republicans would substitute for the mismanaged poverty war, and the Human Investment Act which also seeks to enlist private enterprise in job training programs.

Nothing has been finally done by this Congress on the subject of fair and equitable division of political time by radio and television, safeguards against unauthorized wiretapping with defined permissive limits in the public interest, prevention of national emergency strikes—except the stopgap action on the rail strike—and streamlining the executive branch through another Hoover-type Commission, all Republican-sponsored proposals.

Considering that we are still the minority by a 31-vote margin, I am encouraged that Republicans in the House have been able to accomplish as much as we have in translating the mandate of the American people last November into actual accomplishment, both through our increased strength on committees and on the floor. Certainly the vital legislative process has been restored in the 90th Congress and its advantages over the rubberstamp record of the lopsided 89th Congress already are apparent. It remains obvious, however, that to really enact a constructive Republican program it will be necessary to win a majority in the House of Representatives next year. We are building a good record upon which to do just that.

The aforementioned outline of the 40-point Republican proposals follows:

DOMESTIC LEGISLATIVE PROPOSALS IN JANUARY 1967 REPUBLICAN STATE OF THE UNION

1. Restore Investment Tax Credit.
2. Repeal Participation Sales.
3. Cut Non-essential Spending; Revise President's Budget.
4. Tax and Revenue Sharing; Block Grants.
5. National Commission on Urban Living.
6. District of Columbia Reforms.
7. Tax Credits for Higher Education Costs.
8. Improve Social Security and Increase Benefits.
9. Equalize Vietnam Veterans Benefits.
10. Revamp Poverty War Opportunity Crusade.
11. Human Investment Act to Expand Job Training.
12. Home Ownership for Low-Income Families.
13. Executive Branch Reforms—Hoover-type Commission.
14. Merit System for Postmasters.
15. Fair Farm Prices in Marketplace.
16. Study National Emergency Strike Laws.
17. Congressional Reorganization.
18. House Ethics Committee.
19. Investigating Committee Under Minority Control.
20. Clean Elections & Campaign Reform Law.
21. Repeal Long Amendment for Federal Financing of Major Party Campaigns.
22. $100 Tax Deduction for Political Contributions.
23. Electoral College Reform.
24. Fair and Equitable Political Time on TV-Radio.
25. Forbid Interstate Travel to Incite Riots.
26. Protect Lawful Civil Rights Workers.
27. Safeguards on Wiretapping & Eavesdropping.
28. Curb Air and Water Pollution.
29. Upgrade Law Enforcement as Career.
30. National Institute of Law Enforcement.

NATIONAL SECURITY PROPOSALS

31. Blue Ribbon Commission to Re-examine policies.
32. Modernize U.S. Navy and Nuclear Propulsion.
33. Counter Threat of Enemy Missile Submarines.
34. Revive and Rebuild American Merchant Marine.
35. Upgrade Independent Maritime Administration.
36. Develop Advanced Manned Strategic Bomber.
37. Develop Improved Manned Interceptor.
38. Strengthen Reserve and National Guard.
39. Eliminate Inequities in Draft.
40. Speed Anti-Ballistic Missile Defense.

CONGRESSIONAL CONFIDENCE IN ATTORNEY GENERAL SHAKEN

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. BROYHILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, once again congressional confidence in the Attorney General of the United States is shaken.

If the impact of the vote of no confidence in the Attorney General registered so overwhelmingly in this Chamber last month in the so-called safe streets bill is doubted, then take a look at the Attorney General's latest low stature as the Nation's No. 1 defender of the law.

The Congress, in its role of legislator for the District of Columbia provided by law that persons must be bona fide 1-year residents of the District before becoming eligible for public welfare assistance—3 District of Columbia Code, 203. Significantly, 40 States have established residency requirements as a condition of eligibility for general public assistance. And, even more significantly, the Congress has sanctioned these State residency requirements by enacting a Federal law providing for a Federal contribution to State-administered programs where the condition of eligibility does not exceed a 1-year residency requirement—42 U.S.C. 602(b).

The District of Columbia's 1-year residency law recently has been called into question in a suit by Minnie Harrell and others, wherein her neighborhood legal service's attorney challenged the constitutionality of the 1-year residency requirement, arguing that it is both a denial of due process and an unconstitutional restriction of the right to travel.

District Judge Alexander Holtzoff ruled that these contentions as to unconstitutionality do not raise a substantial question of constitutionality and he thus refused to convene a Federal three judge court to consider the constitutional question sought to be raised.

Judge Holtzoff was, however, overruled by Chief Judge David Bazelon and Judge Spottswood Robinson, with Judge Edward Tamm dissenting. Then Judge Holtzoff was ordered by that decision to certify to Judge Bazelon that a substantial constitutional question was involved. Judge Bazelon, who has long been noted for his habit of judicial legislation and activism, then proceeded to name himself, Judge Fahy, and Judge Holtzoff to the three-judge bench.

In this present posture the three-judge court has certified to the Attorney General, as provided by Federal law—28 U.S.C. 2403—that the "constitutionality of an act of Congress affecting the public interest" is drawn into question. The argument of the issue is set for September 7.

As of this moment, our No. 1 defender of the public laws has not yet even responded to the suit, and neither has any lesser defender in the Attorney General's office been authorized by him to respond.

Abdication by the Attorney General of his responsibility to defend acts of Congress poses a grave question. Whom shall we trust to represent the people of this Nation, acting through their elected representatives, when those acts are called into question? Is it no wonder confidence in the Attorney General is at such a low ebb when taxpaying citizens of this country cannot rely on him to respond for them when acts they authorized, through their Congress, are challenged?

I ask you is it not a grave constitutional question, and is it not in the vital public interest to defend a law passed by Congress when that law provides reasonable requirements within the District of Columbia to protect the interest of the citizens therein?

Just as it is reasonable to impose residency requirements on the right to vote, to encourage intelligence as to local conditions in the voters' minds, is it not equally reasonable to establish minimum residency requirements for eligibility to receive public welfare assistance? Remember, there is a great distinction between the right to vote and the fact that welfare is a matter of legislative grace.

I can only say, with a feeling of shame and sadness, it is not surprising that the office of the Attorney General presently commands so little respect and confidence in this body.

Only 1 week remains to respond to a suit challenging an act of Congress. Where is the Attorney General?

ANNUAL REPORT OF THE OFFICE OF ALIEN PROPERTY, DEPARTMENT OF JUSTICE, FOR FISCAL YEAR ENDED JUNE 30, 1966—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. ALBERT) laid before the House the following message from the President of the United States, which was read, as follows:

To the Congress of the United States:

I am pleased to transmit the annual report of the Office of Alien Property, Department of Justice, for the fiscal year ended June 30, 1966, in accordance with section 6 of the Trading With the Enemy Act.

Of the $900 million of property vested under the provisions of the act, only $67 million still remained under the Office's control at the close of the fiscal year.

The Office of Alien Property ceased to exist as an independent entity on June 30, 1966. Its remaining functions are being performed by the part-time services of Justice Department personnel under the supervision of the Assistant Attorney General in charge of the Civil Division.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *August 31, 1967.*

The SPEAKER pro tempore (Mr. ALBERT). Without objection, the message, together with the accompanying papers, is referred to the Committee on Interstate and Foreign Commerce.

There was no objection.

NOISE POLLUTION REVISITED

The SPEAKER pro tempore. Under previous order of the House the gentleman from New York [Mr. KUPFERMAN] is recognized for 60 minutes.

Mr. KUPFERMAN. Mr. Speaker, on January 18, I reintroduced my bill H.R. 2819—H.R. 14602 in the 89th Congress—to establish an Office of Noise Control in the Office of the Surgeon General of the United States. At the same time, I introduced H.R. 2820 to authorize a program specifically for aircraft noise abatement alone.

My statement on the problem is found at page 788, and following, of the CONGRESSIONAL RECORD of January 18, 1967.

As my colleagues know, it is my feeling that the problem of noise abatement in all areas—not simply for aircraft—is a burgeoning problem to be heard and acted upon while there is yet time to still the din.

My various statements on the subject are found in the CONGRESSIONAL RECORD, volume 112, part 7, pages 8745 through 8768; 9470 to 9477; volume 112, part 8, page 9679; May 16, daily pages A2629 and A2630; volume 112, part 9, pages 12191 to 12205; August 1, daily pages A4046 to A4049; volume 112, part 14, pages 18233 to 18257; volume 112, part 15, page 20388; volume 112, part 20, pages 27803 to 27824, and page 27874. In the 89th Congress, in addition to the statement on January 18, 1967, further analyses can be found commencing at page 1739 of the CONGRESSIONAL RECORD of January 26, 1967; page 2582 of the RECORD of February 6, 1967; page 7280 of the RECORD of March 20, and page 10749 of the RECORD of April 25.

On Tuesday, September 12, at a luncheon meeting of the Chamber of Commerce of the United States at the Sheraton-Carlton Hotel, there will be a convocation under the auspices of their Natural Resources Committee on this subject.

The announcement from Secretary James G. Watt of this committee follows:

> The National Chamber will be sponsoring a luncheon in the Sheraton Room of the Sheraton Carlton Hotel. Congressman Theodore R. Kupferman (R., N.Y.), who has introduced legislation to launch the first comprehensive federal, state, and local assault on noise, will be the featured speaker.
>
> The Congressman will present a broad outline of what might be termed the "noise pollution" problem. In addition to Congressman Kupferman, the luncheon program will include A. J. Evans of NASA, and Elwood Driver of the Department of Transportation. These men will review for us the research and development activities of their respective agencies in the field of noise abatement and control.

This program was arranged by Chamber Research Associate John J. Coffey.

In consideration of this forthcoming meeting, I thought that I would bring up to date, references to the noise problem throughout the world since my last talk at the Acoustical Society of America—see CONGRESSIONAL RECORD of April 25, 1967, at page 10749.

A commendatory letter in this regard follows:

> U.S. DEPARTMENT OF COMMERCE,
> NATIONAL BUREAU OF STANDARDS,
> *Washington, D.C., April 26, 1967.*
>
> Hon. THEODORE R. KUPFERMAN,
> *House of Representatives*
> *Washington, D.C.*
>
> DEAR CONGRESSMAN KUPFERMAN: I wish once more to thank you for your stimulating address at the recent banquet of the Acoustical Society of America.
>
> Many people in the field of noise control, both in the Society as a whole and in our own Section here, have expressed to me their gratification that the country has in the House someone who so enthusiastically supports their views.
>
> Sincerely yours,
> MARTIN GREENSPAN,
> *Acting Chief, Sound Section, IBS.*

New York State Assemblyman John M. Burns and New York State Senator Whitney North Seymour, Jr., introduced a resolution in the New York State Legislature in support of my Office of Noise Control legislation.

The resolution follows:

> 94 Seymour.—Whereas, The control, prevention and abatement of excessive noise is of great importance to the physical well being of the people in the pursuit of their daily tasks; and
>
> Whereas, The problem of noise control and its abatement cannot be limited in its control to boundaries of state; and
>
> Whereas, The compilation of noise control data can best be accomplished by the resources of the federal government; and
>
> Whereas, There is presently pending in Congress a bill introduced by the Honorable Theodore Kupferman, M. C. from this state that would provide for a comprehensive program for the control of noise; and
>
> Whereas, The legislature of this state believes it to be for the best interest of the people of the United States that such bill be enacted into law; now, therefore, be it
>
> Resolved (if the Assembly concur), That the Congress of the United States of America be and it hereby is requested to enact into law H.R. 14602, and be it further
>
> Resolved (if the Assembly concur), That the Secretary of State be, and he hereby is, directed to send a duly certified copy of this resolution to the Senate of the United States and one to the House of Representatives in the Congress of the United States. (Same Resolution by Assemblyman J. Burns—A 124)

I was pleased to have the excellent labor publication Oil, Chemical & Atomic Union News, in their June 1967 issue, discuss my proposed legislation in an article by Jean Nikolas entitled "Noise Pollutes, Too":

NOISE POLLUTES, TOO

(By Jean Nickolas)

The 20th century may go down in history as the Pollution Era. And if the increase in noise pollution continues at its present rate—one decibel per year for the past 30 years—noise may outrank harmful fumes in the air and industrial organic wastes in water as the number one polluter.

Sound implausible? It isn't. Laws were finally enacted to control further pollution of our atmosphere and fresh water supply, but not before grave damage was done to some of our inland lakes and waterways. We have yet to take the first step to prevent any further increase in our counrty's over-all noise level—yet we are already considered the noisiest country in the world.

Permanent hearing damage can result from a steady overall sound above 95 decibels (a unit of measurement for the relative loudness of sound).

With 95 decibles of steady sound the danger zone, it is startling to note that the modern home dweller today is subjected to an average decibel level of 80. That the kitchen is considered the noisiest room in the home is perhaps not so startling. One noise expert says "the noise level in a modern kitchen is just below that of the cockpit of an old DC–3 airplane."

Today's modern home can have as many as 20 small motors creating varying noise levels ranging up to 70 decibels for the garbage disposal unit. An automatic dishwasher rumbles at around 60–70 decibels. The refrigerator creates 30 to 40 decibels of noise and it runs day and night. With the radio, air conditioner, vacuum cleaner, hi fi, TV, electric mixer, ventilating fans, telephone, doorbell and clanging pots and pans there is a cacophony of sound assailing the ears of the average housewife for all or part of every day.

And these sounds are all within the home. The home itself is not often soundproof and even indoors you can hear the power mowers outside, the screeching of automobile tires, honking horns, sonic booms from supersonic jet airplanes, sirens, the rattle of garbage cans and children yelling.

Noise and more noise.

Not all sounds are offensive to our ears, but even the loveliest of sounds—music for example—can be nerve wracking if it is too loud and goes on for too long. Experts warn that some sounds are actually dangerous to our health.

Medical men and experts in the science of acoustics have conducted some noteworthy studies on both animals and people on the health hazards of noise. Dr. Foster Kennedy, eminent brain specialist at New York's Bellevue Hospital, discovered that the same rise in brain pressure can be achieved with the bursting of a blownup paper bag as with morphine or nitroglycerine.

Sustained and unpleasant noise is suspected of causing many of man's physical ailments from insomnia to heart disease. Probably the best known ailment often attributed to noise is the nervous tension headache. These headaches are almost as widespread today as the common cold, but it is doubtful if our great grandparents knew the meaning of the term because noise was not a sustained part of our daily lives until the 20th century.

Scientists have conducted tests to determine the effects of long-term noise on the inner ear of the chinchilla. Microscopic study of sections of the cochlea (part of the inner ear) of the chinchilla after long-term noise exposure showed permanent cell damage. The greatest damage—with corresponding loss of hearing—was caused by exposure to the highest sound frequencies.

The National Sonic Boom Evaluation Office of the Stanford Research Institute has conducted tests on human brain wave activity during deep sleep. By means of electrodes attached to the head varying sounds of varying intensity and pitch are transmitted to the brain, and the sleeper's brain, heart and eye response recorded mechanically. The reaction of those tests varied. Apparently a sonic boom will merely disturb the deep sleep of some while it will awaken others.

One revealing experiment was conducted by Dr. Samuel Rosen, an ear surgeon. Dr. Rosen went to Africa to conduct hearing tests on Sudanese tribesmen who live far removed from 20th century noises. Tests on over 500 Sudanese from ages 5 to 90 revealed that the oldsters heard almost as well as the very young. Probably because they had never been forced to live in an asphalt jungle.

Rep. Theodore R. Kupferman (R.-N.Y.) is one legislator who would like us to do something about our increasing noise pollution. He introduced a bill in the 89th, and again to the 90th, sessions of Congress calling for an Office of Noise Control. Kupferman proposes a comprehensive legislative program to control noise, including sonic boom, the well-known booming sound occasioned when an airplane traveling at supersonic speed breaks the sound barrier.

Congressman Kupferman's bill, the first of its kind, would also provide grants to aid state and local programs designed to control excessive noise. Kupferman says "If we had taken proper educational and remedial steps in this (air pollution) area ten years ago, the problem of air pollution might not have reached the critical proportions it has today. We are now at the same relative point with respect to the environmental problem of noise pollution."

Probably the over-all noise level in mechanized U.S.A. will get worse before it gets better. But all of us can start right now to bring peace and quiet into our homes. Try some of these suggestions from acoustical engineers:

Draperies, carpeting, upholstered furniture and bookshelves help cut the noise level in the home.

An acoustical ceiling in the kitchen (or playroom, family room, basement) would absorb almost 75 percent of the excess noise.

Windows should be tight-fitting and have anti-rattle hardware.

Window air conditioners should rest on vibration mounts. Rubber or felt mats under dishwasher and washing machine absorb vibration.

Put pneumatic door closers on all spring doors. Keep door hinges well oiled.

Plumbing should be kept in repair and valves and washers replaced when necessary.

Dr. Vern O. Knudsen, one of the foremost practitioners of the science of acoustics wears ear plugs on busy downtown streets. Perhaps this is going too far, but when the teenagers are having a jam session, they might be just the thing!

Citing Starrs, in its June 1967 issue, volume 1, No. 2, edited by Joe Rowland, and published by John Patrick Starrs, covered my talk before the Society of Medical Jurisprudence—see Congressional Record of March 20, at page 7280.

Citing Starrs said:

NOISE POLLUTION

In the May edition of Citing Starrs we covered some of the aspects of air and water pollution. Recently another form of pollution has been the focus of Congressional attention—noise pollution. In a talk before the Society of Medical Jurisprudence at the Einhorn Auditorium of the Lenox Hill Hospital in New York City, Theodore R. Kupferman (D 17th dist. N.Y.) discussed his proposed legislation on noise pollution (H.R. 2819) and its increasing concern to the community. The Congressman's talk covered the trauma of everyday noise, voice and hearing loss, aircraft noise control recognition by the courts of "noise pollution", the supersonic boom and lastly, the need for Congressional action in this area.

H.R. 2819 complements H.R. 92 proposed by Congressman Ogden R. Reid (R. 26th dist. N.Y.) and provides for a comprehensive program for the control of noise including the establishment of an Office of Noise Control within the office of the Surgeon General. It also provides for grants to States, local governments and non-profit agencies to research ways and means of control, prevention and abatement of noise.

To which the harassed city dweller with "ears more deaf than adders" says "Huh? What did he say?"

New York City has, under Mayor John V. Lindsay, awakened to the noise pollution problem. A task force was appointed under the chairmanship of Neil H. Anderson, executive vice president of the New York Board of Trade.

His statement to a New York City Council hearing follows:

Statement by Neil H. Anderson, Chairman of the Mayor's Task Force on Noise Control, Before the New York City Council During Hearings on the Reorganization of the City Government, Local Law 280, Int. #261, Chapter 56

I am Neil Anderson, Chairman of the Mayor's Task Force on Noise Control, which was established by the Mayor to study the problem of noise in New York City. The Task Force is now in the process of preparing a report of its recommendations for short- and long-range answers to this pressing problem. Members of the Task Force include doctors, psychologists, acoustical engineers, architects, journalists and public relations people.

Noise is an objectionable and often harmful element in our environment. As the community grows in every area, there is more and more evidence of the complexity and enormity of the noise problem and the need for a proper balance between our technological progress and environmental protection. The Task Force is optimistic about the possibilities and prospects of effective solutions to this problem, and realizes that its solution is a responsibilty not only of government, but also of industry, business and the individual citizen.

The harmful effect of noise has been documented in this City by the Noise Abatement Commission, organized in 1929 under the sponsorship of the New York City Department of Health. It published its Report entitled "City Noise" in 1930. The findings of that Commission were fully substantiated by the Report in 1960 of the Committee for a Quiet City. The appointment this year of the Mayor's Task Force on Noise Control indicates the continuing and urgent problem of noise.

As early as the 1960 Report, an all-inclusive noise control statute was advocated and a uniform statute has been proposed for municipal adoption. However, noise is not capable of legislative control except only after careful study of what is objectionable noise from any particular source and whether that noise is under the circumstances preventable.

The Mayor's Task Force on Noise Control is well aware that the automotive industry has quieter trucks, the tire industry quieter tires, and the air compressor manufacturers quieter mufflers. What this City needs are some brave rulings which will bring these developments into everyday use.

I wish to say that in general the Task Force supports the concept of consolidation embodied in the Environmental Protection Administration. However, if we are to view our environment in its totality and attack its problems in an integrated manner, let us not forget a major source of irritation—noise. To quote from the Report of the Mayor's Task Force on Air Pollution, submitted in June 1966. It is a fact that the physical environment is a whole condition in which each part is affected by every other part. It is this fact, when fully recognized, that can make life in cities infinitely more productive and congenial. Air pollution is but one aspect of the whole environment. . . . Noise is [also] a prime cause of irritation and tension in the modern city. And noise abatement is closely related to waste disposal and air pollution. The City of New York suffers, for example, from the stench, the dirt and the noise emitted by trucks and buses."

The Task Force is convinced that no major improvement can be accomplished in the quality of New York's environment until each element is regarded as an indigenous part of the whole environment. We believe in the principles of unity and coordination embodied in the Environmental Protection Administration, however, we feel that provision should be made in the Administration for noise abatement.

Specifically our recommendations include the following points:

1. The *Functions of the Administration* should be extended to include preventable noise. Therefore, I recommend the following change of language: ". . . the prevention of air and water pollution and preventable noise. . . ."

2. There should be added among the enumerated functions of the administration the following:

"Noise Control. With respect to noise control, the administration shall have the power and duty to regulate and control the emission into the open air of harmful or objectionable noise and other vibrations including but not limited to those emitted by street, subway, water and air traffic of vehicles, whether public or privately owned and whether used for business or pleasure; by demolition, construction, repair or maintenance of streets, buildings, manufacturing plants and public utilities and municipal plants; by the occupants or machinery of any building or other premises whether dwelling, or used for business, municipal or other purposes; and by all persons on the streets, in parks or other premises within the City. It shall enforce all laws, rules and regulations with respect to such emissions. It shall make such investigations and studies as may be desirable for the purpose of such enforcement and of controlling and eliminating harmful or objectionable noise and other vibrations and for such purpose shall have the power to compel the attendance of witnesses and to make their testimony under oath."

3. To the duties of the *Environmental Control Board* shall be added the following lettered provision under its jurisdiction to adopt and amend rules:

"(*c*) *Regulating or prohibiting the emission into the open air from any source, whether fixed or movable, and whether on land or on water, of any harmful or objectionable noise and other vibrations including but not limited to those emitted by street, subway, water and air traffic of vehicles, whether public or privately owned and whether used for business or pleasure; by demolition, construction, repair or maintenance of streets, buildings, manufacturing plants and public utilities and municipal plants; by the occupants or machinery of any building or other premises whether dwelling, or used for business, municipal or other public purposes; and by all persons on the streets, in parks, or other premises within the City."*

The obvious truth that environmental factors, such as noise, are affected by activities under the jurisdiction of other city administrations does not detract from the necessity of dealing with the problem in this most appropriate Environmental Control Administration. The general studies on objectionable noise levels, on a noise map of the City and on regulations against preventable noises must be handled by one group to achieve reasonable zoning effects and uniform maximum standards of noise from all sources within specific zones.

The Mayor's Task Force on Noise Control is in the process of concluding its Report on the problems of particular sources of noise which require, in each case, different attacks in order to be fair to all concerned. However, it is very clear that the organization of the effort in this City should be centered in the Environmental Protection Administration under rules promulgated by the Environmental Control Board proposed in the statute.

Acting New York City Purchase Commissioner Marvin Gersten, in cooperation with Sanitation Commissioner Samuel J. Kearing, Jr., has followed up with the purchase of "quiet" trucks for sanitation purposes. See New York Times of Friday, August 18, 1967, which follows:

City Seeks to Buy 400 "Quiet" Trucks

The city administration asked the Board of Estimate yesterday for permission to buy 400 new garbage trucks that it said would be quieter and emit less pollution than any other trucks in use in the country today.

Approval of the board is needed because the specially designed construction to control noise and pollution would add about $102 to the cost of each truck.

While the request covers only the purchase of the truck chassis, the body itself is also expected to be materially quieter because the Sanitation Department said it was changing the design specifications for future bidders.

When the city sought bids on the new sanitation trucks, the only manufacturer that offered to meet the city's new noise and pollution requirements was the GMC Truck and Coach Division of the General Motors Corporation.

The GMC bid of $3,676,063.45 for the 400 truck chassis, however, was $43,426.90 higher than the lowest bid offered for the trucks without the added pollution-control quality.

In a letter sent to the Board of Estimate yesterday, Marvin Gersten, the city's acting Purchase Commissioner, urged approval of the GMC bid.

The Los Angeles City Council has approved an expenditure for soundproofing in the area of the airport, as reported in the newsletter of the National Aircraft Noise Abatement Council, volume VIII, No. VIII of August 15, 1967.

City Council Approves Revenue Bond Issue and Authorizes Demonstration Program for Soundproofing

At its meeting of 26 July, the Los Angeles City Council approved the request of the Los Angeles Department of Airports for authority to issue $75,000,000 worth of revenue bonds. The proceeds of the sale are to be used to further develop the Los Angeles International Airport, specifically the addition of 24R to the "north runway" complex, the acquisition of houses in a residential area east of Runways 24R/L, and additional passenger terminal area expansion. It should be noted that the planned runway development conforms with the airport's Master Plan as it was developed in 1946–1947.

Concurrently, with approval of the bond issue, the Council, chaired by President L. E. Timberlake, authorized the Department of Airports to immediately undertake a demonstration program to determine the feasibility of employing modern soundproofing techniques to improve the habitability of residential, school and church structures located in areas affected by high aircraft noise levels.

Undoubtedly acting with the belief that proper soundproofing of structures can sufficiently alleviate annoyance caused by aircraft noise, Councilman Timberlake's proposal for a $1 "anti-noise use tax" on each passenger and ton of cargo using the terminal was unanimously approved. According to Mr. Timberlake, the revenue would be used to finance soundproofing and provide funds for other noise abatement activities. There is considerable doubt concerning the authority of the local airport to levy such a tax. In 1962, the Los Angeles City Attorney's Office provided the City Council with an opinion advising that such a municipal tax applied to interstate commerce would be unconstitutional in that it conflicts with economic regulation of interstate commerce vested, in the case of the airlines, in the Civil Aeronautics Board. Nevertheless, there is every indication that the management of the Los Angeles Department of Airports will proceed with the demonstration project with the hope that if it should prove feasible from a cost-benefit standpoint, means to finance the project can be found.

Note.—In connection with the airport's need to finance such projects relating to airport development and access, Mr. Joseph A. Foster, Vice President of Airports of Air Transport Association, has recently announced that the airlines are considering the advisability of the imposition of terminal user charges to airline ticket sales (and presumably bills of lading, Ed.).

The American City magazine, edited by William S. Foster, in the issue of August 1967 at page 16 in the Washington Dateline column stated:

The sonic boom promises to become a national issue, warns Congressman Ted Kupferman (R, N.Y.). When the SST fleet gets into operation, the average American will have to put up with 20 booms per day. A new anti-boom group has the unpronounceable acronym of CLASB (Citizens' League Against the Sonic Boom). Formed by Harvard physicist William A. Shurcliff, it is campaigning against the "horrible harassment of sonic-boom noise." Congressman Kupferman has as one of his principal goals the curbing of urban noise in general.

I considered the problem of sonic boom in my first statement this year. Other consideration has been given to it by the New York Times in the article by Walter Sullivan on Sunday, August 6, 1967, at page 12E, which follows:

SST and the Sonic Boom

(By Walter Sullivan)

Early in the era of jet flight, pilots found that, by diving their planes they could surpass the speed of sound (660 m.p.h. at 35,000 feet) and generate a pressure wave that would strike the ears of those on the ground like a cannon shot. It became a favorite stunt at air shows. In 1953, however, the destructive effect of such a "sonic boom" was demonstrated. A pilot, practicing for an air show, made a steep dive to 8,000 feet and produced a boom at an air base below him, damaging floors and door frames as well.

Last week a French farm family, with eight neighbors and hired hands helping in the harvest, gathered for the noon meal in a farmhouse near the village of Mauron in Brittany. Suddenly, according to accounts from France, a sound like a thunderclap was heard. Timbers shook loose and eight tons of barley stored in a loft fell on those eating, killing three and injuring one seriously. Apparently it was the first time that a sonic boom had been blamed for fatal injuries.

Wednesday, the same day as the accident in France, the President's Office of Science and Technology in Washington made public the results of an intensive study of sonic boom effects carried out last summer and winter over Edwards Air Force Base in California.

INTENSE PRESSURE WAVE

The boom is not a single event, produced by "breaking the sound barrier," as many believe. It is an intense pressure wave that follows the track of a supersonic plane across the landscape. Sound consists of pressure waves in the air that agitate the eardrum. They can be generated by a vibrating violin string, human vocal chords, a pistol shot or the action of a high-speed aircraft on the air.

When the speed of the plane is less than that of sound, the plane chases the sound waves that it generates but never catches up with them. At speeds above that of sound, waves generated by portions of the plane, particularly the nose and tail, build up, forming a cone-shaped surface of intense pressure with the plane at its apex. If this swift-moving cone touches the ground before being dissipated by distance, it strikes the ears as a boom. The nose and tail of a large plane produce twin booms about one-quarter of a second apart.

For the California tests, two typical wooden frame homes were built and heavily instrumented to measure pressures on their walls, windows and other parts. Similar instruments were installed on the long-span roof of the air base bowling alley. Volunteers were chosen from the base and from towns far enough away so that the inhabitants were not accustomed to sonic booms (which are heard four or five times daily at the air base).

Some were stationed in the test houses; others were in the yard outside. Observers were likewise stationed at 10 nearby farms to watch thousands of beef cattle, dairy cows, sheep, turkeys, chickens and pheasants. Then subsonic and supersonic aircraft made hundreds of flights overhead at speeds greater and less than that of sound. The observers were asked to score the relative "acceptability" of each event, whether it was a particular kind of boom or the sound of an ordinary jet in a steep climb.

PURPOSE OF STUDY

The purpose was to assess public reaction to the projected supersonic transports, or SST's. The results helped reinforce the view that the SST's now under development will not be allowed to operate over land at supersonic speeds. The plane is expected to fly at 1,700 miles an hour. The closest plane to the SST in operation today is the XB–70, the experimental supersonic bomber that is about 185 feet long. The SST's will be some 300 feet long. The XB–70 made 20 flights over the test area at altitudes ranging from 31,000 to 72,000 feet.

Some 85 microphones were spread over the landscape, and it was found that the boom produced by a plane flying at twice the speed of sound (roughly 1,300 miles an hour) at 60,000 feet could be heard on the ground at a distance of 25 miles to either side of the plane's track. At 37,000 feet and a somewhat slower speed the boom extended only 15 miles to either side, but was more intense.

The tests showed a boom can be annoying even when the plane is above 60,000 feet, where the SST's will operate. Apart from the birds, the farm animals paid little attention to the booms. More than 110,000 window panes were inventoried at the air base before the tests, and 700 were recorded as already broken or missing. Only three broken panes could be attributed to the test booms.

However, the postmistress at nearby Tehachapi was looking at her clock when a boom allegedly smashed the post office window and that of a department store. The time was 10:43 A.M. Radar records indicated that a supersonic bomber was close by at the time.

A peculiarity of sonic booms is their patchy behavior. They may be twice as strong in one spot as they are a few hundred yards away. This has been attributed to wavy layers in the earth's lower atmosphere that like a succession of lenses, focuses the sound on certain areas. Observations by ESSA, the Environmental Science Services Administration, explored this effect.

The Goodyear blimp Mayflower was stationed 2,000 feet overhead for some fly-bys to record booms originating much farther aloft. This confirmed that most boom distortions originate in the more turbulent lower 2,000 feet of air.

Those who have studied the preliminary results from these tests believe they rule out routine overland flights by SST's unless such aircraft can be designed to mitigate the booms substantially. This may ultimately be possible, and operating procedures may be devised that take advantage of atmospheric peculiarities.

UNACCEPTABLE NOISE

It has long been suspected that SST operations over inhabited areas might be unacceptable, yet airlines with routes that are largely over land have continued to place orders for such planes. Eastern Air Lines did so in the last few weeks. Some of the lines hope to extend their services overseas. Others believe they can profitably operate such planes at subsonic speeds over land, then go supersonic over water, as on the New York-Miami run.

SST's are now being developed in the United States and the Soviet Union and by a British-French combine. The California study was made for the White House by the Air Force, the National Aeronautics and Space Administration and the Federal Aviation Agency, with help from the Stanford Research Institute and a variety of government agencies and private contractors.

The problem of sonic boom and noise in general was covered in depth by UNESCO in the July 1967 issue of their Courier magazine with many illustrations, which, unfortunately, cannot be reproduced here. The UNESCO press release on this follows:

Traffic Noise Reduction a City's First Sound Target UNESCO Courier Suggests

In the control of noise a city's first effort to produce quieter living must be directed at reducing noise from traffic, according to an article in the *Unesco Courier*, a monthly publication of the United Nations Educational, Scientific and Cultural Organization, now available here.

In a recent survey of a British city, which included 1,400 people, noise was mentioned as often as slums, dirt, smoke, public facilities, government and the amount of traffic as a feature which people would change if they could. About one third of the total sample specifically mentioned traffic noise as one of its major irritants. Four to seven times as many people were disturbed by the noise of road traffic as by the noise of aircraft, trains or industry. Traffic noise appeared to be as important an annoyance as all other noises together, including the noises of aircraft, trains, industry, construction, children, radio and telephones, bells, alarms and pets.

The real trouble, the Unesco Courier article points out, lies with trucks, buses, motor cycles and sports cars. The average truck at 60 miles an hour is about twice as noisy as a steady stream of automobile traffic.

In some countries, notably the United Kingdom, legislation is under consideration that would require all new passenger-cars and trucks to have noise levels lower than 85 decibels. The article, by Leo L. Beranek, a leading U.S. acoustical engineer warns that unless control of noise is undertaken our advancing technological civilization will not only bring increased noise levels, but invade those last places on earth that are now quiet.

Scientific tests, according to the magazine, have revealed that a human being subjected to loud noises suffers changes in circulation and in the action of the heart. Even snatches of loud conversation are enough to affect the nervous system and thereby provoke constrictions in a large part of the blood circulation system, as well as changes in the secretion and composition of the gastric juices. Noises below 30 cycles per second, which are inaudible to the human ear can also harm the human organism, and such "infra-sound" is blamed for feelings of malaise and discomfort sometimes experienced by airplane passengers, according to the Unesco Courier.

Articles in this edition are "Down with Decibels!" by O. Schenker-Sprüngli; "The Architects of Silence" by Constantin Stramentov; "Cordoba (Argentina) takes noise Abatement by the Horns" by G. L. Fuchs; "Noise and Health" by Gunther Lehmann; "Treasures of World Art"—Nostalgia for nature (Henry Rousseau).

An advertisement in the New York Times of Friday, August 11, 1967, at page 15 discusses the problem of sonic boom. The advertisement was taken by the Citizens League Against Sonic Boom, Dr. William A. Shurcliff, director. I discussed this organization, whose office is in Cambridge, Mass., in the Congressional Record of April 5, 1967, at page 8464.

The advertisement follows:

Threat of the SST and Its Shattering Sonic Boom

QUESTIONS AND ANSWERS CONCERNING A WORLDWIDE THREAT TO CIVILIZED LIVING

1. What is a supersonic plane? One that travels faster than sound. The proposed Boeing supersonic transport is designed to fly at about 1800 mph, or about 2½ times the speed of sound.

2. Has the proposed SST any advantages over conventional jet planes? Yes, one: speed. On a flight from New York to London it would save about 3 hours.

3. Has it any disadvantages? Many. It would be extremely expensive (about $40 million each). It would require about 25 to 50% higher fare than the principal competing planes, the so-called jumbo jets. It would not be ready for use until about 1975, i.e., about four years after the jumbo jets are in use. It has a cruising range of about 2000 miles shorter than that of the jumbo jet, and in addition it poses new and staggering safety problems. *But its worst feature is the inevitable sonic boom.*

4. What is a sonic boom? A very loud, very sudden *bang*, something like the bang produced by a sizeable dynamite blast a block away. The bang is the result of an intense shock-wave produced by the SST as it hurtles through the air.

5. Where does this boom occur? It sweeps along behind the plane *all the way*, striking every house and every person in a path about 50 miles wide and thousands of miles long. Flying across the USA at 65,000 ft. altitude, a single SST could deliver a bone-shaking jolt to every man, woman and child in an area of over 100,000 square miles—as many as 20 million people.

6. How bad is the boom? In a five-month-long series of tests conducted in Oklahoma City in 1964 with supersonic military planes, government investigators found that a large fraction of the population hated the booms. 15,000 complained to authorities. Nearly 5000 filed formal damage claims. The proportion of persons who said they could never live with the boom grew steadily during the test period, and was more than a quarter of the population when a poll was taken near the end. *These flights were over one edge of the city only, not the center; were on a regular schedule; and the average boom intensity was little more than half of what the proposed SST would produce.* The boom strikes without warning; the effect is startling, disrupting; sometimes even terrifying. It produces muscular spasm and, often, sharp increase in rate of heartbeat. Harm done to babies, nervous people, heart patients, etc., has not been evaluated satisfactory. The boom can stampede cattle, cause mink to kill their offspring.

7. How about damage to houses? In the Oklahoma tests, a house was virtually split in two, and the owner was awarded $10,000 in damages by a Federal circuit court. Many other houses suffered damage amounting to several thousand dollars. In all, almost 5000 damage claims were submitted. An analysis of actual damage payments following sonic booms tests in Chicago and St. Louis indicates that a fleet of SSTs in routine use over the USA would be expected to damage windows, plaster, etc., to the tune of about $1 million *per day*.

8. Can scientists find a way of eliminating the boom? They have been trying for years. And have failed. The boom is a fact of nature, like gravity.

9. Has the Federal Aviation Administration (FAA) banned supersonic flight over land? No. Not even over large cities. It worries about the economic prospects of the SST, and fears that a ban on overland flight would make these prospects even dimmer. The prospects of harassment of 100,000,000 people on the ground are seldom mentioned in FAA speeches and news releases.

10. What about profits: will they be large? Recently issued reports by the Institute of Defense Analyses and other professional analysts point to many circumstances under which the project could be a financial disastera gigantic *boom*doggle. SST fares would have to be so much higher than for jumbo jets that few travelers would use the SSTs, and few SSTs would be sold perhaps as few as 84, if overland flight is banned. The financial losses could be impressive. It is expected that the Government would not get its money back for 20 years, if ever. Meanwhile, the effect of the SST on balance of payments to foreign countries could be strongly adverse.

11. Who is paying for the SST program? In the main, the taxpayers are. The Government has already contributed hundreds of millions of taxpayer dollars, and now the FAA is asking Congress for $142 million more. Eventually the sum may run to four or five *billions*—more than twice the cost of the wartime atomic bomb project.

12. Is there an alternative to the SST? Yes. The jumbo jets expected to be in service in 1971, about four years before the proposed SST. A jumbo jet will hold 400 to 1000 passengers, two or three times as many as the SST. Because of this greater capacity, the jumbo jet would require far fewer take-offs and landings per million passengers carried, thus reducing congestion and delays at airports. It is relatively cheap—about half the cost of the SST. Fares will be *much* lower. *The jumbo jet produces no sonic boom at all!* Its prospects are so bright that the aviation industry itself is glad to pay the development costs; there is no billion-dollar reach into the taxpayer's pocket.

13. Since Britain and France are already building an SST, must not the US build one too? The Anglo-French Concorde is running into increasing difficulty: costs have risen again and again; weight has increased; orders are disappointing; sonic boom tests have created strong protests from citizens. There is much talk of dropping the project entirely.

OUR CONCLUSION

The Citizens League Against the Sonic Boom concludes that the proposed SST has few of the hallmarks of a truly worthwhile project. Its saving in time is modest relative to delays in reaching the airport, checking in, waiting for runway clearance. Its drawbacks are impressive: the sonic boom, the huge expense, the greater clutter of airports, the uncertain safety. In our opinion the sonic boom alone is sufficient ground for halting the SST programs here and abroad. The SSTs would create a new kind of pollution—a world-wide sonic pollution. Hour after hour, day and night, week and holidays, it would inflict its startling bang on literally hundreds of millions of defenseless persons, with no place of refuge. Aviation should be the servant of man, not his scourge.

OUR PLEA

We urge all who value peace and quiet to write now, before it is too late, to their Senators and Representatives, to the President, to their newspapers and TV commentators, urging that the SST program be halted. Write often, and urge your friends to write.

We invite you to become a member of this very active League. Send name, address (with zip code), occupation. No dues.

Also, we invite you to send contributions to help us alert people everywhere to this totally unnecessary threat to civilized living. Send checks payable to:

Citizens League Against the Sonic Boom, 19 Appleton St., Cambridge, Mass. 02138. Director: Dr. William A. Schurcliff, physicist. Deputy Director: Professor John T. Edsall, biochemist.

NATIONAL COMMITTEE

Professor John Borden Armstrong, historian; J. Henderson Barr, architect; William Brower, professor of speech; Dr. Walter C. Clemens, Jr., political scientist; Prof. Bernard D. Davis, Head of Dept. of Bacteriology and Immunology, Harvard Medical School; Murry N. Fairbank, mechanical engineer; W. H. Ferry, Vice President, Center for the Study of Democratic Institutions; Mrs. Ferdinand Fetter, housewife; David C. Forbes, attorney and trustee; Dr. John H. Gibbon, emeritus professor of surgery, Jefferson Medical College of Phil.; C. Edward Graves, conservationist and writer; John C. Gray, physicist; Dr. Herbert I. Harris, psychiatrist; Dr. Hudson Hoagland, Executive Director, The Worcester Foundation for Experimental Biology; Mrs. Franz J. Ingelfinger, artist; Mrs. Francis C. Lowell, conservationist; Frank Lyman, physicist and industrialist; Dr. J. H. Meier, engineer; Mrs. Sara Owen, writer; Mrs. J. H. Parker, conservationist; Prof. F. V. Pohle, mathematician; Mrs. W. T. Pohlig, housewife; Dr. J. Reece Roth, engineering physicist; John M. Sayward, research chemist; Mrs. T. Mott Shaw, conservationist; John M. Swomley, professor of Christian ethics; Robert J. Varga, teacher; Dr. William Vogt, ecologist; Dr. Donald O. Walter, aerospace medical researcher.

My friend, the former Director General of the Aeronautical Research Institute of Sweden, Bo K. O. Lundberg, in 1963 in the publication "Report No. 94 on Speed and Safety in Civil Aviation" in anticipation of its development some 4 years ago, discussed the economic feasibility of the supersonic transport.

I asked for his current comment on the SST problem and that follows:

The SST Sonic Boom Probably Unacceptable Even to People at Sea

The boom tests over Oklahoma City in 1964 proved that supersonic flight over land of the British/French Concorde and the Boeing Supersonic Transport will be unacceptable. Although the average boom intensity beneath the flight path was never more than 1.6 pounds per square foot, considerable damage to buildings occurred and no less than 27% of Oklahoma citizens polled declared they could *not* "learn to live" with 8 daytime booms per day. No booms at night were produced (the really critical test) but practically all day-sleepers were awakened and the morning boom, at 7 a.m., was widely used as an alarm clock!

In over-land operation the SST's will produce an *average* or "nominal" boom intensity on the flight track of 2.0 psf in climb and 1.5 in cruise. These averages will often be greatly exceeded due to focussing effects of winds as follows from theory and was confirmed by the tests. And the SST "boom carpets" will be at least 70 miles wide and cover the major part of the U.S. and Europe if no boom restrictions are imposed.

Briefly, the "margin of safety" in the conclusion that civil supersonic flight over land is unfeasible is simply over-whelming: The tests indicate that sleep disturbance will be suffered by many even if the nominal boom intensity were reduced to 0.5 psf, implying such a small SST that practically no payload could be carried.

About a year ago the Federal German Government declared that civil supersonic flight over Germany will be prohibited if the boom causes "damage to health." The Swedish Government recently, on May 18, 1967, sounded an even stronger warning: SST operation will be prohibited over Sweden if the boom causes regular sleep disturbance or any damage to property. Other nations are likely to follow suit, implying a virtual blockade of the SST.

Consequently both the International Civil Aviation Organization and the International Air Transport Association have already, by implication, condemned the SST: ICAO demands that "the SSTs must be able to operate without creating unacceptable situations due to sonic boom" (surely, regular sleep disturbance is unacceptable), and IATA demands that "economic operation at supersonic speed must be practicable over inhabited areas at any time of the day or night."

Yet the U.S. Congress is expected to grant funds for building prototypes of the Boeing SST—*on the totally unsupported hope that the sonic boom will be acceptable to people at sea.*

Building prototypes of the U.S. SST would most likely throw mankind—unheard—into the "Sonic Boom Age": It would encourage Britain and France to launch quantity production of the Concorde; this would, a few years later, result in quantity production also of the American SST. And once tens of billions of dollars thus are invested, an irresistible pressure will be exerted to fly supersonic also over land (first over "sparsely" populated areas and then over more and more densely inhabited land) because SST operation restricted to over-water and sparsely populated land indisputably would be grossly uneconomical.

No doubt a sonic boom of a given strength will usually be less disturbing on boats than on land. But, on what grounds is it believed that people on boats can accept booms *many times* stronger than the level acceptable to people on land? Surely, it would be ruthless to consider people at sea an insignificant minority.

The SSTs will produce a "nominal" boom of 2.5 psf in supersonic climb over water. Due to focussing effects the intensity will often exceed 5 or 6 psf. By reflection close to cabin walls the intensity could easily exceed 10 or even 15 psf. Such booms are exceedingly frightening and potentially dangerous to people with heart disease.

The disturbance, fright, and danger will, of course, be especially pronounced in areas with heavy concentrations of both SST and boat traffic, in particular south of Nova Scotia and New Foundland. Conservative calculations suggest that there will be, every year, many thousands of cases of people on boat decks being struck by booms exceeding 5 psf (disregarding wall reflection).

I wish to make a plea that boom tests on different types of boats—from sail boats to oceanliners—be conducted before the final decision on building prototypes of the U.S. SST. All nations and representatives of people at sea should be invited to send observers who should be subjected to the booms on the test vessels. As magnified booms are the most significant ones, the overflights should be at a low altitude yielding an average boom intensity of, say, 4.0 psf, whereby a considerable number of moderately magnified booms, of 5 to 6 psf, would be obtained relatively cheaply by a few hundred overflights. Besides subjective judgments of the acceptability of the booms, doctors should measure increases in heart rate, etc.

Clearly, adequate boom tests on boats are in the best interest of civil aviation in general and of the SST investors in particular. If such tests are not made before the Western world proceeds further on the supersonic road there is a staggering risk of an economic disaster: people at sea will certainly find ways and means of putting an end to supersonic over-water flight—once the activity has reached a scale such that the incessant boom thunder has become unbearable and there has been a number of cases of serious incidents or fatal accidents, such as heart attacks. That would imply that most of the many hundreds of SSTs then flying would have to be scrapped.

Bo Lundberg,
Director General,
Aeronautical Research Institute, Sweden.

Washington, D.C., *May 24, 1967.*

In Nation's Business of August 1967, in their "Lessons of Leadership" series, in an article entitled "Accelerating the Jet Age" which is a conversation with William Allen of Boeing Aircraft Co., as found at page 62, the following question and answer in discussing SST:

Are you hopeful that the sonic boom problem can be solved?

The answer to that question lies beyond my competency. I am told that a sonic boom is a physical phenomenon that will exist when there is supersonic flight. The degree of intensity of the boom is affected by various factors, including the size and weight of the airplane, its design, the altitude at which it is flying, the existing atmospheric conditions and the nature of the surface over which the plane flies.

I would expect the principal solution to the sonic boom problem will lie in the manner in which the airplane is operated, the route followed, the altitude at which the sonic boom flights are conducted, and the approach and takeoff techniques.

The report of June 6, 1967, of our Committee on Science and Astronautics on the authorization bill, H.R. 10340, for appropriations for the National Aeronautics and Space Administration, Report No. 338, 90th Congress, first session, at pages 107 to 108, discusses noise as follows:

XB-70/SST FLIGHT RESEARCH PROJECT

The potential of the Air Force XB-70 aircraft as a research tool to obtain research information and advanced technology for design, development, construction, and flight test of the prototype supersonic transport has been recognized for several years. The NASA research portion of the XB-70 program began in fiscal year 1963 with installation of instrumentation in the two XB-70A aircraft during manufacture.

Current efforts will be directed toward analysis of the effects of vehicle size and weight; the effects of inertia combined with low aerodynamic damping at the higher operating altitudes of the SST; and the effects of structural elasticity and deformation on the basic aerodynamics of the vehicle. The highest priority tests during this phase are directed toward a better understanding of sonic boom phenomena and their effect on persons on the ground. These problems have and will continue to be the subject of major research efforts in analysis and effects on ground based facilities.

The initial cost of operating the aircraft for test purposes was funded by the Department of the Air Force. In the present NASA-USAF XB-70 Flight Research Program authorized by a NASA-DOD Memorandum of Understanding signed on May 28, 1965, the total cost of the program is shared equally by the Department of the Air Force and the NASA.

AIRCRAFT NOISE REDUCTION

Two important aspects of aircraft noise alleviation are covered by the research to be carried out in this program area: (1) the research and development necessary to provide means for minimizing the noise radiated from the compressor and fan discharge ducts of turbofan engines such as are installed in presently operating commercial jet aircraft, and (2) research directed toward developing a more positive means for accurate flight path control which would be required in order to make use of steeper approach paths for landing thus increasing the distance of the aircraft from the ground in the vicinity of the airport and lowering the noise level. Both project elements were initiated in fiscal year 1967 and will continue in fiscal year 1968 and will involve wind tunnel testing, simulation, design, ground testing and flight testing.

Also in fiscal year 1968 the study and development of means of minimizing the noise radiated from turbofan engines will be in a phase of construction and ground run up testing of selected turbofan engine nacelle combinations utilizing acoustic treatment and choked inlet approaches.

QUIET ENGINE DEVELOPMENT

Basic research has shown that the elements of a turbojet engine can each be modified in design to permit substantial noise reduction with small penalty in performance. Information on the successful operation of such a propulsion system is completely unavailable. The interaction of the various components will differ substantially from any turbojet propulsion system now in use. The objective of the Quiet Engine project is to combine all of the low noise elements into a single operating system having approximately 20,000 pounds of thrust, and designed to operate at high subsonic flight speeds.

Based on theoretical and basic laboratory research, compressors, including both fixed and rotating components, burners, turbines, and nozzles, will be designed to permit maximum noise reduction with a minimum performance penalty. These elements will be constructed in operational form and size. They will be combined into complete propulsion system(s) and research conducted in the Propulsion System Laboratory at the Lewis Research Center.

In the report of July 13, 1967, of the Committee on Appropriations, No. 484, of the 90th Congress, first session, in connection with H.R. 11456, the Department of Transportation bill, we find the following statement at page 16, and following pages:

Civil Supersonic Aircraft Development

Appropriation 1967	$280, 000, 000
Estimate, 1968	198, 000, 000
Recommended in the bill	142, 375, 000
Reduction below estimate	−55, 625, 000

In recommending the appropriation of $142,375,000 for fiscal year 1968, the Committee is recommending that the development of two prototype supersonic transport aircraft (SST) of the same design be initiated and that the program be conducted at the level recommended in the budget. Almost all of the reduction recommended is based on a difference as to the source of the funds for the program, not in the amount of funds provided for the program.

The Committee believes that development of large passenger aircraft which will fly at supersonic speeds is the next step in air transportation and that the step will be made whether or not the American SST program goes on. There are two other supersonic transport aircraft under development. The British and French are working together on the Concorde and the Soviet Union is working on the TU–144 supersonic transport. Whether the program funded in the accompanying bill goes forward or not, supersonic air travel will become a fact of life in the not too distant future. If the aviation industry of the United States, which has led the world for years, does not proceed to this next step in commercial aviation, not only will there be a loss in prestige, but sales to foreign airlines and the foreign exchange they would bring would be lost. Also, American commercial airlines would have to purchase aircraft abroad in order to meet competition with the result of worsening our foreign exchange balance.

Since aircraft manufacturing and operations require great technical ability, this is an area in which high cost American labor can compete effectively with foreign competitors.

There are uncertainties in the supersonic transport development program. There always are uncertainties in development programs. There are uncertainties involving the construction of the aircraft, uncertainties involving the economic feasibility of the aircraft, and uncertainties as to the effect on the ground of the sonic boom which will be created by the SST in supersonic flight. Each of these problems has been studied extensively. The Committee has been furnished with a large number of very voluminous studies involving these matters. Extensive testimony was taken in the hearings.

The preponderance of evidence indicates that the supersonic transport aircraft which is proposed is within the technical state of the art and can be constructed successfully. Mach 3 military aircraft have been flying for several years, including the YF–12–A and the XB–70. Titanium has been used in military aircraft since 1952. The next generation fighter-bomber aircraft soon to enter the operational inventory will have variable sweep wings. Prototypes are being flown now. There are unknowns and risks in the SST development program, and the task is far from easy, but with good performance by those involved, the development program should be successful.

Studies on economic feasibility are less positive since economic feasibility studies attempt, to a large extent, to foretell the future in an area in which many vital factors cannot be accurately anticipated. As a general statement, it can be said that air travel is increasing rapidly, not only in the United States, but throughout the world. It can also be pointed out that the early jet passenger aircraft quickly became popular with the air travel consumer when they first began replacing piston engine aircraft.

A basic factor in all modes of transportation is the time required to reach the destination. Enough people have preferred faster horses, faster trains, faster ships, faster automobiles, and faster aircraft to spur on the never completed quest for more speed. It appears reasonable to predict that the SST aircraft will be a sought after means of transportation just as other vehicles have been which markedly reduced the amount of time required to travel between distant points.

No one can predict with certainty whether peace or war will prevail in the world in the 1970's and 1980's. No one can predict with certainty whether the economic prosperity of the present will continue in the next two decades. These two factors will strongly affect the market for supersonic transport aircraft. Only the passage of time will let us be certain, but reasonable predictions can be made based on current trends, and these trends indicate that a supersonic transport aircraft will be marketable in sufficient quantities to pay back the cost of developing the aircraft and to provide a reasonable return for the investors involved, including the government.

It is not known at this time whether a supersonic transport aircraft such as the one under development can be flown over land areas at supersonic speeds. Considerable research has been conducted in an attempt to gain knowledge on which to base a conclusion. The studies made have primarily involved the use of military aircraft. Studies on the effects of sonic booms under varying conditions of weather and flight patterns and studies of ways to reduce the sonic boom effect from the SST aircraft are still underway. It may well be that the noise on the ground caused by supersonic flight will prevent the aircraft from being flown over populated land areas at speeds faster than that of sound. The FAA's evaluation of the economic feasibility of the aircraft has taken this into consideration, and has based the economic feasibility of the aircraft on the predicted market if only overseas flights are permitted. Even under these conditions, it is estimated that enough aircraft will be sold to return the costs of the plane's development.

Until prototype SST aircraft are constructed and flown, we will not know precisely the sonic boom characteristics of this particular aircraft. The market for the aircraft cannot be actually determined today. Studies and debates cannot answer these questions. If all development programs were delayed until such questions were answered, progress in technology would be stymied.

Public financing is common to all three SST aircraft now under development. The governments of the United Kingdom and France are investing $1.4 billion in the Concorde. There is no private financing in the Soviet Union so that government is providing all of the funding for the TU–144.

The estimated total cost for research, development, and initiation of production of the American SST is $4.5 billion. The government is committed to advance, according to the estimates, $1,242,000,000 for development. Under present agreements, the government has no financial obligation beyond the development of two prototype aircraft and one hundred hours of flight testing of those aircraft. It is thought that if the prototype aircraft are successful, private capital can and will finance the production program. Since production programs entail less risk than development programs and are closer to the point at which funds are earned, private financing will be less costly for production than for development.

The cost of the development program and the time lag before income begins are so great that the companies involved do not possess the financing potential required. The interest which private capital would require on the amounts involved over the long period of time for which funds are required would raise the cost of the aircraft considerably, perhaps to the point at which the aircraft would cease to be economically feasible. The government can borrow money at lower rates. Public participation in the financing of the development program, along with participation by the contractors and the airlines, and private financing of the production program appears to be the best approach to the problem. The investments by the contractors and the airlines serve to retain business incentives and the participation of the government makes the development program economically feasible.

The total funding requirement estimated for the supersonic transport program during fiscal year 1968 is $349,000,000. Approximately $99,000,000 will be available in carryover funds from fiscal year 1967, leaving a balance needed of $250,000,000. The U.S. airlines have agreed to contribute $52,000,000 of risk capital to the development effort and this $52,000,000 will be applied to the fiscal year 1968 program, leaving a new obligational authority requirement of $198,000,000.

Of the $349,000,000, $229,000,000 will be required for development of the airframe, $110,300,000 will be required for engine development, and $9,700,000 will be required for supporting research and development and administration of the program.

The contracts for the development of the supersonic transport call for the manufacturers to share in program costs. If the government should decide to terminate the SST program for its convenience, thus precluding the manufacturers from the opportunity of recouping their investments, the sum of the manufacturers' cost-share at that point would need to be repaid. It has been the procedure of the Federal Aviation Administration to budget for these contractual obligations of the government and to set aside funds provided for this purpose in a "pay-back reserve". The sum of $18,833,000 of the $198,000,000 requested for fiscal year 1968 is budgeted for the "pay-back reserve". In addition, $35,380,000 will have been set aside for the "pay-back reserve" from amounts previously appropriated.

The Committee directs the Federal Aviation Administration to apply the entire $54,213,000, the total amount which would be set aside in the "pay-back reserve" by the end of fiscal year 1968, to the fiscal year 1968 program. This is in accord with action taken recently by the Committee on the Department of Defense Appropriation bill.

The Committee recognizes the obligations of the government to the contracts, but feels that since the government is always obligated to pay termination costs on contracts, and since the government would not and could not fail to pay amounts due contractors upon termination for the convenience of the government, these funds should be utilized for the program rather than set aside. The Committee is very desirous of maintaining close scrutiny over the costs of the SST program. The elimination of the "pay-back reserve," in addition to being a better utilization of financial resources during fiscal year 1968, gives the Congress a closer and tighter control over program costs of the SST. Further, the Committee does not believe that it is likely that the government will be required to terminate the program and believes that the accumulation of large amounts (which could total $156,000,000 at the end of the development phase of the program) for this purpose is unnecessary.

A further reduction of $1,412,000 is recommended in the amount estimated by the FAA to be required for 1968. The FAA included an additional 7½% above the program costs estimated by the contractors for those cost overruns which are always found in large development programs. The Committee believes that $1,412,000 of the cost overrun requirements should be deleted. Of course, the cost overruns will be either more or less than 7½% since cost overruns are by their very nature, impossible to accurately predict. The 7½% factor is based on experience with other aircraft development programs and is lower than actual cost overruns have been in many such programs, but to further emphasize its intention of carefully monitoring the cost of the program, the Committee recommends the $1,412,000 reduction.

In summary, the Committee believes that development of the SST is of sufficient importance to the country that the funds recommended should be appropriated. The value of the SST goes far beyond the saving of time of airline passengers. The jobs created by the production and operation of the aircraft will be important to thousands of Americans. The health of a major industry will be preserved. Foreign exchange will be earned, and the more than one-half billion dollar investment already made will be protected. The time is near for the next step in air transportation, supersonic flight, to become a reality. The United States must either be a part of this new era or forego its leadership position in air transportation.

The Eighth Annual Report of the Federal Aviation Administration for the Fiscal Year 1966 has the following at pages 78 and 79:

NOISE ABATEMENT

When turbojet aircraft were introduced into commercial service (1958), civil air transport took a big step forward in speed and reliability. The noise of jet operations, however, soon began to pose a problem, especially for communities near major metropolitan airports.

As jet traffic grew, both in frequency and locations served, the noise problem grew correspondingly, and various ameliorative actions were undertaken. These included, among other things, the development of preferential runway systems, minimum altitudes for aircraft operations, special aircraft arrival and departure routes, planned compatibility of land use with airport operations, and technological improvements in aircraft engines and airframes. Measures such as these have provided some relief. But the development and use of noise-abatement techniques and equipments have not kept pace with the problem crescendoing from the rapidly growing jet traffic.

The seriousness of the problem was reflected, during the reporting period, in its being the subject of a special study in the Executive Office of the President. A Jet Aircraft Noise Panel of the Office of Science and Technology (OST), led by OST's director, made the study and forwarded a report to the President on March 18, 1966, advising him that the Federal Government must take the lead in seeking solutions to the problem. Recognizing that much useful work has already been done to reduce the effects of jet aircraft noise, the Panel made recommendations stressing need for qualified data, both current and projected, from which standards and formulas can be evolved. Important applications of such data would include development of specifications for aircraft and engine manufacturers, community planning guidelines for land use compatible with airport operations, cost-effectiveness analysis of proposed noise remedies, and an equitable rationale for allocating the cost of noise abatement.

The President called for a "concerted effort to alleviate the problems of aircraft noise," and early in April the FAA Administrator announced the establishment of a Noise Abatement Staff to carry out FAA's part of this effort. This staff is working closely with the Office of Science and Technology, the National Aeronautics and Space Administration, the Department of Commerce, the Department of Housing and Urban Development (HUD), and the aviation industry.

One of the specific recommendations of the Jet Aircraft Noise Panel's report assigned to FAA for carrying out (in this instance, in cooperation with HUD) calls for a projection to 1975 of jet noise problems at the 25 or so major jet airports; subsequently, coverage is to be extended to all U.S. communities expected to have jet service by 1975. Another recommendation calls for an overall systems analysis of the developing jet noise problem at New York's Kennedy, Chicago's O'Hare, and the Los Angeles International Airports. This systems analysis is intended to result in practical programs lending themselves to Federal sponsorship to help the three communities cope with the aircraft noise problem. By year's end, FAA had prepared plans for fulfilling its responsibilities under the program and in line with guidance provided by the Interagency Program Evaluation and Direction Committee, a special White House body composed of Government officials and industry advisers.

The introduction of jet air carrier service at Washington National Airport on April 24, as mentioned earlier, required special measures to keep noise disturbance to a minimum. Special arrival and departure procedures were devised, based on the Potomac River as the natural flyway for these purposes. The climb profile of jet aircraft departing Washington National is adjusted so that noise from the aircraft will be the least amount compatible with requirements for safe operations.

The possibility of improving the profile for landing aircraft is the objective of a flight-test program being conducted by the Agency; this program is investigating the operational feasibility of a two-segment approach designed to keep the airplane and its jet noise as high as possible (within safe operating limits) above the communities surrounding the airports as it makes the earlier part of its approach.

The Agency's research and development effort continued during the year on the problem of reducing compressor and exhaust noise.

The Federal noise-abatement program will result in a quieter environment for airport vicinities. Maximum relief will depend on active cooperation of all concerned—Federal, State, and local governments, the aviation industry, airport operators, and the affected communities.

Lewis S. Goodfriend, the well-known acoustical expert, is the editor of Sound and Vibration, which name is self-explanatory. In the April 1967 issue, in addition to technical articles on the subject, there is an excellent article commencing on page 8 on "Objective and Subjective Measurement of Truck Noise" by Ralph K. Hillquist of the General Motors Corp.

Objective and Subjective Measurement of Truck Noise *

(By Ralph K. Hillquist, General Motors Corp.†)

Truck passby noise is best evaluated by techniques involving band analysis and subsequent conversion to empirical loudness or annoyance measures, however more cumbersome they may be. As a monitoring or enforcement tool, A-weighted sound level is shown to be a satisfactory direct measure. It represents the optimum of existing weighted sound levels and provides quite adequate approximation to the subjective appraisal of truck passby noise.

Control of the noise emitted by motor vehicles has become a matter of increasing concern not only to the various vehicle manufacturers and their suppliers, but also to legislative bodies and law enforcement agencies. In the trucking industry in particular, efforts toward self-regulation of vehicle exhaust noise began about 15 years ago. This early work resulted in a standardized test procedure for determining truck passby noise and an arbitrary but acceptable loudness limit of 125 sones at a distance of 50 ft, now documented as SAE Standard J672.[1]

The use of a band-analysis technique has been supported by the automotive industry because of the better definition of the noise spectra involved and closer agreement with subjective reaction than was afforded by single meter readings. With increased interest in the enforcement of noise-limit statutes, however, simpler methods for determining vehicle loudness are being demanded. Thus, testing has been conducted by many groups to investigate the adequacy of direct meter readings for this purpose.

The Noise and Vibration Laboratory of the General Motors Proving Ground has been involved with this problem since its inception, principally through activity with the Vehicle Noise Committee of the Automobile Manufacturers Association (AMA). In addition to making the necessary measurements to determine compliance with the SAE Standard and performing development work on exhaust systems for the truck-producing divi-

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* This paper was presented to the 72nd Meeting of the Acoustical Society of America.

† Noise and Vibration Laboratory, General Motors Proving Ground, Milford, Michigan 48042.

[1] "Measurement of Truck and Bus Noise—SAE Standard J672," in *1965 SAE Handbook* (Society of Automotive Engineers, Inc., New York, 1965), pp. 887–889.

sions of General Motors, this laboratory has also undertaken several programs to investigate the relation of various objective measures of truck passby noise with subjective appraisal of this noise. The most recent of these programs, also conducted for the AMA, is the subject of this article.

TEST PREMISE AND DESIGN

Experiments designed to relate subjective reaction to some physical experience with an objective measure of it are necessarily comprised of two parts. The first involves acquisition from the participants of some quantity, be it a magnitude; a selection, or whatever, that is representative of their subjective response to the stimulus. The second is the determination of the objective measures, and thence the correlation of these with the subjective data.

In earlier experiments of this type conducted by our laboratory and other groups, subjective evaluations of single-truck passbys were made by small groups of jurors using various absolute, relative, or categorical scales. Using the absolute scale of say 0 to 10, where 0 represents a pleasant-sounding or totally inoffensive truck noise (silence, perhaps?) and 10 represents the other extreme of loudness or annoyance, the juror simply assigns a value to each passby heard. For a relative scale test, on the other hand, each passby noise is assigned a value by the juror that represents its loudness or annoyance with respect to some standard baseline truck (or trucks). Categorical scale testing involves the choice from several preconceived descriptions (acceptable, offensive, intolerable) for each of the noises heard.

The first two of the test types provide subjective data having reasonable sensitivity and scaling of values, features not obtained by the categorical tests. Unfortunately, however, they, too, have a wide variance or spread of data, because of the difference in subjective response of the jurors involved. Inherent also in these tests are the nonlinearities of the scale of each juror, as well as scale drift or slope change as a function of time, test exposure, short-term remembrances of preceding noises, and the like. These, of course, are not unique to tests of this type but are rather a characteristic of humans in similar situations.

To overcome these drawbacks, or at least to exercise some control on the subjective variance, an experiment using paired-comparison techniques was investigated. With a larger number of jurors making a preference choice between two stimuli, i.e., two passby noises in close succession, subjective sensitivity and scaling were anticipated but with less vagary and variation. The subjective data obtained would not be absolute, but rather a scaled or weighted ranking of the stimuli involved. Data on an absolute scale were not considered essential, as correlation between subjective and objective scaling was sought. That is, the objective was not to find a limit or a value for delineating *acceptable* or *objectionable* truck noises, but rather to determine which of the objective measures scaled these noises in best agreement with subjective opinion.

A relatively large number of stimuli was also considered desirable. Recognizing that the total number of intercomparisons (i.e., combinations of pairs) is essentially one-half the square of the number of stimuli, one of two alternatives had to be followed, in order to keep the amount of subjective labor within bounds. The most obvious was to use only a small number of stimuli; for example, 25, resulting in 300 intercomparisons. If all pair combinations were not employed, however, intercomparisons of a larger sample size were possible without an attendant increase in the total number of comparisons made.

Forehand knowledge of the approximate results of the experiment could also be put to use in its design. That is, if the objective was to order or rank the stimuli, a preordering based on the same criteria could determine which stimuli pairs needed to be subjectively evaluated and which could be assumed to follow the preordered pattern. For stimuli with nearly identical characteristics, this would not be possible; for the range of truck noises to be used, however, this was felt to be valid. In essence, then, the subjective appraisal of truck noises having widely separated characteristics (e.g., loudness) was assumed beforehand, and jury consideration was required only for those intercomparisons involving trucks with similar characteristics. This was the premise upon which the test was founded, in large part justified by the experience and results from prior tests.

Thus, an experiment having 100 passby noises, preordered as required, involved in 648 paired comparisons, was designed. Note that this is about one-eighth of the comparisons required for all possible combinations. Each of the stimuli was intercompared with about 12 neighboring stimuli in the preranking (e.g., the truck noise preranked as No. 25 would be compared to each of those ranked from No. 19 through No. 31). Several duplicated comparisons were also scheduled to provide a check on juror consistency.

TEST EXECUTION

Although most realistic, an actual or simulated highway location for the subjective judging of real trucks would have been quite impractical for this test. Thus, reproductions of magnetic tape recordings made of truck passbys under actual highway conditions were used as the auditory stimuli. To obtain the recordings, our crew spent several days at a test site meeting the requirements of the SAE procedure, midway up a long uniform grade on a section of limited-access highway.

These recordings were carefully scrutinized, and all but 130 or so were rejected for use because of excessive or unusual tire noise, rattling of chains or loading ramps, gear changes, and, in one instance, a surprisingly loud refrigeration unit on the trailer. For these remaining trucks, A-weighted and N-weighted (the frequency response of an N-weighting network approximates the inverse of the 40-noy equal-noisiness contour [2]) sound levels were determined and the trucks tentatively ordered, based on the sum of these two measures. Further elimination was based on the desirability of a broad even distribution, centered about 85 dBA, and on the uniformity of apparent passby speed, so that the growth and decay characteristics of the sound intensity envelope were similar throughout the sample. The final 100 trucks (of which 46 were gasoline-engined and 54, diesel-powered) were then subjectively evaluated and adjusted, as necessary, to provide the final preranking, in order of decreasing preference (i.e., best to worst).

Presentation tapes were then prepared by copying from the original recordings. Each pair was recorded so that one truck followed the other much the same as they might on the highway. The schedule of presentation was randomized to some extent, to avoid patterns or an imagined routine to the jurors. The same truck was not repeated oftener than every fourth comparison. Order within the comparison was alternated, so that the *louder* came first every other time. Gradual transitions were made from the quieter trucks to the louder ones, and back again, so that the comparison variation was not overly severe from one to the next. Each comparison pair was 12 to 15 sec in length, with 5 to 8 sec between pairs.

To make the subjective appraisals, 20 jurors were selected from our laboratory staff. These were formed into two groups of 10 each. Of the 20, 15 were male, 5 were female; 10 were college graduates. Average age was just over 27 years. None had any serious hearing abnormality or impairment.

Some of the jurors had had previous experience in tests of this type or in subjective evaluations of motor-vehicle noise, whereas for some this was a totally new experience. All were informed of the nature of the task before them and the intended usage of the results.

The tests were conducted in a large semi-anechoic room (24 x 45 ft in size), hopefully representative of a free-field, outdoor environment. This indoor location was used because of its convenience and better control of the noise and comfort climate, distractions, and other environmental parameters. An Altec "Voice of the Theater" loudspeaker system was used for reproduction, having two horns for frequencies above 500 Hz (one for each of the two channels recorded) with the signals below 500 Hz being combined and reproduced by a central low-frequency unit. The result was a surprisingly clean reproduction of the truck passby, including the illusion of left to right motion, with good fidelity of the recorded sounds. Playback levels were adjusted so that the jurors heard the truck at actual recording level.

The jurors were seated in chairs arranged in two rows of five, approximately 30 ft from the speakers. Earlier work indicated that a 30 ft spacing is about right to obtain the proper feeling that a truck is passing by 50 ft away. Located in the listening area were four microphones, distributed so that their summed signal represented the average signal heard by the jurors. This signal was recorded during the test and these recordings were used for subsequent analysis, so that all measures were made of the noise as heard by the jury.

The jurors were instructed to choose from each pair the truck that they *most preferred* and vote for it. Each was left to his own interpretation of *preference* and of the test location being simulated. No qualifying or biasing statements were made inferring that loudness or annoyance be used as a criterion. *No-choice* (equal preference) votes were allowed.

The presentation tapes were placed so that about 3 comparisons a minute were made. No replays were allowed. Short breaks were taken after every 36 comparisons. At every other of these interruptions, each juror shifted to the next adjacent seat location. In this way, nine of the ten locations were occupied by each juror during the test, this being another randomizing effort. To avoid undue fatigue, each jury worked in two sessions of about four hours each, on successive days.

ANALYSIS OF DATA

The availability of an IBM 1620 digital computer prompted the techniques used for the reduction and analysis of the data obtained during the test sessions. Several programs were written specifically for processing the raw subjective data (the jurors' votes) and providing output information on the ranking and scale factors of the 100 trucks, juror performance with duplicated comparisons, vote distributions, and similar items. A scheme utilizing the summation of votes cast for each truck was employed to determine the subjective scaling associated with the ranked ordering of the trucks (i.e., the weighted-scale factors locating each of the trucks on a subjective scale whose extremes are the *most preferred* and *least preferred* trucks thus determined).

A vote matrix of order 100 was generated from the preference votes made by the jurors; each element v_{ij} represented the votes for truck i in preference to truck j. *No-choice* votes were counted as one-half for each of the two trucks. The principal diagonal of the matrix was of course zero. The subjective scale rating SR_i was found as

$$SR_i=\frac{100}{V}\sum_{j=1}^{100} v_{ij}$$

where V is the maximum possible number of votes (i.e., the product of the number of jurors and one less than the total number of stimuli). Ranking of the stimuli was found by arranging the individual scale ratings in ascending numerical order, with scaling within this ranking provided by the scale rating values. For appearance, the subjective scale ratings were adjusted to give terminal values of 0 and 100.

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[2] K. D. Kryter and K. S. Pearsons, J. Acoust. Soc. Am. 35, 866–883 (1963).

From the recordings made during the jury sessions, sound levels having A, B, C, DIN 3 (this is a European weighting, specified in DIN 5045; it is no longer in general use) and N weightings and the levels for the preferred-frequency octave bands were determined. The peak observed value of the rms signal during the passby was used for these levels. The 500, 1000, and 2000 Hz band levels were combined to provide another direct measure, somewhat akin to a Speech Interference Level. Loudness levels by the ARF (Beranek-Armour equivalent-tone method, specified in SAE J672) [3,4] and Stevens Mark II [5] and Mark VI [6] methods and perceived noise level [3,7] were computed for all the trucks. Logarithmic scale units (e.g., phons) were used for these computed values to be consistent with the sound-level data (specified on the logarithmic decibel scale). Including the 1000 Hz octave band level, 11 different objective measures were obtained for correlation with the subjective data.

The truck-noise stimuli covered a range of 73 to 97 dBA, or 50 to 240 ARF sones, with a mean and median value of about 85 dDA or 125 sones. Representative spectra for several trucks as originally recorded and as heard by the jurors showed excellent agreement.

Correlation and regression analyses were made between the various objective measures and the subjective scale values. Regression coefficients, variances, and correlation coefficients were computed in the *least-squares* sense, using a linear regression model. For some data, various exponential and power function models were attempted, but the fit obtained was worse than the linear fit in all cases.

TEST RESULTS

A tabulation of the coefficients of correlation and determination and the normalized variances for the various objective measures should be reviewed. The correlation coefficients are an indication of the agreement of the objective and subjective data and also of the variations attributable to the scale of the measure involved. These values do not differ appreciably from one another, it would appear, but they do indicate a ranking of preferential measures with some scaling. The coefficient of determination is the square of the correlation coefficient, and it is a measure of the proportion of the elements of variance in the objective measure data that are also present in the subjective scale factors. These coefficients emphasize the differences between measures, albeit with no greater statistical significance, and point out the increasing uncertainty of prediction of subjective response for many of the measures considered.

The normalized variance values are the computed variances for the various methods (i.e., the square of the standard error of estimate) divided by the variance for ARF loudness level, thus giving a measure of the spread of the respective data in relation to the method now in use. These variance data indicate the reliability and accuracy of predicting the subjective response to a truck passby noise from an objective measure of it.

Both correlation and variance information suggest that the empirically derived sensation measures (i.e., ARF loudness level or perceived noise level) more adequately agree with subjective appraisals. A-weighted sound level appears to correlate as well with the subjective data, although exhibiting a greater variance (at a 99 percent confidence level).

Correlation of the objective data indicates that an A-weighted sound level of 85 DB is equivalent to an ARF loudness level of 102.9 phons (125 sones) with a standard error of estimate of about 1.5 dB. Based on this finding, one may predict with reasonable certainty that 98 percent of trucks meeting the 125-sone specification will have noise levels no greater than 88 dBA.

In comparison to previous tests, better correlation of the objective and subjective data, with somewhat less variance, was experienced in this test, suggesting that the subjective data obtained were more precise. The rank ordering of trucks obtained showed few differences from the preranked order. Composite vote distributions were typically as desired, approximately even for trucks adjacent in the ranking, and unanimous or nearly so for trucks widely separated. This would bear out the original premise of the experiment.

Studies of the juror and jury behavior were also made. Although each of the two juries had different backgrounds and experience with this type of testing, their individual results were essentially identical. For this reason, the subjective data were combined for all subsequent analyses.

Of most importance is the behavior on duplicated comparisons, as this gives insight to the repeatability of consistency of the subjective appraisal. Fourteen pairs of paired comparisons were included in the experiment for this purpose. In some of these, the order of stimuli within the pair was the same, and in the others, the order was reversed. For the individual jurors, the number of correctly repeated votes ranged from 6 to 11 of the 14 possible pairs, with a mean of 8.3. The score for the composite or total jury was 9, suggesting that a group is more consistent in its subjective reaction to noise stimuli than in an individual.

The composite of vote distribution shows the first truck of the pair was preferred about 58 percent of the time, the second about 31 percent of the time, with no selection made the remaining 11 percent. This grouping appears to be disproportionate, inasmuch as an equal distribution of *quieter* truck first and *louder* truck first in ordering the comparisons was made. This result would suggest that, unless the difference in stimuli is great, the more recent of a pair is predominant in the juror's mind and perhaps is judged as less preferable on this basis. (Such behavior has been observed in other experiments using paired-comparison techniques; in a study involving jet aircraft noises, the second of a pair of identical sounds was judged to be noisier on the average by an equivalence of 2 dB L_p.) [8]

The variance for the mean of the individual jurors on the composite subjective scale factors was also computed. Normalized by the corresponding variance for ARF loudness level, this juror variance is 2.2, about the same as the poorer correlating direct measures, as shown earlier. This variance, viewed with the other juror performance data just presented, suggests that the reliability and consistency of the subjective appraisal of an individual observer cannot approach that of the various objective measures.

	Correlation coefficient	Coefficient of determination	Normalized variance
ARF (SAE J672) loudness level	0.96	0.93	1.00
Perceived noise level	.95	.90	1.43
Stevens Mk VI loudness level	.95	.90	1.44
A-weighted sound level	.95	.90	1.47
DIN 3-weighted sound level	.94	.88	1.71
N-weighted sound level	.94	.88	1.78
Stevens Mk II loudness level	.93	.87	1.86
0.5/1/2 kHz octave band level	.93	.87	1.91
B-weighted sound level	.92	.85	2.21
1 kHz octave band level	.89	.79	3.04
C-weighted sound level	.86	.74	3.78

My constituent, Dr. Herman Goodman, has called my attention to an article in the May 15, 1967, issue of the Journal of the American Medical Association, where at page 35 they discuss "A New Pollutant? 'Chronic Noise Syndrome' Predicted":

A NEW POLLUTANT?—"CHRONIC NOISE SYNDROME" PREDICTED

The decibel level and wave forms may be identical, but there is a difference between "sound" and "noise."

The ambulance's screaming siren gives the motorist useful information: "clear the road." This is sound.

When the same intense sound wakes a light sleeper or baby it becomes noise.

Chronic noise also may affect health in subtle psychological and perhaps physiological ways, a number of scientists now believe.

"One day, I believe, we will recognize a chronic noise syndrome," comments Samuel Rosen, M.D., of New York City. "At an unexpected or unwanted noise the pupils dilate, skin pales, mucous membranes dry; there are intestinal spasms and the adrenals explode secretions.

"The biological organism, in a word, is disturbed."

Like many others, Dr. Rosen reasons that the constant irritation of environmental noise cannot be ignored. "The ear has no lids to protect it."

NOISE PATHOLOGY

But the evidence for noise pathology—apart from that produced acutely—is scant. Those concerned about "noise pollution," whether apartment dwellers or clinicians, find themselves data-poor crusaders.

A recent New York symposium, sponsored by the American Institute of Physics, reviewed the problem of this newly-recognized "pollutant," evidence for damaging effects, and the avenues for future research. Dr. Rosen reported his findings in an interview with *JAMA* MEDICAL NEWS prior to the symposium.

It has been 19 years since a U.S. court established precedent by awarding a drop forge worker compensation for occupational presbycusis. Most industries now protect their employees against chronic noise levels in the dangerous range, exceeding 85 to 90 decibels (db).

But each day U.S. residents hear noises exceeding this level on an acute basis. A Chicago subway train passenger may receive 90 to 100 db during his trip. The environmental noise level in a typewriter-filled office area is just under 80 db. Most acoustical scientists concede that the ambient level of environmental noise increases at least one decibel per year.

For many persons the noxious level is distant; for others it is as close as the radio in a neighbor's apartment. Individual sensibilities make a great deal of difference, at least psychologically.

What about subtle physical damage to chronic noise? At the Central Institute for

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[3] L. L. Beranek, J. L. Marshall, A. L. Cudworth, and A. P. G. Peterson, J. Acoust. Soc. Am. 23, 261–269 (1951).

[4] F. Mintz and F. G. Tyzzer, J. Acoust. Soc. Am. 24, 80–82 (1952).

[5] S. S. Stevens, J. Acoust. Soc. Am. 28, 807–832 (1956).

[6] S. S. Stevens, J. Acoust. Soc. Am. 33, 1577–1585 (1961).

[7] K. D. Kryter and K. S. Pearsons, J. Acoust. Soc. Am. 36, 394–398 (L) (1964).

[8] K. D. Kryter, J. Acoust. Soc. Am. 31, 1415–1429 (1959).

the Deaf in St. Louis, chinchillas and guinea pigs exposed to brief, intermittent periods of above normal—but supposedly tolerable—noise levels have developed swollen cochlear membranes and obliteration of inner ear hair cells. This effect has not been seen in humans, perhaps because of post-mortem changes.

The electroencephalographic patterns of sleeping subjects are radically altered by sound levels that do not awaken them, Stanford Research studies indicate.

Among the best-quoted suggestive evidence is the study of hearing levels in 10 nations gathered since the 1950's by Dr. Rosen and colleagues.

PRESBYCUSIS LEVELS

Levels of presbycusis can be correlated with the environmental sound levels of various populations, says Dr. Rosen. Blood nutrition to the ear appears involved in the process.

A relatively "noise-free tribe of aborigines in southeast Sudan provided a sharp physiological contrast to cultures where noise levels are higher, such as in America. The Mabaan tribesmen were surrounded by a village background noise level below 40 db. Rare festivals provided the highest noise levels, about 110 db.

Tribesmen at age 75 had hearing levels as high as those 25 years old, recalls Dr. Rosen. The physiological response to loud noises also was unique among the Mabaans.

Plethysmographic measurements of capillary blood flow changes indicated rapid constriction of the blood vessels with a loud, unexpected noise. The flow was quick reestablished, however.

IMPAIRED NUTRITION

The New York businessman, in contrast, has the same rapid capillary constriction, but recovery is much slower. This would suggest generally impaired nutrition, including that to the ear, during the reflex action.

The relationship is complicated, however, notes Dr. Rosen, who is a pioneer in stapes surgery and on the faculty of Columbia-Presbyterian Medical School. The Mabaans also have an extremely low incidence of coronary disease, varicose veins, and low serum cholesterol levels.

The blood vessel system of the tribesmen—for dietary, genetic, and other reasons—would thus seem generally more elastic.

Subsequent studies have been conducted among Egyptians, Lapplanders, Germans, Finns, Yugoslavs, Bahamians, Cretans, and Russians.

In all populations the correlation between cardiovascular disease and presbycusis has persisted in tandem with environmental noise levels, the investigator said.

The relationships between audiometric data, plethysmographic responses, and coronary symptoms among the occupants of two Finnish mental hospitals strengthened this concept, he said.

LOW-FAT DIET

Patients in a hospital where the diet was low in fat had better hearing, quicker constrictive recovery, and less evidence of coronary disease than occupants of a neighboring facility. Matched subjects in the second mental hospital had been fed on the standard high-fat diet familiar to the nation.

"Our hypothesis remains that in those areas where the cardiovascular system is in good condition, nutrition to the ear is also good," says Dr. Rosen.

"How much the repetitive mild insult of noise with periods of recovery will damage this situation is difficult to evaluate. It certainly would not do any good."

Although the psychological annoyance of noise is just as difficult to quantify, recent events have spurred research in this area. The national plan to introduce a fleet of supersonic transports (the "SST") into civilian aviation has led to numerous studies on the effect of the sonic boom.

A National Sonic Boom Evaluation Office, under technical direction of the Stanford Research Institute and the President's Office of Science and Technology, is coordinating the studies.

The reason is that the sonic boom will be the best-shared sound in history.

In a transcontinental SST flight, notes N. E. Golovin, PhD, people located within a corridor 30 to 50 miles wide below the flight path might hear the boom. This could bring the sound to 10 million persons during a flight across the United States, says Dr. Golovin, who is with the Office of Science and Technology.

There now exist accepted techniques for evaluating human reaction to noise. These are being used also in judging noise levels from existing aircraft. Future aircraft, he adds, will be certified on noise criteria as well as safety.

"At this time, the problems of noise pollution are not yet understood clearly enough to be resolved through regulation or other forms of executive action . . . ," says Dr. Golovin. Even those most concerned about the problem would agree.

What are the other alternatives? "At the root of all our problems," says Tony Embleton, PhD, "is the vast amount of mechanical energy we have at our disposal."

NOISE REDUCTION

There are mechanical methods to cut noise, but these must be balanced against possible losses of economic or work benefits. If a noise abatement device cuts the speed of a jet, the decrement must be considered. Sound-proofing of apartments increases the construction cost of a typical unit by 10 percent and this affects the rent.

If reduction at the source is not practical, noise sources can be surrounded by absorbent material or simply isolated from people.

While economic criteria may impeded noise abatement, it also can be turned to aid it, suggests Dr. Embleton, a member of the National Research Council of Canada, "A quiet product is a salable one."

PRESENT PLAN

If health considerations can be documented, chronic noise may be reduced more rapidly. "But right now, we'll be doing well to keep present noise levels from rising," the panelists agreed at the New York symposium.

The ear is perhaps more susceptible to damage than any other human organ, says Hallowell Davis, MD, emeritus director of research, Central Institute for the Deaf. But it also is surprisingly adaptable and resistant.

It is after all the "inner man" that makes the distinction between noise and sound—not his hearing mechanism.

Comment around the country includes the following:

THE UNIVERSITY OF MICHIGAN,
COLLEGE OF ENGINEERING, DEPARTMENT OF MECHANICAL ENGINEERING, AUTOMOTIVE ENGINEERING LAB,
Ann Arbor, Mich., July 24, 1967.

Representative THEODORE R. KUPFERMAN,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. KUPFERMAN: In the Detroit Free Press of Saturday, July 15, there was an excellent article, a copy of which is attached, outlining the efforts of certain New York citizens to reduce noise. This article makes reference to your efforts and those of a Citizens for a Quieter City, Inc. group.

During the last several years we have had activity in the city of Ann Arbor to enact an effective noise ordinance. This has resulted in an ordinance having a maximum vehicle noise limit under specified test conditions of 90 decibels. Our problem finally settles down to a difficult one of enforcement by the police. In general we have not made much progress in making Ann Arbor noticeably quieter.

I would like to request that you send me any information that you have concerning the Citizens for a Quieter City, Inc., and how I may contact this group. I am interested in participating in activity of this sort, particularly as it bears on our problem in Ann Arbor and the State of Michigan.

It appears to me that this is one more example where the states have almost completely abdicated their responsibility and it is going to be up to the Federal Government to do something about the great amount of unnecessary noise with which we all live. I regret that this must become another area of Federal activity, but I confess I see little alternative.

I will appreciate any information you can provide on this subject for my use.

Yours, sincerely,

JAY A. BOLT,
Professor.

[From the Detroit Free Press, July 16, 1967]

NOISE FOES WAGE WAR ON CONSTRUCTION DIN—NEW YORK GROUP AROUSED BY "DECIBEL FATIGUE"

NEW YORK.—Tense, nervous, ill-at-ease, irritable, jumpy, anxious? Can't sleep? Can't concentrate? Can't relax?

You may be suffering from decibel fatigue, the constant bombardment of city sounds—honking horns, jackhammers, banshee sirens, grinding garbage trucks, battering air compressors, clunking trucks, traffic roar—which Dr. Vern O. Knudsen, physicist and former chancellor of the University of California at Los Angeles, call a "slow agent of death."

Noise can not only raise your blood pressure, make your heart pound, push into neuroticism and deafness—it can kill you, he says. Researchers have killed mice with 175 decibels. And the noise level in many large cities is rising at the rate of one decibel a year. If not checked, Dr. Knudsen warns, it will, in 30 years, become "lethal."

A decibel is a unit of sound-pressure named for Alexander Graham Bell. A food blender whirls up 93 decibels of sound; a pneumatic jackhammer pounds out 94; a subway train screeches around a curve at 104; a loud power mower 107; a jet plane takes off at 150. "Ninety decibels bombarding several hours a day can cause an irreversible hearing loss," says Dr. Knudsen.

"Softer noises take a severe toll in illness, jangled nerves, loss of sleep, concentration and serenity."

Noise has always plagued city dwellers. About 50 years before the birth of Christ the Romans complained so loudly about the noise from the hotrods of antiquity that Caesar banned all chariot traffic at night.

Yet today in America few cities have enforced vehicle noise abatement laws. (An exception is Memphis, titled "quietest city in the United States.")

And New York state is the only one to apply the "decibel" definition to motor vehicles—88 decibels (three decibels louder than the level at which the U.S. Air Force recommends use of ear protectors to prevent hearing loss).

Construction and demolition noise is generally exempted from daytime control, considered a "temporary nuisance" and the "price of progress."

Last March a group of New Yorkers, harassed by the din of about 1.5 million automobiles, 124,718 trucks, 6,491 buses and 6,500 motorcycles plus 10,000 yearly demolition and building projects and 80,000 street repair projects, decided to add to the general uproar and raise their voices to launch a "quiet, please" campaign.

It grew out of the outrage of a Sixth Avenue theater manager, whose apartment and office were bombarded by the wrecking balls, 103-decibel giant air compressors, and jackhammers of a three-year construction project to extend a subway under Sixth Avenue.

Robert Allan Baron, complaining all the way from the corner policeman to the Commissioner of Health to the Mayor, found no one, including the United States Department of Health, had any power to muffle the noise.

Baron quit his job, went to Baden-Baden, Germany to attend the IVth International Congress for Noise Abatement, returned with model legislation from 22 European countries, and enlisted the support of Congressman Theodore Kupferman whose noise abatement bill submitted when he was City Councilman had been silenced in committee.

Deciding that only citizen pressure could lower New York's decibel level, Baron, along with Jerome Nathanson of the New York Society for Ethical Culture and Dr. Samuel Rosen, noted ear surgeon, formed the Citizens for a Quieter City Inc., and staged a conference.

"Most cities are 24-hour sonic nightmares," says Nathanson, CQC president. "Yet most city noises are unnecessary and can be eliminated or substantially reduced at relatively little cost, with today's techniques and devices."

CQC supports a proposed city building code designed to reduce the "acoustical garbage" seeping from one apartment to the other, by soundproofing walls and floors, quieting of machinery, and limitations on noises transmitted through ventilators and ducts.

It advocates silencers and mufflers to be attached to jackhammers, air compressors and other construction equipment; or enclosing such equipment with a noise barrier on construction sites; portable soundproof cladding for pile drivers.

It also urges limiting of construction hours from 8 a.m. to 5 p.m. and restricting unnecessary noise; enforcing horn blowing regulations; and cracking down on noisy trucks (including the city's garbage trucks which "gnash loudly between gigantic metal teeth, dawn-cracking city dwellers out of their last hour of sleep").

Requiring (as in some European cities) all garbage cans to be encased in rubber.

Running freeways through sunken "groove ways" to absorb traffic noises . . .

Burying garages, wherever possible, underground to muffle excess automobile noises . . .

Controlling jet planes, helicopters and other aircraft over cities.

"Industry has recognized that excessive noise is an occupational hazard with boilermakers, riveters, pilots, aircraft maintenance workers, and men exposed to gunfire," says Nathanson. (Claims for hearing losses in these occupations are about $2 million annually.)

"Businesses spend millions reducing sounds in noisy offices and factories.

"If we recognize the health dangers of noise pollution, and put it in the same category as air and water pollution, all of which can be solved with techniques we already have, we can do much to make our cities more livable.

CQO has resolved to keep on making noise until New York becomes a quieter city.

They don't intend, however, to get as tough as Queen Elizabeth was in 1560 when her subjects complained about the night noise caused by the widespread practice of husbands beating their wives.

She promptly passed an edict prohibiting males from beating their women after 10 o'clock in the evening.

WCBS–TV Editorial

Subject: Noise.
Spokesman: Michael F. Keating.
Broadcast: September 6, 1966.

A lot of us returned to New York on Labor Day after a summer vacation and—did you notice what a racket is in this town? The honking sirens; the squealing of automobile tires; the roaring of the trains, and so on. Around the airports is added the screeching of the jets. After a week at the beach—where the only noise is the surf—you notice on returning that this is a very noisy place in which to live.

Now, everyone assumes that cities must be noisy. And obviously New York is going to be noisier than the beach in Maine. But the question is: Do cities have to be as noisy as they are?

Some people think not, and that's why President Frank O'Connor of the City Council, Majority Leader David Ross and Councilman Robert Low have called for a City Council inquiry into noise and its possible reduction. And that's why Congressman Ted Kupferman of Manhattan has suggested that the federal government sponsor research into what he calls "noise pollution."

We're all for these steps, because, if we can cut down the racket, life will be a lot more civilized here. After all, a quiet beach is a nice place to visit, but it's not practical for many of us to live there.

[From the Los Angeles Times, Feb. 27, 1967]

Hush, Dammit!

(From a St. Louis Post Dispatch editorial)

We propose a rousing round of silence for Representative Theodore R. Kupferman of New York City, who again has introduced a bill in Congress calling for some quiet.

Being a Manhattanite, Mr. Kupferman knows whereof he speaks, softly we trust, when he says that noise abatement is as important as pollution abatement.

Having endured for years a daily anvil chorus of garbage cans, jack hammers and unmuffled mufflers, Kupferman wants to establish a Federal Office of Noise Control which would assist states and cities in doing something about the cacophony that batters the nation's ear drums.

We read of Kupferman's action not 10 minutes after our windows had been afflicted with an advance case of the jitters by a distant sonic boom, and just about the time a lad roared up in his father's Jukebox Eight and sounded the teen-age mating call for 38 deafening seconds before the scraggly-haired girl up the street came giggling out the door.

For Kupferman's bill we would like to shout hurrah, but no one would hear us. We'll settle for a whispered bravo.

[From the Washington (D.C.) Post, Jan. 18, 1967]

Bill Would Create Noise Control Office

Rep. Theodore R. Kupferman (R-N.Y.) will reintroduce legislation today to establish a Federal Office of Noise Control.

The bill would provide for grants to aid state and local programs aimed at controlling excessive noise, particularly from jet aircraft and for research into "sonic booms" that can be created by travel at supersonic speeds.

[From the Washington (D.C.) Star, May 1, 1967]

Silence, Anyone?—Noise Fighter Sounds Off on D.C. Din

(By John Fialka)

It's said that one man's music is another's noise, but to Rep Theodore R. Kupferman's long-suffering ears anything over 90 decibels is probably "noise pollution."

The hum, rattle and roar of New York City—which some people find exciting—bothers Kupferman, a Republican who took over Mayor John V. Lindsay's Manhattan congressional district in 1966.

It all started in 1962 when a man "going crazy" because a construction crew had teamed up three air compressors under his window, when a judge kept awake by the whine of his neighbor's air conditioner, and when a lady bothered by transistor radio listeners on a bus all went to see their city councilman.

Rep. Kupferman, then their councilman, has kept busy on the problem ever since. He has introduced the first national legislation on the noise problem, and has harassed noise makers in New York by traveling around with a sound engineer and an audiometer.

"Compared to New York this is a country town," he said, shouting over the noise of passing traffic in front of the Longworth House Office Building recently.

Nevertheless, he says, Washington has its noises that, in time, may approach the fabled din of Fun City.

Behind the Rayburn Building, for example, he found a construction project where an air compressor—one of his favorite targets—was roaring away.

"I'll bet that's 100 decibels, easy," shouted his aide, James J. Kaufman, as the congressman posed beside the ear-splitting machine, sticking his fingers in his ears.

A photographer had to resort to hand signals to tell him not to smile. Construction workers looked on puzzled.

"The whole point," Kupferman explained, after walking some distance away, "is that these things can be silenced now and should be because people are being damaged." For $200, he added, a silencing device could have been installed on the compressor that would have brought the noise level down considerably.

Although most of the major legislative advances in controlling noise have been in Europe, Kupferman cites Dulles Airport as a "striking illustration" of how zoning laws can be used to curtail jet noise by creating a buffer zone of rural land around the runways.

"The jets are really a major problem," said Kupferman as he walked back to the Capitol, "I've had letters from people who claim the sonic boom is causing cracks in the Grand Canyon."

Although sound does cause property damage, the damage Kupferman usually complains about is human damage. "In the cities our ability to hear is gradually being deadened," he said, pointing out that the noise level in major cities has risen a decibel a year for the last 30 years.

He cites studies that show that persistent noise can cause total or partial deafness and impair people's ability to perform even simple tasks.

The studies show that sudden noises, like the roar of a motorcycle in a quiet suburban neighborhood, can cause an upset stomach, hypertension and various nervous disorders.

One psychiatrist has even pointed out that when a sudden noise awakens a person, his dreams are interrupted. In some circumstances this could produce a "dream deficit" the psychiatrist said, that could lead to neuroses and even psychoses.

A decibel is a unit for measuring the relative loudness of sounds. The sound of a jet engine approaches 130 decibels, about the maximum bearable to human ears. A whisper is measured at 20 decibels. The rattle of a subway train, about 95 decibels, is at the level where sustained intensity can produce permanent deafness.

[From the Greenwich Village (N.Y.) Villager, Mar. 30, 1967]

Out of the Woods

(By Woody Klein)

"Nothing has changed. You just can't do it in this town. The forces of mediocrity and monotony will always bring things down to the same level."—Former Parks Commissioner Thomas P. F. Hoving.

This uncharacteristic statement from the former star of the Lindsay administration was published in *The New York Times* earlier this month in the bottom of a story the day that Hoving stepped down.

The headline was more optimistic: A Look

At The City's Parks Reveals That Much Has Been Accomplished But Much Still Remains To Be Done. "Hoving's Happenings," it was reported, had left a major mark on this city.

Nevertheless, Tom Hoving's momentary sober reflection—noticed and reported by *Times* reporter Ralph Blumenthal—made me think that beneath all the effervescence of some public officials is a kind of creeping skepticism.

Any public official with major responsibilities who is honest with you will admit that with all that happens in a busy 15-hour working day, he still wonders if any real changes are occurring in New York.

The same thing can be said of the legislative arm of government, too. City Councilmen, Congressmen, State Senators, and Assemblymen—they must wonder, too, if all of the bills they pass actually change anything.

Take noise control. Congressman Theodore R. Kupferman, of the 17th district, has done more in Congress in the past year on noise legislation than anyone.

But the noise is still unbearable in New York.

Take air pollution. Councilman Robert Low has done more in this field, along with Commissioner Austin Heller, than has been done for decades. New York has some of the strongest anti-pollution measures in the country.

But the air pollution is still dangerously high.

Take poverty and unemployment. Human Resources Administrator Mitchell Sviridoff has put together a team of officials second to none in the nation. And he has a far-reaching program.

But there seems to be no noticeable difference in the conditions among the poor.

The pattern can be repeated in every field in which municipal government is working.

Regardless of the political leadership, the money spent on programs, the laws passed and the excitement engendered in the press by men such as Tom Hoving, the public asks the inevitable question: Is there really change?

This writer is occupied in a field—housing and development—in government in which it is difficult to measure progress. For decades now we have had a housing shortage in this town. Can this be changed in a year or two?

I think the answer to this sober, realistic question which public officials like Tom Hoving express honestly must come from a change in attitude on the part of the public.

No matter how vigorous a Mayor may be, how personable and talented his commissioners and administrators, no matter how able the legislators elected to office, little can be done without the public's full and active support.

Resistance to change in New York is seen every day, among the labor unions, the business community, the academic leaders, the settlement group fraternity, even among the city's 300,000 civil servants themselves who often cling to the status quo.

John Lindsay has tried to do something about stepping up the glacier-like progress in New York. In his inauguration speech of 1966, he referred to this town as the "Proud City" and invited all New Yorkers to be proud of their home town and to participate with government.

Those of us in the Lindsay administration would like to believe that spiritually there has been an awakening in the municipal government of the need for reform.

Physically, change is slow. It will only come if the public really wants it and is willing to work and make sacrifices for it.

[From the Suncoast Signal, vol. 9, No. 5, January 1967]

Empty Barrels Make the Most Noise

(A French Proverb)

Man's hearing, nervous system,—even his sanity—is menaced as much by noise as by such phenomena as radiation, polluted air and residues from pesticides. In common, the immediate effects of these modern horsemen of the Apocalypse are difficult to measure. "Noise is energy travelling thru space which on striking the ear is converted into unwanted sound". The decibel (db), a log ratio between 2 sound pressures, measures noise in terms of acoustic pressure, power and intensity.

Ordinary conversation is 6 db and acceptable noise tolerances are 35 db in a classroom, 55 in a restaurant and 60 in a sports arena. At 80 db one can barely hear the voice on the telephone. At home the kitchen is the noisiest room, where simultaneous operation of the fan, dishwasher and garbage disposal unit blasts the housewife's nerves at 100 db, 30 db less than the roaring of a jet at take off. Man's noise tolerance is about 90 db for a short time (danger level) after which he experiences physical discomfort, and beyond 130 db, noise becomes intolerable. Noise level in cities has risen approximately 1 db a year for the past 30 years, according to Congressman T. R. Kupferman (N.Y.), whose Federal bills to alleviate noise pollution deserve everyone's support.

According to Dr. L. E. Farr (U. of Texas) chronic exposure to noise reduces our sleep and contributes to nervous fatigue, emotional disturbances, gastro-intestinal upsets and headaches. Dr. J. Buchwald (N.Y.) noted that chronic interruption of man's sleep by noise, particularly the time spent in dreaming (20%), results in daytime delusions, hallucinations and nightmarish memories. Noises from trucks, sirens, riveting or blasting need not to be taken for granted. An effective silencer costing less than $200.00 can be attached to the air compressor of the street driller that effectively absorbs most of the blasts, but the attachment is not used because there's no law to enforce this!

Otologist S. Rosen (N.Y.C.), and P. Olin (Helsinki) noted that in S.E. Sudan the Mabaan tribe age more slowly, exhibit practically no coronary (heart) disease and maintain near maximum hearing even to age 70. It is a country where man-made noises are rare and the Mabaan's survival depends on his acute hearing. Since 1951 U.S. Industry forfeited approximately $15 million in loss-of-hearing suits among employees!

[From the Harrisburg (Pa.) Evening News, Jan. 23, 1967]

Noise Pollution: It's Become Agonizing Torture

(By Edward O'Brien)

Washington.—"Ring, ring the bells without interruption until the criminals turn first insane, then die," the Chinese used to say 2,000 years ago. They had found that noise was a more agonizing method of execution than hanging.

Today humans in urban society around the world are saturating their environment with noise, and scientists are coming to the conclusion that noise pollution should be dealt with as firmly as air and water pollution.

Last April, a new House member from midtown Manhattan, Republican Theodore R. Kupferman, proposed creation of the Office of Noise Control within the Public Health Service to bring the federal government directly into the problem for the first time.

The new office would be a clearinghouse for information and research, working with other federal agencies, state and local government, industry and anyone else who believes that the endurable limits of unwanted sound may be upon us.

The Kupferman bill did not pass. "Congress remains deaf to the problem," he explains. It takes time to win acceptance of a new idea at the Capitol, but just as the need for strong measures to control air and water pollution was finally seen, it also seems inevitable that in the next few years, a similar attack will be made on noise pollution.

According to Kupferman, the noise levels in American cities have risen about one decibel per year for the last 30 years. The maximum level bearable by the ear is around 130, but chronic exposure to much lower levels, or to especially upsetting kinds of noise, may produce serious physical or psychological damage. He is again urging Congress to take now the preventive steps on noise pollution that should have been taken 10 or 20 years ago on air and water.

Noise control is staggeringly difficult for many reasons. There is no running away from noise. The National Park Service made known a few days ago that prehistoric Indian cliff dwellings in the remote Southwest have been damaged by supersonic booms from military aircraft.

Since the psyche is involved, human reactions to sounds are unpredictable. The editors of the New Yorker Magazine threatened to move their offices unless the landlord turned off the elevator loud speakers and gave them relief from Jerome Kern. They won, but the landlord is probably still wondering what all the fuss was about.

Kupferman himself, as a member of the New York City Council, tried without success to outlaw the playing of transistor radios in public without an earphone. Countless apartment residents have found themselves trapped in a sea of noise flooding in on them through dry-wall partitions, low ceilings and thin floors, hollow doors, air conditioning and heating ducts, and back-to-back medicine cabinets that also serve as marvelously effective speaking tubes to the folks next door.

Airliners are in a class by themselves. Some companies boast of the whisper-line quiet in their passenger cabins and then fill the void with their own Jerome Kern or a movie. For people on the ground unfortunate enough to be living or working beneath the new giant jets, all that can be said is that the Federal Aviation Agency is aware of their plight and agrees that "noise is the most intense and worrisome problem now facing the aviation industry."

Like most other problems, correction of noise pollution is far from hopeless. Much can be achieved through building codes, zoning, local anti-noise ordinances, wider application of acoustical engineering, and in general through close attention to a growing plague that has been largely overlooked.

Department of the Air Force,
Washington, D.C., July 20, 1967.

Hon. Theodore R. Kupferman,
House of Representatives.

Dear Mr. Kupferman: We refer to your recent inquiry in behalf of Miss Millicent Brower concerning sonic booms heard in New York City.

The Air Force wishes it were possible to accomplish the air defense mission without disturbing private citizens. At the present time, there is no known method of dissipating the pressure wave that is produced when an aircraft exceeds the speed of sound. Notwithstanding, scientists are trying to find ways to eliminate, or at least reduce, the audible disturbance caused by the sonic boom. In the meantime, all feasible and practicable measures are being exercised to minimize the distress to our citizens without jeopardizing the air defense capabilities of the United States.

Required aircrew training and test flights are being performed by Air Force aircraft in many areas of the United States. These flights are closely monitored and flown according to Air Force directives designed to minimize sonic boom disturbances. For example, supersonic flights are restricted to altitudes above 30,000 feet so as to limit the attendant sonic booms to overpressures that are considered harmless to persons and structures. Unfortunately, this does not eliminate the audible sound of the sonic booms. Every effort is made to avoid major metropolitan areas, however, a supersonic flight of only 100 miles in length could expose an area in excess of 5,000 square miles. For this reason, on occasion a sonic boom may be heard in a city such as New York without an actual overflight.

There may be a possibility that the Air Force caused the reported flight disturbances in the vicinity of New York City; however, the absence of dates and times makes it impossible to confirm the report or to identify the specific aircraft and their home units.

Your interest in this matter is deeply appreciated.

Sincerely,

JOHN E. LINGO,
Colonel, USAF, Congressional Inquiry Division, Office of Legislative Liaison.

[From the Saturday Review, May 27, 1967]

NOISE POLLUTION: A GROWING MENACE

(By Millicent Brower)

Progress is being made in the fight against air and water pollution, but a third jeopardy—noise pollution—has only recently begun to gain attention. The ever increasing and unchecked din that envelops all of us has escalated to a roar; a noise-harried public is beginning to ask what can be done.

Noise is no longer merely an annoyance. It is expensive. Hearing loss resulting from exposure to excessive noise has long been a concern of industry, where claims made by workers now mount to $2,000,000 annually. Noise-induced hearing loss is a recognized occupational hazard with boiler-makers, riveters, pilots, aircraft maintenance workers, and men exposed to gunfire. Experiments have been made in reducing sound in previously noisy offices and shops; results are inconclusive, but there seems to be a relationship between a quieter atmosphere and greater productivity, as well as less absenteeism.

Writers long have been among those most affected by noise. Schopenhauer railed against the noise of coachmen's whips; Marcel Proust worked in a soundproof studio. Playwright Peter Weiss, bothered by traffic noises in the street below his Stockholm apartment, rented a quieter studio for writing. In Israel, the government has erected a sign near the home of Nobel Prize winner S. Y. Agnon: Quiet Agnon is Writing.

But the greatest tragedy is the adverse effect of noise on health. In the United States alone, 11,000,000 adults and 3,000,000 children suffer some form of hearing loss. Noise is not typically associated with one of the two main types of hearing loss—conductive deafness, in which something interferes with the conduction of sound to the auditory nerve. But a certain proportion of cases of the second type of deafness—nerve deafness—are clearly related to exposure to excessive noise. The loud noises damage the hearing mechanism to a point where the sensory nerve function is depressed. Hearing loss results, and in all probability the changes are irreversible.

Presbycusis, which is hearing loss accompanying old age, is common in civilized countries, and recent studies show that presbycusis apparently occurs to a greater degree in noisy environments. Because the hearing loss usually begins in the higher frequency sound ranges, beyond the range which is critical for speech discrimination, it often goes undetected until it progresses into those areas affecting understanding of speech.

Two physicians, Dr. John D. Dougherty of the Harvard School of Public Health and Dr. Oliver I. Welsh, chief of the Audiology Unit of the Veterans Administration Outpatient Clinic in Boston, made a study of loss of hearing in the high frequencies. Their report was published in the *New England Journal of Medicine*. In the process of hearing, they explained, sound waves are transmitted to the inner ear's cochlea, a shell-like chamber which is lined with hairlike sensors. High-frequency sounds are analyzed by the ear at the front of this chamber, while the low-frequency sounds are dealt with all along the path of the inner cochlea. Consequently, there is persistent wear in that one small area where the high-frequency sounds impinge; this area wears out first. The two physicians also noted marked tissue changes in the hair cells during noise exposure. According to Dr. Dougherty, "the hair cells regenerate themselves after noise exposure; but after long-term exposure, it is entirely likely that they will wear out altogether."

Dr. Dougherty has noted increasing deafness in the general population. "There is incriminating evidence that community noise levels are causing hearing loss," he says. Even the average kitchen is guilty, he believes; the whirring and whinning of kitchen machines is too loud for comfort and health. Also on Dr. Dougherty's guilty list in the rising decibel count are autos, trucks, buses, subways, power lawn mowers, and outboard motors. Sirens and police whistles, too, are dangerous to hearing, he asserts, because they affect the sensitive high-frequency range.

As yet, Drs. Dougherty and Welsh point out, individual hearing loss in noisy environments cannot be predicted, although it is known that some ears are more prone to hearing loss than others. Certain decibel levels, however, have been generally recognized as a threat to hearing. Long-term exposure to decibel readings over 80 is known to cause hearing loss. Temporary deafness can be caused by short exposure to levels between 100 and 125. Listening is painful between 125 and 140. Beyond that, at 150, the ear can be damaged enough to cause permanent hearing loss even with short exposures. "Acoustic trauma," also mentioned in the doctors' research, is loss of hearing resulting from a sudden burst of noise, such as gunfire, or a firecracker going off near the ear. Hearing acuity diminishes; the loss may be temporary or permanent. Skeet shooters, gunnery instructors, soldiers exposed to gunfire—all have a high incidence of permanent hearing loss. Doctors advise persons who must spend a considerable portion of their time in noisy environments to wear ear protectors. Dr. Dougherty goes even further: He advises limiting the amount of time spent in noisy surroundings. In his opinion, it's all right to put the wash in the machine, but don't sit there listening to it get clean.

A dedicated foe of noise, and a man who terms noise "one of our most severe health hazards," is Dr. Samuel Rosen, consulting ear surgeon at Mount Sinai Hospital in New York City. In an effort to determine the effects of noise on man, Dr. Rosen studied the Mabaans, a tribe in the Sudan, where the noise levels are extremely low. The Mabaans are a peaceful people, living in the stage of development of the late Stone Age. Undisturbed by civilization until 1956, the Mabaans use neither guns nor drums. The loudest noises they might hear are a neighbor's beating a palm frond with a stick, the roar of a wild animal, thunder, and their own shouting and singing at festivals, which occur only a few times a year.

Dr. Rosen found the Mabaans to be generally healthy; there is no obesity, and little incidence of caries. When they do get sick, they get malaria, dysentery, pneumonia, pulmonary tuberculosis, yellow fever. Venereal disease is minimal. There are the usual childhood diseases. All illnesses are still treated by the local witch doctor. In the Mabaan culture there is a total lack of hypertension, coronary thrombosis, ulcerative colitis, acute appendicitis, duodenal ulcer, and bronchial asthma—ailments common in Western civilization.

Sound-pressure levels are measured in decibels, named after Alexander Graham Bell. For long-term exposure to any sound of 85 decibels or above, the U.S. Air Force recommends use of ear protectors to prevent hearing loss. Here are decibel readings for various sounds:

10—Breathing.
20—Whisper.
40–50—Low street noise.
60–70—Conversation.
81—Rush-hour traffic outside Grand Central Station, New York City.
93—Food blender.
94—Pneumatic jackhammer.
99—Auto in tunnel.
104—New York subway train rounding curve.
107—Loud power mower.
111—Loud motorcycle.
117—Jet airplane passenger ramp.
130—Machine gun.
150—Jet plane at takeoff.
175—Jet rocket launching.

Audiograms and electrocardiograms, blood pressure and blood chemistry tests were given to 541 Mabaans, aged ten to ninety. The first important discovery Dr. Rosen made was that the ten-year-old and the ninety-year-old Mabaans have exactly the same blood-pressure levels; the blood pressure of the Mabaans remains unelevated throughout life. The tests also showed normal cardiograms and low cholesterol levels. In Americans considered normally healthy, blood pressure levels increase progressively with age, especially after forty. Another finding was that the systolic blood pressure of the Mabaan men is consistently lower than that of the women; here the pressure is higher in men up to age forty-five, after which the pressure of women exceeds that of the men. The second important discovery Dr. Rosen made was that the Mabaans suffer very little hearing loss in the high frequencies with advancing age. The hearing of the elderly Mabaans was far superior to older people in civilized countries; and the Mabaans had superior hearing to any other group of humans ever tested.

In still other tests on the Mabaans, Dr. Rosen studied the effects of noise on blood circulation. Previous tests had been made at the Max Planck Institute in Dortmund, Germany. Loud noises in the 95 to 110 decibel range were played to volunteers whose fingers had been wired to record the reaction of the arterioles. The loud noises caused definite constriction of the tiny blood vessels.

The Mabaans were similarly tested during a five-minute period of a loud noise. Vasoconstriction occurred; in some cases, it lasted for twenty-five minutes after the noise ceased. The constriction of the blood vessels resulted in a diminishing of cardiac output; a compensatory effect was bradycardia, in which the heart slows down to gain momentum for a big push of blood through the system. Another change noted: The pupil of the eye greatly dilates during a loud noise burst.

Comments Dr. Rosen: "Every time a person hears a loud noise, the precapillary blood vessels constrict. With prolonged noise exposure, whether intermittent or continuous, the contraction goes on along with the noise. But this contraction may continue after the noise stops and may become permanent. This contraction alters the supply of blood throughout the system; less blood goes to the nerve of hearing; this malnutrition causes hearing loss. It is possible that such continuous noise could ultimately cause elevation of the blood pressure."

Dr. Rosen also finds a relationship between the constriction caused by noise and cardiovascular illness. The United States, he reminds us, has the highest incidence of arteriosclerotic heart disease in the world. "Noise is a factor," Doctor Rosen believes. "There are many other causes. Studies made all over the world indicate that high blood pressure, excessive smoking, overweight, high cholesterol levels, and high-fat diet favor the development of arteriosclerotic heart disease."

Dr. Howard Bogard, who is chief psychologist at the Queens Hospital Center, told a New York State hearing on jet noise of several ways in which noise can seriously affect mental well-being: "A person who is under personal stress and who is subjected to a barrage of noise will be further aggravated by the noise; his ability to cope with his personal problem will be lessened. The noise could trigger this person into a neurosis. Without the noise, he might be able to deal adequately with his problem. . . ."

Dr. Bogard characterizes noise as "an intruder . . . the uninvited guest at the party. Noise is disturbing; it interferes with concentration and communication; it disrupts rest and sleep. When a person hears an unwanted noise, the person has a massive feeling of impotence and frustration. He thinks, what can I do? About many things, he can do something. About an unwanted noise, he cannot. . . . Loud, unwanted noises push everything in your consciousness out. The noise takes prominence over everything else. You cannot study and concentrate when there are distractions. Intermittent noises cause intermittent distractions. It is certainly not neurotic to dislike noise."

Why aren't we more conscious of such insidious effects of noise?

European countries have already recognized noise as an environmental pollutant. England prepared an exhaustive report on noise and has adopted a national noise reduction code; noise abatement laws are also in effect in France, Germany, and the Scandinavian countries. Moscow bans horn-blowing, and General de Gaulle, on the New Year, outlawed transistor radios in public places in all of France. To date, however, noise abatement programs have been limited in this country. But in scattered areas there are signs of an awakening.

On the national level, Congressman Theodore R. Kupferman has made a forward move in national noise reduction by introducing a bill, H.R. 14602, that would establish an Office of Noise Control within the Office of the Surgeon General. The bill would allocate funds for control, prevention, and abatement of noise, and for research.

In New York City, Councilman Robert A. Low has introduced resolutions in the City Council calling for the banning of transistor radios in public places, and for hearings on noise. New York City already has drawn up a building code that regulates noise in new apartment dwellings. The code, not yet approved by the City Council, calls for the reduction of airborne noises traveling from one apartment to another through wall partitions or floors or coming from a public hallway; for the quieting of machinery such as central air conditioning; and for limitations on noises transmitted through ventilators, shafts, ducts, and outlets, as well as noises emanating from a neighboring building. The new code has its limitations, but it is hoped that it will reduce the amount of acoustical garbage seeping from one apartment to another.

Mayor John Lindsay, strongly determined to do something about noise, established a Task Force on Noise Control several months ago. The Task Force currently is preparing recommendations for the Mayor. Already it has made one substantial change: The police, after a meeting with the Task Force, agreed to discontinue using a new "banshee" siren which has a very irritating pulsating sound. The noise not only bothered the public but also proved ineffective—drivers did not know from which direction the sound was coming. In Task Force discussions it has been suggested that the ultimate solution to the siren problem might be an electronic signal device in each car which would light up to warn the driver of the approach of an emergency vehicle. Besides doing away with the nuisance of sirens, the device might also cut down on the high accident rate of emergency vehicles.

"This city has an obligation to protect its citizens against all forms of violence, including assault by decibels," says the Mayor. "In a modern industrial civilization, I suppose we have to be prepared to tolerate some increase in the sound level, but I see no reason why this city or its people should have to put up with battering, shattering noises."

Trucks, on tollways and public highways are limited by New York State Law to a decibel count of 88. This law is enforced along the Thomas E. Dewey Thruway at Larchmont by state police who are stationed at toll booths and use a hand decibel meter. Truck noise has been reduced, and fleet owners are quieting their own trucks. Acoustic experts recommend that truck noise be federally regulated because of heavy interstate traffic. Neither the truck law nor the new building code is tough; but these codes point the way. In time, the decibel count for trucks will be lowered and the building code will be made more stringent.

Aircraft noise remains a big problem. Last year a Presidential panel suggested that perhaps the Federal Aviation Agency should be given the authority to set maximum noise levels allowable for aircraft. This seemed like a good idea until the FAA recommended setting a level of 105 perceived noise decibels for a jet plane three miles from takeoff—a level which would inetrfere with normal activities such as conversation and phoning. The very active town of Hempstead, Long Island, and residents around Kennedy and LaGuardia fields have taken a firm stand against FAA authorization of such a high noise level and have suggested 85 PNdb. as acceptable.

Recently, jet aircraft engines have been developed that generate less noise, although they are not yet in use. These new quieter jets will cost money; if the public wants quiet in the skies, it must exert pressure on the aircraft industry and the government to get it.

Another area where relief from noise is urgently needed is in construction. A quieter pile driver has already been invented; and similar less noisy equipment could be developed. Silencers and adequate mufflers could be attached to present equipment, or it could be isolated or enclosed. Another look should be taken at laws such as one which allows unlimited construction noises between 7 a.m. and 6 p.m. in New York City and elsewhere. Why should millions of people be awakened by drills and jackhammers at 7 a.m.?

Echoing in our noise future, too, is the sonic boom, that double thunderclap that creates a fifty- to eighty-mile noise carpet beneath the supersonic jet. The boom breaks windows, cracks plaster, and causes what doctors term a "startle" reaction in humans.

In the opinion of Dr. Dougherty and others, we must begin to act on such problems now, and opinion leaders such as the press must help. News media, for example, could rate every consumer machine, whether an automobile or a home machine, not only on its style and efficiency but on its quietness. Community planners could carefully piece noise-producing businesses away from residential and highly populated areas. In line with this view, residents of midtown Manhattan who live adjacent to the Pan Am Heliport have asked for removal of the site to a nonresidential East River location and for routing of copters over the waterways. To further mitigate noises in communities, Dr. Dougherty urges that citizens attempt to have legislation passed that will limit the amount of sound generated by a horn, motor vehicle, or any noise-producing machine. Limits in the subways should be set for the levels of noise inside the cars, as well as outside.

Machines are getting bigger, and power is getting more powerful. In urban areas, the noise level rises one decibel each year. According to the logarithmic ratio of progression, that means that in ten years New York City and other cities will be twice as noisy as now.

Are you prepared for that?

[From the Medical Tribune, Mar. 18, 19, 1967]

Ears Join Eyes, Lungs, and Skin in Pollution—Level of Noise in Industrial Cultures Endangering the Hearing of Their Citizens, Acousticians Say

It's hard to tell when the environment is being subtly polluted if you have no stern base line of ambient purity.

The difficulty of apprehending small increments in toxicity is compounded by the public's tendency toward apathy for any issue that doesn't threaten immediately to alter its schools, streetcar fares, or prices on luxury items.

So it was that the condition of rivers went unquestioned until after most of the fish floated belly up. And air that blistered house paint, eroded marble, and made stockings run went virtually unchallenged until whole communities rebelled against endemic conjunctivitis.

Apathy's aftermath had to be a compromise. Having earlier accepted technologic progress, we now say we will accept a certain level of progress' pollution—so many parts per billion, and no more.

Since we didn't realize, or much care, how the air and water were being mucked up as recently as 25 years ago, it seems possible that other aspects of the environment are being unrecognizably sullied today.

Experts across the country are rising to identify just such a new pollutant. The noxious agent, they say, is noise.

In New York, the mayor has appointed a task force on noise control. The panel's job is to establish maximum levels to protect New Yorkers from unwanted sound in their homes, at work, and in public places.

In more than a half dozen U.S. cities, new building codes are being drafted with an architectural ear cocked toward the clamor that is not now shut out of most apartments.

On television's noncommercial educational channels, viewers from Bangor to San Diego are being shown a filmed science program that identifies noise as a principal, but largely uncontested, pollutive assault on our lives. The film, produced by National Education Television, features one of the country's pioneer acoustical physicists urging that "society should declare war on noise."

This particular expert is Vern O. Knudsen, Ph.D., former chancellor of U.C.L.A. and one of the consultants called to help remedy the troubles that sapped the sonic vigor of New York's new Philharmonic Hall. Dr. Knudsen, self-acknowledged "nut on noise," habitually wears earplugs of his own design when he ventures from the insulated calm of his U.C.L.A. laboratory building. The stoppers are calculated to attenuate, but not completely block, the stridency of life on the streets and freeways.

In the television film, Dr. Knudsen warns viewers—in much the same tone that cancer researchers use about cigarettes—"We don't have to wait for all the answers to do something" about noise.

The adjuration points up a principal difficulty of dealing with noise as a pollutant. Laboratory tests can demonstrate that a lot of noise can hurt a lot—make us deaf. But does some noise hurt some? No one yet knows. Noise below the measurable threshold for physical injury may be annoying. Its potential for damage, however, is disputable. Acousticians are limited to hushing the more obvious incursions on our aural well-being.

Among the various investigations under way to help quantitate the noise pollutant are such as conducted by Dr. Samuel Rosen, of Mount Sinai Hospital in New York. Having seen, in the course of his otologic practice, a measurable erosion in the hearing acuity of many of his older patients, Dr. Rosen wondered if some of it might be attributable to long life amid noise.

For a comparison he went to a quieter civilization, a village of primitive Mabaan tribesmen in the African Sudan. There the daylong average sound intensity is only one-tenth the hum of a refrigerator. And there audiometer tests showed that 90-year-old men could hear nearly as well as 10-year-old boys.

At the Central Institute for the Deaf in St. Louis, Dr. James Miller and associates shatter the calm of caged chinchillas by exposing them to hours-long barrages of mixed frequencies up to 80 db. in intensity. The chinchillas, whose inner ears are more surgically accessible than those of most other laboratory animals, are pretrained to hurdle a fence at the sound of a pure tone. At the end of their noise exposure they are given a jump-for-yes audiometer test. Their subjective response is later compared with the objective measurements of electric potentials along the three turns of their cochlea. A map of deadened response to auditory stimuli can then be drawn for comparison with micrographs of the cochlea.

What these measurements show is that when noise deafens it wipes off the cochlear hair cells. The thoroughly noise-damaged chinchilla cochlea has a smooth membrane from which no hair cell will ever sprout again.

Can the effect be extrapolated from chinchillas to citizens? The investigators believe it can, with allowances for different injury thresholds. Man apparently is about 20 db. tougher in many frequencies. So if three days of 80 db. deafens a chinchilla, perhaps it would take 100 db. to injure a man to the same extent.

But 100 db. of mixed noise is readily available to some men in their work. The riveter of steel plates gets more than that, according to industrial measurements. Not for three days without cease. But how about several hours a day, five days a week, say for 10 years?

Many state labor departments have set 80 db. as the maximum allowable long-term noise level for industry. Above that, an employer has a hard time disclaiming responsibility in a deafness compensation action.

Yet 85 db. is not too far above the peak in a major New York City subway station rush hour. Can something be done about it? "We know how to make it quieter," says William A. Leek, president of the Acoustical Materials Association. "We have the technology, but public apathy is holding it back."

One noise, however, seems to pierce apathy in civilization's centers all over the Western world. Airplanes may have become the first universal disturbers of the peace. Hardly a major airport near a residential area has not felt the effects of householders roaring in reply. The aviation industry rightly fears that today's noise-limiting restrictions on take-off paths and power levels over suburbia bodes even greater public disquietude when supersonic transports are introduced.

SSTs presumably can fly over oceans without causing undue fuss about sonic boom. But flights over land can have a big, unappreciative audience on the ground. Governments with a stake in SSTs are worrying about it. The U.S. Federal Aviation Agency already has experimentally boomed the populace of Oklahoma City to test its irritability quotient.

Stanford Research Institute, on Government contract, has recruited volunteers to sit indoors and out at Edwards Air Force Base, Calif., and listen to aircraft noises. The volunteers are being asked, in effect, what kind of noise pollution they like best. They listen to the roar of a low-flying subsonic jet, then the boom of a high-flying supersonic jet. They are requested to mark on a scoresheet which noise is more "acceptable."

At a recent New York press conference, the Acoustical Material Association's Mr. Leek ventured an opinion that the typical hyperamplified discotheque offers sustained intensities above 85 db.—the maximum allowable in industry. Granted that the customer chooses this auditory exposure, the esthetic contradictions in the newly characterized pollutant are discernible. At the same press conference, Wallace Waterfall, secretary of the Acoustical Society of America, summed it up: "One man's noise is another man's music."

[From the Christian Science Monitor, Apr. 3, 1967]

Sound Conditioning

The next luxury for city people, after air conditioning, may well be sound conditioning of dwellings.

Many people like the idea of one or more "quiet rooms" in their homes. (A "quiet room" is one that reduces outside noises but of course does nothing to control the do-it-yourself noises produced inside.)

A survey of 10,000 home owners in 17 American cities made recently by Market Facts, Inc., found that two-thirds of those interviewed were interested in having noise control built into their next house.

We are happy to learn that quiet can be provided in bedrooms of new dwellings at a cost that is not prohibitive. Now it is to be seen if families are ready to spend money for this new comfort. It will probably take time and promotional work on the part of the noise-reducing industry to develop a market.

In Great Britain, where a governmental agency provides "noise grants" to aid people who undertake to soundproof several rooms in their homes, there has been a slow response. The British Association for Control of Airport Noise has received only a small number of requests for assistance although it has funds to subsidize the noise-reducing efforts of some 40,000 householders.

But this situation can change quickly. After a few sonic booms in the night we expect to see a sudden rise in demand for residences with sound-conditioned bedrooms. There is need for continued research in this field to be ready for this day.

[From Life, Jan. 27, 1967]

All Those Noises That Assail Us

This is the noisiest age in human history. The volcanic eruption of Santorin in 1400 B.C. was no doubt louder than anything heard since, but it was a one-shot explosion followed by a merciful silence. Jet-age noises are continuous and *crescendo*.

Everyone's air, streets, factories and kitchens are full of increasingly powerful machinery. Decibels mount with power unless special measures are taken to offset them, which they rarely are. The war against noise has barely begun. A big battle now shaping up involves the supersonic transport, whose shock waves could bring millions of Americans within range of a sonic boom which, even at 65,000 feet, sounds like a nearby shotgun. The participants in the battle will be the Federal Aviation Agency, which wants noise control, and the builders of the SST, who are interested in payload. Unless efforts to soften its roar are successful, SST may be prohibited from flying over land.

Even without SST, noise is already a public problem as serious as other kinds of pollution. Since 1962, when the Supreme Court decided that airport operators are responsible for noise damage to their neighbors, they have been swamped in claims. U.S. building codes, despite FHA pressure, have all but ignored the noise problem so that our thin-walled apartments are far more reverberant than those of the acoustically vigilant Europeans. Silence costs money and few Americans seem willing to pay for it. Noise control in industry dates only from 1948, when workmen's compensation for gradual hearing impairment first became legally collectible. But two thirds of all cases of deafness in working males are still caused by occupational noise, the worst offenders being riveting (130 decibels), metal cutting, drop-forging, blasting, weaving and paper shredding. When noise approaches 140 decibels—the so-called "threshold of pain," about the level of what you hear on the runway near a jet take-off—it can impair your hearing. An average alarm clock is 80 decibels and a Manhattan discothèque has been clocked at 105.

This mounting racket is bad enough. Even more ominous may be the acceleration of "psychic noise," defined as any unwanted signal. If a nearby conversation interferes with yours, it is noise to you regardless of its sense or decibels. Psychic noise is snow on the TV as well as static on the radio. No other age has ever thrust so many auditory and visual images so promiscuously at the human brain with such terrifying frequency and competitive clamor. The daily deluge may contain the most astounding and useful information, or it may be trivial and mendacious. In either case it is noise if you don't want it. How can a man be selective about all these warring signals and sift out what he needs when he needs it? This may define the problem of mass sanity in the "global village" of universal instantaneous communication predicted by Marshall McLuhan (**Life**, Feb. 25, 1966).

The problem may require the widespread rediscovery of the personal value of silence. Most religions throughout human history have insisted that man needs regular intervals of silence for his spiritual health. Religious mystics describe these in technical words like recollection, contemplation, "centering down," or what St. Theresa called "the orison of quiet." A secular translation would be the tapping of deeper levels of consciousness. Even in our age of noise and crossed signals, some artists and scientists as well as religious mystics still practice "recollection" in quiet for their own surer guidance.

We especially recommend this practice to our political leaders. They spend much of their lives at the center of noise cyclones, and turn for relief not to silence but to helicopters or shouting crowds. Are too many fateful decisions proceeding from noise-filled minds? As the Cave of the Winds on Capitol Hill opens for business again, one wonders what would happen to the quality of government if every congressman, when tempted to make a speech or board a jet, should instead go to a mountain top.

The more strictly public problem, that of sheer decibels, can be solved by public effort. In 1937 a Memphis newspaperman was awakened from a nap by an auto horn and wrote an editorial launching an antinoise campaign that led to an ordinance. Its enforcement won for Memphis 16 annual National Noise Abatement awards in a row. By now many municipalities have passed some sort of noise ordinance. But only constant hounding by indignant citizens can keep these codes up to date against new noise sources and also keep the authorities interested in enforcing them. So every citizen has just two recourses against the universal assault on his nerves: (1) seek silence, (2) get sore.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, PUBLIC HEALTH SERVICE,

June 19, 1967.

Hon. THEODORE R. KUPFERMAN,
House of Representatives,
Washington, D.C.

DEAR MR. KUPFERMAN: Your office was kind enough recently to send me some of your statements on the community noise problem, and this help is very much appreciated.

Because of your interest in this growing form of environmental pollution, I thought that you might like to see an article on industrial noise which we prepared for *The American Federationist* magazine. I hope that you find it interesting.

Sincerely yours,

JACK HARDESTY,
Information Officer, Occupational Health Program.

[From the AFL-CIO Federationist, May 1967]

NOISE ON THE JOB

(By Dr. Murray C. Brown)

(NOTE.—Murray C. Brown, M.D., is Chief of the Occupational Health Program, U.S. Public Health Service.)

The world is full of sound. The alarm clock that wakes us. The car we drive or the bus we take to work. The voices of people around us. We become accustomed to sound. In fact, when we do not hear familiar sounds, we feel that something is missing. When this sound is unwanted, we call it noise.

Workers are particularly affected by unwanted sound, since they may have a triple exposure on the job, in the community and at home. Noise on the job, however, causes the most severe problems.

The incidence of hearing impairment due to noise in our contemporary environment is a growing problem. In our modern world of technology, with vast and complex machinery being used in a wide variety of industries, noise as an adjunct to work is a reality that must be faced. Nor is noise confined solely to the so-called heavy industries—it is also a problem in farming occupations and even in white collar work, traditionally regarded as comparatively noise-free.

Estimates of the number of Americans who work in environments potentially damaging to their hearing range from 6 million to 16.5 million—the exact figure is not known. Perhaps another million could be added if the total included noise conditions not necessarily damaging to hearing but strong enough to create interference with speech and possible disruption in work efficiency.

Many communities are becoming noisier due to a spillover of factory noise, their proximity to busy airports and, very often, to greater volume of traffic on the nation's expanding highway network. In urban areas, increasing population density, combined with a larger volume of in-town traffic and city-core rebuilding activity, raises the possibility that even greater numbers of people will be confronted by additional noise-nuisance problems. The problem has become serious enough, in fact, for some communities to take action to curtail airport and aircraft activities and otherwise restrain potential sources of noise.

To compound the problem of noise for the average person, his home, too, has become noisier. This condition is caused, at least in part, by the accelerated use of power appliances such as garbage disposals, dishwashers, lawnmowers and workshop tools. While not in the same category, a booming hi-fi set and, it must be admitted, shouting children at play also contribute to the overall noise level in many homes.

WORKSITE THE MAIN SOURCE

But the main source remains the worksite. Studies have identified some of the industries whose noise conditions are deemed unsafe to workers' hearing. A few of them are: glass bottle manufacturing, heavy construction work, wood products, metal products and heavy machine fabrication, textiles, papermaking and paper products and transportation services.

In four industries alone (petroleum, steel, mining, automotive transportation), an estimated 6 million persons are exposed to noise conditions potentially damaging to their hearing. If those who work in highly mechanized farm and agricultural occupations, printing and publishing, furniture and fixtures were included, the total would be much higher.

Compensation costs for industrial hearing losses could be enormous. One acoustics expert has estimated there are 4.5 million workers with enough hearing loss to qualify them for a compensation award under some existing workmen's compensation statutes.

THE EAR MECHANISM

How does noise affect the ear? How long an exposure to noise does it take before the human hearing mechanism begins to be adversely affected? Although the ear is a complex organ, a few basic details may help explain its vulnerability to damage by excessive noise.

The human ear is divided into three parts—the external, middle and inner ear. The functions of the external and middle ear are chiefly to gather and transmit sound to the inner ear in which the receivers of sound sensation are located.

Sound is funneled inward through the external ear canal to the eardrum. Incoming sound waves strike the eardrum and set it into vibration. The middle ear, behind the eardrum, is an air-filled cavity containing three small bones.

The handle of one of the bones (malleus) attached to the eardrum moves with the second bone (incus) which, in turn, is joined to the third (stapes). The footplate of the third bone fits snugly against the oval window, one of the two covered openings between the middle and inner ears. The opening, called the round window, lies just below the oval window and acts as a pressure compensator. These three bones, in effect, form a chain which carry the sound-produced vibrations of the eardrum through the middle ear to the oval window at the beginning of the inner ear.

The two intra-aural muscles, also located in the middle ear, are connected to two of the three middle-ear bones. The onset of intense sound causes these muscles to contract, which in total effect reduces the amount of sound energy conducted to the inner ear. This reflex action is believed to be protective, since it lessens the potentially damaging effects of high intensity sounds on the hearing mechanism of the inner ear.

The middle ear also contains a passageway leading from the middle ear cavity to the back of the nose and throat—the Eustachian tube—which equalizes air pressure on both sides of the eardrum, facilitating the eardrum's response to sounds. The vibrations carried by the middle ear bones cause the oval window partition between the middle and inner ear to act like a plunger, setting up fluid motion in the inner ear. This, in turn, produces vibrations in certain of the basilar fibers which are also part of the inner ear. As a result, tiny hair cells attached to the basilar membrane move up and down, some cells stimulated more than others.

Touching against an overhanging membrane, these cells trigger nerve impulses. Each different sound pattern thus produces a different pattern of nerve impulses, depending on sound frequency. The impulses are then transmitted through the auditory nerve system to the part of the brain where the hearing centers are located. These impulses are interpreted as sounds of various pitch or loudness and are given meaning.

WHAT DOES NOISE DO?

When any part of this complexly-engineered sound system breaks down, hearing loss, either temporary or permanent, may occur. The resulting danger is classified into three basic types: conductive, perceptive (neural) and functional.

Conductive hearing loss results from trouble in the external and/or middle ear which prevents the normal amount of sound energy from reaching the inner ear. This condition, at its minimum, may be caused by excessive wax forming in the external ear canal. A much more serious form is the hardening of tissue around one of the ear's bones. Whatever the cause, however, conductive-type hearing disabilities respond to treatment and can be corrected.

Perceptive deafness defines those disorders of the inner ear and/or in the auditory nerve system and ranges from disturbances in the fluids of the inner ear to degeneration of the hair cell receptors and nerve supply. This type of hearing loss does not respond to treatment by surgical or other medical procedures.

Functional deafness refers to hearing loss that has no organic basic but in which a person does not fully utilize his hearing capacity, although there is no actual damage to his hearing mechanism.

Noise exposure can cause either conductive or perceptive hearing loss. Sometimes the disability may be a combination of the two. Noise-induced hearing loss of the conductive, kind, called acoustic or blast trauma, may be caused by an explosion which ruptures the eardrum. In such instances, the inner ear may not be damaged, but the bone-chain may be dislodged.

Noise-induced hearing loss of the perceptive type is produced by prolonged exposure to excessive amounts of industrial noise. The site of this disorder is the inner ear and, in these cases, the eardrum or bone-chain is rarely affected.

INDUSTRIAL NOISE

Initial exposure to excessive industrial-type noise creates a temporary loss in hearing which is recovered after a short interval away from noise. The extent of the temporary loss depends on the kind of noise responsible and is, for any person, a repeatable phenomenon that is more or less consistent. However, repeated or prolonged exposure to excessive noise, for months or years, reduces the chance of the ear recovering all of this "temporary" loss and the residual or non-recovered portion of the loss becomes a permanent hearing impairment.

Intermittent noise is often a characteristic of the industrial environment. A noise heard only during alternate minutes creates about half the temporary loss that it would if it were continuous. Workers around jet aircraft do not suffer hearing loss as quickly as might be expected since intermittence of the exposure is partially protective.

Hearing impairment for certain sounds seems to reach a maximum after ten years' exposure and then remains constant. However, it is wrong to assume that anyone who has worked in a noisy environment for ten years is not vulnerable to further hearing loss. The exact correlation between temporary loss and permanent loss is far from clear. Noise that does not cause temporary loss rarely, if ever, produces permanent impairment; temporary loss and permanent impairment run parallel on differing timescales.

Susceptible persons develop hearing impairment comparatively rapidly and are frequently aware that noise unduly disturbs them. They may complain of head noises, nausea or vertigo after a day's work. Susceptibility probably reflects one end of the scale of sensitivity rather than an innate fragility of the hearing mechanism. It may be transient or remain for life.

Of the numerous problems posed by excessive noise exposures, the most serious is hearing loss. However, quite apart from this, noise can create many other changes in a person's physiological state, including his circulation, respiration and digestive fluids in some instances—each reflecting a generalized stress reaction. While these types of changes are typically caused by intense sounds of sudden onset such as sonic boom, these alterations of bodily functions also appear under sustained high level or even moderately strong noise conditions.

SPEECH INTERFERENCE

One effect of noise best understood is interference with speech communication, which is obviously important in industry. Such conditions would be typical in large data processing offices. Generally, noise deemed hazardous to hearing interferes with speech, although the opposite may not be true. Speech interference caused by noise is basically a masking process and is found at moderate levels of background noise. Speech that is only in part masked by discontinuous noise may be complemented by gesture, a detail contributing up to a third of total intelligibility.

Although it is often stated that noise adversely affects output, efficiency and morale, these effects are not easy to assess quantitatively. Excessive noise may affect occupational accident rates by impairing a person's accuracy of movement, his perception of auditory signals or clarity of vision. However, many people work under extremely noisy conditions for many years without damage that can be related to this exposure. Nor is it always simple to distinguish the effects of noise from those caused by emotional or environmental factors. The behavioral results of noise are probably not a major health problem.

Various factors must be considered in determining whether exposure to a particular noise level has created, or will create, hearing loss. These include the overall noise level, plus its frequency composition, duration and distribution of exposure through a person's working day and working life, individual susceptibility, presence or absence of ear disease and the efficiency of protective measures.

Some generalization can be made about the nature of a noise exposure condition and the risk of noise-induced hearing loss. They are:

1. Other things being equal, high-frequency sounds are more harmful than low-frequency sounds.

2. Intermittent exposures to noise are not as harmful as continuous exposure at the same overall intensity.

3. Noises with strong pure-toned frequencies or strong narrow band energy are more harmful to hearing than noises having a smooth spectrum.

At any worksite, a need for action is indicated if speech communication is difficult, or where employes experience head noises or persistent hearing loss after exposure. Even in the absence of such obvious indications, it might be necessary to check the noise level.

It is not easy, however, to define what constitutes safe exposure to noise for general application, since kinds of noise and exposure timings vary considerably. One good rule of thumb in making a prejudgment about a noise hazard is whether there is difficulty in understanding loud speech at a distance of one foot between a talker and listener.

NOISE CONTROL

Control of noise should be directed toward seeing that every employe is safe, whatever age or susceptibility. While modern techniques frequently allow economical and effective noise reduction, complete noise control in factories may still be comparatively expensive and therefore get a lower priority than protection against other health hazards regarded as more obviously dangerous.

Economy and noise-reduction go parallel, since noise wastes energy and poorly maintained equipment gets noisier with wear. It may sometimes be possible to lower noise by changing a machine, process or material, as, for example, the substitution of welding for riveting, rubber for metal or slow-acting pressure for high-velocity impact.

Noise may be reduced at the source by lubrication or by the use of dampers or insulators to prevent the transmission of vibration. Just as rugs in the home cut down noise, sound-absorbing materials are also used in industry—a method particularly effective where the spectrum of the noise is known so the proper material can be used. These methods are most feasible when the desired noise reduction is not great and when the worker is not too near the source of the noise. However, in many situations they alone will not inhibit sound to a safe level.

Another control method is sound insulation, which is different from absorption. This technique uses barriers between the noise source and the area to be protected. Partitions where used should be heavy and form an airtight seal across the noise pathway. Sound may likewise be reduced by the use of mufflers and resonators.

However, in some plants the use of personal protective devices is the only practicable method to reduce risk. An ear-protector, ideally, limits the amount of sound reaching the ear drum. The four main types are: plugs, semi-insert plugs, muffs and helmets.

Acceptance of protectors is no problem when exposure to noise levels is high enough to cause pain; they are often neglected at lower levels of noise. Moreover, concern about only the immediate work environment is not enough. Take, for example, the aircraft groundcrew and maintenance workers who believed they had no noise problems—all their planes were propeller-driven. However, they ignored the fact they were working next to an airline whose aircrafts were jets.

HEARING LOSS PREVENTABLE

Although occupational deafness is largely preventable, it remains a real and serious threat in many work environments. And, as such, appropriate noise control programs are needed as well as an awareness on the part of the worker and employer of how it can cause considerable harm if left unchecked.

Certainly, the reduction or elimination of excessive noise in the workplace merits no less consideration and concern than do the more obvious occupational health hazards. In the modern world, which is continually growing smaller, one of the most pressing needs—on all levels—is for improved communication. And good hearing is admittedly a vital link in the process that informs, instructs and binds society together.

[From the New York Times, June 5, 1967]

Hospital Din Building to a Crescendo

(By McCandlish Phillips)

It is 1:45 A.M. in the hospital and all is quiet—until an aide drops a utility pan that strikes the corridor floor with a sharp, metallic report, loud enough to awaken most patients.

Some, whose rest is troubled by physical discomfort, will not quickly find sleep again. Even then, they may shortly be awakened by another noise—a heavy elevator door slamming shut, a cleaning crew clanking mechanical equipment, a medicine cart being rolled through the hall on a rackety wheel.

"Shhhh!" That, in not quite one word, is the message some patients want desperately to get to hospital personnel. At least a few hospital administrators are trying to get the same message through to their staffs. Recently some hospitals have been cutting down their noise levels through a combination of techniques—new, the use of electronics, and old, the use of oil on doors, wheels and everything else that squeaks.

Hospitals, with their 24-hours daily cycle, are not merely busier than ever, they also seem to be noisier than ever—far too noisy, some believe, for effective convalescence.

"Hospitals are relatively noisy places. You wouldn't want to send your mother here with a coronary," a staff physician at a voluntary hospital in Brooklyn said flatly.

A Federal study, conducted in eight hospitals in the Northeast for the Public Health Service, came up with the distressing disclosure that "hospital patient room areas are noisier than most residential sleeping areas in cities or suburbs."

Among the noises complained of by patients questioned in a New York Times survey of hospitals were the murmur and whine of air conditioners, the whoosh of window fans, the baritone hum of roof blowers, the thunk of elevator gears and brakes, the squeak of cranks on adjustable beds, the laughter of employes in corridors, the crying of babies, the blaring of television sets, the static-thickened voices from ambulance radios left on outside, the moaning of other patients and the banging of drawers by aides.

In many hospitals, public address systems, broadcasting nearly constant calls for staff members to every nook, strike patients' ear drums like oral shrapnel.

Of 61 sounds found to be disturbing to patients in the Federal survey, 50 originated within the hospitals studied, only 11 came from outside sources (traffic, jet planes, trains, activity in parking lots, even chirping crickets).

In New York, the interior din mixes with a great roar from traffic or construction outside. Surveys here show that 10 to 15 per cent of patients suffer acute distress, edginess, loss of rest or pain because of noise.

Modern hospitals with thin walls, echo-chamber stairwells and acoustically brilliant glazed-tile corridors amplifying noise as grievously as marbles shaken in a tin can must share in the assessment of modern buildings made recently by Leo L. Beranek, writing in Scientific American: "acoustical torture chambers."

VISITORS ADD TO DIN

In addition there are more people—patients, employes and visitors, all potential noisemakers in hospitals today. Hospitals that used to be strict in limiting visiting hours and numbers of visitors hours have become much more relaxed.

At times wards and rooms are crowded with visitors whose demeanor is roughly that of people going aboard ship to see relatives off on an ocean cruise. "The visitors tried so hard to be gay, they were terribly noisy," said a patient recently released from a hospital in Manhattan.

Some hospitals are doing virtually nothing about noise, except living with it. Others work hard to identify its sources and remove them, sometimes at heavy cost.

Starting this week, in the latest move in its noise reduction program, the Lenox Hill Hospital will alter all of its television sets so that the sound of "The Invaders"—and other programs—will no longer come blasting from set speakers, but will flow, muffled, from under-the-pillow speakers to ears that desire it.

Voice paging has been cut. When a physician enters the hospital he picks up a white radio unit, thinner than a package of cigarettes, and slips it into the upper breast pocket of his white coat.

"Only my unit beeps when they want me," a physician said. A moment later it beeped, giving a high but not shrill signal, thin as a silver threat.

"We used to have a metal wagon that a porter would roll along the hall, banging metal waste baskets against its sides to empty them," said Milton W. Hamilt, executive vice president. "Now we use plastic baskets, each fitted with a disposable plastic liner." The porter silently drops the plastic liner into his rolling bin.

"MISS SHUSH" DISMISSED

At Mount Sinai Hospital, "Miss Shush" was abruptly dismissed last week as solicitor of silence in the corridors after five years of constant, if steadily less effective, service.

Her face appeared on discreet posters showing a nurse with one finger to her lips. "It was effective for a time, but ultimately it became part of the wall and people began to ignore it." Milton Sisselman, associate director, said.

A splashy new poster, which went up Friday in every elevator, corridor and waiting room, uses nine languages—Spanish, Italian, Chinese, Hebrew, French, Russian, German, Greek and English—and seven colors— using a hot-tempered pink—to appeal for "quiet please."

At the Brookdale Hospital Center, Linden Boulevard at Rockaway Parkway in Brooklyn, the Peace and Quiet Committee has spent $106,000 in less than six months on a noise control campaign.

On Thursday, a team began "taking the noise pulse" in critical areas of the hospital's five main buildings in a month-long sound measurement survey. Sensitive electronic recording instruments will register noise levels in patients' rooms, corridors and in work and assembly areas.

"Quiet, please" directives, designed to "make everybody noise conscious," went out to all employes. Telephone bells were muted. An "oiling program" was begun, and "everything that has a hinge" or a potentially squeaky moving part has been lubricated, according to Frank DeScipio, the administrator.

VISITORS LIMITED

The number of visitors was cut to "two or three visitors at one time to any patient."

Every piece of rolling stock in the hospital—food carts, therapy carts, supply carts and rolling tables—was standardized to take one size caster, for the easier replacement of broken wheels.

When the public address system was monitored, it was found that an average of 412 voice paging calls were made daily between 9 A.M. and 5 P.M.

Starting this Wednesday, Brookdale expects to achieve "an almost total reduction in the use of our biggest noise factor"—the paging system—by substituting it with the low frequency pocket-receiver system, which is expected to be in full use by June 30. "Then we will have utter silence," Sid Golden, associate administrator, boasted.

Later this month, the hospital will try "zoned music" as a way of further smoothing its aural atmosphere. The music will not be piped into patients' rooms, but it will be filtered softly through the corridors or beamed into one or several areas as time and uses suggest appropriate.

The Federal study report found 49 sounds that jolted patients into wakefulness at night: Employes talking in halls, telephones shrilling, new patients coming in, shades flapping in wind, floor polishing machinery, doors slamming. The report was based on a survey by Goodfriend-Ostergaard Associates, consulting engineers in acoustics, of Cedar Knolls, N.J.

"A sound frequently heard, particularly at night, is the sharp scrape of a chair being moved at the nurses' station," the report said.

The practice of delivering merrily clinking pitchers of ice water to patients at 5:30 A.M. was but one that gave rise to a suggestion that hospital routines be restudied and revised.

Most inside noise has its source at the floor, acoustical engineers find, and a few hospitals in the West are carpeting their corridors to absorb noise.

Some hospitals are experimenting with a "split-level" pattern of sound in air-conditioning systems, adjusting units to hum on one tone during the night and a slightly higher one in the day. That way, patients do not get a one-tone drone all day and night.

Others may try what has been called "acoustical perfume"—an unobjectionable background sound purposely generated to blend out unpleasant noises.

"Noise itself is a purely subjective term," said Dr. Howard M. Bogard, chief psychologist at the Queens Hospital Center. "What is noise to one person is not noise to another."

Lewis S. Goodfriend, the acoustical consultant, said that one patient "condemns a hospital for being noisy, while another says it is the quietest he has ever been in."

"It depends a lot on where your bed is," remarked a staff member at the Associated Hospital Service (Blue Cross) of New York who had lately been hospitalized.

"If you're near the elevator and the receiving station, and the nurses stand there talking and they break down the food trays there and the person in the bed next to yours would be miserable if he couldn't listen to WMCA 24 hours a day, except when six or seven kids come in to visit—then it's noisy. But I had a room way down at the end of a hall, and it was like a tomb."

At Long Island Jewish Hospital, a patient said: "There is a lot of horseplay among the doctors and interns and patients. If you're feeling well, you like the feeling of contact with the outside world. But if you're feeling awful, you don't."

An elderly person who was recently a patient at Beth Israel Hospital said: "I had next to me a patient who had an accident. She was in agony, always calling for help. Four weeks I went through this. It was a little too much for me."

Typical of patients' reaction to noise were the comments of Miss Barbara Kraus as she recalled a stay at Lenox Hill Hospital.

"I always thought I could sleep through anything," she said. "I slept through air raid tests in the last war. They're building the Ford Foundation across the street from me, and that doesn't bother me. But the minute I came out of the ether, noise suddenly became the most dreadful problem. I suffered agony from March 16 when I was operated on, to March 26, when I got out, because it never abated.

"You can go crazy in the crossfire of the radio and television sets, with conversations shouted from one end of the hall to the other—patients yelling to patients, staff to staff, patients to staff. They had somebody knock on the door and sell you newspapers—that drove me out of my mind.

"And it was much worse at night. The man across the hall from me was listening to television—'The Late, Late Show.' "

Miss Kraus described the nursing staff at Lenox Hill as "marvelous, they'll do anything to help you." She found her $71-a-day private room on the seventh-floor in the Wollman Pavillion "a very cheerful place, more like a hotel room than like a hospital." She speculated, however, that noise had been a deterrent to her swift recovery.

"As far as we're concerned, the lady is justified in her complaint," Mr. Hamlit, the executive vice president of the hospital, said. His hospital is situated between the New York Central tracks under Park Avenue (the place shudders and rumbles when they pass below) and the Lexington Avenue subway, whose sidewalk grating release high-pitched screeching of iron brakes that does disturb patients near that end.

"Noise is not a common complaint," he said. Mr. Hamlit is a member of Mayor Lindsay's Task Force on Noise, and so is Dr. Wilbur James Gould, director of otolaryngology at Lenox Hill, the man who removed the small polyp from President Johnson's vocal cord last November.

"When one sensory mechanism becomes hypersensitive—just as when you have a headache—the others become more sensitive, too, to noise, to touch," Dr. Gould said. "Sound is sometimes an illness producer or an illness aggravator.

"Two of the primary objectives of a hospital, no matter what the illness is, are bodily rest and mental rest. If there is an hour of rest that is lost to a patient, then to that extent it interferes with the progress of the patient."

As many hospitals do, Beekman Downtown asks discharged patients to evaluate hospital conditions. On 585 questionnaires returned from June to December last year, there were only nine complaints about noise. However, these comments were unsolicited, since there is no question on noise in the form.

A survey by the Brookdale Center showed that "approximately 15 per cent of patients questioned objected to the noise."

Mount Sinai Hospital conducts a continuous survey, using a form with 13 questions. One asks, "Was the hospital quiet enough for you to sleep and rest?"

[From the National Enquirer]

Leading Scientists and Doctors Say: Noise Pollution Is Driving You Crazy

(Note.—Like an invisible demon, nowhere yet everywhere, noise tortures us by day and haunts us by night. In the sprawling cities of America, rumbling traffic, roaring jet planes, clattering subway trains, pounding pneumatic drills and wailing sirens assail us endlessly.

(Alarmed at its proportions, the Enquirer decided to conduct a nationwide investigation of the growing menace. Medical authorities were consulted; studies on how noise affects people were sifted and analyzed; Government officials were interviewed and books on medicine, history and law were scoured. And here, exclusively for Enquirer readers, are astonishing results.)

(By Hugh McPherson)

Noise is on the brink of becoming man's worst enemy. It hurts everyone—unless they are already deaf.

So grave is the evil of noise in modern society, in fact, that The World Health Organization of the United Nations now ranks noise-induced "mental pollution" with the dangers of water and air pollution.

Yet little, if anything, is being done about it in this country despite these proven facts:

There is an indisputable link between noise and mental illness.

There is more noise in America than any country in the world.

There is more deafness in America than any other country, with one of every 12 persons suffering from impaired hearing.

There is more mental illness in this country than in any other.

Noise fatigue accounts for more accidents in American industry than any other factor.

The potential cost to the nation of noise-induced hearing loss is greater than that of any other occupational disease.

And studies show noise can kill living matter of any kind.

In blunt language, Dr. Zhivko D. Angeluscheff, a Fellow at the Academy of Medicine and Sciences in New York, told the Enquirer he summarized the problem this way:

"We in the United States produce a greater amount of noise than any other country in the world, and we do the least about it.

"Our reward is the highest ratio of deafness and mental illness cannot be denied."

Dr. Angeluscheff also warned there is proof that noise can kill.

Ocean plankton, for instance, undergoes drastic changes within 5 to 10 seconds of exposure to noise. And within five minutes, plankton dies.

In another study conducted by Dr. Angeluscheff on an Oklahoma farm, 10,000 chickens were subjected twice a day for six months to the sonic booms of jet planes passing overhead at an altitude of 35,000 feet.

At the end of six months, 6,000 of the 10,000 chickens were dead.

The survivors had lost most of their feathers, had stopped laying eggs, suffered ruptured reproductive organs and had bled internally.

The danger to man, similarly is terrifying.

Soon, supersonic airplanes traveling 1,800 miles an hour will be cutting swaths across the nation, trailing shock waves 100 miles wide to encompass and torture victims on the ground.

Jet noises, according to Dr. Julius Buchwald, a New York psychiatrist, are already mangling men's nerves, producing hallucinations and suicidal impulses among those on the borderline of emotional stability.

One woman living near Kennedy International Airport in New York threatened recently to blow up the airport's control tower to free herself and her family from jet noise.

And more and more people will be brought to the brink of mental instability by noise.

The World Health Organization's director, Dr. M. G. Candau, warns that nervous disease, insomnia (the inability to sleep), accidents and insanity will surely increase as a result of increasing noise.

Experiment and studies bear him out.

In France, a group of soldiers was subjected to a loud noise for 15 minutes—and all became color-blind for an hour afterward. In Germany, experimenters found that prolonged exposure to noise caused stomach inflammations.

In New York, a study showed that people awakened from sleep repeatedly by noise suffered "dream deprivation" and developed severe emotional problems. And other tests showed that noise-fatigued people drove cars wildly, burned themselves with cigarettes, cut themselves shaving, had twitches and suffered nervous breakdowns.

But perhaps the most astonishing study was conducted by New York ear doctor Samuel Rosen in the African Sudan, where a primitive tribe known as the Mabans were found living in an almost noiseless culture.

Dr. Rosen, a surgeon at Mt. Sinai Hospital and the New York Eye and Ear Infirmary and a Columbia University professor, found a relationship between noise and deafness, heart attacks and length of life.

According to Rosen, the tribe lives in an area with the lowest level of noise of any place on earth. Its people have neither guns nor drums, and know only the sound of their own hushed voices.

Dr. Rosen discovered that the tribesmen:

Had the keenest hearing he'd ever tested.

Had no trace of heart trouble.

And had lived, without nervous disorders, to great ages.

By contrast, the industrialized noise in America today is a demon of our own creation—and its evils are often explained away as "the price of progress."

But what price progress? What price noise?

More than 15,000,000 Americans are registered with agencies as having hearing impairments.

More than 170,000 men over 50 are eligible for workmen's compensation—your tax dollars—because of hearing trouble.

The United Nations estimates that noise costs American industry more, in terms of fatigue, accidents, delay and lower production, than any other occupational hazard.

And of all the hospital beds in the United States, 50 percent are reserved for the mentally and emotionally sick.

How much noise is dangerous? Scientists use the decibel as the measuring stick of loudness.

And, they say, a sound over 60 decibels is harmful especially if prolonged.

A reading of 100 to 125 decibels can cause temporary deafness. And at 150, the inner ear may rupture, causing permanent deafness.

Tests show that an ordinary food blender, at home, registers 93 decibels. Jet planes, subway trains, power lawn mowers and countless other machines torture us with greater noise levels.

History records that noise torture is nothing new. For 2,300 years ago in China, the law prescribed this punishment for criminals:

"The offender should not be hanged. But flute players, drummers and noisemakers should play without stop until he drops dead, because this is the most torturous death that man can devise."

In a later, more refined, Chinese torture, the victim was tied under a huge clanging bell. His ears took such a pounding that he went screaming mad and soon died in convulsions.

But though the evils of noise have been known for centuries and are now reaching a crescendo of danger, little is being done in the United States.

Many European countries have begun to tackle the problem. Some have anti-noise laws—and enforce them.

Germany, Switzerland and England have scientists who specialize in noise abatement and are doing wonders with improved vehicle mufflers and insulation devices.

In Switzerland, jackhammers with mufflers are in use on some construction jobs—and they can hardly be heard.

England has mobile sound laboratories that go everywhere to help cities with noise problems.

But in the United States, only a few cities even recognize the problem of noise. One of the exceptions is Memphis, Tenn., which repeatedly wins awards as America's "quietest city."

In Memphis, police squads are equipped with sound-level meters and scour the town looking for noise. When they find it, the law backs them up.

Fines of $50 are meted out to motorists who toot their horns—and those fines are collected.

All cars must go through muffler inspections three times a year in Memphis, and summonses are handed out for playing radio and TV sets too loudly.

But in most American cities, the public is not aroused—so neither are the politicians.

America's top citizen protester is Robert Alex Baron, a 46-year-old New York theater manager who has taken two years off from his work to fight noise pollution.

In his midtown Manhattan apartment, he was plagued by the roar of blasting, drilling, riveting and pounding below his window, where the city was constructing a subway spur.

Besides that din and the rumble of traffic, a 33-story building started going up across the street.

"It got so bad I had to wear earmuffs in my apartment," Baron says.

Indignant and angry, Baron organized 80 neighbors into the Upper Sixth Avenue Noise Abatement Assn. to fight for anti-noise laws.

He wrote letters of protest to newspapers, magazines, police, health officials, transit executives and Federal agencies. He got publicity. He made speeches. He went on television. And he went to Germany to attend an international meeting on noise abatement.

Finally, the campaign started to pay off.

U.S. Congressman Theodore Kupferman, a New York Republican, introduced an anti-noise bill in Congress last April 21.

The bill, H.R. 14602, would establish a Federal Office of Noise Control and would provide Federal funds to state and local governments to study means of controlling noise.

So far, the legislation is still bottled up in Congress.

The New York State legislature is considering a bill that would direct the State Health Commissioner to study the effects of noise on health.

Recent legislation in California requires the use of ear-plugs in factories producing high noise levels.

Engineers say noise can be reduced by sound-absorbing materials, silencing shields and sound barriers.

But without broad public support, laws are unenforceable even if they do get passed. Noise is getting worse—still nothing is done. Says Baron: "Time is running out."

But he may be wrong. Time may have already run out.

About 50 years ago, Dr. Robert Koch, winner of the Nobel Prize for Medicine, predicted: "The day will come when man will have to fight merciless noise as the worst enemy of his health."

That day has come. The Koch prophecy is today at the brink of terrifying fulfillment.

NOISE DRIVES A MAN BERSERK

The trailer court in Los Angeles was like a battlefield.

Police, crouching behind their cars, exchanged fire with a mad sniper inside one of the parked trailers.

A passing motorist was killed.

So was the sniper, 42-year-old Donald Harkin, who died a suicide. He blew the top of his head off before the police broke into his trailer.

"The man suddenly went noise-crazy," Dr. Theodore Curphey, the county's Chief Medical Examiner, said on December 29.

"We found a rambling 10-page note near his body, and it said he could no longer stand the highway noises, particularly the loud honking of horns. He also couldn't stand the slamming of car doors.

"His note also said the noise made him mad at the world and he hated everybody."

Harkins started firing his .30-caliber rifle shortly after 5 p.m., on December 15.

Everyone nearby ducked. Some were nearly hit. A passing motorist, Vernon Travis, 57, caught a bullet in his chest. His car veered into a garage and smashed. He was dead.

Arriving, police poured bullets into the crazed man's trailer. Then they lobbed tear gas shells through one of its windows. A few minutes later, they charged in and saw him lying in his blood, a victim of his own gun. They also found the note.

[From the New York Times, June 23, 1967]

EXCESSIVE NOISE TERMED UNSUSPECTED HEALTH PERIL

(By Richard D. Lyons)

ATLANTIC CITY, June 22.—Excessive noise can be an "unsuspected triggering agent" for physical ailments such as ulcers and allergies, as well as mental illness, a professor of environmental medicine said today.

The professor, Dr. Lee E. Farr of the University of Texas School of Public Health, Houston, said too little attention was being paid to the effect of sound on health.

Doctors, in particular, are "turning their backs" on the noise problem, he said, although the problem is becoming more acute with urbanization of the nation and overcrowding.

"Noise in the city usually contributes to the health problem by an erosion of emotional well-being," Dr. Farr said, observing that excessive sound can lead to "somatic manifestations" such as stomach problems, including ulcers, and allergies, such as hives.

Dr. Farr told the American Medical Association's annual meeting in Convention Hall that the noise needed to bring on these effects "need not be intense."

"Even though a sound be of such low intensity as to be just over the threshold of perception, it still can evoke all the emotional response a louder sound might provoke," he said, "particularly at night."

LITTLE ADAPTATION

While many people are annoyed by sound levels, they do too little to learn to live with them, he noted.

"Just wearing ear plugs would help, yet few people do," he said. Most people do their apartment or house hunting on weekends and when sound levels are lowest, the professor said.

"It may come as quite a shock to them to discover on moving in that the noise levels in the neighborhood during weekdays and late at night are far different," he went on.

People who generate sounds, Dr. Farr said, are generally unaware how annoying they can be to others. For example, he said, wives who turn on vacuum cleaners after their husbands have come home from a hard day at the office are acting irresponsibly.

"Since people react to noise emotionally, such a situation usually leads to frayed nerves and outbursts of rage by the husband," he said.

Noise does not have a constant over-all effect, he explained, saying that "the sound that drives a person wild one day has no effect the next."

He said the time had come for city dwellers to take civic action to avert immersion in noise by such means as banning auto horns and changing building codes so that more residences are sound-proofed.

Dr. Farr pointed out that the National Association of Home Builders in Washington, D.C. had assisted a builder in Birmingham, Ala., to "sound condition" houses and that they had sold more rapidly than those in which noise-absorbers were not installed.

Charles McMahon, a spokesman for the association, said in a telephone interview that 11 sound-conditioned houses were built in Birmingham two years ago. He said they were sold more quickly than similar homes in which the antinoise features were not installed, despite the fact that the sound-conditioned homes cost from $600 to $800 more.

Mr. McMahon said special equipment included a "super-quiet toilet," sound-proofed air-conditioning and heating units, sound-absorbing tiling and staggered stud construction in walls.

JULY 12, 1967.

ROBERT G. FICHENBERG,
Executive Editor,
The Knickerbocker News,
Albany, N.Y.

DEAR MR. FICHENBERG: My good friend Congressman Dan Button, knowing of my interest in the problems of noise pollution, has brought to my attention your editorial of June 29 entitled "Booming Times" and the article concerning the arsenal near Saratoga Lake.

Your concern with the problem of noise and its effect on the environment is to be commended, and I shall include it in my next statement for the Congressional Record in support of my bill H.R. 2819 to set up an Office of Noise Control in the Office of the Surgeon General of the United States.

Sincerely yours,
THEODORE R. KUPFERMAN,
Congressman,
Seventeenth District, Manhattan.

[From the Albany (N.Y.) Knickerbocker News, June 29, 1967]

BOOMING TIMES

Near Saratoga Lake these days the often played drama of the individual against the organization is being played again. This time it is individual property owners against the Watervliet Arsenal, the General Electric Company and the State of New York, although their real foe is the noise being caused by GE tests of arsenal guns on state-owned property.

First one property owner spoke up to protest the invasion of his property and his home and the destruction of his peace and tranquillity by the hour-after-hour banging of gun tests. Since the one property owner made his complaint known, he has been joined by others in the vicinity.

Our sympathies lie with the individuals. Noise is as much a form of pollution as is the pollution found in our air and waters. Noise enters our homes without our permission, without a warrant.

Should the individuals fighting against the invasion of their homes by noise need further support for their cause, we would call their attention to the report of Dr. Lee E. Farr, who told the annual convention of the American Medical Association that excessive noise can be "an unsuspecting triggering agent" for physical ailments and mental illness.

We wish those individual property owners in the vicinity of Saratoga Lake every success in their battle against the noisemakers.

GUNFIRE SHATTERS QUIET OF RURAL SARATOGA—ARSENAL TESTS INTRUDE ON PEACEFUL LIVING

(By Carol Schlageter)

SARATOGA LAKE.—To Mr. and Mrs. Edward Werner of Saratoga Lake, who are among the sponsors of the Saratoga Performing Arts Center, the sound of the cannon in the "1812 Overture" is probably an enjoyable one.

But at their home—in which they've invested about $100,000 in anticipation of a pastoral retirement—they're getting the sounds of cannon fire every three or four minutes for a period extending as long as from 9 a.m. to 6:30 p.m. daily.

"The concussion and the noise just seem to hit us full-blast up here," commented Mr. Werner. "The entire house shakes."

What is all the racket about?

The Watervliet Arsenal is concerned with developing and producing weapons, particularly since the United States is involved in the Vietnam war. And a back-yard test center—such as the one at the Malta Test Station near the Werner residence—is a great advantage in allowing speedy development.

LEASED FROM STATE

The arsenal has hired the General Electric Co. to do the testing, and GE in turn leases the test site from its owner, the State Office of Atomic and Space Development.

If not for the local test site, the arsenal's newly developed guns would have to be shipped out of town—say to the Aberdeen Proving Ground in Maryland—for testing. And there, explained Edward Ryan, chief of the arsenal's development laboratory artillery unit, each weapon would wait its turn in a long lineup caused by an "extremely tight" test schedule. He added that because of the local site, tested parts can be brought back to the arsenal for immediate inspection and evaluation as to whether they're doing their duty.

But meanwhile, not quite two years ago the Werners, formerly of Florida, purchased the Saratoga Lake House, formerly the estate of Thomas Luther. They built a guest cottage and improved the grounds.

And they settled down to some quiet living, explained Mr. Werner, "In the midst of all this delightful ballet, music, scenery and air. Then there was this intrusion."

Their home, says Mr. Werner, boasts a view that not even the scenery of Switzerland can eclipse. The view is framed by broad picture windows and "these are in trouble" as they tremble from cannonfire, he adds.

REMOTE AREA?

The retired textile man says the resort territory's reputation as a "peaceful area" is at stake.

"Surely there must be a remote area somewhere," he commented.

But to officials, the test area is basically a remote one. The test site is surrounded by a one-mile, uninhabited buffer zone, one spokesman explained. And beyond that perimeter, he said, is a sparsely populated two-mile circle. He said testing of the 155 mm weapons also was conducted last summer at the site, apparently without complaint.

The 155 mm guns are fired over about a 100-foot range into a reinforced concrete tunnel filled with sand. They are fired downhill to eliminate danger of overshooting the target. And sand-filled shells—not live ammunition—are used.

Meanwhile, Mr. Werner reports that, since the latest testing began about three weeks ago, wildlife has been driven from Luther Forest.

And, he maintains, if the "intrusion" continues, the Werners also will be forced to abandon their home.

[From Chemical and Engineering News, magazine, Apr. 17, 1967]

SYNTHETICS SEEK PLACE IN NOISE ABATEMENT—EFFORTS TO CONTROL URBAN NOISE OFFER NEW OPPORTUNITIES FOR CHEMICAL COMPANIES

Experts at the Acoustical Society of America meeting in New York City this week are hearing new evidence on the ravages of noise—evidence that could spell opportunity for the chemical industry. The scientists' physiological studies and a rising legislative concern point to a heightened campaign against sonic excess. And synthetic acoustical materials could have a solid role to play should such a campaign lead to more rapid growth in the market for acoustical materials.

So far, synthetic acoustical materials have achieved only a toe hold in comparison with conventional cellulosic (wood fibers) and mineral fiber products. However, large chemical producers are working actively in the field, and a leading acoustical consultant sees plastics gaining a competitive chance in the market in the next decade.

SOUND DEADENING

The market for acoustical materials in the U.S. has already climbed from just over 150 million sq. ft. in 1950 to 875 million sq. ft. today, according to the Acoustical Materials Association. This New York City group represents 95% of the acoustical materials industry. Chicago's Insulation Board Institute concurs, estimating an increase of 45% in sales of sound-deadening insulation board last year *vs.* a 24% increase in 1965.

B. F. Goodrich, which introduced Deadbeat acoustical material last fall, expects the total market for acoustical products to reach $875 million by 1970. Architectural acoustical products would account for about 44%. The latter, plus products for reducing shock and vibration, should come to about $530 million in 1970, Goodrich predicts.

To take a big part in this market, chemical producers will have to meet competition from entrenched wood products and mineral fiber companies. Indeed, the two older classes of materials have grown strong fighting each other. Since 1950, according to the Acoustical Materials Association, mineral fiber products and chemically treated cellulosics have jumped from 25 to 75% of total consumption, with wood fiber materials accounting for most of what's left. The main reason has been the superior fire resistance of the mineral fibers.

Michael J. Kodaras, author of the pioneer noise-control section of the proposed New York City building code (C&EN, Nov. 28, 1966, page 28), sees no prohibitive difficulties for plastic materials in meeting code requirements. However, the long-time acoustical consultant adds, technical problems abound in design of polymeric sound-muffling materials. This is so simply because chemical companies are relatively inexperienced in this field.

B. F. Goodrich's Deadbeat is an elastomer resulting from three years of research on mass transit. Goodrich says the product substantially reduces the squeal of wheels on rail curves and has potential in cutting noise from business machines, appliances, and automobiles.

Goodrich is also testing an acoustically absorbent wall covering. In addition, the company is exploring development of rigid foam materials for absorbing sound between rooms and floors.

Another company involved in acoustical foam materials is Monsanto, which sells a laminated styrene sound-dampening board for use in walls and floors. The company says the material competes in price with conventional products and has distinct advantages in weight and ease of handling. Though the styrene-based product has not penetrated the residential market, it has received good acceptance in the institutional field.

Companies such as Du Pont, Union Carbide, Dow, and Allied are among those who do not now market synthetic materials specifically as sound absorbers. However, in some cases they have research and marketing facilities for conventional acoustical products which are used by the construction industry.

Pending the further appearance of purely synthetic materials, chemical companies can still profit from higher volume for traditional sound absorbers. Wood products and various mineral fibers contain organic binders such as phenolic resins. Fire-protected cellulosics are impregnated with borate compounds.

In addition, acoustical materials have recently come out with vinyl and other plastic membrane coverings. The new surface greatly improves washability. The Acoustical Materials Association describes most synthetic overlays as sound-transparent and highly resilient. In one case, the film stretches over the porous base tile or board but adheres only at the edges and is free to vibrate under incident sound pressure. In a second case, the surface film adheres over the entire substratum but has enough resilience to vibrate freely.

Companies making plastic-faced materials include Armstrong Cork, which uses Du Pont's Mylar polyester film on several types of ⅝-inch material with a Class I flame-spread rating. Companies using vinyl coverings include Baldwin-Ehret-Hill, Celotex, Gustin-Bacon, Johns-Manville, Kaiser Gypsum, Owens-Corning Fiberglas, and Simpson Timber. The largest number of vinyl-covered materials have Class A flame-resistance and Class I flame-spread ratings.

Strong factors behind further development of acoustical materials are recent studies on the physiological effect of noise and closely related legislative proposals to dampen environmental sound levels. Last month, Dr. Samuel Rosen, New York City ear specialist, summarized his extensive research on noise in the U.S. and abroad for New York City's first conference on noise control. The conclave was held at New York University. It was sponsored by Manhattan Borough president Percy E. Sutton and a voluntary research and education group, Citizens for a Quieter City.

"Noise," Dr. Rosen says, "can not only damage hearing. It can affect the blood pressure and functions of the heart and nervous system . . . if the noise exposure is intense enough and long, we begin to get deafness from the involvement of the nerve of hearing. There is no known hearing aid that is suitable for this irreversible type of deafness."

Moved by such reports, city councils and higher legislative bodies in the U.S. are considering bills to record the sonic burden on urban residents. What may become the most comprehensive measure in this country is New York City's proposed noise-control statute. It is still lodged with the rest of the new building code in Mayor Lindsay's office.

The New York City proposal outlines performance criteria for building materials in four broad areas:

Airborne noise between adjacent apartments, hallways, and other areas.

Impact noise between apartments.

Structure-borne noise originating in machinery and equipment.

Noise reaching apartments from equipment located on adjacent buildings.

In the latter two categories, consultant Kodaras says, the New York City code actually goes beyond model codes currently in use abroad. The foreign regulations, centering on airborne and impact noise, predate U.S. efforts by as much as three decades. Mr. Kodaras does not excuse the relatively late start of noise-abatement measures in the U.S. But he cites the forced housing boom in Europe after World War II and more centralized foreign government as partial explanations for the head start overseas.

The first entry in noise-control codes came from Germany, which in 1938 specified allowable noise transmission for walls. Since then, codes have appeared in Canada (1948), Britain (1944), Sweden (1946), Norway (1948), and the Netherlands (1952).

The mere existence of a noise-abatement code does not guarantee effective control. In Great Britain, for instance, the code has been only advisory, not legal, force. Where legal authority exists, enforcement varies considerably—from good in Belgium and the Scandinavian countries to average in Germany and other central European nations and weak in France.

In the U.S. Congress, Rep. Theodore R. Kupferman (R.-N.Y.) has pressed a campaign to curb noise in this country. His H.R. 2819 was introduced late last year and again in this session. It would establish an office of noise control in the Surgeon General's office and provide grants to aid state and local noise-control programs. Receiving no action last year, the bill is not expected to fare any better in this session of Congress.

[From the New York Daily News, Apr. 25 1967]

We Hope To Help Lower the Boom on Street Digging Noise With Our New "Cookie Cutter"

The rat-tat-tat of the pneumatic drill may someday be just a memory when it comes to certain kinds of street digging . . . that is, opening up small excavations to install or repair cables and pipes. We're trying out a new kind of machine that can do the job faster and quieter. It's our new truck-mounted Road-Bor machine, affectionately tabbed the "cookie cutter."

This borer cuts out "cookies" up to five feet in diameter and as much as 15 inches thick, right through asphalt and concrete, with only a third as much noise as a pneumatic jackhammer. During trial runs, the "cookie cutter" sliced through reinforced-concrete slabs five inches thick in an average of eight minutes. With pneumatic jackhammers it takes an average of 27 minutes to cut a hole the same size.

In New York City, where over 90% of the electrical distribution system is underground, a machine like the "cookie cutter" can save us—and you—a lot of time and trouble.

Right now, we've got only one of these cutters. We're giving it a careful and thorough on-the-job test. It's the first of its type to be used in the New York area. If the cutter lives up to expectations, we'll be getting others to help us with our "spot-hole" excavations.

Con Edison is always looking for new, improved ways to assure New York and Westchester the best possible service. We're for anything that will help cut down the noise and time in doing street jobs in New York.

[From the Washington Daily News, May 17, 1967]

Now Hear This!

At a time when the nation is just beginning to listen, with alarm, to its rapidly rising noise levels—which are threatening to rival air pollution as a peril to humankind and to drive us all daft—it ill behooved the White House to install 25 outdoor speakers along the east fence in order to provide waiting tourists with chatty (and canned) information about the place.

Good grief! Does no one value silence anymore?

We can hear it now—the pickets paling as the caterwaul begins: "Fency meeting you here," says the fence to the startled tourist above the muffled muttering of traffic on the Avenue. "Welcome to the home of Presidents, burned by the British in 1814. . . ."

Something there is that doesn't love a garrulous fence, that something being The Washington Daily News. A fence should be seen and not heard. That's what we're railing against.

[From Town of Hempstead News, May 4, 1967]

Hempstead Town Presiding Supervisor Ralph G. Caso urged today that Congressional appropriations to build a supersonic prototype plane include the proviso that the noise and sonic boom be limited to specified levels. He also urged that decibel and vibration ceilings be included in standards of certification.

In letters to Senators Javits and Kennedy, Representatives Tenzer and Wydler and Secretary of Transportation Alan S. Boyd, Caso wrote, "With $1,144,000,000 of the taxpayers' money to be expended over the next four years, the public has a right to demand guarantees that the SST will not destroy the living conditions of millions for the sake of a comparative few.

Caso stressed that throughout the prolonged national debate on the supersonic aircraft, no one has raised the noise and shock-wave questions as deterrents to the program's advance.

"We stand in danger of producing a monster that leaves a carpet of shock waves the full length of its flight, so that the most isolated areas of the country will suffer this newest and most threatening type of pollution," he warned.

Flying at speeds of up to 1,800 miles an hour, the American version of the SST will be 306 feet long, with four 60,000-pound thrust engines. Built to compete with the smaller, somewhat slower models being produced by the Russians and jointly by the French and British, the American supersonic is expected to be ready for test flights by 1970 and in commercial use in 1974.

"It will be futile then," said Caso, "to find we can't live with the SST after billions have been spent on it. The time to establish standards of acceptability is now, when monies for construction are being appropriated."

The September 1967 issue of the Sport Fishing Institute Bulletin, No. 188, at page 2, has an article entitled "Noise-Caused Ills" which follows. The address of the SFI is 719 13th Street NW., Washington, D.C.

NOISE-CAUSED ILLS

An item in a recent issue of Tundra Times (Fairbanks, Alaska) reported that Dr. Lee E. Farr, University of Texas, believes that our noisy society is harmfully loud. Dr. Farr points out that long-lasting noise at too high a level can cause nervous fatigue, damage the digestive system, increase allergic sensitivity, and increase susceptibility to migraine attacks or other forms of psychosomatic illness.

It follows that one antidote to such ailments is to be found in various forms of outdoor recreation—by getting away from it all. An ideal means is through fishing—the traditionally contemplative (rather than competitive) sport. This is where competition with one's fellows in the midst of urban din can be discarded and trembling nerves become relaxed and rested. In this connection, it is interesting to note that Professor Lawrence L. Suhm, Director of the University of Wisconsin's Center for Leisure Resources Development, has warned that failure to cope with leisure time may seriously damage an individual's physical and mental health.

According to Professor Suhm, a direct relationship exists between losing one's principal job functions and developing physical and mental disorders. A person's health deteriorates, Suhm points out, when his use of leisure time is characterized by decreased physical activity, social isolation, sensory deprivation, lack of mental stimulation and lack of adequate motivation. Suhm described the effect of increased leisure time upon health in a recent issue of Industrial Medicine and Surgery, stating: "It is not the increase in leisure time which adversely affects health but rather the tragic failure of our society to provide adequate personal or environmental resources for leisure."

Differentiating between free time and leisure, Suhm emphasizes that "free time is time freed from the necessity of maintaining one's existence. Leisure is freedom from imposed obligations upon one's time. To convert free time into leisure, one must have the ability as well as the opportunity to exercise his freedom." Children, sick people, the unemployed and prisoners, for example, have much free time but little leisure. Those most affected by increases in leisure time are blue-collar workers and old people.

Shorter work weeks, automation and longer paid vacations have helped greatly to increase the working man's leisure time. However, blue collar workers and old people are not the only ones who have more time on their hands. Young people also have increased their leisure time through a combination of prolonged schooling and a later entry into the labor force. A recent report says the average person today has 22 more years of leisure time during his life time than his great-grandfather had. Adult men have 31 hours of leisure time per week and women over 35 hours of leisure.

In analyzing what do people do with all this leisure time, Professor Suhm concludes that nearly 75 per cent is spent in the home. Of this, some 18 to 20 hours per week are spent watching television and six hours are spent reading, mostly newspapers, leaving only an hour for all other at-home activities. Of the eight free hours away from home, five are spent visiting friends and relatives. Remainder of the time is divided among church attendance, concerts, sports participation and volunteer community activities.

According to the University of Wisconsin news release that related Professor Suhm's findings, evidence also comes from the medical profession that lack of preparation for extensive leisure time often leads to severe organic and emotional breakdown. A psychiatrist, Dr. Alexander Reid-Martin, has found that many gastro-intestinal tract problems caused by neurosis have actually become worse during holidays. Professor Van R. Potter of the UW McArdle Laboratory for Cancer Research has warned that people must continually use their physical and mental capacities if they want to stay healthy, whether in leisure or non-leisure living. When we carry a heavy load our ability to carry loads increases, he says. But when we have no loads to carry, our ability to carry loads decreases.

This demonstrates, in part, how the human organism adapts. Muscles, organs, senses and reflexes not used by the demands of daily living tend to deteriorate, sometimes with astonishing rapidity. Thus, there is great need for public education to prepare people for wise use of increasing leisure time. Outdoor recreation, particularly year-round aspects such as sport fishing, provides a vital means for Americans to maintain their physical and mental well-being increasingly in the future.

AIR LINE PILOTS ASSOCIATION,
Los Altos Hills, Calif., Jan. 31, 1967.

Representative THEODORE R. KUPFERMAN,
House of Representatives Building,
Washington, D.C.

Hon. THEODORE R. KUPFERMAN: I have been appointed to the West Coast Air Line Pilots Association Noise Abatement Committee and in this capacity I am writing your office for any and all information your office can forward me in helping us alleviate and prevent the noise pollution problem.

I have in my possession the August 4, 1966 issue of The Congressional Record wherein you included much pertinent and informational data on this most serious noise abatement problem. It is the best series of articles I have read on noise pollution.

At the present time the Regional Planning Committee of San Mateo County, Calif., is conducting hearings on the 600 million dollar proposed Pacific Air Commerce Center south of the fourth busiest airport in the United States, the San Francisco International Airport. This complex will include the zoning of bay fill property which will include residential property housing for approximately 5000 people.

The Air Line Pilots Association has strongly opposed the inclusion of residential property within close proximity and peripheral areas of jet airports. Local zoning boards throughout the world heretofore have ignored sound decibel noise residential zoning ordinances for new residential property. We hope to introduce and "bird dog" this type of legislation.

I would appreciate any data your office may have on decibel jet noise soundings in peripheral airport areas. The jet noise emitted when the aircraft is vertically 500 ft., 1000 ft., 1500 ft., 2000 ft., 3000 ft., etc. overhead. The decibel noise pollution data when the aircraft is at the same aforementioned altitudes but measured from ¼ mile, ½ mile, ¾ mile, one mile, 1½ mile, 2 mile, etc. This data would be of great assistance to me and the Bay Front Task Group.

The problems of jet noise pollution to the residential owner has usually been created by myopic zoning boards. The air line pilot is saddled with the blame inasmuch as he is at the controls of the sound problem aircraft. This would not be so if residential property owners did not live underneath or within the confines of aircraft flight paths.

A man's home is his castle, no matter how large or small. He can stand and put up with more noise pollution at work than he can relaxing with his shoes off, TV turned to his favorite sports event, windows open and his favorite beverage in hand.

Let zoning commissions protect the future resident home owner from peripheral noise and not construct residential property in known jet noise areas which will ultimately increase resident's complaints and create more new problems for residents and airlines.

Thanking you in advance and hoping to hear from you soon, I remain,

Sincerely yours,
JOHN X. STEFANKI,
Chairman, UAL Council 34 Legislative Committee.

STOP THE BOMBING OF NORTH VIETNAM AS A NECESSARY FIRST STEP TO GET PEACE NEGOTIATIONS STARTED

The SPEAKER pro tempore. Under previous order of the House the gentleman from New York [Mr. BINGHAM] is recognized for 15 minutes.

Mr. BINGHAM. Mr. Speaker, for more than a year, I have on various occasions urged that the United States stop the bombing of North Vietnam as a necessary first step to get peace negotiations started. I am more convinced than ever today that such a step offers the only chance of bringing the Vietnam conflict to an end in the near future.

I have also been among those who have urged that the administration make renewed efforts to get action from the U.N. Security Council that might contribute to a peaceful solution of the conflict.

I rise today, however, in part to express alarm at some of the proposals which are currently being discussed with respect to a possible bombing "pause," as contrasted to an indefinite cessation, and with respect to a U.S. effort to lay the Vietnam issue before the coming U.N. General Assembly without making any change in our current policies with regard to the conflict. If we are prepared to stop U.S. bombing of the north, then there would be great value in making use of the General Assembly session to maximize the effect of such a move. If we are not prepared to stop the bombing in the north, then I believe that submitting the Vietnam issue to the U.N. General Assembly would be a mistake.

I see nothing to be gained by another bombing "pause," which implies the early resumption of bombing if nothing happens. In my judgment, such a pause would not bring Hanoi to the negotiating table. I say this because I am in agreement with the administration's view that at present Hanoi believes it is on the winning side and has no desire to negotiate. Hanoi would, therefore, in all likelihood again reject negotiation during a bombing pause—as it has in the past—as being inconsistent with its announced position that it will not even consider negotiations until and unless the bombing has stopped permanently.

Not only would a bombing pause thus serve no good purpose, but would in my view actually do harm. First of all, it would no doubt be used by Hanoi to expedite the flow of men, equipment, and supplies to the south as was done during the Tet pause last winter. Second, I am afraid that the failure of another pause to produce negotiations would be used by those who favor further escalation of the war in the north as an excuse for such escalation. I am therefore opposed to another bombing "pause."

I also see nothing to be gained, and considerable risk of harm, in the United States submitting the Vietnam issue to the U.N. General Assembly at its forthcoming session, if this submission is unaccompanied by any change in our conduct of hostilities. It is clear that the great majority of the members of the United Nations are opposed to our policy of bombing North Vietnam, believing that it is an obstacle to peace.

The point of view of most nonalined nations has been repeatedly expressed by Secretary General U Thant when he has said that halting the bombing of the north is a necessary prerequisite to any negotiations.

Accordingly, it is wholly unrealistic to expect that any resolution adopted by the General Assembly would support our present posture. The possibility of useful action in the Security Council is also slim, as reported yesterday in the Washington Post. The Soviet Union's attitude would be the key, and the Soviet Union has consistently maintained that negotiations are impossible so long as U.S. bombing of the north continues.

I was greatly impressed by Secretary McNamara's courageous statement of August 25 before the Senate Preparedness Subcommittee on what he called "the conduct of the air war in North Vietnam"—reprinted at 24533 and following. This statement demonstrated with abundant facts and figures that expansion and intensification of the bombing in North Vietnam, as advocated by some generals and admirals and their congressional supporters, cannot be expected to bring a quick end to the struggle in the south. Further, the Secretary made clear that, while the bombing can make infiltration and supply from the north more costly and more difficult, it cannot reduce such infiltration and supply below the meager levels needed to continue the active Communist operations in the south. This conclusion is consistent with the fact that since the United States started its bombing of the north, the numbers of North Vietnamese units fighting in the south have greatly increased, and the enemy forces in the south have been able greatly to increase the quality and quantity of their weaponry.

To be sure, Secretary McNamara does not advocate stopping the bombing in the north. Indeed, he concludes:

> The present objectives of our bombing in the north were soundly conceived and are being effectively pursued.

But he is addressing himself to the military aspect of the matter, and he does not even attempt to discuss the great political and psychological advantages that would flow from a cessation of the bombing.

It is my deeply held conviction that the short-range military advantages of the bombing in the north are more than offset by the long-run political and psychological advantages—enhancing the chances of a peaceful settlement—that would accrue from stopping the bombing.

On the military side, Secretary McNamara's analysis makes clear that the advantages of the bombings are not overwhelming; the implication of his statement is that the number of men and the amount and types of equipment that are sent to the south from the north are determined by Hanoi's decision, and not by the intensity or by the extent of our bombing. This again is consistent with the record of the last 2 years.

It has been argued that if we had not been bombing, Hanoi would have dispatched many more men and munitions to the south; and that the United States would consequently have had to send 800,000 more troops to South Vietnam, but this is just a guess. One can equally well argue the contrary, that without the psychological stimulus and unity in North Vietnam created by our bombing, the flow of supplies and men might have been less than it was—that it might have continued at the pre-February 1965 level. The same arguments can be made—without certainty on either side—as to whether, if we were to stop the bombing, the future flow of men and supplies would increase or lessen. On this score, it does seem clear that a bombing "pause," announced as such, would be more damaging to us from a military point of view than an announced cessation of the bombing. During a pause, the other side will naturally tend to make use of the lull to speed the flow of men and supplies. If a cessation were announced, on the contrary, Hanoi would not have the same incentive to do this; instead, they would then have to reconsider their policies in the light of the new total situation.

While the military considerations in favor of the bombing are thus marginal, if not dubious, the psychological and political factors militate strongly against continued bombing of the north.

Psychologically, our direct attacks on the north seem to have solidified the people of North Vietnam in opposition to the attacker and to increase their motivation to undertake sacrifices in support of the conflict throughout Vietnam. The latest to report this from Hanoi was the experienced radio commentator, David Schonbrunn. And we should have expected this result, based on our own experience following Pearl Harbor and, more particularly, on the British reaction to the blitz of 1940. By bombing the north, we have made the total struggle in Vietnam one in which the North Vietnamese people were fully identified, because they and their homeland were under direct attack. If we had not been bombing in the north, many of these same people might have regarded the fighting in the south as remote from their immediate interests. In this connection, the question is pertinent: If Hanoi had been able to bomb the San Francisco docks, what effect would that attack have had on American attitudes toward the war in Vietnam? Would such an attack not have tended to unify Americans in support of the war?

It is when one considers how possibly to get peace negotiations underway, that the advantages of stopping our bombing of the north seem overwhelming. If we were to accept the risks involved in such a step and to announce and put in effect a cessation of the bombing, the whole political picture would change. The pressures from the rest of the world, instead of being focused largely on us, would be focused on Hanoi and the National Liberation Front to enter into meaningful negotiations.

If the administration is right, as I believe it is, about Hanoi being reluctant to negotiate, we must use every means available to us to bring political pressure on Hanoi to negotiate and, if we make full use of a decision to stop the bombing in the north, we should be able to mobilize not only the nonalined world, but also, the Soviet Union and Eastern European Communist states, to bring such pressure to bear on Hanoi. The coming session of the U.N. General Assembly, which starts September 19, presents the President with an opportune occasion for announcing an all-out drive to achieve an honorable peace in Vietnam, with the help of the member states of the U.N., based on our willingness to stop the bombing of North Vietnam without trying to exact a prior commitment from Hanoi that it will enter into negotiations.

One way of doing this would be to invite a group of nonalined nations—possibly the 17 who urged negotiations in 1965—to set up a press conference at a time and place of their own choosing and to invite to that conference such governments and parties as they see fit. In making public such an invitation, we would announce our intention to attend such a conference and to stop the bombing of North Vietnam 3 weeks or a month before the conference was set to open. Under these circumstances, it would be difficult, if not impossible, for Hanoi to refuse to attend the conference. The pressures on it to do so would be tremendous, and should offset the counterpressures to be expected from Peking. At the very least, if Hanoi remained obdurate and stayed away from the conference, the attitude of the rest of the world toward the conflict would inevitably shift. The same result would occur if Hanoi and the National Liberation Front were to come to the conference, but were to filibuster instead of negotiating in good faith.

If either of these contingencies did occur, the United States would obviously have to reconsider its strategy. All options would be open to us at that time, and we would be in a position to move in a far more favorable worldwide political atmosphere.

Some thoughtful Members of Congress have suggested that instead of stopping the bombing, we should reduce or limit it in some way. In my view, such a half-measure would not serve the purpose of putting Hanoi under worldwide pressure to negotiate. Hanoi could, and presumably would, reiterate its often expressed insistence that no negotiations can take place until the bombing of the north is stopped. The result might be different if Hanoi were eager to find a way to negotiate but, as I have said before, I am in agreement with the administration that this is not the case.

Obviously, whatever the United States decides to do, either at the coming General Assembly or otherwise, must be done in consultation with the Government of South Vietnam that emerges from next week's elections. But I believe the course of action that I have suggested would be the right course of action whether the Thieu-Ky ticket is successful, as anticipated, or whether a civilian President and Vice President are elected.

In conclusion, I want to say only that any course of action in Vietnam involves risks, and my proposal is no exception. But it is clear that present policies in Vietnam offer no prospect of an early end to the conflict and have been far less successful than their advocates within the administration earlier predicted. Is it not time that something new was tried?

Mr. Speaker, I have today introduced a concurrent resolution summarizing the views set forth in these remarks.

(Mr. **BINGHAM** asked and was given permission to revise and extend his remarks and insert the text of the resolution at this point in the RECORD.)

H. CON. RES. 501

Whereas the costs of the Vietnam war, in human and material terms, and in terms of unmet needs at home and abroad, are mounting daily; and

Whereas since a quick military victory is not possible and withdrawal is out of the question, the only way to achieve a speedy end to the conflict is through negotiation; and

Whereas the Government of North Vietnam has repeatedly stated that they will neither negotiate, nor agree to negotiate, so long as the United States bombing of North Vietnam is not stopped; and

Whereas the military value of the bombing is limited and its continuation is not essential to the protection of American forces in South Vietnam, and an end to the war would save thousands of American lives; and

Whereas so long as the United States bombing continues, there is no chance of action favorable to the United States being taken by the coming United Nations General Assembly; and

Whereas the chances of helpful action by the United Nations General Assembly or by nonaligned members of the United Nations depends upon United States willingness to stop the bombing in advance of negotiations and in advance of any commitment by the Government of North Vietnam to participate in negotiations; and

Whereas halfway measures, such as a bombing pause, announced as such, or a limitation of the bombing, would not have the same compelling political impact and would give the Government of North Vietnam an excuse to continue to avoid negotiations; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that:

1. The United States should be prepared, at a favorable moment which would make maximum use of the political potential of such a step, to stop bombing of North Vietnam as a necessary first step in an all-out effort to get negotiations started.

2. The United Nations General Assembly opening on September 19 offers an opportune occasion for an announcement of such a decision, so as to mobilize member nations in support of the effort to move the struggle from the battlefield to the negotiating table.

ROGERS PROPOSES NATIONAL "TEENAGE ALERT" PROGRAM

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. ROGERS] is recognized for 15 minutes.

Mr. **ROGERS** of Florida. Mr. Speaker, the entire Nation has been alarmed over the increasing involvement of young people with drugs, alcohol, and illicit sex.

The House Interstate and Foreign Commerce Committee, of which I am a member, passed the Drug Abuse Act in 1965, to help curb the illicit traffic of drugs.

Yet we have statistics now that show the use of drugs being used by young people across the Nation is increasing and examples range from small groups to more than 30 percent of a student body in a high school in Oakland, Calif. There are studies which point out that in one school it was estimated that 75 percent of the student body had tried some form of drugs.

The Drug Abuse Center estimates that between 1 and 4 million young people have used LSD, which I consider a frightful figure considering the danger involved.

The Bureau of Narcotics tells us that there are nearly 5,000 known addicts under the age of 21. The total number of known addicts is nearly 60,000, and I stress the fact that these are only the known addicts.

What we need now is a national program of education that will curb this fantastic increase in drug and alcohol use. One that will be effective in telling the young people of the Nation the realities and consequences of these vices.

I think we have a base for such a program in "Teenage Alert," a program which was instigated in Broward County, Fla., by Dr. David J. Lehman. Each school will designate 1 week of the school year as "Teenage Alert Week."

The doctors of the Broward County Medical Association offered their time to speak, explain, and provide materials which are distributed to the schools and parents. The material deals with the effects and use of drugs, including stimulants, narcotics, marihuana, and LSD, and also delves into the consequences of clandestine sex behavior and the use of alcohol. The Bar Association of Broward County will have its members explain the law on drugs and its serious consequences.

Another phase of the program offers a chance for the parent to participate by attending separate lectures, also given by the physicians.

I spent an hour with Dr. Lehman and found it so informative that I became enthused and called Dr. Philip Lee, the Assistant Secretary of HEW for Health, to see if he thought the program could be adopted on a national level.

Dr. Lee was impressed as a result of his conversation with Dr. Lehman, and is investigating this program with a view to encouraging its use on a nationwide basis.

I am also encouraged at the thought of being able to attack the mounting problem of teenage crime. I believe that if we can reach people in the junior and senior high school level, we may prevent some of our young people from taking the first frightful step to becoming involved with the law or wrecking their lives as a result of the use of drugs and alcohol.

While I speak of supporting this program on a national level, I would point out that while it is national in scope, the work which will be done will be done by the people on the local level with only the supplementary help and encouragement of the Government.

It will be the local groups and the parents who will, in the end, make this a success. And that is one of the beauties of this program.

I hope my colleagues will join with me in encouraging the development of the "teenage alert" program in their districts—calling on medical associations and bar associations to actively work on such programs—and by calling on the Department of Health, Education, and Welfare to support this program and to furnish educational material necessary for the initiation of a national "teenage alert" to prevent the growth of drug abuse among the young people of the Nation.

FIFTY YEARS OF FOREIGN LOANS AND FOREIGN AID BY THE UNITED STATES, 1917–67

The **SPEAKER** pro tempore (Mr. ALBERT). Under a previous order of the House, the gentleman from New York [Mr. SMITH] is recognized for 30 minutes.

Mr. **SMITH** of New York. Mr. Speaker, since the end of World War II we have been privileged to find in the pages of the CONGRESSIONAL RECORD many clearly itemized tables and articles dealing with our American aid commitments overseas. These tables have been extremely helpful to Congressmen and staffs in serving as background information on forthcoming foreign aid legislation; as briefing materials for our speeches on the floor of the Congress, and as data to be furnished to informational media as well as to our constituents. Year by year these exhaustive statistics have been used to keep us up to date as to what the United States is actually doing in giving grants or furnishing loans to other countries.

As most of us who have used and inserted these tables from time to time in the CONGRESSIONAL RECORD know, they have often originated in our own famous research organization, the Legislative Reference Service of the Library of Congress. This organization is devoted exclusively to the basic purpose of furnishing authentic data and studies for the use of the Congress.

I want to say that Congress can consider itself very lucky in that our Legislative Reference Service has on its staff in the Economics Division the man who has compiled most of these foreign aid statistics from divergent governmental sources. His tabling and meticulous accounting of our foreign aid expenditures through the years have enabled us to have the latest data at our fingertips. Naturally he has had to get them from the operating agencies, but his putting them in clearly understandable and useable forms has made his published work invaluable to us.

As a staff member assigned to the original Herter committee to assist in making the first survey for the Marshall plan in 1947, Mr. Hermann Ficker has since that time become one of the most knowledgeable experts in our Government concerning all aspects of our multifaceted foreign aid programs. His ready reference to original source materials, authoritative analyses and studies, and making data available to Congressmen with explanations, both timely and definitive, have been much appreciated.

Not only does his competency extend to the programs and projects under our worldwide economic assistance effort, our military assistance overseas, our surplus food shipments under Public Law 480, our foreign loans and currencies, the operations of international lending agencies and technical service programs, but also to the comparative aid efforts of other major industrial nations. An economist in international finance and trade, Mr. Ficker is as well known overseas as here at home. He has been invited to participate in aid and trade symposiums by the Governments of Great Britain, West Germany, Ghana, and South Africa.

Mr. Ficker is also a very fluent speaker and often lectures on foreign aid, African affairs, or other items of international economics content to business groups, student seminars, and church fellowships.

I feel that I express the sentiments of many of my colleagues when I say that we are particularly fortunate in having a man as devoted to our legislative service as he is. Publicly I wish to say to him: Thank you for your loyal and expert service on our behalf.

Mr. Speaker, I have here in my hand Mr. Ficker's latest compilation entitled: "Fifty Years of Foreign Loans and Foreign Aid by the United States, 1917 to 1967." It is a 40-page tabulation of the sum of $204 billions disbursed by the United States in the form of loans and grants during the last 50 years. We have just recently debated foreign aid in the House. We shall debate it again. Here we can ascertain for ourselves how this mammoth sum has been distributed—how, when, and where—as gifts or loans, and for economic or military aid.

How often does the question not come up concerning the exact totals various countries owe us as a result of the old World War I Liberty Bond loans? This tabulation with sources shows us what is owed. Both principal and interest are there.

What other assistance did our executive agencies extend in the period between the two World Wars? The list gives all.

What did our Allies and the then free world countries get from us during World War II in the form of lend-lease? The totals in grants and small loans are there.

How have we distributed our aid, as loans and grants, as economic and military, since the end of World War II? The tables give the totals for the last fiscal year disbursements, as well as the cumulative totals for the period 1945–1966.

What do foreign countries owe us today on loans granted since 1945? Repayments are noted and outstanding balances for individual countries are given.

Which countries have since the end of World War II received the largest amounts of United States aid and how much? The lists giving the totals in descending order are explicit.

Mr. Speaker, I hope that this tabulation will prove to be of great use to all Members of Congress.

I include this tabulation in full in the CONGRESSIONAL RECORD at this point:

FIFTY YEARS OF FOREIGN LOANS AND FOREIGN AID BY THE UNITED STATES, 1917–67

(By Hermann Ficker, economist in international finance and trade, economics division, May 16, 1967)

MAGNITUDE OF AID

The magnitude and complexity of U.S. official loan and foreign assistance programs since 1917 are such that the summary total of $204 billion of loans and grants disbursed should be considered as an approximation only. Currently there are fourteen major departments and agencies of the U.S. Government that act as principals or agents for the several programs that extend assistance to foreign countries, and twenty account headings and programs under which the yearly Foreign Assistance Act is divided by the Appropriations Committees of the Congress.

Two agencies of the U.S. Government publish periodic reports of our aid totals:

1. Agency for International Development (AID)—U.S. Department of State;
2. Office of Business Economics—U.S. Department of Commerce.

Sometimes discrepancies arise because AID uses obligational totals only, while the Office of Business Economics uses only actual delivery or utilized totals. Both agencies supply figures to the Appropriation Committees of Congress.

The present tabulation utilizes these and other sources and presents a summary of foreign aid data in such a manner as is believed to be most useful for the Congress.

In the following tabulations major emphasis is given to the postwar period. However, for the sake of those who need the totals, a breakdown by military aid, economic grants and utilized credits is appended also for the period July 1, 1917 through June 30, 1945. Aid totals are gross figures; in other words, reverse economic grants and repayments of loans and credits are not subtracted from the totals of aid extended.

A recapitulation of U.S. foreign loan and aid figures since July 1, 1917 and availabilities for fiscal year 1967 is as follows:

	Billions
World War I Allied debts, original principal only	$12.193
World War I German debts, original principal only	1.157
U.S. aid, other, 1917–40	1.533
World War II aid, lend-lease and other, 1940–45	49.205
Postwar aid—1945–66	122.365
Availability of aid—July 1, 1966	6.684
New funds appropriated for fiscal year 1967	2.935
Total	196.072

It should be noted that, in the case of World War I debts, only the original principals are used; otherwise interest due on June 30, 1966 should be included as follows:

	Billions
Allied debts	$11.595
German debts	0.432

Although the interest on funds borrowed by the U.S. Treasury for purposes allocable to foreign aid cannot be accurately determined, it is safe to say that since 1940 such interest could reasonably amount to over $2 billion. Although this total is not added to U.S. aid expenditures, the costs assessable as interest still come from the pockets of the U.S. taxpayers.

SUBSCRIPTIONS TO INTERNATIONAL FINANCIAL INSTITUTIONS

In addition to the expenditures, availabilities and interest mentioned above, the United States has indirectly extended foreign aid in the form of capital investments in the six international financial institutions, as follows:

	Billions
International Monetary Fund	$5.516
International Bank for Reconstruction and Development	.635
Inter-American Development Bank	.800
International Development Association	.424
International Finance Corporation	.035
Asian Development Bank	.020
Total	7.430

Payments to these six institutions constitute an additional measure taken by the United States Government to promote foreign economic development, and have been excluded from the aforementioned foreign aid totals because they do not result in immediate equivalent aid to foreign countries. Use of their available dollar funds is largely determined by the management of these institutions, in some cases subject to certain controls which can be exercised by the United States.

AVAILABILITY OF U.S. FOREIGN AID FUNDS ON JULY 1, 1966

As noted in the foregoing statement unexpended appropriated foreign aid funds and new funds appropriated for fiscal year 1967 amount to under $10 billion.

Although these unexpended funds comprise nearly 70 percent of aid funds available for future disbursement, the figures are sometimes misinterpreted as to the actual amount of money available for new programs of foreign assistance. Unexpended funds are already substantially committed in (1) continuing programs or nearing completion, (2) tentative agreements for grants and loans not yet fully completed and (3) contracts and assistance programs in process of discussion. This is essentially true of all military assistance and defense support programs, the various economic aid programs and to a large extent of the loan authorizations given to foreign countries, but not yet fully utilized or drawn from the U.S. Treasury. Thus essentially the only funds for new foreign aid programs beginning July 1, 1966 are those appropriated by Congress for fiscal year 1967 and, even of this total, a large percentage is for continuing programs.

WORLD WAR I DEBTS

As an introduction to the series of tables comprising United States grants, loans and credits extended during the last fifty years, we begin with the cash advances made under the various Liberty Bond Acts of World War I and subsequent sales on credit in the immediate postwar years. Table I gives in detail the original totals and the principal under the funded agreements between 1923 and 1930. The interest of $11.595 billion has not been included in the summary table at the beginning of our tabulation.

As noted in the footnotes under Table II, the German debts to the United States arose from the charges for the upkeep of occupation troops in the Rhine districts after World War I. Interest of over $432 million has also not been included in the summary tabulation.

TABLE I.—WORLD WAR I DEBTS

STATUS OF INDEBTEDNESS OF FOREIGN GOVERNMENTS TO THE UNITED STATES ARISING FROM WORLD WAR I, AS OF JUNE 30, 1966

[In millions of dollars]

	Agreed principal indebtedness [1]	Interest through June 30, 1966 [2]	Total	Cumulative payments	
				Principal	Interest
Total	12,193.267	11,594.902	23,788.169	760.852	1,998.713
Armenia	11.960	27.989	39.949	----------	----------
Austria [3]	26.843	.044	26.887	.863	----------
Belgium	419.838	310.569	730.406	19.158	33.034
Cuba	10.000	2.287	12.287	10.000	2.287
Czechoslovakia	185.071	106.473	291.544	19.830	.304
Estonia	16.466	21.297	37.763	----------	1.248
Finland	9.000	11.309	20.309	[4] 4.108	[4] 11.309
France	4,089.690	3,112.149	7,201.838	226.040	260.036
Great Britain	4,802.182	6,828.232	11,630.414	434.182	1,590.673
Greece [5]	32.500	17.653	50.153	0.984	3.143
Hungary [6]	1.983	2.709	4.692	.074	.483
Italy	2,042.364	324.894	2,367.259	37.464	63.366
Latvia	6.889	9.011	15.900	.009	.752
Liberia	.026	.010	.036	.026	.010
Lithuania	6.432	8.397	14.829	.235	1.003
Nicaragua [7]	.142	.027	.169	.142	.027
Poland	207.344	272.278	479.622	[8] 1.287	21.359
Rumania	68.359	49.447	117.806	[9] 4.499	[9] .292
Russia	192.601	466.460	659.061	----------	[10] 8.750
Yugoslavia	63.578	23.668	87.246	1.953	.636

[1] Includes indebtedness arising from pre-Armistice and post-Armistice cash advances under the Liberty Bond Acts of World War I (including the advance of $12,167,000 to Greece under the act of Feb. 14, 1929), sales on credit under the acts of July 9, 1918, and Mar. 30, 1920, and obligations acquired for transportation services by the U.S. Shipping Board during World War I. Includes original advances and credits, plus accrued uncollected interest and future interest funded in debt funding agreements concluded between May 1, 1923, and June 23, 1930.

[2] Includes interest accrued and payable on original advances and funding agreements, excluding interest incorporated into funded principal.

[3] The Federal Republic of Germany has recognized liability for securities falling due between Mar. 12, 1938, and May 8, 1945.

[4] $6,360,250 has been made available for educational exchange programs with Finland pursuant to 20 U.S.C. 222–224.

[5] The agreement of May 28, 1964, ratified by Congress in Public Law 89–766, approved Nov. 5, 1966, refunds $11,366,000 of the principal indebtedness and establishes a settlement for the interest due and unpaid on that principal.

[6] Interest payments from Dec. 15, 1932, to June 15, 1937, were paid in pengo equivalent.

[7] The indebtedness of Nicaragua was canceled pursuant to the agreement of Apr. 14, 1938.

[8] Excludes claim allowance of $1,813,429 dated Dec. 15, 1929.

[9] Excludes payment of $100,000 on June 14, 1940, as a token of good faith.

[10] Principally proceeds from liquidation of Russian assets in the United States.

Source: Foreign Credits by the U.S. Government, Office of Business Economics. U.S. Department of Commerce, March 1967.

TABLE II. GERMAN WORLD WAR I DEBT TO THE UNITED STATES

STATUS OF GERMAN WORLD WAR I INDEBTEDNESS, AS OF JUNE 30, 1966

[In millions of dollars or dollar equivalents]

	Funded indebtedness [1]	Interest through June 30, 1966 [2]	Total	Cumulative payments	
				Principal	Interest
Total	1,156.608	432.057	[3] 1,588.664	81.040	2.048
Repayable in U.S. dollars: Mixed claims [4]	97.500	----------	97.500	49.500	----------
Repayable in U.S. dollars, but stated in reichsmarks without maintenance of value: U.S. dollar equivalent [3]	1,059.108	432.057	1,491.164	31.540	2.048
Total, reichsmarks	2,680.100	1,072.691	3,752.791	132.200	6,466
Mixed claims [4]	1,632.000	533.460	2,165.460	81.600	5.610
Army costs	1,048.100	539.231	1,587.331	50.600	.856

[1] Includes indebtedness arising from awards of the Mixed Claims Commission under the agreement of Aug. 10, 1922, as funded (after collections of $32,183,061) in the agreement of June 23 1930, and indebtedness arising from charges under the Armistice Convention for upkeep of troop of occupation in the Rhine districts (agreements of May 25, 1923, and Jan. 14, 1925), as funded (after repayments and principal allowances of $98,726,671) in the agreement of June 23, 1930.

[2] Includes interest accrued and payable on principal matured and unpaid and interest under the moratorium agreement of May 26, 1932.

[3] Includes conversions to U.S. dollar equivalent of amounts stated in reichsmarks (but payable in U.S. dollars). Amounts collected have been stated at the collection rate; that is, at rate specified in the agreements: the average of the middle rates prevailing in Berlin during the half-monthly period preceding the date of payment. Thus, some collections took place at rates approximating 24 cents per reichsmark, others at rates approximating 40 cents per reichsmark. The rate prevailing at the time of funding agreement (1930) was about 24 cents per reichsmark. Amounts uncollected are included as stated in current Treasury Department reports (at 40.33 cents per reichsmark, the rate prevailing after the U.S. dollar devaluation in 1934). Total indebtedness is sum of collected and uncollected.

These reports do not reflect the replacement of the reichsmark by the deutschemark in the post-World-War-II period, nor the subsequent revaluations of the deutschemark to approximately 25 cents. The substitution of dollar bonds for reischsmark bonds (see footnote 4) was made at about 20 cents per reichsmark in 1953. If the reichsmark were to be equated to the deutschemark, as was common in many of the debt settlements negotiated in 1953, then the total amount due as of June 30, 1966, at the currently prevailing rate of exchange (25 cents per deutschemark) would approximate $935,000,000 and the funded indebtedness would approximate $767,000,000 (before the devaluation of the U.S. dollar the funded indebtedness was stated at $755,000,000).

[4] Under the agreement of Feb. 27, 1953, the indebtedness under the June 23, 1930, agreement was decreased by 489,600,000 reichsmarks (from 2,121,600,000 reichsmarks) and the indebtedness of $97,500,000 created.

Sources of data on World War I debts: "Memorandum Covering the World War Indebtedness of Foreign Governments to the United States (1917–21) and Showing the Total Amounts Paid by Germany Under the Daws and Young Plans" (revised July 1, 1944); annual reports of the Secretary of the Treasury; and memorandum reports of the Treasury Department (1940(?) and 1944) to the Department of Commerce for inclusion in publications of the Department of Commerce.

U.S. AID FOR PERIOD 1918–40

In addition to the cash advances to the seventeen European nations toward the end of World War I, the United States also extended large amounts of relief to the war-ravaged areas. These grants were substantially from surplus war materials although the U.S. Treasury also advanced over $84 million for food and clothing to the American Relief Administration for distribution. Substantial grain shipments helped to forestall famine in various areas of Europe.

During the interwar period from 1918 through 1940 the United States extended aid totaling over $1.5 billion in grants and credits as shown with breakdown in Table III:

TABLE III.—*Interwar period assistance, 1918 to June 30, 1940*

[In millons of dollars]

1. Surplus War Materials, relief	575.844
2. U.S. Treasury, relief	84.094
3. U.S. Grain Corporation	56.859
4. Federal Reserve System	422,350
5. Export-Import Bank	248.578
6. Grain Stabilization Corporation	11.250
7. Reconstruction Finance Corporation	54.000
8. Second Export-Import Bank	28.900
9. U.S. Treasury, shipping	15.904
Total	1,532.778

1. Surplus war materials, for relief (War and Navy, Act of July 9, 1918):

Belgium	29.873
Czechoslovakia	20.622
Estonia	12.213
France	407.341
Latvia	2.522
Lithuania	4.159
Nicaragua	.171
Poland	59.636
Rumania	12.923
Russia	.406
Serbia	24.978
Total	575.844

Source: Complete breakdown in: U.S. Treasury; Annual Reports, 1921, p. 33; 1922, p. 281.

2. Relief: U.S. Treasury, American Relief Administration (Act of Feb. 25, 1919):

Armenia	8.028
Czechoslovakia	6.428
Estonia	1.786
Finland	8.282
Latvia	2.610
Lithuania	.822
Poland	51.672
Russia	4.465
Total	84.094

Source: Complete breakdown in U.S. Treasury, Annual Report, 1921, p. 36.

3. United States Grain Corporation (act of March 30, 1920):

Armenia	3.932
Austria	24.056
Czechoslovakia	2.873
Hungary	1.686
Poland	24.313
Total	56.859

Source: Complete breakdown in U.S. Treasury, Annual Report, 1921, p. 35.

4. Federal Reserve System (credits for foreign central banks):

	Authorization
England (1925)	200.000
(1931)	125.000
Poland (1927)	5.250
Belgium (1926)	10.000
Italy (1927)	15.000
(1934)	25.000
Roumania (1929)	4.500
Austria (1931)	1.083
Hungary (1931)	5.000
Germany (1931)	25.000
Nicaragua (1935)	.550
Foreign Banks (1939)	5.020
Miscellaneous (1940)	.947
Total	422.350

Source: Annual Reports of Board of Governors of Federal Reserve System, 1914–41.

5. Export-Import Banks of Washington (authorizations):

Argentina	2.670
Brazil	83.030
Chile	14.425
China	63.208
Colombia	10.005
Costa Rica	1.000
Denmark	10.000
Dominican Republic	3.000
Ecuador	1.150
Finland	30.000
Haiti	5.500
Hungary	1.000
Iceland	1.000
Mexico	.500
Nicaragua	2.500
Norway	10.000
Panama	4.500
Paraguay	3.500
Poland	6.050
Portugal	5.500
Spain	14.023
Venezuela	.200
Miscellaneous	11.818
Total	248.578

Source: Export-Import Bank of Washington, Statement of Loans and Commitments, Dec. 31, 1940.

6. Grain Stabilization Corporation (became part of the Federal Farm Board, created in 1929; its work was discontinued in 1933):

China, Sept. 26, 1931	7.500
Germany, Sept. 11, 1931	3.750
Total	11.250

(NOTE.—China received 15 million bushels of wheat and Germany 7½ million bushels. Current market price was 49½ cents per bushel.)

Source: New York Times, Sept. 12, 1931, p. 2, Sept. 27, 1931, p. 23.

7. Reconstruction finance corporation (authorization):

Russia (1933)	4.000
China (1933)	50.000
Total	54.000

(NOTE.—Only $17,105,385.80 of the Chinese authorization was actually disbursed.)

Source: "Foreign Loan Policy of the United States Since 1933," by B. H. Williams, New York, 1939, pp. 39–41.

8. Second Export-Import Bank, Washington:

Cuba (silver bullion transaction)	28,000,000

(NOTE.—Credits authorized in five transactions for the purpose of financing the sale of silver bullion to Cuba. This bullion was minted into pesos in the U.S.A. and then shipped to Cuba. Repayment was made on receipt on the pesos. On June 30, 1966, all of the commitments of this bank were assumed by the Export-Import Bank of Washington, D.C.)

Source: "Foreign Loan Policy of the United States," by B. H. Williams, New York, 1939, pp. 49–50.

9. U.S. Treasury, 1922–40:

Poland (shipping 1924)	3.737
Greece (shipping 1929)	12.167
Total	15.904

LEND-LEASE AND OTHER AID DURING WORLD WAR II

During World War II the United States granted nearly $47 billion in lend-lease to her allies and free-world powers. Small reverse lend-lease totals have not been shown. On the other hand, lend-lease supplies in the pipeline at the cessation of hostilities and which could be applied to civilian end-use purposes, as well as unexpended civilian-type goods, were given to our allies under long-term credits. These surplus property credits are included under postwar loans during the period 1945–1966.

Other major grants by the United States included support for UNRRA, post-UNRRA aid, Philippine aid, Chinese aid and some inter-American aid. Major loans consisted of credits extended by the Export-Import Bank and for some surplus property.

TABLE IV.—U.S. FOREIGN AID DURING WAR PERIOD—GRANTS BY TYPE AND CREDITS UTILIZED, JULY 1, 1940–JUNE 30, 1945

[In millions of dollars]

Country	Gross grants			Credits and loans utilized
	Lend-lease	Other	Total	
Tota	46,728.287	1,400.010	48,128.297	1,076.843
American Republics	364.948	58.085	423.032	246.397
Argentina		1.239	1.239	.390
Bolivia	5.026	1.926	6.952	4.510
Brazil	347.945	12.694	360.639	33.462
Chile	22.038	2.864	24.902	1.766
Colombia	8.278	2.231	10.509	8.187
Costa Rica	.156	1.723	1.879	5.951
Cuba	6.154	.504	6.658	28.941
Dominican Republic	1,458	.400	1.858	3.000
Ecuador	7.208	4.132	11.340	5.567
El Salvador	.877	1.026	1.903	.900
Guatemala	1.736	1.484	3.220	
Haiti	1.362	1.131	2.493	10.320
Honduras	.368	2.720	3.088	
Mexico	38.621	8.130	46.751	1.266
Nicaragua	.885	1.257	2.142	4.000
Panama	(1)	.989	.989	2.488
Paraguay	1.952	2.406	4.358	5.205
Peru	18.001	3.485	21.486	
Uruguay	6.942	.814	7.756	.079
Venezuela	4.480	2.557	7.038	2.446
Unclassified	[2](−108.539)	4.373	(−104.166)	127.919
Austria		1.022	1.022	
Bahrein				17.048
Belgium-Luxembourg	68.774		68.774	
British Commonwealth	30,450.412	17.016	30,467.428	607.461
United Kingdom	28,600.797	16.158	28,616.955	434.281
Australia	896.641	.108	896.749	8.372
Bermuda		.001	.001	
British East Africa		.301	.301	
British Honduras				.468
Canada				32.785
Hong Kong		.368	.368	
India	610.172	.077	610.249	131.555
New Zealand	249.432		249.432	
Trinidad and Tobago		.003	.003	
Union of South Africa	93.370		93.370	
China	845.743	385.116	1,230.859	118.501
Czechoslovakia	2.760	5.717	8.477	
Egypt		1.700	1.700	
Ethiopia	1.238		1.238	3.858
inland		1.489	1.489	26.211
rance and possessions	2,613.543	23.580	2,637.123	
France	2,613.543	7.449	2,620.992	
Algeria		15,945	15.945	
French Equitorial Africa		.118	.118	
French Morocco		.068	.068	
Greece	75.365	3.627	78.992	
Iceland		.099	.099	
Iran	7.791	.353	8.144	.222
Ireland		.308	.308	
Italy and former possessions		310.181	310.181	
Italy		310.166	310.166	
Eritrea		.015	.015	
Japan and possessions		4.122	4.122	
Ryukyu Islands		4.048	4.048	
Miscellaneous islands		.074	.074	
Liberia	.236		.236	3.334
Netherlands-Indonesia	114.690	3.625	118.314	36.137
Netherlands	114.690		114.690	36.137
Indonesia		3.625	3.625	
Norway	37.039	.070	37.109	
Philippines		52.515	52.515	
Poland	12.119	10.084	22.203	3.511
Portugal and possessions		.001	.001	1.271
Portugal				1.271
Angola				
Cape Verde Islands		.001	.001	
Saudi Arabia	5.489		5.489	12.714
Spain		1.759	1.759	.112
Sweden		.766	.766	
Turkey	90.041		90.041	
U.S.S.R	10,760.971	15.205	10,776.176	
Yugoslavia	32.050	1.028	33.078	
Trust Territory of the Pacific		1.926	1.926	
International organizations		53.238	53.238	
Unclassified areas	1,245.077	447.379	1,692.456	

[1] Less than $500.

[2] Excess of deductions.

Note: Due to rounding detail may not add to total. Grants and credits are gross figures. Repayments and reverse grants are not included.

U.S AID TOTALS BY YEAR FOR PERIOD 1940–66

As noted in the succeeding table, aid during the period 1940–66 amounted to $171.6 billion. During the postwar period our $122.4 billion in aid were distributed largely to Europe for rehabilitation and subsequent rearmament against Communist aggression. Only since 1960 have the technical assistance and development programs in the developing nations increased and has military aid begun to taper off.

TABLE V.—TOTAL U.S. ASSISTANCE TO FOREIGN COUNTRIES, BY TYPES: ECONOMIC (GRANTS AND LOANS) AND MILITARY—PERIOD, JULY 1, 1940 TO JUNE 30, 1966 (BY FISCAL YEARS)

[In millions of dollars]

Fiscal years	Economic grants	Economic loans	Military assistance	Total
1940–45 [1]	48,128	1,077	War	49,205
1946–48 [2]	6,586	8,058	481	15,125
1949–52 [3]	16,082	3,459	2,842	22,383
1953–57 [4]	10,390	3,426	15,307	29,123
1958	1,727	1,181	2,404	5,313
1959	1,749	1,657	2,160	5,567
1960	1,960	1,318	1,845	5,123
1961	2,164	2,012	1,466	5,642
1962 [5]	2,261	2,588	1,527	6,376
1963	2,205	2,653	1,881	6,738
1964	2,041	2,569	1,523	6,134
1965	2,028	2,800	1,313	6,140
1966	2,489	3,127	1,135	6,751
Total [6]	99,811	35,924	35,835	171,570

[1] War period, economic grants comprised mostly lend-lease shipments.

[2] Postwar relief period, comprising UNRRA, interim aid, and Greek-Turkish aid.

[3] Marshall plan period, mostly rehabilitation of Europe.

[4] Mutual security, period began with Korean war and subsequent rearming of Europe and countries on periphery of Soviet bloc.

[5] Foreign assistance period begins with increasing percentage of U.S. aid devoted to loans.

[6] Availabilities of carryover funds and new appropriations for fiscal year 1967 amounted to $9,619,000,000.

BREAKDOWN OF U.S. AID BY COUNTRY AND TYPE FOR FISCAL YEAR 1966 AND PERIOD 1945–66

In the period following World War II the United States has disbursed $86.530 billion in economic aid and $35.835 in military assistance, totalling $122.365 billion.

In Table VI it is seen that during the twenty-one year period the largest share of gross foreign aid has gone to Europe, with the smallest percentage to the underdeveloped continent of Africa.

Table VII shows the military and economic aid for the last fiscal year as well as for the cumulative period, fiscal years 1945–1966. In this table it is also noted which countries received military or economic aid during fiscal year 1966; others show when our aid programs ended or began. Military aid to Austria, Laos, India, Nepal and Pakistan is classified; hence is not shown in individual country totals.

TABLE VI.—PERCENTAGES OF TOTAL U.S. FOREIGN AID BY REGION: POSTWAR PERIOD, JULY 1, 1945, TO JUNE 30, 1966

[Dollar amounts in billions]

	Amount	Percent
Total, all countries	$122.365	100.000
Europe	47.095	38.487
East Asia	27.600	22.556
Near East and south Asia	25.416	20.771
Latin America	11.695	9.557
Africa	3.631	2.967
Nonregional and other	6.928	5.662

TABLE VII.—U.S. FOREIGN AID, MILITARY AND ECONOMIC—POSTWAR PERIOD, JULY 1, 1945 THROUGH JUNE 30, 1966

[In millions of dollars]

Countries	Fiscal year 1966			Fiscal years 1946–66		
	Military	Economic	Total	Military	Economic	Total
Total	1,135.0	5,616.0	6,751.0	35,835.0	86,530.0	122,365.0
Europe	122.2	468.0	590.2	16,273.2	30,822.1	47,095.3
Albania (ended 1947)	--------	--------	--------	--------	20.4	20.4
Austria	(1)	--------	(1)	(1)	1,198.0	(1)
Belgium-Luxembourg	1.7	17.5	19.2	1,255.3	749.6	2,004.9
Czechoslovakia (ended 1955)	--------	--------	--------	--------	193.0	193.0
Denmark	20.1	--------	20.1	618.7	301.8	920.5
East Germany (ended 1955)	--------	--------	--------	--------	.8	.8
Finland	--------	.6	.6	--------	134.4	134.4
France	.8	11.0	11.8	4,258.7	5,150.9	9,409.6
Germany (Federal Republic)	—.1	2.5	2.4	951.5	4,045.9	4,997.4
Berlin (ended 1962)	--------	--------	--------	--------	131.9	131.9
Hungary (ended 1957)	--------	--------	--------	--------	31.5	31.5
Iceland	--------	7.7	7.7	--------	84.0	84.0
Ireland (ended 1955)	--------	--------	--------	--------	146.5	146.5
Italy	3.3	64.7	68.0	2,312.4	3,780.5	6,092.9
Malta	--------	1.2	1.2	--------	6.1	6.1
Netherlands	.1	--------	.1	1,240.6	1,229.8	2,470.4
Norway	42.8	--------	42.8	884.2	351.8	1,236.0
Poland	--------	6.3	6.3	--------	554.5	554.5
Portugal	—.5	5.9	5.4	330.2	188.9	519.1
Spain	37.8	122.4	160.2	608.6	1,395.7	2,004.3
Sweden (ended 1955)	--------	--------	--------	--------	109.0	109.0
United Kingdom	—.1	86.1	86.0	1,034.5	8,010.4	9,044.9
U.S.S.R. (ended 1947)	--------	--------	--------	--------	186.4	186.4
Yugoslavia	.3	141.9	142.2	695.6	2,168.3	2,863.9
Regional	16.0	--------	16.0	2,082.7	652.3	2,735.0
East Asia	534.5	1,264.8	1,799.3	10,241.4	17,358.8	27,600.2
Burma	--------	.4	.4	--------	100.6	100.6
Cambodia (1955+)	--------	—2.0	—2.0	87.1	254.0	341.1
China (Taiwan)	76.5	68.9	145.4	2,606.0	2,293.5	4,899.5
Hong Kong	--------	1.3	1.3	--------	41.9	41.9
Indochina (undistributed, ended 1961)	--------	--------	--------	709.6	825.6	1,535.2
Indonesia	—4.8	20.4	15.6	63.2	771.4	834.6
Japan	1.2	52.4	53.6	1,073.1	2,899.8	3,972.9
Korea	153.1	248.5	401.6	2,614.6	4,260.1	6,676.7
Laos (1955+)	(1)	54.8	(1)	(1)	473.4	(1)
Malaysia	.2	6.2	6.4	3.8	43.7	47.5
Philippines	25.1	13.1	39.2	489.5	1,435.5	1,925.0
Ryukyu Islands	--------	15.8	15.8	--------	340.6	340.6
Thailand	40.7	60.4	101.1	612.2	477.0	1,089.2
Vietnam (South)	213.4	707.9	921.3	1,517.8	3,072.3	4,590.1
Western Samoa (1962+)	--------	--------	--------	--------	(2)	(2)
Regional	28.3	16.8	45.1	662.6	69.2	731.8
Near East and south Asia	250.9	1,474.4	1,725.3	6,681.8	18,733.7	25,415.5
Afghanistan	.2	39.1	39.3	3.2	343.2	346.4
Ceylon	--------	12.7	12.7	--------	101.5	101.5
Cyprus	--------	.3	.3	--------	19.3	19.3
Greece	78.7	6.8	85.5	1,854.3	1,895.1	3,749.4
India	(1)	913.1	(1)	(1)	6,769.2	(1)
Iran	44.7	21.1	65.8	895.2	856.8	1,752.0
Iraq	.2	5.1	5.3	46.6	56.1	102.7
Israel	2.4	36.9	39.3	27.6	1,076.9	1,104.5
Jordan	8.8	44.3	53.1	55.6	517.2	572.8
Near East, etc.—Continued						
Lebanon	0.1	—0.5	—0.4	8.7	79.2	87.9
Nepal	(1)	11.7	(1)	(1)	97.8	(1)
Pakistan	(1)	141.6	(1)	(1)	3,072.0	(1)
Saudi Arabia	3.2	--------	3.2	161.7	47.4	209.1
Syria	(2)	.3	.3	.1	73.2	73.3
Turkey	100.4	157.1	257.5	2,762.1	2,277.7	5,039.8
United Arab Republic (Egypt)	--------	58.9	58.9	--------	1,133.3	1,133.3
Yemen	(2)	2.7	2.7	(2)	41.8	41.8
Regional	12.1	22.5	34.6	858.9	223.4	1,082.3
Central Treaty Organization	--------	.4	.4	--------	52.8	52.8
Africa	21.9	388.3	410.2	212.1	3,418.7	3,630.8
Algeria (1956+)	--------	21.4	21.4	--------	179.4	179.4
Botswana (1965+)	--------	4.7	4.7	--------	7.4	7.4
Burundi (1961+)	--------	(2)	(2)	--------	6.7	6.7
Cameroon (1960+)	--------	2.1	2.1	.2	27.0	27.2
Central African Republic (1961+)	--------	.6	.6	--------	3.5	3.5
Chad (1961+)	--------	1.2	1.2	--------	5.5	5.5
Congo (Brazzaville) (1961+)	--------	—.2	—.2	--------	2.2	2.2
Congo (Kinshasa) (1954+)	3.6	36.9	40.5	17.8	333.2	351.0
Dahomey (1959+)	--------	1.3	1.3	.1	9.6	9.7
Ethiopia	10.7	57.5	68.2	109.3	208.2	317.5
Gabon (1960+)	--------	1.0	1.0	--------	5.8	5.8
Gambia (1956+)	--------	.3	.3	--------	.6	.6
Ghana	--------	9.4	9.4	(2)	174.8	174.8
Guinea (1959+)	.7	6.2	6.9	1.0	74.7	75.7
Ivory Coast (1961+)	--------	2.8	2.8	.1	28.7	28.7
Kenya (1954+)	--------	21.8	21.8	--------	57.2	57.2
Lesotho (1961+)	--------	.8	.8	--------	1.1	1.1
Liberia	.6	11.0	11.6	6.2	235.4	241.6
Libya	1.7	1.1	2.8	12.5	207.5	220.0
Malagasy Republic (1959+)	--------	1.6	1.6	--------	9.6	9.6
Malawi (1956+)	--------	3.6	3.6	--------	11.8	11.8
Mali, Republic of (1961+)	.5	2.2	2.7	2.9	15.8	18.7
Mauritania (1954+)	--------	.2	.2	--------	3.0	3.0
Morocco	3.1	62.3	65.4	37.3	546.8	584.1
Niger (1961+)	--------	1.9	1.9	.1	10.5	10.6
Nigeria	.3	29.3	29.6	1.3	189.0	190.3
Rwanda (1962+)	--------	3.8	3.8	--------	5.5	5.5
Senegal (1961+)	.1	2.9	3.0	3.0	18.5	21.5
Sierra Leone	--------	5.4	5.4	--------	32.5	32.5
Somali Republic (1954+)	--------	5.0	5.0	--------	52.2	52.2
South Africa (ended 1960)	--------	--------	--------	--------	150.6	150.6
Southern Rhodesia (1954+)	--------	(2)	(2)	--------	7.0	7.0
Sudan (1956+)	.3	18.9	19.2	.6	107.8	108.4
Tanzania (1958+)	--------	6.3	6.3	--------	50.0	50.0
Togo (1959+)	--------	3.2	3.2	--------	12.0	21.0
Tunisia	0.2	20.3	20.5	19.8	468.1	487.9
Uganda (1954+)	--------	3.8	3.8	--------	21.0	21.0
Upper Volta (1961+)	(2)	1.3	1.3	.1	6.7	6.8
Zambia (1953+)	--------	5.9	5.9	--------	36.1	36.1

See footnotes at end of table.

TABLE VII.—U.S. FOREIGN AID, MILITARY AND ECONOMIC—POSTWAR PERIOD, JULY 1, 1945 THROUGH JUNE 30, 1966—Continued

[In millions of dollars]

Countries	Fiscal year 1966			Fiscal years 1946-66		
	Military	Economic	Total	Military	Economic	Total
Africa—Continued						
Regional (East Africa) (1961+)		7.3	7.3		18.4	18.4
Regional (USAID) (1964+)		.3	.3		1.3	1.3
Regional (Africa)		22.9	22.9		76.0	76.0
Latin America	83.5	1,387.7	1,471.2	1,040.3	10,654.4	11,694.7
Argentina	6.4	27.8	34.2	92.2	666.4	758.6
Bolivia	2.4	36.3	38.7	15.0	445.6	460.6
Brazil	22.6	383.6	406.2	298.6	2,887.1	3,185.7
British Honduras		.5	.5		4.4	4.4
Chile	8.5	107.7	116.2	120.9	1,121.3	1,242.2
Colombia	8.3	104.5	112.8	89.4	745.4	834.8
Costa Rica	.1	13.8	13.9	1.9	147.1	149.0
Cuba (ended 1961)				10.6	41.5	52.1
Dominican Republic	1.7	113.0	114.7	17.1	303.0	320.1
Ecuador	3.9	28.8	32.7	44.9	234.7	279.6
El Salvador	.7	9.3	10.0	4.8	103.3	108.1
Guatemala	1.2	3.8	5.0	11.1	198.1	209.2
Guyana		7.4	7.4		24.4	24.4
Haiti		6.1	6.1	4.3	104.5	108.8
Honduras	.7	13.9	14.6	5.3	83.2	88.5
Jamaica	(2)	6.6	6.6	1.1	43.2	44.3
Mexico	.2	128.2	128.4	11.4	1,056.8	1,068.2
Latin America—Continued						
Nicaragua	1.0	20.3	21.3	8.8	124.3	133.1
Panama	.4	13.3	13.7	2.3	170.7	173.0
Paraguay	1.0	15.0	16.0	7.4	98.8	106.2
Peru	9.8	43.4	53.2	135.5	543.4	678.9
Surinam		5.1	5.1		10.1	10.1
Trinidad and Tobago		9.0	9.0		52.2	52.2
Uruguay	2.5	6.7	9.2	37.4	82.0	119.4
Venezuela	8.8	8.9	17.7	103.9	288.3	392.2
Other West Indies (1955+)		.5	.5		3.7	3.7
Regional—Central America (1961+)		−1.0	−1.0		83.1	83.1
Regional—Latin America	3.3	275.4	278.7	16.5	981.1	997.6
Oceania	17.4	159.3	176.7	130.6	298.5	429.1
Australia	17.4	134.0	151.4	125.9	149.4	275.3
New Zealand		6.5	6.5	4.7	23.0	27.7
Trust territories in Pacific		18.4	18.4		125.4	125.4
Regional		.4	.4		.7	.7
Canada (ended 1961)				13.1	23.2	36.3
Supraregional	105.1	472.9	578.0	1,242.2	5,220.6	6,462.8

[1] Classified.
[2] Less than $50,000.

Note: Dates show when aid began or ended.

Source: "U.S. Overseas Loans and Grants, July 1, 1945, through June 30, 1966." Special report prepared for the House Foreign Affairs Committee, by the Agency for International Development (AID), Mar. 17, 1967.

TOTAL U.S. AID BY COUNTRY IN DESCENDING TOTALS FOR PERIOD 1945–66

Table VIII shows the amounts distributed to individual countries in descending totals. Nearly half of the countries that received over $1 billion each, is in Europe. The underdeveloped areas are to be found in the lowest ranks; however, it should be noted that large amounts of aid were distributed on a regional basis, where two or more countries benefited. Countries, whose military aid is classified, would certainly have ranked higher, had that type of aid been included in their totals.

TABLE VIII.—*124 countries and entities received aid from the United States in descending totals, postwar period, July 1, 1945—June 30, 1966*

[Gross aid in millions of dollars]

Twenty-seven countries received more than $1 billion each:	
France	9,409.6
United Kingdom	9,044.9
India*	6,769.2
Korea	6,676.7
Italy	6,092.9
Turkey	5,039.8
Germany (Federal Republic)	4,997.4
China (Taiwan)	4,899.5
Vietnam (South)	4,590.1
Japan	3,972.9
Greece	3,749.4
Brazil	3,185.7
Pakistan*	3,072.0
Yugoslavia	2,863.9
Netherlands	2,470.4
Belgium-Luxembourg	2,004.9
Spain	2,004.3
Philippines	1,925.0
Iran	1,752.0
Indochina (undistributed)	1,535.2
Chile	1,242.2
Norway	1,236.0
Austria*	1,198.0
Egypt (United Arab Republic)	1,133.3
Israel	1,104.5
Thailand	1,089.2
Mexico	1,068.2
Forty-seven countries received between $100 million and $1 billion:	
Denmark	920.5
Colombia	834.8
Indonesia	834.6
Argentina	758.6
Peru	678.9
Forty-seven countries received between $100 million and $1 billion:	
Morocco	584.1
Jordan	572.8
Poland	554.5
Portugal	519.1
Tunisia	487.9
Laos*	473.4
Bolivia	460.6
Venezuela	392.2
Congo (Kinshasa)	351.0
Afghanistan	346.4
Cambodia	341.1
Ryukyu Islands	340.6
Dominican Republic	320.1
Ethiopia	317.5
Ecuador	279.6
Australia	275.3
Liberia	241.6
Libya	220.0
Guatemala	209.2
Saudi Arabia	209.1
Czechoslovakia	193.0
Nigeria	190.3
U.S.S.R.	186.4
Algeria	179.4
Ghana	174.8
Panama	173.0
South Africa	150.6
Costa Rica	149.0
Iceland	146.5
Finland	134.4
Nicaragua	133.1
Berlin	131.9
Trust Territories of the Pacific	125.4
Uruguay	119.4
Sweden	109.0
Haiti	108.8
Sudan	108.4
El Salvador	108.1
Paraguay	106.2
Iraq	102.7
Ceylon	101.5
Burma	100.6
Thirty-two countries received between $10 million and $100 million:	
Nepal*	97.8
Honduras	88.5
Lebanon	87.9
Iceland	84.0
Guinea	75.7
Syria	73.3
Kenya	57.2
Trinidad and Tobago	52.2
Somali Republic	52.2
Cuba	52.1
Tanzania	50.0
Malaysia	47.5
Jamaica	44.3
Hong Kong	41.9
Yemen	41.8
Canada	36.3
Zambia	36.1
Sierra Leone	32.5
Hungary	31.5
Ivory Coast	28.8
New Zealand	27.7
Cameroon	27.2
Guayana	24.4
Senegal	21.5
Uganda	21.0
Albania	20.4
Cyprus	19.3
Mali	18.7
Togo	12.0
Malawi	11.8
Niger	10.6
Surinam	10.1
Eighteen countries received less than $10 million:	
Dahomey	9.7
Malagsy Republic	9.6
Botswana	7.4
Southern Rhodesia	7.0
Upper Volta	6.8
Burundi	6.7
Malta	6.1
Gabon	5.8
Eighteen countries received less than $10 million:	
Chad	5.5
Rwanda	5.5
British Honduras	4.4
Central African Republic	3.5
Mauritania	3.0
Congo (Brazzaville)	2.2
Lesotho	1.1
East Germany	0.8
Gambia	0.6
Western Samoa	(less than $50,000).
Regional, by area:	
Regional, Europe	2,735.0
Regional, Near East	1,135.1
Regional, Latin America	1,084.4
Regional, East Asia	731.8
Regional, Africa	95.7
Regional, global	6,463.5
Total	122,365.0

*Five countries received economic aid as noted but their military asistance totals are classified.

Indebtedness of Other Countries to the United States on Loans Made Since 1945

The question is often asked: how much do foreign countries owe the United States on loans made since 1945? World War I debts will be found in Tables I and II while all debts subsequent to World War II are to be found for individual countries in Table X. Table IX gives the grand total of loans and credits extended according to program as $31.966 billion of which total $26.368 billion had been utilized by June 30, 1966. Against this latter total repayments of $5.345 billion have been received, showing the balance outstanding as $19.365 billion. The breakdown by country is shown in Table X.

Seeming discrepancies between utilization, repayment and outstanding balances in the total and summary entries are a consequence of the fluctuation in exchange rates applied to transactions for loans in the category "without maintenance of value."

TABLE IX.—TOTALS OWED TO THE UNITED STATES, BY PROGRAMS—STATUS OF FOREIGN LOANS AND OTHER CREDITS FROM U.S. GOVERNMENT AGENCIES SINCE JULY 1, 1945 AS OF JUNE 30, 1966

[In millions of dollars or dollar equivalents]

Credit program	Amount authorized	Status of credit		
		Utilized	Principal collected	Principal outstanding
Total U.S. Government foreign credits to all countries and to international organizations	31,966.118	25,368.138	5,345.112	19,365.251
Under foreign assistance (and related) acts	11,567.167	7,959.433	743.207	7,214.078
Country program loans	10,658.367	7,530.674	612.367	6,918.579
Social progress trust fund	501.234	258.465	12.136	246.329
Deficiency and basic material development	26.348	26.348	10.697	13.239
Financing of military sales	381.218	143.945	108.007	35.938
Under agricultural trade:				
Development and Assistance Act	5,140.294	4,097.777	113.295	3,332.908
Currency loans to foreign governments	4,111.369	3,379.977	20.201	2,747.051
Currency loans to private enterprises	285.254	223.575	48.285	136.441
Long-term sales	743.671	494.225	44.808	449.417
Under Export-Import Bank Act	7,305.506	5,414.252	1,817.088	3,597.164
Administrative area development	18.000	9.612	----------	9.612
Under Lend-Lease Act	127.966	127.966	102.668	25.298
Surplus property sales	1,148.039	1,148.039	721.698	422.538
Sales of overseas surpluses	1,146.130	1,146.130	721.273	421.054
Sales of domestic surpluses	.151	.151	.047	.103
Merchant ship sales	1.759	1.759	.377	1.381
British loan	3,750.000	3,750.000	600.941	3,149.059
Loans to the United Nations	165.000	141.263	39.190	102.074
Under Euratom Cooperation Act	56.188	31.769	----------	31.769
Prior grants converted into credits	2,688.027	2,688.027	1,207.025	1,480.752

Note: Totals rounded.

TABLE X.—TOTALS OWED TO THE UNITED STATES, BY COUNTRY—STATUS OF FOREIGN LOANS AND OTHER CREDITS FROM U.S. GOVERNMENT AGENCIES SINCE JULY 1, 1945, AS OF JUNE 30, 1966

[In millions of dollars or dollar equivalents]

Area and country	Amount authorized	Status of credit		
		Utilized	Principal collected	Principal outstanding
Total U.S. Government foreign credits to all countries and to international organizations	31,966.118	25,368.138	5,345.112	19,365.251
Western Europe (excluding Greece and Turkey)	10,370.403	9,555.689	2,859.142	6,665.315
Austria	92.370	79.235	33.446	45.789
Belgium	172.538	154.478	84.731	69.747
Denmark	35.616	35.616	5.265	30.351
Finland	138.477	137.794	68.362	69.421
France	727.821	716.816	310.817	402.662
Germany	1,235.970	1,235.284	1,018.362	217.022
Iceland	47.437	39.844	7.731	32.028
Ireland	128.200	128.200	17.955	110.245
Italy	504.538	322.148	168.249	153.889
Liechtenstein	.575	.575	.246	.328
Luxembourg	3.000	3.000	.694	2.306
Netherlands	129.500	129.500	63.979	65.521
Norway	87.400	87.400	62.314	25.086
Portugal	137.281	136.367	21.976	114.392
Spain	674.998	508.795	76.315	432.424
United Kingdom	5,100.088	4,850.088	787.669	4,062.408
Yugoslavia	943.731	820.573	90.692	702.158
European Atomic Energy Community	100.868	60.545	----------	60.545
European Coal and Steel Community	100.000	100.000	31.100	68.900
NATO	9.976	9.331	9.238	.093
Eastern Europe	384.731	384.731	103.884	280.847
Czechoslovakia	7.599	7.599	2.729	4.870
Hungary	15.917	15.917	10.112	5.805
Poland	138.720	138.720	58.558	80.163
Soviet Union	222.495	222.495	32.486	190.009
Near East (including Greece, Turkey, and United Arab Republic)	3,391.802	2,552.928	286.064	2,151.079
Cyprus	1.308	.373	----------	.373
Greece	286.654	257.600	72.842	184.798
Iran	485.870	349.218	94.085	255.391
Iraq	24.433	19.363	1.484	17.879
Israel	616.537	526.884	58.748	465.768
Jordan	27.954	17.801	1.400	16.401
Lebanon	7.334	7.334	1.782	5.552
Saudi Arabia	82.499	9.113	6.984	2.129
Syria	38.047	12.296	.855	10.655
Turkey	1,113.708	768.367	35.378	732.210
United Arab Republic	707.458	584.577	17.506	468.922
South Asia	6,108.736	4,657.760	218.865	4,134.225
Afghanistan	67.466	55.326	9.686	45.640
Cylon	23.973	15.910	1.222	14.688
India	4,512.490	3,447.170	171.247	2,972.606
Nepal	5.268	2.383	.048	2.334
Pakistan	1,499.538	1,136.973	36.661	1,098.956
Afirca (excluding United Arab Republic)	1,297.053	799.518	66.794	730.323
Algeria	12.594	11.572	----------	11.572
Cameroon	13.000	4.851	----------	4.851
Congo (Brazzaville)	.250	.250	.025	.225
Congo (Kinshasa)	63.309	24.235	----------	24.235
Ethiopia	97.303	48.071	8.796	39.275
Ghana	147.367	68.043	.266	67.777
Guinea	25.997	2.532	----------	2.532
Ivory Coast	19.043	8.415	.517	7.898
Kenya	16.901	13.419	----------	13.419
Liberia	177.137	125.140	15.817	109.323
Libya	7.014	7.014	1.082	5.932
Malagasy Republic	2.700	----------	----------	----------
Malawi	.200	----------	----------	----------
Mali	3.200	.160	----------	.160
Morocco	332.143	267.789	3.435	264.356
Niger	2.300	.339	----------	.339
Nigeria	67.521	14.454	.568	13.886
Senegal	3.268	.300	.090	.210
Sierra Leone	12.672	11.285	----------	11.285
Somali Republic	6.200	2.388	.035	2.353
South Africa	34.152	34.152	25.634	8.517
Sudan	35.720	17.696	----------	17.699
Tanzania	12.588	7.641	.225	7.415
Tunisia	170.182	111.596	5.802	103.376
Uganda	5.450	2.532	----------	2.532
Zambia	4.900	4.554	----------	4.554
East African Common Services Organization	3.574	----------	----------	----------
Unspecified areas in Africa	20.368	11.089	4.502	6.568
Eastern Asia and Pacific	3,055.904	2,255.227	483.361	1,754.965
Australia	225.456	68.440	39.055	29.385
Burma	71.844	45.968	5.264	40.704
China—Taiwan	521.502	396.984	35.098	361.761
Indonesia	326.750	306.454	119.143	171.815
Japan	1,149.844	979.650	215.453	764.197
Korea	255.594	91.268	6.742	83.620
Malaysia	23.520	20.000	5.838	14.162
New Zealand	12.478	5.822	4.983	.839
Philippines	214.678	146.151	34.584	111.234
Ryukyu Islands	29.224	17.382	.223	17.159
Thailand	133.164	91.280	13.773	77.507
Vietnam	91.850	85.828	3.205	82.583
Western Hemisphere	7,050.584	4,992.304	1,285.920	3,519.599
Argentina	632.984	486.718	131.891	341.491
Bolivia	184.043	94.107	9.533	84.608
Brazil	2,290.364	1,724.805	453.306	1,140.348
Chile	905.775	705.021	87.653	609.406
Colombia	572.807	423.214	116.102	285.703
Costa Rica	91.161	52.834	11.974	40.859
Cuba	37.598	37.598	1.332	36.267
Dominican Republic	134.571	62.090	.941	61.149

TABLE X.—TOTALS OWED TO THE UNITED STATES, BY COUNTRY—STATUS OF FOREIGN LOANS AND OTHER CREDITS FROM U.S. GOVERNMENT AGENCIES SINCE JULY 1, 1945, AS OF JUNE 30, 1966—Continued

[In millions of dollars or dollar equivalents]

Credit program	Amount authorized	Status of credit		
		Utilized	Principal collected	Principal outstanding
Western Hemisphere—Continued				
Ecuador	174.068	101.109	28.743	72.742
El Salvador	65.370	41.077	6.597	34.481
Guatemala	52.882	26.048	4.357	21.691
Guyana	9.500	.096	----------	.096
Haiti	37.942	37.942	3.594	34.348
Honduras	40.238	23.318	2.564	20.754
Jamaica	19.600	1.973	.093	1.880
Mexico	636.092	398.463	122.658	275.805
Nicaragua	72.352	32.972	8.913	24.059
Panama	87.767	61.080	6.454	54.627
Paraguay	55.223	32.701	3.359	29.343
Peru	394.457	298.533	135.527	162.998
Western Hemisphere—Continued				
Surinam	5.950	1.000	----------	.000
Trinidad and Tobago	17.000	12.773	1.929	10.844
Uruguay	57.547	34.507	2.935	18.264
Venezuela	304.249	182.881	43.643	139.238
Central American Bank for Economic Integration	62.500	10.895	.030	10.865
Unspecified areas in Western Hemisphere	108.543	108.543	101.793	6.750
Nonregional international institutions:				
United Nations	165.000	141.263	39.190	102.074
Unspecified areas	141.905	28.716	1.891	26.825

Note.—Totals rounded.

Sources: Foreign credits by the U.S. Government since 1945, status as of June 30, 1966. Office of Business Economics, U.S. Department of Commerce, March 1967.

1. U.S. Foreign Assistance, AID, Mar. 17, 1967.
2. Operations Report, AID, Dec. 20, 1962.
3. Foreign Grants and Credits, U.S. Commerce Department, No. 79, August 1966.
4. Proposed Program for Fiscal Year 1966, AID, March 1966.
5. Foreign Aid, 1940–51, U.S. Commerce Department, 1952.
6. U.S. Foreign Aid, H. Doc. 116, Legislative Reference Service, June 11, 1959.
7. Twenty-two Years of U.S. Foreign Aid, Legislative Reference Service, April 1963.
8. International Financial Statistics, International Monetary Fund, April 1967.
9. Foreign Credits by the U.S. Government as of June 30, 1966, U.S. Department of Commerce, March 1967.
10. The World War Indebtedness of Foreign Governments to the United States (1917–21), as of June 30, 1966, U.S. Department of the Treasury, January 1967.

PROMISES AND EXPECTATIONS

Mr. **FOLEY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FOLEY. Mr. Speaker, I am deeply concerned by the remarks made yesterday at the Midwest Governors' conference by Governor Romney, of Michigan. It seems to me that the Governor is not going to help his own cause or the interests of the Nation by the reckless charge—which he has made before, and repeated as of yesterday—that President Johnson is personally responsible for Negro unrest by stirring up "excess expectations."

It is interesting that such a comment should come from a Governor who recently attended a Negro rally at Flint, Mich., and announced that he was there to support open occupancy in the State of Michigan, and then went halfway back across the State to say he did not mean to say anything about open housing, that it was a slip of the tongue.

What is most disturbing is that the Governor should take it upon himself to determine not only for Negro Americans but for all Americans what is an "excess expectation."

The vast majority of Americans know that the record of the administration of Lyndon B. Johnson is unparalleled in the field of civil rights, and the vast majority of Americans also know that it has not only been the President's leadership but also the will of the country, expressed in acts of Congress, that has made this record.

Mr. Speaker, the Civil Rights Act of 1964 was not an empty promise, nor was the Voting Rights Act of 1965.

The appointment of Robert Weaver as the first Negro Cabinet officer in history, and the nomination, and now its confirmation by the Senate, of Thurgood Marshall as the first Negro Justice of the Supreme Court of the United States are not empty promises.

The poverty program is not an empty promise.

The Elementary and Secondary Education Act is not an empty promise.

The model cities and rent supplement programs are not empty promises.

A recent editorial from a highly respected Negro daily in Chicago, the Chicago Daily Defender, summed up the attitude of the vast majority of American Negroes, I am sure, better than Governor Romney, when it reported:

> Negroes have not had in the White House a greater crusader for the rights of the American black man than Lyndon B. Johnson. In point of objective reality and in the context of racial justice, he is the greatest President ever occupied the White House.

I believe that not only will the statement of the Defender be recorded by history as correct, but also it will be recorded that the actions of President Johnson in advancing the opportunities of Negro Americans were and are in the interest of the whole Nation.

THE LATE HENRY J. KAISER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. FOLEY] is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, a foremost builder and industrialist, Henry J. Kaiser, is dead. During his long and achievement-filled lifetime he was known throughout the Nation as a remarkable innovator in business methods and techniques. He was a man who demonstrated unparalleled determination and boundless confidence in every venture he undertook.

His passing is mourned especially by the people in the Pacific Northwest, where he left his indelible mark as the builder of Grand Coulee and Bonneville Dams, where he established a World War II shipbuilding operation that could produce a vessel in less than a week, and where he established a vast aluminum industry.

Henry J. Kaiser, who headed a multibillion-dollar industrial complex, had a humble beginning. Born of immigrant parents in New York State, he left school at 13 to work in a drygoods store in Utica for $1.50 a week.

After operating a photographic business in Lake Placid, N.Y., and Daytona and Miami, Fla., Mr. Kaiser decided to seek greater opportunity in the West. He moved to Spokane, Wash., in 1906 and became a salesman for McGowan Brothers Hardware Store at $7 a week. Mr. Kaiser soon became sales manager of the business. In 1912, he joined a construction company and 2 years later he established his own contracting firm. His company handled millions of dollars worth of construction in the Pacific Northwest and British Columbia and in 1921 he moved his headquarters to Oakland, Calif.

Mr. Kaiser's abilities as a contractor were again utilized in the Pacific Northwest in the 1930's, when he was affiliated with Columbia Construction Co., which built Bonneville Dam on the Columbia River and with Consolidated Builders, Inc., which built Grand Coulee Dam on the Columbia. During World War II, his genius for getting things done resulted in the establishment of shipyards in the Pacific Northwest which mass-produced Liberty ships and small aircraft carriers.

Mr. Kaiser established his aluminum industry in Spokane by reactivating two World War II plants. The aluminum reduction plant at Mead and the rolling mill at Trentwood still constitute the largest payroll in the Spokane area and these plants make a significant contribution to the region's economy.

Mr. Kaiser also was a builder of nuclear production facilities. His Kaiser engineers built two of the major plutonium producing reactors for the Atomic Energy Commission at Hanford Works near Richland, Wash., in the 1950's.

Mr. Kaiser always was the tireless innovator. Of the 32 corporations and more than 50 active affiliated companies and subsidiaries in the Kaiser industrial complex, he was quoted as saying "I started each one of them because I needed it, or the country needed it."

Thus, when he needed cement to build Shasta Dam in California, he established his own cement producing operation, Permanente Cement Co. Today it is one of the largest in the West. When he needed steel to build ships, he started his own steel company, Kaiser Steel.

While Mr. Kaiser established new patterns in almost every industry he entered, he also pioneered in labor-management relations. His companies often set the pace in peaceful settlements with labor organizations.

Mr. Speaker, I would like to include in the Record a story in the August 25 edition of the Spokane Daily Chronicle, an editorial in the August 25 edition of the Chronicle, and an editorial in the August 26 edition of the Spokesman-Review.

[From the Spokesman-Review, August 26, 1967]

Zealous Kaiser Was Constructive

The death this week of Henry J. Kaiser has stimulated a respectful new appreciation of his contributions to society and those personal character qualifications which propelled him into worldwide industrial leadership.

A zealous, imaginative individual, Mr. Kaiser had no shame in his belief in the profit motive in American business.

As he developed his ability to "get things done" and as he widened his activities among construction projects and programs, Henry J. Kaiser also visualized a need for personal involvement in humanitarian enterprises. And for many of these he will be fondly remembered.

The Kaiser achievements as a builder were dependent, in part, upon an unusual intuition and perception of economic forces and governmental changes which provided the opportunities he capitalized upon.

He adapted himself and his organizations to the realities which existed. He combined business-world practicalities with visionary new ideas on how to satisfy human needs and desires.

His entry into the aluminum industry and his firm's remarkable success in this competitive field is only one example of his daring zeal. He was a modernizer and user of new technologies in many industrial works. But he did not ignore the human elements involved in his vast industrial complex.

Henry J. Kaiser exercised a constructive influence upon the worlds into which he moved, and upon many thousands of associates whose own accomplishments have been greater because of their mutual trust in this man of achievement.

In the Spokane and Inland Empire community where the Kaiser influence has been felt in an effective and popular manner over a period of many years, the termination of his spectacular career is noted with sorrow and sincere appreciation of what one individual can accomplish through constructive endeavor.

[From the Spokane Daily Chronicle, Aug. 25, 1967]

Kaiser Employes Mourn His Death

The flags at Henry J. Kaiser's aluminum plants in Spokane were flying at half staff today for "an old Spokane boy" who grew up to be one of the mightiest of industrial giants and this city's largest industrial employer.

Kaiser died yesterday in Honolulu.

Kaiser Chemical & Aluminum Corp.'s Trentwood and Mead works, which he took over in 1946, today employ well in excess of 4,000 and are part of a $2.7-billion industrial organization.

Kaiser came to Spokane as a young man to win a bride and went on to found a great industrial empire as a producer of aluminum, magnesium, cement and steel, a builder of ships, airplanes, automobiles, dams and cities, and a manufacturer of hundreds of products.

He was born May 9, 1882, at Canojaharie, N.Y., quit school at the age of 13 and walked the streets of New York as a boy, looking for a job.

STORE CHAIN BUILT

An interest in cameras led him to the photographic business and, at the age of 21, he owned a string of photographic stores at Lake Placid, N.Y., and Daytona Beach and Miami, Fla. But he fell in love with a young woman who walked into one of his shops and her guardian supplied the spark that set the boy's ambitions aflame.

Bess Fosburgh's guardian insisted that Kaiser show more affluence before the two could be wed. So Kaiser decided the great American West was the place in which to accomplish this feat, and he landed at Spokane in 1906 looking for a start.

His first job was as a salesman for McGowan Brothers Hardware Store here at a salary of $7 a week. His enterprise soon made him sales manager and the right to marry Miss Fosburgh.

He next became a salesman for the Hawkeye Fuel Co. here and then salesman and manager of paving contracts for the A. J. Hill Co. He formed his own company, also a paving operation, in 1914 in British Columbia, the Henry J. Kaiser Co., Ltd., which soon was engaged in $1-million road-building contracts throughout the Pacific Northwest.

HOOVER DAM BUILT

The firm branched out into other construction and, in the 1930s, joined with other companies to build the $55-million Hoover Dam. He later had a hand in the building of Grand Coulee Dam, Shasta Dam and Bonneville Dam.

World War II spurred Kaiser to even greater efforts and he became a major factor in war production. During the war years, he built $4 billion worth of ships and his company once built a Liberty Ship in less than five days.

After the war, Kaiser entered the automobile industry with Kaiser-Frazer Corp. But, of more importance to Spokane, he had the foresight at a time when the aluminum industry looked dead to revive the big Mead reduction works and Trentwood rolling mill, which now constitute one of the most important factors in the Spokane economy.

OPERATIONS EXPANDED

Again building on his start in Spokane, Kaiser tied in other plants throughout the country to become one of the nation's largest and most successful light-metals producers.

In recent years, his own efforts had been devoted much to city building in Hawaii.

On his last visit to Spokane, in 1954, he referred to himself as "an old Spokane boy," who was pleased with the growth and the energy of the city and the Inland Empire.

The woman who inspired his early career had preceded him in death in 1951. His second wife, Alyce, and his son, Edgar Kaiser, were at his bedside in Honolulu when he died.

[From the Spokane Daily Chronicle, Aug. 25, 1967]

Kaiser Viewed a World

The name of Kaiser would stand high in Spokane business history if Henry J. had never lived here. Employment at Trentwood and Mead by Kaiser Aluminum & Chemical Co. has represented one of the biggest payrolls in the community for more than 20 years.

That he did live here for years added a certain local possessiveness to the world-renowned industrialist who died yesterday in Honolulu.

He died at 85—15 years short of the goal he had avowed. The fact that he set such a goal tells the fundamental story of his attitude toward life.

After he came west and began clerking for McGowan Brothers Hardware at Wall and Sprague in his early 20s, he lived for a time at S1115 Grand, near the top of the hill. The view was excellent.

But young Kaiser was seeing far beyond the city below him and the still sparsely settled Valley and the mountains north toward Canada.

From other selling jobs and work with a paving firm he progressed into road-building and a share through the years in construction of Hoover, Grand Coulee, Shasta, Bonneville and Hungry Horse dams.

Kaiser built ships, factories, vehicles, hotels. Kaiser produced steel, magnesium, cement, munitions. And of course his luster glows brightest here in terms of gleaming aluminum.

Henry J., looking always toward tomorrow, probably felt that he had guided his vast industrial interests only through their beginning. But what a beginning! From a Spokane hillside on a clear day he could see forever.

TAX EQUITY ACT OF 1967

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BINGHAM. Mr. Speaker, yesterday I introduced the Tax Equity Act of 1967—H.R. 12706—to make a number of major reforms in our tax laws. This is a complex and far-reaching proposal which would wipe out many of the truly unconscionable inequities which now riddle our tax structure. Because of the technical nature of the bill, which was printed in its entirety in yesterday's Record, I now insert an outline summarizing its provisions:

Outline of the Tax Equity Act of 1967, Introduced by Congressman Jonathan B. Bingham, Democrat of New York

I. Title of Bill is Tax Equity Act of 1967.

II. Capital Gains at Death—eliminates present provision that unrealized capital gains are not taxed as such at the time of a man's death (except as part of his estate).

III. Eliminates the provision whereby millionaires can deduct all charitable contributions (including to tax-exempt foundations) if, in 8 of the previous 10 years his contributions plus taxes (including State and local) reached 90% of his income. (Ordinary taxpayers can deduct contributions only up to 30% of income.)

IV. Stock Options are a device for corporations to allow high-paid executives to buy stock at less than market price and then pay only the lower capital gains taxes on the difference when they later sell. The bill eliminates this loophole.

V. Eliminates the special exemption for the first $100 of dividends from stock—deductions now enjoyed by 1 in 7 taxpayers (mainly the more affluent).

VI. Eliminates the multiple corporation tax dodge whereby a corporation divides itself into several entities for tax purposes. Its profits are divided among them and each pays taxes at a lower rate than if the parent company paid on the total income itself.

VII. Interest on Municipal Development bonds floated to provide free factories and facilities for profit-making companies is now deductible. The bill would end this deductibility.

VIII. Oil Depletion Allowances are now set at 27½% of gross income from oil wells up to 50% of income. A comparable deduction of 23% now exists for 41 minerals. The bill would reduce these to 15%.

IX. The present law permits a wealthy person to evade part of the estate taxes by giving away money during his lifetime to those who would be his heirs. The gift tax (which starts after $30,000 in taxable gifts) is set at ¾th of the rate set for estate taxes. The Tax Equity Act would make the gift tax rate equal to the estate tax rate.

X. Present law permits the executor of an estate to give the Federal government bonds in payment of estate taxes and the face amount of the bonds is credited towards the taxes even though the market value of the bonds may be much less. The Tax Equity Act would allow only the real value of bonds to be used for paying estate taxes.

XI. Arbitrage bonds are municipal tax-free bonds the proceeds of which are then used to buy Federal bonds which pay more interest to the municipality than it is paying on its bonds. This, in effect, allows a municipality to make a guaranteed profit on the fact that its income from its bonds are free from Federal taxes while the same is not true for Federal bonds. The Tax Equity Act eliminates this exemption.

XII. The Tax Equity Act establishes a minimum tax of 10% on income in excess of $10,000 a year and 20% on income in excess of $100,000 for individuals or corporations. This is to prevent pyramiding of loopholes.

XIII. Restoration of excise taxes on furs, jewelry (over $10), social club dues (over $25 a year), cosmetics (which sell for more than $2), handbags and luggage (which sell for more than $10), cameras, photo equipment, etc.

XIV. The Tax Equity Act eliminates special accelerated tax depreciation now permitted on speculative, investment real estate.

XV. The Tax Equity Act would eliminate the deductibility of the cost of lobbying before government agencies as a business expense.

TRUTH IN THE MARKETPLACE—II

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BINGHAM. Mr. Speaker, at an informal meeting of New York members of the House Subcommittee on Consumer Affairs in New York City, on August 28, we heard a number of excellent statements regarding H.R. 11601, the Consumer Credit Protection Act, and related truth-in-lending bills. One of the most comprehensive and eloquent discussions of the need for this legislation was presented by Senator Robert F. Kennedy of New York. His statement displays a compassionate understanding of the problems faced by low-income consumers, as well as a realistic assessment of how to deal with those problems. I insert Senator Kennedy's statement herewith:

Testimony of Senator Robert F. Kennedy on H.R. 11601, Truth-in-Lending, City Hall, New York City, August 28, 1967

Mr. Chairman and Members of the Committee: A casual look through the daily papers here in New York City—or in any other American city—on any given day is all one needs to appreciate the importance of the legislation before you today. Auto dealers and department stores, banks and finance companies, appliance stores and furniture stores—all advertise the ease of buying on credit. The consumer is barraged with a spate of variations on "buy now, pay later": A used car ad invites him to "buy on long, low, easy, bank terms." A TV retailer's ad entices him with "No down payment, 24 months to pay." And a bank offers "up to $2,000 just on your signature, a year to repay." But none of the ads tell him just how much this easy credit will cost him.

These advertisements—and the retailing practices they promote—have, of course, been remarkably successful in our affluent society. As more families with more income—3 out of 10 families now earn over $10,000 a year—see more products to choose, they buy, and buy, and buy—and they do it on the installment plan. The amount of credit buying has multiplied seventeen times since the end of World War II, four times in the last fifteen years. Short-term consumer debt is now nearly $100 billion, and when mortgages on one-family and other homes up to 5 units are thrown in, Americans owe well over $300 billion, almost as much as the national debt. Mortgage debts aside, about half the labor force is buying something on the installment plan. And the typical worker spends $1 of every $4 in his pay envelope to pay for the car or television set or refrigerator that he bought on time.

What is wrong with this picture is that the hard-pressed wage earner was never told—either in the advertisement or at the time of sale—the true cost of the credit involved. If more Americans are buying on credit, more are being deceived by misstated finance charges; more are victimized by disreputable lenders and sellers.

Reputable banks here in New York City advertise personal loans at "$5.25 per year, discount, for every $100 you borrow." They do not say that, even though the money is paid back a little each month, the interest charges are calculated as though all of the money is kept by the borrower for the whole year. This doubles the true interest rate from the quoted 5¼ percent, and the word "discount" means that there are added charges which bring it to over 12 percent.

Reputable department stores promote revolving credit plans at a cost of 1½ percent a month. This sounds inexpensive enough—but many do not stop to calculate that this is 18 percent a year, and most do not know that the store's accounting practices may increase the effective rate to a far higher level.

And if reputable institutions understate the cost of credit, or imply that it is less than it is, there are thousands of other stores and dealers who are far less scrupulous. This Committee's files are full of the worst reported cases—the man in Chicago who paid 283 percent interest for a car, the lady who bought a $123.88 TV set for 24 easy payments of $17.50—an interest rate of 229 percent. And the fact is that you and I can shop absolutely at random in any city in the United States and find interest rates—which we must calculate for ourselves, if we are able to—of anywhere from 20 to 50 percent and on up for everything from cars, to furniture, to appliances, to jewelry, to small loans.

We hear much about the fact that the poor pay more—and they do. The most shocking cases of overreaching are generally of poor people, who cannot afford a down payment, are attracted by low monthly payments, and are unsophisticated about the total cost they will end up paying. They fall victim more easily to aggressive salesmanship, to contracts disguised as receipts, to unconscionable collection procedures. And I have no doubt that resentment against exploitation is one of the grievances being expressed in the riots which have ripped our cities.

But the failure of banks and department stores and auto dealers to convey all the facts about their credit policies affects almost every American. The suburban housewife and her wage-earning husband must make dozens of decisions every year about how to finance family needs—a new car, a vacation, clothes for the children, a patio in the backyard. Will they take money out of the savings account or sell some stocks or obtain a small loan or obtain a loan on a life insurance policy or buy on credit? Time after time they buy on credit, not realizing that they are paying an annual interest rate of 18 percent, and that it would be much cheaper to take the money out of savings or even to borrow it at a bank. They simply do not know—are not told—enough to make an informed decision about what is, after all, a very complex matter. Indeed, the whole thing is obfuscated for them by a welter of gimmicks—"add-ons," "discounts," "service charges," "financing charges"—which make it virtually impossible to figure out the total cost of credit. And this is a situation in which literally tens of millions of Americans find themselves.

As a result, few purchasers know what they pay for credit. One survey of families who had borrowed money showed that only 18 percent knew what interest rate they had paid. And, of the ones who borrowed $500 or less, those who knew the rate of interest had paid an average of 12.1 percent; those who did not know the magnitude of the financing charge were paying 37 percent interest, on the average.

The legislation before you today, therefore, is important to every consumer. And consumers, by definition, include us all. Every consumer—hence, every American—needs the information necessary to choose for himself the best way of financing the goods he wants to buy. The right to choose and the right to be informed—those are the rights which H.R. 11601 seeks to protect.

This is particularly important today, when we read that the cost of living is rising sharply. For now, more than ever, people will be tempted to borrow or buy on credit to get the things they want. And, more than ever, if they do not have enough information to decide the best way to finance their purchases, they will fall under the domination of overreaching creditors.

We would not find it acceptable if one car dealer quoted us a price in zlotys, another in lira, and another in deutschmarks, or if, in order to buy a suit of clothes, we had to compare prices quoted in rubles, pounds sterling, and pesos. Yet that—and worse—is the situation regarding consumer credit. Not only must the buyer compare apples and oranges, but he must do so without knowing how many are in each basket. Not only is it as though prices were quoted in different currencies, but it is as though the seller were neglecting to say whether he uses the Mexican or the Spanish peso, the British or the Austrian shilling, the French or the Swiss franc.

What is needed is a simple yardstick, a measure so that comparisons can be conveniently made and competition among sellers of credit will be encouraged. The consumer needs the assurance that he will be quoted a rate of interest, the lowest rate of interest which the free play of competition will bring—and that in all instances the rate quoted will mean the same thing: an annual rate, computed on the amounts actually owed.

This is the principle which Senator Douglas fought for so tenaciously, so perseveringly for so many years. This is the principle which motivated Senator Proxmire when he took up this fight this year. It is the principle which was central to the thinking of Congresswoman Sullivan and your thinking, Mr. Chairman, when H.R. 11601 was drafted. And it is the principle which we must enact into law—this year, while the extraordinary momentum which has developed for this legislation still carries us forward.

Mr. Chairman, I am especially pleased with H.R. 11601. I was pleased, of course, that the Senate passed S. 5, and I think S. 5 is a good bill, but I believe your bill improves upon it in a number of very important ways.

First, the requirement that interest rates on revolving credit plans be stated on an annual basis is, I think, quite important. Revolving credit is now the fastest growing type of consumer credit. More and more department stores are using it, and revolving bank credit card plans are sweeping the country. These plans are so attractive, I think, precisely because they are expressed in terms of a 1½ percent a month charge, and people do not stop to think of that as an annual rate of 18 percent.

If revolving credit is the only exception to the requirement that interest be stated as an annual rate. I think its growth will invariably be enhanced. And as it is, some have estimated that it will grow to 50 percent of consumer debt within 5 years.

Your record is replete with examples of the confusion people experience about revolving credit. Some stores compute the interest before deducting payments made during the month. Others do not even credit returned merchandise before computing the interest. Some have a 30-day grace period before interest is charged; others do not. Some have a grace period but then charge retroactively to the time of purchase. And from this thicket have emerged retailers as witnesses, who say their quotations of a 1½% monthly interest rate communicates sufficiently to the customer. I find that testimony unsatisfactory, to say the least.

To leave this maze of practices unregulated would be a mistake, in my judgment. The annual rate of interest should be stated, so that the buyer can compare. He may discover, to his surprise, that he would be better off getting a bank loan, or that he would be better off buying in a different store. And the buyer should understand when a store will start changing the interest and how the principal amount owed is determined. H.R. 11601 would accomplish these ends. That is a wise aspect of your bill.

Second, your bill extends the requirement of full disclosure to the advertising of credit. This is right, in my judgment. Too many consumers have already made up their mind to buy when they walk into the store in response to an especially captivating advertisement. The ads should state the full truth about financing if they are going to go into it at all.

Third, the bill includes credit charges of under $10. To people who earn $10,000 and $15,000 a year, this point seems less significant, both to a person of modest income the loss of even five dollars to an overcharging seller of credit may mean the loss of a pair of shoes for one of his children. The person who pays a dollar a month for six months while he pays for a $50 chair is paying 48 percent interest, and he deserves to know that.

Fourth, H.R. 11601 extends the disclosure requirement to mortgages. This is important because of the number of ways in which additional finance charges are added through such devices as discounts and points. The potential mortgagee should know what the effective interest rate is. Your bill would insure that he does.

Fifth, the bill prohibits cognovit notes—that is, agreement by the borrower at the beginning that judgment can be entered against him without full legal process if he defaults on the debt. The provision will end a practice which is an open invitation to overreaching and abuse.

Sixth, H.R. 11601 creates a ceiling of 18 percent on interest charges. This is the one provision about which I have reservations. I believe that an 18 percent ceiling would be constructive if we could be certain that it would only be a ceiling. What worries me is that it will become a floor as well—that lenders will automatically begin charging 18 percent unless state law keeps them from doing so. I urge the committee to weigh carefully whether the need for a ceiling when the bill already requires full disclosure, outweighs the danger that the ceiling will also be the floor.

Finally, the most important, in my judgment, the bill takes a significant new step that will protect thousands of families from harassment and even loss of employment. I refer to the prohibition against the garnishment of wages. Garnishment is really the modern equivalent of imprisonment for debt. Particularly for the low-wage worker, it can spell disaster. He may get to work one day and find most of his pay being taken to satisfy a debt or, worse yet, he may find an employer who doesn't care for the clerical burden involved and therefore simply fires him.

This is not an isolated problem. At one steel plant in Chicago, 2,000 deductions are made every payday to satisfy debts. The company says it pays out $500,000 a year to its employees' creditors.

And garnishment leads to bankruptcy. As our American postwar credit buying spree has snowballed, so have personal bankruptcies—from 8500 to 176,000 in 20 years. It seems more than coincidence that the three States (Florida, Pennsylvania, Texas) with prohibitions of garnishment number in the lowest six States in rate of bankruptcy; or that bankruptcies declined by 9% in Illinois after the garnishment exemption was liberalized; or that Iowa experienced a 360% rise in bankruptcies after going from a 100% wage exemption to a $35 a week exemption. In a recent study in Michigan, 75% of bankrupts indicated garnishment was a factor in filing bankruptcy. And you have heard the personal testimony of bankruptcy referees and other experts that the incidence of personal bankruptcy is very much affected by the type of garnishment law which a State has.

Bankruptcies ruin people's lives. They cause permanent psychological damage to family relationships. They cause those creditors who did not hound the debtor to lose everything. They are not very satisfactory for anyone. Ending garnishments would not only protect thousands of individuals, but would protect most creditors as well. The fact is that garnishment is a legal tool often used by the same sellers who sell at unconscionable interest rates in the first place. One study in Milwaukee showed that a third of the over 6700 garnishments in one year were by three establishments. Two stores in Akron, Ohio accounted for twenty percent of the garnishments there.

Ending garnishment might cause overreaching sellers to think twice. And comparisons of States having differing garnishment laws shows that the prohibition would neither discourage legitimate sellers from extending credit nor cause greater losses for sellers.

On the other hand, I do urge you to consider carefully the suggestions that have been made to improve the anti-garnishment provision in the bill:

To protect workers more completely, the prohibition should apply to all personal earnings, instead of just wages, and should include also a prohibition on wage assignments.

To protect legitimate creditors, a ceiling on the exempt income of perhaps $15,000 should be established. High-income people, such as entertainers and executives, do not warrant a total exemption.

It may be, too, that total abolition of garnishment will prove impossible at this time. I strongly urge you, however, to report at least a provision protecting workers from being fired because of a garnishment and establishing a reasonable national wage exemption for garnishment. These provisions would at least do away with the worst abuses.

If we pass H.R. 11601, we will have protected the right of all Americans to buy on adequate information. We will have enhanced the competitiveness of the credit market—and such informed competition will harm only the disreputable loan-shark. And if we succeed in reducing interest rates by even one point on the average, we will save $1 billion a year—cash that can be spent to reduce existing financial burdens or to buy products. In the end we would have stimulated economic growth and improved the allocation of resources in the economy. If we do not pass this law, we turn our backs once again on the consumer; we show once again our indifference to his predicament.

We have this choice. We can abandon the consumer to the finance companies and the merchandisers who prey on his desire for a better life, or we can insure that he has the information he needs to choose intelligently. If the initiative shown by the Subcommittee is matched by the full Congress, we will choose correctly.

TER HORST ON GUN LEGISLATION

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, in the past couple of years we have heard a great deal of discussion of legislation to regulate, in one way or another, the sale of firearms. Much that has been said and written on both sides of the controversy has been emotional and inflammatory.

It was refreshing, as a result, to read a thoughtful article of the gun problem which appeared recently in the Detroit News. The article, which was written by the News' fine Washington bureau chief, Jerry Ter Horst, presents carefully and unemotionally the case for one side of the controversy.

I should hope, Mr. Speaker, that all of our colleagues, whether or not they favor enactment of legislation dealing with the sale of firearms, would read this article, which I am inserting at this point in the Record:

Gun-Happy United States Ignores FBI's Warning

(By J. F. Ter Horst)

Washington.—"The easy accessibility of firearms is a significant factor in murders committed in the U.S. today," said FBI Director J. Edgar Hoover.

"It is a problem which the American public needs to examine closely . . ."

Hoover's observation applied to the latest episode in this year's shooting spree—yesterday's sniper slaying of American Nazi leader George Lincoln Rockwell.

But Hoover actually uttered his words four years ago, in June, 1963, to be exact, five months before the fatal shooting of President Kennedy.

The assassination of Mr. Kennedy stirred and troubled this country, as it did the rest of the world. What is it about the American dream that requires the punctuation of so much gunshot?

Mr. Kennedy's death prompted thoughtful and responsible persons, in and out of government, to pay attention to Hoover's warnings about the "easy accessibility of firearms and its influence on willful killings."

Gun control bills have been introduced each of the last five years in Congress. But even the mildest was defeated.

Even as Rockwell's slayer must have been preparing for his deadly pull on the trigger, Senator Robert F. Kennedy was trying to persuade New York's city council to approve an ordinance to regulate the sale of rifles and shotguns, "the tools of the urban rioter, the machinery of senseless killing."

"If we do not pass these laws," said the slain president's brother, "we sign the death warrant of more policemen and more children who will be caught in tomorrow's crossfire.

"If we act now, we can save hundreds of lives in this country and spare thousands of families all across this land the grief and heartbreak that may come from the loss of a husband, a son, a brother, or a friend."

What is it about America, defender of world peace, that breeds an atmosphere of violence at home?

H. Rap Brown, stormy leader of the Student Nonviolent Coordinating Committee (SNCC), was arrested last week and accused of carrying a carbine in his airplane luggage.

Congress is told that Michigan national guardsmen had to be ordered to unload their weapons during the Detroit riots because they were "trigger-happy . . . firing wildly."

A sizable cache of military weapons was unearthed recently in New York headquarters of RAM (Revolutionary Action Movement).

Gun dealers in jittery cities everywhere, according to the Justice Department, report a run on small handguns that can be concealed in a pocket or a lady's purse.

In Miami, a 23-year-old motorist from Keego Harbor, Mich., is held today on charges of assault with intent to commit murder.

With two pistols and a grin he raced through the streets firing at random. Four persons were wounded. One of them said the gunman "looked as if he was getting a kick out of it."

"A strange and peculiarly American plague has long swept our land, a plague of guns," Carl Bakal wrote in his 1966 book, "The Right to Bear Arms."

Since 1900 more than 750,000 Americans have been killed by gunfire, according to a compilation of police and federal records. That's a higher toll than all of the Americans killed in battle since the Revolution and through Vietnam.

There are 50 fatal shootings a day, one every 30 minutes, 17,000 a year.

No "civilized" country in the world can match that record. No other country makes rifles, handguns and shotguns so accessible to anyone who wants to buy—in person or by mail. Only seven states, (Michigan is one) require a permit or a license before you buy a pistol or revolver.

And almost everywhere you can buy a rifle easier than you can get a dog or cat license, or even a hunting permit.

With hardly any effort—in some places—you can buy a mortar, a bazooka or an antitank gun.

The last time this reporter purchased a rifle, he had to produce more identification to get his check cashed than to get his hands on the weapon.

Nearly two million guns are made in the United States and sold each year, and another million are imported. Estimates are that there are more than 50 million privately owned firearms in the country.

"COMMUNITY, RELIGION, POLITICS, AND THE URBAN CRISIS: THE VIEW OF A PRACTICING POLITICIAN," AN ADDRESS BY CONGRESSMAN JOHN BRADEMAS TO CHRISTIAN FAMILY MOVEMENT CONFERENCE, UNIVERSITY OF NOTRE DAME, AUGUST 26, 1967

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, on August 26, 1967, I had the privilege of addressing the annual conference of the Christian Family Movement, an international organization for married couples concerned with applying Christian principles to families and life. The meeting was held at the University of Notre Dame, in the congressional district I represent.

I insert my address at this point in the RECORD:

"COMMUNITY, RELIGION, POLITICS, AND THE URBAN CRISIS: THE VIEW OF A PRACTICING POLITICIAN", AN ADDRESS BY CONGRESSMAN JOHN BRADEMAS TO CHRISTIAN FAMILY MOVEMENT CONFERENCE, UNIVERSITY OF NOTRE DAME, AUGUST 26, 1967

First, I am pleased to welcome you to Indiana, to the University of Notre Dame and to the district I have the honor to represent in Congress.

Second, I am glad to see the ecumenical complexion of your conference.

You may be interested to know that I have just returned from a visit to Greece, where I attended sessions of the Archdiocesan Council of the Greek Orthodox Church of North and South America in Athens, and that I also went to Istanbul, where I had the high privilege of visiting for several hours with His Holiness, Patriarch Athenagoras I, Ecumenical Patriarch of Eastern Orthodoxy.

The Patriarch invited me to sit at his left and then, with a smile on his face, told me, "That is where Pope Paul sat when he visited me a few weeks ago in this room. You are sitting in the Pope's chair."

The Patriarch told me about his talks with Pope Paul and described them as "a dialogue of love."

He also said that he thought all theologians ought to be taken to an island and left there because they are the ones responsible for dividing the churches. Of course, the Patriarch was speaking facetiously, and I, for one, am glad to see today's theologians moving in other directions, moving, in the words of the theme of this conference, toward building community rather than division.

I want this afternoon to discuss with you the relationship between religion and politics and, in accordance with your conference theme, to suggest how these concepts relate to the idea of building community. In doing so, I want to pay special regard to the urban crisis in America.

RELIGION AND POLITICS

As a preliminary matter, I think we should explore the relationship between religion and politics. I believe we should begin with the critical question: Why should we as Christians be concerned at all about politics and about government? Is there a religious responsibility incumbent upon us as Christians—as distinguished from our responsibility as citizens—for action in the political order?

Some say no, that the Christian as an individual and the church as an institution, must stand aside from the turmoil and tumult that is politics. Separation of church and state, they argue, means the separation of politics from religion.

I strongly disagree with this contention. The crux of the problem, in my view, is that many Christians do not understand how they can relate the law of love to the world of politics.

On the one hand, they see Christian love—*agape*—represented by Christ on the Cross—utterly self-sacrificing, self-giving, other-regarding love. On the other hand, they perceive the world of politics where "accommodation", "negotiation", and "compromise" correctly characterize the political process. Thus, selfless Christian love seems to stand in stark and irreconcilable contrast with calculating, bargaining politics. Never, some persons therefore argue, can the twain of politics and religion meet.

Yet I believe that the law of selfless love does speak to the hurly-burly political world inhabited by Presidents, Congressmen, cabinet officials and assemblymen.

I believe that there is a concept that bridges the two seemingly disparate worlds, a link that connects the law of love to the practice of politics.

That concept is justice.

IDEA OF JUSTICE

The idea of justice has varied through history, but I suggest that at the very least justice means guaranteeing to every man his due, assuring him that he gets what he is entitled to as a man.

Now it should be clear that justice is not the same as love. Love does not count or reckon—but justice does. Justice must be calculating in order to allocate responsibilities and rewards among competing interests. It is not love, therefore, but justice that should be the immediate objective of political action. Martin Luther King is therefore speaking the language of justice through political action when he says, "I'm not asking for a law to make the white man love me, just a love to restrain him from lynching me."

The relationship between love and justice—and, I suggest, between religion and politics—is summed up by theologian Reinhold Neibuhr when he says: "Justice is the instrument of love."

Love, then, is most assuredly not irrelevant to political action. On the contrary, it is our love for our fellow man that generates in us a concern that he be treated justly. Love is the force that motivates our commitment to justice.

I believe, therefore, that we have in the concept of justice a link which binds together the worlds of Christian faith and political action—and does so in an intellectually honest, theologically consistent and politically realistic way.

And I believe that it is the principal purpose of political action to seek, in the given circumstances, to promote, for all men, the widest degree of justice possible. Indeed, when we legislate in Congress, we constantly use the rhetoric of justice—parity for farmers, equitable tax laws, fair labor standards, equal opportunity—and we do so even when we fail in our acting to match our rhetoric.

BUILDING COMMUNITY

Having demonstrated, I hope, that the spheres of religion and politics can and, moreover, should be closely linked, I want to proceed to the central theme of this conference and of the Christian Family Movement program for the year ahead: building community through religious life and politics.

Community is not a concept easy to define. Indeed, one scholar listed some ninety-four definitions of the term community.

For the sake of simplicity, I shall use the definition in the CFM materials prepared for your use: Community is the spirit that draws men together before the community, in the physical sense, is constructed; it is the spirit which continues to nourish the existing physical community.

Considered in this sense, and given the directions in which our society appears to be headed, there are, I believe, few concepts more crucial to the destiny of America than the concept of community.

I cannot prove, in these few minutes, that a sense of community is a prerequisite to a just society. But this assumption seems reasonable enough. Surely a psychological frame of mind grounded in an awareness of shared experience and common purpose must exist before mere geographic locality can be transformed into a harmonious and satisfying environment—into an environment, that is in which each human being recognizes and appreciates the aspirations of his neighbors and in which men strive together in the words of Aristotle, "to give to every man his own."

GENUINE COMMUNITY

Now I don't know about your hometown, but I can say that neither South Bend, Indiana, nor Washington, D.C., nor I daresay any city in America, operates exclusively upon the principles of love and justice and has developed what can be described as a genuine community. I fear, moreover, that no such community is likely to be seen upon this planet in the next several years—under either a Democratic or a Republican Administration. But there is no reason to believe that we cannot now begin to move ahead toward community.

Move ahead from what? What is the state of community in the nation today? In leaving aside consideration of the condition of community within other nations and among all nations, I do not overlook the world-wide dimensions of the problem.

This morning's New York Times, for example, quotes leaders of the World Council of Churches, meeting in Crete, as well as Franz Cardinal König, of Vienna, all warning of the dangers to the world of increased racial strife not only in the United States but elsewhere.

I shall nonetheless focus my comments upon community in the United States, the arena in which you will be acting, and more precisely, I mean to concentrate on community in urban America.

Our vast, complex, and increasingly technologically oriented society is changing in scale beyond our capacity fully to comprehend. And community has fallen victim to these massive social forces.

Community is barely visible within the decaying cores of the great cities of the nation and some of the smaller ones as well.

It is, indeed, my thesis that this breakdown of a sense of community is a thread running through nearly all the enormous problems besetting our cities today. Slum housing, poor education, widespread unemployment and underemployment among the Negroes, explosive race relations, paternalistic welfare systems, decaying family structures, poverty amid affluence—all these are harsh signs of grave divisions within the American society.

SEARCH FOR MEANING

Consider the inner cities of America. They are erupting with erratic but volcanic outbursts of hostility, anger, fury, hatred. None of us can condone lawlessness and violence. But none of us should fail to search conscientiously for the meaning that underlies this sad commentary on the American society.

Although it is difficult to assign exact weight to each factor contributing to the riots, there is no inscrutable mystery as to why, on balance, the seething frustrations occasionally explode in violence. In a word, we have not done enough and what we have done, we have done too slowly.

Here is the assessment of Patrick Cardinal O'Boyle, Archbishop of Washington, in his statement which was read at all masses in Washington four weeks ago:

As Christians, he said, our efforts to eliminate segregated slum housing have been feeble. Our support of desperately needed programs of job training and job opportunities for unemployed Negroes in our ghettos has been far less than adequate. Our education system throughout the nation moves at a snail's pace in its faltering efforts to readjust to the rapidly changing situation in our crowded urban centers and to provide the kind of education needed in the inner city. Our programs of urban renewal have not been designed primarily to meet the needs of disadvantaged low income families. Too often, to the contrary, these families have been the victims rather than the beneficiaries of urban renewal. Our welfare programs have too often been paternalistic, demeaning, and inadequate and have weakened family life.

We have tolerated the commercial exploitation of ghetto residents by excessively high prices, inflated credit rates, and inferior products. . . .

Under such conditions as Cardinal O'Boyle describes, it would seem that the only community that can emerge is one based upon a commonly felt animosity.

Or hear the words of New Haven's Mayor Richard C. Lee, speaking earlier this week in the aftermath of serious civil disruptions in his city. Both Mayor Lee and New Haven, as you know, have been for a decade held up as an exemplary urban administrator and community. New Haven had its own broad antipoverty program two years before the idea became fashionable in Washington. Its urban renewal program is one of the most extensive in the nation.

PROGRESSIVE PROGRAMS

Yet, said Mayor Lee, who rose to national prominence on the strength of those progressive New Haven programs: "New Haven is not a model city, and it never has been. We've done a lot, but for every one thing that we've done, there are five that we haven't."

Only this week leaders of the new Urban Coalition—big city mayors and businessmen, labor, church and civil rights spokesmen—including Mayor John Lindsay, Walter Reuther, David Rockefeller, Roy Wilkins and Whitney Young—declared that so far our nation has moved too slowly and too modestly in attacking the ills of urban America.

A similar note of urgency was voiced in Washington this week by John A. McCone, former Director of the Central Intelligence Agency and head of the Commission to investigate the 1965 Watts riot. Unless an answer is found to the racial problem, "it is going to split our society irretrievably and destroy our country".

Yet in spite of the eloquence with which the Cardinal and the mayors and the civil rights leaders speak and in spite of the harsher language of the riots and disorders, I fear that too many middle class Americans still do not realize that many of their fellow Americans—especially Negroes—feel locked out of the mainstream of American life.

Michael Harrington's classic book on poverty was perceptively titled, "The Other America," for most Americans have little contact with poverty or with poor people.

The same point is made in a column in this morning's Washington Post headed, "White Assessment of Riots Ignores Thinking of Blacks".

Says White: "What we most need to understand is that the Negro is alienated from the white community."

Replies Black: "Alienated? We've never been let into the white community. Come down and see."

The beleaguered Mayor of Newark, Hugh Addonizio, was really making the same point about the lack of contact and community when he told the Senate Judiciary Committee this week that "it was the cruelest of myths" that middle class Americans have an interest in saving the nation's cities.

"Affluent American," he said, "are gripped more by the need to buy a vacation home, a sport car for their college bound son and a second color television set than they are with sharing their affluence with the poor."

LACK OF COMMUNICATION

Let me give you another illustration of what I am trying to say about this lack of communication between whites and blacks in America.

A high official of the Federal Government was walking through a Negro street in Washington, D.C., to see what he could see. It was a hot night. A family was out on the sidewalk. A police car came up: "Get the hell back in the house." The smallest of incidents, it meant so much that it was told to the President himself and he has repeated it, struggling to grasp what he was up against.

What we are up against is, in large measure, I suggest, that we do not yet realize how deeply run the fissures dividing the haves from the have-nots in this land of spectacular plenty, or how many white Americans are unaware of the plight of many black Americans.

If we begin to understand this lack of communication and this lack of community, both words, I note, with the same Latin root, we can begin to appreciate why some Negro leaders reject the possibility of constructive change through the existing political and social system.

They feel helpless to affect their own destinies and environments and this helplessness underlies much of the hostility and frustration and cynicism and ultimately the result to violence.

For they certainly do not feel members of a community—with shared experience and a sense of common purpose. And, of course, this lack of community is most dramatically visible in the inner cities of America.

What, then, is to be done? . . . to restore community where it has been riven—to build community where it has not existed?

First, it seems clear to me, that Christians, motivated by love to seek justice for all men, have a religious as well as civic responsibility to work, both through politics and outside politics, for concrete measures to build community—at every level in our society.

Second, I believe that business and industry, labor and education, as well as the churches and government—all the institutions of our society—must undertake a particular commitment to make our cities genuine communities in which all citizens participate and have a stake. And this will not be easy. But easy or not, it is imperative.

CAUSES OF RIOTS

We are busy right now, with commissions, governmental and non-governmental, diagnosing the causes of the riots and of the malaise affecting urban America.

I suggest that there is no simple explanation and no single cause of the disorder.

And, I suggest further that no single program, governmental or non-governmental, will cure the ills of urban America.

But there is much that can be done that we are not now doing: And so, as President Kennedy said in another context, let us begin.

I here offer only a few observations in terms of action—action to build community.

First, we must work at every level, neighborhood, town and city, state and region and national.

We in Washington clearly are not going to solve all these problems from the Nation's Capital.

Having said that, I hasten to add that we in Washington—the President and Congress—Democrats and Republicans—must do far more than we have done.

The conservative coalition that has crippled model cities, killed rent supplements, hobbled the Teacher Corps, restricted aid to education and laughed at a rat control bill will not be easy to persuade to embark upon a still more ambitious Marshall Plan for urban America.

But if we in Congress are to be able to act, we need the support of people like you—and this means political action, about which I shall say a further word in a moment.

But let me here state that governmental action alone is not enough.

NEED BUSINESS SKILLS

We need to harness the technological capacity and inventiveness, the skills and genius of American private business and industry, to an assault on the problems of the urban ghetto—and people like me in Congress are more and more anxious to see greater reliance on the private sector of the American economy to help build communities.

Labor union leadership needs to begin to look outward again and recover some of the idealism that historically has caused the American labor movement to be a champion of the downtrodden and disadvantaged—and not be content to relax in self-satisfaction at the higher standard of living which union activity has helped make possible for its members.

The churches—four years ago in the forefront of zeal for the cause of the American Negro—have also, I fear, been caught up in some of the understandable backlash of recent events and are no longer heard with the tenacious eloquence that marked the March on Washington of 1963.

What I am saying is that we must work, both inside and outside politics, if we are effectively to help build community in this troubled land of ours.

Let me conclude with some more specific suggestions to you as members of the Christian family movement.

I applaud your forthcoming program of year long study of and commitment to the task of building community. For first, you need to learn about the problems; you require knowledge before you can undertake action.

Second, I hope you will give particular attention to supporting one vital aspect of the war on poverty—the Community Action Program.

COMMUNITY ACTION

As you know, under the Economic Opportunity Act, public or private groups known as community action agencies may apply for funds for projects in poverty target areas. One of the main ideas underlying the concept of community action is that the traditional and often paternalistic approach of welfare agencies can never be adequate. The philosophy embodied in CAP holds that citizens can and should actively participate in identifying their own needs and in helping shape programs to alleviate those needs. Community Action aims, in a word, at participation, and, through this involvement, to build communities out of the non-communities which are so characteristic of our inner cities. Indeed, the law calls for the "maximum feasible participation" of the neighborhood residents in these target areas. As a member of the House Education and Labor Committee, the House committee having jurisdiction over the poverty program, I can say that the evidence of pride in self-help achievement has been, in many instances, wondrous to behold.

CAP, as you are aware, is a bold and often controversial program. There has been nothing like it in the history of this nation—or any other nation so far as I am aware. If it were not controversial—if established agencies and interests did not feel at all threatened by the impact of this program—then I dare say CAP's potential probably would be very limited indeed.

I urge you then, upon your return to your own cities and towns, to familiarize yourselves with your local community action agency. It is a unique and significant undertaking which will play a very important role in determining whether millions of Americans can yet be incorporated into the mainstream of American life—through the creation of viable communities willing and able to look more effectively after their own needs.

POLITICAL ACTION

I would not feel that I had preached my complete sermon unless I said a final word admonishing all of you not to turn your backs on political action but rather to welcome politics as an instrument—and a legitimate one in a free society—in the search for justice and community.

I would, moreover, encourage at least some of you to consider taking the plunge into electoral politics and consider becoming politicians yourselves.

Let me here make bold to offer these few guidelines to Christians thinking of going into politics.

First, it is not enough to be a good Christian to be effective in politics. You must also be a good politician, that is, understand the process of political decision making and be willing to work hard at politics.

Second, you must either have or develop a thick skin. I need not here elaborate.

Third, you must understand that all policies, societies, governments, and all politicians are under God's judgment. None must be absolutized or deified as incarnating God's will. For none is righteous, no, not one. The Christian in politics will, therefore, always live under tension, always aware that he measures political achievements by standards that require ever greater effort. He can never be satisfied.

Fourth, the Christian in politics must be outgoing and must actively seek justice and combat injustice. I should add, however, that there is no mandate for him to ride at full armor into every battle that comes along. If he does, he will soon deplete his forces and diminish his effectiveness. He must make realistic judgments on when and where to move.

ARMED WITH UNDERSTANDING

Finally, the Christian in politics is armed with a unique understanding of human nature. He realizes that man is made in the image of God, yet prideful; he is aware of the role of self-interest in politics, of his own as well as that of others. He knows that, as an active participant in politics, he often will find himself in morally ambiguous situations. But as Dean John C. Bennett of Union Theological Seminary has said, "Instead of being unnerved by guilt or despair in their midst, Christians do know the experience of receiving grace and forgiveness while they take responsibility."

I told you at the outset of my remarks that two weeks ago in a small room in Istanbul, I—an American Methodist—talking to a Greek Orthodox Patriarch—sat in the same chair in which the Roman Catholic Pope had sat a few weeks before.

As I listened to the Patriarch tell of his warm meeting with the Pope, I could sense the community that had developed between these two great men.

And I sense the community here that marks members of the Christian Family Movement.

It is your task, and mine, to help build that community—many communities—throughout the country that we love.

"FACE THE ISSUES," AN INTERVIEW WITH DON STACY, PAST PRESIDENT OF THE OLE MISS DEMOCRATIC CLUB, STATION WLBT, JACKSON, MISS., JULY 22, 1967

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, as a Member of Congress who had the opportunity to study for a year at the University of Mississippi in 1945–46 while serving in the U.S. Navy, I have naturally taken a continuing interest in the young people of that State and especially in the work of the young Democrats of Mississippi.

Although I cannot in good conscience profess enthusiasm for the results of this week's primary election in Mississippi, there is one development there which I feel is very noteworthy. I refer to the continued growth of the Young Democratic Clubs of Mississippi, the official youth organization of the National Democratic Party.

This organization, Mr. Speaker, is fully committed to the principles of the National Democratic Party, the principles of democracy and equality of opportunity for all the citizens of our country. Mr. Speaker, the Young Democratic Clubs of Mississippi represent a great deal that is praiseworthy in American youth today.

Mr. Speaker, I insert at this point in the Record the text of an interview which explains much of the work of the Young Democratic Clubs of Mississippi. The interview which was conducted on Station WLBT, Jackson, Miss., on July 22, 1967, was with Don Stacy, past president of the Ole Miss Democratic Club. The transcript of the interview follows:

"Face the Issues", WLBT, Jackson, Miss., July 22, 1967

Moderator. Welcome to Face the Issues. Today's topic will be the Young Democrats Club of Mississippi. Our guest is Mr. Don Stacy who is immediate past president of the Ole Miss Democratic Club and present member of the state's executive committee. To start our program off today, I would like to ask Mr. Stacy if he would give us some of the background of the Young Democratic Party's activities and philosophy, particularly in Mississsippi.

Mr. Stacy. Thank you. The Young Democrats of Mississippi are a highly-motivated, modestly financed group that is interested in taking Mississippi back to the Democratic Party—back to what we like to call the house of our fathers. We received our present charter in 1965 in New York City at the 17th Annual Convention of the Young Democrats of America. We are recognized by the Democratic Party as the official youth group in the state of Mississippi. We are a racially inclusive organization of about 3,000 members from twenty-two counties and on seven university campuses. What we are trying to do is beckon our fellow Mississippians back to the ideals of people like Eleanor Roosevelt, Adlai Stevenson, and John Fitzgerald Kennedy. To this end we have brought a number of outstanding speakers into the state of Mississippi. Among the speakers have been

Senator Robert Kennedy, Democrat of New York; George Grider, Congressman from Memphis; the Honorable Richmond Flowers, the Attorney General of Alabama; Ole Miss Alumnus and former Rhodes Scholar John Brademas, who is now serving in the House of Representatives from Indiana; former Solicitor General of the United States the Honorable Archibald Cox; Charles Weltner, Congressman from Atlanta; Senator Hart, Democrat of Michigan; Senator Mondale, Democrat of Minnesota; and this September we are looking forward with great enthusiasm to the visit of Vice President of the United States, Hubert Humphrey. I believe this has been the main import of our activities. Following these appearances we have sought to search out a nucleus of nationally loyal Democrats in the various counties to build on this nucleus and to prepare the people to participate in precinct and county and state conventions.

QUESTION. Mr. Stacy, you mentioned in your opening remarks that yours was the party recognized by the national organization. Are there other Young Democratic parties organized in the state of Mississippi?

Mr. STACY. No. All Young Democratic organizations adhere to our group. There are some Democratic groups that want to attach certain prefixes or suffixes, and call themselves Freedom Democrats or Mississippi Democrats. But, we are the Democratic party that you have always known on the national scene.

QUESTION. You just mentioned the Freedom Democratic Party, so let me go ahead and ask you now. What is your affiliation with the so-called Freedom Democratic Party of Mississippi?

Mr. STACY. There is no affiliation whatever. We are totally separate groups. They are essentially a civil rights organization. We are a political organization. To the extent that they participate in politics, they do so as a third party. Our only interest is in the national Democratic Party. And we are a racially inclusive group. More and more, the Freedom Democrats are tending to a racially exclusive group. This, I would say, is the main distinction.

QUESTION. Mr. Stacy, what percentage of your group is colored? Could you give us some generalization?

Mr. STACY. I have not had the pleasure of meeting all the 3,000 members of the Young Democrats of Mississippi, but I say it conforms roughly to the population of the state. I would say at least 40% of our organization are Mississippi Negroes.

QUESTION. Could you give us a few leaders of the Mississippi Young Democrats?

Mr. STACY. Yes. Our co-chairman is Hodding Carter III of Greenville, Mississippi, the editor of the Delta Democrat Times. Serving with him is Cleve Donald, who is a graduate of Ole Miss—in fact, the second Negro graduate of Ole Miss. He is presently pursuing a doctorate in History at Emory University in Atlanta. Some of the other officers are Jesse Epps from Clarksdale, Mississippi, Irvin Walker from Jackson, Mississippi, William Watkins from McComb, Mississippi, Bill Silver, from Oxford and now Jackson. These are Young Democrats who come immediately to mind as members of the Executive Board.

QUESTION. Mr. Stacy, your group is integrated. Is your group an integrationist group? Do you openly espouse integration as one of your tenets?

Mr. STACY. We openly espouse the idea of Americans getting together and meeting one another. We openly espouse the ideas of all Mississippians getting into the political process. If the political process is going to govern all Mississippians, we think it should embrace all Mississippians.

QUESTION. In your opening statement you said you would like to bring Democrats to the fold of the regular Democratic line and mentioned Eleanor Roosevelt and some others. Do you think that as you are presently constituted you could even achieve this goal? Don't you think that it is a rather formidable task in Mississippi to bring the regular rank and file Democrats into a philosophy such as yours?

Mr. STACY. It is a formidable task, but I think that Mississippians by and large are tired of being gulled and bamboozled by the party leaders. Mississippians have not ended up in the winning camp in a Presidential election since World War II. In fact, the majority of Mississippians cannot of their own memory recall when Mississippi did vote for the winning candidate. I think the height of this folly was reached in 1960 when we cast our electoral votes for a man who was not even in the race. And I think that Mississippians are tired of this sort of bamboozling, and they are willing to treat with their own problems, and think the party that treats best with those problems is the Democratic Party.

QUESTION. How many types of Democrats are there in the state now? There seems to be a profusion of Democrats.

Mr. STACY. I really could not keep up with all the prefixes and suffixes. I am interested in making the local Democratic Party look like and taste like the high-priced spread that is available nationwide.

QUESTION. Mr. Stacy, you were just talking about Mississippi going with the winner. Does your party, your organization, advocate going with the winner rather than the people of Mississippi voting their true convictions?

Mr. STACY. We feel the people of Mississippi should vote their true interest. We feel that a state which has suffered the economic privation of Mississippi, a state which has been handicapped with the educational system of Mississippi, should look and see if they should not desire a program such as STAR which teaches adults basic literacy, whether they should not desire a program which would teach the pre-school children what the names of colors are, and how to use a knife and fork. We think Headstart, we think STAR, we think the various other programs and projects of the Great Society meet Mississippi's needs. This is what we would call to the attention of our fellow Mississippians.

QUESTION. Mr. Stacy, do you plan to bring Mississippi back to the National Party by taking control of the state Democratic party, or do you plan to go outside of the state party and gain recognition for your group?

Mr. STACY. We plan to go to the local precincts. We plan to go to the county conventions. We plan to go to the district conventions. We plan to go to the state conventions. We plan to be in the delegation which sits on the floor of the National Convention to re-nominate Lyndon Johnson in 1968.

QUESTION. Well, if you do not win in the precinct, county and state conventions, will you propose a convention contest on this issue—that is, form your own delegation and send it to the National Convention?

Mr. STACY. We believe that a group of Mississippians should represent Mississippi on the convention floor. In 1964, the National Democratic Convention said that in 1968 it must be a nationally loyal, racially inclusive delegation that is seated from Mississippi. We want to give the people of Mississippi a chance to participate. We want to represent them. We, among others, will represent them. This is our opportunity. If we are frozen out and a racially exclusive delegation goes to the Convention, we will go along also because we think all Mississippians should be represented.

QUESTION. Is your organization, Mr. Stacy, backing a candidate in the governor's race in Mississippi?

Mr. STACY. No, sir. Our charter as Young Democrats prohibits us from endorsing any candidate in a Democratic primary. Even if this were not the case, I know of no candidate in the race who is loyal to the principles of the Democratic Party. So we could not, in good faith, endorse such a candidate.

QUESTION. Mr. Stacy, in that case let's go ahead and assume that one of the candidates that you did not especially off the record favor happened to be the candidate of the Democratic Party after these elections. Would your group still go ahead and endorse this man as Governor of Mississippi?

Mr. STACY. There are occasions, to use the words of the late President John Fitzgerald Kennedy, when party loyalty asks too much. If the candidate were not a man who represented the whole people of Mississippi, if he were a man of a particular racial camp, if he were, as one has been described, a "fiery segregationist," we could not in good conscience endorse this man.

QUESTION. Well, on the national level, Mr. Stacy, if Robert Kennedy was the Democratic Party's candidate for President in 1968 or 1972, would your group endorse his candidacy?

Mr. STACY. We would endorse the candidacy of whomever the national party convention chose, because we would go to the convention as a loyalist group.

QUESTION. Mr. Stacy, is it not correct that most of the financing of your group comes from sources outside of the state?

Mr. STACY. No, sir, I do not believe that most of the financing comes from sources outside the state. Most of our financing comes from memberships which we sell in Mississippi, and from various older Mississippians outside the most literal description of "young" who are interested in seeing a national party re-instituted. Certainly, we do receive contributions from outside the state from people who are interested in restoring a political dialogue.

QUESTION. Well, Mr. Stacy, I have a newspaper clipping here, an AP release, from Boston, in regard to this fund raising dinner of which your organization was the beneficiary last month, and Mr. Silver, your Executive Secretary, in referring to this meeting, said that "we will need to meet a minimum operating budget of twenty thousand dollars. We hope to raise the additional funds at like receptions in New York and Los Angeles." Now, to me that indicates that you expect most of your money to come from outside.

Mr. STACY. Well, there is a difference between money anticipated and money received. The money we have received has been predominantly from within the state.

QUESTION. You have not used that money to back a candidate?

Mr. STACY. No sir, we have used that money to open an office in the Vincent Building, and to go into the remaining sixty counties in Mississippi and to find nationally loyal Democrats, and to let them know what they have to do to go to the county convention, and the district convention, and the state convention, and to make known the aspirations and ideals of the Young Democrats throughout the state.

QUESTION. Mr. Stacy, was your organization instrumental or connected with Senator Kennedy's appearance in Mississippi in the recent Poverty Commission hearings in our state?

Mr. STACY. No sir, we were not. We had the pleasure of entertaining Senator Kennedy when he came to the University of Mississippi, March 19, 1966, but we did not have the pleasure of meeting with him on his recent visit.

QUESTION. Mr. Stacy, would you say that the Young Democrats are closer to the Kennedy wing of the Democratic party than the Johnson wing of the party?

Mr. STACY. No sir, I would say we are mainstream Democrats. We have friends at the White House, we have good friends on the Hill. I would not say that we are in the Kennedy camp.

QUESTION. The Kennedys have been extremely kind to your organization though, haven't they, in giving of their time and talent to raise funds for your group?

Mr. Stacy. Well, the fund-raising that has been most beneficial to our group was the one last month in Boston, Massachusetts at Tremont on the Common. There at a reception on June 15th, we raised $3,904.29 which we deposited on July 11th in the First National Bank of Jackson, Mississippi. Now as to whether or not this was Kennedy money: $100 of this came in a personal check from Edward Kennedy. Among the hundreds of others contributing was Edward McCormack, who ran against Edward Kennedy for the Senate in Massachusetts. And so I think really we have a sampling of all Massachusetts Democrats, for Senator Kennedy's was one-thirty-ninth of the money we received.

Question. In practicing your politics on various state campuses, colleges and universities, are you able to work freely? Are you harassed in any way? How easy is it for a Young Democratic Club to get going and stay going?

Mr. Stacy. I find it rather exciting. I do not find myself inhibited or impinged upon. I think the main thing you have to deal with is a distrust which young Mississippians have grown up with in the local political situation. You have to let them know that there is something candid, something new, something dynamic about what you are offering them. They have heard cliches and banalities so long that they are somewhat deadened to a political appeal.

Question. The Young Democrats as an organization, do they believe in all the policies and practices of the Johnson administration including Viet Nam?

Mr. Stacy. Yes, I think we showed our support for Viet Nam very graphically back in the fall of 1965, when the Young Democrats at Ole Miss had a "Pints for Patriotism" Drive at which some 700 pints of blood were donated for the troops in Viet Nam. Our slogan was, as I recall, "that if blood must be shed, that freedom be maintained, let that blood be ours, even as that freedom is ours." So, we have done more than mouthings. We have had support now, if you will pardon a pun, in vein.

Question. In the Young Democrats are there members of other groups like the Freedom Democratic Party who have been both a member of the FDP and the Young Democrats?

Mr. Stacy. I am sure there are. I am sure there are members of all backgrounds, of all persuasions, and that is exactly what we are striving for, to be representative of all of Mississippi. We are here to open doors, not to close doors.

Question. Mr. Stacy, your organization in cooperation with others has recently filed suit against the Board of Trustees for the Institutions of Higher Learning to secure the removal of a ban on certain controversial speakers at the University of Mississippi. Do you care to comment on that?

Mr. Stacy. Yes, we have a suit pending in the District Court for the Northern District of Mississippi. The institutions of higher learning, of which I believe there are eight or nine, are all under a very distasteful ban, and I think a very foolish ban. Any speaker who is invited to speak at the institutions of higher learning must first be approved by individually approaching all thirteen members of the Board of Trustees. And the Chancellor's hands are tied, whatever the merits of the speaker or of his speech, from inviting anyone who is "in disrepute in the community from which he comes," who is "likely to do violence to the academic atmosphere," who is charged with crime, or charged with a moral wrong. Now we feel that these standards are so vague and ambiguous that men must necessarily guess as to their meaning and differ as to their application. We feel that there is denial of anything like due process. Who would be prohibited under "disrepute in the area from which he comes?" Perhaps a resident from Harlem who had a good word for Mississippi. It is simply a shadow on the whole educational system.

We went before Judge Clayton on July 9th with regard to an institute which the University of Mississippi had funded with HEW funds, some fifty thousand dollars. In the prospectus which they sent to the Department of Health, Education and Welfare, they listed Dr. Aaron Henry as a speaker. When they received the fifty thousand dollars they deleted his name as a speaker and cancelled the contract with him. Judge Clayton reinstituted the contract with Dr. Henry, saying that the Board's action was in violation of Article I, Section 10 of the United States Constitution, prohibiting a state from impairing the obligation of contract.

Question. To be really effective, how many more members do you think you need or do you think you are effective now in doing what you had set out to do?

Mr. Stacy. No, Sir we would like to get every Mississippian in the count. We want to go to every town, every community, every crossroad in the state of Mississippi and to all of our eighty-two counties and present our ideas to our fellow Mississippians and listen to theirs, that they may truly understand what our interests are, and to see that they do lie within the National Democratic Party.

Question. What do you see your role in next year's presidential election? As you are presently constituted, can you be a factor?

Mr. Stacy. We think we can be a factor because we think there is a real disgust in the heart of the average Mississippian about being gulled and bamboozled for so long, and we think we can speak honestly to him and with him as fellow native Mississippians. We can look to our interests economically, educationally, socially. And I think we can reason together, as the President likes to quote Isaiah, and see that the Democratic Party is indeed the party of Mississippians. The notion of Young Democrats—really, we are about as young in sentiment as L.Q.C. Lamar, who felt that Mississippi's future lay with the nation rather than against the nation.

Question. Do you think the regular Democrats and the philosophy that most of them believe in really belong in another party, say the Republican Party?

Mr. Stacy. It might well be that they belong to another party, for certainty they have a notion of reality that is somewhat fanciful. They keep telling us every four years that we are going to throw this election to the House of Representatives, something we have not done since 1876, and some of them may be off on another crusade behind the third party contender, George Wallace, and if so, we bid them God-speed.

Question. Mr. Stacy, do you accept as accurate the recent reports of widespread starvation in Mississippi?

Mr. Stacy. I find starvation a terribly imprecise word for this problem. I think there are considerable problems of malnutrition in the state. I think there is intolerable malnutrition. I think that part of it comes from the lack of education or comes from problems of hygiene, and part of it comes from the fact that what was originally designed as a dietary aid has become, indeed, the whole diet, and people are having to make do on starches, corn, beans, peanut butter, and just do not have the balanced diet that should be theirs.

Question. In your opinion, is this problem of malnutrition more severe in Mississippi than other areas of the nation?

Mr. Stacy. No, sir, I believe that there are problems of malnutrition in the large cities of the East. I believe that there are problems of malnutrition at the reservations in the West. I do not think that it is peculiarly a Mississippi problem. I would like to see something done about it because I do not think that you and I and our fellow Mississippians can tolerate malnutrition that debilitates and shortens the life span.

Moderator. Thank you Mr. Stacy.

UNIVERSITY OF MARYLAND STUDIES PREVENTATIVES AGAINST STROKES

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, the Congress may well point with pride to its great interest in the health of our fellow Americans. Over the years, much legislation has been passed for such a purpose.

It has been shown that over 70 percent of all deaths occurring in the United States each year result from the three dread diseases of cancer, stroke, and heart disease. It was also pointed out that these three diseases' effects upon the economy of our country cause close to $30 billion each year in losses due to premature disability and death. During the last Congress we showed our concern and passed the Heart Disease, Cancer, and Stroke Amendment of 1965—Public Law 89–239—which legislation was handled by the House Interstate and Foreign Commerce Committee, of which I have the honor of being its ranking member. Under the terms of that act funds have been authorized for grants to assist in the war against these three dread diseases.

I think that the Members of the Congress will be interested in the latest study regarding strokes and in the fact that a special stroke clinic has been established. This clinic is part of the University Hospital which is associated with the renowned Medical School of the University of Maryland in Baltimore. That city has long been known as a place from which great contributions to the healing sciences of medicine and dentistry have come.

The National Institute of Neurological Diseases and Blindness will provide $300,000 over a 3-year period to the University Hospital for this humanitarian purpose.

The Sun, of Baltimore, in its Sunday, August 27, 1967, issue, published an interesting article regarding the stroke clinic of the University Hospital. Inasmuch as this is a matter of broad general interest, I include it in the pages of the Congressional Record:

War on Massive Killer: Study Seeks Preventives To Ward Off Strokes

(By Paul Wilkes)

The smell of a fresh-smoked picnic ham was a familiar odor as he lifted a pole holding four hams from a metal tree that had just been pushed out of the smoke house. Not familiar was the weakness in his right hand.

He was left-handed. But that strong, veined right hand had never failed to lift its share of the poles of hams which weighed between 30 and 60 pounds.

"He was hard-headed," his wife said, "and didn't want to see a doctor. He said it would go away."

It was two months ago that this rugged, packing house worker felt a numbness in his right hand. A month ago he was admitted to Carroll County General Hospital with a paralyzed right side. A week later he died, leaving a widow and six children.

Most third year medical students could link the numbness in the man's hands to his paralyzing stroke, and to his subsequent death. For some reason, the left half of the brain, which controls movement on the body's right side, was slowly starved of its normal blood supply.

Doctors at the stroke clinic of Maryland's University Hospital knew they were again woefully late when this 41-year-old man, with a medical history of no medical history, was sent to them from Carroll county. The specialists at the clinic knew he needed treatment when the right hand first started feeling numb at the controls of the smoke oven or while turning a door knob.

Like three-fourths of all stroke victims, this man had been warned of an impending attack.

CIRCULATION OF BRAIN CELLS

If the brain is deprived of blood or is flooded by internal bleeding, brain cells are not allowed to maintain normal circulation: taking in oxygenated blood and giving it up after withdrawing the life-sustaining oxygen. Like a man with his head held under water, they die. When brain cells fail, the part of the body they control becomes useless—this is a stroke.

Unlike a broken arm which will mend or a cut which will heal, the brain doesn't give any second chances.

In four rooms with flaking hospital-green paint on the walls, a dozen Maryland doctors at the two-year old stroke clinic are out to see if deaths like this can't be predicted and avoided.

"If he would have come to us when the numbness in his hand first set in, there's a good chance we could have saved his life," a neurologist working with the clinic said. An autopsy showed that a blood clot had formed in the carotid artery, a pencil-thin vessel in the neck which supplies much of the blood to the brain.

A simple operation could have removed that blood clot.

University Hospital's stroke clinic on the fourth floor of the outpatient clinic is a small but important first step in this area's war on stroke, the killer of about 200,000 Americans this year.

The clinic was formed by using technique best described by the word "scrounge." "Scrounging" space, equipment, personnel and doctors' time, a group of physicians led by Dr. Erland Nelson, head of the department of neurology, started the clinic.

AIM OF CLINIC

The aim was to give the most comprehensive attention to a select number of stroke victims while studying them to determine basically two things:

1. Using accepted treatment and therapy, which type of stroke patient responds best to which treatment? Hotly debated medical questions like those centering around the use of anti-coagulants, or blood-thinning agents, are being asked.

2. What accurate signals does the body give that it is headed for a stroke and what can be done to prevent the attack? In a pioneering effort, the clinic is developing a simple questionnaire which could be used to single out stroke-prone people for further examination and possibe preventive treatment.

This type of questionnaire could have saved the life of the 41-year-old packing house worker.

"Have you had a sudden feeling of numbness or pins and needles (tingling) . . ." reads one part of a question now contained in the experimental questionnaire. A "yes" answer could have brought this man to early medical attention and a finding that the blood clot in his neck was slowly squeezing off the supply of blood to his brain.

The numbness the worker felt falls into a category of pre-stroke symptoms known as transient ischemic attacks or TIAs. The clinic questionnaire tries to find out if a person ever had a true TIA, when, how often and how severe. TIAs, as the name implies, are not long in duration (usually from a few minutes to an hour) and are ischemic (caused by a deficiency in blood supply).

The task of developing a simple, accurate and easy-to-answer questionnaire went to Dr. Maureen Henderson, an epidemiologist studying disease patterns. A random sample of 3,000 Baltimoreans has already been taken. Dr. Henderson plans to have 2,000 more questioned.

INTERVIEWERS AT WORK

The survey is expected to be completed by the end of the year. More people in the heaviest stroke years, 45 and over, were included to make the survey as accurate cross-section of those most likely to suffer an attack. Professional interviewers are taking house numbers at random throughout the city and then seeking out a larger number of older people in those households.

In about two months the clinic doctors will start to see people who have listed what the physicians consider true TIAs (loss of speech, temporary blindness, paralysis of one side of the body) or a combination of lesser symptoms (fainting, numbness, nausea, or a weakness in one arm or leg). They will match person against questionnaire and keep a continuing history to see if the series of eleven questions does cull out the stroke-prone person.

"Obviously, no area of the country would have beds enough to admit every person who complained of any one of these symptons," Dr. Nelson said. "Any single symptom might be caused by a variety of conditions other than TIAs. But we must get to the person who has true TIAs before the stroke occurs."

A NEGLECTED DISEASE

If the clinic's questionnaire proved to be effective it would signal one of the most dramatic breakthroughs in stroke research history. It would be highly significant in itself, even though "stroke research history" is modest and could be chronicled on a fraction of the pages it would take to tell about advances in cancer, heart and polio research.

The President's Commission on Heart Disease, Cancer and Stroke reported, "Stroke has been for many years a tragically neglected disease. The health professions have shown little interest in it; the public has accepted it with resignation." Strokes take their toll in lives and more often in tragic disabilities. Many of the 2,000,000 stroke victims alive today are seriously crippled.

Research dollars are not earmarked for stroke as they are for heart and cancer, which have powerful fund-raising and pressure groups stumping for their cause. Hundreds of millions of dollars will be spent on heart and cancer research alone this year.

Stroke hits the hardest in certain areas of the country and this provides a further impetus for the stroke clinic. The Southeast, which includes Maryland, has the highest stroke death rate. The hardest hit is the nonwhite female who far outdistances the second most likely to die from stroke, the nonwhite male.

Why strokes and the Southeast go too well together is a moot medical point. Doctors do agree that high blood pressure often leads to a stroke. And, seeing that the Southeast has a high percentage of Negroes and Negroes are more likely to have high blood pressure, this fact is given for the regional bulge in strokes. Still other physicians think that hereditary, dietary and environmental factors are most important.

Although Dr. Nelson cringes at using the word, the approach at the clinic is interdisciplinary. "It's an overused, trite word, but it accurately describes what we're doing," he said.

Two main disciplines share the bulk of clinic work: neurologists under Dr. Nelson, and cardiologists under Dr. Leonard Scherlis, head of the cardiology division.

"Amazingly enough, the heart man and the nerve specialist don't always have the best of communications while working on a stroke patient, although this interplay is crucial," a cardiologist at the clinic said. One-dimensional treatment of the stroke victims was made past history by the clinic.

INTRAMURAL WIT

Dr. Nelson, at 39, the youngest department head at University Hospital, injected some intramural wit to illustrate the problem: "That guy's (cardiologist's) heart isn't supplying my (neurologist's) brain with enough blood. I can't completely resolve the problem without the heart specialist's finding on heart strength, circulation and blood quality. The stroke occurs in the brain, but only because of faulty blood circulation.

"Now we have these two specialists side by side on each case with the ability to call in neuroradiologists (to interpret X-rays), vascular surgeons (to operate on blocked arteries), opthalmologists (faulty blood circulation in the eyes is often a signal of an impending stroke) and psychiatrists (for rehabilitation)."

Until last month, the clinic operated on money shuffled around on hospital ledgers, appropriated from the various departments who were interested enough in battling stroke.

In June the clinic was given a measure of fiscal legitimacy with a share of a $300,000 planning and development grant from the National Institute of Neurological Disease and Blindness. The grant provides $100,000 a year for three years to University Hospital's stroke center, of which the clinic is a part.

In addition to the clinic, the center is engaged in basic research on animals and on cell makeup, using an electron microscope. Dr. Nelson calls the $100,000 a year "seed money" planted to see if the center can be honed into a research unit worthy of still more institute dollars.

EXTRA SPACE

With this grant, Dr. Nelson and his band of volunteers will take over half a floor of a renovated building on the grounds. This will allow about four times as many patients to be seen each week. Now the clinic is only open on Wednesday afternoon with an average of ten persons treated or seen.

Its accomplishments over the past two years were summed up by Dr. Albert Heck, a clinic neurologist: "We've provided the best stroke care possible to about 100 patients while just scratching the surface in research in a field that needs more attention. We have no great discoveries to report. It will take a lot of time."

But, with a greater capacity and a larger group of stroke patients available for study, Dr. Nelson hopes to make contributions to the field of stroke prediction and prevention. He and his staff aren't satisfied with autopsies that showed a stroke killed a body which was doing its best to ask for help.

INTERNATIONAL DRUM CORPS WEEK

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, it has been stated that "next to love of God, the love of country is the best preventive of crime."

We all know that crime is rampant in our land and that crime challenges our free society. According to statistics compiled by the President's Commission on Law Enforcement and Administration of Justice, one boy in six is referred to the juvenile court. Our streets are no longer safe, and our great cities have in the past few years been the targets for riots and fomentors of race hatred.

Dark as this picture is, there is still hope for a cure. Fortunately, there are people sufficiently aroused to accept the challege that crime and juvenile delinquency pose. Such dedicated persons merit full well our wholehearted support. That is why I invite the attention of my colleagues in the Congress to the splendid efforts of the Drum Corps Publicists Association in sponsoring International Drum Corps Week, September 2–9, 1967, and in emphasizing its motto "Pageantry and Patriotism: Youth on Parade." It is designed to honor the 1 million young people of the United States and Canada who actively participate in the colorful drum and bugle corps. Such wholesome activity tends to channel the energy and attention of our boys and girls to worthwhile things and it fosters patriotism and respect for law and order.

The drum is the most ancient of musical instruments. It has served in all ages as a means of expressing man's instinctive love of rhythm, and throughout history it has been a method of communication and has been used as the center for ceremonial music. The American Revolution opened when Drummer William Dinman beat the call "to arms" on Lexington Common.

Each year, during the past 4 years, International Drum Corps Week has served to bring attention to the patriotic and healthful aspects of such activity. The marches it participates in are always those of a civic and patriotic nature to underscore respect for law and order, pride in one's city, State, and Nation, and dedication to religion.

I salute the drum corps and wish it every success in the years ahead as an instrumentality to help make our young people better citizens of our glorious country.

RIGID, INFLEXIBLE REDTAPE DELAYING URGENT AID TO CITIES

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. CASEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CASEY. Mr. Speaker, the time has come for our Cabinet officers to take swift, decisive action to clear away the bureaucratic redtape delaying vital aid to our cities.

We no longer have the luxury of time on our side, in solving the massive problems our communities face.

If the tragic weeks of turmoil this summer have taught us one thing—it is that the needs of the urban areas are urgent and time is running out.

I consider it a tragedy and a disgrace that it takes endless months, and even years, for a city's application for Federal assistance programs to move through the ponderous Federal machinery. And often, the aid given is too little, too late, or too long drawn out to be of consequence.

Because I feel so strongly on this point—and because I feel that positive action by the Cabinet officials directly involved could have gone far toward preventing the tragedy of this summer—I wrote the mayors of 52 cities stricken by varying degrees of racial turmoil, unrest, and violence, asking for their counsel and advice.

So far, more than one-third have replied—enough to give substance to my own belief that decisive action must be taken immediately to give cities the help needed to eradicate slums, to train the unemployed, to provide health and recreation facilities for those less fortunate than ourselves. And the key is implementation by the Cabinet officials of flexible guidelines giving the applicant cities greater latitude in application of such aid, in relaxing the rigid restrictions that often preclude cities from participation in such programs as urban renewal and slum clearance—but most of all, in expeditious action on all applications. Regional officials, who know the problem and have worked with local officials in developing a solution, should be given authority to approve and fund programs in the field.

It is ridiculous for an application for urgent assistance from a city facing disaster to move slowly through the pipeline to end up on some nameless official's desk in Washington, along with hundreds of others, and await its turn to be returned for revision and start the same process over again.

Here is where the executive branch can act, swiftly and surely, to clear the road of stumbling blocks. It has the power and authority to do so, and the need is evident.

My letter to the mayors covered two points. Primarily, I am interested in knowing if rigid and inflexible standards, and Federal redtape, have delayed needed assistance to communities.

Secondly, due to published reports, I wanted to know if federally paid antipoverty workers were directly involved in instigating, stimulating, or in any manner, abetting the disorders which struck the community involved. I also asked for any comments on how this program can be more effective, and reach the people who need help the most.

Of the mayors who replied, 18 said the OEO employees were not involved and many commented favorably on the tremendous work done by these employees in preventing violence. Two were noncomittal, and two—one in confidence—stated the actions of certain OEO employees and projects were questionable.

But it was evident from the comments in their letters, many view this program as ineffective, and failing entirely to reach the people needing help. And I think the evidence being developed across the country is ample to indicate the need for a redirection, a redefining of the goals, and abandonment of the sociological theories and more emphasis on the practical aspects of helping the poor to help themselves.

But my primary concern in writing the mayors was in finding out why the vast programs and funds authorized and appropriated by Congress are failing to reach the cities. I posed the following broad question to them: "Have you found that the criteria set by Federal agencies for programs such as slum clearance, urban renewal, model cities, and so forth, which could help your community alleviate existing conditions, too rigid and inflexible to meet the urgent action communities require? Can, and should, the Federal agencies move quickly and more decisively in granting assistance? Have you any suggestions for streamlining the present procedure for qualifying for and receiving such aid?"

Fifteen of the mayors said requirements are too rigid, restrictive, and inflexible. Four did not find them to be so, but qualified their answers. Three others were nonresponsive. Many offered positive suggestions for improvements, and because I believe their replies merit full consideration by my colleagues, I am asking that they be reprinted in full immediately following this statement.

Let me be perfectly clear, however, that in urging more flexible guidelines and expeditious processing of project applications, I am not suggesting that we abandon planning and efficiency. I am recommending that the machinery for consideration and approval be geared to meet the urgent and realistic needs of our cities, that artifically set standards that preclude many cities from participating be relaxed, that every effort be taken to remove the stumbling blocks from the road to progress facing our cities today.

It is apparent to me the need for specific and decisive action in the executive branch is great, and I would recommend:

First. The President establish within the White House a special Office of Community Assistance, headed by an able and knowledgeable special assistant, with power and authority to cut through the mass of redtape and delay and bring expeditious action on community assistance applications.

Second. The Cabinet officers and agency heads assign a special deputy whose sole duty is to expedite action on these applications, with full power and authority to act for the Secretary, or the director of the agency.

Third. Regional officers for the various departments be given full power to approve and fund programs in the field.

Fourth. The executive branch, and Congress, undertake studies on the need and desirability for "block grants" to communities, for such communities are often in better position to assign priorities and know first hand the varying needs of their areas.

Fifth. The legislative committees of Congress, in authorizing legislation for these assistance programs, write into the law safeguards against unreasonable, unworkable and often unnecessary regulations and restrictions imposed by the administering agencies that do little but delay action.

These are but a few recommendations which I believe could go far toward bringing the problem we now face under control.

We, in Congress, can do much to see the great benefit of the programs we have authorized and funded are moved expeditiously to the applicant communities. We can act ourselves to clear away potential areas of delay and indecision.

When the House considered the model cities bill, I attempted to amend the bill to insure that no stumbling block was placed in the way of any community wishing to participate in the program. I tried to amend the bill to prohibit the Housing and Urban Affairs Department from requiring municipal zoning as a qualification for participation. I was not successful.

Then the furor of the rat control bill, H.R. 11000, hit the House. One of the requirements for a city to participate in the $40 million rat control program was that it submit to HUD an approved workable program—which means zoning.

What does zoning have to do with rat control? Surely, rats bite just as often—destroy just as much—are just as big a health hazard in unzoned cities as in others.

I cite this as an example of the stumbling blocks being thrown in the path of our communities today. Submission and approval of a workable program—a lengthy and time-consuming process—is wholly and completely unnecessary to any program such as rat control. And the officials at HUD were derelict in not leading a fight to see such was stricken from the bill, and that the program was made available to every community in the country where rats are a problem that cannot be locally controlled.

My own city of Houston—one of the great and growing areas holding nearly 1½ million people—does not have zoning. We cannot participate in Federal programs such as urban renewal and slum clearance. I am hopeful the stumbling blocks will be removed and we can participate in the model cities program. But we could not have participated in the rat control bill as it was written.

Why? Our needs are as great and pressing as other urban centers. We have the same slums, the same unemployed, poverty-stricken people, the same pressing financial demands upon the city and county tax dollar to fund more and more vitally needed improvements as any other urban area. We cannot participate in the accelerated public works program of the Economic Development Administration because our overall employment figures are too high—yet we have pockets of poverty in Houston and Harris County where the need for help is pathetic, unemployment is rampant, and the city and county are powerless to help. Why?

We, in Congress, have been derelict in failing to see that aid is granted to all communities on the basis of need—not on artificial standards, and approved workable programs or other false criteria set by some unknown bureaucrat.

Mr. Speaker, I strongly urge my colleagues to take note of the need for action. We can no longer ignore the crying need of our communities for help—for time is no longer a luxury we can afford.

This has been a long and bitter summer of discontent. Unless we act now—in Congress and in the executive branch—unless we get these programs moving swiftly to reach the people—this was but a prelude of what we must endure next year.

I include my letter and replies received at this point:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 26, 1967.

DEAR MAYOR: Since your city, like my home of Houston, has been one touched by civil disorder, I would like the benefit of your firsthand knowledge on two matters:

1. Have you found that the criteria set by federal agencies for programs such as slum clearance, urban renewal, model cities, etc., which could help your community alleviate existing conditions, too rigid and inflexible to meet the urgent action communities require? Can, and should, the federal agencies directly involved in community development programs, move quickly and more decisively in granting assistance? Have you any suggestions for streamlining the present procedure for qualifying for and receiving such aid?

2. Was any evidence developed that workers under the OEO poverty program were directly involved in instigating, stimulating or in any manner, abetting the disorder which struck your community? Can you suggest any guidelines to make this program more effective, to reach the people who need the help most?

I will appreciate your counsel and advice. Please feel free to comment frankly, for if you will so indicate, I shall certainly keep the source of the information you provide confidential.

With best wishes, I am
Sincerely,
BOB CASEY.

HARTFORD, CONN.,
August 21, 1967.

Hon. ROBERT CASEY,
Longworth Building,
Washington, D.C.

DEAR CONGRESSMAN CASEY: My apologies for the delay in replying to your letter of July 26th, in which you ask several questions relating to the effectiveness of federal programs and our local anti-poverty organization.

The federal government has attempted to offer extensive financial and technical assistance to the cities regarding slum clearance, urban renewal, model cities, etc. On balance, we find that the programs are:

1. Under-funded. There is a vast gap between the federal rhetoric in Washington and what is delivered to us in terms of dollars and cents.

2. The programs are so decentralized that they encourage local fragmentation of effort.

3. The regulations are so cumbersome that we have a very difficult time keeping up with the red tape. In this connection, some of our so-called third party contracts for demolition of unsound structures run up to 85 pages, whereas if we were contracting our locally the contract would be 15 pages. In many instances contractors seeing that the federal government is involved, adds a certain percentage to the cost to cover the bureaucracy and often this percentage is equal to or exceeds the federal share of financial participation. The net effect is that it just takes longer for us to complete a project and the taxpayers are of course no better off.

4. Another problem is that in some cases the federal government deals through the state government, in some cases directly through the local government, and in other instances bypasses both and funds private agencies directly. In Hartford, we have been unable to determine the exact amount of federal money coming to the city and we are presently cataloging federal programs and their application and benefits to our citizens. Although the philosophy behind the federal programs recognizes our urgent needs, the administration of them leaves much to be desired. We would hope that some day we could receive "block grants" from the federal government with a minimum of red tape so that we could determine our own priorities, which we feel we are in an excellent position to do. In short, we need more money and we need much less red tape.

As a final thought, our problems cannot really be solved without metropolitan cooperation. Attitudes must be softened both by the urban and suburban community and unless our minority families can have equal opportunity in employment, housing, education, and mobility, I fear that the situation will not be mitigated.

The answer to your second question is no. There was no evidence that the workers under the OEO poverty program were directly involved with instigating stimulating or inciting the disorder which struck our community. In fact, it was partly through the effort of our anti-poverty agency field workers that the disturbances were kept to a minimum.

Sincerely yours,
GEORGE B. KINSELLA,
Mayor.

WATERLOO, IOWA.

Hon. BOB CASEY,
House of Representatives,
Longworth Building,
Washington, D.C.

DEAR CONGRESSMAN CASEY: Please excuse the delay in answering your letter concerning federal programs and the involvement of our community in civil disorder.

In answer to the first question asked by you concerning the criteria set by federal agencies for programs in cities, I do believe that the rules and regulations are too rigid and that there is way too much red tape in getting the programs off the ground when they are needed.

I might suggest the possibility of streamlining to a certain extent the procedures for funding so that if the program is good and has been carried out successfully in the past, or by past record another program has been carried out successfully in a community, that funding be made immediately and minor details worked out later. At the same time less local involvement by regional offices would be of great assistance. I do believe that we on the local level understand our problems better than these people and that by giving us some leadership and relying on the integrity of various people sitting on the Boards of Directors, we could simplify the procedures. I have said before and I will say again that it appears to me that too many times regional office people are interested in facts and figures only to be able to sell their program to higher-ups and only to prove that they are doing a good job, rather than assisting the local program in doing what it is supposed to do.

In answer to the second question, I have no evidence nor would I be able to show that workers under the O.E.O. program were involved in instigating or stimulating the disorder. I can add, however, that persons who have been working with the program were of assistance in helping us to get to the people involved and to end the disorders rapidly.

I have stated in a letter to Congressman Carl Perkins that it appears to me that maybe the people we are trying to help are too bewildered by the number of programs that are set up to eliminate poverty. I would like to ask a very hypothetical question. If all of the poverty in the United States were eliminated tomorrow where would all the employees go to find another job? I say this because I feel strongly that sometimes they oversell to justify their positions causes disorder rather than harmony in a community.

There is no reason for you to keep this information confidential since it doesn't bother me a bit if it is made public.

Yours very truly,

LLOYD L. TURNER,
Mayor.

PHILADELPHIA, PA.,
August 9, 1967.

Hon. BOB CASEY,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE CASEY: In response to your letter of July 26, 1967, I am happy to offer my opinion on the two questions that you raised.

In connection with the criteria set by federal agencies for the administration of programs such as urban renewal, model cities, and public housing, I definitely believe that a great deal of improvement would be made in these programs by simplifying their requirements and administration. In the case of Model Cities in particular, the application process should definitely have been administered in such a way as to provide for quick and decisive assistance. My suggestions for how these urban assistance programs could be streamlined and greatly improved are indicated in a statement submitted to the Housing Subcommittees of the Senate and House a few weeks ago, a copy of which is enclosed.

With regard to the Anti-Poverty Program, let me assure you that I have no reason to believe that any workers in this program in Philadelphia were in any way involved in instigating, stimulating, or abetting the disorders which have occurred in the community. We have not, of course, had any major disturbances this summer and it is my belief that the efforts of the Anti-Poverty Program, together with programs conducted by other City agencies, have had much to do with the peace that has prevailed. With regard to strengthening the Anti-Poverty Programs, I would make the same general suggestions that I have offered in connection with the other urban assistance programs. Namely, that the greatest possible latitude be given to the local community to determine its own problems and to find its own solutions to those problems.

I hope that my opinions will be of interest and use to you. If I can offer any further assistance, I will be happy to do so.

With all good wishes and kindest personal regards, I remain

Sincerely yours,

JAMES H. J. TATE,
Mayor.

LANSING MICH.,
August 14, 1967.

Hon. BOB CASEY,
Twenty-second District, Texas, Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN CASEY: In response to your letter of July 26, 1967 may I say that Lansing has experienced a considerable degree of frustration as the result of the often times rigid, inflexible, and sometimes unrealistic requirements of our various federal agencies. We have experienced a problem common to many communities; i.e., federal programs which appear attractive and relatively simple, become extremely complicated and time consuming, thus resulting in a given program's inability to provide the kind of relief for which it was initially designed. For example: HUD has developed a completely different set of specifications and requirements for the construction of public housing in contrast to standards long established and found to be very practical by FHA for construction regulations. The result often times is a lengthy, costly, and confusing discussion by the developer, local housing authority, and regional HUD officials, as to details which are relatively meaningless as compared to the very real and serious problem of providing housing for our low income population.

In reference to your second question; while the local O.E.O. program may leave much to be desired from the viewpoint of the City of Lansing, we must first accept the fact that it is not a city program, and, at best, we have one or two votes on a 30 to 40 member Advisory Committee. Our local O.E.O. program encompasses a district far beyond the city limits of Lansing, and we, therefore, have little control over the program although a vast majority of those who are served are residents of our city which represents well over 50% of the district population. There has been no evidence to the affect that workers connected with O.E.O. were directly involved in any of the disorders. In fact, I must state that as a result of activities in three O.E.O. sponsored community centers much is being done to alleviate the pressures in the low income, youthful, minority groups which could result in stemming future disorders. Of immediate concern to me is the fact that, as I understand it, funds for the operation of these centers will cease within the next few weeks.

I would have to conclude that if a program were developed which would allow the city to use the vast sums which O.E.O. expends in this community, a much better and responsible job could be done.

I hope these rambling comments will assist you in the very difficult decisions, which you, as a member of Congress, must make regarding the future directions of our various federal "Aid to Cities" programs.

If I may assist in any way further, please so notify me.

Most sincerely,

MAX E. MURNINGHAN,
Mayor.

PROVIDENCE, R.I.,
August 8, 1967.

Hon. BOB CASEY,
Longworth Building,
Washington, D.C.

DEAR REPRESENTATIVE CASEY: I am in receipt of your letter of July 29th concerning civil disorder in Providence, Rhode Island.

I have on occasion found the criteria established by the federal agencies a bit cumbersome and time consuming. Yet, I recognize the extreme difficulties which the administrators of these programs must have in establishing orderly procedures. As a mayor vitally interested in programs for urban development, I would certainly like to see less rigid program standards, but I think that the biggest difficulty with which we are faced is the lag time which takes place between program submission and program approval. I expect this stems largely from the limited funds with which the federal departments have to operate. If the Congress were to fully fund rent supplement, Model Cities and economic opportunity, I am sure that the administrators of these programs would be able to quicken review time. Thus, the federal agencies directly involved would be able to move more quickly and more decisively in granting assistance. My experience has revealed that those programs which are fully funded always seem to be more quickly approved.

I have no evidence available to me at this time which would indicate that local OEO officials were in any way responsible for or even involved in creating civil disorder. In fact, the local anti-poverty personnel have been credited in Providence by me, the police and fire departments and by community people with preventing a riot. Their close work with our police department made it possible to enforce the curfew which lasted four days. No one in this City can heap enough praise upon their efforts. In fact, I think all cities might learn a valuable lesson from Providence and our plan.

The Economic Opportunity Program could be more effective if we could be assured of total funding for our comprehensive program. The war on poverty can be won if the Congress continues to give us the money to build the model cities and to provide the companion social programs which are necessary.

In a city like Providence our greatest needs are in the area of housing, education and manpower. None of these problems are unsoluble. We have the capacity and the will to transform deprivation and ignorance into a good life but we need your continuing assistance. Our Neighborhood Advisory Committees have allowed us to reach the people who need the help the most. They have given us the kind of total community involvement which is necessary to make this program work. They have given us the opportunity to share and understand the way of life of thousands of inner-city residents who reside in the Other America. I have no doubt that Providence will continue growing with your help into the kind of urban center which can be a model for all America.

Very truly yours,

JOSEPH A. DOORLEY, JR.,
Mayor of Providence.

TOLEDO, OHIO,
August 9, 1967.

Hon. BOB CASEY,
Member, Congress of the United States, House of Representatives, Washington, D.C.

SIR: As Director of Community Development for the City of Toledo, Mayor Potter has asked me to reply to your letter of July 26 concerning civil disorders.

In answer to your first question, we often find the Federal agencies too rigid and inflexible in administering Federal programs such as Urban Renewal. One of the unfortunate things about much of the criticism, however, has been to cause even greater inflexibility (red tape) since Federal administrative personnel, particularly at the lower level, hesitates to make quick or unusual decisions which may open them for criticism. One of the desirable aspects presently contained in the Model Cities Program is the proposed freedom at the local level to use the supplemental funds to meet the needs as determined locally and without being circumscribed by detailed regulations. As far as moving more quickly and more decisively in granting assistance, I dont think the Federal agency should be operating on a crash program or crisis basis but rather on a well-scheduled, adequately funded program where proper evaluation and decisions can be made on a coordinated basis but without unnecessary delay. The present review-and-approval procedure for Urban Renewal, however, takes too long a time and more extensive technical review is given applications than I believe is necessary.

In the recent disturbances in Toledo, there was no evidence that workers under the OEO Poverty Program were involved in instigating or stimulating any disorder. On the contrary, they probably played a positive role in holding down the tensions by direct communication through their Neighborhood Opportunity Centers. When the disturbance started, discussions were overheard by some youth to the effect, "let's do in Toledo what they're doing in Detroit." Therefore, the main impetus for disorder in Toledo was apparently the observations of what was taking place in Detroit just sixty miles away. Fortunately, firm action was taken immediately by the Police with the National Guard Troops held in reserve and the disturbances were held to a minimum.

Last week Mayor Potter called a meeting of the Commission for Community Development comprised of citizens representative of the community, including the neighborhood where disturbances occurred, to investigate the unrest in greater detail and make recommendations for alleviating problem areas.

These recommendations will include implementation of proposals included in the Model Cities Application since the disturbances were entirely within the area proposed under Toledo's Model Cities Program.

Yours very truly,

Winston E. Folkers,
Director of Community Development.

Oakland, Calif.,
August 17, 1967.

Congressman Bob Casey,
House of Representatives,
Washington, D.C.

Dear Congressman Casey: In response to your letter of July 26, regarding Federal programs in cities, let me point out that Oakland has worked closely with a number of Federal agencies in long-range programs directed at unemployment, education, and urban renewal.

To date Oakland has not been the scene of civil disorder. Most Federal programs in Oakland have been helpful to this City. We feel that their effectiveness could be increased by allowing greater authority in establishing and directing these programs.

I have frequently urged more flexible policies by Federal agencies. Furthermore, the approving and funding of these programs should be speeded up possibly by granting larger authority to the regional officials. We often hear that a proposed program is "sitting on a desk in Washington waiting for approval."

There is no evidence in Oakland that poverty workers have been responsible for creating disharmony. In fact, with very few exceptions the local poverty program leadership has been outstanding and the City administration is strongly in favor of these programs.

Sincerely,

John H. Reading,
Mayor.

Human Development Corp.,
St. Louis, Mo., August 14, 1967.

Hon. Robert Casey,
Congressman, 22d District, Texas,
Longworth Building,
Washington, D.C.

Dear Mr. Casey: As General Manager of the Human Development Corporation (the local community action agency for the War on Poverty), I have been asked by Mayor Cervantes to respond to your letter concerning matters of civil disorder.

You ask if federal guidelines have been too restrictive or too inflexible. This is a rather complex question. Our position is that for the large metropolitan areas, the fewer guidelines the better. The reason is that the problems of metropolitan areas are so complex that inevitably almost any guideline runs up against a situation where a worthwhile approach is blocked because of various technicalities.

In addition, I would like to specifically state two major areas of concern:

1. I believe that a basic flaw in the housing programs for low income persons is the rigidity of federal guidelines, coupled with the Department of Housing and Urban Development's practice of reviewing nearly every major step in the construction process. The statement made by one person that the city of Boise, Idaho is considered competent to put in its own street lights, run its own school system, but not competent to build its own public housing projects, has much merit. I do not know precisely how to reconcile this problem of local autonomy vs. detailed federal control, but it is a problem that needs much study and experimentation.

2. The second major area of concern I am qualified to discuss. This is the practice of "earmarking" funds in the War on Poverty legislation. Originally, the 1964 funds left a lot of discretion to the local community. Now, less than 20% is left to our discretion. I am somewhat amused by all the talk of "block grants" and "open-ended" money to local communities to solve their own problems. This is *precisely* what the War on Poverty originally *was*. As the Mayor of Tulsa said, it originally was a Republican program—meaning that the local community allocated the funds as it saw fit.

A major reason that this occurs is that Congress wishes to insure that successful programs such as Head Start are given money. But, quite frankly, part of the problem seems to be the desire of each Representative or Senator to have his "name" on a specific program. While it doesn't require much political knowledge to know why this happens, it should also be made clear that this practice has greatly reduced local control and autonomy and caused many problems on the local level.

Given the fact that the War on Poverty funds are at the same level (generally speaking) each year, every time a portion of the money is "earmarked", the open-ended fund necessarily becomes less. At the local level, this causes serious funding dislocations. Some existing programs must be terminated, and new ones created to conform to the new Congressional guidelines. And, lurking in the back of our minds, is the fear that the following year, Congress may come up with still new programs, necessitating cutbacks or even termination of those started this year. This is not to say that new programs are never useful. The question is, which programs among the many possibilities are the most useful. And each community must determine priorities based on its own need. What is best for Kansas City may not be best for St. Louis. Unfortunately, what happens as a result of "earmarking" is that Congress sets the same priorities for all cities across the country.

Despite the Congressional earmarking practices it should be stated that the "unearmarked" funds, the Office of Economic Opportunity is quite flexible in allowing local autonomy in planning anti-poverty programs. OEO review is generally aimed at preventing the "scandal" type situations, such as excessive administrative costs, programs clearly meant only to satisfy political factions, programs involving discrimination or poor administration. Within these reasonable guidelines, program determinations are those of the local community.

Your second question asks whether OEO workers were involved in the group instigating the trouble in our community. First of all, I think the trouble you refer to was a minor incident last October which received more national than local publicity. To my knowledge, no OEO personnel were involved, they would give you the same answer. For example, it is a revealing fact that the press does not report, "79 General Motors employees involved in Detroit rioting."

The fact that a youth worked for us, and then, in his off-hours, does something, is clearly a matter over which we have no *prior* control. If we knew in advance that he would use his position to start riots, he would simply not be hired. If we find out that he does, after being hired, start riots (or commit any other crime), he naturally would be subject to the normal dismissal practices concerning any employee who performs anti-social acts. I attach a copy of our guidelines on community action which spell out our position on the types of actions employees engage in. It draws a clear line between lawful activities of employees and unlawful actions.

You also ask for guidelines to make OEO programs more effective. To answer this in detail might involve repeating all the books that have been written on the poverty program and the general problem of poverty. But, generally, what we have done is at least to follow several principles in program planning: we have involved residents and all representative community groups in our planning process. We have taken a hard look at the assumptions underlying particular program ideas. We have created a "Management Analysis" division to constantly check program progress and accomplishments.

We have done something further: we have attempted to hire the most capable personnel possible in administrative positions. We have accomplished this despite the action of Congress in limiting OEO CAP agency salaries to $15,000. This limitation is one of the most shortsighted that Congress could devise. As a conservative friend of mine recently said: "I may not like the Poverty Program spending $10,000,000 a year man running it." In other words, if you want efficient programming and administration, you have to get good men to the operation and that cost money. Our salaries for the top eight staff over $15,000 cost two-tenths of one percent of our total budget last year (that is, the excess of funds over the $15,000).

The one thing that can make the programs more effective is experience and a continual inter-change of ideas among all the enterprises, without knowing that there are several such existing programs (on-the-job training under the Manpower Development and Training Act, contracts with business groups for job development) that do involve private enterprise. The complexity of community action programs across the country is one that should be recognized; an interchange of information between them would be very helpful.

Specifically, we are currently investigating whether the process of family breakdown is worthy of more attention than it has received in the past. Our previous emphasis on preparing persons for employment may somewhat change. But at this stage, we have not completed any detailed analysis.

I have gone into quite a bit of detail in this letter. But, it has always been my belief that local administrators of such programs as the War on Poverty should constantly keep in touch with the legislators responsible for setting over-all policy. From you, we can learn the feelings of one who must see the national picture; from us, I believe, legislators can learn the day-to-day problems of the local scene.

If you wish any further information, do not hesitate to ask for it.

Sincerely,

Samuel Bernstein,
General Manager.

Detroit, Mich.,
August 17, 1967.

Hon. Bob Casey,
Congress of the United States,
House of Representatives,
Longworth Building,
Washington, D.C.

Dear Congressman Casey: Thank you for your recent letter expressing concern for our city in the wake of the riot.

As you know, a year ago I told the Ribicoff Committee, "We must make sure that everyone in this nation begins to think about the larger questions—begins to realize that the warfare on our city streets is as important to our national destiny as some consider the warfare in Southeast Asia."

It is acknowledged by objective observers that Detroit has used federal programs with great effect, that it has progressive leadership in the school system and in City Hall and that its relations with the Negro community are among the best in the country.

Still we must conclude that we have not done enough.

And we must conclude that Detroit's tragedy is just a part of the national picture of deep discontent in American cities today.

So far this year alone there have been disturbances of major proportions—ranging from major incidents to riots—in 59 of this nation's cities. Last year, 37 cities had such disturbances.

In Detroit, we have made a maximum effort to use all possible resources over a long period of time to lessen tension between the races and to improve housing, education and jobs for the Negro community.

Since last August when I testified before the Senate operations subcommittee, Detroit has received $61 million in federal grants for a variety of programs from an urban areas job contract to expansion of health services for residents of poverty areas. It is clear to me, however, that despite our massive efforts there is an underclass in our urban society who have not been reached and for whom there are few programs which offer hope.

It now seems necessary to reorganize the federal establishment of departments and agencies to make them more responsive to urban needs and to assure a coordinated effort which emphasizes innovation. As I have suggested before, block grants to cities would provide the necessary flexibility for such programs and fix responsibility where it belongs, right in the community where the money will be spent.

While there is no reason to expect employees and clients of the anti-poverty program to be any more or less involved in the recent rioting in Detroit than other persons in their neighborhoods, it does appear, from preliminary studies, that War on Poverty workers were not involved in the riot to any significant degree. For example, among the 5000 Detroit youngsters enrolled in the Neighborhood Youth Corps, only three were taken into custody during the riot. Their degree of involvement has not yet been determined.

Throughout the riot, each of the anti-poverty program's community development centers remained open with some workers reporting on activity in the street while others dispensed emergency food and helped displaced persons and others in the area with other riot-related problems, such as locating missing family members.

Since its beginning, Detroit's anti-poverty program has had built in maximum feasible participation by target area residents at all levels of decision-making.

We plan to continue this involvement and, if possible, expand it through increased community organization efforts. This will be possible, however, only if sufficient funds are allowed for the employment of community organizers in various programs.

Your interest in our city is much appreciated. I think we have shown in Detroit just how much can be accomplished through vigorous implementation of federal programs.

Detroit's social programs obviously are very relevant and still very much needed.

But, it is obvious that what we did could not prevent a significantly large percentage of our population from feeling alienated enough to strike out and violate society's law.

Much has been written about Detroit's plans for the future. I have tried here to indicate some helpful changes the federal government could make in its methods of meeting the needs of the cities.

The future of our cities and of our nation depend on how will we meet the challenges we now face. Detroit already has begun its task. We hopefully await future actions of Congress in this area.

Thank you again for your interest in and concern for our city.

Sincerely,

JEROME P. CAVANAGH,
Mayor.

KANSAS CITY, MO.,
August 17, 1967.

Hon. ROBERT RANDOLPH CASEY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CASEY: I have your letter of July 26, 1967. In response to your two inquiries, I would respond as follows:

(1) We have found the criteria set by Federal agencies for programs such as you outline in your letter, to be reasonable and not too difficult to meet. However, in one recent occurrance, we found that the requirements on setting up a code enforcement project in one district of our city to be difficult to establish and have abandoned the project, insofar as Federal assistance is concerned.

(2) The only disorder of any consequence that we have had this past summer is a case involving a Negro bootlegger who was attempting to sell whiskey out of his car in a public park on Sunday afternoon. At the time he was arrested, several of his customers attempted to assist him and the young officer, in response to his instructions, called for assistance. The assistance was made with overwhelming force when twenty policemen were dispatched to control the crowd that had accumulated around the automobile and did so with a liberal application of tear gas. The man and his friends that had attempted to interfere with the arrest, were charged in Municipal Court and fined. There was no indication that any person involved as a worker in the local O.E.O. program was associated in any way with this disorder.

Our local O.E.O. program, conducted under the Human Resources Corporation, of which I am President, has had an excellent relationship with the regional office of the O.E.O. The regional office has been most cooperative and has assisted the corporation and the city government in every way possible. As an instance of this, our recreation program in the poverty areas of this city has been more than doubled this summer because of funds that were supplied the city by O.E.O. through a contract with the Human Resources Corporation. We feel that our Headstart program has been productive and that our community programs while limited, have been useful in bringing the local government and the Federal government to the people of the area and have assisted many of them in a variety of ways. I personally feel that the O.E.O. programs represent an expression of concern by government to a group of people that have been deprived of human dignity in many ways and while, undoubtedly, time will show the need for change in some of the programs, certainly the expression of concern is long overdue.

I feel that the Congress of the United States is going to have to make some basic adjustments in some of our welfare laws and in opening opportunity to all of the people of this country or be faced with the problems that result when individuals are stripped of human dignity by the most highly organized society that the world has ever known. As an example of this, I think that the A.D.C. program must and should be replaced by a program of family allowances. No other nation has ever used tax money to encourage the head of a family to desert his responsibilities as we do in this country. No other nation has ever attempted to use tax money to destroy a family unit.

I think that the problem of employment is a problem for all who are receiving the protection of the Federal government to consider. I see no reason why a great corporation, that enjoys the benefits of the protection of the law, or a great union, enjoying all of the privileges of the monopoly situation allowed by Federal law, should be able to consistently deprive a young Negro man or woman of an opportunity to make a living.

I do not see why the depreciation of schedules of the Revenue Department should be used to encourage investment in slum property and to discourage the production of new buildings. I think it is past time for the Congress to consider the plight of financing great cities which are relying in general on an archaic property tax, which is non-responsive to the inflation which has been adopted as a matter of specific policy in western civilization, and which is the specific source of income for the firemen, policemen and other employees of local government units.

I have just spent the past four years in hard, tedious work in an attempt to get enough money to furnish the firemen and policemen of our city with an annual raise of approximately five percent. The other day, I watched a plumber's union in our city open the bidding of a strike situation, with an offer which would provide a plumber with a larger increase per week than a fireman or policeman has received in this city per month in a five-year period. This kind of an economic situation cannot long continue in big cities of this country. With the crisis that we have in law enforcement at this time, it is difficult enough to hire any policemen, much less additional ones to meet the needs of the times. Continued inflation, sponsored by the Federal government, can leave local government "on the ropes" in the next few months unless the sources of income are shared with local government units.

Sincerely,

ILUS W. DAVIS,
Mayor.

DES MOINES, IOWA,
August 9, 1967.

Hon. BOB CASEY,
Representative in Congress,
Longworth Building,
Washington, D.C.

DEAR CONGRESSMAN CASEY: This letter is in reply to your July 26, 1967 communication requesting my ideas on existing federal programs affecting cities, and in particular on the OEO poverty program.

In response to your inquiry, I am enclosing copies of two letters previously written by me on these matters—one to President Johnson and one to Mr. Morris I. Liebman, Chairman of the National Advisory Council on Economic Opportunity. As is indicated by these letters, both were written upon request.

I believe these two letters make clear my position on intergovernmental relations. And, from what I observe via the mass media, I do not feel as though mine is any longer a voice in the wilderness.

I appreciate your requesting my views on this matter. If you desire further information, please feel free to contact me.

Respectfully,

GEO. C. WHITMER,
Mayor.

JULY 28, 1967.

Hon. LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR PRESIDENT JOHNSON: The Director of the Polk County Community Action Council (PCCAC), Mr. Donald McKenzie, has requested that I write a letter to you commenting on whether the activities of the PCCAC, which is the Economic Opportunity unit in the Des Moines area, have contributed to riots.

First, it should be clarified that the City of Des Moines has not had riots this summer. Our city has experienced two disturbances of a racial nature, resulting in seventeen (17) arrests and estimated total property damage of between $4,000 and $5,000. Although these occurrences are regrettable, they were not of sufficient magnitude or intensity to be termed riots. However, the fact that Des Moines has not experienced a riot certainly does not preclude the possibility. Therefore, my comments will be confined to evaluating the role of the PCCAC in regard to the racial climate in Des Moines.

Many organizations—state, local, public

and private—are involved in Des Moines in programs designed to improve race relations and eliminate the basic social and physical conditions contributing to riots. The PCCAC is one such organization. However, there is danger that parts of the total OEO Program may be elevating expectations above the level of ability for immediate fulfillment, causing new and additional frustrations to emerge which can offset long-range goals and thwart their attainment, thus perhaps providing additional inducement for rioting and compounding frustration and disillusionment.

We are currently undergoing a period of dynamic change and experimentation with regard to intergovernmental relations, both vertically and horizontally. I am hopeful that the Economic Opportunity program will become more integrated with existing agencies and serve as a step in this rapidly evolving relationship toward a more workable and better coordinated process of government at the local level.

Respectfully,

Geo. Whitmer,
Mayor.

June 12, 1967.

Mr. Morris I. Leibman,
Chairman, the National Advisory Council On Economic Opportunity, Washington, D.C.

Dear Mr. Leibman: This letter is in response to your May 23 communication requesting that I comment on the effectiveness of the Economic Opportunity Program in Des Moines.

Let me preface my comments on this matter by saying that the need for programs to alleviate and eliminate poverty conditions in Des Moines is great, and I believe that people-oriented programs designed to cope with the basic causes of poverty are essential in meeting this need.

In all candor, I must admit that the City of Des Moines has no valid means for evaluating the effectiveness of the Economic Opportunity Program in our city. This is due in part to the basic difficulty of validly evaluating programs for individual improvement on a short-term basis. Such programs can probably be empirically tested only after several years of operation. In addition, no empirical method of measuring the Economic Opportunity Program is currently in operation by the city or available to the city. Therefore, my review of the Economic Opportunity Program will be general in nature, but I believe it is nevertheless pertinent.

Speaking generally, I would imagine that the considerable sum of money being spent to attain the commendable objectives of the Economic Opportunity Program is having some positive effect. However, the efficiency with which these funds are being utilized is in question. I realize, however, that any evaluation of efficiency with regard to the war on poverty can be measured only in relation to the abilities of the personnel employed. This, in turn, complicates the efficiency-effectiveness relationship.

There is one question, however, which I think might be valuable for your consideration. Is it the purpose of the Economic Opportunity Program to promote social crisis situations as the best way to awaken the social conscience of a community to work for the achievement of the goal of eliminating poverty; or is the basic purpose of the Economic Opportunity Program to eliminate poverty on an evolutionary basis through constructive programs for up-grading the circumstances of disadvantaged people in cooperation with the many other agencies that are equally and vitally concerned? There may be some confusion at the implementation level of the Economic Opportunity Program as to which of these two avenues is appropriate. A clarification of this matter in theory and action would probably do much to promote the achievement of the elimination of poverty.

From the questions asked in your letter, it appears that you are assuming the current administrative structure of the Economic Opportunity Program, and in fact, the Economic Opportunity Program itself, should be continued as it is presently constituted. If this is the case, then the remainder of my remarks will be for naught, because I believe the entire program for alleviating the plight of the disadvantaged should be restructured to promote both effectiveness and efficiency.

The coordination of programs at the local level in metropolitan areas such as Des Moines is difficult enough with overlapping jurisdictions and fragmented responsibilities, without setting another administrative system into motion so as to further complicate this situation. On the other hand, local governments admittedly have not adequately met the needs of the disadvantaged. However, this inadequacy is due primarily to lack of financial resources and not to lack of concern by local officials. The number and magnitude of urban needs and problems are colossal compared with two or three decades ago. Nevertheless, cities must continue to rely primarily on the antiquated property tax for revenues, a source which is virtually exhausted and which is not adequate to meet the increasing needs of urban areas. In short, the cities have the greatest domestic needs; the federal government has the most equitable means of financing programs to meet these needs in the form of the income tax. Rather than providing local governments with funds to meet the needs of the disadvantaged, the Economic Opportunity Program was formed. This action illustrated a fundamental lack of confidence by the federal government in the ability of local officials to govern so as to meet the total needs of the community; and by total needs I mean that meeting the needs of the disadvantaged should most certainly be an essential part of any comprehensive local government program.

I believe the vast majority of local governmental officials have the concern of the entire community at heart, and I believe they do their utmost to serve the people in their respective jurisdictions with the limited financial resources available. The thing that has hampered the effectiveness of local government in recent years has been the lack of sufficient financial resources with which to pursue programs to meet the needs of the people within its jurisdiction. Provided with sufficient funds, local government can meet the needs of its people.

However, if the federal government should be the source of these funds, it should *not* be mute in its expectations of local government. I would prefer to see funds rebated to local governments on a formula basis from the federal government with comprehensive, yet flexible workable program requirements which local governments must meet in order to continue to receive such funds. These requirements should include specifications for programs to up-grade the living conditions of the disadvantaged, and should also include requirements designed to bring about cooperation between governments in metropolitan areas so as to promote the attainment of metropolitan government within the next five to ten years.

In short, I believe the Economic Opportunity Program is a stop gap measure of questionable effectiveness and efficiency which has served to dramatically point up the need for strengthening existing programs and instituting new and meaningful programs to serve the needs of the disadvantaged.

Title I and Title II of the Demonstration Cities Act of 1966 have taken a step in the direction which I am advocating. Title I of the Demonstration Cities Act is designed to achieve a total attack on the physical and social ills of poverty neighborhoods, and Title II of this act is designed to promote metropolitan programs to serve within the context of metropolitan social, economic, and physical realities. I am hopeful that this Demonstration Program for which Des Moines has applied will be successful in our city as well as in other cities so it can be expanded, revised and incorporated into an organized program for rebating federal tax money to local governments. I am likewise hopeful that my comments will not be interpreted as the wailings of an "ultra-conservative reactionary," because I am definitely not. My recommendations are designed to most effectively and efficiently serve the needs of the disadvantaged of our nation, as well as citizens irrespective of economic status.

It is apparent that I am not an advocate of the Economic Opportunity Program as it is presently constituted. However, we are currently in a period of dynamic change and experimentation with regard to inter-governmental relations, generally, and more specifically, inter-governmental fiscal relations. I am hopeful that the Economic Opportunity Program will serve as a step in this rapidly evolving relationship toward a more workable and better coordinated process of government at the local level.

Respectfully,

Geo. C. Whitmer,
Mayor.

Minneapolis, Minn.,
August 8, 1967.

Hon. Bob Casey,
U.S. Representative,
Washington, D.C.

Dear Mr. Casey: We have found that the single most important factor working *against* riots and disorders is the antipoverty program.

We have had two disturbances and in neither of them have we had a single arrest involving any person engaged in anti-poverty projects.

We have made excellent use of the urban renewal program. There are times when criteria and standards are inflexible, but this is the result largely of Congressional demands growing out of opposition on the part of many people to any effort to remove the conditions of blight and to the development of programs aimed at helping Negroes.

We need massive attention by Congress to our urban problems and I hope that your inquiry will move us in that direction.

Sincerely,

Arthur Naftalin, *Mayor.*

Atlanta, Ga.,
July 31, 1967.

Hon. Bob Casey,
House of Representatives,
Washington, D.C.

Dear Congressman Casey: I will make my reply to your letter of July 26 as brief as possible.

In answer to your first question, part one, "no", part two "yes", and the third, "no". In reply to your second question, I know of no OEO people being involved in any disturbances, and I feel strongly that we need more programs of this type.

Sincerely,

Ivan Allen, Jr.,
Mayor.

Omaha, Nebr.,
August 7, 1967.

Hon. Carl D. Perkins,
Chairman, Committee on Education and Labor, Rayburn House Office Building, Washington, D.C.

Dear Congressman Perkins: Thank you for your letter of July 27 inviting my views on the Economic Opportunity Act of 1964 on which you are now holding hearings.

You ask for a candid appraisal of OEO efforts in our city.

At the outset, I must tell you that our local CAP Agency was a glorified debating society for over two years! The "ground rules" for the development of the local board of directors as established by OEO were unrealistic. Endless debate developed an image detrimental to the total effort, and a resulting lack of performance.

During the past year, the Board of Directors of our local agency revised their By-laws to reduce the number of board members from 50 to 25. Certainly more practical.

However, the Mayor has *one* representative on the Board. One vote out of 25! I simply do not believe this is reasonable, practical or in good conscience.

The OEO Act should be amended to give the Mayor and the City Council both a voice and responsibility for the Community Action Program in any city. The Mayor is the elected head of City Government. He fields all the complaints, he knows the proper priorities for resolving needs; he should be made responsible for progress.

Replying to your specific questions:

1. "Do we continue or dismantle the present OEO organizational plan?"

Answer. If there is to be no change in giving the Mayor and City Council a strong voice in the management of the Poverty effort, then I have to say we would prefer to deal with the several Cabinet officials in Government; for example, The Department of Labor on Jobs and Job Training efforts, etc.

2. Are we on the right track with such programs as CAP, Job Corps, NYC, legal services, etc.?

Answer. From the office of the Mayor, reviewing all these efforts, there is one inescapable conclusion. All the funds involved; if made available to the city with authority to develop *priorities*, I believe we could focus attention on basic needs and the funds would go farther and produce better total results.

3. Give an appraisal of the Poverty Efforts in your city.

Answer. For the first time, the Omaha Agency directing these efforts is in tune with the needs. A new Director, Mr. Kenneth Shearer, has brought direction and management out of what had been sheer chaos! However, I do not believe we are coming to grips with the real problem of poverty or tensions.

Greater emphasis should be placed on jobs, job training and developing proper attitudes toward jobs and job training and toward our Society. Private industry, given some tax incentives, should be more deeply involved.

Greater emphasis should be placed on the housing needs in two areas, rehabilitation of housing in target areas, and dispersal of the ghetto through increasing the supply of decent housing outside the ghetto.

As long as the population density is as great as it is now, there will be tensions. The alternative is to provide more and better housing for needy families.

I know this is basically a HUD responsibility, but you simply cannot separate the housing problem and the related poverty problem.

Again, Private Industry should be given greater encouragement to become involved.

In summary, I believe I have to say that—

1. Elected officials should have a greater voice and greater responsibility in the poverty program.

2. Splintered programs and efforts will produce splintered results. There seems to be no priorities established to achieve our goals. We have a multitude of programs with varying degrees of success and no overall yardstick of achievement.

3. Greater emphasis should be placed on providing jobs with private industry more deeply involved.

4. HUD and OEO ought to join forces to *quickly* produce tangible results in providing more decent housing units for low income families. It can be done if we could eliminate the red tape.

5. The OEO program is a definite deterrent to violence. My complaint is that we can do more with what we have if we focus on those unmet needs which are the basis for violence.

The record of the City Administration in Omaha, in realistically facing up to our problems, has been well documented by Vice-President Humphrey in the field of jobs, and Secretary Weaver's staff in the field of housing rehabilitation, etc.

Our efforts, as good as they may be, are only token efforts. I simply believe we can do more with what we have if we would concentrate authority and give Private Industry the encouragement necessary to become deeply involved.

However, make no mistake about it, until there is total commitment, with appropriate priorities for action and a real sense of urgency on the part of all levels of government, we will, in my opinion, continue to live in an atmosphere of fear and tension which in turn breeds violence.

Sincerely,

A. V. SORENSEN,
Mayor.

BUFFALO, N.Y.
August 7, 1967.

Hon. BOB CASEY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: Reference is made to your letter dated July 26.

I am sure that every official, both in Washington and on the local scene, would hope that governmental procedures relating to urban renewal could be expedited. I am also sure that even in the administration of local government we encounter delays because of necessary procedure and routine. Federal officials must be faced with the same obstacles. From this vantage point I could not intelligently and responsibly evaluate the procedures followed by Federal officials.

With reference to our recent disorders, we are attempting to assess all of the elements involved therein in order to reconstruct more clearly exactly what did take place in terms of causes and influences related thereto. We have not as yet reached any firm conclusions especially with regard to the areas touched upon in your letter.

Very truly yours,

FRANK A. SEDITA,
Mayor.

MOUNT VERNON, N.Y.,
July 31, 1967.

Hon. BOB CASEY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CASEY: As much as I would like to answer the questions contained in your letter of July 26, 1967, it is not possible for me to do so at this time. We are having our racial problems here, as are numerous other communities, and they are so time-consuming that little else can be accomplished right now.

I will, therefore, appreciate it very much if you will contact me again in about two weeks when I am hopeful that the situation will have quieted down.

With kind personal regards, I am,

Sincerely,

JOSEPH P. VACCARELLA,
Mayor.

BALTIMORE, MD.,
August 8, 1967.

Hon. BOB CASEY,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR MR. CASEY: This is to acknowledge receipt of your recent letter in which you ask my opinion about federal assistance and whether I think anti-poverty workers were in any way involved in starting riots in other cities.

First, may I say that Baltimore has not been touched by civil disorder. The city has not had a major racial disturbance this summer and I certainly hope that our efforts will further reduce the possibility of civil strife occurring here.

I sincerely believe that among the reasons Baltimore has not had a racial disturbance are a crash employment program by the city, and another by the city in cooperation with the state and private industry, which have meant nearly 1000 unemployed persons getting jobs. Further, the City Administration, in cooperation with the police department, has identified the Negro leaders in the slum areas and has been successful in getting them to work with us rather than against us. Of course, it goes without saying no anti-poverty workers were involved in racial disturbances here.

I hope that these comments will be helpful to you and if I can be of any further assistance, please call on me.

Sincerely,

THEODORE R. MCKELDIN,
Mayor.

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY,
Nashville, Tenn., August 21, 1967.

Hon. BOB CASEY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CASEY: Both my city of Nashville-Davidson County and your city of Houston have shared similar experiences this summer. The problems of civil disobedience is a matter of great concern to all the urban centers of America and to the officials at all levels of government.

One of the basic problems that we face in trying to resolve the problems of slums relates to this explosive rise in the level of expectation for services and facilities. The citizen who lives at the subsistence level does not operate on a philosophy of delayed gratification. He does not understand, in many instances, the necessity for months and sometimes years of planning and engineering before a substantial change can be made in land uses and facilities in the central area of our complex metropolitan centers. Together, we must find a way to reduce this lead time through a cooperative teamwork approach between the levels of government. I sincerely believe that the Model Cities Program will permit us to devise and demonstrate a teamwork approach which will provide services and facilities faster and provide opportunities for a greater participation and involvement of the citizens residing in these areas.

The Federal Government must show more faith and a greater willingness to encourage and reward local government reform if we are to achieve an effective system of local government in our urban areas. The present federal regulations and guidelines in many programs for slum clearance urban renewal do tend to delay the ability to show positive results in slum areas. The inability of our local officials to have something to show as a positive symbol of commitment to the needs of these residents often tends to discourage the enthusiasm which can be generated, but which will not sustain itself in the absence of concrete examples of either improvement in facilities or service. We at the local level are often blamed for matters over which we have no control. This tends to further alienate many citizens who are inconvenienced or moved without the degree of relocation assistance which many of them require. Federal agencies must move more directly and decisively in granting stabilization assistance during the planning and engineering phases of these projects.

In regard to your second question, the

overwhelming majority of the OEO program in Metropolitan Nashville-Davidson County has been positive and beneficial; however, one project, in particular, which involved the funding of a summer program in North Nashville, to be administered by SNCC, has tended to increase tensions between the races in the area. The Metropolitan Action Commission failed to adequate police and supervise this project in its initial phases; however, the project has now been terminated. Many of the programs presently administered by OEO would have a broader base of support if they operated on a feathered edge approach, whereby certain children of families just above the poverty level could participate by paying a partial fee. This would permit a greater economic mix and would avoid the image that if you participate you are very poor. One improvement that could be made in the OEO program would be to require that the OEO projects and programs be planned and projected for a period of three or more years in close coordination with the operations and service plans of local government in order to eliminate duplication, confusion and suspicion between the formal structure of local government and many OEO project proposals. The program would also be better off if there was a closer relationship between the promises and the amount of funds actually provided for them. The OEO program should be evaluated to determine which areas should be consolidated or transferred into the more formal structure of government at the earliest feasible date.

If I can be of further assistance to you in your evaluation of these programs do not hesitate to call on me.

Sincerely,

C. Beverly Briley,
Mayor.

Wichita, Kans.,
August 25, 1967.

Hon. Bob Casey,
U.S. House of Representatives,
Washington, D.C.

Dear Representatve Casey: Your recent letter to Mayor Clarence E. Vollmer regarding the civil disorders in Wichita has been referred to me for a reply.

A number of studies indicate that the community development programs approved by Congress have been delayed as a result of the time required to process the applications by the Federal agencies. The National League of Cities, the United States Conference of Mayors, and the International City Managers' Association as well as your Texas Municipal League have all provided information on this subject that should be reviewed for an appraisal.

Regarding the OEO poverty program, we have not found any evidence that the workers in the OEO activities were directly or indirectly participating in the disorders. I serve as a member of the Public Officials Advisory Council for the Office of Economic Opportunity and have been following the program.

It is my opinion that the resources that have been made available by Congress to meet the needs of cities have been far less than is necessary to accomplish the objectives that have been prescribed.

Sincerely yours,

Russell E. McClure,
City Manager.

Bakersfield, Calif.,
August 23, 1967.

Hon. Bob Casey,
House Office Building,
Washington, D.C.

Dear Congressman Casey: Your letter of July 26th, required some research to be certain that all questions could be answered adequately.

We are not in a position to answer your first question with regard to criteria set by federal agencies being too rigid and inflexible to adequately meet action when required since we have not been a participant in any programs of this type. One of the reasons participation has been avoided by the City Council in the past, however, has been the opinion of the Council that too much outside direction would be superimposed on local government.

In answer to Question No. Two, we have no direct evidence of workers under the OEO Proverty Program being directly involved in any local disorders; but I might suggest that, in my opinion, the OEO program would be far more effective if locally elected officials who are the community leaders most responsive to the wishes of the electorate should be involved to a much greater degree in local matters than they have been heretofore.

We have had a single gentleman with "a record" who has agitated for formation of a Refuse Collectors' Union and who has been partially successful in creating dissension among the workers. We have long thought and now know that he has been partially financed by federal funds—under which program I am uncertain. I do not, however, believe this person is financed by the OEO Proverty Program.

Sincerely,

R. V. Karlen, M.D.
Mayor.

Rochester, N.Y.,
August 18, 1967.

Re your letter of July 26, 1967.
Congressman Bob Casey,
Longworth Building,
Washington, D.C.

Dear Congressman Casey: Before I get to the specifics of your letter, I would like to clear up two misconceptions which unfortunately have been reported in the national press. First, Rochester has not experienced, since 1964, civil disorder of any magnitude. Although we did have some problems with large groups of youths several weeks back, the situation at no time got out of control. The second thing I wish to make clear is that there is no evidence that the poverty program in this community has been directly or indirectly involved in trying to create community disorder. What you have read about, and what has apparently been misinterpreted, is an irresponsible statement made by the Executive Director of the anti-poverty program subsequent to the incidents described above. This statement was criticized by the City Manager.

I am attaching for your information, letters which have recently been sent to Sargent Shriver and to Congressman Perkins on this subject.

On the subject of federal program criteria, I do not believe it would be fair to say that they are too rigid and inflexible, with the possible exception of the maximum unit cost requirement under the public housing program. I think that of greater importance than procedural changes, is that these very important federal programs be properly funded so that communities can move ahead to do the many things that have to be done.

I hope these brief comments will be of some assistance to you.

Sincerely,

Frank T. Lamb,
Mayor.

July 31, 1967.

Mr. R. Sargent Shriver,
Director, Office of Economic Opportunity,
Washington, D.C.

Dear Mr. Shriver: Although there was an incident in Rochester on July 24, 1967 at which I believe several local anti-poverty officials behaved irresponsibly, even dangerously, it would be most unfortunante if anyone were to conclude that the anti-poverty program in Rochester is not essential to this community's life.

The behavior of some officials in a specific incident cannot be allowed to overshadow the contribution Rochester's antipoverty agency has been making in helping the poor help themselves.

Faced as it has been with the problem of finding competent staff and with a continuing uncertainty of funds, it is surprising that Rochester's program has had any success. But it has. Hundreds of young people have found jobs and training through the Neighborhood Youth Corps; comprehensive service centers in poor neighborhoods staffed in large part by people of the neighborhood, have provided one-stop guidance to families that need help; imaginative programs of education for all age levels have been developed for those in danger of school failure or those who had already failed.

In short, the events in Rochester and in cities across the country of the past few weeks should not be used as an excuse for dismantling any of the programs aimed at eliminating poverty and all the consequences of poverty.

These violent outbreaks were criminal acts and were dealt with as such. But poverty continues and if anything, the national and local resources devoted to its elimination must be expanded, not diminished.

Yours sincerely,

Seymour Scher.

August 8, 1967.

Hon. Carl D. Perkins,
Chairman, Committee on Education and Labor, House of Representatives, Washington, D.C.

Dear Congressman Perkins: I am very pleased that you have asked for my comments concerning amendments to the Economic Opportunity Act currently before your Committee. I know that recent events in Rochester might well be interpreted by opponents of the anti-poverty program as additional fuel to promote their case; I therefore welcome this opportunity to make it crystal clear that the anti-poverty program in Rochester is absolutely essential to this community's well-being.

Our local antipoverty agency, Action for a Better Community, Inc., has been responsible for the development and implementation of dynamic and imaginative programs to aid the poor. Hundreds of the City's less fortunate have found jobs and training; comprehensive services have been brought directly to the poor neighborhoods; special and unique educational programs have provided new hope to those who formerly had no hope.

Through direct involvement of the poor in the administration of programs, we have been able to achieve a sense of community interest and commitment which has heretofore been unknown.

Certainly there is room for tremendous improvement in both the program and administration of our local anti-poverty efforts. It has not been easy to find competent staff, and there has been continuous uncertainty as to funding. My very frank judgment, however, is that national and local resources devoted to the anti-poverty effort must be greatly expanded . . . certainly not diminished.

I also feel very strongly that it would be a grave mistake to dismantle the present OEO organization. Its continuation and strengthening are essential if we are to properly concentrate on the problems of poverty which confront us.

I hope these brief comments will be of some assistance to you and your Committee as you consider this very urgent and essential national legislation.

Sincerely,

Frank T. Lamb,
Mayor.

PRESIDENT JOHNSON COMMENDED ON ELECTIVE SCHOOL BOARD PROPOSAL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Jacobs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. JACOBS. Mr. Speaker, President Johnson is to be commended for taking another step forward in providing the residents of the Nation's Capital with more effective and representative government.

Following the District government reorganization plan, recently approved by Congress, the President has proposed that the District School Board be elective rather than appointive.

This proposal deserves our overwhelming approval. It will give Washingtonians a voice in choosing the officials who shape the educational policy for their children—a voice that citizens in other cities have long had. It will make the Board more responsive to the wishes of the citizens—as boards throughout the Nation have long been. It will, hopefully, elevate Washington's educational system to a level enjoyed by the best of our Nation's school systems.

Let us delay no longer in giving a voice to the voiceless and a vote on educational policy to the disenfranchised. Let us continue to support President Johnson's efforts to make Washington a showplace of effective representative government.

Under unanimous consent I insert in the Record the editorial, "Another Step Forward," from the August 17 Washington Daily News, which commends President Johnson for his efforts in this matter:

Another Step Forward

When President Johnson, Sen. Wayne Morse and Rep. John McMillan agree wholeheartedly on anything it would seem time to examine the circumstances for evidence of covert collusion.

However, in the case of the proposal to give District citizens the right to elect the members of the School Board, everything seems aboveboard. We are heartily in favor of the plan.

A few days ago, Rep. McMillan, chairman of the House District Committee and long a proponent of the principle that residents of the District are political morons, produced a bill providing for an 11-man School Board to be elected by the citizenry. Yesterday, President Johnson, who last week saw his D.C. government re-organization plan come to fruition, heartily indorsed the McMillan plan by putting forward an exactly similar proposal—without mentioning Mr. McMillan. Finally, the often dissident Sen. Morse, long a supporter of self-government for the District, backed the School Board bill. So, lacking unforeseen snags, it seems that D.C. citizens will be given another somewhat meaty bone to chaw.

All of which is to the good. According to the plan, the new School Board would have no powers beyond those enjoyed by the present board, the members of which are appointed by Federal judges here. However, presumably the members of the new board would more specifically represent the varying areas within this community and would, of course, be more responsive to the wishes of the citizens as a whole. So, we hope the proposal rides thru on a wave of Congressional good will—and quickly.

MODERN-DAY NORSE EXPLORER RETIRES TO SUNNY ITALY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I would like to call to the attention of my colleagues an article that appeared in the Deseret News on Friday, August 11, regarding the retirement of Thor Heyerdahl, the Norwegian explorer, to Collari Micheri, Italy, where he is presently writing a series of books on anthropology.

I am happy to note that this modern-day Norwegian explorer who sailed across the Pacific in his raft, Kon-Tiki, is taking full advantage of the Italian hospitality and the Italian climate for his retirement. The friendship and hospitality that has been extended to him by the Italians is certainly not the same kind of treatment that Christopher Columbus is receiving at the hands of the experts at Yale University who have produced a map which they claim shows that Leif Ericson, another Norwegian explorer, was the first man to land on the mainland of North America.

As an American of Italian descent, I want to remind my Norwegian friends that it is not my intent to take away recognition from deserving explorers, regardless of nationality. But I do feel, on the other hand, that we should not forget the documented and historically accepted voyage made by Christopher Columbus—which established the existence of the Western Hemisphere, opened up the New World to exploration and development, and resulted eventually in the formation of the United States of America, a bastion of freedom, a bulwark against communism, and one of the greatest countries in the world today.

At this point in the Record, I include the article about Thor Heyerdahl, as well as excerpts from two articles which appeared in the Washington Post and Newsweek magazine disputing the authenticity of the "Vinland map." The articles follow:

[From the Deseret News, Aug. 11, 1967]

Kon-Tiki Explorer Settles on Italian Hilltop

Collari Micheri, Italy.—Twenty years after sailing across the Pacific Ocean in his raft Kon-Tiki, explorer Thor Heyerdahl, now 52, has settled down on a quiet Mediterranean hilltop to write anthropological books.

But the lure of the sea has not disappeared for the Norwegian, who sails in between his studies and his scholarly letter exchanges.

"I would not have liked to live in a tropical place like the Pacific Islands I visited," he says. "Too hot and too far from civilization.

"I wanted to live among great trees and old houses in a village like this one. It is like having one foot in Tahiti and the other on the mountains of Norway."

And in reverse, the place liked him. Heyerdahl was chosen recently as mayor of the nearby town of Alassio during three days of mock festivities when foreigners ran the town.

"He saw to the correct working of all local services including traffic and supplies, and everything went so well that some claimed things had never been better before," says an inhabitant of the province.

In a serious vein, Heyerdahl has been assembling material for a new book to bring more evidence to his theory that Indians from South America could have emigrated on rafts to islands in the Pacific.

Heyerdahl figures his Kon-Tiki, which took three months to cover the 4,000 miles, was merely the first step in demonstrating the validity of his theory.

About 10,000 tons of crashing water, several sharks, whales and two decades later, Heyerdahl has nearly completed research for the book after corresponding with scientists and anthropologists all over the world.

Besides research, Heyerdahl has been turning into an Italian landowner. Collari Micheri could in fact be called Heyerdahl City since the cordial-voiced explorer built his villa and bought out 15 small houses and an 18th Century church over a pine-dotted area of substantial acreage.

Heyerdahl stays most of the time in his house, perched 2,000 feet above the sea, with his wife Yvonne and daughters Annette, 13, Marianne, 10, and Bettina, 8.

[From Newsweek, Apr. 11, 1966]

The Map Flap

Forgery was the ugly word circulating in the normally sedate precincts of antiquarians and cartographers last week. It was being applied to none other than Yale University's Vinland Map, hailed as dating from around the year 1440 and showing part of North America.

Released in a great burst of publicity—and with perfect timing—by the Yale University Press on Columbus Day eve last year, "The Vinland Map and the Tartar Relation" delighted scholars who believed that the Vikings were first to reach the New World—and also outraged Columbus's supporters. George Painter of the British Museum, one of the group who studied the map, called it "the most tremendous historical discovery of the twentieth century." Even by trade-book standards the Vinland Map has had a big success: 10,000 copies have been sold, most of them at $15.

The credentials of Painter and his associates are impeccable. But so are those of the skeptics who suspect that the Vinland Map may be a fake, a cartographic Piltdown man. Eighty-five-year-old Eva G.R. Taylor, the most prominent critic of the map, is professor emeritus of geography at the University of London. Professor Taylor's main arguments, published in part in the Journal of the Institute of Navigation, go as follows:

1—The outline of the northern coast of Greenland in the Vinland Map is far too accurate to have been drawn in the fifteenth century. Up until that time, she says, the Vikings had not sailed beyond 76 degrees north latitude.

2—The relative positions of Ireland, Iceland and the Shetland and Faroe islands on the map corresponds precisely to those shown (inaccurately) on Mercator's world map of 1569.

3—Whoever made the Vinland Map could have derived the formula for its elliptical boundaries from Plate V in Deetz and Adams's "Elements of Map Projection," a 1945 publication of the U.S. Coast and Geodetic Survey. The outlines of the two maps, when compared in scale, Professor Taylor claims, match within nearly one-tenth of an inch. Her suggestion: someone who had seen the 1945 book could have drawn the "1440" Vinland Map.

G. R. Crone, librarian and map curator

of the Royal Geographical Society, questions the Vinland Map from another angle. "How such a document could have escaped notice for so long is difficult to understand," Crone says. Crone believes the Vinland Map was probably drawn after Columbus' voyage and therefore is "not of exceptional significance."

For their part, the Vinland Map scholars stand by the evidence of the map's validity, but, says R. A. Skelton, superintendent of the British Museum's map room, "no artifact whose history is unknown is immune from the hypothesis of perfect or near-perfect forgery." Skelton and the others admit the relatively accurate rendering of Greenland is puzzling. Perhaps, they speculate, Vikings did explore the northern part of the islands. Or the mapmaker may have guessed at the coastline.

The Big Gap: Skelton discounts the Taylor theory that the position of the Sheltlands and other islands bears a striking resemblance to the Mercator map. "In small-scale maps," he argues, "'measurements' may be extremely misleading if used to deduce affinity, influence or copying." Other scholars brush off the close fit of the maps' elliptical boundaries as coincidence. Finally, the 500-year gap in the Vinland Map's history does not disturb Alexander Vietor, curator of maps at Yale. The "Speculum Historiale," which the map accompanied, he explains, "did not usually have illustrations, so no one would look there. It would be like looking for a dollar bill in an encyclopedia."

Academic opinion seems convinced by the watermarks, binding, writing and other evidence of age. But no one makes a categorical statement. Perhaps the memory of Piltdown is too strong.

A MODERN FAKER?

The most sweeping attack on the map, however, is an unpublished paper by Prof. Eva Taylor, possibly the world's most distinguished authority on medieval cartography, which advances evidence indicating that the map is a clever modern fake.

Prof. Taylor was shown a reproduction of the map some four years ago when Skelton was working on it. She told the Yale team she did not believe it was a genuine 15th century product. They decided, however, that her criticisms did not affect the authenticity.

Prof. Taylor then prepared a long critique of the map which contends that the likeliest explanation of certain incongruities is that it was built up in the 20th century from a series of maps.

These, she says, could be "Elements of Map Projection," published by the U.S. Hydrographic Office; "Imago Mundi," a scholarly periodical devoted to old maps; a modern atlas, probably Dierche's Schul-Atlas; a facsimile of Maggiolo's World Map of 1511, and some other modern maps.

One of her major points is the map's representation of Greenland. "Placed side by side with a 20th century map on approximately the same scale—1/66½ millionths—the two are at a first glance almost indistinguishable," she says.

If the Vinland Map's version of Greenland is genuine, she says, it is the only map before the 19th century that shows the whole of Greenland. All other evidence is that the north of Greenland was unexplored until then.

The Vinland version would lead to the conclusion that the Norsemen circumnavigated Greenland (going within six degrees of the Pole in open boats). "The latest scholarly study of the Sagas," she says, "does not suggest that they penetrated farther than 76 degrees north."

BETRAYING IGNORANCE

The other chief point she makes on the Atlantic section of the map is shown in the drawings. But Prof. Taylor makes numerous points about other sections, particularly the Eastern Mediterranean.

"The gross misplacing of Crete, the faulty Aegean Sea and the absence of the Sea of Marmora are strange features on a map purporting to be of the mid-15th century when extremely accurate charts of the Mediterrean Sea were available," she writes.

"As might be expected, a forger often betrays himself by not knowing quite enough about the field in which he is working."

THE PRESIDENT'S PROPER CONDUCT OF NATIONAL AFFAIRS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. RESNICK. Mr. Speaker, the following editorials have recently appeared in newspapers around the country containing accurate portraits of the President's conduct of the "affairs of state." The President carries the burdens of us all upon his shoulders. He needs and deserves our support. Thus, I insert the following editorials into the RECORD with the hope that all of my fellow Members will read them with the greatest of care:

[From the Dallas (Tex.) News, Aug. 27, 1967]

AT 59, L. B. J. MORE PATIENT—MARKS BIRTHDAY SUNDAY

(By Robert E. Baskin)

WASHINGTON.—President Johnson Sunday observes the 59th anniversary of his birth, sticking close to his job in the White House, amid indications that he has learned a lot and perhaps mellowed somewhat in the nearly four years that he has occupied the nation's highest office.

Once regarded as a tautly sensitive man unable to tolerate much criticism, he has emerged in recent months as a much more patient figure—a man who perceives the unenduring nature of political storm and fury. He has become, to those who observe him closely, a President able to roll with the punches that the presidency continually receives.

"He has grown into his job," a White House aide remarked the other day. "He is now comfortable in it.

"And the decision-making processes don't bother him a bit. Once he has his facts in hand, he doesn't hesitate to go ahead and make a decision based on his own best judgment and that of others he trusts."

With old friends Johnson, even during the toughest crises, is able to sit and talk in an amiable mood. The old Johnsonian temper may still flare occasionally, but for the most part he endeavors to keep an even keel in the conduct of the affairs of his office.

As he begins the 60th year of life Johnson is a President who feels that his life in the White House has been a good one.

He is remarkably pleased with his family, on the private side of his life, and on the official side he believes that he has an excellent Cabinet and the best White House staff that has served him yet.

While the White House continues to have an atmosphere of urgency and great activity, the feeling has grown in recent months that the days of erratic performances, too much showmanship and bad credibility are mostly over. There is a more forthright approach to be noted, although Johnson as a nonpareil political practitioner still maneuvers skillfully to have his way on public issues.

The President, who has been accused in the past of indulging in considerable self-sympathy, today displays very little of such an attitude.

He tells friends privately that he doesn't believe that he has nearly as difficult a situation as the leaders of such countries as the Soviet Union, Britain, West Germany and, of course, Red China. And he details the problems of the political leaders of each of those countries. His own problems, vast as they may be, diminish in size by comparison, largely because Johnson has tremendous faith in the capacity of the United States and its government to weather the storms of today's troubled world.

He is not happy about the war in Vietnam. But nobody is happy about the war. He adheres to the line that the United States has done what is morally believed to be right, that it is persevering in this course and that it has the stamina to stick it out.

While both hawks and doves are criticizing his conduct of the war, particularly in the Senate, he is able to note with satisfaction that the Senate this week passed the defense appropriations bill with only three votes against it. In this he apparently discerns something approaching a vote of confidence in the need for large outlays for the military operations in Vietnam.

And he believes that Congress, by and large, is supporting him on vital legislation, although he has been displeased over several setbacks he has had—such as the House's rejection of a bill for a federal rat eradication program.

But these have been minor in the overall view.

His toughest decisions in the last few months have been made in the face of strong political opposition. When he decided that legislation ought to be enacted to head off a paralyzing railway strike, he and his White House team went to work with extraordinary energy to persuade a reluctant Congress to pass it. Labor unions, which have been mainstay supports of the Democratic party, were strongly opposed, and their lobbyists were striving desperately to defeat the measure. In the end, the President prevailed and accepted the fact that he came away with a few scars.

The late spring Middle East crisis was an even greater test of the President's toughness and judgment. There were strong demands from politically powerful Zionist elements in this country for United States intervention on the side of Israel. At the same time it was evident that rash action by the United States could produce a confrontation with the Soviet Union which might destroy the peace of the world.

Johnson elected to play the situation coolly and with official nonintervention. His intelligence on the outlook in the Middle East was excellent. Washington knew, for example, that a blitzkrieg by the tough little Israeli military establishment could shatter the Arab forces in a few days. This is what happened.

As it turned out, the two major nuclear powers did not reach the confrontation stage. The Soviet Union, at the same time, received a humiliating setback in its efforts to subvert the Middle East, and the United States was unscarred.

"This may have been one of his finest hours in the presidency," a White House official says. "There was a tremendous amount of emotion in the crisis. But the President stayed cool, made his decisions carefully and a major war was averted."

Despite the display of admirable courage in dealing with explosive situations, Johnson finds himself this Sunday with a great amount of criticism swirling around him. The voice of Bobby Kennedy and Barry Goldwater have both been heard in the last week, assailing him on different fronts. In the Senate there is a turmoil over Vietnam and over the regular Army's handling of the Detroit riots.

It would be foolish to contend that Johnson does not resent much of this talk. He perceives the political motivation of it—and as a politician he can understand that—but he undoubtedly also feels that there are transgressions in some areas that can only aggravate already delicate situations.

He has told Congress bluntly that if it does not like his conduct of the war in Vietnam it can repeal the Tonkin Gulf resolution under which the administration considers that congressional sanction has been given to the defense of South Vietnam. Congress has not accepted the challenge, but its dissidents continue to talk.

Meanwhile, the polls show Johnson's standing at new lows, particularly in the Midwest, and the recurrent speculation on "Will he run again?" is being heard increasingly.

The polls are, of course, annoying, but the President realizes that they can vary greatly over a few months time. In the meantime, he continues to follow the course he has charted, hoping that time will decree its rightness. Presidential year politics will take care of themselves; there is no point in getting agitated about them at this time.

As he marks his 59th birthday, the President is in excellent health. Visitors to his office are sometimes suprised at how well he looks, and friends are likely to contrast his appearance now to that when he was vice-president. He looks a lot better today than then, they will say, despite his added years.

The answer is that Johnson thrives on action, urgency and decisions. In the presidency he has all of these. It is the very job his temperament and ambitions require, and because of that perhaps the road will grow a little smoother for him in the next year.

[From the Minneapolis (Minn.) Tribune, Aug. 29, 1967]

L. B. J. Defended on War Powers

(By David Lawrence)

Washington.—Much confusion has arisen lately in the discussions in Congress as to the power of the president to engage in military operations in foreign countries without what is known as a declaration of war. The constitutional provision has been repeatedly interpreted to mean that Congress alone can "declare war," but nothing in the Constitution prevents a president from carrying on a war before Congress takes any action equivalent to a formal declaration.

As a matter of fact, the Constitution gives the president this specific duty:

"The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion."

The use of the words "United States" in a legal sense refers always to the executive branch of the government, and the Constitution itself says that "the president shall be commander in chief" of the armed forces.

No president could continue to protect the states of the union against invasion unless he had the right instantaneously to respond to an attack by a foreign power. If, for example, some country possessing nuclear weapons should suddenly explode a number of bombs over American territory, there would not be time for Congress to be assembled and a formal declaration of war to be issued. It is the duty, therefore, of the president, as commander in chief, to order immediate retaliation for such an attack.

The authority of a president to deal at once with an attack against American interests has been repeatedly invoked. President Wilson in April 1914, ordered American naval forces to seize Veracruz and to intercept a German vessel laden with arms headed for that port. Its cargo was for the use of a regime in Mexico at odds with the United States, and for the ultimate purpose of provoking a conflict with this country. Wilson didn't wait for a resolution by Congress before acting.

President Truman never requested from Congress a declaration of war even after he sent American troops from Japan to South Korea to help repel an invasion of that country by Communist forces. The assumption at the time was that the United States was bound by treaty to send its armed forces to carry out those decisions of the U.N. Security Council which were designed to maintain "international peace and security."

No declaration of war was made when in recent years American military forces, acting under the auspices of the United Nations, went to the assistance of governments in The Congo.

Moreover, the existing agreement, known as the North Atlantic Treaty, pledges the United States to go to war instantly when any country which is a member of the treaty organization is attacked. The treaty contains no reservation requiring an act of Congress as a prerequisite to military operations.

There are advantages in having Congress declare war in some cases or in refraining from doing so in other instances when outbreaks occur, as in the Dominican Republic in 1965 when United States troops were landed to protect American interests. A declaration of war is omitted when the conflict appears likely to last only a short time. For there is a hesitancy to put the country on a wartime basis and thus cause certain laws to come into force, as happens when there is a formal declaration of war.

The use, however, of a declaration of war or of a state of war has not been abandoned. In certain circumstances it is desirable to have such a proclamation so that, under international law, vessels transporting goods or supplies to belligerent countries may legally be searched and seized. But, in a sense, what Undersecretary of State Nicholas Katzenbach said recently to the Senate Foreign Relations Committee about a declaration of war being "outmoded" is true.

In a nuclear age, no country that is attacked is going to wait for its own legislative body to assemble and debate the question of war or peace. The obligation to protect instantly one's own territory against invasion and to repel attack is obvious. To delay military action would only be in the interest of the enemy.

[From the Hartford (Conn.) Courant, Aug. 24, 1967]

Taking a Good Look at Saigon's Elections

In view of the fuss and feathers in Congress lately over the conduct of the Vietnam elections, it seems a good thing that President Johnson has decided to send a delegation of prominent Americans to Saigon to see exactly what is and will be going on. When members of Senate and House were criticizing the way the electoral campaign is being waged, Premier Ky invited observers from this country and others to drop around and take a look for themselves as to whether the elections are being run honestly—as he claims—or farcically, as his critics charge. Perhaps his invitation was issued as much in indignation as cordiality. But in any event, the Congressmen rather haughtily brushed it aside, and this was neither particularly fair nor particularly smart.

Now President Johnson is making up for a certain amount of Congressional poor manners. As Press Secretary Christian says, the delegation will go not to supervise but to observe. The members are going there, in effect, to share an experience with the Vietnamese people. They will be free to go wherever they wish, individually or together, in any secure part of Vietnam. And though no official report is required of them, it obviously can be expected most of them will have interesting and important things to say on their return.

For while they do not go to advise on this election occasion, many of them will doubtless be able to offer good advice to the Vietnamese people on future election occasions. These elections are a new process in Vietnam. Setting aside wilful corruption which may or may not occur, there will be the confusions that always crop up when new constitutional methods of government are being introduced. The United States, on the other hand, has had generations of experience in the processes of democracy that this country so earnestly and urgently hopes will become part of Vietnamese life. American observations on what happens in Vietnam this time could be of immeasurable help to both that country and us the next electoral time around.

One may surmise that President Johnson incidentally hopes the presence of American and other foreign observers in Saigon will ipso facto improve the course of the present elections by putting candidates and parties on their good behavior. This might not be a bad idea as long as the American delegation stringently refuses to interfere in the campaign and polling for any reason whatsoever. But the main thing is to look toward future elections in Vietnam. There are bound to be things that go wrong in this one, as a starter. But we can help the next ones to be better, and we should, with the President's committee contributing first-hand advice.

[From the San Antonio (Tex.) Express/News, Aug. 27, 1967]

Bobby's Questions Need His Answers

Bobby Kennedy's presidential campaign is producing more questions than answers, as such ventures usually do.

He complains that the proposed surtax is unfair. "We must build a system which is fair to all, and will thereby provide us the resources we need for the tasks ahead," he said. Well, he is in position to become a national hero if he will build such a system—if ours isn't, or even tell somebody else how.

Again, he laments that "we do not seem to know how we came to a war of this breadth (in Vietnam) or the way to bring it to an honorable end," yet he is certain that the upcoming elections over there are a fraud.

A national leader simply cannot afford the luxury of merely wallowing about in a heap of adjectives; he has to make decisions and offer solutions and plans. This may be the reason the Kennedy boom remains a boomlet.

[From the Washington (D.C.) Post, Aug. 31, 1967]

Tax Reform Proposals Fall Short of Needs

(By Joseph R. Slevin)

The brave noises that Congressional liberals are making about closing tax loopholes would be more impressive if they didn't have such a hollow ring.

Some liberal Democrats are demanding that Congress vote tax reforms to raise the money that President Johnson wants to get from adoption of a 10 per cent Vietnam surtax. Others are insisting that the needed revenues be obtained partly from the reforms and partly from a watered-down surtax measure.

Both groups are displaying remarkably short memories and are showing as little respect for reality as the Republicans who have been pretending that the Administration can solve its deficit troubles by slashing $10-to-$15 billion from Government spending.

The need is for quick Congressional action and for the enactment of tax changes that will begin producing billions of dollars of additional revenue immediately after they became law. Loophole closing does not meet either requirement.

BITTERLY CONTROVERSIAL

What the Congressional liberals know well and blandly are choosing to ignore is that tax reforms are bitterly controversial, enormously complex proposals that can be pushed through Congress only after months of lengthy hearings, intensive Committee work and acrimonious floor debate.

What they know equally well is that some of their most cherished reforms are likely to be rejected by substantial majorities in both Houses, as indeed they were only a few years ago during Congressional action on the historic Kennedy-Johnson omnibus tax reduction bill.

Some of these same proposals and an assortment of other reforms will be included in a loophole-closing message that the President repeatedly has promised both publicly and privately to send Congress later this year. The clamoring liberals are fully aware of Mr. Johnson's intentions and they have received the same firm assurances from Treasury Secretary Henry H. Fowler and Budget Director Charles L. Schultze.

PROPOSAL MISSES

Apart from their unrealistic insistence that Congress could be persuaded to act quickly on loophole closing, the liberals' reform proposal misses badly on another count: Even if they finally managed to wrestle a complicated reform bill through Congress this year, it would not give the Government the money that it must have to reduce its big deficit and to curb the threat of an inflationary boom.

The great advantage of prompt passage of the President's clean-cut, 10 per cent surcharge plan is that the levy almost immediately would start to bring in needed money from individual income tax withholding and from both individual and corporate estimated tax payments.

But the revenue from tax reforms would come in slowly and it would come in too late.

U.S. POLICY TOWARD GREECE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Edwards] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, it is now over 4 months since a military takeover in Greece ended democratic constitutional government, apparently surprising the Palace since the rumored coup was supposed to come from a different echelon of the military. Since the "coup of the colonels," it has become clearer every day that they do not intend to gracefully relinquish power. They have been purging the officer corps on a wholesale scale, removing local officials and effectively destroying any potential political opposition. Thousands of prisoners are still being held on the island of Youra and elsewhere after brutal midnight arrests. Newspapers may print only what the dictatorship permits. Gatherings of more than five people even in a private home are illegal and a former conservative member of Parliament was recently sentenced to 5 years in prison for a violation.

Mr. Speaker, recent visitors to Greece report that even their own relatives are afraid to talk to them. There is an ominous silence on the streets and in the taverns. Meanwhile, Patakos proudly announces that the buses run on time, reminding those of our generation of the same braggadocio from Mussolini about Italian trains under Fascist rule. It is rather obvious that Patakos does not have a sophisticated public relations expert from his recent announcement that 250 Greek women have chosen to remain in jail rather than sign pledges to refrain from political activities after their release.

How such announcements can improve his public image is hard to fathom. But we cannot afford to laugh at such bumbling, Mr. Speaker. These are the ludicrous statements that only highlight the depth of the real tragedy.

I am sure that our Department of State and our President, who will be meeting with the King of Greece a few days from now, are as appalled as we are by the ruthlessness of the dictatorship. The question for our Government is what we should do to assist the return of constitutional government in Greece. We are not without fault in the creation of a climate which made the coup possible. Our most serious guilt lies in fostering the opinion that the United States considered the Papandreous, and especially Andreas, as dangerous radicals. By allowing such an attitude to be accepted as the position of the United States, we encouraged a military seizure of power. The measure of blame which can be properly laid at our door is yet to be properly assessed. I fear it is not negligible.

The "colonels" also could rely on our concern for the NATO bases and our own military position in the Mediterranean. Since the coup, our only action has been to withhold a small amount of military hardware. I am afraid that the hopes of an orderly return to constitutional government, once the new Constitution is written, is a mirage. There was nothing wrong with the old Constitution. Rewriting the Constitution is merely a dodge to gain time for a solidification of the power of the junta.

Mr. Speaker, I most earnestly hope that our policy will not rest on such a chimera. I include in the Record an article from the Washington Daily News of August 7, 1967:

Basic Aim—To Retain Power Until Nation Is Remade: Greek Junta Set for Long Stay

(By B. J. Cutler)

Athens, August 7.—The army Junta which took over Greece in a bloodless coup April 21 has settled in for a long stay in power.

Its basic aim is to consolidate its hold, not to restore the democracy that Greeks had—and abused.

Nudged by young King Constantine, the U.S. and World opinion, the Junta has named a committee of jurists to draft a new Constitution by Dec. 1.

But the military regime itself will put the final touches on the constitution and will decide when to have it approved by the people in a referendum.

Privately, Junta members foresee elections in which no real political opposition will be allowed. This is to lead to a rubberstamp parliament, which will permit the military inner circle to rule as it does now.

Altho they say they seized power to prevent a communist insurrection, Junta members show no taste for returning to their barracks now that the communist apparatus has been decapitated.

Instead, they insist they must retain power until the Greek nation is remade to their moralistic specifications. This means no mini-skirts, beatle haircuts, or coffee houses for youths, but plenty of church-going and compulsory schools. For grown-ups their goals are discipline, order, hard work, support of the crown, religion, nationalism, and distaste for the old political parties.

Since the Greeks are no more saintly than other people, it may be many years before the Junta considers them ready for self-government.

In the meantime, the regime is continuing to retire forcibly, Greek military officers who were not in the coup. It apparently wishes to insure that they do not rally around the King, who opposed the coup, in a counter move.

No one Junta member has emerged as a single power holder. The leaders still are Col. George Papadopoulos, 48, who runs the Premier's office; Brig. Gen. Stylianos Patakos, 53, whose tanks backed the coup and who is now Interior Minister; and Col. Nicolas Mararezos, 47, who stays in the background and directs the economy.

King Constantine, at 26, seems to be gaining prestige as the nation realizes he is cautiously pressing the Junta for a return of democratic government.

On a recent tour of the provinces, he was more warmly received than before. He is looked on as one stable factor that may lead the people back from dictatorship.

Under such a regime one doesn't take public opinion polls and people do not speak freely. Nevertheless the man in the street is viewed as neither for nor against the regime. He accepts it but is worried about how long it will last.

BETTER

In several ways the ordinary man is better off than under the elastic and corrupt government of the past few years. He is not harassed by almost daily strikes and politically-activated mobs surging in the streets.

His bus comes on time and the fare is lower. Jostling to get aboard is forbidden—Greeks now stand in queues. Prices have been frozen and some, including that of bread, rolled back. At squares in poor neighborhoods free movies are shown.

Tickets are not given for traffic violations and the driving has improved from terrifying to hair-raising. Employers who had the quaint habit of pocketing their workers' social security payments are now repaying millions to the state.

The press, which was buyable and lively, is now censored and dull. Books, plays, and "communist music" are banned. A few people are arrested for criticizing the regime, but some 2500 communists and suspects are still broiling in the sun on a prison island in the Aegean.

Today many Greeks agree that they were brawling, stumbling, and perhaps failing on the road to democracy. Now they are being taken on a journey thru stability and mild dictatorship. What they disagree on is: "was this trip necessary?"

VITAL REQUIREMENT FOR AIR TRANSPORT

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FLOOD. Mr. Speaker, I introduce, for appropriate referral, a bill which is intended to define a truly vital requirement in the area of air transport, including a proposal to promote a method for transporting outsize objects such as missile and rocket boosters and sustainers; for use in the U.S. aerospace program as a recovery vehicle in lieu of the present highly expensive system of deploying fleets of vessels and aircraft for that important mission; for the purpose of transporting fabricated building sections—HUD—preassembled bridge and tower sections, earthmoving machinery, industrial generators and transformers, storage tanks, radomes, field hospitals, airborne command-control communications centers, and, finally, for use in oceanographic research and exploration, lumbering, and petroleum prospecting.

The bill and other material follow:

H.R. 12744

A bill to provide for a temporary program of Federal assistance for research and development relating to a certain rigid airship, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act—

(1) The term "rigid airship" means an aircraft comprised of a fully rigid airframe contained in an envelope filled with helium gas, and shall include engines, airframes, propellers, rotors, instruments, accessories, and other ancillary equipment.

(2) The term "testing" means the operation of a rigid airship incident to the procurement of a type certificate for such an aircraft and the operation of a rigid airship, whether or not it has a type certificate, under actual or simulated conditions for the purpose of determining the operating and utility characteristics of such an aircraft.

(3) The term "modification" means any adjustment or change necessary for and incident to carrying out the development and testing of rigid airships under this Act.

SEC. 2. The Congress hereby declares that it is in the national interest to promote safety, economy, and efficiency in the national transportation system and to that end, it is the purpose of this Act to assist in the development of a rigid airship designed to transport outsized objects free from the usual constraints and hazards encountered in their transportation by land or water by providing for a temporary program of Federal assistance in the development, testing, and modification of such an airship.

SEC. 3. (a) In carrying out the provisions of this Act, the Secretary of Transportation (hereafter in this Act referred to as the "Secretary") is authorized—

(1) To prepare operating and general utility characteristics and specifications for a type of rigid airship which he determines represents a potential advance over existing modes of air and surface transportation;

(2) to provide for the development of a rigid airship for use by the Department of Defense and National Aeronautics and Space Administration as a means of transporting rocket boosters and sustainers and other outsize objects and for possible use in the United States space program as a recovery vehicle in lieu of the present costly system of deployment of vessels and aircraft;

(3) to determine the potentials of a rigid airship for use by other departments and agencies of the Federal Government and by private industry for the transportation of outsized objects, including but not limited to fabricated building sections, preassembled bridge and tower sections, earth-moving machinery, industrial generators and transformers, storage tanks, radomes, field hospitals, airborne command-control communications centers, and the possible uses of such an airstrip in oceanographic research and exploration, lumbering, and petroleum prospecting;

(4) to provide, by contract or otherwise, for the operation of a rigid airship developed under this Act and for the utilization of the experience and knowledge of persons involved in the operation of similar aircraft.

(b) In carrying out the provisions of this Act, the Secretary shall consult with interested Federal agencies, including but not limited to the Department of Defense, the Civil Aeronautics Board, and the National Aeronautics and Space Administration, and with representatives of the aviation manufacturing industry and the air transport industry.

Section 4 (a) The Secretary is authorized to appoint and fix the compensation of such personnel as he may deem necessary to carry out the provisions of this Act. The Secretary is authorized to use, with their consent, the available services, equipment, personnel, and facilities of other civilian or military agencies and instrumentalities of the Federal Government on a reimbursable basis.

(b) In carrying out the provisions of section 3 of this Act, the Secretary is authorized to enter into contracts with or without advertising or competitive bidding, upon determination that the price is fair and reasonable, and with or without performance or other bonds. The Secretary may make advance, progress, and other payments under contracts entered into under this section without regard to Section 3648 of the Revised Statutes of the United States (31 U.S.C. 529).

SEC. 5. The Secretary shall submit to the Congress, on or before June 15 of each year, a detailed report of his activities and expenditures under this Act, together with such recommendations, including recommendations with respect to additional legislation, as he may deem appropriate.

SEC. 6. This Act shall terminate upon the expiration of the five-year period beginning on the date of its enactment.

SEC. 7. There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

STATISTICS ON AEREON

Length: 340′.

Span: 255′.

Height: 80′.

Power: 4 Rolls-Royce "Tyne" turbo-prop engines @ 5500 e.s.h.p.

Cruising Speed: 150 mph.

Takeoff run: 3,000 ft. at max. load.

Payload (Max.) 300,000 lbs.

Range (Max.) 7,000 mi.

Operating Cost (Total) 1½¢ per ton-mile (@ 1,750 mi. range).

Estimated Cost: $8,400,000.

PAYLOAD

Six (6) 40 ft. containers (300,000 lbs.) range: 1,750 mi. @ total operating cost of 1½¢ per ton-mile.

Four (4) 40 ft. containers (200,000 lbs.) range: 4,000 mi. @ total operating cost of 2¢ per ton-mile.

The above bill is introduced with my absolute conviction that such a mode of transportation is vitally important to our economy and to the image of the United States as a presumed leader in the sphere of world transportation. I have long actively advocated a rigid airship and current revolutionary advances in its design and potential, to the Department of Defense and its military departments, and to the National Aeronautics and Space Administration. I have received polite answers indicating generally that consideration will be accorded my proposals. In the meantime, the Soviet Union is moving apace in this field and, by its own admission, is seriously researching the use of rigid airships for the same purposes as outlined in my bill. In fact, I considered it entirely possible that the Russians would display a radically new type of airship at the Paris airshow in May and June of this year. This could well be another embarrassing "first" for the Soviets—and I do not doubt their capability for a moment.

Why has the United States failed to fill an obviously glaring gap in our overall transportation system?

I sincerely urge that you give this bill serious consideration. I have readily available much conclusive information in this matter which can be presented before any committee to which it may be referred.

VEGA CLUB OF BROCKTON, MASS., OBSERVES 75TH ANNIVERSARY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BURKE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, the Vega Club of Brockton, Mass., is about to observe its 75th anniversary, and will mark the occasion with a diamond jubilee celebration on September 9. I know that all of my colleagues here will want to join me in saluting this fine organization which numbers among its membership some of the most public-spirited and devoted citizens of that city. I have long been aware of their generous activities in the community, and hope that the efforts of the Vega members and their women's auxiliary, the Valkyrian Club will receive the encouragement they deserve to continue for a long time to come.

Among the many activities which have given areawide prominence to the club, are its Vega Male Chorus, the Vega Quartet, and the Vega Scholarships. Throughout the years, the club has been outstanding among the community's fraternal groups, and can be especially proud of its two-generation membership of fathers and sons. Founded on September 11, 1892, with 32 charter members, the club was organized "to advance and promote the social and civic interests of its members." It was incorporated on December 6, 1904, 2 years after the purchase of the site on which the present clubhouse stands. This handsome building was completed and dedicated December 14, 1917. In addition, the club acquired a fishing camp on a pond in Plymouth in 1953, and also owns the Vega Grove in West Bridgewater, the gift of Phillip Pearson of that town.

The September 9 celebration will begin with a social hour from 6:30 until 7:30 p.m., followed by dinner and dancing with a brief anniversary program. Honored guests will be widows of past members, and special guest invitations have been extended to Gov. John A. Volpe, former Senator Leverett P. Saltonstall, Mayor Sims, of Brockton, former Mayor Hjalmar Peterson, and Miss Anne Margos, as well as to myself.

Clarence Christenson will be the official host, and Fred V. Hinrichs will introduce the program as master of ceremonies. A special exhibit, the Historic Room, will offer guests a display of historic pictures, the club's history, and displays of memorabilia.

Ronald E. Hermanson is chairman of the anniversary committee, and serving with him are historians Arnold W. Ahlborg, Anders A. Lyman, Olof W. Olson, and Ivar E. Lyman. The souvenir program is being handled by Leslie E. Pearson, Everett B. Hedin, and catering by Warren R. Carlson and Edward W. Beale.

Other members who have devoted time and energy to the assured success of the occasion are: George H. Burgenson, Jean Kyhn, Gerald P. Johnson, W. Emery Samuelson, Mrs. John A. Johnson, Mrs. Bert Akesson, Mrs. Ronald E. Hermanson, Mrs. Donald E. Johnson, Mrs. Allen O'Brien, Mrs. Hilding Olson, Alton P. Nelson, Sr., Fred V. Hinrichs, Richard E. Youngberg, Donald E. Johnson, Robert L. Wessa, and club officers Donald E. Johnson, president, Barry Rogerson, vice president, Anders A. Lyman, secretary, Jean Kyhn, financial secretary, Robert Swanson, treasurer, Everett B. Hedin, marshal, Jon Ortendahl, club news editor, and directors George H. Burgenson, Richard E. Younger, Leslie E. Pearson, and Ronald E. Hermanson.

Again, I express my very best wishes to every member of the Vega Club, and congratulations on this notable milestone in its history. May the club continue to preserve the standards of community responsibility and citizenship which have earned it the esteem and high regard of all who know of its reputation.

EXPORT OF ARMS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. COHELAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. COHELAN. Mr. Speaker, there are many countries today which are desperately in need of resources for the development of their country, but which are devoting much of their capital and resources to large amounts of expensive military equipment. In many cases the need for military equipment is more imaginary than real, but the burden on these struggling countries is real.

The burden of the military effort in this, the richest country in the world, is felt in every sector of our society. We have found it necessary to cut many vital programs at home to maintain our effort in Vietnam. Consider the effect of even a fraction of the U.S. expenditure on the economy of a country whose needs are relatively much greater and whose means are relatively much less than ours.

The shipment of arms to such countries surely creates fears in the minds of neighboring countries, which then feel the need to protect themselves with similar buildups—either for reasons of military defense or of simple prestige. Further, the presence of arms, and the mistrust of one's neighbor, leads to a greater expectation of violence, and then a greater acceptance of violence. The mechanics of preparing a country for war, even a defensive war, are such that they are hard to reverse.

I would like to join the more than 20 of my distinguished colleagues who have introduced a concurrent resolution stating the sense of Congress that the President, acting through the U.S. delegation to the United Nations should first, seek, in the appropriate forums of the United Nations, agreements among the principal arms suppliers to insure that sales and gifts of arms are restricted to minimum levels; and, second, seek to establish in and through the United Nations a procedure for full public registration of all transactions of this character.

I urge the Foreign Affairs Committee to move forward on this resolution.

This resolution seems to me a logical parallel to the nuclear nonproliferation treaty recently proposed by the United States and the Soviet Union. I believe that this would mark an important advance in our efforts toward world peace.

THE GREEK POLITICAL CRISIS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, 18 weeks have passed since the April 21 military coup in Greece.

In view of the deteriorating situation there and in view of King Constantine's visit to Washington next week, I believe we should today take another look at the Greek political crisis. I would like to share with you some of my thoughts in this regard.

The "colonels' junta" has arrested thousands of people and held them without formal charge, dissolved the political parties, forbade strikes, imposed a censorship of the press and the arts, voided the Constitution, and abandoned any semblance of due process of law.

They rule by force of arms—and the arms were supplied by the United States.

Who are these people?

The inner group of the junta apparently numbers no more than two dozen colonels. They had served together as junior officers within the Army over a period of many years, through both conservative and liberal administrations. They appear to be nonestablishment types, coming primarily from impoverished rural families. Contrary to some accounts, they do not appear to be either thugs or bloodthirsty tyrants. They do, however, show a contempt for politics and politicians—and the workings of democracy. There are few signs that they possess the talent of government over the long haul. They rule by decree and by the gun. And their public pronouncements indicate they have no intention of stepping down.

The strong men of the junta, Papadopoulos and Patakos, are by reliable accounts politically naive and provincial. But they are sincere. They genuinely believe their own words when they say that the coup was staged to save Greece from communism and to "purify" the nation. They are puzzled, therefore, when Western democracies show some disapproval of their actions, for they believe their actions were not inconsistent with our interests.

The coup itself was not a surprise; the organizers of the coup were. For months prior to the coup, there had been widespread talk in Athens that senior Army officers and the palace, two elements which had long enjoyed U.S. backing, would move to prevent the expected electoral victory of George Papandreou's non-Communist, liberal Center Union Party. Five weeks before the scheduled election, with the Center Union apparently heading for a record majority, the sudden coup killed democracy in Greece. The colonels had swiped the plan of the palace and the generals and executed it themselves.

After the first flurry of disapproving editorials in the press of Western Europe and the United States, and some critical statements in Congress, concern for the fate of Greek democracy gradually dwindled. American policymakers, who had quite properly cut military aid to Greece, appeared on the verge of resuming it, as articles in the July 7 issues of the New York Times and Baltimore Sun indicated.

Precisely at this moment, when events were moving in their favor, the junta pulled a major public relations blunder. They revoked the citizenship of the world-renowned Greek actress, Melina Mercouri, because of critical statements she had been making.

American public opinion was again aroused, making resumption of U.S. aid untenable. Now the indications are that the United States will not resume military aid at least until the new Greek Constitution is completed in November 1967.

But let us be clear about what this new Constitution is all about. It is a device, a mechanism encouraged by the United States as a test of the junta's intentions and perhaps as a vessel for some return to partial democracy. There was nothing significantly wrong with the old Constitution. It would be an illusion to believe that the junta seized power because they had a passion for constitutional reform.

Even if the Constitution is completed as scheduled by the 20 experts who were ordered to serve on the drafting panel there is no guarantee that it will be put into effect. Patakos has publicly stated that the junta reserves the right to alter or reject it. Furthermore, the junta will choose the time for a referendum on the Constitution and then may not accept the result of the referendum or delay its effect.

What is likely to happen? What can the United States do? Were there shortcomings in our Greek policy prior to the coup? These are legitimate questions for Congress to ask.

What is likely to happen? These are the apparent possibilities:

First. The junta will solidify itself in power and run the country indefinitely;

Second. There will be a countercoup;

Third. Disorders, terrorist attacks, and guerrilla warfare will break out, with the leadership taken by the Communists;

Fourth. The junta will honor its original pledge, and, having "purified" the nation and restored "true democracy," will return to the barracks.

On the first possibility, the junta is working hard to counter threats to it. It has no popular base, but it has the arms. Not only has the apparatus of the far left been dismantled, but over 800 military officers also have been retired. The junta is trying to defuse the power of the potentially proestablishment officers.

In the face of these developments, one might conclude that the logic of the situation points to the second possibility, a countercoup. This movement could be expected to represent the palace, some Army officers, the Navy and Air Force, and conservative interests. Presumably out of a successful countercoup would come some sort of a guided, rightwing "democracy." This analysis is based on an evaluation of what the United States seemed to favor in the 2 years of crisis which led to the April 21 coup.

If a countercoup of what may be termed the "respectable right" does not take place, or is defeated, the initiative of opposition is likely to pass to the far left. While the Communists received only 10 percent of the vote in the last election and while much of their apparatus was destroyed in the first hours of the coup, it nevertheless has the only underground organization. The Center Union is democratic—and powerless. All it had was a majority of the people. It lacks the financial and military might of the palace and the right and it lacks the conspiratorial character and foreign support of the Communists.

The fourth possibility is the most remote of all.

What can we do?

We must continue to press for the release of the several thousand political prisoners. This especially includes the former U.S. economist, Andreas Papandreou, the man who had emerged as the strongest long-run figure of the Center Union and against whose "new politics" the coup was largely directed.

We should continue to withhold military aid, or at least limit it so severely that we show that we disapprove of dictatorship in the cradle of democracy. Admittedly, there is a delicate balance beyond which we lose our leverage. But the junta will likely bend quite a way before risking a total break.

Third, we must look back and review our precoup policies, painful as this may be for some.

Our policy in Greece was cautious, conservative, King-centered, and contrary to the majority of the people. Our undisguised hostility to the Center Union, and to Andreas Papandreou particularly, can only have contributed to the atmosphere which encouraged a coup.

In the Greece of the 1960's, two strong, fairly responsible non-Communist parties had emerged, the conservative E.R.E. and the liberal Center Union. Both seemed capable of governing. Indeed, George Papandreou had seemed to prove that progressive liberalism is the best antidote to communism. Whereas in 1961 the Communist-front E.D.A. had received 24 percent of the vote in an election rigged against them, in 1964 Papandreou's Center Union triumph reduced the E.D.A. vote to 10 percent. Had the May 1967 election been held, E.D.A.'s vote probably would have shrunk further.

The normal swing of public feeling in a democracy would have probably led to a conservative victory in a year or two. But the King's action in ousting George Papandreou in June 1963—against U.S. advice, it must be said—helped make the 78-year-old political spellbinder the most popular man in modern Greek political history. Subsequently we lent our encouragement to all sorts of patched-up coalitions and stalling actions to thwart an election—and a predicted Center Union victory.

Ironically, the King may recoup his fortunes as he seems to be the most likely vehicle for a return to some kind of democracy.

Political polarization is taking place in Greece and U.S. policymakers contributed to it. Once again, "playing it safe" with "solid," anti-Communist conservatives, meant playing it dangerously in the long run.

Our options at the moment are narrow, but only if we realize the mistakes of the past will we be able to seize the opportunities of the future—when whatever action we take or do not take will influence and affect the character of Greece's return to democracy.

ADMINISTRATION FARM POLICY

Mr. **PRYOR**. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. ALBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. **ALBERT**. Mr. Speaker, some of our colleagues on the other side of the aisle are reviving—again—the tired, tortured logic and the twisted facts regarding administration farm policy, statements that have been laid to rest—again and again—by the simple truth.

I can only surmise that these Republicans hope to wear out the defenders of the American farmer by sheer verbiage, and in that way to accomplish the "policy" of no policy that they seem to want.

Hanging its threadbare case on the tenuous hook of a meeting of the National Farmers Organization called to discuss bargaining for prices, the research sector of the minority party has issued a list of what it chooses to call "harsh economic blows" that it says have been dealt the farmer by this administration.

Before once again knocking down these long-since familiar strawmen, I would like to note with great interest that the statement by the opposition's task force chairman makes no mention at all of the collective bargaining plans of the NFO at its Des Moines meeting. This is not surprising, Mr. Speaker. The minority party has never been a champion of collective bargaining, whether for industrial workers or for farmers.

In fact, Mr. Speaker, it is impossible to tell from the gentleman's statement whether the Republican Party is a champion of anything. There is not one constructive proposal in the entire statement. Rather, it consists of a series of hysterical negatives.

Mr. Speaker, the Democratic administration, led by President Johnson, realizes full well that the farmer is not getting his just share of the national wealth; it realizes that he is entitled to it, and that without farm programs he will not get it because, as a seller, he is, in effect, a prisoner of his buyer. This administration is looking for better ways in which to help him.

One of these possibilities is collective bargaining for farmers, a principle that has been endorsed both by President Johnson and by Secretary of Agriculture Freeman as worthy of serious study.

There has been a beginning of interest in exploring this approach among several farm groups. A study of this approach would seem to me to be a more constructive assignment for the staff of the task force on agriculture of the Republican planning and research committee than using up reams of paper and wearing out mimeograph machines reprinting old adjectives, about old events and applying the old illogic. Perhaps, Mr. Speaker, in the interests of accuracy, it is time they dropped the "G" from the GOP.

If you are old, and if you are weary, and if the application of hard intellect to hard problems is a chore, the easiest path is to lay the burden on someone else, and then head for the hills.

For the task force chairman to blame this administration for the current slump in commodity prices is like blaming the home team's manager when the ball game is rained out.

Mr. Speaker, it is a fact that because of farm programs fought for and won by this administration, often in bitter struggles, the burdensome surpluses of the fifties are gone, the market is freer of Government now than it has been for 30 years, and nearer supply-demand balance than it has been for half a century. Most of our farm programs are now voluntary.

Net farm income in all probability will be down this year, but it will be down because of factors outside administration control, such as world and domestic production and weather, and the marketing practices of farmers themselves. Do not forget that it will be down from an all-time record gross last year. And do not forget, either, that it still will exceed the best income year under the Republican rule of the fifties.

But this decline is a cause of deep concern to the President, to the Secretary of Agriculture, and to the entire administration.

Doing what he can to bolster prices, Secretary of Agriculture Freeman has been stumping the country urging farmers to adopt careful marketing practices.

This new challenge to farmers requires more active orderly marketing.

He is saying:

> It requires restraint on the part of farmers in the quantities of a commodity moving into the market at any one time.

He cites the price-support program as an aid in the holding process, urging farmers to hold onto their products "and make the market work for you instead of against you."

In this connection, it is interesting to note a story in the Forum at Fargo, N. Dak., in the heart of the Red River Valley, which quotes the owner of a large seed and grain company as urging the same thing.

Here is what it says:

> He said elevator operators should, in good conscience, urge farmers to hold as much grain as possible on their farms until a better market prevails.

The Secretary is concerned, and the President is concerned.

When the task force chairman says the USDA and the administration "aimed to depress farm prices," I would like to quote this, spoken by President Johnson last April:

> Anyone who believes that a Democratic President, who was born and raised in a democratic country, in a farm area, who grew up on a farm, walked four miles to school, and who spent 35 years among Congressmen and Senators from farm states, can look with any pleasure on declining farm incomes, is either pretty naive, or pretty misinformed, or he is looking for a political issue that doesn't exist. . . .
>
> We are on a long uphill climb, and we are going to make it. The stakes are high. Years of continued prosperity for all of our people must be built in a healthy agriculture.

There are six of these tired old fellows, and they have been blown down so many times that I feel that just one small puff apiece will do the job.

First. Poor old "grain dumping" has been making the rounds since last year, accused of depressing prices. The CCC sold its corn in the winter and spring of 1966. By May 1966, corn was up 17 cents from the previous November and by the October harvest it was up 10 cents more. This is price depressing?

Second. In the matter of dairy imports, the administration acts within the bounds of law enacted by Congress. The law says that imports can be restricted when they interfere with the price support program. When that time came the President acted.

Third. The task force chairman has credited the USDA with estimating 2 million more cattle than it actually had estimated when he says it overestimated by 4 million. The overestimate was 2 million, or 2 percent, not an anomoly in statistical circles—and the principal effect on prices came because the cattle were there, not because of their estimated numbers. Incidentally, Chicago choice steer prices today are $2.50 higher than they were in April, and $1.38 higher than they were a year ago.

Fourth. As to the pork purchase issue: When hog prices rose to $30 per hundredweight—which is about 122 percent of parity—Secretary Freeman recommended that the Defense Department buy less pork and more of those meat products which needed price strengthening.

This was done because the Defense Department, like all departments of our Federal Establishment, is charged with the responsibility of economizing whenever and wherever possible to save taxpayers' dollars.

But the economizing was not done at the expense of the hog producer.

As soon as hog prices were stabilized, the Defense Department restored pork purchases to the previous level. And, in actual practice the original cutback had no effect whatsoever, for in the first 3 months of 1966 the Defense Department actually bought 7 million more pounds of pork than it did in the first quarter of 1965.

The critics and the nitpickers of the pork purchase cut have chosen, conveniently, to forget that USDA policy of shopping for the best buys also helps raise prices.

They forget that in 1944 when cattle prices had plunged to a dangerous level, the Defense Department and the USDA spent hundreds of millions of dollars buying beef. And what did this do? It reduced the temporary surplus of beef—elevated cattle prices substantially.

Fifth. On export of hides, the facts are that hide exports were only mildly restricted, for a very short time and were lifted a year ago.

Sixth. Market prices for domestic production have not been held down by higher imports of raw sugar. The price of raw sugar is now 7.33 cents per pound, which is in line with the price objective of the Sugar Act. Prices averaged 6.99 cents per pound last year, started this year at 7.1, and moved gradually to 7.35 the second week of June. They have not been below 7.30 since.

Mr. Speaker, I hope we have seen the last of these old strawmen. I hope the Republicans, when it comes to farm programs, might at least try to restore the "G" to the GOP.

IF YOU WERE L. B. J.

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. Albert] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ALBERT. Mr. Speaker, I have often wondered what would be left of the acrimonious debate on Vietnam policies, if all of those who throw alternatives and criticism into the air suddenly had to trade places with Lyndon Johnson. How vocal would they be if they had to make the hard, tough, crucial decisions the President makes which affect the lives and welfare of American fighting men and the existence of 15 million South Vietnamese?

What would they do—the critics and the naysayers?

Would they withdraw American forces immediately; repudiate the SEATO treaty; stop American aid to South Vietnam; sit back and see what happened?

Does anyone doubt that within months, perhaps weeks, there would be a Communist government in South Vietnam?

Does anyone doubt what would happen to millions of innocent nonpolitical South Vietnamese?

Does anyone question what the Communists might do to soldiers of the South Vietnam Army who had fought against them?

Does anyone ask what the people of Thailand, or Cambodia, or the Philippines or Malaysia—watching the giant that is Red China—might say about an American withdrawal—for whatever reasons the critics might give?

These are some of the questions posed by the editor-emeritus of the Sioux Falls, S. Dak., Argus-Leader, F. C. Christopherson, in a column entitled "If You Were L. B. J., What Would You Do?"

It is a most thought-provoking article, Mr. Speaker, and I insert it into the Record. It places a much needed perspective on the life-or-death decisions that our President faces every day of the week. It inspires renewed awe at the complexities of the office and the demands on the man who occupies it.

The article follows:

If You Were L. B. J., What Would You Do?

Let's do a bit of assuming this morning. Assume that by some odd quirk of fate you—yes, you—are thrust into the White House with full authority to act on Vietnam.

What would you do? Why be hesitant? You've been talking freely about this on the street corners, over the coffee cups and the backyard fence. Repeatedly you have said that we should do this or that and said so with emphasis and without circumlocution.

Now you're on the spot. You can replace talk with action. It's in your power to determine the policy of the United States in respect to Vietnam. No longer can you say that if you were LBJ you would do this. In effect you are LBJ. You can't erase what has been done in the past. You can't settle anything merely by saying you would have done differently one year or five years ago. You are confronted by the reality of what the situation is. You must proceed from now, not from yesterday.

You may have been saying that either we should get out of Vietnam or hit harder. But that isn't the type of command you can give the military commanders in Vietnam. You must specify.

The decision is yours. Is it to hit harder or to get out? Or do you compromise in between the two extremes?

IF WE GET OUT

So we assume some more. Assume you decide we should get out. You telephone the military commanders to pack their bags, put their troops and equipment on ships and planes and hurry home.

Now what happens? The South Vietnamese are no match alone for the combined forces to the north. In come the marauders to punish those who have been on the wrong side. The blood bath could be tremendous and perhaps would be despite some effort to exercise restraint.

And what of the reaction in Thailand? In India? In the Philippines? In Australia? In southeast Asia generally? What about West Berlin? What about other areas that have acquired a respect for American might and will?

Might not these countries, peoples and regions assume the United States is a paper tiger? A weak-kneed people who pulled out when the going got tough?

Yes, these questions seem remote to us out here, on the plains and prairies of South Dakota as well as elsewhere in the United States. But they are very real to the people directly involved. And let us not for one moment assume that the world of today is the world of yesterday. Now we aren't remote from anything, any place, any people. The world is small and compact. It is growing smaller and more compact every day.

WE GO ALL OUT

Well, instead of just withdrawing, you decide to work out an honorable peace. But don't assume that that hasn't been attempted not once but a hundred and more times by President Johnson and Secretary Rusk.

All right, then we decide to go all out to win the war. Our airplanes zero in on all of the military targets. They crack at Hanoi and the big harbor where many nations, including some who are supposedly our good friends, are unloading supplies. We sink ships, we kill literally thousands of people.

Now we have aroused Red China more than ever. Russia is on the spot because it is regarded as the foremost defender of communism in the world just as we are appraised as the major supporter of democracy.

So Russia feels it must do something to justify its image. Red China is led by a fanatic with complete power to act. It has a limited amount of crude nuclear power. It rushes in where sensible men refuse to tread. It explodes a bomb. Do we retaliate in kind? If so, does Russia restrain itself? What about the attitude of various nations whose ships we damaged in the harbor? Does President Charles de Gaulle of France decide that this is the time to assert himself?

DOWN THE MIDDLE

With President Johnson, it isn't a matter of assumption. He is in the White House. He doesn't have dictatorial powers but he is in a position at least to direct the policy on Vietnam as of now. And, of course, instead of assuming, he has been doing what he and his primary advisors deemed wise.

He hasn't ordered a withdrawal from Vietnam. He hasn't ordered an all-out assault against the north and its sources of supply. What he is doing may best be described as a middle-of-the-road policy. One may be sure there are times when he is perplexed, uncertain and confused.

The purpose of this review of the situation in Vietnam is not so much to present an answer as it is to emphasize the problem, as agonizing as it is complicated. You may ask: "What would you do if you were LBJ?" My answer: "I don't know. Perhaps I would do what LBJ is doing."—F. C. CHRISTOPHERSON.

ADDRESS OF CHAIRMAN JOHN M. BAILEY, DEMOCRATIC NATIONAL COMMITTEE AT WESTERN STATES DEMOCRATIC CONFERENCE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. ALBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ALBERT. Mr. Speaker, Chairman John M. Bailey of the Democratic National Committee addressed the Western States Democratic Conference last week in Los Angeles with some remarks of vital importance.

I am sure that many of my colleagues will find Chairman Bailey's speech interesting and informative:

I want to thank you for inviting me to participate in your Conference.

All of you who are instrumental in planning it and putting it on are to be commended. It has been an interesting and productive meeting.

The Conferences and work shops of this kind that are currently being held around the country complement some of the meetings we have been holding in Washington. We of the Democratic National Committee plan to increase and expand our work in this area of activity, and we intend to see more of these "nuts and bolts" sessions throughout the country at every level.

I am a politician and I have come here tonight to talk to you about politics.

I think that my credentials of having served and still serving as a State Chairman who has held that position longer than anyone else currently heading a State Party, and as National Chairman, qualify me.

I do not come here with all the answers. I wish that I did. What I most want to do is to throw some thoughts out to you this evening as I will at other similar conferences. And as a result of this, I hope that there will be suggestions and ideas forthcoming to the Democratic National Committee that will be helpful in the future.

Just as an opener, I think that the coming 1968 campaign on all levels will take a freshness of approach, an originality of thinking, more than any other campaign anyone in this room has experienced in the past.

And I will tell you why.

In the first place, there has never been a campaign conducted in this nation's history preceded by such a long and vigorous period of economic prosperity. Barring unforeseen circumstances, that period of prosperity will have passed seven and a half years by the time the campaign starts in 1968. There is no precedent for it in either wartime or peacetime since our country was founded.

This prosperity is certainly one of the proudest achievements of the seven and a half years of the Administrations of President Kennedy and President Johnson. It has brought high wages, lower unemployment, and a greater productivity than was almost beyond our imagination a few years ago.

But to put it in perspective, let us examine the realities of this prosperity beyond an achievement to which we can "point with pride."

Perhaps the most significant reality is that this prosperity has virtually eliminated for the present—and perhaps forever—many of the ties of traditional political leadership. To ignore this would be truly to ignore the facts of life. For the "last hurrah" has literally been sounded.

To be specific, let me zero in on just one area of traditional Democratic support—the labor movement.

In the past of less prosperous times, the power of union leadership generally could be counted on for a certain candidate's support. The Democratic Party has made some great contributions to the furthering of the labor movement, and the labor movement has certainly made some great contributions in support of the Democratic Party. So it has been a two-way street. But what do we find today?

Earlier this year, the AFL–CIO had a poll taken of its membership. Some 1,700 union members were questioned. Of that number, the poll found that 46% were in the $7,500 to $15,000 a year bracket. What this means is that a large segment of the union membership has become to some extent financially independent. They have had a long period of plentiful jobs at good wages. When a man works and has good wages he can be independent of candidates endorsed by union leadership. He can ignore the candidate who has a good union record. And the legislation and issues that once meant bread and butter to him are no longer so vital when he casts his ballot.

Let me give you just one dramatic example of how this can happen. In Michigan in 1964 there were five outstanding new men elected to the Congress. During the 2 years of the 89th Congress they were strong supporters of the Johnson Administration programs sent to Capitol Hill. These programs included Medicare, aid to education, and other social welfare programs that unions have been advocating to be passed for years. And they included the repeal of Section 14(B) of the Taft-Hartley Act.

These 5 Congressmen came from districts in Michigan with substantial Democratic registration. They had the endorsement of the United Autoworkers and other powerful unions in Michigan. But on election day in November of 1966, all 5 of them went down to defeat. And they suffered their defeat by Republican candidates supported by conservative groups.

Another factor that is rapidly changing the traditional political situation is the revolution in education.

Thirty years ago, for example, a college degree was still a fairly rare commodity. Today, that has changed and it's changed in a great part thanks to the Johnson Administration programs for higher education. And today in the average household in America, it's unthinkable that Johnny and Susie will not go on to college after high school graduation.

When they get there, contrary to what many parents and professors may believe, these young people not only think to learn, but they also learn to think. And what they think is rather disturbing to a political pro.

George Gallup found in a campus poll not long ago that 26% of the students identified themselves as Republicans, 35% identified themselves as Democrats, and a whopping 39% said they were independents.

Now, contrast this with another Gallup Poll measuring party affiliations of all ages. It found that 55% were Democrats, 34% Republicans, and only 9% identified themselves as independents. So there are 30% more of the young people in college identifying themselves as independents than there is in the general voting populace.

As President Johnson said of the young people at the Democratic National Committee meeting in March:

"It will not suffice to tell them the Democratic Party is responsible for the many measures that aid in their education, housing, health, transportation, and recreation.

"Nor can we assume the party label will be handed down to them from one generation to the next.

"These young people want to be a part of what is happening. They want to have a voice and have it heard. They want to create a response and they want to have responsibility. And they are going to turn to the party that will offer these things to them."

Still another factor that is affecting politics is travel. Travel at home and travel abroad. In this country the great changes in roads brought about by the interstate highway system, plus ample dollars to pay the hotel and restaurant bills, have Americans getting around as never before. And who do you know who hasn't been to Europe lately? Just for fun this week I had my secretary call three of the major overseas airlines to see when she could make a reservation on excursion fare to London. The earliest date any of the three could confirm a seat was the middle of September.

I am here to tell you that a farmer who has toured the agricultural areas of the Soviet Union, a student who has studied at the Sorbonne, a banker who has visited the financial district of London . . . they do not come back to this country with their thinking unchanged.

And we, my fellow Democrats, cannot keep thinking in the same old patterns and the same traditions and expect to win their votes.

Certainly one of the greatest changes that has come about on the political scene is the use of television. And who more than the Democrats of California have experienced the results of this phenomenon? We know, and it is perfectly obvious, that no candidate for a major political office in any populated area can ignore the medium of television in his campaign, regardless of the cost.

But, I wonder, do we fully recognize the other aspects of television and the impact that it makes upon our minds? If we do not, then I think another finding of the AFL–CIO poll brings this into focus much more sharply than the fine tuner of our TV sets.

This poll reveals that 47% of the union membership looks to television for their most reliable political information. To be more specific, by far the highest percentage of them rely on Walter Cronkite. What I'm afraid this means is that by a mere inflection of his deep baritone voice, or by a lifting of his well-known bushy eyebrows, Cronkite might well change the vote of thousands of people around the country.

I do not in any way question Mr. Cronkite's sincerity or his objectivity as a television news man. But with the vast power that he obviously holds over the nationwide television audience, I hope that he never becomes too unhappy with my candidate.

This business of television news extends far beyond the commentators. This is a time when wars are covered on the scene almost instantaneously. And when parents are seeing their sons shot on the screen before their very eyes. This is a time when a television newsman would ignore a thousand people met in good faith for a good cause to cover two pickets with long hair and long beards who are protesting something. This is a time when the deeds of the Ralph Bunches are being ignored for coverage of the misdeeds of the Rap Browns.

I think I can say tonight with near absolute certainty that the news judgments of the men responsible is not going to change.

It is going to be up to us to change and to change fast to compensate for these many new developments.

And I also can say with absolute certainty that neither Lyndon Johnson nor Hubert Humphrey, nor John Bailey, is going to ride a political dinosaur to defeat in 1968.

I think that one of the highest priorities we have is going to be given to finding a more lucid method of contrasting both achievements and goals of Democrats versus Republicans.

I cannot believe, for example, that the great populace of this country is opposed to progress. Yet it is up to us to devise interesting and imaginary ways to tell the American voters the true story of Republican opposition to virtually all progress. And no more dramatic example of Republican opposition could be found than in the sad events of recent weeks.

Much of the attention and publicity have been focused on the rat control bill, a measure establishing a $40 million Federal grant program to aid localities in controlling and exterminating rats.

And where do most of the estimated 90 million rats live? In the slums and ghettos of our cities.

When this bill came before your Congress in the House of Representatives, 148 out of 160 Republicans recorded cast their votes against it. Four days later, the National Republican Coordinating Committee issued a statement blaming the Administration for the riots.

In all this long statement of charges and accusations, there was not one word suggesting remedies for the cities. The closest they came was in this statement:

"The root causes of discontent are of immediate and continuing concern to us all."

Let me tell you just how concerned they have been: In a sampling of 396 House roll call votes on urban affairs, taken from votes from between 1955 and May of 1967, Republicans voted unfavorably 59.9% of the time.

The Republicans were especially concerned during the 89th Congress.

Ninety-six percent of the House Republicans voted to kill the Department of Housing.

Ninety-seven percent voted to kill the Omnibus Housing Bill.

And ninety-six percent voted to kill the Department of Transportation.

At the press conference where the Republicans statement was read, a reporter asked if that was the first time the riots had been made a partisan issue. I quote the next paragraph in the reporter's story:

"House Minority Leader Gerald Ford (R-Mich.), who shares the spotlight with Senate Minority Leader Everett Dirksen (R-Ill.), said that that was a mistaken conclusion. 'We have a good record on civil rights. . .' he said."

What is the Republican record on civil rights?

Sixty-three percent voted to kill the Civil Rights Act of 1966.

Eighty-five percent voted to kill the Voting Rights Bill.

But as Mary McGrory wrote in the Washington Evening Star, ". . . the Republican Coordinating Committee is not interested in what causes riots. It simply insists that they stop. And, to judge from its statement, it wishes to exploit the fear and outrage of the white community while pointing out, as Dirksen said, 'the Negroes are the real victims.' "

In another area I think we must become involved and be very vigorous in our activities where the GOP will be holding Presidential primaries.

The eyes and ears of the nation will be on each of these primaries and the candidates running in them.

The people should know, for example, about George Romney's "pendulum policy" on Viet Nam—his swinging back and forth from one day to the next, according to the way the polls blow.

They should know about all the foolish statements Dick Nixon has made abroad at his country's expense in his quest for publicity.

They should be reminded that Ronald Reagan's right-wing philosophy is only being hidden by a makeup man's powder and paint.

As a matter of fact, I feel rather optimistic about 1968 when I view the broad scope of activities leading up to the Republican National Convention next year.

They have at least six leading men who are going to be cutting and slashing each other from coast to coast between now and then.

And National Chairman Ray Bliss apparently holds no hope his party will have settled on one man by convention time. When he looked over Houston as a possible convention site about six weeks ago, I understand his first requirement was that the city have at least 12 hotels to serve as headquarters for candidates.

Moreover, I think that many of the political pundits have overlooked the power the right-wing forces still hold over the Republican Party.

The right-wingers made substantial gains in statehouses and in Congress in the 1966 elections. While the more liberal glamour boys like Percy and Brooke get the publicity, the Goldwater element has shown itself to be very much in command at the recent national meetings of Young Republicans and the Federation of Republican Women.

And contrary to predictions that the large class of freshmen Republican Congressmen would be progressive, they are as conservative and as negative as any of the old crowd.

All of this leads up to one possibility that is becoming more and more evident every day: That Barry's boy, Ronald Reagan, may well end up as the GOP nominee.

But if we Democrats will mount a united, enthusiastic effort. I am positive that we can defeat any ticket put together by the Republican Party.

We have the great Democratic leadership team of President Lyondon B. Johnson and Vice President Hubert H. Humphrey. Over and over again they have earned the trust the American people placed in them in 1964.

I am also positive that this trust will be renewed when the voters go to the polls in 1968 and we will have another smashing Democratic victory in November 1968.

Thank you.

CONSUMER WRITER SIDNEY MARGOLIUS TRACES THE FORBIDDING JOURNEY OF THE HAPLESS CONSUMER THROUGH THE JUNGLE PATHWAYS OF CONSUMER CREDIT

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentlewoman from Missouri [Mrs. SULLIVAN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, Mr. Sidney Margolius is best known to Members of Congress through his weekly columns on consumer economics published in the prize-winning newspaper of the Machinists Union, and also appearing in many other labor publications and consumer periodicals. He has served as a member of the President's Consumer Advisory Council, and is one of the outstanding experts in the United States on the bread-and-butter issues of consumer budgeting and finance.

From his broad knowledge in this field and his extensive correspondence with the people who read his columns and look to him for advice and guidance, he brought to the hearings of the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency a wealth of information on the subject of consumer credit—its uses and abuses.

Should we ban garnishment as a device for unscrupulous merchants in collecting debts which never should have been contracted for in the first place—for credit extended to people who can repay only at the expense of seizure of most or all of their weekly pay check? Mr. Margolius made a very good case before our subcommittee for enactment of the antigarnishment provision of H.R. 11601, the Consumer Credit Protection Act.

Do consumers, particularly the poor, often become enmeshed in credit deals they do not understand and find themselves hopelessly entrapped in situations from which they cannot escape? Mr. Margolius told us about numerous such cases.

CREDIT NECESSARY AND DESIRABLE BUT SHOULD BE REGULATED FAIRLY

Mr. Speaker, consumer credit is an essential and socially desirable economic tool in this country. It has made possible a vast expansion in purchasing power and thus in employment and in family comfort. The automobile industry would never have grown to its fantastic size in this country if some imaginative dealer long ago had not figured out a method under which the purchaser could pay while enjoying the use of the automobile. Few Americans could have purchased cars or homes if the purchase had to be paid for in cash.

But it is because the consumer credit

industry is now so vast and so important in our day-to-day life that we must make sure it operates for the benefit of the public and not as a form of victimization of the public. Mr. Margolius discussed these factors in his testimony before us on credit disclosure and consumer credit regulation, as called for in my bill, H.R. 11601, and I recommend a reading of his statement, as follows:

Statement by Sidney Margolius on H.R. 11601, the Consumer Credit Protection Act, Before the Subcommittee on Consumer Affairs of the Committee on Banking and Currency, August 14, 1967

My name is Sidney Margolius. I reside at 74 Davis Road, Port Washington, New York. I am a writer specializing in consumer economic problems. In addition to books, pamphlets and magazine articles, I write a syndicated consumer column published by 105 trade-union, consumer co-op, credit-union and other newspapers with a combined circulation of 14 million. I have devoted myself solely to reporting on consumer economic problems for over 30 years.

In the light of this experience, I would say to this committee that family money losses arising from high-pressure credit selling today have become a serious national problem, damaging not only the families themselves, but causing a diversion of family resources that is helping to frustrate vital family and national goals such as advanced education, better housing and the anti-poverty program.

Never before have there been so many pressures on the public to buy on installments and to borrow money; never before have so many families used credit so extensively; never have they paid as high rates for it, and never have they been subjected to as many deceptions stemming from obsolete state credit laws which originally were designed to protect sellers and lenders, not buyers, and which some unscrupulous sellers have learned to use for outright deception.

For this reason, H.R. 11601, the proposed Consumer Credit Protection Act has significance beyond even the urgent need to give consumers honest and reasonably accurate information about installment and loan terms. This is a perceptive, intelligent, practical, public-spirited bill in the best national interest. Your sub-committee is to be congratulated for drafting and offering this bill which is as patriotic and practical as it is humane. This bill as it now stands would benefit America's families, help our national and local economies in a number of ways, and aid reputable businessmen.

This bill would especially benefit small businessmen who now must cope with hard-driving competition on one hand from national chains and mail-order houses who are inexorably pushing their extensive credit plans, and on the other hand, from fringe sellers who divert a surprising volume of sales from scrupluous business through deceptive credit-selling methods. Scrupulous businessmen should welcome this bill. Some leading businessmen themselves have said credit reforms are needed. Any scrupulous business spokesman who fights this bill is fronting—either unwittingly or short-sightedly—for the disreputable fringe sellers.

It has become increasingly difficult for small businessmen to compete with the chains and mail-order sellers who peg their cash prices low, but then drive to get buyers to use their credit plans on which they make an additional profit.

The damage to consumers themselves is greater than many of us may realize. To a large extent—and this may seem a little strong to swallow at first—consumer exploitation has replaced labor exploitation as the real problem of our times. We would not permit the things to be done to people as workers that we allow to be done to them as consumers.

Consider this incident that happened to one working woman. A salesman knocked on her door and showed her a set of stainless steel tableware at a price of $65. He said she didn't have to decide immediately, but after delivery could take a few days to decide whether to keep it. When the tableware arrived, the woman signed what was described as a receipt". But on closer inspection the set did not appear to be the same quality she had been shown. She wrote the seller to take it back. The only answer was a demand for payment.

The "receipt" turned out to be an installment contract. The woman went to the Legal Aid Society, which was willing to intercede. But her employer's personnel office called her in and told her that a garnishee had been filed for $120, including finance charges and legal costs, and that the employer would not tolerate garnishees. To keep her job she had to settle with the seller. She settled for $75 for a set of tableware which another retailer subsequently estimated was worth $15. This woman earns just $60 a week. So she really had worked one week without pay because of the $60 she had overpaid for the tableware.

If an employer had forced her to work a week without pay, we would all cry: "This is peonage". Congressmen would not tolerate labor peonage. But in many cases today we have substituted consumer peonage for labor peonage.

This is not an isolated example. Thousands of such incidents occur each week across the country, often involving much larger amounts. Some families even are forced into bankruptcy or on welfare because they are snared by deceptive sellers who use the coercive levers provided by most state laws to set their traps.

As is well known, there are more consumer bankruptcies today, than in the big depression of the 1930's. Such personal bankruptcies have increased every year for the past 14 years; in fact have jumped 240 per cent in the past ten years.

But even more widespread, though better hidden from public awareness, is the number of people whose wages are attached or garnisheed because of debts. Several million wage-earners a year suffer such garnishees. Various cities such as Chicago, Washington, Birmingham, Detroit, Akron, Portland (Oregon), and others, have reported anywhere from 12,000 to 100,000 garnishees a year each.

Often the debts for which these workers are garnisheed were incurred through deceptive selling tactics as evidenced both by examination of specific cases and because a high percentage of garnishees are filed each year by the same sellers and finance companies in various cities.

Even when families do not reach the bankruptcy or garnishment stage, the habitual installment buying indulged in by about half of all families, causes a steady erosion of family income.

In the ten years from the mid-1950's to the 60's, the country's population increased 18 per cent and disposable income rose 59 per cent. But installment debts jumped 130 per cent. Not only are American families buying more goods on credit, including small items traditionally bought for cash, but they are paying high finance rates and taking longer to pay. A family that usually carries $2000 of installment debts very likely pays in the neighborhood of $300 a year in finance charges, or a total of about $9000 over its major buying years. This family, if it is carrying a $16,000–$17,000 mortgage on its home at 6 per cent for 30 years, will pay an additional $20,000 just in interest fees on the mortgage. Altogether a typical wage-earner today works four or five years of his life just to pay interest fees on installment debts and mortgages.

I want to address myself particularly to two sections of the bill—the inclusion of revolving credit in the requirement that true annual interest rates be disclosed, and the prohibition on garnishment of wages.

There is real danger in omitting revolving credit from coverage. It is true that revolving credit represents only 5 per cent of all consumer credit. But it is the fastest-growing kind.

Sears Roebuck, one of the earlier and most active promoters of revolving credit, now does approximately as much business on revolving credit as on the traditonal installment contracts. Sears now sells almost $4 billion worth of good on credit (about 58 per cent of all its sales). About 40 per cent is for "soft goods" like clothing and domestic textiles which families traditionally bought for cash, but now often buy on revolving credit.

Spiegel's, a mail-order house owned by Beneficial Finance Company, actually does 90 per cent of its business on various types of credit plans including revolving credit.

Too, even though the Senate bill provides some safeguards against conversion of installment accounts to revolving accounts, more retailers are expected to shift over to revolving credit if they don't have to tell the true interest rates. The president of one retail furniture merchandising group already has advised his stores to set up revolving plans in view of the passage of truth-in-lending laws in several states, and the proposed federal law.

Some of America's largest merchandisers and manufacturers in effect have become combination stores and finance companies, including many who until a few years ago sold very little on crédit.

Sears, Montgomery Ward, Penney's (traditionally a cash store and the last large holdout from credit), W. T. Grant, City Stores, Alden's, Gamble-Skogmo, and other large chains and catalog houses, now all own their own finance companies.

In reverse, some loan companies have been buying control of chains of stores which generate credit accounts for them. Beneficial Finance Co. now owns Western Auto Supply Stores as well as Spiegel's. Household Finance Company now owns the White Stores, Coast-to-Coast Stores, Ben Franklin stores and the Colby Furniture stores in Illinois—a total of over 4,500 stores.

Most of these large retailers now are promoting revolving credit especially hard. Montgomery Ward, for example, devotes more than twice as much space in its catalog to its revolving credit plan than to its three traditional installment plans put together. I have no breakdown on the proportion of its credit business Ward now does through revolving credit, but Ward now makes 47 per cent of all its sales on credit even though it was a relatively late starter in pushing revolving credit. Even a variety chain like W. T. Grant which has broadened into a junior department store type of operation now does 25 per cent of its business on credit, especially pushing a type of revolving credit called coupon books for small purchases. The true annual rate on coupon books—which you spend like cash in the store—can amount to as much as 31 per cent for the smaller denominations.

You almost have to specify that you don't want to use a fee-charging revolving credit account when you seek to open an ordinary charge account these days. One alert woman told a New York department store credit clerk, "I want to pay my bills monthly. I don't want a revolving charge account." The clerk responded, "It's a good thing you told me, because we automatically put you on revolving credit unless you ask for a regular charge account."

In another case, a woman bought a $9 bedspread from one of the large mail-order houses. When the bill arrived it gave her a choice of paying the $9 in 20 days or paying it on revolving credit—$5 now and $4 next month.

An Akron family who had made purchases

of a number of small items on a revolving credit account from Alden's found themselves behind in payments because of a work cutback. One day a letter arrived from the mail-order house warning that they would have to go to the man's employer. While the family was worrying because they knew that the employer fires for a garnishee, in the next mail another letter arrived from the same retailer urging them to make more purchases on their revolving credit account.

Now I would like to mention just a few incidents to show the effect of this heavy promotion of revolving credit on American families.

A college-educated Atlanta housewife wrote me: "As we added up the interest we paid last year we found we were paying 18 per cent, and had been persuaded into extended payments by phrases in the catalog like 'No lump sum interest charge, only a small 1½ per cent a month service charge with each payment.'"

A Portland mother of 26, who has three little girls, wrote that she has gone back to work to help pay off accumulated debts of $4721. Her husband's take-home pay is $420 a month. They have 20 debts, including obligations to six department stores.

A Haverhill, Massachusetts couple with only $300 a month income obligated themselves for monthly payments of $224 for bank notes and a revolving charge account, bank loans, plus accumulated bills for oil, insurance and other needs. "The creditors are getting hard to handle," the wife wrote me. "I am ready to jump in the river if I don't find a solution soon."

For the many young families who are led into serious overindebtedness, the effect often is a sense of despair and a shattering loss of self-confidence.

"Panic accompanies the writing of every check," the wife of a Lansing, Michigan, school teacher wrote me. "After two and a half years of marriage and two babies, we are paying 20 percent of our income on our debts. But what happens when the house needs repair, the transmission in your car collapses and your child is hospitalized—all in one month?"

A young wife in Phoenix with two small children, still in her early twenties looks forward only to a lifetime of debt: "It has finally hit us hard enough so that we have to face the fact that no matter what, we will never get out of debt."

She and her husband married right out of high school. They were active and confident consumers. They bought so much on credit that she ended up going to work as a secretary, for a finance company, appropriately enough. "With my working, we decided we could get out of debt easily. But due to always seeing things we wanted, and with our 'good' credit, we got in deeper. With the second baby I lost my job. Now my husband is working only part time. We are constantly hounded by bill collectors."

Now there are additional pressures to buy on revolving credit through the bank credit-card plans being promoted extensively. Obviously, excusing revolving credit from disclosing the true annual interest rate would leave a very large loophole.

Of course young families will still buy on credit, and some will overbuy. But at least the Atlanta housewife and others would know beforehand what annual interest rate they will have to pay, and decide whether it is better to leave funds in a bank earning 4 or 5 percent while they pay a presumed 18 percent for revolving credit; whether it is preferable to pay 18 percent for a credit card plan when they could take out a personal loan from the same bank for a true annual 10 or 12 percent, or put more down, or pay moderate balances immediately, or use cash to buy small items instead of coupons "which you spend like cash,"—almost like play money.

Many excuses are being advanced for seeking exemption of revolving credit. Some of these seem to be a little academic. There would be nothing wrong with stating that there are free days and variations in billing as long as the seller complies with the requirement to state that when he does start charging for the credit, the rate is 1½ per cent a month or *approximately* 18 per cent a year. The seller would be able to make it clear that if the buyer pays up in one month, for example, there is no charge.

The bill as written provides for reasonable tolerances and also permits the proposed administering agency to make adjustments and exceptions for any class of transactions if the agency finds this necessary to secure compliance. If a revolving credit seller maintains that his charge of 1½ per cent a month is actually lower in terms of simple annual interest, because of his method of calculating these charges, then as I read this bill—he can make a showing of why his annual rate differs (if 12 x 1½ actually can differ from 18) and what tolerances, adjustments and exceptions may be fair and reasonable.

After the seller states the required formula he still has the right to make a reasonable and accurate explanation of why one plan may have advantages over another even though both charge the same periodic rate.

Another useful addition in the House bill is the inclusion of debts on which the finance charge is $10 or less. Otherwise not only many of the high-rate "payday loans," but such fees as an extra charge if you arrange to pay part of your auto insurance later, would not be covered. The insurance company would not have to tell you that a charge of $2 of repaying, say, $40 three months later, is really the equivalent of a true annual interest rate of 20 per cent.

Another danger is that the practice of loan companies in some areas, of making several small loans rather than one loan, will spread. Selma Cash Paty, a Chattanooga lawyer reported a $39 loan renewed 18 times. The borrower got a total of $443 and repaid $653 including $63.88 in "investigation fees."

With regard to the proposed ban on garnishments, this ban would do more to eliminate many of the credit deceptions now used on working people than any other action Congress or the individual states might take. There are a number of potential tools of deception written into most state laws which high-pressure sellers use. These include the right to repossess and also get a deficiency judgment; the confession of judgment note which waives any defenses the buyer may have and the "holder in due course" provision which absolves the finance company or bank of any responsibility for the seller's lack of performance or even outright verbal misrepresentation, even though the finance company may be perfectly aware of what is going on.

But the garnishment is the lever of final coercion that makes most of these other tools of deception work. Often an unscrupulous seller does not even have to get a garnishee. He can merely threaten it and the victim often is frightened into paying even an unfair bill for fear of job loss. Often even the actual threat is not necessary when the victim knows that his employer fires for a garnishee, or at best condones only two or three.

Here is the kind of awful incident that has been repeated actually hundreds of thousands of times in recent years in referral selling schemes, food freezer plans, carpet selling schemes, overpriced home improvement jobs, fake correspondence schools and so on, with no way to stop these schemes as long as the garnishee law exists. A woman in Kansas City, Mo., wrote me:

"A salesman came to my house with a camera. The setup was like this. You pay $20 for the camera and that is all you have to pay. Then you send the company customers and the camera is supposed to be yours. I sent the company over 20 customers and received no credit. Now they say I must pay for the camera because I signed the paper. I have a witness that I told the man if there was any more money involved I could not take the camera. These people sold the papers to a finance company. They have come four times to the company where I work, to garnishee my wages. I sent the camera back because I told them I could not afford to pay such a price—over $400.

"The company has the camera but they say I still have to pay. I have talked to three lawyers and I get no help. They say I still have to pay. So far I have lost four days work over this matter, with all kinds of trouble at work. I am a woman of 50 with a 12-year-old child to support. I need the little bit I make for living expenses."

This woman is caught like a mouse in a trap. The trap is the state credit laws—stacked on the side of the seller and the finance company.

She has no place to turn. She went, not only to the lawyers, but to the Better Business Bureau and the Legal Aid. "No one seems to be able to help me," she says.

Many times working people return partly paid for goods in the belief that this will square off the debt, or because the machine does not work, or because they really did not save money on food by having a freezer. They found they still have to pay the whole bill though they no longer have the goods. Sometimes people signed contracts for lessons or gymnasium courses, and even though a health reason may require them to drop out, even though the gym or judo club closed up, they still had to pay for all the lessons plus the finance charge. The things that go on are really incredible. Florence Rice, a New York antipoverty worker, tells about a woman who bought a TV set. It turned out to be for DC current. She had AC in her apartment. The seller refused to take it back. She threw it out. The seller simply threatened to get a garnishee. The woman now is paying off a total of $516, at $7 a week, even though she has nothing to show for it. Can you believe consumer peonage?

Another woman bought a watch priced for $59. When she fell behind in payments she was garnished for $113 including finance charges and legal fees. Another jeweler valued the watch at $19. Is it any wonder that in riots in Detroit and other cities, rioters also destroyed installment records in local credit stores?

One can say that these people should be more careful, and should buy from reputable merchants. Without doubt such buyers are innocent and trusting. But the question before this country today, is whether we should permit laws that enable unscrupulous sellers to take advantage of innocence and trust.

It is noticeable that the states with the toughest garishment laws have the highest bankruptcy rates including California, Ohio, Virginia, Michigan and Minnesota. Colorado, with much less population, had about 4300 bankruptcies and wage-earner plans in one recent year, compared to only about 1000 in Texas and Pennsylvania which do not permit garnishees. Virginia, with less population than Florida which does not permit garnishees, has eight times as many bankruptcies. Ohio, with about the same population as Texas, has about 50 times the bankruptcies.

Certain installment dealers and finance companies in various cities alone produce hundreds of garnishees. A study reported by Dr. Milton Huber, of the University of Wisconsin, found that in Milwaukee County, of 6744 garnishees in one year, 805 of them were by one finance and loan company; 783 were by one credit clothing and jewelry store; 640 came from one furniture and appliance store.

Jasper Rowland, Manager of the Akron Better Business reports: "We have two retail establishments and two used-car dealers who entice poor credit risks into further debts and then use the garnishee route to enforce their collections."

In one recent year just one Akron retailer filed 1500 garnishments. This and another store accounted for almost 20 per cent of all garnishments in Akron.

In Detroit, where 52,000 garnishments were filed in 1965, Jerry Dale reported in the United Auto Workers *Solidarity*, that the top filers included five leading small-loan chains and a group of large credit clothiers, credit jewelers, furniture and television stores.

The New York City Labor Commissioner in 1966 said that some installment sellers deliberately run their businesses on the basis of getting garnishes if a buyer misses just one payment.

If businessmen are against government intervention in their affairs, and in dealings between buyer and seller, then they should absolutely agree to eliminate garnishments. For garnishments are state intervention in its most drastic and naked form. This is government intervention on behalf of the seller and lender to compel a debtor virtually forcibly, to pay debt, without his agreement, often without even a fair trial by court, without usually a genuine examination of the seller's claims.

There just is no need at all for garnishments, from any point of view—that of legitimate business as well as consumers. Sellers and lenders in the few states which do not permit garnishees do not suffer any greater losses than those in others. Garnishees are not permitted in Texas. I have a letter on file from the Fort Worth Credit Bureau stating that Texas merchants have no greater credit losses than those elsewhere.

Nor does the credit business really suffer. Berkeley Municipal Judge George Brunn points out that the ratio of installment credit to total sales varies little among hard-garnishee law California, Colorado and Alabama; mild-law New York, and no-garnishee Texas, Florida and North Carolina.

H.R. 11601, the consumer credit protection bill your subcommittee has produced, is the real bill of rights for consumers, and equally of benefit to business and the nation itself. Its passage would be the first real step yet taken toward eliminating some of the worst and most unnecessary evils that have plagued American families in modern times.

LOOPHOLES IN "TRUTH IN LENDING" DESCRIBED BY ROBERT J. KLEIN, ECONOMICS EDITOR OF CONSUMERS UNION MAGAZINE, CONSUMER REPORTS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentlewoman from Missouri [Mrs. Sullivan] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, Consumer Reports magazine, published by Consumers Union of U.S., Inc., Mount Vernon, N.Y., has been waging for many years an active and effective battle on behalf of the right of consumers to know the full and accurate cost of credit, particularly since the Honorable Paul H. Douglas introduced the first truth-in-lending bill in the Senate of the United States 7 years ago. Consequently, the Subcommittee on Consumer Affairs was most anxious to hear the testimony of the economics editor of that publication, Mr. Robert J. Klein, as a witness on H.R. 11601, the Consumer Credit Protection Act, and on related bills dealing with the disclosure of credit costs or the regulation of credit transactions.

Consumer Reports, in its latest issue, has an extensive article on the Senate-passed truth-in-lending bill, S. 5, which discusses the gaps in that bill as they relate to department store revolving charges and to the exemption from annual rate disclosure of transactions in which the credit charge is less than $10. Mr. Klein, in his testimony before us, elaborated on these points and provided us with a substantial amount of additional information and material which I know will be of great interest to every Member of Congress who has been weighing the arguments pro and con on the type of consumer credit and credit disclosure law we should pass.

His statement, on August 14, follows:

Statement by Robert J. Klein, Economics Editor of Consumer Reports, at the Hearings Before the House of Representatives Subcommittee on Consumer Affairs on S. 5 and H.R. 11601, Bills Generally Entitled "Truth-in-Lending"

My name is Robert J. Klein. I am economics editor of Consumer Reports, a monthly publication of Consumers Union of the U.S., Inc., located at 256 Washington Street, Mount Vernon, New York. Consumers Union is a nonprofit membership organization chartered in 1936 under the laws of the State of New York for the purpose of providing information and counsel to consumers about goods and services and about the management of family expenditures. The financial support of the organization comes from its more than one million members, subscribers and newsstand buyers of its publications. Consumers Union accepts no support from any commercial organization. Consumer Reports carries no advertising.

In addition to testing and reporting test results on products Consumer Reports provides information on other aspects of the consumers' problems. Nearly every issue contains articles on economic matters as they affect the market place, and legislative and other governmental developments which consumers ought to know about for their own protection and welfare.

Consumers Union's close attention to the current obstacles to rational use of credit date back to 1957, when the late Mildred Edie Brady, an eminent member of our staff, wrote the first of several pioneering articles on the subject. It was CU's judgment then, as it is now, that full disclosure of interest costs held out by far the best promise for stabilization of the national economy, which, then as now, suffered erratic growth partly because of the use of installment credit to hypo sales in periods of surplus inventories. For example, in several recent years the consumer debt has expanded most steeply in the late months of the auto model year, July through September, as dealers frantically attempted to dispose of their heavily floor planned new car quotas. The sales tactics are familiar—slashing of the quoted prices, with the dealer's profit retrieved through high credit charges concealed in easy (so-called) monthly payments.

Mrs. Brady reported on the failure of Federal consumer credit controls under Regulation W during the Korean conflict. There were simply too many ingenious ways of concealing credit in other costs. Let the market have a chance to work, she said. Give the consumer the information he needs in order to borrow rationally, and he will help the credit economy to regulate itself.

The readers of Consumer Reports are not a typical cross-section of consumers. By their very interest in our publication, they show a special interest in managing their income wisely and a consciousness of the difficulties involved. They are, as you might imagine, better educated and better paid than the average American. It's no surprise, either, that they rely on the installment plan less frequently and less heavily than most consumers do.

Yet they do use credit. Response to our Annual Questionnaire for 1965 showed that 25% of the respondents were paying off automobile loans. Most noteworthy to these proceedings, 58% of our questionnaire respondents in 1965 used 30-day charge accounts and 29% used revolving credit charge accounts. A steady stream of letters to the editor recited complaints against these accounts, indicating glimmerings of awareness that the service charges are not as small as the buyer was led to think. Several such letters have been appended to this testimony. They reveal a state of serious confusion—serious for the credit merchant and serious for a consumer-oriented economy. If this elite group of consumers is confused, we would think the vast majority are hopelessly confused.

Senate passage of the Truth-in-Lending Bill last month represented a 92-to-0 vote of confidence in the ability of consumers to shop wisely for credit when given the essential facts. Those facts concern the true price of money, whether borrowed directly from a lending institution or indirectly through the purchase of goods and services on the installment plan.

Except in the realm of consumer credit, the price of money is everywhere expressed as an annual interest rate—the percentage of principal the borrower must pay for a year's use of someone else's money. Truth-in-Lending legislation would simply give consumers the same information that has always formed the basis for nonconsumer borrowing. For the first time in the history of this buy-now-pay-later economy, consumers would be able to make accurate price comparisons in shopping for most types of credit. The one major exception—and it could easily become a gaping hole in the dike—is revolving credit.

Fortunately, the House of Representatives still has an opportunity to repair the leak. H.R. 11601 already goes part of the way toward requiring the type of annual rate disclosure that would most help consumers to compare revolving credit costs with those of credit from other sources. Serious problems would nevertheless continue to confront the consumer, in his attempt to compare the costs of competing revolving credit contracts. As you know, charge accounts have long been a promotional tool of competing department stores and mail-order houses. The contest for revolving credit business has recently been much intensified by the large-scale promotion of bank revolving credit cards and revolving credit checking account schemes. Later in this testimony, we will attempt to show that accurate cost comparisons among the various, often-competing, revolving credit plans will require more information than merely the equivalent annual rate derived from a stated monthly or other periodic rate.

It is a great virtue of H.R. 11601 that it opens fresh avenues of approach to problems of installment-credit users scarcely touched on in the six years of Senate hearings and debate. Highly praiseworthy, for instance, are the bill's proposed remedies for the consumer who faces high-handed collection and repossession methods; it is time to raise serious questions about the workings of legal mills grinding out judgments, repossessions, garnishments and wage assignments, for which state, county and local taxpayer must foot the administrative bill.

Some excellent studies have been made into the social ills and the rank inequities visited especially on the underprivileged consumer by these collection methods. I would call the committee's attention especially to a report to the Mayor of Chicago, the Hon. Richard J. Daley, by Jerome Schur, special assistant to Chief Judge Boyle for Consumer Credit.

The report released on December 15, 1966, examines confession of judgment complaints filed in the Municipal Division of the Circuit Court of Cook County during two weeks in June 1966. The study uncovered interest rates for used cars as high as 283%. Finance charges on money advanced to pay insurance premiums ranged up to 97%. The premiums themselves were found to be as high as $794 for 12 months' accident, credit life and health coverage. The study found that the courts had routinely processed judgments based on improperly drawn, incomplete or otherwise illegal credit contracts.

If Mr. Schur's report is not yet a part of your record, it should be, albeit that record is already rich with evidence. I refer especially to the 1965 Hearings of the Subcommittee on Domestic Finance into servicemen's credit problems. One outgrowth of these hearings was the Department of Defense directives on standards of fairness and full disclosure of credit terms offered to members of the Armed Forces. The directives represent a very big step toward a Truth-in-Lending Bill. House Banking and Currency Subcommittees are thus performing indispensable work toward the achievement of truth and equity in lending.

THE ECONOMIC GOALS

The strengths and weaknesses of the bill as it shapes up thus far can be properly understood only in terms of the purposes underlying it. Behind the progress of the Truth-in-Lending Bill is a vital need for marketing tools to help stabilize a most turbulent sector of the national economy.

Total short-term consumer debt has been growing at a furious pace. In the past 15 years, it has quadrupled to a present level of around $95 billion. About $75 billion is installment debt, on which repayments last year were $73 billion. By comparison, total personal income has only a little more than doubled in the same 15 years, and now stands at about $505 billion, after taxes. Plain arithmetic thus says that about every seventh dollar in the average pay envelope is spent before it's earned.

And plain arithmetic understates the case. You must add interest charges of about $12.5 billion per year. You must also take into account that only about half of the nation's wage earners have short-term installment debts. Installment debt alone, plus its interest, is generally estimated as laying prior claim to one dollar of every four in an *average debtor's* pay.

Some observers of the economy fear that, with so large a part of future income committed in advance, any serious rise in unemployment or drop in wages would snowball into a major recession. For many people would have all they could do to make their payments; they would be in no position to increase their debts, and their cash buying power would be harshly curtailed. Nevertheless, the present long-term economic boom has been stimulated by the huge and expanding wave of consumer credit. It is therefore understandable that nobody in the Government has come out against the fast-growing consumer installment debt as such.

It's the turbulent fluctuations in credit expansions that cause official concern. Like Robert Louis Stevenson's little shadow, the rate of increase in consumer credit sometimes shoots up taller like an India-rubber ball, and sometimes gets so little that there's none of it at all. The pattern of sharp rises and falls over the past 15 years is shown in the accompanying graph. It traces three periods of extraordinary credit growth. After the first two peaks, in 1955 and 1959, the rate of borrowing fell to around the break-even point, where, over a year's time, the total of new borrowing very nearly equaled the total of repayments.

Do purchasing intentions normally fluctuate so wildly? Or does some outside force radically change them?

Looking back from the vantage point of the recession year 1958, CU saw signs of the lender's hand at work. "Seven million high-priced autos were moved out of dealers' inventories [in 1955] in one of the biggest sales blitzes of all time," we noted, "and some 60% or better of those cars were sold on the cuff. Moreover, one of the tools of the blitz was an extension of installment contracts to 36 months. Other sellers, competing with autos for their share of the consumer dollars, also offered terms of nothing down and 36 months to pay for rugs, furniture, etc."

The chief symptom of recession is a slackening of economic growth. Thus, in 1958 there was no increase in the Gross National Product. Credit expansion hit another new high in 1959, followed by almost no credit expansion in 1961. Again, the trough on the graph was accompanied by a sharp tapering off of economic growth. To put it mildly, more orderly use of credit might have a less unsettling effect on the general economy.

The Truth-in-Lending Bills make no bones about it. Their first-mentioned purpose is "economic stabilization." Underlying full disclosure of credit costs is a two-part theory to which CU has long subscribed. First, disclosure of true annual interest rates will make people more sensitive to the high price they pay for most installment loans. When 800 CU members reported a few years ago to the National Bureau of Economic Research on recent credit deals ("Consumer Sensitivity to Finance Rates: an Empirical and Analytical Investigation" by F. Thomas Juster and Robert P. Shay, NBER, 1964), only a minority of them said they had any idea of the interest rate they had paid. Within that minority, the average rate they *thought* they had paid was about 8%. The rate they had actually paid averaged about 23%.

The second part of the theory holds that people who are conscious of the price of credit will shop, compare and buy that credit at as low a rate as they can find. Again, the data obtained from CU members accords with the theory. Those who were able to report the true rate of interest on their loans paid an average, for loans of under $500, of about 12%. Those who had no idea of the rate paid a startling average of about 37%.

In its report on the Truth-in-Lending Bill, the Senate Banking and Currency Committee took cognizance of that and other evidence. The Senate's vote of confidence in the consumer says, in so many words, "Here is the information you need. Now don't make waves."

SPECIAL TREATMENT FOR REVOLVING CREDIT

The Senate bill falls short, however, of requiring all the information consumers will need if they are to compare credit costs.

At Senate hearings last spring, a number of opponents of the bill concentrated their fire on one provision in particular. They sought to knock out any requirement for annual rate disclosure on revolving credit charge accounts. And they largely succeeded. Under the Senate bill, revolving credit as applied to most department store accounts and most of the new wave of revolving bank credit cards would continue to be labeled, as it usually is now, with a deceptively low monthly percentage figure.

Revolving credit is one kind of consumer credit most people are familiar with, whether or not they make a practice of buying on time. People who buy at all regularly in most department stores or from big mail order houses usually open charge accounts. It's convenient to pay the bill once a month, and, besides, there's usually no credit charge if you pay the bill within 30 days. Every customer, whether he pays cash over the counter or says charge it, foots the costs of 30-day credit as part of the overhead built into the price of the goods.

Of course, most stores offer a choice of paying in full or making a payment of, usually 10% per month. It's what's called a "line of credit" or an "open-end" credit account. Each new purchase is added to the bill, and 10% of the total balance at the end of each billing period is all you have to pay ad infinitum—all, that is, except for a "small" monthly service charge. Many states set a service charge ceiling of 1½% per month, and stores almost invariably charge the maximum. A rate of 1½% a month equals an annual interest of 1½ times 12, or 18%.

The balance due on the nation's charge accounts has been running at $10.5 billion. About $3.5 billion is revolving credit. That's not much next to the total installment credit outstanding. But it is probably not an accurate figure at present, and it certainly won't be an accurate one in the future, because it omits, among other things, the revolving credit schemes now being heavily merchandised by banks. Until last year, bank revolving credit was probably not a major factor, although it has been on the scene at least since 1950. But in only the past year or two, according to the Federal Reserve Board, the number of banks issuing credit cards or operating open-end credit plans reached 627, plus several hundred local banks acting as agents for large city banks' credit plans.

"The enthusiasm with which the supposedly conservative banking profession has greeted this relatively new consumer service is unparalleled in the pages of modern banking history," the American Bankers Association was told by a Chicago banker. And he explained why: "We are beginning with this first step to recapture a larger share of the credit business which heretofore conceivably could have fallen into nonbanking hands by default."

The bank credit card, unlike the department store card, can be used to charge purchases at many different stores—as many as can be recruited by the sponsoring bank. It is the poor man's version of the American Express or Diners' Club card. As The Wall Street Journal has reported, "Bank cards are issued largely to lower-income consumers. . . ."

A number of Midwest banks, operating jointly, "mailed mounds of credit cards unsolicited to each other's customers and former customers, some 4 million families in all," the Journal said. C. A. Agemian, executive vice president of the Chase Manhattan Bank, told why in a recent speech:

"If you want to get cardholders, your card has to have value. The cardholder needs stores to use it at. If you want to attract merchants, you have to be able to show or promise them a healthy looking number of cardholding shoppers. What comes first, the chicken or the egg? To choke off competition, you must flood the market with cards. Everybody gets cards from every bank he does or does not do business with. People who may have a capacity to repay $500 may have received cards from various banks that could permit them to charge up to $3000 or $4000!"

Were the final Truth-in-Lending law to exempt bank, department store and mail-order charge accounts from annual rate disclosure, it would quite obviously withhold from the consumer an important tool he needs to shop wisely for credit. Yet the Senate bill exempts those accounts, in most instances.

If the exemption is allowed to stand, only the monthly rate will be disclosed on most revolving credit deals. To compare the price of revolving credit with that of other forms of credit you would have to convert the monthly rate to an annual rate by multiplying it by 12. Many people don't know that, however, and they might assume that a 1½% service charge is lower than, say, the 12% annual rate generally charged by credit unions. There is thus some likelihood that the exemption would help accelerate the growth of revolving credit.

To escape annual rate disclosure for revolving credit, merchants and bankers used a shrewd argument on the Senate subcommittee considering Truth-in-Lending and you will doubtless hear it repeated. A charge account customer, they said, often gets the use of their money at 1½% for more than one month. Someone who buys something shortly after his monthly bill has been made out, for instance, would have as long as 59 days of free time before incurring a service charge, because he would not receive his next bill, with the new item posted on it, for up to 29 days and would have 30 additional days after that to pay it. Therefore, the argument goes, a 1½% service charge does not accurately translate as 18% per annum and is usually lower.

The argument has a cute premise: Up to 59 days of credit time are available interest-free, but only on condition that the bill is paid in full on the 59th day. If you don't pay in full, time runs backward to the date of purchase.

Well, maybe an accountant can really make the calendar run in reverse. But one name for that sort of magic is account juggling.

The only reason for mentioning it here is that there are many different sets of rules for juggling revolving credit. Different stores use different rules, and they are not just playing games. A revolving charge account can cost considerably more at one store or bank than another, though both seem to be charging 18% annual interest.

Professor Richard L. D. Morse of Kansas State University has illustrated the situation dramatically in a recent pamphlet (see Appendix A). He demonstrates six different revolving credit billing systems, all of them examples of systems in use, and he showed how service charges can run more than twice as high in some stores as in others.

The drafters of the Senate Truth-in-Lending Bill recognized this obstacle to credit price comparisons. Their solution is to require each revolving credit contract and monthly statement to explain its billing system. The Federal Reserve Board which will have to write the necessary regulations, has its work cut out. Here are excerpts from the contract applications of three mail-order houses explaining their billing systems:

Sears, Roebuck and Co.: "an amount of time price differential computed at 1½% of balance at the beginning of each monthly billing period until the full amount of all purchases and time price differential thereon are paid in full."

Montgomery Ward: "a time price differential or service charge of 1½% per month on the opening monthly balance of any account on amounts up to $500 and 1% per month on amounts in excess of $500."

J. C. Penney Co.: "a time price differential ('service charge') computed by applying the rate of 1½% to the unpaid balance of the cash sale price and any unpaid service charge on each of any monthly billing dates (pursuant to your then current billing schedule) commencing with the second monthly billing date following the date of purchase . . ."

Professor Morse, being an expert on such things, was able to show that a certain six-month series of transactions costing $2.28 in service charges at Penneys could cost $2.74 at Sears or Wards and upwards of $5 at some other stores. Most people wouldn't get the message right away. A number of them, including a professor of economics and a professor of philosophy, have written to CU within the past year or so. One person wrote: "I hate to admit after many years of using my Sears account that I was never aware of paying such a high rate of interest."

One of the main areas of confusion plaguing consumers has to do with the amount of his balance due to which the revolving credit service charge rate is being applied. The following letter from a Consumer Reports reader eloquently expresses the confusion, which in this instance led to an unfair but nonetheless understandable presumption of unethical treatment:

"I have recently been the victim of unethical practices and I think your other readers might appreciate a warning in your magazine.

"As you know, Sears, Roebuck & Company charges an announced rate of 1½% interest a month on the unpaid balance. I discovered recently that the credit department in our local store was only applying a portion of the money I paid them and giving me credit for the balance. For example (and this is exactly what they did to me), I had an unpaid balance of $80.00 and made a payment of $50.00. This left me a balance of $30.00—the interest on which should have been 45¢. When I got my monthly statement, however, I found my service charge was 3 times as much as it should have been.

"When I complained to the credit manager, he first lied to me and then explained that he had done me the service of crediting my account with only $10.00 of the amount I had paid. The balance was applied as credit that I could use later. This unethical practice meant in my case that they were, in effect, charging me an interest rate of over 5% a month or 60% a year.

"I have noticed that other chain stores (like W. T. Grant) will do this if they can get away with it. I certainly hope you will find some way of drawing this dishonest policy to the attention of your readers.

"BOWLING GREEN, KY.

"R. N."

A number of similar letters are appended to this testimony. They keep coming in quite regularly, and in our opinion they should be a cause for concern both to the retail community and to this subcommittee.

The point, of course, is that hardly anyone can fathom the billing methods of revolving charge accounts. Help is needed, and the need will become more and more pressing as banks and stores, spurred on by the availability of computerized billing systems, contend for revolving credit business. H.R. 11601 would put revolving credit back under full-disclosure provisions. With slight amending, it could assign the Federal Reserve Board to tackle the billing problem.

We recognize that it would be no simple problem in rules making. But it must be solved. J. C. Penney, now claims, in a suit aimed against the Massachusetts rate disclosure law, that "Despite the difference in actual finance charge rates charged by the Plaintiff [Penneys] and certain of its major competitors, all are required to state the identical 'simple interest per annum rate.' The Plaintiff thereby suffers substantial injury to its business by reason of the misleading and distorted rate which results from the use of the statutory formula, the statement of which misleads Plaintiff's customers and prevents them from being informed as to the substantial savings to be gained by Plaintiff's regular charge account plan."

It would seem to be in Penney's best interest as well as its customers' to have some simple yardstick for pricing the revolving credit at competing stores and banks. Consumers Union is convinced that a satisfactory way can be found to solve the problem. Several come to mind: a single standardized billing system for all revolving credit accounts would be one approach, though certainly not the most desirable from the standpoint of innovation. Another approach might be a thorough statistical analysis of the various billing methods, with an eye to establishing their relative cost to the borrower. Perhaps the most logical avenue of attack, however, would be to view the matter the same way any well-managed retail business must already be viewing it—in terms of its yield. Testimony by retail executives at the Senate hearings leaves no doubt that they know approximately how much of their charge account volume consists of purchases on revolving credit. To that volume they can apply an annual rate to project their gross service charge revenues. If, as appears to be the case, the actual cost of revolving credit varies significantly from store to store, then there must be different rates of yield. Each store presumably has a fair idea of its own yield, and probably shares with others in the trade a good understanding of how various billing methods would affect that yield.

May I quote an excerpt from the "Financial Rate Translater and Guide to Legal Installment Sales Rates," published by the Financial Publishing Company of Boston for their use by the credit industry:

"Traditionally the return on money invested is stated as annual interest rate on the funds actually in use. For monthly payment loans the interest rate per month is 1/12 of the annual interest rate. In these tables we shall call this *annual* interest rate the actuarial rate . . . The *actuarial* rate expresses the true return on investment."

Gentlemen, we submit that the consumer shopping for revolving credit, or any kind of credit, should be allowed to share the knowledge belonging to those doing the lending. As so often is true, the consumer is the only participant in the transaction who is deprived of full information. He very badly needs that information. One unwise deal, after all, means little to a business conducting transactions by the thousands. But one unwise credit deal can be ruinous to the individual across the counter.

Plainly, if the present Congress does not set the Federal Reserve Board to work on the problem of differentiating amount actual revolving credit rates, you will be leaving unfinished business for some future Congress—business that needs attending to right away.

CLOSING OTHER LOOPHOLES

Consumers Union is especially pleased to see that H.R. 11601 closes other loopholes left in the Senate bill as it treats rate disclosure. We will mention here a few of the failings of S. 5.

First mortgages on houses are exempt from disclosure regulations. It is true that mortgage interest is already stated as a true annual rate. But certain fees are usually left out of the rate picture—such as mortgage placement and appraisal fees, credit report fees and points, or discounts, paid by the purchaser. According to recent figures from the Federal Home Loan Bank Board, just the placement fees and points on conventional new-home mortgages are now averaging almost 1% of the amount of the loan. In effect, the interest rate is higher than it looks. It should be fully disclosed. H.R. 11601 only partly remedies the situation. In our opinion, it should count appraisal fees and credit reports as part of the finance charge on a mortgage.

Premiums for credit life insurance would not be considered as finance charges or included in the annual interest rate. Yet many lenders and credit merchants require you to buy insurance for their protection. Unless the option to buy is the borrower's, credit life insurance premiums should be counted as part of the interest rate. H.R. 11601 does the job.

Insurance commissions earned by used car dealers when they sell an accident policy as part of the credit package on a car sale would not be counted in the interest rate. Some dealers have close ties with insurance agencies and pad the price of car financing with overpriced premiums. If accident insurance is part of a car deal, the dealer's take should be included in the interest rate. H.R. 11601 does not include it.

There is no regulation of credit advertising. Familiar and phony slogans like "low bank rates" and "no money down—easy monthly payments" would continue to gull the unwary. Massachusetts law requires credit merchants to post the true annual interest rate in any advertisement making reference to credit terms. Federal law should follow suit. H.R. 11601 does the job quite admirably.

If the finance charge is $10 or less, the lender doesn't have to disclose his annual interest rate. Example: A vacuum cleaner salesman knocks on the door with an offer of an $80 machine for $10 down and 12 monthly payments of $6.65. The payments total $89.80. The finance charge is $9.80 for $70 for one-year installment credit. The well-concealed true annual interest is 25%. Truth-in-Lending should apply to small deals as well as big ones. H.R. 11601 does the job.

The Senate bill would not go into effect until July 1, 1969. There is no reason, according to testimony at the Senate hearings, why the effective date could not be set much sooner after enactment. H.R. 11601's effective date of July 1, 1968 seems quite reasonable for most provisions of the bill.

Credit sellers could judge their rate disclosure by stating it as dollars per hundred rather than as a percentage until January 1, 1972. H.R. 11601 dispenses with such nonsense as this.

Confidence in the consumer will be rewarded best if he is given a good yardstick, if *all* credit sellers must adhere to its standard of measurement, and if the standard is invoke as soon as possible. This requires a Federal Truth-in-Lending Bill without holes.

APPENDIX A

REVOLVING CREDIT BILLING SYSTEMS

Service charges on revolving credit accounts vary widely from store to store and from bank to bank, even though the stated interest rate is usually the same. The explanation for this apparent contradiction is fairly simple. The service charge is the product of the balance due times the monthly interest rate. But different department stores, mail-order houses and credit-card banks have different methods of determining the part of your monthly balance against which a service charge is assessed.

A recent survey conducted by Richard L. D. Morse, professor of family economics at Kansas State University* make two things quite clear. First, it is next to impossible to tell which revolving credit account offers the best deal. "Methods of figuring service charges were too complex not only for the local management to understand and relay to customers who wanted to know how it would work in practice, but for national [store chain] offices to interpret in terms of an annual percentage rate of service charge," Professor Morse wrote.

Second, store-to-store differences in credit costs can be quite significant. The Morse survey isolated six billing methods, each arriving at a different total of service charges for a given series of hypothetical transactions. The customer began with a clean slate—no balance due—on the first of the year. He then did business with the store as follows:

	Purchases	Returns	Payments
January	$30	$10	....
February	120	30	$20
March	90	40	80
April	10	....	10
May	10	....	10
June	10	....	10

Here, from lowest to highest, is the total of service charges, at 1½% per month, depending on which of the six billing methods is applied:

Method: Option to pay in full within 30 days of the billing date without incurring any service charge. Interest rate is applied to the previous month's closing balance, less any payment and returns. Total service charge—$2.28.

Method: Same as preceding except returns are not credited before the interest rate is applied. Total service charge—$2.43.

Method: Same as preceding except neither returns nor a payment is credited before interest rate is applied, unless the total of returns and payment equals or is higher than the previous month's closing balance. Total service charge—$2.74.

Method: Same as preceding except returns are never credited to the previous month's closing balance. Total service charge—$4.16.

Method: No 30-day option to pay in full without incurring a service charge. Interest rate is applied to the previous month's closing balance. Total service charge—$4.47.

Method: Same as preceding, except interest rate is applied to the balance at the end of the current month. Total service charge—$5.44.

Although typical, the six billing methods by no means exhaust the possibilities. And all variations, with the possible exception of return credits, are open to bank revolving credit plans. Obviously, you can't make the most economic use of a charge account unless you understand its billing system thoroughly. But, as Professor Morse found, the essential facts cannot readily be obtained.

APPENDIX B

The following is a selection of letters written to Consumers Union by readers in 1966 and 1967, all complaining about revolving credit billing methods.

Reading your magazine has made us increasingly aware of deceptive practices such as the one mentioned in the following letter.

MACY'S,
Customer Relations,
Herald Square, New York, N.Y.

DEAR SIR: Your letter of 1/21/67 confirmed the fact that your service charge of 1½% per month is applied to items at their initial billing. This in fact means that, on the initial billing, customers having a C–T type account are actually paying up to 45% per month service charge depending on the date they charge items in relation to your billing date.

I can only assume that some loophole in New York law permits this seemingly usurious practice as this is not true of *any* of the several extended payment plan accounts which I hold in New Jersey, e.g. Sears, Bambergers, Chase. *All* the other accounts charge a 1½% per month service charge on the unpaid balance from the previous billing.

Accordingly, I am herewith returning my Macy's charge plate together with a check for $57.87 to cover the balance due on my account. Please close my account immediately. I realize that this misunderstanding is most likely my own fault as I should have read the *fine print* more carefully. However, I wonder how many of your C–T account customers realize the true amount of service charge they are paying. Let the buyer beware!

SUMMIT, N.J.

P. G.

In your May [1967] issue a reader brought to your attention confusing statements issued by Sears Roebuck & Co. in regards to interest charges.

I was recently surprised to learn that the Sears method of charging interest on 30-day or revolving accounts is not what it appears to be. Most customers and most Sears employees, including those in the credit department, assume that the method used by Sears is the same as that used by other department stores and by oil company credit card systems. This is not true. Sears does not charge 1½% per month on the unpaid balance. It charges interest on the total amount of the previous billing, regardless of the size of payment made, exclusive of a full payment.

As an example: a purchase of $100 is made and a billing is sent to the customer. The customer then pays $50. The next billing shows a $50 balance due plus $1.50 (1½% x $100) service charge, not $0.75 (1½% x $50) as one would expect. Thus, it is theoretically possible for a customer to pay the full $100 and then receive a billing with a balance of $0.00 but an interest charge of $1.50. Fortunately, Sears does not go that far in this unscrupulous practice.

I hate to admit that after many years of using my Sears account I was never aware that I was paying such a high rate of interest. How many of your readers are aware of this?

NORWALK, CALIF.

W. L.

To add more fuel to your truth in lending campaign, it may be of interest to your readers that even such an otherwise reputable store as Sears may charge interest rates as high as 72 *percent* per annum. Sears basic rate of interest on a revolving charge is 18 per cent per annum (1½% per month) but it is based on the end of month balance. If a customer bought a $200 item on January 23 and was billed for this on January 30, and he paid $100 on the same day, he would pay 1½ per cent on $200 or $3, the equivalent of 72 per cent simple interest per annum.

If this is what reputable stores are charging, what are the less reputable doing?

PITTSBURGH, PA.

R. T.

Enclosed is a copy of my letter to Klein's Department Store requesting that they close my account and stating the reason therefore. I am confident that Klein's will not give me much trouble over this, but it occurred to me that thousands of customers accept these charges without realizing the true interest, especially if the "minimum" service charge is applied where the time payment plan is actually being used.

(The enclosed letter follows:)

PRESIDENT,
S. Klein on the Square,
Stamford, Conn.

SIR: The enclosed statement reflects a balance which is comprised entirely of service charges. Since I pay my entire purchase invoices due on the 15th day of every month, I do not pay or honor service charges. Unfortunately, I am quite busy and I must select one monthly remitting date for all accounts (this is the 15th.). If your organization finds it convenient to choose the 15th, or 17th, as a billing date that is your concern. However, I will not honor erroneous service charges arising from this practice.

The enclosed statement contains a service charge of $0.50 on a balance of $4.25, all of which consists of previous erroneous service charges. This comes to interest *annual* of *141.7%* charged on prior interest. This usurious practice of Klein's is by far the worst I have encountered in all my experience with department stores, discount stores, credit cards, etc. You are competing successfully with the loan sharks if this type of item is generally collectable in your experience.

I am destroying my charge card. Please close my account and I refuse to be responsible for any charges after the above date.

(End of enclosed letter.)

Another practice that I have noticed, is that some stores will compute the service charge on the entire balance carried forward from the previous month, even though they may have entered a credit for a substantial payment. Thus charges are made on the amount remitted which obviously should not be included in the time balance.

PHILADELPHIA, PA.

S. W.

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*"Truth in Lending," the Council on Consumer Information, 15 Gwynn Hall, University of Missouri, Columbia, Mo. 65201.

I had a revealing experience with the Sears Roebuck credit system recently. It involved the purchase of two chairs on January 12th, and the monthly statement on the 18th that listed them accurately at $175. We were temporarily short, so I figured that a check for $100 would leave only $75 which at 1½% for a month would cost me about $1.13. So on February 2nd we mailed a check for $100. Imagine our surprise when the statement arrived on February 18th. It showed a balance owed of $75 which was correct, and a service charge for $2.63!

Inquiries at the local store established that the charge was figured on the previous month's balance, that is 1½% on $175. I protested that the initial $100 had been paid well within the 30-day limit for cash-charge conditions but the only response was that the system was set up on the previous month's balance. I finally reached one official who read a regulation to the effect that since this was my first experience with their system, they would refund the fee charged on the $100 that I had paid, but they could not be this generous the next time.

After reaching the hierarchy in the Chicago office, I established that my first payment was unusually large and thus the system slipped and charged me what seemed too much. They would be glad to adjust this, and if ever this occurred again, just call. I was left with the impression that if we had paid just $20, they would have assessed me for 1½% of $175 and I would not have noticed the difference, in the February billing.

Upon reading the fine print in the catalog, it is clear that Sears does indeed charge 1½% on the previous month's billing without adjusting for what was paid by the customer on that statement. The balance, however, on the next statement reflects what is truly owed—not the basis for calculating the service charge. It appears that Sears actually does much better than 1½% on service charges. Had we not complained, we would have paid 3½% for $75 for a month.

By contrast Penney's catalog says 1½% of the unpaid balance. Is Sears openly conducting a deception about their true service charge percentage, or is this just called sharp business? After doing our buying there for 30 years, we are not so sure about our Sears charge card. Have you any comments on this unusual way to do business?

MOUNT PROSPECT, ILL.

R. L.

Although aware of the exorbitant interest rates charged by department stores, I purchased a new house and needed about $1,500 worth of odds and ends to make it livable. I compared the interest rates of several companies and noted the following in a Ward's catalog: "I will pay . . . charge of 1½% per month on the opening monthly balance of my account on amounts up to $500 and ¾% per month on amounts in excess of $500." This made sense—much like the all-electric home does—the rates decrease as increased use is made of the service, I assumed that the cost of carrying an account was absorbed in the higher rate for the first $500 and then reasonably expected the lower interest as an expression of their lower costs. Thus, I placed all $1500 in purchases with Ward's rather than seeking to divide the purchases among several stores.

When the bill came I found that I was charged interest at the full 1½%. Upon inquiry, I was told that the figures in the catalog pertain only to people who live in Missouri. I insisted that their catalogs (which arrived via mails unsolicited at my home) induced me to make the indicated purchases. Their reply was that when I first made a catalog order I was handed a small card to sign which had different interest figures on it—namely that I would pay 1½% of the unpaid balance regardless of how high it went.

Letters to Ward's are rewarded by condescending letters which refuse to even consider the possibility of misleading. In recent months I purchased another $2500 worth of merchandise, nothing to be sure from Ward's.

Having long been a reader of Consumer Reports I should not have permitted myself to be trapped into these high interests. But, I had assumed my investigation of the rates as printed on the back of the contracts attached to the catalog was adequate. Apparently not.

EDMOND, OKLA.

G. M.

I would like to call your attention to what appears to be usury practiced by Montgomery Ward in their billing system. This company adds interest at the rate of 1½% per month to the unpaid balance existing at the beginning of a billing period without deducting payments made during the billing period. In effect they are charging interest on money which has already been paid on the account during the billing period and prior to the billing date. Why don't they calculate interest on the balance remaining on the account at the end of the billing date?

As an example, the following is my bill dated 5-25-67.

Last month's balance	$157. 82
Service charge added	2. 37
Payments and credits	118. 82
New balance	41. 37

The $118.82 was paid on the account during the billing period yet interest is still charged to it. The actual interest rate charged on this bill is almost 6% per month calculated on the balance remaining at the end of the month.

I have already written Montgomery Ward regarding this practice but, as expected, I have received no reply. I am sure that Montgomery Ward would be among the first to state that government controls are not needed in this area, but I would advise them to institute fair practices prior to such a statement.

ANN ARBOR, MICH.

R. M.

Have any of the readers experienced Sears Roebuck's latest trick to increase their carrying charge?—Simple—just don't bother to post credits to your account until after the billing date. In this way they can collect your money and charge you interest on it also. It must be very prevalent as I caught it 3 times in 1 year on my account. Needless to say it's now closed.

GLENVIEW, ILL.

W. S.

Why don't you mention the deceptive billing practices currently used by such large companies as Sears. Not only can't you read their statements (unless you look VERY closely) but they add their "carrying charges" whether or not the bill is paid in 30 days!

I have already returned one credit card from a local chain (Valu-Mart) because they added carrying charges upon carrying charges, and I no longer shop at their local outlet.

Currently (due to a change in billing practice from local to Los Angeles) I am fighting the same battle with Sears. At present I "owe" them $1.28 in carrying charges over the past two months although I paid the bills within 10 days of receiving them. Although I have written two letters, with a third to go out with this mail, I have yet to see the courtesy of an answer. I may miss the convenience of shopping by phone, but Sears will probably get their credit card back too! The convenience is the only reason why I have a card anyway.

Incidentally, I do not have a Montgomery Ward credit card. Their latest practice is to add carrying charges immediately. There is another local outfit that charges *you* for the dubious "pleasure," before you even buy, of having their credit card!

Maybe I'm naive, but have 30 day charge accounts gone out of style? I may become a cash customer completely, and forget about writing checks! I just don't like being taken.

FEDERAL WAY, WASH.

M. C.

BORDERS WITHOUT A WALL—A CENTURY OF FRIENDSHIP

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I have recently had the pleasure of serving as a judge in an essay contest conducted in 22 District of Columbia schools, honoring Canada's centennial of confederation. As cochairman of the U.S. delegation to the United States-Canadian interparliamentary group, I have long been interested in increasing knowledge of Canada here in the United States. Canada's very similarity to the United States, as well as the ease of travel between the two countries, has caused many American to regard our neighbor to the north as a reflection of American society.

This essay contest, sponsored by the Canadian Centennial Commission in cooperation with PACE project 370 and approved by the District of Columbia board of education, gave hundreds of District youngsters an opportunity to dispel their own preconceptions about Canada. I would hope that those who read the four winning essays will benefit from the talent, imagination, and research of Sarah Jane Taylor, 11; Robert B. Giffin, 12; Sterling A. Green, 18; and Marvin DeWitt Williams, 18. These District of Columbia students have just returned from a tour of Canada as guests of the Canadian Centennial Commission.

Mr. Speaker, I would hope that this year's program will become a part of many school districts around the country. Any project designed to promote, stimulate, and strengthen communication between nations, particularly at the student level, should be strongly encouraged. It has also come to my attention that this project has had an affect on the current curriculum of District of Columbia schools. I quote here briefly from a letter from the exceptionally able supervising director of PACE project 370, a special communicative skills program in the District of Columbia schools:

> All facets of the essay contest have made their mark on the participants. One fact we discovered was quite revealing. Students were suddenly confronted with the realization that their knowledge of Canada was, in most instances, sketchy at best. As a staff, we studied the time allotted to the study of Canada and concluded that it did not provide sufficiently for in-depth concentration. As a result, we have made recommendations for curriculum area changes to the Department of Social Studies of the D.C. Board of Education. These recommendations are being favorably received and we hope to introduce this change in our schools in the fall.

Mr. Speaker, the title of this essay contest was "Border Without a Wall—A Century of Friendship." We have seen from the letter just quoted that a small wall in an American school system may have been breached as a result of the contest. It is my hope that the next 100 years will see United States-Canadian relations continue over the longest unfortified frontier in the world, and that Americans may further appreciate the unique nature and freedom-loving vitality of our Canadian friends.

Mr. Speaker, I commend to the attention of the American people the four winning essays, for they are instructive examples of the intelligence of young Americans as well as a creative salute to Canada on her centennial.

DEMOCRATIC PRINCIPLES AS PROMOTERS OF INTERNATIONAL GOOD WILL

(By Andy Green, Western High School, Washington, D.C.)

Canada and the United States, the two largest nations in North America, share a heritage of democratic principles and laws and are entering a new era of friendship and cooperation. The Soviet Union and Communist China, on the other hand, are both committed to the establishment of communism throughout the world. Yet relations between those two nations are worse now than at any other time in their history. Using Canadian-American friendship as an example, the world could learn a great deal.

Today's situation with respect to Sino-Soviet and Canadian-American relations is somewhat paradoxical. A brief examination of history will show why:

Until the advent of Communism, the two great Asian nations had little to do with one another. Completely unto themselves in a quiet, though somewhat medieval society, the Chinese, a naturally isolationistic people, did nothing to antagonize their Russian neighbors. The Great Wall of China is itself a lasting symbol of their isolationism. Russia, for her part, reciprocated this policy.

In 1917, Russians established communism as a force to be reckoned with in the world. The Chinese followed thirty years later. For a time, the two nations were in complete accord, signing in 1950 a thirty-year treaty of friendship and cooperation. This treaty has been largely forgotten in the turmoil of the Sino-Soviet ideological split. The Russians prefer a policy of peaceful coexistence with non-communist nations, favoring economic, political, and propagandistic methods for self-aggrandizement, while the Chinese are actively committed to fostering worldwide "revolutions" for communism. As a result of this disagreement, Sino-Soviet relations never have been poorer.

Let us look now at Canada and America. Both believe in a system of basic self-determination. This is their common English heritage which maintains that the people shall be the chief factor in their government. The history of relations between these two countries before Canada's confederation in 1867, and for some time after, was one of great hostility. Because Canada was a British colony, she endured a great deal of the American anti-British sentiment of the Revolutionary War and the War of 1812. Border disputes were common until about 1850. American Northerners were wary of any Canadian support of the South during the Civil War. Trade disagreements and Canadian fear of American encroachments on Canadian soil were both common. This situation was certainly not a firm basis for international cooperation.[1]

The paradox mentioned earlier is simply this: Because China and the Soviet Union have been steeped in communist ideology, one would expect them to be united in that crusade which calls for the oppressed peoples of the world to unite against the ruling class to achieve a classless, equal society. (Such a society has never been achieved.) One would also suppose that self-determination for a nation, and for the people of that nation, leaves a good deal of room for international antagonism arising from nationalistic feelings within the countries involved. Current French-American disagreements are an example of this.

The logical conclusions to be drawn from the above discussion are, first, that China and the Soviet Union should get along quite well with one another, being dedicated to a common goal; and second, that Canada and the United States should be somewhat antagonistic towards each other. The paradox is that just the opposite is actually true.

It can be argued that the Sino-Soviet rift is not the fault of communist doctrines to which the two nations are committed, but rather of natural differences, such as race, language, and basic attitudes toward life in general. But if the two most populous nations in the world cannot agree on how the world will become communist, then certainly the "workers of the world"[2] can never be won over to their doctrines.

Democracy, by its very nature, is not pledged to the support of any ideology as such. If the people, through their elected officials, happen to support a particular social or political school of thought, they do so on their own volition and not in response to any grand design set up for them to follow. Therefore, nations with elective governments are seldom at variance with one another; they are content with their own systems and are not committed to world domination.

The chief importance of Canadian-American friendship is not merely the satisfaction of the two nations at its existence, although satisfaction is desirable. The chief importance is the example for the people of the world, who should take notice of what two nations can accomplish together when they have the freedom to do it.

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BORDER WITHOUT A WALL—A CENTURY OF FRIENDSHIP

(By Marvin D. Williams, Western High School, Washington, D.C.)

North of the Great Lakes there is a vast land mass larger than all of Europe. It cramps southward into the temperate climate of the lower lakes and then stretches northward in a wild movement to the coldest Arctic regions. You may travel across this land by dog-sled or by jet. You may travel from one sea, across the prairies, through the majestic mountains, to the other sea. You may dig into the rich fields of oil and you may mine the coal. You may trap for fur and you may temper the steel. And then you may cross 3,800 miles of unrestricted border to reach the United States. Yes, you may call it Canada.

Canadian history began by sea as Europe expanded over the oceans. First came the French whose influences are enduring elements in Canadian life. Next came the British whose strong traditions advanced Canada to self-government. The new British Colony grew and enriched the sea-trading empire.

The hard Canadians, from their hard land and hard lives, began to carve farms and cities out of this vast glorification of God on earth. The Canadian people had their differences but their goals were the same. They had come to build half a world into a free and spirited nation. Unlike the United States the Canadians didn't have the help of brainpower and financing from the outside. The building was done from within outward.

In 1867 a proud but weary, historic but fresh, people came together and under law united the North.

Since the main geographic barriers in North America run north and south they do not block the way into the various parts of Canada from the United States, and the boundary between the two countries is on the whole simply a man-made line. Conditions of every-day life may be much the same on either side of the border. The common problems that are met in living in the same kind of land, the similar outlooks thereby produced, and the constant movement of trade and people to and fro across the border result in Canada being readily open to American influences, and Canadian history being closely tied to that of the United States.

Geography has decreed that the United States should be much stronger than Canada. Geography has scattered the Canadian people, made the cost of developing the country higher than that of developing the American republic and has given it fewer men and less money to work with. Geography has also decreed that Canada should be rich, but not endowed with the variety of the United States; and it has sharply restricted the northern nation in regard to soil and climate. Canada's achievements may be great, especially for twenty million people, but the mighty American neighbor still towers above the northern nation.

No other Commonwealth country has had to grow up beside a tremendously powerful state. This inequity poses special problems for Canada today. It has meant in Canada both a tendency to copy American ways and to be suspicious of American influences and power to dominate. In the more remote past it has meant two wars to repel American conquests and many periods of alarm.

But most recently and most important, the relationship between Canada and the United States has come to mean a striking record of close co-operation between nations, a long era of peace and an unfortified American-Canadian border.

Pioneer ancestors of both peoples, by their adventurous spirit, their character, and faith in what they were doing, opened up a continent. Their descendants pushed on westward until they had reached the Pacific and created two nations extending from sea to sea. Each of these nations received a flood of immigrants from Europe, seeking opportunity in the New World, and they have both experienced the problems of assimilating many nationalities.

Each in their own way, the people of both nations have followed their profound instinct for freedom and self-government. Their will to control the government under which they live takes the form of political democracy in both countries. Throughout the histories of these nations there has been a close relationship between them. There have been disagreements, politicians have grown hot and angry over controversial questions, but the governments have always managed to work things out through discussion and compromise because they had the will, fundamentally, to be good neighbors. Both peoples are proud of the undefended border.

With all its shortcomings and difficulties, it is the way of life they have chosen, so that both Canadians and Americans have the job of making democracy and peace work through their example.

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[1] Edgar McInnes, *Canada, A Political and Social History*, 1963, chapters 8–9.

[2] Karl Marx, "The Communist Manifesto," quoted in *Karl Marx, His Life and Environment*, by Isaiah Berlin, chapter 8.

Border Without a Wall—A Century of Friendship

(By Robert B. Griffin, Ben Murch School)

The Canadian and United States relations have been of the friendliest for more than a hundred years. Though there have been disputes and disagreements in the past the two countries share prosperity, power, exploration, and like ways of living. Canadians take for granted that they may be watching an American movie or listening to an American song.

Canadian history provides Canada with English and French speaking people. Unlike the United States the two official languages are separated. Quebec's French is confined to just about Quebec but is minutely scattered elsewhere.

In search of China John Cabot found little but codfish but did claim Canada for England. French explorers came and developed settlements where Quebec is now and claimed the land to be theirs. This brought on a war. The Colonies and Canada both had their own part in the war. The Colonies had to protect their border in the French and Indian War as in other times.

Without doubt friendly neighbors sometimes get angry. When the American Revolution broke out in the states Loyalists fled to the eastern provinces which caused much chaos and difficulties for the Canadians. The Americans tried to convince the Canadians to side with the United States in their revolt against England. Of course Canada felt differently about England and refused to comply with any of the United States' requests.

In the War of 1812 both nations' bullets flew at each other though now they both regret their unfortunate disputes. Since the War of 1812 there has been 150 years of friendship between the United States and Canada.

When Britain declared war on Germany, Canada immediately aided the mother country, later to receive help from the United States.

In World War II Canada supplied the United States with aid in the war against Japan. The Royal Canadian Air Force played a most important part in the war. Canada supplied ammunition, artillery, planes, ships and numbers of other supplies for the United States. The Second World War proved that international cooperation and friendship could make very good results.

During the years between the First and Second World War Canada became known to the world. The United States sent men into Canada to tap never touched resources which would invite industry and produce billions of dollars worth of goods. It brought in manufacturing and industry and sent manufactured goods throughout the world.

Canada suddenly realized that it had to keep up with the world powers. Then a completely new Canada of progress and modernization came forth from the country that was little known to many. Progress and tradition are shown at Expo '67 in various ways. In pavilions the cooperation between the United States and Canada in the Space program is demonstrated to people of many countries. The history of Canada, traditions and overall summary may be illustrated very well in the Confederation Train.

The youth of the modern age will be sharing their culture in Expo '67 Youth Pavilion with other countries. We people from the United States enjoy Canadian Folk groups such as Ian and Sylvia while they enjoy our "Rock".

All of these are examples of our friendly relations and cooperation with Canada but the greatest cooperative project between the United States and Canada was the St. Lawrence Seaway. The project was a plan to dig a deep-water channel from Lake Superior to the Atlantic ocean by way of the St. Lawrence River. It would enable products from the central part of both countries to be shipped around the world faster and more easily.

The two countries requested that the Joint International Commission look into a seaway for highest navigation efficiency and water power. There were three members on the commission for each country and three more engineers elected. Also a business committee to take care of the financial division was set up. In 1932 the United States and Canada signed a treaty authorizing the construction of the canal. Both countries will profit from the hydroelectric power from the dams and less expensive exporting. The seaway took years, patience, and cooperation. The St. Lawrence Seaway was a model of international cooperative achievement that nations may follow. Maybe the United States and Canada's friendship will set an example for other nations and perhaps bring other nations a little closer together.

Border Without a Wall

(By Sarah Jane Taylor, Washington, D.C.)

Across the vast blue sea, two pioneer families sailed in a primative ship three centuries ago. After several months they came to the new, virgin land that was to be their home.

Over the years their families grew and the pioneer fathers moved their families westward through dense forests, over great rivers and around great lakes. They built sod houses in the middle of the great plains where elk, moose and buffalo grazed. Each family farmed and grazed their animals without a fence to divide them and the children of each family grew strong and tall, but lived in the way of their own fathers.

They worked for each other and many a strip of salt pork was borrowed and lent between the two families in those early days on the plains.

Both families prospered as the years went by and lovely homes replaced the old sod houses. But one day two brothers of one family fell to quarreling and they fought most cruelly. The sons of the other family begged their father to let them join on the side of their favorite brother: their mother entreated her husband to put up a fence so her sons could not join the quarreling neighbor boys but the father wisely said, "My neighbor and I have carved this land out of the wilderness and each has tilled his own fields and we will not loose our friendship over the quarrels of our sons."

The brothers fought until one was slain. Both families mourned then they set about bringing in the harvest and helping each other as they had done before.

The winters were cold and the summers hot. Locust, tornadoes and floods came but the families survived and grew strong.

One winter when they had laid in their provisions, the storms and blizzards continued through April and then their once well stocked cellers were running short they heard from the mountains the howling and call of wolves and coyotes. The snow grew deeper and the wild animals came close to the homes of the pioneer families.

The sons of both families asked each other what should be done in case the wolves would become so hungry that they would kill the lambs and calves in their barns.

"Together, we can kill them," they said.

They took their axes and guns and went to the mountains and did not return until they had chased down and killed every wolf that threatened their homesteads.

The spring came and the years passed. Villages became towns and cities near the old home farms, with never a wall or fence to divide them. And to this day the two families, Canada and the United States, live side by side helping each other to build two great families in the family of nations.

THE NATION'S POSTAL SERVICE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. William D. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, Postmaster General Lawrence F. O'Brien addressed the national convention of the National Association of Post Office Mail Handlers-Watchmen, Messengers, & Group Leaders, AFL–CIO, in Detroit, Mich., last night, Wednesday, August 30. I believe the Postmaster General's remarks merit the attention of the Congress, and I insert his speech in the Record.

I would particularly like to direct attention to the Postmaster General's comments regarding equal employment opportunities in the Nation and in the postal service. This is a most commendable report.

The Postmaster General's remarks follow:

Postmaster General Addresses Postal Workers

(Address by Postmaster General Lawrence F. O'Brien Before the National Convention of the National Association of Post Office Mail Handlers-Watchmen, Messengers and Group Leaders, AFL–CIO, Statler Hilton Hotel, Detroit, Mich., August 30, 1967)

This is my first opportunity to address your convention, and I very much appreciate this chance to tell you of the state of your postal service. I was pleased that President Johnson sent his personal message to this convention and he asked me to tell you that he considers every man and woman involved in moving the nation's mail to be doing work of utmost importance to our economy, to the free flow of ideas, and to the successful operation of the American system.

I certainly want to thank my good friend and your President, Harold McAvoy, for inviting me to join with you. I hope I don't unduly embarrass Harold if I repeat what is well known in Washington: that Harold McAvoy is without doubt one of the most effective leaders of *any* employee organization. He's a fighter and a doer. That's important. And, more important, he's fighting and doing his very best for *your* interests, *your* programs, *your* benefits. And I know too that his ability to come out right on target stems to a large degree from the support he has received from Andrew Carniato and other members of your able and representative Executive Board.

You have the kind of leadership that generates cooperation, the leadership that generates benefits.

During the past few years your leadership has produced many significant gains for your membership:

Over 4,000 additional career mailhandler positions in a six month period; a uniform allowance; placing label slip employees in the mail handler craft and filling level 4 label facing slip technician positions by bid; level 4 group leader position by bid; level 5 label unit group leader positions by bid; level 4 mail processing machine operator positions on the Mark II Facer-Canceler by bid; mail handler group leaders accorded the opportunity to move up to civil service examiner-in-charge by bid; all these positions qualifying for immediate higher level pay on details; and mail handlers who pass the clerk-carrier examination now have the opportunity to compete in the supervisory examination along with other employees.

This, plus a 50% increase in starting pay since January 1962, is a record of accomplishment that your National Association can be proud of.

But I believe it is only the beginning. As our modernization and mechanization program picks up speed, as new machines, such as the Mark II Facer-Canceler, are introduced in more and more offices, I look forward to additional opportunities for the membership of this organization.

The other day I picked up a magazine and read a very interesting article debating whether the Post Office Department should be turned over to a private corporation.

It was a well written article. But it had absolutely no relation to the proposal I made last April, and now under study by a special Presidential commission, to provide better service by removing the Post Office from the Cabinet and turning it into a *public*, government-owned corporation responsive to national policy and the will of the people, a corporation perhaps designed along the lines of the Tennessee Valley Authority.

Another misconception is that my proposal was concerned with organization and not with the people who are the heart and soul of any organization.

I want to assure you that a primary reason why I suggested setting up a government postal corporation is that our employees would find far greater opportunities and a larger voice in postal personnel management. Employee organizations would be counted on to help us plan our personnel policies and, indeed, any changes that might affect the postal worker. In fact, the entire process of collective bargaining would become much more meaningful and satisfying to both labor and management.

Now, I must admit that there would be one job abolished should my proposal be adopted. That job is the one presently held by me. No other job would be affected in any way.

Every right and benefit presently enjoyed by our dedicated postal workers would be protected. Pay, status, retirement, job security, sick leave, fringe benefits—every one of these elements, which are naturally of vital concern to you and your families—would be maintained and strengthened.

The misunderstandings about the true nature of my corporation proposal seem to stem largely from the nature of the proposal itself: it would be the most extensive change ever made in the American postal system.

I am convinced this change would unlock talent and potential leadership that now exists among our employees, talent and leadership that, under present circumstances, are not fully utilized.

In my mind, despite dramatic gains in recent years, very few of our more than 700,000 employees, very few of you, have had the kind of opportunity all employees should have for promotion or for true careers in the postal service. Why? Because the system inhibits our effort to develop programs, to make promotions, to provide full scope for the exercise of ability. I would like to see the day when a mail handler, or any other member of this organization, could look forward to moving up through the ranks to the job of running a major post office—or indeed, the entire postal service. I want to see promotions—such as the one just announced for the president of your Chicago local—become a frequent occurrence, not just a rarity.

My friends, opportunity is the key to achievement of the American dream.

President Johnson is pledged to solve the problems that beset this nation in the American way, not by the repressive tactics being suggested by some men of little vision, but by clearing out every last barrier to equal opportunity.

Our nation still has blemishes. How could it be any different? For we are a living experiment. We are at the very frontier of every advance in science, in human relations, in social life. If a new problem comes to the attention of the world, such as the urban crisis, nine times out of ten we can say, "It started here first." Leadership and comfort are often strangers in a time of revolutionary change, when today's truth may be tomorrow's error, when the jest—"if it works it's obsolete"—is just too true to be good.

We are still the world's greatest melting pot.

We are a nation of many races, creeds, and national origins.

We span a continent. We spill out into the Pacific. We have a partnership with the Commonwealth of Puerto Rico in the Atlantic.

We did not ask to be the guardians at the gate, but no other nation of the Free World has the power to stop the spread of terror and violence abroad.

And, here at home, we see that problems, too long neglected, conditions too long overlooked, tensions too long festering, have exploded into violence that benefits no one, Negro or white, violence that merely strengthens the hand of extremists of both races.

I want to take a few moments to remind you of the efforts that have been made in the past few years, in the Postal Service, and in the nation at large, to provide greater opportunities for all our citizens, opportunities to learn, opportunities to live in a decent environment, opportunities to express grievances in the American way through the ballot box rather than with the fire bomb.

I'm proud of how we have followed the lead of President Johnson in the Post Office Department.

The Post Office Department recognizes one standard and one standard alone in hiring, in promotion—and that is the American Standard of ability.

On the basis of advice from Harold McAvoy and other concerned leaders, the President and I have taken a number of steps to assure that this American Standard of equal opportunity exists not alone in Washington, not alone in our 15 Regional Offices, not alone in our three largest cities—New York, Los Angeles, and Chicago—where, for the first time, we have Negro Postmasters, but in every one of our 33,000 post offices and in every postal installation in the country.

For the first time, we have upgraded our Office of Equal Employment Opportunities to a separate division in the Bureau of Personnel. We have named five field coordinators to strengthen this program throughout our postal regions.

And, to assure that no area is overlooked, next month in Washington, on the suggestion of the President, we will hold an Equal Employment Opportunities Conference.

Ladies and gentlemen, your postal service is proud of the fact that it is a leader among all Federal agencies in equal employment. We now employ 130,000 members of minority groups, a figure that constitutes almost 20% of our total employment.

Though we have come far in recent years, I can assure you that we are not sitting still.

We are not getting our exercise by resting on our laurels or patting ourselves on the back.

Rather, we intend to continue the momentum we have gained. We intend to assure that every post office in the land meets the American Standard.

We intend to run a postal service that not only serves a democratic people but that serves them in a truly democratic way.

There is no doubt that we have come far in extending equal opportunity in the postal service.

But we are all Americans as well as postal employees.

Greater opportunities in the postal service can only exist in the context of a nation that extends greater opportunity in every area of life.

And I think we must recognize how President John Fitzgerald Kennedy and President Lyndon Baines Johnson have succeeded in opening up new opportunities for all our people.

In the basic area of education, we have seen created in a four year period, more legislation for our schools—24 separate measures—than in the previous 178 years of our national history. These education programs run from funds to improve primary education to scholarships that enable students to enter college. The door to opportunity through education is wider than ever before. And I can assure you that the President is going to fight every effort to close that door.

President Johnson is pledged to a program to give every American the opportunity to live in a healthful, decent environment, where the streets will be safe, the air clean, the transportation swift, the homes a source of satisfaction, the way to the ballot box open to all. That is why he has mounted the greatest attack on air pollution in our history; that is why he proposed the most massive Federal anti-crime program in our history; that is why he has undertaken the greatest rapid mass transportation program in our history; that is why he broke new ground in rebuilding our cities. His Model Cities and Rent Supplements programs were bold new ideas to combat the decay that has turned far too many of our cities into drab deserts.

America has problems. Plenty of them. But we also have a priceless resource: a vigorous, striving, imaginative people—the same kind of people that built a civilization from a wilderness, won the battle against the most evil tyrannies since Attila, restored shattered nations overseas, solved the mystery of the atom, and is now reaching out into space.

We have solved our problems in the past and, in fact, translated difficulties into opportunities.

If we reject the advice of frightened men, men of little faith in the American system, if we push on to new solutions, then the days of frustration, of antagonism, of violence through which we now pass will be seen for what they are: the alarm, waking us up to do what *needs* to be done, what *should* be done, and, given vision, leadership, and ability, what *will* be done.

LOUD DENUNCIATIONS OF PRESIDENT JOHNSON DO NOT PASS NATIONAL PROGRAMS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Leggett] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. LEGGETT. Mr. Speaker, Roy Wilkins, writing in the New York Post on August 26 made the telling point, that while the great debate rages in the United States on Vietnam, measures to help deprived groups move up in our society are slipping by the boards for lack of united support.

He made a point of the death of the civil rights bill of 1966, defeated while civil rights advocates were taking potshots at President Johnson and moaning about Vietnam.

There is a broader lesson to be learned from Mr. Wilkins' perceptive comment:

> It requires skill and toughness and persistence (backed by voting power) to shepherd legislation to passage. It requires only a closed mind and a loud voice to denounce the handiest target of all, the President of the United States.

The liberal and progressive forces in this country ought to take this admonition to mind.

While some of them are railing against President Johnson on foreign policy, the conservative-reactionary coalition at home mount their forces and defeat rent supplements or the rat control measure or the Teacher Corps.

The moral of Mr. Wilkins' article is this: Let us get together and support Lyndon B. Johnson in the great urban reform program he has put together. Let us not permit that program to go down to defeat because of one issue. Let us not permit reactionary forces to control the Congress or the country by default.

There are billions of dollars in badly needed national programs before the Senate and the House waiting for action in the next few months—programs for education, social security, juvenile delinquency control, model cities, rent supplements, civil rights, housing, and a host of others.

Let us take Roy Wilkins' advice, and unite behind them and the President whose labors have brought them to the consideration of the Congress.

I insert in the RECORD an article by Roy Wilkins, entitled "The Critics of L. B. J."

THE CRITICS OF L. B. J.

(By Roy Wilkins)

The almost incredible story of the thus far unsuccessful efforts of two Negro sisters to buy a home in New York City's borough of Brooklyn and the decline in the popularity of President Johnson in a public opinion poll are, in a way, related.

The oddity is that some people of the same race as that of the thwarted sisters are joining in the criticism of the President who has called for fair housing legislation.

The runaround began in 1964 when the two women, both employed, found a new two-family house at $38,490. The owner upped the price to $42,500 after initially declaring that the house had been sold. After 17 months of delay, the sisters got a court order branding the price as excessive and ordering prompt procedure with the sale. Nothing has happened.

A recent study tabulates a noticeably larger percentage of complaints from ghetto residents about housing discrimination than about even job discrimination. Yet President Johnson's proposal on fair housing was rebuffed last fall and his 1967 bill is threatened by the present Congress.

All this, of course, escapes the shouters. They are not interested in the treatment accorded the two sisters in Brooklyn and the thousands of home-seeking Negro families elsewhere. They are interested in the much easier tactic of blasting away at LBJ. It requires skill and toughness and persistence (backed by voting power) to shepherd legislation to passage. It requires only a closed mind and a loud voice to denounce the handiest target of all, the President of the United States.

True, New York State has a fair housing law. But a national policy backing it up would be desirable, adding one more weapon to the arsenal of freedom fighters. Most of the complaints on the treatment of the Negro are justified and can be supported by thousands of cases like that of the Brooklyn sisters.

The point is that when a President proposes remedies for these ills, none of the critics appears in Washington to confer with representatives or writes letters or makes supporting speeches.

While some Negro leaders were moaning about Vietnam, the 1966 civil rights bill was killed, largely through the smoothly functioning Washington lobby of the National Assn. of Real Estate Boards.

This year some groups are again occupied with Asia and Africa while, here in the U.S.A. (not Vietnam) the President has proposed rent supplements to aid families in low income housing. He has pushed the Teacher Corps plan to aid low-income school districts. His programs on Head Start, Job Corps, Neighborhood Youth Corps and Model Cities aid Negroes directly.

These items bearing the Presidential blessing have been trimmed or killed. The white people who are blocking them claim L. B. J. is pro-Negro. The Negroes who do nothing to unblock the measures claim L. B. J. is anti-Negro. It could be, of course, that Negro citizens are not aware of how their emotions are being manipulated for the benefit of causes connected only in an oratorical fashion to Negro jobs, schools, voting and slums here at home.

Allowing for all the normal political compromises, the record seems to indicate that L. B. J. on civil rights has been furnishing the kind of leadership that has evoked opposition from the still strategically powerful die-hard whites.

But some elements among Negroes are giving this leadership—and the Brooklyn sisters—the back of their hands—the same gesture given by the Klan!

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ROGERS of Florida, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. SMITH of New York (at the request of Mr. GROSS), for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. FOLEY, for 5 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. GILBERT.

Mr. PUCINSKI in two instances.

(The following Members (at the request of Mr. GROSS) and to include extraneous matter:)

Mr. GROVER.

Mr. BUTTON.

Mr. SCHWEIKER.

(The following Members (at the request of Mr. PRYOR) and to include extraneous matter:)

Mr. BRADEMAS in two instances.

Mr. HELSTOSKI.

Mr. RESNICK.

Mr. FASCELL.

Mr. JOHNSON of California.

Mr. DOW.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 510. An act providing for full disclosure of corporate equity ownership of securities under the Securities Exchange Act of 1934; to the Committee on Interstate and Foreign Commerce.

S. 1763. An act to promote the economic development of Guam; to the Committee on Interior and Insular Affairs.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 547. An act to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes;

H.R. 3717. An act for the relief of Mrs. M. M. Richwine;

H.R. 5876. An act to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the code; and

H.R. 11945. An act to amend the college work-study program with respect to institutional matching and permissible hours of work.

ADJOURNMENT

Mr. PRYOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. In accordance with House Concurrent Resolution 497, the 90th Congress, the Chair declares the House adjourned until Monday, September 11, 1967, at 12 o'clock noon.

Thereupon (at 12 o'clock and 45 minutes p.m.), pursuant to House Concurrent Resolution 497, the House adjourned until Monday, September 11, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1035. A letter from the Secretary of the Interior, transmitting a report on the initial stage of the Oahe unit, Missouri River Basin project, South Dakota, pursuant to the provisions of 53 Stat. 1187 (H. Doc. No. 163); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

1036. A letter from the Acting Assistant Secretary of the Army, transmitting a report on Department of the Army research and development contracts awarded during the period January 1 through June 1967, pursuant to the provisions of Public Law 82-557; to the Committee on Armed Services.

1037. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for fiscal year 1967, pursuant to the provisions of section 10(d) of the

Small Business Act, as amended; to the Committee on Banking and Currency.

1038. A letter from the Secretary, Export-Import Bank of Washington, transmitting a report on the amount of Export-Import Bank insurance and guarantees issued in connection with U.S. exports to Yugoslavia for the month of July 1967, pursuant to the provisions of title III of the Foreign Assistance and Related Agencies Appropriation Act of 1967, and to the Presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

1039. A letter from the Comptroller General of the United States, transmitting a report of need for revision of Foreign Service travel regulations to achieve a reduction in per diem costs, Department of State; to the Committee on Government Operations.

1040. A letter from the Comptroller General of the United States, transmitting a report of review of Federal participation in the cost of airport projects involving donated land, Federal Aviation Administration, Department of Transportation; to the Committee on Government Operations.

1041. A letter from the Comptroller General of the United States, transmitting a report of savings from more economical use of communication facilities between Alaska and the U.S. mainland, Department of the Air Force, Alaska Communication System; to the Committee on Government Operations.

1042. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of August 31, 1934 (68 Stat. 1026), providing for the construction, maintenance, and operation of the Michaud Flats irrigation project; to the Committee on Interior and Insular Affairs.

1043. A letter from the Chairman, Advisory Council on Historic Preservation, Department of the Interior, transmitting a draft of proposed legislation to amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 4451. A bill to reimburse owners of vessels of the United States for losses and costs incurred incident to the seizure of such vessels by foreign countries, and for other purposes; with amendment (Rept. No. 625). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. S. 862. An act to amend the Small Reclamation Projects Act of 1956, as amended; with amendment (Rept. No. 626). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 159. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; with amendment (Rept. No. 627). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BINGHAM:

H.R. 12735. A bill to provide for equitable acquisition practices, fair compensation, and effective relocation assistance in real property acquisitions for Federal and federally assisted programs, and for other purposes; to the Committee on Public Works.

By Mr. BOGGS:

H.R. 12736. A bill to authorize the appropriation for the contribution by the United States for the support of the International Union for the Publication of Customs Tariffs; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia (by request):

H.R. 12737. A bill to provide counsel in the District of Columbia juvenile court, to provide for representation of the community by the Corporation Counsel in juvenile court proceedings, to limit the period for which juveniles may be detained without a hearing, to prohibit unauthorized mixing of dependents and delinquents in juvenile institutions, and for other purposes; to the Committee on the District of Columbia.

H.R. 12738. A bill to increase the number and salaries of judges of the District of Columbia court of general sessions, the salaries of judges of the District of Columbia court of appeals, and for other purposes; to the Committee on the District of Columbia.

H.R. 12739. A bill to abolish criminal actions for paternity and nonsupport in the District of Columbia and to confer exclusive civil jurisdiction over paternity and nonsupport matters in the domestic relations branch of the District of Columbia court of general sessions, and for other purposes; to the Committee on the District of Columbia.

By Mr. DIGGS:

H.R. 12740. A bill to amend the rules pertaining to the display and use of the flag of the United States by requiring the display thereof whenever the flag of a State, or of a political subdivision thereof, or the flag or pennant of a society is displayed; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 12741. A bill to provide a program of national health insurance, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN:

H.R. 12742. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; to the Committee on Ways and Means.

H.R. 12743. A bill to encourage and assist private enterprise to provide adequate housing in urban poverty areas for low income and lower middle income persons; to the Committee on Way and Means.

By Mr. FLOOD:

H.R. 12744. A bill to provide for a temporary program of Federal assistance for research and development relating to certain rigid airships, and for other purposes; to the Committee on Interstate and Foreign Commence.

By Mr. FULTON of Pennsylvania:

H.R. 12745. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD:

H.R. 12746. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. KUYKENDALL:

H.R. 12747. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGEN:

H.R. 12748. A bill to extend for 3 years the special milk program for the Armed Forces' and veterans' hospitals; to the Committee on Agriculture.

H.R. 12749. A bill to amend the provisions of the Interstate Commerce Act relating to the discontinuance of passenger train operations and to impose an 18-month moratorium on the discontinuance of any passenger service by rail; to the Committee on Interstate and Foreign Commerce.

By Mr. LEGGETT:

H.R. 12750. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

H.R. 12751. A bill to amend title 5, United States Code, to improve the basic workweeks of firefighting personnel of executive agencies, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 12752. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. MINISH:

H.R. 12753. A bill to amend the Internal Revenue Code of 1954 to eliminate the percentage depletion method for determining the deduction for depletion of oil and gas wells; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 12754. A bill to extend for 2 years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues, and to provide for a regular audit of the Federal Reserve System by the Comptroller General; to the Committee on Banking and Currency.

By Mr. RARICK:

H.R. 12755. A bill to amend the Economic Opportunity Act of 1964 to prohibit use of Federal funds in programs utilizing the services of persons who engage in certain disloyal, disrespectful, or antireligious conduct; to the Committee on Education and Labor.

By Mr. ROGERS of Florida:

H.R. 12756. A bill to extend and otherwise amend certain expiring provisions of the Public Health Service Act to migrant health services; to the Committee on Interstate and Foreign Commerce.

By Mr. ROTH:

H.R. 12757. A bill to provide for a national program of flood insurance; to the Committee on Banking and Currency.

By Mr. SCHEUER (for himself, Mr. Burton of California, Mr. Cohelan, Mr. Button, Mr. Diggs, and Mr. Hawkins):

H.R. 12758. A bill to provide for the establishment of a Commission on Negro History and Culture; to the Committee on Education and Labor.

By Mr. STEIGER or Wisconsin:

H.R. 12759. A bill to amend the Federal Water Pollution Control Act in order to authorize comprehensive pilot programs in lake pollution prevention and control; to the Committee on Public Works.

By Mr. WIDNALL:

H.R. 12760. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. BUTTON:

H.R. 12761. A bill to prevent interstate smuggling of cigarettes by requiring cigarette manufacturers and importers to affix a label to cigarette packages indicating the State of final use, and to direct the Secretary of the Treasury to collect State and eligible city cigarette taxes; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 12762. A bill to prevent interstate smuggling of cigarettes by requiring cigarette manufacturers and importers to affix a label to cigarette packages indicating the State of final use, and to direct the Secretary of the Treasury to collect State and eligible city cigarette taxes; to the Committee on Ways and Means.

By Mr. KUPFERMAN:

H.R. 12763. A bill to prevent interstate smuggling of cigarettes by requiring cigarette manufacturers and importers to affix a label to cigarette packages indicating the State of final use, and to direct the Secretary of the Treasury to collect State and eligible city cigarette taxes; to the Committee on Ways and Means.

By Mr. WYDLER:

H.R. 12764. A bill to prevent interstate smuggling of cigarettes by requiring cigarette manufacturers and importers to affix a label to cigarette packages indicating the State of final use, and to direct the Secretary of the Treasury to collect State and eligible city cigarette taxes; to the Committee on Ways and Means.

By Mr. BINGHAM:

H. Con. Res. 501. Concurrent resolution to stop U.S. bombing of North Vietnam as a necessary first step to get peace talks started; to the Committee on Foreign Affairs.

By Mr. COHELAN:

H. Con. Res. 502. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. HARVEY:

H. Con. Res. 503. Concurrent resolution expressing the sense of the Congress that the President should seek the creation of a United Nations Factfinding Commission for Peace in Vietnam; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 12765. A bill for the relief of Rubena Ramsay; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 12766. A bill to permit the vessel *Marpole* to be documented for use in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

By Mrs. HECKLER of Massachusetts:

H.R. 12767. A bill for the relief of Florentino S. Gomes; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

149. The SPEAKER presented a petition of the Association for Grand Jury Action, Inc., Rochester, N.Y., relative to reassignment of a petition, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

National Drum Corps Week

EXTENSION OF REMARKS

OF

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 31, 1967

Mr. SCHWEIKER. Mr. Speaker, I rise to call special attention to the 3 million people throughout the United States and Canada who devote a great deal of their spare time to drum and bugle corps activities. The week of September 2 through 9 has been designated as National Drum Corps Week in recognition of those who participate in the colorful and entertaining drum and bugle corps activities. One fine example is the Greater Norristown Junior Drum and Bugle Corps in my congressional district.

Many an American history student will recall the memorable part the drum and bugle corps have played in our heritage. The American Revolution began as the drummer, William Dinman, beat the call "To Arms on Lexington Common." During World War I, drum signals continued to be prescribed in our military manuals. The drum corps continue to offer their participants enjoyment and an invaluable opportunity for character growth.

To qualify for one of today's units, our young people must be willing to acquire a keen sense of duty and responsibility, both to themselves and others. They must learn the importance of cooperation, self-discipline, and reliability—qualities which are badly needed in a country with a rising rate of juvenile crime. Our young people in the drum corps are taught fair play, the rules of sportsmanship, and how to follow orders. Their participation in these units provides them with valuable training and experience in developing disciplined minds and bodies essential for future leadership in our country.

It seems appropriate during the National Drum Corps Week to give special praise to the millions who add color and spirited music to our parades and public events and who add enthusiasm and public spirit to our Nation.

Invasion of Poland: 1939–67

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 31, 1967

Mr. PUCINSKI. Mr. Speaker, 28 years ago tonight, the world stood on the brink of a terrible war—a war that was begun with the invasion of Poland by the Nazi Armies on September 1, 1939.

This invasion was brought about by the infamous Molotov-Ribbentrop Pact—a treaty which has become well known to all those who have felt the oppressive weight of tyrants.

The world has other cares today, many of them great and awesome in their ability to rain incalculable destruction upon the heads of all men. Although the Molotov-Ribbentrop perfidy is now history, it is history which should remind us constantly of the need to be on our guard. Because our strength is great, we must never suffer the delusion that there are not other men and other nations who would challenge it willingly, if given the opportunity.

Our position in Vietnam is difficult and enormously complex. But if we yield and withdraw without firm guarantees, we will reap the whirlwind. Everyone who really knows the trustworthiness of tyrants and dictators knows this. Southeast Asia will relentlessly fall beneath the weight of the Red Chinese advances. We must help the South Vietnamese to stem this inevitable invasion before it has an opportunity to develop. Let Poland, and the terrible havoc wreaked on Poland, serve as a warning to all free nations who believe they can have any faith in the promises of conquerors.

International Drum Corps Week

EXTENSION OF REMARKS

OF

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 31, 1967

Mr. GROVER. Mr. Speaker, we are all familiar with the rapidly increasing numbers of such events as "Flag Day," "American Education Week," "Be Kind to Animals Week," "Drive Safe Week," "Teacher Recognition Day," ad infinitum. Regrettably, but understandably, many of us have grown so overtired with this surfeit of commemorative days and weeks that we accord them only indifferent attention at best, and do not pause to consider the worthy causes and groups which they honor.

In particular I would hope that we would accord "International Drum Corps Week"—September 2–9—honoring the more than 1 million persons actively engaged in drum corps activity, the notice and support it deserves.

Especially in these troubled times, drum and bugle corps serve a useful purpose. Their inspiring performances remind us of our brave young men who have fought and who fight today to defend freedom. Further, by providing a healthy outlet for youthful energies, the activity helps fight a major problem—juvenile delinquency. And perhaps not the least of their accomplishments, they are wonderfully entertaining, as I can attest from having the privilege of hearing a group from my own district, Babylon's "Islanders."

I, therefore, congratulate the drum and bugle corps around the country on their valuable contribution and urge that you support—as I do—"International Drum Corps Week."

South Bend, Ind., Man Is Now Successful Proprietor Thanks to Small Business Administration

EXTENSION OF REMARKS
OF

HON. JOHN BRADEMAS

OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 31, 1967

Mr. BRADEMAS. Mr. Speaker, on July 1, speaking at the Democratic Governors conference in St. Louis, President Johnson reasserted his faith that Americans, working together, will provide jobs for disadvantaged persons. The President stated:

> Earlier this week, I visited a center in Philadelphia where I was the next logical American step after protest.
>
> It was a center for disadvantaged citizens. The leaders of that center had protested—with full justice—a lack of job opportunities for Negroes. The business community listened—and made more opportunities available. But then the protesters found that there were not enough men and women with skills to fill the jobs that opened up.
>
> Their response should inspire us all with deep pride—and faith in our future. They did not react in bitter frustration against the dead past. They set their eyes to the future. They rolled up their sleeves, and they built a place where Americans who might have lived out lives without hope could be trained, and made more productive, contributing members of our society.
>
> Your Government helped to provide funds for that center—and there is no investment of which I am prouder. Business is contributing as well—and some labor and foundations and city government.
>
> That can happen all over America. And it will—if we work to make it happen.

HELP FOR DISADVANTAGED

The Small Business Administration is an agency of the Federal Government that is working closely in cooperation with various national, State, and local agencies and groups to help disadvantaged persons acquire a business of their own.

I know no better way for Americans to fight poverty and assist disadvantaged persons to achieve dignity and stature than by making it possible for them to be successful small businessmen.

It is for that reason that I should like to recount briefly the story of one disadvantaged person in my home city of South Bend, Ind., and explain how the Small Business Administration, through its Indianapolis regional office, helped him become the proprietor of his own small business.

James E. Williams held a variety of jobs with the Studebaker Co. in South Bend until 1963, when the plant was shut down. He was but one of a large number of men and women who found themselves without a means of livelihood when that unfortunate shutdown occurred.

But Mr. Williams' predicament was particularly acute since he was a Negro with a limited education. In the fierce competition for jobs, he was at a particular disadvantage. But he was not idle. To provide a meager living for his family, he set up a home workshop where he repaired automobiles, and also worked part time at a service station. He also obtained employment with the city street department.

NEEDS $9,000 LOAN

In 1965, Mr. Williams had an opportunity to become the operator of his own filling station. But he would require $9,000 to purchase inventory and for working capital. This he did not have.

Mr. Williams applied to SBA for a loan. SBA was convinced that Mr. Williams was a hard worker and that he could make a success of the filling station. A $9,000 economic opportunity loan was made.

Mr. Williams now is the proprietor of his own small business. His filling station is making a nice profit and he is repaying the loan. He has one full-time employee and four who work part time.

Many South Bend residents have learned that they can depend upon James E. Williams' service. That is why Jim's Six Point Shell Service at 1224 East Corby Street is a prosperous enterprise.

International Drum Corps Week September 2–9

EXTENSION OF REMARKS
OF

HON. JACOB H. GILBERT

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 31, 1967

Mr. GILBERT. Mr. Speaker, the week of September 2–9 will be celebrated throughout the Nation in honor of the more than 1 million persons actively engaged in drum and bugle corps activities. Drum Corps Week will be commemorated with competitions, concerts, colorful parades, and other activities.

As a youth activity, the drum corps offer an opportunity for our young to engage in an exciting and challenging project of music, action, and sportsmanship. The corps provide character growth, discipline, personal reliability, and pride in accomplishment to youngsters.

They add entertainment to charitable affairs, perform at hospitals, and cheer up patients. It would be difficult to imagine a parade or public event without the spirited pageantry and stirring music these groups contribute.

I am especially proud of drum corps activities in my 22d District of the Bronx, N.Y. Many of us have had the pleasure of hearing the Midshipmen, the Kingsmen, and the Mother Butler High School Girls Corps at official events in the Bronx, including the stirring pageantry of our annual Memorial Day parade. We are fortunate to have as a resident of the Bronx, Mr. Harvey N. Berish, a noted educator and youth worker who is the national chairman of International Drum Corps Week.

Mr. Speaker, at a time when we are witnessing turmoil in our cities, and as we strive to give our young people the educational and recreational activities they urgently need, the drum and bugle corps is playing an important role. Through their exemplary motto of "Pageantry and Patriotism" they are working to combat delinquency and to give our youth a productive channel for their energies—and one which is both exciting and educational.

I congratulate the drum and bugle corps for their fine work and wish them success in future achievements.

Robert King High: Dedicated American, Mayor of Miami, Fla.

EXTENSION OF REMARKS
OF

HON. DANTE B. FASCELL

OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 31, 1967

Mr. FASCELL. Mr. Speaker, Robert King High, the fighting, red-haired mayor of Miami, died yesterday. At 43 he had apparently regained his health after a previous heart attack suffered some 4 years ago. Mayor High's death is a tragic loss to the people of Miami, the State of Florida, and to the country. He was a dedicated public servant, always in the mainstream of public life. Small in stature, big in heart and courage, he was the little man's hero.

In politics he took on all the giants. Elected first in 1957 as mayor, he immediately started out as a crimebuster, taking on the political consequences of all the powerful gamblers. He took on utility companies and forced them to lower their rates. He fought with the powerful Florida East Coast Railroad. The "powerful" were the "special interest" groups that ganged up against the "little man," and the mayor as their champion always waged courageous fights.

He was the standard bearer for the Democratic Party in the last gubernatorial election. He was a staunch Democrat; always active in local, State and National Democratic affairs. He was one of the first high-ranking public officials in Florida to publicly announce his support of Senator Jack Kennedy prior to the Democratic Convention at which Senator Kennedy became the presidential nominee. He became a vigorous and active supporter of President Johnson in the last presidential race.

Robert High loved politics; the hard work, the challenge, the excitement, the accomplishments and the defeats all, were part of the fabric of his life.

His interests ranged far beyond purely domestic politics. He learned to speak Spanish. He became extremely well-known throughout South America, where he traveled extensively, spoke frequently, and otherwise became as Mayor of Miami, America's ambassador of good will. He was a favorite of Miami's large Latin population, and Mayor High spent a great amount of time and effort in bridging the gap of understanding, not only between the diverse groups that existed in his community but also between North and South America.

His loss is a tragic one to the thousands who knew him and worked with him. I join all our citizens in extending our deepest sympathy and regret to his lovely wife, Faith, their children, and the rest of his family.

International Drum Corps Week, September 2–9, 1967

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 31, 1967

Mr. PUCINSKI. Mr. Speaker, this Saturday, September 2, marks the beginning of International Drum Corps Week. It will be celebrated in all 50 States and Canada with parades, concerts, competitions, and civic and social events paying tribute to the thousands of young people who are members of these corps.

Last year, and again at the start of the 90th Congress, I introduced a resolution in this House to allow certain drum and bugle corps units selected by the President to travel abroad as goodwill ambassadors under the provisions of the Mutual Educational and Cultural Exchange Act.

My own district in Chicago is the home of the Cavaliers—a drum and bugle corps that has often won recognition as the best unit in the United States. Recently, in Boston, Mass., the Cavaliers once again were singled out for the national championship award.

In my travels throughout our country, I have met hundreds of young people who devote long hours each week to perfecting their precision and to demonstrating the spectacular effectiveness of teamwork. They have youth and zest and a keen appreciation of what they are doing for themselves, their schools and their communities. We are proud of them.

On the eve of this week which pays public tribute to these youngsters and the parents and communities which encourage them, I believe it is proper that the Congress take full notice of these activities. In an age of rising delinquency, crime rates, tension and civil strife, it is reassuring to remember all that is right with America.

Mr. Speaker, following is the language of House Resolution 85, my resolution in behalf of drum and bugle corps units. I would like to call it to the attention of my colleagues for I believe it expresses the sincere enthusiasm and support we all feel for these outstanding young people:

> Whereas drum and bugle corps units are a typically American institution; and
>
> Whereas drum and bugle corps units are sponsored by schools, various veterans' groups and other patriotic organizations throughout the United States and accurately reflect American life and institutions; and
>
> Whereas the boys and girls who are members of drum and bugle corps units are the flower of American youth: Patriotic, enthusiastic, physically fit, highly motivated, and well trained and disciplined with a respect for law and order; and
>
> Whereas drum and bugle corps units provide excellent entertainment which would be well received in foreign countries; and
>
> Whereas the boys and girls who are members of drum and bugle corps units would serve effectively as United States ambassadors of good will on a people-to-people basis: Now, therefore, be it
>
> *Resolved,* That it is the sense of the House of Representatives that the President should include drum and bugle corps units among those groups sent to foreign countries (including the countries of Eastern Europe) under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 (the Fulbright-Hays Act): It is further
>
> *Resolved,* That each year the champion drum and bugle corps unit selected at the annual convention of the Veterans of Foreign Wars and the champion drum and bugle corps unit selected at the annual convention of the American Legion shall be sent as ambassadors of good will to appropriate nations to be designated by the Department of State, with the time for such trip to be arranged with the mutual consent of the winning drum and bugle corps and the agency sponsoring such a trip: It is further
>
> *Resolved,* That such funds as may be necessary are hereby authorized to be expended by the Department of State to pay for all travel and lodging for the respective drum and bugle corps units sent on such good will missions.

Secretary Freeman's Leadership

EXTENSION OF REMARKS

OF

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 31, 1967

Mr. DOW. Mr. Speaker, in recent days, I have become increasingly disturbed by the efforts of those whose apparent objective is to discredit the Secretary of Agriculture and the President in the earnest endeavor they have made to help the American farmer. While I know that some depression has occurred for dairymen, I am surprised that ostensible spokesmen for our grain farmers should be so critical.

These critics are the same ones who supported the tired, do-nothing policies of the Benson regime—policies that caused farm income to steadily slide for 8 solid years while we built the most devastating surplus in history—policies that started the great mass movement of families from the farm to the city.

As a result of these policies, by 1960 overproduction had robbed the farmer not only of prestige, but had cost him dearly in dollars. By the close of that year, we had a stockpile of 1.4 billion bushels of wheat and 85 million tons of feed grains, and net farm income had plummeted $2.4 billion in just 8 short years.

In 1961, a new team, managed by two great Presidents and coached by the Secretary of Agriculture, has been largely responsible for the development, enactment and success of five major pieces of farm legislation, the elimination of surpluses, and a substantial improvement in farm income and farm living standards.

From the 1960 level of $11.7 billion, net farm income jumped to $16.4 billion in 1966—the second highest mark in history—and gross farm income at $49.5 billion and net income per farm at $5,049 set an all-time record.

The voices I hear today crying for the hide of Orville Freeman bear an eerie resemblance to those of the little men who since 1961 have cried "get the Government out of agriculture," and "let farmers go it alone so that farm prices can be set in the marketplace by the law of supply and demand."

Now that this administration has eliminated the surpluses their policies built, farmers this year are operating in what is essentially a supply-demand situation.

Under our voluntary farm programs, wheat and feed grain producers in 1967 were provided an opportunity to increase production by a prudent amount—an amount sufficient to provide for safe, adequate reserves without creating a surplus.

Farm production has increased this year—thanks not only to unusual growing weather all over the country but to the fact that we have witnessed once again the tremendous impact the technological revolution is having on American agricultural production.

Certainly farmers can ill afford lower prices and reduced income in the face of an ever-present cost-price squeeze.

But to point the finger and scream "surplus" in the face of current supply levels is to cry "wolf" when there is no wolf.

And it would appear to me that this kind of carping and sniping badly serves the farmers' cause.

I think the cause is better served by such sober, responsible evaluations and appraisals as I found this week in Secretary Freeman's "Agriculture 1967—A Situation Report."

In the course of this report, the Secretary made these important observations of the current agricultural picture:

> It is impossible to predict, with absolute accuracy, what the weather will do around the world, or how much of any one commodity our competitors in world trade will produce in any one crop year. Yet our export business is a major outlet for U.S. farm commodities and the quantities needed are basic in making farm program policy decisions.
>
> In 1966, after increased domestic wheat acreage had been announced for 1967, new information from the Soviet Union and Australia indicated bumper harvests. Despite a record global wheat crop, our commercial wheat exports reached a record 450 million bushels in 1966–67 and overall exports were over 742 million bushels, continuing the high levels of the past few years.

After consulting wheat farmers and others through informal hearings on 1968 wheat acreage levels, all evidence pointed to the need for a cutback in acreage to maintain a satisfactory relationship between production and needs. And the allotment for 1968 was set at 59.3 million acres, about 9 million acres less than for 1967. The actual 1968 outturn, of course, remains subject to weather factors.

No overall surplus of wheat resulted from the 1967 crop. The sharp drop in wheat prices in the summer of 1967 from a year earlier was not justified on the basis of 1967 production and prospective demand for wheat.

Unfortunately, too much wheat loaded into marketing channels at harvest resulted in temporary glut that pushed prices down.

This illustrates the changed marketing situation farmers face in the new era. With surpluses gone, yearly production will be keyed to needs for the entire marketing year. This means larger supplies available from the current crop than when production was being held in check to work off the surplus. Government stocks no longer provide the stabilizing market force they did when there was a market shortfall from yearly production that had to be made up from the surplus. Now, virtually all of the needs in commercial channels are coming from free stocks.

This new challenge to farmers requires more active orderly marketing. It requires restraint on the part of farmers in the quantities of a commodity moving into the market at any one time. The price-support program helps in the holding process. With a reseal program for on-the-farm and warehouse storage, farmers can hold on to their products and make the market work for them, rather than against them. Price supports and payments strengthen their holding power also. Direct and diversion payments in many of the basics make it possible for them to compete in world markets and, at the same time, maintain their income.

The fall of 1967 brought feed grain and soybean producers face to face with the same marketing problem wheat farmers confronted. But patient and hard-nosed marketing by farmers can avoid sharp harvest time price dips. Temporary market supplies can push prices down just as much as if there really were surpluses.

The course of feed grain production in 1967 brings out the problems and difficulties in matching production with needs. In the fall of 1966, it was apparent that the surplus era for feed grains was ended and acreage needed to be increased.

After long study by people both inside and outside the Department of Agriculture, the 1967 feed grain program was fashioned to bring about a reasonable increase. Following the first indications of spring plantings in March, many who felt production would be too low pressed for an increase. We stuck by the original decision, and what happened? The first report of production, as of July 1, indicated a corn crop of 4,580,000,000 bushels. Weather conditions were favorable and the next report showed an increase of nearly 150 million bushels to 4,651,000,000 bushels.

When the effort is to bring production in on a supply target, relatively slight weather variations can mean a plus or minus three bushels per acre. So slight a variation could mean a difference in the range of 400 million bushels in the total crop. It isn't always possible to hit the supply target exactly. It's important that farmers understand this and help in the decision-making process so that our judgments are as accurate as possible. After the fact is too late.

The newness of the New Era Programs is another factor that bothers farmers. Newness means uncertainty, which is always unpleasant. Under the old programs, the loan rate, in effect, set the market price. This was certain and comfortable. Now the market is jumpy, although above the support rate. This newness of the programs also relates to another problem. Farmers instinctively separate their program payments from market returns.

But wheat certificate payments and corn price-support payments are as much a part of the per-bushel return to farmers as are the market prices. Many farmers tend to forget that they receive a rather substantial payment for every bushel of wheat.

The program is designed to allow wheat to move in the market at the world competitive price while the participating farmer gets the parity price for his share of wheat used as domestic food. For 1967 this works out to about 47 cents per bushel on all the production on participating farms. For 1966, the combination of the market price and wheat certificate payment brought the wheat price average on participants' farms to $2.22 per bushel. The same principle is true for corn and for the 1966 crop the average value came to $1.40 per bushel, including an average price-support payment of 11 cents per bushel.

We're working hard to make these programs better. But they have already been effective in raising farm income. Compared to 1960, receipts in 1966 were up $500 million in wheat, and up $2.1 billion in feed grains.

Mr. Speaker, I suggest that Republican Congressmen from the grain belt might better serve their rural constituents by abandoning hyperbole and adopting the reasoned, responsible approach of the Secretary of Agriculture. As a Representative of an eastern farm region, where we have to pay the price of grain raised in the West, I cannot endorse the idea that growers of grain are suffering as some of their representatives would imply.

The President has said of Mr. Freeman:

> Orville Freeman is one of the most dedicated and conscientious public servants in this country. His work in behalf of farmers' income—and of better living conditions throughout rural America—is known, or should be known, to every enlightened man and woman in this country. He has been a tower of strength for rural Americans, for the consuming public generally, and for two Presidents.

World Food Needs

EXTENSION OF REMARKS

OF

HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 31, 1967

Mr. BUTTON. Mr. Speaker, in these times when the problem of the sufficiency of our world food supply is so critical, it is interesting to note that Hayden, Stone Inc., on June 16, 1967, sponsored an important forum on world food sufficiency.

In an effort to stimulate the interest of world investors in the world food needs, Hayden, Stone Inc. asked the Secretary of Agriculture, Orville L. Freeman, to speak on this challenge to the American business and financial interests. Responses from the investment community came from Mr. Patrick James, vice president of the Chase Manhattan Bank, and Mr. Robert Price, executive vice president of the Dreyfus Corp.

I am pleased to include in the RECORD Secretary Freeman's remarks:

WORLD FOOD NEEDS

(By Hon. Orville L. Freeman, Secretary of Agriculture)

I am impressed with the leadership that Hayden, Stone has shown in selecting this topic as the focus for our discussion today.

With the dramatic Middle East crisis, we have all had our eyes focused on the headlines. We have been more than normally conscious of the basic question of war or peace in the world. If that terrible day of total war should come, it would come not because we or the Soviet Union arbitrarily took the frightful final step. It would come because other nations, smaller nations, with their frustrated needs and aspirations brought us into it. I have asked myself: What can we do to prevent this? What can we do to stop World War III before it starts?

The President has stated again and again that his every-waking thought is "How can we accomplish both a stable world and a world at peace?" Obviously, there is no simple answer to that question, no easy blueprint, no button that anyone can push.

But we must hope.

Individually and collectively, mankind is restless and desires betterment. If everyone in the world believes that he can better himself, we might be sure that the peaceful world we want is possible.

Frankly, I think we would have to conclude that many, too many, are losing hope. If someone asked me, "What is the single biggest reason for such frustrated hope?", I might say, it's things as simple as transistor radios, because they have helped bring on a tremendous wave of rising expectations. Every thatched hut, every adobe village around the world, has these little radios; poor people have learned that there are other people living better. There poor people have aspirations, but in many cases few prospects of realizing them. This is another way of saying that there is a pitifully large gap around the world between the "haves" and "have-nots", the hopeful and the hopeless.

A gap has always existed, and perhaps that gap was worse in other times than it is in ours. But it has never been focused in such sharp relief, nor was it so widespread.

The economic gap and the recent war are closely connected. We might properly concentrate our attention on that gap.

There are 900,000,000 people in the so-called rich countries of the world. That includes Europe and the North American continent, Oceana, Japan and the U.S.S.R. There are two-and-a-half billion people in the poor countries, including mainland China. In the rich countries, the average income per person is $1,700 a year. In the poor countries, it is $110 a year, 1/15th as much. Of course, the gap between the richest and the poorest is very much greater. United States per capita income in 1960 was $2,300 and in India it was $70—which means that the average American is 33 times richer than the average Indian.

With these figures fresh in our minds, we focus sharply on the topic to which we direct our attention today—food and population.

By the year 1980 there will be at least one billion more people to feed around the world, most in the developing countries. In addition, any progress that is made in increasing per capita income is going to result in rising pressures for more food, because the elasticity of demand for food in these countries is indeed very great.

It isn't commonly known that these countries have not done so poorly in agricultural development. Their rate of increase is only slightly less than ours. But their population and income growth have caused food demand to exceed food production increases.

The dangers implicit in this were well expressed centuries ago by the Roman philosopher, Seneca—"A hungry people listens not to reason, nor care for justice, nor is bent by prayer." That is applicable today.

If we look to the Old Testament, Isaiah, in the 8th Chapter, 21st Verse said, "And they shall pass through the land hard pressed and hungry; and in their hunger they shall become mad with rage, and shall curse their king and their God. . . ."

And so it has come to pass. In the past decade only one of the twenty-seven rich nations has suffered a major war on its own territory, and yet 32 out of the 38 poorest nations have known war on their home grounds.

Obviously, for both moral and practical reasons, closing the gap is an imperative both for us and for the poor nations. The sons of the rich and the sons of the poor alike are hostages of world hunger.

Can world hunger be prevented? All of us here have decisions to make which could help.

If we could put to work in the less developed countries the agricultural know-how that we have in the United States—where we have experienced the greatest productive marvel in the history of mankind—then every human being today, and the billion more in the year 2000, could have an adequate and nutritious diet.

But how do we go about exporting modern knowhow? How do we apply it to the lands which have not known modern agricultural techniques and inputs?

First, I might mention what we shouldn't do. We shouldn't start out trying to feed the world ourselves. It is true that for some time to come, the developed countries could produce enough to provide an adequate and relatively nutritious diet to the peoples of the world.

But could we distribute it? That would be an extremely difficult task. Just the logistics of having enough storage, rail and ocean transportation, loading and unloading facilities, and a distribution system are staggering. If we are willing to invest enough, we might have the know-how to accomplish it.

What it would take in terms of international politics is another question. I have never talked to a chief of state anywhere around the world who is willing to become dependent upon this country or any of the so-called more developed countries for the sustenance of his people. If we assumed, however, that a country was willing to become dependent upon us, and if we mobilized all our know-how, production and distribution to satisfy its needs, conceivably it could be done.

But even then, it would be the wrong thing to do because very quickly the less developed countries would become dependent upon us, and two serious problems would arise. They would relax their agricultural effort. They would fall short of making the necessary investment of both talent and resources. To put it rather crudely, the Finance Minister wouldn't give the Agricultural Minister much money and there would be, consequently, very little agricultural development. And, the food price structure would be destroyed, taking with it the inducement for local producers to apply modern techniques and inputs to raise production.

And if this doubly adverse effect occurred—and I'm quite confident it would—the developed countries would have the ability to produce enough to feed the rest of the world for only a very limited period. At some later date the world would literally run out of food. Long before that happened, I think we would have had our Armageddon. There could not be much hope. The outbursts that we have witnessed in the last decade around the world would grow in intensity until that last and ultimate horror of atomic war would overwhelm us.

I will be a little dogmatic and say that, in the absence of agricultural development, there won't be any economic development. The sine qua non of economic development is agricultural development. This is the number one economic prerequisite. This country, and the great developed countries of the world, have gotten to the stage of real economic progress only when they have developed a healthy, viable agriculture. That is the base on which progress rests.

So, too, we can see the crucial role of the private sector in every successful agricultural development example. This is obviously true of the great American agricultural complex.

The job of world agricultural development cannot, in my judgment, be done without the private sector of our economy exporting more of our agricultural know-how. It is a tough job. It is more difficult to build a strong agricultural economy than it is to accomplish industrial developments of various kinds.

There have been a lot of analogies drawn between industrial and agricultural development. But they are fundamentally different. In the first place, agricultural development depends on millions of individual enterprises in any one nation rather than a few industrial combines. The close supervision which is prevalent in factories is lacking on farms, and agriculture is subject to largely uncontrollable environmental and biological forces. It must be custom tailored to each country, or to each region within a country, and often to each farm.

We ought to face the fact that to move from a thin subsistence to a healthy commercial agriculture is a tough, exacting process. It is a complex task to get new discoveries down to the farmers, as the county agents and businessmen in this country do. It means fair pricing for farm products. It means credit at reasonable rates to farmers. It means transportation to move products.

It means processing and marketing. It means fertilizer plants and the availability of many other inputs. It means educational and cooperative institutions. The key to this is in the private agribusiness sector.

You can have all the inputs; but putting them together, understanding the targets, organizing and administering to achieve a goal—these are the key elements; the most limiting elements, the ones that somehow or other we have got to attract if we are going to bring hope to people and put know-how and capital to work where needed.

The time has come, the challenge is there. There is real opportunity for investment consistent with the responsibility that any corporate leader has to his stockholders to make a fair and reasonable profit. And, in the process of making a profitable investment, a corporation can create hope and enthusiasm which are so important if we are to build a peaceful world and avoid the ultimate horror.

The areas of investment opportunity are great because the potential demand for farm inputs is tremendous. In magnitude, the potential is really enormous, challenging and exciting.

In our country, farmers purchase $12.5 billion worth of inputs from the non-farm sector. American farmers cultivate 300 million acres and spend $42 per year per acre on supplies from the non-farm sector.

Even nations with very small holdings, such as Japan and Taiwan, with average farms of only about three acres, absorb a huge volume of inputs. As a matter of fact, spending per acre in Japan is greater than in the United States.

Last year, American farmers spent $600 million for improved seeds. Move that for a moment to India, Pakistan, Indonesia and other countries in terms of the magnitude of demand for improved seed.

Another component of demand is fertilizer. Today the world uses about 7,000,000 tons of plant nutrients. By 1980, it will need to use about 47,000,000 tons. Let us say that $150 buys a ton of nutrient. The prospective market could well expand from the present $1,000,000,000 a year to at least $7,000,000,000 a year. This is only 15 years away.

I could cite equally promising markets for other inputs. Chemicals, machines and implements, and a complex of other products from pumps to refrigeration equipment will be in demand. It is a challenge to every innovative, imaginative, creative business leader to meet this demand and in the process to make a fair profit.

Your government looks favorably upon private investment in the developing countries. Without going into great detail, this government is ready to offer credit, various kinds of risk insurance and political guarantees and technical and financial information to companies investing in these countries. We have been trying in a number of ways to reach leaders in the agribusiness investment communities to ask them, "Can you tell us specifically what the government can do further to lend you a helping hand?"

With other countries, our policies have become firm. The whole thrust of Public Law 480, "Food for Freedom—Food for Peace" is that in meeting the needs of hungry people through our food shipments, we ask the recipients to apply sound self-help principles to their own food production. We are *requiring* countries which have lagged and refused to invest in their agriculture to change their policies.

Many have responded. India is a good example. There has been almost a 180 degree turnaround in India. Agriculture is her number one topic. When they start cutting the budget because of financial pressures, agriculture is the one that is protected from cuts as they seek to move ahead.

This is reflected in other less developed countries. "Profit" has become a respectable word around the world. The free enterprise privately-owned business operations are outscoring, outcompeting, outdoing socialist enterprises on every front around the world. It is interesting to observe that even in the Soviet Union the word "profit" is becoming acceptable.

In country after country—Mexico, Israel, Costa Rica, Taiwan, Thailand, South Korea, Ivory Coast, Brazil and several others in Latin America—governments have taken and are taking steps to establish favorable investment climates. Tax preferences or exemptions, import privileges, guaranties on capital repatriation—in short a variety of laws—testify to their recognition that they need and are prepared to support investment and the management skills which come along with it.

I don't mean to overstate this picture. I do not mean to imply that prejudice has ceased and everywhere around the world there is agreement that foreign capital is indispensable or that investment laws will be carried out in the letter and the spirit of the law.

Economic development is a complex matter that is obviously not accomplished by fiat. But a great deal of progress has been made in the most recent years. Agriculture is beginning to assume its proper leading role. It is simply too important a matter to be deterred by blind prejudices.

Finally the stage is set. I would repeat by saying that soon you will explore this carefully and thoroughly. The influence of business and financial people is very significant. The effect that you could have—

when you decide to follow up some of the suggestions resulting from our gathering here today, and others that you know about—can be very important.

For a host of political, traditional, ideological and cultural reasons, agriculture doesn't rate very high on the prestige totem pole. The result has been that agriculture has been progressively ignored and the phantom of industrial development and the symbolism of prestige that goes with it have tended to downgrade agriculture. But today there is a change of attitude, a recognition of the farmer's importance, a recognition here and around the world. In the six years that I have been in Washington there has been a sharp reversal. That turnaround has been in part the recognition of agriculture's contribution to the progress we have enjoyed in this country.

Government has been involved in our agricultural miracle, but private enterprise has played the key and critical part in it. While the extension agent has been out in the boondocks, the salesman has traveled right along with him. As I have put it facetiously on occasion, when you get the salesman out there selling and the extension agent out there keeping him honest, you have a combination that can't be beat.

Our government has never gone in for producing farm production inputs. Our government has never gone in for processing or distribution. But our government has sponsored research, although today private industry is doing more agricultural research than public agencies. Likewise, government has organized education and credit systems and yet today the private sector is involved in both.

And our government has established a pricing arrangement that stimulates producers to maintain a reasonable working relationship in a free market between supply and demand. Blessed as we are with an enormous capacity to overproduce, we have had to learn by pragmatic trial and error how to do this.

We are now in a world where the need is so great that it is intolerable to have unmet needs and unused capacity. We must bring those two together. In the process of doing so, we have to keep our eye on the target. That is to export technical know-how and management techniques. We will export food for humanitarian purposes, food for nutrition purposes, food for capital, but not food to suffocate agricultural development and self-help.

Agricultural development will be accomplished only with a combination of capital, scientific and technical know-how, and equally and more important in my judgment, management. Creative leadership is always in short supply and is always hard to find, but it is the essence of a good business operation. This is what we need most.

Most of you here today counsel people on how to invest money. I think you do so as much as anything on your evaluation of the capacity and leadership of the people that will carry forward an enterprise. This is the key reason above all others why the private sector must be deeply involved in this challenge that lies right before us.

I close my remarks here today with a quotation from one of the truly great men of the world. I refer to Saint Paul. Paul said in his letter to James, Chapter I, Verse 22, "But be ye doers of the word, and not hearers only, deceiving your own selves. For if any be a hearer of the word, and not a doer, he is like unto a man beholding his natural face in a glass: For he beholdeth himself and goeth his way, and straightway forgetteth what manner of man he was. But whoso looketh into the perfect law of liberty, and continueth therein, he being not a forgetful hearer, but a doer of the word, this man shall be blessed in his deed."

In this room are assembled doers, and we are engaged in giving mankind freedom from hunger and pestilence and woe. There is nothing more important in the world.

The Ninth New Jersey District Voters Speak Out

EXTENSION OF REMARKS

OF

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 31, 1967

Mr. HELSTOSKI. Mr. Speaker, recently I sent out my annual questionnaire, "The Ninth District Voters' Voice in Congress," to the 149,000 households in the Ninth Congressional District of New Jersey, which I have the honor to represent in Congress. I have sought the opinions of my constituents on the vital issues which we, as Congressmen, face and must resolve in the best interests of our Nation and our constituents. I am extremely gratified that 28,408 people—actually representing families—in my congressional district have taken the time to return their questionnaires, providing me with a cross section of their opinions and views. It indicates their concern on the domestic and international issues of the day.

Now that the careful tabulation and analysis has been completed, I intend to have it circulated within my district so that my constituents may be apprised of the results. This compilation was an effort that required many college volunteers, in addition to my staff members. I wish to assure my constituents that their responses are of great value to me in making determinations and voting on the issues.

The subject of Vietnam has been given most considerate thought. In analyzing the present responses and comparing them with those of the past 2 years, I find that there is no significant change in the desire of my constituents on how to end this conflict: 80.7 percent advocate a greater effort and emphasis on diplomatic and peace initiatives in cooperation with other parties to secure an early termination of the conflict; 14.7 percent opposed this approach. Thus, a majority of my constituents feel as I do on this problem. I have advocated this method for some time.

In spite of the many demonstrations which have taken place in the United States in favor of getting out of Vietnam, the responses from my district indicate an opposition to this idea by a 56.3 percent to 34.9 percent ratio, with 8.8 percent undecided.

Fifty-nine and seven-tenths percent of my constituents feel that we should continue the bombing of North Vietnam, while 35.4 percent approve of the cessation of such bombing; 4.9 percent are undecided.

I have asked my constituents what other alternatives they suggest as a change in our policy to bring about an early and honorable termination. Of those answering this question, a lesser number than those answering question number 1, 34.1 percent stated that they desired no change in the present policy and 65.9 percent suggested other methods of concluding the war. The suggestions ran from "let the military run the war," "a concentration of military effort for achieving victory," to "allow the United Nations to resolve the matter," or "total withdrawal."

The fact that no radically new departures were suggested seems to indicate, to a degree, some frustration regarding the length of the conflict. Both the so-called "doves" and "hawks"—if this terminology is proper—have indicated a sincere desire to end the conflict and reestablish peace, except through different approaches.

One subject that has attracted much attention has been the question of President Johnson's efforts to increase trade and cultural relations with Eastern Europe. Fifty-three and nine-tenths percent of the responses indicated approval of such a program, with 35.1 percent dissenting and 11 percent undecided. These figures indicate an increase of 3 percent in favor as compared to last year's result. This slight change in attitude with respect to this proposal, perhaps reflects more positively this year because of the recent Johnson-Kosygin talks held at Glassboro, N.J., arranged by our Governor, the Honorable Richard J. Hughes. In addition, Mr. Speaker, I feel that my constituents feel that the proposed trade, in nonstrategic goods, and cultural exchange programs, as an alternative to armed conflict, is in the long run a more valid approach to establish a lasting world peace.

President Johnson's proposal for a surtax could command only a 25.6 percent approval while 65.2 percent disapproved; 9.2 percent were undecided. As an alternative to this my constituents expressed a suggestion to cut some of the existing domestic programs: 20.6 percent want the antipoverty program cut; 17.9 percent do not desire aid to cities; 11.8 percent want cuts in the public works program and the same number showed a desire to reduce expenditures in our space program; 10.9 percent indicated cuts in other fields such as foreign aid, defense and military spending and Federal spending in general.

The problems of our senior citizens were reflected in the answers to the questions concerning social security benefits: 67.3 percent endorsed an immediate social security increase with 25.1 who were against it, while only 7.6 percent were undecided. Flexible payments to meet the increases in cost of living were approved by 70.8 percent to 21.4 percent; 7.8 percent gave no opinion. Another social security question on the abolition of the dollar limitation of earning capacity was endorsed by 67 percent of those who replied and disapproved by 20.8 percent; 12.2 percent were undecided on this approval.

Another question which drew much favorable attention was one on combating crime by aiding local law enforcement officials through Federal grants to improve their police departments, courts, and correctional institutions. This showed a 77.2 percent approval; 14.9 percent disapproval and only 7.9 percent undecided. Legislation to this effect was passed by the House. Mr. Speaker, I am pleased to have played a role in this legislation with the introduction of a bill similar to the one approved by the House. I also cosponsored legislation which would increase the financial grants by $30 million to States and local authorities for this purpose. This was incorporated in the measure passed by the House.

Finally, but not the least important topic on which my constituents were polled, was the suggested legislation to permit income tax deductions for parents of children attending college. I have also introduced legislation on this subject which is presently pending in the Ways and Means Committee. The results show an overwhelming 71.6 percent in accord, 23.4 percent disapproving, and a mere 5 percent undecided.

As I previously stated, the results of this poll will be sent to all of my constituents. I am very grateful for their participation because their answers reflect the time and effort they gave to the questionnaire. The results serve as a guide and an indication of their thoughts and opinions. I shall continue to respect their judgment when voting on the issues, and, as always, take into account the results before arriving at my decisions on any legislative matters.

With your permission, Mr. Speaker, I include at this point the complete tabulation of the 22 questions covered in my 1967 questionnaire, showing the vote by totals and percentages:

THE 9TH NEW JERSEY DISTRICT VOTERS' VOICE IN CONGRESS

Question	Total response	Approve		Disapprove		Undecided	
		Number	Percent	Number	Percent	Number	Percent
FOREIGN AFFAIRS—VIETNAM							
Do you approve or disapprove of—							
1. A greater effort and emphasis on diplomatic and peace initiatives in cooperation with other parties in order to secure an early termination of the conflict	27,085	21,841	80.7	4,003	14.7	1,241	4.6
2. An unconditional cessation of the bombing of North Vietnam	27,526	9,763	35.4	16,441	59.7	1,322	4.9
3. A cessation of the bombing of North Vietnam only if Hanoi agrees to take some reciprocal measures	25,535	16,205	63.0	7,448	29.1	1,882	7.9
4. Deescalation of our military effort in South Vietnam with a gradual withdrawal of our troops	26,742	9,327	34.9	15,049	56.3	2,366	8.8
5. Further extension of the bombing to include other military targets in Hanoi and Haiphong	26,812	15,802	58.9	8,886	33.1	2,124	8.0
6. What do you suggest as a change of policy to bring about an end to the conflict?	24,043	------	----	------	----	------	----
No change. Pursue present policy since it is adequate	------	8,281	34.1	------	----	------	----
Other—Let military run war, all-out fight, let U.N. resolve problem, pull out completely, etc	------	15,762	65.9	------	----	------	----
DOMESTIC AFFAIRS							
Do you approve or disapprove of—							
7. Immediate social security increases to bring benefits in line with the cost of living	27,563	18,562	67.3	7,160	25.1	1,841	7.6
8. Flexible payments which would increase automatically with cost-of-living increases	26,543	18,811	70.8	5,686	21.4	2,046	7.8
9. Abolish the dollar limitation of earning capacity for people employed while receiving social security benefits	27,328	18,326	67.0	7,442	27.2	1,560	5.8
10. Help offset the proposed budget deficit with a 6-percent (surtax) tax increase	26,414	6,761	25.6	17,241	65.2	2,412	9.2
11. A cutback in the following existing programs in lieu of the surtax proposal	50,500	------	----	------	----	------	---
Health	------	2,481	4.9	------	----	------	---
Antipoverty	------	11,446	20.6	------	----	------	---
Education	------	2,082	4.1	------	----	------	---
Space	------	9,962	11.8	------	----	------	---
Aid to cities	------	9,045	17.9	------	----	------	---
Public works	------	5,961	11.8	------	----	------	---
Other—Foreign aid, defense and military spending, Federal spending	------	9,523	10.9	------	----	------	---
12. A return of a portion of Federal revenues to States to be used as the States desire	27,263	14,457	53.0	9,641	35.3	3,165	11.7
13. Enactment of a law to provide for full disclosure by public officials of all their financial interests in any corporation, business enterprise, or institution through an annual financial statement	27,413	22,723	82.9	3,241	11.8	1,448	5.3
14. The establishment of a strict code of ethics to include rigorous conflict of interest provisions	26,969	22,966	85.1	2,083	7.7	1,921	7.2
15. Safe Streets and Crime Control Act of 1967 to provide matching Federal funds to States and municipalities to improve their police departments, courts, and correctional institutions	27,570	21,287	77.2	4,121	14.9	2,162	7.9
16. Federal matching funds for the treatment and rehabilitation of narcotics addicts and users	27,256	17,364	63.7	7,010	25.7	2,882	10.6
17. President Johnson's efforts to build bridges to Eastern Europe through increased trade and cultural exchange	27,457	14,803	53.9	9,646	35.1	3,008	11.0
18. In general, do you approve of the antipoverty programs (Headstart, Job Corps, Neighborhood Youth Corps, VISTA)	27,534	12,609	45.8	12,284	44.6	2,641	9.6
19. Legislation restricting the sale and possession of concealable firearms	27,533	21,010	76.3	5,681	20.6	842	3.1
20. The outlawing of wiretapping, both public and private, except where the national security is at stake	27,163	15,882	58.4	9,123	33.5	2,153	8.1
21. Antistrike legislation for public service employees	27,691	17,961	64.8	7,307	26.4	2,423	8.8
22. Income tax deductions for parents of children attending college	27,649	19,806	71.6	6,451	23.4	1,362	5.0

Economic Development Administration Marks Second Anniversary With Record of Achievements

EXTENSION OF REMARKS

OF

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 31, 1967

Mr. JOHNSON of California. Mr. Speaker, a few days ago, the Economic Development Administration celebrated its second birthday. I have been actively interested in this program since it first was envisioned during hearings held before the Public Works Committee, of which I am a member. As we mark the second anniversary of this Federal agency, designed to stimulate economic growth and development of our communities, I think the record of achievement speaks for itself. I would like to single out for special mention, two projects in California which have benefited from the Economic Development Administration program which, in turn, will result in long-term employment for hundreds of people.

First of all, I would like to call to your attention the Box Canyon Dam. On the 20th of July of this year, a construction contract, totaling $7,818,054, was awarded to Vinnell Corp. for the construction of this dam and reservoir in Siskiyou County near Mount Shasta.

The award of the contract culminates negotiations and application consideration extending over a period of approximately 2 years. The future dam has the enthusiastic support of the citizens of all northern California, and the project will result in a solid underpinning for the economy of a part of California which has been distressed for many years and plagued with a high rate of unemployment and low-median income.

The dam is expected to create employment for approximately 400 persons, and will be the nucleus for a recreation-tourist complex in addition to the control and conservation of water streams in the area.

A significant and unique facet of the project is the recognition it has generated of the importance of orderly economic growth through elimination of slum areas and the creation of employment opportunities for all segments of the population. As an immediate outgrowth of the project, the board of supervisors of Siskiyou County and chairman of Siskiyou County Flood Control and Water Conservation District have agreed to implement a broad range of urgently needed and forward looking projects. Included will be an employment plan to assure employment of low income and minority group individuals during the construction phase of the project and during the life of the project itself; to institute training programs for persons heretofore unable to find employment for lack of training; and to initiate a program of countywide housing to assist low-income and minority groups.

This all has been achieved through the combined efforts of the Federal Government, State of California, and local government. The Economic Development Administration of the Department of Commerce provided a total grant in the amount of $4,618,500. The State, through its Davis-Grunsky program, put up $4,532,000.

Officials of all three levels of government are pleased with the cooperative attitude and constructive approach in facing a problem and finding a solution. I believe that here is an outstanding example of what can be done through cooperative action.

Similar cooperation between the Federal Government, represented by the Economic Development Administration, the State of California, and local government can be found in the other project which I would like to mention to you today, that is the South Tahoe Public Utility District sewer export works which is a major step in preserving the purity and beauty of Lake Tahoe.

Lake Tahoe, one of the clearest and most pure lakes in the world, has been threatened because of the ever-increasing presence of man. In 1962, the summertime peak population at this most popular resort was about 132,000 people. In just 4 years this increased to about 180,000 people and it is estimated that by the end of the century it will approach the 600,000 mark.

To meet this influx of people, steps must be taken to provide adequate sewer facilities if we are to prevent pollution of this beautiful body of water. Through the cooperative efforts of Federal, State, and local government we have achieved a major step forward.

The South Tahoe Public Utility District is the agency which is responsible for sewer collection and disposal of sewage. Like all other districts, South Tahoe's chief difficulty in maintaining adequate facilities to ensure the purity of the lake has been financial. The assessed valuation, from which the bonding limit is derived, does not reflect the increasing volumes of people who use the district's facilities. From 1961 to 1965 assessed valuation increased almost 75 percent, but sewage volume increased more than 200 percent.

The cost of expanding the facilities to export the sewer effluent out of the Tahoe basin—the only reasonable solution to the problem—amounted to about $8,680,000. Bonding itself to the maximum, the district still was $5,360,000 short. The deficiency had to come from State and Federal sources. More than 60 percent of the funds were provided under the Economic Development Administration program. An EDA grant of $3,253,000 to South Tahoe Public Utility District was the largest single grant ever made by any Federal agency for a water pollution control project and it was one of the largest made by EDA for any purpose during 1966.

It is my pleasure to report that the grant has made it possible for us to achieve major successes in halting the threat of pollution at the south end of Lake Tahoe.

At the same time, this grant will mean hundreds of new, permanent jobs for the people of El Dorado County and the city of South Lake Tahoe.

I cite these two projects to show that the goals for which Congress enacted the legislation in 1965 are being achieved.

Address of Senator Frank Moss, Before the Western States Democratic Conference in Los Angeles, August 26, 1967

EXTENSION OF REMARKS

OF

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 31, 1967

Mr. BRADEMAS. Mr. Speaker, I am pleased to have the opportunity to call to the attention of my colleagues a most timely and appropriate speech by Senator Frank Moss, of Utah, before the Western States Democratic conference in Los Angeles on August 26, 1967.

The address follows:

We meet tonight at a time of national pain and crisis. On all sides, our beloved country is beset with problems—with war, taxes, strikes, riots, population explosions, drugs, campus unrest, conflict between generations, invasion of privacy, and crime.

And we Democrats are getting blamed for all of them—for all of them, and the hippies too.

In fact, if we were living in China today, and were following the old Chinese custom of labeling the years, we probably would be calling 1967 "The year of our great agony."

There are few men of good will who do not feel shaken. What is happening challenges the basic Democratic processes upon which American civilization is built.

It questions the effectiveness of our institutions—public and private, spiritual and secular, labor and business—to rise to the needs of the people.

It calls up for scrutiny the human and social value of the economic progress the country has made in the last ten years.

It makes it very clear that all Americans—black or white, rich or poor—must reaffirm their willingness to be responsible citizens.

And it indicates that whatever we have done to banish hopelessness and open the doors of opportunity and improve life for the poorest of us—it is not enough—not nearly enough.

Events of 1967 constitute a clear call to all of us—to those who hold public trust, to those in business, to labor, to individual, dedicated citizens everywhere—to pitch in and help make democracy work for all so that the great American dream of equality and fraternity will not go down the drain, but will be preserved and strengthened.

TRIAL IN AMERICA

But if you think that this time of firey trial in America has brought forth any real suggestions for solutions from our Republican friends, you are pipe dreaming. It has only swelled the eternal Republican Chorus of "We can do it better." When it comes to the question of "how" the chorus is as silent as it has ever been.

It is easy to stand here and say that violence and rioting are wrong, and that we must enforce order and make our streets safe and bring to swift justice all who shatter the law.

Being *against* violence is like being against sin. To a public official, it is worth a thousand votes any day, and the Republicans know it.

But it is something else to try to *demolish* sin. You can't do this unless you know what causes it. And after you know what causes it you must provide alternatives to the conditions which drive men to evil.

The Democratic administration and the majority of the Democrats in Congress have been trying for sometime to get at the causes of some of our troubles. It would be cruel deception to stand here and tell you we have all of the answers. Part of the agony of our times is that the solutions to our problems are tough to find, and hard to put into operation. But we are aware that our cities are rotting at the core, and that our urban ghettos are fertile ground for violence and crime. And we have proposed some remedies—some minimal remedies.

What help have we had from our Republican friends who are talking so long and so loud? We have found that they are just as much against sin—after it is discovered—as anybody else, but when it comes to doing anything to prevent it, they shuffle into that Republican sidestep which they do so well.

VOTES IN THE HOUSE

Consider the votes of Republicans in the House of Representatives on the minimal first steps we Democrats proposed to remove some of the blight which has settled on the nation's cities.

84 percent of the House Republicans voted against the Model Cities Program.

90 percent voted to recommit the Urban Mass Transit Act.

94 percent voted against passage of the Department of Housing and Urban Development.

85 percent of House Republicans voted to delay the effective date of the Minimum Wage Law for one year.

98 percent of the Republicans voted to recommit relocation assistance to the urban poor.

93 percent of the Republicans voted against rent supplements.

84 percent voted against the Civil Rights Act of 1966 and 85 percent against the Civil Rights Act of 1965.

And, finally, 87 percent voted against the Rat Extermination Act of 1967.

If I wanted to be unkind—and I certainly would never want to be unkind to a Republican—I might suggest that our Republican friends are trying very hard to make this the "Year of the Rat."

Gerald Ford, the Republican's Minority Leader, told us not long ago, with a straight face, that the Republicans voted against the Rat Extermination Bill because it could "at best serve only 2½ percent of the people, and only a little better than one-half of one percent of the nation's 18,000 communities."

By his own calculation, this means that the Rat Control Program would have served only five million people.

Does Mr. Ford mean that the Republicans only vote for programs which serve more than 5 million?

Only 300,000 people died from cancer last year. Does this mean that we should stop spending federal money to find the causes and cure of cancer?

Only 53,000 Americans died in highway accidents in 1966. Does this mean that we should not put into operation our new highway safety regulations?

COLD-BLOODED NONSENSE

Mr. Ford was talking nonsense and he knew it—cold-blooded nonsense which helped perpetuate a mini-riot in the House of Representatives a few days later.

There have been other brands of nonsense this summer from the Republican side. Surely they have been spawned by this long, hot summer—this "summer of our discontent" as the news media like to label it. I was amazed to read in the Congressional Record the other day that:

"Betty Furness terrifies us."

Now, I know President Johnson's new special assistant for Consumer Affairs quite well. She conducted a most successful audience participation show for me during my campaign in 1964, and she recently married Les Midgley, who is a native of Utah and the brother of my Administrative Assistant.

So I read further about Betty. It seems that Congressman Robert H. Michel, a Republican of Illinois, is "terrified" of her because she admits that some of the information made available to her since she took her new job has made her more careful about getting an automobile loan.

Congressman Michel asks darkly:

"Would you borrow money from Betty Furness?" Pretty, charming, intelligent Betty Furness. It must be the summer heat, Congressman.

If the Republicans have been floundering on riots and rats—and Betty Furness—consider their plight on Vietnam.

For months, they have generally supported President Johnson, taking the hard military line. About once a week, Gerald Ford, the House Republican leader, rises up to say:

"Let's rain more bombs on North Vietnam."

Now along comes Governor George Romney, one of their leading candidates for the Presidential nomination, with a plan to make the Republican the "Peace Party of 1968."

THE RIGHT COURSE

But since Governor Romney has said several times in the past that he felt President Johnson was pursuing the right course, he is having some difficulties in making his case for peace stick.

First of all, he doesn't say whether the Republican Party would achieve peace through military conquest, or whether the party has found some way out, which they haven't revealed yet.

Next, he declares that he thinks it is unrealistic to think that bombing North Vietnam will ever bring negotiations, but then hurries to say that he is not recommending that the bombing be stopped. And that he agrees with Gerald Ford anyway.

Furthermore, Governor Romney advises that the only way to end the war is to "demonstrate" that we can "destroy the military infrastructure of North Vietnam," that is destroy the guerrilla infrastructure. But he doesn't say how we should "demonstrate" this, or even better, how we should do it. I am sure our military leaders in the field would like to know.

But finally, Governor Romney does say something with which I think perhaps President Johnson, and many others here in the audience would fully agree—and that is that it is a "tragedy that we ever got into Vietnam."

I am telling no secrets when I say that no one is happy with the situation in Vietnam today. It is draining 2 billion dollars each month from our resources—resources we need to rebuild our bleeding cities and wipe out poverty here at home and is killing hundreds of young American men a month and wounding many more. I am sure that President Johnson and Defense Secretary McNamara and Secretary of State Rusk want, far more fervently than either you or I, to bring the war to an end. But they insist that we do it with honor—that we keep our commitment to the South Vietnamese—that we assure the people of this small, underdeveloped nation the opportunity to choose the type of government under which they will live. The President and his advisors are trying hard to bring North Vietnam to the conference table by bombing. If bombing will not work, they must find some other means of persuasion. But find it they will. You and I know that—you and I know that this agony will pass.

THE 1968 PLATFORM?

Some of the Republicans may think they are going to succeed in making the American people believe that they—and they alone—can bring peace to Vietnam and end our riots here at home. But if I should be asked to suggest a Republican platform for 1968 it would run something like this:

End the war in Vietnam—but don't ask us how.

Bring peace to the world—but we haven't even a twig for the dove.

Make our streets safe—but where do you start?

Stop the riots—but don't depend on us to do it.

And, if by chance the Republicans should tell you that a Democrat can't even be elected rat catcher in 1968—don't believe it.

I am reminded of the story of the politician who woke up one morning to find a large obituary in the newspaper announcing his death.

He was nonplussed, to put it mildly, and immediately got the local editor on the phone.

"Bill," he said, "Your story is in error, I'm right here on the phone."

The editor didn't say anything for a moment, and then came back hesitantly with:

"Where are you calling from?"

Well, I want to tell all the editors, and all the Republicans, and all of the people, that the Democratic party is very much here—and it is working in the here and now.

We have a program for the future of America and we have the resources—human and material—to match our problems and match them we will.

We have brought the United States to the greatest peak of prosperity in its history—Democratic prosperity. Our gross national product will run at the rate of $805 billion in the fourth quarter of this year. Any sag which was apparent in the economy the first of this year has gone. And unemployment is again down below the four percent point.

AMERICA WILL DO IT

So America has the money to do the things which must be done to meet the crises which face us. We can take the strain out of the fabric of American life—and we will do it.

But the federal government cannot—and should not—be asked to do it alone.

Whose fault is it when thirteen people are crowded into two rooms of a slum ghetto?

Whose fault is it when a willing and able-bodied man cannot find work, simply because his skin is the wrong color?

Whose fault is it when a young man drops out of school to join a gang of juvenile delinquents?

Whose fault is it when small children go to school in clothes that are not warm enough and with a breakfast that is too scant?

The answer is that it is the fault of each and every one of us—of America as a whole.

Whose fault is it when an infectious wave of mindless violence sweeps a city?

Whose fault is it when looters and snipers roam our streets at night?

Whose fault is it when our police departments are understaffed and our policemen ill-trained?

Whose fault is it when justice is not meted out swiftly and surely to those who break the law?

It is the fault of all of us—and it will require the efforts of all of us to do something about it—the efforts of every one of the fifty states, of each of our counties and cities and towns, of private enterprise, of labor, of our churches and our schools, of our police departments and our courts, of our civic groups and our philanthropic groups, of our mothers and fathers at our family hearths, and of men and women of good will everywhere.

YEAR OF OPPORTUNITY

I say that 1967 is not "the year of our great agony," but "the year of our great opportunity."

Over 100 years ago men like Washington and Franklin and Adams and Jefferson founded a new nation. The times were dangerous. The stakes were high. It took men with courage and heart. But the spirit of '76 prevailed, and the dream of a free and independent nation, in which all men were equal, became a reality.

Today, America faces a new test in a new time. The American dream has been challenged. There is a question as to whether free and equal people can live together in happiness and harmony. I think we can. I call upon America to produce the spirit of '67—a spirit akin to that which founded our country almost 200 years ago. I call upon all our people to show that courage and heart and wisdom and will are not dead in America, and that the American dream is still the hope of the world. And I call upon our great Democratic party to continue its leadership in seeking political and human solutions to the problems of our time. As we have done before, we will again prove our right to lead!

Remarks of Vice President Humphrey

EXTENSION OF REMARKS

OF

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 31, 1967

Mr. RESNICK. Mr. Speaker, last week, under the very trying circumstances of a critical illness in his family, Vice President Humphrey made a telephone address to those assembled at the Western States Democratic Conference in Los Angeles.

It is not altogether a partisan message. For the Vice President, who is doing an outstanding job for his country, knows full well that the goals of peace, equality, and opportunity transcend party lines.

It is for this reason that I include the Vice President's remarks in the Record:

Address by Vice President Humphrey

I want to put my message in the terminology of four words—Confidence—Communication—Coordination and Commitment. Now let me say a few words first of all about confidence.

You can't win if you don't believe you can win. You can talk yourself into defeat and you can in a sense really lift yourself into victory. It just depends upon what you want to do.

Now I have been accused many times in Washington and elsewhere of being a perenial and congenital optimist and I plead guilty. One of the reasons that I try to be an optimist is that there are so many pessimists around, particularly in Washington. They're specialists in that field and most of them are Republicans. And I have never believed that we ought to crowd over into their jurisdiction. I believe in people honoring professional competence. And Republicans are absolutely the most professionaly competent pessimists in the world. They can make a young man feel old over night and as Adlai Stevenson said, "Democrats can make an old man feel young." So that is the difference.

Now, we ought to know that the attack is on. Republicans do not wait for a campaign to start about a month before the election. They started this campaign of 1968 when they convened in Washington after the election of 1966. They tasted a little of the wine of victory in 1966 and they would like to have a lost weekend with it. So I suggest that we recognize what we are facing and what we are called upon to deal with. The opening guns of the 1968 campaign are on and it is almost like guerrilla action. They shoot from behind the bushes, they lay in ambush for you and they wait to see what mistakes we make, if any. But more importantly, they wait for defection. And I repeat, for the defectors.

Now, my fellow Democrats, I want to tell you right now you can really convince the Republicans that they can win if we talk enough about their victories and if we talk enough about what they are saying. I think what we ought to do is to have confidence in our leadership; confidence, above all, in our program, and get on with the job of knowing that we have been doing the right thing.

I have an abiding faith in the American people. I think they're going to make the right decision in 1968. The American people know that government is serious business. They know that and they want people who have the intellectual integrity, the character and stamina to take a position and stand by it. They are not nearly as concerned with images as they are with reality. They are not nearly as concerned, may I say, with whether or not you look like the all-American boy or whether or not you really are thinking about all the Americans all the time and working for all of the Americans all of the time. So I call upon you to have the confidence in our Party, confidence in our leadership.

That brings me to the second part of my message.—Communication.

Communication is absolutely essential these days and, of course, with modern media you ought to be able to communicate.

We have the most creative and effective record of political accomplishment in our history these past seven years. Starting out in 1961 with John Kennedy, and continuing on with Lyndon Johnson, we Democrats have been busy passing progressive programs, initiating policies, breaking new grounds in terms of our social and economic betterment. We have been able to achieve the greatest legislative record in the history of this country. And I think it's time we Democrats got out and talked about it. Communicate—people forget. There is a lot of noise these days and people forget your message. Medicare, aid to elementary, secondary and higher education, civil rights and voting rights, War on Poverty—all of these matters . . . they did not come by accident. They came by hard work. Model cities, urban renewal, everything that you can think of in terms of the improvement of our programs of social welfare . . . we had to fight for these things. What are we talking about here? This administration is committed to the proposition that every American is entitled to have a chance in life. President Johnson and Vice President Hubert Humphrey are committed to the proposition that American freedom should carry with it opportunity . . . the opportunity to be somebody, the opportunity to make something of your life, the opportunity to make the best of your life, and that's why we have poured ourselves into the programs of health, education, and resource development. This is why this government of yours has done more in the field of education in the last five years than the government of the United States has been able to do since the beginning of this republic. Now, that is a program of accomplishment and I think we have to communicate.

The Republicans oppose these programs. You know, a real news flash today would be for some Democrat just to stand up and say that on most of the programs that have been adopted, 90% of the Republicans in Congress have voted no and 90% of the Democrats have voted yes. So, when you see an old person that has benefitted from Medicare, you might not only ask them how the Medicare program is working, but you might even ask them, "Who do you think passed it?" "And who do you think was opposed to it?" They may not know because we haven't told them. And now's the time to tell them.

This record does not, in other words, speak for itself. We have to speak up for it and we have to do a better job of communicating not only the record of accomplishments but, also, the goals and objectives of the Democratic Party as we move into the 1970's.

People are not so much interested in what you have done as in what you plan on doing.

What's the philosophy of this Party?

Well, Franklin Roosevelt, bless his memory, in those final departing words of his, said, "Let us move forward with a strong and an active faith."

That ought to be the message of inspiration for every Democrat and every good citizen of this country. This whole concept of moving forward has been characteristic of our Party. John Kennedy said, "Let's get this country moving again. Let's begin." And Lyndon Johnson said, "Let's keep this country moving. Let's continue." This is a forward looking, outward reaching party and we are unafraid of the issues of tomorrow. We don't see problems and difficulties, we see opportunities and challenges and that's the faith that motivates us.

The third message that I have for you is, beside confidence and communication, is coordination. And that's why you're having this conference.

You simply must coordinate the enormous energies of our political structure. Coordination also means subordinating personal differences and personal ambitions to the common cause and good of the country and the goal of progressive and effective government. Coordination means forgoing the luxury of personal hatreds and revenge. It also means that you work together. It means cooperation for the common interest. Ben Franklin put it right on the line about 200 years ago when he said, "We must all hang together or we'll assuredly all hang separately."

And, my fellow Democrats, I have some other words for you.

Next year there is going to be a national ticket and President Johnson will be at the head of that ticket and on every Democratic ballot and every precinct in America. The Democratic family is going to win together or it's not going to win at all. We're going to have a joint victory or we're going to have separate political funerals without too many flowers. In other words, don't poison the soup that you're going to have to eat, don't put poison in the well from whence you're going to dip your cup. If you, if Democrats can, if Democrats feel they must be critical in order to prove they're independent, I suggest that they be critical of the opposition. There's plenty, plenty to work on.

Coordination also means intelligent analysis, planning and operations which are designed to harness the various strengths and abilities that are everywhere waiting to be put to work. Your meeting is a splendid early step to ensure that kind of communication and coordination.

I'm pleased, also, that you are spending some time on the nitty-gritty, the nuts and bolts of politics, the practicalities of it. We're all issue oriented and we ought to be. We're deeply concerned with the whys and the objectives and the goals of progressive government and we must be. But, my dear friends, to carry forward progressive government you have to be in power. We must win and that's what we're discussing. And if you really want social progress in this country, you better take a good look at the list of candidates' potentials that offer you that opportunity. I think when you do, you'll find you have a good going team right now. This isn't the time just for going separate paths. This is the time to work together.

My fourth and final message to you is commitment. Commitment. National commitment, personal commitment, party commitment, commitment to build a better America, commitment to our cities, commitment to our needy and our deprived, and commitment to the world. This world needs the American commitment as never before and the needy of this country of ours need our national commitment as never before.

I travel up and down this country. I've been in 46 States since I've been Vice President and I will be in all of them in a very few months. And I go not only to the luxury hotels, but I go to the back alleys of the slums as I was only yesterday in Washington, D.C., where I went out with the young boys who were on a special project of rat extermination and the filth in the garbage and the dirt of the back alleys of our slums.

I happen to be one that believes that you must have a strong and active faith. I believe that you must have commitments. This is no time for that summer soldier and sunshine patriot. This is a time for Democrats to stand up and be counted and to rally around the President and the leader of their Party. When the going gets tough and the opposition senses the possibility of an upset, this is the time to stand up and to be counted and to fight back. This is the difference between a great people and a weak people; a great Party and a weak Party.

Your President is bearing unbelievable burdens these days and responsibilities. I hear a great deal of criticism about our President in many areas of life. I hear criticism—foreign policy, domestic policy.

Let me just say a word about foreign policy. We signed more forward looking agreements that blend themselves to the ultimate cause of peace since Lyndon Johnson has been President than for many, many decades. With our relationships with the Soviet Union alone, only recently we put on the table for consideration the new Non-Proliferation Treaty on Nuclear Weapons in cooperation with the Soviet Union. The Consular Treaty which stood untouched and no one dared to even move it for years is a fact now. Civil air agreement is a fact. The Cultural Agreement is a fact. The Space Treaty is a fact. So when I hear that we seem to do not too well in foreign relations, I say the record says to the contrary.

The Alliance for Progress is working. Your President has just expanded that Alliance by a new commitment made at Punta Del Este. The Dominican Republic is free—elections were held. Latin America is moving ahead economically and politically. Europe is strong, independent and the United States of America still is the shield of protection. This hasn't been done by accident—it has taken careful, personal, effective diplomacy. And I do not think we ought to let our President stand alone to bear these awful burdens without the united support of his own Party and of his own people. He deserves that.

Let me just say something about Southeast Asia. I know this is the most sorrowful part of our national life.

I spoke the other day to the Democratic State Legislative leaders. I want to say to you what I said to them. I could not support the policy if I thought it were wrong. I could not go out talking to people, mothers and fathers, supporting a national position, doing it openly, actively, a position that required the lives of our sons if I thought it were wrong. Every man has his weaknesses but one of mine, I trust, is not to be a hypocrite. And I am not so politically ambitious that I would want to see my country do something that is wrong and knowingly wrong and yet to speak up for it.

To put it in the affirmative, we are in Southeast Asia not just because of South Vietnam, we are there for the cause of world peace and order. We're there for our own purposes as well and I have travelled in that area, much more than many of the critics, and I have been to all of the countries of free Asia and I have talked with their leaders. And isn't it interesting that not one of them, not one, suggested that we withdraw. No one. Some have a different point of view of certain tactics but not one suggests that we withdraw.

To the contrary, they tell us that our presence there is their hope for freedom. It is their hope for independence. And there have been some great victories. Indonesia today stands proud and free and independent. The sixth largest nation in the world. The leaders of that country know full well that our presence in Southeast Asia has given them that chance. They have delivered on their chance.

The leader of Singapore, the Prime Minister who surely has been no particularly outspoken friend of the United States, said that "America's presence in Asia buys time for Asians to be free." The Southeast Asian Association of Free Nations is a fact. War between Malaysia and Indonesia is over. Korea is beginning to come into its own and have a tremendous economic breakthrough. Things are happening that are good and it is because this Nation, even though it's been costly and painful, and it's required great sacrifice, kept its commitment. We have been tested once again, in Asia this time, as we used to be in Europe, and we have met that test.

Our commitment is the very keystone of the arch of world peace and world security and the credibility of the American commitment is the shield of protection not only for the American people but for people all over the world—in Asia, in Europe, in Latin America.

We are trying to build a world of peace. And that's why we have committed ourselves to the United Nations and that's why today we are trying to find a way to stop the proliferation of nuclear weapons. This is why today your Government stands committed and ready for disarmament to save the peoples of the world from this terrible costs of weaponry. This is why your government today is ready to go to the conference table immediately to bring peace to Southeast Asia. Until that day comes, though, Americans owe it to themselves, owe it to their honor and owe it to the cause of peace and justice in this world to keep the faith and to keep the commitments. To do less would be to prove us unworthy of trust and confidence.

I have spoken of this many, many times and I ask you to think about it, to remember that leadership gives you no privilege. Leadership is not a luxury, it is a burden. Leadership is not a cloak of comfort, it is a robe of responsibility. And remember that a great nation must prove its greatness by trial and sacrifice. It must prove it at home and abroad.

Fellow Democrats, I want you to be the idealists that you have always been. The ideal of America—one nation. The ideal of an America with one citizenship, opportunity for all. I long for the day when we will never again speak of Ghettos, when we will never again speak of Americans as Negro or White but just speak of them as Americans. I long for the day when every boy and girl of Mexican ancestry can have a chance like everyone else. And believe me, we're working for it.

This is the liberal program—this is the progressive program. This is the program of the future. We're thinking about the tomorrows. The best way to do something about the tomorrows is to be proud of your work, to look at your record. And might I ask you to be proud of your President, speak up for your Party, stand up and be counted for what you believe in, to really submerge your little personal and private ambitions and feelings and to remember that this is a great country that has a great destiny.

We have a message to tell the American people and I am waiting to tell that message from the political platform. I welcome the opportunity of Republican opposition. I long to see them stand up in what I call a free and open debate. We'll take care of them.

The American people are not going to turn their backs on responsible leadership. They didn't do it in 1948 when Harry Truman was under much more criticism than Lyndon Johnson. So let's spend our efforts out here in the West to give the kind of get up and go that this part of the country is known for.

Thank you very much.

Summer Opportunity Centers—Address by Vice President Humphrey

EXTENSION OF REMARKS

OF

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Thursday, August 31, 1967

Mr. MONDALE. Mr. President, I invite the attention of the Senate to the remarks of Vice President HUMPHREY before the American Federation of Teachers on August 24.

The Vice President called for the establishment of summer opportunity centers in our schools during the summer months to provide slum children the chance to become real participating members of our society. He emphasized that we must make social and economic opportunity a reality for all.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of the Vice President's speech.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY, AMERICAN FEDERATION OF TEACHERS, AUGUST 24, 1967

Thank you, President Cogen, and my good friend, your Legislative Representative, Carl Megel. I should pay a special note of tribute to the fine delegation from Minnesota—the MFT. And particularly Ed Boistad, the President of our Minnesota Federation of Teachers.

And I don't want to leave out my friend here, Herrick Roth, and the others from Colorado.

First I want to congratulate the AFT, on its remarkable progress—not only progress in terms of membership—I think there were 103 new Locals this past year; but particularly on your progress as outlined in the remarkable and inspiring address of your President Charles Cogen.

I not only read the address, but one of my very capable staff assistants, whose brother works closely with the Minnesota Federation of Teachers, brother of Roger Peterson, my staff assistant, Neal Peterson, took the time to go through that speech.

It is more than a speech. It is a paper. It is a remarkable document that outlined for me what I considered to be the philosophy of education needed for America, and it tells, in good rhetoric and solid substance, the achievement and the accomplishments as well as the long term goals of the American Federation of Teachers and the goals for educators in the United States of America.

The point is not that every line is one with which you must agree but more importantly that here is a thinker, a man of ideas; a man deeply concerned with the educational process in our nation, and much more concerned, may I say with the substance as well as the process and the purpose of education.

I want you, President Cogen, to know that I have looked upon your remarks and your dissertation on the educational philosophy and the educational program as a standard by which we will measure our conduct in government, and, indeed, in the educational system.

I come to discuss with you some thoughts of mine on educational matters.

PUBLIC OFFICIALS SHOULD BE TEACHERS

I come to you today not only as your Vice President but I come to you, also as a teacher. You see, I happen to believe that a man in public life ought to be a teacher all of his life. When I served in the Senate for some 16 years, I tried in my way to teach, to think ahead, and all too often for the happiness of some, to think out loud. That way you get a chance for other people to tell you how wrong you are.

If you just think silently you are apt to convince yourself and no one really gets a chance to tell you that you are on the wrong course. But I do believe that every public officeholder should be and ought in a sense be required to be a teacher, speaking to the public; working with his associates; hopefully coming forth with some creative thought.

Today I am going to stand in the role of a teacher, and I'm going to prevail on you as a teacher to give you some candid thoughts about the expanding responsibility of American educators in a rapidly changing American society.

And I would also like to mention a word or two about the responsibility of American society to the American educator, and both to our clients, so to speak, the youth of the land.

WE SHOULD BE SELF-CRITICAL

We are prone, as Americans, to always be self-critical. That is a good sign. The famous Swedish sociologist, Gunnar Myrdal, an old friend of mine once said, "If you really want to find out what is wrong with America you don't have to spend too many years in research. Just ask somebody. They will tell you." And we are very good at that. And if he won't tell you, why somebody will tell you. They will hire people to tell you.

And that is a sign of health. Only the strong can be self-analytical self-critical. It is the weak; the uncertain; the fearful that are always right who never admit—at least publicly—that there could be any doubt at all.

It is the person of maturity; it is the person of responsibility and of strength that can admit that possibly he is in error, or that his judgment may have not been what it should be. Therefore, we look upon ourselves, in a sense of self-criticism, and from that criticism seek remedies to build.

Let's see where we are today in education.

AMERICAN EDUCATION TODAY

It has given motivation to some, and alienation to others. The educational opportunities open to Americans today, through your efforts, and through the efforts of the American Labor Movement that has been a champion of education throughout history, are literally unprecedented. Ninety-three per cent of the teenagers have had secondary education, compared to *seven* per cent at the turn of the century.

In just the last twenty years, the percentage of American high school graduates who go on to college and to the professional schools has doubled, from twenty-five to fifty per cent. Last year there were six million of your high school graduates that were in college, and a million of them were there because of federal scholarships or loans.

HIGH LEVEL OF EDUCATION IS IMPORTANT

A high level of education, because of your steadfast position, and others like you, has become an integral, inseparable feature of American society today. It reflects, and is reflected in our unprecedented prosperity.

I do not think our country could possibly be what it is on the economic front today without our school system and without the dedication, and many times the sacrifice, of teachers.

This dedication is reflected in our position of world leadership in the sciences and in our national power. It enables us both to integrate and to cope with rapid technological development.

EDUCATION NECESSARY TO MODERN SOCIETY

From the individual American's point of view, education in addition to the cultural environment that it affords, has become the credential which enables him to participate fully in our society. A high school diploma or a college diploma is the ticket which entitles a young American to opportunity. It is the coupon which makes him eligible to earn a decent living.

Now, our society insists on that credential, and it should. Therefore, it is not surprising to me, or to you, that in those same slums and ghettoes where frustration and hopelessness and joblessness and despair and bitterness have recently contributed to riots and violence, two-thirds of the unemployed ghetto residents have never finished high school. Even those who have completed a few years of school test much lower than their grade levels.

And this is only to say, in polite language, that separate but equal was only separate.

The average Job Corps recruit, most of them school dropouts as you know, has completed nine grades of school. But he reads at a fifth grade level, *if* he reads at all.

EDUCATION IS NOT REACHING SOME

I noted just yesterday the average earned wage of the Job Corps recruit before he came in—only five per cent ever had a job by the way—and those that had a job, their average hourly wage was 71 cents.

After they left the Job Corps, and 90,000 have now graduated, 70 percent of them received jobs in private industry, 20 percent went back to school; 10 percent into the military service, the average rate of pay is $1.91 per hour.

JOB CORP PAYS FOR ITSELF

So, when I hear people complain that it costs a great deal of money to have the Job Corps. I like to remind them that if a man earns a minimum of $1.91 on the average to start, the Government of the United States, and the state and local governments will be able to take enough from each one of those hourly paychecks so that in due time the cost of that educational or training experience will be amortized.

The result of educational deficiencies, and there are educational deficiencies, the result is unemployment, at least this is one result, and underemployment at a rate in our American slums and ghettoes up to 35 per cent.

JOBLESSNESS DUE TO UNEMPLOYMENT

Complex economic and social factors, of course, contribute to this grim situation. But I am certain that there is one factor more than any other which dooms a man to joblessness today, and that is insufficient education and training.

Now we are not just giving young people, nor should we have as our purpose transmitting just information. You can buy that in a world almanac. But what we are trying to do is to transmit to people an existence in living. We are trying to make life more meaningful. That is the ultimate purpose of education.

America today has reached an acute crisis in the historic progress towards economic and social democracy. One-seventh of our population, and I had originally in my remarks here one-sixth, but I am happy to tell you that the povery group in the American society in the last few years has somewhat diminished, live below the poverty line, and are excluded.

EDUCATION REDUCES GAP BETWEEN RICH AND POOR

That one-seventh do not want to be excluded. They want to be included. And they want to be sure that their children will be included.

I think one of the most remarkable addresses delivered by the President of the United States was at Howard University some two years ago, when he asked the American people whether or not we were going to have one America and one citizenship or whether we were going to have two Americas; whether we were going to have the America of the majority, the affluent majority, and the America of the poor; or whether we were going to have an America in which all Americans could feel that they were a part of this great community, that they were included in, and that hope could come to reality.

Now this nation has to make an historic choice, either make social and economic opportunity for all a reality, or watch the gap between the rich and the poor, between the employed and the unemployed, between the sheltered and the unsheltered, between the educated and the uneducated, grow ever wider, until it threatens our national growth, health, and well-being.

And if that gap does continue to expand, America will be at war with itself, and be in such a state of crisis that all of our hopes and aspirations will be lost.

Many of today's participants in this great American society are already too old to acquire what you would term a full educational credential. They are not going to go back to high school or grade school. They are of another generation. Therefore, they need temporary passes, so to speak, new skills; job training—and that is a very, very difficult assignment.

NEED FOR MOTIVATION, TRAINING, AND SKILL

They need, in other words, the kind of a program that offers them an opportunity for a diploma—not a diploma from your high school or your college, but in a sense a program of motivation; of training; of skill that gives them the key to opportunity to make something out of their lives.

There are a large number of these people, and we would not have to be talking about them today if our system thus far had been successful. There are twelve and a half million who have been passed by in America. That is a large number. And over fifty per cent of that twelve and a half million are under eighteen years of age. Many of them will be amongst the almost one million school dropouts this year.

We have to ask ourselves, and we ought to ask the school board, are the students dropping out, or has the school left them? There is possibly an interplay here. And there will be, if we continue at the rate of school dropouts in this decade, eight million who will fall by the wayside in our school system. Eight million who ought to have a rich educational experience.

Now it is these poor children who present the great challenge to the entire nation, and, indeed, to the American educational establishment today. These are the ones that we need to concentrate our attention upon.

PROVIDING FOR THOSE WHO HAVE TOO LITTLE

You know, Franklin Roosevelt said one time what I believe to be the guiding philosophy for this country in its present effort, and I can only paraphrase here, but he said, 'It is not the purpose of government to help those more who already have too much. It is the duty of government to help provide enough for those people who already have too little."

In other words, our efforts need to be, in a sense, targeted on those who have been left by the side of the road, that are not fully involved in what you and I are seeking to do in our life.

EQUAL OPPORTUNITY MEANS AVAILABILITY OF JOBS

Can we bring this group into the large, prosperous American society with full educational credentials?—which is just another way of saving, can we bring them into the pattern of opportunity?

If there is one word that I feel that ought to characterize our efforts these days; it is the word "opportunity."

I spent a long time in public life fighting for what we call equal opportunity, I have spent a great deal of time in the field of civil rights, trying to get a fair employment practices law. But I ask you, what good does it do to have non-discrimination in employment, number one, if there are no jobs? And what good does it do to have non-discrimination in employment if you are not employable?

The legal rights are not enough.

And this is where the educator comes in. Here is where we come in. We have to help equip the individual so that he can have these legal rights mean something in his life—not just a theory of law, but a way of life itself. This is the challenge which requires the maximum use of every educational resource that we can bring to bear on the whole spectrum of educational needs.

Training—training—training in everything from personal hygiene and basic skills to highly specialized research on social problems.

REACHING OUT FOR DISADVANTAGED

And it also means something else. It means reaching out. It is not good enough just to open up the schools. It is not good enough just to say you are going to have job training. Ladies and gentlemen, I can tell you from this platform today that we have job training positions open in America today fully funded by the federal government, unused—unfilled.

I spend almost every hour of my life working on these matters. Let me put it this way: In a community in which there may be two thousand job training positions, where we seek to open up job training for two thousand hard core unemployed, half of them go empty.

Why?

Because we have opened up job training but that is not enough. People that have been rejected for a century—some of them, or their families, are not going to believe that the gates of opportunity are open, just because you say they are. You have to reach out and find them, and I have said to government officials and private individuals, if we are half as ingenious in finding ways to extend the hand of friendship and fellowship and hopefulness to others as we were in denying them that hand of fellowship, we will make a lot of progress.

WE MUST BEGIN AT 18 MONTHS

Yes, what I am talking about means reaching out to children's children whose backgrounds of cultural degradation and economic poverty provide no motivation for them. It means reaching them young enough to counteract the lifelong mental stigma of poverty and rejection, of prejudice and discrimination, which begins to be acquired at about eighteen months of age, not eighteen years but eighteen months.

It means making education more than initiation rite to fraternity, or a lodge—an initiation rite required for entrance into the prosperous society of the majority.

EDUCATION A BRIDGE FROM POVERTY TO PROSPERITY

It means making education a bridge with one end that is firmly planted in the culture of prosperity, and it means making that bridge strong enough to be worth crossing; and it means helping people to cross that bridge, and to find a new life.

I think it is fair to say that we have made a remarkable start towards building that bridge, and here are some of its parts.

FEDERAL PROGRAMS HELP BUILD THE BRIDGE

Project Headstart—Project Headstart has already prepared two million pre-schoolers for what we hope will be a successful contribution to the educational experience. I think it needs to be a year-around, continuing program; and you know it.

Through Project Headstart, we cannot only help the lives of little ones; help make their lives better, but we find the parent; we reach back into the community; we follow the child back to the source of the trouble; and if we have any sense of decency at all we will do something about the conditions that exist in that area of trouble.

ACHIEVING FEDERAL AID A LONG STRUGGLE

Now the Elementary and Secondary Education Act is designed specifically to enable children from deprived backgrounds to benefit fully from regular schools. It is already operating in 17,500 school districts. It is already effective in the lives of eight and a half million people.

You know, we take all this for granted. It did not come easy. The first bill I voted on when I came to Washington in 1949, was to aid education.

We passed it in the Senate, and they killed it in the House. Two years later we passed it in the House, and they killed it in the Senate. It was a sort of suicide tennis game—homicide, I suppose I should say. Each year you had to determine who was going to kill it. You killed it either on the basis of race, religion, or region.

Whatever you may think about some of the things that may have been done, or should be done, I think that one of the greatest contributions to the welfare of this nation accomplished in the last four years under the leadership of the man who is President of the United States, is the passage of the Elementary and Secondary Education Act—no small accomplishment.

And two billion dollars goes into that program this year.

Oh, I heard somebody say, "That is not very much." But it is two billion dollars more than you had four years ago.

This is a very hard generation to satisfy—for sixteen years I stood side by side with people on this platform and fought for Federal Aid to Education; introduced the Federal Aid to Education bill.

PROJECT UPWARD BOUND

Let's take a look at another project, Project Upward Bound, a Headstart Program for prospective college students.

I have been visiting these young people. The program does not make many headlines. These are the young folks that have potential for something great, and something bad. These are the kinds that could go wrong, or could go to higher achievement.

I have been in college after college across this country and I want to tell you something—unless somebody stands up you would never know they were there; and I always hope somebody will, because then at least they know you are in town.

We have today thousands, 32,000 young Americans in Project Upward Bound, in over 200 colleges across this land—32,000 young people that are being found; 32,000 that are going on to college; 32,000 whose lives are going to mean something.

I wish it were three hundred thousand, but it is 32,000 more than you had two and a half or three years ago.

BUILDING AFT TOOK TIME

You did not get your good collective bargaining agreement all at once. You did not build the AFT that way. I was around building the AFT 27 years ago, and it wasn't anything like this, I'll tell you that. It takes a lot of doing, and it takes more than just dues paid.

And there is the President's Council on Youth Opportunity. I happen to be Chairman of that. I like my work. That program has sponsored summer enrichment programs in cities throughout the country; and we have the finest program that we have ever had. It is not good enough, but it is better than it was last year; three times better than it was the year before; and the year before that there was not any. So I have been in this from the beginning.

SUMMER EMPLOYMENT PROGRAM

We have a massive summer employment program this year. We found jobs under this program for a million, two hundred thousand needy youth. For the first time, we have cut into the teenage unemployment. Despite the fact that there were five hundred thousand more teenagers in the labor market, we have reduced the number of teenage unemployed. For the first time!

I know we have not done it well enough, but we have done it a whole lot better than our critics, because they did not do anything.

We are now embarking on what we call a nationwide back-to-school-stay-in-school campaign, designed to combat the dropout problem.

These are unprecedented programs, and you have cooperated with them. We work with your people.

The program is designed to catch as many of the disadvantaged young people as possible right now, wherever they are in their education; and to enable them to gain as much as possible from their remaining years of school. We just refuse to sign off anyone. We think that there is hope in every one of these young people, and it is our job to reach out to them.

FEDERAL PROGRAMS SUPPLEMENT LOCAL PROGRAMS

These programs are designed to supplement creative programs undertaken at the local level. They are over and above the regular education program. They are the sort of thing that this document, this remarkable address that I spoke of, incorporated in its thinking. And they are designed to give you, the dedicated professional teacher, the tools that you need to extend the challenge, the excitement, the pleasure, and the benefits of a good education to every American child.

AFT—FOR GOOD EDUCATION FOR ALL

I want the public to know that is what the American Federation of Teachers stands for—a good, wholesome, enriched education for every American child regardless of what it may cost the American public.

Various teachers federations have been prominent in the news lately because of your organizing and collective bargaining efforts. Well, let me just say a word about that.

First of all, there is nothing wrong with it. It is part of the American scene.

AFT COLLECTIVE BARGAINING TO IMPROVE EDUCATION

Collective bargaining, is, after all a process to achieve more than just higher salaries for teachers, even though higher salaries are needed if you are going to have teachers.

Teachers in this great organization are bargaining for the improvement not only of salaries, but the quality of education. I know what the teachers from my state are fighting for. I have been with some of them for years.

What you ought to do is what you ought to do whether people like it or not. They may come around a little bit later and like it. You cannot tell.

COLLECTIVE BARGAINING TO DO AN EFFECTIVE JOB

In reference to your work, teachers are really bargaining for the rights and the tools to do effectively what is the overall job of public education, to transmit history to our youth, and to inspire creative thinking about the future, of our society, so that society and civilization can continue.

You can find a lot of this kind of philosophy in what John Dewey used to write, but you do not even need to read John Dewey. You know that you cannot really motivate young people with teachers that are not motivated.

You know you cannot really bring an enriched educational experience to young people today unless you have the facilities; the tools; the books—all of the teaching methods and machines and apparatus that is required to make education what it ought to be in the last third of the 20th Century. That is what you are fighting for. And I regret that this story does not seem to get to the people.

Every time I read about my friends of the AFT, it appears to the public that you seem to be fighting is just for yourselves.

Well, let the Vice-President of the United States, put it on the record that had not some of our teachers stood up and fought for what they believed was right, the educational system of this country would not be half what it is today. (Applause)

TEACHER POWER

I read a great deal these days about student power. There has never been any lack of it as long as I remember. I can remember it back a few years. I am not sure that it always holds in one direction, but there is plenty of power.

What you really need is a little teacher power.

Who knows better—who knows better what ought to go on in a classroom?

Who knows better about young people than those who work with them and live with them?

Who knows better about the kind of teaching tools that work?

Who knows better what the purpose of education is than a trained teacher?

Well, what I am talking about is what the Federal Government is trying to help you do in some of these programs; trying to make these all-important educational credentials available to the poor youngster.

AFT'S MORE EFFECTIVE SCHOOLS PROGRAM

And these federal programs are and must be supported by a vast number of local and private interests. I think the AFT's Effective Schools Plan is outstanding amongst these splendid local and private efforts that can help our educational system.

Mark my words, this massive effort we are speaking of will pay dividends long before many other investments. But even if you have to wait a few years, it is too long when it is counted in lives wasted because of inadequate education.

At this time of acute crisis—and it is a crisis—we have to ask ourselves, are we doing as much as we can right now with what we have, to concentrate our existing educational resources on the needs of the poor child in America?

The answer is, "No"—we can do much more.

I believe that the obvious place to start is in extending our educational programs right through the summer months.

SUMMER PROGRAM IN SCHOOLS

I do not mean for you to work for nothing.

Well, teachers are entitled to be paid for the services they perform. So, when I speak of a full year's school program I do not mean that you are paid for nine months and you contribute three to the Community Chest; and I do not mean that the 12-month program was exactly the same as it was when you started in September.

You have programs that are related to needs and seasons. The 12-month school year has been adopted tentatively in some communities under Title I of the Elementary and Secondary Education Act, and it works; and in the context of our present needs the nine-month school year is an unacceptable anachronism. It is as out-of-date as a kerosene lamp in a public utility.

It was related to the harvest season. Only six percent of the population is rural now, living on farms. A century ago the school year lasted 78 days. Now it averages 162 days. I think it is time to add another ninety days. At least in those neighborhoods where the school offers the only wholesome, positive influence in the bleak and poverty-ridden lives of thousands of American youngsters.

What right do you have to padlock a school playground; to close a swimming pool; to close off the auditorium when it is owned and paid for by the public?

I could give you another tip. There is more school vandalism on closed schools than there is on open schools. Disadvantaged children, you know, are disadvantaged all year; not just for nine months. They don't have a rich daddy and mama, or even a semi-prosperous one that can send them off to summer camp or make it nice and pleasant out at the country club, or in a comfortable suburban area. They need your help all year, and not all year except during the worst months, the hot, explosive summer months.

SUMMER OPPORTUNITY CENTERS

Now don't misunderstand me. I am not talking about correctional summer schools, designed to punish and prod those who did not do their homework during the year. And I am not talking about merely an extension of the regular classroom activities. I am talking about something much more than simply an extension of the regular classroom activities.

I am talking about turning our schools into summer enrichment centers; opportunity centers for the development of human resources.

Summer is a time of growth. It is a time when plants and flowers and shrubbery grow. It is the period of life, and it should be a time of experimentation for expanding the experiences of the individual child.

It should provide special opportunities in art; in music; in drama; opportunities for exploration; for reading; for developing individual capacities. It should be a time for camping; for trips; for new horizons.

It should be a time for learning, to even swim; for games and playing.

Does this sound like the summers that you remember from your childhood?

I think some of us remember that. This is close to what I mean.

If people say, "What is your target?"—something like you have experienced.

But keep in mind that the slum child of today does not look forward to this kind of a summer, and he does not remember it, nor do his parents, because they never had it. He looks forward to three months of days on the hot pavement; three months of standing around on the corner; three months of nights in a stifling rat-infested apartment or tenement. Three months of idleness; impatience, and frustration.

AMERICANS SHOULD VISIT SLUMS

And if the people of this country do not know it, let them go and see their own country. If you want to do something in your town that will help it, when you go back, go to the mayor or one of the city officials and say, "Let's us organize a little tour through the slums, and let's get everybody in this town to go take a look at it."

I don't think the American people are calloused and sinful. They just don't know. We have people talking all the time about China, and Asia, and Africa, and they haven't even been across the tracks in their own home town.

And some of my friends here from Minnesota, you know I used to say that very thing when I was Mayor of Minneapolis. I'd go down in the south of Minneapolis and speak to a young people's group, and they would want to talk about China.

I'd say, "That's good; let's talk about China." I did not know very much about it, so I could talk a great deal about it. We'd talk about China. I'd say, "How many of you have been on the other side of Holecombe Boulevard?"—which was in the other direction, about a mile and a half; mighty few had. I'd have a group of a hundred youngsters, and one hand would go up.

I would say, "You are trying to talk about China, which is 8000 miles away, and you haven't even been visiting a part of your city which is a mile and a half away. Why don't you go up and find out what they are doing?"

OUR BEST SCHOOLS SHOULD BE IN THE SLUMS

Isn't it a fact, that the best schools, with the highest paid teachers, with the most up-to-date audio-visual machines, finest equipment, are generally to be found in the newest areas of the city, where the well-to-do people live? Where they have the extra-curricular activities; the orchestra; and where they have all sorts of student activities; and where they buy the band instruments; and where they have school concerts?

And where are the worst schools?

The best schools in America ought to be where the people need them the most. That is the way you make progress. That is the way you get on top of this.

SLUM CHILDREN NEED NEW EXPERIENCE

This boy or girl's experience that I talked about, this slum child, his opportunities for experimentation and explorations, they are not happy. They are not art and music. They are limited to the vices of the street. They are not camping.

His experiences, too, remember, may well include a run-in with the law.

Summer Opportunity Centers—that is what I want to call our schools. I think after that nine months period is over of regular schooling, we ought to change the sign and say Youth Opportunity Center; put it right up there. Let the kids know that we care.

They should provide a comprehensive package of experiences, especially designed to meet the needs of these disadvantaged children; to bring them up; to help them see the other part of the life that this nation lives.

Let me give you some ideas of what is available in this great Summer Opportunity Program. I have been into more slum areas in America in the last year than I think almost any public official in this country because I travel around this country. I have been in forty-two of the fifty states; and I go into the backwash areas.

I have been out to see and not just hear about these.

SUMMER OPPORTUNITY PROGRAM

Here is what these young people could have in these Enrichment or Opportunity Centers—remedial courses for those who need them in English and other fields, the mastery of which is a prerequisite for success in regular schooling in other subjects.

They could have cultural programs; museums tours; and trips designed to broaden cultural horizons. There could be emphasis on jobs preparation which would include visits to factories; talks with union leaders; business leaders; and other contacts designed to present realistic but interesting employment horizons.

I know of one program where they have taken hard core kids and put them out on this big earthmoving equipment, and the first thing that a kid asks when he sees these great machines is, "How much do you make?"

LEARNING FOR HIGHER PAY

And when the driver says he gets six dollars an hour, or eight dollars an hour, or five dollars an hour, or whatever the pay is, the kid says, "Gee, I sure like that!"

And if you have your program worked out right, the fellow that is driving that piece of equipment says "Well, I'll tell you what; if you get back to school they can get you in a program; we can put you on one of these machines, and we can teach you how to operate one of these machines. And if you can get a good reference from your teacher, we can get you a job on one of these machines."

The teacher is the enemy at that point. That kid needs that teacher like he needs his mother. He knows the only way he is going to get the six dollars an hour, five, or four, or whatever the wage is, if the teacher says the boy has done well. So the teacher becomes an ally instead of an enemy. This works; I have seen it work.

But you have got to bring this child in contact with reality, not just talk theory. He most likely is not going on to Harvard. He possibly is going to try to get enough experience and training, and hopefully a high school diploma, because he has been told he needs it in order to get some place, and he wants to come in contact with the life that is going to be his.

These Opportunity Centers should permit contact with local civic leaders; political leaders; welfare administrative and indeed police authorities, designed to give participants a sense of how their communities operate.

And they can have science discovery centers; shop courses; home economics work; work study programs for adults, which enable them to earn a living while gaining experience. And some camping for every child; special camps for those in need of special attention.

The organized sports program: Do you know what I am talking about?

What we are trying to do is this; this is not theory. We are working at it. I worked on it yesterday. I worked at it last night. I have contacted across this country over a hundred of the top mayors of the hundred largest cities, working with business, labor, and church leaders and teachers to get this Youth Opportunity Program going.

Oh, we've had some wonderful experiences. In Chicago, last year, a group of Chicago students participated in a work study program designed to raise the level of their opportunities and initiative. They manufactured and marketed their own handicraft, products; aid their own way, with advice and assistance from the local business community and schools.

Some 200 New Orleans' children from Spanish-speaking background underwent an intensive six-week course in English, using everything from puppets to modern electronic equipment. And they improved their language capability immeasurably. They also studied American political institutions, and their Spanish cultural heritage.

NEED TO TEACH NEGRO HISTORY

You know, I read in the paper the other day that some of the advocates of Black Power said that we ought to teach Negro history in the schools. You ought to teach that; that is a part of the history of America. We ought to know about it. You do not need to get that kind of advice from so-called power movements. That is not necessary. We ought to be teaching labor history in our schools.

Most people are wage earners. They ought to know what the labor movement has meant too. Frankly, a lot of the young people joining the labor movement do not know what it means. All they know is it means the initiation fee and dues. They do not know how this labor movement was built. They do not know the sacrifices of the early leaders, of the trouble they had to go through, and indeed may I say of the brutal beatings that many of them had to take.

They need to know this history.

Well now, these are just a couple of examples. So there are lots of things we can do.

One of the reasons that the summer is so desirable for all of this—space is more available; the weather is better for field trips; there is a warm and informal relationship between the teacher and pupil; and what's more important is you're trying to fail somebody. You are trying to edge them along.

Then I know the inevitable question—what will it cost?

Well, there are two ways of analyzing. What will it cost if you do not do it? That is one way.

And what will it cost?

WE CAN USE SCHOOLS IN SUMMER

Well, it is not prohibitive. The estimates I have seen, and we are making full evaluation of that, and will be able to report to you more accurately by this December, is about $40.00 per child.

I have been around, and I want to say that I used to tell some of my friends back home when they were a little angry because we had to raise the tax a little bit to get our school system a little better I'd say, "Now look, my dear friends, you spend enough up at the club drinking those martinis, protesting what I am trying to do, to pay for your share of that plan."

I don't like to be misunderstood. Many of you know I often speak of my father. He was my best teacher. My daddy never ever told me what time to go to bed. He never lectured me on that. He just was the best getterupper in the county. I never told the folks that they shouldn't be up to the club. I just said, "Fellows, if you can spend all that time grousing, griping, and planning how you're going to kill it off, go ahead and have your martinis, but get ready to back the kids because we're going to put the program through. You're going to have to pay for it."

That is what you have to tell the people.

The cost of such programs are modest. The equipment does not need to be large. The schools are there. The school buses are there, and if they're not ask your local bus company to help. Ask and it shall be given. Seek and ye shall find.

I go around the City of Washington. When we asked to put in playgrounds. They did not have any lights in these playgrounds a year ago. We had 132, and 18 were illuminated. We have 137 now, and 122 are illuminated. We did it.

And if you need some extra buses call the National Guard. They can provide buses, too. I've got it cleared with them.

The libraries are there. The laboratories are there. The museums are there. The gymnasiums are there. And we are opening up National Guard armories for young people today for use as gymnasiums; we use their equipment.

The Fire Department in Chicago opened the Navy Pier facility, and they had 7,000 kids a year into the Navy Pier gymnasium. It was sitting there idle. There is a lot of equipment around.

We have camps, one right out here at Camp Roosevelt.

Camp Roosevelt, the oldest Boy Scout Camp in this area. They were going to close it up. We kept it open. We raised the ninety thousand dollars it took to rehabilitate that Camp. We raised it, and we are putting into that Camp 1700 kids that have never been to camp in their life.

Right now as I speak to you one of the great big camps out near Watts, Camp Roberts, is being opened for thousands of kids from the Watts Area.

It can be done if you want to do it. But you can roll over and die, too. I tell you I let other people talk about dying conditions; I am for living conditions. (Applause.)

LET THE PUBLIC KNOW WHAT AFT STANDS FOR

I appeal to you to go home to your respective communities and let people know what this organization stands for, because what you stand for is what your country stands for.

You stand for opportunity. You stand for the enrichment of our society. You stand for helping those who need help. You stand for giving people the opportunity to gain self-respect, human dignity.

That is what educators are all about. That is what the AFT is about. That is what the Labor Movement is about.

I have been proud to be associated with the Labor Movement.

When I look back over the history of the United States, who was the first to champion the cost of public education—American Labor. (Applause)

AMERICAN LABOR FOR BETTER EDUCATION

Who was the first to come to the Congress of the United States and back aid to education—American Labor.

Who was the first that said if you want to have good teachers, you are going to have to treat them as professionals and pay them as professionals—American Labor.

Who was the first to say that if you really want a good educational system you have to provide a good educational environment, meaning the total facilities—American Labor.

So we're on the same ball team. Occasionally, once in awhile, we may have somebody in the bleachers that doesn't think so; but we are.

And I want to congratulate this illustrious President of yours. I want to thank each and every one of you for your work in behalf of a better America.

I want to thank you for what you are trying to do to give every person a chance.

As Thomas Wolff, that old depression poet put it, give every man his chance; his right to live; his right to work; his right to be himself.

To every man, his chance to become whatever his manhood or his vision can make of him.

To every man his chance—this is the promise of America.

Thank you very much.